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PROCEEDINGS AND DEBATES OF THE 89th CONGRESS, SECOND SESSION

SENATE

THURSDAY, MAY 19, 1966

The Senate met at 12 o'clock meridian, and was called to order by Hon. HARRY F. BYRD, JR., a Senator from the State of Virginia.

Rev. Edward B. Lewis, pastor, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

Dear God of all creation, we thank Thee for this season of the year that we see the appearing of new life from the old.

We feel our need of new life in this day when we find old ideas and challenges inadequate. Create from the breath and life within us, new concepts, ideals, and understanding we need to find the way to new life for this hour.

Bless these elected leaders of the people with insight and wisdom. May they always feel the presence of God and the support of the people.

Be with our President and international men of authority in finding peace for a world in a time where there is no peace. Awaken these, and all men, to the possibilities of life led by Thy spirit. We pray in the Master's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., May 19, 1966.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. HARRY F. BYRD, JR., a Senator from the State of Virginia, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. BYRD of Virginia thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. LONG of Louisiana, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, May 17, 1966, was dispensed with.

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of May 17, the Secretary of the Senate on May 17, 1966, received a message from the House which announced that the House had passed, without amendment, the following bills of the Senate:

S. 1748. An act for the relief of Virgilio Acosta-Martinez; and

S. 2696. An act for the relief of Abraham Ezekiel Cohen.

ENROLLED BILLS SIGNED

The Secretary of the Senate also, on May 18, 1966, received a message from the House of Representatives, which announced that the Speaker had affixed his signature to the following enrolled bills:

S. 1098. An act to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes;

S. 1748. An act for the relief of Virgilio Acosta-Martinez; and

S. 2696. An act for the relief of Abraham Ezekiel Cohen.

REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Pursuant to the order of the Senate of May 17, 1966,

The following reports of committees were submitted on May 18, 1966:

By Mr. LONG of Louisiana, from the Committee on Finance, without amendment:

H.R. 8376. An act to amend title I of the Tariff Act of 1930 to make permanent the existing duty-free treatment for certain corkboard insulation (Rept. No. 1170);

H.R. 10998. An act to continue for a temporary period the existing suspension of duty on heptanoic acid (Rept. No. 1171);

H.R. 11653. An act to make permanent the existing suspension of duty on certain natural graphite (Rept. No. 1172);

H.R. 12262. An act to continue until the close of June 30, 1969, the existing suspension of duty on certain copying shoe lathes (Rept. No. 1173);

H.R. 12463. An act to extend until June 30, 1969, the suspension of duty on crude chicory and the reduction in duty on ground chicory (Rept. No. 1174);

H.R. 12657. An act to continue the suspension of duty on certain alumina and bauxite (Rept. No. 1175);

H.R. 12864. An act to make permanent the existing duty-free treatment of personal and household effects brought into the United States under Government orders (Rept. No. 1176); and

H.R. 12997. An act to extend until July 15, 1968, the suspension of duty on electrodes imported for use in producing aluminum (Rept. No. 1177).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

S. Con. Res. 84. Concurrent resolution authorizing the printing of additional copies of the committee print entitled "Catalog of Federal Aids to State and Local Governments—Second Supplement, January 10, 1966" (Rept. No. 1167);

S. Con. Res. 86. Concurrent resolution authorizing the printing for the use of the Joint Economic Committee of additional copies of its hearings entitled "Twentieth Anniversary of the Employment Act of 1946, an Economic Symposium" (Rept. No. 1166);

S. Con. Res. 90. Concurrent resolution to authorize printing of additional copies of hearings (Rept. No. 1165);

S. Con. Res. 91. Concurrent resolution authorizing the printing of additional copies of hearings on "U.S. Policy With Respect to Mainland China" (Rept. No. 1164);

S. Res. 259. Resolution for additional funds for the Committee on the District of Columbia;

S. Res. 260. Resolution to print a study entitled "Policy Planning for Aeronautical Research and Development" (Rept. No. 1162); and

S. Res. 263. Resolution to print additional copies of a Senate report filed by the Special Committee on Aging (Rept. No. 1163).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, with amendments:

S. Res. 251. Resolution to investigate the Trading With the Enemy Act (Rept. No. 1169).

RESOLUTIONS

Under authority of the order of the Senate of May 17, 1966,

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolutions, which were placed on the calendar:

S. Res. 264. Resolution authorizing the printing of a revised edition of the "Election Law Guidebook" as a Senate document (Rept. No. 1168);

S. Res. 265. Resolution to pay a gratuity to Helene L. Macpherson; and

S. Res. 266. Resolution to pay a gratuity to Julia L. Conway and Mary C. Downey.

PRINTING OF REVISED EDITION OF "ELECTION LAW GUIDEBOOK" AS A SENATE DOCUMENT—REPORT OF A COMMITTEE (S. REPT. NO. 1168)

Under authority of the order of the Senate of May 17, 1966, the following report of a committee was submitted on May 18, 1966:

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration:

S. Res. 264. An original resolution authorizing the printing of a revised edition of the "Election Law Guidebook" as a Senate document (Rept. No. 1168); which was placed on the calendar, as follows:

"*Resolved*, That a revised edition of Senate Document Numbered 67 of the Eighty-eighth Congress, entitled "Election Law Guidebook", be printed as a Senate document and that there be printed two thousand additional copies of such document for the use of the Committee on Rules and Administration."

HELENE L. MACPHERSON

Under authority of the order of the Senate of May 17, 1966, the following report of a committee was submitted on May 18, 1966:

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration:

S. Res. 265. An original resolution to pay a gratuity to Helene L. Macpherson; which was placed on the calendar, as follows:

"*Resolved*, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Helene L. Macpherson, widow of Gregor Macpherson, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances."

JULIA L. CONWAY AND MARY C. DOWNEY

Under authority of the order of the Senate of May 17, 1966, the following report of a committee was submitted on May 18, 1966:

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration:

S. Res. 266. An original resolution to pay a gratuity to Julia L. Conway and Mary C. Downey; which was placed on the calendar, as follows:

"*Resolved*, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Julia L. Conway and Mary C. Downey, aunts of Louisa R. Pearson, an employee of the Senate at the time of her death, a sum to each equal to six months' compensation at the rate she was receiving by law at the time of her death, said sum to be considered inclusive of funeral expenses and all other allowances."

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Jones, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, informed the Senate that, pursuant to the provisions of section I, Public Law 86-42, the Speaker had appointed Mr. KEE, of West Virginia, and Mr. DUNCAN, of Oregon, as members of the Canada-United States Interparliamentary Group, on the part of the House, vice Mr. GIAIMO, of Connecticut, and Mr. TUPPER, of Maine, excused.

The message also informed the Senate that, pursuant to the provisions of Senate Concurrent Resolution 2, 89th Congress, the Speaker had appointed Mr. CLEVELAND, of New Hampshire, as a member of the Joint Committee on the Organization of the Congress, to fill an existing vacancy thereon.

The message announced that the House had passed the bill (S. 3283) to promote private financing of credit needs and to provide for an efficient and orderly method of liquidating financial assets held by Federal credit agencies, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1275. An act for the relief of Mrs. Jadwiga (Ita) Lapides;

H.R. 1483. An act for the relief of the John V. Boland Construction Co.;

H.R. 3631. An act for the relief of John Sinclair;

H.R. 4083. An act for the relief of Mr. Leonardo Tusa;

H.R. 7026. An act for the relief of Nathan Levine;

H.R. 9643. An act for the relief of Haider Raza and his wife, Irene Raza, and their children, Afzal Anthony and Haider Raymond Raza;

H.R. 10220. An act for the relief of Abdul Wohabe;

H.R. 11253. An act to provide for the conveyance of certain real property of the United States situated in the State of Pennsylvania;

H.R. 11718. An act for the relief of Jack L. Philippot;

H.R. 11940. An act for the relief of Fred M. Osteen;

H.R. 12315. An act for the relief of Anthony A. Calloway;

H.R. 12664. An act to retrocede to the State of Colorado exclusive jurisdiction held by the United States over the real property comprising the Fort Lyon veterans hospital reservation;

H.R. 12884. An act for the relief of John R. Sylvia;

H.R. 13366. An act to authorize the disposal of aluminum from the national stockpile;

H.R. 13768. An act to authorize the disposal of celestite from the supplemental stockpile;

H.R. 13769. An act to authorize the disposal of cordage fiber (sisal) from the national stockpile;

H.R. 13770. An act to authorize the disposal of crocidolite asbestos (harsh) from the supplemental stockpile;

H.R. 13772. An act to authorize the disposal of metallurgical grade manganese ore from the national stockpile and the supplemental stockpile; and

H.R. 13773. An act to authorize the disposal of opium from the national stockpile.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14215) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1967, and for other purposes; that the House receded from its disagreement to the amendment of the Senate numbered 5 to the bill and concurred therein, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 587) officially recognizing Waterloo, N.Y., as the birthplace of Memorial Day and authorizing the President to issue an appropriate proclamation relating to the centennial anniversary of the first celebration of Memorial Day, in which it requested the concurrence of the Senate.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 1275. An act for the relief of Mrs. Jadwiga (Ita) Lapides;

H.R. 1483. An act for the relief of the John V. Boland Construction Co.;

H.R. 3631. An act for the relief of John Sinclair;

H.R. 4083. An act for the relief of Mr. Leonardo Tusa;

H.R. 7026. An act for the relief of Nathan Levine;

H.R. 9643. An act for the relief of Haider Raza and his wife, Irene Raza, and their children, Afzal Anthony and Haider Raymond Raza;

H.R. 10220. An act for the relief of Abdul Wohabe;

H.R. 11253. An act to provide for the conveyance of certain real property of the United States situated in the State of Pennsylvania;

H.R. 11718. An act for the relief of Jack L. Philippot;

H.R. 11940. An act for the relief of Fred M. Osteen;

H.R. 12315. An act for the relief of Anthony A. Calloway; and

H.R. 12884. An act for the relief of John R. Sylvia; to the Committee on the Judiciary.

H.R. 12664. An act to retrocede to the State of Colorado exclusive jurisdiction held by the United States over the real property comprising the Fort Lyon Veterans Hospital reservation; to the Committee on Labor and Public Welfare.

H.R. 13366. An act to authorize the disposal of aluminum from the national stockpile;

H.R. 13768. An act to authorize the disposal of celestite from the supplemental stockpile;

H.R. 13769. An act to authorize the disposal of cordage fiber (sisal) from the national stockpile;

H.R. 13770. An act to authorize the disposal of crocidolite asbestos (harsh) from the supplemental stockpile;

H.R. 13772. An act to authorize the disposal of metallurgical grade manganese ore from the national stockpile and the supplemental stockpile; and

H.R. 13773. An act to authorize the disposal of opium from the national stockpile; to the Committee on Armed Services.

ENROLLED BILLS SIGNED

The ACTING PRESIDENT pro tempore announced that on today, May 19, 1966, the Vice President signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

S. 1098. An act to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes;

S. 1748. An act for the relief of Virgilio Acosta-Martinez; and

S. 2696. An act for the relief of Abraham Ezekiel Cohen.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. LONG of Louisiana, and by unanimous consent, the following committee and subcommittees were authorized to meet during the session of the Senate today:

The Committee on Government Operations.

The Subcommittee on Roads of the Committee on Public Works.

The Subcommittee on Juvenile Delinquency of the Committee on the Judiciary.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that statements during the transaction of routine morning business, with the exception of that of the Senator from Rhode Island [Mr. PASTORE], be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DEATH OF FORMER SENATOR THEODORE FRANCIS GREEN OF RHODE ISLAND

Mr. PASTORE. Mr. President, it is my sorrowful errand to notify the Senate of the passing of a former colleague who here served his State of Rhode Island and his country for 24 devoted years.

Theodore Francis Green died this morning in his Providence home close to his beloved Brown University which has gratefully and continually honored its loyal son.

His was a wealth of 99 years which enriched his community, his country, and the world. The biographer has woven the century of his living into the century of sacrificing service for his native State to which his forebears had themselves given public service since its earliest colonial days.

But Theodore Francis Green was more than a man of history. He was a man of warm friendships—an idealist who could inspire to ideals—and made every path the better because he passed that way.

In the passing of Senator Theodore Francis Green, a dear friend has gone from my life. Between us was a bond of affection—the wisdom of the older statesman and the appreciation of the younger who so valued his counsel and guidance.

His was a dedicated career of public service in the personal character of the patriot. He was an inspiration to prepare for responsibility and to accept and discharge that responsibility not for personal glory but in the deep love of country that was his very nature.

Time and again his colleagues in the Senate, without distinction of party, have testified to the stature of Theodore Francis Green as a great American. I could repeat them all—with the added gratitude of one who felt close to the eager heart, the brilliant mind, and the earnest soul of a sincere friend.

America—and each of us—suffer a loss. But we see beyond that loss a rich legacy in the life, labors, and loyalty, the high ideals of one who was always our humble neighbor.

Mr. President, for myself and my colleague [Mr. PELL], I send to the desk a resolution and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The resolution will be read.

The legislative clerk read the resolution (S. Res. 267), as follows:

Resolved, That the Senate has heard with profound sorrow and extreme regret the announcement of the death of Hon. Theodore Francis Green, who served in the U.S. Senate from the State of Rhode Island from 1936 until 1961.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased, together with a transcript of remarks made in the Senate in praise of his distinguished service to the Nation.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate, at the conclusion of its business today, do adjourn until Monday next.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. PASTORE. Mr. President, before moving the adoption of the resolution, I yield to my colleague [Mr. PELL].

Mr. PELL. Mr. President, I mourn the death, this morning, of Senator Theodore Francis Green, in the 99th year of his life. In him I lost a good and close friend whose advice and guidance I have always respected and one who has been an inspiration to me since I was a boy.

People of the world, our country, and especially of our State of Rhode Island mourn the death of Senator Green. His long life of public service, beginning before the time of most of us, is without equal in the history of our Nation. His public life started when he raised and outfitted his own company in the Spanish-American War.

By heritage and a sense of duty Theodore Francis Green was a man of all our people. He was a unique gentleman—scholar, athlete, statesman, politician, and custodian of family and community values. He was a statesman in the complete sense of the word. To recite his achievements is to call a very real role of honor.

Educated at Brown, Harvard, Bonn, and Berlin Universities, he was admitted to the bar in Rhode Island in 1892, when he commenced the practice of law. His interest in public service, politics, and business continued from then until the day of his death.

He was a life trustee of Brown University and of the Rhode Island School of Design. Five of his forebears were Members of Congress and he was president general of the Society of the Cincinnati.

Thus, for more than half a century he championed his party, and his ideals of government in Rhode Island and in the Nation with courage and determination. He took both defeat and victory in his stride. As chairman of the Senate Foreign Relations Committee he left such a mark that, when he retired from that post, he was named its first chairman emeritus.

Many times in my life I have been in debt of Theodore Francis Green. I recall how I have benefited by his wise advice and counsel, how I have gained by following his example—beyond, I would hope, the accident of heritage whereby we both had five forebears each who served in the Congress; and by our gratitude to him when he kindly served as chairman of my Senate campaign committee in 1960.

Theodore Francis Green's entire lifetime was spent serving his fellow man. His legend and renown will be remembered long in the hearts of the people of our State, which he served so long and so well. Most of us in Rhode Island today have been in one way or another touched by his gentle and wise counsel. He truly was a great gentleman and a statesman of the world as well as of our State and Nation.

I extend my condolences to his nephews Ronald, Arnold, Burges, Conrad, and Ellis Green and share their grief.

Mr. PASTORE. It is a privilege to yield to the senior Senator from Massachusetts.

Mr. SALTONSTALL. I thank the Senator from Rhode Island.

Mr. President, with the death of Theodore Francis Green, I lose a friend of over 30 years' standing. Senator Green was a remarkable man, who lived a long, busy, and useful life.

He was first elected to the Senate when he was 70 years old—a remarkable achievement. He went on to become chairman of two committees, first the Committee on Rules and Administration and then the Committee on Foreign Relations, where he was both active and effective. In an unusual move, he voluntarily relinquished his chairmanship of the latter at the age of 92, because he felt that that important committee needed younger leadership. He remained on the committee, however, and participated fully in its deliberations until he left the Senate.

Mr. President, I knew Theodore Green when he was Governor of Rhode Island and I was speaker of the house in Massachusetts. At that time, we conferred on a number of matters that concerned our two States, and a friendship developed between us which lasted through his career as a Member of the U.S. Senate and into his retirement. I shall always remember him as a man with a great sense of humor and very quick repartee. I always felt that when I cast a remark at Theodore Green, I would get back a better reply, and I was ready for it. But at the same time that he was quick and facetious, he was hard working and conscientious and recognized his obligations as a Senator and as chairman of the Foreign Relations Committee. I believe he knew more ambassadors and visited more countries than any other Senator of his time.

We shall all miss him and remember him as a distinguished public servant.

Mr. PASTORE. I thank the Senator. I yield to the Senator from Alabama.

Mr. HILL. Mr. President, it was with deep regret that I heard the announcement by the distinguished Senator from Rhode Island [Mr. PASTORE] of the death of our former colleague, Senator Theodore Francis Green. Senator Green was a dear friend. He was a dedicated public servant. He was a wonderful man.

He was a great American. His life will ever be an inspiration and a challenge to those of us who were privileged to serve with him and to know him. He will live on in the history of our country.

I wish to associate myself with the distinguished Senators from Rhode Island and the Senator from Massachusetts [Mr. SALTONSTALL] in the beautiful and richly deserved tributes which they have paid to Senator Green.

Mr. PASTORE. I thank the Senator.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. PASTORE. I yield to the acting majority leader.

Mr. LONG of Louisiana. Mr. President, I, too, was saddened to learn of the passing of Theodore Francis Green.

It was my privilege to serve with him and under his leadership on the Committee on Rules and Administration and subsequently on the Committee on Foreign Relations.

Senator Green was always most courteous, considerate, and polite to all of us in helping us discharge our responsibility. He was an architect of this Nation's foreign policy. Notwithstanding his advanced years, there was no task too burdensome for Senator Green to carry out in his Nation's interest.

It was an inspiration for younger Senators to serve under his leadership.

I deeply grieve to learn that he has been lost from the scene of American life today.

I join the Senators from Rhode Island in their deep feeling of sadness at his passing.

Mr. PASTORE. I thank the Senator. I yield to the Senator from California.

Mr. KUCHEL. Mr. President, the late senior Senator from Rhode Island, Theodore Francis Green, was a kindly, humble person, exuding culture and great wisdom. His was a lifetime of dedication and service to the people of his State and his Nation.

On two occasions I accompanied the late Theodore Francis Green to the North Atlantic Treaty Organization Parliamentary Conference. I learned to respect him, as did all of his colleagues in the Senate who sat with him on committees or who traveled with him overseas. He was indeed a remarkable man.

I share the sentiments which my very dear friend, the incumbent senior Senator from Rhode Island [Mr. PASTORE], and his colleague and others have expressed here today.

Mr. PASTORE. I thank the Senator. I yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, I associate myself with the remarks made this morning regarding former Senator Green of Rhode Island.

It was my privilege to have served on the Committee on Foreign Relations during some of the time that he was chairman. He was always a perfect gentleman and an outstanding chairman, interested in the welfare of those much younger and newer on the committee than he was in years of service.

I wish to mention one matter with respect to Senator Green. He was a deeply religious man. He had a strong religious faith and great religious conviction. He was a very active Baptist layman. It was my privilege to attend the same church, the First Baptist Church of Washington, at the same time that he attended. It was always an inspiration to me to see him come down the aisle and occupy his pew in this church on a Sunday morning.

He was truly a great citizen who rendered great and outstanding service to his State and to the Nation.

I wish to extend sympathy to the members of his family.

Mr. MONRONEY. Mr. President, I join in the expression of the feeling of personal loss in the death of a former patriarch of the Senate, Hon. Francis Green.

He was a man of great talent and ability. He had a sense of humor that surpassed that of almost anyone I have ever known.

If he had had time to write his memoirs of the span of history in which he participated and helped to make, it would have added great new light on the history of the United States.

I can well remember his describing his experiences at the convention in Baltimore at the time of the nomination of Woodrow Wilson. He was the "kid" member, he said, of the Rhode Island delegation.

Throughout his service here he had a fresh viewpoint that added much to our deliberations and to the Senate as a body.

We shall miss him, and we are grateful to the State of Rhode Island for having given us his presence for so many years.

Mrs. SMITH. Mr. President, I am personally grieved at the passing of Theodore Francis Green. It was my pleasure to serve with him in the U.S. Senate for several years. He was literally not only a foremost tradition of the beloved Rhode Island that he represented but, as well, one of the fine traditions of our Nation. He will be sorely missed.

Theodore Francis Green was a statesman and a gentleman. He was a superb chairman of the Committee on Foreign Relations. He had a very keen mind and a very delightful sense of humor. Surely among the most delightful stories of Washington are those with respect to the late Senator Green.

He and I were of opposing political parties. But we were good friends of many years—starting back in the days when the late Louis J. Brann, a prominent Democrat, was Governor of Maine and a very good friend of my husband and myself.

Although Theodore Francis Green was the vice chairman of the Democratic National Committee, he refused to go into Maine to campaign against me. I shall never forget his friendship for me that transcended political party lines. I shall miss him.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution (S. Res. 267) was agreed to.

VISIT TO THE SENATE BY MEMBERS OF THE CANADIAN PARLIAMENT

Mr. LONG of Louisiana. Mr. President, we are most fortunate to have with us today some of the outstanding Members of the Parliament of Canada, our good neighbor to the north.

While I have never had the opportunity to be the guest of those who are visiting the U.S. Senate, I have long recognized that Canada is one of our best friends, and I so regard that great nation and great and wonderful neighbor with whom we share a common border.

I now ask the Chair to call upon the Senator from Vermont to present the Canadian delegation.

The ACTING PRESIDENT pro tempore. The Chair recognizes the Senator from Vermont [Mr. AIKEN].

Mr. AIKEN. Mr. President, lest there be undue alarm on the other side of the aisle, I may say that the appearance in the Chamber this morning is not intended as a preview of the 90th Congress—although, one can never tell. But we are glad to have our Canadian friends sitting on the Republican side of the aisle.

Mr. President, the Senate is honored to have in the Chamber a distinguished delegation of Members of the Canadian Parliament who are attending the Ninth Canada-United States Interparliamentary Conference. We are also pleased to have as guests the lovely wives of many members of the delegation.

This morning the two delegations participated in an exchange of views on matters of common interest to our countries. We will hold additional meetings this afternoon and tomorrow.

I have no doubt that this ninth regular meeting of Members from our respective legislative bodies will bind even closer the strong ties between the United States and our good friend, ally, and neighbor to the north.

It is my pleasure to present to the Senate the Members of Parliament from Canada:

From the Senate: The Honorable Sydney J. Smith, Speaker of the Senate and Cochairman of the delegation. He has attended every parliamentary session between Canada and the United States.

The Honorable Sarto Fournier.

The Honorable M. Grattan O'Leary.

The Honorable Nelson Rattenbury.

The Honorable Dr. Orville Howard Phillips.

The Honorable John B. Aird.

Now we come to the House of Commons, which in Canada, unlike as in the United States, is not referred to as the lower House. It is a very important House up there. It has perhaps more power than our House of Representatives.

First, Mr. Herman M. Batten, Deputy Speaker of the House, and cochairman of the delegation.

The Honorable Francis Alvin George Hamilton.

The Honorable J. H. Theogene Ricard.

Mr. Donald S. Macdonald.

Mr. Wallace B. Nesbitt.

Mr. Robert C. Coates.

Mr. Robert Simpson.
Mr. Alexander Bell Patterson.
Mr. F. Andrew Brewin.
Mr. Viateur Ethier.
Mr. Allan M. A. McLean.
Mr. Reid Scott.
Mr. David Walter Groos.
Mr. Paul Langlois.
Rev. David S. H MacDonald.
Mr. Robert John Orange.
Mr. Gerard Pelletier.
Mr. Alcide Simard.

[Applause, Senators rising.]

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate stand in recess for 5 minutes so that Senators may greet the Canadian parliamentarians.

RECESS

Thereupon, at 12:23 o'clock p.m., the Senate took a recess until 12:28 o'clock p.m.

During the recess, Members of the Canadian Parliament were greeted by Members of the Senate.

On expiration of the recess, the Senate reassembled and was called to order by the Acting President pro tempore (Mr. BYRD of Virginia).

APPOINTMENT BY THE ACTING PRESIDENT PRO TEMPORE

The ACTING PRESIDENT pro tempore. If the Senate will suspend, the Chair will make an announcement.

The legislative clerk read as follows:

On behalf of the Vice President, the Chair announces the appointment of Senator WALTER F. MONDALE to attend the United Nations' Committee on Peaceful Uses of Outer Space, in place of Senator JOSEPH D. TYDINGS, resigned.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following communications and letters, which were referred as indicated:

Report on National Oceanographic Program

A communication from the President of the United States, transmitting, for the information of the Senate, the National Oceanographic Program for fiscal year 1967 (with an accompanying report); to the Committee on Commerce.

Establishment of Joseph H. Hirshhorn Museum and Sculpture Garden

A communication from the President of the United States, transmitting a draft of proposed legislation to provide for the establishment of the Joseph H. Hirshhorn Museum and Sculpture Garden, and for other purposes (with an accompanying paper); to the Committees on Public Works and Rules and Administration.

Transfer of Certain Acreage Allotments

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to provide for the transfer of acreage allotments, base acreages, and sugar proportionate shares established under any Federal statute, and to amend the provisions of the Agricultural Adjustment Act of 1938, as amended, relating to the selection of review committees (with an accompanying paper); to the Committee on Agriculture and Forestry.

Report on Title Agreements Under Agricultural Trade Development and Assistance Act of 1954

A letter from the Acting Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, a report on title I agreements under the Agricultural Trade Development and Assistance Act of 1954, for the month of April, 1966 (with an accompanying report); to the Committee on Agriculture and Forestry.

Acquisition of Certain Property by Secretary of Defense

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to provide authority to the Secretary of Defense to acquire properties and provide other relief for certain homeowners whose properties are situated at or near military installations which have been ordered to be closed (with an accompanying paper); to the Committee on Armed Services.

Appropriations for Department of Commerce

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize appropriations of the Department of Commerce to be available until expended or for periods in excess of one year (with accompanying papers); to the Committee on Commerce.

Use by Policyholders of Cash Surrender Value of Certain Life Insurance Policies

A letter from the Administrator of Veterans' Affairs, Veterans' Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the use by policyholders of the cash surrender value or the proceeds of a matured endowment policy of U.S. Government or national service life insurance to purchase annuities (with an accompanying paper); to the Committee on Finance.

Statement of Financial Condition of the American Legion

A letter from the director, the American Legion, Washington, D.C., transmitting, pursuant to law, a statement of the financial condition of that organization, as of December 31, 1965 (with an accompanying report); to the Committee on Finance.

Actions Taken by the U.S. Government in the Rhodesian Situation

A letter from the Secretary of State, informing the Senate of certain actions taken by the U.S. Government in the Rhodesian situation; to the Committee on Foreign Relations.

Report on U.S. Participation in Inter-American Cultural and Trade Center

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on U.S. participation in the Inter-American Cultural and Trade Center (with an accompanying report); to the Committee on Foreign Relations.

Report on Mountain Park Project, Oklahoma

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report on the Mountain Park project, Oklahoma (with an accompanying report); to the Committee on Interior and Insular Affairs.

Report of Governor of the Virgin Islands

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report of the Governor of the Virgin Islands, for the fiscal year ended June 30, 1965 (with an accompanying report); to the Committee on Interior and Insular Affairs.

Contracts for Scientific and Technological Research

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to enter into contracts for scientific and technological research, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Continuance of Civil Government for Trust Territory of the Pacific Islands

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to amend the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands (with accompanying papers); to the Committee on Interior and Insular Affairs.

Proposed Concession Contract in Crater Lake National Park

A letter from the Deputy Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract in Crater Lake National Park (with accompanying papers); to the Committee on Interior and Insular Affairs.

Reports Relating to Petitions for Third Preference and Sixth Preference for Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to petitions for third preference and sixth preference for certain aliens (with accompanying papers); to the Committee on the Judiciary.

Report of Eleanor Roosevelt Memorial Foundation

A letter from the chairman, Eleanor Roosevelt Memorial Foundation, New York, N.Y., transmitting, pursuant to law, a report of that Foundation, for the year 1965 (with an accompanying report); to the Committee on the Judiciary.

Amendment of Section 1310 of Supplemental Appropriation Act, 1952, as Amended

A letter from the Chairman, United States Civil Service Commission, Washington, D.C., transmitting a draft of proposed legislation to amend section 1310 of the Supplemental Appropriation Act, 1952, as amended (with accompanying papers); to the Committee on Post Office and Civil Service.

Disposition of Executive Papers

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The ACTING PRESIDENT pro tempore appointed Mr. MONRONEY and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A resolution of the Senate of the State of Arizona; to the Committee on Interior and Insular Affairs:

"State of Arizona
"Senate
"Twenty-seventh Legislature
"Second Regular Session

"SENATE MEMORIAL No. 6

"A memorial urging the Congress of the United States to defeat bills pending in the House of Representatives of the United States which provide for the enlargement of the boundaries of the Grand Canyon National Park

"*To the Congress of the United States:*

"Your memorialist respectfully represents:

"Whereas, there have been introduced in the House of Representatives of the United States H.R. 14176 by Mr. JOHN SAYLOR, H.R. 14177 by Mr. DINGELL, and H.R. 14211 by Mr. REUSS, all being identical Bills to enlarge the boundaries of the Grand Canyon National Park in the State of Arizona; and

"Whereas, these Bills are designed to forestall any further development of the water resources of Arizona and the Pacific Southwest by prohibiting construction of the Marble and Bridge Canyon Dams which are needed to provide power to pump water and revenue to finance water importation projects; and

"Whereas, these Bills also would take out of productive use valuable timber resources, grazing lands, and, probably most disastrous of all, place the famed North Kaibab Wildlife Refuge with its great deer herd under the National Park Service, which prohibits cropping wildlife surplusage on a year-to-year basis; and

"Whereas, this deer herd is an outstanding recreation resource for thousands of hunters, camera fans, and sightseers each year; and

"Whereas, past experience has demonstrated that unless it is carefully managed this herd will multiply so rapidly during favorable climatic periods that it will destroy the forage plants on which it is dependent during dry periods, and thereby destroy itself; and

"Whereas, these bills are not in the best interests of the State of Arizona, the West and the Nation.

"Wherefore your memorialist, the Senate of the State of Arizona prays:

"1. That the Congress of the United States defeat the proposed enactment of H.R. 14176, H.R. 14177 and H.R. 14211.

"2. That the Secretary of State of Arizona transmit a copy of this Memorial to the President of the Senate of the United States, the Speaker of the House of Representatives of the United States and to each member of the Arizona Congressional delegation."

Three joint resolutions of the Legislature of the State of California; to the Committee on Public Works:

"SENATE JOINT RESOLUTION No. 17

"Joint resolution relative to the federal 'Water Supply Act of 1958'

"Whereas, The federal 'Water Supply Act of 1958' (P.L. 85-500, Title III, Section 301) provides, incident to the construction of federal reservoir projects, for the inclusion of storage of water for present or anticipated needs for municipal or industrial purposes; and

"Whereas, It is highly desirable that such act be amended to also authorize the inclusion of such storage of water in federal reservoir projects for agricultural purposes, in order that full utilization may be made of federal multipurpose reservoir projects; now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the Congress of the United States to amend the 'Water Supply Act of 1958' (P.L. 85-500, Title III, Section 301) to authorize the inclusion of storage of water in federal reservoir projects for present or anticipated needs for agricultural purposes, as well as municipal or industrial purposes; and be it further

"*Resolved,* That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

"SENATE JOINT RESOLUTION No. 16

"Joint resolution relative to the Interstate Highway System in California

"Whereas, The federal government has deleted certain mileage from the Interstate Highway System in the City and County of San Francisco because of the failure of that city to agree upon the location of routes; and

"Whereas, This action in cutting back the Interstate Highway System in California, rather than revising it, will have a very serious effect on the highway program in this state; and

"Whereas, This substantial reduction of federal highway aid to California will mean that highway projects in every area of the state will be delayed; and

"Whereas, California already contributes substantially more toward the construction of the Interstate Highway System than it receives; and

"Whereas, The Century Freeway (State Highway Route 42) would make an excellent segment of the Interstate Highway System and would diminish the serious impact of this loss for California; and

"Whereas, On April 4, 1966, the San Francisco Board of Supervisors strongly urged that the Interstate Highway funds heretofore earmarked for expenditure in San Francisco be expended on the Century Freeway in the Los Angeles area; now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the Department of Commerce and the Bureau of Public Roads to place the Century Freeway (State Highway Route 42) in the Interstate Highway System at the earliest possible time and be it further

"*Resolved,* That the Secretary of the Senate is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Secretary of Commerce, to the Administrator of the Bureau of Public Roads, and to each Senator and Representative of California in the Congress of the United States."

"SENATE JOINT RESOLUTION No. 14

"Joint resolution relative to the national forests

"Whereas, The State of California, in recent years suffered irreparable damage from forest fires to the natural resources upon which its future depends; and

"Whereas, The United States Forest Service has plans for improvements in fire prevention and fire preparedness to meet the challenge of increasing use of our national forests; and

"Whereas, The need for increased fire prevention and fire preparedness, improved access, and facilities for meeting the recreational needs of an expanding population is recognized in the Program for the National Forests which was presented to the 86th Congress of the United States, and is currently being considered by the present Congress; and

"Whereas, It is clearly in the interest of all the people of the United States and of the State of California that forest fire losses and firefighting costs be reduced through improved management, prevention, and preparedness programs; now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to fully and promptly redeem the responsibility of the United States for the protection and management of the national forests in California as provided for in the Program for the National Forests which is now before the Congress of the United States; and be it further

"*Resolved,* That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the Chairman of the Sub-Committee on Forests, House Committee on Agriculture, for introduction into the record of its hearing on April 15, 1966, to the Chairman of the Senate Committee on Interior and Insular Affairs, to the Chairman of the House Public Works Committee for introduction into the record of its hearings on April 19, 20, 21, 1966, on Forest Development Roads in the Federal Aid Highway bill, and to the Chairman of the Public Works Committee, United States Senate, for introduction into its hearing on the Forest Development Plan."

A joint resolution of the Legislature of the State of California; to the Committee on Labor and Public Welfare:

"ASSEMBLY JOINT RESOLUTION No. 16

"Joint resolution relative to the impact upon local public school operations resulting from the curtailment of the employment of foreign nationals in agriculture

"Whereas, The Congress of the United States has determined that the admission of Mexican nationals for performance of agricultural work in the United States under Public Law 78 of the 82nd Congress, as amended, shall be discontinued; and

"Whereas, The admission of foreign nationals for the performance of agricultural work in the United States under the general immigration laws has thereby been curtailed; and

"Whereas, The ensuing recruitment and employment of domestic workers has created many problems for agricultural communities in California in that such workers are, in the majority of instances, accompanied by families for whom special housing and a multitude of governmental and social services must be provided; and

"Whereas, The impact of this influx of families into California communities is especially great in connection with the maintenance of the already overcrowded public schools, and entails major expenditures for capital expansion and for instructional and other educational services without correlative increases in local fiscal resources for the school districts and other agencies maintaining the public schools; and

"Whereas, Since these burdens placed upon the public school systems in numerous communities in California justify the immediate development of a federal program of subventions to enable affected school districts and other local agencies maintaining public schools to accommodate the great increases in enrollments; now, therefore, be it.

"*Resolved, by the Assembly and the Senate of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the Congress of the United States to formulate and enact appropriate legislation to provide for a program of federal subventions for school districts and other local governmental agencies maintaining public schools which are affected by the impact of increased enrollments and related difficulties arising from the curtailment of programs for the recruitment and employment of foreign nationals in agriculture; and be it further

"*Resolved,* That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Post Office and Civil Service:

"ASSEMBLY JOINT RESOLUTION No. 24

"Joint resolution relative to mailed sample ballots

"Whereas, The Post Office Department has recently ruled that mailed sample ballots that are prepared with the use of electronic (I.B.M.) equipment must be sent as first class mail; and

"Whereas, The effect of this ruling on registrars of voters, county and city clerks, and other public officers who are authorized by law to mail sample ballots will be to almost double mailing costs to the taxpayers, since sample ballots not electronically prepared may be sent by cheaper third class mail; and

"Whereas, These increased election costs to the public will necessitate additional budgetary augmentations by local governmental bodies, since their budgets have already been adopted on the basis of lower mail rates for electronically prepared sample ballots; now, therefore, be it

"Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Post Office Department to change its ruling with respect to registrars of voters, county and city clerks, and other public officers who are authorized by law to mail sample ballots, so that the rate for electronically prepared sample ballots for such officials will be no more than that for third class mail; and be it further

"Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a copy of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to Lawrence F. O'Brien, Postmaster General."

A joint resolution of the Legislature of the State of California; to the Committee on Public Works:

"SENATE JOINT RESOLUTION No. 15

"Joint resolution relative to the Marysville Dam and Reservoir project

"Whereas, There is urgent need for flood control on the Yuba River, California, as evidenced by past flood damages and Corps of Engineers studies of future potential damage; and

"Whereas, No flood control storage presently exists on Yuba River, and although the Bullards Bar Project, proposed by the Yuba County Water Agency, will provide substantial flood control benefits, it will only partially control the stream; and

"Whereas, The proposed Marysville Dam and Reservoir Project in conjunction with the Bullards Bar Project will provide full flood control on Yuba River as well as water conservation, power, recreation, and fish and wildlife enhancement; and

"Whereas, A report of the Corps of Engineers proposing construction of the Marysville Project is presently in Washington but has not yet been submitted to the Congress of the United States; now, therefore be it

"Resolved by the Senate and the Assembly of the State of California, jointly, That the President and the Congress of the United States are hereby respectfully requested to take the necessary steps to authorize construction and operation of the Marysville Dam and Reservoir Project by the United States and to appropriate funds for early completion of necessary fish and wildlife studies to be conducted cooperatively by the United States Fish and Wildlife Service and the California Department of Fish and Game to determine appropriate measures for maintaining the fish and wildlife resources affected by the proposed project, and subject to favorable findings of this study to thereafter take such steps and to lend such support as may be required to accomplish construction of this urgently needed project at the earliest practicable date; and be it further

"Resolved, That the Secretary of the Senate be directed to transmit a copy of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Secretary of the Army, and to each Senator and Representative from California in the Congress of the United States."

A resolution of the Senate of the State of Arizona; to the Committee on the Judiciary:

"State of Arizona
"Senate
"Twenty-seventh Legislature
"Second Regular Session

"SENATE MEMORIAL No. 5

"A memorial urging the United States to act favorably on Senator DIRKSEN's proposal to amend the Constitution for the purpose of permitting geography and political subdivisions to be taken into account in the apportionment of one house of a State legislature if the people of the State approve in a referendum

"To the United States Senate:

"Your memorialist respectfully represents:

"Whereas, reapportionment of State Legislatures based on the United States Supreme Court Decree has caused chaos and disruption of State Government in many States; and

"Whereas, Senator EVERETT M. DIRKSEN of Illinois, with the support of Senator PAUL FANNIN of Arizona, has pressed for the United States Senate to pass a Constitutional amendment which would permit geography and political subdivisions to be taken into account in the apportionment of one House of a State Legislature if the people of a State approve in a Referendum; and

"Whereas, an agreement has been reached to vote in the United States Senate on DIRKSEN's Proposal on Wednesday, April 20, 1966.

"Whereas your memorialist, the Senate of the State of Arizona, prays:

"1. That the Senate of the State of Arizona hereby pledges its full support and hopes that Senator DIRKSEN's Proposal passes the United States Senate by the required two-thirds majority vote.

"2. That the Secretary of State of Arizona transmit a copy of this Memorial to Senator DIRKSEN, to the President of the United States Senate and to each member of the Arizona Congressional delegation.

"Unanimously adopted by the Senate—April 14, 1966.

"Filed in the Office of the Secretary of State—April 14, 1966."

Resolutions adopted at the Seventy-fifth Continental Congress, National Society, Daughters of the American Revolution; to the Committee on Armed Services:

"RESOLUTIONS ADOPTED BY THE SEVENTY-FIFTH CONTINENTAL CONGRESS, NATIONAL SOCIETY, DAUGHTERS OF THE AMERICAN REVOLUTION, APRIL 18–22, 1966

"REDEDICATION

" 'Where the spirit of the Lord is—there is liberty.'

"Whereas educational programs of the Daughters of the American Revolution, have recognized and emphasized the value of character building and the development of spiritual fortitude; and

"Whereas the precepts set forth in the Holy Bible have influenced indelibly the lives and thinking of free men throughout the centuries and especially gave inspiration to the framers of the Constitution of the United States of America;

"Resolved, That the National Society, Daughters of the American Revolution, extend sincere congratulations to the American Bible Society on its one hundred and fiftieth anniversary, with appreciation for the immeasurable values contributed to the spiritual development of mankind by making available, through distribution of the Holy Bible, knowledge of the 'spirit of the Lord';

"Resolved, That the National Society, Daughters of the American Revolution, emphasize rededication to the development of individual spiritual fortitude and to continuing service to Home and Country—a Nation under God with liberty and justice for all.

"THE FLAG OF THE UNITED STATES OF AMERICA

"Whereas the Flag of the United States of America is the emblem of the Nation and a symbol of liberty wherever displayed; and

"Whereas apathy, indifference and lack of respect for the Flag are becoming increasingly evident by incidents of desecration and sometimes violent destruction; and

"Whereas Public Law 829 (Flag Code) does not provide penalties for desecration and misuse of the Flag;

"Resolved, That the National Society, Daughters of the American Revolution, support legislation which would make desecration of the Flag of the United States of America a Federal offense with penalties of fines and/or imprisonment.

"SUPPORT OF UNITED STATES OF AMERICA ARMED FORCES

"Whereas testimony before the Senate Armed Services Committee and public statements by high Government officials cause grave concern that the armed forces of the United States of America are being sacrificed in wars without adequate military support and equipment or declared goals of military victory; and

"Whereas American military strength has been weakened by crucial shortages; by unilateral United States Disarmament Agency cutbacks of major new weaponry, as well as by serious depletion of American maritime and air strength; by elimination of key foreign bases; reduced nuclear research; and by lack of anti-missile defenses; and

"Whereas our armed forces are further undermined by allies plying enemy ports with trade, and now increased American trade and aid to the communist bloc are advocated; and

"Whereas important sources advocate coalition goals with communist representatives, when coalition historically achieves enemy take-over, dishonors our pledges, and make senseless the sacrifices of American youth;

"Resolved, That the National Society, Daughters of the American Revolution, express its whole-hearted support and gratitude to the men serving in our armed forces; assert there should be no continuing commitments of our tooops without well-defined national objectives; urge an end to disarmament programs and trade with the enemy; and urge that no American soldier be asked to serve without full military support to assure victory.

"EXTENSION OF OCEANOGRAPHIC RESEARCH

"Whereas research in oceanography, which leads to knowledge of the geological, chemical and biological resources in ocean space, is vital to the existence of this Nation; and

"Whereas oceanography includes the study of the motions in and internal stresses of ocean space—and the exploration of the ocean floor, important in underwater communications—particularly in the area of national defense; and

"Whereas there are bills before Congress to provide for sea-grant colleges to train personnel for the needed expansion of our scientific interest in oceanographic research;

"*Resolved,* That the National Society, Daughters of the American Revolution, commend Congress, industry and scientific institutions for the development in this field and encourage even more concerted effort to train the scientists and technicians necessary for the expansion of an educational program of oceanography, marine mining, aqua culture and related fields.

"PANAMA CANAL

"Whereas the United States Senate has the power to block proposed new treaties revoking America's perpetual treaty rights over the Panama Canal by surrender of Canal Zone sovereignty and shared administrative responsibility to the Panama Republic, under terms which could deny to the United States access and defense rights; and

"Whereas the Canal Zone is a territorial possession of the United States of America, constitutionally acquired by treaty with Panama and purchased from individual property owners, and the Panama Canal was built at the sole cost of the United States of America and has been efficiently maintained and operated to the great benefit of Panama and the world; and

"Whereas loss of this vital artery for peaceful or military transport, essential to national and hemispheric economy and defense, would gravely weaken America; would give away billions of American tax-paid Canal Zone investments; would cause a major loss of our world prestige and power; and would hand a triumph to our enemies, who are now entrenched in the Caribbean;

"*Resolved,* That the National Society, Daughters of the American Revolution, favor no United States surrender or further abrogation to Panama of the United States of America's absolute treaty rights over this strategic Canal Zone.

"CONSULAR CONVENTION (TREATY)

"Whereas the United States Senate Internal Security Subcommittee warns that ratification by the United States Senate of the proposed Consular Convention (treaty) with Soviet Russia would sanction centers of espionage and subversion by allowing establishment of Soviet consulates in our major cities, granting unlimited exemption from criminal jurisdiction for all Soviet consular officials and employees; and

"Whereas the Director of the Federal Bureau of Investigation points out that the great majority of the 800 communist-bloc official personnel, already stationed in the United States, protected by immunity from prosecution, have engaged in intelligence assignments; and

"Whereas it has been charged that the agreement contains unprecedented concessions to the communists, while, with the increasingly precarious political situation in Latin America, ratification would, by example, lead to further communist dipolmatic establishments throughout this hemisphere; and

"Whereas five members of the Senate Foreign Relations Committee also charged that ratification will result in unlimited immunity for the consular personnel of 27 other countries with which we have consular conventions, including Communist Romania and Yugoslavia;

"*Resolved,* That the National Society, Daughters of the American Revolution, oppose this self-defeating agreement and urge rejection of the proposed Consular Convention as an unwarranted risk to hemispheric defense and national security.

"ATLANTIC UNION

"Whereas after a long and bitter war, the United States won independence and has endured as a free and sovereign Nation for almost 200 years, an example and hope for all mankind; and

"Whereas powerful political forces have launched a new drive for an 'Atlantic Union,' which in their own words would modify "our ancient idea of sovereignty," would destroy our independence and control our economy; and

"Whereas the United States would have to surrender its right and power to coin money, to levy taxes and tariffs, to regulate immigration, to enact citizenship laws, to declare war and to maintain standing armies, and would be subject to the jurisdiction of world courts in which American citizens could be tried and convicted; and

"Whereas plans for Atlantic Union which are intended to lead to world government are already far advanced, as enunciated in the Declaration of Paris, and these plans envisage a Federal Union within the framework of the United Nations in which the Soviet Union has potential majorities and enormous powers;

"*Resolved,* That the National Society, Daughters of the American Revolution, alert its members to these attempts to destroy the national sovereignty of the United States of America through the participation in any Atlantic or Federal Union.

"PROMOTION OF RIFLE PRACTICE

"Whereas the National Board for Promotion of Rifle Practice, organized under the Army by Act of Congress 1903, is successfully fulfilling its assigned mission of training civilians of military age in the safe, efficient and responsible use of military-type rifles; and

"Whereas the National Rifle Association of America is working in cooperation with the National Board for Promotion of Rifle Practice by organizing adult and junior clubs, furnishing trained instructors, conducting marksmanship tournaments throughout the Country; and

"Whereas actual experience has proven that men entering military service with previous rifle training are more capable in combat, thus improving their chances for survival;

"*Resolved,* That the National Society, Daughters of the American Revolution, commend the National Board for Promotion of Rifle Practice and the National Rifle Association of America for their work in training civilians of military age and the youth of America as riflemen, so that they may better serve their Country in time of need, and encourage the continuance and expansion of these training programs.

"SENATE CONFIRMATION OF FEDERAL BUREAU OF INVESTIGATION DIRECTOR

"Whereas the Honorable J. Edgar Hoover has served with distinction and effectiveness since 1924; and

"Whereas it becomes urgent upon his possible retirement that a competent and qualified man be appointed to succeed him;

"*Resolved,* That the National Society, Daughters of the American Revolution, approve the proposal that this appointment be subject to the 'advice and consent' of the Senate as stated in a current bill before the Congress of the United States of America; the said bill containing the following requirements: 'Each Director of the F.B.I. shall be appointed only from those individuals who (1) are serving as Associate Director, Assistant to the Director, Assistant Directors, Inspectors and Agents of the F.B.I. at the time of such appointment, and (2) who have served as a full-time officer or employee of the F.B.I. for a period or periods aggregating not less than seven years during the ten-year period immediately preceding the date of such appointment.'

"MONETARY POLICIES

"Whereas the American economy, strained by dollar-deficit trade problems, uncurbed domestic and foreign spending, and a rapidly increasing war effort, is suffering an inflation which continues to reduce the purchasing power of the dollar, threaten all life savings, insurance, annuities, bonds and fixed incomes, and raise living costs to a new high; and

"Whereas the United States Congress recently authorized the participation of the United States in a new multi-billion dollar Asian Development Bank to aid all Asian countries, 'regardless of ideology,' which this Country, principally, will be expected to fund; and

"Whereas an International or World Monetary System, now proposed, would further encroach on our national sovereignty, block national disciplines necessary to a sound currency, and increase distrust of the American dollar;

"*Resolved,* That the National Society, Daughters of the American Revolution, advocate the separation of foreign aid programs from international credit agencies, the restraint of domestic and foreign spending, and oppose participation in international currency systems as a threat to the sovereignty of the Nation.

"COMMENDATION OF LAW ENFORCEMENT OFFICERS

"Whereas lawlessness and mass disobedience are increasing in volume and violence, leaving citizens in fear for life and property; and

"Whereas recent decisions of the courts have added to the problems of law enforcement and tended to increase crime; and

"Whereas the police are not only under constant harassment which is demoralizing, but also their morale is being lowered by the interference of Civilian Review Boards, resulting in increased police resignation and difficulty in recruiting men of the right caliber;

"*Resolved,* That the National Society, Daughters of the American Revolution, commend law enforcement officers in their efforts to maintain the basic principles of just and durable government;

"*Resolved,* That the National Society, Daughters of the American Revolution, urge positive programs designed to teach respect for law and order.

"INTERSTATE COMPACT ON EDUCATION

"Whereas an 'International Compact on Education' between all states and territories, initiated in 1965 to 'promote and encourage local and state initiative in the development . . . and improvement of education,' proposes a membership of state governors, state legislators, politically appointed commissioners, and federal appointees; and

"Whereas, if ratified by states,* this political approach would add to federal educational political controls, which already supersede America's guaranteed constitutional rights to state and local educational controls; and

"Whereas this Compact has the following disadvantages or added educational costs:

"(1) It would require state education commissions, which are not now mandatory in all states.

"(2) It stresses new research programs, when research programs are now criticized by educational associations as often duplicative or over-extensive.

"(3) It would override state referendums against the cost or potential propaganda misuse of state educational TV networks.

"* The Virgin Islands and the following 15 states have ratified this Interstate Compact either by legislative or executive action as of April 1966: Arkansas, Hawaii, Minnesota, New Jersey, Texas, Illinois, New Hampshire, Idaho, New Mexico, Oregon, Rhode Island, Utah, Washington, Wyoming, and Ohio.

"(4) The Compact would be free from further legislative review of salaries or personnel control, would be self-amending in its purposes and bylaws, and could add immeasurably to present $24 billion state educational costs.

"(5) It duplicates three existing smaller regional compacts and on a national scale could outweigh state governments in dealing with Congress or the United States Office of Education, and might become a vehicle for imposing international control of education;

"*Resolved*, That the National Society, Daughters of the American Revolution, oppose state ratification of membership in the 'Interstate Compact on Education' because of uncontrolled costs and purposes and because its political orientation makes unlikely the Compact's desirable stated goal of restored state and local educational control and improvement.

"EDUCATIONAL DILEMMAS

"Whereas public education in the United States of America was established for the acquisition of general knowledge—not for the promotion of political or social ideologies; and

"Whereas understanding of the Present is based upon objective knowledge of the Past, with a growing comprehension of the individual's responsibility under the Constitution of the United States of America, and with his acceptance of these responsibilities as coequal with his rights; and

"Whereas there are increasing evidences of a slanting or rewriting of textbooks to support a point of view; of the addition to libraries of new books recommended on slanted, professional reading lists, while at the same time the withdrawal of standard works is accomplished; of the inclusion in English classes of books verging upon the obscene—with the result that there is a breakdown of discipline, a deterioration in the student's religious, moral and ethical convictions and less sense of personal pride and dignity;

"*Resolved*, That the National Society, Daughters of the American Revolution, work to insure that our schools present unbiased American history; that our children understand the classic meaning of freedom in a constitutional republic; and that our children be educated with a renewed sense of self-discipline and moral obligation.

"APPRECIATION TO THE PRESIDENT OF THE UNITED STATES OF AMERICA

"*Resolved*, That grateful appreciation is hereby expressed by the National Society, Daughters of the American Revolution, to the President of the United States of America for his message to the Seventy-fifth Continental Congress.

"APPRECIATION TO THE PRESIDENT GENERAL

"*Resolved*, That the Seventy-fifth Continental Congress of the National Society, Daughters of the American Revolution, express sincere appreciation to the President General, Mrs. William H. Sullivan, Jr., for her untiring efforts in making this, the Diamond Jubilee year of the Society, an outstanding one; for her able conduct of this Congress; and for her dedicated devotion to the principles and ideals of our beloved organization.

"APPRECIATION TO THE CHAIRMAN OF THE RESOLUTIONS COMMITTEE

"*Resolved*, That the National Society, Daughters of the American Revolution, express to Mrs. Stanley T. Manlove its sincere appreciation for her gracious and capable direction as the Chairman of the Resolutions Committee.

"COURTESY RESOLUTION

"Whereas the Seventy-fifth Continental Congress of the National Society, Daughters of the American Revolution, has been inspiring, educational and beneficial; and

"Whereas this has been possible through the concerted efforts of those who planned the program, as well as those who took part;

"*Resolved*, That the National Society, Daughters of the American Revolution, express deep appreciation to the Officers, the Chairmen, the Pages, to all who had a part on the program, and especially to:

"The entire personnel of the staff for their loyal service throughout the year and during this Congress,

"The United States Service Bands for the concerts,

"The artists who shared generously of their talents,

"The speakers for enlightening and inspiring messages,

"The police and firemen for their courteous attention and protection,

"The press, radio and television for coverage of these meetings, and

"The large number of individual members who contributed to the success of the Seventy-fifth Continental Congress."

A resolution adopted by the Missouri River States Committee, at Omaha, Nebraska, reaffirming its support for the integrated development of the beneficial uses of the waters of the Missouri River basin; to the Committee on Interior and Insular Affairs.

ADDITIONAL COSPONSORS OF BILLS

Mr. JAVITS. Mr. President, I ask unanimous consent that my name be added as a cosponsor of S. 3096, a bill of the Senator from Oklahoma [Mr. MONRONEY], which would extend Federal aid to the airport program, which is now due to expire on June 30, 1967, for 3 more years.

A recent National Airport Survey shows a requirement of approximately $500 million by 1970. This is less than 1 percent of the money scheduled for the Interstate Highway System, for an industry that is doubling in size every 3½ years.

New York State will require $17 million in each of the next 4 years. It is estimated that 36 New York communities will require FAA funds in the next 4 years.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask unanimous consent that the name of the Senator from Colorado [Mr. DOMINICK] be added as a cosponsor of S. 2619, the tax-sharing plan.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McINTYRE. Mr. President, I ask unanimous consent that at its next printing, the name of the junior Senator from Maryland [Mr. TYDINGS] be added as a cosponsor to the bill S. 3332, introduced by the senior Senator from Alabama [Mr. HILL].

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to add the name of the junior Senator from Montana [Mr. METCALF] as a cosponsor of the Laboratory Animals Act, S. 3332 at its next printing.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the name of the distinguished Senator from Kentucky [Mr. COOPER], be added as a cosponsor to S. 3035, a bill to establish a program for the preservation of additional historic properties throughout the Nation, and that when the bill is printed again his name be listed as a cosponsor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESOLUTION OF RHODE ISLAND GENERAL ASSEMBLY

Mr. PELL. Mr. President, for myself and the senior Senator from Rhode Island [Mr. PASTORE], I present for appropriate reference a resolution of the Rhode Island General Assembly memorializing Congress to pay survivors' benefits to widows who have no children and who are unable to obtain gainful employment. I ask unanimous consent that the resolution be printed in the RECORD at this point.

There being no objection, the resolution was referred to the Committee on Finance, as follows:

RESOLUTION H. 1780 MEMORIALIZING CONGRESS TO PAY SURVIVORS' BENEFITS TO WIDOWS WHO HAVE NO CHILDREN AND WHO ARE UNABLE TO OBTAIN GAINFUL EMPLOYMENT

(State of Rhode Island and Providence Plantations, in General Assembly, January Session, A.D. 1966)

Whereas it is unfortunate occurrence when someone is widowed and left without a mainstay of support: Now, therefore, be it

Resolved, That the state of Rhode Island and Providence Plantations through its general assembly, requests the congress of the United States to enact legislation which would extend payment of survivor's benefits to widows who have no children and who are unable to obtain gainful employment; and be it further

Resolved, That the senators and representatives from Rhode Island in said congress be and they are hereby earnestly requested to use concerted effort to enact legislation which would extend said benefits; and the secretary of state is hereby authorized to transmit duly certified copies of this resolution to the senators and representatives from Rhode Island in said congress.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROBERTSON, from the Committee on Appropriations, with amendments:

H.R. 14266. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending June 30, 1967, and for other purposes (Rept. No. 1178).

By Mr. ROBERTSON, from the Committee on Banking and Currency, with an amendment:

H.R. 7371. An act to amend the Bank Holding Company Act of 1956 (Rept. No. 1179).

By Mr. EASTLAND, from the Committee on Agriculture and Forestry, without amendment:

S. 2264. A bill to authorize the Secretary of Agriculture to accept a cash equalization of exchanges for lands under his jurisdiction, and for other purposes (Rept. No. 1181); and

H.R. 10366. An act to establish the Mount Rogers National Recreation Area in the Jefferson National Forest in Virginia, and for other purposes (Rept. No. 1182).

By Mr. EASTLAND, from the Committee on Agriculture and Forestry, with amendments:

S. 902. A bill to authorize the Secretary of Agriculture to cooperate with States and other public agencies in planning for changes in the use of agricultural land in rapidly expanding urban areas and in other nonagricultural use areas, and for other purposes (Rept. No. 1180).

By Mr. TYDINGS, from the Committee on the District of Columbia, with an amendment:

S. 2769. A bill relating to the establishment of parking facilities in the District of Columbia (Rept. No. 1183).

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mrs. SMITH. Mr. President, from the Committee on Armed Services I report favorably 1,625 appointments in the Regular Army in the grade of colonel and below, which includes 1,261 Academy graduates for appointment as 2d lieutenants. I also report the appointment of 3 permanent professors at the Air Force Academy and the appointment of 490 Academy graduates as 2d lieutenants in the Regular Air Force.

Since all of these names have already been printed in the Congressional Record, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations are as follows:

Alfred F. Hurley, and sundry other Air Force officers, for appointment as permanent professors, U.S. Air Force Academy;

John J. Ahern, Jr., and sundry other cadets, U.S. Air Force Academy, for appointment to the Regular Air Force;

Ralph R. Ganns, and Pauline A. C. Gustafson, for reappointment to the active list of the Regular Army of the United States; and

Joseph G. McGlade, and sundry other persons, for appointment in the Regular Army.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FONG:

S. 3373. A bill to amend the Social Security Act to require that, in the administration of titles II and XVIII of such act, certain evidentiary value be accorded certain birth certificates in determining the benefit rights of individuals thereunder; to the Committee on Finance.

(See the remarks of Mr. Fong when he introduced the above bill, which appear under a separate heading.)

By Mr. EASTLAND:

S. 3374. A bill for the relief of Joseph (Yoseph) Ollie Schuman; to the Committee on the Judiciary.

By Mr. EASTLAND (for himself and Mr. Dirksen):

S. 3375. A bill to incorporate the Association of American Law Schools; to the Committee on the Judiciary.

By Mr. LAUSCHE:

S. 3376. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claims of the Steel Improvement & Forge Co.; to the Committee on the Judiciary.

By Mr. FULBRIGHT (by request):

S. 3377. A bill to promote the foreign policy of the United States; to provide standards for the issuance, denial, and revocation of passports by the Secretary of State; and for other purposes; to the Committee on Foreign Relations.

(See the remarks of Mr. Fulbright when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF:

S. 3378. A bill for the relief of Arlene W. Chang; to the Committee on the Judiciary.

By Mr. DOUGLAS:

S. 3379. A bill in relation to rates of toll and disposition of income by the city of East St. Louis, Ill., and the city of Chester, Ill., covering the bridges constructed by said cities across the Mississippi River; to the Committee on Public Works.

S. 3380. A bill to incorporate Recovery, Inc.; to the Committee on the Judiciary.

(See the remarks of Mr. Douglas when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. DOUGLAS (for himself and Mr. Hart):

S. 3381. A bill to amend the War Claims Act of 1948, as amended, to provide compensation for certain additional losses; to the Committee on the Judiciary.

(See the remarks of Mr. Douglas when he introduced the above bill, which appear under a separate heading.)

By Mr. EASTLAND (for himself, Mr. Bass, Mr. Symington, Mr. Long of Missouri, and Mr. Cooper):

S. 3382. A bill to amend the Agriculture Act of 1949, as amended, to permit the planting of soybeans in lieu of cotton in certain disaster areas in 1966; to the Committee on Agriculture and Forestry.

By Mr. RIBICOFF (for himself and Mr. Hartke):

S. 3383. A bill to amend title II of the Social Security Act to reduce from 20 to 10 the number of years a divorced woman must mave been married to her former husband in order to be treated as his wife or widow for purposes of eligibility for wife's or widow's insurance benefits; to the Committee on Finance.

(See the remarks of Mr. Ribicoff when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY of Massachusetts (for himself and Mr. Moss):

S. 3384. A bill to limit Federal financial assistance otherwise available for the construction or operation of nursing homes to nursing homes in States which have in effect a program which provides for the licensing of the operators of such homes and which meets certain requirements; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Kennedy of Massachusetts when he introduced the above bill, which appear under a separate heading.)

By Mr. GRUENING:

S. 3385. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. Gruening when he introduced the above bill, which appear under a separate heading.)

By Mr. PROUTY:

S. 3386. A bill for the relief of Wanda Radlinska; to the Committee on the Judiciary.

By Mr. DOMINICK:

S. 3387. A bill for the relief of Richard Vigil; to the Committee on the Judiciary.

By Mr. EASTLAND (for himself, Mr. Dodd, Mr. Dirksen, and Mr. Hruska):

S. 3388. A bill to amend the Immigration and Nationality Act with respect to the performance of certain investigative functions, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Eastland when he introduced the above bill, which appear under a separate heading.)

By Mr. RANDOLPH (for himself, Mr. Young of Ohio, and Mr. Cooper):

S. 3389. A bill to provide for the establishment of the Joseph H. Hirshhorn Museum and Sculpture Garden, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. Randolph when he introduced the above bill, which appear under a separate heading.)

By Mr. EASTLAND (for himself and Mr. Burdick):

S.J. Res. 162. Joint resolution to establish the American Revolution Bicentennial Commission, and for other purposes; to the Committee on the Judiciary.

By Mr. BAYH (for himself and Mr. Morse):

S.J. Res. 163. Joint resolution to amend the Constitution to provide for the direct election of the President and the Vice President of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. Bayh when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. MAGNUSON:

S.J. Res. 164. Joint resolution to provide for the designation of National Halibut Week; to the Committee on the Judiciary.

(See the remarks of Mr. Magnuson when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTIONS

DEATH OF FORMER SENATOR THEODORE FRANCIS GREEN, OF RHODE ISLAND

Mr. PASTORE (for himself and Mr. Pell) submitted a resolution (S. Res. 267) relative to the death of former Senator Theodore Francis Green, of Rhode Island, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. Pastore, which appears under a separate heading.)

APPOINTMENT OF A COMMISSION TO STUDY THE SELECTIVE SERVICE SYSTEM

Mr. NELSON submitted a resolution (S. Res. 268) relative to appointment of a commission to study the Selective Service System and make recommendations thereon, which was referred to the Committee on Armed Services.

(See the above resolution printed in full when submitted by Mr. Nelson, which appears under a separate heading.)

ACCEPTANCE OF BIRTH CERTIFICATE FOR SOCIAL SECURITY AND MEDICARE

Mr. FONG. Mr. President, I am introducing a bill requiring the Secretary of Health, Education, and Welfare to accept State-issued birth certificates as evidence of age of persons applying for social security cash benefits and health insurance—medicare—for the aged.

In such programs as social security retirement and medicare, age is a key factor in determining eligibility of individuals. But many Americans past 60 were not issued certificates at time of birth.

Some have been able to verify their birth date by such evidence as family Bibles, school records, baptismal certificates, and sworn statements of attending physicians.

Some have been able to obtain delayed birth certificates; that is certificates issued years after birth which attest to the birth date. These may have been issued by a State agency or by a city, town, county, or other local government body or official.

I have learned that in administering the social security retirement program and the health insurance program the Social Security Administration does not always accept a delayed birth certificate as conclusive evidence of age of the applicant.

This was brought to my attention by the cases of two residents of Hawaii. In one instance, the Social Security Administration accepted a delayed birth certificate issued in Wisconsin as documentary evidence that the applicant was old enough to qualify for social security retirement benefits. The application was approved and payments were made to him for 3 months. Later, a check of the 1910 and 1920 censuses indicated he was born a year later than the delayed birth certificate indicated, although subsequent censuses and other documents of record indicated he was born in the earlier year.

The consequence is that the Social Security Administration ruled the applicant ineligible for further payments. He was requested to return the payments for the 3 months. I understand he then was instructed to try to find out who gave the information to census takers in 1910 and 1920, showing him to be born 1 year later than his delayed birth certificate shows. This may well prove an impossible task.

A second case brought to my attention involves refusal of the Social Security Administration to accept a delayed certificate of Hawaiian birth as proof of age. Additional convincing evidence is required.

Under Social Security ruling 60-10—

> In determining whether or not such evidence is convincing, it is necessary to consider the type and age of the document, the purpose for which it was established, and the information which was the basis for the particular date of birth stated therein.

Such certificates have been issued since the early 1900's in Hawaii, by the secretary of state pursuant to Federal regulations while Hawaii was a Territory and by the Lieutenant Governor after Hawaii became a State.

In the case of persons not possessing a certificate issued at time of birth, a full legal investigation was made, testimony was taken, and the claim of date of birth closely examined. Only after exhausting all means of verification did the Territory and the State issue a so-called delayed certificate of Hawaiian birth.

Nevertheless, the Social Security Administration does not regard the delayed certificate of Hawaiian birth as conclusive on its face, but insists that the evidence upon which the certificate was issued be furnished. I understand efforts are underway to have such evidence included on the certificate issued in Hawaii.

I realize that the Social Security Administration has the responsibility for passing on the qualifications of applicants. I realize that Social Security officials have the duty to comply with the law which sets up qualifications for social security benefits, including age requirements. I commend them for their diligence in carrying out the law and trying to make certain that only those who qualify receive benefits.

On the other hand, it must be recognized that many persons now in their 60's or older have a difficult if not impossible task of establishing conclusive evidence of birth. In the years when they were born, many jurisdictions did not require official birth certificates. Other documentary evidence, such as baptismal certificates, has been lost and is irreplaceable.

When, therefore, an individual attempts to document his date of birth and succeeds in having a State, or other official entity under State law, issue a delayed certificate of birth, it would seem that this could be accepted as prima facie evidence of age.

This is what my bill seeks to do.

The bill provides that when age is of significance in determining the rights of a person for social security benefits or health insurance for the aged, the Secretary of Health, Education, and Welfare shall accept as evidence of the person's age a certificate of birth issued at any time by the State—or political subdivision pursuant to State law—in which the person was born.

Further, the bill provides that, in the absence of clear and convincing evidence to the contrary, the birth of such person shall be deemed to have occurred at the time indicated on the certificate.

Instead of denying an appliation solely on grounds that a valid delayed certificate of birth is not conclusive evidence, the Social Security Administration would have to accept the valid certificate as proof of age in the absence of "clear and convincing evidence to the contrary."

Of course, should clear and convincing evidence disclose that the information on the certificate regarding age was erroneous or that the certificate was obtained by fraud, appropriate steps could be taken as at present to deny, to terminate, or to adjust benefits.

Proof of birth is a problem that will long be with us. I hope this proposed legislation will simplify this aspect of administration of these important social security and health programs for our senior citizens.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3373) to amend the Social Security Act to require that, in the administration of titles II and XVIII of such act, certain evidentiary value be accorded certain birth certificates in determining the benefit rights of individuals thereunder, introduced by Mr. FONG, was received, read twice by its title, and referred to the Committee on Finance.

U.S. PASSPORT ACT

Mr. FULBRIGHT. Mr. President, by request, I introduce for appropriate reference a bill to promote the foreign policy of the United States; to provide standards for the issuance, denial, and revocation of passports by the Secretary of State; and for other purposes.

The proposed legislation has been requested by the Secretary of State, and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill may be printed in the RECORD at this point, together with the letter from the Secretary of State dated May 4, 1966, to the Vice President in regard to it.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 3377) to promote the foreign policy of the United States; to provide standards for the issuance, denial, and revocation of passports by the Secretary of State; and for other purposes, introduced by Mr. FULBRIGHT, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

S. 3377

Be it enacted by the Senate and House of Representatives of the United States of America in Congres assembled, That this Act may be cited as the "United States Passport Act".

TITLE I—DEFINITIONS

SEC. 101. For the purposes of this Act—

(a) The term "national" means a citizen of the United States or other person owing permanent allegiance to the United States.

(b) The term "passport" means the document issued by or on behalf of the Secretary of State to a national which identifies the national as such to the representatives of any foreign state and which requests that he be permitted to pass without delay or hindrance and, in case of need, be given such help as would be extended to nationals of the foreign state traveling in the United States.

(c) The term "Secretary" means the Secretary of State.

(d) The term "United States" means the States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and all other territory and water, continental and insular, subject to the jurisdiction of the United States.

(e) The term "travel abroad" includes departure from the United States, travel to any other country or area, or travel or residence in any other country or area.

TITLE II—ISSUANCE, DENIAL AND REVOCATION OF PASSPORTS

SEC. 201. (a) Passports may be issued only to nationals.

(b) Subject to such limitations as the President may prescribe, the Secretary and any persons duly authorized by him, but no other person, may accept passport applications, may administer oaths in connection with such applications, and may issue, renew, amend, limit, deny, or revoke passports.

(c) Subject to such general exceptions as the President may authorize and prescribe and subject to subsection (d) of this section, it shall be unlawful for any national to travel abroad without a valid passport.

(d) The Secretary may in a specific case waive the requirement of a passport for a national's travel abroad, if he considers such action advisable in the national interest or if he considers that there are extenuating circumstances of an emergency nature. The Secretary may limit and condition any such waiver both as to duration and as to country or area.

SEC. 202. (a) Before a passport is issued, the applicant therefor shall complete and subscribe to a written application in the form prescribed by the Secretary, duly verified by the applicant's oath or affirmation.

(b) Upon receipt by a person authorized to issue passports of a completed application and required information relating to the application, a passport shall promptly be issued or renewed or the applicant informed in writing of a denial.

SEC. 203. (a) Passports shall be valid for a period of five years from the date of issue and, except in the case where the bearer was under the age of eighteen at date of issue, may be renewed for an additional period not to exceed five years, but the final date of expiration shall be not more than ten years from the date of issue: *Provided,* That the Secretary may limit the validity of a passport to a period less than five years from the date of issue and the renewal of a passport to a period less than five years.

(b) The Secretary shall prescribe the period of validity of passports issued to officers or employees of the United States proceeding abroad in the discharge of their official duties, or to members of their immediate families.

(c) Passports outstanding as of the effective date of this Act shall continue to be governed by the laws under which they were issued with respect to the original period of validity and, if they have been renewed as of the effective date of this Act, with respect to the period of renewal. Passports that have not been renewed as of the effective date of this Act may be renewed under regulations prescribed by the Secretary for a period not to exceed seven years, but the final date of expiration shall not be more than ten years from the date of issue.

SEC. 204. (a) The Secretary is authorized to prescribe from time to time the fees to be collected for executing each application for a passport and for the issuance and renewal of a passport, and such fees shall be collected and paid into the Treasury of the United States, except that the Secretary may authorize officials of the several States to collect and retain fees for executing applications for passports. The Secretary is authorized to prescribe classes of persons from whom no fee shall be collected for applications for passports or for the issuance or renewal of passports.

(b) Whenever a fee is erroneously charged and paid for the issuance or renewal of a passport, or whenever a foreign country refuses a visa and the unused passport is promptly returned, such fee shall be refunded.

SEC. 205. A passport, except for direct return to the United States, shall not be issued or renewed in any case in which:

(a) the applicant is the subject of an outstanding Federal warrant of arrest for a felony, including a warrant issued under the Federal Fugitive Felon Act (18 U.S.C. 1073); or

(b) the applicant is subject to a court order, or conditions of parole, or conditions of probation forbidding his departure from the United States; or

(c) the applicant is subject to a court order committing him to a mental institution.

SEC. 206. A passport or renewal of a passport may be refused in any case in which:

(a) the applicant has not repaid a loan received from the United States to effectuate his return from a foreign country in the course of travel abroad; or

(b) the applicant has been legally declared incompetent, unless he is accompanied on his travel abroad by the guardian or other person responsible for his custody and well being; or

(c) the applicant is under the age of 18, unmarried and not in the military service of the United States unless a person having legal custody of such national authorizes issuance or renewal of the passport and agrees to reimburse the United States for any moneys advanced by the United States to enable the applicant to return to the United States; or

(d) the national has violated the provisions of Section 302; or

(e) the Secretary determines that the applicant's activities abroad as causing or are likely to cause serious damage to the national security or the foreign policy of the United States; or

(f) the applicant has been the subject of a prior adverse action with respect to his right to receive or use a passport under this section, Section 205 or Section 207 and has not shown that a change in circumstances since that adverse action warrants issuance or renewal of a passport.

SEC. 207. A passport may be revoked, restricted or limited where:

(a) the national would not be entitled to issuance of a new passport under Section 205 or 206; or

(b) the passport has been obtained by fraud or has been fraudulently altered, or has been fraudulently misused; or,

(c) the national's activities abroad are in violation of the laws of the United States.

SEC. 208. (a) Upon denial of an application for the issuance or renewal of a passport, or upon any other adverse action taken on an individual basis with respect to the person's right to receive or use a passport, the person shall be informed in writing of the specific reasons for the adverse action and of his right to administrative review of such action.

(b) The Secretary shall establish and make public the procedures governing administrative review of an adverse action. These rules shall accord to the person requesting administrative review the following rights:

(1) To appear in person and to be represented by counsel;

(2) To testify in his own behalf, present witnesses and offer other evidence;

(3) To be informed of the evidence on which the adverse action is based and the source of such evidence;

(4) To confront and cross-examine adverse witnesses.

TITLE III—GEOGRAPHICAL LIMITATIONS OF GENERAL APPLICABILITY

SEC. 301. (a) Subject to the approval of the President, the Secretary may by public notice restrict the travel of nationals and limit the validity of passports with respect to travel to the following places:

(1) Countries with which the United States is at war;

(2) Countries or areas where armed hostilities are in progress;

(3) Countries or areas to which the Secretary determines that travel must be restricted in the national interest because such travel would seriously impair the conduct of United States foreign affairs.

(b) Such public notice shall be published along with the reasons therefor. Notice of such restrictions shall also be stamped on each passport issued, renewed, or amended thereafter.

(c) Such restrictions shall expire at the end of one year from the date of publication, unless extended by public notice issued by the Secretary with the approval of the President.

(d) The Secretary may make exceptions to any such general geographical restriction for particular persons or categories of persons if he considers such exceptions to be in the national interest.

SEC. 302. Except as authorized pursuant to section 301(d), it shall be unlawful for any national to travel to, in, or through any country or area as to which there is in effect a restriction imposed pursuant to section 301.

TITLE IV—MISCELLANEOUS

SEC. 401. A passport issued under this Act shall at all times remain the property of the United States. It shall be unlawful for any holder of a passport which has been revoked to refuse to surrender it upon demand by the Secretary or his authorized agent.

SEC. 402. The Secretary is authorized to prescribe regulations consistent with this Act.

TITLE V—PENALTIES

SEC. 501. Any person who willfully violates the provisions of section 201, 302, or 401 of this Act shall be guilty of a misdemeanor and upon conviction shall be punished by imprisonment for a period not exceeding one year or by a fine not exceeding $1,000, or both.

TITLE VI—REPEAL PROVISIONS

SEC. 601. (a) The following Acts or parts of Acts and all amendments thereto are repealed:

(1) Section 4076 of the Revised Statutes (22 U.S.C. 212);

(2) Section 4077 of the Revised Statutes (22 U.S.C. 218);

(3) Section 1 of title II of the Act of June 15, 1917 (22 U.S.C. 213);

(4) Sections 1 and 4 of the Act of June 4, 1920 (22 U.S.C. 214, 216);

(5) Sections 1, 2, and 3 of the Act of July 3, 1926 (22 U.S.C. 211a, 217a, 214a);

(6) Section 215(b) of the Act of June 27, 1952 (8 U.S.C. 1185(b)).

TITLE VII—SEPARABILITY

SEC. 701. If any particular provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

TITLE VIII—EFFECTIVE DATE

SEC. 801. This Act shall take effect on the thirtieth day immediately following the date of its enactment.

The letter presented by Mr. FULBRIGHT is as follows:

MAY 4, 1966.

HON. HUBERT H. HUMPHREY,
The President of the Senate.

DEAR MR. VICE PRESIDENT: There is submitted herewith a proposed bill designed to be a comprehensive passport law. The bill would combine in one act a number of provisions relating to passports now appearing in several different statutes as well as amending some of those provisions. It would also set forth in statutory form provisions and procedures relating to passports which at present appear in the form of administrative regulation or practice.

The principal features of the bill are provisions: (1) to increase the period of validity of United States passports from the present three years renewable for two years, to five years renewable for five years; (2) to authorize the Secretary of State to prescribe passport fees; (3) to specify the grounds on which a passport may be denied or revoked; (4) to provide for administrative review of a denial or revocation of a passport; and (5) to provide for area travel restrictions.

As under existing law, under the proposed bill only the Secretary of State and persons designated by him would be authorized to issue or to deny or revoke a passport (Sec. 201(b)). United States nationals would continue to be required to have a passport to depart the United States and to travel abroad (Sec. 201(c)). However, unlike the present law this passport requirement would not, in view of the definition of travel abroad (Sec. 101(e)), extend to entry by a United States national into the United States. Section 201(d) would continue the authority of the Secretary of State to waive the passport requirement in special circumstances.

Existing law (22 U.S.C. 217(a)) provides that a passport shall be valid for a period of three years and may be renewed for a further period of two years. Section 203 of the bill would provide for a passport initially valid for five years which could be renewed for an additional five years. A five-year passport renewable for five years would conform with the recommendation of the 1963 United Nations Conference on Travel and Tourism. Such a period of validity would result in greater convenience to the traveling public. Section 203 would also authorize the Secretary to prescribe the period of validity of diplomatic and official passports. Such passports would continue to be issued valid for the period for which the bearer maintains the official status for which the passport was issued.

Under existing law the amount of the fees to be collected for an application for a passport, for issuance of a passport and for renewal of a passport are prescribed by statute (22 U.S.C. 214). Section 204(a) of the bill would enable the Secretary of State to adjust these fees as the cost of passport services changes. Pending completion of a current study of these costs, the existing fees of $1 for application, $9 for a passport and $5 for a renewal would be retained.

Sections 205, 206 and 207 would specify those instances in which a passport may be denied or revoked. No such provisions appear in existing laws although the proposed sections reflect the practice of the Department and describe those instances in which it is considered specific statutory authority for denial or revocation of a passport is desirable.

Section 208 would specifically provide for administrative review of action of the Department in denying or revoking a passport and guarantee to the person adversely affected by that action certain basic rights in connection with that review. The administrative review would extend to action denying or revoking a passport on the grounds of noncitizenship as well as the other grounds specified in Sections 205, 206 and 207. The present review procedures of the Department, set forth in the Department's regulations, conform to the requirements of Section 208.

Section 301 would provide express statutory authority for the Secretary, with the approval of the President, to impose restrictions on the travel of United States nationals to certain countries or areas. At the same time, the provisions of this section would authorize such restrictions only in those instances where restriction of travel is absolutely necessary. Public notice of the restrictions and of the reasons for the restrictions would be required. Restrictions imposed would expire one year from date of imposition unless extended by public notice. As is now the case, exceptions to the restrictions could be made when warranted in the national interest.

Under Section 302 it would be unlawful for a national to travel to, in, or through a restricted area unless authorized to do so under Section 301. Unlike the present law, the proposed bill would make unlawful the actual travel to and in the proscribed area rather than the departure from the United States for the purpose of travel to the area.

Section 401 is intended to facilitate the recovery of passports that have been revoked. In our view, enactment of this proposed bill would provide much needed modernization and clarification of the law relating to passports and at the same time ensure that the United States citizen's right to travel is inhibited only when required by compelling national interest.

The Bureau of the Budget has advised that this legislation would be consistent with the Administration's objectives.

A similar communication is being sent to the Speaker of the House of Representatives.

Sincerely,

DEAN RUSK.

Enclosure: Proposed passport bill.

INCORPORATION OF RECOVERY, INC.

Mr. DOUGLAS. Mr. President, Recovery, Inc., was founded in Chicago, Ill., in the year 1937, by the late Dr. Abraham A. Low, who was then assistant director of the Illinois Psychiatric Association and was deeply engrossed in the problems of the recovered mental patient, mainly from the standpoint of preventing relapses. Recovery, Inc., is a self-help aftercare method developed by Dr. Low to prevent relapses among former mental patients and chronicity in nervous patients.

From its humble beginnings it has, almost 30 years later, grown into a large, voluntary nonprofit and self-sustaining effort to enable those formerly afflicted with mental and nervous diseases to maintain their good health, thus contributing enormously to the overall good health of the Nation. The Recovery method consists of constant study of Dr. Low's book: "Mental Health Through Will Training," attendance at Recovery meetings and the practice of Recovery principles in one's daily life. Meetings are conducted in 548 groups in 34 States of the Nation, and are headed by trained leaders who are former patients and who are able to teach the self-help method. Leaders are ordinary citizens, not doctors, and the method of Recovery is thus passed on by persons themselves familiar with its benefits.

Recovery is presently incorporated under the laws of Illinois as a voluntary nonprofit organization. However, because the needs of the people of the United States for these services are so great and increasing rapidly, Recovery desires to make its self-help method available to all those who need it. In order to do so with a minimum of difficulty, and to facilitate its beneficial work in the realm of mental health, I am pleased to introduce the accompanying bill which would grant Recovery a Federal charter.

While Recovery presently has corporate protection in the larger States, it has had to qualify individually under the voluntary nonprofit statutes of 10 separate States. Recovery desires to secure corporate nonprofit protection in all of the States so that it may expand its work. It presently does not have this protection in 38 States. Individual registrations to do business in these States are costly, impractical, and involve this worthy organization in the use of time better put to expansion of the substantive program itself.

Accordingly, Mr. President, the purpose of the bill is to enable Recovery to become a truly national project with the stature of Federal incorporation to assist it in its benevolent works. A project more worthy of Federal incorporation can hardly be imagined. I am sure that anyone who knows of the organization or who can take the time to consider its work over the past 29 years, will agree with me that the bill I introduce today is worthy of prompt Senate action.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3380) to incorporate Recovery, Inc., introduced by Mr. DOUGLAS, was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF WAR CLAIMS ACT OF 1948, TO PROVIDE COMPENSATION FOR CERTAIN ADDITIONAL LOSSES

Mr. DOUGLAS. Mr. President, I have introduced a bill to amend the War Claims Act to provide compensation for persons who at the date of enactment of this bill are American citizens and who while serving in the military, naval, or air forces of any government allied or associated with the United States during World War II, were taken and held as prisoners of war by any government with which the United States was at war during World War II, and who while nationals of the United States or of any government allied or associated with the United States during World War II, were imprisoned contrary to the standards established by international law in any jail, prison, or concentration camp during World War II by any government with which the United States was at war during World War II.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3381) to amend the War Claims Act of 1948, as amended, to provide compensation for certain additional losses, introduced by Mr. DOUGLAS, was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF TITLE II OF SOCIAL SECURITY ACT RELATING TO BENEFITS TO CERTAIN DIVORCEES

Mr. RIBICOFF. Mr. President, on behalf of myself and the Senator from Indiana [Mr. HARTKE], I introduce, for appropriate reference, a bill to reduce to 10 years the amount of time a divorced woman must have been married to be considered a wife or widow for social security purposes.

Our social security laws still work a hardship—an unfair discrimination—on divorced American women. Under the social security system, a man's retirement benefits are based on his wage record built up during his working years. His wife is also covered on his wage record because her work has been in the home. Her job has been raising the children and caring for the family home. She was covered by her husband's work out of simple fairness and recognition of these important responsibilities.

However, until 1965, a divorced woman was not entitled to any benefits from her former husband's social security. No matter how long the marriage lasted, or why it broke up, a divorced woman could receive nothing. Unless she remarried or had insured employment of her own, she was not eligible for social security benefits. In 1965, Congress moved in the right direction, but not far enough. It provided that a woman who had been married 20 years was eligible for social security benefits as a wife or widow on her former husband's wage record.

The report of the President's Commission on the Status of Women stated:

> A divorced wife, if she is not remarried and if her marriage continued for a substantial period, such as 10 years, or a divorced widow, should become eligible at age 62 to a wife's benefit based on her former husband's wage record.

My bill would carry out this recommendation. Twenty years is still too long. Particularly if a woman married late, she will have difficulty establishing a wage record of her own. This proposal is designed for women who are divorced too late in life to be able to work long enough to qualify for adequate old age insurance benefits based on their own earnings.

Although the number of women involved is so few that the Department of Health, Education, and Welfare estimates the cost to be of no significance, the recommendation of the President's Commission should be followed out of fairness to those to whom it means so much.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3383) to amend title II of the Social Security Act to reduce from 20 to 10 the number of years a divorced woman must have been married to her former husband in order to be treated as his wife or widow for purposes of eligibility for wife's or widow's insurance benefits, introduced by Mr. RIBICOFF, was received, read twice by its title, and referred to the Committee on Finance.

DENIAL OF FEDERAL FINANCIAL ASSISTANCE OF CONSTRUCTION OR OPERATION OF NURSING HOMES BY CERTAIN STATES

Mr. KENNEDY of Massachusetts. Mr. President, I send to the desk for appropriate reference a bill to deny Federal financial assistance for the construction or operation of nursing homes to States which do not provide for the licensing of operators of these homes. I ask that the bill be printed in the RECORD at the conclusion of my remarks.

This bill is a product of an important series of hearings conducted last year by the Long-Term Care Subcommittee of the Special Committee on Aging. These hearings, held throughout the country on nursing homes and other long-term health care services, produced information which is educational to Congress and the public, and which can bring real improvements in the care of our elderly citizens. I look forward to the full proposals on long-term care problems that Senator Moss will introduce, and I hope that other Members of the Senate will support his efforts.

There can be no doubt that the administrative policies set up in each nursing home, and the way they are carried out, relate directly to the quality of care received by the older person in the home. During our hearings we heard from many witnesses who assured us that the operators of these nursing homes are in large part conscientious persons who provide the best possible care for those who are in their charge. But that is surely not always the case. Not all nursing homes are run by the responsible, the professionally interested administrator, whose training and experience certifies his ability to provide the best kind of care.

Often the administrator of a nursing home is not responsible, does not have the training which his task demands, and is not interested in those who are under his care.

Concern about the competency of those who administer nursing homes occupies the medical profession as well as many members of the Senate. Dr. Samuel Levy recently conducted a survey of nursing and rest home administrators in Massachusetts. Only 41 percent of the administrators responded to the questionnaire—a total of 428 persons. One percent of these had no formal education, 20 percent of them had dropped out of school. Only 18 percent had completed college, and of those who had not completed college only 18 percent could cite some special training in their profession. It seems likely that, had the remaining 59 percent of the State's administrators responded to the questionnaire, these figures would be even less encouraging. And I have been informed, that the statistics for nursing homes alone would not be significantly different if separated out.

An ill-prepared administrator too often means a neglected patient. Inadequate care of nursing home patients, as the Aging Committee's investigation last year showed, can frequently be traced directly to the way a nursing home is directed and managed.

The hearings held in my own State, for example, uncovered the presence of persons and organizations in the nursing home field so questionable that my staff, and the staff of the committee, felt compelled to seek information from the Department of Justice and other Government agencies on current and past activities of these individuals. Information from this staff investigation was given some time ago to the attorney general of the State of Massachusetts, and I hope that it will help him in rapidly pursuing his own investigation.

Neither the study nor the specific case I mentioned has convinced me that all those without special training are unable to provide or uninterested in administering high quality care. I visited some nursing homes in Massachusetts recently and found many administrators that I would judge competent, regardless of their training, simply because of the way their homes were kept up and the comments of their patients.

These administrators make up in devotion and experience what they lack in formal training. And they do a fine job. But despite these examples we can no longer rest our hopes for good nursing home care on chance or faith in human nature. For as we have moved in Congress to provide for the medical needs of the elderly, we must meet our additional responsibilities to see that the quality of care provided under law is maintained.

The bill I offer today relies heavily on the States and the professional societies to correct now and eliminate in the future the vices which have arisen in the nursing home profession. It states that, after July 1, 1968, no Federal funds either direct or indirect for the construction and operation of nursing homes will be available to States which have not established a program of licensing operators of nursing homes. It is contemplated that the State licensing boards will include representatives of the professions, occupations and institutions involved in the care of chronically ill or infirm aged persons, as well as representatives of the public. The board could both issue and withdraw licenses. Furthermore, the bill calls upon the States to establish training programs to assist those nursing home operators who fail to meet the federally approved State criteria for licensing, and provides Federal aid to this end. Such training, however, would not be made available to those operators whom the State has found ineligible for a license on the basis of background and character.

Mr. President, I believe that nursing homes, whether proprietary or nonprofit in nature, are community health facilities that must meet the sternest test of community responsibility. I am pleased to note that a recent poll conducted by the periodical Nursing Home Administrator shows that a majority of respondents approve of the licensing of administrators. This indicates to me that the profession wants to rid itself of the unprofessional administrators who, though they reflect a distinct minority, cast a shadow on the hard work and achievements of the industry. I have the highest regard for those who have made every effort to provide proper care for the elderly in our Nation's nursing homes, and I seek their support for this legislation.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record, as requested by the Senator from Massachusetts.

The bill (S. 3384) to limit Federal financial assistance otherwise available for the construction or operation of nursing homes to nursing homes in States which have in effect a program which provides for the licensing of the operators of such homes and which meets certain requirements introduced by Mr. Kennedy of Massachusetts, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 3384

DECLARATION OF FINDINGS

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Section 1. The Congress hereby finds and declares that (a) nursing homes are properly regarded as being community health facilities the major purpose of which is to render nursing and other health care services, (b) the public interest requires that the kind and quality of the services provided by nursing homes be adequate to meet the needs of the patients thereof, and (c) of major importance to the assurance that such services will be adequate to meet such needs are the personal character, qualifications and the administrative competence of the operators of such homes.

LICENSING OF NURSING HOME OPERATORS

Sec. 2. Notwithstanding any other provision of law, Federal financial assistance shall not, after July 1, 1968, be provided directly or indirectly, in any state with respect to the construction or operation of any nursing home if there is not in effect, in such State, a State program providing for the licensing, in accordance with the requirements of this Act, of all operators of nursing homes located within such State.

STATE STANDARD

Sec. 3. (a) A State program referred to in section 2 must provide that no nursing home within the State may operate except under the supervision of an operator licensed in the manner provided in this Act and for the establishment or designation of a State Board which has the duty and authority to administer such program. Such Board must be so composed that the members will be representative of the professions, occupations, and institutions directly concerned with the care and treatment of chronically ill or infirm aged individuals, and will be representative of the public.

(b) It shall be the function and duty of such Board to—

(1) develop and impose standards which must be met by individuals in order to receive a license as a nursing home operator, which standards shall be designed to insure that nursing home operators will be individuals who are of good character, who, by temperament and disposition, are suitable, and who, by training or experience in the field of institutional administration, are qualified to serve as nursing home operators;

(2) develop and apply appropriate techniques, including examinations and investigations, for determining whether any individual meets such standards;

(3) issue licenses to individuals determined, after the application of such techniques, to meet such standards, and revoke or suspend licenses previously issued by the Board in any case where the individual holding any such license is determined substantially to have failed to conform to the requirements of such standards;

(4) establish and carry out procedures designed to insure that individuals licensed as nursing home operators will, during any period that they serve as such, comply with the requirements of such standards;

(5) receive, investigate, and take appropriate action with respect to, any charge or complaint filed with the Board to the effect that any individual licensed as a nursing home operator has failed to comply with the requirements of such standards;

(6) conduct a continuing study and investigation of nursing homes and operators of nursing homes within the State with a view to the improvement of the standards imposed for the licensing of such operators and of procedures and methods for the enforcement of such standards with respect to operators of nursing homes who have been licensed as such.

TEMPORARY WAIVER OF CERTAIN REQUIREMENTS

Sec. 4. No State shall be considered to have failed to comply with the provisions of section 2 of this Act because the Board of such State (established pursuant to section 3) shall have granted any waiver, with respect to any individual who during all of the fiscal year ending June 30, 1968, has served as a nursing home operator, of any of the standards developed and imposed by such Board pursuant to section 3(b)(1) other than such standards as relate to good character or suitability if—

(1) such waiver is for a period which ends prior to July 1, 1970, and

(2) there is provided by the Board or there is otherwise available in the State (during all of the period for which waiver is in effect), a program of training and instruction designed to enable all individuals, with respect to whom any such waiver is granted, to attain the qualifications necessary in order to meet such standards.

GRANTS TO STATES FOR TRAINING PROGRAMS

Sec. 5. (a) There are hereby authorized to be appropriated such sums as may be necessary to enable the Secretary to make grants to States for the purpose of assisting them in instituting and conducting programs of training and instruction of the type referred to in section 4(2).

(b) No grant with respect to any such program shall exceed 75 per centum of the reasonable and necessary cost, as determined by the Secretary, of instituting and conducting such program.

DEFINITIONS

Sec. 6. As used in this Act, the term—

(a) "nursing home" means any institution or facility defined as such for licensing purposes under State law; and

(b) "nursing home operator" means any individual who is charged with the general administration of a nursing home whether or not such individual has an ownership interest in such home and whether or not his functions and duties are shared with one or more other individuals.

ENFORCEMENT AND REGULATIONS

Sec. 7. (a) It shall be the duty of the Secretary of Health, Educaton, and Welfare (hereinafter referred to as the "Secretary") to determine when Federal financial assistance (otherwise available in any State) should be denied or withheld because of the failure of such State to comply with the requirements of this Act. Whenever the Secretary has made a final detrmination that such assistance should be denied or withheld in any State by reasons of the provisions of this Act, he shall so notify all Federal agencies having the duty or authority to provide any such assistance and all such agencies shall deny all such assistance in such State until such time as they have been notified by the Secretary that such assistance should no longer be withheld or denied.

(b) The Secretary shall promulgate appropriate regulations prescribing the procedures to be employed in determining whether a State has complied with the requirements of this Act, and such other regulations as may be appropriate in carrying out the purposes of this Act.

(c) The Secretary shall not make a final determination that Federal financial assistance should be denied or withheld pursuant to the provisions of this Act in any State until he shall have held a public hearing on the matter, have provided reasonable advance notice to the State of such hearing, the time and place it is to be held, the issues to be considered, and have invited such State to appear, and have otherwise afforded the State a reasonable opportunity to appear and make its views known in such hearing.

JUDICAL REVIEW

Sec. 8. (a) Any State which is dissatisfied with a final determination of the Secretary under section 6 may, within 60 days after it has been notified of such determination, file with the United States court of appeals for the circuit in which such State is located a petition for review of such determination. A copy of the petition shall forthwith be transmitted by the clerk of the court to the Secretary. The Secretary thereupon shall file in the court the record of the proceedings on which he based his determination as provided in section 2112 of title 28, United States Code.

(b) The findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the transcript and record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(c) The court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

REFORMS NEEDED IN THE MAMMOTH SURPLUS DISPOSAL PROGRAM

Mr. GRUENING. Mr. President, in the last 3 weeks the Subcommittee on Foreign Aid Expenditures of the Government Operations Committee has held a series of hearings on the surplus property disposal practices of the Department of Defense. These hearings were based on the findings disclosed by an extensive study undertaken by the subcommittee staff at numerous installations of the military services in Europe and the Far East.

In its investigation, the subcommittee was greatly aided by trained investigators from the General Accounting Office and wishes to express its appreciation to the Comptroller General for his action in making the services of the following men available to the subcommittee: Robert C. Boyer, of Philadelphia, Pa., Adolph Brudzinski, of Washington, D.C., John P. Competello, of Denver, Colo.; Peter V. Femia, of Philadelphia, Pa.; Thomas Harryman, of Seattle, Wash.; Dean Martin, of Chicago, Ill.; David E. Overman, Jr., of Kansas City, Kans.; Orvis R. Payne, of Portland, Oreg.; David Rettiger, of Kansas City, Kans.; Robert S. Rosenberger, of Washington, D.C.; Albert C. Smith, of San Francisco, Calif.; John A. Stanley, of Schenectady, N.Y.; Joseph A. Stanziale, of Cleveland, Ohio; and Larry W. White, of San Antonio, Tex.

This is exactly the way in which the General Accounting Office can be of the greatest assistance to the Congress.

The hearings produced considerable evidence that over the years tremendous quantities of useful and usable equipment had been disposed of by the Department of Defense on the grounds that such equipment was not economical to repair. However, the subcommittee hearings brought out the fact that unrealistic estimates of cost were used to determine whether it was economical or not to repair equipment. For example, a $5 hourly labor rate was used in repair cost estimates when actual repairs were being made for as low as $0.40 per labor hour; transportation costs to the United States were included in repair cost estimates when the items could have been repaired overseas; the cost of new components, such as engines, and transmissions, were included in estimates of repair costs when in fact new components are not used but rebuilt and overhauled engines and transmissions are used.

The result of these practices has been the disposal of great quantities of equipment as "uneconomically reparable" when in fact the equipment could have been repaired at modest cost. Many of these items were needed by our forces in Vietnam. Many of these items could have been used to avoid expenditures for current procurement of the same items.

A key point disclosed in the subcommittee hearings related to the lack of uniformity within the Department of Defense of repair criteria. One military service will estimate repair costs on the basis of factors which another service will exclude. One military service will dispose of a piece of equipment after a given number of years while another service will retain the identical type of equipment for many more years. One service will repair a truck or a bulldozer under criteria which permit the expenditure of as much as 65 percent of the acquisition cost for repairs while another service will dispose of the identical type of equipment because its criteria permit the expenditure of only 10 percent of acquisition cost.

On May 18, 1966 the subcommittee heard Mr. Paul Ignatius, Assistant Secretary of Defense, Installations, and Logistics. Mr. Ignatius conceded the lack of uniformity and the need for a detailed review of this situation. He said:

> With respect to the question you have raised as to whether our directives provide for sufficient uniformity in determining whether to rebuild or to dispose of equipment, we will undertake a detailed review of the situation with the objective of determining whether further uniformity is feasible. We appreciate your bringing this matter to our attention.

In his testimony Mr. Ignatius also indicated that swift action would be taken to ensure the use of realistic costs in estimating repairs on equipment before it is determined whether to repair or to dispose of the equipment.

The action promised by the Assistant Secretary of Defense is gratifying and fully demonstrates the value of the investigation undertaken by the subcommittee into the surplus property disposal programs of the Department of Defense.

However, there is one ancillary matter which requires attention. This involves the unlimited authority currently available to the Agency for International Development to acquire surplus property from military surplus disposals overseas.

Since 1960 the Agency for International Development has obtained about $300 million in surplus property. About $100 million of this amount was obtained from surplus disposals by the military services overseas.

The acquisition of surplus property by AID is authorized by section 608 of the Foreign Assistance Act of 1961, as amended. This section permits AID to acquire surplus property in advance of known requirements. That is, AID can obtain surplus property excess to the needs of the military services and hold it until such time as it is required by a foreign government. Several limitations have been placed on this program by the legislation but they have been made applicable only to surplus materiel acquired by AID in the United States.

Thus, under section 608 the amount of surplus materiel acquired in the United States and held by AID at any one time is limited to $15 million in original acquisition cost; such materiel delivered to foreign governments under the economic assistance program is limited in any one year to $45 million in total original acquisition cost. No limitation of this kind exists for materiel obtained by AID from military surpluses overseas.

Section 608 also establishes a $5 million revolving fund to pay costs of acquisition, storage, renovation, and rehabilitation, packing, crating, handling, transportation, and related costs.

In practice the revolving fund works as follows: AID acquires surplus property from the military services free of charge. Generally these items need some repair and funds from the $5 million fund are used to pay for the needed repairs. These funds are also used to pay transportation costs to a port and for packing and crating. All of these expenditures are reimbursed to the revolving fund by charging economic aid funds allocated to the country receiving the surplus equipment. The economic aid funds allocated for a country by AID is also used to pay for the necessary ocean transportation.

There is obviously no reason why the acquisition overseas of surplus property in advance of known requirements should not be subject to the same limitations as exist for the Agency's acquisition or surplus property in the United States. The unlimited acquisition abroad of surplus property represents a means by which additional economic assistance is being given to foreign countries over and above the amounts which are provided in the annual appropriations. This is another one of the many spigots through which U.S. economic assistance is poured abroad.

The absence of any limitation on acquisition of surplus property by AID overseas represents a further abrogation of congressional control over the economic assistance program.

The absence of any limitation on acquisition of surplus property by AID overseas removes any incentive for that Agency to consider carefully actual needs for the surplus property by the countries receiving such materiel. Nor is there any incentive for AID to evaluate carefully the ability of the country to maintain properly the surplus equipment. It serves little purpose to send surplus property to foreign governments under an economic aid program if such equipment and supplies cannot be used because the country does not have the required capability to maintain it.

Finally, much of the equipment acquired by AID overseas in advance of known requirements could be used in the United States by health, education, and civil defense agencies of the States. I know from personal experience of the great need for this type of materiel acquired by AID by numerous agencies and Indian villages in the United States.

I am, therefore, introducing an amendment to the Federal Property and Administrative Services Act of 1949, as amended, giving States agencies first choice on excess property at home and abroad being held for donation abroad. I ask unanimous consent that this amendment lie on the desk until the close of May 27, so that those who may wish to cosponsor may have an opportunity to do so. I also ask unanimous consent that the text of the bill be printed at this point in my remarks.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and will lie on the desk, as requested by the Senator from Alaska.

The bill (S. 3385) to amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes, introduced by Mr. GRUENING, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

S. 3385

A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 203(j)(1) of the Federal Property and Administrative Services Act of 1949, as amended, is further amended to read as follows:

"Under such regulations as he may prescribe, the Administrator is authorized in his discretion to donate without cost (except for costs of special care and handling and, with respect to excess property described herein, costs of transportation and repair) for use in any States for purposes of education, public health, or civil defense, or for research for any such purpose, any equipment, materials, books, or other supplies (including those capitalized in a working capital or similar fund) under the control of any executive agency which:

"(i) shall have been determined to be surplus property;

"(ii) shall have been determined to be excess property and is being held under section 608 of Public Law 87–195 (75 Stat. 424), approved September 4, 1961, as amended, which property shall be offered to designated State agencies, as herein defined, before being offered to any other eligible donee; and

"(iii) shall have been determined under paragraph (2), (3), or (4) of this subsection to be usable and necessary for such purpose."

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT, RELATING TO PERFORMANCE OF CERTAIN INVESTIGATIVE FUNCTIONS

Mr. EASTLAND. Mr. President, the Internal Security Subcommittee has almost completed the task of editing and publishing the more than 1 million words of testimony taken in its hearings on security in the Department of State. Twenty-four volumes have been published. Only one, or at the most two, remain to be published.

Many situations requiring correction, from a security standpoint, were disclosed by these hearings. I do not propose to deal with these matters now. My remarks up to this point have been a preface to introduction of a bill which strikes at a few security problems which are close to the core of the Otepka case, as we have documented it.

In the introduction of this bill, I am joined by the Senator from Connecticut [Mr. Dodd], the Senator from Illinois [Mr. Dirksen], and the Senator from Nebraska [Mr. Hruska], all of whom are ranking members of the Internal Security Subcommittee.

At an appropriate time, I hope to discuss this bill in detail here in this Chamber. Today I wish to do no more than call the attention of my colleagues to this proposal, and to outline very succinctly what the bill will accomplish.

It will do these things:

First. Guarantee continued existence of the Passport Office and Visa Office, and provide against abolition of the position of Director of either Office.

Second. Assure the Office of Security will be staffed by professional security officers, under civil service. Foreign Service officers will not investigate or evaluate each other for security purpose.

Third. Guarantee that all evaluative functions in personnel security will be performed by professional security officers trained in evaluations, within Evaluations Division of the Office of Security.

Fourth. Require that a copy of any document transmitted to the State Department by the FBI or CIA and marked for the attention of the Secretary, must be transmitted immediately and directly to the Secretary's office, flagged for his personal attention.

Fifth. Provide that no Foreign Service officer or other employee of the State Department having any responsibility to, or subject to any orders or instructions from, any other agency of Government may be concerned in any way with (a) policymaking, or (b) administration of any function of the Bureau of Security and Consular Affairs or the Office of Security, or any other security function of the Department of State.

Sixth. Direct that all field investigations in State Department personnel security cases are to be conducted by an agency other than State—except that interrogations may continue to be made by State Department officers abroad.

Seventh. Assure that no State Department employee shall be prohibited from communicating directly or indirectly, orally or in writing, with Members or committees of the Congress.

Eighth. Establish legal requirement for security clearances of all U.S. nationals for employment with international organizations.

Ninth. Write into law the present provision of State Department Security Regulations prohibiting reinstatement or reemployment of a Foreign Service officer or other officer or employee of the Department discharged for security reasons.

Mr. President, on behalf of myself, Mr. Dodd, Mr. Dirksen, and Mr. Hruska, I send this bill forward and ask that it be received and appropriately referred.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3388) to amend the Immigration and Nationality Act with respect to the performance of certain investigative functions, and for other purposes, introduced by Mr. Eastland (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

ESTABLISHMENT OF HIRSHHORN MUSEUM AND SCULPTURE GARDEN

Mr. RANDOLPH. Mr. President, I introduce a bill to provide for the establishment of Joseph Hirshhorn Museum and Sculpture Garden, and for other purposes.

Since the subject matter of the bill encompasses the jurisdiction of two standing committees, I ask unanimous consent that the bill be first referred to the Committee on Public Works, and after that committee has reported the bill that it be referred to the Committee on Rules and Administration for its consideration of that portion of the bill with which it is concerned.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. RANDOLPH. Mr. President, likewise, I ask unanimous consent that the communication from the President on this subject be jointly referred to the Committees on Public Works and Rules and Administration. I am joined in the bill's introduction by the chairman of the Subcommittee on Public Buildings and Grounds, the Senator from Ohio [Mr. Young], and the ranking minority member of the Public Works Committee, the Senator from Kentucky [Mr. Cooper].

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered; and without objection, the bill will be received and appropriately referred.

The bill (S. 3389) to provide for the establishment of the Joseph H. Hirshhorn Museum and Sculpture Garden, and for other purposes, introduced by Mr. Randolph (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Public Works.

Mr. BAYH. Mr. President, rarely does an opportunity come to the Nation to be presented with a significant gift which will bring great joy and pleasure to our people today and will enrich our culture for countless future generations. Such an opportunity is now before us. Following in the tradition established by such noteworthy persons as James Smithson, William Corcoran, Charles Freer, and Andrew Mellon, another magnificent donation has been offered to the United States.

Mr. Joseph Hirshhorn of New York City has devoted a lifetime to assembling a collection of contemporary painting and sculpture which is without equal in its field. Mr. Hirshhorn has most generously offered this collection as a gift to the people of the United States. His gift, consisting of nearly 1,500 pieces of sculpture and approximately 5,000 paintings, far exceeds its assigned monetary value of $25 million. It is an affirmation by one American citizen of his faith in the humane values inspired by works of the creative imagination. Mr. Hirshhorn's generosity in providing a million dollars for the purchase of additional outstanding works will help to continue the important work which he has begun.

In accepting this generous offer, the Nation must make a fitting response. Such a magnificent collection will require a new museum in an appropriate setting. Legislation which has just been introduced by the distinguished senior Senator from West Virginia [Mr. Randolph], would set aside a permanent site in the District of Columbia bounded by Seventh Street, Independence Avenue, Ninth Street, and Madison Drive, for the construction of a suitable gallery of art and garden of sculpture, as the permanent home for this collection. This Mall site would be known as the Joseph H. Hirshhorn Museum and Sculpture Garden. The Board of Regents of the Smithsonian Institution would administer the removal of existing structures and selection of the architectural design for the museum and garden, as well as be authorized to operate the new building as a free public museum.

The Board of Trustees, composed of eight members, four of whom would be selected from nominations presented to the President by Mr. Hirshhorn and four others selected from among nominations presented to the President by the Board of Regents of the Smithsonian Institution would serve with two ex officio members, the Chief Justice of the United

States and the Secretary of the Smithsonian Institution. The term of one member would expire each year. Successive general members—who may be elected from among members whose terms have expired—would enjoy 6-year terms, except that a successor chosen to fill a vacancy occurring prior to the expiration of the term of his predecessor would be selected only for the remainder of that term.

Responsibilities of the Board of Trustees for the Hirshhorn Museum and Sculpture Garden would include extending advice and assistance to the Board of Regents on all matters concerning administration, operation, maintenance and preservation of the Museum and Garden as well as authority to purchase works of art, loan, exchange, sell, or dispose of works and make decisions on methods of display.

As a measure of the national commitment to preserve and continue this magnificent collection, the faith of the United States would be pledged to guarantee that such funds as may be necessary for the upkeep, operation, and administration of the Joseph H. Hirshhorn Museum and Sculpture Garden will be provided.

Mr. President, I ask unanimous consent that at the conclusion of my statement the remarks made by President Johnson on May 17 when he accepted Mr. Hirshhorn's splendid gift be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF THE PRESIDENT AT THE HIRSHHORN CEREMONY

This is a magnificent day for the nation's Capital, and for millions of Americans who will visit Washington in the years to come.

It is also an inspiring climax to a career devoted to art.

From the days of his youth in Brooklyn—when he first began collecting reproductions of art work—until this hour, Joseph Hirshhorn has been driven by a passion for painting and sculpture. Throughout the world he has sought the great art of our time—those expressions of man's will to make sense of his experience on earth, to find order and meaning in the physical world about him, to render what is familiar in a new way.

I know that Joseph Hirshhorn will go on seeking out the best in modern painting and sculpture for years to come. But he will never have a finer hour than this: for today he offers the fruit of a lifetime in the service of art to the citizens of a grateful Nation. Few men have been privileged to make such a gift to their generation and to those that will come after.

Several months ago Mrs. Johnson journeyed to Joseph Hirshhorn's home in Connecticut. She came back filled with awe and admiration for the great works collected there. She came back, too, with a sense of affection and respect for their owner. She has told me many times since then of her hope that Mr. Hirshhorn would make his collection available to the Nation.

Many suggestions were made to Mr. Hirshhorn about the disposition of his collection, as well there might be—for among private collections it is virtually without parallel in its field. That he has chosen the Nation's Capital is a cause for celebration, pride and deep gratitude.

Now we must build a museum worthy of the collection, and worthy of our highest aspirations for this beautiful city.

Washington is a city of powerful institutions—the seat of government for the strongest Nation on earth, the place where democratic ideals are translated into reality. It must also be a place of beauty and learning. Its buildings and thoroughfares, its schools, concert halls, and museums should reflect a people whose commitment is to the best that is within them to dream.

In the National Gallery collection, in the Freer and the Corcoran Galleries, in the museums of the Smithsonian, in the Kennedy Center that is to come, in the Pennsylvania Avenue plan,—and now, in the Hirshhorn Museum and Sculpture Garden—we have the elements of a great capital of beauty and learning, no less impressive than its power.

Mr. Hirshhorn, we accept your splendid gift to the American people. We shall treasure it and use it well—in giving pleasure and enlightenment to men and women of every age, from every walk of life.

Mr. ANDERSON. Mr. President, on Tuesday the Nation had some remarkably good news concerning the decision by Joseph Hirshhorn to present one of the world's finest collections of paintings and sculpture to the public. This magnificent collection will be available here in Washington, and I am sure that millions will be able to appreciate this gift over the years.

DIRECT POPULAR ELECTION OF THE PRESIDENT

Mr. BAYH. Mr. President, from the inception of our Nation, controversy and complexity has surrounded the question of how to choose the President of the United States.

Indeed, one of the framers of the Constitution, James Wilson, described this problem as the most difficult of all to resolve at the Convention.

The framers discussed, debated, and discarded a number of ideas, including plans for the Governors to choose a President and the Virginia plan whereby the Congress would do the choosing.

The direct popular vote was rejected for several reasons. First, the States had widely diverse qualifications for the franchise—in fact, only an extremely small percentage of the adult population were qualified to vote in most of the original States. Second, there was no radio, television, or mass circulation magazines or rapid means of transportation. Thus, the people could be expected to vote parochially and without sophisticated understanding of the issues. Third, there were no political parties—hence, little chance for any candidate to win a significant number of votes.

But the idea of direct popular election of a President was not forgotten. As early as 1826, a constitutional amendment was introduced in Congress proposing the direct popular election. Similar plans have been studied and discussed time and again throughout our history. Several of our present and former colleagues—Senator HUMPHREY, Senator BURDICK, Senator SMITH, Senator MANSFIELD, Senator KEATING, Senator AIKEN, just to name a few—have made similar proposals, and I trust that their long experience in this area of legislation will prove invaluable to the subcommittee in its current deliberations.

Most often, they have been discarded with similar complaints. "It may be a fine idea, but it will never pass."

Today, Mr. President, the situation is different. Today, for the first time in our history, we have achieved the goal of universal suffrage regardless of race, religion, or station in life. Today we are witnessing a political development in our States where for the first time in decades, legislatures fully represent people.

Today, the next logical outgrowth of the persistent and inevitable movement toward the democratic ideal is the popular election of our national officers—an election in which each person has the right to vote for President without an artificial barrier separating him from the choice of his Chief Executive.

Now is the time, Mr. President. It can be done.

Therefore, I introduce a proposed amendment to the Constitution providing for direct popular election of the President. In the hearings on electoral reform being conducted by the Subcommittee on Constitutional Amendments, this proposal among others will be carefully considered.

The subcommittee previously has examined proposed amendments, including one which I offered, suggesting various changes in the electoral college system. All proposals will receive serious and thorough consideration. We must bear in mind, however, that proposals for direct popular election of the President have not received adequate study. It may well be that mere procedural changes in the present system would be like shifting around the parts of a creaky and dangerous automobile engine, making it no less creaky and no less dangerous. What we may need is a new engine, Mr. President, because we are in a new age.

Simply stated, the amendment provides that any presidential-vice-presidential ticket receiving the greatest number of popular votes is declared elected, providing the ticket receives at least 40 percent of the total popular vote cast. If no ticket gets 40 percent of the vote, the Congress would meet in joint session to choose from the two tickets receiving the most votes. A majority of the combined membership of the House and Senate would be required to elect the President and Vice President.

Some may say this proposal is too new, too radical a break with tradition. In all honesty, Mr. President, I was among that number only a few short months ago. Then, we began hearings on the problem. I consulted with scholars in the field. I did a great deal of study and reflection. I came to the conclusion that this idea was not truly a break with tradition at all. It was, in fact, a logical, realistic and proper continuation of this Nation's tradition and history—a tradition of continuous expansion of the franchise and equality in voting.

Today, we would not think of barring Catholics or Jews from voting. Yet some of our colonial governments did so.

Today, we would not think that a man must own property in order to exercise his right to vote. Yet it was 1851 before all States had dropped property requirements as a requisite to voting.

Today, we would not tolerate the idea of U.S. Senators being appointed by the State legislature. Yet it was 1914 when the first Senators were elected by the people.

Today, we take for granted the enormous role played by women in our elections. Yet women did not have the vote until 1920.

Today, we have removed the poll tax as a financial barrier to the right to vote.

Today, we have witnessed the climax of the long struggle to guarantee Negroes the right to exercise the franchise—the 14th, 15th and 24th amendments; the Civil Rights Acts of 1957, 1960 and 1964, and the Voting Rights Act of 1965.

And today, we guarantee that all people in a State shall have a vote equal to all other people within a State so that they may be represented nearly equally in the State lawmaking bodies.

In fact, we have only one election remaining, Mr. President, wherein some votes are not equal to others and wherein millions of votes do not count in the final result—and that is in the election of the most powerful political officer in the world, the President of the United States.

It is not radical to suggest that we abolish the electoral college and elect our President by direct popular vote—no more so than if we suggested the advantages of grounding an open-cockpit biplane in favor of a supersonic jet.

A major criticism of extending the direct vote to all Americans in electing their President has been that it somehow would be inconsistent with our Federal system. Again, I wish to state that this was my own impression—but it was an impression that careful thought and study swept away.

The electoral college was not created so that States might act as units in electing a President. As I suggested earlier, the unit system grew out of the development of political parties and the need, therefore, to change the original system. It was never contemplated that electors from any given State would vote automatically and unanimously for the same candidate—quite the opposite; it was believed that the people, lacking communications and transportation, might be so inclined. The electors were to be the wisest of persons in each of the States and they would choose the national executives, free from popular passions. Needless to say, it did not work out that way. By 1800, the system created by the framers had foundered, necessitating adoption of the 12th amendment which resulted eventually in the use of the winner take all, State-unit method of electing Presidents.

It was not necessary to dwell on the inequities of the present system. All of us know how the system can operate to elect men receiving fewer votes than their opponents—all agree it happened in 1888, and many suggest it happened also in two other elections.

We all know how a shift of some 29,000 votes in three States in 1948 would have resulted in Governor Dewey's election, even though President Truman received a plurality of more than 2 million votes.

In 1960, we all are familiar with the problem in Alabama, where a voter was unable to express clear support for Senator Kennedy. To this day, there is no way of knowing for certain how the Alabama vote went or whether it would have affected the total popular vote cast for each candidate.

And we are familiar with the practice of concentrating the quest for votes in national elections in a handful of large States—for it is a fact of the present electoral system that a candidate winning by the slimmest of margins in 12 States has been elected President, no matter what the people in the remaining 38 States may decide.

Must we wait for another election of 1800, before we are moved to correct a glaring wrong in our system? Must it come to a situation so bitter that political rivals would become as irreconcilable as a Hamilton and a Burr? It would not end today in a duel to the death—but in this day and age, we cannot risk wounds so deep that they might make the Nation a divided camp where vengeance would triumph over reason. If it comes to a time when a President is again elected despite receiving fewer votes than his opponent, such wounds would be inflicted widely among the American people.

We hold out an alternative—an alternative that clearly is in keeping with American tradition and which does no violence to the Federal concept.

Direct election of the President would make that office truly national. We elect our local official locally; our Congressmen by districts to protect district interests; our Governors and Senators statewide. Why should we not elect the President and Vice President nationally? The President has no authority over State government. He cannot veto a bill enacted by a State legislature. Why then should he be elected by State-chosen electors? He should be elected directly by the people, for it is the people of the United States to whom he is responsible. It seems to me that from township trustee, to county clerk, to Members of Congress, to Governors of our States, each person has the right to cast his vote directly for the candidate of his choice—except in the election of the President of the United States.

Direct election, contrary to the beliefs of many, would strengthen the role of smaller States in the national election. It would truly nationalize the election and the campaign preceding it. Candidates would have to go where the votes are, and that is everywhere. Today, the small States are virtually ignored. But under direct election, candidates would not only be concerned with winning good majorities where they are strong, but with winning respectable minorities as well in areas where they are not so strong.

Direct election would greatly encourage voter participation. Today, if a State votes traditionally in the column of one party, voters of the other party correctly assume that their vote will count for naught. Under direct election, these votes will be as important as votes cast anywhere else.

Direct election will strengthen the two-party system. No longer will the traditionally minority party in any State be without the incentive to bring out as many votes as possible for the candidate leading the national ticket of his party. Nor will a small third party, by carrying two or three States in a close contest for electoral votes, be able to force the choice into the House of Representatives where it could exert disproportionate power.

In sum, direct popular election brings with it many virtues and no vices; it would substitute clarity for confusion, decisiveness for danger, popular choice for political chance.

James Madison, the father of our Constitution, knew that the President had to be independent of the Congress. He knew, also, that in deciding upon a means of choosing a President some compromise would be reached. But he had his own ideas as to how the President would best be elected.

Madison said that "the people at large was the fittest in itself."

We are at long last arriving at the place and time in our history where meaning has been brought to the preamble of our Constitution, "We, the the people of the United States." Today we are, indeed, "We, the people."

If there was doubt about it in the early years of the Republic, there can be no doubt today. Let us echo Madison. Let us put our trust in the people.

Mr. President, I ask unanimous consent to have printed in the RECORD a detailed explanation of the amendment, together with an article entitled "Big Majority of Americans Wants President Elected by Popular Vote," published in the Washington Post of May 19, 1966.

There being no objection, the explanation and article were ordered to be printed in the RECORD, as follows:

DETAILED EXPLANATION OF PROPOSED AMENDMENT

SECTION 1

The present system of electing the President and Vice President by state chosen electors would be replaced by direct popular election.

The electorate of each state and of the District of Columbia would vote, at a time fixed by Congress, for a slate of two candidates for these offices. Each voter would cast a single ballot for the two candidates of his choice for President and Vice President, both of whom must have agreed previously to the joining of their names on the ballot for this purpose. A voter would not be allowed to vote for candidates of different parties for the two offices, nor to vote for one office and not the other, since a single ballot would be cast for the two candidates for President and Vice President who were joined on the same ticket.

Each State would retain its present power of prescribing the places and manner of holding presidential elections. However, as it may now do for elections to members of the House of Representatives and the Senate, Congress would be authorized to make or alter such regulations by law.

All persons eligible to vote for members of Congress would be eligible to vote for the offices of President and Vice President. Constitutional provisions, statutes, executive orders and judicial findings on qualifications for voting for members of the House of Representatives and the Senate would apply equally to persons voting for President and Vice President.

States would be empowered, however, to adopt less restrictive residence requirements for presidential electors than for those electors voting for Members of Congress. This would enable a state to permit new citizens who have recently become residents of that state to vote for President and Vice President although they were denied the privilege of voting for Members of Congress because of their limited residency. A state also might extend the right of voting in presidential elections to servicemen or others abroad who might not meet its regular residence requirement.

Likewise, Congress would be authorized to adopt uniform residence as well as age requirements for voting in elections for President and Vice President. The basic power to fix these qualifications would still be retained by the states, but uniform national standards for these purposes could be imposed by law if at some future time such action became necessary in the judgment of Congress. There might be circumstances, especially during time of war or other emergency, when Congress would deem it advisable to establish a uniform residence requirement for casting ballots in elections for President and Vice President which might be at variance with basic state voting qualifications.

Fear has been expressed that direct election of the President might result in competition between states to lower the voting age in order to increase their relative voting strength. This supposition does not appear to be warranted, particularly in view of the fact that by terms of the amendment such a reduction would apply automatically also to qualifications for voting for Members of Congress. Any state lowering the voting age to enlarge its share of the national total cast for President would be confronted by the fact that its Congressmen and Senators would have to be selected by the same electorate. Nevertheless, in order to guard against the deleterious effects of any such possible development, Congress would be vested with the authority to establish a uniform minimum age in a presidential election.

Voting qualifications and the places and manner of holding elections in the District of Columbia would be prescribed by act of Congress. This would permit, of course, some delegation of election administration authority by Congress to any local government in the District established by law under its constitutional power to govern the seat of government.

Official election returns, prepared and certified by the proper state officials, would have to be sent to the President of the Senate within forty-five days after the election. Because of the final tabulation of the results scheduled in early January, this period could not be greatly lengthened unless the date of the present November election were advanced. Ordinarily this would provide sufficient time to settle any disputes about voting irregularities or canvass of the ballots which might develop, but Congress could extend the time if necessary.

The official certificate of election from each state would list all persons for whom votes were cast for President and Vice President and the total number of votes cast in that state for each of the two candidates joined for those two offices.

SECTION 2

The official voting certificates would be opened and the votes totalled by the President of the Senate in a joint session of both houses of Congress on January 6 following the election, unless Congress by law should designate a different day between January 4 and January 10. Because under the Constitution the terms of the incumbent President and Vice President end at noon on the 20th day of January, it is essential that the task of determining which candidates have been elected should be completed as soon as possible after the new Congress assembles early in January. Although January 6 would be fixed as the day for this purpose, this provision would allow Congress to appoint a day as much as two days earlier or four days later.

The President of the Senate would declare elected the two persons joined as candidates for President and Vice President who received the greatest number of certified votes if their total equals at least forty per centum of the total number of certified votes. To require a higher percentage of the direct popular vote as the plurality necessary for winning would increase the possibility that no candidate would receive a sufficient plurality to be declared elected forthwith. If the required plurality were higher, it might encourage small minority groups to wage active presidential campaigns in the hope of attracting sufficient votes to prevent one group of candidates from being declared elected. It is very unlikely that third party candidates could amass a combined total vote of more than twenty per centum which would be necessary to keep one of the major party slates from being elected.

If no two candidates receive at least forty per centum of the total certified vote, then in a joint session the members of the House of Representatives and of the Senate would proceed immediately to make the final choice. They would cast individual votes in a publicly recorded ballot on one of the two pairs of persons joined as candidates for President and Vice President who received the highest number of certified votes. A vote equal to an absolute majority of the total membership of both Houses combined, or one more than half of all members elected and in office, would be needed for a final choice.

By stipulating that successful candidates must receive at least forty per centum of the popular vote to be declared elected without the choice being made by a joint session of Congress, voters will, much as now, be induced to rally round major parties and candidates during presidential elections. The forty per centum minimum will serve to lessen any divisive forces which might split parties into factions. In only one or two presidential elections in our history have the successful candidates received less than forty per cent of the popular vote, and there is no reason to anticipate that the proposed amendment would disturb this tradition. Party leaders would tend to submerge their differences and coalesce their efforts in order to pool their strength and avoid the uncertainties of having the final choice made by Congress.

SECTION 3

This section would provide for various contingencies which might happen in the event of the death or the withdrawal of candidates for President or Vice President before the official declaration of their election has been officially completed under the regular constitutional procedure.

If a candidate for President who receives more than 40 per centum of the popular vote for President should die before the time fixed for counting the certified vote totals, then the candidate for Vice President, who is joined with him on the ballot and would be entitled to be elected Vice President, would be declared elected President. In effect, this would merely extend backward one step the present provision of the Twentieth Amendment which provides that, if the President-elect shall have died by the time of the beginning of the term of the President, the Vice President-elect shall become President. It would beyond any doubt settle the question of who should become President if a successful candidate should die between the time of the direct election in November and the certification of the total vote by Congress.

Congress would be authorized to provide by law for three other possibilities: where a candidate for either President or Vice President should die or withdraw from the election after his nomination but prior to the popular election; where both candidates for President and Vice President who have received a forty per centum plurality of the popular vote and who are entitled to become President and Vice President should die before the votes can be certified officially according to the regular constitutional procedure; and where either or both of the candidates for President and Vice President should die after a popular election in which no candidates have received a forty per centum plurality and before the members of the Senate and House of Representatives have made the choice which has devolved upon them. Although it is not probable that such contingencies will occur very frequently, the Constitution should eliminate as far as possible these uncertainties which might at some future election cause major difficulty.

SECTION 4

Congress would be empowered to adopt appropriate legislation to enforce the amendment. This is the standard authorization which would enable the enactment of laws needed to implement and make effective the direct election of the President and Vice President.

[From the Washington Post, May 19, 1966]

THE GALLUP POLL: BIG MAJORITY OF AMERICANS WANTS PRESIDENT ELECTED BY POPULAR VOTE

PRINCETON, N.J.—The American public would like to see an amendment to the Constitution that would base the election of the President on the total popular vote cast, thus doing away with the electoral college.

This question was asked:

"Would you approve or disapprove of an amendment to the Constitution which would do away with the electoral college and base the election of a President on the total popular vote cast throughout the Nation?"

The results:	*Percent*
Approve	63
Disapprove	20
No opinion	17

Republicans and Independents are somewhat more inclined to favor the change than are Democrats. Education is also a factor, with more of the better educated in favor than those of lesser education.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 163) to amend the Constitution to provide for the direct election of the President and the Vice President of the United States, introduced by Mr. BAYH (for himself and Mr. MORSE), was received, read twice by its title, and referred to the Committee on the Judiciary.

ORDER OF BUSINESS

Mr. MUSKIE subsequently said: Mr. President, the Senator from Indiana [Mr. BAYH] introduced earlier on behalf of himself and the Senator from Oregon [Mr. MORSE] a joint resolution and I ask unanimous consent that it lie on the desk for cosponsors until Wednesday, June 1, 1966.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NATIONAL HALIBUT WEEK

Mr. MAGNUSON. Mr. President, one of the great fishery resources of the Pacific Northwest and Alaska is that of the Pacific halibut. In the State of Washington alone, some 16 million pounds of this prime, succulent seafood is marketed annually.

The search for halibut takes our fishermen long distances—from Seattle, for example, to the Bering Sea, above the Aleutian Island chain. As these men are busy a good part of the year, not only in fishing but in readying their fishing gear, the wives have formed the Halibut Fishermen's Wives' Association, an active sort of auxiliary to the fishermen's efforts. For some 12 years now, these women have sponsored an annual Halibut Week—a time set aside for appreciation of this great resource, and for the encouragement of its marketing that more may know of its goodness. The cooperation established between the United States and Canada under the provisions of the International Pacific Halibut Treaty is world renowned, and their record in rebuilding this great resource through scientific conservation practices is virtually unrivaled.

I am honored today, to present a joint resolution to provide for the designation of "National Halibut Week."

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 164) to provide for the designation of National Halibut Week, introduced by Mr. Magnuson, was received, read twice by its title, and referred to the Committee on the Judiciary.

RESOLUTION TO ESTABLISH COMMITTEE TO REVIEW THE DRAFT AND SELECTIVE SERVICE POLICIES

Mr. NELSON. Mr. President, I send to the desk, for myself, Mr. McCarthy, Mr. Yarborough, and Mr. McGovern, a resolution requesting that the President set up a special bipartisan committee of distinguished citizens to review the selective service policies of our country.

I ask unanimous consent that the resolution lie on the desk for 1 week for the addition of cosponsors.

The ACTING PRESIDENT pro tempore. The resolution will be received and appropriately referred; and, without objection, it will lie on the desk as requested.

The resolution (S. Res. 268) was referred to the Committee on Armed Services, as follows:

Whereas the Nation is currently engaged in armed conflict in southeast Asia; and

Whereas no comprehensive review of the draft has been made by the Congress for eighteen years; and

Whereas many inconsistencies and inequities have evolved in our present draft system; and

Whereas the report of the Department of Defense on the draft, due June 1, 1965, has not been made available; and

Whereas the Secretary of Defense has recently made revolutionary recommendations regarding universal national service; and

Whereas public confidence in the equity of the draft system has been shaken: Now, therefore, be it

Resolved, That it is the sense of the Senate that the President should appoint a special bipartisan commission, of eminent Americans, to conduct a thorough review of the Selective Service System, and to make recommendations by February 1, 1967, concerning all alternative means available for meeting the Nation's manpower needs.

Mr. NELSON. Mr. President, it is my hope that this resolution will find wide support among the Senators and that indeed such a Commission will be established to give us clear recommendations and alternative policies in time for consideration before the present draft law expires July 1, 1967.

Public confidence in the draft is, I believe, at an alltime low. The system is shot through with inequities. The clumsy attempt to select some young men now holding student deferments for military duty is only the most recent unfortunate example of a system that long ago needed drastic overhaul.

Surely the use of achievement tests to help determine who shall study and who shall fight is flagrantly unjust.

It is a standard without merit. It smacks of a caste system. It degrades the whole concept of honorable service to our country.

The use of written tests work to the advantage of middle-class youngsters. It discriminates against the poor and deprived student. It is unfair to the conscientious student of average ability.

The use of rank listing is no more satisfactory. It is a perversion of the grading system.

Nearly all boys from middle-class homes now have a chance for higher education. The use of rank lists and achievement testing reminds us unpleasantly of Civil War days when a moderately wealthy man could buy himself a substitute for the draft.

To set up an elite category of young men who need not serve because of the advantages in education, innate ability or wealth violates the very concept of equality which has been our sustaining strength from the beginning.

Surely in time of war, when induction no longer means only the inconvenience of serving in a peacetime Army base, but carries with it the risk of sacrificing one's life, we should not settle an issue of such gravity by criteria favoring the wealthy and the academically gifted.

Defense Department figures already indicate that Negroes—who represent only about 10 percent of the Nation's population—make up 22 percent of those killed in Vietnam.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. NELSON. Mr. President, I ask for an additional 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. NELSON. Congress does not stand free from blame for this situation. For 18 years it has fumbled away opportunities to scrutinize the draft. The last time the law came before this body it received a scant 10 minutes of attention.

But at any rate the draft is being vigorously debated across the Nation as it has not been in the recent past.

Into the midst of these discussions the Secretary of Defense now injects a dramatic new proposal for what apparently amounts to universal service, military or otherwise.

Whether this is a serious proposal or a trial balloon, whether the idea has full administration backing or is only an idea of Mr. McNamara's is not clear.

The situation is even further muddied by the fact that the Department of Defense has been sitting for almost a year now on a thorough study of the draft that was supposed to be ready last June.

In reply to repeated inquiry we have only been told that the study is not yet available.

What is the meaning of McNamara's suggestion?

Is it aimed at Saigon?

Coming as it does smack in the middle of a rapidly deteriorating situation in that forlorn country may be taken overseas as more American saber rattling, a call to universal military training to demonstrate how "firm" is our "resolve" to use military force to gain our objectives.

I do not suggest that this was Mr. McNamara's intention. His speech is in fact a welcome statement from a high administration official of the importance of finding other than military paths to world stability, of finding ways to draw China into the circle of nations.

But under the circumstances it is all the more important that a Commission be established to clear the air and to make a sober assessment of the possibilities for a revamped selective service system.

Such a commission should include experts on education, military needs, manpower and voluntary service. It should have at its disposal automatic data processing equipment so that the costs and the benefits of alternative structures for supplying our military manpower needs could be explored in detail. These alternatives and the background information about them should be submitted to the Congress for consideration.

Almost 2 years ago I proposed to the Senate a plan to abolish the peacetime draft entirely. At that time I pointed out that the incredibly low pay of enlisted men in the lowest ranks contribute materially to a situation where nearly 90 percent of the enlisted personnel leave the Army after only 2 years of service. The inefficiency of training men for only 2 years of service is obvious. Adequate inducements could retain enough of these men in my judgment, to make it possible to eliminate the draft by 1968.

The situation is now drastically changed. But the need now for a complete review of the draft is just as urgent—perhaps more so.

Mr. KENNEDY of Massachusetts and Mr. GRUENING addressed the Chair.

Mr. NELSON. I yield to the Senator from Alaska.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. NELSON. I ask that I may have an additional 3 minutes.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. GRUENING. I highly commend the distinguished junior Senator from Wisconsin for his constructive proposal. My only suggestion for improvement of his excellent resolution would be that the operation of the draft be halted until the proposed commission has come into being and made its findings.

Of course, it is well known that I wholly disapprove of our drafting any boys to go to Vietnam, especially in view of the fact that last year there were 96,000 desertions from the South Vietnamese Army. In other words, we are sending our boys to fight and die for people who do not want to fight for themselves and now seem to be engaged in fighting each other. I do not particularly blame those South Vietnamese for deserting, because they have no enthusiasm to support a corrupt and unpopular self-imposed regime. Perhaps that is why they deserted.

But why should our boys be sent down there to fight and die for a cause in which those whose cause it is have little interest, to fight and kill people against whom they have no grievance, and against whom the United States has no legitimate grievance?

Therefore, while I should like to see the Senator's resolution adopted, I should like to see it amended to read that there be no further draft until the report of the Commission is made.

I thank the Senator from Wisconsin for yielding.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield?

Mr. NELSON. I yield to the Senator from Massachusetts.

Mr. KENNEDY of Massachusetts. I commend the Senator from Wisconsin for the proposal he is making today. I think it is a sound proposal on a matter of deep concern to many Senators.

I ask the Senator from Wisconsin, does not the Senator believe that such a resolution would be appropriate, even if we were not engaged in armed conflict today?

Mr. NELSON. Yes, I do. It has been 18 years since there has been a congressional review of the draft. I believe everyone recognizes there are inequities in its operation. We may have to continue the Selective Service System, but I think it should be reviewed by a commission and by Congress, to make sure that it is the best possible system.

Mr. KENNEDY of Massachusetts. I note that the Senator pointed out, in one of his whereas clauses, that the Secretary of Defense has recently made several recommendations regarding universal national service. The Secretary of Defense, in the speech he made yesterday, made a number of the same points which the Senator has stated in his brief remarks; that there are inequities which do exist; and certainly he pointed out something—that we all recognize—that there are 2 million young people who turn 18 every year and become eligible for the draft, and he recommends that perhaps some of these young people might be given an opportunity to serve either in the Peace Corps or in a National Service Corps.

We know, of course, that to train someone for the Peace Corps or the National Service Corps, or VISTA, for example, costs some $10,000 per year. Even if we took a small percentage of those 2 million and trained them for such service, the cost would reach astronomical figures. But even aside from the obvious financial implications which must be fully explored the Secretary of Defense, as one of the principal spokesmen for the administration, has raised significant questions, and I was delighted to see that the Senator has pointed that out.

The other point which concerns me—

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. KENNEDY of Massachusetts. Mr. President, I ask unanimous consent that I may proceed for 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KENNEDY of Massachusetts. The other point which concerns me, as I am sure it probably concerns the Senator from Wisconsin, is that it was not clear from the remarks of the Secretary of Defense whether the individuals who would serve in the Peace Corps or National Service Corps would or should be excluded from the draft. This raises, I think, some fundamental questions for the proposed commission to consider.

Mr. President, I have been interested in this problem, and I have suggested that the Armed Services Committee consider the lottery approach to the draft, which has been tried successfully in a number of Western European countries. I think the proposed commission could consider the merits of that proposal, as well as several others. I, for one, have an open mind on the subject. But I am concerned about the injustice and inequities that we are experiencing under the present draft system. Our watchword must be "equality and fairness of treatment," and we must explore every possible alternative approach, in order to arrive at a system which meets the standards.

I commend the Senator from Wisconsin. I think his suggestion is sound and constructive. Of course, the Armed Services Committee of the Senate would have the prime responsibility for this review, but I do feel, as I am sure the Senator from Wisconsin feels, that the proposed commission could make recommendations which would be valuable to the Armed Services Committee, and that bringing to bear the expertise, the knowledge and understanding, and the great interest of the kinds of people who would serve on such a commission would be extremely beneficial to the Armed Services Committee as well as to the Senate.

For those reasons, I commend the Senator from Wisconsin for his most constructive proposal.

Mr. NELSON. The intent is to bring experts from outside the Congress to devote their attention and creativity to the problem, and then report back to Congress with an analysis of the service manpower needs; and several alternative proposals to meet this need along with a cost analysis of each proposal. Then the matter would go to the Armed Services Committee, which is the appropriate place, and then this distinguished committee would review the report of the commission, conduct hearings, and make its recommendations to Congress.

Mr. KENNEDY of Massachusetts. The Senator has been, I think, extremely responsible in his approach, and has made a very useful and constructive suggestion. I certainly hope it will find support in the Senate, because I think it would really open a window to the subject, which does need all the air and the clear thinking which this kind of commission would provide.

Mr. NELSON. I thank the Senator from Massachusetts.

Mr. JAVITS. Mr. President, will the Senator yield briefly to me?

Mr. NELSON. I yield to the Senator from New York.

Mr. JAVITS. I merely wish to join the Senator in condemning these tests. I have been out to Vietnam myself; and I have seen the tests in operation in my State. I think the theory that the educated young man should not run the same risks as the chap who, for economic reasons or otherwise, cannot go to school and must work at a gas station, for example, is completely outside the spirit of the Selective Service System, and does violence to the traditions of our country. I hope very much we will end it as promptly as possible.

I like the idea of a commission, but I think that the main thing the Senator pointed out, and which I wish to announce my complete concurrence, is that we could junk this testing, which is inimical, in my judgment, to the morale of the young people and the tradition of our Nation.

Mr. NELSON. I thank the Senator. One of the several things that is offensive to me about the college testing programs is that it rewards the indolent able student and penalizes the conscientious average student. One's innate mental capacity should not be the measure of his obligation to serve.

AMENDMENT OF RIVER AND HARBOR ACT OF 1965—AMENDMENT

AMENDMENT NO. 567

Mr. MUNDT submitted an amendment, intended to be proposed by him, to the bill (S. 3066) to amend the River and Harbor Act of 1965 to prohibit certain fees being charged in connection with projects for navigation, flood control, and other purposes, which was referred to the Committee on Public Works, and ordered to be printed.

COORDINATED NATIONAL SAFETY PROGRAM AND ESTABLISHMENT OF SAFETY STANDARDS FOR MOTOR VEHICLES IN INTERSATE COMMERCE

AMENDMENT NO. 568

Mr. NELSON submitted an amendment, intended to be proposed by him, to the bill (S. 3005) to provide for a coordinated national safety program and establishment of safety standards for motor vehicles in interstate commerce to reduce traffic accidents and the deaths, injuries, and property damage which occur in such accidents, which was referred to the Committee on Commerce, and ordered to be printed.

AMENDMENT OF THE RURAL ELECTRIFICATION ACT OF 1936, AS AMENDED

Mr. MILLER. Mr. President, I have today joined as a cosponsor of S. 3337, a bill "to amend the Rural Electrification Act of 1936, as amended, to facilitate the extension and improvement of rural electric and telephone service, and to strengthen and stabilize rural electrification and telephone systems by supplementation of the existing sources of Federal financing as provided by titles I and II of the Rural Electrification Act, to furnish additional sources of capital funds, and for other purposes."

It is my understanding that the administration bill, which was introduced in the House as H.R. 14837 by Mr. COOLEY, of North Carolina, will not be introduced in the Senate. The administration bill is designed to meet the same objectives as S. 3337, but there are some important differences in the specific legislative language appearing in the two bills, some of which in the administration bill strongly appeal to me.

The thrust of this legislation is to provide a means whereby our Rural Electric Cooperatives can, with some Federal financial assistance, establish a Federal Electric Bank which eventually will be owned by REC's and their members and which will provide needed financing of electric generating plants and electric transmission and distribution lines or systems required by the rural electrification system. As these units in the system become more viable with the growth of our economy, it will become increasingly difficult to justify 2 percent interest loan rates by the Federal Government to them. Some of this 2 percent interest money will continue to be justifiable; but the REC's, as a group, wish to be able to stand on their own two feet and to conduct their own financing. This is a perfectly sound and laudable objective, and precedents for such a Federal bank will be found in the Federal Banks for Cooperatives, Federal Land Banks, and the Federal Intermediate Credit Banks, whose performance records have been highly satisfactory.

I believe that hearings should be held on this legislation with a view to developing a thoroughly sound and practical bill. As presently drafted, S. 3337 does not satisfy me on a number of important points: there is an absence of guidelines for the Governor of the Federal Electric Bank to follow in making loans, and I believe these should be written into the bill instead of leaving loan policies entirely up to him; there should be representation on the Board of Directors from the Commerce, Interior, and Treasury Departments; until such time as the bank is no longer receiving Federal financing, Congress should retain appropriation act controls; a more rapid method of repayment of Federal financing should be provided if such repayments are feasible. These and other matters should be thoroughly examined through committee hearings and committee deliberations. Moreover, if we are to avoid further inflation, any new Federal financial commitments must conform to the requirements of a reasonably balanced budget, taking into account demands placed upon our Government by the war in Vietnam.

WITHDRAWAL OF COSPONSORSHIP FROM SENATE CONCURRENT RESOLUTION 64

Mr. FANNIN. Mr. President, my name appears as a cosponsor of Senate Concurrent Resolution 64. I do not desire to cosponsor this proposal. I ask unanimous consent that my name be striken from the list of cosponsors.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXTENSION OF TIME FOR BILL TO LIE ON DESK

Mr. COOPER. Mr. President, unanimous consent was originally given for Senate bill 3337, to amend the Rural Electrification Act of 1936, as amended, to facilitate the extension and improvement of rural electric and telephone service, and to strengthen and stabilize rural electrification and telephone systems by supplementation of the existing sources of Federal financing as provided by titles I and II of the Rural Electrification Act, to furnish additional sources of capital funds, and for other purposes, to be held at the desk until May 20, for the purpose of addition of cosponsors. I now ask unanimous consent that the time for holding of this bill be extended to May 31.

The ACTING PRESIDENT pro tempore. Without objection it is so ordered.

NOTICE OF RECEIPT OF NOMINATIONS BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nominations of Delmar R. Carlson, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Guyana; Elliott P. Skinner, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Upper Volta; Walter P. McConaughy, of Alabama, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to China; Eugene M. Locke, of Texas, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Pakistan; and Jacob D. Beam, of New Jersey, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Czechoslovak Socialist Republic.

Open hearings have been scheduled for nominees Locke, Beam, and Skinner for Monday morning, May 23, at 10 a.m., in room 4221. At that time, Ambassador designee to Brazil John W. Tuthill will also be heard.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, May 19, 1966, he presented to the President of the United States the following enrolled bills:

S. 1098. An act to amend section 1(14) (a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes;

S. 1748. An act for the relief of Virgilio Acosta-Martinez; and

S. 2696. An act for the relief of Abraham Ezekiel Cohen.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 265) to authorize the conveyance of certain lands to the State of Utah based upon fair market value.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 197. An act to amend chapter 73 of title 38 of the United States Code to authorize the Administrator of Veterans' Affairs to enter into contract with medical schools and clinics for scarce medical specialist services and for other purposes;

H.R. 7728. An act to assure adequate and complete medical care for veterans by providing for participation by the Veterans' Administration in medical community planning and for the sharing of advanced medical technology and equipment between the Veterans' Administration and other public and private hospitals;

H.R. 11777. An act to provide for the popular election of the Governor of the Virgin Islands, and for other purposes; and

H.R. 13277. An act to amend the Revised Organic Act of the Virgin Islands to provide for the reapportionment of the Legislature of the Virgin Islands.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 197. An act to amend chapter 73 of title 38 of the United States Code to authorize the Administrator of Veterans' Affairs to enter into contract with medical schools and clinics for scarce medical specialist services and for other purposes; and

H.R. 7728. An act to assure adequate and complete medical care for veterans by providing for participation by the Veterans' Administration in medical community planning and for the sharing of advanced medical technology and equipment between the Veteran's Administration and other public and private hospitals; to the Committee on Labor and Public Welfare.

H.R. 11777. An act to provide for the popular election of the Governor of the Virgin Islands, and for other purposes; and

H.R. 13277. An act to amend the Revised Organic Act of the Virgin Islands to provide for the reapportionment of the Legislature of the Virgin Islands; to the Committee on Interior and Insular Affairs.

THE CALENDAR

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar to which there is no objection, beginning with Calendar No. 1124.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PRINTING OF STUDY ENTITLED "POLICY PLANNING FOR AERONAUTICAL RESEARCH AND DEVELOPMENT" AS A SENATE DOCUMENT

The resolution (S. Res. 260) to print a study entitled "Policy Planning for Aeronautical Research and Development" was considered and agreed to, as follows:

Resolved, That the study entitled "Policy Planning for Aeronautical Research and Development", prepared for the use of the Committee on Aeronautical and Space Sciences shall be printed with illustrations as a Senate document; and that there be printed four thousand additional copies of such document for the use of that committee.

PRINTING OF ADDITIONAL COPIES OF REPORT BY THE SPECIAL COMMITTEE ON AGING ENTITLED "THE WAR ON POVERTY AS IT AFFECTS OLDER AMERICANS"

The resolution (S. Res. 263) to print additional copies of a Senate report filed by the Special Committee on Aging was considered and agreed to, as follows:

Resolved, That there be printed for the use of the Special Committee on Aging six thousand two hundred additional copies of a Senate report of the Eighty-ninth Congress, second session, entitled "The War on Poverty as It Affects Older Americans."

PRINTING OF ADDITIONAL COPIES OF SENATE HEARINGS ON "UNITED STATES POLICY WITH RESPECT TO MAINLAND CHINA"

The concurrent resolution (S. Con. Res. 91) authorizing the printing of additional copies of hearings on "United States Policy With Respect to Mainland China" was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Committee on Foreign Relations five thousand additional copies of its hearings on "United States Policy With Respect to Mainland China," of the Eighty-ninth Congress, second session.

PRINTING OF ADDITIONAL COPIES OF HEARINGS

The concurrent resolution (S. Con. Res. 90) to authorize printing of additional copies of hearings was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Interior and Insular Affairs Committee two thousand five hundred additional copies of the Senate hearings of the Study Team Report on the Recreational Opportunities in the State of Washington, held in the Eighty-ninth Congress, second session.

PRINTING OF "TWENTIETH ANNIVERSARY OF THE EMPLOYMENT ACT OF 1946, AN ECONOMIC SYMPOSIUM" FOR USE OF JOINT ECONOMIC COMMITTEE

The concurrent resolution (S. Con. Res. 86) authorizing the printing of additional copies of hearings entitled "Twentieth Anniversary of the Employment Act of 1946, an Economic Symposium" was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Joint Economic Committee five thousand additional copies of its hearings of the Eighty-ninth Congress, second session, entitled "Twentieth Anniversary of the Employment Act of 1946, an Economic Symposium."

PRINTING OF ADDITIONAL COPIES OF "CATALOG OF FEDERAL AIDS TO STATE AND LOCAL GOVERNMENTS—SECOND SUPPLEMENT, JANUARY 10, 1966"

The concurrent resolution (S. Con. Res. 84) authorizing the printing of additional copies of "Catalog of Federal Aids to State and Local Governments—2d Supp. Jan. 10, 1966," was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed one hundred thousand additional copies of the committee print entitled "Catalog of Federal Aids to State and Local Governments—Second Supplement, January 10, 1966," Eighty-ninth Congress, second session, prepared by the Legislative Reference Service, Library of Congress, for the Senate Committee on Government Operations, of which forty-four thousand copies shall be for the use of the House of Representatives and fifty-six thousand copies shall be for the use of the Senate Committee on Government Operations.

ADDITIONAL FUNDS FOR THE COMMITTEE ON THE DISTRICT OF COLUMBIA

The resolution (S. Res. 259) for additional funds for the Committee on the District of Columbia was considered and agreed to, as follows:

Resolved, That the Committee on the District of Columbia is hereby authorized to expend from the contingent fund of the Senate, during the Eighty-ninth Congress $5,000 in addition to the amount, and for the same purpose, specified in section 134(a) of the Legislative Reorganization Act approved August 2, 1946.

PRINTING OF REVISED EDITION OF "ELECTION LAW GUIDEBOOK" AS SENATE DOCUMENT

The resolution (S. Res. 264) authorizing the printing of a revised edition of "Election Law Guidebook" as a Senate document was considered and agreed to, as follows:

S. RES. 264

Resolved, That a revised edition of Senate Document Numbered 67 of the Eighty-eighth Congress, entitled "Election Law Guidebook", be printed as a Senate document; and that there be printed two thousand additional copies of such document for the use of the Committee on Rules and Administration.

HELENE L. MACPHERSON

The resolution (S. Res. 265) to pay a gratuity to Helene L. Macpherson was considered and agreed to, as follows:

S. RES. 265

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Helene L. Macpherson, widow of Gregor Macpherson, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

JULIA L. CONWAY AND MARY C. DOWNEY

The resolution (S. Res. 266) to pay a gratuity to Julia L. Conway and Mary C. Downey was considered and agreed to, as follows:

S. RES. 266

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Julia L. Conway and Mary C. Downey, aunts of Louisa R. Pearson, an employee of the Senate at the time of her death, a sum to each equal to six months' compensation at the rate she was receiving by law at the time of her death, said sum to be considered inclusive of funeral expenses and all other allowances.

INVESTIGATE THE TRADING WITH THE ENEMY ACT

The Senate proceeded to consider the resolution (S. Res. 251), to investigate the Trading With the Enemy Act, which had been reported from the Committee on Rules, with amendments, on page 1, line 11, after the word "committee", to strike out "from February 1, 1966, to January 31, 1967, inclusive" and insert "through January 31, 1967", and on page 2, line 18, after the word "exceed", to strike out "$35,000" and insert "$25,000"; so as to make the resolution read:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to conduct a further examination and review of the administration of the Trading With the Enemy Act, as amended, and the War Claims Act of 1948, as amended, and consider proposed legislation affecting said Acts.

SEC. 2. For the purposes of this resolution the committee, through January 31, 1967, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1967.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $25,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The amendments were agreed to.

The resolution, as amended, was agreed to.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1169), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

The Committee on Rules and Administration to which was referred the resolution (S. Res. 251) authorizing the resumption of a study of the administration of the Trading With the Enemy Act and the War Claims Act, having considered the same, reports favorably thereon with amendments and recommends that the resolution as amended be agreed to.

The amendments adopted by the Committee on Rules and Administration would (1) reduce the amount requested by $10,000—from $35,000 to $25,000; and (2) provide that the authorization commence on the date the resolution is approved, rather than on February 1, 1966.

Senate Resolution 251 as amended would authorize the expenditure by the Committee on the Judiciary of not to exceed $25,000 to enable its Subcommittee on Trading With the Enemy Act through January 31, 1967, to conduct hearings, conferences, and discussions, and to reach areas of agreement with the executive branch in various matters within its jurisdiction.

AMENDMENT OF TITLE I OF THE TARIFF ACT OF 1930

The bill (H.R. 8376) to amend title I of the Tariff Act of 1930 to make permanent the existing duty-free treatment for certain corkboard insulation was considered, ordered to a third reading, read the third time, and passed.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1170), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of H.R. 8376 is to amend the Tariff Schedules of the United States to make permanent the existing duty-free treatment for certain corkboard insulation.

GENERAL STATEMENT

The duty of 2.5 cents per board foot on insulation, coated or not coated, of compressed cork in boards, blocks, or slabs, as now provided for under item 220.30 of the Tariff Schedules of the United States, has been suspended for a 3-year period from May 30, 1963, to May 29, 1966, by Public Law 88–32. This suspension is reflected in item 904.40 of the Tariff Schedules. H.R. 8376 amends item 220.30 (and repeals item 904.40) to make permanent the present duty-free status of such corkboard insulation.

Corkboard insulation, because of its low thermal conductivity, is particularly suitable for low temperature applications, such as cold storage rooms, refrigerator cars and trucks, refrigerated warehouses, and fur storage vaults. It is also used to insulate walls, ceilings, and cold-air ducts in air-conditioned buildings, and as insulation in ship construction.

There is no longer any production of corkboard insulation in the United States, such having ceased in 1962. Former domestic producers have now become importers in order to supply and continue their businesses as applicators and suppliers of corkboard insulations. These producers favored the temporary suspension of duty under Public Law 88–32 and support the present bill to make this suspension permanent.

The Committee on Finance agrees with the Committee on Ways and Means of the House that the benefits derived by domestic industry from the current temporary suspension of duty on corkboard insulation warrant continuation of the suspension on a permanent basis. H.R. 8376 would accomplish this objective.

CONTINUED SUSPENSION OF DUTY ON HEPTANOIC ACID

The bill (H.R. 10998) to continue for a temporary period the existing suspension of duty on heptanoic acid was considered, ordered to a third reading, read the third time, and passed.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1171), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of H.R. 10998 is to continue the existing suspension of the import duty on heptanoic acid for an additional temporary period, until the close of August 8, 1969.

GENERAL STATEMENT

The duty on heptanoic acid was suspended by Public Law 86–795, approved September 15, 1960, for a period of 3 years, and for an additional period, through August 8, 1966, by Public Law 88–93, approved August 8, 1963. H.R. 10998 would amend item 907.30 of the Tariff Schedules of the United States to continue the existing suspension for an additional 3-year period, until the close of August 8, 1969.

Heptanoic acid is used principally in the making of special lubricants and brake fluids. At the present time there is no production of this acid in the United States, and domestic consumption is entirely dependent on imports. Heptanoic acid is used in the production of synthetic lubricants for the military and aerospace industry, and there appears to be no domestic production of it for commercial uses. We agree with the Committee on Ways and Means of the House that continued suspension of the duty on this product is warranted.

MAKING PERMANENT THE EXISTING SUSPENSION OF DUTY ON CERTAIN NATURAL GRAPHITE

The bill (H.R. 11653) to make permanent the existing suspension of duty on certain natural graphite was considered, ordered to a third reading, read the third time, and passed.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1172), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of H.R. 11653 is to make permanent the suspension of duty on natural amorphous graphite, crude and refined, valued at $50 per ton or less.

GENERAL STATEMENT

Natural graphite (plumbago) is a soft, black mineral occurring in disseminated flakes or in scaly, granular, compact, or earthy masses. The term "crystalline graphite" or "flake graphite" refers to varieties that occur in crystals large enough to be visible to the unaided eye. This type covered by H.R. 11653 (amorphous graphite) is a very fine granular variety which is actually cryptocrystalline or featuring particles so fine that they are not recognizable individually except under a high-power microscope. The mineral has a wide variety of industrial uses. For example, it is utilized for foundry facings and in the manufacture of carbon brushes, dry-cell batteries, pencils and paints, lubricants, and brush stock for electric motors.

Amorphous graphite or plumbago, crude or refined, and regardless of value, was made dutiable in paragraph 213 of the Tariff Act of 1930, as originally enacted, at the rate of 10 percent ad valorem. The duty was reduced to 5 percent ad valorem pursuant to a bilateral trade agreement with the United Kingdom, effective January 1, 1939, and the reduced rate was bound against increase in a bilateral trade agreement with Mexico, effective January 30, 1943. The reduced rate of 5 percent of ad valorem was again bound against increase in the General Agreement on Tariffs and Trade, effective January 1, 1948. These concessions extended to both the natural and artificial product. The duty on natural amorphous graphite, however, was further reduced pursuant to additional concessions to 2½ percent ad valorem, effective September 10, 1955; to 1¼ percent ad valorem, effective July 1, 1962; and to one-half of 1 percent ad valorem, effective July 1, 1963.

Imports of natural amorphous graphite, crude or refined, valued at $50 per ton or less, are now temporarily free of duty, under both the most-favored-nation (col. 1) and statutory (col. 2) rates, under item 909.20 of the Tariff Schedules of the United States. This temporary duty suspension, which has been in effect since 1960, will expire as of the close of June 30, 1966, under the provisions of Public Law 88–329. H.R. 11653 would make permanent the present column 1 suspension of duty on such merchandise. The column 2 or statutory rate would, under the bill, be the original 10-percent rate.

The United States has long been dependent on imports for nearly all of its requirements for natural amorphous graphite despite extensive exploration for suitable domestic deposits. Domestic output supplied only a negligible part of domestic consumption of natural amorphous graphite prior to early 1959, and since that time has ceased.

The Department of Commerce in its report of May 17, 1966, has advised your committee, as follows, in this regard:

"According to available information there has been no commercial production of amorphous graphite in the United States since 1959. Amorphous graphite, regardless of value, is not believed to be generally competitive with either natural crystalline or artificial graphite produced in the United States. This Department has received no complaints from domestic industry regarding the present duty suspension on amorphous graphite valued at $50 per ton or less."

In view of the above, and the experience gained under prior and present suspensions of duty on natural amorphous graphite of the type covered under the bill, the Committee on Finance agrees with the Committee on Ways and Means of the House that provision for permanent suspension, as provided in H.R. 11653, is warranted. H.R. 11653 would accomplish this objective.

CONTINUING THE EXISTING SUSPENSION OF DUTY ON CERTAIN COPYING SHOE LATHES

The bill (H.R. 12262) to continue until the close of June 30, 1969, the existing suspension of duty on certain copying shoe lathes was considered ordered to a third reading read the third time, and passed.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1173), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 12262 is to amend item 911.70 of the Tariff Schedules of the United States to continue until the close of June 30, 1969, the existing suspension of duty on copying lathes used for making rough or finished shoe lasts from models of shoe lasts and capable of producing more than one size shoe from a single size model of a shoe last.

GENERAL STATEMENT

Public Law 1012 of the 84th Congress, approved August 6, 1956, transferred from the dutiable to the free list of the Tariff Act for a period of 2 years, by adding to paragraph 1643 of the Tariff Act of 1930 the following language:

> Copying lathes used for making rough or finished shoe lasts from models of shoe lasts and, in addition, capable of producing more than one size shoe last from a single size model of a shoe last.

The suspension of duty has been in effect continuously since that time, 2-year extensions having been enacted on May 16, 1958 (Public Law 85-416), on June 30, 1960 (Public Law 86-562), and on August 24, 1962 (Public Law 87-807). Since August 31, 1963, the effective date of the Tariff Schedules of the United States, the suspension has been provided under item 911.70, the most recent extension of which has been effected by Public Law 88-336, approved June 30, 1964. The period of suspension provided thereunder is scheduled to expire as of the close of June 30, 1966, if not extended. H.R. 12262 would extend the period for another 3 years, to the close of June 30, 1969.

The suspension of duty was initially made and has been continued, as indicated above, in order to make available to domestic shoe last manufacturers highly specialized and expensive copying lathes which the committee is advised can only be obtained from foreign sources. There is no domestic production of these lathes and only five have been imported in the 2 years 1964 and 1965. It appears that the sole effect of permitting restoration of the 10-percent duty on this article would be to increase costs to domestic shoe manufacturers.

The Committee on Finance agrees with the Committee on Ways and Means of the House that extension of the suspension of duty as provided in H.R. 12262 will continue to benefit the shoe last manufacturing industry in the United States without detriment to any domestic interests.

No opposition to this legislation has been made known, and your committee has received favorable comment thereon from the interested Federal departments and agencies.

EXTENDING THE SUSPENSION OF DUTY ON CRUDE CHICORY AND THE REDUCTION IN DUTY ON GROUND CHICORY

The bill (H.R. 12463) to extend until June 30, 1969, the suspension of duty on crude chicory and the reduction in duty on ground chicory, was considered, ordered to a third reading, read the third time, and passed.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1174), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 12463 is to continue for a period of 3 years until the close of June 30, 1969, the existing suspension of duty on crude chicory roots and to continue for the same period the rate of duty of 2 cents per pound for chicory roots, ground or otherwise prepared.

GENERAL STATEMENT

Public Law 85-378, approved April 16, 1958, provided for the suspension of duty on crude chicory (except endive) for a period of 2 years. This legislation also provided that the duty on chicory, ground or otherwise prepared, be 2 cents per pound for the period during which the duty on crude chicory was suspended. Public Law 86-441, approved April 22, 1960, Public Law 86-479, approved June 1, 1960, and Public Law 88-49, approved June 29, 1963, successively extended the duty treatment provided under Public Law 85-378 for crude chicory and ground chicory. The Tariff Schedules of the United States continued this duty treatment by providing, effective for the period August 31, 1963, through June 30, 1966, that crude chicory roots were to be free of duty (item 903.20) and that chicory roots ground or otherwise prepared were to be dutiable at the rate of 2 cents per pound (item 903.21).

No chicory has been grown in the United States since 1954, and domestic processors of chicory depend upon imports of crude chicory. The purpose of Public Law 85-378 and the extensions thereof was to assist domestic producers of ground chicory in competing with imports of the prepared product. Your committee is advised by the Tariff Commission that the conditions that prompted the original suspension of duty on crude chicory and the reduction in duty on ground chicory, and the extensions thereof under the above-cited acts, still prevail.

H.R. 12463 would continue for an additional period of 3 years, until the close of June 30, 1969, the tariff treatment now provided under items 903.20 and 903.21.

In addition to the informative report from the Tariff Commission, favorable reports were received with respect to H.R. 12463 from the Departments of State, Treasury, Commerce, and Labor.

CONTINUING THE SUSPENSION OF DUTY ON CERTAIN ALUMINA AND BAUXITE

The bill (H.R. 12657) to continue the suspension of duty on certain alumina and bauxite was considered, ordered to a third reading, read the third time, and passed.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1175), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 12657, as amended, is to continue for an additional 2 years, to the close of July 15, 1968, the suspension of duty applicable to alumina when imported for use in producing aluminum, and to continue for a like period the suspension of duties on calcined bauxite and bauxite ore.

GENERAL STATEMENT

The duty on alumina, when imported for use in producing aluminum, was suspended for a 2-year period beginning July 17, 1956, by Public Law 725 of the 84th Congress. The duty on crude bauxite and calcined bauxite was suspended by Public Law 83-499, until July 16, 1956. Public Law 84-724 further suspended the duties on crude bauxite and calcined bauxite for an additional period of 2 years. Public Law 85-415 consolidated the provisions of Public Laws 724 and 725 of the 84th Congress and extended for 2 more years the periods of suspension provided therein. This duty-free treatment has been successively extended for additional 2-year periods by Public Law 86-441, Public Law 87-567, and Public Law 88-362. This duty-free treatment is reflected in the Tariff Schedules of the United States in items 907.15, 909.30, and 911.05 and is presently effective for the period on or before July 15, 1966. H.R. 12657, as amended, would continue the present suspensions of duty for another 2-year period, until the close of July 15, 1968.

Alumina is a product used for the production of aluminum, and the bulk of the alumina consumed in the United States is used for that purpose. Bauxite is a mineral used in the production of alumina (from which aluminum is produced), abrasives, chemicals, refractionary products, and miscellaneous products, and is vital to domestic industries such as the aluminum, steel, and chemical industries.

The production of aluminum involves two main operations: the production of alumina from the crude ore—almost entirely bauxite—and the production of aluminum metal from alumina. A large part of the domestic production of aluminum in recent years has been derived from imported aluminum-bearing material. Domestic reserves of bauxite are quite limited and the United States relies heavily upon foreign bauxite to fulfill the increasing demand for this raw material. U.S. production of bauxite accounts for only a small fraction of that needed for our expanding aluminum consumption. Free entry of alumina, processed from bauxite for subsequent use in aluminum, has the effect of increasing the domestic capacity to produce aluminum, and so far as we are aware poses no threat to domestic alumina producers or employment.

In its report on this legislation, the U.S. Tariff Commission informed your committee that:

"The Commission believes that the considerations which led the Congress to suspend the duties on each article discussed herein still exist."

In view of this, and the experience gained under prior and present suspensions, the Committee on Finance agrees with the Committee on Ways and Means of the House that the further 2-year suspension of duty on alumina, calcined bauxite, and bauxite ore, until the close of July 15, 1968, as provided by the bill, is warranted.

FREE IMPORTATION OF PERSONAL AND HOUSEHOLD EFFECTS IMPORTED UNDER GOVERNMENT ORDERS

The bill (H.R. 12864) to make permanent the existing duty free treatment of personal and household effects brought into the United States under Government orders was considered, ordered to a third reading, read the third time, and passed.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1176), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 12864 is to make permanent the existing duty-free treatment of personal and household effects brought into the United States under U.S. Government orders.

GENERAL STATEMENT

The act of June 27, 1942 (Public Law 633, 77th Cong.), allowed, until the day following the proclamation of peace by the President, the free entry of personal and household effects of any person returning to the United States under Government orders.

Public Law 450 of the 82d Congress extended the period of free entry until the close of April 1, 1953.

Public Law 20 of the 83d Congress continued the free entry privilege until the close of June 30, 1955.

Public Law 126 of the 84th Congress extended the period of free entry until the close of June 30, 1958. This public law also amended the basic law in several respects, including granting authority to the Secretary of the Treasury to promulgate appropriate regulations so as to prevent abuse of the free entry privilege with regard to alcoholic beverages and tobacco products.

Public Law 85-398 extended the period of free entry until the close of June 30, 1960; Public Law 86-563, until the close of June 30, 1962; Public Law 87-790, until the close of June 30, 1964; and Public Law 88-323, until the close of June 30, 1966. The free entry privilege is presently provided for under item 915.20 of the Tariff Schedules of the United States.

H.R. 12864, as reported by your committee, would repeal the temporary provisions in item 915.20 and add new item 817.00 to the Tariff Schedules, to make permanent the existing duty-free treatment of personal and household effects brought into the United States under U.S. Government orders. These amendments would apply with respect to articles entered, or withdrawn from warehouse, for consumption after June 30, 1966.

The principal effect of this duty-free importation privilege has been to avoid the imposition of undue administrative burdens upon persons returning to the United States from foreign service. It has thus constituted an important morale factor and inducement to oversea service. In view of the continued presence in many parts of the world of members of the Armed Forces of the United States and Government personnel and the favorable experience under the temporary exemption of almost a quarter of a century's duration, continuation of the exemption from duty of personal and household effects brought into the United States under Government orders on a permanent basis is warranted.

In so recommending, your committee is mindful that during the period that these successive extensions of duty-free treatment have been in effect, the statutory provision has been safeguarded from abuse, not only by restrictions contained in the law itself, but also by appropriate regulations issued by the Treasury Department, the Department of State, and within the Department of Defense. In particular, attention is invited to the fact that Public Law 126 of the 84th Congress conferred specific authority upon the Secretary of the Treasury to provide safeguarding regulations with regard to alcoholic beverages and tobacco products. This provision, together with the other substantive provisions of item 915.20, is carried over without change into item 817.00, the new item that would be added to the schedules by this bill. Your committee, therefore, in recommending this legislation, expects increasing diligence on the part of the departments to assure that the exemption will not be abused.

The continuation of this exemption is important both in the encouragement of people to serve abroad and in contributing to the morale of U.S. personnel on duty outside the customs territory of the United States. The Department of the Treasury has indicated to your committee that there are presently no unusual administrative difficulties with the existing duty-free provision. All of the interested departments have consistently reported favorably on the successive extensions of the present temporary exemption.

The Committee on Finance agrees with the Committee on Ways and Means of the House of the desirability of this legislation to make permanent the existing duty-free treatment of personal and household effects brought into the United States under Government orders.

EXTENDING THE SUSPENSION OF DUTY ON ELECTRODES IMPORTED FOR USE IN PRODUCING ALUMINUM

The bill (H.R. 12997) to extend until June 15, 1968, the suspension of duty on electrodes imported for use in producing aluminum was considered, ordered to a third reading, read the third time, and passed.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1177), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 12997 is to continue, until the close of July 15, 1968, the suspension of duty on electrodes imported for use in producing aluminum.

GENERAL STATEMENT

Under the permanent provisions of the Tariff Schedules of the United States, electrodes of the kind covered by the bill are dutiable under item 517.61 at 12.5 percent ad valorem. However, this duty was suspended from October 7, 1965, through July 15, 1966, by item 909.25, which was added to the Tariff Schedules of the United States by section 87 of the Tariff Schedules Technical Amendments Act of 1965, Public Law 89-241. In commenting on its reason for proposing the suspension of the duty on such electrodes in that legislation, the Senate Finance Committee stated (S. Rept. 530, 89th Cong., 1st sess., p. 23):

"Under the present tariff schedules electrodes used in the production of aluminum are dutiable at 12.5 percent. Typically they are not imported but are manufactured by the aluminum companies themselves at the site where they are to be used in the electrolysis of alumina into aluminum. These electrodes, generally of carbon or graphite, are consumed in great quantities in electrolysis process.

"The committee's attention was called to the fact that some small new aluminum plants do not yet have sufficient volume of production to permit efficient production on the site of the electrodes they need. In order to provide a source for reasonably priced electrodes for these companies your committee has added a provision to the bill to permit electrodes to be imported duty free for use in the production of aluminum. Under the bill, free entry for these electrodes (and no other) will be available until July 15, 1966. This date coincides with the provision already in the law which permits temporary free entry for alumina used in the production of aluminum."

H.R. 12657 has been favorably reported today to continue the present suspension of duty on certain alumina and bauxite for an additional 2-year period, to the close of July 15, 1968. In view of this and advice from the U.S. Tariff Commisson that "the consideration which led Congress to suspend the duty on these electrodes still exists," the Committee on Finance, like the Committee on Ways and Means of the House believes that an extension of the suspension on electrodes imported for use in processing aluminum for a like 2-year period, as provided in H.R. 12997, is warranted.

Mr. LONG of Louisiana. That concludes the call of the calendar.

REPORT ON NATO PARLIAMENTARIANS' CONFERENCE

Mr. JAVITS. Mr. President, last week, I was privileged to attend the NATO Parliamentarians' Conference in Paris as a delegate of the U.S. Congress. As Rapporteur of the Political Committee of the Conference, I submitted a report which was used as the basis of discussion for the meeting. It will be publicized at the 11th annual conference in November 1966. A number of conclusions emerged from this discussion which I think will be of interest to my colleagues.

First. None of the NATO partners are prepared to gamble the Alliance away on the assumption that there is no longer any danger of aggression from the Soviet Union. Although there was agreement that current Soviet actions were moderate, all agreed that future Soviet intentions were not clear, that Soviet capabilities were still powerful, and that the strength of NATO must be maintained to check these capabilities.

Second. There was wide consensus on the necessity for continued large-scale U.S. involvement and commitment in

Europe, not only as a check against aggression, but as the most important stabilizing factor in inter-Alliance relations. Specifically, there was full recognition of the fact that the U.S. presence and the integrated NATO command structure provided the most congenial framework for the German Federal Republic's role in the security of Western Europe. In this regard, one of the most unfortunate effects of the French decision to withdraw from the integrated command has been to place West Germany in an exposed position—a role in which the Germans themselves feel uncomfortable. This is, then, no time to talk about withdrawing U.S. troops from the European Continent; such talk would only confirm the worst fears of our European partners.

Third. There is real consensus among the 14 that, during the current period of French policy, relations with France should be wholly friendly and that the door should be kept open for its full and effective return to NATO. In this connection, it must be emphasized that France proposes to continue its membership in the Alliance. The attendance of French parliamentarians at the NATO Parliamentarians' Conference last week was a positive sign of this. In the meantime, the Europeans made known their sentiment that they do not want to see France isolated within the Alliance, and that they do not want anyone to force them to choose between the United States and France.

Fourth. Article 5 of the NATO Treaty reads, in part, that "The parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all." There was an unambiguous realization at the Conference that this phrase must be interpreted to mean any attack, whether it emanates from Europe or elsewhere. The NATO commitments are operative should, for example, Communist China launch an attack against a NATO country.

Fifth. Reports that our European partners are completely unsympathetic to U.S. efforts in Vietnam are exaggerated. There is an understanding that the United States cannot withdraw from Vietnam, that we must see it through, and that we have made honorable attempts to bring the conflict to the negotiating table.

Sixth. The parliamentarians at the Conference are prepared to strengthen the institutions of NATO. In particular, there was substantial agreement on the desirability of transforming the Parliamentarians' Conference into a NATO Consultative Assembly, with a statutory and more effective voice in Atlantic affairs.

Seventh. It was also felt that increased trade in nonstrategic goods between the West and the U.S.S.R. and European Communist nations can have important beneficial effects on our relations. It is for that reason that I have supported the bill introduced yesterday by Senator MAGNUSON, which would furnish greater opportunity to carry on East-West trade. I think this is definitely within the concept of strengthening NATO. The President's decision to request authority from Congress to accord most-favored-nation treatment to the goods of European Communist nations, like that accorded to members of GATT, is exceedingly important as a step toward expanding this trade on the basis of a common Western policy.

Eighth. Finally, faith in the NATO remains strong. There is no doubt that NATO is still the linchpin of free world strength and unity of purpose.

The French people are in favor of that. They are in favor of pulling out of an integrated command. I think there is no doubt that they are in favor of that. But they have no idea of pulling out of the alliance, which has provided strength and unity, and which should continue to do so.

RAISING THE MINIMUM WAGE

Mr. JAVITS. Mr. President, on May 13, 1966, the Spanish language New York newspaper, El Diario-La Prensa, ran an excellent editorial, in both Spanish and English, concerning pending proposals to amend the Fair Labor Standards Act, and particularly focusing attention on the difficult problems raised by the potential impact of this bill upon Puerto Rico.

I ask unanimous consent that the English-language version of this editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD as follows:

[From El Diario, La Prensa, May 13, 1966]

RAISING THE MINIMUM WAGE

Our well-paid Congressmen are finally realizing that in the United States there are millions of people underpaid and underfed for lack of a fair minimum wage. For months the Administration's minimum wage bill was stalled in the House Rules Committee. However, on Wednesday, the bill was cleared for floor action with surprising ease on a vote of nine to six.

El Diario, La Prensa now hopes that the House would speedily approve this bill whose passage has become imperative due to the rising cost of living. The bill would increase the Federal minimum wage from $1.25 to $1.40 an hour next February 1 and to $1.60 a year later. It also would extend coverage to 7.2 million more persons, including some farm workers.

There undoubtedly would be strong opposition to some sections of the bill, especially those covering farm workers, but El Diario, La Prensa feels confident that it will pass without any substantial amendments.

The inclusion of Puerto Rico in the minimum wage bill has been under the fire of the Commonwealth authorities headed by Governor Roberto Sánchez Vilella. The position of La Fortaleza was stated by Resident Commissioner Santiago Polanco Abreu before a House Committee. According to Mr. Polanco Abreu, Puerto Rico's development would be stunted by imposing upon it the identical minimum wages of the United States economy, the most highly industrialized in the world. He admitted, however, that the Puerto Rican workers would be harmed by holding minimum wages at the level of the least developed industries.

Consequently, the Commonwealth considered essential to maintain a flexible approach allowing to set minimum wages, individually for each industry.

Puerto Rico fears that the proposed increase would provoke a serious disruption of its economic development. In the opinion of the Commonwealth, the most seriously affected will be the workers of Puerto Rico because "a wage increase which destroys jobs is no increase at all." In other words, as former Governor Luis Muñoz Marin stated a few years ago, "unemployment has a lower salary than the lowest of salaries."

El Diario-La Prensa has always been in favor of higher salaries for workers of the community. However, we do not wish to pass any judgment on the claims of the Puerto Rican authorities. Naturally, we feel the Island should have the highest possible minimum wage compatible with its steady development but without substantially curtailing employment.

We do hope that our Congress will carefully examine the conditions prevailing in Puerto Rico which are still substantially different from those in the continent.

However, as far as the continental United States is concerned, the bill is an absolute necessity. It represents a compromise between what the American Federation of Labor and Congress of Industrial Organizations sought and what the Administration offered.

The compromise plan would affect the 29.6 million workers now covered. The minimum for the 7.2 million workers in restaurants, hotels, motels, hospitals, laundries and dry cleaning establishments not previously covered would be $1.00 an hour starting next February 1. Four more 15-cent increases would make a top of $1.60 by 1971.

Coverage would also be extended to some 485,000 workers on larger farms and to big migratory labor crews. For them, the minimum wage will be set at $1.00 an hour next February 1. This would rise to $1.15 an hour a year later and to $1.30 an hour on February 1, 1968.

El Diario-La Prensa thinks that the increases are moderate and would not impose an excessive burden on industry or agriculture. We consider the new bill an absolute necessity. No Congressman with self-respect should vote against it.

ESSAY CONTEST CONDUCTED BY MONROE COUNTY FEDERATION OF WOMEN'S CLUBS

Mr. JAVITS. Mr. President, the Monroe County Federation of Women's Republican Clubs this year sponsored an essay contest among all high school seniors in Rochester and in Monroe County, N.Y.

The winner of the contest, Miss Elaine Ann Kunz, of 1109 Genesee Park Boulevard, Rochester, and a senior at St. Agnes High School, was awarded a 3-day visit to Washington. I was very pleased to be able to meet Miss Kunz when she was here along with Mrs. Edward S. King, vice chairman of the Monroe County Republican Committee and the entire New York delegation to the annual National Republican Women's Conference earlier this month.

Mr. President, I was so impressed with her essay and the thoughts it expressed that I ask unanimous consent to have it inserted in the CONGRESSIONAL RECORD.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

WHY I AM PROUD TO BE AN AMERICAN

Some believe America is gradually withdrawing into a shell of lethargy and indif-

> ference. They say Americans are not concerned with the world around them.
>
> I do not agree. I am proud to be living in this beautiful and prosperous land whose history overflows with heros and heroines—people who have cared. Two centuries ago, people cared enough to cross the ocean in weather-beaten ships, and struggle for another beginning in a wilderness called America. They cared enough to fight courageously for justice, truth and independence; to establish a nation founded on brotherly love; and to make certain that their child-nation grew straight and firm and free. Americans continue to care today—in the rice paddies and bamboo fields of Viet Nam, in a Peace Corps hospital in Nigeria, in the anti-poverty and Medicare programs, in helping the next-door neighbor shovel his snow-laden driveway. It is because of these people, whose love and dedication for their country is sincere and unfailing, that I am proud and honored to be an American.

TWENTY-FIFTH ANNIVERSARY OF ESTABLISHMENT OF REYNOLDS METALS CO. FACILITY AT SHEFFIELD, ALA.

Mr. HILL. Mr. President, almost a quarter century ago I called to the attention of this Chamber a significant event that was to have great importance to our country and to the defense of our country during World War II. At that time I stressed that the Congress and a grateful Nation would not forget its one and only aluminum volunteer.

Today in northwest Alabama is the celebration of the dream that became a reality 25 years ago. The Reynolds Metals Co. facility at Sheffield, Ala., is today the largest aluminum plant complex in the world. This plant provides employment for more than 4,800 residents of Alabama with an annual payroll in excess of $34 million. It contributes substantially to the economy of Alabama. This huge operation reflects the dreams and dedication of many people. But none more so than the late R. S. Reynolds, founder of Reynolds Metals Co.

It was he who saw the war clouds gathering over Europe and pledged himself and his company's resources to giving our country a second source of aluminum.

As early as 1938, Mr. Reynolds had become gravely concerned with Germany's sensational increases in aluminum production. He was convinced that a war would be a light-metals war and would be won or lost in the air. He pressed for increased U.S. production of aluminum. But nobody took him seriously and some labeled him an "alarmist." For a while he was stymied. Then, in June 1940, Mr. Reynolds decided that if no one else would act, his company must. Although he had no previous experience in the production of aluminum, he was inspired by the patriotic motivation of serving our country and its defense.

A $15,800,000 loan was negotiated from the Reconstruction Finance Corporation, secured by a first mortgage on all the company's existing plants which were worth $24 million. The conditions of the loan were much more exacting and burdensome than were the conditions of loans made after our entering the war at the time of the Pearl Harbor attack.

Less than 4 months after the RFC loan was granted, Reynolds found a plant site and broke ground in a cotton field near Sheffield, Ala. Some officials said it would take a newcomer 5 years to get started.

But 5 months and 28 days after ground was broken, Reynolds poured its first aluminum ingot on May 18, 1941. It is the 25th anniversary of this first pouring that we celebrate at this time.

By the time of Pearl Harbor, some 6 months later, Reynolds Metals Co. was ready for the challenge. During World War II, Reynolds delivered almost 500,000 tons of aluminum for a variety of military uses.

The industry has grown rapidly since the beginning of World War II. Now there are eight producers of primary aluminum, employing almost 200,000 persons in every State of the Union. Last year, these eight companies shipped over 4 million tons of aluminum, for both military and consumer use. In addition, the industry has stimulated the growth of small businesses which fashion this amazing metal into countless products.

In 25 years Reynolds annual sales have grown from $48,602,000 in 1941 to $739,796,000 in 1965; its number of employees from 10,200 to 30,300. In 25 years the company has produced 8.2 million tons of aluminum, has had net earnings of $511,969,000, has paid out $575,144,000 in Federal, State, and local taxes, and has disbursed over $4 billion in wages, salaries, and employee benefits.

I would like to read a portion of a statement I made on this floor 24 years ago. I quote:

> The record of the Reynolds Metals Company stands distinct and alone, because this company was the first to realize that enormously increased quantities of aluminum metal would be absolutely vital if victory is to be won. Without waiting for firm orders, cash down payments, or Government protection, the company mortgaged all its peacetime factories to increase the supply of aluminum at the very time America was being lulled to sleep * * * by statements and press notices that America's supply of aluminum would be ample for defense as well as for civilian requirements.
>
> In the light of what has happened since May 1940 I want my colleagues and the Nation to know that Reynolds Metals Company is the only company in the United States that dared to enter, on its resources, the hazardous business of the producing aluminum metal from bauxite.
>
> I am sure the Congress and a grateful Nation will long remember its one and only aluminum volunteer—the Reynolds Metals Company.

Now today after 25 years have passed since that first pouring, I can say, we have remembered—we will remember—the Reynolds Metals Co.

ADDRESS DELIVERED BY SENATOR JOHN O. PASTORE AT 17TH ANNUAL ALBERT LASKER MEDICAL JOURNALISM AWARDS LUNCHEON

Mr. HILL. Mr. President, yesterday the distinguished senior Senator from Rhode Island, Senator John O. Pastore, delivered an inspiring and challenging address at the 17th annual Albert Lasker Medical Journalism Awards luncheon at the Sheraton-East Hotel in New York. I ask unanimous consent that Senator Pastore's address be printed at this point in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

> My fellow Americans, our coming together today is no ordinary pause in our day's occupation. We pause to praise—and our praise is a human praise for the humanitarian. It takes the physical form of the Albert Lasker Medical Journalism Awards. And it takes the personal form of our very presence here.
>
> For we honor ourselves when we pay tribute to the artisans of communication—press, magazine, screen—for their service to the science of medicine—in our common cause for humanity.
>
> God-given gifts of the mind are enriched as they are enlisted in His favored causes. Solomon said in the long ago—"God delighteth not when the living perish—for He created all things that they might have being"—and the Healer of Nazareth left us the parable of the Good Samaritan.
>
> Through the grace of public office—I have been privileged to see and share in some of the immensity of the endless struggle of medicine against mortality.
>
> The times in which we live do much to make us—and then we, in turn, do our best to remake our times.
>
> I first came to public office in the trough of the Great Depression. It seemed that radio—that great arm of communication—was created and waiting for a magnificent voice that uplifted a nation that was sick to its very soul.
>
> The words of Franklin Delano Roosevelt gave us new courage—there was nothing to fear but fear itself.
>
> Roosevelt in his way mastered his times—as he mastered his own infirmity—and who can ever forget the inspiration of the March of Dimes!
>
> Albert Lasker never forgot an urgent call he had from President Roosevelt to hurry from Chicago to the White House. Albert Lasker dropped everything—and went. These two great men had a private luncheon—but not a question was asked—not a single important subject discussed. The puzzled visitor never forgot that visit—but what is more important, the President never forgot Albert Lasker and what he stood for.
>
> Today we remember Roosevelt as the mind that set in motion the revolution in governmental responsibility—determining the relationship between government, science and medical research in all these astounding years of achievement.
>
> The initiation was Roosevelt's—but I dare to say the inspiration was the dedicated team of Albert and Mary Lasker.
>
> The best index of that inspiration is the increase in appropriation.
>
> From a pittance of 3 million dollars in 1940 for medical research and development—it has risen to an investment of over a billion dollars in 1965—little enough for a nation that the same year registered a gross national product of 675 billion dollars. It is my belief that we can afford a billion and one-half dollars in 1967.
>
> It is basic that the true wealth of a people is a people's health. No economy can be sound unless its human elements are sound—sound in body and sound in mind.
>
> In my days as Governor something of the zest of medical conquest had communicated itself to the states. I was thrilled to see the retreat of tuberculosis as a scourge. Our State institution that might well have remained a sanatorium of despair could now serve as a hospital of hope. New drugs lightened the load and brightened the future of patients of our mental institutions.

Again there was inspiration in privately operated homes and schools for mentally retarded children—staffed with loving, able, and dedicated people. There was a little humiliation that the State itself was not doing more.

There was a stirring over the failings of our big cities. It is the product, price and the penalty of civilization that expanding populations shall be compressed in crowded cities—germinating slums and breeding places of poverty, crime and disease against which the State must fight in self defense.

But that battlefront is wider than any State. It even bursts the boundaries of any nation.

Disease and epidemics do not respect national or racial borders. Human suffering—and therefore human service—are as wide as the world.

As I entered Washington in 1950—I sensed the magnitude of all this. There was the revulsion from the mass death that man had inflicted on himself in war.

There was the carnage of the battlefield—there was the madness of genocide that wrote its own end in a bunker in Berlin.

In 1945 a new element of death and disaster confronted mankind. It was the atomic visitation on Hiroshima—with all the dread it would hold for the world in years to come.

Man has always accepted the idea that the Creator of the world could at His pleasure destroy His handiwork. But now that annihilation could be in one man's mad moment of power. Millions of lives would be at his mercy—the mass of mankind is as mortal as the individual.

It became a goal for me—as well as a Senatorial responsibility—to work for atoms for peace. It was a privilege for me to align my efforts with the great minds and great hearts inside and outside our government in the campaign for human welfare over human waste in all the domain of medicine.

I have great respect for cold figures. The economics of medicine are on our side. The accountant can prove that our medical investment pays great dividends—in the lives that are saved—in the days of work retrieved—in the relief checks replaced by earnings—and in the amazing balance of payments when illness is prevented or quickly cured.

Experience teaches us that the unknown is the knowable if we have the determination to discover and explore. Medicine has had that will—and we of government must do our part with farsighted business and private philanthropy to help them find a way.

I like to believe that the spirit of America is not consecrated to material compensation. And I believe that the heart of America is compassion.

We all want to be caught up in the emotion of achievement—we all like to see the heat of enthusiasm reach the boiling point of dedication—we all like to see the sparks of human action fly—and we all want to see the atom of every medical frustration smashed into the explosive discoveries of tomorrow.

All of us want to share something of the pursuit of perfection by that doctor of tomorrow—and all of us want to rejoice in the tiniest particle of the reflected glory of the men and women of yesterday and today.

They have made our world physically more livable and spiritually more lovable.

I need not name names, Mary Lasker, but your New York and our Washington are more magnificent to the eye because of your mind—just as the world is infinitely better because of your heart.

I say these words with hesitancy but with honesty—for I know that to you modesty and not vanity, is the cloak of the Good Samaritan.

The Albert Lasker Award is the inspiration for this hour—and this hour, in turn, is inspiration—in the chain reaction of the unremitting search for true health and lasting happiness.

Health and happiness are inseparable in the individual—and in the universe. The prescription for the better individual is the formula for the better world.

Into life's mortar must go all of mankind's ills—disease—hunger—hate—fear—and ignorance, and out of it must come a chance for better health in all of God's world—and the means of happiness shared with all mankind.

For this in truth is the formula for the world's enduring peace.

TRIBUTE TO HON. CYRIL E. KING, GOVERNMENT SECRETARY OF THE VIRGIN ISLANDS

Mr. McCARTHY. Mr. President, I ask unanimous consent to have printed in the Record at this point an editorial from the Daily News of St. Thomas, V.I., in connection with the Honorable Cyril E. King, Government Secretary of the Virgin Islands.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Mr. Government Secretary

The Hon. Cyril E. King, Government Secretary of the Virgin Islands, begins his sixth year in office today. Our distinguished native son was appointed to the post in 1961 by the late President John F. Kennedy and has discharged the mutiplicity of his duties with honor and efficiency, not unmixed with perseverance.

The refreshing quality about Cyril King is his genial, warm personality and firm determination to serve his country in the face of many obstacles and roadblocks which seem to have arisen mysteriously in his path throughout his entire tenure of office.

Under the able tutelage of the brilliant Senator, now Vice President Hubert H. Humphrey, Mr. King has had many years of a remarkably complete and thorough training in the art of statesmanship, which he has mastered admirably and well. The only topflight government official in these islands who has had experience both on the national level in Washington and on the territorial level, he has constantly exhibited a sense of order, fitness, and maturity which has been directed to the furtherance of good government in the several areas of his concern. In top circles in Washington he is regarded as a man of "infinite patience."

"Mr. King is rendering excellent service as Government Secretary," Mr. Humphrey told the U.S. Senate. "His action and messages have earned for him the admiration of the people of the Virgin Islands."

One could make a good brief for the mere fact of Mr. King's persistence in remaining in office, in spite of the opposition and jealousies which he has encountered from minor puppets and lesser lights in the government of the Virgin Islands. Although misguided attempts have been made from time to time to strip his post of some of its authority, the Government Secretary is fulfilling his calling with integrity.

EXECUTIVE SESSION

Mr. INOUYE. Mr. President, I move that the Senate proceed to the consideration of executive business, for action on nominations.

The motion was agreed to, and the Senate proceeded to consider executive business.

The ACTING PRESIDENT pro tempore. If there be no reports of committees, the clerk will state the first nomination on the Executive Calendar.

TENNESSEE VALLEY AUTHORITY

The legislative clerk read the nomination of Donald Opie McBride, of Oklahoma, to be a member of the Board of Directors of the Tennessee Valley Authority for the term expiring May 18, 1975.

Mr. MONRONEY. Mr. President, I support this nomination, although I know it is not necessary that anything be added to the record. I have never seen so many Senators attend a hearing to give testimony for the confirmation of the nomination of any officer as turned out at the Public Works Committee meeting when the committee unanimously recommended Mr. Donald McBride for the high position of Director of the Tennessee Valley Authority.

This is a fitting tribute to a man who has faithfully served as an employee of the Senate and of Senators for the past 16 years.

When the President nominated Mr. McBride for this position, he did so with personal knowledge of Mr. McBride's professional and administrative skill in the field of the natural resource conservation. Many Members of the Senate, past and present, have had the benefit of Don McBride's talents. Mr. McBride's selection by the President reflects well on all Members of the Senate, and also reflects credit upon many other members of the Senate staff who faithfully serve the Members of the Senate. These men can also aspire, because of such an appointment, to positions of greater responsibility than they now hold in serving Senators, positions in which they can help to perfect legislation and shape the programs that are necessary for our Nation.

The recognition which Donald McBride has received comes as a heartwarming plus for all his associates in Congress who worked with him in water development and natural resources development causes in the past decade and a half.

Those of us from Oklahoma have had a greater opportunity to know of Don McBride's effectiveness, but the record proves that we have shared his skills generously with other States. It is true that when Don McBride first entered public service in the 1930's, Oklahoma did not have a water and land conservation program of any consequence. Now we point with pride to natural resource conservation investments amounting to more than $2 billion within our State alone. These investments in water and soil conservation will yield benefits many times their cost and will preserve these priceless natural resources for many generations to come.

It is true that virtually all these projects were in Oklahoma, but Don McBride's services extended far beyond the borders of his own State. Projects throughout the land have been built in the past 18 years on the basis of legislation passed by Congress. Much of the basic work of the program was originated by this nominee.

So we can say with the utmost emphasis that the confirmation of Don McBride to be a member of the Board of Directors of the Tennessee Valley Authority will benefit many millions of Americans who live far beyond the borders of the fabulous Tennessee Valley Authority, because the work Don McBride does for one area has always been so well designed as to be worthy of repetition elsewhere.

The late Senator Kerr was at his side in all of the promotion of water development and soil conservation that took place during his years of service here.

I feel sure that the Senate will confirm overwhelmingly and unanimously this able public servant.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. KUCHEL. Mr. President, I would not want this moment to pass without expressing my own high esteem of the Presidential nominee, Donald Opie McBride, to serve as a member of the Board of Directors of the Tennessee Valley Authority.

His public service has been intimately connected with this field under the sponsorship of my able friend and his former colleague, the late Senator Robert Kerr, of Oklahoma.

In my earlier years in the Senate, I served on the Public Works Committee. That committee fashioned much of the legislation under which the Tennessee Valley Authority now operates.

I remember the excellent contribution which Don McBride gave to the members of the Public Works Committee in the fashioning of that legislation.

I have no doubt that he takes with him to this new public service a unique skill and background in dealing with the problems of administering the Tennessee Valley Authority.

I simply rise to express my gratification from the minority side of the aisle for the appointment by the President of one who is completely qualified for the task that he now faces.

Mr. HARRIS. Mr. President, the President of the United States could have appointed no person better qualified by background, education, training, and experience to serve as a member of the Board of Directors of TVA than Don McBride.

I have known Don McBride for many years. In Oklahoma, we call him the "third U.S. Senator" from our State. First on the staff of my distinguished predecessor, the late Senator Robert S. Kerr, and then on the staff of my distinguished senior colleague [Mr. Monroney], Don McBride has had a greater hand in the development of Oklahoma's soil and water resources than probably any living man.

We will sorely miss him in Oklahoma, but I am confident that he will continue to render outstanding service for his country and his fellowmen in the new post to which he has been appointed.

Mr. President, I was honored to have the opportunity to preside at the hearings of the Senate Public Works Committee which considered Don McBride's confirmation for this position. I am happy to report that the approval of his appointment by our committee was unanimous.

The ACTING PRESIDENT pro tempore. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

DEPARTMENT OF COMMERCE

The legislative clerk read the nomination of William Howard Shaw, of Delaware, to be an Assistant Secretary of Commerce.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. COAST GUARD

The legislative clerk read the nomination of Capt. Leon G. Telsey, of the U.S. Coast Guard Reserve, to be rear admiral.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Capt. Chester I. Steele, of the U.S. Coast Guard Reserve, to be rear admiral.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. INOUYE. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. Inouye, and by unanimous consent, the Senate resumed the consideration of legislative business.

OFFICIAL RECOGNITION OF WATERLOO, N.Y., BIRTHPLACE OF MEMORIAL DAY

Mr. INOUYE. Mr. President, I ask unanimous consent that the Chair lay before the Senate a concurrent resolution which earlier today was received by the Senate from the House.

The ACTING PRESIDENT pro tempore laid before the Senate House Concurrent Resolution 587, which was read as follows:

> *Resolved by the House of Representatives (the Senate concurring)*, That the Congress of the United States, in recognition of the patriotic tradition set in motion one hundred years ago in the village of Waterloo, New York, does hereby officially recognize Waterloo, New York, as the birthplace of Memorial Day, and authorizes and requests the President to issue, prior to May 30, 1966, an appropriate proclamation calling the attention of all citizens to the centennial anniversary of the first observance of Memorial Day in Waterloo, New York.

Mr. INOUYE. I ask unanimous consent that the Senate proceed to the consideration of the concurrent resolution.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to its consideration.

Mr. INOUYE. Mr. President, I ask unanimous consent that the remarks of the junior Senator from New York [Mr. Kennedy], who is necessarily absent, be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Kennedy of New York

I strongly support House Concurrent Resolution 587, which the House of Representatives passed earlier this week. This Resolution, introduced by Congressman Stratton of New York in the House, recognizes the One Hundredth Anniversary of the birth of Memorial Day at Waterloo, New York.

As the first anniversary of the end of the Civil War rolled around in early 1866, many communities across the country paused to decorate the graves of their sons who had been lost in that tragic conflict. But according to the records of the Library of Congress and other historical data, Waterloo, New York, was the first community to declare the existence of an annual holiday to pay tribute to those who had fallen. On May 5, 1866, following some weeks of planning by local civil leaders, the people of Waterloo began the annual observance of Memorial Day by holding services at each of the community's three cemeteries and placing wreaths and flowers at each veteran's grave.

Since that time, Memorial Day has become not only a time to remember those who gave their lives in the Civil War, but an occasion on which we remember all of those who have sacrificed their lives for their country, all of those who gave their fondest hopes so that we could live in freedom.

I congratulate the village of Waterloo at this time. The recognition which it receives today from the Senate is well deserved. Its leaders in 1966 have shown the same patriotism and initiative as its leaders did in 1866. The village has scheduled a centennial parade and observance on May 28, 29, and 30, which will fittingly mark the 100th anniversary of Waterloo's initiative in 1866. Again, I congratulate the village of Waterloo. Its people have my best wishes for a successful and fruitful centennial celebration.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the concurrent resolution.

The concurrent resolution (H. Con. Res. 587) was agreed to.

THE TRAGIC FARCE IN SOUTHEAST ASIA

Mr. GRUENING. Mr. President, the situation in southeast Asia grows steadily worse and increasingly perilous. Its tragic aspects vie with its farcical ones. Never has a great nation, never before has the United States, been made to look so utterly ridiculous than in its efforts to make a patently worthless cause appear a worthy one and to create an image of it which exists only in the purpose of those who, having unjustifiedly and in violation of our solemn treaty commitments involved us militarily, feel they must now justify their past errors by intensifying them. Blown up are all the pretenses that a brave and gallant regime has asked for our help to repel aggression. The fact is that the United States invited itself into Vietnam. The self-imposed outfits—nine of them since the fall of Diem—which our administrations have supported and support now are corrupt, concerned only with their own perquisites, uninterested in the welfare of the South Vietnamese people, who are now openly rebelling. Thus we have a civil war within a civil war. The rebels against the government we are seeking frantically to prop up and which exists only by virtue of our lavish military and financial support, have now shot down an American plane. Americans are warned by our own leaders to keep off the streets of Saigon lest they be attacked.

While last year there were 96,000 desertions from the South Vietnamese Army, we are drafting our young men to go and fight and kill people against whom they have no grievance and against whom the United States has no legitimate grievance, and be killed in the process.

We are now threatening to extend the war to Cambodia and bring it ever closer to China—a steady escalation and expansion which can only lead to greater and greater disaster.

And this is the cause the President asks us to support.

I ask unanimous consent that a few recent publications be printed at the conclusion of my remarks. They are: first, a leading editorial from the New York Times of this morning, entitled: "The Childish, Divisive Things"; second, an article by Joseph Kraft entitled: "Insight and Outlook: Degringolade," which appeared in the Washington Post of May 18; third, an article by Art Buchwald from the Washington Post of Thursday, May 19, entitled: "Testing the Testers"; and, fourth, an article by James Reston which appeared in the New York Times of Wednesday, May 18, entitled: "Washington: The Evaded Moral Question in Vietnam."

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Times, May 19, 1966]

"The Childish, Divisive Things"

Of President Johnson's earnest desire for peace we have no doubt, nor have we ever had any doubt. But we take strong exception to some of the President's other statements at the Cook County Democratic fundraising dinner, night before last.

What is unacceptable in the speech the President made in a highly political context to a highly political audience is his clear intimation that critics of his Vietnam policy are somehow just a little less American, just a little less patriotic, than those who go down the line for it. This is a most dangerous tack for the President to take, particularly in an election year, and it is not the first time that spokesmen for his Administration have taken it.

"I ask every American to put our country first," said the President, with the unmistakable implication that those of us who believe that the continued escalation of the war in Vietnam is dangerously unwise are putting our country second. It apparently has not occurred to Mr. Johnson that untold numbers of patriotic Americans are critical of present policy just because they do love this country, just because they are uneasy over the moral, legal and political position of the United States in Vietnam, and just because they fear that the side-effects of this war may even be bringing the American democratic ideal into jeopardy.

"Put away all the childish, divisive things," said the President, demanding "unity" and an end to "the luxury of fighting each other back home." Perhaps the critics of Vietnam policy are wrong—what man is wise enough today to know that his is the right solution? But certainly the President is wrong in thus dismissing the questioning, the dissent, the criticism. And he is even more seriously wrong in his unsubtle suggestion that "every candidate for every office" who is a critic of the war's conduct becomes by that very circumstances a mere self-serving demagogue.

Few responsible critics, and certainly not this newspaper, have ever suggested that the United States "run out" on its Vietnam commitment, as the President would have his listeners believe. Few have even questioned the primacy of the American commitment, at last while there seemed some hope of a popularly based Vietnamese government to be committed to. But many question the large-scale bombing, the constant build-up, the apparent belief of the Administration that the United States' commitment is to whatever group of Vietnamese generals happens to be in power. And many question whether the present policy and strategy of the United States, however well meant, will, in President Johnson's words, insure that "the gallant people of South Vietnam have their own choice of their own government."

We do not pretend that it is easy to counter Communist attempts to control Southeast Asia. We do not dispute President Johnson's comment that neither Communist China nor Communist North Vietnam has—at least in recent months—shown any interest in peace negotiations; nor that if they wanted to, the Communists could speedily bring the hostilities to an end at a negotiating table.

But that is quite different from saying that all American policies have been wise, that the emphasis and the actions have always been well judged, that things could not have been done differently or even better, or that those who are in disagreement are somehow unpatriotic. On the contrary, we believe it to be the right and the duty of every American to voice his criticism and dissent when he thinks it.

[From the Washington Post, May 18, 1966]

Insight and Outlook: Degringolade

(By Joseph Kraft)

Degringolade is a French word meaning how everything slowly came apart. It is the only word I know that adequately indicates what has been set in motion by the events of last weekend in South Vietnam. For the military seizure of Danang is an episode so many-sided in its potential dangers that the perils have to be counted in order to be realized.

The first danger is the reinforcement of the regime of Air Vice Marshal Nguyen Cao Ky. But the Ky regime is unfit to govern South Vietnam, or any other country. As now organized, it is not suited even to fight a war. It has little capacity to clear and hold territory in the wake of American military successes, still less to provide security and social services.

Most of the leading generals in the regime—particularly the regional, or corps, commanders—are quite simply racketeers, selling off jobs, contracts, real estate, supplies and anything else that comes under their control. Marshal Ky, though evidently honest, is a hot-headed young pilot. The immediate seat of all the recent trouble seems to be a kind of temper tantrum last March that led him to sack the former corps commander at Danang.

Secondly, there is the probable alienation, not only of the militant Buddhists but of virtually the whole elite of the central coastal plain stretching from Hue to within a few hours of Saigon. Though cool to the Saigon government and suspicious of all foreigners, including Americans, the center has at all times represented a distinctly nationalistic strain.

Probably the best way to repel communism in Vietnam is to mobilize the xenophobic nationalism of the center. But now the center is under the gun of the government. It will be a very lucky thing if the center, and in particular the militant Buddhists, do not commence private negotiations with the Communists. It will not be the first time that militaristic efforts to repel communism by force have driven local nationalists into the arms of the Communists.

Thirdly, the avenue for moving from military to civilian rule has now been blocked. Even if some kind of elections are held, nobody can have any faith in their honesty or seriousness. General Ky has already indicated that he intends to rule no matter what the result of the poll.

Lastly, the other side can only be further convinced of the utility of keeping up the fight. The only true possibility of heading off the insurgency is to divert its support to a genuinely nationalistic regime—a regime that might have emerged from free elections. But against a regime that is as inherently weak and unstable as the Ky regime, the Communists are bound to keep up the pressure.

The American role in all this is murky. But it is certainly no good pleading that the United States was caught by surprise. Virtually everybody in South Vietnam knew for weeks that some such move was in the offing. On April 27, this column, written from Saigon under the title "Coups and Counter Coups" suggested the possibility of a move by Marshal Ky "aimed at preserving the present military crowd in power."

The truth of the matter is that in the face of this plain menace the American response was uncertain and weak. Ambassador Henry Cabot Lodge never made it clear that the United States absolutely insisted on free elections without any advance military horseplay. When Ky first said that he would stay in power for another year, Secretary of State Dean Rusk said only that he must have been misinterpreted. No effort seems to have been made to forestall Ky's airlift to Danang by putting a tight check on fuel supplies. On the contrary, all signs indicate that American officials, by turning a blind eye and deaf ear, actually encouraged Marshal Ky to move to Danang.

Perhaps Rusk and Lodge have some clear program for South Vietnam. But to me, anyway, that is not the way it looks. To me, it is not clear that they know what they are doing. And maybe that is why, at every juncture, President Johnson finds that his only choice is to send in more troops and step up the bombing.

[From the Washington Post, May 19, 1966]

Capital Punishment: Testing the Testers

(By Art Buchwald)

The recent test given to college students by Selective Service officials to help decide whether they would be deferred or not has been up for some criticism. As one college student put it, "What they're going to wind up with is a dumb army."

I'm not against giving college students tests to see if they go to Vietnam or not, but I think it's only fair that we give tests to people who are responsible for our Vietnam policy, including all State Department, Defense, and White House officials.

Here are some of the questions that could be included in the tests:

(1) Name one (just one) South Vietnamese official whom we could support to head up a South Vietnam government.

(2) Explain in a short essay what the Buddhists want in South Vietnam.

(3) Explain in a short essay what the Catholics want in South Vietnam.

(4) Describe in detail how there can be free elections in South Vietnam under the present government.

(5) If you can't get the South Vietnamese military to talk to the Buddhists and you can't get the Buddhists to talk to the Catholics and you can't get the Catholics to talk to Ambassador Lodge, how you can get the North Vietnamese to talk to the Americans?

(6) If the South Vietnamese troops in the south are used to protect Gen. Ky in Saigon and the South Vietnamese troops in the north are used to protect Gen. Dinh in Danang, what troops will be left to fight the Vietcong in the countryside?

Answer true or false:

(a) The State Department has no idea of what is going on in South Vietnam.

(b) Secretary of Defense Robert McNamara, by nature, is an optimist.

(c) The CIA knows more about what is happening in Hanoi than what is happening in Saigon.

(d) President Johnson would like to buy back his introduction to Gen. Ky.

(e) Buddhists in South Vietnam are anti-Communists.

(f) Buddhists in South Vietnam are anti-American.

(g) It would be much better if South Vietnam were made up of Moslems.

(h) Dean Rusk is looking forward to his next appearance in front of Senator FULBRIGHT's Foreign Relations Committee.

The following are choice questions. Select just one.

1. If it takes 500 B–52 bombers 3000 tons of bombs to shut down one road from North Vietnam, it will take the Vietcong how long to open that road? (a) One week. (b) Five days. (c) 24 hours. (d) They bombed the wrong road.

2. If you can kill 159 Vietcong in one week, how long will it take to kill every Communist soldier in South Vietnam? (a) Two years. (b) Five years. (c) Ten years. (d) The rest of this century.

3. The bombing of Haiphong and Hanoi as advocated by some military and Senators would bring this about: (a) A better morale situation among the South Vietnamese troops. (b) A new bomb shortage. (c) Student protests. (d) World War III.

4. The reason the U.S. is in so much more trouble in South Vietnam is that: (a) Sen. MORSE is against them, (b) Walter Lippmann is a dove. (c) President Johnson is doing the best he can. (d) Administration policymakers have tests for college students, but they haven't come up with any for themselves.

[From the New York Times, May 18, 1966]

WASHINGTON: THE EVADED MORAL QUESTION IN VIETNAM

(By James Reston)

WASHINGTON, May 17.—President Johnson has been confronted for some time with a moral question in Vietnam, but he keeps evading it. The question is this: What justifies more and more killing in Vietnam when the President's own conditions for an effective war effort—a government that can govern and fight in Saigon—are not met?

By his own definition, this struggle cannot succeed without a regime that commands the respect of the South Vietnamese people and a Vietnamese army can pacify the country. Yet though the fighting qualities of the South Vietnamese are now being demonstrated more and more against one another, the President's orders are sending more and more Americans into the battle to replace the Vietnamese who are fighting among themselves.

THE TWO OPTIONS

Ever since the start of this latest political crisis in Saigon, the President has had before him two courses of action. The first was to make clear to all the contending South Vietnamese leaders that the United States was going to limit its reinforcements, its military and economic aid, its casualties, and its military operations to the minimum until they had composed their differences.

The objective of this course was to try to produce unity, and failing that, to provide time for a basic reappraisal of the American commitment.

The second course was to appeal to everybody to get together and meanwhile to keep the war going as best we could with the American forces. President Johnson chose the second course. He is appealing and fighting, though he has even less reason to believe in the formation of a stable government now than he had at the beginning of the crisis.

WHAT JUSTIFICATION?

Justifying this historically, and particularly, justifying it personally to families of the casualties in the coming monsoon offensive will not be easy. If there were a reasonable expectation of political stability, the thing might be done, but lacking that, it is hard to see why the President rejected the course of a defensive pause.

The latest review of the war here with Ambassador Henry Cabot Lodge did not deal primarily with fundamental policy, but with operations. It did not focus on where we now stand or where we mean to go from here, but on what to do about the inflation and the shipping in Saigon, and the tactical problems in Danang and Hue, and how to pump a little more sawdust into the ruling generals in the capital.

There is little reason to believe that President Johnson's latest "appeal" to the Buddhist leader, Thich Tri Quang, will have any more effect than the other innumerable appeals that have been made to that militant monk by other Americans in the last few weeks.

He is clearly not thinking much about putting aside "the lesser issues in order to get on with the great national tasks." He is summoning his followers to new demonstrations against the military junta in Saigon and the generals in the Government are moving troops of the Seventh Infantry Division out of the operations against the Communists to deal with the expected rioting in the capital.

Plenty of appeals have been made by President Johnson, among others, to General Ky, to "compose his differences" with the Buddhists and get on with the formation of a civilian government, but his answer to that was first to increase his military power by kicking out the rival general in the First Corps area, and lately sending his marines to Danang and bringing the country to the verge of civil war.

It may be that, in the face of all this petty and provocative folly, President Johnson is playing a waiting game and being more clever than anybody here can see. What he will do if his latest appeal to Tri Quang is ignored and followed by more chaos in the streets remains to be seen.

WHAT COMMITMENTS?

At one point, however, if the present trend continues, there will have to be a new definition of all the commitments that have been given. Our commitment to Saigon originally rested on Saigon's commitment to fight and govern, neither of which it is now doing effectively. The President's commitments in this war involve not only a handful of generals who seized power, but involve the Vietnamese people and the American people as well.

Our commitment was to a "legitimate government" and what we now have in Saigon is neither "legitimate" nor a "government." Our commitment was to help them win the war not to replace them on the battlefield. Our arms were provided to fight the aggressors and not to start a civil war. Our promise was to help South Vietnam, not to destroy it.

THE EVADED MORAL QUESTION IN VIETNAM

Mr. YOUNG of Ohio. Mr. President, the time has come for us to consider what possible justification there is for us to continue fighting in Vietnam, killing Vietnamese men, women, and children when there is no effective government in Saigon or in South Vietnam. We should not evade this problem any longer.

It is interesting to note that upon his recent return to the United States, Ambassador Lodge remained vacationing in New England for about 5 days instead of coming direct to Washington to report to the President. One could conjecture as to whether by deliberate action he came to the United States knowing that civil war inside another civil war was going to erupt.

What are our commitments to justify more killing when there is no Saigon government capable of pacifying the country and no Saigon regime exercising authority even over Saigon itself and admittedly not exercising authority over three-fourths of the area of South Vietnam?

With the South Vietnamese fighting one another instead of the Vietcong, the President now apparently has two alternatives. One, to send 100,000 to 200,000 more American GI's to Vietnam, bringing our forces in Vietnam, Thailand, and in the South China Sea off the coast of Vietnam, close to 600,000. This is one alternative, and a bad one. Why should we send more and more Americans into Vietnam to replace South Vietnamese soldiers who desert by the thousands, who in some recent weeks have had fewer battle casualties than we Americans and who seem interested principally in fighting among themselves?

The action our Commander in Chief should take seems to me, is the other alternative—to announce that we are suspending all bombing of areas of Vietnam north of the 17th parallel and that this bombing pause will be followed by efforts to go to the conference table with representatives of the National Liberation Front, or Vietcong, and representatives of what is left of the Saigon government, and delegates of North Vietnam, seeking a cease-fire and an armistice in Vietnam.

This should be followed by elections later this year under the supervision of the International Control Commission consisting of representatives from Poland, India, and Canada, or under the auspices of the United Nations. Then, when there is a Saigon government capable of maintaining authority over the area south of the demarcation line, or the 17th parallel, we could effect an orderly withdrawal of our Armed Forces.

President Johnson in the past repeatedly has laid down the condition that there must be an effective war effort by a friendly government in Saigon that can really govern and fight to maintain itself against the Vietcong. It has been his position all along that the friendly forces of South Vietnam, so called, headed by generals who overcame the civilian regime in Saigon last June and then placed Ky as Prime Minister, must exercise authority, command the respect of the South Vietnamese people and be supported by armed forces capable of pacifying South Vietnam.

We have sent hundreds of thousands of our best soldiers to aid the Saigon regime. We have suffered casualties frequently exceeding those of the South Vietnamese forces. We have provided enormous economic aid. Now the time has come for us to reappraise the entire situation and then act without delay.

What have been our commitments in the past? President Eisenhower offered in 1954 in a letter to the then Premier of South Vietnam to—

> assist the Government of Vietnam in developing and maintaining a strong, viable state capable of resisting attempted subversion or aggression through military means. * * * The U.S. Government hopes that such aid, combined with your own continuing efforts, will contribute effectively toward an independent Vietnam endowed with a strong government.

This was the extent of the commitment made by President Eisenhower. During his administration the U.S. military advisory group in Vietnam never exceeded 685. The Vietnamese were fighting, it is true, but American GI's were not waging a land war in Vietnam or any other place in southeast Asia.

Then, President Kennedy on September 3, 1963, shortly before his assassination said:

> Unless a greater effort is made by the Government—

Referring to the Saigon government—

> to win popular support the war cannot be won out there. In the final analysis, it is their war. They are the ones who have to win it or lose it. We can help them, we can give them equipment, we can send our men out there as advisers, but they have to win it—the people of Vietnam—against the Communists. We are prepared to continue to assist them, but I don't think that the war can be won unless the people support the effort, and, in my opinion, in the last 2 months the government has gotten out of touch with the people.

Also, on another occasion, our late great President John F. Kennedy said:

> Transforming Vietnam into a Western redoubt is ridiculous.

It is crystal clear that those two Presidents made no commitment whatever for our GI's to fight and die in Vietnam.

Recently President Johnson urged Prime Minister Ky to compose his differences with the Buddhists and form an effective viable government. Instead, Ky threatened to kill the mayor of Danang and ordered 2,000 marines to Danang and suddenly and without any warning assailed the Buddhists and the Vietnamese forces led by a rival general.

The PRESIDING OFFICER (Mr. SIMPSON in the chair). The 3 minutes of the Senator have expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Mr. President, Prime Minister Ky talks big. He acts small. His is not a legitimate government. It was based on the military seizure of power.

Premier Nguyen Cao Ky cannot be depended upon to so run his country that peaceful preparations for the elections can be held. Another interim head of government should be found, and found quickly.

We are involved in a miserable civil war in South Vietnam. If we continue in combat there, we will help depopulate South Vietnam. We shall be adding to the millions of refugees whose homes have been destroyed. President Johnson no doubt considered that everything he has done has been done to help Vietnam. Now, he must know what we are doing over there will really result not in helping but in destroying Vietnam.

Vietnam was never of any strategic importance to the defense of the United States. Certainly it is not now of any economic or strategic importance to the defense of our country.

Throughout Asia the unfortunate facts are that we Americans are now regarded as a neocolonial power. In other words, the French who sought to retain and reestablish their huge Indochinese colonial empire and who were fought by the forces of the National Liberation Front, have been succeeded by us.

In 1953 and 1954 it was unfortunate but it is a fact, that under President Eisenhower and Secretary of State John Foster Dulles the United States provided massive military aid to the French and in addition to providing war planes, munitions, trucks, machineguns, tanks, and bombs, we contemplated making an actual military intervention. At that time reason finally prevailed and the French colonial forces of 200,000 withdrew. This, directly after their so-called offensive base at Dienbienphu which Gen. Henri Navarre had established and garrisoned was overrun and surrendered May 8, 1954.

Following that, through the operations of our CIA, we established the first puppet government in Saigon and President Diem was brought from the United States to Saigon as President by our CIA. He called off the elections stipulated in the Geneva accords. President Eisenhower, in his reminiscences, stated that had the elections been held as provided in the Geneva agreement which we approved Ho Chi Minh would have received 80 percent of the vote of the Vietnamese living to the north and south of the demarcation line.

Now we are in the unfortunate situation of aggressor and neocolonial oppressor. Here is the time and opportunity for our President to announce a pause in bombing and propose a ceasefire to be followed, we would hope, by an armistice agreed to by delegates representing the National Liberation Front or Vietcong, and delegates of the Hanoi government and our own delegates and those of the Saigon regime.

Mr. President, the hour is late. The opportunity for a suspension of bombing of North Vietnam and putting an end to waging an American ground and air war in Vietnam is here. That highly respected columnist, James Reston, referred to the situation in his column published in the New York Times of May 18, 1966, under the caption, "The Evaded Moral Question in Vietnam." The statements made by James Reston are irrefutable. I ask unanimous consent, Mr. President, that this column be printed at this point in the CONGRESSIONAL RECORD as part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, May 18, 1966]

WASHINGTON: THE EVADED MORAL QUESTION IN VIETNAM

(By James Reston)

WASHINGTON, May 17.—President Johnson has been confronted for some time with a moral question in Vietnam, but he keeps evading it. The question is this: What justifies more and more killing in Vietnam when the President's own conditions for an effective war effort—a government that can govern and fight in Saigon—are not met?

By his own definition, this struggle cannot succeed without a regime that commands the respect of the South Vietnamese people and a Vietnamese army that can pacify the country. Yet though the fighting qualities of the South Vietnamese are now being demonstrated more and more against one another, the President's orders are sending more and more Americans into the battle to replace the Vietnamese who are fighting among themselves.

THE TWO OPTIONS

Ever since the start of this latest political crisis in Saigon, the President has had before him two courses of action. The first was to make clear to all the contending South Vietnamese leaders that the United States was going to limit its reinforcements, its military and economic aid, its casualties, and its military operations to the minimum until they had composed their differences.

The objective of this course was to try to produce unity, and failing that, to provide time for a basic reappraisal of the American commitment.

The second course was to appeal to everybody to get together and meanwhile to keep the war going as best we could with the American forces. President Johnson chose the second course. He is appealing and fighting, though he has even less reason to believe in the formation of a stable government now than he had at the beginning of the crisis.

WHAT JUSTIFICATION?

Justifying this historically, and particularly, justifying it personally to families of the casualties in the coming monsoon offensive will not be easy. If there were a reasonable expectation of political stability, the thing might be done, but lacking that, it is hard to see why the President rejected the course of a defensive pause.

The latest review of the war here with Ambassador Henry Cabot Lodge did not deal primarily with fundamental policy, but with operations. It did not focus on where we now stand or where we mean to go from here, but on what to do about the inflation and the shipping in Saigon, and the tactical problems in Danang and Hue, and how to pump a little more sawdust into the ruling generals in the capital.

There is little reason to believe that President Johnson's latest "appeal" to the Buddhist leader, Thich Tri Quang, will have any more effect than the other innumerable appeals that have been made to that militant monk by other Americans in the last few weeks.

He is clearly not thinking much about putting aside "the lesser issues in order to get on with the great national tasks." He is summoning his followers to new demonstrations against the military junta in Saigon and the generals in the Government are moving troops of the Seventh Infantry Division out of the operations against the Communists to deal with the expected rioting in the capital.

Plenty of appeals have been made by President Johnson, among others, to General Ky, to "compose his differences" with the Buddhists and get on with the formation of a civilian government, but his answer to that was first to increase his military power by kicking out his rival general in the First Corps area, and lately sending his marines to Danang and bringing the country to the verge of civil war.

It may be that, in the face of all this petty and provocative folly, President Johnson is playing a waiting game and being more clever than anybody here can see. What he will do if his latest appeal to Tri Quang is ignored and followed by more chaos in the streets remains to be seen.

WHAT COMMITMENTS?

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Our commitment was to a "legitimate government" and what we now have in Saigon is neither "legitimate" nor a "government." Our commitment was to help them win the war not to replace them on the battlefield. Our arms were provided to fight the aggressors and not to start a civil war. Our promise was to help South Vietnam, not to destroy it.

THE 150TH ANNIVERSARY OF SOUTHBRIDGE, MASS.

Mr. SALTONSTALL. Mr. President, this year marks the 150th anniversary of Southbridge, Mass. Incorporated in 1816, the town was first settled in 1730. Southbridge is a valley town, rich in heritage, and situated in the heart of a New England abundant in tradition. Among its first settlers were French-Canadians, and many of their descendants live and work there today, contributing to this manufacturing community.

The first factory in Southbridge was built to make cotton yarns. Later it became a woolen mill. Today the town's economy is based on a wider range of manufacturing activity and includes tool and die, machinery fabricating, electronics and instrumentation, optical products, research and development, and others.

It is my pleasure to join with the people of Southbridge today as they celebrate their 150th anniversary.

ADDRESS BY MAJ. GEN. CHARLES E. BROWN, JR., CHAIRMAN OF THE ARMED FORCES CHAPLAINS BOARD

Mr. RUSSELL of Georgia. Mr. President, I have had the privilege of reading an inspiring address delivered by Maj. Gen. Charles E. Brown, Jr., chairman of the Armed Forces Chaplains Board, at the luncheon of the Women's Organizations' Services of the National Jewish Welfare Board on April 28, 1966.

Chaplain Brown's remarks offer a close-up picture of the vital work that is being performed for the spiritual welfare of our servicemen by members of the Chaplains Corps of all religious faiths. The importance of the chaplain's role is underscored by a significant statistic cited by Chaplain Brown; namely, that although only about 60 percent of the people in civilian life have a church or synagogue affiliation, in the military more than 97 percent state a religious preference and most participate in the religious program.

In discussing the religious programs in the Armed Forces, General Brown calls attention to the interfaith activities of the Chaplains Corps and observes that—

> Every chaplain has a concern for all men in his unit, regardless of faith * * * Christian chaplains have been concerned for the needs of Jewish personnel and have served Jewish personnel (and) Jewish chaplains have helped in counseling and serving men of all faiths.

It is this demonstrated universality of the Chaplains Corps and the dedication and devotion of the individual chaplains that is in a large measure responsible for the high morale of America's service men and women everywhere. Certainly this is true of our men who are fighting under their country's flag today in Vietnam.

As chairman of the Senate Committee on the Armed Services, I commend and salute the Chaplains Corps for its great work. I think Chaplain Brown has made a most worthwhile contribution to a better knowledge and understanding of this work, and I ask unanimous consent to have his remarks printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS AT 25TH ANNIVERSARY TRIBUTE LUNCHEON NATIONAL JEWISH WELFARE BOARD, WOMEN'S ORGANIZATIONS' SERVICES, APRIL 28, 1966, AMERICANA HOTEL, NEW YORK, N.Y.

(By Chaplain (Major General) Charles E. Brown, Jr., Chairman, Armed Forces Chaplains Board Department of Defense, Washington, D.C.)

I am delighted to have the opportunity to bring you greetings from the Department of Defense. Although I serve as Chief of Chaplains of the Army, I am here today in my capacity as Chairman of the Armed Forces Chaplains Board which is on the Department of Defense level and is composed of the Chiefs of Chaplains of each of the three services. The Executive Secretary of this Board is a Jewish chaplain, a Captain in the Navy—Chaplain Samuel Sobel. At present he is the only chaplain serving full time on the Department of Defense level.

The basic mission of the chaplaincy is to provide for the morale and religious needs of our military personnel. No military force in history has ever had a more fully rounded religious program than the men and women in the American Armed Forces. Americans are God-fearing people. Although in civilian life only about 60% are church and synagogue affiliated, in the military more than 97% state their religious preference and, for the most part, participate in the religious program.

The chaplaincy is held in high regard by all Commanders. In fact, in my trips throughout the United States and around the world I am continually amazed, even after 25 years of service, at the high priority Commanders place on the service of the chaplains and the credit which they give them for the maintenance of high morale among the troops. The military has highly sophisticated administrative and technical means for dealing with the life of the soldier. They have recognized, however, that no matter how well a soldier is clothed, fed, housed and trained, the indefinable factor which is most significant in his effectiveness is morale. The chaplain is a valuable instrument in helping to develop this morale. We take pride in the superb group of clergymen of all faiths that we have trained and put into the field to serve the needs of the men and women in uniform.

I think you might be interested in knowing how we obtain chaplains to serve in the military. Because of our historical tradition of separation of Church and State, the government can never set up seminaries to teach and ordain military chaplains. Therefore, the military merely sets up the basic requirements for commissioning a chaplain. An applicant for the chaplaincy must be a college graduate, have completed a course of study at a theological seminary, and have been validly ordained by his denomination. The actual recruiting and endorsement of these chaplains is turned over to the denominations themselves.

To accomplish this, the major denominations of this country have set up their own ecclesiastical endorsement agencies. For the Jewish group the recruiting and endorsing of chaplains is done by the Commission on Jewish Chaplaincy of the National Jewish Welfare Board. One of my purposes for being here today is to express, on behalf of the Department of Defense, and more particularly The Department of Army, our appreciation to all the various Jewish groups (I know that you are fragmentized just as we Protestants are) who have united themselves under JWB's Commission on Jewish Chaplaincy to provide us with Jewish chaplains to serve our military personnel.

Today, I want to pay tribute to the three rabbinic organizations—for the Reform, the Central Conference of American Rabbis, for the Conservative, the Rabbinical Assembly and for the Orthodox, the Rabbinical Council of America—which have worked together through the Commission on Jewish Chaplaincy to provide Jewish chaplains to the military. I am especially appreciative that they have recognized the importance of this obligation and, in spite of their severe manpower shortage, have given first priority to the needs of the military chaplaincy. The records show that since the Korean War, one third of the graduates of your seminaries have served as chaplains in uniform.

I am here to praise the National Jewish Welfare Board not only for past services but for having created a new retention program for Jewish chaplains so that many of them may be persuaded to make the chaplaincy a life-time career. This will be most helpful, not only in providing mature and experienced Jewish chaplains to serve Jewish personnel, but even more, it will provide for more Jewish chaplains to move up in the administrative ranks and become senior supervisory chaplains with responsibility for chaplains of all faiths. Navy Chaplain Sobel is in such a position now. Army Chaplain Kleinberg is a full Colonel in such a position; Army Chaplain Messing, who will soon become a full Colonel, is in such a position new. Air Force Chaplain Levitan is in such a position now. These are only four when there should be a score or more in such positions in the three services. There is no reason why eventually a Jewish chaplain should not be named a Deputy Chief or a Chief of Chaplains of one or more of the three services. This can only be accomplished if enough rabbis remain in the service for long periods of time to develop a substantial, mature Jewish leadership. I am convinced that the Chaplaincy Retention Program that is soon to go into effect will go a long way toward making these possibilities a reality.

I especially want to pay tribute to the Jewish chaplains serving in Vietnam. There are three Jewish chaplains there—two Army and one Marine. They each serve a different geographic section of Vietnam and provide religious services for all Jewish personnel in their respective areas. They are constantly on the move by jeep and by helicopter to cover the various units for which they have responsibility. The work closely with the Christain chaplains who constantly help by bringing together their Jewish personnel for brief services, counselling and religious educational programs. This service is highly regarded by the Command which has already cited each of the Jewish chaplains serving there. I treasure with you the cherished memory of Chaplain Meir Engel who lost his life in Vietnam a year and a half ago. He was an unusually fine and capable chaplain, whose devotion to duty is symbolic of the chaplaincy.

Now I want to turn specifically to the work that the Women's Organizations' Services of the National Jewish Welfare Board has been contributing to our national defense effort.

The Military itself, and I speak to you in terms of my travels around the world to large and small installations over a long period of time, has set up a fine logistical system of support chaplains' activities. It provides chaplains with nondenominational chapels, religious and educational programs and materials, church and synagogue appurtenances. Although the military tries to provide for all faiths on an equal basis, the vast majority of the people in the military are of the Christain faith. Naturally, the programs are geared toward the well over 95% of the military population which is Christain. We are, however, very much cencerned about the religious requirements of the Jewish personnel and a fine program has been developed for them too. In planning and executing that program we have had the help and cooperation of the National Jewish Welfare Board's Commission on Jewish Chaplaincy.

Especial thanks are due to the Women's Organizations' Services. You have recognized that Jewish Personnel are widely dispersed and very often in small numbers at hundreds upon hundreds of installations throughout the United States and the World over. Because they are so widely dispersed, it is difficult to reach the individuals at far-off installations. Your ingenious program called "Serv-A-Chaplain" has provided an excellent service which has won significant recognition. Jewish chaplains, especially overseas, cover large areas. They are distributed the world over on the basis of geographic need. Each chaplain serves many installations, often hundreds of miles apart. Through the Serv-A-Chaplain program you have made available to the Chaplain resources such as books and records, ceremonial items, holiday gifts, decorations and foods, prekindergarten materials, and other items which he can distribute as he makes his rounds from one small congregation to another in the geographic area which he covers.

I remember, during the Korean War, the exceptionally fine work done by your organization when you provided your chaplains with Polaroid cameras so that as they visited the sick and the wounded they could take a picture of the young men which they would then send on to their families. Parents and wives who had previously received information from the military that their sons had been wounded, were naturally filled with deep concern. When they received a picture of their son or husband, smiling and lying comfortably in a bed, it was a tremendous morale factor not only for the families but for the soldier himself who knew that the picture would be reassuring to his loved ones at home.

Christmas is a great time for exchanging gifts. Our Post Exchanges stock many gifts but almost all carry Christian symbols. Hanukkah falls during the same season. Post Exchanges do not carry gifts which are of a Jewish character. The gifts which you women provide to Jewish chaplains for distribution to the servicemen and their families play a very important role in providing a Jewish atmosphere and a sense of Jewish identification at a time when the Christmas spirit seems to pervade the atmosphere of the entire military establishment. It is important that, at this time, Jewish children should be taught the difference between Hanukkah and Christmas and be strengthened in their own religious faith.

I am aware of the hundreds of thousands of paperback books on Judaism which your organization is distributing to chaplains for their libraries so that personnel of the Jewish faith can increase their knowledge of their religion, history and traditions, and of the fine contributions which your religion has made in the field of ethics and morals. Your gifts of ceremonial objects, ark curtains and table covers with Jewish symbols, and Jewish art objects help create an atmosphere conducive to worship and a link with home. I am especially appreciative that, on Passover, you are concerned about individual Jewish GI's in hospitals, at radar stations, at antiaircraft emplacements, and other far-off, lonely places, who can not attend a Passover Seder. The "Solo Seder" packages which you send to these individual men containing Passover foods, a Haggadah and pamphlets which explain the holiday, are tremendously helpful to these individuals who would otherwise be denied the opportunity of participating in the Seder observance.

The concern which you have shown for the wives of servicemen by organizing Jewish Military Chapel Women's Associations and providing them materials, advice and assistance has not only helped enormously in raising the morale of these young women far from home but has helped strengthen Jewish family life amid strange surrounds, in parts of the world where organized Jewish communities do not exist.

It is for these unique services to individuals that we of the Department of Defense salute you and express our heartfelt thanks. Indeed, you are one of General Harold K. Johnson's, our Army Chief of Staff, strong arms in his determination to put the personal back into personnel.

America is great. We are a people of diverse background, of diverse ways, of diverse faiths, and of diverse opinions—but we are all Americans. The spirit of universality which has been dominant in civilian religious life in the last few years is not new to the military. The chaplaincy has been practicing it for years. Christian chaplains have been concerned for the needs of Jewish personnel and have served Jewish personnel. Many of us have helped organize Jewish services and preached at Jewish services. Jewish chaplains have helped in counseling and serving men of all faiths. Every chaplain has a concern for all men in his unit, regardless of faith. Your organization, too, has shown its concern for men of all faiths. During World War II and in Korea your chaplains distributed the gifts you sent to all men, whoever had need of them. Today, in Vietnam, the thousands of comfort items, the battery operated fans and other gifts, are distributed in that same broad spirit.

In the armed forces of every other country the chaplaincy is divided into faith groups. There is a Chief of Chaplains for each religion in their Armies, Navies and Air Forces. In America all chaplains are under one Chief and one never knows if he will be a Protestant, Catholic or Jew. America has taken the view that men of all colors—white, black, red and brown, and of all religions—Catholic, Protestant and Jew, fight and die side by side. And we know it is much harder and much more important for us to live together than it is for us to die together. We are therefore dedicated to the proposition that they must also learn to live side by side. We have a great country with great ideals. All of us, in uniform or out, whether of the Department of Defense or the National Jewish Welfare Board, should be and are highly resolved that we are going to do our very best to make sure that the United States remains just that, a united people striving to obtain liberty and justice for itself and for all mankind.

IMPACTED AREAS

Mr. KUCHEL. Mr. President, the administration budget for the fiscal year ending June 30, 1967, provides for a reduction of $217 million in payments to school districts under Public Law 874, better known as the impacted areas program.

Proposed amendments to this program would reduce the number of districts entitled to participate from 4,077 to 2,846. In my State of California alone, this reduction would amount to more than $35 million; the number of districts participating would decline from 515 to 374.

As a member of the Senate Committee on Appropriations, I oppose these cuts. I urge that the school districts of this Nation be given their full entitlement for the coming year. No Federal program has been provided to compensate for this loss, nor did Congress intend with the passage of recent advances in Federal aid to education that the impacted areas program be curtailed. I believe it is a false economy to cut back programs in this critical area of education without providing a satisfactory replacement.

Reduction in impacted area funds means essentially a transfer of the cost of necessary education expenditures to the local taxpayers. Unlike other Federal programs of assistance to education, Public Law 874 support is noncategorical; it can be used directly in local school budgets as needed. It can only be replaced by the local revenue of individual school districts.

In California the proposed reduction would mean an increased tax burden of $778,000 on the citizens of Oakland, $1,083,000 on the citizens of Long Beach, $1,268,000 on the citizens of San Francisco, and over $5 million on the citizens of San Diego. Moreover, if as proposed by the administration, the formula is changed for assistance to large cities, the citizens of Los Angeles will lose expected revenues of $3,069,233 for the next year's school budget.

Proposals to reduce impacted areas payments were introduced earlier this year. If they should become law between now and the close of this session, and the budget for fiscal year 1967 reduced accordingly, in all probability there would not be time for school districts to put through measures to raise necessary taxes to pay for expenses accruing next fall. School districts are planning now for next year, and they need to know what their income will be. On this ground alone the administration's proposals for fiscal year 1967 are hasty and are inconsiderate of local problems.

When the impacted areas program was passed in 1950, during the Korean war, it became the declared policy of the United States to provide financial assistance for "local education agencies upon which the United States has placed financial burdens by reason of the fact that such agencies provide education for children residing on Federal property or such agencies provide education for children whose parents are employed on Federal property."

Since the Land Ordnance of 1785 the American system of public education has been based chiefly on revenue earned from land. The State of California has been greatly benefited by this program and would in turn be greatly affected by its reduction. While 90 percent of the people of California, the Nation's most populous State, live in urban areas which require a high rate of investment in schools and other public services, 45 percent of the lands of the State of California are federally owned. There are over 250,000 Federal employees in the State of California. The normal tax base of our State, the Nation's third largest, is greatly reduced by large scale Federal land ownership. I might choose one example to illustrate. The school district of China Lake in Kern County is organized to educate a group of students each one of which is the child of parents employed in or living on Federal lands. China Lake School District has no other means of support than funds provided under Public Law 874.

The method of Federal payment under Public Law 874 has met wide approval not only in California, but also throughout the United States and has been consistently supported in testimony before committees of the Congress since establishment of the impacted areas program in 1950. The Congress has recognized that the burden imposed on individual school districts has required continuing Federal support. This Federal commitment has been particularly vital to rapidly growing communities, of which we have a great many in California. In new communities there is an immediate requirement for investment not only in schools, but also in streets, lighting, sewers, fire and police protection and other items referred to by economists as "social overhead." In 1966, as we face a period of rising prices, the costs of providing each of these facilities has increased rapidly. In California, these costs have imposed an unusually high tax burden, over $10 per $100 of assessed valuation in many urban communities. The cost of education has moved relentlessly forward both as a result of increasing prices, including the necessary adjustments in teachers' salaries, and also because of a rising demand for education on the part of an enlightened citizenry.

The administration's proposed reduction of impacted area funds comes at a time when school districts in California are having increasing difficulties in balancing their budgets, when citizens are attaching an increasing value to the education of their children and when every phase of economic activity in our country is demanding higher educational and intellectual standards. It comes, moreover, at a time when throughout the Nation, and particularly in California, there is the same increase in Federal activity and Federal employment which was experienced during the Korean war and which was one of the principal causes of establishing this program.

Despite the burgeoning costs of defense I would argue, as in earlier years did the late Senator Robert A. Taft:

> If a million children who are not receiving education today continue without education, it will be lost and gone to them forever.

Today education has been recognized at last as a vital element in the foundation of American life—indeed, we cannot survive in these complex times without it.

I refer to one of the most urgent and critical situations which the reduction in these funds would affect. Oakland, one of the largest cities of the State of California, employs a highly qualified body of teachers and has established a school system that is moving effectively to assist the disadvantaged areas in the city. Well over half of the school population of Oakland can be classified as "culturally disadvantaged" under the Elementary and Secondary Education Act. The school system draws $2.5 million for specialized purposes under this law. Nevertheless, even with this help the system will have to reduce its staff by 180 teachers in the next year because of increasing costs and limited revenues.

The citizens of Oakland are working hard to establish the bonds of community trust and to provide for all the necessary stake in society through education which will lead to civil peace. Foremost among them are the teachers of the Oakland school system. I am informed that a reduction of impacted area money would contribute substantially to the loss of teachers which Oakland must face next year.

This is wrong. I do not believe the administration has thought through its proposal for substitution of other educational programs for money long provided under Public Law 874. The Elementary and Secondary Education Act, despite its enormous value, was not designed to meet the problems of loss of land from the tax rolls to the Federal Government. It would not save the situation in Oakland because, while it will aid the children who are not now enjoying the full benefits of American life, it does not meet the need for teachers' salaries.

The case is clear. No adequate arrangement has been made to provide replacement of funds under Public Law 874 by other programs. These funds are needed for the education of our children, for their education as citizens who later will be the leaders of our country. Their preparation for this task may ultimately decide the future of our country. I believe that process should not be disturbed.

TRIBUTE TO RABBI ELI A. BOHNEN, AS PRESIDENT OF THE RABBINICAL ASSEMBLY

Mr. PASTORE. Mr. President, a distinctive international honor has come to Rhode Island because it has come to one of its most prominent citizens.

Word comes from Toronto that Rabbi Eli A. Bohnen, of Temple Emanu-El of Providence, has been chosen president for a 2-year term by the Rabbinical Assembly. This is the International Association of Conservative Rabbis with 500 in attendance at the assembly's 66th annual convention at Toronto.

An interesting sidelight is that this honor comes to Rabbi Bohnen in the very city of his birth.

The Rabbinical Assembly is an organization of 800 rabbis serving in the United States, Canada, South America, Europe, and Asia. Its members constitute the rabbinic arm of conservative Judaism. The academic arm of conservative Judaism is the Jewish Theological Seminary, whose chancellor is the world-famous Dr. Louis Finkelstein, and whose chairman of the board of overseers is Ambassador Arthur Goldberg. The lay arm of the conservative movement is the United Synagogue, whose president is Mr. Henry Rapaport.

Rabbi Bohnen is at present president of the Rhode Island Board of Rabbis. In Rhode Island he has served innumerable civic and religious organizations. He has been on the boards of the United Fund, Council of Community Services, Community Workshops, Narragansett Council Boy Scouts of America, Big Brothers, the General Jewish Committee, the Miriam Hospital, Jewish Family and Children's Service, the Governor's committee on refugees, the mayor's committee on juvenile delinquency, and so forth. He was cited as "Man of the Year" by the Conference of Christians and Jews, and has received many other citations and awards.

Rabbi Bohnen has served the Rabbinical Assembly as secretary and then vice president before his elevation to the presidency. He has been chairman of the placement commission, which is comprised of representatives of the Rabbinical Assembly, United Synagogue, and the Jewish Theological Seminary. He has been chairman of the ethics committee and a member of the committee on Jewish law and standards.

Rabbi Bohnen came to Providence from Temple Emanu-El, Buffalo, N.Y., where he served for 10 years and was active in both civic and religious work. Prior to this he was, for 4 years, assistant rabbi of Congregation Adath Jeshurun, in Philadelphia, Pa.

During World War II Rabbi Bohnen served with the 42d Infantry—Rainbow—Division and rose to the position of assistant division chaplain with the rank of major. He was with the division during its training period at Camp Gruber, Okla., and its combat experience in France and Germany. He remained with the division during most of its service as occupying force in Austria where he was able to do a great deal in furthering the division's work with displaced persons. He was awarded the Bronze Star and the Army Commendation Ribbon.

Conservative Judaism is one of the three groupings within the Jewish religious life in America. It began in the United States in the middle of the 19th century as a reaction to a trend, whose leaders had abandoned many of the ancient traditions of the Jewish faith, in their belief that Judaism would not be able to survive in the New World in its traditional form. They felt that the Jewish religion should express itself in new forms, closer to those of the Christian majority.

The founders of conservative Judaism believed that it was important that the ancient values be conserved, hence the term "conservative Judaism." They believed the liturgy should remain Hebrew. They were convinced that Jewish children should be nurtured in a tradition of scholarship, based on the knowledge of the Bible and other religious writings in the original Hebrew and Aramaic. They were confident that the Jewish immigrants from Europe would not want to reject the heritage of their fathers, sustained over thousands of years.

The vision and faith of the founders of conservative Judaism were justified. Today the conservative movement includes the largest number of Jews affiliated with synagogues. Its seminary is recognized as one of the greatest institutions of learning in the world. The United Synagogue is a leader in the areas of religious education textbook publishing, social action, adult education, and in many other related fields.

As President of the Rabbinical Assembly, Rabbi Bohnen will have a prominent place on the boards of the Jewish Theological Seminary and of the United Synagogue, and will have intimate contact with national and international Jewish religious and service organizations.

The presidency of the Rabbinical Assembly is one of the highest offices within Jewry. The president joins illustrious predecessors in this office who include Rabbi Louis Finkelstein, chancellor of the seminary; Rabbi Simon Greenberg and Rabbi Max Arzt, vice chancellors; Prof. Mordecai Kaplan, founder of the reconstructionist movement in Judaism; and Rabbi Edward Sandrow, president of the New York Board of Rabbis; Prof. Robert Gordis, professor of Bible at the Jewish Theological Seminary.

The Rabbinical Assembly has given to the armed services of our country military chaplains from every branch of the services. Indeed, no one is eligible for membership in the Rabbinical Assembly unless he has volunteered to serve as a military chaplain immediately following his ordination.

The Rabbinical Assembly publishes "Conservative Judaism" a quarterly devoted to ideas and philosophies of Judaism. It has a special department for the publication of prayer books adapted for conservative congregations. It assists in the publication of textbooks for religious schools in English-speaking countries.

PRICES BETWEEN FARM AND STORE

Mr. CARLSON. Mr. President, the accusation that the farmers are largely responsible for the present inflationary trend is completely unjustified.

Farm prices are now at 80 percent of parity and the farmer is earning only about 60 percent as much as his city cousin.

The prices farmers receive for most commodities are lower now than they were 20 years ago, while the cost of farm operations has increased sharply year after year with no end in sight.

The American consumer is today buying more food and fiber at the smallest percentage of his take home pay than at any time in our Nation's history, while the American farmers and rancher are receiving much less than parity for their products.

The American farmer and rancher are entitled to their fair share of our national income and they do not ask for more. They both deserve praise instead of criticism.

I ask unanimous consent to have printed in the Record as a part of my remarks a very excellent article by Sylvia Porter, which appeared in a recent issue of the Evening Star.

There being no objection, the article was ordered to be printed in the Record, as follows:

Prices Between Farm, Store

(By Sylvia Porter)

The U.S. farmer will be getting an average of 4 cents for a pound of lettuce in the final quarter of 1966, according to authoritative projections. But the U.S. consumer will be paying an average retail price of 26–28 cents for the same lettuce. Lettuce doesn't go through a transformation between farm and store—comparable to, say, the change from a pound of hog on the hoof to a pound of pork on the counter. A head of lettuce is a head of lettuce is a head of lettuce.

The farmer will be getting about 33 cents for a dozen eggs at year end, according to the same projections. But you'll be paying an average of 52–54 cents for these eggs. Eggs don't go through a transformation either. An egg is an egg is an egg.

A pound of potatoes should be bringing the farmer 1.7 cents in the last quarter while you'll probably be paying 5½–6½ cents. The above observations apply to potatoes, too.

Where does the money go between farm and store? It goes into all the operations lumped under "food marketing": Transportation, processing, packaging, displaying, advertising, promoting, selling. It goes into an ever-widening number of store services: Big parking lots, check-cashing, baby-sitting.

The farmer's share of the $1 you spend for food rose from a postwar annual low of 37 cents in 1964 to 41 cents in the first quarter of this year, reflecting generally higher farm prices and bringing net realized income per farm to an estimated $4,600 in 1966, an increase of 55 percent since 1960.

Nevertheless, a full 59 cents of your dollar still is going to the "intermediaries." Since 1950, the cost of marketing of food has climbed 25 percent while the farm value of food actually has declined.

The food price spread has risen so relentlessly—in times of falling as well as rising farm prices—that Congress in 1964 established a National Commission on Food Marketing and ordered it to make an exhaustive probe into every aspect of the spread. After more than a year of investigation, the commission is slated to release its findings June 30.

Its recommendations to Congress well may carry some explosive implications. While the commission's findings are a secret, an informed report is that it will make "critical observations" about the parts played in retail food prices by advertising, trading stamps and such marginal services as babysitting.

Of course, much of the rise in the spread between farm prices and retail food prices is easy to explain.

On our side, we're demanding and getting an enormous array of services ranging from elaborate parking lots to dazzling display cases for perishables. We're trading up to more and more convenience foods, pre-cut, pre-cleaned, pre-frozen, all processes which cost money. We're generally buying more expensive meats, fruits, vegetables.

On the marketer's side there's no doubt that costs of most processing and marketing services have been increasing steadily. In food marketing firms, average hourly wages are 86 percent above 1950. Also on the retailer's side, there are the inevitable hidden expenses of spoilage and trimming.

Relatively speaking, food remains a bargain, taking an average of only 18.2 cents of each of our after-tax-dollars.

But the warning to the food industry, largest in our nation, is clear: With the Marketing Commission's report on the price spread coming up and with consumer resentment over food prices so widespread, it will be in a hot spotlight in coming months.

What's more, if a substantial percentage of the projected slide in farm prices is not reflected in declining food prices, the industry also could be on a hot spot.

THE SITUATION IN SOUTH VIETNAM

Mr. RIBICOFF. Mr. President, during the past 2 weeks, I have addressed the Senate twice on the subject of Vietnam. The thrust of my argument has been that elections in South Vietnam must be held. Most important, these elections must be free and fair. And it will take an international presence to assure that the elections are, indeed, free and fair. The United Nations, it seems to me, must undertake this task.

There has been a wide and positive reaction to my proposal. Mr. President, I ask unanimous consent that the most recent editorials supporting my position which appeared in the Hartford Times, the New York Times and the Litchfield Enquirer, be printed in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Hartford (Conn.) Times, May 17, 1966]

Agony of Decision

The nearest thing to a clear-cut policy decision the United States has made in many months of trouble in its involvement in Viet Nam is the Honolulu announcement of support for the military junta ruling South Viet Nam under Premier Ky.

Now that junta is in serious trouble. It may not survive. The threat of civil war, with Buddhist rebels shooting at government supporters, raises the prospect of a double war—

the fight against the Communists going on at the same time as the Buddhist rebellion. There is a chance that the internal troubles may so vitiate the South Vietnamese determination to fight the North Vietnamese that the war of South versus North will collapse, leaving the United States to choose whether to carry it on alone.

American policy in Viet Nam has been for a long time a series of compromises, all dodging essential moral and political questions. In the present turmoil, there are only a few really clear courses open to the United States:

Continue our support of the Ky government, backing it with military force against the Buddhists.

Abandon the Ky government in favor of the Buddhists, which would involve an attempt somehow to disarm the present government.

Determine to carry on the anti-Communist fight alone if necessary, promising to cooperate with whatever Vietnamese government turns out to be dominant in the South.

Get out of Viet Nam.

Assume as an American responsibility the maintenance of order, the operations of civil government and the direction of the armed forces of South Viet Nam until the people are capable of electing a stable and competent government.

Every one of those policies involves terrible difficulties and not one of them has much to recommend it. Yet unless there is a choice, we shall go on in an interminable muddle of doubt, insecurity, sacrifice, loss, expenditure and death with no prospect of any gain worth a fraction of the cost.

One more possibility offers itself, but first let us briefly consider these five.

Continued American support of the Ky government or any successor with the same political orientation implies contravening the obvious will of a majority of the politically active population of South Viet Nam. Neither the Ky regime nor any of its predecessors has been stable.

Abandonment of the Ky government would involve, in all probability, a bloody fight between Americans and Ky supporters, who will not willingly surrender control of their forces to the Buddhists.

Carrying on the anti-Communist fight alone while the South Vietnamese iron out their own political troubles would multiply our military investment in a war in which our objectives are becoming less attractive every day, and it might prove an intolerable burden.

Pulling out of Viet Nam entirely would be a betrayal of every American who has lost his life there. All the sacrifice would have gone for naught. The proper objectives of the war would be lost.

And taking over the country as trustee of the future and the fate of the South Vietnamese would expose the United States to charges of colonialism and tyranny that we would be hard put to rebut.

Those are over-simplified judgments of the five courses of action. Each has many subtle and complex implications, and proponents and opponents of each could argue for years over their merits and demerits. We don't have that much time to decide, for events are crowding judgment.

The remaining course—we believe the best—is to appeal to the United Nations to intervene by force and put an end to the fighting, both the anti-Communist war and the civil war in South Viet Nam.

The UN is the only authority in the world with the requisite prestige and the potential power to be able to stop the shooting. Our appeal for UN intervention woud have to include an expression of willingness to offer our own forces in Viet Nam as a police force under whatever command the UN chose to establish or, alternatively, to pull them all out of the country as quickly as they could be replaced by an international army strong enough to keep order.

The UN might not agree to intervene. But an appeal for intervention would be a step toward the establishment of peace. All the alternative courses seem to lead inevitably to one result: the destruction of any hope of peaceful, responsible government in South Viet Nam except by the total extermination of one side or the other in the civil war.

[From the New York (N.Y.) Times, May 16, 1966]

THE DANANG COUP

The seizure of Danang by the Ky Government means a determination to fight it out with the dissident political elements of the Unified Buddhist Church. Unless the struggle is quickly stopped, this would mean an end to the hopes, expectations and promises of an election by Sept. 15 for a constituent assembly and later an elected government.

The gravity of the situation is obvious. Civil war is one possibility. The South Vietnamese struggle against the Vietcong is bound to be seriously hampered. Worst of all would be the embarrassing and perhaps critical position of the American forces in Vietnam and the handicap to the war they are waging.

Once again, Washington has been caught by surprise—even to the extent of Ambassador Lodge being in the United States instead of in Saigon. When Marshal Ky calmly announced a few days ago that he intended to keep his government in power for at least another year, Secretary Rusk declared that the Premier had been misunderstood and really did not mean what he seemed to be saying. He meant it all right, and this development becomes another in the long series of misunderstandings and miscalculations of the Vietnamese by the United States Government.

As always when a sudden and unexpected event of this sort explodes in Vietnam, it is necessary to let the storm blow over. When it does, every effort must be made to bring the electoral position back to where it was, if that is going to be possible.

The desirability and, indeed, necessity to hold elections that would permit a broad-based civilian government in South Vietnam is as clear as ever. Washington's orders to the American advisers in Saigon to urge a peaceful settlement can only be a stopgap move. The military may prove strong enough to prevent the militant Buddhists from creating a chaotic situation in Danang, Hue and Saigon. The damage is by no means beyond repair. In South Vietnam the pessimists as well as the optimists are often confounded.

But the coup emphasizes once again that it has never been possible to interpret Vietnamese events in terms of American ideas or Western logic. Premier Ky obviously feels strong enough to assert Saigon's authority over the virtually rebellious northern provinces. If, having done so, he then turns back to the concept of constitutional and legislative elections, the harm can be held to a minimum.

Once the situation has stabilized it is more important than ever that the election be demonstrably fair. The very nature of the American involvement in South Vietnam makes it impossible for the United States to operate with total detachment in this respect. As Senator RIBICOFF has suggested, the United Nations would be the best possible choice to exercise a supervisory function to guarantee the fairness of a vote in a country with no democratic tradition.

The alternative to elections is chaos. Premier Ky must realize this. So much Washington. Whatever happens now, the final goal still has to be elections.

[From the Litchfield (Conn.) Enquirer, May 12, 1966]

THE END WE SEEK

Senator ABRAHAM RIBICOFF of Connecticut stood up on the Senate floor in Washington last week and delivered a "major speech" on a major issue—Viet Nam. What he had to offer was hard, plain talk.

"No amount of bombs or bullets alone can assure success (in Viet Nam)," he said. "We could commit a million men—stamp out the Viet Cong—and 'lose' the war. The end we seek in Viet Nam must never be military in nature. We cannot become a colonial power.

"We must get back to the original premise of our involvement in South Viet Nam. It is not an American war—it is a South Viet Namese war. We are in Viet Nam to help—not to conquer."

In his speech, RIBICOFF called for two things: United Nations supervision of the forthcoming elections in Viet Nam, and an address by President Johnson before the U.N. General Assembly, redefining this country's role in the war-ravaged land. The Senator thus aligned himself with other men in high places who are convinced that some form of stable government in Viet Nam must exist before the conflict can be resolved.

What RIBICOFF suggests is that elections be held within those areas of South Viet Nam that could reasonably be secured against violence and intimidation, and where U.N. observers could gain access to assure impartiality. He sees this working to advantage in two ways: "If the peasant is assured that he plays a role in the policies of his government, his suspicion of that government decreases. If the central figures of government know that their future depends on the people—then their support of a program to help the people will be assured."

And what would RIBICOFF have President Johnson tell the world through the General Assembly? Simply that America sees in the Viet Namese elections an "opportunity as well as a challenge," and that the United States is committed to the success of those elections. In this simple restatement of purpose, the Senator believes, there would be reassurance for all that our primary purpose in the Far East is indeed help and not military victory.

COASTAL FISHING LIMITS AND THE ROAMING FISHERMAN

Mr. MAGNUSON. Mr. President, Pacific coast fishermen are seriously concerned at the present time with the recent arrival of a fleet of Soviet fishing vessels to harvest the adjacent resources. Soviet vessels off the coast of the United States is not a new problem, for we have long had such operations by that nation and others off the State of Alaska and off the Atlantic coast. The present Pacific coast effort is critical. The resources being harvested by the Soviet vessels are stocks upon which our trawl fleets have operated historically.

Further, there is growing evidence that the kind of gear being used by the Russian fleet is of a smaller mesh than that used by our own fleet for such species as Pacific Ocean perch, and the Soviets appear to be taking everything in their path, with no apparent thought to the future.

As you know, I have spoken on this floor many times of the need for conservation of the fishery resources, not only off our own coast, but throughout the world ocean, for I foresee great need for this food in the long-range survival of mankind. I have regularly sought assistance for our domestic fishermen, feeling that their welfare and well-being is a matter of deep concern in the long-range, broad national interest.

Pacific coast fishermen are gathering at Seattle, I am informed, to discuss the question of jurisdiction in regard to the coastal fisheries. I am further advised that there will be representatives from the Atlantic coast present and I await with interest the deliberations and decisions from the meeting. It is important that the United States give serious thoughts as to what is in the broad national interest in this question of jurisdiction, and I am hopeful for good testimony at the hearings scheduled May 18 and 19 on Senator Bartlett's 12-mile-limit bill.

But in the meantime, Mr. President, I repeat my overall concern as to the conservation of the world fishery resources. The problem which is now being faced by Oregon and Washington fishermen in relation to the fleets of the Soviet Union has been faced and is currently being faced by others and the circumstances are not as unlike as you might suspect.

I was particularly interested in this regard, in an editorial in a recent issue of the British fishery trade publication, "Fishing News International," inasmuch as it does a commendable job of comparing some of the problems on the Pacific coast of the United States with those of South Africa. I ask unanimous consent to have the editorial printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Fishing Limits and the Roaming Fisherman

It would be hard to think of two fishing areas more widely separated than those of the west coast of North America and of the south west coast of Africa. Their fishermen are as different as a halibut and a hake; they use different methods and boats to catch different species of fish. But the global spread of the fishing effort of several nations has given each fishery a problem common to the other and shared by fishermen all over the world.

In an age when the screeching jet and the howling ether have made a nonsense of distance, it was inevitable that some fishing areas would lose the protection their remoteness once gave them. The ocean hunt for fish is on and only the exhaustion of stocks is likely to stop it. The question anxiously asked from Vancouver to Cape Town and from Buenos Aires to Reykjavik is: How far away is exhaustion?

For some fisheries the signs are already ominous. "Every year," wrote Mr. Roy Matthews, chairman of the British White Fish Authority in an article in *The Times,* "larger fleets range more widely and declining yields in one traditional ground after another tell their own story of over-fishing." Mr. Matthews was adding his plea to that of many other far-sighted fishing men for "effective international agreement for productive management of the world's fisheries".

Inevitably men, industries and nations will find ways of managing the resources of the oceans. But events over the past year show that such co-operation will be slow in coming and that some cherished concepts of commercial fishing may have to be discarded in the process. One of these is the illusion of "our fish" and "our grounds."

There is a limit to what can be claimed as the exclusive fishing preserve of any one nation and this is generally recognized today as 12 miles from the shore. In some fortunate areas this protects valuable stocks; in other the best fish are being found well outside the limit.

Off the west coast of Canada a particularly rich trawling area lies in the tumultous Hecate Strait between the mainland and Queen Charlotte Island. As Canadian base lines are drawn, the Strait is open fishing water outside 12 miles. But just south of Queen Charlotte is Vancouver Island and it is being contended that the base line should be drawn between the two islands enclosing the Strait in territorial waters. Urgency has been added to this contention by the appearance over the Hecate trawling grounds of a large Russian fleet complete with factory ships and modern stern trawlers. In law this Soviet fleet is working in the open sea as are smaller American trawlers who have fished the Hecate Strait as a traditional ground. To oust these ships by drawing fresh base lines will create a delicate international situation. But Canadian fishermen are calling on their government to do something to protect these productive grounds before other wide-ranging fleets come in.

Across the other side of the world what has been described as a "fishing free for all" has surged beyond control of any one nation.

Less than five years ago fishermen of South Africa and South West Africa were working a rich, remote backwater.

From Cape Town a fleet of about 70 local trawlers brought in about 100,000 tons of hake and other bottom fish a year. This catch has now soared beyond 200,000 tons but the entire increase is coming up in the nets of vessels from seven or eight countries.

The hurried extension of the local fishing limit from three to 12 miles has had no effect on trawlers working 20 or more miles off the coast. When it was introduced in 1963 there were about a dozen ships from Spain and Japan operating off the Cape coast; last year they were joined by vessels from Israel, Holland, Italy and Germany. The fleet—including ships of the Soviet Union, East Germany, Poland, Bulgaria and Ghana operating to the north—now exceeds 100 vessels and the local industry is becoming more and more anxious for the future of its stocks.

One positive result of this anxiety is a suggestion that all or most of the nations with ships fishing off Southern Africa should work together in an investigation of the little-known resources of demersal fish. Encouragement for this has come from the owner of the first West German trawler to arrive in Cape Town who believes an international agreement could be reached for the conservation of Southern African stocks. Further support is implied in the interest being shown in the area by the White Fish Authority. The views of the Japanese are not known, but the largest of the Spanish companies with ships based on Cape Town has a 40 percent stake in a South African fishing company and it could well take a leading part in negotiations for a joint research/conservation project.

While these are still the early, turbulent days of long range fishing, they are already showing that reluctant "hosts" will get nowhere by standing on the cliff tops and shouting at the factory ships and freezer trawlers on the horizon. Restrictions, shutouts and other, perhaps more ingenious, measures may temporarily restrain them, but they are not likely to stop nations and industries who have spent millions on this new ocean-wide pursuit of fish.

Mr. MAGNUSON. Mr. President, as Fishing News International says, "what has been described as a 'fishing free for all' has surged beyond control of any one nation."

These are critical times in fisheries, though they come as no surprise. The U.S. Senate well recognized the pending disorder when it unanimously adopted the resolution I sponsored for a World Fisheries Conference. Today foreign vessels are fishing heavily off our shores and in many cases we do not actually know whether they are depleting the fisheries or not. The appearance of the sizable fleet off Oregon and Washington indicates to me that the waters to the north, closer to the Soviet fishing bases, are either depleted or reduced to a point where productive fishing is no longer possible.

The United States must move firmly and swiftly in this question of jurisdiction and conservation for the protection and productive future of its citizens, but in an even broader sense, we must take the world leadership in assembling the coastal and fishing nations to determine the proper conservation regime that there may be hope for the hungry.

THE CENTRAL INTELLIGENCE AGENCY

Mr. YOUNG of North Dakota. Mr. President, the Central Intelligence Agency has always been the subject of some controversy and it is inevitable that an Agency with the duties and responsibilities such as it has, always will be.

Mr. President, I ask unanimous consent to have inserted in the body of the Record as a part of my remarks an editorial on the subject of the CIA in the May 18, 1966, issue of a very reputable newspaper, the Washington Evening Star. Also, I ask unanimous consent to have inserted as a part of my remarks a column in the same issue of the Washington Evening Star which deals with the CIA, written by a very reputable journalist, David Lawrence, entitled "Danger Seen in Proposal on CIA."

There being no objection, the editorial and article were ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Evening Star, May 18, 1966]

Watching the CIA

It would be difficult to find any cloak-and-dagger organization that is more closely supervised than the Central Intelligence Agency.

It is watched over by the President and the National Security Council. By designation of the President, a non-governmental group headed by Clark Clifford closely scrutinizes what the CIA is doing. Finally, its activities and its expenditures, though concealed, have to run the gantlet of two congressional committees. In the Senate, this committee is made up of three representatives each from the Armed Services and Appropriations committees.

There would seem to be no need for any additional watchers. Senator Fulbright's Foreign Relations Committee, however, wants to add three of its members to the watching group. Senator Russell, who heads the supervisory committee, is strongly opposed.

Because there are already so many watchers, it might be wondered what valid objection there is to adding three more, especially if they come from Mr. Fulbright's committee since CIA activities undoubtedly influence foreign relations.

The reason for the objection was not quite spelled out in Monday's debate. But its essence emerged clearly enough.

Ohio's Senator Lausche, himself a member of Foreign Relations, said that committee "has also distinguished itself for the frequency of leaks that come out of their (executive) hearings."

Later on, Senator Morse, who thinks the CIA is a "police state institution," said: "I do not accept the major premise that the elected officials of the American people should not have an opportunity to be briefed in executive sessions of their committees in regard to what their checking committee has found."

This lets the cat out of the bag. While no Senator would stand up on the floor and say so, the obvious fact is that the opponents of enlarging the watchdog committee are afraid of leaks if representatives of Foreign Relations should be added to the watchdog group. And this would be especially true if all 19 members of Mr. Fulbright's committee would be briefed, as Senator Morse advocates, "on what their checking committee has found out."

The "leak" from executive sessions to favored newsmen is an ancient institution on Capitol Hill. But there have been no leaks from Senator Russell's watchdog committee. The tightness of its security has been remarkable. And this is as it should be.

Why? Because secrecy, like it or not, is essential to the successful operation of the CIA. Without it, vital sources of information, carefully cultivated over a long period of time, would vanish, not to mention the informants themselves. Consequently, in the absence of a substantial showing of need, and there has been no such showing, we hope the Senate will turn down the bid by Foreign Relations to "muscle in" (Senator Russell's words) on the watching process.

[From the Washington (D.C.) Evening Star, 18 May 1966]

Danger Seen in Proposal on CIA

(By David Lawrence)

There is more than meets the eye in the innocent-looking proposal to allow the Senate Foreign Relations Committee to add three members of its own to the "legislative oversight" committee of the Senate which, in a confidential way, keeps in touch with the operations of the Central Intelligence Agency.

Just why, for instance, should the Senate Foreign Relations Committee wish to check up on the special committee now composed of a small group from the Senate Armed Services Committee and the Appropriations Committee? The reason given by Senator J. William Fulbright, Democrat, of Arkansas, chairman of the Senate Foreign Relations Committee, is that the people in the CIA "very greatly influence foreign policy."

But, in rebuttal, Senator Richard B. Russell, Democrat, of Georgia, chairman of the special committee which now supervises CIA operations, says that "it is just pure poppycock that the CIA fixes, and makes, foreign policy."

On the surface, it might seem that the whole thing is merely a matter of procedure and that theoretically some representation from the Foreign Relations Committee, along with members of the Appropriations Committee and the Armed Services Committee, would be logical. But the truth is that the operations of the Central Intelligence Agency could be imperilled if members of the Senate who are primary interested in arguing about foreign policy were entrusted with the secrets of the agency.

It is customary for various senators every now and then to divulge things they have learned in confidence about domestic policy. But with respect to what's going on in foreign countries, there has to be restraint. For if the information obtained by the CIA is dealt with casually and "leaked" to the press like domestic news, this could cause serious damage to American interests around the world.

The risks in changing the nature of the membership of the special committee that keeps in touch with the CIA are considerable. The public knows hardly anything about the devious efforts of foreign governments to get secret data in Washington. They employ go-betweens who themselves may not know just who is behind the request for information that comes to them. After long experience with the technique of keeping things really secret, the CIA has concluded that the fewer the people who know anything about the operation, the better in the long run.

After World War II was over, the late Admiral Ernest King, chief of naval operations, told this correspondent that in two of the important engagements in the Pacific he never even told the secretary of the Navy ahead of time that a certain battle plan was about to be put into operation.

"My job," he said, "was strictly within the armed services, and if the secretary of the Navy wanted to find out what was coming, he could always ask the commander in chief—namely, the President of the United States."

This kind of caution is just as important in a "cold war" as in a "hot war." The President, of course, has access to everything the CIA is doing.

Senator Frank J. Lausche, D-Ohio, says that, while Senator Russell's subcommittee has "distinguished itself" by not leaking information, the Foreign Relations Committee—of which he is a member—"distinguishes itself by the number of leaks that have come out of that committee."

Senator Russell thinks that overexposure of the CIA would make difficult the gathering of information, because it would cause many people to hesitate to help for fear of eventual reprisals if their identity became known. The Georgia senator, in his speech to the Senate this week, said that the mere discussion of what appears to be a jurisdictional squabble "has a tendency to chill" some of the CIA informants even in the national capital.

It takes many years to develop contacts in foreign countries, where the CIA operates almost entirely. To require the agency to reveal much of its information to members of the Senate who are themselves involved in foreign-policy controversies could result in a substantial drop in the efficiency of the organization.

JOHN J. DWYER

Mr. SYMINGTON. Mr. President, earlier this month the people of Missouri and the Nation lost a great public servant, John J. Dwyer, for many years treasurer of the city of St. Louis, and chairman of the Democratic City Central Committee.

Mr. Dwyer leaves a reputation for high character and unusual ability as a public servant. In addition, he leaves literally thousands of devoted friends, all over the country.

In this connection, I ask unanimous consent that a resolution of the Board of Aldermen of the City of St. Louis, dated May 13, be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution No. 10

Whereas, on Friday, May 6th, last, the members of this honorable board of aldermen and the people of this city and State were shocked, then grieved to learn of the sudden death of the Honorable John J. Dwyer, City Treasurer; and,

Whereas, the late Mr. Dwyer as chairman of the Democratic City Central Committee, provided successful leadership to this party for more than a generation becoming known as "Mr. Democrat" because of the stalwart stature he had attained in local, State and National party affairs; and,

Whereas, only last February 3rd, at a dinner constituting a mock convention called in his honor, he was elected as the first member of the "political hall of fame" created at said "convention" the proceeds of which, at Mr. Dwyer's request, established the "John J. Dwyer scholarship fund" allowing grants to deserving students of political science;

Now, therefore, be it resolved

That this board of aldermen in respectful memory of and honor to the late John J. "Mr. Democrat" Dwyer, stand in one moment of prayerful silence; that a copy of this resolution be forwarded to the President of the United States, Senators Stuart Symington and Edward V. Long, U.S. Representatives Leonor Sullivan and Frank M. Karsten and that it be personally delivered by its author, to Miss Olive Dwyer, surviving daughter, as this board's tribute to the late leader and as an expression of its sympathy over the bereavement suffered by all of his immediate family.

Adopted this 13th day of May, 1966.

Offered by Alderman Joseph W. B. Clark, as a Resolution, en banc.

Frank C. Boland,
Clerk.
Donald Gunn,
President, St. Louis Board of Aldermen.

THE 17TH ANNIVERSARY OF ARMED FORCES DAY

Mr. SALTONSTALL. Mr. President, the United States will celebrate its 17th annual observance of Armed Forces Day on Saturday, May 21, by paying tribute to the millions of American servicemen and women who devotedly served their country in defending its liberty and preserving its freedom. It is fitting that we commemorate this occasion each year, and I join the millions of grateful American citizens in the expression of a tribute so richly deserved.

Our American men and women in uniform maintain a constant vigilance against possible aggression in the remote and far-flung reaches of the world. At this very moment, our valiant soldiers, sailors, and airmen are fighting in the jungles and rice paddies, on the seas and in the air of southeast Asia to repel the unprovoked and ruthless aggression of the treacherous tyranny that would strive to engulf and enslave freedom-loving men everywhere. As a nation of people traditionally devoted to the cause of peace in the world, we all regret the necessity of again sending American young men to fight on foreign soil, but we recognize that it is the sacrifice we must make and the price we must pay if liberty and freedom are to be preserved in this troubled world.

American citizens everywhere should take the opportunity provided by Armed Forces Day to analyze the reasons why a nation so desirous of peace must annually devote so much of its resources and treasure to its national security through military preparedness.

In his first annual address to both Houses of Congress in 1790, President George Washington stated that "to be prepared for war is one of the most effective means of preserving peace." But the isolation of America from the warring nations on other continents and the protection afforded us by the vast expanses of the Atlantic and Pacific Oceans permitted us, in years past, to ignore his advice and we knowingly accepted serious shortcomings in the state of our military readiness. We were secure in the comforting knowledge that our geographic isolation and protection would provide us with whatever time we might require to arm and prepare ourselves for war. Consequently, there was no need for America to maintain a huge military establishment in time of peace, and it naturally followed that on those two occasions in the first half of this century we found ourselves involved in major wars for which we were poorly prepared.

The aftermath of World War II and the revolution in science and technology required the United States to reevaluate her role in world affairs. Emerging from that war as a world power, the United States had to discard its cloak of isolationism, agree to participate in a world organization of nations and stem the tide of encroaching communism which sought to enslave a Europe devastated by war. In contrast to the "arrogance" which some would attribute to us, instead of demanding indemnification and tribute from our enemies, we, a victorious nation, made huge financial contributions to the rehabilitation of our former foes.

The revolution in science and technology was responsible for the development of the intercontinental ballistic missile, which eliminated completely the protection formerly provided by the Atlantic and Pacific Oceans. Moreover, the terribly destructive force of thermonuclear weapons coming into the possession of aggressive and unfriendly nations required a significant readjustment in our philosophies of military strategy. It was first thought that the threatened use of these awesomely destructive weapons would deter all wars, both large and small. However, we found that militant communism was not deterred from its aggressive purposes as it sought to subvert and terrorize weaker nations under the protection of the nuclear umbrella.

Thus, we came to realize that although an all-out thermonuclear war was our greatest danger, the most probable threats to peace would occur in resisting the Communist-inspired wars of national liberation. Accordingly, we have provided for a diversified military capability consisting of both nuclear and conventional weapons.

In 1950, America was called upon to resist the aggression of the Communists in Korea. Today, we are meeting a similar challenge in Vietnam by responding to a desperate cry for help from a relatively weak and undeveloped country which is now the target of Communist aggression.

As President Johnson said only last year:

> From Munich until today, we have learned that to yield to aggression brings only greater threats and brings even more destructive war. To stand firm is the only guarantee of a lasting peace.

And so it is that on Armed Forces Day we pay tribute as a nation grateful to the dedicated men and women of our Armed Forces everywhere in the world for the privations and sacrifices which they endure in defending the cherished principles and ideals of a free America.

OMBUDSMAN: AN INSPECTOR GENERAL FOR CIVILIANS

Mr. LONG of Missouri. Mr. President, the more I begin to learn about the Scandinavian concept of ombudsman, the more interested I become in trying to create some form of American ombudsman to help our citizens "fight city hall." Recently, a most interesting article appeared in the March issue of the magazine, We the People of North Carolina, entitled "The Ombudsman: An Inspector General for Civilians." I ask unanimous consent to insert this article in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AN INSPECTOR GENERAL FOR CIVILIANS

American citizens who have seen service in the armed forces—and they number now living about 24 million—have had experience with a major type of government organization which by its very nature is necessarily encumbered with official channels and enmeshed in an elaborate tangle of red-tape. But these ex-service citizens will be well aware that the military has always provided a means of cutting through the red-tape quickly and effectively when justice and fairness to the individual soldier or officer justified quick remedy.

The soldier can take his grievance to the chaplain who can often get action in minor matters without delay. But, far more important, the soldier or officer can contact directly a high and powerful officer who will give prompt attention if the cause deserves it. This officer is the Inspector General. His function originated in the armies of the Roman Republic sometime about 500 B.C. In the Roman military such officers were called tribunes. Usually there were two of them. They had aides called aediles. Our modern military Inspector General also has a small staff of aides. Eventually they also set up Civilian Tribunes.

Many a civilian, faced with maladministration, injustice, abuse, or oppression at the hands of civilian governmental bureaucrats, has often wished that the civilian government had such an influential Inspector General who could be promptly reached, bypassing civilian red-tape—someone who could call the bureaucracy to account without delay and get it back on the track of justice and fairness.

A SOURCE OF GROWING CONTEMPT

Lacking such an intervenor or justiciar, growing millions of Americans seek to invent one: They write their Congressman or their Senator. As the bureaucracy has grown, the abuses, both real and imagined, have grown; and the trend to cut through the red-tape by writing one's Congressman or Senator has grown by leaps and bounds. The result is that the volume of work required in handling personal grievances and rendering needed individual or group assistance has taken up more and more of the time of the legislator, leaving him less and less time to give to his primary job of considering the legislative work.

In turn, as the legislator has become more a leg-man and less a legislator, the Executive Branch—the body of which is the bureaucrats—has taken over more and more the work of writing laws. They give laws to the legislators to glance at and to give a rubber-stamp type of approval. Congress has chafed at this. It is a source of a growing contempt of Congress in the minds of many citizens who simply cannot understand how a good man, once elected, so promptly becomes another "rubber-stamp." Such citizens have half a mind not to vote for him again; but, remembering quite frequently some service or assistance he has rendered them, or some close friend or relative, they have another half mind to vote him in again.

SOME CONGRESSMEN LIKE THE DIVERSION

Inquiries indicate that many Congressmen feel that their citizen-services activity enhances their chances of re-election far more than their voting records on legislation. This activity has created pressure for larger and larger staffs for Congressmen, with the strong trend being toward hiring people who can help with this function, rather than with research and study of legislative proposals. Such a growing demand for service to constituents also helps to explain the recurring need for new giant-size Congressional office buildings on Capitol Hill in Washington.

There is nothing necessarily wrong with a Congressman or Senator wanting to make individual constituents happy by rendering them small services; but there are serious disadvantages to the public in trying innocently to make of the Congress two Houses of Inspectors General—535 in the House and 100 in the Senate. In the first place, citizens of the opposition party often may not feel free to write their Congressman for aid. It is even possible that some Congressmen may not have the same tender concern for citizens of all parties or of all classes. Logically, assistance is likely to be more graciously given when one feels that it will pay back the largest dividend of election day influence.

Secondly, there is no place where a troublesome problem can be seen overall. Each Congressman and Senator sees a part, the part which communications from his constituents discloses. If Congress had an Inspector General to assist in this service, as well as to receive communications directly from individual citizens, this official would be in a position to classify complaints and grievances, discover the patterns of abuses, locate the sources of maladministration, report these to the offending agencies for correction and, if necessary, to the Congress, with suggested legislation to correct problem situations in the administration of the laws. The finger could be put on particular executive administrative agencies which showed abusive tendencies and perhaps even upon individual recalcitrant administrators. Of course, a Congressman who banks heavily upon his service function, rather than his qualifications as a legislator, might prefer to see bureaucratic abuses grow unchecked in order that he may receive even more complaints and get even more opportunities to show his correspondents what a great guy he is for "getting things done." But the result hardly approaches equal justice for all citizens, nor is it good for the legislative system or the legislative process of the nation.

SOME PECULIAR EARLY AMERICAN EXPERIENCE

The problem of bureaucratic intransigence and abuse was not completely over-looked by the founders of the American States. They knew that the Roman Republic had found it necessary rather early to invent the civil inspector general idea—the tribunes of the people. It was expected in our early days, however, that the problem would arise from the growth of bureaucracy at the State level, rather than at the Federal level where everyone thought the limited grant of powers would operate—as it did for nearly a hundred years—to keep the bureaucracy rather smallish and controllable. But at the State level, some thought was given to a sort of tribune idea.

The Commonwealth of Pennsylvania from 1776 to 1790 and the State of Vermont from 1777 to 1870 had in the governmental schemes of their constitutions a tribunitarian-type elective body called in each State the Council of Censors. Far from having any duty of exercising censorship over the press or freedom of speech, these bodies were elected at seven-year intervals to check against infringements of the State constitution, against administrative abuses, abuse of power by State officers, and even to censure the laws, and the moral conduct of public officials. The Council of Censors also had the power to call a Constitutional Convention to change the State Constitution in the public interest, if it thought a change was needed.

PULLING TEETH FROM THE BITE OF RESPONSIBILITY

The bite of responsibility given these Censors was strongly resented by politicians and bureaucrats. The Council in Pennsylvania was abolished in 1790. The one in Vermont lasted much longer; but, in 1869, enemies of the idea were elected to the Council itself. The new Council of Censors called a Constitutional Convention and, among other recommendations, recommended its own demise. The Convention, dominated by enemies of the Council idea, obliged by amending Vermont's constitution to abolish the Council of Censors. Nevertheless, it is worthy of note that the idea of the civilian inspector general is not entirely unheard of on the American governmental scene.

NOW CONSIDERING THE OMBUDSMAN

More recently the growth of bureaucracy and the need to humanize it has led to a revival of interest in this ancient device for maintaining checks and balances in the good interest of the individual citizen. In 1809 the Kingdom of Sweden established such a civilian inspector general with the outlandish title of *ombudsman* (pronounced approximately ahm-BOOTS-man). He is specially commissioned by the Swedish parliament as its agent. Finland established one in 1919, Denmark in 1955, New Zealand in 1962, and Norway in 1965. The British government has recently had the establishment of such an office under consideration. The idea is receiving study and consideration in the United States Congress and in a number of State legislatures.

Earlier this month, Mr. Alfred Bexelius, present ombudsman of Sweden, was invited to appear before a Congressional committee—the House Sub-committee on Administrative Practice and Procedures—to testify concerning the history, operation, and functions of the ombudsman in the Swedish governmental system.

WHAT THE OMBUDSMAN DOES

Briefly summarized, the functions of the ombudsman (or civil inspector general) are as follows: He stands ready to receive any citizen's complaint concerning government administration. He has discretion to investigate a complaint or not, depending upon his objective judgment of its merit; and he may undertake investigations on his own initiative if he feels it would be in the public's interest. He may compel testimony and the production of evidence. He may make unannounced inspection tours. When he has completed his investigation, he may make recommendations for the correction of any abuse or error he finds. He may suggest changes in procedures to avoid future difficulties. He may publicize his findings and make recommendations to the Legislative branch.

Although he has no power to change an administrative decision, the prestige of the office gives the ombudsman's recommendations for remedial action great weight. The possibility of adverse publicity, marshaling public opinion against any agency, or of legislative action, adds to the tendency of government agencies and administrators to heed the ombudsman's recommendations. Carefully chosen and appointed by the Legislative branch for a long term of office, he affords the citizen a short-cut through the welter of government red-tape and gives the individual prompt access to a guardian of the citizen's rights against abuses and malfunctions by government, its programs, its officials, and its bureaucrats.

BUREAUCRACY NEED NOT BE TYRANNY

History demonstrates that a government without a bureaucracy is a feeble, ineffective government. Bureaucracy is essential to effective government, just as it is essential to the military and to major business and commercial enterprises. But, in the absence of adequate checks and balances, bureaucracy tends to become a form of tyranny. Signs that this is developing in the Federal government and in many governments at the State and local levels are becoming increasingly evident. Complaints of bureaucratic abuses—petty and great—flood the courts with litigation in a procedure so formidable in costs and red-tape that most citizens prefer to bear the wrong rather than to be further impoverished by pursuing the remedies in that direction. Complaints of bureaucratic abuses—petty and great—flood the offices of the legislators, to the detriment of their legislative duties and with the possibility usually of only an aspirin-type of relief for the citizen.

The idea of the ancient Romans—the greatest political geniuses prior to modern times—is worthy of full consideration as an improvement in our system of checks and balances.

SUMMARY OF THE STUDY ENTITLED "PRICES AND THE BALANCE SHEET IN 10 YEARS OF SOVIET-CAPTIVE COUNTRIES TRADE, 1955–1964

Mr. LAUSCHE. Mr. President, a study by an Estonian economist, Aleksander Kutt, recently published by the Assembly of Captive European Nations, New York, and based on data in the yearbooks of the Ministry of Foreign Trade of the U.S.S.R. for the period 1955–64, indicates that the captive European countries are not an economic liability to the Soviet Union as they are sometimes assumed to be. Quite the contrary, these countries have been a considerable asset, and an object of economic exploitation to the Soviet Union.

For a comparison, let it be pointed out that in 10 years, 1955 to 1964, the United States has granted the huge amount of $12.3 billion of unrepayable economic aid, apart from loans and military assistance, to various needy countries of the world—more exactly: $12,268 million; Statistical Abstract of the United States, 1965, U.S. Department of Commerce, 1965, page 863.

During the same 10 years, the captive European countries of Albania, Bulgaria, Czechoslovakia, East Germany, Hungary, Poland, and Rumania have been compelled to make a contribution of about $12.8 billion, also unrepayable, to the Soviet economy. This contribution consists of losses to the captive countries to the amount of $7.3 billion on their imports from, and $5.5 billion on their exports to, the Soviet Union. With a population scarcely one-half of that of the United States, and a per capita real personal income many times lower than that in the United States, the payment of this even larger amount has been so much harder for the population of the Communist-dominated East European countries.

As the Soviet foreign trade yearbooks reveal, this amount represents illegitimate profits which have accrued to the Soviet Union through charging higher prices on exports to, and paying lower prices for imports from, the captive countries, as compared with prices for similar goods in Soviet trade with Western Europe.

Some examples from the study illustrate the extent of Soviet price discrimination against the captive countries. On the Soviet export side these countries were overcharged, in 1963 and 1964, respectively, for: crude oil, 111 and 101 percent; coal, 87 and 71 percent; iron ore, 63 and 86 percent; manganese ore, 99 and 117 percent; pig iron, 82 and 76 percent; electric energy, 216 and 159 percent; synthetic caoutchouc, 51 and 54 percent; vegetable food oils, 53 and 48 percent.

It appears not all goods were overpriced to the extent of the goods named above. There were even some comparable commodities of smaller importance for which the captive countries paid less than was obtained by the Soviet Union from Western Europe. Still, on the average, the captive countries were overcharged 52 percent in 1963 and 43 percent in 1964 on comparable sample commodities covering 57 percent of all Soviet exports to these countries in both years.

There are goods, the prices of which cannot be compared, notably machinery and equipment, because of insufficient technical data in Soviet statistics. However, it can hardly be expected that while the captive countries were overcharged or underpaid for comparable goods, they were not also overcharged and underpaid for goods which cannot be compared. Therefore, an extension of percentage losses on comparable goods to goods which cannot be compared, is justified.

Applying the statistics showing the losses to the captive nations on 57 percent of comparable Soviet exports to the goods which cannot be compared, indicates a loss of about $2.8 billion for these countries on Soviet exports during these 2 years alone. During the 10-year period 1955–64, the losses of the captive countries on imports from the Soviet Union amounted, according to the study, to about $7.3 billion.

By applying a similar method of computation, the study concludes that the losses of the captive countries on their exports to the Soviet Union, resulting from Soviet underpayments for their goods, reached in 10 years about $5.5 billion.

The Soviet price discrimination distorts the true picture of balance of trade between the Soviet Union and the captive countries. During the 10 years, 1955 to 1964, at prices paid and received, Soviet exports to the captive countries amounted to $30.6 billion and imports to $28.2 billion with a balance of $2.4 billion in favor of the Soviet Union. At prices in Soviet trade with Western Europe, Soviet exports to the captive countries would have been worth only $23.3 billion and imports $33.7 billion, with a balance of $10.4 billion in favor of the captive countries.

The study recalls Soviet bloc denials of any Soviet price discrimination against the captive countries. Such denials include one by N. S. Khrushchev, in a speech in Zagreb, Yugoslavia, in 1963, and by Wladyslaw Gomulka of Poland in Gdansk, in 1962. It is also recalled that, along with these denials, official statements have been issued according to which the Communist Council of Economic Mutual Aid has been engaged at least since December 1962 in deliberations about the "correction" of prices.

The study does not expect any significant improvements in the price situation for the captive countries in the years ahead. This assumption is based on the dramatic suicide of Dr. E. Apel, the East German planning chief, in December 1965, immediately before he was to sign the Soviet-East German trade agreement for the next 5 years.

Also, in connection with this suicide, information leaked out that the new agreement foresees price cuts of 30 percent below the free market prices for East German deliveries to the Soviet Union. An underpayment of that order, it is pointed out, is nearly double the average underpayment rate to the captive countries for their exports to the Soviet Union in the years 1955 to 1964. The latter rate, according to the study, was 16.3 percent in relation to prices paid by the Soviet Union to Western Europe.

CHICAGO STUDY SHOWS PRICE MOST SIGNIFICANT FACTOR IN SCHOOL MILK CONSUMPTION

Mr. PROXMIRE. Mr. President, the administration's proposal to cut the special milk program for schoolchildren by 80 percent flies in the face of the facts. If this program has proved anything, it has shown that price is an extremely significant factor in promoting or discouraging milk consumption in the Nation's schools. The school milk program has substantially increased consumption of milk by lowering the cost of milk to schoolchildren. Since the program was initiated, milk consumption per student in the United States has increased 3½ times the preschool milk figures, from 12 quarts per pupil in 1952–53 to 42.7 quarts per pupil in 1962–63.

An 80-percent cut in the school milk program would mean an 80-percent increase in the cost of milk to schoolchildren with a corresponding dropoff in consumption. Let me take the Chicago experience as an example.

According to a study made by the Cooperative Extension Service of the University of Illinois, an increase in the price of milk to the student in the Chicago school system between 1959 and 1962 resulted in a substantial reduction in consumption. Here are the facts. In 1959 the price of milk to students in Chicago schools was 2 cents per half pint for white and 3 cents per half pint for chocolate milk. In the 1961–62 school year the price was boosted to 3 and 4 cents per half pint, respectively. The result? A drop in quarts consumed annually per student from 20.5 to 12.6.

The author of the paper states:

> These results indicate a strong relationship between price and milk consumption, although price was not the only contributing factor. I searched for other reasons but was not able to come up with any satisfactory answers.

Mr. President, this study simply illustrates that the legislative intent of Congress in passing the school milk act has been carried out. It is quite obvious that by paying part of the cost of the milk the Federal Government has increased consumption of milk in the Nation's schools, day care centers and other child care institutions while at the same time providing the dairy farmer with an additional market for his milk.

Now the Federal Government wants to cut back this highly successful program. The latest excuse is that there soon will not be enough milk to justify providing it between meals to schoolchildren. The answer to this problem, Mr. President, is not to ration the milk we have by slashing the school milk program but to encourage more farmers to go into and stay in the dairy business by increasing dairy price supports and taking other steps to see that the dairy farmer achieves a proper return on his investment.

AN AMERICAN FILM INSTITUTE

Mr. MURPHY. Mr. President, the National Council on the Arts has been given an appropriation for the creation of an American Film Institute. The idea is presently under study by the Stanford Research Institute which has received a $100,000 grant to develop a plan and find an appropriate location.

I have written Roger Stevens, as Director of the National Foundation on the Arts and the Humanities, urging that the Foundation select the only appropriate site which, in my judgment, is Los Angeles, Calif., the acknowledged world center of the motion picture industry for half a century. I think it goes without saying that the Institute should be located in Los Angeles, or more specifically, Hollywood.

Livingston L. Biddle, Deputy Chairman of the National Foundation on the Arts and the Humanities, has replied to my letter to Mr. Stevens, reporting that the feasibility study will be completed toward the end of this year and that the Foundation has heard from many groups in Hollywood and Los Angeles also urging that the Film Institute be located in that area.

Los Angeles is indeed the center of this creative industry. It would be proper that the Institute be located in the same community as most of the major studios and the many distinguished organizations representing various aspects of the industry, such as: The Academy of Motion Picture Arts & Sciences, Screen Actors Guild, Association of Motion Picture & Television Producers, Directors Guild of America, Screen Producers Guild, Writers Guild of America West, Society of Motion Picture Engineers, American Society of Cinematographers, Artist Managers Guild, Screen Cartoonists Guild, and the Screen Extras Guild.

It is my sincere hope that Mr. Stevens, Mr. Biddle, the National Foundation, and Stanford Research will weigh carefully the many advantages found in locating the Film Institute in southern California—the unquestioned motion picture center of the world.

Mr. President, I ask unanimous consent that a copy of my letter to Mr. Stevens plus resolutions passed by the California State Assembly and the Los Angeles City Council and a similar resolution passed by the board of directors of the Hollywood Chamber of Commerce, and an editorial from the Hollywood Citizen-News be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., March 24, 1966.

MR. ROGER L. STEVENS,
Chairman, National Foundation on the Arts and the Humanities, Washington, D.C.

DEAR ROGER: It has been brought to my attention that Stanford Research has received a grant of $100,000 from the National Council on the Arts, which Congress voted last year, to select a location for the American Film Institute.

As you might imagine, I have received many letters from the Hollywood area, plus resolutions from the Hollywood and Los Angeles Chambers of Commerce and telephone calls from mayors, councilmen and other public officials. They feel that there should be no question whatsoever as to the location to be selected.

I must say that I find great logic in their arguments. It seems that since Hollywood has been the unquestioned motion picture center of the world all these years it would, without doubt, be the natural place to be selected.

As you well know, not only are all the major studios located in Hollywood, but also the Academy of Motion Picture Arts and Sciences and the Society of Motion Picture Engineers, the Directors Guild, and all of the other organizations which could contribute so much to the project.

I would also like to bring to your attention a situation which may be most fortunate in your overall plan. For some time, the motion picture industry and all the guilds and unions of the industry have talked of and planned a Hollywood Museum. There was an ideal site selected which is exactly opposite the Hollywood Bowl, in a most desirable location on land which is county-owned and could be donated. There are also, I believe, carefully prepared plans drawn by William L. Pereira and Associates of Los Angeles, for an exciting building. It is the result of about three or four years of hard work by a committee which did a marvelous job in researching and collecting all sorts of important and interesting historic objects and memorabilia connected with the industry.

Because of personality differences and other incidentals of which I am not too familiar, this great plan was abandoned not too long ago. I have a feeling that all the pieces could be put back together and might result in providing a great share of the work needed for the new suggested project.

The man who was in charge is probably known to you. He was one of the very successful producers of motion pictures, and a gentleman who over the years has been active in civic affairs as well as affairs of the industry and is highly respected and regarded. He is Mr. Sol Lesser, who resides in Westwood, California. I have a hunch that he not only might be most helpful because of his background and experience of the past few years, but also would be more than pleased to make available the benefit of all the work and planning by the Hollywood Museum which he headed.

I would be pleased to hear from you if you think this suggestion has merit, and I am quite sure Mr. Lesser would be happy to come East to meet with you if you so desire.

Sincerely,

George Murphy.

Assembly Joint Resolution No. 11

Joint resolution relative to the American Film Institute

Whereas it has come to the attention of the Members of this Legislature that the federal government, in establishing the National Foundation on Arts and Humanities, has authorized the creation of an American Film Institute; and

Whereas such an institute should be located in an area which is synonymous with the development and production of motion picture films; and

Whereas there is only one city in the world which can meet these qualifications, Hollywood, California; and

Whereas millions recognize Hollywood as the "Motion Picture Capital of the World," for no other area has been so closely connected with the growth of the picture business; and

Whereas it is only fitting that Hollywood, which has supplied the world with so many delightful motion pictures, should be chosen as the location of the new American Film Institute; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to take whatever steps are necessary to insure that the American Film Institute will be located in Hollywood, California and be it further.

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to Mr. Roger L. Stevens, the Chairman of the National Council on the Arts.

Resolution by City of Los Angeles

Whereas the Federal Government has recently established a National Council of the Arts; and

Whereas under said act, a sum of five hundred thousand dollars has been set aside for the creation of an American Film Institute; and

Whereas Mr. Roger Stevens of the White House staff has appointed a committee of three men consisting of film director George Stevens, actor Gregory Peck and architect William Pereira to plan and recommend the location of the institute; and

Whereas a movement is under way to persuade the National Council of the Arts to establish the said American Film Institute in New York City; and

Whereas the names Hollywood and motion pictures are synonymous throughout the world; and

Whereas Los Angeles is the home of the motion picture industry and further is the home of that industry's leaders and technicians, artists and craftamen; and

Whereas Los Angeles is the repository of the greatest collections of motion picture memorabilia; and

Whereas the City of Los Angeles is the only logical place for the establishment of such a film institute; Now, therefore, be it

Resolved, That the City Council of the City of Los Angeles go on record as strongly urging and recommending that said American Film Institute be located here in the City that is the logical home for such an undertaking; and be it further

Resolved, That this Council send telegrams to President Johnson, Mr. Roger Stevens, Mr. George Stevens, Mr. Gregory Peck, and Mr. William Pereira and to all of the elected officials representing the City of Los Angeles in Washington, D.C., requesting that they use their good offices in helping to create this American Film Institute in the only logical place for such an institute, namely, the City of Los Angeles; and be it further

Resolved, That this Council ask the assistance of Mayor Sam Yorty, the Members of the County Board of Supervisors, the various guilds and unions representing the industry and all other persons who may be interested to aid with their influence and support in the establishment of this institute in Los Angeles.

Presented by Paul H. Lamport, Councilman, 13th District.

Seconded by James B. Potter, Jr., Councilman, 2nd District.

January 3, 1966.

Resolution by Hollywood Chamber of Commerce

At the Jaunary meeting of the board of directors of the Hollywood Chamber of Commerce, the following resolution was passed unanimously:

"The Hollywood Chamber of Commerce declares that the location of the proposed American Film Institute be logically placed in the community that has contributed most to its development: That it support efforts to secure the location of said institution here: And that it further seek the support of its friends and representatives in Congress to provide for the development of the institution in this community."

[From the Citizen-News, Jan. 11, 1966]

Let's Get Film Institute

No decisions have been made yet on the proposed American Film Institute, so now is the time for the people of this area to speak up and demand that if it is established that it be located here.

The public is indebted to Councilman Paul H. Lamport of Hollywood and to Supervisor Ernest E. Debs for their alertness in reporting that such an institute has been proposed and that New York and Washington have been considered as sites.

The two officials believe it should be in Hollywood, or in the San Fernando Valley.

It has been proposed that $500,000 of the $21 million voted by Congress for a cultural program under the new National Council of the Arts should be earmarked for the Film Institute.

The Institute ought to be integrated with the Hollywood Museum backed by Los Angeles County and envisioned as an international center for the audio visual arts and sciences.

Progress on the Hollywood Museum has been stalled but those of us who have been "plugging" for it for more than 20 years see that much of its program has been picked up for the Institute.

Ideas in common include a depository for all films from the first to the present; a gathering place for memorabilia; an educational adjunct of the film, television, radio and recording industries with classes; and with plans for assisting young people interested in a career in the technical end of the industry.

The Hollywood Museum has in storage or pledged the bulk of the memorabilia available as well as the films. The "Golden Northwest" section of greater Los Angeles, which includes Hollywood, Beverly Hills, Brentwood and the San Fernando Valley, is the home of the 75,000 or so entertainment industry technical men, writers, composers, singers, players, directors, producers and others needed to make the educational part of the project successful.

The Institute, as a part of the Museum, could be made more useful and successful here than in any other city.

Councilman Lamport and Supervisor Debs deserve our thanks and our support in their efforts to have the Film Institute established here.

If the site provided by the county for the Hollywood Museum near the Hollywood Bowl seems inadequate with the addition of the Institute, perhaps the two officials could prevail upon an organization such as MCA, which owns Universal Studios, to provide space on their property in Cahuenga Pass.

Perhaps MCA even could be persuaded to take over the operation of the project, acting for the benefit of the public and the industry.

INVESTMENT ABROAD AND THE BALANCE OF PAYMENTS

Mr. RIBICOFF. Mr. President, one of the more provocative addresses given at the annual meeting of the U.S. Chamber of Commerce recently held in Washington, D.C., was delivered by Mr. Richard C. Fenton, president of Pfizer International, whose major production facilities and research laboratory are in Groton, Conn. Mr. Fenton's informed comments and suggestions regarding the problem of our international balance of payments are worthy of serious consideration and I ask unanimous consent that his address be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks by Richard C. Fenton, President, Pfizer International, Inc., Balance of Payments Luncheon, Chamber of Commerce of the United States, Annual Meeting, May 3, 1966

My remarks will be directed to the balance of payments from the point of view of Direct Investments, and their relationship to exports. First, I believe it is worthwhile to define the terms I shall use. Direct investments are our total operating businesses abroad. They are not the dollars which the parent companies here send to assist in financing their foreign affiliates—these dollars are dollar outflows. Obviously, the businesses abroad and any particular projects which they may undertake, have other sources of finance, such as internal cash flow and local borrowings. Neither the dollars which we send to our businesses nor their retained earnings are adequately described as directed investments—they are connected with the investments, but are not the investments themselves.

The value of our direct investments abroad—that is of our operating businesses abroad—is now estimated at about $50 billion at book values. The total sales by these businesses are estimated at above $100 billion—more than the British or the French GNP, and four times total U. S. exports.

Most of these businesses abroad were set up to market products or exploit technology which their U.S. parent companies have developed.

They operate abroad because, as Mr. Stevenson said, the parent companies regard the world as their total market. If they manufacture abroad, it is because they have to in order to support marketing efforts.

It is not therefore surprising that the 500 U.S. companies with most of the direct investments who were involved in the 1965 voluntary program, account for two-thirds of total U.S. exports of manufactured products.

The fact is that these companies have recognized a *fundamental principle,* which is that *in order to export most products successfully you have to set up an operating business abroad; that is you have to make direct investments abroad.* The two, exports and direct investments, are intimately linked—the link is the need to develop markets *locally* abroad if continuous exports are to flow. We cannot meaningfully discuss exports without discussing direct investments which are the controlling factors in the larger part of our export trade.

What is the effect of direct investments on the balance of payments and the U.S. economy? Very briefly, using almost entirely Department of Commerce published statistics, direct investments abroad made a total net contribution to the U.S. balance of payments in 1964 of at least $3.7 billion. I say at least because in addition to this sum, the parent companies of the foreign operations concerned exported an additional $5 billion of goods to customers other than their affiliates, and I am quite sure that research would show a large part of these exports as being due to the marketing efforts of the affiliates—which is certainly true in Pfizer's case. Manufacturing companies alone made an even greater contribution to the U.S. balance of payments, $4.2 billion in 1964—again without counting exports to non-affiliates. These figures are the net of exports to affiliates, imports from affiliates, and dollar outflows and inflows.

The exports to affiliates alone totaled $6.3 billion. Secretary of Commerce Connor recently said that every $7,500 of export sales equals one job in the U.S. Exports of $6.3 billion on this basis equal over 800,000 jobs *in the U.S.* The other $5 billion of exports by the same parent companies in the U.S. to non-affiliates abroad means another 650,000 jobs here at home.

The figures for 1965 are not all published yet, although we do know that the 500 companies increased their contribution by $1.3 billion in the selected transactions and that a lot of this increase was in exports. The total net contribution of direct investments in 1965 was probably over $5 billion. And it is clear it will be more again in 1966.

There may be arguments on details, but there can surely no longer be dispute on the broad conclusions. As Secretary Connor recently put it: "Direct investments overseas make an immense contribution to our national economy and our balance of payments through repatriation of profits and fostering of exports."

It is clear that in the future, provided we ensure that these operating businesses abroad can develop free of restrictions to meet competition and world market opportunities, there must be a continuing source of increased contribution to the balance of payments and jobs here in the U.S.

Now, has the voluntary balance of payments program so far done any damage to our business operations abroad? I believe the answer to this is generally and up to now, "No." Remember that the basic aim of the program has been *not* to curtail our operations abroad, but as Secretary Connor has put it: ". . . to minimize the impact of the outflow of funds on the U.S. balance of payments. Corporations are encouraged to arrange financing for overseas plans in foreign money markets." This is, of course, exactly what we have done and how we have been able to expand our businesses abroad and at the same time expand our contribution to the U.S. balance of payments.

However, doing this has certainly cost us some money and probably this has hurt hardest the smaller companies who need most to be encouraged to go abroad to operate. Also I am sure there has been some misunderstanding about the intention of the program, and some companies have passed up opportunities abroad thinking they were helping the country by doing so. Doing business abroad is already complicated enough with foreign languages, laws, regulations, currencies, taxes here and abroad, not to speak of different habits and tastes, and for some this program was just the last straw and they lost interest—to the detriment of the U.S. balance of payments and economy. Perhaps these disadvantages were not too serious in the short-run—assuming that it was essential to achieve the objectives that the program set out to achieve and has achieved.

However, Secretary Fowler has recently been reported more than once as having said that the program will stay in effect until the hostilities in South Vietnam cease or are sharply reduced. Secretary Fowler did not say so, but it seems to me that the hostilities may well continue on the present basis for several years. Is the program then to go on for several years? If this possibility is being seriously contemplated, then I believe there could be a serious question as to whether the virtual cutting off of American businesses abroad from their U.S. sources of financing for any considerable period of time is really a good policy either for the United States or for other countries. Is it really wise to run the risk of harm both to American businesses abroad and to American banks at home?

Furthermore, some other fundamental questions need to be raised. Have we adequately analyzed the balance of payments problem? Are the current policies based on a right interpretation of the facts?

I was talking the other day to four very well-known economists, and all of them agreed that all the measures taken in the last few years to solve the balance of payments problem, including the exchange equalization tax, and the bank and industry voluntary programs, had probably not affected the balance of payments by more than a few hundred *million* dollars, if all factors were taken into account—and none of them was willing to say which way, plus or minus, this few hundred million dollar effect might be. If this view is even approximately correct, is our official balance of payments bookkeeping as helpful as it should be to our understanding of the problem?

On the same lines, there is a view which I know is shared by many economists of world reputation which goes something like this: What is called the United States deficit in its balance of payments is actually the result of United States economic strength, growth and political stability. Because of these factors the United States attracts the deposits of many other countries, just like a good bank attracts deposits. Do South Americans or Africans or Arabians put their money in French francs? No, they prefer to deposit their money in New York, or in Swiss banks who in turn purchase Euro dollars. Dollars are preferred because it is the strongest and safest currency in the world. In a sense, the United States, like a bank, is taking in deposits, and lending them back—borrowing short and lending and investing short and long. Some of these funds are going into good solid investments, including our own businesses abroad, which have earned and will earn good returns. This is what any good bank will do—within limits of course. The proponents of this view say that the limit is hard to define, but that it is certainly nearer to $2 billion dollars of net deposits (or deficits if you wish) per annum than $250 million.

What do these economists say about gold? They say that we should not worry if some foreigners decided to convert their deposits into gold. Let them take it if they want it—but we should make it clear that we shall not necessarily buy it back from them. Gold, say these economists, does not earn anything either for the foreigners or for us—whereas, we pay interest on the dollar deposits.

Now, I have oversimplified the argument, but I believe I have said enough to suggest that the approach has some appeal to a businessman's experience. In our companies, if we are growth oriented, we prefer plants and sales organizations and new products from research to cash in the bank—or to a gold bar in the vault. Certainly, investors prefer the company that uses its cash for productive assets to the company which sits on its cash. Similarly, I can see that if there is a choice for the United States between owning $10 billion of gold and owning $10 billion of plant and other income-producing assets, the choice should be for the plant. I cannot help noticing that in the recent years of deficits of $2 billion or so per annum, the United States has been adding several tens of billions of dollars to its productive resources here at home and building up its $50 billion of businesses around the world. Maybe it has been a good exchange, letting France have the gold, and our getting the productive assets. On the face of it, there seems to be something wrong with a balance of payments accounting which ignores over $50 billion of businesses abroad. However, foreign investors and depositors perhaps do not ignore them.

Now, when an increasing number of eminent economists is talking in this kind of way, which is so different from the official line, what is an ordinary businessman to think? Can both views be right? My own reaction in these circumstances is that since the matter is so important, to the United States, and also to our companies and stockholders, we had better do our best to try to understand the issues and come to a point of view about them. There is too much at stake for us to stand aside. We must put our weight on one side or the other, or perhaps somewhere in the middle.

Finally, with this kind of basic disagreement between the experts as to the facts and policies, I am certain that we should hold on to two clear basic principles. The first is that the U.S. domestic economy must remain strong and dynamically growing—on this, all else depends. I will not discuss this further.

The second principle is that exports must continue to grow. For this purpose our business operations abroad are vital and should be encouraged as much as possible. Certainly, they should not be discouraged or subjected to restrictions.

What can we do to help our business operations abroad to grow and return more income to this country? I make the following recommendations:

First, that a determined effort be made in Government, in *all* departments concerned, and in business to get the connection between exports and direct investments better understood. I recommend that the National Industrial Conference Board's recent study on U.S. production abroad and the balance of payments, as well as an article by Professor Emile Benoit of Columbia University in the April issue of the "Columbia Journal of World Business", be made compulsory reading by all officials concerned with exports and the balance of payments;

Second I recommend that the National Export Expansion Council Gerstacker Committee's report be very seriously considered by all concerned, for in it are several very practical and apparently easy to implement proposals to ease restrictions on our operations abroad; I have not had the opportunity to study the other two reports made to the Council;

Third, I recommend that the 1962 Revenue Act—so far as it applies to the operation of American business abroad—be thoroughly reviewed (perhaps by a high level task force from Government and the academic and business worlds), since many of its provisions irk and restrict our foreign business under the mistaken premise that we operate abroad to escape taxes and are basically doing something inimical to U.S. interests instead of the reverse;

Fourth, I recommend that a determined effort be made to locate and correct any other possible disincentives in Government policies towards operations abroad;

Fifth, perhaps some kinds of incentives could be devised to encourage companies who operate abroad to increase their total contribution to the balance of payments—not only in exports but in all ways—without harming the growth of their businesses or antagonizing foreign governments. Incentives to do something positive are better than penalties for not doing something;

Sixth, in order to encourage a continuation of a high level of borrowing abroad when, as I hope soon, the restrictions on dollar outflows are eased, perhaps some kind of exchange equalization tax in reverse could be devised to make up to companies borrowing abroad the extra cost, if any, of doing so as compared with using U.S. sources of finance.

There really is no reason why we should export only 5% of our GNP, while the European Common Market exports 15% of theirs. What we need is a coordinated and consistent government policy, embracing all interested Departments, which clearly aims to foster business operations abroad, together with wide-spread appreciation by business of the immense opportunities which await them in world markets.

HOMING DEVICES FOUND BY NAVY ON CONTINENTAL SHELF

Mr. MAGNUSON. Mr. President, there may have been those who scoffed at the recent statements made on this floor concerning the danger of "homing devices" which a Navy magazine article has charged were found by the U.S. Navy on our Continental Shelf. According to the author, they were placed there by the Soviet trawl fleet which is now exploiting our adjacent resources and harassing our fishing fleets. I would like to call your attention to a resolution which I have just received from the King County Television Service Association, Inc., an organization of competent technicians who are expressing deep concern as to the potential dangers of such devices. These men—specialists in the field of sophisticated electronics—recognizes the capabilities of electronic "snooping" equipment, and find serious danger to the safety and welfare of our Nation.

I ask unanimous consent that the resolution be printed in its entirety in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the King County Television Service Association, Inc. is an organization of shops in the King County area engaged in the professional servicing and maintenance of electronic equipment, and

Whereas because of our specialized knowledge, training, and experience we are peculiarly aware of the capabilities of electronic snooping equipment, and the possibility of under water implants of homing devices and relay stations for the re-broadcast of weak electronic signals originating on the mainland, and

Whereas the presence of a large armada of foreign vessels completely equipped with the most sophisticated of electronic gear on our immediate coast provides an ideal opportunity for the use and implanting of such equipment and devices, and

Whereas the use and implanting of such equipment and devices could seriously affect the safety and welfare of our Nation, Now, therefore, be it

Resolved, That we, as your constituents, pray that you use every means at your command to speedily remove this or any other such armada, and prevent a recurrence.

Unanimously adopted in regular meeting this 11th day of May, 1966.

ENOS R. RICE,
President, King County T.S.A.
THOMAS N. ASKEY,
Secretary, King County T.S.A.

INDUSTRIAL ESPIONAGE

Mr. LONG of Missouri. Mr. President, apparently industrial espionage—or IE as it is referred to in the trade—is becoming big business. Recently, it was disclosed that General Motors was trailing Ralph Nader, the young attorney who has been so instrumental in telling the American public about automobile safety.

But this industrial espionage, or spying goes on within the industry also. The current issue of Motor Trend reports on some of the automotive industry's activities. I ask unanimous consent to insert at this point in the RECORD an article entitled "Spotlight on Detroit," from the June 1966, issue of Motor Trend.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SPOTLIGHT ON DETROIT

First word on the '67 models . . .

Chevy's new Mustang-type car looks more like the Corvair.

Fords have wrap-around tail lights.

Plymouth, Dodge, Chrysler all have major face lift.

Pontiac hides headlights in grille.

The name of the game is industrial espionage. Or, if you prefer, spying. When it comes to this sort of thing, the auto industry is in a class by itself. Months ago, the Big Three auto firms of General Motors, Ford and Chrysler knew what competitors were planning for 1967. With new car tooling orders placed a year or more before production, an enterprising automotive cloak-and-dagger man can acquire a lot of information just by visiting Detroit jobbing shops. It's also possible that employees of the major firms, bent on making a few bucks, might leak some advance dope on a new model to a competitor.

But one thing is certain: The spy types, armed with cameras and telephoto lenses, begin staking out the automotive proving grounds each January, when prototypes of next year's car start to appear in number. Farmhouse attic windows have been a favorite vantage point to observe the winding roads of the GM proving grounds near Milford, Mich., a rural area 35 miles northwest of Detroit. That is, they were until GM started buying up the farmhouses. Nevertheless, good sets of pictures are available on most of the new GM offerings.

Things are not as bright at Chrysler. "They only make one prototype of each car," laments one competitor who nosed around the Chrysler proving ground near Chelsea, Mich., about 60 miles west of Detroit.

The choice is better at Ford, where the new cars are tested at both the Dearborn proving ground adjacent to the engineering center and at another one near Romeo, Mich., north of Detroit. For example, back in 1957, the first published picture of the Edsel was taken by an inquisitive high school youth who simply climbed a wall at the Dearborn test track and hid in the bushes with his camera until the new car came by.

Spying can sometimes work to the advantage of the company spied upon, even when the information is accurate. About nine months before the 1949 Pontiac was introduced, George Walker, who was then styling for Ford, discovered the Pontiac featured a spinner arrangement on its grille. So did the Walker-designed 1949 Ford. Walker called Pontiac and told them of the coincidence. Pontiac, which was to introduce its car after Ford, avoided the possibility of appearing to copy Ford by making a minor change which corrected the situation. And that's about the only type of change that can be made a few months before a car goes into production.

The major decisions on the 1967 models were made a year ago. But it's nice to know what your competitor is up to, even if it's too late to do anything about it. However, the companies feel they can be hurt by information leaking to the public too far in advance. The belief is that prospective customers for '66 models might decide to wait a few months for the '67 offerings if they knew what was coming up in the future. But the word gets out anyway.

THE STRUGGLE FOR GRAND CANYON

Mr. CASE. Mr. President, with America embarked on a campaign to preserve its natural beauty, it is ironic that one of our scenic treasures should be in danger of serious damage or worse.

Yet this is the case with the Grand Canyon of the Colorado, known the world over for its spectacular beauty. If legislation, presently pending before the Congress, is enacted, power dams would be constructed above and below the Grand Canyon National Park on the Colorado River.

While there is some dispute over the exact impact of this project on the national park itself, it seems clear that the majestic scenery in the area of the dams, and indeed the living river, would be drastically altered.

This is a very complex matter, involving the critical water needs of central Arizona as well as the need to protect our diminishing natural resources.

The pros and cons of the dispute were incisively presented in a recent article by William V. Shannon, a member of the editorial board of the New York Times. I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE STRUGGLE FOR GRAND CANYON

(By William V. Shannon)

The fate of the Grand Canyon of the Colorado River is now a subject of bitter controversy. The Bureau of Reclamation and the political leaders of Arizona want to build two hydroelectric dams in the Grand Canyon to carry forward a complex water project in that fast growing but arid state. Conservationists across the nation believe that additional dams would desecrate one of the world's magnificent scenic treasures.

UDALL'S DILEMMA

Caught in the middle is Secretary of the Interior Stewart L. Udall. The Reclamation Bureau, which is pushing for the dams, and the National Park Service, which is discreetly opposing them, are both constituent agencies of his department. He is an articulate and energetic official who has done a great deal for the cause of conservation. But he is also an ex-Congressman from Arizona who may someday want to resume his political career in his native state. By quietly supporting the dams, he seems to be having the worst of both worlds. His support is taken for granted by other Arizonans but it outrages his conservationist friends.

The terms of the controversy are somewhat obscured by the semantic quarrel as to whether the dams would affect Grand Canyon National Park. Advocates of the dams say they would not since both would be built outside the park's boundaries. But it has to be understood that the Colorado River is over 1,400 miles long. It has cut spectacular gorges of which the Grand Canyon—extending for 218 miles—is only one, although it is the most extraordinary. The national park covers only the most accessible portion of the river's length. There is splendid canyon scenery along the river far outside the park, some of it distinct from Grand Canyon. It is this scenery whose fate is primarily in dispute.

But the national park would also be significantly, though indirectly, affected. The dams already built prevent the Colorado from flowing freely and make it difficult for the river to move the loose rock and silt in the many side canyons. The rock accumulates at the mouths of these canyons, blocking them and turning their waters into small dead lakes rather than arms of a living river.

Glen Canyon exemplifies both aspects of the problem. The Bureau of Reclamation built a dam there several years ago that not only slowed the river but also flooded out many once-accessible canyons.

Defenders of the dam counter by pointing out that the rising waters have opened up to boat travel certain side canyons that previously lay behind impassable waterfalls. Lake Powell, the artificial lake which the dam created, is on its way to becoming a popular recreation area for weekend sailors, fishermen and tourists. This is no consolation to conservationists, who emphasize that there are thousands of lakes in this country, but only one Colorado River with its sheer, towering canyon walls.

The two proposed dam sites—Marble Gorge and Bridge Canyon—are as beautiful as Glen Canyon. Marble Gorge is particularly awesome. When The Reader's Digest held a two-day meeting last month to publicize the issue of the dams, Barry Goldwater showed up to defend them but even he, a loyal Arizonan, volunteered that he wished it were possible to spare Marble Gorge.

In effect, the 1964 Republican Presidential candidate posed the issue as a necessary and tragic choice of people's need for water over their need for scenery. Conservationists, while not questioning his sincerity, refuse to see the question in these terms. They have suggested several alternatives for meeting Arizona's legitimate water needs without building these dams.

Conservationists are also striving to get across to the public something that is not generally realized—namely, that the dams are not necessary to divert water to Arizona. The only purpose of the dam is to generate electricity which can be sold for a profit, and these profits will pay some of the cost of the irrigation and water diversion project. In short, these are "cash register dams" that would make the Arizona water project more nearly self-supporting. Conservationists argue it would be better to finance the project from taxes than to flood the irreplaceable canyons.

CHANGE THE IRREPLACEABLE?

Scenic beauty is the decisive consideration. No one objected three decades ago when the Hoover Dam was built much farther west on the Colorado, because the terrain there is undistinguished. But dams at Bridge Canyon, with its sheer walls 3,000 feet deep, and at Marble Gorge would transform a unique natural scene. Do the American people really want Congress to alter irreversibly what nature has created and what man can never replace?

LOCATION OF 200-BILLION-ELECTRON-VOLT ACCELERATOR

Mr. BAYH. Mr. President, the distinguished Senator from Missouri [Mr. LONG] has addressed the Senate on a matter of significant importance to the Nation. On that day, my colleague took issue with the acceptance by the Atomic Energy Commission of the report of the National Academy of Sciences concerning the selection of six finalists for the 200-billion-electron-volt accelerator laboratory.

The merit of this project is above debate. There can be no doubt that the accelerator is necessary. If the free world is to maintain its leadership in the research of high-energy physics, this accelerator must become more than a scientific dream. The advancement of science into the realm of the unknown must continue if man is to learn the essential facts about his surroundings and to discover nuclear solutions to age-old problems.

This project, one of unequaled scope and benefit to both the scientific and cultural community in which it will reside, may well merit its description by the Governor of Indiana as the "greatest scientific prize of our time."

The Washington Post carried a story this morning about the agreement of France and the Soviet Union to join in nuclear research. The story stated that the new Russian 70-billion-electron-volt laboratory and the French bubble chamber would be completed before our 200-billion-electron-volt machine is built.

In view of the just announced agreement, it is even more important that the greatest care be taken in selecting the very best possible site for this urgently needed facility.

Senator LONG has clearly pointed out some of the more obvious fallacies in the reasoning behind the selection of the finalists. No site is perfect; if one had existed, there would have been no competition.

A total of 126 sites were submitted to the Commission. In each case questions grouped in seven broad categories had to be answered. Some proposals were submitted in very brief, skeletal form; others, such as the two from my own State, were voluminous, detailed, and costly. All proposers acted in good faith. The criteria outlined in the AEC memorandum to the Academy opened widely the door of competition.

The good faith of the Commission that inspired the numerous proposals were jeopardized by the action of the National Academy of Sciences. As a consultant to the Commission, the Academy erred in substituting its own criteria when the proposals were evaluated. Although the Academy established criteria which it considered to be in the best interests of the project, by not utilizing the previously announced standards, it effectively removed 90 percent of the proposals from the competition. Acting completely oblivious to the Commission's original directive was an act of bad faith.

The Academy obviously overlooked significant economic factors which would be of great importance in the construction and operation of the project. This comes at a time when funds for nonmilitary projects are greatly restricted. Every dollar saved without compromising the successful operation of the project is most important and necessary.

The AEC original memorandum about sites further suggested that States now lacking any stable facilities for high-energy physics would have an opportunity to gain the laboratory that would be equal to or greater than those States which have a high concentration of such facilities. In this connection the AEC states:

> Consideration to the establishment of a new center of excellence. The impact of the accelerator laboratory on a local university makes possible the transition to a new level of performance. Desirability of broadening the educational base of the Nation should be considered.

There is reason to believe that adequate consideration has not been given to the important factors of establishing "a new center of academic excellence" or to "broadening the educational base of the Nation."

The question arises whether the selection of a site for the new laboratory near an already existing center of research constitutes either expanding our "educational base" or "creating a new center of academic excellence." It appears doubtful to me that such a choice would be in the best national interest.

No one advocates that the 200-billion-electron-volt machine be built on the ocean floor, on a mountain top, or in an unpopulated desert. A number of us are advocating, however, that the center for excellence in this new vital area be built, where the Nation as a whole will benefit the most.

One cannot belittle the importance of a strong design group or a resident staff capable of managing the facility. The location of the accelerator in an area conducive to advanced learning and able to adapt to enormous demands will best serve the interests of the scientific community and the Nation.

Finally, it is interesting to note that the seven sites mentioned in the Academy report were the only ones apparently visited by the Academy team. These visitations coincided with others conducted by teams from the Commission to the remaining 85 sites.

The Nation and the free world will have much at stake in the location of this project. Acceptance of the Academy's recommendations takes on the appearance of an act of bad faith in light of the original project considerations.

The time has come for Congress to take a hard look at how best to assist in the future advancement of the scientific community. We must do everything possible to broaden the scientific and educational backbone of the Nation. The 200-billion-electron-volt accelerator has afforded us this possibility; I feel compelled to ask the Commission to take a second look at selection of the site for the laboratory. It is within the national interest that action be taken to broaden the academic base of the Nation.

"WORLD PEACE: THE NEW CONVERSATION"—SPECIAL REPORT II ON THE "PACEM IN TERRIS" CONVOCATION

Mr. PELL. Mr. President, in mid February of 1965, I was privileged to participate in the International Convocation on the Requirements of Peace, which was held in New York City. This convocation was a meeting of academicians, statesmen, and religious leaders from various countries throughout the world, all of whom have the common goal of attaining the realization of the ideals of which Pope John XXIII spoke in his encyclical, "Pacem in Terris."

The dialog that occurred at this convocation centered around an attempt to implement, through practical deed and action, the great purpose of which Pope John spoke—world peace. A broad spectrum of ideas was represented at the convocation, but all present had this one common goal.

The Dominican House of Studies' fine publication "Dominicana" recently published the reflections of some of the participants 10 months after the conclusion of the convocation. This report has, I feel, a great deal of merit, for it contributes further to the realization of Pope John's goal, a goal for which we all fervently pray during this period of strife.

I ask unanimous consent that the special report on the Pacem in Terris Convocation, entitled "World Peace: The New Conversation," be inserted into the Record so that all who share our interest in this vital subject may have access to this lucid commentary.

There being no objection, the report was ordered to be printed in the Record, as follows:

World Peace: The New Conversation—Special Report II on the Pacem in Terris Convocation

Dr. Robert M. Hutchins, head of the Center for the Study of Democratic Institutions, called the International Convocation on the Requirements of Peace "a new conversation" when he announced the event as scheduled for New York City in mid-February, 1965. Dr. Hutchins hoped the discussion would be conducted "on a level somewhere between apathy and panic, and this side of the irrelevance of propaganda." He recently commended *Dominicana's* coverage of the Convocation (Spring issue) as "one of the best we have encountered," and joins here with other major participants in reflecting on the historic Convocation. It what light should the New York gathering now be seen and what concrete results have come from it?

In the late afternoon of February 17, sixty chosen "elders" of the world community came to the dais of the United Nations General Assembly Hall. Fully aware of the plight of mankind today, their prevailing mood was a hesitant expectancy. While listening to Vice-President Humphrey challenge the world to strive for a realistic peace, they looked out at an audience of 2200 invited guests, drawn from the academic, political and religious communities. It was the absence of peace, so painfully exposed in the gentle Pope John's Encyclical *Pacem in Terris*, which had brought participants and guests together; an impulse had arisen in conscientious men everywhere to articulate the meaning of the Pope's plea for themselves. Mr. Humphrey spoke of some who would "abandon the United Nations as an imperfect instrument for preserving world peace because they dislike our imperfect world." Those present knew that the terror of nuclear war, the troubled state of Latin America and Asia, and the tremors in body and spirit of vast numbers of our human brotherhood, are merely symptomatic of this imperfection. Today the world cries for peace and yet there is no peace. Instead we live with mistrust and the megaton, with promises made and then broken, and each drains out a little of man's respect for man. The world figures in the Hall that afternoon knew that world peace is not an abstraction, much less an impossibility. But before he can share it, peace must be born within man's heart. Perhaps it was this common belief which struck the deepest chord among the participants. They realized their task on returning home: to use the highest of human achievements for the supreme goal the world community can seek.

At a distance of ten months, it is the glimpse of this vision which remains with Rhode Island's Senator Claiborne Pell. In retrospect, he told *Dominicana* editors, "the convocation was a most remarkable gathering. It was both ecumenical and universal in its makeup and yet purposefully secular in its approach. The effect, which I know was apparent to all of us who participated, was to elevate to the highest degree our world concern for the survival of civilization. I know that each of us returned to our respective posts of service and duty illuminated and inspired by the pervasive spirit and intent of Pope John. And each of us therefore has been commissioned to do whatever he can, in our own small ways, to translate the great purpose of Pope John into constructive deeds and actions."

ROLE OF NATIONAL AND WORLD COMMUNITIES

To assist local groups, the Center for the Study of Democratic Institutions has been developing, since the close of the Convocation, a format for conferences on international cooperation. At one all-day conference held October 23, over fifty civic organizations sent representatives to Center headquarters in Santa Barbara, California, to hear addresses honoring the United Nations' International Cooperation Year (ICY), now drawing to a close. The audience listened to government and professional leaders outline problems the world faces with the scientific revolution of the last decade. The Honorable Theodore Lefevre, former Prime Minister of Belgium and presently in charge of Belgium's economic coordination and scientific development, pointed to the distinction between nationalism and patriotism. The nationalist's slogan—"my country, right or wrong"—differs from that of the patriot. The latter will try to guide his country in directions that benefit all men. In the aftermath of the Convocation many are beginning to se the worth of M. Lefevre's distinction. Dr. Hutchins told us, "The practical implementation of the principles discussed at our Pacem in Terris Convocation will depend upon the development of world opinion in support of a world community. Leaders in all countries now know that we shall have one world or none; but the governments of many countries are still bound by outmoded ideas of nationalism."

Certainly the United Nations' experience of the past decade shows the international community lacking a full realization of the important "principle of interdependence." This conception, of course, cannot emerge at the national level until it is appreciated by the individuals a government represents. Vice-President Humphrey, who had pointed out the difficulties of projecting the vision of a harmonious world society down to the personal level, expressed his opinion to *Dominicana* editors that it is in this area the Convocation will have lasting significance. "The Pacem in Terris Convocation may stand years from now as one of the events which, in the perilous Twentieth Century, helped turn man from his course toward self-destruction toward a common quest for a better life.

"There is no question that, in the months since the convocation, all men—not merely those who participated in the Convocation—are more deeply aware of the perils of our time and the necessity of the never ending search for peace."

Reflecting further, the Vice-President said: "I am reminded each day of the words and actions of the men who came to the Pacem in Terris Convocation. I am sure that others in the world with responsibility for leadership bear similar remembrance. This may seem a small thing. But those who bear the remembrance are custodians of vast national military arsenals. They are the makers of policies which can turn their nations toward peaceful cooperation or toward international antagonisms.

"Nor is there any question that in these months man has come to realize more fully that, living under a nuclear cloud, it is incumbent on all men to preserve life and, inevitably, to perfect it."

This country's search was highlighted by the White House Conference, held at the end of November. Drawing a wide variety of creative thinkers, the conference looked toward new or improved channels for private and official cooperation on national and international levels.

The concept of law as basic to any lasting world peace has come rapidly to the fore since the International Convocation. Within six months of the Convocation's closing, the Washington Conference On World Peace Through Law assembled three thousand judicial officials, legal experts and observers, from over one hundred countries, for a meeting which culminated Saturday, September 18, with the adoption of a "Declaration of Faith In World Order Under Law" and a "Global Program of Research and Action." The purpose of the Conference was to open channels for the development and communication of legal processes, highlighted there as vital instruments in fostering world harmony. The impact of this meeting on both the legal profession and the public was far-reaching. In conjunction with international celebrations of World Law Day, this meeting focused more attention on the rule of law as the best formal route to peace than has been done before. Chief Justice Earl Warren, in delivering the keynote address of the Law Conference emphasized this point when he said: "Our task at this conference is to move humankind forward along the road of peace . . . for mankind's most practical hope for world peace lies in an orderly world community under the rule of law."

In order to dramatize the meaning of the week-long sessions some of the world's basic legal documents were brought together for the first time. Conferees and visitors viewed the Magna Carta, the Declaration of Independence and the Constitution of the United States, the French Declaration of the Rights of Man and the Citizen displayed beside one another. This was the first time the 1225 authorized version of the Magna Carta had left Great Britain.

Resolutions were passed here establishing a World Center of Documentation for legal materials, appointing a staff of scholars to prepare a multilingual legal dictionary and another group to collect and publish a World Law Code which will include all generally accepted multilateral treaties.

THE ROLE OF RELIGIOUS CONSCIENCE

The author of Pacem in Terris took his title of Pontiff seriously; John XXIII was interested in building bridges between men rather than delineating the gap of theological, philosophic and cultural differences already dividing mankind. His was a monumental effort to create a bond of sympathy between "all men of good will," religious believers and atheists alike. The Convocation exemplified this effort by including as participants three religious leaders, Bishop Guilfoyle of New York, Professor Ramsey of Princeton Theological School and the late Dr. Paul Tillich. Four speakers came from Russia and Poland to present Communist viewpoints to the Convocation. This spirit of dialogue between ideologies has since spread and was particularly evident at the Conference on Peace and Change, held June 18–19 at Georgetown University. Under the auspices of the Forces of Change Discussion Program of Dr. Hutchins' Center, the Fellowship of Reconciliation of Nyack, New York, and the Washington Peace Center, the assembly was a regional reflection of the Convocation spirit. This meeting was one of a series of one hundred Convocations for Leaders of Religion, which began a month after the February Convocation in New York had dissolved. In six concentrated sessions over two days, men and women influential in the local community's religious life are challenged with the moral and technological implications of our nuclear age. These conferences will continue through 1967 in major American cities. The Fellowship, a national co-sponsor with the Forces of Change group, has a broad Christian backing while the Washington Peace Center is a local agency of the American Friends (Quakers) Service Committee.

The relationship of peace to civil rights for minority groups was highlighted by CORE's James Farmer and Fr. Philip Berrigan, S.S.J.; Robert Theobald and Ben B. Seligman examined the implications of technology—especially cybernation—for the world's future; and socialist Norman Thomas offered his views on the international political situation. The diversity of speakers only served to focus attention on their common cause: the peaceful solution of trans-national problems.

The sponsoring of the Georgetown Conference by religious organizations points up a new and welcome phenomenon on the secular scene. Inspired by Pope John's attitude toward the world's problems, men of every ethical and religious persuasion are stepping into the middle of economic, social and political arenas to offer a guidance which is finding ready acceptance.

The attention to moral leadership by upright men everywhere came clearly into focus with Pope Paul's visit to the United Nations on the twentieth anniversary of its foundation this past September. It is now known that Mr. C. V. Narasimham, adviser to Secretary-General U Thant, suggested at a preliminary meeting for the Convocation in Racine, Wisconsin, during May, 1964 that Pope Paul be invited to the gathering. Shortly afterward, rumors of a papal visit became rampant. Although the Pope shared the Convocation's ideals and did send a message which was read at the first assembly, he apparently decided to postpone his visit until the anniversary celebration. In this way he acted in full accord with the objectives of the Convocation: his appearance in the General Assembly seven months later served to strengthen the prestige of the United Nations, a need often emphasized in the participants' speeches.

Pope Paul's visit, like his predecessor's letter, lent tangible support to a growing number of Americans, with prominent Catholics among them, who are denouncing war in this nuclear age. Approaching the problem from differing viewpoints, their spokesmen are not unanimous in specific goals but all hoped the Church would speak in strong terms to a world equipped with the capacity to annihilate itself. Those deeply concerned with this possibility saw the Convocation bringing it into clear moral focus. On this point, Dr. H. Stuart Hughes, Professor of History at Harvard, stated to *Dominicana* editors that: "The great contribution of last February's Convocation on Pacem in Terris was to bring together the most advanced Catholic social thought and the secular movement devoted to the cause of peace. Non-Catholics who opposed nuclear war over a number of years now realized that their efforts were in full harmony with the latest teachings of the Church on international morality. Catholics similarly discovered that Pope John's words had behind them a massive endorsement from men of good will of the most varied religious and philosophical orientations. The result was a mutual reinforcement that strengthened the cause of peace everywhere."

Undoubtedly another effect of the Convocation will be heightened interest in the Vatican Council's long awaited Schema 13, "The Church in the Modern World." Part II, Chapter 5, Sections 1 and 2 of this Pastoral Constitution discuss the international community of the peoples and means of fostering peace. Peace is here seen as the work of justice and as the order willed by God for society. This presupposes on the part of man a constant effort at self-domination and of adaption to the changing needs of society. Justice, then, must be nourished by brotherhood. But we are cautioned that in the degree that man is a sinner, the danger of war always threatens, while insofar as he triumphs over sin, he can win the battle against violence. Both in the general principles the Constitution lays down and in the mandate it gives Christians to work for world peace, there are remarkable parallels between the statements of the Council and the Convocation.

While the Constitution does allow definite tasks to world organizations, it also declares that international order does not depend on such structures alone but on individual respect for justice and for fraternal and reciprocal friendship. If all peoples are to be liberated from abusive dependence, then the foundations of international cooperation on the economic level must be renewed. The Council calls for far-reaching modification of world commerce patterns in favor of the underprivileged nations, and the obstacles of economic, political and ideological ambition are castigated. The Council document holds Christians to cooperate in these steps; action should be organized and, where necessary, implemented in union with the separated brethren. This burden falls especially upon the followers of Christ because the prosperous nations of the world are generally what are known as "Christian" nations.

THE ROLE OF ECONOMICS

If the speeches at the New York Convocation served to direct world attention toward the work of the Council, this service was not unilateral. One of the two professional economists at the discussions, and one of five women ranked among the sixty participants, was Barbara Ward (Lady Jackson). Miss Ward has battled continually for a fairer distribution of the world's wealth. Her stature as a major twentieth century thinker is admitted even by those who do not agree with her diagnoses of international economic situations. But in view of the Council's position on aid to the underprivileged, Miss Ward's position requires depth consideration by every Christian. When *Dominicana* asked for a current analysis of the world's economic posture and how this had been affected by the Convocation, Miss Ward said:

"One of the purposes of the Conference on Pacem in Terris was to bring home to the rich, white, post-Christian, ex-imperial peoples of the North Atlantic that they represent a small elite—under 20 per cent—of the world's population and yet enjoy over 70 per cent of the world's income, trade and investment. It must be said that 1965 was a good year in which to make the reminder since the combined national incomes of the wealthy nations has passed the 1,000,000 million dollar mark this year—nearly seven-tenths of the sum being the share of the United States. In fact, the statistics of American wealth now reach almost into the realm of fantasy. By *adding* some $30,000 million to its national income in 1964–65, the United States acquired, over and above its earlier income of some $630,000 millions, the equivalent of the entire national income of the whole of Africa, or 50 per cent of the national income of the whole of Latin America. Thus, in a couple of years, the United States can add, almost casually, to the top of its pyramid of riches, the equivalent of the wealth available to its poorer Latin neighbors to the South.

The abolition of world poverty, Miss Ward believes, is demanded not so much by *love*, as by the *justice* principle in the humanistic Jewish, and Christian traditions. But for the Christian, these concepts are not mutually exclusive and the imbalance of economic development finds a striking paradigm in the New Testament.

"These disproportions recreate, at the world level, the relationship of Dives and Lazarus.

"Unhappily, the reactions of Dives are also being recreated. One can say that 1965 as a year has seen a decline in any urgency to do anything about the growing gap between rich and poor nations. The proportion of Western wealth devoted to capital assistance is actually declining as the level of aid remains the same and Atlantic national income soars upwards. Any policies to ease the *discrimination* against the poor nations' trade have been lost in wrangles about the site for the new United Nations Trade and Development Board. This pause is not, of course, only the fault of the rich. The war over Kashmir between Pakistan and India, two of the most aided nations in the world, has understandably lessened peoples' fervor. But it is also being used as an excuse to put international economic cooperation at the bottom of the agenda.

"Yet Lazarus is just as hungry, just as homeless, just as sick and unemployed. He still sits at the gate. He still requires, on a world scale, the assistance—in institutional change, in capital grants, in new trade policies—without which poverty remains a dead morass at the base of society, destroying those who live in it, and corrupting the conscience of those who take notice of it. At no time has a Christian witness, based on principle and compassion, been more needed to ensure that the wealthy West is 'not weary of well-doing.'

"Will it be made and sustained? Or will Christians, like any other comfortable, well-fed, well-housed and well-entertained group, 'pass by on the other side'?"

"PEACE IN OUR TIME"?

The cry "peace," once exchanged among men as a Christian greeting, as a pledge to a common law of love, has come upon hard times. Modern history has heard it shouted from lying lips. A British Prime Minister was so deceived by a depraved prophet that returning from negotiations on the eve of World War II, he triumphantly announced we would have "peace in our time." The catastrophe of that war, with bombings for the cities of the innocent and ovens for the ethnically disinherited, made mockery of the very word.

The vision of great world leaders, meeting to form the League of Nations in the glass ballroom of Versailles, had by then dimmed; today it threatens to blur again with the stalemates and disputes in the Security Council chamber of the United Nations.

Have men learned? Looking at the world situation, it seem not. Smoke rises from the scenes of carnage all over the world. Everyone apparently believes in peace, but few receive any evidence that others do. On October 4, Pope Paul stood on the dais in the General Assembly Hall where the International Convocation had opened eight months earlier. In the interim we had suffered the tragedies of Santo Domingo and Kashmir, witnessed the spectacle of Watts and seen war escalate in Vietnam. Was the Pope oversimplifying the case of peace when he told the United Nations delegates: "The real danger comes from man himself . . . If you wish to be brothers, let the arms fall from your hands . . . No more war, war never again"? Rather, he realized that the complicated structure of any peace-keeping organization depends ultimately on the motivation of its human component. No computer has a conscience, and in a real sense, statistics do not lie; only men do. International organizations may be necessary for initiating the "new conversation" the Convocation sought; but peace cannot reign until each of us, regardless of idealogy or religion, speaks the word in concord with his neighbor. The "new conversation" will be far-reaching, according to Chief S. O. Adebo, Nigeria's Permanent Representative to the United Nations and one of the Convocation's spokesmen for the worlds emerging nations. The Ambassador told us: ". . . the greatest achievement of the Convocation was, to my mind, its success in projecting the message of Pope John's great encyclical to millions who had not till then heard it or understood its practical implications. This was the result of the special effort made by the organizers to ensure the widest possible publicity for the Convocation proceedings.

"Because of that successful effort, the impact of the Convocation has been tremendous and, in my opinion, will endure. It cannot be said that we now have, as a result, a transformed world. But we do have a slightly better informed world.

A TRIP TO MOSCOW AND EAST EUROPE

Mr. PELL. Mr. President, I came across a very interesting article in the May 11 issue of Le Monde by Paul de Auer entitled "Free Opinions, the Trip to Moscow and East Europe," which I have asked the Library of Congress to translate and which I ask unanimous consent to insert into the Record.

I believe it contains ideas and thoughts of real merit, particularly because of its emphasis on the need not to let our attention become completely engrossed by the problems of Vietnam. He also points out that General de Gaulle may well take a lead in developing real "openings to the East" when he visits Russia.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Library of Congress,
Washington 25, D.C.

Translation (French)

Legislative Reference Service
[Senator Pell]

[Source: Le Monde, May 11, 1966, Page 3]

Free Opinions—The Trip to Moscow and East Europe

(By Paul Auer[1])

The decision of the French government to leave NATO has turned the public world opinion from the events in Southeast Asia and Central Africa to the problems in Europe.

It is quite a matter of course that the French are now judging whether this decision is in their interests. The National Assembly has already taken up this question. The governments of the other NATO member states have also taken their positions. This event can, however, not leave indifferent those countries of Central and East Europe which do not have an opportunity to voice their anxieties.

These countries have, after losing the right of choosing their own system according to which they want to live, always maintained that a *powerful Western organization engaging in a coordinated foreign policy* is of vital interest to them. They know that their problems cannot be solved by the armies of the Atlantic Alliance but thanks to the fact of their existence, and, notably, on account of the *presence of NATO troops and U.S. nuclear forces in Europe.* They hoped that negotiations between West and East would one day bring about a general settlement of European affairs and, at this occasion, a closer examination of their own problems. They were convinced that such negotiations would bring only the desired results if, on the Western side, they were conducted by a powerful and united organization.

It is probable that the Soviet Union, right after the settlement of the Vietnamese affairs, will strive to come to a peaceful coexistence with the West in order to concentrate more on her defense against China's aspirations in Asia. Therefore, the Soviet leaders must already now be impressed with the fact that a peaceful coexistence can only be established on a solid and durable basis if the problems of East Germany and of the other countries of East Europe are solved according to the wishes of the respective peoples. It is evident that this can be materialized only if the border and limitations of armament problems are solved simultaneously, and if the settlement of European collective security satisfies Soviet Russia.

What the peoples at the present desire are: a) the end of the war in Southeast Asia; b) a resumption of European cooperation with Great Britain joining the Common Market and negotiations in the interest of a European political organization that will enable our continent to become an equal partner to the United States: c) the diplomatic preparation for a parley with the USSR to arrive at a settlement of Central and East European problems.

General de Gaulle promised Chancellor Erhard to bring up the problem of Germany's unification at his Moscow visit at the end of June. The President of the French Republic will render an important service to Europe and to the cause of peace if he tries in a relatively relaxed atmosphere to convince his interlocutors that situations contrary to nature can in the long run only be maintained by force. Such a force used against a strong people will in the course of time create violence, revolutions and wars.

This is not only true in the case of Germany but applies also to the other countries of Central and East Europe ruled by dictatorial regimes. The German problem is not the only European problem that needs to be solved in the interest of peace. We are too easily inclined to forget what had happened in Yalta and then in 1956.

It is not sufficient to state that the atmosphere in the countries of Central and East Europe has improved. It cannot be denied that it is more tolerable now than prior to the death of Stalin in spite of a certain tension of recent times. But does one really believe that the nations will accept this situation as final, that peoples of high culture and Western mentality will renounce forever the possibility of controlling and criticizing their government in the press and in parliament? That they will continue being satisfied with one political party and voting on one list only? That they will still tolerate for a long time unjustified arrests for alleged political crimes and a sub-standard living? And does one really believe that cultural exchanges only—even their usefulness is debatable—and commercial treaties which the West tries to conclude with them in order to enlarge its marketing areas will stimulate the evolution in such a measure that the problems will then soon solve themselves to the satisfaction of these peoples with the result that the explosive elements in that region disappear? Certainly not. These problems will not be solved and peace in Europe cannot be guaranteed unless the negotiations in the interest of these peoples are started from a strong position and concessions demanded, and offered at the same time in other provinces. Those who insist on letting the Asians and Africans live as they want should also permit the Europeans to organize their lives according to their interests and desires.

Let us therefore hope that the President of the Republic of France will not limit his parley in Moscow to the German problem, only but also bring up the problems of the other countries of East Europe. After having told the NATO member states to withdraw their troops from French territory, he is now in an excellent position to ask the USSR to withdraw her troops from Hungary and Poland and to respect the fundamental freedom of more than 100 million Europeans.

(Translated by Paul Vidal.)

HOW WILL AUTHORITIES PREVENT PROFITEERING UNDER THE MEDICARE PROGRAM?

Mr. ANDERSON. Mr. President, in less than 6 weeks the hospital and physician insurance parts of medicare will go into effect. More than 18 million Americans over 65 will be covered. Although a good deal of attention has been centered on this large new system for protecting the aged directly, and their families indirectly, against the high cost of medical and hospital services, the public still has questions.

I tried to answer many of these questions in an interview in a recent issue of Look magazine. I ask unanimous consent that the interview be printed in the Record.

There being no objection, the interview was ordered to be printed in the Record, as follows:

Senator Anderson, do you anticipate continuous opposition to Medicare from many doctors?

Not really. Some doctors in one community in New Jersey a few years ago said they would treat no patients under Medicare, and there have been a few medical societies that have passed resolutions urging members to boycott the program. But the public and other physicians were quick to condemn that attitude. The AMA president, Dr. James Z. Appel, has stated that Medicare is the law of the land and that while doctors as individuals could refuse treatment of the aged, to do so in organized groups would probably invite action under the antitrust laws. Sure, some doctors are going to talk about Federal controls and wave all the old battle flags, but they will be few.

If a patient's family doctor does refuse to treat him under the Medicare program, what can the patient do?

He can go to another doctor. The bill gives him complete freedom of choice. But I honestly don't think very many physicians are going to refuse him care. They treat other patients who are under Blue Shield, and commercial insurance companies, which will handle doctors' bills under Medicare.

Physicians have received hundreds of millions of dollars in Federal money over the years to treat welfare and other patients without Federal interference. The hospitals in which they practice have been built in large part with Federal Hill-Burton funds. I think most doctors recognize this, and

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[1] Former Hungarian minister to France.

Medicare patients will receive just as good care as other patients.

How will you prevent doctors from performing unnecessary operations or ordering automatic hospitalization for the aged?

Studies show that far too often, doctors perform unnecessary surgery, but this happens most often in the institutions that, in other ways as well, fail to provide the best care. Hospitals affiliated with medical schools, and others with teaching programs, are seldom guilty.

Most good hospitals now have tissue committees that conscientiously monitor operations and analyze organs removed and case records to make sure that the operations were necessary. The fact that, under Medicare's provisions, a hospital-staff committee may look at the case to check if hospitalization was medically proper will discourage doctors from automatically ordering a person into a hospital if such care isn't actually needed.

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Do you see any sign that doctors and hospitals will inflate their fees to profiteer on Medicare?

Well, I wouldn't call it profiteering. There are some signs that physicians are taking steps to increase their fees and charges before July 1. I am a little reluctant to call anyone a profiteer, but I am distressed about reports of fees being inflated to get the most out of Medicare. I am concerned that some physicians may regard the program as an open invitation to give unnecessary treatment—such as vitamin injections, unwarranted laboratory tests and the like—simply because Medicare will pay. I learned that in Gary, Ind., several years ago, when the health benefits of the United Steelworkers' contract there included outpatient X-ray services, many physicians put in X-ray machines because there was now a guarantee of payment for such services.

We have reports that some physicians will go into a nursing home, spend ten minutes to see ten welfare patients and send bills for each of them for examinations, I don't want to see this type of medicine. Not only is it bad medicine but it's costly. Regrettably, there are such cases, and they are documented. One physician testified before a Senate committee: "We watched a doctor who came in, took off his coat, put it on his arm, and 20 minutes later, left the nursing home. I asked the nurse how many patients he had seen. He had seen 20 patients in those 20 minutes."

I've suffered from tuberculosis, diabetes, shingles, heart disease and undergone major surgery twice in recent years. So I depend quite heavily on physicians and know the vast majority to be honest men. But I think there are also a few who will try to abuse this program. The honest doctors are going to have to watch their colleagues, and of course, the Congress that created this program will be watching too.

Many of our hospital beds are occupied by people over 65. How much do you expect this figure to rise?

The aged now account for about 25 percent of hospital bed-days occupancy. If they were to increase their use as much as 20 percent, total hospital use by patients of all ages would rise only five percent, which is not too much. But many hospitals are jammed. Some preliminary work, such as diagnostic tests, can be performed before the patient is admitted to the hospital, thereby shortening his hospital stay and reducing costs. There will be increased use after July 1, but I think it will level off, and with alternative kinds of care for the physician and patient actually to choose, we can get wiser use of facilities. It should also be understood that the initial increased usage will not be frivolous; there is much unmet medical need among older people, which, quite properly, should be taken care of.

With the heavier use of hospitals by the aged, will there be a shortage of doctors and facilities for handling emergency cases?

There is already a shortage of physicians and, in some places, of hospital facilities, unrelated to Medicare. But Medicare covers some alternatives to hospital care, such as the use of outpatient diagnostic clinics and doctors' offices. I don't think the aged, come July 1, will pour into the hospitals and flood the corridors, especially right after the program becomes effective and those who couldn't afford care before can get it.

One of the things that concerns me as much as the shortage of physicians, nurses and hospitals is that we don't properly employ those we now have. We have a heavy concentration of doctors in cities. We have hospitals that unnecessarily duplicate facilities available in other nearby institutions. Since it is going to be a long time—despite the increased Federal aid for medical students, construction of medical schools and training of other health personnel—before we close the gap, it is absolutely essential that we use more efficiently the personnel and facilities we now have.

Will standards for hospital accreditation be lowered to provide more beds for the hundreds of thousands of new patients?

I certainly hope not. The Joint Commission on Accreditation of Hospitals, whose standards the law follows, is composed of representatives of the American Medical Association, the American Hospital Association and other professional groups. I do not expect those organizations, which have worked over the years to improve standards, to suddenly reverse their position and let down the barriers. It doesn't help the health of our people, when hospitals are in short supply, to call what amount to large rooming houses hospitals. As we build more medical schools, the prospects increase that more hospitals will have affiliation with teaching institutions. We know from experience that such hospitals offer excellent care.

How will Medicare protect old people from being bilked by quacks?

The Medicare law defines a physician as an individual "legally authorized to practice medicine and surgery by the state." So we are not going to be paying charlatans. If a man is not a physician, his bill for "medical service" will not be paid.

Many doctors not now certified as surgeons perform operations in privately owned hospitals. Will this be permitted under Medicare?

As the Medicare proposal moved through Congress, some of our friends in medicine and public health urged us to require that generally only board-certified physicians—that is, diplomates of the American Board of Surgery—be reimbursed for surgery performed on the aged.

WHAT IT WILL COVER

Hospital service (excluding physicians' services) for a period of up to 90 days in a spell of illness.

Posthospital extended care for up to 100 days in a spell of illness.

Outpatient diagnostic services at a hospital and posthospital home health services—as many as 100 visits a year.

*Doctors' bills for home, office and hospital visits.

*Surgery, consultation and specialists' fees.

*Home health services; previous hospitalization not required.

*Laboratory and X-ray tests outside a hospital.

*X-ray, radium and radioactive-isotope therapy.

*Rental of durable medical equipment.

*Ambulance services, Surgical dressings.

WHAT IT WON'T COVER

Cost of private-duty nurses. Long stays in nursing homes.

Routine physical checkups and general dental care.

Routine eye and ear examinations. Eyeglasses and hearing aids.

Drugs outside the hospital or institution. Custodial care.

Note: The patient pays the first $50 in a calendar year under the voluntary part. He also must pay 20 percent of additional expenses above the $50. The patient also pays the first $40 of his total hospital bill for the first 60 days and $10 a day on the next 30 days. After the first 20 days in an extended-care facility, he pays $5 a day. He pays the first $20 for outpatient diagnostic care (but he can count this toward the $50 deductible) and 20 percent of the amount over that.

Of course, that might be an ideal situation, but it would mean that a lot of people who needed surgery could not have it performed because there are a limited number of such doctors in some parts of the country. So Medicare will pay for surgery performed by any licensed physician. In the future, however, desirable standards may be established.

How would you encourage this?

Perhaps—and this is only an idea—we would want to develop within the General Accounting Office, which is Congress' watchdog on Federal spending, teams of medical auditors who could review the records on a particular surgical procedure. Then, in consultation with physicians, these teams could evaluate the information they had gathered to see if there was any unusual rise in surgical procedures as a result of Medicare.

Some profiteers have already entered the nursing-home field. Will more of the aged now be victimized by firetrap homes staffed by incompetents?

I should make it absolutely clear that Medicare does not cover nursing-home care generally. The program pays for a very special type of care after a period in the hospital. We deliberately called it "posthospital extended care" to avoid any notion that we were going to pay for long-term stays in a home or even for brief custodial or domiciliary care. About $500 million worth of nursing-home care is provided annually from public funds. Even though half this amount comes from the Federal Government, too often old people are kept in homes with dangerous conditions, without registered nurses, without adequate records and without any degree of supervision by a physician, mostly because welfare cannot pay for good-quality care. Medicare is not going to encourage that kind of care by paying for it. State agencies may continue to wink at substandard conditions, but substandard homes will not qualify for Medicare patients, and Medicare standards will avoid the danger to health at many existing homes.

What limitation will be placed on the care of the senile? If they cannot be looked after by members of their families, will they be provided with nursing-home care indefinitely?

No. Medicare is designed to take care of the very heavy expenses involved in hospitalization and physicians' fees. It is not designed to take care of people who have to spend years in bed and who really require long-term personal care. But public assistance can aid those who require prolonged custodial care beyond the capacity of their personal resources, and, relieved, of a major part of the cost of caring for indigent aged by Federal programs, the states should be able to raise their payments for nursing-home services.

Will Medicare require that doctors prescribe "generic drugs" rather than the higher cost trademark drugs?

Medicare pays for drugs only for patients in hospitals or in extended-care facilities.

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*This coverage available only to those who have taken out the $3-a-month medical insurance.

Hospitals by and large use generic drugs, a procedure recommended by the American Hospital Association. We wrote into the bill prohibitions against the prescription of drugs that were not approved by hospital committees or were not in approved formularies. The drug industry urged that Medicare be amended to pay for any drugs prescribed by a patient's physician, but we wisely refused. The industry proposal would probably have increased Medicare's costs by use of higher-priced trade-name drugs.

How will medical care be provided for people in isolated rural areas?

About the way it is provided now. Rural areas generally suffer from a shortage of medical personnel and facilities, and the seriously ill frequently have to travel to the cities in order to get adequate care. It seems to me that the Federal Government, which is providing grants and loans to medical students, might want to offer inducements to young physicians to practice in rural areas.

The day may come when medical personnel will fly by helicopter—in "airborne clinics"—to these isolated areas. But, of course, complicated cases and major surgery will still have to be taken care of mainly in the metropolitan areas.

After Canada's Province of Saskatchewan adopted its prepaid plan, patients who wanted nonemergency surgery had to wait as long as six months for beds. Are we going to have a similar problem during the first months of Medicare?

The situation in Saskatchewan was different. The entire population was covered, and hospitals were fuller when their program started. In this country, hospitals are not so crowded, although patients awaiting elective surgery normally wait days or a few weeks for an operation. Priority is given cases that need immediate admission. I am quite confident that any aged patient who needs surgery will have it done promptly and that the physicians will establish the same sort of priorities that now prevail in handling non-Medicare patients.

Many people feel that, over the next few years, many new hospitals and nursing homes will have to be built. Will Medicare provide some funds for this purpose?

No, not directly, but Medicare will pay the reasonable cost of care in these facilities, and that will serve as an incentive for the construction of additional extended-care facilities. Medicare payments will include depreciation allowance that can be used to finance the rebuilding of obsolete hospitals. More hospitals and nursing homes are needed, but I think we have to be quite careful about the kinds we build and where we build them. We really need to do a far better job of planning.

The Hill-Burton program, which began in 1946, has put hundreds of millions of Federal dollars into the construction of nonprofit hospitals and nursing facilities. The Federal Housing Administration and the Small Business Administration provide loans and guarantees for profitmaking nursing homes. These need to be stepped up, but only in accordance with the best in local planning and the highest standards of care.

We are accustomed to the idea that the cost of almost anything can be reduced. Do you have any hope that the expansion of medical services under Medicare will lead to some cost reduction through the use of more economical techniques?

Not in the near future. I expect that with the wage scales in hospitals leveling off, we may find hospital costs will not rise as sharply as they have. We need to modernize our hospitals—one-third of them are frightfully obsolete. The estimated cost of this modernization is over $4 billion. In New York City alone, modernization and replacement of obsolete hospitals—without even trying to construct new bed capacity—would run at least $250 million; in greater Chicago, $180 million. Old hospitals are deteriorating rapidly, and care in these hospitals is inefficient. But hospital services don't lend themselves to mechanization to the same extent as manufacturing processes, so medical care will probably never benefit as much from productivity increases as do most other industries.

You once suggested that we need to develop alternatives to high-cost general-hospital care. What do you have in mind?

When the cost of short-term care in general hospitals is running around $50 a day, we need to provide the physicians with some alternatives. More emphasis on prevention is required so that illness can be detected before it becomes expensive to relieve and a threat to life. You know, if we could do a better job—and we are making some gains—in early detection of cancer, we might cut the long stays in hospitals and convalescent homes. Too many patients use costly hospital beds when they might be just as well-off in less-intensive nursing wards or convalescent units affiliated with the hospital. Costs might be cut in half. But the fact is that even those less-intensive-care units require trained personnel. Medicare, for example, requires that the extended-care facility have a full-time RN.

Right now, there are hospital wards that are closed because of a lack of nurses to staff them. Everything possible should be done to encourage the return of women who have left nursing and who may now have raised their own families and are free to resume this vital service.

Under Medicare, we understand that review committees will determine whether or not hospital rooms are being properly utilized. What will happen in the case of patients who resist being discharged, even though the utilization-review committee feels hospitalization is no longer necessary?

We must rely on the doctors. One of the real gains in Medicare over some other health-insurance programs is its alternatives to prolonged hospitalization. A patient whose doctor considers him ready may move on to an extended-care facility, where the costs are only about half as much as the general-hospital bed, and Medicare will continue to cover him. Or the doctor may recommend that he be sent home and be seen by a visiting nurse or a therapist. That means a further reduction in costs. Or the patient can take advantage of Part B and receive care in the physician's office. One of the problems with hospital use now is that much of present insurance does not cover enough of these alternatives, and so sometimes a patient—young or old—occupies an expensive hospital bed because that is the only place his policy covers.

This belief in using less costly types of medical facilities when the patient and hospital would be better served was behind my fierce antagonism last year to a proposal of Sen. RUSSELL LONG. He advocated taking off any limits on a Medicare patient's stay in the hospital and skilled nursing home. Sen. PAUL DOUGLAS, a Medicare champion, at first supported LONG'S amendment. But he helped me defeat it later. PAUL, who was wounded while with the Marines in the South Pacific, recalled that he had been in a naval hospital about 12 or 13 months. "One morning, I awoke," he told us, "and thought, 'Isn't this a nice, comfortable life?' Suddenly, I realized what was going through my mind, and I got out of there." We don't want the patient to remain hospitalized beyond useful stays.

Will privately owned hospitals and nursing homes be permitted to make a profit on Medicare patients as they are now allowed to do on Blue Cross patients?

Generally, the major return to proprietary hospitals and homes is the payment of salary for the services of the owner, an allowable cost for reimbursement under Medicare. Whether there will be a specific payment to take into account the actual money investment has been an issue.

Some hospitals claim they now lose money on most Blue Cross cases. Will such hospitals also lose money on Medicare?

No. The law requires that hospitals be paid the cost of the care they provide older people. The hospitals will be much better off financially under Medicare. They have often had to pick up the tab for indigent patients who are either totally unable to pay or for whom welfare programs pay only a small portion of the actual cost. The hospitals have had to appeal to charity for aid. Medicare will relieve them of the unfair burden of providing needed care to persons without the capacity to pay. They will be paid the "reasonable cost."

How will the reasonable cost of a hospital stay be worked out?

The law provides that consideration be given to all necessary expenses incurred in rendering hospital services—including the costs of training for nurses and other medical personnel, and expenses for research—as well as to the principles for reimbursement that have been developed by private organizations. The Department of Health, Education and Welfare has consulted with these organizations in the development of the regulations. Congress intended that payments be fair to hospitals, to the beneficiaries of the hospital-insurance program and to other patients, and that they reflect differences in the quality and intensity of care provided by the individual hospitals.

Why was Blue Cross chosen to serve as a middleman for Medicare?

Blue Cross is the creature of the hospitals, and the hospitals wanted Blue Cross to administer Medicare. I opposed making Blue Cross the administrator of the total, vast new program because it isn't clear they would represent the broad public interest, and we are dealing with billions of dollars in public money. Responsibility for administration is lodged solely with Social Security—a public agency. I think it is perfectly all right, however, that Medicare permits Blue Cross to be an agent of the hospitals in dealing with the Government, but not to set policy on the spending of public funds.

Since Blue Cross has failed to restrain the steady increase in hospital costs during the past two or three decades, how can it be counted upon to hold down costs now?

I don't think Blue Cross ought to be charged with all the blame for rising hospital costs. Expensive new equipment, personnel to operate it, rapid increases in labor costs—labor takes two-thirds of the hospital budget—have driven costs up. I think Blue Cross, over the years, should have taken greater responsibility in those areas where some restraints could be exercised, but it is moving in this direction now. For example, Blue Cross has refused to sign participation agreements with hospitals that are expanding or being built contrary to the judgment of community hospital-planning agencies. This is a real weapon in preventing unnecessary hospital construction.

With its new responsibilities under Medicare, will Blue Cross be able to offer adequate service to its subscribers?

I think so. The aged as a group have represented the heaviest per capita claims burden for Blue Cross. With the Federal program taking care of a large slice of the health costs of the elderly, Blue Cross plans should be able to provide a broader package of benefits for older persons, supplementing Social Security hospital insurance at a price they can more easily afford to pay. I suspect that hospital costs will continue to rise, and therefore, Blue Cross and other premiums will go up. But I certainly believe that these increases should not be near the 25 and 50 percent jumps in premiums that have become so commonplace. This should help younger subscribers, whose rates have been affected to a significant extent by the high-claims experience of the aged.

What will be the effects of Medicare on the costs of hospital insurance for people under 65?

The health-insurance companies keep going to state insurance commissions to ask for substantial rate increases. Aside from the general rise in health costs, one of the reasons for premium increases has been the burden of protecting the aged, whose costs generally are greater than any other group's. Now, if we cover the aged under a Government plan, the premium increases for those under 65 should be less than those of recent years.

Since Medicare benefits do not apply until the patient reaches the age of 65, what will happen to someone who is 62 or 63, too ill to work and unable to afford regular medical care?

The Medicare bill we passed last year also provides a new program for the medically indigent under 65. It may be that the states, at least the poorer ones, will not provide sufficient matching money to make this program adequate. But there are incentives in terms of Federal cost sharing to encourage these states to do so.

Will some substantial funds be invested in research into the diseases of the aged?

This year, the National Institutes of Health are spending almost $10 million on geriatrics research. While that is specifically directed at the ills of old age, the NIH is spending over $1 billion on all medical research, with particular attention to cancer and heart diseases. Work on establishment of centers for cancer, stroke and heart diseases—afflictions primarily of the elderly—is also moving ahead.

Many people believe there will be a gradual lowering of the age for eligibility under Medicare. Do you foresee such a development?

I have watched for a quarter-century, as the original Social Security program has grown in response to obvious need. The disability protection is an example. We began that in 1956 for persons over 50, and then, because it was somewhat arbitrary, we later removed the age limit. We have lowered retirement ages, made it easier for widows to receive benefits and increased those benefits over the years to keep pace with the cost of living.

You just don't put this kind of program in concrete and vow never to change it no matter what. Our Government and our society simply do not work that way. We have to be flexible. The Advisory Council on Social Security recommended last year that Medicare cover some 975,000 disabled workers under 65 because they face the same plight as so many aged—low or no income, high medical costs and inability to get adequate health insurance.

But I don't foresee Medicare growing into a sweeping program for all ages. After all, private health insurance has done reasonably well at covering workingmen and women and their families. Moreover, the broad improvements in Title XIX of the law could cover as many as 35 million indigent and low-income people. That is quite a sleeper in this law. It is the extension of Kerr-Mills, which originally covered only the aged, to all medically needy persons. I want to see us maintain a strong private-health-insurance sector. Private insurance tried for years to cover the aged adequately. It failed. That is why we needed and got Medicare. I don't see the same problems for those under 65.

Do you anticipate many major changes in Medicare in the next five years?

Not in five years. We will need several years to test out what has been done and not make changes until we are certain.

In general, how well do you feel the Medicare program will work in the first months, the first years and the future?

A program covering 18 million or more persons ove 65, involving some 5,000 hospitals and about 200,000 physicians, obviously is going to experience some rough ground. Medical people and patients will have complaints, some of them justified. Congress will hear those complaints and, where justified, will try to remedy them. The first months will show us where the bugs are, but then, the program will stabilize, and I think people will recognize it as a very useful system.

DISCLOSURE OF ASSETS AND INCOME FOR 1965 OF SENATOR AND MRS. PAUL H. DOUGLAS

Mr. DOUGLAS. Mr. President, during the last several years I have published an annual statement of my income and assets. I began this practice as a Chicago alderman in 1940, and, more recently, as a Senator. I have felt that this should be a continuing and not a sporadic disclosure. Continuing with this practice, I now wish to make such a disclosure for 1965, and, as before, to make this a joint statement for both my wife and myself:

Income of Mr. and Mrs. Paul H. Douglas for 1965 classified by source

U.S. Senate	$29,947.91
Add:	
Reimbursed travel	490.54
Reimbursed office expense	900.00
Unused stationery allowance	989.52
Subtotal	2,380.06
Total	32,327.97
Less:	
Travel expense	3,211.59
Home office expense	900.00
Cost of living, Washington, D.C.	3,000.00
Subtotal	7,111.59
Total	25,216.39
Annuities: University of Chicago	2,270.28
Annuities: Teachers insurance and annuity	793.14
Dividends	1,336.16
Capital gains	1,260.29
Interest	202.85
Book royalties, articles and honorariums for lecture less travel	4,458.52
Total income	35,537.62

II

Just as I did last year, I think I should include an explanation of two features of the statement; namely, first, the necessary expenses of a public official, and second, income from lectures. I do not think the general public realizes the necessary expenses involved in holding elected office. I have tried to keep a fairly accurate account of these items and estimate them for 1965 as follows:

1. Travel to and within home State	$3,211.59
2. Radio and television program	1,570.00
3. Entertainment of constituents and others	4,051.00
4. Contributions to political organizations and candidates	635.00
5. Incidentals:	
Western Union and telephone	$16.25
Subscriptions and memberships	643.90
Miscellaneous	88.35
Total	10,216.09

Several comments should be made about these items. I receive a mileage allowance at the beginning of each session of Congress of $307. In addition, each year I am allowed actual transportation costs for six trips to any one point in my home State. I try to make at least two trips a month back to Illinois while the Senate is in session and last year I was in the State for 95 days and visited nearly every county. I spoke at well over 250 meetings in Illinois during the year. I regard this reporting to the people and obtaining their views in return as an essential part of my job. Despite these necessary trips back to Illinois, I have been able to answer just about 94 percent of all the rollcalls during my more than 17 years in the Senate. Last year I answered 97 percent. I hope I may be pardoned if I point out that according to the Congressional Quarterly my 17-year average of 94 percent is more than 8 percentage points higher than the 86-percent average for the Senate as a whole during the last 12 years. Last year I answered 251 of the 259 rollcalls.

The coming of radio and television has widened the scope and increased the cost of adequately reporting to the people. Some stations have generously shared these costs with me, but the net expense in a normal year is between $2,200 and $2,500.

More and more people are coming to visit our National Capital. This is a very healthy and constructive development. Many naturally expect their Senators to show them attention and offer them modest entertainment. It is not only a duty but also a pleasure to do this and during a large part of 1965 I held two receptions a week and met with smaller groups at luncheons and teas. All of this also costs money, approximately $4,051. In my judgment, my legitimate entertainment expenses are much more than the amounts listed, but I am only counting these sums.

I regard contributions to my party and to candidates in whom I believe to be as much a civic duty as contributions to church and charity. If more of us would share these burdens, then parties and candidates would be freed from a humiliating and sometimes compromising search for necessary funds to wage the campaigns which are essential to the proper functioning of our democracy.

It will be seen that my total expenses for these purposes in nonelection years are around $10,000. In election years such as this my personal political expenditures paid from my own pocket will probably amount to at least $15,000.

If we add the average political expenses of $10,000, the income tax of $4,005.50 on the base salary, another $1,000 for local property taxes in Chicago and Washington, and the $2,250 for the 7½-percent contribution to the annuity fund, I had left an apparent take-home pay for the year of approximately $12,774. But expenses inside Cook County not included in the above came to at least another $3,000, making my actual net income from my job, between $9,000 and $10,000.

Considering the other personal costs of living and the heavy burden of election campaigns, it is obvious that it would be very difficult to stay in public life were it not for the lectures which I give and which last year together with royalties brought in $4,731. I should therefore add a few words of explanation about these. I have made it a general rule never knowingly to accept a lecture or other fee from any organization which to my knowledge seeks national legislation or a given foreign policy. I have therefore confined my paid addresses to educational institutions, forums, and social clubs, and have tried to guard against being influenced by lecture fees. Moreover, I try to arrange these lectures during periods in which the Senate is not in session or on weekends so as not to interfere with my Senate duties.

III

And now for our holdings of property. Mrs. Douglas and I own jointly our house and adjoining lots in Washington subject to a mortgage of approximately $6,000. I do not know what the precise net worth of these properties is, but I believe it is not far from $50,000. In addition, of course, we own the usual amount of furniture and a fairly extensive collection of books and reproductions of works of art along with a limited number of originals. I am unable to fix a value on these items. Some years ago we sold all our small holdings of stocks in order to remove any possibilities of conflicts of interest and put the proceeds into investment trusts which have such broadly distributed assets that we cannot identify any sources or be influenced by them. The market value of these stocks in May amounted to $68,656.48. A listing of these is as follows: Stein, Roe & Farnham Fund, Inc., 496 shares; Growth Industries, 666 shares; Lehman Corp., 475 shares; Adams Express, 138 shares; Niagara Share, 600 shares; National Industries, 1,103 shares.

The major portion of these shares is owned by my wife, purchased from inheritances which she has received. In addition, we own $10,500 of U.S. Government bonds and about $500 of miscellaneous bonds and stock in public, cooperative, and quasi-cooperative institutions.

Three years ago I inherited $11,316 from the estate of my brother. I gave $2,280 of this to political candidates in whom I believed, used $228 for Illinois travel expenses, met additional political expenses of $4,214.11, and now have $4,593.89 of this deposited in a special account. My personal bank account as of May 5, 1965, was $2,912 and that of my wife $1,950. However, I owe $4,100 for radio and television tapes, but I hope to recoup about $500 of this from certain radio and television stations which have generously offered to pay for part or all of the costs of the tapes furnished them. I therefore estimate my net outstanding indebtedness at about $3,600 plus $6,000 on the mortgage, or a total of $9,600.

As a result of wounds suffered on Peleliu and Okinawa, I was awarded a service-connected disability pension on retiring from the Marine Corps in 1946. Since being sworn in as a Senator in 1949 I have refused to receive a dollar of this on the ground that it was obvious that the wounds did not interfere with my ability to serve. The paymasters told me, however, that I could not turn these checks back to the Treasury and they have therefore credited these sums to my account. Some years ago these came to $32,399.60 and this will be their approximate maximum as long as I am in the Senate. I shall not draw upon them as long as I serve as an elected official and upon retirement, it is my intention to accept such sums only if needed. Upon my death the principal is to be invested in Government bonds and put in a trust fund, the income of which is to be used for the benefit of my wife and my daughter, Jean. Upon their deaths the principal is, in turn, to revert to the United States of America with some emphasis upon the acquisition of added recreational land for the people of Illinois.

Taken all together, the net value of our holdings of property amount to approximately $129,512.37 plus the $32,399.60 credited to my account, but which after meeting retirement needs and the care of my wife and daughter, I intend as stated to have revert to the United States for the beneficial use of the people. Our total assets therefore amount to approximately $161,911.97, plus the value of furniture, books, and works of art, not counting the withdrawal value of my senatorial pension rights. These holdings have been accumulated through lifelong savings and small inheritances. They were decreased this year by approximately $8,000 because of losses in the value of investments, drawing upon an inheritance to meet added political expenses and increased indebtedness for radio and television.

These are the salient facts about our income and holdings as I have been able to compile them. I have had thermofaxed copies made of my income tax statement for 1965, and this is open for inspection and verification at my office.

Speaking only for myself, I find the salary paid to Senators to be fair and adequate if one is able and willing to live a modest personal life.

I believe, however, that the people who elected me have a right to know these facts. Primarily, the disclosure of a Senator's income and assets is, I believe, the best assurance possible to the people that their representatives are not engaging in possible conflicts of interest. I am not, however, urging my point of view upon others and am making this statement merely as a personal matter.

PROPOSED AMENDMENT TO AGREEMENT FOR COOPERATION WITH TURKEY CONCERNING PEACEFUL USES OF ATOMIC ENERGY

Mr. GORE. Mr. President, it is the practice of the Joint Committee on Atomic Energy to inform the Senate when any proposed agreement for cooperation concerning the peaceful uses of atomic energy has been submitted to the committee pursuant to section 123c of the Atomic Energy Act of 1954. In accordance with that practice I, as chairman of the Joint Committee's Subcommittee on Agreements for Cooperation, wish to inform the Senate that on May 3, 1966, a proposed amendment to this country's civil agreement for cooperation with the Turkish Republic was submitted to the committee.

The amendment, which has been negotiated by the State Department and the Atomic Energy Commission and approved by the President, would extend the existing agreement for another 5 years, to June 9, 1971. Among the more significant revisions in the agreement which this amendment would affect, perhaps the most noteworthy is that providing for the transfer to the International Atomic Energy Agency of the responsibility for applying safeguards to materials and facilities transferred under the agreement for cooperation. Presently, safeguards against the diversion of these materials and facilities to military purposes are administered by the United States.

Under the terms of the Atomic Energy Act this amendment, together with certain proposed diplomatic notes which are considered part of the amending agreement, must lie before the Joint Committee for a period of 30 days while Congress is in session before becoming effective. It is anticipated that, in accordance with the general practice of the Joint Committee, a public hearing on this matter will be held prior to expiration of this statutory waiting period.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of the amendment to the agreement with Turkey, together with copies of the above-mentioned diplomatic notes and other supporting correspondence.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C. May 3, 1966.

DEAR MR. HOLIFIELD: Pursuant to Section 123c of the Atomic Energy Act of 1954, as amended, there are submitted with this letter:

(a) a copy of a proposed agreement amending the Agreement for Cooperation Between the Government of the United States of America and the Government of the Turkish Republic Concerning Civil Uses of Atomic Energy, together with copies of proposed diplomatic notes which are to be considered as part of the amending agreement;

(b) a copy of a letter from the Commission to the President recommending approval of the amending agreement; and

(c) a copy of a letter from the President to the Commission containing his determination that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and approving the amending agreement and authorizing its execution.

The amending agreement, which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended would revise and extend the Agreement between the United States of America and

Turkey which was signed at Washington on June 10, 1955, as amended by Agreements signed at Washington on April 27, 1961 and June 3, 1965.

The amending agreement would extend the Agreement for five years, until June 9, 1971. The Government of the Turkish Republic has agreed to the transfer to the International Atomic Energy Agency of safeguards responsibilities for materials and facilities transferred under the Agreement for Cooperation. Agreement with respect to this transfer would be effected by Article V of the amending agreement, together with the diplomatic notes.

Article II of the proposed amending agreement would permit the transfer to Turkey of material enriched to more than 20% in the isotope U–235 when there is a technical or economic requirement for such a transfer. Article IV would reflect the recent changes in the Atomic Energy Act of 1954 permitting private ownership of special nuclear material by enabling private parties in the United States and Turkey to be parties to arrangements for the transfer of special nuclear material. Previously, such transactions were confined to Governments. Arrangements made directly between private parties under Article IV would be undertaken pursuant to applicable laws, regulations, policies, and license requirements of the United States and Turkish Governments.

The amending agreement also includes several minor revisions. Article I would conform the fields of information exchange to our more current practice, while Article III would delete the now-obsolete requirement for the Turkish Government to retain title to enriched uranium it receives under the Agreement until such time as United States users may acquire title to such material. Article VII of the amendment would clarify Article IX of the Agreement for Cooperation by explicitly stating that the U.S. and Turkey "may" consult, not necessarily "will" consult, with each other concerning an additional agreement covering nuclear power production in Turkey.

The proposed amendment will enter into force when the two Governments have exchanged written notifications that their respective statutory and constitutional requirements have been fulfilled.

Cordially,

GLENN T. SEABORG,
Chairman.

Hon. CHET HOLIFIELD,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

Enclosures:

1. Agreement amending the Agreement for Cooperation with the Government of the Turkish Republic, together with Notes (3).
2. Letter from the Commission to the President (3).
3. Letter from the President to the Commission (3).

AMENDMENT TO AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE TURKISH REPUBLIC CONCERNING CIVIL USES OF ATOMIC ENERGY

The Government of the United States of America and the Government of the Turkish Republic,

Desiring to amend the Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of the Turkish Republic, signed at Washington on June 10, 1955 (hereinafter referred to as the "Agreement for Cooperation"), as amended by the Agreement signed at Washington on April 27, 1961, and the Agreement signed at Washington on June 3, 1965, and

Recognizing that, as the result of the consultations initiated in accordance with Article VI bis of the Agreement for Cooperation, the Government of the United States of America and the Government of the Turkish Republic have agreed to promptly request the International Atomic Energy Agency to assume responsibility for the application of safeguards to materials and facilities subject to safeguards under the Agreement for Cooperation,

Agree as follows:

ARTICLE I

Article I, Paragraph A of the Agreement for Cooperation, as amended, is amended to read as follows:

"A. Subject to the limitations of Article V, the Parties hereto will exchange scientific, technical, and economic information useful for research, training, and application in the following fields:

"1. design, construction, operation, and use of research reactors, materials testing reactors, and reactor experiments;

"2. the use of radioactive isotopes and source, special nuclear, or byproduct material in physical and biological research, medicine, agriculture, and industry; and the production of radioactive isotopes for such uses; and

"3. health and safety problems related to the foregoing."

ARTICLE II

Article II, Paragraph C of the Agreement for Cooperation, as amended, is amended to read as follows:

"C. The Commission may, upon request and in its discretion, make all or a portion of the foregoing special nuclear material available as uranium enriched to more than twenty per cent (20%) by weight in the isotope U-235 when there is a technical or economic requirement for such a transfer for use in research reactors, materials testing reactors, and reactor experiments, each capable of operating with a fuel load not to exceed eight (8) kilograms of the isotope U-235 contained in such uranium."

ARTICLE III

Article II, Paragraph D of the Agreement for Cooperation, as amended, is deleted in its entirety; Paragraphs E through H are relettered as D through G.

ARTICLE IV

Article IV of the Agreement for Cooperation is amended to read as follows:

"With respect to the subjects of agreed exchange of information referred to in Article I, it is understood that either Party or authorized persons under its jurisdiction may make arrangements to transfer materials, including special nuclear material, and equipment and devices to, and to perform services for, authorized persons under the jurisdiction of the other. Likewise, authorized private persons under the jurisdiction of either Party may make such arrangements with the other Party. Such arrangements shall be subject to:

"1. the limitations applicable to transactions between the Parties under Article II;

"2. Article V; and

"3. applicable laws, regulations, and license requirements of the Parties and their policies with regard to transactions involving private persons."

ARTICLE V

Article VI bis of the Agreement for Cooperation, as amended, is amended to read as follows:

"ARTICLE VI BIS

"The Government of the United States of America and the Government of the Turkish Republic, recognizing the desirability of making use of the facilities and services of the International Atomic Energy Agency, agree that the Agency will be promptly requested to assume responsibility for applying safeguards to materials and facilities subject to safeguards under this Agreement. It is contemplated that the necessary arrangements will be effected without modification of this Agreement through an agreement to be negotiated between the Parties and the Agency which may include provisions for suspension of the safeguard rights accorded to the United States Commission by Article VI of this Agreement, as amended, during the time and to the extent that the Agency's safeguards as set forth in IAEA document InfCirc/66, and any revision thereof, apply to such materials and facilities."

ARTICLE VI

Article VIII of the Agreement for Cooperation, as amended, is amended by deleting the date "June 9, 1966" and inserting in lieu thereof the date "June 9, 1971".

ARTICLE VII

Article IX of the Agreement for Cooperation is amended by deleting the word "will" in the second sentence and inserting in lieu thereof the word "may".

ARTICLE VIII

This Amendment shall enter into force on the date on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such Amendment and shall remain in force for the period of the Agreement for Cooperation, as hereby amended.

———

In witness whereof, the undersigned, duly authorized, have signed this Amendment.

Done at Washington, in duplicate, this ---- of -----------, 1966.

For the Government of the United States of America:

DONOVAN Q. ZOOK,
Officer-in-Charge, Atomic Energy Affairs, International Scientific and Technological Affairs, Department of State.

WILLIAM L. YEOMANS,
Assistant Director for Program Development & Liaison, Atomic Energy Commission.

For the Government of the Turkish Republic:

ERDIL K. AKAY,
First Secretary,
Embassy of Turkey.

WASHINGTON, D.C.
Initialled on April 18, 1966.

WASHINGTON, *April —, 1966.*

EXCELLENCY: I have the honor to refer to the Amendment to the Agreement for Cooperation between the Government of the Turkish Republic and the Government of the United States of America Concerning Civil Uses of Atomic Energy which is being signed today.

In connection with the Amendment to the Agreement for Cooperation, the Government of the Turkish Republic and the Government of the United States of America further agree as follows:

In the event any of the Parties to the trilateral arrangement envisioned in Article VI bis of the Agreement for Cooperation, as amended, is unable to agree to the terms of that arrangement, either the Government of the Turkish Republic or the Government of the United States of America may, by notification, terminate the Agreement for Cooperation. In the event the Agreement for Cooperation should be so terminated by either Government, the Government of the Turkish Republic agrees that it shall, at the request of the Government of the United States of America, return to the Government of the United States of America all special nuclear material received pursuant to the Agreement for Cooperation still in its possession or in the possession of persons under its jurisdiction. The Government of the United States of America will compensate the Government of the Turkish Republic for its interest in such material so returned at the United States Atomic Energy Commission's schedule of prices then in effect domestically.

It would be appreciated if you would confirm the agreement of the Government of the United States of America to the foregoing.

Accept, Excellency, the renewed assurances of my highest consideration.

Ambassador of the Turkish Republic:

Erdil K. Akay,
First Secretary,
Embassy of Turkey.

Washington, D.C.

Donovan Q. Zook,
Officer-in-Charge, Atomic Energy Affairs, International Scientific and Technological Affairs, Department of State.

William L. Yeomans,
Assistant Director for Program Development and Liaison.
Atomic Energy Commission.

His Excellency Dean Rusk,
Secretary of State,
Washington, D.C.

Initialled on April 18, 1966.

Washington, *April —, 1966.*

Excellency: I have the honor to refer to your note of April —, 1966, which reads as follows:

"Excellency: I have the honor to refer to the Amendment to the Agreement for Cooperation between the Government of the Turkish Republic and the Government of the United States of America Concerning Civil Uses of Atomic Energy which is being signed today.

"In connection with the Amendment to the Agreement for Cooperation, the Government of the Turkish Republic and the Government of the United States of America further agree as follows:

In the event any of the Parties to the trilateral arrangement envisaged in Article VI bis of the Agreement for Cooperation, as amended, is unable to agree to the terms of that arrangement, either the Government of the Turkish Republic or the Government of the United States of America may, by notification, terminate the Agreement for Cooperation. In the event the Agreement for Cooperation should be so terminated by either Government, the Government of the Turkish Republic agrees that it shall, at the request of the Government of the United States of America, return to the Government of the United States of America all special nuclear material received pursuant to the Agreement for Cooperation still in its possession or in the possession of persons under its jurisdiction. The Government of the United States of America will compensate the Government of the Turkish Republic for its interest in such material so returned at the United States Atomic Energy Commission's schedule of prices then in effect domestically.

"It would be appreciated if you would confirm the agreement of the Government of the United States of America to the foregoing.

"Accept, Excellency, the renewed assurances of my highest consideration."

I have the honor to confirm the agreement of the Government of the United States of America as requested.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:

Donovan Q. Zook,
Officer-in-Charge, Atomic Energy Affairs, International Scientific and Technological Affairs, Department of State.

William L. Yeomans,
Assistant Director for Program Development & Liaison, Atomic Energy Commission.

His Excellency Turgut Menemencioglu,
Ambassador of the Turkish Republic.

Erdil K. Akay,
First Secretary,
Embassy of Turkey.

Washington, D.C.

Initialled on April 18, 1966.

U.S. Atomic Energy Commission,
Washington, D.C., April 20, 1966.

Dear Mr. President: The Atomic Energy Commission recommends that you approve the enclosed proposed agreement amending the Agreement for Cooperation Between the Government of the United States of America and the Government of the Turkish Republic Concerning Civil Uses of Atomic Energy, together with the enclosed proposed notes to be exchanged between the two Governments, which notes are to be considered as part of the proposed amending agreement, determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The Department of State supports the Commission's recommendation.

The proposed amending agreement, which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, would revise and extend the Agreement between the United States of America and Turkey which was signed at Washington on June 10, 1955, as amended by Agreements signed at Washington on April 27, 1961, and June 3, 1965.

The proposed amending agreement would extend the Agreement for five years, until June 9, 1971. The Government of the Turkish Republic has agreed to the transfer to the International Atomic Energy Agency of safeguards responsibilities for materials and facilities transferred under the Agreement for Cooperation. Agreement with respect to this transfer would be effected by an article in the amendment, together with the enclosed notes.

Article II of the proposed amending agreement would permit the transfer to Turkey of material enriched to more than 20% in the isotope U–235 when there is a technical or economic requirement for such a transfer. Article IV would reflect the recent changes in the Atomic Energy Act of 1954 permitting private ownership of special nuclear material by enabling private parties in the United States and Turkey to be parties to arrangements for the transfer of special nuclear material. Previously, such transactions were confined to Governments. Arrangements made directly between private parties under Article IV would be undertaken pursuant to applicable laws, regulations, policies, and license requirements of the United States and Turkish Governments.

The amending agreement also includes several minor revisions. Article I would conform the fields of information exchange to our more current practice, while Article III would delete the now-obsolete requirement for the Turkish Government to retain title to enriched uranium it receives under the Agreement until such time as United States users may acquire title to such material. Article IX would be clarified by explicitly stating that the U.S. and Turkey "may" consult, not necessarily "will" consult, with each other concerning an additional agreement covering nuclear power production in Turkey.

Following your approval, determination, and authorization, the proposed amending agreement will be formally executed by appropriate authorities of the Government of the United States of America and the Government of the Turkish Republic. In compliance with Section 123c. of the Atomic Energy Act of 1954, as amended, the agreement will then be placed before the Joint Committee on Atomic Energy.

Respectfully yours,

Glenn T. Seaborg,
Chairman.

The President,
The White House.

Enclosures:

1. Proposed Agreement Amending the Agreement for Cooperation Between the Government of the United States of America and the Government of the Turkish Republic.
2. Proposed Notes.

The White House,
Washington, April 22, 1966.

The Honorable Glenn T. Seaborg,
U.S. Atomic Energy Commission,
Washington.

Dear Dr. Seaborg: In accordance with Section 123a of the Atomic Energy Act of 1954, as amended, the Atomic Energy Commission has submitted to me by letter dated April 20, 1966, a proposed agreement amending the Agreement for Cooperation Between the Government of the United States of America and the Government of the Turkish Republic Concerning Civil Uses of Atomic Energy, together with proposed notes to be exchanged between the two Governments, which notes are to be considered as part of the proposed amending agreement, and has recommended that I approve the proposed amending agreement, determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution.

Pursuant to the provisions of 123b of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby:

(a) approve the proposed amending agreement and determine that the performance of the Agreement as amended will promote and will not constitute an unreasonable risk to the common defense and security of the United States of America;

(b) authorize the execution of the proposed amending agreement on behalf of the Government of the United States of America by appropriate authorities of the Department of State and the Atomic Energy Commission.

Sincerely,

Lyndon B. Johnson.

CONSIDER ALTERNATIVES

Mr. INOUYE. Mr. President, an editorial in the Philadelphia Inquirer about the formulation of our Vietnam policy makes good sense.

It recalls that "U.S. policy in Vietnam has not been embarked upon blindly, with no consideration of alternatives or with no thought of what might happen if that policy is abandoned."

The paper points out that the framers of any policy must examine the alternatives and their probable consequences, and then take the calculated risk that the policy they have determined upon is the best that could be pursued.

I want to make this editorial available to my colleagues and I therefore ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Philadelphia (Pa.) Inquirer, May 8, 1966]

To Justify Policy—Or Criticism

"To justify a course of policy in its largest dimension," wrote Richard N. Goodwin, former assistant to President Kennedy and President Johnson, in a recent "New Yorker" article, "is to predict what will happen if that course is not taken; to prophesy the unknowable turns of history."

"All that any leader can do," he went on, "is call upon wisdom, judgment and national principle, a sense of history and a knowledge of present reality, and act on the speculative and intuitive guess that results."

This enormous limitation haunts the decision-makers at every moment of history, whether the course to be taken involves the dropping of the atom bomb on Hiroshima, Hitler's invasion of Russia, the missile confrontation in Cuba, or U.S. military operations in Southeast Asia.

If the men who make the decisions could read the future, their task would be simple. Because they cannot, they are vulnerable to misjudgment and miscalculation—as Hitler was when he invaded Russia.

The framers of any policy must examine the alternatives and their probable consequences, and then take the calculated risk that the policy they have determined upon is the best that could be pursued. They may be mistaken. They can hope that they are not, and leave room for quick changes if events contradict judgment.

U.S. policy in Vietnam has not been embarked upon blindly, with no consideration of alternatives or with no thought to what might happen if that policy is abandoned. What if South Vietnam is thrown to the Communist wolves? What if Red China is given free rein to take over all Southeast Asia? What if we retreat ignominiously and leave people now free to Communist domination?

These possibilities loom large in our decision-making, and they should be given equal weight by those critics of U.S. policy who, untroubled by the responsibility of leadership, find fault with our presence in Vietnam.

To justify their fault-finding, these critics, in and out of the U.S. Senate, must also "prophesy the unknowable." They also have the burden of considering what may happen if their assessment is wrong—as it may well be. The men who make the decisions have their responsibility, and it is an awesome one; but those who criticize the decisions, once made, cannot escape their share of responsibility also. It is something to think about.

FEDERAL DISTRICT COURT JUDGMENT AGAINST THE HANNA COMPANIES

Mr. CANNON. Mr. President, on April 27th last, in the U.S. District Court, Portland, Oreg., Judge Gus J. Solomon entered judgment for the Government after finding that the Hanna Nickel Smelting Co., wholly owned by the Hanna Mining Co., had breached its nickel stockpiling contract and overcharged the Government. The court awarded the Government $560,633 in addition to $63,525 which Hanna previously paid to satisfy one count of the complaint.

In exercising his discretion to allow interest on the improper overcharges from the date of overpayment rather than the date the breach was legally established, the court observed:

> This is a classic case of unjust enrichment.

This is in strange contrast to a statement issued by Hanna when the court handed down its initial opinion last February. At that time, the president of Hanna, stated in part:

> We are pleased with the report which vindicates the company's position and removes any question of the integrity of the company's performance and accounting.

This statement was both premature and inaccurate. Contrary to this assertion, the opinion of the district court demonstrates that the decision was not a vindication of Hanna's conduct but a repudiation of it.

Four years ago, a report made by the General Accounting Office, plus a statement inserted in the Record by Senator John Williams, of Delaware, led the Senate Subcommittee on the National Stockpile and Naval Petroleum Reserves under the chairmanship of Senator Symington, to investigate this matter thoroughly.

As noted by Senator Williams in a statement on the Senate floor on May 29, 1962, the Comptroller General made the following points regarding the Hanna nickel contracts:

> 1. Although other contracts made by GSA under the Defense Production Act of 1950 that we have reviewed limited in varying degrees the financial risks of the contractors, the Hanna Mining and Smelting Company contracts eliminated practically any risk of financial loss to the Hanna companies. Under the Hanna contracts the Government guaranteed virtually all the contractor's capital investment and provided a market for all the contractor's production at prices which virtually preclude operating losses. . . .
>
> 2. The smelting contract permits Hanna to acquire clear title to the smelting facilities costing about $22 million by paying the government the estimated salvage value of the facilities (about $1,700,000) after the Government's advance has been amortized. . . .
>
> 3. The mining contract provides a basic fixed price of $6 a ton for the sale of ore to the Government subject only to escalation of certain base costs and premiums or discounts for variances in the nickel content of the ore. The price was based on estimates submitted by Hanna, prior to actual operations, which indicated a rate of profit of about 90 percent of costs before taxes. Since the contract precludes GSA from examining the financial results of the mining operation, GSA is not in a position to ascertain the reasonableness of the estimate upon which the fixed price was established. . . .

Peculiarly limited as Hanna's obligations were under the contracts, the performance of those limited obligations came under the scrutiny of the subcommittee. The contract provided that costs of production were to be borne by the Government, while capital items were to be paid for by Hanna.

As a result of the hearings held in 1962, on November 8, 1963, the Department of Justice filed suit against the Hanna companies in the U.S. district court in Portland, Oreg., seeking damages for breach of contract. I was impressed then, as I am now, with the diligence and thoroughness with which Senator Symington pursued the facts in this case. His chairmanship was a model of impartiality and dedication to the public interest for which he deserves the thanks of this body and of the American people.

The Government alleged that the overcharges arose because the Hanna Smelting Co.: First, charged to reimbursable costs of production various items which under the contract were actually expenditures for capital items; second, obtained an inflated price for approximately 19.5 million pounds of nickel to be delivered after March 31, 1961, this as the result of its erroneous statements to the Government with respect to its actual production costs; and third, failed to properly account for certain other expenditures and receipts, the latter resulting in an overstatement of reimbursable costs.

In February 1964 the Hanna companies admitted their liability arising out of the smelting company's failure to properly account for other expenditures and receipts, and therefore paid to the Government the sum of $54,325, plus accrued interest of $9,290, or a total of $63,525, as claimed by the Government.

After an extensive trial of the remaining claims asserted by the Government, the U.S. District Court for the District of Oregon found that Hanna had breached the contract with respect to some 38 items. Accordingly judgment on these items was entered in favor of the Government in the amount of $231,506.

The court observed that the 38 capital items in question were expensed "solely to obtain reimbursement" from the Government for the expenditures that Hanna companies otherwise would have had to bear themselves.

In addition to the Government's recovery of $231,506 for the capital items which the Government decided were unjustifiably charged to costs of production, the court reformed the contract as requested by the Department of Justice, so as to reduce the price the Government was obligated to pay for the 19.5 million pounds of nickel remaining undelivered after March 31, 1961.

The court found that the parties had agreed to a price which in turn was based on a formula that was predicated upon Hanna's 1959 and 1960 costs of production.

Since the court found, however, that the smelting company charged improperly capital items to its reported cost of production, the contract was reformed in order to reflect a price which was based on actual costs of production; and this reformation reduced the price by 1.24 cents per pound on the 19.5 million pounds of nickel scheduled to be delivered after March 31, 1961, as a result entitling the Government to obtain an additional recovery of $241,798.

In its decision the court also granted the Government interest at the rate of 6 percent per annum on the amounts which the smelting company overcharged the Government. This return amounted to $87,329.

These amounts, together with the $63,525 already paid results in a total recovery of $624,158 by the Government from the Hanna Co.

The Department of Justice deserves congratulations for obtaining this large reimbursement to the Treasury as a result of the determination by the court of the illegality of the Hanna Co. costing under their nickel agreements with the Government.

It is to be hoped that the decision of the court will have a salutary effect on other contractors and businessmen coming into public office to see that their companies are not found to have been unjustly enriched in their dealings with the Government.

I ask unanimous consent that there be inserted in the RECORD a news article on the Federal court judgment against the Hanna Co. that appeared in the Portland Oregonian of April 29.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Oregonian, Apr. 29, 1966]

JUDGE ORDERS HANNA TO PAY INTEREST ON U.S. OVERPAYMENTS

U.S. Dist. Judge Gus J. Solomon has issued an order and judgment awarding the federal government some $624,154 from Hanna Nickel Smelting Co., of Riddle, Ore., and Hanna Mining Co., of Cleveland, Ohio.

The Oregon chief federal judge's action apparently closed 2½ years of litigation in federal court here.

Awards were for overcharges by Hanna to the government on the price of nickel and operations at its Riddle plant.

"This is a classic case of unjust enrichment," Judge Solomon noted in his opinion. "From the dates of overpayments, the company has had the use of the government's money."

Consequently, Solomon allowed the government's interest demands. On Feb. 24, 1966, he ruled that Hanna owed $215,109 for wrongly charged capital outlay, but left other issues unsettled.

In the original suit, the government asked $1.8 million from the firms, alleging overpayments on 107.7 million pounds of nickel produced on a government stockpiling contract from 1954 to 1961.

In the government-Hanna contract, the firms agreed to operate the Riddle smelter on a cost-plus basis. The government paid operating expenses, but was not to make equipment investments after it built the $22 million facility.

The Riddle plant was sold to Hanna in 1961 for $1.7 million.

Actually, there were four contracts signed with the government by Hanna firms on Jan. 16, 1953:

One for delivery of nickel ore at $6 a ton, another for delivery of a minimum of 95 million pounds of nickel and a maximum of 125 million pounds, a third which made Hanna Mining the government's sales agency, and a fourth which paid the company $100,000 for managing all this.

From 1946 to 1962, strategic stockpile materials were a deep government secret. Then President John F. Kennedy lifted the secrecy label and the roof blew off when a subcommittee of the Senate Armed Forces Committee headed by Sen. STUART SYMINGTON, D-Mo., began investigating in 1963.

BILLING TRIED

After unsuccessfully billing the Hanna firms for $1.8 million, the government went to court in Oregon.

Awards to the government from Judge Solomon's opinions and Hanna concessions are $63,525, paid earlier by Hanna; $215,109, capital acquisitions wrongly billed as production expenses; $16,395 for 32 "smaller" items similarly charged; $27,111 for overpayment on some 2.2 million pounds of nickel produced before March, 1961; $214,686 from the 1964 termination agreement; $79,603 interest on overcharges, and $7,724 interest from pre-March 1961 production.

In the Feb. 24 opinion, Judge Solomon held that six capital expenditures for the experimental smelter had been wrongly charged against the government.

Of "smaller" items, Solomon originally said Hanna could reclassify in expense accounts 61 items valued at $34,143.

The company reclassified 27 it said were worth $15,915, allowing 32 at a cost of $16,396 to be awarded the government.

The government, noted Solomon, conceded two items at $1,801.

CEILING NOTED

Solomon said adjustments in company costs resulting from item overcharges would require reformation of a 1961 agreement with the government to put a 58.77 cents a pound ceiling price on nickel.

Hanna, the judge said, agreed to lower the ceiling to 57.53 cents a pound, giving the government $27,111 for overpayments on 2.2 million pounds of previously produced metal.

In a 1964 termination agreement between the Hanna firms and the government, the firms agreed to pay the reduction in cost a pound on the 17.3 million pounds the government subsequently purchased.

This amounts to $214,686.

The reduction also applies to some 19.5 million pounds undelivered as of March 31, 1966, Solomon ordered.

He allowed a total of $87,327 interest on the pre-1961 nickel payments and expense overpayments.

The Riddle plant is America's sole domestic nickel producer.

SECRETARY McNAMARA'S ADDRESS TO SOCIETY OF NEWSPAPER EDITORS

Mr. PELL. Mr. President, Secretary McNamara delivered yesterday an excellent, thoughtful speech in which he ably set forth some of the problems that face the world. In presenting his thoughts on handling these problems, he spoke as a man thinking deeply and seeking peace in the world of the future. He draws on our national and international experience and economic facts of life to show that far-reaching changes must—and can—be achieved in order to achieve some sort of international law and order.

I also applaud his thought that our young people should be called upon to give 2 years of service to their Nation in some form of volunteer work.

I ask unanimous consent to have the Secretary's address printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

[From the New York Times, May 19, 1966]

THE TEXT OF ADDRESS BY McNAMARA TO AMERICAN SOCIETY OF NEWSPAPER EDITORS

(WASHINGTON, May 18.—Following is the the text of Secretary of Defense Robert S. McNamara's address before the American Society of Newspaper Editors as prepared for delivery in Montreal today:)

Any American would be fortunate to visit this lovely island city, in this hospitable land.

But there is a special satisfaction for a Secretary of Defense to cross the longest border in the world—and realize that it is also the least armed border in the world.

It prompts one to reflect how negative and narrow a notion of defense still clouds our century.

There is still among us an almost eradicable tendency to think of our security problem as being exclusively a military problem—and to think of the military problem as being exclusively a weapons-system or hardware problem.

The plain, blunt truth is that contemporary man still conceives of war and peace in much the same stereotyped terms that his ancestors did. The fact that these ancestors—both recent and remote—were conspicuously unsuccessful at avoiding war, and enlarging peace, doesn't seem to dampen our capacity for cliches.

We still tend to conceive of national security almost solely as a state of armed readiness: a vast, awesome arsenal of weaponry.

We still to tend to assume that it is primarily this purely military ingredient that creates security.

We are still haunted by this concept of military hardware.

But how limited a concept this actually is, becomes apparent when one ponders the kind of peace that exists between the United States and Canada.

It is a very cogent example. Here we are, two modern nations: highly developed technologically, each with immense territory, both enriched with great reserves of natural resources, each militarily sophisticated—and yet, we sit across from one another, divided by an unguarded frontier of thousands of miles . . . and there is not a remotest set of circumstances, in any imaginable timeframe of the future, in which our two nations would wage war on one another.

It is so unthinkable an idea as to be totally absurd.

But why is that so?

Is it because we are both ready in an instant to hurl our military hardware at one another?

Is it because we are both zeroed in on one another's vital targets?

Is it because we are both armed to our technological teeth that we do not go to war?

The whole notion—as applied to our two countries—is ludicrous.

Canada and the United States are at peace for reasons that have nothing whatever to do with our mutual military readiness.

We are at peace—truly at peace—because of the vast fund of compatible beliefs, common principles, and shared ideals.

We have our differences and our diversity—and let us hope for the sake of a mutually rewarding relationship we never become sterile carbon copies of one another.

BASIS OF MUTUAL PEACE

But the whole point is that our basis of mutual peace has nothing whatever to do with our military hardware.

Now this is not to say, obviously enough, that the concept of military deterrence is no longer relevant in the contemporary world.

Unhappily, it still is critically relevant with respect to our potential adversaries.

But it has no relevance whatever between the United States and Canada.

We are not adversaries. We are not going to become adversaries. And it is not mutual military deterrence that keeps us from becoming adversaries. It is mutual respect for common principles.

Now I mention this—as obvious as it all is—simply as a kind of reductio ad absurdum of the concept that military hardware is the exclusive or even the primary ingredient of permanent peace in the mid-20th century.

In the United States—over the past five years—we have achieved a considerably improved balance in our total military posture. That was the mandate I received from Presidents Kennedy and Johnson; and with their support, and that of the Congress, we have been able to create a strengthened force structure of land, sea, and air components—with a vast increase in mobility and materiel—and with a massive superiority in nuclear retaliatory power over any combination of potential adversaries.

Our capabilities for nuclear, conventional, and countersubversive war have all been broadened and improved; and we have accomplished this through military budgets that were in fact lesser percentages of our gross national product than in the past.

From the point of view of combat readiness, the United States has never been militarily stronger.

We intend to maintain that readiness.

But if we think profoundly about the matter, it is clear that this purely military posture is not the central element in our security.

A nation can reach the point at which it does not buy more security for itself simply by buying more military hardware—we are at that point.

The decisive factor for a powerful nation—already adequately armed—is the character of its relationships with the world. And groups of nations: first, those that are struggling to develop; secondly, those free nations that have reached a level of strength and prosperity that enables them to contribute to the peace of the world; and finally, those nations who might be tempted to make themselves our adversaries.

For each of these groups, the United States—to preserve its own intrinsic security—has to have distinctive sets of relationships.

First, we have to help protect those developing countries which genuinely need and request our help, and which—as an essential precondition—are willing and able to help themselves.

Second, we have to encourage and achieve a more effective partnership with those nations who can and should share international peace-keeping responsibilities.

Third, we must do all we realistically can to reduce the risk of conflict with those who might be tempted to take up arms against us.

Let us examine these three sets of relationships in detail.

First, the developing nations.

Roughly 100 countries today are caught up in the difficult transition from traditional to modern societies.

There is no uniform rate of progress among them, and they range from primitive mosaic societies—fractured by tribalism and held feebly together by the slenderest of political sinews—to relatively sophisticated countries, well on the road to agricultural sufficiency and industrial competence.

This sweeping surge of development, particularly across the whole southern half of the globe, has no parallel in history.

It has turned traditionally listless areas of the world into seething cauldrons of change.

On the whole, it has not been a very peaceful process.

In the last eight years alone there have been no less than 164 internationally significant outbreaks of violence—each of them specifically designed as a serious challenge to the authority, or the very existence of the government in question.

Eighty-two different governments have been directly involved.

What is striking is that only 15 of these 164 significant resorts to violence have been military conflicts between two states.

And not a single one of the 164 conflicts has been a formally declared war.

Indeed, there has not been a formal declaration of war—anywhere in the world—since World War II.

The planet is becoming a more dangerous place to live on—not merely because of a potential nuclear holocaust—but also because of the large number of de facto conflicts and because of the trend of such conflicts is growing rather than diminishing.

At the beginning of 1958, there were 23 prolonged insurgencies going on about the world. As of February 1, 1966, there were 40.

Further, the total number of outbreaks of violence has increased each year: in 1958, there were 34; in 1965, there were 58.

But what is most significant of all is that there is a direct and constant relationship between the incidence of violence and the economic status of the countries afflicted.

The World Bank divides nations, on the basis of per capita income, into four categories, rich, middle-income, poor, and very poor.

The rich nations are those with a per capita income of $750 per year or more. The current United States level is more than $2,700. There are 27 of these rich nations. They possess 75 per cent of the world's wealth, though roughly only 25 per cent of the world's population.

Since 1958, only one of these 27 nations has suffered a major internal upheaval on its own territory.

But observe what happens at the other end of the economic scale. Among the 38 very poor nations—those with a per capita income of under $100 a year—no less than 32 have suffered significant conflicts. Indeed, they have suffered an average of two major outbreaks of violence per country in the eight year period. That is a great deal of conflict.

What is worse, it has been, predominantly, conflict of a prolonged nature.

TREND HOLDS CONSTANT

The trend holds predictably constant in the case of the two other categories: the poor, and the middle-income nations. Since 1958, 87 per cent of the very poor nations, 69 percent of the poor nations, and 48 per cent of the middle-income nations have suffered serious violence.

There can, then, be no question but that there is an irrefutable relationship between violence and economic backwardness. And the trend of such violence is up, not down.

Now, it would perhaps be somewhat reassuring if the gap between the rich nations and the poor nations were closing; and economic backwardness were significantly receding.

But it is not. The economic gap is widening.

By the year 1970, over one-half of the world's total population will live in the independent nations sweeping across the southern half of the planet. But this hungering half of the human race will by then command only one-sixth of the world's total of goods and services.

By the year 1975, the dependent children of these nations alone—children under 15 years of age—will equal the total population of the developed nations to the north.

Even in our own abundant societies, we have reason enough to worry over the tensions that coil and tighten among underprivileged young people, and finally flail out in delinquency and crime. What are we to expect from a whole hemisphere of youth where mounting frustrations are likely to fester into eruptions of violence and extremism?

Annual per capita income in roughly half of the 80 underdeveloped nations that are members of the World Bank is rising by a paltry 1 per cent a year or less. By the end of the century, these nations—at their present rates of growth—will reach a per capita income of barely $170 a year. The United States, by the same criteria, will attain a per capita income of $4,500.

The conclusion to all of this is blunt and inescapable: Given the certain connection between economic stagnation and the incidence of violence, the years that lie ahead for the nations in the southern half of the globe are pregnant with violence.

This would be true even if no threat of Communist subversion existed—as it clearly does.

Both Moscow and Peking—however harsh their internal differences—regard the whole modernization process as an ideal environment for the growth of Communism. Their experience with subversive internal war is extensive; and they have developed a considerable array of both doctrine and practical measures in the art of political violence.

What is often misunderstood is that Communists are capable of subverting, manipulating, and finally, directing for their own ends, the wholly legitimate grievances of a developing society.

But it would be a gross oversimplification to regard Communism as the central factor in every conflict throughout the underdeveloped world. Of the 149 serious internal insurgencies in the past eight years, Communists have been involved in only 58 of them—38 per cent of the total—and this includes seven instances in which a Communist regime itself was the target of the uprising.

VIOLENCE SENDS SIGNALS

Whether Communists are involved or not, violence anywhere in a taut world transmits sharp signals through the complex ganglia of international relations; and the security of the United States is related to the security and stability of nations half a globe away.

But neither conscience nor sanity itself suggests that the United States is, should, or could be the global gendarme.

Quite the contrary, experience confirms what human nature suggests: that in most instances of internal violence, the local people themselves are best able to deal directly with the situation within the framework of their own traditions.

The United States has no mandate from on high to police the world, and no inclination to do so. There have been classic cases in which our deliberate non-action was the wisest action of all.

Where our help is not sought, it is seldom prudent to volunteer.

Certainly we have no charter to rescue floundering regimes, who have brought violence on themselves by deliberately refusing to meet the legitimate expectations of their citizenry.

Further, throughout the next decade advancing technology will reduce the requirement for bases and staging rights at particular locations abroad, and the whole pattern of forward deployment will gradually change.

But—though all these caveats are clear enough—the irreducible fact remains that our security is related directly to the security of the newly developing world.

And our role must be precisely this: To help provide security to those developing nations which genuinely need and request our help, and which demonstrably are willing and able to help themselves.

The rub comes in this: We do not always grasp the meaning of the word security in this context.

In a modernizing society, security means development.

Security is not military hardware—though it may include it. Security is not military force—though it may involve it. Security is not traditional military activity—though it may encompass it.

Security is development.

Without development, there can be no security.

A developing nation that does not in fact develop simply cannot remain "secure."

It cannot remain secure for the intractable reason that it own citizenry cannot shed its human nature.

If security implies anything, it implies a minimal measure of order and stability.

Without internal development of at least a minimal degree, order and stability are simply not possible. They are not possible because human nature cannot be frustrated beyond intrinsic limits. It reacts—because it must.

NOT ALWAYS UNDERSTOOD

Now, that is what we do not always understand; and that is also what governments of modernizing nations do not always understand.

But by emphasizing that security arises from development, I do not say that an underdeveloped nation cannot be subverted from within; or be aggressed upon from without; or be the victim of a combination of the two.

It can. And to prevent any or all of these conditions, a nation does require appropriate military capabilities to deal with the specific problem. But the specific military problem is only a narrow facet of the broader security problem.

Military force can help provide law and order—but only to the degree that a basis for law and order already exists in the developing society: A basic willingness on the part of the people to cooperate.

The law and order is a shield, behind which the central fact of security—development—can be achieved.

Now we are not playing a semantic game with these words.

The trouble is that we have been lost in a semantic jungle for too long. We have come to identify "security" with exclusively military phenomena; and most particularly with military hardware.

But it just isn't so. And we need to accommodate to the facts of the matter, if we want to see security survive and grow in the southern half of the globe.

Development means economic, social, and political progress. It means a reasonable standard of living—and the word "reasonable" in this context requires continual redefinition. What is "reasonable" in an earlier stage of development will become "unreasonable" in a later stage.

As development progresses, security progresses; and when the people of a nation have organized their own human and natural resources to provide themselves with what they need and expect out of life—and have learned to compromise peacefully among competing demands in the larger national interest—then, their resistance to disorder and violence will be enormously increased.

Conversely, the tragic need of desperate men to resort to force to achieve the inner imperatives of human decency will diminish.

Now I have said that the role of the United States is to help provide security to these modernizing nations—providing they need and request our help; and are clearly willing and able to help themselves.

But what should our help be?

Clearly, it should be help towards development. In the military sphere, that involves two broad categories of assistance.

We should help the developing nation with such training and equipment as is necessary to maintain the protective shield behind which development can go forward.

The dimensions of that shield vary from country to country; but what is essential is that it should be a shield, and not a capacity for external aggression.

TRAINING IN CIVIC ACTION

The second—and perhaps less understood category of military assistance in a modernizing nation—is training in civil action.

"Civic Action" is another one of those semantic puzzles. Too few Americans—and too few officials in developing nations—really comprehend what military civic action means.

Essentially, it means using indigenous military forces for non-traditional military projects—projects that are useful to the local population in fields such as education, public works, health, sanitation, agriculture—indeed, anything connected with economic or social progress.

It has had some impressive results. In the past four years, the United States-assisted civic action program, worldwide, has constructed or repaired more than 10,000 miles of roads; built over 1,000 schools, hundreds of hospitals and clinics; and has provided medical and dental care to approximately four million people.

What is important is that all this was done by indigenous men in uniform. Quite apart from the developmental projects themselves, the program powerfully alters the negative image of the military man, as the oppressive preserver of the stagnant status quo.

But assistance in the purely military sphere is not enough. Economic assistance is also essential. The President is determined that our aid should be hardheaded and rigorously realistic: that it should deal directly with the roots of underdevelopment, and not merely attempt to alleviate the symptoms. His bedrock principle is that United States economic aid—no matter what its magnitude—is futile unless the country in question is resolute in making the primary effort itself. That will be the criterion, and that will be the crucial condition for all our future assistance.

Only the developing nations themselves can take the fundamental measures that make outside assistance meaningful. These measures are often unpalatable—and frequently call for political courage and decisiveness. But to fail to undertake painful, but essential, reform inevitably leads to far more painful revolutionary violence. Our economic assistance is designed to offer a reasonable alternative to that violence. It is designed to help substitute peaceful progress for tragic internal conflict.

The United States intends to be compassionate and generous in this effort, but it is not an effort it can carry exclusively by itself. And thus it looks to those nations who have reached the point of self-sustaining prosperity to increase their contribution to the development—and, thus, to the security—of the modernizing world.

And that brings me to the second set of relationships that I underscored at the outset; it is the policy of the United States to encourage and achieve a more effective partnership with those nations who can, and should, share international peace-keeping responsibilities.

THE HIGHEST PROPORTION

America has devoted a higher proportion of its gross national product to its military establishment than any other major free world nation. This was true even before our increased expenditures in Southeast Asia.

We have had, over the last few years, as many men in uniform as all the nations of Western Europe combined—even though they have a population half again greater than our own.

Now, the American people are not going to shirk their obligations in any part of the world, but they clearly cannot be expected to bear a disproportionate share of the common burden indefinitely.

If, for example, other nations genuinely believe—as they say they do—that it is in the common interest to deter the expansion of Red China's economic and political control beyond its national boundaries, then they must take a more active role in guarding the defense perimeter.

Let me be perfectly clear: This is not to question the policy of neutralism or nonalignment of any particular nation. But it is to emphasize that the independence of such nations can—in the end—be fully safeguarded only by collective agreements among themselves and their neighbors.

The plain truth is the day is coming when no single nation, however powerful, can undertake by itself to keep the peace outside its own borders. Regional and international organizations for peace-keeping purposes are as yet rudimentary; but they must grow in experience and be strengthened by deliberate and practical cooperative action.

In this matter, the example of Canada is a model for nations everywhere. As Prime Minister Pearson pointed out eloquently in New York just last week: Canada "is as deeply involved in the world's affairs as any country of its size. We accept this because we have learned over 50 years that isolation from the policies that determine war does not give us immunity from the bloody, sacrificial consequences of their failure. We learned that in 1914 and again in 1939. . . . That is why we have been proud to send our men to take part in every peace-keeping operation of the United Nations—in Korea, and Kashmir, and the Suez, and the Congo, and Cyprus."

The organization of the American states in the Dominican Republic, the more than 30 nations contributing troops or supplies to assist the Government of South Vietnam, indeed even the parallel efforts of the United States and the Soviet Union in the Pakistan-India conflict—these efforts, together with those of the United Nations, are the first attempts to substitute multinational for unilateral policing of violence. They point to the peace-keeping patterns of the future.

We must not merely applaud the idea. We must dedicate talent, resources, and hard practical thinking to its implementation.

In Western Europe—an area whose burgeoning economic vitality stands as a monument to the wisdom of the Marshall Plan—the problems of security are neither static nor wholly new. Fundamental changes are under way, though certain inescapable realities remain.

NUCLEAR BACKDROP NEEDED

The conventional forces of NATO, for example, still require a nuclear backdrop far beyond the capability of any Western European nation to supply, and the United States is fully committed to provide that major nuclear deterrent.

However, the European members of the alliance have a natural desire to participate more actively in nuclear planning. A central task of the alliance today is, therefore, to work out the *relationships* and institutions through which shared nuclear planning can be effective. We have made a practical and promising start in the special committee of NATO defense ministers.

Common planning and consultation are essential aspects of any sensible substitute to the unworkable and dangerous alternative of independent national nuclear forces within the alliance.

And even beyond the alliance, we must find the means to prevent the proliferation of nuclear weapons. That is a clear imperative.

There are, of course, risks in nonproliferation arrangements; but they cannot be compared with the indefinitely greater risks that would arise out of the increase in national nuclear stockpiles.

In the calculus of risk, to proliferate independent national nuclear forces is not a mere arithmetical addition of danger. We would not be merely adding up risks. We would be insanely multiplying them.

If we seriously intend to pass on a world to our children that is not threatened by nuclear holocaust, we must come to grips with the problem of proliferation.

A reasonable nonproliferation agreement is feasible. For there is no adversary with whom we do not share a common interest in avoiding mutual destruction triggered by an irresponsible nth power.

That brings me to the third and last set of relationships the United States must deal with. Those with nations who might be tempted to take up arms against us.

These relationships call for realism. But realism is not a hardened, inflexible, unimaginative attitude. The realistic mind is a restlessly creative mind—free of naive delusions, but full of practical alternatives.

There are practical alternatives to our current relationships with both the Soviet Union and Communist China.

A vast ideological chasm separates us from them—and to a degree, separates them from one another.

There is nothing to be gained from our seeking an ideological rapprochement; but breaching the isolation of great nations like Red China, even when that isolation is largely of its own making, reduces the danger of potentially catastrophic misunderstandings, and increases the incentive on both sides to resolve disputes by reason rather than by force.

TRADE AND DIPLOMACY

There are many ways in which we can build bridges toward nations who would cut themselves off from meaningful contact with us. We can do so with properly balanced trade relations, diplomatic contacts, and in some cases even by exchanges of military observers.

We have to know where it is we want to place this bridge; what sort of traffic we want to travel over it; and on what mutual foundations the whole structure can be designed.

There are no one-cliff bridges. If you are going to span a chasm, you have to rest the structure on both cliffs.

Now cliffs, generally speaking, are rather hazardous places. Some people are afraid even to look over the edge. But in a thermonuclear world, we cannot afford any political acrophobia.

President Johnson has put the matter squarely. By building bridges to those who make themselves our adversaries "we can help gradually to create a community of interest, a community of trust, and a community of effort."

With respect to a "community of effort" let me suggest a concrete proposal for our own present young generation in the United States.

It is a committed and dedicated generation: It has proven that in its enormously impressive performance in the Peace Corps overseas; and in its willingness to volunteer for a final assault on such poverty and lack of opportunity that still remain in our own country.

As matters stand, our present Selective systems draws on only a minority of eligible young men.

That is an inequity.

It seems to me that we could move toward remedying that inequity by asking every young person in the United States to give two years of service to his country—whether in one of the military services, in the Peace Corps or in some other volunteer developmental work at home or abroad.

We could encourage other countries to do the same; and we could work out exchange programs—much as the Peace Corps is already planning to do.

While this is not an altogether new suggestion, it has been criticized as inappropriate while we are engaged in a shooting war.

But I believe precisely the opposite is the case. It is more appropriate now than ever. For it would underscore what our whole purpose is in Vietnam—and indeed anywhere in the world where coercion, or injustice, or lack of decent opportunity still holds sway.

It would make meaningful the central concept of security: A world of decency and development—where every man can feel that his personal horizon is rimmed with hope.

Mutual interest—mutual trust—mutual effort; those are the goals. Can we achieve those goals with the Soviet Union, and with Communist China? Can they achieve them with one another?

The answer to these questions lies in the answer to an even more fundamental question.

Who is man?

Is he a rational animal?

If he is, then the goals can ultimately be achieved.

If he is not, then there is little point in making the effort.

All the evidence of history suggests that man is indeed a rational animal—but with a near infinite capacity for folly. His history seems largely a halting, but persistent, effort to raise his reason above his animality.

He draws blueprints for utopia. But never quite gets it built. In the end, he plugs away obstinately with the only building material really ever at hand: His own part-comic, part-tragic, part-cussed, but part-glorious nature.

I, for one, would not count a global free society out.

Coercion, after all, merely captures man.

Freedom captivates him.

Thank you very much.

CONCLUSION OF MORNING BUSINESS

Mr. MUSKIE. Mr. President, is there further morning business?

The **PRESIDING OFFICER** (Mr. SIMPSON in the chair). Is there further morning business? If not, morning business is closed.

PARTICIPATION SALES ACT OF 1966

The **PRESIDING OFFICER** laid before the Senate the amendment of the House of Representatives to the bill (S. 3283) to promote private financing of credit needs and to provide for an efficient and orderly method of liquidating financial assets held by Federal credit agencies, and for other purposes, which was, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Participation Sales Act of 1966".

SEC. 2. (a) Section 302(c) of the Federal National Mortgage Association Charter Act is amended—

(1) by inserting "(1)" immediately following "(c)";

(2) by inserting after "undertakings and activities" a comma and "hereinafter in this subsection called 'trusts',";

(3) by striking "obligations offered to it by the Housing and Home Finance Agency or its Administrator, or by such Agency's constituent units or agencies or the heads thereof, or any first mortgages in which the United States or any agency or instrumentality thereof" in the first sentence thereof and inserting "mortgages or other types of obligations in which any department or agency of the United States listed in paragraph (2) of this subsection";

(4) by striking out the third sentence thereof and substituting therefor the following: "Participations or other instruments issued by the Association pursuant to this subsection shall to the same extent as securities which are direct obligations of or obligations guaranteed as to principal or interest by the United States be deemed to be exempt securities within the meaning of laws administered by the Securities and Exchange Commission."; and

(5) by striking out the fourth sentence thereof.

(b) Section 302(c) of such Act is further amended by adding the following:

"(2) Subject to the limitations provided in paragraph (4) of this subsection, one or more trusts may be established as provided in this subsection by each of the following departments or agencies:

"(A) The Farmers Home Administration of the Department of Agriculture, but only with respect to operating loans, direct farm ownership loans, direct housing loans, and direct soil and water loans. Such trusts may not be established with respect to loans for housing for the elderly under secitons 502 and 515(a) of the Housing Act of 1949, nor with respect to loans for nonfarm recreational development.

"(B) The Office of Education of the Department of Health, Education, and Welfare, but only with respect to loans for construction of academic facilities.

"(C) The Department of Housing and Urban Development, except that such authority may not be used with respect to secondary market operations of the Federal National Mortgage Association.

"(D) The Veterans' Administration.

"(E) The Export-Import Bank.

"(F) The Small Business Administration. The head of each such department or agency, hereinafter in this subsection called the 'trustor', is authorized to set aside a part or all of any obligations held by him and subject them to a trust or trusts and, incident thereto, shall guarantee to the trustee timely payment thereof. The trust instrument may provide for the issuance and sale of beneficial interests or participations, by the trustee, in such obligations or in the right to receive interest and principal collections therefrom; and may provide for the substitution or withdrawal of such obligations, or for the substitution of cash for obligations. The trust or trusts shall be exempt from all taxation. The trust instrument may also contain other appropriate provisions in keeping with the purposes of this subsection. The Association shall be named and shall act as trustee of any such trusts and, for the purposes thereof, the title to such obligations shall be deemed to have passed to the Association in trust. The trust instrument shall provide that custody, control, and administration of the obligations shall remain in the trustor subjecting the obligations to the trust, subject to transfer to the trustee in event of default or probable default, as determined by the trustee, in the payment of principal and interest of the beneficial interests or participations. Collections from obligations subject to the trust shall be dealt with as provided in the instrument creating the trust. The trust instrument shall provide that the trustee will promptly pay to the trustor the full net proceeds of any sale of beneficial interests or participations to the extent they are based upon such obligations or collections. Such proceeds shall be dealt with as otherwise provided by law for sales or repayment of such obligations. The effect of both past and future sales of any issue of beneficial interests or participations shall be the same, to the extent of the principal of such issue, as the direct sale with recourse of the obligations subject to the trust. Any trustor creating a trust or trusts hereunder is authorized to purchase, through the facilities of the trustee, outstanding beneficial interests or participations to the extent of the amount of his responsibility to the trustee on beneficial interests or participations outstanding, and to pay his proper share of the costs and expenses incurred by the Federal National Mortgage Association as trustee pursuant to the trust instrument.

"(3) When any trustor guarantees to the trustee the timely payment of obligations he subjects to a trust pursuant to this subsection, and it becomes necessary for such trustor to meet his responsibilities under such guaranty, he is authorized to fulfill such guaranty.

"(4) Beneficial interests or participations shall not be issued for the account of any trustor in an aggregate principal amount greater than is authorized with respect to such trustor in an appropriation Act. Any such authorization shall remain available only for the fiscal year for which it is granted and for the succeeding fiscal year.

"(5) The Association, as trustee, is authorized to issue and sell beneficial interests or participations under this subsection, notwithstanding that there may be an insufficiency in aggregate receipts from obligations subject to the related trust to provide for the payment by the trustee (on a timely basis out of current receipts or otherwise) of all interest or principal on such interests or participations (after provision for all costs and expenses incurred by the trustee, fairly prorated among trustors). There are authorized to be appropriated without fiscal year limitation such sums as may be necessary to enable any trustor to pay the trustee such insufficiency as the trustee may require on account of outstanding beneficial interests or participations authorized to be issued pursuant to paragraph (4) of this subsection. Such trustor shall make timely payments to the trustee from such appropriations, subject to and in accord with the trust instrument."

SEC. 3. (a) Section 305(c) of the Federal National Mortgage Association Charter Act is amended by deleting "by $450,000,000 on July 1, 1966,".

(b) Section 401(d) of the Housing Act of 1950 is amended by deleting "1968:" immediately preceding the first proviso and by substituting therefor "1965, and 1967 and 1968:".

SEC. 4. (a) Section 303(c) of title III of the Higher Education Facilities Act of 1963 is amended by striking out the first nine words in the second sentence and substituting therefor the following: "For the purpose of making payments into the fund established under section 305".

(b) Title III of the Higher Education Facilities Act of 1963 is further amended by adding after section 304 the following new section:

"REVOLVING LOAN FUND

"SEC. 305. (a) There is hereby created within the Treasury a separate fund for higher education academic facilities loans (hereafter in this section called 'the fund') which shall be available to the Commissioner without fiscal year limitation as a revolving fund for the purposes of this title. The total of any loans made from the fund in any fiscal year shall not exceed limitations specified in appropriation Acts. A business-type budget for the fund shall be prepared, transmitted to the Congress, considered, and enacted in the manner prescribed by law (sections 102, 103, and 104 of the Government Corporation Control Act (31 U.S.C. 847–849)) for wholly owned Government corporations.

"(b)(1) The Commissioner, when authorized by an appropriation Act, may transfer to the fund available appropriations provided under section 303(c) to provide capital for the fund. All amounts received by the Commissioner as interest payments or repayments of principal on loans, and any other moneys, property, or assets derived by him from his operations in connection with this title, including any moneys derived directly or indirectly from the sale of assets, or beneficial interests or participations in assets, of the fund, shall be deposited in the fund.

"(2) All loans, expenses, and payments pursuant to operations of the Commissioner under this title shall be paid from the fund, including (but not limited to) expenses and payments of the Commissioner in connection with sale, under section 302(c) of the Federal National Mortgage Association Charter Act, of participations in obligations acquired under this title. From time to time, and at least at the close of each fiscal year, the Commissioner shall pay from the fund into the Treasury as miscellaneous receipts interest on the cumulative amount of appropriations paid out for loans under this title or available as capital to the fund, less the average undisbursed cash balance in the fund during the year. The rate of such interest shall be determined by the Secretary of the Treasury, taking into consideration the average market yield during the month preceding each fiscal year on outstanding Treasury obligations of maturity comparable to the average maturity of loans made from the fund. Interest payments may be deferred with the approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest. If at any time the Commissioner determines that moneys in the fund exceed the present and any reasonably prospective future requirements of the fund, such excess may be transferred to the general fund of the Treasury."

SEC. 5. Section 338(c) of the Consolidated Farmers Home Administration Act of 1961 is amended by striking in the second sentence "and (8)" and inserting in lieu thereof "(8) section 8 of the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1006a); (9) section 32(e) of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1011); and (10)"; and by inserting in the fifth sentence after "title," the following: "section 8 of the Watershed Protection and Flood Prevention Act, as amended, and section 32(e) of the Bankhead-Jones Farm Tenant Act, as amended,".

SEC. 6. (a) Nothing in this Act shall be construed to repeal or modify the provisions of section 1820(e) of title 38, United States Code, respecting the authority of the Administrator of Veterans' Affairs.

(b) After June 30, 1966, no department or agency listed in section 302(c)(2) of the Federal National Mortgage Association Charter Act may sell any obligation held by it except as provided in section 302(c) of that Act, or as approved by the Secretary of the Treasury, except that this prohibition shall not apply to secondary market operations carried on by the Federal National Mortgage Association.

SEC. 7. Paragraph (7) of section 8 of the Federal Credit Union Act (12 U.S.C. 1757) is amended to read:

"(7) to invest its funds (A) in loans exclusively to members; (B) in obligations of the United States of America, or securities fully guaranteed as to principal and interest thereby; (C) in accordance with rules and regulations prescribed by the Director, in loans to other credit unions in the total amount not exceeding 25 percentum of its paid-in and unimpaired capital and surplus; (D) in shares or accounts of savings and loan associations, the accounts of which are insured by the Federal Savings and Loan Insurance Corporation; (E) in obligations issued by banks for cooperatives, Federal land banks, Federal intermediate credit banks, Federal home loan banks, the Federal Home Loan Bank Board, or any corporation designated in section 101 of the Government Corporation Control Act as a wholly owned Government corporation; or in obligations, participations, or other instruments of or issued by, or fully guaranteed as to principal and interest by, the Federal National Mortgage Association; or (F) in participation certificates evidencing beneficial interests in obligations, or in the right to receive interest and principal collections therefrom, which obligations have been subjected by one or more Government agencies to a trust or trusts for which any executive department, agency, or instrumentality of the United States (or the head thereof) has been named to act as trustee;"

SEC. 8. The Secretary of the Treasury, in consultation with heads of agencies of the United States carrying on direct loan programs, shall conduct a study, in such manner as he shall determine, on the feasibility, advantages, and disadvantages of direct loan programs compared to guaranteed or insured loan programs and shall report his findings together with specific legislative proposals to the Congress not later than six months after the effective date of this act. There are authorized to be appropriated such sums as necessary for the purpose of this section.

SEC. 9. The Federal National Mortgage Association is authorized during the fiscal year 1966 to sell—

(1) additional participations in the Government Mortgage Liquidation Trust, and

(2) participations in a trust to be established by the Small Business Administration, each without regard to the provisions of paragraph (4) of section 302(c) of the Federal National Mortgage Association Charter Act.

PRIVILEGE OF THE FLOOR

Mr. MUSKIE. Mr. President, I ask unanimous consent that members of the staff of the Committee on Banking and Currency may have the privilege of the floor during consideration of the pending bill.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Maine yield?

Mr. MUSKIE. I am glad to yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. I believe it would be well for the Senator to explain the differences between the House version and the Senate version. I am hoping that the Senator is not planning on pushing the bill to a vote today because I have been advised that there is but one copy of the conference report in the Senate Chamber, and therefore only one copy available. This bill is of such importance that all Senators should have an opportunity to examine overnight what changes may have been made by the House.

Mr. MUSKIE. Let me say to the Senator that I will undertake to explain the differences between the House and Senate versions. It is our desire to get the bill to a vote today. I trust that the explanation and such discussion as we may have will clarify the questions which the Senator from Delaware may have at that point.

Mr. President, I ask unanimous consent to place in the RECORD at this point the text of the bill as passed by the Senate on May 5 and a brief explanation of the principal differences between the Senate and House versions of the bill.

There being no objection, the bill and explanation were ordered to be printed in the RECORD, as follows:

EXPLANATION OF PRINCIPAL DIFFERENCES

The House changes were mainly of a clarifying or technical nature. There are three principal substantive differences between the Senate and House versions of the bill:

(1) Section 2(b) of the bill specifies the departments or agencies which may establish trusts under this Act. The House bill amends the Senate language applying to the Farmers Home Administration to describe more precisely the programs to be included. The House amendment adds direct soil and water loans to the included programs. The House also specifies certain

types of loans within the included programs on which trusts may not be established.

(2) The House amendments added a subsection (b) to Section 6 of the bill, which provides that no department or agency listed in this bill may sell any obligations except as provided by this bill or as approved by the Secretary of the Treasury.

The effect of this provision is to assure effective coordination of all asset sales by the various departments and agencies of the Government.

(3) The House version omits section 8(b) of the Senate version, which would require the Secretary of the Treasury to make an annual report to the Congress giving certain specified information regarding asset sales and related matters.

The Treasury Department has indicated that it will provide such a report, whether or not there is a statutory requirement.

S. 3283

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Participation Sales Act of 1966".

Sec. 2. (a) Section 302(c) of the Federal National Mortgage Association Charter Act is amended—

(1) by inserting "(1)" immediately following "(c)";

(2) by inserting after "undertakings and activities" a comma and "hereinafter in this subsection called 'trusts',";

(3) by striking out the words "offered to it by the Housing and Home Finance Agency or its Administrator, or by such Agency's constituent units or agencies or the heads thereof, or any first mortgages in which the United States or any agency or instrumentality thereof" in the first sentence thereof and by inserting "and other types of securities, including any instrument commonly known as a security, hereinafter in this subsection called 'obligations,' in which any department or agency of the United States listed in section 302(c) of this Act,";

(4) by striking out the third sentence thereof and substituting therefor the following: "Participations or other instruments issued by the Association pursuant to this subsection shall to the same extent as securities which are direct obligations of or obligations guaranteed as to principal or interest by the United States be deemed to be exempt securities within the meaning of laws administered by the Securities and Exchange Commission."; and

(5) by striking out the fourth sentence thereof.

(b) Section 302(c) of such Act is further amended by adding the following:

"(2) Subject to the limitations provided in paragraph (4) of this subsection, one or more trusts may be established as herein provided by each of the following departments or agencies:

"Department of Agriculture: Farmers Home Administration (with respect only to loans for land acquisition, rural housing, and crop production);

"Department of Health, Education, and Welfare: Office of Education (with respect to loans for construction of academic facilities);

"Department of Housing and Urban Development (including the Federal National Mortgage Association);

"Veterans' Administration;

"Export-Import Bank;

"Small Business Administration.

The head of each such department or agency, hereinafter in this subsection called the 'trustor', is authorized to set aside a part or all of any obligations held by him and subject them to a trust or trusts and, incident thereto, shall guarantee to the trustee timely payment thereof. The trust instrument may provide for the issuance and sale of beneficial interests or participations, by the trustee, in such obligations or in the right to receive interest and principal collections therefrom; and may provide for the substitution or withdrawal of such obligations, or for the substitution of cash for obligations. The trust or trusts shall be exempt from all taxation. The trust instrument may also contain other appropriate provisions in keeping with the purposes of this subsection. The Association may be named and may act as trustee of any such trusts and, for the purposes thereof, the title to such obligations shall pass to the Association in trust: *Provided*, That the trust instrument shall provide that custody, control, and administration of the obligations shall remain in the trustor subjecting the obligations to the trust, subject to transfer to the trustee in event of default or probable default, as determined by the trustee, in the payment of principal and interest of the beneficial interests or participations. Collections from obligations subject to the trust shall be dealt with as provided in the instrument creating the trust. The trust instrument shall provide that the trustee will promptly pay to the trustor the full net proceeds of any sale of beneficial interests or participations to the extent they are based upon such obligations or collections. Such proceeds shall be dealt with as otherwise provided by law for sales or repayment of such obligations. The effect of both past and future sales of any issue of beneficial interests or participations shall be the same, to the extent of the principal of such issue, as the direct sale of the obligations subject to the trust. Any trustor creating a trust or trusts hereunder is authorized to purchase, through the facilities of the trustee, outstanding beneficial interests or participations to the extent of the amount of his responsibility to the trustee on beneficial interests or participations outstanding, and to pay his proper share of the costs and expenses incurred by the Association as trustee pursuant to the trust instrument, and for these purposes may use any appropriated funds or other amounts available to him for the general purposes or programs to which the obligations subjected to the trust are related.

"(3) When any trustor guarantees to the trustee the timely payment of obligations he subjects to a trust pursuant to this subsection, and it becomes necessary for such trustor to meet his responsibilities under such guaranty, he is authorized to fulfill such guaranty by using any appropriated funds or other amounts available to him for the general purposes or programs to which the obligations subjected to the trust are related.

"(4) Beneficial interests or participations shall not be issued for the account of any trustor in an aggregate principal amount greater than is authorized with respect to such trustor in an appropriation Act. Any such authorization shall remain available only for the fiscal year for which it is granted and for the succeeding fiscal year.

"(5) The Association, as trustee, is authorized to issue and sell beneficial interests or participations under this subsection, notwithstanding that there may be an insufficiency in aggregate receipts from obligations subject to the related trust to provide for the payment by the trustee (on a timely basis out of current receipts or otherwise) of all interest or principal on such interests or participations (after provision for all costs and expenses incurred by the trustee, fairly prorated among trustors). Whenever the issuance of an aggregate principal amount is authorized pursuant to paragraph (4) of this subsection, such an authorization in an appropriation Act shall establish on the books of the Treasury as appropriations such sums as may be necessary from time to time to enable the trustor to pay the trustee such insufficiency as the trustee may require on account of outstanding beneficial interests or participations. Such trustor shall make timely payments to the trustee from such appropriations, subject to and in accord with the trust instrument."

Sec. 3. (a) Section 305(c) of the Federal National Mortgage Association Charter Act is amended by deleting "by $450,000,000 on July 1, 1966,".

(b) Section 401(d) of the Housing Act of 1950 is amended by deleting "1968:" immediately preceding the first proviso and by substituting therefor "1965, and 1967 and 1968:".

Sec. 4. (a) Section 303(c) of title III of the Higher Education Facilities Act of 1963 is amended by striking out the first nine words in the second sentence and substituting therefor the following: "For the purpose of making payments into the fund established under section 305".

(b) Title III of the Higher Education Facilities Act of 1963 is further amended by adding after section 304 the following new section:

"REVOLVING LOAN FUND

"Sec. 305. (a) There is hereby created within the Treasury a separate fund for higher education academic facilities loans (hereafter in this section called 'the fund') which shall be available to the Commissioner without fiscal-year limitation as a revolving fund for the purposes of this title. The total of any loans made from the fund in any fiscal year shall not exceed limitations specified in appropriation Acts.

"(b)(1) The Commissioner is authorized to transfer to the fund available appropriations provided under section 303(c) to provide capital for the fund. All amounts received by the Commissioner as interest payments or repayments of principal on loans, and any other moneys, property, or assets derived by him from his operations in connection with this title, including any moneys derived directly or indirectly from the sale of assets, or beneficial interests or participations in assets, of the fund, shall be deposited in the fund.

"(2) All loans, expenses, and payments pursuant to operations of the Commissioner under this title shall be paid from the fund, including (but not limited to) expenses and payments of the Commissioner in connection with the sale, under section 302(c) of the Federal National Mortgage Association Charter Act, of participations in obligations acquired under this title. From time to time and at least at the close of each fiscal year, the Commissioner shall pay from the fund into the Treasury as miscellaneous receipts interest on the cumulative amount of appropriations paid out for loans under this title or available as capital to the fund, less the average undisbursed cash balance in the fund during the year. The rate of such interest shall be determined by the Secretary of the Treasury, taking into consideration the average market yield during the month preceding such fiscal year on outstanding Treasury obligations of maturity comparable to the average maturity of loans made from the fund. Interest payments may be deferred with the approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest. If at any time the Commissioner determines that moneys in the fund exceed the present and any reasonably prospective future requirements of the fund, such excess may be transferred to the general fund of the Treasury."

Sec. 5. Section 338(c) of the Consolidated Farmers Home Administration Act of 1961 is amended by striking in the second sentence "and (8)" and inserting in lieu thereof "(8) section 8 of the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1006a); (9) section 32(e) of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1011); and (10)"; and by inserting in the fifth sentence after "title," the following: "section 8 of the Watershed Protection and Flood Prevention Act, as amended, and section 32(e) of the Bankhead-Jones Farm Tenant Act, as amended,".

SEC. 6. Nothing in this Act shall be construed to repeal or modify the provisions of section 1820(e) of title 38, United States Code, respecting the authority of the Administrator of Veterans' Affairs.

SEC. 7. Paragraph (7) of section 8 of the Federal Credit Union Act (12 U.S.C. 1757) is amended to read:

"(7) to invest its funds (A) in loans exclusively to members; (B) in obligations of the United States of America, or securities fully guaranteed as to principal and interest thereby; (C) in accordance with rules and regulations prescribed by the Director, in loans to other credit unions in the total amount not exceeding 25 per centum of its paid-in and unimpaired capital and surplus; (D) in shares or accounts of savings and loan associations, the accounts of which are insured by the Federal Savings and Loan Insurance Corporation; (E) in obligations issued by banks for cooperatives, Federal land banks, Federal intermediate credit banks, Federal home loan banks, the Federal Home Loan Bank Board or any corporation designated in section 101 of the Government Corporation Control Act as a wholly owned Government corporation; or in obligations, participations, or other instruments of or issued by, or fully guaranteed as to principal and interest by, the Federal National Mortgage Association; or (F) in participation certificates evidencing beneficial interests in obligations, or in the right to receive interest and principal collections therefrom, which obligations have been subjected by one or more Government agencies to a trust or trusts for which any executive department, agency, or instrumentality of the United States (or the head thereof) has been named to act as trustee;".

SEC. 8. (a) The Secretary of the Treasury, in consultation with heads of agencies of the United States carrying on direct loan programs, shall conduct a study, in such manner as he shall determine, on the feasibility, advantages, and disadvantages of direct loan programs compared to guaranteed or insured loan programs and shall report his findings together with specific legislative proposals to the Congress not later than six months after the effective date of this Act. There are authorized to be appropriated such sums as necessary for the purpose of this section.

(b) The Secretary of the Treasury shall each year make a report to the Senate and House of Representatives setting forth—

(1) the net increase or decrease during the preceding fiscal year (A) in the aggregate principal amount of obligations acquired by the executive departments, agencies, and instrumentalities of the United States which may be subjected to a trust under section 302(c) of the Federal National Mortgage Association Charter Act, and (B) in the total amount of outstanding beneficial interests or participations in such obligations; and

(2) the extent to which the sale of such beneficial interests or participations reduced the deficit or increased the surplus realized by the Government in its operations during the preceding fiscal year.

SEC. 9. The Federal National Mortgage Association is authorized during fiscal year 1966 to sell (1) additional participations in the Government Mortgage Liquidation Trust, and (2) participations in a trust to be established by the Small Business Administration, each without regard to the provisions of paragraph (4) of section 302(c) of the Federal National Mortgage Association Charter Act, as added by this Act.

Mr. WILLIAMS of Delaware. But the Senator knows that we are dealing with a rather far-reaching proposal here. While not for one moment do I distrust the sincerity of the Senator from Maine, I am not unmindful of the fact that the administration which is sponsoring the proposed legislation tried to sneak through a bill granting it authority to sell $33 billion worth of our assets. After they were caught with their hands in the cookie jar we were able to reduce that amount down to approximately $11 billion. But the principle is wrong, and I want to make sure we are not selling the Washington Monument—I would not put that past the administration if it could get away with it. I welcome the explanation of the Senator, but I wish to reserve the right to examine this bill very carefully before the Senate votes to see exactly what little gimmicks, if any, the administration may have slipped in.

Therefore, in the interests of orderly procedure I shall ask that it go over until next week. I am sure we will move along much faster if the bill is not pushed to a vote this afternoon.

That is a friendly suggestion.

Mr. MUSKIE. In friendly response to the Senator from Delaware, let me say to him that of course I do not agree with his description of the procedure which we undertook in presenting the original administration bill. I do not believe there was anything sneaky about it, but of course the Senator is entitled to his own opinion. In any case, let me say that the point the Senator has just made is the same one we discussed when the bill was recently before the Senate; namely, whether in principle this is a sound thing to do. That question was resolved in two record votes on this side in the Capitol.

The changes made by the House do not raise that issue and do not go to it. The fact is, the changes made by the House tend to tighten the bill in the direction in which the Senator from Delaware would like it to go, so that I am sure he would approve of the House changes, by and large—I will not presume to make that judgment, but I believe that he would.

In any case, I will undertake to explain the differences and we can see where we go from there.

Mr. President, a few days ago, the Senate considered and passed S. 3283, the Participation Sales Act of 1966.

Yesterday the House considered and passed H.R. 14544, which was the House version of the same legislation.

The bill as amended by the House is now before us and has now been laid down, and I would like, at the proper time, to make a motion that we accept the amended bill as it is before us.

The amendments which were adopted in the House and which make it different from the Senate version are largely technical and clarifying amendments.

There are three, however, which I think ought to be brought to the attention of the Senate so it may know what they are.

The first which I undertake to bring to the attention of the Senate has to do with the list of programs which would be covered by the legislation if enacted.

The Senate will recall that in the consideration by the Senate of this legislation the program was narrowed, as indicated by the distinguished Senator from Delaware [Mr. WILLIAMS], from some $33 billion to some $11 billion.

The amendment adopted by the Senate which accomplished that, listed the programs and agencies which would be covered by the legislation.

The language which was adopted by the Senate has been clarified by the House. In order to indicate the nature of that clarification, I will read first the Senate language, and then the House language as it relates to the difference between the two versions.

The Senate language reads as follows:

> 2. Subject to the limitations provided in paragraph (4) of this subsection, one or more trusts may be established as herein provided by each of the following Departments or Agencies:
>
> The Department of Agriculture: Farmers Home Administration (with respect only to loans for land acquisition, rural housing, and crop production).

The House language or version reads as follows:

> The Farmers Home Administration of the Department of Agriculture, but only with respect to operating loans, direct farm ownership loans, direct housing loans, and direct soil and water loans. Such trusts may not be established with respect to loans for housing for the elderly under sections 502 and 515(a) of the Housing Act of 1949, nor with respect to loans for non-farm recreational development.

The Senate will recall that the Senate language was modified in respect to questions raised by the distinguished Senator from Florida [Mr. HOLLAND], who was disturbed that the language as it then stood in the Senate bill would be too comprehensive with respect to the Farmers Home Administration programs and would include programs that ought not to be included.

The House has further refined the language adopted by the Senate. The House language has been reviewed by the distinguished Senator from Florida [Mr. HOLLAND], and he raises no objection to it.

I should like to ask the Senator from Delaware [Mr. WILLIAMS], if he would like to direct any questions now to this difference between the House and Senate version.

Mr. WILLIAMS of Delaware. No. I merely want to have a written copy to see for myself what the differences are.

Did I understand the Senator correctly to say that he intends to move that the Senate adopt H.R. 14544?

Mr. MUSKIE. That is my intention.

I shall be happy to show the Senator the language I have just read.

Mr. WILLIAMS of Delaware. Mr. President, I would like to direct a parliamentary inquiry to the Chair. I understand the Senator from Maine intends to move that the Senate adopt the House bill, H.R. 14544. That bill is not on the Senate Calendar. The Senate originally passed a bill (S. 3283) which went to the House, and the House amendment to the Senate bill is now before us. But H.R. 14544 as such is not before the Senate.

I ask the Chair if it is in order to consider a bill that has not been before the Senate.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MUSKIE. I was not as precise in stating what my intention was as I should have been.

The PRESIDING OFFICER. The matter before the Senate is to concur in the House amendment, which is a substitute for the Senate bill.

Mr. WILLIAMS of Delaware. That is my understanding, and that is the reason why I raised the question. Perhaps the Senator from Maine misstated what he intended. I understood him to say he was going to move that the Senate adopt H.R. 14544, which is a House bill. I do not think it would be in order if such a motion were made, and I shall make a point of order at the proper time.

Mr. MUSKIE. Mr. President, I did not at that point make a motion. I indicated my intention. I did not indicate it as precisely as I should have from a parliamentary point of view. I regret I was not more precise. But at the proper time I shall undertake to make a motion that is parliamentarily correct.

The second difference between the two versions of the bill which I would like to bring to the attention of the Senate is a requirement added by the House bill which was not included in the Senate bill.

The requirement which has been added to the House bill is to the effect that with respect to direct sales of these obligations outside the authority of the bill or participation sales outside the authority of the bill, such sales could not take place without direct approval by the Secretary of the Treasury. Clearly, the effect of this requirement in the House bill is to bring the entire operation with respect to these obligations under the supervision of the Secretary of the Treasury.

This requirement appears to be important from the standpoint of managing sales of Government paper, whether direct Treasury borrowings, participation sales or direct sales under any program. It appears to make sense and is in fact in conformity with existing practices and I see no difficulty in the requirement which has been provided by the House bill.

The third difference between the two bills deals with an amendment initially offered by the Senator from Utah [Mr. BENNETT], subsequently cosponsored by the Senator from Utah and myself, which established a requirement for an annual report.

The language reads as follows:

> (b) the Secretary of the Treasury shall each year make a report to the Senate and House of Representatives setting forth—
>
> (1) the net increase or decrease during the preceding fiscal year (A) in the aggregate principal amount of obligations acquired by the executive departments, agencies, and instrumentalities of the United States which may be subjected to a trust under section 302(c) of the Federal National Mortgage Association Charter Act; and (B) in the total amount of outstanding beneficial interests or participations in such obligations; and
>
> (2) the extent to which the sale of such beneficial interests or participations reduced the deficit or increased the surplus realized by the Government in its operations during the preceding fiscal year.

This language was not included in the House version of the bill because, as I understand, it was not offered in the House.

The Under Secretary of the Treasury, Mr. Joseph W. Barr, has been in touch with the distinguished Senator from Utah [Mr. BENNETT] and has advised the Senator that he will send him a letter accepting the obligation or responsibility which was imposed by the Senate version of the bill. So the annual report contemplated by the language that I have just read will be made, notwithstanding the fact that it is not included in the House version of the bill and may not be included in the bill as enacted by Congress.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. WILLIAMS of Delaware. In the event that Mr. Barr leaves the Treasury Department and someone else takes his place, would the person who succeeds him be bound by anything that was promised by Mr. Barr?

Mr. MUSKIE. The commitment is by the Secretary of the Treasury as an office, not as an individual.

Mr. WILLIAMS of Delaware. I would like to read such a commitment, because it is my understanding that one Secretary of the Treasury cannot bind a succeeding Secretary of the Treasury any more than one Congress can bind another.

Does the Senator have the text of the letter so that it can be read to the Senate at this time?

Mr. MUSKIE. The Senator from Utah [Mr. BENNETT] conducted the discussions with the Under Secretary of the Treasury. The Senator from Utah is in a better position to reassure the Senator from Delaware than is the Senator from Maine.

I have received this commitment from the representatives of the Secretary of the Treasury with whom I have talked. They have informed me that such a report will be made and that it is not dependent upon the verbal commitment of any individual who is now an employee of the Treasury Department. I have received this commitment.

The record that is being made here also commits the Secretary of the Treasury or the Treasury Department to this obligation. I see no doubt about it.

If the Senator from Delaware desires additional reassurance, I suggest that he discuss it with the Senator from Utah.

Mr. WILLIAMS of Delaware. Is the Senator now speaking of a verbal commitment?

Mr. MUSKIE. I did not discuss this question with the Secretary of the Treasury. My understanding is that the Secretary of the Treasury promised to send Senator BENNETT a letter in which the commitment would be made. I do not know whether that letter has been delivered to the Senator from Utah.

My understanding is that the Senator from Utah received the verbal assurance of the Under Secretary of the Treasury that such a letter would be sent to the Senator. I undertook to establish that fact. If my understanding is incorrect, I desire to be told. My understanding is that the Senator from Utah has been reassured that the Treasury Department is committed to make such a report. I have no reason to believe that the Senator from Utah has not been reassured.

If the Senator from Delaware is not reassured, then by all means the Senator from Delaware should take whatever steps appeal to him to obtain such assurance.

Mr. WILLIAMS of Delaware. I am trying to learn whether the Senator from Maine has received a verbal commitment or a written commitment.

Mr. MUSKIE. I attempted to describe to the Senator from Delaware, in as precise language as I could, what it is I have.

Mr. President, these are the three principal differences between the Senate version and the House version of the legislation. It is my opinion that they are reasonable and that the Senate would be well advised to accept them.

Mr. WILLIAMS of Delaware. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 77 Leg.]

Anderson
Bartlett
Bennett
Bible
Boggs
Carlson
Church
Clark
Douglas
Eastland
Fong
Gore
Griffin
Harris
Hartke
Hill
Holland
Javits
Kuchel
Long, Mo.
Metcalf
Mondale
Monroney
Montoya
Morton
Moss
Murphy
Muskie
Pastore
Pell
Prouty
Randolph
Ribicoff
Robertson
Simpson
Sparkman
Talmadge
Williams, N.J.
Williams, Del.
Yarborough

Mr. LONG of Louisiana. I announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. DODD], the Senator from North Carolina [Mr. ERVIN], the Senator from Michigan [Mr. HART], the Senator from New York [Mr. KENNEDY], the Senator from Montana [Mr. MANSFIELD], the Senator from Wyoming [Mr. MCGEE], the Senator from South Dakota [Mr. MCGOVERN], the Senator from South Carolina [Mr. RUSSELL], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I also announce that the Senator from Tennessee [Mr. BASS], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Oregon [Mr. MORSE] are absent on official business.

Mr. KUCHEL. I announce that the Senator from Illinois [Mr. DIRKSEN] is absent because of illness.

The Senator from New Hampshire [Mr. COTTON], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Idaho [Mr. JORDAN], the Senator from Kansas [Mr. PEARSON], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The PRESIDING OFFICER (Mr. MONDALE in the chair). A quorum is not present.

Mr. MUSKIE. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from Maine.

The motion is agreed to, and the Sergeant at Arms will execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Aiken
Allott
Bayh
Brewster
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Cooper
Dominick
Ellender
Fannin
Gruening
Hayden
Hickenlooper
Inouye
Jackson
Kennedy, Mass.
Lausche
Long, La.
Magnuson
McCarthy
McClellan
McIntyre
Miller
Mundt
Nelson
Neuberger
Proxmire
Russell, Ga.
Saltonstall
Scott
Smith
Stennis
Symington
Thurmond
Tydings
Young, N. Dak.
Young, Ohio

The **PRESIDING OFFICER.** A quorum is present.

Mr. **MUSKIE.** Mr. President, I move that the Senate concur in the House amendment to the Senate bill.

The **PRESIDING OFFICER.** The question is on agreeing to the motion.

UNANIMOUS-CONSENT AGREEMENT

Mr. **MUSKIE.** Mr. President, I ask unanimous consent that upon the further consideration of the pending question on Monday next, immediately after the conclusion of morning business, debate on said motion be limited to 1 hour, to be equally divided and controlled by the Senator from Delaware [Mr. WILLIAMS], and the junior Senator from Maine [Mr. MUSKIE].

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That after the conclusion of morning business on Monday, May 23, further debate on the motion to concur in the amendment of the House of Representatives to the bill S. 3283, to promote private financing of credit needs and to provide for an efficient and orderly method of liquidating financial assets held by Federal credit agencies, and for other purposes, shall be limited to 1 hour to be equally divided and controlled by the Senator from Maine [Mr. MUSKIE] and the Senator from Delaware [Mr. WILLIAMS].

MAY 19, 1966.

CONVEYANCE OF CERTAIN LANDS TO THE STATE OF UTAH—CONFERENCE REPORT

Mr. **MOSS.** Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 265) to authorize conveyance of certain lands to the State of Utah based upon fair market value. I ask unanimous consent for the present consideration of the report.

The **PRESIDING OFFICER.** The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today, pp 11078–11080, CONGRESSIONAL RECORD.)

The **PRESIDING OFFICER.** Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. **KUCHEL.** Mr. President, I am informed that the distinguished senior Senator from Utah [Mr. BENNETT] desires to be in the Chamber as this matter is presented.

Under those circumstances I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **KUCHEL.** Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. **MOSS.** Mr. President, the basic problem of the Great Salt Lake stems from the geology of the great basin area of which western Utah is a part. The Great Salt Lake lies in a broad shallow basin and the surrounding land is flat. Thus the situation is much like that of a vast flat plain which is periodically under water. During wet cycles, such as the one which hopefully we are beginning, the water flows out over the level land, inundating thousands of acres with each rise of a few inches of water. During dry cycles, the lake drops, exposing equally large areas of mudflats.

For a long period of time the fluctuations of this dead sea were of interest only to academicians and local residents. But recently the extremely saline brines of the lake have been discovered as a rich source of magnesium and other minerals. To develop these minerals large evaporation ponds are necessary which will make use of the heretofore worthless mudflats. It was at this point that a problem arose. The companies wishing to evaporate the brines needed a clear lease to the mudflats before they could start developing this new industry. The State, which owns the lake, since it was navigable at statehood, had always assumed these lands belonged to it. The Federal Government had also assumed the State owned these lands and had even bought a portion of the lands to use for a wildlife refuge. In 1961 the Department of the Interior did an about-face and in a solicitor's opinion decided that these were Federal lands under the common law doctrine of accretion and reliction adjacent to navigable waters. Since the lands around the lake are largely public domain, as the lake receded the exposed lands would, under this theory, become public domain. Then as the lake rose the lands would magically become State property again as the water edged over them. The State disputes that the doctrine of reliction has any relevance in a situation of fluctuating waters such as this. This dispute is obviously a legal question. But until some adjustment is made, no clear lease can be given to this land and a new industry, which will benefit both the State and the Nation, is stymied. This compromise bill seeks to solve that problem by allowing the State to administer these lands as it has done since statehood, but now as a trustee. The legal dispute will be solved either by negotiation between the Secretary of Interior and the State of Utah, or at the option of the State, the Supreme Court will settle the problem.

It should be made perfectly clear, Mr. President, that Congress is not passing judgment on the legal claim of the United States or the State of Utah. The Justice Department and the Interior Department feel that under one legal doctrine they can claim this land. The State of Utah feels that the doctrine proposed by these Departments has no validity with respect to the Great Salt Lake. Congress has made provision in the bill for a negotiated settlement to be worked out between the interested parties. This has necessarily involved setting standards of payment by the party getting possession of the disputed land. This should not be interpreted as in any way declaring the claims of the United States to these lands are valid. These provisions are merely a method of enabling the parties to avoid the expense and delay of a suit before the Supreme Court, nothing more.

There are some considerations that are assumed by the conferees, however, that are not spelled out in the bill. The first of these is the right of the State to use their right to sections numbered 2, 16, 32, and 36 in these lands, the so-called school sections, as a value to be traded off in any fair market value type exchange. It is understood that the State owns the school sections even under the theory of Interior, so in reserving mineral rights to the United States, as we did in the bill, we could not include the minerals under these school sections. The time-honored right of the State to that part of the public domain is not impaired. I am sure that it will be to the benefit of both Utah and the United States to transfer all mineral rights to one government or the other for administrative convenience. We envision a trade of this kind occurring in case a fair market value exchange develops.

Another provision deleted from the final bill in the interests of simplification and freedom of negotiations was the one directing that the State's ownership of the waters of the lake be considered in valuing the otherwise almost worthless mudflats. The purpose of this provision was to make clear that the mudflats in dispute are not to be assigned a high value because of their use in connection with a resource, the brines of the lake, solely owned by the State. The lands are valuable to the owner of the waters of the lake, but they are practically worthless to anyone else. Since only small sections of these disputed lands will be used for evaporation ponds, the value of these vast mudflats should not be valued as if all were to be used for this purpose, nor indeed should the value be inflated because of potential use.

The most obvious fact about this bill, Mr. President, is that it was designed to solve the fluctuating boundary line problem caused by the rise and fall of the Great Salt Lake but this bill does not solve this difficulty. I should say it solves only one-half of the problem.

Under the bill before the Senate, all surface rights to lands below the meander line—the boundary fixed in the bill—will pass to the State, but there will be a reservation of minerals in the Government of the United States—except school sections. Since the State of Utah owns the waters of the lake and the bed and subsoil beneath these waters, as the waters rise or fall, there will result a change of ownership in the mineral estate, assuming that the United States is held or admitted to be fee owner of the relicted lands.

Under earlier drafts of this bill we had considered requiring a survey of the waterline of the lake as of the date of enactment. This could then have been the boundary for the mineral interests reserved to the United States. We eliminated this provision in the hope that it would not be necessary. A survey of the waterline was estimated to cost in the neighborhood of half a million dollars. It was in the hope that a final settlement will render this boundary question moot that we eliminated this provision.

Specifically, we envision that the mineral rights underneath the waters of the lake, which the State owns, can be exchanged for the surface rights of the relicted lands—if these are held to belong to the Federal Government. This will solve the boundary problem. All surface rights below the meander line would then belong to the State and all the subsurface mineral rights would then belong to the Federal Government. Thus the fluctuations of the waters of the lake would no longer affect either title. We eliminated from the bill any wording compelling the parties to exchange mineral for surface rights, but unless this course is adopted, an expensive survey will still have to be authorized later in order to have some boundary line for the mineral estate.

If there is no boundary line then the mineral reservation, so carefully preserved to the United States at the insistence of the Justice Department, will be practically worthless since no one will accept a lease that reads "valid only until the land is inundated by rising waters." It is to make perfectly clear that the conferees are aware that we have solved only half of the problem that I am making this detailed statement. The solution is as I have just expounded. If the United States has any interest in these disputed lands, then there must be a trade of mineral interests for surface rights in order to solve the fluctuating boundary. If not, then sometime in the future there must be new legislation, authorizing a survey and designating this new survey as the boundary between the respective mineral estates.

This has been a very laborious and taxing dispute for both Houses of Congress. It has taken a much larger expenditure of effort than any of us thought would be necessary. Hopefully, it will be the beginning of new industry on the shores of this lake with new jobs and new revenues to bolster our economy.

I think it is most important that the negotiation and transfer of land authorized in this bill take place in a spirit of cooperation and fairness. We have required the State of Utah to pay fair market value for the Federal interests in the relicted lands whether negotiated or declared by the Supreme Court. But the words "fair market value" are a relative term and an extremely vague standard for land that has rarely been traded on the open market. The values determined for the disputed land will necessarily be based on subjective, not objective considerations. In view of this, I would warn that either party to the negotiations, by being obdurate or unrealistic, could frustrate the congressional intent. I think it most important that both sides consider the common problem, their common purpose to administer the lands for the benefit of the people, and their mandate from this body. If this is done, I am sure that further legislation will not be needed. Instead, this most perplexing problem will become an example of the ability of the State and National Government to work together in our federal system.

Mr. JACKSON. Mr. President, the report of the Conferees on S. 265, the Great Salt Lake Relicted Lands bill, is a true compromise between the differing versions of the two Houses.

The Members of the Senate will recall that the subject of this measure is the title to and development of several hundred thousand acres of land which once were beneath the waters of the Great Salt Lake but which now are upland flats. These lands are of great potential value for industrial purposes in connection with the development of the mineral resources of the lake, for waterfowl habitat, and for other recreational purposes. With respect to industrial uses, the committee was informed that there has been something of a "break-through" in recent years with respect to extraction of magnesium, lithium, potash, and other minerals in the brines. Such development, however, requires the use of large areas of land relatively near the waters.

Both the State and Federal Governments claimed title to these relicted lands: The State claimed under theory that when Utah became a State in 1896, ownership of the beds of all inland navigable waters within its boundaries passed to it.

The Federal Government's claim, which was firmly asserted by the Department of Justice, the Department of the Interior, and all other administrative agencies, was based on the time-honored common law theory of reliction—that as the undisputed owner of the uplands, the lands added by recession of the waters became the property of the upland owner, in this case the Federal Government. This theory has been upheld in the Federal courts.

The applicability of this long-established common law principle to situations similar to that of the Great Salt Lake lands was upheld as recently as 1961 by the Ninth Circuit Court of Appeals in the case of United States against State of Washington by a decision which the Supreme Court of the United States refused to upset.

The Senate Interior Committee, after long and careful study, amended S. 265 to conform to the position of the Circuit and Supreme Courts, and that of the Department of Justice and other agencies, by recognizing Federal ownership of the lands but authorizing their sale to the State at fair market value. The minerals in these lands, necessarily being of unknown and indeterminable value, were reserved to the United States. Since the committee was informed by the Governor of Utah and other State officials that there was an urgent need for prompt action, we provided for immediate transfer of title to the State, so that development could begin, and with the amount and manner of compensation to be worked out later.

The House version left the question of title to the relicted lands open to judicial determination by directing the Attorney General of the United States to institute a suit in a court of competent jurisdiction. Possession would have passed to the State only after fulfillment of certain conditions precedent. Oil and gas rights, rather than all mineral rights, in whatever lands were determined to belong to the United States would have been reserved.

The report of the conferees combines the best features of both of these versions. That is, the Secretary of the Interior is directed to convey title to the relicted lands to the State, such title being subject to fulfillment of conditions subsequent. The State then has a choice of two alternative courses of action: One is to have the Secretary of the Interior determine the amount and manner of compensation as of the date of completion of the survey, thus bringing to a speedy end the entire controversy. The other is to institute an action in the Supreme Court of the United States to obtain judicial determination of the present right, title, and interest of the United States. After completion of the Court action, the Secretary then will determine fair market value as of the time of the Court's decision.

Thus, it well could be that if the State elected to go to the Supreme Court on the question of title, and the Court affirms the legal position of the United States, the price Utah would have to pay for the lands might be substantially higher. This would result because at that point in time the values received by the State will probably be much greater. All of the minerals in the relicted lands are reserved to the Federal Government and are withdrawn from development under the mining laws, except those in solution in the brines or precipitated or extracted from brines, all of which are conveyed to the State for their fair market value.

Thus, Mr. President, it will be seen that the measure reported by the conferees is a true compromise. Under it, the State of Utah can proceed immediately to issue leases and permits for the industrial development of the lands and the minerals in the waters of the Great Salt Lake. At the same time, the interests of the Federal Government are fully protected, as are whatever private rights there may be in the lands. The State has a free and full choice with respect to having the Supreme Court decide the title question, or of laying at rest the controversy promptly.

I ask unanimous consent that a section-by-section analysis of the conference report be inserted at this point as a part of my remarks.

Section-by-Section Analysis of Conferees Report on S. 265

Section 1 directs the completion of the public land survey, begun in 1855 and continued intermittently, around the lake by closing the present meander line. Thus, there will be no question as to just what lands are sold and conveyed to the State.

Section 2 directs the Secretary of the Interior to quitclaim to the State the lands below the meander line as soon as it is closed in accordance with section 1 and the State agrees to assume responsibility for administration as a trustee of the lands until compensation is determined. A proviso specifically protects existing private rights, if any, in the lands, and exempts the lands in the Weber Basin Federal reclamation project and the Bear River Migratory Bird Refuge.

Section 3 directs reservation to the Federal government of all minerals in the conveyed lands, except those in brines or precipitated or extracted from brines. The minerals so reserved are withdrawn from appropriation under the mining laws, but at the discretion of the Secretary the deposits may be developed under the mineral leasing laws. A proviso makes State use of the lands the dominant use.

Section 4 provides that as a condition of the conveyance of the lands below the meander line, the State in its turn shall quitclaim to the Federal government its interests in the lands above or upland from the meander line. These interests are those based on the fact that such lands might at one time have been covered by the waters of the lake, or that they may be so covered sometime in the future. A second provision requires that the State agree to pay the fair market value of the lands conveyed, including the minerals in the brines or precipitated or extracted from the brines. In lieu of money alone, the Secretary may accept as payment or part payment property or rights to property of the State, including mineral rights, and the relinquishment of the State's right to select certain public lands.

Section 5 confers on the State the choice, to be made within 9 months of enactment, of alternative actions with respect to settlement of the amount of compensation. First, it may request the Secretary to determine the fair market value of the lands and minerals conveyed as of the date of completion of the survey.

Or, as an alternative, the State may initiate an action in the Supreme Court of the United States for a judicial determination of the extent of the Federal government's rights, title and interest in the lands conveyed. Consent to joinder of the United States as a defendant in such an action is expressly given.

Within two years of the completion of the court action, the Secretary shall determine the fair market value of the lands and minerals conveyed which are found to have been owned by the United States prior to the conveyance. The values shall be determined as of the date of the Court's decision, rather than at the time of the closing of the meander line, as provided by the first alternative.

Failure of the State to elect one of the foregoing two alternative actions within nine months of the date of enactment will nullify the conveyance. Under the first alternative, the Secretary must transmit his findings as to fair market value within two years after the request, and the State must make payment within two years after receiving the determination.

Under the second alternative also the State must make payment within two years of receiving the Secretary's determination, based on the Supreme Court's decision.

Section 6 authorizes the State to issue leases, permits or licenses for utilization of the conveyed lands and resources immediately after it agrees to assume the obligation to administer the lands as a trustee, pending settlement of the amount and manner of the compensation to be paid to the Federal government. Revenues received by the State from such development shall be paid to the United States for the credit of the State, until the full amount of the compensation has been paid. In the event the State adopts the second alternative and the Supreme Court finds the United States had no property rights in the lands conveyed, then such revenues shall be returned to the State without interest.

The second paragraph of section 6 provides that if the conveyance becomes null and void for any reason, then the leases, licenses or permits issued by the State under the authority of this section shall be deemed instruments issued by the Federal government and shall be administered by the Secretary in accordance with their terms.

Mr. BENNETT. Mr. President, as the original sponsor of the Great Salt Lake Shoreline legislation in the 87th Congress, I am much pleased to see that this long controversy is about to be resolved. I recommend that the Senate adopt the Senate-House conference report as quickly as possible so that the bill can be prepared for the President's signature.

Now that this longstanding conflict is about to be resolved, the State of Utah will be able to move ahead and plan for the early development of hitherto untapped natural resources around and in Great Salt Lake. One provision in the conference report calls for action by the Utah State Legislature, and I am pleased to report that as soon as this bill becomes law the legislature, which is currently in special session, can dispose of the bill quickly itself.

I am also pleased to see that the Senate-House conferees generally have agreed that Utah's claim to the lands around the lake will be protected as will the rights of the Federal Government and of the private individuals or groups who own land around the lake.

The conference committee has recommended an amendment in the nature of a substitute for the House amendment to the Senate bill. The substitute contains features from both the Senate and the House versions and provides for conveyance to the State of Utah of the interests of the United States in relicted lands surrounding Great Salt Lake below the established meander line, for the surveys necessary to close the line, for the protection of valid existing rights in third parties, for the United States to retain ownership of lands it now holds within the Bear River Migratory Bird Refuge and the Weber Basin Federal reclamation project, for payment by the State to the United States in cash or equivalent of the fair market value of the interests transferred to it by the United States, for the State to manage the lands pending final resolution of questions of ownership or compensation, and for the State to relinquish any claim to lands lying above the meander line which may heretofore or may hereafter become submerged by the water in the lake.

Mr. President, the conference committee has solved the differences between the two versions by requiring the State of Utah to elect whether to pay the fair market value of the land transferred to it or to institute suit in the Supreme Court to test the United States claim of title.

This election must be made within 9 months after the Secretary of Interior completes the closing of the meander line.

In addition, the conference report provides that if the State elects to pay fair market value, the Secretary of Interior shall determine that value as of the date of the completed survey. If the State elects to sue and the judgment is in favor of the United States, the State will be bound to pay the fair market value as of the date of judgment as determined by the Secretary. If payment is not made within 2 years after receipt of the Secretary's determination the conveyance becomes null and void.

The bill also provides that the conveyance shall reserve to the United States all minerals "except brines and minerals in solution in the brines or precipitated or extracted therefrom." The value of the latter will be a part of the total fair market value to be paid by the State. The mineral reservation extends to "whatever Federal lands there may be below the meander line of the Great Salt Lake."

Mr. President, legislation is nothing more than compromise, and it is my feeling that the compromise we have before us today will resolve the longstanding question of who owns the land. Before the passage of this bill and because of the nature of the lake it was conceivable that a firm on the shores of the lake would find itself one day under jurisdiction of the Federal Government and the next under jurisdiction of the State government as far as the land is concerned.

I recommend the early adoption of the conference report, so that the State and the Federal Government can begin to receive the benefits for the potential industry that is there.

Mr. MOSS. Mr. President, I move that the conference report be agreed to.

The conference report was agreed to.

Mr. MOSS. Mr. President, I move that the vote by which the conference report was agreed to be reconsidered.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I understand there will be nothing further during the day in connection with the conference report which deals with the sale of about $11 billion worth of Government assets.

I think that the Senate made a wise decision to postpone this matter until Monday in order that Senators may examine the bill and vote more intelligently.

There may not be too much difference between the two versions of the bill, but we cannot escape the fact that this represents a major change of Government policy in financing its expenditures. The proposal involves the authorization of the sale of about $11 billion of our assets, the proceeds of which can be used to defray regular operating expenses of the Government and thereby reduce the amount of the deficit as will be reported by the Government.

There are some of us who feel strongly that this is a deceitful method of financing and that it does not tell the American people the truth in regard to the cost of these Great Society programs.

For that reason we strongly object to any effort to steamroller this bill through without Senators having had an opportunity to read it.

I am not unmindful of the fact that this legislation as first presented called for an authority to sell $33 billion of assets.

(At this point Mr. BYRD of West Virginia took the chair as Presiding Officer.)

Mr. WILLIAMS of Delaware. The Senate held but 2 days of hearings on the bill, which deals with a $33 billion authorization; but, what is worse, the RECORD shows that the first day's hearings were held before the bill had even been introduced. The second day's hearings were finished before the bill had returned from the printer. It was reported the same day, and on the very next day it was made the pending business before the Senate.

There has been an unusual rush to have this bill passed ever since it was first discovered by the White House that this might be a convenient method to make it look like they are balancing the budget. Had it passed as it was originally introduced, the Government could have spent, for the next 3 years, $10 billion a year more than it is taking in, while still reporting a balanced budget. This is deceitful.

Under the bill in its modified form, which is $20 billion lower than the original request, the administration can spend between $10 billion and $11 billion next year more than it will be taking in and still deceive the American people by telling them they have a balanced budget. The President, in his message to Congress, advocated truth in lending and truth in packaging; I strongly suggest that the White House lend its support to a policy of truth in Government.

Mr. BENNETT. Mr. President, the Senate has been discussing House action on S. 3283. For the RECORD, I should like to report that under today's date I received a communication from Joseph W. Barr, Under Secretary of the Treasury, with respect to an amendment which I offered, which was accepted and made a part of the bill when the Senate passed it, but was omitted by the House.

Let me read Mr. Barr's letter:

> DEAR SENATOR BENNETT: The asset sales bill as passed by the House omitted your amendment to section 8 which would have required the Secretary of the Treasury to make an annual report to the Congress regarding loans held by Federal agencies, participation sales and the effect of participation sales on the deficit or surplus in the administrative budget.
>
> Let me assure you that the Treasury Department will make such a report on a voluntary basis in accordance with the intent of your amendment. Treasury staff will be available to your staff at any time to work out the details and timing of the report procedure.

Since the bill has now gone over until Monday for action, I though I had better get this statement in today's RECORD, in the off chance that I might not be available on the floor during the limited time which has been set for consideration of the bill.

I thank the Senator from Nevada for yielding to me and giving me the opportunity to make this statement.

Mr. BIBLE. I am happy to oblige the Senator from Utah.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1967—CONFERENCE REPORT

Mr. BIBLE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14215) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1967, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of May 18, 1966, pp. 10887-10889, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BIBLE. Mr. President, as this bill passed the Senate, it provided for appropriations totaling $1,329,755,000 for the agencies and bureaus of the Department of the Interior, exclusive of the Bureau of Reclamation and power marketing agencies, and the various related agencies, including the U.S. Forest Service.

The conference committee bill provides appropriations totaling $1,321,615,800 for the programs and activities of these agencies. This total is under the budget estimates of $1,340,260,500 by $18,644,700; over the House bill of $1,295,169,500 by $26,446,300; and under the Senate bill of $1,329,755,000 by $8,139,200.

I ask unanimous consent to have printed in the RECORD, at the conclusion of my remarks, a tabulation setting out the appropriation for the current year, the budget estimate, the House allowance, the Senate allowance, and the conference allowance for each appropriation in the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BIBLE. Mr. President, the House conferees concurred with $9,500,000 of the $10,300,000 budgeted for the heavy metals program which had not been considered by the House of Representatives. The House also concurred in the Senate's provision of funds to implement the anadromous fisheries program which was authorized by law approved last October.

In addition, there is agreement on the $2 million allowed by the Senate for the National Foundation on the Humanities. Furthermore, the Senate's distribution of the Land and Water Conservation Act funds has been accepted by the House.

The conference was a most friendly, cooperative meeting. I believe that the report deals very fairly with the actions and views of both branches of the Congress.

EXHIBIT 1

Interior Department and related agencies appropriations bill, 1967 (H.R. 14215)

Item	Appropriations, 1966	Budget estimates, 1967	Allowances			Conference allowance compared with—		
			House	Senate	Conference	Budget estimate	House allowance	Senate allowance
TITLE I—DEPARTMENT OF THE INTERIOR								
PUBLIC LAND MANAGEMENT								
BUREAU OF LAND MANAGEMENT								
Management of lands and resources	$50, 575, 000	$48, 755, 000	$48, 755, 000	$48, 970, 000	$48, 855, 000	+$100, 000	+$100, 000	−$115, 000
Construction and maintenance	3, 150, 000	2, 900, 000	2, 900, 000	3, 062, 000	3, 032, 000	+132, 000	+132, 000	−30, 000
Public lands development roads and trails (liquidation of contract authorization)	2, 000, 000	2, 000, 000	2, 000, 000	2, 000, 000	2, 000, 000			
Oregon and California grant lands (indefinite appropriation of receipts)	(16, 945, 000)	(9, 750, 000)	(9, 750, 000)	(9, 750, 000)	(9, 750, 000)			
Range improvements (indefinite appropriation of receipts)	(1, 346, 000)	(1, 448, 000)	(1, 448, 000)	(1, 448, 000)	(1, 448, 000)			
Total, Bureau of Land Management	55, 725, 000	53, 655, 000	53, 655, 000	54, 032, 000	53, 887, 000	+232, 000	+232, 000	−145, 000

EXHIBIT 1—Continued

Interior Department and related agencies appropriations bill, 1967 (H.R. 14215)—Continued

Item	Appropriations, 1966	Budget estimates, 1967	Allowances			Conference allowance compared with—		
			House	Senate	Conference	Budget estimate	House allowance	Senate allowance
TITLE I—DEPARTMENT OF THE INTERIOR—Continued								
PUBLIC LAND MANAGEMENT—Continued								
BUREAU OF INDIAN AFFAIRS								
Education and welfare services	$107,048,400	$115,296,000	$114,475,000	$115,061,300	$114,690,300	−$605,700	+$215,300	−$371,000
Resources management	43,551,000	44,611,000	44,086,000	44,086,000	44,086,000	−525,000		
Construction	35,151,000	57,164,000	55,325,000	56,848,000	56,118,000	−1,046,000	+793,000	−730,000
Road construction (liquidation of contract authorization)	17,445,000	16,754,000	16,754,000	16,889,000	16,889,000	+135,000	+135,000	
General administrative expenses	4,623,000	4,677,000	4,623,000	4,623,000	4,623,000	−54,000		
Menominee educational grants	44,000							
Total, Bureau of Indian Affairs, exclusive of tribal funds	207,862,400	238,502,000	235,263,000	237,507,300	236,406,300	−2,095,700	+1,143,300	−1,101,000
Tribal funds (not included in totals of this tabulation)	(3,000,000)	(3,000,000)	(3,000,000)	(3,000,000)	(3,000,000)			
BUREAU OF OUTDOOR RECREATION								
Salaries and expenses	3,466,000	3,910,000	3,910,000	3,960,000	3,910,000			−50,000
Land and water conservation (indefinite appropriation of receipts)	(125,000,000)	(110,000,000)	(110,000,000)	(110,000,000)	(110,000,000)			
Total, Bureau of Outdoor Recreation	3,466,000	3,910,000	3,910,000	3,960,000	3,910,000			−50,000
OFFICE OF TERRITORIES								
Administration of territories	17,079,000	10,513,000	10,513,000	10,513,000	10,513,000			
Trust territory of the Pacific Islands	17,446,600	17,494,000	17,494,000	17,494,000	17,494,000			
Limitation on administrative expenses, Virgin Islands Corporation	(100,000)							
Total, Office of Territories	34,525,600	28,007,000	28,007,000	28,007,000	28,007,000			
THE ALASKA RAILROAD								
Payment to the Alaska Railroad revolving fund	4,100,000							
Total, Public Land Management	305,679,000	324,074,000	320,835,000	323,506,300	322,210,300	−1,863,700	+1,375,300	−1,296,000
MINERAL RESOURCES								
GEOLOGICAL SURVEY								
Surveys, investigations, and research	73,190,870	80,520,000	72,782,000	80,932,000	80,032,000	−488,000	+7,250,000	−900,000
BUREAU OF MINES								
Conservation and development of mineral resources	32,391,000	35,166,000	31,540,000	34,940,000	34,740,000	−426,000	+3,200,000	−200,000
Health and safety	9,599,000	9,390,000	9,390,000	9,390,000	9,390,000			
Solid waste disposal	1,400,000	4,335,000	4,000,000	4,300,000	4,300,000	−35,000	+300,000	
Appalachian region mining area restoration		10,566,000	8,000,000	7,000,000	7,000,000	−3,566,000	−1,000,000	
General administrative expenses	1,551,000	1,556,000	1,556,000	1,556,000	1,556,000			
Helium Fund:								
Borrowing authorization	(16,000,000)	(26,000,000)	(26,000,000)	(26,000,000)	(26,000,000)			
Total, Bureau of Mines	44,941,000	61,013,000	54,486,000	57,186,000	56,986,000	−4,027,000	+2,500,000	−200,000
OFFICE OF COAL RESEARCH								
Salaries and expenses	7,220,000	8,237,000	8,220,000	8,220,000	8,220,000	−17,000		
OFFICE OF OIL AND GAS								
Salaries and expenses	720,300	722,000	722,000	722,000	722,000			
Total, Mineral Resources	126,072,170	150,492,000	136,210,000	147,060,000	145,960,000	−4,532,000	+9,750,000	−1,100,000
FISH AND WILDLIFE AND PARKS								
OFFICE OF THE COMMISSIONER OF FISH AND WILDLIFE								
Salaries and expenses	452,500							
BUREAU OF COMMERCIAL FISHERIES								
Management and investigations of resources	22,072,800	20,092,000	20,312,000	21,076,000	20,701,000	+609,000	+389,000	+375,000
Management and investigations of resources (appropriation of receipts)		(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)			
Management and investigations of resources (special foreign currency program)	300,000	200,000	500,000	500,000	500,000	+300,000		
Construction	1,980,000	495,000	1,245,000	1,245,000	1,245,000	+750,000		
Construction of fishing vessels	5,000,000	3,300,000	3,000,000	3,000,000	3,000,000	−300,000		
Federal aid for commercial fisheries research and development	4,713,200	3,210,000	4,710,000	4,710,000	4,710,000	+1,500,000		
Anadromous and Great Lakes Fisheries Conservation				2,675,000	2,675,000	+2,675,000	+2,675,000	
General administrative expenses	689,000	739,000	739,000	739,000	739,000			
Administration of Pribilof Islands (indefinite appropriation of receipts)	(2,464,000)	(2,468,000)	(2,468,000	(2,468,000	(2,468,000			
Limitation on administrative expenses, Fisheries loan fund	(309,000)	(309,000)	(309,000)	(309,000)	(309,000)			
Total, Bureau of Commercial Fisheries	34,755,000	28,036,000	30,506,000	33,945,000	33,570,000	+5,534,000	+3,064,000	−375,000

EXHIBIT 1—Continued

Interior Department and related agencies appropriations bill, 1967 (H.R. 14215)—Continued

Item	Appropriations, 1966	Budget estimates, 1967	Allowances			Conference allowance compared with—		
			House	Senate	Conference	Budget estimate	House allowance	Senate allowance
TITLE I—DEPARTMENT OF THE INTERIOR—Continued								
FISH AND WILDLIFE AND PARKS—Continued								
BUREAU OF SPORT FISHERIES AND WILDLIFE								
Management and investigations of resources	$36,792,300	$37,304,000	$37,164,000	$39,161,400	$38,145,800	+$841,800	+$981,800	−$1,015,600
Construction	18,299,200	3,169,000	5,130,000	8,341,600	7,118,600	+3,949,600	+1,988,600	−1,223,000
Migratory bird conservation account	7,500,000	6,000,000	6,000,000	6,000,000	6,000,000			
Appalachian region fish and wildlife restoration projects		1,350,000	1,000,000	500,000	500,000	−850,000	−500,000	
Anadramous and Great Lakes Fisheries Conservation				2,675,000	2,675,000	+2,675,000	+2,675,000	
General administrative expenses	1,492,300	1,564,000	1,549,000	1,564,000	1,549,000	−15,000		−15,000
Total, Bureau of Sport Fisheries and Wildlife	64,083,800	49,387,000	50,843,000	58,242,000	55,988,400	+6,601,400	+5,145,400	−2,253,600
NATIONAL PARK SERVICE								
Management and protection	33,394,000	36,177,000	35,694,000	36,171,600	35,932,800	−244,200	+238,800	−238,800
Maintenance and rehabilitation of physical facilities	25,487,000	27,022,000	26,680,000	26,680,000	26,680,000	−342,000		
Construction	27,888,000	23,500,000	22,894,000	23,494,000	22,894,000	−606,000		−600,000
Parkway and road construction (liquidation of contract authorization)	38,500,000	30,000,000	30,000,000	30,000,000	30,000,000			
General administrative expenses	2,522,000	2,562,100	2,562,000	2,562,000	2,562,000	−100		
Total, National Park Service	127,791,000	119,261,100	117,830,000	118,907,600	118,068,800	−1,192,300	+238,800	−838,800
Total, Fish, Wildlife, and Parks	227,082,300	196,684,100	199,179,000	211,094,600	207,627,200	+10,943,100	+8,448,200	−3,467,400
OFFICE OF SALINE WATER								
Salaries and expenses	20,000,000	28,595,000	27,500,000	27,500,000	27,500,000	−1,095,000		
Operation and maintenance	2,485,000	2,351,000	2,351,000	2,351,000	2,351,000			
Total, Office of Saline Water	22,485,000	30,946,000	29,851,000	29,851,000	29,851,000	−1,095,000		
OFFICE OF WATER RESOURCES RESEARCH								
Salaries and expenses	6,396,000	6,894,000	6,894,000	6,894,000	6,894,000			
OFFICE OF THE SOLICITOR								
Salaries and expenses	4,596,800	4,704,000	4,650,000	4,704,000	4,704,000		+54,000	
OFFICE OF THE SECRETARY								
Salaries and expenses	4,557,200	5,186,000	4,984,100	5,051,700	4,998,900	−$187,100	+14,800	−52,800
Total, direct appropriations	696,868,470	718,980,100	702,603,100	728,161,600	722,245,400	+3,265,300	+19,642,300	−5,916,200
Total, appropriation of receipts	145,755,000	124,666,000	124,666,000	124,666,000	124,666,000			
Total, borrowing authorization	16,000,000	26,000,000	26,000,000	26,000,000	26,000,000			
Total, title I, Department of the Interior	858,623,470	869,646,100	853,269,100	878,827,600	872,911,400	+3,265,300	+19,642,300	−5,916,200
TITLE II—RELATED AGENCIES								
DEPARTMENT OF AGRICULTURE								
FOREST SERVICE								
Forest protection and utilization:								
Forest land management	171,953,000	172,856,000	172,821,000	174,521,000	173,850,000	+994,000	+1,029,000	−671,000
Forest research	37,374,000	34,435,000	34,955,000	38,578,000	37,821,000	+3,386,000	+2,866,000	−757,000
State and private forestry cooperation	17,558,000	17,897,000	17,897,000	17,897,000	17,897,000			
Total, forest protection and utilization	226,885,000	225,188,000	225,673,000	230,996,000	229,568,000	+4,380,000	+3,895,000	−1,428,000
Forest roads and trails (liquidation of contract authorization)	102,136,000	102,530,000	101,230,000	101,230,000	101,230,000	−1,300,000		
Timber development organization loans and technical assistance		500,000				−500,000		
Acquisitions of lands for national forests:								
Uinta National Forest		300,000	300,000	300,000	300,000			
Special acts (appropriation of receipts)	(80,000)	(80,000)	(80,000)	(80,000)	(80,000)			
Cooperative range improvements (appropriation of receipts)	(700,000)	(700,000)	(700,000)	(700,000)	(700,000)			
Assistance to States for tree planting	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000			
Total, definite appropriations	330,021,000	329,518,000	328,203,000	333,526,000	332,098,000	+2,580,000	+3,895,000	−1,428,000
Total, appropriation of receipts	780,000	780,000	780,000	780,000	780,000			
Total, Forest Service, Department of Agriculture	330,801,000	330,298,000	328,983,000	334,306,000	332,878,000	+2,580,000	+3,895,000	−1,428,000
FEDERAL COAL MINE SAFETY BOARD OF REVIEW								
Salaries and expenses	91,000	61,400	61,400	61,400	61,400			
COMMISSION OF FINE ARTS								
Salaries and expenses	123,000	115,000	115,000	115,000	115,000			
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE								
PUBLIC HEALTH SERVICE								
Indian health activities	67,548,000	73,448,000	73,250,000	73,671,000	73,671,000	+223,000	+421,000	
Construction of Indian health facilities	14,096,000	14,422,000	13,000,000	13,928,000	13,464,000	−958,000	+464,000	−464,000
Total, Public Health Service	81,644,000	87,870,000	86,250,000	87,599,000	87,135,000	−735,000	+885,000	

EXHIBIT 1—Continued

Interior Department and related agencies appropriations bill, 1967 (H.R. 14215)—Continued

Item	Appropriations, 1966	Budget estimates, 1967	Allowances			Conference allowance compared with—		
			House	Senate	Conference	Budget estimate	House allowance	Senate allowance
TITLE II—RELATED AGENCIES—Con.								
DEPARTMENT OF HEW—Continued								
OFFICE OF EDUCATION								
Arts and humanities educational activities	$1,000,000	$1,000,000	$1,000,000	$1,000,000	$1,000,000			−$464,000
Total, Health, Education, and Welfare	82,644,000	88,870,000	87,250,000	88,599,000	88,135,000	$−735,000	$+885,000	−464,000
INDIAN CLAIMS COMMISSION								
Salaries and expenses	347,000	438,000	382,000	382,000	382,000	−56,000		
NATIONAL CAPITAL PLANNING COMMISSION								
Salaries and expenses	818,000	1,144,000	1,005,000	1,005,000	1,005,000	−139,000		
Land acquisition, National Capital park, parkway, and playground system		6,100,000				−6,100,000		
Total, National Capital Planning Commission	818,000	7,244,000	1,005,000	1,005,000	1,005,000	−6,239,000		
NATIONAL CAPITAL TRANSPORTATION AGENCY								
Salaries and expenses	425,000	1,575,000	1,400,000	1,400,000	1,400,000	−175,000		
Construction, rail rapid transit system	3,679,000	17,055,000	9,055,000	9,055,000	9,055,000	−8,000,000		
Total, National Capital Transportation Agency	4,104,000	18,630,000	10,455,000	10,455,000	10,455,000	−8,175,000		
NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES								
Salaries and expenses	5,700,000	13,930,000	7,000,000	9,000,000	9,000,000	−4,930,000	+2,000,000	
Endowment for the arts	2,000,000							
Endowment for the humanities	3,000,000							
Total, National Foundation on the Arts and Humanities	10,700,000	13,930,000	7,000,000	9,000,000	9,000,000	−4,930,000	+2,000,000	
NATIONAL COUNCIL ON THE ARTS								
Salaries and expenses	50,000							
PUBLIC LAND LAW REVIEW COMMISSION								
Salaries and expenses	750,000	907,000	907,000	907,000	907,000			
SMITHSONIAN INSTITUTION								
Salaries and expenses	18,921,000	23,437,000	22,523,000	22,844,000	22,523,000	−914,000		−321,000
Archeological research and excavation (special foreign currency program)	1,300,000	5,700,000	2,316,000	2,316,000	2,316,000	−3,384,000		
Construction and improvements, National Zoological Park	1,539,000	1,589,000	1,589,000	1,589,000	1,589,000			
Restoration and renovation of buildings	2,248,000	2,300,000	2,300,000	2,300,000	2,300,000			
Salaries and expenses, National Gallery of Art	2,531,000	2,765,000	2,694,000	2,718,000	2,718,000	−47,000	+24,000	
Total, Smithsonian Institution	26,539,000	35,791,000	31,422,000	31,767,000	31,446,000	−4,345,000	+24,000	−321,000
CIVIL WAR CENTENNIAL COMMISSION								
Salaries and expenses	100,000							
CORREGIDOR-BATAAN MEMORIAL COMMISSION								
Salaries and expenses	25,000	35,000	25,000	35,000	25,000	−10,000		−10,000
VETERANS' ADMINISTRATION								
Construction, Corregidor-Bataan Memorial	1,400,000							
Total, Corregidor-Bataan Memorial	1,425,000	35,000	25,000	35,000	25,000	−10,000		−10,000
LEWIS AND CLARK TRAIL COMMISSION								
Salaries and expenses	25,000	25,000	25,000	25,000	25,000			
TRANSITIONAL GRANTS TO ALASKA								
Grants	5,376,000							
FEDERAL DEVELOPMENT PLANNING COMMITTEE FOR ALASKA								
Salaries and expenses	174,000	190,000	190,000	190,000	190,000			
COMMISSION ON THE STATUS OF PUERTO RICO								
Salaries and expenses	200,000							
HISTORICAL AND MEMORIAL COMMISSION								
Franklin Delano Roosevelt Memorial Commission	20,000	80,000	80,000	80,000	80,000			
Total, direct appropriations	463,507,000	495,834,400	467,120,400	476,147,400	473,924,400	−21,910,000	+6,804,000	−2,223,000
Total, appropriation of receipts	780,000	780,000	780,000	780,000	780,000			
Total, title II, related agencies	464,287,000	406,614,400	467,900,400	476,927,400	474,704,400	−21,910,000	+6,804,000	−2,223,000
Grand total	1,322,910,470	1,366,260,500	1,321,169,500	1,355,755,000	1,347,615,800	−18,644,700	+26,446,300	−8,139,200
Consisting of—								
Direct appropriations	1,160,375,470	1,214,814,500	1,169,723,500	1,204,309,000	1,196,169,800	−18,644,700	+26,446,300	−8,139,200
Appropriation of receipts	146,535,000	125,446,000	125,446,000	125,446,000	125,446,000			
Borrowing authorization	16,000,000	26,000,000	26,000,000	26,000,000	26,000,000			

Mr. MUNDT. Mr. President, before conclusion of Senate consideration of the House-Senate conference committee approved appropriations bill for the Department of Interior and related agencies for the coming fiscal year, I believe it is appropriate to note for the Record two of the items included.

One concerns the program to protect endangered wildlife species, the other is the effort to prevent destruction of the Metropolitan Opera House in New York City.

ENDANGERED SPECIES

Concerning endangered species of wildlife, included with this bill in the report is language authorizing the Bureau of Sport Fisheries and Wildlife to add six new positions to the program being undertaken by the Endangered Wildlife Research Station at the Patuxent Wildlife Center located not too far from our Capital City.

This language was submitted by me during our Senate appropriations subcommittee consideration of the Interior bill. As a matter of record, I might point out that the endangered wildlife facility at Patuxent, which is now under development, is the project which I recommended a year ago.

At that time I submitted a funding amendment to the Interior appropriations bill, asking that $350,000 be allocated for establishing the endangered species center so as to expand the research efforts underway in the Bureau of Sport Fisheries and Wildlife.

This recommendation received approval of the Senate Appropriations Committee and subsequently the Congress, and last fall work was started on locating the facility at Patuxent. This spring, I received a progress report on the endangered species program at Patuxent, which, I should point out, is under the direction of one of the outstanding biologists in this field in the country, Dr. Ray Erickson. Dr. Erickson brings to this vital research effort the knowledge and experience of many years of dedicated work in behalf of preserving our wildlife resources. I am confident that under the direction of this most able public servant, we are going to witness tremendous progress in the important tasks of saving from extinction such valuable birds and animals as the whooping crane, the black-footed ferret and many, many others.

Mr. President, I would like to include at this point in my remarks, the progress report on the endangered species program resulting from the utilization of funds which I had recommended.

There being no objection, the progress report was ordered to be printed in the Record, as follows:

ENDANGERED SPECIES PROGRAM

The sum of $350,000, appropriated by Congress last spring, has permitted the Bureau of Sport Fisheries and Wildlife to embark on an active research and propagation program for threatened American wildlife.

All captive wildlife stock formerly held at Monte Vista National Wildlife Refuge in southern Colorado was moved on February 21 to Patuxent Wildlife Research Center near Laurel, Maryland, where temporary pens and ponds had been built for their immediate occupancy. The stock included "Canus", the young whooping crane which was rescued after being found injured in Wood Buffalo National Park nearly two years ago; 45 greater and lesser sandhill cranes; 8 Aleutian Canada geese, 3 tule white-fronted geese; 4 dusky grouse; and several dozen silky bantams used for incubation studies.

Also on hand are 8 South American snail kites which are being studied to develop rearing methods which might be used with the endangered Florida Everglade kites; 4 pairs of masked bobwhite quail as a result of my request to the Levy brothers, Seymour and James, of Tucson, Arizona, soon will be airshipped to Patuxent for propagation purposes.

A staff of ten is assigned to this new program. Dr. R. C. Erickson, as Assistant Director of the Patuxent Wildlife Research Center, is the responsible biologist in charge. The field investigations phase was initiated with the assignment of Winston E. Banko to Honolulu on the study of endangered Hawaiian birds; Fred C. Sibley to Ojai, California, on the California condor; Donald K. Fortenberry to Rapid City, South Dakota, on the black-footed ferret; and Norman E. Holgersen to southern Florida to study the Florida Everglades kite and other southeastern threatened species.

Two previously authorized positions are being occupied by C. Eugene Knoder, who heads the propagation aspects of the program, and his assistant, Donald Frickie. A secretary and two animal keepers remain to be assigned, though temporary employees are meeting interim needs.

Engineering planning is now complete and bids will be accepted soon for construction of a propagation building, a service-equipment storage building, a well, storage reservoir, and water distribution system, and a series of enclosures and ponds. Preliminary plans are at hand for a laboratory building, whose construction is proposed for fiscal year 1968. Other major construction contemplated during the next five years includes a large complex of covered and open enclosures and ponds; two more propagation buildings for shore and wading birds and for such perching birds as eagles, condors, hawks, woodpeckers, and songbirds; a building containing environmental control chambers; 2 custodial residences; and a visitors center where live examples of many rare and endangered wildlife species will be on public display near Washington.

An eventual staff of approximately 60 is anticipated, about half of them being technical personnel. It is expected that when the program reaches full stride within eight or ten years studies at Patuxent will be in progress on at least 100 different species in captivity which may be annually producing more than 5,000 birds for release to the wild. At this time several smaller research substations may also be developed at existing refuges or other Federal properties to meet the needs of species of threatened wildlife which cannot be held at Patuxent because of climatic or other reasons.

Mr. MUNDT. Mr. President, the language I submitted for inclusion in the report for fiscal 1967, will now permit adding six new positions to the research program, and this will be accomplished within operating funds provided in the budget request.

The total authorized staff of the endangered species program now consists of 10 employees. The six new positions will be needed to carry forward the functions of the station, with two of the staff assignments directed to field studies of such species as the Tule white-fronted goose, the masked bobwhite, the Attwater's prairie chicken, and the red wolf.

Two of the positions are for animal caretakers to provide care of the captive stock on a 24-hour-day, 7-day-week basis for much of each year. Another staff assignment is for a secretary and the remaining post is for an animal physiologist-nutritionist needed to give continuing attention to the dietary requirements and the formulation of foods, as well as to make continuing appraisals of the physical condition of the captive stock.

Mr. President, I have here one further example of not only the progress being made at the endangered species center but a demonstration of the wonderful cooperation which is being received around the country in the effort to save our wildlife.

Recently Seymour and James Levy, of Tucson, Ariz., donated to the center four pairs of the rare masked bobwhite birds. The Levy brothers conduct their own efforts to propagate this particular variety, and are representative of many Americans who are devoting their talents to this significant conservation effort to preserve and enhance the tremendous wildlife heritage given to this country.

Mr. President, I request permission to include at this point in the Record a news story concerning the Levy brothers' contribution.

There being no objection, the article was ordered to be printed in the Record, as follows:

April 15, 1966.

Arrival this week of eight masked bobwhite quail at the Patuxent National Wildlife Research Center near Washington marks another step forward in the program to save endangered species of wildlife.

Senator Karl Mundt, Republican of South Dakota, announced today that four pairs of the rare variety of quail (Colinus virginianus ridgwayi) have been presented to the center by Seymour and James Levy of Tucson, Arizona.

Mundt said the Levy brothers, who are conducting their own efforts to propagate masked bobwhites, donated the birds to the center's new endangered species program established at Patuxent through the South Dakota Senator's efforts last year.

Mundt said the masked bobwhite are being housed in pens specially built for them. He said the eight quail will provide a breeding nucleus for the endangered species project in an effort to repopulate the former range in Arizona of this species.

He said until the early 1900's, masked bobwhites were found in the desert areas of central southern Arizona. Their former range extended through middle Sonora in Mexico to about 50 miles north of the U.S.-Mexico border, and from the Baboquivari Mountains east to the upper Santo Cruz Valley.

"Present distribution of the variety," Mundt said, "is confined to Southern Sonora, with some reported northeast of Guaymas, Sonora."

Mundt said there is no estimate on the number of masked bobwhite quail in the wild, but noted that only a few sets of eggs have been discovered in recent years.

The endangered species program at Patuxent is under direction of Dr. R. C. Erickson, assistant director of the Patuxent Center. Already on hand at the station is the captive wildlife stock formerly held at Monte Vista National Wildlife Refuge in southern Colorado.

Temporary pens and ponds were built at Patuxent to house the stock which included "Canus," the young whooping crane which was rescued after being injured in Wood

Buffalo National Park, Canada, nearly two years ago; 45 greater and lesser sandhill cranes to be used in research to develop techniques for successful propagation of the rare whooping crane; eight Aleutian Canada geese; three tule white-fronted geese, four dusky grouse; and several dozen silky bantams used for incubation studies.

Also on hand are several South American snail kites which are being studied to develop rearing methods which might be used with the endangered Florida Everglade kites.

METROPOLITAN OPERA AMENDMENT

Mr. MUNDT. Mr. President, in connection with the Metropolitan Opera House, the conference approved bill contains my amendment which prohibits the National Foundation of Arts and Humanities from making any grant or other payment which would be used directly or indirectly for destruction of the Met.

It should be made clear, Mr. President, that this amendment in itself cannot prevent the destruction of the Metropolitan Opera House, if that is the desire of the owners.

However, it does accomplish the purpose of preventing any expenditure of Federal funds for such purpose, and secondly, in my opinion, through adoption, it expresses the sense of the Congress as being opposed to destruction of this world famous structure in New York City.

The inception of this amendment originated with Representative WILLIAM WIDNALL, of New Jersey, and he is deserving of great credit for the effort made here in behalf of preserving this fine structure in New York City.

Unfortunately, when he proposed it in the other body, it was stricken on a point of order. I then submitted it in our Senate Appropriations Subcommittee, which agreed to it, and it subsequently received approval of the conference committee and is now part of the bill considered today in the Senate.

What this amendment also does, is pointed out by Mr. WIDNALL in his remarks. He stated:

> Many of our historic buildings and sites that are rich in tradition, history, and architecture and of great cultural and artistic value are threatened by the bulldozers and the wrecking balls. Already, some 6,000 of our heritage of 12,000 most historically significant buildings have been destroyed, by progress of a kind which takes no account of history or cultural and artistic values. The Metropolitan Opera House was almost a victim of this kind of shortsighted progress.

Mr. WIDNALL continues:

> The amendment voted by this House today has had a major role in saving the Metropolitan Opera House, and it established a precedent of major significance. Certainly no Federal funds should be used to destroy our historic landmarks and our cultural monuments. Saving these is a mark of our maturity as a nation.

Mr. President, I could not agree more with Mr. WIDNALL's statement and I share his pleasure that the New York State Legislature has passed overwhelmingly a measure to save the Metropolitan Opera House.

This, of course, is where the final action must come to save this magnificent structure, in the State of New York and the city of New York.

However, it is my hope that through the action taken by the Congress in approval of this amendment, we have provided some direction and some encouragement to those who continue to carry on the fight.

Mr. President, for the purposes of the historical record of the effort to save the Met here in Congress, I request permission to include several items which are pertinent to the issue and which are in chronological order.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT OF MR. WIDNALL, APRIL 5, 1966

In December 1962 Secretary of the Interior Stewart L. Udall declared the Metropolitan Opera House eligible for registration as a national historic landmark, but the Metropolitan Opera Association, Inc., opposed such registration, and the board of directors, including Roger L. Stevens and Anthony A. Bliss, has continued to press for the destruction of the historic Metropolitan Opera House.

Mayor John Lindsay, of New York City, is interested in saving the Metropolitan Opera House, as are many other well-known people including Artur Rubinstein, Isaac Stern, Leonard Bernstein, Dr. Howard Hanson, Laszlo Halasz, Leopold Stokowski, Martha Graham, Rebekah Harkness, Dr. Harold Taylor, and Phillip Langer of the Theater Guild.

My proposed amendment would simply require that, as a condition of the expenditure of the millions of dollars provided, by this appropriation bill for the National Endowment for the Arts, none of these funds would be used directly or indirectly to destroy the Metropolitan Opera House in New York City at 39th Street and Broadway. The Metropolitan Opera House should be preserved and operated on a sound basis for the enjoyment and appreciation of generations yet to come. The Met's friends are legion, and will yet save this exceptional structure known as a landmark throughout the world.

[From the New York Times, Mar. 24, 1966]

MAYOR SUPPORTS SAVING OLD MET—AID SAYS LINDSAY SEEKS CONSTRUCTIVE PURPOSE FOR OPERA HOUSE—DEMOLITION SCHEDULED, BUT SEVERAL GROUPS HOPE THAT RAZING FOR OFFICES CAN BE PREVENTED

(By Theodore Strongin)

Woody Klein, Mayor Lindsay's press secretary, said yesterday the mayor believed that the Metropolitan Opera House at Broadway and 39th Street "should be saved and used for some constructive purpose. He has one or two staff members working on it," Mr. Klein added.

The opera house, which was completed in 1883, is scheduled to be demolished to make way for an office building after the opera company moves out next month. In September the new Met at Lincoln Center will open.

The mayor is pleased with the efforts of various groups who are trying to save the old building, said Mr. Klein.

Among these are the Save the Met Foundation, Inc., a nonprofit group with headquarters in Mount Vernon; the New York chapter of the American Institute of Architects, whose members will testify at a meeting of the city planning commission on March 30, and the Citizens Committee for the Preservation of the Metropolitan Opera House at Broadway and 39th Street, which has asked the planning commission to institute condemnation proceedings so that the city acquires title to the Met property.

The architects' group believes that by easing certain zoning restrictions and granting special permits the builders of the planned office structure can be compensated for the loss they would incur if the present auditorium is preserved.

These matters would have to be studied, the architects concede. So they will suggest at the planning commission meeting that an impartial feasibility study be made to investigate their suggestions and, maybe, find new ones.

Roy Anderson, head of the Save the Met Foundation, said that this organization was circulating petitions to be sent to Governor Rockefeller, asking him to "introduce, support, and pass New York State legislation to preserve the famous Metropolitan Opera House." Mr. Anderson also said that he had information that could lead to a rehearing of the Met case before the Landmarks Preservation Commission or to a contest of the Met's lease to the group of real estate investors who plan to erect the office building.

TURNED DOWN LAST YEAR

In December the Landmarks Preservation Commission declined to designate the opera house a landmark, which would have saved it. At that time, the New York chapter of the American Institute of Architects suggested preserving the auditorium and building the office building over it. The commission found the plan economically unfeasible.

TO TAKE POSSESSION MAY 8

The group that leased the old Met site is headed by Jack D. Weiler and Irwin S. Chainin of New York. It will take possession on May 8. The Met expects to get an average of $485,000 a year in rentals.

A provision in the lease forbids the use of the site for grand opera or musical presentations. Anthony Bliss, president of the Met, said that the limiting provision was made for financial reasons only, so that the new building would produce the greatest revenue possible for the Met.

He said that many feasibility studies had been made over the years, and that the Met itself had investigated the possibility of building over the present house, but that all plans had proved to be financially unsound.

Senator KARL MUNDT, Republican, of South Dakota, today advised the Citizens Committee for the Preservation of the Metropolitan Opera House in New York that he will propose an amendment to an appropriations bill "to help prevent the destruction of the world famous opera house".

MUNDT, ranking Republican on the Senate Appropriations subcommittee which considers funding for the Department of the Interior, said his amendment would be in the form of a prohibition against expenditure of Federal funds in the Interior bill which could be used "directly or indirectly to destroy the Metropolitan Opera House".

The South Dakota Senator sent word of his action by telegram to Mr. Leonard Altman, Citizens Committee for the Preservation of the Metropolitan Opera House, 33 East 61st Street, New York.

Text of MUNDT's telegram follows:

"It is with pleasure that I notify you that I will offer an amendment to the Interior Department and related agencies appropriation bill to help prevent the destruction of the world farmous Metropolitan Opera House.

"At the earliest possible convenience I intend to propose an amendment that would prohibit the expenditure of any of the funds of that bill which would be used directly or indirectly to destroy the Metropolitan Opera House in New York City at 39th Street and Broadway.

"Your fight to preserve this symbol of our national heritage has inspired the entire Nation. It has pointed out that in spite of the emphasis on the promotion and advancement of our cultural heritage we have a tendency to betray the very cause which we honor if we do not look to the past as well as the future.

"In its eight decades of existence, the Met has brought countless hours of joy to millions in every State of the Union. Its preservation means as much to those who have never had the opportunity to hear in person the thrilling performances presented there, but have listened to its Saturday afternoon broadcasts, as those who were fortunate enough to attend in person.

"I know that the fans of the Metropolitan Opera are legion and will welcome this opportunity to save this symbol of America's highest artistic achievement. In a similar vein, I do not believe this is or should be a political issue. Both parties are equally in favor of the preservation and promotion of our cultural life and I therefore will invite Senators on both sides of the aisle to join with me in this battle so we may hopefully echo the words of Radames in Act I, Scene I of Aida:

"Per te ho pugnoto, per te ho vinto!

"For you I fought, for you I conquered!

"KARL E. MUNDT,
"U.S. Senator."

[From the New York Times, Apr. 7, 1966]

$8 MILLION IS GOAL TO SAVE OLD MET—CITY WOULD HAVE TO CONDEMN PROPERTY—MAY 10 DEADLINE

(By Dan Sullivan)

A last-minute campaign to raise $8-million to save the old Metropolitan Opera House at Broadway and 39th Street was announced yesterday.

Leonard Altman, executive chairman of the recently formed Citizens Committee for the Preservation of the Metropolitan Opera House, said his committee had exactly 34 days to raise the money. The opera house is scheduled to be razed for an office building any time after May 10.

The $8-million would be enough to purchase the building, Mr. Altman said, but another fund-raising campaign would be necessary to renovate its interior.

The campaign was announced at a press conference at the Overseas Press Club. Among the speakers were Marian Anderson, Isaac Stern, Agnes De Mille, Tony Randall and Leopold Stokowski, national chairman of the campaign.

PUBLIC APPEAL PLANNED

All echoed Miss Anderson's statement that tearing down the old opera house would be "a tragedy."

Details of the fund-raising plan, as announced by Mr. Altman, were vague. He said that private individuals of means would be approached, that foundation help would be sought and that public appeals would be made through advertisements.

The committee proposes to purchase the opera house from the city, provided that the money can be raised and that the city agrees to condemn the property.

After purchase of the building, a nonprofit corporation would operate it, renting the house to various attractions like ballet companies and orchestras. Mr. Altman said the committee already could guarantee 31 weeks of engagements at the house next season, none of them performances of opera.

He identified one of them as the American Ballet Theater, which wants to put on two four-week seasons at the old Met. He declined to name the others. "They are afraid of getting in trouble with other concert halls if our plan doesn't go through," he said.

NO LOSS FOR OPERA SEEN

The 8-million, Mr. Altman said, will guarantee the Metropolitan Opera Association as much money from the sale of the property as it would receive from the long-term leasing program under which the office building is to be constructed.

The group that is planning to put up the office building will receive "fair compensation" for the money they have spent on the project, Mr. Altman said. Jack Weler and Irwin S. Chainin of New York head that group.

Whether condemnation proceedings will be initiated "rests primarily with Mayor Lindsay," Mr. Altman said. The Mayor knows about the committee's plans and seems "friendly" he said, but no promises have been made. Mayor Lindsay's office had no comment on the matter last night.

DISAGREEMENT ON FIGURES

Anthony Bliss, president of the opera association, had several comments on Mr. Altman's plan. He said that the building would have to be sold for at least $12 million —not $8 million—to net as much money as the Met would receive over the next 50 years from leasing the property.

He added that he doubted there were enough attractions to fill both the old Met and the new Met, which opens at Lincoln Center in September and will be available for touring attractions during the spring and summer.

Management has not always been able to keep even the old house busy when the regular company has not been appearing there, Mr. Bliss said.

Most of the speakers at Mr. Altman's press conference were convinced that the old Met would be busy all year. Mr. Stokowski said that with the population growth of Greater New York, the central city would be called upon to increase its cultural facilities.

[From the New York Times, Apr. 11, 1966]

CITIZENS' COMMITTEE FOR THE PRESERVATION OF THE METROPOLITAN OPERA HOUSE

(Leonard Altman, Executive Chairman; Bronson Binger, Secretary; Coudert Bros., General Counsel, 33 East 61st Street, New York 10022, TE 2-8621.)

["From the New York Herald Tribune, Apr. 7, 1966]

"NATIONAL SAVE-THE-MET GOAL—RAISING $8 MILLION IN 34 DAYS

("By William Bender)

"Four greats in the music and dance world launched a nationwide drive yesterday to raise $8 million in 34 days to save the old Metropolitan Opera House from demolition.

"The four were Leopold Stokowski, Agnes De Mille, Isaac Stern, and Marian Anderson, acting as spokesmen for the three-week-old Citizens' Committee for the Preservation of the Metropolitan Opera House. Maestro Stokowski assumed the post of national chairman.

"The Committee wants to keep the old building in operation under a non-profit arrangement with New York City similar to that under which Carnegie Hall now is maintained."

Leopold Stokowski, National Chairman: "The Metropolitan Opera House is one of the finest and most famous in the world. All difficulties should be overcome so that this historic monument of American Culture can continue to be available to the public. . . ."

Isaac Stern: "I feel that this Hall could operate for 40 weeks a year to add most necessarily to the greatness of the cultural activity of New York and the United States, with absolutely no detriment or competition whatsoever to the new auditoriums now being completed. I am sure it will prove its value as a home for many groups searching desperately for a major theatre in which to perform, and also excite new ideas and new productions so necessary to the continuous development of our cultural life."

Senator KARL E. MUNDT: "I know that the fans of the Metropolitan are legion and will welcome the opportunity to save this symbol of America's highest artistic achievement . . ."

Agnes de Mille: ". . . the building has a mysterious combination of qualities that makes great theatre possible."

Marian Anderson: "It would be a tragedy to tear down this house."

Vladimir Horowitz: "To destroy the Met would be an act of barbarism."

[From the New York Times, Apr. 15, 1966]

FAREWELL FOR A GRAND OLD MET WILL OPEN A NEW ERA IN CITY'S OPERATIC HISTORY—8 P.M. TOMORROW. FINALE AT 39TH ST.—COMPANY TO PRESENT ALMOST 60 LEADING SINGERS IN BENEFIT PERFORMANCE

(By Theodore Strongin)

With a fine sense of history, the Metropolitan Opera will end 83 years in its home at Broadway and 39th Street tomorrow night with the closing scene from Gounod's "Faust."

It was "Faust, on Oct. 22, 1883, which opened the house before an audience sparkling with Goelets, Goulds, Iselins, Morgans, Rhinelanders, Vanderbilts, Warrens and other wealthy families whose demands for more and more box space had led to the construction of the building and the establishment of the company.

Many of their descendants, as well as about 40 former Met singers, will be in the audience at the Gala Farewell, a soldout benefit for the company with ticket prices as high as $200. The performance begins at 8.

Nearly 60 of the Met's leading artists will sing parts of 25 operas, donating their services.

Plans to broadcast the performance have failed. Radio station WNYC had received the green light from both the Met and the American Federation of Musician's Local 802 to make the broadcast, but the American Guild of Musical Artists "regretfully" declined to give permission. It gave no reason.

LABOR PROBLEMS UNRESOLVED

Probably only a few in the audience tomorrow night will be concerned with a grim undercurrent behind the scenes: Unresolved labor negotiations may jeopardize the opening of the company's Lincoln Center home on Sept. 16. There is also annoyance on the part of the Met's management at wide efforts to save the old house. The management has already signed a profitable agreement disposing of it.

Next week the company starts on its annual tour. The final stages of the move to Lincoln Center will be carried out during the Bolshoi Ballet's run at the old Met from next Tuesday through May 9, when the famous gold curtain will fall for the last time.

The Met intends to open its new house in September with the world premiere of Samuel Barber's "Antony and Cleopatra." A banner opening week is planned, with new productions of Ponchielli's "La Gioconda," Verdi's "La Traviata" and Strauss's "Die Frau Ohne Schatten."

Whether it will open as planned could depend on the outcome of the two-year-old negotiations between the Met and the members of its orchestra. The musicians have been working without a contract since June 30, 1964.

TALKS ARE "DRAGGING"

Neither side will say that agreement is in sight. "The negotiations are dragging," said one observer. The latest impasse reportedly concerns retroactivity.

The musicians want the new contract to put them, financially, where they would have been had agreement been reached at the expiration of the last contract. The management is said to have offered a flat sum of

$1,000 to cover the two years and a three-year contract with a minimum weekly pay of $200 the first year rising to $220 in the third. The minimum in the old contract was $190.

The old Met will be officially taken over by Keystone Associates, a group of real-estate operators, on May 10. They have leased the site from the Met for 50 years. The building is to be razed and replaced with a 40-story office structure. Several groups and individuals are now campaigning to save the house (or at least the auditorium) both because of its historic value and because of its usefulness as a hall for the performing arts.

Among the principal backers of the drive are the Save the Met Foundation, the Citizens Committee for the Preservation of the Metropolitan Opera House at Broadway and 39th Street and the New York Chapter of the American Institute of Architects.

$8 MILLION DRIVE UNDERWAY

The Citizens Committee, formed last month, is trying to raise $8-million by May 10 to buy the building. It would renovate it (for $14-million more) and operate it as a music and dance theater.

The architect's chapter proposes that Keystone Associates build its offices over the present auditorium, saving the "Golden Horseshoe" of boxes and balconies and the gold-decorated interior.

Mayor Lindsay has said that he would be interested in saving the building if "some constructive purpose" could be found for it.

At Lincoln Center, the Met will move into a $45.7-million structure that is now 95 percent complete. The modern backstage facilities, rehearsal rooms, dressing rooms, lobby space are such as to make the company members' mouth water. The 39th Street house had been criticized as inadequate almost since it was built.

The new Met, which will seat 3,800—175 more than the old house—is like a 47-story skyscraper laid on its side. More than half of its cubic footage is behind the proscenium, where most of a season's scenery can be stored. The old Met allowed the storage of only 20 per cent of a season's scenery.

[From the New York Times, Apr. 22, 1966]

Letters to the Editor of the Times—Met Musical Landmark

To the Editor:

The salvation of the Metropolitan Opera House has sparked the imaginations of Representative William B. Widnall of New Jersey and Senator Karl E. Mundt of South Dakota.

The fact that efforts to save the Met are being made in Washington only point up the fact that the Opera House is more than a New York landmark. It is a musical landmark, of great significance throughout the world, and should be preserved in the interests of art and history for the benefit of all people.

Janet Goller.

Forest Hills, Long Island,
April 18, 1966.

[From the New York Times, Apr. 28, 1966]

Save-the-Met Committee Is Told Its Goal Is $7 Million Too Low

(By Theodore Strongin)

At least $15 million would be needed to save the old Metropolitan Opera House, Anthony Bliss, Met president, has told a citizens committee now working to raise $8 million to save the building.

It was learned yesterday that Mayor Lindsay does not plan to intervene in the campaign to save the house. He will leave its fate to the private individuals concerned.

Mr. Bliss met on Monday with the committee's counsel at the request of the Mayor, to discuss finances.

The opera company opens in its new home at Lincoln Center on Sept. 16. It has already leased the site of its old house at Broadway and 39th Street to Keystone Associates, a group of real estate investors who will take over May 10. Keystone plans to demolish the building and replace it with a 40-story office building.

$8 MILLION GOAL PROPOSED

The Citizens Committee for the Preservation of the Metropolitan Opera House estimates that the $8-million it is trying to get, would, if invested, return the Met as much money as it will get from the lease to Keystone.

"The $8-million doesn't even begin to do the job," Mr. Bliss said yesterday.

Under the terms of the lease, the Met will receive $24.2-million over the next 50 years, the committee asserts. It says that "a prudent investment" of the $8-million would yield to the Met more than the $24.2-million.

Mr. Bliss called the committee's figures "ridiculous." The committee, he said, did not count the returns from investing the lease income, and disregarded certain rights the Met will have in the new office building.

Mr. Bliss will hold no more meetings, he said yesterday, until the committee can approach him with sufficient cash or pledges of cash to make the possibility of saving the old building a reality. Such an approach would make "research by our bankers really worth our while," he said, commenting on the approximate nature of the $15-million figure.

PLANNING COSTS SUBSTANTIAL

Beyond the Met's needs, Mr. Bliss said, Keystone Associates would have to be reimbursed for the planning work done on the project office building since the lease was signed five years ago. Irwin Chanin, representing Keystone, would not estimate that amount yesterday. An informed source placed it at somewhere near $3-million. Thus, according to Mr. Bliss, the Citizen Committee would have to raise $18-million by May 10 to save the old house and its famous "Diamond Horseshoe" of boxes and balconies.

The committee has received $500 from the Independent Concert Managers Association, representing the major New York management firms, and $250 from the Theater Guild.

It has also received $8,000 from the Avon Foundation, a St. Paul group. The $8,000 contingent upon the committee's raising the balance of what it needs.

The committee had been urging the mayor to start proceedings towards condemnation of the house. Commenting upon the Mayor's plans not to intervene a representative of the committee said yesterday that it had a new approach, but declined to identify it. Leopold Stokowski is national chairman of the committee. Leonard Altman is its executive chairman.

[From the New York Times, May 7, 1966]

Appeal by Wagner Made for Old Met

Former Mayor Robert F. Wagner issued a statement yesterday afternoon supporting the Citizen's Committee for the Preservation of the Metropolitan Opera House. Mr. Wagner said:

"The preservation of Carnegie Hall—one of the proud achievements of the Wagner administration—has proved to be a major boon to the expansion of our cultural life. At this time, with the future of the old Metropolitan Opera House hanging in the balance, should like to state that I feel it to be in the best interest of the people of our city and nation that this great and historic building also be saved.

"Time is short. The land has been leased to real-estate developers, who take over on May 10. But, there is now pending in Albany a bill which provides for a six months delay in demolition, indemnifies the land owners and lease holders for the delay, and provides for condemnation proceedings to insure a fair price for all parties concerned. Public funds will not be involved. I urge the prompt passage of this bill and its immediate signing by the Governor."

Also yesterday, Benjamin M. Zelman, a lawyer for the Save the Met Foundation, Inc., urged the Landsmarks Preservation Commission to act for the old Met. Discussing the matter with the commission at 2 Lafayette Street, he said that local law gives it authority over works of art as well as structures. Mr. Zelman argued that the old Met is a work of art, and called for the commission to schedule an immediate hearing of arguments in the case. No immediate action was taken.

[From the Washington (D.C.) Evening Star, May 9, 1966]

D.C. Group Seeks To Save the Met

An emergency appeal on behalf of the Metropolitan Opera House in New York City is being made by a group of prominent Washingtonians.

In a message to the directors of the Metropolitan Opera Association and the real estate syndicate of Keystone Associates, the Washingtonians have asked that demolition, scheduled to start tomorrow, be delayed a month.

The organization, Washington Friends of the Metropolitan Opera House, suggests the "possibly of building over and around part of the existing structure. . . ."

Among the listed as signers are Senators Paul Douglas and Ernest Gruening and S. Dillon Ripley of the Smithsonian Institution, according to Sylvia Altman, a coordinator of the group.

[From the New York Times, May 9, 1966]

Six More Months Sought for Met—Drive To Save Opera House Focuses on Legislature

(By Theodore Strongin)

Efforts to save the old Metropolitan Opera House, which at last stands empty, are aimed at delaying its demolition for six months until money can be raised to buy it.

The Metropolitan Opera Company has almost completed moving to its new home in Lincoln Center for the Performing Arts. The final scheduled performance in the old house was given last night by the Bolshoi Ballet while pickets urging the building's preservation marched outside.

Keystone Associates, a group of real estate developers, has leased the site of the old Met; it plans to raze the opera house and put up a 40-story office building. Keystone is expected to take over the old building tomorrow. The exact date for the wrecking ball to swing into action is not known; as of late last week, no demolition permit has been granted by the city Building Department.

The Save the Met Foundation, Inc., and the Citizens Committee for the Preservation of the Metropolitan Opera House at Broadway and 39th Street, among other groups, have been urging that proceedings be started to rescue the building. The Citizens Committee proposes to buy it, renovate it and run it as a theater for the performing arts. The group claims it could fill the house with attractions for 31 weeks next season.

DISAGREEMENT ON FIGURE

Under the leadership of Leopold Stokowski, national chairman, and Leonard Altman, executive chairman, the Citizens Committee has been holding a last-minute fund drive to raise the $8-million it says would be needed to buy the opera house and reimburse the Met company for the money it is to receive under the lease with Keystone. The Met disputes this figure; it says the purchase price would probably have to be $15-million.

Bronson Binger, secretary of the Citizens Committee, declined to say yesterday how much the fund drive had raised, but indications are that it is small. Mr. Binger explained that efforts lately had been devoted to gaining a demolition delay through the Legislature rather than to raising money.

Mayor Lindsay has declined to begin condemnation proceedings to prevent demolition. But Mr. Binger said an 11th-hour State Senate bill to save the old Met would be reported to the floor tomorrow by the Rules Committee. The bill would set up a nonprofit corporation; demolition would be delayed for six months if the corporation posted a bond to indemnify both the Met company and Keystone for the delay. This would give the Citizens Committee six months to raise the purchase money, Mr. Binger said.

APPEAL FROM WASHINGTON

Yesterday a group of prominent Washingtonians urged a delay in demolition. Their appeal, addressed to the Met company and to Keystone, asked for "a reprieve" of one month to allow "time for further consideration of other alternatives."

Among the signers of the appeal were Senator **Paul H. Douglas** of Illinois; Senator **Ernest Gruening** of Alaska; Dr. S. Dillon Ripley, head of the Smithsonian Institution; Drew Pearson, the columnist, and Sylvia Altman, chairman of the cultural affairs committee of the Greater Washington Central Labor Council.

In New York, the Council of Actors Equity came out yesterday in support of "the salvation and restoration of this great and historical landmark."

[From the New York Times, May 11, 1966]

State Senators Act To Save Met—Adopt Bill, 61 to 2—Travia Asks Change in Assembly

(By Sydney H. Schanberg)

Albany, May 10.—By a vote of 61 to 2, the Senate today approved a plan designed to save the historic Metropolitan Opera House "before the wrecking ball starts swinging."

The Assembly leader, Speaker Anthony J. Travia, has introduced a different bill to save the Met. But he indicated after the Senate vote late this afternoon that he was amenable to compromise and might accept the Senate bill if it were amended slightly.

As a result, it appeared likely that final action would be taken by the Legislature shortly, perhaps next week.

The Senate bill was championed by Whitney North Seymour, Jr., Manhattan Republican. He said "no one has any illusions that it will be easy" to raise the money to buy the Met. But, he declared, "It is a cultural landmark that, once lost, will be lost forever."

Senator Jerome L. Wilson, Manhattan Democrat, said, "No other culture in the Western world would even consider destroying such a structure as this."

The two lone votes against the bill were cast by Senators Harrison J. Goldin and Archie A. Gorfinkel, both Democrats from the Bronx.

HOW PLAN WOULD WORK

Under the bill—which would go into effect immediately after being signed by Governor—a nonprofit corporation would be created, known as The Old Met Opera House Corporation.

The new corporation would have the power to acquire the opera house site at Broadway and 39th Street by condemnation and then renovate and restore the building for the "public purpose" of operating it as a "facility for the performing arts with special emphasis on music."

Probably the bill's most crucial point is that it would give the new corporation an opportunity to block any demolition for six months. The measure provides that if the present lessee, Keystone Associates, files for a demolition permit from the city Buildings Department, the Buildings Commissioner could hold up the permit for 180 days if the new Met corporation deposits $100,000 as security with the county clerk of Manhattan.

If, in that time, the corporation fails to raise enough money to buy the opera house, Keystone would be able to go ahead with its plans to raze the structure and erect a 40-story office building in its place.

PURPOSE OF THE DEPOSIT

Whether the new corporation fails or succeeds in raising the money, owners of the site—the Metropolitan Opera Company, which is moving to the Lincoln Center for the Performing Arts—would be compensated from the $100,000 security for any losses it suffered because of the delay in demolition.

The Senate bill was prepared by the Citizens Committee for the preservation of the Metropolitan Opera House, headed by Leopold Stokowski. Reportedly drafted with the help of the New York City corporation counsel, the bill was introduced by Senator Seymour and Senator John J. Marchi, Staten Island Republican.

The Travia bill in the Assembly was proposed by the Save the Met Foundation, Inc.—another citizens' group formed to stave off demolition. This measure would authorize the City of New York to buy the opera house and lease it to the Save the Met Foundation. If necessary, the city could sell bonds to buy the building.

What Speaker Travia objects to in particular in the Senate bill is a provision that would permit an office building to be built atop the opera house as a revenue producer.

"I'm for saving the Met, not building an office building," said Mr. Travia, a Brooklyn Democrat. "I'm amenable to compromise, but not with that clause in there."

MOERDLER MAKES REQUEST

Buildings Commissioner Charles G. Moerdler requested the police yesterday to take "vigorous steps" to prevent demolition of the old Metropolitan Opera House because no wrecking permit had been requested or issued.

Under a lease signed in February, 1961, the Metropolitan Opera turned over possession of the building yesterday to Keystone Associates, a group of real estate developers. Keystone plans to tear the opera house down and replace it with an office building. The Met moved the last of its effects yesterday to its new home in Lincoln Center.

Mr. Moerdler said he had received several reports yesterday that parts of the interior of the old Met were being torn down. Richard Caine Striker, a member of the Citizens Committee to Save the Old Metropolitan Opera House, said that on Monday he found workmen unscrewing some of the decorative brass pillars between boxes of the diamond horseshoe. Later he ascertained that the pillars would be sold by the opera company as souvenirs. The Met told him that it could provide the names of the buyers, Mr. Striker said, should legislation saving the house be passed.

May 12, 1966.

Metropolitan Opera Amendment Passes Senate

Senator **Karl Mundt**, Republican, of South Dakota, today expressed hope his amendment concerning the Metropolitan Opera House in New York City "would encounter no difficulties in the House-Senate conference committee when it considers the Department of Interior Appropriations Bill as passed by the House and the Senate."

Mundt's amendment, added to the fiscal 1967 appropriations bill by the Senate Appropriations Committee at his request, would prevent the National Foundation on the Arts and Humanities from making any grant or other payment which would be used directly or indirectly for destruction of the Metropolitan Opera House.

The amendment was included as part of the related agencies portion of the Interior bill which was approved by the Senate today.

Mundt said through inclusion of the amendment in the bill, he considers the Senate action as "an expression of protest against destruction of the Opera House."

The South Dakota Senator, who will serve as ranking Republican of the Senate Appropriations Committee at the House-Senate conference, said it is his understanding progress is being made in the New York State Legislature to prevent destruction of the Met.

[From the New York Times, May 17, 1966]

Lessees Get Set To Raze Met; Senate Rewrites a Rescue Bill

(By Theodore Strongin)

The city Department of Buildings has granted a permit to the leaseholders of the site of the old Metropolitan Opera House to build a construction shed on the property preparatory to obtaining a demolition permit.

The leaseholders—the firm of Swig, Weiler & Arnow, in association with Irwin Chanin, operating as Keystone Associates—plan to replace the old opera house with a 40-story office building.

In Albany yesterday, the Senate passed an amended version of a bill designed to preserve the structure. The amendments were reported to have been introduced to satisfy the objections of Assembly Speaker Anthony J. Travia to the original Senate measure passed last week.

The Assembly passed the measure last night, and it now goes to Governor Rockefeller for signature.

Under the bill as it stands now a nonprofit corporation would be created, known as the Old Met Opera House Corporation. The new corporation would have the power to acquire the site of the opera house at Broadway and 39th Street by condemnation. It would renovate the building for the "public purpose" of operating it as a performing arts theater.

BOND MUST BE POSTED

The bill provides for delaying demolition of the old house up to 180 days, provided the corporation posts a bond of $200,000. The amount was $100,000 in the version originally passed. Purpose of the delay would be to allow the corporation to raise the purchase price of the site and building.

The Metropolitan Opera Company is strongly opposed to the bill. The company stands to receive nearly $25-million from its 50-year lease to Keystone at an average of $484,000 a year. Company officials declare that the bill would put this money in jeopardy. The 180-day stay in demolition would give Keystone an opportunity to disaffirm the lease, say the officials, since the lease's terms would be frustrated by the bill. If the committee failed to raise the necessary purchase money, the company, say the officials, could be left with the old house on its hands and no money.

The company is counting on the lease money in planning its activities in its new Lincoln Center home, where it opens next Sept. 16. The company also takes exception to the name "Old Met Opera House Corporation," since it considers that the word "Met" belongs to itself.

COMMITTEE SEEKS $8 MILLION

The Citizens Committee for the Preservation of the Metropolitan Opera House, a private group, is believed to have helped write the bill. The committee has been raising money to save the old house. It is aiming at $8-million, which it considers an amount that, prudently invested, would more than reimburse the Met for the loss of lease money. Met officials say that a fair price would be $12-million to $15-million.

Rudolf Bing, general manager of the Met Company, in a speech yesterday accepting the honorary degree of Doctor of Humane Letters from New York University, warned that "certain groups are trying to save an old building and may well succeed, in the process, in killing the company that made the building what it was.

"Politicians who have never darkened the door of the Metropolitan Opera are suddenly throwing around hollow phrases about saving culture, blissfully unaware that they may be about to destroy it."

Mr. Chanin attacked the Senate bill as unconstitutional in that it would give the power of eminent domain "into the hands of a few private citizens who obviously do not have the funds to pay for the rights" of the involved parties.

A representative of the citizens committee has replied that the money is available to enable condemnation proceedings to start within two weeks, if the bill becomes law.

[From the New York Times, May 19, 1966]

COUNCILMAN ASSAILS OPERA ASSOCIATION

City Councilman Woodward Kingman yesterday said he was "shocked by the [Metropolitan Opera] Association's claim that the sum of $15-million is the (old Met's) true value.

Mr. Kingman, an officer of the First National City Bank, said the old Met land is taxed on the basis of a total assessed valuation of $4.75 million.

"It would seem to me both in my capacity as a banker and as a councilman," he added, "that more careful consideration should be given to the claims of the Citizen's Committee that the Metropolitan Operation Association will gain, not lose, by selling its land at a fair price rather than by renting it to Keystone Associates."

Mr. Kingman was referring to the Citizens Committee for the Preservation of the Metropolitan Opera House. The committee asserts that $8-million is a fair price for the old Met, and that $8-million, prudently invested, would return more than the 50-year lease the Met has given Keystone, which calls for an annual average rental of $484,000.

Mr. BIBLE. Mr. President, I move that the conference report be agreed to.

The conference report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 14215, which was read as follows:

Resolved, That the House agree to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14215) entitled "An Act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1967. and for other purposes."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 5, and concur therein with an amendment, as follows:

In lieu of the matter proposed, insert the following: ": *Provided further,* That not to exceed $468,000 shall be for assistance to the Maddock, North Dakota, Public School District No. 9 for construction of a public high school".

Mr. BIBLE. Mr. President, I move that the Senate agree to the House amendment to Senate amendment No. 5.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to.

Mr. BIBLE. Mr. President, I move that the vote by which the conference report was agreed to be reconsidered.

Mr. LONG of Louisiana. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

PROPOSALS TO TURN OVER TO INTERNATIONAL ORGANIZATIONS U.S. FOREIGN AID PROGRAMS

Mr. LONG of Louisiana. Mr. President, when I recently left the Foreign Relations Committee to accept assignment on the Commerce Committee, I did not cease to be interested in the vital national interests which are involved in foreign affairs.

I rise today for the purpose of expressing my opinion on one of the issues which is before the Foreign Relations Committee at the present time. It has been proposed within the committee that our foreign aid programs be turned over to agencies of an international character; that we provide the funds for others to spend in the developing nations of the world.

I am opposed to this suggestion, Mr President. Although I have often been critical of the foreign aid programs, and have voted against them all on a number of occasions, I have never proposed that they be abolished. My opposition has been directed at what I considered, and still consider, to be the waste and inefficiency with which they have often been administered. There should be foreign aid programs, and considerable sums should be spent in financing them. This is desirable to provide support for the national objectives of the United States in overseas areas.

I do not agree that the United Nations and the many other international organizations which we already support financially can, or would, administer their programs to accomplish our national objectives—regardless of the amount of money we might contribute. In my opinion, we have always contributed more than we should to these organizations, and I believe that we are still doing so at the present time. We should be giving them less, rather than thinking of giving them more.

I have heard it argued many times, and so have all of you, that the very high proportion of the budget which the United States is contributing is not only unfair to the taxpayers of the United States, but undesirable from the point of view of the agencies themselves. I know that the Department of State, and even the President himself, has attempted and is continuing to attempt to increase the contributions of other members, and to reduce ours, at least proportionally. Some progress has been made in that direction, but the effort would not be assisted by a sudden decision on our part that we were going to toss more money into the pot, willy-nilly.

Yet, this is precisely what we would be required to do, under the proposal. We would, or I at least hope that we would, ask for a greater voice in the operation of the agencies. Let us suppose that we were granted a greater voice. Would this not mean that the same criticisms made of our unilateral programs—namely, that they are serving our purposes—would not then be made against the programs of the international agencies? How then would the situation have been improved?

On the other hand, let us suppose that we were denied a greater voice, and thus truly put into the role of Santa Claus, who just hands out the dough in accordance with somebody else's Christmas list. Would Senators accept such a situation? I, for one, would not, and I do not believe any considerable number of this body would do so either.

It is not just the money alone which would cause the problems of a U.S. or a non-U.S. label on these programs. Increasingly, our own programs are concentrating on the basic fields of health, education, and agriculture, and I am entirely in accord with this emphasis. With much more money to spend, where would these agencies get the specialist and technician personnel to operate the expanded programs?

I am told that, in the numbers which would be required, they can be found only in the United States. What would then be the reaction in the developing countries to being told that the program was not a U.S. program any more—it was just U.S. money being spent by an international organization operated by U.S. personnel? I think we all know the answer to that one.

We would have sold ourselves down the river. We would still have the name, but we would no longer have the game; we would still pick up the check, but we could not select from the menu. We would have to be content with the pot luck that the international kitchen dished out to us insofar as the results of these programs would be concerned.

There are some other points deserve consideration as well. One of the most important of these is the effect on our balance of payments—a problem which the President has often put very near the top of the list of our crucial problems. Very strong efforts have been made recently in the operation of our foreign aid programs to help to stop the drain of our reserves because of the highly unfavorable outflows which have been going on for a number of years.

In fiscal year 1961, only 41 percent of the economic aid funds were spent in the United States, compared with the 88 percent which is estimated for fiscal year 1967. AID reduced its net expenditures abroad from $947 million in fiscal year 1961 to $253 million in fiscal year 1965. During this same time, AID assisted directly in boosting U.S. exports through direct financing and other methods.

These actions have been taken specifically at the direction of the Congress. I am certain that all Senators know that international agencies would not take steps to continue these vitally important policies, and I do not believe that they are prepared to toss them aside.

With the expansion of our exports and direct assistance to our balance of payments would go also the emphasis on private enterprise which the Congress has insisted upon. We can be certain that the international agencies are not going to push our economic principles; their Communist and neutralist members will see to that. For myself, I consider this to be one of the most vital issues of all, because I believe that only if the free enterprise system becomes the basis of the economic life of these developing nations will they ever achieve the desires of their people for a better standard of living and the personal freedom on which human happiness is based.

Included with the baby in the tub which we would throw out would be also our desire that the foreign assistance programs be administered with emphasis on self-help. Again, the Congress has given its stamp of approval to this policy, but it has only recently been applied. Its application would surely not be accepted by the international agencies.

I shall mention only one more element which I believe the Congress would regret to lose, before concluding my remarks, with comments on the more general considerations involved in the proposal. So long as the programs are administered by an agency of the U.S. Government, the Congress will have available to it the services of its watchdog, the Comptroller General of the United States. The President has recently appointed to that position a man of rare talents and experiences in all aspects of our national life.

I am certain that during his tenure of office he will do much to find, investigate, and report to the Congress those wastes and extravagances in the foreign aid programs which are, I think, the principal cause of their relative ineffectiveness in the past. We shall not have that assistance, Mr. President, if we turn these responsibilities over to the tender mercies of the international civil servants. Our representatives might have some hope of at least getting a discussion of some of the other policies which I have mentioned; we all know they would never dare to even suggest that Mr. Staats be permitted to audit the books.

Mr. President, one reason advanced for the proposal for multinational control of American expenditures is the assertion that our foreign aid programs have gotten us into armed conflict, and will get us into others. Specifically, statements have been made that our aid programs are responsible for our getting involved in the Vietnam war. If this assertion were indeed true, we should have to disregard the other disadvantages his proposals would have, and give most serious consideration to adopting them.

Fortunately, the assertion is no more than that, Mr. President, I can find no evidence to support this view, and, most assuredly, not so far as Vietnam is concerned. We are in Vietnam because of what would happen to the people of the area, and to the U.S. interests everywhere, if the Communists took southeast Asia. It was because of these interests that we started an aid program, and it was because the aid program did not prove to be enough that we have had to do more.

We did not send troops to Vietnam to save the aid program; we sent troops to Vietnam to give support to the people of South Vietnam in their crucial battle against the invaders from the north. It is absolutely true, of course, that we have to have an aid program for South Vietnam, and the President has taken the leadership personally in emphasizing its importance. This could hardly have been stressed more than he did in his speech at Johns Hopkins University last year and in his trip to Honolulu a few weeks ago.

I have not heard that it has been specifically proposed that the United Nations should operate all of our aid programs in Vietnam in the midst of the fighting that is going on, and I doubt that anyone will go that far. At the same time, I do not believe that it is being advocated that these programs be abolished. We all know that only if these programs are successful will there be any lasting victory for the free world in Vietnam.

Thus, the logic of these ideas leads clearly to the abandonment of our efforts there, because the United Nations could never be brought to accept responsibility for administering foreign aid programs under the circumstances which exist there now and will certainly exist for some time to come. In other words, we could not accept the proposal without withdrawing our troops from South Vietnam. Even if we did that, there would be no assurance that any agency of this nature would be permitted to operate in South Vietnam; that would be something for the Communists in Hanoi and Peking to decide.

We are fighting to prevent them from forcing their decisions upon the people of South Vietnam, and we are firmly determined to win that fight. There are many ways of abandoning the people there, and the proposal would do exactly that, or so it seems to me. I hope the committee will reject it. If it is approved, I wish to serve notice that I shall be in the forefront of those who will undoubtedly oppose it on the floor of the Senate.

Mr. **HICKENLOOPER**. Mr. President, will the Senator yield?

Mr. **LONG** of Louisiana. I yield.

Mr. **HICKENLOOPER**. I have been interested in the remarks of the Senator from Louisiana, with emphasis on the multilateral phases of aid as proposed in the aid program. That is different from unilateral aid, as when the United States gives aid on its own or of its own agreement with an individual country. Then it is just between the two of them.

I am sympathetic with what the Senator has said. The Senator has been of service in pointing out some of the things that could happen as a result of changing our policy if it should be changed to a so-called multilateral aid program.

The Senator from Louisiana has pointed out very reasonably that most of these countries do not care anything about American interests. If they receive American aid in a multilateral agency, they will use it to their advantage in that area. Any forward looking advantages that the United States might hope for by way of real accomplishment in the interests of the people to be served would be lost.

The Senator also pointed out that under these proposals a great deal of American money would be channeled into Communist hands or the hands of other nations whose activities are completely subversive to those of the United States. It is difficult for me to comprehend how we can swallow that doctrine completely.

The Senator and I have been members of the Foreign Relations Committee for quite some time. The Senator knows that I have supported a certain amount of flexibility in participation with other nations. My support has been motivated in great part by the hope that by such participation in some of these activities, some of the counties involved would do more on their own and relieve us of some of the burden in these areas. But it does not seem to work that way. The same situation prevails: We put up the money and they have the fun of spending it. And as a rule they receive the credit for it, rather than our receiving the credit.

Mr. **LONG** of Louisiana. Mr. President, our foreign aid program was originally envisioned as a program to advance the cause that we considered to be in the interest of the United States. One of the principal purposes of the program was to help nations to maintain their independence. But there were many other aspects that we felt were important. One of these aspects, for which the Senator from Iowa and I fought hard for a number of years, bears the name of "the Hickenlooper amendment." If we are putting our aid money by the hundreds of millions into a country to help assist that country with its problems, we will just have to stop putting the money in and hold it up, if they insist on confiscating honest, legitimate, good faith American investments that exist in that country. If we are attempting to help a country get on its feet, and meanwhile that country seems to go the route of nationalization without compensation—which is nothing but confiscation—the money is held up until they stop these activities and straighten out this situation.

How long do Senators think that principle would survive, once the matter is turned over to the United Nations or to some other international body?

If a large amount of Communist influence were not present in such a situation, then the majority of countries would be the so-called less developed nations. They would stand together on the principle. Whenever a large nation, like the United States, which is in the minority in the international bodies, wished to withhold money because a country was nationalizing American interests, do Senators not believe that the less developed nations would stand together against the principle involved, the Hickenlooper amendment, for which the Senator from Iowa and I have fought for many years? The purpose of the amendment was to help those countries build themselves up in an honest fashion; and if a country became an international bandit, we would not give it any money.

These people would band together and say, "If this is going to be a multilateral body, we will not agree with that." If one of these nations is confiscating American assets, we would cut off the supply of money.

Mr. HICKENLOOPER. We have seen that situation in at least an incipient stage since the adoption of the amendment. The Senator from Louisiana was a participant in the generation and passage of the amendment. For some reason, it seems to have carried the name "the Hickenlooper amendment," but the name "Long" ought to be in there somewhere. The Senator from Louisiana has been extremely interested in the amendment.

We have seen an incipient movement in many places to do exactly that: let American enterprise or business or money come in, under a pretended friendly arrangement. Once the American interest is so firmly established that it cannot pull up its roots and leave—like writing a check on a bank and taking your money out—and the factories and the installations are built, then the hue and cry goes up in such country to expropriate this property and perhaps settle for it later, or perhaps not settle for it at all.

Of course, it is basic, under the amendment about which the Senator is speaking, that we do not try to tell other countries what they must do. We really say, in effect, "Yes, under your national sovereignty, you may seize anything and everything in your country. We recognize your right of sovereignty. But if you seize, without reasonable compensation, the property of an American company, which you have invited and permitted to enter your country to contribute to your economy, we reserve the right to say what we shall do with the money of our taxpayers. We shall withhold it or give it, depending on how honorably you treat our people whom you have invited to invest in your country."

The provision has worked. The fact that such a provision exists, and is so tight that it does not give the President or anyone else leeway to find some excuse for not enforcing it, has prevented a large amount of that kind of discrimination from being practiced.

Mr. LONG of Louisiana. I have mentioned the principle of self-help. We say that the whole program will become an endless quagmire unless the people of those countries do something to help themselves. As the Senator from Iowa well knows, we have said that we would contribute money if the governments of those countries would do something to help get themselves on their feet. If American money is placed under the control of an international agency, and that agency is allowed to distribute it as it pleases, how long does the Senator think that principle will stand? Such an agency would say, "If you are going to spend it, we will split it and let everybody decide for himself what he wants to do with it."

Our plan is to help countries to solve their problems now. How long do we think they will stand up under an international agency?

Mr. HICKENLOOPER. The Senator from Louisiana has performed a service by raising the issue at this time. As he knows, our committee is now undertaking a review of the foreign aid authorization bill, and that issue is a part of some of the provisions in the economic aid portion of the bill.

I think that we should consider those things more seriously than we have in the past. While I could not go so far as to say that I shall oppose all contributions to international agencies—I have not done so in the past; and I do not expect to do so in the future—I am against moving almost entirely into the field of the dissipation of American funds through international agencies.

As the Senator has so clearly pointed out, these international agencies are invariably controlled in numbers and in votes by a great many foreign nations, most of whom are have-not nations and have not contributed anything.

It is a great deal of fun to spend someone else's money. I suppose that if the Senator from Louisiana would give me $10,000 or $15,000 of cash and say: "Go to New York, Chicago, or Paris, and spend this money and have a good time," I could say, "What a good time I will have on the money of the Senator from Louisiana. I can do as I please. The Senator is putting up the money and I shall have a lot of fun." That is what is happening. Uncle Sam puts up the money and they have all the fun of spending it.

Mr. LONG of Louisiana. The problem is that I do not see how we can keep the Communists out of these international bodies if they want to participate. If the Communist bloc countries were involved in making these decisions, we could be sure they would be working 24 hours a day to make sure that we did not accomplish anything with that money.

Mr. HICKENLOOPER. We have $1 million or $2 million of American money going into Cuba through one of the international agencies, and some of the money that we have put up is going, through some other agencies, to people whose major purpose is to destroy us. It does not make sense to me to operate fully on this basis.

Mr. LONG of Louisiana. It has always seemed to me that one of the biggest mistakes of the Communists was that when the Marshall plan was proposed they did not rush in and participate in the plan and insist on getting one-third or one-half of that money for Europe. If they had done that, they could have been sure that that money would not have done our country any good as far as national policy was concerned.

Mr. HICKENLOOPER. I can cite a good illustration. I happened to be in one of the middle European nations in 1947 when the Marshall plan was in its formative stages. The plan had been suggested in the Harvard speech. It excited a great many people because Europe was prostrate. It did not know how it was going to recover. Its capital was gone. Many of its installations were destroyed. The Marshall plan was a godsend to them.

The country I refer to was a very capable and sophisticated country. That country is now behind the Iron Curtain. However, the people there were completely jubilant about the prospect of the Marshall plan at the time I was in that country and they were talking about what they were going to do with the aid which they hoped they could receive through the Marshall plan. At that time a message came from the Communists in Russia to the effect that they were to have nothing whatsoever to do with the United States. That country would have taken the money and done the same things with it that England, France, and some of the other sophisticated countries did with the money. The people in that country knew how to use the money and had the skills with which to work.

Some of the countries did not want to do it.

At that time the main influence against that country's participation in the Marshall plan came from the Soviet orders to have nothing to do with the Marshall plan and not to participate because the Soviet Union was going to take care of that country and furnish the financial background to bring them back to prosperity—which the Soviet Union never did.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. STENNIS. I commend the Senator from Louisiana for making this speech and making it at this time. The substance of the speech is very good indeed. I have never had the privilege of serving on the Committee on Foreign Relations with the Senator from Louisiana and with the Senator from Iowa. However, I have served on the Committee on Appropriations which passes on these programs. I supported these programs until I became a member of the Committee on Appropriations and learned more about how the money was spent, and I could not support the programs any longer.

I think that we have been going too fast and trying to go too far and spending too much, although this cannot all be stopped at one time.

The Senator has made some very timely and sound remarks in his analysis of this program. I think that his analysis is the correct one. I hope he will continue to pursue this matter.

Mr. LONG of Louisiana. Mr. President, I thank the Senator from Mississippi. I hope that Senators will take this occasion to read in the RECORD what I have said. In my judgment I have given a number of reasons that the so-called

United Nations control, or the control of some other international body over the expenditures of American foreign aid will do nothing more than to make the program less effectual than it is.

I do not think that can be denied. Someone might make a reasonable argument against some of these points, but I do not think that they can make a reasonable argument against all of them.

TRIBUTE TO JOHN R. "SHORTY" DOSTER

Mr. EASTLAND. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "John R. 'Shorty' Doster Will Be Honored at Banquet Friday," published in the Brooklyn, Miss., Leader-Advertiser.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JOHN R. "SHORTY" DOSTER WILL BE HONORED AT BANQUET FRIDAY

Friday night, March 25, designated as John R. "Shorty" Doster Appreciation Day, Mr. Doster will be honored at a banquet given by John J. Magovern, Jr., president of The Mutual Benefit Life Insurance Company. Mr. Magovern will present him with an award for his outstanding achievements in 1965. The banquet, being held at the Jackson Country Club, will also be attended by Charles G. Heltzeberg, CLU, vice president in charge of agencies. He too will make a special presentation to Mr. Doster.

A spokesman for the insurance firm pointed out that this will be the first time in at least thirty years that an insurance agent from other than one of the nation's large cities has led the company in sales.

A feature article from "Commentary" magazine describes Shorty's success in the insurance business. It goes into detail on his activities and history and starts out as follows: "By all standards he shouldn't have been a successful life insurance agent. He is a Yankee in the deep South; he failed a life insurance aptitude test; he lives in a small rural town. He is 'Shorty' Doster, the leading agent for mutual Benefit in 1965."

The article goes on to say that he married a Mississippi girl and adapted himself completely as a Southerner. Continuing, the feature article says: "Standing about 5'5", this robust, cigar-smoking agent puts about 100,000 miles on his car a year as he completely covers the State of Mississippi and the southern part of Louisiana. Each year he wears out a Cadillac.

In 1957 Shorty qualified for the Million Dollar Round Table for the first time, and every year since he has paid for over a million in Mutual Benefit coverage. He is now a Qualifying and Life Member of MDRT. He made his initial appearance on the rolls of Mutual Benefit's National Associates in 1959 and is now a Life and Qualifying Member of the organization. Shorty was one of the first seven qualifiers for membership in the Mutual Benefit Star Masters Club when the Company initiated the award beginning with 1962 production. He was eligible on the basis of sales of over "two million dollars for the year."

BANK MERGER ACT AMENDMENTS

Mr. COOPER. Mr. President, I would like to address my remarks to a subject that has come to my attention since S. 1698 was enacted into Public Law 89-356 February 21 of this year. When I voted for the bill it seemed to me the plain intention of the committees and the consensus of the floor debates was that the effect of the bill would be to give relief to the three banks that had merged in good faith prior to the Supreme Court decision in the Philadelphia Bank case.

As this is a matter of large interest in Kentucky, I have given this legislation my close study, I think it appropriate at this point to set forth a brief chronological history of the Lexington bank merger decision.

On July 27, 1962, Judge Church Ford, of the U.S. District Court for Eastern Kentucky, handed down his decision and found that the merger of the First National Bank & Trust Co. and the Security Trust Co., did not constitute a combination in unreasonable restraint of interstate trade or commerce in the field of commercial banking in violation of section 1 of the Sherman Act, and was not an unlawful combination to monopolize, or an unlawful attempt to monopolize, interstate trade or commerce in the field of commercial banking in violation of section 2 of the Sherman Act. The Justice Department's complaint was dismissed.

Appeal was taken by the Department to the Supreme Court on the claimed violation of sections 1 and 2 of the Sherman Act. On April 6, 1964, Justice Douglas, speaking for the majority, held that the merger constituted a violation of section 1 of the Sherman Act and went on to note that "in view of our conclusion under section 1 of the Sherman Act, we do not reach the questions posed under section 2." Thus, having found a violation of section 1, the Court reached no decision on the Department's appeal of the district court's dismissal of the section 2 charges. Judge Ford's ruling that there was no violation of section 2 still stands.

The Senate bill 1698 as reported by the Banking and Currency Committee amended the Bank Merger Act of 1960 by exempting from section 7 of the Clayton Act and both sections 1 and 2 of the Sherman Act all mergers consummated prior to the enactment of this amendment. The language of the Senate bill prescribed that any merger "which was consummated prior to enactment of this amendment pursuant to the then appropriate regulatory approval or approvals, shall be exempt from the antitrust laws, including the Sherman Anti-Trust Act and the Clayton Act."

In accepting the House bill, however, the Senate accepted the language of section 2(a) of the bill which provided that mergers consummated prior to June 17, 1963—the date of the Philadelphia bank decision—"shall be conclusively presumed to have not been in violation of any antitrust laws other than section 2 of the Sherman Anti-Trust Act." But the committee reports and the debates expressed the view that all pending litigation should be concluded.

I understand now that the Department of Justice is considering appealing the district court decision of 1962 on the grounds that the district court erred in holding that the consummated merger was not in violation of section 2 of the Sherman Act.

Senator ROBERTSON, chairman of the Banking and Currency Committee, and I, as well as other Senators who have studied this matter, are surprised to hear that the Department of Justice is intending now to proceed against the Lexington bank on the ground that the merger was a violation of the antimonopoly provisions of section 2 of the Sherman Act. It might very well be that the primary intention of the Department is to make new law in this case in securing a court decision of the application of the monopoly provisions of the Sherman Act to bank mergers. If this is the purpose, it does not seem proper to make the bank a convenient vehicle for the test of new issues when I think it clear that the Congress desired that the litigation be terminated and, in the long run, I doubt that the Department would succeed, but, at the same time, would have created unnecessary hardship on a bank that has been in litigation on this matter now for almost 5 years, and on the community it serves.

I would like to point out that within the past several years, two new banks have been chartered in the Lexington area. I find it very difficult to understand how monopoly charges can be levied against the Security National Bank when two new banks are offering their services in competition.

I make this statement because of the uncertainty that prevails in the community of Lexington and Kentucky. I believe, as I have said, that it was the intention of the Congress to exempt the three banks that had merged in good faith prior to June 17, 1963.

In conclusion, I will say that I cannot know all the facts at issue and I realize, of course, that the final decision will be made by the Department of Justice. But I feel it my duty to give my impression of my understanding and of Senators like myself when we voted for S. 1698 on February 9 of this year. I am sure the Department of Justice will give all these matters its fullest and responsible consideration.

PROPOSED SALE OF STEEL COMPLEX BY WESTERN EUROPE TO RED CHINA

Mr. McINTYRE. Mr. President, in late March, I received word that West Germany and several other European allies were about to authorize the sale of a $176 million steel complex to Red China. My immediate reaction was one of complete disbelief. I knew that our State Department had been carrying on intensive negotiations with these allies to persuade them to give us more substantial support for our efforts in South Vietnam. And it seemed incredible to me that these same allies would turn around and authorize an action that could very well hamper our efforts to bring peace and stability to southeast Asia.

On March 22, after receiving confirmation that West Germany was about to give its wholehearted approval to this sale, I expressed my shock and bewilderment here on the floor of the Senate.

I then wrote to President Lyndon B. Johnson, protesting this action and contacted the State Department to see what steps our Government was taking to persuade our European allies that the sale of this steel complex would enhance Peking's ability to produce military weapons and equipment—machinery of war that could very well be used against our own men fighting in South Vietnam.

At a later date, I met with Secretary of State Dean Rusk to discuss this whole matter and see what we could do to persuade West Germany that the sale of a steel complex to Red China was a futile attempt to bring the Peking regime into concert with the rest of the free world.

Fortunately, the contract for the sale of this steel complex has not yet been signed; and it is my hope that West Germany and our other allies will reconsider before any further action is taken.

The sale of one steel complex to Red China will not dramatically upset whatever balance of power now exists in southeast Asia. But this proposal does symbolize the attitude of certain West European nations toward the very serious situation which now exists in South Vietnam. This action also demonstrates the prevalent notion in Europe that what happens in southeast Asia has little bearing on the future course of events in Western Europe.

For Europe has apparently forgotten that the events which transpired in a tiny city in Yugoslavia precipitated the holocaust of World War I; that the Japanese invasion of Manchuria in 1931 helped to bring on the war in the Pacific; and that Hitler's invasion of the small independent nation of Poland ended with German domination of the entire European Continent.

Today, our world is even smaller. Jet airplanes have brought any point on the globe only a few short hours away; and guided missiles—with atomic warheads—can reach any target within minutes.

If events in little Sarajevo could rock the proud capitals of Western Europe in 1914, then, certainly, events in Hanoi and Saigon can have a profound impact on the course of events in Europe in 1966.

But Europe has become fat and lazy. It has forgotten what happened in 1914 and 1939. It continues to make the same fatal mistakes that it made twice before in this century. It ignores the lessons of history.

Today, however, the stakes are much higher. The atomic age has made the destruction of the world a distinct and terrifying possibility. If we are to survive, we must learn the lessons of history; we must use them; and we must profit by them.

But the nations of Western Europe, proud of their rich history and tradition, have never learned the lessons that history should have taught them.

Neville Chamberlain, when told about the invasion of Czechoslovakia, said that it was "a land that is far away and need not concern us." Today, like Chamberlain and his large black umbrella, Europe hides under our nuclear umbrella, content to wish the world away, confident that the United States will protect her.

And I know that we would come to her aid—for we realize that our own security depends, in part, on the security of Europe. We have learned the lessons of history; and we intend to profit by them. We know that a free Europe means a free America; and we recognize our responsibilities to the rest of the world.

General de Gaulle, however, is a leader who is motivated by the dangerous belief that the Soviet Union would never cross the Iron Curtain and attack Western Europe. The French also believed, back in 1914 and 1939, that Germany would never cross the Rhine.

General de Gaulle may be correct in his view—but this view may also be the same type of fatal blunder that led to the destruction of France in two great wars.

Many Western European nations are unconcerned about providing for their own defense, because they are convinced—and rightly so—that the United States would immediately move to their assistance in case of attack.

Europe's great concern today is not with her defense, but with her pocketbook. For America will come to her aid in case of trouble.

A strong, stable Europe is one of the most important goals of American foreign policy. But we should expect, indeed we should require, that our European allies shoulder their appropriate share of the burden of insuring her own peace and stability.

And, at the same time, she should show an understanding and awareness of the larger objective of world peace that we seek by our resistance to Communist aggression in South Vietnam.

Instead, they propose to provide steel plants for our Communist enemy—on generous and liberal credit terms.

While we fight in South Vietnam, while our soldiers die so that free people everywhere—including Western Europe—may live in peace and security, our allies deny us even a modicum of support. Instead of sending us men or equipment, they plan to furnish weapons of war to Red China—weapons to be sent through the mountain passes of China to Hanoi and then down through the Ho Chi Minh Trail to be used by Vietcong and North Vietnamese troops.

It is high time that Western Europe stopped this nonsense. It is high time that Western Europe started doing its share of the work at hand. It is high time that we get some support from Western Europe—and some recognition that America is paying a heavy price and a heavy toll of young men so that Europe can remain fat and smug—and prosperous.

The sale of a $176 million steel mill to Red China is but one example of the general attitude of Western Europe. Guided purely by the motive of profit, unmindful of the political consequences their action might take, West Germany, France, and other allies wrap around themselves the mantle of forgetfulness and blindly proceed to give aid and comfort to the enemy of their defender.

They claim, as justification for their action, that such a sale will help to open the great wall of China to Western influence and establish an open line of communication between the Far East and the West.

But what they fail to realize is that U.S. officials have met with Red China's delegation in both Geneva and Warsaw a total of 129 times—and have made numerous overtures which could end the isolation of Communist China from the rest of the world. But China has declared, each time that we have met, that it will agree to nothing until we consent to the return of the Island of Formosa, Taiwan, to Red Chinese rule. And this is something that we cannot do.

Red China has willingly isolated itself from the rest of the world; we have not isolated China.

And, until such time as Red China decides to forgo its self-imposed isolation, there is little we can do to pry open the wall which separates Peking from the rest of the world.

Mr. President, I strongly urge our European allies to bring politics into their discussions with Red China if they feel they must persist in their efforts to sell their industrial products to this regime. Until now, they have been guided in their discussions purely by factors of profit and economic gain. If they were to use political pressure, as well as economic pressure, when they propose such sales to Red China, they could help rather than hinder the progress of peace and stability in southeast Asia.

When the West Germans, French, and others enter into negotiations looking to the sale of a steel mill to the Communist Chinese, their bargaining should not be confined to price, credit terms, delivery dates, and the like, but such a conference table could be utilized to discuss political matters affecting the free world and the Communist world. Political concessions achieved could mean the beginning, could place the door ajar, so that the way would open wide to negotiations to end the conflict in Vietnam.

And Europe must begin to take her part in the defense of Europe; she must begin to realize that world events will affect the future course of events on her continent; she must begin to help rather than hinder the search for peace throughout the world.

Mr. President, we have carried Europe on our shoulders for the past 20 years; the burden has not been light; and it has not been made any easier of late by leaders like General de Gaulle who attempt to destroy rather than rebuild the strong alliance we have established on that continent.

The present tension within the NATO alliance leads me to believe that it may be necessary for the United States to withdraw its forces from the European Continent.

The decision would not be taken lightly, but it must be considered. It is one avenue that is open to us.

For the United States possesses an impressive fleet of Polaris submarines; and these could be stationed around the continent of Europe, ready to bring the striking force of the United States to bear if Europe were attacked.

Consideration of this proposal would make it abundantly clear to Western Europe that we can and would withdraw our land forces from Europe, and put them to work in South Vietnam where they are urgently needed to protect the lives of American soldiers who are already there. We have a strong commitment to the South Vietnamese people; and we are ready to honor that commitment. Our commitment to South Vietnam has brought no concrete support from our European allies—and some of these allies even appear unwilling to defend their own nations.

Too often, the nations of Europe are only too willing to have us defend their borders—and then laugh at us behind our backs for paying the high price of keeping our troops and our equipment at their beck and call.

We do not have to play court jester to the governments of our allies any longer. They are prosperous and content and their fears of 1949 have subsided.

The answer to the NATO dilemma may well lie in our chain of Polaris submarines together with a loosely tied Atlantic alliance.

Carrying the rest of the free world on our shoulders is not an easy task—and is one that we did not seek. But we bear the burden and agree to do what we think is right and necessary to maintain peace and stability.

But it is high time that the rest of the world at least acknowledge what we are doing—and do its proper share to insure that the people of the world be able to live in peace and harmony with their neighbors.

NO MORE ODD MAN OUT

Mr. BARTLETT. Mr. President, in spite of the directives of Presidents Eisenhower, Kennedy, and Johnson, there are still public buildings in Washington and elsewhere that are inacessible to the handicapped. Subtantial improvements have been made, however, and there are more to come.

Until recently, the National Gallery of Art, the Library of Congress, and the Smithsonian Institution had steps at their entrances. Now these buildings are ramped and accessible to all Americans, not just the physically fit.

The John F. Kennedy Center for the Performing Arts was to be built with steps, inaccessible washroom facilities, and without provision for the hard of hearing. Now the building will be built so that it may be used by all Americans, including the handicapped.

Hotels and motels, theaters, and concert halls across the country are beginning at last to make provision for the handicapped. These improvements are of help not only to the handicapped but also to their families. Families may travel together, go to the ball game or the theater together, enjoy themselves together, and the handicapped person needs no longer be odd man out.

These advances have not come easily. Many people have donated their time and effort to achieve these results. There are volunteer groups at work all over the country in every State and in many cities working to insure that Government agencies and private enterprise are aware of the need to plan for the handicapped in the construction of buildings and facilities.

On Sunday, an excellent article by Boris Weintraub appeared in the Evening Star. This article summarized some of the steps that have been taken and some of the steps which have been removed as the accessibility program moves forward. I ask the unanimous consent of the Senate that the article may be made a part of the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GETTING AROUND IN A WHEELCHAIR

(By Boris Weintraub)

Hugo Deffner of Oklahoma City was named Handicapped American of the Year a few years ago for his one-man crusade against such architectural barriers to the handicapped as revolving doors and steps. But when he arrived at the Departmental Auditorium here to receive his award they had to call out the Marines—two of them—to carry him in. He couldn't get his wheelchair up the steps.

Since that time, more than one organization has been at work to do something about the problem. In the greater Washington area there are an estimated 200,000 persons with one kind of physical disability or another. And those in wheelchairs—well, there are lots of things they can't do that other people take for granted. Visiting the Lincoln Memorial, the White House or the Jefferson Memorial for the wheelchair-bound is an impossibility. All those steps. Such simple acts as riding a bus are out. Revolving doors might as well be stone walls.

Cities are designed by and for the nonhandicapped. "Mostly it's just a question of habit," says Mrs. Allan B. Fay of Bethesda, head of the Architectural Barriers Project for the Metropolitan Washington Area. "Buildings have always been built with stairs, or with revolving doors, or with narrow bathroom stalls. The architects and the builders just don't realize that these things are problems unless they are called to their attention."

Since 1957, some progress has been made to remove architectural barriers here. The D.C. Commissioners Committee on Employment of the Handicapped, Mrs. Fay's project and more than 40 other organizations have collaborated on a directory of facilities for the handicapped, and have begun an assault on the attitudes which have made Washington only "an average city" for the handicapped.

Aiding them is a set of specifications approved in 1961 by the American Standards Association to make buildings and public facilities usable by handicapped persons. They take in the needs of all the handicapped: those on crutches or in braces or in wheelchairs, persons with poor sight or hearing, persons with heart trouble, and the elderly.

The standards provide that every building should have at least one wide, level entrance for use by the wheelchair-bound. They provide for public walks at least 48 inches wide. They provide for extra wide spaces in parking lots for persons in wheelchairs or on braces or crutches. They provide for ramps with a rise of no more than one foot in 12 for wheelchairs. And they provide for at least one stall in every bathroom at least 25 inches wide, to accommodate a wheelchair.

Here is a summary of facilities in the Washington area:

Transportation—"Buses can't be used by persons in wheelchairs," Mrs. Fay says. "They have high steps, they stop suddenly or they go sharply around corners." The Senate District Committee directed that the Washington subway should be "readily accessible for the disabled, elderly and other handicapped persons."

Public buildings—Many of Washington's most prominent buildings are inaccessible to persons in wheelchairs. President Kennedy directed that new federal buildings be built so that the wheelchair-bound could use them, and the District Commissioners did the same last March for new District buildings. A typical situation arose with the John F. Kennedy Center for the Performing Arts. "There were too many steps in the preliminary sketches, and they were obviously inaccessible," says Joseph Carvajal, executive secretary of the Commissioners Committee. "We wrote and suggested colorful ramps in their place. They are going along with our suggestions."

Entertainment—Many movie theaters provide special areas for persons in wheelchairs, and others permit a disabled person to transfer to a seat. "You have to establish the ground rules beforehand," Mrs. Fay says. "The National Theater permits persons in wheelchairs at the side of the theater. Arena Stage is "practically impossible." D.C. Stadium, with its ramps, is fine, but another problem there is the distance from parking lots.

Education—Mrs. Fay says that things are "especially bad" on the college level, that only a few buildings on area campuses are usable by persons in wheelchairs. The ideal is the University of Illinois, which has ramped its entire campus, has provided buses with lift steps and has constructed its buildings with the handicapped in mind. UCLA has similar facilities. The elementary and high schools in this area have the same problems as most public buildings in the area: steps, narrow entrances, and narrow bathroom stalls.

Traffic—A few ramps have been erected in the District to permit wheelchairs to roll up onto sidewalks, notably in the Southwest and around Meridian Hill Park. The Commissioners Committee hopes for ramps in the downtown area when the F Street urban renewal project takes shape. But, on the whole, the ramp situation is bad.

Public telephones—The C&P Telephone Co., in cooperation with the Architectural Barriers Project, has established nine "Drive-up—Walk-up" coin telephone installations. Anyone, including a handicapped person who drives, can use these phones without leaving his car. The phone company plans to expand this service.

"Some of these things that help the handicapped are bound to be a little more expensive," Carvajal says, "like moving ramps in a subway station are a little more expensive than stairways. But they are safer, too, not only for the handicapped, but the general public. You can take it as a rule of thumb: Whatever is better for the handicapped is safer for the average person, too."

MAN IS NOT MADE FOR DEFEAT

Mr. BARTLETT. Mr. President, on April 29, 1966, I began a journey which I dedicated to the spirit in man which enables him to prevail and to prosper in face of adversity.

The journey took me to Seward, Valdez, and Anchorage, three Alaska cities which suffered extensive earthquake damage in 1964. At each city I spoke at ceremonies celebrating the winning of All America City Awards, presented by Look magazine and the National Municipal League.

Mr. President, Anchorage and Seward are now two-time winners of this award, making Alaska one of only three States which have two cities which have won two All America City Awards.

The three cities entered the competition as a unit, but the jury, impressed by the energy with which the residents had set about to rebuild after the earthquake, decided to give individual awards. To do that, the jury requested that the number of awards be increased from the traditional 11 to 13.

It is clear that the jury recognized that nature had tested the mettle of the people of Alaska, and had found that some men, women and children may have been destroyed, man could not be defeated.

In honoring the residents of these cities, the jury also honored a national commitment to the belief that man has the right to the opportunity to prevail and to prosper, for without the help of this Congress, without the help of numerous Federal agencies, without the help of countless private organizations and individuals, these awards could not have been won. These awards prove that the national commitment to rebuild Alaska has been carried out in good order. Again, for myself, for the people of my State, thank you.

So that others may share in my tribute to the spirit of the people of Seward, of Valdez, of Anchorage, and of the Nation, I ask unanimous consent that my speeches delivered at the All America City ceremonies be printed in the RECORD.

There being no objection, the speeches were ordered to be printed in the RECORD, as follows:

[News from E. L. (BOB) BARTLETT, Senator from Alaska]

"MAN IS NOT MADE FOR DEFEAT" (SEWARD)—PART I

Today I start a journey dedicated to that spirit of man which enables him to prevail and to prosper in face of adversity.

From Seward, I go to Valdez, and then to Anchorage. As I do here, I will speak in those cities at ceremonies honoring people who once again have shown "man is not made for defeat."

The journey I start today is one in which all Alaskans and all people of this nation should take pride, for indeed, the rebuilding of our state following the Good Friday earthquake was a national commitment to that spirit.

The late Ernest Hemingway described that spirit so well and so simply when he wrote, "A man can be destroyed, but not defeated."

Men, women and children were destroyed by the terrible force unleased by nature late that afternoon, but man, the people who remained, was not defeated. He prevailed and rebuilt and now works to prosper.

This journey of dedication will be much different from the one I took very shortly after the earthquake. Then the scene was of land abused, land misplaced, land battered by seas, land seemingly mutilated and scarred for generations to come. But the scene already was one of people planning to needs no longer be odd man out.

In the next few days, the scenes will be the results of that planning. In Seward, I see new buildings and a beautiful new harbor. In Valdez, I will find a city in the midst of a move to new location. And in Anchorage, there will be new skyline, clean and clear cut against the great Chugach mountains.

But while what has been accomplished in the past is important, the past can be nothing more than prologue. So it is we must turn to the future to see if man is to prosper from what he has rebuilt.

It would serve no purpose today if I were to give the impression that Seward is recovered completely from the effects of the earthquake. It is no secret that there has been a serious decrease in port activity here. Let us face facts. If that decrease is permanent, as it might be, people of Seward will have to look to new endeavors on which to build an economy.

To look elsewhere, to break existing patterns is seldom easy and always require imagination, energy and good sense. Receipt of the title of All-America City attests to the imagination and energy of the people of Seward. You and the other people of the Kenai Peninsula demonstrated good sense when you and they formed the Kenai Borough.

Perhaps nowhere else in the United States is a unified, planned economy so important as in Alaska. Our state has vast quantities of valuable natural resources. It also has a high cost of living and geography that makes it difficult and expensive to unlock her great storehouses. In short, Alaska cannot afford the luxury of wasted motion, of inefficient, overlapping economic development projects. In short, areas which are economic units need area-wide planning and cooperation.

Few persons, if any, would argue that the Kenai Peninsula is not an economic unit and one of great potential. Therefore, it was only good sense that the communities of this unit band together to work for the future.

When one thinks of the potential of the Kenai Peninsula one thinks of oil and gas and of the resources of the sea. However, one doesn't often think of the Kenai National Moose Range as a natural resource which could speed economic development of the peninsula. Among those who do are officials of the U.S. Bureau of Sport Fisheries and Wildlife.

I shall not bring to issue here renewal of the debate which has gone on for a quarter of a century as to whether the Moose Range should have ever been established, whether such a large area of land should have been set aside by the federal government without any consultation whatsoever with the people of Alaska. There was none, so here we are.

I hope that the fact that the proposal I am about to discuss is the work of the Sport Fisheries and Wildlife Bureau will still any fears that anyone, least of all this United States Senator, is advocating ruthless exploitation of this magnificent wild reserve.

The Range is home for about 7,500 Alaska moose, the largest antlered animal on earth, and we don't want to lose them.

The Range is home for many other animals, including more than 800 white sheep, and we don't want to lose them.

The Chickaloon Flats is an important waterfowl migration area, and we don't want that destroyed.

More than 40 per cent of Cook Inlet salmon come from the lakes and streams of the Range, and we don't want to harm them.

And no one wishes to scar the unique wild beauty of coastal and interior Alaska which make up the Range.

The beauty of the Range was summed up by a naturalist who, in 1911, wrote, "Were all of Alaska erased from the map except the Kenai Peninsula, and its immediately adjacent waters, there would yet remain in duplicate that which constitutes the more unique and that which typifies the whole of this wonderful country."

No one, least of all this Senator, wants to sacrifice the priceless, age-old area of wild beauty in return for a possible temporary economic gain, a gain which would be dwarfed, in time by the loss of what "constitutes the more unique and that which typifies the whole of this wonderful country."

However, preservation does not mean disutilization.

Certainly it should be possible to continue to tap supplies of gas and oil without erasing the beauty and the wildlife of the area.

Certainly it should be possible to set aside areas for public recreation use without marring the wilderness.

Certainly it would be worthwhile to investigate the possibility of developing a timber industry which would assist rather than hinder preservation of wildlife.

These objectives are the keystones in the Sport Fisheries and Wildlife Bureau's proposal for the Kenai National Moose Range.

The bureau has developed a plan proposing to divide the range for four purposes.

A natural area, named for the late Andrew Simon, the great Alaska guide and conservationist, would run south from Skilak Lake, and west from the Harding Ice Fields to about the mid-point of Tustumena Lake.

A central public-use area, with trails and camp grounds, would be developed north of Skilak Lake. The Chickaloon Flats would remain a waterfowl area.

The remainder of the range would be opened for a well-planned resource-use area, in which development of resources would be balanced with the objectives of a natural preserve.

This proposal, and I stress the word proposal, might well be a starting point for Seward's search for a new economic base.

Development of a public-use-area will bring people to the Peninsula. For example, the bureau reports fishing pressure per mile of road in Alaska is nearly twice the national average, exceeded by only two states. Thought should be given to enterprises which could help attract and serve potential visitors both from within and out of the state.

Establishment of a timber industry for the Peninsula would create new jobs, the key to any economic development program.

The timber resources of the Range are virtually untapped. The bureau estimates that there are 400,000 acres of potential commercial forest within the proposed resource-use zone, enough to support on a continuing basis a moderate size cellulose processing plant. One need only look at the lumber mill operations in Sitka and Ketchikan to see evidence of a stable, long-term industry stimulating economic growth throughout a community.

The preliminary study of timber resource has been done. Next we need to refine resource estimates and set out an operational program. I urge that these planning steps be taken promptly to determine if and when an industry can become a reality on the Kenai Peninsula.

There are a great many problems which must be overcome before any part of the bureau's proposal becomes fact, not the least of which is a reluctance in some quarters to allow the bureau to extend the nature of its activities to include recreational facilities.

Whether or not this proposal for the National Moose Range is accepted, it still will have served an important purpose if it stimulates ideas on how the people of Kenai Peninsula can best make use of the area's resources and still maintain its unique and priceless wilderness.

I am confident a way will be found.

I am confident that Seward has not rebuilt in vain, and that it will prosper.

The potential is here.

We know the spirit is here, for the people of Seward have twice won All-America City awards. Along with Anchorage, Seward makes Alaska one of only three states which has two two-time winners of the award.

I am confident that Seward will be a candidate at some future time for a third award, for its people have so nobly demonstrated, "Man is not made for defeat."

[News from E. L. (BOB) BARTLETT, Senator from Alaska]

"MAN IS NOT MADE FOR DEFEAT" (VALDEZ)—PART II

Yesterday I started on a journey dedicated to that spirit in man which enables him to prevail and to prosper in the face of adversity.

This journey, which started in Seward and ends Monday in Anchorage, retraces a trip I took a little more than two years ago. Then the scene was one of destruction and chaos.

Where there had been roads there were holes or rubble from mountain walls. Where there had been land, there was water. Where there had been docks and buildings, there was flattened debris.

Now, two years later, I return to take part in ceremonies honoring the spirit of the people of the three cities of all Alaska and of the nation who banded together to demonstrate once again "man may be destroyed but not defeated." It is most appropriate that the award to be presented to Valdez today is called an All America award, for the rebuilding of Alaska is a tribute to the national belief that "the world is a fine place and worth fighting for."

Perhaps the world is not as fine a place as it could be, but it certainly is worth saving if for no other reason than to have the opportunity to improve it.

Man has prevailed because in times of peril he has put aside individual differences and joined forces to overcome the threat. He has done this when the threat has come from nature and when it has come from within his own ranks.

The threat which has been most sure to unite men to action is the threat of nature or of men to impose by force their will on man or on other men. There is something in our spirit which rebels at such threats, and may it always be so.

In the affairs of men, may we never become so arrogant as to attempt to force our ways on others, nor so indifferent as to ignore the plight of the needy.

In the affairs of nature, may we always dare to answer her challenge. May we always try to find better ways to handle her awesome force. May we ever strive to make sane use of the resources she offers, balancing exploitation with conservation, keeping faith with the past while building for the future.

Nature is at once man's provider and his enemy, his captor and the liberator of his spirit.

Valdez was among the Alaska cities which suffered extensive damage in the Good Friday earthquake. No one who witnessed the awesome power of the land and sea that day will forget the sight of a tanker tossed about like a toy, of huge waves carrying away great chunks of land. Nor will the people of Valdez forget the 31 persons who died in the city that day, more than one-fourth of those officially listed as killed or missing.

But if this city was as target of the fury of nature, it also owes its beginning to the discovery of nature's gold deposits in the interior, its charm to the natural beauty of mountains and sea, and its future to the resources of the ocean.

It is fitting that Valdez which suffered greatly from the ravages of an ocean unleashed now profit by unlocking the storehouse of the same sea.

Valdez is uniquely situated to reap rewards from the ocean. It has a fine harbor on Prince William Sound, a protected body of water of great potential. By protected, I mean that the Sound is part of this nation's territorial waters.

I am firmly convinced that if this nation's fishery industry is to expand and prosper as it should, it must make excellent use of areas sufficiently large to ensure a continuing and diversified catch, areas which are protected from exploitation by foreign fishermen.

Prince William Sound is one of the larger bodies of water which fall within the boundary of our territorial sea. Foreign vessels may not enter these waters without permission of our government.

These protected areas become increasingly important to the United States fish industry as competition between fishing nations increases on the open seas.

It is well known that the American fishing fleet is falling behind the fleets of other nations both in numbers and in quality of equipment. As our fleet grows older, fleets of competing nations grow younger. As our fishermen continue to operate with outdated equipment, foreign fishermen continue to modernize their vessels.

Even if the United States were competing on equal terms with other fishing nations, just the great numbers of vessels fishing the seas would make the protected water of Prince William Sound extremely valuable. The Sound takes on added value in light of the technical disadvantage under which our fleet operates.

It was with that value in mind that I recently proposed that the federal government undertake a major survey of the fishing resources of Prince William Sound.

I made the proposal at a hearing on a Senate resolution authorizing the Bureau of Commercial Fisheries to conduct a survey of the nation's marine and fresh water fishery resources.

The resolution points out that since 1957, the United States has fallen from second place behind Japan to the world's fifth fishing nation. Peru, Red China and the Soviet Union are now ahead of us.

Because of the great potential of Prince William Sound, I urged that large portion of any fund appropriated for a survey be spent in Prince William Sound.

With the information gathered from such a survey, it should be possible to develop a flourishing, year-around fishing operation in Prince William Sound. The operation would not only mean year-around work for the fishermen of Valdez, and other communities, but also year-around employment for persons in related industries, businesses and services. In short, development of the Sound as a major fishing area will benefit Valdez, the state and the nation.

I can't stress enough the importance of efforts to rebuild this nation's fishing and maritime fleet. If the United States is to remain a great power, it must remain a great sea power.

And sea power is more than deck guns and aircraft carriers. It is passenger ships, tankers, tugs, fishing vessels and the capability to repair and build our own ships.

Sea power is the capability for independent action in war and in peace, the capability for freedom of action.

Sea power is also the good sense to investigate and harvest the great potential of the sea. Certainly this nation did not become great by ignoring its vast natural resources. Certainly, it will not remain great if it does not continue to make some use of its resources, resources which can supply food to feed a growing nation and minerals to supply new and expanding industries, which in turn will offer more jobs to a growing population.

And it is just as certain that Alaska will not realize her potential, and will not be able to meet its full responsibility of statehood unless her resources are exploited fully and sanely.

Only then will the promise that is Alaska's be fully realized.

Only then will the national commitment demonstrated in the unified effort to rebuild our state be fully rewarded.

I am confident that that commitment will be rewarded by a growing, prosperous Alaska.

I am confident because of the spirit shown by you, the people of Valdez. Here, where man has experienced the worst of nature, man has an opportunity to profit from the best in nature, both in beauty and in resources.

I am confident because in the rebuilding of Valdez man once again demonstrated that he is not made for defeat.

[News from E. L. (BOB) BARTLETT, Senator from Alaska]

"MAN IS NOT MADE FOR DEFEAT" (ANCHORAGE)—PART III

Today I end what for me has been a most happy and inspiring journey.

The journey began Friday in Seward and continued Saturday in Valdez. In those cities, as I do here, I spoke at ceremonies celebrating the winning of All-America City awards.

It has been an inspiring journey because at each stop I have seen again and again proof of that spirit in man which enables him to prevail and to prosper in face of adversity.

I have dedicated this journey to that spirit.

In each of my speeches I took my theme from the late Ernest Hemingway, who said of that spirit, "Man is not made for defeat. A man can be destroyed, but not defeated."

I wish persons doubting the truth of those words or the existence of that spirit could have made this journey with me.

They would have seen a beautiful new harbor open on awe-inspiring Resurrection Bay. They would have seen people moving a city to a new location rather than admit defeat. They would have seen a bright, sparkling city rising from rubble, a city more beautiful, more prosperous than before nature decided to test the mettle of its people.

They would have witnessed the results of a national commitment to the belief that man can and has the right to the opportunity to prevail and to prosper.

The journey ends today here in Anchorage, and I can think of no better place, no better time than this ceremony to sum up the meaning that this journey should have for the future of Alaska.

Anchorage is the proper setting for such a summation because there is a two-way street connecting Alaska and Anchorage with the future. As the state's largest city, Anchorage must prosper if the state is to prosper. However, Anchorage cannot hope to prosper if all sections of Alaska do not. If no man is an island, neither is any group of men or any city.

In Valdez, I said man has prevailed because in time of peril he has put aside individual differences and joined forces to overcome a threat. There is something in man that rebels against nature and other men attempting to impose their will by force.

In Seward, I stated Alaska cannot afford the luxury of wasted motion, of inefficient, overlapping economic development programs. If our state has vast quantities of valuable natural resources, it also has a high cost of living and geography which makes it expensive and difficult to unlock her great storehouses.

In short, Alaska needs coordinated planning, coordinated programs and cooperation between people, between cities, between boroughs, between state and local governments.

Now is the time to blend those two thoughts into one—into a commitment for the future.

If in times of peril man has joined forces against a common threat, it is also true that too often he has been slow in recognizing the threat, slow in forgetting past differences and gearing for action.

However, if Alaska is to realize its full potential as quickly as possible, we, its residents, must retain that same cooperation, that same sense of purpose demonstrated in rebuilding after the earthquake of 1964.

These will not be easy to retain. We all grow tired of sustained effort. We all grow impatient working for long-range solutions. We all become hungry for quick, clear-cut progress. That seems to be part of the American character, in foreign as well as domestic affairs. But patience and long-range thinking is what Alaska needs, not shortsighted selfish gains.

Another factor complicates the road ahead. While the federal government has been generous to Alaska, I don't think we can or should expect as much federal aid as we have been receiving. The federal government will continue to play its part in Alaska, but that part will diminish over the years, and a greater portion of the load will fall on the state and on local governments.

However, new industries are coming to Alaska, industries which will provide the necessary tax base to meet governmental needs of the future.

For example, the Bureau of Sports Fisheries and Wildlife has proposed establishment of a long-term timber industry in the Kenai National Moose Range. Congress is considering a resolution authorizing a survey of the nation's coastal marine resources, a survey which could provide information leading to the establishment of a year-around fish industry on Prince William Sound and elsewhere. Congress continues to search for a program to assist the mining industry which meets the objections of the administration.

Also, the Air Force is interested in selling the Alaska Communication System. Several firms appear interested. Sale of the system to a private firm, with proper assurance for improvement in rates and services, would be a significant addition to the tax rolls.

And recently the Federal National Mortgage Association, recognizing that special problems exist in Alaska, withdrew a limit it had placed on mortgages, a limit which could have severely damaged the construction industry in our state.

So on these few examples alone, it can be said that the officials in Washington are vitally concerned with and working for the future of our young state.

Alaska needs assistance because it is a young state, but its youth is also its best hope of meeting the challenges of the future. I refer not only to the youthful spirit of her people, but also of the absence of centuries-old patterns which limit fluidity and stifle ingenuity.

I am thinking of how fortunate we are that in a state where unity of purpose and of action is so important, we have a system of political subdivision which should make such unity easier to achieve than in other states.

Consider a moment the plight of Philadelphia, a metropolitan area stretching over five counties. Philadelphia depends on the counties for people to run its industries, to shop in its stores, to visit its theatres. The counties depend on the city to supply their people with jobs. The metropolitan area is an economic, cultural unit. However, it is not a governmental unit. There are cities and townships within counties. One county has more than 60 townships. Effective area-wide planning is a dream of the future in this section of the county.

In Alaska, we only have cities or boroughs. It is through the latter that area-wide planning can be developed. The Anchorage area should take the lead in making this simplified political subdivision system work, on problems ranging from a safe and adequate water system for all to economic development programs which will benefit all Alaska.

Anchorage is at the heart of the fastest developing portion of Alaska. One need only look down Cook Inlet to see evidence supporting predictions that by 1975 industry will be producing 200,000 barrels of oil a day. Clearly, Alaska is on its way to becoming one of the great oil-producing centers of the world.

However, unless we look and plan ahead, Alaska will remain a source and not a refiner of oil. In an effort to encourage establishment of an oil-refining industry in Alaska, I asked the Department of Defense to consider getting fuel for Alaska-based jets from Alaska sources rather than from outside. The answer was that a recent study by a major refining company found that there was not a large enough market for byproducts of jet-fuel products to make a refinery a profitable operation.

This is a challenge worthy of Alaskans' imagination and ingenuity. We have found ways to make money shipping timber products. We are hopeful that current negotiations will lead to establishment of a liquefied-gas exporting industry. I am sure not too many years ago, such enterprises appeared impractical, if not improbable. It now appears as if a new important industry—the making of fertilizer—can be developed using natural gas. Future opportunities appear staggering. There is no reason why ways cannot be found to make the refining of petroleum profitable in Alaska.

Certainly markets in Alaska will improve as more and more people come north to the future.

Certainly as the attention of the nation swings west, new markets will develop in the Far East. Japan need not be our only customer. When hostilities cease in Southeast Asia, and the task of assisting nations of that area improve their standards of living can begin in earnest, there will be new markets for our resources and for manufactured goods. Alaska is the gateway to the Far East. We must be sure that when the time comes, we are ready to serve the customers that will pass through that gateway.

Some of these nations may have communistic governments. One of the nations may be Red China itself. I say let's trade with them all, not only for the good of Alaska, but for the good of the nation and the world.

I think the types of goods to be traded should be determined by the nature of the government of the country with which we are trading. For example, it would make no sense to supply the current Red China government with strategic material.

However, neither does it make sense not to trade with a nation unless its government is totally committed to our side of the Cold War.

In Asia, our strength is in the air and on the sea. Our policy designed to contain Red China can only succeed if nations on her borders are interested in remaining independent of their huge neighbor. It does not matter if they are committed to the west, neutral or lean toward China. Through trade and sound assistance programs we should, when asked, help them retain their independence.

Also, trade lines are also lines of communications, and communications between powerful nations are needed to reduce chances of a nuclear conflict starting because one nation misunderstands the policy or the resolve of another. No, rather than isolation, the world needs communication so those tempted to act counter to the interest of society as a whole are well aware of the risks they run.

Which way Alaska turns depends a great deal on the leadership Anchorage displays in solving area problems. Alaska cannot look outward unless it builds soundly at home. If Anchorage is at the heart of the fastest developing section of Alaska, Anchorage must also remember it cannot reach its own potential unless the rest of the state does. Too often there has been an Anchorage position and an anti-Anchorage position on an issue. There should only be an Alaska position.

Perhaps it seems that I have wandered far afield from an All-America City award, but I think not, for this award will have greater meaning if it spurs us to the same effort and to the same degree of unity which enabled us to rebuild after the earthquake.

Anchorage has twice won All-America City awards. So has Seward. Alaska is one of only three states with two two-time winners. I think that fact speaks volumes about the spirit of Alaska. It is for that reason I am confident we Alaskans will meet the challenges which lie ahead.

It is for that reason I am confident that Alaska will put aside past differences and work together to give added meaning to the words, "Man is not made for defeat."

CONGRESS HAS PROVIDED FUNDS, WITH COOPERATION OF THE STATES, AREAS, AND CITIES, FOR A VITAL SYSTEM OF AIRPORTS TO SERVE GROWING TRANSPORTATION NEEDS

Mr. RANDOLPH. Mr. President, last Friday was the 20th anniversary of the Federal Airport Act, which was signed into law by President Harry S. Truman on May 13, 1946. It was my responsibility to be an original sponsor of that legislation while serving West Virginia as a Member of the U.S. House of Representatives. It is gratifying to note the significant degree in which this law has contributed to the growth of the aviation industry and to this Nation's social and economic expansion.

As originally enacted, the law authorized appropriations of $500 million over a 7-year period, with a limit of $100 million for any one year for projects within the United States, plus $20 million for projects in Alaska, Hawaii, Puerto Rico, and the Virgin Islands. Federal aid funds might be made available to sponsors of projects, which include any public agency or several public agencies acting as a group, for airport development under requirements set forth in the act. In addition, a discretionary fund was provided for use as deemed most appropriate for carrying out the National Airport plan.

In 1950 the act was extended to a 12-year period, the total amount authorized remaining at $500 million. In 1958 the Congress passed a bill to continue the program through fiscal year 1963 with an increased minimum level of expenditures; however, the proposal was vetoed by President Eisenhower. Another measure was passed and approved on June 29, 1959, which extended the time within which grants could be made, to June 30, 1961.

Legislation in 1961 authorized appropriations in the amount of $199,500,000 over a 3-year period beginning with fiscal year 1962, $66.5 million to be available beginning July 1 of each of the fiscal years 1962, 1963, and 1964, available until expended. Additional separate funds were authorized for Hawaii, Puerto Rico, and the Virgin Islands; legislation approved March 11, 1964, authorized appropriations and extended the program for 3 fiscal years beginning with the fiscal year ending June 30, 1965—$66.5 million annually plus an aggregate of $4.5 million for Hawaii, Puerto Rico, and the Virgin Islands—and a total additional of $21 million—$7 million annually—for general aviation airports.

At the present time, the Federal airport program is again being considered by Congress. Hearings have been conducted in the Aviation Subcommittee of the Senate Commerce Committee. The appropriation of $75 million proposed for the continuance of the program in each of the fiscal years 1968, 1969, and 1970, however, could be insufficient to provide matching for local funds. The proposal in the fiscal year 1967 budget to rescind $21 million of the $71 million authorized for fiscal year 1967 is opposed by many, who contend that the appropriations should be double the $75 million figure in the newly reported Senate measure, S. 3096. They point out the need for expanding and improving airports to accommodate short and medium haul jets, which the changeover of local airlines from DC-3's has made necessary. Local airlines now operate under weight restrictions at 252 airports of the 619 served and expect restrictions on jet operations at 113 more. It would seem that even $150 million per year might be insufficient if the Federal Government were obliged to purchase land near airports to protect citizens from aircraft noise. Existing authorization contemplates $225 million for the next 3 years, with $21 million for general aviation airports.

Federal participation in civil aviation has not been confined to airport development. Establishment of the airways systems, traffic direction and control, air safety, accident investigation, and development of safety devices and techniques, and promoting development of new aircraft types are among the many areas within which the various Federal agencies have made and are making contributions to the Nation's air commerce and defense capabilities.

The number of airports and landing fields as of January 1, 1938, was 2,299, nearly 800 of which were municipal airports. In 1946, when the Federal Airport Act came into effect, there were 4,490 airports in the United States, including military. With the inclusion of military fields which are jointly used by civil and military aircraft, the total number in 1965 was 9,940, with 3,644 publicly owned as of January 1 of that year.

As of January 1, 1950, there were 59 airports located in West Virginia, 10 of which were scheduled air service airports. As of December 31, 1965, a total of 54 airports were located within the State, 15 of which were public and 39 private airports. However, in this instance statistics alone cannot convey the entire significance of airport improvements and additions in this period, and the changes in demand for different types of airport services.

A total of 23,498 scheduled and nonscheduled departures from West Virginia airports were reported for the year 1950; 102,318 passengers originated; 422.3 tons of cargo originated and a total of 123.7 tons of U.S. and foreign mail was handled. Ten years later, scheduled and nonscheduled departures were 38,433; passengers enplaned 230,252; airmail amounted to 223.65 tons; and air express and freight total was 805.06 tons. In 1965 West Virginia airports handled 42,159 airline departures, enplaned 335,305 passengers and processed 403.65 tons of mail and 1,917.37 tons of air express and freight.

Growth on a national basis is indicated by records of fixed wing domestic aircraft operations. In 1949, there were a total of 2,023,702 departures, 14,732,687 passengers enplaned, 65,301.4 tons of mail and 211,471.7 tons of air cargo originated. For 1950, aircraft departures were 2,137,294, passengers enplaned 16,937,018, mail 69,672.5 tons and cargo 289,490.6 tons. During 1960 departures totaled 3,343,989, passengers enplaned 50,584,135, mail 183,663.1 tons and air cargo 510,492.5 tons. Latest national data available, for 1964, show 3,417,601 departures, 76,657,102 passengers enplaned, mail 206,152.9 tons and air cargo originated 863,811.4 tons.

The civil air carrier fleet was comprised of approximately 450 aircraft in 1941, and private and charter planes numbered approximately 24,000. By 1958, the civil air carrier fleet had increased to 2,081 and remained at about that level through 1964; however, by 1964, fleet capacity was twice that of 1958. Domestic air cargo tonnage grew about 50 percent between 1955 and 1960 but more than doubled from 1960 to 1965—as reported by the industry.

Growth of air commerce has outstripped projections made at the time the Federal-aid airport program was being considered. However the greatest increase has been in the commercial or air carrier segment, rather than in private flying. In the recent past, expansion in commercial aviation has been reflected in aircraft size, speed, capacity and other changes which have made imperative more sophisticated air traffic and airport traffic control, communications systems, airport facilities and safety measures. As a result, the role of the Federal Government has become even larger and more important to our domestic and foreign air commerce.

Federal assistance is particularly vital in modernizing existing airports to accommodate new aircraft, and in construction of general aviation airports. Personal and business flying increased from 57,047 aircraft in use in 1955 to 86,788 in 1965. In this area too, numbers only tell part of the story, because the craft have become larger, faster, safer, and more comfortable. Airport access is a factor in location of industry, and thus of concern to the communities involved.

In addition to the considerations of air commerce, the airport program must be considered as a vital part of national defense. During World War II more than half the total airline fleets were used in flying troops and weapons for the Air Transport Command and the Air Transport Service. Airline pilots, mechanics, ticket clerks, and executives in uniform—more than one-third of all airline personnel—provided a cadre of air transportation specialists. Without adequate airports the civil air fleets and services would not have been available for use in defense of the Nation. The FAA reports that in 1964 approximately one-fourth of that Agency's annual appropriation was devoted to responsibilities related to defense.

Non-air-carrier civil aviation could provide "unparalleled" flexibility in vital services in a national emergency. The general aviation fleet is more widely dispersed than the commercial fleet and can operate from fields requiring minimum preparation or restoration. However, in order to have such a fleet of private planes available when needed, the necessary airports must be in existence.

Continued support of the Federal-aid airport program is necessary on all counts. We should not be short-sighted in providing funds for the program and authorized funds should be appropriated. Surveys over the years have shown that even had all the funds authorized been made available they would not have satisfied all the needs. For example, in 1959 a total of $63 million was available for allocation, while requests for Federal assistance totaled $192 million. At the close of the reporting period for fiscal year 1966, requests had been received for aid in the total amount of $161.6 million with only $75 million programed for airport assistance.

Mr. President, we have made important advances in aviation since the day in 1893 when a bill was introduced in the U.S. Senate which would direct the Secretary of the Treasury to pay $100,000 to any inventor who, before 1900, would "construct a vessel" which could fly at least 30 miles an hour and carry a load of 5 tons while "safely navigating the air." Today, we have aircraft which can exceed 2,000 miles per hour in straight and level flights; we plan the construction of a transport with a payload capacity of more than 100 tons; and, air travel is recognized as among the safest and most dependable means of travel.

I wholeheartedly support the continuation of the Federal aid-to-airports program as conceived under the Federal Airport Act of 1946. Airpower remains as the key to economic expansion and national security. We must continue to utilize its potentials fully as we seek a better way of life for our citizens in a world of peace.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). The Senator from Pennsylvania is recognized.

PROPOSED RULE CHANGE TO REQUIRE DISCLOSURE OF FINANCIAL INTERESTS

Mr. CLARK. Madam President, it has long been my view that Senators should be required to make a complete disclosure of their finances. I have done so voluntarily for the last 4 years, and some of colleagues have likewise made a public financial disclosure in the CONGRESSIONAL RECORD.

When it was revealed in the course of the Bobby Baker investigation that a Senate employee had been guilty of gross improprieties, I introduced a Senate resolution providing for mandatory financial disclosure by Senators and all Senate employees who are compensated at a gross rate in excess of $10,000.

Regrettably my disclosure proposal was shunted aside, and the Senate adopted the resolution which created the Select Committee on Standards and Conduct. I supported that resolution, and I believe that the Senate acted wisely in setting up the Select Committee. But by its very nature, the Select Committee can do its work only after allegations of wrongdoing have been made; it can slam the barn door after the horse has bolted, but it is not so good at keeping the horse in.

Disclosure, on the other hand—compulsory and comprehensive—can effectively deter financial misconduct by requiring Senators and key Senate employees to lay all their cards face up on the table. For the many rewards and satisfactions of public service in the Senate, this seems a small price to pay—particularly when public confidence is at stake.

At this very moment there is on the Senate Calendar a resolution, Senate Resolution 123, duly reported by the Senate Committee on Rules and Administration, which if taken up and adopted, would require a measure of financial disclosure by Senators and higher paid Senate employees. Although it is a move in the right direction, it is seriously weakened by the presence of a number of loopholes. It could however be brought before the Senate, perfected by strengthening amendments, and adopted—and I urge now, as I have urged before—that this be done.

In accordance with my practice of prior years, I intend to make a voluntary disclosure of my own finances, in compliance with the terms of the disclosure rule which I have repeatedly pressed the Senate to adopt.

I ask unanimous consent that my proposed rule XLVII, dealing with the disclosure of financial interests, may be printed at this point in the RECORD.

There being no objection, the proposed rule XLVII was ordered to be printed in the RECORD, as follows:

RULE XLVII. DISCLOSURE OF FINANCIAL INTERESTS

1. Each individual who at any time during any calendar year serves as a Member of the Senate, or as an officer or employee of the Senate, compensated at a gross rate in excess of $10,000 per annum, shall file with the Secretary of the Senate for that calendar year a written report containing the following information:

(a) The fair market value of each asset having a fair market value of $5,000 or more held by him or by his spouse or by him and his spouse jointly, exclusive of any dwelling occupied as a residence by him or by members of his immediate family, at the end of that calendar year;

(b) The amount of each liability in excess of $5,000 owed by him or by his spouse, or by him and his spouse jointly at the end of that calendar year;

(c) The total amount of all capital gains realized, and the source and amount of each capital gain realized in any amount exceeding $5,000, during that calendar year by him or by his spouse, by him and his spouse jointly, or by any person acting on behalf or pursuant to the direction of him or his spouse, or him and his spouse jointly, as a result of any transaction or series of related transactions in securities or commodities, or any purchase or sale of real property or any interest therein other than a dwelling occupied as a residence by him or by members of his immediate family;

(d) The source and amount of each item of income, each item of reimbursement for any expenditure, and each gift or aggregate of gifts from one source (other than gifts received from any relative or his spouse) received by or accruing to him, his spouse, or from him and his spouse jointly from any source other than the United States during that calendar year, which exceeds $100 in amount or value; including any fee or other honorarium received by him for or in connection with the preparation or delivery of any speech or address, attendance at any convention or other assembly of individuals, or the preparation of any article or other composition for publication, and the monetary value of subsistence, entertainment, travel, or other facilities received by him in kind;

(e) The name and address of any professional firm which engages in practice before any department, agency or instrumentality of the United States in which he has a financial interest; and the name, address, and a brief description of the principal business of any client of such firm for whom any services involving representation before any department, agency or instrumentality of the United States which were performed during that calendar year, together with a brief description of the services performed, and the total fees received or receivable by the firm as compensation for such services;

(f) The name, address, and nature of the principal business or activity of each business or financial entity or enterprise with which he was associated at any time during that calendar year as an officer, director, or partner, or in any other managerial capacity.

2. Each asset consisting of an interest in a business or financial entity or enterprise which is subject to disclosure under paragraph 1 shall be identified in each report made pursuant to that paragraph by a statement of the name of such entity or enterprise, the location of its principal office, and the nature of the business or activity in which it is principally engaged or with which it is principally concerned, except that an asset which is a security traded on any securities exchange subject to supervision by the Securities and Exchange Commission of the United States may be identified by a full and complete description of the security and the name of the issuer thereof. Each liability which is subject to disclosure under paragraph 1 shall be identified in such report made pursuant to that paragraph by a statement of the name and the address of the creditor to whom the obligation of such liability is owed.

3. Except as otherwise hereinafter provided, each individual who is required by paragraph 1 to file a report for any calendar year shall file such report with the Secretary of the Senate not later than January 31 of the next following calendar year. No such report shall be required to be made for any calendar year beginning before January 1, 1964. The requirements of this rule shall apply only with respect to individuals who are Members of the Senate or officers or employees of the Senate on or after the date of adoption of this rule. Any individual who ceases to serve as a Member of the Senate or as an officer or employee of the Senate, before the close of any calendar year shall file such report on the last day of such service, or on such date not more than 3 months thereafter as the Secretary of the Senate may prescribe, and the report so made shall be made for that portion of that calendar year during which such individual so served. Whenever there is on file with the Secretary of the Senate a report made by any individual in compliance with paragraph 1 for any calendar year, the Secretary may accept from that individual for any succeeding calendar year, in lieu of the report required by paragraph 1, a certificate containing an accurate recitation of the changes in such report which are required for compliance with the provisions of paragraph 1 for that succeeding calendar year, or a statement to the effect that no change in such report is required for compliance with the provisions of paragraph 1 for that succeeding calendar year.

4. Reports and certificates filed under this rule shall be made upon forms which shall be prepared and provided by the Secretary of the Senate and shall be made in such manner and detail as he shall prescribe. The Secretary may provide for the grouping within such reports and certificate of items which are required by paragraph 1 to be disclosed whenever he determines that separate itemization thereof is not feasible or is not required for accurate disclosure with respect to such items. Reports and certificates filed under this rule shall be retained by the Secretary as public records for not less than 6 years after the close of the calendar year for which they are made, and while so retained shall be available for inspection by members of the public under such reasonable regulations as the Secretary shall prescribe.

5. As used in this rule—

(a) The term "asset" includes any beneficial interest held or possessed directly or indirectly in any business or financial entity or enterprise, or in any security or evidence of indebtedness, but does not include any interest in any organization described in section 501(c)(3) of the Internal Revenue Code of 1954 which is exempt from taxation under section 501(a) of such Code;

(b) The term "liability" includes any liability of any trust in which a beneficial interest is held or possessed directly or indirectly;

(c) The term "income" means gross income as defined by section 61 of the Internal Revenue Code of 1954.

(d) The term "security" means any security as defined by section 2 of the Securities Act of 1933, as amended (15 U.S.C. 77b).

(e) The term "commodity" means any commodity as defined by section 2 of the Commodity Exchange Act, as amended (7 U.S.C. 2).

(f) The term "dealing in securities or commodities" means any acquisition, transfer, disposition, or other transaction involving any security or commodity.

(g) The term "officer or employee of the Senate" means (1) an elected officer of the Senate who is not a Member of the Senate, (2) an employee of the Senate or any committee or subcommittee of the Senate, (3) the Legislative Counsel of the Senate and employees of his office, (4) an Official Reporter of Debates of the Senate and any person employed by the Official Reporters of Debates of the Senate in connection with the performance of their official duties, (5) a member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate, (6) an employee of the Vice President if such employee's compensation is disbursed by the Secretary of the Senate, (7) an employee of a Member of the Senate if such employee's compensation is disbursed by the Secretary of the Senate, and (8) an employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate.

Mr. CLARK. Madam President, in accordance with the proposed rule, I offer a disclosure of my own financial interests, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

DISCLOSURE OF FINANCIAL INTERESTS OF SENATOR JOSEPH S. CLARK, DEMOCRAT, OF PENNSYLVANIA

(a) The fair market value of each asset owned by me or my spouse, jointly or severally, as at December 31, 1965, was:

43 shares Allied Chemical & Dye Corp	$2,112.37
534 shares American Tel. & Tel	32,440.50
170 shares General Electric	20,060.00
296 shares General Motors	30,636.00
191 shares International Paper	5,878.75
138 shares Jewel Tea	5,227.00
82 shares National Dairy Products	6,970.00
200 shares Philadelphia Electric	7,375.00
600 shares Smith, Kline & French	48,725.00
600 shares Sterling Drug	24,600.00
300 shares Texas Gulf Sulphur	27,337.00
76 shares International Business Machines	37,924.00
100 shares American Bakeries Co. 5% Cv. Pfd	10,800.00
800 shares Standard Oil of Calif. 3.30 Conv. Pfd	34,800.00
300 shares Chrysler Corp	15,900.00
314 shares Armstrong Cork	18,840.00
433 shares Vulcan Material Co	9,093.00
119 shares Rohm & Haas	18,683.00
400 shares Parke Davis & Co	13,200.00
500 shares Allis Chalmers	16,500.00
500 shares Massey-Ferguson Ltd	16,000.00
490 shares. First Pennsylvania Banking & Tr. Co	15,347.00
200 shares Pepsico Inc	16,200.00
150 shares Insurance Co. of North America	12,750.00
400 shares Pabst Brewing	16,400.00
330 shares American Optical	16,500.00
500 shares Western Publishing	10,500.00
800 shares Avery Island Inc. Cap. Stock	40,000.00
10,000 James Talcott CV. Cap. Notes 5% due 12/1/79	10,200.00
20,000 Allegheny Co. Pa. 3⅝% due 7/1/69	20,359.00
10,000 Lebanon, Pa. 3.30% due 6/1/73	9,999.00
10,000 Penna Hwy. & Bridge Auth. 3½% due 2/15/77	10,045.00
25,000 Phila., Pa. 3½% due 1/1/82	24,400.00
15,000 Cumberland Co. Pa., 3¼% due 11/1/86	14,129.00
25,000 Penna. St. Pub. Sch. 3½% due 11/1/86	23,030.00
10,000 Philadelphia, Pa. 3¼% due 7/1/87	9,128.00
25,000 Penna. Turnpike Rev. Bond 3.10% due 6/1/93	23,455.00
15,000 New Kensington Pa. S.D. Auth. 3.05% due 4/1/95	12,329.00
5,000 City of Bethlehem, Pa., Counties of Northampton & Lehigh School Dist. 2.70% Imp. Bond of 1957, due 4/1/72	5,000.00
Penn Mutual Life Insurance Co.—paid-up policy	$15,000.00
Provident Mutual Life Insurance Co.—2 paid-up policies	55,951.69
Share of mineral rights under royalty lease with Humble Oil & Refining Co., at Avery Island, La	[1] 292,886.20
Savings Accounts	12,929.52
Cash in checking accounts	65,387.70

[1] Because of depletion of the field, market value is computed at 3½ times annual income.

(b) Neither my wife nor I owe liabilities, jointly or severally, in excess of $5,000.

(c) My wife and I realized total net capital gains of $5,821.34 in 1965.

(d) The source and amount of items of income received or accrued to me or my wife, jointly or severally, from sources other than the United States, which exceed $100 in amount or value were:

Allis Chalmers	$218.75
American Bakeries	375.00
American Telephone & Telegraph	1,173.00
Armstrong Cork	526.35
Avery Island Inc	5,600.00
Chrysler Corp	150.00
1st Penna. Banking & Trust Co	646.80
Franklin Life Ins. Co	21.38
Insurance Co. of North America	300.00
International Business Machines Corp	456.00
Pabst Brewing Co	100.00
Parke Davis Co	300.00
Penn Mutual Life Ins. Co	125.40
Pepsico	310.00
Rohm & Haas	179.20
Vulcan Materials	346.40
Western Publishing	270.00
General Electric	391.00
Sterling Drug	457.50
Standard Oil of Calif	990.00
National Dairy Products	213.20
General Motors	1,554.00
International Paper	238.75
Texas Gulf Sulphur	120.00
Smith, Kline & French	1,110.00
Phila. Electric	288.00
Jewel Tea	234.60
Bayhil & Co., 1 Chase Manhattan Plaza, N.Y	865.09
Thelma Spencer Trust—Residual income	111.60
Humble Oil & Refining Co.—Oil and gas royalties, lease and rent	[1] 83,681.77
Allegheny County Bonds	668.75
City of Lebanon Bonds	330.00
City of Philadelphia 3% Bonds	150.00
City of Philadelphia 3¼% Bonds	325.00
City of Philadelphia 3½% Bonds	875.00
City of Bethlehem Bonds	135.00
Cumberland Co. Bonds	487.50
Dayton Rubber Bonds	825.00
New Kensington Bonds	457.50
Penna. Public School Bonds	812.50
Penna. Turnpike Bonds	775.00
State Highway & Bridge Bonds	350.00
James Talcott 5% Cap. Note	500.00

[1] Income from this source will gradually decline as the field was brought in in 1945 and is being depleted.

I was reimbursed for various expenditures incurred in connection with trips made by me during the year to various meetings at institutions and elsewhere where I had been invited to speak. My spouse received no such reimbursement.

The only reimbursement I received which exceeded $100 was for expenses to Chicago for a speech for the Association of American Law Schools in the amount of $115.23.

Net fees or other honoraria received by me during the year were as follows:

Smith College, Northampton, Mass., Alice Holden Lectures—Honorarium	$250.00
Mt. Holyoke College, S. Hadley, Mass., Lecture—Honorarium	200.00
Wheaton College, Norton, Mass., Otis Lectures—Honorarium	750.00
George Washington U., Washington, D.C.—Honorarium	150.00
Brookings Institution, Washington, D.C. Honorarium	150.00
University of Pennsylvania Connaissance, Philadelphia, Pa.—Honorarium	200.00
University of Pennsylvania, Philadelphia, Pa.—Honorarium—Lecture	100.00
Colorado State U., Fort Collins, Colo.—Honorarium—Commencement Address	400.00
Ramparts Magazine, 1182 Chestnut St., Menlo Park, Calif.—Book review	50.00
Hill & Wang, Inc., 141 5th Ave., N.Y.—Net royalties on book "The Establishment"	189.15
Donald MacCampbell, Inc., 12 E. 41st St., N.Y. Net advance on royalties on "Ethics in Government"	1,800.00

(e) I am not connected with any professional firm engaged in practicing before any instrumentality of the United States.

(f) I am neither an officer, director or partner of any business or financial entity other than Avery Island, Inc., a family corporation, whose principal place of business is at Avery Island, Louisiana, which is engaged in collecting rents and royalties, paying the expenses of upkeep of its property and distributing the balance in dividends to its shareholders, of whom I am one.

(g) Neither my wife nor I received gifts valued at more than $100 from any individual or corporation.

POLISH MILLENNIUM

Mr. CLARK. Madam President, on Tuesday, May 17, I requested that the excellent address made by Senator MUSKIE to Alliance College in commemoration of the Polish millennium be inserted in the RECORD. At that time I inadvertently neglected to include the text of an article, entitled "Polish Alma Mater in the United States," recently published in America, the USIA magazine we send to Poland. The author, Mr. Jan Kempka, has written eloquently about the fine role played by Alliance College in the preservation of the Polish language and culture in America. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

POLISH ALMA MATER IN THE UNITED STATES

(By Jan Kempka)

Huge drilling trucks rumble through the narrow streets of Cambridge Springs, a small town of 2,300 in the State of Pennsylvania. The heavy vehicles pass a railroad crossing and, climbing a hill, unceremoniously draw up on a wide lawn. Taut steel cables and boring pipes contrast sharply with the stately trees, smooth concrete driveways, and red-brick academic buildings which for more than half a century have occupied this hilltop. Here, where trucks noisily make test borings, will rise the new science building of Alliance College, the only institution of higher learning in America founded to encourage the study of Polish language and culture.

The man behind all this activity, and the moving spirit of Alliance College, is its president, Dr. Henry J. Parcinski, formerly an educational leader in Trenton, New Jersey (see *America* # 28). When he took office in August 1963, Dr. Parcinski brought with a him a number of very definite ideas for improvement and expansion.

Alliance was established in 1912 as a four-year high school for children of Polish immigrants who had settled in large numbers in Pittsburgh, Pennsylvania; Buffalo, New York, and Cleveland, Ohio. The immigrants, struggling at hard and low-paying jobs, were anxious to provide their children wih a better education than they themselves had had. This would enable them to rise on the economic and social ladder. At the same time, the parents feared their children might drift away from their Polish heritage—hence the decision to support a Polish school through the Polish National Alliance in North America.

In 1912 Alliance opened its doors to a modest enrollment of 326. U.S. President William Howard Taft delivered the main address at the initial ceremonies. Three years later, a vocational school was added to train students in useful mechanical skills, such as auto mechanics and woodwork. In time, more technical subjects, such as draftsmanship and electro-technical training, were added. The next step came in 1924 when Waclaw Gasiorowski, the energetic director of Alliance and a renowned Polish novelist, established a junior college covering the first two years of university study.

After World War II, there was a strenuous effort to convert Alliance into a full-fledged four-year college granting a bachelor's degree in science and the humanities. In 1952, Alliance achieved accreditation and joined the ranks of over 2,000 American colleges.

But the tempo of change was too slow for the new president, Dr. Parcinski. He came to Cambridge Springs with a two-pronged plan for long-range action: As a Polish-American school, Alliance College should concentrate on studies in Slavonic language and culture; as a school with experience in technical education, vocational training should be replaced by a scientific and technological curriculum more in keeping with contemporary American needs.

Currently under construction, the handsome science building will house laboratories, computers, a planetarium, a hothouse, seminar rooms and a lecture hall in the shape of an amphitheater seating more than 200 students. Half the cost of the million-dollar structure is being met by the Polish National Alliance, the college's sponsor; more than one-third is coming from a U.S. government grant; the remainder is being sought from private sources. Dr. Parcinski is sanguine that the science building will be paid for by the time it is ready for occupancy in September of 1966. In addition, he has mapped out with architects a general plan for the college's expansion: new dormitories, buildings with lecture rooms, a new library and a new administrative building.

Although it resembles other American colleges in its curriculum, Alliance has retained a very special character. The vast majority of students (some 80 percent) are of Polish origin—the grandchildren and great-grandchildren of Polish immigrants as indicated by such surnames as Wojtuszewska, Dravecky, Zaleski, Mickiewicz, Kozub. Their first names, however, are typically American: Sandra, Irene, Alan, Bruce. A few know and speak Polish well, having learned it at home; some know a little; others made their first acquaintance with the language of their forefathers in the Slavonic courses at Alliance. But, whatever their previous background, most students study Polish history at Alliance College to maintain their Polish heritage. A choir, led by Professor Malcolm Seagrave, has an extensive repertory of Polish folksongs and carols. Polish religious and cultural holidays are celebrated with great solemnity. The Christmas Eve Wigilia ceremony is the year's most festive celebration. In the dining hall, sitting at tables loaded with traditional Polish dishes, faculty and students share the oplatki, Christmas wafers; exchange the season's greetings, and sing carols. One out of 10 students belongs to the Polish Club; at a typical meeting members may hear a lecture on Polish literature or history or practice Polish dances.

Some of the students study Polish and Russian to prepare for academic careers. This is true of Wanda Krauz, a 1964 graduate of Alliance who went on to work for her master's degree in Slavonic languages at Syracuse University in New York State. Richard G. Ploszay, another recent graduate, will join the U.S. Foreign Service when he has finished a one-year supplementary language course at Monterey, California. He will be assigned to a post where his linguistic background will be useful. But at Alliance College, as at other American schools, a student's national origin does not determine his field of study. Fred Tripp, specializing in Russian, comes from a family of Irish immigrants; Richard Spillers, an able student of Polish, is of Dutch ancestry.

The faculty, like the student body, is mainly but not exclusively Polish in origin. Dr. Rudolph S. Bremen, the Dean of the College, is a native of France and received his B.A. degree from Allesanno Lyceum in Italy and his M.A. and Ph. D. in modern languages from the University of Pittsburgh. Mrs. Margaret T. Wellington, who is of Anglo-Saxon background, teaches art. Mrs. Danuta Obojska studied Polish language and literature at the University of Lublin, Poland, where she received her first M.A. degree; upon her arrival in the United States she took up Library Science and received an M.A. at the Carnegie Institute in Pittsburgh. She married an American of Polish extraction, and now both work at Alliance where her husband teaches English. Mrs. Halina Swidzinska studied at the universities of Warsaw, Berlin, Munich and in the United States. She teaches foreign languages at Alliance College.

President Parcinski's chief aim is to expand Alliance's Slavonic department, so that his small Polish college can effectively compete in this field with the best universities in the United States. A few years ago, the college acquired an electronic language laboratory where teachers record magnetic tapes of each lesson. Students, seated in 20 separate booths, hear the lesson through individual earphones; as they repeat what they hear, they record their own voices on tape. Later, the student corrects errors in diction and pronunciation by comparing his recorded voice with that of the instructors.

Eventually, Dr. Parcinski hopes that Alliance will produce scholars capable of important independent research. He anticipates the preparation of a definitive universly text on Polish history that would surpass even the excellent *Cambridge History of Poland*. "My dream," says the president, "is to see postgraduate studies in the field of humanities at Alliance College—that is to say, I have a vision of a Polish Alliance University."

For Dr. Parcinski this is no mere dream, but a very realistic and practicable goal. He wants the students of Alliance to enjoy the literature, history and spirit of two languages and two countries—"and in this way become better Americans and better human beings."

CAPTIONS

Caption A: Polish Room of Alliance College library (above) houses more than 4,000 books and periodicals about Poland, among others such rare publications as Joachim Lelewel's historical work published 135 years ago.

Caption B: Science (New science) building, now being constructed in center of campus, is part of major expansion program.

Caption C: Cafeteria of off-campus men's dormitory is cheerful spot for meeting friends, having a (snack) cup of coffee between classes. Coats-of-arms of Polish cities colorfully decorate the room.

(Text available for USIS use.)

DOMINICAN REPUBLIC

Mr. CLARK. Madam President, with respect to the situation in the Dominican Republic there is good news in the newspaper this morning. Provisional President Hector Garcia Godoy has issued an order to troops of the Dominican Army that they shall be confined to their barracks until after the election, to be held on June 1.

There is also good news that military leaves have been cancelled so that those who were on leave must rejoin their troops.

I am happy that as a result of these two moves Juan Bosch has agreed to continue as a candidate for the presidency of the Dominican Republic. Mr. Bosch now believes that the provisional president has taken the steps necessary to assure a free election without intimidation by the military.

This encouraging development results in a hope that we will honorably get out of the mess that we got into in the Dominican Republic in April of last year.

The point is that despite the presence of the Inter-American Peace Force and despite a U.S. aid program which is almost the sole means of support of the Dominican Republic, it has not yet been possible to enforce upon the Dominican military any sort of decent respect for the opinions—or apparently, the lives—of their fellow countrymen. I would hope that the U.S. Government would adopt a more forthright attitude toward this problem. It sounds a little unrealistic for the State Department to make a plea of nonintervention in this case.

In connection with these remarks, Madam President, I ask unanimous consent to have printed in the RECORD at this point two recent magazine articles on the Dominican Republic—one by Theodore Draper in the New Leader of May 9 and one by Andrew Kopkind in the New Republic of May 21.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New Leader magazine, May 9, 1966]

A CASE OF POLITICAL OBSCENITY

(By Theodore Draper)

The more I study and think about the Dominican crisis of last year, the more I believe it was, in a deeper sense, a United States crisis. And that crisis—our crisis—is still with us. Except for a small force of professional militarists, the Dominican people did something they will long be proud of. They rose against a politically and economically bankrupt regime, born of a military coup, and fought to reestablish a humane, democratic, constitutional government. But I fear that we in the United States will never be able to look back at what we did in April 1965 with pride; indeed, we have not yet succeeded in even facing up sufficiently to our actions, or at least the actions that were committed by our government.

For the past few months, I have been going over the events of April 1965 on the basis of material not previously available to me. Initially, what we knew of the Dominican revolt came mainly from United States sources. More recently, I have been able to restudy the antecedents and nature of the upheaval on the basis of surprisingly rich and revealing Dominican sources. The two main newspapers in Santo Domingo, *El Caribe* and *Listin Diario*, published editions on April 25, 26, 27, 28, 1965, that contain columns and columns of reports covering nearly every aspect of the first four days. The Dominican magazine, *Ahora!*, put out two numbers in May 1965. I have also been able to obtain a complete file of the various Communist publications. There is much to read, too, in the publications of several political parties, and especially of some Catholic organizations.

In this space, I merely wish to call attention to two or three main points that bear on the latest campaign in this country to convert the revolt into a Communist plot.

To begin with, there is now overwhelming evidence that the revolt was virtually robbed of almost bloodless success on April 25, the second day. At 10:30 that morning, Provisional President Donald Reid Cabral resigned at the demand of a group of officers headed by Colonel Francisco Caamaño Deñó. Up to the time of Reid Cabral's resignation, the death toll, according to the Dominican press, numbered three. Victory seemed so near that, with one exception, the highest military officers, who later turned against the revolt, made friendly overtures to its leaders. The following day, the main headline across the front page of the newspaper closest to the Catholic hierarchy, *Listin Diario*, read: "Military Depose Triumvirate; President of the Chamber Assumes Power." By military, the story made clear that it meant the group headed by Colonel Caamaño; Reid Cabral's regime was known as the Triumvirate; and the Chamber was the Chamber of Deputies. An editorial in the same issue praised the new Provisional President, Dr. José Rafael Molina Ureña, as a man of intelligence, prudence, and good will."

Dr. Molina Ureña was sworn in at 5:45 p.m. on April 25. An hour and a quarter earlier, though, at 4:30 p.m., Air Force planes attacked the National Palace where the Dominican Congress was meeting. And early the next morning the Air Force attacks began in deadly earnest.

This was the first turning point in the fortunes of the revolt. From still almost bloodless success—the Dominican press reported only about 10 deaths on April 25—it was plunged into a bloody civil war. Why? Why did the Dominican Air Force decide to attack the National Palace at 4:30 p.m. on April 25? Why did the military officers who saw the handwriting on the wall for most of that day change their minds and oppose the revolt by force.

We know, because he has told us, that the only top officer who actively opposed the revolt from the outset was General Elias Wessin y Wessin, the ringleader of the September 1963 anti-Bosch coup. Wessin has further revealed that he had only 200–250 men at his disposal at this time. He has said the chief of the Air Force, General de los Santos Céspedes, asked him on April 24 to surrender and he responded the following day by sending two aides to de los Santos whom they forced at gun point to order the attack on the National Palace.[1] But there was more to the story than that.

The missing links are provided in a cable from U.S. Chargé d'Affaires William B. Connett Jr., acting as head of the Embassy in Santo Domingo while Ambassador W. Tapley Bennett Jr., was in Georgia visiting his mother. This cable was received in Washington at 5:00 p.m. on April 25, a half hour after the Air Force attack on the National Palace, and the links are to be found in three key sentences.

"All members of the country team feel Bosch's return and resumption of control of the government is against U.S. interests in view of extremists in the coup and Communist advocacy of Bosch return."

Connett continued: "I have reluctantly agreed to the de los Santos-Wessin plan even though it could mean more bloodshed."

And three sentences later, he added: "Our attachés have stressed to the three military leaders, Rivera, de los Santos and Wessin, our strong feeling everything possible should be done to prevent a Communist takeover."[2]

This cable proves that the United States representatives in Santo Domingo effectively intervened against the revolt on its second day. Chargé d'Affairs Connett was in on the Dominican military decision to drown the revolt in blood and, in effect, the U.S. military attaches urged the Dominican military leaders to get in there and fight. President Johnson ordered in the Marines on the fifth day, April 28, to do the job the Dominican military was unable to do. The President did not need about 25,000 troops to evacuate about 5,000 American civilians, who were being successfully evacuated anyway, and he did not need to keep the troops there indefinitely if the evacuation was his only or even his main purpose.

Thus we are led back to the original and still the only serious long-term rationale for U.S. intervention in the Dominican Republic—the alleged tie-up between Juan Bosch and the Communists. Connett's cable, it should be remembered, referred to "Communist advocacy of Bosch return" and to the prevention of a "Communist takeover."

As for the danger of a "Communist takeover" on that day, April 25, the Dominican material is particularly revealing. I mentioned that the two leading Santo Domingo newspapers reported the first four days of the revolt. About a dozen different stories on practically all aspects of the revolt filled three or more full-sized pages daily in both *Listin Diario* and *El Caribe*, which has long been Bosch's journalistic bête noire. Yet there is not a line, not a word, in ether paper about Communist influence or activity in the constitutionalist ranks, let alone about the threat of a Communist takeover. The only thing the editors thought worth reporting on an inside page on April 26 was a manifesto of the Castroite 14th of June Movement calling for the restoration of the 1963 Constitution, but significantly omitting a demand for Bosch's return to power. The same story carried the text of a pro-revolt statement by the Dominican Lawyers' Association, hardly a revolutionary body. The Dominican press, moreover, knows its Communists and never hesitates to mention them by name.

The "Communist advocacy of Bosch return," to which Connett's cable alluded, apparently referred to a manifesto by the pro-Soviet Communist party, then known as the Popular Socialist Party (PSP), of March 16, 1965, about five weeks before the revolt. I have explained the circumstances of this manifesto in detail in the *New Republic* of February 19, 1966, and I do not wish to repeat the whole story here. In brief, Bosch's party and the Christian Revolutionary Party, the Dominican version of what is known elsewhere as the Christian Democratic movement, made a pact in January 1965, to restore constitutional government.[3] The Communists made overtures to be admitted into this united front, but were turned down. Nevertheless, the Communists recognized that an overwhelming mass movement was building up for the restoration of Bosch's constitutional government, and they tried to identify themselves with this movement, at least nominally, because they did not wish to be completely isolated from what they considered to be the trend of the masses. The Dominican Communist maneuver was not too different from the stand taken by the U.S. Communists in several Presidential elections, including the last one, favoring the Democratic candidate over the Republican.

In any case, if we are going to cite Communist documents, let us cite them honestly and fairly. I have devoted a good deal of time to tracking them down because they have played a key role in the campaign of falsification and vilification which the Dominican revolt has suffered, and is still suffering, in this country.

Back on August 16, 1965, the organ of the Communist PSP, *El Popular* published a "self-criticism" of Communist policy before and during the revolt. This document quite explicitly stated that "our party was not prepared for the armed insurrection and for that reason was not capable of directing it."

The able correspondent of the Chicago *Daily News* Georgie Anne Geyer interviewed Cayetano Rodríguez del Prado, leader of the Dominican Popular Movement the pro-Chinese Communist party. He told her: "We were not in on the plans of Caamaño. In the beginning, we thought that it would be a simple reactionary coup. But when we got the opportunity to get arms (on the second day, when the armories were broken open), we started to fight. The Communists never had enough force to put the revolution in danger. The principal force was always Caamaño. The forces of the Left were minimal—less than 10 per cent. Later we got into contact with Caamaño when we formed our commando (one of the fighting units)." (Chicago *Daily News*, November 9, 1965).

Two leaders of the pro-Soviet Dominican Communist party (ex-PSP), J. I. Quello [Cuello] and N. Isa Conde, gave their version of the revolt in the two-part article in the organ of the pro-Soviet Communist parties, *World Marxist Review* (December 1965 and January 1966). In the first installment they wrote: "We failed to see that an armed uprising was inevitable. Consequently, our party found itself unprepared for the uprising and was unable to head it, although as far as possible it took a firm and resolute part in it." Thus they claim some credit for having joined the fight after it started without them, but they make clear that they played a relatively modest role throughout the April revolt.

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[1] *Testimony of Brigadier General Elias Wessin y Wessin:* Hearing before the Senate Internal Security Subcommittee, October 1, 1965, pp. 156–157.

[2] The substance of Connett's cable has been known for some time. It was accurately paraphrased as long ago as June 25, 1965, in *The Wall Street Journal* by its Washington correspondent, Philip Geyelin. And Geyelin discusses the cable at some length, with direct quotations, in his forthcoming book, *Lyndon B. Johnson and the World*, to be published by Frederick A. Praeger in June.

[3] Catholic support of the constitutionalist movement deserves far more attention than it has yet received. It was—and is—one of the most significant and hopeful aspects of the entire Dominican phenomenon, and its importance for all Latin America can hardly be exaggerated. While the Dominican Communists have been absurdly overrated, the Dominican Catholics have been unjustly underestimated. There is an authoritative account of the efforts made by the Catholic Church itself to live down its past subservience to the Trujillo despotism and assume a new, politically democratic and socially progressive role in "Chez le Nonce à Saint-Domingue,". *Informations Catholiques Internationales*, Paris, April 15, 1966. I have also been informed that Reverend James A. Clark of the Latin American Bureau of the National Catholic Welfare Conference has just completed a book on the role of the Catholic Church in the Dominican crisis. The irony is that Catholic apologists of U.S. Intervention and Dominican reaction, (of the type represented by William F. Buckley, Jr.) are doing more serious, long-range damage to the interests of their church than the Communists could ever inflict.

The two Communists also criticized their party for its mistaken attitude toward the Dominican Armed Forces: "Besides, our party adopted a sectarian attitude to the Armed Forces, lumping them all together as a group of 'gorillas' in the service of recreation." Consequently: "Our sectarian attitude to the Army . . . prevented us from correctly assessing the changes taking place in it and isolated us from the entire process of preparation of the coup in the barracks. As a result, constitutionalist officers and soldiers established contact with the vacillating and moderate circles of the democratic movement, which were planning armed action merely as a countercoup."

Yet this article in the *World Marxist Review*, which can be found in many of our larger libraries and could be bought in our larger cities, has been made the pretext for the latest propaganda campaign against the Dominican revolt. This campaign is nothing less than a clean case of political obscenity. It has polluted newspapers, magazines, and both houses of Congress. It shows that there are very strong forces in the United States which are willing to resort to almost any deception to poison the minds of the American people against the Dominican revolt and its leadership.

Here is how this campaign has developed in the past two months:

It seems to have been kicked off by Ernest Conine in the Los Angeles *Times* of February 25, 1965. Conine's article was not the worst of the lot. He at least told his readers that the two Communists had not claimed credit for the initial phase of the revolt, but he pretended that what they had written tallied "on most points" with what the Johnson Administration has said at the time. To bolster this claim, Conine wrote: "Only the landing of American troops, they say, caused the Red power play to fail." This was outright distortion. What the two Communists had said was this: "Only by direct armed intervention was U.S. imperialism able to prevent the Dominican democrats and Constitutionalists from achieving their immediate aims." Indeed, one of the main points in the *World Marxist Review* article was how limited the Communist power had been to make any "power play" or "grab."

But Conine's imaginative little effort was only a foretaste of what was to come. The main dish was served up by William S. White in a nationwide column on March 24 of this year. White took the line that "[Isa] Conde and Quello have now unmistakably and openly identified the Communist party as the ultimately moving force in the Dominican upheaval." As we have seen, Isa Conde and Quello had said nothing of the kind. They had, in fact, said just the opposite, namely that the Communists had not had the foresight or the power to become the "ultimately moving force" at any stage of the revolt.

And now the game of distorting the *World Marxist Review* article really got out of hand. Some of the worst offenders, unfortunately, were members of Congress. William S. White's column was inserted in the CONGRESSIONAL RECORD not once but three times by three different congressmen with their own distortions of his distortions. Peculiarly, the CONGRESSIONAL RECORD of March 24, 1966, published White's column twice in a single issue, only three pages apart. Representative ARMISTEAD I. SELDEN, JR. (D.-Ala.) prefaced the column by telling the House of Representatives that the two Dominican Communists had stated, "except for U.S. military intervention the island of Santo Domingo would have become another Red base in the Caribbean."

Representative JOE D. WAGGONNER (D.-La.) went Representative SELDEN one better. He told the House that the "hierarchy of international Communism" had now frankly admitted that "they armed and fomented the revolt last April in the Dominican Republic." The following day, March 25, 1966, Senator RUSSELL B. LONG (D.-La.) introduced the same column which showed, he said, that "our Communist opponents in the struggle for the Dominican Republic are blatantly proclaiming their responsibility for the uprising."

Is it not incredible that an article which had explicitly stated that the Dominican Communists had been "unprepared for the uprising" and "unable to head it" should be distorted by one Representative to mean that the Communists had frankly admitted "fomenting" it, and by one Senator to mean that they were "blatantly proclaiming their responsibility" for it? Could members of Congress more blatantly proclaim their own responsibility?

Fortunately, there is a bright side to this political outrage. On March 25, 1966, too, Senator JOSEPH CLARK (D.-Pa.) rose to expose this fantastic hoax on the Senate floor. He introduced the full text of the *World Marxist Review* article in the CONGRESSIONAL RECORD, with an accurate commentary of his own.

But this did not stop the propaganda machine. Spanish-language readers were treated to an editorial in the New York weekly, *El Tiempo* of March 27, 1966, by its editor, Stanley Ross, a former journalistic henchman of the late Dominican dictator, Rafael Leonidas Trujillo. Ross told his readers that "we have in the Communists' own words, and right from Moscow, the proof that the revolt which overthrew Donald Reid Cabral was sponsored, financed, armed, and inspired direct from Moscow"—not a word of which was true.[4]

Then a national magazine, *U.S. News & World Report* of April 4, 1966, published excerpts from still the same article with the editorial comment that "the Communists now say" that "only armed intervention by the United States" stopped them from taking over the country. And an official State Department publication, *Foreign Policy Briefs* of April 11, 1966, carried some more carefully selected excerpts to get across the message, as the title put it, of "Communist Involvement in the Dominican Republic Crisis," but carefully omitted all those passages which had confessed how late and limited the Communist involvement had been. No doubt more research would turn up other specimens of this peculiar literary genre.

It is clear, I think, that we are dealing here not with a series of coincidences but with a highly orchestrated operation. But who is conducting this orchestra, and who is paying for it? If we knew the answers to these questions, we would know more about the outlook for U.S. policy in the Dominican Republic. For there have been signs of late that the policy may be changing for the better. It remains to be seen, however, whether we are getting a change of rhetoric or of reality.

The people who engage in this kind of shabby deception may justify it on the ground that, against Communism, anything goes. They are wrong, profoundly wrong. This kind of anti-Communism can only end by making anti-Communism a mockery, a scandal, a stench in the nostrils of all decent people. If the Communists were diabolical enough, they would subsidize it.

Even if this clumsy campaign were directed against the Communists, it would backfire. But that it should be aimed at a man whom the Communists have themselves vilified most of his life makes it political suicide as well as a moral swindle. On April 4 and 6 of this year, Juan Bosch delivered two of the most basic, eloquent and moving talks in defense of democracy against Communism that have ever been made, and they were published in full in the Santo Domingo papers. But, as far as I know, they went completely unreported in the U.S.

It sometimes helps, however, to know what a thing was not in order to determine what it really was. The falsity and futility of all of the attempts to depict the Dominican revolt as a Communist conspiracy have merely served to bring out more sharply and unmistakably its essentially democratic character. This revolt was, in reality, one of the very rare, usually pure, popular, democratic, constitutional movements in this Hemisphere. The role played by the United States was, in my view, a historic wrong, an unmitigated, indefensible wrong.

But we have now been given that other rarity in foreign affairs—a second chance. There will be an election in the Dominican Republic on June 1, and Juan Bosch is running again. One can only hope that we will find a way to make just as clear this time that his return to power is not against the interest of the United States as we found a way last April to make clear that we thought it was such a danger.

In my first article on the Dominican revolt in THE NEW LEADER of May 24, 1965, written about two weeks after the outbreak, I concluded with these words: "I venture to make a prediction: In the end we will need Juan Bosch far more than he ever needed us. When we betray the Juan Bosches of the world we must, in the final reckoning, betray ourselves."

This prediction has now come true beyond my most extravagant expectations.

[From the New Republic magazine, May 21, 1966]

THE OUTLOOK FOR BOSCH: A REPORT FROM THE DOMINICAN REPUBLIC

(By Andrew Kopkind)

SANTO DOMINGO.—There are times when Juan Bosch would rather be almost anything else than president of the Dominican Republic. "I want not to win this election," he said morosely in the course of a long conversation one rainy afternoon in May. But Bosch is not likely to get his wish. The elections which many people thought impossible now appear inevitable; they are set for June 1; Bosch is the odds-on-favorite.

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[4] Not long ago, *El Tiempo* published a different version of the revolt, Brazilian Ambassador Ilmar Penna Marinho, a member of the original OAS factfinding committee sent to the Dominican Republic, has frequently been cited to prove that there had been a real Communist threat to justify the U.S. intervention. At that time, he merely said that "the Caamaño movement could be rapidly converted to a Communist insurrection," not that it had been. But this time Penna Marinho gave an interview to Max Alvarez which appeared in *El Tiempo* of New York, January 27, 1966. First Alvarez asked the Brazilian whether, in his view, Communism could gain strength if Bosch emerged victorious in the forthcoming elections. Penna Marinho replied: "I do not see this possibility. Santo Domingo is not and will not be Communist, and there does not exist any foundation on which it can develop. Communism is a fantasy in this country." But Alvarez was not satisfied and asked another question—whether, in his opinion, Communism had also been a fantasy in the days of the revolt (of April 1965); Penna Marinho thought for a moment and then replied:

"Always . . . Caamaño's revolution was a popular type of movement. That a number of Communists wanted to profit from it, as is their custom, is something natural and logical but it does not mean that there existed a true threat from the extreme left."

There is nothing unnatural about Bosch's occasional fits of gloom. If he wins, his troubles begin. Today, he sees his country from the prison that is his own house, which he has left just twice during the campaign—both times for personal emergencies and at night. He spends his days under a palm-thatched pergola in a tiny walled-in patio, receiving callers and taping speeches for the daily radio broadcasts. Campaigners, officials, friends are admitted through a circle of guards, across a sandbagged front yard, through a maze of locked doors leading to sitting rooms, offices and nondescript antechambers. In one of them there is a bookshelf: *Land Reform in Taiwan* and Erich Fromm's *The Heart of Man* stand next to thinly-bound volumes in Spanish. In an alcove next to the pergola, two Dominican women scrub clothes in a soapy tub.

The visitors swirl around Bosch, following as he moves swiftly around the enclosure; he greets them with a warm, open-armed *abrazo,* talks for a few minutes, then sends them off with the same gesture. Just outside the circle, a navy "frogman"—one of the small elite corps fiercely loyal to the pro-Bosch "constitutionalist" rebels in last year's revolution—stands guard in his black uniform, black canvas shoes, and black kepi, with a submachine gun slung over his shoulder.

"If I left this house and went to the city—or any city in the country—thousands of people would surround me," Bosch said, relaxing as best he could in a straight-back kitchen chair. "I want most of all to avoid a disturbance." His opponents put off the guards and the seclusion to personal fear (which is why, they say, he remained in Puerto Rico for five months during and after the revolution), or to an exaggerated sense of indispensability, or to campaign demagoguery designed to dramatize Bosch's persecution by terrorists in the military forces. But Bosch, and most Dominicans, believe the dangers are real. Although there are no more snipers in Santo Domingo and the terrorism has largely subsided in the past few month (after scores, perhaps hundreds were murdered), there is no end to anxiety. "The extreme right might try anything to stop the elections at the last minute," a former government official told me. An attempt on Bosch's life, even if unsuccessful, would provoke mass demonstrations.

It is a small miracle in any case that the election program has proceeded so far without interruption. A year after US military intervention (at one time there were 23,000 troops), politics in the Dominican Republic are hardly "normal," even if the edge of violence has been dulled. The country is still in that condition which McGeorge Bundy called "an interrupted civil war," or more accurately, an interrupted revolution. There is a pervasive expectation of another act to come. Order, such as it is, is maintained by an uneasy and certainly temporary equilibrium of forces. The most obvious component is "La FIP," the 7,447-man Inter-American Peace Force of the Organization of American States. For most purposes, it is a US army of occupation (some Brazilians, Hondurans, Paraguayans and Nicaraguans are included, but there is no doubt about who is in control). La FIP, popularly interchangeable with *los Yanquis,* no longer patrols the main streets with tanks and armed jeeps, or searches citizens "from the head to the foot," as a Dominican engineer complained bitterly, "with no tact at all." It has been ordered away from the highly political University of Santo Domingo, and FIP soldiers were pulled back from checkpoints late last month—both after the kind of "unfortunate accidents" (natives killed or hurt) which an occupying force cannot easily avoid.

But the army is by no means invisible. Troops inhabit two of the major tourist hotels and part of the third. Convoys rumble through town and helicopters whirr overhead. The best residences have been taken over for such support activities as the "USFORDOMREP Library," the US Army Service Club, and various staff headquarters. There are about 900 people in the official US mission—one of the biggest in the world. There are CIA and FBI agents, and Special Forces soldiers in civilian clothes wander throughout the countryside. There has been the usual sprouting of hamburger stands, black-market cigarettes (sales of the local product dipped 40 percent after the invasion), Coca-Cola. Waiters in the restaurants, as a matter of course, bring "fren' frie'" to anyone who looks vaguely *Norteamericano.*

THE CARETAKERS

Exactly what the helicopters and the convoys whirr and rumble for is not at once apparent. By and large, the FIP is here as a symbol of control, as a guarantor of the semblance of order, and as an umbrella for the provisional government of Hector Garcia-Godoy. Installed by the US in early September after the Act of Reconciliation ended the civil war in its rawest form, Garcia-Godoy is provisional in almost every way. He survives (there have been rightist coups attempted) at the sufferance of the FIP. He has had his share of problems with all factions and has only narrowly squeezed through: the US had to remove General Wessin y Wessin bodily from the country and plant him as a military attaché in Miami. When two of Wessin's anti-revolutionist colleagues refused to leave, Garcia-Godoy told the US Embassy he wanted a "Dominican solution," and kicked the military chiefs upstairs to positions in the government. He talked his way out of a widely successful general strike by the revolutionists in February, and finally won peace at the University by granting recognition (and funds) to an "insurgent," pro-revolution administration. Like almost every other Dominican politician, he has called for the removal of the FIP; no doubt he would like the troops to go before his term of office expires in a few weeks, as his parting shot at history.

The FIP and the provisional government are the caretakers; they are the constants in the equilibrium. The other forces—the military, the politicians, the militants in the streets—jockey for advantage underneath the imposed "tranquility."

The Dominican military, like its counterparts in many Latin American countries, has been traditionally the instrument through which the small industrialist and landed upper classes can maintain their position. Civil government is largely irrelevant to the military's power. The dictator Trujillo appeased his generals and colonels with generous favors, but in the end even he became their victim. He trusted only the air force under his son, Ramfis, and he gave it ground weapons of its own to keep the army in check. Since Trujillo's assassination in 1961, no government has been able to cut into the military's independence. General Wessin (of Trujillo's beefed-up air force) led the coup against Bosch's short "constitutional" government in 1963; Bosch's greatest failure in his seven months in office was his unwillingness—perhaps his inability in face of US pressure to the contrary—to change the structure and command of the armed forces.

The young colonels and the lower officers who overthrew the junta of Donald Reid Cabral to start the revolution a year ago represented a new and still ill-defined force in the country. Many of them had not been cut in on the beneficence distributed to the commanders. "The lower officers are poor, hungry and barefoot," Hector Aristy, the civilian leader of the revolutionary government, explained recently. That is perhaps hyperbole, but in general the lower military officers were an aggrieved class. How "revolutionary" they are is problematic, but their disaffection with the classic role of the armed forces—the support of the *oligarquia*—has been taken into account: most of the rebel military leaders of last year have been sent abroad. Col. Francisco Caamaño Deñó, the head of it all, is in London. Col. Manuel Ramon Montes Arache, the commander of the frogmen, is in Canada. Others have been dispatched to Paris, Brussels, Spain, Mexico, Holland, Guatemala; the cadets are in Chile. Except for Wessin and Navy Chief Francisco J. Rivera Caminero, most of the anti-revolutionist military leaders remain in the Dominican Republic, and for a year the armed forces (now 30,000 strong, counting the paramilitary national police) have been under commanders of the very oldest guard.

It is now an article of faith in pro-Bosch ranks that all the power of that old guard is as nothing compared to the fervor of the people aroused; it is taken for granted that the rebels would have easily defeated the generals if the US had not given Wessin assurances of its support, and if the intervention (on the fifth day of the revolution) had not taken place. There is good internal evidence for such faith. General Wessin himself acknowledged that his junta forces had been virtually defeated in the first few days of the revolt. In any case, the ex-rebels, would-be rebels and potential rebels in Santo Domingo now claim that the old military men are "finished," and that only the FIP gives them the appearance of power.

The people who made the revolution—those in the streets and the huge numbers of urban slum-dwellers, *campesinos,* and idealistic youth—have a new sense of dignity this year and a feeling that they "can do" something about their country. It is difficult to avoid comparisons with the atmosphere in a Southern city after a civil rights demonstration, or for that matter with Watts after last summer's revolt (Bosch told me, in passing: "You had the Dominican revolution in Los Angeles"). But for the moment the interrupted revolution is expressed in the political maneuvering.

There are a dozen or more political parties, movements and groupings, representing every political interest, style and opinion. "Political parties of the Dominican Republic" would make a good subject for a very long doctoral thesis in Latin American studies, but in fact the parties make little difference to what is actually going on. At bottom, there are only three approaches to Dominican problems: return to the paternalistic control of a Trujillo and the juntas; remake Dominican society under a kind of "revolutionary" regime; or try to mediate between the incredibly poor and troubled populace and the small but immensely hostile upper classes by means of a government of the "democratic left."

Juan Bosch is dedicated to trying the third way. He must therefore suffer attack from both sides. The old guard is quite convinced that he is a Communist; the far left says it will vote for him but disagrees with his objectives. He dislikes those in both camps with equal passion. Still, he must grant enough concessions—the economic and political reforms he promises—to keep his large following among the "masses" (as he calls them), and to keep the right-wingers and the military that support them from kicking him out of office.

Americans in Santo Domingo tend to see the Dominican Republic in terms of their own experience—as a slow-moving, slowly improving society. But the Dominicans are in no mood to play Republican and Democrat, the game in which one side can lose and (more or less) good-naturedly hope to come back another day. There is no underlying consensus of interests here. Winner takes all. Bosch seems to understand very well what is happening.

"The right-wing feels that nothing can stop its power, after the US intervention," he told me. "And the intervention has also caused a tremendous increase in Communism in the new generation. You can see it in activity in the unions, in the schools, and on the streets. These are two irreconcilable forces, and they could cause an explosion at any time."

To deal with them, Bosch has been trying to put together a coalition of center forces broad enough to assure the stability of the government he hopes to form. He has held to his pact with the Social Christians, the second largest party of the "non-Communist left" (next to Bosch's own *Partido Revolucionario Dominicano*). The Social Christian leader, Dr. Antonio Rosario, first announced his candidacy for the presidency, then withdrew in favor of Bosch; rather, he was forced to withdraw by younger elements in his party. Bosch turned down an offer of support by the radical 14th of June Movement—called "1J4"—on the reasonable grounds that it might give him 25,000 votes but would lose him perhaps 125,000. He has been outspokenly anti-Communist, has reacted sharply against attempts to form a "united front" (there are also two Communist Parties, one pro-Chinese and the other vaguely pro-Russian). He refused to endorse one general strike, and supported the other, in February, only when it appeared to be a success. His speeches on economic affairs more and more emphasize the need to build the "infrastructure"—roads, dams, schools—before changing the relative standing of the poor and the upper classes by more drastic means. "Bosch is certainly moving to the right," an economist remarked to me. "If he wins, the PRD will be the party of the center and the right."

In the election campaign, Bosch has smooth sailing in the seas of the left. He is the hero of the revolution, and there is no one on the constitutionalist side who will actively oppose him. His two opponents for the presidency both represent the right, and of them Joaquin Balaguer is far and away the stronger. He is a soft-spoken slip of a man, who derives at least some of his strength from the Trujillo era. He was the last puppet president under the old tyrant, but he emerged with much of his "prestige" (a very, very big word here) intact. He left the nastier duties of the dictatorship to others. He is considered to be the "brains" of the government in those days. Balaguer is wooing the *campesinos* who for generations saw Trujillo as a father or at least a rich-uncle figure (there are still pictures of Trujillo on the walls of many a shack in the *campo*). "Who will lower the price of rice for you?" the posters ask. "Balaguer!" Among the anti-Trujillistas, Balaguer's popularity is not helped by the traveling companions he chooses for his campaign caravan—a collection of Trujillo's thugs whom he leads, like George Raft trailing an entourage of movie gangsters. His supporters say that Balaguer, like Bosch, needs whatever protection he can get.

BOSCH'S DILEMMA

Balaguer's party is called *Reformista*, but it is generally thought that reforms are what he will not provide. "Balaguer will win—or else the Communists will take over," a well-to-do manufacturer told me. "If Bosch wins, my friends say we had better learn to row!" The manufacturer lives in a pleasant house with a swimming pool in a small rural village several miles from the capital. He has two cars and a pack of maids, some land, and a towering television antenna atop a bamboo pole in his back yard.

To win, Balaguer would need the unanimous support of the manufacturer's friends, as well as a very large proportion of the *campesinos*—the unpredictable key to the elections. The First Families of the Republic—the *oligarquia*, in Latin American terms—are now behind a third presidential candidate, Rafael Bonnelly. There are rumors that Bonnelly will withdraw at the last minute and hand his votes (probably not more than 25,000) to Balaguer. But three weeks before the election, it does not seem likely that any combination can defeat Bosch.

Everybody has been told how important the elections are, and they are beginning to believe it. The buses and the *publicos*—usually rattling old cars that serve as jitneys—carry signs announcing that "To vote is to open the road leading to progress." There are billboards and newspaper ads: "The vote means full sovereignty." The radio is full of spot announcements, speeches, endless exhortations. People talk of politics in the *publicos*, in their homes, on the streets. I listened for hours to an emotional political discussion among 50 or more youths on a street corner in the Los Pepines barrio in Santiago de los Caballeros, the second city of the Republic. It is a highly charged country.

From the very first, the new president will be confronted with demands that will be hard to meet. Bosch, particularly, will have his hands full; he must decide whether to chop up the military and install his own commanders—perhaps Caamaño and Montes Arache, if (as expected) they return from exile.

Bosch will then have to tell the *Yanquis* to go home, presuming he wants them to, which is not entirely clear. The FIP could guarantee Bosch's election, and keep him in power during the crucial first few weeks and months of a government. But anti-FIP sentiment is so strong that it will be difficult to keep from making public exhortations against it. Bosch sees the dilemma: "We cannot have democracy against the Americans, and we cannot have it *with* them."

THE "FOURTEENERS"

The anti-FIP agitation will come largely from the young people in the left-wing parties, and perhaps most of all from 1J4. To a great extent, the *catorcistas*—the "fourteeners"—are the most significant political force in the country, not because of their numbers (in the thousands), but because their movement expresses the hopes of so many of the children of the April revolution. It is difficult to define what 1J4 is, exactly: it does not follow an identifiable ideological line, as the Communist Parties do. It has no national leaders, not very much of a party structure, and little discipline. It is a collection of romantic revolutionaries—inheritors of a small band of guerrillas who started a futile campaign against Trujillo (on the 14th of June, 1959), and then politicked until the next opportunity to take to the hills—after Bosch's overthrow in 1963. In a few months all but a few of the fighters were massacred. One of the survivors, Fidelio Despradel, explained something of the movement: "We are not a liberal party, we are not reformers. Middle-class parties are always more influential in elections. We go to the elections because the people believe in them and they want them. We have time; we are not desperate for power. We are not alone. There is not only one Vietnam, not only one Santo Domingo. We do not keep quiet. We tell the people here what we want. We fought for the constitution last year, but we could not control the revolution; it was in the hands of the PRD. What we could do was important; what we *wanted* was not important." What 1J4 wants has not been coherently stated—perhaps it is a kind of Castroism-in-one-country. But it has captured the aspirations of young revolutionaries, and its force will be felt.

How successfully would Bosch juggle the military, the upper classes, the *catorcistas*, the Americans? "We are sure that in the first year or two we will lose popularity," José Franciso Peña Gómez, a brilliant young Bosch adviser suggested. "Those who will be disappointed will go to the 14th of June or the Social Christians. We will have to promote austerity, reduce expenditures of the government in all sectors, increase production, build the infrastructure, reform agriculture. We will begin to redistribute government-owned land first. Then we hope the government will begin to produce results, and our popularity will increase."

There is a general feeling that the only way to encourage such a process is for the US to leave the Dominican Republic alone, giving aid and comfort when the Dominicans ask for it and in the ways they want it. US aid has gone for all the wrong things here—budget supplements, credits for the purchase of expensive US products, and military training. The legacy of the US intervention four decades ago was the Trujillo regime; the legacy of the intervention last year has been equally destructive.

"Now we are less than a colony," Bosch said as our interview was ending. "An underdeveloped people is very hard for you to understand. We have the problems of two hundred years ago in the middle of the problems of the modern world. You do not try to apply the same rules to Mississippi as you do to Connecticut, but in foreign policy you do not understand it. The US should be able to help us out without ruling us; I know it is a very difficult task. I shall die without understanding why the United States did what it did last year. It was natural to defend its interest, but it was not right for the United States to give orders to this government from the Embassy. Well, the damage has been done, and the cost will be high. Our history has been distorted by the invasion. You are strong enough to pay the cost, but we are not. To be a president in this situation is a very sad task."

Mr. CLARK. Madam President, these two articles, in my opinion, make an earnest and sincere effort to write the true history of what happened in the Dominican Republic last year, a history which has been distorted and rewritten in a way far removed from the actual facts, in an effort to justify the unjustifiable action which the Government of the United States took in April of last year, based largely on unnecessary panic.

ADJOURNMENT UNTIL MONDAY

Mr. CLARK. Madam President, in accordance with the previous order, and as a further mark of respect to the former Senator Theodore Francis Green, of Rhode Island, I move that the Senate stand in adjournment until 12 o'clock noon on Monday next.

The motion was unanimously agreed to; and (at 4 o'clock and 16 minutes p.m.) the Senate adjourned until Monday, May 23, 1966, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 19, 1966:

DIPLOMATIC AND FOREIGN SERVICE

Jacob D. Beam, of New Jersey, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Czechoslovak Socialist Republic.

Delmar R. Carlson, of the District of Columbia, a Foreign Service officer of class 2, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Guyana.

Eugene M. Locke, of Texas, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Pakistan.

Walter P. McConaughy, of Alabama, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to China.

Elliott P. Skinner, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Upper Volta.

U.S. TARIFF COMMISSION

Glenn W. Sutton, of Georgia, to be a Member of the U.S. Tariff Commission for the term expiring June 16, 1972. (Reappointment.)

POSTMASTERS

The following-named person to be postmasters:

ALABAMA

Hugh E. Gwin, Fairfield, Ala., in place of L. H. Gregory, retired.

ARIZONA

Rhoda C. Diskin, Mayer, Ariz., in place of C. J. Lessard, retired.

ARKANSAS

L. Earl Jackson, Lonoke, Ark., in place of L. E. Rice, retired.

CALIFORNIA

Gerald V. Trimeloni, Nice, Calif., in place of H. B. Bayne, retired.

Glenn F. McColley, Sunnymead, Calif., in place of E. G. Kuhn, retired.

GEORGIA

Charles L. Thweatt, Rockmart, Ga., in place of A. R. Mundy, retired.

Eloise W. Blackwell, Roswell, Ga., in place of C. M. Pelfrey, retired.

ILLINOIS

Byron L. Vance, Bluford, Ill., in place of E. S. Howell, retired.

Donald E. King, Bushnell, Ill., in place of J. P. Mallon, retired.

William G. Caraker, Cobden, Ill., in place of C. H Rendleman, retired.

Carl E. Cassiday, Smithshire, Ill., in place of O. M. Anderson, retired.

Henry E. Ragus, Wood River, Ill., in place of E. V. Giehl, retired.

INDIANA

Victor C. Kress, Tell City, Ind., in place of G. F. Coyle, retired.

IOWA

Verna M. Smith, Bridgewater, Iowa, in place of R. W. Lents, transferred.

Jessie E. Stroufe, Harris, Iowa, in place of D. D. Holst, transferred.

Donald L. Roberts, Havelock, Iowa, in place of V. U. Waters, retired.

Mary E. Phillips, Montrose, Iowa, in place of W. H. Metzinger, retired.

Harold J. Williams, Union, Iowa, in place of R. G. Hauser, retired.

KENTUCKY

Thomas C. Young, Caneyville, Ky., in place of Fieldon Woosley, retired.

Roy H. Matlick, Middletown, Ky., in place of C. F. Williams, retired.

LOUISIANA

Virgil L. Brown, Gonzales, La., in place of R. J. Rossi, resigned.

MASSACHUSETTS

Ralph J. Shea, Osterville, Mass., in place of F. A. Webb, retired.

Louisa C. Waner, Wilkinsonville, Mass., in place of A. H. Vigeant, retired.

MICHIGAN

Thomas M. Ferry, Eau Claire, Mich., in place of C. L. Burns, deceased.

Elwood J. Schubring, Harbor Beach, Mich., in place of R. G. Templeton, retired.

George L. Hood, Holt, Mich., in place of A. R. Farnsworth, retired.

Beverly M. Cunningham, Spring Arbor, Mich., in place of F. L. Lee, retired.

MINNESOTA

Ardell J. Facile, Jasper, Minn., in place of R. J. Meyer, retired.

Lloyd F. Peterson, Kennedy, Minn., in place of E. L. Berg, retired.

Waren O. Glad, Lancaster, Minn., in place of A. R. Ellefson, retired.

MISSOURI

Sharma J. Daugherty, Elvins, Mo., in place of E. P. Goggins, retired.

Gaylord R. Vickers, Harwood, Mo., in place of P. M. True, retired.

MONTANA

Reasy T. Rea, Scobey, Mont., in place of A. W. Schammel, retired.

NEBRASKA

Spencer D. Morgan, Albion, Nebr., in place of W. S. Burrows, retired.

Wendell G. Hovie, Comstock, Nebr., in place of G. G. Rockhold, retired.

Victor C. Shafer, Wymore, Nebr., in place of R. M. Closs, retired.

NEW JERSEY

James F. McMahon, West New York, N.J., in place of Madelyn Swanwick, retired.

Walter A. Forrest, Westwood, N.J., in place of K. H. Schlupp, retired.

NEW MEXICO

Florence B. Lookadoo, Mesilla Park, N. Mex., in place of B. N. Harrelson, retired.

NEW YORK

L. Howard Jacox, Alfred, N.Y., in place of H. G. Gould, retired.

Rita E. Burns, Andover, N.Y., in place of M. A. Burns, retired.

George H. Matteson, Chenango Bridge, N.Y., in place of J. W. Clark, retired.

Roger A. Callahan, Dover Plains, N.Y., in place of T. J. Dolan, deceased.

Grace D. Witbeck, Feura Bush, N.Y., in place of Howard Vadney, deceased.

James R. Hicks, Lowman, N.Y., in place of A. M. Grace, retired.

Raymond C. Grinnell, McConnellsville, N.Y., in place of R. C. Tuttle, retired.

Edward J. McGlade, Otisville, N.Y., in place of H. E. Holley, retired.

John W. J. McCaughin, Ticonderoga, N.Y., in place of T. F. Cunningham, retired.

NORTH CAROLINA

Charles L. McKaig, Tryon, N.C., in place of G. I. Henderson, retired.

NORTH DAKOTA

Stanley M. Lund, Bowdon, N. Dak., in place of W. C. Drake, deceased.

Curtis A. Talley, Lansford, N. Dak., in place of D. J. Baggenstoss, removed.

OHIO

Paul C. Barrett, Mineral Ridge, Ohio, in place of R. J. Marlowe, deceased.

Rodger K. Morningstar, South Vienna, Ohio, in place of R. G. Clark, retired.

OKLAHOMA

Melvin L. Turner, Rose, Okla., in place of Howard Troglin, deceased.

Betty F. Carder, Tyron, Okla., in place of I. C. Guinn, transferred.

OREGON

Merle T. Beck, Mapleton, Oreg., in place of D. I. Hoover, deceased.

Robert M. Dort, Riddle, Oreg., in place of P. A. Lawson, retired.

Robert A. Green, West Linn, Oreg., in place of G. W. Doty, retired.

PENNSYLVANIA

Joseph E. Travascio, Essington, Pa., in place of C. A. Jansen, retired.

Ralph Gill, Fayette City, Pa., in place of J. H. Renstrom, retired.

Marguerite C. Puskar, Imperial, Pa., in place of C. E. Puskar, transferred.

Joseph P. Foley, Mahanoy City, Pa., in place of D. F. Guinan, retired.

George W. Glattacker, Maytown, Pa., in place of M. E. Culp, retired.

E. Louise Goldsboro, Smithfield, Pa., in place of J. W. Sutton, retired.

Paul V. Gibson, Southampton, Pa., in place of I. B. Oberman, resigned.

Martha E. Hontz, Treichlers, Pa., in place of A. E. Mehrer, deceased.

RHODE ISLAND

Vincent Fasano, Bristol, R.I., in place of D. W. Coggeshall, retired.

Norman C. Salvatore, Warren, R.I., in place of R. N. Lombardi, retired.

TENNESSEE

Charles H. Haney, Jr., Minor Hill, Tenn., in place of J. B. Davis, retired.

TEXAS

Olin O. Elliott, Grandview, Texas, in place of G. W. Brockette, retired.

John R. Maddox, Mingus, Texas, in place of W. H. Spratt, retired.

V. Jack Ford, Plainview, Texas, in place of J. O. Bier, retired.

VERMONT

Helen B. Horne, Jeffersonville, Vt., in place of M. M. Hemenway, retired.

Hadley A. McPhetres, Randolph Center, Vt., in place of L. M. Prescott, retired.

WASHINGTON

Arthur K. Lowe, Ashford, Wash., in place of L. G. Von Salzen, retired.

Gerald O. Rhea, Bellingham, Wash., in place of Orland Ivarson, retired.

WEST VIRGINIA

Daniel R. Mace, Elizabeth, W. Va., in place of H. W. Coplin, retired.

WISCONSIN

Patricia F. Tessmer, Junction City, Wis., in place of R. F. Fredrickson, transferred.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 19, 1966:

TENNESSEE VALLEY AUTHORITY

Donald Opie McBride, of Oklahoma, to be a member of the Board of Directors of the Tennessee Valley Authority for the term expiring May 18, 1975.

DEPARTMENT OF COMMERCE

William Howard Shaw, of Delaware, to be an Assistant Secretary of Commerce.

U.S. COAST GUARD

The following-named officer of the U.S. Coast Guard Reserve for promotion to the grade indicated:

To be rear admiral

Capt. Leon G. Telsey.

The following-named officer of the U.S. Coast Guard for promotion to the grade indicated:

To be rear admiral

Capt. Chester I. Steele.

HOUSE OF REPRESENTATIVES

THURSDAY, MAY 19, 1966

The House met at 12 o'clock noon.

The Chaplain, Dr. Edward G. Latch, D.D., offered the following prayer:

This is life eternal, to know Thee the only true God, and Jesus Christ, whom Thou hast sent.—John 17: 3.

Eternal Father of our spirits, once more we humbly and reverently bow in Thy presence, offering unto Thee the devotion of our hearts. Thou art the source of light and life. Thou art the fountain of flowing love. Thou art in everything that lifts and liberates the human soul. Lift us, we pray Thee, and liberate our spirits that we may be led from the seen to the unseen, from the unreal to the real, from things as they appear to be to the things as they truly are. May each one of us draw the things as we see it, for the God of things as they are: in the dear Redeemer's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

BIRTHDAY GREETINGS TO THE HONORABLE PAUL DAGUE

Mr. ARENDS. Mr. Speaker, we do not, as a usual thing, take the floor to acknowledge the birthday anniversaries of our colleagues.

However, today, the 19th of May, is the anniversary of the happy event of the birth of our beloved colleague, the gentleman from Pennsylvania, Representative PAUL DAGUE.

I take this unusual notice of this occasion, not only because PAUL is truly an extraordinary human being, but also because, by his own choice, this is the last birthday he will mark as a Member of Congress.

PAUL, you wear your years well, even as you have filled those years with distinguished service and honorable performance.

We all wish you a happy birthday, PAUL, and many, many more to come.

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, I join with my colleague, the gentleman from Illinois [Mr. ARENDS], in a birthday greeting to my good friend, Mr. DAGUE. The gentleman from Pennsylvania [Mr. DAGUE] is a gentleman in the true meaning of the word. It is a joy to work with him on the Committee on Agriculture and on the House floor.

COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia have until midnight Saturday, May 21, 1966, to file certain reports on H.R. 11087 and H.R. 10744.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. GERALD R. FORD. Mr. Speaker, could the distinguished majority whip tell us for what those bills provide?

Mr. BOGGS. Mr. Speaker, if the gentleman will yield, those are the two bills listed on the program for next week. The majority leader will explain them later.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

COMMITTEE ON RULES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Rules have until midnight tonight to file two privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CLERK AUTHORIZED TO RECEIVE MESSAGES FROM THE SENATE AND SPEAKER AUTHORIZED TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS

Mr. ALBERT. Mr. Speaker, I have not as yet asked permission to go over, but I intend to do so. However, pending that request, I ask unanimous consent that notwithstanding the adjournment of the House until Monday, May 23, 1966, the Clerk be authorized to receive messages from the Senate, and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PROGRAM FOR THE REMAINDER OF THIS WEEK AND FOR NEXT WEEK

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I have asked for this time in order to inquire of the distinguished majority leader, the gentleman from Oklahoma [Mr. ALBERT], the schedule for the remainder of the week and the program for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished minority leader, the gentleman from Colorado [Mr. ASPINALL] will call up one conference report today. That, insofar as I know now, will conclude the legislative business for the week.

The program for next week is as follows:

Monday is District of Columbia day, and there are two bills scheduled for consideration:

H.R. 11087, to exempt from District of Columbia taxes real property investment income for certain foreign corporations; and

H.R. 10744, amending the District of Columbia Alcoholic Beverage Control Act.

For Tuesday and the balance of the week:

H.R. 13712, the minimum wage bill, open rule with 4 hours of debate; and

H.R. 9167, narcotic addict rehabilitation, open rule, 3 hours of debate.

Mr. Speaker, this announcement is made subject to the usual reservation that conference reports may be called up at any time and that any further program may be announced later.

Mr. Speaker, will the gentleman from Michigan yield for a unanimous-consent request?

Mr. GERALD R. FORD. I yield to the gentleman.

ADJOURNMENT OVER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to dispense with the business in order under the Calendar Wednesday rule on Wednesday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ELIMINATION OF CONSCRIPTION IN ALL FORMS

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, I would like to associate myself with the remarks of the gentleman from Mississippi [Mr. ABERNETHY] and to express the hope that in the immediate years ahead our objective will be to eliminate conscription in all forms instead of to broaden it beyond military service to include some form of universal civilian service.

COMPULSORY SERVICE

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, I have asked for a special order today in order to discuss the debt ceiling measure that will come before the Ways and Means Committee next week in respect to the action that we took yesterday in regard to the sale of other governmental securities.

I also wish to commend the gentleman from Mississippi [Mr. ABERNETHY] for his comments in regard to the proposal of Secretary McNamara for this business of a 2-year take of the labor of our youth under a compulsory system. I think the Secretary would serve the country a great deal more if he would make public the study of a year that was conducted at the request of the President into the Selective Service System, which he has been suppressing since April 1965. For years many of us in the Congress have been arguing and pointing out the need for a thorough study and revision of this manpower procurement system of the Military Establishment, which is not doing a good job for the military, and is certainly creating grave inequities and economic burdens on our society.

CIVIL RIGHTS ENFORCEMENT ACT OF 1966: MR. NIX

Mr. NIX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. NIX. Mr. Speaker, 12 years have passed since the U.S. Supreme Court's Brown decision outlawed racial segregation in public education. Yet, in these 12 years only token desegregation has taken place in the South and an increasing racial imbalance is occurring in the public schools of the urban North.

Further, Mr. Speaker, the Congress has passed four major civil rights acts since 1957, nearly a decade ago, and we have not witnessed the forthright enforcement and compliance which we were led to believe would follow.

Therefore, Mr. Speaker, I deem it necessary and appropriate to offer, for consideration at this session by the 89th Congress, a comprehensive Civil Rights Enforcement Act.

This legislation is designed to close loopholes and correct omissions in existing laws and current proposals. If adopted, it would go a long way toward alleviating problems inherent in the enforcement of the basic legislation enacted to date. This measure would democratize the processes of jury selection, clarify the definition of civil rights, insure the prosecution of those who commit violence to promote racial discrimination, and extend equal opportunity fully into the field of housing.

I do not contend that this is the final solution to racial conflict in the Nation, or that no further legislation will be necessary in the future. I do, however, insist that the inadequacies of the law as now constituted must be overcome to the end that enforcement of the national policy—albeit the Congress' policy—of equal opportunity for all will be a reality and not a farce.

To this end, I am joining several of my colleagues in urging and proposing stronger manifestations of the Congress intent and purpose toward fulfilling the promise of democracy for all the Nation's citizens. By continuing to act when necessary—and now is such a time—we will carry out our mandate to "insure the blessings of liberty" and "promote the general welfare."

UNITED STATES MUST ASSERT LEADERSHIP IN QUESTION OF OCEAN OWNERSHIP

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, a high-level U.N. Commission has urged that the United Nations assert ownership over the high seas and sea floor. U.N. ownership is urged as a means of independent income for the international organization, revenues coming from fisheries and minerals obtained from underwater mining.

Ownership of products from the high seas has become a pressing question with the development of undersea technology and rapid growth of oceanography. Diamonds are now mined from the waters off Africa. The offshore oil deposits represent untold profits for those first able to claim them. Something akin to a world scramble is beginning for fish as Russia and other maritime nations view fisheries as a cheap source of protein for rising populations.

As a leader in the growing field of ocean exploration, the United States must assert its leadership to see that the question of title to the high seas is resolved in such a way as to protect our own sovereignty, and encourage the development of ocean exploration. The U.S. Government must address itself promptly to this question.

S. 944, which provides for a Presidential Commission on Oceanography, has already passed both Houses of the Congress. The conference report will be available shortly, and I am hopeful that once enacted the Commission will begin an immediate examination on the legal aspects of ownership of materials gained from high sea and undersea exploration.

The "wet space race" is on, and the United States must act quickly to maintain its position and national defense.

CONVEYING CERTAIN LANDS TO THE STATE OF UTAH

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the bill (S. 265) to confirm in the State of Utah title to lands lying below the meander line of the Great Salt Lake in such State, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 1540)

The Committee of Conference on the disagreeing votes of the two Houses on the amendments of the House to the Bill (S. 265) to authorize conveyance of certain lands to the State of Utah based upon fair market value, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House to the text of the bill, and agree to the same with an amendment as follows: In lieu of the matter inserted by the House amendment insert the following:

"That the Secretary of the Interior shall within six months of the date of the passage of this Act complete the public land survey around the Great Salt Lake in the State of Utah by closing the meander line of that Lake, following as accurately as possible the mean high water mark of the Great Salt Lake used in fixing the meander line on either side of the unsurveyed area.

"SEC. 2. Subject to the other provisions of this Act, the Secretary of the Interior shall by quitclaim deed convey to the State of Utah all right, title, and interest of the United States in lands including brines and minerals in solution in the brines or precipitated or extracted therefrom, lying below the meander line of the Great Salt Lake in such State, as duly surveyed heretofore or in accordance with Section 1 of this Act, whether such lands now are or in the future may become uncovered by the recession of the waters of said Lake: *Provided*, however, That the provisions of this Act shall not affect (1) any valid existing rights or interests, if any, of any person, partnership, association, corporation, or other nongovernmental entity, in or to any of the lands within and below said meander line, or (2) any lands within the Bear River Migratory Bird Refuge and the Weber Basin Federal reclamation project. Such conveyance shall be made when the survey required by Section 1 has been completed and the agreement required by Section 6 has been made.

"SEC. 3. The conveyance authorized by this Act shall contain an express reservation to the United States of all minerals, except brines and minerals in solution in the brines, or precipitated or extracted therefrom in whatever Federal lands there may be below the meander line of Great Salt Lake, together with the right to prospect for, mine, and remove the same. The minerals thus reserved shall thereupon be withdrawn from appropriation under the public land laws of the United States, including the mining laws, but said minerals, in the discretion of the Secretary of the Interior, may be disposed of under any of the provisions of the mineral leasing laws that he deems appropriate: *Provided*, That any such lease shall not be inconsistent, as determined by the Secretary of the Interior, with the other uses of said lands by the State of Utah, its grantees, lessees, or permittees.

"SEC. 4. As a condition of the conveyance authorized in this Act, and in consideration thereof, the State of Utah, shall, (a) upon the express authority of an Act of its legislature, convey to the United States by quitclaim deed all of its rights, title, and interest in lands upland from the meander line, which lands the State may claim against the United States by reason of said lands having been, or hereafter becoming, submerged by the waters of Great Salt Lake, and (b) pay to the Secretary of the Interior the fair market value, as determined by the Secretary, of the lands (including any minerals) conveyed to it pursuant to Section 2 of this Act. The Secretary of the Interior, after consultation with the State of Utah, may accept in payment in behalf of the United States, in lieu of money only, interests in lands, interests in mineral rights, including those beneath the lakebed, the relinquishment of land selection rights, or any combination thereof equal to the fair market value.

"SEC. 5. Within nine months after the date of enactment of this Act the State of Utah shall elect one of the alternatives set out in subsection (a) or subsection (b) of this section, and a failure so to elect shall render null and void any conveyance pursuant to this Act. The State:

"(a) may request the Secretary of the Interior to determine the fair market value of the lands as of the date of the completed survey.

"(1) In reaching a determination of the fair market value as of that time, the Secretary shall make a comprehensive study of the lands and minerals which are the subject of this Act.

"(2) Nothing in this Section shall be deemed to limit or prevent the Secretary from giving consideration to all factors he deems pertinent to an equitable resolution of the question of the proper consideration to be paid by the State of Utah to the United States for such lands.

"(3) The Secretary shall transmit his value determination to the Governor of the State of Utah not later than two years after he receives the request referred to above in this subsection. If payment by the State of Utah of the fair market value is not made within two years after the receipt of the Secretary's value determination, the conveyance authorized by Section 2 of this Act shall be null and void; or

"(b) may maintain an action in the Supreme Court of the United States to secure a judicial determination of the right, title and interest of the United States in the lands conveyed to the State of Utah pursuant to Section 2 of this Act. Consent to join the United States as a defendant to such an action is hereby given. Within two years from the completion of the action, the Secretary of Interior shall determine the fair market value, as of the date of the decision of the court, of such lands (including minerals) conveyed to the State pursuant to Section 2 of this Act as may be found by the court to have been the property of the United States prior to the conveyance. If payment by the State of Utah of the fair market value is not made within two years after the receipt of the Secretary's value determination, the conveyance authorized by Section 2 of this Act shall be null and void.

"SEC. 6. Pending resolution of the amount and manner of compensation to be paid by the State of Utah to the United States as provided herein, the State of Utah is authorized after making the agreement required by this section to issue permits, licenses, and leases covering such of these lands as the State deems necessary or appropriate to further the development of the water and mineral resources of the Great Salt Lake, or for other purposes. The State of Utah, by or pursuant to an express act of its legislature, shall agree to assume the obligation to administer the lands, for the purposes set forth above, in the manner of a trustee and any proceeds derived by the State of Utah therefrom shall be paid to the United States, until compensation for the full value of said lands as herein provided is made. Such proceeds paid to the United States shall be to the credit of the State of Utah as part of the compensation for which provision is made herein. If the question of the title to the United States is litigated as authorized by Section 5(b) of this Act, and it is determined that the United States has no right, title, or interest in lands from which revenues have been derived and paid to the United States pursuant to this Section, the revenues paid to the United States shall be returned to the State of Utah without interest.

"In the event the conveyance authorized by Section 2 of this Act becomes null and void, then any valid permits, licenses, and leases issued by the State under authority of this Section, shall be deemed permits, licenses, and leases of the United States and shall be administered by the Secretary in accordance with the terms and provisions thereof."

That the House recede from its amendment to the title and the House agree to the same.

WAYNE N. ASPINALL,
WALTER S. BARING,
DAVID S. KING,
JOHN P. SAYLOR,
LAURENCE J. BURTON,
Managers on the Part of the House.

HENRY M. JACKSON,
CLINTON P. ANDERSON,
FRANK CHURCH,
FRANK E. MOSS,
THOMAS H. KUCHEL,
GORDON ALLOTT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill, S. 265, to authorize conveyance of certain lands to the State of Utah based upon fair market value, submit this statement in explanation of the effect of the language agreed upon and recommended in the accompanying conference report.

The Conference Committee recommends an amendment in the nature of a substitute for the House amendment to the Senate bill. The substitute incorporates features taken from both the House and the Senate versions of the bill. Some of these features were common to the two versions; some were in only one or the other of the two.

Both the Senate and the House versions provided, though in varying form, for conveyance to the State of Utah of the interests of the United States in relicted lands surrounding Great Salt Lake below the established meander line, for the surveys necessary to close this line, for protection of valid existing rights in third parties, for retention in United States ownership of lands now held by it within the Bear River Migratory Bird Refuge and the Weber Basin Federal reclamation project, for payment by the State to the United States in cash or equivalent of the fair market value of the interests transferred to it by the United States, for provisional management of the lands by the State pending final resolution of questions of ownership or compensation, and for relinquishment by the State of any claim to lands lying above the meander line which may heretofore have been or may hereafter become submerged by the waters of the lake.

Notwithstanding these areas of agreement, there were substantial differences between the two versions. The most important were as follows: The Senate version assumed that title to the relicted lands is in the Federal Government, the House version that this is a matter to be determined by the courts in a suit instituted by the Attorney General of the United States or, if he failed to act, by the State. The Senate version provided that the value of the transferred land should be determined by a three-man commission established for that purpose, the House version that it should be determined by agreement between the Secretary of the Interior and the Governor of Utah or, failing such agreement, by judicial decision. The Senate version reserved to the United States all subsurface mineral deposits between the meander line and the water line of the lake, the House version reserved only oil and gas deposits.

The Conference Committee substitute retains the substance of all the provisions outlined above which were common to the House and Senate versions of the bill. In addition, it solves the differences between the two versions thus:

(1) It requires the State of Utah to elect whether to pay the fair market value of the lands transferred to it or to institute suit in the Supreme Court to test the United States' claim of title. The election is to be made within nine months after the Secretary of the Interior has completed closing the meander line.

(2) It provides that if the State elects to pay fair market value the Secretary of the Interior shall proceed to determine that value as of the date of the completed survey. If, on the other hand, the State elects to sue and judgment is in favor of the United States the State will be bound to pay the fair market value as of the date of judgment, this value figure also being determined by the Secretary of the Interior. In either case, if payment is not made by the State within two years after receipt of the Secretary's determination the conveyance becomes null and void.

(3) It provides that the conveyance shall reserve to the United States all minerals "except brines and minerals in solution in the brines or precipitated or extracted therefrom." The value of the latter will be an element of the total fair market value to be paid by the State. This mineral reservation extends to "whatever Federal lands there may be below the meander line of Great Salt Lake."

In connection with the portion of the bill which provides for closing the meander line, the members of the Conference Committee are in agreement that the criteria used for closure should, as nearly as possible, be similar to those used in establishing the existing meander line of either side of the unsurveyed area or areas. If or to the extent that this is not possible, the survey should follow a gradient line between present terminal points which would have a uniform change in elevation.

It was also agreed by members of the Conference Committee, in connection with the provision of the bill authorizing the Secretary to accept interests in lands and mineral rights and the relinquishment of land selection rights in lieu of money as payment for the interests transferred to the State, that the Secretary should exercise his discretion with extreme care in order to avoid any possible prejudice to the United States by way of overvaluing such interests or accepting lands and mineral interests which will not be useful to it.

WAYNE N. ASPINALL,
WALTER S. BARING,
DAVID S. KING,
JOHN P. SAYLOR,
LAURENCE J. BURTON,
Managers on the Part of the House.

Mr. ASPINALL. Mr. Speaker, S. 265, to authorize the conveyance of certain lands to the State of Utah, is in the nature of a substitute bill for the House amendment to the Senate passed bill. The substitute incorporates the significant features of both the House and Senate versions and provides for a practical but equitable solution to a problem that has been hindering the development of the mineral values in the waters of the Great Salt Lake in the State of Utah.

At issue is the ownership of many thousands of acres of so-called relicted lands surrounding the present waters of the lake. These lands, primarily mud flats and salt flats, have been uncovered due to the recession of the lake waters. Until 1961 the question of ownership had not been raised by the Federal Government and it was assumed title was in the State. However, at that time the Federal Government, through the Department of the Interior, asserted Federal ownership to lands lying below a surveyed meander line. This line had been partially surveyed in 1856 and subsequent years and was to establish a "mean high water line" which would delineate the boundary between State and Federal ownership. Due to the recession of the lake waters the Federal Government maintained the position, under the doctrine of reliction, that the exposed mud and salt flats below the meander line were public rather than State lands. The disagreement as to ownership has been a serious deterrent to the extraction of mineral values from the brines of the lake as it is necessary to use the lands at issue in connection with the extraction of minerals from the lake brines.

S. 265 would solve the question of ownership and allow development of the area by permitting the State of Utah to pay to the Federal Government the fair market value of the lands or to institute a suit in the Supreme Court to test the Federal claim of title. It reserves to the United States all minerals "except brines and minerals in solution in the brines or precipitated or extracted therefrom" and the value of the latter would be an element in determining fair market value.

To avoid continued delay the bill permits the State of Utah to assume trusteeship of these lands upon agreement by its legislature to all terms and conditions of the act. Question of value and determination of ownership would be determined subsequently. All receipts and revenues from the disputed lands would be held until the question of ownership is determined.

S. 265 provides a practical solution to a situation that is preventing development of a valuable resource and would be helpful to both the Federal Government and the State of Utah.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I have two questions to ask the gentleman.

First, I assume that any amendments that were adopted by the conference are germane to the bill. Am I correct?

Mr. ASPINALL. The gentleman is correct. The chairman of the full committee will state further that these are very technical amendments on very technical matters.

Mr. GROSS. Was the fair market value requirement, as it passed the House, continued in the bill in the conference?

Mr. ASPINALL. It is continued in the conference report and the conference language of the act.

Mr. GROSS. Is the fair market value provision the same as it was, approximately?

Mr. ASPINALL. It is. I yield to the gentleman from Pennsylvania to reassure my friend from Iowa.

Mr. SAYLOR. Mr. Speaker, I would say to my colleague from Iowa, this provision has been retained and is in the act of the House and Senate conferees.

Mr. GROSS. I thank the gentleman.

Mr. ASPINALL. Mr. Speaker, I yield such time as he may consume to the gentleman from Utah [Mr. KING].

Mr. KING of Utah. Mr. Speaker, the adoption of the conference report—House Report No. 1540—on S. 265, is a historic event for the State of Utah. It means that title to some 650,000 acres of lands laid bare by the recession of the waters of the Great Salt Lake, can now be fixed in the State of Utah. This, in turn, will open the way for the development of several business operations requiring the use of these lands. Without this bill, the title to said lands would remain in a condition of uncertainty, and the industrial development of these properties would be indefinitely postponed.

This bill authorizes the Secretary of the Interior, on behalf of the United States, to convey the said lands to the State of Utah, for which conveyance the said State will pay the fair market price. The bill recognizes, however, that the question of present ownership of these lands is open to dispute, and it therefore refrains from passing judgment. If the State of Utah and the Secretary should not be able to agree on the question of ownership, then provision is made for its adjudication in a court of competent jurisdiction. The enactment of this legislation will not be construed by the courts as an indication by the Congress that the State of Utah either does, or does not, now own the lands in question. Congress refains from passing judgment.

I express appreciation to those who have labored so hard to make possible the enactment of this bill. Its vast benefits to the State of Utah will justify the effort thus expended.

Mr. ASPINALL. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Speaker, I rise in support of the conference report. I wish to call attention to one provision which I believe places Utah in a rather unfortunate position.

This bill will require the State of Utah to elect whether it shall pay the fair market value or gc to court. If Utah elects to pay the fair market value, the Secretary of the Interior will determine the fair market value of the lands to be acquired by the State of Utah. However, if Utah elects to go to court, and the court determines that the lands belong to Utah, then the State will be bound to pay the fair market value as of the date of the judgment; and the Secretary of Interior, once again, will determine the fair market value of the land.

As one member of the conference, I would have preferred that if the State of Utah elected to go to court the court would fix the fair market value rather than the Secretary of Interior. In view of the fact that I was overruled, I support this and hope that the matter will be settled in the very near future. This matter has been plaguing the State of Utah ever since it was admitted to the sisterhood of States. This bill will resolve the problem.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to my colleague from Iowa.

Mr. GROSS. I join the gentleman in the statement he has just made. I believe that where there is disagreement the court ought to fix the fair market value, rather than the Secretary of any Department of the Federal Government, including the Secretary of Interior.

Mr. SAYLOR. I am perfectly willing to have the Secretary of Interior settle it, if they do not choose to go to court. However, if they go to court, then I feel the court and not the Secretary should fix the fair market value.

Mr. ASPINALL. Mr. Speaker, I yield such time as he may consume to the gentleman from Utah [Mr. BURTON].

Mr. BURTON of Utah. Mr. Speaker, I rise in the House today to urge approval of the conference report on S. 265, a bill to authorize conveyance of certain lands to the State of Utah based upon fair market value. The lands with which this bill is concerned border the Great Salt Lake. Both the Federal Government and the State of Utah claim ownership of the lands, and the purpose of this legislation is to work out a fair and acceptable solution to the conflict. The dispute over these lands first came into being in 1961. Numerous attempts have been made since that time, beginning with a bill introduced in the 87th Congress by Senator WALLACE F. BENNETT, of Utah, to resolve the dispute through legislative means. The bill before the House at this time is the product of the combined efforts of all members of Utah's congressional delegation and represents a reasonable compromise between the conflicting positions of the United States and the State of Utah. On the House side much credit rightfully belongs to the distinguished chairman of the Interior and Insular Affairs Committee, the gentleman from Colorado [Mr. ASPINALL], and to the ranking minority member of that committee, the gentleman from Pennsylvania [Mr. SAYLOR], for their considerable efforts to achieve a workable solution to this problem, which this bill embodies. Also, I wish to acknowledge the great help that has been rendered by members of the committee staff, Mr. T. Richard Witmer, and Charles Leppert, counsels, and Mr. William L. Schafer, consultant on mines and mining and public lands, in getting this legislation so important to my State to the point of enactment.

I am not completely satisfied with this bill. I think the House version that was passed some weeks ago was for superior legislation. I realize, however, that it is sometimes necessary to compromise in order to get any bill at all, and in that spirit I support the conference report.

This bill is needed in order to facilitate the orderly development of the mineral values in the waters of the Great Salt Lake. In addition to salts, the waters of the lake contain magnesium and lithium chlorides in sufficient quantities to justify the establishment of industrial facilities on the lake shore to extract the minerals. The lands in question, while of comparatively little value in and of themselves, are important as sites for mineral extracting operations. To date, because of the uncertainty as to ownership of these lands, it has been impossible for the interested industrial concerns to obtain reliable leases on them, and, as a consequence, the establishment of an industrial complex along the shores has been frustrated.

The bill now before the House, in brief, directs the Secretary of the Interior to quitclaim to the State of Utah all right, title and interest of the United States in the lands in question so that leases can be granted immediately and construction of extracting facilities can begin. As consideration for the conveyance, the State must pay to the Federal Government the fair market value of the lands, or, in the alternative, agree to legal action in the Supreme Court of the United States which would determine the respective interests of the State and Federal Governments in the lands.

Thus, the Federal Government is completely protected. Either fair market value will be paid for the lands, or, it must be determined by the Supreme Court that the United States has no interest in them. Utah, on the other hand, can move ahead with development without further delay.

A brief summary of the facts attendant to the dispute between the State and the Federal Government will, I believe, be helpful in better understanding the reasons for this legislation. Utah was admitted to the Union on January 4, 1896. Title to the beds of navigable streams and lakes passed to the State at that time. The Great Salt Lake is a navigable lake. However, its shoreline has not remained constant, but has fluctuated with dry and wet cycles as they have occurred. Over the years, notwithstanding the periodic fluctuation, the general trend has been toward a gradual lowering of the lake level. An increased and more efficient consumptive use of waters from streams contributing to the lake has obviously had some effect on this gradual lowering, particularly in recent years. As the lake is extremely shallow in many places, a lowering of only several inches in its level results in the exposure of many acres of land.

Since pioneer days, the prevailing general opinion in Utah, among Federal and State officials and private citizens, has been that the State held title to all lands below the so-called meander line of the lake. The meander line is based upon a partial survey conducted in 1855–56. However, the Department of the Interior has, beginning in 1961, laid claim to lake shorelands contiguous to Federal lands as such lakeshore lands have been exposed by a lowering of the level of the lake. The claim of the Department of the Interior completely disregards historical precedent, and, insofar as I am able to determine, is based upon questionable legal theory.

As I have said before, companies seeking to extract minerals from the waters of the lake need to establish certain industrial facilities along the lake in order to carry out their operations. Regardless of the merits of the respective claims of the State of Utah and the United States, as long as the shoreline lands are in disputed ownership, leases of parcels of this land for these industrial purposes cannot be obtained without considerable risk to the developing companies. Prompt action is now needed to establish lines of ownership so that the economic potential of the lake can be realized. I certainly hope that the House will act favorably on the conference report and that the bill will become law without further undue delay.

The **SPEAKER**. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

CITIZENSHIP FOR ALIENS IN ARMED SERVICES

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, today I have introduced legislation which would give aliens serving honorably with the U.S. Armed Forces in Vietnam the opportunity to become citizens of the United States at an early date.

The benefits of American citizenship should not be denied to courageous men who are risking their lives for America in that far-off battlefield.

Today there are some 9,000 aliens on active duty who would be eligible under this bill which would provide a means for their prompt naturalization.

More than 22,000 aliens are now serving in the Armed Forces of the United States. Of this number 13,000 are Filipinos who are serving in the Navy through a special agreement with the Philippines.

Four hundred and eighty-four aliens are now serving in Vietnam.

My bill would provide means for the prompt naturalization of aliens who have been lawfully admitted to the United States as immigrants, or who subsequently have become permanent residents, and have served honorably in the Armed Forces of the United States on active duty since January 1, 1963.

Mr. Speaker, special legislation was enacted to do this in the case of World War II, and it was done in the case of the Korean war. I suggest, if it was fair and equitable in the case of World War II and in the case of the Korean war, then it should be done in the case of the present hostilities in Vietnam.

Mr. Speaker, war is never kind to those who fight, but we in Congress have tried to see that our country is kind to those who fight under our flag. Earlier this session we passed an historic cold war GI bill to give a broad range of benefits to those who have served in the military. America should be prepared to give its greatest benefits to those who are prepared to make the greatest sacrifice for America.

Under my bill, an alien who has served on active duty for any length of time since January 1, 1963, and who has served honorably, would be eligible to apply for citizenship at once. Thereupon, he could immediately file a petition for citizenship.

As I said earlier, similar legislation was in effect during World War II and during the Korean war. Legislation passed on March 27, 1942, enabled aliens who were serving honorably in the Armed Forces of the United States to qualify for naturalization.

The legislation during the Korean war at first called for aliens to have served at least 90 days on active duty, and to have resided in the United States for at least 1 year prior to entering the armed services. However, these requirements were later removed from the legislation, and there are no such requirements in the legislation which I have introduced today.

This legislation does not waive the basic requirements of the Immigration and Nationality Act relating to good moral character, attachments to the principles of the Constitution, and understanding of the English language. It contemplates benefits for the alien who has been lawfully admitted to the United States for permanent residence and who has served honorably in the Armed Forces of the United States.

Mr. Speaker, to illustrate the difficulties which aliens have under the current law, I am including in the RECORD an article by Frank O'Connor which appeared in the Irish Echo on February 5, and an exchange of opinions between Mr. O'Connor and one of his readers which appeared in the letters column of the Irish Echo on February 19, 1966:

[From the Irish Echo, Feb. 5, 1966]

THERE OUGHT TO BE A LAW

(By Frank O'Connor, B.A., LL.B.)

I see no reason at all why young Irish boys should be drafted, sent to Vietnam, risk their lives in a real war and yet not have the privilege of American citizenship.

The situation was the same during the Korean War, until several Irish lads including some of my past students were killed out there and scores of others were maimed for life.

I recall vividly going over to the Army base in Brooklyn where nine of the boys lay in their coffins on the long last journey home to Ireland. After I went up to see Bishop Flannelly and asked if we could have a Mass at St. Patrick's for the boys. He immediately granted permission, and one of my past students, Patrick Sheehan, from Newtownsands (now Moyvane), Co. Kerry, was selected to be the spiritual representative of all nine.

To the credit of every Irish organization in New York, and Jerry Buckley, who handled the transfer of the body without any charge, St. Patrick's Cathedral was crowded on that Saturday morning, Feb. 2nd., 1962.

Paddy Sheehan was killed on October 4, 1951, the very day I had received a letter from him, saying how much he enjoyed getting the *Irish Echo,* and expressing a hope that he would see the next year's All-Ireland final. He had won the Silver Star in the Iron Triangle. The citation read "that in the face of Chinese communist hordes attacking his position, Pfc. Patrick Sheehan, with great credit to his division, the armed services and his country, held them off until help arrived to save his four wounded comrades." Paddy himself was wounded in that encounter, but was back in the firing lines a week or so later when he was killed.

Another one of the bodies being shipped back to Ireland was that of Michael White. He died when he threw himself on a hand grenade, thus saving the lives of his comrades in the fox hole. At the time, I wondered why he did not receive the Congressional Medal of Honor. Perhaps it was because neither he nor Patrick Sheehan had the privilege of being citizens of the "country" for which they died.

The impact of the Mass reached almost every newspaper in the country. The New York *Daily News* had a front page picture in its mass circulation Sunday edition; the *Herald Tribune* gave it two columns; the *Journal American* gave it front page coverage before and after the event.

The first order of business in the House of Representatives on the following Monday morning was a bill to speed up the citizenship of those aliens in the armed services as was done in World War II, when citizenship was granted in 90 days.

Senate action followed quickly and other benefits ensued; extension of the GI educational bill, and the other privileges, such as the clearing up of allotments to parents in Ireland and the chance to become officers, which was denied those who were not citizens (this is once again the case for aliens serving in the armed services in Vietnam.)

Actually the allotments were not barred, just because the soldier was an alien, but it was treated almost as if it were until I talked to the Red Cross about it. They worked out a system whereby the routine investigations were speeded up and Irish parents getting allotments from their sons in America, were at least getting some benefit out of their sons' danger.

Now some of the very same things are happening and they seem to be getting worse rather than better. There seems no reason at all to me that a young man who has served his time in the army, including Vietnam, and is now out should not be a citizen and eligible, for instance, to get a civil service job.

In the past year or so, I have had a great number of fine young men in my classes who put in their time in the armed services and are anxious to get into the New York Police Department or the Transit Police and various civil service jobs in the city. They couldn't do so because they were not citizens. It was apparently all right to risk their limbs and lives defending freedom and the United States, but they were not to be trusted with a policeman's pistol.

I wrote to the then Commissioner Michael Murphy about the situation, asking if it was all right for a non-citizen to be a teacher, or to get a liquor license, why couldn't a rule be made in reference to the other city services, particularly if they had served in the armed forces.

I received a very courteous letter from Commissioner Murphy, in which he personally seemed to like the idea and was going to enter into some discussions relative to the matter. He pointed out, however, that non-citizens under the Municipal Code are barred from police service.

There is little doubt that what we need now is action by the Congress. A law similar to the one enacted during World War II and the Korean War is the only thing that will rectify this situation. Men who are willing to fight and perhaps die for a country deserve citizenship in that country.

[From the Irish Echo, Feb. 19, 1966]

LETTERS

(By Frank O'Connor, B.A., LL.B.)

NEW YORK.

DEAR MR. O'CONNOR: I liked your article in last week's Irish Echo (Feb. 5) about the young Irishmen who have been sent to Vietnam to fight the Vietcong, although they are not U.S. citizens and cannot become citizens until they are five years in this country.

The action in Vietnam is not considered a war by our government although the casualty list is getting bigger every month, and the American soldiers who are captured by the Vietcong are not called prisoners of war. The official description is "detained service personnel."

A similar situation existed during the Korean War which was described as a police action, although the U.S. casualty list was 200,000 including killed, wounded and captured.

During the Korean action I was shocked to see young Irishmen who had recently arrived here forced into the armed services, although they were Irish citizens and were not subject to the draft. In those days the draft boards got them to sign a paper stating that they were willing to serve in the U.S. armed forces when called upon. They were called upon without much loss of time.

I remember when one young Irishman returned from Korea after losing a leg in action, and applied for citizenship papers. He was turned down. The Irish American newspapers did not give much assistance to the Irish boys who were brought before the draft boards during the Korean "police action." They could easily have given them some advice and information about their rights which would have helped them.

Those boys were new to this country and foolishly signed every paper the draft boards asked them to sign after being threatened with deportation if they refused to sign away their legal rights. I hope you are able to help the newly arrived young Irishmen who really need help when dealing with the draft boards.

James Gorman.

Reply: Some of your statements are right, some not. Two young Irishmen came into my present classes who served their time in Vietnam and are not yet citizens. I wrote to the two Senators from New York about it and enclosed a copy of my column on the subject of two weeks ago. The present law is that if a man serves three years in the armed forces he can become a citizen, otherwise he waits five years. A man can be very dead within his two year draft service.

Speaking for myself, this column was outspoken from the very beginning about the Korean situation. Scores of my students were being drafted and shipped very quickly out to Korea. At one time there were 40 of them on one troop transport.

Under the terms of the American-Irish treaty they could refuse to go in the services, but then they were barred from ever becoming citizens of the U.S. They were not deported, but if they ever left the U.S., they could not reenter. Even if they later changed their minds and joined the services, the waiver they had signed, barring citizenship, was not rescinded.

At that time there was no GI Bill, the Irishmen were not eligible to become officers and it was being made impossible by the St. Louis office for the dependents of these men to get allotments in Ireland. I had repeatedly written about it but nothing was done until nine of their bodies were shipped back to Ireland.

The Mass for them in St. Patrick's Cathedral was packed and received front page press coverage. Two days later, on Monday, Feb. 4, 1952, the House passed the 90 day citizenship bill, as in World War II, and was quickly followed by Senate and Presidential action.

Last week the House passed the GI Bill again without a contrary vote, which revives the educational, housing, health etc. benefits for all in the armed forces. There was no provision for aliens. I think if you want to do something about this situation you should write to the senators and representatives from New York about it, or the senators and representatives from whatever state you live in.

The SPEAKER. The time of the gentleman has expired.

PROPOSED 2-YEAR CONSCRIPTION SERVICE FOR YOUTH OF AMERICA

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ABERNETHY. Mr. Speaker, I have not as yet openly joined in the numerous criticisms, though agreeing with some, hurled at the Secretary of Defense, Mr. McNamara. He, like all of us, is not infallible. In these troubled times, probably no man in Government, outside of the President, has a more difficult assignment.

But after reading in the press last night of Mr. McNamara's suggestion that every young man in this country, and probably every young woman, should be forced into what amounts to a 2-year period of Federal conscription, I must say that the Secretary undoubtedly has lost his equilibrium. His objective, as I understand, is to eliminate the obvious inequities visited upon many of our youth because of our current military conscription program, commonly known as the draft law.

Mr. McNamara did not necessarily mean that the 2-year period should be in the military service. But whether in the military or not, his proposal is that the Federal Government should move in and round up every youth in this country and force him into some kind of Federal service over a period of 2 years. It was suggested that this might mean 2 years in the Peace Corps. Well, let me say now, Mr. Speaker, that 2 years in the all-expense paid adventurous Peace Corps, which is more like an economy vacation abroad than anything I can think of, is hardly comparable to 2 years of roughing and toughing in Uncle Sam's Army. The same goes for service in camps of the so-called Youth Corps, the Foreign Service, and other forms of civilian Federal service which might be included in McNamara's program of compulsory service.

I thoroughly agree that inequities exist in the draft law. The entire program should be reviewed immediately and treated with corrective action. As it now is, most of those forced into military service are among the poor and unfortunate. Many of them cannot finance or qualify for a college education or do other things that would make them eligible for deferment. But these discriminations can be eliminated by much less drastic action than the enactment of a program which would force every youth in this country to do some kind of service for Uncle Sam.

Shortly after World War II the Congress considered a program of compulsory military service. Just previous thereto almost every physically fit youth in the land had been called to war. We had been in a worldwide fight for the preservation of our very existence. The influence of the war remained with us for a number of years thereafter. We continued to shudder over our unpreparedness on Pearl Harbor Day. In this atmosphere we were searching for means of preventing war and being prepared if it came again.

It was envisioned by many that a compulsory military conscription program, affecting every youth in our land, would contribute to the elimination of wars and keep us prepared. In fact, Mr. Speaker, I was to a great degree inclined to such a view myself. But, Mr. Speaker, the Congress very wisely refused to go along. It finally sunk into our heads that militaristic universal conscription was not the answer to our dilemma or fears.

Now, certainly we cannot in this day and time eliminate the discriminations in Selective Service by drafting our youth into the diplomatic Foreign Service, or the Youth Corps camps, the Peace Corps, or similar civilian programs. This would do nothing more than make for further discriminations. And the very horrible thing about it is that this would grant Federal pay to those benefiting from this safe and secure type of service.

Mr. Speaker, such a program would add further expensive burdens to our already fat-cat budget and accelerate deficit spending. We cannot afford it.

We all agree that in these troubled times a military draft law is absolutely essential to the preservation of this Nation. And many, if not all, of us agree that the present system is fraught with discriminations. We ought to do something about this situation. But let us not lose our equilibrium, compound the problem, and pull the house down on our heads in so doing.

BILL TO ESTABLISH FRANKLIN DELANO ROOSEVELT INSTITUTE

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BENNETT. Mr. Speaker, last week at the dedication of the Woodrow Wilson Hall at the Woodrow Wilson School of Public and International Affairs on the Princeton University campus, President Johnson made a challenging and enlightening speech on Government service.

The President made a plea for "citizen soldiers." He said:

> The call for public service cannot be met by professionals alone. We must revive the ancient ideal of citizen soldiers who answer their nation's call in time of peril. We need them on battlefronts where no guns are heard but where freedom is no less tested.

He outlined his proposals to accomplish a Federal program to train students in public service to preserve our democratic form of government.

This speech was a challenge to students and scholars to continue their education and the development of the learning process, and to be guided into public service for the benefit of fellow Americans.

Mr. Speaker, I have introduced a bill, H.R. 276, which would establish the Franklin Delano Roosevelt Institute, to be a graduate school for advanced studies in American Government. The students of this school would be selected individuals of outstanding ability to pursue advanced studies in American political theory, methods, and institutions for public service with the Government of the United States.

Two years ago in Great Britain, the English established a living memorial to Sir Winston Churchill, the Churchill College at Cambridge University. This college is an institution for government learning, and my legislation for a Franklin Delano Roosevelt school would parallel the English plan in the United States.

The Roosevelt Institute, it seems to me, is a much more fitting tribute to this great President than the proposed "Stonehenge" tribute or some other static material.

I have asked for departmental reports on my bill to establish the Roosevelt Institute, and I am hopeful for early hearings and favorable action on the legislation.

RESOLUTION CREATING SELECT HOUSE COMMITTEE ON REVISION OF SELECTIVE SERVICE

Mr. MINSHALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MINSHALL. Mr. Speaker, it is increasingly imperative that present selective service laws be relegated to the history books of World War II. They no more fill today's military requirements than would the horse cavalry, the B-17, or the Springfield rifle.

I believe the situation to be sufficiently urgent to require formation of a Special House Committee on Revision of the Selective Service Act.

I therefore propose that the Speaker of the House of Representatives and the minority leader name a special House committee, composed of six members of the majority party and six members of the minority, to investigate, study, formulate, and report recommendations on revision of the act within 45 days after my resolution is adopted.

Confusion over the situation in Vietnam is mirrored in the massive muddle on the homefront which has our draftage men, their families, school administrators, and prospective employers totally perplexed about planning for the future.

Complaints are heard among noncollege youths that the draft is creating a caste system which favors the young man who can afford to attend college.

College students protest the intellectual discrimination inherent in draft tests to determine 2-S student deferments.

School administrators are at a loss on how to advise boys to plan their scholastic futures. Employers are reluctant to hire and train new young workers who may or may not be claimed for military service.

There is mounting criticism over highly publicized deferments of cinema and sport celebrities.

Compounding the confusion and anger over the present induction system are the widely divergent interpretations of regulations by local draft boards; the inequity in the number of men drafted per capita from rural and small town areas as compared to large cities, and increasing reports of slovenly administrative techniques and policies.

And, to cap the climax, after drafting men at the rate of about 30,000 per month for the last several months, General Hershey announced early this month that the June draft call will be lower because Army training camps are overcrowded and there are insufficient instructors for trainees. He indicated a step-up in draft calls later this summer.

It is no wonder Americans are confused about draft laws and regulations.

Our citizens are patriotic and loyal and determined and willing to serve their country when their country calls. The wave of protests over selective service methods does not reflect on the patriotism or courage of our young men, but it does reflect a typical American demand for fair play and justice. Evidence says they are not receiving it.

Only yesterday Defense Secretary McNamara, speaking to the American Society of Newspaper Editors at Montreal, called the operation of the draft "an equity."

Congress must replace the antiquated selective service laws of World War II with streamlined and equitable statutes which will meet modern requirements.

I strongly urge the House to take swift action on my resolution so that this will be accomplished.

We will never devise a draft law which will gladden the heart of the young man who receives his induction notice.

We can write a law which will assure him that his country is treating him justly, without discrimination and with his best interests in mind, during this period of national emergency.

A number of proposed changes in present draft laws have been suggested editorially throughout the Nation's news media. Two of the more provocative and thoroughly presented appeared recently in the Cleveland Press, which does an outstanding job serving the area I represent, and the Wall Street Journal. I include these editorials for the consideration of my colleagues:

[From the Cleveland Press, May 12, 1966]

Change the Draft

The Selective Service System has served well since World War II. It is no longer doing so.

As college deans said in consensus yesterday, It's a "fouled-up situation."

Basis for the foul-up is an unfair system of drafting college students and the capricious managing of it by Selective Service.

If a student is bright enough and takes the right courses, he can evade the draft. This is unfair. If he carries 12 credit hours as a full-time student, he suddenly finds himself draft-worthy because Selective Service has just redefined a full-time student as one carrying 15 credit hours. This is capricious.

The draft deferment test is supposed to become a measure to determine who is draft-worthy. This adds even more to the snafuery, especially when a Mentor youth is sent to distant Cincinnati or Michigan students are ordered to Mississippi for their tests. This is worse than snafu. It is inconsiderate treatment of the rising generation.

No small part of the effectiveness of our armed forces in time of war has been that they were drawn from a cross-section of America—rich and poor, educated and uneducated.

So long as men were being called up merely for Cold War duty, the present system, with all its deferments, was not a matter of great public concern. But when the draft is taking many men who will risk their lives in a dirty, hot war, it is a different matter. The reasons on which deferments are based become much less valid.

The fairest system is a straight lottery. Such a drawing would show no discrimination. Every man, and his family, would know that if his number came up, so be it. It would be hard, but fair.

[From the Wall Street Journal, May 16, 1966]

Overly Selective Service

On Saturday several hundred thousand college men took part for the first time in a new Selective Service wrinkle—a special test they hope will result in their exemption from the draft.

That such a test was invented at all reflects Governmental concern at the way the Selective Service System is doing its selecting, but unfortunately the new examination doesn't do much more than compound the difficulties. Like some of the long-standing procedures, it tends to favor the more intelligent for deferment.

Of course the loudest opposition to the whole system, not counting the understandable wails of those about to be drafted, comes from people who oppose all wars in general and the Vietnam war in particular, and it's unlikely any form conscription would satisfy them. Admittedly military service, to a person who does not choose it for himself, can be anything from uncomfortable to tragic. But plainly the Nation must be able to defend itself and its interests, and equally plainly voluntary enlistments cannot always be depended upon to fill the bill.

From the viewpoint of the draft-age male, even one willing if not eager to serve, one of the most annoying features of the current process is the uncertainty he faces from the time he first registers with his local draft board on his 18th birthday until he is either called up or makes it past the age he is likely to be called. For at least four years he can make no meaningful long-range plans for fear they will be interrupted.

Yet the inconvenience, while perhaps illustrative of the system's lack of concern for the individual, is not the major problem. Of far greater import is the system's thorough unfairness.

First, quotas are apportioned to local draft boards in a manner that results in far more men being drafted per capita from rural areas and small towns than from cities. It does so because the quota applies to both draftees and enlistees, and city enlistments far outstrip rural ones.

If the idea is to take an equal proportion of young men from each district, there is no assurance it succeeds, for the men are forever registered where they lived on their 18th birthdays, no matter where they may move. In our peripatetic society that can make quite a difference.

Then there's the system of exempting men in certain "vital" occupations. The principle may be sound, but the application is sadly outdated. Farmers, to take but one example, are given special treatment, a hangover no doubt from the days when someone feared the nation would starve. Moreover, the rules on exemptions are administered by local boards in varying ways; a man who is drafted in one city might well have escaped service if he had lived somewhere else.

Still another dubious aspect of the system, and the one that has caused the greatest clamor, is its provision for college students.

For years the policy was to grant deferments to college students on the basis of their rank in class, presumably to guard against depleting the pool of educated civilians. Critics noted that colleges might vary greatly in academic standards and that the system was thus unfair.

The Government's response—the new examinations—attacks that objection, but in so doing merely sharpens the question whether it's either fair or good national policy to exempt the intelligent and consign to battle the mediocre. Modern armies, after all, require men of some intellect.

What's the solution? One possible approach might be to make all men who reach a certain age automatically subject to military service. Then uniformly administered centers could screen out those who did not measure up, physically or intellectually, and handle any exemptions under reasonable national rules. Men who were not immediately needed could remain on call until needs increased. At the least, a great deal of the present uncertainty and local-board arbitrariness would be eliminated.

Perhaps a better plan could be devised. Certainly it shouldn't be difficult to come up with a method of maintaining defense manpower that is more equitable than the overly selective system now in use.

EISENHOWER ENDORSEMENT "HISTORIC MILESTONE"

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, former President Eisenhower's strong endorsement of the Atlantic Union resolution is a historic milestone. It will give new momentum to fast-growing congressional support for the resolution.

This is the first time General Eisenhower—or any former U.S. President—has endorsed publicly a proposal looking toward free world federation. His action has special significance because the resolution now before Congress is the most specific ever introduced.

I am placing in the Record correspondence with General Eisenhower, in which the former Chief Executive commented on the resolution and said:

> I strongly favor your undertaking; let there be no mistake about this.

The resolution would authorize an 18-member U.S. delegation of citizens of "high stature and wide influence" to meet with similar delegations from other NATO nations to seek agreement on, first, a declaration that the eventual goal is to transform the Atlantic alliance into a federal union government; second, a tentative timetable for the transition; and third, the interim institutions needed to keep the project on schedule.

Senate hearings have been held, and House hearings are expected to be scheduled soon. Ninety-seven U.S. Representatives and eighteen U.S. Senators are either cosponsors or supporters of the resolution. Forty of them are Republicans and seventy-five Democrats.

General Eisenhower's letter expressing strong endorsement will, I am sure, encourage still greater support in Congress. Equally important, it will help to convince people in other NATO nations that the United States is serious about wanting to strengthen the Atlantic community ties along lines that are fair, equitable, and effective.

Here is the correspondence:

February 25, 1966.

Gen. Dwight D. Eisenhower,
Indio, Calif.

Dear General: One of the most promising developments in my six years in Congress is the bipartisan support already apparent for the "Atlantic Union Delegation" resolution. I enclose a copy of H.J. Res. 769. Senators Carlson, Fannin, Prouty and Representatives Morton, Ellsworth, Michel, Quie and myself—all on the Republican side—have introduced either this identical language or language that differs only in minor details of the "preamble."

I am glad to report that I have already received letters endorsing my resolution from Governor Scranton, former Vice President Nixon, Governor Rockefeller and Governor Hatfield. A number of prominent Democrats in the House and Senate have also endorsed it.

In a few days I plan to announce to the press the measure of support already received from prominent Republicans. It would indeed be most gratifying to have an expression of attitude from you.

I hesitated to intrude upon your vacation with this matter but decided to do so knowing of your long-standing and deep concern about the Atlantic Alliance and its future.

Sincerely yours,

Paul Findley,
Representative in Congress.

Indio, Calif.,
March 3, 1966.

Hon. Paul Findley,
House of Representatives,
Washington, D.C.

Dear Mr. Findley: I have long urged closer association and better cooperation among the Free Nations of the world. I am quite sure that steady steps toward this goal, particularly among the North Atlantic Community, are essential to progress toward security and peace with justice.

I note that the final section of your Resolution is a proposal that former Presidents Truman and I act as co-chairmen of the American delegation contemplated by the Resolution. To participate with other nations in exploring steps toward a gradual accomplishment of a "Federal Union," I suspect that the necessary travel and other activity might be far more suitably and efficiently done by young men. Would it not be preferable, if the delegation should be established by law, to have the sixteen members appointed by the President and the Congress make their own selection for the two co-chairmen?

With best wishes.

Sincerely,

Dwight D. Eisenhower.

March 7, 1966.

Hon. Dwight D. Eisenhower,
Indio, Calif.

Dear General: I am grateful to you for your kindness in replying so promptly to my letter in regard to the Atlantic Union delegation resolution.

The final section of the resolution which proposes that you and former President Truman serve as co-chairmen of the American delegation was included after much reflection and discussion. Both of you, of course, had intimate association with the steps leading to the formation of the North Atlantic Treaty Organization. You yourself provided most of the inspiration and the leadership which brought the original group of nations into agreement.

Those of us who shaped up this resolution realized that you have reached the time of life when leisure time is especially prized. Certainly no one could be more deserving than yourself of retirement free of public responsibility. However, it is our belief that you and you alone could provide both the leadership and worldwide inspiration which an Atlantic Union Convention must have. We are hopeful that you would give serious thought to returning to public life from your richly deserved retirement long enough to give your tremendous ability and rich knowledge to this great and vital undertaking.

The success of the convention might very well depend upon your leadership. It is interesting to recall that in 1786 a convention intended to improve the Articles of Confederation failed before it started for want of the right leadership. Less than a year later a second convention was called, and the announcement that General Washington would be a member of the Virginia delegation caused an outburst of joy and enthusiasm throughout all of the 13 states.

Here is a quotation from pages 220–221 of "The Critical Period of American History" by John Fiske:

"The events of the year had worked a change in the popular sentiment in Virginia; people were more afraid of anarchy and not quite so much afraid of centralization; and now under Madison's lead, Virginia played her trump card and chose George Washington as one of her delegates. As soon as this was known, there was an outburst of joy throughout the land. All at once people began everywhere to feel an interest in the proposed convention, and presently Massachusetts changed her attitude. Up to this time Massachusetts had been as obstinate in her assertion of local independence, and as unwilling to strengthen the hands of Congress (under the confederation) as any of the 13 states except New York and Rhode Island. But the Shay's rebellion had served as a useful object lesson . . . . Every week saw fresh converts to the party which called for a stronger government (for the confederation). Then came the news that Virginia had chosen delegates and Washington was one of them; then that New Jersey had followed the example; then Pennsylvania; North Carolina; Delaware, had chosen delegates. It was time for Massachusetts to act."

It is our conviction that you would provide the same inspiration and leadership to the Atlantic Union Convention as did General Washington in 1787.

You will recall that the Paris Convention to strengthen NATO, held in 1962 (authorized by Resolution in 1960) did not measure up to expectations. This was due mainly to the fact that, with a few exceptions, the U.S. delegation did not consist of our most eminent citizens.

Your leadership of the U.S. delegation would assure that this mistake would not be repeated in the Convention now proposed. Just as General Washington's name brought success in 1787 on the heels of 1786's failure, so your name would assure success to this new Atlantic Community undertaking.

With you as co-chairman, the Congress and the President would assuredly exercise great care to fill the rest of the delegation with people of highest competence—and I am sure all other participating nations would be similarly motivated.

You mention youth. One of the most active and effective figures in the Convention of 1787 was Benjamin Franklin, who was then 81 years old.

As a Republican, you will be pleased, I am sure, to note the breadth of support which has already developed for the resolution in what I might term the "presidential level" leadership of our party. I enclose herewith photocopies of letters I have received endorsing the resolution from former Vice President Nixon; Governors Scranton, Romney, Hatfield and Rockefeller; and former Senator Barry Goldwater. I am also attaching a statement that I made last week at which time I released these letters to the press.

The interest you have already expressed in the resolution is most gratifying. I will prize very highly your further comments to aid in preparation for Senate hearings on the Resolution which are scheduled for March 23–24.

Best wishes.

Sincerely yours,

Paul Findley,
Representative in Congress.

Dear Mr. Findley: If a more persuasive reclama to my reluctant declination of your invitation to co-chair the Atlantic Union Delegation could be written, I hardly know how. Thank you for writing again and for the high compliment expressed and implicit in all you have stated in your March seventh letter.

A careful reading of your letter suggests there may be some misunderstanding of my position. First, I strongly favor your undertaking; let there be no mistake about this. Second, I warmly appreciate the invitation to share the chairmanship of the delegation with former President Truman and would like very much to be able to do so. Third, my declination of the invitation is dictated therefore, not by a reluctance to become identified with this effort, not by a desire for leisure, not even, by a personal awareness of increasing years, but instead by considerations of health which have imposed upon me very explicit medical disciplines for some considerable time to come. In short I would prefer to respond favorably; and if I could, I would.

Recently I found it necessary to decline, also, an invitation from the entire House Republican Leadership to become Chairman of a proposed Hoover-type commission on reorganization of the Executive Branch. My explanation to Jerry Ford was the same as I have found it necessary to communicate to you. Again I was regretful; again I had no option but to decline.

I wish your undertaking well and wish I could personally help to advance it as you have suggested.

Sincerely,

Dwight D. Eisenhower.

HIGH LYSINE CORN CONFERENCE TRIBUTE TO PURDUE EXCELLENCE

The SPEAKER. With the permission of the gentleman from Alabama [Mr. Selden], under a previous order of the House, the Chair recognizes the gentleman from Indiana [Mr. Halleck], for 5 minutes.

Mr. HALLECK. Mr. Speaker, we are all becoming increasingly aware of the food crisis that is gradually overtaking the less developed nations of the world. During the Eisenhower administration we enacted the food for peace program. This bipartisan effort is an instrument of American good will and generosity that has alleviated starvation and malnutrition in many far corners of the earth.

Just a few weeks ago the Congress approved a resolution which called for a substantial increase in our shipments of wheat and other food and fiber to assist the starving peoples of India, and we are told that soon we will have for the consideration of the Congress the President's food for freedom program, an extension of our 12-year-old Public Law 480 assistance plan.

All of you are aware, I am sure, of the fact that the world's food crisis concerns not starvation alone. In our attempts to remedy the problems created by population outrunning the food supply, we must combat a more insidious enemy as well—malnutrition. Malnutrition can ultimately kill its victim. It frequently leaves them crippled or scarred for life before death. Protein malnutrition in young children is a scourge that the world can and must erase.

Recently I have seen a number of references in the press and in agricultural trade journals to something new that is called high lysine corn. Further inquiry has revealed to me something that I should have suspected—that high lysine corn is a product of agricultural scientists in this country's unexcelled land-grant college system and, further, that much of this most significant work has been carried on at the world-famed Purdue University School of Agriculture.

Since Purdue is located in the district I represent, this is most gratifying to me.

But it is not surprising, for Purdue has long been one of our Nation's most outstanding academic institutions.

Purdue University today operates the Nation's largest school of engineering. Less well-known, perhaps, is the fact that its fine school of agriculture is the Nation's fourth largest. Dr. Earl L. Butz, dean of the Purdue School of Agriculture, is an agricultural leader whose own excellence personifies the vigor of the institution he heads. My observation and experience convince me that the Purdue School of Agriculture, though the Nation's fourth largest, has not sacrificed its excellence for size.

I, therefore, would like to call to the attention of Members of this body—and to all of our colleagues in the other body—the High Lysine Corn Conference that will take place at Purdue on June 21–22, 1966.

Sponsored by the Purdue School of Agriculture with the support of Corn Industries Research Foundation, Inc., of Washington, D.C., the conference is a tribute to Purdue's excellence, and will give corn seed, feed and processing industry representatives, animal and human nutritionists, academic, Government and industry scientists as well as foreign representatives their first real opportunity to learn more about the potential of this most exciting agricultural development.

All evidence to date suggests that the development of high lysine corn is possibly the most significant discovery in American agriculture since the development of hybrid American corn four decades ago.

Some three decades ago, I am told, corn geneticists discovered a mutant gene they named opique-2. It seemed to have no particular purpose so it was used chiefly as a marker gene.

During the last decade a handful of Purdue scientists began experimenting with the gene in an attempt to increase the lysine content of hybrid corn. Regular hybrid corn—a farm commodity of vast importance to farmers in Indiana, Illinois, Iowa and the other States of the Midwest—contains only limited lysine, an essential amino acid.

About 2 years ago two Purdue scientists, Dr. O. E. Nelson, Jr., and Dr. E. T. Mertz, reported that opique-2 corn had more lysine than regular hybrid corn. As they enlarged their small seed output they began feeding it to rats and then swine and poultry. Recently, I am told, human feeding tests also have been made.

In all such cases it has been found that high lysine corn—thanks to the greater amount of this essential amino acid present—far surpasses the protein value of regular hybrid corn.

If corn of consistently higher lysine content can be produced at yields comparable to present hybrids, it could have a marked effect on livestock feeding in this country. Moreover, the world's crying need for more protein to combat malnutrition makes high lysine corn a tool of tremendous potential in combating world malnutrition.

I am told that an experiment in Guatemala with children aged 2 to 6 indicates that high lysine corn has a protein quality as high as milk. If further tests confirm these early findings, high lysine corn has tremendous possibilities in all of Latin America where corn is the basic food of half the 200 million people. We are told, for example, that 70 percent of the corn raised in Mexico is used for human consumption.

Corn geneticists tell us they believe high lysine corn can be developed in the corn varieties in use today in Latin America. If so, this means these improved varieties can be transported to other parts of the tropical world to erase protein malnutrition there as well. Small quantities of opique-2 corn already have been sent to a number of scientists in various parts of the world.

I know many people in agriculture are tremendously interested in high lysine corn. Aware of this interest as I am, I want to see that full recognition goes to Drs. Nelson and Mertz and to the other Purdue agricultural scientists who have persevered in developing this exciting new discovery to its present degree of promise.

And I am happy to note as well that Corn Industries Research Foundation, Inc., a national trade association of corn processors that got its official start in my own State some three decades ago, is lending its full support to a meeting that has high significance to all of American agriculture. This is indicative of the leadership long displayed by Robert C. Liebenow, the new president of the foundation, who for many years was president of the Chicago Board of Trade.

The great State of Indiana is proud of its role in this great new agricultural achievement and I offer a sincere salute to all those engaged in this tremendous undertaking.

Mr. DE LA GARZA. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman.

Mr. DE LA GARZA. Mr. Speaker, I wish to commend the gentleman from Indiana for bringing to our attention this matter of high lysine corn and opique-2. I want to join with him in commending the research people of the University of Purdue. I had occasion recently to visit the countries in Central America where the staple diet of the people is corn. Corn as it was grown in that area was not enough to sustain life. Young children were dying before they could reach the age of 4 or 5. I have had an opportunity to see recently what has happened since they have used opique-2 and made a cornmeal from it which is able to sustain life. I saw many of the children that you could tell had been in a terrible state of malnutrition brought to full health and well being, and this is all due to the scientists of Purdue University. Everywhere we went in that area of Central America the first thing we heard was about this discovery of the scientists of Purdue University. I very much want to commend the gentleman from Indiana for bringing this to our attention and to tell him and this House that throughout the width of this hemisphere their discovery at Purdue is helping mankind.

Mr. HALLECK. Mr. Speaker, I thank the gentleman very much. As a matter of fact, this corn has been tested in some of the Latin American countries, as I pointed out, and the tests there prove exactly what is claimed for high lysine corn.

CUBAN INDEPENDENCE

The SPEAKER pro tempore (Mr. HAWKINS). Under previous order of the House, the gentleman from Alabama [Mr. SELDEN] is recognized for 60 minutes.

Mr. SELDEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, 64 years ago the lone-star flag of the new Cuban Republic was first unfurled over the Pearl of the Antilles. This event marked the fulfillment of the efforts of generations of Cuban patriots to attain freedom from imperial Spain. Despite ruthless suppression and barbarous treatment, the Cuban people fought on for decades to achieve their liberty.

The anniversary of Cuban independence has long been observed in the United States with special feeling, for the United States was intricately involved in the Cuban struggle. Jose Marti, perhaps the most renowned of Cuban independence leaders, lived as an exile in New York City and from that base of operations publicized the plight of his people, gained the sympathy of people of the United States, helped to inspire renewed energy to fight on among his compatriots, and organized liberating forces from the United States to support Cuban action. Eventually, the United States officially joined alongside Cuban fighters to oust Spain from the island. Castro and his Communist cohorts have tried to rewrite that page of history. But the lies will not outlive their perpetrators.

Friendly cooperation between Cuban and American people is too deeply ingrained over too long a period of time to be obliterated by a handful of ruthless and lying men.

On the anniversary of Cuban independence, we recall the dedicated efforts of such men as Dr. Walter Reed, who with his Cuban colleagues, discovered the cause of yellow fever and then worked to eliminate the scourge from the island. We remember the work of Dr. Leonard Wood, the young Army surgeon who became Military Governor of Cuba after the ouster of Spain, in that capacity helped the Cuban people with U.S. support to recover rapidly from the ravages of war.

We remember too, that the United States established a special sugar quota systems during the great depression of the 1930's with a view to stabilizing the price of Cuba's principal export in order to save that country from dire distress. Castro and Che Guevara have tried to put a sinister construction on that generous act of international cooperation, claiming that the increased price for sugar made possible by the U.S. quota system saddled Cuba with a one-crop economy. Ironically, Cuba under Castro finds that sugar remains Cuba's chief source of income. But now, Cuba must depend upon distant Soviet Union and Red China to purchase its product, and not for freely convertible dollars, but largely in exchange for overpriced, inferior goods.

The Cuban people once again are suffering under the heel of tyranny. As we recall today their history of decades of resistance to Spanish oppression, we know that however ferocious and well organized the force which enslaves them, the Cuban people will one day again rise to fight for their freedom. For it was Cuba's own great hero, Marti, who said:

> Liberty never dies from the wounds inflicted on her. The dagger that wounds her injects new blood in her veins.

Castro, for all his slavish adoption of Communist doctrine, must surely recall Marti's words. And he must live in fear that somewhere among the more than a quarter of a million Cubans who have fled his totalitarianism walks another Marti, another Cuban patriot who one day will galvanize his brothers to drive out the oppressors from their homeland.

Meanwhile, the United States follows its traditional policy of friendship and sympathy for the Cuban people. The twice-daily airlift from Cuba operating since late in 1965 has been bringing some 200 persons a day to this country. The total of some 18,000 brought here under this arrangement represents only a few of the hundreds of thousands clamoring to get out of Castro's nightmare.

The courage of these exiles commands our admiration. Once they register their desire to leave their beloved homeland—in itself a wrenching decision, they then are subject to losing their livelihood and to living under constant surveillance, with no certainty that they will be granted permission to depart, no idea when they will be able to secure passage, and with the knowledge that they must leave with only the clothes on their back. Welcoming these valiant exiles to our shores is but another demonstration of the close ties which have bound Cuba and the United States.

Cuba has been betrayed by its present regime, with Cuban independence sacrificed to the domination of the Soviet communism.

Cuba has become little more than a military and economic staging area from which international communism seeks to extend its rule throughout Latin America.

This subversive threat was shown in its most blatant form at the Tricontinental Conference of nongovernmental Communist leaders in Havana earlier this year. The more than 500 delegates from 82 countries and territories sounded the battle cry for wars of national liberation throughout the underdeveloped world, but with particular emphasis on Latin America.

"North American imperialism, colonialism, and neocolonialism" was identified as the main target. The Conference brazenly proclaimed a strategy of kindling so many bonfires that the "imperialists" could not quench them all at once. Castro put it this way at the final session of the Conference:

> If the imperialists have to face not just the Dominican people alone, or the Guatemalan people alone, or the Venezuelan people alone, or the Colombian people alone, or the Peruvian people alone; if they must also fight—at the same time as in each of these countries—against other oppressed peoples, such as those of Brazil, Bolivia, Paraguay, Ecuador, Argentina and other peoples of Central America; if the struggle is carried out on a broad scale . . . then the hour of liberation of this continent will be nearer.

We should not make the mistake of thinking that Castro was merely making a rabble-rousing address. Havana was in fact made the base of the organization for operations in this hemisphere, and the wars of liberation he referred to are currently being waged in a number of Latin American countries.

If any benefit can be derived from the multiple threats and hostile acts now radiating from Cuba, perhaps it will be a quickened sense throughout Latin America of the need for effective measures of collective action against the new dimension of Communist aggression. The Rio Treaty of 1947 committed the American States to meet the traditional form of armed aggression across national frontiers. It is the newer threat of hidden infiltration and subversion from within for which the Organization of American States must yet develop effective countermeasures.

As you know, a Special Inter-American Conference was held in Rio de Janeiro in the latter part of 1965 to establish general guidelines on revising the OAS charter to make it more responsive to today's requirements. But this conference, which ended the month before the outrageous Tri-Continental Conference in Havana began, unfortunately made no progress with respect to resolving the conflict between nonintervention and the requirements of hemispheric security. Hence the problem remains an urgent one.

As our mutual efforts to help build the economic and social strength of Latin America continue, let us hope, Mr. Speaker, that the members of the OAS will be more willing to face up to those problems which vitally threaten their security as well as our own.

The United States has always been and continues to be pledged to the freedom and independence of the nations of the hemisphere. And, on this anniversary of Cuban independence, as we recall the indomitable spirit of the Cuban people which resisted Spanish tyranny for decades, we have no doubts that the Cuban people will again recapture from Communist tyranny their lost freedom and independence.

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the distinguished gentleman from Florida.

Mr. FASCELL. Mr. Speaker, I wish to commend the gentleman in the well, the distinguished gentleman from Alabama, the chairman of the Inter-American Subcommittee of the Committee on Foreign Affairs of the House, for once again taking the floor to emphasize not only a day which is very important in the life of Cubans, but a day which is very important in the history and the life of the Western Hemisphere and the free world.

I think it is very appropriate in the light of the history and present events to suggest, as the gentleman has so ably done, that the spark of freedom is and will continue to be kept alive within the Cuban people themselves, and that this spark of freedom be carried by every Cuban, those who are in Cuba and those who have left to come to these shores. If that spark of liberty remain alive in the heart of each Cuban then some day, somewhere, there will walk among the people of that courageous land a man who will galvanize the Cubans themselves to restore freedom to that torn land.

By action of the United States, and because of the strong cooperation of our sister republics in Latin America, the lesson of Castro and communism in Cuba has not been lost either on the world or on our Latin-American friends. The fact is as I pointed out in a recent series of speeches in this Chamber that there is ample evidence today that our policy is having a very telling effect in Cuba. The growth and production of sugar, which has been the mainstay of the Cuba economy, has fallen off so that sugar is just not bringing the money to Cuba upon which its economy must depend.

The Communists' agriculture programs in general have failed. New housing, in terms of construction, is practically nonexistent. New business as such does not have a chance. Foreign exchange—there is none. In fact there is today in Cuba a day-to-day, hand-to-mouth kind of existence that depends entirely upon the feelings, politically and otherwise, of the Soviet Communist bloc.

Add to Cuba's dependence on the Soviet bloc the intense power struggle that always goes on in a totalitarian government—and the Castro government is no exception—and you begin to get some concept of the tremendous problems brought by the Castro Communist government to the people of Cuba.

Though the spark of hope is alive, and serious deterioration is taking place in Cuba, we cannot expectantly look forward to an automatic overthrow of that government. We know better than that. So do the Cubans themselves. That is why they are so adamant in their efforts and in their struggle, trying at all levels and at all points, in whatever society they happen to find themselves, to do something positively to bring about the overthrow of that government and to restore Cuba once again to freedom.

They know, and we know, that there can be no letup, that we cannot take any satisfaction from Castro's problems, until a new free, democratic government is actually restored to the people of Cuba and the Cuban people have an opportunity to express themselves politically, economically, and socially, in a way which is compatible with the inter-American system.

All we have to do, as the gentleman so well pointed out, is simply to recall the record of Communist subversion; the fact that the Tricontinental Conference was held in Havana; that the Communist countries got together to rededicate themselves and to reemphasize their reprehensible objectives, still holding up Castro's Cuba as a showcase of what they have done through subversion and other actions, both overt and covert, and what they want to do by exporting it to all countries in Latin America.

The purpose of that conference was not lost on us here in the United States, and it was not lost on all of the Latin American countries, because we all recognize full well what has happened not only in Cuba but in other places in Latin America under the impetus from Communist efforts in Cuba.

I might add parenthetically at this point that it might be well for us to note that, notwithstanding so-called, alleged and apparent divisions that exist on the international Communist scene between the Sino and Soviet groups, in the Tricontinental Conference that took place in Havana, the Soviets and the Chinese sat down side by side and agreed upon the plan of operation by which they intend to carve up the free Western Hemisphere.

There was no dispute over their purpose, no dispute over their plan of operation. They were in total agreement. They sat side by side in that conference to carry it out.

We know all too well of the Communist attempts at subversion. From the recent reports about the activities of the Communists in every country in Latin America I would like to recall to your attention one of the most recent: The general strike in Uruguay earlier this year, which went on and on, until Uruguay threatened to break relations with Russia.

The minute Uruguay made the threat, the general strike was over. One need not add two and two to make four.

It seems obvious that there must have been some relationship between the Communist efforts and the general strike in that country since the strike immediately terminated after the Uruguayan Government decided it was going to break relations with Russia.

So we know we cannot let up, it is going to take everything which the United States can do in the way of helping Latin Americans; in the way of self-help by the Latin Americans, and of the entire free world, to be sure that the efforts of the Communists are thwarted.

In addition to taking steps against the Communists' subversive methods, it will take affirmative action such as the Alliance for Progress to help transpose and bring about the kind of economic, political, and social systems that the Latin American people, with their fierce determination for liberty and their love of life, want and deserve.

We in the United States have worked assiduously to support these efforts in behalf of freedom. We must continue that support.

Finally, in the ideological sense, as the gentleman from Alabama has so ably expressed, we the free members of the Inter-American community must take every opportunity, such as this anniversary of Cuban independence, to recall the fact that the fight for freedom and liberty goes on forever, and that we Americans will never rest, and neither will the people of Cuba ever rest, nor, indeed, the free people of this hemisphere, until all the people of the Americas have the opportunity to live a life which has the freedom; politically, economically, socially, and individually, which we all espouse as the great way of life.

Mr. SELDEN. I thank my colleague, the gentleman from Florida [Mr. FASCELL], who is a very able and an extremely well-informed member of the Subcommittee on Inter-American Affairs.

I yield to the distinguished Speaker of the House.

Mr. McCORMACK. Mr. Speaker, I want to congratulate my friend from Alabama for getting this special order today and for the most effective and appropriate remarks he has made on this occasion.

I also congratulate my distinguished colleague from Florida, who has just given one of the most eloquent addresses I have ever heard in this body during my many years as a Member of the body.

We are all aware of the long struggle of the people of Cuba for freedom and independence, going back many decades.

We realize the efforts made in 1851, later in the 1860's, and in the Ten Years' War. We all know of their fight for independence in the 1890's, and the fact that they obtained independence from our country at the end of the Spanish-American War.

We are all aware of the fine traditions and the noble background of the people of Cuba, that they are a liberty-living people, that they are an individualistic people, and that they are a people of deep faith.

We are all aware of what has happened in recent years, with their domination by the Communist regime under the leadership of Castro.

I remember well before Castro took over, and the first claims that he made, the false promises that he made, that on several occasions on the floor of the House the gentleman from Alabama [Mr. SELDEN], and the gentleman from Florida [Mr. FASCELL], and I, and others, warned the people that Castro was a Communist, and that the taking over of Cuba by Castro would mean the imposition upon the people of Cuba of a communistic regime.

We all remember that certain newspapers in the United States misguidedly played a very important part in building up a false image about Castro, that he was the great leader of democracy and the great leader for freedom for the people of Cuba. We know that the American people were pretty well brainwashed as a result of many of those columns which the American people read, and many of the news items. We know of some correspondents being in Cuba deliberately for the purpose of bringing Castro into control, when they knew or ought to have known that Castro was a Communist. The American people were misled.

I wonder sometimes if those newspapers which played the part they did have the courage to come out and apologize to the American people and to the people of Cuba for the action they took in brainwashing the people of America.

Those are straight words, but we live in a period when we have to talk straight. We have a responsibility. They had a responsibility.

I might add that years ago some of the American newspapers brainwashed the people that Mao was not a Communist, that he was the leader of the agarian party, for land reform. The American people are all for land reform. I remember that years ago, in connection with Mao, articles and columns were handed out to the American people by many of the newspapers of the United States—not all of them, but many of them.

Those are all historical facts. Many newspapers played a very important part, and I assume in good faith, but their evaluation of Castro was decidedly wrong, in the foisting of Castro upon the people of Cuba.

The American people want to see the people of Cuba again have their liberty and freedom.

I sat in on the meeting with the late President John Fitzgerald Kennedy, when the decision was made to confront Khrushchev. I supported the President in that decision. We all realized the significance of the decision. In that decision there was a calculated risk of action, but if the President failed to make the decision there were calculated risks of inaction. The same calculated risks exist today. They confront nations today.

All freedom-loving nations are confronted today with a question whether to take the calculated risk of action or to do nothing and take the calculated risk of inaction.

We remember what happened during the 1930's, when Hitler came across the horizon of history, when the leaders of certain countries of Europe failed to realize and to appreciate what Hitler was aiming at, what his objective was. They failed to act, and they let Hitler take over the Saar, later Austria, later the Sudetenland, later the remainder of Czechoslovakia—and then came Poland and World War II.

If Winston Churchill had been Prime Minister of England, it is my firm opinion that World War II would have been averted, because Winston Churchill represented firm and strong leadership. He saw history in the making. He would have taken action, realizing that if he failed to do so the results would be more adverse to his country and to other nations than if there were strong and firm leadership taken on his part.

So the people of Cuba are hoping and praying for restoration of their independence and their freedom under their own law.

Again I join with my colleagues in conveying to the people of Cuba the information that the people of America are cooperating with them and the people of America hope and pray that their restoration to freedom and liberty will be soon. Our country is continuing under the circumstances to do everything possible to bring about that early restoration.

Mr. SELDEN. I thank the distinguished Speaker of the House for his very wise and eloquent remarks. I was delighted to hear him call to the attention of the House the fact that some newspapers in this country have not always been accurate in their assessment of problems in Latin America. I find that, not only in the newspaper field but in this body and in the other body as well, there are some who have a great deal of difficulty in distinguishing between agrarian reformers and Communist agitators.

I now yield to my colleague from Florida [Mr. Rogers].

Mr. ROGERS of Florida. Mr. Speaker, I thank the gentleman. I, too, want to join with the distinguished chairman of the Subcommittee on Latin America [Mr. Selden] in his comments today. I commend the gentleman for his continual battle in trying to do something to bring about freedom in Cuba. He has been a leader and has been in the vanguard of this Nation's activity in trying to do something. Of course, our Speaker has demonstrated his interest from the very beginning in pointing up the problem that we have seen develop only 90 miles to the south of us. I well remember the first legislative action which was taken by the House of Representatives way back in the early days to cut off the sale of Castro goods in the United States. House action came about because the Speaker was then willing to schedule that legislation, not even waiting until the executive branch came up and said, "Well, we would rather not give a report on it. We do not know whether we want to take action here."

The Speaker said, "We will act." And this House took action. As a result of that, President Kennedy issued his order cutting off that trade and stopping American dollars from going into the coffers of Castro in those early days. I commend the Speaker for giving leadership. My own colleague, the gentleman from Florida [Mr. Fascell] has demonstrated a continual interest because he has lived with the problem, as some of the rest of us in south Florida have, of people fleeing the terrorism of communism.

When we hear these speeches about the "arrogance of power" that the newspapers have played up all over this country and all of this talk about the "arrogance of power" supposedly of this country, it is strange to me that we do not hear or see reported any speeches made about the "arrogance of power" of communism and of Fidel Castro and of China and of Russia who openly admit the desire to go into the countries of Latin America, as they did in Cuba, under the guise of bringing freedom to a people, and then as soon as they, the Communists, are in control, they completely subvert that country to a situation of fear where they take away all the rights of the people.

In Cuba, look what they have done. Instead of bringing freedom to the people communism's puppet Castro has brought a dictatorship of the left. A dictatorship of the left—where a man does not know where he is going to be the next day. A dictatorship of the left where a man does not know who is going to knock on his door at night and take him away from his family. A dictatorship of the left where a man cannot go from one town to the other without being cleared first. A dictatorship of the left—where no man can vote for or against the government. As a result, we have seen these people leave the shores of Cuba and come to this country and other nations in this hemisphere, because instead of being a showcase of success for communism, Cuba has been a showcase for failure.

I have not seen any reports nor have any people of the world seen any reports about people flocking to live in Cuba. On the contrary, people have been trying to get out of Cuba as fast as they can.

Conditions in Cuba are becoming worse. Shortages are stretched only by rationing. If we will continue to exert economic pressure and to get our neighbors in this hemisphere to do likewise, as approved by the OAS, to get Britain, for instance, not to ship in more goods on its ships—if we will do this and just a few other items such as this, we can bring the downfall of Castro in the days ahead, and we can see the establishment of freedom, true freedom and democracy in Cuba.

Mr. Speaker, I know that all the people of this hemisphere want to join with those Cubans who have fled the tyranny of communism and who have come to our shores and the shores of other nations in this hemisphere in saying Viva la Cuba Libra—Long live Free Cuba.

Mr. SELDEN. Mr. Speaker, I thank my distinguished colleague, the gentleman from Florida [Mr. Rogers], who has consistently demonstrated his concern for the Cuban people and his vigorous opposition to the Communist base from which subversion threatens this entire hemisphere.

Mr. McVICKER. Mr. Chairman, will the gentleman yield?

Mr. SELDEN. I yield to my colleague, the gentleman from Colorado [Mr. McVicker].

Mr. McVICKER. Mr. Speaker, I thank my chairman of the Inter-American Subcommittee of the House Foreign Affairs Committee for his continued leadership in pointing out what the true situation is in such a country about which we are talking here today.

Mr. Speaker, Cuba is just not celebrating the anniversary of the independence day, but I believe the basic question is this: Is the spirit of independence that we are still celebrating still with the people of Cuba?

Mr. Speaker, as has been so eloquently and so beautifully expressed here by my colleague, the gentleman from Florida [Mr. Fascell], who has served so brilliantly and so importantly on the subcommittee; my colleague the gentleman from Florida [Mr. Rogers], and the Speaker of the House of Representatives, the gentleman from Massachusetts [Mr. McCormack], who has continued to point out what has taken place in that country, I believe the answer to this question, Does the spirit of independence still dwell in the hearts of most of the people of Cuba, we have to answer it without qualification—"Yes."

Mr. Speaker, if this is the answer, why still does a regime headed by Castro continue in power there. There is no question about the answer to that; mainly, that as has been demonstrated in history and as is being demonstrated today, in those countries in which the police state has a chance once to gain roots, it does have a chance for continuance. It has an opportunity to do its evil deeds until fortuitous circumstances from within, especially so, present an opportunity to have demonstrated the fact that the police state and the people who are supposed to be helped, are not actually being helped.

Mr. Speaker, this will happen in Cuba.

Mr. Speaker, we could use, as some suggest, our overwhelming power. But this is not the real expression of freedom or of liberty.

Mr. Speaker, if we were to wipe out all inequities, using power to destroy power, I think the fact that this country of ours has not resorted to this, but instead, has tried to help the people of Cuba in their efforts when the opportunity did arise—and I am sure it will arise again—to bring back the independence and the spirit of freedom, we will certainly show and have shown that we shall be on their side.

It seems to me, one last thing, Mr. Speaker, that could be said here, that the Russian Government is spending right now hundreds of millions of dollars each year in trying to bolster the tottering Cuban economy and the social structure that have been placed upon their independence by their own man, Castro. He is trying to make this country an example or pattern for other Latin American countries and a springboard for Communists, a police state and tyranny.

Mr. Speaker, we can take great pride in saying that this has not happened.

Mr. Speaker, it is hard for some people associated with the newspapers to see the culmination of the years now of Cuba that brought about the one Castro and the one Cuba in the hemisphere, which could not bring about a break, in every country except one, diplomatically with Castro Cuba.

A knowledge by the people of the other Latin American countries that this is not the way the false promises and hollow values have been held out to hungry people—and there are hungry people in our hemisphere—is not of any real substance and that the showplace as has been so beautifully pointed out and so eloquently expressed by my colleague is a showplace of failure and not a showplace of communism. Regardless of Russian money and Russian support where would Castro be? Without the police state, freedom and liberty would all be given a chance there as we are all sure and we are all absolutely convinced will happen.

I again commend the gentleman from Alabama for taking this time and commend him for his statements and for his leadership—his continued leadership in this matter.

Mr. SELDEN. I thank my colleague from Colorado, who also is an outstanding member of the Subcommittee on Inter-American Affairs.

Mr. FINDLEY. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Illinois.

Mr. FINDLEY. Mr. Speaker, I want to express my appreciation for the recognition by the gentleman from Alabama of this important occasion.

Several speakers have mentioned that our economic sanctions against Cuba have hardly been at the desired level.

The British continue to sell to Cuba. This is most unfortunate. One of these days no doubt the British will be seeking additional support for the pound, which continues in trouble. At that time I hope we will do some good bargaining.

But we have a problem more immediately at hand to exert some influence on at least one nation that continues to trade with Cuba.

I was dismayed the other day to learn that the Government of India is doing business with Castro's Cuba, selling jute, which is used to make the bags that are used in turn to bag their Cuban sugar.

But it seems tragic to me that our Government should have stood idly by all this time and permitted the Government of India which has been the beneficiary of nearly $3 billion worth of our surplus commodities in the past 5 years to continue to trade with Cuba in the light of our policies and our problems with the Castro regime.

The Committee on Agriculture has just reported out a bill. In that bill there is a provision which will have the effect of forcing governments like the Indian Government to choose between handouts from our people through the food-for-peace program—or trading with the enemy; namely, Castro, or the North Vietnam Government.

So I hope the House will sustain the position of the committee and I congratulate the gentleman from Alabama on the leadership he has provided to this end.

Mr. SELDEN. I thank the gentleman from Illinois. I could not agree with the gentleman more, that every effort should be made by the executive branch of our Government to convince our allies, those with whom we are allied and those to whom we are sending aid, that trade with Cuba is extremely detrimental to the national interests, not only of the United States, but of the entire Western Hemisphere.

Mr. BUCHANAN. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Alabama [Mr. Buchanan].

Mr. BUCHANAN. Mr. Speaker, I thank my distinguished colleague the gentleman from Alabama for his continued leadership in this field and for his remarks today.

It was my privilege to hear Miss Juanita Castro, the sister of Fidel Castro, when she testified last year before the House Committee on Un-American Activities concerning Fidel Castro's plans for subversion of the Western Hemisphere, including this country, and his absurd belief that he can someday successfully subdue the United States and take over this country.

She testified with deep emotion as to the fact that he had deceived many Cubans like herself into believing that he was a true reformer and that he was going to establish a democratic regime. She described the regime of tyranny and terror that he had in fact established. She reported that his government has wrecked the economy of Cuba and thrown the people of Cuba into even greater economic deprivation than they had known before.

She told of how their freedoms had been lost. She pointed out that there is now no such thing as freedom of the press, with all news and communication media controlled by the government. Nor is there freedom of assembly or of speech. She stated that churches are now closed in internal Cuba, both Catholic and Protestant alike.

She told how ministers and priests have been banished or imprisoned.

According to Miss Castro, schools have been turned into agencies of indoctrination in Marxism-Leninism, and young children are being educated away from faith in God or in their church—and educated away from loyalty to their parents and into absolute subservience to the Communist state.

She stated that often "people's courts," consisting of the rabble of the community, were established on the spot to examine, convict, sentence, and imprison or order the execution of a person accused of a crime, and told of the prevailing system of justice in which Cubans are still imprisoned or executed every day who have been convicted of no crime which we could understand. She described the total lack of any concept of individual human dignity or any shred of individual liberty in that land under the present regime.

Surely all of us who share devotion to the cause of freedom would join in expressing our profound hope, with the people of Cuba, for the return of liberty to that land. May we be willing to demonstrate by our actions the reality of our desire that the night of tyranny shall end and the day soon dawn in which freedom can again live in Cuba.

I thank the gentleman from Alabama.

Mr. SELDEN. I thank the gentleman from Alabama.

Mr. Speaker, yesterday afternoon in my office I was visited by a group of Cuban university graduates who are living in Washington, D.C. While in my office, they presented to me a flag of Cuba, tied with a black ribbon, "the latter representing the grief of the Cuban people for the loss of their liberty." In making this presentation, they issued the following statement:

Statement by the Asociacion de Profesionales Universitarios Cubanos en el Exilio de Washington

The people of Cuba, forced to live under the most ferocious and servile of tyrannies ever to rule in the Western Hemisphere, deeply appreciate the gesture of Rep. Armistead Selden, member of the Congress of the United States and chairman of the Subcommittee on Inter-American Affairs in having a special order on May 19 to honor this 64th anniversary of their independence; happy event which brought Cuba, free and sovereign, into the Community of Independent Nations of the World.

Profound sorrow fills our hearts while attending this special order as we recall those on Cuban soil, many of them imprisoned, who cannot rejoice on our national holiday. The unexpected and undesirable occupation of our national territory by the forces of international Communism turned the Republic of Cuba into a new colony of Soviet-Asiatic imperialism. Today, this spirit, far from representing a symbol of liberty, has become a means to impose on the cultured and industrious people of Cuba a totally foreign way of life. Sixty-four years after her brave struggle for freedom, Cuba has to start anew in her fierce battle to break the chains that bind her. These chains are more vilifying than those she had to throw off in the past in order to establish herself as an independent republic.

On more than one occasion, the United States Congress has firmly stated its belief that Cuba, as any mature country, is entitled to exercise its sovereignty among the free nations of the world.

In 1898, precisely at the moment in which the fight for the liberation of Cuba was most difficult, the Joint Resolution of the Congress of the United States of America, in response to the ambitions and desires of its fraternal neighbors, declared that: "Cuba is, and of right ought to be, free and independent." This statement was the basis for the forces of this Great Country and the Cuban people to fight together during the Spanish-Cuban-North American War. Jointly, they shed their blood so that the principles of democracy and freedom could be established in our beloved country. And when the "flag of the Lone Star" was gloriously hoisted in Havana for the first time in 1902, standing before it were the legitimate representatives of both peoples: the Cubans, already free, and the North Americans, who helped them attain their liberty.

In 1962, the Congress of the United States of America, realizing that the Cuban people bled and died under another tyranny imposed on a friendly people, stated that Cuba had the right to rescue and preserve its freedom, and that the establishment of Communism in the free nations of America was not a negotiable matter.

In view of the interest that the Congress has shown in the preservation of the liberty and sovereignty of the Cuban nation; we, the free citizens of Cuba, deeply concerned by the sight of our Nation being torn and destroyed, by the twenty-five thousand desolate homes due to the illegal execution, by the Communist jails and concentration camps filled with innocent victims, and the so-called peoples' farms, a Communist disguise for forced labor and torture, crowded with over one hundred thousand men and women, and over five hundred thousand exiles, concerned for the rest of the population which is anxious to escape or die, unwilling to yield to the totalitarian yoke, wish to inform the members of the Congress, representatives of the freedom-loving people of the United States of America, that the Cuban Nation repudiates, fights and abhors the Communist dictatorship at present in control of our country; and that our hearts are filled with gratitude for the good will and sympathy with which you have shared our cause; that we can never be happy while our country continues to be a Communist colony within Free America; that we are fighting and will always continue to fight, as we did before, for the liberation of our country; and that in the same way we did years ago, we seek the help of the people of the United States of America in order to carry out our objectives so that we can once more proudly fulfill in the moral and material destiny of the Cuban nation the full contents of the joint resolutions approved by the Congress in 1898 and 1962.

United in one ideal: the fundamental principles of Washington and Céspedes, of Lincoln and Martí, we will hoist together, once again, Cubans and Americans, the flag of free Cuba which will wave this time happier and glorious forever over a free people.

La Asociación de Profesionales Universitarios Cubanos (Cuban University Graduates of Washington, D.C.) interpreting the feelings and the thinking of all the free people of Cuba, wishes to present on this occasion to the Congress of the United States of America, through Representative SELDEN, a flag of Cuba, tied with a black ribbon, the latter representing the grief of the Cuban people for the loss of their liberty, which is a loss to free America, as a symbol of the sentiments and the thoughts of a nation which one day, not long ago, had the honor to receive in her arms the American youth who fought, together with their fellow Cubans, for freedom. We earnestly hope that soon our two peoples together will march once again in the conquest of freedom.

May Almighty God, in His infinite kindness, bless you all.

GENERAL LEAVE TO EXTEND

Mr. SELDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on this subject.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

ST. LAWRENCE SEAWAY STILL BATTLES FOR RECOGNITION AS FOURTH MAJOR SEACOAST

Mr. RYAN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ASHLEY. Mr. Speaker, 7 years have passed since the St. Lawrence Seaway first opened to world shipping, and the Great Lakes States and their seaports are still battling for rightful recognition as America's fourth major seacoast.

Our allied nations and their merchant fleets were quick to recognize economic advantages of the Seaway, a new artery of ocean transportation, and as a result general cargo tonnages through the Seaway have risen to over 4 million tons per year, with the total tonnage exceeding 43 million. Paradoxically, the United States has failed to recognize and take advantage of the economic potential of the St. Lawrence Seaway.

Our own merchant marine and even our Department of Defense, have failed to fully grasp the elemental concept that seaports in the heartland of America do, in fact, exist through which cargo can be moved at substantial savings from our Great Lakes factories to their customers throughout the world. This failure stems from continued reliance on maintaining the status quo while operating under the umbrella of protective legislation. Legislation which was designed to strengthen our American merchant marine has resulted instead in discrimination against Great Lakes ports.

Military cargo, which by law must move by American-flag lines, constitutes between 26 and 42 percent of U.S. liner cargo. With such a virtual monopoly it is only to be expected that the U.S. lines would not seek to take such military cargo out of the Great Lakes when they are assured of receiving the very same cargo at Atlantic seaboard or gulf coast ports. It has not seemed to matter really that this discriminates against a major section of our country or has resulted in higher costs.

Moreover, the taxpayer is bearing the burden of subsidy payments to our merchant marine so that they can compete with foreign-flag lines in the carriage of our export and import trade. Yet in the Great Lakes in 1964, our U.S. merchant fleet carried less than 4 percent of the cargo and of 1,000 liner sailings only 43 were American ships. This can hardly be considered satisfactory to an area which contains nearly 40 percent of all industry in the entire country and the same percentage of taxes to the Federal Government.

As a member of the Committee on Merchant Marine and Fisheries and as a representative of a major Great Lakes port, I have been deeply concerned over these problems and have actively sought to bring about satisfactory solutions. Therefore, it is with particular pleasure that I learned today that the Maritime Administration had taken the first step toward realistic recognition of the Great Lakes as the fourth seacoast.

Maritime Administrator Nicholas Johnson announced today that approval has been given to five permanent and separate Great Lakes trade routes as being essential to the foreign commerce of the United States. This means that American-flag vessels receiving subsidy on these trade routes must call at Great Lakes ports. He also advised that subsidy applications for Great Lakes service would be welcomed and that emphasis would be placed upon encouraging operation of new and efficient types of vessels especially designed for lakes service.

Mr. Johnson emphasized that the Maritime Administration is working with the Department of Defense to assure that should a shift be made to competitive bidding, American-flag vessel lines would be required to submit bids for picking up the defense cargo at Great Lakes ports on the same basis as ports on other seacoasts. This should result in a substantial change in the existing discriminatory situation and for the first time permit the lakes to compete on a fair and equitable basis.

The position has thus been taken that existing artificial restraints will be removed, and competitive forces can and will determine the route by which products should move. This concept is fundamental to our American economic system and the Maritime Administrator is to be applauded for his stand on these matters which are so important to the U.S. merchant marine service on the Great Lakes.

I wish to congratulate the Maritime Administration for making this major breakthrough for equality for the seaports of the Great Lakes. I scarcely need add that I and my fellow Great Lakes representatives will continue to support Mr. Johnson, the Administrator, in the implementation of this objective.

JOINT COMMITTEE ON NATIONAL SERVICE AND THE DRAFT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. RYAN], is recognized for 30 minutes.

Mr. RYAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, in his speech at Princeton last Wednesday, President Johnson spoke of citizen soldiers who might serve "on battlefields where no guns are heard but freedom is no less tested."

Yesterday, Secretary of Defense McNamara built upon this theme when he suggested that the United States ask "every young person in the United States to give 2 years of service to his country—whether in the military services, in the Peace Corps, or in some other volunteer development work at home or abroad."

I have been interested in the concept of alternate forms of service for some time. A number of us in Congress have been urging a thorough review of the draft. The inequities in the present draft law have now focused the Nation's attention on the philosophy of the Selective Service System.

Mr. Speaker, we see in today's youth an idealistic generation, young men and women who are prepared to die for freedom in the United States, who are anxious to serve selflessly in the Peace Corps working for the dignity of people throughout the world, who are willing to work and live in the slums and backlands of this country to help all Americans to attain better, more meaningful lives.

We have told these youngsters that the wars of the future should be solved by political and not military means. We have told them that the crucial struggle of today is an economic struggle, to lift all nations and all people into the 20th century.

It is time that Congress made a thorough study of how the idealism and talents of our youth, and the problems and requirements of our Nation and the world, can best be brought into harmony.

Consequently today our colleague from Wisconsin [Mr. KASTENMEIER], and our colleague from Minnesota [Mr. FRASER], have joined me in introducing a resolution in the House to establish a Special Joint Committee on National Service and the Draft.

The committee would be composed of seven Members of the House who would be appointed by the Speaker, and seven Members of the Senate who would be appointed by the President of the Senate.

The committee would study, among other things, to repeat the language of the resolution:

> The policies and operations of the Selective Service System; methods of insuring that our Armed Forces have sufficient manpower available to meet any national requirement; the educational value of national service; the non-military needs of the United States, domestic or international, which could be met by a reserve of manpower acting through Government or private organizations; the responsibility of the United States to educate and make use of the talents of citizens who cannot pass the mental or physical tests of the Armed Forces.

This resolution would also consider the effect that this legislation or any administrative action might have on personal liberties.

On the basis of this study, the committee would be empowered to recommend such legislation or administrative action as it might deem appropriate.

Mr. Speaker, it is clear from the language of this resolution that the mandate of the Joint Committee on the National Service and the Draft is broad. It envisions a comprehensive review not only of the Selective Service System, but of the allocation of our national manpower.

In part, of course, this resolution is designed to deal with the inequities in our current draft law. We are disturbed by the student deferment system which passes the burden of military service to the poor and the less fortunate who cannot attend college. We are disturbed by the college deferment tests which perpetuate this inequity.

Therefore, we have called for a review of the Selective Service System.

But let me make it absolutely clear that this resolution is concerned with far more than the military.

It is also concerned with education. At a national service conference in New York on May 7, the participants, which included a number of prominent educators, concluded that "education in its broadest sense was the most fundamental part of the rationale for the variety of programs which could come under the general heading of national service."

Nor is the resolution concerned only with education and the military. It is also concerned with American manpower. It is concerned about the millions of men who are unable to pass the mental or physical requirements of the Armed Forces. Appropriately enough, the Secretary of Labor, W. Willard Wirtz, headed the Presidential Task Force which in 1963 studied the "One-Third of a Nation" which fail the Selective Service tests. Our proposed study would ask how America could train these men or make use of their special talents.

The resolution is also concerned with poverty: what kind of projects in hospitals, in slums, or in schools could be undertaken by citizen-soldiers?

It is concerned with urban areas: could citizen-soldiers help rebuild old cities; could they help to construct new ones?

It is concerned with the interior: should citizen-soldiers have the chance to conserve America's forests or tame her deserts?

And it is concerned with foreign affairs, where the ideal of nonmilitary service first was started by President Kennedy and the Peace Corps.

The Joint Committee on National Service and the Draft, then, would be concerned with education, poverty, labor, conservation, and foreign affairs as well as with the Selective Service System. We feel that no single committee of Congress could or should conduct such a study.

With all respect to the many extraordinarily able committees now standing in each House, we feel that only a joint committee, with a broad mandate, could provide the kind of study which this country, this Congress, and the world deserve.

Mr. Speaker, this proposal, I hope, will receive the support of the Members of the House and of the other body as we proceed in this Congress to face up to our obligations and responsibilities with respect to the questions which have been so pertinently raised throughout America, on the college campuses, and in discussions elsewhere.

Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, the time has come for Congress to take a long and careful look at not only the manpower requirements of our armed services and the Selective Service System, but at the whole wide range of possibilities for national service which might usefully be opened to all our young people.

My own interest in the draft dates back to my first days in Congress in 1959. I opposed a 4-year extension of the draft at that time in the belief that a thorough study should have been undertaken then. Instead, a 4-year extension was voted without regard to inequities in the system which even then called for reexamination.

Later in 1963 I proposed a Presidential Commission on the Utilization of Military Manpower to study military manpower needs and possible alternatives to the draft for meeting our manpower defense needs. I believed at that time and still do that certain broad questions should be studied and I believe the Joint Committee could examine some of these same questions in regard to the military manpower aspects of the whole problem.

These include the effect of the draft on our civilian economy, on the lives of draft-age Americans and on the operations of our Armed Forces.

Since then it has become even more widely recognized that a thorough analysis of the draft and manpower requirements is needed. Both presidential candidates in 1964 acknowledged this need and, in fact, a Pentagon study was undertaken in 1964. The report of this study, however, has not been released, presumably because of the changed manpower requirements resulting from the war in Vietnam.

Our country has gone beyond a simple need to assess how best to manage available manpower for the Armed Forces. The Peace Corps and other forms of national service have demonstrated that young Americans can be useful in advancing the cause of democracy and economic progress at home and abroad. Both the needs of the military and these programs of national service have matured to a point that the relationship between them and the relative value of different forms of service to America should be evaluated so that the broad patterns of national manpower policies can be effectively laid down for the future.

In recent days we have seen that the administration is in the process of formulating new ideas about the service our young people can provide. While there is some interest in developing alternative forms of national service, the suggestion by Secretary McNamara does carry on ominous suggestion of obligatory service to the state. This raises basic questions about the power of government over its people and represents a significant extension of the universal military training concept even if alternative forms of national service are authorized. Decisions in this area today affect civilian life even more than the military. This matter is of the gravest concern to all Americans and emphasizes the need for a broad congressional study before new manpower policies are undertaken.

At the same time we have noted considerable unrest within the draft-age community.

We have seen the colleges and universities subjected to criticism for participating in the draft deferment exams and for supplying class ranking on the grounds that when educational institutions become so involved in manpower policies of the Armed Forces their principle educational purpose is somehow compromised. For my part, I believe it is extremely unfortunate that the manpower requirements of this country and the Selective Service System should combine to place school officials in this difficult position. At the University of Wisconsin, for example, where the administration is as deeply aware of and committed to the cause of education and the civil liberties of its students as is humanly possible, the Selective Service has involved the university in this conflict.

We have also seen in our mail on almost a daily basis letters from young men working farms or in apprenticeship programs who do not seem to receive the same draft treatment as the young people who can or choose to seek a college education. In addition, the system of deferments can and has resulted in a system of exemptions. Even college students who have benefited from deferments have protested the injustices of the deferment system. These are just a few of the inequities which exist and call for review.

In addition to the utilization of manpower in the I-A classification we as a

Nation must also concern ourselves with the contributions other less well qualified Americans can make to their country and their own personal development. The scope of the resolution I am sponsoring today encompasses these problems as well.

Finally, I would like to make clear that I sponsor this resolution, as I have supported earlier manpower study proposals, out of a belief that a broad analysis is called for, embracing not simply our military manpower requirements but also the requirements of those other battlefields, in the language of President Johnson "where no guns are heard, but (where) freedom is no less tested."

Mr. RYAN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. FRASER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FRASER. Mr. Speaker, I commend my colleague from New York, Representative RYAN, for introducing the concurrent resolution to establish a Joint Committee on National Service and the Draft. I am joining with him in introducing the resolution.

The present Universal Military Training and Service Act, which was originally adopted in 1948, is in need of study and revision. The present system suffers from at least two weaknesses: First, it discriminates against large groups in our society; and, second, it allows only service in the military to be counted as fulfilling one's obligations to the Nation.

The first weakness, the discrimination against certain groups, is especially serious. Less than half of the available men in the 19-to-25 age bracket will ever serve in the Armed Forces. Under the present system, the young men most likely to be drafted are the ones who do not have the money or the aptitude or interest to go to college. The poor, the less educated, those with manned skill but not verbal skill, and the members of racial minority groups are most likely to serve in the Armed Forces. The New York Times stated in a March 29, 1966, editorial that the burden of national defense falls upon "a minority made up of the least affluent and least academically talented of American youths." Thus, the people who have received the least benefits from our society are expected to contribute the most to its defense.

During the Civil War there were riots in northern cities over the fact that a wealthy man could exempt himself from military service by paying $300 to the Union Government. Today we all regard the system used in the Civil War as inequitable. But our present system, which allows those who can afford to go to college to be granted deferments, is only a thinly disguised version of the same inequity.

The second weakness in the present system is that military service alone is considered service in the national interest. Our military power is greatly needed, given today's world situation. But we also must recognize that there are other enemies than men with guns. We face the enemies of poverty, disease, and ignorance. Any young man who performs national or international service to combat these enemies should receive credit equal to men who serve in the Armed Forces.

Mr. Speaker, the concurrent resolution I am introducing would establish a joint committee with a broad mandate to study several serious questions, including:

First. Could a lottery system provide more equity in the draft selection process than the present educational and occupational deferments and exemptions? Would the lottery system eliminate some of the uncertainty and pressure which results from the present system, where for several years young men have to face the always-present possibility of being drafted? The student newspaper of the University of Minnesota, the Minnesota Daily, has said in favor of the lottery system:

> With his military obligation taken care of—either by service or by not being drawn—a student could feel free to drop out of school for independent research, travel or work.

Second. Can nonmilitary service be substituted for the military obligation? Government-sponsored programs, such as the Peace Corps and VISTA, and programs of private organizations such as International Voluntary Service and the American Friends Service Committee, could be considered as alternatives to military service.

Third. If world tensions decrease, might the draft system be eliminated?

During the Vietnam crisis, the military manpower requirements will be so great that there is no alternative to military conscription. But if world political conditions change so that we no longer have a need for so many men in uniform, would added inducements such as higher pay enable us to maintain professional Armed Forces which would not have to draft men to meet manpower requirements? The elimination of the draft system has had support from a great many individuals of diverse political philosophies, including Adlai Stevenson and Barry Goldwater.

Fourth. Can special training be provided for men who fail to meet the physical or mental requirements of the Armed Forces?

The above questions should be considered by a joint committee, as the resolution provides. These questions are not concerned with a subject in the jurisdiction of only one committee, such as the Armed Services Committee, the Education and Labor Committee, or the Foreign Affairs Committee. Rather, the resolution is concerned with the military, education, civilian manpower, poverty, foreign affairs, and other concerns in the national interest which can best be studied by a joint committee with a broad mandate.

The joint committee should make use of the best experts from the academic and government world. Of special merit would be the study of the draft ordered by President Johnson 2 years ago and conducted by the Department of Defense. The report has not yet been made public.

Mr. Speaker, the present draft law is due to expire next year. This Congress could make a very significant contribution toward welfare and greater equality in our Nation by passing this resolution and establishing a joint committee to examine the national service and the draft.

DEBT CEILING

The SPEAKER pro tempore (Mr. HAWKINS). Under previous order of the House, the gentleman from Missouri [Mr. CURTIS] is recognized for 15 minutes.

Mr. CURTIS. Mr. Speaker, as I announced under the 1-minute rule, I was going to discuss the action that will be before the Committee on Ways and Means next week; namely, the debt ceiling in light of the actions taken on the floor of the House yesterday creating a new type of Federal debt security.

This involves the question as I pointed out during the debate of whether or not there was a sham and a deception going on in this matter. I think there was and still is and that is what I am going to discuss. But I was on the floor listening to the great oratory in commemoration of Cuban Independence Day. I listened to the castigation of the news media by my good Democratic friends, including the Speaker. I listened to their comments about the deception that went on, that the American people were deceived in regard to Castro; that we were also deceived with respect to Hitler's rise to power, and other things.

I could not help but relate these fine words to the actual situation right now in regard to Cuba and other enslaved nations; namely, Vietnam—North Vietnam which is enslaved—and the problem in South Vietnam where there is an attempt at enslavement.

I thought of the responsibility to the people that those of us in politics, in a representative government, have to put these issues in context. I would say that the news media indeed has a great responsibility in reporting to the people on the issues that face our society. But there is an equal, if not a greater, responsibility on the part of us in political life to represent facts and events accurately.

I would observe that there has been a great failing on the part of this administration in not forthrightly reporting to the people on the issues—not only in Vietnam but in Cuba and the Dominican Republic. In this limited sense the action of the chairman of the Senate Foreign Relations Committee is exercising his initiative in a constructive way.

A matter will come before this House very shortly—a matter that was discussed by the gentleman from Illinois [Mr. FINDLEY] in interrogating and joining in the great oratory indulged in by my Democratic friends when commemorating Cuban Independence Day. This is the matter of restricting trade in agriculture products and, the donable agricultural programs, as they relate to Communist countries and to those countries that are dealing with Communist countries. I would point out to my friends who have spoken about Cuban independence that not the least of these countries is Cuba.

In light of the oratory that is now on the RECORD and will appear tomorrow for all to read in the CONGRESSIONAL RECORD, I am curious to know whether those who gave expression to these fine views are going to support the amendment that would restrict trade to Cuba. Will this administration put its actions where its mouth is as far as its concern for the independence of the Cuban people? Or, will it continue to do what it has begun? I would say: Try to get the Agriculture Committee to reverse its decision and, not succeeding there, do everything it can through the Speaker, who joined in the oratory, to get the House of Representatives to repudiate the action of the Agriculture Committee?

Mr. FINDLEY. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Illinois.

Mr. FINDLEY. I thank the gentleman for yielding. One of the big puzzles in my mind is whether the administration really wants to impose economic sanctions against Cuba or not. The answer to me is not clear.

To support this statement, I will cite what did happen in the Committee on Agriculture in dealing with the legislation to extend the Public Law 480 authority, known as food for peace. The committee adopted an amendment which would force governments to choose between concessional sale advantages under the program or trading with the enemy, the enemy being either Cuba or North Vietnam.

This was in committee print form. When we finally got through with the other amendments under consideration, it was the full understanding that we would simply return later on for a pro forma approval of the revised legislation as a new bill.

But in the meantime the State Department had gotten wind of this amendment, which had some teeth in it. It did not have any discretionary authority. It had some teeth in it. It required countries to choose between the advantage of concessional sales or trading with the enemy, and, curiously, the State Department was concerned about the markets for the Government of India in Cuba, in Castro's Cuba.

They had found out that this amendment would adversely affect the commercial interests of India in selling jute to Castro's Cuba and, believe it or not, it caused our State Department such concern for fear India might lose this market for its jute in Cuba, that it wanted our committee to revise that amendment, to kick enough loopholes in it big enough for the Indians to crawl through and enable them to continue to have the advantage of these concessional sales; that is, virtual donations of massive amounts of food, and still retain the commercial markets they have in Cuba.

Fortunately, our committee sustained its earlier decision, although, I might add, by a very narrow margin.

The question here is whether or not the administration and the House majority leadership will have the good judgment and the courage and the perseverance to stick by this effort to put some teeth in the program of economic sanctions against Cuba.

Mr. CURTIS. I thank the gentleman. Again I emphasize, the point is: Where is the deception of the American people coming from? Whose responsibility is it? Can Democratic oratorical deliveries in behalf of Cuban freedom take the place of concrete administration actions that might in fact bring about actual freedom for the Cuban people? Or, failing to take these concrete steps, will the administration continue to follow policies which upon analysis promote the enslavement of the once free Cuban people?

Mr. FINDLEY. Mr. Speaker, will the gentleman yield further?

Mr. CURTIS. I yield to the gentleman from Illinois.

Mr. FINDLEY. The gentleman asks where the deception is coming from.

The administration talks one way about imposing economic sanctions against Cuba, but the main foreign policy agency of the administration, the State Department, acts in another way.

Mr. CURTIS. Yes. But we must recognize that President Johnson is a dominating President. Certainly if the State Department acted without his approval, its actions would be changed. Remember, we had a bill on the floor of the House early this year that according to its label would increase foreign aid to South Vietnam. When some of us read the bill we found out that this was an inaccurate label, that there was no tying of this money to South Vietnam. Then we sought to put an amendment into that bill that could tie it to South Vietnam. We found the administration forces, led by the Speaker and other Democratic leaders, in opposition. What was passed was a bill that did not tie the aid to South Vietnam at all.

Yet the news media, failing in their obligation to expose this kind of deception, reported throughout the country that Congress had passed a bill to give aid to South Vietnam. They failed to report this crucial issue, expressed in our motion to recommit the bill and report it back forthwith with an amendment that required the money to be spent in South Vietnam. The Democrat leadership was able to defeat that amendment. That was the real issue, and it went unreported.

Right now the Ways and Means Committee has before it the proposal of the President to increase what he calls East-West trade, which all of us know is trade with Communist-dominated nations. We have plenty of East-West trade; namely, with Japan, the Philippines, Australia, other SEATO and the CENTO countries. East-West trade is a euphemism designed to deceive the people about trade with Communist nations.

I have wondered why the President even took the trouble to ask the Congress to implement his program of trading with the Communist nations, inasmuch as the record shows when one digs into it—and I would say, in violation of present laws—that this administration is actually conducting great trade with these Communist-dominated nations, including the queen bee of them all; namely, Soviet Russia.

I want to relate this to the war in Vietnam. A point I have been making for many months is that we have committed our young men to fighting in Vietnam, and we still are not using our economic power against North Vietnam. If the administration has been successful in an embargo and restriction of trade to Cuba, why have they not done at least that much in respect to North Vietnam?

The record I believe will show, regrettably, that the United States is financing both ends of the war and giving, through trade with Russia and other Communist-dominated nations, the economic strength which they can then transfer, and are transferring, to North Vietnam, so the North Vietnamese have the sinews to conduct the war. This is more of the deception and subterfuge.

Mr. FINDLEY. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Illinois.

Mr. FINDLEY. I have just one more brief observation. The Johnson administration must accept the responsibility for this recent effort to try to protect the commercial interests of India in Castro's Cuba. There can be no question about it. The responsibility lies right at the door of the Johnson administration.

Mr. CURTIS. Now I will discuss the matters that came up yesterday.

I made a point about the bill on sales of governmental participation certificates which was proposed by the administration in respect to the claim that it was a Republican concept. The Democrat leadership sought to advance the point that the Republicans under President Eisenhower—the minority members of the Ways and Means Committee; namely, my seven colleagues and myself—had recommended that we replace Government money with private money. This was the concept; this was the label. This was what was purported to be the objective of the bill before the House yesterday.

And the Democrat spokesmen said, "Why do you Republicans not go along with this proposal, because you yourselves have advocated it?" I said, "Yes, indeed we have, and we still do advocate this objective, if indeed this is what the bill will bring about, but upon analysis the bill will not attain this objective."

We sought to put it to the test, because the bill which was flying under this label had a lot of other things in it which had nothing to do with that stated objective but did have something to do with matters which were, I would say, deleterious to proper governmental financing. Indeed, these collateral matters were in the bill to perpetrate a deception on the American people.

One of the deceptions was that the Democrat administration is for low interest rates. The administration and its supporters do not want to remove the 4¼ percent ceiling by law which relates to long-term Government securities—those 5 years and longer in maturity.

We cannot sell those securities in the market today because the market demand for interest is beyond 4¼ percent. Actually those securities are now being sold by private owners at a discount, which brings in a yield of about 4.8 percent, considerably beyond the ceiling.

So we sought to impose by amendment yesterday a ceiling which would have been much more liberal than the 4¼-percent ceiling on these new securities the bill would create only to find the Democrat leadership arguing that this would interfere with the economical marketing of these securities.

I took the floor to say, "Yes; this is a meritorious argument."

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

(By unanimous consent, Mr. CURTIS was allowed to proceed for 15 additional minutes.)

Mr. CURTIS. I pointed out that indeed this was good logic, that the ceiling might interfere with the marketing of these new Government securities, although it was a much more liberal ceiling than that which was imposed against the basic Federal debt securities of some $320 billion.

But I said, "If you are going to fight against the removal of the 4¼-percent ceiling, a ceiling should be imposed here." The gentleman from Texas [Mr. PATMAN] the chairman of the Banking and Currency Committee, leading the fight against this, had said the day before that there were 100 members of the Democratic Party in the Congress who had agreed to fight against any removal of the 4¼-percent interest ceiling, and he was opposed to it.

In other words, what I was seeking to do was to bring out into the open this sham. This proposal was not to replace Government money with private money, but it was a method of getting around the 4¼-percent ceiling on Government bonds, with more than 5 years' maturity and to put the money into these securities which would be subject to no ceiling, although their average maturity was about 10 years. In fact, the interest rates these new securities would bear at present market demands would be around 5½ percent, and could go as high as 6 percent or even more.

This was one sham.

The second sham was the fact that we have a debt ceiling on the aggregate amount of Government securities that can be extant at a particular time.

One of the amendments provided that these new securities we were creating should be subject to this debt ceiling. The administration supporters fought that. That amendment was defeated, too, but this amendment would have eliminated a second deception or sham that was being perpetrated on the American people; namely, that the Federal debt was not going up. This action of the Democrat leaders again indicated that the real purpose behind this bill was not to supplant Government money with private money but was a technique for getting around the aggregate debt ceiling as well as the ceiling on interest rates.

Now, I am hopeful that next week when the Committee on Ways and Means gets into its hearings on the debt ceiling, Secretary of the Treasury Fowler will ask the Committee on Ways and Means to remove the 4¼ percent interest ceiling for the very reasons that Congressman PATMAN and other administration spokesmen yesterday presented, that no ceiling should be imposed on these new Government securities that this bill created. I think the Secretary of the Treasury will ask for the removal of this interest ceiling, and I hope his request is publicized. However, I am greatly fearful that this might be another one of these executive sessions of the Committee on Ways and Means, instead of a public hearing. There is nothing secret about what we are going to do unless it is to keep the people from knowing what is going on. Hopefully the administration will give a little publicity to the fact that they are asking that the 4¼-percent ceiling be removed. They should prepare a press release to this effect. If they do so, then I will say that they have purged themselves of some of the deception they engaged in during the past 3 days in trying and finally succeeding in getting this bill through.

We can correct this in the Committee on Ways and Means next week, and this should be done and I hope the administration will support it. We can also put in this bill on the debt ceiling an amendment that says. "These newly created securities are under the debt ceiling." Then we will allow for these $10 billion of participation certificates in our consideration of what the new debt ceiling should be. However, if we do this, the debt ceiling will have to be increased by around $10 billion more than the administration is requesting. Of course, this might become a headline and the people of this country might realize just exactly what this administration's fiscal policies have been over the period of the past 5½ years and just how much deficit financing we really have been indulging in.

There is a third element of deception in the bill that was passed yesterday, but I am afraid it cannot be corrected in the Committee on Ways and Means action on the debt ceiling to begin next week, although it might be corrected in another way. This deception was pointed up by the amendment that was proposed to require competitive bidding when these newly created debt instruments, these participation bonds, are offered to the public.

I frankly was shocked to find that the Democratic leaders would not accept this very obvious and basic method of getting the most for the Government and preventing a group of bankers or any other group from gaining the advantages that they might gain from negotiated bids. There is one hope, though. That is, having exposed this matter to some degree, if the news media would now assist in broadcasting this information to the public. Certainly those of us who serve in the House on the Republican side of the aisle have exposed it—it may be that the discipline of such public exposure will be such that the administration will have to sell these bonds by competitive bidding just as we in fact sell our other bonds under the open market operation of the Federal Reserve System.

Will the administration help the Committee on Ways and Means to clear up what I call deception, but which they might call misunderstanding? Will the administration help clear up these misunderstandings by supporting an immediate removal of the 4¼-percent ceiling on long-term Government bonds, and by having included under the debt ceiling these newly created Federal securities. This is something that remains to be seen.

Mr. Speaker, I am a little disturbed by the one press report that I have read, which appeared in the Washington Post this morning. It refers to the amendments proposed by the Republicans to have an interest ceiling, inclusion of these newly authorized securities under the debt ceiling, and sale by competitive bidding as amendments which would have gutted the bill.

Now, Mr. Speaker, it is great when you can have someone in the press as your press agent to report your point of view, as if it were a fact, although the Democrat spokesmen yesterday did not refer to these amendments as gutting the bill, but if indeed this is accurate reporting of what the Democrat administration felt was the true objectives of the bill; then these amendments gutted it. But if this is so then indeed, my case has been made, because all these three amendments would have done, if adopted, was to bring out into the open the subterfuge; the stated objective of the bill, the label of the bill, the Republican proposal to substitute private funds for Government funds would have been untouched. The administration's attempt to kid the public into thinking that because of administration policies interest rates have not gone up, and that the Democrats were still for low interest rates, would have been thwarted. And the Democrats' fear of revealing the truth by removing the debt ceiling interest of 4¼ percent would have occurred.

And, Mr. Speaker, the further deception that the debt itself, the Federal debt, had not increased by around $6 to $7 billion additional to the amount that will be indicated when the administration requests the new debt ceiling from the Committee on Ways and Means next week would also be revealed.

Mr. KUPFERMAN. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from New York.

Mr. KUPFERMAN. Mr. Speaker, I wish to commend the gentleman from Missouri [Mr. CURTIS] upon his intelligent analysis of what happened yesterday in connection with the Participation Sales Act of 1966.

I just wonder whether the gentleman from Missouri has any real hope as a member of the Committee on Ways and Means that the administration will try to correct the subterfuge in which it engaged on yesterday and do something about it?

Mr. CURTIS. I have indications that the Secretary of the Treasury will ask the Ways and Means Committee to remove the 4¼-percent ceiling. Whether he will do it, with the publicity necessary to accomplish this, and whether or not the Democrats on the Ways and Means Committee will undertake the battle that they may have to engage in with these 100 Democrats that the gentleman from Texas [Mr. Patman] says he has pledged to vote against the removal of the debt ceiling, this becomes the issue. Whether or not the administration will actually agree to submitting these newly created Government securities to the debt ceiling is also a question. If these matters have been only misunderstandings and not shams then the administration will push for these measures.

Mr. Speaker, I still hope that they will do so.

Mr. Speaker, I conclude my remarks, as I began, with the observation that the discussion has to do with deception. To put it effectively and affirmatively, a much healthier way, the point here is whether or not the American people are being informed as to what the issues are that face our society, be they matters that involve us in war abroad or other international affairs, as the Speaker pointed out, or be they domestic matters involving the fiscal policies, as I have been seeking to discuss.

Mr. Speaker, that is a dual responsibility. It does not serve the purpose well for the Speaker and the other Democrat spokesmen, as they did today, to praise the prospects of freedom in Cuba and, calling attention to the anniversary of Cuban independence, to talk in these high terms and yet disregard the details that go to make them up, and to accuse the press of having kidded and fooled the American people—these were the allegations, without assuming some of the responsibility that those of us in politics should assume because we have an equal, if not in fact a much greater responsibility than do the news media to try to get out to the people of our country correct and honest information, even if that information might actually go against the very theories that we seek to advance.

A CRACK IN THE ADMINISTRATION HIDEBOUND POLICIES?

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. Skubitz] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SKUBITZ. Mr. Speaker, yesterday the Department of Commerce announced that in light of the facts as it sees them, some changes in the previously announced quotas on the export of cattle hides, calf and kip skins are justified.

The Department went on to state:

> We should like to emphasize that, in our judgment, there is no occasion for further increases in the wholesale prices of shoes in view of the shoe price increases announced in March and April.

In conclusion, the Department announced a modest increase in the export quota and made several other minor administrative changes.

Mr. Speaker, this small crack in the hidebound policy of the administration is just "too little and too late."

Why should there be any export controls on cattle hides in the first place?

Why should these export controls be continued now that the shoe manufacturing industry has already announced price increases?

Why should U.S. cattle producers be denied the opportunity to capitalize upon and expand overseas market opportunities?

Why should not the administration's avowed policy of improving the balance-of-payments problem be forcefully and effectively pursued?

These are the questions that are unanswered in yesterday's announcement.

While I join all cattlemen and others interested in the welfare of agriculture and the U.S. economy in applauding this first feeble step, I want to point out that I am still heartily in favor of abolishing all export controls on cattle hides.

AMENDMENT PROPOSED TO FOREIGN ASSISTANCE ACT

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. Dickinson] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. DICKINSON. Mr. Speaker, I call the attention of the House to an amendment to the Foreign Assistance Act I have introduced which would bar foreign aid to all countries which are 6 months in arrears, or may become 6 months in arrears, in their dues to the United Nations.

Currently, we extend aid to 75 of the 117 nations which are U.N. members. Most of those currently far in arrears are members of the Communist bloc which is trying to capture the support of emerging or undeveloped nations so that the Communists can control a majority in the U.N. General Assembly.

Nations currently in arrears on peacekeeping financing and the regular U.N. budget are: the Soviet Union, $62 million; Byelorussia, $2 million; Czechoslovakia, $4 million; Hungary, $2 million; Poland, $4 million; Rumania, $1 million; Ukraine, $8 million, and Cuba, $700,000.

All of these are either integral parts of the Soviet Union or Soviet satellites. A Red Chinese satellite, Albania, is $96,000 in arrears.

France is $18 million in arrears, South Africa, $1.5 million, and Yemen, $127,000.

This measure would force compliance with international obligations and would, I hope, assist the executive department. The ban on aid would continue only until the nations are paid up to the United Nations.

Our taxpayers had provided over $116 billion in foreign assistance to other nations as of June 30, 1965, and the total, as of now, is about $120 billion. The United States has always been a leader in insisting upon international law and order, and the observance of international agreements. It would seem important that we at least withhold gratuities from those who do not follow our lead.

MOTHERS ON AFDC SHOULD BE ALLOWED TO KEEP SOME OUTSIDE EARNINGS

Mr. de la GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Fraser] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FRASER. Mr. Speaker, I am introducing a bill, H.R. 15167 to allow mothers on AFDC to retain part of their earnings from outside jobs.

Two years ago Congress put this provision into effect for any mother who worked under the poverty program. I believe the law should be broadened to include any type of part-time employment.

Last week the General Subcommittee on Education approved this provision for mothers working as teachers aids and other similar positions under the Elementary and Secondary Education Act. I hope that Congress adopts that provision.

PART-TIME WORK CAN LEAD TO SELF-SUFFICIENCY

AFDC mothers who can work part time and develop their skills for eventual self-sufficiency should be permitted to supplement their welfare budget with these earnings.

The National Association of Social Workers has stated the following as one of their domestic legislative objectives of 1966:

> The AFDC parent should be allowed the disregard of earned income at least on the modest basis permitted OAA recipients.

In my district, a grand jury recently recommended this change in the law. The grand jury report stated:

> Since no credit or gain can accrue from part time or full time work unless such earnings substantially pass the maximum of the grant, there is no monetary incentive for women to work themselves off the program.

Attached is a list of quotations from letters I have received from mothers on AFDC and social workers who work with them. These are the people most intimately aware of the problems created by the present law.

Typical Cases in Minneapolis, Minn., That Would Benefit by Permitting AFDC Mothers To Retain Outside Earnings Without a Reduction in Grant

Letter from a mother on AFDC:

"I personally am on AFDC and working at Grant Elementary School helping serve on a breakfast program. I am allowed to retain but $22 a month of the $80 that I earn.

This does not provide much incentive to even want to work."

Mother on AFDC:

"My boys are getting older and I would certainly like them to grow up having an emotionally mature outlook on supporting themselves. Right now it doesn't appear to be much incentive for them to work. There are not enough jobs for the children around here."

"I am very thankful that I could receive financial help and be with my children while they are growing up. And now for the chance to better myself so I might be of an even greater help to them as they go into high school, needing clothing and other things that our budgets don't cover."

Mother on AFDC:

"Secondly, my children as well as myself, need to be able to work at least part time to develop self-respect and independence. Also as the family is growing up a mother has to look forward to the time she will be self-supporting and if she hasn't been able to work at least part time she has been idle for so long that either it is too hard to find work or to be able to stand the steadiness of work after not working for years."

Mother on AFDC:

"I feel if I can make extra, I can pay for my schooling and sitter, I would get a job. There are many other small reasons to make extra money. You have seven children coming up and asking for bikes and trikes like the others and special things that they want, you have to tell them all the time you haven't got it or you can't afford it. * * * I have one daughter who is talented. I am struggling giving her accordion lessons which she is coming along real well in."

Memo from welfare supervisor:

"With the above income exception, the mother would, through her own efforts, be doing something concrete to raise the living standards of her family. It would be a positive step towards decreasing her dependency by giving her a real reward for her extra efforts, a reward in terms recognized by our culture. I think we admit that public assistance grants do cover only a bare minimum, and when all of the AFDC recipient's earnings must be applied to the same minimum, it does remove the incentive for work. Conversely, if a mother wants a little more for her family than AFDC provides and can be allowed some income exemption, working becomes worthwhile."

Case worker report:

"Currently there are two mothers in my caseload who are employed as teacher's aides at Harrison School under the Education Act. Both these mothers were aides last summer as well, and at that time kept all their income because of the short and temporary nature of that employment.

"During the summer both mothers netted approximately $250.00 before babysitting expenses, and used the money to raise their families' standard of living and, indirectly, to increase their families' participation in community life. One mother brought her household supplies up to minimum adequacy, and both were able to afford a hairdresser and additional clothing. As a result of their greater self-confidence due to improved personal appearance, both mothers started taking an added interest in community affairs."

Welfare Department memorandum:

"We submit the names of two clients who are employed by the Minneapolis School System under funds provided by the federal Education Act.

"Both clients have old debts that are impeding their progress toward self-sufficiency. One is legally responsible for several medical debts amounting to about $40.00. These were incurred during her marriage. Prior to AFDC eligibility the other made contractual arrangements for the purchase of an expensive console power sewing machine on credit. The balance due is about $150.00. Neither client has been able to meet those past obligations from their maintenance grants. If the clients could have their school incomes not considered for budgeting purposes, they could apply part of their earnings toward their past obligations and would then be able to exclude worries about meeting old debts from their thoughts about future full-time employment and self-sufficiency.

"The two clients are at present marginally motivated to continue on in their work because of lack of financial incentive. We submit that if provision is made whereby the clients may be permitted to retain a portion of their earnings, they will be much more likely to continue in their present positions. We feel this would be beneficial because of the intangible benefits these young ladies appear to be deriving from their employment experiences including a greater sense of dignity, pride in accomplishment, confidence in their abilities to handle employment situations, and increased skills. We submit that these values will prove valuable to the clients in day-to-day living and will be especially useful to them in making a return to self-sufficiency."

H.R. 15167

A bill to amend title IV of the Social Security Act to provide that State agencies administering programs of aid to families with dependent children shall disregard certain additional income of the relatives with whom such children are living

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) clause (7) of section 402(a) of the Social Security Act is amended by striking out "(A) the State agency" and all that follows and inserting in lieu thereof the following: "the State agency (A) may disregard not more than $50 per month of earned income of each dependent child under the age of 18 but not in excess of $150 per month of earned income of such dependent children in the same home, (B) shall disregard the first $85 per month of earned or other income of any such relative, plus one-half of the income of such relative in excess of $85 per month, (C) may, subject to limitations prescribed by the Secretary, permit all or any portion of the earned or other income to be set aside for future identifiable needs of a dependent child, and (D) may, before disregarding the amounts referred to in clauses (A), (B), and (C), disregard not more than $5 of any income;".

(b) Section 402(a) of such Act is further amended by adding at the end thereof the following new sentence: "In the application of clause (7), income or resources of any person shall be regarded as income or resources of any other individual only to the extent made available to or for the benefit of such other individual."

SEC. 2. (a) Subject to subsection (b), the amendments made by the first section of this Act shall be effective July 1, 1966.

(b) No funds to which a State is otherwise entitled under title IV of the Social Security Act for any period before the first month beginning after the adjournment of such State's first regular legislative session which adjourns after the date of the enactment of this Act shall be withheld by reason of any action taken pursuant to a State statute which prevents such State from complying with the requirements of section 402(a) of such Act resulting from the enactment of the first section of this Act.

CREATING AN ENVIRONMENT FOR EDUCATION

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, yesterday I called to the attention of my colleagues and inserted in the CONGRESSIONAL RECORD the first in a series of four articles concerning higher education written by Dr. Mary Ellen Mancina Batinich.

Dr. Batinich is the distinguished principal of the John A. Walsh Elementary School, located in the Seventh Congressional District of Illinois, which I have the honor to represent.

The second article she has written is entitled, "Creating an Environment for Education." With both young people and their parents so deeply concerned today about securing admission into already overcrowded colleges and universities, Dr. Batinich's timely article presents a new insight into the problem and sets forth many constructive suggestions on guiding a youngster's steps in the right direction in his early formative years in order that he may easily achieve his goal of higher education in later years.

I am happy to insert in the CONGRESSIONAL RECORD Dr. Batinich's second article, which follows:

2. CREATING AN ENVIRONMENT FOR EDUCATION

. . . As the twig is bent . . .

. . . In every social, economic and educational level, there are some parents who are depriving their youngsters of vital opportunities to learn . . . Yet new research in medicine, biology, psychology and education, is now demonstrating that the years before 6 are crucial to the development of intelligence. Depriving a pre-school child of a wealth of learning stimuli may limit his intellectual development for the rest of his life . . . Joan Beck.

There is no need for parents to experience trauma or to have to take tranquilizers while awaiting the letter advising them whether or not their child has been accepted in the college of his choice. By this time it is too late for parents to be of any major assistance. Their time for action should have begun years before with the creation of an environment for their children specifically designed to foster an interest in formal education. This environment and the positive attitude toward education which is encouraged by it cannot be magically created overnight when the child enters his senior year in high school. It is a result of long-term planning and a concerted effort on the part of both parents and child.

It is true that a child's "formal" education begins with school entrance but his "informal" education begins much earlier with his parents as his first teacher through the example they set and the training they give him. Responsible parents realize this fact and do not leave it all "up to the child's teacher." They begin early to create in the home an environment for education and continue to nourish it through the formative years.

Just as an exciting football game can be described but not defined, an environment for education in the home can be recognized but not precisely determined. If a checklist were prepared to describe the characteristics of this environment at its various stages of development it would include the following:

A READING ATMOSPHERE

"We are a paper and ink civilization . . . the family must be hospitable to the play of ideas and foster in the child the love of reading." Long before a child enters school or before he meets the printed symbol on a chart or in his pre-primers the mother can create a happy home relationship and introduce him to reading in a pleasant way through singing, talking to the child, and teaching him nursery rhymes.

While children have definite likes and dislikes in books, there are a number of books which continue to appeal to almost all children. In kindergarten and first grade, for example, such books as *The Three Little Pigs, Millions of Cats,* and *Mother Goose* constitute our literary heritage and the child is rare who does not find some favorites among these.

For children in the primary grades, there even exist junior book clubs which feature books with large print, delightful child-like pictures and a vocabulary that is "child-sized." These books which are supplemental to the school's reading program include such stories as *The Cat in the Hat, Fox in Sox* and *One Fish, Two Fish, Red Fish, Blue Fish.* Magazines keyed to the interests of 5 to 12-year-old children can add to this environment. For example, *Highlights for Children* provides "fun with a purpose" for youngsters of these ages with its stories, poems, articles, puzzles and games; not only do they help develop reading skills, but they also increase their knowledge.

So instead of buying the usual toy as a gift, why not give the child a passport to excitement and adventure via the wonder of books? In selecting a book, however, choose one on a topic which appeals to the child, is within his range of reading skill, is good literature, and makes a significant contribution to the child's enjoyment and background.

Encouragement of a love of reading in children is much easier if parents by reading themselves set the example for children to follow. The small child finds happiness in looking at picture books and by observing that adults around him experience pleasure in reading. A family activity of reading the *Bible* would be an excellent means of showing the child the value to be gained by reading.

A feeling of independence and an awareness of opportunity should fill a child when he finally reaches the age when he is issued his own library card. The library is already a familiar place to him since he has attended storytelling hours there and he has accompanied his parents and older brothers and sisters while they selected books. At last he can make his own choice of books and can assume the responsibility for their care and return. Parents can encourage this responsibility by reminding the child to return books promptly and occasionally accompanying younger children to the library to assist with selection.

A set of encyclopediae and a good dictionary, which children should be encouraged and trained to use, provide a source of information in the home for schoolwork, other interests and hobbies. One group of parents organized with their children a "We Look It Up—We Don't Guess Club." Sets of challenging questions were regularly devised to encourage reference activity and included such questions as, "What is the real name of Buffalo Bill?" and "What is the average temperature of the North Pole?" A set of good encyclopediae need not be expensive. Several series are sold at many supermarkets and drug stores, are of good quality, and are reasonably priced.

Parents must be alert to the fact that reading is a skill, and like other skills, must be practiced to be maintained. It must be constantly nourished or it will lose its lustre. We are reminded that "Robinson Crusoe" was scarcely more than an animal when he was rescued and he could scarcely speak English—this was after being away from people and books for four years.

PARENT-CHILD SHARES EXPERIENCES

A home is more than a place to eat and sleep. It is a training ground where children carefully observe their parents' actions and attitudes, interpret them and try to imitate them. For this reason, it is important that parents not only convey the proper attitudes through their example, but also that they make some effort to determine how the children are interpreting their attitudes. Good rapport between parents and child can be established through conversation, encouraging each child to share with his family, school experiences and interesting facts from books he has read. Sharing experiences and information is a two-way street; items from the adult world and which can be understood by him should be shared with him.

The child's personality patterns are fixed early in his life. A pleasant, stimulating home atmosphere in which he can participate forms an ideal environment for the development of the wholesome social patterns which are conducive to maximum attainment in schoolwork. Once the child has entered school, he has school experiences and information from books to share in the family circle. It is essential that parents cooperate closely with the teachers so that their enthusiasm and interest in education is obvious to the child.

One way to express this interest is to reserve a place of honor in the home where the child can display his day-to-day progress. This could be a bulletin board where art work, special awards, reading certificates or class papers considered by their teachers or themselves to be an accomplishment or outstanding achievement are displayed. It is essential that parents make the child feel he has something to contribute to the family life. If he reads a book, for example, ask him what he has read. If he views a television program discuss it with him. If he goes somewhere out of the ordinary ask him what he has seen. The purpose of this type of activity is to develop in the child a sense of personal value and an eagerness to communicate with others. Parents should take children to places of interest in the community such as the park, zoo, shopping centers, circus, and museums. A visit to the farm, picincs and even eating in a fashionable restaurant will help the child acquire experiences that will enable him to learn more easily at school. Sharing experiences will prepare him to live in a social atmosphere in the outside world.

GUIDING THE GIFTED CHILD

Creating an environment for education is particularly important if a child displays unusual talents early in life. Until recent years educational provisions to challenge the exceptionally talented child were either limited or non-existent. Educators have recently begun to focus upon the early identification of the gifted child, recognizing him as early as possible and giving him proper guidance and enrichment to make maximum use of his ability. An unchallenged and bored gifted child is as great a problem as a retarded child, and is a great loss if allowed to remain an "educational drifter."

How can a gifted child be identified? At the present time, observation and tests (I.Q. and performance) are the principal means of determining giftedness. The pre-school gifted child usually has a large vocabulary and understands cause-and-effect type relationships. He can also read books, tell time and retell a story in proper sequence. In the early school years he is often creative in words and ideas, sets high standards for himself, is curious and enjoys reading to solve a problem. His achievement scores are usually two to four years above his grade level and if allowed, could master the elementary school curriculum in half the time it takes an average youngster.

What can a parent do to help his gifted child? The environment for education outlined above is particularly important, since this child would tend to benefit a great deal from the exposure to the stimulating and fascinating world of books, museums and concerts. Within the home, a child's special interest in a given field could be encouraged by making additional information about the field available to him. For example, if he were interested in music, he could be introduced to the recording, "Toy Symphony" by Joseph Haydn that would familiarize him with the instruments of the orchestra. However, he should not be allowed to consume himself in a narrow range of his special interests to the detriment of the other varied interests.

Parents can also help the school-age child by assisting him to set attainable goals, encouraging growth in and through reading, providing opportunities for him to be creative, and fostering moral and spiritual values.

While a concentration on the development of his talents and ability is necessary, it is more important to assure that the child has normal social relationships. He should be made to realize that he is only part of a family and that everything does not revolve about him. He needs to experience the joys of childhood and the give and take associations with children of different ages. While praise for a genuine accomplishment is desirable, the child is better off not being aware that he is exceptional.

Schools frequently request parents' consent to the double promotion of their gifted child. Studies conducted throughout the country to evaluate acceleration practices, however, support the theory that it is best to promote gifted children up to *two* years beyond his age group (provided the child can read at that level, of course). It is wiser to keep the child as close to pupils of his normal age-group as possible.

FRUITFUL USE OF LEISURE TIME

Parents should see that children don't squander their leisure hours at home. To assure that time is available for schoolwork and responsible chores, children's televiewing habits and their after-school activities outside the home should be controlled. The "electronic pied piper" is a guest in 90 percent of the homes in America and is a companion to almost every child. Because the fascination of children to TV allows the time spent to easily exceed reasonable limits, parents should carefully control their time spent in viewing. They should also supervise the selection of programs which their children view. There is evidence to indicate that when children see "violence, hate and destruction averaging 14 to 20 hours a week their sensitivity to human suffering may be increasingly blunted." Sincere televiewing is a passive activity whereby in many instances children merely are the by-standers of the action, parents should encourage their children to actively participate in activities around the home in drawing, model building or just reading. It can develop imagination, persistence and children can gain satisfaction.

During the middle years of childhood, afterschool activities tend to move away from the home with baseball games, scouting, bike riding, music and dancing lessons. While children should be encouraged to participate in these activities, they should not be allowed to shirk their responsibilities for tasks around the house. A compromise in their schedule should be made to allow them to satisfy their responsibilities so they can go into the activities with a feeling of completion. Leisure is only enjoyable as a change of pace.

STUDYING AT HOME

As reported by half of the elementary schools and 75 percent of the high schools polled by the National Education Association, school assignments to be completed at home are on the increase. Parents must devise and firmly apply rules of good study habits so that their children can make maximum use of the time they spend on their schoolwork at home. Even in the preschool years, young children can be encouraged to spend a short period of time each day just relaxing and looking at picture books. As a child grows older, schoolwork automatically fills this time.

When formal schooling begins, a small desk or area for writing and study should be designated and a period of time each afternoon or evening set aside for either homework or educational-type activities. If a child comes home and says, "I don't have any homework," that time should be filled with a library-type activity—either on special projects or the development of a hobby. In this way the habit of study at home can be continued.

The story is often told about the child who came home from school and said, "You got one wrong on my homework last night." How much should a parent help with homework? Basically parents should encourage their children to complete it themselves rather than do it for them. If the child said he has finished the assignment parents should look it over to see if it was done completely, neatly and accurately. If it isn't satisfactory parents should encourage the child to try a little harder by asking him questions that may clarify the difficulty, reviewing the textbook with him to find the solution, or helping him to recall methods and concepts he learned in school. If the work was done in a sloppy manner the parents should require them to do it over. For special projects parents can suggest sources of materials and help obtain them.

Parents can also use the homework period to check the progress of their child in school. If the teacher has required the child to do make-up work or a punishment assignment, was he unable to comprehend the lesson in the normal time it was taught or was he misbehaving? The home study period should be a communication between parents and their children. Here is an excellent opportunity to informally listen to their children's problems, learn about their special interests and ideas, encourage and advise them in their interests, and demonstrate to the child that they are interested in their schoolwork.

Thus educational activity at home should be purposeful, well-planned and with definite parental interest so that it will be an adjunct to the regular classroom, a means of communication between the parents and teacher via the homework assignment, and another means of developing interest in the child. One of the biggest values to the child in the planned home study period is the opportunity it provides for development of self-discipline. The habit of reserving a time period free from TV viewing or other leisure-type activity is well-formed so that when time is needed for homework, it is available.

SUMMARY

While there are certainly other factors that can contribute to an "Environment for Education" in the home, the four areas mentioned—the atmosphere for reading, the sharing of experiences, the fruitful use of leisure time and disciplined study habits—must be consciously promoted. Many of the other factors automatically follow along if these four areas are developed. A report card, which is generally used to measure a child's progress in his schoolwork, could easily have been made from the above checklist to form an excellent basis for measuring the parent's progress in creating an environment for education. The trauma over the doubt of acceptance in college will never occur if both child and parents present a good report card.

SENATOR THEODORE FRANCIS GREEN

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FOGARTY. Mr. Speaker, it is my sad duty to call to the attention of this body the news that a most distinguished former Senator from Rhode Island died just a few hours ago. The Nation has lost a dedicated and respected leader and the State of Rhode Island its most distinguished citizen in the passing of our beloved Senator Theodore Francis Green.

His long and fruitful life has been a continuous history of service with a deep concern for the well-being of all people and particularly those he felt privileged to represent while in office. The scores of years of his public life were marked by a devotion to the highest of ideals and the furtherance of those ideals by constructive and responsible action.

Theodore Francis Green was a man whose mind and heart were attuned to his country's needs and who was brave enough to value principle above expediency and to place honor above success. He will be sorely missed by all of us for many years to come.

THE LATE SENATOR THEODORE FRANCIS GREEN OF RHODE ISLAND

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GERMAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, I was deeply saddened by the news this morning of the passing of former Senator Theodore Francis Green. For nearly a quarter of a century the voice of this great American was heard in the Congress.

This morning at 8:30 a.m. the voice of this former U.S. Senator and Governor of the State of Rhode Island was eternally silenced. But the memory of the exemplary accomplishments embodied in the life of this great man shall not pass. His was a most extraordinary life—one which reached out to encompass many avenues but all of which marked the way passed by a man devoted to public service and the betterment of mankind. All of his adult life was devoted to public service and the days of his youth were a preparation for his public life.

Senator Green was educated in private schools and Providence High School. He received his A.B. degree from Brown University and an A.M. degree from Harvard Law School. In addition, he attended the Universities of Bonn and Berlin in Germany.

After being admitted to the Rhode Island Bar and the U.S. circuit court he began to practice law in Providence. In addition to his practice he taught Roman law at Brown University.

During the Spanish-American War he served as a lieutenant.

His political life in Rhode Island began as a member of the State house of representatives and culminated in 1932 when he was elected Governor of the State of Rhode Island. In 1934 he was reelected Governor by the largest vote ever cast for any candidate for any office in the State. In addition to his State political life, he served as a member on various boards of directors in the banking, law, and social world.

He was elected to the U.S. Senate in 1936 and remained to serve his State and Nation well in the Senate until 1960. As a Member of the Senate he became the distinguished chairman of the Senate Foreign Relations Committee; a representative of the United States to the seventh session of the General Assembly of the United Nations; chairman of the joint congressional delegation to the NATO Parliamentary Conference in Paris in 1956, 1957, and again in 1958.

We in the State of Rhode Island have long been proud of his distinguished record in the Senate and the status gained by this man in the eyes of people all over the world. He has provided us with the great light of leadership and we shall always be grateful for this.

Mr. Speaker, may those of us who are privileged to serve in Congress today look to the life of this great man for guidance and inspiration. And may we never forget the great contribution made by this man to this State and Nation.

PERSONAL ANNOUNCEMENT

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. VIVIAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. VIVIAN. Mr. Speaker, yesterday the House by a vote of 378 to 10 passed the conference report on the Interior Department fiscal year 1967 appropriations bill. During the time this report was being considered on the floor, I was in conference nearby with technical personnel of a plant in my district in regard to a troublesome problem of water pollution, a problem which could affect the jobs of hundreds of my constituents. Because of the importance of this discussion to my constituents, and because I knew that the issue was not controversial, I did not return to the floor when the roll was called. If I had been present, I would have voted "yea" on rollcall No. 105.

"MONEY CONTROL FOR THE FUTURE"—ILLINOIS BUSINESS REVIEW CALLS FOR PUBLIC, NOT BANKER MANAGEMENT

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, while we must have a sound and profitable system of privately owned commercial banks, the bankers must not dictate national economic policy for the entire Nation. As all good businessmen in our free enterprise system, bankers are motivated by the profit system and not necessarily what is good for everyone else.

The lead article in the April issue of the prestigious and widely read Illinois Business Review points out that it is the private commercial banking system that controls monetary policy and not the Government. This article, written by the Director of the Bureau of Economic and Business Research, emphasizes that, although the power to create and regulate the value of money is vested by the Constitution to Congress, the bankers, assisted by the Federal Reserve Board, are the ones who are actually running things. He calls for a return of the sovereign power to create money to the Government by separating the Federal Reserve's monetary from its supervisory duties and ending the "Fed's" illegal cessation from the Government. Time and time again the Federal Reserve Board has gone the way of the New York bankers and this author states that the brand of private monetary policymaking with the Board and Wall Street hand in hand has caused our monetary problems—depression and recession.

The solution offered by the Review is substantially that provided in my bill, H.R. 11, which would not only return the money power to Congress—where it really must be under the Constitution anyway—but would improve economic stability by avoiding high interest rates,

The article follows:

[From the Illinois Business Review]

MONEY CONTROL FOR THE FUTURE

Recent events have demonstrated again that a substantial rise in interest rates can be effected without a restriction of credit. After the initial rate increases in December, the advance in commercial bank credit accelerated for a while, then turned irregular, but on the whole extended the prevailing trend. The banks used higher rates on time deposits—now generally over 5 percent—to attract funds and pushed the prime rate up another ½ percent in mid-March.

The "rising tide of inflation" that presumably justifies high rates had little relation to the economy's "approach to capacity," being in fact based primarily on short supplies of meat and vegetables. Aside from the Viet Nam War, credit developments themselves now appear to hold the greatest threat to economic stability. Certain aspects of the credit situation indeed prod memories of 1929, as Chairman Martin of the Federal Reserve suggested last summer.

The basic problem arises from a banking system that creates money in the form of demand deposits on the basis of fractional reserves. In this country, the difficulty is enormously aggravated by the complexity of the banking structure. There are state banks as well as national, and within the national banking system itself, there is a confusion of functions, responsibilities, and influences that handicaps effective control. The member banks are required to pay in a certain amount of capital for non-voting stock in the Federal Reserve banks; so it is not surprising that they should expect their voices to carry weight in an organization which they partly own.

It has long been known that the way to provide a remedy is a reorganization of banking based on a "100 percent reserve" plan. This has always been put off, partly because it was thought to involve revolutionary changes and partly because the time never seemed ripe for action. Currently, the need is obscured by the effects of wartime pressures, but unless action is planned ahead in a prosperity period when deposits are near record highs, there will never be an appropriate occasion for it. Monetary policy in the 1930's was described as "pushing the end of a string" partly because action came too late. It therefore seems a good time to consider what is involved in the kind of reorganization that has been proposed.

SEPARATION OF BANKING AND MONEY CREATION

The power to create and regulate the value of money is vested by the Constitution in Congress, but by extending the privilege to conduct banking operations that involve multiple deposit expansion, Congress in a sense has alienated its sovereign power. The perverse elasticity of the money supply and the ineffectiveness of Federal Reserve control over economic fluctuations were pointed out by various writers a generation ago. Since World War II, the progress of stabilization has come mainly from fiscal, not from monetary policy, and the contributions of the latter have coincided with the profit seeking motives of the banks. Nothing in the recent experience seems to indicate that private banking can be induced to take needed action contrary to its own interests.

In other words, the experimentation with various forms of private banking regulation that began with the founding of the Republic has never solved our monetary problems. An alternative approach should begin by returning the sovereign power to create money to the government. This could be done by separating banking functions from those of money creation without any drastic change in organizational structure or in banking practices.

To accomplish this, the Federal Reserve would be made a central bank, like those operating in other advanced countries. The Federal Reserve stock held by the member banks would be repurchased, and all other banks retaining deposits subject to check would be brought into the system. Within the Federal Reserve, the strictly banking functions, all those relating to service and regulation, could be vested in a Banking Division having all the existing Federal Reserve banks as branches.

This central bank would be directed by a board, not unlike the present Board of Governors, but preferably with shorter terms, to make its members more responsive to current conditions and less remote from the Administrations by which they were appointed. In its role as controller of the money supply, the Board's primary concerns would be monetary policy, the position of money and credit in relation to general economic developments, gold, and the international balance of payments. A high degree of expertise in economic analysis on the part of Board members would be even more important than it is now. The recent tendency toward appointment of well-qualified economists should be affirmed by making such qualifications a specified requirement.

THE 100-PERCENT RESERVE PLAN

The basis for control of the money supply under such a plan lies in requiring the banks to maintain full reserves behind demand deposits. In the transition to this state of affairs, it would be necessary to provide the commercial banks with sufficient reserves to bring the totals up from the present 12 to 16½ percent to 100 percent. This could be done with little disturbance to banking operations if the Federal Reserve simply "gave" the banks the required reserves in the form of interest-free loans. Banks now holding excess reserves over present requirements could be allowed to use them as desired; banks currently borrowing from the Reserve Banks would be required to pay off the loans promptly.

The discount window as it has been known would be closed for good. No longer could money be created in this way on the initiative of the banks. However, the central banks could act as intermediaries in an active market for interbank loans.

There would be no required reserves against time or savings deposits, the only form of monetary control on them being the maximum interest rate permitted. However, no such deposits could be subject to checking in any form. This would end the negotiability of certificates of deposit and with it some of the competitive abuses currently being committed.

Changes in the money supply would be effected in the first instance through open market operations approved as appropriate to meeting the needs of banking and economic conditions. Actions intended to change the composition of outstanding debt or to influence interest rates on various classes of debt would also be more effective.

The banks would carry on their primary functions of lending and service operations as before. To give them a share in future growth, the Federal Reserve could periodically, say once a year, turn some of the securities purchased since the last round back into the market and give the banks equivalent new reserves to the extent of, say, 50 to 75 percent of the additional money supply created, in the form of interest-free loans like those provided in the transition to the plan. If these reserves were distributed in accordance with current holdings of demand deposits, banks that had gained deposits would automatically gain funds for acquiring earning assets, and interference with bank competition or with the regional distribution of deposits would be avoided. Through all these periods of adjustment, an "even keel" policy would be followed.

PREPARING CONTROLS FOR THE FUTURE

It may be assumed that changes in the money supply would be mainly upward, more or less in line with the growth of the economy. In times when restraint on the economy is needed, a mild restriction could be effected simply by doing nothing.

More important than increased means of restraint at the peak of a booming prosperity is assurance against a decline in the money supply after conditions change. At present, the mechanisms for preventing a decline are grossly inadequate. Under the proposed plan, with a multiple contraction in deposits ruled out, a constant money supply would have to be held by somebody. Some people would not necessarily want to spend more in any case; but most people are likely to spend more freely when they have idle balances.

Confidence would also be increased by complete assurance of safety in bank deposits. The ultimate guarantee of bank solvency is the power of the government to create money.

and under the proposed plan, demand deposits would be indirect liabilities of the central bank and, like currency, of the government itself.

Beyond these automatic advantages, wise monetary management could compensate for some adverse reactions in the private economy. Both speculative buying in a boom and the drying up of spending in a recession could more readily be compensated by changes in the money supply. The present diffusion of policy-making power and influence weakens the possibility of any really effective contribution from monetary policy. If the money supply expands or contracts, everybody should know why and by whom the movement was directed. Not the least of the gains from fixing the responsibility would be a likely improvement in monetary management.

NEWARK CELEBRATES ITS 300TH ANNIVERSARY

Mr. de la GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Rodino] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RODINO. Mr. Speaker, yesterday was a proud and happy day for all citizens of Newark, N.J. It marked the city's 300th anniversary.

In 1666 settlers from Connecticut, under the leadership of Robert Treat, founded the city. Although it remained a country village until the early part of the 19th century, with the coming of the railroads and the opening of the Morris Canal to the Pennsylvania coalfields Newark grew and prospered.

Today Newark is New Jersey's industrial and commercial center, and one of the Nation's leading manufacturing cities.

In common with many of America's old urban centers, Newark still faces many problems. But under the energetic and enlightened leadership of our former colleague, Mayor Hugh J. Addonizio, the city has made a most promising start toward their solution. Despite its 300 years, Newark is no decaying, ailing city. It is a vital and progressive metropolis, and in both its public and private sectors is moving forward to meet the challenges of the future with vigor and vision. It is, as the Newark Star-Ledger has commented editorially, "a city with a sense of pride in its future, as well as in its past."

Mr. Speaker, the Newark News of May 18, 1966, contained as excellent description of the festivities in celebration of Newark's tercentenary, and under unanimous consent I include two news articles from that issue in the Record at this point, together with an editorial from the Newark Star-Ledger of the same date:

[From the Newark (N.J.) News, May 18, 1966]

Newark Hails 300th—250,000 at March—Broad St. Parade Chief Birthday Event

(By Vincent de Paul Slavin)

The mammoth Newark Founders Day Parade stepped off at the stroke of noon today as thousands upon thousands of persons jammed Broad Street under threatening skies.

The parade, probably the most colorful in the 300-year history of the city, highlighted today's list of festivities commemorating the founding of the city by Robert Treat and his band of settlers in 1666.

Light and intermittent showers had fallen up to 30 minutes before the march began, but the more than 5,000 marchers stepped off on dry pavement as Civil Defense sirens sounded throughout the city, marking the start of the pageant.

An estimate of more than 250,000 spectators was given by Acting Police Chief Edward J. Scanlon.

Whatever the actual figure, it was the largest crowd in downtown Newark for a parade in decades.

Crowds lined Broad Street six and seven deep most of the line of march. Thousands of persons who were born in Newark but now live in suburban towns returned to the city for the parade, bringing children and grandchildren with them.

Most of the large downtown business offices let their employes have additional time off. Office windows were jammed.

MAYORS HEAD LIST

Mayor Hugh J. Addonizio and Mayor William Kerr Bickerstaffe of Newark-on-Trent, England, headed the list of dignitaries on the reviewing stand at the City Hall steps.

Grand Marshal George J. Haney said the parade was an "adequate representation of the Newark of yesterday, today and tomorrow . . . the entire parade was geared to present a pageant which the children of our city will retain in their memories as a stimulus to their pride in New Jersey's largest city. This was organized as a parade to be remembered. We're quite sure we have succeeded in this purpose."

Included in the line of march were 31 floats—most of them sponsored by major business and industrial firms of the city.

Probably the oldest mobile piece of equipment in the parade was a horse-drawn phaeton coach which carried the Marquis de Lafayette during a visit here in 1814. It now belongs to Newark Rutgers University.

HOSE CART

Among the antique equipment in the parade was a hand-pulled Neptune hose cart and an 1851 fire truck, which was used in Newark's 200th anniversary parade in 1866. That fire truck was stationed at Market and Halsey Streets in the mid-1800s.

Other vintage vehicles included 17 cars of the New Jersey Region of the Antique Automobile Club of America. The fleet, traveling side by side in Broad Street, was "paced" by 1905 and 1908 Cadillacs.

Among the more spectacular floats were two depicting the landing of Robert Treat in Newark, a 90-year San Francisco cable car, and one featuring a huge model of the Prudential Insurance Co.'s 22-story building.

Some of the floats carried live models. A good number of the girls were dressed in evening gowns. One of the floats carried Miss Essex County, 20-year-old Montclair State Teachers College senior Mary Manzo and her court of six attractive attendants.

Only parade and city officials taking part in the parade were in civilian dress. The remainder were costumed to meet the theme of "Newark yesterday, today, and tomorrow."

Spectators began vying for choice vantage points to view the parade about an hour before it began. Benches fronting on Broad Street at Military and Washington Parks were eagerly sought by many who anticipated the need to look over the heads of the crowds lining the sidewalks.

Souvenir hawkers roamed through the crowds with balloons, religious buttons, and flags, but none carried any emblems signifying the city's 300 anniversary. One hawker, overstocked from St. Patrick's Day, tried to peddle Erin Go Bragh flags.

The Tau Delta Phi fraternity marching band of the Newark College of Engineering, composed of two college men carrying their school banner, one carrying a Pride in Newark flag and one a trombone, waited near Hahne's as the parade commenced. "We're waiting till our competition goes by," said the trombonist, "and then we'll join in at the end."

Earlier, factory whistles wailed and church bells rang throughout the city at 8 a.m. as the celebration got under way.

The parade floats, incidentally, touched off minor traffic jams during commuter rush hours in McCarter Highway this morning as they were hauled from Clifton (where most were made) to the parade starting line. Motorists slowed considerably both to look at the floats, traveling in caravans of seven or eight, and later to maneuver past the wide parade vehicles in the crowded highway.

Among the bands are the police and fire marching contingent, a group of female bagpipers, school bands and marching bands of the Army, Navy and Air Force.

Police diverted traffic in Broad Street over McCarter Highway between Clay and South Streets during the parade. Northbound buses used Plane Street while southbound buses were detoured over Thomas Street in Clinton Avenue and then over Washington Street. East and westbound traffic was permitted to cross Broad Street at intervals in the parade.

After the parade a special Town Meeting was to be held at Symphony Hall at 4 p.m. The session, open to all residents, will feature addresses by New Jersey historian John T. Cunningham and Newark Chamber of Commerce President Milford A. Vieser. Musical selections will be provided by soprano Veronica Tyler, the Salvation Army New Jersey Youth Band and a 150-member chorus.

The day's festivities will be concluded at a 6 p.m. dinner in the Hotel Robert Treat. Descendants of the city's original settlers will be special guests at that affair. The Symphony Hall program will be repeated at the dinner.

[From the Newark (N.J.) News, May 18, 1966]

British Mayor Warms to Newark in Red Robe

(By Josephine Bonomo)

Resplendent—and hot—in an ermine trimmed scarlet ceremonial robe, Mayor William Kerr Bickerstaffe of Newark-on-Trent, England, met Newark, N.J., city officials and employes this morning at an informal reception in Mayor Hugh J. Addonizio's office just before the parade.

The 71-year-old Briton shook dozens of hands, smiled and enjoyed the party.

"The hospitality is tremendous," he said.

Mayor Bickerstaffe will tour the city tomorrow. "And I must leave Friday, worse luck," he added.

The robe, worn on all official occasions, dates to 1612, he said, and "yes, it's very hot." The outfit includes a white lace neck ruff, a gold mayoral chain with the arms of the borough, and a black Napoleonic hat.

It aroused a great deal of interest from the guests. "I think they ought to change hats," said one official, pointing to Addonizio, who was standing beside Bickerstaffe.

Another official, as he approached the two mayors, said to Addonizio, "Imagine you debating (Leo P.) Carlin in a uniform like that."

The mayor of the English town, from which Newark, N.J., derives its name, was brought here for the tercentenary celebration by the Newark 300th Anniversary Corp. Newark-on-Trent is a small industrial town of 25,000 but has some of the same problems of its larger namesake, Bickerstaffe told Addonizio.

"We have the same problem of people moving out to the villages," the English official said. "It happens everywhere—it's the same problem in proportion."

Also enjoying the reception were two of Mayor Bickerstaffe's constituents, the Misses Marjorie and Trudy Smithson, who are in the United States on vacation and have been visiting friends in Connecticut. When they heard about Newark's celebration, they contacted Mayor Bickerstaffe, a longtime friend, and were invited to join the festivities.

The Smithson sisters were born in Newark-on-Trent and pointed out that Mayor Bickerstaffe is now accepted as one of them, even though he has lived there only 40 years.

"Didn't you notice his Irish accent?" Miss Marjorie Smithson asked. "He was born in Dublin."

She described the celebration which Newark-on-Trent held in 1949 on the 400th anniversary of the granting of the charter there. "Your mayor (Ralph A. Villani) called us then to congratulate us," she said. The Duchess of Kent was guest of honor at their anniversary party, she said, and there was a parade and a historical pageant in the market place.

"This is all so exciting," she said of the New Jersey celebration. "Our local press phoned me from England this morning to ask how the mayor was, and will call me again tomorrow to get my impressions of the celebration."

The Newark 300th Anniversary Corp. invited Bickerstaffe to lend his Old World style to the historic Founders' Day festivities today and to see—on an Addonizio-commandeered tour tomorrow—how the newer community has grown.

Robert Treat and a group of settlers from Connecticut founded Newark in 1666. The settlers later adopted the name Newark in honor of Rev. Abraham Pierson, the first pastor of Old First Church, who originally came from Newark-on-Trent.

During his visit, the mayor of Newark-on-Trent will stay at the Hotel Robert Treat.

[From the Newark (N.J.) Star-Ledger, May 18, 1966]

PRIDE IN NEWARK

Measured in years, Newark has come a long way since its founding by a group of Puritans 300 years ago.

But years alone don't make a city; in many instances time just contributes to obsolescence and decay. The city that resists the ravages of the years, the sterility of neglect and apathy, achieves a maturity that enables it to accommodate change and to continue its vital growth.

There have been many changes since Robert Treat led a band of Puritans out of Connecticut to find a new home in Jersey. They chose well, either by design or accident, when they brought their craft up the Passaic River and landed on what is now Saybrook Place.

On one side was a natural harbor that gave access to the sea; on the other side was the broad, rolling expanse of land, ripe for development. It was a choice of site that was to prove invaluable in natural advantages, beyond the mere facility of water routes that were so essential in those early days.

The years have been relatively kind to the city founded by Puritans: it is a city rich in history, a history of accomplishment and achievement; it is a history that has not been blurred by time. It is a history that was solidified by individual enterprise and corporate endeavor, an evolutionary process that gave the city character, shape and form, in the image of the people that lived within its confines.

But the modern American city cannot, and does not, survive by its past alone. It must have a healthy viability, the resiliency to live with the changing times.

There have been great changes since the original agricultural contouring of founding Newark, a market place for the surrounding farmland. One generation after another made significant contributions to the transformation.

But in the process, despite the changes wrought over the centuries of its existence, Newark came into the middle of the 20th Century an aging, ailing city. It was the typical story of the American City as it sought to break out of the grip of monumental urban problems * * * rundown sections, paralyzing traffic, the exodus of middle-class residents to the suburbs, a shrinking tax base, the need for vast redevelopment projects, the rebuilding of commercial centers.

In an era of great change, Newark was once more faced with the challenge of transition. The changing face of the city * * * new developments in the downtown commercial center, the college complex, public housing projects, private apartment construction, a new City Hospital, new schools * * * has been Newark's answer to the future.

It is a resurgence that owes much to the spectacular expansion of air and port facilities, the economic vitality of its commerce, industry and financial sectors. And the long-deferred development of the meadowlands for industry.

There are problems remaining, as there are in most large American cities. The population character of Newark has undergone a major change but there has been a gradual, orderly assimilation of diverse ethnic groups. It is a city that has escaped the racial turbulence that has plagued other northern urban centers, a city with the promise that people of all backgrounds will learn to live together.

It is a city with a sense of pride in its future, as well as in its past. It is a city that has come on its 300th year of existence with a vitality and vigor that augurs well for its future, a future of great potential but one that can only be achieved by determined effort that marked the lives of its settlers and those who helped to make it what it is today.

RABBI ELI A. BOHNEN

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Rhode Island [Mr. FOGARTY] is recognized for 15 minutes.

Mr. FOGARTY. Mr. Speaker, it is with a great deal of pride and distinct pleasure that I wish to announce to the House the conferring of a very high honor to the State of Rhode Island, the city of Providence, and a resident of the State of Rhode Island, Rabbi Eli A. Bohnen of Temple Emanu-El of Providence, on his election to the presidency of the Rabbinical Assembly of America on May 17, 1966, at the annual convention of that distinguished body held at Toronto, Canada.

The Rabbinical Assembly of America with a membership of 800 is an international association of conservative rabbis, the majority of the members of which serve congregations in the United States. The assembly also includes conservative rabbis in Canada, South America, Israel, and Europe. In the election of Rabbi Bohnen, a great and high honor has come to him, to his congregation, and to the community at large, since this is the highest position in the conservative rabbinate. The Rabbinical Assembly serves as a very important religious body in the religious life of the Jewish people. It serves as a supreme court might in interpreting the traditional laws of Judaism in the light of modern developments, socially, economically, and technically. Most of its members are graduates of the Jewish Theological Seminary in New York. However, the membership also includes graduates of many other theological schools. The membership of the Constituent Conservative Synagogues by far represents the greatest number of synagogue-affiliated Jews in the United States and Canada. The headquarters of the Rabbinical Assembly are located in New York.

Temple Emanu-El, one of the largest congregations in New England, is located in Providence and dates its establishment to May 1924 when under the leadership of the late Judge Philip C. Joslin, a former Speaker of the House of Representatives of the State of Rhode Island, it purchased the land at the corner of Morris Avenue and Session Street. The first service was held in rented quarters in September 1925 under the guidance and leadership of Rabbi Israel Goldman, who served as spiritual leader of that congregation for 23 years. On May 23, 1926, ground was broken for the original temple building which was dedicated on September 18, 1927. In September 1948 Rabbi Bohnen became the second rabbi of the congregation and is now completing 18 years of service as its spiritual guide. During his tenure, the school building was dedicated on September 9, 1953, and on May 17, 1959, a temple meeting house containing a museum, social rooms and additional classrooms, was dedicated. From an initial membership of 34 charter members, it has now grown to 1,300 families; from an attendance of 200 worshipers on the first High Holy Day services in September 1925, it has reached over 3,500 worshipers in September 1965; from an enrollment of 175 pupils in its religious schools in 1927, it has grown to an enrollment of nearly 700 as of today. Due to the constant devotion and loyalty, wise guidance of many boards of trustees composed of men of great devotion to the temple and dedicated leadership in other spheres of community life, aided by a sisterhood which from its inception in September 1925 has been a mainspring in temple activities and a men's club founded in April 1928 participating in many phases of the temple activities with special emphasis on youth development programs, Temple Emanu-El is now a preeminent religious institution composed of people who have made possible the effective preservation of the great Hebrew tradition, culture and the ethical teachings of the ancient prophets of Israel for the love of Torah, of justice, brotherly love, charity and righteousness toward all mankind.

In Rabbi Eli A. Bohnen, who up to his election as president was vice president of the Rabbinical Assembly, the religious community of Providence has been fortunate in having a distinguished and most erudite spiritual leader eminently qualified to lead and guide in the spiritual and traditional propagation of the truths of Judaism among his membership and among all the Jewish people in the community.

Rabbi Bohnen, a native of Toronto, Canada, received his B.A. degree from the University of Toronto in 1931 and the degree of Doctor of Hebrew Literature at the Jewish Theological Seminary. He was ordained as a Rabbi at the Jewish Theological Seminary of America in 1935. He served as the Rabbi of Congregation Adath Jeshurun in Philadelphia from 1935 to 1939 and at Temple Emanu-El in Buffalo from 1939 to 1948 before assuming the leadership of his present congregation in 1948.

During World War II, Rabbi Bohnen served with the 42d Infantry—Rainbow—Division in the United States and Western Europe, rising to the rank of major. He also served as assistant division chaplain and was awarded the Bronze Star Medal and the Army Commendation Ribbon. Following the end of World War II, he made a praiseworthy contribution in his work with displaced persons in behalf of the U.S. Army of Occupation in Austria.

Rabbi Bohnen is a member of the Rabbinical Cabinet of the Jewish Theological Seminary Board of Visitors. Before his election to the vice presidency, he served as secretary of the Rabbinical Assembly. In the past, he has served as chairman of the Placement Commission of the Rabbinical Assembly, the United Synagogue and the Seminary, as well as chairman of the Rabbinical Assembly Ethics Committee and the Rabbinical Assembly Committee on Jewish Laws and Standards. At present, as in the past, this eminent spiritual leader has served and is serving on the boards of numerous civic and religious organizations in Providence where at present he is the president of the Rhode Island Board of Rabbis. He is married to the former Eleanor Rosenthal, of Ellenville, N.Y. He is the father of two children—a daughter, Mrs. Mayer Levitt and a son, Michael who is a sophomore at Harvard University. His family life is exemplary.

I am certain that in his selection as president, the Rabbinical Assembly will grow in stature in the dissemination of the religious traditions and spiritual heritage preserved throughout the ages by the sons and descendants of Abraham, Isaac, and Jacob. His leadership will be a boon to the spiritual life of a great segment of our population and thus to all mankind.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. de la Garza, for 20 minutes, today.

Mr. Curtis, for 15 minutes, today.

Mr. Fogarty (at the request of Mr. de la Garza), for 15 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. Thompson of New Jersey (at the request of Mr. de la Garza), for 60 minutes, on May 24; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Pucinski.

Mr. Moorhead.

(The following Members (at the request of Mr. Buchanan) and to include extraneous matter:)

Mr. Gubser.

Mr. Mize.

Mr. Ayres.

(The following Members (at the request of Mr. de la Garza) and to include extraneous matter:)

Mr. Fisher.

Mr. Rivers of South Carolina.

Mr. Gilligan.

ADJOURNMENT

Mr. DE LA GARZA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 8 minutes p.m.), under its previous order, the House adjourned until Monday, May 23, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2420. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to provide for the transfer of acreage allotments, base acreages, and sugar proportionate shares established under any Federal statute, and to amend the provisions of the Agricultural Adjustment Act of 1938, as amended, relating to the selection of review committees; to the Committee on Agriculture.

2421. A letter from the president, National Safety Council, transmitting a report of the audit of the financial transactions of the National Safety Council for the year 1965, pursuant to the provisions of Public Law 83–259; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MADDEN: Committee on Rules. House Resolution 858. A Resolution providing for the consideration of H.R. 9167, a bill to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes; without amendment (Rept. No. 1544). Referred to the House Calendar.

Mr. O'NEILL of Massachusetts: Committee on Rules. House Resolution 859. A Resolution for the consideration of S. 2950, an act to authorize appropriations during the fiscal year 1967 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and for other purposes; without amendment (Rept. No. 1545). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BERRY:

H.R. 15166. A bill to amend title 32, United States Code, to clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

By Mr. FRASER:

H.R. 15167. A bill to amend title IV of the Social Security Act to provide that State agencies administering programs of aid to families with dependent children shall disregard certain additional income of the relatives with whom such children are living; to the Committee on Ways and Means.

By Mr. HALL:

H.R. 15168. A bill to amend the Internal Revenue Code of 1954 to permit pension and profit-sharing plans to provide contributions or benefits on a nondiscriminatory basis for certain self-employed individuals without special limitations on the amount of contributions; to the Committee on Ways and Means.

By Mr. MORRISON:

H.R. 15169. A bill to amend title II of the Social Security Act to provide that farmers may drop out an additional 2 years of low-earnings in the computation of their benefits under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. NIX:

H.R. 15170. A bill to amend the Communications Act of 1934 to abolish the renewal requirement for licenses in the safety and special radio services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 15171. A bill providing for jury selection in Federal and State courts, prosecution and removal to Federal courts, civil preventive relief, civil indemnification, civil rights procedures, amendment of the school desegregation laws, and prohibition or racial discrimination in housing, and for other purposes; to the Committee on the Judiciary.

By Mr. RACE:

H.R. 15172. A bill to amend the Federal Water Pollution Control Act in order to improve the programs under such act; to the Committee on Public Works.

By Mr. REES:

H.R. 15173. A bill to eliminate unsound competition for time deposits by commercial banks, and provide for the liquidity of the commercial banking system; to the Committee on Banking and Currency.

By Mr. ROBISON:

H.R. 15174. A bill to promote public confidence in the integrity of Congress and the executive branch; to the Committee on Rules.

By Mr. RYAN:

H.R. 15175. A bill to amend the Immigration and Nationality Act and for other purposes; to the Committee on the Judiciary.

By Mr. SCHWEIKER:

H.R. 15176. A bill to amend title 10, United States Code, to authorize the President to suspend certain provisions of law relating to women in the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. RYAN:

H. Con. Res. 662. Concurrent resolution establishing a Joint Committee on National Service and the Draft; to the Committee on Rules.

By Mr. KASTENMEIER:

H. Con. Res. 663. Concurrent resolution establishing a Joint Committee on National

Service and the Draft; to the Committee on Rules.

By Mr. FRASER:

H. Con. Res. 664. Concurrent resolution establishing a Joint Committee on National Service and the Draft; to the Committee on Rules.

By Mr. DAWSON:

H. Res. 860. Resolution authorizing the printing of additional copies of the report entitled "Interstate Commerce Commission Operations (Railroad Safety)"; to the Committee on House Administration.

By Mr. FLOOD:

H. Res. 861. Resolution declaring the Eastern Orthodox Church to be a major faith in the United States; to the Committee on the Judiciary.

By Mr. MINSHALL:

H. Res. 862. Resolution to create a Special House Committee on Revision of the Selective Service Act; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 15177. A bill for the relief of Jermin and Diran Tirpan and their minor child Migirdic Tirpan; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 15178. A bill for the relief of Ignazia Chiarello; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 15179. A bill for the relief of Mrs. Natividad Florencio Romano; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 15180. A bill for the relief of Carlo Marotta; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 15181. A bill for the relief of Salvatore Picciurro; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Soil Stewardship Week

EXTENSION OF REMARKS

OF

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 1966

Mr. MIZE. Mr. Speaker, during Soil Stewardship Week, which is being observed this week, May 15 to 22, I feel that it is appropriate to point out the great record which the State of Kansas has made in conservation over the past 30 years. In doing this, I must pay tribute to the USDA Soil Conservation Service and to Morrie Bolline, State conservationist for Kansas, and all of the others whose teamwork has made possible the accomplishments recorded by our State. Included on this conservation team are other Federal agencies providing cost-sharing credit, education, and research assistance; State agencies, associations of soil conservation and watershed district directors, conservation contractors and equipment suppliers, and most important of all—the landowners and operators who are the indispensable people in accomplishing this job on the lands of our State.

CONSERVATION BOOSTS KANSAS' AGRICULTURE

Kansas is an agricultural State with 50 million acres of land devoted to crops, pasture or range, and a small acreage of woodland. Cities and towns occupy about 2,500,000 acres of the total land area.

There are 29,500,000 acres of cropland of which 850,000 acres are being irrigated. Kansas ranks first as a wheat State with more than 34 percent of the farm receipts resulting from the sale of that crop. Other crops in which the State holds high national ranking include sorghums for grains and forage, sweet clover seed, alfalfa seed, rye, and sudan grass.

The 18,400,000 acres of pasture and range include grasslands which have been historically in that use. These lands may contain scattered trees but the principal plant cover is such as to identify it as a permanent grazing land.

While Kansas is not a forest State, the use of trees in conservation, especially in windbreaks and shelterbreaks and in wildlife area improvement, is gaining in interest and importance. They furnish protection for livestock, wildlife, and farmsteads and are a factor in the reduction of evaporation from cropland and in distribution of moisture.

Farm income in Kansas for the 10 years from 1953 to 1962 averaged $1,057,934,000 per year. Cash receipts from the sale of livestock and livestock products amounted to 52 percent of the total for the State while receipts from crops was 48 percent.

Conservation measures used in Kansas are typical of those used in the Great Plains States.

The Great Plains conservation program is designed to stabilize agriculture in an area composed by parts of 10 Great Plains States, including Kansas. Congress authorized this program through Public Law 1021 in 1957 to minimize the hazards of farming and ranching caused by the erratic climate of this area.

The Soil Conservation Service administers the program with assistance and advice from a State program committee and local county program committees. Signup is fully voluntary by each individual. The program is based on the need for soil and water conservation practices plus planned cropping and grazing systems and land-use changes in proper combinations to solve the erosion problems of an entire farm or ranch.

The first Kansas Soil Conservation District was organized in Labette County in 1937 soon after the State legislature had enacted the enabling legislation. The Shawnee Soil Conservation District was organized in 1954. This completed the organization of 105 SCD's in Kansas. Each district is set up on a county basis.

Soil scientists have surveyed and classified 20,241,263 acres in Kansas, and standard soil survey reports of 12 Kansas counties have been published and are available. The Kansas Extension Service, Agricultural Experiment Station, and Soil Conservation Service conduct community educational meetings to familiarize local residents with the published soil survey reports.

WATERSHED PROJECTS PROTECT OUR RESOURCES, TOWN AND FARM

Many Kansas communities have water problems which are too complicated or expensive to be solved by individual farmers or even small towns acting alone. These problems may involve flooding, drainage, serious gully and channel erosion, rural and urban water supply, fish and wildlife development, and water-based recreation. For such problems the solution is provided by watershed projects developed under the watershed protection and flood prevention program authorized by Public Law 566, the Hope-Aiken Act.

Early watershed projects—built primarily for flood prevention after the floods in 1951—have yielded unforeseen byproduct benefits. Water stored in the sediment pools of floodwater retarding reservoirs and behind grade stabilization dams have provided water for use during drought, water for rural fire protection, water for livestock, and innumerable other uses. Such small lakes provide fine fishing, hunting, swimming, and boating—all valuable uses of facilities built for flood prevention.

Multiple-purpose development is taking hold in watershed projects as people see the advantages of wisely using reservoir sites for rural and municipal water supply and recreation in addition to flood prevention. The total water supply is usually adequate. What is needed—and it is happening—is to develop facilities for efficient management, storage, and distribution of the water we have.

The watershed program can and does fulfill the water needs of many towns and cities in eastern Kansas that must depend on surface water storage. It permits the upstream people to share in water-resource development as do the larger cities located on the rivers.

KANSAS LEADS IN TERRACES AND WATERWAYS

Kansas leads the Nation in miles of terraces and acres of grassed waterways established. We rank among the top 10 States in conservation accomplishments.

GRASSED WATERWAYS

The development of a grassed waterway consists of shaping or grading and establishing suitable vegetation in depressions or in natural drainageways. The purpose of this practice is to carry runoff water down the slope into a drainage channel or other outlet with a minimum amount of erosion. This practice is being employed on 230,407 acres in Kansas.

TERRACES

Three main types of terraces are used in Kansas. Broadbase terraces reduce runoff on uniformly sloping land. Gradient terraces permit the orderly disposal of water into an outlet. Level terraces are designed to hold all the water on the field, allowing it to soak into the soil. Terraces protect more than 5 million acres of Kansas soil.

This and other conservation practices which are moving ahead in Kansas to make us one of the Nation's leaders has been recognized by others. In the dedication of the Council Grove Dam and Reservoir in Council Grove, Kans., last Sunday, Lt. Gen. William F. Cassidy, Chief of Engineers, cited Kansas as one of the leaders in the nationwide effort to develop and put to beneficial use our precious and limited water resources. General Cassidy said that during recent years, the water conservation program in Kansas has been booming at a rate considerably higher than the national average and he termed this a great tribute to the foresight and energy of the State's leadership.

In presenting this summary of what Kansas has done in the conservation field, I must give credit again to Morrie Bolline, the State conservationist, for his excellent brochure, "Working With Kansans for the Future of Kansas." The facts and figures and the record of accomplishments were taken from this brochure.

A Newsletter for the Blind

EXTENSION OF REMARKS

OF

HON. JOHN J. GILLIGAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 1966

Mr. GILLIGAN. Mr. Speaker, we as a nation are committed to the goal of encourgaing every citizen to the fullest possible involvement in our great community. Like every group which has had artificial or natural handicaps put upon them the blind also should be given the opportunity to learn of our public affairs, and participate in them. We have no right to bypass them, thus making them second-class citizens.

Frequently I send to the citizens of my district a newsletter concerning the activities of the Congress and my work. I am now beginning to extend that service to the sightless in my district by means of a newsletter in braille. I am hopeful that it may assist its readers to enter more fully into the public life of the community.

The newsletter is composed in my office, and sent to the Clovernook Printing House for the Blind in Cincinnati, Ohio, which uses its braille printing facilities to print the letter. The printing house makes a significant contribution, not only to our metropolitan area, but to the whole Nation. Clovernook Printing House is the second largest braille publishing organization in the United States. It prints 26 monthly and bimonthly magazines for religious, governmental, and service organizations. Two of these magazines are made up at Clovernook by its own staff of workers. One of them is a magazine for blind children which is printed for Lions International. The other is a recreation magazine with news about radio, TV, the latest musical recordings, best seller books, and other news appropriate for a magazine with the title "Braille Variety News."

As an organization that does job printing, Clovernook is always ready to take on jobs that will provide additional employment for their blind workers, for example, a catalog for Hadley School for the Blind, and the annual program for the American Blind Bowling Association.

The present director of Clovernook is a social worker, Mr. Wilmer M. Froistad. In explaining how Clovernook is able to carry on its printing operations with such a large percentage of blind workers, Mr. Froistad pointed out that each new worker is given careful training under cooperative arrangements with State vocational rehabilitation organizations for the blind from the trainee's home State. Clovernook accepts blind women with multiple handicaps for training from all of the States in the midwest region. The rehabilitation program which has been built up at Clovernook gives preference to blind women who have an employment potential but have disabilities which would interfere with private, competitive employment.

The size of the printing shop has been tripled in the last 3 years and the number of blind workers has been considerably increased. This organization is an outstanding example of the ability of blind men and women to successfully do a job even in a field like printing. The braille printing done at Clovernook is of first-class quality. The blind workers there, like hundreds of others, just want a chance to be self-supporting.

There are a number of printing houses in the United States doing braille embossing for blind readers, but Clovernook Printing House for the Blind is unique in several respects. In the first place, about 75 percent of the work of printing and mailing braille publication is done by blind workers. The organization is also unusual in the extent to which blind women are used in its operations. Also, Clovernook Printing House is part of Clovernook Home and School for the Blind which provides vocational rehabilitation training for blind women with multiple handicaps. It operates a weaving shop as well as a printing plant.

It is also a residence for blind women who need a home. There are currently 43 blind women living in the home. Nearly all of these women have other handicaps besides blindness which makes it difficult for them to live in the community.

In a letter to me describing life at Clovernook, which was founded in 1903 by Georgia D. and Florence B. Trader as a nonprofit Ohio corporation, Executive Director Froistad commented on the work they do there:

> We have tried to make the employment at Clovernook a normal working situation, and have accepted men for training and employment in certain jobs, while retaining the emphasis on the training and employment of women because they are generally neglected by the State rehabilitation programs.
>
> In addition to providing employment for blind men and women, we have accepted persons with other handicaps for certain positions requiring sight. We now are employing, for example, three deaf and dumb persons in positions where sight is necessary and where there is not a need for any great amount of communication between the deaf and dumb individuals and those who are blind. We have found, however, that so far as the deaf-blind are concerned, they and the deaf and dumb can communicate fairly well with each other because they use the same hand signs to communicate.
>
> We now have two deaf-blind women at Clovernook, and are just on the point of accepting a third person for training from Indiana. We are hopeful that Federal funds will be available to assist us in continuing to expand our services to the deaf-blind. These are among the most unfortunate of individuals in their limitations. Nevertheless, it is surprising how well the deaf-blind can adjust to workshop employment and to residential living. Certainly, if anything is a demonstration of the wonderfulness of the human makeup, it is the capacity of the deaf-blind to lead happy interesting lives. It is a deeply moving experience to work with those who are deaf and blind and to see how much they get out of life.

I sincerely hope that this small service to the blind in my district will prove to be helpful in permitting these men and women to be drawn more closely to the mainstream of our political and social life.

> THE BRAILLE NEWSPAPER: A MESSAGE FROM OHIO'S FIRST DISTRICT CONGRESSMAN JOHN J. GILLIGAN
>
> This "message" is intended to extend my efforts to inform all residents of the First Congressional District of my activities and views as a member of the 89th Congress. I am sending this to those who are sightless, but who can read Braille, so that they might feel more a part of the political community.
>
> The most important thing, I think, for anyone to know about any legislator is his views of what government should be. I support efforts by government to make all our people healthier, better educated and freer to pursue their dreams with the legal framework of our Constitution and the laws of the nation.
>
> I believe, as President Johnson said, that "a Nation's greatness is measured by its concern for the health and welfare of its people."
>
> The record of domestic legislation passed by the 89th Congress indicates strongly that the majority of men and women in the House and Senate share this political philosophy.
>
> I believe a changing world and nation requires changing and challenging new approaches to the solving of new problems. This has been true since the nation was founded. New problems often require new laws and programs to solve them.
>
> If anything, I believe in these concepts more strongly now than when I first came to Washington from Cincinnati over a year ago. I voted for legislation like "Medicare," the Elementary and Secondary and Higher Education Acts, establishment of a cabinet-level office of Housing and Urban Development, the Voting Rights Act and the Cold War GI Bill.
>
> There is another concept which I believe is vital for all of us to understand. It is the concept behind much of the "Great Society" legislation.
>
> This concept is the creation of greater powers and initiatives at the local government levels. Critics who claim the programs will bring increased Federal control to local programs miss the point.
>
> To be eligible for national funds the concept now is that communities must meet

certain tests showing they have well-planned and locally-controlled programs. The last thing the Federal government desires to do is run the local program. The idea is one of partnership and the Federal government is to be the junior partner.

It is often said by cynics that power is what makes Washington exciting. There is power here, of course. But to me the most exciting thing about Washington is the roaring intellectual furnace of new ideas aimed at erasing old ills. There is a tempo in the Congress and in the government agencies that this nation, through its elected and appointed officials, can create a better life for people.

I am amazed at the intelligence and resourcefulness of many of the people here. I think the vigor John Kennedy's life and the tragedy of his death has had a lot to do with this sense of purpose, this idea that one man's efforts or ideas CAN be important and can, in some way, improve the quality and purpose of our national life.

I have read, as I'm sure you have, that most people in this country consider their Congressman to be the closest link to the national government.

The many visitors to my office from the District and the enormous flow of mail, I can assure you, have confirmed this as fact for me.

The proudest period of my life has been my service in the 89th Congress as the closest link between people of the First District and their national government.

If I or my staff in either Washington or Cincinnati can be of any service to you, please contact us. The phone number in Cincinnati is 684-3674 and the address is Suite 754, U.S. Post Office, Zip code 45202. In Washington, the Address is Room 442 Cannon House Office Building, zip code 20515.

NLRB Disregards the Law

EXTENSION OF REMARKS

OF

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 1966

Mr. FISHER. Mr. Speaker, the records are becoming replete with questionable actions on the part of the National Labor Relations Board. Scores of instances are piling up which strongly indicate repeated misuse of authority and the assumption of unwarranted power on the part of the NLRB and its regional offices.

Today I desire to add another instance to the record of cases that have been badly mishandled. I have sought and obtained factual information relating to it. I am referring to a case involving Patio Foods, Inc., of San Antonio. Here is a brief chronology of some events which strongly indicates prejudice and prejudgment of issues on the part of the NLRB and its employees:

In February 1965, the company was notified that a union, the IUE, was undertaking an organizational effort in its plant.

The company, in June, requested an election from NLRB, and an election was held on July 22, 1965. The union was soundly defeated, by a margin of 235 to 160.

In September the company learned that some 23 charges of unfair labor practices had been filed against it, following the election.

On December 8, 1965, the company received a notice from the NLRB in Houston to the effect that the NLRB had refused to certify the election, and cited three of the charges as the reason, without any ruling on the other 20 that were pending.

Then, on December 10, 1965, the company wrote to Mr. Clifford Potter, NLRB's Houston Regional Director, and pointed out the following coincidences:

First. That it took the Board 139 days to give a decision on the election; whereas in an other election, involving another company, held about the same time as the one at the Patio Foods plant, where the union won, the Board gave its decision in only 77 days.

Second. That it was unusual that the decision in the Patio Foods case was held within 1 week before the same union involved was holding an election at Standard Electric in San Antonio, which contest was widely used as propaganda designed to influence the election at Patio Foods.

Third. That organizers of the union in the company's plant circulated rumors about future developments against the company, and did so several days before the company received any information from the NLRB's office.

Another coincidence occurred on the afternoon of the day the regional director received the letter from the company: that afternoon the company's attorney received a telephone call from Potter's assistant in Houston advising him it had been decided to file 13 more unfair labor practice charges, all relating to the previous June and July.

This was followed by the appearance, within 3 days, of two men in the company's San Antonio plant, who filed three more unfair labor practice charges.

Mr. Speaker, the unsavory manner in which the NLRB's Houston office handled this case is highly suspect. It smacks of prejudice and a total lack of judicial temperament. Obviously, the filing of the new charges was a form of retaliation against the company because of the writing of the letter to Potter on December 10. This conduct was, on its face, highhanded and reprehensible. Here we have every indication of a conspiracy on the part of the NLRB's regional office, which in conjunction with the defeated and disgruntled union, seemed determined to make life miserable for the management of Patio Foods.

If the NLRB has any desire to be fair and judicial in the discharge of its functions under the law, the regional office in Houston should be thoroughly investigated. The director there should be either discharged or admonished to desist from repeating such practices in the future.

Most of the charges of unfair labor practices in connection with plant elections relate to expressions by management. Surely members of the NLRB know, or should know, that the rights of freedom of speech by management, as well as that of labor, was spelled out in a law enacted by the Congress in 1947. Let us here refer to the wording of section 8(c) of the Taft-Hartley Act, which states:

> The expressing of any views, argument, or opinion, or the dissemination thereof, whether in written, printed, graphic, or visual form, shall not constitute or be evidence of an unfair labor practice under any of the provisions of this Act, if such expression contains no threat of reprisal or force or promise of benefit.

Yet we know that despite the clear and concise wording and meaning of the law, with respect to freedom of speech on the part of management, the NLRB, in case after case, ignores that provision in its interpretation of charges relating to unfair labor practices.

How long is the Congress going to countenance this practice? Several bills are pending in the Congress now which would overhaul the NLRB and create a fair and responsible agency to handle labor-management issues. The one and only function of such an agency should be to interpret the law the Congress has enacted, and do so in a fair and judicious manner.

Let us hope that the Supreme Court will resolve this issue in a responsible manner when decisions on several cases now pending before that tribunal are handed down. And let us hope that the members of the NLRB will do some soul searching and recognize the legal limitations of their authority in the performance of their duties. The public interest can ask no more and can be satisfied with nothing less.

Cuban Independence

EXTENSION OF REMARKS

OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 1966

Mr. PUCINSKI. Mr. Speaker, José Marti, the apostle of Cuban independence, teacher, poet, philosopher, orator, and diplomat, fell fighting the Spanish Army at Dos Rios, Cuba, more or less at the hour when this House meets to render him homage, on May 19, 1895.

He had spent some 14 years, one-third of his life, in the United States, as a teacher in the public schools of New York City, as a Cuban revolutionary leader, as consular representative of Argentina and Uruguay, as a translator for the Appleton Publishing Co., and a critic of art for the New York Sun, whose editor, Mr. Charles A. Dana, had this to say about the death of Marti, in the obituary published in his paper:

> We learn with poignant sorrow of the death in battle of Jose Marti, the well-known leader of Cuban revolutionists. We knew him long and well, and esteemed him profoundly . . . His ideas and conclusions were original and brilliant. He was a man of genius, of imagination, of hope, and of courage . . . His heart was warm and affectionate, his opinions ardent and inspiring, and he died as

such a man might wish to die, battling for liberty and democracy.

Hours before his untimely death, he had written to the editor of the New York Herald to tell him:

> To the people of the United States we show that Cubans fight for what the Americans fought before; Cubans are going ahead, without aid, to secure freedom.

The aid to which Marti referred to came 3 years later when the United States, the only country to help the Cubans attain freedom and independence, went to war against Spain. On April 20, 1898, the famous Teller joint resolution proclaimed that—

> The people of Cuba are, and of right ought to be free and independent.

And promised that at the end of the war with Spain, the Cubans would set up their own government. The promise was fulfilled on May 20, 1902, when the Republic of Cuba was inaugurated—tomorrow, it will be her 64th anniversary.

The Communists have turned Cuba into a satellite country of the Soviet Union, have destroyed the freedom, the prosperity, and the happiness of the Cuban people. They have failed in two important and decisive counts: they have been unable to destroy the will of the Cuban people to be free and independent, and they have been unable to destroy the boundless reservoir of good will toward the United States, and its people, that is in the hearts of all Cubans, in spite of Castro and his Communist henchmen.

On May 20, 1902, in Havana, speaking at the ceremonies for the inauguration of the Cuban Republic, William Jennings Bryan told the Cubans:

> God has made us neighbors. Let justice and freedom keep us friends!

It is altogether fitting that such a pledge will be repeated today in this House of Representatives of the United States, on the anniversary of the death of Marti, and on the eve of the anniversary of the Republic of Cuba.

Today, in 1966, 7 years after Castro seized power, Cuba presents a desperately bleak picture.

She is almost totally dependent economically on Russia. Her industries are destroyed, the sugar harvest is far below normal.

The headlines in Cuba since January 1966 are: Castro's split with Communist China; his attack on President Frei, of Chile; the attempted assassination of Castro himself by Major Cubela—who was a longtime friend and former president of the student federation. Countless arrests and purges of army officials, government administrators, diplomats, students, professors, and so forth, have been made.

Cuba is surely in crisis today, but there are still 5,000 to 6,000 Russians in key positions there. According to Castro there are 2 million spies; 300,000 in the army, 150,000 in the militia. Most powerful of all is the cruel and repressive secret police, G–2. All of these combine to keep his unhappy people in line.

An estimated 80,000 political prisoners are criminally neglected in the Cuban jails.

The only freedom in Cuba is reserved for the Communists.

A newspaper man who defected in Paris, recently, says that Castro has three main groups around him: First, the old guard Communists, obedient, but not to be trusted, second, the 26th of July and the Student Directorate, more liberal but less manageable, third, a great number of opportunists, who came to prominence under his regime, who are incapable but grateful and loyal. This third group is the one that Fidel Castro trusts most.

The past 7 years of Castro's regime have been characterized by a constant raising and lowering of the status of people around him. This juggling of personnel characterizes all Communist governments, but Castro is well out in front as the top manipulator.

We all know that the Soviet goal was not to raise the standard of living, nor to bolster the economy in Cuba. On the contrary, their expectation was that the flourishing economy would continue to flourish in spite of a changed society; that Cuba could serve as a showcase for communism in the new world, while the main purpose of establishing a base for subversion of Latin America was accomplished.

In this most important aspect, Russia has been supremely successful.

Cuba today is an arsenal of arms, a training center for Communist agents. The State Department estimated last fall that several thousand young men from Latin America and elsewhere have been trained in guerrilla warfare, party organization, and so forth.

Through her powerful long and short wave radio networks, Cuba broadcasts in Spanish, French, Creole, Guarani, Portuguese, Quechua, and English. The programs to Latin America are highly explosive, calling for overthrows of the present regimes in those countries. The Radio Free Dixie broadcasts, in English, to the United States, are vitriolic and designed to instruct and agitate the American Negro.

The most important Communist effort to penetrate Latin America since their assuming power in Cuba was the holding of the Tri-Continental Conference—Asia, Africa, Latin America—in January of this year. I described this important gathering of world Communists here in this Chamber at that time. Eighty-six countries were represented by hundreds of delegates and observers, the most important of whom were from Russia and China. The most obvious common denominator was violent opposition to the United States.

The tone of the Conference became extremely bellicose and resulted in an avalanche of speeches and resolutions which denounced the United States in every trouble spot in the world. President Dorticós of Cuba called for the "overthrow of the United States." Castro asserted that—

> Any revolutionary movements anywhere in the world can count on Cuba's unconditional support.

He urged "armed battle in all, or almost all, countries in Latin America." Repeatedly mentioned were Venezuela, Colombia, Guatemala, Peru, the Dominican Republic.

The most important delegate was Sharif Rashidov, delegate from the U.S.S.R., member of the Soviet Central Committee and alternate member of the Soviet Presidium. He said his delegation was present "with the aim of giving assistance to the unification of the anti-imperialist forces of the three continents in order to provide greater impetus to our Communist struggle." He professed Russia's solidarity with Latin America's struggle for freedom, and with the peoples of British, French, and Dutch Guianas, the Antilles, and with the struggle being waged by the people of Puerto Rico.

The result of this 12-day Conference is not to be underestimated, nor is Cuba's position as a focal point for subversion in the New World. The Secretariat, with a Cuban Secretary General, is to be maintained in Cuba. A Liberation Committee will have its headquarters in Cuba, as will the Latin American Solidarity Association, both constituted at this meeting.

You may know that the Organization of American States reacted instantly to the Conference and to the gross intervention by Cuba and Russia in the internal affairs of this hemisphere. The Latin American countries in the United Nations condemned the Conference on the same grounds.

It is true that Fidel Castro's own image has been diminished in the hemisphere, but the Communist Parties of all stripes have found new strength and active support from Castro's Cuba.

This is unquestionably the real danger of a Communist Cuba. She is not now a military threat to the United States owing to our vigilant watchfulness and preparedness. But her unceasing and militant agitation among the peoples of Latin America erodes the efforts, economic and social, not only of the Alliance for Progress but for the Latin American governments themselves. We must continue to give this problem the critical attention it deserves.

Mr. Speaker, on this day commemorating the death of José Marti and on the eve of Cuban Independence Day, I take this opportunity to remind our beleaguered friends in Cuba that their cause is our cause. The United States will not tire in its efforts to secure liberty and independence for the captive people of Cuba. And I am confident we will prevail.

Gen. Bernard A. Schriever

EXTENSION OF REMARKS

OF

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 1966

Mr. RIVERS of South Carolina. Mr. Speaker, on the 31st of August, Gen. Bernard A. Schriever, commander of the Air Force Systems Command, will bring to a close a more-than-30-year career in the

Air Force and a remarkable career it has been. There are several aspects of General Schriever's service which would make very compelling success stories in and of themselves.

For example, it is not every day that one hears of an immigrant boy, raised by his widowed mother, who rises to the rank of four-star general in the service of his adopted country. Nor do you hear very often of a relatively junior staff officer in the Pentagon who successfully overcomes the resistance of inertia and introduces a new family of weapons in the biggest single development-production-construction program ever undertaken in the history of this Nation.

Nor do you often find a man who could foresee, 10 years into the future, a management concept which came to fulfillment with the establishment of the Air Force Systems Command in 1961, and be named its commander. General Schriever is all these men. But more importantly, he and his career symbolize the changing role of the Armed Forces in world affairs. There was a time when the Military Establishment had but a single purpose, and that was to meet the enemy in battle. When the conflict had ended, the purpose was served. This is no longer true. In today's world, the Military Establishment has a mission which even takes precedence in importance over the wars it must fight. That mission is to prevent war, to prevent war through winning the technological race. This is General Schriever's thesis and as its advocate, he has dedicated the past two decades of his life.

After winning his Pentagon battle for going ahead with the development of the intercontinental ballistic missile, he was given the job of supervising the program. He opened up shop with a few carefully selected staff officers in an abandoned schoolbuilding outside of Los Angeles now nostalgically known as the "little red schoolhouse." Many people predicted failure for the program. Not only was the task beyond the capability of any single industry or group of companies, but so little was known about boosters, reentry technology, guidance, and other aspects of missile technology, that no one knew how the weapon could be built much less accomplish its mission.

Those who predicted failure did not reckon with Bernard Schriever's vision, ingenuity, and perserverance. He did the job. Today, the free world lives and prospers under the ever-present deterrent protection of an intercontinental ballistic missile nuclear force which we all pray will never have to be used. The national benefits derived from the intercontinental ballistic missile program will be impossible to assess except in the perspective of history. How can one place a value on survival?

Apart from its military significance, however, the intercontinental ballistic missile program has made many contributions to the Nation's store of industrial know-how. It also made a very significant contribution to the national space program. Much of the booster research accomplished in the intercontinental ballistic missile program was directly applicable to the space program and much of the hardware was used "off the shelf." In view of our late start in the space race, we very likely would not be where we are today if this booster technology had not been available. Most NASA payloads placed into orbit thus far have been lifted into space by Air Force developed boosters.

After the intercontinental ballistic missile program was well underway and all of the basic problems had been solved, General Schriever was moved into Headquarters, Air Research and Development Command, as deputy commander for ballistic missiles where he continued to keep a tight grip on the intercontinental ballistic missile program, but where his talents were also available for other activity and problems in the ongoing technological race.

In April of 1959, he was promoted to lieutenant general and assumed command of the Air Research and Development Command.

He stayed in command until April of 1961, at which time the Air Force underwent a major reorganization. The two commands responsible for research and development and materiel support were formed into the Air Force Systems Command and the Air Force Logistics Command. Air Force Systems Command was given the responsibility for research and development, procurement and production, installation and test, and delivery of operational weapons systems.

Thus, finally, the Air Force had arrived at approximately the point in management evolution which the visionary Bernard Schriever had proposed in a paper he wrote in 1951. With the formulation of the Air Force Systems Command, General Schriever got his fourth star and assumed command of the country's biggest research and industrial management organization, with facilities worth $2½ billion and annual expenditures of as much as $8½ billion. In this command, General Schriever has forged management concepts that have led the way for the other services and much of industry.

To further exploit the proven visionary genius of this outstanding officer, the Air Force Chief of Staff appointed General Schriever in late 1962 to head up a study group to examine the technological potential of the decade ahead. This study, known as Project Forecast is reflected throughout the present-day military force structure and is responsible for the development of several new systems. Of even more value, Project Forecast identified those areas of research in which progress was needed and most probable of achievement. Many of these research programs are now underway and will produce the foundation upon which we will build our weapons 10 years hence. Indeed, Bernard Schriever's wisdom and vision will remain a major influence on the direction taken in Air Force development for years to come.

Last summer, the President of the United States, alert to the potential and portents of enemy developments in space, made the wise decision to go ahead with a military program to determine what threats alien offensive space systems may pose to world peace and security. As was indicated at the time the President announced this new research program, known as the Manned Orbiting Laboratory, the program will bring us new knowledge about what man is able to do in space and assure that activities in space will be devoted to peaceful purposes—for the benefit of all mankind. This is consistent with the national policy declared in the Space Act of 1958. General Schriever, in addition to his other responsibilities, was chosen to direct this vital program. No better selection was possible. May the course he has set for this program carry it on to success. Let us hope that others will come along to fill the void created by the retirement of this great military scientist and manager.

Whatever General Schriever does in his future career, I hope the Nation will continue to have benefit of his counsel in defense matters. And I think we should resolve to do everything possible to insure that the technological momentum which General Schriever has established with such great effort should not be allowed to diminish.

Bureaucracy in Poverty War

EXTENSION OF REMARKS

OF

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 1966

Mr. AYRES. Mr. Speaker, as a general rule I do not reply to "letters to the editor" and similar material critical of positions I have taken. But when a high administration official—in this case Mr. Sargent Shriver—writes to one of our great newspapers that a statement I made on the floor of this House was "patently erroneous," I feel that I have an obligation to reply.

On March 30, 1966, I made a statement in the House regarding the fantastic bureaucracy Mr. Shriver is assembling to run his $1.7 billion war on poverty. The facts set forth in my statement were drawn from the budget of the United States for fiscal year 1967, and from other official sources, including the Office of Economic Opportunity. My statement was an accurate presentation of those facts.

On May 2, 1966, in a letter to the Los Angeles Times Mr. Shriver replied to a Times editorial based upon my statement. He never contacted me personally, and it is only by chance that I learned of his letter. The letter is a gross distortion of my statement, and a garbled, misleading, and false account of the poverty war budget. I cannot believe Mr. Shriver personally composed it.

Nevertheless, such performances tend to turn this administration's much-remarked credibility gap into a grand canyon. For the RECORD, I herewith submit the Los Angeles Times' editorial, Mr. Shriver's incredible response, and my letter to the editor of the Times. I also include the appropriate pages from the President's budget, which demonstrate beyond question the accuracy of the statements denied by Mr. Shriver.

The material follows:

[From the Los Angeles (Calif.) Times, Apr. 8, 1966]

Bureaucracy in Poverty War

Testifying before the House Committee on Education and Labor two years ago in behalf of the War on Poverty, Sargent Shriver declared it would be a prudently planned program and that every dollar allocated would be spent to help the poor.

In the course of his remarks, he asserted that "there is no contemplated huge bureaucracy" and added that "I am not one who likes a lot of bureaucracy."

Shriver may not like a lot of bureaucracy, but the record shows that he's got it.

Delving into President Johnson's 1967 budget, Representative William H. Ayres, Republican, of Ohio, came up with some revealing figures on the Office of Economic Opportunity.

The total cost of Shriver's administrative staff is $21,739,000 and the total payroll for 6,484 permanent federal employes is $53,489,000.

Twenty-five of the poverty fighters will draw more than the base pay of Gen. Westmoreland, who leads our fighters in Vietnam.

Five anti-poverty workers will be paid more than the $26,000 salary of the U.S. commissioner of education, who runs a program twice the size of OEO.

With a program twice as large, the Office of Education operates with a staff half the size of that of OEO.

The congressman asserted that administrative expenses of the Job Corps are so high that the annual cost per enrollee now runs above $9,000.

Calling for creation of a bi-partisan select committee to investigate conduct of the war on poverty, Ayres recalled the recent declaration of Representative Adam Clayton Powell, chairman of the House Education and Labor Committee, that Congress appropriated money "to help the poor, not to create a monolith of extravagantly paid functionaries."

"If we do not take remedial action," Ayres concluded, "the entire anti-poverty program is going to become so discredited, and be so ineffective, as to create massive disillusionment among citizens trapped in poverty. There is still time to avoid this tragedy."

The congressman is right—but the time is rapidly running out. The committee he proposes should be activated forthwith.

[From the Los Angeles (Calif.) Times, May 2, 1966]

Letters to the Times: Poverty War Chief Replies to Criticism of His Program

The Times' editorial (April 8) entitled "Bureaucracy in Poverty War" has come to my attention. While I would never question the responsible right of a newspaper to comment editorially, I am disturbed that the editorial quotations were drawn from patently erroneous statements by Congressman Ayres.

In the first instance, his figure on OEO's staff is more than 300% in error and his salary figures two and one-half times the actual. OEO employees in April of this year totaled 2,099—not 6,484, and the payroll is estimated at $16,155,000 for the current fiscal year and $21,739,000 for next year—not $53,489,000 as quoted.

The congressman charges that 25 poverty warriors draw more pay than Gen. Westmoreland does. Title 37—U.S. Code shows the general eligible to receive $30.794.52 annually. This exceeds the statutory salary for the director of an independent agency such as OEO and obviously that of any other employees at OEO as well.

Only the director and the deputy director are paid at a higher rate than is the Commissioner of Education, again in keeping with statutory salary structures. These were established by that Congress of which Congressman Ayres is a leading member, and he never objected to them.

OEO operates with a staff less than that of the Office of Education which employes 2,192 persons. Furthermore, a comparison of size of programs between the two is impossible to make, since it falls in the apples vs. oranges category.

The two offices function in totally different ways to meet their entirely different responsibilities. The Office of Education is a funding and resources agency to the 50 states whose education systems, varying widely in size, administer those programs.

OEO must fund, administer, and provide technical services not only to the 50 states, but also directly to the 700 community action agencies. We are charged with creating and developing a host of new programs such as Head Start, Upward Bound, Legal Services, Foster Grandparents, etc., all of which cut across the whole complex of the human and environmental factors that create the problem of poverty for the nation, and specifically for some 32 million people who are its victims.

Sargent Shriver,
Director, Office of Economic Opportunity.
Washington, D.C.

May 16, 1966.

Editor, Los Angeles Times,
Times Mirror Square,
Los Angeles, Calif.

Dear Editor: I have just seen Mr. Sargent Shriver's letter to the *Times* of May 2 in which he attacks your editorial "Bureaucracy in Poverty War" (April 8) as being based upon "patently erroneous statements by Congressman Ayres." He says that my figures on poverty war staffing are "more than 300 percent in error" and that my poverty war salary figures are "two and one-half times the actual."

Mr. Shriver's letter is either a crude attempt to mislead your readers, or a pathetic display of a profound ignorance of his own poverty war budget, or both.

My statement of March 30 read: "According to President Johnson's 1967 Budget, it will take 6,484 permanent Federal employees to run Mr. Shriver's burgeoning bureaucracy—a poverty empire costing $53,489,000 in salaries alone." I carefully broke down these figures, as follows: "Mr. Speaker, there are 2,350 permanent Federal employees budgeted for the Washington and regional offices of the Office of Economic Opportunity. This is the high-salaried Palace Guard of the Poverty Czar . . . . Outside this inner circle at Poverty Headquarters there are 4,134 other permanent Federal employees budgeted at $31,750,000. They are to do the hard work farmed out to other Federal agencies, such as running the Job Corps camps, the Neighborhood Youth Corps, the Adult Education Program, Agricultural loans, etc."

This is an absolutely accurate statement, with the one exception that the number of poverty war positions in programs "farmed out" is actually 4,883, making the total permanent Federal poverty jobs 7,233. The authority for my statement is the President's Budget of the United States for Fiscal Year 1967. The complete analysis of poverty war expenditures is found in the Appendix to the Budget under "Funds Appropriated to the President: Office of Economic Opportunity" beginning on page 92 and running through page 95. On page 94 the funds are detailed in a chart headed "Object Classification" and the personnel plans are described under "Personnel Summary". The cost of permanent positions for the main office of OEO in 1967 is stated at $21,739,000, and for the farmed out jobs (described in budget language as "allocation accounts") at $31,750,000—or my total of $53,489,000. Similarly, the main office permanent positions for 1967 are given as 2,350, and the "allocation accounts" permanent positions as 4,883—or my total of 7,233 Federal employees.

Now how in the world could Mr. Shriver make such statements in the teeth of the President's Budget? He simply ignored the 1967 estimates and talked of current positions; worse, he ignored all the programs under OEO, such as the Job Corps, which are farmed out to other agencies and spoke only of his main office staff.

This kind of tricky stuff is unworthy of Mr. Shriver. Surely he does not contend that the Job Corps, etc. are not parts of his $1.7 billion program. President Johnson's Budget certainly contains no such nonsense; it is explicit and accurate, and so was my statement.

But these are not the only distortions and mis-statements in Mr. Shriver's letter. My statement noted that "6 [OEO employees] will get between $26,000 (the pay of the U. S. Commissioner of Education) and $30,000". In a covering press release I said that "5 anti-poverty workers will get more than the $26,000" paid the Commissioner. Mr. Shriver attacks this by saying that today only he and his deputy are paid more than the Commissioner. But on page 1116 of the Budget Appendix a "schedule of personnel compensation" for the OEO main office has the 1967 estimates in black and white. It shows a Director (Mr. Shriver) at $30,000, a Deputy Director at $28,500, three Assistant Directors at $27,000 each, and one Assistant Director at $26,000—precisely as given in my statement.

One final distortion: I said that 25 of Shriver's poverty warriors would draw more next year than the *base* pay of General Westmoreland. The highest *base* pay of a full general is $23,274 per year, and the President's Budget clearly shows 25 of Shriver's troops scheduled to get more than $23,274. Mr. Shriver added to the base pay all of a general's allowances for quarters, subsistence, and presumably even combat pay for Vietnam to get a higher figure. But my statement was precisely accurate.

Mr. Editor, you and your readers have a right to rely upon the accuracy and truthfulness of a member of the U.S. House of Representatives. I make errors and mistakes, but I do not treat lightly of the truth and I do not distort or misrepresent facts vital to the citizens of our country. I have enclosed photostatic copies of the appropriate pages of the President's Budget, together with my complete statement of March 30, 1966, and the accompanying press release. These were available to Mr. Shriver because I inserted the statement in the Congressional Record on March 30. You may judge for yourself whose facts are "patently erroneous".

I know Mr. Shriver and have respected him as an honest and straightforward man. I cannot believe that he composed a letter with such distortions and errors of fact concerning his own budget. It must have been the work of one of his numerous incompetent subordinates, who combined an astounding ignorance of the Budget with a profound contempt for the public right to know the truth.

This incident is typical of the confusions, errors, and misstatements flowing daily from the Office of Economic Opportunity (their budget for printing this year is over $4,000,000). It is illustrative of the reasons for Mr. Shriver's agency being widely referred to in Washington as "the fuddle factory". The real tragedy is that so little of the billions it is spending reach the poor.

Sincerely,

William H. Ayres,
Member of Congress.

Enclosures.

The following tables, from pages 92 and 94 of the "Appendix to the Budget" show the complete $1,724,200,000 budget for OEO for fiscal year 1967. Positions and costs for the main office of OEO are stated separately from those in OEO programs delegated to other agencies, which are listed under the heading "Allocation Accounts," but all are included within the total OEO budget figure of $1,724,200,000. All figures are stated in thousands of dollars:

OFFICE OF ECONOMIC OPPORTUNITY

GENERAL AND SPECIAL FUNDS:

Economic Opportunity Program

For expenses necessary to carry out the provisions of the Economic Opportunity Act of 1964 (Public Law 88-452, approved August 20, 1964), as amended, [$1,500,000,000] *$1,750,000,000,* plus reimbursements [, including not more than $10,000,000 to carry out the purposes of section 205(d) of title II, in the discretion of the Director, and not more than $1,000,000 to carry out the purposes of part D of title III]: *Provided,* That this appropriation shall be available for transfers to the economic opportunity loan fund for loans under title III, and amounts so transferred shall remain available until expended: *Provided further,* That this appropriation shall be available for the purchase and hire of passenger motor vehicles, and for construction, alteration, and repair of buildings and other facilities, as authorized by section 602 of the Economic Opportunity Act of 1964, and for purchase of real property for training centers: *Provided further,* That this appropriation shall not be available for contracts under titles I, II, V, and VI extending for more than twenty-four months: [*Provided further,* That none of the funds contained in this Act shall be used to make indemnity payments, authorized by part D of title III, to any farmer whose milk was removed from commercial markets as a result of his failure to follow the procedures prescribed by the Federal Government for the use of the offending chemical: *Provided further,* That $5,000,000 of this appropriation shall be transferred to "Community health practice and research" to carry out the program for selective service medical rejectees financed by the Office of Economic Opportunity in fiscal year 1965:] *Provided further,* That no part of the funds appropriated in this paragraph shall be available for any grant until the Director has determined that the grantee is qualified to administer the funds and programs involved in the proposed grant: *Provided further,* That all grant agreements shall provide that the General Accounting Office shall have access to the records of the grantee which bear exclusively upon the Federal grant. (*"Economic Opportunity Amendments of 1965"; "Supplemental Appropriation Act, 1966."*)

Program and financing

[In thousands of dollars]

		1965 actual	1966 estimate	1967 estimate
	Program by activities:			
	1. Youth programs:			
	(a) Job Corps	53,523	240,000	355,000
	(b) Neighborhood Youth Corps	50,895	245,000	275,000
	2. Community action programs:			
	(a) Headstart components	5,000	147,000	260,000
	(b) Other components	44,244	344,000	475,000
	3. Migrant agricultural workers program	1,116	24,000	30,000
	4. Rural areas program	1,727	2,000	2,000
	5. Small business development centers			5,000
	Program by activities—Continued			
	6. Work experience program	20,668	130,000	160,000
	7. Adult basic education program	4,275	20,000	30,000
	8. Volunteers in Service to America	1,393	14,000	23,000
	9. General direction and administration	4,981	11,000	17,000
	10. Draft rejectee program			5,000
	Total program costs, funded	187,822	1,177,000	1,637,000
	Change in selected resources	497,935	238,367	87,200
10	Total obligations	685,757	1,415,367	1,724,200

Object classification

[In thousands of dollars]

		1965 actual	1966 estimate	1967 estimate
	OFFICE OF ECONOMIC OPPORTUNITY			
	Personnel compensation:			
11.1	Permanent positions	3,924	16,155	21,739
11.3	Positions other than permanent	2,011	1,250	735
11.4	Special personal services payments	1,900	25,350	55,000
11.5	Other personnel compensation	313	601	700
	Total personnel compensation	8,148	43,356	78,174
12.0	Personnel benefits	261	1,350	1,725
21.0	Travel and transportation of persons	1,335	6,295	6,500
22.0	Transportation of things	156	100	100
23.0	Rent, communications, and utilities	857	4,814	5,100
24.0	Printing and reproduction	1,113	4,338	3,950
25.1	Other services	108,820	151,382	65,866
25.2	Services of other agencies	17,449	7,536	7,500
26.0	Supplies and materials	2,028	5,293	5,100
31.0	Equipment	6,999	3,773	2,000
41.0	Grants, subsidies, and contributions	235,882	628,663	888,835
	Total obligations, Office of Economic Opportunity	383,048	856,900	1,064,850
	ALLOCATION ACCOUNTS			
	Personnel compensation:			
11.1	Permanent positions	6,161	22,550	31,750
11.3	Positions other than permanent	1,165	2,808	2,098
11.4	Special personal services payments	18	1	1
	ALLOCATION ACCOUNTS—continued			
11.5	Other personnel compensation	339	661	771
	Total personnel compensation	7,683	26,020	34,620
12.0	Personnel benefits	576	1,952	2,597
21.0	Travel and transportation of persons	1,361	7,000	6,000
22.0	Transportation of things	624	1,611	1,923
23.0	Rent, communications, and utilities	663	3,309	4,084
24.0	Printing and reproduction	224	302	402
25.1	Other services	131,700	313,766	353,062
25.2	Services of other agencies	3,586	5,274	9,100
26.0	Supplies and materials	3,902	14,612	26,229
31.0	Equipment	6,642	3,418	6,269
32.0	Lands and structures	30,086	20,110	5,000
41.0	Grants, subsidies, and contributions	115,662	161,093	210,064
	Total obligations, allocation accounts	302,709	558,467	659,350
99.0	Total obligations	685,757	1,415,367	1,724,200
	Obligations are distributed as follows:			
	Office of Economic Opportunity	383,048	856,900	1,064,850
	Agriculture	32,527	73,024	86,050
	Health, Education, and Welfare	116,427	155,443	195,000
	Interior	21,555	71,000	83,000
	Labor	132,200	259,000	290,300
	Small Business Administration			5,000

Personnel summary

	1965 actual	1966 estimate	1967 estimate
OFFICE OF ECONOMIC OPPORTUNITY			
Total number of permanent positions	1,150	2,150	2,350
Full-time equivalent of other positions	211	125	75
Average number of all employees	608	1,775	2,275
Average GS grade	9.5	9.7	9.5
Average GS salary	$9,524	$9,827	$9,792
ALLOCATION ACCOUNTS			
Total number of permanent positions	2,656	4,586	4,883
Full-time equivalent of other positions	139	323	246
Average number of all employees	1,017	3,250	4,600
Average GS grade	7.8	7.8	7.8
Average GS salary	$7,000	$7,200	$7,500

The following table, from pages 1116 and 1117 of the "Appendix to the Budget," is the Schedule of Personnel Compensation for the main office of OEO. It does not include "Allocation accounts" and the 4,883 permanent Federal employees budgeted at $31,750,000 for salaries are listed in the schedules for other Federal agencies. This table does show 5 positions budgeted at a higher rate of pay than the $26,000 for the U.S. Commissioner of Education, and it shows 25 positions budgeted for salaries higher than $23,274—the highest base pay of a full general:

Office of Economic Opportunity

ECONOMIC OPPORTUNITY PROGRAM—SCHEDULE OF PERSONNEL COMPENSATION PAID FROM FUNDS AVAILABLE TO THE OFFICE OF ECONOMIC OPPORTUNITY

	1965 actual		1966 estimate		1967 estimate	
	Number	Total salary	Number	Total salary	Number	Total salary
Grades and ranges:						
Special positions at rates equal to or in excess of $25,382:						
Director, OEO	1	$30,000	1	$30,000	1	$30,000
Deputy director, OEO	1	28,500	1	28,500	1	28,500
Assistant director	3	81,000	3	81,000	3	81,000
Assistant director, R.P.P. & E	1	26,000	1	26,000	1	26,000
GS-18. $25,382:						
Administrative officer	1	24,500	1	25,382	1	25,382
Assistant Director, congressional relations	1	24,500	1	25,382	1	25,382
Assistant Director, Interagency relations	1	24,500	1	25,382	1	25,382
Assistant director management	1	24,500	1	25,382	1	25,382
Associate director, operations, CAP	1	24,500	1	25,382	1	25,382
Associate director, program planning development, CAP	1	24,500	1	25,382	1	25,382
Deputy director, VISTA	1	24,500	1	25,382	1	25,382
Deputy director, Job Corps	1	24,500	1	25,382	1	25,382
Director, regional office	3	73,500	3	76,146	3	76,146
General counsel	1	24,500	1	25,382	1	25,382
GS-17. $22,217 to $25,325:						
Administrative officer	3	64,335	3	75,975	4	101,300
Assistant director, inspections	1	24,445	1	25,325	1	25,325
Assistant director, private groups	1	24,445	1	25,325	1	25,325
Associate director, enrollee activities, Job Corps	1	21,445	1	22,217	1	22,217
Associate director, program development and field operations, VISTA	1	21,445	1	22,217	1	22,994
Associate director, urban centers, Job Corps	1	22,945	1	24,548	1	24,548
Associate director, program support, CAP	1	21,445	1	22,994		
Associate director, recruitment and Community relations, VISTA	1	21,445	1	22,217	1	22,994
Director, regional office	4	85,780	4	88,868	4	91,976
Director, research and plans division, RPP&E	1	21,445	1	22,994	1	23,771
Assistant director, public affairs	1	24,500	1	24,548	1	24,548
GS-16. $19,619 to $25,043:						
Administrative officer	2	37,870	2	39,238	2	39,238
Associate director, selection and training, VISTA	1	18,935	1	19,619	1	19,619
Director, budget and finance division, management	1	20,245	1	20,975	1	21,653
Director community and public relations, Job Corps	1	18,935	1	19,619	1	19,619
Director, men's centers division, Job Corps	1	18,935	1	19,619	1	19,619
Director, program development and evaluation	1	18,935	1	9,619	1	19,619
Director, program and evaluation division, RPP&E	1	19,590	1	20,975	1	21,653
Director, women's centers division, Job Corps	1	18,935	1	20,297	1	20,975
Executive secretary	1	18,935	1	20,297	1	20,975
Program manager	10	190,005	10	202,970	10	202,970
GS-15. $17,055 to $22,365:						
Accountant	1	17,030	1	17,055	3	52,345
Administrative officer	14	230,440	45	770,425	40	678,125
Attorney	3	52,230	9	158,215	10	174,680
Attorney adviser	1	16,460	2	34,110	4	68,220
Audio visual specialist			1	17,055	1	17,645
Auditor			1	17,055	1	17,645
Budget officer	1	17,600	1	18,825	1	18,825
Communications specialist	1	16,460	1	17,645	1	18,235
Communications relations specialist	1	16,460	1	17,645	1	18,235
Contract specialist			2	34,110	2	35,290
Director, audit division, management	1	18,170	1	18,825	1	18,825
Director, community relations division, VISTA			1	17,055	1	17,645
Director, contracts division, management	1	17,055	1	17,645	1	17,645
Director, field operations division, inspection					1	17,055
Director, field operations division, VISTA	1	16,460	1	17,055	1	17,645
Director, headquarters operations division, inspection			1	17,055	1	17,645
Director, installations and logistics division, Job Corps			1	17,055	1	17,645
Director, management analysis division, management	1	18,170	1	19,415	1	19,415
Director, management support division, management			1	17,055	1	17,055
Director, program development division, VISTA			1	17,055	1	17,645
Director, recruitment division, VISTA	1	16,460	1	17,645	1	18,235
Grades and ranges—Continued						
GS-15. $17,055 to $22,365—Continued						
Director, rural task force, CAP			1	$17,055	1	$17,645
Director, selection division, VISTA			1	17,055	1	17,645
Director, State related centers office, Job Corps			1	17,055	1	17,055
Director, training division. VISTA			1	17,055	1	17,645
Director, urban centers program division, Job Corps			1	17,055	1	17,645
Economist	2	$32,920	6	102,330	7	123,515
Education specialist	2	32,920	3	51,165	3	51,755
General engineer	1	16,460	1	17,645	1	18,235
Information specialist			1	17,055	1	17,645
Inspector	3	52,800	7	124,695	7	127,055
Liaison officer			2	38,240	2	38,830
Logistics specialist	1	16,460	1	17,645	1	18,235
Medical specialist	1	16,460	2	34,110	2	34,700
Personnel specialist	1	17,030	1	18,235	1	18,235
Placement specialist	1	16,460	5	85,275	5	87,635
Program analyst	15	249,180	15	244,670	18	319,380
Pyschiatrist			1	17,055	1	17,645
Program manager	37	730,220	75	1,363,465	75	1,387,562
Programer	1	16,460	1	17,055	1	17,645
Property and supply specialist			1	17,055	1	17,645
Public information specialist			1	17,055	2	34,700
Sociologist			2	34,110	2	35,290
Statistician	1	16,460	3	51,165	3	52,345
Systems analyst			1	17,055	1	17,645
Training specialist	1	16,460				
Visual information specialist	1	16,460	1	17,645	1	18,235
Writer			4	68,220	4	70,580
GS-14. $14,680 to $19,252:						
Accountant	1	16,620	4	62,784	4	59,736
Accounting technician			1	14,680	1	14,680
Administrative assistant			2	29,360	2	30,376
Administrative officer	23	328,360	18	269,320	18	264,291
Attorney	3	43,490	3	45,564	2	29,360
Budget analyst	1	14,170	3	44,548	4	60,752
Auditor	2	29,810	3	44,548	6	96,112
Classification specialist	1	14,170	1	14,680	1	15,696
Community relations specialist	1	14,660	1	15,696	1	16,204
Contract specialist	3	42,510	4	58,720	4	60,752
Education specialist	4	56,680	7	105,300	7	108,348
Financial manager	1	14,170	1	14,680	1	15,188
Information specialist			1	14,680	1	15,188
Inspector	2	31,280	8	120,488	11	184,796
General engineer	3	45,940	6	92,144	6	93,668
Liaison officer			7	102,760	7	106,316
Logistics specialist	1	14,170	1	15,188	1	15,696
Management analyst	2	28,340	3	45,056	3	46,580
Media specialist			2	29,360	2	29,360
Medical specialist			1	14,680	1	15,696
Morale and welfare officer			1	14,680	1	15,188
Personnel specialist	1	14,660	1	15,696	1	16,204
Planning officer			1	14,680	1	15,188
Procurement specialist			1	14,680	1	15,188
Program analyst	17	245,790	46	691,564	43	664,768
Program evaluation analyst	1	14,170	5	73,908	7	105,808
Program manager	28	396,760	93	1,367,379	81	1,214,988
Property and supply specialist	1	16,130				
Psychologist	2	28,340	8	117,440	5	76,956
Public information specialist	10	145,130	10	152,896	10	152,896
Research specialist					1	14,680
System analyst			4	58,720	5	75,432
Traffic management specialist	1	14,170	1	15,188	1	15,696
Training specialist	1	14,170	6	88,080	8	120,050
GS-13. $12,510 to $16,245	113	1,377,675	226	2,871,330	230	2,960,820
GS-12. $10,619 to $13,931	125	1,290,209	225	2,426,075	255	2,786,116
GS-11. $8,961 to $11,715	79	693,149	150	1,365,570	190	1,746,960
GS-10. $8,184 to $10,704	2	15,800	4	33,296	4	34,976
GS-9. $7,479 to $9,765	84	618,786	150	1,139,630	170	1,308,260
GS-8. $6,869 to $8,921	13	91,728	20	138,520	20	139,630
GS-7. $6,269 to $8,132	111	695,045	200	1,272,430	225	1,449,855
GS-6. $5,702 to $7,430	51	303,086	94	544,436	105	615,712
GS-5. $5,181 to $6,720	151	772,932	270	1,419,390	305	1,623,810
GS-4. $4,641 to $6,045	116	536,107	210	989,274	240	1,144,884
GS-3. $4,149 to $5,400	32	130,878	60	253,140	65	278,085
GS-2. $3,814 to $4,975	9	40,480	20	77,570	20	78,860
GS-1. $3,507 to $3,578	5	16,925				
Total permanent	1,150	11,060,730	2,150	21,191,801	2,350	23,118,675

McNamara Address to Newspaper Editors

EXTENSION OF REMARKS
OF
HON. WILLIAM S. MOORHEAD
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 19, 1966

Mr. MOORHEAD. Mr. Speaker, the Secretary of Defense, Robert S. McNamara, delivered an address before the American Society of Newspaper Editors in Montreal May 19 which emphasizes the importance of economic, social, and political progress throughout the world as essential to world security. I think it is a statement that should be read by all Members of the Congress. Under leave to extend my remarks, therefore, I include the text in the RECORD at this point:

TEXT OF ADDRESS BY MCNAMARA TO AMERICAN SOCIETY OF NEWSPAPER EDITORS

Any American would be fortunate to visit this lovely island city, in this hospitable land.

But there is a special satisfaction for a Secretary of Defense to cross the longest border in the world—and realize that it is also the least armed border in the world. It prompts one to reflect how negative and narrow a notion of defense still clouds our century.

There is still among us an almost eradicable tendency to think of our security problem as being exclusively a military problem—and to think of the military problem as being exclusively a weapons-system or hardware problem.

The plain, blunt truth is that contemporary man still conceives of war and peace in much the same stereotyped terms that his ancestors did. The fact that these ancestors—both recent and remote—were conspicuously unsuccessful at avoiding war, and enlarging peace, doesn't seem to dampen our capacity for cliches.

We still tend to conceive of national security almost solely as a state of armed readiness: a vast, awesome arsenal of weaponry.

We still tend to assume that it is primarily this purely military ingredient that creates security.

We are still haunted by this concept of military hardware.

But how limited a concept this actually is, becomes apparent when one ponders the kind of peace that exists between the United States and Canada.

It is a very cogent example. Here we are, two modern nations: highly developed technologically, each with immense territory, both enriched with great reserves of natural resources, each military sophisticated—and yet, we sit across from one another, divided by an unguarded frontier of thousands of miles * * * and there is not a remotest set of circumstances, in any imaginable timeframe of the future, in which our two nations would wage war on one another.

It is so unthinkable an idea as to be totally absurd.

But why is that so?

Is it because we are both ready in an instant to hurl our military hardware at one another?

Is it because we are both zeroed in on one another's vital targets?

Is it because we are both armed to our technological teeth that we do not go to war.

The whole notion—as applied to our two countries—is ludicrous.

Canada and the United States are at peace for reasons that have nothing whatever to do with our mutual military readiness.

We are at peace—truly at peace—because of the vast fund of compatible beliefs, common principles, and shared ideals.

We have our differences and our diversity—and let us hope for the sake of a mutually rewarding relationship we never become sterile carbon copies of one another.

BASIS OF MUTUAL PEACE

But the whole point is that our basis of mutual peace has nothing whatever to do with our military hardware.

Now this is not to say, obviously enough, that the concept of military deterrence is no longer relevant in the contemporary world.

Unhappily, it still is critically relevant with respect to our potential adversaries.

But it has no relevance whatever between the United States and Canada.

We are not adversaries. We are not going to become adversaries. And it is not mutual military deterrence that keeps us from becoming adversaries. It is mutual respect for common principles.

Now I mention this—as obvious as it all is—simply as a kind of reductio ad absurdum of the concept that military hardware is the exclusive or even the primary ingredient of permanent peace in the mid-20th century.

In the United States—over the past five years—we have achieved a considerably improved balance in our total military posture. That was the mandate I received from Presidents Kennedy and Johnson; and with their support, and that of the Congress, we have been able to create a strengthened force structure of land, sea, and air component—with a vast increase in mobility and materiel—and with a massive superiority in nuclear retaliatory power over any combination of potential adversaries.

Our capabilities for nuclear, conventional, and countersubversive war have all been broadened and improved; and we have accomplished this through military budgets that were in fact lesser percentages of our gross national product than in the past.

From the point of view of combat readiness, the United States has never been militarily stronger.

We intend to maintain that readiness.

But if we think profoundly about the matter, it is clear that this purely military posture is not the central element in our security.

A nation can reach the point at which it does not buy more security for itself simply by buying more military hardware—we are at that point.

The decisive factor for a powerful nation—already adequately armed—is the charcater of its relationships with the world. And groups of nations: first, those that are struggling to develop; secondly, those free nations that have reached a level of strength and prosperity that enables them to contribute to the peace of the world; and finally, those nations who might be tempted to make themselves our adversaries.

For each of these groups, the United States—to preserve its own intrinsic securitv—has to have distinctive sets of relationships.

First, we have to help protect those developing countries which genuinely need and request our help, and which—as an essential precondition—are willing and able to help themselves.

Second, we have to encourage and achieve a more effective partnership with those nations who can and should share international peace-keeping responsibilities.

Third, we must do all we realistically can to reduce the risk of conflict with those who might be tempted to take up arms against us.

Let us examine these three sets of relationships in detail.

First, the developing nations.

Roughly 100 countries today are caught up in the difficult transition from traditional to modern societies.

There is no uniform rate of progress among them, and they range from primitive mosaic societies—fractured by tribalism and held feebly together by the slenderest of political sinews—to relatively sophisticated countries, well on the road to agricultural sufficiency and industrial competence.

This sweeping surge of development, particularly across the whole southern half of the globe, has no parallel in history.

It has turned traditionally listless areas of the world into seething cauldrons of change.

On the whole, it has not been a very peaceful process.

In the last eight years alone there have been no less than 164 internationally significant outbreaks of violence—each of them specifically designed as a serious challenge to the authority, or the very existence, of the government in question.

Eighty-two different governments have been directly involved.

What is striking is that only 15 of these 164 significant resorts to violence have been military conflicts between two states.

And not a single one of the 164 conflicts has been a formally declared war.

Indeed, there has not been a formal declaration of war—anywhere in the world—since World War II.

The planet is becoming a more dangerous place to live on—not merely because of a potential nuclear holocaust—but also because of the large number of de facto conflicts and because of the trend of such conflicts is growing rather than diminishing.

At the beginning of 1958, there were 23 prolonged insurgencies going on about the world. As of February 1, 1966, there were 40.

Further, the total number of outbreaks of violence has increased each year: in 1958, there were 34; in 1965, there were 58.

But what is most significant of all is that there is a direct and constant relationship between the incidence of violence and the economic status of the countries afflicted.

The World Bank divides nations, on the basis of per capita income, into four categories, rich, middle-income, poor, and very poor.

The rich nations are those with a per capita income of $750 per year or more. The current United States level is more than $2,700. There are 27 of these rich nations. They possess 75 per cent of the world's wealth, though roughly only 25 per cent of the world's population.

Since 1958, only one of these 27 nations has suffered a major internal upheaval on its own territory.

But observe what happens at the other end of the economic scale. Among the 38 very poor nations—those with a per capita income of under $100 a year—no less than 32 have suffered significant conflicts. Indeed, they have suffered an average of two major outbreaks of violence per country in the eight year period. That is a great deal of conflict.

What is worse, it has been, predominantly, conflict of a prolonged nature.

TREND HOLDS CONSTANT

The trend holds predictably constant in the case of the two other categories: the poor, and the middle-income nations. Since 1958, 87 per cent of the very poor nations, 69 per cent of the poor nations, and 48 per cent of the middle-income nations have suffered serious violence.

There can, then, be no question but that there is an irrefutable relationship between violence and economic backwardness. And the trend of such violence is up, not down.

Now, it would perhaps be somewhat reassuring if the gap between the rich nations and the poor nations were closing; and economic backwardness were significantly receding.

But it is not. The economic gap is widening.

By the year 1970, over one-half of the world's total population will live in the independent nations sweeping across the southern half of the planet. But this hungering half of the human race will by then command only one-sixth of the world's total of goods and services.

By the year 1975, the dependent children of these nations alone—children under 15 years of age—will equal the total population of the developed nations to the north.

Even in our own abundant societies, we have reason enough to worry over the tensions that coil and tighten among underprivileged young people, and finally flail out in delinquency and crime. What are we to expect from a whole hemisphere of youth where mounting frustrations are likely to fester into eruptions of violence and extremism?

Annual per capita income in roughly half of the 80 underdeveloped nations that are members of the World Bank is rising by a paltry 1 per cent a year or less. By the end of the century, these nations—at their present rates of growth—will reach a per capita income of barely $170 a year. The United States, by the same criteria, will attain a per capita income of $4,500.

The conclusion to all of this is blunt and inescapable: Given the certain connection between economic stagnation and the incidence of violence, the years that lie ahead for the nations in the southern half of the globe are pregnant with violence.

This would be true even if no threat of Communist subversion existed—as it clearly does.

Both Moscow and Peking—however harsh their internal differences—regard the whole modernization process as an ideal environment for the growth of Communism. Their experience with subversive internal war is extensive; and they have developed a considerable array of both doctrine and practical measures in the art of political violence.

What is often misunderstood is that Communists are capable of subverting, manipulating, and finally, directing for their own ends, the wholly legitimate grievances of a developing society.

But it would be a gross oversimplification to regard Communism as the central factor in every conflict throughout the underdeveloped world. Of the 149 serious internal insurgencies in the past eight years, Communists have been involved in only 58 of them—38 per cent of the total—and this includes seven instances in which a Communist regime itself was the target of the uprising.

VIOLENCE SENDS SIGNALS

Whether Communists are involved or not, violence anywhere in a taut world transmits sharp signals through the complex ganglia of international relations; and the security of the United States is related to the security and stability of nations half a globe away.

But neither conscience nor sanity itself suggests that the United States is, should, or could be the global gendarme.

Quite the contrary, experience confirms what human nature suggests: that in most instances of internal violence, the local people themselves are best able to deal directly with the situation within the framework of their own traditions.

The United States has no mandate from on high to police the world, and no inclination to do so. There have been classic cases in which our deliberate nonaction was the wisest action of all.

Where our help is not sought, it is seldom prudent to volunteer.

Certainly we have no charter to rescue floundering regimes, who have brought violence on themselves by deliberately refusing to meet the legitimate expectations of their citizenry.

Further, throughout the next decade advancing technology will reduce the requirement for bases and staging rights at particular locations abroad, and the whole pattern of forward deployment will gradually change.

But—though all these caveats are clear enough—the irreducible fact remains that our security is related directly to the security of the newly developing world.

And our role must be precisely this: To help provide security to those developing nations which genuinely need and request our help, and which demonstrably are willing and able to help themselves.

The rub comes in this: We do not always grasp the meaning of the world security in this context.

In a modernizing society, security means development.

Security is not military hardware—though it may include it. Security is not military force—though it may involve it. Security is not traditional military activity—though it may encompass it.

Security is development.

Without development, there can be no security.

A developing nation that does not in fact develop simply cannot remain "secure."

It cannot remain secure for the intractable reason that its own citizenry cannot shed its human nature.

If security implies anything, it implies a minimal measure of order and stability.

Without internal development of at least a minimal degree, order and stability are simply not possible. They are not possible because human nature cannot be frustrated beyond intrinsic limits. It reacts—because it must.

NOT ALWAYS UNDERSTOOD

Now, that is what we do not always understand; and that is also what governments of modernizing nations do not always understand.

But by emphasizing that security arises from development, I do not say that an underdeveloped nation cannot be subverted from within; or be aggressed upon from without; or be the victim of a combination of the two.

It can. And to prevent any or all of these conditions, a nation does require appropriate military capabilities to deal with the specific problem. But the specific military problem is only a narrow facet of the broader security problem.

Military force can help provide law and order—but only to the degree that a basis for law and order already exists in the developing society: A basic willingness on the part of the people to cooperate.

The law and order is a shield, behind which the central fact of security—development—can be achieved.

Now we are not playing a semantic game with these words.

The trouble is that we have been lost in a semantic jungle for too long. We have come to identify "security" with exclusively military phenomena; and most particularly with military hardware.

But it just isn't so. And we need to accommodate to the facts of the matter, if we want to see security survive and grow in the southern half of the globe.

Development means economic, social, and political progress. It means a reasonable standard of living—and the word "reasonable" in this context requires continual redefinition. What is "reasonable" in an earlier stage of development will become "unreasonable" in a later stage.

As development progresses, security progresses; and when the people of a nation have organized their own human and natural resources to provide themselves with what they need and expect out of life—and have learned to compromise peacefully among competing demands in the larger national interest—then, their resistance to disorder and violence will be enormously increased.

Conversely, the tragic need of desperate men to resort to force to achieve the inner imperatives of human decency will diminish.

Now I have said that the role of the United States is to help provide security to these modernizing nations—providing they need and request our help; and are clearly willing and able to help themselves.

But what should our help be?

Clearly, it should be help towards development. In the military sphere, that involves two broad categories of assistance.

We should help the developing nation with such training and equipment as is necessary to maintain the protective shield behind which development can go forward.

The dimensions of that shield vary from country to country; but what is essential is that it should be a shield, and not a capacity for external aggression.

TRAINING IN CIVIC ACTION

The second—and perhaps less understood category of military assistance in a modernizing nation—is training in civic action.

"Civic Action" is another one of those semantic puzzles. Too few Americans—and too few officials in developing nations—really comprehend what military civic action means.

Essentially, it means using indigenous military forces for non-traditional military projects—projects that are useful to the local population in fields such as education, public works, health, sanitation, agriculture—indeed, anything connected with economic or social progress.

It has had some impressive results. In the past four years, the United States-assisted civic action program, worldwide, has constructed or repaired more than 10,000 miles of roads; built over 1,000 schools, hundreds of hospitals and clinics; and has provided medical and dental care to approximately four million people.

What is important is that all this was done by indigenous men in uniform. Quite apart from the developmental projects themselves, the program powerfully alters the negative image of the military man, as the oppressive preserver of the stagnant status quo.

But assistance in the purely military sphere is not enough. Economic assistance is also essential. The President is determined that our aid should be hardheaded and rigorously realistic: that it should deal directly with the roots of underdevelopment, and not merely attempt to alleviate the symptoms. His bedrock principle is that United States economic aid—no matter what its magnitude—is futile unless the country in question is resolute in making the primary effort itself. That will be the criterion, and that will be the crucial condition for all our future assistance.

Only the developing nations themselves can take the fundamental measures that make outside assistance meaningful. These measures are often unpalatable—and frequently call for political courage and decisiveness. But to fail to undertake painful, but essential, reform inevitably leads to far more painful revolutionary violence. Our economic assistance is designed to offer a reasonable alternative to that violence. It is designed to help substitute peaceful progress for tragic internal conflict.

The United States intends to be compassionate and generous in this effort, but it is not an effort it can carry exclusively by itself. And thus it looks to those nations who have reached the point of self-sustaining prosperity to increase their contribution to the development—and, thus, to the security—of the modernizing world.

And that brings me to the second set of relationships that I underscored at the outset; it is the policy of the United States to encourage and achieve a more effective partnership with those nations who can, and should, share international peace-keeping responsibilities.

THE HIGHEST PROPORTION

America has devoted a higher proportion of its gross national product to its military establishment than any other major free world nation. This was true even before our increased expenditures in Southeast Asia.

We have had, over the last few years, as many men in uniform as all the nations of Western Europe combined—even though they have a population half again greater than our own.

Now, the American people are not going to shirk their obligations in any part of the world, but they clearly cannot be expected to bear a disproportionate share of the common burden indefinitely.

If, for example, other nations genuinely believe—as they say they do—that it is in the common interest to deter the expansion of Red China's economic and political control beyond its national boundaries, then they must take a more active role in guarding the defense perimeter.

Let me be perfectly clear: This is not to question the policy of neutralism or nonalignment of any particular nation. But it is to emphasize that the independence of such nations can—in the end—be fully safeguarded only by collective agreements among themselves and their neighbors.

The plain truth is the day is coming when no single nation, however powerful, can undertake by itself to keep the peace outside its own borders. Regional and international organizations for peace-keeping purposes are as yet rudimentary; but they must grow in experience and be strengthened by deliberate and practical cooperative action.

In this matter, the example of Canada is a model for nations everywhere. As Prime Minister Pearson pointed out eloquently in New York just last week: Canada "is as deeply involved in the world's affairs as any country of its size. We accept this because we have learned over 50 years that isolation from the policies that determine war does not give us immunity from the bloody, sacrificial consequences of their failure. We learned that in 1914 and again in 1939. . . . That is why we have been proud to send our men to take part in every peace-keeping operation of the United Nations—in Korea, and Kashmir, and the Suez, and the Congo, and Cyprus."

The organization of the American states in the Dominican Republic, the more than 30 nations contributing troops or supplies to assist the Government of South Vietnam, indeed even the parallel efforts of the United States and the Soviet Union in the Pakistan-India conflict—these efforts, together with those of the United Nations, are the first attempts to substitute multinational for unilateral policing of violence. They point to the peace-keeping patterns of the future.

We must not merely applaud the idea. We must dedicate talent, resources, and hard practical thinking to its implementation.

In Western Europe—an area whose burgeoning economic vitality stands as a monument to the wisdom of the Marshall Plan—the problems of security are neither static nor wholly new. Fundamental changes are under way, though certain inescapable realities remain.

NUCLEAR BACKDROP NEEDED

The conventional forces of NATO, for example, still require a nuclear backdrop far beyond the capability of any Western European nation to supply, and the United States is fully committed to provide that major nuclear deterrent.

However, the European members of the alliance have a natural desire to participate more actively in nuclear planning. A central task of the alliance today is, therefore, to work out the relationships and institutions through which shared nuclear planning can be effective. We have made a practical and promising start in the special committee of NATO defense ministers.

Common planning and consultation are essential aspects of any sensible substitute to the unworkable and dangerous alternative of independent national nuclear forces within the alliance.

And even beyond the alliance, we must find the means to prevent the proliferation of nuclear weapons. That is a clear imperative.

There are, of course, risks in nonproliferation arrangements; but they cannot be compared with the indefinitely greater risks that would arise out of the increase in national nuclear stockpiles.

In the calculus of risk, to proliferate independent national nuclear forces is not a mere arithmetical addition of danger. We would not be merely adding up risks. We would be insanely multiplying them.

If we seriously intend to pass on a world to our children that is not threatened by nuclear holocaust, we must come to grips with the problem of proliferation.

A reasonable nonproliferation agreement is feasible. For there is no adversary with whom we do not share a common interest in avoiding mutual destruction triggered by an irresponsible nth power.

That brings me to the third and last set of relationships the United States must deal with. Those with nations who might be tempted to take up arms against us.

These relationships call for realism. But realism is not a hardened, inflexible, unimaginative attitude. The realistic mind is a restlessly creative mind—free of naive delusions, but full of practical alternatives.

There are practical alternatives to our current relationships with both the Soviet Union and Communist China.

A vast ideological chasm separates us from them—and to a degree, separates them from one another.

There is nothing to be gained from our seeking an ideological rapprochement; but breaching the isolation of great nations like Red China, even when that isolation is largely of its own making, reduces the danger of potentially catastrophic misunderstandings, and increases the incentive on both sides to resolve disputes by reason rather than by force.

TRADE AND DIPLOMACY

There are many ways in which we can build bridges toward nations who would cut themselves off from meaningful contact with us. We can do so with properly balanced trade relations, diplomatic contacts, and in some cases even by exchanges of military observers.

We have to know where it is we want to place this bridge; what sort of traffic we want to travel over it; and on what mutual foundations the whole structure can be designed.

There are no one-cliff bridges. If you are going to span a chasm, you have to rest the structure on both cliffs.

Now cliffs, generally speaking, are rather hazardous places. Some people are afraid even to look over the edge. But in a thermonuclear world, we cannot afford any political acrophobia.

President Johnson has put the matter squarely. By building bridges to those who make themselves our adversaries "we can help gradually to create a community of interest, a community of trust, and a community of effort."

With respect to a "community of effort" let me suggest a concrete proposal for our own present young generation in the United States.

It is a committed and dedicated generation: It has proven that in its enormously impressive performance in the Peace Corps overseas; and in its willingness to volunteer for a final assault on such poverty and lack of opportunity that still remain in our own country.

As matters stand, our present Selective systems draws on only a minority of eligible young men.

That is an inequity.

It seems to me that we could move toward remedying that inequity by asking every young person in the United States to give two years of service to his country—whether in one of the military services, in the Peace Corps or in some other volunteer developmental work at home or abroad.

We could encourage other countries to do the same; and we could work out exchange programs—much as the Peace Corps is already planning to do.

While this is not an altogether new suggestion, it has been criticized as inappropriate while we are engaged in a shooting war.

But I believe precisely the opposite is the case. It is more appropriate now than ever. For it would underscore what our whole purpose is in Vietnam—and indeed anywhere in the world where coercion, or injustice, or lack of decent opportunity still holds sway.

It would make meaningful the central concept of security: A world of decency and development—where every man can feel that his personal horizon is rimmed with hope.

Mutual interest—mutual trust—mutual effort; those are the goals. Can we achieve those goals with the Soviet Union, and with Communist China? Can they achieve them with one another?

The answer to these questions lies in the answer to an even more fundamental question.

Who is man?

Is he a rational animal?

If he is, then the goals can ultimately be achieved.

If he is not, then there is little point in making the effort.

All the evidence of history suggests that man is indeed a rational animal—but with a near infinite capacity for folly. His history seems largely a halting, but persistent, effort to raise his reason above his animality.

He draws blueprints for utopia. But never quite gets it built. In the end, he plugs away obstinately with the only building material really ever at hand: His own part-comic, part-tragic, part-cussed, but part-glorious nature.

I, for one, would not count a global free society out.

Coercion, after all, merely captures man.

Freedom captivates him.

Thank you very much.

The 25th Anniversary of the San Jose Police Reserve—A Quarter Century of Unselfish Public Service

EXTENSION OF REMARKS

OF

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 1966

Mr. GUBSER. Mr. Speaker, on Saturday evening, the 21st of May 1966, the San Jose Police Reserve will celebrate its 25th anniversary year. This organization is believed to be the oldest of its kind in continuing existence in the Nation. It is so noteworthy that I think special recognition is in order.

Mr. Speaker, the members of the San Jose Police Reserve make an outstanding contribution to public service and do it unselfishly. They receive no pay, but cheerfully cooperate with and supplement the San Jose Police Department. By so doing they bring a level of protection to the citizens of San Jose which they could not otherwise afford.

I am indebted to Mr. George W. Cochern, chief of the San Jose Police Reserve, for most of the history of this outstanding organization, which follows:

On December 8, 1941, 1 day after Pearl Harbor, J. N. Black, chief of police of San Jose, called for the formation of a civilian emergency police unit, to be part of the police department.

Such an organization was to be composed of volunteers who would be on call for assistance to the regular department, under the direction of Sgt. William Brown and the traffic officer, Edward Pracna. The group was formed, with a membership of 250, and named the San Jose Auxiliary Police. Pracna, who was eventually promoted to captain, headed the organization until his retirement in 1963.

In 1960, the organization was renamed the San Jose Police Reserve. At the same time, the responsibilities of the group were broadened to include not only civilian defense aspects, but general police duty as well. With the reorganization came an upgrading in standards of selection of personnel and training.

Today's San Jose Police Reserve officer is one of the best trained in the Nation. To become a member, a candidate must pass a rigid oral examination and complete six units of college-level law-enforcement courses. His training will continue with at least 2 nights per month for as long as he remains in the program.

All reserves are on 24-hour call and all must notify the department whenever they leave the city.

Although they work at civilian occupations, they are classified as police officers and their duties involve assignments at fires, floods, explosions, air crashes, political rallies, riots, and civil disturbances. In addition, they assist regular officers in normal patrol duties, control of crowds, and perform other public service.

The San Jose Police Reserve has been fortunate to receive outstanding leadership from the San Jose Police Department and much of the success of the program reflects the ability of the three men who have been directors of the reserves.

Upon the retirement of Capt. Edward Pracna, the first director, Capt. Ross Donald was assigned to the post, which he held until the appointment of the present director, Lt. Lewis Haller.

Mr. Speaker, though our police officers are maligned on occasion, almost every American looks to the cop on the beat as his friend and protector. He deserves our respect and gratitude. And the man who volunteers his services in the police reserve and often risks his life and limb so that we may all enjoy a better community deserves our very special gratitude.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 23, 1966

The House met at 12 o'clock noon.

Brig. F. M. Gaugh, city commander, the Salvation Army, Birmingham, Ala., offered the following prayer:

Dear Lord, our Heavenly Father, we thank You for the House of Representatives and for the dedicated men and women and their high devotion to noble causes.

We thank You for the rich contributions the Members make in our lives, to our Nation, and to the world. We ask You to look with favor upon this body, which is called to this special task.

We pray that we may always be observant to the needs of others. May our minds and hearts be so tuned to interpret those needs so that, as You are trying to speak to us, we will always be ready to listen.

We call upon You to cleanse and to direct us that we, as a nation, may be a blessing to all nations. Deliver us from the arrogance of knowing all the answers, and guide us with the urge to be wise seekers.

Quicken our imaginations and fortify our wills to drive us beyond the security of self-concern into the struggle for truth and justice. Give us a knowledge of Your nearness which will enable us to keep our land strong, not only economically and in nuclear power, but in character and high ideals.

Give us the oil of healing that we may bind up the wounds of all who are hurt, and grant us the vision of a better life for all.

Bless us according to our needs and, above all, may Your peace which passes all understanding be ours.

These things we ask in Your name. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, May 19, 1966, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on May 21, 1966, the President approved and signed a bill of the House of the following title:

H.R. 14732. An act to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a resolution of the following title:

S. RES. 267

Resolved, That the Senate has heard with profound sorrow and extreme regret the announcement of the death of Hon. Theodore Francis Green, who served in the United States Senate from the State of Rhode Island from 1936 until 1961.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased, together with a transcript of remarks made in the Senate in praise of his distinguished service to the Nation.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate, at the conclusion of its business today, do adjourn until Monday next.

The message also announced that the Senate had passed without amendment bills and a concurrent resolution of the House of the following titles:

H.R. 8376. An act to amend title I of the Tariff Act of 1930 to make permanent the existing duty-free treatment for certain corkboard insulation;

H.R. 10998. An act to continue for a temporary period the existing suspension of duty on heptanoic acid;

H.R. 11653. An act to make permanent the existing suspension of duty on certain natural graphite;

H.R. 12262. An act to continue until the close of June 30, 1969, the existing suspension of duty on certain copying shoe lathes;

H.R. 12463. An act to extend until June 30, 1969, the suspension of duty on crude chicory and the reduction in duty on ground chicory;

H.R. 12657. An act to continue the suspension of duty on certain alumina and bauxite;

H.R. 12864. An act to make permanent the existing duty-free treatment of personal and household effects brought into the United States under Government orders;

H.R. 12997. An act to extend until June 15, 1968, the suspension of duty on electrodes imported for use in producing aluminum; and

H. Con. Res. 587. Concurrent resolution officially recognizing Waterloo, N.Y., as the birthplace of Memorial Day and authorizing the President to issue an appropriate proclamation relating to the centennial anniversary on the first celebration of Memorial Day.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill H.R. 14215 entitled "An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1967, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill S. 265 entitled "An act to authorize conveyance of certain lands to the State of Utah based upon fair market value."

The message also announced that the Senate had passed concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. Con. Res. 84. Concurrent resolution authorizing the printing of additional copies of the committee print entitled "Catalog of Federal Aids to State and Local Governments—Second Supplement, January 10, 1966";

S. Con. Res. 86. Concurrent resolution authorizing the printing for the use of the Joint Economic Committee of additional copies of its hearings entitled "Twentieth Anniversary of the Employment Act of 1946, an Economic Symposium";

S. Con. Res. 90. Concurrent resolution to authorize printing of additional copies of hearings; and

S. Con. Res. 91. Concurrent resolution authorizing the printing of additional copies of hearings on "United States Policy With Respect to Mainland China."

The message also announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 78th Congress, entitled "An act to provide for the disposal of certain records of the United States Government", appointed Mr. MONRONEY and Mr. CARLSON members of the Joint Select Committee on the part of the Senate for the Disposition of Executive Papers referred to in the report of the Archivist of the United States numbered 66.15.

HIRSHHORN COLLECTION

Mr. MAHON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAHON. Mr. Speaker, the Congress has been given an opportunity to enhance the beauty of the city of Washington and to enrich the cultural life of the millions of our people who either visit Washington or live and work here. It is fitting and proper that the Capital City of the greatest Nation on earth reflect the cultural interests of its people.

Mr. Joseph H. Hirshhorn, of Greenwich, Conn., has offered his 5,600-piece art collection to the United States. This collection is generally believed to be the most valuable of its kind in private hands, and is valued at $25 million. On Tuesday of last week, the President informed the Congress of Mr. Hirshhorn's offer and submitted legislative suggestions for the consideration of the Congress which would enable the Smithsonian Institution to accept the gift for the people of the United States.

I hope that the Congress will give sympathetic consideration to the necessary provisions for accepting this generous gift. In this age when much is perishable and planned obsolescence has intruded, the timeless beauty of fine art is even more precious.

JOSEPH H. HIRSHHORN ART GIFT

Mr. BOW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, millions of Americans and our visitors from abroad are thrilled each year by the exhibits at the Smithsonian Institution. There is no question it is one of the great museums of the world and has improved year after year.

The recent gift of Joseph H. Hirshhorn will add greatly to the enjoyment of those who visit the Nation's Capital. It is believed to be the most valuable of its kind in private hands. The 5,600-piece art collection is a unique recapitulation of the history of modern sculpture and American paintings of the 20th century.

It has a value of at least $25 million.

It will take its place here in Washington along with National Gallery of Art and the gifts and bequests of the late Charles Lang Freer, to provide us with one of the great art centers of the world.

I offer a digest of the agreement between Joseph H. Hirshhorn, the Hirshhorn Foundation, and the Smithsonian Institution, and a fact sheet on this subject, as follows:

DIGEST OF THE AGREEMENT BETWEEN JOSEPH H. HIRSHHORN, THE HIRSHHORN FOUNDATION, AND THE SMITHSONIAN INSTITUTION

The principal provisions of the Hirshhorn-Smithsonian Institution agreement are as follows:

Mr. Hirshhorn and the Hirshhorn Foundation agree to transfer their collections of works of art to the Smithsonian Institution and the Smithsonian Institution agrees to accept the gifts, subject to the conditions of the agreement which are that:

Legislation will be obtained to designate the area between 7th Street, 9th Street, Independence and Madison Drive, on the Mall, as the site of the museum and sculpture garden;

The Regents will be authorized by the Congress to remove any existing structure on the site, to prepare plans, and to construct a museum and sculpture garden;

The Museum will be designated the Joseph H. Hirshhorn Museum and Sculpture Garden;

The United States will provide funds for upkeep, operation, and administration;

A Board of Trustees will be established in the Institution to advise the Regents and to have sole responsibility in matters of art for the museum and garden;

The appointment and compensation of four positions in the museum will be authorized, without regard to the Civil Service laws and the Classification Act;

Necessary appropriations to plan, construct, and operate the museum and garden will be obtained;

The museum and sculpture garden will be constructed and completed in accordance with the provisions of the agreement;

The Museum and garden will be built in accordance with plans prepared by architects jointly chosen by Mr. Hirshhorn and the Secretary;

Upon completion of the museum and garden the donor will pay one million dollars to the Institution to acquire works of art for the museum and garden, title to the collection will pass to the Institution, and the collections will be delivered to the Institution;

No works of art will be accepted by the Institution for the museum and garden without the consent of its Trustees, the Institution shall not loan its sculpture for periods longer than 360 days, and the first director of the museum shall be designated by Mr. Hirshhorn with the consent of the Secretary;

Until the Institution gets title to the collections Mr. Hirshhorn can transfer works of art to the Hirshhorn Foundation and he and the Foundation may add to the collections;

If the Congress fails to enact the necessary legislation by ten days after the close of the 90th Congress, or if the museum and garden have not been constructed within five years after such legislation has been passed, the agreement will be void and the proposed gifts will not take effect; and

That the agreement will be binding on the heirs, executors, and administrators of Mr. Hirshhorn.

LOCATION—DEPARTMENT OF DEFENSE—SMITHSONIAN INSTITUTION

The old red brick building at 701 Independence Avenue, Southwest, housing the Medical Museum of the Armed Forces Institute of Pathology will be removed to make way for a new cultural development on the Mall. The site would be transferred to the Smithsonian Institution under proposed legislation to be submitted to the Congress.

Public exhibits of the Medical Museum will be relocated in space provided by the Smithsonian in its adjacent Arts and Industries Building and will continue to be supervised by the Armed Forces Institute of Pathology.

Founded during the Civil War for the purpose of studying the effects of wounds and diseases encountered on the battlefield, the Medical Museum grew into the Armed Forces Institute of Pathology in 1949, whose mission today encompasses the entire field of pathology.

The museum exhibits have long been an attraction to tourists visiting Washington, as well as to the residents of the area and to many school groups. In recent years the number of visitors to the museum has approached one million annually.

In 1886, the Secretary of the Smithsonian, with the Secretary of War and the Architect of the Capitol, was a member of the group which chose the site for the then new medical museum building. Over the years there have been many instances of exchange of materials and ideas.

The medical museum building, known as the AFIP Annex, was included in a list of historic landmarks last year by the Secretary of the Interior. In addition, the Annex is occupied by scientists and technologists of the AFIP other than those associated with the Medical Museum. Among them are a number of pathologists who are concerned with Geographic Pathology, the study of diseases on an international level. These consist of the so-called "Tropical Diseases" and many of the medical problems which face our military forces overseas. One of the most important and timely is the form of malaria occurring in Vietnam and affecting our troops today.

Other scientists are studying the medical problems of the middle and inner ear, subjects of great concern in the exploration of outer space and undersea areas. Still others are concerned with legal medicine and the effects of injuries including those related to accidents as well as those associated with war wounds.

In anticipation of the need to relocate these activities, the Department of Defense is engaged in arrangements to furnish them alternate quarters adequate for their needs. A number of potential sites have been selected for consideration as to suitability.

JOSEPH H. HIRSHHORN ART GIFT

Mr. KIRWAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. KIRWAN. Mr. Speaker, the two speakers before me, the gentleman from Texas [Mr. MAHON] and the gentleman from Ohio [Mr. BOW], as members of the Board of Regents of the Smithsonian Institution, voted with me to accept the wonderful gift of the Joseph Hirshhorn collection.

Like many people, Mr. Hirshhorn gave his blood, and I mean his blood. What a wonderful, unselfish act for him to contribute these priceless works of art, which he had strived most of a lifetime to collect, in order that they may be preserved and available for the enjoyment of millions in the years ahead.

While I am in the well, I also want to thank the Mellon family for donating the National Gallery of Art and their art collection to the country. Think what this has meant to the enjoyment and education of millions of Americans.

I also want to thank the Rockefeller family for all they have done for the parks in this country. They have contributed thousands of acres of valuable park land and devoted much of their valuable time to the preservation and development of more adequate parks so that millions could have better recreational opportunities. Over 125 million people visited our national parks alone last year.

We should all join in this wonderful spirit of giving. Think what it would mean if all the 195 million of us, each in his own way, would contribute more to help this country on the home front while our men are sacrificing so much in Vietnam. There is so much that could and should be done to make this an even greater Nation to live in and the burden and cost of Government would be so much less if each of us followed the example which has been set by the Hirshhorns, the Mellons, the Rockefellers, and many others.

UNITED STATES MUST EXTEND TERRITORIAL SEAS TO 12-MILE LIMIT

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, I am today introducing legislation to extend the U.S. jurisdiction over its territorial seas to 12 miles. The present 3-mile limit is inadequate in today's world of marine technology and ocean exploration. A contiguous zone is needed.

In terms of fishing alone, the United States has slipped to the point of catching less than half the U.S. catch of 20 years ago. Russia and Red China catch more fish today than U.S. fishermen do. Each year Americans spend over $600 million on imported fish, which represent over 60 percent of the total fish consumed in this country. However, Interior Department estimates show that with more emphasis and incentives the American fishing industry could take five to six times more fish than are presently being taken by U.S. fishermen. Of this increase, 65 percent could come from fish taken 12 miles off the U.S. shoreline.

If American fishermen do not take them, the Russians and other foreign interests will. Based in Cuba, Soviet fishermen are already concentrating in the South Atlantic, Caribbean, and Gulf of Mexico. Fishing in the Atlantic is so profitable for the Russians that the Communists now boast that they can pay for new giant trawlers and freezing ships costing over $2 million in just 1 year. By 1970 the Soviets hope to increase their catch by at least 20 percent more than last year's level.

So prevalent are the Russian trawlers operating near the United States that last month an American fisherman operating 10 miles off the coast of Oregon was run down by a trawler.

I urge that legislation be enacted to extend the U.S. limits to 12 miles. Our national interests demand this step be taken.

THE LATE MRS. VIRGINIA CORMAN

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, it is with a heavy heart that I advise Members of the House that Mrs. Virginia Corman, beloved wife of one of our colleagues, the distinguished gentleman from California [Mr. Corman], died on May 20, 1966.

Mr. Speaker, may I advise Members that services will be held at the Fairlington Methodist Church at 1:30 p.m. today, and that graveside services will be held at Arlington Cemetery at 2:30 this afternoon.

Mr. Speaker, I know that I express the sentiments of all Members of the House when I extend to Jim Corman and his children my deepest sympathy.

REPORT OF THE NATIONAL CAPITAL HOUSING AUTHORITY FOR THE FISCAL YEAR ENDED JUNE 30, 1965

The **SPEAKER** laid before the House the following message from the President of the United States, which was read and, together with accompanying papers, referred to the Committee on the District of Columbia:

To the Congress of the United States:

In accordance with the provisions of section 5(a) of Public Law 307, 73d Congress, approved June 12, 1934, I am sending for the information of the Congress the report of the National Capital Housing Authority for the fiscal year ended June 30, 1965.

Lyndon B. Johnson.

The White House, *May 23, 1966.*

DISTRICT OF COLUMBIA BUSINESS

The **SPEAKER.** This is District of Columbia day.

The Chair recognizes the gentleman from Texas [Mr. Dowdy].

AMENDING THE DISTRICT OF COLUMBIA INCOME AND FRANCHISE TAX ACT

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 11087) to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, and the District of Columbia Business Corporation Act, as amended, with respect to certain foreign corporations, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 11087

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2(b) of title III of the District of Columbia Income and Franchise Tax Act of 1947, as amended (61 Stat. 335, art. I, title III, sec. 2, as amended by 62 Stat. 207, ch. 246, sec. 3; 63 Stat. 130, ch. 146, title IV, secs. 403, 420; 71 Stat. 605, Public Law 85–281, secs. 1, 3; and 74 Stat. 219, Public Law 86–522, sec. 1; D.C. Code 47–1557a(b)), is amended by adding at the end thereof the following new paragraph:

"(17) Foreign Corporation Real Property Investment Income.—Income derived by a foreign corporation authorized to invest in loans secured by real estate, which does not maintain any office, officer, agent, representative or employees for the purpose of making, maintaining, or liquidating such investment, in the District of Columbia, provided that the only activities of such foreign corporation in the District of Columbia, other than those of a liaison employee, are one or more of the following:

"(A) the acquisition of loans (including the negotiation thereof) secured by mortgages or deeds of trust on real property, including leaseholds, situated in the District of Columbia pursuant to commitment agreements or arrangements made prior to or following the origination or creation of such loans: *Provided, however,* That nothing herein shall be deemed to permit servicing other than as permitted by subparagraph (D) of this paragraph (17);

"(B) the physical inspection and appraisal of property in the District of Columbia as security for mortgages or deed of trust;

"(C) the ownership, modification, renewal, extension, transfer, or foreclosure of such loans, or the acceptance of substitute additional obligors thereon;

"(D) the making, collecting, and servicing of loans solely through a person authorized to engage in the District of Columbia in the business of servicing real estate loans for investors;

"(E) maintaining or defending any action or suit or any administrative or arbitration proceeding arising as a result of such loans;

"(F) the acquisition of title to property which is the security for such a loan in the event of default on such loan, either by foreclosure, sale, or agreement in lieu thereof;

"(G) pending liquidation of its investment within such period, not to exceed one year, as the Commissioners may by regulation prescribe, operating, maintaining, renting or otherwise dealing with, selling or disposing of, real property acquired by foreclosure, sale, or by agreement in lieu thereof: *Provided,* That if, upon the expiration of the period prescribed by the Commissioners, such property has not been sold or otherwise disposed of, such foreign corporation shall be subject to tax on all of the income derived by the corporation arising out of its ownership of such property, but such liability shall not be construed as affecting the exclusion from gross income of income from other loans made or acquired by it in accordance with this paragraph (17).

"Income derived from the ownership of real property and not excludible from gross income as provided in this paragraph (17) shall be reported to the Commissioners by the person servicing the corporation's loans in the District of Columbia or by a participating bank in the District of Columbia at such times and in such manner, together with such information, as the Commissioners may by regulation require, and if there be no such person servicing loans or participating bank, then the corporation shall itself make such report of income including any other income derived from District of Columbia sources which is includible in gross income under this article. Any person or corporation who shall fail to report such income to the Commissioners, as herein provided, shall be guilty of a misdemeanor and shall be fined not more than $500.

"As used herein, the term 'liaison employee' shall mean a person who does not engage in or make, maintain, or liquidate any investment of the foreign corporation and who is engaged by the foreign corporation solely for the purpose of establishing and maintaining contacts with governments and international bodies and agencies thereof; arranging conferences for, receiving and furnishing legislative publications and other information or material of interest to, transmitting information for and arranging transportation or other accommodations for, officers or other personnel of such foreign corporation within, or to and from, the District of Columbia."

SEC. 2. Section 99 of the District of Columbia Business Corporation Act (68 Stat. 219, ch. 269, sec. 99; D.C. Code 29–933) is amended by adding at the end thereof the following new subsections:

"(c) No foreign corporation having income from loans excluded from gross income under section 2(b)(17) of title III of the District of Columbia Income and Franchise Tax Act of 1947, as amended, shall be subject to the provisions of this Act.

"(d) Nothing in subsection (c) of this section shall be construed as affecting the amenability of a foreign corporation to the service of any process, notice, or demand to which such corporation would be amenable without reference to the provisions of such subsection (c).

"(e)(1) Any foreign corporation having income from loans excluded from gross income under section 2(b)(17) of title III of the District of Columbia Income and Franchise Tax Act of 1947, as amended, shall be deemed to have waived any immunity to service of process and suit in the courts of the District of Columbia. Any such foreign corporation shall appoint and maintain in the District of Columbia an agent for service of process, and shall register with the Commissioners of the District of Columbia the address of its principal office and the name and address of its agent for service of process in the District of Columbia, including any charges in such addresses.

"(2) Whenever any such foreign corporation does not have an agent for service of process or such agent cannot be found with reasonable diligence at his registered address, then the Commissioners of the District of Columbia shall be the agent for service of process for such corporation. Service of process on the Commissioners shall be made by delivery to, and leaving with them, or with any person having charge of their office, duplicate copies of the process, together with a fee, the amount of which shall be fixed from time to time by the Commissioners but not in excess of $5. In the event of such service the Commissioners shall immediately cause one of such copies to be forwarded by certified or registered mail, addressed to such foreign corporation at its principal office as it appears on the records of the Commissioners. Any such service shall be returnable in not less than thirty days, unless the rules of the court issuing such process prescribe another period, in which case such prescribed period shall govern.

"(3) Nothing contained in this subsection shall limit or affect the right to serve any process, notice of demand required or permitted by law to be served on a foreign corporation in any other manner now or hereafter permitted by law.

"(4) Any foreign corporation which fails to comply with the requirements of paragraph (1) of this subsection shall be guilty of a misdemeanor and shall be fined not more than $500.

"(5) The Commissioners of the District of Columbia are authorized to make such rules and regulations as may be necessary to carry out the purpose of this subsection.

"(f) As used herein, the term 'foreign corporation' having income from loans excluded from gross income under section 2(b)(17) of title III of the District of Columbia Income and Franchise Tax Act of 1947, as amended, shall include any foreign corporation subject to a tax only as a result of activities contemplated by subparagraph (G) of section 2(b)(17) of title III of such Act."

SEC. 3. The amendments made by the first section of this Act shall take effect with respect to taxable years beginning after December 31, 1965. The amendment made by the second section of this Act shall take effect on January 1, 1966.

Mr. DOWDY. Mr. Speaker, the purpose of the bill H.R. 11087 is twofold. First, it amends the District of Columbia Business Code to clearly state that the transactions specifically enumerated—and which are those typically involved in making a mortgage loan by an investing institution located out of the District—do not constitute "doing business" in the District; second, it amends the District of Columbia tax laws to specify clearly that income received by an out-of-State investing institution from a mortgage loan made on District of Columbia real estate is not subject to District of Columbia franchise taxes.

The enactment of H.R. 11087 is necessary and desirable because under the present District of Columbia Code, no out-of-State investor can be sure whether or not in making a mortgage loan in the District he is doing business in the District; and no out-of-State investor can be sure that the District of Columbia will not try to tax him on income he receives because of having made a mortgage loan on District of Columbia real estate, whether or not he is doing business in the District. Legislation, identical in purpose and substance, has been passed by the House in two previous Congresses.

BACKGROUND

The District of Columbia has never attempted to maintain that when an out-of-State investor makes a mortgage loan on District of Columbia real estate it is doing business in the District, nor has it ever attempted to tax income received by an out-of-State investor from a mortgage loan it has made on District of Columbia real estate. Since the District has never threatened to take either of these positions, some out-of-State investors on advice of their lawyers have decided to run whatever risks are involved and are making loans in the District. They are not complying with the District of Columbia doing business laws, and they are not being taxed by the District on the income they receive from the loans. If the District ever attempted to maintain that they were doing business in the District, or ever attempted to tax them on their income from such loans, they would simply stop making mortgage loans in the District.

However, there are a number of savings institutions—particularly, the New York savings banks—who have been told by their lawyers that because of the uncertainty of the District of Columbia statutes that they would be running a very real risk if they made mortgage loans in the District, that the District would (a) tax them on their income from such mortgages, and (b) make them comply with the requirements for doing business. These institutions have simply decided that they will not take these risks and they do not and will not make mortgages on District of Columbia real estate. Thus, the ability of District sources to find funds to finance building projects is limited accordingly.

There are a number of States which have enacted statutes containing language which specifically states that the kinds of activities listed in H.R. 11087, do not constitute doing business in that State.

Among those are—

Maryland—Section 84, article 23, annotated code as amended by Laws of 1957, chapter 486.

North Carolina—Section 55–131, General Statutes, 1943, as enacted by chapter 1371, Laws of 1955.

North Dakota—Section 103, house bill 537, Laws of 1957.

Oklahoma—Section 1.199(f), chapter A., title 18, Oklahoma Statutes.

Oregon—Section 57.655, Oregon Revised Statute.

Texas—Article 8.91, chapter 64, Laws of 1955 as amended by senate bill 129, Laws of 1957.

Wisconsin—Section 180.801, Wisconsin Statutes.

Alaska—Section 99, chapter 126, Laws of 1957.

Hawaii—Section 7.5, chapter 174, Revised Laws of Hawaii, 1955.

Florida—Section 613.01–661.44, Florida Statutes, 1955.

Idaho—Laws of 1957, H.B. 167, effective March 9, 1957.

Illinois—Smith Hurd, Illinois Statutes Annotated, chapter 32–212.

Louisiana—Laws 1960, Act 386, S. 308.

Michigan—1953 Michigan Laws, No. 180—FHA and VA loans.

Utah—Laws, 1957, S. 222.

Washington—Laws, 1957, chapter 139.

West Virginia—senate bill No. 142, Laws, 1957.

Missouri—Laws 1953, section 362.423.

Tennessee—Section 45–1201, 1202, 1203, as amended by Laws, 1959, chapter 28, S. 218.

There are a number of other States where the situation is uncertain but where "qualification" requirements are simple and inexpensive and thus no further legislation has seemed necessary.

Among these are: Alabama, Arizona, Maine, Nevada, New Hampshire, New Mexico, South Carolina, and South Dakota.

There is a further number of States where case law—not statute—is so clear that mortgages are made by out-of-State investors without much fear and thus the pressure to enact legislation has not been severe. It is difficult to secure an accurate list of these States but one authority lists among them: Arkansas, California, and Colorado. Sources: "What Constitutes Doing Business," Corporation Trust Co. 1958, "Mortgage and Real Estate Investment Guide," by Malcolm G. Sherman. The effect of H.R. 11087 would be to open up the District to many of the New York savings banks and other financial institutions who are now unwilling to lend money in the District.

PROVISIONS OF THE BILL

Section 1 of H.R. 11087 amends section 2(b) of title III of the District of Columbia Income and Franchise Act of 1947, as amended—District of Columbia Code 47-1557—so as to exempt an out-of-State financial institution, not having an office in the District and whose activities are limited to the type of activities specifically enumerated in the bill, from tax on income it receives from mortgages it makes on District of Columbia real estate. Under the District statutes, a foreign corporation which receives income from sources within the District is subject to tax at the rate of 5 percent on such income unless otherwise exempt.

The kinds of activities which a foreign financial institution may carry on without being subject to tax are limited to those specifically stated in paragraphs (A), (B), (C), (D), (E), (F), and (G) of section 1 of the bill. These subparagraphs describe the activities that are involved in making a mortgage loan and in protecting such investment in the event of default.

Section 2 of H.R. 11087 amends the District of Columbia Business Corporation Act—District of Columbia Code 29-933—by providing that a foreign corporation except under section 1 is likewise exempt from the requirement of securing a certificate of authority to do business. If such corporation were held to be doing business, it would be required to go through burdensome but not costly procedures of registering, securing a license, and filing various reports annually as necessary under District law.

The exemption in section 2, however, does not exempt any foreign corporation from amenability to service of process, since the amendments provide that such corporation is deemed to have waived any immunity to service of process and must maintain an agent for service of process in the District of Columbia. Failure to have such agent permits the Commissioners of the District of Columbia to act as agent for service of process and the corporation is subject to a fine.

The income received by foreign corporations exempt under H.R. 11087 does not escape taxation. The earnings from mortgage loans made in the District of Columbia are reported in the home State of the corporation and are thus subject to tax. Similarly, a District of Columbia financial institution which makes mortgage loans in the State of Maryland reports such income and pays taxes on such earnings to the District of Columbia. No tax on such income to a District financial institution is paid in the State of Maryland, since the law in that State is similar to the provisions of H.R. 11087.

The laws of the State of Virginia are not clear on the question at issue, and many foreign corporations do not engage in lending in that State although the State of Virginia, so far as can be determined, has never attempted to tax such transactions.

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MATHIAS. Mr. Speaker, I rise in support of H.R. 11087. It embodies a principle that I have long supported, and I am grateful that the gentleman from South Carolina, the chairman of the committee, is lending his powerful influence and help at this time.

This important legislation would, I believe, remove the doubt that now arises under District law as to the tax status of lending institutions domiciled outside the District of Columbia. These outside institutions would like to participate by lending funds on a mortgage basis toward the construction of various District projects, but many refuse to do so because, under present District law, they could be subjected to taxation as a domiciled institution.

This bill would provide the necessary reciprocity which would permit funds to flow freely into the District—funds which are constantly necessary for housing projects and other needed construction. Let me emphasize that the outside lending institutions would not escape taxation, for they would still be taxed in their own domiciles, just as institutions domiciled in the District will continue to be taxed here, even on funds lent by them outside the District. In this, H.R. 11087 is similar to legislation on the books in my own State of Maryland.

This bill is very necessary to the vigorous growth of the Nation's Capital. Without it, it is conceivable that the funds needed could not be available, and that the District's progress could be greatly slowed.

Recognizing the need for this legislation, I introduced again an identical bill in this Congress, and hope that this measure will gain wide support today.

I would like to include in the Record the following background on this bill:

BACKGROUND

The District of Columbia has never attempted to maintain that when an out-of-State investor makes a mortgage loan on District of Columbia real estate it is doing business in the District, nor has it ever attempted to tax income received by an out-of-State investor from a mortgage loan it has made on District of Columbia real estate. Since the District has never threatened to take either of these positions, some out-of-State investors on advice of their lawyers have decided to run whatever risks are involved and are making loans in the District. They are not complying with the District of Columbia doing business laws, and they are not being taxed by the District on the income they receive from the loans. If the District ever attempted to maintain that they were doing business in the District, or ever attempted to tax them on their income from such loans, they would simply stop making mortgage loans in the District.

However, there are a number of savings institutions—particularly, the New York savings banks—who have been told by their lawyers that because of the uncertainty of the District of Columbia statutes that they would be running a very real risk if they made mortgage loans in the District, that the District would (*a*) tax them on their income from such mortages, and (*b*) make them comply with the requirements for doing business. These institutions have simply decided that they will not take these risks and they do not and will not make mortgages on District of Columbia real estate. Thus, the ability of District sources to find funds to finance building projects is limited accordingly.

GENERAL LEAVE TO EXTEND

Mr. DOWDY. Mr. Speaker, I ask unanimous consent that I be permitted to extend my own remarks on this bill and that all Members be permitted to extend their remarks in explanation of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING DISTRICT OF COLUMBIA ALCOHOLIC BEVERAGE CONTROL ACT

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 10744) to amend the District of Columbia Alcoholic Beverage Control Act, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. HARSHA. Mr. Speaker, reserving the right to object, may I inquire whether amendments may be offered at any point at this stage?

The SPEAKER. If the unanimous-consent request is granted, the committee amendments will be disposed of first and then amendments will be in order under the 5-minute rule.

Mr. HARSHA. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. Dowdy]?

There was no objection.

The Clerk read the bill, as follows:

H.R. 10744

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 3 of the District of Columbia Alcoholic Beverage Control Act approved January 24, 1934 (48 Stat. 319), as amended (sec. 25-103(c), D.C. Code, 1961 edition), is amended by striking ", other than champagne".

Sec. 2. Subsections (j) and (n) of section 3 of such Act approved January 24, 1934 (sec. 25-103 (j) and (n) D.C. Code, 1961 edition), are amended by striking "the chief source of revenue" and inserting in lieu thereof "a substantial source of the revenue."

Sec. 3. Section 7 of such Act approved January 24, 1934 (sec. 25-107, D.C. Code, 1961 edition), is amended by striking so much thereof as reads "to prescribe the hours during which beverages may be sold and to forbid the sale on Sundays; but the Commissioners shall not authorize the sale by any licensee, other than the holder of a retailer's license, class E, of any beverages on Sundays other than light wines and beer, and any such sale is hereby prohibited", and inserting in lieu thereof "to prescribe the hours during which alcoholic beverages may be sold and to prohibit the sale of any or all alcoholic beverages on such days as the Commissioners determine necessary in the public interest".

Sec. 4. Subsection (g) of section 11 of such Act approved January 24, 1934 (sec. 25-111 (g), D.C. Code, 1961 edition), is amended by striking the fifth, sixth, and seventh sentences of such subsection and inserting in lieu thereof the following: "In the case of restaurants and hotels, said spirits, beer, and wine shall be sold or served only (1) to persons seated at public tables or at bona fide lunch counters, (2) to persons in an enclosed or screened-off area in any such restaurant or hotel set aside for the accommodation of persons waiting to be seated at public tables, and (3) to assemblages of more than six individuals in a private room when such room has been previously approved by the Board. In the case of hotels, said alcoholic beverages may also be sold and served in the private room of a registered guest."

Sec. 5. Section 14 of such Act approved January 24, 1934, as amended (sec. 25-115, D.C. Code, 1961 edition), is amended by adding at the end thereof the following new subsection:

"(e) Each corporation licensed under the authority of this Act shall, within five business days from the date on which there is any change in its officers or directors, in writing notify the Board of such change. Such written notification shall state the name and address of the new officer or director, and the name of the officer or director replaced by the new officer or director, if any. Each new officer or director shall be subject to a determination by the Board that he is of good moral character and generally fit for the trust to be in him reposed."

Sec. 6. Section 18 of such Act approved January 24, 1934 (sec. 25-119, D.C. Code, 1961 edition), is amended by striking "not more than $10" each time such phrase appears, and inserting in lieu thereof "not more than such amount as the Commissioners may from time to time by regulation establish".

Sec. 7. Section 19 of such Act approved January 24, 1934 (sec. 25-120, D.C. Code, 1961 edition), is amended by striking "not more than $10" each time such phrase appears, and inserting in lieu thereof "not more than such amount as the Commissioners may from time to time by regulation establish".

Sec. 8. Section 26 of such Act approved January 24, 1934 (sec. 25-126, D.C. Code, 1961 edition), is amended (a) by inserting in the second sentence after "served" the phrase "within the District"; (b) by inserting after such second sentence the following: "Without the District, but not more than twenty-five miles distant from the United States Capitol Building, such summons shall be served by a United States marshall or his deputy."; and (c) by striking "United States District Court for the District of Columbia" and inserting in lieu thereof "United States district court for the district in which such witness resides".

Sec. 9. Nothing in this Act shall be construed so as to affect the authority vested in the Board of Commissioners of the District of Columbia by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act in the Board of Commissioners or in any office or agency under the jurisdiction and control of said Board of Commissioners may be delegated by said Board of Commissioners in accordance with section 3 of such plan.

Sec. 10. This Act shall take effect sixty days after its approval.

With the following committee amendments:

Page 1, line 10, insert "(1)" immediately after "are amended".

Page 2, line 2, insert immediately before the period the following: ", (2) by striking out 'meals are' each place it appears in such subsections and inserting in lieu thereof 'food is', and (3) by striking out 'meals' each place it appears in such subsections and inserting in lieu thereof 'food',".

Page 3, line 7, insert immediately after "is amended" the following: "(1) by striking out 'Before a license is issued' in the second sentence of subsection (a) of such section and inserting in lieu thereof 'Before an original license is issued', and (2)".

Page 3, line 10, strike out "five business days" and insert in lieu thereof "thirty days".

Page 3, after line 18, insert the following new section:

"Sec. 6. Section 17 of such Act of January 23, 1934 (D.C. Code, sec. 25-118), is amended by adding at the end thereof the following new paragraph:

" 'The Commissioners may by regulation require that each applicant for license as a retailer Class C or retailer Class D specify with reasonable particularity on the application or by separate sworn statement or both the kind of business the applicant proposes to conduct on the premises, the equipment which he proposes to furnish or install in said premises, and the methods or arrangements which the applicant proposes to utilize in operating such business. If following the issuance of the license the Board finds on the basis of substantial evidence adduced at a hearing held pursuant to this Act that such licensee has during the period for which the license was issued deviated in a substantial manner from the kind of business conducted or the equipment installed or furnished, or the methods or arrangements utilized in operating the business in the licensed premises specified in such application or sworn statement, the license may in accordance with section 17 be revoked or suspended or upon application by the same licensee for subsequent license for the same premises as a retailer Class C or retailer Class D, and in carrying out its functions under section 14 the Board may take into consideration such findings respecting such deviations and on the basis thereof deny the issuance of such subsequent license. This section shall be applicable only to applications made or licenses issued on or after the effective date of this section.' "

Page 3, line 19, strike out "Sec. 6" and insert in lieu thereof "Sec. 7".

Page 4, line 1, strike out "Sec. 7" and insert in lieu thereof "Sec. 8".

Page 4, line 7, strike out "Sec. 8" and insert in lieu thereof "Sec. 9".

Page 4, line 18, strike out "Sec. 9" and insert in lieu thereof "Sec. 10".

Page 5, line 3, strike out "Sec. 10" and insert in lieu thereof "Sec. 11".

The committee amendments were agreed to.

Mr. DOWDY. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, the primary purpose of the bill H.R. 10744 is to improve the administration of the Alcoholic Beverage Control Act of the District of Columbia, approved January 24, 1934, 48 Stat. 322, as amended.

The bill was submitted to the Congress by the Commissioners of the District of Columbia, who recommend its enactment in order to change present laws so as to better meet the needs of residents and of visitors to the District of Columbia, particularly in respect to the manner of the sale and the serving of alcoholic beverages. Experience has demonstrated that the District law contains features which tend to inconvenience or embarrass visitors who encounter legal restrictions on the service of alcoholic beverages that may differ from the practices with which they are familiar. The bill is designed to make it possible to bring the District law more nearly into conformity with the usual practices in the States.

The bill itself is the culmination of the efforts of many local citizens to improve the District's ABC law. It is the product of the so-called Blue Ribbon Committee of Washington, appointed by the District of Columbia Commissioners on March 29, 1962. This was a 15-member, special Citizens Committee To Conduct a Cooperative Study of the ABC System in the District of Columbia, under the chairmanship of Mrs. Henry Gichner. This special committee was assigned the mission of conducting a cooperative study of all aspects of the ABC system in the District of Columbia, including regulations, policies, organization, enforcement practices and other related matters, and to focus its study on (a) the public interest in terms of both the economic and the social factors bearing upon the sale and consumption of alcoholic beverages in the District of Columbia, and (b) the District government's interest and responsibility in terms of administering and enforcing the ABC Act and the regulations promulgated under the authority of such act.

The Citizens' Committee's report was carefully considered by the Commissioners, and many of its recommendations were embodied in the bill which they sent to the Congress.

MAJOR PROVISIONS OF THE BILL

The major provisions of the bill as reported are:

First. It defines champagne as a "light wine," so that where only beer and wines may be sold for consumption on the premises, champagne may also be sold. Also, this change will permit the sale of champagne on Sundays, along with light wines.

Second. It permits a restaurant or hotel to have a class C or class D retailers' license if a "substantial source" of its revenue is from the preparation and serving of "food."

This changes the present requirement that "the chief source" of revenue be derived from the preparation and serving of "meals."

Third. It gives authority to the Commissioners to "prescribe the hours during which alcoholic beverages may be sold and to prohibit the sale of any or all alcoholic beverages on such days as the Commissioners determine necessary in the public interest."

Present law prohibits the sale of distilled spirits after midnight on Saturday and all day Sunday.

Fourth. It permits stand-up drinking in hotels under the same conditions as is now permitted in restaurants; namely, at food counters as well as at public tables.

Fifth. It clarifies present law to permit restaurants, as well as hotels, class C or class D licensees, to serve liquor to a group of more than six persons in a private room.

Sixth. It requires the furnishing of data to the District government regarding officers and directors in a license-holding corporation not only when the corporation seeks an initial license—as present law requires—but also whenever there is a change in personnel in its officers or directors. The amendment made requires submitting such data within 30 days after such change; the Commissioners agreed to this amendment.

Seventh. It permits the Commissioners, by regulation, to require applicants hereafter applying for license as a retailer class C or D, to specify the kind of business, equipment, and arrangements he proposes to use on the premises, and to suspend or revoke such license thereafter if it be established by substantial evidence at a hearing that the licensee has deviated in his business in a substantial manner from what he had represented in his application.

Eighth. It gives the Commissioners authority to establish, by regulation, the dollar amount or property of services which may be furnished by a manufacturer to a wholesale or retail licensee, or by a wholesaler to a retail licensee. Present law permits the Board to approve the furnishing of such service or property costing not more than $10.

Ninth. It permits the service of summons within 25 miles of the District of Columbia to require persons to testify before the ABC Board. Present law permits such summons only within the boundary of the city.

ENDORSEMENT OF LEGISLATION

At a public hearing on this proposed legislation, it was endorsed by a representative of the District of Columbia Board of Commissioners by the representatives of the hotel and beverage association, labor unions, and the Federation of Business Associations. As stated, the bill was requested by the Commissioners upon the recommendation of the local citizens' Blue Ribbon Committee appointed by the Commissioners.

Your Committee concurs in the opinion of the District of Columbia Commissioners that the changes in the District of Columbia ABC Act, as set forth in the bill as reported, will improve the administration of the act, permit greater flexibility in its application, and, most important of all, improve the conditions under which alcoholic beverages are sold and served both to District residents and to visitors to the District of Columbia.

AMENDMENT OFFERED BY MR. HARSHA

Mr. HARSHA. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARSHA: On page 5, after line 15, insert the following:

"SEC. 9. (a) The first sentence of the first paragraph of section 20 of the District of Columbia Alcoholic Beverage Control Act (D.C. Code, sec. 25–121) is amended by striking out ', with the exception of beer and light wines,' and by striking out 'or beer or light wines to any persons under the age of eighteen years,'.

"(b) The first sentence of the second paragraph of section 20 of the District of Columbia Alcoholic Beverage Control Act (D.C. Code, sec. 25–121) is amended by striking out ', with the exception of beer and light wines,' and by striking out ', or permit the consumption of beer and light wines by any person under the age of eighteen years'.

"(c) Section 25 of the District of Columbia Alcoholic Beverage Control Act (D.C. Code, sec. 25–125) is amended by striking out ', except beer and light wines, or any minor under the age of eighteen years to sell, give, furnish, or distribute beer and light wines'.

"And renumber succeeding sections and references thereto accordingly."

Mr. HARSHA. Mr. Speaker, under the law now in existence juveniles from 18 to 21 years of age may purchase beer and light wines in the District of Columbia.

Simply stated, my amendment would raise the age for purchasing and consuming beer and light wines in the District of Columbia from 18 to 21 years of age.

I, and many of my colleagues, are gravely concerned with the existing situation whereby any person having attained the age of 18 may legally purchase and consume these alcoholic beverages in the Nation's Capital whereas on the other hand, any person under the age of 21 purchasing or consuming any alcoholic beverages in the nearby States of Maryland and Virginia would be guilty of violating the laws of those States.

Now, unfortunately, many juveniles are flocking in great numbers into the District of Columbia, drinking their fill and returning to their neighboring State and running afoul of their State laws for possession of intoxicating beverages—and in some cases intoxication itself.

This amendment would not only dry up this oasis for juvenile drinking but also bring about the necessary uniformity in enforcement within the three jurisdictions.

Various reports from District citizens have reached me alluding to the intemperate activities of juveniles which include:

Youths of both sexes screaming oaths and profanity; smashed car windshields; broken neighborhood fencing, beer bottles thrown through house windows; racing of autos and motorcycles up and down District streets; loudly blowing of horns in the early hours of the morning; promoting street fights; and otherwise in general disturbing the peace and quiet of the District of Columbia.

Unfortunately, the establishments dispensing these alcoholic beverages do not always use the best discretion and they fail to cut off the flow of alcoholic beverages to some of these young people some of whom unfortunately consume too much and thus are not in complete control of their faculties. Many of them get into automobiles and find themselves on the main highways, the thoroughfares, and the backways driving at rates of speed that not only endanger their own lives but the lives of innocent other people rightfully using these highways. It is my hope that we can bring some semblance of order out of chaos, and that the House will adopt this amendment and put an end to this rather needless and harmful method of dispensing beverages within this metropolitan area. These young people fail to realize at the time that they are risking their future happiness as well as life and limb. This amendment is for their protection as well as others.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. HARSHA. I yield to the gentleman from Washington.

Mr. PELLY. I happen to live in Georgetown. I have occasion every week to watch these cars that are driven by young people with Virginia license plates that come over and park around in the various residential neighborhoods. They then go down to M Street, where they are able to obtain alcoholic beverages. They come late at night and leave empty beer cans and bottles on our parking strips.

I certainly want to express my sympathy and support for the amendment of the gentleman. I am not for liberalizing any liquor laws that allow young people to obtain wine, beer, or any other kind of alcoholic beverages.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. HARSHA. I yield to the gentleman from Minnesota.

Mr. NELSEN. I wish to add my support to the amendment that has been proposed. Earlier I introduced a bill which would do the same thing. It is my understanding that Maryland and Virginia laws are identical in respect to the age limits that would be established by the gentleman's amendment.

Mr. HARSHA. That is correct.

Mr. NELSEN. The amendment would eliminate the practice that has occurred, and which is turning many of our pubs into honky-tonks in the District. Unless the practice is changed by your amendment, I am afraid it will increase and continue. I support the amendment that has been proposed.

Mr. HARSHA. I thank the gentleman. I yield back the balance of my time.

Mr. DOWDY. Mr. Speaker, in reporting the bill that is before the House, I point out that it was reported without any objection from the District of Columbia Committee. The bill is one which was sent over by the District Commissioners. We attempted to follow in this particular bill the requests made by the Commissioners to better administer the laws of the District of Columbia concerning alcoholic beverages. The Commissioners apparently followed the recommendation of a so-called blue ribbon committee which was set up several years ago, and which made its report in 1962.

There are other bills pending relating to the matter of age limit. It is my understanding that the District Commissioners are planning to hold hearings on that subject right away. I know that an announcement has been made in the Senate that hearings are to be had on this proposal. The House committee has not yet had hearings on it. If requests are made, certainly the House committee would hold hearings on it, and bring it to the floor.

In our efforts to keep down any controversy and to strengthen and make definite the liquor control laws in the District of Columbia, we have attempted to follow—and that is what we did in reporting this bill—the recommendations of the Commissioners of the District of Columbia. I have sympathy for the matter myself, but I am here at the direction of the District of Columbia Committee in reporting this bill, and am presenting the bill as reported by the committee. This amendment was not offered in committee, as it was the purpose to handle this question in a separate bill.

Mr. HARSHA. Mr. Speaker, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Ohio.

Mr. HARSHA. We have had these bills before the committee for a great number of years. The issue has been kicked around, and I think it is a matter of the utmost urgency. These young people are not only creating a disturbance, littering the public streets and walkways, and wreaking considerable damage to private property, but, more importantly, they are also seriously endangering and jeopardizing their own lives and limbs as well as the lives and limbs of innocent people who are using the highways.

I think hearings, to which the gentleman has referred, would certainly not bring this question any closer to a head than it is now. It is a question of utmost urgency that we deal with the problem now. Bills have been kicking around for a great number of years. It is time that we put a stop to the practice before someone loses his life over it.

Mr. DOWDY. The gentleman knows I have the greatest esteem and admiration for him and for his opinion. I think he knows how I feel about these matters. I believe neither he nor I have been on the subcommittee in the past that has had this question before it as presented in his amendment. It is the first time it has come to us, and we have not had time. It has not been before our subcommittee long enough for us to get into it.

Of course, the gentleman knows the other hearings that are had. I am not disputing anything the gentleman said in this connection.

Mr. HARSHA. Mr. Speaker, will the gentleman yield further?

Mr. DOWDY. I yield to the gentleman from Ohio.

Mr. HARSHA. Mr. Speaker, certainly the gentleman is right in saying he has not had this matter before him, as chairman of the subcommittee, before.

I, too, have the greatest respect and admiration for him and his work in this Congress. But I see nothing to be gained by hearings except merely further delaying this matter. I think this is of such urgency it should be adopted now. I urge the House to accept my amendment.

Mr. DOWDY. The gentleman is aware, of course, that the District of Columbia law in this respect has been on the books since 1934, for 32 years.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Washington.

Mr. PELLY. Mr. Speaker, all of us who live in the Georgetown area have protested to the Commissioners and have objected to the renewal of licenses. We have described the nuisances that have been committed in our district.

So far as I am concerned, unless the amendment of the gentleman is adopted I cannot support the bill, and I certainly would expect to have a record vote.

Mr. JOELSON. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, do I understand that the legal age for drinking in Maryland is 21 years, at the present time?

Mr. HARSHA. Mr. Speaker, I understand it is, for beer and for light wine. A person has to be 21 years old in Maryland and in Virginia, where only beer and light wine is obtainable. One can obtain only beer and wine in Virginia, but one has to be 21 years old.

In the District of Columbia, the requirement is that between ages 18 and 21 a person may purchase beer and light wine.

Mr. JOELSON. I understand. We have had problems in the State of New Jersey. The State of New York has an 18-year age limit, and we in New Jersey have a requirement of 21 years. The youngsters go to New York City and are involved in horrible automobile accidents. There is tragedy almost every weekend. Let us here in the Nation's Capital learn from the bitter experience of New Jersey.

I think the gentleman has offered a good amendment, which I will be pleased to support.

Mr. HARSHA. I thank the gentleman.

Mr. GROSS. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I would like to ask if this bill provides for the sale of liquor on Sunday?

Mr. DOWDY. Mr. Speaker, the bill does not provide for it. It leaves in the hands of the Commissioners the setting of hours of sale of alcohol.

Mr. GROSS. Then, under the terms of this bill, liquor could be sold on Sunday—sold and/or served? Is that right?

Mr. DOWDY. Not under the terms of the bill itself. It has been the practice, I understand, to turn over to the District of Columbia the decisions, in many of these matters, and this is one of them. We leave it to the Commissioners as to what to do.

Mr. GROSS. Did the committee have any indication that the Commissioners in the District of Columbia would issue regulations providing for the sale of liquor on Sunday? In other words, I am trying to find out whether that is the purpose of the bill.

Mr. DOWDY. The only indication we have—and again I am presenting the views of the Committee on the District of Columbia on this matter—is that this would apply, for instance, on New Year's Eve. If New Year's Eve came on Saturday night, it would allow the Commissioners to provide regulations of some sort to permit continuation of the celebration on New Year's Eve beyond midnight.

Mr. GROSS. What is the situation in the States of Maryland and Virginia with respect to the sale of liquor on Sunday?

Mr. DOWDY. Virginia has liquor stores. I do not know whether they sell other than through the State stores.

Mr. GROSS. They do not sell out of their package stores on Sunday.

Mr. DOWDY. I do not know whether they sell by the drink in Virginia. I could not answer the gentleman's question.

Mr. GROSS. What is the situation in Maryland? Does the gentleman know?

Mr. DOWDY. I do not know that. I believe some counties in Maryland probably do.

Mr. BROYHILL of Virginia. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from Virginia.

Mr. BROYHILL of Virginia. There would be no change, so far as the sale of beer and light wines in the State of Virginia on Sunday is concerned. Those can be sold in stores and restaurants. Insofar as hard liquor is concerned, that is sold through the State-controlled liquor stores. They are, of course, closed on Sunday.

As I understand the bill, it would not authorize the sale of whisky in liquor stores on Sunday in the District of Columbia.

Mr. DOWDY. That is my understanding. It would not.

Mr. GROSS. But if the Commissioners approved regulations they could sell in the stores in Washington, D.C., on Sunday; is that not true?

Mr. DOWDY. My understanding is that this bill applies only to restaurants and hotels where they serve meals. That is my understanding. If I am incorrect I should like to be corrected, because I have gone under that assumption.

Mr. GROSS. I would hope this would not permit the use of champagne in the Smithsonian Institution on Sunday or any other day. I would hope that would not take place again as it did a few nights ago.

Mr. DOWDY. I believe I am correct. This bill applies only to hotels and restaurants where they serve meals.

Mr. NELSEN. Mr. Speaker, I move to strike the requisite number of words.

I urge support of the amendment. A number of bills have been introduced to do just what this amendment would do. In addition to the bill I introduced in the first session of this Congress, H.R. 7007, others now introduced by Mr. MOELLER, Mr. CONTE, Mr. MULTER and Mr. LONG of Maryland.

It is true we have not had hearings on this proposition, but it would seem to me there is such a clear-cut explanation of need there should be no hesitancy on the part of this body in setting the minimum age the same as the adjoining jurisdiction of Maryland and Virginia. It seems to me this should be done now by amending the bill before us.

I urge support of the amendment based on that judgment.

Mr. MULTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, I am pleased to raise my voice at this time in support of the pending amendment.

As has already been indicated, I introduced a bill to accomplish that purpose along with many other Members of this House. As a matter of fact, mine was among the first bills to be introduced to accomplish a change of the drinking age from 18 to 21 years in the District of Columbia.

I believe there is only one other place in the country besides the Washington area where the same situation prevails and that is the metropolitan area of New York. It is unfortunate that my home State has not seen fit to change the law as we are doing here today. There too, as here, we have an influx of boys and girls under 21 years of age who cannot drink in their home States, crossing the State line into places where they can drink and unfortunately drinking to excess, causing many accidents on the highways, which result in horrible maiming and deaths.

I do not pretend to know whether 19, 20, or 21 is the proper age at which a youngster should be permitted to drink but whatever that age is that is fixed by statute, it should be the same in every area and there should not be an incentive to youngsters to cross from one area into another in order to be able to get a drink. Such practice promotes disrespect for law and order and whets the appetite of the youngster to seek things that he otherwise would not be interested in.

The difference in the age limits also creates intemperance because the youngster who must travel for the drink he cannot get at home will imbibe to excess while temporarily out of his home State.

I also appreciate that there may be some economic disadvantages created to some merchants as a result of the enactment of this law but like in so many instances, the economics of the situation must give way to what is best for the overall benefit of the entire community.

This is a good amendment and should prevail.

The SPEAKER. The question is on the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

GENERAL LEAVE TO EXTEND

Mr. DOWDY. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks, and I ask unanimous consent that all Members be permitted to extend their remarks on the bill under consideration, H.R. 10744.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE SOYBEAN SITUATION

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, since prices for soybeans have been fairly good and shortages have not been great enough to be felt locally, there has been a tendency to ignore the far-reaching adverse effect that doing nothing about soybean programs could have upon the overall interests of soybean producers, processors, and livestock feeders.

Our soybean programs of the past few years have consisted mainly of a loan of $2.25 per bushel and withdrawing so much land through the feed grains, cotton, and wheat programs, that the expansion in soybean acreage was reduced. By setting aside the diverted acres and conservation base acres, participants in those programs could not shift land to soybeans at the same rate that they normally would have. As long as the supply is adequate without using any of this acreage, it causes little concern; however, the time has now come when we should carefully examine the whole soybean acreage situation from the standpoint of what is good for soybean producers and livestock feeders and also what is fair to participants in the other programs.

In determining what actions we should take relative to soybean production, I believe we should first fully recognize the peculiarity of soybeans as a commodity compared to other basic crops. While corn, wheat, and rice each have limited acceptibility in limited areas of the world, soybeans are a high protein product in great demand all over the world. They provide protein that is cheaper than meat and is not resisted for religious reasons. Forty percent of the soybeans produced in the United States last year were marketed overseas while a much smaller percentage of other crops is sold overseas. Soybeans are not processed and consumed on the farm; therefore, marketing of them depends upon good transportation facilities and them being in the right location when a sale is available. Ninety-five percent of all of the soybeans shipped between countries of the world were produced in the United States. At the present time we enjoy being the world's storekeeper for soybeans.

While to some extent we seized this advantage by accident, we do not want to lose it. Other countries are willing for us to be the major supplier of soybeans and have indicated such by not having any tariff on soybeans. While most of them have tariffs on other crops to encourage higher local production, they seem content to depend upon us for soybeans, provided we are able to supply their needs every year. If they depend upon us for soybeans and are unable to secure them, they will find another source such as China or they will raise the tariff to encourage local production of soybeans, or they will encourage the production and importation of substitutes for soybean products. Unless we have both a supply and a price which is competitive with substitutes, we will lose existing soybean markets instead of gaining new ones.

A year ago we only produced about 700 million bushels of soybeans and this proved to be at least 100 million less than our customers wanted. In 1965 we produced 135 million more bushels than in 1964 and sold them for about the same price per bushel. This proved again that the price will only average about $2.65 regardless of how short the supply is. When we only had that 700 million bushel crop, many of our customers turned to substitutes such as urea, fishmeal, and olive oil. People interested in broiler production in Belgium and France told me at the meeting of the Council of Europe that they had to substitute other protein products in some of the broiler rations, that they found the substitutes very satisfactory, and that they are now likely to continue using those substitutes. They are building up a broiler industry and want soybean meal in the formula but whenever substitutes replace soybean meal as a result of a short supply situation, they tend to quit depending upon us for that amount of meal in the ration. That shortage has spurred the development of a substitute protein supplement composed chiefly of urea and alfalfa meal and expansion of fishmeal processing. In other words, a temporary shortage of soybeans becomes a permanent loss of market.

Some say let us have a shortage—maybe they will sell for $3 or $4 per bushel. The fact is that there is a ceiling price now which is set by factors beyond our control. The effective maximum price for soybeans is approximately $2.90 f.o.b. track Chicago. Whenever soybeans go above that price, customers turn to substitutes or quit buying. When prices went over that level recently Japanese buyers purchased from China and others turned to substitutes. Enough buyers leave the market at this point that the demand is reduced; therefore, ceiling prices are not determined alone by the supply of soybeans in the United States but are also affected by the price of dozens of good substitutes. Let us not bury our heads in the sand like the dairy people did when they pretended there were no substitutes for butter. There are good substitutes for both soybean meal and oil.

In March, the Department estimated that 37.1 million acres of soybeans will be planted this year with 36 million acres being harvested and that they will produce 882 million bushels of soybeans. To secure that high a total production, there will have to be an average yield of 24.5 bushels per acre and that is considerably above the average of the past few years. Since acreage is being reduced in the best soybean production areas of the Midwest while it is being increased in the low-yield areas of the South and East, many people estimate the average will be no more than 23½ bushels per acre and that the total production will actually be no more this year than it was last year.

Since the reduction in cotton seed due to the reduced cotton acreage will be the equivalent of 45 million bushels of soybeans, we must have a real bumper crop in 1966 in order to provide enough soybeans for our usual customers. Unless acreage is increased next year we cannot even increase exports of corn unless our customers find some substitute protein supplement to balance with the feed grains because enough soybean meal will not be available. Rice and wheat allotments are being increased and at least 300,000 acres that produced soybeans last year will be used for these increased allotments of rice and wheat. In view of the above statistics it is a farce to talk about a soybean reserve, including soybeans in a meaningful food-for-freedom program in 1966, or keeping our customers supplied. For these reasons no one should doubt that an increased acreage of soybeans will be needed in future years. The question is, Where shall these acres come from?

Except for the acreage that could be shifted from corn or cotton, the principal source of acreage for soybeans is conservation base acres, diverted acres, and new land being brought into production. Most everyone now agrees that shifting allotted acres from corn and cotton to soybeans is about out of the question because a price that would make soybeans more profitable than corn or cotton would be high enough that substitutes would replace the market for the soybeans at an alarming rate.

Diverted acres total about 46 million under various programs and about 35 million of those acres are under the feed grains program. Some farmers would take a reduction in their Government payments if they could produce soybeans on some of these acres. Of course, many of these acres are also not suitable for soybean production. Most of them are located in the corn-soybean area.

Of the conservation base acres that are suitable for, and could be released for soybeans, most are in the corn area because there were no conservation bases established for most other crops until last year. By 1965, the acreage farmers under the cotton program had diverted to conservation crops was reduced compared to 1959. As cotton acreage declined, they shifted toward soybeans and high-production crops. Although there has generally been a shift in farming methods away from conservation crops, participants in the feed grains program have not been permitted to make this shift. A high percentage of the conservation base acres that could shift to soybeans are in the Corn Belt.

Most of the new land coming into production is outside of the good corn area. Some is land that was in pasture in the South and some was on dairy farms in areas where the climate is not suited for corn production. Beef cattle diseases and other problems have proven so great in the warm climate areas that the trend is away from the cow-calf program where soybeans can be raised. Dairy farmers who were pasturing flat land outside the Corn Belt are also shifting to soybeans. Some other land being brought into production was in scrub timber or swamps in the South. Most new land that can come into soybean production is outside the Corn Belt.

I believe it is clear to see that unless either conservation base acres or diverted acres are released to provide some of the increased soybean acreage needed, most of the new acreage will be outside the Corn Belt. Unless conservation base acres or diverted acres are released as needed, Iowa and the corn area will not receive anything like a fair share of the increase in the soybean acreage.

Another problem with which I am concerned is, How do we prevent farmers from furnishing soybeans for a reserve without in effect donating them? While we have not produced enough for our customers let alone establish a reserve, everyone agrees that in order to keep our customers, we must have some reserve of soybeans available in the event of a bad crop. Failure to have that reserve has already cost us customers and sales.

One method of protecting producers is by having a $2.50 loan rate. That is the method currently being used. This method causes some problems in marketing. When the difference between the loan rate and the market price becomes so narrow that there is no incentive for a farmer to dispose of his soybeans until delivery time the following summer, a temporary shortage of beans available for export and processing develops during the winter months and consumption is reduced. While a loan at harvest time to avoid glutting the market and to prevent depressing prices is needed, we also need a good flow of beans all through the winter months in order to secure maximum consumption. When too many beans are held until the middle of the following summer and that built-up supply is then dumped onto the market, sales have been lost that cannot be recovered and a sudden surplus causes prices to go down even more just before time to harvest the new crop. It seems to me that we would have greater consumption with a loan rate of about $2.25 per bushel and could find some other way to protect farmers from any reduced income caused by producing enough to provide a reserve.

Another problem with depending too much on a higher loan for income protection is that it tends to cause the beans to be out of position for sales. Forty percent are shipped overseas and overseas buyers often want these soybeans available on short notice. When they are stored on farms, they are as far out of export position as possible, especially in view of the chronic boxcar shortage and other problems of weather and seasonal labor shortages. More soybeans could be sold if they were nearer to processing and shipping facilities. Thus, depending upon a higher loan rate for income protection reduces some of the ability to market the product and causes us to lose some sales.

Another method of income protection which I think would be preferable and is included in the provisions of my bill, H.R. 12798, provides that if and when a surplus of soybeans is produced, the Department will buy that quantity of soybeans and place it in bins where it is most readily available to possible customers. The loan could be $2.25 per bushel with this additional income protection provided, and the market would operate much as if that reserve supply had never been produced. Under H.R. 12798, the beans in the reserve would not be sold until there is enough of a shortage that they can be sold for at least $2.90 per bushel.

There is a third method that could be used and that is to give a direct payment of perhaps 25 or 50 cents per bushel to every producer of soybeans and let the market seek its own level. I think it is impractical to consider this method because 25 cents per bushel would cost $250 million per year and that kind of money is not available now.

Since having an adequate supply of soybeans is beneficial not only to farmers to prevent substitutes from nosing out soybeans but also is beneficial to the, first, users of soybean meal in livestock and poultry production; second, our balance-of-payments problem; third, people in the processing and transportation industries; fourth, furthering our foreign policy goals; and fifth, all of the 190 million consumers in the United States, 99 percent of which use soybean products in one way or another, I believe it is in the national interest both to have an increased acreage of soybeans and to protect the producers of these soybeans against an inadequate return for producing the extra soybeans. Farmers will receive much of this protection with a $2.50 loan but I think they would receive more protection with less interference with the market under the method provided in H.R. 12798.

I also firmly believe that if we sit idly by and say, "do nothing," substitutes will secure a part of the soybean market and we will be giving away the best chance we will have for a long time to use our productive idled acres to produce income.

WHAT IS WAR?

Mr. POOL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POOL. Mr. Speaker, in January of this year I introduced a bill, H.R. 12047, which in short would make punishable the giving of any money, property, or thing to any hostile foreign power acting in opposition to the Armed Forces of the United States, and makes punishable the obstruction of the movement of military personnel or transportation. The press has brought to our attention the fact that a number of persons and organizations in the United States—of whom most appear to be Communist or adhering to Marxist dogma—were soliciting or forwarding money and "medical aid" for North Vietnam and were obstructing the movement of our troops. This fact prompted the introduction of my bill.

Since offering the bill, I have received many communications from members of my constituency, and others, who have expressed wholehearted support for the objectives and purposes of my bill. However, there are indeed a few sincere persons who seem to be confused as to their duties and responsibilities when this country is at war. One basis for this confusion appears to derive from the fact that no technical state of war has been declared against North Vietnam. I have, for example, recently received an inquiry from a resident of Texas who wrote, in part, as follows:

> Individuals who send plasma, etc., to North Vietnam, no matter how morally reprehensible they may appear to you or me, are exercising a personal choice. In the absence of a declared state of war, I fail to see why a legal restriction should be placed on them.

This correspondent, in judging the propriety of legal restrictions against aid to one's enemies, apparently makes his determination on the basis of whether a formal or technical declaration of war has been made. Frankly, I do not see the validity of any such distinction. When our Armed Forces are actually engaged in hostilities abroad, whether certain conduct of citizens of the United States is harmful to our Nation and its people should be determined independently of the question whether a legal status of war has been declared. Nevertheless, the view of this constituent makes evident the confusion surrounding the issue.

This confusion arises in large part, I believe, because of terminology. What is war? The term "war" has been used principally in two senses. The common, nontechnical usage is that which is descriptive of objective events, such as a contest of armed public forces between States. International law, on the other hand, war is a "term of art." In this latter sense, war is principally a juridical concept, resting on certain formalities, and is descriptive of a certain legal relation which exists between and among states which arises out of what Gentilis, an early scholar on the subject, described as "a properly conducted contest of armed public forces."

We need not debate the adequacy or validity of any particular definition, except to point out that a nation is not at war in the technical sense unless its political or legislative department, having the power to do so, announces that fact. In the absence of such a declaration, even though the armed public forces of a nation are actually engaged in hostilities with another nation, and a war is hence in fact taking place a nation is not technically at war. Conversely, a nation may be legally at war even though there is no contest of armed public forces if a declaration of war is in effect and has not been officially or legally terminated. Hence, whether a nation is technically at war with another is principally a subjective test, depending upon the declared policy of the nation concerned.

When a nation is technically at war, certain serious consequences ensue, in accordance with the principles and usages of international law. Some of the immediate effects of a technical state of war are to suspend all nonhostile intercourse between those states which are parties to the war, to suspend the ordinary nonhostile intercourse between the citizens of those states which are parties to the war, to introduce new principles in the intercourse between the states which are parties to the war and other states, to impose new duties upon neutrals and allies, and to modify the operation of certain treaties or to bring into operation treaties concerning the conduct of hostilities.

Since a technical declaration of war thus sets in motion certain usages and legal consequences in relation to the warring states and other nations and neutrals, some of which have been above set forth, it is apparent that a nation may not choose to set all such usages in motion or to create all such legal consequences by declaring a technical state of war even though it is actually engaging in war.

Indeed, while it is common knowledge that both the United States and North Vietnam are actually engaged in war, it is a curious fact that neither the United States nor North Vietnam has declared war. However, as I shall note, the United States has adopted a policy of not declaring war for reasons different from that which has prompted North Vietnam to adopt the same course.

The President of the United States has carefully refrained from seeking a formal declaration of war against North Vietnam. We are, however, openly assisting South Vietnam in resisting aggression. The United States does not seek to conceal the fact that it is employing its Armed Forces for that purpose. The reasons for not declaring a formal state of war were recently made explicit in a State Department position paper, dated November 19, 1965, which was prepared by the Department of State at the request of the Senate Committee on Foreign Relations. Among the reasons for making this choice, the State Department set forth that it sought to avoid "unnecessarily enlarging the scope of the conflict," and to improve the prospects of an early peaceful settlement. I think that this was a reasoned choice and was undoubtedly made with a view toward promoting the best interests of this Nation and world peace.

On the other hand, North Vietnam has also carefully refrained from a declaration of war against either South Vietnam or the United States, but, as I repeat, for other reasons. North Vietnam has not declared war in an attempt to conceal the fact that it is committing aggression against South Vietnam. Although North Vietnam is engaging in actual war against South Vietnam, a public admission of this fact, which would be the result of a formal declaration of war, would not accord with her policy of stealth and subterfuge.

The Communist strategy—based on the Communist tactical doctrine of so-called wars of liberation—is to expand the area of Communist conquest by the deceit and subterfuge of making the conflict in South Vietnam appear to be an internal revolution or civil war, rather than an international war between the State of North Vietnam and the State of South Vietnam. The aggression from North Vietnam has been, and is being, accomplished by clandestine techniques—the secret infiltration of troops and revolutionary cadres into South Vietnam, and the organizing, equipping, and financing in secrecy of Communist cadres within South Vietnam.

By seeking to create an illusion that a civil war is taking place in South Vietnam rather than external aggression, they hope to make it difficult and impractical for South Vietnam to gain support from other nations. They also hope to make it difficult for other nations, who would come to South Vietnam's assistance, to gain support from their own people for intervention in aid of South Vietnam. This was clearly explained by our able Secretary of State in his statement before the Senate Committee on Foreign Relations of February 18, 1966. Secretary Rusk said, in part:

> The North Vietnamese regime has sought deliberately to confuse the issue by seeking to make its aggression appear as an indigenous revolt. But we should not be deceived by this subterfuge. It is a familiar Communist practice. Impeded in their efforts to extend their power by the use of classical forms of force such as the invasion of Korea, the Communists have, over many years, developed an elaborate doctrine for so-called wars of national liberation to cloak their aggression in ambiguity.
>
> A war of national liberation, in the Communist lexicon, depends on the tactics of terror and sabotage, of stealth and subversion. It has a particular utility for them since it gives an advantage to a disciplined and ruthless minority, particularly in countries where the physical terrain makes clandestine infiltration from the outside relatively easy.
>
> At the same time the Communists have a more subtle reason for favoring this type of aggression. It creates in any situation a sense of ambiguity that they can exploit to their own advantage.

In employing the Armed Forces of the United States, the President has acted with the authority of that branch of the Government which is empowered to declare war. Article I, section 8 of the Constitution of the United States gives to Congress the power to declare war. In adopting the southeast Asia resolution, approved August 10, 1964 (Public

Law 88-408, 78 Stat. 348), the Congress of the United States expressly authorized the President of the United States to use the Armed Forces in assisting any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom. This resolution was adopted by a combined vote of 504 to 2.

This resolution makes clear that while the Congress did not use the precise words "declare war", the Congress has nevertheless authorized the President to engage in actual war. A rose by any other name is still a rose. The resolution was adopted in the manner and form required of a declaration of war by that branch of the Government having the power to declare war. While thus giving the President a mandate which authorizes him to undertake war, the Congress acceded to the policy of avoiding the consequences in international law which would ordinarily flow from a recognition of a formal status of war.

Moreover, in employing the Armed Forces of the United States the President—and the Congress—were fulfilling the commitments of the United States to which our country had bound itself by the Southeast Asia Collective Defense Treaty and Protocol thereto, of September 8, 1954, by which we agreed to act in the event of aggression against South Vietnam. By the terms of that treaty it was explicitly agreed that—

> Each Party recognizes that aggression by means of armed attack in the treaty area against any of the Parties or against any State or territory which the Parties by unanimous agreement may hereafter designate, would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes. Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations.

It is important to recall that this treaty was adopted in accordance with the terms and provisions of the U.S. Constitution. By virtue of article VI of the Constitution, a treaty is declared to be "the supreme Law of the Land." Thus, as in the case of any law of this land, all of our citizens are bound to give support to this treaty and to abide by it. It is a duty and obligation of citizenship to support the Government of the United States as it acts to comply with that treaty.

Our soldiers are fulfilling their duties in support of their Government. They neither have nor claim a freedom of choice as to where or when they shall serve. It is intolerable to think that any citizen has the right or freedom of choice to endanger the life, or to increase the burden, of any one of our boys in the Armed Forces by strengthening his enemy. Moreover, to permit freedom of choice in either instance would result in anarchy. It would make impossible the execution by our Government of its constitutional duties and would seriously impair, and possibly destroy, our constitutional processes. It would be a betrayal of our Nation. I therefore think that the restrictions that are sought to be imposed against rendering of aid and comfort to North Vietnam are wholly justified.

THE DAY THE CIRCUS CAME TO WASHINGTON

Mr. CAMERON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CAMERON. Mr. Speaker, quite recently a vast majority of House Members earned for themselves the dubious distinction of being duped en masse. Of course, anything can happen in an election year, and I am now convinced that this political rule of thumb holds just as much for the House as it does for the hustings. Nevertheless, this case history of how the House got hoaxed bears telling if only to demonstrate that histrionics and the legislative process are not mutually exclusive.

This extravaganza occurred one rainy April afternoon when House Republicans decided to stay indoors and stage a little demagoguery for the gallery audience. The curtain went up with our great Chamber ringing with plaudits and praise for the Subcommittee on Agriculture because it had restored the administration's proposed cuts in the school lunch and milk programs. It was warranted praise.

Having long been a critic of the gigantic farm subsidy program, I saw no reason why two worthwhile programs in the whole mess should be the first to get the President's economizing ax when so many other programs deserved the real hatchet job. As I stated at the time the milk and lunch cuts were proposed:

> If our country is wealthy enough to continue pumping billions into farm price support schemes, it is also wealthy enough to continue providing good nutrition for school children.

The other farm programs which really deserved slashing in this year's agriculture appropriations bill were such uneconomical and costly subsidies as the food grain, wheat, cotton, and tobacco programs. Every time the Congress votes to extend and expand the Nation's agricultural program, the taxpayer, small farmer, and consumer reap the detriments. Only the large corporate farmers reap anything beneficial: indeed, the Federal Government's artificial price supports have helped enlarge corporate farms. It is this aspect of the farmer's growth that gives me cause for criticism. As I said in the summer of 1965:

> I certainly have no objection to farms becoming larger and larger if they grow within the context of the free enterprise system and if such growth is in response to reasonable laws of supply and demand. But I cannot sanction the corporate farm growing ever larger through the artificial support of the Federal Government. In my judgment, an entrepreneur capable of producing such quantity should also be capable of adjusting to the competitive market and doing without the largess of the Federal Government.

There is one heavy subsidy to the big growers that offers a particularly poignant paradox. It is incongruous to me why our Government pays to subsidize the production and use of tobacco on the one hand, and then reaching for a mint with the other hand, authorizes a warning about the health hazards attendant to smoking. This grotesque governmental game between public health and private happiness recalls to mind a poem that perhaps sums the whole thing up:

> Tobacco is a dirty weed. I like it.
> It satisfies no normal need. I like it.
> It makes you thin; it makes you lean;
> It takes the hair right off your bean.
> It's the worst darn stuff I've ever seen.
> I like it.

But if the poorly conceived structure of price subsidies was the real issue to be debated, House Republicans proved themselves a sporting lot and gamily dodged it. Instead they focused their fiery forensic on the President and his budgeteers for daring to reduce the school milk and lunch programs, insect and disease control programs, soil and water conservation programs, the crop insurance program, and the rural electrification and telephone loan programs. In the process, they conveniently forgot avowed Republican promises to cut every appropriation bill this year by at least 5 percent: a policy the GOP has paraded until the mind is weary contemplating it. This across-the-board cut is necessary, Republicans charge, because inflation is rampant in the marketplace and the administration does nothing to cut back on domestic spending. Yet, in the case of agriculture, when the administration purposely prepared a diet to fight the battle of the bulge and the distinguished chairman of the Appropriations Committee cut back the President's original request by over $113 million, the GOP spared their 5 percent rod and spoiled the farmer. Instead, Republicans favored restoring funds for the programs they thought had general approval in the traditionally GOP farm belt. Votes and vitamins, we learned, are not dissimilar. As the Los Angeles Times summed it up:

> On the Republican side * * * the dikes washed out on a proposed strategy to cut every appropriation bill 5 percent. GOP House members announced the plan April 6. But when Agriculture appropriations came up, the GOP, traditionally mindful of farm communities, found the going too tough.

Besides an "amen" I would add that the domestic realities of an election year always seem to have a sobering effect on so-called Republican thriftiness.

If press and spectators thought that the pachyderm pantomime was finished for the day, they had a surprise in store. The circus had just started. From the back of the Chamber somewhere arose a merry-faced mahout announcing that he had an elephant trick to show the House. The Republican gentleman from Illinois [Mr. FINDLEY] offered his trick in the form of an amendment designed to be a real crowd-pleaser.

His amendment, we soon learned, would prohibit the sale of U.S. surplus agricultural commodities under the food-for-peace program to nations which sold or transported goods to North Vietnam so long as it remained Communist.

At first glance, this amendment certainly seemed like a reasonable means to reach a very desirable end. The administration, Congress, and the American people are all anxious to prevent the enemy from receiving the supplies it needs to wage war against our fighting boys. But perhaps the Illinois gentleman had a different goal in mind when he proposed his abrupt amendment. He obviously knew that in this election year, it would be very difficult for an incumbent to face his constituents, having voted against such a "patriotic" proposal. His prediction was very accurate, and the amendment soon passed 290 to 98. By the time a final vote was taken on the amended bill, the dissenters had dwindled to 23, myself included, and I could not help muttering what Ovid once said long ago:

> While fortune smiles you'll have a host of friends; but they'll desert you when the storm descends.

All of the original dissenters were Democrats and as they plodded down to the well to change their votes from a forthright "nay" to a safe "yea," the Republicans sat on the sidelines trumpeting triumphantly and cheering wildly. The circus had indeed come to the Nation's Capitol.

Was the North Vietnam amendment worthwhile? Surely we would expect its sponsors to think so, but when we turn to the record we cannot help noticing that the gentleman from Illinois voted against the amended farm bill. Though a critic's first judgment would be that the gentleman was just clowning, my judgment would be that the gentleman saw the farm bill for what it really was—agrarian aggrandizement by legislative largess—and accordingly voted against it despite his own amendment. As he said during the debate:

> This appropriation bill contains a number of items which are attractive and very popular, but we should not lose sight of the fact that it also contains a number of items which, if they knew the full story, the taxpayers would find difficulty digesting.

Indeed, it is no secret that my colleague has offered consistent opposition to the farm giveaway programs over the years with an enviable eloquence that bespeaks a genuine horror. Even his own "get tough" amendment could not alter the honorable gentleman's farm stance. Why?

Mr. Speaker, let us delve for a minute into the alleged merits of the gentleman's amendment, so that we can see what it really means. Presumably, the intent of this proviso is to decrease the flow of supplies and equipment to North Vietnam.

As a member of the Foreign Affairs Committee, I have been actively concerned with promoting this objective for some time. It is my duty to report that the effectiveness of the administration's campaign to accomplish this goal through diplomatic channels has been remarkably successful and should be recorded for all to see.

In 1964, excluding Hong Kong, the monthly average of free world ship calls to North Vietnam was 35. In the last quarter of 1965, through continual diplomatic pressure, this figure dropped to a monthly average of 15. And most recently, the number is down to an average of about 12.

Most of the ships trading with North Vietnam are under British registry in Hong Kong but owned by non-English parties—in some cases Communist. For the most part, they ply between Hong Kong and Vietnamese ports carrying such nonstrategic items as textiles, foodstuffs, soft coal, and fertilizers. It should especially be emphasized that British-owned vessels registered in the United Kingdom are either now withdrawn or being withdrawn from this trade when the charter terms elapse.

Mr. Speaker, since this subject was not debated in the House that astonishing afternoon, it was never determined which nations receiving U.S. food-for-peace aid would actually be affected by the amendment. Though the House then chose to ignore the facts with a vengeance, it later became apparent that the ships from such countries would merely have to change their registration papers and fly another flag to dodge the provisions of the amendment. Not only that, but the amendment purposely leaves untouched that part of the food-for-peace program which permits us to give food supplies as an outright gift. Thus, the amendment's utter ineffectiveness became embarrassingly obvious. Moreover, there remained the distinct possibility that certain aspects of our overall foreign policy would be jeopardized by such a patently pointless proviso.

Take for example the ill-nourished, ill-starred democracy of India. If she comes even close to meeting her near-famine conditions it is only because of our food-for-peace program. Speaking of the amendment's possible effect on India, my distinguished colleague from New York [Mr. BINGHAM] warned:

We cannot expect a nonalined country such as India to take action in support of our military efforts in the Vietnam conflict. Yet this proviso represents a kind of blackmail in an effort to force all countries receiving our agricultural commodities to do just that. It may be that India is shipping nothing to North Vietnam, or only an insignificant amount. In that case, the proviso would only cause embarrassment to the government of Mrs. Gandhi, which might well find it impossible to answer a question in Parliament whether it was going to "knuckle under to American pressure" by legislating against any shipment of Indian goods to North Vietnam.

Another country which might well have fallen under the Illinois gentleman's amendment was Greece, our NATO ally and a recipient of our surplus food supplies. Although a few privately owned vessels, operating under long-term Greek charters, are trading non-military goods at North Vietnamese ports, it is very significant that the Greek Government has issued regulations making it unlawful for their ships to carry cargo to or from North Vietnam.

I emphasize that this restrictive action was taken by the Government of Greece before—not after, but before—the House took up the agriculture bill and its ill-advised amendment. It is no coincidence that the governmental decree and American diplomatic efforts took place at the same time. Fortunately, we used the power of diplomatic persuasion and not the bludgeon of legislative coercion which my Republican colleague had in mind. Assume, however, only for the sake of discussion, that Greece had not cracked down on trade with North Vietnam.

As chairman of the House Republican Committee on NATO, this situation would have presented the gentleman from Illinois with a particularly embarrassing dilemma. His views on NATO countries are quite well publicized and widely known. The following excerpt from a speech about France gives some idea of his overall view:

> NATO is not a government and never has been. It is an Alliance of independent nations, with each of them—France included—able to pursue its own independent policies.

In my judgment, it would not be too much to expect the gentleman from Illinois to treat all NATO countries alike when advocating autonomy in decision-making. Still assuming that Greece had not outlawed traffic with Hanoi, would the gentleman agree that what is good for France should certainly hold for Greece? His amendment clearly states that among NATO nations some are more equal than others.

My colleague's overweening concern for France is surely an irony of impressive proportions. It is an established fact that France does her fair share of trading with North Vietnam. It is also a fact that France does not now receive U.S. aid in the form of surplus foodstuffs, and, therefore, is not affected by the gentleman's amendment. It would seem reasonable to me that if one is to practice what one preaches, he would wish to initiate action to prevent our very important and allegedly friendly ally, France, from shipping goods to our very important and unfriendly enemy, North Vietnam.

But the deed has been done, at least on the House side. I can only hope that the Senate will quietly remove this absurd amendment from the agriculture appropriation bill and avoid another circus comedy. After all, the ringmaster and his entourage are only supposed to come to town once a year. The sooner we legislators can begin to argue the real merits and demerits of the agriculture program, the more appreciation we will deserve from the American people.

I am sure my 22 dissenting colleagues are content in the knowledge that they refused to be driven down the path of political expediency by the shrill sophistry of a circus mahout.

"STABLE MONEY: A CONSERVATIVE ANSWER TO BUSINESS CYCLES"

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. **PATMAN.** Mr. Speaker, I am very pleased to call attention to a new book entitled "Stable Money: A Conservative Answer to Business Cycles." This book was written by W. E. Turner, a longtime personal friend whom I admire and respect. An additional source of gratification comes, of course, from the discovery that this book is dedicated to the late Senator Robert L. Owen and to me, and that much of it is devoted to a historical retracing of steps made in part by us.

It has long been my belief that one of the most fundamental and urgent needs is improved public interest in and understanding of our Nation's monetary and fiscal policies. So I would naturally find special significance in a work by one who is seeking primarily, as he says, to bridge the gap between the typical businessman's interest in workaday financial considerations and his comprehension of broader national economic policy.

No less pleasing to me is that the author finds essential accord with those of us who have so long waged the fight for monetary reforms, and a money system which prevents both deflation and inflation. In his own way, Mr. Turner disposes quite effectively of certain threadbare foundations of the "sound money" school—like the sanctity of balanced budgets, "gold backing" for our money, the "panacea" of high-interest rates, "borrowing" at interest from the Federal Reserve, the supposed safeguards of creating debt to correspond with our money, the assumed "inflationary" character of any Government-created money, the alleged virtues of an "independent" central banking system, and so forth.

Here is a plea for a monetary-fiscal system capable of preserving economic stability with optimum growth—and it comes to us free of partisan viewpoint. The author credits the "new economics" with its very real successes—its opening the way to unprecedented prosperity, its breakthrough against the pressures and prejudices which would keep tax policy subservient to balanced budgets. At the same time, the unmet challenges are detailed—how to sustain full employment of resources without inflation, how to measure tax changes to avoid both "inflation overkill" and "economic overheat," how to bring monetary policy into meaningful accord with national economic objectives, and how safely to "create" money as needed for economic growth without building ever-greater national debt.

In tracing the history of efforts to bring about a safe-and-sane money policy for America, Mr. Turner pays deserved tribute to Senator Owen, the true giant of monetary theorists. It was my great privilege to know and work alongside Senator Owen for many years while he, though no longer a Member of the Senate, remained on the scene to make largely unheralded but mighty contributions to monetary thinking until his death. The venerable Senator from Oklahoma was chairman of the Senate Banking and Currency Committee when the Federal Reserve Act was adopted in 1913, having authored an earlier version of that act. Throughout the Great Depression and World War II, Senator Owen tirelessly availed himself of every opportunity to offer his wise counsel to the President, the Congress, and the Nation. That his advice on the more vital issues went largely unheeded, Mr. Turner believes, should not deny him a prominent place in our Nation's history books—especially since his towering contribution may one day soon help light the way to a truly sound money system.

Naturally I hope for wide readership of what Mr. Turner has to say. Although I can hardly be regarded as an impartial reviewer, I do nevertheless take this means to express the belief that it will be found significant and interesting to students in many walks of life who are seriously seeking answers to our Nation's most fundamental economic problem. Most of all, I share the hope that the "conservative businessman," with whom the author identifies and to whom he primarily speaks, will take notice.

America cannot afford another serious economic setback. As President Johnson has properly observed, recessions are not inevitable. In these pages can be found a rich reservoir of information and opinion which, hopefully, can open new doors to monetary-fiscal measures capable of sustaining our high level of prosperity without inflation.

WHAT THE BOOK IS ABOUT

In this book, Mr. Turner contends that "we have reached the age of potential plenty but have yet to release ourselves from the bondage of an inadequate and inappropriate money system." Let me quote some excerpts:

> American history is an unhappy series of booms and busts. President Johnson calculates in his 1966 Economic Report that Americans spent over 40 percent of the last century in recession or worse, and nearly 20 percent of the prosperous postwar years undergoing four major recessions. Except for brief intervals when by chance some reasonable balance occurred between Gross National Product and effective purchasing power—and this never actually a full production level—Americans have been needlessly denied the security of full employment and the material wealth they stood ready to provide themselves.

Mr. Turner readily acknowledges that he is proposing a form of "fiat money." But he quite properly notes that meaningful distinctions exist between his proposed "stable money" and the many crackpot notions for monetary reform which have abounded throughout American history. The labels "paper money," "unsound currency," and "printing press money" no more characterize the proposal here than the existing so-called sound money.

"Stable money" offers a means for neutralizing money so that it may perform efficiently the sole function for which it exists. As Mr. Turner states it:

> We are proposing a system for regulating money in order to avoid having to regulate economic enterprise.

The author contends that the "new economics" has shown us the way to achieve prosperity at very high levels; yet to be demonstrated is the capacity to maintain prosperity. Economic stabilization at full growth potential, he contends, is the most urgent necessity facing our Nation.

Three basic questions which this work treats are:

First. How can peak prosperity be perpetuated without yielding steadily to the pressures of inflation?

Second. How can we maintain prosperity at home without developing imbalance in our international payments?

Third. How can we safely "create" money—to finance the necessary budgetary deficits—without building an eventually unmanageable national debt?

Economic stabilization, he says, requires that we achieve optimum prosperity with overall price stability and with international payments equilibrium and with debt-free money. Excerpts:

> If peak prosperity is within our grasp, and the tools exist for perpetuating it, why does the goal of economic stability still elude us?
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> *First, we have not adapted or refined our monetary and fiscal tools to the role of ensuring stabilization. Both are oriented to other objectives. . . .*
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It is these issues with which the book deals. Additionally, there is offered here a great deal of the history of efforts to bring a sensible money system to America, together with a detailing of the immense costs in all areas of our lives which result from our failure at having done so.

MONETARY-FISCAL POLICY CONFLICT

On the subject of adapting our monetary and fiscal tools to the role of stability, Mr. Turner notes conflict between a fiscal—tax—policy which is under administration control while monetary policy remains under a so-called independent agency. As a result, he says:

> Contradictory directions are more nearly the rule than the exception.
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> Though cooperation is regularly declared, coordination between fiscal and monetary policy is highly limited; moreover, the very theory of Federal Reserve Board independence implies that contradictory directions are intended and desirable. In reality, the only objective served by this arrangement is an unfortunate one: the Executive Branch and the Federal Reserve can each blame the other for the all-too-regular booms and busts.

BALANCED BUDGETS VERSUS BALANCED ECONOMIES

In dealing with the problem of providing stable-value money without necessarily tying it to debt, Mr. Turner notes that balanced budgets are out of the question in the future because, we have learned, they are a certain route to recession or worse. He believes the imbalance in both our Federal budget and our international accounts are symptomatic of the deeper money issue.

> The time is at hand when in our national interest we must unlearn some of the fundamentals of yesteryear—foremost among which is the supposed keystone of sound government: that nations must balance their budgets. The pill which conservatives will find hardest to swallow is that governments,

unlike families, can safely run deficits without adding to the national debt. Any time families live beyond their income they are living beyond their means. Not so with nations. The only time a nation is living beyond its means is when it is experiencing inflation.

Mr. Turner holds that fear over the constant building of debt, though sound for the most part, has confused our goals and denied us a sensible governmental program aimed at economic stability, saying:

If we can find the safe means to monetize a nation's unused capacity to produce real goods and services, and in that way increase the national wealth, then we can forget about debt. The purpose of money being to stand-in, as it were, for real goods and services, there can be no inflation and need be no added debt *if* only that money is created which is needed to balance off real wealth. When the quantity of money is gauged to the function of money, we can stop worrying about whether the government is spending money it did not get through taxes or debt, or even whether the money is backed by gold or silver or other so-called hard currency. Then we can move ahead to an era of uninterrupted prosperity and growth.

It being the acknowledged responsibility of a government to create its medium of exchange in the first place, there no longer exists any sound reason that the money it creates must be based on debt. A government can and should create whatever money is required for efficient interchange of goods and services. It is creating too much only when the result of it is inflation—and not necessarily when it is going further into debt by failing to balance the budget. It is creating too little whenever there is national deflation—regardless of whether or not the budget is in balance.

FREE ENTERPRISE AND STABLE MONEY

To restore the precarious balance between production and purchasing power today we are compelled to sabotage our productive potential, to engage in wasteful wars, to build impossible debts, to suffer depressions. With disheartening regularity we undermine the very security in the name of which we undergo such grave suffering.

All efforts so far toward formulating a policy permitting purchasing power to equal production at whatever level possible have been rejected in favor of a policy of restricting production to effective demand. Though the mythical man from Mars might think so, this is not a diabolical plot on the part of secret enemies high in government for destroying peace, prosperity and plenty. On the contrary, it is heatedly defended as the only way to leave intact the free enterprise system which can be so superior in turning out goods. . . . The crying need is to provide a money supply measured to strike a balance between effective purchasing power and all wanted goods and services on a stable price base. . . .

Time is running out for the free-enterprise capitalistic system under the present unfortunate money arrangement. Its survival may depend upon whether conservatives are willing to acknowledge our problem and open their minds to new imaginative solutions at long last. . . .

A nation can afford anything it can produce. It is not necessary to permit periodic breakdowns in the productive forces simply because there are more goods on the market than consumers can purchase at stable prices.

Yet, paradoxically, our nation shows its greatest strength only when heavy deficit financing distributes purchasing power in excess of real goods and services on the market, usually in wartime. Hence we fear that curbing inflation will bring on sluggish growth or even depression.

However sound the objections to fiat money of yesteryear, all have been rendered invalid by time and circumstance. Today we have no alternative to some form of fiat money. The only question is whether it be of a quantity and quality as to serve well the national interest.

It is the purpose of this book to provide one means by which, through proper and safe government control of money, we can halt the trend toward government control of our economic and political lives.

Mr. Speaker, no one would agree with every word written in this book, but it is a volume which should be on everyone's required reading course.

CREDIT UNION BLOOMS IN CALIFORNIA DESERT

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, last year the Twentynine Palms, Calif., Marine Corps Base decided to liquidate its credit union. However, before the liquidation was completed, the base commander, Brig. Gen. V. W. Banning, took an interest in the credit union and decided, rather than liquidating the self-help project, he would charter a new course for the credit union.

In previous years the credit union had operated from a noncentral location, had received little publicity, and did not have the necessary command support. General Banning felt that given the necessary ingredients for a successful operation, the credit union could go a long way toward solving the financial problems of Marine Corps personnel stationed at Twentynine Palms, an isolated desert community some 125 miles south of Los Angeles.

Under General Banning's guidance, the credit union was reformed with a new board of directors and officers, quarters were obtained in a central location, the base newspaper engaged in an active information program on the work of the credit union, and full command support was thrown behind the operations of the credit union. When the credit union opened in its new facility, General Banning was the first member to join. In less than 3 weeks after the credit union had reopened, 65 new members had followed the lead of General Banning and the membership in the credit union had risen to 698. General Banning informed me in a recent letter that "I feel we can safely say that the Twentynine Palms Federal Credit Union is off to a good start and can expect a successful year."

The actions of General Banning in saving the credit union at Twentynine Palms were most commendable and I hope that the Department of Defense and Secretary McNamara will take note of the splendid job being performed by this Marine Corps veteran. If installation commanders throughout the world would follow the lead of General Banning, credit unions would be able to sharply curtail the activities of loan sharks and high-rate credit extenders who prey on our servicemen.

NATO

Mrs. KELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a letter from President Eisenhower.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. KELLY. Mr. Speaker, during recent months, our attention has been drawn increasingly to developments taking place in the North Atlantic Treaty Organization.

These developments—particularly the decision of the French Government to withdraw from the military part of NATO, and its consequences—have concerned us deeply.

As chairman of the Subcommittee on Europe of the Committee on Foreign Affairs, I have been privileged to chair a series of hearings on this subject—on the problems and prospects of NATO, and on the alternatives before us.

In the course of this undertaking, we have sought counsel and advice from the foremost specialists and our distinguished citizens—in and out of the Government.

Among those who responded to our request for their views is the man who led the allied forces to victory in World War II—who served as the first supreme military commander of NATO—and who then became the President of the United States: Gen. Dwight D. Eisenhower.

Because President Eisenhower's observations on the crisis in NATO, and his advice regarding the course which our Nation should pursue in its relations with the other members of the North Atlantic community, are of such deep interest, to the Congress, I ask unanimous consent to place President Eisenhower's letter to me in the CONGRESSIONAL RECORD at this point.

GETTYSBURG, PA.,
WALTER REED HOSPITAL,
Washington, D.C., May 17, 1966.

HON. EDNA F. KELLY,
Chairman, Subcommittee on Europe, Committee on Foreign Affairs, House of Representatives, Washington, D.C.

DEAR MRS. KELLY: Responding to your request I submit herewith the following to express my basic convictions and opinions about the North Atlantic Treaty Organization. I think that your Committee, inspired by the crisis brought about in NATO affairs by France's withdrawal of all her forces from the present NATO command structure, has undertaken a necessary and timely inquiry.

NATO was founded in the belief that under conditions existing in 1949 all Western Europe was open to a possible Communist aggression and that each country, standing by itself, was incapable of resisting effectively any Communist military aggression. The western statesmen of the day rightly calculated that by standing together under the terms of an appropriate Treaty for common security they would be relatively free from risk of Communist subjugation, whether military, political or economic.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, I am very pleased to call attention to a new book entitled "Stable Money: A Conservative Answer to Business Cycles." This book was written by W. E. Turner, a longtime personal friend whom I admire and respect. An additional source of gratification comes, of course, from the discovery that this book is dedicated to the late Senator Robert L. Owen and to me, and that much of it is devoted to a historical retracing of steps made in part by us.

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In this book, Mr. Turner contends that "we have reached the age of potential plenty but have yet to release ourselves from the bondage of an inadequate and inappropriate money system." Let me quote some excerpts:

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Mr. Turner readily acknowledges that he is proposing a form of "fiat money." But he quite properly notes that meaningful distinctions exist between his proposed "stable money" and the many crackpot notions for monetary reform which have abounded throughout American history. The labels "paper money," "unsound currency," and "printing press money" no more characterize the proposal here than the existing so-called sound money.

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Economic stabilization, he says, requires that we achieve optimum prosperity with overall price stability and with international payments equilibrium and with debt-free money. Excerpts:

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The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. KELLY. Mr. Speaker, during recent months, our attention has been drawn increasingly to developments taking place in the North Atlantic Treaty Organization.

These developments—particularly the decision of the French Government to withdraw from the military part of NATO, and its consequences—have concerned us deeply.

As chairman of the Subcommittee on Europe of the Committee on Foreign Affairs, I have been privileged to chair a series of hearings on this subject—on the problems and prospects of NATO, and on the alternatives before us.

In the course of this undertaking, we have sought counsel and advice from the foremost specialists and our distinguished citizens—in and out of the Government.

Among those who responded to our request for their views is the man who led the allied forces to victory in World War II—who served as the first supreme military commander of NATO—and who then became the President of the United States: Gen. Dwight D. Eisenhower.

Because President Eisenhower's observations on the crisis in NATO, and his advice regarding the course which our Nation should pursue in its relations with the other members of the North Atlantic community, are of such deep interest, to the Congress, I ask unanimous consent to place President Eisenhower's letter to me in the CONGRESSIONAL RECORD at this point.

> GETTYSBURG, PA.,
> WALTER REED HOSPITAL,
> *Washington, D.C., May 17, 1966.*
>
> HON. EDNA F. KELLY,
> *Chairman, Subcommittee on Europe, Committee on Foreign Affairs, House of Representatives, Washington, D.C.*
>
> DEAR MRS. KELLY: Responding to your request I submit herewith the following to express my basic convictions and opinions about the North Atlantic Treaty Organization. I think that your Committee, inspired by the crisis brought about in NATO affairs by France's withdrawal of all her forces from the present NATO command structure, has undertaken a necessary and timely inquiry.
>
> NATO was founded in the belief that under conditions existing in 1949 all Western Europe was open to a possible Communist aggression and that each country, standing by itself, was incapable of resisting effectively any Communist military aggression. The western statesmen of the day rightly calculated that by standing together under the terms of an appropriate Treaty for common security they would be relatively free from risk of Communist subjugation, whether military, political or economic.

By agreeing unanimously to that Treaty they accomplished several things. First, the Treaty gave assurance that an attack on any one of the nations would be an attack upon all. Next, it would enable each nation to determine the composition of its own security forces on the basis of a partnership in a common effort. Because at that time the United States was particularly strong in naval, aerial, and atomic power it was possible, under the umbrella of this great and specialized strength, for European nations to go about the development of their own forces in the certainty that their major needs for these expensive specialties would be met by United States' power. Thus each of the smaller powers could concern itself primarily in the development of so-called conventional strength, which for them was both badly needed and less expensive than other types.

Late in 1950 it was decided that such forces as could be supplied by each of the participating nations in the common defense should be so organized among themselves as to assure coordination of action. This decision brought about my appointment as Supreme Allied Commander of the forces assigned by each country to the defensive efforts of NATO.

At that time the effects of the Marshall Plan had not been fully felt and as a result there were very few efficient European military units that could be deployed for the common defense. The situation was considered as an emergency and our government, appreciating this condition, agreed to dispatch a number of U.S. Army Divisions to Europe, both to create confidence in the entire Community and to give that region a breathing space in which to produce, train and deploy the troops that were deemed necessary for initial defense. It should be remembered that there was then an underlying fear that if Europe should again be plunged into war the United States might try (as in WW I and WW II) to stand aside initially in the hope that our nation would not become involved in hostilities. The presence of American troops therefore would stand as assurance that in the event of an invasion from the east, the United States would be involved from D-Day rather than many months later.

The treaty was so drawn as to permit integration of tactical forces. To develop a suitable plan of organization became my principal duty, under the title of Supreme Commander Allied Forces in Europe.

The task of organization got under way at once. The goal was a balanced, integrated force but it was recognized that because of the differences in language, armaments and training it would be unwise to go to extremes in amalgamating troops in different nationalities. It was planned that each tactical division would be homogeneous as to nationality, while the high command structure would include representatives of all. My Deputy was British, my staff was fully international. The Air Commander for the Central Region was American, the Ground Commander, French. As other countries were added to NATO, details changed but the pattern remained as first set up.

During my tenure I visited, at least once, every capital city of NATO to make sure that we had a common understanding of our problems and of measures taken. For example, I made clear at that time, that the contingent of American ground forces at a strength roughly the equivalent of 6 divisions was provided as an emergency measure. While it was agreed, unanimously, that some American ground forces should remain indefinitely in Europe, each government was informed that as soon as Europe could raise, train and deploy an adequate ground force, the major portion of the American contingent would be returned to the United States. It was expected that American air strength in Europe and the American 6th Fleet in the Mediterranean would remain.

Much later, because of unfulfilled expectations and changing conditions, the understanding of that day, so far as it affected ground forces, was shelved or forgotten in Europe. The retention of all American forces became almost a sine qua non to our European friends.

When finally West Germany joined NATO, the defensive picture changed markedly. Its entry created some fears among other members of NATO of a possible program of military resurgence in Germany, and a limitation of 12 divisions was placed upon her contributions.

The matter of nuclear strength and possible deployment was troublesome from the beginning. In 1946 the McMahon Act was enacted to control, among other things, the production of fissionable materials, the manufacture and storage of nuclear weapons and to prevent any transfer of such weapons to any other nation.

The law, as written, ignored certain prior agreements on these subjects reached by Mr. Churchill and President Roosevelt at Quebec and later by President Truman and Prime Minister Attlee. Moreover, it was written on the assumption that the United States had—and probably could retain—a monopoly in the nuclear science.

In 1951 the law prevented us from making any workable agreements with our partners in NATO respecting nuclear weapons—indeed it was difficult and embarrassing, because of the restrictions imposed upon us, even to discuss the matter intelligently and thoroughly. However, the effect of the "nuclear deterrent" was taken in account in all our joint planning.

Another grave obstacle arose out of a plan—initially proposed by the French—to amalgamate all the forces of the European countries by unanimous agreement and, on a basis that would promise the maximum of common tactical strength in all the NATO forces of all the member nations. It was called EDC—European Defense Community. The plan was good, if implemented with common sense, and after long discussions it was initialed by member governments in May 1952.

However, some months later, when the agreement came before the several Parliaments, the French refused to approve. A substitute that proved reasonably realistic was adopted.

By this time I had entered the White House and my relations with NATO were conducted on a different plane.

Because of the tact, wisdom and firmness of three successive American Commanders of SHAPE, Generals A. M. Gruenther, Lauris Norstad and Lyman Lemnitzer, and with the cooperation of most NATO governments, the development of the defenses proceeded reasonably satisfactorily, except for the failure of some to supply their national force quotas. In the case of France this was understandable because of her long and costly post World War II operations in Indo-China and later Algeria. But that circumstance had the effect of compelling, far beyond the estimated date, the continual deployment of a large ground force of Americans in Europe. This circumstance, in turn, seemed to lessen any feeling of emergency and some of the other nations failed, likewise, to fill their quotas.

In 1958 General De Gaulle's recall to power in France undoubtedly saved that nation. However, as French prosperity increased—largely as the result of the Marshall Plan—and as stability, following upon the end of the Algerian war, was restored, French dissatisfaction with existing NATO arrangements began seriously to disturb other members.

The first action—not too far-reaching in itself—was the withdrawal of the French Naval contingent in the Mediterranean from the over all control of the Allied Commander-in-Chief in that region. This in itself was of reduced impact, because the French Navy was of limited strength, but it became the forerunner of later and more disturbing differences. One of these revolved around French desire for nuclear weapons of its own.

My own views on this matter were that we should seek authority to sell appropriate nuclear weapons to other governments, but under special conditions and arrangements—to be approved by the NATO organization—that could operate effectively in the defense of Europe. It was felt that unless we showed a cooperative attitude France, at least, could and would, sooner or later, develop her own nuclear capability. Once this was done she could be completely free of any NATO influence in any action she might choose to take. The same reasoning applied to nuclear-powered submarines but no agreement on either subject could be put into effect as long as the McMahon Act was in force, even though from time to time we had been successful in obtaining some minor amendments to the Act.

However, General De Gaulle knew of the efforts I was making to treat France and our Allies as first-line partners in our NATO planning and during the period of my Presidency it was my impression that he accepted the status quo even though he was less than happy about it.

Incidentally, at this point, I should remark that it has seemed to me strange that even though the Soviets long ago succeeded in developing a nuclear capability of great strength and efficiency we have been forced, by law, to keep any useful knowledge about the science from most of our partners in NATO.

Other differences in viewpoints existed between General De Gaulle and our own government of that time but in light of the friendships existing among the principal figures, all of these differences were discussed confidentially and objectively and without causing any rifts in our mutual respect and public attitude toward each other.

There is no point in attempting, here, to trace all the steps that marked deterioration in our relationships with France and the causes of General De Gaulle's decision to withdraw all French troops from the command of the Allied Commander-in-Chief and, indeed, to insist that all American troops leave French territory.

It would be idle to minimize the seriousness to NATO's security of this development. The United States is deeply involved in NATO's Infra-structure, a major portion located within French territory. To abandon, sell or demolish these facilities will be expensive while to replace them will be more so. Moreover the defense problem will become intensified in difficulty.

Of one thing I am sure, however—it would be a grave mistake for the other members to abandon the alliance merely because of the French withdrawal.

I am not in a position to suggest or recommend any specific arrangement by which France could now, through some kind of bilateral agreement with NATO participate in the common defense. I think that no one except the responsible officials of our government can be sufficiently informed as to make any valid and acceptable decisions in a situation that will be both delicate and difficult. Our government will need real flexibility in its power to participate successfully in this kind of negotiation.

As one helpful step toward this end, I would recommend drastic amendment of the McMahon Act, which is largely inapplicable to the times in which we are living, so as to provide flexibility to our government in negotiating all matters related to nuclear science.

Every possible influence should be used to cement together even more strongly the other nations of NATO, so that through their increased unity the subtraction of the French military forces will have the least possible effect.

I would do nothing whatsoever to antagonize the French people. That nation is our traditional friend. I believe we should take the attitude that while we are saddened that France has seen fit to act independently of all other nations in the Alliance, all are still ready to accept her back into the fold whenever she might desire to return.

To make up for the deficit thus created I think that the other nations, more especially the Federal Republic of Germany, should be encouraged to develop more military power.

I would try to make the day-by-day planning of both NATO's civil and military councils more meaningful and effective. This effort would be particularly necessary and fruitful in the event that the Atomic Energy Act is drastically modified. I think that no resentment of ours or of any other NATO member, should be expressed publicly against France, nor should any economic or political act of ours deepen the rift that has developed.

Sincerely,

DWIGHT D. EISENHOWER.

REQUEST BY AFL–CIO FOR EXECUTIVE ORDER TO WITHHOLD FEDERAL CONTRACTS FROM COMPANIES "VIOLATING" THE NATIONAL LABOR RELATIONS ACT

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS of South Carolina. Mr. Speaker, I would like to read to the Members of the House a telegram I have sent to the President. He has already received it, so I do not believe I am breaking any confidence.

THE PRESIDENT,
The White House:

I was shocked last week to read in the New York Times that the AFL–CIO plans to ask you to issue an executive order that would withhold Federal contracts from companies "violating" the National Labor Relations Act.

I do not profess to know or understand all of the decisions of the National Labor Relations Board, but to single out accused companies for this type of treatment is preposterous.

I refer particularly to that part of the article which indicates that the AFL–CIO would ask you to withhold Federal contracts from the J. P. Stevens Company, even though the decision that was rendered against them by the NLRB is under appeal. In addition, that decision, in itself, is one of the most classic travesties of justice that has ever come to my attention.

Beyond that, Mr. President, is the practical absurdity of such a recommendation on the part of the AFL–CIO.

Such an executive order would deny to the armed forces of this nation most of the uniforms so vitally needed to clothe our recruits and our men in Vietnam. We have a serious uniform shortage now, and such an executive order would aggravate it further. In addition, there are many, many defense supporting industries that have cases pending, or decided, before the NLRB. All of these would be denied defense contracts.

Since all NLRB decisions are subject to judicial review, and the Stevens case is no exception, such action would also make a mockery of our judicial process.

I know, Mr. President, you will treat the request with the disdain that it deserves.

L. MENDEL RIVERS,
Chairman, House Committee on Armed Services.

Mr. Speaker, to begin with, he does not have that authority. To end with, it would be taking property without due process of law.

These cases are pending in the proper jurisdictions under appeal. It would be manifestly unfair, indeed, illegal, to summarily take the contracts from them.

Mr. Speaker, the J. P. Stevens Co. is 153 years old—one of the oldest textile companies on earth.

It will be here when many of us are gone.

THE J. P. STEVENS CO.

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, the J. P. Stevens Co. has been selected as a target for harassment, intimidation, and coercion by the AFL–CIO. The J. P. Stevens Co. is one of the most reliable and responsible companies in our entire American industrial complex. J. P. Stevens is the second largest employer in the United States of our textile people. They have an enviable record in peace and in war. This great company is devoted to its employees, and its employees enjoy a splendid relationship with their management.

Although the employees of J. P. Stevens' plants have overwhelmingly rejected attempts to organize, harassment continues. This harassment of J. P. Stevens Co. and its employees has taken on the aspect of a planned, calculated pattern, the latest being a request by the AFL–CIO that the President of the United States cancel defense contracts awarded under the law to J. P. Stevens Co. I was shocked at this incredible demand by the AFL–CIO. Our men are fighting in Vietnam and serving on the ramparts of freedom throughout the world. They need food and fiber as well as ammunition and other equipment. J. P. Stevens Co. and its employees are working overtime to supply that fiber so necessary to maintain our Armed Forces in the field.

Such action as requested by the AFL–CIO would create chaos in all American industry engaged in the war effort. It is a threat to blackmail and subjugate every industry in our country to the whims of a pressure group.

Mr. Speaker, the decision of the National Labor Relations Board in March was in itself a shocking decision. Of course, J. P. Stevens Co. immediately appealed this decision to the courts. This decision of the Board in March ordering J. P. Stevens Co. to call all of its 40,000 employees together at various times and plead guilty before them is similar to the brainwashing technique being used by the enemies of our country with whom we are now engaged in war. This brainwashing technique of our enemies requires that the victim publicly plead guilty over and over again.

The Honorable Bob Stevens, the president of J. P. Stevens, is a patriotic, devoted, and dedicated American. He served his country in time of war as a distinguished officer and later as Secretary of the Army. It is unbelievable in a free country such as the United States that Mr. Stevens, his employees, and his great company should be subjected to this type of intimidation and harassment.

Mr. Speaker, I am today sending the following telegram to President Johnson:

MAY 23, 1966.

THE PRESIDENT,
The White House:

The J. P. Stevens Co. headed by the Honorable Robert T. Stevens has contributed in superb fashion to the winning of every war since the War of 1812. This great company is devoted to its employees, to high standards of ethics, and to the principles and ideals that made this nation great. The J. P. Stevens Company is contributing to our war effort in South Viet Nam in a magnificent way. J. P. Stevens Company efforts are outstanding in supplying the necessary fiber to our defense forces throughout the world. Therefore, I was greatly distressed to learn from the newspapers that the AFL–CIO is making plans to ask you to issue an executive order withholding Federal contracts from the J. P. Stevens Company because of alleged violation of the National Labor Relations Act. The NLRB decision charging J. P. Stevens Company with "unfair labor practices" is under appeal in an orderly legal manner through the courts. The NLRB decision, charging the Stevens Company with "unfair practices," is the most shocking and unbelievable decision of its nature in the history of our country. It strikes at the very foundation of our private enterprise system and is a threat to every industry in every section of our country. This decision would force the J. P. Stevens Company to plead guilty openly before its employees in called meetings, also to write each employee pleading guilty, and permit the bulletin boards in its various plants to be made available to non-employees of the plant. Mr. President, I feel confident that you will reject any request to penalize J. P. Stevens Company and its employees for only operating under our free enterprise concept as guaranteed by our Constitution.

WILLIAM JENNINGS BRYAN DORN,
Member of Congress.

GREAT SOCIETY HIGHJINKS

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include certain letters and a poem.

The **SPEAKER**. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, a week ago, May 16, I submitted for printing in the RECORD brief excerpts from a number of communications I had received on the subject of exhibitionist dancing at the Smithsonian Institution and dances at the White House which last until 3 o'clock in the morning.

Letters denouncing these foolish Great Society highjinks continue to arrive at my office. Following are excerpts from but a small percentage of the letters I have received since May 16:

"It's about time our dignitaries acquired some dignity." (Resident of Massachusetts.)

"As a rule I am an optimist with a great deal of hope and enthusiasm for the role of our country at home and abroad, but as of the present I feel nothing but despair. I feel the behavior of very many of our people in high office and position is a real and positive disgrace to this country." (Iowa resident.)

"It is certainly good to know that we have a Representative such as you who is willing to speak out on such matters. There are many of us in the pulpits and in the pews who are disheartened time and again by the conduct of our high officials in Washington." (Iowa minister.)

"I completely agree with you. It would seem to me they should all be in black, and mourning for the 3,234 dead and many thousands more maimed who will never lead a normal life again." (California housewife.)

"I present to you a handshake a vote of confidence in your denunciation of the recent Smithsonian 'jam session.' I speak for many fellow servicemen when I say we are getting very tired of the present administration and their capers." (Iowa serviceman.)

"My resentments—my disgust—at such goings-on by those who should set an example impelled me to write Mr. Moyers a letter and asking him what he thought the 'impact' might be when the boys in Viet Nam see his picture." (New York housewife.)

"You cannot have one great big round of fun and pleasure and spend money like there was no end to it without having to pay the price some day." (California resident.)

"Do all you can to bring honor and dignity back to what was once a proud government. Stand up for principle, don't be intimidated, and indicate that there are still strong Americans for America." (Californian.)

"We can't help but wonder how American boys in Viet Nam feel about 'parties as usual' back home." (Rhode Island couple.)

"This is the first time I've ever written to anyone in Washington but you can be assured it won't be the last. I'm sure the mothers who have boys in the so-called war must really be heartsick about this administration." (Chicago housewife.)

"Rather than a drive on poverty the country needs a drive for decency in all actions of our leaders." (Minneapolis resident.)

"I believe you will appreciate knowing that there is much favorable reaction to the recent newspaper article reporting your opinion of recent society doings in the nation's capital. There are many here who share that opinion, and among the many are those who voted for Lyndon. They are ashamed!" (A Texan.)

"I am not a 'crank' of some sort, but I am a citizen of the United States who loves our nation and has fought for her. You keep protesting, and I will keep protesting also. May God give us some statesmen with convictions." (Missouri Baptist minister.)

"A disgraceful state of affairs in our opinion. I have heard at least eight people speaking with appreciation of your taking a public stand and I feel you should know this." (Iowan.)

"Please accept the appreciation and humble thanks of an American for saying to these people what I think, too." (Resident of Pennsylvania.)

"I was wondering how long it would take before somebody spoke out on these 3 a.m. 'shindigs,' that President Johnson and some more of our leaders take part in. When I heard of previous parties, of the same nature, I commented to my wife on how I wondered how the fellas in Viet Nam felt." (North Dakota resident.)

"You are just as right as you can be when you say that there are patterns being set in Washington which follow the exact pattern of the fall of the Roman Empire." (Missouri minister.)

"We read with great interest and approval your comments about President Johnson's 'mink coat set' and their ball over at the Smithsonian the other 'morning,'" (North Carolina minister.)

"Congratulations! I am glad you spoke out against the so-called opera ball, etc." (Iowa resident.)

"We claim to be the greatest nation the world has ever seen. If we feel that way, let us have more dignity among the men at the top." (Resident of Pennsylvania.)

"I am a 24-year-old wife, mother, and government worker, and I love to dance. However, I want to commend you for the wonderful way in which you voiced your opinion on the Great Society's 'social life.' (Virginia resident.)

"I heartily endorse your protest against this kind of action by those in Washington we depend on for leadership when we have men in the battlefield dying daily for their country." (Oklahoma businessman.)

"My 19-year-old son, a volunteer Marine, is in Viet Nam. When I saw that shameful spectacle on TV it made my heart ache." (Resident of Pennsylvania.)

"I too am an ordained Baptist minister; which does not cause me to have a long face, nor does it lead me from amusement and relaxation in this present life; but it does make me see my place of responsibility. It seems to me as if in times such as these there is a great need for those in public office and positions of leadership to show a more sedate, saner walk of life." (Kentucky minister.)

"We have no right to send our men into war, which is living hell and to be killed and maimed for life, and live our life here as usual." (Ohio housewife.)

"Accept my congratulations on reminding LBJ that a full time President of the United States is now needed instead of a twinkle toe in the White House." (Iowa minister.)

"Three cheers for you! At last someone has spoken out against the insensitive frivolity that exudes from Washington social life. I wince when I think about it in contrast with the harrowing scenes of the Viet Nam war." (Brooklyn, New York housewife.)

"Thank you for having the courage and leadership to speak out for what is right." (Resident of Texas.)

"I want to commend you and express my appreciation to you for your stand." (Texas Democrat.)

"How dare he ask us to 'use restraint' in our living." (Resident of Alabama.)

"Everyone I have talked to is thoroughly disgusted with such antics in Washington." (St. Louis, Missouri resident.)

"Personally I feel that the White House is a sacred place, for it is there where we should get our directions in civil matters. You may be assured that you have the full support of thousands of Texas people." (Retired Fort Worth school teacher.)

"Thank you for saying it, and saying it loud and clear." (Resident of Oklahoma.)

"Blast them again Representative Gross. Your words were my thoughts, almost exactly." (Indiana businessman.)

"They tell the country to sacrifice while they live it up." (Chicago resident.)

"Thank you for voicing what many of us feel. I am a mother of five children and I certainly cannot show a shining example to my children of such spectacles." (Iowa resident.)

"To use a worn-out but nevertheless a descriptive term, I would like to say that in this instance you sit straight and tall in the saddle." (Utah college professor.)

"Thank you for speaking out. I don't mind letting off steam via the watusi, but 3 a.m. is too late for partying and having a clear mind for fateful decisions." (New York housewife.)

"Hooray for you. You think like thousands of us do about the dancing and fiddling in Washington." (30 neighbors in Chicago.)

"We hear a lot about the 'image' of a person or party. Now, just what kind of an 'image' will be formed in the mind of a parent who has lost a son in the war; a wife, her husband; a girl, her sweetheart; or on the morale of our soldier boys who are giving their all in the sweltering trenches of the jungle, when they hear of the disgraceful, frivolous parties indulged in by public officials who are supposed to uphold and follow our country's standard of decency and dignity?" (New York resident.)

"I believe the nation as a whole is indeed shocked and embarrassed at the lack of good judgment of our government officials." (Texas housewife.)

Mr. Speaker, I wish to conclude my remarks by offering for reprinting in the Record a poem by Alfred Noyes, famed English poet, which bears directly on the subject matter at hand. It was written and published many years ago, and was illustrated with a drawing of a large crowd of dancers in an ornate ballroom on the walls of which hang the pictures of military heroes who had lost their lives in battle.

The poem follows:

A Victory Dance

(By Alfred Noyes)

The cymbals crash,
And the dancers walk
With long silk stockings
And arms of chalk,
Butterfly skirts,
And white breasts bare,
And shadows of dead men
Watching 'em there.

Shadows of dead men
Stand by the wall,
Watching the fun
Of the Victory Ball.
They do not reproach,
Because they know,
If they're forgotten,
It's better so.

Under the dancing
Feet are the graves.
Dazzle and motley,
In long bright waves,
Brushed by the palm fronds,
Grapple and whirl
Ox-eyed matron
And slim white girl.

Fat wet bodies
Go waddling by,
Girded with satin,
Though God knows why;
Gripped by satyrs
In white and black,
With a fat wet hand
On a fat wet back.

See, there is one child
Fresh from school,
Learning the ropes
As the old hands rule.
God, how that dead boy
Gapes and grins
As the tom-toms bang
And the shimmy begins!

"What did you think
We should find," said a shade,
"When the last shot echoed
And peace was made?"
"Christ," laughed the fleshless
Jaws of his friend;
"I thought they'd be praying
For worlds to mend;

"Making earth better,
  Or something silly,
Like whitewashing hell
  Or Picca-dam-dilly.
They've a sense of humor,
  These women of ours,
These exquisite lilies,
  These fresh young flowers!"

"Pish," said a statesman,
  Standing near,
"I'm glad they can busy
  Their thoughts elsewhere!
We mustn't reproach 'em.
  They're young, you see."
"Ah," said the dead men,
  "So were we!"

Victory! Victory!
  On with the dance!
Back to the jungle
  The new beasts prance!
God, how the dead men
  Grin by the wall,
Watching the fun
  Of the Victory Ball!

THE COST-OF-LIVING RISE

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, the first week of May I mailed my periodic newsletter to the residents of the Fourth Congressional District of Illinois and directed a cost-of-living inquiry to my constituents:

> The high cost of living, which promises to go even higher, is of great concern to me. I am especially interested in price changes at the consumer level. The housewife and others who do the marketing and buying in your family can directly help by writing to me whenever there is a noticeable price rise in goods and services. A note or postcard mentioning the item or service and how much it has risen will be appreciated. No need to mention the store, since the storekeeper and the farmer are caught in the same bind as you and I are.

The replies have been most meaningful, and I include as a continuation of my remarks typical comments from constituents of the Fourth District.

"Living costs are becoming unbearable to people like myself who are retired and living on a fixed income. A two pound package of cookies were 49¢ two weeks ago and have been that price for a long time. They are now 59¢."

"At the supermarket it is not unusual to pay 31¢ for all items that were priced 29¢ and 43¢ for 39¢ items. I find this 2¢ and 4¢ increase common on almost all canned goods. Even the neighborhood movies are 30¢ more, up from 90¢ to $1.20."

"Hamburger at 69¢ a lb. is 14¢ a lb. higher than 3 months ago. Pot roast at 59¢ a lb. is 20¢ a lb. higher than 8 weeks ago."

"Lunch meat that we used to pay 59¢ and 69¢ for now costs 79¢ and sometimes is not fit to eat."

"My experience has been with services being way out of line. It costs $9.50 service charge for furnace repair, washer, dryer, etc. even if the man doesn't raise a finger to do any work."

"The price of cereals has jumped from 4¢ to 6¢ on some brands and even more. I think in view of all the wheat that is supposed to be surplus, earmarked for other countries, why are these prices constantly rising. In large families dry cereal is a big part of the diet."

"We don't want raises in salary but what we do want is to cut down the costs of food, etc."

"For the average family of 5 (no babies) it is costing them nearly five dollars a week more for food. Many families have resorted to shopping at as many as 4 and 5 stores per week to buy the specials."

"Within the past month—5 lb. sugar has gone from 49¢ to 55¢; 1 gallon milk from 69¢ to 73¢; 1 lb. bread from 19¢ to 21¢."

"I have figured out that I am spending $50.00 a week on food stuffs, delivered milk, and paper and soap products, just as I did last year. But the difference is that last year we had bacon or pork sausage at least four times a week, with eggs, meat for lunch and potato chips and cola, which are now out of the question—they're luxuries."

"A few short months ago in this area milk per gallon ranged from 65¢ (on special) to 75¢ per gal. (reg.). Now with luck 79¢ (on special) and up to 93¢ per gallon."

"The high cost of living is killing the people of this country. Prices of meat are 10 to 20% higher than in '65. Take regular boiled ham—in April, it was $1.08 and on May 8 it was $1.58 a lb. Why?"

Mr. Speaker, the administration is creating chaos in our domestic economy. The administration refuses to admit to the public that our economy is suffering from wartime dislocations, thus encouraging a guns and butter policy which the economy cannot effectively absorb. The administration's insistence on pursuing dubious domestic spending programs in the face of the expanded wartime demands on the economy is clearly the cause of many of the comments my constituents have called to my attention.

I have long contended that the average American citizen at the grassroots level exhibits far more commonsense than Government bureaucrats here in Washington who strive so zealously to manipulate our Nation's economy. The public is properly upset at the wage and price confusion, the inflationary impact of the Vietnam war and other economic ill effects from which they are suffering.

LET US GIVE THE PATRIOTS A CHANCE—WASHINGTON SHOULD HAVE A PATRIOTIC PARADE ON THE FOURTH OF JULY

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, for some time the Nation's Capital has been the noisy scene of a whole spectrum of demonstrations and protests against many things—particularly our being in Vietnam and waging there the fight for freedom. Mostly these public spectacles have been staged by loud, vociferous, and negative types. I know that most Americans do not agree with them. Their voices and their feelings of patriotism and dedication to America also should be heard. Let us give patriotic Americans a chance to express their views, too.

I suggest that a "Patriot's Parade" be held here in Washington on the Fourth of July. I believe the President of the United States should himself proclaim this parade so that civic groups, both local and national, the armed services, and others dedicated to our country and its ideals can get busy organizing it. The President should direct the Defense Department to include marching units and bands from all branches of the service in the "Patriot's Parade" and related ceremonies.

This event should be a good, old-fashioned American traditional observance of the Fourth—with bands, marching units, patriotic displays, and patriotic speeches. I hope the President would take part as leader of the speakers. I feel such an event would attract considerable attention and would serve as an opportunity to reiterate our Nation's principles and recall its heritage.

The suggested Presidential proclamation and initiative would be most welcome to millions of our citizens in launching what I believe is a needed reventure in basic faith.

Such a "Patriot's Parade" held here in Washington, at the heart of the Government, would let Americans in Vietnam know that the people of our land are behind them. It would reaffirm to ourselves and to the world that America still stands determined and united on the proposition that we shall have a more perfect Union which does establish justice, insures domestic tranquillity, provides for the common defense, promotes the general welfare and secures the blessing of liberty to ourselves and our posterity.

We have heard too much of dissent and not enough of service and patriotism.

A parade in support of America's national goals, ideals, faith, dedication, and patriotism is signally important this year and the significance of the Fourth of July makes it a most desirable occasion to have this rally.

CONGRESSMAN HORTON WELCOMES DELEGATION FROM WURZBURG, GERMANY, SISTER CITY TO ROCHESTER

Mr. HORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, my home community of Rochester, N.Y., through its public and private agencies, is making a mighty contribution to international understanding. Evidence of that fact surrounds us here today in the presence of a 20-member delegation from Rochester's sister city, Wurzburg, Germany.

It has been my pleasure to be the host for Dr. Helmuth Zimmer, mayor of Wurzburg, and the members of his visiting party. They are here in Washington today on the last leg of their visit to the United States.

Last week, the Wurzburg delegation were guests in Rochester. There they partook of many events and activities which were intended to give them the flavor of life in their American sister city. The week's program also gave many of my fellow citizens in Rochester the opportunity to repay the kindness and generosity of those who had entertained them in Wurzburg when a delegation of Rochesterians were guests in the German city.

During their stay in Rochester recently, Dr. Zimmer and his party were hosted by our mayor, the Honorable Frank T. Lamb, entertained at a dinner in their honor, attended civil functions, were given tours of the city, and even attended a Red Wing baseball game at which they were saluted. I know the week was particularly enjoyable and I am pleased that I had the occasion to join with our Wurzburg visitors for some of the activities.

This morning I welcomed the delegation at National Airport on their arrival in Washington and then escorted them to our State Department. Mr. Alfred Puhan, Director of the Department's Office of German Affairs, welcomed the delegation and discussed with them the importance our Nation attaches to its relation with the Bonn Republic.

After the State Department visit, our guests came up to Capitol Hill and toured this historic building. We then met for lunch and I had the opportunity to talk about our form of government and the role of Congress in making the laws that guide our course as a democracy.

The Wurzburg delegation then left for a sightseeing tour of Washington that will conclude with their being welcomed at the German Embassy.

It is obvious to me that we in the United States have many friends in Germany and that the strength of our ties, nation to nation, city to city, and people to people, are made more meaningful by these mutual visits. Rochester's sister city program has helped a great deal to foster an appreciation and friendly feeling between the people and the institutions of an American and a German city.

I am proud of this link and look forward to creating even closer bonds in the days ahead.

Mr. Speaker, I also want to acknowledge to our colleagues that one of the greatest treats received by our German visitors was your kindness, Mr. Speaker, in dropping in at our luncheon in order to welcome the Wurzburg delegation. I can assure every Member of this House that our distinguished Speaker was welcomed warmly and many of those in the delegation told me later that to meet such a distinguished American was more than they had ever expected would occur during their visit to the United States. The Speaker's fame obviously is far flung and the respect which his dedication and devotion to the cause of freedom have brought him is not limited by our national boundaries.

CLOSING THE MEKONG ROUTE TO CAMBODIA

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include the text of a letter to the President and his reply.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, recent press reports indicate there is no reason to doubt that Cambodia is a sanctuary, a training ground, and a source of supply for the Vietcong. Last month when I was in South Vietnam, in fact, I was told of the existence of three airfields in nearby Cambodia which receive daily flights of supplies for the Vietcong. I was shocked to learn as well from an informed naval officer that while 410 free world ships sailed through South Vietnam during 1965 on the Mekong River into Cambodia that we have no effective control over this traffic to prevent the flow of contraband. The Mekong has long been suspected as a backdoor source of supply to the Vietcong.

In view of the overwhelming evidence of Prince Sihanouk's open economic and political support of the Vietcong I believe that South Vietnam should be urged in the strongest manner possible to close the Mekong River to all Cambodian-bound ocean traffic, and I have urged the President in a letter to do just this.

Mr. Speaker, I received an answer from the State Department to my letter to the President. Its argument is in the same similar vein as the one I cited in my remarks on last May 4 in this chamber. First, the Department does its best to assure me that there really is not any problem and then in the next paragraph I am told everything is being done that is necessary to put an end to this socalled nonproblem.

While I certainly do hope that something is going to be done about it, because as I said, as of last month not enough was being done about it.

Just what does the Department say about this nonproblem? They say:

> While it is probable that some items from these cargoes do reach the Viet Cong we have no evidence that a substantial amount of material valuable to the Viet Cong war as yet reaches them through ocean shipping on the Mekong.

Thus it is admitted that it is "probable" that the Mekong does constitute a supply route to the Vietcong but, in the Department's eyes not in "substantial" amounts.

Now first of all, we do not presently have certain knowledge of just what is being shipped up the Mekong, and if we do not know this, we do not know just how much direct aid the Vietcong is getting from this source. Second, the point is after all, as the Department admits, the Vietcong have been getting aid through this source, in whatever amounts. Our air strikes into North Vietnam and Laos have been for one principal purpose, to interdict the enemy's supply lines and yet we have failed to take effective action against a supply line running right through South Vietnam. I say that wherever we find a source of supply to the enemy, in whatever amounts, it must not be tolerated but must be eliminated.

It is striking as well that the State Department makes no comment as to the desirability or undesirability of closing the Mekong River as a means of economic pressure to encourage Cambodia to live up to its professed policy of neutralism. It is often said that the Cambodian Chief of State, Prince Sihanouk, has turned an accommodating eye toward the Communists in the belief that the Vietcong will triumph in South Vietnam. While this is probably in part wishful thinking due to Sihanouk's own dislike for his Eastern neighbor it would appear possible that the growing U.S. military commitment in South Vietnam might raise doubts in his mind as to the ultimate success of the Vietcong. Nevertheless, unless we shut off the enemy's source of supply we face a longer, costlier, bloodier war in South Vietnam. In such a protracted struggle it is less likely that Cambodia would soon reverse its policy of aid and comfort to the Vietcong. A forthright stand on the question of this Mekong River back-door aid to the Vietcong might well indicate the determination of the Saigon government to win this struggle and thereby produce a salutary effect upon Cambodia's position. In any event, the conditions presupposed by the treaty making the Mekong an international waterway have been radically altered by the growing hostility of the Cambodian Government. It is time that pressure be brought to bear upon Cambodia to live up to its alleged foreign policy of strict neutrality in the hope that the war itself will not spread into that country.

Mr. Speaker, I ask unanimous consent to insert in the RECORD the text of my letter to the President of May 3, the text of the response to it from the White House dated May 4 by Henry H. Wilson, Jr., administrative assistant to the President and a copy of a letter from Douglas MacArthur II, Assistant Secretary of State for Congressional Relations dated May 16.

MAY 3, 1966.

Hon. LYNDON B. JOHNSON,
The President of the United States,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Recent reports in our own press as well as the monitored statements of the Cambodian Chief of State, Prince Sihanouk, give every indication that Cambodia is providing substantial assistance to the Viet Cong despite its alleged foreign policy of "strict neutrality". I have been particularly disturbed by reports that shipping up the Mekong River to the Cambodian port of Phnom Penh carry goods which ultimately benefit the enemies of South Vietnam.

According to information provided me by the Department of Defense during the first three months of this year, 102 Free World vessels have entered Cambodia via the Mekong River. Consequently, I was shocked to learn just a few days ago while in South Vietnam as a member of a special mission of the House Armed Services Committee that, as one of our high-ranking Naval officers told me, "We have no effective control over this shipping."

The Treaty signed in 1954 by Cambodia, Laos, and South Vietnam clearly points out that navigation on this international waterway must not jeopardize the maintenance of general security of any of the riparian states. In view of the increasing hostility of the Cambodian Government and the present ineffectiveness of the surveillance of river traffic, I would respectfully recommend that the Government of South Vietnam be urged to close the Mekong River to all Cambodian-bound ocean traffic. The intent of such action would be to limit rather than expand the war by seeking to reduce Cambodia's participation in it, and to do so by economic and not military means. I am satisfied that unless more effective measures are taken to close the Viet Cong's "back-door" source of supply from Cambodia that this struggle will be made much longer, costlier, and bloodier, and with little prospect that the enemy would feel compelled to come to the conference table.

Respectfully yours,

CHARLES E. CHAMBERLAIN.

THE WHITE HOUSE,
Washington, May 4, 1966.

Hon. CHARLES E. CHAMBERLAIN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: May I acknowledge your letter of May 3 to the President calling to his attention information you obtained in the course of your recent visit to South Vietnam regarding free world shipping to Cambodia via the Mekong River.

Your interest is very much appreciated and the recommendations contained in your letter will have the careful consideration of the President and his advisers.

Sincerely,

HENRY H. WILSON, Jr.,
Administrative Assistant to the President.

DEPARTMENT OF STATE,
Washington, May 16, 1966.

Hon. CHARLES E. CHAMBERLAIN,
House of Representatives.

DEAR CONGRESSMAN CHAMBERLAIN: We have been requested by Mr. Wilson of the White House staff to reply to your letter of May 3 to the President concerning alleged diversion of cargoes shipped up the Mekong River to Cambodia to the ultimate benefit of enemies of South Viet-Nam. Your letter recommended that the Government of the Republic of Viet-Nam be urged to close the Mekong River to all Cambodia-bound ocean traffic.

The Department has continuously under review the question of shipping on the Mekong River and the danger that goods carried up the river to Cambodia may be transshipped from there to the Viet Cong. The evidence available at this time does not confirm that significant diversions are taking place. Approximately 70% of the total cargo shipped in 1965 to Phnom Penh on the Mekong consisted of petroleum and petroleum products imported for sale through Western-owned facilities in Cambodia. Much of the remainder—about 25% of the total shipping into Phnom Penh during 1965—consisted of identifiable general cargo and of miscellaneous cargoes such as metals, asphalt, cement, and small quantities of foodstuffs.

While it is probable that some items from these cargoes do reach the Viet Cong, we have no evidence indicating that a substantial amount of material valuable to the Viet-Cong war effort reaches them through ocean shipping on the Mekong. Improved security measures now being developed to control Viet-Nam riverine traffic will, however, be applied to international shipping as well, consistent with South Viet-Nam's international treaty obligations.

I hope that this information will be of assistance to you.

Sincerely yours,

DOUGLAS MACARTHUR II,
Assistant Secretary for Congressional Relations.

PERMIT SALE OF NUCLEAR ARMS TO NATO

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, I am glad that the gentlewoman from New York [Mrs. KELLY] is placing in today's CONGRESSIONAL RECORD the full text of the statement made to the Committee on Foreign Affairs, Subcommittee on Europe, by former President Eisenhower. I read in the Sunday Star the wire service's analysis of this statement and comments appropriate on it made by several Members of this body and other Government officials.

To me this is one of the most significant and hopeful statements made in regard to the future of the Atlantic alliance in many years. Coming from the first Supreme Commander of NATO, a former President of the United States, one who undoubtedly occupies a position of prestige throughout the Atlantic community, unmatched by anyone else, it is especially significant. In it the former President proposes that under certain NATO arrangements we sell atomic weapons to such NATO nations that may desire them.

The Atomic Energy Act has been used as the excuse in the past for denying to the French Government nuclear information which we have known is available to the Soviets. The exact language of the act in my view is broad enough to have permitted our Government to supply the French Government with this information. In any event, I feel it is most timely to have a thorough, detailed review of the Atomic Energy Act hopefully leading to amendments in the light of present-day realities.

Mr. Speaker, I ask unanimous consent that at this point I may include the text of the Associated Press analysis of the former President's statement.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The statement is as follows:

PERMIT SALE OF NUCLEAR ARMS TO NATO, EISENHOWER URGES

Former President Dwight D. Eisenhower proposes a drastic overhaul of the Atomic Energy Act to provide for the possible sale of nuclear weapons and submarines to North Atlantic defense nations.

As a former supreme commander of NATO, Eisenhower said he had felt "we should seek authority to sell appropriate nuclear weapons to other governments * * * under special conditions and arrangements—to be approved by the NATO organization—that could operate effectively in the defense of Europe."

He found it strange, he said, "that even though the Soviets long ago succeeded in developing a nuclear capability of great strength and efficiency we have been forced, by law, to keep any useful knowledge about the science from most of our partners in NATO."

Eisenhower also indicated the present level of American troops kept in Europe stems in part from failure of the allies to raise expected ground forces.

SPUR TO ALLIES

And he said that while nothing should be done to antagonize the French people, "to make up the deficit" from France's pullout from NATO's system, the other allies—especially Germany—"should be encouraged to develop more military power."

Johnson administration policy continues to be committed to a maintenance of American troop strength in Europe. U.S. officials have been favoring greater defense efforts by the other NATO members, including Germany.

Eisenhower expressed his views in a letter written May 17 from Walter Reed Hospital where he is under treatment for arthritis, to Senator HENRY M. JACKSON, Democrat, of Washington, and Representative EDNA F. KELLY, Democrat, of New York. JACKSON, who heads a Senate Government Operations Subcommittee, and Representative KELLY, head of a House Foreign Affairs Subcommittee on Europe, made the letter public last night.

Eisenhower's proposals collided violently with the position the Senate-House Atomic Energy Committee has taken against the transfer of nuclear weapons to any other nation.

They also seem to cut across current efforts by the Johnson administration to obtain a nonproliferation agreement with Russia. The Senate voted unanimous approval of these efforts last week.

Senator CLINTON P. ANDERSON, Democrat, of New Mexico, former chairman of the Senate-House Atomic Energy Committee, commented:

"Once you start transferring nuclear weapons around you have to start teaching people how to use them and how they are made and you have uncontrolled nuclear expansion."

Rep. CRAIG HOSMER, R-Calif., another former chairman of the committee, said that "the whole philosophy of the government has been against proliferation."

JACKSON expressed the view that Congress "should be very slow to make any change in the basic system under which we are operating."

Eisenhower did not go into the basic problem of what to do about West Germany in the revisions in NATO that are going to be forced by the withdrawal of French forces, except to advocate encouragement for the Germans to "develop more military power."

"I believe that we should take the attitude that while we are saddened that France has seen fit to act independently of all other nations in the alliance, all are still ready to accept her back into the fold whenever she might desire to return," he said.

FRENCH REACTION CITED

Eisenhower said the inability of American officials to transfer nuclear information or weapons to France triggered that country's attempts to develop independent nuclear status.

"Once this was done," he said, "she could be completely free of any NATO influence in any action she might choose to take.

The McMahon (Atomic Energy) Act still bans the transfer of weapons. It was amended in 1958, while Eisenhower was president, to permit the transfer of design information to nations regarded as qualified to receive it.

Only Britain has qualified. The British received Polaris missile plans which enabled them to build missile-firing submarines. Other NATO nations have received what is called "external design" information about the conformation of the H-bomb, how it is mounted, how carried, and what war-time targets have been selected.

Eisenhower said that the 1951 McMahon act—drafted largely by the * * * Mahon, D-Conn., and Arthur H. Vandenberg, R-Mich.—ignored certain agreements "reached by Mr. Churchill and President Roosevelt at Quebec and later by President Truman and Prime Minister Atlee."

ACT DECLARED OUT OF DATE

"Moreover," he said, "it was written on the assumption that the United States had—and probably could retain—a monopoly in the nuclear science." He said it should be updated in the framework of modern developments.

The former President said that as NATO commander he had visited the capitals of all the allied nations to impress on their leaders the understanding that while some U.S. forces would be left indefinitely on the continent, Western Europe must take over its own defenses when it was able to do so.

He said this understanding "later was shelved or forgotten in Europe."

DELAWARE WATER GAP NATIONAL RECREATION AREA

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, the Committee on Appropriations in Report No. 1405, issued March 31, 1966, covering Department of the Interior and Related Agencies Appropriations for 1967, had this to say with respect to land acquisition.

> The Committee is seriously concerned with developments in the land acquisition program under the Land and Water Conservation Fund. Fundamentally, the Committee endorses the idea of the acquisition of various land areas within the Nation for the preservation of natural scenic beauty, the provision of recreation areas for our increasing population, and the preservation of wildlife habitat. In the opinion of the Committee, the enactment of the Land and Water Conservation Act to accomplish this purpose provided a very logical and practical arrangement.
>
> However, the Committee is increasingly perturbed at the escalation of land prices in areas designated for acquisition under the Land and Water Conservation Fund Act as the result of extensive operation of land speculators. The objectives of this program as mentioned heretofore are not the enrichment of those individuals who seek to capitalize on the Government's intention to achieve this objective.

This escalation of land prices which concerns the Appropriations Committee so deeply is particularly acute at the Delaware Water Gap National Recreation Area. This area, located just upstream from the scenically famous Delaware Water Gap on the Delaware River, is within 100 miles of 30 million people, or 15 percent of our Nation's population. By the year 2010 it is estimated that some 47 million people will live within 100 miles of this area and more than 1 million people within 25 miles.

The Delaware Water Gap National Recreation Area was authorized by Public Law 89–158, approved September 1, 1965 (79 Stat. 612), to further the purpose of the Delaware River Basin compact which was approved September 27, 1961 (75 Stat. 688), and to provide for public outdoor recreation use and enjoyment of the proposed Tocks Island Reservoir and lands adjacent thereto.

This act authorized the Secretary of the Army to acquire approximately 46,000 acres of land needed for the national recreation area. The act further authorized appropriations to the Secretary of the Interior for the acquisition of lands and interests in lands not exceeding $37,412,000, which money would be transferred to the Secretary of the Army to carry out the actual acquisition.

There are two fairly large and very active homesite developments, within what will be the boundaries of the Delaware Water Gap National Recreation Area. One development is on the New Jersey side and the other on the Pennsylvania portion of the area. Some 5,600 acres are included within these developments, with some 5,000 lots platted with sale prices ranging from $600 to $4,500 per lot, and many with structures ranging in cost from $6,000 to $50,000. Funds are needed now to stabilize land values and to stop further development here and throughout the entire national recreation area.

In the fiscal year 1966, $250,000 was provided from the land and water conservation fund for advance planning for the acquisition of lands at the Delaware Water Gap National Recreation Area. The Department of the Interior appropriation act of 1967, which has been cleared by the Congress to the President, provides a total of $6,339,500—$1,570,000 in Pennsylvania and $4,769,500 in New Jersey—for acquisition at this area.

Thirty million additional dollars are needed promptly. With all the demands against the land and water conservation fund across the country, including both State and Federal requirements, it does not appear that the necessary funds to complete the acquisition at the Delaware Water Gap National Recreation Area may be provided except over an extended period of time, and time is the big factor here.

The Delaware River Commission, under article 12 of the compact, has ample borrowing power to acquire immediate funds so as to accelerate land acquisition. The problem is that the commission is without revenue and hence is without a credit base against which to issue revenue bonds.

To overcome this difficulty, I have introduced a bill to authorize the Secretary of the Interior to contract with the Delaware River Basin Commission, for repayment to the commission over a long period of years, for such funds as might be provided by the commission. This bill, when enacted into law, would then permit the Delaware River Commission to proceed to market revenue bonds for the express purpose of providing the necessary funds promptly to complete the land acquisition. The Secretary of the Interior will be authorized to enter into a contract with the Delaware River Commission to repay the commission over an extended period of time from the land and water conservation funds. This legislation will expedite the land acquisition at the Delaware Water Gap National Recreation Area and, at the same time, assist materially in preventing escalation of land prices.

The bill will accomplish these things:

First. Authorized acquisitions in the Delaware Water Gap Area can go ahead promptly, thus settling uncertainty in the minds of local governments and residents of the area.

Second. Land speculation will be stopped.

Third. The Federal Government will save money in the long run because any interest that may be paid on the bond will doubtless be less than the increase in land values that the Government would have to pay if the purchase program were extended over a long number of years.

MEDICARE AND THE SHORTAGE OF HEALTH PERSONNEL

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. Dwyer] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mrs. DWYER. Mr. Speaker, it is a truism to say that progress brings problems, and nowhere is this more true than in the field of health care.

Here, in fact, the problems have reached crisis proportions—but not because of any lack of concern or ignorance or absence of resources. On the contrary, because we do care, because we do know the importance of medical attention, and because we are a prosperous people, we are faced with the paradox that we cannot obtain the care we want and can pay for.

The key, Mr. Speaker, is personnel: the shortage of nurses, doctors, and the variety of others engaged in the healing arts on whom we must depend for the care our people's need. Our failure has been one of planning and judgment. Ever since the end of World War II, we have seen increasing evidence that the training of health personnel was not keeping pace with the demand for health services. Yet, our response has not been equal to the challenge.

Today, we are on the verge of reaping the disappointment and frustration of our failure to plan. The advent of medicare, an expanded medical assistance program, the so-called military medicare program, and other advanced and progressive health care programs enacted by Congress have compounded the already heavy demand for health services and personnel created by our growing affluence, our burgeoning population, and our increased awareness of the importance of good health.

Two weeks ago, as I informed our colleagues, I wrote to the President applauding his decision to appoint a distinguished panel of experts and laymen to study the health personnel needs of the country. I proposed at that time that he supplement this move by mobilizing existing Federal resources—in terms both of Federal-aid programs and programs administered directly by the Government—to help meet the immediate problem brought about by the start of medicare on July 1.

Since that time, as I have subsequently reported, others have added their voices and recommendations, urging the President and Congress to take both short-range and long-range actions to deal with this difficult situation.

Most recently, I have been gratified to receive a letter from the director of the legislative program of the American Nurses' Association expressing the support of the ANA for this effort. And, yesterday, the distinguished senior Senator from New Jersey [Mr. CASE] addressed himself to this problem.

Under leave to extend my remarks in the RECORD, I include the letter from the ANA and the speech of Senator CASE:

AMERICAN NURSES' ASSOCIATION, INC.,
New York, N.Y., May 20, 1966.

Hon. FLORENCE P. DWYER,
U.S. House of Representatives,
Washington, D.C.

DEAR MRS. DWYER: The American Nurses' Association has read with appreciation your extension of remarks in the Congressional Record of May 10, 1966, concerning the shortage of medical personnel, particularly professional nurses, in this country.

We have long been pressing for increased funds to train the young men and women of this country for nursing services. While the Nurse Training Act of 1964, provided the beginning of aid to overcome these shortages, much more must be done. We of the ANA have long been aware of this and are acutely conscious of the increased strain on our nursing forces imposed by the passage of Medicare. We supported Medicare and we also have been actively seeking additional Federal help for nursing education. Remarks such as yours greatly assist this fight and we hope that your awareness will be transmitted to others. The crisis foretold by President Truman's Commission on Health Needs of the Nation is now upon us. The danger to the people of the community, from children to those of older years, from a lack of nursing personnel and in particular lack of skilled, qualified, professional personnel is imminent.

The ANA applauds your efforts to arouse Congress to this fact and we assure you of support for your efforts in this regard.

Sincerely,

HELEN V. CONNORS, R.N.,
Director, Legislative Program.

EXCERPTS FROM REMARKS PREPARED FOR DELIVERY BY SENATOR CLIFFORD P. CASE AT CORNERSTONE LAYING CEREMONIES FOR A NEW WING OF THE DAUGHTERS OF MIRIAM HOME AND INFIRMARY FOR THE AGED AT CLIFTON, N.J., SUNDAY, MAY 22, 1966

Progressive in response to the challenges of a changing society, cognizant of the plight of the impoverished, and charitable to the limits of its capability—this describes the Daughters of Miriam Home and Infirmary for the Aged since it was founded by Nathan Barnert on a 46-acre estate in 1921.

This ceremony is in keeping with that tradition.

Certainly it will be clear to almost everyone that the cornerstone we put in place today is symbolic of progress in response to the challenge currently presented by enactment of Medicare and other vastly expanded health programs.

What may not yet be clear to everyone, however, is the magnitude of the challenge posed by Congress when it placed adequate health care within the financial reach of our citizens.

There probably are few who realize that Medicare itself provides only a portion of the challenge. There are about 19 million Americans—an estimated 659,000 of them in New Jersey—who are eligible for the benefits of Medicare. There are at least 35 million Americans who may qualify for publicly-financed care under the expanded programs provided for under the 1965 Social Security amendments for the "medically indigent" of all ages.

The precise role of this Home in the Medical Assistance programs for the needy cannot be known until our State Legislature defines the program in New Jersey. At least 27 other States have taken steps to set up the program in their areas and I hope action by our State legislature will not be delayed much longer.

We all want this expanded aid to be made available quickly to the aged, the blind, the disabled, families with dependent children and others of all ages whose incomes are too low to enable them to pay for the health and medical care they need.

But our legislature's eagerly-awaited action still will leave us face to face with an even greater problem which I have been concerned about for some time: The Federal legislation which reduced the financial barriers to adequate medical care does nothing to solve the chronic shortage of personnel and facilities needed to deliver that care.

As Dr. Philip R. Lee, Assistant Secretary of Health, Education and Welfare, has so perceptibly put it, medicare and the medical assistance programs promise payment for medical services—but do not promise delivery of the service.

Our historic shortage of medical personnel and facilities will be aggravated to a crisis stage when Medicare patients begin to seek services July 1 and as more and more states put into effect programs for expanded care for the needy.

Many of us in Congress have seen this coming and sought to head it off. The problem already was acute 20 years ago when I came to Congress and began pressing for more aid for both training and facilities.

With others I strove for large expansion of the Hill-Burton program for construction and modernization of hospitals and nursing homes, aid to medical schools for training of doctors, the Nurses Training Act and the Health Professions Training Act.

We were successful in part, but unfortunately only in part.

The Medicare Bill itself contained my proposal for a study of nursing homes by a high level conference when it was passed by the Senate last year. Regrettably, this provision, essential to adequate preparation for the demand for nursing home services, was opposed by the administration. This opposition undoubtedly was the reason the provision was eliminated in conference before the bill was given final approval.

Within the past few weeks, Under Secretary of Health, Education and Welfare Wilbur J. Cohen testified before the House Ways and Means Committee that the nation needs 150,000 more general-hospital beds and 300,000 more beds in nursing homes. Naturally, I welcome this recognition of the problem although it is both belated and inadequate.

Equally serious is the shortage of medical personnel—doctors, nurses, medical specialists and para-medical personnel. A recent study, for example, showed that of 42,000 registered nurses in Massachusetts, only half were working in the nursing field.

The Public Health Service estimates the number of non-practicing nurses in the United States at 230,000. A survey by the Public Health Service about a year ago showed that only about 50 per cent of the "skilled care" nursing homes in the country employ registered nurses on a full-time basis.

On March 1, President Johnson proposed a 10-year program of government loans and grants which would provide up to $8 billion for modernizing existing hospitals and nursing homes in this country. Other funds would be provided to stimulate training of doctors, nurses and para-medical personnel.

The President's program is welcomed but it is very late. It represents extension of existing programs which a number of us supported and attempted to expand in the past.

With money, the shortage of hospitals, nursing homes and equipment can be remedied in a reasonable time. But it will take a long time at best to train more doctors, nurses, pathologists, anesthesiologists, radiologists and others.

Long term programs are praiseworthy, but is there anything we can do now? I think there is.

For example, I think we should take steps to get back into service those 230,000 nurses who have either retired or taken more lucrative jobs in other fields with better working conditions. At this time of crisis we cannot afford to waste any of our available talents or training.

We must, I believe, find ways to utilize fully all the medical and para-medical personnel we now have, find ways of bringing back into the field those who have training they are not using, and find ways to upgrade the skills of those who now have partial training.

Just as you have here at the Daughters of Miriam Home, hospitals, nursing homes and medical officials already have taken steps in this direction. These efforts have been praiseworthy indeed. But they need to be coordinated and intensified.

Accordingly, I am asking the Secretary of Health, Education and Welfare to convene, as quickly as possible, a conference of leaders from all the health professions.

This conference would be an intensive working session aimed at gathering the best knowledge and practice of the professions and organizing a coordinated attack on the problems that will be presented when Medicare begins. It would specifically advise what actions should be taken by government at all levels.

At the conference, representatives of all segments of the profession would exchange ideas on how to put all available facilities and personnel to most effective use.

There is no time to waste. We must act at once to meet the challenge we will face only a few weeks from now as patients begin to seek the services provided for under Medicare and related programs.

THE CHALLENGE TO STATE AND LOCAL GOVERNMENT

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mrs. DWYER. Mr. Speaker, the benefits of sound city planning and zoning have been widely recognized by public officials throughout the country and, increasingly, sound planning is being made a condition for a community applying for Federal grants-in-aid. Much of the development taking place in urban areas today is influenced by local plans and their related zoning ordinances, subdivision regulations, and capital improvement programs. In metropolitan areas, however, much of this is planning for individual cities rather than effective planning for the entire urban area. What is missing is coordination of those municipal planning and zoning actions that have an effect beyond local boundaries.

The April 7, 1966, edition of the Times Chronicle, published in Montgomery County, Pa., contained an editorial entitled "A Challenge to Local Government." The editorial briefly reviews a State legislative proposal prepared by the advisory commission on intergovernmental relations to improve the effectiveness in coordinating municipal planning and zoning actions that have an effect beyond local boundaries. The commission's proposal, contained in its "1966 State Legislative Program," suggests a procedure in metropolitan areas be established for county review and approval of certain local planning and zoning actions that have an effect beyond local boundaries or that affect development essential to countywide needs. While there is room for debate about the degree to which counties or regional planning groups should be involved in this process, the need for the areawide coordination seems to me to be clear cut and I commend the Times Chronicle editorial to our colleagues.

A further illustration of both the need for and the progress of regional coordination was provided in an article in the May 16 issue of the Washington Post by Mr. William Raspberry in which he discussed the current status of the Metropolitan Washington Council of Governments.

On a related matter, Mr. Bruce Biossat in a column in the Washington Daily News of May 10 called attention once again to the need for the States to deal effectively with the need for greater coordination and cooperation between cities and suburbs, a problem to which the advisory commission on intergovernmental relations has devoted extensive and constructive attention.

Under leave to extend my remarks in the Record, I include the editorial and the two articles:

[From the Times Chronicle, Apr. 7, 1966]

A Challenge to Local Government

Ask whether zoning power should be transferred from townships and boroughs to county government, and you are sure to get two diametrically opposed answers. The Citizens Council of Montgomery County asked last week, and it heard the two opposing viewpoints.

On one hand, an analyst for the Advisory Commission on Intergovernmental Relations told the council that local government, to act responsibly, must be large enough to represent a diversity of opinion and must take a broader and more objective view than many small municipalities are taking. He outlined a proposal to give counties an advisory role in municipalities with over 5,000 people and actual zoning power in municipalities with less than 5,000 people.

On the other hand, Montgomery County Controller Philip Pendleton, who also is mayor of the small borough of Bryn Athyn, said broader control of zoning and planning would be just another step in removing power from local government. "We need small government rather than big government," Pendleton told the council. "We are being reduced to numbers, which is destructive to human freedom."

Pendleton's sentiment is generally shared here, and the orderly, prosperous development of most area communities is evidence enough that strong local government works well. When it comes to zoning and planning, however, there is much to the viewpoint that broad coordination is necessary. It is doubtful whether complete control should be handled to county government; it is hard to imagine, for example, a county zoning board member from Green Lane voting intelligently on a sideyard variance for a Bryn Athyn home. But it is clear that more intermunicipal cooperation is essential to sound development.

A comprehensive plan for Montgomery County should be helpful in this area, and county officials already have started to lay the groundwork for a plan. Another answer is more consultation among communities. Major zoning changes along municipal borders certainly should be discussed with the neighboring municipality, lest we find industry across from AA residential homes. In fact, examples of such zoning clashes exist in Montgomery County today. The county planning commission cites two cases—one along the Upper Gwynedd-Worcester line and one along the Lower Providence-West Norriton line—where high residential districts in one township stand across the street from industry in the other.

Despite the reservations about county zoning power, it is the feeling here that discussing the idea can serve a real purpose. That purpose is to make local government aware that it is not an island, that it must look beyond its own boundaries in planning for the future.

[From the Washington Post, May 16, 1966]

Council of Governments Finally Coming Into Its Own

(By William Raspberry)

The Metropolitan Washington Council of Governments? What's that?

It's a question Walter A. Scheiber, executive director of the 9-year-old agency, gets used to hearing "I guess we'll have arrived when people stop asking," he said recently.

In a sense, it seems strange that so few people know about COG, which is almost certain to have a major impact on metropolitan problems in the years to come. The voluntary organization—composed of elected officials of the major governments in the National Capital region, was established in 1957 to assist local communities in resolving areawide problems. But for most of its life, COG has been just another planning agency.

It was the same old planning story. The planners were professionals who knew about land use and acquisition, growth trends and the rest of it. But it was up to elected officials to implement the plans, and there was the rub.

"It's really a part of our history," Scheiber noted. "During the 19th century, local government in America went through a period of great agony in an attempt to democratize cities to the ultimate. We elected just about every official; there was no professionalization. We had plumbers elected dogcatchers and storekeepers as road superintendents.

"In response to the inevitable abuses that crept into government, the city manager idea came into being. It is against that background that city planning developed. People felt they could not trust political leaders to devise long-range plans.

"But for most of that time, the planning commissions were generally independent of elected officials. We are now trying in COG to bring political leaders and planners together for the first time. Unless the political leaders participate in the planning, they don't feel any moral responsibility for carrying it out.

Now Scheiber sees "an exciting new dimension" in COG's future. "We now have the ability to cut away the curtain between those who plan and those who implement," he said. "Because COG is made up of locally elected officials, who have the responsibility for putting plans into action, we are able to bring in the decision makers at the earliest stages of the planning."

COG's general counsel and deputy director, John J. Bosley, agrees. "Heretofore, we had to react to planning recommendations by others. Now we have the capability as an organization to put before the decision makers data that will permit them to cope with a variety of regional problems such as water supply and pollution abatement, air pollution, transportation and law enforcement."

The big reason for COG's new outlook is a provision in the 1965 Federal Housing Act that makes regional coordination a prerequisite for Federal planning grants. COG was named by the Department of Housing and Urban Development as the coordinating agency and funding vehicle for metropolitan Washington, giving COG important new leverage in implementing long-range plans. It is this leverage, Scheiber said, that now makes it possible for COG to come down out of the planner's ivory tower and start to attack specific regional problems. For one thing, unanimity among the local jurisdictions is no longer a requirement.

"It is inconceivable that all our decisions will be made on unanimous votes," Scheiber said. "Of course we will strive for unanimity, but we won't let the lack of it stop the organization dead in its tracks as might years ago."

If the Housing Act is COG's ordination, its Bible is a recent report by planning consultant Harold F. Wise—A Program for Comprehensive Planning and Development in the National Capital Region: A Design for Decision Making and Action.

Wise's report, yet to be adopted by COG constituents, goes beyond the traditional planner's arena of physical planning and finance and urges the agency to tackle such problems as jobs, crime, health and welfare and housing on a regional basis.

Another reason for Scheiber's optimism is the fact that the smaller jurisdictions no longer fear COG as a potential "supergovernment" as they once did. "Problems are pressing in on us to such a degree that obviously solutions have to be found," he said. "Local governments moving through COG can control solutions and prevent Federal takeover on an item-by-item basis."

Or as Wise likes to tell local officials, "We're asking you to give up a degree of sovereignty that you never had to solve problems that you couldn't otherwise solve."

[From the Washington Daily News, May 10, 1966]

Suburb vs. City

(By Bruce Biossat)

A highly respected mayor broke in on a recent scholarly inquiry into state legislatures with a lament that suburban legislators in his state were showing painful disinterest in critical city problems.

U. S. big-city mayors everywhere could appreciate the irony underlying this comment, made to scholars, public officials, businessmen and others attending Columbia University's American Assembly in Harriman, N.Y.

Acting mostly under court duress, some four-fifths of the legislators have at long last shaken off decades of rural domination maintained thru malapportioned representation.

But the changes generally are coming too late.

The mayor's complaint to Assembly participants spoke volumes. There is mounting evidence that suburbs newly and increasingly endowed with a legislative voice will be no more sympathetic to crushing urban problems—poverty, slums, congestion, pollution, crime—than were the previously dominant farmers.

Said one specialist in Government:

"A great chasm exist between suburbs and cities today. How to close it may be the biggest challenge facing state legislatures.

"The people in the suburbs in many cases ran from the city. They don't want to have to deal with the problems they left behind, nor to spend money to meet them."

Half of the country's 30 largest cities lost population in the 1950–60 decade, including eight of the first 10. By 1970, more losses may be recorded. Though the United States population is three-fourths urbanized, less than 30 per cent of the people live in cities of 100,000 or more.

When the 1970 census is taken, most urbanized Americans will be living in the suburbs, not the core cities. And the gap will grow, say the population experts.

As core city votes decline in number, either absolutely or relatively, so will the power of big city mayors shrink. Nevertheless, the immense problems of the core cities—many of them now entangled with the racial struggle—have a durable look to them. One official attending the American Assembly argued that state legislators will not carve out a bigger role for themselves unless they dig into these difficulties.

Since the suburbanites seem disinclined, this official contends that governors, though jealous of their own often-hobbled authority, must push the changing legislatures into action.

The alternative is plain. If the states don't, Washington will handle them. A top executive aide here already has on his desk a tome as thick as a phone book, listing all the Federal-city programs which largely bypass state authority. The total is growing.

The political power of the cities may well drop off sharply, but their problems are too acute for the nation to ignore.

If the states—better equipped legally to deal with the suburb-city relationship—do not tackle these matters in a big way, futility may be consequence of making their legislatures more modern and more fairly representative. They will have abdicated, and the Federal-city program book will become a multi-volume work.

ADMINISTRATION'S FARM POLICIES

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LANGEN. Mr. Speaker, farmers throughout the Nation will benefit from the successful efforts of our House minority agriculture task force to change the administration's policies on military pork purchases and the export of hides.

It is certain that neither of these moves would have been taken were it not for the pressure which has been generated by outraged producers, members of this task force, and other Congressmen. But we must also recognize that the administration moves are strictly token actions, and cannot be interpreted as a softening of its hostile attitude toward American farmers.

That the administration is not changing its basic attitude toward farmers is evidenced by the Wall Street Journal's report last week of Gardner Ackley's latest statement. Ackley, Chairman of the President's Council of Economic Advisers, was quoted as citing the recent downturn of pork prices as "welcome" evidence of a slowdown in economic growth.

The administration's ridiculous and unfair quotas on hide exports have already cost cattle producers millions of dollars, and have not prevented shoe price increases. Instead of merely being adjusted, the quotas should be completely abolished. In regard to pork for the military, the increase in purchases may be only of token size and may continue only as long as the Secretary feels that prices are low enough.

The pork and hide announcements do not answer our questions about all the other administration actions which are depressing farm prices. Apparently the prices of dairy products, for example, have not fallen sufficiently for the Defense Department to start purchasing butter again for our servicemen. No move has been made to check dairy and sugar imports, and there has been no change in policy on grain dumping. Can we expect reversals of these actions only when the Secretary of Agriculture thinks prices have dropped low enough? It is of grave concern to me that the moment the accepted laws of supply and demand begin to work for the farmer, the Federal Government moves in quickly to stop them.

The administration was forced to make these token gestures because of the protests we raised over the injustice of its price-depressing actions. U.S. agriculture may be, numerically, a small segment of our economy, but it can not be written off as though it does not exist. The Republican minority in Congress is also small, but we have made an impact, and we will continue to exert every effort toward ending this totally reprehensible war on agriculture.

Our most recent effort to stop the administration's war against the farmer was the introduction of House Concurrent Resolution 635, a concurrent resolution developed by the members of the House Republican agriculture task force. This measure calls on the administration to first cease and desist in its efforts to enforce selective economic discrimination against American farmers and ranchers by deliberately depressing farm prices; and second, use the various legislative authorities at its disposal to improve and enhance farm prices in order to build a strong and viable market economy for agriculture, the cornerstone of American and free world prosperity.

Since Monday, May 9, a total of 20 Members of the House of Representatives have introduced concurrent resolutions identical to House Concurrent Resolution 635. I wish to take this opportunity, Mr. Speaker, to commend my colleagues who have introduced this resolution for their deep concern over the plight of the American farmer, and for their courageous leadership in taking this action to protect U.S. agriculture from the administration's unjust and inequitable economic discrimination.

Mr. Speaker, at this point in the RECORD I wish to list the names of all those Members who have introduced this legislation thus far:

Hon. ODIN LANGEN: House Concurrent Resolution 635.

Hon. BOB DOLE: House Concurrent Resolution 636.

Hon. CATHERINE MAY: House Concurrent Resolution 637.

Hon. ALEXANDER PIRNIE: House Concurrent Resolution 638.

Hon. JAMES BATTIN: House Concurrent Resolution 640.

Hon. LAURENCE J. BURTON: House Concurrent Resolution 641.

Hon. GEORGE V. HANSEN: House Concurrent Resolution 642.

Hon. JOE SKUBITZ: House Concurrent Resolution 643.

Hon. BURT L. TALCOTT: House Concurrent Resolution 644.

Hon. PRENTISS WALKER: House Concurrent Resolution 645.

Hon. MARK ANDREWS: House Concurrent Resolution 646.

Hon. CHARLES E. CHAMBERLAIN: House Concurrent Resolution 647.

Hon. H. R. GROSS: House Concurrent Resolution 648.

Hon. JOHN B. ANDERSON: House Concurrent Resolution 649.

Hon. E. Y. BERRY: House Concurrent Resolution 650.

Hon. CLARENCE J. BROWN, JR.: House Concurrent Resolution 652.

Hon. WILLIAM H. HARSHA: House Concurrent Resolution 655.

Hon. DURWARD G. HALL: House Concurrent Resolution 657.

Hon. JAMES HARVEY: House Concurrent Resolution 658.

Hon. RICHARD L. ROUDEBUSH: House Concurrent Resolution 661.

A TESTIMONIAL TO THE HONORABLE JOHN L. McMILLAN

Mr. CHELF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CHELF. Mr. Speaker, it is my pleasure to call to the attention of my colleagues a ceremony which was held last week for the unveiling of a portrait honoring the Honorable JOHN L. MCMILLAN, chairman, Committee on the District of Columbia.

For a number of years, my office in the Cannon Building was located next door to the District of Columbia Committee and from this vantage point, I had an unusual and special opportunity to become well acquainted with Chairman MCMILLAN and to observe him in the handling of the many complex and diverse problems before his committee.

Never, in all of that time, did I see him become irascible, excited, or upset. He was always patient and unbiased. I have never seen him use other than good judgment and I have never seen him fail to deal fairly with any situation, no matter what the extreme provocation or the flagrant potential of the circumstances might be.

John is a man of integrity, great capability, dedicated, greatness of spirit, and rare generosity of heart. I have observed that he is never vindictive, and I know that to engage in acrimony would be completely foreign to his nature. He has an admirable practice of not saying anything about a person if he cannot say something favorable about him. He has handled an extremely difficult assignment with outstanding acumen and consummate skill.

It is indeed fitting and appropriate that a portrait of this truly great chairman will now grace the walls of the District of Columbia Committee room, providing a permanent reminder to all posterity of the wonderful work he has done for which the entire country can be immensely grateful.

I am happy and proud to know JOHN MCMILLAN and join with all of you and his friends and admirers everywhere in honoring him as his congressional district in South Carolina has honored him over the years by retaining him in the Congress.

MEDICAL DEDUCTIONS FOR TAXPAYERS OVER THE AGE OF 65

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. KUPFERMAN] is recognized for 20 minutes.

Mr. KUPFERMAN. Mr. Speaker, I am introducing a bill which would amend the Internal Revenue Code of 1954 to restore certain deductions formerly allowed for medical expenses incurred by taxpayers 65 years of age or over.

As a general rule under the Internal Revenue Code, only that portion of the medical expenses paid by the taxpayer for himself, his spouse, or his dependents which exceeds 3 percent of adjusted gross income may be deducted. Included in the category of deductible medical expenses subject to this 3-percent floor are premiums paid for accident and health insurance.

In computing medical care expenses for the purpose of applying the 3-percent limitation, expenses for medicines and drugs are included only to the extent they exceed 1 percent of adjusted gross income.

Thus, in taxable year beginning before January 1, 1967, there are two special cases where the 1-percent and 3-percent exclusions do not apply: First, if the taxpayer or his spouse have reached age 65; and second, if the dependent mother or father of the taxpayer or his spouse has reached the age of 65.

The Social Security Amendments Act of 1965 provides a new medical expense deduction in taxable years beginning January 1, 1967. The taxpayer, regardless of age, may deduct an amount equal to one-half of the expenses paid during the taxable year for insurance which constitutes medical care for the taxpayer—but there is a maximum limitation on the amount deductible of $150 per year. The other one-half of the cost of medical care insurance, plus any excess over the $150 limit, may be deducted subject, however, to the 3 percent limitation.

Mr. Speaker, my bill would amend section 213 of the Internal Revenue Code of 1954 to restore the medical expense deductions previously allowed the taxpayer, 65 years of age or over, without regard to the 3-percent and 1-percent floor.

When the House Committee on Ways and Means reported the Social Security Amendments Act of 1965—House Report, No. 213, 89th Congress, 1st session, pages 136–139—it terminated the present special treatment of medical expenses—see section 213(a)(b), Internal Revenue Code of 1954—of taxpayers who are 65 or over on the theory that they would receive adequate reimbursement for their medical expenses under medicare.

Moreover, the argument was advanced that restoration of a uniform medical expense deduction rule—making no distinction in the tax treatment of those persons 65 or over—would simplify the administration of the tax law by eliminating the need for a special tax form for taxpayers 65 or over.

As the law now stands, those taxpayers 65 years of age or over will not receive, after December 31, 1966, as favorable tax treatment as they would have under the prior, more liberal law, notwithstanding medicare.

Section 213 of the Internal Revenue Code does not allow as a deduction those expenses compensated by insurance or otherwise. The point is, however, that there are several expenses including the cost of drugs which are not reimbursed under medicare and are not allowed as a deduction, except to the extent that they exceed the 1-percent and 3-percent limitations.

Moreover, medical expenses are only partially covered under medicare in certain cases. For example, after the first day of hospitalization medicare will pay the following 60 days, and one-fourth of the expenses of the next 30 days, if necessary. Should an illness persist, however, as unfortunately many chronic or catastrophic illnesses do, beyond 90 days, then the patient must bear the expense alone. When the cost of drugs is added to a prolonged convalescence at home it can be readily seen why the medical costs which are not compensated for by medicare or other insurance and the cost of drugs should be fully deductible where the taxpayer is 65 year of age or over.

When the Senate Finance Committee considered the House version of the Social Security Amendments of 1965, it indicated the desirability of retaining the more liberal tax treatment originally afforded the taxpayer 65 years of age or over, by striking out the 1-percent and 3-percent limitations on medical expense deductions—Senate Finance Committee, Report No. 404, part I, pages 528–529, 89th Congress, 1st session.

When the final bill emerged from conference, however, the 1-percent and 3-percent limitations contained in the House bill remained substantially intact. Section 106 of the Social Security Amendments of 1965—Public Law 89–97—contains the 1-percent and 3-percent floor and provides that no more than $150 of expenses paid for insurance may be deducted.

The present tax law should be amended to restore the benefits which were given to those 65 years of age or over under prior law and which have now been taken away by the Social Security Act Amendments of 1965.

I urge this great body to give serious consideration to my bill which would provide deductions without the 1-percent and 3-percent floor for medical expenses not otherwise compensated for by medicare or other insurance and would thereby give assistance to those who need it most.

Medicare was supposed to assist the elderly. This tax change actually was a step backward for those over 65, and they should have their medical and drug tax deductions restored.

The text of the bill I am introducing follows:

A bill to amend the Internal Revenue Code of 1954 to provide that medical expenses incurred for the care of certain individuals who are 65 years of age or over may be deducted without regard to the 3-percent and 1-cent floors

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 213(a) of the Internal Revenue Code of 1954 (relating to allowance of deduction for medical, dental, etc., expenses) is amended to read as follows:

"(a) ALLOWANCE OF DEDUCTION.—There shall be allowed as a deduction—

"(1)(A) if neither the taxpayer nor his spouse has attained the age of 65 before the close of the taxable year, an amount equal to the following (reduced by any amount deductible under paragraph (2)):

"(i) the amount of the expenses paid during the taxable year (not compensated for by insurance or otherwise) for medical care of any dependent (as defined in section 152) who—

"(a) is the mother or father of the taxpayer or of his spouse, and

"(b) has attained the age of 65 before the close of the taxable year, plus

"(ii) the amount by which the expenses paid during the taxable year (not compensated for by insurance or otherwise) for medical care of the taxpayer, his spouse, and his dependents (as defined in section 152), other than any dependent described in clause (i), exceed 3 percent of the adjusted gross income; or

"(B) if either the taxpayer or his spouse has attained the age of 65 before the close of the taxable year, an amount equal to the following (reduced by any amount deductible under paragraph (2)):

"(i) the amount of the expenses paid during the taxable year (not compensated for by insurance or otherwise) for medical care of the taxpayer and his spouse, and

"(ii) the amount of such expenses for medical care of any dependent described in subparagraph (A)(i), and

"(iii) the amount by which such expenses for medical care of the taxpayer's dependents (as defined in section 152) other than any dependent described in subparagraph (A)(i) exceed 3 percent of the adjusted gross income; and

"(2) an amount (not in excess of $150) equal to one-half of the expenses paid during the taxable year for insurance which constitutes medical care for the taxpayer, his spouse, and dependents."

(b) Clause (2) of the second sentence in section 213(b) (relating to limitation with respect to medicine and drugs) is amended by striking out "subsection (a)(1)(A)" and inserting in lieu thereof "subsection (a)(1)(A)(i)".

(c) The amendments made by this section shall apply to taxable years beginning after December 31, 1966.

SEC. 2. Subsections (a) and (b) of section 106 of the Social Security Amendments of 1965 are repealed.

AUTHORIZING THE CLERK TO RECEIVE MESSAGES AND THE SPEAKER TO SIGN BILLS AND RESOLUTIONS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until tomorrow, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COLLEGE ADMISSIONS

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, last week I called to the attention of my colleagues and inserted in the CONGRESSIONAL RECORD the first two in a series of four articles concerning higher education written by Dr. Mary Ellen Mancina Batinich, principal of the John A. Walsh Elementary School.

In her third article, Dr. Batinich explains college admission requirements and guides the student to helpful sources of information and counseling services.

Both parents and college-bound children will benefit immensely from Dr. Batinich's third article because the points she raises and the advice she gives, based on a lifetime of service in education, will help to insure a smooth and successful transition from high school to college.

I am happy to insert in the CONGRESSIONAL RECORD Dr. Batinich's third article, which follows:

III. COLLEGE ADMISSIONS: DOES THE STUDENT SELECT THE COLLEGE OR DOES A COLLEGE SELECT ITS STUDENTS?

The college door that has been described for years as "closing" is actually invitingly ajar on many good campuses—and not just for valedictorians. (Helen Fleming)

The title of this section may seem puzzling on first reading but any discussion of the transition from high school to college must necessarily consider the answer to both forms of the question.

It is true that a college does select its students. Colleges consider high school grades, recommendations from school personnel, and results of examinations administered on a nation-wide basis. It is also true that students and their parents select a college. They should give careful consideration to a number of factors such as the total expense, facilities available, and the curriculum offered.

Just as students differ in career interests and intellectual level, colleges differ in curriculum and the ability level of students they are intended to serve. Some colleges are very stringent in the selection of their students while others are more liberal in their requirements.

For every high school graduate today there is a college he may attend—perhaps not the one he set his heart on—but one in which he can make a good record and graduate.

Selecting a college is like investing in a promising stock on the market. There is frequently a run on a popular stock with more people bidding on it than there are available shares, while many excellent stocks remain relatively quiet. Similarly, there is an annual "run" on several well-known colleges, such as the Ivy League men's colleges in the East, while plenty of good colleges have their welcome mat out.

Here are some suggestions on how college-bound students can find their way to the campus where they will be welcome and where they are likely to be most successful in their pursuit of a good education.

HOW COLLEGES SELECT THEIR STUDENTS

Criteria for admission

The Educational Records Bureau recently questioned the registrars of 560 senior and junior colleges to determine admission criteria. The following items were most frequently mentioned as criteria used in judging an applicant's qualifications: 1) high school grades; 2) recommendation of the principal or counselor; 3) results of aptitude tests; and 4) rank in graduating class. High school grades are given prime emphasis because it has been proven that students who excel in high school work will tend to perform well scholastically in college. Recommendations provide an insight into the applicant's character, behavior and special abilities that are not reflected in grades and tests. While tests provide colleges with a standard against which to measure applicants from different high schools, they are also a valuable basis for counseling as to curriculum and course placement.

Pre-requisites for admission

It was stated earlier that for every high school graduate today there is a college he may attend. This statement must be qualified, however. All colleges require a minimum spectrum of required high school-level courses as a pre-requisite to admission. It would be well if students and parents would acquaint themselves with the curriculum and pre-requisites in the admission catalog early in the high school career of a possible college of their choice to insure that the student has satisfied the minimum requirements. A student who has graduated from a vocational-type school where the curriculum is geared to the student who intends to terminate his formal education at high school will probably not be able to satisfy this minimum.

Most colleges offer a series of remedial courses which a student can successfully complete as a requirement for admission to the college. Those who have not attained a level of proficiency in such critical subject areas as English, mathematics, or reading can attend a remedial course to raise their proficiency to college-entrance level.

Trial by fire—"The college boards"

One of the major hurdles to college entrance that students must successfully "leap without stumbling" in their race toward acceptance by a college is the series of examinations administered by the College Entrance Examination Board. These tests, commonly called the "College Boards," consist of three sections: 1) The Scholastic Aptitude Test; 2) The Achievement Tests; and 3) The Writing Sample. Since these tests are becoming increasingly accepted as one of the major considerations for admission to most colleges it would be well to become familiar with what they contain and when they are offered. While a greater explanation of their content and time of offering are available from the high school counselor the following capsule account provides a summary of pertinent information about these tests:

Scholastic Aptitude Test—(SAT). This is a three-hour objective test designed to measure the verbal and mathematical skills which are necessary to do successful college work. The score that a student gets on the test is expressed in numbers that show where a student ranks on a scale extending from 200 to 800. Depending on their policies and procedures, colleges set a minimum level of acceptance. Some colleges will not accept a student below 600 while other colleges will be willing to accept a student on probation with a score below 300. Most colleges suggest that the SAT be taken in December or January of the senior year so that they will have the results in time to have them for admission consideration. Since this is a test of aptitude, preparation in the form of "cramming" or refreshing weak areas would be ineffective. The publishers of the test state that this test measures "abilities that are the product of instruction and growth over a long period of time . . . so that if (the student has) read widely and studied conscientiously during the school career, (he has) already prepared for the test."

Achievement Tests. The College Entrance Examination Board Achievement Test is a one-hour test designed to measure the level of achievement of one of the 14 subject areas, ranging from a language to one of the sciences. A student is generally requested to take three of these tests—one in English and two in subjects of his choice. In contrast to the SAT a review or refresher is advisable in preparing for these tests. While the tests are offered from January to July most students take them as late in the year as possible so that they will obtain more knowledge in the subjects through attendance of regular high school classes. Notes from class lectures, study notes, and specific readings recommended during courses taken in that subject area are convenient methods of review. Most bookstores also carry an excellent series of college outline review paperback books specializing in a wide range of subject areas.

The Writing Sample. The College Entrance Examination Board requires that each student write a short essay (or composition) on an assigned topic to test the student's ability to organize ideas and express them using good sentence structure, grammar and spelling. Ungraded carbon copies of the essay are forwarded to colleges which the student indicates at exam time. Each essay is then marked according to how it stands in relation to the standards of the college for which the student is applying. Combined with the SAT and Achievement Test it provides a full picture of the student's competence in retaining and expressing ideas. Since there is only one hour allowed to complete the essay the student must be able to organize his ideas quickly and express them logically and concisely with a minimum of time wasted. Just as a review of subject matter is helpful in the Achievement Tests, practice in writing an essay on a topic of the day can be of value in preparing for this test.

The thought of a 3-hour scholastic aptitude test, three 1-hour achievement tests and an essay to demonstrate writing proficiency may paralyze the budding college aspirant—but when strung out over several months' time with ample opportunity for counseling and reviewing, the test is not insurmountable. A high school guidance counselor will advise the student as to which tests to take and when. College admissions catalogs also specify which tests are required for admission consideration. Publications are available to assist the student in preparing himself for these tests and include: 1) *A Description of the College Board*

Scholastic Aptitude Test (3); 2) *A Description of the College Board Achievement Tests* (4); and 3) *How to Write the College Entrance Examination "Writing Sample."* (1)

HOW STUDENTS SHOULD SELECT A COLLEGE

The junior year

It will be easier to find the right college by starting early to plan which college one plans to attend during the junior year. At this time the student should begin to get catalogs from possible colleges he may attend. The following publications will also be helpful:

1. Who Gets Into College and Why, by Charles Doebler.
2. College Entrance Guide, by Bernice Einstein.
3. How to be Accepted in the College of Your Choice, by Benjamin Fine.
4. Guide to College, by Gene Hawes.
5. The College Handbook—1965–67, by College Entrance Examination Board.

Parents should talk over the choice of a possible career and curriculum with their child and evaluate his ability to go away or to remain at home while attending college. If in doubt, the help of a qualified counselor should be sought. After career and curriculum are discussed, various catalogs should be reviewed, then the decision made as to which would fit the budget, aptitude, interests, and ability of the child. Parents should be especially interested in the Higher Education Directory published by the Federal Office of Education which lists all of the colleges in each state, their size, the courses offered, and the costs and requirements for admission. A student's maturity necessary to live away from home, his ability to concentrate and to take responsibility to study on his own should be a prime consideration.

Both parents and students should select the college which will best meet the student's needs. They must consider a small or large college; rural community or city; men's, women's, or co-ed; public or private; church-connected or non-church connected. If the student is scholastically in the upper tenth of his class he has wide latitude as to which school he will apply for. However, if the student is in the lower part of the class, it is wise to apply only to the schools which will most likely accept him. Select two, three or four schools where the student stands a good chance of getting admitted.

College should be a mutual choice—not solely the choice of the parents nor of the child. It is not wise to force him into a college he has no desire to attend because he is the one who has to make "a go of it." This is a difficult, unsure time for youth where he needs parents' support as much as possible. The more capable student can and should attend a large institution. Famous large universities have a tendency to be impersonal and many of them have obtained their reputation because of their "print or perish" motto. A mature student will be able to succeed in this type of environment whereas an immature student who isn't quite the scholar needs more parental guidance and would do better to choose a smaller college where a more personal relationship is maintained.

Visits to the campus

If possible, it is well to visit the campus of the college the student plans to attend. If several in-city schools are under consideration where the student will reside at home, several campuses should certainly be visited during the time school is in progress to see classes in session, how classes are conducted, the types of students in attendance, how well the college is organized, and the physical facilities such as the library and laboratories. If several out-of-city campuses are under consideration, a visit to each one may be more difficult. In this case parents of a student attending the specific college can be visited to ascertain their opinions as to the conditions on campus. It is common courtesy to arrange for an appointment for an interview with an admissions officer (or other interviewer) in advance of the visit to the campus and also to have in mind specific things to be discussed. The appearance which the student presents is important—both in style of hair and dress.

Don't be afraid to ask for advice

Students should work closely with the high school counselor and seek his opinion when in doubt about important items concerning college. Parents can also talk to a college student or recent college graduate in the community or church group and several of the student's high school teachers with regard to proficiency and choice of career. If the student is considering a profession he should talk to members of the specific profession (such as pre-medical, predental or law) as to rating of schools in the field. It is important to talk positively. Free advice is available from teachers and guidance counselors so it is not compulsory that a trip be made away from home to obtain information; instead it is possible to get far better information from people in the field.

A new entrant to the scene with the surge of students toward the campuses are the college admissions counseling agencies. Both parents and prospective student should be aware of the professional background of those staffing the agency. Frequently the agencies charge exorbitant fees and "wind up" giving the same advice that the high school counselor originally gave—that their child is not Ivy League material but ordinary East-West College calibre.

An alternate for the college of his choice

If the senior year is coming to a close and the student has not been officially accepted by any of the universities to which he has applied, there are several agencies which maintain a current file of universities still accepting applications. They will send the student's credentials (academic record) to admissions offices at colleges that have vacancies. They are the following:

1. College Admissions Center, 610 Church Street, Evanston, Illinois.
2. College Admissions Assistance Center, 41 E. 65th St., New York 21, New York.
3. American Association of Junior Colleges, 177 Massachusetts Ave. N.W., Washington 36, D.C.
4. The American College Admissions Advisory Center, Junto School Building, 12th and Walnut Streets, Philadelphia, Penn.
5. Catholic College Admissions and Information Center, 3805 McKinley St. N.W., Washington 15, D.C.

Self-help for the student in high school

High school students themselves, with a little direction from the counselor can become acquainted with meaningful research about occupational choices to help him set a future logical goal. Excellent source material is available such as the "Occupational Guidance" units that provide individual guides with detailed information about various occupations. These guides clearly and interestingly describe the work, working conditions, ability and temperament required, advantages and disadvantages of the job, education and training requirements, suggested courses to take in high school, and a listing of free and inexpensive informative material about the job. A feature of each guide is a section on "Testing Your Interests" in which the student is directed to ask himself questions to determine whether or not he is suited to the specific occupation.

Here is tangible evidence of efforts of high school counselors to provide students with vocational guidance to help the individual in making a wise occupational choice and to aid directly in educational and vocational planning.

Don't forget the junior colleges

Attending a junior college (or "doorstep college") can be justified on the basis of ability and economic status. It is called "doorstep" because it provides the opportunity for two years of higher education in the same place where many students live. The junior college offers this two-year college training and is the least expensive college education beyond high school. The college, however, is "junior" in name only as the courses offered parallel those of four-year colleges. It is also for those who are not sure they want to invest in a full four-year school, i.e., purchasing materials, paying for tuition, etc., or for those who are not sure they can make the grade in a regular college. If uncertain, a student can attend junior college for a year with the idea that if he successfully completes it the parent will enroll him in a regular college. Studies show that transfer students usually do as well or better than their four-year classmates.

The courses are transferable to a four-year college and offer full credit providing the courses meet the requirements of the receiving school. For example, a person who has taken a survey-type business mathematics course and then enrolls in a regular mathematics curriculum could not expect it to be considered as a transferable course.

If a student has not satisfied all the prerequisites to a university or remedial work is necessary before he can be accepted, a junior college is an ideal way to satisfy these requirements prior to admission to a university and it gives an opportunity to improve study skills within the confines of a small group.

Trends in college education

Shock waves from the "knowledge explosion" have caused college administrators to re-evaluate their curriculum. Formerly, colleges could afford the luxury of four years' time to educate a student fully. Today, with the necessity for specialization due to the technological complex of vast amounts of knowledge within a career field, colleges are faced with the challenge of either streamlining the required course of study, providing some means for capable students to shorten their time spent in college, or enriching the curriculum for a full four-year term.

To meet this challenge some colleges have designed programs which can save years in college time and thousands of dollars in tuition and living costs for the able student. Among those plans receiving national attention are the "Comprehensive College Tests Program" and the "Advanced Placement Program," both sponsored by the Educational Testing Service of Princeton, New Jersey.

Advanced Placement Examinations. Some high schools today are able to offer college-level courses to bright students by enriching their curriculum in tenth and eleventh grades. Recognizing that this test takes advantage of advanced placement, over one-third of the colleges participate in the Advanced Placement Program which allows the student to continue enriching his curriculum in college. Criteria for advanced placement in college work consists mainly of a series of examinations offered each May based on college-level courses in history, science, languages, and mathematics. Results of these examinations are forwarded to the college of the student's choice. College policies on awarding of credit vary; some award credit for grades, others grant placement, and still others give neither placement nor credit. As to the acceptance of this program, consultation with the admissions officer or the statement of policy in the college catalog will reveal whether this is done.

The student should consult with the admissions officer of the college of his choice to learn what plans they use or if they have their own specially designed plans of advanced placement for the same purpose. This should be done, however, only if the parents believe their child is capable of exceptional work and has completed college-level courses in his high school.

Comprehensive College Tests Program. Within the past few years a new program was introduced intended to assist the student toward obtaining credits in basic courses in a field of study to students who are able to demonstrate proficiency in that field. A series of examinations with results compared against standards set by college freshmen completing the same courses measure this proficiency. Tests are offered in literature, chemistry, calculus, economics, tests and measurements, and western civilization. Those who are interested can consult the college admissions officer or college catalog. The Comprehensive College Tests Program testing department advises each candidate for the examinations to carefully evaluate his academic preparation before attempting any of the examinations.

An example of this trend in education on a local level is the "Honors Program in Medical Education" recently instituted at Northwestern University. In this program a student who wishes to enter the field of medicine can reduce the period of college training by two years. He must, however, maintain "satisfactory academic grades and develop normally in intelligence and emotional maturity." This program concentrates on science and mathematics for the first year, humanities and behavioral sciences for the second year, and begins Medical School courses during the third year. A student who is able to pursue this curriculum will be awarded a Doctor of Medicine degree in six years instead of the normal eight.

SUMMARY

The "who selects whom" questions posed at the beginning of this section have emphasized many points in preparing for a smooth transition from high school to college. Currently, the selection of a college by the student is the more critical of the two questions. Chronologically, a selection of students by colleges is possible only *after* the students have applied for admission or have expressed an interest in the college. Too many excellent small colleges are not operating with a full complement of students simply because more high school students are not even aware of their existence. Thus, the first step toward admission is a gathering of information—about the student and his abilities and goals, about the colleges and their requirements, atmosphere and qualifications. This information-gathering process may lead to a program for exceptional students, an application for admission to an Ivy League or a small midwestern college, or a trial period in a junior college system.

Regardless which college the student attends, parents should be aware that it is not *which* college the individual gets into but *how much* he has grown academically, socially and emotionally between admission and graduation.

MOON TREATY

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BOLAND. Mr. Speaker, to regard the moon as a potential base for aggression would have shaken the imagination only a few years ago. But man's accomplishments in space leave little to the realm of implausibility today.

The Springfield, Mass., Daily News of May 9 points up this fact in supporting President Johnson's appeal for a treaty to make sure that the moon and other celestial bodies are open to all nations.

No time should be lost in writing a space treaty, the News says in an editorial which adds this cautionary note:

> The moon could conceivably offer a good base for nonpeaceful space operations should any nation seek to use it as the stepping stone for a pattern of space sovereignty.

The News editorial adds to the mass of favorable comment already stirred by the President's proposal, and I include it in the RECORD at this point with my remarks:

MOON TREATY

Not too many years ago, the moon was regarded as remote despite the fact that it has, for centuries, been the subject of long distance scientific curiosity and exploration.

More imaginatively, it has been the home of the "man in the moon" and a subject for the unrelenting persistence of popular ballad writers who have turned out "Shine on Harvest Moon," "Moonglow," and a host of others. Moon, a natural rhymer with June, presented a field day for the song writers.

Today, of course, the moon is the prime target in the manned space program as the U.S. Apollo program pushes forward with its goal of landing an astronaut there by 1970.

President Johnson has focused new attention on the moon with his announcement that the United States will seek a treaty through the United Nations to prevent any country from claiming sovereignty over the moon and other celestial bodies.

The President said in part: "We want to be sure that our astronauts and those of other nations can freely conduct scientific investigations of the moon. We want the results of these activities to be available for all mankind." Space explorations, the President emphasized, should be "for peaceful purposes only."

Thus, the President declared, "Astronauts of one country should give any necessary help to astronauts of another country." He added: "No country should be permitted to station weapons of mass destruction on a celestial body. Weapons tests and military maneuvers should be forbidden."

While it may seem that there is plenty of time to work out a program of this type, this is not the case. The moon could conceivably offer a good base for nonpeaceful space operations should any nation seek to use it as the stepping stone for a pattern of space sovereignty.

The President's message took this into account when he said: "I believe that the time is ripe for action. We should not lose time."

The moon, the earth's only natural satellite, will be more and more in the news in the days ahead, climaxed by—a few years from now—the word that man has landed on this space target. The Outer Space Committee of the United Nations, which is the logical group to consider President Johnson's space treaty proposal, should not lose time in acting on this plan for a peaceful conquest of space.

ADDRESS BY GEOFFREY FAIRBAIRN

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. HANSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HANSEN of Iowa. Mr. Speaker, all Members of this great body are understandably concerned with the situation in southeast Asia. Every one of us is being buffeted by the charges and countercharges that are so prevalent. As a result most of us have difficulty in maintaining the broad viewpoint that each of us must keep on this serious foreign affairs problem.

Repeated opportunities to review the attitudes of those who have had long and close experience in the Asian area has been extremely helpful to me in keeping my viewpoint in what I believe to be proper total perspective.

In the belief that it will be helpful to my colleagues, I am offering for the RECORD one of such items—an article which is the text of an address by Geoffrey Fairbairn. The editor's note that prefaces the article is of particular value in helping the reader appraise Mr. Fairbairn's more detailed comments. The article follows:

WHERE I STAND—A PERSONAL STATEMENT ON VIETNAM

(Address to the "Unco Good," by Geoffrey Fairbairn, Canberra, Australia)

(EDITOR'S NOTE: Geoffrey Fairbairn, who is a gentle scholar and teacher and political writer today, as he was a quiet but tough commando officer and early expert on the new and old guerrilla warfare developed both during and after World War II, is as aware as anyone of the odd, illogical, off again-on again but highly opinionated role of individual and organized churchmen, particularly in strongly Protestant countries during the rise and fall of Hitler and, even more notably, his (Hitler's) affectionate admirer, Joe Stalin and successors. Fairbairn has won a hearing and won support of students for his "pro-freedom" and "face the world's reality" appeal of the informed anti-Communist forces of the world. His appeal to Australian churchmen, so tardy on Hitler and worse than tardy on Mao and Ho Chi-minh, stands on its merits and the rather tragic facts of past history.)

(This article is the text of Geoffrey Fairbairn's address * * * to a Sydney conference of the Australian Council of Churches. (The Bulletin, 9/11/65).)

Mr. Chairman, Reverend Sirs: I believe that the Americans and Australians in South Vietnam are fighting for world peace, and I propose to explain why I believe that. I do not stand here as some tame apologist for the present Government. I have again and again attacked what I believed to be its insouciance about the great issues in Asia. I have many times criticised its attitudes towards Asians.

I have a kind of foster-son—for years while he grew to manhood I was in effect his foster-father—who lives in Burma near the Chinese border and I am conscious all the time of the dangers that he and his Australian wife and their children face today. When I speak about guerrilla warfare I do not speak as an academic. At every local discussion such as this one, a large part of my mind is in other places: the road between Kutkai and Namkham where that great medical missionary Segrave worked until he died in the hospital that he and his wife and his sister built with their own hands out of stone laboriously moved from the Shwe-Li River, the border between Burma and China. It was on that road that the Shan Burmese family, of whom I am an honorary member, learned that guerrillas had the same day inadvertently killed their small niece. They were not Communist guerrillas.

I keep remembering the faces of my Arakanese friends in Western Burma the day the Burmese Army—an army representing a very Left-wing government—had bombarded a village, killing some innocent people, in order to attack local Communist guerrillas. I remember the frightened faces of rubber tappers in Malaya during the height of the Communist insurrection in Johore in 1951—and remember my own fears as the very brave Welsh plantation manager drove me through the shadowy lines of the rubber plantation, where his assistant had been killed not very long before. I remember the gentle face of a Vietnamese Army officer, seconded to civilian duties in the Central Highlands of Vietnam in 1962, and the frightened young—oh, so very young—faces of his militia boys as they awaited attack from Vietnamese Communist guerrillas. Indeed, I even keep remembering a day 20 years ago when I went upriver behind the Japanese lines in Borneo: remembering the fear on the villagers' faces lest our operation be unsuccessful and bring Japanese reprisals upon them. I also remember a little boy on a beach in the Philippines a little earlier: his right arm a bandaged stump, the result of our bombardment earlier in the morning . . . oh, no, I loathe both guerrilla war and the methods involved in its putting down.

I simply see no alternative to the American commitment in South Vietnam and our support of it. For this is not an attempt by the West to put down an indigenous peasant rising, "a response to economic and political conditions" as some intellectuals believe. What is happening in South Vietnam is not only an invasion through methods of revolutionary guerrilla warfare: it is part of a grand design by China to alter catastrophically the balance of world power. And should it succeed then world war is virtually inevitable.

Contained by the wills of free men in Western Europe, the Soviet Union has been forced to take stock of its position and of the realities of the thermo-nuclear balance of terror. It turned its energies towards social betterment, towards a hitherto undreamed-of humanism, towards a real effort to cooperate in keeping world peace. China acted differently. China is biologically unafraid of a nuclear holocaust. China talked, and talks today, in terms of war "as the highest form of struggle"—"war will become a bridge over which mankind will pass into a new era of history." A "beautiful new future," according to this viewpoint, will be built upon "the debris of a dead imperialism." I do ask you, most humbly, if we have not in such a viewpoint a truly terrible threat to world peace? Have the Americans ever talked in those terms? I ask you at this point to remember that American airpower could tomorrow, in a matter of hours, reduce the Red River Delta of Tonkin to a raging flood, against which the energies of the Vietnamese people have been bent for over 2000 years. Instead of doing this, young Americans are dying in and around Maquis D, around Chu Lai, Da Nang, Dak Sut, Kontum, Pleiku—dying individually near places whose names are probably unfamiliar to you. The Americans could end the war tomorrow by bombing the river control system of North Vietnam. They do not do so. Do you really believe the Chinese would not do so if the positions were reversed?

I must confess to finding the present situation here rather eerie, rather unreal. When the campaign against South Vietnam was launched through means of revolutionary guerrilla warfare, there were very few Americans indeed in Vietnam. The number of village officials, and their wives and their children, assassinated or kidnapped each year by the Vietcong vastly exceeded the number of American advisers. I hope that the churchmen protesters against American-Australian involvement today protested against those murders and kidnappings. (Ed: they did not either individually or collectively, even once.) Otherwise quite clearly a double standard of morality is being insinuated upon the Australian public. When over 50,000 North Vietnamese were executed after atrocious public humiliations I hope the protesters of today publicly protested (Ed: they did not and don't even know it yet)—since this was the inevitable consequence of Communist victory in the North, as it will be in the South. I hope protesters are aware of what will happen to supporters of the South Vietnamese Government should the Communists win. I hope that when the state power of the North Vietnamese Communist society trained artillery upon the protesting peasants of Nghe-An, Ho Chi-minh's home province, the clerical protesters of today protested then; and when Hanoi University was closed down in order to prevent some kind of teach-ins. Otherwise a double standard of morality is being imposed upon Australian citizens.

Now today I refuse to get side-tracked into technicalities. I would rather put this to you: South-East Asia is composed of new nations that might well be supposed to favor Communist ideas. They all have, in varying degrees, memories of humiliations imposed by Westerners. They have all discovered disabilities in themselves, since independence, so far as modernising techniques are concerned. They are all disappointed by their own political and economic achievements, and so they are all only too apt to talk in terms of an economically dominating neo-colonialism (and there is truth, economically, in this talk). They are chiefly Left-wing in point of social policy. But nowhere have the presumably "higher ideas" of Communism issued in a Communist government by popular acclaim, through elections.

The chief reason for this is that they are peasant countries and they know by now that Communism is a vast confidence trick perpetrated against peasants. They know—that where Communism successfully grows out of the barrel of a gun, the peasants are herded on to collective farms as State slaves. The result is economically appalling. For example, the per capita production of grain in the Soviet Union was higher in 1913 than in 1961 (Mr. Khrushchev's figures, not mine). The same thing happened in North Vietnam after the Communist conquest of 1954. Production in the South grew by 20 percent, it dropped by 10 per cent in the North.

I look forward to a day when China, when the great energies of Chinese civilization are forced back by the wills of free men to the task of bettering its own people. I look forward to the day when the nations of South-East Asia—Left-wing and Right-wing—are united in the common purpose of harnessing the Mekong River. I look forward to the day when an Australian Peace Corps will be active in the villages of South-East Asia.

But first the Chinese "line," the Chinese attempt to extend violence of a brilliantly systematized kind throughout South-East Asia, Latin America, and Africa, must be repulsed. Peace depends upon this repulsion. Hope depends upon this repulsion. This repulsion simply must not be stayed on its way by the neuroses and double standards of morality and political gormlessness. I am not prepared to stand in some apologetic stance, even before such an august audience as this. It is we who represent the open future for the hearts and minds of men and women—we, not the totalitarians. By "we," I do not have to add that I mean those South-East Asians who are fighting and bleeding and dying—the South Vietnamese armed forces have suffered casualties equivalent to those of Australia during World War II, fighting for the freedom to choose their future. I want to quote a man who once symbolized the dour, enduring decency of free men, Winston Churchill: "Never give in. Never, never, never, never. Never yield to force and the apparently overwhelming might of the enemy. Never yield in any way, great or small, large or petty, except to convictions of honor and good sense."

After all, we are back in 1938 now.

THE WAR WITHIN A WAR IN SOUTH VIETNAM

Mr. JOELSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JOELSON. Mr. Speaker, if the war within a war in South Vietnam does not soon subside, the U.S. Government should tell the non-Communist forces to stop fighting among themselves if they want U.S. military aid and involvement to continue.

It is imperative that all non-Communist elements in South Vietnam get together if they are to wage an effective battle against the Vietcong. The United States cannot and should not be expected to bear the terrible burden alone.

We must also make it abundantly clear to the dissident factions that we cannot tolerate attacks on American soldiers by our so-called allies. They should be made to know that either they shape up or we ship out.

As one who has consistently supported our involvement in South Vietnam, I am sick at heart over the current struggle for power which diverts our attention and dilutes our efforts.

URGES SETTLEMENT OF OPERATING ENGINEERS STRIKE

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. MCCLORY] is recognized for 30 minutes.

Mr. McCLORY. Mr. Speaker, a strike of the Operating Engineers Local 150 in the northern area of Illinois is wreaking havoc in the construction of needed public works and in the building of commercial, industrial, and residential structures in this area.

My attention has been called to various highway and sewage treatment construction projects which have been stalled as a result of this prolonged strike which began on April 10, 1966. The members of this union operate earthmoving machines. The operating engineers play a major role in modern-day construction of public works as well as in the building of private structures. Other work performed by members of this union includes excavating of underground tunnels and shafts.

The various issues involving wages and fringe benefits as well as work rules are numerous and complicated. There have been some attempts at negotiation and the Federal Mediation and Conciliation Service has attempted to bring the parties together. However, there appears to be inadequate concern on the part of agencies of the State and Federal Governments to the disastrous effects resulting from this prolonged strike.

Unlike the strikes of the Longshoremen and the Transit Workers as well as the threatened strike in 1964 of the Railway Engineers and Firemen, the Federal Government has taken relatively little interest in this work stoppage.

It is my understanding that the membership of many of the trade unions is now being affected by the Operating Engineers' strike. Without the services of these men, carpenters, bricklayers, and other construction workers are suffering from lack of work. The loss in wages is bound to be felt shortly in retail establishments throughout the areas affected. Other direct and indirect damage is bound to ensue.

I am not able to judge the merits of the positions expressed by either side, but I can state flatly that some decisive action is needed to halt this tragic loss to the entire community, including primarily the equipment operators themselves who have already lost substantial wages by reason of the strike.

The subject of such strikes was referred to by the President in his state of the Union message last January when he declared that he would "ask the Congress to consider measures which, without invading State and local authority, will enable us effectively to deal with strikes which threaten irreparable damage to the national interest." So far no legislative measures have been recommended to the Congress.

In order to enable the Congress itself to develop appropriate legislation, I am introducing today a joint resolution patterned after those introduced some months ago by my colleagues, the gentleman from Missouri [Mr. Curtis], the gentleman from Michigan [Mr. Griffin], now serving in the other body, and the gentleman from Illinois [Mr. Findley]. The resolution would create a joint congressional committee to recommend ways and means of improving the collective bargaining process and of developing useful and effective methods of mediation.

Meanwhile, Mr. Speaker, I recommend that the parties adjust through collective bargaining as many issues as possible and refer the remaining issues to arbitration in order that the members may return promptly to their jobs and the important work which they are capable of performing can be resumed without delay. Certainly, these issues can be resolved without the individual and public losses which will continue to mount as long as the strike continues. I urge the parties to follow this course at once.

In addition, Mr. Speaker, I am hopeful that the Committee on Rules will give early and favorable consideration to the joint resolution which my colleagues and I have introduced and also that the members of the Committee on Education and Labor will consider improved methods for averting such crippling strikes and for drawing together the respective parties in a labor dispute such as is involved in northern Illinois.

Mr. Speaker, I also urge the Secretary of Labor to convene a meeting in Illinois at the earliest possible date and to use all the influence of his office as well as the services of the Mediation and Conciliation Service to bring about a settlement of this controversy.

GENERAL LEAVE TO EXTEND

Mr. Speaker, I ask unanimous consent to revise and extend my own remarks, and I ask unanimous consent that all Members in the area affected, Members whom I shall designate here for the Record, be authorized to extend their remarks, following my remarks, if they so desire.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Kluczynski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. KLUCZYNSKI. Mr. Speaker, I want to join my good friend and colleague, Congressman Bob McClory, in directing attention to this critical situation and urging that appropriate Federal action be taken to bring this strike of the Operating Engineers in Northern Illinois to an end.

As chairman of the Subcommittee on Roads, I am acutely aware of the many problems that inevitably flow from an extended delay in scheduled highway construction. We increase costs—which are already climbing; we further aggravate the already heavy demands on the labor supply to get the job done; and because we delay actual completion of construction, we also contribute, however unwillingly, to an increase in the highway death toll.

I take no position on who is right or wrong here, or on what the solution should be, but I most certainly do urge that every possible avenue of assistance in getting the strike settled be used.

In addition to the harm that is being done to the highway construction program, this strike is also creating substantial increases in housing costs, and our need for additional housing within price limits people can pay is also critical.

The public good demands that action be taken to get this dispute straightened out and the excavating and roadbuilding forces back to work. I hope that action will be forthcoming, and promptly.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Williams (at the request of Mr. Albert), from April 15, indefinitely, on account of illness.

Mr. Dyal, for an indefinite period, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. McClory (at the request of Mr. Horton), for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Stanton.

Mr. Boggs.

Mr. Pucinski.

Mr. Fogarty.

(The following Members (at the request of Mr. Horton) and to include extraneous matter:)

Mr. Pelly.

Mr. Hosmer.

(The following Members (at the request of Mr. Annunzio) and to include extraneous matter:)

Mr. Dorn.

Mr. Evins of Tennessee.

SENATE BILLS REFERRED

Concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 84. Concurrent resolution authorizing the printing of additional copies of the committee print entitled "Catalog of Federal Aids to State and Local Governments—Second Supplement, January 10, 1966"; to the Committee on House Administration.

S. Con. Res. 86. Concurrent resolution authorizing the printing for the use of the Joint Economic Committee of additional copies of its hearings entitled "Twentieth Anniversary of the Employment Act of 1946, an Economic Symposium"; to the Committee on House Administration.

S. Con. Res. 90. Concurrent resolution to authorize printing of additional copies of hearings; to the Committee on House Administration.

S. Con. Res. 91. Concurrent resolution authorizing the printing of additional copies of hearings on "United States Policy With Respect to Mainland China"; to the Committee on House Administration.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 265. An act to authorize conveyance of certain lands to the State of Utah based upon the fair market price.

ADJOURNMENT

Mr. ANNUNZIO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 50 minutes p.m.) the House adjourned until tomorrow, Tuesday, May 24, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2422. A communication from the President of the United States, transmitting a draft of proposed legislation to amend the Tennessee Valley Authority Act of 1933, as amended, to increase the limitation on the authority to issue bonds to finance its power program (H. Doc. No. 443); to the Committee on Public Works, and ordered to be printed.

2423. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to facilitate the carrying out of the obligations of the United States under the Convention on the Settlement of Investment Disputes Between States and Nationals of Other States, signed on August 27, 1965, and for other purposes; to the Committee on Foreign Affairs.

2424. A letter from the Secretary, Export-Import Bank of Washington, transmitting a report of the amount of Export-Import Bank insurance and guarantees on U.S. exports to Yugoslavia for the month of April 1966, pursuant to the provisions of title III of the Foreign Assistance and Related Agencies Determination Act of 1966, and to the Presidential determination of February 4, 1964; to the Committee on Foreign Affairs.

2425. A letter from the Assistant Secretary of the Interior, transmitting a copy of the annual report of the Governor of the Virgin Islands for the fiscal year ended June 30, 1965, pursuant to the provisions of section 11 of the Organic Act of the Virgin Islands; to the Committee on Interior and Insular Affairs.

2426. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a report with respect to a construction project for the Naval and Marine Corps Reserves Training Center, Fort Schuyler, N.Y., pursuant to the provisions of 10 U.S.C. 2233a(1); to the Committee on Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of May 19, 1966, the following bills were reported on May 20, 1966:

Mr. McMILLAN: Committee on the District of Columbia. H.R. 11087. A bill to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, and the District of Columbia Business Corporation Act, as amended, with respect to certain foreign corporations; without amendment (Rept. No. 1546). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 10744. A bill to amend the District of Columbia Alcoholic Beverage Control Act; with amendment (Rept. No. 1547). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GILBERT:

H.R. 15182. A bill to amend section 245(c) of the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 15183. A bill to adjust the status of Cuban refugees to that of lawful permanent residents of the United States; to the Committee on the Judiciary.

By Mr. HALEY (by request):

H.R. 15184. A bill to amend section 4 of the act of May 31, 1933 (48 Stat. 108); to the Committee on Interior and Insular Affairs.

By Mr. HANSEN of Iowa:

H.R. 15185. A bill to provide that disabled individuals entitled to monthly cash benefits under section 223 of the Social Security Act, and individuals retired for disability under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act without regard to their age; to the Committee on Ways and Means.

By Mr. HOSMER:

H.R. 15186. A bill to amend title 38 of the United States Code to provide for a pension of $75 per month for widows and veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. KING of California:

H.R. 15187. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 15188. A bill to amend title 39, United States Code, to prohibit the mailing of unsolicited sample drug products and other potentially harmful items, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PELLY:

H.R. 15189. A bill to amend the Internal Revenue Code of 1954 to provide that a person using distilled spirits in the manufacture of nonbeverage products, presently eligible for drawback at the time such spirits are so used, shall also be eligible for drawback if such spirits are lost or destroyed before being so used; to the Committee on Ways and Means.

By Mr. POOL:

H.R. 15190. A bill to provide for the issuance of a special postage stamp to express the appreciation of the American people for the sacrifices of our servicemen; to the Committee on Post Office and Civil Service.

By Mr. ROGERS of Florida:

H.R. 15191. A bill to establish a contiguous fishery zone beyond the territorial sea of the United States; to the Committee on Merchant Marine and Fisheries.

H.R. 15192. A bill to amend title II of the Merchant Marine Act, 1936, to authorize the establishment and operation of sea grant colleges and certain education, training, and research programs; to the Committee on Merchant Marine and Fisheries.

By Mr. SAYLOR:

H.R. 15193. A bill to provide additional authority to the Secretary of the Interior for land acquisition in the Delaware Water Gap National Recreation Area; to the Committee on Interior and Insular Affairs.

H.R. 15194. A bill to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WILLIS:

H.R. 15195. A bill declaring a portion of Bayou Lafourche, La., nonnavigable waterway of the United States; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 15196. A bill for the relief of Donovan Herbert Cunningham; to the Committee on the Judiciary.

By Mr. CHELF (by request):

H.R. 15197. A bill for the relief of Jan Drobot; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 15198. A bill for the relief of Maria Rosalia Costa and Rosario Costa; to the Committee on the Judiciary.

H.R. 15199. A bill for the relief of Stefano Ficalora; to the Committee on the Judiciary.

By Mr. KEE:

H.R. 15200. A bill for the relief of Mrs. Yoko Nobe Shamblin; to the Committee on the Judiciary.

By Mr. MONAGAN:

H.R. 15201. A bill for the relief of Nicondero Nardelli; to the Committee on the Judiciary.

SENATE

MONDAY, MAY 23, 1966

The Senate met at 12 o'clock meridian, and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Lord and Master of us all, whate'er our name or sign—new every morning is the love our waking and uprising prove.

Thou hast made and preserved us a nation; our fathers trusted in Thee and were not confounded—in Thee we trust.

Thou hast taught us to love truth, and goodness, and beauty.

May Thy truth make us free—free from pride and prejudice and from all the ugly sins of disposition that doth so easily beset us.

Lift us above the mud and scum of mere things to the holiness of Thy beauty so that the common tasks, and the trivial round may be edged with crimson and gold.

Enrich us with those durable satisfactions of life so that the multiplying years may not find us bankrupt in those things that matter most—the golden currency of faith, and hope, and love.

We ask it in the name of the One whose light is the life of men. Amen.

THE JOURNAL

On the request of Mr. LONG of Louisiana, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 19, 1966, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF A BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on May 20, 1966, the President had approved and signed the act (S. 1308) to authorize revised procedures for the destruction of unfit Federal Reserve notes, and for other purposes.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Geisler, one of his secretaries.

REPORT OF NATIONAL CAPITAL HOUSING AUTHORITY—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on the District of Columbia:

To the Congress of the United States:

In accordance with the provisions of section 5(a) of Public Law 307, 73d Congress, approved June 12, 1934, I am sending for the information of the Congress the report of the National Capital Housing Authority for the fiscal year ended June 30, 1965.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 23, 1966.*

REMOVAL OF INJUNCTION OF SECRECY FROM THREE TREATIES

Mr. LONG of Louisiana. Mr. President, as in executive session, I ask unanimous consent that the Senate remove the injunction of secrecy on Executive D, 89th Congress, 2d session, the protocol between the United States and the United Mexican States; Executive E, 89th Congress, 2d session, the treaty of amity and economic relations between the United States and the Togolese Republic; and Executive F, 89th Congress, 2d session, the protocol for the further extension of the International Wheat Agreement, 1962; and that the protocols and treaty, together with the President's messages, be referred to the Committee on Foreign Relations, and that the President's messages be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The messages from the President are as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the treaty of amity and economic relations between the United States of America and the Togolese Republic, signed at Lomé on February 8, 1966.

I transmit also, for the information of the Senate, the report by the Secretary of State with respect to the treaty.

The treaty is of the short, simplified type that the United States has negotiated with a number of countries, but it contains the general substance of the typical treaty of friendship, commerce, and navigation.

The treaty is the first of its type to be concluded between the United States and a recently independent African state. It affirms the friendly and cooperative spirit prevailing in the relations of the two countries and records the mutual acceptance by them of a body of principles designed to promote the continued growth of those relations.

The conclusion of the treaty is another important step by the United States in implementing its policy of extending and modernizing its commercial treaty structure and of establishing conditions favorable to foreign investment.

I recommend that the Senate give early and favorable consideration to the treaty and give its advice and consent to its ratification.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 23, 1966.*

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the protocol between the United States of America and the United Mexican States, signed at Mexico City on April 13, 1966, amending the agreement concerning radio broadcasting in the standard broadcast band, signed at Mexico City on January 29, 1957.

I transmit also, for the information of the Senate, the report of the Secretary of State with respect to the protocol.

The 1957 agreement, which entered into force on June 9, 1961, will expire on June 9, 1966. Discussions between the United States and Mexican officials are being carried on regarding a new agreement on this subject. It is hoped that it will be possible to conclude such a new agreement with Mexico to replace that of 1957. Meanwhile it is important that the 1957 agreement continue in effect pending the negotiation of a new agreement. This is particularly important because Mexico is not a party to the North American Regional Broadcasting Agreement of November 15, 1950.

The protocol transmitted herewith contains a single substantive article whereby the duration provision of the 1957 agreement would be amended so that the agreement would remain effective until December 31, 1967, unless, before that date, it is terminated by a notice of denunciation by either party pursuant to the terms of the agreement or is replaced by a new agreement.

I recommend that the Senate give early and favorable consideration to the protocol amending the 1957 agreement with Mexico.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 23, 1966.*

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a certified copy of the Protocol for the Further Extension of the International Wheat Agreement, 1962, open for signature in Washington from April 4 until and including April 29, 1966.

I transmit, also, for the information of the Senate, the report of the Acting Secretary of State regarding the protocol.

The sole purpose of the proposed protocol, like that which was brought into force in 1965, is to extend the operation of the 1962 agreement for a period of 1 year. In the absence of such a further extension, the agreement will expire on July 31, 1966.

There are presently 48 parties, including the United States, to the 1962 agreement. It has not been possible during the past year for the parties to this agreement to complete their consideration of a new agreement adequate to deal with problems in regard to the marketing of wheat. The Kennedy Round negotiations, of which the negotiation of a grains arrangement has been considered an integral part, has been hampered since mid-1965 by problems encountered by the European Economic Community.

It is desirable that the International Wheat Council and its staff continue functioning for another year in order to allow additional time for cooperative studies and an opportunity to reach an agreement on acceptable bases for dealing with the world trade in wheat.

It is proposed, therefore, that the operation of the 1962 agreement be extended for 1 year, until July 31, 1967. This will be accomplished if the parties to the agreement complete the action necessary by July 15, 1966, to bring the new protocol into force.

Attention is invited particularly to the last paragraph of the Acting Secretary's report. I recommend that the Senate give early and favorable consideration to the protocol so that, if the protocol be approved, ratification by the United States can be effected and an instrument of acceptance deposited by July 15.

The Departments of State, Agriculture, and Commerce concur in the recommendation that the protocol be transmitted to the Senate.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 23, 1966.*

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 265) to authorize conveyance of certain lands to the State of Utah based upon the fair market price, and it was signed by the President pro tempore.

ORDER DISPENSING WITH CALL OF THE LEGISLATIVE CALENDAR UNDER RULE VIII

On request of Mr. LONG of Louisiana, and by unanimous consent, the call of the legislative calendar under rule VIII was dispensed with.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. LONG of Louisiana, and by unanimous consent, the Subcommittee on Juvenile Delinquency of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. LONG of Louisiana, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

THE CHAPLAIN

Mr. KUCHEL. Mr. President, I take a moment to say how happy all of us in the Senate are to have heard the Chaplain, Dr. Frederick Brown Harris, this morning invoke the blessings of our Creator on the labors of the Senate.

On behalf of the Senate, I wish to say to him, "Dean, we all receive a lift of heart and surely a lift of spirit to see you back here in the Chamber."

I wish, Mr. President, simply to express myself, and to say also, I am sure, for all Senators present, how truly happy we are to have had the opportunity of listening again to Dr. Harris, the Chaplain of the Senate, and to assure him of our prayers for long years of future happy labors in this field.

Mr. METCALF subsequently said: Mr. President, I concur in the remarks made earlier by the acting minority leader about the Chaplain. On many of the days since the beginning of this session, it has been my privilege to meet the Chaplain in the anteroom, where he would bring the visiting ministers; but we are delighted now to have had him back to offer one of his eloquent prayers on behalf of the Senate.

I believe this is the first time this year that he has participated in the regular prayer, although he has always been present in the anteroom, to introduce the President pro tempore or the Vice President to the Acting Chaplain. We are delighted to have him back at his regular activity, and to have heard his eloquent and informative prayer this morning.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By **Mr. ANDERSON**, from the Committee on Aeronautical and Space Sciences, with an amendment:

H.R. 14324. An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes (Rept. No. 1184).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MAGNUSON:

S. 3390. A bill to amend section 333 of the Internal Revenue Code of 1954 to bring up to December 31, 1962, the cutoff point for stock and securities acquired by the liquidating corporation; to the Committee on Finance.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 3391. A bill to amend the Shipping Act, 1916, as amended, to authorize exemption from the provisions of the Act; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under separate heading.)

By Mr. MONRONEY:

S. 3392. A bill to amend chapter 95 of title 39, United States Code; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Monroney when he introduced the above bill, which appear under a separate heading.)

TRAFFIC SAFETY ACT OF 1966—AMENDMENTS

AMENDMENT NO. 569

Mr. HARTKE submitted amendments, intended to be proposed by him, to the bill (S. 3005) to provide for a coordinated national safety program and establishment of safety standards for motor vehicles in interstate commerce to reduce traffic accidents and the deaths, injuries, and property damage which occur in such accidents, which were referred to the Committee on Commerce, and ordered to be printed.

(See remarks of Mr. Hartke when he submitted the above amendment, which appear under a separate heading.)

AMENDMENT OF SECTION 333 OF INTERNAL REVENUE CODE OF 1954

Mr. MAGNUSON. Mr. President, I introduce, for appropriate reference, a bill amending section 333 of the Internal Revenue Code of 1954 to bring up to December 31, 1962, the cutoff point of stock and securities acquired by the liquidating corporation. I ask unanimous consent that a memorandum in support of the measure be printed in the Record.

The **ACTING PRESIDENT** pro tempore. The bill will be received and appropriately referred; and, without objection, the memorandum will be printed in the Record.

The bill (S. 3390) to amend section 333 of the Internal Revenue Code of 1954 to bring up to December 31, 1962, the cutoff point for stock and securities acquired by the liquidating corporation, introduced by Mr. Magnuson, was received, read twice by its title, and referred to the Committee on Finance.

The memorandum, presented by Mr. Magnuson, is as follows:

Memorandum—Proposed Amendment of Section 333, Internal Revenue Code of 1954

This bill would amend Section 333 of the Internal Revenue Code of 1954 to bring up to December 31, 1962, the cutoff date for stock and securities acquired by the liquidating corporation.

It is and has been for a number of years the established policy of Congress to encourage liquidation of personal holding companies. See *e.g.*, Senate Report No. 2375, 81st Cong., 2d Sess., p. 63 (1950). Provision to this end was first made by enactment of Section 112(b)(7) of the Revenue Act of 1938. Twice thereafter the provision was restored to permit additional liquidations within limited periods of time. When Section 333 of the 1954 Code was adopted it was expressly recognized that encouragement of such liquidations had permanent value and should be made a regular part of the Internal Revenue Code. Senate Report No. 1622, 83d Cong., 2d Sess., p. 256 (1954).

Section 333 and its predecessors have facilitated liquidation by postponing until disposition by individual shareholders capital gains tax on securities that have appreciated in value while held by the liquidated corporation.

On the other hand, cash distributed is immediately taxed as a dividend. In order to prevent the conversion of cash into securities to avoid the tax imposed, it has been provided that stock and securities acquired after a specified date should be treated as money. The cutoff date set in 1954 was December 31, 1953.

With the passage of time, the cutoff date has rendered the Section increasingly obsolete. There are few corporations whose securities were all acquired more than 12 years ago. If Section 333 is to have the permanent effect intended at the time of enactment, it is essential that the cutoff date be advanced.

It should be emphasized that the effect of this proposal on the revenue is not a material consideration since it has been noted in reports of the Senate Finance Committee that any revenue loss resulting from an updating of Section 333 is "negligible." Senate Report No. 781, 82d Cong., 1st Sess., 61 (1951).

In view of the changes made by the Revenue Act of 1964 in the rules relating to taxation of personal holding companies, Congress should, in the interests of fair administration, provide again the same opportunity for liquidation of existing holding companies that has been recognized for more than twenty-five years.

AMENDMENT OF SHIPPING ACT, 1916, TO AUTHORIZE EXEMPTION FROM THE PROVISIONS OF THE ACT

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Shipping Act, 1916, as amended, to authorize exemption from the provisions of the act. I ask unanimous consent to have printed in the Record a letter from the Chairman, Federal Maritime Commission, requesting the proposed legislation, together with a statement of purpose and need.

The **PRESIDING OFFICER** (Mr. Montoya in the chair). The bill will be received and appropriately referred; and, without objection, the letter and statement will be printed in the Record.

The bill (S. 3391) to amend the Shipping Act, 1916, as amended, to authorize exemption from the provisions of the act, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and statement, presented by Mr. Magnuson, are as follows:

Federal Maritime Commission,
Washington, D.C., April 28, 1966.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: There are submitted herewith four copies of a proposed bill to amend the Shipping Act, 1916, to authorize exemption from the provisions of the Act.

The need for and purpose of the proposed bill are set forth in the accompanying statement.

The Federal Maritime Commission urges enactment of the bill at the second session of the 89th Congress for the reasons set forth in the accompanying statement.

The Bureau of the Budget has advised that, from the standpoint of the Administration's program, there is no objection to the submission of this proposed legislation to the Congress.

Sincerely yours,

John Harllee,
Chairman, Rear Admiral, U.S. Navy (Retired).

Statement of Purpose and Need

The purpose of this proposed legislation is to provide the Federal Maritime Commission with authority to exempt certain operations of water carriers or other persons or activities from provisions of the Shipping Act, 1916, where circumstances would warrant such exemption.

The Commission under the Shipping Act, 1916, regulates certain operations of water carriers and other persons subject to the Act which affect but slightly the foreign commerce of this country and which cannot be said to be of significance in the overall design of regulation contemplated by the Act. To exact compliance with the Act is unnecessarily costly to the carrier and government under these circumstances.

While individual and specific legislative proposals could be submitted from time to time with respect to the exemption of certain water carriers, enactment of the proposed general exempting power is believed to be a more effective approach to the matter. Not only would such authority relieve the Commission and the affected carriers of what seems to be an undue regulatory burden, but also would tend to free the Congress of much of the legislative workload that would be encountered by a piecemeal approach.

The recommended authority would result in increased flexibility, since any exemption created thereunder would be subject to continuous administrative review allowing for repeal or modification upon a finding of changed circumstances. The approach taken by this proposed legislation does not represent a marked departure from existing legislative techniques. Comparable exempting authority exists for the Interstate Commerce Commission by section 204(a)(4a) of the Interstate Commerce Act and the Civil Aeronautics Board is empowered by section 1386 of Title 49 United States Code to establish similar exemption from air carrier economic regulation. The proposed bill is also comparable to proposed legislation submitted by the Interstate Commerce Commission at this session of Congress, which would extend that Commission's exempting power.

This proposed bill includes safeguards against possible abuse of the powers and privileges to be conferred upon the Federal Maritime Commission by imposing limitations and conditions upon the exercise of the authority to exempt. An order of exemption may be issued or reviewed only after interested persons have been accorded a reasonable opportunity to be heard and only upon a definitive Commission finding which would be based upon a thorough analysis of the nature, character and quantity of the involved transportation as to the effect it may have upon uniform Commission regulation of water carrier transportation under the Shipping Act. The findings would, of course, be subject to appropriate judicial review.

Finally, the primary goal of the proposed legislation is to relieve both the Commission and affected carriers of the burdens of regulation in those situations where continued economic regulation in the public interest is neither necessary nor desirable.

AMENDMENT OF CHAPTER 95, TITLE 39, UNITED STATES CODE

Mr. **MONRONEY.** Mr. President, I introduce, for appropriate reference, a bill to authorize the Postmaster General to transport mail by regulated motor carrier.

The authority granted the Postmaster General is permissive. It would not require him to use motor carriers, but it broadens his choice of available transportation facilities. Only those motor carriers engaged in the transportation of property under a certificate or permit issued by the Interstate Commerce Commission could be used. The Postmaster General could utilize the services of those motor carriers who file a tender of availability. Once filed, the carrier would be obligated to render service on his certificated routes as requested by the Postmaster General.

The mail rates would be established initially by agreement between the Postmaster General and the carrier. These rates would be reviewed by the Interstate Commerce Commission within 18 months and the Commission would be empowered to establish new rates and new classifications under existing procedures pertaining to the fixing of mail rates for railroads.

The Postmaster General would also be authorized to negotiate special contracts with any regulated motor carrier and could continue to obtain star route service from regulated motor carriers under the existing star route law.

In effect, Mr. President, this bill would place regulated motor carriers on the same footing as railroads with respect to the transportation of mail. Since the regulated motor carrier industry has become such a vital segment of our national transportation system during the past 20 years, it is only equitable that they be permitted to carry the mail on the same conditions and terms as the railroads have for many decades.

There is also a great need to have such transportation available to the Postmaster General. During a recent interview when asked to list the most urgent problems confronting the postal service he said, "The need for the Post Office Department to have greater freedom to use highway common carriers for mail transport."

Mail volume is increasing at the rate of 3½ billion pieces a year and will soon exceed 100 billion pieces. At the same time railroad passenger trains will probably continue to decrease, as they have for the past 30 years. Thirty years ago there were 10,000 mail-carrying passenger trains and today the number has been reduced to slightly over 900.

With this tremendous increase in mail volume and the drastic decrease in available railroad service the Postmaster General needs the additional capacity which could be provided by the regulated motor carrier industry and he needs the additional flexibility which this bill would give him to contract for the carriage of mail by truck.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred.

The bill (S. 3392) to amend chapter 95 of title 39, United States Code, introduced by Mr. MONRONEY, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

TRAFFIC SAFETY ACT OF 1966—AMENDMENTS

AMENDMENT NO. 569

HARTKE-MACKAY TRAFFIC SAFETY AMENDMENTS

Mr. **HARTKE.** Mr. President, I am happy to submit today, after many hours of work and consideration by my staff, by Congressman JAMES MACKAY and his staff, and by others with whom we have consulted, a comprehensive series of amendments to the traffic safety bill, S. 3005, which the Commerce Committee will begin considering in executive session tomorrow.

Since I intend to ask unanimous consent for the appearance in the RECORD of a section-by-section analysis, I want now only to highlight the most important of the changes we are suggesting. Every line of the administration bill offered by Chairman MAGNUSON has been carefully scrutinized, and we have suggested various technical amendments as well as certain more significant substantive changes. Although the amendments are in some places substitutes for language in the present bill, there is a great deal of the language there still remaining. Consequently I do not consider this a substitute bill, but an amendment.

At least four items, which I consider significant improvements, are retained from the original Hartke-Mackay bill, S. 2871, which was introduced a full month before S. 3005. One is the provision that the National Traffic Safety Agency, still within the proposed Department of Transportation or the Commerce Department, should be headed by an Administrator appointed by the President and subject to Senate confirmation.

This, I believe, will give the agency the kind of stature it deserves. It will not then become just one more function of a sometimes overburdened Department, although the authority and the responsibility remain ultimately, and the bill throughout so specifies, that of the Secretary. The salary for the Administrator is specified to be at level III of the Federal Executive Salary Act.

A second important portion retained from the original Hartke-Mackay bill is provision for certification by the Secretary, upon submission of proof, that motor vehicles meet or exceed the relevant Federal motor vehicle safety standards prescribed pursuant to the act. A mark or symbol of certification could then be used by the manufacturer on his vehicles or in his advertising.

The third item carried over from S. 2871 is the provision, whose wisdom I believe our hearings have verified, that application of the safety standards required should be inclusive of trucks as well as automobiles, even though there are some requirements existing under Interstate Commerce Commission safety rules.

The fourth, and perhaps the most important single difference in many respects, is provision of mandatory safety performance standards. In this connection, I would call attention to the report appearing in the Washington Post on Friday that Secretary of Commerce Connor has said, and I quote:

> That the Administration really does support mandatory Federal safety standards in its auto safety bill. * * * This meant, Connor said, that the Department recommends a clarification in the Administration bill so that there will be no question but that there would be a mandatory duty to issue vehicle safety standards.

Although a fuller discussion may be found in the analysis I am submitting, there are a number of other significant points to which I want to draw attention briefly.

The industry has noted that S. 3005 seems to treat reduction of property damage as a purpose equal to reduction of deaths and injuries. A change in the preamble or statement of purpose makes clear that reduction of deaths and injuries is the primary aim, with reduction of property damage a goal insofar as it is consistent with it. We are also proposing that some attention be paid to the exterior of the vehicle in connection with pedestrian accidents, recognizing that safety is not complete otherwise.

The amendment places greater specific statutory reliance on the Administrative Procedures Act as a means to surer administrative effectiveness and fairness. It improves judicial review.

Under the administration bill, the Secretary is authorized to undertake appropriate research, testing, and development. Under the amendment, this becomes mandatory. There is also explicit authority for designing, constructing, and testing demonstration vehicles. The choice of language is deliberate; "prototype," which has been suggested by some, implies a vehicle which would be a precursor of more on the assembly line; "experimental" might be more visionary and impractical at the present time. But a demonstration vehicle will indicate feasibility without requiring slavish copying.

Enforcement provisions add criminal penalties for knowing and willful violation of the act. Similar provisions are already found in the brake fluid act and the seat belt act.

Under section 111 of the present bill, the amendment requires the manufacturer to provide annually to the Secretary a written description of all motor vehicle safety developments he has implemented during the year. He is also required to publish and furnish to sellers safety performance data on his new models, which can easily be done as a part of the usual motorists' manual. The manufacturer also, as has been favored by others, is required to furnish notice to the Secretary of his communications to dealers regarding defects.

Under a new provision, the Secretary is required, upon determination that a vehicle or equipment does not comply with Federal vehicle safety standards, to notify the manufacturer with explanation of his findings. The manufacturer may respond, and on the Secretary's determination of the need, consult with him on recall. Costs of the corrective callback campaign will be borne by the manufacturer alone if the defect is due to noncompliance with Federal standards; but if the defect is in an aspect not subject to Federal standard but continued use constitutes and unreasonable risk of accidents, there will be an allocation of costs in which the owner may have to share also. Investigatory power is conferred on the Secretary, and he may receive complaints in writing. This is merely for information; he is not obligated to pursue complaints, but obviously a flood of letters all complaining of the same defect in a particular model can alert the Secretary to the fact that an investigation may be needed. I might add that the framing of investigative powers for the Secretary in the amendment is modeled after provisions in the Landrum-Griffin Labor-Management Act.

The section dealing with the Secretary's annual report, which is specified for March 1, each year, spells out some of the items which should be incorporated, together with recommendations for any additional legislation the Secretary finds necessary.

The length of the time period authorized—6 years—has been reduced to 3 years, but the amounts of money available during those 3 years have been increased. The total authorization, however, is much below the total of the administration bill.

Mr. President, I ask unanimous consent that there may appear in the Congressional Record at this point a section-by-section analysis of the amendment and the full text of the amendment itself.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred; and, without objection, the analysis and amendment will be printed in the Record.

The analysis and amendment are as follows:

Section-by-Section Analysis, Hartke-Mackay Amendment to the Traffic Safety Act of 1966, May 23, 1966

Preamble and section 2: Purposes

S. 3005 states that this Act has several equally important purposes: to reduce traffic accidents and the deaths, injuries, and property damage which occur in such accidents

Revision of the statement of the purposes is proposed to satisfy the valid point made by automobile industry representatives that S. 3005 errs in treating reduction of property damage as a purpose equal to reduction of deaths and injuries. The industry's point is valid because increased crashworthiness design might well be effected only by increasing property damage, e.g., by designing some metal parts of the car to collapse so as to absorb and reduce collision forces. However, while the industry argues that the bill should exclude the goal of reducing property damage, the better course is to preserve that wisely chosen goal of S. 3005 (that of reducing property damage), though subordinating it to the primary purpose of saving people, and the proposed changes do this.

Additionally, the proposed Section 2 amends S. 3005 by making the issuance of Federal motor vehicle safety standards mandatory, rather than entirely within the discretion of the Secretary. Several obvious and familiar reasons support the change.

First, the scope and seriousness of the traffic accident toll in lives, limbs and direct economic loss warrant forthwith action to reduce that toll.

Second, it is the essence of Congress's role to make the basic policy decision that there shall be federal motor vehicle safety standards, and it would be improper to delegate that decision to the Executive. The Secretary would of course need, and will have, discretion in many ways so as to administer and fulfill the purposes of the Act, but there is no administrative need for giving him the basic policy decision.

Lastly, consistent with Congress's making the basic decision that there shall be motor vehicle safety standards, the proposed section makes clear that these shall be federal, and not merely private or local, standards. A governmental function is to be carried out by governmental standards, to assure that the standards are arrived at by a process with democratic participation and public accountability, and also to assure that the determinations of the adequacy of standards, are made in the public interest.

TITLE I—MOTOR VEHICLE SAFETY STANDARDS

Definitions

Section 101(a). "Motor Vehicle Safety".—The proposed changes refine the definition of "motor vehicle safety" in three ways. The first simply conforms to the change in statement of purpose described immediately above by subordinating the reduction of property damage to the reduction of deaths and injuries.

Second, the proposed section adds "nonoperational safety of the vehicle and pedestrian protection", so as to assure that the Secretary has authority to reduce such hazards as inadequate door closing design, which annually injures hundreds of thousands of children and adults in "hand in the door" accidents; and hazards to motorists and repairmen resulting from inadequate jacks and unnecessary dangers in the engine area; and also hazards to pedestrians, the most neglected aspect of automobile design. Nearly 500,000 pedestrians come into painful contact with automobiles every year, and the Secretary should be authorized to reduce the dangers created by unnecessarily sharp and pointed external ornamentation.

Third and last, the proposed section makes explicit that motor vehicle safety involves both the design and the construction of motor vehicles, rather than solely the design.

Section 101(b). "Motor Vehicle Safety Standard".—The proposed changes make two additions to S. 3005's definition of "motor vehicle safety standard". First, the word "Federal" is added to remove possible confusion with State, local, and private standards. Second, S. 3005 states that a motor vehicle safety standard shall provide objective criteria on which the public may rely; the proposed change adds that the standard shall also provide "the range of effective operating conditions" such as the range of speeds for which protection is offered, or the degree of vehicle loading.

Section 101(c). "Motor Vehicle".—The proposed changes make two additions to the definition of "motor vehicle", and one deletion. The proposed additions are trucks and other vehicles regulated under part II of the Interstate Commerce Act [45 U.S.C., ch. 8] or under the Transportation of Explosives Act [18 U.S.C. § 831–835]. These are added because such vehicles are regularly on the public highways in great numbers. They should be brought within this title even though they are also subject to safety regulation by the Interstate Commerce Commission, for two reasons. First, as Senator Magnuson recently said in this connection, the ICC lacks the resources effectively to enforce their regulation. Second, the Secretary acting under this title, and the ICC acting within their jurisdiction, will readily be able to integrate their functions so as to enhance the overall safety of our highways.

The proposed deletion is of vehicles designed or used for military field training, combat, or technical purposes. Such vehicles present uniquely different problems, and are, at most, only rarely on the public highways. Their safety is best left to the expertise of officials within the Department of Defense.

Section 101(f). "Interstate Commerce".—This section is enlarged to include a fuller definition of "Interstate Commerce" to cover areas under exclusive federal jurisdiction. Automobile equipment produced and used in Puerto Rico, for example, would be explicitly included under the enlarged definition.

Section 101(h). "Person".—This new section simply adds a definition of "person", which includes individuals, partnerships, corporations, associations, and public or private organizations.

Federal motor vehicle safety standards

Section 102(a). Setting Standards.—The proposed changes amend S. 3005 to make mandatory the issuance of federal motor vehicle safety standards, conforming with the amendment of section 2 described above.

Section 102(b). Effective Date.—This section is changed from S. 3005 only to make it consistent with the proposed section 102 (a).

Section 102(c). Amendment of Standards.—Like S. 3005, in its sections 102 (a) and (c), the changes proposed in this section incorporate the familiar and broadly applicable procedures of the Administrative Procedure Act, for the guidance of the Secretary and protection of the public interest. While S. 3005 incorporates only section 4 of the Administrative Procedure Act, thereby prescribing the procedure the Secretary is to follow in establishing (or amending or withdrawing) federal motor vehicle safety standards, the proposed section adds such protections as these: federal motor vehicle safety standards shall be published in the Federal Register, and non-confidential matters of official record shall be available to persons properly concerned (Administrative Procedure Act, section 3); persons compelled to appear before the Secretary shall have the right to be accompanied, represented and advised by counsel (Administrative Procedure Act, section 6); and no sanction shall be imposed, nor substantive rule or order issued, except within the Secretary's jurisdiction and as authorized by this title (Administrative Procedure Act, section 9 (a)).

The proposed section adds these five portions: First, the record compiled in proceedings for establishment of a federal motor vehicle safety standard shall be made publicly available, except that the Secretary is authorized to withhold material necessary to protect trade secrets.

Second, persons entitled to participate in federal motor vehicle safety standard proceedings, at least by submission of written data, views or argument, specifically include manufacturers, distributors and retailers of motor vehicles or motor vehicle equipment; organizations significantly engaged in motor vehicles; automobile insurance underwriters; and current owners or users of motor vehicles. This provision assures that the Secretary will be open to democratic participation in the process of issuing standards, but that that process will not be burdened with lengthy, expensive oral participation except as permitted pursuant to procedural rules made by the Secretary.

Third, when the Secretary establishes a federal motor vehicle safety standard, he is to set forth his principal reasons, in language understandable to the general public; and to provide the range of effectiveness offered by each standard in terms of such factors, where related, as human body size and weight, weather conditions, vehicle speed and loading; and also is to make a statement of technical data sufficient to enable persons competent in the particular technical area, to evaluate the standards.

Fourth, the Secretary shall conduct a federal motor vehicle safety standard proceeding whenever any State petitions and submits a specific proposal to advance motor vehicle safety.

Fifth and last, it is expressly stated that the more cumbersome, expensive and time-consuming procedures of Administrative Procedure Act sections 7 and are not applicable.

Section 102(d). Effective Date of Amendments to Standards.—This section makes only one noteworth change from the corresponding sections [102 (b) and (c)] of S. 3005. S. 3005 provides that amendments or withdrawals of safety standards shall be effective not later than one year after issuance, unless the Secretary finds a later date is in public interest; but for the establishment of a safety standard, S. 3005 rigidly provides that the effective date shall be no later than two years after issuance.

Under the proposed section, the establishment and amendment of safety standards are to be effective no later than one year from issuance, unless the Secretary finds that complex production changes are involved, in which case the effective date may be as late as two years from issuance.

Section 102(e). Integration with State Standards.—Both S. 3005 [in section 102(b)] and the proposed section pre-empt the field of governmentally imposed motor vehicle safety standards. S. 3005 fails, however, to preserve important, valid State interests in two respects.

First, the States, right to establish inspection and maintenance requirements should be preserved, and the proposed section does this and also assures that such State and local requirements shall not conflict with any federal motor vehicle safety standards.

Second, S. 3005 overbroadly—albeit probably unintentionally—strikes down State and local standards on motor vehicle standards or items of motor vehicle equipment if there is *any* federal standard in effect respecting that motor vehicle or item. This would mean, for example, the striking down of State and local standards on the crash absorptive capacity of windshield glass if there is a federal standard on the tinting of the glass. The proposed section is drafted to correct that over-breadth.

Judicial review of orders

Section 103(a).—The proposed section on judicial review makes several changes from S. 3005 to improve the availability of judicial review while simultaneously preserving efficient administration of the Act. Two changes are significant.

First, a petitioner for review either must have presented his objection(s) before the Secretary, or must show reasonable grounds for failure to have so presented. Second, the proposed section incorporates Administrative Procedure Act section 10, thereby providing necessary guidance for the courts on, for example, what acts by the Secretary are reviewable.

Incorporating section 10 is especially important in the guidance it affords on the scope of judicial review, Administrative Procedure Act section 10(e) provides for review not only of findings of fact, but also of agency conclusions of law, substantive rules, etc. In contrast, S. 3005 provides only for the scope of review of findings of fact. Further, section 10(e) provides for sustaining findings of fact if supported by substantial evidence, taking into account the whole record; in contrast, S. 3005 fails to specify that the whole record is to be considered.

Lastly, in sharp contrast to some proposals to amend S. 3005, this proposed incorporation of Administrative Procedure Act Section 10(e) has the strength of established meaning generated by almost twenty years of judicial decisions and handling by bench, bar, and administrators, an established meaning of particular richness because of the great number of administrative programs reviewed hereunder. Moreover, Section 10(e) is further strengthened by the availability of established meaning for almost identical review provisions in a clear majority of other Acts, such as the Labor-Management Relations (Taft-Hartley) Act of 1947. The industry's proposal to amend the scope of review provision of S. 3005 to call for "a fair evaluation of the whole record" (rather than substantial evidence on the whole record) is unsound in three particulars: The utter lack of established meaning of that language; the fact that it has been used in only three quite recent Acts, dealing only with food and drugs and hazardous chemical substances; and the fact that it has generated controversy, which has degenerated into legislative confusion, when it has been put forth (see Jaffe, *Administrative Law*, 2nd Edition, 1961, pp. 229–232).

Section 104. Research, Testing, and Development.—Three simple changes in S. 3005 are proposed here. First, consistent with the above change to make issuance of standards mandatory (see section 2, above), the Secretary is directed, rather than merely authorized, to undertake appropriate research, testing, and development.

Second, S. 3005, in providing for the Secretary's gathering of data (to aid in determining the relationship between motor vehicle performance characteristics and accidents, death, injury and property damage), fails to authorize him to gather data reflecting make and model of motor vehicle. The proposed change fills this gap.

Third and last, a new provision is added to include explicitly within the Secretary's functions under this section, the designing, constructing, and testing of demonstration passenger motor vehicles and equipment. Obviously, this is one of the most practical and accurate ways in which to determine the efficacy of safety innovations for greater roadworthiness and crashworthiness; to develop methods to test compliance with the safety standards, and to aid in developing the standards themselves; and finally, to make available to the industry and the public, concrete demonstration of the safety innovations.

Prohibited acts

Section 107(a). Specific Prohibited Actions.—The proposed changes add three points to S. 3005. First, the proposed amendment prohibits misuse of certification, which is made available to a manufacturer (under the proposed new section 112) for advertising or labeling purposes if he proves that his new vehicles meet or exceed the relevant federal standards.

Second, the amendment explicitly prohibits falsity in any report required by this title and prohibits the refusal to publish, distribute or display such a report.

Third, the amendment explicitly prohibits intentional interference with, or obstruction of, any inspection, test, or investigation made by the Secretary.

Enforcement

Section 108. Enforcement.—Entitled more broadly than the same section in S. 3005 (on Civil Penalty), the proposed changes add criminal provisions for knowing and willful violation of the provisionss of this title or of the Secretary's regulations issued thereunder. The maximum criminal penalties for each violation are $25,000 fine, or five years in prison, or both.

It is important to note several points about the criminal provisions. First, the criminal sanctions apply only to knowing and willful violation—while established, responsible manufacturers probably will seldom commit such violations, fly-by-night fringe operators should not be immune from appropriate penalties for their kind of operations. This is simply sound, familiar reasoning supporting similar provisions in so very many other administrative programs; pertinent examples are the recent brake fluid act [15 U.S.C. 1301–1303], and the recent seat belt act [15 U.S.C. 1321–1323].

Second, prosecutions are of course brought only by the Attorney General. Third, it must be remembered that the maximum penalties are only ceiling limits, within which judicial and prosecutorial discretion shall operate as always.

Jurisdiction; equitable relief

Section 109(a). Jurisdiction; Equitable Relief.—Entitled more broadly than the same section in S. 3005 (on "Jurisdiction; Injunction"), the proposed section makes two additions. First, it empowers the highest law enforcement officer of any State to sue, in Federal court, to enjoin violations. Of course, in many States this may require supplementary legislation or other authorization by the State, but it helps to preserve a role for those States concerned with reducing our traffic accident toll.

Second, this amendment authorizes the court to give temporary, interim relief, which may be granted without bond upon proper showing of public interest.

Inspection and testing for compliance; records and reports

Section 111(a). Two small changes are in the Secretary's authority to conduct testing and inspections to ascertain compliance with Federal motor vehicle safety standards.

First, the Secretary is directed to conduct such testing and inspection, rather than merely being authorized to do so. Second, he is authorized to conduct such testing and inspection on and off the manufacturers' premises, pursuant to regulations to be adopted by the Secretary.

Section 111(b). Here a new provision is added to give appropriate public notice of product changes implemented during the year by the motor vehicle manufacturer which increase or decrease motor vehicle safety, compared with that manufacturer's previous product. The data to be furnished the Secretary about these changes are readily available, as evidenced by the manufacturers' recent Congressional testimony about the intensive testing they regularly employ. These data obviously would aid the Secretary in his own development of standards and efforts to assure compliance with existing standards. Equally obviously, such data will be the subject of proper pride in achievement for the manufacturer, and will make the free, competitive consumer market work more effectively to bring us better products.

Section 111(c). This new subsection assures a more informed, effective, free, competitive consumer market, as well as leading to safer, more knowledgeable use of autos purchased. Manufacturers of motor vehicles are to furnish buyers of new cars with summaries of their vehicle's objectively measurable performance, respecting safety. For potential purchasers, the dealer is to make available a copy of such summaries. The Secretary is authorized to require particular data in such summaries.

Section 111(d). This new subsection assures that the Secretary will be informed of manufacturer communications with dealers, repair facilities, etc., regarding the discovery of defects after the product has left the factories. The recent disclosures by the manufacturers in response to Congressional inquiry, revealing the great significance of such defect discoveries, establish the wisdom of this provision if the Secretary is to be effective and up-to-date in carrying out the provisions of this title.

Certification

Section 112.—This new simple provision is proposed to reward manufacturers for complying with or surpassing Federal motor vehicle safety standards. The Secretary is authorized to have a manufacturer use a symbol or mark certifying (after satisfying the Secretary as to the facts) that a particular product meets or exceeds Federal standards. This provision, and the operations of our better informed free, competitive consumer market, will serve to encourage manufacturers to exceed the Federal minimum safety standards.

Corrective call-back campaigns

Section 113. Corrective Call-Back Campaigns.—This is a wholly new section. Recent disclosures, by the automobile manufacturers in response to Congressional inquiry, indicate the frequency with which automobiles must be called back for correction of newly discovered defects. These disclosures establish the need for giving the Secretary authority, as this section does, to assure that such call-back campaigns will be conducted whenever there is a defect creating an unreasonable risk of death, injury or property damage if an accident should occur. The Secretary also needs authority to require call-back of any motor vehicle or item of motor vehicle equipment which fails to comply with a federal motor vehicle safety standard.

The procedure that the Secretary is authorized to follow is a simple one aimed at combining fairness to the manufacturer with swift protection for the public. Such a combination, and such a procedure, are well known in such analogous situations of danger to the public as impure foods or dangerous drugs, diseased animals or plants.

The Secretary proceeds as follows, if through testing, research, accident or complaint investigation, or otherwise, he determines that there is a failure of compliance or an unreasonable risk: First, he is to notify the manufacturer of the defect or lack of compliance, providing detailed information and if need be, specifying what would be a sufficient degree or kind of improvement in performance or operations.

Second, the Secretary is to afford the manufacturer an immediate opportunity to present evidence, views or arguments tending to establish that the alleged defect does not constitute an unreasonable risk, or that there is no failure of compliance. If after such hearing the Secretary determines there is an unreasonable risk, or a failure of compliance, then the Secretary is to advise the public and, after consulting with the manufacturers, to establish procedures for a prompt call-back campaign. If the campaign is the result of a failure of compliance, the costs of such call-back and repair are to be borne by the manufacturer; but if the campaign is the result of a defect constituting an unreasonable risk, then the Secretary is to allocate costs between the owner and the manufacturer and dealer, depending on the degree (if any) to which the manufacturer's negligence is responsible for the defect.

Lastly, to assure promp protection of the public and also to protect the manufacturer from error or arbitrariness by the Secretary, there will be no judicial interference with a call-back campaign, but a manufacturer claiming error or arbitrariness can sue to recover any damages suffered.

Investigations by Secretary

Section 114. Investigations by Secretary.—This is a substantially new section, proposed to assure that the Secretary will have authority to conduct an investigation when he believes it necessary to determine whether any provision of this title is being violated, or is about to be violated. Such authority is essential, as indicated by its nearly invariable inclusion in administrative programs of this type.

See, for example, the investigative authority of the Secretary of Agriculture with respect to commodity exchanges [U.S.C. § 12], insecticides [7 U.S.C. § 135 (c)], and tobacco [7 U.S.C. § 511(n)]; the recently granted authority of the Attorney General with respect to antitrust [15 U.S.C. § 1311–1314]; the recently granted authority of the Secretary of Labor with respect to labor-management reporting and disclosure in the Landrum-Griffin Act [29 U.S.C. § 521], of which the proposed section is a verbatim copy except for such technical changes as replacing "chapter" in the Landrum-Griffin section with "title" in the section here proposed; and the authority of the Secretary of Labor with respect to minimum wages and maximum hours for employees of contractors with the federal government [41 U.S.C. § 35–45]; see also the authority of the Federal Trade Commission with respect to unfair methods of competition, compliance with antitrust decrees, and false advertising [15 U.S.C. § 49–50], the precise authority incorporated by reference in the proposed section; the authority of the Securities and Exchange Commission with respect to public issuance of securities [15 U.S.C. § 77s(b)], trust indentures [15 U.S.C. § 77 uuu(a)], securities exchange and over-the-counter markets [15 U.S.C. § 78u], public utility holding companies [15 U.S.C. 79(r)], investment companies [15 U.S.C. § 80a–41], investment advisers [15 U.S.C. § 80b–9]; the authority of the Federal Power Commission with respect to natural gas companies [15 U.S.C. § 717m]; the authority of the Interstate Commerce Commission—with respect to motor carriers [49 U.S.C. §§ 305(d) and 322(g)] and the authority of the Federal Aviation Administration and Civil Aeronautics Board with respect to all matters within their respective jurisdictions, including safety regulation [49 U.S.C. § 1482, 1484].

Many more examples of such investigative authority could be amassed, but the above should suffice to establish beyond question that Congress should grant similar authority to the Secretary for this program, lest it later find that the Secretary is being forced to do his job with one hand tied behind his back.

The particular authority granted in the proposed section covers only the essential elements of this kind of power, such as: the right to enter such places, inspect and copy such records, and question such persons, as he deems necessary to enable him to determine the fact relating to the possible violation; the right to require the attendance and testimony of witnesses, and the production of documentary evidence; the right to invoke the aid of the courts of the United States in cases of disobedience; the right to take depositions; the right to grant immunity from prosecution in return for compelling testimony; and the right to have the Attorney General prosecute for neglect or refusal to comply with the foregoing.

If the catalogue of these rights seems long, it is only because the experience of decades, in many varied administrative programs, has proved beyond further question that such authority is both essential and wise. Judicial treatment in controversies about the exercise of such authority has clearly recognized its essentiality and the responsibility with which it is employed. See, for example, *Endicott Johnson Corp.* v. *Perkins*, 317 U.S. 501 (1943); *Oklahoma Press Publishing Co.* v. *Walling*, 327 U.S. 186 *(1946); *International Brotherhood of Teamsters* v. *Wirtz*, 346 F. 2d 827 (D.C. Cir. 1965); and *Hyster Co.* v. *U.S.*, 338 F. 2d 183 (9th Cir. 1964).

Section 115: Complaints.—This is a wholly new section. Copied from the Federal Aviation Act [49 USC § 1482 (a)], it is proposed to assure that the Secretary will have the assistance from private individuals in discovering possible violations of this title, and toward that end, to assure that private individuals with meritorous complaints of violation will have someone to whom to turn. Complaints the Secretary finds unmeritorius, may be dismissed without any investigation or action.

If a complaint is filed, the Secretary is to provide the person complained against an opportunity to satisfy the complaint. If, after such an opportunity has been provided, the Secretary determines an investigation is warranted, he is to investigate; of course if he finds a violation, then he proceeds under the enforcement provisions described above, sections 108 and 109.

Reports and recommendations

Section 119. This is a new provision making explicit that the Secretary is to submit an annual report to the Congress. The provision specifies seven particulars which the annual report is to cover, such as a statistical compilation of accidents and injuries during the year; and a list of both new and existing standards; information about research and technological progress. The annual report is also to include any recommendations for additional legislation to promote cooperation among the States and to strengthen the nation's traffic safety program.

Appropriations

Section 120. The proposal increases by 50 percent the sums authorized to carry out the provisions of this title. (But the total sum authorized by the proposal is smaller than the sum authorized by S. 3005, because the proposal deals with only the next three fiscal years, whereas S. 3005 authorizes appropriations for the next six years.)

The *fiscal* soundness of the 50 percent increase is obvious from even the simplest analysis of the direct economic loss from traffic accidents compared with the cost of reducing that loss.

The direct economic cost of traffic accidents this year—costs in medical payments, wage loss, property damage, and insurance overhead expenses—reaches about nine *billion dollars*. To reduce such enormous losses, and to reduce the additional uncalculable annual loss of 50,000 lives and over 4,000,000 injured and maimed, it is obvious good economic sense to do more to further highway safety, and the sums proposed for the three years are one percent, one-twentieth, one-tenth, and three-twentieths of the direct economic loss.

The sums proposed are only five cents, then ten cents, then is fiscal 1969 only fifteen cents per motor vehicle in use, although the direct economic loss translates to $100 per vehicle in use.

In contrast to the modest sums proposed, Federal spending on research and development to improve civil aviation safety is about $40,000,000 annually. But civil aviation accidents take about 1,000 lives per year compared to the 50,000 on the highways, and the highway injury toll and direct economic loss are imcomparably higher.

The sums authorized in S. 3005 have not been supported by any explanation of estimated program costs; no witness from the Executive Branch has testified to how the S. 3005 figures were arrived at, nor has the Executive furnished any information in response to Congressional inquiry. That being so, it seems soundest to make no authorization at this time beyond the next three fiscal years, and the proposed amendment effectuates that. Experience in the first years of administration will furnish the proper basis for subsequent authorizations.

TITLE II—NATIONAL TRAFFIC SAFETY AGENCY AND NATIONAL TRAFFIC SAFETY CENTER

Section 201. Establishment of Agency.—There is one major change proposed in this section, the creation of a National Traffic Safety Agency with an Administrator appointed by the President with the consent of the Senate. The Agency would serve as the National headquarters for the administration of the broad complicated program provided for in this bill. The bill proposes a comprehensive traffic safety plan, but its various parts are vitally interconnected and they must, to be effective, be coordinated under an Administrator of appropriate eminence.

TITLE III—HIGHWAY SAFETY

Section 301. New Section 402 of Title 23 U.S.C. Highway Safety Programs.—The proposed amendment simply specifies that the Secretary shall encourage and assist State efforts "through a State traffic safety agency," an addition aimed at encouraging the States to form properly coordinated, expert bodies.

Section 301. New Section 403 of Title 23 U.S.C. Highway Safety Research and Development.—The proposed amendment makes two simple changes. First, in conformity with similar changes elsewhere in the Act (beginning in Title I, Section 2), the Secretary is directed, rather than merely authorized, to expand our highway safety research and development. Second, as part of that expansion, the Secretary is to collect, maintain and publish data and other information regarding traffic safety; included here is a provision for regular publication of consumer traffic safety bulletins for motorists.

Section 303. Appropriations for Highway Safety.—The proposed amendments for highway safety raise the authorized appropriations by fifty per cent, on the same reasoning set forth above on the proposed amended section 120. Here, too, no sums are authorized at this time for fiscal years after 1969, also for the reasons set forth above.

Section 304. Appropriations for highway safety research and development.—Here too, the proposal is to raise the authorized amounts by 50 per cent, but to avoid premature authorizations by making no provision beyond the fiscal year 1969. The proposals assure a swifter end to the present Federal paltriness: the present highway safety research and development amounts to an effort of only some $5,000,000 a year.

Section 305. Definition of State Traffic Safety Agency.—The proposed change redefines "State Highway Safety Agency," as a unit in the state government, designated or created by the state as specifically charged with responsibility for administering the state traffic safety programs. The title of the agency is charged to "State Traffic Safety Agency" to reflect the breadth of the programs beyond merely safety on highways.

Section 307. Accident Investigation Reports.—The changes proposed in this section would make certain that purely factual information collected in accident investigations by Federal investigations by Federal investigators would be available to the public and admissible as evidence in actions for damages or criminal prosecutions. S. 3005, as drafted, would prohibit such use of information gathered. The amendment, first introduced by Senator KENNEDY of New York would prohibit us of opinion, conclusions and such non-factual material.

AMENDMENT No. 569

Amendments intended to be proposed by Mr. HARTKE to S. 3005, a bill to provide for a coordinated national safety program and establishment of safety standards for motor vehicles in interstate commerce to reduce traffic accidents and the deaths, injuries, and property damage which occur in such accidents:

On page 1, beginning with "traffic" in line 6 strike out all down through line 7 and insert in lieu thereof "accidents involving motor vehicles and to reduce the deaths and injuries occurring in such accidents, and to the extent consistent with such reductions, to reduce property damage which occur in such accidents."

On page 1, lines 8 and 9, strike out "have authority to establish" and insert in lieu thereof "establish Federal".

On page 2, line 1, strike out "to" and insert in lieu thereof "shall".

On page 2, line 3, strike out "to" and insert in lieu thereof "shall".

On page 2, line 15, insert immediately after "or" the following: ", consistent with the foregoing,".

On page 2, line 13, insert immediately after "design" the following: "or construction".

On page 2, between lines 15 and 16, insert the following new sentence: "'Motor vehicle safety' shall include nonoperational safety of the vehicle and pedestrian protection."

On page 2, line 16, insert "Federal" immediately before "minimum".

On page 2, line 20, insert immediately before "on" the following: "and the range of effective operating conditions".

On page 2, beginning with "other" in line 24 strike out all down through line 5 on page 3 and insert in lieu thereof "except (1) any vehicle designed or used for military field training, combat, or tactical purposes, and (2) a vehicle or car operated exclusively on a rail or rails."

On page 3, line 17, immediately before the period insert the following: ", or within the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States".

On page 3, between lines 18 and 19, insert the following new subsection:

"(h) 'Person' includes individuals, partnerships, corporations, associations, and public or private organizations."

On page 3, beginning with line 20, strike out all down through line 25 on page 6 and insert in lieu thereof the following:

"SEC. 102. (a) In order to carry out the purposes of this title and after consideration of available research, testing, and development data, the Secretary shall, within one year from the enactment of this Act, issue, in accordance with the procedures prescribed by section 102(c), Federal motor vehicle safety standards. Such standards shall become effective on a date specified by the Secretary for each standard which shall be no sooner than one hundred and eighty days nor later than one year from the date on which the standard is issued; except that if the Secretary finds, stating his findings and reasons, that a standard involves major innovation and complex change in the production process, the Secretary may specify an effective date not later than two years from the date on which such a standard is issued.

"(b) The Secretary shall annually review existing Federal motor vehicle safety standards and the degree of effective compliance existing with respect to such standards, and, by proceedings in accordance with section 102(c), amend such standards where necessary to carry out the purposes of this title.

"(c)(1) In issuing or amending a Federal motor vehicle safety standard, the Secretary shall follow the procedure of sections 3, 4, 6, and 9(a) of the Administrative Procedure Act, except as modified in this title.

"(2) 'All rules' as used in section 3(b) of the Administrative Procedure Act shall be read to include the statement of basis required to be published pursuant to section 102(c)(5) of this title.

"(3) In addition to matter made available to the public under section 3(c) of the Administrative Procedure Act, the Secretary shall make publicly available, to any interested person, the record compiled in the proceedings for establishment of a motor vehicle safety standard, including at least (A) the testimony, documentary evidence, and written submissions of data, views or arguments; and (B) to the extent feasible, any nondocumentary evidence. However, the Secretary is authorized to withhold, to the extent necessary to protect trade secrets, from the matter and materials made publicly available.

"(4) 'Interested persons', wherever used in the Administrative Procedure Act and in this title, shall for the purposes of this title mean persons who are or are reasonably likely to be adversely affected in fact by the motor vehicle safety standard and shall include but shall not be limited to manufacturers, distributors and retail vendors of motor vehicles or motor vehicle equipment; public or private organizations engaged to a significant extent in the promotion or study of motor vehicle safety; automobile insurance underwriters; and current owners or users of motor vehicles.

"(5) 'A concise general statement of their basis and purpose', as used in section 4(b) of the Administrative Procedure Act, shall for the purposes of this title mean the following:

"(A) A Statement of the principal reasons for the adoption of the standard, written in language understandable to the general public;

"(B) Wherever appropriate to the particular standard, a statement of the full range of operating conditions for which the standard is deemed effective; and

"(C) A technical statement which shall indicate the tests performed, the findings, and all data necessary to an appreciation and evaluation of the standard by persons competent in the particular technical area involved.

"(6) In addition to the right of petition accorded pursuant to section 4(d) of the Administrative Procedure Act, the Secretary shall as a matter of course, conduct proceedings pursuant to section 102(c), whenever any State shall petition by act of the respective State legislature or of the duly authorized officer of the respective State, and shall submit a specific proposal or proposals to advance motor vehicle safety by the issuance, amendment or withdrawal of any standard or standards.

"(7) Nothing in this title or in the Administrative Procedure Act shall be construed to make sections 7 and 8 of such Act applicable to proceedings under this title.

"(d) A Federal motor vehicle safety standard issued pursuant to section 102(d) shall become effective on a date specified by the Secretary in such standard, which shall be no sooner than one hundred and eighty days nor later than one year from the date on which the standard is issued, unless the Secretary finds, stating his reasons therefor that an earlier date is in the public interest, then he may specify such earlier date. If the Secretary finds, stating his findings and reasons, that such standard or amendment (or withdrawal) involves major innovations, and complex changes, in the production process, the Secretary may specify an effective date not later than two years from the date of issuance.

"(e) From the date of enactment of this Act, no State or political subdivision thereof shall establish a motor vehicle safety standard for motor vehicles or items or motor vehicle equipment, which differs from a Federal motor vehicle safety standard issued pursuant to the provisions of this title, and any law, regulation or ordinance purporting to establish such different standards and providing punishment for an act of noncompliance therewith shall be null and void and of no effect. However, nothing herein shall be construed to prevent a State or political subdivision thereof, or the Federal Government, from establishing requirements more stringent than a Federal motor vehicle safety standard for the exclusive purpose of its own procurement. Nothing herein shall be construed to prevent a State or political subdivision thereof, or any appropriate Federal authority, from establishing inspection standards or maintenance requirements for motor vehicles owned or operated in that State: *Provided,* That no such standard or requirement shall establish any requirement that could not be satisfied by any motor vehicle or item of motor vehicle equipment complying with the Federal motor vehicle safety standards issued pursuant to this title or complying with any valid current motor vehicle safety standard of the respective State or political subdivision thereof.

"Judicial review

"SEC. 103. (a) (1) Any order, rule or regulation, affirmative or negative, issued by the Secretary pursuant to this title, shall be subject to review by the United States court of appeals for the circuit wherein the petitioner for review resides or has his principal place of business. A petition for review shall be filed within sixty days after such order, rule or regulation is issued, unless good cause is established for failure to file within sixty days. Such a petition may be filed by any person entitled under section 102(c) (4) to participate in the proceedings before the Secretary, if that person did urge before the Secretary, in such proceedings, the objection now urged before the court as the basis for modifying or setting aside the order, rule or regulation; unless there were reasonable grounds for failure to urge the objection before the Secretary. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary or other officer designated by him for that purpose. The Secretary thereupon shall file in the court the record of the proceedings on which the Secretary based the order, rule or regulation, as provided in section 2112 of title 28 of the United States Code.

"(2) If the petitioner applies to the court for leave to adduce additional evidence, and shows to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the Secretary, the court may order such additional evidence (and evidence in rebuttal thereof) to be taken before the Secretary, in such manner and upon such terms and conditions as to the court may seem proper. Reasonable grounds may be proved by showing that the petitioner was unaware that the Secretary would consider certain evidence or testimony in reaching his determination under section 102 (a) or (b). If the evidence or testimony about which the petitioner allegedly was unaware was made public pursuant to any provision of this Act or of the Administrative Procedure Act or rule or procedure of the Secretary prior to the proceeding before the Secretary, the petitioner shall prove by clear and convincing evidence that he was unaware of such evidence or testimony. The Secretary may modify his findings as to the facts, or make new findings, by reason of the additional evidence so taken, and he shall file such modified or new findings, and his recommendations, if any, for the modification or setting aside of the original order, rule or regulation with the return of such additional evidence.

"(3) Section 10 of the Administrative Procedure Act shall govern except to the extent that it conflicts with this title."

On page 7, line 1, strike out "(3)" and substitute "(4)".

On page 7, line 3, immediately after the comma, insert "rule or regulation,".

On page 7, beginning with "the" in line 4, strike out all down through line 6.

On page 7, line 3, strike out "it" and insert "such order, rule or regulation".

On page 7, line 7, strike out "(4)" and substitute "(5)".

On page 7, line 8, insert immediately after "order" the following: ", rule or regulation".

On page 7, line 13, strike out "(5)" and substitute "(6)".

On page 7, line 17, strike out "(6)" and substitute "(7)".

On page 8, line 7, insert "and directed" immediately before "to undertake."

On page 8, line 15, insert after "characteristics" the following: "including data reflecting make and model of motor vehicle".

On page 10, line 13, insert ", and contracting with," immediately after "to".

On page 10, line 15, strike out "authorized in this section." and insert the following: "authorized in this section.

The Secretary shall, either directly or by means of grant or contract, design, construct and test fully operational passenger motor vehicles and items of motor vehicle equipment in demonstration quantities, embodying such features as the Secretary determines will assist in carrying out the purposes of this Act. Such vehicles or equipment are to serve as demonstrations for the development of safety features applicable to commercially manufactured motor vehicles or items of motor vehicle equipment, and for the development of Federal motor vehicle safety standards under section 102. Such demonstration vehicles shall not be limited to traditional methods of automobile design, styling, testing, production, or sales practices and methods."

On page 12, line 19, strike out the period and insert in lieu thereof "and (d); or"

On page 12, between lines 19 and 20, insert the following new paragraphs:

"(3) misuse the certification as prescribed by the Secretary under section 112(c); or

"(4) make or file a report required under section 111 which is false in that it contains an untrue statement of a material fact or in that it omits to state any material fact required to be stated or necessary to make the statements therein not misleading; or

"(5) fail or refuse to publish or distribute any report required under section 111(c); or

"(6) fail or refuse to display the report required under section 111(c); or

"(7) fail or refuse to comply with procedures established under section 113(c); or

"(8) intentionally interfere with or obstruct any inspection, test, or investigation made by the Secretary or one acting on his behalf, pursuant to this title."

On page 14, line 1, strike out "CIVIL PENALTY" and insert in lieu thereof "ENFORCEMENT".

On page 14, line 2, strike out "Whoever" and insert in lieu thereof "Any person who".

On page 14, line 3, insert "except section 107(a) (6)," immediately before "shall".

On page 14, line 6, insert "except section 107(a) (6)," immediately before "shall".

On page 14, between lines 14 and 15, insert the following new subsections:

"(c) Whenever the Secretary has reason to believe that any person is liable to a penalty under this section, he shall certify the facts to the Attorney General, whose duty it shall be to cause appropriate proceedings to be brought for the enforcement of the provisions of this section.

"(d) Any person who knowingly and wilfully violates any provision of section 107, or any regulation issued thereunder, except section 107(a) (6), shall upon conviction be fined not more than $25,000 or imprisoned not more than five years, or both.

"(e) Any person who violates any provision of section 107(a) (6) or any regulation issued thereunder, shall be subject to a civil penalty of not more than $100 for each violation. Violation of section 107(a) (6) or any regulation issued thereunder shall constitute a separate violation with respect to each motor vehicle or item of motor vehicle equipment or with respect to each failure or refusal to allow or perform an act required by such section or such regulation. Any person who knowingly and wilfully violates any provision of section 107(a) (6) or any regulation issued thereunder shall upon conviction be fined not more than $10,000 or imprisoned not more than six months, or both."

On page 14, line 15, strike out "INJUNCTION" and insert in lieu thereof "EQUITABLE RELIEF".

On page 14, beginning with "upon" in line 21, strike out down through line 23 and insert in lieu thereof the following: "upon petition by the Secretary or any attorney designated by him, or by a United States attorney acting in his respective district or the Attorney General on behalf of the United States, or by the highest law enforcement officer of any State. Upon proper showing of public interest, a temporary injunction or restraining order shall be granted without bond."

On page 18, beginning with line 19, strike out all down through line 12 on page 19 and insert in lieu thereof the following:

"Sec. 111. (a) The Secretary shall conduct such testing and inspection to ascertain compliance with Federal vehicle safety standards issued and in effect under this title and shall furnish the Attorney General and, when appropriate, the Secretary of the Treasury any information obtained and test results indicating noncompliance with such standards, for appropriate enforcement or customs action. The Secretary is authorized to conduct such testing and inspection both on and off the premises of the manufacturers, pursuant to regulations adopted by the Secretary.

"(b) Every manufacturer of motor vehicles or motor vehicle equipment shall annually provide to the Secretary a written description of all motor vehicle safety developments implemented by that manufacturer during the past year. Such description shall be supported by complete technical data and shall specifically include all variations and changes increasing or decreasing motor vehicle safety which are made from any previous product. All such descriptions shall be made readily available to the public by the Secretary. In addition, every manufacturer of motor vehicles and motor vehicle equipment shall establish and maintain such records, make such reports, and provide such information as the Secretary may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this title and motor vehicle safety standards prescribed pursuant to this title and shall, upon request of an officer or employee duly designated by the Secretary, permit such officer or employee to inspect appropriate books, papers, records and documents.

"(c) Every manufacturer of motor vehicles shall publish and furnish to sellers of their new motor vehicles to be furnished to every purchaser a clear and concise summary of all objectively measurable aspects of the performance of the vehicle purchased with respect to safety, including therein such data as the Secretary shall reasonably require by rule or order. Every seller of new motor vehicles shall keep at least one copy of a report on each vehicle make and model on his business premises in a convenient place and available for the perusal of prospective customers.

"(d) Every manufacturer of motor vehicles or motor vehicle equipment shall furnish to the Secretary a true copy of all notices, bulletins, and other communications from that manufacturer to sellers, distributors, or repair facilities in any State, insofar as such notices, bulletins, and other communications relate to a defect or deficiency, or to the repair, alteration, or replacement of any aspect of the manufacturer's motor vehicles or motor vehicle equipment. 'Other communications' shall include the substance of oral communications reduced to writing."

On page 19, line 13, strike out "(c)" and substitute "(e)".

On page 19, between lines 21 and 22, insert the following new sections:

"Certification

"Sec. 112. (a) Any manufacturer of motor vehicles may certify for labeling or advertising purposes that new motor vehicles of such manufacturer meet or exceed Federal motor vehicle safety standards for new motor vehicles if such manufacturer submits proof adequate in the judgment of the Secretary that the new motor vehicles of such manufacturer meet or exceed the relevant Federal motor vehicle safety standards prescribed pursuant to this Act.

"(b) The Secretary shall by regulation prescribe the time and manner of submitting proof required for certification under this section.

"(c) The Secretary may prescribe an appropriate mark or symbol for use by such manufacturers who comply with such standards.

Corrective call-back campaigns

"Sec. 113. (a) If through testing, research, accident investigation, complaint investigation, or through examination of reports pursuant to section 111(d), or otherwise, the Secretary shall determine that a motor vehicle or item of motor vehicle equipment—

"(1) does not comply with a Federal motor vehicle safety standard issued pursuant to section 102; or

"(2) is so defectively designed or constructed in an aspect not subject to a Federal motor vehicle safety standard that its continued operation or use constitutes an unreasonable risk of accidents or unreasonable risk of death, injury, or property damage in the event accidents do occur;

then the Secretary shall immediately notify the manufacturer of the motor vehicle or item of motor vehicle equipment of such defect or failure to comply. The notice shall fully explain the Secretary's findings; it shall include all information upon which the findings are based; it shall be supported by all relevant technical data; and it shall specify functional standards of performance or operation, compliance with which shall be considered to eliminate the unreasonable danger of operation or use.

"(b) The manufacturer shall be entitled immediately to present to the Secretary evidence, views or arguments tending to establish that there is no failure of compliance or that the alleged defect does not constitute an unreasonable risk.

"(c) If after such presentation by the manufacturer the Secretary determines that the failure of compliance or the alleged defect constitutes an unreasonable risk of accidents, or of death, injury or property damage in the event accidents do occur, the Secretary shall consult with the manufacturer and shall establish reasonable procedures for the prompt recall of the maximum feasible number of such motor vehicles or motor vehicle equipment to appropriate facilities for adjustments to satisfy the requisite functional standards.

"(d) If the defect is within category (1) of subsection (a) of this section, all costs of the corrective call-back and repair shall be borne by the manufacturer. If the defect is within category (2) of subsection (a) of this section, the Secretary shall consider the degree of negligence, if any, involved in the manufacturer's design, testing or construction of the motor vehicle or item of motor vehicle equipment in question, and shall direct a reasonable allocation of the costs of the corrective call-back and repair between the owner and the manufacturer and dealer.

"(e) If the Secretary, after proceeding pursuant to subsection (b) of this section, determines that the failure of compliance or the alleged defect constitutes an unreasonable risk of accidents, or of death, injury or property damage in the event accidents occur, the Secretary shall issue a public statement to that effect. Immediately upon establishing the procedure available to owners and required of manufacturers under this section, the Secretary shall issue a public statement regarding such procedure, which shall include a summary of his findings under subsection (a) and all information pertinent to the call-back.

"(f) The exclusive method of judicial review of an order, rule or regulation issued pursuant to this section, shall be a suit against the United States, in the United States Court of Claims, for damages. In order to protect the public from unreasonable risks, no stay or other form of interim relief from any action of the Secretary pursuant to this section shall be granted.

"Investigations by Secretary

"Sec. 114. (a) The Secretary shall have power when he believes it necessary in order to determine whether any person has violated or is about to violate any provision of this title to make an investigation and in connection therewith he may enter such places and inspect such records and accounts and question such persons as he may deem necessary to enable him to determine the facts relative thereto.

"(b) For the purpose of any investigation provided for in this section, the provisions of sections 49 and 50 of Title 15 (relating to the attendance of witnesses and the production of books, papers, and documents), are made applicable to the jurisdiction, powers, and duties of the Secretary or any officers designated by him.

"Complaints

"Sec. 115. Any person may file with the Secretary as to matters within his jurisdiction under this title a complaint in writing with respect to anything done or omitted to be done by any person in contravention of any provision of this title, or of any requirement established pursuant thereto. If the person complained against does not satisfy the complaint and there appears to be any reasonable ground for investigating the complaint, it shall be the duty of the Secretary to investigate the matters complained of. Whenever the Secretary is of the opinion that any complaint does not state facts which warrant an investigation or action, such complaint may be dismissed without a hearing."

On page 19, line 23, strike out "Sec. 112" and substitute "Sec. 116".

On page 20, line 11, strike out "Sec. 113" and substitute "Sec. 117".

On page 20, line 17, strike out "Sec. 114" and substitute "Sec. 118".

On page 20, between lines 20 and 21, insert the following new section:

"Reports and recommendations

"Sec. 119. (a) The Secretary shall prepare and submit to the President for transmittal to the Congress on March 1 of each year a comprehensive report on the administration of this Act for the preceding calendar year. Such report should include but not be restricted to (1) a thorough statistical compilation of the accidents and injuries occurring in such year; (2) a list of all safety standards issued or in effect in such year; (3) the scope of observance of applicable federal standards; (4) a statement of enforcement actions including judicial decisions, settlements or pending litigation during the year; (5) a summary of all current research grants and contracts together with a description of the problems to be considered by such grants and contracts; (6) an analysis and evaluation of completed research activities and technological progress achieved during such year together with the relevant policy recommendations flowing therefrom; and (7) the extent to which technical information was being disseminated to the scientific community and consumer-oriented material was made available to the motoring public.

"(b) The annual report shall also contain such recommendations for additional legislation as the Secretary deems necessary to promote cooperation among the several States in the improvement of traffic safety and to strengthen the national traffic safety program."

On page 20, line 22, strike out "Sec. 115" and substitute "Sec. 120".

On page 20, beginning with "$3,000,000" in line 24, strike out all through "1972" in line 1, page 21, and insert in lieu thereof

"$4,500,000 for fiscal year 1967, $9,000,000 for fiscal year 1968, and $13,500,000 for fiscal year 1969".

On page 21, beginning with line 4, strike out all through line 10 and insert in lieu thereof:

"TITLE II—NATIONAL TRAFFIC SAFETY AGENCY AND NATIONAL TRAFFIC SAFETY CENTER

"SEC. 201. (a) The Secretary shall carry out the provisions of this Act through a National Traffic Safety Agency (hereinafter referred to as the 'Agency'), which he shall establish in the Department of Transportation. The Agency shall be headed by an Administrator who shall be appointed by the President, by and with the advice and consent of the Senate, and shall be compensated at the rate prescribed for level III of the Federal executive salary schedule established by the Federal Executive Salary Act of 1964. The Administrator shall be a citizen of the United States, and shall be appointed with due regard for his fitness to discharge efficiently the powers and the duties delegated to him pursuant to this Act. The Administrator shall have no pecuniary interest in or own any stock in or bonds of any enterprise involved in (1) manufacturing motor vehicles or motor vehicle equipment, or (2) constructing highways, nor shall he engage in any other business, vocation, or employment. The Administrator shall perform such duties as are delegated to him by the Secretary.

"(b) Within the Agency, the Secretary shall establish and maintain a facility or facilities, to be known as the National Traffic Safety Center, in which to conduct so much".

On page 21, line 18, insert "(b)" immediately after "201".

On page 21, line 23, insert "(b)" immediately after "201".

On page 22, line 12, insert ", through a State traffic safety agency," immediately after "States".

On page 23, line 20, strike out "highway" and insert in lieu thereof "traffic".

On page 24, line 8, insert immediately before "to expand" the following: "and directed to collect, interpret, and publish data, statistics, and other information relating to traffic safety, establish and maintain library reference and public information services, and publish, on a regular basis, periodic consumer traffic safety bulletins for motorists; and".

On page 26, line 13, strike out "$40,000,000" and insert in lieu thereof "$60,000,000".

On page 26, line 14, strike out "$60,000,000" and insert in lieu thereof "$90,000,000".

On page 26, beginning with line 15, strike out through line 18 and insert in lieu thereof "and $90,000,000 for the fiscal year ending June 30, 1969.".

On page 26, line 22, strike out "$10,000,000" and insert in lieu thereof "$15,000,000".

On page 27, line 1, strike out "$20,000,000" and insert in lieu thereof "$30,000,000".

On page 27, beginning with "$25,000,000" in line 2, strike out all through the period in line 6 and insert in lieu thereof: "and $37,500,000 for the fiscal year ending June 30, 1969.".

On page 27, beginning with line 13, strike out all through line 16 and insert in lieu thereof:

"The term 'State traffic safety agency' means an appropriate State agency which is designated or created by a State for the purpose of chapter 4 of this title.".

On page 27, line 24, strike out "report or reports" and insert in lieu thereof "report containing expressions of opinion, suggestions, recommendations, judgments, and conclusions going beyond the collection of factual material".

On page 28, lines 7 and 8, strike out "report or reports" and insert in lieu thereof "part of a report".

On page 28, line 13, insert immediately after the word "such" the following: "opinions, suggestions, recommendations, judgments, and conclusions of such".

On page 28, line 14, strike out the period and insert in lieu thereof ", and that all other parts of such report or reports shall be public records and be open to inspection at reasonable times by any persons."

Amend the title so as to read: "A bill to provide for a coordinated national safety program and establishment of safety standards for motor vehicles in interstate commerce to reduce accidents involving motor vehicles and to reduce the deaths and injuries occurring in such accidents, and to the extent consistent with such reductions, to reduce property damage occurring in such accidents."

ADDITIONAL COSPONSOR OF BILL

Mr. MOSS. Mr. President, I ask unanimous consent that, at its next printing, the name of the junior Senator from Tennessee [Mr. BASS] be listed as a cosponsor of the bill (S. 3168) to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF TIME FOR BILL TO LIE ON THE DESK

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that S. 3344, introduced last week by the Senator from Washington [Mr. MAGNUSON] continue to lie on the desk for additional cosponsors through Monday next, May 31, 1966.

The PRESIDING OFFICER. Without objection, it is so ordered.

REDUCTION OF MILITARY ESTABLISHMENT IN WESTERN EUROPE

Mr. PEARSON. Mr. President, the time has long since arrived when a substantial reduction of our Military Establishment in Western Europe would appear to be wise if not necessary. Approximately 700,000 military—divisions—and associated personnel are still being maintained in Western Europe, at a net gold outflow in the balance of payments of about $1.5 billion—approximately half the recent annual balance-of-payments deficits. A force of this size was unquestionably desirable 15 years ago, as an emergency protective matter, when our European allies were weak and relatively defenseless. But with their economic recovery, the Western European countries should be able to marshal their own conventional forces against invasion, backed by our firm commitment to assist in their defense. A small detachment of our forces can serve as evidence of this commitment, backed by our newly demonstrated ability to airlift reinforcements swiftly to any place in the world from central bases in the United States, and by our strategic air and missile striking forces.

This Military Establishment is being maintained in Western Europe while military bases, airfields, and shipyards are being closed down in the United States. Those of us who have watched the closing of Schilling Air Force Base in Salina, Kans., can deeply appreciate the economic impact of such a military base on a given community.

Moreover, Mr. President, this U.S. Military Establishment is being maintained in Western Europe at a time when England and France have failed to furnish the number of troops agreed upon under the NATO alliance for the defense of Europe.

An immediate reappraisal of the extent and character of our European-based military forces and financial commitment in the light of these changes in conditions should be undertaken both in our country and with our friends abroad as a matter of urgency. The results should substantially reduce our expenditures there.

Mr. President, there is no reason why our European friends, given a full appreciation of our views, should continue to depend on us to carry such large forces on their soil. Our commitment to the preservation of freedom in Western Europe will not be reduced by a return of a considerable portion of these forces to our shores.

U.S. CIVIL RIGHTS COMMISSION EMPLOYEES ENCOURAGE CIVIL STRIFE IN ARIZONA

Mr. FANNIN. Mr. President, at a time when calm judgment and restraint were never more needed in our approach to racial relations, it is doubly disturbing to find Federal employees making inflammatory statements which can only make matters worse.

Regrettably, such an incident has occurred in my State of Arizona. It is the most shocking display of intemperate language by a Government servant to come to my attention, and I believe it should be brought to the attention of the Senate and the American people.

First, let me read just the first few paragraphs of a news story which appeared in the Sunday, May 22 edition of the Phoenix, Ariz. Republic. Under a headline reading "Speakers Encourage Civil Strife," the story began as follows:

> Federal officials yesterday urged the Arizona Conference on Mexican-American Affairs to "take to the streets" to secure "rights" for its people.
>
> John Binkley, deputy director for field services of the U.S. Civil Rights Commission in Washington, told the 140 delegates at the Hotel Adams that the Commission not only sanctions civil disobedience, but encourages it.
>
> "We respond to pressure," he said. "That's why we've done so much for the Negroes. We respond to the squeakiest wheel."

The story continues at some length, and I ask unanimous consent to have it printed in full at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. FANNIN. Mr. President, I do not know Mr. Binkley, but his shocking statement as quoted in the article raises an important question.

Was he expressing official administration policy? Was he merely saying what he had been directed to say by superiors in the Civil Rights Commission?

If this is so, then I suggest that those who are responsible for such a policy owe the Congress and the people an explanation.

How confusing it must be to young people to hear a Federal spokesman urge them to break the law while their parents and teachers are attempting to instill in them a sense of personal responsibility and respect for law.

If on the other hand, Mr. Binkley was expressing his own views, then I say he should be fired immediately—and if it were within my power to order his dismissal, he would be.

The Federal Government certainly does not need men of this type on the payroll.

Regardless of who is responsible, we have in this incident a shocking example of how Federal power and influence can be used to foment strife and rancor among our people.

Mr. Binkley's remarks constitute a slur on the integrity and character of a group of people whose heritage in the Southwest preceded that of our own—and who have contributed so much of lasting value to the building of Arizona.

The roster of distinguished Arizonans, past and present, is filled with names of Mexican-Americans who are justly proud of their heritage. As a group they are among the most loyal, capable, and hard-working people in our Nation.

It is true that many of them have been and continue to be handicapped by language and education barriers—but these have not been imposed upon them by a hostile society.

What needs to be emphasized is the tremendous amount of progress that has been achieved despite these handicaps. In the space of the one generation we in Arizona have seen the emergence of countless Mexican-American leaders who now serve our State as judges, city councilmen, banking executives, union officials, legislators, and even ambassadors.

This progress will continue, God willing, despite radicals who preach the alien doctrine of civil disobedience and attempt to stir up emotional antagonism along racial lines.

The **PRESIDING OFFICER.** The time of the Senator has expired.

Mr. **FANNIN.** Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. **FANNIN.** To their disgust and sorrow, the people of the United States have already seen the results of this vicious campaign to set class against class and race against race. We have seen it erupt into violence, murder, and arson in the streets of some of our cities.

At a time when men of good will are sincerely trying to prevent further outbreaks, it is inexcusable that anybody in the employment of the Federal Government should be traveling around our Nation trying to incite a riot.

In my judgment, Mr. President, such remarks border dangerously on criminal action. They have no place in our land. I know the vast majority of the people of my State, as well as the people throughout our country, condemn this kind of irresponsible and un-American talk.

In conclusion, Mr. President, I believe that those entrusted with the position of highest political leadership in our country have an obligation to publicly and forecefully disown this reprehensible conduct.

EXHIBIT 1

[From the Arizona Republic, May 2, 1966]

U.S. AIDES URGE ACTION BY MEXICAN-AMERICANS—SPEAKERS ENCOURAGE CIVIL STRIFE

(By Howard Boice)

Federal officials yesterday urged the Arizona Conference on Mexican-American Affairs to "take to the streets" to secure "rights" for its people.

John Binkley, deputy director for field services of the U.S. Civil Rights Commission in Washington, told the 140 delegates at the Hotel Adams that the commission not only sanctions civil disobedience, but encourages it.

"We respond to pressure," he said. "That's why we've done so much for the Negroes. We respond to the squeakiest wheel."

George Roybal, deputy director of the Equal Employment Opportunity Office in Dallas, said:

"Nothing ever came about in civil rights movement by being nice. It takes direct and militant action. I have little patience for diplomats.

"Those who sit on the sidelines and don't want to put their jobs in jeopardy should remain on the sidelines forever."

Binkley and Roybal were two of more than half-dozen speakers and participants at the two-day conference who urged less talk and more "movement" among the Southwest's Mexican-American population. The conference will end at noon today.

Polo Rivera, Neighborhood Council coordinator for Phoenix' Operation LEAP, disagreed.

"Before we start playing with the emotions of semiliterate people and turn them loose with pickets in mass demonstrations," he said, "let's first arm them with facts and figures and present a united front.

"Let's not deal with our hearts; let's use our heads."

Bernard Valdez, director of the Denver welfair department, warned against the Mexican-Americans aligning themselves against the rest of the community.

"The Anglo is not our enemy," he said in a luncheon address, "it's the system, and it's our system."

Most Anglos are willing to help the Mexican-American community once they know the problems, he said. "We must open the door and let them in."

To do this, he added, bridges must be built between the "haves and the have-nots."

The Mexican-American community needs both the actionist and the traditionalist during this period of social change, Valdez said.

He described the actionists as the protesters, marchers and picketers who "don't see their goals too clearly sometimes."

The traditionalist, he said, "is self-sufficient and has an investment in himself, and is proud of his ability to move between the two societies: the power structure and the poor."

"Let's not split into rival groups," he said. "Just because they've moved across the tracks and just because they sometimes have cocktails with someone else doesn't mean they aren't doing their part to open doors."

The roots of the problem are in education, Valdez contended.

"Our educational system is geared to the middle-class child who is highly motivated and continues to be motivated by his parents," he said, adding:

"It (the system) has no meaning to a poor child, and I don't mean just Mexican-Americans; I mean the Negroes and the whites too."

In a morning talk, Ralph Guzman, assistant director of the UCLA Mexican-American Project, declared:

"We don't have a school dropout problem. We do have a problem, but it's with the forced-outs.

"Teachers are not in communication with their (Mexican-American) communities. They can't cope with the kids and the kids can't understand what's expected of them.

Guzman urged the group to get active on school boards and in civic organizations.

"Collectively you have power," he said. "You have the vote. With the vote you can change things."

Civil rights means more than the vote and the right to speak up, declared Al Jimenez of the Migrant Opportunity Program in Cashion. "It's also the right to earn a decent wage."

He criticized Gov. Goddard for not doing much for the farm worker despite his pledges.

"I think he's playing footsy with Lee Wong (a Valley farmer)," he said, adding:

"I'm for demonstrations. I'm not for Molotov cocktails. Not yet."

The need for unity was woven through all the discussions.

This was stressed by Robert Reveles, director of the National Organization for Mexican-American Services in Washington.

Once political unity has been achieved, he said, a solution to high unemployment and low educational levels among the Mexican-American community can be found.

THE WRONG WAR

Mr. **SYMINGTON.** Mr. President, an editorial in the New York Times this morning brings out the fact that the dissension and actual fighting is growing among the various political and religious factions in South Vietnam.

Specifically, the editorial states that these factions—

> are not fighting in a vacuum. Although they are close to a point of no return, there is still time to call a halt, hold elections and get on with the business of fighting the Vietcong—not each other.

That statement is true and this is a thoughtful editorial. I would hope that all those involved have an opportunity to read the editorial. I ask unanimous consent that the editorial be inserted in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, May 23, 1966]

WRONG WAR IN VIETNAM

President Johnson has taken the only possible line toward the political civil war in South Vietnam. In his weekend news conference he called on the rival factions to settle their differences at the polls and not in the streets. So long as there is hope of a peaceful settlement, that must be sought.

At the same time, realism demands that the alternatives be faced. The conflict between the Ky Government and the opposition Buddhists steadily worsens. Premier Ky told a Times correspondent that he considers his chief Buddhist rival, Thich Tri Quang, a Communist and that he will have nothing to do with him. Marshal Ky possesses the tanks, machine guns and planes—all furnished to him for other purposes by the United States—that could enable him to crush a Buddhist rebellion. But he cannot win a purely military victory against Buddhism any more than the United States can win a purely military victory against Communism.

The vital conflict everywhere in Vietnam is in the political sphere. So long as there are disaffected Buddhists in South Vietnam, no Government in Saigon can be safe from an internal conflict that, in turn, will increase the country's vulnerability when it comes to the Vietcong.

This internal struggle has already had the effect of pushing the war against the Vietcong and the North Vietnamese into the background. Yet, the American military force is in Vietnam to fight against the Communists and on behalf of freedom, democracy and self-determination, according to innumerable statements by United States leaders. In this situation, a continuation of the civil strife would inevitably force the United States into an anguished reappraisal of its role in Vietnam.

* * *

It is paradoxical that as the situation in South Vietnam deteriorates, the American commitment in troops and every other respect escalates. This policy in itself, will call for a reappraisal if the contending factions do not, as President Johnson pleads, stop fighting each other and hold the promised elections.

Each element in the struggle—the Saigon Government, the Buddhists, the Catholics, the Communists and the Americans—has to decide what is best for itself and act accordingly. Premier Ky, Thich Tri Quang and the various bickering forces should stop to think what it could mean to them and to South Vietnam to compel the United States to reconsider its policies. They are not fighting in a vacuum. Although they are close to a point of no return, there is still time to call a halt, hold elections and get on with the business of fighting the Vietcong—not each other.

CAMBODIA—SANCTUARY

Mr. SYMINGTON. Mr. President, during a trip to Vietnam I visited the site of the battle of the Ia Drang valley, which had occurred several weeks before, with the heaviest American casualties of the war.

In this battle United States and South Vietnamese forces finally pushed an estimated North Vietnamese division out of South Vietnam and across the Cambodian border in the vicinity of Chu Pong Mountain.

During the bombing pause the enemy engaged in a large-scale buildup in the south, and that buildup continues.

Now that the monsoons are returning to South Vietnam, a major attack may soon come, again from North Vietnam and Vietcong troops, which I have on good authority are now assembling in Cambodia, across from the South Vietnamese II Corps zone.

This brings up again what responsible military leaders emphasized to us months ago—that Cambodia continues to function as a personnel and equipment sanctuary for these Communist forces.

CORNELIUS J. HAGGERTY—RESOLUTION OF THE CALIFORNIA STATE SENATE

Mr. KUCHEL. Mr. President, earlier this month the Senate of the State of California passed a resolution extending sincere sympathy and best wishes for a speedy recovery to a distinguished Californian, Mr. Cornelius J. Haggerty.

Mr. Haggerty is the president of the AFL-CIO Building and Construction Trades Department.

I am glad to count him as a friend, and a friend for the last quarter of a century and more. I am confident that those of us who know him in this Chamber—and that is nearly all Senators—feel exactly as I do.

Mr. Haggerty brings to American labor a great force and a great skill, enhanced in a large part, I suppose, because of his Gaelic background, coming from Boston, Mass.

Mr. President, I ask unanimous consent that the text of the California Senate resolution be incorporated in the RECORD, and in doing so, extend to Neal Haggerty best wishes of all of us for a speedy and permanent recovery.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

[From the Senate Journal, May 3, 1966]

RESOLUTIONS

The following resolutions were offered:

By Senator Burns:

SENATE RESOLUTION NO. 140

(*Relating to Cornelius J. Haggerty*)

"Whereas, It has come to the attention of the Senate that Cornelius J. Haggerty is temporarily unable to perform his customary services due to illness; and

"Whereas, Cornelius J. Haggerty ('Neal' to most of us) is a native of Boston, Massachusetts, where he was born January 10, 1894, and came to California in 1921, made his residence in Los Angeles, and has been a citizen of the State of California since that time; and

"Whereas, He began his business life as a laboring man and was a lather by trade and a member of the Lather's Union of which he became Business Manager of Lather's Local 42 in Los Angeles in 1928, following which he was elected Second Vice President of the International Union of Wood, Wire, and Metal Lathers in 1929, and in 1933, was elected to the Los Angeles Building and Construction Trades Council; in 1936, was elected Vice President of California State Federation of Labor, AFL, of which he became President in 1937; has held offices of responsibility with labor organizations ever since; was appointed President of the AFL-CIO Building and Construction Trades Department in Washington, D.C. in 1960; and

"Whereas, Cornelius J. Haggerty has held important public offices, notably having been a Member of the Federal Advisory Council on Employment Security, Department of Labor; a member of the Farm Placement Committee, Bureau of Employment Security, Department of Labor; a Member of the Regional Labor-Management Committee of Defense Manpower Administration; a Member of the Board of Directors, National Housing Conference; a Member of the National Council of National Planning Association and Vice President of the International Labor Press Association, AFL-CIO; a Member of the Joint United States-Mexican Trade Union Committee and AFL Member of the Latin American unit of International Confederation of Free Trade Unions; a Member of the Board of Regents of the University of California; a Member of the Governor's Advisory Council on California Department of Employment; a Member of the Board of Trustees of the San Francisco Maritime Museum; Sponsor of the United Negro College Fund, Incorporated; a Member of the Archdiocesan Committee for Catholic Charities; a Member of the Advisory Committee on Rehabilitation of Industrially Injured of the Senate Department of Education; and numerous other offices reflecting the trust and confidence imposed in him by all who knew him; and

"Whereas, Cornelius J. Haggerty is well-known to the Members of the Senate due to his many years as a representative of labor at the Legislature of the State of California: Now, therefore, be it

"*Resolved by the Senate of the State of California*, That the Members of the Senate regret the physical impairment of the activities of this highly respected representative of labor and desire by this resolution to convey to him our most sincere sympathy and to express the hope that his recovery will be speedy and permanent; and be it further

"*Resolved*, That the Secretary of the Senate is directed to transmit a suitably prepared copy of this resolution to Mr. Cornelius J. Haggerty."

Resolution read, and unanimously adopted on motion of Senator McCarthy.

WARNING LABELS NEEDED ON CIGARETTES FOR EXPORT

Mr. MOSS. Mr. President, earlier this session two of our distinguished colleagues, the senior Senator from the State of Washington and the junior Senator from the State of Oregon, called attention to the clandestine activities of the U.S. Department of Agriculture with regard to the promotion of cigarette smoking around the globe. I am speaking, of course, of the movie, "The World of Pleasure," depicting the so-called joys of cigarette smoking and the television commercials for various cigarettes which have been subsidized by the Department of Agriculture. May I say for the record that I shared the amazement and sense of outrage of these Senators when I first learned of these activities, and my displeasure has not faded during the subsequent weeks and months. I considered it then, and I consider it now, highly improper for any agency of the U.S. Government to be engaged in promoting cigarette smoking either here or abroad in light of the findings of the Surgeon General's Advisory Committee on Smoking and Health in 1964 and the action of this Congress in 1965 with respect to cigarette labeling.

In an editorial on this subject entitled "A Shameful Campaign," the Christian Science Monitor stated:

> In a government as vast as America's, it is perhaps not surprising that the right hand may not always know what the left hand is doing.

This is what I call bending over backwards to be charitable. I myself find it impossible to believe that the Department of Agriculture was unaware of the other activities of the Government aimed at discouraging the harmful practice of smoking and the declaration of policy of this Congress found in the Federal Cigarette Labeling and Advertising Act approved last July. Furthermore, I find it most disturbing that an agency of the Federal Government is engaging in propaganda efforts of this type and attempting to hide its sponsorship role from the people who are viewing the movie and television commercials in question.

There are still other considerations involved here. One of these is that the movie, "The World of Pleasure," was originally scheduled for distribution in 15 countries, including England, Belgium, Denmark, Sweden, and Norway, all of which have policies restricting cigarette advertising and discouraging the consumption of cigarettes. I am sure the governments of those countries would be somewhat less than grateful to us for our part in producing "The World of Pleasure" and showing it to their people under the guise of a travelog.

We must also remember that if cigarettes are harmful to Americans and medical research shows that they are indeed harmful, they are likewise injurious to the health of our neighbors in other countries. U.S. counterpart funds which have been used to subsidize this movie and cigarette commercials in Europe and Asia were intended to be used to raise the standard of living, improve education, and contribute to the general welfare of the people of those nations. It is a travesty, it seems to me, to spend the funds instead for the promotion of a product which will bring disease and premature death to thousands upon thousands of men and women who use it.

There is an old proverb which some of you may know. It is:

> He buys honey too dear who licks it from thorns.

I have often thought of it in connection with cigarette smoking, for if there is in fact any pleasure in smoking, it is pleasure that is bought at great cost. According to the findings of the Surgeon General's Advisory Committee on Smoking and Health, cigarette smoking is associated with a 70-percent increase in the age-specific death rates of males, and to a lesser extent with the increased death rates of females. I am speaking now of deaths from all causes, not just lung cancer. In other words, smokers run a substantial risk of early death from heart disease, ulcers, various respiratory conditions, and other diseases as well as from cancer. Every smoker thinks, "Well, it won't happen to me," but it often does happen to him and he pays a fearful price for his earlier "pleasure."

Mr. President, I urge that action be taken to insure that the Department of Agriculture and any other Government agency which might be involved in similar activities never again engage in promoting cigarette smoking either here or abroad. I would also go a step further, Mr. President, and ask for an amendment to the Federal Cigarette Labeling and Advertising Act. As my colleagues will recall, cigarettes manufactured or packaged in this country for export were specifically exempted from the warning label requirement. The more I think about this, the more convinced I become that we owe to foreign purchasers of our cigarettes the same protection and warning we provide to U.S. citizens. Such a warning label may be completely ineffective in reducing cigarette consumption, but we will have done our duty in making the risk known.

John Lavater, a well-known Swiss theologian, once wrote:

> He who freely praises what he means to purchase, and he who enumerates the faults of what he means to sell, may set up a partnership with honesty.

If we, as a nation, want "to set up a partnership with honesty," I think we might well begin by requiring a warning label on all cigarettes for export as well as on those for domestic use. Let us be forthright about the dangers inherent in smoking whether we are dealing with our own people or with our neighbors in other countries.

As the Members of this body know, I have long been disturbed about the hazards in cigarette smoking and have been particularly concerned about the use of cigarettes by young people. During the 86th and 87th Congresses I introduced legislation to assist the States in informing schoolchildren regarding the harmful effects of tobacco. During the 88th Congress I introduced a bill to place tobacco products under the jurisdiction of the Food and Drug Adminstration. At that time I also appealed formally to the major networks to impose restraints on cigarette advertising. Then last year I was proud to be a cosponsor of S. 559 which was enacted as the Federal Cigarette Labeling and Advertising Act. While the act was not quite as strong as some of us might have wished, I think it was an important step forward. I feel very strongly, however, that it was a mistake to exempt cigarettes intended for export from the labeling requirements, and I hope the Congress will correct this situation without delay.

I know that some of my colleagues were reluctant to impose warning labels at all because of the economic implications for the tobacco industry. When S. 559 was under consideration, I reminded the Senate of our duty to act in the interest of the welfare of the entire Nation. And I think the action taken that day was indeed motivated by a desire to protect the public welfare. Today I am not speaking of our constitutional duty to the people of this country but of our moral duty to those who buy our products. Edmund Burke once said:

> What morality requires, true statesmanship should accept.

I maintain that morality requires us to place warning on all cigarettes produced or packaged in this country, and I hope that as true statesmen we will accept this necessity.

SCHOOL MILK ADMINISTRATOR ADMITS THAT CHILD NUTRITION ACT WOULD NOT REACH A MAJORITY OF NEEDY CHILDREN WITH FREE MILK

Mr. PROXMIRE. Mr. President, last week I referred to testimony by Department of Agriculture officials before the Agriculture Subcommittee of the Senate Appropriations Committee in stating that if the special milk program for schoolchildren was to be cut by 80 percent needy children might well receive no assistance under the program. All milk supplied under the program might well go to schoolchildren attending schools without a lunch program.

However, even if the Department's assumptions are correct, and $10 million were to be set aside for the needy, this would not begin to take care of the almost 5 million children from families with incomes of under $2,000 per year. In fact it would take care of only 1 million needy children.

This is borne out by the testimony of Mr. Howard P. Davis, Deputy Administrator for Consumer Food Programs, Consumer and Marketing Service. I quote from that testimony. Mr. Davis:

> On the basis of the study that I mentioned earlier, which examined on a scientific basis the use of milk in schools, the figures showed that there would be approximately 1 million children who would be in schools that would provide free milk under such a program as we are proposing for fiscal year 1967. This again is an estimate on the basis of a sampling, a study made by sampling, and——

Senator PROXMIRE:

> In other words you are not trying to reach all the needy children. It is a relatively— well it is probably much less than half of the needy children. What you are doing is to reach those needy children whom you estimate would be taken care of under the program by schools which would be willing to get into it. Many, in fact most, needy children would be left.

Mr. Davis:

> That is correct, Senator. We must remember that on any national total figure such as that, it would include children from families in this $3,000 and under category who are going to schools that are small, isolated schools that perhaps do not have access to fluid milk.

Mr. President, presumably Mr. Davis is talking about rural schools. Certainly urban and suburban schools cannot be considered small and isolated. Yet only 43.4 percent of the poor population resides in rural areas. Furthermore, 38.5 percent of the poor population resides within metropolitan areas. Obviously, a great many children in urban areas will be deprived of school milk if the administration's program passes. In my estimation the ultimate impact of the program will be to reduce the number of needy who receive school milk.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may continue for 3 additional minutes in the morning hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

ECONOMIC DEVELOPMENTS SHOW L.B.J. TO BE RIGHT IN RESISTING TAX INCREASE

Mr. PROXMIRE. Mr. President, President Johnson and his economic advisers have suffered a drumfire of criticism for the past several months for not recommending that Congress enact a tax increase to stop the inflationary pressures in the economy.

The President and his advisers have never declared that they would not increase taxes, and they still have not done so. But also they did not give in to the pressure to ram on the brakes in the economy with an across-the-board tax increase.

It is true that the President recommended and Congress enacted a tax adjustment bill that did increase Federal revenues this year, and by speeding up corporation and individual tax payments and by postponing certain excise tax reductions helped take some inflationary steam out of the economy.

But economists generally have called on the President to go farther, faster. The President and his Secretary of the Treasury, Mr. Fowler have—at least to date—been clearly vindicated by economic developments.

A few days ago, I pointed out on the floor of the Senate that the majority of economists are now in opposition to a tax increase.

Today, I call the Senate's attention to the latest performance of the crucial economic indicators in the economy.

The latest news reports show that personal income growth—which had been rushing ahead—is now moderating. It is still increasing, but at a more gradual pace.

Last Friday, the New York Times reported that all April indexes show a slowdown in the economic boom, that drops in housing starts and orders to manufacturers—as the Times headline said—"rounded out the picture."

Economic developments, Mr. President, are always ahead of us. But based on what we know now, the President deserves hearty congratulations for his patience and wisdom in exercising wise restraint and resisting a tax increase.

I ask unanimous consent to have the articles published in the New York Times of last Wednesday and Friday on this subject be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Times, May 18, 1966]

PERSONAL-INCOME GROWTH PACE SLACKENS SHARPLY FOR MONTH—APRIL FIGURES SHOW GAIN OF $1.7 BILLION IN ANNUAL RATE—MOST IS IN SALARIES

WASHINGTON, May 17.—Further evidence that the economic boom has begun to slacken was provided today by the Commerce Department, which reported a slower advance in personal income last month than at any time this year.

Personal income, the department said, rose by $1.7-billion during April to a seasonally adjusted annual rate of $563.1-billion. The rise during March was $4-billion.

Only last week, the Federal Reserve Board reported for April the slowest monthly advance in industrial production since last September, when there was an actual decline. The April index rose only four-tenths of 1 percentage point to 153.4 per cent of the 1957–59 average.

Most of the March-to-April advance in personal income was in wages and salaries, which were up $1.2-billion to an annual rate of $381.1-billion, seasonally adjusted.

This was the smallest monthly increase since April, 1965. The increases were $2.6-billion in March and $3.5-billion in February.

The advance tapered off in April, the department said, as employment leveled after several months of rapid expansion.

More than half the payroll advances came in manufacturing, where salaries and wages increased about $750-million to an annual rate of $124.4-billion. Individual increases were small but widespread, the department added.

Electrical machinery and transportation equipment showed the largest gains, followed by rubber, apparel and ordnance. Declines were noted in the lumber, metals and food industries.

Since April, 1965, monthly factory payrolls have risen continuously by almost $10.75-billion, or about 10 per cent, the department said.

Mining and construction payrolls decreased during April because of strikes, the department added. Transportation and service payrolls gained slightly and trade was unchanged.

The April increase raised total personal income for the first four months of 1966 to an average rate of $558.6-billion, a gain of $41.4-billion, or 8 per cent, over the level in the period last year.

[From the New York (N.Y.) Times, May 20, 1966]

ALL APRIL INDEXES SHOW SLOWDOWN IN ECONOMIC BOOM—DROPS IN HOUSING STARTS AND ORDERS TO MANUFACTURERS ROUND OUT THE PICTURE—TAX RISE NEED IS EASED—BUT AN INCREASE IN SPENDING FOR VIETNAM WAR COULD RENEW THE PRESSURES

(By Edwin L. Dale, Jr.)

WASHINGTON, May 19.—Two more key economic indicators made it unanimous today—the hectic upward pace of the economy definitely slowed in April.

The result was to lessen further the prospect of an Administration request to Congress for tax increase on purely economic grounds. A tax increase remains a strong probability, however, if there should be any major upward change in the planned level of spending for the war in Vietnam.

Dips reported by the Commerce Department today in new orders flowing to manufacturers for durable goods and in housing starts rounded out the main "sensitive" indicators for April.

They confirmed a picture painted earlier in reports on industrial production, nonfarm employment, personal income and retail sales.

All showed far less boom than in the first quarter of the year, when the upward thrust of the economy was extremely strong. The first-quarter pace had been termed "unsustainable" by the President's Council of Economic Advisers.

OTHER SIGNS OF SLACKENING

Besides the main indicators, several other April signposts have also shown a calmer economic picture. These include the movement of sensitive commodity price indexes and the nation's money supply.

The one exception to the general picture was a continued upward movement in April in the broad index of nonfarm, nonfood wholesale prices.

Despite these indications of a slower pace, a leading international financial authority strongly hinted today that a tax increase was the right medicine for the American economy, both to check inflationary pressure and to help eliminate the chronic deficit in the balance of international payments.

Pierre-Paul Schweitzer, managing director of the International Monetary Fund, said in a speech in Los Angeles to the Committee for Economic Development that 1966 was "the first year for a long time" in which measures required on domestic grounds would also be good for the balance of payments.

DOUBLE EFFECT NOTED

A tax increase, in slowing down the economy, would reduce imports and help exports.

Today's most important indicator was that on new orders for durable goods, long considered one of the best signals of events to come.

After rising throughout the first quarter, and particularly strongly in March, orders declined 3 per cent in April to $23.8-billion, seasonally adjusted.

Today's other important indicator was housing starts. It showed a small decline of 4 per cent in April from March, to a seasonally adjusted annual rate of $1,459,000.

This series moves erratically, and today's report said the April rate of starts "does not appear to have departed from the underlying level of 1.5 million units that has prevailed since the middle of 1964."

Earlier reports for April the smallest increases this year in industrial production, personal income and non-farm employment, and a slight decline in retail sales.

TAX PREPAREDNESS ASKED

Walter Heller, former chairman of the President's Council of Economic Advisers, called again yesterday for preparedness on the tax front.

Speaking at a meeting in Los Angeles of the Committee for Economic Development, and at a news conference, Mr. Heller urged the Administration "to lose no time in getting ready a tax increase for immediate application when the President makes his decisive economic policy judgments in the light of the future cost of Vietnam."

He went on to suggest a tax increase in the form of a 5 to 6 per cent surtax on corporate and personal income and a "suspension or moratorium of the investment tax credit for businesses."

These measures, Mr. Heller continued, should be taken to moderate the current "high-pressure prosperity" in the United States that is threatened with a long-term inflation spiral.

"Without the Vietnam war," he observed, "we would be contentedly contemplating the fiscal dividends needed to keep the U.S. on the road to full employment. In its presence we are instead postponing tax cuts, slowing the Great Society schedule and asking whether—and how much—we should increase the fiscal drag."

UNIVERSITY OF WISCONSIN, MARINETTE CENTER, DEDICATION REMARKS BY AEC CHAIRMAN SEABORG

Mr. PROXMIRE. Mr. President, on May 21, the Marinette Center of the University of Wisconsin was dedicated in an impressive ceremony. The keynote speaker was Dr. Glenn T. Seaborg, Chairman of the Atomic Energy Commission.

Dr. Seaborg spoke at some length about the past, present, and future peaceful uses of the atom—that infinitesimal particle of matter which has the power to destroy or transform all human institutions. His emphasis on the future was especially appropriate in view of the great strides my State of Wisconsin is taking to educate its youth in order to meet that future.

Marinette is only one of nine State university campuses in Wisconsin. Two more are under construction. This educational growth is essential if we are to meet the needs of our most important natural resource—our sons and daughters. To paraphrase the conclusion of Dr. Seaborg's speech, if we continue to stress the need for greater learning, we can face the future and shape our new worlds with confidence, and ultimately with great success.

Mr. President, I ask unanimous consent to have Dr. Seaborg's remarks printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

NEW WORLD IN THE MAKING

(Remarks by Dr. Glenn T. Seaborg, Chairman U.S. Atomic Energy Commission, at the dedication of the Marinette Center of the University of Wisconsin, Marinette, Wis. May 21, 1966)

It is always gratifying to participate in the dedication of a new educational facility. And I am particularly pleased to participate in this dedication because of the role my cousin, John Seaborg has played in designing this building. I hope that what we are doing here today in officially launching a new center of learning is typical of what is going on across the country at this time, because from all indications we need this kind of growth in our educational system to help us meet the demands we face in the coming years. As I have been told that Marinette is only one of nine such Freshman-Sophomore campuses in Wisconsin, and that two more are under construction, I see that this state is certainly doing its share in meeting our educational demands.

A major reason for our growing need for higher education is the manner in which our scientific age consumes knowledge and puts it to work. I hope I will not discourage those students present if I say it has been estimated that the lifespan of a Ph. D.'s education today is only ten years—that is, within the ten year period following his degree, a Ph. D. should completely re-educate himself in order to keep up in his profession in order not to become educationally obsolete.

Another reason why we need a continuing expansion of higher education relates to the dynamics of a scientific and technological society, wherein rapid change and growth calls for a multiplying number of trained specialists and administrators, and a general population better able to deal with and make intelligent decisions in today's more complex society. Today science and technology are shaping a new world—and doing so at such a rate that we can almost see the changes on a day-to-day basis.

As an example of only one area in which many changes and much progress is being made in this new world, let me spend the next few minutes reviewing for you the progress in my field, that of nuclear energy. And because I believe that the peaceful benefits of this great form of energy will play a more important role in our future than its destructive potential, let me confine my remarks mainly to those peaceful uses.

This year we celebrated the 25th anniversary of plutonium and within the next two years we will reach the same anniversary of man's first control of the nuclear chain reaction. Certainly 25 years is a relatively short span in history, but in that time I think we have come a long way in translating scientific theory into practical application, in putting a new source of energy to use for the good of mankind.

To review our progress let's first look at nuclear power. To many people unfamiliar with the complexities of creating a nuclear power system, progress in the development of such systems has been slow. To those of us who have been in the field from the beginning, and realized the obstacles which had to be faced, it seems remarkable that the development has come so far so fast. Now I think we have reached the so-called "take-off" point where the use of nuclear power for generating electricity will grow quite rapidly and, as it has already started to do, take its place alongside the conventional fuels in supplying our ever growing need for electricity.

I believe that the current statistics bear me out on this:

In 1958 the net installed generating capacity of central station nuclear power plants in the U.S. was only 60 electrical megawatts. By the end of this year it is scheduled to be almost 2,500,000 electrical kilowatts—that is, enough power to take care of the electricity needs of over two million American families. By 1970 the installed nuclear capacity of the United States is expected to be more than 7,500,000 kilowatts; by 1980 it should be more than 60,000,000 kilowatts and by the turn of the century—only 34 years away—around 700,000,000 kilowatts.

We now have 14 civilian power reactors in operation in 10 different states and Puerto Rico and more than 20 others under construction or being planned, which will bring nuclear power to a number of other areas of the country. One plant under construction, and nearing completion, is the La Crosse Boiling Water Reactor here in Wisconsin, at Genoa. New plans to "go nuclear," or to consider nuclear plants for their next additions, are being announced by utilities at a growing rate across the country, and we look forward to a continuation of this trend.

Without going into detail, I should say that the growth of nuclear power throughout the world appears to be generally similar to that in the United States. Nine countries abroad are producing electricity via nuclear power. Certain nations, such as Britain, not having the large fossil fuel reserves we have here are becoming more dependent on nuclear energy to generate greater amounts of their electrical power. As nuclear power is further developed and becomes more economic it will be welcomed by a great many more countries, including the merging and lesser developed nations which need electricity to industrialize and raise the living standards of their people. This is one of those areas in which the peaceful atom can make a significant contribution toward world stability and peace.

I know there is a question in your mind concerning the fact that nuclear power plants to produce fissionable material which can be used to make nuclear weapons. Explaining what we are doing about this is another talk—a talk I have been giving quite often during the past year or so—but I will say that we in this country and the majority of the nations of the world—including the Russians—are very actively working to extend the safeguards measures already in existence and to formulate new ones to prevent the divergence of material from peaceful nuclear use to nuclear weapons. In doing so we hope to be relying more and more on the International Atomic Energy Agency, an organization of worldwide importance whose work in promoting the peaceful atom and in carrying out nuclear safeguards and inspection we firmly support.

In speaking of nuclear power plants we were talking of large facilities and large amounts of energy. But in the atomic energy field it is also true that "good things come in small packages." I am referring now to the radioisotope—often referred to as "the most important scientific tool to come along since the invention of the microscope." Radioisotopes and radiation are being put to use today in the most remarkable ways. They have become a major diagnostic and therapeutic asset to medicine. Over 4,200 physicians and medical facilities today use more than 30 different radioisotopes today in diagnosing and treating thyroid disorders, in metabolic studies, blood cell research, organ function studies, tissue transplant work, cancer therapy, and in many other medical applications. New uses of the radioisotope and radiation in medicine are constantly being developed. Among these is the use of a radioisotope as a long-lived power source for a heart-regulating "pacemaker" which can be worn internally by a heart patient. Under development also is an entire artificial heart which may be powered by a radioactive isotope and will completely replace a failing natural heart.

Radioisotopes used in industrial processing and research are currently saving American industry hundreds of millions of dollars annually and helping it to produce better products for the consumer—products ranging from sheet steel and automobile tires to beer and applesauce. Current developments in food preservation by irradiation will soon be bringing the consumer bacon, fish, potatoes and fruit with longer shelf life, and the radioisotope has long since proved itself a valuable asset in agricultural research which has helped to produce better, more abundant crops.

In addition to its service in these varied applications, the radioisotope is proving to be a valuable compact source of energy with great potential for the future. The Atomic Energy Commission, through its laboratories and contractors, has been developing which we call SNAP devices—SNAP standing for Systems for Nuclear Auxiliary Power. These long-lived, compact and virtually trouble-free power supplies are already in use in remote, unmanned facilities such as a navigational space satellite, a deep-sea navigational beacon off Bermuda, and an automatic weather station in the Antarctic.

We are actively at work developing new and improved SNAP isotopic-powered systems, and those using small compact reactors, for wider use around the world and particularly for out-of-this-world—in space—where we believe they will play an essential role in supplying the power necessary to operate electronic systems and sustain life.

But SNAP devices are only auxiliary power supplies. Far greater amounts of power will be necessary to propel man into space, with the equipment he will need, if he is to travel any great distance into that vast unknown, if he is ever to reach and explore the planets. In cooperation with NASA the AEC is developing nuclear powered rockets which will be able to do the job of ferrying huge manned and unmanned payloads back and forth across the solar system.

Nuclear propulsion of another type—that used on and under the ocean—will play a most important role in our future. The Nuclear Ship *Savannah*, the first nuclear-powered merchant ship, is in regular commercial service after 90,000 miles of trouble-free demonstration cruises to the world's leading ports. The *Savannah*, which can travel around the globe 14 times on a single fuel loading, is still operating on its original nuclear core installed on November 8, 1961. Other nuclear ships are being considered—ships which could be a tremendous asset to our future merchant marine.

The nuclear submarine has proved the superiority of nuclear energy operating in the ocean's depths. Today there is great interest in using the atom to supply power for oceanographic work—to propel undersea craft and give us auxiliary power for the variety of work which will be done in this growing field. We are already at work in cooperation with the Navy on a deep submergence oceanographic vessel which will be nuclear powered.

Another use of nuclear energy, which I believe will be playing a significant role in the future, is derived from the great explosive power of the atom. Putting this enormous energy to work constructively is the aim of the AEC's "Plowshare" program, the term "Plowshare" being derived from the Biblical phrase concerning the beating of swords into plowshares. By developing "clean" nuclear explosives and special excavation techniques we hope someday to use the atom efficiently and economically in large-scale earth-moving projects such as the digging of canals, harbors and mountain passes. There is also much current interest in using nuclear explosives underground as an aid in mining various materials and to create large subterranean storage areas.

It is true that the President recommended and Congress enacted a tax adjustment bill that did increase Federal revenues this year, and by speeding up corporation and individual tax payments and by postponing certain excise tax reductions helped take some inflationary steam out of the economy.

But economists generally have called on the President to go farther, faster. The President and his Secretary of the Treasury, Mr. Fowler have—at least to date—been clearly vindicated by economic developments.

A few days ago, I pointed out on the floor of the Senate that the majority of economists are now in opposition to a tax increase.

Today, I call the Senate's attention to the latest performance of the crucial economic indicators in the economy.

The latest news reports show that personal income growth—which had been rushing ahead—is now moderating. It is still increasing, but at a more gradual pace.

Last Friday, the New York Times reported that all April indexes show a slowdown in the economic boom, that drops in housing starts and orders to manufacturers—as the Times headline said—"rounded out the picture."

Economic developments, Mr. President, are always ahead of us. But based on what we know now, the President deserves hearty congratulations for his patience and wisdom in exercising wise restraint and resisting a tax increase.

I ask unanimous consent to have the articles published in the New York Times of last Wednesday and Friday on this subject be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Times, May 18, 1966]

PERSONAL-INCOME GROWTH PACE SLACKENS SHARPLY FOR MONTH—APRIL FIGURES SHOW GAIN OF $1.7 BILLION IN ANNUAL RATE—MOST IS IN SALARIES

WASHINGTON, May 17.—Further evidence that the economic boom has begun to slacken was provided today by the Commerce Department, which reported a slower advance in personal income last month than at any time this year.

Personal income, the department said, rose by $1.7-billion during April to a seasonally adjusted annual rate of $563.1-billion. The rise during March was $4-billion.

Only last week, the Federal Reserve Board reported for April the slowest monthly advance in industrial production since last September, when there was an actual decline. The April index rose only four-tenths of 1 percentage point to 153.4 per cent of the 1957–59 average.

Most of the March-to-April advance in personal income was in wages and salaries, which were up $1.2-billion to an annual rate of $381.1-billion, seasonally adjusted.

This was the smallest monthly increase since April, 1965. The increases were $2.6-billion in March and $3.5-billion in February.

The advance tapered off in April, the department said, as employment leveled after several months of rapid expansion.

More than half the payroll advances came in manufacturing, where salaries and wages increased about $750-million to an annual rate of $124.4-billion. Individual increases were small but widespread, the department added.

Electrical machinery and transportation equipment showed the largest gains, followed by rubber, apparel and ordnance. Declines were noted in the lumber, metals and food industries.

Since April, 1965, monthly factory payrolls have risen continuously by almost $10.75-billion, or about 10 per cent, the department said.

Mining and construction payrolls decreased during April because of strikes, the department added. Transportation and service payrolls gained slightly and trade was unchanged.

The April increase raised total personal income for the first four months of 1966 to an average rate of $558.6-billion, a gain of $41.4-billion, or 8 per cent, over the level in the period last year.

[From the New York (N.Y.) Times, May 20, 1966]

ALL APRIL INDEXES SHOW SLOWDOWN IN ECONOMIC BOOM—DROPS IN HOUSING STARTS AND ORDERS TO MANUFACTURERS ROUND OUT THE PICTURE—TAX RISE NEED IS EASED—BUT AN INCREASE IN SPENDING FOR VIETNAM WAR COULD RENEW THE PRESSURES

(By Edwin L. Dale, Jr.)

WASHINGTON, May 19.—Two more key economic indicators made it unanimous today—the hectic upward pace of the economy definitely slowed in April.

The result was to lessen further the prospect of an Administration request to Congress for tax increase on purely economic grounds. A tax increase remains a strong probability, however, if there should be any major upward change in the planned level of spending for the war in Vietnam.

Dips reported by the Commerce Department today in new orders flowing to manufacturers for durable goods and in housing starts rounded out the main "sensitive" indicators for April.

They confirmed a picture painted earlier in reports on industrial production, nonfarm employment, personal income and retail sales.

All showed far less boom than in the first quarter of the year, when the upward thrust of the economy was extremely strong. The first-quarter pace had been termed "unsustainable" by the President's Council of Economic Advisers.

OTHER SIGNS OF SLACKENING

Besides the main indicators, several other April signposts have also shown a calmer economic picture. These include the movement of sensitive commodity price indexes and the nation's money supply.

The one exception to the general picture was a continued upward movement in April in the broad index of nonfarm, nonfood wholesale prices.

Despite these indications of a slower pace, a leading international financial authority strongly hinted today that a tax increase was the right medicine for the American economy, both to check inflationary pressure and to help eliminate the chronic deficit in the balance of international payments.

Pierre-Paul Schweitzer, managing director of the International Monetary Fund, said in a speech in Los Angeles to the Committee for Economic Development that 1966 was "the first year for a long time" in which measures required on domestic grounds would also be good for the balance of payments.

DOUBLE EFFECT NOTED

A tax increase, in slowing down the economy, would reduce imports and help exports.

Today's most important indicator was that on new orders for durable goods, long considered one of the best signals of events to come.

After rising throughout the first quarter, and particularly strongly in March, orders declined 3 per cent in April to $23.8-billion, seasonally adjusted.

Today's other important indicator was housing starts. It showed a small decline of 4 per cent in April from March, to a seasonally adjusted annual rate of $1,459,000.

This series moves erratically, and today's report said the April rate of starts "does not appear to have departed from the underlying level of 1.5 million units that has prevailed since the middle of 1964."

Earlier reports for April the smallest increases this year in industrial production, personal income and non-farm employment, and a slight decline in retail sales.

TAX PREPAREDNESS ASKED

Walter Heller, former chairman of the President's Council of Economic Advisers, called again yesterday for preparedness on the tax front.

Speaking at a meeting in Los Angeles of the Committee for Economic Development, and at a news conference, Mr. Heller urged the Administration "to lose no time in getting ready a tax increase for immediate application when the President makes his decisive economic policy judgments in the light of the future cost of Vietnam."

He went on to suggest a tax increase in the form of a 5 to 6 per cent surtax on corporate and personal income and a "suspension or moratorium of the investment tax credit for businesses."

These measures, Mr. Heller continued, should be taken to moderate the current "high-pressure prosperity" in the United States that is threatened with a long-term inflation spiral.

"Without the Vietnam war," he observed, "we would be contentedly contemplating the fiscal dividends needed to keep the U.S. on the road to full employment. In its presence we are instead postponing tax cuts, slowing the Great Society schedule and asking whether—and how much—we should increase the fiscal drag."

UNIVERSITY OF WISCONSIN, MARINETTE CENTER, DEDICATION REMARKS BY AEC CHAIRMAN SEABORG

Mr. PROXMIRE. Mr. President, on May 21, the Marinette Center of the University of Wisconsin was dedicated in an impressive ceremony. The keynote speaker was Dr. Glenn T. Seaborg, Chairman of the Atomic Energy Commission.

Dr. Seaborg spoke at some length about the past, present, and future peaceful uses of the atom—that infinitesimal particle of matter which has the power to destroy or transform all human institutions. His emphasis on the future was especially appropriate in view of the great strides my State of Wisconsin is taking to educate its youth in order to meet that future.

Marinette is only one of nine State university campuses in Wisconsin. Two more are under construction. This educational growth is essential if we are to meet the needs of our most important natural resource—our sons and daughters. To paraphrase the conclusion of Dr. Seaborg's speech, if we continue to stress the need for greater learning, we can face the future and shape our new worlds with confidence, and ultimately with great success.

Mr. President, I ask unanimous consent to have Dr. Seaborg's remarks printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

New World in the Making

(Remarks by Dr. Glenn T. Seaborg, Chairman U.S. Atomic Energy Commission, at the dedication of the Marinette Center of the University of Wisconsin, Marinette, Wis. May 21, 1966)

It is always gratifying to participate in the dedication of a new educational facility. And I am particularly pleased to participate in this dedication because of the role my cousin, John Seaborg has played in designing this building. I hope that what we are doing here today in officially launching a new center of learning is typical of what is going on across the country at this time, because from all indications we need this kind of growth in our educational system to help us meet the demands we face in the coming years. As I have been told that Marinette is only one of nine such Freshman-Sophomore campuses in Wisconsin, and that two more are under construction, I see that this state is certainly doing its share in meeting our educational demands.

A major reason for our growing need for higher education is the manner in which our scientific age consumes knowledge and puts it to work. I hope I will not discourage those students present if I say it has been estimated that the lifespan of a Ph. D.'s education today is only ten years—that is, within the ten year period following his degree, a Ph. D. should completely re-educate himself in order to keep up in his profession in order not to become educationally obsolete.

Another reason why we need a continuing expansion of higher education relates to the dynamics of a scientific and technological society, wherein rapid change and growth calls for a multiplying number of trained specialists and administrators, and a general population better able to deal with and make intelligent decisions in today's more complex society. Today science and technology are shaping a new world—and doing so at such a rate that we can almost see the changes on a day-to-day basis.

As an example of only one area in which many changes and much progress is being made in this new world, let me spend the next few minutes reviewing for you the progress in my field, that of nuclear energy. And because I believe that the peaceful benefits of this great form of energy will play a more important role in our future than its destructive potential, let me confine my remarks mainly to those peaceful uses.

This year we celebrated the 25th anniversary of plutonium and within the next two years we will reach the same anniversary of man's first control of the nuclear chain reaction. Certainly 25 years is a relatively short span in history, but in that time I think we have come a long way in translating scientific theory into practical application, in putting a new source of energy to use for the good of mankind.

To review our progress let's first look at nuclear power. To many people unfamiliar with the complexities of creating a nuclear power system, progress in the development of such systems has been slow. To those of us who have been in the field from the beginning, and realized the obstacles which had to be faced, it seems remarkable that the development has come so far so fast. Now I think we have reached the so-called "take-off" point where the use of nuclear power for generating electricity will grow quite rapidly and, as it has already started to do, take its place alongside the conventional fuels in supplying our ever growing need for electricity.

I believe that the current statistics bear me out on this:

In 1958 the net installed generating capacity of central station nuclear power plants in the U.S. was only 60 electrical megawatts. By the end of this year it is scheduled to be almost 2,500,000 electrical kilowatts—that is, enough power to take care of the electricity needs of over two million American families. By 1970 the installed nuclear capacity of the United States is expected to be more than 7,500,000 kilowatts; by 1980 it should be more than 60,000,000 kilowatts and by the turn of the century—only 34 years away—around 700,000,000 kilowatts.

We now have 14 civilian power reactors in operation in 10 different states and Puerto Rico and more than 20 others under construction or being planned, which will bring nuclear power to a number of other areas of the country. One plant under construction, and nearing completion, is the La Crosse Boiling Water Reactor here in Wisconsin, at Genoa. New plans to "go nuclear," or to consider nuclear plants for their next additions, are being announced by utilities at a growing rate across the country, and we look forward to a continuation of this trend.

Without going into detail, I should say that the growth of nuclear power throughout the world appears to be generally similar to that in the United States. Nine countries abroad are producing electricity via nuclear power. Certain nations, such as Britain, not having the large fossil fuel reserves we have here are becoming more dependent on nuclear energy to generate greater amounts of their electrical power. As nuclear power is further developed and becomes more economic it will be welcomed by a great many more countries, including the merging and lesser developed nations which need electricity to industrialize and raise the living standards of their people. This is one of those areas in which the peaceful atom can make a significant contribution toward world stability and peace.

I know there is a question in your mind concerning the fact that nuclear power plants to produce fissionable material which can be used to make nuclear weapons. Explaining what we are doing about this is another talk—a talk I have been giving quite often during the past year or so—but I will say that we in this country and the majority of the nations of the world—including the Russians—are very actively working to extend the safeguards measures already in existence and to formulate new ones to prevent the divergence of material from peaceful nuclear use to nuclear weapons. In doing so we hope to be relying more and more on the International Atomic Energy Agency, an organization of worldwide importance whose work in promoting the peaceful atom and in carrying out nuclear safeguards and inspection we firmly support.

In speaking of nuclear power plants we were talking of large facilities and large amounts of energy. But in the atomic energy field it is also true that "good things come in small packages." I am referring now to the radioisotope—often referred to as "the most important scientific tool to come along since the invention of the microscope." Radioisotopes and radiation are being put to use today in the most remarkable ways. They have become a major diagnostic and therapeutic asset to medicine. Over 4,200 physicians and medical facilities use more than 30 different radioisotopes today in diagnosing and treating thyroid disorders, in metabolic studies, blood cell research, organ function studies, tissue transplant work, cancer therapy, and in many other medical applications. New uses of the radioisotope and radiation in medicine are constantly being developed. Among these is the use of a radioisotope as a long-lived power source for a heart-regulating "pacemaker" which can be worn internally by a heart patient. Under development also is an entire artificial heart which may be powered by a radioactive isotope and will completely replace a failing natural heart.

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In addition to its service in these varied applications, the radioisotope is proving to be a valuable compact source of energy with great potential for the future. The Atomic Energy Commission, through its laboratories and contractors, has been developing which we call SNAP devices—SNAP standing for Systems for Nuclear Auxiliary Power. These long-lived, compact and virtually trouble-free power supplies are already in use in remote, unmanned facilities such as a navigational space satellite, a deep-sea navigational beacon off Bermuda, and an automatic weather station in the Antarctic.

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Another use of nuclear energy, which I believe will be playing a significant role in the future, is derived from the great explosive power of the atom. Putting this enormous energy to work constructively is the aim of the AEC's "Plowshare" program, the term "Plowshare" being derived from the Biblical phrase concerning the beating of swords into plowshares. By developing "clean" nuclear explosives and special excavation techniques we hope someday to use the atom efficiently and economically in large-scale earth-moving projects such as the digging of canals, harbors and mountain passes. There is also much current interest in using nuclear explosives underground as an aid in mining various materials and to create large subterranean storage areas.

I have been speaking primarily of the application of nuclear energy and the many benefits we are gaining, and will be gaining, from them. But as I mentioned at the beginning of this talk, our work and our investigations are constant reminders of how much more we need to do and to learn. Therefore, in the nuclear field we continue to put great emphasis on research. Our National Laboratories across the country are busy exploring many basic phenomena of nature and delving deeper and deeper into the heart of the atom. Indeed, one of the most fascinating aspects of this whole field of nuclear energy is the extreme range of the work—for while we develop nuclear propulsion to take us to the stars and at the same time analyze the cosmic rays that come from them, we also explore the very nature of matter, the very substance of the stars, of ourselves and all that exists. It is a most exciting field and a most exciting time to be working in it.

I have tried to review for you today some of the progress and promise of the atom. Perhaps I can best summarize what all this will mean to us and our children by giving you the answer to a question I was asked during a television interview recently. The question was: "How will nuclear science affect the average man in 15 to 20 years?" My answer was as follows:

The chances are pretty good that his town and his home will be lit, heated and run by electricity from a silent, clean and economic nuclear powerplant. Air pollution may be further reduced by the use of electric-powered automobiles whose batteries will be charged at service stations receiving their power from the nuclear plant. It might well be that the same plant is helping to supply the town with fresh water by desalting sea water.

Much of the food our "average man" and his family will eat may be pasteurized for longer preservation by radiation from a radioisotope—radiation that will not affect the taste or nutritional value of the food. Some of his food may very well come from crops improved through the use of radioisotopes.

Radioisotopes and radiation will be responsible for bringing him a variety of new and improved products. The quality of these products will be controlled by highly sensitive processing equipment using the radioisotope, and many of the materials used will be essentially new substances polymerized by radiation. New plastics and plastic-wood combinations are already being made by this method of using radiation to change the molecular structure of materials. Some of the raw materials, such as oil, used in manufacturing these new products will have been discovered by exploration methods employing the radioisotope.

Underground nuclear explosions may be an aid in the mining of several materials our "average man" uses daily, or to create large underground reservoirs to hold supplies of gas or oil until they are pumped out of the ground for his use. And nuclear power will be used to explore and pump up untold riches from the ocean floor.

Radioisotopes will be in common use in our local hospitals and medical centers for the rapid diagnosis and treatment of many illnesses, not to mention that previously these and other isotopes will have been used in extensive biological and medical research to bring the physicians new knowledge of the body and life processes. Certain medical problems that would have previously required surgery will be better handled with new techniques in using radiation or the laser beam, and if conventional surgery is needed, the chances are that the surgeon's instruments will have been sterilized by radiation. If, in our "average man's" family, someone has developed a heart condition, that person's life may be considerably prolonged by the use of the radioisotope-powered artificial heart I mentioned before.

Now looking at some more pleasant aspects of the atom's work, if our citizen of the future wants to take his family on a trip there is a good chance that his car or train (both powered by nuclear generated electricity) may travel through a mountain pass cut by nuclear explosives. If he travels by sea, he may very well sail on a fast, clean, nuclear ship—possibly through a canal made by nuclear excavation to a new port carved out by the same method. On this trip his ship will probably be guided with the help of isotopic-powered navigational satellites, beacons and buoys, and perhaps some lighthouses manned only by the atom.

Unmanned weather stations, operating on nuclear energy and located in remote areas all over the globe, will be sending information to satellites powered by the radioisotope, which in turn will help to provide accurate, long-range forecasting possibly leading to some methods of weather control.

Our family of the future will watch live color telecasts, direct to their homes, of events happening anywhere on the globe—telecasts made possible by orbiting synchronous satellites powered by nuclear energy. And perhaps on one of these television programs they will follow a manned mission to a distant planet—a trip made possible through the use of nuclear rockets and auxiliary nuclear power.

These are only a few of the ways in which nuclear science and nuclear energy—in combination with advances in other sciences and technologies—will affect our lives in the coming years.

In speaking of the future we must remember that although we may be talking in terms of the years, decades and centuries ahead, the future has its roots in the present, and what we do now—today and tomorrow—determines the course of our lives and those of our children. It is therefore important that we work and plan now for the years ahead. It is also important that we continue our efforts to learn and to grow with the new-found knowledge our research will bring us. If we do, and if we apply what we learn in a constructive way beneficial to all men, I think we can face the future and shape our new worlds with confidence, and ultimately with great success.

THE CALENDAR

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar to which there is no objection; namely, Calendars Nos. 1144, 1145, and 1146.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE INCREASING NEED FOR SOIL SURVEYS

The Senate proceeded to consider the bill (S. 902) to authorize the Secretary of Agriculture to cooperate with States and other public agencies in planning for changes in the use of agricultural land in rapidly expanding urban areas and in other nonagricultural use areas, and for other purposes, which had been reported from the Committee on Agriculture and Forestry, with an amendment, to strike out all after the enacting clause and insert:

That in recognition of the increasing need for soil surveys by States and other public agencies in connection with community planning and resource development for protecting and improving the quality of the environment, meeting recreational needs, conserving land and water resources, providing for multiple uses of such resources, and controlling and reducing pollution from sediment and other pollutants in areas of rapidly changing uses, including farmlands being shifted to other uses, resulting from rapid expansions in the uses of land for industry, housing, transportation, recreation, and related services, it is the sense of Congress that the soil survey program of the United States Department of Agriculture should be conducted so as to make available soil surveys to meet such needs of the States and other public agencies in connection with community planning and resource development.

Sec. 2. In order to provide soil surveys to assist States, their political subdivisions, soil and water conservation districts, towns, cities, planning boards and commissions, community development districts, and other public agencies in community planning and resource development for the protection and improvement of the quality of the environment, recreational development, the conservation of land and water resources, the development of multiple uses of such resources, and the control and prevention of pollution from sediment and other pollutants in areas of rapidly changing uses, including farm and nonfarm areas, the Secretary of Agriculture shall, upon the request of a State or other public agency, provide by means of such cooperative arrangements with the State or other public agency as he may deem advisable, the following assistance with respect to such areas and purposes:

(1) the making of studies and reports necessary for the classification and interpretation of kinds of soil;

(2) an intensification of the use and benefits of the National Cooperative Soil Survey;

(3) the furnishing of technical and other assistance needed for full use of soil surveys; and

(4) consultation with other Federal agencies participating or assisting in the planning and development of such areas in order to assure the coordination of the work under this Act with the related work of such other agencies.

Sec. 3. It is further the sense of the Congress that the Secretary shall make a reasonable effort to assure that the contributions of any State or other public agency under any cooperative agreement which may be entered into between the Secretary and such State or other public agency with respect to a soil survey shall be a substantial portion of the cost of such soil survey.

Sec. 4. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, such sums to remain available until expended.

Mr. KUCHEL. Mr. President, this proposed legislation is authored by the distinguished senior Senator from Louisiana and the distinguished senior Senator from New York. Our able colleague, Mr. Javits, is necessarily absent. He has, however, prepared a statement to accompany the favorable reporting of this legislation to the Senate and I ask unanimous consent that the text of his statement be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

Statement by Senator Javits

I am very pleased with the favorable report of the Committee on Agriculture and Forestry on S. 902 which provides for the Department of Agriculture to conduct soil surveys in areas of rapid land-use changes.

As a cosponsor of this bill, I believe it is urgently needed if we are to halt some of the tragic waste and misuse of our land and the pollution of our streams.

Problems brought about by land changing from agricultural to nonagricultural uses are not confined to any particular area in our Nation. Perhaps it has not been fully realized that any land use—whether for farming or for any other development—should be based on the capability of the soil. Farmers have relied on soil survey information for many years. Now, community planners are becoming aware that they are enormously aided by the soil maps resulting from Soil Conservation Service soil surveys. The maps and accompanying interpretive material are usually the most detailed single source of information available about the physical nature of the area. Planners and other land users are handicapped if they do not have this basic information. They are increasingly turning to the Soil Conservation Service for help.

This bill would clarify the position of the Department of Agriculture and authorize them to make their skills available to the many communities facing urbanization problems.

Land developments pushing out from cities are taking bigger bites into our rural and agricultural land. We do not have room for mistakes in land use. We cannot afford them dollar-wise or resource-wise. And there is no excuse for permitting them when we have the know-how to avoid them.

Improper land use strikes at both the public and private pocketbook. I have been told of a housing development in New York State built by a contractor who had no knowledge of soil limitations. The result was wet basements, wells with water unfit to drink, and septic tanks that did not work. The owners of the new homes abandoned them, put them up for sale, and lost their down payments. The subsequent buyers fared the same and the houses again changed owners. With proper soils information, the contractor, within a matter of hours, would have known that the area was not suitable for a housing development.

In another case, a municipal reservoir cost an estimated $200,000 more than expected because of the type of soil it was built on. The extra cost was for sealing the reservoir to make it waterproof. The cost could have been avoided if soil survey information had been available to help select the site.

In still another case, a school playground and parking lot could not be used because they were too wet. A $65,000 bond issue was passed to raise the money to provide drainage. It could have been avoided.

These are just random examples—but not unusual. The same things are happening across the Nation. Other examples extend into all areas of planning and developing a new community—roads, sewer lines, utilities, sanitation, and industrial and shopping center sites.

As they grow, communities are confronted with major land-use decisions. The decisions are made more difficult by mounting demands that bring intense pressures on land and water resources. Where soils information is available and is used in advance community planning, it will save taxpayers thousands of dollars and assure them of a healthy and pleasant environment.

Once the soils information is obtained for an area, it serves a wide variety of purposes for both public and private groups—for community leaders, zoning boards, planning commissions, engineers, highway departments, real estate developers, and tax assessors, to name a few.

I strongly urge that the Senate give its unanimous approval to this bill.

BROADENING SOIL SURVEY USE

Mr. WILLIAMS of New Jersey. Mr. President, I want to commend the Senate and the Committee on Agriculture and Forestry for their favorable action on S. 902 which provides that the Secretary of *Agriculture shall conduct the soil survey* program of the U.S. Department of Agriculture so as to make available soil surveys needed by States and other public agencies, including community development districts, for guidance in community planning and resource development.

Earlier I had introduced S. 947 for the same purpose—to strengthen and improve the program of the Soil Conservation Service. My bill was referred to the Committee on Agriculture and Forestry and is recognized in the report on S. 902. I want to express my appreciation to the committee chairman for this recognition in the committee report.

Furthermore, I want to speak to the significance of the enactment of this important legislation.

*As is pointed out in the committee re*port, the enactment of this bill will clarify and restate policy for the Department of Agriculture and its cooperating agencies about work in areas of rapid change in land use and where careful advanced planning is essential to avoid huge losses of both private and public investments. It would facilitate cooperation with other Federal, State, and local agencies in both rural areas undergoing drastic changes in land use and in areas of rapid development. In many areas soil *surveys are essential for community plan*ning. Enactment of this bill will provide individuals and public officials with essential information for planning economic development and community facilities.

This bill has particular application in New Jersey, as well as in most other States. Some day people may wonder why New Jersey was ever called the Garden State. At the rate its farmland is disappearing, there will be little space left to raise the garden produce that has made it one of the Nation's richest farming States.

But New Jersey is not alone. In nearly every State in the Union, much of our best farmland is gradually disappearing. It is being swallowed up by housing developments, superhighways, supermarkets, shopping centers, airports, military reserves, outdoor theaters, rambling one-story schools, and sprawling industrial plants.

This changeover creates new problems for the soil conservationist as well as others. In New Jersey's Camden and Burlington Counties, for example, farmers do not feel inclined to invest in a conservation program that would protect and improve the soil. The reason is that the real estate value of their land has climbed so high they are unable to tell how much longer they will be in the farming business. One farmer after another falls victim to the trend and sells out. If they try to hang on, urban taxes finally force them out of farming.

The soil survey used to guide land use adjustments for the orderly planning and application of soil and water conservation on farms, ranches, and watersheds, is now paying dividends for the nonagricultural user as well.

Many soil survey interpretations that aid in establishing soil and water conservation measures on the farm can be used equally well for nonagricultural purposes, *such as locating soils for housing*, sewage disposal, industry, highways, airports, and general town planning.

Using the soil survey, industry finds the proper place to build, homeowners and builders locate the best place for houses and septic tanks, and counties and *municipalities choose the proper* sites for reservoirs, highways, pipelines, and sewage systems.

As urban planning groups become more aware of available soil survey information, requests for such information will increase. As our population increases and cities and towns spread more and more into rural areas, soil surveys will play an even larger role in the development of these areas. Through proper planning we can meet these additional demands on the land while striking a blow at rural poverty and heading off the specter of rural-urban slums.

The Soil Conservation Service has the technical know-how and long years of experience that town planners, State agencies, and individuals find valuable in developing the natural resources of the community. Citizens have made good use of this experience and knowledge in the past. They are making good use of it now. They can make far more use of it in the future with the enactment of S. 902. I urge its unanimous adoption by the Senate.

The **PRESIDING OFFICER**. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill to provide that the Secretary of Agriculture shall conduct the soil survey program of the United States Department of Agriculture so as to make available soil surveys needed by States and other public agencies, including community development districts, for guidance in community planning and resource development, and for other purposes."

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1180), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

SHORT EXPLANATION

This bill authorizes the Secretary of Agriculture to provide soil information assistance to States and other public agencies to assist them in community planning and resource development, including planning for such facilities as highway construction, recreational facilities, and water and sewage facilities.

COMMITTEE CONSIDERATION

The committee had before it S. 902, introduced by Senator Ellender and Senator Javits, and S. 947, introduced by Senator Williams of New Jersey, substantially identical bills. The committee substitute does not differ in substance from either of these bills. The purpose of the substitute is to make it clear that the bill would be applicable to farm as well as nonfarm areas, and that it is part of the general pattern of agricultural legislation providing for soil surveys, conservation, changes in farmland use, and community development districts.

NEED FOR THE BILL

Community development districts, soil conservation districts, planning and zoning boards and commissions, and other local units of government need soil surveys as a basis for developing long-range plans and programs for the orderly development of rural communities and the renewal of natural resources in areas of rapidly changing land use.

Traditionally, soil surveys have been used to identify prime farmland and to select areas suitable for different kinds of crops, grasses, and trees and for guiding optimum systems of soil and water management practices. The same basic principles of soil behavior are now used extensively to determine the use of a soil for houses, highways, industrial sites, and recreational facilities. Soil surveys include maps of the kinds of soil, which are interpreted according to such qualities as soil wetness, overflow hazards, depth to rock, hardpans, permeability, erodibility, shrink-swell potential, and hazard of slippage on slopes. Soil surveys provide information that can be used to predict the results of using specific kinds of soil in different ways.

The enactment of this bill would clarify and restate policy for the Department of Agriculture and its cooperating agencies about work in areas of rapid changes in land use and where careful advanced planning is essential to avoid huge losses of both private and public investments. It would facilitate cooperation with other Federal, State, and local agencies in both rural areas undergoing drastic changes in land use and in areas of rapid development. In many areas soil surveys are essential for community planning. Enactment of this bill would provide individuals and public officials with essential information for planning economic development and community facilities. It is not intended that soil surveys would be made of the built-up centers of metropolitan areas.

The Department of Agriculture, with its cooperators in the National Cooperative Soil Survey, has responsibility for soil surveys and has a trained staff of capable specialists to provide essential technical information about soil, water, and plant resources needed by community planners and others. The bill extends methods already tested and known to help develop solutions to problems in community planning and the safe and efficient use of soil and water resources.

The increased demands for soil surveys in areas of rapid growth and for community development would be provided for by the enactment of this bill. The important task of making soil surveys on the farm and ranch lands of the Nation would be maintained in proper balance.

Many local units of government already contribute funds to assist the Department of Agriculture and its cooperators in carrying out soil surveys urgently needed for planning ahead of rapid growth or land-use adjustment. Funding arrangements are included in cooperative agreements between the Soil Conservation Service and the applicable local unit government. The enactment of this bill would stimulate more local effort and financing for soil surveys in specific areas. It will not cost any appreciable amount of additional Federal funds.

In addition to the assistance of the State agricultural experiment stations and other State agencies, in fiscal year 1966 the Department of Agriculture made financial arrangements with local governments for contributions amounting to approximately $600,000 for speeding up the completion of soil surveys in specific areas. In fiscal year 1964 these local contributions totaled about $225,000.

In a great many parts of the country a clear-cut distinction no longer exists between rural and urban living. As modern highways are built many nonfarm people establish their homes in rural areas. To achieve good living for both, advanced community planning is essential. Such areas have new and compelling needs for water management, sewage disposal, schools, recreation areas, and other facilities. Such planning requires accurate knowledge of the soils and their alternative potentials in order to avoid serious losses of investment and construction and maintenance costs. To solve these problems the results of the soil surveys and technical assistance should be available to the planning agencies, the residents, and other public and private service agencies.

At the present time, about 10 percent of the 50 million acres being mapped annually in the National Cooperative Soil Survey is located in communities facing urgent planning problems. Not over 10 percent of this, or about 500,000 acres, will be used for housing and similar intensive uses; since about 10 or 15 times as much land is needed for such uses must be surveyed in order to determine suitable alternative sites therefor. The land not devoted to such uses will be used for farming, forestry, recreation, and other less intensive uses, so that cooperatively financed soil surveys to determine sites for intensive uses helps to provide soil information for agricultural and other less intensive uses. At the present rate of survey work in communities facing urgent planning problems it would require some 20 to 30 years to complete the soil surveys needed by such communities.

In the meantime many costly mistakes would be made, mistakes that could be avoided through the use of soil surveys for a tiny fraction of the cost. Already the officials of hundreds of land-use planning bodies are depending on published soil surveys. This places a new emphasis and new urgency on the acceleration of their completion.

Soil surveys have already saved untold millions of dollars of both private and public investment. Estimates made by community planners of the value of soil surveys run as high as $2 million per year for a county. Hundreds of examples have been cited where many thousands of dollars are lost annually through poor site selection for specific uses. In many instances amounts up to one-quarter million dollars have been saved by choosing the right site for individual school buildings. Further examples of other great losses that can be avoided through site selection and the planning of proper measures include: Flooded homes and basements; failures of on-site sewage disposal systems; failures of buildings and highways due to poor-bearing qualities of soils; and excessive construction costs of roads, utility lines, pipelines, and so on.

We should double or triple the present rate of completing soil surveys in areas undertaking community planning to take care of rapid expansion and economic growth. This would mean mapping at least 10 to 15 million acres annually in such areas. At current price levels the cost would amount to about 50 cents per acre. At the present rate of completing soil surveys in such areas, population would have increased by 50 percent in the meantime. From past experience it is clear that enormous investments by individuals and by public agencies would be lost. These can be avoided by use of soil surveys. The enactment of this bill would give emphasis to the need for moving ahead to avoid these enormous preventable losses of private and public investments.

LAND EXCHANGES—PART PAYMENT IN CASH

The bill (S. 2264) to authorize the Secretary of Agriculture to accept a cash equalization of exchanges for lands under his jurisdiction, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2264

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, whenever lands under the jurisdiction of the Secretary of Agriculture are authorized to be exchanged for lands in non-Federal ownership, if the lands offered to the United States have a value at least equal to two-thirds of the value of the Federal lands selected, the exchange may be completed upon payment to the Secretary of Agriculture of the difference in values, or the submittal of a cash deposit or a performance bond in an amount at least equal to the difference of values assuring that additional lands acceptable to the Secretary of Agriculture and at least equal to the difference in values will be conveyed to the United States within a time certain to be specified by the Secretary of Agriculture. Any amounts so paid and cash deposits forfeited or collections upon performance bonds submitted shall be covered into a special fund in the Treasury which when appropriated shall be available until expended by the Secretary of Agriculture for the acquisition of lands in the same State as the Federal lands selected and which are determined by him to be suitable for the same purposes as the lands initially conveyed to the United States in the exchange transaction. Lands so acquired shall have the same status and shall be subject to the same laws, regulations, and rules as the lands initially conveyed to the United States in the exchange transaction.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1181), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill would authorize the Secretary of Agriculture to complete authorized land exchanges if the lands offered to the United States are worth at least two-thirds of the value of the Federal lands and the balance is paid in cash or a cash deposit or performance bond is given assuring conveyance to the United States of additional acceptable lands for the balance of the value. Amounts received, forfeited deposits, and collections on bonds would be covered into a special fund and when appropriated would be available for acquisition of lands in the same State as the Federal lands conveyed.

MOUNT ROGERS NATIONAL RECREATION AREA, JEFFERSON NATIONAL FOREST, VA.

The bill (H.R. 10366) to establish the Mount Rogers National Recreation Area in the Jefferson National Forest in Virginia, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1182), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill provides for the establishment of the Mount Rogers National Recreation Area in the Jefferson National Forest in Virginia. All of the lands in the proposed area were within the forest boundaries on January 1, 1965, so that moneys appropriated from the land and water conservation fund may be used pursuant to section 6(a)(1) of the Land and Water Conservation Fund Act of 1965 for the acquisition of private lands within the area. The proposed area consists of 154,000 acres, of which 84,000 are now in Federal ownership. Of the remaining 70,000, the Department of Agriculture advises that it would acquire the fee or easements on 39,000. Total acquisition costs are estimated at $3,100,000, and development costs are estimated at $18,900,000.

AMENDMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938

The **PRESIDING OFFICER** laid before the Senate the amendments of the House of Representatives to the bill (S. 693) to amend the Foreign Agents Registration Act of 1938, as amended, which were on page 4, line 15, strike out "party." and insert:

party;

(q) For the purpose of section 3(d) hereof, activities in furtherance of the bona fide commercial, industrial, or financial interests of a domestic person engaged in substantial commercial, industrial, or financial activities in the United States shall not be deemed to serve predominantly a foreign interest because such activities also benefit the interests of a foreign person engaged in bona fide trade or commerce which is owned or controlled by, or which owns or controls, such domestic person: *Provided*, That such foreign person is not, and such activities are not directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in substantial part by, a government of a foreign country or a foreign political party: *And provided further*, That the identity of such foreign person is disclosed to the agency or official of the United States with whom such activities are conducted.

And on page 8, strike out lines 15 through 19, inclusive, and insert:

(g) Any person qualified to practice law, insofar as he engages or agrees to engage in the legal representation of a foreign principal before any court of law or any agency or official of the Government of the United States (other than a Member or committee of either House of Congress): *Provided*, That in representing the interests of such foreign principal before any such agency or official the fact of such representation and the identity of such foreign principal shall be disclosed to the agency or official concerned.

Mr. LONG of Louisiana. Mr. President, I move that the Senate disagree to the amendments of the House to S. 693 and request a conference with the House on the disagreeing votes, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. Fulbright, Mr. Sparkman, Mr. Mansfield, Mr. Hickenlooper, and Mr. Aiken conferees on the part of the Senate.

LEGISLATION PROGRAM

Mr. KUCHEL. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. KUCHEL. I believe it would be helpful to all Senators if I were to inquire now—and I do—as to the schedule which my able friend from Louisiana, the acting majority leader, plans for the Senate for the remainder of today, and later on in the week, if he is in a position to tell us.

Mr. LONG of Louisiana. When we conclude the morning hour, we will go on to the loan participation measure which is subject to a unanimous-consent request before the Senate, and that, of course, is subject to the 1-hour limitation, the time to be equally controlled by the opponents and the proponents.

When that has been disposed of, we intend to move to consider the Treasury, Post Office appropriation bill which will be managed by the Senator from Virginia [Mr. Robertson].

We hope to have committee reports, perhaps today, on the Federal pay bill, the military construction bill, and the District of Columbia parking bill. When those bills have been reported, we propose to proceed as soon as possible upon them.

Prior to that, we hope, at the conclusion of business today, that we would be able to discuss the space authorization bill to be managed by the Senator from New Mexico [Mr. Anderson]. It would be my thought that the Senator might wish to make an opening statement and get the bill officially before the Senate when we meet tomorrow and discuss the space authorization bill tomorrow. Then we would have available the Federal pay bill, the military construction bill, and the District of Columbia parking bill for discussion.

Mr. KUCHEL. I thank my friend very much.

Mr. LONG of Louisiana. When these matters have been acted on, and other matters reported by the committees, we might wish to call up during the latter part of the week the truth-in-packaging bill, but I will discuss that with the distinguished Senator, the acting minority leader, the Senator from California [Mr. Kuchel]; so that there are no plans about that for the moment.

Mr. KUCHEL. So that the Record may be clear, let me say that I have been requested by members of the minority to urge that that legislation be considered at some subsequent date, all of which I would be glad to discuss with the Senator from Louisiana later on.

Mr. LONG of Louisiana. It will certainly be practical to do that. There have been no firm plans on it.

EXECUTIVE SESSION

Mr. LONG of Louisiana. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The **PRESIDING OFFICER** laid before the Senate a message from the President of the United States submitting sundry nominations, which were referred to the appropriate committee.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of nominations was submitted:

By Mr. MONRONEY, from the Committee on Post Office and Civil Service:

One hundred and seventeen postmaster nominations.

The **PRESIDING OFFICER.** If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

IN THE AIR FORCE

The legislative clerk proceeded to read sundry nominations in the Air Force which had been placed on the Secretary's desk.

The **PRESIDING OFFICER.** Without objection, these nominations will be considered en bloc; and, without objection, they are confirmed.

IN THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army, which had been placed on the Secretary's desk.

The **PRESIDING OFFICER.** Without objection, these nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of all these nominations.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

LEGISLATIVE SESSION

On motion of Mr. Long of Louisiana, the Senate resumed the consideration of legislative business.

THE LEGISLATIVE PROCESS IN ACTION

Mr. MONRONEY. Mr. President, on April 29, 1966, the distinguished House majority leader from the State of Oklahoma, the Honorable Carl Albert, delivered a most extraordinary address to the members of the Ewing Foundation in Norman, Okla.

The Ewing Foundation was recently established as a memorial to the late Cortez Ewing, a well-known and respected professor of government at the University of Oklahoma and a revered instructor and close friend of Congressman Albert.

The majority leader's address, at this the first Ewing Foundation lecture, dealt with the many factors which go into the enactment of legislation. He perceptively emphasized that congressional action is always a manifestation of the will of the Nation at any given time. This enlightening address certainly merits our perusal; therefore, I ask unanimous consent to have Congressman Albert's address printed in the Record.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE LEGISLATIVE PROCESS IN ACTION

(Address by CARL ALBERT, April 29, 1966, Ewing Memorial Hall)

To have been chosen to deliver the first lecture sponsored by the Cortez A. M. Ewing Foundation is, indeed, an honor which I shall always cherish. I suppose my main qualification for the assignment is that I was one of Dr. Ewing's earliest students and was at the time of his death one of his oldest and most devoted friends.

Cortez Ewing was a great teacher. He had rare talents. The best students in the University flocked to his classes. His ability to attract those with the greatest capacity to learn was rivaled only by his power to inspire them.

Dr. Ewing stood for something here at the University of Oklahoma which his students hope will be preserved. Through the dynamic leadership of Marcus Cohn, probably Dr. Ewing's best student, funds have been raised to enable the Ewing Foundation annually to bring lectures of the Ewing brand here to the University campus.

No influence is more vital in the development of our citizenry than that of good teaching. It has been stated that "he who governs well leads the blind, but he who teaches well gives them eyes." Dr. Ewing was a great teacher and, in honoring him, the things he did, and what he stood for, we honor the teaching profession, the most noble profession of them all.

The cultural, economic, and industrial future of Oklahoma hinges on the quality and impact of our education. We cannot expect economic and industrial progress to develop out of a cultural and intellectual void. We are fast being required to reassess our values. We must begin to give appropriate rewards to those who are unusually gifted in developing the minds of our college youth.

Dr. Ewing's lectures on political theory at the University have been a lifelong source of inspiration to me. When I was his student, he was not merely a teacher but also a friend. He was my advisor when I was a political science major. He was the principal sponsor of my application for a Rhodes Scholarship. He encouraged me to make my first race for Congress and assisted me in that campaign. When he wrote his textbook on American Government, he asked me to edit the chapters on the Congress. I gladly did so, and he acknowledged my assistance in his foreword.

I regret that some years ago I could not accept his invitation to address a political science symposium at the University on the subject on the Legislative Process in Action. I am happy that I am able to undertake that assignment tonight.

First, I should like to say a few words about the basic nature of the legislative process as I see it.

The general nature of Congress is easy to understand. Dr. Ewing used to impart to his classes: "Don't measure Congressmen by some abstract standard of perfection." He would say: "Remember that this is a democracy, and that a Congressman is a representative of his constituency. Try to visualize the average constituent in a particular congressional district. Then ask yourself whether the Congressman from that district does not meet the standards set by the average constituent."

The organizational structure and procedural steps in the legislative process are simple and easy to outline.

Not so simple is the matter of placing the procedural steps in their proper perspective, of determining what is routine and what is important, and of recognizing the major areas of possible conflict in the translation of an idea into law.

The legislative process involves political power struggles, and those struggles may occur at any stage in the development and consideration of a bill. The process also involves political responsibility. The party in power and its legislative leaders are held accountable at every procedural step in the movement of a bill. They are involved both formally and informally whenever and wherever a difficulty arises.

Sometimes the most difficult problems are the least sophisticated.

I remember, for instance, as I recall no nightmare, the night of December 23, 1963. Christmas was just a few hours away, the second session of the 88th Congress was due to convene on January 7, and the House had not yet completed action on the Foreign Aid Appropriations Bill. The Committee on Rules had not even reported a resolution to take up the conference report on the bill. But that was not all. The Chairman of the Committee on Rules was against the bill. The Chairman of the Committee on Appropriations, Congress CLARENCE CANNON of Missouri, was opposed to the bill. The Chairman of the Subcommittee on Foreign Aid Appropriations was against the bill. The Republican Leader of the House was against the bill. The Republican members of the Committee on Rules were not only against the bill but all of them had left Washington. Some of the Democratic members of the Committee who were in favor of the bill had also left Washington. Some had even gone abroad, leaving the Committee without a quorum.

The President, the Speaker, and I sat up in the White House until the wee hours of the morning, telephoning Rules Committee members and attempting to persuade them to return to Washington. At two a.m., we were still one short of a quorum. Finally, we were able to get one lone dixiecrat Member who was against the bill to leave the bedside of his sick wife and to fly in a snow storm back to Washington to make a quorum of the Committee on Rules so we could report out the bill and take it up in the House.

We passed the bill and adjourned the Congress on December 29th. This had been the longest peacetime session in history. President Johnson had been in office only a little more than a month, and JOHN MCCORMACK and I were serving our first full terms as Speaker and Majority Leader. The standing joke around the Capitol was that Sam Rayburn had died without teaching us how to adjourn the House.

I have previously indicated that the leadership may encounter serious problems at any stage of the legislative process and at any time in a given session. The leadership, to be successful, must know when and where to step in. There are times when, if a problem is not recognized and solved by the end of the opening day of the session, the entire program for the biennium may be jeopardized. I submit, as an outstanding example of this, certain changes brought about by the leadership on the opening day of the 89th Congress. You have heard much about the first session of this Congress and the large array of important bills which it passed. You have been told about the role of the President in that session, and I can testify that President Johnson is the most skillful legislative tactician of our time.

But I can tell you also, with absolute certainty, that the most important, indeed, the indispensable battles for the programs desired by the President, were won the very First Session of the 89th Congress, and the victory was totally and completely a legislative victory, a triumph conceived and effected by the legislative leadership of the House.

I refer to the changes made on that day in two of the Standing Rules of the House dealing with the Committee on Rules. One change involved the adoption of the "21-day rule," which provided a method by which the House leadership could bypass the Committee on Rules. The other change involved the adoption of a rule stating that, when differing versions of a bill are passed by the House and Senate, the Rules Committee will be bypassed and the differing versions will go directly to a conference committee for consideration.

To understand the importance of what happened on the first day of the last session, it is necessary to understand the nature of the House. The truth of the matter is that the House of Representatives is a hybrid political animal. The membership of the House and the leadership of the House represent the most recent expression of the public will. Committees, on the other hand, are organized on what is known as the seniority system.

Thus, while there were 66 new Members in the 88th Congress as a result of the 1962 elections, membership of the Committee on Rules was unchanged from the previous Congress. Sometimes, as a result of the seniority system, a committee becomes stacked in one direction. Consequently, it may report an administration bill rapidly and virtually without change, while another committee may change an administration bill so drastically that it is almost unrecognizable if, in fact, it ever reaches the floor at all.

This means that when an election is over, one cannot immediately assume that, because so many liberals defeated so many conservatives, or vice versa, the Congress will automatically act in direct response to the campaign issues. First, you must know who will return to the committees which will deal with specific issues and, second, who will return to the Committee on Rules which deals with all issues.

The greatest power struggles in the modern history of the House of Representatives have grown out of rules changes designed to eliminate some of the frustrations caused by the seniority system.

The most significant and far-reaching reforms of House rules since this revolt against Joe Cannon in 1910 were those which, as I previously mentioned, were made on the very first day of the First Session of the 89th Congress. This was an intra-house fight. The President had no part in it. It was conceived, sponsored, and directed by the leadership of the House. Nevertheless, it was the greatest victory ever won on behalf of the President's Great Society program, because on this day the Great Society was saved.

The triumph came on top of Sam Rayburn's victory in the 87th Congress, when, after a terrific battle and by a margin of only five votes, we were able to increase the membership of the Committee on Rules from 12 to 15 members, thus giving the Democratic leadership tenuous control of the Committee with an 8 to 7 vote on most issues. We made this reform permanent in the 88th and retained it in the 89th Congress. It requires only a little review to see just how vital these reforms were. If we had not had that one extra vote on the Committee on Rules, we would have had the identical membership on that Committee which we had ten years ago even though the House itself was entirely different both in its membership and its outlook! Not a single important Great Society measure would have been reported to the floor. Moreover, it was necessary to use the 21-day rule to get clearance for two very important bills; and, with the constant threat of the 21-day rule, the Rules Committee cleared many other important bills which it might otherwise have blocked.

The fact that the House changed the Party ratio on the Committee on Ways and Means was perhaps even more significant than our reforms of the Rules Committee, although the Ways and Means change took place almost unnoticed. The Committee on Ways and Means has control over two major areas. First, it has legislative jurisdiction over all revenue matters, including tariffs and social security. Second, the Democratic members of the Committee serve as the Democratic Committee on Committees. In this latter capacity, they control committee assignments. This means that they determine the character and composition of the other committees. The members of the Committee on Ways and Means are elected by the caucus, all old members being automatically re-elected. For many years, the Committee had been quite independent of the party leadership in the House.

Historically, the Committee on Ways and Means has been divided by a ratio of 15 majority members to 10 minority members. But in 1965, with a majority of more than 2 to 1 in the House, we changed the ratio, making it 17 to 8. This was particularly important in view of the fact that some of the Democratic members had been elected over the opposition of the leadership of Rayburn and McCormack and owed little allegiance to the leadership.

Where, I ask you, would the President's program be if we had not made these changes? Let me give you one example. When the 1964 Presidential campaign got under way, President Johnson called the Speaker and me and told us that the one thing the House could do to help most in the campaign would be to pass Medicare. We called members of the Ways and Means Committee, as did the President. We spent three weeks trying to move a bill, all to no avail. If we had not changed the ratio of the Committee, the membership in 1965–1966 would have been identical to the membership in 1964 when the Committee after months of prodding, refused to budge on this very important aspect of the Great Society program.

In addition, with this new posture of the Ways and Means Committee, we look forward to a gradual change in the composition of the other committees, so that they will better reflect the position of the national party.

I repeat what I said before—that these reforms which we effected in January, 1965, were the most important things we did all year. They set the stage for the most impressive legislative session in the history of the Congress. The 1965 session passed 73 major Administration bills, constituting about 85 percent of the Great Society program and also passed a considerable number of constructive measures which were developed in the House rather than in the administration.

This brings us to the role of the President in the legislative process. What about the charge of Congress as a "rubber stamp"? The President, of course, has a major constitutional role in legislation. He reports to the Congress on the State of the Union. He has the power to veto. His department and agencies administer the laws enacted by the Congress. These facts, however, have led to certain misconceptions as to the role and capacity of the Congress. One of these misconceptions is that Congress has been incapable of initiating and producing major legislative accomplishments by itself. This is not the case. Any number of examples can be cited to disprove this misconception. I will proceed to discuss several after making two observations. First, the legislative process is slow. In our society with its democratic system of government it generally takes from 5 to 25 years for a great issue to develop from a "need for legislation" to an "act of legislation." It is only in the last stage of this process that a President begins to call on Congress to enact a bill. At that late date, the public and the press then often assume the White House's identification with the bill means that the White House initiated the measure. Second, legislative leadership, in the broader sense, is not the exclusive province of the formal leadership. Wide opportunities to initiate and to promote legislation are open to all members of Congress, and great national leadership in many areas of legislation has come from the ranks of great committees.

Now for some examples of Congress at work: Congress as the initiator of legislation, Great Society legislation as well as other legislation. In 1955, Senator Paul Douglas and Congressman Daniel Flood began their great legislative adventure, the culmination of which was the Area Redevelopment Act. Observing that poverty tends to be widespread in some geographical areas while scarcely touching others, Senator Douglas held hearings before the Joint Economic Committee to assemble a comprehensive body of information. Upon the completion of his hearings, he introduced legislation designed to create opportunities for the citizens of poverty areas. In 1956, his bill passed the Senate. Similar bills subsequently passed both Houses of Congress in 1958 and again in 1960, but were vetoed by President Eisenhower. There were no groups which had any real interest in pressing for adoption of this legislation; and, in all frankness, the suggestions emanating from the academic community, while sophisticated theoretically, were unrefined practically. Two outstanding Senators, John F. Kennedy and Lyndon B. Johnson, voted for the legislation every time it came up, but they were not on the committees considering these bills and had nothing to do with their formulation. While legislation of this nature was enacted after President Kennedy had recommended it, and while President Johnson made it a part of his Great Society program, it is clear that Congress, not the Executive, was the initiator.

The Urban Mass Transportation Act of 1964, another very important Great Society program, was the beneficiary of a vast amount of work that had been initiated before 1960 by a group of Senators and Congressmen. This group of Congressmen was led by Senator and former House Member Harrison A. Williams of New Jersey. The first mass transit bill was put together in 1960 by a bipartisan House and Senate committee, and exploratory hearings were held before the Committees on Banking and Currency in both Houses. Solely because of Congressional insistence that some action had to be taken on this subject, an experimental program was incorporated in the Housing Act of 1961. Strong Congressional pressure for action in this area played a major role in President Kennedy's recommendations for legislation in 1963 and in President Johnson's recommendations in 1964. Similar examples can be cited from New Deal days. Senator George Norris had advocated rural electrification and a Tennessee Valley Authority long before F.D.R. made them planks in his platform.

This brings us to another widespread misconception as to the leadership which Congress furnishes in the legislative process. From members of the press and from academicians, there frequently arises the complaint that Congress is ill-equipped to deal constructively with the legislative recommendations of the Executive and that Congress either functions as a "rubber stamp" or ingages in a purely negative opposition to the President's program. The truth is that the Congress is not limited to these alternatives. While a Republican administration was in office, President Johnson—who was then the Senate Democratic leader—clearly demonstrated that even when one political party controls the Congress and the other the White House, Congress need not engage in warfare with the President, but instead can modify, improve, and carry forward a President's program.

In most cases, however, legislation is the sum product of the President, the Congress, and the country. Of the large number of bills passed last year, many have been in the process of development for years in the country as well is in the Congress and the Executive branch. For instance, a landmark in legislation was the new Immigration Act adopted in 1965, eliminating the national origins quotas. If you go back to the Congressional Record for 1928, you will find that the maiden speech of John McCormack in the House was directed against the National Origins Quota System. This was five years before Lyndon Johnson was old enough to be a member of the House of Representatives.

Legislative recommendations coming from the President have frequently benefited from improvements made by Congress. An outstanding example of Congressional ability to contribute legislative ideas is found in the Medicare bill we enacted. Proposals for governmental health insurance have been around since the 1930's and the New Deal. The movement to take the first step, by adopting a system limited to our older citizens was crystallized in the 1950's with the introduction of what was called the Medicare Bill by Congressman Amie Forand of Rhode Island. The Executive branch, then headed by President Eisenhower, was opposed to the proposal. The legislative programs of both President Kennedy and President Johnson subsequently adopted Forand's bill which, after Congressman Forand retired, became the King-Anderson bill. The King-Anderson program did not cover doctors' bills, but was limited to the payment of nursing and hospital bills for elder citizens, and was to be financed by increasing social security taxes. The Committee on Ways and Means, to which this legislation was referred; had always been its graveyard. However, after the 1964 elections and the action increasing Democratic membership on the Committee, the time looked ripe in 1965 to push for medicare legislation despite a massive attack launched against it by both the American Medical Association and the Republican Party. The A.M.A. opened fire on the bill because of its compulsory health insurance features and its failure to cover doctors' bills. It advocated passage of what it called an "Eldercare" program, which would expand the Kerr-Mills act to include doctors' bills as well as hospital bills. At the same time, Republican party leaders assailed the social security financing features and called for a volunteer plan. The White House stayed with the King-Anderson bill in the form that had been developed over the years and that had become familiar to citizens who had been working for some sort of legislation in this area. In what seemed to the press like an extraordinarily short time, the Committee on Ways and Means, meeting in secret session, under the leadership of Congressman Wilbur Mills, wrote an entirely new bill which, in fact combined the features of the King-Anderson proposal, the A.M.A. "Eldercare" plan, and the voluntary Republican program. The bill provided for payment of doctors' bills as well as for hospital and nursing care. This cut the ground out from under the American Medical Association which had never dreamed that the Committee would go so far. This is a worthy example of Congressional initiative in legislation.

Let us turn next to the case in which draft bills submitted by the President are actually based on work previously done by the Congress. The measure which became the Elementary and Secondary Education Act of 1965 is a good example. Federal aid to schools had been advocated for decades. When Democratic Congresses had been on the verge of enacting a bill for that purpose, problems had arisen on such issues as church versus state, local government versus federal government and civil rights. President Johnson, in one of his finest hours as a legislator, charted a course which skirted all these reefs. He bucked the church-state issue to the individual states, and ultimately to the courts. To avoid the other problems, he spread a thick coating of his "war on poverty" over the program, tying the amount of benefits and the types of benefits to the degree and nature of poverty, which is present to some extent in every area of the country.

The President found the key to this issue and deserves great credit for the passage of this important legislation. At the same time, it cannot be denied that the key was actually designed years ago by a great Congressman, the late Cleveland Bailey of West Virginia. The Bailey Acts, as you know, have provided school districts in what are called "federally impacted areas." The rationale of such assistance is that when the federal government buys property in a school district, and takes it off the local tax rolls, and at the same time moves in a multitude of federal employees who send their children to the local schools, this has a serious impact on the local schools, and the federal government should, therefore, grant aid. President Johnson picked up the key to this issue and tied the financing of the 1965 school bill to the "impact of poverty" in individual school districts. Here was a measurable way of determining how to divide federal benefits—and a way acceptable to most Americans because it appealed to their reason and to their humanitarianism. It does not diminish the extent of the President's great personal victory to say that he found his key to this problem in the workshop of Congress where the "impact of defense" had successfully been used as a basis for federal aid to education.

Again, it was the Congress and not the Executive which was the first to embark on a modern economic policy of enacting measures to stimulate a sluggish economy, without regard to balancing the budget. Thus, we have seen how a tax reduction, under the right circumstances, can result in increased government revenues. And here, men from the academic community have contributed much to our understanding of the problems at hand.

My experience with the Congressional committee system leads me to believe that because of its flexibility and maneuverability, its informality and its lack of an entrenched bureaucracy having a vested interest in the status quo, the committee system is in a position to give effective leadership in responding to new economic and social theories. Thus it is, in many instances, truly an ally of the intellectual community.

Behind a great Congressional session, such as the first session of the 89th Congress, is an enormous amount of work and preparation. The work must be planned well in advance, and in the last three or four Congresses, on bill after bill, timing has been the decisive difference between victory and defeat. Legislative leadership requires the stubbornness of a mule and the patience of a Job. A bill should never be programmed unless the bill is ready for the House and the House is ready for the bill.

Examples are not hard to find. Just a few months ago, the President lost his bill for home rule in the District of Columbia because he insisted on having it brought up before the preliminary work of persuading the House membership had been completed. Early in his administration, President Kennedy lost his bill to create a Department of Urban Affairs because he disregarded the advice of the House leadership and insisted that it be brought to a vote before the ground work essential to its passage had been done. Time and again it has been my observation that when the leadership yields to the Administration or to committee chairmen to program a bill whose time has not come, the results will be disastrous. This is the responsibility of the leadership, and the leadership cannot escape it. The leader must master the issues, and he must know the Members. His is the hardest and most important lobbying job in the country. Every major controversial bill considered last year required days and days and sometimes weeks of patient work: persuading Members one by one; inducing other Members to contact Members; getting the President, the White House Staff; and Departmental personnel to contact Members; persuading organizations at the grass roots level to contact members; and not stopping until 218 affirmative votes could be counted.

Sometimes, even this fails. Then the legislative leader must know how and when to compromise, for compromise is an essential ingredient of the legislative process. Had the leaders of the 89th Congress not been willing to compromise, the Housing Bill, the Aid to Elementary and Secondary Education Bill, the Medicare Bill, the Farm Bill, the Voting Rights Bill, and the Water Pollution Bill, to name only a few of the bigger ones, would never had been passed.

It has been said that "there is a tide that runs in the affairs of men." Viewed in these terms, the first session of the 89th Congress has left its mark on the shores of time. That session scaled more legislative heights, accomplished more legislative breakthroughs, stood up to more national problems, and solved more long-standing problems than any other Congress in the history of our country.

But in conclusion, I must offer a caveat: We were able to do these things only because the American people had reached that point in their history where they wanted them done. In our pride, we must remind ourselves that what we did was but the expression of the people's will.

It was Walt Whitman who identified the tides running through American society by which the Congress is to be guided. He used one word: "democracy." He declared that "its doctrines will only be effectively incarnated when the spirit is at the root and center."

Woodrow Wilson echoed this thought, that democracy and its government flourish only as they are nurtured from their roots. "A people shall be saved," he said, "by the power that sleeps in its own deep bosom or by none. The flower does not bear the root, but the root the flower."

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ACCOUNTING—MEDICARE STYLE

Mr. WILLIAMS of Delaware. Mr. President, in the May 2, 1966, issue of For Women, on page 6, there appeared an interesting item concerning medicare. For the information of the Senate, I shall read part of it. It is entitled "Accounting—Medicare Style."

An HEW official last week told nursing home owners how to avoid going broke under Medicare: He suggested they pad their bills. This advice doesn't represent official Government policy, but it does illuminate a payments problem that is in hot dispute. The Government will gladly pay private nursing homes (as well as hospitals) for the "reasonable costs" of Medicare patients—but so far the HEW defines "costs" only as out-of-pocket expenses for nurses, food, laundry, administration and the like. Nursing homes won't be able to figure any profit or interest on investment, into the bills they present to the Government—and this is enough to make at least one state nursing home association threaten a boycott of Medicare patients. Billy S. Byrd, chief of HEW's health insurance professional relations division, suggested at a Midwest conference that nursing homes get around this problem by juggling the books a little * * *.

I ask unanimous consent that the entire article be printed in the Record. The article indicates the sad state of morality, when an official of a Government agency tells a branch of American industry to "juggle its books a little" and "pad its bills" in order to circumvent an existing law. If this law is not correct I respectfully suggest that it should be returned to Congress and be changed.

There being no objection, the article was ordered to be printed in the Record, as follows:

Accounting—Medicare Style

An HEW official last week told nursing home owners how to avoid going broke under Medicare: He suggested *they pad their bills.* This advice doesn't represent official Government policy, but it does illuminate a payments problem that is in hot dispute. The Government will gladly pay private nursing homes (as well as hospitals) for the "reasonable costs" of Medicare patients—but so far the HEW defines "costs" only as out-of-pocket expenses for nurses, food, laundry, administration and the like. Nursing homes won't be able to figure any profit, or interest on investment, into the bills they present to the Government—and this is enough to make at least one state nursing home association threaten a boycott of Medicare patients. Bill S. Byrd, chief of HEW's health insurance professional relations division, suggested at a Midwest conference that nursing homes get around this problem *by juggling* the books a little; that is, by taking sums previously shown as profits and adding them to the administrator's salary, thereby qualifying them as "costs" reimbursable under Medicare. Auditors and tax accountants frowned at the idea and so, officially, did nursing homes. The American Nursing Home Assn. is relying on Congress and kind-hearted Social Security administrators not to let the no-profits policy last any longer than one year. But observers believe that any payment system that doesn't permit an official profit, even for a short time, invites subterfuge, loading of costs and overcharging of non-Medicare patients.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to have printed in the Record an article further commenting upon these remarks entitled, "Nursing Homes Seek Medicare Rule Change," published in Chicago's American, of April 20, 1966.

There being no objection, the article was ordered to be printed in the Record, as follows:

Nursing Homes Seek Medicare Rule Change

Embattled nursing homes throughout the country are appealing for congressional action to resolve their dispute with the department of health, education, and welfare over payment for medicare patients.

H.E.W. has ruled that homes will be reimbursed only on the basis of reasonable out-of-pocket expenses involved in the care of the nation's aged, with nothing allowed for a return on capital investment in nursing home buildings or equipment.

In revealing the appeal to Congress, Alfred Ercolano, of Washington, executive director of the American Nursing Home association, declared it was not the intent of the legislators to put private nursing homes out of business.

MIDWEST OPERATORS ANGERED

He said the aid of members of the powerful Senate and House finance committees, including Sen. DIRKSEN [R., Ill.], has been enlisted to get the ruling changed, hopefully before the regulations are officially published next week.

He spoke at a midwest nursing home conference in the Sheraton Chicago hotel.

Meantime Illinois nursing home operators were irate over the advice of an H.E.W. official which they said left them only two alternatives to shutting up shop—deceptive accounting or penalizing private patients to subsidize the government's inadequate payment under medicare.

CRITICIZED BY RABBI

Bill S. Byrd, chief of H.E.W.'s health insurance professional relations, speaking to the groups, had suggested that while neither profits nor interest would be allowed in payments for medicare patients, sums formerly designated as profits might possibly be included in such items as administrators' salaries.

Commenting on this, Rabbi Hillel Yampol, past president of the Chicago Nursing Home association, said:

"What they are, really telling us is to find loopholes in the law and saying in effect, 'Don't worry, you'll find a way to get around the regulations.'

"It's not a fair or an ethical thing to do."

Aside from the fact that people who have invested money in nursing homes have a right to expect a reasonable return on their money, the rabbi said there would not be sufficient funds for nursing homes to operate if the government pays "unrealistic rates" for medicare patients.

Operators varied in their judgment as to what action should be taken should congressional persuasion fail.

Some said they would reject medicare patients. Other counseled a policy of "trying to live with the regulations," while trying to get them changed.

Those who took the view said that the boycotting of medicare by private nursing homes would signal a mass move for the building of nursing homes by hospitals with Federal funds under the Hill-Burton act.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE INTERNAL REVENUE SERVICE IN SAN FRANCISCO

Mr. LONG of Missouri. Mr. President, in early February of this year, the Senate Subcommittee on Administrative Practice and Procedure held hearings on activities of the Internal Revenue Service in San Francisco.

During those hearings, many strange things came to light.

We found that special agents of IRS used wiretapping despite Federal law, State law, and IRS regulations.

We found that plain revenue agents used electronic gear on plain taxpayers despite repeated denials of such activity by the IRS Commissioner.

We found that one IRS agent in Sacramento had wired a conference room with hidden microphones and that the national office had not discovered this after a year of "thorough investigation."

We found that an IRS agent used a hidden tape recorder on a justice of the California Supreme Court.

We found that IRS agents were expected to lie under oath about wiretaps.

In brief, we discovered sufficient to send cold shivers up one's spine.

However, what we did not find—nor were we particularly looking for it—was evidence of tax irregularities in the bay area.

It is possible, however, that we did not dig deep enough or in the right direction.

What leads me to this conclusion?

It is a long chain of events, and an ironic one, but, at the same time, an interesting one.

To begin with, one of the scheduled witnesses for the February hearings was a revenue agent named Archie Sherar, who had used electronic gear on regular taxpayers. IRS mysteriously enough told us that they feared that they could not produce their own employee for the hearing. They asked the subcommittee to subpena him. We did, but he sent a medical excuse, saying he was suffering from—of all things—poison oak and was incapacitated.

Subsequently, Agent Sherar was subpenaed to appear at the subcommittee's next hearing in Washington on March 30, 1966.

When he did appear, he testified not only as to the use of electronic gear—as anticipated by the subcommittee—but also as to a tax "fix"—unexpected by the subcommittee. In brief, he testified that he had been fired by IRS 5 days previous to his appearance and that the real reason for his dismissal was his refusal to keep quiet about the "fix." According to Sherar, he was ordered to "limit" certain audits where he definitely concluded that additional taxes were due, IRS regulations to the contrary notwithstanding.

He said he was ordered to change his reports and falsify them.

He said that the orders came from his supervisor, and he felt that his supervisor had gotten his orders "from above." Sherar speculated that the orders came from District Director Joseph Cullen because of his friendship with a San Francisco accountant named Nathan Friedman, who was accountant for the major taxpayers involved. Sherar said that it was common gossip that Mr. Friedman was friendly with former IRS Commissioner Caplin. When questioned on this latter point, Sherar repeated that he had no evidence of any involvement of the Commissioner, but only rumor.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Missouri. I ask unanimous consent that I may proceed for an additional 6 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Missouri. Before dismissing Sherar from the stand, I cautioned him that he was under oath. He doggedly stuck to his story of the tax "fix." At that point, I made clear that the testimony was wholly unexpected despite two staff interviews with Sherar before his appearance—one by Chief Counsel Bernard Fensterwald on October 29, 1965, in San Francisco; one by Assistant Counsel Gordon Homme on March 30, 1966. Also, an invitation was issued to Mr. Friedman and the former Commissioner to appear and make any statement they wished. And, IRS agreed to investigate the charge.

Before going further, I wish to stress in the strongest manner possible that we have found no connection whatever between the tax cases in question and former Commisisoner Caplin. Needless to say, we are most sorry his name was mentioned publicly.

Although the incident was regrettable, it was believed that, at that point, we had done what we could to remedy it. It was believed that IRS would investigate the charge of tax "fix" thoroughly and impartially.

To my surprise, 2 days later, the subcommittee was taken to task on the Senate floor for failure to notify Messrs. Friedman and Caplin in advance of the testimony by Sherar and invite them to be present.

At the time, I was away from Washington, and the April recess began thereafter. Thus, no answer was made on the Senate floor at that time. Further, it seemed to me that there had been enough "shooting from the hip."

However, at that time, I did place in the RECORD certain correspondence between present IRS Commissioner Sheldon S. Cohen and me relative to this matter. In this correspondence, Mr. Cohen admitted that despite two staff interviews there was no way for the subcommittee to know of Sherar's attitude toward Messrs. Cullen and Friedman.

Mr. Cohen did not admit—as we suspected and as later correspondence shows—that an IRS lawyer, who was in the committee room during the hearing, knew all about Sherar and could have prevented all of the embarrassing testimony by a word or a gesture to us. We would have checked before permitting Sherar to testify. No word or gesture was forthcoming.

Mr. Cohen reported that Messrs. Caplin, Friedman, and Cullen were 100 percent innocent. His report was based on a "thorough" investigation made by IRS over a single weekend.

A number of small things in his "thorough" report raised my curiosity about the whole situation. Sufficient time for a "thorough" investigation had not elapsed. Further, Mr. Cohen would not show us IRS's report or any other documents in the case. In addition, although Mr. Sherar's activities were unusual, his sworn testimony as to the bare facts—as compared to rumor—had the hard ring of truth, whether provable or not.

As a result, we sent our chief counsel to San Francisco for an additional look.

His report to me is most interesting, and I ask unanimous consent that it be printed, in the RECORD, at this point.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

APRIL 23, 1966.

Memo to: Senator EDWARD V. LONG, chairman, Subcommittee on Administrative Practice and Procedure.

From: Bernard Fensterwald, chief counsel.

You asked for a written report of my finding on my recent trip to San Francisco re the Sherar matter.

In summary, my conclusions are as follows:

(1) The Inspection Service did not make a complete investigation; in particular, they did not talk to many of the principal witnesses.

(2) The Commissioner's conclusion [see his letter to you of April 5, 1966] as to Mortimer Caplin's involvement would appear to be correct; however, it does appear that the accountant, Mr. Friedman, was not adverse to dropping the names of high officials in IRS, and this is basically what Mr. Sherar's testimony come to if you read it in its entirety.

(3) As to District Director Cullen's involvement in limiting the audits of influential San Francisco taxpayers, there are a multitude of unanswered questions.

To understand the situation, it is necessary to look at the following table of organization of the San Francisco IRS office in 1962 and 1966:

TABLE OF ORGANIZATION—IRS—SAN FRANCISCO, CALIFORNIA

1962	*1966*
Dist. Dir. (1) Joseph Cullen.	Joseph Cullen
Dept. Dist. Dir. (2) Richard Nickel.	Charles Kingman
Chief of Audit (3) Claude F. Salter.	Fred Ochs
Asst. Cf. of Audit (4) Fred Gerdes.	Bud Sowers
Branch Chief (5) Geir Klaboe.	Geir Klaboe
Group Chief (6) Tom Haywood.	Tom Haywood
Rev. Agent (7) Archie Sherar.	

When Friedman complained on March 13, 1962, to Cullen that Sherar was acting improperly [i.e., trying to steal business secrets for his own use], by IRS regulations Cullen should have referred the matter to the Inspection Service immediately. He did not. Alternatively, one would at least have expected him to have asked his Chief of Audit, Mr. Claude Salter, for a report. He did not. He skipped all the way down the line to Mr. Haywood. Why?

Haywood never mentioned this to his superiors and even blocked a letter of March 15, 1962, from Sherar to Salter on the subject. Why? Are there other such cases?

Why was Haywood so adamant about Sherar changing these particular reports? Normally, if he could not convince Sherar, he would put a covering letter on Sherar's reports and send them on.

Indications are that in this case Friedman convinced Cullen to limit the audits to the one engineering issue. Cullen told Haywood, and Haywood told Sherar. Following IRS regulations, Sherar had looked into the returns generally and found a number of deficiencies in addition to the one engineering item. He wanted to put these in his various reports. He did slip a couple by, but Haywood insisted that he ignored them in most cases.

In his letter to you, Mr. Cohen refers to Mr. Sherar as using "immature judgment". Yet, he was promoted after 1962 and received fine fitness reports [I have copies of them].

Also, Cohen has made no effort to explain the silence of Schafer and Spatz.

As you know, neither Caplin, Friedman, or the IRS office in San Francisco want any further discussion of this whole matter.

For the moment, I would recommend sending the attached letter to Mr. Cohen, pointing out some of these circumstances and asking for specific answers to a few specific questions.

Mr. LONG of Missouri. Upon receiving this report, I dispatched a letter to Commissioner Cohen asking for specific answers to eight specific questions. I ask unanimous consent that my letter of April 25, 1966, and Commissioner Cohen's reply of May 5, 1966, with enclosures, be printed in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

APRIL 25, 1966.

Commissioner SHELDON S. COHEN,
Internal Revenue Service, Department of the Treasury, Washington, D.C.

DEAR COMMISSIONER COHEN: On April 5, 1966, you sent me a seven-page report on the testimony of Archie Sherar. Since that time, our Chief Counsel has been to San Francisco and talked to a number of people who were apparently missed by your Inspection Service in their investigation.

Mr. Fensterwald has made certain discoveries that should be of interest. He has put them in the form of comments to parts of your letter. [See attached copy with the comments in brackets.]

It would be greatly appreciated if you would have your staff consider the following specific questions and let us have specific answers thereto as soon as possible:

(1) Didn't either Mr. Robert Schafer or Mr. Robert Spatz, or both, know in detail of Sherar's involvement with Mr. Friedman and Mr. Cullen before Mr. Sherar testified?

(2) On at least one occasion wasn't Revenue Agent Sherar supplied electronic equipment by a Special Agent of the Intelligence Division?

(3) If Sherar used "immature judgment" in 1962, why did he continue to get fine fitness reports through 1965, and why was he promoted?

(4) When Friedman complained to Cullen about Sherar's alleged misconduct, why didn't Cullen follow IRS procedures and immediately refer the matter to Inspection?

(5) When Inspection did finally look into the matter at your direction in 1966, why didn't they question all of the relevant witnesses, such as Mr. Claude Salter who was Chief of the Audit Division when the whole affair took place?

(6) Why did District Director Cullen bypass Salter, Gerdes, and Klaboe?

(7) Why did Haywood fail to send Sherar's letter of March 15, 1962, to the Chief of Audit to whom it was addressed, or at least inform Sherar that he was not forwarding it?

(8) Why won't IRS give Salter a copy of the letter from Regional Commissioner Hawkins to the Public Health Service about his own [i.e., Salter's] health?

We regret that we cannot close the books on the subject as promptly as some would like, but there are simply too many unanswered questions.

Kind regards.

Sincerely,

EDWARD V. LONG, *Chairman.*

U.S. TREASURY DEPARTMENT,
COMMISSIONER OF INTERNAL REVENUE,
Washington 25, D.C.

DEAR MR. CHAIRMAN: I have just received the results of my Inspection Staff's complete and thorough investigation of the charges made by one of our former employees, Mr. Archie P. Sherar, before your Subcommittee on March 30, 1966.

[The investigation, which was made over a single weekend, appears to have been somewhat less than "complete and thorough." Several key witnesses were not interviewed and, strangely enough, have not been interviewed until this day.]

Under the circumstances, I feel it is appropriate that I share these findings with you.

Before getting into the substance of the investigation, I want to emphasize that Inspection reports directly to me and is completely independent of Internal Revenue's field management.

[It is interesting to note that the District Director ignored the specific rules of the National Office and those of the Regional Commissioner when he failed to refer Mr. Friedman's original complaints against Mr. Sherar to the Inspection Service. Not only this, he by-passed Mr. Claude Slater, Chief of Audit, who was directly responsible to the District Director for Mr. Sherar's activities.]

I call attention to this fact to stress that the investigation was carried out in an open-minded and objective manner.

SUMMARY OF THE INVESTIGATION

The investigation turned up no evidence that would support Mr. Sherar's charge of a "fix" in a tax case. Here is a summary of our findings.

1. It is not true that Mr. Sherar was fired because he refused to remain silent about a "fix". He was removed from the Service because he refused to cooperate and furnish records for the audit of his own tax returns.

2. There was no "fix". The tax cases in question have been carefully reviewed and we found no evidence that any were handled improperly. The only impropriety we discovered was the poor judgment Mr. Sherar used in conducting the audit and in dealing with taxpayers and their representatives.

3. There is no foundation to the allegation of a personal relationship between former Commissioner Mortimer M. Caplin and Mr. Nathan Friedman, the accountant who represented the taxpayers on these cases.

What our investigation does not reveal is why Mr. Sherar made these charges.

[Both Mr. Robert Schafer and Mr. Robert Spatz, IRS employees (lawyers), know of Sherar's accusations of a "fix"; indeed, Mr. Spatz was in the hearing room when Sherar aired the accusation. No word of this was breathed to the Subcommittee or its staff. But why?]

I can only surmise that this young man, disgruntled by the loss of his job, chose this way to get even with IRS for discharging him.

[It is interesting to note that he was fired less than a week before he was scheduled to testify. Yet, thoughts of firing him went back months, if not years.]

Now I would like to set forth some of the factual detail underlying the results of our investigation.

DETAILED FINDINGS

This, as I understand it, is the substance of Sherar's charges: that in 1962 he was forced to "fix" some tax cases by limiting the scope of an audit and by falsifying reports; that he was ordered to do so by his group supervisor because "word has come down to limit it"; that word from above to limit the audit was attributable to an alleged personal relationship between Commissioner Caplin and the taxpayers' representative, Mr. Friedman; and that Sherar was removed from the Service in 1966 for refusing to keep quiet about the "fix". A brief review of the facts should lay these unfounded charges to rest.

To place this matter in context, Sherar was first assigned the key 1957 and 1958 returns in question in 1959. When conducting an audit a revenue agent may under certain circumstances requisition related returns, if in the *judgment* of the agent *substantial* tax adjustments would likely result.

[In the instant case, involving a deficiency in a partnership return, does the agent have any choice other than to pull the individual returns of the partners, as the partnership pays no taxes *per se*; further, when he pulls the returns of the individual partners, is he not bound to examine them for any and all deficiencies, not just those relating to the partnership?]

An agent's judgment in such matters is, of course, subject to the review and concurrence of his group supervisor.

[Without Supervisor Haywood's approval, Sherar could not have examined the individual returns in the first place.]

In this case, the few returns originally assigned to Sherar soon grew into a wide-ranging audit involving five partnership and 34 individual returns. It was at this point, in 1960, that Sherar first came into contact (and conflict) with Friedman, accountant for the five partnerships. (It is interesting to note that in 1960 Mr. Caplin was a law professor at the University of Virginia and not Commissioner of Internal Revenue.)

In the fall of 1960, after the scope of the audit grew, Friedman complained to Sherar's group supervisor, at that time Mr. David Rossi, about Sherar's conduct of the audit. (it is not uncommon for a tax practitioner to complain to a group supervisor about the way a revenue agent is handling an audit.) By this time, the audit had grown to about 60 tax returns.

[As there were 30-odd taxpayers whose returns for three years were under scrutiny, this would merely indicate that Sherar was following the Commissioner's instructions about "quality" audits.]

In view of Friedman's complaint and since the principal issue was an engineering problem, Rossi decided to bring an IRS evaluation engineer into the case.

Sherar was instructed that the engineer was to handle this issue and that he was not to have anything else to do with it nor to contact Friedman or any of his clients on *this* aspect of the case. Rossi told Sherar, however, that he was free to continue his audit on any *other* significant issues involved. During the time Sherar was under Rossi's supervision, Rossi does not recall Sherar ever raising any other significant issues in the group of cases.

[But see the four cases mentioned on Page 4 of your letter, *supra*.]

The engineering issue appeared to be Sherar's main concern, and he was disappointed to have an engineer brought into the case.

Through a routine administrative realignment Sherar was transferred to Group Supervisor Thomas Haywood's group in August 1961, and took his inventory of cases with him. Meanwhile, Sherar's audit had grown to over one-hundred returns involving several partnerships and about 30 different individuals.

Shortly before March 1962, the engineer finished his examination of the principal issue. Although he recommended significant tax adjustments, the net tax result was more favorable to the taxpayer than that originally proposed by Sherar. Sherar did not agree with the engineer's treatment of the issue but made no formal dissent or written protest.

In March 1962, Friedman again complained about Sherar's handling of the audit, this time to District Director Joseph Cullen who referred Friedman to Group Supervisor Haywood. Friedman felt that the tax assessed to date in the group of cases was substantially correct and that after two years on the audit Sherar was just looking for "nickel-and-dime adjustments.

Again, I believe it is important to place this matter in its proper context. One of the major management problems facing the Service is to carefully manage our workload to achieve the most effective use of our limited manpower. To help attain this objective, it is Service policy to keep our workload as current as possible, i.e., to emphasize disposing of old returns in inventory so more recently filed returns can be audited. If we are to keep our work current it is obvious that we cannot allow our agents to conduct open-end examinations and audit every case *ad infinitum*. We instruct them to audit a return until they are reasonably sure they have arrived at the substantially correct tax, then dispose of the case, and move on to other work. It is important to note that in 1962 some of the returns involved in Sherar's audit were five years old.

After Friedman complained, Haywood discovered that another taxpayer's representative, a law firm, had also recently complained about Sherar's conduct as a revenue agent. At this point, Haywood contacted Rossi, Sherar's former group supervisor, and both supervisors held a meeting with Sherar to review his handling of the cases. Haywood then personally reviewed all aspects of the audit, found no additional significant tax, and directed Sherar to complete his audit and prepare final reports which were to include any significant issues Sherar had developed up to that time.

Haywood states that he definitely did not tell Sherar to confine his audit reports to the adjustments based on the engineer's findings.

[But see Haywood's own memorandum of May 8, 1962, to Chief of Review Section which flatly contradicts Haywood contention.]

Haywood also emphatically denies that he was under any pressure from any of his superiors to limit the examination. He states that he directed Sherar to wind up the audit because in his judgment it was the right thing to do based solely on the facts. He said Sherar was hopelessly bogged down, the cases were old, and many other cases had been closed in the same way.

The investigation supports the statements made by Mr. Haywood. All other San Francisco officials directly involved in this matter state that at no time was there any kind of pressure from anyone in IRS brought to bear on them to limit the examination.

[Which officials were "directly involved"? Mr. Sherar's Branch Chief, Mr. Geir Klaboe? The Assistant Chief of Audit, Mr. Fred Gerdes? The Chief of Audit, Mr. Claude Salter? The engineer, Mr. Ayling? The Regional Inspector?]

Further, Sherar was not, in fact, limited to the principal returns in the case. The record shows that he made adjustments on at least four other returns and assessed several thousands of dollars in additional tax against the taxpayers. These adjustments were made *subsequent* to the time Haywood told Sherar to wind up the audit.

The investigation also shows there is no substance to Sherar's allegation that one of the cases involved fraud. None of the supervisors involved can recall Sherar ever mentioning the possibility of fraud in any of the cases. Our review of the case files reveals no indication of fraud.

[Have you checked a Dr. Davis?]

Sherar testified before your Subcommittee that he wrote a memorandum on March 15, 1962, requesting that an investigation be made of this whole matter. If he believed there were irregularities in the handling of these cases, the proper thing to have done, and every revenue agent knows this, * * *

[Apparently District Director Cullen and Supervisor Haywood did not know it.]

* * * would have been to bring this to the attention of Inspection. This he failed to do until four years later when he was being removed from the Service. Sherar did write a memorandum on March 15, 1962, to the Chief of the Audit Division, but it did not contain a request for an Inspection investigation nor was there any indication in the memorandum that he felt he was being forced to "fix" a tax case.

[This letter was addressed to Chief of Audit, Mr. Claude Salter. As a matter of courtesy it was routed by Mr. Sherar through his Supervisor, Mr. Haywood. Puzzling enough, it never got to Mr. Salter.]

Concerning the alleged falsification of reports, it seems to me that this boils down to Sherar not being allowed to conduct the audit in the way he wanted. The judgment of the agent conflicted with that of his supervisor, and the result was that the agent was directed to do something he did not want to do—wind up the project, write his reports, and get on with more important work.

This, of course, is precisely why we have supervisors and delegate authority to them. We depend on the mature judgment of our supervisors to provide guidance to our younger, less experienced personnel. One of the most important functions of an Audit group supervisor is to protect taxpayers from overzealous agents. This, in my opinion, is one of the real strengths of our tax system.

I would like to turn now to the alleged personal relationship between Messrs. Caplin and Friedman. I do not presume to speak for these gentlemen, but I can tell you that we have interviewed them and both deny knowing each other. I have never met Mr. Friedman, but I am well acquainted with Mr. Caplin and know him to be a man of integrity.

Sherar's statements in testifying before your Subcommittee perhaps most effectively discredits this charge.

When asked if he knew for a fact that there was a personal friendship between Messrs. Caplin and Friedman, Sherar said: "No. This was just a rumor." Again, in his own words, when asked by you if he had any specific evidence that the alleged friendship was the reason he was not allowed to conduct the audit as he wished, Sherar replied: "Well, Senator, nobody told me that this was the case. Anything that I would say would be an assumption on my part." And finally, in his testimony before your Subcommittee he indicated that he is not really sure in his own mind why he thought he was being pressured to limit the audit. The record shows that he cited four other possible reasons why he felt this way, in addition to the alleged friendship between Messrs. Caplin and Friedman. Again, in Sherar's own words: "Now, the District Director may have, because of his own friendship or he may have wanted to avoid any embarrassment with the Commissioner, or avoid any complaint going to the Commissioner or for what reasons, or perhaps this was just administratively expedient."

Then, directly after this statement, the record of Sherar's testimony shows he admitted that he did not even know for sure if his District Director knew of the alleged friendship between Messrs. Caplin and Friedman. The more this charge is exposed to the light of reason, the more absurd it becomes.

Finally, Mr. Sherar was discharged from Internal Revenue solely because he refused to cooperate and furnish his records to substantiate deductions claimed on his own tax returns.

[After Mr. Sherar testified, Mr. Robert Spatz testified that Sherar "was in hot water out there for some time with regard to past wildcat eavesdropping, with regard to his own tax affairs, with regard to the charge that Mr. Friedman had made to the District Director about taking lists from the realtor". There would appear to be several reasons for his discharge and not a sole reason.]

Every employee of Internal Revenue knows full well that his own tax affairs must be completely above board. He also knows he must cooperate fully with other IRS personnel when his returns are being audited. The confidence of the American people in the equity and integrity of our tax system demands that every IRS employee be scrupulously correct in his own tax affairs.

Mr. Sherar was directed numerous times, both orally and in writing, over a period of approximately six months to make his records available and to cooperate with the agent examining his returns. He repeatedly refused to do so. The District Director was faced with no alternative but to take disciplinary action. When informed of possible adverse action, Mr. Sherar chose not to answer the charge.

[He did answer the charge promptly and in writing. He requested an oral hearing before an official outside the IRS office in San Francisco. His request was refused.]

Consequently, he was removed from the Service.

CONCLUSION

In sum, I believe this whole matter can be attributed to the poor judgment of a rather immature individual.

[After the Friedman affair, Sherar received more than satisfactory fitness reports through 1965; in fact, he received a promotion from Grade 11 to Grade 12 during this time. On several occasions, he was complimented on his handling of difficult cases.]

I am sure you are well aware of Mr. Sherar's erratic behavior. In his testimony before your Subcommittee, he admitted his unauthorized use of electronic equipment in routine audit cases to make surreptitious recordings of his conversations with taxpayers.

[On at least one occasion, he received the gear through the help of a Special Agent of the IRS.]

Of the incidents of misuse of such equipment uncovered in IRS to date, this is the only instance where a *revenue agent* working a regular audit case has been involved.

[Speaking of San Francisco alone, how about the Revenue Agent who bugged the Justice of the California Supreme Court?]

In the light of Inspection's investigation and the conclusive results reported to you in this letter, I feel it would serve no useful purpose for Mr. Haywood and other San Francisco officials to appear before your Subcommittee on this matter. However, if you still feel it is necessary I will, of course, be glad to make them available.

With kind regards,

Sincerely,

SHELDON S. COHEN,
Commissioner.

Hon. EDWARD V. LONG,
Chairman, Subcommittee on Administrative Practice and Procedure, U.S. Senate, Washington, D.C.

U.S. TREASURY DEPARTMENT,
Washington, D.C., May 5, 1966.

DEAR MR. CHAIRMAN: I shall be happy to respond to the eight questions raised in your April 25 letter, although frankly most of them do not seem to me to be especially relevant to Inspection's investigation of Mr. Sherar's charges.

Before answering the questions, I want to point out that my report to you was a concise presentation of significant Inspection findings with important supporting factual detail and necessary background information. The report was not intended to be an exhaustive treatment of every possible facet of this matter. However, you obviously feel that additional detail is necessary for a clearer understanding of the results of our investigation, and I shall be glad to provide it.

Here are specific answers to your questions:

(1) Didn't either Mr. Robert Schafer or Mr. Robert Spatz, or both, know in detail of Sherar's involvement with Mr. Friedman and Mr. Cullen before Mr. Sherar testified?

Mr. Spatz, accompanied by Mr. Schafer, interviewed Sherar on January 25, 1966. I separately attach Mr. Spatz's resume of pertinent portions of that interview and later developments.

(2) On at least one occasion wasn't Revenue Agent Sherar supplied electronic equipment by a Special Agent of the Intelligence Division?

On the occasion you refer to, a special agent of the San Francisco District Intelligence Division put Sherar in touch with the San Francisco Police Department where he obtained a recording device. Sherar borrowed the recorder, planted it in a briefcase, recorded an interview with a third-party witness in the audit case he was working, and then returned the recorder to the Police Department. Sherar's group supervisor did not authorize him to obtain and use the recorder. Nor was Sherar working with Intelligence on the case. Thus the special agent's group supervisor did not have the authority to authorize Sherar to use the equipment, and he does not recall telling him it would be O.K. to use it. The special agent involved denies participating in the recorded interview and states he never saw or used the information obtained and doesn't even recall discussing it with Sherar.

This, incidentally, was the second time Sherar made unauthorized use of electronic equipment. After the first time, Sherar had been admonished by his group supervisor and told that under no circumstances was he to use such equipment again.

(3) If Sherar used "immature judgment" in 1962, why did he continue to get fine fitness reports through 1965, and why was he promoted?

Although I see no inconsistency between the fact that Sherar used immature judgment in 1962 and his subsequent promotion in April 1964, the answer is that he was given "Satisfactory" performance ratings and promoted on the basis of his satisfactory performance as a revenue agent.

The record is not as black and white as the question implies, however. Sherar's group supervisor first recommended him for promotion in November 1963, on the basis of improved performance over 1962. The record shows that the Chief Field Audit Branch, returned the recommendation noting that a longer period of improvement was needed and that "relationships with taxpayers and practitioners also needs improvement."

I have provided this information in an attempt to answer the question fully. However, Sherar's technical competence as a revenue agent subsequent to 1962 was not questioned either in the context of Inspection's investigation or during the adverse action brought against him for failing to cooperate in the audit of his own tax returns. Consequently, I fail to see the relevance of this question and answer.

(4) When Friedman complained to Cullen about Sherar's alleged misconduct, why didn't Cullen follow IRS procedures and immediately refer the matter to Inspection?

IRS procedures do not require a District Director to refer every complaint against a revenue agent to Inspection for investigation. On the contrary, a District Director is expected to exercise discretion in handling complaints of this kind, and to refer to Inspection only those matters which in his judgment require an Inspection investigation.

(5) When Inspection did finally look into the matter at *your* direction in 1966, why didn't they question all of the relevant witnesses, such as Mr. Claude Salter who was Chief of the Audit Division when the whole affair took place?

I believe Inspection did question all relevant witnesses. Mr. Salter was not interviewed because there was no reason to believe he had any pertinent information to offer. In 1962 there were three levels of management between Salter and Sherar, and there was no indication in the record that Salter had been directly involved in the matter.

(6) Why did District Director Cullen bypass Salter, Gerdes, and Klaboe?

I assume that you are asking why District Director Cullen referred Friedman directly to Sherar's group supervisor. Mr. Cullen says he did so, because it was the logical thing to do and is sound administrative practice. I agree. Friedman was complaining about Sherar's handling of the case. Messrs. Salter, Gerdes, and Klaboe were managers, and it was not their job to be familiar with the details of cases being handled by revenue agents. That is a group supervisor's job. Haywood, as Sherar's immediate supervisor, was the logical person to discuss the matter with Friedman.

(7) Why did Haywood fail to send Sherar's letter of March 15, 1962, to the Chief of Audit to whom it was addressed, or at least inform Sherar that he was not forwarding it?

Haywood did forward Sherar's memorandum to his superior, Field Audit Branch Chief Klaboe, who in turn routed it to the office of the Chief, Audit Division. Mr. Salter's assistant, Mr. Gerdes, read the memorandum and returned it to Mr. Klaboe. The record shows no further action was taken.

Upon reading this document, it seems to me that Sherar intended it to justify his conduct to his superiors. Given the tone and content of the memorandum, it seems reasonable to assume that Messrs. Haywood, Klaboe, and Gerdes attached no great importance to the document at the time.

(8) Why won't IRS give Salter a copy of the letter from Regional Commissioner Hawkins to the Public Health Service about his own [i.e., Salter's] health?

I'm at a loss to understand what possible connection the adverse action against Salter has to the investigation of Sherar's charges. Nevertheless, I shall be glad to answer it. Salter has not been given a copy of the letter, because it is a privileged executive communication and was never intended to be read by him. It was the Service's contention throughout the Salter appeal that the record of his fitness for duty examination was irrelevant to the documentation of the adverse action against him, and the Civil Service Commission sustained the Service on this point.

I regret that the inadvertent omission of certain detail from my April 5 report may have raised doubts about the thoroughness and objectivity of Inspection's investigation. I trust that the additional information provided above will clear up the confusion.

Sincerely,

SHELDON S. COHEN,
Commissioner.

Hon. EDWARD V. LONG,
Chairman, Subcommittee on Administrative Practice and Procedure, U.S. Senate, Washington, D.C.

Attachment.

APRIL 27, 1966.

RESUME OF SHERAR INTERVIEW AND LATER DEVELOPMENTS

I met with Mr. Sherar for perhaps two hours during the afternoon of January 25. He was openly hostile and prone to remarks designed for dramatic impact. One such remark was to the effect that he was in on a "fix" whereby he had been pressured to break off a tax audit in 1962. He attributed the pressure to an alleged friendship of the taxpayer's representative with the then Commissioner.

Mr. Sherar added that he would never dream of giving such testimony to the Subcommittee. I warned him that, if it came up, he would have to tell the truth as he saw it.

I went on to explore how and why he saw it as he had first stated. As he outlined his handling of the case and what others had said and done, he began to qualify his allegation. At the termination of the interview, I was satisfied that Mr. Sherar did not intend to make an allegation of a "fix" at his testimony then scheduled for February 2.

Without bringing the allegation to Mr. Sherar's superiors (who were already considering disciplinary action against him on unrelated grounds), on January 26 I made an admittedly cursory examination of available files. I found nothing whatsoever to support the allegation.

Believing that the allegation was groundless, I did not bring it to the Commissioner's attention nor recommend steps to initiate an Inspection investigation. Believing that Mr. Sherar would not make the allegation at Subcommittee public hearings—and, moreover, not being at all sure that it would be advisable or proper to talk such a matter over with the Subcommittee staff in advance—I did not recommend steps to bring Mr. Sherar's apparently discarded notions to the attention of the Subcommittee.

Mr. Sherar failed to appear at the February 2-4 San Francisco hearings despite a Subcommittee subpoena and my urgings by phone that he make every effort to come. I did not see or talk with Mr. Sherar again until he was called as a witness by and for the Subcommittee in Washington on March 30.

Mr. Sherar had been dismissed from the Service on March 25. I did not know that the Subcommittee would ask him why he had been fired. Had I considered that possibility, I would have expected his answer to be that he had been charged with failing to cooperate in the examination of his own income tax affairs.

When the question was asked and Mr. Sherar dropped his bombshell, I was as much dismayed by the turn of events as the Subcommittee staff. By that time, however, as Senator LONG advised Mr. Sherar at page 1247 of the Hearings transcript:

"I don't think Mr. Spatz has anything to say about your testimony. You are not employed by the Internal Revenue Service. You don't want Mr. Spatz to represent you, you want your independent counsel."

ROBERT L. SPATZ.

Mr. LONG of Missouri. Two things of general interest will be noted: First, the tone of the reply which indicates grudging willingness to answer the questions; and second, very unspecific answers.

The answer to question 1 apparently is that both Mr. Spatz and Mr. Shafer were fully aware of the situation and could have prevented it, but did not.

The answer to question 2 apparently is "yes."

As to question 3, I ask unanimous consent to have printed at this point in the RECORD the "remarks" from Mr. Sherar's fitness reports for 1961 and 1963-65.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

OCTOBER 1, 1960, TO SEPTEMBER 30, 1961

Group PA-21 organized August 7. Since no cases have been turned in by the agent in the period from August 7, due to leave and a fraud case being developed, rating above takes into account a discussion of cases in process with the agent and a discussion of his capabilities and potential with his former supervisor and supervisor of the fraud group.

OCTOBER 1, 1962, TO SEPTEMBER 30, 1963

Agent's performance during the year on heavy cases and complex issues has been very good. Some solid issues involving substantial tax have been raised and agent was supported in his findings.

Definite improvement shown under Guidelines for Standard 1b and 2c over preceding year.

Agent received an incentive award September 30, 1963 for his suggestion to improve Schedule D on Form 1040.

OCTOBER 1, 1963, TO SEPTEMBER 30, 1964

Mr. Sherar's performance during this rating period has been above average. He continues to detect and skillfully develop significant and unique issues. He has done very well in expeditiously disposing of priority work. His technical knowledge and research ability are excellent.

Agent's cooperation and attitude have been exemplary.

OCTOBER 1, 1964, TO MARCH 14, 1965

Mr. Sherar's performance continues in a commendable manner, with a high degree of technical efficiency and a display of resourcefulness.

OCTOBER 1, 1964, TO SEPTEMBER 30, 1965

Mr. Sherar's work for this rating period has consisted of the heavier grade 12 cases. The results tax wise have been very good. However, agent has been reminded that in working the heavier cases he must be ever mindful of equating results with accrued time, and to avoid any tendency to overwork cases.

This is a deficiency that has plagued Mr. Sherar from time to time in the past and has shown some indication of recurrence this year. Agent is aware of this and will have to watch his time closely with the heavier type cases being worked.

Agent attended school for international tax law September 13-September 24 and did very well in class.

During the rating year 33 days were devoted to classification of returns.

Mr. LONG of Missouri. These fitness reports were not furnished by IRS but rather by Mr. Sherar, who does not have his report for 1962.

As to question 4, according to all IRS regulations, complaints about illegal or dishonest activities of IRS personnel are to go straight to the Inspection Service; there is no administrative discretion about the handling of this kind of allegation of wrongdoing. In support of this conclusion, I ask unanimous consent to have printed at this point in the RECORD the current regulations in effect in the San Francisco district.

There being no objection, the regulations were ordered to be printed in the RECORD, as follows:

U.S. TREASURY DEPARTMENT
OFFICE OF THE REGIONAL COMMISSIONER,
San Francisco, Calif., November 24, 1954.
RC-SF-Memorandum No. 19-10, Adm. No. 37,

COMPLAINTS AND ALLEGATIONS OF MISCONDUCT

All officers and employees of the San Francisco region:

A. Purpose

The purpose of this Memorandum is (1) to restate for all officers and employees that it is the sole responsibility of Inspection to conduct investigations of complaints or allegations of misconduct or irregularity on the part of Internal Revenue Service employees, and (2) to emphasize very clearly that complaints and allegations, howsoever received, will be transmitted *promptly* to the Regional Inspector or Assistant Commissioner (Inspection) for investigation.

B. Scope

This Memorandum derives from IR-Mimeograph No. 54-134 dated July 23, 1954 and bearing the same title, which is binding upon all officers and employees of the Internal Revenue Service. Employees should also refer for related information to RC-SF-Circular No. 17, "Employee Obligations with Respect to Separate Responsibilities of the Inspection Service and Intelligence Division in Investigation Matters," which was distributed to all employees under date of December 16, 1953.

C. Instructions and outline of procedures to be followed

1. *Jurisdiction of the Inspection Service.* The Assistant Commissioner (Inspection) is charged with responsibility for conducting all investigations of complaints and allegations of misconduct or irregularity on the part of Internal Revenue Service employees. Supervisors and officials of the District and Regional Offices shall *not* conduct or direct *any* investigations into complaints or allegations of the types of misconduct or irregularity listed in Attachment No. 1 to this Memorandum, but they shall refer any information of this character immediately to the Regional Inspector or Assistant Commissioner (Inspection). Only matters purely administrative in nature such as inefficiency, insubordination, tardiness, etc., will be handled by such supervisors and officials.

2. *Direct Communication of Employee Report.* Employees may at any time communicate, verbally or in writing, complaints or allegations of misconduct or irregularity on the part of Internal Revenue Service employees directly to the Regional Inspector, the Assistant Commissioner (Inspection), any member of the Inspection Staff, this office, or the National Office.

The following names, addresses and telephone numbers are provided to facilitate such communication:

Scott C. McCarl, Regional Inspector, Flood Building, Room 1170, 870 Market Street, San Francisco 2, California, phone Klondike 2-2833, Ext. 6461-6462.

Harry J. Trainor, Assistant Commissioner (Inspection), Internal Revenue Service, Room 3033, 12th Street and Constitution Avenue, Washington 25, D.C., phone: STerling 3-8400, Ext. 656-657.

The identity of a reporting employee and the information or facts reported shall, when requested, be maintained in confidence. It shall not be required that an employee advise his supervisor concerning a complaint or allegation which the employee makes directly to Inspection, this office, or the National Office. This privilege, however, is to be carefully distinguished from the obligation of every employee to follow established supervisory lines of authority in presenting job-connected grievances involving internal administrative problems, as defined in RC-SF-Memorandum No. 54-21, "Procedures for Grievances, Hearings and Appeals" (see particularly part E therein and my office memorandum on the same subject addressed to all employees on April 23, 1954).

3. *Documentation of Employee Report.* A written or verbal report of misconduct or irregularity should contain all of the known facts and information, and the reporting employee should also identify himself. False complaints or allegations, made for malicious reasons, will not be tolerated.

4. *Communication of Employee Report through Supervisory Channels.* Employees may, if they desire, submit complaints of misconduct or irregularity through their supervisors. In such cases, the supervisors will *promptly* transmit through appropriate channels such complaints or allegations to

Inspection for necessary action. It is the responsibility of the District Director in the district office and the Regional Commissioner in the Regional Office to insure that this policy is *promptly* and *effectively* carried out when the employee chooses this course of action.

5. *Posting of Instructions.* A copy of this Memorandum and its attachment shall be conspicuously posted at each space occupancy (noncontiguous building) in which employees are stationed within this region, together with copy of IR-Mimeograph No. 54-134 and its attachments.

E. C. WRIGHT,
Regional Commissioner.

Attachment: List of Types of Cases.
Distribution: All Employees.

ATTACHMENT TO: RC-SF-MEMORANDUM NO. 19-10

For reference purposes only, there is attached a list indicating types of cases which should be referred to the Offices of Regional Inspectors for investigation. This list is furnished as a guide and is not to be considered as all inclusive.

1. Alleged solicitation and/or acceptance of a bribe.
2. Alleged solicitation and/or acceptance of fees and gratuities for preparation of tax returns.
3. Alleged solicitation and/or acceptance of fees and gratuities for legal work.
4. Alleged use of official position to gain favors.
5. Alleged extortion.
6. Alleged embezzlement.
7. Alleged shortages and/or irregularities in accounts.
8. Alleged misappropriation of government funds.
9. Alleged improper handling of tax matters.
10. Alleged improper conduct during a tax examination.
11. Alleged collusion with taxpayer and/or taxpayer accountant.
12. Alleged outside bookkeeping and/or accounting service.
13. Alleged outside employment without permission.
14. Alleged improper financial transactions with taxpayers.
15. Alleged Hatch Act violations.
16. Alleged association with gamblers, racketeers, and other persons of ill repute.
17. Conspiracy to defraud the United States government.
18. Recommendation of accountant and/or lawyer to taxpayer.
19. Alleged criticism of taxpayer's accountant and/or lawyer.
20. Alleged collusion with law violators.
21. Alleged solicitation and/or acceptance of gifts and favors from taxpayers who have or have had matters pending before the Bureau.
22. Alleged living beyond means.
23. Issuance of worthless checks.
24. Financial interest in manufacture of tobacco or production, rectification or distillation of distilled spirits.
25. Participation in presenting taxpayer's claim against government.
26. Alleged improper conduct during official investigation.
27. Recognizing and holding conferences with persons known to be disqualified.
28. Failure to report in writing violation of any revenue law, or of fraud committed by any person against the United States under any revenue law.
29. Alleged misappropriation of government property.
30. Abandonment of post of duty.
31. Destruction or altering of government records.
32. Excessive use of intoxicants and/or intoxication while on duty.
33. Excessive use of intoxicants and/or intoxication while not on duty.
34. Arrest for misdemeanor and/or felony (not connected with official duties, government funds or property).
35. Alleged falsification of daily report.
36. Making or presenting false, fictitious or fraudulent claims with the intent of cheating or defrauding the government.
37. False statements while under oath.
38. Excessive gambling or betting.
39. Filing of false personal income tax returns.
40. Failure to pay personal income taxes and to pay other personal and family debts.
41. Use of narcotics.
42. Failure to report in writing any dereliction or malfeasance on the part of any internal revenue employee.
43. Divulging information on returns or of a confidential nature.
44. False execution of jurat.
45. Acting as attorney or agent for taxpayer in the prosecution of any claim against the United States.
46. Use of outside influence to obtain public office or promotion.
47. Speculating in stocks, bonds, or commodities.
48. Soliciting contributions from government employees for gifts to official superiors; acceptance of gifts by official superiors.
49. Purchase of surplus seized, etc. property offered for sale by authority of the United States.
50. Deviation from complete loyalty to the United States; membership in, affiliation with, or sympathetic association with organizations designated by the Attorney General as totalitarian, fascist, communist or subversive.
51. Unnecessary exposure or display of firearms by employees authorized to carry firearms.

Mr. LONG of Missouri. Questions 5 through 8 involve a very unusual situation surrounding attempts by District Director Cullen and Regional Commissioner Hawkins to force Audit Chief Salter to retire involuntarily.

Despite Commissioner Cohen's disclaimer, there may be a very strong connection between the Sherar situation and the attempt to get rid of Salter. In any event, it is curious indeed that, despite requests from the subcommittee, IRS's Inspection Service doggedly refuses to interview Sherar and Salter.

And why, when IRS was trying to force Salter to resign did Regional Commissioner Hawkins write a letter to the Public Health Service about Salter? And why will they not make a copy available to him to use in his own defense? The answer to this last question we know: Because it would show that Regional Commissioner Hawkins committed an inexcusable breach of ethics when he dispatched the letter. It is a "privileged executive communication" for one reason and one reason alone: it would blow IRS's case against Salter sky high and indicate to the world the tactics that IRS uses against its own employees.

In time, this letter about Salter will be made public, either in court or in the CONGRESSIONAL RECORD, or both.

As of this moment, I am entirely dissatisfied with the record in the Sherar situation. IRS has not and apparently will not investigate thoroughly and impartially to see if there was improper tampering in the series of cases leading to Sherar's firing. If there was dishonesty there, are there other similar cases?

And why is IRS so hog-wild-bent on getting Chief of Audit Salter out of the way?

I am writing to the Secretary of the Treasury to see if he will not order an investigation by Treasury personnel entirely removed from IRS.

IRS wonders out loud why we investigate them so long. If their attitude does not become more cooperative, this investigation may go on for a long, long time.

Mr. President, I yield the floor.

THE RELATIVE DECLINE IN FARM PRICES

Mr. SYMINGTON. Mr. President, for many years there has been great and growing interest, not only here in the Senate, but also in every home in America as to what happens to the cost of our food and fiber between the time it leaves the farm and is sold at retail to the American housewife.

All too often, as prices to the farmers have gone down, retail prices have stayed up or risen; seldom have they dropped. Because of this interest, some 2 years ago, the senior Senator of Wyoming [Senator MCGEE] introduced a resolution calling for the appointment of a National Commission on Food Marketing, authorizing this Commission to make an exhaustive analysis of every aspect of food marketing. That Commission will be reporting by June 30.

As one of the cosponsors of the resolution calling for this Commission, I was, of course, pleased when two able Members were appointed from Missouri, Congresswoman LEONOR SULLIVAN, of St. Louis, known nationally for her interest in all policies affecting consumer prices, and Dr. Elmer Kiehl, dean of the University of Missouri College of Agriculture. The Commission will have some most interesting information to report, and we hope some constructive suggestions.

The work of this Commission has been followed with great interest by many Members of the Congress, by economists and farm reporters.

One of the most able economist-reporters in America, who presents with clarity and appreciation many of the complex problems in our society, Sylvia Porter, devoted a column this last week to the questions being studied by the National Commission on Food Marketing.

As one who has long believed that the American farmer, by his productive genius, has made a most significant contribution to our high standard of living, I was glad to note that Miss Porter states in her column:

> Since 1950, the cost of marketing of food has climbed 25 percent while the farm value of food actually has declined.

For the readers of the CONGRESSIONAL RECORD who might have missed Miss Porter's comments, I ask unanimous consent that her column, "Prices Between Farm, Store," as it appeared in the Washington Evening Star on May 17 be inserted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Evening Star, May 17, 1966]

YOUR MONEY'S WORTH—PRICES BETWEEN FARM, STORE

(By Sylvia Porter)

The U.S. farmer will be getting an average of 4 cents for a pound of lettuce in the final quarter of 1966, according to authoritative projections. But the U.S. consumer will be paying an average retail price of 26–28 cents for the same lettuce. Lettuce doesn't go through a transformation between farm and store—comparable to, say, the change from a pound of hog on the hoof to a pound of pork on the counter. A head of lettuce is a head of lettuce is a head of lettuce.

The farmer will be getting about 33 cents for a dozen eggs at year end, according to the same projections. But you'll be paying an average of 52–54 cents for these eggs. Eggs don't go through a transformation either. An egg is an egg is an egg.

A pound of potatoes should be bringing the farmer 1.7 cents in the last quarter while you'll probably be paying 5½–6½ cents. The above observations apply to potatoes, too.

Where does the money go between farm and store? It goes into all the operations lumped under "food marketing": Transportation, processing, packaging, displaying, advertising, promoting, selling. It goes into an ever-widening number of store services: Big parking lots, check-cashing, baby-sitting.

The farmer's share of the $1 you spend for food rose from a postwar annual low of 37 cents in 1964 to 41 cents in the first quarter of this year, reflecting generally higher farm prices and bringing net realized income per farm to an estimated $4,600 in 1966, an increase of 55 percent since 1960.

Nevertheless, a full 59 cents of your dollar still is going to the "intermediaries." Since 1950, the cost of marketing of food has climbed 25 percent while the farm value of food actually has declined.

The food price spread has risen so relentlessly—in times of falling as well as rising farm prices—that Congress in 1964 established a National Commission on Food Marketing and ordered it to make an exhaustive probe into every aspect of the spread. After more than a year of investigation, the commission is slated to release its findings on June 30.

Its recommendations to Congress well may carry some explosive implications. While the commission's findings are a secret, an informed report is that it will make "critical observations" about the parts played in retail food prices by advertising, trading stamps and such marginal services as baby-sitting.

Of course, much of the rise in the spread between farm prices and retail food prices is easy to explain.

On our side, we're demanding and getting an enormous array of services ranging from elaborate parking lots to dazzling display cases for perishables. We're trading up to more and more convenience foods, pre-cut, pre-cleaned, pre-frozen, all processes which cost money. We're generally buying more expensive meats, fruits, vegetables.

On the marketer's side, there's no doubt that costs of most processing and marketing services have been increased steadily. In food marketing firms, average hourly wages are 86 percent above 1950. Also on the retailer's side, there are the inevitable hidden expenses of spoilage and trimming.

Relatively speaking, food remains a bargain, taking an average of only 18.2 cents of each of our after-tax dollars.

But the warning to the food industry, largest in our nation, is clear: With the Marketing Commission's report on the price spread coming up and with consumer resentment over food prices so widespread, it will be in a hot spotlight in coming months.

What's more, if a substantial percentage of the projected slide in farm prices is not reflected in declining food prices, the industry also could be on the hot spot.

Mr. SYMINGTON. Mr. President, were it not for the productivity of American agriculture, food prices would be far higher than they are today; and American families would be spending much more than the 18.2 cents of each after-tax dollar of personal income for food.

PHASING OUT OF CERTAIN DEFENSE INSTALLATIONS—SPRINGFIELD ARMORY

Mr. SALTONSTALL. Mr. President, on November 19, 1964, the Secretary of Defense announced that a number of defense installations, including Springfield Armory, were to be phased out. Shortly thereafter a group of Armory employees joined with civic and Government leaders to form the Springfield Armory Technical Committee, and Henry T. Downey, a certified public accountant in Springfield, offered his services to draw up their arguments against the proposed closing.

Since then Mr. Downey and the Committee have worked diligently without pay to preserve Springfield Armory for the defense of our Nation and to assist the Springfield community and its people. A presentation of their arguments was made to Secretary McNamara in his office in the Pentagon and later he visited the Armory itself. This presentation was so thorough, so meticulous, and so convincing that the Secretary ordered an entirely new study of the Armory by an independent firm of management consultants. Last fall this firm rendered its report, basing its advice that the Armory should be closed not so much on the competitive position of the Armory, as on the stated policy of the Defense Department that an effort should be made to have all possible manufacturing contracts carried out by private industry.

The Springfield Armory Technical Committee and Mr. Downey again analyzed their figures, collecting new ones, and made a report to the Senate Preparedness Investigating Subcommittee. This, too, was a most thorough presentation and covered all aspects of the Armory. While it differed in some respects from the approach taken by the Defense Department, the Technical Committee's and Mr. Downey's presentation gained the admiration of the subcommittee.

Mr. President, this kind of a discussion is a much more useful discussion than ones we have seen in some cases where highly emotional appeals well founded in concern for the individuals involved have been made for the restoration of defense establishments. The overall concern of our national defense and our national economy deserve a thorough discussion in terms of cold facts as well as the facts of human understanding. The Springfield Armory Technical Committee made such a presentation.

When the President and Secretary of Defense eventually determined the Armory should be closed, they based this decision on how the Armory fitted into overall policy. The Defense Department through its independent management consultants indicated that the Armory was competitive in many areas due to the skills and energies of its employees.

One of the Springfield Armory's older buildings has the date 1796 over its door. Its newer buildings have the most modern machinery available anywhere for the production of small arms. From the Flintlock Brown Bess musket to the M–14, from the handcranked Gatling gun to the terrible, modern Vulcan machine cannon, and from the battles of the War of 1814 to those in the rice paddies of Vietnam, Springfield Armory and its people have made a contribution to the defense of the United States. These men and women deserve our respect and our gratitude.

MORALITY OF U.S. COMMITMENT IN VIETNAM

Mr. DODD. Mr. President, in the interest of peace and freedom, men of all religions joined together during World War II to eradicate the threat of the Nazi philosophy of tyranny, racism, and the degradation of the individual.

Religious leaders at that time saw no conflict between Judeo-Christian principles and the need to defend such principles by the use of force.

They remembered the philosophy enunciated by St. Augustine who said that "just wars are usually defined as those which avenge injuries."

They recalled that St. Thomas had pointed out that for a just war to exist, three things are necessary:

> First, the authority of the sovereign by whose command the war is to be waged. Secondly, a just cause is required, namely that those who are attacked should be attacked because they deserve it on account of some fault. Thirdly, it is essential that the belligerents should have a rightful intention so that they intend the advancement of good, or the avoidance of evil.

Our religious doctrine almost from Biblical times has never believed war in itself to be either wrong or immoral. It has, instead, judged the morality of war upon the basis of the cause it serves.

The current conflict in Vietnam has stimulated much criticism by church groups and religious leaders. Often it appears that the bulk of religious sentiment opposes the use of force in all circumstances. This, however, is not the case, for critics represent only a vociferous minority. The majority of religious leaders, Protestant, Catholic, and Jewish, recognize that in Vietnam we serve the cause of freedom, independence, and self-determination. They understand that this commitment is consistent with our religious philosophy which has always stressed the dignity of man. Any tyranny which degrades the individual is one which as Christians and Jews we cannot help but oppose.

A recent article by Albert Vorspan, published in "American Judaism," the publication of the Union of American Hebrew Congregations, stated:

> Immorality of American actions in Vietnam arises from our "peculiarly American brand of obsessive anti-Communism."

This article went on to say that "Vietnam is not comparable to Munich and Hitler."

The position taken by Mr. Vorspan has since been criticized by many Jewish leaders who are interested in making it clear that this statement does not represent their view.

Mr. Monroe R. Sheinberg, national executive director of the Jewish War Veterans of America, refutes Mr. Vorspan's analysis in an article in the current issue of the "Jewish Veteran." He states:

> In World War II, all Jews resolved their basic conflict between love of country and love of peace in favor of love of country. Why, in Vietnam, do some suddenly prefer peace, even if it means Communist takeover? And why do some, like Mr. Vorspan, when it comes to trust and faith in their country, reverse the age-old American presumption of innocence until proven guilty!

Mr. Sheinberg's article is a perceptive discussion of many of the issues involved in the morality of our current commitment.

I wish to share it with my colleagues, and ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Memo From National

(By Monroe R. Sheinberg, National Executive Director)

(*The following is not to be interpreted as an attack on Reform Judaism. In fact, I write this as a lay member of a Reform Temple affiliated with the Union of American Hebrew Congregations. It and this month's editorial are designated to raise specific questions regarding the personal views of staff members of the organization. The position of President and Director of the Programs represent the top leadership in the UAHC. With their views, we sharply disagree.*)

"VIETNAM AND THE JEWISH CONSCIENCE"

That is the title of a featured article by Albert Vorspan in the Passover 1966 issue of *American Judaism*, the publication of Reform Judaism in America. Mr. Vorspan is a high-ranking member of the staff of the parent body, the Union of American Hebrew Congregations; a preface to the article describes it as "an expression of personal opinion." In spite of such a disclaimer, it is obvious from all the background circumstances that the article purports to be official and authoritative.

Mr. Vorspan's thesis may be briefly summarized as follows:

"We Jews should be concerned with the Vietnam crisis because

"We must help maintain a healthy climate of civil liberties,

"Escalation of the war threatens support for the Great Society,

"Jews are traditionally fighters for peace,

"Immorality of American actions in Vietnam arises from our 'peculiarly American brand of obsessive anti-communism,' causing us to mislead our own people about so-called 'aggression,' etc.

"Vietnam is not comparable to Munich and Hitler."

Having stated the foregoing, as well as a viciously hostile interpretation of American actions in Vietnam, Mr. Vorspan then indulges in tired platitudes for "instant peace." His proposed solutions: Discontinue the bombings, once more. Renew diplomatic attempts to negotiate for peace. Keep reminding the world of the ancient Jewish belief that he who saves one life saves a world.

Two burning, basic questions still remain:

1) If the United States again discontinues bombings (for how long and what happens to our soldiers meanwhile?) and we do everything possible to bring about negotiations towards peace, but Hanoi still refuses, *what then?*

2) What makes this war *more immoral* than World War II? Mr. Vorspan, no pacifist, fought in that one; Rabbis served bravely as chaplains, all without audible protest then about the role of Jewish peace-mongering.

In World War II, all Jews resolved their basic conflict between love of country and love of peace, in favor of love of country. Why, in Vietnam, do some suddenly prefer peace, even if it means Communist takeover? And why do some, like Mr. Vorspan, when it comes to trust and faith in their country, *reverse* the age-old American presumption of innocence until proven guilty! Mr. Vorspan's distorted version of "history," straining to disprove the American position that it is in Vietnam to help repel Communist aggression should delight Hanoi.

The Senior Jewish Chaplain in Vietnam, Major Richard Dryer, wrote:

"I certainly share the desire of all well-meaning people that this war be brought to an end as quickly as is reasonably possible. But we cannot bring this about unilaterally when we are not the aggressors, when the other side refuse even to consider a peaceful solution. For a time, we stopped the bombings of North Vietnam. This brought no cessation of Viet Cong aggression in the South. It only brought the response that no cease-fire would result from the cessation of the bombings unless this action was accompanied by a complete American withdrawal from Vietnam and a complete Communist takeover. I hate war as much as anyone, but this kind of submission is not an acceptable alternative.'"

A few words are in order about some of the other arguments and charges put forward. It is deliberate nonsense to state, as our author does, that there are dangerous indications of rising McCarthyism, threatening to repress and deter dissent over Vietnam.

Quite the contrary is true. Never has there been so much dissent over a crisis or a war. Never has there been more uninhibited discussion with less repression on a vital issue of world concern. Of course, there have been a few examples of ill-advised counteraction (such as Hershey's early statements on re-classifying dissenters, and the overly-harsh penalty for draft card burning).

But what many dissenters seem to be demanding is more than freedom from repression, they expect to be immune from criticism.

If a Vietnam dissenter cannot stand the heat, he should stay out of the kitchen. I say to him that I affirm his right to dissent, and to object to our Vietnam policy, and to state what he considers to be the facts and their implications in any way, he wishes.

But, having said that, I also aver strongly that our dissenter's version of the 'truth' of the history and background of the Vietnam crisis is distorted, inaccurate and unworthy of Jewish respect for truth.

Much is made of the undemocratic regimes we support in Vietnam, and elsewhere. We don't try to impose American type democracy on countries unsuited or unwilling. We do try to urge more democracy where we help. At all events, the worst that could befall such country is communism, and that we try to help them prevent.

Another example of the author's lack of perception is his snide and critical thrust at U.S. action in Santo Domingo. Today's newspaper, as I write this, cites the statements of two top members of Santo Domingo's Communist Party, exactly what our Government and many Americans feared, that the Reds were about to attempt to take over that country, but were forestalled by American intervention. This was published in World Marxist Review, the authoritative worldwide Communist publication, for the benefit and edification of Party members.

The author, and his many well-motivated fellow myopics are pitifully unable to see the grim fact that peace is as bilateral as war; as long as one side wishes to continue fighting, peace is impossible. Our Government's resolve, publicly stated clearly and sincerely, is to offer, negotiate for peace, but to continue to resist aggression until peace is won, or the aggression ceases.

We support that position. I believe most Jews, most Americans, most free men do.

FOREIGN INVESTMENTS IN INDIA

Mr. LAUSCHE. Mr. President, I ask unanimous consent that a news report carried in the Sunday, May 15, issue of the Washington Post, "Breakthrough Seen for Foreign Investors" be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Breakthrough Seen for Foreign Investors

New Delhi, May 14.—A breakthrough for foreign private investors shaped up today as India agreed to form a partnership with the American International Oil Co. to build and operate a $60-million farm-fertilizer plant in Madras.

The agreement is unique because it gives the private firm managerial control of the plant—a concession denied to many other prospective foreign investors which then have gone elsewhere.

Mr. LAUSCHE. Mr. President, India has no graver problem than the responsibility of providing food to sustain the lives of its inhabitants. In this responsibility, it has failed indefensibly and inhumanely. Its officials have insisted upon a socialistic governmentally operated economy as the solution of the problems of its hungry people.

The American International Oil Co. for several years has been prepared to build a $60 million farm-fertilizer plant, as one of the primary steps that must be taken in India to provide food for its inhabitants. The officials of the Indian Government, however, adhering to their concept that socialism will provide the cure for the problems confronting the Indian people insisted that if the American International Oil Co. did build a fertilizer plant in India, the management of it would have to be vested in the Indian Government. The American International Oil Co., of course, refused to hazard a huge investment of its dollars while it was denied the right to manage and that right was placed in the socialist government of India.

India adhered to its socialistic philosophy; the American International Oil Co. prudently refused to invest its money in a farm-fertilizer plant in India unless the management of the plant were placed in the hands of the investors and not in those of the Indian socialist government.

The aforementioned news report pointing that the officials of India have finally recognized that it will be in the best interest of the hungry inhabitants of this nation of 500 million people to allow investors of the United States to build a fertilizer plant and to operate it under the management of skilled U.S. personnel.

No more important forward step has been made by the officials of the Indian Government than the decision to allow foreign investors to build a $60 million farm-fertilizer plant in partnership with the Government of India but allowing its management to be in the hands of the foreign investors skilled and learned in the management of such plants.

FREEDOM OF SPEECH

Mr. BAYH. Mr. President, many colleges and universities have been troubled by the question of whether speakers who espouse the Communist cause should be allowed to address student groups at their schools. Recently the president and board of trustees of Indiana University were urged by some persons to forbid a speaker, who admittedly was a member of the Communist Party USA, to appear on the Bloomington campus of that institution.

In refusing to cancel this scheduled engagement, both Elvis J. Stahr, president of the university, and Frank E. McKinney, president of the board of trustees, asserted the importance of preserving and defending the constitutional guarantee of freedom of speech. Despite their firm opposition to communism as a philosophy and way of life, these administrators pointed out that the enemies of freedom would be pleased if we took actions of this type which undermine the very foundations of the Bill of Rights by adopting the tactics of a totalitarian regime. As President Stahr wrote, it does not appear that "a closed campus is a sound way to engender belief in an open society."

In an article which appeared in the Indianapolis Star on May 6, Mr. McKinney stated that he had "strong faith in the intelligence of our students to separate fact from falsehood." Because of the universal significance of the points which he makes, I ask unanimous consent that this article by Mr. McKinney, along with an editorial which appeared in the Indianapolis News on May 9, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Indianapolis Star, May 6, 1966]

I.U. EXPRESS FAITH IN INTELLIGENCE OF STUDENTS HEARING "OTHER SIDE"

(By Frank E. McKinney, president, board of trustees, Indiana University)

The Trustees of Indiana University have been asked by numerous, serious-minded Hoosiers to order the cancellation of the engagement of Herbert Aptheker to speak on the campus at the invitation of a small group of students.

They have emphasized the contradiction and the frustration of permitting an American citizen who is a member of the Communist Party USA, to speak on public property of the university before an audience of students and faculty and the press at a time when our United States is engaged in armed conflict in Viet Nam to contain Communist military aggression.

They would unwittingly have us deny the constitutional guarantee of freedom of speech in the anger and frustration of the world situation at this point in history.

We loathe and despise Communist totalitarianism and so does the president of our university. But we are aware that the enemies of our freedom would like nothing better than to destroy it by undermining our belief in our Constitution and Bill of Rights and our free institutions. We will not assist the Communist conspiracy by denying freedom of speech and thereby martyring its mouthpiece. To martyr this man or to flatter him as a dangerous man to let open his mouth, is to grant him victory, because he will then have forced us to abandon our own principles.

We have strong faith in the intelligence of our students to separate fact from falsehood, to differentiate indoctrination from education and to expose the hypocrisy of a Communist whose system, wherever it is in control, has brought violence and suppression to millions.

As Lt. Gen. Lewis B. Hershey said on the I.U. campus the other night:

"This country is too big to be afraid of anybody's talking about it. Communism has no Bill of Rights. We do have. Banning this talk would advance this man and his cause more than any favor you could bestow upon him."

We agree with Gen. Hershey. With regard to the DuBois Club, we have supported the position that the Subversive Activities Control Board should have time to determine its status. We have done this in the interest of the American principles of fundamental fairness and due process.

However, if the Subversive Activities Control Board has not acted upon the attorney general's petition by the time of our board meeting at commencement, we propose to review the entire policy of the university with regard to the registration of student organizations in a thorough and aggressive manner.

[From the Indianapolis News, May 9, 1966]

I.U., WE'RE SORRY

In this column last Friday we indulged in comment about the officials of Indiana University in connection with the visit to the I.U. campus of Herbert Aptheker, a recognized spokesman for the Communist party.

The News was ill-advised regarding the circumstances surrounding Aptheker's visit to Bloomington—our comment and criticism was harsh and unjustified. We are sorry.

Teaching Communism in our schools as an economical and political way of life is an entirely different matter than listening to what some Communist leader has to say.

The right of free expression is the fundamental right of all liberty. We try to practice what we preach and that means even if we don't agree with anything you say we will defend to the death your right to say it.

If the American system of free speech and free enterprise cannot survive exposure to communistic propaganda and exploitation then indeed the American system is weak and vulnerable.

But we believe it is the best in the world and can withstand attack from anybody in the world. Let the Communists and the Socialists and the neutrals have their say. The American performance and record in contrast to theirs will always win out.

Remember America is great only because America is free—in this case free without fear to hear both sides.

DEATH OF FORMER GOV. DAN MOODY, OF TEXAS

Mr. TOWER. Mr. President, the State of Texas and the Nation yesterday lost one of their most distinguished citizens—former Gov. Dan Moody.

Governor Moody retired from politics at an age before many even give thought to entering the field. At 37 he had completed two terms as Governor. He said at that time that he wished only to continue his law practice and become a better lawyer, and he subsequently went on to become one of Texas' foremost attorneys, though his influence in State and national politics and government continued until his death.

Governor Moody began his career as a State District Attorney at age 27, and subsequently, as the State's youngest Attorney General, became known for strict enforcement of the law, particularly against illegal Ku Klux Klan practices. While Attorney General, he personally handled much of the State's litigation.

After serving one term as attorney general he was elected Governer and served two terms. Most noteworthy during his terms were undoubtedly the tremendous strides which were made in the fields of education and highway construction.

I extend to the family, as I know do my colleagues, the deepest of sympathy at this time.

LIBRARY SERVICES UNDER THE ELEMENTARY AND SECONDARY EDUCATION ACT

Mr. MUSKIE. Mr. President, during its deliberations on Federal assistance to education in 1965, many pressing problems of our public and private schools were brought to the attention of the Congress. Among these urgent problems, we became aware that nearly 30 percent of our public schools had no school library services. Title II of the comprehensive Elementary and Secondary Education Act corrected this situation and has put millions of new books and teaching aids into the hands of young Americans.

When President Johnson signed the elementary and secondary education bill in Johnson City, Tex., on April 11, 1965, he stated that he had great expectations of what this law would mean for all of our young people.

Mr. President, I believe my colleagues will be pleased to learn of the new and exciting educational world which has been opened to the children of Van Buren, Maine. I would like to quote from a letter which I have received from Alan Madore, a student in the public schools of Van Buren:

> Our school library was empty and old. Books were torn and shelves were falling down. There was no interest.

He goes on to say that as a result of the Elementary and Secondary Education Act:

> Our library changed from a lonely place to an over-populated area. We now have over 2,000 books and encyclopedias. Cycloteachers have been used to boost our knowledge about different subjects. So many people go that we have to set up a system. From three to five and seven to nine the library is

open. Students' marks have been going up and people appreciate our library. Our school has changed completely. Thanks to people like you, we are enjoying it.

I believe this is an eloquent tribute from a young American whose horizons are being broadened through President Johnson's efforts toward a Great Society for America.

NAVY OCEANOGRAPHY—WHAT AND WHY

Mr. MAGNUSON. Mr. President, Rear Adm. Odale D. Waters, Jr., Oceanographer of the Navy, addressing the third Navy symposium on military oceanography held recently in San Diego, warned there are critical years ahead in oceanography and that there may be major changes.

The title of Admiral Waters' address was: "Navy Oceanography—What and Why."

Admiral Waters called for greater emphasis on research and survey programs in coastal and inshore waters, stating:

> Mine warfare is a most potent weapon, particularly in coastal regions. In spite of some very good work by the Navy Mine Defense Laboratory and other groups, there are still many gaps in our basic knowledge of inshore oceanography.

He added:

> Another shallow-water operation that can use continuing help is amphibious warfare.

The admiral is perhaps the Nation's leading authority on mine warfare. Following Pearl Harbor he created and ran the Navy's first Mine Disposal School, later commanded the Naval Weapons Station at Yorktown, Va., and the Pacific Fleet Mine Force. The admiral also has served as senior technical officer in the design of atomic weapons at the Naval Ordnance Laboratory, and participated in the Bikini bomb tests.

Tighter direction of spending, and greater orientation toward the production of practical results were predicted by the Oceanographer of the Navy in the Government-supported oceanographic program, who cited the importance of fisheries and ocean mining capabilities along with expansion of military capability.

Mr. President, I ask unanimous consent that Admiral Waters' address, delivered May 11, at the third U.S. symposium on military oceanography, held at the U.S. Naval Training Center, San Diego, be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Navy Oceanography—What and Why

(By Rear Adm. Odale D. Waters, Jr., Third Military Oceanography Symposium)

It is a real pleasure for me to address this opening session of the Third Military Oceanography Symposium, which for the first time is being held outside the Washington area. I would like to take this opportunity to thank Captain Boehm and the personnel of the Navy Electronics Laboratory for their fine efforts in hosting it, and I only hope that we can find such pleasant and scientifically stimulating surroundings for our future meetings.

These symposia are unique in several respects. For one, although there are dozens of meetings on oceanography held each year, this is the only one devoted exclusively to military applications—applications which are only now beginning to unfold.

Second, it is the only one which encourages the presentation of classified topics. All too often, our scientists are denied academic recognition for their outstanding work, since for security reasons they cannot publish in scientific journals. At these symposia they can be heard and appreciated by others who are deeply involved in similar pursuits. I think that Navy oceanographers are doing a great job in improving our national defense posture. Here we can discuss realistically our stature, our achievements, our plans for the future, and even our shortcomings if any can be located.

Most of you are familiar with the general figures on the National Oceanographic Program in this country. The breakdown for an average year shows that Navy funds about half of the total. A few other big agencies—the National Science Foundation, the Bureau of Commercial Fisheries, and the Environmental Sciences Service Administration, contribute 10 to 20 percent each. The remainder is made up by about a dozen smaller agencies, each carrying a few percent of the total.

As many of you may know, the true Navy figure is more like two-thirds of the total, and it is this part being classified so that it doesn't ordinarily show in public, that these Military Oceanographic Symposia are aimed at. This is really the most important part of our work; for it is the most urgent. I can't even recite the titles of all these varied programs; the speakers during the next three days will cover a few of the more important topics. This morning, I would like to give you briefly some philosophy on oceanography, both Navy and National; mention some specific gaps which need attention, and make a few suggestions for the future.

In the first place, all of us in the government need to keep reminding ourselves that we exist to provide some specific service, and for no other reason. It is all too easy for a laboratory, or an agency, or an entire bureaucracy to start thinking that it is an end in itself. It is too easy for us to slip into the gross error that a government laboratory is run to produce results that are of interest only to scientists.

It may even be uncomfortable to ask ourselves "What have I done to improve our national defense posture during the past year?" Are you ready to justify in detail to your employer, the United States taxpayer, how you have spent his money, and show him what he got for it?

Even if we don't often have to explain our work to the man in the street, we are called on more and more to justify it to our immediate customers in the Navy's operating forces. We must also sell our program to our bosses in the Department of Defense, the Bureau of the Budget, and the Congress. As we continue to fight a war in Southeast Asia, all support programs (including oceanography) are facing increasingly fierce competition with the operating needs of the fighting forces.

During the coming months our work must be critically re-examined. It must be sharply focused on the urgent military problems at hand, responsive to Navy needs, and with all the fat trimmed out. A large segment of the Navy is on a combat footing, and we in the support establishment cannot simply continue "business as usual."

The same is true throughout government. The concept of program-packaging which has proved such a useful tool in defense planning, may be extended to non-defense agencies. Productive programs, which can be shown to be cost-effective, will prosper, and those which don't measure up will be in trouble.

Fortunately, the Navy has always been consumer-oriented. We have been living with the package program methods for years.

The coming years will be critical ones for oceanography, and there may be major changes. There will be tighter direction of spending, greater orientation toward the production of practical results, and elimination of duplication. If we concentrate on correcting our shortcomings, I am certain that Navy will continue to receive the support we need for our vital defense programs. Regardless of what changes are forthcoming, our best approach in the Navy is to insure that we are doing the best possible job for the least money.

I mentioned earlier the great number of agencies in the national oceanographic program. It is sometimes urged that this dispersion through so many bits and pieces is a bad thing—that it fritters away money, and leads to duplication. I think that precisely the opposite is true. The greatest strength of our national program is that it is in the hands of the users. Experience has repeatedly shown that the closer a science is to the user, the more it is used. In the long run, the development and expansion of a military oceanography capability, a fisheries oceanography capability, or an ocean mining capability, is of far greater importance to the man in the street than any ivory-tower program of pure science. We should not forget, however, that practical results will only be as good as the science on which they can be based.

Similarly, the fact that Navy has many varied programs is a strong point. The vigorous work carried on at such places as the Navy Electronics Laboratory, the Naval Ordnance Test Station, the Naval Oceanographic Office, and the Navy Civil Engineering Laboratory insure that the environment is integrated into the basic laboratory projects. I cannot imagine any sort of applied oceanography being carried out effectively with the oceanographers completely separated from the sonar experts, the fishermen, or the mining engineers.

What *is* important, both in the Navy and national frameworks, is to distinguish between wasteful duplication on one hand, and planned redundance and a variety of approaches on the other. We must foster cooperation and a full interchange of data and results, without overcontrolling and tying our hands with red tape. We must insure that there is a reasonable possibility of a project being of military value, without stifling individual initiative and precluding fortuitous breakthroughs.

Having such a wide variety of approaches by different people has been most productive in solving Navy problems. One thing that we sometimes overlook is that in solving our own problems, we may also have solved someone else's. In dealing with other agencies through the Interagency Committee on Oceanography, I am more and more impressed with how we all face the same general question.

It seems to me that one of the main ways we can upgrade the overall value of our Navy oceanographic program is to consider the non-military by-products. Under Secretary of the Navy Robert Baldwin, speaking earlier this year, mentioned this.

"Our need to accomplish military objectives (said Mr. Baldwin) frequently coincides with the needs of other agencies, institutions, or industrial firms to achieve quite different objectives . . . The Navy has an obligation to the national interest, . . . and we will accept the responsibility for helping to develop the technology needed for mastery of the sea."

Mr. Baldwin was speaking particularly about ocean technology, but the need to look to the broadest possible applications exists for all our oceanographic studies. In some cases, the obligation already exists. The Naval Oceanographic Office has had for many years a statutory responsibility to merchant mariners, as well as to Navy navigators. In other cases, the obligation may be a moral one. In any event, we must watch for those cases in which five percent more effort can produce fifty percent more results. We must tailor our surveys and instrument development with an eye to other users, not just our own needs. These extras will lead to a more efficient national program, and foster cooperation with other agencies, with science, and with industry.

During the next few days you will hear quite a lot about what *is* being done in military oceanography. I would like to mention just a couple of things that, in spite of this wide-ranging effort, can stand additional attention.

Our military oceanographic work is now heavily slanted toward submarine warfare and ASW. These are certainly important as well as difficult areas. We must remember, however, that there still exist some other branches of the Navy which need oceanographic support, and whose problems have not perhaps been given sufficient attention.

One of these I can discuss from personal knowledge acquired in my last tour as COMINPAC. Mine warfare is a most potent weapon, particularly in coastal regions. In spite of some very good work by the Navy Mine Defense Laboratory and other groups, there are still many gaps in our basic knowledge of inshore oceanography. There are even greater gaps in our stock of data on coastal areas around the world where we may possibly have to engage in mine warfare. It seems to me that our research and survey programs in these critical fields could stand greater emphasis.

Another shallow-water operation that can use continuing help is amphibious warfare. We have been producing coast and landing beach studies for over twenty years, but there is still a lot to learn and a great number of surveys to be conducted to gather the basic information that we need.

In this same vein, I'd like to mention an item which may not be thought of as oceanographic, but is certainly the Oceanographic Office's best-selling final product. This is the common, garden-variety, navigator's chart. Without these, no Navy operation of any sort can be carried out. A ship's captain would no more think of sailing without charts than he would of sailing without ammunition.

Yet in spite of the basic alterations in naval vessels and in concepts of warfare, the navigator's chart has not changed in any substantive way in the last thousand years. The methods of gathering bathymetric data have not been greatly improved since the invention of the echo-sounder fifty years ago. The methods of handling and presenting data to the seaman, and his use of it in navigation, are fundamentally unchanged from the methods used by John Paul Jones.

It seems to me that here is one of the most fertile fields for practical marine scientists. How can we acquire data on the coastline and ocean bottom more quickly and precisely? How can it be processed, integrated with other source materials, and put into production? In ships that are ten times faster and a hundred times larger than those of ancient days, how can today's navigator be given better tools? Surely our modern technology can come up with improvements which make better use of the standard flat piece of paper.

Indeed, the same approach needs to be taken to the presentation of all oceanographic data. Atlases, tabulations, and messages are out of place in a ship crowded with complex command and control apparatus. We at the Oceanographic Office have begun to look at these problems, but they beset us all, and need our concerted effort.

These are just a few of the areas that occur to me under the heading of 'unfinished business', and each of you could come up with entirely different lists. This is what makes oceanography such a challenging field. In all phases of the marine sciences, from the most basic research to the ultimate engineering application, the horizons of the sea are unlimited.

I am sure that the papers we are going to hear during this symposium will not only report on accomplishments, but suggest new topics, new approaches, new uses for our knowledge. It is this double payoff which has made the two previous symposia so valuable, and I look forward to an even greater success during this session.

STOCKPILES OF STRATEGIC MATERIALS

Mr. DODD. Mr. President, there has been much discussion about the advisability of stepping up releases of stockpiled materials at this time while demand is firm and prices are high.

On the one hand, there is an opportunity to make a short-term profit and aid the balance-of-payments deficit. On the other, there is the possibility that defense production on the scale now widely predicted might involve, as the Mining Week magazine recently pointed out:

> Replacement of metals released from the stockpile at prices far higher than those now being obtained.

This policy contrasts with that of the Communist countries, which seek "to increase their supplies of strategic materials by building up output regardless of cost, and hoarding metals in which self-sufficiency has yet to be attained."

Khrushchev, it must be remembered, threatened to surpass Western powers in metal output, and in recent years there have been significant increases in the production of metals in Communist-controlled countries.

Mr. Charles Will Wright, former Chief of the Mining Division of the U.S. Bureau of Mines, has recently issued a statement in which our current policies with regard to metals are discussed.

He concludes that:

> It is * * * vital that the Western Powers establish without delay a firm and aggressive mineral policy to maintain their present dominating industrial position in this changing and confused world, which position may be lost because of the Sino-Soviet's growing mineral potential—a menacing threat to our survival.

With the aid of a detailed chart outlining the mineral output of the Sino-Soviet bloc, Mr. Will makes an impressive contribution to our understanding of this serious problem.

I desire to share his thoughts with other Senators, and ask unanimous consent to have this statement printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

METALS ARE THE FOUNDATION STONES TO MODERN CIVILIZATION

(By Charles Will Wright)

THE REASONS WHY

Metals are vital for military and industrial power. The Communist controlled countries are increasing their output of metals, often regardless of cost, and are acquiring quantities of raw mineral products from Free World countries for future use. They are also contracting for additional supplies from these countries and advancing funds for mining operations. The less developed metal producing countries within the Free World are being infiltrated by Communist agents. Their influence is spreading and the nations should be awakened to the dangers ahead due to these obscure activities.

Khrushchev threatened to outrank the Western Powers in metal output. The attached table "Metal Output of the Sino-Soviet Bloc for 1964" is quite revealing as it shows, in percentages of world output, compared with that of 1954, increased production of metals in Communist controlled countries, except for gold and silver. In fuels Communist output of bituminous and anthracite coal was increased from 29 to 44 percent and petroleum from 9.9 to 16.3 percent. However, since 1962 the Communist output, in percentages of world output, has decreased for iron ore, antimony, tin, zinc, coal and petroleum in addition to further decreases in gold and silver.

Backed by an arsenal of missiles, the U.S.S.R. is now attempting to exaggerate her striking power and claims that, in industrial output, she will soon bury us. To carry out this threat many hundreds of geologists and mining engineers have been detailed to find and develop new mineral occurrences in Communist controlled countries. No other nation has poured so much money in acquiring metals and building up heavy industries at the expense of living standards. And in addition, during the past decade, Communist countries, led by the U.S.S.R., increased purchases abroad from $1.3 billion a year to over $5 billion or about four times. And the U.S.S.R. with its 7-year-plan, that will end this year, is already busy on a second 7-year-plan, that will carry through to 1972 by which date she hopes to overtake us and other Western Powers in industrial output.

To counter these aggressive activities, and for survival of the free world, every effort must be made not only to prevent shipments of metals and metal products, a questionable task, to Communist countries but to increase output and acquire the metal products needed for greater industrial progress within the Western nations. Obviously such effort to be successful, will require considerable reorientation of our foreign policy.

It is therefore vital that the Western Powers establish without delay a firm and aggressive mineral policy to maintain their present dominating industrial position in this changing and confused world, which position may be lost because of the Sino-Soviet's growing mineral potential—a menacing threat to our survival.

The Bureau of Mines issues most comprehensive Mineral Yearbooks and monthly Trade Notes giving information on new discoveries throughout the world. It now issues Minerals Yearbook Volume IV on International Areas—an outstanding undertaking, started in 1963. In view of this excellent work in the field of metals, Congress should consider increasing appropriations to the Bureau of Mines and reducing those of the less well equipped Federal Agencies where such duplication occurs.

Mineral output of the Sino-Soviet bloc

	Units	1965	Percent of world output		
			1964	1962	1954
Metals:					
Iron ore	1,000 long tons	170,000	30.3	24.6	25.8
Steel	1,000 short tons	93,925	37.5	31.6	25.2
Manganese ore	do	9,200	55.8	55.2	45.9
Chromite	do	1,900	38.1	34.4	19.3
Tungsten	1,000 pounds	41,000	62.5	55.1	38.9
Aluminum	1,000 short tons	1,510	22.8	23.5	13.4
Copper	do	1,000	18.3	17.7	12.4
Antimony	Short tons	25,000	39.7	45.0	26.8
Lead	1,000 short tons	750	26.5	26.4	15.6
Mercury	70 pound flasks	62,000	25.8	25.4	11.7
Platinum	1,000 troy ounces	1,000	50.0	35.1	12.1
Tin	Long tons	49,000	25.2	25.5	15.4
Zinc	1,000 short tons	915	21.4	16.6	16.1
Gold	1,000 troy ounces	12,700	24.0	26.0	26.8
Silver	do	27,000	11.2	14.7	15.3
Fuels:					
Coal, bituminous and anthracite	1,000 short tons	959.000	44.0	54.0	39.0
Petroleum	1,000 barrels	1,706,000	16.3	17.1	9.9

Source: Statistics from "Summaries of Commodity Data," issued by Bureau of Mines.

The metal output of the Sino-Soviet bloc during the last decade shows an increase in ferrous metals from 31.0 to 44.8 percent and that of the nonferrous metals from 14.2 to 28.7 percent, while there was a decrease in gold and silver production.

WATER AND THE NATION

Mr. ANDERSON. Mr. President, this morning the chairman of the Senate Committee on Interior and Insular Affairs, the junior Senator from Washington [Mr. JACKSON] delivered a speech before the Annual Conference of the American Water Works Association in Bal Harbour, Fla., entitled "Water and the Nation."

No subject is more important, nor is the need greater for a thorough and objective examination, than our Nation's water resources policy. Senator JACKSON delivered an informative and interesting speech which I believe other Members of the Senate will find enlightening on the current questions involving our water policies. He made specific reference to S. 3107, the bill which he introduced along with 44 other Members of this Body from both parties and representing every area of the Nation. In the words of Senator JACKSON:

> The Commission will be charged with the responsibility of reviewing water policies in the light of the broad national interest. It will be called upon to evaluate with care the basic premises underlying the Nation's water resource development policies.

Mr. President, no Member of the Senate has been more active nor more interested than the chairman of the Interior Committee in seeking to resolve the national problems we are facing in water. I commend his speech to the Members of the Senate and as a member of his committee and a cosponsor of S. 3107, I look forward with anticipation to its early congressional approval. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

WATER AND THE NATION

(Address by Senator HENRY M. JACKSON, chairman, Senate Committee on Interior and Insular Affairs, to the annual conference of the American Water Works Association, Bal Harbour, Fla., May 23, 1966)

Ladies and gentlemen, most of you are in the water business in one way or another. Therefore, I am not going to tell you this nation is facing a crisis in water. You know it.

At least you know that a great many people are now concerned about water. Either they don't have enough of it; or they are inundated by it; or they can't stand the sight or smell of the polluted supply they have.

Despite the apparent public agreement that there is a crisis I am not sure the nature of the crisis has been properly identified. We have dealt with problems of water supply of one kind or another in different parts of the country for a long time. But recognition of a water problem facing the whole nation really occurred to most people only when the severe drought situation developed in the Northeast. When the bartenders of New York became concerned about a shortage of *water*, then everyone knew we had a problem on our hands of some magnitude.

But just what is the problem? Are we really running out of water in this country? Despite many cries of alarm supported by the quoting of predictions and statistics the answer has to be a resounding No!

Some years ago I was privileged to serve as a member of the Senate Select Committee on National Water Resources. In 1960, after a thorough study of our water resources and projected requirements, the Committee reported that the available streamflow of the United States is about 560 billion gallons a day. By 1980, the Committee said, water withdrawal in the United States will amount to 559 billion gallons a day and by the year 2000, 888 billion gallons a day.

Even to those of us who have not had modern math, it would seem very clear that you can't subtract 888 from a supply of 560. But this is one of those sneaky statistics that does not really mean what it seems to say. When we withdraw water from a stream we do not burn it up or destroy it. We can use it for more than one purpose and return most of it to the stream from which we took it. Even when we put water on the land for growing crops it does not all return to the atmosphere through evaporation or transpiration. Much of it shows up again downstream or seeps into the water table where it is available for other uses. There is a rub, of course. The water we withdraw is not often returned in the same condition we took it. The next user may be stuck with a penalty. In most cases this does not have to be so.

What I want to make clear is that we have a long way to go in this country before we run out of water—if we use it properly.

If we are not running out of water, then why do we have a problem? There are a great many reasons. I will discuss three major ones: increased demand, faulty economics, and ineffective institutions. These are the causes mentioned most often by water experts.

Increased demand is giving every water planner and manager in the country a headache. It is also giving us a headache in the Congress. Today we are faced with a host of new demands and competing purposes. A reclamation project used to be a relatively simple and straightforward means of developing new lands for farming or increasing the efficiency of existing farm operations. Now a reclamation project must be considered in the light of its relationship to a whole river basin; possibly involving many States; and including requirements for flood control, navigation, power production, municipal and industrial water supply, fish and wildlife, recreation, water quality, and natural beauty.

This year in the Senate Interior Committee the name of the Subcommittee on Irrigation and Reclamation was changed to Subcommittee on Water and Power Resources.

When the Reclamation Act was adopted in 1902, about 535 million acres of public land were held by the Government still subject to entry. A large part of this acreage was arid. It was estimated then that about 35 million acres could be profitably reclaimed by construction of irrigation works. Planners at that time did not have to contend with the demands of competing interests we face today. They proceeded on a project by project basis, and did not have to take into account all the ultimate results of their decisions. The great Grand Coulee Dam in my State was conceived as a means of irrigating land in Eastern Washington in what is now the Columbia Basin Project. The first proposal, a low dam, was designed to divert the water and provide a little power production for pumping purposes. Then it occurred to the planners that a higher dam would produce a tremendous quantity of electric power. As it now stands with two powerhouses, it is capable of producting two million kilowatts. When the project was started some 30 years ago, critics said we'd never find a market for the power. "There's nobody to sell it to but the jackrabbits and rattlesnakes," they said. A lot of jackrabbits and rattlesnakes have been made homeless since that time because of the development made possible by Grand Coulee Dam. This year the Congress is authorizing a third powerhouse at Grand Coulee which will add 3.6 million kilowatts to that capacity. At a total of 5.6 million kilowatts it will again be the largest power producer in the world.

The water provided by Grand Coulee Dam and associated irrigation works helped build a whole new agricultural economy in Eastern Washington. This was foreseen by the planners. But even the planners of just 30 or 40 years ago could not foresee that power from Grand Coulee would be the base of a huge industrial economy. They did not foresee the extent of the achievements in flood control, further power production downstream, and recreational development all made possible by the storage of such a huge amount of water at Grand Coulee.

Our reclamation program was founded on the desire to settle the land. "Winning the West" was a national goal. Ladies and gentlemen, we still have a lot of development and management of our resources to achieve, but the West has pretty well been won. Some people think parts of the West may even have been over-won and overrun. In the West, as in other parts of the country, we are now dealing with new problems like urbanization and how to improve the quality of the environment. Two years ago my committee approved and the Congress adopted the Wilderness Act, to preserve some of the great virgin areas of our country. We are not only "winning the West" we are also *defending* the West.

Nowadays many of my colleagues in the Senate, representing underprivileged states facing the Atlantic Ocean are pushing legislation which seems to be designed to "win the East."

A good example of the complex decisions we must make in the Congress involving water uses is contained in a measure considered by the Senate Interior Committee this year. We had before us a bill to establish a national wild rivers system. The purpose of the bill is to preserve significant segments of several major rivers in their natural state. We had to weigh the relative merits of differing uses for these streams—uses which in many cases are incompatible with each other. How does one assess the relative value of the natural beauty of a foaming rapids against the potential benefits of a multi-purpose hydro development? We received a lot of advice on the subject. Our hearing record covered 620 pages including statements from organizations and people ranging all the way from a national public power association to a Kayak canoe team. The bill as reported from my committee calls for further study of most of the streams involved—the planners will have to come up with recommendations on the many tough decisions yet to be made and further action by the Congress will be required, based on those recommendations.

I know that you who are water planners or water managers will understand and sympathize with our problems in the Congress because you are confronted with tough decisions every day. A simple sewer extension to serve an isolated town requires that decisions be made which will have potentially far-reaching effects. Your decisions will trigger a whole new set of decisions by others—where people choose to live, where industry chooses to locate, and, perhaps, even who is elected to the Town Council!

One of the factors which clouds the decision-making process is that we have been accustomed to viewing water in a different light from other commodities. We think that an inherent quality of water is that it must be cheap. We have built up a whole set of special rights and privileges based on this premise. Water is cheap and what is cheap we waste.

If you pay a flat fee for water without regard to how much you use there is no incentive to conserve it. Instead, you let the tap run to keep the water cool. This has been true in parts of New York City.

Most of us pay attention to the miles per gallon of gas we get in operating our automobiles. We are reminded that gas is not cheap every time we pull up to the pump. How many people pay attention to what kind of "water mileage" they are getting at home? We may kick when we get the bill—although my own water bill seems to be obscured somewhere in the garbage collection fee and the park improvement fee. We may not water the lawn for a few days after receiving the bill. But do we make any real effort to cut down on water consumption? When we buy a washing machine do we care how much water it uses? Different machines on the market use anywhere from 15 to 60 gallons to wash the same load. That is quite a difference. Should we encourage our manufacturers to market machines which use less water?

It is interesting to compare what we pay for different liquids. The United States average for water is about $15 an acre foot; for petroleum it is about $22,000 an acre foot; for milk, about $100,000 an acre foot and for whiskey, $1 million an acre foot. If you should doubt these statistics, my authority is the Upper Raritan Watershed Association of Far Hills, New Jersey in their special "White Paper on the Drought." I really question at least one figure: their estimate of $1 million an acre foot for whiskey works out to a little over three dollars a gallon. I'm afraid the boys up there in Far Hills must be making their own in the bathtub. I fear for the plumbing.

Economists contend that a failure to price water on a sound economic basis has not only tended to promote waste but has also tended to create an illusion of shortage far in advance of actual need. In farming, for example, there is an optimum amount of water for the growing of specific crops. The proper amount of water can be measured and irrigation water can thereby be limited to the amount required. But if the price the farmer pays for water is so low that the value of water he can save will not exceed the cost of the water conserving device, he will not be inclined to make the investment. Instead—particularly if he has a water right which can only be preserved by using it—he pours the water on the land. As a result, we find the paradox of a great deal of water being wasted in areas where it is in short supply.

Those who criticize our water practices also point to the limitations on the governmental institutions concerned with water. We give our water agencies specific missions and mandates which amount to built-in blinders. Each agency has its own natural ambitions and goals to promote which do not necessarily include attention to alternatives. They may even be precluded from considering alternatives by the nature of the particular grant of authority under which they operate.

The Bureau of Reclamation, for example, is not authorized to study and plan construction of nuclear or thermal power plants. Therefore, they do not consider such alternatives in planning projects. The Corps of Engineers is not empowered to impose floodplain zoning ordinances. Therefore, they do not assess the comparative merit of such an alternative in project planning.

Perhaps we do not want to see such alternatives considered. But it might be well if we at least gave someone the mission of taking a hard look at our practices and asked him to call to our attention alternatives for achieving our water goals.

I think it is very clear that we need a tough new appraisal of water policy and practices. We need to give to a first-rate group of independent minds a special mission: take a critical look at what we have done in the past and what we are doing now with regard to water resources. Hire a competent staff and secure the best advice you can get from the top minds in the country. Tell us what we are doing right and what we are doing wrong and what we are not doing that we should be doing.

This is essentially what is proposed in S. 3107, a bill to establish a National Water Commission now being considered in the Congress. This bill was submitted by the Bureau of the Budget in fulfillment of part of President Johnson's message on preserving our National Heritage. The President called for the establishment of a National Water Commission to review and advise on the entire range of water resource problems. I am pleased to say that forty-five Senators from both political parties, representing every area of the nation, have joined me in co-sponsoring S. 3107. We held hearings on the bill before the Senate Interior Committee last week.

Some of our country's top experts in the water field testified in favor of the bill. Their testimony constituted an excellent review of both the problems and the opportunities in water resource management and development.

As I see it, the National Water Commission proposed in S. 3107 can make an invaluable contribution to the development of our country's water resources policy. The mandate of this Commission, composed of seven distinguished citizens from outside of government, will be to study alternative solutions to water resource problems without prior commitment to any interest group, region or agency of government. The Commission will be charged with the responsibility of reviewing water policy in the light of the broad national interest. It will be called upon to evaluate with care the basic premises underlying the nation's water resource development policies. With such a mandate, this body can help assure that the continued prosperity and well-being of our country will not be threatened by failure to make the highest and best use of our water resources.

The task proposed for the Commission is an arduous one. The Commission will have to come to grips with incredibly complex and interrelated problems which have a direct bearing on fulfillment of the economic and social goals of our country.

It is my belief that the Congress, through the establishment of this Commission, will take a most significant step toward solving many of our nation's water problems. Certainly, the wise counsel of this Commission will help guide an enlightened policy of water resource development.

THE NEW AFRICA

Mr. DODD. Mr. President, although Africa has now emerged from the era of colonialism into a new era of national independence, it still remains for most Americans "the Dark Continent." There are so many new countries in Africa, their politics are so complex, the names are so exotic and difficult to master, that few Americans know the facts or comprehend the scope of the historic developments that have taken place in Africa since the close of World War II.

Philippa Schuyler, daughter of the well-know Negro writer, George Schuyler, is one of the handful of American citizens who have taken the time to learn about Africa at first hand. Miss Schuyler has made 13 tours of Africa since 1955, in the dual capacity of concert pianist and journalist. She has met with virtually every African leader—from Tshombe to Nkrumah to Kenyatta. She has written numerous articles on various aspects of Africa, and she is in addition the author of several books, among them "Who Killed the Congo?" and "Jungle Saints."

During her recent tour of Africa, Miss Schuyler wrote a series of articles for the North American Newspaper Alliance, which I would like to call to the attention of my colleagues. I consider her observations all the more important because it is clear from her articles that in every country she visited she managed to get close to the people.

Essentially Miss Schuyler's message is one of hope and an appeal for patience. To those who say that independence came too soon to Africa, Miss Schuyler points out that it took Europe many centuries to establish stable democratic governments.

Mr. President, I ask unanimous consent to have printed in the RECORD a series of three articles written by Miss Schuyler for the North American Newspaper Alliance, and published in the Long Island Star Journal and the Long Island Press.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Long Island Press, Apr. 11, 1966]

AFRICA: A PLEA FOR TIME—NEW NATIONS GRAPPLE WITH OVERWHELMING PROBLEMS

(By Philippa Schuyler)

LAGOS, NIGERIA.—Is democracy dead in Africa? Did independence come too soon? Have the African leaders betrayed the hopes of their own people and of the world?

I have just completed an extensive visit through much of black Africa, where one government after another has fallen within the last few months. I have witnessed the whole gamut of political sins—from corruption to assassination.

I was nearly burned alive in Ibadan, Northern Nigeria, by a gang of young political "fund-raisers." The teenage zealots stopped our car on the road and demanded money for their political party. When we didn't come across with enough, they drenched our car with gasoline and were about to toss a lighted match to it. We barely escaped.

This was during the height of the terror following an assassination of Premier Akintola in Nigeria. It was not an isolated incident.

Nigeria . . . Congo . . . Ghana, Dahomey . . . Upper Volga . . . one after the other their governments fell, all within the last few months. Nor will these be the last. More bloodshed undoubtedly lies ahead.

But before one throws up one's hands in hopelessness regarding the future of Africa, one must recall that it took Europe many centuries to "emerge." For a thousand years and more it lived under the dictatorships of kings and princes. It wallowed in ignorance, serfdom, barbarism. Indeed democracy is a very recent thing in Europe—and only a part of Europe, at that.

Africa is getting its first taste of democracy. It is a strange taste in a continent that once knew only rule by tribal chiefs and witch doctors.

And yet it seems to have aroused a deep hunger on the part of millions. Some of the recent coups, such as in Ghana, where an expression of that hunger—to recapture the hope of a better life under self-government than under colonial rule.

What is most profoundly challenging about Africa is that it is living a split-level existence. On one level are 125 million Christians and Moslems, who can relate rather readily to the political concepts of the non-African world, who can think "outward."

On the other level are 125 million animists who have yet to break from the tribalism and superstitions of the past. To many of them, the "outside world" is the world outside their particular tribe. "Nations" such as "Congo" and "Nigeria" and "Kenya" are totally foreign concepts to them, merely arbitrary conglomerations of tribes.

The tragedy, of course, is that the Europeans, in carving up Africa in the last century, seldom took into account the tribal loyalties. Boundaries often were drawn along lines of longitude and latitude—traced on a map—rather than according to where one tribe's lands began and another's ended.

It is because of this that irridentism may plague Africa for decades to come—unless this continent's young leaders show even greater statesmanship than the rest of the world's, and agree to redraw boundaries by arbitration rather than by wars.

Within their own tribal units, the animists have great potential for stable government. But when half the chief's tribe lives across the border in another country, tribal loyalties work only toward mischief—for both countries.

The job of the president of France or of the chancellor of Germany becomes simple when compared with the task set before the premier of one of these tribally split African lands

It is small wonder that some African leaders have been tempted to solidify their power through oppressive measures—for it will take years of persuasion to talk the members of one tribe into accepting the leadership of a man from another

Because of the size of the problem—and I have not even mentioned as yet the staggering economic and social problems—we cannot be too quick to condemn the African leader who fails. For to unify and democratize a young African nation requires a combination of traits in a leader that is seldom found in mortals.

The biggest source of hope for Africa in the long run is the Christian religion, which can overcome tribalism and defeat the fetishism that saps the efficiency of so many workers. To become a Christian in tribal Africa requires great faith and great courage. The new convert may encounter hostility from his pagan family—and this, too, can create grievous emotional blocks and diminish his work output.

I recall the joy with which a Uganda priest, Father Barnabas, told me he finally baptized his father. Family schisms can sometimes be resolved in a wonderful spiritual understanding, as in this instance, but the process is a long Calvary for the lone village Christian.

The Communists, of course, work on many levels in Africa, Russia and Red China have tried to woo many leaders with flashy—though often useless—foreign aid. With an egotist like Kwame Nkrumah, recently tapped as president of Ghana, it was comparatively easy for them to play up to his almost unlimited vanity and sense of self-importance.

The Communists also appeal to the half-educated via clever propaganda broadcasts. The first Red Chinese broadcasts to Africa, in 1956, were in Morse code, which almost no Africans could understand, but since those early days they have vastly expanded their programs in several African languages.

Nor do the Communists shrink from exploiting the superstitions of illiterate Africans where rational argument is useless. African students returning from Russia report the Soviets have instructed future operatives in the techniques of the jungle witch-doctors.

The amazing fact in Africa today is that despite the temptation to "give up," quite a few African leaders are grappling with these divisive forces and even show signs of winning the fight.

Thus Togo's President Grunitzky, the only chief of state of mulatto ancestry in black Africa, has kept his country stable and progressive since he took power in 1963.

Just east of Ghana, Togo has remained a bastion of Catholic action and anticommunism, and is making encouraging economic progress.

Two other leaders whom we rarely hear about—because they are practical doers rather than wild dreamers—are Presidents Houphouet-Boigny of Ivory Coast and Philibert Tsiranana of Madagascar.

"H-B," who held high cabinet posts in Paris before his country won independence, did a masterful job in cleaning out French Communists who were trying to dominate his party (African Democratic Rally).

Tsiranana, a convert to Catholicism, has always been anti-Communist and has kept Madagascar out of trouble.

Keeping one's country "out of trouble" in present-day Africa is achievement enough. For more than anything else, Africans need time—to absorb the overnight change from foreign rule to self-rule, from tribalism to nationhood, from jungle fetishism to mechanization. Given this time, Africa may yet surprise us all.

[From the Long Island Star-Journal, Apr. 12, 1966]

AFRICA: A PLEA FOR TIME—BEHIND THE SCENERY, CRUEL PROBLEMS

(By Philippa Schuyler)

LAGOS, NIGERIA.—Behind Africa's spectacular scenery hides a host of cruel problems. Most Africans cannot even begin to think about the kind of world they want to live in—they are too immersed in day-to-day agonies of physical survival.

There is the eye disease spread by Sudanese flies that brings blindness. There is the eroded or leached-out soil that produces starchy crops lacking in vitality. There are the thin, bony sickly cattle that yield little milk and less meat. And there is the dependence on herbal drugs like chanvre (hashish), whose use has sparked despondent men to riot.

There is no one solution to Africa's economic woes. Theories are not what is needed here. Neither capitalism nor communism nor any other kind of ism will work here if the African villagers are too weak, too ignorant, or too sickly to perform a job.

What is needed is massive medical aid and education, and this is where the missionaries are literally a God's send. They are doing the long, hard, often thankless task of preparing Africans for modern society. They are making Africans strong, healthy and literate.

Even democracy is not the answer for Africa in its current stage of development. Nigerians, Kenyans and Congolese are still in the process of discovering who and what they are—their very identity—and often a strong but beneficent leader is what they crave.

African leaders today succeed best when they emerge from the families of hereditary kings or tribal chiefs. An outstanding example is President Houphouet-Boigny of the Ivory Coast. As the son of a chief, he can command the old emotional allegiances.

Inconsistency is the only rule in Africa. For example, Christianity undoubtedly has spurred many Africans to achieve great deeds, and yet Ethiopia, after 16 centuries of Christianity, has probably the worst labor conditions on the continent.

Household slavery, a quasi-serfdom, lingers on in some interior regions in Ethiopia. Forbidding mountains and blazing deserts make modern communications and the establishment of modern labor practices difficult. Yet one out of six Christian men there become a monk, hermit or priest.

A more spectacular form of bondage is continued by Arab slave traders. These sell young Africans into harems and brothels in Saudi Arabia and the Middle East. And there is a clandestine traffic in East Africa.

Both types of slavery are hard to stamp out. For no African nation has so far organized a sufficiently complex economy to be able to absorb all possible workers on a modern living scale. Some Africans marriage customs approach slavery for the girls involved.

But this cannot be remedied until substitute placements for surplus females are found. Quasi-serfdom and near-slavery give a low-level solution to potential unemployment problems. They are better than no solution.

This is one of the agonizing cruelties. Africa is the "Inshallah" continent, where one expects nothing and bears everything, until the final moment of desperate aberration is reached.

The population explosion in North Africa exerts one type of economic pressure. Sub-Saharan under-population is equally grievous. For it makes administration and effective planning difficult. When ill-defined sections of the populace are straggling through the bush country or wandering as nomads across provincial or national borders, their organization into production projects is difficult.

Most African cities have far more men than women. The loneliness this brings causes inefficiency and a climate for political intrigue and violence. The secret societies of the countryside can take on new dangerous forms in the city. African leftist trade unions like the UGTAN (General Union of Workers of Black Africa) become tremendous propaganda vehicles and create torn allegiances.

Mafia activities have spread to Africa. Mafia agents are distributing counterfeit American 20-dollar bills in West Africa. This has caused such embarrassment in one small West African country that the leading bank refuses to accept American money except on a two-week trial deposit.

Smuggling is on the rise. Ninety per cent of the world's industrial diamonds used to come from Bakwanga, in the Congo's Kasai province. Many are now smuggled out, at great loss in revenue to the Congo government.

Unstable currency in countries that have left the Commonwealth, disillusionment resulting from one-crop systems, unemployment among industrial workers, are other problems that are not necessarily related to Communist infiltration. All, of course, make ripe fields for Communist exploitation.

Is there a note of hope on the African economic scene?

Yes. It is the amazing vigor and resilience of the African woman. She is strong even when she bends to subservience. The apparent tyranny of the African male has not killed her indomitable spirit.

In West Africa, market women are incredibly astute in commerce. They are born capitalists who will never be convinced by communism.

I met an illiterate woman in Dakar, huge as a monument in her imposing robes, who had single-handedly become a millionairess via trade. In Lome, Togo, most of the property is said to be owned by women.

While men palaver about political ideologies, the sturdy women work with Joie de vivre in field and market-place. There is a brilliant vitality in the West African market. It underlines the warmth of female Negritude.

Cloves, beeswax and gum arabic are agricultural products on which Africa has a near monopoly. Rubber, cotton, cocoa, coffee and tea are also important. But Africa's great economic hope lies in her mining industries.

Eighty percent of the world's cobalt comes from Africa, and two-thirds of its gold; half its antimony and one-third of its manganese. I visited the vast copper mines of Zambia and Katanga that produce one-fourth of the world's supply.

There is tin in Kivu (in the Congo), oil in Algeria and Angola, diamonds in South Africa, Angola, Kasai, the Ivory Coast, Ghana, and Sierra Leone, and phosphate in North Africa and Togo.

Africa cannot develop these resources on its own. It needs both foreign capital and foreign technicians to make maximum use and profit from its mineral and agricultural riches. And this, of course, is where leadership comes in. The African leader must be strong enough not to let past colonial sins stand in the way of working with the Western powers toward economic progress.

Politics and economics are inter-related in Africa. We must not expect too much too quickly in either sphere. We must conceal our impatience, and be more subtle about our own aims. The art of tactics is to conceal up to the last minute the strategic goal.

We have often blundered in Africa by being too hasty, too nervous, too obvious. We must learn from Africa's own sense of "Inshallah," that we cannot always make snap decisions for other peoples. Africans must find African answers for African questions. We can best help by showing benevolence, detachment, and sympathetic understanding.

[From the Long Island Star-Journal, Apr. 13, 1966]

AFRICA: A PLEA FOR TIME—NATIVE MEDICINE WORKS WONDERS

(By Philippa Schuyler)

LAGOS, NIGERIA.—Monogamy or polygamy for Africa? Christianity or Islam? Modern health methods or backward superstitions?

These are the three leading sociological questions that torment Africa today. In some ways they are all insoluble. Yet the earnest attempts to ease them create the richness of life on this vital continent.

The missionaries are undoubtedly the heroes of present-day Africa. Their dedication in the fields of teaching, health and social work has molded the Africa we know. Yet even their answers are not always conclusive.

The African woman is the most potentially constructive element on the continent, and usually the most neglected. In Ethiopia, which has been Christian since the 4th Century, A.D., women have long played an important role. Women of aristocratic families are autocratic and powerful. Yet widespread prostitution has brought wretchedness to unprotected girls.

In backward agricultural countries, there is no work or status for surplus women. Polygamy protects women in a family framework; there are times when it is preferable to the brutal abuse of homeless girls. Yet polygamy degrades woman within the home, cultivates deceptiveness and unreliability, and turns men into authoritarian tyrants or overwhelms them with emotional problems.

Some Protestant missionaries in Africa have permitted their followers to maintain a covert polygamy. Islam always permits polygamy within the limits of the Koran's teachings, Roman Catholicism has worked towards an advancement of woman's role within the family framework, and with monogamy always as the goal. It has produced some outstanding feminist leaders, such as Mme. Siboney of Togo, and thousands of devoted African nuns. But a clear answer for the African woman has not evolved from this maelstrom of conflicting beliefs.

Some countries in West Africa permit animist, Moslem, Christian and civil marriage laws, all at the same time. A man may have different wives under each of the marriage laws and never be prosecuted for bigamy. This creates inheritance problems and difficulties in social intercourse. The question of which wife to present to foreigners may cause an important African many second thoughts, for the first wife may not be the most presentable one.

Children who grow up in polygamous families learn early to scheme and be watchful for favoritism. This interferes with the mental and emotional serenity necessary for concentration on abstract studies, yet it eliminates the social problem of illegitimacy.

Islam claims 90 million adherents in Africa, over twice the number of Christians. But these statistics are unreliable. Islam has no hierarchy of organized clergy. Conversion takes place spontaneously, each individual influencing those he can. The lack of a disciplined organization keeps Islam from ever being able to do the social work in Africa that the Christian clergy maintains. No lengthy period of preparation or understanding is necessary to enter Islam.

Christianity counts its adherents by baptismal records and church attendance statistics, none of which exist in Islam. When the head of a family states his religion to a census-taker as Moslem, it is assumed that his family is also Moslem, even if they have little or no awareness of this and only superficial participation, if any, in the faith.

Islam is a great and positive religion which eliminates cannibalism, mutilations, nudity, and the worship of many gods. But it can also tolerate ignorance and social stagnation.

The introduction of modern health methods has caused a population explosion in some regions of Africa. The problems engendered by this will become acute in a few decades. But tropical Africa remains, on the whole, tragically underpopulated, which renders effective administration difficult.

Where health care is most strongly needed is in the treatment of eye maladies and parasitical infections. But the ancient wisdom of native African medicine should not be lost. The jungles teem with plants, herbs, vines and barks that have uncanny effect on the body and mind.

The Ibo tribe of Southern Nigeria, for example, use palm-wine mixed with herbs to produce lactation. Women of 60 or barren women can thus nurse children. One Ibo woman who had no child in 14 years was regularly employed as wet nurse in a government prison near Port Harcoutt. There is at least one authenticated case of a virgin turned into a wet nurse in 24 hours. Tribes in Mozambique and Liberia have the same knowledge.

Effective herbal contraceptives and abortifacients are regularly used in the Liberian jungle, as well as astonishing cures for infections.

Superficial detribalization makes the African lose his own heritage of medicine, art and social solutions, before he has absorbed the Western answers. This is a tragedy.

In traditional Africa, the artist or musician was not an outsider, bohemian, or critic of society, as in the West. He was the expressor of the tribe's religious-cum-social values. He crystallized the tribe's traditions. This is why quick conversion to monotheism has killed native art in some areas. Islam, in particular, with its religious ban on images, has had a shattering effect on tropical African art.

Magic, in Africa, uses hypnotism, thought transference, extrasensory perception and control of mind over body, in ways that could broaden our own horizons.

I recently attended a magic rite in West Africa during which a young man ate burning branches and slashed at himself with a broken bottle, and with a sharp, heated knife. He suffered no observable ill effects. The drugs he had taken did not block his awareness of the crowd. His skin was neither burned nor broken.

The ceremony took place in broad daylight and I was only a few feet away from the young man who was supposed to be possessed by the earth god. Cleansed of superstition, these procedures could add to our knowledge.

For the average American who wants to help the African, assistance to the missions is the most efficient and practical course. We should also pressure international organizations to expose and crush what remains of the Arab slave trade in East Africa. We must extend understanding to the lonely African students who visit our country.

Yet we must never look down on the African for his social problems. Africans have a sense of family loyalty superior to our own. We have much to learn from the African's concept of family duty, and from his devotion to his religion.

In Uganda, I have seen Africans walking barefoot for five miles on Sunday, to attend church. In Bukoba, Tanzania, I saw a reverance for Laurian Cardinal Rugambwa that had the holy mysticism of early Christian faith.

Africans, though still searching for guides in the material and political sphere, are strong and transcendent in the areas of faith and devotion. They are aware of the brilliant history of Christianity in Africa up until the 7th century Moslem invasion. The same spirit that created St. Augustine and St. Monica, three African Popes and thousands of African religious hermits in the pre-Islamic days, is reborn among the Christians of modern Africa.

This is the note of hope for Africa. Though the political arena seems troubled, the profundity of faith and deep spiritual dignity to be found there, can be an inspiration to the whole world.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

PARTICIPATION SALES ACT OF 1966

The PRESIDING OFFICER. Under the order of May 19, 1966, the Chair lays before the Senate the unfinished business, which will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. The motion to agree to the amendment of the House of Representatives to the bill (S. 3283) to promote the private financing of credit needs and to provide for an efficient and orderly method of liquidating financial assets held by Federal credit agencies, and for other purposes.

The PRESIDING OFFICER. Under the unanimous-consent agreement, further debate shall be limited to 1 hour, to be equally divided and controlled by the Senator from Maine [Mr. MUSKIE] and the Senator from Delaware [Mr. WILLIAMS].

Who yields time?

Mr. MUSKIE. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Chair recognizes the Senator from Maine.

Mr. MUSKIE. The motion before the Senate is to accept the House amendment to Senate bill S. 3283, the Participation Sales Act of 1966. The changes made by the House, as I explained to the Senate on May 19, are mainly of a clarifying or technical nature. It may be said that they tighten the provisions of the bill rather than broaden it.

There are three principal differences of substance. One is in the section which specifies the departments or agencies which may establish trusts under this act. The programs under the Farmers Home Administration to be included are described more precisely. The change also specifies certain types of loans on which trusts may not be established, even though made under the involved programs of the Farmers Home Administration. These include specifically housing for the elderly and nonfarm recreational programs.

The second substantive change requires that no department or agency listed in the bill may sell any obligations except as provided in the bill or as approved by the Secretary of the Treasury. This provision assures effective coordination of all asset sales by the various departments and agencies of the Government.

The third change is omission in the House version of a definite requirement for an annual report to the Congress by the Secretary of the Treasury as to operations under the bill. On this matter Senator BENNETT, sponsor of this provision in the Senate bill, has received and put into the RECORD of May 19, a letter from Joseph W. Barr, Under Secretary of the Treasury, giving an assurance that the Treasury Department will in practice make such a report on a voluntary basis in accordance with the intent of the provision included in the Senate version.

Other changes made in the House version were of a clarifying or technical nature. The effect of some of them relate to authorizations for appropriations and are designed to avoid the implication that they might be interpreted as appropriating funds in violation of House rules.

With respect to the second substantive change to which I have already alluded, I wish to make a further clarifying comment.

Section 6(b) of the House version requires the approval of the Secretary of the Treasury after June 30, 1966, before assets held by any of the agencies listed in section 302(c) of the Federal National Mortgage Association Charter Act may be sold under other authority.

This section does not, in my judgment, apply to the insured loan programs, of the Farmers Home Administration under the Consolidated Farmers Home Administration Act of 1961 or title V of the Housing Act of 1949. Certainly it was not our intention that it should in any way interfere with the insured loan program of the Farmers Home Administration.

These programs are designed to replace the direct loan programs authorized by these acts, to the extent possible, with private credit guaranteed by the Secretary of Agriculture. A large portion of such guaranteed loans are held by banks in the community where property is located, thus creating a close interest between the holder of the insured loan and the borrower.

The Director of the Bureau of the Budget has assured Representative POAGE that no obstacle will be placed in the way of the full use of the maximum insurance authorization. The letter containing this assurance appears on page 10900 of the RECORD of the House proceedings of May 18, 1966.

It would be inconsistent with the policy established by this bill and general administration policy on substitution of insured loans for direct loans in Federal credit programs, to use section 6(b) as a means of frustrating the operations of the Farmers Home Administration insured loan programs.

Mr. President, I reserve the balance of my time.

The PRESIDING OFFICER. The Senator from Delaware is recognized. How much time does the Senator desire?

Mr. WILLIAMS of Delaware. Five minutes.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 5 minutes.

Mr. WILLIAMS of Delaware. Mr. President, first I wish to say that I agree with the Senator from Maine [Mr. MUSKIE] that the provisions of the bill as passed by the House of Representatives are substantially the same as those passed by the Senate, except that in its amendments the House did spell out more clearly the Senate amendments reducing the authority as requested, from $33 billion down to $10.9 billion.

I am not debating here today the merits of the House bill compared with the Senate bill but rather the principle in both bills of having the Government sell a part of its assets to defray normal operating expenses of our Government.

This procedure is merely a plot to conceal the true size of our deficit.

I know of no better way to point out how dangerous and misleading this policy is and how it can be abused than to call attention to the statement released yesterday by the Executive Branch, wherein the President announced that the deficit for this fiscal year, ending June 30, was expected to be about $2 billion lower than the previous estimate of $6.4 billion, as made in January.

It was intended that this be accepted throughout the country as a great achievement in that it would appear that we are coming closer to a balanced budget. In reality we are not. The books have just been juggled a little.

It is true, as the President pointed out, that our revenues have increased, but at the same time our expenditures have increased more. The deficit is not going to be lower on June 30 than was planned in January. Quite to the contrary. The only difference is that they have sold around $2.4 billion of assets more than they had planned to sell at the time that the President made his speech in January. The sale of these assets will reduce the amount of the reported deficit.

Concealing the true deficit is very dangerous. It invites more inflation. We are not going to cure inflation unless we recognize the cause, and the cause is heavy Government spending and deficit financing.

This year's deficit, instead of being reduced to $4 billion as the President now indicates, is still going to be around $8 billion to $9 billion if we apply the spending to normal income.

I wish to call attention to a few of the items that have been used here to reduce this 1966 deficit to $4 billion. They expect to have $1 billion as nonrecurring profit during this fiscal year by reducing the silver content of half dollars and quarters. The Treasury will make $2.5 billion, $1 billion of this profit to go into this fiscal year and $1½ billion next year.

About 2 months ago we passed a bill accelerating payment of corporate taxes over and above existing law. That will bring in an extra $2.1 billion. The Treasury is selling $2.5 billion more in assets than was planned to be sold at the time of the January message and in the past couple of weeks the Treasury has advanced the payment dates for withheld payroll taxes. This latter change will give them an extra billion this year.

If we eliminate these one-shot gimmicks and if we figure deficit years as we have always figured deficit years we are going to have a deficit for fiscal 1966 of $9 billion.

In my opinion the President is doing a great injustice to the American people when he tries to camouflage the true deficit and claims that he has solved the fiscal problems of this Government by selling our assets. It is misleading to permit the people to think that we are paying for the Great Society programs under our current revenue when that is not true.

The Treasury Department confirms the point that to the extent that $1 of these assets is sold in the manner being proposed, the national debt and the reported deficit are automatically reduced by a corresponding amount.

Next year they are planning to sell $4.7 billion of these assets. In addition, the Treasury picks up $4.9 billion next year as the result of the accelerated payments of individual corporate taxes. Both of these represent nonrecurring income. When that is considered along with the $1.8 billion deficit already announced, there results a $10 billion to $11 billion actual deficit next year.

However, when this bill passes authorizing the sale of $11 billion in assets the administration will actually be able to report a balanced budget next year and still spend $10 billion more than it will take in.

This is a deceitful method of financing the cost of the Government.

The American people ought to be told the truth. They ought to be told that this administration is currently operating the Government at a deficit which is averaging around $700 million or $800 million a month, and that the deficit for the next fiscal year will be from $800 million to $900 million a month. If the American people are not told the truth about the deficit the problem of inflation will never be licked.

With the passage of this bill it might well be said that the Government has passed the point of no return so far as the fight on inflation is concerned, because once the executive branch is given the right to camouflage its deficits in this manner our financial policies will not be brought under control, at least in the near future. This represents a serious blow to the stability of our dollar.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS of Delaware. I yield.

The **PRESIDING OFFICER.** The time of the Senator from Delaware has expired.

Mr. WILLIAMS of Delaware. I yield myself an additional 5 minutes. I yield to the Senator from Ohio for a question.

Mr. LAUSCHE. What was declared to be the anticipated deficit for the current fiscal year, when it was announced in January?

Mr. WILLIAMS of Delaware. The January estimate was $6.4 billion deficit. Since that time the Government has already sold $2.5 billion of our assets in participation certificates. I understand—and this is only an understanding—that one reason why the administration wants to have the bill passed quickly is because of its desire to sell another $800 million certificates of the Small Business Administration before June 30. This will further reduce the reported deficit beyond what I have already discussed. To the extent that these assets are sold it will reduce the deficit, as reported, but it will not reduce the true deficit. If the Great Society sells the Washington Monument and spends the proceeds it does not represent sound financing.

I said the other day that the situation is exactly comparable to that of an individual family whose income is derived from a salary of $9,000 a year. They are spending $10,000 a year, so he goes out and sells his car for $2,000 and comes back and says, "I end up this year with a surplus of a thousand."

He is not getting ahead. He is gradually going broke. That is exactly what they are doing with the Federal Government, but the only thing is the administration is not telling the American people the truth. It is misleading the American people as to exactly what these Great Society programs cost. The President makes a great issue about his interest in truth-in-lending and truth-in-packaging. What we need more than either of these is truth-in-Government.

Mr. LAUSCHE. Will the Senator kindly repeat the announced deficit as of last January?

Mr. WILLIAMS of Delaware. As of January, the President projected a deficit at the close of the 1966 fiscal year of $6.4 billion.

Mr. LAUSCHE. What was the latest statement?

Mr. WILLIAMS of Delaware. Yesterday he said he would reduce it about $2 billion, which would bring it down to around $4 billion. Later I would not be surprised to see them sell some more of our assets and reduce the amount even more.

Mr. LAUSCHE. Getting to the sale of assets, one, there has been a windfall—if I may so describe it—through the replacement in our coins of a metal as a substitute for silver. How much has that produced?

Mr. WILLIAMS of Delaware. In fiscal 1966, $1 billion. The next fiscal year we will get a nonrecurring profit of a billion and a half. This nonrecurring income is being used to defray regular expenses.

Mr. LAUSCHE. This windfall, through the substitution of a cheaper metal for silver, is being used for the financing of current operating expenses.

Mr. WILLIAMS of Delaware. That is correct.

Mr. LAUSCHE. No. 2, how much will be picked up through the acceleration of the time in which the income tax must be paid as of year 1966?

Mr. WILLIAMS of Delaware. For fiscal 1966 they picked up an additional $1.2 billion. Already the old law, passed a year ago, brought in an extra $1 billion; but that law, which was passed since the President's January message, brings in another $1.2 billion. This added to the $2.5 billion in assets being sold means we have $4.7 billion this year in extra revenue—or in other words the deficit is still over $8 billion when we pull aside the curtain.

Mr. LAUSCHE. What assets have been sold which have produced the $2.5 billion?

Mr. WILLIAMS of Delaware. Mostly FNMA mortgages.

Mr. LAUSCHE. So that the use of capital is covered by 1 billion of the dollars obtained through the substitution of a cheaper metal for silver, $1 and $2 billion through the acceleration in the payment of taxes which is nonrecurring, and $2.5 billion in the sale of securities by FNMA.

Mr. WILLIAMS of Delaware. That is correct.

Mr. LAUSCHE. Therefore, using capital assets for current operating expenses brings the anticipated deficit down to the $4 billion label which has been declared—

Mr. WILLIAMS of Delaware. That is right. Yesterday, the administration in making this announcement presented it to the American people as a great achievement. It is not. What I am concerned about is that this is an open invitation to more inflation, inflation that is, in my opinion, inevitably going to follow this kind of irresponsible financing. This era will be known as the Johnson inflationary period. All those aged who are being pauperized as a result of this planned inflation should know that this is part of the Great Society plan. I do not know of any better language which describes this unsound financial arrangement than to quote from yesterday's issue of Barron's magazine in which they quote an administration official who describes the proposal to sell these assets as follows. I quote from that article:

> Originally the administration wanted to do even more. Its proposals would have covered the entire Federal loan portfolio for the 100 programs worth some $33 billion. In an unguarded moment of candor a staunch backer of the bill called this "one of the slipperiest pieces of legislation I have ever encountered."

Mr. President, I wholeheartedly agree with that statement. This is not only a slippery piece of legislation as this sponsor claims, but it is also fiscally irresponsible.

The **PRESIDING OFFICER.** The time of the Senator from Delaware has expired.

Mr. WILLIAMS of Delaware. Mr. President, I ask for 5 additional minutes.

The **PRESIDING OFFICER.** Without objection, the Senator from Delaware is recognized for 5 additional minutes.

Mr. WILLIAMS of Delaware. Mr. President, this program will result in more inflation. When we liquidate our assets and use the proceeds for current expenditures, we are inviting inflation.

There is another point that should be mentioned; that is, the extra interest cost. It will cost at least one-half percent more to finance the Government in this manner than it would in the normal manner of selling Government bonds. Some claims this extra cost would be only a quarter of a percent. Even if it were only a quarter of a percent, that would be bad enough. But, there have been three or four sales this year which have averaged four-tenths to seven-tenths percent extra. The average extra cost has been over one-half percent. That means that for every $1 billion financed this way it will cost an extra $5 million. If we sell the full amount of $10 billion we will be paying an extra $50 million in interest annually.

These participative certificates are 100 percent guaranteed by the Federal Government. Some say that they will be in denominations no lower than $10,000, which means that the Johnson administration will make sure the average John Doe will not collect this 5½ percent interest. He is supposed to put his money into "E" bonds and take 4¼ percent. But the banking industry, knowing that these are 100 percent guaranteed by the Federal Government, will have an attractive 5½-percent interest rate.

Certainly good, sound management would dictate that the Treasury should finance the Government in the cheapest manner possible. The reason they do not wish to sell these bonds in the normal way is that it would show up the true deficit. They could not deceive the American people in the manner that they can under this particular bill.

Mr. LAUSCHE. Is this calculation substantially correct, that for every $1 billion worth of participation certificates sold, the added increase in the interest cost will be approximately $5 million a year?

Mr. WILLIAMS of Delaware. That is correct.

Mr. LAUSCHE. So that if $4.2 billion worth of participation certificates are sold, the added interest cost to the taxpayers will be over $20 million a year.

Mr. WILLIAMS of Delaware. That is correct.

Mr. LAUSCHE. Do I correctly understand that we are not selling these mortgages fully and completely, but merely selling participation certificates; thus, the Federal Government still is holding the bag if mortgages go sour in payment at the end?

Mr. WILLIAMS of Delaware. There is no question about it. The agency selling these certificates is bound by the terms of the agreement that if one mortgage goes bad it will be replaced with a good note or paid in cash.

Do not forget that FNMA has the authority to borrow money from the Federal Treasury to make good on its obligations. There is no question on the part of anyone but that these are 100 percent Government guaranteed loans. The only difference in selling them in this manner is that they will cost the taxpayers approximately one-half percent more in interest rates, and it would conceal the true deficit from the American people.

I repeat, this is an irresponsible and unnecessarily expensive way to finance the cost of operating the Government.

Mr. LAUSCHE. May I put one more question to the Senator. What is the limit of the amount that the Government will be allowed to put into the pool upon which they will sell certificates as provided in this bill?

Mr. WILLIAMS of Delaware. Under the bill that was first sent down to Congress the administration asked for the authority to sell up to $33 billion in assets. We amended the bill in the Senate. The House has accepted those same amendments in substance. The bill before the Senate now, authorizes the sale of $10.9 billion, but that is wrong. If the pending bill passes in its present form it means that in the next 2 years the administration can sell these assets—spend, we will say, $10 billion more than it is taking in, and still report a balanced budget to the American people.

If any private corporation issued any such misleading financial report their officers would be sent to the penitentiary.

This entire plan is nothing but a vehicle to get through the 1966 election without having to raise taxes.

The administration, if it could have gotten away with it, wanted to obtain authority to sell $33 billion in assets which would carry them by the 1968 Presidential election. This may be the way they do it in Texas, but it is not the way to run a Government.

I do not think we should dip into the Federal Treasury to buy an election for any political party.

We are already having trouble enough with inflation in this country. The President of the United States ought to tell the American people the truth; namely, that his is the most extravagant administration we have ever had in the White House. The present administration during the past 6 years has spent a total of $36.5 billion more than it collected into the Treasury. That is more than $550 million a month for every month that the Kennedy-Johnson administration has been in office, and right now the present administration is running a deficit at the rate of $750 million or $800 million a month.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MUSKIE. Mr. President——

The PRESIDING OFFICER. How much time does the Senator from Maine yield to himself?

Mr. MUSKIE. I yield myself 5 minutes for the time being.

Mr. President, the opposition to the pending bill—and that has been primarily the Senator from Delaware this afternoon—persists in referring to it as a means of camouflaging a deficit, financing the public debt, and evading the 4¼-percent ceiling on long-term Government obligations.

In addition, the Senator from Delaware this afternoon has referred to the bill as "misleading," as "failing to tell the American people the truth," as a "slippery piece of legislation." That was some of the colorful language the Senator from Delaware used this afternoon. Mr. President, it is none of these things.

It is, on the contrary, a means of selling certain assets held by the Government. It authorizes use of a technique by which the administration can sell participations—amounting to about $4.2 billion in fiscal 1967—in pools of certain types of direct loans totaling some $11 billion that the Government has made to individuals, business, and institutions in the past. In this way, the Government will reduce the sum of the taxpayers' money tied up in its portfolio of direct loans and increase the role of the private market in Federal lending programs.

I would like to remind the opposition at this time of the efforts of the last Republican administration to sell similar assets.

During the 8 years of the Eisenhower administration, assets consisting of loans totaling almost $1.6 billion were sold. More than two-thirds of the total was in loans held by the Federal National Mortgage Association. But loans of the Farmers Home Administration, the public housing program, the Veterans' Administration, the Export-Import Bank, and the Small Business Administration are included in the total—the same programs covered by the pending bill.

And the total of the $1.6 billion does not include some $200 million in reconstruction finance corporation loans and securities that were sold or refinanced. Also not included are some $47 million in interest-bearing certificates of interest in a $73 million pool of smaller business loans with unpaid balances and commitments, which were sold in 1954.

I ask unanimous consent to have a table showing sales of assets during the Eisenhower administration, together with a note on figures not included in it, be printed in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Sales of financial assets, January 1953 through December 1960,[1] *by fiscal years*

[In millions of dollars]

Agency or program	1953 (2d half)	1954	1955	1956	1957	1958	1959	1960	1961 (1st half)	Total
Department of Agriculture: Farmers Home Administration	------	------	------	(2)	------	19	1	------	2	22
Department of Housing and Urban Development:										
Federal National Mortgage Association	27	575	201	4	------	4	13	312	4	1,140
Public housing program	------	215	------	------	------	------	------	------	------	215
Veterans' Administration	2	6	26	5	1	2	4	(2)	1	47
Export-Import Bank of Washington	------	------	(2)	------	5	96	19	22	------	142
Small Business Administration	------	------	1	(2)	(2)	1	(2)	1	1	4
Total	29	796	228	9	6	122	37	335	8	[3] 1,574

[1] Excluding liquidation of assets owned by the Reconstruction Finance Corporation.

[2] Less than $500,000.

[3] Total does not add due to rounding.

SALES OF FINANCIAL ASSETS, JANUARY 1953 THROUGH DECEMBER 1960

The attached summary of asset sales in 1953–60 does not include sales by the Reconstruction Finance Corporation, which was placed in liquidation in September 1953. Of the $686 million in loans and securities then outstanding, more than $200 million were subsequently sold to or refinanced by private lending institutions.

In February 1954, 2,800 smaller business loans with unpaid balances and commitments totaling $73 million were placed in a pool, and interest-bearing certificates of interest amounting to $47 million in this pool were sold to nearly 1,000 banks and private lenders.

Mr. MUSKIE. Mr. President, these figures reveal the substantial scope of the assets sales program during the administration of President Eisenhower. They reveal the dimensions of an activity which had the support of almost all members of President Eisenhower's party in this House.

The program was not different in its broad aims from the program President Johnson is pursuing with the legislation before us. A different technique is involved, but the purposes of reducing the portfolio of direct loans and substituting private for public credit are the same. Also, the budget treatment and effect are the same under the Eisenhower program and under the Johnson program. The budget treatment in effect is the same under the Eisenhower program and under the Johnson program.

If ulterior motives, such as are implied in calling this a slippery piece of legislation, misleading, and untruthful, can be ascribed to the proposal now before us, then the same ulterior motives can also be ascribed to President Eisenhower's program.

The **PRESIDING OFFICER.** The time of the Senator has expired.

Mr. MUSKIE. I yield myself 5 additional minutes.

That program is as subject as the pending bill to the charge that its purpose was to camouflage deficits, finance the public debt by backdoor methods, and evade the 4¼-percent ceiling.

That was not the case, of course. Nor is it the case now.

On this point I cite the 1963 minority report of the House Ways and Means Committee, which in effect directed the administration to sell more assets. That is exactly the purpose of this bill: To sell those assets in an orderly fashion and in a manner most advantageous to the lending agencies and to the taxpayers.

Mr. President, I ask unanimous consent that the statement in the House minority report be included in the RECORD at this point in my remarks.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

Republican Minority Report, House Ways and Means Committee Report, 88th Congress, 1st Session (May 1963) on H.R. 6009 (to provide temporary increases in the public debt limit).

"The administration also can always reduce its borrowing requirements by additional sales of marketable Government assets . . . .

"For example, when the Secretary of the Treasury was before the committee on February 27, we suggested that it was encumbent upon the administration to show "good faith" before coming to the Congress for an additional increase in borrowing authority. We pointed out that the Government held about $30 billion in loans, many of which were readily marketable. In fact, there was a very good market for many of these loans. Instead of increasing its offering of these loans to private lenders, the administration was then acting on the supposition that the Congress would automatically accede to a request for an increase in its borrowing authority.

"It was also pointed out to the Secretary of the Treasury that the Government had other assets which might be liquidated, such as the stockpile of strategic materials amounting to about $8.7 billion.

"Our refusal to grant the administration's request last February produced results." In the interim of less than 2 months the administration found that it could increase revenues from the sale of loans by an additional $1 billion for fiscal 1963. Now, the administration estimates that it will realize $2.082 billion—as contrasted with an original estimate of only $0.929 billion less than 2 months ago."

The Republican members who signed the minority report were: JOHN W. BYRNES, Howard H. Baker, THOMAS B. CURTIS, Victor A. Knox, JAMES B. UTT, JACKSON E. BETTS, Bruce Alger, Steven B. Derounian, HERMAN T. SCHNEEBELI, HAROLD R. COLLIER.

Mr. MUSKIE. Mr. President, there has been a great deal of reference in the Senate during debate on this bill over the action which took place in 1959 on a related matter. Most of us—and I do not exclude myself—have either overlooked or forgotten the real significance of that event in 1959, and consequently we have been misinterpreting it. I am referring of course, to the resolution of August 1959, expressing the sense of the Senate against the exchange of certain mortgages held by the Government for certain long-term privately held Government bonds.

For the benefit of those of us whose memory of that day has faded, let me recall the situation.

During a low-interest period, chiefly if not entirely during the Truman administration, the Government had sold long-term low-interest bonds. Some $7.8 billion of these were outstanding.

The Eisenhower administration, in a substantially higher-interest period, made a proposal concerning $335 million of 2¾-percent bonds, to take place during fiscal 1960.

The bonds in question could be converted to short-term only at an interest rate of 1⅛ percent. They were salable only at a substantial discount.

The administration proposed to exchange $335 million of the bonds for a like amount of prime mortgage paper, bearing 4-percent interest, fully guaranteed, and scheduled or likely to be retired, on the average, in 7 or 8 years.

If this swap was successful, the administration proposed to swap an additional $665 million of the mortgages for the bonds.

The entire transaction would have reduced the Government's portfolio by $1 billion and reduced the deficit by $1 billion.

The administration conceded a substantial loss of the taxpayers' money in the transaction. But by putting a heavy discount on the mortgages—priced for quick sale in a high-interest market—and ignoring the 1½-percent rate at which an appreciable amount of the bonds would have been converted, the administration managed to minimize the loss.

Considering that there were almost $8 billion of the bonds outstanding, one Member of this House estimated the total possible loss at $100 million per year during a 5-year period—half a billion dollars.

Those opposed to the proposal brought in a resolution that the sense of the Senate was against the proposed transaction.

The question of asset sales was involved, as the Senator from Delaware and I have agreed. However, there were other aspects to the proposal which many thought unwise and questionable. The vote on the resolution was revealing. Only 3 members of the minority—including the Senator from Delaware—joined 53 members of the majority in voting for the resolution. Twenty-nine members of the minority made up the entire opposition.

The Senator from Delaware has made much of that vote. The debate went on for several hours. It covers 32 pages of the RECORD. In all that time, the Senator from Delaware said not one word in debate.

The Senator from Delaware did not undertake to describe the proposal of the Eisenhower administration in the harsh terms he has used to describe the proposal of the Johnson administration this afternoon.

During the debate the past few days, the Senator from Delaware has often returned to the following themes: that the bill was a $33 billion authorization; that would enable the administration to spend $33 billion without normal expenditure control; that it would empower the administration to sell foreign aid loans; that only his "major surgery" on the bill eliminated or limited those broad, unfettered grants of power.

In his letter of transmittal, the President detailed programs of which assets were to be sold through the participations technique. No foreign aid loans where included; it has been perfectly clear from the beginning that they were excluded. Amendments to which the administration agreed early in the legislative history placed effective congressional control over every sale of participations, through the appropriation process.

In contrast to the 1959 situation, in which our resolution had no force, and in which it would have been necessary to change the law, requiring the agreement of both Houses and the administration, under this legislation the refusal of either House to concur will prevent any proposed sale through participations.

In exercising its power over appropriations, Congress will have complete control of the amounts of money made available and how they are used. It will retain the control it now has over the limitations on the lending programs.

The amendments we have agreed to limit the scope to a group of programs and loans totaling about $11 billion. This was no major surgery. It is simply our expression of good faith: the President meant what he said in his letter of transmittal, and we are willing to demonstrate that fact by writing the limitations into the bill.

In short, the proposals before us has a well-established basis in the Eisenhower administration and since. It has been approved then and since as a sound way of substituting private money for public money in direct loan programs. As such it merits our support.

Mr. President, I reserve the remainder of my time.

Mr. HOLLAND. Mr. President, will the Senator yield 5 minutes?

Mr. MUSKIE. I yield.

Mr. HOLLAND. Mr. President, I support the position of the distinguished Senator from Maine. I would not have supported the legislation if the changes had not been made in the bill when it was originally discussed in the Senate.

The Senator from Delaware [Mr. WILLIAMS], the Senator from Ohio, and others are entitled to a large part of the credit for the changes that were made at that time. As the legislation now reads, however, this is a worthy approach, and offers an opportunity to use for the Nation, in this time of crisis, the assets which belong to the Nation. I shall support the bill in its present form.

Mr. President, I desire to call attention to this fact, also, if I may have the attention of Senators on the other side of the aisle.

I have in my hand a news item that appeared today on the ticker tape outside the Senate Chamber. The article reads, in part:

> The Treasury Department asked Congress today to raise the temporary debt ceiling to $332 billion for the fiscal year which begins July 1.
>
> The ceiling—which was raised by Congress last year to a temporary $328 billion—would drop to the permanent level of $285 billion if Congress fails to act.

I desire to make clear my position that although I am voting for the measure that is being discussed in the Senate today, I shall oppose the proposed increase of the debt limitation. I do not believe we can run in both directions at the same time.

I believe that an administration is to be commended when it attempts, in a reasonable way, to lessen the debt limitation, and I believe that is what we would do if we approved the bill that is before us today.

I believe the administration is unwise in requesting the authority to increase the debt limitation to $332 billion for the coming fiscal year.

Therefore, to make my position entirely clear, I approve the pending legislation because it is a wise marshaling of assets. Such action would be commendable by a private institution or a business institution, as a method of preventing further indebtedness.

I shall oppose the proposed debt limitation increase from $328 billion to $332 billion, because I believe we cannot run in both directions at the same time. I shall support the pending bill.

The PRESIDING OFFICER. Who yields time?

Mr. WILLIAMS of Delaware. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Delaware has 13 minutes remaining.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 5 minutes.

Mr. President, in response to the Senator from Florida, I desire to point out that without this devious method of financing the President would have to request an increase in the debt ceiling to about $336 billion or $337 billion because under the provisions of the bill, in the next fiscal year he plans to sell $4.7 billion of assets and use the proceeds as nomal revenue. Unquestionably, to the extent that he sells these assets and applies them to normal revenue, the amount of money that the Treasury has to borrow through direct Government obligations is reduced.

But I point out that the Government will still owe money even though it is not counted as a part of the national debt. When one endorses a note it is just the same as when he borrows. The only difference is that the Government will pay more interest. There is only one real way to keep the debt ceiling down; and that is, to stop spending.

Liquidating the assets of the Government to defray normal expenses is exactly the same as occurred in the past when Mr. Wolfson bought the local transit system. In the District of Columbia he bought the transit systems and then distributed the assets of the corporation. That was what Mr. Wolfson did with several companies which he headed, leaving the corporations as a shell.

What we are being asked to do today is to authorize the Federal Government to sell its assets and apply the proceeds to cover daily expenses.

The Senator from Maine [Mr. MUSKIE] said that this measure should go through unanimously just because some Republicans under President Eisenhower's administration tried to do the same thing. I am always glad to hear the Senator from Maine endorse what Republicans did; he should follow them more often. I suggest that he will be more constructive if he votes with the Republicans.

But when some Republicans in 1959 sought to follow the same procedure as is being advocated today, he opposed the transaction. I voted against it then. I shall state for the record how the Senators on the other side of the aisle, including the man who is now in the White House, described this proposal when it was suggested in 1959. I am quoting from the official record. This report was written in connection with a vote on a resolution, No. 177, on August 20, 1959:

> Proponents charged that the purpose of the proposed exchange was to achieve a balanced budget by selling off capital assets of the Federal Government. Such a balance, the proponents contended, would be fictitious and fiscally irresponsible.

The Senator from Maine and I endorsed that analysis in 1959. I endorse it today. I do not care whether this unsound practice is proposed by Republicans, Democrats, Independents, or Socialists. When we sell our assets we are liquidating the Federal Government, and when we apply the proceeds to defray daily current expenses it is wrong. I do not care who advocates the policy; it costs more interest, and it is wrong.

In 1959 a good argument was made by the then majority leader, the man in the White House today, against this unsound procedure. He said that it was an unnecessarily expensive and a deceptive way in which to finance the Federal Government. It was misleading as to the amount of the true deficit. I agree with those arguments. I regret, however, that he changed his mind when he got in the White House.

I yield to the Senator from Ohio.

Mr. LAUSCHE. The issue before Congress in 1959 was substantially identical to the issue before Congress today. A deficit is facing us, and the objective of the administration is to avoid that deficit by selling capital assets.

President Eisenhower made a similar recommendation in order to avoid a deficit in 1959. Is it not a fact that the argument which the Senator from Delaware is making today is substantially the same argument that he made against the Eisenhower proposal in 1959?

Mr. WILLIAMS of Delaware. The Senator is correct. Contrary to what the Senator from Maine said, when the Secretary of the Treasury was before the Committee on Finance I joined with the then senior Senator from Virginia, Mr. Byrd, in condemning this type of program as being fiscally irresponsible.

I said then and repeat now, the American people would not be told the truth as to the deficit under such a program.

I point out that there is this difference in today's proposal and the 1959 resolution which I supported. The 1959 resolution condemned something after it had been done. It was not a resolution to stop such sales.

Only $335 million was involved in the 1959 transaction. However, the recent request was for $33 billion, and the request now is for $11 billion. As I said and agreed to on the other day, a principle is involved. When we sell assets we should not count the proceeds as regular income. If a man who has a $9,000 a year salary and is spending $10,000 a year sells a corner of his lot for $2,000, or sells his car for $2,000, he cannot then brag about the fact that he has a balanced budget or a $1,000 surplus. He has neither a balanced budget nor a surplus; he is going broke.

Mr. LAUSCHE. I ask the Senator for a bit of advice. If the Senator from Ohio in 1959 voted against the Eisenhower proposal, could he today vote for the Johnson proposal and still claim that he is consistent and following a sound program?

Mr. WILLIAMS of Delaware. I am glad to note that the Senator from Ohio, who voted against this proposal in 1959, likewise opposed it before the Senate the other day. I am sure that he will join me today and follow a consistent position in opposing it.

My objection goes even further than the extra interest rates. We would be misleading the American people as to the true cost of the Great Society programs. We should tell the American people the truth as to what it is costing to operate this Government.

Much concern has been shown by the administration for high interest charges. When the present administration took charge of the Government in 1960 the total interest charge on all the national debt was between $8 billion and $8.5 billion.

Last year the interest on our national debt cost us approximately $11.5 billion. In the fiscal year 1966, it is estimated that it will cost $12 billion.

Next year the interest charge on our national debt is estimated at $12.75 billion. This is over $1 billion per month in interest charges alone.

Do not overlook the fact that 93 percent of our $320 billion debt was created under Democratic administrations. It is costing the American taxpayers over $10 billion per year to pay the interest on that part of our national debt created under the Democratic administrations alone.

This bill before Congress this afternoon will raise these interest charges by another $50 million. There has been a 50-percent increase in the past 5 years on interest charges of the national debt.

The members of this Great Society who are always bemoaning high-interest charges should read the record as to what they have done, not for the American people, but to the American people in the last 5 years.

Mr. MUSKIE. Mr. President, may I inquire how much time is remaining?

The PRESIDING OFFICER. The Senator from Maine has 8 minutes remaining, and the Senator from Delaware has 6 minutes remaining.

Mr. MUSKIE. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Maine is recognized for 2 minutes.

Mr. MUSKIE. Mr. President, in order to make the record clear as to the comparison between the program we are now discussing and the Eisenhower program on direct sales, I think it would be very helpful to those who will be looking at the record to read two statements which I have received from the Treasury Department.

The first statement describes the advantages of participation sales of direct sales of loans. I ask unanimous consent that the statement I have just referred to be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Advantages of Participation Sales Over Direct Sales of Loans

A question has been raised as to the desirability of selling participations in pools of Federal loans rather than selling the loans outright.

Direct sales of loans are, of course, clearly preferable to sales of participations in these loans, particularly if the loans can be sold outright without recourse to a Federal guarantee and if the investor is willing to take over the servicing of the loan. The fundamental objective in the financing of Federal credit programs should be to encourage the maximum degree of private lender participation consistent with the basic program objectives and sound financial practices.

As shown in table E–4 of Special Analysis E of the budget for the fiscal year 1967 the Administration plans to sell $534 million of loans held by the Federal Government on a direct sale basis. Table E–4 also shows an estimated total of direct sales for fiscal 1966 or $672 million, and for fiscal year 1965 the figure was $814 million.

On the other hand, participation sales, as shown in table E–4, while only $750 million in 1965, are estimated to total $2,635 million in fiscal 1966 and $4,205 million in fiscal 1967.

The reason for the recent growth of participation sales, as compared with direct sales, is that the Government is fast running out of loans which are readily marketable on a direct sales basis. This is true partly because the most marketable loans have already been sold under the program, which has been accelerated in recent years, to substitute private for public credit in the loan programs of the Federal Government. Also, current interest rates are relatively high, compared with the fixed low interest rates established by the Congress in many of these loan programs and the relatively low market interest rates prevailing at the time many of the loans in the Federal portfolio were made. Moreover, in some cases it is necessary or desirable to sell participations, rather than sell loans directly, because the borrowers under these Federal programs are not well-known to investors and do not have established credit ratings. In many cases the underlying collateral, the maturities, or other loan terms and conditions are such that Federal loans are not readily salable to private investors on a direct basis or could be sold on terms more advantageous to the Federal Government if they were placed in pools.

The pooling of loans facilitates the adoption of various financial techniques which provide for greater marketability at less cost to the Government; i.e., through the device of a pool, the investor may be protected by providing excess coverage, authority to substitute assets, and other assurances that he will suffer no financial loss arising from the default of any one or more loans in the underlying pool. The pooling device also provides greater flexibility for the timing and amounts of asset sales and for tailoring the maturities and other terms and conditions of participation certificates in light of current market conditions and overall monetary and fiscal objectives.

Looking at the particular programs which are expected to be included in the fiscal 1967 participation sales program, it is apparent why the participation technique is necessary to facilitate the orderly and most efficient sale of these loans.

Loans made by the Farmers Home Administration are generally made to borrowers in rural areas remote from the major sources of loan funds. These borrowers are individual farmers, rural communities, and other organizations which are not well-known and are remote from investors. Moreover, the interest rates on these loans cannot exceed the statutory maximum of 5 percent and in many cases are much lower. Thus these loans cannot be sold in today's market except at sizeable discounts. Also the maturities of many of these loans are very long, in excess of 30 years, and are thus not salable to shorter-term investors. In fact, the Farmers Home Administration has for years been packaging these long-term loans and selling them to large investors with short-term repurchase agreements, with Farmers Home retaining the servicing of the loans and providing a 100 percent guarantee on the "package." The participation technique is a similar, but more orderly and less costly means of financing many of the Farmers Home loans.

The college housing and public facility loans are not directly salable primarily because of their low interest rates (statutory maximum rate is currently 3 percent) and their long maturities of 40 and 50 years. The participation technique is a means of converting these heavily subsidized and illiquid obligations into highly attractive and flexible market instruments.

Loans made by the Veterans Administration are generally to borrowers in areas where private loan funds are scarce and the borrower is thus unable to obtain a loan under the VA guarantee program. Also, many of the direct VA loans are made on properties which VA has acquired by reason of defaults on VA guaranteed loans. Thus the VA direct loans are often basically unsalable, except through some such method as the participation technique.

The Small Business Administration loan portfolio contains loans made to marginal small business borrowers who are not yet sufficiently established to secure private lender funds. SBA has sold some of these loans on a direct basis, but its experience has demonstrated that future loan sales could be accomplished more economically through the use of the participation technique. The recent sale by SBA of SBIC debentures, for example, was at an interest rate of 5¾ percent, plus commission, and, although this rate was necessary to market these instruments at the time, the loans could have been sold through the participation technique at a lower interest rate and with no compromise of basic program objectives.

Loans made directly by the Federal Government are for one reason or another unattractive to private lenders—which is why the Federal assistance was required in the first place. Thus the sale of these financial assets held by the Federal Government cannot be accomplished on terms advantageous to the Government, and consistent with basic program objectives, unless these loans are converted into risk-free instruments of ready market acceptability.

The participation instrument must be viewed in the context of other Federal financing techniques designed to encourage private lender participation:

1. It is clearly most desirable to have the private lender originate and service the loan, such as under the major programs of the Federal Housing Administration, and, if possible, assume a portion of the loan risk.

2. In some cases, such as in the college housing program, private lenders may be encouraged to buy the early maturities, with the Federal Government picking up the longer maturities. Also, as in the SBA program, private lenders may sometimes be encouraged to participate with the Federal Government on an immediate or deferred basis.

3. In other programs where private lenders are unwilling to originate or service the loans—which is true of most of the loans made by the Farmers Home Administration, e.g.—the private lender participation generally takes the form of large investors providing the loan capital with the Federal Government guaranteeing the private investor not only against any loss arising from loan default but also against loss of liquidity through the use of loan repurchase agreements.

4. Where it is not possible to obtain private lender participation at the time of loan origination, which is the case with respect to most of the loans under Federal direct loan programs, the loans can sometimes be later converted from a direct to a guaranteed basis as the borrowers become better established. In such cases direct Federal loans have been and will continue to be sold outright, with or without recourse to the Federal guarantee, depending upon market acceptability. In fact, the Participation

Sales Act of 1966 provides in section 2(b) authority for Federal agencies to purchase outstanding participations in their loan pools so that these agencies will be able to withdraw loans from the pools and sell them outright if market conditions permit.

Mr. MUSKIE. Mr. President, the second statement makes a comparison of the cost of direct loan sales with participation sales. I ask unanimous consent that this statement be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

COMPARISON OF COSTS OF DIRECT LOAN SALES WITH PARTICIPATION SALES

Direct sales of loans by FNMA and VA in the fiscal years 1965 and 1966 have been at an average interest rate of about 5¼ percent throughout the period. After adjusting for the cost to the purchaser of servicing the loans—which varies substantially depending upon the amount of each loan but can be estimated as roughly in the range of one-fourth to one-half percent—the net yield to the investor would be in the range from 4¾ to 5 percent. This compares with an average interest yield on FNMA participations of 4.3 percent on the November 1, 1964 issue, 4.5 percent on July 1, 1965, 4.7 percent on December 1, 1965, and 5.4 on April 4, 1966. Since neither FNMA nor VA has been selling significant amounts on a direct basis in the calendar year 1966, there is no basis for a meaningful comparison between the interest rate on direct sales and the April 4, 1966 rate of 5.4 percent on FNMA participations. Thus the net yield to investors of 4¾ to 5 percent on direct sales is roughly comparable with an average yield of about 4½ percent on FNMA's first three participation issues. Accordingly, it would appear that direct sales are more costly than participation sales by an amount ranging from one-fourth to one-half of one percent.

In the Export-Import Bank program the volume of direct sales on a recourse basis in recent years has not been significant relative to the volume of Ex-Im participation sales. Direct sales by Ex-Im on a guaranteed basis in the calendar year 1966 to date, for example, have totaled less than $.4 million, compared with Ex-Im's February participation sale of $364 million. In the calendar year 1964, however, there were $24 million of direct sales during the year on a recourse basis, and the weighted average interest rate was 5.18 percent. This compares with the interest rate of 4½ percent on both issues of Ex-Im participations in the calendar year 1964 totaling $822 million. Thus, although the amount of direct sales in calendar 1964 was only about 3 percent of the volume of participation sales, it is clear that the interest rate on direct sales was significantly above the rate on participations.

SBA direct sales experience provides a reasonable basis for comparison with participation sales because of the sales by SBA in March and April this year of $110 million of the 302 debentures at interest yields of 5.75 percent and 5.65 percent. The 5.4 percent rate on the FNMA participation issue of April 4, 1966 was significantly below the rates on SBA's 302's.

SBA has also sold some of its regular business loans, but the sales have been sporadic and most of them were sold without recourse and are thus not comparable with participation sales.

On the basis of the above experience it appears that participation certificates can be sold at interest rates roughly one-fourth to one-half percent below the rates which would be required on the direct sale of the loans in the participation pools.

Mr. MUSKIE. Mr. President, I indicated a few moments ago that the program involved in the pending legislation was well established during the Eisenhower years, not simply for the 1959 budget year, but from 1954 on. As a matter of fact, in the fiscal year 1954, there was a sale of something in excess of $750 million of assets under the Eisenhower programs.

Those were direct sales. The Senator from Delaware has had a great deal to say about the cost of the pending legislation, the direct sale program. It is costly. It involves a greater gap in interest rates between direct Treasury borrowing and direct interest rates than did the former program. The statement which I have had printed in the RECORD will spell out that difference.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. MUSKIE. Our time has expired. We can yield on mutual time and divide the time.

Mr. WILLIAMS of Delaware. In the tabulation which I had placed in the RECORD I did not include direct sales. If I had done so, that would have added another $672 million in such sales for the fiscal year 1966. That would make approximately $3 billion extra that has been raised this year in this unorthodox manner.

We should finance the Federal Government in a businesslike manner by selling regular Government securities in a form where they would be available to every American citizen and not through a program that is available only to the banking industry or to friends of the administration.

Mr. MUSKIE. Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that there be printed, at this point in the RECORD, vote No. 177 as it was taken on August 20, 1959, and the analysis of the proponents position on that vote as it appears in the official Register, together with the record of those Senators who voted to support the resolution in 1959.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Subject: Resolution disapproving exchange of FNMA mortgages for Treasury bonds (S. Res. 130). Vote on passage.

Synopsis: S. Res. 130 expressed the Senate's disapproval of an administration proposal to exchange mortgages held by the Federal National Mortgage Association (FNMA) for Treasury bonds.

The administration had proposed that FNMA finance $335 million worth of special assistance functions in fiscal year 1960 by exchanging an equivalent amount ($335 million) of mortgages for Treasury bonds. In this way, the $335 million in special assistance activity would not unbalance the 1960 budget. The mortgages which the administration proposed to have FNMA exchange were held in FNMA's management and liquidation account, which in 1954 Congress had directed be liquidated whenever this could be done with minimum loss to the Government and minimum effect on the home mortgage market.

S. Res. 130 expressed the sense of the Senate that this exchange should not take place.

Proponents contended:

The proposed exchange would result in loss of revenue from the mortgages which would add up to a total loss, over the years, to $13.4 million in revenue to the Federal Government. Furthermore, if the full portfolio of mortgages were ultimately liquidated, the total loss would be about $40 million.

The proposed exchange would also result in lower tax revenues to the extent of $8.4 million in fiscal year 1960 alone. Furthermore, if the full portfolio were liquidated the loss would be about $25 million.

The proposed exchange, proponents maintained, would adversely affect the home mortgage market. Testimony by homebuilders was cited, to the effect that the proposed exchange would soak up funds now available for new housing.

Proponents charged that the purpose of the proposed exchange was to achieve a balanced budget by selling off capital assets of the Federal Government. Such a balance, proponents contended, would be fictitious and fiscally irresponsible.

Proponents charged that private investors would receive an unearned benefit by receiving 4 percent assets in exchange for 2¾ percent assets.

Proponents pointed out that the resolution had been overwhelmingly approved by the Senate Banking and Currency Committee, by a vote of 12 to 3.

Action: the resolution was agreed to.

The result was announced—yeas 56, nays 29, as follows:

YEAS—56

Anderson
Bartlett
Bible
Byrd, W. Va.
Cannon
Carroll
Case, S. Dak.
Church
Clark
Douglas
Eastland
Engle
Ervin
Frear
Fulbright
Gore
Green
Gruening
Hart
Hartke
Hayden
Hennings
Hill
Holland
Humphrey
Jackson
Johnson, Tex.
Johnston, S.C.
Jordan
Kefauver
Kennedy
Kerr
Langer
Lausche
Long
Magnuson
Mansfield
McCarthy
McGee
Monroney
Morse
Moss
Muskie
Neuberger
Pastore
Proxmire
Randolph
Robertson
Smathers
Stennis
Symington
Talmadge
Thurmond
Williams, Del.
Williams, N.J.
Young, Ohio

Mr. MUSKIE. Mr. President, I ask unanimous consent that the quorum call which I am about to suggest not be charged to either side.

The PRESIDING OFFICER. Is there objection? There being no objection, it is so ordered.

Mr. MUSKIE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BARTLETT in the chair). Without objection, it is so ordered.

Mr. MUSKIE. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MUSKIE. Mr. President, I yield back the remainder of my time.

Mr. WILLIAMS of Delaware. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on the motion to concur in the amendment of the House of Representatives. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. BASS], the Senator from Pennsylvania [Mr. CLARK], the Senator from Tennessee [Mr. GORE], the Senator from Arizona [Mr. HAYDEN], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Rhode Island [Mr. PASTORE], the Senator from Rhode Island [Mr. PELL], the Senator from Georgia [Mr. RUSSELL], and the Senator from Maryland [Mr. TYDINGS], are absent on official business.

I also announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from North Carolina [Mr. ERVIN], the Senator from Oklahoma [Mr. HARRIS], the Senator from Montana [Mr. MANSFIELD], the Senator from Minnesota [Mr. MCCARTHY], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Connecticut [Mr. RIBICOFF], the Senator from South Carolina [Mr. RUSSELL], and the Senator from Florida [Mr. SMATHERS], are necessarily absent.

On this vote, the Senator from North Carolina [Mr. ERVIN] is paired with the Senator from New Hampshire [Mr. MCINTYRE].

If present and voting, the Senator from North Carolina would vote "nay" and the Senator from New Hampshire would vote "yea."

On this vote, the Senator from Tennessee [Mr. GORE] is paired with the Senator from Oklahoma [Mr. HARRIS].

If present and voting, the Senator from Tennessee would vote "nay" and the Senator from Oklahoma would vote "yea."

I further announce that, if present and voting, the Senator from Pennsylvania [Mr. CLARK], the Senator from Mississippi [Mr. EASTLAND], the Senator from Montana [Mr. MANSFIELD], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Rhode Island [Mr. PASTORE], the Senator from Rhode Island [Mr. PELL], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], and the Senator from Maryland [Mr. TYDINGS], would each vote "yea."

Mr. KUCHEL. I announce that the Senators from Kentucky [Mr. COOPER and Mr. MORTON], the Senator from Colorado [Mr. DOMINICK], the Senator from Michigan [Mr. GRIFFIN], the Senator from Nebraska [Mr. HRUSKA], the Senator from New York [Mr. JAVITS], the Senator from Idaho [Mr. JORDAN], the Senator from South Dakota [Mr. MUNDT], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Wyoming [Mr. SIMPSON] are necessarily absent.

The Senator from Illinois [Mr. DIRKSEN] and the Senator from Vermont [Mr. PROUTY] are absent because of illness.

If present and voting, the Senators from Kentucky [Mr. COOPER and Mr. MORTON], the Senator from Illinois [Mr. DIRKSEN], the Senator from Colorado [Mr. DOMINICK], the Senator from South Dakota [Mr. MUNDT], and the Senator from Wyoming [Mr. SIMPSON] would each vote "nay."

On this vote, the Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from Pennsylvania [Mr. SCOTT]. If present and voting, the Senator from Nebraska would vote "nay" and the Senator from Pennsylvania would vote "yea."

On this vote, the Senator from Idaho [Mr. JORDAN] is paired with the Senator from New York [Mr. JAVITS]. If present and voting, the Senator from Idaho would vote "nay" and the Senator from New York would vote "yea."

The result was announced—yeas 50, nays 20, as follows:

[No. 78 Leg.]

YEAS—50

Aiken
Anderson
Bartlett
Bayh
Bible
Brewster
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Dodd
Douglas
Ellender
Fulbright
Gruening
Hart
Hartke
Hill
Holland
Inouye
Jackson
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Long, La.
Magnuson
McClellan
McGee
Metcalf
Mondale
Monroney
Montoya
Morse
Moss
Muskie
Nelson
Neuberger
Proxmire
Randolph
Robertson
Smith
Sparkman
Stennis
Symington
Talmadge
Williams, N.J.
Yarborough
Young, Ohio

NAYS—20

Allott
Bennett
Boggs
Burdick
Carlson
Cotton
Curtis
Fannin
Fong
Hickenlooper
Kuchel
Lausche
Miller
Murphy
Pearson
Saltonstall
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—30

Bass
Clark
Cooper
Dirksen
Dominick
Eastland
Ervin
Gore
Griffin
Harris
Hayden
Hruska
Javits
Jordan, Idaho
Mansfield
McCarthy
McGovern
McIntyre
Morton
Mundt
Pastore
Pell
Prouty
Ribicoff
Russell, S.C.
Russell, Ga.
Scott
Simpson
Smathers
Tydings

So the motion to concur in the House amendment was agreed to.

Mr. LONG of Louisiana. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. MUSKIE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

TREASURY, POST OFFICE, AND EXECUTIVE OFFICE APPROPRIATIONS, 1967

Mr. ROBERTSON. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 14266.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 14266) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1967, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Virginia?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with amendments.

Mr. ROBERTSON. Mr. President, I ask unanimous consent that the committee amendments to the pending bill be considered and agreed to en bloc, and that the bill as thus amended be regarded for the purpose of amendment as original text, provided that no point of order shall be considered to have been waived by reason of agreement to the order.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendments, agreed to en bloc, are as follows:

On page 8, line 13, after the word "Commissioner", to strike out "$460,000,000" and insert "$462,100,000".

On page 10, line 22, after "(5 U.S.C. 55a)", to strike out "$12,000,000" and insert "$16,152,000".

On page 11, line 10, after the word "law", to strike out "$4,710,000,000" and insert "$4,723,370,000", and, in the same line, after the word *"Provided,"*, to insert "That not to exceed 5 per centum of any appropriation available to the Post Office Department for the current fiscal year may be transferred, with the approval of the Bureau of the Budget, to any other such appropriation or appropriations; but the appropriation "Administration and regional operation" shall not be increased by more than $1,000,000 as a result of such transfers: *Provided further,"*.

On page 12, line 25, after the word "plans", to strike out "$158,000,000" and insert "$138,000,000".

On page 17, after line 12, to insert:

"ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

"Salaries and expenses

"For necessary expenses of the Administrative Conference of the United States, established by the Administrative Conference Act (78 Stat. 615), $250,000."

Mr. ROBERTSON. Mr. President, the Committee on Appropriations has authorized me to present to the Senate its report on the pending bill, H.R. 14266, making appropriations for the Treasury and Post Office Departments, Executive Office of the President, and certain independent agencies for fiscal year 1967.

Senators will find on their desks printed copies of the committee report, and I will now present to the Senate a brief summary of what is in the bill. The agencies covered by this bill have the responsibility of administering a total of $20.1 billion, of which more than $12.9 billion is for definite and indefinite permanent appropriations which are not included in the pending bill. The 1967 estimates in this category total $12,912,399,000. Of this amount, $12.750 billion is for interest on the public debt, an increase of $750 million over the 1966 estimate.

The bill which is recommended to the Senate provides total appropriations of $7,210,049,135. This amount is a decrease of $128,000 under the House allowance, $197,475,135 over the appropriations for 1966, but $36,670,865 under the estimates for 1967.

TITLE I—TREASURY DEPARTMENT

Appropriations totaling $1,374,099,000 are recommended in the accompanying bill for the regular annual requirements of the Treasury Department for fiscal year 1967. This is a decrease of $12.1 million in the estimates and an increase of $2.1 million over the House bill. The amount recommended is $25.4 million more than the 1966 allowance.

In connection with the Treasury items, the only item appealed from the House action was the one dealing with compliance activities of the Internal Revenue Service. The Department requested restoration of $3 million of the $7.8 million House reduction, and the committee recommends restoration of $2.1 million for this activity. This recommendation provides $1.2 million to permit the hiring of accountants at higher than the base rates in order to be more nearly competitive with industry for the recruitment of high-quality personnel. This new rate structure was recently approved by the Civil Service Commission. There is also included an additional $900,000 to fully fund approximately 540 additional employees to cope with the increased workload.

TITLE II—POST OFFICE DEPARTMENT

The committee recommends appropriations for the Post Office Department totaling $5,815,903,000. This is an increase of $170.9 million over 1966, $2.4 million under the House amount, and $24.2 million under the estimates for 1967.

As I have stated previously, a detailed explanation on each item is contained in the Senate report now before the Senate. However, I should like to point out that in connection with the "Operations" items, the bread-and-butter account of the Post Office Department, the committee recemmends an appropriation of $4,723,370,000, an increase of $123.5 million over 1966; $13,370,000 over the House allowance; and $2 million under the estimates. In making its recommendation, the committee has restored funds to reestablish window and counter services on a 6-day basis and also permits sixth-day parcel post delivery as requested by the President. Funds are also included for well over 9,000 additional man-years of employment over 1966.

TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT

The total appropriations recommended for title III of the bill for the Executive Office of the President amount to $17,014,135. This is $1,055,135 over that appropriated in 1966 and $316,865 under the estimates. The amount recommended is the same as approved by the House.

The $316,865 reduction under this title was in connection with a request to reestablish six field offices at major cities by the Bureau of the Budget. The committeee carefully considered the proposal but was not convinced that a program of this nature was fully justified at this time.

TITLE IV—INDEPENDENT AGENCIES

Amounts appropriated for title IV—Independent Agencies, including the Tax Court of the United States—are detailed in the committee report which is before the Senate.

The committee restored $250,000 for the expenses of the Administrative Conference of the United States. It is hoped that a Chairman may soon be named so that the work of the Conference may get underway.

This is a brief summary of what the bill contains. A more detailed explanation will be found in the committee report, which is on the desks of Senators.

Mr. President, in presenting this report, I want to thank the members of the subcommittee who gave me such fine help, including the staff, in the preparation of the bill which the subcommittee unanimously agreed upon when it was reported. I especially want to thank the Senator from Oklahoma [Mr. MONRONEY] who is chairman of the Post Office and Civil Service Committee, and Senators CASE and ALLOTT.

Mr. SALTONSTALL. Mr. President, will the Senator from Virginia yield?

Mr. ROBERTSON. I am glad to yield to the Senator from Massachusetts.

Mr. SALTONSTALL. As senior minority representative on the Appropriations Committee, while I was not a member of the subcommittee, I believe that the full committee voted the bill unanimously. We believe it to be a good bill to take to conference with the House because there are very few differences in it.

I hope that the bill will pass.

Mr. ROBERTSON. I thank the Senator. This gives me an opportunity to repeat what I have previously stated: It distresses me to see the Senator from Massachusetts leave the Senate. I have served with him for 18 years in the Appropriations Committee. Especially did we work together during the 2 years that I had the privilege of acting for the Senator from New Mexico [Mr. CHAVEZ] when he was disabled, in handling the defense budget. He may recall that although at that time it was by far the biggest budget we handled, we were able to make a subcommittee report that in the full committee was changed in only two respects, and on the floor of the Senate was not changed at all. I have received the same kind of help from the Senator from New Jersey and the Senator from Colorado.

I regret to see such a dedicated, trained man as the Senator from Massachusetts, leave us. I appreciate the reference he just made, that the full committee voted the bill unanimously.

Mr. SALTONSTALL. I thank the Senator from Virginia. I am confident that the Senate will continue to receive the wisdom of the Senator from Virginia for some time.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield to the Senator from Colorado.

Mr. ALLOTT. Mr. President, first of all, I certainly join in the remarks of the distinguished Senator from Virginia relative to the Senator from Massachusetts. But I rose to compliment and thank the distinguished chairman of the committee [Mr. ROBERTSON] for his infinite attention and patience in the hearings on this particular appropriation bill. It is not an easy bill, and it provides for fantastic sums of money, as we all know. Yet, he conducted the hearings with the fairness which is characteristic of him, and, as a result, the subcommittee has been able to talk over and take out two or three items, which have been mentioned on the floor, and then the whole committee reported the bill unanimously.

This is not what one calls a glamour appropriation committee. Nevertheless, it requires a great deal of commonsense. I personally, as a member of the subcommittee, was honored to attend most of the sessions on the bill.

I wish to compliment the distinguished Senator from Virginia for the very able and adroit way in which he handled the bill.

Mr. ROBERTSON. Mr. President, I am reminded of what a distinguished writer from Massachusetts wrote:

> He who hath 1,000 friends had not 1 to spare.

I have learned in my legislative experience, which now covers about 34 years, that one of the best assets one can have in a legislative body is friends. I have had friends on the subcommittee and on the full committee. I am, therefore, happy that there is now before the Senate a bill which, first the subcommittee reported unanimously and which later the full committee reported unanimously, and I thank all those who helped bring about that desirable result.

THE GROWING MISSION OF THE COAST GUARD

Mr. BARTLETT. Mr. President, as a member of the Treasury and Post Office and Executive Office Appropriations Subcommittee, I should like to congratulate our chairman, the senior Senator from Virginia [Mr. ROBERTSON]. Once again under his able and efficient leadership the committee has reported a bill that shuold be acceptable to both sides of the aisle. It is lean; it has no fat. I am confident that with the funds here appropriated the Treasury and the Post Office will be able to carry on efficiently in the next fiscal year and, in several important areas, to improve and upgrade their operations. And again the whole subcommittee is in the debt of its professional staff member, Joe E. Gonzales. The quiet, competent assistance he gives in conducting the subcommittee's business is most important and highly valued.

As Senators know, through the years I have taken a good deal of interest in the welfare and the operations of the Coast Guard. As a result of the measure which I introduced in the 88th Congress, the Senate Commerce Committee, as the committee of jurisdiction, now reviews the Coast Guard program on an annual basis and the Congress provides legislative authorization as well as appropriations of funds for the Coast Guard. This brings the procedures for authorizing Coast Guard acquisition, construction, and improvements into line with those followed for the military branches. This is as it should be, for in time of war the Coast Guard becomes an integral part of our military forces.

Even now the Coast Guard is operating side by side with the Navy in Vietnam. There are approximately 450 coast guardsmen and twenty-six 82-foot patrol boats on duty in Operation Market Time. Their mission is to provide security for the Vietnamese ports used by the United States and to intercept the sea supply routes of the Vietcong. Furthermore, the Coast Guard is supervising the round-the-clock loading of ammunition ships at Pacific ports.

The Vietnamese war has increased the Pacific responsibilities of the Coast Guard. The continuing flow of refugees from Cuba has brought added responsibilities to the Coast Guard in the Atlantic. The encroachment of foreign fishing fleets in the north Pacific has added to Coast Guard duties in Alaska. And in addition, the almost staggering increase in pleasure boating on lakes, rivers, bays, and the oceans themselves has brought the Coast Guard grave new responsibilities to provide for the safety of our citizens upon the water.

Again this year it was my responsibility as a member of the Subcommittee on Merchant Marine and Fisheries to chair hearings on the Coast Guard authorization request. In these hearings the Coast Guard made evident to all, its increased needs for additional vessels, aircraft, and shore establishments.

The Congress recognizing these needs, authorized $126,079,000 for the task. This was an increase of $23 million above the administration request. The Congress authorized the construction of four rather than three high-endurance cutters because it believed the vessel replacement program is far behind schedule. And in addition, it authorized the acquisition of eight helicopters above the administration request so as to meet the need for equipping the recently acquired Navy icebreakers and the added search and rescue demands in Chicago and Cape Kennedy.

The Congress authorized these additional programs because they were needed. I regret that the administration is unwilling at this time to step up the Coast Guard programs as proposed by the Congress.

As a result, the Appropriation Committees of both House and Senate have appropriated the administration request for $103 million but no more. This amount will see to carrying out long-range plans for replacement and improvement of obsolescent facilities but it will not provide all that is needed.

I am hopeful that in next year's request the administration will take into account the rapidly growing and truly important mission of the Coast Guard so that it may achieve in good time its 10-year program for vessel construction which is due to be completed in 1974. The Coast Guard is vital in peace—it saves thousands of lives and millions of dollars each year in its search and rescue operations. The Coast Guard is vital in war—its role in Vietnam provides clear evidence of that.

The PRESIDING OFFICER. If there be no further amendments to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield for a question?

Mr. ROBERTSON. I yield.

Mr. WILLIAMS of Delaware. Am I correct in my understanding that the amount in the bill represents an increased appropriation of $197 million over that of last year?

Mr. ROBERTSON. It is more than was appropriated last year, but it includes the annualization of the pay increases which Congress voted.

Mr. WILLIAMS of Delaware. But it is an increase of $197 million over last year.

Mr. ROBERTSON. The appropriation is over that provided for last year, but it includes the pay increases in the Treasury and Post Office which Congress voted.

Mr. WILLIAMS of Delaware. I am not debating the merits; I am just trying to get the figures.

Mr. ROBERTSON. The amount recommended for fiscal 1967 is over the amount appropriated for fiscal year 1966.

As I announced previously, the amount provided by this appropriation bill is $197,475,135 over that provided last year. Practically all of the increase is to provide for mandatory items and for the annualization of the pay increase which Congress voted for.

Mr. WILLIAMS of Delaware. In addition to that item the bill provides authorization to pay interest on our national debt. This item is $12¾ billion, or an extra allowance over last year of $750 million to cover interest charges on the debt.

Mr. ROBERTSON. I think the Senator is too conservative. It will be closer to a $900 million increase, for two reasons: the debt increase and the increase in the interest rate.

A distinguished gentleman some time ago made a statement to the effect: "Do not worry about the debt—we owe it to ourselves."

That cannot be said about the interest cost. We do not owe it to ourselves. I have a few E-bonds, but the interest does not go to all of us; it goes only to those who hold the bonds. Those who hold bonds expect the interest to be paid.

In 1932, when I was first elected to Congress, the total Federal budget for a year was $4 billion. But now the interest alone on the debt is estimated to be $12.7 billion for fiscal year 1967. It shows how the debt has increased, and how it will probably continue to increase. This interest charge is an increase of $750 million over 1966.

Mr. WILLIAMS of Delaware. I agree with the Senator that, having this debt, we must pay the interest. The report shows that the amount set aside for interest is $750 million more this year than last year. I am inclined to agree with the Senator from Virginia that it will probably be closer to $900 million extra cost above what was spent last year for interest. But the report shows there will be an increase of $750 million. Is that correct?

Mr. ROBERTSON. The official figure is shown on page 18 of the report: Interest on the public debt, estimates, 1966, $12 billion; estimates, 1967, $12,750 million; increase, $750 million.

I merely said I thought it would be closer to $900 million.

Mr. WILLIAMS of Delaware. There is no question about that. Interest rates are getting higher under the Johnson administration. Then, too, a few minutes ago we approved a measure which will result in the Government paying an extra one-half-percent interest more than necessary. This will amount to an increase of $50 million in unnecessary annual interest charges.

We all recognize that we have to pay interest on the debt when we pass these bills that are financed on borrowed money.

But is it not correct that the expenditures under these two agencies mentioned in the pending appropriation bill are going to be almost $1 billion more than they were for the same agency a year ago?

The bill provides $197 million more in direct appropriations over last year and makes an allowance for between $750 and $900 million in additional interest costs. Under this bill there is going to be an additional $1 billion more in the operating cost of those two agencies for the next fiscal year.

Mr. ROBERTSON. This is correct. The Senator has suggested that he did not vote for some of these spending programs. I remind him that I have not, either. But once they are voted for, we must provide the funds. Just as I am not happy that our boys were sent to Vietnam, once they are there I feel it my duty to vote funds to provide the hardware for them.

As chairman of the committee, there is nothing else for me to do but to provide funds to pay the interest on the national debt, and I have given my estimate that the cost will be close to $1 billion more than it was.

Mr. WILLIAMS of Delaware. I did not rise to debate the wisdom of the programs which are already approved. I understand the Senator from Virginia voted against some of them, just as I did, but I though we should make it plain for the Record and to the taxpayers that the U.S. Government will pay close to $1 billion more in interest charges on the money borrowed to finance the Great Society programs. That is where the principal part of that $1 billion will go.

Mr. ROBERTSON. Once the debt is entered into, all we can do is provide the funds to pay for the interest on that debt. The interest is increasing, and all we can do is provide money to pay for that interest.

Mr. WILLIAMS of Delaware. The time is coming when Congress must realize that when it continues to vote for spending programs the taxpayers ultimately must pay the additional cost. The Treasury Department will be paying about $1 billion more in interest charges next year than last year.

Once these Great Society programs are authorized they must be paid for. I voted against many of these programs when they were enacted. I tried to prevent the passage of the bill earlier this afternoon, which raised our interest rates even higher than necessary, and I shall vote against this bill which now raises the appropriations for the Treasury and Post Office Departments alone over $1 billion more than last year's appropriations.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 14266) was passed.

Mr. ALLOTT. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ROBERTSON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ROBERTSON. Mr. President, I move that the Senate insist on its amendments and request a conference with the House of Representatives on the disagreeing votes thereto, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. Bartlett in the chair) appointed Mr. Robertson, Mr. McClellan, Mr. Monroney, Mr. Bartlett, Mr. Yarborough, Mr. Randolph, Mr. Case, and Mr. Allott conferees on the part of the Senate.

ADDRESS BY SENATOR GRUENING BEFORE PLANNED PARENTHOOD-WORLD POPULATION AND THE PLANNED PARENTHOOD ASSOCIATION OF METROPOLITAN WASHINGTON

Mr. GRUENING obtained the floor.

Mrs. NEUBERGER. Mr. President, will the Senator yield?

Mr. GRUENING. Mr. President, I yield to the distinguished Senator from Oregon [Mrs. Neuberger] whose resignation we all deeply regret, and who we wish will be with us in the future.

Mrs. NEUBERGER. Mr. President, with that introduction I shall compliment the Senator from Alaska by commenting about a speech he delivered.

Senator Gruening comes from a sparsely populated State, but he is the leader in the Senate for arousing the Government to participate in activity in the field of population control.

The Senator from Alaska recently delivered an address at the 50th anniversary banquet of the Planned Parenthood Association, which also honored Margaret Sanger and Dr. Martin Luther King.

In the hearings conducted by Senator Gruening in connection with legislation concerning population control programs, he surveyed the matter and stated:

> Less than $5 invested in population control is worth a hundred dollars invested in economic growth.

I recommend the Senator's address to Senators, and I ask unanimous consent that it be printed in the Record.

Mr. GRUENING. I thank the Senator from Oregon.

There being no objection, the address was ordered to be printed in the Record, as follows:

REMARKS BY SENATOR ERNEST GRUENING, OF ALASKA, PREPARED FOR DELIVERY MAY 5, 1966, AT THE 50TH ANNIVERSARY BANQUET HONORING MARGARET SANGER AND DR. MARTIN LUTHER KING, SPONSORED BY PLANNED PARENTHOOD-WORLD POPULATION AND THE PLANNED PARENTHOOD ASSOCIATION OF METROPOLITAN WASHINGTON

Good evening, ladies and gentlemen, I am pleased to have this opportunity to talk to you about the population crisis, what I believe to be the proper role of the United States government in this most important area, and to tell you precisely *what* the Senate Government Operations Subcommittee on Foreign Aid Expenditures has been doing to help solve our population problems.

The following questions naturally present themselves:

Should the federal government's role be increased?

Should the federal government's policy be widely publicized at home and overseas?

Should all persons wishing to know how to space their children have access to birth control information if they desire it?

Does the Congress of the United States properly have an interest in family planning?

The answers to each of these questions, I submit, are affirmative.

Government by fiat, without the concerned assistance of the elected representatives of a thinking people, is truly not representative. Worse still, is withholding of information from people who would like to have it. Nearly 180 years ago Thomas Jefferson told his friend James Madison that the giving of information to the people "is the most certain, and the most legitimate engine of government".

Let me assure you, then, that the Senate Government Operations Subcommittee on Foreign Aid Expenditures, of which I am the chairman, is doing its best to help President Johnson implement his trail-blazing, courageous, far-sighted and welcome public statements on the population explosion and to learn what must be done to solve the problem while there is still time and hope.

Since the Subcommittee hearings began nearly 11 months ago, on June 22, 1965, on Senate bill S. 1676, my bill to coordinate and disseminate birth control information upon request at home and abroad, 92 distinguished men and women have testified at the 27 public hearings held by the Subcommittee. Tonight I will from time to time quote from some of their statements.

These extended, public hearings, which are continuing and will continue until they produce the desired response and action from the executive branch of our government, have evoked a tremendous outpouring of enlightened testimony by leading figures of the world.

Men and women of international repute representing a breakthrough in quality and quantity undreamed of by the Subcommittee when hearings started have helped open wider the population dialogue. They include two Presidents of the United States, the former President of a great Latin American nation, citizens of Sweden, cabinet members, demographers, doctors, lawyers, economists, educators, sociologists, ecologists, theologians, public health officials, national and state legislators, journalists, housing experts, resource experts, teachers, family counselors, the former director of the U.S. Bureau of Prisons, the president of the American Assembly, public health and welfare specialists, Nobel prize laureats, physicians who have developed "breakthrough" contraceptive devices, women of national and international stature in the field of human rights, financiers, ambassadors, Catholics, Jews and Protestants—the list is long, and I hope to have time to read the names of those who have testified.

Yet concern is not always sufficient. Neither apparently are repeated public statements and exhortations by the President of the United States. Neither is a complete reversal in thinking by a former President. Neither are the letters from men and women across this land and from other lands who support the dissemination of birth control information upon request at home and overseas. For when the time came for the leading officials of our government to appear before the Subcommittee and comment on proposed legislation which would create Offices for Population Problems in the Department of Health, Education, and Welfare and the Department of State their responses can best be described as timid or in some instances as negative.

The bill upon which they were asked to comment, S. 1676, is a mild and moderate legislative proposal. It provides that each of two Offices for Population Problems in the appropriate federal agencies, H.E.W. and State, be headed by an assistant secretary specifically designated as in charge of population problems. The reasoning behind this is simple and factual. Unless a problem is given a high enough priority, it will not be solved, rather it will either be carefully skirted or avoided studiously.

For too long government to its discredit successfully avoided the population problem. I will have more to say about this later.

CONCERNED COSPONSORS

Tonight I wish to review quickly the legislative history of S. 1676, which I introduced on April 1, 1965, on behalf of myself and seven colleagues. That seven members of the United States Senate shared my concern was a wonderful discovery. I confess it came as a welcome surprise to some.

The original Senate cosponsors were Joe Tydings of Maryland, who is writing his further fine legislative history in this field; Ralph Yarborough, of Texas, who is doing likewise; Ross Bass of Tennessee; Paul Douglas of Illinois; Frank Moss of Utah; Steve Young of Ohio, and my colleague Bob Bartlett of Alaska.

Now, of course, they are all Democrats and we know that the population explosion does not confine itself to a single political party. As the hearings on S. 1676 developed so did interest in the bill. We now have five additional Senate cosponsors and I think this was a direct result of the hearings. The additional cosponsors are Senators Robert Byrd of West Virginia, Peter Dominick of Colorado, Phil Hart of Michigan, Milward Simpson of Wyoming and George McGovern of South Dakota. Senators Simpson and Dominick are Republicans. We now have factual bipartisan support in the Senate. Senator Hart is a Catholic who believes that private morality and public policy can coexist compatibly.

Bills identical or similar to S. 1676 have been introduced by members of the House of Representatives. The companion bill is H.R. 7073 introduced by Rep. Morris Udall of Arizona on April 1, 1965. A similar bill was introduced the same day by Representative Paul Todd of Michigan. Other Congressmen who have introduced similar or identical proposed legislation are Charles Diggs of Michigan, John Moss of California, John Conyers of Michigan, James Mackay of Georgia, George Brown of California, Ben Rosenthal of New York, Clarence Long of Maryland and O. C. Fisher of Texas—all Democrats. We still need bipartisan support in the House so if any of you can persuade your Congressmen to join us, please do.

Let me tell you again what the bill would do. It would make possible the coordination and dissemination upon request of information available on birth control in the Department of Health, Education, and Welfare and in the Department of State. An assistant secretary would head an Office for Population problems in each department.

This is the status of the proposed legislation. In the Senate, thus far, the Government Operations Subcommittee on Foreign Aid Expenditures has held 27 public hearings and will hold as many more as are necessary.

If we don't enact the bill this year or if we can't prompt the executive agencies to carry out what would seem to be the clear mandates of President Johnson, then I shall reintroduce the bill when the 90th Congress convenes in January. In the House the bill has been referred to the Government Operations Committee, where it is pending before Congressman L. H. FOUNTAIN's Subcommittee on Intergovernmental Relations. I hope those of you from North Carolina who are in the audience will let Congressman FOUNTAIN know that you are concerned about population problems both at home and abroad.

Please remember that members of the Senate and House are not mind readers. If you don't let us know how you feel, we may never know. That old axiom about squeaking wheels getting the grease is true.

IT NEVER HURTS TO TELL THE TRUTH

Most of you are probably aware of my regret as to the timid and negative response of the Department of Health, Education, and Welfare when Secretary John Gardner and his departmental officers testified at the April 7, 1966, hearing on S. 1676.

Secretary Gardner is an able and dedicated man who has notable achievements to his credit. I do not allege that his department has not taken any progressive steps to make birth control information more available than was the case in previous years when to be sure an entirely different public attitude prevailed. But that public attitude has changed drastically in recent months. We have become acutely aware of the pressing nature of the population problem. Two Presidents by their outspokenness have contributed to this change. One of them, former President Dwight Eisenhower, reversed his previous thinking. What a great thing, what a sign of greatness, for a President to reverse himself, to acknowledge publicly that he felt his previous position had been in error. Would that governments as such could do the same thing, and reverse a policy whenever it became clear that it had been entered into mistakenly.

I do say with regret that Secretary Gardner and his able staff thus far have not implemented President Johnson's mandate for a "bold and daring" response and for new solutions to the problems of population growth and distribution. I believe they can—and I hope they will—follow my suggestion to Secretary Gardner that he revise his adverse report on S. 1676 and work toward its implementation.

Earlier today there was a welcome indication in the speech of the able Under Secretary of the Department of Health, Education, and Welfare, Mr. Wilbur Cohen, that the Department is budging slightly from its previous position. We hope this budge is the beginning of a longer stride forward.

The Subcommittee intends, while continuing its hearings, to watch closely the extent of change and meaningful activity in this area by the Department of Health, Education, and Welfare as well as other pertinent Executive agencies, will look hopefully for signs of such increasing activity and will be more than happy to accord the Departments full credit when such signs become more visible and results tangible.

A COURAGEOUS, FAR-SIGHTED MAN

On the issue of population President Johnson has exercised wise and far-sighted leadership in his 20 public statements. I will not repeat each of them this evening.

If you would like to have copies of the President's remarks about the multiplying problems of our multiplying populations, the need for our bold and daring response to go to the root causes of misery and unrest, the fact that less than five dollars invested in population control is worth a hundred dollars invested in economic growth and the others, they are available from my office. I know Planned Parenthood-World Population has reprinted and distributed the first 18 statements.

President Johnson seeks to mobilize our resources more effectively in this field. He said specifically in his International Education and Health Acts Message this past February 2, 1966, that he was proposing programs to:

"(1) *Expand research in human reproduction and population dynamics*—We are supporting research efforts through the Department of Health, Education, and Welfare, AID, and the World Health Organization. I am requesting funds to increase the pace and scope of this effort. The effort, to be successful, will require a full response by our scientific community.

"(2) *Enlarge the training of American and foreign specialists in the population field*—we are supporting training programs and the development of training programs through the Department of Health, Education, and Welfare and AID. We will expand these programs at home and abroad.

"(3) *Assist family planning programs in nations which request such help*—Here at home, we are gaining valuable experience through new programs of maternal and infant care as well as expansion of private and public medical care programs. Early last year we made clear our readiness to share our knowledge, skill, and financial resources with the developing nations requesting assistance. We will expand this effort in response to the increasing number of requests from other countries."

And let no one in our land or in any other land suggest that the President's statements are concerned only with other lands. On March 1 in his message to the United States Congress on Domestic Health and Education he spoke publicly about the population problem for the 19th time since his election. In that message the President discussed ways to meet special health problems and he neither equivocated nor turned aside. This is what he said specifically about Family Planning. I quote:

"We have a growing concern to foster the integrity of the family, and the opportunity for each child. It is essential that all families have access to information and services that will allow freedom to choose the number and spacing of their children within the dicates of individual conscience.

"In the fiscal 1967 budget, I have requested a sizable increase in funds available for research, training and services in this field. The National Institute of Child Health and Human Development will expand its own research and its grant program to study human reproduction. The Children's Bureau and the Office of Economic Opportunity will support family planning to the maternal and infant care programs in local communities when requested. State agencies will be aided by federal welfare funds to provide family planning services to mothers."

Across our vast nation we can proudly applaud President Johnson. We welcome his statement because it is essential that all families have access to information and services that will allow freedom to choose the number and spacing of their children within the dictates of individual conscience.

We know, of course, that the birthrate in the United States has decreased slightly. This is welcome news, but it must not be a false signal for rejoicing and for our believing that the population explosion is on the skids. Remember that our population is growing despite the decrease in the rate of increase. A decrease in a rate of increase does not mean that we will have fewer Americans in 1966 than we had in 1965.

I might say parenthetically that one of the great charms of Alaska is its small population. At present 250,000 persons live in an area of 576,000 square miles, or a little less than 1 person per every square mile.

I'm not among those who takes the Chamber of Commerce view that population growth is indicative of success and progress. Alaska's population will doubtless grow, but I hope it can be kept at a slow progression so there may be enough economic opportunity for all and to insure that our wonderful natural resources may not be impaired as they have already seriously been in California, some of whose great natural beauties have deteriorated into eternal subdivisions and motor slums.

Now depending on who your favorite numbers man is you can get some variety in the actual increase each month for our world. I prefer to keep my numbers simple and easily explainable and the best sources I have, the knowledgeable men and women who work in the Legislative Reference Service of the Library of Congress, tell me that each month the world's population increases by five million or 60 million a year. The increase from June 22, 1965, to January 19, 1966, an increase of 35 million inhabitants, meant the world had added a Spain, or a Poland. If we make comparisons with our own United States, 35 million inhabitants mean the equivalent of our two most populous states another California and another New York combined.

A few days ago a reporter for a national magazine asked me what I felt the Government Operations Subcommittee on Foreign Aid Expenditures had accomplished with its continuing hearings on the population crisis and on S. 1676. I answered that I felt the hearings had directed wide attention to the imperative necessity of moving at home and abroad to implement population control.

Then the reporter asked how I viewed the current downturn in births in the United States. That answer was easier because I believe the slight downturn means a more intelligent appreciation of family responsibility, an increasing understanding that planned parenthood is desirable and that parents should be the ones to determine how many children they have and at what times.

Man and woman have a right to knowledge. Now, today, UNESCO reports that 45 percent of the world's population can neither read nor write. Some of these illiterate men and women and children live in the United States. Wherever they live, they deserve the right to determine how many children they have and at what times. They must be assured of the right to make that choice and the choice they make must be morally acceptable to them. The choice must be theirs, no one else's.

We must make certain that the ugly word "coercion" in this context is abandoned forever, that it joins words like "Dodo" and "Tyrannosaurus" and "mastodon" and "Pterodactyl" and "saber tooth tiger". We have enough other problems. I am glad to see this possible problem discussed. Now is the time for open, free and frank discussion. Now is the time to make certain that private morality is respected as we strive to create acceptable public policy relating to population and its myriad of ramifications.

PUBLIC POLICY AND PRIVATE MORALITY

As the hearings on S. 1676 have progressed, new aspects of the population dialogue open. I will not attempt to discuss the theological aspects of the population problem. Depending on one's individual belief we find differences of opinion, and this is perfectly proper.

It is and should be a basic American characteristic. No one should attempt to impose his own belief upon another.

Throughout the course of the population crisis hearings, I have done my best to make it clear that S. 1676 is simply an exercise in freedom of choice. Surely public policy and private morality can coexist. Further, as we open up discussion of a subject long and until very recently considered taboo now is the time to try to make certain that individual choice is both respected and possible.

Thus, I believe that all aspects of contraception control information should be studied, and all available forms of family planning made available in any clinic, either private or public.

The population crisis hearings on S. 1676 have demonstrated the concern of adherents of many of our great religions. Testimony has been presented by members of the protestant faiths, the Commission on Social Action of Reform Judaism, a spokesman for the National Catholic Welfare Conference, and by several members of the Catholic church, both clerical and lay, including members of the Papal Commission on Population and Birth Control, who spoke as individuals.

The latter made no claim that they represented their church. They know, as does the Subcommittee on Foreign Aid Expenditures, that only His Holiness, Pope Paul VI can speak for the Catholic Church. And, indeed, at this time, the Papal Commission on Population and Birth Control which he has enlarged is meeting at the Vatican.

But these adherents to the Catholic faith have contributed valuably to the population dialogue to provide further evidence of their concern.

Consider the contribution to the national population dialogue which has been possible because Father Dexter L. Hanley, S.J., director of the Institute of Law, Human Rights and Social Values at Georgetown University here in Washington, D.C., presented a statement concerning public policy and private morality as both concern family planning programs in the United States before the Family Law Section of the American Bar Association Convention in Miami, Florida, August 9, 1965. When I first read the newspaper accounts of Father Hanley's statement, on behalf of the Subcommittee I invited him to appear before us and to make his statement an official part of the hearing record on S. 1676. Father Hanley accepted my invitation.

This is the statement he presented to the Subcommittee on August 24, 1965:

"In view of current controversies concerning the use of public funds in family planning programs in the United States, the undersigned set forth the following opinions as a suggested basis for resolving these issues:

"1. In a legitimate concern over public health, education, and poverty, the government may properly establish programs which permit citizens to exercise a free choice in matters of responsible parenthood in accordance with their moral standards.

"2. In such programs, the government may properly give information and assistance concerning medically accepted forms of family planning, so long as human life and personal rights are safeguarded and no coercion or pressure is exerted against individual moral choice.

"3. In such programs, the government should not imply a preference for any particular method of family planning.

"4. While norms of private morality may have special dimensions so affecting the common good as to justify opposition to public programs, private moral judgments regarding methods of family planning do not provide a basis for opposition to government programs.

"5. Although the use of public funds for purposes of family planning is not objectionable in principle, the manner in which such a program is implemented may pose issues requiring separate consideration.

"These opinions are submitted as being morally justified and in accordance with the traditional Catholic position on birth control. These opinions are expressed out of a concern for civil liberty and freedom, and are based upon respect for the sincere consciences of our fellow citizens in this pluralistic society."

I have repeated the statement of Father Hanley, because, as Justice Oliver Wendell Holmes is reported to have said, "repetition of the known is often more important than elucidation of the obscure."

When Father Hanley concluded his testimony I said:

"I believe this is very satisfactory evidence of the potential coexistence of these views in which we can try to solve population problems without in any way injuring the sensibilities or religious convictions of any group, and in that way approaching this great problem, this overshadowing problem which really threatens the peace, health, and welfare of growing numbers of people all over the world, and has created, as you point out, a lot of new problems."

A lot of new problems, indeed.

On July 9, 1965, the Subcommittee heard from the internationally-known former President of Colombia, Dr. Alberto Lleras Camargo. Dr. Lleras, a Catholic, is a statesman and journalist. He was a great President of his country. He spoke of the population pressures of Latin American. He said, in part:

"Latin America is breeding misery, revolutionary pressures, famine, and many other potentially disastrous problems in proportions that exceed our imagination even in the age of thermonuclear war.

"The only way to solve these problems is through population control. Today this can and must mean reducing the rate of growth. In the future, it might well be in order to step it up again, if the effects of the reduction should turn out to be excessive or unhealthy. But as Huxley has said, since man has made it his business to control death—and in large part he has succeeded—he cannot escape the need to control birth."

All of us here tonight, all of the men and women who have freely selected the birth control pills as a means of planning their families or of regulating their fertility, owe a great deal to the twentieth century New England pioneer who devised the pill, thereby making the discussion of birth control a great deal more proper and palatable in addition to helping solve the problem. I refer to Dr. John Rock of Brookline, Massachusetts, who is truly a citizen of the world.

Dr. Rock was one of the first persons to testify at the population crisis hearings.

He said: "Present population growth rates on this planet present an obviously and unavoidably lethal threat to all that civilization has achieved unless something is done to reduce it."

Dr. Rock deplored the existing lack of coordination of effort to solve the population explosion and he called on not only this nation but all the developed nations to "integrate their efforts to do whatever they can to make life better and more satisfactory for all the people in the 'have not' nations."

And I recommend to you, just in case a few of you who are present this evening missed reading it, Dr. Rock's remarkable and readable book "The Time Has Come" which is really a milestone in progress and which generated so much discussion.

On February 9, 1966, William E. Moran, Jr., the dean of the School of Foreign Service at Georgetown University, contributed to the ever-growing population dialogue in his testimony on S. 1676. Dean Moran is concerned about how little we know about communicating our concern and our knowledge. He said, "If we are to cope with the problem we will need deep understanding, a real willingness to change old habits, and responsible action by millions, tens of millions of people. This is no mere technical problem. We must find the means to communicate our concern and our understanding of means to these people in such a way that they understand and share our concern and take the necessary steps. We have not yet discovered this way and proven its effectiveness . . . Success in our efforts to increase production and reduce population, for both are essential, will result only if man can be brought to understand his condition and induced to use new methods. Our lack of success does not result in any substantial way from a lack of knowledge of techniques, but rather from a lack of knowledge of how to move man to think and act in new ways. We few in the advanced industrialized countries cannot improve the lot of man throughout the world. We can at best help the two billion men and women in the world to improve their own lives."

On March 2, 1966, Professor Donald N. Barrett, Director of the Institute for Latin American Population Research, and professor of sociology at the University of Notre Dame testified at our hearings. He stressed and documented ably the urgent need for responsible parenthood, saying in part: "Despite the arguments that man has removed himself through the technological revolution from his natural ecological checks and balances, I would insist that man will inevitably use his God-given powers of ratiocination to control population. This will not need the disasters foreseen so easily by users of demographic slide-rules. The United Nations projections of 6 to 7 billions by 2000 A.D. are realistic enough to encourage the development of policy . . . I would make clear that the basic principles stated before this subcommittee by the Rev. Dexter L. Hanley, S.J. last August 24th have my concurrence."

An earlier witness, Mr. William B. Ball of Harrisburg, Pennsylvania, who is general counsel for the Pennsylvania Catholic Conference presented at the hearings on August 24, 1965 testimony with the approval of the National Catholic Welfare Conference. Mr. Ball said further research upon population growth was welcome, but he expressed concern about dangers to civil liberties were the government to enter the field. Mr. Ball seemed unaware that, in fact, the federal government has been in the family planning field since the mid-1930's.

I will agree that the government's programs in the area were little known, poorly publicized and of little value. We are making more progress now although the President's request for new *ways* to use our knowledge to help deal with the explosion in world population and the growing scarcity in world resources has yet to be implemented.

At the time of Mr. Ball's testimony I pointed out that the Declaration of Independence proclaimed that life, liberty, and the pursuit of happiness were basic objectives of the society that its framers visualized for America. I said further:

"Certainly, it is very clear in almost all the testimony we have had—and I think it is self-evident—that a large element of human happiness is involved in this issue . . . that much unhappiness results from uncontrolled breeding, sickly children, too many children, broken families, husbands deserting their wives because they give up in despair, and I think this is essentially a moral problem, involving deep moral values."

A RESPECTED PROPHET IN HER OWN TIME

It is rare to see a person become a respected prophet in his own time or should we say in *her* own time, but to Margaret Sanger that privilege has been accorded. Today from her home in Tucson where she is regrettably bed-ridden she has the opportunity to watch her countrymen and citizens of other lands discuss publicly and prepare to try and resolve the dilemma she recognized half a century earlier. Fifty years, of course, is barely a wink in the age of our planet, so I shall not be unseemingly critical of the reluctance five decades ago not merely to discuss the population problem but to harass and persecute those with the vision to do so. Happily for mankind today we can discuss the problem and seek acceptable solutions to it—without being jailed, as Margaret Sanger was.

What Margaret Sanger said fifty years ago holds true today. She said then that "the greatest issue is to raise the question of birth control out of the gutter of obscenity . . . and get it into the light of intelligence and human understanding." That much has been achieved.

I would like to take this occasion to pay a tribute to Planned Parenthood and to the men and women whose individual and collective efforts have done so much in this important field. Right here in the District of Columbia we have proof of the contribution of Planned Parenthood in helping individuals who desire help in planning their families.

A DISTRICT OF COLUMBIA SUCCESS STORY

Last session during the course of hearings on S. 1676, Wednesday, August 11th was District of Columbia day. The president of the D. C. Board of Commissioners, the Honorable Walter N. Tobriner was first to testify. He was followed by Mrs. Fred A. Schumacher, executive director of the Planned Parenthood Association of Metropolitan Washington; Dr. Robert B. Nelson, gynecologist and obstetrician, who is medical director for the association; and Dr. Murray Grant, director of public health for the District of Columbia Department of Health.

D.C. Day came to be because I had visited a Planned Parenthood clinic and one operated by the District of Columbia earlier in the year. Both clinics help individuals who lack knowledge and seek help in connection with family planning. It became obvious during my visit to them that the District story should be included in the population hearings. The constructive pioneer work underway in the District would perhaps encourage other communities and did demonstrate what can be accomplished when private and public groups work together to solve a problem which affects everyone.

True, the District of Columbia government program is quite young, being only in its second year, but the important fact is that it is under way. For many years Planned Parenthood members worked almost alone. They made some progress on a limited budget and many families in this area are happier and their lives enriched because of the Planned Parenthood volunteers.

When Commissioner Tobriner testified, he said: "The community's acceptnce of these programs assures their continued growth to the point where information and assistance in family planning will be available to a large portion of our city's population."

He continued, and again I quote: "The question of how many children a couple can afford is not just an economic one but equally a question of how many can they afford in terms of their medical, emotional, and social needs. We are just as concerned with the problems of the childless couple, the child that comes late in life, or the emotionally distraught mother. The population problem does not pertain to an abstract aggregate of men but relates to particular people in particular families."

Responsible parenthood, said the Commissioner, means involving all agencies of the District government concerned with the health, welfare and education of its citizens in a comprehensive program of family planning. The job, he said, is not one for government agencies alone.

I had written to the District of Columbia government on March 18, 1964, after the free birth control program started. Such positive action, I said in a letter to the commissioner, hopefully would encourage other cities to "follow suit in a rapid manner so that mankind will not find itself overpopulated and undernourished before the century ends."

The D.C. story, in detail, appears in Section 2B, pages 1058 to 1133 of the printed hearings and Exhibit 134, pages 1106–1128 is the District's "Birth Control Program Policies and Procedures Manual."

TO REPRINT HEARINGS

The extent of the interest in our hearings is shown by the fact that the copies permitted under the regulations governing the first printing have long since been exhausted, as, indeed, we knew would happen.

It became evident that because the population crisis hearings were recording such valuable testimony and breaking new ground the initial supply of hearings would not suffice. I will therefore request that they be reprinted.

The printed hearings from the first session of the 89th Congress are comprised of Parts 1, 2–A and 2–B, 3–A and 3–B, the Appendix and the Index. Parts 1 through 3–B contain 2011 pages, including testimony and exhibits. The Appendix has been sent to the Government Printing Office and the Index is being prepared. Their combined length is not yet known. The Subcommittee is in the process of preparing the hearings from this session of the Congress for printing.

I want to say one further thing about the indexing of these hearings. The Subcommittee thinks it is important that they are indexed to the same in-depth degree in which the hearings are being held so they will, we hope, be useful research tools.

AN HONOR ROLL WHICH CONTINUES TO GROW

Perhaps it would not be inappropriate, if time permits, to read what I consider to be an important honor roll. The men and women form a list which historically bears an analogy to other famous lists: the signers of the Declaration of Independence, those who ratified the Constitution of the United States and others whose names were appended to and made possible some of the great turning points in history.

I have here a list of the names of pioneers who volunteered to testify at the first extended series of hearings in the Congress on population problems and on the necessity of meeting this issue forthrightly and determinedly. They deserve at least the accolade of being recorded on this important occasion and thus being emblazoned on the scroll of history.

LIST OF WITNESSES WHO TESTIFIED ON S. 1676

June 22, 1965

Representative Paul Todd, Democrat, of Michigan (Kalamazoo), a U.S. Representative from the Third Congressional District of the State of Michigan.

Representative Morris K. Udall, Democrat, of Arizona (Tucson), a U.S. Representative from the Second Congressional District of the State of Arizona.

Senator Joseph S. Clark, Democrat, of Pennsylvania (Philadelphia), a U.S. Senator from the State of Pennsylvania.

Senator Frank E. Moss, Democrat, of Utah (Salt Lake City), a U.S. Senator from the State of Utah.

Representative D. R. Matthews, Democrat, of Florida (Gainesville), a U.S. Representative from the Eighth Congressional District of the State of Florida.

Senator Ralph W. Yarborough, Democrat, of Texas (Austin), a U.S. Senator from the State of Texas.

June 23, 1965

Dr. Frederick Seitz, Washington, D.C., president, National Academy of Sciences.

Senator Joseph D. Tydings, Democrat, of Maryland (Havre de Grace), a U.S. Senator from the State of Maryland.

Representative James H. Scheuer, Democrat, of New York (New York City), a U.S. Representative from the 21st Congressional District of the State of New York.

Representative O. C. Fisher, Democrat, of Texas (San Angelo), a U.S. Representative from the 21st Congressional District of the State of Texas.

Robert C. Cook, Washington, D.C., president, Population Reference Bureau.

June 29, 1965

Gen. William H. Draper, Jr., Palo Alto, Calif., Chairman of the 1959 Draper Committee which dealt with military and economic aspects of foreign aid.

Dr. George B. Kistiakowsky, Cambridge, Mass., special assistant for science and technology to former President Eisenhower and professor at Harvard.

Dr. John Rock, Brookline, Mass., distinguished Catholic gynecologist and author, a major contributor to the development of the oral contraceptive pill.

July 9, 1965

Dr. Alberto Lleras Camargo, former president of Colombia and president of the editorial board of the Latin American magazine Vision and Progreso.

Ben H. Bagdikian, Washington, D.C., author of "In the Midst of Plenty: The Poor in America."

July 21, 1965

Hon. Kenneth Keating, New York City, national chairman of the Population Crisis Committee, former Senator from New York State.

Hon. John Martin, Grand Rapids, Mich., State chairman of the Republican Party of Michigan, attorney.

Mrs. Gladys Avery Tillett, Charlotte, N.C., U.S. Representative to the United Nations Commission on the Status of Women.

George J. Hecht, New York City, publisher of Parents' Magazine and chairman of the American Parents Committee.

Gertrude S. Friedman, Ph. D., Washington, D.C., representing the Unitarian Universalist Association.

Representative John Conyers, Jr., Democrat, of Michigan (Detroit), a U.S. Representative from the First Congressional District of the State of Michigan.

July 28, 1965

Hon. Chester Bowles, U.S. Ambassador to India.

John D. Rockefeller 3d, New York City, chairman of the board of the Population Council.

Dr. Frank Notestein, New York City, president of the Population Council and demographer.

Dr. Joseph L. Fisher, Washington, D.C., president of Resources for the Future, Inc.

August 10, 1965

Hon. Stewart L. Udall, Washington, D.C., Secretary of the Interior.

Senator Peter H. Dominick, Republican of Colorado (Englewood), a U.S. Senator from the State of Colorado.

Dr. Alan F. Guttmacher, New York City, gynecologist and obstetrician, president of Planned Parenthood—World Population.

Dr. Ernest M. Solomon, Chicago, Ill., gynecologist and obstetrician representing the Commission on Social Action of Reform Judaism.

August 11, 1965

Hon. Walter N. Tobriner, Washington, D.C., President of Board of Commissioners.

Mrs. Fred A. Schumacher, Washington, D.C., executive director of Planned Parenthood Association of Metropolitan Washington, D.C.

Dr. Robert B. Nelson, Washington, D.C., gynecologist and obstetrician, medical director of Planned Parenthood Association of Metropolitan Washington, D.C.

Dr. Murray Grant, Washington, D.C., Director of Public Health, District of Columbia Department of Health.

August 17, 1965

Dr. Andre Hellegers, Baltimore, Md., associate professor of obstetrics and gynecology, Johns Hopkins University Hospital.

August 18, 1965

Hon. Marriner Eccles, Salt Lake City, Utah, former Chairman of Board of Governors, Federal Reserve Board.

Dr. Ernest Lyman Stebbins, Baltimore, Md., dean, School of Hygiene and Public Health, Johns Hopkins University.

Dr. Leslie Corsa, Jr., Ann Arbor, Mich., director, Center for Population Planning, School of Public Health, University of Michigan.

August 24, 1965

Rev. Dexter L. Hanley, S.J., Washington, D.C., director, Institute of Law, Human Rights and Social Values, Georgetown University Law Center.

Mrs. Birgitta Linner, Uppsala, Sweden, author, family counselor, and teacher.

Mrs. Gabrielle Edgcomb, Washington, D.C., Women's International League for Peace and Freedom.

Mr. William B. Ball, Harrisburg, Pa., general counsel, Pennsylvania Catholic Welfare Committee.

August 31, 1965

Senator MILWARD L. SIMPSON, Cody, Wyo., U.S. Senator from Wyoming.

Dr. Mary Calderone, New York City, executive director, Sex Information and Education Council of the United States (SIECUS).

Henry Caulfield, Washington, D.C., director, Department of the Interior's resources program staff.

James V. Bennett, Kenwood Park, Md., former director, Bureau of Prisons, U.S. Department of Justice.

Dr. Virgil M. Rogers, Washington, D.C., director, automation project, National Education Association; former dean of education, Syracuse University.

September 8, 1965

Clifford C. Nelson, New York City, president, the American Assembly, Columbia University.

September 15, 1965

Rep. JOHN BRADEMAS, South Bend, Ind., U.S. Representative from Third District of the State of Indiana.

Harold W. Swank, Springfield, Ill., director, Illinois Public Aid Commission.

George Wyman, Albany, N.Y., commissioner, New York State Department of Social Welfare; chairman, American Public Welfare Association Committee on Public Welfare Policy; former director, California State Department of Social Welfare.

Wallace Kuralt, director, Charlotte, N.C., Mecklenburg County Department of Public Welfare.

September 22, 1965

Oscar Harkavy, Ph. D., New York City, director, population program, the Ford Foundation.

Bernard Berelson, Ph. D., New York City, vice president, the Population Council.

Irene Taeuber, Ph. D., Washington, D.C., senior research demographer, office of population research, Princeton University.

Dr. Jack Lippes, M.D., Buffalo (Kenmore), N.Y., inventor of Lippes Loop, an Intrauterine device.

LIST OF WITNESSES—1966

January 19, 1966

Dr. E. L. Tatum—New York City, biologist, 1958 Nobel Prize winner for medicine and physiology.

Dr. Dickinson W. Richards, Jr.—New York City, physician, 1956 Nobel Prize winner in medicine and physiology.

Dr. Albert Szent-Gyorgyi—Woods Hole, Massachusetts; physician, 1937 Nobel Prize winner in medicine.

Dr. Polykarp Kusch—New York City, physicist, 1955 Nobel Prize winner in physics.

January 26, 1966

Mrs. E. T. Chanlett—Chapel Hill, N.C., U.S. delegate to the Inter-American Commission of Women.

Dr. Philip M. Hauser—Chicago, Illinois, director Population Research and Training Center and Chicago Community Inventory, University of Chicago.

Dr. Luigi Mastroianni, Jr.—Philadelphia, Pa., primate research with intra-uterine devices.

Dr. Roger Lincoln Shinn—New York City, professor of applied Christianity and dean of instruction, Union Theological Seminary; adjunct professor of religion, Columbia University.

February 6, 1966

Mrs. Theodore F. Wallace—Shawnee Mission, Kansas, former national president, United Church Women, National Council of Churches.

Mr. James MacCracken—New York City, executive director, Church World Service Department, Division of Overseas Ministries, National Council of the Churches of Christ in the United States.

Dr. Raymond Ewell—Buffalo, New York, vice president for research, State University of New York, professor of chemistry and chemical engineering, consultant on research to AID, consultant on fertilizer industry for Government of India and for the United Nations.

Dean William E. Moran, Jr.—Washington, D.C., Georgetown University School of Foreign Service; president, Catholic Association for International Peace.

February 16, 1966

Mr. Richard W. Reuter—Washington, D.C., Assistant Secretary of State for Food for Peace, former executive director of CARE.

Mr. Edwin Harper—Fairfax, Virginia, guest scholar, The Brookings Institution Center for Advanced Study.

March 2, 1966

Dr. Donald M. Barrett—Professor of Sociology, University of Notre Dame, Notre Dame, Indiana. Director of the Notre Dame Institute for Latin American Population Research, and a member of the Papal Commission on Population and Birth Control.

Prof. Albert P. Blaustein—Professor of Law and Law Librarian, Rutgers University, Camden, New Jersey.

Dr. Andre J. deBethune and Mrs. deBethune—Author and professor of Chemistry Boston College, Chestnut Hill, Massachusetts.

Dr. Joseph D. Beasley—Obstetrician and Gynecologist, Department of Child Health and Pediatrics, Tulane University School of Medicine, New Orleans, Louisiana.

March 3, 1966

Hon. Orville L. Freeman—Secretary of Agriculture.

March 9, 1966

Mr. Ernst Michanek—Director General of the Swedish International Development Authority, Stockholm, Sweden.

Dr. Ulf Borell—Professor of Gynecology and Obstetrics, Karolinska Institute, Stockholm, Sweden.

Mr. Carl Wahren—Deputy head of the planning division of the Swedish International Development Authority, Stockholm, Sweden.

March 31, 1966

Dr. Kermit E. Krantz—Kansas City, Kansas; professor and chairman of the University of Kansas School of Medicine's Department of Gynecology and Obstetrics; specialist in anatomy and genetics.

Mr. Arthur Watkins—Piermont, New York, a writer and engineer who has written extensively on various aspects of housing and building construction.

Dr. Leonard J. Duhl—consultant on urban affairs for Secretary Robert C. Weaver, Department of Housing and Urban Development.

Dr. Donald N. Michael—social psychologist, resident fellow at the Institute for Policy Studies in Washington, D. C.

April 6, 1966

State Senator John Bermingham—Denver, Colorado, author of birth control bill which was approved by Colorado State Legislature.

Dr. Joseph Martin—Cleveland, Ohio, Medical Associates, who with other medical doctors is working to make birth control information available to the poor who wish to have it; participant in the 1965 White House Conference on Health.

Dr. William Vogt—New York City, ecologist, author, secretary of The Conservation Fund.

Mr. Arnold Maremont—Chicago, industrialist, lawyer, president of the Maremont Corporation, former chairman of the Illinois Public Aid Commission.

OUR FOLLY IN VIETNAM BECOMES CLEARER DAY BY DAY

Mr. GRUENING. Mr. President, it is evident that the administration feels the need of a further effort to justify its illegal, immoral, and completely unjustified military invasion of South Vietnam and its steadily escalating war.

The Department of State has issued a new publication entitled: "The Legality of U.S. Participation in the Defense of Vietnam." It is notable chiefly for the pertinent facts it omits.

I ask unanimous consent that this legal memorandum, prepared by Leonard C. Meeker, legal adviser of the State Department, which was recently submitted to the Committee on Foreign Relations and is now available in reprint form, be printed in full at the conclusion of my remarks and other insertions.

There being no objection, the legal memorandum was ordered to be printed in the RECORD.

(See exhibit 1.)

Mr. GRUENING. Mr. President, among the striking omissions will be found one from the report of the International Control Commission in respect to the violations by the South Vietnamese under the guidance of the United States. The State Department's publication quotes the report as follows:

> There is evidence to show that arms, armed and unarmed personnel, munitions and other supplies have been sent from the Zone in the North to the Zone in the South with the objective of supporting, organizing and carrying out hostile activities, including armed attacks, directed against the Armed Forces and Administration of the Zone in the South.
>
> * * * there is evidence that the PAVN (People's Army of Viet Nam) has allowed the Zone in the North to be used for inciting,

> encouraging and supporting hostile activities in the Zone in the South, aimed at the overthrow of the Administration in the South.

What the State Department's legal memorandum fails to include is what the International Control Commission reported concerning the far greater violations by the South Vietnamese under the guidance and with the approval of the United States, which appear in the very same report of the International Control Commission, as follows:

> 12. Since December 1961 the Commission's Teams in South Viet Nam have been persistently denied the right to control and inspect, which are part of their mandatory tasks. Thus, these Teams, though they were able to observe the steady and continuous arrival of war material, including aircraft carriers with helicopters on board, were unable, in view of the denial of controls, to determine precisely the quantum and nature of war material unloaded and introduced into South Viet Nam.
>
> 17. As the Commission has been denied mandatory controls, as pointed out earlier in paragraph 12 above, it has not been able to make a precise assessment of the number of military personnel and the quantum of war material brought in. However, from 3rd December, 1961, up to 5th May, 1962, the Commission's Teams have controlled the entry of 72 military personnel, and observed but not controlled 173 military personnel, 62 helicopters, 6 reconnaissance aircraft, 5 jet aircraft, 57 fighters/fighter bombers, 25 transport aircraft, 26 unspecified types of aircraft, 102 jeeps, 8 tractors, 8 105-mm. howitzers, 3 armoured carriers (tracked), 29 armoured fighting vehicle trailers, 404 other trailers, and radar equipment and crates, 5 warships, 9 LSTs (including 4 visiting LSTS), 3 LCTs, 5 visiting aircraft carriers and spares of various kinds. In respect of some of the instances of import of war materials between 3rd December, 1961, and 16th January, 1962, violations under Article 17(e) as well as violation of Article 25, have been recorded against the Republic of Viet-Nam for its failure to notify arrivals and imports as required by the Geneva Agreement, and for not affording all possible assistance to the Commission's Teams in the performance of their tasks.

The State Department brief, under the heading "IV. B.—The Southeast Asia Collective Defense Treaty Authorizes the President's Actions," proceeds to refer to article IV, paragraph 1 of that SEATO Treaty in justification of the U.S. military invasion of Vietnam. However, here is the full text of article IV:

> 1. Each Party recognizes that aggression by means of armed attack in the treaty area against any of the Parties or against any State or territory which the Parties by unanimous agreement may hereafter designate, would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes. Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations.
>
> 2. If, in the opinion of any of the Parties, the inviolability or the integrity of the territory or the sovereignty or political independence of any Party in the treaty area or of any other State or territory to which the provisions of paragraph I of this Article from time to time apply is threatened in any way other than by armed attack or is affected or threatened by any fact or situation which might endanger the peace of the area, the Parties shall consult immediately in order to agree on the measures which should be taken for the common defense.
>
> 3. It is understood that no action on the territory of any State designated by unanimous agreement under paragraph I of this Article or on any territory so designated shall be taken except at the invitation or with the consent of the government concerned.

It will be noted that this article IV provides that if there is aggression there shall be unanimous agreement by the signatories; that they "shall consult immediately"; and that in any event, any action taken by them should be "in accordance with its constitutional processes."

There was no consultation. The United States never asked for it. Had there been consultation, it is clear that there would not have been unanimous agreement, which the article in question requires, since neither France nor Pakistan are in accord with our policy. Third, the war which we have waged in Vietnam would have had to be "in accordance with its constitutional processes," which would mean a declaration of war by the Congress under article I, section 8 of the U.S. Constitution. So justifying our military involvement by reference to the SEATO treaty is refuted by a reading of it.

Those are only a few of the distortions, omissions, and evasions in this State Department document. What it really does reveal, to anyone who will analyze it knowledgeably, is how utterly weak and inexcusable the case of the United States is for its actions in southeast Asia. The fact of the matter is that the United States is the aggressor in South Vietnam. We were not asked, as alleged, by a friendly government to help defend it against aggression. We asked ourselves in and we violated several treaties in the process, including the Charter of the United Nations and the very SEATO treaty which in article I pledges us to the pacific means authorized by the United Nations Charter.

Day by day inexorable events more and more clearly demonstrate the utter folly of our course in southeast Asia. While preaching peace, we are steadily intensifying war. Our so-called peace offensives are meaningless because they have evaded the only steps which could possibly elicit a response from the other side. These steps are: First, to agree to negotiate with the adversaries who are doing the fighting, namely, the National Liberation Front; and second, to agree unqualifiedly to the basic premise of the Geneva accords, which we supported unilaterally, that there would be nationwide elections in both North and South Vietnam to determine who would be the officials elected to govern the entire country. Now apparently we cannot even get our boy, Nguyen Ky, to agree to elections even in South Vietnam, although Secretary Rusk has been at pains to explain that what Ky said Ky did not mean.

A number of interesting publications bearing on our folly, have been published in the newspapers recently. I ask unanimous consent that the following be printed at this point in the RECORD: First, an article from the New York Times of May 22 by Hanson W. Baldwin, entitled "Pentagon Is Worried by Dissidence in Vietnam"; second, the latest Gallup poll, headed "U.S. Pullout Favored in Viet Civil War"; third, an advertisement from the New York Times of Sunday, May 22 entitled "On Vietnam," sponsored by the Ad Hoc Universities Committee for the Statement on Vietnam and the Committee of the Professions; fourth, a column by Arthur Hoppe from the Washington Star of May 22, entitled "Fable of the Great Big Bull"; fifth, an editorial from the Washington Star of Friday, May 20, entitled "Nervous Nellies"; and sixth, an advertisement from the New York Times of Sunday, May 22, entitled "Your Taxes Pay For War—Will You Pay For Peace?"

There being no objection, the publications were ordered to be printed in the RECORD, as follows:

[From the New York Times, May 22, 1966]

PENTAGON IS WORRIED BY DISSIDENCE IN VIETNAM

(By Hanson W. Baldwin)

Pentagon officials are seriously worried about the effects of the Vietnamese political turbulence on public opinion in the United States.

"It's going to be damned hard to justify to American mothers the sending of their boys to Vietnam unless those people out there get together," a United States officer said last week.

The military were as frankly puzzled about what to do and how to do it, and as gloomy about the latest Saigon developments, as the rest of official Washington.

Indeed, the gloom in the Pentagon was perhaps even thicker than elsewhere, since—as one officer expressed it—"it looked like we were doing all right" in combat until South Vietnamese factionalism and dissidence interfered with military operations.

Casualty statistics reflect the situation. Pentagon figures indicate that during 1965 the United States lost 1,365 armed forces personnel killed in action in Vietnam. The South Vietnamese lost 11,200. The Vietcong and North Vietnamese Army lost an estimated total of 35,000.

In the first quarter of this year—before the effect of the current political disturbances was severely felt—United States casualties had mounted sharply to 1,221 killed in action, the South Vietnamese lost 2,700 and the enemy death toll was estimated at 13,000. In April the United States lost 311 men, the South Vietnamese 570 and the enemy 2,800—a clear reflection of reduced South Vietnamese participation in combat operations.

The increased American casualties, which are already considerably heavier in 1966 than in all of last year, are a result not only of the build-up of United States forces, which now number about 260,000, but of more intensive and continuous United States participation in active combat operations, including penetrations deep into sanctuaries and base areas.

These operations are regarded as essential if there is to be any hope of defeating the Vietcong. The Pentagon believes they have paid off, not only in terms of heavy enemy casualties but in terms of bases overrun and destroyed, and supplies, food and equipment captured.

The statistics have been encouraging, at least until recently. In 1965 there were 10,000 to 11,000 defectors, while in the first quarter of this year there were about 5,300, about 3,700 of them military personnel.

In 1965 a total of 430 crew-served weapons, such as mortars or recoilless rifles manned by more than one man, and 11,200 individual weapons were captured. In the first quarter of this year 200 crew-served weapons and 3,600 individual weapons were captured.

The discouraging statistics is the growth in Vietcong and North Vietnamese strength despite heavy casualties. Current estimates are that the basic units of the Vietcong and of the North Vietnamese number at least 130 to 150 battalions—85,000 to 90,000 men—for an actual or apparent increase since last year of 15,000 to 20,000.

Included are at least 50 to 60 North Vietnamese battalions, either in South Vietnam or astride or near the Laotian and Cambodian frontiers. Elements of four North Vietnamese divisions are believed to be along the frontier opposite South Vietnam's Central Highlands, and elements of two more divisions are thought to be in Cambodia.

Intensive impressment and recruitment in South Vietnam and heavily increased reinforcements from North Vietnam have strengthened numbers but not quality.

The Pentagon believes that the hard-core units, which have been generally avoiding action when possible this year, will seek it when the monsoon season is in full spate.

The Pentagon would not be too concerned about the prospects if the political situation did not presage a marked deterioration in the military picture. That deterioration is already occurring.

The 700,000 men in the military and paramilitary forces of South Vietnam are essential to the defeat of the Vietcong. Much of the first South Vietnamese Division in Hue is in open revolt against the Saigon government, and the status of the Second Division around Danang, is considered doubtful. Other units, including a sizable part of the strategic reserve, have been diverted to political functions.

Another threatening development is a work stoppage by Vietnamese laborers in the area of Danang, which is a transshipment point for supplies to Marine Corps bases at Chulai and Phubai. There appears to be concerted absenteeism by Vietnamese laborers.

The military concede that if work stoppages or absentions become prolonged or general, United States combat troops will probably have to be diverted to supply and constructions jobs.

The Gallup Poll: U.S. Pullout Favored in Viet Civil War

(By George Gallup)

Secretary of State Dean Rusk's recent statement that the inability of the South Vietnamese to solve their internal problems is causing restiveness among the American people is fully evidenced by survey findings.

The findings show that the willingness of the American people to carry on the war in South Vietnam is very much dependent upon the developing political situation in that country.

If the South Vietnamese start fighting on a big scale among themselves, a majority of Americans, 54 per cent, say they would like to see us withdraw our troops. Only 28 per cent think we should continue to help that country in this event.

When asked what should be done in the event the South Vietnamese decide to discontinue their participation in the war, 72 per cent of the public say we should withdraw. Only 16 percent think we should continue the war by ourselves. In fact, sentiment favoring withdrawing under such circumstances has risen since last August, when 63 per cent took this position.

Forty eight per cent of all persons interviewed think the South Vietnamese will be unable to establish a stable government. Considerably fewer, 32 per cent, think they will be able to do so.

Over the last two years the views of the citizens have been recorded on many phases of the conflict in Vietnam. Attitudes can be summarized as follows:

1. In general, the public has supported President Johnson's policies in Vietnam, although the approval figure is now below the 50 per cent line for the first time since last July.

2. A majority of the people have never counted on an all-out victory.

3. A majority of those questioned tend to regard the war as a necessary evil.

4. Administration efforts to bring about a peace settlement through the United Nations or the good offices of other countries have met with overwhelming approval of the public.

5. The public would like to find an honorable way out of the Vietnamese conflict.

The question, and findings:

"Suppose the South Vietnamese start fighting on a big scale among themselves. Do you think we should continue to help them, or should we withdraw our troops?"

	Percent		
	Continue to help	Withdraw	No opinion
National	28	54	18
Republicans	28	55	17
Democrats	26	55	19
Independents	31	52	17

"If the South Vietnam government decides to stop fighting (discontinue the war), what should the U.S. do—continue the war by itself, or should we withdraw?"

	Percent		
	Continue	Withdraw	No opinion
National	16	72	12
Republicans	16	72	12
Democrats	16	73	11
Independents	15	71	14

"Do you think the South Vietnamese will be able to establish a stable government, or not?"

	Percent		
	Yes	No	No opinion
National	32	48	20
Republicans	26	46	28
Democrats	31	38	31
Independents	28	47	25
Comparison (January 1965)	25	42	33

On Vietnam:

Events of the past few months have further undermined the administration's stated rationale for involvement in Vietnam—that American armed force is there to defend the Vietnamese. March and April demonstrations in Hue, Danang and Saigon, with their anti-Ky and anti-American slogans, have made it clearer than ever that the Saigon regime has virtually no popular support. Military activities have been steadily escalated, and American military power has been forced to assume the brunt of the fighting from the South Vietnamese army. An estimated 100,000 soldiers deserted this army in 1965 alone (N.Y. Times 2/24/66).

The successive regimes in Saigon which our government has been supporting were never popularly elected, and since shortly after the inception of the civil war have not governed more than a portion of South Vietnam. Nonetheless, the administration has attempted justification for American military intervention by claiming that these regimes have had popular support and could therefore be considered legitimate governments for all of South Vietnam.

The dramatic exposure of these false premises and of the fragile basis for our policies has led many prominent Americans, including some former supporters of the war, to declare that our forces must be prepared to leave Vietnam if a new government there asks us to do so.

But our administration's previous response to reverses in Vietnam has been escalation, bringing with it increasing death and destruction, and we are particularly alarmed at the extension of B–52 bombings to the North and new air raids in the Hanoi-Haiphong area. To escalate militarily while our position disintegrates politically is immoral, futile and perilous.

Furthermore, while increasing numbers of political leaders and commentators question the entire policy of the United States in Vietnam, the American force, approximately a quarter of a million men, is conducting "search-and-kill" operations and continues massive daily bombings in the course of which thousands of Vietnamese and Americans are being killed and wounded.

The interests of our country and the strength of our belief in the right of self-determination demand that ways be immediately found to disengage ourselves from this intolerable situation. We are convinced that such a course is in accord with the mood of increasing numbers of Americans.

We call upon our government:

To cease all bombing, North and South, and all other offensive military operations immediately;

To indicate that it will negotiate with the National Liberation Front and all other interested parties for a peaceful settlement;

To encourage in every way, and in no way to interfere with, the free exercise of popular sovereignty in Vietnam;

To evaluate seriously whether self-determination for the Vietnamese as well as our own national interests would not be best served by termination of our military presence in Vietnam.

Ad Hoc Universities Committee For The Statement on Vietnam: P.O. Box 435, Rye, N.Y., Professor Harry Lustig, chairman; Professor Martin Davis, treasurer.

Committee Of The Professions: P.O. Box 397, Cathedral Post Office, N.Y., N.Y. 10025, Oscar Sachs, M.D., chairman; Ruth Lassoff, treasurer.

On Vietnam: This statement was originally scheduled to be published together with endorsing signatures from the academic, creative and professional communities, in this issue of the New York Times.

Because of the unprecedented national response, the statement and the names of endorsers will appear instead in multi-page format in the New York Times on Sunday, June 5.

Publication of this statement is being paid for by the individual endorsers.

Fable of the Great Big Bull

(By Arthur Hoppe)

Once upon a time there was a Great Big Bull who led his herd into a quagmire. It could happen to anybody. But in his mighty struggles to get them out he managed only to sink them all in deeper.

Naturally, a few members of the herd—mostly rebellious young calves—questioned the Great Big Bull's judgment. Some thought they ought to go back the way they'd come and some were for charging off to the right or to the left or whichever.

At first, the Great Big Bull smiled tolerantly at this small minority. "It is a tribute to the democratic way I run this herd," he said, "that I allow these well-intentioned but misguided critics to speak out at a time like this. Now let us struggle on."

So the herd struggled on, floundering and thrashing about. And pretty soon they were all in up to their knees.

"Maybe we ought to stop for a minute to get our bearings," a bespectacled bull named Nellbright suggested somewhat hesitantly. For all members of the herd were understandably afraid of the Great Big Bull.

"You have the inalienable right in this herd to suggest anything you want," said the Great Big Bull testily. "Even though you are obviously blind to experience, deaf to hope and are perhaps giving aid and comfort to the quagmire. Now let us struggle on!"

So the herd struggled on, floundering and thrashing about. And pretty soon they were all in up to their bellies.

"I know we are the mightiest and most powerful herd in the world," said the bespectacled bull named Nellbright, with a worried frown. "But it seems to me our struggles are merely getting us in deeper."

This made the herd a little uneasy. "Nobody," snorted the Great Big Bull, "wants to get out of this quagmire more than I. Now let us struggle on!"

So the herd struggled on, floundering and thrashing about. And pretty soon they were all in up to here.

"We must tie a rope around our necks and all pull together," ordered the Great Big Bull. "Straight ahead, now. One . . . two . . ."

"But if we go that way," protested the bespectacled bull named Nellbright, "we'll all go right over the . . ."

"Listen, you Nervous Nellie," bellowed the Great Big Bull, frustrated beyond endurance, "you're trying to pull us apart to promote yourself. Anybody who turns on his own leader, his own herd, is a Nervous Nellie. Now, to preserve our democratic way of life, everybody shut up, pull together and follow me."

And it worked! The herd, not wishing to be thought Nervous Nellies by the Great Big Bull, shut up, pulled together and blindly followed their leader—out of the quagmire, up a small rise, and right over an 8,000-foot cliff.

Moral: Silencing criticism in a democracy requires a lot of bull.

[From the Washington (D.C.) Star, May 20, 1966]

"NERVOUS NELLIES"

President Johnson, never a man to suffer criticism cheerfully, has suddenly turned on those who oppose his policies in Viet Nam with, it seems to us, more vigor than wisdom.

He has, of course, been subjected to forms of criticism which would be hard for any man to take. These range from the mindless demands that we get out of Viet Nam to such savage accusations as those from Senator Morse, which barely stop short of indicting Mr. Johnson as a murderer. It does not necessarily follow, however, that the President will improve his case in the court of public opinion by abandoning the responsible position to which he had been adhering in order to denounce the critics and put some of them to a political trial by fire.

Three months ago Mr. Johnson was saying that "the strength of America can never be sapped by discussion . . . we are united in our commitment to free discussion." But not now. In the past week the President has publicly assailed Senator Fulbright without actually naming him. He has denounced the "Nervous Nellies" who break ranks "and turn on their own leaders, their country and their own fighting men." And he has proposed a test for the voters to apply this fall to each candidate, Democrat and Republican alike: "Is he helping the cause of his country or is he advancing the cause of himself?" This can be translated as follows: Is the candidate supporting the President on Viet Nam or is he not?

Lyndon Johnson is a veteran of the political wars. There is little in his record to suggest that he is given to misreading the public mood. So it may be that he has taken his soundings and has embarked on this counterattack in the firm belief that he can carry the voters with him and overwhelm his critics, or at least those who must run for office in November.

Still, even if this is the case, he is assuming a very grave risk. The people may begin asking what has happened to the President who, for so many trying months, invited free discussion and who clung to the doctrine that the best way to handle these divisive problems is to sit down and reason together. The people may ask themselves why the President has done this abrupt about-face. They may even begin to wonder whether the strain is telling on him.

YOUR TAXES PAY FOR WAR—WILL YOU PAY FOR PEACE?

The Vietnam War Now Threatens Every American Family!

1. Will our sons go to war or to school?
2. Will our tax dollars be used to wipe out slums at home or villages in Vietnam?

The killing of Americans and Vietnamese will not stop unless the opponents of this war, and of the bankrupt foreign policy which it reflects, can turn their dissent into real political power. Fortunately, across the nation, local alliances of issues-oriented liberals, student activists, peace and civil rights workers, and grass-roots movements of the poor are being formed for the tangible ends of winning elections.

In Oregon, Howard Morgan, former Federal Power Commissioner, is running for the Democratic nomination for the U.S. Senate against a supporter of Administration policy in Vietnam. Morgan is supported by Senator Wayne Morse. Simultaneously, former Congressman Charles Porter, who has a distinguished record of peace activity, is running for Congress in the 4th district.

In California, there are 30 anti-war candidates, ranging from incumbent Congressmen George Brown, Phil Burton, and Don Edwards to newcomers Ed Keating, Bob Scheer, and Stanley Sheinbaum of Ramparts Magazine and, from the Watts area of Los Angeles, David Scott, candidate for the State Assembly, who says, "There will be no welfare as long as there is warfare."

BOLD SPIRITS NEED HELP

In Mississippi, Alabama, Georgia and North Carolina, Negro candidates for local office, ranging from sheriff to state assemblyman to Congressman, are awakening the energies of people long denied any share in shaping their own future, and are now reconstructing the whole of Southern politics.

In New York State, many vigorous opponents of the war in Vietnam—among them Ted Weiss, reform City Councilman, and Mel Dubin, recent candidate for Controller on Congressman Ryan's ticket—are challenging incumbent Democrats on peace and poverty.

In Massachusetts, Thomas Boylston Adams is leading a peace campaign for the U.S. Senate with considerable support from within the Democratic Party.

Other politically viable campaigns, equally important and promising, are building. The National Conference for New Politics has been created to assist in these developments. The Conference is not an organization established to compete with other groups. Rather it is a cooperative effort solely to provide financial, research, and human resources to those candidates who will speak clearly for peace and for a domestic program commensurate with the great wealth of our country and the needs of its citizens.

KEEP CAMPAIGNS ROLLING

Political campaigns are staggeringly expensive; but we are persuaded that many Americans care deeply enough about the issue of war or peace that they will make great sacrifices to insure that in the next Congress Senators Morse and Gruening, Fulbright and Young, and the few other bold spirits no longer stand alone. Moreover, we believe that they understand the great opportunity offered by the insurgent politics in the South and the ghettos of the urban North and that they will not allow these to fail for lack of funds.

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Lenore Marshall, Poet.

Frances McAllister, National Board, Friends Committee on Legislation.

Carey McWilliams, Journalist.

Stewart Meacham, Peace Education Secretary, American Friends Service Committee.

Everett Mendelsohn, Professor of the History of Science, Harvard University.

Mrs. Kenneth Montgomery, Civil Leader, Chicago, Illinois.

Barrington Moore, Jr., Russian Research Center, Harvard University.

Paul O'Dwyer, Former New York City Councilman.

Martin Peretz, Committee on Social Studies, Harvard University.

Gifford Philips, State Finance Committee, California Democratic Party.

Sumner Rosen, American Federation, State, County and Municipal Employees.

Robert Schwartz, National Board, SANE.

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William Strickland, Executive Director, Northern Student Movement.

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National Conference for New Politics, 1808 Wyoming Avenue NW., Washington, D.C.:

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EXHIBIT 1

THE LEGALITY OF U.S. PARTICIPATION IN THE DEFENSE OF VIET-NAM

(Reprint from the Department of State Bulletin)

(This legal memorandum was prepared by Leonard C. Meeker, Legal Adviser of the Department, and was submitted to the Senate Committee on Foreign Relations on March 8.)

MARCH 4, 1966

I. THE UNITED STATES AND SOUTH VIET-NAM HAVE THE RIGHT UNDER INTERNATIONAL LAW TO PARTICIPATE IN THE COLLECTIVE DEFENSE OF SOUTH VIET-NAM AGAINST ARMED ATTACK

In response to requests from the Government of South Viet-Nam, the United States has been assisting that country in defending itself against armed attack from the Communist North. This attack has taken the forms of externally supported subversion, clandestine supply of arms, infiltration of armed personnel, and most recently the sending of regular units of the North Vietnamese army into the South.

International law has long recognized the right of individual and collective self-defense against armed attack. South Viet-Nam and the United States are engaging in such collective defense consistently with international law and with United States obligations under the United Nations Charter.

A. South Viet-Nam is Being Subjected to Armed Attack by Communist North Viet-Nam.

The Geneva accords of 1954 established a demarcation line between North Viet-Nam and South Viet-Nam.[1] They provided for withdrawals of military forces into the respective zones north and south of this line. The accords prohibited the use of either zone for the resumption of hostilities or to "further an aggressive policy."

During the 5 years following the Geneva conference of 1954, the Hanoi regime developed a covert political-military organization in South Viet-Nam based on Communist cadres it had ordered to stay in the South, contrary to the provisions of the Geneva accords. The activities of this covert organization were directed toward the kidnaping and assassination of civilian officials—acts of terrorism that were perpetrated in increasing numbers.

In the 3-year period from 1959 to 1961, the North Viet-Nam regime infiltrated an estimated 10,000 men into the South. It is estimated that 13,000 additional personnel were infiltrated in 1962, and, by the end of 1964, North Viet-Nam may well have moved over 40,000 armed and unarmed guerrillas into South Viet-Nam.

The International Control Commission reported in 1962 the findings of its Legal Committee:

". . . there is evidence to show that arms, armed and unarmed personnel, munitions and other supplies have been sent from the Zone in the North to the Zone in the South with the objective of supporting, organizing and carrying out hostile activities, including armed attacks, directed against the Armed Forces and Administration of the Zone in the South.

". . . there is evidence that the PAVN [People's Army of Viet Nam] has allowed the Zone in the North to be used for inciting, encouraging and supporting hostile activities in the Zone in the South, aimed at the overthrow of the Administration in the South."

Beginning in 1964, the Communists apparently exhausted their reservoir of Southerners who had gone North. Since then the greater number of men infiltrated into the South have been native-born North Vietnamese. Most recently, Hanoi has begun to infiltrate elements of the North Vietnamese army in increasingly larger numbers. Today, there is evidence that nine regiments of regular North Vietnamese forces are fighting in organized units in the South.

In the guerrilla war in Viet-Nam, the external aggression from the North is the critical military element of the insurgency, although it is unacknowledged by North Viet-Nam. In these circumstances, an "armed attack" is not as easily fixed by date and hour as in the case of traditional warfare. However, the infiltration of thousands of armed men clearly constitutes an "armed attack" under any reasonable definition. There may be some question as to the exact date at which North Viet-Nam's aggression grew into an "armed attack," but there can be no doubt that it had occurred before February 1965.

B. International Law Recognizes the Right of Individual and Collective Self-Defense Against Armed Attack.

International law has traditionally recognized the right of self-defense against armed attack. This proposition has been asserted by writers on international law through the several centuries in which the modern law of nations has developed. The proposition has been acted on numerous times by governments throughout modern history. Today the principle of self-defense against armed attack is universally recognized and accepted.[2]

The Charter of the United Nations, concluded at the end of World War II, imposed an important limitation on the use of force by United Nations members. Article 2, paragraph 4, provides:

"All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations."

In addition, the charter embodied a system of international peacekeeping through the organs of the United Nations. Article 24 summarizes these structural arrangements in stating that the United Nations members:

". . . confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf."

However, the charter expressly states in article 51 that the remaining provisions of the charter—including the limitation of article 2, paragraph 4, and the creation of United Nations machinery to keep the peace—in no way diminish the inherent right of self-defense against armed attack. Article 51 provides:

"Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security."

Thus, article 51 restates and preserves, for member states in the situations covered by the article, a long-recognized principle of international law. The article is a "saving clause" designed to make clear that no other provision in the charter shall be interpreted to impair the inherent right of self-defense referred to in article 51.

Three principal objections have been raised against the availability of the right of individual and collective self-defense in the case of Viet-Nam: (1) that this right applies only in the case of an armed attack on a United Nations member; (2) that it does not apply in the case of South Viet-Nam because the latter is not an independent sovereign state; and (3) that collective self-defense may be undertaken only by a regional organization operating under chapter VIII of the United Nations Charter. These objections will now be considered in turn.

C. The Right of Individual and Collective Self-Defense Applies in the Case of South Viet-Nam Whether or Not That Country Is a Member of the United Nations.

1. South Viet-Nam enjoys the right of self-defense.

The argument that the right of self-defense is available only to members of the United Nations mistakes the nature of the right of self-defense and the relationship of the United Nations Charter to international law in this respect. As already shown, the right of self-defense against armed attack is an inherent right under international law. The right is not conferred by the charter, and, indeed, article 51 expressly recognizes that the right is inherent.

The charter nowhere contains any provision designed to deprive nonmembers of the right of self-defense against armed attack.[3]

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[1] For texts, see *American Foreign Policy, 1950–1955; Basic Documents*, vol. I, Department of State publication 6446, p. 750.

[2] See, *e.g.*, Jessup, *A Modern Law of Nations*, 163 ff. (1948); Oppenheim, *International Law*, 297 ff. (8th ed., Lauterpacht, 1955). And see, generally, Bowett, *Self-Defense in International Law* (1958). [Footnote in original.]

[3] While nonmembers, such as South Viet-Nam have not formally undertaken the obligations of the United Nations Charter as their own treaty obligations, it should be recognized that much of the substantive law of the charter has become part of the gen-

Article 2, paragraph 6, does charge the United Nations with responsibility for insuring that nonmember states act in accordance with United Nations "Principles so far as may be necessary for the maintenance of international peace and security." Protection against aggression and self-defense against armed attack are important elements in the whole character scheme for the maintenance of international peace and security. To deprive nonmembers of their inherent right of self-defense would not accord with the principles of the organization, but would instead be prejudicial to the maintenance of peace. Thus article 2, paragraph 6—and, indeed, the rest of the charter—should certainly not be construed to nullify or diminish the inherent defensive rights of nonmembers.

2. The United States has the right to assist in the defense of South Viet-Nam although the latter is not a United Nations member.

The cooperation of two or more international entities in the defense of one or both against armed attack is generally referred to as collective self-defense. United States participation in the defense of South Viet-Nam at the latter's request is an example of collective self-defense.

The United States is entitled to exercise the right of individuals or collective self-defense against armed attack, as that right exists in international law, subject only to treaty limitations and obligations undertaken by this country.

It has been urged that the United States has no right to participate in the collective defense of South Viet-Nam because article 51 of the United Nations Charter speaks only of the situation "if an armed attack occurs *against a Member of the United Nations*." This argument is without substance.

In the first place, article 51 does not impose restrictions or cut down the otherwise available rights of United Nations members. By its own terms, the article preserves an inherent right. It is, therefore, necessary to look elsewhere in the charter for any obligation of members restricting their participation in collective defense of an entity that is not a United Nations member.

Article 2, paragraph 4, is the principal provision of the charter imposing limitations on the use of force by members. It states that they:

"... shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations."

Action taken in defense against armed attack cannot be characterized as falling within this proscription. The record of the San Francisco conference makes clear that article 2, paragraph 4, was not intended to restrict the right of self-defense against armed attack.[4]

One will search in vain for any other provision in the charter that would preclude United States participation in the collective defense of a nonmember. The fact that article 51 refers only to armed attack "against a Member of the United Nations" implies no intention to preclude members from participating in the defense of nonmembers. Any such result would have seriously detrimental consequences for international peace and security and would be inconsistent with the purposes of the United Nations as they are set forth in article 1 of the charter.[5] The right of members to participate in the defense of nonmembers is upheld by leading authorities on international law.[6]

D. The Right of Individual and Collective Self-Defense Applies Whether or Not South Viet-Nam Is Regarded as an Independent Sovereign State.

1. South Viet-Nam enjoys the right of self-defense.

It has been asserted that the conflict in Viet-Nam is "civil strife" in which foreign intervention is forbidden. Those who make this assertion have gone so far as to compare Ho Chi Minh's actions in Viet-Nam with the efforts of President Lincoln to preserve the Union during the American Civil War. Any such characterization is an entire fiction disregarding the actual situation in Viet-Nam. The Hanoi regime is anything but the legitimate government of a unified country in which the South is rebelling against lawful national authority.

The Geneva accords of 1954 provided for a division of Viet-Nam into two zones at the 17th parallel. Although this line of demarcation was intended to be temporary, it was established by international agreement, which specifically forbade aggression by one zone against the other.

The Republic of Viet-Nam in the South has been recognized as a separate international entity by approximately 60 governments the world over. It has been admitted as a member of a number of the specialized agencies of the United Nations. The United Nations General Assembly in 1957 voted to recommend South Viet-Nam for membership in the organization, and its admission was frustrated only by the veto of the Soviet Union in the Security Council.

In any event there is no warrant for the suggestion that one zone of a temporarily divided state—whether it be Germany, Korea, or Viet-Nam—can be legally overrun by armed forces from the other zone, crossing the internationally recognized line of demarcation between the two. Any such doctrine would subvert the international agreement establishing the line of demarcation, and would pose grave dangers to international peace.

The action of the United Nations in the Korean conflict of 1950 clearly established the principle that there is no greater license for one zone of a temporarily divided state to attack the other zone than there is for one state to attack another state. South Viet-Nam has the same right that South Korea had to defend itself and to organize collective defense against an armed attack from the North. A resolution of the Security Council dated June 25, 1950, noted "with grave concern the armed attack upon the Republic of Korea by forces from North Korea," and determined "that this action constitutes a breach of the peace."

2. The United States is entitled to participate in the collective defense of South Viet-Nam whether or not the latter is regarded as an independent sovereign state.

As stated earlier, South Viet-Nam has been recognized as a separate international entity by approximately 60 governments. It has been admitted to membership in a number of the United Nations specialized agencies and has been excluded from the United Nations Organization only by the Soviet veto.

There is nothing in the charter to suggest that United Nations members are precluded from participating in the defense of a recognized international entity against armed attack merely because the entity may lack some of the attributes of an independent sovereign state. Any such result would have a destructive effect on the stability of international engagements such as the Geneva accords of 1954 and on internationally agreed lines of demarcation. Such a result, far from being in accord with the charter and the purposes of the United Nations, would undermine them and would create new dangers to international peace and security.

E. The United Nations Charter Does Not Limit the Right of Self-Defense to Regional Organizations.

Some have argued that collective self-defense may be undertaken only by a regional arrangement or agency operating under chapter VIII of the United Nations Charter. Such an assertion ignores the structure of the charter and the practice followed in the more than 20 years since the founding of the United Nations.

The basic proposition that rights of self-defense are not impaired by the charter—as expressly stated in article 51—is not conditioned by any charter provision limiting the application of this proposition to collective defense by a regional arrangement or agency. The structure of the charter reinforces this conclusion. Article 51 appears in chapter VII of the charter, entitled "Action With Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression," whereas chapter VIII, entitled "Regional Arrangements," begins with article 52 and embraces the two following articles. The records of the San Francisco conference show that article 51 was deliberately placed in chapter VII rather than chapter VIII, "where it would only have a bearing on the regional system."[7]

Under article 51, the right of self-defense is available against any armed attack, whether or not the country attacked is a member of a regional arrangement and regardless of the source of the attack. Chapter VIII, on the other hand, deals with relations among members of a regional arrangement or agency, and authorizes regional action as appropriate for dealing with "local disputes." This distinction has been recognized ever since the founding of the United Nations in 1945.

For example, the North Atlantic Treaty has operated as a collective security arrangement, designed to take common measures in preparation against the eventuality of an armed attack for which collective defense under article 51 would be required. Similarly, the Southeast Asia Treaty Organization was designed as a collective defense arrangement under article 51. Secretary of State Dulles emphasized this in his testimony before the Senate Foreign Relations Committee in 1954.

By contrast, article 1 of the Charter of Bogotá (1948), establishing the Organization of American States, expressly declares that

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eral law of nations through a very wide acceptance by nations the world over. This is particularly true of the charter provisions bearing on the use of force. Moreover, in the case of South Viet-Nam, the South Vietnamese Government has expressed its ability and willingness to abide by the charter, in applying for United Nations membership. Thus it seems entirely appropriate to appraise the actions of South Viet-Nam in relation to the legal standards set forth in the United Nations Charter. [Footnote in original.]

[4] See 6 UNCIO Documents 459. [Footnote in original.]

[5] In particular, the statement of the first purpose:

"To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace. . . ." [Footnotes in original.]

[6] Bowett, *Self-Defense in International Law*, 193–195 (1958); Goodhart, "The North Atlantic Treaty of 1949," 79 *Recueil Des Cours*, 183, 202–204 (1951, vol. II), quoted in 5 *Whiteman's Digest of International Law*, 1067–1068 (1965); Kelsen, *The Law of the United Nations*, 793 (1950); see Stone, *Aggression and World Order*, 44 (1958). [Footnote in original.]

[7] 17 UNCIO Documents 288. [Footnote in original.]

the organization is a regional agency within the United Nations. Indeed, chapter VIII of the United Nations Charter was included primarily to take account of the functioning of the inter-American system.

In sum, there is no basis in the United Nations Charter for contending that the right of self-defense against armed attack is limited to collective defense by a regional organization.

F. The United States Has Fulfilled Its Obligations to the United Nations.

A further argument has been made that the members of the United Nations have conferred on United Nations organs—and, in particular, on the Security Council—exclusive power to act against aggression. Again, the express language of article 51 contradicts that assertion. A victim of armed attack is not required to forgo individual or collective defense of its territory until such time as the United Nations organizes collective action and takes appropriate measures. To the contrary, article 51 clearly states that the right of self-defense may be exercised *"until* the Security Council has taken the measures necessary to maintain international peace and security."[8]

As indicated earlier, article 51 is not literally applicable to the Viet-Nam situation since South Viet-Nam is not a member. However, reasoning by analogy from article 51 and adopting its provisions as an appropriate guide for the conduct of members in a case like Viet-Nam, one can only conclude that United States actions are fully in accord with this country's obligations as a member of the United Nations.

Article 51 requires that:

"Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security."

The United States has reported to the Security Council on measures it has taken in countering the Communist aggression in Viet-Nam. In August 1964 the United States asked the Council to consider the situation created by North Vietnamese attacks on United States destroyers in the Tonkin Gulf.[9] The Council thereafter met to debate the question, but adopted no resolutions. Twice in February 1965 the United States sent additional reports to the Security Council on the conflict in Viet-Nam and on the additional measures taken by the United States in the collective defense of South Viet-Nam.[10] In January 1966 the United States formally submitted the Viet-Nam question to the Security Council for its consideration and introduced a draft resolution calling for discussions looking toward a peaceful settlement on the basis of the Geneva accords.[11]

At no time has the Council taken any action to restore peace and security in Southeast Asia. The Council has not expressed criticism of United States actions. Indeed since the United States submission of January 1966, members of the Council have been notably reluctant to proceed with any consideration of the Viet-Nam question.

The conclusion is clear that the United States has in no way acted to interfere with United Nations consideration of the conflict in Viet-Nam. On the contrary, the United States has requested United Nations consideration, and the Council has not seen fit to act.

G. International Law Does Not Require a Declaration of War as a Condition Precedent To Taking Measures of Self-Defense Against Armed attack.

The existence or absence of a formal declaration of war is not a factor in determining whether an international use of force is lawful as a matter of international law. The United Nations Charter's restrictions focus on the manner and purpose of its use and not on any formalities of announcement.

It should also be noted that a formal declaration of war would not place any obligations on either side in the conflict by which that side would not be bound in any event. The rules of international law concerning the conduct of hostilities in an international armed conflict apply regardless of any declaration of war.

H. Summary.

The analysis set forth above shows that South Viet-Nam has the right in present circumstances to defend itself against armed attack from the North and to organize a collective self-defense with the participation of others. In response to requests from South Viet-Nam, the United States has been participating in that defense, both through military action within South Viet-Nam and actions taken directly against the aggressor in North Viet-Nam. This participation by the United States is in conformity with international law and is consistent with our obligations under the Charter of the United Nations.

II. THE UNITED STATES HAS UNDERTAKEN COMMITMENTS TO ASSIST SOUTH VIET-NAM IN DEFENDING ITSELF AGAINST COMMUNIST AGGRESSION FROM THE NORTH

The United States has made commitments and given assurances, in various forms and at different times, to assist in the defense of South Viet-Nam.

A. The United States Gave Undertakings at the End of the Geneva Conference in 1954.

At the time of the signing of the Geneva accords in 1954, President Eisenhower warned "that any renewal of Communist aggression would be viewed by us as a matter of grave concern," at the same time giving assurance that the United States would "not use force to disturb the settlement."[12] And the formal declaration made by the United States Government at the conclusion of the Geneva conference stated that the United States "would view any renewal of the aggression in violation of the aforesaid agreements with grave concern and as seriously threatening international peace and security."[13]

B. The United States Undertook an International Obligation To Defend South Viet-Nam in the SEATO Treaty.

Later in 1954 the United States negotiated with a number of other countries and signed the Southeast Asia Collective Defense Treaty.[14] The treaty contains in the first paragraph of article IV the following provision:

"Each Party recognizes that aggression by means of armed attack in the treaty area against any of the Parties or against any State or territory which the Parties by unanimous agreement may hereafter designate, would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes. Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations."

Annexed to the treaty was a protocol stating that:

"The Parties to the Southeast Asia Collective Defense Treaty unanimously designate for the purposes of Article IV of the Treaty the States of Cambodia and Laos and the free territory under the jurisdiction of the State of Vietnam."

Thus, the obligations of article IV, paragraph 1, dealing with the eventuality of armed attack, have from the outset covered the territory of South Viet-Nam. The facts as to the North Vietnamese armed attack against the South have been summarized earlier, in the discussion of the right of self-defense under international law and the Charter of the United Nations. The term "armed attack" has the same meaning in the SEATO treaty as in the United Nations Charter.

Article IV, paragraph 1, places an obligation on each party to the SEATO treaty to "act to meet the common danger in accordance with its constitutional processes" in the event of an armed attack. The treaty does not require a collective determination that an armed attack has occurred in order that the obligation of article IV, paragraph 1, become operative. Nor does the provision require collective decision on actions to be taken to meet the common danger. As Secretary Dulles pointed out when transmitting the treaty to the President, the commitment in article IV, paragraph 1, "leaves to the judgement of each country the type of action to be taken in the event an armed attack occurs."[15]

The treaty was intended to deter armed aggression in Southeast Asia. To that end it created not only a multilateral alliance but also a series of bilateral relationships. The obligations are placed squarely on "each Party" in the event of armed attack in the treaty area—not upon "the Parties," a wording that might have implied a necessity for collective decision. The treaty was intended to give the assurance of United States assistance to any party or protocol state that might suffer a Communist armed attack, regardless of the views or actions of other parties. The fact that the obligations are individual, and may even to some extent differ among the parties to the treaty, is demonstrated by the United States understanding, expressed at the time of signature, that its obligations under article IV, paragraph 1, apply only in the event of *Communist* aggression, whereas the other parties to the treaty were unwilling so to limit their obligations to each other.

Thus, the United States has a commitment under article IV, paragraph 1, in the event of armed attack, independent of the decision or action of other treaty parties. A joint statement issued by Secretary Rusk and Foreign Minister Thanat Khoman of Thailand on March 6, 1962,[16] reflected this understanding:

"The Secretary of State assured the Foreign Minister that in the event of such aggression, the United States intends to give full effect to its obligations under the Treaty to act to meet the common danger in accordance with its constitutional processes. The Secretary of State reaffirmed that this obligation of the United States does not depend upon the prior agreement of all other parties to the Treaty, since this Treaty obligation is individual as well as collective."

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[8] An argument has been made by some that the United States, by joining in the collective defense of South Viet-Nam, has violated the peaceful settlement obligation of article 33 in the charter. This argument overlooks the obvious proposition that a victim of armed aggression is not required to sustain the attack undefended while efforts are made to find a political solution with the aggressor. Article 51 of the charter illustrates this by making perfectly clear that the inherent right of self-defense is impaired by "Nothing in the present Charter," including the provisions of article 33. [Footnote in original.]

[9] For a statement made by U.S. Representative Adlai E. Stevenson in the Security Council on Aug. 5, 1964, see BULLETIN of Aug. 24, 1964, p. 272.

[10] For texts, see *ibid.*, Feb. 22, 1965, p. 240, and Mar. 22, 1965, p. 419.

[11] For background and text of draft resolution, see *ibid.*, Feb. 14, 1966, p. 231.

[12] For a statement made by President Eisenhower on June 21, 1954, see *ibid.*, Aug. 2, 1954, p. 163.

[13] For text, see *ibid.*, p. 162.

[14] For text, see *ibid.*, Sept. 20, 1954, p. 393.

[15] For text, see *ibid.*, Nov. 29, 1954, p. 820.

[16] For text, see *ibid.*, Mar. 26, 1962, p. 498.

Most of the SEATO countries have stated that they agreed with this interpretation. None has registered objection to it.

When the Senate Committee on Foreign Relations reported on the Southeast Asia Collective Defense Treaty, it noted that the treaty area was further defined so that the "Free Territory of Vietnam" was an area "which, if attacked, would fall under the protection of the instrument." In its conclusion the committee stated:

"The committee is not impervious to the risks which this treaty entails. It fully appreciates that acceptance of these additional obligations commits the United States to a course of action over a vast expanse of the Pacific. Yet these risks are consistent with our own highest interests."

The Senate gave its advice and consent to the treaty by a vote of 82 to 1.

C. The United States Has Given Additional Assurances to the Government of South Viet-Nam.

The United States has also given a series of additional assurances to the Government of South Viet-Nam. As early as October 1954 President Eisenhower undertook to provide direct assistance to help make South Viet-Nam "capable of resisting attempted subversion or aggression through military means." [17] On May 11, 1957, President Eisenhower and President Ngo Dinh Diem of the Republic of Viet-Nam issued a joint statement [18] which called attention to "the large build-up of Vietnamese Communist military forces in North Viet-Nam" and stated:

"Noting that the Republic of Viet-Nam is covered by Article IV of the Southeast Asia Collective Defense Treaty, President Eisenhower and President Ngo Dinh Diem agreed that aggression or subversion threatening the political independence of the Republic of Viet-Nam would be considered as endangering peace and stability."

On August 2, 1961, President Kennedy declared that "the United States is determined that the Republic of Viet-Nam shall not be lost to the Communists for lack of any support which the United States Government can render." [19] On December 7 of that year President Diem appealed for additional support. In his reply of December 14, 1961 President Kennedy recalled the United States declaration made at the end of the Geneva conference in 1954, and reaffirmed that the United States was "prepared to help the Republic of Viet-Nam to protect its people and to preserve its independence." [20] This assurance has been reaffirmed many times since.

III. ACTIONS BY THE UNITED STATES AND SOUTH VIET-NAM ARE JUSTIFIED UNDER THE GENEVA ACCORDS OF 1954

A. Description of the Accords.

The Geneva accords of 1954 [21] established the date and hour for a cease-fire in Viet-Nam, drew a "provisional military demarcation line" with a demilitarized zone on both sides, and required an exchange of prisoners and the phased regroupment of Viet Minh forces from the south to the north and of French Union forces from the north to the south. The introduction into Viet-Nam of troop reinforcements and new military equipment (except for replacement and repair) was prohibited. The armed forces of each party were required to respect the demilitarized zone and the territory of the other zone. The adherence of either zone to any military alliance, and the use of either zone for the resumption of hostilities or to "further an aggressive policy," were prohibited. The International Control Commission was established, composed of India, Canada and Poland, with India as chairman. The task of the Commission was to supervise the proper execution of the provisions of the cease-fire agreement. General elections that would result in reunification were required to be held in July 1956 under the supervision of the ICC.

B. North Viet-Nam Violated the Accords From the Beginning.

From the very beginning, the North Vietnamese violated the 1954 Geneva accords. Communist military forces and supplies were left in the South in violation of the accords. Other Communist guerrillas were moved north for further training and then were infiltrated into the South in violation of the accords.

C. The Introduction of United States Military Personnel and Equipment Was Justified.

The accords prohibited the reinforcement of foreign military forces in Viet-Nam and the introduction of new military equipment, but they allowed replacement of existing military personnel and equipment. Prior to late 1961 South Viet-Nam had received considerable military equipment and supplies from the United States, and the United States had gradually enlarged its Military Assistance Advisory Group to slightly less than 900 men. These actions were reported to the ICC and were justified as replacements for equipment in Viet-Nam in 1954 and for French training and advisory personnel who had been withdrawn after 1954.

As the Communist aggression intensified during 1961, with increased infiltration and a marked stepping up of Communist terrorism in the South, the United States found it necessary in late 1961 to increase substantially the numbers of our military personnel and the amounts and types of equipment introduced by this country into South Viet-Nam. These increases were justified by the international law principle that a material breach of an agreement by one party entitles the other at least to withhold compliance with an equivalent, corresponding, or related provision until the defaulting party is prepared to honor its obligations. [22]

In accordance with this principle, the systematic violation of the Geneva accords by North Viet-Nam justified South Viet-Nam in suspending compliance with the provision controlling entry of foreign military personnel and military equipment.

D. South Viet-Nam was justified in refusing to implement the election provisions of the Geneva accords.

The Geneva accords contemplated the reunification of the two parts of Viet-Nam. They contained a provision for general elections to be held in July 1956 in order to obtain a "free expression of the national will." The accords stated that "consultations will be held on this subject between the competent representative authorities of the two zones from 20 July 1955 onwards."

There may be some question whether South Viet-Nam was bound by these election provisions. As indicated earlier, South Viet-Nam did not sign the cease-fire agreement of 1954, nor did it adhere to the Final Declaration of the Geneva conference. The South Vietnamese Government at that time gave notice of its objection in particular to the election provisions of the accords.

However, even on the premise that these provisions were binding on South Viet-Nam, the South Vietnamese Government's failure to engage in consultations in 1955, with a view to holding elections in 1956, involved no breach of obligation. The conditions in North Viet-Nam during that period were such as to make impossible any free and meaningful expression of popular will.

Some of the facts about conditions in the North were admitted even by the Communist leadership in Hanoi. General Giap, currently Defense Minister of North Viet-Nam, in addressing the Tenth Congress of the North Vietnamese Communist Party in October 1956, publicly acknowledged that the Communist leaders were running a police state where executions, terror, and torture were commonplace. A nationwide election in these circumstances would have been a travesty. No one in the North would have dared to vote except as directed. With a substantial majority of the Vietnamese people living north of the 17th parallel, such an election would have meant turning the country over to the Communists without regard to the will of the people. The South Vietnamese Government realized these facts and quite properly took the position that consultations for elections in 1956 as contemplated by the accords would be a useless formality. [23]

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[17] For text of a message from President Eisenhower to President Ngo Dinh Diem, see *ibid.*, Nov. 15, 1954, p. 735.

[18] For text, see *ibid.*, May 27, 1957, p. 851.

[19] For text of a joint communique issued by President Kennedy and Vice President Chen Cheng of the Republic of China, see *ibid.*, Aug. 28, 1961, p. 372.

[20] For text of an exchange of messages between President Kennedy and President Diem, see *ibid.*, Jan. 1, 1962, p. 13.

[21] These accords were composed of a bilateral cease-fire agreement between the "Commander-in-Chief of the People's Army of Viet Nam" and the "Commander-in-Chief of the French Union forces in Indo-China," together with a Final Declaration of the Conference, to which France adhered. However, it is to be noted that the South Vietnamese Government was not a signatory of the cease-fire agreement and did not adhere to the Final Declaration. South Viet-Nam entered a series of reservations in a statement to the conference. This statement was noted by the conference, but by decision of the conference chairman it was not included or referred to in the Final Declaration. [Footnote in original.]

[22] This principle of law and the circumstances in which it may be invoked are most fully discussed in the Fourth Report on the Law of Treaties by Sir Gerald Fitzmaurice, articles 18, 20 (U.N. doc. A/CN.4/120(1959)) II Yearbook of the International Law Commission 37 (U.N. doc. A/CN.4/SER.A/1959/Add.1) and in the later report by Sir Humphrey Waldock, article 20 (U.N. doc. A/CN.4/156 and Add. 1–3 (1963)) II Yearbook of the International Law Commission 36 (U.N. doc. A/CN.4/SER.A/1963/Add. 1). Among the authorities cited by the fourth report for this proposition are: II Oppenheim, *International Law* 136, 137 (7th ed. Lauterpacht 1955); I Rousseau, *Principes généraux du droit international public* 365 (1944); II Hyde, *International Law* 1660 et seq. (2d ed. 1947); II Guggenheim, *Traité de droit international public* 84, 85 (1935); Spiropoulos, *Traité théorique et pratique de droit international public* 289 (1933); Verdross, *Völkerrecht*, 328 (1950); Hall, *Treatise* 21 (8th ed. Higgins 1924); 3 Accioly, *Tratado de Direito Internacional Publico* 82 (1956–57). See also draft articles 42 and 46 of the Law of Treaties by the International Law Commission, contained in the report on the work of its 15th session, (General Assembly, Official Records, 18th Session, Supplement No. 9(A/5809)). [Footnote in original.]

[23] In any event, if North Viet-Nam considered there had been a breach of obligation by the South, its remedies lay in discussion with Saigon, perhaps in an appeal to the cochairmen of the Geneva conference, or in a reconvening of the conference to consider the situation. Under international law, North Viet-Nam had no right to use force outside its own zone in order to secure its political objectives. [Footnote in original.]

IV. THE PRESIDENT HAS FULL AUTHORITY TO COMMIT UNITED STATES FORCES IN THE COLLECTIVE DEFENSE OF SOUTH VIET-NAM

There can be no question in present circumstances of the President's authority to commit United States forces to the defense of South Viet-Nam. The grant of authority to the President in article II of the Constitution extends to the actions of the United States currently undertaken in Viet-Nam. In fact, however, it is unnecessary to determine whether this grant standing alone is sufficient to authorize the actions taken in Viet-Nam. These actions rest not only on the exercise of Presidential powers under article II but on the SEATO treaty—a treaty advised and consented to by the Senate—and on actions of the Congress, particularly the joint resolution of August 10, 1964. When these sources of authority are taken together—article II of the Constitution, the SEATO treaty, and actions by the Congress—there can be no question of the legality under domestic law of United States actions in Viet-Nam.

A. The President's Power Under Article II of the Constitution Extends to the Actions Currently Undertaken in Viet-Nam.

Under the Constitution, the President, in addition to being Chief Executive, is Commander in Chief of the Army and Navy. He holds the prime responsibility for the conduct of United States foreign relations. These duties carry very broad powers, including the power to deploy American forces abroad and commit them to military operations when the President deems such action necessary to maintain the security and defense of the United States.

At the Federal Constitutional Convention in 1787, it was originally proposed that Congress have the power "to make war." There were objections that legislative proceedings were too slow for this power to be vested in Congress; it was suggested that the Senate might be a better repository. Madison and Gerry then moved to substitute, "to declare war" for "to make war," "leaving to the Executive the power to repel sudden attacks." It was objected that this might make it too easy for the Executive to involve the nation in war, but the motion carried with but one dissenting vote.

In 1787 the world was a far larger place, and the framers probably had in mind attacks upon the United States. In the 20th century, the world has grown much smaller. An attack on a country far from our shores can impinge directly on the nation's security. In the SEATO treaty, for example, it is formally declared that an armed attack against Viet-Nam would endanger the peace and safety of the United States.

Since the Constitution was adopted there have been at least 125 instances in which the President has ordered the armed forces to take action or maintain positions abroad without obtaining prior congressional authorization, starting with the "undeclared war" with France (1798–1800). For example, President Truman ordered 250,000 troops to Korea during the Korean war of the early 1950's. President Eisenhower dispatched 14,000 troops to Lebanon in 1958.

The Constitution leaves to the President the judgment to determine whether the circumstances of a particular armed attack are so urgent and the potential consequences so threatening to the security of the United States that he should act without formally consulting the Congress.

B. The Southeast Asia Collective Defense Treaty Authorizes the President's Actions.

Under article VI of the United States Constitution, "all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land." Article IV, paragraph 1, of the SEATO treaty establishes as a matter of law that a Communist armed attack against South Viet-Nam endangers the peace and safety of the United States. In this same provision the United States has undertaken a commitment in the SEATO treaty to "act to meet the common danger in accordance with its constitutional processes" in the event of such an attack.

Under our Constitution it is the President who must decide when an armed attack has occurred. He has also the constitutional responsibility for determining what measures of defense are required when the peace and safety of the United States are endangered. If he considers that deployment of U.S. forces to South Viet-Nam is required, and that military measures against the source of Communist aggression in North Viet-Nam are necessary, he is constitutionally empowered to take those measures.

The SEATO treaty specifies that each party will act "in accordance with its constitutional processes."

It has recently been argued that the use of land forces in Asia is not authorized under the treaty because their use to deter armed attack was not contemplated at the time the treaty was considered by the Senate. Secretary Dulles testified at that time that we did not intend to establish (1) a land army in Southeast Asia capable of deterring Communist aggression, or (2) an integrated headquarters and military organization like that of NATO; instead, the United States would rely on "mobile striking power" against the sources of aggression. However, the treaty obligation in article IV, paragraph 1, to meet the common danger in the event of armed aggression, is not limited to particular modes of military action. What constitutes an adequate deterrent or an appropriate response, in terms of military strategy, may change; but the essence of our commitment to act to meet the common danger, as necessary at the time of an armed aggression, remains. In 1954 the forecast of military judgment might have been against the use of substantial United States ground forces in Viet-Nam. But that does not preclude the President from reaching a different military judgment in different circumstances, 12 years later.

C. The Joint Resolution of Congress of August 10, 1964, Authorizes United States Participation in the Collective Defense of South Viet-Nam.

As stated earlier, the legality of United States participation in the defense of South Viet-Nam does not rest only on the constitutional power of the President under article II—or indeed on that power taken in conjunction with the SEATO treaty. In addition, the Congress has acted in unmistakable fashion to approve and authorize United States actions in Viet-Nam.

Following the North Vietnamese attacks in the Gulf of Tonkin against United States destroyers, Congress adopted, by a Senate vote of 88–2 and a House vote of 416–0, a joint resolution containing a series of important declarations and provisions of law.[24]

Section 1 resolved that "the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression." Thus, the Congress gave its sanction to specific actions by the President to repel attacks against United States naval vessels in the Gulf of Tonkin and elsewhere in the western Pacific. Congress further approved the taking of "all necessary measures . . . to prevent further aggression." This authorization extended to those measures the President might consider necessary to ward off further attacks and to prevent further aggression by North Viet-Nam in Southeast Asia.

The joint resolution then went on to provide in section 2:

"The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom."

Section 2 thus constitutes an authorization to the President, in his discretion, to act—using armed force if he determines that is required—to assist South Viet-Nam at its request in defense of its freedom. The identification of South Viet-Nam through the reference to "protocol state" in this section is unmistakable, and the grant of authority "as the President determines" is unequivocal.

It has been suggested that the legislative history of the joint resolution shows an intention to limit United States assistance to South Viet-Nam to aid, advice, and training. This suggestion is based on an amendment offered from the floor by Senator [GAYLORD] NELSON which would have added the following to the text:

"The Congress also approves and supports the efforts of the President to bring the problem of peace in Southeast Asia to the Security Council of the United Nations, and the President's declaration that the United States, seeking no extension of the present military conflict, will respond to provocation in a manner that is 'limited and fitting.' Our continuing policy is to limit our role to the provision of aid, training assistance, and military advice, and it is the sense of Congress that, except when provoked to a greater response, we should continue to attempt to avoid a direct military involvement in the Southeast Asian conflict.[25]

Senator [J. W.] FULBRIGHT, who had reported the joint resolution from the Foreign Relations Committee, spoke on the amendment as follows:

"It states fairly accurately what the President has said would be our policy, and what I stated my understanding was as to our policy; also what other Senators have stated. In other words, it states that our response should be appropriate and limited to the provocation, which the Senator states as 'respond to provocation in a manner that is limited and fitting,' and so forth. We do not wish any political or military bases there. We are not seeking to gain a colony. We seek to insure the capacity of these people to develop along the lines of their own desires, independent of domination by communism.

"The Senator has put into his amendment a statement of policy that is unobjectionable. However, I cannot accept the amendment under the circumstances. I do not believe it is contrary to the joint resolution, but it is an enlargement. I am informed that the House is now voting on this resolution. The House joint resolution is about to be presented to us. I cannot accept the amendment and go to conference with it, and thus take responsibility for delaying matters.

"I do not object to it as a statement of policy. I believe it is an accurate reflection of what I believe is the President's policy, judging from his own statements. That does not mean that as a practical matter I can accept the amendment. It would delay matters to do so. It would cause confusion and require a conference, and present us with all the other difficulties that are involved in this kind of legislative action. I regret that I cannot do it, even though I do not at all disagree with the amendment as a general statements of policy."[26]

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[24] For text, see BULLETIN of Aug. 24, 1964, p. 268.

[25] CONGRESSIONAL RECORD, vol. 110, pt. 14, p. 18459. [Footnote in original.]

Senator Nelson's amendment related the degree and kind of U.S. response in Viet-Nam to "provocation" on the other side; the response should be "limited and fitting." The greater the provocation, the stronger are the measures that may be characterized as "limited and fitting." Bombing of North Vietnamese naval bases was a "limited and fitting" response to the attacks on U.S. destroyers in August 1964, and the subsequent actions taken by the United States and South Viet-Nam have been an appropriate response to the increased war of aggression carried on by North Viet-Nam since that date. Moreover, Senator Nelson's proposed amendment did not purport to be a restriction on authority available to the President but merely a statement concerning what should be the continuing policy of the United States.

Congressional realization of the scope of authority being conferred by the joint resolution is shown by the legislative history of the measure as a whole. The following exchange between Senators Cooper and Fulbright is illuminating:

Mr. Cooper [John Sherman Cooper]. . . . The Senator will remember that the SEATO Treaty, in article IV, provides that in the event an armed attack is made upon a party to the Southeast Asia Collective Defense Treaty, or upon one of the protocol states such as South Vietnam, the parties to the treaty, one of whom is the United States, would then take such action as might be appropriate, after resorting to their constitutional processes. I assume that would mean, in the case of the United States, that Congress would be asked to grant the authority to act.

Does the Senator consider that in enacting this resolution we are satisfying that requirement of article IV of the Southeast Asia Collective Defense Treaty? In other words, are we now giving the President advance authority to take whatever action he may deem necessary respecting South Vietnam and its defense, or with respect to the defense of any other country included in the treaty?

Mr. Fulbright. I think that is correct.

Mr. Cooper. Then, looking ahead, if the President decided that it was necessary to use such force as could lead into war, we will give that authority by this resolution?

Mr. Fulbright. That is the way I would interpret it. If a situation later developed in which we thought the approval should be withdrawn it could be withdrawn by concurrent resolution.[27]

The August 1964 joint resolution continues in force today. Section 2 of the resolution provides that it shall expire "when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, except that it may be terminated earlier by concurrent resolution of the Congress." The President has made no such determination, nor has Congress terminated the joint resolution.[28]

Instead, Congress in May 1965 approved an appropriation of $700 million to meet the expense of mounting military requirements in Viet-Nam. (Public Law 89–18, 79 Stat. 109.) The President's message asking for this appropriation stated that this was "not a routine appropriation. For each Member of Congress who supports this request is also voting to persist in our efforts to halt Communist aggression in South Vietnam."[29] The appropriation act constitutes a clear congressional endorsement and approval of the actions taken by the President.

On March 1, 1966, the Congress continued to express its support of the President's policy by approving a $4.8 billion supplemental military authorization by votes of 392–4 and 93–2. An amendment that would have limited the President's authority to commit forces to Viet-Nam was rejected in the Senate by a vote of 94–2.

D. No Declaration of War by the Congress Is Required To Authorize United States Participation in the Collective Defense of South Viet-Nam.

No declaration of war is needed to authorize American actions in Viet-Nam. As shown in the preceding sections, the President has ample authority to order the participation of United States armed forces in the defense of South Viet-Nam.

Over a very long period in our history, practice and precedent have confirmed the constitutional authority to engage United States forces in hostilities without a declaration of war. This history extends from the undeclared war with France and the war against the Barbary pirates at the end of the 18th century to the Korean war of 1950–53.

James Madison, one of the leading framers of the Constitution, and Presidents John Adams and Jefferson all construed the Constitution, in their official actions during the early years of the Republic, as authorizing the United States to employ its armed forces abroad in hostilities in the absence of any congressional declaration of war. Their views and actions constitute highly persuasive evidence as to the meaning and effect of the Constitution. History has accepted the interpretation that was placed on the Constitution by the early Presidents and Congresses in regard to the lawfulness of hostilities without a declaration of war. The instances of such action in our history are numerous.

In the Korean conflict, where large-scale hostilities were conducted with an American troop participation of a quarter of a million men, no declaration of war was made by the Congress. The President acted on the basis of his constitutional responsibilities. While the Security Council, under a treaty of this country—the United Nations Charter—recommended assistance to the Republic of Korea against the Communist armed attack, the United States had no treaty commitment at that time obligating us to join in the defense of South Korea. In the case of South Viet-Nam we have the obligation of the SEATO treaty and clear expressions of congressional support. If the President could act in Korea without a declaration of war, *a fortiori* he is empowered to do so now in Viet-Nam.

It may be suggested that a declaration of war is the only available constitutional process by which congressional support can be made effective for the use of United States armed forces in combat abroad. But the Constitution does not insist on any rigid formalism. It gives Congress a choice of ways in which to exercise its powers. In the case of Viet-Nam the Congress has supported the determination of the President by the Senate's approval of the SEATO treaty, the adoption of the joint resolution of August 10, 1964, and the enactment of the necessary authorizations and appropriations.

V. CONCLUSION

South Viet-Nam is being subjected to armed attack by Communist North Viet-Nam, through the infiltration of armed personnel, military equipment, and regular combat units. International law recognizes the right of individual and collective self-defense against armed attack. South Viet-Nam, and the United States upon the request of South Viet-Nam, are engaged in such collective defense of the South. Their actions are in conformity with international law and with the Charter of the United Nations. The fact that South Viet-Nam has been precluded by Soviet veto from becoming a member of the United Nations and the fact that South Viet-Nam is a zone of a temporarily divided state in no way diminish the right of collective defense of South Viet-Nam.

The United States has commitments to assist South Viet-Nam in defending itself against Communist aggression from the North. The United States gave undertakings to this effect at the conclusion of the Geneva conference in 1954. Later that year the United States undertook an international obligation in the SEATO treaty to defend South Viet-Nam against Communist armed aggression. And during the past decade the United States has given additional assurances to the South Vietnamese Government.

The Geneva accords of 1954 provided for a cease-fire and regroupment of contending forces, a division of Viet-Nam into two zones, and a prohibition on the use of either zone for the resumption of hostilities or to "further an aggressive policy." From the beginning, North Viet-Nam violated the Geneva accords through a systematic effort to gain control of South Viet-Nam by force. In the light of these progressive North Vietnamese violations, the introduction into South Viet-Nam beginning in late 1961 of substantial United States military equipment and personnel, to assist in the defense of the South, was fully justified; substantial breach of an international agreement by one side permits the other side to suspend performance of corresponding obligations under the agreement. South Viet-Nam was justified in refusing to implement the provisions of the Geneva accords calling for reunification through free elections throughout Viet-Nam since the Communist regime in North Viet-Nam created conditions in the North that made free elections entirely impossible.

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[26] *Ibid.*

[27] Congressional Record, vol. 110, pt. 14, p. 18409. Senator Wayne Morse, who opposed the joint resolution, expressed the following view on August 6, 1964, concerning the scope of the proposed resolution:

Another Senator thought, in the early part of the debate, that this course would not broaden the power of the President to engage in a land war if he decided that he wanted to apply the resolution in that way.

That Senator was taking great consolation in the then held belief that, if he voted for the resolution, it would give no authority to the President to send many troops into Asia. I am sure he was quite disappointed to finally learn, because it took a little time to get the matter cleared, that the resolution places no restriction on the President in that respect. If he is still in doubt, let him read the language on page 2, lines 3 to 6, and page 2, lines 11 to 17. The first reads:

"The Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression."

It does not say he is limited in regard to the sending of ground forces. It does not limit that authority. That is why I have called it a predated declaration of war, in clear violation of article I, section 8, of the Constitution, which vests the power to declare war in the Congress, and not in the President.

What is proposed is to authorize the President of the United States, without a declaration of war, to commit acts of war. Congressional Record, vol. 110, pt. 14, p. 18426–7. [Footnote in original.]

[28] On March 1, 1966, the Senate voted, 92–5, to table an amendment that would have repealed the joint resolution. [Footnote in original.]

[29] For text, see Bulletin of May 24, 1965, p. 822.

The President of the United States has full authority to commit United States forces in the collective defense of South Viet-Nam. This authority stems from the constitutional powers of the President. However, it is not necessary to rely on the Constitution alone as the source of the President's authority, since the SEATO treaty—advised and consented to by the Senate and forming part of the law of the land—sets forth a United States commitment to defend South Viet-Nam against armed attack, and since the Congress—in the joint resolution of August 10, 1964, and in authorization and appropriations acts for support of the U.S. military effort in Viet-Nam—has given its approval and support to the President's actions. United States actions in Viet-Nam, taken by the President and approved by the Congress, do not require any declaration of war, as shown by a long line of precedents for the use of United States armed forces abroad in the absence of any congressional declaration of war.

GOLD MINING IN NEVADA

Mr. BIBLE. Mr. President, Nevada has been witnessing what has been termed "a quiet, businesslike mining revival" in recent months, with gold mining making significant advances. This is nothing like the old gold and silver boom days which made famous the mining camps such as Virginia City and Goldfield. But it is just as important in its own way.

First, there was the launching of a $10 million open-pit gold mining operation in northeastern Nevada, the Newmont Mining Corp.'s Carlin Gold Mine. Then, most recently, Deep San Petro Energy Developments Co. started a similar operation in eastern Nevada, near Pioche.

There are indications now that Nevada will, for the first time in too many years, be contending for the gold production lead.

I bring these developments to the attention of the Senate as proof of what can be done in the face of Federal policies that have all but crippled the miners' ability to dig for gold. If the gold miner can do this well with Government handicaps, there is no telling how much better he could do with Government cooperation.

Together with many other Senators, I have consistently sponsored legislation to assist the gold mining industry, either through subsidies or through tax relief. The administration, as Senators well know, has just as consistently opposed these proposals. Meanwhile, the monetary price of gold remains at $35 an ounce, while production costs have doubled and sometimes tripled. Only under unusual circumstances and with the aid of advanced technology is any gold mined today, unless as a byproduct.

There has been Government assistance in exploration, but it does no good to find the gold or the silver if no one can afford to mine it.

Again, in this Congress, I have sponsored legislation to assist the gold mining industry. Again, the legislation faces administration opposition—opposition that refuses to acknowledge that other nations have aided their gold miners without disrupting their monetary systems.

The Nevada gold mining revival and the gold mining potential in that State were the subjects of a recent Associated Press dispatch carried in the Washington Star, among others. To supplement my remarks, I ask unanimous consent that this article, which was written by Correspondent Bill Stall, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MINING COMEBACK: PROSPECTS LOOK BRIGHT FOR GOLD IN NEVADA

RENO, NEV.—In a quiet, business-like way, gold is leading a new mining revival in Nevada, after years of being overshadowed by the state's legendary image as the nation's silver queen.

Gold production more than doubled during 1965, to $8 million worth. This year's output may top $12 million, which likely would put Nevada second to South Dakota among the gold-producing states. She ranked fourth just two years ago.

Although less spectacular than the gold and silver rushes of 1890-1920 in Nevada, the subtle gold boom of the 1960s is proving to be the most important for that metal since the heydey of goldfields early this century.

Gold still remains a distant second to copper as Nevada's most valuable mineral, with a $53 million output last year. But silver trails far behind at only $543,000 in 1965.

Federal subsidies, sought now from Congress, would provide even further incentive for development of known gold deposits and exploration for new ones, says Paul Gemmill, executive-secretary of the Nevada Mining Association.

COULD DOUBLE PRODUCTION

"If we had comparable prices of gold and silver versus our costs to what the oldtimers had, we very easily could see our gold production doubled over what we're looking at now," he says.

Production costs have risen an estimated 125 percent since 1939, Gemmill says, while the government has held the price of gold at $35 an ounce. The subsidy, of up to $44 an ounce over the $35 price, is sought to make up for the disparity.

"My view is that if the purpose of the gold bill is to put gold in Ft. Knox, then our government shouldn't just be looking at it as a poverty program," Gemmill said in an interview.

Two gold mine-mill developments went into production in Nevada the past year, counting on profits by using mass production methods of mining and processing huge amounts of low grade ore.

Newmont Mining Corp. invested $10 million in its open pit mine and mill near Carlin in northeast Nevada, although the dirt-like ore from the Tuscarora hills contains only a third of an ounce of gold a ton.

$9 MILLION A YEAR

But by processing 2,200 tons of ore a day, Newmont expects to extract about 250,000 ounces of gold a year, valued at up to $9 million.

Just last week, Deep San Petro Energy Developments Inc. poured the first bar of gold at the reopened Atlanta mine near Pioche, in Eastern Nevada. At first the firm plans to process 7,000 tons of ore a day, at an unofficially reported return of about $7 a ton.

Other major producers are the Getchell Mine, in the Potosi district in north west-central Nevada and Kennecot Copper Corp., nearly Ely, where gold is a $1.5 million a year byproduct of the copper works.

The Getchell mine, operated by the Coldfield Corp., was revived in 1962. Gold and tungsten have been mined there off and on since 1883.

In most cases, miners have known the gold was there for years. It was a matter of waiting until low-cost mining methods on a large scale made extraction economical.

Although million-dollar investments are needed to launch such an operation, the day of the individual prospector is by no means past, Gemmill says.

"A lot of people don't realize that in almost every case, these things start with the Sunday prospector, the farmer, these people who go out and find the initial shows.

"They find some showing, stake out a claim and then make the deal with the mining company.

AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. ANDERSON. Mr. President, I move that the Senate proceed to the consideration of H.R. 14324.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 14324) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on Aeronautical and Space Sciences, with an amendment.

Mr. KUCHEL. Mr. President, do I correctly understand that the Senator from New Mexico intends to speak on the pending business, but that no action will be taken on it until tomorrow?

Mr. ANDERSON. The Senator is correct.

Mr. KUCHEL. I thank the Senator from New Mexico.

Mr. ANDERSON. Mr. President, we have before us today and expect to vote Tuesday on H.R. 14324 to authorize appropriations to the National Aeronautics and Space Administration for fiscal year 1967 for research and development, construction of facilities, and administrative operations and for other purposes. I am happy to report that as in all previous years the committee is reporting this measure to the Senate without objection.

Mr. President, I pay tribute to the senior Senator from Maine [Mrs. SMITH] who has been consistently present throughout the hearings and has worked very carefully on the subject matter.

This is NASA's ninth annual budget. The administration requests an authorization of $5,012 million, substantially below that of the last 2 years. It is the opinion of the committee that this request was very carefully reviewed within the executive branch, and as a result of that review and the many competing demands for available national resources, the authorization recommended by the committee—which is $4 million less than the request—represents the minimum amount needed to maintain a balanced ongoing space program.

Aside from two planetary flights and a provision in the Apollo program for the purchase of long leadtime items so that the Nation will be in a position to exercise options for future manned space flight programs in the postlunar landing period, there are no major new projects approved for fiscal year 1967. Conversely, Voyager, the one major program for which funds were made available in fiscal year 1966, was deferred an additional year because of the exceedingly heavy funding commitments which would have been required in fiscal year 1967. The NASA fiscal year 1967 budget represents, in the opinion of the committee, the minimum amount necessary to maintain the ongoing programs which were initiated in prior years and are now either in or rapidly approaching flight status.

MAJOR ACCOMPLISHMENTS DURING THE LAST FISCAL YEAR

The national space program in the past year has made great strides and has on several occasions demonstrated the tremendous capability that is being developed. In the Gemini program, we have seen the successful completion of a long duration—14-day—flight, the accomplishment of a rendezvous mission, the conduct of extra-vehicular activity, and the actual docking in orbit with an unmanned space vehicle. At no time was the ability of NASA better demonstrated than last December when they achieved the objectives of the Gemini 6 mission, after the Agena target vehicle failed, by subsequent concurrent flights of Gemini 6 and Gemini 7. We were witness to the results of the thorough training of our skilled astronauts and their ability to diagnose and react to a major failure during the flight of Gemini 8 so that a major objective of the mission was accomplished in spite of the fact that an early return to earth was necessary. It is gratifying that the Gemini program is on schedule and that the scientists, engineers, technicians, and managers in NASA and in the supporting contractor organizations are able to exercise a tremendous resourcefulness to overcome obstacles and continue to meet the tight flight schedules which have been established for this program.

In Apollo, which represents our major space effort with the goal of accomplishing a manned lunar landing and return to earth in this decade, we see continuing successful achievement of the milestones along the road to meeting this national goal. The Saturn I-B, with its S-1B stage and S-IVB stage, has had a successful first flight and, in addition, provided the launch support for the heat shield test of the three-man Apollo spacecraft. I think it is significant that this flight employed the all-systems-up philosophy, flight testing both stages of the launch vehicle and the spacecraft. Further flights of the Saturn I-B are scheduled to fully qualify the launch vehicle and the Apollo spacecraft, leading to the first manned flight of the three-man Apollo hardware.

The Saturn V launch vehicle, which will be used to launch the Apollo spacecraft for the lunar landing, is processing. The first flight stage has successfully completed ground test firing, the S-II—or second stage—has completed its initial ground test firing and, as mentioned above, the S-IV-B—third—stage has been successfully flown. The committee is impressed and very pleased with the job NASA has done to date, and we have a high degree of confidence for continued success in our rapidly accelerating manned flight and ground test programs which will establish a very broad capability for manned space flight, and contribute significantly to our preeminence in space.

In the area of space science with unmanned spacecraft the United States scored a major first in planetary exploration when on July 14, 1965, Mariner IV successfully televised pictures of the planet Mars after a 325 million mile, 228-day journey. Mariner IV was not a life detection spacecraft, and it neither confirmed nor ruled out the possibility of some form of life on Mars, but it found no measurable meteoritic dust, magnetic field, or radiation belt surrounding that planet.

In support of the Environmental Science Services Administration, NASA earlier this year launched ESSA I and ESSA II, representing the first operating elements of the National Meteorological Satellite System. These satellites are direct derivatives of the very successful NASA Tiros weather satellites, and together with the NASA Syncom and the Comsat Corp. Early Bird communications satellites, are daily evidence of the contributions that space technology can make to the conduct of our everyday affairs.

The Committee, in January 1966, held hearings on communications satellite programs. The firm plans which are being implemented to establish worldwide communications nets capable of transmitting voice, television and data illustrate beyond doubt the potential of communications satellites. It is clear that these systems offer economic as well as operating efficiencies to both civilian and military users.

The National Aeronautics and Space Administration has continued its efforts in the areas of advanced research and technology. The past year has seen successful firings of a "breadboard" nuclear powered rocket engine, and the first demonstration firings of a half-length 260-inch solid rocket engine.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a chart showing the NASA request, the House action as contained in H.R. 14324, passed on May 3, 1966, and the recommendations of the committee.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

Summary of adjustments to H.R. 14324—NASA authorization request for fiscal year 1967

	Budget request	House approved	Senate committee action
Research and development:			
Gemini	$40,600,000	$40,600,000	$40,600,000
Apollo	2,974,200,000	2,974,200,000	2,974,200,000
Advanced missions	8,000,000	8,000,000	8,000,000
Physics and astronomy	131,400,000	126,900,000	131,400,000
Lunar and planetary exploration	197,900,000	227,900,000	197,900,000
Bioscience	35,400,000	33,400,000	35,400,000
Meteorological satellites	43,600,000	43,600,000	43,600,000
Communications and applications technology satellites	26,400,000	26,400,000	26,400,000
Launch vehicle development	33,700,000	33,700,000	33,700,000
Launch vehicle procurement	152,000,000	132,000,000	152,000,000
Space vehicle systems	36,000,000	36,000,000	36,000,000
Electronics systems	36,800,000	36,800,000	36,800,000
Human factor systems	17,000,000	17,000,000	17,000,000
Basic research	23,000,000	23,000,000	23,000,000
Spacepower and electric propulsion systems	42,500,000	44,900,000	42,500,000
Nuclear rockets	53,000,000	53,000,000	53,000,000
Chemical propulsion	37,000,000	44,500,000	37,000,000
Aeronautics	33,000,000	35,000,000	35,000,000
Tracking and data acquisition	279,300,000	265,335,000	279,300,000
Sustaining university program	41,000,000	41,000,000	41,000,000
Technology utilization	4,800,000	5,000,000	4,800,000
Total	4,246,600,000	4,248,235,000	4,248,600,000
Construction of facilities:			
Electronics Research Center	10,000,000	5,000,000	10,000,000
Goddard Space Flight Center	710,000	710,000	710,000
Jet Propulsion Laboratory	350,000	350,000	350,000
John F. Kennedy Space Center	37,876,000	37,876,000	37,876,000
Langley Research Center	6,100,000	6,100,000	6,100,000
Lewis Research Center	16,000,000	16,000,000	16,000,000
Manned Spacecraft Center	13,800,000	13,800,000	12,800,000
Marshall Space Flight Center	581,000	[Deleted]	581,000
Michoud Assembly Facility	700,000	700,000	700,000
Mississippi Test Facility	1,700,000	1,700,000	1,700,000
Wallops Station	205,000	205,000	205,000
Various locations	6,478,000	6,478,000	6,478,000
Facility planning and design	7,000,000	5,500,000	7,000,000
Total	101,500,000	94,419,000	100,500,000
Administrative operations:			
Personnel compensation and personnel benefits			397,444,000
Other expenses			261,456,000
Total	663,900,000	644,210,150	658,900,000
Grand total	5,012,000,000	4,986,864,150	5,008,000,000

SUMMARY OF AUTHORIZATION REQUEST AND CONGRESSIONAL ACTION

Mr. ANDERSON. Mr. President, at this point, without objection, I would like to insert in the RECORD a chart showing the NASA request, the House action as contained in H.R. 14324 passed on May 3, 1966, and the recommendations of your committee. NASA requested $5,012 million for fiscal year 1967, of which $4,246,600,000 is for research and development, $101,500,000 is for construction of facilities, and $663,900,000 is for administrative operations. The House authorized a total of $4,986,864,150, a reduction of $25,135,850, the major portion of which was effected in administrative operations.

The committee is recommending $5,008 million, of which $4,248,600,000 is for R. & D., $100,500,000 is for construction of facilities, and $658,900,000 is for administrative operations.

REVIEW OF CHANGES RECOMMENDED BY COMMITTEE

Mr. President, as I have already stated, the committee believes as a result of its reviews of the NASA budget presentation and the hearings conducted thereon that this budget request was very carefully scrutinized by the executive department and represents the minimum required to maintain a balance among the many space efforts as well as assure adequate support to ongoing programs. A full discussion of each program and the recommendations of the committee are contained in Senate Report No. 1184 accompanying the bill. However, I believe it is important to review briefly for the Senate the important changes made to the NASA request by the House or by the committee.

RESEARCH AND DEVELOPMENT

The House made significant changes in the program of lunar and planetary exploration which in turn had a significant impact on other research and development programs.

For fiscal year 1966 Congress provided funds for the Voyager program, a large complex spacecraft for unmanned Mars and other planetary exploration. Initial planning was for launches to Mars in 1971 and 1973; however, based upon atmospheric density data returned by Mariner IV, it was necessary to redefine the program and upgrade the launch vehicle from the Saturn I-B launch vehicle, as proposed to the Congress last year, to the Saturn V vehicle. This program, with a preliminary cost estimate of $1.3 billion, required rapidly increasing funding commitments in fiscal year 1967 which NASA could not accommodate within the budgetary constraints imposed upon it; therefore, this program was deferred 1 year and two smaller planetary programs were introduced to take advantage of interim launch opportunities to Mars and Venus. These programs are:

First, a 1967 launch to Venus utilizing a Mariner type spacecraft; and

Second, two 1969 launches to Mars utilizing the Mariner type spacecraft.

It will be recalled that Mariner II, in 1962, performed a successful flyby of the planet Venus, resulting in indications of extreme temperatures which would indicate the absence of life on the planet. Subsequent to that time a body of scientific opinion has developed that this information may be in error and that this planet might in fact offer opportunity for life. This opinion was expressed by scientific witnesses before the committee in its hearing on national space goals for the post-Apollo period in August 1965. The renewed interest in this planet has been reaffirmed by the recent policy statements of the Space Science Board of the National Academy of Sciences.

The 1969 Mariner Mars missions are designed to develop additional and more refined data than that produced by the successful Mariner IV in 1965. This data would be of great interest to the scientific community as well as confirm design decision commitments that will have been already made on the Voyager spacecraft. This reorientation of the planetary program to include the 1967 Venus and the 1969 Mars missions is fully supported by the Space Science Board. In fact, this group recommends the maximum use of comparatively simple spacecraft at every opportunity to obtain the fundamental data about the planets and interplanetary space inasmuch as the basic scientific questions, essential to more complex experiment design, remain unanswered.

The House, however, believed that the 1967 Venus mission was a last-minute decision by NASA to fill a void in the planetary program and felt that the money requested would be better used if the Venus mission were canceled and the funds used for Martian exploration. The House, therefore, cut the Venus mission from the bill and recommended that an atmospheric probe be added to each of the 1969 Mariner Mars missions, with the hope that these probes would provide more definitive data on the Martian atmosphere which could be applied to the design of the 1973 Voyager-Mars lander. The Martian atmospheric probes, however, would require $2 million more in fiscal year 1967 than the $18 million NASA requested for the 1967 Mariner-Venus mission under Lunar and Planetary Exploration—$12 million—and launch vehicle procurement—$6 million. The House, therefore, added $2 million to lunar and planetary exploration, taking the funds from other programs under the management of the Office of Space Science and Applications.

The House also reallocated funds from programs within the Office of Space Science and Applications to add $22 million to lunar and planetary exploration for the 1973 Voyager effort to provide for the identification and early solution of major problems which might interfere with the successful development of this very complex and expensive spacecraft.

The committee fully recognizes that NASA has had difficulty in obtaining early successful performance of its large unmanned spacecraft and appreciates the benefit that should accrue from additional study; however, in the rescheduling of the Voyager, NASA has deferred the launch date 2 years and the start date only 1 year, which provides an additional year to attack the difficult problems. Furthermore, NASA has requested for fiscal year 1967, a substantial sum—$8 million—to continue work on the landing capsule, the most complex part of the spacecraft, so as to assure adequate design definition of this system.

Moreover, in reallocating funds to support the additional efforts for Martian exploration the House has taken money from the supporting research and technology of other programs; a procedure with which the committee does not agree, as it is with these funds that the necessary preparatory work for future scientific flight programs is accomplished.

The committee has examined the NASA planetary proposals very carefully and is convinced that the Venus undertaking, as supported by the current thinking in the scientific community, is most basic to developing the Nation's long-range space program; that is, should Venus in fact be omitted from further exploration or should it be given more attention. It is only through further flights such as that proposed by NASA that we can obtain the data upon which to make these determinations.

The technical experts advise that the improvement in the data on the Martian atmosphere that could be obtained by an atmospheric probe on the 1969 flight would be only slightly better than that which could be obtained from the flyby alone. In fact, one of the principal experimenters on atmospheric density for the Mariner flights to Mars and Venus believes that the data from Mariner IV supported by the 1969 Mariner flyby findings is sufficient for Voyager spacecraft design. He believes that the data from Mariner IV supported by the 1969 Mariner flyby data will provide enough information to construct a model representative of the Martian atmosphere which could not be significantly improved by a single vertical sample.

The technical people responsible for spacecraft design and development and overall mission success, although agreeing that at atmospheric probe would provide useful data, state that time remaining does not permit incorporation of an atmospheric probe into the 1969 mission and still provide an acceptable degree of confidence for mission success. That is, if an atmospheric probe were incorporated into the 1969 Mariner Mars mission at this late date, the probability of success would be low and the risk unacceptable.

Mr. President, it is the assessment of the committee after careful evaluation that the possibility of obtaining slightly more data from a 1969 Mars probe does not in any way equate with forgoing an opportunity to investigate another planet for about an equivalent expenditure of funds. Further, the committee does not believe, particularly with a very tight and carefully balanced budget, that it is judicious to make such extensive reallocations from other OSSA programs to support another single endeavor.

In the programs of the Office of Advanced Research and Technology, the House has proposed the addition of $2.4 million to the SNAP-8 development project to support more component testing.

and $7.5 million to undertake a near full length 260-inch solid motor firing rather than another half length as proposed by NASA. These are hardware testing and demonstration programs; and although the committee agrees that certain demonstration work is essential to research programs, the committee is not persuaded that these additions will make a significant contribution to the conduct of these programs as already scheduled by NASA.

The House also added $2 million to the aeronautics request for additional effort on V/STOL, SST and noise control. The committee concurs with this addition. However, it recommends it be applied to noise research only because of the intense interest and additional investigations recommended on the aircraft noise problem.

The House cut the request of the Office of Tracking and Data Acquisition by $13,965,000 because it did not believe the full request for network operations was justified. Fiscal year 1967 will see increased launch activity and the necessary full activation of several new manned space flight network stations, certain deep space network stations, and the activation of the instrumentation aircraft and instrumentation ships, all of which are added operational activities. The committee believes NASA's request is reasonable and, further, that the agency should have sufficient flexibility in this area during the period these facilities are being brought "on line" to assure their complete operational readiness to perform their assigned functions. Accordingly, the item is recommended for restoration to the NASA request level.

The committee recommends acceptance of the NASA request of $4.8 million for the technology utilization program, which is consistent with the level for the previous 2 fiscal years. This program for the identification and dissemination of new technology to industry and the general public is very vital; however, the program is in an experimental stage still and, therefore, the committee does not concur with the House proposal to add $200,000 to the program at this time.

CONSTRUCTION OF FACILITIES

The committee believes that the NASA Construction of Facilities request of $101,500,000 is justified and warrants the full support of the Senate with one exception, which is the Lunar Sample Receiving Laboratory. This laboratory is designed to provide a lunar material control, measurement, and distribution, and astronaut quarantine capability to prevent the transmission of any contamination from the lunar environment to the earth. It is estimated to cost $9.1 million and would be constructed at the Manned Spacecraft Center in Houston. The committee agrees completely, in principle, with the necessity for this facility, and its location adjacent to the focal point of astronaut and manned spacecraft activity. However, the current plan does include many unique features, and since it is in the preliminary design stages, the committee recommends a $1 million cut to assure absolute austerity in the design and construction of this facility.

The House reduced the NASA request of $10 million for additional facilities at the Electronics Research Center to $5 million. Although these facilities are a part of the master plan, the House believed that delays in site acquisition would not enable NASA to fully utilize funds already authorized for this Center. The committee reviewed this very carefully, and it has determined from recent events that the site acquisition problems are essentially resolved: Land delivery schedules are formalized, construction designs are in process and, in the final analysis, NASA will be able to utilize the full $10 million request in order to maintain momentum in this construction program. The committee believes it is important to provide these facilities on an orderly basis as expeditiously as possible inasmuch as space is now being rented, and will continue to be rented, to provide space for the highly capable technical staff which is being brought on board at that location. The ERC facilities program must keep pace if these personnel are to be effectively utilized.

NASA requested $581,000 for an addition to the Hazardous Operations Laboratory at the Marshall Space Flight Center to provide test cells and other facilities in which to house explosive and other hazardous operations associated with the development testing of improved sensors and instrumentation systems to measure launch vehicle performance. This facility was deleted by the House as they believed that the need for the facility is more related to future than current programs. The committee has noted that the continued development of improved sensors and reliable flight vehicle instrumentation is basic to enhancing knowledge of and assuring the successful performance of all vehicles, either present or future, and also that these operations are presently being conducted in temporary or inadequate facilities, thereby introducing unnecessary hazards. Accordingly, the committee is recommending approval of this facility.

ADMINISTRATIVE OPERATIONS

The committee has been increasingly concerned about the continued growth in the number and grade level of direct NASA personnel, except at the ERC, and the increase in average salary within the agency. Further, there have been significant adjustments within the other object classifications—support services contracts, equipment procurement, and so forth—which indicate some element of poor estimating as well as certain inconsistencies between items charged to administrative operations and to research and development. The committee also believes that the overall budgetary limitations and the demands of the Manned Space Flight program may have unduly constrained the allocations to the Office of Advanced Research and Technology and the Office of Space Science and Applications. The former is particularly critical, we believe, since much of the advanced research effort within NASA is the responsibility of this office, and this in turn is conducted "in house." Therefore, any reduction in this area would have a very telling impact on the personnel who conduct the aeronautics and space research.

The House reduced NASA's $663,900,000 request for administrative operations by $19,689,850. This reduction was made against the three primary institutional program offices within NASA. The largest reduction was against the Office of Advanced Research and Technology, amounting to $9,448,850—with $3.5 million against OSSA and $6,741,000 against OMSF.

In view of the concern expressed regarding the personnel area, the committee is recommending a $5 million reduction to be assessed solely against manned space flight or directly supporting activities with no reduction against the programs of OART or OSSA. Further, in view of the other considerations noted, the committee believes that a more logical ordering of the administrative operations account is needed. Particularly the committee believes that some refinement within the administrative operations account is possible through combination and separation of expense classifications that have meaningful relationships to each other and that will in turn provide improved control and better performance measurement. Accordingly, the committee is also recommending subdividing administrative operations into:

First, personnel compensation and personnel benefits with a ceiling of $397,444,000, with a provision for a 1-percent increase, if warranted, by changing circumstances during the budget year; and

Second, other administrative operations expenses with a ceiling of $261,456,000, with a provision for an increase of 10 percent in the event unusual circumstances are encountered during the fiscal year.

With respect to the latter category, the committee is not convinced that there is a clear-cut distinction between expenditures, particularly in the service and support area, made directly by NASA or by a contractor, or between these types of expenditures when arbitrarily classified into administrative operations or research and development. The committee believes that in view of this situation NASA should have sufficient flexibility through the transfer of funds to organize on the operating basis that will produce the most efficient operation in this somewhat heterogeneous area.

OTHER CHANGES

NASA has requested an increase from one-half of 1 percent to 1 percent of its authority to transfer funds into the construction of facilities appropriation to meet unforeseen requirements. The Congress established the one-half of 1 percent level in the fiscal year 1966 authorization based upon a review of operating experience, and the committee has not been persuaded that circumstances have changed which at this time warrant increasing the one-half of 1 percent. The House has already approved continuing the one-half of 1 percent into fiscal year 1967.

As a result of a single audit by the General Accounting Office of architect-engineer expenses incurred by NASA, which indicates that NASA has exceeded the statutory limitation of 6 percent established by 10 U.S.C. 2306(d), NASA has requested relief from the limitation by amendment of the National Aeronautics and Space Act of 1958. This relief would take the form of authority for the administrator to grant an exception to the 6-percent limitation in those circumstances he deemed necessary. After extensive review of this matter, the committee is not persuaded that statutory relief is in order, but rather that a study should be undertaken by the Bureau of the Budget to establish the extent to which consistent application of architect-engineer contracting policies are being effected by the various agencies of the Federal Government. Accordingly, the report recommends such a study after which it is expected that appropriate action will be initiated, as indicated by the findings, to achieve proper and uniform A–E contracting practices among the several agencies.

In fiscal year 1966 the House proposed and the committee concurred, with amendment, in the language of section 5 of the authorization act which stated that it was the sense of the Congress that NASA should promote geographical distribution of research and development funds whenever feasible. NASA has stated that they understand the underlying philosophy of this action and suggest that the section is no longer needed. The House, however, has reintroduced the language into this year's legislation. The committee has agreed with the House and is recommending that this provision be continued into fiscal year 1967.

Mr. President, we have very much enjoyed the committee work on this bill. It is a reasonable budget. It is a little tighter as budgets go, perhaps too tight. Nevertheless, we support the measure and hope that it will be passed by the Senate.

Mrs. SMITH. Mr. President, the able and distinguished chairman of our committee has already given a detailed explanation of this authorization. I intend to discuss several highlights of the bill and the general philosophy behind our national space effort.

While $5,008 million is a substantial amount of money, it is, in my judgment, barely enough to maintain the momentum necessary to reach our national space commitments for this decade. There is precious little in the bill for activity beyond the Apollo landing. I have said on this floor for a number of years that we must face up to what our future in space is. For Congress to force this decision by tinkering with and changing current NASA programs at this time would be ill advised. This bill reflects the confidence of our committee in NASA's programing judgment so far as those programs have been projected.

In addition to reinstating the Administration's original requested programs we have made a procedural change in the handling of NASA's administrative operations account which involves some $658.9 million. By breaking this account into two line items, "Personnel compensation" for NASA employees and "Other expenses," the Congress is placed in a better position to exercise control over this account.

Before I discuss our space program in a historical and philosophical light, I want to take this opportunity to compliment the chairman and the staff; the chairman for his thorough familiarity with the bill and his objectivity and fairness in the handling of our hearings and discussions on this bill, and the staff for their commendable assistance and their usual cooperative and helpful attitude in developing all the facts.

Mr. President, immediately following my prepared remarks I ask unanimous consent that a brief chronology showing the evolutionary events leading up to the present space age be placed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

I. INTRODUCTION

Mrs. SMITH. Mr. President, the war in Vietnam has already forced a substantial cut in the NASA budget. Any further reduction in this stringent budget would seriously impede the program that has moved so dramatically in recent years to wipe out the space lead the Russians assumed in 1957.

Decisions are needed now on our next steps in space exploration and utilization. One of the anomalies of the space business is that it begins to "go out of business" before the first operational vehicles are flown; also leadtime considerations.

It must be hoped that we have learned enough from the past to put aside for all time any feelings of comfortable assurance that science and technology are areas in which the United States will remain firmly and forever supreme. It is not surprising that we should have felt such assurance in the past for we did, as a nation, establish an early technological ascendancy over the other countries of the world.

The reasons for this are many.

II. THE RESOURCES

Our Nation has been blessed with bountiful resources—not only abundant raw materials, water for transportation and power, a temperate climate—but also the people—the entrepreneurs, the businessmen, the explorers, the scientists and technologists—with the vision and courage to develop and capitalize on the natural resources.

The third major element in developing our economy has been the American free enterprise system. This competitive aspect of our economy has provided a powerful stimulus to the rapid development of our potentials as a nation.

III. THE FORCING FUNCTIONS

It is important to note that the pressures creating the great surges in progress—whether it be in science, technology, exploration, or economic and social development—come from outside forces and considerations. For example, history shows us that, sooner or later, civilization makes use of new discoveries and inventions. But the timing of their application depends upon forces outside of technology. These forces are the tides and currents and great swells of human affairs which resolve into national cultural trends and international politics.

In this country, the major forcing functions have traditionally been our representative and democratic form of government, our free and competitive economy, our inherent instincts for justice and liberty, the magic influence of the frontier, and international geopolitical considerations.

It is these forcing functions which mainly set the pace of progress and development. Space is no exception. Indeed, the great surge in space research and exploration is a classic example of this historical pattern. It was these forcing functions which set in motion the revolution in science and technology which has brought us to the era we know as the Space Age. And it is these forcing functions which today and tomorrow will determine our future course and our future policies in space.

IV. THE LESSONS OF HISTORY

Few dispute that today we do indeed stand at the threshold of a new era. But the meaning of that era is often seen only dimly and superficially. For some, it is nothing more than a race to be first on the moon. To others, it means only adjusting our notions of the ultimate speed of travel from the potential of the jet aircraft to the potential of the rocket transport. This generation, as has been true of all generations, underestimates the meaning of the events of our time at its own peril.

There are those who say that the new frontier of space does not look very promising to a tax-minded citizen or to a profit-minded businessman. To these people I would say that every new frontier has presented the same problems of vision and risk. It has been pointed out, for example, that Leif Ericson discovered the North American continent 500 years before Columbus, but apparently the Vikings did not have the vision to see anything worthwhile on this vast, empty continent, and so history waited for another half millennium.

It does take a great deal of vision to see beyond the initial difficulties of opening a new frontier. No one would pretend to foresee all the economic, political, social, and cultural changes that will follow in the wake of our explorations in space, any more than the people in the days of Columbus could foresee the 20th century world. However, countless examples from history show that it does pay, often in the most unexpected ways, for man to satisfy his natural curiosity. There is absolutely no doubt in my mind that a dynamic space program will ultimately bring rewards in knowledge, wonders, and resources far surpassing the investment it requires in money, materials, and brainpower.

No generation or nation has been immune to the hazards of shortsightedness, or what I call "tunnel vision." It seems that a time of challenge, in particular, always produces more than its share of skeptics and nay-sayers. Isabella of Spain had advisers who tried to talk her out of financing Columbus' voyage. But the bold spirits of that time did venture into the unknown, and they turned their age into an era of unprecedented discovery and exploration which changed the history of the whole world.

When Lewis and Clark began their epochal expedition of exploration into the American Northwest, the critics were many and vocal. Lewis and Clark did not know what they would discover. They ran into such things as the Yellowstone phenomena, which are still mainly curiosities and tourist attractions. On the other hand, they discovered such things as the salmon runs of the Columbia River, and the great timber stands of the Pacific Northwest, which opened that whole area for economic and industrial development.

Even those in this body are not immune to "tunnel vision." The following quote may have a familiar ring to it:

> What do we want of this vast worthless area of shifting sands and whirlpools of dust? To what use could we ever hope to put these deserts or these endless mountain ranges?

Does that sound like the words of one of the present-day moon critics? Perhaps. But these words were spoken in 1844 by the illustrious Senator from Massachusetts, Daniel Webster, in opposing an appropriation of $50,000 to extend mail service to California.

Throughout history even the most responsible and respected leaders, in evaluating the potential of scientific and technological breakthroughs, have almost invariably erred on the side of the conservative. For example, we might recall Lord Rutherford's assertion in 1936 that atomic energy would have no practical application. His enormous contributions to the understanding of the atom did little to contribute to his skill as a prophet. Other examples of "cloudy crystal balls" may be found in aeronautics, rocketry, and many other fields.

Consider the development of transportation by the airplane. The noted scientist Simon Newcomb wrote in 1903:

> May not our mechanics be ultimately forced to admit that aerial flight is one of that great class of problems with which man can never hope to cope, and give up all attempts to grapple with it?

But men like Langley and the Wright brothers were already at work on the problem, and the first powered flight came the same year. In his first flights, men soared only a few hundred feet off the ground and at much less than 100 miles an hour. Today we span our continent in 4 hours and cross oceans in jet transports, and are working to provide air transportation at supersonic speeds.

The history of research and development in this country has been one of repeated preoccupation with the current requirements of the Nation to the neglect of the basic long-range efforts needed to maintain leadership in vital areas of science and technology.

Because of the initiative and daring of the Wright brothers, this Nation developed the capacity for manned powered flight, freeing him from the bonds which throughout history had confined his activities to land and sea. The United States became the first country in the world to possess a military airplane when, in 1908, the Army Signal Corps contracted for a Wright biplane.

Yet prior to World War I this Nation was still so preoccupied with conventional weapons systems that it neglected the development of aeronautics—the force which was to dominate warfare for the next half century. In 1914 the United States possessed fewer military aircraft and of inferior types than the six leading aeronautical nations—including Mexico. The United States in 1914 was the only major nation in the world not to possess an up-to-date wind tunnel. By November 1918 not one aircraft of American design and manufacture had entered combat operations during World War I.

In the 1930's we were so preoccupied with refinement of conventional piston-driven aircraft that we made little progress in jet propulsion. Meanwhile, the Germans began developing jet-propelled military aircraft and 5½-ton V-2 rockets which almost spelled disaster in World War II.

In the last 1940's, despite the fact that Robert Goddard had demonstrated the feasibility of a liquid-fueled rocket engine in this country in 1926, and despite the memory of the V-2's raining on London during the blitz, we were so preoccupied with mating jet aircraft to our exclusively held atom-bomb capability that we neglected missilry while other nations forged ahead. In the fifties, with our nuclear monopoly gone, we were so preoccupied with the development of our ballistic missile program that we neglected the opportunity to become first in space. And finally, the gap in manned space flight was a direct consequence of the postponement of the decision to proceed beyond Project Mercury, from September 1960 until July 1961, when the present manned lunar landing program was approved by the Congress as a major national goal.

V. CONCLUSION

Today the Nation faces—and we all face—this question: Have we learned enough from the bitter and costly experiences of the last half century not only to carry out with determination the requirements of the present in space research and development, but also to exercise the vision which is demanded if we are not, once again, to find ourselves lagging in the next phase of this challenging effort.

Thus, while we may take well-deserved pride over the Nation's recent accomplishments in space, we must not delude ourselves with any thought that leadership in this fast-moving age can be maintained with anything less than determined, wholehearted, and sustained effort.

The decisions which confront us today are those which will determine whether the history of the last half century will repeat itself a few years hence, and whether we will once again experience a bitter awakening to the fact that others have seized the initiative in the more advanced space missions of the future. Indeed, in today's cold war arena, the question boils down to whether this Nation can afford such a luxury, in terms of our very survival. For it is clear that future leadership in this scientific and technological competition—which has such great economic, military, and political significance—will not be easily held, nor would it be easily regained once lost.

EXHIBIT 1

CHRONOLOGY: MAJOR STEPS AND FACTORS IN THE ECONOMIC DEVELOPMENT OF THE UNITED STATES

For the purposes of this chronology, the history of the United States has been broken down into several general eras; division into such chronological periods is always arbitrary and there is, unavoidably, a certain amount of overlap of historical trends and currents into two or more periods.

The selection of the major events and factors has, of course, been a subjective judgment.

As a general statement, it can be said that the basic factors in advancing our economic growth have been: external threat, or competition; economic opportunity; private enterprise, or entrepreneurship; advances in technology; exploration of the unknown; and last, but not least, men of vision.

In addition, a number of other institutions and social factors have accounted significantly for our Nation's economic greatness. First, the country's economic growth has been accomplished under an economic system of private enterprise and private ownership. A high level of public education has been another prerequisite in this development. Moreover, in the United States, the democratic suffrage, along with civil rights protections, produces a more resourceful and reliant worker an employer. Finally, the country's system of jurisprudence provides a means for individuals—and businesses—who have been wronged to seek redress.

1775–1800: THE FOUNDING OF THE NATION

The Revolution (1775–1783).

Prime factors: External threat.

The Cotton Gin (Whitney—1793). Tobacco farming had been the basic occupation in the South; now Cotton was King.

Prime factors: Enterprise, technology, economic opportunity.

Introduction of firearms with standardized parts (Whitney—1798). This established the principle of interchangeable parts, which is basic to the whole industrial mass production concept of the U.S.

Prime factors: Enterprise, technology, economic opportunity.

1800–1830

The Louisiana Purchase (1803), Lewis and Clark expedition (1804); fur traders and hunters begin pioneering in the West.

Prime factors: Vision, exploration, enterprise, opportunity.

The War of 1812–15.

Prime factors: External threat.

The Industrial Revolution and the Coming of the Factory. The "Transportation Revolution": hard-surface roads and turnpikes, canals, steam navigation (Fulton and the Clermont—1807; Stevens and the Phoenix—(1808).

Prime factors: Technology, enterprise. vision, opportunity.

1830–1860: THE "FERMENT OF THE THIRTIES;" "THE ROARING FORTIES;" SECTIONAL CONFLICT

"Manifest Destiny;" the Mexican War; the Gold Rush of '49.

Rapid growth in population.

Prime factors: Vision, external threat, exploration, opportunity.

The McCormick reaper, the Deere plow. The telegraph. The Yankee Clipper (developed during this period) was a vital factor in the mass immigration to the U.S., the Gold Rush, and the expanding foreign trade.

Prime factors: Technology, enterprise, opportunity.

1850–1900: THE "RAILWAY AGE"—THE OPENING OF THE WEST

The opening of the frontier produced a demand for breech-loaded and repeating firearms, resulting in breechblock rifles, firearms with revolving cylinders, and metallic cartridges.

Prime factors: Exploration, vision, enterprise, opportunity, technology.

1861–1865: THE CIVIL WAR—THE PRESERVATION OF THE UNION

1865–1900: THE "GILDED AGE" OF INDUSTRIAL GROWTH—THE RISE OF MANUFACTURING AND OF THE CITY

The Civil War and technological innovations stimulated a period of unprecedented industrial growth.

Major factors: new technology and production methods; efficiency in production and distribution of goods; an abundance of natural resources, investment capital, labor, and markets; economical transportation; efficient utilization of power; favorable government policies; mass immigration; new tools and techniques; and the adventuresome spirit nurtured by a young and undeveloped country. The entrepreneurs; Rockefeller, Carnegie, Morgan, Vanderbilt, et al.

The Inventions: the electric light (Edison—1880); telephone (Bell—1876); the wireless (Marconi—1890s); steam turbine (1884); the air brake (Westinghouse). The first use of the Bessemer process in the U.S. in 1864. Steam navigation becomes practical and profitable. The practical application of the steam turbine, electric generators, and electric motors ushered in the Electrical Age of the 1900's.

The production and distribution of electricity revolutionized transportation, factory production, and illumination everywhere.

Prime factors: Vision, enterprise, technology, opportunity.

1898–1920: THE EMERGENCE OF THE U.S. AS A WORLD POWER

The Spanish-American War, the Panama Canal, World War I.

Prime factors: External threat.

Innovations in production and control: mass production (first assembly line used in bottling of beer in 1905; applied to automobile manufacturing by Ford in 1913).

The automobile, airplane, electricity, internal combustion engine, hydro-electric power, fuel oil, new alloys, and chemical processes changed the complexion of manufacturing, transportation and communication.

Prime factors: Vision, technology, enterprise, opportunity.

1920–1940: "THE ROARING TWENTIES," PROSPERITY, ISOLATION, DEPRESSION, THE NEW DEAL

Impact of new technology: electricity, radio, appliances, synthetics/plastics (first synthetic—rayon—developed by duPont in 1935). More efficient transportation, communications, electrical power. Automotive, chemical and electrical industries become dominant forces.

Prime factors: Vision, enterprise, technology, opportunity.

1940– : THE U.S. IN A REVOLUTIONARY ERA

World War II and the Cold War.

Prime factor: External threat.

Increased urbanization, mobility, leisure.

Expanded research and development; advances in theories and inventions; scientific management. Supersonic aircraft, atomic and hydrogen power, missiles, TV, transistors, microminiaturization, computers, cybernetics, automation, electronics, improved materials, light-weight extra-hard alloys, more precise machines.

Prime factor: Technology, enterprise, opportunity.

1957: THE BIRTH OF THE SPACE AGE

Prime factors: External threat, vision, technology, enterprise, opportunity, exploration.

Mr. ANDERSON. Mr. President, I commend the Senator from Maine for the very fine statement she has made, and note again how effective her work on the committee has been, and how much appreciated.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 3283) to promote private financing of credit needs and to provide for an efficient and orderly method of liquidating financial assets held by Federal credit agencies, and for other purposes, and it was signed by the President pro tempore.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, May 23, 1966, he presented to the President of the United States the following enrolled bills:

S. 265. An act to authorize conveyance of certain lands to the State of Utah based upon the fair market price; and

S. 3283. An act to promote private financing of credit needs and to provide for an efficient and orderly method of liquidating financial assets held by Federal credit agencies, and for other purposes.

AUTHORITY TO SIGN BILLS, RECEIVE MESSAGES, AND FILE REPORTS

Mr. ANDERSON. Mr. President, I ask unanimous consent that during the adjournment of the Senate from today until noon tomorrow, the Vice President or President pro tempore be authorized to sign duly enrolled bills; the Secretary of the Senate to receive messages from the President and from the House of Representatives; and committees to file reports.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. ANDERSON. Mr. President, if there is no further business to come before the Senate, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 3 o'clock and 9 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, May 24, 1966, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 23, 1966:

The Judiciary

W. Arthur Garrity, Jr., of Massachusetts, to be U.S. district judge for the district of Massachusetts vice a position created by Public Law 87–36 approved May 19, 1961.

In the Navy

Daniel V. James (cadet West Point), to be a permanent ensign in the Supply Corps of the Navy subject to the qualifications therefor as provided by law.

The following-named midshipmen (Naval Academy) to be permanent ensigns in the Supply Corps of the Navy, in lieu of permanent ensigns in the line of the Navy as previously nominated, subject to the qualifications therefor as provided by law:

Richard L. Martens
Kenneth B. Mills

Fred P. Knust (Naval Reserve Officers' Training Corps candidate) to be a permanent ensign in the line of Staff Corps of the Navy, subject to the qualifications therefor as provided by law.

The following-named graduates from Navy enlisted scientific education program to be permanent ensigns in the line of the Navy subject to the qualifications therefor as provided by law:

William C. Heschl
Grant W. Smedley III

The following-named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

John F. Begg
Kenneth M. Deeds
Patrick C. Ebert
Fred M. Grimm
Benjamin G. Harrison
Richard L. Martin
Emory R. Nelson
Robert T. Shafer
Thomas C. Splitgerber

In the Marine Corps

The following-named (meritorious noncommissioned officers) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Rodney H. Brown
Michael R. Kanne
Eric P. Visser

The following-named graduates from Navy enlisted scientific education program for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Chandler C. Crangle
Robert E. Dzialo

The following-named (Army Reserve Officers' Training Corps candidates) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Claude E. King
Earl F. Smith

Public Health Service

The following candidates for personnel action in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

I. For permanent promotion:

To be senior surgeon

J. Carter Wright
Louis A. Gaul
Donald S. Fredrickson
Howard W. Kopping
William B. Kannel
Eugene W. Veverka
Wallace P. Rowe
Charles M. Bowyer
Melvin R. Davis
Sam Silbergeld
Henry M. Gelfand
Robert J. Trautman
Margaret S. Wheeler
Cameron L. Self
James L. Goddard
T. Phillip Waalkes
Donald R. Chadwick
Leonard J. Duhl
David Horwitz
John L. Stephenson

To be surgeon

Joseph M. Torruella
Richard I. Myers
Paul P. Carbone
Dean E. Tireador
Leland L. Fairbanks
John H. Hammann
Edward L. Michals
James H. Kauth
Thomas M. Cassidy
Michael Ogden

Richard L. Brent
Alfonso H. Holguin
H. McDonald Rimple
Robert A. Jordan
Gerald H. Payne
Richard F. Barbee
Dale D. Lindholm
James P. Fields
Robert C. Vander Wagen
Richard A. Smith
Vincent A. Discala
Martin H. Jansen
Theodore C. Eickhoff
Adelle D. Friedman
James C. Wright, Jr.
Gerald D. Aurbach
John L. Lewis, Jr.
Milton Z. Nichaman
Wallace H. Holthaus
John T. Potts, Jr.
Baynard H. Morrison III
Robert L. Kaiser
Wesley W. Sikkema
Lorenzo Guzman
N. Burton Attico
John V. Petrucci
W. King Engel
Bertram S. Brown
Paul J. Fry, Jr.
Stuart C. Nottingham
John L. Cutler
Charles Heilbrunn
John B. Muth
Huey P. Wyatt
Ernest V. Nau
Winsor V. Morrison
Donald E. McMillan
S. Paul Ehrlich, Jr.
George W. Sciple
Vincent H. Bono, Jr.

To be senior dental surgeons

Richard L. Hayes
Viron L. Difenbach
Norman W. Littleton
Stanley Lotzkar
James L. Field
Harold M. Fullmer

To be dental surgeons

Kenneth C. Lynn
Samuel Kakehashi
Alfred Hamel
Charles D. Sneed
George B. Spruce, Jr.
Robert O. Wolf
Phillip K. Humphreys
Joseph P. Moffa, Jr.
Leo Trusewitsch
Theodore G. Strenski
Stephen J. Garza
James A. McTaggart
James V. Petersen
Joe T. Hillsman
Daniel F. Whiteside
Samuel J. Wycoff
Robert G. Hansen
James E. Hamner, III
Donald C. Reel
Charles R. Robinson
Herschel S. Horowitz
Dale W. Podshadley

To be senior sanitary engineers

William E. Bell
Lester M. Klashman

To be sanitary engineers

Paul A. Kenline
Robert J. Schneider
Walter M. Sanders III
John D. Weeks
Leroy G. Martin
Delbert A. Larson
Thomas N. Hushower
Harry C. Vollrath III
S. David Shearer, Jr.
Richard E. Reavis
Gerald M. Hansler
Paul J. Traina

To be senior assistant sanitary engineers

Donald A. Anderson
Robert L. Bolin, Jr.
Donald T. Oakley
Frank P. Partee
Thomas L. Marshall
Leslie M. Dunn
Claude A. J. Schleyer
James T. Ellison, Jr.
James S. Benson
William L. Brinck
Raymond H. Johnson, Jr.
William F. Johnson
Marion R. Scalf

Jerry W. Smith
Tommie E. Flora
Fred M. Reiff
John D. Clem
Troy Marceleno
B. David Clark
Ira P. Leggett, Jr.
James C. Meredith
Frederick J. Roland
John L. Russell
Garry E. Stigall

To be assistant sanitary engineers

David L. Calkins
Willard G. Hopkins
George E. Anderson
Joseph A. Cochran

To be pharmacist

Donald B. Hare
Edgar N. Duncan

To be senior assistant pharmacists

Thomas S. Bozzo
Paul T. Farrell
Jules M. Meisler
Andrew J. Passeri, Jr.
Gordon R. Aird
Robert J. Schollard
John T. Gimon
Kent T. Johnson
Emil L. Cekada
Samuel C. Ingraham III
Joseph H. Deffenbaugh, Jr.
James F. Cooper
Sydney H. Hamet
Grover P. Art
Jackie L. Knight
William H. Peterson, Jr.

To be assistant pharmacists

Richard F. MacIntosh
Harold G. Smith, Jr.
Robert A. Epstein

To be senior scientists

James G. Murphy
Martha K. Ward
Sidney S. Chernick

To be scientists

Herbert S. Posner
Fortune V. Mannino
William H. Lyle, Jr.
David Abraham
George R. Healy
Billie E. Jones
Peter B. Smith
Richard L. Blanchard
Jerome S. Miller
Conrad E. Yunker

To be sanitarians

J. W. Stacy
Norman A. Geiger
Gerald D. Brooks
William F. Sundin
Robert A. Stevens
Robert W. Wilson
George E. Prime

To be senior assistant sanitarians

F. Gene Headley
William E. Knestis

To be senior veterinary officer

Winston M. Decker

To be veterinary officers

Roy F. Kinard, Jr.
Wellington Moore, Jr.
Joe R. Held
Raymond D. Zinn
Robert K. Sikes
Robert P. Botts
Paul D. Lambert
Carl E. Miller
Carl D. Olsen
Jerry F. Stara

To be senior assistant veterinary officer

John G. Orthoefer

To be nurse officers

Marion N. Keagle
Marie Herold

To be senior assistant nurse officer

Roberta J. Bessette

To be dietitians

Audrey J. Paulbitski
Esther C. Namian

To be senior assistant dietitians

Kathleen M. Doherty
Sylvia Hatch

To be assistant dietitians

Jacqueline S. Freeman
Joyce D. Newman
Patricia Binko
Margaret M. McNellis
Joanne L. Miller

To be therapists

Norman J. Ewan
Michael J. Oliva
John L. Echternach
Donald E. Shipley

To be senior assistant therapists

Jonathan T. Spry
Leonard A. Stone
William W. Haley

To be health services officers

Karst J. Besteman
Lawrence D. Burke
Clarence F. Szwed
Robert S. Nicholas
Carol A. Lewis
John F. Roatch
Martha G. Barclay
Pauline N. Rabagalino

To be senior assistant health services officers

David W. Callagy
Bert L. Murphy

CONFIRMATIONS

Executive nominations confirmed by the Senate May 23, 1966:

IN THE AIR FORCE

The nominations beginning Alfred F. Hurley, to be a permanent professor, U.S. Air Force Academy, and ending Kenneth C. Wood, Jr., to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 12, 1966.

IN THE ARMY

The nominations beginning Ralph R. Ganns, to be colonel, and ending Fred C. Hathorn, to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 12, 1966.

EXTENSIONS OF REMARKS

Congratulations: Graduating Classes of 1966

EXTENSION OF REMARKS
OF
HON. J. WILLIAM STANTON
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, May 23, 1966

Mr. STANTON. Mr. Speaker, we read, with astonishing frequency, of the demonstrations, sit-ins, protests, and so forth put on by many of the high school and college students of our Nation, for one reason or another.

It was with great pride that I learned of the outstanding accomplishments of some of the high school seniors in the 11th District of Ohio. I am tremendously proud of the young people of our district, and I feel that the future of our great Nation is in their hands.

It is a privilege and an honor to bring to your attention the achievements of our students, as set forth in a letter which I recently sent:

To the Publisher and Editors of the Record-Courier, Ravenna, Ohio.

Attention: Mr. Robert C. Dix.

DEAR BOB: There are a lot of things wrong in this world. We hear about them every day. However, there are a lot of things right that we seldom hear about. A lot of things that are right in this world are reflected in the 1966 graduating classes of our area high schools. I am bringing to your personal attention the following sequence of events that pertains to just one of our high schools.

Three weeks ago, as a result of an inquiry from our office, I was informed by Mr. Fred Glimp, Dean of Harvard College, that a student from Ravenna High School had been accepted for admission to the Class of 1970. The Dean spoke very highly of this applicant and remarked about his excellent 3.96 grade average. One week later, on his own initiative, the Dean of Harvard College informed me of the acceptance of another student from Ravenna High School who had a perfect academic record of 4.0. The Dean commented that, due to the pressure that is on his school from all over the world, it was most unusual to be accepting two students from one high school. The following week, I was informed by the Director of Admissions of the United States Military Academy at West Point that their Acceptance Committee had nominated a student from Ravenna High School. This was an Academy appointment limited to the 150 outstanding applicants out of a total of thousands in the United States. It was based on superior academic and athletic qualifications. After receiving this news, I talked directly with the Principal of Ravenna High School, Mr. James Coll. He informed me, with considerable pride, that out of the 268 members of the 1966 graduating class at Ravenna High School, almost 75 percent planned to go on to some type of further education. Another student had received an engineering scholarship to Case Institute of Technology. Still another student received a coveted competitive scholarship to Cornell University.

This outstanding class from one high school reflects great credit upon their teachers, their parents, their community, and last, but not least, upon the students themselves.

I am sure that there are many other high school students graduating from Portage County with outstanding qualifications that I just have not heard about.

The President, in his 1966 State of the Union Message in January, said in closing, "It is a Great Nation that breeds a great people." How wrong he was. It is Great People that build a great Nation. I think the students from your surrounding high schools will prove that I am right.

I send the graduating students my personal congratulations. Your Congressman is proud to represent you in the Congress of the United States.

William Stanton,
Member of Congress.

Disclosures of the Week—Part III

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 1966

Mr. PELLY. Mr. Speaker, hereinafter are more disclosures which have come to my attention and which, in turn, I am calling to the attention of my constituents.

CASE NO. I

In the Nation's Capital, it was disclosed last week that Federal funds were cut off from the local antipoverty program. The agency revealed that a Headstart project was discriminating against poor white children.

CASE NO. II

A Florida Senator suggested legislation to reduce Federal contributions to wages for professional antipoverty workers.

The Senator said:

> It just hasn't been realistic for antipoverty workers to draw salaries which sometimes exceed those of the highest officials of a local community.

CASE NO. III

A look at last year's foreign aid expenditures points up why the United States continues to have a serious international balance-of-payments problem. Of the $6.2 billion spent for foreign aid last year, $2.8 billion was spent on exports of goods and services from the United States. On the other hand, $3.4 billion—or 55 percent—of the total, was spent overseas helping worsen the balance-of-payments problem.

CASE NO. IV

Wealthy silk-stocking suburban Chevy Chase, just outside the District of Columbia, recently received $80,000 from the Federal Government to build tennis courts. This area has a median income average of $17,272 per family, making it one of the wealthiest communities in the country.

CASE NO. V

Almost $2 billion of Federal money is spent by the Economic Opportunity Agency, mainly to attack the school dropout problem. Meanwhile, during the same period, 680,000 boys and girls left high school before graduation—an increase of 75,000 over the previous year, which is hardly progress.

CASE NO. VI

Secretary of Agriculture Freeman directed a 750-word communication to members of the House Committee on Agriculture. Instead of using one of his 8,000 District of Columbia employees to hand-deliver his message, he sent 39 individual telegrams. The cost to the taxpayer: $2,400.

He seems to have overlooked President Johnson's public announcement that all Cabinet members had been asked to economize.

CASE NO. VII

A Senator changed his mind and supplied the one-vote margin necessary to prevent defeat of the President's $12 million rent subsidy appropriation.

This switch came after the White House agreed to support a previously rejected $10 million housing program for Alaskan Eskimos.

Afterward, the Senator remarked:

> I'm not proud of myself.

CASE NO. VIII

A high-level U.S. Commission has recommended that the United Nations take over ownership of the high seas and outer space and use them as independent sources of income.

This Commission To Study the Organization of Peace also said the U.N. Secretary General, U Thant, should recruit and pay his own permanent force of 2,000 soldiers.

Small Business Welcomes Bernard L. Boutin

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 1966

Mr. EVINS of Tennessee. Mr. Speaker, the Nation's small business community welcomes with enthusiasm the appointment of the Honorable Bernard L. Boutin as Administrator of the Small Business Administration.

Mr. Boutin is well-known throughout the Halls of Congress as a competent, hardworking Government official. He is especially well qualified to handle this particular position and his many friends and admirers are confident that he will bring vigorous leadership to the agency.

Mr. Boutin's career has been varied—but consistently associated with success. He has owned and operated small businesses and was twice elected by his fellow townspeople of Laconia, N.H., as their mayor.

He served as Administrator of the General Services Administration from 1961 to 1964 and during his regime, the percentage of GSA's total purchases awarded to small business rose from 43 to 57 percent.

His deep interest in the welfare of small business can also be shown by the fact that within 4 months after he assumed the leadership of the General Services Administration, he established and instructed a small business task force to find methods whereby GSA could increase the amount of small business contracts awarded to small business.

It is clear that Mr. Boutin understands the problems of small business. In fact, as the father of 10 children, we believe he understands problems that ordinary men have not even heard about.

We wish him continued success in his new assignment.

Mystery of the Missing Tarapur Reactor Parts and Pieces—Continued

EXTENSION OF REMARKS

OF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 1966

Mr. HOSMER. Mr. Speaker, so that the Congress may be informed, I have obtained unanimous consent for reproduction below of the latest chapter in the mystery of the missing Tarapur reactor parts and pieces:

MYSTERY OF THE MISSING TARAPUR REACTOR PARTS AND PIECES—CONTINUED

From: Representative CRAIG HOSMER, chairman, GOP conference committee on nuclear affairs

To: House GOP conference

Previously I advised you that when the India-Pakistan war broke out last fall Pakistan seized several hundred thousand dollars worth of parts and pieces for the Tarapur reactor. These were bound for India in the hold of a ship then in a Pakistani Port.

The shipment consisted of a 20-ton airlock and precisely formed pieces of sheet steel. The Pakistanis succeeded in removing these bulky items to a place unknown. It is still unknown. AID and the State Department were notified, but proved inadequate to the task of tracking them down.

The parts and pieces eventually had to be replaced by the General Electric Company who is building the $100 million Indian nuclear power station—which is being financed to the tune of $80 million by U.S. taxpayers under the foreign aid program.

Despite President Johnson's friendship with a Pakistani camel driver, despite his wining and dining Premier Ayub Kahn of that country, who made a money hunting expedition to the U.S. subsequent to the hijacking, despite more millions of U.S. aid and loans since that time, the Johnson Administration—with all the resources of the United States at its command—has been unable to do a single thing to clear up the mystery of the missing reactor parts and pieces. So far as anybody knows they are being used as hitching posts for camels.

The "con't." part of this story is that on May 11th, John A. Hall, Assistant General Manager of the Atomic Energy Commission, notified the Joint Committee on Atomic Energy that a U.S. built research reactor at Islamabad, Pakistan, is now fully operative "and Pakistan officials are expected soon to request payment of the $350,000 grant which

AEC committed to Pakistan in 1960" to get the research reactor built.

Further, the AEC is discussing with Dr. I. H. Usmani, Chairman of the Pakistan AEC, the possibility of establishing a laboratory-to-laboratory arrangement between the Oak Ridge National Laboratory and the Pakistan Institute of Nuclear Science and Technology. Such "sister laboratory" arrangements are not without expense to Uncle Sam's taxpayers. Moreover, the Pakistani Institute is receiving two International Atomic Energy Agency grants for isotope production worth approximately $50,000. The IAEA also gets a good hunk of its funds for this purpose from the U.S. Treasury.

All in all, this adds up to some pretty generous "greenback" days for the Pakistanis.

The missing Tarapur reactor parts and pieces are—or were—worth at least the $350,000 the Pakistanis are "expected" to request.

By copy of this document I am suggesting to the President, the State Department, AID and the AEC that the $350,000 "commitment" be discharged by giving Pakistan a legitimate title to the hijacked property. Or, if they won't agree, these U.S. officials should hold up the $350,000 until the mystery is solved and Pakistan agrees to compensate the rightful owners of this property.

Flood Protection Progress for Our Area

EXTENSION OF REMARKS

OF

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 1966

Mr. BOGGS. Mr. Speaker, last September a devastating hurricane—Betsy—struck my district and State. Recently I had the opportunity to appear before one of the leading civic federations in my area to give a report on the progress made since then in minimizing a recurrence of such a disaster. At that time I reviewed the work of the Congress and the other agencies in hurricane protection in some detail; and under leave to extend my remarks I include my report in full:

FLOOD PROTECTION PROGRESS FOR OUR AREA

(Address of HALE BOGGS, Member of Congress, to the Civic Council of East Jefferson, Inc., Friday, May 13, 1966)

It is a great pleasure to be asked by your president, Mr. Blakeman, to meet with you this evening. Particularly, I am pleased to be asked to address this distinguished group of leaders of Jefferson Parish. For our area, there is no more important topic of discussion than the progress of flood control protection. I am very happy to report that we are making real progress in this vital work.

"So the hurricane passed—tearing off the heads of the prodigious waves, to hurl them a hundred feet in the air—heaping up the ocean against the land—upturning the woods. Bays and passes were swollen to abysses; rivers regorged; the sea marshes were changed to raging wastes of water. Before New Orleans the flood of the mile-broad Mississippi rose six feet above the highest water mark. One hundred and ten miles away, Donaldsonville trembled at the towering tide of the LaFourche. Lakes strove to burst their boundaries. Far-off river steamers tugged wildly at their cables—shivering like tethered creatures that hear by night the approaching howl of destroyers. Smokestacks were hurled overboard, pilot houses torn away, cabins blown to fragments."

This graphic description could have been hurricane Betsy as she struck Grand Isle and swept inland through south Louisiana. It easily could have been Betsy, but it wasn't. Rather it is Lafcadio Hearn's description, beautiful and awesome and terrible, of the giant tidal wave which raged out of the Gulf in 1856 and engulfed Last Island, some forty miles west of Grand Isle. Prior to that time, as you have read, Last Island was the fashionable resort spot on our coast where the people of New Orleans and the neighboring parishes enjoyed themselves on weekends and in the summertime. Every person who was dancing that night in August almost 110 years ago—dancing at the Last Island Hotel—was drowned by the hurricane tidal wave. Only one creature survived that furious storm—a cow. A tragic story, beautifully told. Of course, Lafcadio Hearn, in his book, *Chita: A Memory of Last Island,* relates the fictional survival of a young girl after this hurricane and tidal wave.

The Last Island tragedy was 110 years ago. In the century that has passed since then, south Louisiana has been hit by many powerful hurricanes. In 1893, the most terrible hurricane, in terms of loss of life to Louisiana citizens, ripped through Jefferson Parish just west of the Mississippi and killed some 2,000 people. That same year was the first year in which official United States Weather Bureau meteorological records were kept on hurricanes in our country.

In all the hurricanes which have struck south Louisiana since New Orleans was founded, more than 3,000 people have died. Since the terrible 1893 storm, some 44 or 45 hurricanes have hit the Louisiana coast and swept inland. This is an average of two hurricanes every three years. Since World War II, four hurricanes have pursued a course to bring death, injury and damage to Louisiana citizens and property. Those four storms came in 1947 (and many of you remember what that hurricane did to east Jefferson), in 1956 (Flossy), in 1964 (Hilda), and last year, of course, Betsy. As we all well know, Betsy was one of the most destructive natural disasters ever to strike anywhere in our country, in terms of property losses.

As an Army Corps of Engineers report notes, seventy-five per cent of the people killed in a hurricane die from the tidal wave whipped up by the violent winds. Furthermore, virtually all of the heavy property damage comes from hurricane flood waters.

Through their expert studies, the New Orleans district engineers, under the able direction of Colonel Tom Bowen who is with us tonight, have developed a standard Project Hurricane, which encompasses the salient feature and traits of a characteristic hurricane. With this information, the engineers have determined that Betsy could have brought much more havoc and destruction (if that's possible) had it taken the most "critical path." That most critical path, resulting in the most severe flooding, would have been straight out of the gulf towards New Orleans, then curving northeastward across Lake Borgne * * *.

In their report, the district engineers stated:

"Had Betsy followed this critical path, the results would have been catastrophic—almost beyond description. Suffice it to say that the damages to the Lake Pontchartrain and vicinity area from tidal overflow (excluding the wind damage) would have been at least four times greater than that which occurred from Betsy in the same area." A not too pleasant thought to say the least. It is extremely difficult for any of us to imagine a hurricane more devastating than Betsy.

All of you know too graphically how severe and destructive was Betsy. There is no need to recount in detail the devastating effects of that monster storm. For a quick recap: in loss of human life in our State, the number was 72. With Florida and Mississippi added, the death toll was 76. Louisiana citizens injured numbered 17,600—the total injury toll was 21,000. Property losses and Federal, State and local expenditures for rescue, relief and rehabilitation, exceeded $1 billion. The breakdown: Insurance companies paid out $897 million on property losses; governmental and Red Cross expenses were more than $186 million; and Federal property lost or damaged was almost $20 million.

As you have read, more than 138,000 personnel of the National Government, the Red Cross, the Salvation Army, civilian defense and many other groups, joined in the relief and restoration work after Betsy. But there were many more thousands of our own private citizens, like yourselves, who worked just as valiantly and devotedly to restore south Louisiana to full harness. You, as civic and business leaders of Jefferson Parish, are to be commended for your splendid role in helping to restore the parish to full operating order and to revitalize her forward march.

You all know what tremendous growth and prosperity Jefferson is enjoying today. I have pledged myself—and I do again tonight—to do everything I can to assure that the people of this parish realize their full potential, and enjoy all the benefits available in this great country of ours. Jefferson Parish was my home for many years—both on the East and West Banks—as I grew to manhood. The people of this parish have always been close to my heart.

Hurricane Betsy is behind us. We all pray that our area will not face such a storm for decades to come, if ever again. But we cannot halt completely the forces of nature. We can only take constructive action to alleviate their effects. Natural disasters, as we know, will continue to strike. But we can—and we are—taking various positive measures to ease their impact and provide our people with greater protection. By so doing, our people and our area will be better able to rebound more quickly and effectively.

These steps being taken by your National Government, through Congress and with the cooperation of State and local governments and private industry, do not constitute "a hand-out." You and I and all the taxpayers of Louisiana are paying for these efforts, these programs. But they are well worth the price—and we will benefit by them.

To go back to Betsy's aftermath for just a moment, as you recall, the Congress enacted an historic piece of legislation after Betsy—the Southeast Louisiana Hurricane Disaster Relief Act. I say historic because it was the first time in the history of our country that Congress has ever passed legislation to give (retroactive) direct financial assistance—in the form of "forgiveness" on Small Business Administration loans—to citizens whose homes or other property were destroyed or damaged by any natural disaster.

This law "forgives" up to a maximum of $1,800 on disaster relief loans. I am pleased to report that, to date, more than 26,000 loans totalling $113.35 million have been approved by S.B.A. for our people. Of this sum, more than $30 million already has been "forgiven." Of the loans approved, 24,626 of them, totalling some $84.8 million, were for home repairs and restoration; and 1,376 loans totalling some $28.5 million were for business restoration and construction.

This legislation has done much for our people—but it helps to meet the disaster after-the-fact. Until now, the National Government, through the Congress, has met some of the needs of disaster victims on a disaster-by-disaster basis. To date, there is no permanent and continuing disaster legislation enacted by Congress. This approach has not always been satisfactory to all concerned.

Senator LONG and I and others believe that natural disasters, such as Betsy, are really national in their scope and effects; they should be attacked with coordinated programs from the national level. Of course, the success of such programs depends upon the full cooperation and counsel of officials of State and local governments and of private industry.

Now, there are two principal avenues in progress to bring expanded and improved hurricane and flood water protection for our people.

First, I would like to discuss the work we are doing and the progress we are making with a study on the feasibility of a Government-supported disaster insurance program to cover damage by flood waters. When I say flood waters, I mean those waters from inland bodies (rivers, lakes, bayous, etc.) which overflow their banks, or those waters swept inland from the ocean or the gulf by hurricane winds. As you know, no such flood damage insurance is available today from any source, public or private. But the results of this study may provide our people and those of all America with the opportunity to buy, at reasonable rates, flood water protection.

Last fall when Senator LONG and I sponsored passage of the Betsy bill, we included in the legislation a directive that the new Department of Housing and Urban Development conduct an extensive study on the possibilities of establishing a national insurance program against flood waters. Included in this current study is a review of the now-dormant Federal Flood Insurance Act of 1956, enacted ten years ago by Congress, but never implemented.

In the Betsy bill, we directed that the study be concluded and recommendations submitted this summer, hopefully before the end of July. I am happy to tell you that officials of the Department of Housing and Urban Development, under the direction of Dr. Marion Clawson, are making good progress with this study. Dr. Clawson, who is a veteran of twenty years service in our Government, has told me that he is receiving splendid cooperation from all public and private organizations. He has had many meetings with other Federal departments and private company executives, including our own Ellie Schill of New Orleans, chairman of the disaster force committee of the National Association of Home Builders. Mr. Schill's association and the American Insurance Association are working closely with Dr. Clawson and his associates. Both associations support the establishment of such a national disaster insurance program. Officials of the Corps of Engineers, the U.S. Coast and Geodetic Survey and other Federal agencies also are joining in this effort.

Just prior to my trip home today, Dr. Clawson said he is planning a meeting early next month with a special advisory committee for this study. The committee will include representatives of insurance companies; insurance brokerage firms, banks and other lending institutions; general counsels to State governments and others.

This committee will provide needed advice and counsel on the report. Dr. Clawson and his assistants are thus bringing to this study the finest expertise and the best data that can be collected. I am most hopeful that we can take action on this report by drafting and enacting a bill before Congress adjourns this year. You can rest assured that Senator LONG and I and other members of our delegation will make every effort to achieve this important program for you and all the people of our State and Nation.

The second principal avenue for providing flood protection assistance for our area is the extensive hurricane protection plans and projects under way in the Lake Pontchartrain area.

One of the proudest achievements of my career in Congress has been to realize the completion of the Lake Pontchartrain levee project for East Jefferson. This levee-building project, which began about 16 or 17 years ago after the 1947 hurricane inundated vast areas of East Jefferson and Metairie, was completed earlier this year. The fine levees which the Army Engineers built along the south shore of the lake and between the Orleans and Jefferson line and the Jefferson and St. Charles line, have proved their worth three times in recent years.

Had these levees not been built, Hurricane Betsy surely would have driven lake waters into East Jefferson last September. The damage and destruction to your homes and businesses would have been much more severe. And the death and injury toll could have been higher. Earlier, Hurricane Hilda would have brought lake waters into the parish in 1964, as would Hurricane Flossy in 1956. But work on these levees had progressed far enough to prevent the flooding of East Jefferson.

After the 1947 hurricane I sponsored legislation to construct these protection levees. From the first appropriations for this worthy project, I have continued to press for additional funds to finish the job. Thank God the Army Engineers completed this project in such a splendid manner. Our National Government provided $6 million, and local agencies added some $3.13 million. I can tell you that I thanked God when I visited here the day after Betsy struck and saw the East Jefferson protection levees holding firm. I was grateful to all who had made this invaluable protection possible. What it meant in the saving of lives and property no one can tell.

But the completion of this project by no means ends the flood control and flood protection work for our area. In fact, for the Lake Pontchartrain area it is really only the beginning. What is to come in the years ahead will provide our area with the finest possible hurricane protection to be found anywhere in the world.

Now the Congress has approved a massive hurricane barrier plan for the entire Lake Pontchartrain and vicinity. Last October we secured in Congress the first funds—$450,000—to begin detailed planning for this immense project. The entire south shore of the lake will be ringed with flood protection walls in the years to come. These barriers will extend to the Chef and Rigolets at the east of New Orleans. Key earthen dams and flood gate control structures will be built at the Chef Menteur pass and the Rigolets. In addition, the existing levees along the Jefferson and Orleans south shore will be strengthened; a new levee will be constructed along the lakeshore for Citrus and New Orleans East; the protective works between U.S. Highway 90 and the gulf intracoastal waterway in Orleans Parish, and along the intracoastal waterway itself, and on both sides of the inner harbor navigation canal (industrial canal) will be improved. Further, the Chalmette area and downtown New Orleans below the industrial canal—the area hardest hit by Betsy—will be protected by an independent loop levee running down to Bayou Dupre and along the bayou to Violet. Another feature of the plan will be the construction of a Seabrook Lock.

In addition to the initial $450,000 in planning funds, I am working closely with the Corps of Engineers and members of the Louisiana delegation to obtain another $450,000 in planning money for the fiscal year beginning this July first. Beyond that, another $400,000 will be needed to complete the engineering plans for the barrier plan. The Corps of Engineers now estimates that the entire project will cost close to $100 million—with the National Government, through Congress, providing some $66 million and the local interests providing the balance.

In the coming fiscal year, it is hoped that actual construction can also begin in critical areas, not in my own district but adjacent thereto, where the immediate need is deemed the most severe. Including, among others, the levees for the industrial canal for the Chalmette area; and for the north bank of the Mississippi River-to-gulf outlet between the industrial canal and the Michoud plant.

This $100 million project is worth every penny, of that I can assure you. In fact, it is one of the best bargains your money can buy. With long experience and expertise in building flood control structures of all kinds, the Army Engineers have estimated that the benefit ratio of this project is 17 to 1—that is, for every dollar spent, 17 dollars will be returned in the savings which these flood control barriers and related facilities will provide. Furthermore, this benefit ratio is one of the highest ever to be computed for any flood control or flood protection project constructed by the Army Engineers.

It is important to point out that Senator LONG and I are also bringing the west bank into this hurricane barrier plan. At our urgence, the House and Senate Public Works Committees have approved resolutions for a study of flood control and hurricane protection needs for the west bank. The Corps of Engineers will conduct the study, so as to include all of the west bank in the hurricane protection plan.

We will act to provide a chain of connecting levees and other flood control works to help safeguard New Orleans, Gretna, Harvey, Marrero, Westwego, Bridge City, Lafitte, Barataria, Grand Isle, St. Charles Parish, and the remainder of the west bank. In other words, the west bank of Orleans, Jefferson, and St. Charles Parishes will be included in this hurricane barrier plan for the metropolitan area.

So, all in all, I believe we are making great progress in bringing the finest hurricane and flood control protection possible to our area. I am proud of the fine support which the people and the officials here at home are giving to this hurricane barrier plan. I look forward to working with you and the officials of the parish and our neighboring parishes to bring this worthy project to completion as soon as possible.

Secretary McNamara's Credo: The United States Has No Mandate To Police the World and No Charter To Rescue Floundering Regimes Who Fail To Meet the Expectations of Their Citizenry

EXTENSION OF REMARKS

OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 1966

Mr. PUCINSKI. Mr. Speaker, Secretary of Defense Robert S. McNamara delivered a historic speech before the American Society of Newspaper Editors in Montreal, Canada, last week.

Among other things, Secretary McNamara said:

> The United States has no mandate from on high to police the world, and no inclination to do so. There have been classic cases in which our deliberate non-action was the wisest action of all.
>
> Certainly we have no charter to rescue floundering regimes, who have brought violence on themselves by deliberately refusing to meet the legitimate expectations of their citizenry.

I consider this one of the most important pronouncements emanating from the Johnson administration since the President took office.

I believe that all of those "nervous nellies" who have been sharpshooting at the President's policies and complaining that we have no policy ought to read Secretary McNamara's speech in its entirety. I should like particularly to call their attention to the quote cited above.

I believe that Secretary McNamara's unequivocal assertion that we do not intend to police the entire world should be a great source of comfort to those who, along with President Johnson, seek an end to world hostilities.

Mr. Speaker, I am placing Secretary McNamara's speech in the Record today in its entirety because I consider it one of the most significant pronouncements of our times. It spells out concisely the magnitude of our problems ahead, but it also makes clear the conditions under which this Nation will aid its allies.

Mr. Speaker, Secretary's McNamara's speech follows:

Address by Robert S. McNamara, Secretary of Defense, Before American Society of Newspaper Editors, Queen Elizabeth Hotel, Montreal, Canada, Wednesday, May 18, 1966

President Royster, ladies and gentlemen, any American would be fortunate to visit this lovely island city, in this hospitable land.

But there is a special satisfaction for a Secretary of Defense to cross the longest border in the world—and realize that it is also the least armed border in the world. It prompts one to reflect how negative and narrow a notion of defense still clouds our century.

There is still among us an almost eradicable tendency to think of our security problem as being exclusively a military problem—and to think of the military problem as being exclusively a weapons-system or hardware problem.

The plain, blunt truth is that contemporary man still conceives of war and peace in much the same stereotyped terms that his ancestors did. The fact that these ancestors—both recent and remote—were conspicuously unsuccessful at avoiding war, and enlarging peace doesn't seem to dampen our capacity for cliches.

We still tend to conceive of national security almost solely as a state of armed readiness: a vast, awesome arsenal of weaponry.

We still tend to assume that it is primarily this purely military ingredient that creates security.

We are still haunted by this concept of military hardware.

But how limited a concept this actually is, becomes apparent when one ponders the kind of peace that exists between the United States and Canada.

It is a very cogent example. Here we are, two modern nations: highly developed technologically, each with immense territory, both enriched with great reserves of natural resources, each militarily sophisticated—and yet, we sit across from one another, divided by an unguarded frontier of thousands of miles * * * and here is not a remotest set of circumstances, in any imaginable timeframe of the future, in which our two nations would wage war on one another.

It is so unthinkable an idea as to be totally absurd.

But why is that so?

Is it because we are both ready in an instant to hurl our military hardware at one another?

Is it because we are both zeroed in on one another's vital targets?

Is it because we are both armed to our technological teeth that we do not go to war?

The whole notion—as applied to our two countries—is ludicrous.

Canada and the United States are at peace for reasons that have nothing whatever to do with our mutual military readiness.

We are at peace—truly at peace—because of the vast fund of compatable beliefs, common principles, and shared ideals.

We have our differences and our diversity—and let us hope for the sake of a mutually rewarding relationship we never become sterile carbon copies of one another.

But the whole point is that our basis of mutual peace has nothing whatever to do with our military hardware.

Now this is not to say, obviously enough, that the concept of military deterrance is no longer relevant in the contemporary world.

Unhappily, it still is critically relevant with respect to our potential adversaries.

But it has no relevance whatever between the United States and Canada.

We are not adversaries. We are not going to become adversaries. And it is not mutual military deterrance that keeps us from becoming adversaries. It is mutual respect for common principles.

Now I mention this—as obvious as it all is—simply as a kind of reduction ad absurdum of the concept that military hardware is the exclusive or even the primary ingredient of permanent peace in the mid-twentieth century.

In the United States—over the past five years—we have achieved a considerably improved balance in our total military posture. That was the mandate I received from Presidents Kennedy and Johnson; and with their support, and that of the Congress, we have been able to create a strengthened force structure of land, sea, and air components—with a vast increase in mobility and materiel—and with a massive superiority in nuclear retaliatory power over any combination of potential adversaries.

Our capabilities for nuclear, conventional, and counter-subversive war have all been broadened and improved; and we have accomplished this through military budgets that were in fact lesser percentages of our gross national product than in the past.

From the point of view of combat readiness, the United States has never been militarily stronger.

We intend to maintain that readiness.

But if we think profoundly about the matter, it is clear that this purely military posture is not the central element in our security.

A nation can reach the point at which it does not buy more security for itself simply by buying more military hardware—we are at that point.

The decisive factor for a powerful nation—already adequately armed—is the character of its relationships with the world.

In this respect, there are three broad groups of nations: first, those that are struggling to develop; secondly, those free nations that have reached a level of strength and prosperity that enables them to contribute to the peace of the world; and finally, those nations who might be tempted to make themselves our adversaries.

For each of these groups, the United States—to preserve its own intrinsic security—has to have distinctive sets of relationships.

First, we have to help protect those developing countries which genuinely need and request our help, and which—as an essential precondition—are willing and able to help themselves.

Second, we have to encourage and achieve a more effective partnership with those nations who can and should share international peace-keeping responsibilities.

Third, we must do all we realistically can to reduce the risk of conflict with those who might be tempted to take up arms against us.

Let us examine these three sets of relationships in detail.

First, the developing nations.

Roughly 100 countries today are caught up in the difficult transition from traditional to modern societies.

There is no uniform rate of progress among them, and they range from primitive mosaic societies—fractured by tribalism and held feebly together by the slenderest of political sinews—to relatively sophisticated countries, well on the road to agricultural sufficiency and industrial competence.

This sweeping surge of development, particularly across the whole southern half of the globe, has no parallel in history.

It has turned traditionally listless areas of the world into seething cauldrons of change.

On the whole, it has not been a very peaceful process.

In the last eight years alone there have been no less than 164 internationally significant outbreaks of violence—each of them specifically designed as a serious challenge to the authority, or the very existence, of the government in question. 82 different governments have been directly involved.

What is striking is that only 15 of these 164 significant resorts to violence have been military conflicts between two states.

And not a single one of the 164 conflicts has been a formally-declared war.

Indeed, there has not been a formal declaration of war—anywhere in the world—since World War II.

The planet is becoming a more dangerous place to live on—not merely because of a potential nuclear holocaust—but also because of the large number of de facto conflicts and because the trend of such conflicts is growing rather than diminishing.

At the beginning of 1958, there were 23 prolonged insurgencies going on about the world. As of February 1, 1966, there were 40.

Further, the total number of outbreaks of violence has increased each year: in 1958, there were 34; in 1965, there were 58.

But what is most significant of all is that there is a direct and constant relationship between the incidence of violence and the economic status of the countries afflicted.

The World Bank divides nations, on the basis of per capita income, into four categories: rich, middle-income, poor, and very poor.

The rich nations are those with a per capita income of $750 per year or more. The current U.S. level is more than $2700. There are 27 of these rich nations. They possess 75% of the world's wealth, though roughly only 25% of the world's population.

Since 1958, only one of these 27 nations has suffered a major internal upheaval on its own territory.

But observe what happens at the other end of the economic scale. Among the 38 very poor nations—those with a per capita income of under $100 a year—no less than 32 have suffered significant conflicts. Indeed, they have suffered an average of two major outbreaks of violence per country in the eight year period. That is a great deal of conflict.

What is worse, it has been, predominantly, conflict of a prolonged nature.

The trend holds predictably constant in the case of the two other categories: the poor, and the middle-income nations. Since 1958, 87% of the very poor nations, 69% of the poor nations, and 48% of the middle-income nations have suffered serious violence.

There can, then, be no question but that there is an irrefutable relationship between violence and economic backwardness. And the trend of such violence is up, not down, Now, it would perhaps be somewhat reassuring if the gap between the rich nations and the poor nations were closing; and economic backwardness were significantly receding.

But it is not. The economic gap is widening.

By the year 1970, over one half of the world's total population will live in the independent nations sweeping across the southern half of the planet. But this hungering half of the human race will by then command only one-sixth of the world's total of goods and services.

By the year 1975, the dependent children of these nations alone—children under 15 years of age—will equal the *total* population of the developed nations to the north.

Even in our own abundant societies, we have reason enough to worry over the tensions that coil and tighten among underprivileged young people, and finally flail out in delinquency and crime. What are we to expect from a whole hemisphere of youth where mounting frustrations are likely to fester into eruptions of violence and extremism?

Annual per capita income in roughly half of the 80 underdeveloped nations that are members of the World Bank is rising by a paltry one per cent a year or less. By the end of the century, these nations—at their present rates of growth—will reach a per capita income of barely $170 a year. The United States, by the same criteria, will attain a per capita income of $4,500.

The conclusion to all of this is blunt and inescapable: given the certain connection between economic stagnation and the incidence of violence, the years that lie ahead for the nations in the southern half of the globe are pregnant with violence.

This would be true even if no threat of Communist subversion existed—as it clearly does.

Both Moscow and Peking—however harsh their internal differences—regard the whole modernization process as an ideal environment for the growth of communism. Their experience with subversive internal war is extensive; and they have developed a considerable array of both doctrine and practical measures in the art of political violence.

What is often misunderstood is that communists are capable of subverting, manipulating, and finally directing for their own ends the wholly legitimate grievances of a developing society.

But it would be a gross oversimplification to regard communism as the central factor in every conflict throughout the underdeveloped world. Of the 149 serious internal insurgencies in the past eight years, communists have been involved in only 58 of them—38% of the total—and this includes seven instances in which a Communist regime itself was the target of the uprising.

Whether communists are involved or not, violence anywhere in a taut world transmits sharp signals through the complex ganglia of international relations; and the security of the United States is related to the security and stability of nations half a globe away.

But neither conscience nor sanity itself suggests that the United States is, should, or could be the Global Gendarme.

Quite the contrary, experience confirms what human nature suggests: that in most instances of internal violence, the local people themselves are best able to deal directly with the situation within the framework of their own traditions.

The United States has no mandate from on high to police the world, and no inclination to do so. There have been classic cases in which our deliberate non-action was the wisest action of all.

Where our help is not sought, it is seldom prudent to volunteer.

Certainly we have no charter to rescue floundering regimes, who have brought violence on themselves by deliberately refusing to meet the legitimate expectations of their citizenry.

Further, throughout the next decade advancing technology will reduce the requirement for bases and staging rights at particular locations abroad, and the whole pattern of forward deployment will gradually change.

But—though all these caveats are clear enough—the irreducible fact remains that our security is related directly to the security of the newly developing world.

And our role must be precisely this: to help provide security to those developing nations which genuinely need and request our help, and which demonstrably are willing and able to help themselves.

The rub comes in this: we do not always grasp the meaning of the word security in this context.

In a modernizing society, security means development.

Security is not a military hardware—though it may include it. Security is not military force—though it may involve it. Security is not traditional military activity—though it may encompass it.

Security is development.

Without development, there can be no security.

A developing nation that does not in fact develop simply cannot remain "secure."

It cannot remain secure for the intractable reason that its own citizenry cannot shed its human nature.

If security implies anything, it implies a minimal measure of order and stability.

Without internal development of at least a minimal degree, order and stability are simply not possible. They are not possible because human nature cannot be frustrated beyond intrinsic limits. It reacts—because it must.

Now, that is what we do not always understand; and that is also what governments of modernizing nations do not always understand.

But by emphasizing that security arises from development, I do not say that an underdeveloped nation cannot be subverted from within; or be aggressed upon from without; or be the victim of a combination of the two.

It can. And to prevent any or all of these conditions, a nation does require appropriate military capabilities to deal with the specific problem. But the specific military problem is only a narrow facet of the broader security problem.

Military force can help provide law and order—but only to the degree that a basis for law and order already exists in the developing society; a basic willingness on the part of the people to cooperate.

The law and order is a shield, behind which the central fact of security—development—can be achieved.

Now we are not playing a semantic game with these words.

The trouble is that we have been lost in a semantic jungle for too long. We have come to identify "security" with exclusively military phenomena; and most particularly with military hardware.

But is just isn't so. And we need to accommodate to the facts of the matter, if we want to see security survive and grow in the southern half of the globe.

Development means economic, social, and political progress. It means a reasonable standard of living—and the word "reasonable" in this context requires continual redefinition. What is "reasonable" in an earlier stage of development will become "unreasonable" in a later stage.

As development progresses, security progresses; and when the people of a nation have organized their own human and natural resources to provide themselves with what they need and expect out of life—and have learned to compromise peacefully among competing demands in the larger national interest—then, their resistance to disorder and violence will be enormously increased.

Conversely, the tragic need of desperate men to resort to force to achieve the inner imperatives of human decency will diminish.

Now, I have said that the role of the United States is to help provide security to these modernizing nations—providing they need and request our help; and are clearly willing and able to help themselves.

But what should our help be?

Clearly, it should be help towards development. In the military sphere, that involves two broad categories of assistance.

We should help the developing nation with such training and equipment as is necessary to maintain the protective shield behind which development can go forward.

The dimensions of that shield vary from country to country; but what is essential is that it should be a shield, and not a capacity for external aggression.

The second—and perhaps less understood category of military assistance in a modernizing nation—is training in civic action.

"Civic action" is another one of those semantic puzzles. Too few Americans—and too few officials in developing nations—really comprehend what military civic action means.

Essentially, it means using indigenous military forces for non-traditional military projects—projects that are useful to the local population in fields such as education, public works, health, sanitation, agriculture—indeed, anything connected with economic or social progress.

It has had some impressive results. In the past four years, the U.S. assisted civic action program, worldwide, has constructed or repaired more than 10,000 miles of roads; built over 1,000 schools; hundreds of hospitals and clinics; and has provided medical and dental care to approximately four million people.

What is important is that all this was done by indigenous men in uniform. Quite apart from the developmental projects themselves, the program powerfully alters the negative image of the military man, as the oppressive preserver of the stagnant status quo.

But assistance in the purely military sphere is not enough. Economic assistance is also essential. The President is determined that our aid should be hard-headed and rigorously realistic; that it should deal directly with the roots of under-development, and not merely attempts to alleviate the symptoms. His bedrock principle is that U.S. economic aid—no matter what its magnitude—is futile unless the country in question is resolute in making the primary effort itself. That will be the criterion, and that will be the crucial condition for all our future assistance.

Only the developing nations themselves can take the fundamental measures that make outside assistance meaningful. These measures are often unpalatable—and frequently call for political courage and decisiveness. But to fail to undertake painful, but essential, reform inevitably leads to far more painful revolutionary violence. Our economic assistance is designed to offer a reasonable alternative to that violence. It is designed to help substitute peaceful progress for tragic internal conflict.

The United States intends to be compassionate and generous in this effort, but it is not an effort it can carry exclusively by itself. And thus it looks to those nations who have reached the point of self-sustaining prosperity to increase their contribution to the development—and, thus, to the security—of the modernizing world.

And that brings me to the second set of relationships that I underscored at the outset; it is the policy of the United States to encourage and achieve a more effective partnership with those nations who can, and should, share international peace-keeping responsibilities.

America has devoted a higher proportion of its gross national product to its military establishment than any other major free world nation. This was true even before our increased expenditures in Southeast Asia.

We have had, over the last few years, as many men in uniform as all the nations of Western Europe combined—even though they have a population half again greater than our own.

Now, the American people are not going to shirk their obligations in any part of the world, but they clearly cannot be expected to bear a disproportionate share of the common burden indefinitely.

If, for example, other nations genuinely believe—as they say they do—that it is in the common interest to deter the expansion of Red China's economic and political control beyond its national boundaries, then they must take a more active role in guarding the defense perimeter.

Let me be perfectly clear: this is not to question the policy of neutralism or nonalignment of any particular nation. But it is to emphasize that the independence of such nations can—in the end—be fully safeguarded only by collective agreements among themselves and their neighbors.

The plain truth is the day is coming when no single nation, however powerful, can undertake *by itself* to keep the peace outside its own borders. Regional and international organizations for peace-keeping purposes are as yet rudimentary; but they must grow in experience and be strengthened by deliberate and practical cooperative action.

In this matter, the example of Canada is a model for nations everywhere. As Prime Minister Pearson pointed out eloquently in New York just last week: Canada "is as deeply involved in the world's affairs as any country of its size. We accept this because we have learned over 50 years that isolation from the policies that determine war does not give us immediately from the bloody, sacrificial consequences of their failure. We learned that in 1914 and again in 1939 . . . That is why we have been proud to send our men to take part in every peace-keeping operation of the United Nations—in Korea, and Kashmir, and the Suez, and the Congo, and Cyprus."

The Organization of the American States in the Dominican Republic, the more than thirty nations contributing troops or supplies to assist the Government of South Vietnam, indeed even the parallel efforts of the United States and the Soviet Union in the Pakistan-India conflict—these efforts, together with those of the U.N., are the first attempts to substitute multinational for unilateral policing of violence. They point to the peace-keeping patterns of the future.

We must not merely applaud the idea. We must dedicate talent, resources, and hard practical thinking to its implementation.

In Western Europe—an area whose burgeoning economic vitality stands as a monument to the wisdom of the Marshall Plan—the problems of security are neither static nor wholly new. Fundamental changes are under way, though certain inescapable realities remain.

The conventional forces of NATO, for example, still require a nuclear backdrop far beyond the capability of any Western European nation to supply, and the United States is fully committed to provide that major nuclear deterrent.

However, the European members of the Alliance have a natural desire to participate more actively in nuclear planning. A central task of the Alliance today is, therefore, to work out the relationships and institutions through which shared nuclear planning can be effective. We have made a practical and promising start in the Special Committee of NATO Defense Ministers.

Common planning and consultation are essential aspects of any sensible substitute to the unworkable and dangerous alternative of independent national nuclear forces within the Alliance.

And even beyond the Alliance, we must find the means to prevent the proliferation of nuclear weapons. That is a clear imperative.

There are, of course, risks in non-proliferation arrangements; but they cannot be compared with the infinitely greater risks that would arise out of the increase in national nuclear stockpiles.

In the calculus of risk, to proliferate independent national nuclear forces is not a mere arithmetical addition of danger. We would not be merely adding up risks. We would be insanely multiplying them.

If we seriously intend to pass on a world to our children that is not threatened by nuclear holocaust, we must come to grips with the problem of proliferation.

A reasonable nonproliferation agreement is feasible. For there is no adversary with whom we do not share a common interest in avoiding mutual destruction triggered by an irresponsible nth power.

That brings me to the third and last set of relationships the United States must deal with: Those with nations who might be tempted to take up arms against us.

These relationships call for realism. But realism is not a hardened, inflexible, unimaginative attitude. The realistic mind is a restlessly creative mind—free of naive delusions, but full of practical alternatives.

There are practical alternatives to our current relationships with both the Soviet Union and Communist China.

A vast ideological chasm separates us from them—and to a degree, separates them from one another.

There is nothing to be gained from our seeking an ideological rapproachement; but breaching the isolation of great nations like Red China, even when that isolation is largely of its own making, reduces the danger of potentially catastrophic misunderstandings, and increases the incentive on both sides to resolve disputes by reason rather than by force.

There are many ways in which we can build bridges toward nations who would cut themselves off from meaningful contact with us. We can do so with properly balanced trade relations, diplomatic contacts, and in some cases even by exchanges of military observers.

We have to know where it is we want to place this bridge; what sort of traffic we want to travel over it; and on what mutual foundations the whole structure can be designed.

There are no one-cliff bridges. If you are going to span a chasm, you have to rest the structure on both cliffs.

Now cliffs, generally speaking, are rather hazardous places. Some people are afraid even to look over the edge. But in a thermonuclear world, we cannot afford any political acrophobia.

President Johnson has put the matter squarely. By building bridges to those who make themselves our adversaries, "we can help gradually to create a community of interest, a community of trust, and a community of effort."

With respect to a "community of effort" let me suggest a concrete proposal for our own present young generation in the United States.

It is a committed and dedicated generation: it has proven that in its enormously impressive performance in the Peace Corps overseas; and in its willingness to volunteer for a final assault on such poverty and lack of opportunity that still remain in our own country.

As matters stand, our present Selective Service System draws on only a minority of eligible young men.

That is an inequity.

It seems to me that we could move toward remedying that inequity by asking every young person in the United States to give two years of service to his country—whether in one of the military services, in the Peace Corps, or in some other volunteer developmental work at home or abroad.

We could encourage other countries to do the same; and we could work out exchange programs—much as the Peace Corps is already planning to do.

While this is not an altogether new suggestion, it has been criticized as inappropriate while we are engaged in a shooting war.

But I believe precisely the opposite is the case. It is more appropriate now than ever. For it would underscore what our whole purpose is in Vietnam—and indeed anywhere in the world where coercion, or injustice, or lack of decent opportunity still holds sway.

It would make meaningful the central concept of security: a world of decency and development—where every man can feel that his personal horizon is rimmed with hope.

Mutual interest—mutual trust—mutual effort; those are the goals. Can we achieve those goals with the Soviet Union, and with Communist China? Can they achieve them with one another?

The answer to these questions lies in the answer to an even more fundamental question.

Who is man?

Is he a rational animal?

If he is, then the goals can ultimately be achieved.

If he is not, then there is little point in making the effort.

All the evidence of history suggests that man is indeed a rational animal—but with a near infinite capacity for folly. His history seems largely a halting, but persistent, effort to raise his reason above his animality.

He draws blueprints for Utopia. But never quite gets it built. In the end, he plugs away obstinately with the only building material really ever at hand: his own part-comic, part-tragic, part-cussed, but part-glorious nature.

I, for one, would not count a global free society out.

Coercion, after all, merely captures man. Freedom captivates him.

Thank you very much.

Hon. Charles Weltner Addresses Young Democrats of South Carolina

EXTENSION OF REMARKS

OF

HON. W. J. BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 1966

Mr. DORN. Mr. Speaker, the Honorable CHARLES LONGSTREET WELTNER, our colleague from Georgia, delivered a challenging and superb address to the area 10 Young Democrats of South Carolina at the township auditorium in Spartanburg, April 22, 1966. Congressman WELTNER's address was particularly timely in that it reminded us of our duties and responsibilities.

Mr. Speaker, I commend Congressman WELTNER's address to the attention of Congress and to the people of our country.

Mr. Speaker, I commend also a great book just off the press by Congressman WELTNER entitled: "Southerner."

The address follows:

BUILDING THE DEMOCRATIC PARTY

Two years ago, the people of the United States gave to the nominees of our party an overwhelming victory, and elected a Congress with Democratic majorities of two-to-one in both houses.

Now, two years later, some observers speak of substantial losses of Democratic membership in Congress this November—notwithstanding a remarkable record of legislative accomplishment, and rising prosperity for all sectors of the economy. It is, of course, true that our Party has made great gains for all Americans (and many who are now Republicans rose to their positions of affluence through sound and humane Democratic programs). Nonetheless, at this point in our history, it is well to consider how we can strengthen our Party, making it ever a more efficient vehicle for the public good, and a more competent servant of the public interest.

First, our Party must reach out to include more and more Americans, and extend its influence to the hundreds of thousands of citizens who have made no firm commitment to either party. We have strong allies, and consistent sources of support. But we should welcome and attract many groups who have no political allegiance, and who, at this point, have not been attracted to or inspired by any political organization.

Rid of racism, rid of faction, rid of regionalism, and rid of the dead hand of the past, we must present our motivating principles. Only in this way can we gain the loyalty and devotion of those men and women who have nothing special to gain, and nothing special to lose, at the hands of either party, or from any individual within either party. We should, here and now, make candid and honest appraisal of our basic beliefs. What is our motive force? What is our basic principle?

We believe in rational western tradition, and self-determination. Is that all?

We believe in free enterprise and personal liberty. Is that all?

We believe in the rights of man. But even so vital a concept as the rights of man is not enough. For analyzed carefully, each of these objectives is a selfish one. If we are concerned only with the rights of man, we become a conglomerate of self-centered atoms, offering each nothing more than his own selfishness.

The Revolution was fought for American Rights. The Westward Expansion was an assertion of rights. The Civil War was a bloody quarrel over rights. The days of American Empire were a new thrust of rights. The New Deal was a new concept of economic rights. The movement of equality is a new emphasis of human rights. All our national life we have been wrapped up in our rights.

Now, American rights are secure, and the American economy diffuses its staggering wealth among all but a few. Yet, the popular concept of the "American dream" has often proved a severe disappointment. There are millions who have won that affluence for which they have labored all their lives—only to find that happiness eludes them. They have leisure, money and comfort—but there is little zest for life, and little thrill of achievement. This personal experience, held by so many, surely relates to the national outlook as well. The frontier is tamed, American soil is secure, and the economy is vibrant. Yet, as a nation, we continue to sense a deep need to search our national goals, and to declare a national purpose. We are looking for something we have lost, and we don't quite know what it is. We are hungry to be told wherein lies our destiny as a nation, for this and succeeding generations.

Indeed, many, in despair and frustration at the mounting complications of Twentieth Century life, have abandoned the search, and withdraw into a concern only of their own personal "rights".

Now, if there is search without discovery—seeking without finding—I suspect it is because we have been too long concerned with our *rights*, and too long mindless of our *duties*. Perhaps we have concerned ourselves with preserving the *rights* of man, and have never made commitment to the *duties* of man. For, surely, our national goals must be something worthier than more ease and comfort, and more money for more people. The conglomerate selfishness of rights *alone* is not enough.

It is time to turn a while from our rights, and attend our duties. And it is time to define and delineate these duties.

A first principle of the duties of man should be the firm establishment of opportunity for *all* men. But an open road—alone—is not enough. There must also be—insofar as the mind and labor of man can assure it—an even start. Toll gates—admitting only the wealthy—must be removed, and the "White Only" signs must come down.

Then, the mere existence of a roadway which an exceptional few can travel will not suffice—when great masses of our people are unable to take even the first step.

Where they lack strength, our duty is to strengthen them—not to carry them—but to equip them to make the journey on their own.

Where they lack hope—and many Americans are without hope—we must provide them convincing examples of the success of others, similarly situated, who have been helped along the way to personal competence and satisfaction.

Where they lack will, we must set before them a vision—not of riches and glory—but of the quiet pride that comes from striving and achieving, and giving good account of themselves.

Herein are a few glimpses of the duties of man—in America—in 1966. They are glimpses only—outlines awaiting completion of clear minds and warm spirits. Yet, the total silhouette is clear enough.

To define the duties of man is to answer to the old question, "Am I my brother's keeper?" It is the recognition of a common and shared humanity—with all men, of all stations.

Here can be a new "American dream;" here can be a new national purpose. And here, at the same time, is that lesson, nearly two thousand years old, which the world has never learned, nor yet ever quite forgotten: "Thou shalt love thy neighbor."

If our party is to account for anything other than a long and dreary cycle of elections won and lost, we must raise new standards which can earn the full commitment of the great majority of Americans, and infuse into American life today the old spirit of buoyancy and exuberance, of adventure and achievement. We can fashion for this nation a new destiny, through a full comprehension and firm commitment to the duties of man.

America is one nation—young and old, rich and poor, black and white. It must be our duty to make America One Nation under God—mindful of the needs of the least of of our brethren.

One Nation, indivisible—joined in common cause for the common good. One Nation—with liberty and justice for all.

These are the duties of man. Let it be also the precept of our Party. And our reward, far transcending any other attainment, will be that which Lee bestowed upon his tattered troops at Appomattox, when he said, "You may take with you the satisfaction that proceeds from consciousness of duty faithfully performed."

Government Participation in Medicare

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 1966

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

GOVERNMENT PARTICIPATION IN MEDICARE

(By Hon. JOHN E. FOGARTY, prepared for presentation at the Pastor's Institute, Providence, R.I., Jan. 17, 1966)

It is with pleasure and a sense of personal interest and concern that I talk with you this evening about Government's participation in the Medicare program.

In preparing for tonight's meeting, I was reminded of the Bill, H.R. 5041, which I introduced on May 6, 1953, "to extend Federal Old Age and Survivor's Insurance to Ministers of Religion." As you know, the Social Security Act was amended in 1954 to permit ministers to accept coverage under the program on an optional basis. This provision remains essentially the same today, although it is my understanding at a recent meeting of the Church Pension Conference a recommendation was made to make social security coverage compulsory. The action was not adopted and there is no legislation pending to accomplish this purpose.

In areas such as the extension of coverage under social security, the implemetation of the Medicare program or the war against poverty, I would recommend the formation of a Rhode Island Inter-Religious Committee, similar to that recently formed "to support the national commitment to wage war against poverty and to seek its broadest and most effective prosecution." This Inter-Religious Committee against poverty includes 45 distinguished Americans, clergymen and lay leaders. It is not a Government inspired committee but an independent voice organized by the leaders of our three great religious faiths in support of an important cause.

In our state, such a committee might also serve the same purpose in addition to interpreting and implementing national legislation and state programs on a completely impartial, nonpartisan basis.

Who better than our religious leaders could visit, evaluate and recommend practical action to improve our institutional programs serving the blind, deaf, disabled, retarded, disadvantaged and needy aged within our communities?

As I discuss with you the place of Government in Medicare, I am very much aware of the place for an Inter-Religious Committee at the national and state level. Such a group would also be able to interpret and appraise the implications of the much discussed state medical care programs for the underprivileged families and elderly.

The Medicare legislation passed by Congress last July, represents a giant step forward in relieving the aged of this country from the burden of heavy medical expenses during a period when they can generally least afford to pay these bills. An estimated 97,000 Rhode Islanders age 65 or over will be eligible for Medicare when the program begins in July. In the last 6 months of 1966, it is estimated that total health insurance benefit payments of $9 million will be made for Rhode Island residents. I welcome the opportunity to discuss this extremely significant program with you tonight.

In undertaking the Medicare program, the Federal Government is not actually providing the aged with medical care, but is rather providing practically all persons age 65 or over with two types of health insurance. The first part of the program is basic hospital insurance which gives protection against the costs of hospital and related care. All social security and railroad retirement beneficiaries are automatically enrolled for this hospital insurance on the basis of their tax contributions to social security. But Congress felt that other persons now over 65 not covered by social security should be entitled to this basic coverage. The law, therefore, makes them eligible for hospital insurance to be paid for by money from the General Fund.

The second part of the program is supplementary medical insurance providing protection against the costs of physicians' services and certain other medical and health services. Medical insurance, available to nearly all persons 65 or over, is completely voluntary. The individual choosing to enroll pays a low monthly premium of $3 which is matched by $3 from the Government.

Thus, when Medicare goes into effect in July 1966, the aged of this country will have available to them, through these two types of insurance, protection comparable to that provided under some of the better private plans now offered. Further, they will be able to get this protection at a minimum cost which most aged persons, even with a severely limited income, will be able to afford. However, only those who elect the voluntary plan covering physicians' fees will have full protection. The enrollment deadline for the supplementary medical insurance for those 65 before 1965 is March 31 of this year. It is therefore urgent that each person 65 or over be informed about the program, so that he can make his decision whether to enroll before that deadline. A person 65 last year who fails to enroll before March 31 will be unable to enroll again for two years will probably have to pay a higher premium at that time.

The Social Security Administration is now involved in the tremendous task of reaching these 19 million people and telling them about Medicare. Through various means, all but 600,000 or 700,000 persons will be contacted directly. During September and October, 15 million social security and railroad retirement beneficiaries received in the mail, a pamphlet on health insurance and a simple enrollment card which they could merely check and return. By December 23, 9.6 million cards had been received and 89 percent were electing supplementary insurance benefits.

In another project, letters were sent to 1.2 million persons 65 or over who are not beneficiaries, to inform them that they are entitled to hospital insurance and that they need to consider whether they want to elect the supplementary medical insurance.

Through cooperation with State welfare departments, 1.1 million welfare recipients will be told what their Welfare Department intends to do about the voluntary coverage—either buying in for the whole group or perhaps allowing the $3 premium payment in the assistance allowance. Welfare recipients will also be told how to get the hospital insurance protection, to which they are entitled without any payment.

Information on the Health Insurance Program was mailed also to 300,000 Federal Civil Service annuitants age 65 or over who are not social security beneficiaries.

Finally, a second letter will go out this month to all social security and railroad retirement beneficiaries who did not respond to the earlier letter or who responded negatively.

To try and reach the rest of the persons eligible for the program, the Social Security Administration is going to mail to the executives of all homes for the aged and skilled nursing homes of the country information about the program for their residents. In addition, the Social Security Administration in cooperation with the Office of Economic Opportunity has just announced "Operation Medicare Alert" program which will employ teams of older persons to inform the elderly in poor, urban and rural areas about the new benefits available to them. The teams will assist in contacting individuals, distributing materials, organizing and publicizing meetings, escorting individuals to social security offices, and will aid social security representatives in enrolling eligible individuals for health insurance and related social security benefits.

No channel is being ignored in this crucial effort to reach these persons before the deadline. The responsibility of making sure that no aged person is denied the full benefits of the Health Insurance Program is a great one. Mail sometimes fails to get the message across. A reminder, perhaps from someone like yourselves, is often the extra push that is needed to stimulate these people to action. Anyone who wants further information on Medicare should call or visit his local social security district office.

I shall only highlight the coverage under these two types of insurance. The hospital insurance program covers four types of services: inpatient hospital services, posthospital extended care services, home health services, and outpatient hospital diagnostic services. The program pays part of the cost of: up to 90 days of hospitalization; outpatient hospital diagnostic services in a 20 day period; 100 days of care in a skilled nursing home after a hospital stay; 100 home health visits a year after a 3 day hospital stay.

No physicians' services are covered under the hospital insurance. The voluntary medical insurance, on the other hand, covers services of physicians regardless of where they are performed. Also covered under the supplementary program are other medical and health services such as X-rays, radium treatments, surgical dressings, special medical equipment and certain ambulance services. Finally, the voluntary medical insurance covers 100 home health visits in addition to home health visits under the hospital insurance and without previous hospitalization. I would like to reemphasize that these last services mentioned, including the doctors' services, are covered only by the voluntary medical insurance. This is why it is so imperative that these persons be reached before March 31 of this year.

At the same time, the Social Security Administration is trying to reach persons 65 or over before the deadline, it is also setting up the means to administer the program when it goes into effect in July. In establishing the health insurance program, Congress was careful to guard against Federal interference in the practice of medicine and the provision of health service. Payments for services covered under both insurance programs will be made, in almost every case, not directly by the Government, but by intermediaries.

Under the hospital insurance program, providers of services—hospitals, nursing homes and home health agencies—may nominate through their associations and groups intermediaries to perform major administrative functions under the program. If the Government agrees that a nominated intermediary can carry out the job in a way that is efficient and effective for the total program, it will give that intermediary the primary function of paying bills.

An individual hospital, however, does not have to deal with the intermediary nominated by its group; it can decide to select some other intermediary that has been approved or deal directly with the Government.

The next step for the provider of service is to file an application for a determination as to whether it is eligible to participate in the program. A hospital that meets accreditation standards of the voluntary accreditation procedure is automatically included if it has a utilization review committee. The task of looking at the individual institutions will be done by State agencies under contract with the Federal Government. Here in Rhode Island, the Departments of Health and Social Welfare have been designated to carry out this responsibility.

In the voluntary medical part of the program, too, major administrative functions—notably the handling of claims and the payment of doctors' bills—will generally be performed by third parties. The intermediaries, in this case, will be a combination of commercial insurance companies, Blue Cross-Blue Shield organizations, and group health prepayment plans.

Payment for covered services under the health insurance program will be made on two different bases. Payment to hospitals, extended care facilities, and home health agencies will be made on the basis of reasonable cost. Payment for physicians' services under the medical insurance program will be on the basis of reasonable charges.

The law sets forth certain guidelines for determining what constitutes a reasonable charge in the case of physicians' services. The intermediaries are to take into consideration the customary charges generally made by the physicians, as well as the prevailing charges in the locality. Also, the reasonable charge is not to be higher than the charge made in comparable circumstances to the policy holders of the intermediary.

The hospital insurance program reimbursement is to be on the basis of reasonable cost. It was Congress' intent that there *not* be some uniform, flat rate of reimbursement. What is sought is a payment tailored to the cost of care delivered by the individual institution. This is an extremely significant provision. While the purpose of the law is to help the aged meet their medical bills, this provision for the payment of the full reasonable cost of covered care will indirectly support the efforts of the health professions to improve the quality of medical care for all American people.

The story of the Medicare program is an exciting chapter in the social history of our time. However, it would be misleading to leave you with the impression that it is a complete, all embracing program. There are forgotten millions of older persons who will benefit very little from all of the provisions of Medicare.

These are the elderly who are physically or mentally handicapped, chronically ill and the senile who require full time nursing care and frequent medical attention. They will not benefit from mere financial assistance.

The story of these neglected older persons is too long to cover in this presentation; yet, their plight is desperate and urgent. Their need is for long-term, comprehensive care. Not just medical care but a range of services to provide the basic needs of daily living. I call it a program for "Living Care."

I shall propose in this session of Congress, a system of Federal support for long-term comprehensive medical and social care—living care for elderly persons judged medically and socially in need of such services.

This is a new concept of medical care but the statistics justify such a program. To insure a solid basis for the project, I would propose a comprehensive study by the Public Health Service to develop a set of guidelines for action to implement the findings.

Let us then be alert to all of the provisions and advantages of the Medicare program. Let us be equally aware of the forgotten, disabled millions of older persons who are helpless burdens to their families who are unable to afford the long-term costs of nursing care.

This is the logical next step in our national program to fulfill our spiritual, moral and social obligations to those who are unable to speak and act for themselves. This is not charity but the responsibility of a nation directing its efforts toward achieving a Great Society in which each person is encouraged to achieve his full potential and be assured of a reasonable measure of security and health protection throughout his later years.

It is obvious that Medicare is the long overdue basic program upon which public and private enterprise can build a positive health program for today's elderly with an expectation of an even healthier, longer life for tomorrow's older Americans.

SENATE

TUESDAY, MAY 24, 1966

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Lord, Thou hast been our dwelling place in all generations.

Before the mountains were brought forth, or ever Thou hadst formed the earth and the world, even from everlasting to everlasting, Thou art God.

For a thousand years in Thy sight are but as yesterday when it is past, and as a watch in the night.

Thou carriest them away as with a flood: they are as a sleep: in the morning they are like grass which groweth up.

In the morning it flourisheth, and groweth up: in the evening it is cut down, and withereth.

So teach us to number our days, that we may apply our hearts unto wisdom.

Let Thy work appear unto Thy servants, and Thy glory unto their children.

And let the beauty of the Lord our God be upon us: and establish Thou the work of our hands upon us: yea, the work of our hands establish Thou it.

For Thine is the power and the kingdom for whose coming we pray. Amen.

THE JOURNAL

On request of Mr. LONG of Louisiana, and by unanimous consent, the reading of the Journal of the proceedings of Monday, May 23, 1966, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States, submitting nominations, was communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 10744. An act to amend the District of Columbia Alcoholic Beverage Control Act; and

H.R. 11087. An act to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, and the District of Columbia Business Corporation Act, as amended, with respect to certain foreign corporations.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 8376. An act to amend title I of the Tariff Act of 1930 to make permanent the existing duty-free treatment for certain corkboard insulation;

H.R. 10366. An act to establish the Mount Rogers National Recreation Area in the Jefferson National Forest in Virginia, and for other purposes;

H.R. 10998. An act to continue for a temporary period the existing suspension of duty on heptanoic acid;

H.R. 11653. An act to make permanent the existing suspension of duty on certain natural graphites;

H.R. 12262. An act to continue until the close of June 30, 1969, the existing suspension of duty on certain copying shoe lathes;

H.R. 12463. An act to extend until June 30, 1969, the suspension of duty on crude chicory and the reduction in duty on ground chicory;

H.R. 12657. An act to continue the suspension of duty on certain alumina and bauxite;

H.R. 12864. An act to make permanent the existing duty-free treatment of personal and household effects brought into the United States under Government orders;

H.R. 12997. An act to extend until July 15, 1968, the suspension of duty on electrodes imported for use in producing aluminum; and

H.R. 14215. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1967, and for other purposes.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred to the Committee on the District of Columbia:

H.R. 10744. An act to amend the District of Columbia Alcoholic Beverage Control Act; and

H.R. 11087. An act to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, and the District of Columbia Business Corporation Act, as amended, with respect to certain foreign corporations.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. LONG of Louisiana, and by unanimous consent, the following subcommittees were authorized to meet during the session of the Senate today:

The Subcommittee on Public Buildings and Grounds of the Committee on Public Works.

The Subcommittee on Executive Reorganization of the Committee on Government Operations.

The Subcommittee on Public Lands of the Committee on Interior and Insular Affairs.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. LONG of Louisiana, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

THE MINORITY LEADER

Mr. LONG of Louisiana. Mr. President, I am most delighted, from this side of the aisle, to welcome back to the Chamber our beloved minority leader. I am happy to see that even a serious injury could not keep him away from the Chamber for more than a few days. He is much loved on this side as well as on the other side of the aisle, and we are all delighted to have him back with us.

Mr. DIRKSEN. Mr. President, I am grateful to the acting majority leader. My only advice is, "Don't fall off a bed."

Mr. KUCHEL. The able acting majority leader has accurately reflected what is in all our hearts. The leader of the Republican minority is not only great, Mr. President, but he is also indestructible, and we are all delighted to have him present with us again.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

AMENDMENT OF TENNESSEE VALLEY AUTHORITY ACT OF 1933

A communication from the President of the United States, transmitting a draft of proposed legislation to amend the Tennessee Valley Authority Act of 1933, as amended, to increase the limitation on the authority to issue bonds to finance its power program (with an accompanying paper); to the Committee on Public Works.

REPORT ON EXPORT-IMPORT BANK INSURANCE AND GUARANTEES ON U.S. EXPORTS TO YUGOSLAVIA

A letter from the Secretary, Export-Import Bank of Washington, Washington, D.C., reporting, pursuant to law, that the amount of Export-Import Bank insurance and guarantees on United States exports to Yugoslavia for the month of April 1966, not previously reported, totaled $109; to the Committee on Appropriations.

REPORT ON CONSTRUCTION OF TRAINING CENTER AT FORT SCHUYLER, N.Y.

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, on a revised estimate of the construction cost for the construction of the N & MCR Training Center, Fort Schuyler, N.Y.; to the Committee on Armed Services.

CARRYING OUT OF OBLIGATIONS OF THE UNITED STATES UNDER THE CONVENTION ON THE SETTLEMENT OF INVESTMENT DISPUTES BETWEEN STATES AND NATIONALS OF OTHER STATES

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to facilitate the carrying out of the obligations of the United States under the Convention on the Settlement of Investment Disputes between States and Nationals of Other States, signed on August 27, 1965, and for other purposes (with an accompanying paper); to the Committee on Foreign Relations.

AMENDMENT OF PEACE CORPS ACT

A letter from the Director, Peace Corps, Washington, D.C., transmitting a draft of proposed legislation to amend further the Peace Corps Act (75 Stat. 612), as amended, and for other purposes (with accompanying papers); to the Committee on Foreign Relations.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. JACKSON, from the Committee on Armed Services, with an amendment:

S. 3105. A bill to authorize certain construction at military installations, and for other purposes (Rept. No. 1185).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MAGNUSON:

S. 3393. A bill for the relief of Duk Hwa Kim and his wife, Kyi Bok Han Kim; to the Committee on the Judiciary.

By Mr. CARLSON:

S. 3394. A bill for the relief of Dr. Emilio J. Dominguez; to the Committee on the Judiciary.

By Mr. McCLELLAN:

S. 3395. A bill for the relief of Antonio Gonzalez-Mora and his wife, Natalia Sandoval Gonzalez-Mora; to the Committee on the Judiciary.

ADDITIONAL COSPONSOR OF BILL

Mr. McINTYRE. Mr. President, I ask unanimous consent that, at the next printing of the bill (S. 2969) to amend the Internal Revenue Code of 1954 to allow a deduction for additions to a reserve for certain guaranteed debt obligations, the name of the Senator from Connecticut [Mr. Ribicoff] may be added as a cosponsor.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SEIZURE OF AMERICAN TUNA VESSELS BY PERU

Mr. KUCHEL. Mr. President, I ask unanimous consent that I may exceed the 3-minute limitation by a reasonable number of additional minutes.

The PRESIDING OFFICER (Mr. Stennis in the chair). Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, yesterday a ship of the Peruvian Navy seized and forced into a Peruvian port five American tuna vessels which were engaged in normal fishing activities at a point some 19 miles off the coast of Peru.

This incident occurred well beyond the limits recognized by the vast majority of world powers as reasonable for protection of national territorial and fishing rights.

The five American-flag ships were taken to Talara, Peru, where they face fines for fishing in waters claimed by that country as part of its territorial jurisdiction. Members of the tuna industry estimate these fines may run as high as $20,000.

This is the second recent incident of interference by units of the Peruvian Navy with American-flag tuna vessels conducting legitimate fishing activities in what, by all reasonable standards of international comity, are international waters. Earlier, in December 1965, the tuna boat *Mayflower* was intercepted 35 miles offshore by a Peruvian naval ship demanding to review the papers of the American vessel. As a result of the refusal of the American master shots were fired from the Peruvian ship. The master and navigator were slightly wounded but fortunately there was no loss of life.

Mr. President, I have on a number of occasions called to the attention of the Senate the state of near anarchy which exists on the high seas off a straight segment of the coast of Latin America, and the high penalties imposed under duress and by force on the peaceful activities of the American tuna fleet by certain Latin American governments which claim unreasonably large national fishing zones.

Last session I was joined by a number of my fellow Senators, Republican and Democratic alike in offering, and the Senate overwhelmingly approved, an amendment to the Foreign Assistance Act of 1965 providing that no American aid would be extended to any country which extends its boundaries for fishing purposes beyond those recognized by the United States, or imposes a penalty on U.S. fishing vessels in such an area. This proposal as approved by the House-Senate conferees permitted the President to have discretion in this matter.

I think the action of the House weakened the position of the Senate unnecessarily but, in any event, the conference report did maintain the intent of the legislation which we sponsored successfully here. I believe now, Mr. President, we need a tighter restriction. We need to make it abundantly clear that the United States will bar any further assistance to nations which adopt such practices.

I believe this action must be accompanied by a new departure on the part of this administration toward creative and constructive diplomacy to settle once and for all the chaotic situation respecting fishing rights in South American waters. Such diplomacy, it seems to me, must take into full account the causes, both external and internal, of opposition to our peaceful fishing activities by Peru and some of the other nations. It must take into account all relevant factors: the interest of our fishing industry, our broad interest in freedom of the seas and our vital commercial and strategic interests in this hemisphere, as well as our sincere desire to be of assistance in this hemisphere under the Alliance for Progress.

I would urge the Secretary of State to increase the scope of American consular activities in nations on the Pacific coast of Latin America in order to render immediate protection to American fishing interests wherever and whenever disputes may arise and, furthermore, to provide for an effective system of early release of American vessels when they are brought into port.

Second, I would urge the Secretary of State to seek the establishment of consular posts in cities of the United States, such as San Diego, for example, in my own State of California, which are the home bases of many great segments of our fishing fleet. This practice could facilitate establishment of licensing procedures on a reasonable basis in South American countries, and other long-range accommodations between these particular nations and the fishermen themselves. Such procedures would help prevent any additional regrettable incidents.

I close by saying that you, Mr. President, and the men and women in this Congress have a duty to protect fellow Americans using the open seas.

We have also assumed the laudable duty of endeavoring to help our brethren in this hemisphere. Those two goals are not incompatible.

I hope that when the time comes the Senate will once again indicate its concern for fellow Americans.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Approximately 15 years ago Senator Magnuson of Washington, Senator Morse of Oregon, and I approached the then Secretary of State, General Marshall, on the subject of the level of the assistant in the State Department who had to deal with the fishing problem. The Peruvian problem was before us at that time.

Recently we had a meeting under the chairmanship of Senator Magnuson on the subject of protocol, seniority, and position in the Department of State.

I bring that up because I did not hear the Senator mention that matter. It is very important, it seems to me, to have the level of the diplomat who has to deal with fishing problems in the Department of State on a level with those in other countries with whom he has to deal. Otherwise he is at a disadvantage.

I hope that both Senators from California emphasize that more than it has been emphasized.

Mr. KUCHEL. I thank the able Senator. His suggestion is an excellent contribution. Surely the Government of the United States should have in the Department of State a man of sufficient recognition, and rank in his profession to be able to deal firmly as a representative of the American people in fishing problems with our South American neighbors.

I have supported the proposal to raise the level of the Special Assistant of Fishing Activity in the Department of State. I have recommended the use of consular establishment by all nations involved in this continuing and regrettable tragedy. The consulates have an important role to play in resolving this problem.

Mr. SALTONSTALL. Assistant Secretary of State Mann—I think he is the Assistant Secretary—had that problem very much in mind.

I hope that both Senators from California, on behalf of the American people from the east coast to the west coast, will give thoughtful consideration to this matter.

Mr. KUCHEL. We both shall. I thank the Senator very much.

Mr. MURPHY. Mr. President, I wish to congratulate my distinguished colleague from California [Mr. Kuchel] for bringing this matter to the attention of the Senate. This has been a continuing problem over the years. I am glad that at this late date, through the efforts of my colleague and myself, the attention of the Department of State has been brought to bear on this matter so that the remedy can be found and found soon.

It is a continuing problem, and an embarrassing and costly problem. It is unfair.

I wish to associate myself with my distinguished colleague.

NATIONAL FELLOWSHIP AWARD TO VICE PRESIDENT HUBERT HUMPHREY

Mr. CLARK. Mr. President, last night it was my privilege to be present in Philadelphia to witness the presentation of the National Fellowship Award of the Philadelphia Fellowship Commission to Vice President Hubert Humphrey.

In accepting this well-merited honor, the Vice President made a splendid speech expressing a point of view in which I wholeheartedly concur. I ask unanimous consent that the text of Vice President Humphrey's remarks be printed in the Record at the end of my statement.

Mr. President, as the Vice President observed, our task now is to move beyond the legal declaration of equality of opportunity, and proceed "to fulfill these rights," to borrow the phrase used to designate the forthcoming White House Conference on Civil Rights.

A year or so ago it was the fashion to speak of "the invisible poor." Thanks largely to President Johnson's war on poverty, the poor have lost their invisibility: we can now perceive the problem, and we have begun the search for a solution.

The Vice President noted:

> An automobile ride of just a few minutes duration brings us to neighborhoods in Philadelphia—or in any major urban area—where our fellow citizens live in unspeakable poverty . . . where hope is extinguished in the hearts of the young and where their parents know no hope.
>
> We cannot rest until these neighborhoods of despair are transformed into communities of hope and opportunity.

The goal set by the Vice President is a lofty one, but it is one which we can and will attain if we persevere.

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks of Vice President Hubert Humphrey, National Fellowship Award Dinner, Philadelphia, Pa., May 23, 1966

I am deeply honored once again to receive your National Fellowship Award.

The Fellowship Commission is known throughout America as one of the most dynamic and effective human relations groups carrying forward our struggle against discrimination, prejudice and bigotry.

If anything, my feelings of gratitude and pleasure exceed those I felt 16 years ago upon first receiving this award.

Sixteen years ago we know the challenge of civil rights commanded priority attention. But we could honestly wonder whether or not America would respond to the urgent cry for justice and freedom.

Today one fact is clear: America *has* come to grips with racial discrimination.

We have responded to the challenge of civil rights with an intensity and conviction few would have predicted 16 years ago.

And yet, despite our victories, we find ourselves not unlike those friends and members of the Fellowship Commission who gathered 16 years ago. *We will see civil rights as the principal domestic concern facing the people of this land.*

In all candor we must ask these questions:

Will America be capable of finishing the job so nobly begun?

Can we truly achieve the goal of "freedom now"—the affirmation of the civil rights movement which also sums up so eloquently the foundations of our democratic faith?

The promise of freedom is like rays of the rising sun dispelling the shadows of night.

Today these rays are reaching into the darkest corners of our urban ghettoes and rural slums.

But we must now preserve until the sun has risen completely—until the hopelessness and despair of the long night of bondage is transformed into a shining day of freedom and opportunity.

The encouraging progress of the past 16 years has been the product of three major forces:

Americans of all races and colors, often acting against tremendous odds, have fought with courage to secure simple justice for millions of Negro Americans and other minorities who have lived for generations in the shadows of segregation and discrimination.

The great institutions of our democracy—the Presidency . . . the Congress . . . the Supreme Court—have taken equally dramatic action according to their respective procedures and traditions.

This 16-year period began with the series of historic Supreme Court decisions culminating in the historic proposition, set forth in the *Brown* case, that segregated education is inherently unequal.

This period includes passage of the Civil Rights Acts of 1957, 1960, 1964 and the Voting Rights Act of 1965.

And today Congress is considering another series of historic civil rights proposals, advanced by President Johnson, dealing with jury trials, protection of civil rights workers, school desegregation, and equal housing opportunity.

A handful of courageous organizations—the NAACP and the Education and Legal Defense Fund, CORE, and the Southern Christian Leadership Conference, the Student Non-Violent Coordinating Committee, among others—have waged this struggle for human dignity and freedom in the courtrooms, schoolrooms, lunch counters and voting booths of this land.

Yet the story of the past 16 years is dramatized most clearly by countless acts of individual heroism and courage.

We recall the courageous seamstress of Montgomery, Alabama—Mrs. Rosa Parks—who, in 1955, decided she would no longer tolerate the segregation of that city's bus system.

And, during the historic boycott of those buses, the voice of a young unknown Baptist minister—Dr. Martin Luther King, Jr.—spoke out forcefully in support of nonviolent action to win the minds and consciences of America in support of freedom and equality.

We remember the turmoil which resulted from the unsuccessful attempt to admit Miss Autherine Lucy to the University of Alabama in 1956. But we also recall the successful entrance of Miss Vivian Malone in 1963.

We remember the quiet dignity and courage of the Little Rock youngsters as they filed into Central High School between rows of National Guardsmen in 1957.

We remember the fortitude and dignity of the students from North Carolina Agriculture and Technical College as they conducted the first "sit-in" in Greensboro in 1960—and the remarkable spread of this nonviolent procedure to root out the evils of segregated lunch counters and restaurants.

We think of the Freedom Rides of 1961 and the tumultuous events surrounding the admission of James Meredith to the University of Mississippi in 1962.

We remember the nonviolent demonstrations of Dr. King and his followers in 1963 to bring before America a variety of local injustices relating to public accommodations and equal job opportunity in Birmingham.

We recall, of course, moments of great individual sorrow and tragedy—the bombing of the church in Birmingham and the death of four young girls attending Sunday school . . . the murders of Medgar Evers; Lemuel Penn; William Moore, the white Baltimore postman on his Freedom Walk; Reverend James Reeb; Viola Liuzzo and of course, Michael Schwerner, Andrew Goodman, and James Chaney.

We cannot forget the dozens of bombings, savage beatings and assaults, church burnings, and other acts of terrorism and intimidation which have marked these turbulent 16 years.

But we also recognize that these sacrifices have not been in vain.

For out of the heartbreak and tragedy has come not only hope and faith for a just tomorrow but heartening changes in the conditions of life for the Negro American.

Today we see hundreds of thousands of new Negro votes where in certain states 16 years ago there were few indeed.

We see hotels and motels operating without regard to race or color in all areas of the country.

Each fall we see a heartening increase in the rate of school desegregation, even though we recognize that much more must and will be done.

In all areas of life we are witnessing barriers of race giving way to appeals of reason and justice.

Looking back over the past 16 years, what conclusions can we draw?

First, this country has spoken out decisively against the barriers of legal segregation which were so evident 16 years ago.

The product of a vicious social and economic system designed to impose the stamp of inferiority upon all Negroes—and based upon the bankrupt philosophy of "separate but equal"—these barriers are now being systematically torn down. Decisions of the Supreme Court and the historic Civil Rights Act of 1964 and the Voting Rights Act of 1965 have been the major weapons in this assault.

We cannot claim total victory at this stage. We recognize that segregation is still encountered in certain schools, hospitals and public facilities. But President Johnson has voiced his determination to complete this task and this mandate is being carried out under the personal direction of the Attorney General.

But let the record be perfectly clear at this point: Segregation has no place in the public life of this nation. *It must, and will, be eliminated.*

Second, we have learned that laws, however skillfully drafted and implemented, constitute only the beginning of the process of constructing a total environment of freedom and equality.

No, civil rights legislation and the Supreme Court decisions have not ended the civil rights struggle.

As President Johnson noted last year at Howard University—paraphrasing Winston Churchill—these actions were not the end, they were not even the beginning of the end; but they were perhaps the end of the beginning.

Laws and court decisions can point the way. They can establish criteria of right and wrong. And they can provide a basis for eventually rooting out the evils of bigotry and racism.

But they cannot wipe away centuries of oppression and injustice, however much we might desire it.

Our task now is to move beyond equality *in law* to equality *in fact*, to build this total environment of freedom in which all men can exercise meaningful choice in the vital areas of life.

Third, we have recognized the essential role which government must play in the struggle to combat discrimination and promote equal opportunity throughout our society. Without the involvement and support of the federal government, as well as the governments of many states and localities, the civil rights record of the past 16 years could never have been written.

But, we have also learned there are limits to the burden the federal government can and should bear. It is in the very nature of a free society that a concept like equality of opportunity for all citizens—if it is to become a reality in practice and not just in theory—must have the active support of the American people.

The full mobilization of that support has now become the great challenge in civil rights. This task will be at the top of the agenda for the White House Conference "To Fulfill These Rights" scheduled for next week in Washington, D.C.

But let us not delude ourselves as to the magnitude or difficulty of this challenge.

An automobile ride of just a few minutes' duration brings us to neighborhoods in Philadelphia—or in any major urban area—where our fellow citizens live in unspeakable poverty . . . where hope is extinguished in the hearts of the young and where their parents know no hope.

We cannot rest until these neighborhoods of despair are transformed into communities of hope and opportunity.

President Johnson has committed this Administration to the long-term struggle against deprivation and discrimination.

But each community must accept ultimate responsibility for mobilizing the local support which is essential in developing dynamic programs in housing, education, jobs, and health services. And all segments of the community must be involved in this planning—especially those people affected by the programs.

In *housing*, there is a critical need for metropolitan-area planning so that urban core areas will no longer be little more than prisons.

People of all races and backgrounds must have the opportunity to purchase or rent housing, without having to brave insult, indignity and even violence.

And we must increase substantially the supply of decent lower and middle income housing in all parts of the metropolitan area.

There are ways the federal government can assist in this process—procedures suggested in the Demonstration Cities bill now pending in Congress and found in the rent supplements program. And the President has proposed legislation to guarantee every American the right to equal opportunity in the purchase and rental of housing.

Federal assistance is obviously essential. But the impact of this assistance can be magnified a thousand-fold if a community is fully committed to the goal of decent, nonsegregated housing for all its citizens—if the community is developing creative, bold new approaches to meet the housing crisis of urban and rural America.

In *employment*, there are vast opportunities for local communities to take the lead not only in preventing discrimination in hiring and promotion but also in promoting *positive* steps.

In a growing number of cities, Plans for Progress companies are establishing local merit employment councils which offer a variety of services to local businesses and unions. There is a special need for company-sponsored training programs which reach into the ghettoes for new enrollees—and for government training programs to do likewise.

It is also vital that our young people be given the motivation and incentive which can only come from the promise of a real job—a job which permits them to take their place in the world with self-respect.

This requires close coordination between our schools, public agencies, businesses and labor unions. And it requires hard, patient, unremitting effort.

But consider the benefits—thousands of Americans saved from lives of idleness and despair . . . the opportunity to break the downward spiral of poverty and prejudice . . . the chance to bring hope and fulfillment to those trying to survive in our urban ghettoes.

In *education*, we hold the key to "freedom now" for those millions of Americans so long denied. And we can open this door of opportunity by providing quality education now for *all* the children of America.

I believe our educational system should know only one standard—that of excellence, whatever the location of the school building.

We must do other things to relieve the terrible overcrowding of our ghettoes—overcrowding in homes, schools and recreational facilities that make learning, or just plain living, almost impossible. But let us not draw back from the task of erecting cathedrals of education in our central cities as we pursue these other things.

I know that much of this work is underway in Philadelphia—and a great deal is under the sponsorship of the Fellowship Commission.

It has been my great privilege to spend the day observing many of the exciting programs that your Board of Education has planned for next year. This is hard, visible evidence of what an aroused and compassionate community can do when it rolls up its sleeves and gets to work.

In all of this our task is one of providing to each individual maximum opportunity to exercise *freedom of choice* in the vital aspects of life.

The urban ghetto is little more than a highly complex ingrained and self-sustaining system which ruthlessly and systematically denies to residents of these areas any opportunity for meaningful choice in housing, education, jobs, welfare and public services.

And it is this inability to choose—this denial of the right to chart one's destiny and to be a real participant in the social, economic and political life of this country—which produces the frustration, bitterness, hopelessness and outrage we encounter today in the urban ghettoes of America.

In breaking this pattern of denial and discrimination, we will be transforming our entire social and economic structure into something quite different from what exists today.

Make no mistake about it: The casting aside of artificial barriers of discrimination—the mounting of large-scale housing, education and employment programs—will touch the lives of every American.

Sacrifices will be required—and we will know times of turmoil and failure.

But I profoundly believe this nation possesses the moral fibre—and the heart—to make good on our promises of liberty and equality.

We surely understand why it is so vital for every American to have that sacred chance to reach for the stars . . . to win or lose . . . to stretch his mind and his talents to the fullest . . . most importantly to have the chance to simply to be *somebody*.

Yes, in the words of the great American author Thomas Wolfe: "To every man his chance, to every man, regardless of his birth, his shining, golden opportunity. To every man the right to live, to work, to be himself, and to become whatever things his manhood and his vision can combine to make him. This . . . is the promise of America."

U.S. AIR FORCE SCHOLARSHIPS WON BY 29 KANSANS

Mr. CARLSON. Mr. President, 29 Kansas State University Air Force ROTC cadets have won U.S. Air Force scholarships valued at $60,000. This is the largest group of scholarships awarded by the Air Force to any college or university in the Nation this year.

The cadets were selected in a national competition in which students at more than 180 of the Nation's top colleges and universities participated. To qualify for a scholarship, each cadet had to pass a physical examination, attain a high score on the Air Force officer qualification test, have high personal and moral standards and have a good academic record.

Last year Kansas State led the Nation in the academic quality of all Air Force scholarship recipients. Of the six Kansas State University students winning scholarships this past year, five were elected to Blue Key, senior men's honorary, and five to Phi Kappa Phi, national scholastic honorary.

As of last February ROTC has been on a voluntary basis, and it is interesting to note that 82.9 percent of the men in the compulsory program reenrolled on a voluntary basis, compared with the national average of only 36 percent where this kind of change in program has occurred.

Kansans can well be proud of the ROTC program at Kansas State University.

Mr. RUSSELL of Georgia. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. RUSSELL of Georgia. Was the Senator referring to the scholarships that were available for the first time this year under legislation that was reported by the Senate Armed Services Committee to train candidates in our colleges to occupy the same positions as those who come from service academies?

Mr. CARLSON. The Senator is correct. The distinguished Senator from Georgia [Mr. Russell] sponsored this legislation, and I believe it is serving a very useful purpose.

Mr. RUSSELL of Georgia. I was happy to report it and sponsor it.

I congratulate the Senator and the great educational institution to which he referred. That is, indeed, a notable achievement for this university to lead the field of all universities in the United States, because the competition was very vigorous for these scholarships. The Senator may well be proud of the fact that that institution in his State won more scholarships than any other institution in the entire United States.

Mr. CARLSON. This is further evidence of a fine and outstanding service rendered by the distinguished Senator from Georgia [Mr. Russell] who is chairman of the Armed Services Committee in establishing a program under which these fine young men can enter into competition in the ROTC.

I come back to the statement that I am particularly proud that Kansas State University, with 29 scholarships, has the largest number of scholarships awarded, after competing with 160 other colleges and universities.

EFFECTIVE LEGISLATION NEEDED FOR HUMANE TREATMENT OF ANIMALS

Mr. YOUNG of Ohio. Mr. President, it is a matter of great importance that this Congress before adjournment pass legislation to end the cruel traffic in dogs and cats and to end the unnecessary and inhumane treatment of dogs and cats and other vertebrate animals in connection with scientific research.

Presently there are excellent legislative proposals pending in the Senate. A bill introduced by Senators Magnuson and Clark, S. 2322, would authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation. It would help greatly in preventing the theft of these animals and in assuring that humane treatment is accorded them prior to and after their sale to experimental laboratories; and, of course, unnecessarily cruel treatment in the course of scientific experimentation must be prohibited by law. I am one of a number of cosponsors of S. 1071, introduced by the distinguished senior Senator from Pennsylvania [Mr. Clark], which provides for the humane treatment of animals and the humane design of experiments. It is not an antivivisection measure. It would legislate only against unnecessary cruelty in experiments for research purposes.

I, too, have introduced a legislative proposal, S. 3167, which would impose severe penalties on anyone convicted of stealing dogs or cats and transporting them in interstate commerce or on those who knowingly receive these stolen pets.

Some unscrupulous dealers are touring the countryside picking up stray dogs and cats and selling them to animal concentration camps. Who knows how many family pets loved by children and nursed through sickness, adding to the happiness of families, have been seized by unscrupulous persons engaged in this lowdown business?

I do not maintain that animals should not be used for legitimate medical research purposes. I do assert that this sort of practice should be controlled, regulated, and carefully supervised. Unscrupulous operators who conduct, for profit, their business with cruelty and neglect should be weeded out and put out of their despicable business. The quacks and sadists must go. We must see to it that experiments that are conducted are needed and regarded as essential, and that the animals themselves are subjected to a minimum of torture.

Mr. President, my record in support of medical research and education speaks for itself. I would not introduce or support any measure to outlaw or curtail research which is responsibly and humanely conducted.

The enactment of the pending bills to which I have referred would effectively correct the intolerable conditions that now exist regarding the sale and treatment of vertebrate animals used for experimental purposes.

Unfortunately, it is evident that some officials of the National Institutes of Health and other research institutions are opposed to humanitarian and needed legislation of this sort.

Instead, they favor legislation which would authorize the Department of Health, Education, and Welfare to finance as much as two-thirds of the cost of animal research facilities. For this purpose an organization was formed in 1965 by the American Medical Association, the Pharmaceutical Manufacturers Association, the National Society for Medical Research, the Animal Care Panel, and other agencies.

While such legislation would be beneficial, it does not go far enough in protecting animals prior to their shipment to research institutions and during and after experimentation. Also, in many respects, this is a self-policing proposal, in that officials of these groups would to a great extent supervise its implementation.

Many of these institutions are in serious need of operational changes so as to accord to animals the humane treatment which the institutions have not in the past given.

This organization supports the bill recently introduced by the distinguished senior Senator from Alabama [Mr. Hill]. This bill no doubt has the backing of officials of the National Institutes of Health and the American Medical Association. It has my opposition. While its purposes are noble, this legislative proposal fails to correct many of the problems that now exist. Were it to be enacted, these problems would be swept under the rug, perhaps for years to come. It is my view that one or more of the bills referred to, which I have sponsored or cosponsored, is the sort of legislative proposal that should be enacted.

Laboratories, as well as dealers in dogs and cats, should be compelled to house and to care for these animals in a humane manner. We should no longer tolerate the situation of pitiful starving dogs and cats in laboratory cages so small they cannot even stand or lie comfortably.

We must enact legislation that will provide punishment for the theft of pets and for the inhumane treatment of them. What is needed is that Federal inspectors from the U.S. Department of Agriculture be empowered to enforce humane standards for the care of animals not only by dealers but by officials and employees of scientific institutions and laboratories, including the National Institutes of Health. Such legislation should be enacted without further useless delay.

THE ORDER OF AHEPA HONORS THE 89TH CONGRESS

Mr. HART. Mr. President, on March 14, 1966, the Order of Ahepa—the American Hellenic Progressive Educational Association—honored Members of the 89th Congress at a banquet in Washington. Because some of our colleagues were unable to attend, and to insure a permanent record of the events of that memorable evening, I ask unanimous consent to have printed in the Record the transcripts of the address by the Honorable Hubert H. Humphrey, Vice President of the United States, and the several other speeches which were made that evening.

There being no objection, the speeches were ordered to be printed in the Record, as follows:

Address by Hon. Hubert H. Humphrey, Vice President of the United States, Before Biennial National Banquet of the Order of AHEPA, Washington, D.C., March 14, 1966

Your Eminence, Your Excellency, Mr. Ambassador and the Officers of AHEPA, the American Hellenic Educational Progressive Association, and these lovely ladies of the Daughters of Penelope:—

My friends in the Congress, I noticed as I came in, this gallant, attractive, intelligent young man, John Brademas, who brings joy to all of us. And this very distinguished United States Senator whose name will be in the history books of America for years to come for his outstanding work in the passage of our new Immigration Law, Phil Hart. And I can't help but take some state-wide, local pride in noticing that at your Head Table, this evening, you have one of the most brilliant of our fellow citizens from the State of Minnesota, a man who has made a great record for himself in the Congress, a dear personal friend, Congressman Donald Fraser. Don, it's sure good to see you.

Now, I know that one of the dangers of a man mentioning any names is that he always leaves somebody out. But I do want to express, first of all, a very warm greeting to my associates in the Government, members of the Congress of the United States who I know are exceedingly happy to be here on this occasion.

May I just say, Mr. President, that, it isn't often that an organization and a group of people have an "inside operator"—an inside lobbyist, an inside special friend at the White House. But I must say that Americans of Greek extraction have done very, very well. They've penetrated the highest counsels of Government. They have Mike Manatos right over there on the inside.

And how very happy we are that Mr. Manatos is there as a wonderful helper to the President of the United States and the Congress. Mike is a tower of strength for all of us. I saw him a little earlier this evening, and he was able to get away from the White House a little earlier than I was. He has extra influence with the President. But I thought you would like to know, President Doukos, that when I left the White House, the President of the United States told me just a short time ago, that he remembered the happy evening he had at one of the meetings of AHEPA, here in Washington. And he said, "I just want you to promise me one thing, HUBERT. I want you to promise me that you won't stay as late as I did." Now, I don't know what you did to him, and I took the pledge. I said, "I promise."

I'm so very pleased to be here. I noticed that on the Board of Trustees, (as if I had to look to notice, because I'm very familiar with the organizational structure of AHEPA), I noticed that one of the outstanding members comes from my home state of Minnesota. And I'm so pleased.

I have to tell you just a little story about that. Somebody said to me when I came in. They said, "Well, you don't seem to weigh as much; you've lost a little weight." And I said, "Yes, that's true." I said, "I haven't had a chance to be back home in Minnesota for a long time with my friend, Jimmie Demos, in Minneapolis."

And when I was back there in Minneapolis with Jim—one of my closest personal friends—and this is not to enter a political phrase with this audience, this is a very personal, intimate friendship—when I was there, he always took mighty good care of me. No matter the hour of the night, or the circumstances, I could always look to Jim Demos and know that I had a friend.

And I want Jim to take back to Minneapolis, Minnesota, Demosthenes Chapter #66, my fraternal greetings to my fellow members. I've been a member for 24 years. That is—before I changed my name from Humpernopolis to HUMPHREY.

"By court order," the Supreme President adds.

And then, I do want to just say that the other evening, I was working late in my office, and I went across the street, about two blocks away, and I stopped by to see some dear friends of mine that have been friends of Mrs. Humphrey and myself for many years in Washington, Connie and Helen Velanos. I don't always pay too much attention to Connie, but Helen I do listen to. And she said to me, "Mr. Vice President, you know we've asked you to come on over to the Banquet of the Order of AHEPA." And I said, "Well, I'd love to, but I just can't." And then, I went on to explain why—because a little later, in fact an hour ago, I was supposed to have been at a very fine dinner with very close personal friends and members of the Supreme Court of our Nation. But I said, "I'll do my best to see if I can't get over." And I had hoped to get here a little earlier, but schedules in Washington are sort of like the weather in the Mid-West—unpredictable. You never know what's going to happen.

But I'm so pleased that I was, once again, invited and once again, this great meeting was called to my attention. There's no place I'd rather be, to be very frank with you, than with you. I know that you have a heavy program, I know that your Officers have seen our President. I know that this is your 17th Annual Banquet, and I have attended several of them. I've been the guest of my fellow members of AHEPA on several occasions when you've been here in the Nation's Capitol. When I served in the United States Senate, I had looked forward last year to being able to get to Greece for your great international meeting. I believe it was in August, if I recollect properly. But Mike Manatos just wouldn't let me go. Everytime we were about ready to go, he'd have another bill that the President told him just had to be passed. And I never could quite understand why they though I ought to stay here. I guess they just thought that it looked better if they had the Vice President around.

But I wanted very much to go, and I believe, PHIL, that you did sneak away, didn't you? Yes, I had to make a pledge to PHIL HART as the Presiding Officer of the Senate that I would not let the Senate vote on a single important measure in which the Senator from Michigan, PHIL HART, was interested, while he was gone. So he carried the greetings of our Nation, he carried the greetings of so many friends to so many of our other friends at that meeting in Athens. And how well I know he performed his duty and fulfilled his opportunity.

Let me just say a very few words, and then I must run along. I hope you will forgive me for being an almost impolite guest.

I'm very proud of his great organization. I've been very pleased and proud of the privilege that was mine when I was Mayor of the City of Minneapolis, to be affiliated with the Order of AHEPA. This is a great fraternal body; and its sister body—the Daughters of Penelope—is an equally fine and distinguished and great sorority. I've attended so many gatherings in the Mid-West which is my part of the country, that I always feel very much at home in the presence of these, our friends. I know how long you have worked for so many good things in our country.

I know of the deep dedication of the membership of this organization to the highest qualities of American citizenship. I know of your deep concern to improve our Immigration Laws. And may I just say quite frankly, I doubt that those laws would have been improved had it not been for the effective work of organizations like AHEPA. It wasn't just because we had a President who wanted these immigration laws made more humane and more just. I think it fair to say that you can look back over the records of other Presidents and find that they did understand and they did recommend appropriate changes to make laws just and fair, equitable and humane.

How well I remember that when I served in the Senate, I worked alongside men like the late and beloved Senator Herbert Lehman of New York, our late and beloved President John Kennedy when he was Senator. And I recall that it was my privilege to be cosponsor on those immigration bills, or just a sponsor.

Time after time we tried. I recall that when President Kennedy was Senator, that I was the main sponsor one year, and he, the co-sponsor. And in the next Congress, he'd be the main sponsor and I'd be the cosponsor.

When he became President, he presented the legislation, but we just didn't have the votes. You simply hadn't convinced enough people, as yet.

And then when President Johnson succeeded President Kennedy after that tragic day, the President of the United States promised that he would, as he said, "continue the efforts that had been initiated by the late and beloved President Kennedy." He said in that famous address when he took over the reins of government, "Let us continue." And he pledged as Mike will recall, that every item on that program would be passed if he could do anything about it.

And in the 88th Congress, tremendous effort was made to complete that program.

Then came the famous 89th Congress. In the 89th Congress, President Lyndon Johnson presented to Congress, the Revised Immigration Act. PHIL HART introduced it in the Senate.

And I know that JOHN BRADEMAS and Congressman FRASER introduced the same in the House along with many others, MANNY CELLER of New York—my goodness—there were so many of them that were involved in it.

And because of the work of dozens of great organizations cutting across the great ethnic base of America, the different religious groups—Catholic, Protestant, Jewish, and Greek Orthodox, the great fraternal groups of our country, finally America was awakened and the Congress responded to Presidential leadership.

And I will never forget that Sunday up at Liberty Island. I'm sure, your Eminence, that you remember that Sunday so well at Liberty Island, when the President of the United States affixed his signature to the New Immigration Act of 1965. That was the day America cleansed its conscience. That was the day when we started to judge people as people. That was the day when fairness and equity was put back into our laws.

There are men here in your midst tonight, in the Congress of the United States, men whom I have not mentioned, many names I regret to say. But the Congressmen at your table tonight are there because they believed with you in fairness and justice. The Senators with you tonight, you can rest assured, helped make America what it is—the land of the free and the home of the brave. That's the kind of a country that this is.

Now Ladies and Gentlemen, I have always thought that we were the most fortunate and blessed people in the world. The Good Lord had given much to this Nation. Because we have received so much and we have so much, much is expected of us. In these trying days when there are less fortunate people at home and abroad, those of us who are most fortunate have a special moral obligation to the less fortunate. And may I say with great candor and frankness that where the forces of tyranny seek to dominate and to conquer, now as in other days, this land of ours and the people of this Nation stand guardian on the ramparts of freedom.

It has always been so in our history. I know of no Nation that has given so much and expected so little as the United States of America, my fellow Americans.

You and I know that many a country has been put to the test. Greece, not long ago, less than 20 years ago, was faced with terrible problems—warfare, terror, misery.

But the Greek Government and the Greek people—the overwhelming majority—stood firm, stood firm in their conviction and their dedication to their country and their commitment to their religious faith, the commitment to their history. And with the aid of the United States of America, Greek freedom, Greek democracy was preserved. It was being attacked then as others are now, by those who would destroy freedom. Only in this instance, that I speak of, it was in Europe.

And because free people stood united, and because they were people who had confidence and faith and determination and will, freedom and independence in Greece were preserved. They were mighty close to being destroyed.

When the foe of Communist force was stopped on the border, (you and I know the record of that history), when no longer could the supplies, material and men come through the border from Yugoslavia into Greece, the Greeks were able to maintain their position and maintain their freedom.

What was called a "civil war" was put down. It wasn't really a civil war, it was an attack upon the independence and the freedom of a nation. My fellow Americans let me tell you from this rostrum tonight, that all your Government speaks of now, and all this Nation asks now, is that the aggressor in South Viet Nam, the aggressor from the North, cease his aggression. And we say to him as we have said to others that aggression shall not be the pattern of international conduct. The aggressor shall not be rewarded. And we say to Communism in Asia as we had to say to it in Europe, that you shall not achieve your political objectives by the use of brute force. If you wish political powers, see how many elections you win. No nation has gone Communist through the ballot box, my dear friends. Communism has only gained its objectives through sheer force—just sheer brute force. I have no worries about what a free election will mean in any country. I know that if there are free elections permitted to people, they will not choose the path of totalitarianism. They will not choose the path of despotism. They will choose the path of freedom and independence. You know it, and I know it. And we ought never to be concerned about it.

I've heard people say many times:—What is our objective in South East Asia? I'll tell you what it is. We seek to prevent the success of aggression. Why? Because aggression unleashed is aggression unchecked. Aggression that is permitted to move forward without restraint or check will consume all in its path.

The United States of America is not in South Viet Nam, tonight, just because of a piece of geography. Nor is it there simply because of a regime or a government in Saigon, even though that would be enough. Nor is it there simply because of what may happen to a village or a hamlet, even though that would be enough. We are there because of a principle. We happen to believe that international relations should be conducted on the basis of reason and not force. We happen to believe in the rule of law amongst nations, not the rule of the jungle. We have learned our lessons, and we've learned them well. We've learned that appeasement does not bring peace. And we've learned that when the totalitarian uses force, there's only one thing you can do: you must stand up against it. And defeat it.

We seek to conquer no one. We seek no territory. We seek no bases. We seek no benefits. And you know it. And the American people should know it.

What we do seek is peace. And what we seek is a chance to help other people build a better life. What we seek is more justice for mankind. What we seek is an opportunity for children. What we seek is compassion for the elderly and the sick. What we seek is real peace. The peace of education, the peace of a man's ownership of his own property, the peace of a person being able to live out his life in tranquillity and justice. We do not seek to dominate anyone, nor conquer anyone. We seek to overthrow no regime. But we do seek to have a world in which people can build their own lives.

And when I hear people say:—we want peace, may I say that there is no nation on the face of this earth that has given more in the cause of peace than the United States of America.

There can be peace, tomorrow morning, my fellow Americans. Thre can be peace tonight if someone will come from the capitol of North Viet Nam and Hanoi and say "Let us sit down at the conference table and negotiate peace." It can be had.

But let the word be understood clearly: there is no power on the face of this earth or any combination of powers that can defeat the United States of America. The surest way that I know to shorten this pain and to deliver us from this difficulty is for the American people to make it clear that we have the will and the determination and the resources to do what needs to be done to restore peace in South East Asia.

So I leave you with what our children often recite. My children are now going into the second generation, grandchildren, thank goodness. You know when our little ones go to school, they repeat the Pledge of Allegiance. That Pledge of Allegiance is often repeated by so many of us by rote. You know we just memorize it and say it. We forget what the words mean. But those children stand up in school and say, "I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands." And then comes these words, "One nation, indivisible, under God, with liberty, and justice for all."

Not two nations, not a divided nation, but a nation that is one in its unity of purpose—indivisible. Not divided on basis of group or section, but undivided, united.

But yet, a Nation that understands with all of its power and all of its wealth that it is but nothing unless it is a Nation of spirit and soul, of purpose under God, recognizing our place in the great scheme of things, as designed by Divine Providence.

"One Nation, under God, indivisible, with liberty and justice for all."

Every one of us. And I can tell you, my friends, that that doctrine, those phrases, those words mean something more than just for America. All over the word those are precious words. "Liberty and Justice for all." And its to those words that AHEPA has given its resources, its manpower, and its dedication.

And I come here tonight as your Vice President to salute you, as patriots, as great people, and as great Americans dedicated to everything good in this land.

Thank you for all that you've done.

Thank you.

ADDRESS OF MISS ELIZABETH ATHANASAKOS, GRAND PRESIDENT, DAUGHTERS OF PENELOPE

Thank you very much. I don't know whether we have an over-abundance of Floridians, New Yorkers or Daughter of Penelopes here, but thank you very much. Of the privileges granted to me during the past year, this one given to me this evening to address you on behalf of the auxiliaries of the Order of AHEPA, will always be the most outstanding. The Daughters of Penelope and the Junior Auxiliaries, the Sons of Pericles, and the Maids of Athena, sometimes silent, sometimes hidden, sometimes standing on the sidelines, but always an integral part of the AHEPA family, are patiently assuming their roles as contributors to our aims and principles—of education, of service to humanity, of good citizenship. You, as Members of Congress, and we as individuals, are facing a common challenge to preserve our freedom of individualism and our heritage. So this evening we are privileged indeed to salute the members of Congress of the United States of America, which group of people has no peer in existence today in the execution of their service for the good of mankind throughout the world, and say Godspeed in their endeavors. Thank you very much.

ADDRESS OF HIS EXCELLENCY ALEXANDER A. MATSAS, AMBASSADOR OF GREECE TO THE UNITED STATES

I thank you wholeheartedly for this very kind introduction and this very kind welcome. After this inspiring, significant, magnificent speech, which was delivered from this rostrum by the Vice President of the United States, I suggested to our distinguished toastmaster not to put any more speakers to such a very hard challenge. However, I must apologize in advance for this anti-climax. I'm called to perform a very happy duty, which is to tell you that I thankfully recall that on my first public appearance in this great capital, when I arrived in the United States my first public appearance was actually at the Congressional Banquet of AHEPA in 1962. And I will never forget the encouragement and the pride which I found in this great capital. Now, in all these years, let me tell you that in all my contacts with the AHEPA in particular, and with the great American community of Americans of Greek descent, I found a constant source of inspiration, of pride and of encouragement. It is therefore with feelings of respect and affection that I came tonight to this great gathering to bring to you the warm salute of His Majesty, the King of the Hellenes, and of the government and the people of Greece.

As we all know, the AHEPA is in its early forties. It is a fine and vigorous age. However, in these eventful times in which we live, this has been an eventful period—both for the United States and for Greece. Both nations, according to their respective scale of proportions, have known great tests and tribulations. Both nations have known the anguish of struggling and the elation of success.

The AHEPA has highly deserved the name of a living link between the two countries. They have been close to Greece—not only as true sons of America, but also as true grandsons of ancient Hellas. This, of course, presents no problem. The United States and Greece are not linked solely by treaties and by alliances. They have in common something much more vital and more profound. A kinship of temperament, an identity of purpose, an identity of values. This, I think, is not solely due to the fact that this great democracy of the United States of America has been based on those eternal principles that were first born and bred in our ancient land of Greece, but because these eternal principles have bred the same type of individual in both these countries which seem distant in geography, but which are very close in spirit. Americans and Greeks are close because both believe essentially that the cornerstone of the human community is the dignity of the individual and his natural right to all lawful opportunities of personal advancement and achievement. The Ahepans have been close to Greece in all the noble pursuits in which the Greek nation has been engaged in these 44 years. They have been close to Greece once more in the struggle for the liberty of Cyprus; their support to this great, loyal cause has been urged not only by ties of blood and kinship, but because of the great moral principles which are common to Greeks and Americans alike, and which are cruelly challenged by the opponents of the liberty of the Greek island of Cyprus.

On many previous gatherings of the AHEPA, I welcomed the opportunity of rendering to the order a verbal tribute of respect and affection from the people of Greece. I am more fortunate tonight, because by command of His Majesty the King of the Hellenes, my August Sovereign, I will have the great honor and pleasure to proceed to more concrete recognitions. Mr. toastmaster, Mr. chairman, I would like to call upon this platform six distinguished gentlemen of AHEPA and I have the great privilege to bestow tonight the insignias of Commander of the Royal Order of George I, which His Majesty the King of the Hellenes, my august sovereign, has been pleased to confer upon you in recognition of outstanding services rendered by you to the cause of the friendship and alliance between the United States and Greece.

(Insignias were conferred upon Ahepa Past Supreme President Peter L. Bell, Worcester, Mass.; Ahepa Past Supreme President John G. Plumides, Charlotte, N.C.; Ahepa Supreme President Kimon A. Doukas, New York City; Ahepa Past Supreme President Nicholas J. Chirekos, Moline, Illinois; Ahepa Past Supreme President John G. Thevos, Paterson, N.J.; and Socrates V. Sekles, Pontiac, Mich., Past Chairman Ahepa Supreme Board of Trustees and Chairman of the 1965 Athens Supreme Convention.)

Address of the Most Reverend Archbishop Iakovos, Greek Orthodox Archdiocese of North and South America

I am indeed very happy to once again join my fellow communicants in this their most genuine expression of esteem and respect to the representatives from the 50 states, to you—the honorable members of the 89th Congress of the United States of America. For today, as never before in the history of our nation, I fully realize—as do the members of these worthy organizations—the American Hellenic Educational Progressive Association, the tremendous and grave task which history has placed upon your shoulders. And I share this evening not only their tribute to you, but also a prayer that you may be strengthened and inspired to serve most adequately the best interests of our nation.

I assure you that we follow with great care and concern your every endeavor in behalf of our people, and we are proud of and greatly appreciate the wise and astute manner with which you labor to meet and fulfill not only the challenging and multi-faceted domestic problems, but also your global responsibilities.

Not only are the eyes and hearts of the citizenry of our great nation turned to you, but also those of the whole world. They are turned to you for guidance and encouragement—moral and material assistance, in a struggle for survival for which history has recorded no comparison. We live in truly historic times.

The world that we helped to raise from the ashes of the last world war has failed to justify the hopes, prayers, the thousands or millions of lives which were sacrificed in its behalf has not found its course or its role in history as mankind would have hoped hardly a generation ago. The independence won at such great cost from the totalitarian despotism has become a new subjugation to another mighty despot, and self-government has, in many instances, led either to civil strife or to a new brand of domestic dictation, dictatorship.

The endeavors and commitments which our nation has undertaken in the past on behalf of freedom in the world have too often been seen suspiciously a selfish pretense for political control. And the countless sacrifices which our nation has borne in defending their rights are understood as serving only our own interests. I cite these facts with the sole purpose in mind of impressing upon you our appreciation of the difficult and often thankless task which we and the world place upon you, and to reiterate to you briefly and simply that you have not only our prayers but our wholehearted support in your formidable task to carry forward the legacy of the founding fathers of our nation, as well as the political image and prestige of our democracy, which has ever stood and continues to stand for freedom and peace with justice and dignity.

Tracing our origin and descent, as we do, back to the ancient Greeks—who were the first to conceive and express the values and principles which make up the very foundations of our American Constitution, we feel it our duty to record once again our full allegiance and devotion to the United States of America—the great, and I fear, the sole, protagonist of human rights.

I like also to reassure you gentlemen that the two million Americans of Greek extraction, and four more millions of Orthodox of other national backgrounds, will be ever ready to respond to your call, as well as to the call of our nation for whatever acts of loyalty and dedication may be asked of us.

May I take this opportunity to ask you members of the Senate and of the House of Representatives to assure our beloved President, who so courageously carries the burdensome responsibilities of his office, that we stand solidly at his side during these difficult times when so many young lives are being sacrificed, and that we fervently pray for a victorious outcome of the imperative involvement in Viet Nam that history and our commitments have placed upon him.

May the Almighty, in his providential love and care, bless, transcend and protect you and may his spirit grace our nation with vigilance, steadfastness and perserverance in her task to defend the defenseless, feed the hungry, shield the oppressed, and safeguard the dignity of men throughout the whole world.

Remarks of U.S. Representative Donald M. Fraser (Minnesota)

It's been a privilege to be here tonight and to be one of the honored guests of Ahepa. I've been impressed with the remarks that I've heard tonight, and of course I was proud and pleased to hear one of my constituents, the Vice President of the United States, who used to be Mayor of the city of Minneapolis, the city which I represent in the United States Congress.

I think it is true that the Vice President truly embodies the progressive spirit of humanity, and his message tonight was indeed eloquent. As a matter of fact, in following him, I feel a little like the condemned man who was sentenced to die by the electric chair and the minister went to pay his last visit and after talking with him was about to take his leave, but he wasn't quite sure how he would take his leave and he didn't feel it was adequate to say simply "goodbye"; he didn't want to say "see you later"; and so, as he finally got up and left this poor condemned man who was on his way to the electric chair, he said, "More power to you." (Laughter)

I had the pleasure this morning of hearing His Eminence, Archbishop Iakovos, describe his experiences when he went to Turkey, and adherence to the Greek Orthodox faith, and the problems that they are encountering in that country. It was a moving story. In a way it symbolizes the bitter truths of man's inhumanity to man—inhumanity that leads to tragedy and heartaches; and whether it be in the intolerance and persecution of religion behind the iron curtain, the Nazi treatment of the Jews, the tyranny of white supremacy in South Africa, or Rhodesia, or shamefully in our own United States—Your Eminence, I want you to know that as I came over to see you this morning with some of our colleagues, I had just received a letter from someone who had just left South Africa, and who told me of the plight of a woman there who has just been placed under house arrest, and it was thought that the house arrest had been occasioned by the fact that she had correspondence with several members of the United States Congress. A house arrest so restrictive in its terms that it was thought it would have been a violation of the terms of that arrest and detention, house detention, to even keep a diary.

And so with that particular bit of experience in mind, I was of course even more concerned to hear the story that you had to tell us this morning about the problem in Turkey. It seems to me that one of the lessons of history is that no state can long endure which recognizes people of different nationalities, or faiths, as different for any purpose—whether it be in Cyprus, or in the Malaysian Federation, where such arrangements has led to the withdrawal of Singapore—or in Southern Africa, or in other places around the world. At the very least, it seems to me that the history that we've come to learn, and often through the painful process of conflict and war, is that government must be neutral and treat each man and woman alike. And then it falls upon all of us to work for the acceptance of each man and woman to be judged and considered on their own merits—not according to any faith, or race or country of origin. I thought it was fitting today that you should have presented to Lyndon Baines Johnson, the President of the United States, the 1966 *Socratic* Award, because he truly is one of the charter members of this era in which he has not only fought to successfully enact, to help to enact, the new civil rights measures in the United States, but has helped to abolish the idea that in admitting citizens from abroad, new citizens, that we should be concerned about where they were born, rather than what the worth of the person is. And so, in the pursuit of American policy, I think the United States will do well to remember that freedom and equality and justice under law are the universal touchstones from which the human spirit will flower. And the great traditions of Greece, which is the birthplace of democracy, must be embodied not only in our national life, but in our international concerns. As all of us on a tiny speck of a planet share a common fate as we move through the vast emptiness of space. You are a wonderful audience. It's been a delight to be here tonight.

Thank you very much.

Remarks of U.S. Senator Philip A. Hart (Michigan)

Judge Lagakos, Your Eminence, Your Excellency Mr. Ambassador, Supreme President Doukas and Grand President Athanasakos, and members of the Order of Ahepa, Daughters of Penelope and my colleagues of the Congress. Judge, thank you very much, and thanks to all of you for the chance again to be here. I am so glad that the Vice President, in his comments, indicated that every member of the Congress whom you honor by having with you tonight contributed importantly in the enactment of the Immigration Reform Bill. And if he is here, but even more importantly if he is not, I would want to add one name specifically, because history—which is written after the excitement dies—will note the key role that was played by a man whose attitudes and traditions might have led one to think that he might not have been helpful—but all of us owe a very great debt to the senior Senator from North Carolina, Senator SAM ERVIN.

In anticipation of tonight, but not to make the same speech—or even a speech—but to see what we said each to the other last August when we met in Athens I dug out my notes. As I read them I remembered that we promised each other that night in Athens that we would indeed enact that Immigration Reform Bill. And the culmination on Liberty Island was the fruit of many hands, and many hours. But no one more significantly contributed over the long, difficult years than the Order of Ahepa, in generating a public understanding of the need and the equity of the proposal. And if you look around to find someone to thank for the immigration bill, thank first yourselves.

What we have to do now is observe it in action, and even in the very early months—the way that backlog is moving is fine. A year or two years from now, let us review the bidding and see if there are any nuts and bolts that have to be adjusted. Many of us tonight think of those evenings in Athens at that magnificent convention.

I marvel at the fact that my brother Ahepan in the Pontiac Chapter 135, who was the chairman of that Athens Convention, *Socrates* Sekles, could do all of that business in Athens and he couldn't get here to receive the Commander's Award. But all of us from Washington are proud of him. Those memories combined with the events of tonight say eloquently all that need be said further. I want to express the appreciation of every member of Congress to you for having us.

Thank you.

ADDRESS OF SUPREME PRESIDENT KIMON A. DOUKAS, ORDER OF AHEPA

Honorable Members of the United States Congress, it is my privilege to welcome you tonight to our special Congressional Banquet.

I am not aware that other fraternal Societies have made it a policy to play hosts to such a distinguished membership of our Federal Government.

We have. Because this is our 17th Banquet being held in your honor and for your pleasure.

I trust that you will share in "the pleasantest ties of host and guest."

I pray that you enjoy your visit with us as much as we enjoy yours. We all know that we have common ties and common ideals. They spring from ancient times. They are sanctified by long usage. They are honored by mutual respect. It is these ideals and these ties which are encompassed in the much abused expression of Democracy, the strength of Demos, the rule of the law. And democratic people everywhere are firm believers in such a rule of law, which alone can strengthen human decency; which alone can protect the rights of man.

It may be true that we live in an unbelieving society; that we partake of a cynical world where often the argument is made that might makes right. It may be true that in the long history of our civilized world Democracies have been overrun and the rule of a dictator has suppressed the rights of men. It may also be true that the monolithic personification of a tyrant has brought about untold suffering and cruel persecution to whole nations and to many peoples.

But such has been the exception and only a temporary reign of chaos, confusion and slavery. In the end at long last, right has prevailed and all basic freedoms guaranteed by our constitution have been returned to the people in all their panoply, in all their glory, just as they were originally proclaimed in ancient Hellas, just as they prevailed in 1789, just as they are being protected and defended today in the righteous democracy of America—our America, yours and mine.

And some of you may now wonder about this archontic Order of Ahepa and the creed it has developed over the years since the day in 1922—44 years ago—when eight poor immigrants had assembled in the Schoolhouse of their community in Atlanta, Ga., and resolved to establish this Union.

That was the day when the early immigrants of our own ethnic group had no other justification for success in their new environment except their integrity, their faith and their background of ancient virtues and old beliefs.

They had come to meet new horizons, to conquer new frontiers, to build a good life in a great society. Like many other immigrants, they did not know the language; they had brought their own customs and practices; they had neither friends nor funds to advance and progress in their new country.

But they had their innate integrity and honesty. They were deeply religious as members of the ancient faith of Orthodoxy, and they carried the challenge of their Hellenic background. The rest of the story is well known; it needs no repetition.

And so far the record is honorable and the success complete.

The old immigrants and our recent natives have been blending the noblest attributes of Hellenism—their old background—with the highest ideals of true Americanism—their new environment. They have been blending Hellenism and Americanism into an amalgam of loyalty to their origin, and of fealty and citizenship to the new land where they live and play and work; where their children go to school and learn to be men of character and substance; where their families worship together and pray for peace and good will, among men and nations.

And this is our pride and our promise. This is our wish and our prayer—that our country always and forever defend and protect the rights of men—their freedom of speech and their freedom of Assembly, the freedom of the press, the free exercise of religion. And we pray that this young country of Washington and Jefferson, this blessed land of Lincoln and Kennedy and Johnson, will forever remain loyal and faithful to the challenge of these self-sustaining freedoms and particularly our religious freedom which in some parts of the world has slowly deteriorated as to mean nothing more than oppression and persecution under the old sham of state security and policy protection.

And thus it has come to pass that the old see of Orthodoxy, our Holy Patriarchate in Constantinople, the modern Istanbul, is once more under attack, is once more subject to police restrictions, relegated to a place worse than the old pogroms which had destroyed life, had confiscated property and shall forever remain a black mark on our civilization. For how could one defend the taking away of one's inalienable right to worship in his own temple on the pretext that state security requires such restriction? How can one stand by on the sidelines while churches are being closed or transferred to impostors and the clergy are expelled without justification and in spite of the fact that they are nationals of the state though of a different ethnic background? Perhaps we live in a world of doubt, of disillusion, of despair. Perhaps the fears of war and the shadows of poverty have distorted our vision and tend to thwart our aspirations.

It was not many years ago when this country took up the challenge in Korea and upheld the rights of her people to live their own lives, in their own way, under their own brand of government.

And currently our country once more has taken the new cost and against large sacrifices in life and fortune we are leading the fight against oppression and persecution; we are defending the inalienable rights of men, the old freedoms for which our ancestors have fought and won in Salamis and Marathon, at Gettysburg and Navarino, at North Africa and across the Channel and all over Europe.

Americans are again the visionaries and the idealists.

Above everything else, they are the last bastion, the defender and the protector of what is dear and limitless—human decency and human rights.

And at this solemn hour, honorable members of our Congress, will you allow us to believe that you will continue the good work of your ancestors and of your predecessors and that you will defend and protect the life and fortune, but above all the beliefs and the ideals which are reflected in our Western civilization and are embodied in the Constitution of our beloved country.

And may we always possess the integrity and the courage and the strength to keep ourselves free. And may we ever strive to maintain this blessed land of ours as a citadel of freedom, the defender and protector of all oppressed and down-trodden people, a beacon of hope to the world everywhere.

Ladies and gentlemen, I invite you to rise and salute the honorable members of our United States Congress, as we wish them well."

PRESENTATION OF THE 1966 AHEPA SOCRATIC AWARD TO PRESIDENT LYNDON B. JOHNSON BY AHEPA PRESIDENT DOUKAS

And now it is my distinct pleasure in your behalf as your Supreme President, to present the Ahepa Socratic Award to the Honorable Lyndon Baines Johnson, President of the United States of America, for contributions and services during a lifetime to country and humanity—as a teacher in early years, as a young Congressman and a Senator from the great state of Texas, as a leader of men—learned in the ways of human nature and persuasive in complex idiosyncrasies, as a world leader with a clear mind, a stout heart and a deep compassion for the underprivileged, the underfed and the oppressed; as the organizer of the Great Society for humanity's sake; as the defender and the protector of all human liberties inscribed in blood and tears on the pages of history; as the husband and father and friend of loyalty and sincerity; for all his virtues and objects which are basic in our Hellenic heritage, in our American culture, and fundamental in the life and record of the Archontic Order of Ahepa, this 1966 Socratic Award is presented with the scroll this 14th day of March, 1966, in the city of Washington, in your behalf.

ACCEPTANCE OF AHEPA SOCRATIC AWARD BY MIKE N. MANATOS, ADMINISTRATIVE ASSISTANT TO THE PRESIDENT, IN BEHALF OF THE PRESIDENT

Thank you very much. (Applause) Mr. Chairman, Your Eminence, Mr. Ambassador, Senator HART, Congressman FRASER, Congressman BRADEMAS. Fellow Ahepans and my friends in the Congress. It gives me a great deal of pleasure to accept this Socratic Award on behalf of the President of the United States. The Vice President told you that he was under instruction when he left the White House. I too am under instruction. And I don't know of anyone who could be around the President of the United States for any length of time without getting some sort of instructions.

The President told me that he wanted me to convey to you his thanks for this award. He is sorry that he couldn't be here tonight, but he did, as you know, send the Vice President. He also asked me to tell you that the Greeks have a word for just about everything, and he said "Certainly, Mike, there must be some word that you can give this group gathered here tonight that would express my appreciation." I told him that I was sure that by the time between the White House and this gathering here, I would think of at least one or two words, and I have: 'Efharisto, poli.'

Thank you.

ADELA INVESTMENT COMPANY—LATIN AMERICAN DEVELOPMENT

Mr. JAVITS. Mr. President, I invite the attention of the Senate to a New York Times article of May 18, which reports the formation of a new international consortium in Latin America, organized by the Inter-American Development Bank and the IFC and including the ADELA Investment Company, the National Development Bank of Brazil, the Inter-American Development Bank, Brazil's largest newsprint manufacturing company—Klabin Irmaos of Rio de Janeiro, and the International Finance Corporation. It will finance the construction of a $26 million paper pulp mill in southern Brazil.

The significance of this event is that it shows ADELA in the role that was envisaged by those of us who originated it, and who visualized ADELA as the organization that would marshal foreign private investment to help Latin America's development. Through this consortium, as through its other activities during the past 19 months, ADELA has already shown its enormous potential. ADELA's $1.5 million investment in this project constitutes its biggest investment to date.

out of its total approved investments of $20.7 million. ADELA today has assets of $35 million and according to its managing director these resources will expand to $65 million by June 1967. It has been estimated that by its investments to date, ADELA has generated $100 million in new investments in Latin America.

I ask unanimous consent that the May 18 article published in the New York Times as well as an April 30 article from the Times be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Times, May 18, 1966]

New Consortium Plans Latin Aid—Will Help Paper Pulp Project in Brazil

(By Henry Raymont)

Two international lending agencies will break new ground this week in techniques of marshalling foreign private investment capital to help Latin America's economic development.

The pilot project is an international consortium organized by the Inter-American Development Bank and the International Finance Corporation to finance the construction of a $26-million paper pulp mill in southern Brazil.

Final clearance for the project came yesterday when Israel Klabin, executive partner of Klabin Irmaos of Rio de Janeiro, signed a loan agreement with the development bank. Klabin Irmaos, Brazil's biggest newsprint manufacturing company, will build and operate the mill at Lajes, in the state of Santa Catarina.

The formation of the consortium will be announced here Friday. It includes the National Development Bank of Brazil, the Adela Investment Company, the Inter-America Development Bank, Klabin Irmaos and the International Finance Corporation, a subsidiary of the World Bank.

The agreement to set up the consortium is understood to provide that shares covering 40 per cent of the capital will be placed on the public market as soon as the new plant goes into operation and shows profits, probably in 1970.

The project has attracted the biggest investment made to date by Adela Investment, an important concern representing private companies in Europe, the United States, Canada and Japan.

Adela will contribute $1.5-million in equity capital, compared with its previous highest investment of $500,000 in a new foreign plant owned by Forjas de Colombia in Bucaramanga, Colombia.

José Garrido Torres, president of Brazil's National Development Bank and a principal sponsor of the consortium, is understood to be considering other mixed enterprises of public and private capital for potash and farm development, envisioning a financial commitment of $200-million.

[From the New York Times, Apr. 30, 1966]

Investment Group for Latin America Growing Steadily

(By John H. Allan)

Mexico City, April 29.—The Adela Investment Company, a novel Latin American example of private enterprise, is 19 months old and growing fast.

At a directors meeting here this week—a meeting that drew a blue-ribbon list of bankers from Europe, the United States, Latin America and Japan—the investment company reported resources of $35-million, up from $17-million when the directors held their first meeting in Paris in September, 1964.

By the end of Adela's fiscal year ending June 30, 1967, the company should have resources of $65-million, Ernst Keller, the hard-driving 46-year-old Swiss managing director of the company, predicted in his report to the board.

Adela is an acronym for the Atlantic Community Development Group for Latin America. It is a multinational private investment company incorporated in Luxembourg and owned by more than 130 industrial companies, banks and financial institutions.

BLUE CHIP COMPANIES

Among its stockholders are such big names as the E. I. duPont de Nemours & Co., Inc., the General Motors Corporation, the First National City Bank, the Svenska Handelsbanken of Sweden, the Dresdner Bank of Germany, and Imperial Chemical Industries of Britain.

Among the men who climbed the circular stairs to the board's meeting room in El Presidente Hotel here this week were Marcus Wallenberg Sr., chairman of Adela and vice chairman of the Stockholms Enskilda Bank; Howard C. Petersen, Adela vice chairman and president of the Fidelity-Philadephia Trust Company; Arthur Dean of Sullivan & Cromwell, Adela counsel and Emilio Collado, Adela director, vice president of the Standard Oil Company (New Jersey) and an authority on development economics.

In the review of Adela's investment activity, Mr. Keller disclosed that short-term and medium-term notes of Latin American borrowers amounted to $18.9-million of its total assets of $34.96-million.

Adela is an investment company, not a financing institution, Mr. Keller said. "Our real business is an equity investment, he emphasized in an interview.

So far, Adela has approved about $20.7-million in operational investments, $5,325,000 of them this week. By March 31, $4.3-million had been dispersed.

For example, the company has approved investment in an Argentine petrochemical solvents company, a Brazilian pulp and paper company, an Ecuadorian glass bottle manufacture, a Mexican particle board concern and a Peruvian fishing boat building company.

"Experience to date shows it will be necessary to provide technical and management assistance in one form or another in more than half the investments," Mr. Keller said. Adelatec, a management assistance and professional services subsidiary, "is rapidly a valuable instrument," he added.

ADMINISTRATION RESPONSIBILITY FOR "DEATH" OF EAST-WEST TRADE BILL

Mr. JAVITS. Mr. President, on behalf of the administration, Senator Mansfield and Senator Magnuson a week ago introduced the East-West Trade Relations Act of 1966, which would provide the President with the necessary authority to negotiate commercial agreements with Communist countries. I am a cosponsor of this bill, as I believe it to be one of the most important pieces of legislation now pending before Congress.

The fact that this administration-backed measure, introduced in a Congress controlled overwhelmingly by members of the President's party, is now said to be a "dead issue" because of the views of one member of the President's party—is a devastating indictment of the administration.

I have noted with great regret that the chairman of the House Ways and Means Committee—whom I admire as a friend and colleague and who is known for his sincerity—has announced that he will not introduce the administration's bill or permit hearings on the proposal at this session. Inasmuch as this is considered a revenue bill, the Senate Finance Committee would not customarily consider it until the House had acted. If this position stands, it will bar hearings that would permit the airing of the pros and cons involved in broadening peaceful trade between East and West, and I believe that it would be in the best interests of the country to have such an opportunity.

I feel that consideration of this issue is essential if the United States is to act creatively in its own interests in international trade. I therefore urge the Senate Finance Committee to schedule hearings on the Mansfield-Magnuson bill as soon as possible this session, even though the Senate cannot act until the other body approves the legislation. Such consideration in the Senate, in my judgment, would create a public climate for passage of this legislation early next year.

The bill now pending before the Senate is a good bill and its serious consideration by the Congress would be in the best interests of our people. Since congressional debate on the wheat sale to East European communist countries in 1963, this subject has been looked at from every possible angle and I believe that the majority in Congress—reflecting majority opinion in this country—would be inclined to grant the President the needed authority.

The advantages of expanded East-West trade are clearly great, not only as a means to reduce tension between ourselves and East European Communist nations, but also as a means to encourage greater economic independence among East European countries. The refusal to act on this bill at this time will not prevent the expansion of this trade by others, while it could, as the New York Times pointed out in its editorial of May 23, lend encouragement to "important forces in Peking and elsewhere in the Communist world that would like to use the conflict in Vietnam to worsen still further the relations of Eastern Europe and the Soviet Union with the United States."

The advantages of such trade to us are great, principally for the following reasons:

First. Our political differences with Communist countries by their very nature, cannot be brought to a swift conclusion. They require a great variety of instruments, procedures, and devices affecting the course of events. I have no illusions that the U.S.S.R and its East European allies are not providing substantial assistance to North Vietnam and that they would not do so again in similar circumstances elsewhere—it would. But the expansion of East-West trade in nonstrategic goods—which is valued so highly by East European Communist bloc nations—could provide the free world with greater standing and influence in the Communist world; help strengthen existing trends toward easing East-West tensions and isolate Communist China in its intransigence.

Second. It is well known that little can be accomplished by preventing U.S. firms from doing business in agricultural and nonstrategic industrial goods with East European Communist countries because other free world business has been supplying these very items for years. This does not necessarily mean that we should proceed with such trade without limitation, but it is a factor to be considered. A relaxation of U.S. export controls on agricultural products and nonstrategic goods would tend to place the U.S. businessman on a more competitive footing with other free world businessmen. Last year trade between Western industrialized countries—other than the United States—and the Sino-Soviet bloc had risen to over $8 billion—$4.4 billion in the form of imports from the bloc and $3.8 billion in exports to the bloc. But even this represented less than 4 percent of the non-Communist world's trade in 1965.

Third. With United States-East European Communist bloc nations trade on a more substantial scale, our commercial interest in the Communist bloc would coincide with those of Western Europe and Japan and make possible a more closely integrated policy on this question which would be of inestimable value to the West. A harmonization of such trade policy is long past due and could be a great element of strength.

Some argue that an increased volume of U.S. exports of food and industrial commodities would make it possible for the U.S.S.R. and other East European countries to modernize their domestic industry, increase the productivity of their capital, and labor resources and that more of their domestic resources and personnel could be diverted toward military production and to step up efforts for economic assistance in developing countries.

But even total denial of Western exports to the Soviet Union and its East European allies would probably not appreciably affect their economic growth or deny it materials it cannot now obtain elsewhere. As a matter of fact, our allies are now conducting substantial trade with the bloc; also the industry of East European Communist countries is broadly based on domestic materials and resources. Soviet military capability is based on its own advanced weapons technology.

As far as its agricultural sector is concerned, the Soviet bloc's difficulties there are basically the result of institutional defects which are so ingrained in the Communist system that it is difficult to visualize how they could be cured, short of abandoning that system; accordingly, agricultural imports are likely to continue. In the Soviet Union, problems of inadequate incentives, ineffective procurement and distribution, and the inefficiencies inherent in collectivized or state farming are the governing factors, rather than specific import requirements from the West.

Trade with the West as a general matter, must necessarily be a marginal factor in the performance and potentialities of the Soviet economy.

The bill that was introduced in the Senate 1 week ago, is based on a recognition of the benefits that I have referred to. It deserves the careful consideration of the Senate promptly.

Accordingly, I urge the Senate Finance Committee, which normally does not take up these matters until they have been considered in the House—this time, because of the critical importance of what is before us and because of the great problems we have with the Soviet Union, anyhow, in respect to Vietnam and Communist China—to give consideration to this bill notwithstanding the fact that it has not yet been heard in the other body.

Mr. President, I ask unanimous consent to have printed in the Record the articles and editorial to which I have referred.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the New York Times, May 23, 1966]

TRADE TIES TO THE EAST

The inanity of present American legislative obstacles to expanded trade with Eastern Europe and the Soviet Union emerges strongly from the East-West commerce survey published in today's Times.

From Warsaw to Sofia and from Prague to Moscow, British, French, West German and Japanese businessmen are familiar and frequent visitors nowadays. Their success is attested by the rising totals of their countries' sales to and purchases from the Communist-ruled world. Only American businessmen are rare in this area, not because they lack enterprise but only because they know the many and effective hindrances present United States law puts in their path. Western Europe and Japan adjusted themselves years ago to the new realities of the post-Stalin and post-Khrushchev eras, but American trade policy still is little changed from the most frigid days of the cold war.

President Johnson's recent proposal that Congress permit extension of most-favored-nation tariff treatment to Eastern Europe and the Soviet Union seeks to alter this anomalous situation at a key point. The Communist-ruled nations must sell to us if they are to buy much more from us, and the tariff discrimination most of them now suffer here is a potent barrier against increasing their sales. But Representative Wilbur Mills has in effect labeled the President's proposal heresy; and, as chairman of the House Ways and Means Committee, he has forbidden even the holding of committee hearings on the President's recommendation.

This obstructionism flouts America's political as well as economic interests. Precisely because of the tensions of the Vietnamese conflict, it is important that the United States seek to improve its relations with the more reasonable Communist nations, countries that can exert influence on Hanoi for moderation and negotiations. There are important forces in Peking and elsewhere in the Communist world that would like to use the conflict in Vietnam to worsen still further the relations of Eastern Europe and the Soviet Union with the United States. Representative Mills assumes a heavy responsibility when he throws his power on the side of these dark elements, and against the enlightened policy President Johnson seeks to pursue in this area.

[From the New York Times, May 23, 1966]

EAST-WEST TRADE GROWS; U.S. LAGS BEHIND EUROPE

(By Richard E. Mooney)

Paris, May 22.—Piero Savoretti probes the Soviet market for his Italian employers—Fiat, Olivetti, and others—from a small suite in Moscow's Sovietskaya Hotel. Britain's giant Imperial Chemical Industries, which sells almost 10 per cent of its exports to the Soviet Union, has a staff of Russian-speaking specialists.

Berthold Beitz, manager and supersalesman of the mighty House of Krupp, spent a long weekend stalking deer in the Carpathian Mountains with Premier Ion Gheroghe Maurer of Rumania last winter. This month, Kenzo Matsumara, senior adviser to the Government of Japan, went to Peking to talk business with Premier Chou Enlai.

This is East-West trade; tantalizing, often rewarding, but still limited. Twenty years after the world divided into East and West, commerce between the two spheres has yet to become substantial.

For Western businessmen, mouth-watering dreams of millions of clamoring Communist customers are becoming more realistic. For Western politicians, there remains a quandary—the inherent complexity of making friends with enemies, at the same time satisfying their own business community pressures.

This summary article of the current situation and the prospects is drawn from special reports by correspondents of the New York Times in London, Rome, Bonn, Paris, Toyko, New York, Washington and Moscow.

Eleven days ago, President Johnson proposed a modified version of the "bridge building" legislation that he had been talking about for more than a year—a bill to give imports from Communist countries the same "most favored nation" tariff treatment enjoyed by non-Communist goods. In it, the Administration sought to demonstrate to the Communist world that United States foreign policy is flexible, despite its rigidity on Vietnam.

The "most favored nation" principle provides that the nations subscribing to a treaty will grant to each other any tariff concession which they may give to any other nation.

For some time now, Washington has tried to capitalize on the natural tendencies of the Soviet Union and Communist China to separate, and of the smaller Eastern European countries to pull away from Moscow. For example, in contrast to the normally strict United States definition of strategic goods that may not be sold to Communist countries, Washington has tried to push through the sale of an atomic reactor—a peaceful one—to Rumania.

But, if the executive branch is flexible, the legislative branch is not. Anti-Communism runs deep and emotional, strengthened by the war in Vietnam and, when the issue is trade, by innate protectionism. Even Congressional liberals, sympathetic with the flexible approach, are timid about saying so publicly. The powerful chairman of the House Ways and Means Committee, Wilbur D. Mills, Democrat of Arkansas, has announced that the Johnson bill won't even have a hearing this year.

EUROPE AND JAPAN PUSH AHEAD

Meanwhile Western Europe and Japan push ahead, cautiously and gradually.

For Japan, trade with Communist China is a politically divisive issue akin to the overall Communist trade issue in the United States. The big names of Japanese industry frequently cloak their China trade by passing it through dummy companies, and their business leaps forward. They are less hesitant about dealing with Moscow, which wants their help in developing Siberia. This business, however, shows little growth.

For the British, there is a genuine tradition of not playing politics with trade, despite the embarrassing exception of the Rhodesian embargo. Britain must import to eat. For France and Italy, there are important domestic Communist parties to placate. In addition, France is trying to broaden its influence.

PUSH BY WEST GERMANS

For all of them, of course, there is also the sheer push of their businessmen, and none have more push than the West Germans. An American, returning from an official trade mission to Poland, observed in awe: "The Germans! They're everywhere!"

Wolff Von Amerongen, a Cologne industrialist who is outspoken on the subject, stresses his country's "natural and historic market in the East," but doubts that it will ever be what it was. Krupp and the Grundig electronics company are trying to go a step further by setting up Western production in Eastern plants.

The over-all volume of East-West trade is not great. It spurted after Stalin's death, but since then its growth has been roughly the same as the growth of world trade generally.

Recurrent wheat shortages in the Soviet Union and China cause sharp year-to-year changes in the pattern of the business and who gets it, but over-all the volume of major Western countries' exports to the East have recently been consistently a little less than 3.5 per cent of their total exports. Last year this meant about $3-billion.

NO PREDICTION OF GROWTH

Not even sales-hungry businessmen predict a breakthrough to bigger volume. Some governmental experts predict that it will not even grow so much as world trade, because the Communists cannot afford it. But when Fiat lands a $322-million deal to build a giant automobile plant in the Ukraine the prospects look good. The deal is several times larger than any previous East-West contract.

Jack the Yeoman would agree. He makes crossbows in London and has sold Moscow $1,400 worth. The darts have been equipped with hypodermic needles for capturing monkeys.

Dino Gentile of Milan would, too. He is another Italian agent for East-West business, and he counts among his accomplishments a $50-million contract for Ansaldo shipyards in Genoa to build six tankers and more recently a $17-million contract for four refrigerator ships to be built at the Breda yards near Trieste.

MOSCOW WAITERS LEARN, TOO

Even Moscow headwaiters have spotted the trend. They are as savvy as their kind in New York when it comes to judging the amount of attention a visiting Western businessman deserves by the amount of capitalist grease in their palms.

Nor are the prospectors all Europeans and Japanese. Arthur K. Watson, vice chairman of International Business Machines Corporation, spent 10 days last month in the Communist bloc countries. With similar thoughts, a Boeing 707 sales team has been dickering with C.S.A., the Czechoslovakian airline.

I.B.M. has a unique link with the East. To this day there is an I.B.M. office in Budapest, property of the Hungarian state now, servicing I.B.M. typewriters and punch-card equipment sold there years ago. Its staff is Hungarian, but its material are I.B.M.'s.

But Mr. Watson is more interested in the "control group" that I.B.M. set up last year in Vienna, the East-West frontier town. Through this operation I.B.M. has received a Polish order, but no Washington licenses yet, for several rebuilt second-generation computers.

BANK OF AMERICA BRANCH

The Bank of America set up a branch in Vienna last year, too, and the Chase Manhattan Bank is negotiating right now to buy into Vienna's Privat und Commerzbank.

For United States businessmen, there are exceptional limitations on East-West trade possibilities because of Government policies and because the United States is the United States—the leader and the least welcome of "the imperialists."

The Export-Import Bank has given a five-year guarantee on credits for exports to the East only for farm exports and for the Universal Oil Products Company's $23-million cranking plant at Blati, Rumania. Other countries, Britain most of all, permit credits running several years longer, though not so many, nor so long, as the publicity about them suggests. The obstacle is the Commerce Department's export controls, through which export licenses are, or are not, issued. Washington's list of what may not be licensed is longer than any other country's roll. Furthermore, there is a flat ban on sales to Communist China.

ECONOMIC PRESSURE AT HOME

A third obstacle, non-governmental, is economic pressure. The most celebrated case was the pressure that forced the Firestone Tire and Rubber Company to withdraw from a prospective deal in Rumania last year, for fear of repercussions on the company's more important markets at home.

On the other hand, there is an American advantage in wheat. The Soviet Union and Communist China need it. The United States and Canada, with wheat to spare, have sold them hundreds of millions of dollars worth in the last three years, and Western Europe's ability to sell machinery has suffered in consequence.

Here lies the nub of the unlikelihood that East-West trade will boom soon. The Communists don't have the money. They admit it themselves, in the gold sales, their demands for credit and lower import curbs, their barter propositions, and lately their public statements.

There is evidence in the fact that the Chinese Communists paid for 3.5-million of Fiat trucks and marine engines with an equivalent amount of frozen pork. Copenhagen has Russian Volga taxis which were part payment for Danish fishing boats.

MACHINES FOR PRODUCE

West Germany's Krupp has taken Eastern European produce in trade for its machinery and resold the produce through Krupp stores. In one case a British steel company was asked to take Hungarian jam.

The Communists have complained for years about Western restrictions on Communist goods, but last month, for the first time, Premier Aleksei N. Kosygin of the Soviet Union focused on the inefficiency of Moscow's own sales effort.

"All too often the staffs of our foreign trade organizations shut themselves up in their own sphere and lose sight of the fact that all their work should pursue the objective of raising the efficiency of our economy as a whole," he said. Mr. Kosygin called it "insufferable" that Soviet equipment, which he called "first class," does not sell abroad "just because not enough attention is paid to proper finishing and technical documentation, or to servicing and advertising."

A Norwegian importer, just back from a buying trip to Poland, confirms the criticism in a more personal way. It is necessary to go there to buy, he says, because, when Polish salesmen come West, they are more interested in buying clothes for themselves than in selling their wares.

In Poland and Czechoslovakia, and now in Moscow, the foreign trade organizations are being subjected to the Western-style reform that is also being used in some factories—closer attunement to markets, and less to fixed plans.

The extent of Moscow's gold reserves remains as secret as ever. Washington remains convinced that it is small, perhaps down to $1.5-billion. Others doubt this, but no one can prove anything.

Another problem may be developing for the Communists. They are piling up heavy debts to the West—more than $2-billion now.

In contrast to all the diplomatic commotion it causes, there has actually not been much lending beyond the five-year limit of the much discussed Berne Union. Britian has done most of it, but even she has not done any since last summer.

Some analysts hold that the failure of this business to develop more than it has is a sign that it would not develop to a greater extent if the United States relaxed its opposition.

"The Communists are good shoppers," a trade expert observes. "They care about getting the right product more than getting something else on easier terms," he adds.

SAYS CREDIT RACE IS ON

But another analyst, equally expert, says that "the credit race is, on and it can't be stopped." In this vein, a German notes that the five-year credit that is contemplated for a big consortium steel mill in Communist China drew "only a few nasty words" from Washington. "If there is no more objection than this on China," he asks, "why can't we go even farther for the European Communists?"

Incidentally ask any European to name the worst violator of the Berne agreement and he will name the United States, because of its long-long-term foreign-aid loans.

But gold and credit are marginal at best. The greater part of a country's imports must be covered by sales of exports. In this respect, everyone agrees that the Communists are limited. "They haven't got much to offer that we want to buy," comments a Frenchman.

This fact is not altered when countries ease their anti-Communist import curbs, as France, Britain and West Germany have done, and as President Johnson proposed. But the Communists complain, nonetheless, about the curbs that remain, including the Common Market farm regulations that are equally irksome to the United States.

GOOD RATING AS NEGOTIATORS

To a man, Westerners give the Communists a good rating as negotiators. A London businessman reports that they do not hesitate to play off one supplier against another.

Men who were in on the big Fiat auto plant deal say that, contrary to press speculation, the final weeks of negotiation were "all business, no stalling." The negotiators—there were 27 businessmen from Moscow—"were divided up into small technical committees, for the motor, chassis, body, plant design, and so on. In every case the Soviet experts had done their homework well and knew what they wanted.

When they finished their work at Turin, some went on to Milan to talk to the Pirelli tire people.

Britain's Cepea Fabrics, which has just sold the Soviet Government 1,375,000 yards of cotton print for dresses, went through three sessions of "pretty tough bargaining" in Moscow, according to one of the participants. Cepea had submitted more than 100 designs in advance, from which the Soviet buyers picked 15.

In Moscow formal negotiating is done in offices of the Foreign Trade Ministry. But it is an accepted custom, like in the American game of golf, that Western businessmen also entertain their Soviet contacts in places like the private dining rooms of the National

Hotel. Customarily talk about contract terms is forbidden there.

Westerners report that the Soviets are extremely correct and honest about terms, and that they frequently seal a deal with a handshake long before the complete details are ready for signing.

An Italian comments: "You need great patience for dealing with the Russians and Eastern Europeans. But the deals, when they come, are generally big ones and worth the trouble."

It is the big ones, naturally, that make the most news, such as Fiat's plant for the Soviet Union, and quickly thereafter its $40-million deal with Poland that make the most news. Before the Fiat-Moscow contract, the biggest was a $110-million British synthetic fiber plant in Central Siberia. The Firestone deal in Rumania, that didn't come off, would have ranked among the biggest.

STATISTICS FOR 1964 ARE LATEST

The latest complete annual statistics covering all the major countries of Western Europe, the United States and Canada are for 1964. They show West Germany far in the lead, with some $890-million of exports to the Communist countries, including China. The West German figure is made extra large by the exceptional volume of trade between the two Germanies. But West Germany also ranks first in trade with the Soviet Union, excluding the Canadian wheat sales.

Among the Europeans, Britain ranks second, France and Italy third. Canada leads the United States, whose exports totaled about the same as Britain's in 1964. These fell off sharply in 1965 after wheat shipments were completed.

On the receiving end, the smaller European countries collectively buy more than the Soviet Union, but the Soviet Government buys more than any one of them alone.

In 1964, the Russians spent a little more than $1-billion in the major Western countries, and the others spent $1.8-billion.

But, illustrating how much this business swings up and down, in the first half of 1965 the rate of Soviet spending was down by more than a third from 1964, while the smaller countries and Communist China's, spending rose.

DEATH OF MINNIE GUGGENHEIMER, FOUNDER OF THE LEWISOHN CONCERTS

Mr. JAVITS. Mr. President, I invite the attention of the Senate to the death in New York of Minnie Guggenheimer, at the age of 83, one of New York's greatest benefactors, and the founder of the great symphony concerts in Lewisohn Stadium.

I ask unanimous consent that the obituary on Minnie Guggenheimer be printed in the RECORD.

There being no objection, the obituary was ordered to be printed in the RECORD, as follows:

[From the New York Times, May 24, 1966]

MINNIE GUGGENHEIMER, 83, DIES; FOUNDER OF LEWISOHN CONCERTS

Mrs. Charles S. Guggenheimer died yesterday at her home, 174 East 72d Street, after a long illness. She was 83 years old.

For something over 40 years, Minnie Guggenheimer was a fixture in the musical life of New York. It was not so much because she founded the summer concerts at Lewisohn Stadium in 1918, though nobody would contest their importance. It was also because she ran them with a kind of flair and instinct for showmanship that made her the idol of newspapermen, the joy of stadium-goers, and a scandal to grammarians. She was once described as having the speech habits of Casey Stengel out of Mrs. Malaprop.

Breezy and uninhibited, Mrs. Guggenheimer was always engaged in losing encounters with the English language. From these she emerged as smiling and confident as ever. Her intermission speeches were among the favorite parts of any stadium program. Invariably, she would preface her remarks with "Hello, everybody!", to which anywhere from 2,000 to 15,000 persons would chant back "Hello, Minnie!" On those occasions when she did not make any appearance, an audience would be likely to set up a rhythmic cry of "We Want Minnie!"

GARBLED INTRODUCTIONS

When on stage, Minnie would proceed to describe the program and coming events. Very often she would mispronounce names of composers and musicians. She once announced the appearance of Enzio Pinza Bass instead of Ezio Pinza, bass. The audience responded with a yell of pure rapture, at which Minnie beamed before realizing that something was wrong.

On another occasion a titled guest, about to be introduced to the audience, got lost and started to wander into the wings. "Here, Prince! Here, Prince" yelled Minnie, chasing after him. Her stadium speeches also might contain appeals for money, details about her personal life or requests for program suggestions.

Stadium Concerts had its inception during World War I. In 1918, Mrs. Arnold Volpe, the wife of a then prominent conductor, asked Mrs. Guggenheimer if she would join a committee to support good music at Lewisohn Stadium.

Mrs. Guggenheimer approached Adolph Lewisohn, who had donated the new stadium at City College. A two-week season was given, and there has been a season ever since. In 1962, Mrs. Guggenheimer had to withdraw because of illness, and her daughter, Sophie, ran the series for two summers. The Metropolitan Opera took over the series in 1965.

"BLOOD, SWEAT, AND RAIN"

During the years Mrs. Guggenheimer was associated with Stadium Concerts, she ran them virtually singlehanded. She raised money for each season, engaged artists, handled negotiations with the unions and worried about the entire operation. She especially worried about the weather. A series of rainy days would have made for a large deficit in a budget that ran to some $300,000.

Once she phoned the Weather Bureau in March to ask for a prediction about the June 22 opening concert. "Lady," the forecaster said, "you want to speak to God."

Mrs. Guggenheimer had a few comments to make about her involvement with the weather. "If I worried too much about it, I'd be three-quarters crazy instead of one-quarter crazy." She would discuss the weather with her audience and take a consensus as to whether a program should be canceled. Weather was a fixation with her, and, in 1962, she described her experiences at the stadium as "44 years of blood, sweat and rain."

Next to weather, Mrs. Guggenheimer's great challenge was the airplane. That was not a problem in the early days of Stadium Concerts. As air travel developed, however, the evening skies grew noisier, all the more because Lewisohn Stadium was under the flight path to La Guardia Airport.

AT WAR WITH AIRPLANES

Mrs. Guggenheimer seemed to think that all airline pilots loved music and would sweep low over the stadium to listen. She bombarded the Civil Aeronautics Board with complaints and had lengthy conferences with Adm. Charles Rosendahl of the National Air Transport Command. Attempts were made to have pilots reroute their paths during stadium hours, although it cannot be said that this was a campaign that Mrs. Guggenheimer won.

A short, stout grandmotherly type, Mrs. Guggenheimer smoked two packs of cigarettes a day, enjoyed an occasional drink and delighted in absurd little hats. She had interested herself in other musical projects and served on the board of the New York Philharmonic, but all of her major endeavors were directed toward her summer concerts.

She lived, breathed and talked stadium with such intensity and volubility that the impact came through even at second hand. A critic once had a discussion with her on the telephone and finally replaced the receiver with a dazed look.

"Minnie," he said, "is the only person in the world who can throw up her hands over the phone."

Those who thought she was only a figurehead, or those who were misled by her grandmotherly aspects, soon found they were dealing with a shrewd woman, a good organizer and an operator with some very high connections.

POWERS OF PERSUASION

In 1934 Mrs. Guggenheimer persuaded Mayor Fiorello H. La Guardia to take personal charge of a campaign to raise $25,000. A few years later she was successful in getting many business concerns to help finance her seasons. And in an emergency she was always on top of things.

One such emergency occurred in 1942 when the shell of the musicians' stage collapsed when hit by a lightning bolt. Mayor La Guardia, under Mrs. Guggenheimer's urging, rushed a wrecking crew to clear the debris, and the next night the orchestra gave a concert seated on the field. A new stage was built the following year. The present shell, constructed at a price of $400,000, inaugurated the 1949 season.

Through the years, the Lewisohn Stadium concerts played an important part in the musical life of this city. The events were one of the best buys in town, and the only place during July and August where one could consistently hear symphonic music in New York—at 25 cents for many seats.

PROBLEMS MOUNT

Up to the middle nineteen-forties the greatest artists consistently appeared there. Many young New Yorkers were first exposed to the best music through the good offices of Mrs. Guggenheimer. After the end of World War II, though, Stadium Concerts began fighting a losing battle. People had money and began to drift away, lured by competing summer musical events. Television and the long-playing record also made inroads into attendance.

Many complaints, too, were voiced against the antiquated amplifying system at the stadium. In addition, the area of Lewisohn Stadium, at Amsterdam Avenue and 137th Street, became rundown. It became apparent that that the summer concerts no longer filled the need that they once had filled. But the fact remained that for many years the focus of summer music in New York was Lewisohn Stadium, and it remained that way because of the efforts of one dedicated woman.

Mrs. Guggenheimer, born on Oct. 22, 1882, was the daughter of Samuel Schafer, a member of the Schafer Brothers banking concern founded in 1860. She did not receive a musical education, but she played the piano well enough to accompany many of the famous singers who were guests at the Schafer home.

Mrs. Guggenheimer was appointed a Chevalier of the French Legion of Honor in 1951, and received the John H. Finley Award in 1952. She was given many citations for her unflagging efforts to give symphonic concerts to New York during the summer months.

Toward the end of her life, Mrs. Guggenheimer was a frequent guest on the Jack Paar television show, where her uninhibited comments ("I'm a healthy old hog," she said, when asked about her health) and her malapropisms thrilled the television audience as much as they had thrilled two generations of stadium-goers.

Leonard Bernstein yesterday paid tribute to Mrs. Guggenheimer: "Minnie—pioneer woman, old-fashioned heroine—has vanished along with the era she glorified. And if this summer the parks of America overflow with music-lovers, it is in no small measure due to Minnie's guiding spirit."

In 1903 she was married to the well-known lawyer Charles S. Guggenheimer. He died in 1953. Surviving are a son, Randolph Guggenheimer, a lawyer; a daughter, Sophie Guggenheimer Untermeyer, who has won several golf titles; two grandchildren and three great-grandchildren.

A funeral service will be conducted at Temple Emanu-El at 10:30 A.M., Thursday.

INCREASED IMPORTS OF FOREIGN-MADE FOOTWEAR

Mr. JAVITS. Mr. President, according to an article which was published in the May 13 issue of the Journal of Commerce, Speaker McCORMACK has called for a meeting today of the New England delegation to discuss increased imports of foreign made rubber-soled footwear and shoes.

As one who has been concerned with this problem for some time, I can assure the Senate that it is a complex one requiring most careful consideration before any action is taken to change the new guidelines issued on rubber-soled footwear by Customs to appraisers on February 1, 1966. There are two sides to this question—as to all questions—and I therefore ask unanimous consent to have printed in the RECORD a fact sheet prepared by the Imported Footwear Group of the National Council of American Importers on the importation of such footwear.

There being no objection, the fact sheet was ordered to be printed in the RECORD, as follows:

FACT SHEET ON IMPORTS OF RUBBER-SOLED FOOTWEAR AND THE NEW CUSTOMS GUIDELINES, MAY 19, 1966

(Imported Footwear Group affiliated with National Council of American Importers, 111 Fifth Avenue, New York, New York 10003)

Efforts are being made by some elements of the U.S. rubber footwear industry to suspend or change the new guidelines to appraisers issued by Customs on February 1, 1966. These efforts appear to be based upon a number of misapprehensions about the effect of the guidelines and the role of imports in the U.S. market. It is important for all concerned to know that:

1. The effect of the guidelines, according to the U.S. Tariff Commission, is that the duty on sneaker-type footwear imported after 1962 is equivalent on the average to 60% if assessed on the normal valuation basis rather than on the American Selling Price. This is *three times* the nominal duty of 20%, and more than three times the duties levied on most leather shoes and footwear imports generally. (Before 1963, the average ASP duty was about 100%, but, in one way or another, most of the footwear came in under the old tariff schedules without paying this prohibitive duty.)

2. The rule of the new guidelines, to select as basis for ASP appraisement the closest in price among U.S. products that are equally similar to the import, has always been applied outside the footwear field.

3. Imports over the three years—1963, 1964, and 1965 (when appraisement was suspended while ASP prices were reviewed) entered the U.S. market at prices anticipating the new guidelines. This means that *there is no reduction in the price of the imports as a result of the new guidelines.* Any effect on competition has long since been felt.

4. At the same time that imports anticipated the new guidelines, U.S. production of rubber-canvas footwear continued to increase, according to official U.S. statistics. U.S. production rose from 71 million in 1958 to 153 million in 1963, 162 million in 1964 and 166 million in 1965. These figures probably understate the actual situation, because of the number of new entrants into production of sneakers with soles molded to uppers. See attached press excerpts. Imports reached their peak in 1963, have since *declined*, and in 1965, represented about 12% of the market. See Tables I and II.

5. Any cutback in a particular production line in this industry results, not from foreign competition, but from the competition of new labor-saving machinery that molds the sole and fastens it to the upper in one operation.

6. Notwithstanding increases in productivity, employment in the U.S. rubber footwear industry has increased year by year since 1957 and now exceeds any period since the twenties, as shown by the attached Labor Department figures (Table I).

Attachments.

TABLE I.—*U.S. production of rubber-soled footwear with canvas uppers*

	1958	1963	1964	1965
Average number of production workers, rubber footwear industry [1]	16,700	22,900	23,300	24,500
Value of shipments, rubber footwear industry ....thousand dollars	[2] 229,439	[2] 354,230	[3] 391,691	[4]
Value of shipments, all rubber footwear establishments ....do	[2] 213,684	[2] 339,584	[3] 367,672	[4]
Production of canvas footwear, all rubber footwear establishments [2] thousand pairs	[3] 71,409	152,885	[4]	[4]
Production, shoes and slippers with sole vulcanized to fabric upper [5] thousand pairs	[4]	[4]	162,206	165,909

[1] U.S. Department of Labor, Bureau of Labor Statistics, SIC 302.
[2] U.S. Department of Commerce, Census Bureau, Census of Manufactures, SIC 3021, 1958 and 1963.
[3] U.S. Department of Commerce, Census Bureau, Annual Survey of Manufactures, 1964, SIC 30210.
[4] Not available.
[5] U.S. Department of Commerce, Census Bureau, Current Industrial Reports, "Shoes and Slippers," December 1965, "Shoes and Slippers With Sole Vulcanized to Fabric Upper."

TABLE II.—*U.S. production and imports of rubber-soled footwear with fabric uppers*

	U.S. production (millions of pairs)	Imports (millions of pairs)[1]	Total	Imports as percent of total
1958	[2] 71	12 (4)	83	14
1959	[3] 85	13 (13)	97	12
1960	[3] 95	30 (28)	125	23
1961	[3] 109	39 (28)	148	26
1962	[3] 135	47 (29)	182	26
1963	[2] 153	35 (29)	188	19
1964	[4] 162	[5] 25 (29)	187	13
1965	[4] 166	[6] 22 (33)	188	12

[1] Imports from Census Bureau, adjusted to take account of reporting discrepancies. Unadjusted figures are in parentheses.
[2] 1958 and 1963 Census of Manufactures.
[3] Estimated on basis of dollar value of shipments of all rubber footwear as reported by Census of Manufactures.
[4] Census Bureau, Current Industrial Reports, "Shoes and Slippers for 1965."
[5] 21 ASP, 8 non-ASP.
[6] 17 ASP, 16 non-ASP.

[Press Excerpts on U.S. Rubber-Canvas Footwear Production]

"GOOD SNEAKER YEAR FOR N.E.

"Boston.—Most manufacturers report good increases and note 1965 has been a good year, gaining over 1963 and 1964. Main reason for these increases is the introduction of many new casuals made out of sneaker materials. * * * One major manufacturer noted: 'Our increases are due to our new method of distribution. * * *' Several major firms here predicted 1966 sales volume is expected to be biggest to date." *Footwear News*, Dec. 30, 1965.

"B. F. Goodrich Company said it plans to build a new plant for production of canvas footwear. * * * (The) president said the plant will occupy approximately 240,000 square feet and will substantially expand production facilities of the company's footwear division, which is based in Watertown, Massachusetts. * * *." *Wall Street Journal*, Nov. 23, 1965.

"Sneaker prices are going up. U.S. Rubber Co., the leading manufacturer, will increase prices 4.5–5% across the board. * * * Mishawaka Rubber Co. will raise sneaker prices. * * *." *Footwear News*, March 24, 1966.

"Sales for 1965 advanced 13% from those in 1964 to a new peak. * * * Deliveries of * * * footwear * * * increased." Standard & Poor's Corp. Report on U.S. Rubber, March 30, 1966.

"1966 earnings gains ranging from 8–20% among the major companies as a result of extremely favorable current operating conditions." Rubber Industry Study, Clark-Dodge & Co., April 15, 1966.

"Endicott Johnson Corp. is considering consolidating some of its shoe-manufacturing plans due to acute labor shortage. * * * The president, told the annual meeting * * * 'We could use more than 300 people right now, and the truth of the matter is that we can't get them.'" *Wall Street Journal*, March 22, 1966.

"A two-color injection molding process is producing a new line of basketball-type canvas footwear at Endicott Johnson Corp. here.

"Production of EJ's new Zing's line has been increased to 18,000 pairs daily from 12,000 pairs on a 24 hour, six-day work schedule, according to Feleix M. Weisiger, senior vice-president.

"The company will soon have eight of the machines and some 500 employes producing an estimated 5,500,000 pairs a year." *Footwear News*, March 17, 1966.

[From the Journal of Commerce, May 13, 1966]

Shoe Import Meeting Set in House

Washington, May 12 (UPI).—House Speaker John W. McCormack, announced today he had called a meeting of the New England delegation May 24 to discuss increased imports of foreign-made shoes.

McCormack advised Representative John S. Monagan, Democrat of Connecticut, that he had called the meeting at the request of Salvatore Camello, president of the Massachusetts State Labor Council, AFL–CIO, and district director of the United Rubber Workers Union.

Representative Monagan is the author of legislation now in the House Ways and Means Committee to rescind the Treasury Department's recent order reducing the tariffs on imported footwear 20 to 25 per cent.

Mr. Camello warned: "the members of the United Rubber workers in New England who work in rubber-soled footwear plants are threatened with substantial loss of their jobs as a result of increased imports of foreign-made shoes."

He told McCormack in a letter that representatives of both labor and management would welcome the opportunity to present their views to the New England delegation.

PAN AMERICAN AIRWAYS PURCHASE OF NEW TYPE JET TRANSPORT

Mr. JAVITS. Mr. President, in 1926, 12 World War I pilots founded a little airline with a total capital of $250,000. Last week, that same airline, still headed by the man who founded it, purchased the biggest, fastest, and newest type of jet transport in air transport history. The growth of that airline in size and service is an example of the accomplishments of American private enterprise at its best.

Pan Am's purchase of the Boeing 747, a new type of jet transport, is a major breakthrough. It is important both to our commerce and to our national security.

Major impact of the Boeing Co.'s program to produce the new 747 will not be felt until 1968. From then on, the program will be a source of strength to the economy for a number of years. It will provide employment at home. Through sales to other countries it will aid our payments balance. Both as a passenger carrier and a cargo carrier, the 747 will be of great benefit for our businessmen. It will reduce fares for American tourists going abroad and for the growing number of foreign visitors coming to the United States.

The massive civil and military airlift now serving Saigon points up the importance of the new, big airplane to national security. All 25 of the planes involved in Pan Am's initial order will be assigned to the civil reserve air fleet to be available for defense purposes in time of emergency. Hopefully, other airlines will follow Pan Am's lead and order fleets of this new, efficient airplane.

New Yorkers can be particularly proud that Pan Am has shown this leadership. For Pan Am is New York's hometown and home State airline. Pan Am is the only major trunkline to maintain its corporate headquarters, its operating headquarters, and a major share of its maintenance and other activities in New York City.

I ask unanimous consent to have printed in the Record several articles on this subject.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, Apr. 15, 1966]

Big Business in the Sky

An airline jet transport that will carry 490 persons staggers the imagination—except that a military transport already under development will carry more than 700. Pan American's order for 25 Boeing-747's to be delivered by 1970 promises an airline revolution almost as great as the introduction of the jet itself. The revolution will not be in speed—the 633-mile-an-hour cruising rate is not notably higher than present speeds—but in markedly lower operating costs with an economical new engine of vast thrust. There are potential benefits not only in lower fares but also in much increased cargo capacity.

These new planes will not of course approach the characteristics of the 1800-mile-an-hour supersonic transport, or SST, for which designs have not yet been chosen. But neither will they be displaced by the SST when it comes into use in the mid-1970's; they are intended to be complementary. They could, for example, carry economy-class passengers at reduced fares. More significantly, they are designed for easy conversion into all-cargo carriers. Air freight, now limited by capacity, is really still in adolescence.

The effect of the 747 on airline economics is not wholly clear, but it will be substantial. The combination of lower operating costs, potentially lower fares, high capacity and high utilization is likely to undercut the profitability of existing equipment on international routes. Since there is no known Western competitor to the 747 short of the Anglo-French supersonic Concorde which is still some years off, foreign carriers are likely to order American planes (incidentally, since the first installment is not to be paid until 1968, Pan American's contract does not violate the President's economic guidelines). Boeing and Pratt & Whitney, which lost the order for the military C5A transport, have shown great confidence in the civilian market.

Safety will be no more a concern than with present planes; the Boeing–747 will require less runway than the 707. But the fact that any serious accident would affect wholesale numbers puts a premium on extra precaution against error. Equally important, there will have to be great expansion of terminal and customs facilities to handle large numbers of debarking passengers at once. The one unchanging factor, of course, is the human clock, for no one has yet figured a way to speed its adjustment.

[From the New York (N.Y.) World Telegram & Sun, Apr. 15, 1966]

Aerial Expansion

Anticipating further rapid growth in air travel, Pan Am means to be ready—with a new fleet of 25 huge new jets, each with a capacity of 490 persons.

The new Boeing 747's will be not only roomier but faster and, in time, probably cheaper for the customers if the expected volume of business materializes.

Obviously everyone in a 490-passenger plane isn't going to have a window seat, but it won't greatly matter. Air travel has grown from a sight-seeing novelty to an everyday necessity, taken almost casually for granted.

The needs of the immediate future are those of all mass transit—equipment and accommodations capable of getting maximum numbers of passengers from here to there with maximum efficiency, convenience and economy.

Pan Am is pioneering the latest spectacular step in that direction.

[From Aviation Week, Apr. 18, 1966]

The Third Wave

(By Robert Hotz)

The third wave of the jet revolution in air transport began to roll last week with Pan American World Airways' initial order for the giant 490-passenger Boeing 747 powered by Pratt & Whitney Aircraft's 41,000-lb. thrust, high bypass ratio turbofans.

The Boeing 747 transport is not simply an evolutionary growth from the 707 series with which Boeing and Pan American began the jet revolution at the turn of the decade. The 747 concept promises to be as revolutionary in relation to the current generation of jets as the initial 707s were to the piston-powered transports they superseded.

Biggest technical advancement will come from the new generation of high bypass ratio, high temperature, large turbofans typified by the Pratt & Whitney Aircraft JT9D. This new gas turbine cycle promises as much improvement in load-carrying capacity and operating economy as the original turbofan gained over the straight turbojet. It is the real root of the economic and technical revolution embodied in the 747 concept.

BROAD APPLICATIONS

Pan American's decision means that the major international airlines will operate during the 1970s with a fleet of giant subsonic jets complemented by the supersonic transport. The supersonic transport will offer the airlines a relatively uniform application of its technology. But the jumbo subsonic jet, based on the technology developed by the Air Force C–5A military transport competition, still offers a bewildering choice of applications to suit individual airline requirements.

The configuration chosen by Pan American will probably be the characteristic choice of large international airlines with long-haul transatlantic or transpacific routes. But the same technology can be utilized in an astonishing variety of other applications down to the large-hulled twin-engine airbus configuration sought by American Airlines and other domestic carriers whose largest volumes travel shorter stage lengths than the international jet set.

It is certainly another sign of the growing size of the commercial market when the losers of a major military competition take their new technology and design a new aircraft aimed solely at the civil airline customer.

For the passenger, the 747 jumbo jet promises substantially reduced fares, moderate reduction in travel time and perhaps some reduction in comfort. However experience may dictate an end of the sardine-can philosophy of airline high-density seating. The large fuselage area offered by the 747 may lend itself to some more pleasant innovations in long-range air travel. The international passenger demands of a world population that not only is growing in size but also accelerating in mobility should be sufficient to fill the capacious maw of the 747 during the 1970s, particularly with an economic spur of lower fares.

But despite its excellent prospects as a passenger conveyor, we think the 747 will really come into its own as a freight carrier, both in mixed configurations and as an all-cargo transport. The growth of air cargo is now largely limited by the capacity of the airline fleet. Even with increasing numbers of the all-cargo Douglas DC–8s and Boeing 707s, demand will continue to outrun capacity by a wide margin. Not until a vehicle with the speed and capacity of the 747 appears on the airways will the airlines be able to offer the type of air logistics system that will attract the real potential from industrial shippers. If, as many thoughtful airline planners predict, the cargo business will eventually surpass passengers as the largest source of airline revenue, then the 747 offers an excellent vehicle with which to exploit that market. Pan American evidently has this possibility in mind in specifying that all of its initial 25 Model 747s be equipped with cargo floors even though only two will be initially earmarked for all cargo service.

The 747 is still a concept on the drawing board. Boeing and Pratt & Whitney face formidable technical tasks during the next three years to translate this concept into a flying machine fit for airline service in 1970. Even though much of the initial research and development was financed under an Air Force competition, both companies also face equally formidable problems in financing further development of the 747 as a purely commercial venture.

GLOBAL CHALLENGE

The Pan American decision also poses a significant challenge to its global competitors. They will have to make their decisions soon as to how to meet this tough new competition or face the consequences in the 1970s. There are some airline executives who still long for the comfortable pre-war DC-3 days when airline passengers belonged to a relatively small and exclusive club and federal mail subsidy solved most financial problems. But those days have gone forever. The galloping technology of aerospace has propelled the airlines into a scale of activity and profit that already exceeds their rosiest dreams. We will hear many prophets of doom pontificate on the problems posed by scaling up to transports of the 747 size. Most of them will be recognizable as the same familiar voices that once wailed over the advent of the jet and have spent the interim since its earning power erased their argument in deploring the prospect of a supersonic transport.

We could not close this epistle without doffing our hat to the courage and vision of Juan Terry Trippe. At an age when many would be content to bask in the reflection of the most fabulous career in air transport, he is still busy pioneering a new era not only for his own airline but for the industry of which it is such an important part.

The **PRESIDING OFFICER.** The time of the Senator from New York has expired. The Senator is recognized for 3 additional minutes.

ARCHBISHOP CONDEMNS HOUSING BIAS

Mr. **JAVITS.** Mr. President, over the weekend, Archbishop Patrick A. O'Boyle of the Catholic archdiocese of Washington spoke out strongly against racial bias in housing. In a pastoral letter timed to coincide with Fair Housing Sunday, Archbishop O'Boyle declared that—

> Every man, whatever his race, religion or national origin, has the moral right to acquire and occupy any house his means will allow. * * * Blockbusting, panic selling, and similar tactics to circumvent these basic rights are immoral.

Because the churches played such an important role in securing passage of the historic Civil Rights Act of 1964, it is gratifying to note that clergymen of the archbishop's stature are again speaking out on the morality of a matter now before the Congress.

Mr. President, I ask unanimous consent to have various articles describing Archbishop O'Boyle's statement printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, May 22, 1966]

Sends Letter to Each Church: Block-Busting, Panic-Selling Tactics Denounced by Archbishop O'Boyle

(By Thomas W. Lippman)

An attack on "block-busting, panic-selling and similar tactics" in the real estate business will be delivered this morning in all Catholic churches of the Archdiocese of Washington.

It is in the form of a pastoral letter from the Most Rev. Patrick A. O'Boyle, Archbishop of Washington, to be read from the pulpit at all Masses.

Affirming the "moral right" of every man to live where he wants to, the Archbishop timed his letter to coincide with "Fair Housing Sunday" in Prince George's County, scene of several recent block-busting incidents.

The problem of housing for Negroes was the central issue yesterday at the annual conference held by the group sponsoring "Fair Housing Sunday", the Prince George's Human Relations Committee.

One speaker after another expressed the fear that the County is in danger of fostering a "ghetto pattern" of housing development and demanded construction of public housing and enactment of open-occupancy legislation.

Churches and synagogues throughout the County will hand to members of their congregations this weekend small white cards, which they will be requested to sign, pledging their support for open occupancy.

Bernard W. Scholz, president of Prince George's Fair Housing, Inc., accused real estate agents in the county of "banding together to see to it that no one moves to the wrong side of the street."

The realty men, he said, "always tell you that Negroes prefer to live in Washington or Baltimore. Isn't it a strange characteristic of the Negro that he prefers to live in the ghetto and commute to his Government job in Prince George's?" he asked.

The conference delegates adopted a program of action suggested by Ben D. Segal, director of the Office of Liaison of the Equal Employment Opportunity Commission.

This includes:

Adoption and submission to the County Commissioners of a County fair housing ordinance.

Preparation of a model equal employment opportunity ordinance.

Holding of public hearings on the present status of both problems in the county.

[From the Washington (D.C.) Sunday Star, May 22, 1966]

O'Boyle Urges Open Housing—Antibias Letter Read at Masses

(By Martha Angle)

The denial of equal housing opportunities to any man on the basis of race is morally indefensible, Washington area Catholics were told in church today.

In a letter sent to be read at all Catholic masses in the Archdiocese of Washington, Archbishop Patrick A. O'Boyle said that "those who deny a neighbor, solely on the basis of race, the opportunity to buy a house and enjoy equal educational and job opportunities are in effect denying that right to Christ himself."

It was the first such letter from the archbishop dealing predominantly with the issue of open occupancy and equal housing opportunities, although the problem has been mentioned in previous civil rights messages to area Catholics.

TOTAL OF 343 PRIESTS GET LETTER

In a covering letter to 343 priests in the area, Bishop O'Boyle went even further on the subject of fair housing:

. . . "Every man, whatever his race, religion or national origin, has the moral right to acquire and occupy any house his means will allow, subject only to the obligation all members of society have to live as good neighbors in Christian charity.

"Blockbusting, panic selling and similar tactics to circumvent these basic rights are immoral and unworthy of anyone redeemed by the same blood of Christ as his Negro brother."

In the letter priests were asked to read to their congregations, the archbishop wrote:

"As Christians, we cannot select which part of the moral law we are to obey . . .We are brothers of Christ and sons of God only if we accept His law fully—and that means accepting the dignity of every other person."

In Prince Georges County the fair housing issue was to be the topic of sermons at churches of all denominations both yesterday and today.

More than 175 churches and synagogues throughout the county were expected to participate in "Fair Housing Sunday" observations sponsored by the Prince Georges County Fair Housing, Inc., in cooperation with the Council of Churches, the Catholic Archdiocese and the Jewish Community Council of Greater Washington.

In addition to hearing sermons on the housing issue, members of participating congregations were asked to sign fair housing pledges which read:

"I believe that any person, regardless of race, religion or national origin, has the moral right to purchase or rent a home elsewhere.

"I urge financial institutions, home builders and owners, apartment owners and real estate brokers to do business without racial or religious discrimination."

ACTIVITY IS URGED

In a separate letter to priests in Prince Georges County Archbishop O'Boyle urged active participation in the fair housing drive and asked that all Catholics be encouraged to sign the pledge cards.

This weekend's activities mark the beginning of a concentrated push for open occupancy policies in the suburban Maryland jurisdiction. A door-to-door drive to gain more pledge signatures is planned for September.

Earlier this year, the Catholic Archdiocese of Washington held a series of fair housing seminars for clergy in the District, Montgomery and Prince George Counties.

Representative from the Archdiocese testified in Annapolis earlier this spring in favor of proposed fair housing legislation which failed to clear the Maryland Assembly, although an anti-blockbusting measure was passed and signed into law.

Housing Racial Bias Is Scored by Prelate as an Immoral Act

Washington, May 22.—The Roman Catholic Archbishop of Washington declared today that "blockbusting panic selling and similar tactics" designed to perpetuate racial discrimination in housing are "immoral and unworthy" of Christians.

In a letter to 343 priests in the Washington area, the Most Rev. Patrick A. O'Boyle said that "every man, whatever his race religion or national origin, has the moral right to acquire and occupy any house his means will allow."

This right, he said, is "subject only to the obligation all members of society have to live as good neighbors in Christian charity."

The prelate also issued a letter condemning discrimination that was read at all Catholic masses in the archdiocese today.

In it, he told Catholics that "those who deny a neighbor, solely on the basis of race, the opportunity to buy a house and enjoy equal educational and job opportunities are in effect denying that right to Christ himself."

The letters were made public the same day that churches and synagogues in one of Washington's predominantly white suburbs, Prince Georges County, Md., were participating in a "fair housing Sunday."

PRAISE FOR UNITED STATES OF AMERICA

Mr. McINTYRE. Mr. President, sometimes we wonder whether the people of other nations fully realize the burden the United States has undertaken in the defense of freedom.

It is reassuring to find our country's massive effort for peace highly praised by the Sydney, Australia, Telegraph in an editorial reprinted in the Dallas Morning News.

Without America's vast strength, the Sydney newspaper declares, the free world would fall like a plum into the hands of communism. Let me quote one paragraph and then place the entire editorial in the Record:

> We in Australia, like all free men, should thank God for the protection and friendship of the United States, and its contribution throughout the world to the cause of peace.

I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Dallas (Tex.) Morning News, May 5, 1966]

Guest Editorial: United States of America Praised

The grim struggle for freedom in South Viet Nam was underlined for the American public when a casualty list of hundreds killed and wounded in the bitter fighting against the Viet Cong and the North Vietnamese was released in Washington.

It drew the attention of the world as well as the American public to the huge United States buildup in Viet Nam.

America so far has committed more than 200,000 men to the struggle against communist aggression.

Do we in Australia fully realize what we owe to the United States?

It is fashionable in many quarters to deride America. But without the vast strength of America the free world today would fall like a ripe plum into the hands of communism.

America today is the policeman of the world.

How many people realize that she had under arms outside the United States more than one million service men?

And that her police duties involve these far-flung responsibilities:

West Germany, 250,000; France, 50,000; United Kingdom, 35,000; Mediterranean, 35,000; Spain, 10,000; Italy, 10,000; West Berlin, 6,500; Azores, 1,900; Libya, 3,000; Turkey, 8,000; Thailand, 4,000; Philippines, 10,000; Pacific fleet, 55,000; Okinawa, 50,000; Japan, 40,000; South Korea, 40,000; Greenland, 6,000; Iceland, 4,000; Caribbean, 20,000.

We in Australia, like all free men, should thank God for the protection and friendship of the United States, and its contribution throughout the world to the cause of peace.

—Sydney (Australia) Telegraph.

WAR ON FARM PRICES STARTING "GRASS FIRE"

Mr. YOUNG of North Dakota. Mr. President, claims in recent weeks by President Johnson and his administration that the prices farmers received for their commodities were responsible, in a large measure, for the present inflation have created deep and bitter resentment among farmers all over this Nation as well as businessmen and others associated with them.

This resentment transcends party lines and is shared by Republicans, Democrats, and independents. Mr. President, many editorials have been written on this subject in newspapers and magazines all over the United States. One of the best that has come to my attention is one which appeared in the Walsh County Record published at Grafton, N. Dak., under date of May 19, 1966, entitled "War on Farm Prices Starting 'Grass Fire'."

The writer of this editorial is close to farmers and I believe, accurately reflects the feeling of almost everyone living in rural communities all over this Nation.

Mr. President, I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

War on Farm Prices Starting "Grass Fire"

Mr. President: This is either the fifth or sixth draft of this brief comment. The first, written in instantaneous anger a couple of weeks ago was, after overnight reflection, discarded as just too furious. In the intervening days, there's been a mighty struggle going on to temper our fury down to rage, and then to wrath, and then to indignation. That seems to be as far as the emotion can be distilled.

There's nothing partisan about what follows. We're blessed with some pretty vigorous partisans of both political parties in this community, and we take our politics seriously and zealously. But when a neighbor is ill or injured, or when his house or barn burns, partisanship ends and we all pitch in. When one of us is attacked all of us are attacked, be the attacker the elements, beast or man. Or government.

In this community we grow some of the crops and raise some of the animals which feed and clothe our country. And we have a pretty well-fixed idea of who makes these crops grow and causes the animals to be born. Nobody hands out a pay envelope on Saturday night when the farmer washes the dirt from what he's tended, be it plant or beast.

When you and your appointed aides announce that you are going to control inflation by making war on farm prices, you've set a grass-fire, Mr. President. For the fact is, war is never waged against an abstraction, like prices. War is waged against people. In this case, us.

The dumping of government-owned grain, restricting exports of hides, raising sugar imports, cutting government purchasing of dairy and pork products—these are acts of war already committed. Yet 61 per cent of the cost of food in the housewives' shopping basket is added after that food leaves our farms. That suggests that 61 per cent of the war on inflation ought to be fought somewhere else, instead of 100 per cent against us.

Your war may succeed. You may roll back the prices, without ever attacking any of those many other better organized voter blocs. You may, indeed, hold back inflation with that roll-back. But any farmer in this community—and anywhere else—will tell you that when you roll back a wire fence, or anything else, too tight, the recoil can be ferocious. As we said earlier, when we're attacked, partisanship ends and we close ranks and fight back. Starting now.

BIG BROTHER

Mr. LONG of Missouri. Mr. President, recently, the Federal Communications Commission issued a ruling outlawing the use of radio transmitters for eavesdropping purposes. This FCC ruling is too new to have any noticeable impact on the commercial distributors and sellers of the many bugs in existence. In fact, one author has even written that since the bugs are primarily surreptitious devices anyway, the FCC ruling will be widely ignored.

Mr. Leonard Shecter, writing in the April 24, 1966, issue of New York Herald Tribune magazine section, has compiled a very complete listing of the many bugs in use today. In his article entitled "Hello, Big Brother, Wherever You Are," Mr. Shecter even suggests that one day—perhaps earlier than 1984—we will be able to buy a gadget that will read men's minds. I ask unanimous consent to insert in the Record the article referred to.

There being no objection, the article was ordered to be printed in the Record, as follows:

Hello, Big Brother, Wherever You Are

(By Leonard Shecter)

Although it was once a mark of some distinction, there is very little status left these days in having your phone bugged. What counts is being able to whip out a handy little 101 Sentry, slap it on a telephone and exclaim, "Ha! This instrument is under electronic surveillance." There is, alas, a bit of 007 in all of us.

Pandering to this spy-under-the-skin syndrome is a shop on West 46th Street which calls itself Continental Telephone Supply. At first glance it appears to be a shop like any other. It sells tape recorders, hi-fi sound equipment and the strange-looking and probably useless little gizmos one sees in any electronics shop window. If there is anything different-looking about this shop, it's that it also sells telephones, most of them so French they make calling down for a box of dog yummies as delicious an experience as ordering a bath for Madam DuBarry.

Underneath this frou-frou, though, are for sale some of the most sophisticated eavesdropping devices known to man or beauty parlor. Also some of the best eavesdropping *detecting* equipment outside of the U.S. Embassy in Moscow. Nor does one have to be a CIA agent to purchase this materiel. Just walk in and flash money.

The wide publicity engendered recently by electronic ears, battery-powered martini olives, taps, bugs and UNCLE has caused a sort of paranoia in this country. And the discovery in May, 1964, of an eavesdropping device in the eagle—the eagle, for goodness sakes—in the American Embassy in Moscow did nothing to turn us off. If you can't trust the American eagle, what's left?

Today, Madalyn Murray, professional gadfly and athiest, swears the feds are bugging her bed. The people who make automobiles see a bug under every blueprint for a new fastback. Simultaneous discoveries by slick drug companies lead to campaigns of bugging, de-bugging and counter-bugging. Wives with paramours have stopped using their home phones to talk to them. Husbands with mistresses won't use the phone altogether. It's gotten so that when a haberdasher takes in a new line of underwear he insists upon protection from the thieving spy who owns the store down the street.

"This is big business," says Ben Jamil, the short, dark, nervously dapper man who is the brain behind the electronic booms Continental has been setting off in the last few years. "This year we expect sales of our protective devices to far exceed the sales of our eavesdropping devices. The security business is getting bigger all the time. It's booming."

Nor is Jamil, who conducts his affairs from tacky although bustling offices over the store on 46th Street, above contributing to the hysteria which has created such a large demand for his products. Instead of goodbye he says, "See you. And don't say anything on the telephone you don't want everybody to know." Jamil starts conferences with his own employees by raising his eyes in an attitude of prayer and intoning, "Hello, Big Brother, wherever you are."

"It's no joke," says Hank Klumb, who is in charge of Jamil's electronic department. "In the company I was with before, I discovered a leak in my own office. I found 3 mikes in those little holes in the acoustical tile in the ceiling. Now that was a *professional* job. An amateur would have used only one mike. Anyway, it turned out the guy responsible was one of my associates who was going into a competitive business on his own. I never go into a conference now without checking."

Continental sells three basic products to detect eavesdropping, and if one is going to feel secure one simply must have all three. "The Sweep" costs $350 and is designed, says Ronald Fine, a perky young man who sells these things to the public, "to protect the little man from the big ear." A foot-square box with a pride of dials and a small triangular antenna, The Sweep will detect and locate hidden transmitters. (Under a recent FCC ruling it's against the law to use a transmitter for eavesdropping, but since these are by their very nature surreptitious devices anyway, it's a law that will be widely ignored.) With most bugs doing their job through the air rather than wires these days. The Sweep is a handy little box. It will not, however, take notice of a wired microphone. For that one needs an even more sophisticated detector which is still in research and development.

Then there's the Sentry 101 ($250). This is a metal box not much larger than a pack of cigarettes with a dial which will oscillate when plugged into a phone that has a wiretap on it. After that, you are on your own. On a complaint the telephone company will trace down a bug and report its findings to the district attorney, who will then shrug his shoulders helplessly. Bugs even when detected are almost impossible to trace.

Finally, we have the dandy little all-purpose jammer, also priced at $250. Just put it next to a telephone, turn it on and it hopelessly garbles any wireless tap that might be on the phone. The beauty part of the jammer as far as Continental is concerned is that even if your phone isn't bugged you think you ought to have one just in case it ever is. This is very good for business.

"Our next product, which is being developed in our Philadelphia lab," says Klumb, "will produce what we call 'white noise.' This will jam any microphone, recorder, transmitter or anything else used to eavesdrop. It will provide perfect security for any room."

This is a fairly rash statement because the only thing perfect about a bug is the shortness of its life cycle. No sooner does a bug reach adulthood in the brain of one technician when it becomes obsolete because another technician has found a specific DDT which will cause it to roll over dead on its back. Obsolescence in electronics is a daily way of life.

"We have men on our payroll we call manipulators," said Klumb, a man with a dripping Texas accent and a bristly little red moustache, a combination which makes him appear diabolical (and which he enjoys because it is the view he has of himself). "Anytime we invent a new device we bring it to a manipulator and he tries to beat it. The CIA has its own security systems all over and the boys there like to say they haven't had anything they couldn't beat, one way or another, in 32 minutes."

Maybe so, but the Russians defeated the CIA boys for a long time with an inert microphone which registered zero on every one of their fancy dials. The only time the mike worked was when the Russians focused a beam on it from the opposite side of the room. There is only one way to unearth a microphone like that—tear a room apart inch by inch. And that's the way this one was uncovered, leaving some red faces, a very messy room and heaven knows how many stolen secrets.

There is a certain hilarity here. It has been suggested that as bugs and anti-bugs cancel each other out someone will at last discover the ultimate snooping weapon, an ear to a keyhole. "Could happen," Klumb says. "I know one of our engineers says he carries a bowie knife with him all the time so that when the big bang comes he's going to be the only cave man with a good steel knife."

In the meantime men like Jamil and Ed Mosler are going to make a lot of money. Mosler, of Mosler Safes, got into the bug business trying to work out ways to prevent people from stealing his burglarproof safes. That led him into electronics and now it's the fastest growing part of his empire. "This whole business about bugs is overrated," says Coleman London, who runs Mosler's Danbury, Conn., plant, carefully putting the large private ear business he does with the U.S. government under the rug. "Our basic business is photo security, taking pictures of people who commit robberies, an improved method of reporting intrusions."

In the good old days a burglar alarm consisted of a loud bell. This was designed to wake up all the cops and babies in the neighborhood and scare hell out of the burglar besides. Times change, though, and so do burglary techniques. It wasn't long before the burglars were shutting off the bells as easily as they were breaking and entering. So science and Mosler developed a tape recorder that would call the cops when the crooks showed up.

"Hello, 16th precinct."

"This is a recording. The premises at 14 West 46th Street are being burglarized. This is a recording. The premises at . . ."

When the crooks figured out ways to shut up that recorded yap, the Mosler people perfected a reporting system that involved giving the police a signal every 10 minutes that everything was fine. No signal and the cops jumped into their cars, sirens screaming. Even that turned out to be less than foolproof against pros, however. Thieves with a bit of know-how, a screwdriver and a hairpin were soon sending the cops perfume-scented all's-well messages while their confederates loaded the premises onto the back of a truck.

"People have been defeating our telephone lines," London admits. "We're putting a lot of effort into stopping that. We think we've got some lines now that can't be defeated." But he didn't want to bet.

Everybody gets a little cozy about revealing the amount of money that's involved in this bugging business. Jamil, a man given to small exaggerations, says cheerily that Continental probably sells 90 per cent of all bugging and de-bugging devices in the country and that business is so good he's about to set up franchised dealerships in Washington, Boston, Newark, Chicago and someplace on Long Island, South Shore, of course. "Last year the government spent a billion dollars on this kind of equipment," Jamil said. "Private industry in Detroit alone also spent a billion. Sales agencies spent half a billion or more."

Was Jamil saying that his business was running into several billion dollars a year?

He shot his cuffs modestly. "Well, no," he said. "Let's say several million. Don't forget we sell mail order all over the country. And we're expanding all the time."

The whole business of industrial espionage is expanding so rapidly it recently oozed its way into the halls of Congress. There a stern committee of angry Senators twisted the arm of General Motors President James M. Roche until he apologized for hiring people to dig too deeply into the personal affairs of Ralph Nader, who wrote a book criticizing auto safety. Not that the Senators turned anything off. "They've been doing it for years and it'll get bigger," the Wall Street Journal quotes a Dallas private eye as saying. And a Cleveland management consultant says, "There's a whale of a lot" of company spying, especially in cases of suspected patent infringement and employee dishonesty.

Just in case the government ever puts him out of the espionage supply business, Jamil is keeping escape routes open. One of his sidelines at the moment involves a telephone that will memorize 400 numbers and ring them at the press of a button, call back every 60 seconds if the line is busy, every 20 minutes if there is no answer, redial to a second number if the first doesn't answer and redirect incoming calls to a different number. "This is very good," Jamil says, "if you want your wife to think you are in the office when you are really someplace else."

The service that Jamil supplies that the Mosler company sneers at is to the individual snooper, the nosy neighbor, the nervous father, jealous husband, worried lover. Sixty per cent of his business, Jamil says, is with business concerns, 35 percent with professionals—law enforcement officials, private detectives. The remaining 5 per cent walks into the store, looks around nervously, clears its throat and says, "Look, is there anything I can put on my telephone to find out what my wife. . ."

"Step right this way," says Ronald Fine. "Now we have here a simple little device called the Byphone. . ." This is the least sophisticated of Continental's snooping gadgets. Slap it against a single line phone extension and you can pick up both ends of the conversation without the telltale lifting of a receiver. It's very handy for fathers who want to know what their teenage daughters are yacking about. "One man I know was sorry he listened," Fine says. "Turned out his daughter wasn't as nice a kid as he thought she was." The Byphone, available at a mere $18.95, is also good for classy things like listening in on one's wife or other members of the household. But it's no good unless one is handy to an extension.

Trading up from the Byphone you are in the Unicom class ($69.50). The Unicom can plug in on any single-line telephone.

It's usually used in combination with a tape recorder. "If you can drive a car or put a plug on a lamp," Fine says, "you can learn how to connect a bug. I can teach a housewife how to do it in five minutes. And I have."

The Unicom is in great demand for commercial spying. It is not particularly unusual for a company to plant a secretary in a competitor's office. The girl is delighted because she collects two salaries. She doesn't have to do much; just reveal the contents of a sealed bid once in a while. A Unicom and a recorder on her phone will catch her red-faced. A Unicom can also be used to check unauthorized use of telephones. An owner of a trucking company says he saved $400 a month nabbing night workers who were using his phones to call relatives in places like Alaska and Bolivia.

Some companies use taps merely to check on the telephone sales pitches of their employees. No matter what the law is, you hire a man and you like to think you have a right to know if he's insulting customers on the telephone. Like most spying devices, however, this can be a two-edged bug.

An automobile dealer with showrooms on 57th Street installed several Unicoms and tape recorders not long ago to check on his salesmen's conversations. He sat down one evening to play back the recordings and discovered his sales manager was carrying on with a woman. The dealer chuckled until he suddenly realized the woman's voice was familiar. It was his own wife. They were divorced, but the sales manager was not fired. He sold too many cars.

Another tale has to do with the owner of a plant who was losing inventory out of his warehouse. Specialists told him that there was usually more than one employee involved and that the likeliest place for their secret conversations was the men's room. So several bugs were installed. Sure enough, the thieves were caught on their own recorded admissions. And one of them was the owner's son, who was supposed to be learning the business from the ground up but couldn't wait to become a partner. The moral of this story is: keep your mouth shut in the men's room.

Next step up in electronic sleuthing is an In-Line Transmitter. This lovely gadget sells for $179, and no one's life is complete without one. It's about the size of a lipstick and fits cozily inside any telephone, drawing power from the line itself. It sits there silently broadcasting every conversation, no matter how many lines the phone is hooked up to. An FM receiver in another room, or another building, picks up the signals. Plug in a recorder and you have the practically perfect tap.

It was this kind of tap, Jamil says, which made him big business. Ask him how he got into the bug line and he tells you, "You want the truth or a good story?"

Well, a little of each.

"The truth is," said Jamil, who is 32 and a Brooklyn College grad, "I started out selling these old phones because I like old things. Then people started asking for these other things and I started to sell them, too."

And the story?

"The story is that a man came in here one day and ordered two French phones, one for his wife, the other for his mistress. He didn't trust his mistress, though, and wanted a bug put into her phone. Naturally he mixed the phones up and installed the one with the bug in his own home. The next night he's talking to his mistress on the telephone from his study and his wife picks up the conversation on the FM radio she's listening to. She divorced the bum. He was a scoundrel. A louse. But she thought the bug was wonderful. So she came in here and wanted to know all about them. She had a lot of money in her own right and she became my silent partner. It was her money that I used to build this business. Would you believe it?"

Probably not. On the other hand the whole business of bugging is unbelievable, unbelievable but true. There has even been invented the ultimate bug, the one that does everything but stand on its hind legs and beg. Slip it into a phone and you have one of the most sophisticated devices ever invented. It's something Napoleon Solo could use with pride. Once this fancy little gold-plated bug (it costs around $600 or whatever the traffic will bear) is installed in a telephone, all you have to do is call a number that it's attuned to and the phone, instead of ringing, becomes one great big bug. It will pick up every sound in the room, even the rustling of the pages of a book, or a sigh. And you can call the number from 3,000 miles away if you wish.

This is extraordinarily useful to business men who want to know what's said in their offices behind their backs, jealous husbands who travel a lot and spies. It's such a beautiful bug it's referred to as "The End" and the telephone company insists it can't exist. But what does the telephone company know? Any outfit that would change a nice old Gramercy exchange to LT is so far out it's bound not to know what's new. Or maybe, heaven forfend, the telephone company tells lies. There is, indeed, considerable underground opinion that the phone company not only knows about "The End," but it has perfected it to the point where it not only listens, it floats out sonic waves and *takes and transmits pictures*. This is not so far-fetched when one considers the way pictures are sent back from Mars. But a spokesman for the telephone company says, "Judas Priest! There's never been anything like that. And if there were we would be against it."

Yet there are some strange things around and you can walk into the shop on 46th Street and buy a lot of them. You say you wonder what all that arguing is about in the next apartment? Try an electronic stethoscope. It was designed to help a hard-of-hearing doctor, but it works swell if you put it against a wall instead of a heart.

If that doesn't fill in the picture well enough, there's always a nice little keyhole microphone, a highly sensitive mike attached to a long plastic tube. If there's an electric outlet on the wall, you take off the plate, put the tube in the *voila!* Instant snooping.

You say you want to cheat on an exam? Get one of those handy-dandy concealed throat mikes and a button receiver for your ear; whisper the questions to a confederate down the street and he'll read you the answers out of a book.

Worried about all these bugs? Don't go to the park for your private conversations. For $400 anybody can buy a long-distance microphone, stand behind a bush 150 feet away and pick up every whisper. Nor can you count on security by holding your talk in the middle of a football field at midnight. A high-priced parabolic microphone can pick up a hiccup at 500 feet or more. For real security try your private chat in the bathroom with the shower running. Only don't count on it for long because there's an expert somewhere working on a way to filter out the sound of running water.

Are you, perchance, a bookmaker? Great. Be sure to pick up one of those wonderful little Triple-0-Eights. It's no bigger than a pack of cigarettes and it will broadcast over a thousand feet. Try taping the 0008 into a phone booth someplace. That way your customers can drop by, pretend to make a phone call and give you their bets instead. And you don't have to worry about the cops tapping your phone because you are not using it for anything but ordering beer.

Beautiful, right?

Questions like that bug, it might be said, people like Jamil who sell these little conveniences. "We sell these devices," they say. "We don't install them. If a guy buys one to install in his own office and puts it on his wife or a competitor instead, we assume no responsibility."

Besides, that's what the public wants. In fact, the public can't get enough. "Why, do you know," Ronald Fine says, "I get a lot of people coming in here who want to buy something they can point at a guy and find out what he's thinking."

It's rough, but Continental doesn't have that. Not yet.

SCHOOL PRAYER

Mr. BYRD of West Virginia. Mr. President, I am a cosponsor of Senate Joint Resolution 148, proposing an amendment to the Constitution of the United States to permit voluntary participation in prayer in public schools, introduced by our distinguished minority leader in the Senate, the Honorable EVERETT MCKINLEY DIRKSEN.

West Virginians who have written to me indicate that they want the right to decide locally whether their children can participate in prayers in public schools. This amendment, if passed, would allow the choice—of whether or not to have prayers—to be made in local communities. Thus American children may have the opportunity to voluntarily participate if they desire to do so, and school authorities would not be in any manner setting up the content, or the form, of any prayers.

It is my hope that the Senate Judiciary Subcommittee on Constitutional Amendments will take early action to report this resolution favorably for Senate floor action, and that it will receive rapid passage. An editorial in the May 13 edition of the Jackson Herald—Ripley, W. Va.—newspaper, "Congress Should Pass It," provides a representative expression of the views of the general American public in support of such action, I believe.

I ask unanimous consent that this editorial be printed in the RECORD at this point.

There being no objection, the newspaper editorial was ordered to be printed in the RECORD, as follows:

[From the Ripley (W. Va.) Jackson Herald, May 13, 1966]

CONGRESS SHOULD PASS IT—

Senator DIRKSEN of Illinois has introduced a "prayer amendment" in Congress which should be passed. It will be if citizens make it crystal clear that they will vote for nobody for Congress who is opposed to it.

It should be the most important issue in this congressional campaign and candidates should be asked to publicly take a stand.

In June 1962, the court said it was unconstitutional for students to recite a prayer composed by the New York State Board of Regents, even though pupil participation was not compulsory. A year later, the court ruled out Bible reading and recitation of the Lord's Prayer in Pennsylvania classrooms. These findings were based on the "reasoning" that prayer was outlawed because the First Amendment says "Congress shall make no law respecting an establishment of religion."

Following the court's cue, many public schools have been going to the extreme of deleting almost any activity from the classrooms which could possibly be said to have religious connotations.

But the Illinois senator has decided to put an end to the mischief caused by the court. He would restore voluntary prayer in the schools through a simple constitutional amendment. (S.J. Res. 148).

With the public generally supporting a prayer amendment, the Dirksen measure is likely to have political import for 1966. It has bi-partisan endorsement and is considered far more popular than the Bricker amendment of a few years ago, the language of which offended even some constitutional conservatives.

The Dirksen resolution is simple and should rally all constitutionalists to its support. It permits voluntary prayer only. It places responsibility upon local school authorities, but it does not require them to compel prayer sessions. It gives no authority to any official body to dictate the form or content of a prayer. And that, says Dirksen, is the whole of it. Who but a cantankerous atheist could object?

Since the Supreme Court ruled on this matter, says Dirksen, millions upon millions of words have been written on this subject and numerous public opinion polls have been taken. "Insofar as I can determine, more than 81 per cent of the people disagree with the courts. Two weeks ago, one man came to Washington and dumped 52,000 original letters of protest on my desk. Prayer groups are organizing. Sooner or later Congress must come to grips with this matter."

The havoc caused by the court decisions, says Dirksen, must be reversed, since every school superintendent in America seems to wonder just how far religion must be removed from the schools in order to please the court. Notes the Illinois Senator:

"We might yet see school Christmas programs without the use of the word Christmas. Not even 'Xmas' would do, since it is but an abbreviation of Christmas. Santa Claus may become a memory and we may have to settle for Jolly Mr. Nick."

"Christmas carols might be excised from the song books. The star which guided the Wise Men might have to recede into orbit. The Nativity scene may have to vanish from school programs as evidenced by the advice tendered to the Gateway Union School in suburban Pittsburgh . . . that if there were to be a Nativity scene, it might well be in a 'cultural vein.' "

Dirksen opponents contend his measure is undermining the Supreme Court, yet it does nothing of the kind. In all of the prayer cases, Dirksen notes, the decisions were based on an interpretation of the Constitution. But the Constitution was ordained by the people and they reserved the right to amend it. The issue, therefore, is clear; Should the people be afforded the opportunity, as the Constitution allows, to act on language which will prevent the court from carrying its previous decisions to illogical and ridiculous extremes?

It may be stated, says Dirksen, that to provide for voluntary participation in prayer is offensive, since the prayer would be uttered in a tax-supported public school. But just how offensive is it? Dirksen says:

"The Court Crier who asks God to save this honorable court every time he opens a session across the way does so in a magnificent marble building constructed with public funds. The Chaplains of the House and Senate offer their prayers in the people's own Capitol, built with public funds. In that Capitol is a prayer room where members may go and it was designed and built from public funds appropriated by Congress. Every U.S. vessel, every government-owned camp, cantonment, barracks, chapel, or other building where prayer is offered by service chaplains has been erected with public funds. The prayers pronounced over the caskets of the young dead coming back from Viet Nam are said by chaplains who are paid from public funds. Any argument against providing a place in a structure built with public funds would sound rather hollow in the face of reality."

In short, Congress should pass the prayer amendment. As Senator Dirksen says, "Give Caesar what he requires, but give God a little also."

WATER FOR PEACE—ADDRESS BY HON. EDWARD CLARK, AMBASSADOR TO AUSTRALIA

Mr. TOWER. Mr. President, the Honorable Edward Clark, American Ambassador to Australia, has delivered in that allied nation a most thoughtful speech about the world's future water needs. Because not only my State, but all of the United States is concerned about the future supply of water for people, livestock, homes, farms, and industries. I ask unanimous consent that Ambassador Clark's speech be printed in the Record so that other Senators may share his thoughts.

There being no objection, the address was ordered to be printed in the Record, as follows:

Water for Peace

(An address by the Honorable Edward Clark, American Ambassador, delivered before the Time Club of Sydney, Australia, May 6, 1966)

Today I would like to talk to you about some new activities aimed at solving an age-old and familiar problem. One as old as mankind itself. Australia and the United States share this with practically every country on this globe. In fact it is a problem significant to all life on this planet. I want to talk to you today about the world's fresh water supply and what we of the United States are doing to improve it. We hope to bring ample fresh water to every human being.

Mark Twain, famous American humorist, once said that "Everybody complains about the weather but nobody does anything about it." Well, now, everybody has been complaining about the shortage of water. Many people are trying to do something about it. The efforts here in Australia and in America are outstanding. My good friend, President Lyndon B. Johnson, announced more than a year ago that the United States is going to dig deep into its resources and scientific know-how to do something about the water problems.

The struggle to capture water and turn it to human use is as ancient as man himself. From the dawn of civilization wars have been fought to secure vital water supplies. Man's greatest calamities came from too much water or too little. Around the world, since time began, people have labored to bring water to arid places and conversely to control water where floods are a threat; and to multiply its usefulness. We now have new modern age problems as well. The worst of which is man's own pollution of major water sources.

Natures self-replenishing water supply system, carrying water from cloud, to land, to sea, and back to cloud again, is miraculously efficient. Since this old earth emerged from the primeval and began turning on its axis, very little water has been lost from this endless cycle. No matter how much of it we use, the basic supply remains the same. Use and re-use doesn't lower the quality a bit or limit its fundamental accessibility. However man has modified the natural run off and inadvertently polluted too much of it.

The problem is not the *quantity* of the basic supply, but putting it uncontaminated *where* and *when* men need it. Nature's unfortunate misplacement and the spendthrift and careless nature of man have spelled disaster to many places. Our ancestors, in their hurry to conquer the land chopped down or burned off too many trees and plowed too many furrows causing the soil to erode and the water to run off rather than permitting it to replenish the underground reserves.

Water is the indispensable natural resource. Without water no other natural resource can be developed. It is the wellspring of human progress. And today man is making a global effort to preserve this wellspring with his tools of science and technology.

You in Australia know what I'm talking about. And I, being from Texas, the State which has contributed more than its share to the real history and the folklore of the parched old west, can appreciate and sympathize with your problems.

Two weeks ago I witnessed first hand how Australian engineers are reversing the flow of the Snowy River watershed to bring water and electric power to farms, orchards, cattle and sheep stations, and to cities hundreds of miles away.

Normally you have abundant water on your *coast* but your interior country is dry as powder. So you are tunnelling through the mountains to feed the waters of the Snowy River and its tributaries to more than a million and a half acres of fertile but parched land.

Australia, like countries on every continent has deserts potentially productive if water could be brought to them.

My wife and I haven't been in Australia very long, but one of the things we have done is visit that metropolis of the center, Alice Springs. During our short visit there I stopped to talk with a senior citizen of Alice Springs who was carefully watering a plot of green grass not much bigger than the rug in my office.

"Pretty hard to keep it green", I said to him,

"Yep", he said.

"I understand you don't get much rain here", I said.

"Nope", he said, and kept right on sprinkling his carpet of grass.

"Well, just how much rain do you get here in a year?" I asked.

"Aw * * *", he said. "The average rainfall is eight inches a year—but we never get it!"

As man becomes more civilized and sophisticated; as economies change from primary to secondary industry; above all, as national birth rates rise and medical progress slows down the death rate, the population of this globe increases more and more rapidly. So does man's need for water even more so.

Of course, there are some people who disagree. I know quite a few who say: Who needs water while there is plenty of beer and whisky?

Industrialization intensifies the need for water. In *one* American industrial area water consumption has increaesd more than 70 times since 1900, while the population has not quite *tripled*. A large steel mill may use as much as 2,000 million gallons of water a day—enough to fill the domestic needs of a city of several million people. Steel, paper, and chemical plants and oil refineries are big users of water. All industry needs water in quantity to cool, wash, grade and process raw materials. The *energy* of water is needed to power the machines of industry, and *waterways* carry the goods of trade.

As substantiated by your own water research foundation the point is made perhaps more forcefully:

That to produce a ton of steel requires the use of 300 tons of water.

A loaf of bread represents the use of over 2¼ tons of water from seed entering the ground to baking.

And each Australian uses 163 tons of water during a year.

Now it is not my intention to waste our time discussing in how many ways this life-giving mineral—*water*—is vital to us. All are conscious of water problems today. Everyone is trying to do something about them. I shall use my time today telling you about water research in the United States and the effort to best use our water resources.

President Lyndon B. Johnson has emphasized and reemphasized the urgency of increasing the supply of fresh water in America and everywhere else.

There's no doubt about the President's personal interest in water. In the first place he loves his own land, the L. B. J. Ranch, deeply and passionately—getting water to his pastures and controlling the treacherous little Pedernales River which runs in front of the ranch house are ever present concerns.

A year or two ago the river got out of control and the hundred-year old oaks along its banks were uprooted and all the neighbors moved into the house with Mrs. Johnson for the day and night till the water went down. This is a tiny bit, but you see how close the matter is to him personally. On the *big* picture, the *wide* screen, Lyndon Johnson did his first and most creative legislative work when he fathered the Colorado River Authority which created six highland lakes. Conserving millions of acre-feet of water, producing millions of kilowatts of power, removing for ever hundreds of millions of dollars of flood damages from thousands of people, lighting the lights in 10,000 farm homes. This was 30 years ago but his interest and his closeness to the water problem has not diminished a jot—it is in his heart every day and it is his desire to share the same benefits with people all over the world.

Conservation of water resources has been the concern of private individuals and of the United States Government, I expect, ever since the National Government existed—certainly for the last one hundred years. And research increases all the time.

Eight executive departments or agencies of the United States Federal Government are currently studying water resources. They sponsor 1,500 research projects in institutions and universities.

Expenditure this year for federally-sponsored research exceeds 100 million dollars. This does not include the actual construction costs of water control and production facilities. Each year our effort increases. This year by 16 per cent more than last year.

President Johnson has vigorously pressed the water resources program forward and expanded it. He stresses especially desalting sea water. Droughts are commonplace in the South, Mid-West and the West of the United States. But last year droughts hit our normally *humid* East Coast. More than apple pie or chocolate ice cream, ice water is the great American dish. Last summer water was so scarce in New York City that restaurants were fined for serving it without a specific request. New York City couldn't afford to waste a drop.

I know President Johnson mighty well, and he wasn't fooling when he told his science advisor, Dr. Donald F. Hornig, that he wanted the desalting of sea water to be pursued by the Federal Government "as urgently as if you knew you were going to run out of drinking water within six months." The President predicts that "we shall make the great breakthrough before the calendar turns to 1970."

That's what the President said last August when he signed the legislation for 185 million dollars for an economically practical means of turning salt water into fresh.

Even though the cheapest and best means of removing salt and purifying water may not be in hand now the go-ahead for several plants capable of distilling large amounts of fresh water are being planned for New York, California, and Texas.

These plans call for the New York *nuclear powered* distillation plant to be operational in five years. Completed it can meet single-handed at least 10 percent of New York City's present needs. The plant is 150 times bigger than any other such plant in America and will also produce electrical power as a by-product.

The Department of the Interior along with the Atomic Energy Commission and the Metropolitan Water District of California, are making a feasibility study for a plant to produce 150 million gallons of fresh water from salt per day. Our Secretary of the Interior, Stuart Udall, hopes to produce this water at 22 cents per thousand gallons and generate cheap electrical power at the same time.

My own home State of Texas has, at Freeport, Texas, on the gulf coast, one of five experimental desalinization plants capable of producing 1,000 gallons of fresh water per day. To prove America keeps no secrets about fresh water production from the rest of the world, President Johnson recently invited 28 ambassadors and one minister to fly to Freeport in his own plane to inspect this project.

In March of this year two major items of the President's desalinization plans moved steadily forward. The huge Los Angeles plant entered the design study phase. This plant aided by atomic energy as a source of fuel will produce 150 million gallons of water per day along with 1.8 million kilowatts of electricity. This would produce sufficient water and power for a city about the size of Sydney or Melbourne. The water price is expected to cost approximately 3 Australian cents per 150 gallons of water—the approximate average daily water use by each Australian. This price is lower than existing natural water costs in many American and other foreign countries.

Stemming from talks begun in 1964, a similar project is being seriously studied as an American-Israel cooperative installation in Israel. This might become the first of the huge desalinization installations to be actually constructed. The plant has already been judged technically feasible and could be in operation by 1972. The design calls for a production of 150 million gallons of water daily along with 200,000 kilowatts of power.

This last October the U.S. was host to representatives of 63 countries at the first international symposium on water desalinization.

More than 1,200 scientists and engineers met for a week to exchange ideas.

Australia was represented by a strong delegation led by Dr. Weiss of C.S.I.R.O. *Australia's* contribution was *profound*. All Americans are interested in your spectacular progress in solar distillation and in your promising new process *sirotherm*. We also watch with interest your research projects on water conservation and cloud seeding. But most of all, the eyes of the world are on your successful snowy mountains scheme.

Again I stress of my country's sincere offer to work with other nations in solving the water problem. In his welcoming address at the opening of the First International Symposium Secretary of the Interior, Stuart Udall, stated in precise terms the sort of cooperation the United States is prepared to give. The United States will supply other countries, on a reciprocal basis, results of research being conducted by the U.S. Office of Saline Water and will assist them in their national water surveys and help in the training of their technicians.

Reciprocate; cooperate; assist. These are key words. Friendly words. Words with a handclasp in them.

America claims no corner on all the brains we need to solve the water problems. But we fervently believe that cooperation for common good will multiply the benefits for everyone.

This is no policy of high-sounding talk. I have recently had the pleasure, on behalf of the United States Government, of presenting the Government of Australia with the first 135 reports of the Office of Saline Water available to Australian researchers through the Csiro Central Library.

No string is attached save a pledge of reciprocation. That is, we gladly share the results of our intensive research. We ask in return, only the same results of studies produced by Australia. These are being provided. Australia has top-notch scientists who can contribute proportionately every bit as much as we can. So it's a fair-dinkum trade, mates!

Australia has more arid wasteland than America, but I hope to live to see the start of great oases of fertile lands in the arid parts of both our countries, oases of plenty from land once useless.

I repeat, I hope without boring you, Australia is America's closest friend and ally. We have no better. We are so alike in so many ways. And I am certain that water research is one of the areas in which we can show the world the *real* meaning of collaboration.

While I am privileged to live in this wonderful, friendly country I shall seize every opportunity to point out this very special collaboration. I believe in it. I believe we can do it. And I believe that working together we can do it quicker and better.

NEW HAMPSHIRE EDITOR ATTACKS JOHN BIRCH SOCIETY

Mr. McINTYRE. Mr. President, one of the most heartening of recent developments on the American political scene is the manner in which some responsible, conservative Americans are awakening to and reacting to the dangers of extremism in our political life.

Recently, the Rochester Courier, of Rochester, N.H., printed an editorial regarding the John Birch Society. The editorial policy of the Rochester Courier is generally conservative, and, as such, it reflects and guides the views of many of its readers. But the conservatism of the Rochester Courier, to be fully described, must be modified by the adjective "responsible."

As a responsibly conservative newspaper, the Rochester Courier has drawn a bead on an organization which has attempted to mask its totalitarian goals under the guise of American conservatism—the John Birch Society. In an editorial titled "John Birchers Uncovered" the editor of the Courier sums up his views as follows. He says:

> We see the John Birch Society as a threat to the freedom of this nation.

I believe that this is as clear a statement describing the extremist groups in our midst as any ever published.

New Hampshire has its fair share of extremists of the right, and I imagine that it took courage for the Rochester Courier to print this editorial. I think that the editor of the Courier is to be commended for his work. I hope that more and more New Hampshire conservatives will come to the realization that they are being taken in by organizations, which like the John Birch Society, mask their dictatorial goals under the guise of conservatism.

Mr. President, I ask unanimous consent that the editorial from the May 12, 1966, Rochester Courier, titled "John Birchers Uncovered," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

John Birchers Uncovered

A John Birch Society official, in Portland, Me., last week, uncovered the John Birch Society for what it really is: A group which has as its goal, the imposition of a "benevolent dictatorship" on the American people.

Thomas J. Davis, eastern director of public relations for the society said that "democracy is the worst form of government". He went on to say that "a benevolent dictatorship is the ideal form of government".

We would assume the benevolent dictator would have the necessary power to enforce his "benevolent" rules and regulations on the populace, whether the populace were to agree or not!

Dictatorship, by definition, means "one invested with absolute authority; a supreme leader or guide to direct the opinion or conduct of others".

This to us, would mean a person who has the power and authority to decide what is best for the people, and the means to enforce his will by whatever means he sees fit. An excellent example of this may be seen by studying the history of Italy, under Benito Mussolini, Germany under Adolf Hitler, and the present government under the Communist tyranny.

To us it makes little difference who gives the orders. Whether it is the right or the left. If freedom is lost, then the master makes the decisions, has the power to enforce these decisions, and to punish those who resist the "benevolent" will.

The John Birch Society, under the leadership of one Robert Welch, circulates a bulletin in which the leader's desires are made known to those who support his cause.

The American Nazi Party is looked down upon and is the subject of ridicule. They wear uniforms and have adopted many of the mannerisms familiar to the German Nazis. This organization is hated and feared with ample reason. This outfit preaches racism, bigotry and hate.

The John Birch Society, on the other hand, mouths such platitudes as "we offer nothing beyond their own sense of responsibility," in referring to what the American Negro could expect from the Society; they call the civil rights movement a "fraud," and say that the concept of civil rights should not be promulgated for any group.

The Society calls for the introduction into the American school system of such books as the Blue Book, the Civil Rights Packet, the UN Packet, the Warren Impeachment Packet, and the Politician.

Conservatism is a fine thing. But, like anything else, it may be carried to extremes. There are many who would like to see the federal government slow down, digest some of the projects and programs already developed before going on to new and ever more costly ideas. This type of conservatism is good.

This newspaper feels that the John Birch Society has as its ultimate aim the destruction of the form of government which we in America now enjoy. There is no other conclusion which may be drawn from what they, themselves, say. We feel it is an organization which should be classed in the same category as any other which seeks to imprison and enslave people.

It has been said here before, and will be said again and again, so long as the need remains, that it matters not one bit whether the dictator comes from the right or the left. When freedom, human dignity and the rights of the individual are curtailed or infringed, it is still dictatorship.

Any type of dictatorship is repugnant to anyone who calls himself an American. The basic rights of the Constitution which men have fought and died to preserve for nearly 200 years, are "the right to life, liberty, and the pursuit of happiness."

Life under a dictator would be intolerable. Even though we disagree strongly with the Chief Justice of the United States Supreme Court, Earl Warren, on some issues and decisions which he reports, we do not feel he is either a Communist, nor a "tool of the Communist conspiracy", which the John Birchers have stated that he was.

We would hope that Americans who feel that people in public office are not doing that which they should, would choose to go to the polls and defeat them, rather than place their destinies under the control of even a "benevolent dictator".

Just in case any far-left ultra-liberal derives any comfort from our stand, or gets any idea that we also do not fear and violently oppose the destruction of our form of government from leftist groups, let this paragraph alert them to our concern in this direction.

The danger from the far left is far more sophisticated, as its intent lies deep below the surface like a dangerous iceberg. Therefore it is probably more evil than the forces of the right who at least make their intentions known.

There is no doubt that Communism still seeks to take over this nation. But the tactics of the John Birch Society to undermine the confidence of the people in their duly elected public officials is aimed to bring the American people to the point that they will turn to the Birchers for leadership, at which time, we assume, the benevolent dictator would be enthroned, and undying allegiance would be sworn to him.

We see the John Birch Society as a threat to the freedom of this nation. We ask each and every person to explore deeply the aims and objectives of this organization before becoming enamored of it.

If everyone will do this, we believe the John Birch Society will soon become a fact in history, not the dynamic force in American politics which it seeks to be.

PLAN NEEDED TO RESCUE MANY HISTORIC BUILDINGS

Mr. MUSKIE. Mr. President, I was most pleased recently to read an article in the April 28, 1966 issue of the Virginia Law Weekly, published at the Law School of the University of Virginia, entitled "Plan Needed To Rescue Many Historic Buildings." This article was written by a distinguished former member of the House of Representatives from Alabama, the Honorable Albert W. Rains, who for years was chairman of the Housing Subcommittee of the Banking and Currency Committee. He floor-managed in the House a major portion of the housing legislation that we have in effect today.

Mr. Rains writes that there is great need for an awakening of interest in the preservation of our cultural and architectural heritage and for Federal assistance in this field. Too often the bulldozer or human neglect erase forever precious and glorious landmarks of the past, which upon reflection we would not allow to happen.

I could not agree more thoroughly with Mr. Rains. On March 17, 1966, I introduced in the Senate for myself and several Senators S. 3097, which would provide financial and other aids, under the Housing Act of 1949 and related Federal programs, to encourage and assist in the preservation and maintenance of historic structures.

It is my firm hope that this bill receives favorable consideration by the Housing Subcommittee and the Banking and Currency Committee, and that it is passed by Congress before adjournment.

I ask unanimous consent, Mr. President, that this article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Real Property in the Urban Society—Plan Needed To Rescue Many Historic Buildings

(By Albert M. Rains)

(Albert Rains was a member of the House of Representatives from 1943 until 1965. For fifteen years, he served as chairman of the Housing Subcommittee which wrote many o. the present housing and urban development statutes. He is now in private practice in Gadsden, Alabama, and serves as Counsel for the Joint Council on Housing and Urban Development. During the past year he served as chairman of the Special Committee on Historic Preservation, a task force that included three Cabinet officers. The proposals made by Mr. Rains in this article have been incorporated in legislation now under consideration in Congress.)

If it can be said that there is a new awakening of interest in the preservation of our cultural and architectural heritage, it must be added that never was the need for it greater.

Since World War II a great wave of urbanization has been sweeping across the Nation. And such is the rate of growth that in the next forty years the United States will have to build more homes, more schools, more stores, more factories, more public facilities of all kinds than in the entire previous history of the country.

Out of the turbulence of building, tearing down and rebuilding the face of America, more and more Americans have come to realize that as the future replaces the past, it destroys much of the physical evidence of the past.

Our Nation began with migrations, grew with migrations and remains a nation of people on the move. Few of us have had close ties with the land and with places and buildings. The natural result in too many cases has been a neglect of starting points and an indifference to our cultural trail of buildings and places. This is what we are trying to correct.

NATIONAL PLAN URGED

The current pace of preservation effort is not enough. It is as though the preservation movement were trying to travel up a down escalator. The time has come for bold, new measures and a national plan of action to insure that we, our children and future generations may have a genuine opportunity to appreciate and to enjoy our rich heritage.

The United States, with a short history and an emphasis on its economic growth, has left historic preservation primarily to private interests and efforts. In the older, history-conscious countries of Europe, preservation leadership has been provided primarily by government.

As is apparent from a study of various laws and programs, governmental concern for historic preservation in the United States has been limited at all levels, with some notable exceptions.

At the Federal level, the laws now in effect which mention preservation directly include the Antiquities Act of 1906, written to protect historic monuments on Government property; an act establishing the National Park Service in 1916; the Historic Sites Act of 1935, which defines the national policy of preservation for public use; the act of 1949, which established and defined the powers of the National Trust for Historic Preservation; and the Housing Acts of 1961 and 1965 which gave to the Department of Housing and Urban Development powers to use Federal funds to acquire open space and to move historic structures in urban renewal areas.

HISTORIC VALUES PRESERVED

If the preservation movement is to be successful, it must go beyond saving bricks and mortar. It must go beyond saving occasional historic houses and opening museums. It must be more than a cult of antiquarians. It must do more than revere a few precious national shrines. It must attempt to give a sense of orientation to our society, using structures and objects of the past to establish values of time and place.

This means a reorientation of outlook and effort in several ways.

First, the preservation movement must recognize the importance of architecture, design and esthetics as well as historic and cultural values. Those who treasure a building for its pleasing appearance or local sentiment do not find it less important because it lacks proper historic credentials.

Second, the new preservation must look beyond the individual building and individual landmark and concern itself with the historic and architecturally valued areas and districts which contain a special meaning for the community. A historic neighborhood, a fine old street of houses, a village green, a colorful marketplace, a courthouse square, an esthetic quality of the townscape—all must fall within the concern of the preservation movement. It makes little sense to fight for the preservation of a historic house set between two service stations, and at the same time to ignore an entire area of special charm or importance in the community which is being nibbled away by incompatible uses or slow decay.

Third, if the effort to preserve historic and architecturally significant areas as well as individual buildings is to succeed, intensive thought and study must be given to economic conditions and tax policies which will affect our efforts to preserve such areas as living parts of the community.

TOTAL HERITAGE CONSIDERED

In sum, if we wish to have a future with greater meaning, we must concern ourselves not only with the historic highlights, but we must be concerned with the total heritage of the Nation and all that is worth preserving from our past as a living part of the present.

To carry out the goals of historic preservation a comprehensive national plan of action is imperative. Such a plan will encourage, improve and reinforce public and private leadership.

Many individuals and private organizations have worked long and hard to preserve the physical evidences of our heritage which we are privileged to enjoy today. Public agencies have also made a substantial contribution. But to meet the current crisis and to accelerate the pace of historic preservation we need to increase the amount of Government support and joint public and private efforts.

EUROPEAN COUNTRIES SUCCESSFUL

Our traditions differ from those of European countries, but we have much to learn from European experience. The weight which European governments give to historic preservation has resulted in successful programs for saving, restoring and reconstructing many different types of buildings for viable uses. There is an excellent object lesson in the European achievement in maintaining historic buildings and areas as living parts of communities and as successful economic ventures.

A national plan of action for historic preservation should include the following elements:

1. A comprehensive statement of national policy to guide the activities and programs of all Federal agencies.
2. The establishment of an Advisory Council on Historic Preservation to provide leadership and guidance for the direction of inter-agency actions and to provide liaison with State and local governments, public and private groups and the general public.
3. A greatly expanded national register program to inventory and to catalog communities, areas, structures, sites and objects; a Federal program of assistance to States and localities for companion programs; and a strong Federal public information program based on the material in the Register.
4. Added authority and sufficient funds for Federal acquisition of threatened buildings and sites of national historic importance, and expansion of the urban renewal program to permit local noncash contributions to include acquisition of historic buildings on the national register, both within and outside the project area.
5. Provision for Federal loans and grants and other financial aid to facilities and expansion of State and local programs of historic preservation.
6. Federal financial aid to and through the National Trust for Historic Preservation to assist private interest and activity in the preservation field, for educational purposes and for direct assistance to private property holders.

POPULATION MANDATE

Mr. YARBOROUGH. Mr. President, the May 15 Washington Post contains an editorial calling attention to "a number of straws in the wind which indicate an encouraging new recognition of the gravity of the world population problem."

Particularly noteworthy is the action of the House Agriculture Committee in specifically authorizing under the new food-for-freedom program the use of local currencies which accrue from agricultural sales abroad for family planning programs. This amendment was sponsored by Representative PAUL H. TODD, of Michigan. I wish to congratulate Congressman TODD for his successful efforts in bringing about this first explicit action by a committee of Congress in favor of extending governmental assistance to family planning programs. As the coauthor of a similar Senate amendment, I hope we can get language into the Senate bill also.

Mr. President, I ask unanimous consent that the Washington Post editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

POPULATION MANDATE

A number of straws in the wind indicate an encouraging new recognition of the gravity of the world population problem. Five hundred Catholic educators have formed a national Committee on Population and Government Policy. The Under Secretary of State for Political Affairs has created the post of Special Assistant for Population Problems, and a new Deputy Assistant Secretary for Science and Population has been named in the Department of Health, Education and Welfare. Senator ROBERT KENNEDY urges that the United States "stand ready" to aid birth control programs in Latin America. But perhaps the most significant recent step in this important area has just been taken by the House Agriculture Committee.

Spearheaded by Rep. PAUL H. TODD, (D-Mich.), the Committee has written a provision into the Administration's "Food for Freedom" bill specifically authorizing the use of local currencies accumulated under P.L. 480 food sales for "activities, where participation is voluntary, related to the problems of population growth." This is the most positive congressional mandate so far given to the Administration for aid to population control programs. It is a broad and unrestricted mandate which could open the way in time for a much more ambitious response to countries requesting U.S. assistance. To take one example, the Todd amendment could properly be interpreted by aid officials as providing a go-ahead for the use of U.S. owned or controlled local currencies to help underwrite the subsidized mass sale of cut-rate contraceptives.

At present, population control programs in most aid-receiving countries are still so limited in scope that the United States has not been asked for help of this sort. The U.S. role in the period immediately ahead is likely to be a matter of a few thousand jeeps here or a platoon of nurses there. Looking ahead, however, it seems unavoidable that burgeoning programs reaching into the lives of hundreds of millions of people will begin to involve very significant budgets. The Todd amendment gives the Administration new latitude in planning ways to put U.S. local currency holdings to good use on the population battlefront.

COMPLETE EXPOSURE—NO PRIVACY

Mr. LONG of Missouri. Mr. President, as my colleagues in this body know, I have been attempting to tell the American public of the many areas in which their privacy is daily invaded. This ranges from electronic snooping to industrial espionage, from domestic bugging to international intrigue.

For a long time, Mr. President, there was one place where privacy reigned supreme. But now, I am sad to report even a man's home is no longer his castle. And, of more tragic significance, the scientist has invaded that place of places—the bathroom.

Life magazine, in an editorial comment, says that "we have been completely exposed." I ask unanimous consent to insert, in the RECORD, the editorial which appeared in the May 20, 1966, issue of Life magazine.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MARCH OF SCIENCE ON PRIVACY IN THE HOME

The American home has been getting some rough treatment recently. Its sanctity is being violated by snooping devices. But science is, more insidiously, also staging a mass assault on the sanctity of the most intimate aspects of everyday living.

First it was the car. That ethereal embodiment of pride and fulfillment was revealed as cold metal full of mechanical danger. While we were assimilating that upsetting development, the researchers went after sleep. Generally when we pulled up the covers we looked forward to blissful, unencumbered peace. No, said the scientists, strapping on electrodes. Actually sleep, they said in a new analysis, is an alarmingly turbulent conglomeration of jumping brain waves, rapid eye movements and myoclonic jerks.

But science's appetite was not satiated. A massive, 11-year inquiry called *Human Sexual Response* agonizingly dissected love-making (Life, April 22). From observation of hundreds of volunteers, the passion of intercourse was dispassionately analyzed in such terms as "tension increment" and "reacting units."

With white-coated, sterilized-gloved scientists tramping up the driveway, barging through the front door and swarming all over the house, there has been only one place to hide, where the individual could be alone, free to indulge in irrational heresies without feeling he was about to be hooked up to an electroencephalograph and shocked into being sensible.

No longer. That last barrier has been breached. Last week science entered the bathroom.

The American bathroom—spacious, immaculate, sparkling with shiny plumbing conveniences, soothed with pastel shades—was, we all thought, a tribute to the superiority of American technology. Indeed, as a last refuge of privacy, it is today accorded a lavishness of attention unequaled since the days of the Roman Empire.

The new Cornell report (*p. 84C*) speedily lays waste to such frivolity. Relentlessly, it subjects bathrooms to the unprejudiced disciplines of "human engineering." From $100,000 worth of time and motion studies and other techniques, it exposes scores of silly delusions about the bathroom. For example, common faucets are not only hard to use with soapy hands, but get in the way. The report concludes that the bathroom is unsafe, hopelessly antiquated and inadequate."

Like the other scientific revelations, this study is naturally agonizingly valid. When it clinically goes into detail about the "pseudo bath" (to relieve nervous tension) or the bathroom's widespread use for such nonhygienic functions as "sulking, crying, daydreaming or seeking relief from one's social role," one must smile, gulp and admit that is the way it is.

Still, it is all somehow a little sad. No longer is there any excuse for wallowing happily in our foolish vagaries about the bathroom (or the car or sleep or sex). We have been completely exposed. Science has pointed the way. The only thing for us to do now is call the plumber.

THE JET AGE IS FINALLY COMING TO NEW ENGLAND

Mr. MUSKIE. Mr. President, on April 27 Vice Chairman Robert T. Murphy, of the Civil Aeronautics Board, made a very informative and perceptive speech before the Manchester, N.H., Chamber of Commerce. He painted an impressive picture on the growth of our Nation's airline system, particularly in terms of operating revenues and investment. He pointed out that the variety of new jet equipment on order will provide improved service, both in quality and coverage, to small- and medium-size communities. This is very encouraging to those of us in northern New England who for too long a time have suffered the inconveniences and economic disadvantages of inadequate airline service in and out of our growth centers.

But the vice chairman made a very real contribution to future airline policy thinking when he said:

> It seems to me that the business communities of northern New England have a right to expect that in the years ahead a more reasonable choice of scheduled airline service will be available at their home airports for both passengers and cargo and that expanded service will be available to points south and west of Boston and New York . . . the rationale that all goods, all mail and all passengers moving to and from points north and northeast of Boston must funnel through the Hub City is not necessarily applicable to our most modern and advanced mode of public transportation—air services.

This, of course, is a very significant point. Where traffic can support it—and I think it can, as northern New England realizes its potential—direct nonstop or, at most, one-stop service must be scheduled at key hours to major eastern and midwestern population and business centers. This will encourage many more businessmen and tourists to visit our fine region and learn about its tremendous natural and economic resources. It will stimulate our New Englanders to seek stronger business and social ties outside our region.

I was particularly pleased to learn recently that Northeast Airlines, which is the main trunkline carrier serving New England, had on order 12 B–727's and 10 Douglas DC–9's, plus options to purchase 10 additional jets. In addition, I understand that Northeast expects to receive 7 FH–227 aircraft sometime beginning this summer for intercity service in New England. The introduction of this new equipment could have tremendous impact in meeting the growing air service needs of our area, and we welcome it. We must watch this very closely as the new airline service plans develop. But the most important thing to northern New England is where this equipment is to be put into operation and what schedules are developed for fast, direct transport out of New England cities to other major urban areas.

I am also encouraged by the Vice Chairman's personal recommendations set forth at the conclusion of his speech. They deserve the attention of all my colleagues from States that have long struggled to improve their airline services. Mr. Murphy declared:

> First, the present level of air services should be retained as a bedrock foundation upon which to build for the future.
>
> Secondly, airport planning and development should seek to improve existing facilities for all-weather operations by modern turbine equipment.
>
> Third, new equipment of intermediate size and range should be fused into service as rapidly as possible.
>
> Fourth, the special need for improved freight and cargo service should receive equal consideration with that for improved passenger service.
>
> Fifth, improved through, single-plane service beyond Boston and New York to the South and to the West should be encouraged and gradually promoted and developed.

Mr. President, I ask unanimous consent that the full text of Vice Chairman Murphy's address be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by the Honorable Robert T. Murphy, Vice Chairman, Civil Aeronautics Board, Before the 55th Annual Dinner Meeting, Manchester, N.H., Chamber of Commerce, April 27, 1966

I was particularly honored to be invited to join with you on this occasion of the 55th Annual Dinner Meeting of the Manchester Chamber of Commerce. To me, it is always pleasant to journey from Washington and to meet with fellow citizens who share a common interest in the advancing progress of America's economy, particularly our air transport industry. I usually learn from these visits much more than I can ever impart. And I am ever mindful of the ancient comment of Socrates or perhaps Zeno the Stoic who said, "Nature has given us two ears and two eyes and only one mouth so that we may see and hear much more than we speak."

Of course, I am no stranger here. Not infrequently I meet with your able and outstanding Director of the New Hampshire Aeronautics Commission, Captain Roger Crowley, who is certainly one of the outstanding administrators in this country. But this is my first opportunity to directly share with New Hampshire businessmen a few random thoughts on the status of our national and international air transportation system as well as some of the relevancies of its dynamic growth to the local scene here in northern New England.

Naturally, this is an area with which I have a special kinship. And, quite naturally, I am aware of its special transportation problems. As businessmen each of you has a special interest in the provision and development of a sound transportation system geared to meet the present and future requirements of the region. I am quite mindful of the fact that in the States of Maine and New Hampshire rail passenger service has vanished. Its continuation in the State of Vermont is at a very modest level. For all practical purposes the passenger train has gone to join the fabled ghosts of the clipper ships and the whalers in the Valhalla of yesteryear's transportation modes. And, as one who has traversed the area of northern New England at all seasons of the year, I have some appreciation of the unique problems of terrain and climate which pose difficulties for even automotive transportation during substantial periods of the year. Such transportation handicaps, of course, have a consequent adverse impact upon the full development of the industrial and recreational economies which are so important to all of you. Likewise, they underscore the vital and essential role which air transportation must play in your State.

During the past few years, however, some progress has been made in the improvement of air transportation services here—and, yet, so much remains to be done. Little wonder, then, that I cannot venture forth in the direction of the attractive mountains and verdant valleys of northern New England without recalling the thought so well expressed by the famous poet of your neighboring State of Vermont, Robert Frost—

> "The woods are lovely, dark and deep.
> But I have promises to keep,
> And miles to go before I sleep."

And miles to go before I sleep—yes, in the transportation sense we have miles to go before any of us can afford to rest.

There can be no doubt that the air transportation industry has the strength and vitality necessary to actively promote and further the trade and commerce of this area. And, as a prelude to some comments of more local application, let me give you a thumbnail report on the status of our national and international air transportation system. Today, my friends, America's airline industry stands at the pinnacle of success. Moreover, there is every reason to believe that this high-water mark is merely the threshold to even higher levels of economic achievement in the years ahead. We have developed the most extensive, the safest and most economically viable air transportation system in the world. In terms of service to the public it has no peers elsewhere. In profitability to investors it has no counterpart. Its story is one of amazing growth and rapid technological change. Here is an industry which is the leading public carrier of intercity passengers domestically and one which carries three out of every four persons traveling overseas. A whole new generation of young men and women who are in tune with air travel as an accepted mode of transportation are swelling the ranks of passengers every year. With its improved equipment and efficient management the quality of the service is attracting new customers every month. Last year the trunkline revenue passenger-miles increased by more than 17%—a rate of growth far in excess of the average growth rate of our gross national product which ranges from 3 to 7%. Every economic forecast indicates a continued climb upward in the year ahead.

This excellent traffic response was reflected in equally favorable financial reports for the year 1965. Total trunkline operating revenues showed a 17% increase over the prior year reaching the level of $3.2 billion with net income of over $220 million. Trunkline total investment is approaching $2½ billion and showed a 16.5% increase for the year 1965 over 1964.

The local service carriers showed an even more impressive increase in total investment, over 30% increase in 1965 to $147 million. This class of carriers also showed a 20% increase in revenues over the prior year. Their traffic for 1965 was 16.8% above 1964 and these carriers have in fact exceeded that rate of traffic growth in the first months of the current year.

The outstanding increase in passenger traffic was exceeded by the burgeoning growth in freight. Revenue ton-miles of freight in 1965 was 32.9% above 1964.

This air transportation growth was not limited to our domestic services. International and territorial operations in 1965 showed a 17% increase in revenue passenger-miles and a 45.8% increase in freight ton-miles. Perhaps a single additional figure will make some of these data more meaningful. In 1965 almost 100 million persons rode the aircraft of our certificated route carriers as compared with 80+ million in 1964.

The supplemental carriers, the certificated charter operators, have also continued to grow and develop. The last compiled data for the twelve months ending September 1965 show total operating revenues of $127 million, up approximately $25 million over 1964.

Another important element of the air carrier industry are the air taxi operators. These operators of small aircraft under 12,500 pounds take-off weight total almost 3,000 carriers operating over 5,000 aircraft. As of the end of last year, 78 carriers provided scheduled air service with some 360 aircraft.

Generally speaking, then, this is an industry which is now employing about 200,000 persons at some of the most interesting and challenging jobs in the country. By 1970 some 50,000 new employees will be needed. This work force constitutes one of our greatest natural assets for the promotion of trade and commerce as well as a reservoir of skills and talents so essential to our national defense strength. It is not unusual that when we think of aviation our attention is somewhat focused on its attractive and alluring equipment. But I would briefly invite your attention to the more important story of the people, on every level, who make our intricate, far-flung and efficient air transportation system work and work safely and well. I am thinking now of the licensed mechanics and foremen in the overhaul shops, the alert and able dispatchers, the air traffic controllers as well as the highly trained flight crews and efficient cabin attendants. Upon their cooperative discharge of each of their important responsibilities depends the success of the great management teams which direct and guide the operations of the world's greatest transportation system. I think it can be safely said that no other industry has a more skilled and dedicated group of workers than those found in the airline industry.

The U.S. scheduled airlines are now well past midpoint in their transition to all-turbine (jet and turbo-prop) fleets. The variety of aircraft on order will provide improved service not only at our major traffic centers, but also throughout the nation to small and medium-size communities. As new equipment is delivered service will continue to improve in quality and coverage.

Additionally, right now on the drawing boards and in the laboratories of our world-famed aircraft manufacturing industry revolutionary new advances in equipment are presently in the making. Time does not permit a glimpse of what the future may hold for us in terms of supersonic transportation or in terms of the projected mammoth subsonic cargo and passenger aircraft of the C–5A type. Nor can we discuss at this point the great transport breakthrough which may result from the advancing technology in V/STOL aircraft—both fixed and tilt wing—or in the special research in ballistic transport which accompanies our space efforts as well as in atomic-powered vehicles. I think it is self-evident that even with the present tools at hand our basic air transportation system will expand beyond present markets and will stimulate the development of new markets.

It is obvious, then, that our air transportation industry is one which has helped to change the shape and size of the world in which we live. Distances of remote and faraway places are now computed in hours instead of days. With the advent of supersonic transportation in the next decade even more astonishing achievements in rapid air transport will be commonplace.

But to bring all of this into focus and to apply it to the local scene is not without its difficulties. As Manchester businessmen you have the right to expect some share in the glorious development of the Golden Age of the Jets and certainly it does little good to contemplate the "Magnificent Men in Their Flying Machines" girdling the earth and traversing the continents in matters of hours and minutes while worrying about just how to get to and from some of the centers of trade and vacation commerce in this part of the country. We all know that patience is a rugged New England virtue and we know that by this standard Captain Roger Crowley and his colleagues on the state level in Maine and Vermont—Scott Higgins and Ed Knapp—are highly virtuous aeronautical administrators. But I think that already you can discern signs of visible improvements here on the local scene. The air carrier which serves Grenier Field here in Manchester, Northeast Airlines, is proposing an increase in schedules during the next year with new turbo-prop equipment particularly adapted to serving a market of this character—the Fairchild FH–227 which will carry approximately 52 passengers at speeds up to 300 miles per hour. Only a few weeks ago while visiting the Fairchild factory at Hagerstown, Maryland, we saw there on the production line some of the aircraft which are now in the making for Northeast. We were there to witness the first rollout of the FH–227 for Mohawk Airlines which provides service at your neighboring city of Keene. The industry experience has been that with the introduction of modern turbo-prop or pure jet equipment a dramatic increase in passenger enplanement has resulted in cities where this equipment has been substituted for piston-type aircraft. There is every reason to believe that such will be the case here at Manchester. And that the opportunity for services beyond Boston will be enhanced.

Moreover, I note that aircraft operations at Grenier have grown from 18,000 a few years ago to well over 30,000—and this does not include military take-offs and landings. Passenger enplanements have reached a figure of almost 15,000 annually while cargo and freight shipments have shown a dramatic increase. Importantly, after strenuous efforts put forward by Captain Crowley and your state and national officials, the Federal Aviation Agency has agreed to install a complete ILS system and will install a full-time control watch in the tower beginning July 1st of this year. These are very hopeful signs that things are moving in the right direction here and that eventually the patience and cooperation of all of you will achieve a satisfactory solution to a rather exasperating problem.

It seems to me that the business communities of northern New England have a right to expect that in the years ahead a more reasonable choice of scheduled airline service will be available at their home airports for both passengers and cargo and that expanded service will be available to points south and west of Boston and New York. Of course, convenient connecting air service at Boston will always be an important and essential cog in the transportation system for northern New England but the rationale that all goods, all mail and all passengers moving to and from points north and northeast of Boston must funnel through the Hub City is not necessarily applicable to our most modern and advanced mode of public transportation—air services. The hub and the spoke theory might have merited a rightful place in the thinking and planning for surface transportation in the Gay 90's, but it need not and must not be enshrined in present-day thinking and planning for the provision of an adequate transportation system for this region. The same can be said of other areas of the United States. In my judgment, congestion and saturation at our major airports today dictate that bypassing such terminals with greater frequency is in the best interest of users and carriers alike.

I leave with you some personal thoughts as to elementary factors which should be considered in the future planning for this region.

First, the present level of air services should be retained as a bedrock foundation upon which to build for the future.

Secondly, airport planning and development should seek to improve existing facilities for all-weather operations by modern turbine equipment.

Third, new equipment of intermediate size and range should be fused into service as rapidly as possible.

Fourth, the special need for improved freight and cargo service should receive equal consideration with that for improved passenger service.

Fifth, improved through, single-plane service beyond Boston and New York to the South and to the West should be encouraged and gradually promoted and developed.

This by no means is a full compendium of what future planning should embrace. Nevertheless, I believe we are on the threshold of better things to come insofar as air transportation services are concerned and I believe I can assure you of the continued and abiding interest of the Civil Aeronautics Board in cooperating with all of you in making this a reality before too long.

THE FUTURE OF OUR STATE EDUCATIONAL SYSTEMS

Mr. McINTYRE. Mr. President, last week I had the high pleasure and good fortune to accompany our distinguished Vice President, HUBERT HUMPHREY, to a meeting of the New England Conference on Education, held at New Castle, N.H.

The Vice President received enthusiastic applause before he spoke, but it paled into insignificance compared with the standing ovation which he received at the conclusion of his remarks.

Vice President Humphrey told the assembled leaders of New England education that they could not rest on their laurels, that the challenge of providing more and better educational opportunities still faces New England.

He discussed the recent Federal legislation in the field of education. I particularly enjoyed his characterization of what the Johnson administration seeks to do in the area of creative federalism. As Vice President Humphrey put it:

> What we seek to build is not the Handout State. It is not the Welfare State. It is, in the true Yankee spirit of self-help and self-reliance, the Opportunity State.

Mr. President, I think that Hubert Humphrey's speech deserves to be read by everyone who is concerned with the future of our State educational systems. I ask unanimous consent that his speech be printed in the Congressional Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Remarks of Vice President Hubert Humphrey, New England Conference on Education, Portsmouth, N.H., May 20, 1966

My forebears came from New England. I know the sense of duty they brought to whatever they did.

Their philosophy of education was not too far from that expressed by old Thomas Huxley: "Perhaps the most valuable result of all education is the ability to make yourself do the thing you have to do, when it ought to be done, whether you like it or not."

I don't know whether New Englanders did it because "they had to do it" or because they knew what education meant for the future, but the fact is that New England has been the seedbed of educational excellence in America.

It was here that the earliest school systems in our country were established.

I think of the founding of Harvard in 1636, and of what it and the other outstanding New England private colleges have meant to our nation—and yes, what in recent years they have meant to Washington.

I think, too, of those pioneers of universal public education, Horace Mann of Massachusetts and Henry Barnard of Connecticut.

And, coming from the Middle West as I do, I think especially of Justin Morrill of Vermont, whose far-sighted legislation established our great system of land-grant colleges.

You in New England have gained solid economic advantage as well as national and even international prestige from your leadership in education.

The concentration of scientific and technological talent in New England has particularly helped to attract important new industries to this region.

These industries have more than made up in employment—and much more in payrolls—for the contraction of some of your traditional industries.

I know that all parts of New England have not benefited equally from this development, but I am sure all would have been worse off without it.

However, it is not enough to win leadership. It must be held and maintained.

I have been interested to sense, in the press and public discussion of education here in New England, a healthy spirit of self-examination.

I note, for example, that the state universities of New England are felt to be still some distance from carrying out the great commitment of the Morrill Act, that of providing higher education for the sons and daughters of "yeomen and mechanics."

In some areas, your facilities are still inadequate. In others, the motivation to go on to college seems to be weak.

In some of your states, the levels of college attendance are far below those of other parts of the country.

In some areas, dropouts from high school exceed the national average.

In short: While New England has excelled in offering quality education to the intellectual best of our country, it still has some distance to go in offering full educational opportunity to its *own* young people, and in motivating them to take full advantage of it.

I shall not dwell upon these problems: You live with them, and know them far better than I do.

The important thing is that you have organized yourselves to do something about them. And the federal government, through the landmark legislation adopted by the Congress last year, is in better position than ever before to help you help yourselves.

Of all this legislation, the most important is the Elementary and Secondary Education Act of 1965.

We are now very near the end of the first full school year in which the programs set up by the Act have been in operation.

Today I wish to briefly review some of the most important parts of our first year's experience.

First, our experience with Title I of the Act, where most of the money is spent and where the need is greatest—among the poor and deprived:

Appropriations under the Act were not available to the states until late September last year, and the program got off to a late start.

This accident of the Congressional timetable heightened the importance of prompt action by the states and local school districts.

The state of Connecticut, for example, had already authorized and funded a similar program of its own, and was ready to take advantage of the new law immediately.

In some other states—as some of you know firsthand—things moved more slowly.

In some areas, the old bogey of "federal control" was exhumed and paraded.

A few school districts actually refused to have anything to do with federal aid, although some of these districts later changed their minds.

Needless to say, no district is obliged to accept these funds. If it decides not to, that is its privilege and also its responsibility.

Perhaps the greatest single problem facing the new program—and one which became evident almost immediately—was the shortage of available personnel, particularly in specialized skills.

Not only are more classroom teachers and administrators urgently needed, but also psychologists, social workers, remedial instructors, nurses, guidance counselors, and speech, hearing, and reading specialists.

In this regard, I will make special appeal to the representatives of colleges and universities here.

I urge you to expand your facilities for training teachers and other educational specialists, and to alert more of your students to the opportunities in our schools.

Education is one of today's growth industries. It is a place where the action is. And our young people must know it.

Another problem which surfaced almost immediately was a misunderstanding in some places of the intent of Congress to focus the funds upon disadvantaged *students*.

In a few places, the added funds were spread more or less evenly over all the schools. In more districts, it was proposed to channel the money to disadvantaged *schools* rather than students.

This was not the intent of Congress.

The added funds available—though they are substantial—are still limited in relation to the need.

Therefore, they must be concentrated upon the disadvantaged students themselves, and a program which does not propose to do so is not living up to the intent of the Act.

I know that there are some schools where nearly all the students are disadvantaged. But there are many more where they are not.

Some school districts, particularly in remote rural areas, are still finding it difficult to organize themselves to formulate and submit any project at all.

Here State Departments of Education—and the Act provides funds to strengthen them—can give valuable leadership and assistance. It can be done.

As late as January 1 of this year 80 percent of the most poverty-stricken counties in the United States—counties where the *per capita* annual income is less than 750 dollars a year—had received *no* funds under Title I. But by March, that figure had been reduced to 27 per cent.

I should add that an additional 11 per cent were ineligible to receive the funds allotted to them because their school administrators refused to sign a statement of compliance with civil rights regulations.

It is tragic that these counties, among the neediest in the nation, thus deprived themselves of aid for their children.

But we cannot in good conscience be self-righteous about it.

De facto segregation exists in all areas of the country, even here in New England, and it is a problem we are going to have to face with increasing determination.

The Office of Education has estimated that as many as seven million educationally handicapped children will receive benefits under Title I by the end of this summer.

Two-thirds of the Title I funds are being spent for "new," as contrasted with "continuing," services.

These special programs range from kindergartens for the children of the poor to new work-study programs for mentally retarded high-schoolers.

The principal target of local programs has been the child from 3 to 12 years old, with the major emphasis upon the language arts—reading, writing, speaking and listening.

Also new to many elementary schools are teacher aides and other auxiliary personnel. Counseling, once restricted to secondary schools, is becoming an accepted part of the elementary school program.

Title I funds are also providing food and clothing and a variety of health services for deprived children. In many small, rural school districts, this is something entirely new, although they have recognized the need for years.

Another new trend is the expansion of the school day, week, and year, with after-hours, Saturday morning, and summer programs for those who need "catch-up" time.

Title I is the heart of the Elementary and Secondary Education Act. But to me, one of the most exciting programs under the Act is Title III, offering federal funds for supplementary educational services for all children.

It is intended to give our schools the opportunity for real innovation and experiment in the things they teach and the way they teach them—to elicit, as President Johnson said to the White House Conference on Education last summer, "new leaps of imagination and creativity."

Everywhere, school systems are rising to this opportunity.

For instance, when I spoke in De Kalb County, Georgia, a few weeks ago, I found that they were building an observatory and planetarium with the help of Title III funds.

In Kennebunk, Maine, I am told, a mobile van is going on the roads to help students who are deficient in reading comprehension, phonetics and vocabulary. It will be called "The Roving Reader," and it will serve children in several elementary and secondary schools that have no facilities for remedial reading.

School systems, both urban and rural, are coming forth with new ideas. Those that make sense stand a good chance of federal help.

A sampling of the proposals that have been approved and funded already includes summer field work for students in biology and the physical sciences . . . festivals of the performing arts . . . and special programs for dropouts and for actual or potential delinquents.

Large school systems have projects for the application of computers to facilitate learning. Small ones have shown ingenuity in their own way.

One school district in the wide open space of Colorado, for example, is investigating the possibility of putting the time its students spend in school buses—up to two hours a day—to educational use.

Another rich source of new ideas and approaches in education will be the research which will be financed under Title IV of the Act.

As compared with other fields of activity, and particularly with modern and progressive industries, the sums devoted to basic research in education have been shamefully small.

Projects in this field are getting under way all over the country. The present estimate is that over 4 million dollars will be committed to New England colleges for this purpose.

Finally, may I add this: Two major themes run through our whole new approach to education.

One is the *method* chosen: "Creative federalism," if you will.

What this means, quite simply, is that the new education laws were drafted—and are being administered—so as to encourage maximum state, local and private initiative and follow-through. It means that we recognize that federal help is needed, but that we also recognize that it is on the immediate, local level that American children will receive good education or bad.

The other is the overall *goal:* Opportunity for every child to get all the education he is capable of absorbing, so that he can achieve what Robert Louis Stevenson aptly described as "the only end of living . . . to be what we are and to become what we are capable of becoming."

Our whole program is designed and orchestrated in the spirit of the Great Society we seek to build in the United States.

What we seek to build is not the Handout State. It is not the Welfare State. It is, in the true Yankee spirit of self-help and self-reliance, the Opportunity State.

And that means opportunity for each part of the United States, as well as all its individual citizens.

You here in New England, in stressing education as a way to self-renewal, are acting in the authentic spirit of the Great Society.

And I assure you that the federal government stands ready to help you.

SENATOR FONG SUPPORTS SCHOOL MILK BILL

Mr. PROXMIRE. Mr. President, several Members of the Senate either testified or submitted statements in support of my bill to make the special milk program for schoolchildren permanent when the bill was considered by a subcommittee of the Senate Agriculture Committee 2 weeks ago.

One of the most impressive statements was made by Senator FONG, whose State of Hawaii has excellent school lunch and school milk programs. This statement quoted some particularly pertinent remarks made by the chairman of the Legislative Committee of the Hawaii State Food Service Association. I would like to reiterate these remarks because they help to show how important passage of this legislation is to the States.

The chairman of the legislative committee indicates that if the program as we know it now is permitted to expire, "it will mean that the State would be called upon to make up what we will lose in Federal subsidy. Any chance of getting a bill through our State legislature to take care of this during the present budget session seems very dim. Consequently, all of the cuts must be made up by the children who buy the lunches and milk at the school cafeterias. Higher price lunches—and milk—would mean lower participation and lower participation would mean higher per capita overhead cost."

This is already observable in the administration's proposal to cut the milk program by 80 percent which would require a fivefold increase in Federal administrative costs per capita. As the legislative representative goes on to point out:

> This will cause a vicious cycle, which will mean the deterioration of the program here in Hawaii.

The rest of Senator FONG's statement is equally impressive. I ask unanimous consent to have it printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT ON SCHOOL MILK BILL (S. 2921), U.S. SENATOR HIRAM L. FONG, REPUBLICAN, OF HAWAII, SENATE SUBCOMMITTEE ON AGRICULTURAL PRODUCTION, MARKETING, AND STABILIZATION OF PRICES, MAY 12, 1966

Mr. Chairman and members of the subcommittee, thank you very much for providing the opportunity to make a statement in favor of S. 2921, Children's Special Milk Act, of which I am a cosponsor.

I want to commend you for scheduling these hearings on what I consider one of the most important health and nutrition measures before Congress this year.

I welcome the occasion to express my support for this milk program which is so beneficial to our Nation's school children.

Since the Special Milk Program first began in 1954, it has become one of the most successful and least controversial school health programs.

It has provided literally billions of cartons of "nature's perfect food"—milk—for millions of school-age youngsters throughout America.

It has grown approximately 5% a year because of both increased school enrollment and increased participation.

Official estimates show 24 to 26 million children in 92,000 to 93,000 schools, child-care centers, summer camps, nurseries, and other child-care institutions received more than three billion half-pints of fluid milk in fiscal year 1965 alone.

Each child paid three to four cents on the average for a half-pint of milk costing six to eight cents total. Many needy children received milk free. The milk was distributed during recesses and other times of the day.

For years, the School Milk and School Lunch Programs, where milk is also served, have operated efficiently and effectively. They are noncontroversial. Schools in all the States are familiar with these programs. Administration functions smoothly.

There is no doubt the milk program has been a significant factor in improving the diet and health of millions of school children.

There is no doubt that good nutrition enhances the learning capacity of young people. Well-balanced school lunches and supplemental milk provided under the Special Milk Program have certainly contributed to good nutrition for students.

As we all know, under present law, the Special Milk Program will expire June 30, 1967.

ADMINISTRATION MILK PROPOSALS DRASTIC

As we also know, the President has proposed 80% cutback in the Special Milk Program presently authorized. In addition to a drastic cut in funds, the President seeks a drastic change in the direction of the program.

Instead of helping as many school children as possible in America to obtain low-cost milk at a cost of a few pennies to them, the President proposes to provide free milk just to some—not all—needy children.

Under the President's proposal, two million in schools where there is no school lunch program would continue to receive low-cost milk as at present. One million needy children would receive free milk.

Yet the Administration told Congress in connection with the Elementary and Secondary Education Act a year ago that there are five million children in the poverty bracket—that is, in families with less than $2,000 yearly income. So the Administration bill would provide milk only to 20% of the Nation's neediest children. Eighty per cent of America's neediest children would not receive free milk.

MEANS TEST BAD

Another very bad feature of the President's proposal is that it imposes a means test on school children. School children or their parents would have to confess their poverty in order to receive the milk. Administratively, this would be a nightmare for teachers, principals and supervisors already overburdened with non-teaching and noneducational chores.

Only last year, the Administration violently opposed any means test in connection with medical care for 19 million persons over 65, and so the medicare program covers even wealthy people who can afford the pay their own hospital and doctor bills.

Now, the Administration contends we should invoke a means test for school children.

If a means test was bad under medicare, it is worse under the School Milk Program.

The Administration contends that all but needy children can afford to pay the full price for milk. But, as I have already pointed out, the Administration milk plan would take care of only 20% of children in the poverty category. How can the Administration claim the other 80% in the poverty category can pay the full price for milk.

Furthermore, when the Federal Government stops paying its three or four cents per half-pint of milk, the higher price will have to be passed along to local taxpayers through higher local subsidy or to the students and their parents. This will really hit middle-income people hard. Since the cost-of-living is already sharply rising, quite likely a rise in school milk will put this nutritious food beyond the reach of many families who, while not in the $2,000-or-less income bracket, nevertheless find it very difficult to provide even necessities in these times of high-cost living.

WHEN MILK PRICES UP, CONSUMPTION DOWN

Studies have shown that the price of school milk greatly affects consumption of milk. In Chicago, where school milk was increased by one cent per half-pint, milk consumption dropped 40%. In a Denver West suburban area, school milk was raised by one cent a half-pint and milk consumed fell by 13.4 per cent—and this is spite of a four per cent increase in school enrollment.

Conversely, consumption of school milk rose significantly as prices decreased in Wisconsin schools. When the price of milk was reduced 25%, milk consumed rose 40% in Madison elementary schools and 10% in Milwaukee schools. A 50% price reduction brought increased consumption of 69% and 24% respectively.

The higher the price of milk to students, the less milk is consumed. Fewer students drink milk and many drink less.

MILK VITAL TO NUTRITION AND HEALTH

The heart and core of the School Milk Program is its vital purpose: to help fulfill nutritional and health needs of America's school children. Healthy children can learn better, play better, grow better.

The school lunch manager of our Kalanianaole Elementary and Intermediate School recently wrote me:

"To grant milk subsidy to only 'needy' children seems to make a basic assumption that 'un-needy' children's parents understand the importance of milk's nutritional value because of their better financial situation. Higher income does not guarantee higher nutrition. I base this statement on my experience in working with school age children in the past 23 years."

Making milk available to as many children as possible is a very modest investment in the health of our people. Who knows it may even help keep down the costs of medicare, for healthy children have a better chance to become healthy adults.

Mr. Chairman, it seems to me the present School Milk Program, designed to bring low-cost milk within the pocketbooks of as many school children as possible, is the right approach.

The very narrow restrictive approach of the Administration plan, which will not even take care of all children from families at the poverty level, is the wrong approach.

SCHOOL MILK PROGRAM VITAL TO DAIRY INDUSTRY

In stressing the importance of the School Milk Program to the health of America's school children, I do not mean to overlook the importance of this legislation to the health of the Nation's indispensable dairy industry.

Milk consumed under the Special Milk Program in fiscal year 1965 represents 1,600,000,000 pounds of milk—about three per cent of the total nonfarm consumption of fluid milk in the United States.

So the milk program is of significant importance as a steady market for fresh milk. With rising school enrollment in coming years and with the President's proposal to export more milk and dairy products abroad, the market will be expanding.

Our dairy farmers and milk producers have been so efficient and productive that all of us tend to take for granted the seemingly endless output of milk and dairy products. But recent events show that dairying has become unprofitable to many dairymen, and they are switching to more profitable farming enterprises.

It is of paramount necessity to have at all times a thriving dairy industry. S. 2921 will help materially toward that end.

Should the School Milk Program terminate, milk that would have been consumed by children will probably be bought in times of surplus by the Federal Commodity Credit Corporation in the form of manufactured dairy products. This would entail substantial cost to the Government not only for the product but also for its storage.

I say, "Let's put milk into stomachs, not into storage."

HAWAII SUPPORTS SCHOOL MILK PROGRAM

I would like the record to show that the School Milk, as well as the School Lunch, Programs have wide community support in Hawaii. My mail protesting the President's proposed cuts in these programs has been running exceptionally heavy.

School principals, school teachers, cafeteria officers, food service associations, PTA groups, educational secretaries association, parents and students—all have written urging Congress to reject the Administration plan and provide the necessary funds to continue the School Lunch and School Milk Programs as at present.

The Chairman of the Legislative Committee of the Hawaii State Food Service Association, wrote me:

"If these cuts are not restored at the Congressional level, it will mean that the State would be called upon to make up what we will lose in Federal subsidy.

"Any chance of getting a bill through our State Legislature to take care of this during the present budget session seems very dim. Consequently, all of the cuts must be made up by the children who buy the lunches at the school cafeterias.

"Higher lunch prices would mean lower participation and lower participation would mean higher per capita overhead cost. This will cause a vicious cycle, which will mean the deterioration of the School Lunch Program here in Hawaii, which today is one of the best in the country."

Both the Senate and the House of Representatives of the State Legislature of Hawaii indicated strong support for the School Milk Program and the School Lunch Program by adopting resolutions this year urging restoration of the President's proposed cuts in these programs. The Maui County Board of Supervisors adopted a similar resolution.

So there is strong support in Hawaii for these programs and there is great concern over the proposed reductions.

CONFIDENT CONGRESS WILL VOTE FUNDS THIS YEAR

I realize this Subcommittee is not an appropriating body. And I also realize that the House of Representatives recently restored the cuts in sending the Agriculture Appropriations bill to the Senate. I am confident the Senate will also approve the restorations. This will take care of funding these programs through June 30, 1967.

Why then is action on S. 2921 needed now?

ACTION ON S. 2921 NEEDED NOW

I am urging action now for two reasons. One, in view of the President's efforts to cut back the School Milk Program and change its approach so drastically, now is the time to express the intent of Congress through the basic authorizing legislation that we want the School Milk Program to continue under its present format and to take care of future growth in school enrollment.

S. 2921 follows the pattern of the existing School Milk law. Further, S. 2921 would make the milk program permanent. In addition, by specifying increased appropriations over the next few years, S. 2921 allows for growth in School Milk Programs as school enrollment rises as it is expected to do. By passing S. 2921 now, the Administration will be put on notice that Congress does not intend the Administration to cut back this Program in its next budget due to be submitted in January 1967.

The second major reason for enactment of S. 2921 is to let school administrators all over the Nation know that the Program will continue. Schools must know well in advance whether they will have to ask their State Legislature for funds to carry on the milk program should it expire June 30, 1967. Most legislatures meet in the early months of each year. Some only biennially. If Congress postpones action on school milk legislation until next year, and if existing legislation expires, this may be too late for action by State Legislatures. Then the added costs would have to be passed along to school children, and I am sure we would then see a sharp decline in milk consumption.

Enactment of S. 2921 is needed this year to keep the School Milk Program running smoothly and avoid disruption and confusion, with all the adverse effects on the children, which that would entail.

Mr. Chairman, on January 12 the President delivered his State of the Union Message to Congress in which he informed us that despite guns for the Viet-Nam War, America could have butter too. Of those who were saying we must sacrifice, he asked, "Are they going to sacrifice the children who seek the learning. * * *"

Yet the Administration's School Milk bill would do just that.

DON'T SACRIFICE SCHOOLCHILDREN'S MILK

Mr. Chairman, I do not believe the costs of the Viet-Nam War should be paid by cutting the heart out of the School Milk Program as this Administration proposes.

I enthusiastically support S. 2921 which will continue the Milk Program on the present basis for millions of school children in America. I strongly urge this Subcommittee to approve it and speed it to the Senate.

Thank you, again, for the opportunity to present my views on this vital measure.

TRIBUTE TO FRANK BANE

Mr. MUSKIE. Mr. President, on the evening of April 21 a group of invited guests assembled for a reception in the Senate caucus room to honor Frank Bane on the occasion of his retirement as Chairman of the Advisory Commission on Intergovernmental Relations.

It was quite a large group. It had to be because these people were the friends and colleagues of Frank Bane, and there are a lot of them.

It was also a privileged group, but privileged in a very special way. These were the people fortunate enough to know Frank Bane well. They know the lasting impact he has made upon the American governmental scene at both the Federal and State levels and in the increasingly important area of intergovernmental relations.

These guests were privileged also to know him as a man. Frank Bane is a gentleman in the finest sense of this word. He is wise and tolerant, warm and witty. He is a master of one of the most difficult of all political arts—the art of resolving opposing viewpoints to secure agreement.

All of us at this reception had profited from our association—both personal and professional—with Frank Bane, and all of us knew of our debt to him. This is why ours was a privileged group.

Frank Bane became the first Chairman of the Advisory Commission on Intergovernmental Relations in 1959 after a long and distinguished career in State government, in the Federal Government, and as executive director of the Council of State Governments and secretary of the Governors' Conference.

Under his chairmanship, the Commission has resoundingly proved its value.

As a useful instrument of government in the complex field of intergovernmental relations, its achievements have already exceeded by far the most optimistic hopes of those of us who worked so hard for its creation 7 years ago.

This summer Frank Bane will undertake an entirely different assignment, but one for which he is, nevertheless, particularly well qualified. He will travel to Austria where he will spend several weeks at the Salzburg seminar in American studies as lecturer on the American political system. In this role he will explain and interpret American politics and government to the fellows of the seminar, a select group of civil servants, scholars, and professional men and women representing many of the countries of Europe.

We wish him well in this new and stimulating venture.

At their April meeting the members of the Advisory Commission on Intergovernmental Relations unanimously adopted a resolution recognizing the retirement of Frank Bane. In this resolution we sought to express our thanks and gratitude for the great services he had rendered as our Chairman.

Mr. President, I ask unanimous consent to have printed in the RECORD the text of this resolution.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the Advisory Commission on Intergovernmental Relations, since its inception in 1959, has been under the chairmanship of Mr. Frank Bane; and

Whereas Frank Bane brought to this position a distinguished background in State government and Federal government, and as Executive Director of the Council of State Governments and Secretary of the Governors' Conference; and

Whereas Frank Bane has blended with this experience the great qualities of wit, wisdom, dedication, and a genius for reconciling conflicting forces; and

Whereas this rare combination of character and talent has contributed so much to the success of every enterprise with which he has been associated; and

Whereas the Advisory Commission on Intergovernmental Relations has been blessed with the direction and counsel of Frank Bane during its formative years when it had to prove itself: Be it

Resolved, That all of us who have served under his able leadership on the Advisory Commission on Intergovernmental Relations extend to Frank Bane our sincere thanks and profound appreciation for the unique and indispensable services he has performed and the deep sense of loss we feel on the occasion of his retirement; and be it further

Resolved, That the Advisory Commission on Intergovernmental Relations wishes for Frank Bane many more creative and active years along with the satisfactions and relaxation which in his retirement he so richly deserves.

Done at Washington, D.C., this the 21st day of April, 1966.

NATIONAL WATER COMMISSION

Mr. MOSS. Mr. President, yesterday, the Washington Post published an editorial advocating passage of S. 3107, which would establish a National Water Commission.

I was pleased to see that the Post did not call for delay in passage of H.R. 4671, which would authorize a Colorado River Basin project. This bill is under consideration by the House of Representatives. The editorial did, however, refer to "legislative priority" which it stated is being sought by the States dependent upon the Colorado River system.

I support the creation of a National Water Commission. But I do not consider the Colorado River Basin project bill to be of lower "priority." It is important that the Commission bill not be used as a device for delaying essential water projects.

The Post advocates a "broad national survey of water resources." I remind the Senate that such a survey was conducted by the Select Committee on National Water Resources which was created during the 86th Congress. Fifteen Members of this body served on the committee, under the chairmanship of the late Robert S. Kerr, of Oklahoma. I was privileged to be a member.

Many of the committee's recommendations are being carried out. These include: Expanded programs in water research, basin planning, and sewage treatment, as well as reservoir storage. Surely these programs should not be put on the shelf for 6 years or even for 1 year until a National Water Commission issues its report.

Nor should the Colorado River Basin project legislation be delayed. The States of the basin have needed additional water for many years. We must push ahead to build the projects which will supply it. For example, the Central Utah project—which is necessary for Utah to utilize her share of the waters of the Colorado—has been authorized for 10 years. But the Bureau of Reclamation is only now ready to start construction of the works. In Arizona, ground water reserves are being pumped out twice as fast as they are being recharged.

So I repeat: Let us have a National Water Commission, but let it not be used to delay essential water projects.

A portion of the Post editorial which I particularly commend is that which urges a "continental approach" on water imports. This is an approach that I have advocated many times here and in other forums. I note with considerable satisfaction increasing interest both here and in Canada. It is my firm belief that a national survey of water resources will make even clearer our need for a continental redistribution of water supplies.

Mr. President, I ask unanimous consent to have the editorial from the Washington Post printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NATIONAL WATER SURVEY

It would be most unfortunate if any controversy over additional water for the Colorado River Basin should stand in the way of a truly national study of water resources and projects. Senator JACKSON's bill to create a National Water Commission is aimed at the larger problem. We can understand the reluctance of the states drawing water from the Colorado system to wait for the more comprehensive survey. Nevertheless, they could defeat their own long-range interests by insisting on legislative priority for their own region.

Senator KUCHEL, of California, is undoubtedly right in saying that there is no greater water problem in this country than that of the Southwest. It is also apparent that the Southwest will have to have water imports unless large-scale desalination becomes feasible in the near future. For this very reason the states of the Colorado River Basin have an acute interest in a broad national survey of water resources. Without such a study, it is unrealistic to suppose that any area with a surplus of water is likely to yield it to quench the thirst of the Southwest.

Indeed, logic calls for a continental approach to the North American water problem. The greatest hope for relief of the parched areas in this country is a cooperative arrangement with Canada to store and utilize the vast water resources that now go to waste in that country. Canada is now engaged in a national survey of these resources in relation to her own future needs. If it should be found feasible to sell water that will not be needed in Canada, the lure of substantial revenues may result in an international agreement. But this could come only after a thorough canvassing of our own resources through a national body such as Senator JACKSON has proposed.

In the short run the Colorado River Basin states may need to seek special arrangements to prevent their agreement from breaking apart, and it is reasonable that they should have help from the Department of the Interior in this endeavor. But the scramble for a trickle in the foreground should not be permitted to obscure the larger needs and possibilities in the distance. We think the proposed National Water Commission should be approved.

ABRAHAM RIBICOFF, PIONEER OF HIGHWAY SAFETY

Mr. GRUENING. Mr. President, I should like to take a few moments to comment upon the role that my able colleague, Senator RIBICOFF, of Connecticut, has played in bringing the problem of highway safety to the attention of Congress and the American people.

Hardly a day passes without some new development in this important field. Hopefully, we will soon see legislation enacted that will help reverse the trend toward ever higher accident rates on the Nation's highways. I also look for a mobilization of technical talent, both within and outside the automotive industry, that will ultimately make motor travel no more dangerous than any other means of transportation.

Yet, scarely a year ago, Senator RIBICOFF was virtually alone in his campaign to probe deeply into the traffic safety problem and expose it for the national scandal that it is.

Highway accidents began to be a significant source of death and injury in this country about 50 years ago. Twenty years later the traffic toll had reached epidemic proportions until the automobile became the fourth leading cause of death in the United States. Despite stiffer law enforcement, massive promotional campaigns, and enormous expenditures for better highways the toll climbed higher.

Some in Congress were troubled by this growing problem. Hearings were held and reports were issued. Finally, Congress ordered the General Services

Administration to require certain safety features on all passenger cars bought by the Federal Government. But the plight of the average motorist who found our streets and highways increasingly more crowded and dangerous went largely unnoticed.

When Senator Ribicoff announced that the Subcommittee on Executive Reorganization would launch an inquiry into the Federal role in traffic safety many people thought the hearings would produce only a rehash of old arguments and theories. This is scarcely what happened. By hewing closely to questions relating to policy, rather than technical detail, the investigation began to chart new ground and to reveal to what an alarming extent private interests were determining public policy in this vital area.

That subcommittee investigation might well serve as a model for others of its kind. Under Senator Ribicoff's direction, the inquiry sought the answers to three basic questions: What is the Federal Government doing in the field of traffic safety? How effective and efficient are these present efforts? And, what further efforts should the Government undertake in this vital area and how should these efforts be organized and administered?

In March of 1965 the subcommittee heard from the heads of various Government departments and agencies and it was soon apparent that at least 16 different offices were involved with traffic safety. What little activity there was within the executive branch was scattered and uncoordinated. As for a coherent national policy on traffic safety—there just wasn't any.

Instead of a national policy created by the executive or legislative branch of the Federal Government, we had a situation where many of the vital decisions affecting the safety of motor vehicle travel were being made by the automotive industry. We had public policy being made by private interests, and it was Senator Ribicoff who brought this astonishing fact to light.

It occurs to me that a major turning point in the campaign for highway safety may have come through a legislative defeat which Senator Ribicoff suffered last June.

As the Senate will recall, Mr. Ribicoff introduced an amendment to the Excise Tax Reduction Act of 1965, which would have made the 4-percentage-point reduction in the tax on passenger cars contingent upon cars meeting the same safety standards that the General Services Administration requires for all federally purchased cars. The amendment was adopted by the Senate but, unfortunately, the House conferees could not be persuaded to accept it. Senator Ribicoff was distressed, and rightfully so, because here was an opportunity to save lives and the opportunity was allowed to pass.

It is worth recalling that the auto industry was then pleading for a chance to show that voluntary efforts could provide the American people the safe car they deserve. It is a familiar refrain that was repeated only recently when an industry spokesman testified in opposition to the administration's Traffic Safety Act of 1966.

Despite the defeat, Senator Ribicoff pledged to continue his crusade and announced that the Subcommittee on Executive Reorganization would resume its inquiry into the Federal role in traffic safety in mid-July. He then issued an invitation to the presidents of General Motors, Ford, Chrysler, and American Motors to appear before the subcommittee to explain, as he put it, "what they have done, are now doing and plan for the future regarding automotive safety."

The Senator from Connecticut added, rather prophetically, that the auto industry would come to regret the day that it fought his safety amendment to the excise tax reduction bill. Certainly, the industry leaders quickly came to regret their decision to testify individually before the subcommittee. Here, for the first time, the men who ultimately bear responsibility for industry policy stepped out from behind the protective screen of the Automotive Manufacturers Association. The testimony of these officials showed a peculiar indifference to, or ignorance of, the true dimensions and character of the traffic safety problem—along with a too ready willingness to place profit ahead of basic human considerations.

Instead of a spokesman speaking in generalities for the entire industry, we heard the presidents of these giant corporations reveal just how pitifully small were the resources they were devoting to safety research. They also showed a lack of awareness of the role of the vehicle in accidents and injuries. Mr. Donner, chairman of the board of General Motors, told the subcommittee that tests conducted by his company indicated that their cars were per se safe. And Mr. Miller, president of Ford, said it was the conviction of his company that the driver may be safer in an accident if the steering wheel is forced back against his body—securing him to the driver's seat, so to speak.

If one were to characterize the position of the auto industry at this point in Senator Ribicoff's campaign for highway safety, it would be one of self-assured conviction that Detroit knows best and that nothing more was needed than the continued, leisurely introduction of whatever safety improvements Detroit feels the consumer can be persuaded to pay for.

However, the pressure was obviously beginning to be felt within the industry. As a direct result of the subcommittee hearings, it seems to me, several of the auto manufacturers made significant increases in their support for university-directed research activities.

Moreover, the carbuilders made substantially all of the 17 GSA required safety items standard equipment on all their 1966 models. This year, just before Senator Ribicoff reconvened the subcommittee hearings in February, General Motors announced it woud make dual braking systems, collapsible steering columns, and shoulder harness attachment points standard equipment on its 1967 cars. The other manufacturers indicated they would follow suit and what might be called the race for safety was on.

The attention finally being accorded the highway safety problem was not confined to Washington and Detroit. Legislatures in several States began taking new steps to improve auto safety. New York, for example, established an automotive safety board with authority to construct and test a prototype safe car. The Illinois House of Representatives approved a bill requiring GSA safety items on all State-owned cars. Iowa held public hearings on the traffic safety problem and Maryland announced new, stringent standards for automobile tires.

This activity was clearly an expression and an outgrowth of a growing public concern with this issue. Interviews by one polling organization revealed that traffic safety was one of the six or seven most critical problems that the American people worry most about.

My colleague from Connecticut did not create this issue—the mounting traffic toll did that. When we began losing 49,000 people killed and nearly 4 million injured each year, the American motorist began to realize that the increasing congestion of our streets and highways were not only a nuisance but also a frightening hazard. There are now 98 million licensed drivers in the United States and 2½ million youngsters are added to the rolls every year. There are 91 million motor vehicles on our highways and the number increases by 4 million every year.

What Senator Ribicoff did was to study this situation and begin asking some questions that had never been asked before. He asked, for example, what really happens in an accident? What is it that causes people to be killed and injured? This was a startling departure from the years of fruitless debate about the relative responsibility of the driver, the road, and the vehicle in causing accidents in the first place. By assuming that it was probably impossible to prevent all accidents, Senator Ribicoff shifted the public's attention to what might be done to minimize the tragic human consequences of an accident.

The people have listend to Senator Ribicoff because he speaks with authority and experience—and because he is a fair and reasonable man. Even the representatives of the auto industry who feel injured by this discussion will agree, I think, that my colleague from Connecticut has treated them honorably and justly from the very start.

When Senator Ribicoff was elected to the Senate he was already a veteran in the cause of highway safety. As Governor of Connecticut he had achieved a national reputation for his determination in pursuing a policy of strict enforcement designed to control the speeder and the drunk and dangerous driver on whom severe penalties were imposed—as they should be everywhere. This policy, coupled with a vigorous highway construction and improvement program, helped give Connecticut the safest roads in the Nation. Mr. Ribicoff reinforced the enforcement program further with a campaign of public education, driver training, and spot inspections that made Connecticut motorists more safety conscious than they had ever been before. It was a great achievement.

People also listened to Senator RIBICOFF because they knew that as chairman of the Traffic Safety Committee of the Governors' Conference he helped persuade the auto manufacturers to abandon, for a time at least, their strident advertising clamor exalting speed and horsepower. They knew that he spoke from his previous experience when as Secretary of Health, Education, and Welfare he directed the traffic safety efforts of the Public Health Service.

Senator RIBICOFF's efforts in behalf of greater safety on our highways deserve our respect and admiration. He had demonstrated once again the value and importance of leadership in a democracy. He has shown that one man—armed with good sense, courage, and a willingness to hold to his convictions—can achieve far-reaching and significant victories in the constant struggle to make a better life for the American people. In this respect, he deserves to stand with some of the great figures in the history of our Nation for his lifegiving efforts to reduce the shocking toll of highway travel.

His effort has never been a war on the automaker. It has been the studied and persistent pursuit of a national policy. For in the absence of a national policy, the public interest has not received adequate protection. Decisions affecting the very lives and well-being of our citizens were being made, not in public bodies, but in the offices of industrial managers who, by the very nature of their corporate responsibilities, could not always serve the public interest well.

Senator RIBICOFF deserves a vote of thanks from the American people for giving the problem of traffic safety the searching examination it required. What is noteworthy is the speed with which this examination produced a basic shift in public attitude toward this problem. Where once there was a docile acceptance of the highway death toll as an inevitable byproduct of modern life, there is now a growing insistence by the motorist that he be protected from the consequences of his own mistakes and those of others. The American public is no longer willing to be victimized and brutalized by the tragic inadequacies of a transportation system that we cannot do without.

One measure of this shift in attitude was the public acknowledgment by the President of the United States that the traffic safety situation had reached serious proportions and was now a national problem. The full weight of the President's concern has now been commendably thrown into the struggle and for the first time in history we have a national traffic safety bill drafted in the executive branch of the Federal Government.

One very helpful factor in promoting the public's consciousness for the need of highway safety has been Ralph Nader's book, "Unsafe at Any Speed." His has been a different approach to the problems from Senator RIBICOFF's but it has been of enormous value and is already producing results toward the paramount objective of highway safety.

Mr. President, I feel hopeful that some kind of highway safety legislation will become law before Congress adjourns. If so we will have the satisfaction of knowing that we have taken an important step toward stemming the wholesale slaughter and mayhem on our highways. And it was ABE RIBICOFF who led the way.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

The Chair suggests the absence of a quorum.

The legislative clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

NOTICE OF INTENTION OF COMMITTEE ON FOREIGN RELATIONS TO FILE RESOLUTION ON CIA ON WEDNESDAY, JUNE 1, 1966

Mr. FULBRIGHT. Mr. President, after consulting with some of my colleagues, specifically the senior Senator from Georgia [Mr. RUSSELL], I wish to put the Senate on notice that a week from Wednesday, on June 1, I will file the report on the resolution reported by the Committee on Foreign Relations relating to the creation of a special committee on the CIA.

I make that statement at this time in order that Senators who are interested in it may be prepared to debate the matter a week from Wednesday, on June 1, 1966.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. KUCHEL. So that I may understand, has the majority leadership scheduled it for debate immediately after the resolution is filed? Does the majority leader intend to call it up then?

Mr. FULBRIGHT. I have not consulted the majority leader.

I had understood that a point of order would be taken against it.

Mr. RUSSELL of Georgia. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield to the Senator from Georgia.

Mr. RUSSELL of Georgia. Mr. President, I have discussed this matter with the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Minnesota [Mr. MCCARTHY], and others who are interested in it. This, it seems to me, is the most orderly way of disposing of this matter.

Of course, when next Wednesday arrives, the matter will be before the Senate; but if the leadership has other plans, there are ways of carrying it over to another day. I do not know of any matter the leadership has that is more pressing than this one. We have about run out of business at this time. But the Senator from Arkansas has put the Senate on notice that a week from Wednesday he will file the report. At that time, I shall propose to make a point of order against the consideration of the matter until it is first considered by another committee of the Senate.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. CLARK. Mr. President, I have just entered the Chamber. As a point of information, is there any thought of bringing the CIA matter up today or in the immediate future?

Mr. FULBRIGHT. No. I just announced, before the Senator entered the Chamber, that after consultation we had decided for various reasons to submit it to the Senate a week from tomorrow. We understand that during the Memorial Day holiday Senators may have other engagements. Everyone is to be on notice that a week from Wednesday, the 1st of June, the report of the committee will be filed. It is anticipated that at that time a point of order will be made, and debate referral to another committee probably will take place at that time.

Mr. CLARK. I thank the Senator from Arkansas.

AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. HART. Mr. President, I ask unanimous consent that the pending business be laid before the Senate.

The PRESIDING OFFICER. The Secretary will state the bill by title.

The LEGISLATIVE CLERK. A bill (H.R. 14324) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Michigan?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Aeronautical and Space Sciences with an amendment to strike out all after the enacting clause and insert:

That there is hereby authorized to be appropriated to the National Aeronautics and Space Administration the sum of $5,008,000,000, as follows:

(a) For "Research and development," $4,248,600,000, for the following programs:

(1) Gemini, $40,600,000;

(2) Apollo, $2,974,200,000;

(3) Advanced missions, $8,000,000;

(4) Physics and astronomy, $131,400,000;

(5) Lunar and planetary exploration, $197,900,000;

(6) Bioscience, $35,400,000;

(7) Meteorological satellites, $43,600,000;

(8) Communication and applications technology satellites, $26,400,000;

(9) Launch vehicle development, $33,700,000;

(10) Launch vehicle procurement, $152,000,000;

(11) Space vehicle systems, $36,000,000;

(12) Electronics systems, $36,800,000;

(13) Human factor systems, $17,000,000;

(14) Basic research, $23,000,000;

(15) Space power and electric propulsion systems, $42,500,000;

(16) Nuclear rockets, $53,000,000;

(17) Chemical propulsion, $37,000,000;

(18) Aeronautics, $35,000,000;

(19) Tracking and data acquisition, $279,300,000;

(20) Sustaining university program, $41,000,000;

(21) Technology utilization, $4,800,000.

(b) For "Construction of facilities," including land acquisitions, $100,500,000, as follows:

(1) Electronics Research Center, Cambridge, Massachusetts, $10,000,000;

(2) Goddard Space Flight Center, Greenbelt, Maryland, $710,000;

(3) Jet Propulsion Laboratory, Pasadena, California, $350,000;

(4) John F. Kennedy Space Center, NASA Kennedy Space Center, Florida, $37,876,000;

(5) Langley Research Center, Hampton, Virginia, $6,100,000;

(6) Lewis Research Center, Cleveland and Sandusky, Ohio, $16,000,000;

(7) Manned Spacecraft Center, Houston, Texas, $12,800,000;

(8) George C. Marshall Space Flight Center, Huntsville, Alabama, $581,000;

(9) Michoud Assembly Facility, New Orleans and Slidell, Louisiana, $700,000;

(10) Mississippi Test Facility, Mississippi, $1,700,000;

(11) Wallops Station, Wallops Island, Virginia, $205,000;

(12) Various locations, $6,478,000;

(13) Facility planning and design not otherwise provided for, $7,000,000.

(c) For "Administrative operations," $658,900,000, as follows:

(1) Personnel compensation and personnel benefits, $397,444,000,

(2) Other expenses, $261,456,000.

(d) Appropriations for "Research and development" may be used (1) for any items of a capital nature (other than acquisition of land) which may be required for the performance of research and development contracts and (2) for grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to insure that the United States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for "Research and development" pursuant to this Act may be used for construction of any major facility, the estimated cost of which including collateral equipment, exceeds $250,000, unless the Administrator or his designee has notified the Speaker of the House of Representatives and the President of the Senate and the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of Senate of the nature, location, and estimated cost of such facility.

(e) When so specified in an appropriation Act, (1) any amount appropriated for "Research and development" or for "Construction of facilities" may remain available without fiscal year limitation, and (2) maintenance and operation of facilities, and support services contracts may be entered into under the "Administrative operations" appropriation for periods not in excess of twelve months beginning at any time during the fiscal year.

(f) Appropriations made pursuant to subsection 1(c) may be used, but not to exceed $35,000, for scientific consultations or extraordinary expenses upon the approval or authority of the Administrator and his determination shall be final and conclusive upon the accounting officers of the Government.

(g) No part of the funds appropriated pursuant to subsection 1(c) for maintenance, repairs, alterations, and minor construction shall be used for the construction of any new facility the estimated cost of which, including collateral equipment, exceeds $100,000.

(h) When so specified in an appropriation Act, any appropriation authorized under this Act to the National Aeronautics and Space Administration may initially be used, during the fiscal year 1967, to finance work or activities for which funds have been provided in any other appropriation available to the Administration and appropriate adjustments between such appropriations shall subsequently be made in accordance with generally accepted accounting principles.

Sec. 2. Authorization is hereby granted whereby any of the amounts prescribed in paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), and (12), of subsection 1(b) may, in the discretion of the Administrator of the National Aeronautics and Space Administration, be varied upward 5 per centum to meet unusual cost variations, but the total cost of all work authorized under such paragraphs shall not exceed a total of $93,500,000.

Sec. 3. (a) Not to exceed one-half of 1 per centum of the funds appropriated pursuant to subsection 1(a) hereof may be transferred to the "Construction of facilities" appropriation, and, when so transferred, together with $10,000,000 of the funds appropriated pursuant to subsection 1(b) hereof (other than funds appropriated pursuant to paragraph (13) of such subsection) shall be available for expenditures to construct, expand, or modify laboratories and other installations at any location (including locations specified in subsection 1(b)), if (1) the Administrator determines such action to be necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments, and (2) he determines that deferral of such action until the enactment of the next authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditure or expended to construct, expand, or modify laboratories and other installations unless (A) a period of thirty days has passed after the Administrator or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Aeronautical and Space Sciences of the Senate a written report containing a full and complete statement concerning (1) the nature of such construction, expansion, or modification, (2) the cost thereof including the cost of any real estate action pertaining thereto, and (3) the reason why such construction, expansion, or modification is necessary in the national interest, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

(b) Not to exceed an amount which is equal to 1 per centum of the funds appropriated pursuant to subsection 1(c)(1) hereof may be transferred to the appropriation for "Personnel compensation and personnel benefits" from any other funds appropriated pursuant to this Act, but no portion of such amount may be obligated for expenditure or expended unless a period of thirty days has passed after the Administrator or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Aeronautical and Space Sciences of the Senate a written report containing a full and complete statement concerning the need for such a transfer.

(c) Not to exceed an amount which is equal to 10 per centum of the funds appropriated pursuant to subsection 1(c)(2) hereof may be transferred to the appropriation for "Other expenses" from any other funds appropriated pursuant to this Act, but no portion of such amount may be obligated for expenditure or expended unless a period of thirty days has passed after the Administrator or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Aeronautical and Space Sciences of the Senate a written report containing a full and complete statement concerning the need for such a transfer.

Sec. 4. Notwithstanding any other provision of this Act—

(1) no amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science and Astronautics or the Senate Committee on Aeronautical and Space Sciences,

(2) no amount appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by section 1(a), and

(3) no amount appropriated pursuant to this Act may be used for any program which has not been presented to or requested of either such committee,

unless (A) a period of thirty days has passed after the receipt by the Speaker of the House of Representatives and the President of the Senate and each such committee of notice given by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

Sec. 5. It is the sense of Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible, and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds whenever feasible.

Sec. 6. This Act may be cited as the "National Aeronautics and Space Administration Authorization Act, 1967."

Mr. ANDERSON. Mr. President, I spent a considerable time last night in the discussion of the bill. If no Member of the Senate has any questions to ask, I am ready to proceed with it.

Mr. HOLLAND. Mr. President, will the distinguished Senator from New Mexico yield to me so that I may make two statements pertaining to one section of the bill?

Mr. ANDERSON. I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, first I compliment the distinguished Senator from New Mexico, the chairman of the space legislative committee [Mr. ANDERSON], and the distinguished Senator from Maine, the ranking minority member of the committee [Mrs. SMITH], on their handling of this measure, both in hearing and in markup, and on the floor. The quiet and expeditious way in which the measure is being passed indicates more loudly than many words the careful way in which it has been handled. I also appreciate the fact that the distinguished chairman yielded to me to be heard at this time.

Mr. President, while I am generally in accord with the space authorization bill—I think that in general it is a very fine bill—I am not in accord with one feature of the bill, to which I shall address myself at this time.

That feature has to do with the continued pursuit of the solid fuel propellant objective, which has been an important objective of the research and development space effort for several years. There has been no previous year in which as much success was accomplished in that effort as during the last year.

Notwithstanding that success, however, in connection with the consideration of this bill, the Bureau of the Budget proceeded to cut $7.5 million off of the program as requested by Mr. Webb, the Administrator of NASA, and supported by the Executive Secretary of National Aeronautics and Space Council, Dr. Welsh.

That matter came on to be heard before the Committee on Appropriations and the Committee on Space Authorization in the House of Representatives. In both of those committees, it was decided that the Budget Bureau was in error in reducing the solid propellant program by that $7.5 million, and the space authorization bill as passed by the House and sent to the Senate included an additional $7.5 million for carrying forward the program of developing solid propellants, because of the belief that such propellants would be not only more powerful, but also much more economical, than the gaseous and liquid propellants.

In the Senate committee, after some discussion of this matter, the majority of the committee—though not the full committee—decided that the additional $7.5 million recommended by the space committee of the House should not be placed within the Senate version of the bill. I am sure that my able colleagues, the Senator from New Mexico [Mr. ANDERSON] and the Senator from Maine [Mrs. SMITH], have stated their beliefs in connection with this matter.

It is my strong belief that it is very much in the interest of the Nation and in the interest of the economic pursuit of the entire space program not to lose the valuable time which would be lost through the omission of this $7.5 million, but instead, to increase the $3.5 million program proposed by the budget for this solid propellant development to the $11 million provided in the House bill.

I think that, in brief, my case would simply be, first, that we would find ourselves deserting or letting go fallow a program in which there is the most chance for vastly increased power along with greater economy than anything that we have seen in the field of propulsion and propulsive efforts. In the second place, we would allow ourselves to lose even more time in this particular objective, which happens to be the most important respect in the entire space program in which it is admitted that our space rivals, the Russians, are decidedly ahead of us. I believe that the administrator, Mr. Webb, states in his testimony that the Soviet Union is about 2 years ahead of us, and he also states that the most important field in which they are ahead of us is the matter of being able to hurl large bodies of great weight out into space by the use of a propellant much stronger than any we have yet developed for our own use.

So I feel that by failing to continue the development of solid propellants, which give the most promise of success in this field, we are failing to do that one thing which we should be doing to catch up with the Soviet Union in the field of space effort. We have surpassed them in many areas, Mr. President, as the Senate well knows, as, for instance, in the weather satellites, the communication satellites, and other branches of special use satellites; and we have excelled them in several features of our manned space program. But in this one field, we are said to be about 2 years behind them; and it is for that reason in particular that I think we are unwise in allowing to dawdle, if I may use that word, this very important program of the development of a solid propellant, which we so badly need and which promises us so much more power in throwing our great missiles out into space.

Mr. President, I decided not to offer an amendment on this matter, because the issue will already be in conference. The House bill includes the $11 million covering the entire program for this purpose, whereas the Senate bill includes only $3.5 million to provide for a kind of standby, lazy program for this year.

I did feel, though, that I should place in the RECORD at this time certain matters showing the attitude of both Mr. Webb, the Administrator of the space agency, and of Mr. Welsh, the executive head of the President's Council on Space, in order that it may clearly appear what their opinion is, what their opinion was when the request of the agency went to the Budget Bureau, and what their argument was before the Budget Bureau—because they make it very plain that they tried to secure a decision from the Bureau of the Budget that this $7.5 million not be cut out of the budget.

Therefore, Mr. President, I personally interrogated both Mr. Webb and Dr. Welsh at the hearings before the Senate Committee on Appropriations—which deals with independent agencies, including the space agency—and I shall at this time read, if I may, portions of the testimony of Mr. Webb and Dr. Welsh bearing upon the point which I have just mentioned.

Here, for instance, is a part of the testimony of Mr. Webb given on Thursday, May 19. I was recognized by the chairman of that subcommittee, the Senator from Washington [Mr. MAGNUSON], and I proceeded as follows, speaking to Mr. Webb:

I have been concerned as my Chairman of the Legislative Committee very well knows, about the great reduction in the program for the solid fuel propellant, and I quote now several out of a great many more quotations which I could make from your statement.

Mr. Webb had just concluded a formal statement to the committee, and I thought that that statement tended to show rather strongly his feelings toward the omission of the $7.5 million for solid propellant development:

First, in your statement of the great progress made by Russia, this is on page 3, "they orbited the heaviest pay load by anyone in the world to date, indicating they have developed a new launch vehicle with some two and a half to three millions of pounds of thrust." I believe that you quoted that as part of your statement they were two years ahead of us in developing, that is correct, is it not?

Mr. WEBB. Yes.

Senator HOLLAND. Later I note you again in your statement said there are four needs, four essential priorities in the present situation and the fourth of them is as follows: "The need to take a number of definite steps now to avoid an otherwise certain gap in the near future in our space activity." Do you recall that?

Mr. WEBB. Yes, sir.

Senator HOLLAND. The third quote I mention is on page 11, and, frankly, I do not understand this. You say, "We are proposing a program of test firings in the large solid motor area." A series of test firings, whereas, later I find only one firing, but we are coming back to that later. This is page 10 or 11, middle of the page.

And then a little later you say, this is the thing that causes me concern, you say, "In the area of chemical propulsion we now plan one additional firing of a half-length 260 inch solid rocket motor. This is the lowest level that will preserve the option of undertaking full length motor development as we develop our post-Apollo program."

Now, there is but one other quote as I begin my approach to this problem, on page 34, you will notice the statement, "There have been a number of scientific accomplishments in the Advanced Research and Technology Program during the past year. The most noteworthy of these include the completion of two successful firings of the 260-inch diameter large solid motor."

Now, in our Legislative Committee we found that the House had stepped up this program for the solid motor from three and a half million proposed in the budget to 11 million contained in the House bill for that purpose, stating they felt it would gain us about 14 months, as I recall it, 14 months lead time in the development of something we absolutely had to have in our later work. I think these quotations from you show, at least, this will have a very important place in our later work.

Now following the experience in our legislative committee, our Staff Director, Mr. Gehrig, addressed you a letter asking if Congress made available seven and one-half million dollars more than NASA requires, which is three and a half million, would NASA use the additional funds during fiscal year 1967 on that project and, if so, how to recommend that request? Did you not?

Mr. WEBB. Yes, sir.

Senator HOLLAND. You answered that under date of May 11 with a letter to Mr. Gehrig?

Mr. WEBB. Yes, sir.

Senator HOLLAND. I am going to ask that letter be incorporated in the record at this time without attempting to read it in full.

Senator MAGNUSON. Without objection, it will be included.

Mr. President, I ask unanimous consent that that letter be printed in the RECORD at this point as a part of my remarks.

The PRESIDING OFFICER (Mr. NELSON in the chair). Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION,
Washington, D.C., May 11, 1966.

MR. JAMES J. GEHRIG,
Staff Director, Committee on Aeronautical and Space Sciences, U.S. Senate, Washington, D.C.

DEAR MR. GEHRIG: It is practically impossible to give you a definite answer to your question with respect to the 260-inch solid motor project as to whether NASA would use the additional funds of $7½ million more than the President's request of $3½ million in Fiscal Year 1967.

At one of the most important points in the consideration of the 1967 Budget within the Executive Branch the 260-inch solid motor was deleted, as it had been in the 1966 Budget. On the strongest urging by NASA, the $3½ million was finally included as a means of avoiding, for at least another year and until the most critical decisions relating to the future of the space program could be made in the 1968 Budget, the complete closure of the Aerojet installations in Florida. The plan to conduct the half length firing, using the previously fabricated and fired casing, was recommended as the best means to get the maximum value from this amount of $3½ million.

Against that background and against the background of the reduction in the NASA appropriations in the Independent Offices Appropriation Bill as passed by the House yesterday, I have the most serious doubts that the Bureau of the Budget would release to NASA any funds authorized and appropriated beyond the $3½ million without a specific direction by the President. Further, application to the 260-inch project of any funds beyond the $3½ million, and indeed even this amount itself, is in my opinion in considerable jeopardy at the level of appropriation approved by the House of Representatives yesterday.

In all of our relationships with the committees of Congress responsible for legislation affecting NASA, we have always tried to give the fullest possible measure of consideration to the official judgments and desires of those committees. We would certainly do this in connection with any action relating to the 260-inch solid motor. However, I believe I would be doing less than my duty to the President and the Committee not to point out that the inclusion of the $3½ million as recommended by the President was, at best, marginal at the level the President felt he could approve our budget and that any addition to it, viewed against reductions which may be made by the Congress, would inevitably be even more questionable.

As to the current status of the 260-inch motor program, we expect within a few days to sign a contract with Aerojet-General Corporation covering the period we estimate it will take to arrive at the definitive, and perhaps even fixed-price, contract for the half-length motor firing. The contractor's effort is currently running at a level of some $400,000 per month. This work has been directed to the half-length program. Therefore, a changeover to a full-length motor firing program at this time would be very costly and would involve a loss of over $500,000 worth of already funded effort.

Sincerely yours,

JAMES E. WEBB,
Administrator.

Mr. HOLLAND. I continue to read:

Senator HOLLAND. I will read this quotation: "At one of the most important points in the consideration of the 1967 budget within the executive branch the 260-inch solid motor was deleted, as it had been in the 1966 budget. On the strongest urging by NASA, the $3½ million was finally included as a means of avoiding, for at least another year and until the more critical decisions relating to the future of the space program could be made in the 1968 budget, the complete closure of the Aerojet installations in Florida."

My question now is this. First, I note with a good deal of sympathy that you are not able to state whether the seven and a half million would be used or not?

I interpolate, Mr. President, to say that he had been asked whether the $7.5 million would be used if appropriated, and he did not answer that question.

Mr. WEBB. And do you not think I gave fairly good reasons for my inability to so state? I thought I was about as frank as an Administrator could be.

Senator HOLLAND. But you did not state whether you wanted that seven and a half million and whether or not if it was granted you would find it useful, and use it. And it would step up the program by 14 months as indicated in the House record.

What I am asking you now is if you could be a little bit more specific than you were in that letter?

Mr. WEBB. The seven and a half million appropriation by the House would be useful and would contribute to valuable work in the development of the 260-inch motor. I would have to say, Senator, in terms of priorities governing inclusion and exclusion of items from the budget, it would certainly have to be examined by the Bureau of the Budget because it was not included by the President.

I thought I had urged very strongly it be included if funds were available to us to perform this valuable work.

Senator HOLLAND. You did include it in your request but the Budget Bureau requested you to delete it.

Mr. WEBB. It was lost in the seven hundred and 12 million dollar reduction made by the Bureau of the Budget.

Senator HOLLAND. It is not because you said you could not use it or you did not want it but they were unable to give it to you in the budget, is that what you said?

Mr. WEBB. I want to be clear about this. I strongly urged the Budget Bureau and the President to include the items in this budget and give us the items and give us the ability to pick up and move faster in 1968 to preserve oncoming technology in the solid motor field. Believing if we decided to move in 1968 with respect to the larger systems, this movement would be valuable as a part of our capability in making a good and correct decision based on the way we spend our money. Now the President was very pressed in this budget and did not feel he could include any items that would be required unless they simply were of the nature that would cost capability in the production and the fact this amount in the President's 1967 budget has been restored by Congress after a good deal of hard work and was able to preserve it up to the point to get full information and data from the file, made it most noteworthy of the success and use of these firings. We urged strongly enough, as we could, to appropriate sufficient money so we would not have to close the plant and permit half a length firing this year.

I believe it should go forward with the series of firings of these big solids.

We are only getting three and a half million this year and I do not see how we can get the seven and a half million when we were cut down by the House appropriations.

Senator HOLLAND. When you said you planned a series of firings you were not planning just this one single half firing?

Mr. WEBB. I am going to urge very strongly in 1968 the budget we continue the series of firings.

Senator HOLLAND. And you urged that this year but failed to get it in the budget.

. Mr. WEBB. Yes, sir.

Senator HOLLAND. Another thing, Dr. Welsh, Executive Secretary of the National Aeronautics and Space Council, knows something about the space program?

Mr. WEBB. Yes, sir.

Senator HOLLAND. He appeared before us several days ago and I asked this question. "I notice the House gave greater emphasis on the solid missile mission particularly with revision to the two big diameter, 156 inch and 260 inch than the budget gave.

"It seems to me it indicates an effort on the House Legislative Committee to catch up with the Russians or perhaps pass them on this matter of the power propulsion. That seems to be the only thing they have been ahead of us in. Do you have a comment to make on that at this time?" And Mr. Welsh answered: "The only comment I have to make is I just hope we do not repeat what occurred earlier and that was to have the Soviets get ahead of us in newer, more competent, more able, more powerful boosters. We did that once. I think once is enough. I think we should learn from that. Consequently I am in accordance with pushing the 260-inch, for instance, as well as nuclear rockets."

Mr. President, I wish to re-read that statement of Dr. Welsh because he makes it so very clear that he is concerned about the diminution of these programs accomplished by the Budget and overcome by the House insertion of an additional $7.5 million if they should remain in the bill.

Dr. Welsh said to me:

The only comment I have to make is I just hope we do not repeat what occurred earlier and that was to have the Soviets get ahead of us in newer, more competent, more able, more powerful boosters. We did that once. I think once is enough. I think we should learn from that. Consequently I am in accordance with pushing the 260-inch, for instance, as well as nuclear rockets.

Senator HOLLAND. Does that mean you are in accord with the action taken by the House Committee in emphasizing those two fields and providing more money both in the Legislative bill and, as I understand now, in the Appropriations bill for those two particular activities?"

And Mr. Welsh answered: If I could answer this way, by saying I think there is a basis and there is wisdom in their request. I do not want to be in complete accord because the President did not ask for it.

Do you join in that statement?

Mr. WEBB. No, sir. I would differ a little bit on that.

Senator HOLLAND. You state your answer then.

Mr. WEBB. My answer is as Space Administrator I regard it my responsibility to state the facts to this Committee as I regard them to be important. This was to have the President's budget make very clear what we are asking for, why we are asking for that. If anything, I would be a little stronger and not as inhibited with respect to the Presidential position and state that strongly as I can state, the value of that work to this Committee. So you can consider it must do the best job and we must do the best job we can to try to get the appropriations.

Senator HOLLAND. Then there is some little difference in your position as administrator and in Dr. Welsh's as adviser to the President (and the House position) in taking the line of what he thinks he should ask for?

Mr. WEBB. Yes, sir. I just did not place the limit on myself that he placed on him.

Senator HOLLAND. I appreciate your candor. Thank you.

Mr. President, it is clear from the questions and answers addressed to these two men of highest administrative and professional rank in the space program; namely, Mr. Webb, Administrator of NASA, and Dr. Welsh, Executive Secretary of the President's Space Council, that they both think we are making a mistake if we allow ourselves to fall even further behind the Russians in this capability to launch heavy vehicles by the development of a solid fuel motor which is cut to about a third or less by the program that came from the budget.

Let me say one thing more before I take my seat. It is true that the Aerojet Co.'s base which made these successful firings—and which Mr. Webb says are the most noteworthy things which happened in fiscal 1966—is located in Florida near Miami.

I want to make it clear that in the field of defense and the space field, so far as I am concerned, I have not based any position I have taken on the factor of local location.

After World War II, we lost nearly 100 bases in Florida, and no one ever heard me make any objection. We closed down an air base in my hometown of Bartow, Fla., and one in the nearby town of Lakeland, along with many other bases, because we thought it was appropriate that the size of the military effort be cut down at that time.

Only a couple of years ago, we lost a space center to Houston, Tex., and although, of course, we regretted the action, we realized that there was some merit in the President's position, that Cape Kennedy was so crowded that a better job could be accomplished by having that control center in a different spot. No one heard me speak against that on the floor of the Senate, or in any way against that decision. We cite this as part of the efforts we have made to resign ourselves to things that happened which were adverse to installations in our own State. Here is something that if this installation were in Alaska, Guam, or Puerto Rico, or in any other State on the continent, I would have to take the same position. When the Administrator and the Executive Secretary of the Space Council both tell us that the thing we have fallen farthest behind on with the Soviet is in our ability to propel a heavy, weighty body out into space, that in that field alone they are ahead of us about 2 years, and when they tell us further that we are about to lose 14 months more time by discontinuance this year of this relatively small amount, I believe that it pleads strongly for inclusion of the additional $7½ million which was included by the House committee and by the House on the floor, and now is being included by the House Appropriations Committee.

Mr. President, I sincerely hope that in conference, when this important matter is being considered, that there will be a reconsideration on the part of the Senators who are on that conference committee, because I strongly feel that our total space effort is being hurt rather than helped by this minor cut in a program which promises more in the field in which we are furthest behind than any other program that we have underway.

Mr. President, I yield the floor.

Mr. TOWER. Mr. President, I am certainly pleased that the Committee on Aeronautical and Space Sciences, in this bill, has fully met budget authorization requests for our lunar and planetary exploration program.

This $197,900,000 is indeed necessary if we are to reach program objectives, that is the scientific exploration of our solar system, utilizing both unmanned and manned spacecraft and earth-based research.

Our immediate objectives are, of course, the exploration of the Moon, the planets of Venus and Mars, and are most important. However, our long-range objectives, the exploration of the outer planets and their moons, are also of great importance. The expeditious achievements of these objectives, as the committee report points out, will provide data to better understand the origin, history, and mechanisms of the development of our solar system, and may provide evidence of the existence of forms of life elsewhere.

Mr. President, space exploration is a most complex field, as we all know. It is my opinion and I am sure the opinion my colleagues, that the members of the Aeronautical and Space Sciences Committee are to be highly commended for their effective endeavors in behalf of our space program.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a committee substitute.

The committee amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question is on final passage of the bill.

The bill (H.R. 14324) was passed.

Mr. HART. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ANDERSON. Mr. President, I move that the Senate insist on its amendment, request a conference with the House on the disagreeing votes thereon, and that the Chair appoint conferees on the part of the Senate.

I would like to consult with the Chair before the Chair appoints the conferees.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. HART. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Chair is ruling on a previous matter at this time. The motion of the Senator from New Mexico has been agreed to. The conferees will be appointed and will be announced for the RECORD shortly.

The conferees appointed by the Presiding Officer, as subsequently announced, are as follows: Mr. ANDERSON, Mr. SYMINGTON, Mr. STENNIS, Mrs. SMITH, and Mr. JORDAN of Idaho.

Mr. CLARK. Mr. President, 5 minutes ago I called the cloakroom and asked when it was intended to bring before the Senate the NASA authorization for the fiscal year 1967. The bill provides for an authorization slightly in excess of $5 billion. I was advised that the bill had already been passed, without debate. I do not desire to move to reconsider the bill, but I desire to comment briefly, ex post facto, about it.

It is my view that our national priorities are substantially out of order, when the Senate, in the course of 5 or 10 minutes, passes a $5 billion authorization bill to send a man to the moon.

The PRESIDING OFFICER (Mr. STENNIS in the chair). If the Senator from Pennsylvania will permit an observation, for his information, the bill was explained to the Senate by the Senator from New Mexico [Mr. ANDERSON] chairman of the committee, during the session yesterday.

This morning the Senator from New Mexico offered to answer questions. I state that for the information of the Senator from Pennsylvania.

Mr. CLARK. I have no doubt that the Presiding Officer, the Senator from Mississippi, is correct. I am prepared to admit that it was my own negligence in not knowing what was taking place. I had intended to make some remarks on the bill today, and I suppose I should have been more alert.

I attended a meeting of the Foreign Relations Committee all morning, and I stopped at my office to leave some papers. When I returned, I learned that the bill had been passed almost immediately after the conclusion of the morning hour.

My query is this: How much good will the trip to the moon do for the hopeless inhabitants of the earth? I have particular reference to the poverty-stricken people in most of our great cities, including Pittsburgh, Philadelphia, and elsewhere.

I suggest that our problems are primarily on earth, not on the moon. It is unfortunate that the Senate will push through, in such short order, a $5 billion bill for outer space without any serious discussion. I suspect that when the fiscal year 1967 request of the Office of Economic Opportunity is before the Senate, the situation will be very different.

It is my good good fortune to be chairman of the subcommittee of the Committee on Labor and Public Welfare which deals with manpower, employment, and poverty.

The poverty bill encountered difficulty in the House. The bill passed the House in very different form from that recommended by the administration. I have no doubt that highly controversial sessions will take place within the subcommittee, within the full committee, and in the Senate when the bill gets over here.

In comparison with the $5 billion bill passed today without debate, I desire to read into the RECORD the amount which the administration has requested for the Office of Economic Opportunity—that is, the poverty program: For the Job Corps, $228 million; for the Neighborhood Youth Corps, $300 million; for the Headstart program, $327 million; for legal services, $25 million; for employment opportunities, $73 million; for adult basic education, $30 million; unearmarked appropriation for the community action program, $489 million; for migrants, $37 million; for rural loans, $28 million; for Small Business Administration loans, outside of counseling services, $5 million; for work experience, $160 million; for general administration, $17 million; for VISTA, $26 million.

The total requested authorization is $1,750 million.

Mr. President, it is my opinion that the poverty program is worth a good many times the space program. Perhaps I speak alone in this regard. I can think of many other programs, among them the Teacher Corps, our education programs, the housing program, the rent supplement program—a whole spectrum of important domestic legislation—which have been cut back drastically because of the enormous expenditures for the war in Vietnam. Yet, the space program is sacrosanct.

Because I know that any effort on my part to downgrade the space program, by amendment or otherwise, will be utterly futile, in light of the present temper not only of the Senate but also, I suspect, of the people of the United States, I do not intend to move to reconsider the bill or to take up the time of the Senate any more than I have.

I end as I began: I think it is high time that we took a hard look at our national priorities, which in my judgment are not right.

Mr. FULBRIGHT. Will the Senator yield?

Mr. CLARK. I am happy to yield.

Mr. FULBRIGHT. I know from previous discussion of the bill that I agree with the Senator about the priority. We conducted a serious fight with respect to this bill last year or the year before, and I believe we came within about 10 votes of cutting it back to a reasonable sum.

I could not agree more with the Senator from Pennsylvania concerning the improvidence, under present conditions, of a program to provide $5 billion for a trip to the moon, when we are engaged not only in a war against poverty in this country, but also conducting a very serious war in Asia.

Had I been in the Chamber, I would have voted against the bill. But realizing the great power of what General Eisenhower called the industrial-military complex, I know it would have been quite a hopeless struggle, and that even though I had been present, it would not have made any difference in its passage.

I must say that it is unusual that bills to provide $5 billion can pass through Congress in a few minutes. The Senator from Pennsylvania and I, together with other Senators, were in attendance in the Committee on Foreign Relations, voting on some rather controversial aspects of a bill, and we came to the Chamber only a few minutes after the morning hour had been concluded. Before we got here, the NASA authorization bill had been passed. But that is typical, today, of any bill relating either to outer space or the military. Such bills frequently require consideration, or an explanation, at least, on the floor of the Senate, no matter how thorough the explanation given in committee. I suppose that is considered to be a great compliment—and I take it to be such—to the efficiency of the committees that handle such measures; but in my view, it is an outrageous distortion of priorities.

I thoroughly disapprove of the size of the NASA authorization bill, as I have said before. I have no objection to a moderate bill, one which would authorize research for a project to explore outer space.

It is possible that it may have some value and serve as a certain kind of outlet for people who have given up on the earth and want to escape to outer space. They would not then have to bother about their troubles here. I think that it has a certain psychological benefit. However, as a practical matter under the conditions existing in the world today, I think it is utterly improbable.

I want the RECORD to show that I would have voted against the bill had I had the opportunity to do so.

Normally a bill involving $5 billion has a rollcall. In fact, normally bills which involve far less than that amount have rollcalls so that Senators may have an opportunity to express their position. All we can do now is to register in the RECORD our opposition to the bill, which I do.

Mr. CLARK. Mr. President, I thank my friend, the Senator from Arkansas. I agree completely with his intervention.

I have no doubt that there will be many rollcalls on the poverty program and the education program. We have already had a very close rollcall in connection with the rent supplements program and the Teacher Corps and the housing bill. One of these measures involved only $12 million.

In my opinion, there are few more immature activities of the administration, of the press as a whole, and of many of our colleagues, I regret to state, than the attempt to build the space program into a state of competition with Russia or with some other country that wants to get into the space field.

I wonder when we will realize that the world will never be at peace and that there will be nothing done to ease the tensions which presently exist until we substitute international cooperation for international conflict.

I hope that perhaps these few words will induce the State Department—and I have grave doubts that they will—and perhaps the NASA organization to make some effort to place the space program on a multilateral basis, perhaps through the United Nations, if possible. If not, let us proceed to work with the Russians to have a joint space program.

In my judgment this childish comic strip attitude of ours that we must get there "fustest" with the "mostest" is an utterly immature solution to the very serious problem of exploration of outer space.

Mr. President, I yield the floor.

Mr. HART. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. NELSON in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MILITARY CONSTRUCTION AUTHORIZATION

Mr. HART. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 3105, the military construction authorization bill.

It is not the intention of the leadership to have any debate on the bill until tomorrow.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3105) to authorize certain construction at military installations and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Michigan?

Mr. KUCHEL. Mr. President, reserving the right to object—and I shall not object—let the RECORD show that since we shall not proceed to the consideration of the bill actually until tomorrow, there is no opposition from the minority.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Michigan? The Chair hears none, and it is so ordered.

The Senate proceeded to the consideration of the bill (S. 3105) which had been reported from the Committee on Armed Services with an amendment.

AUTHORITY TO SIGN BILLS, RECEIVE MESSAGES, AND FILE REPORTS

Mr. HOLLAND. Mr. President, by request of the leadership, I ask unanimous consent that during the adjournment of the Senate from today until noon tomorrow, the Vice President or the President pro tempore be authorized to sign duly enrolled bills, that the Secretary of the Senate receive messages from the President, or from the House of Representatives, and for committees to file reports.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. HOLLAND. Mr. President, if there is no further business to come before the Senate, I move that the Senate stand in adjournment until 12 o'clock tomorrow noon.

The motion was agreed to; and (at 1 o'clock and 30 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, May 25, 1966, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 24, 1966:

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 3962:

To be lieutenant general

Lt. Gen. Charles Breckinridge Duff, O18438, Army of the United States (major general, U.S. Army).

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. Ferdinand Joseph Chesarek, O21177, Army of the United States (brigadier general, U.S. Army).

* * *

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 24, 1966

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

I am the vine, ye are the branches. He that abideth in me, and I in him, the same bringeth forth much fruit; for without me ye can do nothing.—John 15: 5.

O God, our Father, without whom our world drifts into darkness and despair, let the light of Thy spirit shine upon us as we for this moment worship Thee in spirit and in truth. Deliver us from unworthy ambitions which close our eyes to the rights of others and from a self-centeredness which grows into suspicion and ill will. Make us mindful of the needs of people in our Nation and around our world. Beneath all differences of race or creed help us to see human aspirations coming to fruition and seeking to be satisfied. Abiding in Thee, may the fruit of compassion and understanding and love be brought forth anew within us—pray in the name of Jesus Christ, Thy Son, our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 10366. An act to establish the Mount Rogers National Recreation Area in the Jefferson National Forest in Virginia, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 14266. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1967, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 14266) entitled "An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1967, and for other purposes, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ROBERTSON, Mr. MCCLELLAN, Mr. MONRONEY, Mr. BARTLETT, Mr. YARBOROUGH, Mr. RANDOLPH, Mr. CASE, and Mr. ALLOTT to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 693) entitled "An act to amend the Foreign Agents Registration Act of 1938, as amended, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. FULBRIGHT, Mr. SPARKMAN, Mr. MANSFIELD, Mr. HICKENLOOPER, and Mr. AIKEN to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 902. An act to provide that the Secretary of Agriculture shall conduct the soil survey program of the United States Department of Agriculture so as to make available soil surveys needed by States and other public agencies, including community development districts, for guidance in community planning and resource development, and for other purposes; and

S. 2264. An act to authorize the Secretary of Agriculture to accept a cash equalization of exchanges for lands under his jurisdiction, and for other purposes.

THE LATE CHARLES BRAND, FORMER REPRESENTATIVE FROM THE STATE OF OHIO

The SPEAKER. The Chair recognizes the gentleman from Ohio [Mr. CLARENCE J. BROWN, JR.].

Mr. CLARENCE J. BROWN, JR. Mr. Speaker, the Honorable Charles Brand, a former U.S. Representative to the U.S. Congress from the Seventh Ohio District, died in Melbourne Beach, Fla., this morning at the age of 94.

Representative Brand was elected as a Republican to the 68th Congress and to the four succeeding Congresses, serving from March 4, 1923, to March 3, 1933. He voluntarily retired and did not seek renomination in 1932.

I believe Mr. Brand was the second oldest surviving Member of Congress, former Vice President John Nance Garner, age 97, now being the oldest since the death of former Senator Green at the age of 98 last week.

While serving as a Member of Congress, Mr. Brand was a member of the Committee on Merchant Marine and Fisheries and the Committee on Roads.

He also served on the Building and Grounds Commission. In such capacity, Representative Brand accompanied Senator Tom Connally, who occupied the same position in the Senate, on a trip to Paris to study the mall of that city in connection with the design for our own Washington Mall. It was also this Commission which, while Mr. Brand was a member, put into effect the L'Enfant plan for the Washington Mall. This plan had never been accepted until that time. At the same time, the Commission also adopted recommendations made by a previous congressional commission which toured the world capitals in 1901 to make a study for the design of the Washington Mall. This commission visited London, Paris, Rome, Venice, Vienna, Budapest, Frankfort, and Berlin to study the malls of these cities in order to get the best of all possible designs for our Mall. Thus, the Building and Grounds Commission on which Representative Brand served incorporated the recommendations of this previous Commission in adopting the L'Enfant plan for the beautiful Washington Mall we have today.

Mr. Brand also served as president of the Urbana City Council from 1915 to 1916. He was a member of the Ohio Senate from 1921 to 1923, serving with my late father, who was then Lieutenant Governor of Ohio. During his last year in the Ohio Senate, Mr. Brand served as majority leader.

A native of my own community, Urbana, Ohio, Congressman Brand was a descendant of its founder, William Ward, and a noted farmer. He also engaged in manufacturing and banking.

In his later years, Mr. Brand retired to Florida, where he passed away in his sleep this morning. Vigorous throughout his life and into advanced age, he foresaw the potential for economic growth in Florida. He was still active in business affairs there at the age of 90. At age 80 he had erected a complex of 40 commercial buildings in Florida.

Mr. Brand is survived by his second wife, by a son and a daughter by his first marriage, and seven grandchildren. His son, Vance Brand, also of Urbana, was Director of the Export-Import Bank during the Eisenhower administration. His daughter, Margaret, wife of Attorney Edwin English of Urbana, is active in DAR affairs.

TENNESSEE VALLEY AUTHORITY TO ISSUE ADDITIONAL REVENUE BONDS

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. JONES of Alabama. Mr. Speaker, in response to a letter from the President requesting authority for the Tennessee Valley Authority to issue additional revenue bonds which was referred to the Committee on Public Works yesterday, I am pleased to introduce a bill to accomplish this much-needed action.

I wish to describe briefly the background and purpose of the bill which will increase the TVA revenue bond ceiling.

In 1959, the TVA Act was amended by the addition of a new section 15d. That section authorized TVA to issue up to $750 million of revenue bonds outstanding at any one time to help finance the cost of new power facilities. The legislation provided expressly that:

> Bonds issued by the Corporation hereunder shall not be obligations of, nor shall payment of the principal thereof or interest thereon be guaranteed by the United States.

Instead, it was provided—and again I quote the language of the legislation—that:

> The principal of and interest on said bonds shall be payable solely from the Corporation's net power proceeds.

In effect, the rates paid by the 1,800,000 consumers of TVA power are the security, and the only security, underlying its bonds. And since the bonds are not obligations of or guaranteed by the United States, their issuance does not add to or in any way affect the national debt.

The 1959 legislation, in addition to authorizing the issuance of bonds, provided for two types of payments by TVA to the Treasury. First, TVA is required to make annual payments which will retire $1 billion of the $1.2 billion appropriation investment in TVA power facilities which was outstanding in 1959. Second, TVA must make additional payments each year as a return on the outstanding Treasury investment, computed on the basis of the current cost of money to the Treasury. TVA has made payments of both types promptly when due since enactment of the 1959 legislation.

The 1959 legislation also contained certain other provisions. It required, for example, that TVA charge rates for power which will produce revenues sufficient to provide funds for operating and administering the TVA power system, making payments to States and counties in lieu of taxes, taking care of debt service on its bonds, making the two types of payments to the Treasury which I have already described, and providing such further margin as the TVA Board considers desirable. Also, the legislation contained provisions specifically limiting the area within which TVA power may be sold.

The method of revenue bond financing provided for by the 1959 legislation was an experiment, and doubts were expressed whether this kind of financing for a Federal power program would prove workable.

The $750 million limitation provided a trial period during which the feasibility of this method of financing could be tested. The test has demonstrated that this kind of financing does work. TVA bonds have received the highest ratings of the bond rating agencies, Moody's and Standard & Poor's, and have been purchased by underwriting groups which have included some of the best known names in the country's financial community. This is a tribute to the high quality of management which TVA has enjoyed and to the soundness of the policies it has followed.

It was recognized in 1959 that power requirements in the Tennessee Valley area, as in the country generally, would continue to increase rapidly, and that the $750 million authorization could be expected to provide needed funds for only a few years and would then have to be increased. Such an increase is now necessary. Indeed, the need for it would have arisen before now had not the Atomic Energy Commission drastically reduced operations at its plants at Oak Ridge, Tenn., and Paducah, Ky.

The bill which I have introduced provides for an increase in the bond authorization of $1 billion. This increase is a very modest one. Power requirements in the Tennessee Valley area are growing at a faster rate than when the 1959 legislation was enacted; and the additional authorization, like the original one, can be expected to provide needed funds only for several years. The bill provides only for an increase in the bond ceiling. It makes no change in the requirement as to TVA payments to the Treasury nor does it change in any other way the responsibilities of the TVA Board under the TVA Act, as it was amended by the 1959 legislation.

The bill's only purpose is to enable TVA to carry out its responsibilities to the area in which it operates by providing new power facilities which are required. TVA is the sole source of power supply for an area containing some 80,000 square miles and 5 million people. In 1939, on the joint recommendation of TVA and various private utilities which then operated in the area, Congress adopted an amendment to the TVA Act authorizing TVA to purchase the generating and transmission facilities of these private utilities. At the same time, as part of the arrangement approved by Congress, municipalities and cooperatives purchased the utilities' distribution facilities. In reliance on the arrangements thereby made for power supply in the area, more than 150 municipalities and cooperatives in the area which buy power from TVA and resell it to ultimate consumers have invested hundreds of millions of dollars in distribution facilities.

Enactment of the bill which I have introduced will enable TVA to continue to meet the commitments which were thus made, and will insure that the cities, towns and farms of the Tennessee Valley area will have a supply of electricity sufficient to meet their growing needs.

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Mississippi [Mr. WHITTEN] may extend his remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. WHITTEN. Mr. Speaker, newly introduced legislation will increase from $750 million to $1,750 million the amount of revenue bonds which the Tennessee Valley Authority may have outstanding.

This increase will enable TVA to continue to meet the growing demands in its area for electric power. At the same time, the new bonds, like those which have been authorized under existing law, will not add a penny to the national debt nor place any fiscal burden on the Federal Government. The law specifically provides that bonds issued by TVA shall be backed only by TVA's power revenues, and shall not be obligations of or guaranteed by the U.S. Government. The amount represented by the bonds must be paid, as interest on the bonds must also be paid, out of the proceeds realized by TVA from sales of power. It is thus TVA's power customers, not the Federal Government, who provide the funds needed to service the bonds and the basic security which makes them salable.

That security, incidentally, has been accorded the highest rating in the private capital markets. TVA's bonds have been rated Triple A—the highest rating given—by both Moody's and Standard & Poor's. Bonds which TVA has offered for sale have met with an extremely favorable reception on the part of private investment houses and investors. This is a tribute to the businesslike basis on which TVA is managed, and to the confidence which investors have both in TVA itself and the area which uses its power and provides the underlying security for its bonds.

When Congress first authorized issuance of TVA revenue bonds in 1959, it was providing for a new and untried type of financing by a Federal agency. In approving an increase in the TVA bond ceiling, Congress will merely be extending a financing program which has already proved completely successful.

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Mississippi [Mr. ABERNETHY] may extend his remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ABERNETHY. Mr. Speaker, I desire to express my wholehearted support for the legislation which authorizes an increase from $750 million to $1,750 million in the bond ceiling for the Tennessee Valley Authority.

May I say at the outset, Mr. Speaker, that I was one of the first to suggest that TVA be allowed to go into the money market and do its own financing. For many years it had to push its way through the political arena of the Congress, fighting desperately for appropriations adequate to meet the needs of expanding power consumption in the fast growing Tennessee Valley. I was one of those who early expressed the view that this fight could and should be removed from the Halls of the Congress. I contended that TVA was sufficiently sound to finance its own need and growth if only allowed to do so. The Congress finally, in 1959, accepted this idea but placed a ceiling of $750 million on the amount of credit which the TVA could enter into.

Since that date, demands on the generating and transmission facilities of TVA have grown and accelerated rapidly. Bonds have been issued and the facilities enlarged. Now TVA is approaching the ceiling of its bonding limitation. There must be additional bonding authority or, as one of my friends put it, "the lights will go out." I am told that we will reach the ceiling limitation within about 12 months. So, unless the ceiling is lifted, the valley will suffer a serious shortage of electric power and the economy will become stagnant.

Mr. Speaker, I would like to address myself to the particular point of what the TVA power program means to the rural families in our area.

When TVA began operations in 1933, there was no real rural electrification in the Tennessee Valley region. A few farm families located close to cities and towns had access to electricity, but farm families generally did not. Indeed, out of all the farms in the area, only 3 percent were electrified. Today, this picture has greatly changed. Some 120,000 miles of rural electric lines are in service, and almost all of the farms in the area have electricity.

The efforts of TVA and its power distributors have not stopped there. One of the most interesting programs now going forward in the area is the electrofarm program. This is a cooperative program carried on jointly by the TVA agricultural and power organizations, the TVA distributors, and the State agricultural extension services. The basic purpose of the program is to help individual farm families use electricity as a tool to save time and labor, and thereby increase farm efficiency. In addition, the program is designed to demonstrate how electricity can improve living standards so that rural living will be more pleasant and attractive for all members of the farm family.

More than 260 electrofarms are now in operation, and long-range plans call for some 500. Last year, use of power on these electrofarms averaged over 46,000 kilowatt-hours. An important part of the program is the value of each electrofarm as a demonstration to other nearby farm families. Last year, there were 98 conducted tours to enable farm groups to visit the electrofarms and to observe practical demonstrations of the electrical mechanization of farm operations.

At the same time, TVA and its power distributors are cooperating with the State departments of education in producing and presenting courses in electricity for use by teachers of vocational agriculture. In 1965, the second year of a 4-year course of study was presented to some 400 vocational teachers.

The TVA power program means much to farm as well as city and town families in the area. The presently proposed legislation will assure that this program can continue to serve their needs.

Finally and of extremely great importance is the absolute necessity of this legislation if the area served by TVA is to keep pace with the rapid growth of this Nation. We commend it to the favorable consideration of our colleagues.

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. EVERETT] may extend his remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. EVERETT. Mr. Speaker, the new bills providing for an increase in the amount of TVA revenue bonds represent another important milestone in the history of TVA's service to the Tennessee Valley area and to the whole country.

In the 1930's the area in which TVA conducts its operations was sometimes referred to as the Nation's No. 1 economic problem. Since that time, the area has come a long way, although it still has quite a distance to go. In 1933, per capita income in the region making up the Tennessee River watershed and the TVA power service area was 45 percent of the national average. Today, the figure is 69 percent. Certainly no one would suggest that all of this increase is due to the program of TVA. But just as certainly, the TVA program has been an extremely important factor. TVA has provided the area with a set of tools—a navigable waterway, low-cost power, new fertilizers and farming methods, among others—which the area has itself put to effective use in revitalizing its economy. And since the American economy is the sum of its completely interrelated parts, the improvement in the economy of the Tennessee Valley region has been of great benefit not merely to that region and its people, but to the whole Nation.

The TVA power system is an integral part of the economy of the area it serves. Within that area, TVA, as a result of a decision made by Congress in 1939, is the sole source of power supply. Homes, farms, businesses, the whole life of the area are dependent on it for the electric energy they use.

The legislation now proposed will make it possible for TVA to continue performing this vital function, and for the region to continue to have the adequate supplies of energy it must have in order to continue its forward progress.

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. EVINS] may extend his remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. EVINS of Tennessee. Mr. Speaker, legislation increasing the TVA bond ceiling is a matter of the greatest importance to the district I have the honor to represent in the Congress—to my State of Tennessee—and to the whole seven-State area served by the Tennessee Valley Authority.

We in this area are dependent upon TVA for power supply.

As in the rest of the United States, power needs in the area are constantly increasing. TVA must add roughly a million kilowatts of new generating capacity every year, along with related new transmission facilities, in order to keep up with the growing power demands. Electric power is the lifeblood of our economy. Indeed, an increased demand for power is a thoroughly healthy thing. These increased demands mean that homeowners and farmers in the Tennessee Valley area are installing new electric appliances and participating in the better life which they make possible. It means also that consumers in this area are continuing to represent, as they have in the past, a constantly expanding market for appliances produced in other sections of the country. Increased demands for power in the Tennessee Valley area are thus a sign of economic expansion both inside and outside the area.

Under the existing law, TVA is authorized to have only $750 million of revenue bonds outstanding with which to help finance needed new power generating and transmission facilities. This authorization was provided by legislation enacted in 1959. It was recognized at that time that the authorization would cover only a relatively few years' needs, and that it would be only a question of time until an increase in the authorization would be needed. That time has come. It is essential to the economic growth and progress of the area that TVA's bond authorization be increased and expanded.

Along with others, I have spoken to the President about the need for this increased bond sale authority. While some of us would prefer a lifting of the ceiling and a further expansion, the measure which the President is proposing, to authorize an additional $1,750 million in bond sale authority, will be most helpful at this time.

The revenue bonds authorized by the legislation which the President is recommending be enacted will permit the TVA area to move forward.

The bonds will be gilt-edge securities. Interest income on the bonds will be taxable. And, the bonds will not constitute a part of the national debt.

The measure is thus thoroughly sound and should be approved.

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. QUILLEN] may extend his remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. QUILLEN. Mr. Speaker, the recent power blackout in New York City and much of the rest of the Northeast focused public attention, as perhaps never before, on the place of electric power in our daily lives and on the need for maintaining strong, fully integrated power systems in every section of the country.

In the Tennessee Valley region, the TVA system is responsible for supplying the region's power needs. It is a very important system, supplying an area of about 80,000 square miles covering portions of 7 different States, and containing some 5 million people. In addition, it has interchange agreements with neighboring power systems which serve adjoining areas.

As the experience in the Northeast demonstrated it is essential to the public welfare that power systems everywhere provide facilities which are fully adequate to meet the needs of those dependent on them for energy supply. This means provision of sufficient generating facilities to take care of customer needs, with an adequate margin of reserve capacity to meet any emergency situations which may develop. It means also strong systems of transmission facilities and controls.

These things are necessary in every section of the country. In the Tennessee Valley area, they must be provided by TVA, which is the area's power supplier. In order to provide them, TVA, like any other power supplier, must have access to adequate capital to finance the facilities which are required.

In 1949, Congress authorized the issuance of revenue bonds as a means of helping to provide the capital which TVA needs. It was recognized at the time that the $750 million authorization then provided would take care of capital needs for only a short period, and that it would have to be increased as power demands in the TVA area and the need for new power facilities increased. The time for such an increased authorization has now arrived, and the northeastern power blackout offers a dramatic illustration of the need for enacting the proposed legislation increasing the TVA bond ceiling in order that TVA can provide the facilities required for adequate and dependable power supply in its area.

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. MARTIN] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. MARTIN of Alabama. Mr. Speaker, the proposal for an increase in the Tennessee Valley Authority's bond ceiling, which I support, makes it appropriate to recall briefly some of the benefits which the TVA power program has brought to the area it serves.

Let me cite a few statistics to indicate what has happened during the past 30 years in the area TVA supplies. In 1933, when TVA was created, the total generating capacity in the TVA area was less than 900,000 kilowatts. There was some feeling that if TVA actually developed even the 3 million kilowatts of hydroelectric potential in the Tennessee River, a surplus of power would be created which the area would never be able to absorb. Today, the area's generating capacity is about 15 million kilowatts and around a million more kilowatts have to be added every year to keep up with growing demands.

This increased demand for power is not only a reflection of the growth of TVA, but a tribute to the growth and development of the area.

In 1933, electric power service was available in the cities; rural electric service was virtually unknown. The total number of power customers was about 230,000. Today, electric power service is available throughout the area, on the farms as well as in the cities, and the number of customers is over 1,830,000, an increase since 1933 of 700 percent. In 1933, the average residential customer used only about 600 kilowatt hours of power per year. Today, he uses almost 11,000—which has had the effect, incidentally, of making the area TVA serves, one of the best and fastest growing markets in the country for electric appliances which are largely produced in other parts of the country.

The presently proposed legislation will permit the area to go forward, as it must go forward in both its own interests and the Nation's. Any region must have assurance of a power supply which will expand in accordance with its needs. The legislation now proposed will enable TVA to provide that assurance for the area whose needs it supplies.

My support of this legislation does not imply that I am in favor of expanding the jurisdiction of TVA beyond the area for which it now has responsibility. I believe we should make it possible for TVA to keep abreast of the needs of that area, but we should not enlarge its area of operation or permit it to get into new areas of operation. Its primary concern must continue to be the source of power for the residents and industries of the TVA area and this increase in the bond ceiling will enable it to better serve the people of that area.

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, much has been said in recent months about the need for cooperative efforts among the Federal Government and State and local governments. The newly proposed legislation for an increase in the TVA revenue bond ceiling draws attention to one of the most successful such joint ventures this country has seen.

Under the act creating TVA, the agency could have marketed the power it generates directly to the ultimate consumers in the cities and on the farms throughout the region in which it operates. It has instead followed a different course. Except in the case of other Federal agencies and a few large industrial users whose requirements cannot be efficiently met in any other way, TVA does not market power directly to consumers. Instead, it sells power at wholesale under long-term contracts to more than 150 municipalities and cooperatives, who in turn market the power to householders and farmers throughout the area. It is interesting to note that the rural electric cooperative movement was born in the Tennessee Valley area, when the Alcorn County Electric Power Association in Mississippi began receiving electric power from TVA on June 1, 1934.

These municipal and cooperative distributors are an integral part of the TVA power program and they have a very important stake in its continued effectiveness. Together, they now own electric distribution facilities valued at over $700 million, and they have outstanding long-term debt of around $400 million. They have invested these large sums in electric distribution facilities on the strength of their contracts with TVA and on the assurance of the Federal Government that TVA will be able to continue supplying to them at wholesale the power which their retail customers require.

To do this, TVA obviously must be able to finance new generating and transmission facilities as the growing power demands in the area require. The presently proposed legislation providing for an increase in the TVA bond ceiling will make it possible for TVA to do this. Its enactment is essential to the welfare of the municipalities and cooperatives whose futures are dependent on the continued effectiveness of the TVA power generating and transmission system.

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. DUNCAN] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. DUNCAN of Tennessee. Mr. Speaker, on April 6, 1966 I introduced a bill to amend the Tennessee Valley Authority Act of 1933, as amended, to remove the $750 million limitation entirely on the authority of the TVA to issue bonds to finance its power program, and for other purposes. The bill, H.R. 14316, was referred to the Committee on Public Works, and at the present time is the only bill of this nature pending in the House of Representatives.

The President has now recommended that the TVA Act be amended by increasing the bond limitation from $750 million to $1,750 million. Although we would have preferred the limitation be removed entirely, this amount is acceptable. I am, therefore, today introducing a new bill providing for the increase in the bond ceiling as recommended by the President. This legislation is a "must" for the 5 million people who live in the area whose power needs are supplied by the TVA.

Since 1933 the Tennessee Valley has risen from an economically starved area to a revitalized industrial region providing a balanced economy. Three decades ago its people were living on incomes less than half of the national average.

Today the valley is an area of growing strength—achieving spectacular economic growth. This phenomenal economic growth can be attributed primarily to the Tennessee Valley Authority and its many beneficial programs.

If the area is to meet economically the future's challenge, it must respond to change. In my opinion favorable action on increasing of this three bond limitation will assist in producing these desired objectives—stimulating the economic growth and development of the area.

But TVA is far more than a supplier of power to an important area of the country. Its power program represents just one part—though a very important part—of a regional resource development program which has captured and held the imagination of the world.

Every year hundreds of foreign visitors tour TVA installations. Some of them are tourists who come in their private capacities. Others are officials who represent their governments. The Ambassador of India, the King and Prime Minister of Laos, the President of Eastern Nigeria, and the President of Colombia are just a few of the foreign dignitaries who have included TVA in their itineraries on recent visits to this country. Still another group of citizens from friendly foreign nations who visit TVA are trainees, who come for periods of weeks or months to observe in detail operations of TVA in fields in which they are particularly interested.

TVA, in turn, has at the request of the State Department sent personnel to South Vietnam, Laos, Thailand, South Korea, and other countries to contribute to the American effort toward helping such countries develop their resources and improve their living standards.

The fact is that in today's struggle to raise the economies or the underdeveloped nations, and to demonstrate for them the progress which can be made in development of their resources under a free political system, the United States has in TVA an asset of very great value. It represents, to the whole world, an example of successful regional resource development which underdeveloped nations everywhere are interested in studying and emulating.

Passage of the legislation now being proposed is essential in order that a vital part of the TVA regional resource development program will go forward and the integrity of the program as a whole will be preserved.

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Anderson] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ANDERSON of Tennessee. Mr. Speaker, the Members of Congress who authored the Tennessee Valley Authority Act of 1933 listed "to provide for the national defense" as one of the purposes of this act.

That was 33 years ago, and at that time TVA was looked upon as a great peacetime regional resource development agency. But when World War II struck, TVA's power system was called upon to supply vast quantities of electricity to two key defense needs: atomic energy and aluminum for planes.

TVA broke world records for large-dam construction in World War II, to meet the War Production Board's schedules for power for critically needed aluminum, and to supply power to the super secret Manhattan project facilities at Oak Ridge, Tenn., where atom bomb materials were produced.

In the Korean crisis, TVA filled the entire munitions needs of the armed services for elemental phosphorus. And its program of steamplant construction, started during the Korean crisis, helped to meet the Nation's power needs.

Today this important Federal agency continues to supply electric power to a number of vital Federal defense installations, as well as to defense-related industries.

An increase in the revenue bond authority of TVA is needed to provide, among other things, for the power generating capabilities to meet the defense needs of the Tennessee Valley. Throughout its first one-third of a century, TVA has played a significant role in national defense, and it is clear that added revenue bond authority is needed to enable TVA to continue its essential service to defense installations in the valley.

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Grider] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GRIDER. Mr. Speaker, an increase in the TVA revenue bond ceiling is required at this time so that TVA can continue to install facilities needed to meet requirements for power in its area.

This is, of course, a matter of the greatest importance to the people of the area. But it is also a matter vitally important to the national defense.

The TVA power system made very great contributions during World War II and the Korean conflict. To provide electric power for war purposes during World War II, TVA engaged in one of the largest construction programs ever undertaken in the United States. The availability of power on the TVA system was an important reason for the establishment of the atomic bomb plant at Oak Ridge. During World War II, approximately 75 percent of TVA's power output went into war production, helping to meet the Nation's needs for aluminum; copper, phosphorus for tracer bullets, incendiary bombs and smokescreens; calcium carbide for synthetic rubber; ammonium nitrate and guncotton; airplanes; antiaircraft guns; and many other items. The TVA chemical plants at Wilson Dam, Ala., which are, of course, operated with TVA power, are used for the production of new types of fertilizers in times of peace, but are readily convertible to production of munitions when necessary. During World War II, those plants supplied more than 60 percent of all the elemental phosphorus required by our Armed Forces, in addition to large quantities of anhydrous ammonia, ammonium nitrates, and calcium carbide.

Today, large amounts of TVA power go to Atomic Energy Commission plants at Oak Ridge, Tenn., and Paducah, Ky.; to the NASA installation at Huntsville, Ala.; to the Air Force's Arnold Engineering Development Center at Tullahoma, Tenn.; and to other defense installations in the area. TVA power is also used by defense-related industries.

It is thus essential from the national defense standpoint that the TVA power system be maintained as a strong, well-operated system. This requires that it add new facilities as required to meet constantly increasing power requirements in the area. The legislation now proposed will make this possible.

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. Davis] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. DAVIS of Georgia. Mr. Speaker, the need for additional revenue bond authority for the Tennessee Valley Authority is clear. This Federal agency has been of tremendous service to the region and the Nation.

The TVA power system is, as Congress has directed, a self-supporting one. And in the fiscal year ending June 30, TVA payments in lieu of State and local taxes will total nearly $10.5 million. This is an increase of about $1.4 million over last year's payments, and a 61-percent increase in the past 5 years.

The TVA payments relate to the agency's wholesale power operations. In addition the 156 municipal and rural cooperative electric systems that distribute TVA power are paying an estimated additional $18 million in taxes or tax equivalents to State and local governments this fiscal year.

Combined total payments from the wholesale and retail power operations in the TVA area will be about $28.5 million for the year, or about 7½ percent of the power bills paid by the users of TVA electricity. Comparable State-local tax ratios for private power companies serving surrounding areas range from about 5 to 11 percent of their customers' power bills.

Incidentally, these payments do not include taxes imposed directly on power users, such as the sales taxes on electricity bills in several Tennessee Valley States.

The TVA, as President Johnson stated in his letter of May 20 to the Speaker, "is paying back the original U.S. investment in power facilities, with interest, and is making payments to State and local governments in lieu of taxes."

To meet the growing demands for power in the TVA service area, TVA needs additional authority to borrow funds. I hope the Congress will speedily enact this needed legislation.

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. Carter] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CARTER. Mr. Speaker, the story of the Tennessee Valley Authority is a success story. This Federal agency's fame is worldwide, and its multipurpose program has been copied in many parts of the world.

TVA's power program, which is one part of the overall regional resource development activities of the agency, now needs additional revenue bond financing authority, since the authority granted in 1959 to issue up to $750 million in bonds has now been virtually used up.

I believe that TVA has used its borrowing authority in a businesslike manner, and that TVA should continue to finance its power operations through borrowing backed by power revenues, rather than through appropriations. It was under President Eisenhower in 1959 that TVA began to use revenue bond financing; in fact, President Eisenhower recommended on several occasions that TVA be authorized to finance needed power facilities through revenue bonds. And it was President Eisenhower who signed the TVA revenue bond financing authority legislation into law in August of 1959.

Too, I approve of TVA as an example of decentralized Federal administration, headquartered in the region. It seems to me that Congress, which created TVA, should continue to watch over its operations, but that Congress should give TVA the authority it needs to finance added power generating facilities and other power facilities, through revenue bonds.

TVA is paying its own way, as a self-supporting agency so far as its power operations are concerned. I believe TVA should continue to use bonds issued in the private money market, along with its power revenues, to finance needed power facilities in the Tennessee Valley. I support the proposal to raise the ceiling on TVA's revenue bond authority to $1,750 million.

LIQUIDATION OF FINANCIAL ASSETS HELD BY FEDERAL CREDIT AGENCIES—COMMUNICATION FROM THE CLERK OF THE HOUSE

The **SPEAKER** laid before the House the following communication from the Clerk of the House of Representatives:

MAY 23, 1966.

The Honorable the SPEAKER,
House of Representatives.

SIR: Pursuant to authority granted on May 23, 1966, The Clerk received from the Secretary of the Senate today the following message:

"That the Senate agree to the amendment of the House of Representatives to the bill (S. 3283) entitled 'An Act to promote private financing of credit needs and to provide for an efficient and orderly method of liquidating financial assets held by Federal credit agencies, and for other purposes.' "

Respectfully yours,
RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.

SIGNING OF ENROLLED BILLS

The **SPEAKER**. The Chair desires to announce that pursuant to the authority granted him on Monday, May 23, 1966, he did on that day sign the following enrolled bill of the Senate:

S. 3283. An act to promote private financing of credit needs and to provide for an efficient and orderly method of liquidating financial assets held by Federal credit agencies, and for other purposes.

RESIGNATION FROM COMMITTEE

The **SPEAKER** laid before the House the following resignation from a committee:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., May 23, 1966.
The Honorable JOHN W. MCCORMACK,
Speaker, U.S. House of Representatives,
H 206, The Capitol

DEAR MR. SPEAKER: I hereby tender my resignation from the House Administration Committee, to become effective Tuesday, May 24, 1966.

With kind personal regards, I am
Sincerely yours,
JOHN N. ERLENBORN.

The **SPEAKER**. Without objection, the resignation will be accepted.

There was no objection.

ELECTION OF MEMBERS OF STANDING COMMITTEES

Mr. **GERALD R. FORD**. Mr. Speaker, I offer a resolution (H. Res. 863) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 863

Resolved, That the following-named Members be, and they are hereby, elected members of the following standing committees of the House of Representatives:

Committee on Education and Labor: JOHN N. ERLENBORN, of Illinois.

Committee on Government Operations: JACK EDWARDS, of Alabama.

Committee on House Administration: BARBER B. CONABLE, JR., of New York.

Committee on Public Works: JOE SKUBITZ, of Kansas.

The **SPEAKER**. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SUBCOMMITTEE NO. 6 OF THE SELECT COMMITTEE ON SMALL BUSINESS

Mr. **SMITH** of Iowa. Mr. Speaker, I ask unanimous consent that Subcommittee No. 6, the Select Committee on Small Business, be permitted to sit during general debate this afternoon.

The **SPEAKER**. Is there objection to the request of the gentleman from Iowa?

There was no objection.

AMENDING THE FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED

Mr. **CELLER**. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 693) to amend the Foreign Agents Registration Act of 1938, as amended, with House amendments thereto, insist on the House amendments, and agree to the conference asked by the Senate.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

The Chair hears none, and appoints the following conferees: Messrs. CELLER, TUCK, KASTENMEIER, POFF, and HUTCHINSON.

SUBCOMMITTEE ON PRINTING OF THE COMMITTEE ON HOUSE ADMINISTRATION

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent that the Subcommittee on Printing of the Committee on House Administration may be permitted to sit during general debate today, May 24, 1966.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

TO PERMIT THE PLANTING OF SOYBEANS IN LIEU OF COTTON IN CERTAIN DISASTER AREAS IN 1966

Mr. **JONES** of Missouri. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 15151) to permit the planting of soybeans in lieu of cotton in certain disaster areas in 1966.

The Clerk read the title of the bill.

The **SPEAKER**. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the bill, as follows:

H.R. 15151

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 103(d) of the Agricultural Act of 1949, as amended, is amended by adding before the period at the end of paragraph (3) thereof the following: ": *Provided,* That for the 1966 crop any such acreage in areas designated by the Secretary as disaster areas may be devoted to soybeans."

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That section 103(d) of the Agricultural Act of 1949, as amended, is amended by striking out of the last sentence in paragraph (3) thereof the words 'income producing crop in such year.' and inserting 'crop for which there are marketing quotas or voluntary adjustment programs in effect.'

"SEC. 2. Section 105(e) of the Agricultural Act of 1949, as amended, is amended by striking out the sentence 'an acreage on the farm which the Secretary finds was not planted to feed grains because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of feed grains planted for harvest for purposes of such payments provided such acreage is not subsequently planted to any other income-producing crop during such year.' and inserting in lieu thereof the sentence 'an acreage on the farm which the Secretary finds was not planted to feed grains because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of feed grains planted for harvest for purposes of such payments provided such acreage is not subsequently planted to any other crop for which there are marketing quotas or voluntary adjustment programs in effect.'

> "SEC. 3. Section 379c(a) of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the sentence reading 'an acreage on the farm not planted to wheat because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of wheat planted for harvest for purposes of this subsection provided such acreage is not subsequently planted to any other income-producing crops during such year.' and inserting in lieu thereof the sentence 'an acreage on the farm not planted to wheat because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of wheat planted for harvest for purposes of this subsection provided such acreage is not subsequently planted to any crop for which there are marketing quotas or voluntary adjustment programs in effect.' "

The committee amendment was agreed to.

Mr. JONES of Missouri. Mr. Speaker, H.R. 15151 is in the nature of emergency legislation, in that it would provide equitable treatment to all types of farmers who at this particular time are suffering from excessive rainfall, which has reached flood proportions in several States, including Missouri, Arkansas, Tennessee, Kentucky, Mississippi, Louisiana, and Texas. In some areas of each of the above States, farmers have been unable to plant cotton, due to this natural disaster.

Hearings on H.R. 15151 were held by the House Committee on Agriculture last Friday, at which time general agreement was reached that legislation was necessary if all farmers were to be treated on the same basis. While the original bill provided relief for 1 year only—namely, 1966—the committee, in its judgment decided that the bill should be more general in application, and the bill was so amended.

Stated very briefly, and quoting from the committee report which will appear in these proceedings:

> The purpose of the bill is to give farmers who are prevented from planting wheat, feed grains, or cotton, by flood or other natural disaster the same opportunity to plant alternative crops that the law now accords farmers whose crops have been destroyed by such a disaster after planting.

Mr. Speaker, time is of the essence in getting this bill passed, and unless it is passed by both bodies of Congress and signed by the President prior to June 1, our farmers will be denied the full advantage of this legislation, which in my opinion is both fair and equitable. Inasmuch as the bill with the amendment will be printed in the RECORD, along with the report from the committee, I will not take the time of the House, or contribute to any unnecessary delay by going into all of the details of the bill, which was reported unanimously by the House Committee on Agriculture, and which has been cleared with the leadership on both sides of the aisle, and I know of no opposition to the bill by any Member of the House.

Mr. GATHINGS. Mr. Speaker, I am wholeheartedly in favor of this most meritorious legislation.

Excessive rain and flood waters occurring at the critical planting season have jeopardized crop prospects for hundreds of farmers in the Midsouth cotton-growing region. Ordinarily cotton is planted prior to May 15 in this part of the belt. Every day's delay after the 15th of May could mean that the farmer's yield is reduced. While cotton can be planted up until June 1, such person who plants that late is taking quite a chance on growing a successful crop.

The legislation which was approved today by the House Committee on Agriculture would provide that farmers who could not plant their domestic allotment because of excessive rain or seep water or muddy fields could substitute soybeans for cotton and receive their price support payments as authorized in the Agricultural Act of 1965. Feed grain farmers have this same option to plant soybeans on permitted feed grain acreage, and quite a number of feed grain farmers have taken advantage of this opportunity, even though no disaster need to exist to permit such plantings. This legislation extends the same privilege to wheat farmers, feed grain farmers, and cotton farmers alike, permitting each such producer who has entered a respective program in that commodity, and is unable to plant his permitted acreage, to substitute any crop that is not a control crop. The bill before the House is intended to prevent economic disaster and financial ruin to cotton farmers residing in the excessive rain and flood areas of the belt. I trust that the House will approve this most beneficial legislation.

Mr. ABERNETHY. Mr. Speaker, farming is the most hazardous occupation in the world. The farmer's destiny is always in the hands of old man weather. And frequently, he is most unkind.

At this moment, Mr. Speaker, the rains are pouring down in the alluvial Mississippi Valley. Thousands of acres of the world's most productive lands are either flooding or soaking wet. This has been the situation for weeks. Cotton planting time arrived several weeks ago and now it is almost gone. For some farmers in the most upper regions of the valley planting time has already gone. For them there will be no cotton crop. They have suffered a serious disaster. And for those who may yet have a little time to plant, unless there is an immediate change in weather conditions, they, too, will be unable to plant and harvest a 1966 crop of cotton.

But the crop is not all they will lose, Mr. Speaker. They will, because of their inability to plant, lose the diversion payments that would normally be due them under the agreements which they signed with the Federal Government to participate in the current cotton program. This amounts to a very substantial sum.

Therefore, this bill has two purposes: First, to make these farmers eligible for the diversion payments even though they have been unable to plant the crop; and, second, to permit them to utilize their cotton allotment acres for other crops that can be planted later in the year and that require less time to reach maturity and harvest, such as soybeans. The legislation specifically prohibits these acreages from being planted to any other crop for which there is a Federal program, such as wheat, feed grain, tobacco, peanuts, rice, sugarcane, and sugarbeets. Cotton history will be preserved.

This is emergency legislation, Mr. Speaker. The bill was introduced last week and came out of our committee this morning by a unanimous vote. Several of us have joined with the gentleman from Missouri [Mr. JONES] in sponsoring the bill—the gentleman from Arkansas [Mr. GATHINGS], the gentleman from Kentucky [Mr. STUBBLEFIELD], the gentleman from Tennessee [Mr. EVERETT], the gentleman from Louisiana [Mr. PASSMAN], and myself.

The measure will benefit a rather substantial number of farmers from the district represented by our colleague, the gentleman from Missouri [Mr. JONES], and other districts down the Mississippi River on either side to Louisiana. Most of the loss is in the upper area of this region, and lessens down the river, with considerably less on the lower end.

This measure has merit. It is needed now. We express thanks to our colleagues on the Agriculture Committee for their wonderful cooperation is allowing us to hastily get the legislation to the House floor. And we urge all of our colleagues to help us put this through the House today.

GENERAL LEAVE

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD, and that other Members also may extend their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster."

A motion to reconsider was laid on the table.

COMMITTEE ON WAYS AND MEANS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means have until midnight, June 2, 1966, to file a report to accompany the bill H.R. 15202.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 108]

Andrews, Glenn
Andrews, N. Dak.
Baring
Brown, Calif.
Buchanan
Callaway
Carter
Clancy
Clark
Clawson, Del
Clevenger
Cohelan
Colmer
Conyers
Cooley
Corman
Diggs
Dowdy
Duncan, Oreg.
Dyal
Farnsley
Ford, William D.
Fraser
Friedel
Giaimo
Green, Oreg.
Griffiths
Hall
Halleck
Hamilton
Hanna
Hansen, Idaho
Hansen, Iowa
Hardy
Hébert
Henderson
Johnson, Pa.
McMillan
Macdonald
MacGregor
Martin, Ala.
Martin, Mass.
Miller
Moeller
Moorhead
Morton
Moss
Murray
Nix
O'Konski
Powell
Purcell
Rees
Reid, Ill.
Rooney, N.Y.
St. Onge
Smith, N.Y.
Staggers
Stratton
Stubblefield
Teague, Tex.
Thompson, N.J.
Toll
Tupper
Watts
White, Idaho
Whitten
Williams
Willis
Wilson, Charles H.

The SPEAKER. On this rollcall 362 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

MARINE RESOURCES AND ENGINEERING DEVELOPMENT ACT OF 1966

Mr. LENNON submitted a conference report and statement on the bill (S. 944) to provide for expanded research and development in the marine environment of the United States, to establish a National Council on Marine Resources and Engineering Development, and a Commission on Marine Science, Engineering and Resources, and for other purposes:

FAIR LABOR STANDARDS AMENDMENTS OF 1966

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 851, to amend the Fair Labor Standards Act of 1938, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 851

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13712) to amend the Fair Labor Standards Act of 1938 to extend its protection to additional employees, to raise the minimum wage, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Education and Labor now in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The gentleman from Florida is recognized for 1 hour.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the able gentleman from Nebraska [Mr. Martin], and I yield myself such time as I shall consume.

Mr. Speaker, House Resolution 851 provides for an open rule with 4 hours of debate, making it in order to consider the committee substitute as an original bill for the purpose of amendment.

Members will recognize, of course, that the subject under consideration under the rule is the so-called minimum wage bill.

The purpose of H.R. 13712 is to amend the Fair Labor Standards Act of 1938 to extend its protection to additional employees, to raise the minimum wage, and for other purposes.

This legislation proposes to cover 7,243,000 new workers. This includes 6,093,000 nonfarm workers, 485,000 agricultural workers, and 665,000 Federal employees.

The minimum wage would be raised to $1.40, and then $1.60 per hour by 1968, on the presently covered employees. It would start at $1 and gradually rise to $1.60 per hour by 1971 on the newly covered nonfarm workers. The minimum wage for the newly covered agricultural workers will begin at $1 and go to $1.30 by 1969. Agricultural workers are covered for the first time if their employer uses 500 man-days of labor during any calendar quarter. Members of the employer's immediate family are exempted from these provisions. Agricultural employees are excluded from the overtime provisions.

Under present law, a firm engaging in interstate commerce must have an annual gross volume of $1 million to be covered under the act.

With the passage of this bill the amount will be reduced to $500,000 by 1969, and then to $250,000 thereafter.

A laundry or dry cleaning establishment will have no volume business under which it is exempted, nor will a hospital, nursing home, institution of higher learning, or construction firm.

On the other hand, as the able chairman of the subcommittee who has done such a splendid job in the fashioning of this measure and bringing it to the floor, the gentleman from Pennsylvania [Mr. Dent], testified at the hearings before the Education and Labor Subcommittee conducting the hearings, this bill will cover the restaurant and hotel industry for the first time in the history of such legislation, but after negotiations, which have been carefully and sympathetically carried on by the able gentleman from Pennsylvania [Mr. Dent] with the representatives of industry and the representatives of the labor groups employed in the hotel and restaurant industries.

The minimum wage for restaurant workers will start at $1 an hour; 35 percent of that amount could come from tips. When it reaches $1.30 an hour or above, they will be able to count 40 percent of the minimum wage as tips. When it reaches $1.60 or above, they could count 45 percent.

The overtime provisions of the bill do not apply to the hotel and restaurant industries.

Mr. Speaker, I hope I may be permitted a moment of reminiscence, as I say I have somewhat the feeling that this is where I came in, in presenting today the rule which will bring this proposed new minimum wage maximum hour legislation to the floor of the House.

In 1938 the first proposed minimum wage maximum hour act by the Federal Government agitated the Congress and the country. I happened to be running for a full term in the other body at that time. After deliberating upon what was involved in the measure, I committed myself strongly in support of that proposed legislation.

The minimum wage which was provided in that legislation of 1938, it may be a shock to some to recall, was 25 cents an hour. I found, in going about over my State of Florida, that prior to that time there were industries—which naturally objected to the minimum wage of 25 cents an hour—which paid as low as 9 cents an hour to their employees. Many of those proprietors I believe were, with the utmost of sincerity, strongly of the feeling that if that Federal legislation were enacted and if they were required to pay a minimum wage of 25 cents an hour their businesses would be ruined. They fought bitterly in that campaign against me because I was definitely and irrevocably committed to support that legislation.

I will say to my friends here from the South, my native land, they charged against me that I was a traitor to the South to advocate such legislation, that I was ignorant of the true character of the economy of the South, that if I knew better the real nature of the economy of the South I would understand that nature and all the various economic forces which had made our past had fashioned us into a region where we were supposed to be the producer of raw materials. We were the drawers of water and the hewers of wood for the economy of the country, they said, and our role in the national economy was to send our raw materials to the industrial areas of the country, to have them processed and shipped back to us, to be consumed by our people.

Furthermore they said that our economy could not stand a minimum wage of 25 cents an hour. I disagreed with those beliefs and those conclusions and, as strenuously as I could, tried to present the affirmative in justification of that legislation in 1938. Fortunately, I prevailed. There were some who thought that the outcome of that campaign which led to my picture, if I may say so, being on the front page of Time—not to glorify me but to provide a showing that the outcome of my election would be a sort of criterion of the Roosevelt program of that time and particularly of the minimum wage law—and particularly as to whether a man could be elected in the South and still advocate the minimum wage law.

Fortunately, I was elected. There are some who say that that election may have had some influence on this House's reporting out the minimum wage bill at that time and its later enactment of that legislation. I was on the conference committee between this body and the other body which helped to write the legislation in its final form. I always tried to protect, in any legitimate way I could, the South, because it did have problems, some of which partially remain. One of those problems was the discriminatory system of freight rates, which often meant a shipper paid more for an equivalent haul than was paid by shippers in other parts of the country. A lot of that burden, though, has been diminished in the ensuing years.

This was in 1938. No part of the Nation profited more than the South from the minimum wage legislation.

Then, in 1949 I had the honor to be in charge of the bill in the other body which came from the Committee on Education and Labor of that body, and was enacted by that body and by this House, which was the first improvement or the first step forward in minimum wage legislation; that is, raising the minimum wage to 75 cents an hour from 40 cents an hour which the minimum wage had reached under the procedures provided in the 1938 legislation by 1943.

When we held our hearings on the 75-cent-an-hour minimum wage bill there were no wrecked industries from the 1938 legislation to exhibit their financial corpses. There was none to lament before our committee, that I heard, that we tragically committed an error in 1938 in adopting the first law. There was less opposition, at least in the other body and before my Committee on Education and Labor, to the passage of the minimum wage law of 75 cents an hour in 1949 than there was to the passage of the first law providing for a minimum wage of 25 cents an hour in 1938.

Later on, in the early sixties, the minimum wage was raised to $1.25 an hour. That is the minimum wage prevailing at the present time. Of course, there is always the additional question of coverage. How far out do you reach? This time this bill goes further than any legislation ever heretofore attempted in reaching many new industries. Laundries, hospitals, cleaning establishments, hotels, restaurants, processing of agricultural commodities and horticultural products in their natural state, and agricultural labor and other areas are covered in this bill now before the House.

Mr. Speaker, in addition I only want to give one little illustration if I may. I recall hearing a man representing the Department of Labor say that prior to the passage of the minimum wage law of 1938 he had traveled through south Georgia, my mother's birthplace, and through north Florida, my old home. In those days in the commissaries of the lumber companies or the naval stores operators, there was no place at all where you would find a meat section. The only kind of meat they had to sell was what we southerners know as white meat. Sow belly it is called, to use a little bit stronger phrase. That is the only kind of meat they had to sell. However, this inspector for the Wage and Hour Administration said after the minimum wage law of 1938 became law and a litttle while later when he went through those same areas and went to those same commissaries he found areas where they had refrigeration and where good meat was kept for sale in that establishment, because those working people getting a little larger wage were able to eat a little better than they previously had been eating.

Mr. Speaker, I believe that various legislative actions which have been taken with respect to minimum wage legislation have been wisely taken, step by step. I do not believe its progress has ever been too precipitous or too extreme.

Mr. Speaker, while there are certain details here upon which we may differ—some on which I have not made any final conclusion—the basic principle of this bill is a sound one, indicated by experience and its application in this country since 1938.

Mr. Speaker, when the chairman of the distinguished subcommittee, the able gentleman from Pennsylvania [Mr. DENT], appeared before the Committee on Rules, I said, "Tell me—I have had a little experience with the subject—how many witnesses did you have before your committee to tell you how gravely they had been injured as a result of the enactment of the 1938 minimum wage bill or the bill which was enacted in the early 1960's?"

Mr. Speaker, the gentleman from Pennsylvania said, "We had none."

So, therefore, Mr. Speaker, I am a little bit skeptical, I am a little bit curious, I have to be convinced when I hear those who are affected by every proposed step forward in this kind of legislation, say with great earnestness and in most instances with quite a genuine sincerity, "If this bill is adopted, I will be ruined; my industry will be destroyed; my business will be wrecked."

Mr. Speaker, I venture to say that that has not generally been the experience of the past.

Therefore, Mr. Speaker, I believe that this bill which this rule, if adopted, would bring before the House has merit; that it commands the concern and I believe generally the support of the Members of this House.

Mr. Speaker, I therefore believe that the rule should be adopted and I hope it will be adopted by the Members of the House.

Mr. MARTIN of Nebraska. Mr. Speaker, I yield myself 15 minutes.

Mr. Speaker, House Resolution 851 provides for an open rule and 4 hours of debate on H.R. 13712, amendments to the Fair Labor Standards Act of 1966.

Mr. Speaker, although I opposed the rule in the Committee on Rules, I am in favor of granting the rule on the floor of the House today.

Mr. Speaker, as a member of the Committee on Education and Labor, in addition to being a member of the Committee on Rules, and as a member of the subcommittee which has considered this legislation for the past 12 months, I want to talk to the Members this afternoon in regard to some of the provisions of these amendments as proposed in this bill. I believe many of them are inequitable and unfair.

Mr. Speaker, as the gentleman from Florida [Mr. PEPPER] stated a few moments ago, this bill goes much farther than any other piece of legislation in this field that has ever been presented to the Congress.

Mr. Speaker, let us go back a year ago last Wednesday, to May 18, 1965, when the Congress received President Johnson's message in regard to labor legislation.

Mr. Speaker, I would like to quote from that message, received from President Johnson, in regard to this legislation which we now have pending before us, and I quote:

> I am accordingly urging early action to amend the Fair Labor Standards Act, to extend its provisions to an additional 4.5 million workers and restrict excessive overtime through the payment of double time.

I quote further from the President's message:

> It has been urged that the minimum wage level be increased. The present $1.25 hourly rate results in annual earnings, assuming full-time work throughout the year, of only $2,500. As average wages rise the minimum wage level should be increased periodically. The question is not whether the minimum wage should be increased but when and by how much. The Congress should consider carefully—the Congress should consider carefully the effect of higher minimum wage rates on the incomes of those employed and also on costs and prices and on job opportunities likely for the flood of teenagers now entering our labor force.

The President continued:

> I do not think the time for change in the law has come except with respect to excessive overtime.

Our subcommittee had extensive hearings, in regard to the excessive overtime provisions as was proposed in the administration bill which was introduced by the chairman, the gentleman from New York [Mr. POWELL], and the then chairman of the subcommittee, Mr. Roosevelt, of California. That bill provided for double time.

After the conclusion of many weeks of hearings and the testimony of many, many witnesses, it was decided in the wisdom of the subcommittee that double time for overtime should be eliminated. As a consequence, it is not included in this legislation which we have before us today.

Let us take a look at the legislation we have before us and its provisions.

According to the estimates, 7,236,000 additional employees in the United States would come under the provisions of the Fair Labor Standards Act.

This subcommittee reported out a bill last September when Mr. Roosevelt was chairman, and the bill which Mr. Roosevelt reported out included coverage for 7,929,000 additional employees.

In other words, there is a net difference or reduction in the Dent-Bell bill—I understand it is called the Dent-Bell bill—of 686,000 employees.

But let us pause just a moment; let us take a look at the agricultural coverages in the two bills.

Mr. Roosevelt's bill proposed to cover for the first time 1.3 million agricultural workers.

Mr. Dent's bill proposes to cover, according to the estimates, 485,000 agricultural employees.

So we have a decrease in agriculture of 815,000 in the coverage.

Now we had a difference in the two bills in toto of 686,000.

So you can see this Dent-Bell bill actually covers 129,000 more people outside of agriculture than did the Roosevelt bill which we had reported to us last year.

Under the present act, a retailer has an exemption unless he does a million dollars or more in business a year—he has a million-dollar sales exemption. The current minimum wage is $1.25.

Under this proposed legislation today that enterprise exemption would be reduced to $500,000 effective February 1, 1967. Two years later, February 1, 1969, it would drop to $250,000. That is the enterprise exemption.

The minimum wage for presently covered employees would be increased from the current $1.25 an hour effective February 1, 1967, to $1.40 an hour and on February 1, 1968, to $1.60 an hour. That is an increase, Mr. Speaker, in the first year, of 12 percent and in the second year, of 14 percent. Or if you want to take it over about a year and one-half, an increase from $1.25 an hour to $1.60 an hour, you have a total increase during that period of time of 28 percent.

Well, I happen to be in a position today, Mr. Speaker, of defending the administration—a peculiar, perhaps, and unusual situation for me. But nevertheless the President through his Council of Economic Advisers has set the guidelines for wage increases at a maximum of 3.2 percent.

Yet, we are here today enacting legislation that is going to increase the wages of those affected by 12 percent in the first year and 14 percent in the second year—completely violating the President's guidelines in regard to the increase in wage scales.

What about the newly covered employees—those who will come under the bill for the first time—the 7.2 million employees? Their minimum wage will start at $1 an hour effective February 1, 1967. Then it will go to $1.15 on February 1, 1968, and increase in 15-cent increments each year, until it reaches $1.60, effective February 1, 1971.

Again, over a 4½-year period, you have a 60-percent increase in the wage scale from the starting point of $1 to $1.60 under the provisions of this legislation.

I propose to offer an amendment to cut back on this increase from $1.40 and $1.60 in the bill to $1.35 and $1.50 to ease the burden on these businessmen who will suffer under this legislation.

Remember, you are going to get to the small businessman, the little fellow, this time because you are reducing this exemption in the retail area to $250,000 from the current enterprise exemption that is in the present act, of $1 million.

Studies have been made in regard to what the passage of minimum wage laws do as far as unemployment is concerned, particularly among our teenagers, the unskilled. This is from the Economic Report of the President in January 1966:

The unemployment rate among our teenagers, those between 14 and 19, in the 1955 to 1957 years, was 10.5 percent. But in 1965—and September of 1965 was when the last increase of 10 cents an hour went into effect from the 1961 amendments—we had an unemployment rate among the same teenagers of 13.6 percent. So you can see that with the passage of this legislation, at the times this act has been amended, the unemployment rate among those who need work the most has increased.

I have here a copy of a story published in the Wall Street Journal on September 7, 1965, last fall. It is headlined "Last Section of 1961 Minimum Wage Law Takes Effect. Brunt Is Felt in Southeast." It is datelined Atlanta.

Let me read you the first paragraph:

> The last section of the Minimum Wage Law that Congress passed in 1961 went into effect with little fanfare Friday, but its impact was quickly felt in the Southeast.
>
> The 18 packing plants that make up the fresh crab meat industry in North Carolina closed rather than raise the pay of 1,800 pickers, nearly all women, to the $1.25 minimum. "Its been tough for a long time—this was the straw that broke our backs," a packing plant owner says.

I quoted from that article in my minority views in the report, and shortly after the report was printed, Mr Lundquist, the Administrator of this program downtown, wrote me a letter and stated that after 30 days of negotiation they were able to open most of these plants in North Carolina. I hope that they are working today.

But what is going to happen, Mr. Speaker, when this 15-cent increase goes in effect, 12 percent on February 1, 1967, to these 18 packing plants in North Carolina and many other similar businesses throughout the United States? You do not hear about those and the statistics that this brings about on the unemployment side.

I mentioned the enterprise exemption, which drops to $500,000, and in 2 years to $250,000. This applies across the board, except, as always, there are a few exceptions. Do you know what the exceptions in the bill are? Laundries, drycleaners, and those in the construction business have no exemption in regard to sales. Heretofore, laundries and drycleaners have been exempt from the provisions of the act. But this exemption that is allowed to all other businesses is not allowed to laundries and to drycleaners. A little drycleaner down here on Pennsylvania Avenue or on the main street of your hometown that employs one or two people in a shop, and that might do $5,000 in total sales a year, maybe $8,000 or $10,000, will be covered under the provisions of this act.

Let me give another illustration. In many towns of our country, particularly the smaller communities, we have had ladies who have been doing the washing for various families—perhaps your family and mine—for many, many years in their homes. That would be classified as a laundry if the woman who operated that little service for you happened to employ a neighbor or someone else to come in and help her. She would come under the Fair Labor Standards Act. Yet she might only do a few hundred dollars' worth of business in a year's time.

Mr. ABERNETHY. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Nebraska. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. Mr. Speaker, does expansion of the minimum wage under this bill apply to a smalltown pressing shop, as we call it, which may operate with a couple of pressers and one cleaner?

Mr. MARTIN of Nebraska. It does.

Mr. ABERNETHY. To a shop operated, perhaps, by a man and his wife, and employing perhaps only two others?

Mr. MARTIN of Nebraska. That is right. If they have any employees outside the family, that would be covered.

Mr. ABERNETHY. There is no exemption at all, no matter how small?

Mr. MARTIN of Nebraska. Yes, that is correct.

Mr. ABERNETHY. No matter how small a shop it might be, it is covered under this bill?

Mr. MARTIN of Nebraska. That is correct.

I intend to offer an amendment to put them on an equitable basis, along with all other businesses who will enjoy this test exemption of $500,000 and $250,000. It is not in the bill as presently written.

Mr. ABERNETHY. How does it affect workers in smalltown restaurants? Are they also covered?

Mr. MARTIN of Nebraska. I will come to that. Hotels, motels, and restaurants, which have been exempt under the provisions of the act, will be brought into it for the first time. They will have to pay the minimum wage, which starts at $1, and then goes to $1.15, and so on, for newly covered employees. But these restaurants and hotels and motels will be exempt from the overtime provisions of the bill.

Mr. ABERNETHY. But it applies to all of them, irrespective of size or the number of employees?

Mr. MARTIN of Nebraska. No. It will still have the enterprise test applied to hotels and motels. They will have that exemption in the enterprise test.

Mr. ABERNETHY. I thank the gentleman.

Mr. MARTIN of Nebraska. But in regard to the manner in which this bill is written, and in which hotels, motels, and restaurants are exempt from overtime, we find hospitals, which heretofore have been exempt under the present act, are going to be forced to pay overtime to all of their employees.

Most of the hospitals are nonprofit institutions. They are in a very serious position as far as breaking even on their operation. This very adversely will affect the operation of hospitals in the United States.

Mr. ABERNETHY. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Nebraska. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. Mr. Speaker, I think the gentleman answered my question when he said that every hospital would be covered regardless of size.

What about the nursing homes operated under the same roof as the hospitals?

Mr. MARTIN of Nebraska. Nursing homes will be covered also.

Mr. ABERNETHY. I thank the gentleman.

Mr. MARTIN of Nebraska. Mr. Speaker, I intend to offer an amendment in this regard, to equalize this treatment of hospitals with other business, and exempt them from the overtime provisions of the act.

Let me come to what I consider one of the main sections, and one of the more serious sections of this bill, the agricultural coverage.

Agriculture traditionally has not been covered under the Fair Labor Standards Act. Under this bill there are provisions for coverage with certain exemptions. The exemptions are as follows.

Any farm or ranch in the country, which employed sufficient labor in a peak calendar quarter of the previous year—which required the employment of 500 man-days or days of work during that quarter—will come under the provisions of the minimum wage law.

The minimum wage will start at $1 an hour on February 1, 1967; will go up to $1.15 on February 1, 1968; and then will go to $1.30 in 1969. Credit will be given in regard to the value of any housing, room and board or meals furnished to an employee on the farm, with the determination as to the value of these fringe benefits to be made by the Secretary of Labor here in Washington, D.C.

I have an amendment at that point, that the determination shall be made at the State level by the appropriate agency within the State government, rather than here in Washington, D.C., which I believe will give us a more realistic determination.

Mr. ABERNETHY. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Nebraska. I am glad to yield to the gentleman from Mississippi.

Mr. ABERNETHY. Does the gentleman intend to offer an amendment to strike out the entire reference to farm labor, and to leave that where it is?

Mr. MARTIN of Nebraska. Yes. I intend also to offer an amendment to strike out the entire agricultural section, all the way through the bill.

There has been some talk around, and perhaps some press statements made, that a farm would be covered only if there were more than seven permanent employees. This is not correct. A person could have one permanent employee and be covered under the agricultural provision of this bill as it is currently written.

Members should remember that the requirement is 500 man-days per calendar quarter. If a man brought in some seasonal workers in his agricultural operation, to pick the fruit—apples, strawberries, pears, or whatever it might be; and out in our territory of Nebraska we have seasonal sugarbeet workers—if there were 20 workers who came in and worked 25 days, that would amount to 500 man-days. There might be only one permanent employee on the farm, but if this farm had reached the 500 man-days per calendar quarter in the previous year, then the farm would come under the provisions of the Fair Labor Standards Act.

There is not anything here as to the number of employees.

Mr. ABERNETHY. Will the farm ever come out from under, once it gets under?

Mr. MARTIN of Nebraska. That is unclear in the bill as it is now written, as to whether the farmer would come from under the coverage the following year if he did not have the 500 man-days in the previous year.

Mr. ABERNETHY. What if the farm should change hands, or if there were a division of the farm?

Mr. MARTIN of Nebraska. That is another point which is unclear in the legislation.

Mr. ABERNETHY. That was the way I found it, when I read the provision. There are many different changes that could take place. One would be unable to determine whether the farm would remain under, or for how long.

Mr. MARTIN of Nebraska. That is correct.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from Nebraska has expired.

Mr. MARTIN of Nebraska. Mr. Speaker, I yield myself 5 additional minutes.

Agriculture is already in dire economic straits in this country. To pile on coverage under the Fair Labor Standards Act in regard to agriculture will bring severe repercussions to our agricultural economy throughout the entire country.

One might say, "Well, $1 an hour is not very much, to start with. We are paying $1 an hour in our State."

In most States this is done. In many States it is above $1 an hour.

But let us not forget, Mr. Speaker, this is only a foot in the door approach. This is $1, $1.15, and $1.30. It is the same schedule of increase as for the newly covered employees, except that they go on for two more steps, up to $1.60.

What would prevent the next Congress—and if we look back in history we know this is what will happen—from coming in with legislation to increase the agricultural wage to $1.75 or even $2, and to include overtime, because overtime is exempted in regard to agriculture under this bill?

What would that do on our farms, if it were necessary to pay time and a half or double time for more than 40 hours a week? We know how the farmers work. They get up at sunup, during the growing season, and they work until sundown.

It is ridiculous, but this is the kind of thing which we will face in the future, if we permit agricultural coverage to get by in this bill.

As I stated to the gentleman from Mississippi a few moments ago, I intend to offer an amendment on the floor to strike the entire agricultural section.

There is little doubt that an increase in the minimum hourly pay would cause employers to discharge workers who are unable to earn the higher wages.

If management decides that the productivity of a worker is below his wage payment he would probably be discharged. Profit consideration would dictate such a decision. It should be kept in mind that we live in an economy in which profits have a vital role to play.

It is true that historically, as the wage minimum has been lifted, there has also been an expansion in employment. But such expansion can hardly be attributed to minimum wage laws. It has been caused mainly by factors such as the application of increased amounts of capital and the continuing improvement of mechanical devices that have raised the productivity of labor. These factors have made possible higher wages for all labor groups. In other words, the rising wage level has been the effect rather than the cause of economic progress.

Let me quote from a recent statement made by Prof. James Tobin, formerly President Kennedy's economic adviser:

> People who lack the capacity to earn a decent living need to be helped, but they will not be helped by minimum wage laws, trade union wage pressures, or other devices which seek to compel employers to pay them more than their work is worth. The more likely outcome of such regulation is that the intended beneficiaries are not employed at all.

Dr. Arthur F. Burns, formerly chief of President Eisenhower's Council of Economic Advisers in his book, "The Management of Prosperity," stated:

> The broad result of the substantial increases of the minimum wage in recent years has been a curtailment of job opportunities for the less skilled workers.

And his calculations indicated that another increase of 25 cents in the minimum wage would be likely to raise the unemployment rate of nonwhite teenagers by as much as 8 percentage points.

Who suffers most when the minimum wage is raised? The very people whom the higher wage is intended to help—Negroes, Puerto Ricans, unskilled workers and teenagers. After each minimum wage increase during the past two decades, unemployment among those groups has shot up precipitously. The record proves this. A recent news dispatch emphasizes this:

> Puerto Rico's Secretary of Labor expressed concern that 27,000 jobs in the island would be endangered by the minimum wage law reportedly agreed upon by the administration and congressional Democrats.

Puerto Rico's secretary of labor is against this wage increase because it will reduce job opportunities of the poor.

I want to close these remarks by quoting from Dr. Gottfried Haberler, distinguished Harvard University economic professor, who is known to choose his words carefully on statements on economics:

> Raising the minimum wage would be an irresponsible antisocial measure, reducing job opportunities of the poor, promoting inflation and retarding growth.

Mr. Speaker, the Congress, by legislation, cannot increase jobs in this country, but they can, by enactment of harmful legislation, decrease considerably the job opportunities for those most in need of work. I am realistic enough to realize that you have the votes to pass this bill, but I hope that you will give careful consideration and support to the amendments which I intend to offer tomorrow.

Mr. Speaker, I yield 4 minutes to the gentleman from Ohio [Mr. AYRES].

Mr. AYRES. Mr. Speaker, we are here today considering amendments to the Fair Labor Standards Act because of what transpired in this body in the spring of 1961. It was at that time that the amendment to the Fair Labor Standards Act commonly known as the Kitchin-Ayres amendment passed this House. However, the other body passed a bill that established the principle on which we are expanding here today. And, then, when we went to conference, the position of the other body prevailed.

Mr. Speaker, in the spring of 1961, the vote went like this:

On a teller vote on the substitute, the vote was 206 to 162. On a rollcall vote it was 196 to 224 on the adoption of the so-called Kitchin-Ayres amendment.

Then on final passage, the House, by a vote of 341 to 70, passed the existing amendment to the Fair Labor Standards Act.

Mr. Speaker, at that time many of us predicted that the $1 million volume test would not hold very long, and that the next time we came back to this body, we would be asking for a reduction in that dollar volume, which we are doing today, bringing it down to $500,000. And, then, we will lower it later on to $250,000, and eventually, I predict in 4 or 5 years, we will be back here removing all of the dollar volume ceiling.

So, actually, Mr. Speaker, it is a moot question as to whether or not this bill is going to pass. It is. Because, 3 years ago, when there was great controversy as to the formula, the House adopted the conference report, after the provisions of the other body prevailed. There is no doubt that this bill will pass.

However, Mr. Speaker, there will be a number of amendments offered. Last week I sent a memorandum to every Member, not in a partisan way, but in an explanatory way, of the amendments that I am sure will be offered. It has now come to my attention that there will be other amendments offered.

However, since there will be a number of amendments, I would suggest that the Members familiarize themselves with the explanations now so that there will not be any misunderstanding when these amendments are offered.

Frankly, I shall only have one amendment, which deals with the Government service contracts, which will be found in section 305 of the bill. This amendment, if adopted, would it make it necessary for a business to do more than 50 percent of its gross sales on Government contracts, if the higher minimum wage should apply. This will be explained in detail in general debate.

It is my understanding that a very important amendment dealing with the minimum wage provisions on the presently covered employees, extending the time period for increasing their minimum will be offered by the gentleman from New Mexico [Mr. MORRIS].

It is also my understanding that amendments will be offered by the gentleman from New York [Mr. GOODELL] dealing with tips and tipped employees and agricultural processing.

Also, Mr. Speaker, the Members have heard about the agricultural employees. There will be an amendment offered by the gentleman from Tennessee [Mr. GRIDER] dealing with car-wash employees, and an amendment offered by the gentleman from Florida [Mr. GURNEY] dealing with restaurant employees.

Also, Mr. Speaker, there will be a very important amendment, I understand, offered, dealing with Puerto Rican employees.

Mr. PEPPER. Mr. Speaker, I yield 2 minutes to the able gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Speaker, I have listened to the gentleman from Nebraska [Mr. MARTIN] talk in the well of the House and my mind went back over the years, since 1943 when I first came to the Congress, when the minimum wage was 40 cents at that time. Then, along in 1949, the Congress raised it to 75 cents, and then in 1961, by two steps, we raised it from $1.15 to $1.25 per hour.

Mr. Speaker, we had the same arguments in the well of the House every time we have made an attempt to give to the American people purchasing power in a society where if we do not have purchasing power the entire system will grind to a stop.

The factories which operate in our cities and employ people to make goods have to sell those goods, and they have to sell them to people who work on the farm the same as to people who live in the cities.

I have heard prophecies of doom, that this is going to tear down the whole structure of our society if we pay people a decent wage. Every time these predictions of catastrophe have been made, they have not come true.

The American people have made more money and have bought more goods from the farm, and they have bought more food in the cities.

So I do not put a great deal of stock in these prophecies of doom when it comes to giving a person a raise from $1.25 to $1.40 an hour—which amounts to 15 cents an hour.

My friends on the Republican side who are always talking about the depreciation of the dollar—they should look at this question of the depreciation of the dollar in terms of the purchasing power of today. Let them try to make up a little bit for this depreciation in the purchasing power of the dollar by giving them a few more dollars.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from California has expired.

Mr. PEPPER. Mr. Speaker, I yield another minute to the gentleman from California.

Mr. HOLIFIELD. Mr. Speaker, it is very disturbing to be cut off in the middle of such a fine oration.

But, Mr. Speaker, I will just say in closing that I have no fear at all about giving the people of America 15 cents an hour more in certain categories and then next year giving them another 20 cents.

That money will be fed back into the stream of the consumption of goods which, in turn, means we will have more production of goods and have a higher standard of living in America.

So I say to those of you who are weak in your faith, buck up your faith—and let us go forward to give these people decent wages whether they be people on the farms or in the factories.

Mr. PEPPER. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, the Committee on Education and Labor is to be commended for reporting this long-delayed legislation increasing the minimum wage for certain classified groups of employees whose income has fallen far behind the American standards.

During my service in the Congress of over 20 years, I have supported, at different intervals, practical minimum wage increases so millions of low-wage families can feed, clothe, and educate their children. Each advance of income for needy families has increased the national buying power of millions which has resulted, indirectly, in increased employment, increased purchasing power, and also increased the tax income for the Federal Treasury.

I have also observed that minimum wage increase has not jeopardized business prosperity because, over the years, profits in business have enjoyed a general rise.

Minimum wage presently covers approximately 29½ million American workers. The present bill will extend new coverage to approximately 6 million industrial, retail or so-called urban employees, and approximately 480,000 underpaid rural workers. It will also increase Federal workers approximately in the number of 665,000.

During the last 20 years the minimum wage has advanced from 40 cents an hour in 1944 to 75 cents an hour in 1950, to $1.25 an hour in 1963. The present legislation raises the minimum wage from $1.40 an hour which takes effect in February of next year, and $1.60 which will not take effect until 1968.

The Education and Labor Committee had extended meetings, lasting several weeks, hearing testimony from industry, retail, Federal, agriculture and others covering different segments of our economy. The gentleman from Pennsylvania, Congressman DENT, the chairman of the Subcommittee on Minimum Wage, testified before the Rules Committee stating that the vast majority of restaurant employers are satisfied by a compromise reached on this legislation regarding the complicated problem of restaurant employees whose substantial income is from tips, and so forth. This bill also covers overtime protection to many workers formerly not covered for overtime work.

When consideration is given to the gradual rise in the cost of living over the last 20 years, one readily sees that millions of workers who have families to support, clothe, and educate cannot keep pace unless their incomes are increased to meet modern demands. All specialized workers, craft unions, and many other segments of our working economy can meet this added living expense because their income is far in excess of the 16-odd million who have not been protected by minimum wage to keep pace with our Nation's abundant economy.

This legislation is not being opposed by many segments of American employers for the reason that over the years they have gradually realized that the greater our Nation's buying power, the more business will exist in the factories, retail stores, and other lines of business and production.

The bill would extend minimum wage coverage under the act to some 6.3 million additional workers, principally in such low-wage industries as laundries, restaurants, hotels and motels, hospitals, nursing homes and related institutions, and retail stores. The minimum wage for these employees would start at $1 an hour and would be increased by 15 cents an hour each year until February 1968, when the minimum wage for these employees would be fixed at $1.60 an hour. In addition, the bill would bring under the protection of the Fair Labor Standards Act for the first time some 485,000 farmworkers for whom the minimum wage would be fixed at $1 an hour next February and would be raised to $1.30 an hour in February 1969.

Employers whose volumes of sales are less than $250,000 and who do more than 50 percent of their business within the State in which they are located, are exempted from the minimum wage and overtime provisions of the act.

On last Wednesday, May 18, at a meeting of the House Democratic steering committee, a resolution was adopted supporting the pending bill, H.R. 13712, known as the minimum wage legislation.

Our gross national product or our economy has increased from $202 billion in 1946 to over $700 billion today. Our national debt has increased from $270 billion in 1946 to approximately $323 billion in 1966. In other words our economy or production has increased about $500 billion in 20 years and our national debt about $50 billion.

Profits received by industry and business have increased fabulously annually in 20 years.

Why not give millions of low-wage families 15 to 25 cents an hour increase so they can provide for and educate their families during this expanding economy and high cost of living conditions?

I do hope that no major amendments will be adopted which will cripple or curtail this legislation. The passage of this bill will not only benefit the employee recipients, but also the employer and the general economy and prosperity of our Nation.

Mr. PEPPER. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. BARRETT].

Mr. BARRETT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARRETT. Mr. Speaker, I rise in support of an increased minimum wage to give honest American working men and women at least a minimum adequate income. How can we expect the American workingman to live up to his responsibilities as a citizen and to raise his children in decent conditions on starvation wages? This Nation—the wealthiest on earth—has faced up to its obligations through local welfare programs and through efforts such as the rent supplement program to provide decent living conditions for underprivileged families. I have always supported these efforts and I always will but at the same time, I recognize that the basic problem is low income.

The root of most of our domestic social problems is the fact that many of our fellow citizens—hard working, industrious Americans—simply do not receive fair payment for their work. Who, among us, would be satisfied to do the hard labor that is required to keep our economy going and be willing to settle for a life in the slums and too little food on the table? Every single Member of this House would rebel against that, but, today, we find people opposed to granting wages commensurate with the hard work.

There are those who, in all sincerity, oppose minimum wage legislation because of their belief that it may result in layoffs of workers and unemployment. To them, I say, look at the record. The fact is, total employment today is at the highest level in history and unemployment rates have been sharply reduced in recent years. While there may be some basis for concern in very specialized circumstances, I feel that it is those cases which should adjust to the rest of the country. We cannot deny the benefit of a reasonable floor for wages to the millions of workers who would benefit just because there are a few backward places or industries which are far below American standards.

This bill is needed not only in the interests of justice for our own citizens but it is needed to support America's position of leadership in the world. One of the bonds of all free nations is the example we set by the high level of living standards under our free enterprise system. We cannot maintain that position as long as millions of American workers fail to share in our record-breaking national prosperity.

I ask those of you who oppose this measure to think for 1 minute of the kind of work that people do for minimum wages and the kind of life they lead and I ask you then how you can, in good conscience, vote against these millions of your fellow citizens. By voting today in support of a higher minimum wage, you can relieve the Federal Government of very substantial amounts of necessary aid to our lowest income groups. If the opposition will not listen to humanitarian reasons, let them listen to a good dollar and cents reason.

I hope the day will come when I do not have to come before this House and plead for a housing bill because the American workingman by then will be earning the adequate wage which he so richly deserves and can raise his family in decency and dignity without public aid.

Mr. PEPPER. Mr. Speaker, I shall not endeavor to reply to all of the detailed observations made by the able gentleman from Nebraska because they will all be covered in the debate upon the various sections and segments of the bill. However, I would like to answer one question which the able gentleman seemed to be in some doubt about, which was propounded to him by the gentleman from Mississippi [Mr. ABERNETHY], who asked the able gentleman from Nebraska whether or not an employer who was an agricultural employer, once having been in the 500-man-day category, could ever get out.

I think the able gentleman from Nebraska told him he did not think he could, or he was not sure.

May I call your attention to page 40 of the report of the committee, which reads in part as follows:

> With respect to any other agricultural employee, the minimum wage coverage depends on whether his employer used during any of the four preceding calendar quarters during the preceding calendar year more than 500 man-days of agricultural labor performed by employees (other than employees excluded from the definition of the term "man-day").

So that the determination of whether a certain employer is required to pay the minimum wage to his agricultural employees is respecting his status in a quarter of the previous calendar year.

Mr. Speaker, by leave of our distinguished Speaker, I am permitted to read for the RECORD, if I may, a letter to the able Speaker from the Secretary of Labor. It is dated May 23, 1966:

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, May 23, 1966.

Hon. JOHN W. MCCORMACK,
Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: The House of Representatives has before it for action H.R. 13712, extending the coverage of the Fair Labor Standards Act to an additional 7.2 million employees, and increasing the minimum wage levels.

It has been my privilege and honor to testify on several occasions before the Committee on Education and Labor in support of the President's recommendations to the Congress regarding these changes in the Fair Labor Standards Act. I also reported to you and to the President of the Senate on January 31, 1966, regarding the need for such improvements.

Please permit this expression of respect and gratitude for the reception of these views, and the fervent hope that H.R. 13712 will receive the full endorsement of the House. It represents, in my judgment, a completely constructive and responsible reconciliation of the various interests affected, particularly in the provision for a minimum level for previously covered employees of $1.40 in 1967, and $1.60 in 1968. All information and evidence at my command supports the view that any postponement of these increases would be a serious disservice to the public interest.

Respectfully,
W. WILLARD WIRTZ,
Secretary of Labor.

Mr. Speaker, I have no further requests for time. If the able gentleman from Nebraska has no further requests, I move the previous question.

The previous question was ordered.

CALL OF THE HOUSE

Mr. ANDREWS of North Dakota. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. PRICE. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 109]

Ashbrook
Ashley
Baring
Brown, Calif.
Cahill
Callaway
Carey
Carter
Clark
Clawson, Del
Cohelan
Colmer
Conyers
Cooley
Corman
Dawson
Diggs
Dowdy
Duncan, Oreg.
Dyal
Edwards, Calif.
Farnsley
Fisher
Fogarty
Fraser
Fulton, Tenn.
Giaimo
Green, Oreg.
Hall
Hamilton
Hanna
Hansen, Idaho
Hansen, Iowa
Hardy
Harsha
Hébert
Henderson
Irwin
Kirwan
McMillan
MacGregor
Martin, Ala.
Martin, Mass.
Miller
Moeller
Moorhead
Morton
Moss
Murray
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Pool
Purcell
Reid, Ill.
Reid, N.Y.
Reifel
Rooney, N.Y.
St Germain
Sickles
Smith, N.Y.
Steed
Stratton
Stubblefield
Toll
Tupper
Ullman
Watts
White, Idaho
Whitten
Williams
Willis
Wilson, Bob
Wyatt

On this rollcall, 355 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. POWELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13712) to amend the Fair Labor Standards Act of 1938 to extend its protection to additional employees, to raise the minimum wage, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 13712, with Mr. PRICE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from New York [Mr. POWELL] will be recognized for 2 hours, and the gentleman from Ohio [Mr. AYRES] will be recognized for 2 hours.

The Chair will recognize the gentleman from New York.

Mr. POWELL. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, I rise to explain the purpose of H.R. 13712, to amend the Fair Labor Standards Act to extend its protection to additional employees, to raise the minimum wage, and for other purposes.

With this bill, the Committee on Education and Labor once again takes a historic giant step forward in helping to raise the standard of living for more Americans. Not only is coverage extended of the Fair Labor Standards Act to an additional 7.2 million wage earners, but the minimum wage for both presently and newly covered workers is increased.

Five years ago, coverage to new workers was extended for the first time since 1938 by this committee. In its legislative wisdom, the committee has again extended coverage within a comparatively short period to enable more of our increasingly productive labor force to concomitantly share the benefits of an expanding economy.

For the first time in the history of the act, many agricultural workers on larger farms will be covered. In the past, we have neglected and ignored this important segment of the American labor force.

Recognizing that retail and service occupations now engage a majority of the workers in the United States, the exemptions in this area are being substantially reduced and repealed. Many low-wage employees in laundries, restaurants, hotels, hospitals, and other retail and service occupations will receive minimum wage protection for the first time.

During the present period when the economy is making certain adjustments between productivity and the cost of living, I wish to emphasize that H.R. 13712 is moderate legislation, attaining its goal gradually, step by step, over a period of years. In so doing, we deter any possible jolting dislocations in the wage-salary and price structure.

The recommended minimum of $1.60 will not be reached until 1968 for presently covered employees, 1971 for newly covered—nonfarm—employees, and beginning at $1 in 1967 and reaching $1.30 by 1969 for agricultural employees.

The bill will not extend minimum wage to those industries which pay more than the minimum but to those industries where subminimum wages too frequently prevail. Approximately one-third of the employees among the newly covered presently earn less than today's minimum wage of less than $2,600 a year, and the majority are the only or main wage earners for their families.

These amendments will also aid in erasing the present discriminatory wage patterns. Almost two-thirds of all white workers come within the present coverage provisions, but less than half of all nonwhite workers are covered.

The inadequate provisions of this Act have caused wage discrimination against the children of low-income families. Two-thirds of all men employed in nonsupervisory jobs are covered by the Act, but only about half of the women in such jobs.

Over 6 million children are today members of families in which the father or mother is working fulltime but earning a poverty wage. By extending coverage to more than 7 million employees many of these inequities will be eliminated or substantially reduced.

Mr. Chairman, the imperative need for these wage increases and extensions is reflected in our increasing consumer price indexes. The costs of the most essential items, food and services, have risen steadily over the years. Enactment of this bill will enable wage earners to more adequately provide for their families and for themselves. These amendments are an important adjunct to our current war on poverty program to which the original act has been an indispensible forerunner.

I will offer only one amendment which will preserve the hardship review committees with power to prevent the automatic wage increase in Puerto Rico where an adverse effect on the economy can be demonstrated.

A continuing careful assessment of all the economic factors involved impel me to the conclusion that it would be economically unwise as well as potentially detrimental to the industrial growth of Puerto Rico to provide for automatic wage increases and extended coverage without the built-in protective apparatus of the Puerto Rican government's hardship review committees.

In offering this amendment, I wish to emphasize that not a single member of the Puerto Rican government or the dominant Popular Party has discussed this amendment with me or even influenced this decision.

Rather, I reached this conclusion after instructing my staff to make its own analyses of the islands economics and after discussions with many of my old friends from Puerto Rico such as resident commissioner Dr. Manuel Lafont, Jr., Charles Lafont, Rafael Gonzalez Gomez, and Alfredo Vidal Chacon, the latter a former associate. All of them are Liberal statehooders in the most dedicated tradition for a better Puerto Rico.

During my congressional service, I have been profoundly concerned with the economic growth and the continuing political integration of Puerto Rico.

In the 5 years of my chairmanship of this committee, Puerto Rico has received, for education and training, Federal funds totaling $158,597,979. In 1965 alone, 15 Federal departments and agencies made a total contribution of $274,114,000 to the government of Puerto Rico. Obviously, our Federal Government continues to play a critical role in Puerto Rico's economic, educational, and social development.

As Puerto Rico's economy continues its present upward thrust, the need will eventually assert itself to integrate that government's wage structure with that of this country. But to do so at the present time could reinoculate the island with the twin viruses of increased unemployment and industrial stoppages.

I wish to thank the members of the committee, both majority and minority, for their cooperation and enthusiastic support of this all-important legislation.

Because he was such a wise and constructive force in bringing this present bill to legislative fruition, former Representative James Roosevelt should also be warmly commended here today, even though we no longer have the privilege of his astute statesmanship in this body.

Mr. Chairman, I yield, out of protocol and with the consent of the author of the bill and the chairman of the subcommittee, to our beloved colleague from Puerto Rico, the Resident Commissioner, Mr. POLANCO-ABREU, such time as he may consume.

Mr. POLANCO-ABREU. Mr. Chairman, I thank the distinguished chairman of the Committee on Education and Labor for yielding to me.

The subject before the committee holds great personal significance for me. As a lifetime proponent of higher rewards for the toil of man, my record during 16 years in the House of Representatives of Puerto Rico bears out that to me it would be indefensible to argue that anything but the highest possible wages are the just fruits of the workingman's struggle for himself and his family. I would go farther. I would say that the workingman is entitled to a fair share of his productivity, and I will always fight for this principle.

Moreover, the political party whose standard I follow, from its first day in office, has concerned itself, as a basic premise, with higher wages, and it enacted and approved a minimum wage law as one of its very first accomplishments. This minimum wage law of the Commonwealth is still in effect, and it complements the Federal minimum wage law. Such as, for example, by covering practically every industrial classification—practically every worker in Puerto Rico.

This law is administered in Puerto Rico by a minimum wage board, which is alert to changes in the economic pattern so that workers below the collective bargaining level may continually receive higher wages. This is a matter of public policy in Puerto Rico.

The Federal Fair Labor Standards Act has been implemented in Puerto Rico since 1940 by special industry committees appointed under the law by the U.S. Secretary of Labor and comprised of representatives of labor, management, and the public. These industry committees publicly gather evidence and set the highest possible minimums on an industry-by-industry basis, according to the ability of any particular industry to pay without creating substantial unemployment. The avoiding of substantial unemployment through a statutory minimum wage system, is the guidepost of the Fair Labor Standards Act.

There were no percentage increases in minimums imposed by amendments to the Fair Labor Standards Act until 1961, when it was tried for the first time. Recognizing that there were possible dangers in this untried and unproved system, the Congress wisely allowed for appeal in the case of hardship to any particular industry and consequent danger of creating unemployment. Thus, the Congress provided for review committees in Puerto Rico, to which industries which felt that they could not pay the higher automatic minimum wage based on percentages of then current minimums could appeal. It was fortunate that Congress so provided, for many industries did, in fact, appeal and many were given relief.

I am sorry to tell you that, even with this safeguard, Puerto Rico suffered a loss in employment. Under the industry-by-industry system of setting minimum wages by the special industry committees, wages in Puerto Rico have increased at a faster rate than in Continental United States, and they are continuing to do so.

Average hourly earnings in Puerto Rico increased from 1960 to February 1966 by 36 percent, or more than 6 percent per year. Actual hourly earnings were 94 cents in 1960 and $1.28 in February 1966. The industry committees have made possible Puerto Rico's transformation from a one-crop agricultural economy toward an industrial economy through our Operation Bootstrap. The purpose of Operation Bootstrap is to create jobs through industrialization. The success of the program is shown, for example, in increased employment from 72,000 jobs in 1957 to 112,000 jobs in 1965.

We are proud of our record of creating jobs and boosting wages, and we invite comparisons.

However, without flexibility in the application of the Fair Labor Standards Act in Puerto Rico, this record could not have been achieved, for establishing minimum wages under a flexible system has been based on reality rather than politics. It is based on economics rather than dreams. It is based on hard facts, rather than on wishful thinking. It is a system of proved worth which must be kept if Puerto Rico's development is to continue to create job opportunities and steadily higher living standards for the workingman.

In its present form, H.R. 13712 would change this, and it would threaten the orderly development of Puerto Rico's industrialization program. It would do this by extending coverage to such fields as agriculture, which in Puerto Rico is still largely underdeveloped and unmechanized. Agriculture in Puerto Rico requires a high percentage of hand labor as compared with the U.S. mainland or Hawaii. The bill would impose arbitrarily, across-the-board percentage increases in hourly earnings of nonagricultural industries without regard to the ability of the industries to pay. It would do all of this and endanger the lot of the workingman and of small industrial firms without providing for any recourse or appeal in the form of review committees, such as was provided by the 1961 act.

The distinguished gentleman from New York, the chairman of the Committee on Education and Labor, is aware of this fault in the proposed legislation. He has announced his intention to offer an amendment to delete these threatened dangers from H.R. 13712 by eliminating for Puerto Rico extended coverage, and automatic across-the-board increases. This would mean that the industry committees, which have functioned so successfully in the island, will continue their work of upping wages as rapidly as possible, according to the development of the industries affected. And our agricultural community will be free to continue to provide a high rate of employment. I welcome the distinguished gentleman from New York's decision. It shows his desire to be fair and helpful. I know I speak for the people of Puerto Rico in this instance when I extend to him both personal and public thanks.

I give my total support to the amendment of the gentleman from New York, and I urge all of my colleagues to do likewise—to do this for Puerto Rico. I can tell you that if this amendment is adopted, it will prove a landmark in the industrial and economic development of Puerto Rico.

I am sure many of you may have wondered why there should be a different application to Puerto Rico of our statutory minimum wage system, and although the problem is both intricate and puzzlingly complex, let me try to throw one little ray of light on it.

Although the Puerto Rican economy is completely meshed with the U.S. economy, its intrinsics are vastly different. On the one hand, the United States, the most highly industrialized nation in all the world, has a relatively small population per square mile able to enjoy the tremendous resources of this great land. Puerto Rico, on the other hand, is at the extreme other end of the spectrum. Probably, there is no place in the world where the pressure of population against resources is so adverse. The economic intrinsics of Puerto Rico are so different from those of the United States as to be almost unfathomable.

If you could imagine that virtually the entire population of the world moved overnight to within the borders of continental United States—some 3 billion Chinese, Indians, Latin Americans, Africans, and Europeans—all the people of all the continents and all the islands—the United States would then have the same approximate population density as Puerto Rico.

Now, begin to subtract, one by one, virtually all of the U.S. natural resources. Take away all the coal mines; all the oil wells; all of the natural gas deposits, and 95 percent of the hydroelectric energy. Then eliminate the iron ore, the copper, and the other industrial raw materials. Then take away most of the capital and the bulk of technical skills; and for good measure remove all the fertile land, except a narrow rim along the east and west coasts. Thus, Mr. Chairman, you would have writ large the economic intrinsics of Puerto Rico.

Though this may sound incredible, I can only assure you that it is, nonetheless, unexaggeratedly true, and I can also assure you that if the United States were in such a position, its economic theories and practices, including that of setting statutory minimum wages, would be different from what is possible in a country so happily endowed by a bountiful nature.

Mr. Chairman, our colleagues here have a greater stake in the Puerto Rican provisions of H.R. 13712 than they may realize. More than 150,000 jobs in the congressional districts spread across the land are engaged in supplying the rapidly growing Puerto Rican market which is buying more than $1.2 billion worth of products yearly from the U.S. mainland. This is greater than the combined purchases of 17 European nations, more than the purchases of all 55 nations of the African continent, or bigger than the purchases of all 7 east coast countries of South America—including Brazil and Argentina—plus all 8 Caribbean countries combined.

Mr. Chairman, our colleagues from New York probably know that 16,000 persons are employed producing $141 million worth of goods annually, for sale to Puerto Rico; in Pennsylvania, it is 9,600 jobs producing $81 million in goods for Puerto Rican sales; 6,400 persons are at work in New Jersey producing for the Puerto Rican market; 6,700 persons in Connecticut; 5,100 in Massachusetts, and so it goes, across the Nation.

These figures, I think, show that Puerto Rico's political and economic relations with the United States form a highway over which benefits flow in both directions. Within this pattern and with perseverance, imagination and industry at home, Puerto Rico has accomplished both a political and industrial transformation without riots, disorder, or a single gunshot.

The accomplishments are so magnificent, so outstanding, and form such a miracle of progress within such a short time, that the attention of the world has lately been focused on our little island in the Caribbean. Thousands come each year from other lands—political leaders, industrialists, scholars—to observe what we have done and how we have accomplished this miracle that is the Commonwealth of Puerto Rico.

In the world of trouble and turmoil, the little jewel that is Puerto Rico has sparkled throughout the globe, to the great credit of the United States. Thus, the image of the United States in its role of world leader has been enhanced and enriched.

But I can tell you that the people of the world could not understand the United States arbitrarily imposing its will on Puerto Rico to determine the salaries that will be paid there without consideration of consequences to either the people or its industries on which they must depend. This, I am afraid, could be interpreted as a move to restore universally hated "colonialism"—although you know, and I know, that this is not intended. Particularly in Latin America might such a view prevail, and our Communist enemies would make the most of it.

Mr. Chairman, this is why the amendment of the gentleman from New York should be adopted by an overwhelming vote. The automatic and mechanical escalations of statutory minimums in Puerto Rico should be deleted in their entirety. Furthermore, a broader criteria than "substantial reduction of employment" and "competition" should be incorporated into the Fair Labor Standards Act—criteria which would be consistent with actual approaches to the wage problem in the United States. Wage policy, perforce, needs to consider not only how curtailment of employment may be avoided, but also how adequate expansion of employment and reduction of unemployment may be achieved—in brief, how optimum economic growth may be encouraged, stimulated, and maintained.

The new coverage proposed by H.R. 13712 should exempt Puerto Rican industries. This action would be in recognition of the vigorous implementation by the community of its own minimum wage laws and acknowledgment of the fact that, as a matter of practical availability, the wage review forum under the Minimum Wage Act of Puerto Rico is more adequate for equitable resolution of minimum wage controversies in these industries which often are without financial resources, representational skills, fluency in English, and knowledge of administrative proceedings to represent their interests satisfactorily in Federal quasi-judicial forums.

Mr. Chairman, during the months since June 1965, I have been trying to communicate with each and every one of my colleagues. Particularly during the past fortnight, I have devoted all of my time to explaining the significance of the minimum wage bill to the Puerto Rican economy. I know that this bill is only one of hundreds in the Congress, and that its application to Puerto Rico may be viewed here as a minor, even a routine, matter. In Puerto Rico it is different. Developments on the minimum wage bill are daily in the headlines, in the columns, and in the editorials. People are anxiously awaiting the results of this debate and the final vote.

My responsibility will end when I finish this statement, for here I have a voice, but no vote. Your responsibility will go beyond the debate, because you do have the right to vote. More than ever, the right to vote is the ability to create or destroy. During my time in office here, a little more than a year, I have become confident that there is a genuine "good will" amongst my colleagues for the Commonwealth of Puerto Rico and its people. The destiny of our economy is in your hands. The effects of what you do here will be felt in our living rooms and our kitchens.

As always, and in the sense of the legislation before us, the misunderstanding of one, will be the responsibility of all who follow him. We will have to abide by the decision reached here today. In a simple, free, and forthright way, I have persisted in my efforts that Congress may not commit an error, nor an injustice by the provisions of this bill.

I have been working on this for a long time, and all along the road there were obstacles and discouragement, but I think I have seen the direction of the pendulum changing, as I knew it must. And I think we will prevail through the adoption of the amendment which will be offered by the gentleman from New York. For, like you, Mr. Chairman, and like all of our colleagues, we Puerto Ricans will never stop fighting for social justice, human dignity, and equality of human beings.

The shaping of the Puerto Rican destiny is mainly in the hands of the Puerto Rican people. Still, within the framework of the republican system and our democratic ideals, your hand, your voice, and your vote today, will determine largely the destiny of Puerto Rico in the months, and even in the years ahead.

Gracias—Thanks.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. AYRES].

Mr. POWELL. Mr. Chairman, will my good colleague [Mr. AYRES], permit me to yield time to another Member on this side.

Mr. AYRES. Mr. Chairman, if my chairman wants to yield now to the chairman of the subcommittee, the gentleman from Pennsylvania [Mr. DENT] so that we can hear his words, I would be glad for him to do so.

Mr. POWELL. I think the gentleman from Pennsylvania has such great words of wisdom which I am sure will be of great interest to our colleagues.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. POWELL].

Mr. POWELL. Mr. Chairman, in my 22 years in the Congress I have never seen any Member of this body work as hard on a single piece of legislation as has our distinguished friend from Pennsylvania, the chairman of the subcommittee on labor. I would like, therefore, thanks to the cooperation of my beloved friend, Mr. AYRES, of Ohio, to yield to him now as the chairman and author of the bill, such time as he may desire.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. DENT] is recognized.

Mr. DENT. Mr. Chairman and Members of the Congress, this is and should be and can be a historical day. There have been many sunrises and many sunsets since the Congress of the United States took cognizance of the fact that in the midst of plenty there was poverty, and when the peoples of this Nation found themselves in a position where with all of their ingenuity and all of their knowledge and skills, they were indeed down in the deep depths of a depression that defied solution.

In the year 1938, and I am happy to say that in this Congress today, there are Members who served in that Congress, the Congress recognized the needs of the moment and brought forth for the first time in our history a minimum wage and a maximum hours law.

The philosophy behind the passage of that bill was that by putting more money into the hands of the workers, it would create a greater demand for goods; and a greater demand for goods would create a greater production; and a greater production would create a greater number of jobs.

Today while holding to that philosophy and admitting that these reasons are still important, we have to add a new reason—and a reason even more compelling than the reasons behind the creation of this legislation in the first instance—we are today concerned with a new power in this legislation—earning power—yes—buying power—yes. But even more important—living power.

When a nation has between 3½ percent and 4½ percent of its working people unemployed—when a nation has to confess to the world that 40 percent of its people live under a standard of living below the minimum standards that we feel Americans ought to live under—then we are indeed concerned with this new reason for this legislation—the living power of our working people. Somewhere between that 3½ percent and the 4½ percent there must be a great number of workers who are working, and yet not earning sufficiently for them to live within the so-called poverty lines of living.

At the beginning of this session I formally assumed the chairmanship of the General Subcommittee on Labor. I succeeded a great American and a respected Member of this body. In fact, it was under his father's leadership that the first minimum wage bill was passed. I feel very honored that I am having a small part in this attempt today to have Congress pass this latest version of that bill. I succeeded a former Member and close friend, James Roosevelt. My first responsibility was the minimum wage bill, a bill authored by our former colleague.

That legislation, H.R. 10518, was reported by the Committee on Education and Labor on August 25, 1965. No action was taken on it through the conclusion of the last session and, I might say, there was no action taken because I felt—and I went to the Speaker and cleared the situation with him—that inasmuch as I now had the responsibility, I owed it to my colleagues to review with them the provisions of that particular bill before we came to the floor, and particularly with Mr. Adam Clayton Powell, the chairman of the full committee. With his permission and cooperation we were able to set the bill aside so we could do a little bit more on the legislation.

Mr. ALBERT. Mr. Chairman, will the gentleman yield to me at that point?

Mr. DENT. I yield to the gentleman from Oklahoma, our distinguished leader.

Mr. ALBERT. Mr. Chairman, I wish to commend the gentleman on the amount of effort and skill he has put into this legislation. To my personal knowledge he has listened to every complaint. He has given consideration to every suggestion. He has met with every group, so far as I have been able to find out, that had or expressed any interest in this legislation. The gentleman has been a real servant of the House and of the country in bringing this matter in its present form to the floor in the manner in which he has done so today.

Mr. DENT. I thank the gentleman.

In January, then, I began discussions with virtually every person or group of persons interested in this legislation. Out of these discussions and our subcommittee deliberations came H.R. 13712, the bill before us today. I must say that I have had the utmost consideration and cooperation from the members of my committee on both sides of the aisle. I want to pay particular attention to the work put into this legislation by my cosponsor, the ranking member of the committee, the gentleman from California [Mr. Bell]. While we did not see eye to eye on all phases of this legislation, let me say to you that in the career of legislative activity that I have enjoyed for over 34 years, I have found that when a bill pleases most people and does not displease all the people, it has character and demands attention.

This bill does not please all of industry. This bill does not please all of labor. This bill does not please all of the Members of Congress. By that standard it is good legislation, because it pleases some of the most important people in the world—those affected by the bill.

Mr. Chairman, this bill amends one of the Nation's basic laws, the Fair Labor Standards Act. As I said, the first act was passed in 1938, almost 30 years ago. It was made applicable to all employees. However, they have to be engaged in commerce, and the commerce test was such that it excluded from its coverage the great majority of American workers.

The original act provided that the statutory minimum wage, set at 25 cents, would be raised to 30 cents an hour beginning October 24, 1939, and by stages it was to reach the magnificent sum of 40 cents an hour.

One of the problems we ran into in discussing the extension of this act was that in its early concept, because of the nature of conditions under which the legislation had to be passed, it was oriented to the highest paid workers in the country. So, by being oriented to the highest paid workers in the country, we found ourselves in the next 28 years of activities under this legislation having a door closed to those who needed it most, those who are employed in the lowest paid industries.

By slow and painful stages, we have been able gradually to increase the coverage of the act. If we accept the bill, and follow the subcommittee today, we will have legislation which will extend the coverage to 7.24 million new workers in this great country of ours.

All of us must admit that when we set, by congressional action, a standard of earnings under an antipoverty bill at $1.50 an hour, it is not fair—nor is it tenable—to say to a worker employed, who does not claim the poverty base, that he must work for less than $1 an hour.

We are providing for those newly covered at $1 an hour, and moving up in easy stages, strictly within the confines and concepts of the President's economic guidelines, in 15-cent stages up to the year 1971. We believe we are bringing under the umbrella and giving dignity to approximately 7 million more workers in the United States.

One of the greatest benefits of this legislation, aside from increased payments in the lower brackets, is the fact that we are recognizing something that no one wants to talk about. It is without doubt a fact in this Nation that some jobs and some earning opportunities are considered to be beneath the dignity of certain citizens of this great Nation.

As adverse imports tend to cut down the number of productive jobs in America, we find ourselves in a position of having a lessened number of job opportunities for high school graduates, who have had the opportunity of entering into the highly paid, dignified, and covered jobs in production industry.

It has long been a concept of the boy or girl seeking a job that to have to work in a laundry was a demeaning position to be put in. To have to go out and work as a hired hand on a farm was not equal to their education or training or social standing. If the boy or girl had to work in the processes of canning and some of the other agriculturally allied jobs, or if they had to work in restaurants as waiters and waitresses, they considered it beneath the station in life that they hoped to attain.

We believe that by adding these workers to this minimum wage bill we are giving dignity to an area of employment that is increasingly becoming that area of employment where the American worker must seek employment.

When I was a very, very young man, the ratio between service workers and production workers was one service worker to every 97 percent of a worker in industry—almost 1 for 1.

Today, because of the great wage increases in the production industries, many of the ordinary citizens have been put in a class of employing services never before dreamed of.

Now, for every production worker in the United States, there are 3¾ service workers.

So it is true, as we move into the field of automation, with all the computers which are now taking jobs not alone from production industries but also in the classified service industries, we must make room in those particular industries which render personal services to the citizens who are employed in other industries.

If we do not dignify these jobs with a reasonable approach to earnings which at least meet that level we decided to be the poverty level, how can we expect American youth to go out to seek these jobs, when they can earn just as much by staying at home, idle, earning a poverty wage under the poverty program or taking outright relief?

This legislation will aid the greater number of the citizens of this great Nation, because as we elevate the lower paid workers we will move them out of the poverty stage. We will create the buying power which was under the original concept of the act. We will create greater productivity and greater public demand by doing so. As we do this, we will reduce the cost of our Government, the cost of those who have to rely on unemployment compensation, on direct relief, and in the worst analysis on the charity of a poverty payment which is not dignified nor even wanted by those who have to take it.

I believe the time has come when we must face reality. This Nation of ours cannot dodge the responsibility of creating within it a single class of citizens when it comes to providing for earning a livelihood for the family.

Oh, I know that there will be great tears which will fall forth today and tomorrow, by those who will say we are going to destroy the farmworker. Who in our midst would want to do one single thing which would in any way injure the person who tills the soil and brings forth the fruits of the harvest for the American people to live upon? None of us has that in mind.

We are really trying to do something which has to be done. We have to dignify farm labor when that labor is under a corporate type of employment.

If the Members will read the report—and I hope to be able to clarify it—they will find we are to cover under this legislation 1.6 percent of the more than 2½ million farms, yet we will cover 39 percent of all the workers. We will cover them in such a way that unless a corporate farm entity is paying absolute starvation wages this will not be a burden which cannot be borne.

This will do something else. It will retard that great gap which has been moving onward in respect to the small family farms, resulting from the squeeze by the corporate farms, which are eliminating the great blessing we had in this country, which made it what it is today—the family farmer upon thousands and thousands of farms in this country, who provides not only for the markets of the world but definitely for the tables of the neighborhood.

If we extinguish all of that type of farm in this country the increase in the cost of living will be so great that many Members will wonder where they were in their day as Members of Congress, that they did not even foresee such a day.

Believe me when I say that the family farm will benefit if this legislation is passed as we have it before the committee today.

I am not one who says that everything we have done is beyond any kind of criticism. We expect criticism. But we do not want a kind of blind criticism that comes forth with a compromise and then, after the compromise is accepted, a position of not voting for the bill anyway.

I believe that compromise is a two-way street. I believe that when a person comes to a Member of Congress and lays before that Member of Congress a valid argument against some position which is being taken in a piece of legislation, if that Member of Congress is convinced it is true and accepts the amendment, that same person should not take the floor and belabor the sponsor or the person who is responsible for the legislation. A man who does so is a man who does not act in good faith.

One is sometimes inclined, and I hope I am not, because I am a very reasonable person, but I am inclined, when that type of person offers amendments, to be a little suspicious of what he offers. I will say in all honesty to all of you that I will be suspicious of some of the amendments. I hope you join me in my suspicions, because I believe in dealing with men and with Members of this Congress as I would have them deal with me.

We have problems in this legislation. We cannot iron them all out, because I want to tell you a little secret. I believe if I were to accept the amendments to the amendments to the amendments to the amendments that were made, I would not be allowed to have the number 13712. There are some people who definitely do not like a "2" at the end of a number. I found that out. So believe me when I tell you that restaurant workers are not unhappy with this legislation. The restaurant owners are not unhappy with this legislation. Believe me when I tell you that the laundry workers are not unhappy with this legislation. Also believe me when I tell you that the laundry owners are not unhappy with this legislation. I can say this to you in all honesty, because at least 35 percent of the people in my district are farmers. I can say to you honestly, without fear of contradiction, that the farmers of the United States are not unhappy with this legislation. They know their responsibility to the economy and accept their responsibility. However, there are those amongst us who would be Pied Pipers without a following and who come to you and tell you that the farmers are depressed and are worried and are going to be driven from their farms. Show me the farmer personally who has told you that and, if I cannot convince him he is wrong, I will personally submit the amendment to take agriculture out from under this bill. I know that farmers are reasonable persons and I know the kind of selfish people some of us would have us believe they are. I know my farmers. I go to them and I talk to them.

I talk to the little pants presser who was talked about awhile ago on the floor. I heard one Member pleading for the poor little pants presser in the community who will be driven out of business. Let me tell you the very, very first principle in business, in a free enterprise economy. When a restaurant group came to me and said if we put this bill in, they would be driven out of business, I said to them, "Gentlemen, restaurants are not open to pay wages, high or low. They are open to serve customers. If your restaurant workers worked for nothing and you did not have any customers, you would still close down. If you have to pay your restaurant worker a decent wage and customers come in, you will stay in business. That is true whether you make bicycles, automobiles, serve doughnuts, or wash clothes." It is true American business is based on commerce and the transaction of business, not on the wages paid except when those wages become deliberately noncompetitive within the industry or the business you operate in. If all of the laundry people are paying the same minimum wage, there will be no difficulties for any of them. If all of the restaurant people are paying the same basic wage, there will be no difficulties for any of them. That has been proven historically. From 1938 on through the intervening years until this date we have heard the passage of this minimum wage bill or this increase in wages was going to drive everybody out of business in a given area.

Mr. Chairman, there are more corporate entities today than ever before in the history of the United States and more per capita income than ever before in the history of the United States.

Mr. Chairman, there have been more bankruptcies in years in between the increased minimum wage than there ever have been in the year that the minimum wage went into effect. These are basic, simple truths and do not cry crocodile tears to save a soul that needs no saving. When you do, you had better stop and wipe your eyes and save your tears for your own soul, because that is the soul that will need saving.

Mr. Chairman, it is my humble opinion that if this legislation passes as we have presented it to you, with some clarifying amendments, that we were convinced, as the legislation was drawn, were needed—we have not closed our ears to suggestions that were based upon an honest approach to the legislation—we will have presented on the floor some amendments that we are convinced will not injure the workers and will take away some of the bad features for the employer.

Mr. Chairman, as I said to you before, and in closing, let me say to you in all seriousness and earnestness at my command, there is not one line of this bill written to hurt anyone.

There is not one line of this bill written in a spiteful or a vengeful manner.

There is not one line of this bill written to strike at any particular district of the Nation. It is not aimed at the South, it is not aimed at the North, it is not aimed at the East, and it is not aimed at the West. It is aimed at every segment within the confines of this Nation.

Mr. Chairman, we must understand all of these features, that we have a responsibility to the rest of our neighbors and to that 40 percent of the greater American population who have been forgotten, as it were, by the lack of interest on the part of the Congress condemned to a life on a minimum wage at a lesser rate than is prescribed in the bill.

Mr. Chairman, how could any members of the Committee honestly stand up and say that we cannot live under a minimum wage, even when it has been $1.25? Even then it would still only be $2,500 at the end of 12 months, if they work 250 days a year, the normal work year in the United States? How can we honestly say that and turn right around and say to that individual, "If you do not take a job at $1.25 an hour, you can go on relief and get $2.10 an hour?"

Mr. Chairman, why can we not recognize the inconsistency of our approach, the inconsistency of an approach that will pass $1.750 billion for poverty and refuse a piece of legislation that does not add $600 million to the total payroll of the United States? Where is the backbone that we are supposed to have? Tonight, when you go home look in your mirror and before you come back you will recognize yourself as a man who stood on the platform and said to your people, "I will go to Congress and I will do those things that will do the greatest good for the greatest number of Americans."

Mr. Chairman, that is all I ask you to do.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Mr. Chairman, I have made no final decision about this particular legislation because its final form is yet to be determined, but I believe it needs to be said here and now that the gentleman in the well, the gentleman from Pennsylvania [Mr. DENT] is deserving of the honest and genuine appreciation of this entire Congress for having made the sincere effort which he has made to bring to this Congress a measure which the gentleman believes will be eminently fair to every Member of this Congress and in turn their constituents. Admittedly it is controversial and has its strengths and weaknesses but how could it be otherwise?

Mr. Chairman, I would concur wholeheartedly with the statement that the chairman of the full committee, the gentleman from New York, made before the gentleman from Pennsylvania went to the well, when he said he had never seen a member of a committee in this Congress work harder to bring a piece of legislation to the floor than has the gentleman from Pennsylvania [Mr. Dent]. He knows this bill in great detail. No one in this House knows it as well.

Mr. Chairman, the gentleman from Pennsylvania has had an open mind and a closed mouth and has listened attentively to the complaints and the ideas of everyone who wanted to discuss any area of this legislation. He has made change after change and compromise after compromise in an effort to report an acceptable bill and it is primarily because of John Dent that this bill has been improved so much over the Roosevelt bill.

Mr. Chairman, I believe sincerely that the gentleman from Pennsylvania has brought to the floor of the House what he believes to be an eminently fair piece of legislation. He is a fairminded man. Regardless of what the final decision of any individual might be, the gentleman from Pennsylvania has done a good job in bringing this legislation to the floor and is deserving of the credit due him. I pay tribute to him.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to my colleague.

Mr. PERKINS. Mr. Chairman, I have been a member of the Committee on Education and Labor since the 81st Congress. During the first session of the 81st Congress, we raised the minimum wage from 40 cents to 75 cents an hour and thereafter raised it twice in this 17-year span up to its present level.

In all my experience on the Committee on Education and Labor, and in observing minimum wage and maximum hour legislation coming before the Congress during several terms of the Congress, I have never known a member of the Committee on Education and Labor who has given greater attention and more consideration to legislation in this important area of our committee work than my distinguished colleague from Pennsylvania John Dent.

He has patiently and painstakingly listened to suggestions offered by the various Members of the Congress as well as the suggestions offered by people throughout the United States. We may not agree with every provision in this bill, but I dare say there is not a Member in this Chamber who has exercised greater skill in attempting to reconcile many of the varying viewpoints as to the proper steps to take than the gentleman from Pennsylvania. His efforts have brought before the Congress the best possible bill, under the circumstances on a controversial subject. John Dent is to be congratulated.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman.

Mr. GROSS. It will not make very much difference how high the minimum wage is raised for it will not shut off the imports of goods produced by cheap foreign labor—goods and products that are flooding this country coming from foreign countries where they have no minimum wage laws and where the wages paid are far below the present minimum in this country. It will not make very much difference how high you raise the minimum wage—you are not going to restore those jobs that are lost by our people in this country because of the importation of such goods and products from other countries. The gentleman will agree with that; will he not?

Mr. DENT. Yes, I do agree with that. However, I want to say to you also that this legislation has in it the right of appeal by any aggrieved person or representative of that person—corporate or individual—to the Secretary of Labor where in any instance they feel that the application of the minimum wage makes them noncompetitive with foreign imports.

As you well know, and this is probably one of the few things that you and I stand side by side on—but I do not believe you can survive in a nation of high economy in open competition with nations of low economy. But that does not stop us from recognizing the serious need here.

Every time we raise the cost of Government and the cost of living—and every time we meet the necessary demands of the people for the services from their Government, we make it imperative that all the people earn enough to meet those costs that we have put upon them.

The original act provided that the statutory minimum wage would be raised to 30 cents an hour beginning October 24, 1939. A procedure was established for raising the minimum wage by stages to a level of 40 cents an hour, industry by industry, as rapidly as possible; but, in any case, 40 cents an hour was to become the national minimum wage within 7 years after the effective date of the act, that is, by October 24, 1945.

During the interval, intermediate minimum wages were applied to different industries on recommendation of industry committees. The last order of the Wage and Hour Administrator raising the minimum wage to 40 cents an hour was issued in July 1944, 1 year before the date set by the act for the 40-cent-an-hour minimum wage rate to become applicable.

The act also established an overtime rate—not less than 1½ times the employee's regular hourly rate—which was to be paid employees for employment in excess of certain maximum hours in a workweek. Thus, during the first year of the act, that is, from October 24, 1938, to October 23, 1939, a maximum hours standard of 44 hours a week was applied to covered employees; during the second year, 42 hours became the standard; and after 2 years, the standard was reduced to 40 hours a week. The time-and-one-half penalty overtime rate has never been altered, although amendments were passed in subsequent years increasing the statutory minimum wage and extending coverage to unprotected workers.

Amendments were approved in 1949, 1955, and 1961, and the minimum wage is now $1.25 an hour. At the present time, half of the Nation's wage and salary workers are outside the coverage of the act. The law presently covers only 29.6 million of the 60 million wage and salary workers in the United States. A large number of these 60 million are beyond the scope of the act's practical, possible, or needed coverage. But of the 47 million workers in private industry who might be brought within the coverage of the wage and hour guarantees, 17½ million are not in fact covered.

Mr. Chairman, this bill seeks to implement the policy of the Fair Labor Standards Act by, first, extending the benefits and protection of the act to an estimated 7,243,000 workers engaged in commerce or in the production of goods for commerce, or employed in enterprises engaged in commerce or in the production of goods for commerce, and, second, providing an increase in the minimum wage.

The bill provides that the minimum wage for those employees presently covered by the act will be $1.40 an hour beginning February 1, 1967, and $1.60 an hour beginning February 1, 1968. The proposed minimum wage for newly covered workers—other than those employed in agriculture—will be $1 an hour beginning February 1, 1967; $1.15 an hour beginning February 1, 1968; $1.30 an hour beginning February 1, 1969; $1.45 an hour beginning February 1, 1970; and $1.60 an hour beginning February 1, 1971. For newly covered agricultural workers the bill provides a minimum wage that will be $1 an hour beginning February 1, 1967; $1.15 an hour beginning February 1, 1968; and $1.30 an hour beginning February 1, 1969. Thus, the proposed new wage floors will be reached gradually within 2 years from now for those presently covered by the act and for certain Federal employees and Federal service contract employees; 5 years for those, other than agricultural workers, who will be newly covered by the act; and 3 years for newly covered agricultural workers.

The wage increases provided by the bill were geared to considerations of correcting and as rapidly as practicable eliminating labor conditions detrimental to the maintenance of the minimum standard of living necessary for health, efficiency, and general well-being of workers without substantially curtailing employment or earning power. It is firmly believed that those gradual increases, approximately equivalent to productivity increases in recent years, can be absorbed by the national economy as easily as all previous increases in the minimum wage.

Opponents of this bill are quick to state that the increases in the minimum wage violate the President's wage-price guidelines. They also raise the specter of inflation, and a wage-price spiral which is supposed to result due to a higher minimum wage.

With regard to the first point, let me state that I hardly think the President meant his wage-price guidelines to apply to workers earning a wage below that level considered as the "poverty level of income." In any event, however, the fact of the matter is that the wage increases fall well within these guidelines. For example, in the case of the 29.6 million workers presently covered by the act, the minimum wage would increase from $1.25 an hour to $1.40 an hour and ultimately to $1.60 an hour. Some 12 percent of these employees presently earn less than $1.40 an hour, and some 18 percent earn less than $1.60 an hour. Since the annual wage bill for all of the presently covered workers is approximately $145 billion, and the estimated annual wage bill increase because of raising the minimum wage averages $979 million per year for the next 2 years, the percentage increase in the wage bill is 0.68 per year over the next 2 years. This is the amount opponents of this legislation object to; this is the amount which allegedly violates the President's wage-price guidelines. I daresay that when the arguments of the opposition became that unfounded, we must have a good bill.

As I mentioned earlier, they also raise the fear of this bill producing a serious inflationary effect on our economy. This argument has been used and abused since 1938, when the original act was passed.

Suffice it to say that there is not one shread of evidence indicating that this act, or any amendments thereto, has adversely affected the economy in any way. I say this with vehemence because I am tired of hearing such hollow cries of anguish.

As recently as 1961, these old familiar refrains were heard in the halls of Congress. In concluding remarks in the report to the 89th Congress—January 1966—by the Secretary of Labor regarding the Fair Labor Standards Act, the Secretary made the following comment which is relevant to this discussion:

> The required conclusion from . . . studies and analyses is that the 1961 amendments to the Fair Labor Standards Act have not resulted in any identifiable retarding of economic expansion, decrease in employment, contribution to inflation, or diminution of profits.

Mr. Chairman, we are talking about poverty wages here today. We are not setting wages, and I find it somewhat tragic that any worker should be affected by this bill, for no breadwinner should be paid a wage which forces him to support his family on the yearly sum of $2,500. This is what $1.25 an hour amounts to. Even at $1.60 an hour, which represents the ultimate increase in the minimum wage under this bill, that worker will only earn $3,200 a year. I wonder how many of us can stand up and sincerely object to a workingman earning, and supporting his family, on the grand annual sum of $3,200. Frankly not even farm workers live on less when you consider the fringe benefits and services.

Mr. Chairman, there could be no better time than the present period of unprecedented business prosperity to broaden the base of the act and to increase the minimum wage to a level which will provide a living wage. This is an essential effort in our war on poverty. Our concern cannot focus solely upon the unemployed when the working poor live in poverty too. Many families living in poverty today do not need the services of welfare workers, nor public assistance, nor charity. What they need is a living, decent wage for the family breadwinner. One of the reasons that they are denied this minimum standard of protection is that they are employed in industries excluded from the coverage of the act. The act was a major, almost revolutionary, social achievement in 1938. Its announced objective was to eliminate substandard labor conditions as rapidly as possible. The original pace will be restored by these amendments.

Mr. Chairman, I will not present a concise description of the bill's provisions. As Members know, several areas are covered by this bill that have not been previously covered. Perhaps this is a more important aspect of the legislation than raising the minimum wage. It is significant to note, in this respect, that some 728,000 nonagricultural employees brought under the act's coverage by this bill presently earn less than $1 an hour. It is even more significant that of the 485,000 farmworkers to be covered, some 213,000—44 percent—presently earn less than $1 an hour. This is an even more tragic reality than those presently covered who earn the bare minimum.

I shall now explain the provisions of the bill in detail. Some of my discussions will relate to matters which have been raised since the printing of the committee report.

TITLE I—DEFINITIONS

Section 101. Tips: Special provisions are made for employees who receive tips. The definition of "wage" is amended in section 101 of the bill so that the wage paid by the employer to a tipped employee will be deemed to be increased—on account of tips—by an amount determined by the employer, but such amount shall not exceed 35 percent of the applicable minimum wage rate during the first 2 years from the effective date of the Fair Labor Standards Amendments of 1966, 40 percent during the third and fourth years, and 45 percent thereafter.

A "tipped employee" is defined in the bill as any employee engaged in an occupation in which he customarily and regularly receives more than $20 a month in tips. This is analogous to the reporting requirements for a tipped employee under the provisions of the Social Security Amendments of 1965.

It should also be noted here that at present "wages" include the fair value of board, lodging, and other facilities customarily provided by the employer to his employees.

These provisions resolve the question of whether certain income of an employee from a source other than his employer, but earned while in the employment of such employer should be considered wages paid by the employer. This proposal reflects the result of considerable deliberation on the basic issue of tips, as wages, as well as the difficult problem of how best to calculate the amount of tips. It further reflects the equitable result of discussions with representatives of the industry, both labor and management.

The practical application of the provisions may be seen by example. For instance, assuming the applicable minimum hourly wage is $1, the maximum tip allowance is 35 percent of that amount, or $0.35 per hour. The employer is required to pay the employee a minimum hourly wage of $0.65, assuming the employee comes under the definition of "tipped employee," and further assuming that he received $0.35 or more an hour in tips. The 35 percent credit also applies to the minimum hourly wage of $1.15. When such wage is $1.30 or $1.45 an hour, the applicable tip allowance is 40 percent of the respective amounts. When the wage is $1.60 an hour, the maximum allowance is 45 percent. This means that a maximum of 45 percent of the $1.60 hourly minimum, $0.72 per hour, may be so credited against the employee's wage. The employer then, must pay the balance of the applicable minimum rate—in this case, $0.88 an hour. All this presumes, however, that the employee is receiving at least the maximum tip credit in actual tips.

If the employee is receiving less than the amount credited, the employer is required to pay the balance so that the employee receives at least the minimum wage with the defined combination of wages and tips.

The bill's tip provisions provide enough flexibility to account for a practice as inconsistent as tipping. To further assure fairness, the bill directs a procedure whereby an employee—either himself or acting through his representative—who shows to the satisfaction of the Secretary that the actual amount of tips received by him was less than the amount credited against his wage by the employer, shall be deemed to have his wages increased by the actual amount of tips.

Section 102. Definition of enterprise: Before the 1961 amendments to the act, coverage was limited to individual employees who were themselves engaged in commerce or in the production of goods for commerce. The 1961 amendments expanded coverage by adding protection for those employed in an "enterprise engaged in commerce or in the production of goods for commerce." The "enterprise" coverage, however, was subject to an annual sales test of $1 million. Separate dollar tests for the construction industry—$350,000—and gasoline service establishments—$250,000—were provided.

Section 102 of the bill would reduce the million-dollar test to $500,000 for 2 years, and then to $250,000 in 1969. There would be no dollar tests for enterprises engaged in: First, laundering, cleaning, or repairing clothing or fabrics; second, construction; or, third, the operation of hospitals and related institutions and institutions of higher education.

"Mom and Pop" stores—those establishments in which the only regular employees are the immediate family of the owner—continue to be excluded, and their sales are not to be used in determining the annual gross sales of any "enterprise."

Section 103. Agricultural employees: Excludes from the definition of employee, for the purpose of computing "man-days" of agricultural labor, "the parent, spouse, child, or other member of the agricultural employer's immediate family," and "any individual who is employed by an employer engaged in agriculture if such individual is employed as a hand harvest laborer and is paid on a piece-rate basis in an operation which has been, and is customarily and generally recognized as having been, paid on a piece-rate basis in the region of employment, commutes daily from his permanent residence to the farm on which he is so employed, and has been employed in agriculture less than 13 weeks during the preceding calendar year." Defines "man-day" to mean any day during which an employee performs agricultural labor for the employer.

TITLE II—REVISION OF EXEMPTIONS

Section 201. Hotel, restaurant, and recreational establishments; hospitals and related institutions: The bill repeals the minimum wage and overtime exemption now provided in section 13(a)(2)(ii) and (iii) for hotels, motels, restaurants, and hospitals and related institutions, but restores the overtime exemption for hotels, motels, and restaurants in a new section 13(b)(8).

The minimum wage and overtime exemption in section 13(a)(2)(ii) for seasonal amusement and recreational establishments would be limited to establishments which do not operate for more than 7 months annually, or which have average receipts for any 6 months of the year which do not exceed one-third of their average receipts for the remaining 6 months of the year.

Employees of small retail or service establishments, except laundry and cleaning service employees and employees of hospitals and certain institutions and schools, which have annual dollar volumes of sales which are less than $250,000 and which do more than 50 percent of their business within the State in which they are located, are exempted from the minimum wage and overtime provisions of the act. This establishment exemption applies to restaurants, retail food service establishments, hotels, motels, amusement or recreational establishments, and other retail or service establishments as defined in the act.

Section 202. Laundry and drycleaning establishments: This section repeals the minimum wage and overtime exemption applicable to employees in laundry and drycleaning establishments. Thus, this amendment and the amendments providing a new definition of a section 3(s) enterprise and a revision of the retail or service establishment exemption provide for complete minimum wage and overtime protection for employees of such establishments.

Section 203. Agricultural employees: Presently, no agricultural employees are covered by the minimum wage or overtime provisions of the act. The amendments made in this bill provide a minimum wage for certain agricultural employees but maintain the exemption from overtime provisions of the act.

The following exemptions contained in section 13(a) relating to agricultural employees are repealed and placed in section 13(b) as exemptions from the overtime provisions of the act:

First. Employees employed in agriculture and in the operation of certain irrigation facilities—old section 13(a)(6) and new section 13(b)(12).

Second. Agricultural employees employed in livestock auctions—old section 13(a)(16) and new section 13(b)(13).

To determine the agricultural employees to whom the minimum wage will apply, the new exemption from minimum wage coverage established in a new section 13(a)(6) for agricultural employees must be examined. First, the exemption specifically excludes—in clause (B)—an agricultural employee who is the parent, spouse, child, or other member of his employer's immediate family. With respect to any other agricultural employee, the minimum wage coverage depends on whether his employer used during any of the four preceding calendar quarters during the preceding calendar year more than 500 man-days of agricultural labor performed by employees—other than employees excluded from the definition of the term "man-day." Thus, if in a calendar quarter there were 75 days during which the employer employed six employees—resulting in 450 man-days of agricultural labor—the exemption would apply and the employees would not be covered by the minimum wage, but if he employed seven employees instead of six during such days—resulting in more than 500 man-days of agricultural labor—his employees would be covered by the minimum wage.

It will be recalled that section 103 of the bill provides that the calculation of man-days is not a simple count of all the workers on a farm. The bill provides that certain agricultural employees not be included in the general count; that is, the labor of certain employees will not be recognized as increasing the man-day count. The employees who will not be included in determining whether or not an individual farm exceeds the 500 man-day criteria are first, the parent, spouse, child, or other member of an agricultural employer's immediate family; or second, an employee who is employed as a hand harvest laborer and is paid on a piece-rate basis in an operation which has been, and is customarily and generally recognized as having been, paid on a piece-rate basis in the region of employment, commutes daily from his permanent residence to the farm on which he is so employed, and, has been employed in agriculture less than 13 weeks during the preceding calendar year.

The latter category generally defines local, temporary employees, who work during a crop harvest. The committee did not intend to have the limited labor of these employees raise the man-day count above 500. The effect of including these employees in the man-day count would be to cover the employees of small farms which may utilize extensive local and temporary labor during a harvest season.

Section 204. Agricultural processing employees: The bill revises the exemptions relating to agricultural handling and processing contained in section 13(a) and section 7 of the act.

The exemptions in section 13(a) for the following employees have been replaced by new overtime exemptions in section 13(b): First, employees employed by country elevators; second, employees employed in the ginning of cotton, and, third, employees engaged in the transportation of fruit and vegetables or the transportation of farmworkers.

The present exemption in section 13(a)(10) of the act provides a complete year-round exemption from the act's minimum wage and overtime provisions for employees in the area of production and engaged in, first, handling, preparing, storing, compressing, pasteurizing, drying, and preparing agricultural or horticultural commodities in their raw or natural state; second, canning agricultural or horticultural commodities for market; or, third, making dairy products.

This minimum wage and overtime exemption is repealed by the bill.

There is presently in section 7(b)(3) a 14-week overtime exemption, limited to 12 hours a day and 56 hours a week, applicable to employees employed in seasonal industries.

The present overtime exemption in section 7(c) of the act may be summarized as follows:

First. There is a year-round unlimited exemption applicable to employees of employers engaged in first processing of milk, et cetera, into dairy products; cotton compressing and ginning; cottonseed processing, or, the processing of certain farm products into sugar.

Second. There is a 14-week unlimited exemption applicable to employees of employers engaged in first processing, et cetera, of perishable or seasonal fruits or vegetables; first processing within area of production of any agricultural commodity during a seasonal operation, or, handling or slaughtering of livestock and poultry.

These two exceptions are replaced by exemptions contained in new sections 7(c) and 7(d). Section 7(c) provides a 14-week overtime exemption for employees employed in a seasonal industry which is not engaged in agricultural processing, and it is limited to 10 hours a day and 48 hours a week.

The new section 7(d) provides a 14-week overtime exemption, limited to 10 hours a day and 48 hours a week, for employees in an enterprise which is in an industry found by the Secretary of Labor: First, to be of a seasonal nature and engaged in handling, processing, and so forth, of highly perishable agricultural or horticultural commodities in their raw or natural state; or, second, to be characterized by marked annually recurring seasonal peaks of operation at the places of first marketing or first processing of such commodities from farms, if such industry is engaged in handling, packing, and so forth, of highly perishable farm products in their raw or natural state.

"Highly perishable agricultural or horticultural commodities" are those which in their raw or natural state are subject to especially rapid deterioration or spoilage unless some affirmative action is taken at once—that is, within 24 hours—to preserve them from a major depreciation in value.

A "seasonal industry" is one which stops its primary operations during those parts of the year when, as a result of natural conditions, the commodities handled in such industry are not available. On the other hand an industry characterized by "seasonal peaks" of operation does not stop its primary operations during the year, but rather, maintains them at a constant level except during certain periods of the year when its operations are greatly expanded to take care of the seasonal influx of the commodities in their raw or natural state. We intend that no employer will be able to avail himself of more than one 14-week overtime exemption under the new sections 7(c) and 7(d) in any calendar year.

Mr. Chairman, I would now like to depart from my analysis of the bill, and direct my comments towards clarifying some aspects of this section. For example, the phrase "highly perishable" has caused some question in the minds of several Members.

During the extended hearings on the minimum wage amendments, representatives of the food processing industry opposed reducing or eliminating the overtime exemptions applicable to their industry.

The industries position hinged upon the high degree of perishability of their products. They argued that for some fruits and vegetables it was impractical and uneconomic to eliminate overtime work during the peaks of the harvest seasons. It is the industries position that some commodities must be processed immediately after harvest to prevent a substantial depreciation in their value.

The committee was sympathetic to this position. An amendment was adopted to preserve a 14-week overtime exemption for "highly perishable" agricultural or horticultural commodities. The term "highly perishable" was carefully and specifically chosen by the committee to tailor the amendment to the real needs of the agricultural processing industry. The language is intended to distinguish between those products which will spoil over a period of days, weeks, or months, and those products which will deteriorate very rapidly if not processed directly after harvesting, such as green peas, sweet corn, asparagus, Freestone peaches, and soft berries.

If the processing of the crop could be deferred for more than 24 hours, it follows that overtime work would be unnecessary as the work could be done in consecutive 8-hour days.

The Webster's New Collegiate Dictionary defines persishable to mean:

> Liable to perish; subject to destruction or deterioration; as, perishable goods.

If this section is amended by striking out the word "highly" we would, in effect, be granting an overtime exemption to the entire fruit and vegetable processing industry without regard to specific need. All fruits and vegetables are perishable. Everyone of them will deteriorate in time. Applying the exemption to all perishable agricultural commodities will go beyond the needs of the industry as stated in their testimony during hearings.

Should an extraordinary situation occur where overtime could not be avoided, it should be noted that the law does not prohibit overtime, but merely seeks to deter excessively long workweeks by requiring the payment of 1½ times the regular rate of pay for hours in excess of 40 in any workweek. There is no prohibition on workdays in excess of 8 hours, nor is overtime pay required. This allows for considerable flexibility on the part of the employer in scheduling his work force during extraordinary circumstances.

There is no earthly reason for allowing overtime work without overtime pay after 40 hours a week where the product being processed is not subject to especially rapid spoilage. In this case the employer can defer the work, hire additional employees, add extra shifts, or pay 1½ times the regular rate of pay in other manufacturing or processing industries. Also, it must be recalled, the 14-week exemption need not be taken in consecutive weeks. An employer can scatter his 14 exempt weeks to take advantage of harvest peaks in his area.

Section 205. Small newspapers: Section 13(a)(8) of the act presently provides a minimum wage and overtime exemption for employees of certain small newspapers if the major part of the newspaper's circulation is within the county in which it is both printed and published, or contiguous counties. This section is amended so that the major part of the newspaper's circulation need only be in the county in which the newspaper is published, or contiguous counties.

Section 206. Transportation companies: The minimum wage and overtime exemption for employees of street, suburban or interurban electric railways, or local trolley or motorbus carriers in section 13(a)(9) is changed to an overtime exemption and limited to drivers, operators, or conductors of local transit companies subject to State or local regulation.

The minimum wage and overtime exemption for employers in the taxicab business in section 13(a)(12) is narrowed to an overtime exemption for taxi drivers in section 13(b)(17).

Section 207. Motion picture theater employees: The bill retains the minimum wage and overtime exemption for employees of motion picture theaters.

Section 208. Logging crews: The minimum wage and overtime exemption provided for crews of 12 men or less engaged in lumbering and forestry operations is amended by this section to provide such an exemption only in the case of crews of 8 men or less.

Section 209. Automobile, aircraft, and farm implement sales establishments: Repeals minimum wage and overtime exemption for all employees in automobile and farm implement sales establishments and provides a new overtime exemption for salesmen, mechanics, and partsmen in such establishments and for salesmen, mechanics, and flight personnel in aircraft sales establishments.

Section 210. Food employees: The bill repeals the minimum wage but maintains an overtime exemption for such employees

Section 211. Gasoline service stations: Repeals the present overtime exemption for employees of such establishments.

Section 212. Petroleum distribution employees: Amends the overtime exemption to provide an overtime exemption for employment up to 12 hours in any workday and up to 56 hours in any workweek for independently owned bulk petroleum distributors doing less than $1 million of business annually if more than 75 percent of sales is made intrastate, not more than 25 percent of the distributor's customers purchase for resale, and compensation for hours between 40 and 56 in any workweek is not less than 1½ times the applicable minimum wage.

Section 213. Eniwetok and Kwajalein Atolls and Johnston Island: This section makes the act applicable to employees in Johnston Island and in the Eniwetok and Kwajalein Atolls.

Section 214. Technical and conforming amendments: This section makes a conforming amendment to section 3(n) to reflect the amendment to section 3(s) and also redesignates the paragraphs remaining in section 13(a) for the purpose of filling the gaps left by the repeals made in this title of the bill.

TITLE III—INCREASE IN MINIMUM WAGE

Section 301. Presently covered employees: Employees now covered by the Fair Labor Standards Act would be entitled to a minimum wage of not less than $1.40 an hour beginning February 1, 1967, and not less than $1.60 an hour beginning February 1, 1968.

Section 302. Agricultural employees: The minimum wage for newly covered agricultural employees would be not less than $1 beginning February 1, 1967; $1.15 an hour beginning February 1, 1968; and $1.30 an hour beginning February 1, 1969.

Section 303. Newly covered employees: Employees newly covered by the act, except agricultural employees, would be entitled to a minimum wage of not less than $1 an hour beginning February 1, 1967; and, through annual increases, to $1.15 an hour, $1.30 an hour, $1.45 an hour, to the $1.60 an hour over a 4-year period. Thus by February 1, 1971, all nonagricultural employees subject to the act would be receiving a minimum wage of at least $1.60 an hour.

Section 304. Employees in Puerto Rico and the Virgin Islands: A two-step increase in existing wage order rates would be provided in Puerto Rico and the Virgin Islands—12 percent the first year and 16 percent 1 year later. The review committee procedure provided in the 1961 amendments to the act has been eliminated.

The minimum wages of employees in Puerto Rico and the Virgin Islands covered by the act for the first time would be established by special industry committees subject to the usual standard of reaching "as rapidly as is economically feasible without substantially curtailing employment the objective of the minimum wage prescribed" for the employees involved.

Section 305. Contract services to Federal Government: The bill provides that every employer providing a contract service for the United States shall pay to his employees not less than the minimum wage provided in section 6(a)(1).

When amendments are offered to the bill, the committee will propose that the applicable minimum wage rate be that contained in section 6(b).

Section 306. Federal employees: The bill would incorporate in a new section 18(b) of the act the policy of paying minimum wages and overtime pay as required by the act to Federal wage board employees and to employees of nonappropriated fund instrumentalities. This provision is limited to Federal employment within the States of the Union and the District of Columbia. The provision contemplates the continuance of existing administrative procedures relating to the payment of these workers. But it removes from the realm of administrative discretion the ultimate minimum wage floor.

TITLE IV—APPLICATION OF MAXIMUM HOURS PROVISION

Section 401. Presently and newly covered employees: The bill would retain the basic concept of time and one-half for hours worked in excess of 40 in a workweek. However, there are three step adjustments to this standard in the case of nonfarm employees to newly covered by the act by this bill. For these employees, the maximum workweek would be 44 hours during the year commencing February 1, 1967; 42 hours during the year beginning February 1, 1968; and 40 hours after February 1, 1969.

Section 402. Commission salesmen: The bill provides that in determining the proportion of compensation representing commissions for purposes of the overtime exemption in the present section 7(h) of the act, all earnings resulting from the application of a bona fide commission rate shall be deemed commissions without regard to whether they exceed a draw or guarantee.

TITLE V—STUDENTS AND MANAGEMENT TRAINEES

Section 501. Students and management trainees—Full-time students: In 1961, Congress amended section 14 of the act to permit—under certificates issued by the Secretary of Labor—the employment of "full-time students" in retail or service establishments at less than the minimum wage otherwise applicable. Such full-time employment—limited to periods outside school hours and to high school age levels—cannot be of a type ordinarily given to a full-time employee. With the benefit of experience under the 1961 amendments, some changes in this provision would be made by the bill. The full-time students could be employed regardless of age, but at not less than 85 percent of the minimum wage applicable to full-time positions. Employment under these certificates would be limited to 20 hours a week except during school vacations when full-time employment would be permitted. The number of students employed under this provision would be limited by the proportion of students employed before the 1961 amendments, and those coming into existence after 1961. Similar provisions are added to the act for employment of students in agriculture.

Management trainees: The bill would provide for the first time an overtime exemption for the employment of management trainees in retail or service establishments under certificates issued by the Secretary of Labor. Such employment would be for a period not to exceed 18 months per trainee. The exemption is limited to training for employment in a capacity which would fall within the act's "white collar" exemption. The exemption is also limited to retail or service establishments having: First, one trainee, if the establishment has 50 employees or less, or, second, a number of trainees not exceeding 3 percent of the total number in the establishment and one additional trainee, if the establishment has more than 50 employees. The ratios are to be measured by the numbers of full-time employees.

Even though within the exemption, management trainees are entitled to time and one-half the applicable minimum wage for hours worked over 40 in a workweek.

Employment of youth: The bill adds a new provision to the act to the effect that nothing in the act shall require any employer to pay more than 75 percent of the applicable minimum wage to any employee under the age of 21 years during the first 6 weeks of full-time employment of such employee's employment career. In the context of the section, the committee does not contemplate any further diminution of the minimum wage payable under the act by any of its other provisions, such as those relating to "tipped employees."

In using the phrase "6 weeks of full-time employment" the committee intends that—

First. The 6 weeks are to be cumulative and once they have been reached the employee can no longer be employed at the special 75-percent rate;

Second. The term "weeks of full-time employment" must be read with the limitation relating to the employee's employment career. Only a full week of full-time employment would qualify an employee for the special rate.

TITLE VI—STATUTE OF LIMITATIONS AND EFFECTIVE DATE

Section 601. Statute of limitations: Section 601 of the bill amends the FLSA and the Portal Act—which contains the statute of limitations for the FLSA—to provide a 3-year—rather than a 2-year—statute of limitations for causes of action arising out of a willful violation of this law.

Section 602. Effective date: The amendments made by the bill shall take effect on February 1, 1967.

Section 603. Study of excessive overtime: The Secretary of Labor is instructed to study present practices dealing with overtime work and to report to the Congress by July 1, 1967.

Mr. Chairman, the Federal minimum wage laws can play a vital role in eliminating poverty and shunning any compromise with human dignity of America's workers. But it is becoming less—rather than more—effective in achieving this goal. Today, a smaller percentage of the Nation's private nonsupervisory nonagricultural workers is covered by the Fair Labor Standards Act than was covered by the act's initial provisions in 1938.

Half of all women workers and more than half of all nonwhite workers are now in jobs not covered by the Fair Labor Standards Act, and are paid wages which are frequently below $1.25 an hour and sometimes far below that wage.

Mr. Chairman, this bill represents an effort to fulfill the promise of the original act and to reestablish its role as the major instrument of the Nation's fair labor standards policies. It reflects a reexamination of current needs to remove substandard working conditions and an effort to change the act to remedy those needs.

I therefore strongly urge its immediate enactment.

H.R. 13712—SUMMARY OF THE PROPOSED FAIR LABOR STANDARDS ACT AMENDMENTS AS REPORTED BY THE COMMITTEE ON EDUCATION AND LABOR, MARCH 21, 1966

I. PURPOSE

A. To extend minimum wage and overtime protection to certain employees:

Minimum wage protection will be extended to employees in the following:

Retailing, including auto, truck and farm implement dealerships.

Construction.

Laundering and drycleaning.

Transit and taxicab systems.

Restaurants and food service establishments.

Logging.

Agriculture and agricultural processing.

Hotels and motels.

Hospitals and related institutions.

Federal Government.

Federal service contract.

Overtime protection will be extended to employees in the following:

Retailing, including auto, truck, and farm implement dealerships (excluding salesmen, mechanics, and partsmen).

Construction.

Laundering and drycleaning.

Transit and taxicab systems (excluding operating employees).

Logging.

Agricultural processing.

Hospitals and related institutions.

Gasoline service stations.

Federal Government.

Federal service contract.

B. To raise the minimum wage:

Employees	Hourly rate	Effective date
Presently covered (29,600,000)	$1.40	Feb. 1, 1967
	1.60	Feb. 1, 1968
Newly covered (nonfarm) (6,093,000).	1.00	Feb. 1, 1967
	1.15	Feb. 1, 1968
	1.30	Feb. 1, 1969
	1.45	Feb. 1, 1970
	1.60	Feb. 1, 1971
Agriculture (485,000)	1.00	Feb. 1, 1967
	1.15	Feb. 1, 1968
	1.30	Feb. 1, 1969
Federal employees (665,000)	1.40	Feb. 1, 1967
	1.60	Feb. 1, 1968
Federal service contract	1.40	Feb. 1, 1967
	1.60	Feb. 1, 1968

C. To provide overtime protection for newly covered employees:

A newly covered employee must receive compensation at a rate not less than 1½ times the regular rate at which he is employed for hours of employment in excess of—	Effective date
44 hours in any workweek	Feb. 1, 1967
42 hours in any workweek	Feb. 1, 1968
40 hours in any workweek	Feb. 1, 1969

II. EXTENSION OF MINIMUM WAGE

Estimated distribution of nonsupervisory employees who would be brought under minimum wage protection of the act in 1967 and 1969 by the bill [1]

[In thousands]

Industry	Employees added to minimum wage coverage			Total employees subject to minimum wage provisions
	1967	1969	Total	
Retail trade	1,155	345	1,500	4,086
Restaurants	300	125	425	432
Hotels and motels	240	35	275	275
Hospitals and related institutions	1,471		1,471	1,471
Miscellaneous services	20	30	50	349
Laundries	505		505	523
Agriculture	485		485	485
Transit systems	60	5	65	65
Agriculture in area of production	90		90	90
Taxicabs	75	25	100	100
Logging	37		37	37
Cotton ginning	34		34	34
Construction	581		581	2,994
Federal Government	665		665	665
All other industries	570	390	960	25,230
Total	6,288	955	7,243	36,836

[1] Based on estimated employment in 1964.

NOTE.—These estimates do not reflect coverage of employees of employers providing contract services for the United States.

III. BRIEF SECTION-BY-SECTION ANALYSIS

Title I—Definitions

SECTION 101. *Tips.*—Provides that the wage paid by an employer to a tipped employee shall be deemed to be increased on account of tips by an amount determined by the employer, but such amount shall not exceed 35 percent of the applicable minimum wage rate during the first 2 years from the effective date of the Fair Labor Standards Amendments of 1966, 40 percent during the third and fourth years, and 45 percent thereafter. Directs the institution of a procedure for reconsideration of the amount attributed as tips upon appeal by the employee.

Defines "tipped employee" as an employee engaged in an occupation in which he customarily and regularly receives more than $20 a month in tips.

SEC. 102. *Definition of enterprise.*—Amends definition of "enterprise" and "employer" to include public and private, proprietary and nonproprietary hospitals (excluding Federal Government hospitals) and related institutions and, also, institutions of higher education regardless of whether or not such institutions are public or private or operated for profit or not for profit. Further amends definition of "enterprise" and "employer" to include public and private, proprietary, and nonproprietary transit systems.

Also amends the definition of an "enterprise engaged in commerce or in the production of goods for commerce" to include an enterprise which has employees engaged in commerce or in the production of goods for commerce and which (1) during the period February 1, 1967, through January 31, 1969, has an annual gross volume of sales of not less than $500,000, or is a gasoline service establishment with an annual gross volume of sales of not less than $250,000, (2) beginning February 1, 1969, has an annual gross volume of sales of not less than $250,000, (3) is a laundry or drycleaning enterprise or a construction enterprise, or (4) is a hospital, nursing home, institution of higher education, or other related institution (regardless of whether or not such hospital, institution or school is public or private or operated for profit or not for profit). There is no dollar volume test for the following types of enterprises: laundries, drycleaning, construction, educational or hospital, nursing home, and similar institutions. "Mom and Pop" establishments remain excluded. Individual retail or service establishments meeting the percentage tests in section 13(a)(2) and with annual sales of less than $250,000 remain excluded under section 13(a)(2) of the Act.

SEC. 103. *Agricultural employees.*—Excludes from definition of employee, for the purpose of computing "man-days" of agricultural labor, "the parent, spouse, child, or other member of the agricultural employer's immediate family," and "any individual who is employed by an employer engaged in agriculture if such individual (*a*) is employed as a hand harvest laborer and is paid on a piece-rate basis in an operation which has been, and is customarily and generally recognized as having been, paid on a piece-rate basis in the region of employment, (*b*) commutes daily from his permanent residence to the farm on which he is so employed, and (*c*) has been employed in agriculture less than 13 weeks during the preceding calendar year." Defines "man-day" to mean any day during which an employee performs agricultural labor for the employer.

TITLE II—REVISION OF EXEMPTIONS

SEC. 201. *Hotel, restaurant, and recreational establishments; hospitals and related institutions.*—Repeals the minimum wage exemptions for such establishments (except seasonal recreational and amusement establishments). Maintains overtime exemptions for such establishments (except hospitals and related institutions).

Exempts any employee employed by any retail or service establishment (but not employees of laundries or drycleaning establishments or employees of hospitals and related institutions) which are doing less than $250,000 of business annually.

SEC. 202. *Laundry and drycleaning establishments.*—Repeals minimum wage and overtime exemptions.

SEC. 203. *Agricultural employees.*—Amends minimum wage exemption to retain such exemption for agricultural employees employed by an employer who did not, during any calendar quarter of the preceding calendar year, use more than 500 man-days of agricultural labor. Members of the employer's immediate family are also exempt from the minimum wage. Maintains overtime exemption for agricultural employees, including livestock auctioneers.

SEC. 204. *Agricultural processing employees.*—Repeals minimum wage and overtime exemption for agricultural processing employees in the "area of production"; repeals minimum wage but maintains overtime exemption for employees of country elevators located in "area of production," repeals minimum wage but maintains overtime exemption for cotton ginning employees, and repeals minimum wage but maintains overtime exemption for certain fruit and vegetable transportation employees.

Amends 14-week overtime exemption for seasonal industries (other than agricultural processing) to require compensation for hours of employment in excess of 10 in any workday or in excess of 48 in any workweek at not less than 1½ times the regular rate.

Amends exemptions applicable to agricultural processing to provide for a single 14-week overtime exemption for processing of highly perishable agricultural or horticultural commodities in their raw or natural state, but the exemption requires compensation for hours worked in excess of 10 in any workday or in excess of 48 in any workweek at not less than 1½ times the regular rate of pay for such employees. Only one 14-week overtime exemption for a calendar year may now apply to any employer.

SEC. 205. *Small newspapers.*—Provides minimum wage and overtime exemption for employees of such newspapers published in the county of major circulation.

SEC. 206. *Transportation companies.*—Repeals minimum wage exemption but provides overtime exemption for operating employees of transit and taxicab companies.

SEC. 207. *Motion picture theater employees.*—Retains minimum wage and overtime exemption.

SEC. 208. *Logging crews.*—Reduces minimum wage and overtime exemption criteria from a 12-man crew to an 8-man crew.

SEC. 209. *Automobile, aircraft, and farm implement sales establishments.*—Repeals minimum wage and overtime exemption for all employees in automobile and farm implement sales establishments and provides a new overtime exemption for salesmen, mechanics, and partsmen in such establishments and for salesmen, mechanics, and flight personnel in aircraft sales establishments.

SEC. 210. *Food service employees.*—Repeals minimum wage but maintains overtime exemption.

SEC. 211. *Gasoline service stations.*—Repeals overtime exemption.

SEC. 212. *Petroleum distribution employees.*—Amends overtime exemption to provide an overtime exemption for employment up to 12 hours in any workday and up to 56 hours in any workweek for independently owned bulk petroleum distributors doing less than $1 million of business annually if more than 75 percent of sales is made intrastate, not more than 25 percent of the distributor's customers purchase for resale, and compensation for hours between 40 and 56 in any workweek is not less than 1½ times the applicable minimum wage.

SEC. 213. *Eniwetok and Kwajalein Atolls and Johnston Island.*—Extends jurisdiction of Act.

SEC. 214. *Technical and conforming amendments.*

TITLE III—INCREASES IN MINIMUM WAGE

SEC. 301. *Presently covered employees.*—Raises minimum wage for employees covered prior to enactment of 1966 amendments to not less than $1.40 an hour beginning February 1, 1967, and not less than $1.60 an hour beginning February 1, 1968.

SEC. 302. *Agricultural employees.*—Provides a minimum wage for newly covered agricultural employees of not less than $1.00 an hour beginning February 1, 1967; not less than $1.15 an hour beginning February 1, 1968; and not less than $1.30 an hour beginning February 1, 1969.

SEC. 303. *Newly covered employees.*—Provides a minimum wage for employees covered by the Act for the first time by the 1966 amendments (other than newly covered agricultural employees) at not less than $1.00 an hour beginning February 1, 1967; not less than $1.15 an hour beginning February 1, 1968; not less than $1.30 an hour beginning February 1, 1969; not less than $1.45 an hour beginning February 1, 1970; and not less than $1.60 an hour beginning February 1, 1971.

SEC. 304. *Employees in Puerto Rico and the Virgin Islands.*—Provides for a percent minimum wage increase for employees in Puerto Rico and the Virgin Islands who are covered by wage orders presently in effect, which is the equivalent of the percent increase on the mainland. Provides for minimum wages for employees brought within coverage of the Act for the first time by the 1966 amendments at rates to be set by special industry committees so as "to reach as rapidly as is economically feasible without substantially curtailing employment the objective of the minimum wage prescribed" for newly covered mainland employees. Eliminates the review committees established by the 1961 amendments.

SEC. 305. *Contract services for Federal Government.*—Every employer providing a contract service for the United States shall pay to his employees the minimum wage provided in section 6(a)(1).

SEC. 306. *Federal employees.*—Establishes minimum wage and overtime coverage for certain Federal wage-board employees and employees in nonappropriated fund instrumentalities under the jurisdiction of the Armed Forces.

TITLE IV—APPLICATION OF MAXIMUM HOURS PROVISION

SEC. 401. *Presently and newly covered employees.*—Maintains provision for 40-hour workweek and compensation for employment in excess of 40 hours at not less than 1½ times the regular rate of pay. For employees covered by the overtime provision for the first time by the 1966 amendments the workweek is phased in beginning at 44 hours during the year beginning February 1, 1967; at 42 hours during the year beginning February 1, 1968; and 40 hours after February 1, 1969.

SEC. 402. *Commission salesmen.*—Provides that in the application of a bona fide commission rate, "commissions" shall be deemed commissions without regard to whether they exceed the draw or guarantee.

TITLE V—STUDENTS AND MANAGEMENT TRAINEES

SEC. 501. *Students and management trainees.*—Amends full-time student provision to provide for the employment of full-time students regardless of age (but in compliance with the applicable child labor laws) outside of their school hours in retail or service establishments or in agriculture at not less than 85 percent of the minimum wage in full-time positions during school vacations or in part-time positions not to exceed 20 hours in any workweek under certificates issued by the Secretary.

Limits number of students to be hired at subminimum wages in retail or service establishments to the proportion of hours of student employment to total employment now in the establishment or similar establishments prior to the 1961 amendments.

Provides an overtime exemption for the employment of management trainees in retail or service establishments limited to 18 months per trainee if such training is for an administrative or executvie position and the trainee receives not less than 1½ times the applicable minimum wage for hours worked in excess of 40 in any workweek and the trainee is not employed for more than 48 hours in any workweek.

A limitation of one trainee to an establishment with 50 or fewer employees or a number of trainees equal to a maximum of 3 percent of the total number of employees in an establishment with more than 50 employees is provided.

Further provides that no employer shall be required to pay in excess of 75 percent of the applicable minimum wage to any employee under the age of 21 years during the first 6 weeks of full-time employment of such employee's employment career.

TITLE VI—STATUTE OF LIMITATIONS AND EFFECTIVE DATE

SEC. 601. *Statute of limitations.*—Maintains 2-year statute of limitations, except in the case of a willful violation where a 3-year statute of limitations is provided.

SEC. 602. *Effective date.*—The amendments made by this Act shall take effect on February 1, 1967. On and after the date of the enactment of this Act the Secretary is authorized to promulgate necessary rules, regulations, or orders with regard to the amendments made by this Act.

SEC. 603. *Study of excessive overtime.*—The Secretary is instructed to study present practices dealing with overtime work and to report to the Congress by July 1, 1967.

Mr. AYRES. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I, too, want to commend the chairman of the subcommittee, the gentleman from Pennsylvania [Mr. DENT] and also the ranking member of the subcommittee, the gentleman from California [Mr. BELL] for the superb job they have done in bringing this legislation to the Congress this afternoon.

As the gentleman from Pennsylvania pointed out, there is always some disagreement in legislation and there are a number of points in disagreement in this bill.

Mr. Chairman, the pending bill H.R. 13712, amending the Fair Labor Standards Act, will cause the linen supply industry to be covered by the minimum wage requirements of the Fair Labor Standards Act for the first time in the history of the industry. The coverage proposed will be all inclusive. Every linen supplier in the country with the exception of certain "Mom and Pop" operations will be covered.

In recognition of this fact and of the similar circumstances occurring in other newly covered industries, the pending bill imposes an escalating wage scale allowing employers to build up to $1.60 per hour. The industry has supported the bill as it feels that the escalation provision serves the best interests of both labor and industry.

However, it also feels that section 305 of the bill relating to the Service Contract Act establishes unfair requirements when applied to newly covered industries such as theirs.

Under the Service Contract Act, as interpreted by the Department of Labor, all linen suppliers who accept Government contracts must pay all employees who work on said contracts the minimum wage for the time worked on the Government contracts even if such employees are otherwise not covered by or are exempt from the Federal minimum wage law.

The same requirement is imposed on other service industries. Linen suppliers cannot distinguish between work done on Government contracts and work performed on nongovernment contracts.

As an example, assume a linen supplier enters into a contract to provide tablecloths for the Rayburn Building. In accord with specifications set forth in an invitation to bid, the linen supplier agrees to furnish the Rayburn Building with 2,500 clean tablecloths a week over a 1-year period. Assume also, as is true in most cases in the industry, that the linen supplier has contracts with other customers who use an identical tablecloth as that requested by the Rayburn Building. The linen supplier maintains a general inventory of tablecloths of the kind in question. Dirty tablecloths are picked up in a truck. The driver of the truck, in the course of his employment, operates on an established route which includes Government operations.

After picking up the dirty linen, the routeman returns to the linen supply company and unloads his soiled linens. The soiled linens are then sorted, intermingled, and placed in commercial washing machines, extractors, driers, ironers, and folders. After the laundry operation is completed, the tablecloths are placed in inventory. Thereafter they will be shipped to whatever customer of the linen supplier is in need of these tablecloths on the basis of "first in first out." As a result, there is an intermingling of tablecloths. Those tablecloths which were on the tables of the Rayburn Building one week may be at the Statler Hilton the next week. The Department of Labor has ruled that the linen supplier must pay his employees the minimum wage established under the Service Contract Act based not on the proportion of Government business to nongovernment business but solely on the basis of whether or not in any day, the worker performed any work on a Government contract. If such work was performed, even though it occurred for only a small percentage of the total work performed by the employee, the employee must receive the minimum wage under the Service Contract Act for the total time worked that day.

Referring back to the example of the Rayburn Building, if we assume that the Rayburn Building is the only Government contract held by the local linen supplier and the routeman picks up and delivers linen on a daily basis, every production employee in the linen supplier's plant who has control of a piece of laundry equipment during which time any linen coming from the Rayburn Building is being laundered in connection with said equipment must be paid the minimum wage. This is true even though the amount of Rayburn Building linen being laundered by such equipment is only a minute portion of the total linen being so laundered at that time. The linen supplier presently serving the Rayburn Building pays his employees at the rate of approximately $1.27 an hour. This linen supplier is covered by the District of Columbia minimum wage law. Under the pending bill, this linen supplier will be required to pay his employees as of February 1, 1967, the sum of $1.40 an hour. The linen supplier in question has indicated that it would not be economically feasible for him to pay the $1.40 an hour on the basis of the Rayburn Building contract. He will, therefore, give up that contract and all other Government contracts that he may have as of February 1, 1967.

As was stated during the discussion of the rule, every Member of the House of Representatives has received a memorandum listing the amendments that we know will be offered and an explanation of those amendments has also been included with the memorandum. If you have not seen that, I would suggest you take a look at it before the amendments are voted on tomorrow.

For the benefit of the members of the committee, it is hoped that the general debate will be finished today, and that the bill will be read for amendment tomorrow.

During the course of the afternoon various members of the committee who have amendments to offer will discuss the proposed amendments so that you can check the Record and check the memorandum that has come out, and perhaps tomorrow, when the amendments are being debated and considered, you will be more familiar with the proposal.

The gentleman from New York [Mr. Goodell] will have several amendments. The gentleman from Nebraska [Mr. Martin] will have several amendments. The gentleman from California [Mr. Gubser] will have an amendment. The gentleman from New Mexico [Mr. Morris] will have an amendment and, I might say, a very important one. You have already heard that the chairman of the committee, the gentleman from New York [Mr. Powell], will have an amendment to offer which, it is my understanding, would delete some of the provisions in the bill dealing with Puerto Rico.

You all heard the Commissioner from Puerto Rico explain in a very detailed manner why, in his judgment, as the representative of that Commonwealth, he felt that the provision of the chairman, the gentleman from New York [Mr. Powell], should be supported when we vote on the amendment tomorrow.

The gentleman from Florida [Mr. Gurney] will have an amendment. The gentleman from Tennessee [Mr. Grider] will have an amendment. No doubt there will be other amendments offered. But you have received an explanation of the amendments which these gentlemen will offer, and most of them will speak this afternoon.

The only amendment that I shall offer will deal primarily with that provision in the bill that comes under the Government Service Contract Act. The pending bill, H.R. 13712, amending the Fair Labor Standards Act, will cause the linen supply industry to be covered by the minimum wage requirements of the Fair Labor Standards Act for the first time in the history of that industry.

Back in 1961, when we amended the act before, the linen supply industry and laundries were exempt. At that time the amendment was offered by a former Member of this body, and now retired voluntarily, the gentleman from Georgia, Mr. Vinson.

The coverage that is proposed now will be all inclusive. Every linen supplier in the country, with the exception of certain "mom and pop" operations will be covered. In recognition of this fact and similar circumstances occurring in other newly covered industries, the pending bill would impose an escalating wage scale which would allow employers to build up to $1.60 per hour. The industry has supported the bill, as it feels the escalation provision serves the best interests of both labor and industry.

As the gentleman from Pennsylvania said, the laundry workers are for this general provision rising to $1.60 an hour, and so are the owners of the industry. However, I do feel that section 305 of the bill expanding the Service Contract Act establishes unfair requirements when applied to newly covered industries such as theirs.

Mr. Chairman, this particular provision is very important, because under the Service Contract Act, as interpreted by the Department of Labor, all linen suppliers who accept Government contracts must pay all employees who work on such contracts the minimum wage for the time worked on Government contracts, if such employees are not otherwise covered by or are exempt from the Federal minimum wage law. The same requirement is imposed upon other service industries. Linen suppliers cannot distinguish between work done on Government contracts and work performed on non-Government contracts.

As an example, assume a linen supplier enters into a contract to provide tablecloths for the Rayburn Building in accord with specifications set forth in the invitation to bid. The linen supplier agrees to furnish the Rayburn Building with 2,500 clean tablecloths a week over a 1-year period.

Under the act we are only covering the laundry workers for the first time. If there is no Government contract involved, then these workers will be covered at $1 an hour. But if a Government contract is involved, then the rate will be at $1.40 an hour.

Mr. Chairman, is it possible to have, let us say, 25 employees in a laundry, and only 5 of those employees are needed to iron the shirts of the GI who sends them in from the Army camp under contract, and to pay those five employees $1.40 an hour for the work they do and just a few feet away pay someone $1 an hour for doing exactly the same work because he is working on non-Government work?

It takes just as much effort to iron a GI shirt as it does to do yours, Mr. Chairman.

Now, insofar as the cancellation of the contract in the Rayburn Building is concerned, we do a lot of crazy things around here occasionally, and a few of them have happened in that building.

Do the Members know that we have a beautiful car wash over there, which has hot and cold running water and which has drains? If we should lose our contract, I do not want anyone to worry about having clean tablecloths, because I have checked the space out, where the car wash is supposed to be—and we do not have a car wash because there is not room for the cars, but the pipes are there and the drain is there—and I presume it would be entirely possible to install a few automatic laundromats, and we would be assured of being able to do our own linens, provided we wished to have a "do it yourself" program. It is entirely feasible. It would be ridiculous, exactly as it is absurd to try to have two rates under the provisions of this bill.

Let us take a quick survey to see what the situation is in other areas of the country with regard to this section of the bill.

In the linen supply industry large Government contracts are usually bid on an annual basis. Small contracts and specialized contracts are negotiated and have varied terms. The larger contracts run on a fiscal year basis. As a result, the problems in this area will become critical at the close of fiscal year 1966. The Naval Air Station in Key West, Fla., and the Naval Air Station in Boca Chica, Fla., are serviced by a Miami, Fla., linen supplier. The linen supplier in question operates a union plant. The negotiated wage rate established at the plant as a result of management-union—International Laundry Workers Union—agreement is 94 cents an hour. The annual contract expires June 30, 1966. The linen supplier has advised the naval air stations that he will not be able to serve them after that date. There is no source of supply other than the linen supplier in question. The same situation holds true for the Army Induction Station in Coral Gables, Fla., and the Monroe General Hospital, the only county hospital in the Key West area.

In Jacksonville, Fla., a linen supplier reports sales of $12,000 per month under contracts with Cecil Field, the Jacksonville Naval Air Station and the Army Recruiting Station. The linen supplier operates a union shop at a negotiated wage rate of 98 cents an hour. The linen supplier has advised the military that when the annual contracts expire on June 30, 1966, he will not be able to supply any more linen.

Fort Knox, Ky., is served by various linen supply contracts running approximately $10,000 per month. The local linen supplier pays a negotiated union wage of $1.22½ per hour. Officials at Fort Knox, Ky., have been informed that at the end of the fiscal year, local linen suppliers will not be able to serve them due to the Service Contract Act requirements.

In Alexandria, Va., a linen supplier presently paying a negotiated union wage of $1.27 an hour has informed the Naval Intelligence Bachelor Officers Quarters that it would be unable to service them if the proposed bill is adopted in its present form.

The fact that linen supplies are essential to military installations can be seen from the following example. In the Norfolk-Portsmouth-Newport News area, 20 percent of the average linen suppliers' business is under Government contract. The International Laundry Workers wage rate is 92 cents an hour. The Marine Corps Navy Amphibious Base at Little Creek, Va., requires 3,000 to 4,000 sheets weekly. When the contract recently expired, bids were requested. No bids were received. In order to get sheets, the small contract existing between a local linen supplier and the base bachelor officers quarters was expanded. Three thousand to four thousand sheets per week were added to the bachelor officers quarters. On September 1, 1966, this contract will expire.

In South Carolina the 6th Naval District Navy shipyards have been informed by local linen suppliers that no bids would be submitted in response to the shipyards' request for the $1,200 per month in bed linen. Similar situations occurred at various bachelor officers quarters and the U.S. Naval Hospital in Charleston, S.C., and the Charleston Air Force Base in Myrtle Beach, S.C.

In Nebraska, linen suppliers are paying a wage rate of $1 an hour. Recently, the Grand Island, Nebr., Ammunition Depot was reactivated. The depot messhall needs tablecloths and napkins. Three linen suppliers have large enough facilities to handle the job. All three linen suppliers refuse to bid on the contract.

As a final example, there are 17 Veterans' Administration hospitals presently using commercial laundry facilities under annual contracts running on a fiscal year basis. A recent survey by the Veterans' Administration indicates that due to the Service Contract Act, linen suppliers will be unable to bid on Government contracts. As a result, 17 hospitals face a critical situation.

As can be seen from these examples, linen suppliers in many areas of the country have found it economically impossible to accept Government contracts. The provisions of section 305 of this bill will compound the problem. Under section 305, many Government hospitals, military bases, and other Government facilities will be unable to obtain either linen supplies or commercial laundry facilities. Furthermore, because linen suppliers will no longer be able to handle Government contracts and will thus have to cut down on the number of employees, unemployment will be increased. It is expected that many marginal linen suppliers will be unable to combat the loss of Government business and will fail.

The provisions contained in section 305 require that linen suppliers accepting Government contracts pay all employees the higher minimum wage rates established for presently covered employees.

This requirement will effectively eliminate the possibility of participation in Government contracts for a major portion of the industry. Such a requirement will cause extreme hardship for Government facilities including hospitals. Such a requirement will cause further unemployment.

If my amendment is accepted or approved, the difficulties I have described would disappear without denying to the employees in the industry the benefits provided by other provisions of the pending bill.

Mr. BURTON of California. Mr. Chairman, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from California.

Mr. BURTON of California. The gentleman from Ohio is pointing out the effect of current law, which has absolutely nothing to do with the provisions of the proposal before us. It is the law of the land that Federal contractors must pay the top minimum wage for those employees working on Federal contract work.

There is a question I should like to pose to the gentleman from Ohio. The gentleman has stated two apparently irreconcilable points of view.

He has stated that he dislikes the provision of section 305 in that it requires an employer to pay the same minimum wage to all of its employees if they—the employer—does contract work. He also has stated he dislikes the current law which states they may pay a different wage rate, the higher minimum to those employees doing Federal work and a different minimum for those not doing Federal work.

The question I would pose to the gentleman from Ohio is this: which form does he think the law should take—require as proposed in section 305 the same wage be paid, or the current law which is that a wage differential is allowed? We must do one or the other.

Mr. AYRES. My amendment changes the Service Contract Act. I would be glad to put the amendment in the RECORD, I will say to my good friend from California. Notwithstanding the existing law it brings all laundries and linen suppliers, whether they are doing Government contract work or not, under the provision for the newly covered.

Mr. BURTON of California. Is the gentleman suggesting that you cannot pay $1.25 an hour as provided in the current law, for those employees doing the contract work?

As the gentleman knows, that would be the effect of his proposal, that is, to reduce by the current minimum 25 cents an hour. I do not think it is consistent with the gentleman's record in this House. I am certain that would be the effect, but I am not sure it is the intention of the gentleman from Ohio.

Mr. AYRES. It would not be the effect. I admit to the gentleman in maybe two or three instances throughout the country it might be, but in most cases these contracts have been negotiated contracts, as I pointed out here, at $1.27 and $1.22. My main reason is, having employed people throughout the years, I have never seen an operation where you can have the same people doing the same work on the same job under the same roof with two sets of wages. It just does not work.

Mr. BURTON of California. Section 305, as you know, currently proposes the same standard minimum be paid to all employees. Management came to us and requested that we make a modification for those employees not serving on Government work. So it has been management that has come to the committee and requested that we do not require the same wage but permit a differential, a higher wage, be paid to those doing Federal work and a lower wage be paid to the rest of their employees. It was management's request and not the committee's original recommendation.

Mr. AYRES. All management has not come to me nor all laundry workers, but I have been familiar with the Government contract operation. I do feel it is absolutely essential that the employees doing the same type of work be paid the same scale and be covered under the same provision as the newly covered are.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from New York.

Mr. GOODELL. I think it should be clarified in the RECORD the present provision will affect different types of operations differently. You have some types of activities where it is a coherent entity that operates and it is inseparable as to the type of work done under Government contract and in general private work. You have a number of other employers, however, who may have certain types of operation that cater to the Government with a Government contract. It may be a very small proportion of their work. This employer was the one type of employer who wants to raise the question with us, if they did a contract or two contracts for the Government under the way the bill is written today, as pointed out by the gentleman from California, all their employees would be covered. If, for instance, a restaurant operation had a few contracts to cater to Government facilities, then all their restaurants would be covered under the higher minimum wage of $1.40 and $1.60, instead of coming in at the $1 and $1.15 level.

Mr. BURTON of California. Mr. Chairman, will the gentleman yield at this point?

Mr. AYRES. I yield to the gentleman.

Mr. BURTON of California. As the gentleman knows, because of the interest expressed by him and our distinguished colleague from California [Mr. BELL] and others, we are modifying that provision.

Mr. GOODELL. That is correct.

Mr. BURTON of California. I point out the inherent difficulty in meeting some of the legitimate concerns expressed by management without arriving at an end result which cannot be attacked as being arbitrary. It would be somewhat ironic if we find that changes which management requested and which will be accepted, presumably, will be submitted to attack as a wage disparity. That is the point I am trying to make.

Mr. GOODELL. I believe the example—and I do not know if the gentleman from California has an answer to the example raised by the gentleman in the well, the gentleman from Ohio [Mr. AYRES]—but it is a difficult one, where a laundry, for instance, may do a share of Government work and then contract out, how they can operate their employees at different rates of pay in the same laundry operation. That is a very difficult question and a legitimate one which has been raised by the gentleman from Ohio.

Mr. AYRES. I thank the gentleman from New York and also the gentleman from California [Mr. BURTON].

So, Mr. Chairman, that the record is straight to those who view it between now and the time the amendment is considered tomorrow, I ask unanimous consent that it be inserted in the RECORD at this point.

The CHAIRMAN pro tempore (Mr. HOLIFIELD). Is the amendment to be included in the amendment of the gentleman from Ohio?

Mr. AYRES. It is, Mr. Chairman.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The amendment referred to follows:

On page 51, lines 2 through 9, section 305 is amended to read as follows:

"SEC. 305. Section 6 of such Act is amended by adding at the end thereof the following new subsection:

"(e) Notwithstanding any other provision of law (except section 13(a)(1) of this Act), every employer providing a contract service under a contract with the United States or any subcontract thereunder, shall pay to each of his employees wages at rates not less than the rates provided under section 6(b) of this Act, and not less than the rates provided under section 6(a)(1) if otherwise applicable under the provisions of this Act: *Provided*, That every such employer shall pay to each of his employees wages at rates not less than the rates provided under section 6(a)(1) of this Act if more than 50 per centum of the gross annual dollar volume of sales of such employer is derived from providing any such contract service under such contracts or subcontracts."

EXPLANATION

Section 305 of the pending bill requires an employer who performs any contract service under a contract or subcontract with the Federal government to pay all of his employees not less than the highest minimum wage rate applicable to presently-covered employees.

This amendment changes that requirement for employees of federal government service contractors or subcontractors as follows:

1. All such employees who are presently covered would receive not less than the highest minimum wage applicable to presently covered employees ($1.40 beginning Feb. 1967).
2. All the rest of such employees, whether newly-covered or exempt, would receive not less than the minimum wage applicable to newly covered employees ($1.00 beginning Feb. 1967).
3. If more than 50 percent of the annual dollar volume of business of the employer consists of performing contract services for the federal government, all the employees would receive not less than the highest minimum wage applicable to presently covered employees ($1.40 beginning Feb. 1967).

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Chairman, I listened very carefully to the gentleman from Ohio and to the example that he has used this afternoon. Permit me to make this observation, that ordinarily it is not considered in good form for a Member of our process to wash his dirty linen in public, and the gentleman has washed a little dirty linen in the House this afternoon. But I believe in his case it has been a very constructive contribution. This is the kind of amendment that I believe can serve to make this a better bill.

Mr. AYRES. I thank the gentleman from Illinois for his observation.

Mr. Chairman, the ranking member of the subcommittee, the gentleman from California [Mr. BELL], if he desires any time—and since I have consumed more than I should have consumed, I shall be glad to offer time to those members of the committee who may want to comment on the provisions of the bill.

I yield such time as he may consume to the gentleman from California [Mr. BELL].

Mr. BELL. Mr. Chairman, last year, when amendments to the Fair Labor Standards Act were considered by the House Education and Labor Committee I had a number of reservations concerning certain provisions of the committee passed bill.

It was my concern that even though there was a recognized need for extending protection of the Fair Labor Standards Act to a great mass of workers, the approach taken by the bill was not reasonably measured to effect the remedy while avoiding the dangers of excessive change.

Last year's legislation was not in keeping with the act's policy of eliminating "conditions detrimental to the maintenance of the minimum standard of living without substantially curtailing employment or earning power."

Mr. Chairman, as I shall point out, amendments encompassed in the bill before you have sufficiently overcome my objections.

I therefore rise in support of H.R. 13712.

This Nation in recent years has turned its concerned attention to the unfortunate minority of our fellow citizens who have somehow been left behind by the blinding economic progress of the past 25 years.

We are told that 35 million of our citizens live in poverty.

Many of them, full-time workers with year-round jobs.

It is my firm belief that extension of this act will go far to bring these workers at least a beginning toward a minimum standard of living.

The committee, in studying this aspect of the bill, found that in industries covered by the act, 8 to 14 percent of workers who were family heads received less than $3,000 during 1963.

However, for those not covered by the act, 33 to 49 percent of family bread winners earned less than $3,000 a year.

We should be shocked to know that 40 percent of all children living in poverty were in families where there was a worker who had a full-time job throughout the year.

And I would call the Members' attention to the fact that the minimum wage this bill seeks to establish in 1967 for those now covered by the act will yield an annual income of $2,800 for a 40-hour week.

Not even equal to the minimum standard set by the poverty program.

Today we have an opportunity to strike a blow against poverty while at the same time strengthening the free enterprise system.

By giving those at the lowest economic levels a bargaining position we are allowing them to earn their way and encouraging them to work toward catching up.

This, to me, is a logical way to fight poverty.

Down through the years leaders of both parties have seen the vital need for this legislation.

Senator Taft, when he debated amendments to the Fair Labor Standards Act in 1949, stated that he thought—

> We have an obligation to get * * * the minimum wage up to a point where people in general get the value that they are entitled to receive.

Taft went on to say that "a minimum wage theory is consistent with the maintenance of a free enterprise system."

President Eisenhower, each year from 1954 through 1959, urged Congress to extend coverage of the minimum wage.

As stated in the policy of the act, our goal is the elimination of labor conditions detrimental to the maintenance of the minimum standard of living necessary for health, efficiency, and general well-being of workers.

When farmworkers in certain parts of the country are receiving only $3 per day there is need for action.

Briefly, these amendments would extend coverage of the act to approximately 7,243,000 workers who are in one way or another engaged in interstate commerce.

They would effect a raise in the minimum wage for workers who are now covered by the act from the present $1.25 per hour to $1.40 in 1967 and to $1.60 in 1968.

Last year's amendments would have pushed the minimum rate to $1.75 in 1968, a rise that I felt was unrealistic.

For those workers who will come under the act for the first time with the passage of these amendments, there is a provision to hike minimum wage rates beginning from $1 in 1967 at 15-cent increments, reaching the $1.60-per-hour level in February 1971.

Last year's bill would have reached $1.75 in 1970.

The rates proposed by this bill are identical to rates I unsuccessfully proposed as amendments in committee last year.

Mr. Chairman, since as far back as 1963 exhaustive testimony on this legislation has been heard from all interested parties.

Under the leadership of two fair and able men—our former colleague, Jim Roosevelt, and the distinguished gentleman from Pennsylvania, JOHN DENT—great care was taken by the committee in drafting each section of the bill.

In my estimation, H.R. 13712 represents the best and most equitable legislative package that could be brought before you for consideration.

I particularly want to commend my friend JOHN DENT who, only a few short months ago, was appointed chairman of the subcommittee responsible for these amendments.

With the skill of a professional arbiter, he found the reasonable middle ground of many controversial sections of the legislation that finally prompted bipartisan support for the bill.

Mr. Chairman, two questions of major importance pose themselves:

First. Will the cost of these amendments create inflationary pressure?

Second. Will the cost of these amendments cause increased unemployment?

Each is a valid question which deserves an answer during these times of unsettled economic pressures.

Let me explain why each can be answered in the negative.

I should first state that these were grave concerns that I had during the consideration of last year's amendments.

And only with the modifications incorporated into H.R. 13712 have I concluded that we would face no unemployment or inflationary dangers.

As regards inflation, let me first point out that among the 29.6 million workers now covered by the minimum wage, only 12 percent of them are not receiving $1.40 per hour.

That means that in 1967, when the statutory minimum reaches the $1.40 level, the total wage bill increase will only be $804 million.

And only 18 percent of those workers now covered are receiving less than $1.60 per hour, which means in 1968 the total wages paid to these individuals will rise only 1.1 percent.

On the other hand, for those workers who are not presently covered by the act, the wage increase for 1967 would come to $202 million.

Only 728,000 workers are not now receiving $1 per hour which is about 0.9 percent of the workers who will be covered for the first time by the act.

There is no doubt that business can afford to absorb these increases.

The history of the 1961 amendments to the act is proof—the gross national product increased from $503.8 billion in 1960 to an estimated $665 billion in 1965.

Corporate profits before tax have increased from $50.3 billion in 1961 to $64.8 billion in 1964.

Income of unincorporated enterprises has increased from $35.6 billion in 1961 to $39.1 billion in 1964.

Quarterly reports indicate that these trends are continuing.

The business community will certainly be able to absorb the added cost without difficulty.

And these increases are within the wage guidelines set by the President.

Under the bill, the average annual wage increase in 1967 for those workers presently covered by the act and who do not now receive $1.40 per hour would be 0.5 percent or about $804 million.

At the $1.60 per hour level in 1968, the percentage total increase would be 1.1 percent.

This results in an average increase over the 2-year period of 0.68 percent which is nowhere near the 3.2-percent guideline of the President.

In addition, it must be understood that the guideline of the President is based on the wage average of the entire Nation.

That is, the total wage paid to all workers.

We are attempting to raise only the wages of a minority of workers in a number of industries and when their wage hikes are averaged among all workers, the total percentage raise is relatively insignificant.

Perhaps the most marked impact of rising prices in the past several years has occurred among food products.

In the past year alone, food prices have increased about 6.5 percent.

As regards the impact of these amendments on the price of foods, I would point out that the Secretary of Labor states the cost of bringing the minimum wage up to $1.25 per hour is approximately equal to 1 cent per unit for most fruits and vegetables.

And for those who mistrust the more liberal economists in the administration, I call your attention to the remarks of Milton Friedman, a University of Chicago professor.

Writing in a publication of the free society entitled "The Minimum Wage—Who Pays?" Dr. Friedman states that he thinks "inflation is one of the most negligible economic effects of an increase in the minimum wage."

One overriding factor that I feel is important to a discussion of the inflationary impact of these amendments relates to the very purpose of bringing minimum wages to low-income workers.

With each rise in the cost of living, the real earnings of those at the very bottom of the economic ladder are diminished.

Whereas the average wages in the country have moved up with productivity, this has not been the case among the lowest income workers.

It is not the average that concerns us today.

We are attempting to reach the worker whose income has not kept up with the average.

In effect, when it is argued that we cannot afford the increase because of inflation, we are saying that the poor must bear the burden of the economic remedy.

We are saying to the poor: "Your wages must remain at subpoverty levels so that our bacon will not go up any more than the 45 percent it has over the past 5 years."

I say to you, that even if there were an important relationship between minimum wage increases and inflation, it is not the poor who should bear the burden of economic prevention.

Turning to unemployment, we must conclude from the testimony that an increase in the minimum wage does not have an adverse effect on this problem.

Unquestionably, if this bill were asking, as it did last year, an immoderate rise in the minimum rates, unemployment might result.

I raised the question last year and, in fact, I did not support last year's minimum wage provision of $1.75 per hour for that very reason, among others.

We have a 28-year history against which to measure the effect of the Fair Labor Standards Act.

Clearly, it indicates that employment has increased in each year that amendments to the act were passed by Congress.

At the same time, unemployment has decreased.

More important, employment usually went up greatest among those workers directly affected by the act.

The record of the past 5 years indicates a continuation of this pattern.

Employment increased between 1961 and 1965 by about 8 million and unemployment dropped from 7 percent in May 1961 to 4.1 percent in December 1965.

During the same period, employment went up faster and further among teenage and unskilled workers who were most affected by the act.

In addition, it has been shown that increases in the minimum wage have not adversely affected business profits.

The earnings of workers in jobs directly affected by the 1961 amendments increased by 8 percent between 1961 and 1965.

The profits of their employers during the same period increased by 30 percent before taxes and by 40 percent after taxes.

In summary, Mr. Chairman, analyses of the amendments to the Fair Labor Standards Act of 1961 have turned up no indication that further extension of the act will have an adverse effect on the economic progress of those industries affected.

Mr. Chairman, the committee was told that in some areas, 84 cents an hour is the average wage paid to laundry workers.

Regardless of how little skill is required to process laundry, it is inconceivable to me that 84 cents represents the true value of an hour's work.

It is this inequity that we must correct and I therefore urge House passage of H.R. 13712.

Mr. Chairman, I include at this point the text of the letter from Arthur M. Okun, Acting Chairman of the President's Council of Economic Advisers, to the gentleman from Pennsylvania [Mr. DENT].

The letter is as follows:

MAY 19, 1966.

DEAR MR. DENT: This is written in answer to your request for our views on H.R. 13712, the Fair Labor Standards Amendments Act of 1966.

The President's Council of Economic Advisers believes that the enactment of H.R. 13712 will benefit the welfare of the Nation. The enactment of the bill will represent a major step in the process of eliminating substandard wages and working conditions, without imposing significant or abrupt cost increases on employers. Thus, the content of H.R. 13712 reconciles the goals of our social policy with the vital objectives of noninflationary prosperity for the American economy.

Providing the protection of the minimum wage to the American worker has been an important element in our national policy for almost 30 years. Underlying this policy has been the recognition that some segments of our labor markets work imperfectly and that many workers are at a disadvantage in bargaining with their employers. But in recent years, the protection has applied to a smaller proportion of private nonsupervisory workers than was the case in 1938, when the Fair Labor Standards Act was passed. *Moreover, the level of the minimum wage has not kept pace with our economic advances. The enactment of H.R. 13712 will rectify these developments.* The extension of the coverage of the Fair Labor Standards Act will bring for the first time the protection of the minimum wage to about 7 million workers in services, trade, and agriculture. And the increase in the minimum for those already covered by the FLSA will make an important contribution toward the elimination of labor conditions that are inconsistent with the rising standards of earnings that characterize the majority of the American labor force.

An important feature of H.R. 13712 is that its enactment will not hamper our policy designed to preserve stability of costs and prices. First, the provisions of the bill will become effective in two stages—February 1967 and February 1968; the timing makes possible a gradual adjustment without causing disruptive cost pressures.

Secondly, the minimum wage for the newly covered worker begins with a very modest figure of $1.00 and rises gradually over a period of 4 years.

The minimum wage increase proposed by H.R. 13712 for those already covered by the FLSA reflects appropriate concern for the standards of *noninflationary behavior of wages. As you know, the Council's wage guidepost provides for a specific exception in those cases "where wages are particularly low—that is, near the bottom of the economy's wage scales." The wages of those actually affected by minimum wage protection obviously fall into this category of exceptions to the guidepost, and therefore should move up at a more rapid pace than the economy's productivity trend.* Only then can our least advantaged workers move closer to the average standards of prosperity enjoyed by the Nation's labor force. When one considers the time span since the last increase in the minimum wage in 1963 and the timing of the increases scheduled by H.R. 13712, the rate of increase appears entirely reasonable for this particular type of exception to the guideposts.

In view of all these factors, the enactment of H.R. 13712 is essential and will make an important contribution to social and economic welfare.

Sincerely,

ARTHUR M. OKUN,
Acting Chairman.

Honorable JOHN H. DENT,
House of Representatives.
Washington, D.C.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to the gentleman from Kentucky.

Mr. PERKINS. First, let me commend my distinguished colleague on the House Committee on Education and Labor who, to my way of thinking, is a dedicated public servant who has given his utmost in the writing of the legislation.

I think it should be pointed out that the provision covering those who are presently covered under the minimum wage law whose hourly rate would be raised from $1.25 up to $1.40 would not become effective until February 1, 1967, and the rate would not go up to $1.60 until February 1, 1968. Is that correct?

Mr. BELL. That is correct, yes.

Mr. PERKINS. The provision relating to newly covered employees, nonfarm labor, which, as I recall, covers better than 6 million people who are not presently covered—on those newly covered it would not go up to $1 an hour until February 1, 1967. Is that correct?

Mr. BELL. That is correct.

Mr. PERKINS. And then it would go up to $1.15 effective February 1, 1968. Is that correct?

Mr. BELL. That is correct.

Mr. PERKINS. And $1.30 effective February 1, 1969, on the newly covered, and $1.45 effective February 1, 1970, and not up to $1.60 until February 1, 1971; is that correct?

Mr. BELL. That is correct.

Mr. PERKINS. Again let me compliment the gentleman for such an outstanding job on this piece of legislation. I certainly was unsuccessful in getting provisions in the bill that I thought necessary, but the gentleman from California has done an outstanding job.

Mr. BELL. I thank the gentleman from Kentucky.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to my colleague from Pennsylvania.

Mr. DENT. Years ago when I was a member of the legislature in Pennsylvania, at one time a very fine fellow who belonged to the Republican side and I got into a serious debate over a bill which was before us. At that time I was a little louder and a little more apt to lose my temper. I am more mellow now. Age does that.

I walked up to the gentleman and I said, "It is only because we have different principles that we disagree." He said, "You are wrong. It is only because we have different districts that we disagree."

I am of the firm opinion, after working with the gentleman, my cosponsor from California, that no matter what kind of a district he lived in he would do the kind of work he has done on this bill. He has been one of the greatest workers we have had on our committee. He has helped on every occasion. When he has disagreed he has never been disagreeable. I believe that is the greatest compliment that I can pay to the gentleman.

Mr. BELL. I thank the gentleman.

Mr. BURTON of California. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to the gentleman from California.

Mr. BURTON of California. I should like to join the chairman of the subcommittee in commending my distinguished colleague, the gentleman from California [Mr. BELL]. His efforts and diligence and contribution to this bill have been most remarkable. At all times he has sought constructively to resolve the differences which existed among the various members of the subcommittee and of the full committee.

I heartily commend the gentleman for his most effective contribution to this very important piece of legislation.

Mr. BELL. I thank the gentleman.

Mr. ANDREWS of North Dakota. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to my colleague from North Dakota.

Mr. ANDREWS of North Dakota. I, too, should like to join in the praise being heaped upon the shoulders of my colleague, the gentleman from California [Mr. BELL].

Mr. Chairman, I want to make absolutely clear cut the intent of Congress as far as the application of this act to automobile dealers and commission employees such as salesmen, mechanics, and parts men who work for automobile dealerships.

The need for an exemption from overtime as to salesmen, mechanics, and parts men arises out of the traditional commission pay basis for these employees. It is impossible to successfully work these employees on a schedule basis because their ability to earn commissions depends on their availability when sales can be made or repairs are needed. In other words, the employer has no control over the customers' needs and cannot anticipate and schedule working hours as in most other industries.

In the statutory language of the new section 13(b)(10), salesmen, mechanics, or parts men are exempt if employed by an establishment primarily engaged in the business of selling automobiles, trucks, and farm implements. The Education and Labor Committee report states that the exemption is intended to apply to these employees even if they work in a physically separate building or area so long as they are employed in a department which is functionally operated as a part of the dealership—section 209, page 42, report 1366, Committee on Education and Labor.

This intent is of extreme importance to many dealers, since larger dealerships necessarily occupy many buildings separated by streets or alleyways, and so forth. Currently the Wage and Hour and Public Contracts Divisions in the enforcement of the Fair Labor Standards Act, takes the position that any physically separate building is a separate establishment. Thus, it is important to the dealers to have clear congressional history expressing the intent to be contrary to the Division's current enforcement policy.

It is my understanding that the drafters of the amendment do not intend the new section 13(b)(10) exemption would be limited only to those commissioned salesmen, mechanics, and parts men employed by retail dealers. Therefore, it would seem to me we should make a little congressional history to clarify this important point to the larger volume dealers who do not meet the "retail" test of the Wage and Hour Division.

I think it would be helpful to strengthen the intent of Congress that the amendment exempt salesmen, mechanics and parts men employed by dealerships even if they work in physically separate buildings, provided that the majority of the business of the employer is retail, as stated by the House Education and Labor Committee.

Also, it is probably of greater importance that section 13(a)(2) apply to farm implement and automobile dealers, regardless of whether they meet the present retail test.

May I have the assurance of my friend now in the well that this is a correct interpretation of the language to which I refer?

Mr. BELL. It is my understanding that those employees would be exempt from the overtime feature of the minimum wage.

Mr. ANDREWS of North Dakota. So long as they are earning commissions.

Would the gentleman from Pennsylvania care to comment on that?

Mr. DENT. If I am not mistaken, we believe we have covered that in section

209, which relates to automobile, aircraft, and farm implement sales establishments, under the explanation we give on page 42 of the report.

However, if the gentleman has any fear about the situation, and if I understand his lengthy statement completely, I can assure him that I agree with him that the interpretation he has put on the language is correct.

Mr. BURTON of California. Mr. Chairman, will the gentleman yield to me again on this point?

Mr. BELL. I yield to the gentleman from California.

Mr. BURTON of California. Would the gentleman restate what he has in mind, so that the Record can be clear?

I am not sure whether you added some surplusage in what you said that might lead to some confusion and misunderstanding.

Mr. ANDREWS of North Dakota. Will the gentleman from California yield further?

Mr. BELL. I yield to the gentleman.

Mr. ANDREWS of North Dakota. I have a copy of my remarks in the hands of the subcommittee chairman and the staff on your side of the aisle and also in the hands of our staff over on this side. I think we have gotten close to the nub of this in the report on the bill. I just wanted to nail it down very definitely, because I have two or three automobile dealers in my district who are concerned. I want to make sure that the intent of Congress is that those who are primarily retail dealers engaged in selling Ford and Chevrolet automobiles have this exemption for their commission employees such as parts men and salesmen and mechanics.

Mr. BURTON of California. As I understand it, the chairman of the subcommittee, the gentleman from Pennsylvania [Mr. Dent], is looking at the language which you read, and I assume he will be responsive in due course.

Mr. ANDREWS of North Dakota. I think the chairman of the subcommittee has already responded. Is that not true?

Mr. DENT. The answer is still "Yes" as far as I can tell.

Mr. ANDREWS of North Dakota. I appreciate very much the clarification of the chairman of the subcommittee, and I thank the gentleman in the well, the gentleman from California [Mr. Bell], for yielding.

Mr. BELL. For clarification purposes, I would like to add also that the minority leader of the full committee and the chairman did indicate they felt some of us should mention our amendments that are coming up so we can keep them in mind. I have an amendment that I expect to offer tomorrow at the proper time which pertains to the overtime exemption for agricultural processing. If you will note in the bill on page 41, it refers to "highly perishable" at the top of the page. It is my intention to remove the word "highly" from the phrase "highly perishable." I have been in conference with a number of people involved in this industry representing various viewpoints and I find that the phrase "highly perishable" seems to concern many and confuse the issue. It adds to the confusion, and it is my intention to strike the word "highly." I think it will be satisfactory to most of the people in the industry including labor and management.

Mr. DENT. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. Resnick].

Mr. RESNICK. Mr. Chairman, I rise in support of H.R. 13712, amending the Fair Labor Standards Act of 1938 to extend coverage to additional employees, to raise the minimum wage, and generally improve the lot of the American worker.

I am, of course, interested in all the bill's aspects, and in the beneficial effects I expect it to have upon our economy and society. I am particularly concerned, however, with the section of the bill dealing with agriculture and the farm worker.

My State of New York and my district, the 28th of New York, are among the Nation's leading agricultural areas. Although the average citizen is inclined to think of New York in terms of great cities, business centers and commercial affairs, New York is the northeast's principal agricultural State. It ranks among the top five States in the Nation in the production of dairy and milk products; in vegetable production, and in fruits; particularly apples. We are the proud possessors of a rapidly increasing beef industry, producing for both slaughter and breeding. Payrolls for an estimated 67,000 farms in the State amount to nearly $100 million each year.

Yet, the agricultural picture in New York State is not as bright as our prolific production would make it appear. For production statistics do not point up the harsh facts of life for the farmworker. Statistics do not show that the farmworker has no unemployment compensation coverage, hospitalization; or that the gap between industrial wages and farm wages is constantly widening; or in fact, that in certain areas of my State farmers must let their crops wither in the field for lack of workers—workers who have moved to the factory. Why should a man continue as a farmworker, exposed to all the extremes of weather and climate, when he can go to work in a factory, in a nearby overcrowded city, and receive all the fringe benefits visited on the industrial employee—and at two or three times the hourly wage on a farm?

There are some statistics which reveal the seriousness of this situation. In 1960, in New York State, an industrial worker could purchase a pound of pork, or a loaf of bread, or a dozen eggs with roughly half the working time of his agricultural counterpart. In 1965, a scant 5 years later, the situation had not improved, but had grown worse. Today the agricultural worker must work more than twice the time of the industrial worker to purchase the same staples for himself and his family.

In the dairy industry, New York's largest agricultural industry, the number of herds and cattle has been depleted alarmingly. I have here some excerpts from the classified pages of two of our area newspapers, the Poughkeepsie Journal and the Hudson Register-Star. Here in the heartland of New York's dairy operations our good farmers cannot get the farm help they so desperately need. The pages of the newspapers, which I am inserting at this point, tell the story. "Help wanted on dairy farm," is the request which most often goes unheeded. And, on the same page an announcement of a public dairy auction as still another farmer is compelled to leave the land.

It is as follows:

[From the Hudson (N.Y.) Register-Star, May 4, 1966]

Wanted—Married Man on Dairy Farm. Must live in 2-bedroom trailer. Clinton Bainer. Phone 329-6211.

Working Herdsman Wanted for 80 cow Holstein Dairy. Excellent living conditions, oil heat, heated garage, located ½ mile from village, churches, and schools. Paid vacations, salary $400. Please write stating Age, family, experience and references in 1st letter. All Replies confidential to

Robert J. Keller.

Dover Plains, N.Y.

HELP WANTED—MALE

Wanted—Dairy Farm Helper. Good pay and accommodations. Call FA 5-6591 after 6 o'clock.

Wanted—Reliable, married man with small family, good habits for general farm work. Must be good milker, and understand tractors. Good salary and privileges. References required. J. M. Kaplan & Son, Inc. Millerton, N. Y. Phone (914) 789-4600 or 789-4646.

Wanted—Married man to work on dairy farm, must know how to milk and help in some field work. House and privileges. Red Hook area, Alfred Lasher. Phone PL 6-5474, Area Code. 914.

Experienced man wanted on dairy farm. House, good salary and privileges. Also Day help wanted. Call TL 1-6786.

Wanted—Married man on dairy farm. Must be experienced, and dependable. House and privileges. Top wages. Call TL 1-6679.

[From the Poughkeepsie Journal, May 22, 1966]

Wanted experienced dairy farmer, top pay and good working conditions, modern housing. Call evenings after 6 or weekdays 398-7207.

Wanted—Married man on dairy farm.

Married man for modern dairy farm. Must be good milker. Good house, good wages. Usual privileges. Old Summit Farm, Millerton, N.Y. 789-4918.

Farm hand—To work by day. Steady employment. Apply: Coon Bros. Farm, Smithfield, Amenia, 373-8335.

Farm help required—General labor. Must have valid driver's license. Sober, honest, alert. Reply stating age and references to P.O. Box 71, Rhinebeck, N.Y.

Married man to work on dairy farm. Must know how to milk and help in some field work. House and privileges. Red Hook area. Alfred Lasher, RD-1, Tivoli, N.Y.

Experienced Married Man—Small family on dairy farm. Good house and privileges. Clark H. Benson, 373-9014.

Complete Dairy Herds Dispersal

The undersigned discontinuing Farming has authorized the Sale at Auction of all

Cattle. Sale to be held at the Farm known as the James F. Murphy farm, located on De Lavergne Hill, Route 44 at Amenia, Dutchess County, New York.

Two days: Wednesday May 18 and Friday May 20, 1966.

Selling Wednesday May 18, 1966, 10:30 a.m., Rain or Shine, 100—Head of hy grade dairy cattle—100.

This is the entire Herd of the Home Farm. Cattle consist of: over 60 heifers milking with their First Calf and bred back for August, September, and October. 32 cows milking with 2nd and 3rd Calf and bred back for Fall. All tests were clean. 92 cows producing 3900 to 4100 lbs daily. This entire Dairy are Holsteins, good size, good type and in good flesh. Feel free to inspect this herd prior to Sale. 1 Holstein service bull 18 months old. 7 Heifers of breeding age open. All were raised on the Farm.

Friday, May 20, 1966.

DAIRY FARM DISPERSAL

The undersigned having sold his farm has authorized the Sale at Auction of his entire Dairy together with Farm Machinery, and Equipment. Sale to be held on the Farm known as the I. D. Williams Farm, located on Sunset Hill Road, 1¾ miles from Route 58 at Redding, Conn., and 4 miles south of Bethel, Conn. Auction arrows posted Day of Sale.

Saturday, May 21, 1966: 11 a.m., rain or shine—43 head of hy grade dairy cattle—43.

All home raised with exception of three, all Vaccinated and all tests are within 30 days and are eligible for interstate shipment. All animals raised are from the good Sires in C.A.B. Herd producing daily over 1100 lbs. from 21 cows that are milking, fat test 3.7 and 3.8%. The entire herd are Holstein with exception of 3 colored cows. Cattle consist of: 7 cows due in June, 6 cows freshened in March and April, 6 cows bred for July, 4 cows bred for August, 1 cow for September, 2 cows bred for December, 2 cows bred back for January, 4 cows freshened in February, 4 heifers bred to freshen June and July, 2 open heifers of breeding age, 1 heifer 8 months old, 2 heifer calves 3 months old. These cattle have size, type, in good flesh. Feel free to inspect herd prior to Sale and see them milked. 10 of this herd are milking with their first calf, and are bred back to freshen with their second calf.

TRACTORS—FARM MACHINERY AND EQUIPMENT

J.D. Model A tractor in good order, Super C tractor in good order, 1950 G.M.C. pickup truck, Harvey 28 foot elevator and motor, Int. 2 bottom plows on rubber, Int. double disc, bog harrow, 3 section spike tooth harrow, Cummingham hay conditioner, land roller, long frame trailer, 1940 Ford platform truck, lime spreader, hay tedder, 2 disc plows, 2 wood shod sleighs, 2 sets bob sleighs, several antique plows and cultivators, 40 steel stanchions, and partitions, water buckets, vacuum line, Universal 7 unit milker pump and motor, Patz barn cleaner for 44 cows, elevator complete with corners and plates, 3 Universal milkers, stainless double wash tub, 30 gal. hot water heater, barn fan and stand. Hydraulic loader for Super C tractor, App. 175 yards of rotted cow manure.

Terms: Cash or good checks day of Sale.

Sale Order: 11:00 a.m. Farm Machinery, 1:00 p.m. Cattle.

Phone Amenia, N.Y. 914–373–8171.

Sale by order of: I. D. Williams (owner), Redding, Conn.

D. Luther, Auctioneer and Sales Mgr., Wassaic, N.Y.

Yet, this is not a time of depression when the demand for the farmer's goods is nonexistent. In fact, demand for dairy products is at a record level. We no not have enough milk or butter to meet the demands of the American public and the consumers abroad to whom we export.

The conclusion I draw, and the conclusion drawn also by the farmers of the 28th District, many of whom remember that I was born and raised on a farm, is that covering agricultural workers with the same minimum wage benefits enjoyed by the great preponderance of American workers, can only help correct this dangerous situation.

Opponents of the measures which we consider today point to the complexity of the issues. The issues are complex, yes, but farm wages are not divinely ordained. We have the power to act and help solve the problems of the farmworker. We must, I think keep in mind that the section of this bill dealing with agricultural labor is only a beginning.

We are not, for example, talking about the state of the migrant worker, the bracero, or the seasonal hand picker of this Nation's fruits and vegetables, paid by the pound or the bunch or the peck. But the differences between the migrant worker and the farmhand are differences of degree, not kind. The problems which beset one beset the other. What we are really calling for in the section of this proposal dealing with agricultural workers is a new set of attitudes toward those who work our farms. Men, when offered a choice, prefer not to work in those jobs which are looked down upon, and jobs which pay the least—in material and status benefits—are those which are looked down upon.

The great social movement which is afoot in this Nation, which has found expression in the passage of civil rights legislation, medical care legislation and in fact the entirety of efforts toward the achievement of the Great Society, is frustrated and halted in the person of this large group of Americans denied the small benefits of a minimum wage in which nearly all their fellow workers share. The passage of this legislation before us today is a start. As we here in this great House move closer to or further from the realization of an adequate existence for all Americans, we set patterns of action with which future generations must deal. We can do this in many ways. We can act positively, thereby setting the precedent for further action when such is both prudent and needed: or, we can act negatively, removing the hard-won concessions of the historically deprived in American society, or we can do what is perhaps the worst thing of all, we can do nothing. We can postpone the necessary remedial measures time and time again. Just as they have been postponed to date: and we can guarantee that in this way they not be enacted until it is too late. For of all the patterns of action, the hardest to repair is the pattern of inactivity. I say this today because it may well become too late and we may grow to regret any action but the positive.

The group dealing with the problems of the migrant worker in my home county, Ulster County, have noted in their report the support given them by local church groups. I would like to note at this point that church groups have been among the most responsive to the needs of the agricultural worker, and no less a spokesman for the Protestant denominations of this country than the National Council of Churches has voiced its approval of the measure we are here discussing. It is proper, I think, therefore, to commend these and other church groups for their wisdom and hard work on behalf of the agricultural workers. What advocates of the proposal are working toward, is the day when the agricultural worker may be both proud and prosperous.

It has been said in opposition to this provision of H.R. 13712, that the coverage of agricultural workers will have adverse effects upon the economy and upon the welfare of the farmer. The relationship between wages and total costs in agriculture is something like 7 percent. Therefore, if the increase in farm wages were added to the cost of the consumer's purchase, the price rise would be moderate indeed. Yet, there is no denying that there will be some increase in cost. The question is, I think, Do we want to pay this small cost now or the much greater costs which will accrue if we do not act? There is an old saying about an ounce of prevention is worth a pound of cure. Our forefathers knew that the ounce of protection was preferable. I do not think that we have forgotten this wisdom.

Opponents of the bill say that the farmer cannot afford to pay the minimum wage, that he will be forced off his land if he is made to pay a decent wage. Well, this is not what the good farmers of the 28th Congressional District are saying. This is not what the 1,100 farmers forced out of the business in the past few years in the 28th District are saying at all. The Millerton, N.Y., News, a fine newspaper serving our dairy farming area said in its editorial of April 15:

> We don't think keeping hired farm wages low is going to help the farmer a great deal, because we don't think responsible help can be hired for small money.

For example, let us look at the dairy industry.

Why is the price of milk and butter going up? Simply because there is not enough milk to go around. Production is falling at a rate that threatens to become a national scandal. If something is not done soon we will see a black market in dairy products. The production of milk in the month of April 1966 dropped 4 percent under April 1965, and was the smallest production since 1953; also, in the month of March 1966 production was 7 percent under March 1965.

In 1964 the average dairy farmer in the State of New York earned 65 cents an hour. Is it any wonder that dairy farmers are leaving their barns and moving into the factories? This is not Russia. We cannot force people to remain in our agricultural economy by fiat. We must permit the farmer to earn a decent living and the farmer cannot earn a decent living for himself when he faces competition from farmers in other parts of the country that pay substandard starvation wages. I, for one, cannot understand how a poultry farmer in New York State who has to pay $1.25 to $1.50 an hour if he is to get any help at all, can be expected to compete with a poultry farmer in Mississippi who is paying virtual slave wages of $3 for a 10-hour day for semiskilled workers such as tractor drivers and only $6 a day for highly skilled mechanics who can repair complex equipment such as cotton pickers and tractors. In New York a skilled mechanic costs the farmer $6 an hour.

The large producers who are affected by H.R. 13712 are among our most prosperous farmers. They can best afford payment of a reasonable minimum wage, and in so doing they would be brought back into competition with the smaller farmer who has been forced to the wall by low farm wages and income.

Today, as we discuss this measure, there is a new urgency which all of us may not have considered. Advocates and opposition to this bill alike, agree on one of the trends currently afflicting the agricultural sector of the economy; that farmers are declining in number across the land and in all types of production. In 1949 the farm population of this Nation numbered 24,194,000 or about 16.3 percent of the total population. Today there are only about half that number still in farming, and only about 6.5 percent of the population. This phenomenon of the census is well known. The transition of this Nation from a rural, farming population to an urban, industrial society is well documented. To date, however, there has been no mention of the danger this may represent.

In the late fifties and early sixties we could speak, in the same breath, of the declining farm population and the increasing productivity of the Nation's farms. In 1961, for example, harvested wheat acreage had declined from a level of 75,910,000 acres in 1949 to 51,551,000. At the same time wheat production had increased from 1,006,565,000 bushels to 1,234,743,000 bushels; nearly 200 million additional bushels. The proof of the pudding, so to speak, were the surpluses of wheat and other foods which sat idle in warehouses and storage sites all over the Nation. In the same year mentioned, 1961, there were 1,411,178,000 bushels of wheat labeled surplus. Or nearly 200 million more bushels of surplus than were produced during the year. Today this is all history. In the intervening years changes of vast proportion have taken place. Unfortunately, some of the men dealing with the problems confronting the farmer in 1966 seem unaware of those changes.

You can pick any crop produced in the United States today, be it wheat, rice, dairy products, soy beans, any crop. The story is the same. Production has increased more or less in all fields, but the surpluses of a decade ago are no more. Rice provides a good example. The United States has no rice surplus while a decade ago the surplus was around 11,338 hundredweight. Why is this the case? The answer is simple. On the one hand we know about the increases in domestic consumption of our foods based upon population and income increases. But this is only about two-fifths of the story, because that is about the fraction of our production used here at home. The remaining three-fifths, is exported for consumption abroad. If our programs of export were simply based upon selling that part of our crops not consumed domestically, that would be one thing. But the world has come to depend upon the abundance of American farmers for the largest portion of its food supply. Our programs of assistance, based upon simple human compassion, have served to feed the world and to deplete our once vast reserves of food. In addition, as our foreign aid programs have become successful, the standards of living of our friends abroad have increased so that today many nations turn to the United States to purchase their food supplies from us with dollars. Japan for example, once a recipient of our foreign aid and generosity, today is the largest purchaser of American agricultural products such as meats, fruits, and cereals, and they pay in dollars.

In all crops the picture is the same. In the 10-year period 1956–66, exports have increased in almost perfectly inverse proportion to our carryover stocks, our so-called surpluses.

In short, our surpluses are gone. We have 6 months' supply of wheat before the next crop, some feed grains and that is it. Gone are the caves full of butter, cheese, and dried milk. There is no rice or soybeans to spare. Were the United States to be hit with a drought of major proportions there would be hungry people all over the world—even here in America.

Another factor at work during this period is the decrease in farm acreage, which deserves some additional comment.

In 1956 America's total harvested acreage was 89,595,000 acres, including all commodities. In 1964—the last year in which complete statistics are available from the Department of Agriculture—there were 66,909,000 acres harvested. A decline of nearly 8½ million acres. Now, some part of that acreage was retired voluntarily by farmers in conjunction with USDA programs. Other acreage was converted from farmland to other purposes, which is unreclaimable for farming. We cannot tear down the highways and housing developments, the shopping centers, the bowling alleys which have been built on once fertile farmland.

All this assumes importance only if we agree that increased production is becoming a matter of some concern. According to authorities in the Department of Agriculture, the less developed nations cannot be expected to begin meeting their own food needs in the foreseeable future. We are all aware of the difficulties that arise when drought strikes and causes famine in such a large nation as India. And I think most of us must realize that even the mighty nations, such as Russia and China, cannot feed themselves, and were it not for the food production of the Western World, they would be starving today. We have committed ourselves to help feed the people of the world; friend and foe alike in the past, and I believe we will continue to do so in the future. The commitments, both formal and moral, which we have to aid these nations and these people, demand that we do everything possible. If our actual stored reserves are depleted, there are still the reserves of land. Land never cultivated and land cultivated and retired, but still available for farming. These can, when the situation warrants, be brought back into cultivation. They are the world's last major hope if man is not to face starvation in our lifetime. In fact, we are not even producing enough to meet the demands upon us today. We could produce and export more rice, more wheat, more dairy products for dollars.

The skeptic may insist that technology will take care of everything. That mechanization, automation, chemistry, and the biological sciences will provide the answers. But I do not think so. I think that our dwindling farm population presents a threat to the world second only to atomic warfare. An acre of land can only grow so much wheat, or rice. A dairy cow can only produce so much milk. We may not have reached the limits of efficient farming yet, but we are coming close to reaching them. There must unavoidably come a day when the equation of skilled farm personnel, using the best techniques and all the available land does not produce enough. But that day might be tomorrow, unless there are skilled farmers and farmworkers around. And, if present trends continue unabated, they simply will not be there.

We must begin reversing these trends now. We must make farming a respectable and profitable business for more than just the few. We must begin to provide the labor pool of proud, well-paid farmworkers who will man all the farms, drive the equipment, use all the newest techniques. We must begin these things today while there is still time. And, I respectfully submit that the beginning of all these things can be found in the passage of H.R. 13712, to amend the Fair Labor Standards Act, to include this Nation's farmworkers under a minimum wage.

Mr. Chairman, in conclusion I want to say I have a very special interest in this today. I am a manufacturer and I make a great many products. But I cannot sell anything to anybody who earns $1 an hour and I can sell very little to anybody who makes $1.40 an hour.

I wholeheartedly support this bill with the reservation that it does not go far enough or fast enough. I think we should be grateful for the provisions that the subcommittee wrote, and we must act upon them now. In the future we will need to do more, but we must do this now or there will be no future.

Mr. O'NEILL of Massachusetts. Mr. Chairman, will the gentleman from Pennsylvania [Mr. DENT] yield?

Mr. DENT. I yield to the gentleman.

Mr. O'NEILL of Massachusetts. Mr. Chairman, I am sure the gentleman from Pennsylvania will recall the colloquy in the Committee on Rules when this bill was before us.

At that time I said there was a change in the bill from the original bill which was filed and reported by your committee when the gentleman from California, Mr. Roosevelt, was chairman.

I am referring to page 8, lines 9 to 16 of the bill as it was before the Rules Committee. Does this retain the existing exemption for amusement or recreational establishments, such as amusement parks, sports events, parimutuel racing, sport boating or fishing, and similar activities, so long as such establishments meet one of the seasonal definitions set out in lines 11 to 16?

In the Committee on Rules you told me that that was correct and it was agreed that we would spell it out in the Record here at this time and further that you were going to check on this with the Department of Labor.

Mr. DENT. I have checked with the Department of Labor. The answer I gave to the gentleman in the Committee on Rules still holds.

Mr. O'NEILL of Massachusetts. Would the gentleman explain the answer for the purposes of the Record at this time?

Mr. DENT. There is an exemption if they meet one of the seasonal criteria now contained in the bill on page 36.

Mr. O'NEILL of Massachusetts. I thank the gentleman.

Mr. BELL. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. Frelinghuysen].

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman from California.

Mr. Chairman, I have a brief question about the coverage of the bill.

It is my understanding that under title II of this bill, the provisions of the act pertaining to both the minimum wage and overtime protection will be extended to certain industries including the laundry and drycleaning industry.

Am I correct in my understanding that the removal of the laundry exemption would have no effect on the present exemption of outside salesmen in the industry?

Mr. BELL. That is my understanding. That is correct.

Mr. FRELINGHUYSEN. I thank the gentleman.

Mr. BELL. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. Goodell].

Mr. GOODELL. Mr. Chairman, let me first indicate that when the time comes to read the bill, I will offer several amendments, I will support several other amendments, but I intend to vote for the legislation, whether these amendments pass or not. I believe we have made significant improvements in the proposal since it came out of the committee last fall, and I believe on the whole it is a good piece of legislation.

Let me first say that there are questions under this legislation that need clarification. First, we are including for the first time tipped employees, particularly in industries such as motels, hotels, and restaurants. Tipped employees present unique problems. In the past we have excluded virtually all tipped employees, partly because we have no fair and simple way of covering them. Under the present proposal tipped employees will be credited in part if there is proof that they actually receive the tips. If the employees actually receive the tips, the employer can credit up to 35 percent of the minimum wage the first year. This means that, with the minimum wage for restaurant, hotel, and motel workers starting at $1, employees can be credited with 35 cents worth of tips if they receive 35 cents worth of tips per hour.

However, if an employee should clearly receive $1 or $1.50 an hour in tips, the full amount could not be credited. The maximum that could be credited is 35 cents an hour.

I believe this is an unfair situation. We provide in the bill that the employee can appeal if he does not actually receive 35 cents an hour in tips, but we do not provide that the employer can appeal if the employee receives a great deal more than 35 cents an hour in tips.

I will offer an amendment which will provide credit of tips received, provided the employer can show to the satisfaction of the Secretary the actual amount of tips received. Obviously, if these tips, combined with whatever wage is paid, exceed the minimum, this would meet the requirements of the act.

Another amendment that I shall offer will attempt to meet a very peculiar and unique problem of the seasonal processors. For years and years we have had the overtime exemption from the law with reference to seasonal processors. There are a great many of these that are small operators who process multiple commodities, one after another.

For example, they start processing peas in New York State on June 20, or so, and move into cherries, green beans, carrots, beets, corn, tomatoes, then apples and grapes when you get near the frost season, up until the frost season. This means that many small processors will be steadily receiving different commodities on which they will have a premium requirement of speed, with peak days and peak weeks for labor.

The exemption in the present law is designed to meet this particular problem.

It is very clear, looking at the situations that exist in the various States, that this is not a single region or a single State problem. It pervades the whole country and the whole industry as far as processing is concerned. I think it needs no particular emphasis that significant crops must be processed within hours after harvest.

Some people have said that because we have mechanical harvesting equipment this makes the problem of perishable commodities much easier. Unfortunately, no matter how we harvest the commodity, it still must be canned or frozen within hours of the harvesting. Any attempt to hold these crops, by either bulk freezing or cold storage, or a variety of chemical treatments, results in additional processing costs which will, of course, mean increased prices of products.

In most instances the attempt to hold off the canning and processing period ends up with the loss of quality, texture, flavor, and nutrients, as well as waste.

All of this means that in the processing industry they must move quickly. They must use overtime labor in short peak periods with each commodity. I intend to offer an amendment to try to modify this situation and meet the problem.

The present law permits two 14-week exemptions, one of them with 12 hours per day and 56 hours per week ceilings. The other one is unlimited. I will seek to restore, at least in part, these exemptions.

If I might, I would like to have the attention for just a moment of the gentleman from Pennsylvania. I had discussed several matters with him. These are matters of legislative history that I think we should make clear here today for the guidance of those who administer this act.

First, where an employer provides board—including meals—lodging or other facilities, there has been a question whether the value of these could be credited as part of an employee's wage. At various times the question has been raised as to whether board and lodging provided at the convenience of the employer was a part of wage or not. I have before me a letter, addressed to another party, dated April 27, 1966, from the Department of Labor, the Wage and Hour and Public Contracts Division, signed by Mr. Clarence T. Lundquist, the Administrator, which I include at this point:

> This is in reply to your letter of April 9, 1966, to Secretary of Labor Wirtz concerning the allowance for meals in the definition of "wage" under section 3(m) of the Fair Labor Standards Act as it would apply to restaurant workers if H.R. 13712 is enacted.
>
> The reasonable cost to an employer of board (including meals), lodging, and other facilities furnished to his employees is presently included as part of the minimum wage if the employer customarily furnishes them to his employees, when the inclusion of such facilities as part of wages is not prohibited by the terms of a bona fide collective bargaining agreement. The inclusion in wages of "other facilities" is authorized only if it can be determined that such facilities are not primarily for the benefit or convenience of the employer. Your letter indicates you have been misinformed as to the Department's position on board and lodging. *We do not in any case consider an employee's meals customarily furnished by an employer to be primarily for the benefit of the employer.* Our position is in accord with *Southern Pacific Company* v. *Joint Council*, 165 F. 2d 26, and cases cited therein. The kinds of facilities which have been found to be "primarily for the benefit or convenience of the employer" include such items as *tools* of the trade and other materials and services incidental to carrying on the employer's business, the cost of any *construction* by and for the employer, and the cost of *uniforms* and of their laundering, where the nature of the business requires the employee to wear a uniform.
>
> In lieu of this method of measuring costs, the Secretary of Labor is authorized to determine the fair value of board, lodging, and other facilities for defined classes of workers in defined areas based on average cost to the employer or groups of employers, or on average value to groups of employees or on other appropriate measures of fair value. These methods of crediting meals in the minimum wage would be applicable to newly covered restaurant workers if H.R. 13712 is enacted.

We are enclosing Part 531 of the Code of Federal Regulations—Determinations under and Interpretations of Section 3(m) of the Fair Labor Standards Act—for your information.

Sincerely yours,

I would emphasize the Administrator is saying that in no case does he consider the question of whether meals or lodging are provided primarily for the benefit of the employer, and he does give credit for these as part of the wage, to be applied toward the minimum wage.

I would ask the gentleman from Pennsylvania, as a matter of legislative history, if he agrees with the interpretations of the Administrator and the statements I have made with reference to these problems.

Mr. DENT. Yes; and the bill does not change the present considerations for such items. Wages are declared to include the reasonable cost to the employer of furnishing such employees with board, lodging and other facilities, and covering the entire matter that was discussed by the gentleman on the floor. That is part of the law as it is now. We are making no change.

Mr. GOODELL. I agree with the gentleman.

I assume the gentleman from California [Mr. BELL], the ranking minority member of the subcommittee, also agrees with this interpretation.

Mr. BELL. I concur.

Mr. GOODELL. Mr. Chairman, there is one other major point which I believe requires some discussion and clarification.

When gratuities are compulsory, when they are imposed by an employer as a compulsory service charge, the Internal Revenue Service has ruled that the amount distributed to the employees is wages, not tips. I shall, at the appropriate time, place the Internal Revenue Service rulings to this effect in the RECORD.

These rulings were made with reference to the question of how much contribution of tax was due from the employer and the employee in these instances.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BELL. Mr. Chairman, I yield 5 additional minutes to the gentleman from New York.

Mr. GOODELL. Mr. Chairman, I should like to give two or three specific examples in which the Service made these rulings.

I read from section 3121, "Definitions":

SECTION 3112.—DEFINITIONS [FEDERAL INSURANCE CONTRIBUTIONS ACT]

Rev. Rul. 66-74: "So-called 'gratuities' collected by a club through mandatory charges added to its members' bills are service charges, rather than tips, for Federal employment tax purposes."

Advice has been requested whether amounts which a club collects through mandatory charges added to its members' bills and which it subsequently disburses to its employees with their wages may be treated by the club as tips for purposes of the Federal Insurance Contributions Act and the Collection of Income Tax at Source on Wages (chapters 21 and 24, respectively, subtitle C, Internal Revenue Code of 1954).

The club in the instant case operates on a charge basis only and does not permit direct tipping. Its members are billed for services, and mandatory "gratuities" are added. The "gratuities" are then disbursed with the employees' wages. The club has in the past treated the "gratuities" as service charges subject to all the Federal employment taxes, including income tax withholding. The question presented requires a determination under the provisions of the Internal Revenue Code as amended by section 313 of the Social Security Amendments of 1965 (Public Law 89-97, July 30, 1965, I.R.B. 1965-42, 9, at page 15), whether the club may now treat the "gratuities" as tips, and whether the club is thus relieved from liability for the employer taxes imposed by the Federal Insurance Contributions Act.

The Internal Revenue Service has consistently differentiated tips or gratuities paid directly and voluntarily to an employee by a customer of the employer from so-called "gratuities" which actually are mandatory charges added to a customer's bill. Under rulings heretofore published, a mandatory charge added to a bill is not a tip or gratuity.

In S.S.T. 145, C.B. 1937-1, 443, the Service held that where a club does not permit the tipping of employees but in lieu thereof adds 10 precent to the cafe charges against its members' accounts and disburses the added amounts monthly to the club's waiters, the sums so disbursed are wages. The addition of the 10 percent is an arbitrary charge set by the club which the member must pay. The amount is clearly, therefore, not a gratuity.

In Revenue Ruling 57-397, C.B. 1957-2, 628, the Service held that amounts which customers are required to pay to a hotel as service charges for using the hotel's dining facilities and which the hotel later disburses to its waiters and other employees are wages for Federal employment tax purposes. The customer has no choice in the matter, and for that reason the amount is not a tip or gratuity.

In Revenue Ruling 59-252, C.B. 1959-2, 215, the Service amplified Revenue Ruling 57-397 to state that where negotiations between a hotel and a customer for the use of the hotel's banquet facilities are not restricted to the cost of meals and beverages but also include or contemplate additional amounts for distribution to employees of the hotel, then the amounts so distributed are not tips or gratuities but are wages for Federal employment tax purposes, including income tax withholding. The Revenue Ruling stated further:

"To constitute a 'tip' in the commonly accepted meaning of the term, it is inherent in the nature thereof that certain fundamental characteristics be present. It must be presented by the customer free from compulsion; he must have the unrestricted right to determine the amount thereof; and such amount should not be the subject of negotiation or dictated by employer policy. Generally, the customer has the right to determine precisely who shall be the recipient of his generosity. The absence of any of these factors creates a serious doubt as to whether the payment is really a tip and indicates that it is in fact a service charge for the use of certain facilities."

Tips or gratuities paid before 1966 directly to an employee by a customer of an employer and not accounted for by the employee to the employer, although includible in the employee's gross income, were not wages subject to the Federal employment taxes. Under section 6053(a) of the Code, an employee who receives cash tips amounting to $20 or more in any calendar month after 1965, in the course of his employment by an employer, must report the tips to the employer by furnishing one or more written statements not later than the 10th day *following* the month of receipt. The employer must withhold the employee taxes under the Federal Insurance Contributions Act and the income tax on the reported tips from wages of the employee (other than tips) under the employer's control or from other funds made available for this purpose by the employee. Tips received after 1965 are not subject to the employer taxes imposed by the Federal Insurance Contributions Act.

The congressional intent with respect to the treatment on and after January 1, 1966, of so-called "gratuities" which actually are service charges of the type the Service has consistently held to be wages is expressed in the Conference Report on Public Law 89-97 (H. Rept. 682, 89th Cong., I.R.B. 1965-42, 66, at page 74) as follows:

"Under the conference agreement, the provisions of section 313 of the bill are to apply with respect to all tips received by employees after 1965 including those which under existing law would have been covered for social security tax purposes by reason of being accounted for by the employee to the employer. The provisions of section 313 of the bill, of course, do not apply to amounts which, although denominated tips, constitute wages under present law irrespective of whether accounted for by the employee to his employer."

Under the "present law" referred to in the Conference Report (that is, the law in effect before 1966), service charges collected from members or customers and distributed before 1966 to employees are wages, and not tips, under the rulings published in S.S.T. 145 and Revenue Rulings 57-397 and 59-252, referred to above. The charges continue to be wages, and not tips, under the Code as amended by the 1965 amendments. Accordingly, the club in the instant case may not treat the "gratuities" it collects, through mandatory charges, as tips for Federal employment tax purposes, and the club is not relieved from liability for the employer taxes. The club should continue to treat these amounts as service charges which are wages subject to both the employee and employer taxes under the Federal Insurance Contributions Act, to the employer tax under the Federal Unemployment Tax Act, and to income tax withholding.

The additions and amendments made to the Code by the provisions of section 313 of the Social Security Amendments of 1965 have no effect on S.S.T. 145, Revenue Ruling 57-397 or Revenue Ruling 59-252, referred to above.

Rev. Rul. 66-75: "The Internal Revenue Service answers various questions concerning the treatment and reporting of tips under the Federal Insurance Contributions Act."

Various questions have been presented to the Internal Revenue Service relative to the treatment and reporting of tips under the Federal Insurance Contributions Act (chapter 21, subtitle C, Internal Revenue Code of 1954), as amended by section 313 of the Social Security Amendments of 1965, Public Law 89-97, I.R.B. 1965-42, 9. The questions presented and answers thereto follow:

Questions 1 and 2.—Assume that during 1966 and before the end of that year an employee has received "wages" paid by his employer in the amount of $5,000 and has received cash tips (from customers of his employer) in the amount of $1,600. If the employer continues to pay additional wages to the employee in 1966, is the employer liable for the employer taxes on the additional payments to the employee over and above the $5,000 and up to the annual wage limitation of $6,600 during 1966? Is the employee liable for the employee taxes on these additional payments?

Answers to Questions 1 and 2.—After 1965 the term "wages", as defined in the Act, includes certain tips for purposes of the employee taxes but not for purposes of the employer taxes. Under these facts the employer incurs liability for employer taxes on the first $6,600 of wages he pays to the employee in 1966, but the tips received by the employee are not subject to the employer taxes. The employee taxes apply to the first $6,600 of wages, including tips, received by the employee (that is, the first $5,000 received from the employer and the $1,600 tips). The additional payments made by the employer are not subject to employee taxes. Stated differently, tips count against the $6,600 annual limitation of wages subject to the employee taxes, but the employer's liability for employer taxes on wages continues until wages other than tips total $6,600 for the year.

Questions 3 and 4.—3. If an employee receives $40 in cash tips directly from customers of his employer during March 1966 and reports the $40 to his employer during the first 10 days of April, should the $40 be reported by the employer in his return on Form 941, Employer's Quarterly Federal Tax Return, for the first quarter of 1966 or for the second quarter of 1966? *4.* If any employee receives $80 in tips during March 1966 and reports $50 of this amount to his employer on March 25 and reports the balance of $30 to his employer on April 9, when should the employer report these tips?

Answers to Questions 3 and 4.—Tips reported by an employee to his employer in a written statement as required by section 6053 (a) of the Internal Revenue Code of 1954 are deemed to be paid to the employee at the time the written statement is furnished to the employer. (If a written statement is not furnished, the tips are deemed to be paid at the time the tips are actually received by the employee.) Under section 6053(a) of the Code, an employee who receives cash tips amounting to $20 or more in any calendar month after 1965, in the course of his employment by an employer, must report the tips to the employer by furnishing one or more written statements not later than the 10th day following the month of receipt.

In question 3 the tips received in March and reported during the first 10 days of April should be treated as paid to the employee in April. These tips should be included in the return of the employer for the second quarter of 1966.

In question 4 the $50 reported on March 25 should be treated as if paid on that date and should be included in the return of the employer for the first quarter. The balance of $30 should be treated as if paid when reported, on April 9, and should be included in the return for the second quarter.

Question 5.—This question relates to section 3121(a) (12) (B) of the Act, under which cash tips actually received by an employee in any calendar month in the course of his employment are not taxable wages unless the amount is $20 or more. Assume that in March 1966 an employee actually receives $31 in cash tips from his employer's customers, and that in making written reports thereof to his employer as required by section 6053(n) of the Code, the employee reports $20 on March 31 and $11 on April 5. To what amount do the employee taxes apply?

Answer to Question 5.—Under these facts the employee taxes apply to the entire $31. The exclusion provided by section 3121(a) (12) (B) of the Act does not apply, because the amount of cash tips actually received in March was $31. Assuming that these were the only tips received by the employee in the course of his employment, the employer would report $20 in his return for the first quarter of 1966 and $11 in his return for the second quarter of 1966.

26 CFR 31.3121(b)–3: Employment services performed after 1954.

Services performed in the United States by residents of Canada. See Rev. Rul. 66–77, page 18.

26 CFR 31.3121(d)–1: Who are employees. (Also Sections 1441, 3306, 3401; 1.1441–1, 1.1441–3, 31.3306(i)–1, 31.3401(c)–1.)

Rev. Rul. 66–76: "*A* and *B*, citizens of India, are in the United States receiving training under a program conducted by a United States corporation. The training covers most phases of the company's work at its plant in India at which both *A* and *B* expect to be employed after their training. It includes performing services of the same type and under the same conditions as regular employees in the company's United States plant. *A*'s training program will last more than 2 years and *B*'s will last about 8 months. *Held, A* and *B* are employees of the company under the Federal Insurance Contributions Act and Federal Unemployment Tax Act with respect to these services. *A*'s wages are subject to withholding under section 3402 of the Internal Revenue Code of 1954 whereas *B*'s wages are subject to withholding under section 1441 of the Code."

Advice has been requested whether the individuals described below are employees for purposes of the Federal Insurance Contributions Act, the Federal Unemployment Tax Act, and the Collection of Income Tax at Source on Wages (chapters 21, 23, 24, respectively, subtitle C, Internal Revenue Code of 1954).

A and *B* are citizens of India who are in the United States for the purpose of receiving training under a program conducted by a United States corporation. In connection with their training, both *A* and *B* perform services at the company's plant in the United States. They are both apprentice engineers and perform the same type of services as any of the other apprentice engineers in the company's plant. They work regular hours and follow the same routine as the other engineers. The company exercises the same control and guidance over them as it does over regular employees doing the same type of work.

A is paid a monthly salary for his services. His training in the United States is expected to last at least 2 years. *B* is paid at an hourly rate for his services. His training program in the United States is expected to be of approximately 8 months duration. Before coming to the United States, *B* was employed at the company's plant in India.

Although *A* and *B* are not obligated to work at the company's plant in India following completion of their training, the fact that their training programs are directed to that end and cover most phases of the company's work at that plant indicates that they expect to do so. Neither *A* nor *B* is in the United States under an "F" or "J" visa within the meaning of section 101(a) (15) of the Immigration and Nationality Act, as amended.

Whether or not the individuals described above are employees for Federal employment tax purposes depends upon whether they have the status of employees under the usual common law rules. Guides for determining that status are found in three substantially similar sections of the Employment Tax Regulations, sections 31.3121(d)–1(c), 31.3306(i)–1, and 31.3401(c)–1.

The facts presented in this case establish that the company exercises, or has the right to exercise, such direction and control over both *A* and *B* in the performance of their services as is necessary to establish the relationship of employer and employee under the usual common law rules. Accordingly, *A* and *B* are employees of the company for purposes of the Federal Insurance Contributions Act and the Federal Unemployment Tax Act.

Considering the length and nature of *A*'s stay in the United States, in the light of the applicable regulations and the principle set forth in Revenue Ruling 54–87, C.B. 1954–1, 155, *A* is treated as a resident alien whose wages are subject to withholding under section 3402 of the Code.

On the other hand, in view of the fact that *B* intends to remain in the United States for only about 8 months, *B*'s status will be that of a nonresident alien engaged in trade or business within the United States through the performance of personal services in this country. His compensation for services performed will be fixed or determinable annual or periodical income from sources within the United States and, therefore, will be subject to withholding under section 1441 of the Code at the rate of 30 percent on the gross amount thereof. However, in computing the amount of tax to be withheld at the source, the benefit of the personal exemption of $600 may be allowed, prorated upon the basis of $1.70 per day for the period of employment during any portion of which labor or personal services are performed within the United States by such alien. See section 1.1441–3(e)(2) of the Income Tax Regulations.

It is extremely important that the service charges referred to be handled the same way by the Internal Revenue Service and by the wage and hour people so far as the interpretation is concerned. I would hope that we could have a legislative history here in agreement that this is our intent.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Pennsylvania.

Mr. DENT. The rulings follow the theory and practice that anything charged to a customer necessarily has to be the business of the employer, because the employer sets that charge. All restaurants, when they price their meals to a customer, have included within the price a service charge for services rendered. This type of an employer, in order to not confuse the issue of tips, has added a service charge for the extra services given by the waitress or waiter, and then in turn pays it back to them either in greater or lesser degree, because he establishes a wage that he pays them. The amount of the extra service charge does not determine the full amount of the wage. It will not interfere with the purpose of this act, which is interested only in having an employee receive a specified minimum reimbursement for services, whether it comes from tips or from wages. The purpose of the bill is to see that it is paid.

Mr. GOODELL. I agree with the gentleman. In effect we are saying that when a flat service charge is made the amount that is then disbursed to the employees from the fund is wages to the employees.

Mr. DENT. That has been determined by rulings of the Internal Revenue Service already.

Mr. GOODELL. That is correct.

Mr. DENT. I believe it is the line followed by the Social Security Administration on the question of what was turned in as tips and what was turned in by the employer as wages paid.

I am sure another department of the Government would follow that precedent set by these two.

Mr. GOODELL. I think that is the result, and we ought to make it abundantly clear in the Record that we intend that it be carried out in that way.

I might say that the significance of this is primarily this: It means if an employee should receive from a flat service charge collected by the employer an average of $1 an hour, that $1 an hour received from these service charges is not tips but wages. Therefore, that $1 an hour is not subject to the limitation of 35 or 40 or 45 percent that can be credited as tips. That is the significance of this, and I think we have to make it clear.

Mr. DENT. Mr. Chairman, will the gentleman yield further?

Mr. GOODELL. Yes. I yield to the gentleman.

Mr. DENT. This bill does not set any specific amount where a tip is considered a part of the wage except in saying that up to a certain percentage of the established statutory minimum wage credit can be given for tips.

Mr. GOODELL. That is correct.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. DENT. Mr. Chairman, I yield the gentleman 1 additional minute.

If the gentleman will yield further, let us say that the charge is made for a service and it comes to $1 an hour. However, if that minimum reaches $1.25 and the employee still only gets $1 an hour out of this combined service plus wage, as we would normally call it, then the employer is liable for the other 25 cents.

Mr. GOODELL. That is correct.

Mr. DENT. Because there is no tip lost.

Mr. GOODELL. But the point is this: The full $1 an hour paid to him from the service charge is credited.

Mr. DENT. That is right.

Mr. GOODELL. He is not subject to the limit of 35 or 40 or 45 percent, because this money paid to him is not defined as tips but is wages.

Mr. DENT. That is right.

Mr. BURTON of California. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from California.

Mr. BURTON of California. Does the gentleman agree that this situation or these amounts should be considered wages if the employer pays, as he must, on all other wages for the purposes of unemployment insurance coverage and social security coverage?

The CHAIRMAN. The time of the gentleman has again expired.

Mr. BELL. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. BURTON of California. If the gentleman will yield further, does the gentleman not agree that wages are to be deemed, for the purposes of meeting the minimum wage law, those wages which can be considered as wages only if they are deemed to be wages and so treated for the purposes of social security and unemployment insurance contributions by the employer?

Mr. GOODELL. I agree at least partially with that statement. There are certain instances where the two examples given by the gentleman are treated differently by the Internal Revenue Service. I think it our intent here that where a compulsory service charge is made, this be credited as wages. The Internal Revenue Service gets into a different question as to how much an employer and employee must contribute in different instances. That is not applicable to our situation here.

Mr. BURTON of California. It would be my understanding if these amounts are wages, they would be considered so only in those instances where they are treated as wages wherein the employer meets his employer's obligation as to all wages paid for social security purposes and unemployment insurance purposes. If the employer does not meet his obligation with respect to these amounts, then I could not agree with the view that this amount should be deemed wages. In the event they do treat these amounts as wages, then I will concur in the colloquy taking place.

Mr. GOODELL. The gentleman is unnecessarily complicating this situation, because there is a distinction made by the Internal Revenue Service with reference to whether an employee has to pay a contribution in certain instances, but the point applicable to this is that the Internal Revenue Service has clearly and distinctly said in the circumstances I describe, where there is a flat service charge imposed on a compulsory basis and conditions are met which I read to you, that this is wages to the employee. To that degree and that degree only we are going to consider the wage here under this legislation. That is the point that I think should be unmistakably clear. The question of the contribution to social security and unemployment compensation gets into another problem as to whether the employee himself has to make a contribution. In some of these instances they say only the employer must make the contribution. I would not want it complicated or confused by that fact; that is all.

Mr. BURTON of California. Mr. Chairman, will the gentleman yield further?

Mr. GOODELL. I yield further to the gentleman from California.

Mr. BURTON of California. I am entirely aware of the effect of what this means and of the importance of this discussion.

I am merely stating that it would be my view that these amendments could only be as to wages if they are treated as wages by the employer, and in the same manner as all other wages are paid, and more particularly the manner in which the employer pays up to certain statutory amounts for social security and unemployment purposes.

Mr. GOODELL. I believe we are in essential agreement, and I am sure I am in complete agreement with the chairman of the subcommittee.

I believe we have a clear record on that. There is some ambiguity, perhaps, in the last colloquy but the chairman and I agree that compulsory service charges treated as wages by Internal Revenue will so be treated under this act.

I ask the gentleman from California [Mr. BELL] if the gentleman agrees with the legislative history as enunciated by the gentleman from Pennsylvania and upon which he and I have just elucidated on the floor of the House?

Mr. BELL. Mr. Chairman, if the gentleman will yield, yes, essentially I agree with the gentleman from New York.

Mr. GOODELL. Mr. Chairman, I yield back the balance of my time.

Mr. DENT. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK. Mr. Chairman, I would like to rise in support of the bill.

Mr. BELL. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. GLENN ANDREWS].

Mr. GLENN ANDREWS. Mr. Chairman, this has been a lovely May afternoon. I have never seen such agreement in all of the many speeches since I have been in the Congress. I have looked hard for somebody who disagreed with this legislation and I finally found him; and that is I.

Mr. Chairman, minimum wages are a mirage. They are a chimera. We have had to boost them every 4 or 5 years since 1938, because they phased themselves out and the object of our hoped for achievement which is to effect a pay raise for the lowest employed has become lost. We have had to come back and hit it again every few years.

Mr. Chairman, this process has been going on since 1938. Actually, it is very interesting to me, and I feel this will sound silly, that this bill is unconstitutional. This remark seems rather absurd, perhaps, at this particular point in our history, when we have had one instance right after the other of this type legislation, for many years.

But in reading the 5-to-4 opinion of the Supreme Court in 1937, delivered by Charles Evans Hughes, the constitutionality of this whole thing was sustained, when it had enjoyed an unconstitutional position since 1923. At the point of the 5-to-4 decision saying it was constitutional, the basis of thought behind the constitutionality of minimum wages was simply that the employer enjoyed a peculiar advantage over the employees. This was the basis of the decision to admit the constitutionality of the minimum wage in theory.

Mr. Chairman, I say to you at the present time that the situation has been entirely reversed. With the mobility of labor, with the increased communications that we have, it is the employee that now has the advantage and not the employer. If Hughes were here today I believe he would reverse.

At any rate, constitutional or not—and that is a subject that really does not have the discipline it used to have—and we are responsible for some of that—but we are debating the abridgment, by this Congress, of the freedom of contract of 7 million additional Americans and their employers.

The question we are debating is whether or not it is in the public interest. The question is: What will be the net effect of this bill—which, do not forget, departs substantially from the wage correcting legislation of the past.

This is a brandnew bill. We have never had anything like it before. The corrective wage legislation we have had in the past simply dragged the minimum wage from 25 cents to $1.25 an hour. The impact departed somewhat, but only to the slight extent, in 1961, when we had the $1 million exemption. That 1961 legislation still held this business to the very large interstate industries in most cases where you had a uniform purchasing power—at least regionally and nationally.

The former minimum wage bills then dealt with these great industries capable of either absorbing the additional labor costs or passing them on in price boosts to the national or at least to the regional market representing a fairly uniform purchasing power.

Although this principle was departed from in the 1961 legislation, again the $1 million exemption in effect kept minimum wages only upon the big fellow capable of absorbing or passing along these increased costs.

But this bill moves on to the intrastate or the purely local industries and, therefore, involves an inability to pass along New York costs to Mississippi's local purchasing power. That is a tremendous difference.

This is a difference that no one who has written on this subject has dared to even go into or to discuss. Leon Keyserling has just written a tremendous book on this subject which was published about a month ago and he did not dare to mention the effect in discussing the whole minimum wage and its distribution across the whole Nation of varying incomes using a uniform minimum wage rate.

On a fateful evening last year, debating the Green amendment to the elementary education bill, my colleague, the gentleman from Michigan [Mr. O'HARA], declared that the Green amendment would produce a monster—because, he said, $2,000 a year was poverty in Mississippi; $5,000 a year was poverty in Chicago; and $6,000 was poverty in New York.

Mr. O'HARA at that time was fighting the distribution of funds to the places of greatest need.

Now I would say to the gentleman, we saved the real monster until today—and that is this—the minimum wage bill, which, by establishing a uniform wage rate across the Nation, demands that a New Yorker's cost be borne by Mississippi employers and be paid for by local Mississippi purchasing power.

The only result of such a business is economic carnage in the low-income States.

If the gentleman from Michigan [Mr. O'HARA] is deeply interested in the poor, why would he be more interested according to his own account in a Mississippi minimum wager getting twice as good a shake or three times as good a shake as a minimum wager in Chicago or one in New York? Mississippi has half the per capita income of New York. Puerto Rico has half the per capita income of Mississippi. Now per capita income is a fair measure of purchasing power. Puerto Rico has already been given special treatment. I understand the distinguished chairman of the Committee on Education and Labor proposes to exempt Puerto Rico entirely from this bill.

The treatment of Puerto Rico in this bill is mild compared with the treatment accorded to the low-income States on the mainland.

I agree that in Puerto Rico this bill would cause havoc. I warned them some time ago that the hurricane of "Minimum Wage Betsy" was heading their way and to batten down the hatches. But if Puerto Rico is to be exempted, then the bill is entirely an instrument of regional economic warfare and should be scrapped. If this bill is to make Puerto Rico a playground of special interest, then this is the time to scrap this bill.

Our Nation is enjoying the most highly "souped up" economy in our history, with almost the broadest employment ever experienced, and yet a substantial group of our citizens, largely Negro, are yet unemployed. This condition is not peculiar to Selma, Ala. If I may say so, it never was.

The night before last I watched the TV news. I observed that in Watts the unemployment rate is 37 percent. A year ago President Johnson pointed out very clearly that Negro unemployment had become twice that of white unemployment in 20 years. It is quite obvious to everyone that something other than discrimination is happening.

Did it ever occur to the proponents of this bill that the hard-core unemployed at the present time are unemployed because of the results of past minimum wage bills? Just wait until this bill goes in effect. Gentleman, this is a raise-the-pay-of-one-fire-one bill. This is a bill which will create unemployment. This bill will create a multitude of additional poor and will raise the plateau of employment $14 a week above the hungry reach of the already unemployed.

This bill will create hard-core poverty through forced unemployment.

I hold with my Puerto Rican friends that the poorest pay job in the world is no job. After 2 years of war on poverty we are about to pass a bill to multiply poverty. This is a bill to phase out the little business and to disperse their employees to the cities and onto the relief rolls.

This is a bill which will destroy the little guy and turn his business over to the big guy. This is a bill which will phase out all marginal industries and their proprietors and, of course, the jobs that go with them.

If this is fantastic sounding, I quote to you George Meany in testimony before the Senate committee in 1961:

> If they don't pay minimum wages, I would rather that they go out of business.

And I quote Sidney Zagri in testifying before my committee on the repeal of section 14(b) of the Taft-Hartley Act, "we simply cannot allow marginal industries to continue to exist." It is indeed cynical that this Congress should take such a step.

Mr. DENT. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. JOELSON].

Mr. JOELSON. Mr. Chairman, I rise in support of this legislation. I heard the previous speaker say this is a bill to destroy the little guy. In my book, it is a bill to give the little guy a decent living wage.

I also strongly support the move to extend the coverage of the Federal wage and hour law to farm labor. Agricultural workers have been the stepchildren of our economy, and it is imperative that their conditions be improved.

While I acknowledge that there may be reasons against fixing farm wages at levels as high as those relating to industrial employment, I believe it vitally important that we establish some kind of minimum wage if we are to eliminate the disgraceful condition of migratory and farm workers.

If farm owners would face up to the need of paying a living wage, perhaps they would be able to solve the problem of a shortage of farm labor.

It seems ironic to me, Mr. Chairman, that farm owners who are quick to seek and accept Government subsidies are crying the loudest against "Government intervention" when Congress seeks to do justice to agricultural workers who have too long been living in peonage.

Mr. DENT. Mr. Chairman, I yield to the gentleman from New Jersey [Mr. DANIELS] such time as he may consume.

Mr. DANIELS. Mr. Chairman, I rise in support of H.R. 13712. This very worthwhile bill would amend the Fair Labor Standards Act of 1938 by raising the minimum wage, extending its protection to additional employees, and providing various overtime protections. I have always favored legislation that would establish mandatory minimum wages, and I have always favored legislation that would improve the economic status of our lower income wage earners.

There are now 29,600,000 employees covered by the Fair Labor Standards Act. The bill before us today would guarantee a minimum wage for these employees of $1.40 an hour, effective February 1, 1967, and a minimum wage of $1.60 an hour, effective a year later, February 1, 1968.

The bill would also extend minimum wage provisions of the Fair Labor Standards Act to approximately 6 million employees in occupations not now covered by the act—retailing, including auto, truck, and farm implement dealerships; transit and taxicab systems; restaurants and food service establishments; lodgings; hotels and motels; and hospitals and related institutions. Employees in these fields, beginning February 1, 1967, would receive a guaranteed minimum wage of $1 an hour. Provision is made in the bill to raise this minimum 15 cents an hour each year until February 1, 1971, when the guaranteed hourly minimum would be $1.60.

Agricultural workers are treated separately in the bill. Some 485,000 farm workers would be covered by the legislation, which guarantees them a minimum of $1 an hour beginning February 1, 1967. The minimum wage for these agricultural workers would rise 15 cents an hour, effective February 1, 1968, and another 15 cents, effective February 1, 1969, to bring the guaranteed minimum for farm workers up to $1.30 an hour.

Wage protection would also be extended to some 665,000 Federal wage board and Federal service contract employees. Beginning next February, the minimum hourly wage for these two groups of workers would be $1.40, and a second raise, effective February 1, 1968, would bring the minimum up to $1.60.

The overtime protection plan for these new employees is extremely important. This legislation requires that a newly covered employee must receive compensation at a rate not less than 1½ times the regular rate at which he is employed for hours in excess of 44 in any workweek beginning February 1, 1967; 42 hours in any workweek starting February 1, 1968; and 40 hours in any workweek starting February 1, 1969.

Of special interest and concern to me are the Federal wage board employees. These "blue collar" workers are exempt from the Federal Classification Act. The group includes men in recognized trades or crafts, skilled or unskilled manual-labor occupations, foremen or supervisors in these fields, and certain employees of the Bureau of Engraving and the Government Printing Office.

Under the present law compensation for wage board employees is fixed but can be adjusted from time to time, consistent with the public interest and in accordance with prevailing rates for similar work in the private sector. The Civil Service Commission has the authority to raise wages of Federal wage board employees when, in the opinion of the Commission and of the employing agency, compensation has fallen below rates for similar work in the private sector and the adjustment is needed to attract employees to Government work.

The "adjustment" formula is a fine one in theory, but practice has revealed some unfortunate shortcomings. There is, first, no guarantee that wage board employees will receive the minimum guaranteed those covered by the Fair Labor Standards Act; and, second, if the agency performs its duties as stated, there would be a time lapse between the passage of the minimum wage and the performance of such duties, thereby causing the Federal employee to be the lowest paid employee in the country.

The minimum wage bill of 1961 is a primary example of this. In 1961 the minimum compensation was set at $1.15 an hour to start September 3, 1961 and rise to $1.25 an hour—the present rate—on September 3, 1963. A number of nonindustrial wage board employees—janitors, food service, hospital, laundry, and so forth—were placed in the position of being paid less than the minimum wage. We could not and cannot afford to treat our employees in this manner and expect to keep the better qualified in Government employment.

Due to the excellent judgment of our beloved late President, John F. Kennedy, this problem was resolved in 1961. President Kennedy sent a directive memorandum to all Government agencies requesting and advising that all employees be paid the minimum wage as outlined in the bill. These employees were fortunate that the President took a personal interest in their welfare. We, as legislators, cannot depend on such events in the future. If we expect private industry to be bound by minimum wage standards, then we must be willing to give the same benefits to our own loyal employees.

In conclusion, Mr. Chairman, it is necessary and proper that H.R. 13712 be enacted into law, in order for our citizens to maintain their individual support, dignity, and self-respect in our complex economy.

Mr. DENT. Mr. Chairman, I yield to the gentleman from New Jersey [Mr. MINISH] such time as he may consume.

Mr. MINISH. Mr. Chairman, I am happy to offer my support of H.R. 13712, the Fair Labor Standards Amendments of 1966, and to urge its passage without weakening amendments.

There is, I believe, no area where more effort has been put forth to deliberately obscure and confuse the Congress and the public, than on the questions at issue in the endeavor of the Congress to improve this law. The lesson of my experience, both before and since I have been in Congress, is that almost none of the claims made by opponents of minimum wages have any basis in fact. They claim that raising the minimum wage or extending the coverage of the Fair Labor Standards Act will result in mass layoffs of employees, or in great numbers of small firms going bankrupt. Each year these same individuals cry out they are ruined, and the next year they appear before the same committee, having flown to Washington and put up at the best hotels, and repeat their story of gloom and doom.

Mr. Chairman, this is a ridiculous charade. I say, to our colleagues: Vote your conscience; extend the protection of this law to those in need of protection; end the disgraceful situation of workers and their families dwelling in poverty in our dynamic economy.

Mr. Chairman, Congress has acted to establish or increase the minimum wage in 1938, in 1949, in 1955, and in 1961. From 25 cents an hour, we have increased the rate to $1.25 an hour. Does anyone believe that we have more unemployment and more bankruptcies today than in 1938?

The bill before us provides that the minimum wage for those employees presently covered by the act will be $1.40 an hour beginning February 1, 1967, and $1.60 an hour beginning February 1, 1968. The proposed minimum wage for newly covered workers—other than those employed in agriculture—will be $1 an hour beginning February 1, 1967; $1.15 an hour beginning February 1, 1968; $1.30 an hour beginning February 1, 1969; $1.45 an hour beginning February 1, 1970; and $1.60 an hour beginning February 1, 1971. For newly covered agricultural workers the bill provides a minimum wage that will be $1 an hour beginning February 1, 1967; $1.15 an hour beginning February 1, 1968; and $1.30 an hour beginning February 1, 1969. Thus, the proposed new wage floors will be reached gradually within 2 years from now for those presently covered by the act and for certain Federal employees and Federal service contract employees; 5 years for those, other than agricultural workers, who will be newly covered by the act; and 3 years for newly covered agricultural workers. Is this not a very moderate proposal for the alleviation of poverty among the working poor?

In the past few years our attention has been directed to two aspects of the problem of poverty. We have striven to raise the standards of living of those in our society who cannot work; the aged, the sick, the widows, children, and other dependents. The thrust of many of our efforts to strengthen our social security laws has been in this direction. We capped these efforts last year when we enacted medicare.

The other aspect has been to improve the opportunities of those who can work, but who cannot find jobs. These include the young, the uneducated, the residents of depressed areas, the unemployed in general. We have set in motion programs to provide training or retraining and to provide jobs. We have strengthened vocational education; we have provided for aid to depressed areas under ARA. Training and financial assistance under this antipoverty program is now a growing reality. Retraining of displaced workers proceeds under the Manpower Development and Training Act. Jobs have been provided for many of the unemployed by accelerating public works.

As we have done these things, we have become increasingly conscious of the needs of yet another group in our society. Hitherto our efforts have been directed toward the problems of the unemployed poor or the unemployable poor. But what of those who have jobs, but earn so little that they fall below the poverty line? Who, even though their hours equal or exceed those usually worked in our society, find at the end of the year that their earnings provide an income less than that of many who do not work or cannot work. What of the employed poor?

One of the truly sickening things that came out of the last few years' consideration of the problems of poverty was that 49 percent, nearly one poor family in two, was headed by a man or a woman with a job. Yet, despite the fact that the head of the family was working, family income in 1962 was less than $3,000 a year for these families. That was our definition of poverty—a family income under $3,000 a year.

It is bad enough to be unemployed and living in poverty in the midst of the affluent society. It is unconscionable to be employed and living in poverty in an affluent society. The men and women who would be involved in this legislation are—as a group—paid less than a subsistence wage. They work long hours, often at unattractive jobs, and their labor is useful, even indispensable, to their fellow citizens. They are surely entitled to the protection afforded by the bill before us today. A decent wage for workers is essential to eliminate poverty. A man or woman working full time should be able to maintain his family at minimum levels of decency in our affluent society. The moral and economic arguments for the minimum wage bill before us are sound; its enactment will provide badly needed assistance to millions of often-forgotten Americans.

H.R. 13712 is the result of extensive hearings and consideration. It provides moderate but significant improvements in the act, and deserves the support of all of us.

Mr. DENT. Mr. Chairman, I yield to the gentleman from Virginia [Mr. MARSH] such time as he may consume.

Mr. MARSH. Mr. Chairman, one of the elements of the pending bill which gives me concern is that affecting agriculture.

I know that all of us here want to be fair to the producers of food and fiber in the United States, and to their employees. There are, however, differences in agricultural production, processing and marketing which, in many cases, are sharper than to be found in other industries, and I fear that adequate consideration has not been given to these differences.

The effects of enactment of the legislation, as now before us, could be very substantial—and very damaging—to agriculture.

In my congressional district, Mr. Chairman, the economics of the poultry and fruit elements of agriculture are of great significance—not only to those directly engaged, but also to the wholesale, retail, and service industries of the communities of the area, which serve poultrymen and orchardists.

With respect to the fruit industry, I have had called to my attention several examples of situations which would indicate that enactment of the bill pending, in its present form, would create new disparities among farmers engaged in the same general area of agriculture—the production of fruit for the commercial market—and I should like to cite these for the information of the committee, without any suggestion that they are unique, but only to point up the need for further study of the provisions of the bill, because of the inequities it contains.

A grower newly covered by the pending bill, provided he is engaged only in the growing, preparation, and storage of his own crop, would become subject to a wage scale beginning at $1 an hour and moving upward to $1.15 an hour and then to $1.30 an hour, with no maximum weekly limitation on hours worked.

Another grower, who is engaged in the same operations as the one cited above, but also performs preparation and storage services for neighboring growers for a fee, without buying their fruit, would be subject to hourly wage rates of $1.40 and then of $1.60, plus overtime rates after 40 hours a week.

In this second example, the grower involved could get out from under the hour limitation and come under a lower wage requirement by refusing to serve any longer his neighbors. The result would be that his neighbors would not have the channels to market which they had enjoyed in recent years, and would have to undertake the establishment of their own processing and storage operations.

I am advised a further class of growers—those who have banded together for preparation and storage at a central facility, while retaining title to their own crops until the first sale in the marketplace—would come under the wage and hour requirements of the producer whose situation was set forth immediately above.

These producers may well find that they would have to break up into individual units and regain the individual exemption as small growers, or sell out to large operations under individual or corporate ownership.

I do believe that sufficient thought has not been given, Mr. Chairman, to the immediate and potential effects of the agricultural provisions of this bill in specific circumstances.

What I have outlined in regard to fruit industry in Virginia likely could be applied, with variations, to the poultry industry in Virginia, and to many other agricultural pursuits across the Nation.

I hope that we may have active consideration of appropriate amendments to remove the inequities which clearly are built into the bill as it is before us at this time.

Mr. DENT. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. PUCINSKI].

Mr. PUCINSKI. Mr. Chairman, I rise in support of this legislation. I believe that that if there is such a thing as consensus government, the bill before us today, despite the many differences, comes about as close to that ideal as we will ever come.

The gentleman from Pennsylvania [Mr. DENT] has worked tirelessly, carefully, and patiently to hear all of the sides on all issues. He has shown a compassionate understanding for the problems of both sides in this legislation. I believe that in this bill is reflected his sincere desire to be fair with all sides concerned.

As the ranking majority member on this subcommittee, next to my chairman, I must say that it is a privilege and a pleasure to be able to work with him on this legislation because, indeed, Mr. Chairman, he has shown a profound knowledge of this dynamic economy of ours and has tried to respect the rights of all parties concerned.

In order to understand what we are doing here today, we have to understand the revolution that has occurred in America in the last decade. In 1956, 56 percent of the American labor force was employed in production employment. Only 44 percent was engaged in services. So, as we passed the various milestones of this legislation, from 1938 until the middle 1950's, it was relatively easy to legislate minimum wage laws, because we were dealing with production workers, and we could measure the productivity. We did not have too many problems.

So we saw, in 1938, a 25-cent-an-hour bill, then a 40-cent bill, then a 60-cent bill, and then a 75-cent, and then $1, and then $1.25.

But in 1965 the picture is substantially different. Today 56 percent of the American labor force is engaged in services, and only 44 percent in production. So we are now dealing with a most difficult aspect of this legislation, because we are reaching out in the service industries that have peculiar problems associated with each of these industries.

I submit that this subcommittee has tried to recognize the peculiarity of those problems.

In regard to the restaurant industry, we realized that certainly an employer has a right to recognize the fact that while he does make his premises available to a waitress she does get tips, she does get gratuities, for the work she is doing there. So this committee had to try to draw some line between a salary, a remuneration to this employee, on the one hand, and a recognition that there is a gratuity factor involved. A girl who gives good service to her customer will get a little bigger tip than a girl who does not give good service, and so on.

So the committee has carefully written into the bill a legal presumption that an employer may attribute up to 35 percent the first year, 40 percent the second year, and 45 percent thereafter of the minimum wage to tips.

I understand an amendment will be offered later in the proceedings to make that 45 percent across the board. I submit there is merit to the amendment, and I hope that the committee will accept the amendment.

We also recognized the peculiar aspects of the restaurant business, so we excluded overtime, knowing full well it is difficult to control the eating habits of the patrons. Rather than impose undue hardship on the owners of these restaurants, we said, "All right; we will keep this industry out of the overtime."

We also recognized that these restaurants hire many students, so we have applied an 85 percent of the minimum wage to bona fide students who are employed in these restaurants.

Finally, we recognized the problem of the busboy. We recognized that the busboy does get some tips, but perhaps not as many as a waitress. Realizing that this is a difficult problem, we provided that any employee who earns $5 a week or more in tips will come under the tip-employee qualification.

Mr. Chairman, in the case of the restaurants—a difficult industry about which to legislate—I would say this committee has shown deep understanding. We have come up with a formula every Member of this House on both sides of the aisle can support.

In respect to the food processors, much has been said about the food processing industry. It seems to me we must recognize now an indisputable fact, that this has become a big industry. No industry in America has been as highly automated as the food processing industry.

For those who would suggest that we are going to curtail job opportunities, that we are going to take work away from people by placing this industry under the minimum wage, I say this defies the facts and ignores the truth, for the testimony before my subcommittee clearly indicated there has been a great diminution of job opportunities in this industry because of automation, even now, when it is not covered in two exemption periods under the minimum wage.

Let me give some examples of some of the things that are happening in the food processing industry.

The Green Giant Co. uses fully automated equipment form, fill, and seal pouches at the rate of 3,600 per hour, or 60 per minute.

A report from the Amalgamated Local 56, New Jersey, lists recent changes in five representative plants.

As to plant A, this plant has installed a new automatic tomato slicer.

Originally, this operation took 25 women to operate and now operates with 5 women. Automatic can feeder was installed, which took five people and is now operated by one person. Labeling machines which formerly took two people is now operating two machines with one person.

Plant B. Automatic vibrating machines for feeding asparagus originally had 126 women to operate these lines, is now operating with 30 women. An operating can feeder direct from the trailer now uses three persons, originally used six. Barnes loader and unloader into crates is operated by one person, would take the place of five people.

Plant C. This plant has put in two continuous cookers with continuous can lines which is now operated by 5 persons, which formerly took 20 persons. They formerly used women, now are using an automatic packer which does away with all.

They also have installed an automatic onion cutter which now is operated by one person, which does away with five persons. They have installed an automatic mold counter which eliminated four persons.

Let us look at the record a little further.

The following is a brief sampling of specific technological changes in the canning and freezing industries:

The April 1964 issue of Food Engineering alone lists six new machines for counting chunk items up to 500 per minute by electronic eye and packing items in cans.

Coring tomatoes at 4 tons per hour.

Slicing mushrooms at 1,200 pounds per hour.

Sorting small fruit by high-speed photoelectronics.

Separating beans at rate of 2,000 per hour.

Packaging raisins at rate of 260 boxes per minute.

This has become a highly automated industry. It constitutes one of the big industries of America.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DENT. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. PUCINSKI. You cannot see America reach this great plateau of a $735 billion gross national product and within our time; yes, by 1972 reach a $1 trillion gross national product without making sure that every single American shares in the stream of this economy and carries his fair share of the load.

So I say to you this minimum wage bill is a historic bill because it affords every single American an opportunity to share in the blessings and the bounty of this free capitalistic system. For anyone to suggest that we do not bring the food processers under this bill is to deny a large segment of the American economy a chance to play its role in the growth of America.

Now, as to the agricultural workers, this bill provides any farmer in this country who employs 7 or less highly skilled workers on a full-time year-round basis will be excluded from coverage under this bill. This bill is directed at the big farmer and at the corporate farmer. This bill is not intended to hurt the small farmer of America. We must recognize this big corporate farmer as part of the overall quilt of the American economy. So you cannot exclude him any longer.

We had testimony before our committee on what is happening in farming and the degree of automation in harvesting crops. We had one witness testify on how they now put a big inverse umbrella under the cherry trees and pulled up a big tractor with an arm extended which locks in around the trunk and shakes this trunk of the tree and the cherries fall down into this umbrella and are scooped up and put in the trucks and frozen.

We have had testimony where they now pick lettuce with huge machines going down the field with sensitive metal fingers or feelers, each feeling this head of lettuce. If the lettuce is ready for picking, they lock in and pick it. If the lettuce is not ready for picking, it moves on.

So we are talking here about highly automated production. I say to you that if you do not bring these agricultural workers into this bill, you are going to deny them the opportunity to share in the wealth and the bounty of this great free capitalistic system.

And so, Mr. Chairman, we have carefully considered each one of these industries. I doubt if any committee of the Congress has gone as deeply into the personal problems of every one of these industries as has this particular subcommittee.

Mr. Chairman, the gentleman from Pennsylvania [Mr. DENT] has taken great pains to make sure that these problems are reflected properly in this legislation.

So, Mr. Chairman, in supporting this legislation, let me conclude by telling to the Members of the Committee a story which I recently told a delegation of Japanese merchants who visited my office.

They urged me to support the cultural exchange programs, because they were concerned that the Communists were making great inroads in Japan. This was shortly after the visit to Japan of President Eisenhower. These people said, "Look what is happening. We are having all of these uprisings over there and the Communists are making great gains in our country. We feel we ought to have greater cultural exchanges."

I said, "Gentlemen, I support those programs, but that is not your answer. Communism cannot survive where people are earning a decent living. Communism breeds only upon poverty. We see this in every sector of the world."

Mr. Chairman, the Secretary of Defense the other day in Montreal elaborated upon this so magnificently when he reminded us as to where the unrest is throughout this world—those areas of the world where people are exploited. What has given this country its magnificent employment and stability where today we stand as a great symbol of hope for the entire world? That is done through this Fair Labor Standards Act.

Mr. Chairman, we have moved cautiously since 1938 from one plateau to another plateau, until today our economy is extremely healthy.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. DANIELS. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. PUCINSKI. Mr. Chairman, today we are able to confidently say that certainly every American ought to earn $1.40 an hour in 1967 and $1.60 an hour in 1968.

So, Mr. Chairman, I say that a vote for this legislation is a vote of confidence in the free capitalistic system. It is a vote of confidence and belief that, indeed, we have the wherewithal and the American industry has the wherewithal to guarantee every American working man at least a salary that under our other laws here which we have set as a pace for our poverty program, he is entitled. Because, Mr. Chairman, even when we reach this $1.60 an hour plateau, about what are we talking? We are talking about an annual salary of $3,328 a year.

Why, Mr. Chairman, this Congress has passed legislation in the antipoverty bill which sets the poverty level at $3,000 a year.

Mr. Chairman, what a sad reflection it is upon our system when we have breadwinners in America working in fields, working in processing plants, working in laundries, and yes, in restaurants, working a 40-hour week and not earning enough money to meet the minimum standards so that they actually have to be placed on public assistance in order to supplement their earnings.

Mr. Chairman, I say as a member of this committee, that I am proud to come before this House and urge the adoption of this historic legislation.

Mr. BELL. Mr. Chairman, I yield such time as he may require to the gentleman from Minnesota [Mr. LANGEN].

Mr. LANGEN. Mr. Chairman, the bill before us today has been hailed by some as a compromise, by others as a watered-down version of original requests, both with the hope of garnering more votes for the bill. Some of my colleagues have even said that this bill no longer poses a threat to segments of the population where hue and cry was heard not so long ago, such as for farmworkers and small businesses up and down Main Street, U.S.A. However, Mr. Chairman, the dangers inherent in previous proposals are still here today, representing a foot in the door that will surely lead to the all-inclusiveness of the original requests if enacted into law.

Actually, this bill before us, in its present form, remains a threat to rural

America and many other small businessmen and could mean fewer jobs across the Nation. It would certainly accelerate the demise of many of our farmers and small businessmen along the main streets of our small towns.

My office has been flooded with letters from those who would be adversely affected by this bill. These people are bewildered over a government that would create problems to the extent of threatening their very existence. The voices of these people must be heard and heeded, Mr. Chairman.

As pointed out in the individual views that accompanied the report on this bill, the proposed increase in the minimum wage for presently covered employees would amount to 28 percent in two steps, and on newly covered employees, it would amount to 60 percent over the next 4 years. These percentages do not even cover the escalating effect of higher minimum wages when businesses must maintain established wage differentials. Also, these percentages do not include or measure the impact of compulsory cost increases to the employer such as workmen's compensation, unemployment insurance benefits, or the increase in both the salary base and tax rates of social security which the employer must bear. The result, of course, will be pressure for higher retail prices to the consumer and fewer man-hours of employment where reduction in employee staff is vital for survival.

This administration has had much to say about price-wage objectives, and we have been fed a figure of 3.5 percent as the limit to which either prices or wages should be increased. This bill, however, is completely inconsistent with the price-wage objectives. This is difficult to understand when you consider that the administration favors this bill.

The small businessman will find himself faced with skyrocketing labor costs. He will be forced to add to the inflationary spiral by raising prices, or he will get along with less help. For many it will mean closing the doors for good, and the net effect of this legislation will be fewer jobs for our people in smaller communities.

FARMER HIT AGAIN

With American agriculture already in trouble, it is inconceivable that Congress could add to the farmer's dilemma by increasing his costs and decreasing his net profit, further accelerating movement off the farm. Inclusion of agricultural workers under minimum wage laws is not based on the practical conditions that exist in farming. It would also take a whole army of investigators to enforce such a law on our farms, and if there is one thing the farmer does not need, it is another Federal snooper spying on him. What he really needs is greater income, not another device to hold his income down.

It is impossible to understand how the farmer can come under provisions of minimum wage laws at all, considering his volume of business. Coverage of a retail business is based on volume of sale—currently $1 million or more a year. Under this bill, of course, that volume figure will be reduced to $500,000, and in 2 years to only $250,000, which takes in many more of our smaller businesses across the Nation. Even using the $250,000 figure, an enterprise which does less than that amount of business in sales per year will not be subject to the act. Yet, a farmer who does, say, only $20,000 in sales might come under this bill's provisions. This is not fair nor is it equitable.

Add to this the confusion over just what agricultural worker will be covered and who will not. The bill is unclear as to whether a tenant farmer or a sharecropper is covered, for instance. Both normally work for a percentage of the crop, making it practically impossible to correlate their earnings against the total number of hours worked and the minimum wage.

With the Department of Agriculture having displayed numerous endeavors to lower farm prices, it is inconceivable that Government would now take this action to increase his costs of production to further depress his already inadequate income.

The agricultural section, along with others, should be eliminated entirely from this bill.

There are other discrepancies, as well. For instance, overtime penalties are excluded for hotel and motel employees, but are applied to hospital employees. The additional cost to hospitals, at the very moment when their services will be taxed to the limit under medicare, will be considerable.

Mr. Chairman, it is one thing to show concern for the marginal employee who might benefit from a higher minimum wage, but it is quite another when you consider the consequences of escalating the entire wage structure because of it. It is also quite another story when you consider that many of these marginal employees will not receive higher wages; they will lose their jobs.

The Congress does not create more jobs through legislative action. And in the case of this bill, such action would eliminate jobs and force many of our small businesses, including American farmers, to give up in despair. I respectfully urge that we take another look at this bill and come up with something that will help the economy, not contribute to its downfall.

Mr. BELL. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Chairman, as many of you know, I made my living as a row crop farmer before I came to the Congress. To a very limited extent I am still a fruit producer in the State of California although my operation is so small I would be exempt from the agricultural minimum wage provision of the bill as it is presently written.

Some of you who have been here a while will remember the first speech I made, my maiden speech on the floor of the House of Representatives, which had to do with the subject of farm labor. In a sense and in some small circles, I have become a minor spokesman for specialty agriculture in California. With that background, I presume most of you will be surprised when I say that I have taken this time today to express my strong support for the provisions of this bill which will provide a minimum wage for agricultural employees.

I do have reservations. The bill should go further and we should not have exemptions for those farmers who employ less than 500 man-days of agricultural labor in any one quarter.

At a later time I will offer an amendment to strike that provision from the bill.

I would like to talk for just a moment to the Representatives of the agricultural States which for one reason or another have lagged behind my own State of California insofar as the benefits paid to agricultural workers are concerned.

I think perhaps a little look at what has happened in California might be good for all of us to consider at this time. It so happens this bill, if enacted, probably will not affect a single California farmer because our wages are well above what this bill would provide. Without a law our wages have far exceeded the meager minimum of this bill.

To know something of what is paid agricultural labor in California let us look at the actual payroll reports of the DiGiorgio Fruit Corp. for February 18 of this year, 1966.

For pruning the grapes in the famous area of Delano, a piece rate ranging from 5½ cents to 8 cents per vine was paid. Every worker in the field regardless of what he produced was guaranteed $1.40 an hour.

In one of these crews, according to the payroll report of February 18, only 8 percent received $1.40 an hour; 46 percent of them made between $1.41 and $1.78 an hour, and another 46 percent made from $1.86 to $2.76 per hour.

In a second crew on that same payroll in Delano 18 percent made $1.40 an hour, 47 percent earned between $1.44 and $1.76, and 35 percent earned between $1.81 and up to $2.77 an hour.

Another crew had no one who earned as little as $1.40 an hour; 20 percent of them made between $1.66 and $1.74 an hour; 80 percent made between $1.83 and $2.39 an hour.

For the pay period of last September 8, 1965, the workers who were picking the grapes during this famous Delano grape strike earned an average of $2.46 an hour.

The employees of Schenley for the entire grape picking season averaged $2.72 an hour.

So you can see that this minimum wage bill is not going to hurt California agriculture.

I would point out to my friends from other parts of the country that higher wages and better working conditions for agricultural laborers are coming to your area just as they came to California. Because, as you see, we have them even without a minimum wage law. They are coming. It is a fact of life. The longer the rest of the agricultural world drags its feet, the tougher it is going to be.

You will have to mechanize, as we have done in California. You will have to improve your technology and increase your yield and do the things which will allow you to make labor a smaller part of your total overhead.

This has been done, I am proud to say, in our State of California. So I think the rest of the Nation had better recognize that the minimum wage is a principle that is established and is here to stay. The improvement of conditions for agricultural workers is certain to continue.

Mr. BELL. Mr. Chairman, will the gentleman yield?

Mr. GUBSER. I am happy to yield to the gentleman from California.

Mr. BELL. The gentleman knows about wages in California. I wonder if the gentleman also knows the hauling disadvantages which California has in competing with other States. Yet despite the fact that it has raised the minimum wage and it has raised wages of people in California and it has an unfavorable hauling condition in that it has higher costs, still it is able to carry on and continue its agricultural programs. In fact, it is one of the largest producers in the Nation.

Mr. GUBSER. I certainly thank the gentleman for bringing out that point. He almost read my mind, because it is exactly the next point I wished to make. In California we have discriminatory freight rates. Compare the freight rates on the hauling of commodities from Florida to Chicago and California to Chicago and note the disadvantage to California.

We have absorbed the highest wages paid agricultural labor in all the United States, with the exception of Hawaii. We have absorbed all of those things. We are being struck right and left today, even though we lead the Nation in improving benefits for workers.

How long can you ask California farmers to go on competing with people in other States who pay 75 cents an hour? That is why, my colleagues, I say that the limitation to 500-man-days in any one quarter is unfair. It particularly helps the farmers in other States who are competing with Californians and who have never paid anything like what California farmers pay their agricultural employees.

That is why I shall offer an amendment tomorrow to strike the limitation from the bill. I sincerely hope you will agree, when you vote upon my amendment, that a minimum wage should not apply to one fellow on his hands and knees hoeing sugarbeets or doing some menial task on one side of the road, while another man doing the same job in the same climate on the other side of the road gets more pay doing the same job. Such action is discriminatory against the worker. It is discriminatory as between farmers, and it is particularly discriminatory against California farmers.

Agriculture is now a highly technical business and it can stand a minimum wage. I for one welcome it. All I ask is that we make it fair and equitable and let it apply equally to all 50 States, and to all farmers.

Mr. BELL. Mr. Chairman, will the gentleman yield?

Mr. GUBSER. I am happy to yield to the distinguished gentleman from California.

Mr. BELL. I wish to thank the gentleman for his contribution and to say that I thought what he has stated is very accurate and to the point. It goes right to the heart of the problem. I think we should even this thing out and make it less harmful for some States, as the gentleman has stated.

Mr. DANIELS. Mr. Chairman, I yield as much time as he may require to the gentleman from New Jersey [Mr. KREBS].

Mr. KREBS. Mr. Chairman, I rise in support of H.R. 13712.

Mr. Chairman, at a time when the Nation is seeking to gear its economy to meeting burdensome demands of foreign commitments, there are critics who would shelve all progress within our country.

No one, of course, can deny that our economy is necessarily forging ahead at a high rate of production that at times seems to threaten serious inflationary pressures. But let no one deny also that the so-called inflationary arguments so far have been focused only on the just and equitable wage increases of America's workers. The workers in private industry and in public service have had to shoulder the major attacks of the inflationists.

The workers of this country are the ones whose sacrifice has been exacted because of Vietnam or because of some other sacrificial call. These are the same workers, Mr. Chairman, who are paying higher costs for a food basket at the grocery store and for their family car. And yet few voices are raised about the need to hold down the prices being paid by already underpaid workers.

Mr. Chairman, the wage increases that would result from the legislation being debated today, in my judgment, are indeed moderate and reasonable.

This Nation has committed its moral resources to the eradication of poverty. I suggest that now is the time to commit our material resources. A vote for today's minimum wage proposal is one weapon we can all provide our army against poverty. I intend to vote for it.

Mr. DANIELS. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, this afternoon we have before us a historic piece of legislation. This legislation will promise agricultural workers a minimum wage for the first time in history. This legislation will help workers in restaurants, workers in hotels, workers in transit and taxi cab systems, workers in laundries, in hospitals, and in small stores, all for the first time. It covers 7 million new workers.

It is also legislation which will benefit the people of New York City by indirection. Industry has been fleeing from the city of New York in search of lower wages. This problem is particularly acute in the textile industry. By raising the minimum wage around the country this legislation will help keep industry in the city of New York.

So I believe this legislation should be supported, because it helps the people of my city indirectly and because it directly affects 7 million Americans.

But I do not believe for a minute that we should be satisfied with the bill. I have several points to make in connection with it. First, it does not provide a real minimum wage. Secondly, it does not take effect rapidly enough. Thirdly, it does not cover enough people.

The bill which we will vote on today would establish a wage of $1 an hour for newly covered employees, which will become effective on February 1, 1967. This would gradually rise to $1.60 an hour by February 1, 1971. For those who are presently covered, it would provide an hourly wage of $1.40 an hour by February 1, 1967, and to $1.60 by February 1, 1968.

For the people of New York City, $1.60 an hour is not a decent wage. According to the Office of Economic Opportunity, a minimum yearly income of $4,000 is needed for a family of four to live above the poverty line. At $1.60 an hour a man who works 40 hours a week, 52 weeks a year, will earn less than $3,500 a year. So the fact is that for the people of New York City an hourly wage of $1.60 is not a minimum wage. It is still a poverty wage.

Let me make this point a little more dramatically. New York City, like other cities, with the help of the State and the Federal Governments, offers supplemental assistance to families whose wage earners do not bring home enough money to keep the family afloat. Some of this money may be provided through the aid to dependent children program. Some comes from other programs.

Today there are 9,000 families which are receiving supplemental income in the city of New York. Let me repeat that. The New York City Department of Welfare has concluded that 9,000 full-time workers, people who are regularly employed, full time in the city of New York, do not earn enough to sustain their families.

In the end, it is the city, the State and, yes, the Federal Government which must make up the difference. Those 9,000 families cost the American taxpayers $12 million a year. Approximately $3 million of that sum is paid by the Federal Government.

What kind of a minimum wage are we talking about when its recipients remain on welfare. If people who earn the minimum wage must still receive welfare checks, then it is clear that they are receiving what amounts to a poverty wage.

The Welfare Department of the City of New York maintains that most of the 9,000 families will still require supplemental income if the minimum wage is raised to $1.60.

So I believe that we really should be talking about a minimum wage today which insures all workers a living wage. According to the Office of Economic Opportunity, a living wage for a family of four in New York City is $4,000. To earn $4,000 a year, a man who works 8 hours a day, 5 days a week, 52 weeks a year, would have to earn $2 an hour. Therefore, what we really should be talking about today is not about $1.40 next year, and $1.60 a year after that, but $2—a minimum wage of $2 an hour, and $2 an hour now.

Mr. Chairman, last summer the Education and Labor Committee produced a bill which came closer to matching this $2 figure. That bill would have given newly covered workers $1.75 an hour by 1970. Previously covered workers would have received $1.75 an hour by 1968. Inflation should not be used as an excuse for not providing it. On page 91 of the report of the President's Council of Economic Advisers, some exceptions to the "general guideposts" are listed. One exception is "where wages are particularly low—that is near the bottom of the economy's wage scales." Thus, the President's Council of Economic Advisers has indicated that the wage-price guideposts should not be applied to the creation of a minimum wage.

Finally, Mr. Chairman, I am disappointed that this bill does not cover more agricultural workers.

The present bill covers only those agricultural workers whose employers used more than 500 man-days of agricultural labor in any calendar quarter of the preceding year. As a consequence, only 485,000 new agricultural workers would receive benefits under the new law. Once again, I would have preferred the provision in last year's bill, which would have extended coverage to all workers employed by employers using more than 300 man-days of agricultural work in any quarter.

Mr. Chairman, I have pointed out why we should not be content.

But it is important that this bill be passed, and be passed tomorrow when it is voted upon, as a recognition that $1.25 an hour simply will not do.

In this great country of ours no wage earner and no family should be receiving an inadequate wage. No family should be required, where there is full-time employment in the family, to still maintain itself on the welfare rolls.

In closing, Mr. Chairman, I congratulate the committee for its fight for this bill today, and especially the distinguished chairman of the subcommittee, the gentleman from Pennsylvania [Mr. Dent]. I urge the passage of the bill.

Mr. GLENN ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from Alabama.

Mr. GLENN ANDREWS. The gentleman has made the statement that he objects to this bill because New York City will lose some of its industries. Where does the gentleman anticipate these industries are going to be lost?

Mr. RYAN. The gentleman did not listen to what I said. I said we need an increase in the minimum wage, so that cities such as New York City will not lose industries to low wage areas.

Mr. GLENN ANDREWS. Is that the purpose of the bill, to keep New York City from losing industry to lower wage areas?

Mr. RYAN. One purpose of the bill is to have a uniformity of wage levels throughout this country.

Mr. GLENN ANDREWS. So that there will be an advantage to New York City, and not other areas?

Mr. RYAN. It is a disadvantage to any city or to any part of the country when it faces the kind of cutthroat competition provided by "sweat shop" labor. This is one thing we should be addressing ourselves to in this Congress. This is one of the reasons why the bill is so important.

Mr. BELL. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota [Mr. Quie].

Mr. QUIE. Mr. Chairman, my purpose in rising today is to make inquiry of the gentleman from Pennsylvania [Mr. Dent], who is the chairman of the subcommittee which considered H.R. 13712 and its author, in regard to section 240(a)(1) (A) and (B) on pages 40 and 41 of the bill.

Some representatives of the dairy industry have been in contact with me. They understand, as I also understand, that the dairy industry would be a prime example of an industry described in section 204(d)(1)(A), that is, an industry found by the Secretary:

> To be characterized by marked annually recurring seasonal peaks of operation at the places of first marketing or first processing of agricultural or horticultural commodities from farms if such industry is engaged in the handling, packing, preparing, storing, first processing, or canning of any highly perishable agricultural or horticultural commodities in their raw or natural state.

They are concerned, however, lest the Department should construe the meaning of this bill so that they would come under subsection (B) and therefore be denied the 14 workweeks exemption of the overtime provision as it applies herein under (A).

My question to the gentleman is: Will the dairy industry be considered as an industry described only in (A) and not under (B), as would be my understanding?

Mr. DENT. Mr. Chairman, in my opinion the dairy industry would come under (A) and not under (B).

Mr. QUIE. I thank the gentleman.

My purpose in rising is to develop legislative history so that at any time there is a question in the future within the Department this would also be their interpretation.

I thank the gentleman.

Mr. BELL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the gentleman from Nebraska in making some statements during debate on the rule made some remarks which I feel are inaccurate, and I feel the Record should be corrected on this point.

I believe there was an inference that the Council of Economic Advisers and the administration actually do not favor this bill.

I want to say that this is completely inaccurate. The Council of Economic Advisers does favor the bill. I have submitted for the Record a letter from the Council, and I quote from part of it on page 2, which reads as follows:

> The minimum wage increase proposed by H.R. 13712 for those already covered by the FLSA reflects appropriate concern for the standards of noninflationary behavior of wages. As you know, the Council's wage guidepost provides for a specific exception in those cases "where wages are particularly low—that is, near the bottom of the economy's wage scales." The wages of those actually affected by minimum wage protection obviously fall into this category of exceptions to the guidepost, and therefore should move up at a more rapid pace than the economy's productivity trend.

The letter goes on to endorse the bill. Also I might add that the letter is written by Arthur M. Okun, acting chairman.

The gentleman also made reference to the President's message. The inference was that maybe the President did not support this. The quote I think is taken out of context by confusion and involves the President's statement on a statutory work week. I want to quote that. The President says at the end of the statement:

> I do not think the time for change in the law has come, except with respect to excessive overtime. Careful attention to these developments is nevertheless appropriate and desirable. I am accordingly requesting the National Commission on Technology, Automation, and Economic Progress to include on its agenda full consideration of the matter of "work periods."

Just above that, in the previous paragraph, he says:

> The developing pattern of collective bargaining reflects changes which are taking place in the practices regarding the length of work periods—daily, weekly, annually, and in terms of the individual's work life.

So you see he was talking about the statutory workweek.

The gentleman also refers to agriculture. Frequently he wants to take agriculture out of context for some reason and say accordingly that the Roosevelt bill, if you take the agricultural aspect away from it and take the agricultural provision away from the Dent bill, the Roosevelt bill actually does not cover as many areas as the Dent bill and, therefore, the Dent bill covers more and is more of a controversial type of legislation. I want to point out that if you were to leave in agriculture, the Roosevelt bill would cover approximately 800,000 more people. Further than that—and this is left out—the Roosevelt bill does not cover Federal service employees, which the Dent bill does cover. That accounts for 665,000. If you were to take that feature out and leave the agricultural in, the Roosevelt bill would cover substantially more people than would the Dent bill. I just wanted to correct these points, Mr. Chairman.

Mr. Chairman, I have no further requests for time.

Mr. DANIELS. Mr. Chairman, I yield such time as he may require to the gentleman from California [Mr. Burton].

Mr. BURTON of California. Mr. Chairman, I should like to add my own commendation to those of my colleagues on the subcommittee and full committee with reference to the efforts of our distinguished subcommittee chairman, the gentleman from Pennsylvania [Mr. Dent]. The fruits of his effective labors have reflected themselves in the tone of the discussion and the debate today. I am sure that they augur well for the successful conclusion of, and action by, this House on this minimum wage bill tomorrow.

The bill does not do as much for as many as quickly as a number of us would prefer. However, it does provide considerable help to a great number of those working men and women in our country who today are working without the benefit of a national statutory minimum wage.

I believe that as the reflection of an accommodation to the varying points of view of the members on both sides of the aisle on the full committee as well as the individual Members of the House, the committee has collectively made a wise judgment to advance a proposal that is not as remarkable as it could be but certainly a substantial improvement over the current law, and one that has the maximum possibility of approval by this body.

Mr. Chairman, I believe when we finish our labors on tomorrow we will be able to point with some fair measure of pride as to our accomplishment.

Mr. HAGEN of California. Mr. Chairman, will the gentleman yield?

Mr. BURTON of California. I yield to my colleague, the gentleman from California [Mr. HAGEN].

Mr. HAGEN of California. Mr. Chairman, I would like to join my California colleague in commending the committee upon most of its actions. Of course, the gentleman commends the committee upon all of its actions, and he commends the committee particularly upon the coverage of farm labor. I want to say that in California, on a piece rate basis at least, we pay wages greatly in excess of the minimum wage established by this bill.

Mr. Chairman, I would hope that there would be some clarification tomorrow as to who exactly is covered in the area of farm labor—permanent versus migratory employees and so forth—and I would hope that some consideration might be given to a possible change in these overtime exemptions in connection with food processing and in connection with the canning industry.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. BURTON of California. Yes; I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. First, Mr. Chairman, I want to congratulate the committee. I sat on this committee when the last minimum wage bill came up a few years ago and I know you cannot satisfy everyone, and I know that it does not make any difference what kind of bill you are writing that this is true.

Mr. Chairman, I congratulate the committee on having done as good a job as it has toward satisfying so many people. I believe the results on the final rollcall will show that they have really done a good job in working on this bill.

Meanwhile, I would like to ask a question on behalf of my colleague the gentleman from Iowa [Mr. HANSEN] who could not be here today. He has a number of people who are interested in the nursery business in the district which it is his honor to represent. He asks this question, and I would like to ask the chairman of the subcommittee the question: Will those engaged in storing and packing nursery stock still have available to them the 14-week seasonal exemption if this bill becomes law?

Mr. DENT. Mr. Chairman, will the gentleman from California yield to me for the purpose of responding to the question of the gentleman from Iowa?

Mr. BURTON of California. I yield to the gentleman from Pennsylvania.

Mr. DENT. The gentleman from Iowa [Mr. HANSEN] has approached me with that question. I discussed the question with representatives of the Bureau in the Department of Labor which handles the minimum wage legislation and they told me that the storing and packing of nursery stock is presently considered a seasonal industry and is so treated under 7(b) and 3 of the present act.

Therefore, I would assume if it is covered under the present act, because of an interpretation as to the criterion of seasonal, then they would be exempt for the same reason under this act.

Mr. SMITH of Iowa. I thank the gentleman from California for yielding.

Mr. DENT. Mr. Chairman, will the gentleman yield to me?

Mr. BURTON of California. Yes.

Mr. DENT. Mr. Chairman, I do not like to take the time of the gentleman because I know he has worked hard on this bill, but I want to say at this time that for the first time during our deliberations upon minimum wages—and I have been active in this field for quite a number of years—a new Member of Congress; namely, the gentleman who has the time on the floor now [Mr. BURTON of California], brought into consideration some ideas that very frankly were new to me and were new to other members of the committee. The gentleman from California was instrumental in giving consideration to Federal employees such as blue collar workers who are not covered by civil service and other Federal statutory employees and those under the classification act.

After investigation of the gentleman's interest, they proved that there was a definite need in this area for coverage. You will find we do cover them in this bill.

I might say, also, the gentleman was one of the men on the committee who I asked to make a special effort to get the reaction from hospitals and related institutions and he brought back a very fine supporting report.

I would be remiss if I did not say at this time how appreciative I am of the gentleman's fine work in connection with this legislation.

Mr. BELL. Mr. Chairman, will the gentleman yield?

Mr. BURTON of California. I yield to my colleague.

Mr. BELL. Mr. Chairman, I would wholeheartedly agree with what the gentleman from Pennsylvania is saying about my colleague, the gentleman from California [Mr. BURTON]. I can say that he has contributed substantially to the work on this bill and has contributed substantially and capably and intelligently to the work of the full Committee on Education and Labor.

Mr. DENT. On behalf of my colleagues and myself, I thank the gentleman from California [Mr. BURTON] because he has done a magnificent job.

Mr. BURTON of California. I thank both of my colleagues very much.

Mr. MEEDS. Mr. Chairman, will the gentleman yield?

Mr. BURTON of California. I yield to the gentleman.

Mr. MEEDS. I would like to take this brief time, although I will be involved in an amendment tomorrow on a portion—a small portion—of this bill with which I do not agree as the bill is now written—but I would at this time like to point out to the Members of the House although I have been here for a short time I have never received more courteous treatment from anyone than I received from chairman of this subcommittee, the gentleman from Pennsylvania [Mr. DENT], and from all the members of the subcommittee. Mr. Chairman, the members of this committee were gracious enough to let me come to their meetings and to explain fully a proposal that I had. They took their time and attempted to understand my problems and they gave me every consideration.

While I guess some of them still do not agree with me, I certainly appreciate all the courtesy that they have shown me and particularly do I thank the chairman of the subcommittee, the gentleman from Pennsylvania [Mr. DENT].

Mr. BURTON of California. Mr. Chairman, one statement made by my colleague, the gentleman from Alabama, I thought was most appropriate and correct. That statement was that we enacted a minimum wage bill and then by the time the escalating periods transpired, much of the impact of the legislation was lost.

In this regard, the gentleman's observations were most accurate.

But this is neither the time nor the place, but perhaps it is the forum to note that someday the Congress will decide in its wisdom that the minimum wage rate be based on a percentage of the average national wage corrected automatically on an annual or semiannual basis so that the policy in fact that we adopt at the time that we act on a minimum wage proposal is not lost by the ever-increasing cost of living and that the effect of the legislation will not deteriorate in their relationship to the wages paid to others in the labor market who receive wages in excess of the minimum.

So in that one narrow connection, I agree completely with the gentleman from Alabama. I think his observation is most pertinent. I look forward to the day not too many years from now when we will establish this automatic wage escalation concept in a minimum wage bill; so that when we take an action it will have full meaning—not only on the day it is enacted—but for all time to come.

Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The gentleman from California has consumed 10 minutes.

Mr. BELL. Mr. Chairman, I yield 3 minutes to the gentleman from Alabama [Mr. GLENN ANDREWS].

Mr. GLENN ANDREWS. Mr. Chairman, we have been surrounded this afternoon by a substantial group of gentlemen from California, with their rich soil, their irrigated fields, and their huge cats drawing eight tractors behind them; and their superior cotton staple.

Mr. Chairman, I am interested in the real import of this bill which I do not think really has been expressed on the floor of the House, but the gentleman from New York [Mr. RYAN] came rather close to it.

I have never met so many proponents of the minimum wage bill for agriculture as I have from the fine State of California with its very well known fine climate and rich soil, and their relative position of so-called inferiority because of freight rates—something that I have heard of for so many years as a monopoly enjoyed by the Southern States.

I would like to ask the gentleman, any of them from the State of California, to please answer me—what the effect generally is going to be on the upland cotton produced throughout the Southern States when the pegged price or the support price is $165 and when the Cotton Council estimates that when the minimum wage comes in, the production of cotton will cost $200 a bale.

I would like to ask the gentlemen from California who produce five bales of cotton per acre on their land, what they really expect is going to happen as a result of this minimum wage deal in upland cotton production throughout the southern United States.

I would like an expression from the chairman of the subcommittee, the gentleman from Pennsylvania [Mr. DENT] as to what his answer to that problem would be. What will happen to the production of southern upland cotton if it will cost $200 a bale to produce it and the price is $165?

Mr. DENT. Is the gentleman from Alabama asking me that question?

Mr. GLENN ANDREWS. I will ask anyone from California to answer that question.

Mr. DENT. I am not from California, but I would say that cotton happens to be one of those products that is under the price support program. If the farmer has to pay a higher price to grow cotton than he gets from the present subsidized plan, we will raise the money to give it to him.

Mr. GLENN ANDREWS. That is a great big "if," and an enormous promise.

Mr. BELL. Mr. Chairman, will the gentleman yield?

Mr. GLENN ANDREWS. I yield to the gentleman from California.

Mr. BELL. I would like to say to the gentleman, first of all, that the industrial situation in California and in the Nation as a whole has not been hurt by any minimum wage changes. I do not mean merely agriculture; I mean any type of industry in the Nation.

Mr. GLENN ANDREWS. The gentleman realizes that up until now agriculture has not been affected by minimum wages.

Mr. BELL. I do not think it will be adversely affected. I think it will be improved.

Mr. GLENN ANDREWS. Are you speaking of California agriculture?

Mr. BELL. I am speaking of all agriculture, agriculture generally. I do wish to say that California, despite the point which the gentleman from Alabama has made relative to the advantages that California has, does have a very definite disadvantage in shipping and hauling costs, and yet despite that disadvantage California has been continuing its operation and is operating on a minimum wage today. California has in effect a minimum wage today, and there has been no loss and no problem of unemployment. There are no problems in other areas the gentleman has mentioned.

I think perhaps if the gentleman would try to work with the minimum wage program such as this bill, when it passes, will bring to the whole Nation, I think he will find that the conditions in his State may improve substantially. I might add that a considerable number of people from his State have moved to California, as tourists and so forth, and apparently they enjoy it. I know we have a large population of people from your State there.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HATHAWAY. Mr. Chairman, the minimum wage bill is one of the most significant measures to be acted upon by Congress this session. It is a progressive bill. It is a well-considered bill. And it is a necessary bill.

The original purpose of the Fair Labor Standards Act was to eliminate, as quickly as possible, below-standard labor conditions within the scope of Federal jurisdiction over interstate commerce. Its goal was to raise living standards without substantially curtailing employment or earning power.

But in the 28 years since the original act was passed our economy has undergone far-reaching changes with which this act has not kept pace.

Although the labor movement has properly assured millions of American workers a wage commensurate with their contribution to our national wealth and economic greatness, other millions receive earnings which are unnecessarily and disproportionately low.

Among the heads of families presently covered by this act, only 5 to 10 percent had annual incomes under $3,000 in 1963. But in industries with little, if any, coverage, these proportions rise to 33 to 49 percent.

There can be little doubt that there is a direct correlation between poverty earnings and workers excluded from the protection of the Fair Labor Standards Act.

This act must be brought up to date. It must adapt to, and reflect, current and future economic factors. I would consider its passage as important a factor in reducing the level of poverty in this country as the poverty program itself. It is outrageous that 40 percent of all children living in poverty are from families which have a worker who is fully employed throughout the year, and this fact is even more shocking when we realize that business profits are the highest in history and have been steadily rising since the late 1950's.

The 89th Congress is perhaps the most productive in American history in terms of passage of progressive legislation.

Its objectives have been to achieve as full employment as possible and to guarantee to all Americans, regardless of background, sex, color, or religion, equal employment opportunities.

This decade has witnessed the passage of many historic pieces of legislation. Manpower Development and Training Act programs have made it possible for thousands of men and women to help themselves become productive, taxpaying citizens. Federal grants and scholarships are now allowing many young people to acquire a college education not available to them a few years ago because of the economic circumstances in which they grew up.

These measures are highly responsible steps in the right direction, but they can be meaningless if they train workers who are employed at substandard wages.

This bill will more than supplement these programs. For it will assure us that many of the beneficiaries of these training and education programs will have an adequate and fair wage when they enter our national work force.

It is absolutely essential that the minimum standard of living necessary for the health and well-being of workers be attained. This bill, if passed, will substantially assure this objective.

In short, the Fair Labor Standards Act of 1939 has not kept pace with the unprecedented growth and prosperity with which our country has been blessed since the late 1930's. The initial commitment of this act has become unfulfilled with the passage of the last 28 years.

The time has arrived for Congress to both raise the minimum wage and extend its protection to workers in businesses and occupations not now covered by the act.

I urge the passage of the bill at this time. Unnecessary delay cannot be afforded.

Mr. ANNUNZIO. Mr. Chairman, I rise in support of H.R. 13712, the Fair Labor Standards Amendments of 1966, which is being considered by the House of Representatives today.

The Fair Labor Standards Act, as my colleagues will recall, first became the law of the land on June 25, 1938. Twenty-eight years have elapsed, and during this period of time, tremendous strides have been made under the act to improve the lot of the workingman.

The original law has accomplished all that President Franklin D. Roosevelt envisioned, and more. It has insured a "fair day's pay for a fair day's work," it has done away with starvation wages being paid to workers, it has done away with the brutally long 16- and 18-hour workdays, it has prevented the exploitation of our labor force, and it has, in its far-reaching effects, championed the cause of every working man and woman in our Nation today.

We all know that the act has been amended and updated, as the changing times have demanded. Today, once more, we are faced with the compelling need to update the original law.

The distinguished chairman of the General Subcommittee on Labor, Hon. JOHN H. DENT, from Pennsylvania, and the members of his subcommittee, have done a truly outstanding job in drafting H.R. 13712. I wish to congratulate Congressman DENT on his assiduous efforts which produced the sound and useful piece of legislation we have before us today. The gentleman from Pennsylvania [Mr. DENT] was instrumental in reconciling all the various and divergent interests which were pressing for changes, he was responsible for fashioning a workable bill, and contributed much to gaining its approval by the full Committee on Education and Labor and the Rules Committee.

The progress we have already made under the Fair Labor Standards Act must continue unhampered if we are to insure to all of our working people the fruits of their honest labor.

President Johnson, in his state of the Union message last year, said:

> Many American workers whose employment is clearly within the reach of this law have never enjoyed its benefits. * * * We must extend minimum wage and overtime protection to them.

Mr. Chairman, I share our President's views, I wholeheartedly support H.R. 13712, and I urge that my colleagues do likewise, in order that we may insure for millions of our working men and women greater security and greater economic freedom.

Mr. FARBSTEIN. Mr. Chairman, I would like to announce my support for H.R. 13712, the minimum wage bill, which is before us today. In some ways, I consider it inadequate. I like the more extended coverage and the higher minimums offered in the bill proposed by our former colleague, Representative James Roosevelt. But I recognize that the compromises made to draft the bill now under consideration are not the consequence of expedience alone.

We are in a period when inflation threatens. We all know it and President Johnson knows it. But neither I nor the President feels that those at the bottom of the wage scale must be called upon for the greatest sacrifices. It is very easy for those not affected by an increase in the minimum wage to decry its inflationary impact. I say that the burden for combating inflation must be put upon those who can best afford it, not upon those who can afford it least. That is why H.R. 13712 is a good bill. It is a compromise drawn up by leaders from labor, Congress, and the administration with the good of the public as well as the workingman in mind. I do not believe we can delay enactment of this measure any longer. The inequities to which it points call out for correction. I support it wholeheartedly.

I am particularly pleased that this bill brings under the umbrella of the minimum wage law some 6,600,000 workers who were never covered before. Many who toil for their living in my own district will feel the impact of this law when it begins to take effect next February. It will, as have its predecessors in the minimum wage field, elevate standards of living generally. I do not regard $1.60 an hour as much of a wage, frankly. It is barely at the subsistence level. But many know wages far lower than that and, for them, it will mean a substantial improvement in the quality of life. This bill is testimony that our society knows how to offer more to its least rewarded members. I urge all my colleagues to support it.

Mr. DONOHUE. Mr. Chairman, I doubt very much that there is even one Member of this House who would seriously argue against the policy set forth in the original Fair Labor Standards Act of 1938; namely, "to correct and, as rapidly as practicable, to eliminate labor conditions detrimental to the maintenance of the minimum standard of living necessary for health, efficiency, and general well-being of workers."

There are, however, some Members here who sincerely differ about the ways and means through which this accepted basic policy can be justly and wisely extended at this time.

It is, then, our legislative duty here today, to work together, in patience and with tolerance, toward majority agreement on a measure that will rightfully expand the fundamental policy involved and reasonably advance the general welfare of workers in the present economy, while conscientiously endeavoring to insure that the overall impact, upon industries and individuals, is as equitable as we can legislatively make it.

In determining our final action today on this imperatively important measure, to raise the minimum wage and extend its coverage, I believe our attention should be concentrated upon the accepted revelations of authoritative surveys and studies, including those conducted by the U.S. Department of Labor.

Practically all of these studies disclose agreement upon the following several fundamental factors:

Since the last amendments to this act, in 1961, employment has dramatically risen; profits have gone far above any previously recorded levels and, proportionate to these developments, prices have been reasonably stable.

More than 17 million American workers are currently outside the Federal minimum wage protection and these millions include a very high percentage of our lowest paid workers.

About two-thirds of all white workers come within the present minimum wage coverage provisions of the act but less than half of nonwhite workers are covered.

Similarly, two-thirds of all men employed in nonsupervisory jobs are covered by the act but only about half of the women in such jobs are so covered.

The present statutory minimum wage level—$1.25—produces annual earnings—$2,600—substantially less for full-time work than the recognized $3,000 poverty level.

Over 6 million children in the United States are today members of families in which the father or mother is working full time but earning a poverty wage.

The present operation of the Fair Labor Standards Act is not adequately responsive to currently accepted principles of economic equity.

Mr. Chairman, all of the other authoritative evidence that has been presented here this afternoon clearly shows that, contrary to what was so greatly feared by some people, the 1961 amendments to the act have not resulted in any demonstrable restriction of economic expansion, decrease in employment, dangerous contribution to inflation or depressive lowering of profits.

As a matter of fact, it convincingly appears, from all our past experience, that there probably could be no better time than this present period of unprecedented business prosperity to judiciously expand the act coverage and reasonably increase, by projected stages, the minimum wage to an anticipated level that will provide a more realistic living wage.

Any declared war on poverty in this country will be of highly questionable effect if we neglect our legislative and civilized obligations to those who work hard but must still exist below the minimum level of well-being because of insufficient earnings.

Most families receiving it today do not want charity, or public assistance or help from the welfare worker. What they want and what they need is a living, decent wage for the family head.

Mr. Chairman, I do not think that any of us here today need to be forcefully reminded that we have consistently and abundantly, for many years, with men and with money, fulfilled all of our pledges to our foreign allies and that we are still engaged in such commitments. Now we have an opportune moment and measure to manifest our primary concern for a great many of our own American citizens and families who have been economically suffering too much, for too long, from too little. Let us, in the best interest of all Americans, seize the opportunity.

Mr. RODINO. Mr. Chairman, it is with great pleasure that I rise to speak in support of H.R. 13712.

With this bill we again advance in the effort to build for America an economic structure in which all who work will receive wages enabling them to share in the benefits of our affluent, expanding economy.

Twenty-eight years ago we first took action toward achievement of this objective. The original act fulfilled its intention, and since then we have amended and improved the law from time to time as the need arose. It is now, again, woefully inadequate and it is imperative that we act to bring it up to date. It must be geared to today's economic conditions, and to the economic and social climate we anticipate in the immediate future.

Our Nation's democratic labor organizations have assured millions of Americans of fair wages, excellent working conditions, and many other important benefits, both for their working years and for their time of retirement. Unfortunately, however, millions of working men and women—those who have been called, most aptly, the "invisible Americans"—exist among us at a bare subsistence level.

It is particularly for these unseen citizens, those for whom we wage the war on poverty, that this bill is important.

Mr. Chairman, H.R. 13712 will extend coverage to 7.2 million wage earners who do not now come under the act. It will cover many workers in retail and service industries who have been exempt from the act's protection. And for the first time in history, we will make a start toward coverage of workers in the agricultural segment of our economy.

We all recognize that an increase in the minimum wage and an expansion of the law's coverage will create adjustment problems, particularly for small business. And for this reason it is important to emphasize that the changes provided in the bill will take place gradually. The subcommittee, under the leadership of our colleague, the gentleman from Pennsylvania [Mr. DENT], has done an outstanding job in developing this workable but progressive legislation.

For too long, Mr. Chairman, millions of our citizens have been kept out of the mainstream of American life because of substandard wages. We must not delay further the passage of this measure so vital to the workers affected, and so essential to the health and growth of our society.

Mr. FINO. Mr. Chairman, I am happy to rise in support of this minimum wage bill. Frankly, I was starting to think that this Congress was not going to consider any labor legislation at all during this session. Of course, even this legislation represents a retreat from the bill reported by the Education and Labor Committee last year. I support this "compromise" bill, but I regret that it had to be watered down.

Speaking of things that have been compromised, I think the most "compromised" thing of all is the integrity of the Democratic Party. For many, many years the Democratic Party has fooled organized labor by saying "Help us, and when we get a big enough majority, we will give you everything you want." In 1964, the Democratic Party finally got that majority—and in many races it was labor that put the Democrats over the top. What did labor get for this—for years of loyalty and hard-hitting precinct work? I will tell you what labor got—the horselaugh and the back of the hand from the Democratic Party.

The reason is simple. The Democratic Party moved out into the countryside and suburbs in 1964. The Democratic Party has joined the cocktail party circuit. The Democratic Party is embarrassed to have to associate with its oldtime labor friends. Of course, the Democrats still want to use their old friends. When election time comes, the Democrats want their old labor friends to get out the vote in the labor precincts and raise money for Democratic candidates. Now labor might be willing to go along with this if they got the legislation they want, but they are not getting it.

They are not getting it because the Democrats do not want to have to go back to their cocktail parties and admit that they associate with so-called labor bosses and labor unions. Apparently, the Democrats are ashamed of their old allies. The Democrats want labor to do the dirty work, but they snub labor the rest of the time. I do not think they are going to get away with this very long.

When the 89th Congress first met a year and a half ago, labor had four key bills and great hopes for their passage. These included repeal of section 14(b), situs picketing, unemployment compensation amendments, and minimum wage extension. What has happened to these bills? Everybody knows. The Democrats are afraid to support them because of what their new friends back home would say.

Repeal of section 14(b) passed this House but was buried by the Senate thanks to lack of administration efforts. Situs picketing has been sabotaged. The unemployment compensation bill appears to be dead or dying. Why? Why has not the administration put the pressure behind labor legislation that we all know was behind the shoddy socialism of rent supplements?

Today we have before us the fourth of the key labor bills the unions have asked of their Democratic "friends." Will this bill pass today? And if it does, will the Senate pass it, or will the Senate leave it hanging in the air so that Democratic Members who voted for it will be needlessly jeopardized in the eyes of the folks back home?

I am forced to conclude that the administration and administration supporters here and in the Senate are playing games with the American labor movement. They plead at election time and sabotage during the legislative session. They want the best of both worlds.

Back in 1946, the American people went to the polls and elected a Congress that passed a lot of legislation, but somehow it got tagged the "do-nothing Congress." I think the American labor movement has a new nomination to make for that title. Or maybe they will call this the "Benedict Arnold" Congress because it is the Congress that betrayed them.

For my part I do not think labor should blame the Congress so much as it should blame the Johnson administration. Everyone here knows that if the President cares about a bill, he will twist arms. How many arms have been twisted to get votes for labor's bills? I think we all know the answer.

This administration is bored with organized labor. Labor is not pioneering in social revolution. The legislation labor wants does not push Federal power to new horizons. If the legislation labor wants gave the Federal Government vast new power over American social patterns, then labor could be sure the Johnson administration would be behind it. But this administration is not interested in legislation that just helps people. This administration wants power. In some cases the power the Federal Government wants is the power to coerce the American labor movement.

The coercive power being sought today is not legislation which would allow the Federal Government to postpone strikes that would be against the national interest—a case can be made for well drawn legislation of this sort. The power the Federal Government wants is union-busting power for its own sake.

Let me give you an example. As a member of the Housing Subcommittee, I have been reviewing and considering the "Demonstration cities" bill the administration proposed earlier this year. That legislation does not include a Davis-Bacon Act section calling for only union labor to be used on construction projects. Quite the contrary. The "Demonstration cities" bill has a "scab" labor clause which states that precedence is to be given to local labor in the urban rebuilding program. At first I did not know what this meant until I read a newspaper article—in the Wall Street Journal—saying that this provision was aimed at enabling the use of nonunion local labor. The same article said that a main reason for this "scab" clause was a desire to coerce the building trades unions and bring them under the Federal heel. If this is not union-busting, I do not know what is. The administration wants to get a whip hand over American labor so that it can dictate labor hiring and membership policies. The administration wants a whole string of captive "company" unions.

I want to bring the hypocrisy and undercover union-busting of this administration into the spotlight. The Democratic Party has betrayed the American labor movement. Even today's legislation has been watered down to an extreme degree, and it is the only labor legislation that has a chance of passage during the 89th Congress.

If labor is to have any influence with the Congress in the future, they are going to have to exert bipartisan leverage. There are many Republicans who are friends of labor and many more who at least put their differences on the table. The Republican Party is not the party of hypocrisy and ingratitude. Until the American labor movement effectively embraces bipartisan politics, the Democratic Party is going to continue to sabotage and betray labor legislation. It is as simple as that.

I urge this House to pass this bill so that labor has at least one watered down legislative victory this year instead of unbroken and unmitigated betrayal at the hands of the Democrats.

Mr. ROSENTHAL. Mr. Chairman, I rise to urge passage of H.R. 13712, the minimum wage bill of 1966.

It is time to raise the standard of living for the American worker, and it is time to give him the resources with which to participate in our national affluence. We are all aware of recent price increases, particularly in the area of consumer items. In fact, however, costs of most essential items and services have been rising steadily for several years. Without an increased minimum wage, the American worker is in jeopardy of becoming a dropout from American prosperity. The benefits of our unparalleled national productivity must be equitably distributed if this free economy is to be a fair economy.

This is most certainly what the war on poverty is all about. And it is that spirit, too, which should characterize a decision to extend our minimum wage coverage. There are many of our citizens fortunate enough to be employed, but with the inability to participate in the full opportunities of this incredibly wealthy Nation. The central fact in their lives is frustration. For while they have the good luck to be employed, the rewards of that employment are increasingly inadequate. For those presently covered by existing minimum wage provisions, there is the constant daily pressure of such inadequacy. And for those who do not qualify for minimum wage coverage at all, life takes on all the features of poverty which we are now beginning to understand and appreciate.

Something must be done, and I believe the legislation before us today gives us a chance to act responsibly and with foresight. By qualifying more than 7.2 million new wage earners for coverage under the Fair Labor Standards Act, we are serving the highest purposes of social welfare. To ignore such men and women any longer would be to indict ourselves and to dramatize legislative negligence. Yet I am convinced this Congress will move quickly to bring to these workers the coverage and benefits they deserve. Equally important, I believe, is the provision to qualify certain agricultural workers for coverage. They are no less needy participants in the American economy than are industrial workers. And their exclusion from minimum wage coverage up to now has been disgraceful.

The legislation before us today, then, is historic, and should be passed with all due haste. I wish to point out, however, that there can be room for grave misgivings regarding the adequacy of a $1.60 minimum wage. A simple computation shows that a worker employed for 40 hours a week, 52 weeks a year, with a wage of $1.60, will be earning a little less than $3,500 yearly. The Office of Economic Opportunity, with the Department of Labor, has argued that any salary below $4,000 a year is insufficient for a family of four. Can it not be asked, therefore, whether or not a $1.60 minimum wage is truly proportionate to the needs of our poor? As my colleague, the able gentleman from New York [Mr. RYAN], pointed out yesterday, for many people in this country, this is not a minimum wage but a poverty wage.

Indeed, the Welfare Department of New York City has maintained that most of the 9,000 families presently receiving supplemental income, will still require such aid with a $1.60 minimum wage operation. A situation where wage earners qualifying for minimum wage coverage must still receive supplemental income to remain above the poverty line is not a situation which this country should tolerate.

I believe, in short, that this country can afford to think about something more than $1.60 an hour when it is thinking about minimum wage. I believe we can afford to think about a guaranteed annual income which assures every citizen a life above the poverty line. I believe we can afford to think about a living wage, rather than a minimum wage bordering on a poverty wage. And, Mr. Chairman, I believe we can begin to think this way right now. The Council of Economic Advisers has pointed out that wages at the bottom of the economy's wage scales should be exempt from the general guidelines governing prices. That exemption should be treated as an instruction. Our step today to increase minimum wage represents a small step in the right direction. To provide justice for all our citizens, and to do justice to our own responsibilities, we must begin to move toward a guaranteed income which will not permit loopholes of coverage, but will promise a steady and adequate income for every American worker.

Mr. MULTER. Mr. Chairman, ever since I came to the House of Representatives in 1947, I have supported, worked for, and voted for every minimum wage bill that has come before the Congress.

During all that time I have also supported and voted for every piece of legislation that sought to improve the condition of the working men and women of our country.

I am very proud of the fact that it was my bill that was reported out of my Subcommittee of the District of Columbia to this House and passed this House unanimously which for the first time brought men as well as women and children under the provisions of the minimum wage law for the District of Columbia.

I am happy, indeed, to be able to once again rise in support of a good minimum wage bill and at the same time to indicate that I will oppose any and all crippling amendments.

This bill will raise the minimum wage for 17½ million employees presently covered by the minimum wage law to $1.40 an hour in February 1967 and to $1.60 an hour in February 1968.

It also will extend the Fair Labor Standards Act, the legal name for the minimum wage law, to more than 6½ million workers who are not presently covered.

As for them, however, it provides for a bare minimum of $1 an hour in February 1966 with additional increases of 15 cents each year until they reach $1.60 an hour in February 1971.

This is only a modest start but at least it is a start.

It will also extend overtime protection to many workers who are not presently covered by overtime provisions.

As to those workers, they will get time-and-a-half pay after 44 hours in any work week after February 1, 1967, and time-and-a-half after 42 hours in any work week after February 1, 1968, and time-and-a-half after 40 hours in any work week after February 1, 1969.

This is good, progressive, forward-looking legislation that will be of tremendous help not only to the workers of our country but to the general economy.

I urge the enactment of this bill without any crippling amendments.

Mr. COHELAN. Mr. Chairman, the United States today is experiencing one of the greatest periods of prosperity and affluence in our history as a country. Yet amidst this plenty exist striking pockets of poverty.

It would be too simple and easy to blame all of these poverty pockets on the fact that the Fair Labor Standards Act covers less than one-half of our wage and salary workers today. But the record shows that of the 15 million children living in poverty-stricken families, fully one-third are in families headed by a breadwinner that works year around, but at less than the minimum wage. The problem here, clearly, is not unemployment, but employment with inadequate pay.

The Fair Labor Standards Act was first passed in 1938 because too many people were being denied this Nation's prosperity. That fact continues to exist today, and this bill must be passed without weakening or crippling amendments to redress that injustice.

There are those who argue against this legislation, calling an increase in the minimum wage "excessive and dangerous." But this is not the case at all.

Fully 31 percent of the workers who would be extended minimum-wage protection by this bill now receive less than $1.25 an hour. And just what does $1.25 an hour amount to? Nothing more than a poverty standard. Even figuring 40 hours of work a week for 52 weeks a year this only amounts to $2,600, and the most commonly accepted poverty standard is $400 higher.

And the wages of workers not covered by the Fair Labor Standards Act generally do not rise with increases in the cost of living, so in reality they suffer a continuing decline in terms of real earnings.

Mr. Chairman, a man or woman employed 40 hours a week, 52 weeks a year, at $1.60 an hour, would make the grand sum of $3,328. This is hardly an "excessive or a dangerous" rate of pay. It is hardly too much for our country to guarantee those workers who are covered under the basic wage and hour law of this land.

But what about the extension of coverage to 7.2 million additional workers? On this point I would like to dwell solely on a group being brought under the protection of minimum wage legislation for the very first time—America's farmworkers.

Critics of providing a minimum wage to those who toil in the field for a living have cited this provision as neither "fair nor equitable."

Well, I would agree, but for completely opposite reasons.

This bill, as originally reported by the committee, would have covered 1.3 million agricultural employees, or about 50 percent of the hired farm labor force. This in itself was too small a figure.

But the bill before us today would cover only 485,000 farmworkers, or 39 percent of the farm labor force. What is "fair" or "equitable" about excluding those who toil on smaller farms from this minimal coverage? There is clearly no justification, except that of expediency, and that is no justification at all.

Mr. Chairman, the plight of America's farmworkers, and particularly migrant farm laborers, portrays a great American paradox. The productivity of this country's agriculture is unexcelled. It is the envy of the world.

Yet the affluence which characterizes so many of our Nation's big growers contrasts sharply with the poverty, deprivation, and hardship which typifies the life of most who labor in the field.

A report prepared by the Department of Labor in February made very clear that hired farmworkers are at the bottom of the wage scale. Their average earnings of $1 an hour in May of last year were only 27 percent of earnings in contract construction, one-third of those in mining, 40 percent of those in manfacturing and wholesaling, and about half of those in the retail trades.

Over the years migrant farmworkers have commonly earned less than the average unskilled worker is likely to pay each year in taxes alone. It is obviously an inadequate wage and an indefensible standard.

Perhaps even more inadequate and indefensible is the proposal to establish a different minimum wage for agricultural workers. Those employees who are already covered under the Fair Labor Standards Act and certain Federal employees, will have their minimum wage rise to $1.60 an hour on February 1, 1968. Newly covered nonfarm workers will reach the same coverage in 1971. But farmworker coverage stops at $1.30 an hour.

Are farmworkers less deserving? Is their work easier? Or do they require less?

The answer to each of these questions, clearly, is a resounding "No." And when we consider that most farmworkers are fortunate to be employed for as much as 40 weeks a year, and that their annual income, even at $1.30 an hour for this period, is only slightly in excess of $2,000, then we see how patently ridiculous and inadequate this coverage is.

In the last 2 years we have taken major steps to remove the badge of second-class citizenship from minority-group members in this country and from those who immigrate to our shores from other lands. But clearly we still have a task at hand to remove the second-class label from those who do an honest day's work in our fields.

Mr. Chairman, I will support this minimum-wage legislation because it is essential, and because in the case of farm labor, it is at least a step in the right direction.

But we can do better. We must do better if poverty is not to continue as a way of life, and I urge this committee and this Congress to move soon to redress the inequities that this bill leaves untended.

Mr. DENT. Mr. Chairman, I have no further requests for time.

Mr. BELL. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, pursuant to the rule the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Fair Labor Standards Amendments of 1966".

Mr. DENT. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. PRICE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 13712), to amend the Fair Labor Standards Act of 1938 to extend its protection to additional employees, to raise the minimum wage, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE TO EXTEND

Mr. DENT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

COUNSELOR AIDS IN THE POVERTY PROGRAM

Mr. FARNUM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FARNUM. Mr. Speaker, recently I had the opportunity of attending a graduation ceremony for several persons who have not only learned to help themselves but are now undertaking to help others. These people had just finished a training course for counselor aids in the poverty program. This course was sponsored by the Oakland County Commission for Economic Opportunity in cooperation with Oakland County Community College.

The graduates were: Margaret Alloy, Barbara Beardsley, Christine Biedle, Clara Black, Evelyn Gettings, Mattie Green, Melvin Massey, Georgia Nelson, Mayronnie Oldham, John Rawlings, Allen Stevens, and Helen Wineman.

I had an opportunity to address this group. But I believe that Mr. Massey, as spokesman for the group, gave a much more eloquent talk which I feel expresses the entire spirit and purpose of the better war—the war on poverty.

Mr. Speaker, under unanimous consent I include this stirring speech in the RECORD:

UPON GRADUATION

As our minds turn back to those days of initial learning, we contemplate the richness of the experience. We reflect upon the ideals we have been taught—ideals which will help us more aptly apply ourselves to the tremendous task ahead. This is the task of helping people to help themselves so they may all become what we know in our hearts they truly are—men, women and children fit for today's society and worthy of its rewards regardless of how long their talents and their abilities may have been obscured by unfortunate conditions, which, until now, have been beyond their control.

Each of us, in his or her own way, has been involved in an intense self-research, striving to better understand the individual motivation which brings us to do battle with the greatest foe our democracy has ever faced—"The Evil of Poverty." And all of us have arrived at the common knowledge that, unlike the Robin Hood of ancient fables, poverty is a thief that robs both the rich and the poor while providing for the betterment of neither.

We thank God for the perception of the American people—voters and politicians alike—whose awareness of, and concern for, the mounting menace of poverty has led to the enactment of measures, to stem its destructive influences. As a result of these measures, we have been chosen to be in the front line of the attack and we carry into the battle the sure conviction that the war on poverty is well conceived, ably executed and—if there is any truth at all in the adage that "right conquers all"—positive of success.

Armed with the powerful twin tools of knowledge and ideals—both instilled in us by a most able instructor—we go forward to provide the realizations of the dreams of a vast segment of our population. We are quietly determined to wage a successful battle against the greatest foe which today faces America or any country—poverty! Recognizing the magnitude of our assignment, and knowing it requires such positive qualities as courage, fidelity, discipline and self-sacrifice, we are resolved to direct our dedicated efforts toward assuring the finest moment of modern civilization—the time when the burning social scourge called poverty is forever eliminated.

FEES IN CONNECTION WITH PROJECTS FOR NAVIGATION AND FLOOD CONTROL

Mr. O'NEAL of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. O'NEAL of Georgia. Mr. Speaker, come with me in the mind's eye as we follow a man and his family on an afternoon's fishing trip to one of the 95 reservoir lakes formed by Federal construction of hydroelectric power dams and accompanying navigation and flood control benefits.

By the Flood Control Act of 1944 and the Land and Water Conservation Fund Act of 1965, this Congress has clearly assured our friend and his family that the water areas of every one of these reservoirs "shall be open to the public generally, without charge, for boating, swimming, bathing, fishing, and other recreational purposes."

Because I am more familiar with it, we will follow our friends to Lake Seminole, formed by the Jim Woodruff lock and dam, where thousands of residents of Georgia, Alabama, and Florida, of all walks of life, have been enjoying the wholesome, relaxing and supper-producing recreation for many years.

Our friend puts his bateau or other small boat on top of the car or on a small trailer and with "hope springing eternal" drives out to the vicinity of his favorite fishing spot, near which the Corps of Engineers years ago provided a convenient but inexpensive boat ramp in a clearing of the woods at the water's edge.

It is miles from the nearest habitation. There is no fence around the property, no employee on duty, no building of any description, no picnic tables, no cooking grate, no restrooms—as the saying goes—"no nothing" but the gently moving weeds and grass nearby and the wind sighing in the pine trees. This is merely a place to make it possible for this citizen and others to enjoy the use of the water without charge as assured by Congress.

But wait, Mr. Speaker. We notice a sign tacked on a tree. In all of the years this lake and this ramp have existed, it has not been there before, and our friend reads it with much interest.

He is shocked and hurt to discover that the Corps of Engineers will begin on May 30 charging 50 cents per day and up to $7 per year to use this immediate land area and the little boat ramp.

He is stung by the thought that his Government would do such a thing—this cheap, sleazy trick you might expect of sharp operators—to circumvent his legal right guaranteed by act of Congress.

What does he get for his 50 cents or his $7? He gets nothing but access to what he is entitled by the law to get free. But the Government has him over a barrel.

He has certain alternatives. He can get in his car and drive to one of the landings operated by private concessionaires who have contracts to provide all sorts of goods and services; or he can drive to one of two State parks on the shores of this 35,000-acre lake, neither of which is near his favorite fishing spot. At either place he will not be charged to launch his boat.

He can also take a chance that the Corps of Engineers will not come around to collect. This is a fairly good chance, because it will cost the Government more to collect than the receipts will realize for the land and water conservation fund. With this alternative, however, he runs the risk of being fined up to $100.

Or, Mr. Speaker, he can curse the administration that brought this about, and in the next election he might be mad enough to vote against everyone on the ballot who is connected with the Federal Government.

Let's correct this situation, Mr. Speaker and colleagues, by the passage of H.R. 13313, sponsored by the gentleman from Oklahoma [Mr. EDMONDSON] and a score of others, like myself, who share the outrage of our constituents.

THE ZIP CODE PROGRAM

Mr. POOL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POOL. Mr. Speaker, I have asked the Postmaster General, the Honorable Lawrence F. O'Brien, to postpone the mandatory effective date of the new ZIP code regulation from January 1, 1967, to January 1, 1968. With this additional time, I am sure that the Post Office Department can work out most of the problems that have been encountered by both the Department and by Members of Congress.

My good friend and colleague, the gentleman from Montana, the Honorable ARNOLD OLSEN, a ranking democratic member of the Post Office and Civil Service Committee, delivered a significant and enlightening address Tuesday, May 17, at the Sheraton-Chicago Hotel, Chicago, Ill., before an overflow crowd of more than 1,000 direct mail and marketing business leaders from the Midwest.

Mr. OLSEN is one of the most knowledgeable men in the country on the many problems confronting the business community and its interrelationship with the postal service. His speech dealt with ZIP code and various other issues with which the mailer is faced today.

For the benefit of those not fortunate enough to be present in Chicago, I include the text of his excellent speech in the RECORD:

CHICAGO DIRECT MAIL DAY—MAY 17, 1966—SPEECH BY REPRESENTATIVE ARNOLD OLSEN

When I came to the Congress in 1961 I knew very little about the postal service in this country and practically nothing about direct mail. I have now had almost six years of service on the House Post Office Committee, and I think I know a good deal about our postal system and about your industry.

I have many good friends in the direct mail industry to thank for this. I especially owe my knowledge of the business mail to my good friends Harry Maginnis, Jack Cole, and Max Lloyd.

These men have, over the years, helped me understand the postal service and the problems of your industry and the very great contribution direct mail makes to the economy and well-being of this nation.

Representatives of your industry have been particularly helpful in the last couple of years in my understanding of the Post Office Department's controversial Zip Code program.

The Zip Code controversy erupted in February, 1965, with the issuing by the Postmaster General of proposed regulations, to become effective January 1, 1967, that would require volume mailers of second- and third-class mail to address and pre-sort their bulk mailings by the Zip Code.

Beginning on March 24, 1965, and extending until June 9, 1965, my Subcommittee on Postal Facilities and Modernization conducted extensive hearings on the subject. The Subcommittee had before it legislation that essentially would prohibit the Postmaster General from making the use of Zip Code a mandatory requirement, but which would also grant postage rate concessions to mailers who did use the Zip Code in accordance with the Postmaster General's regulations.

During the course of the hearings, the Postmaster General and his top staff appeared in defense of mandatory Zip Code, and testimony was received from many business mailers, particularly in the third-class category, either in total opposition to mandatory Zip code or in the support of an extension of time beyond the January 1, 1967, deadline.

Upon conclusion of the hearings, the Subcommittee met in a series of executive sessions and finally voted to report to the full Committee a "clean bill," H.R. 9551, that would have the effect of establishing Zip Code by law but delaying its adoption until January 1, 1970, on a mandatory basis. The bill has not been reported to the full Committee.

This year I scheduled hearings for May 3, 4, and 11 for the purpose of bringing the Subcommittee up to date on the Zip Code program, with particular emphasis upon the January 1, 1967, deadline.

Assistant Postmaster General Nicholson appeared at the May 3 hearing. Harry Maginnis of ATCMU and six business mailers testified the following day. On that day we also heard from Pete Hoke, publisher of the Reporter of Direct Mail Advertising. Last Wednesday the witnesses were Pat Nilan and other officers of the United Federation of Postal Clerks, and we also heard from Joe Fitzpatrick of the Mail Advertising Service Association. Lee Epstein, President of Mailmen, Inc., was there to answer questions from Subcommittee members.

Mr. Nicholson left the impression that the Zip Code program is moving right along, that the January, 1967, date will be reasonably met by all, and that the Department will hold firm on the mandatory date in seven months. The mailers—and the union leaders—pointed out critical problems in the program, and testified that the date is unreasonable and that there are many businesses that won't be able to make it. Union leaders claim that the plan for setting up the sectional centers was ill conceived and has not been carried out in the best interests of the postal services or the public.

It is very clear from these hearings—and those of last year—that the Zip Code program is one of the most complex—and controversial—problems in the history of the postal service and of direct mail.

My own conclusion after all these hearings is that the claims made by the Post Office for the new zoning procedure are claims that could possibly be applied at a future date, but not at the present time. According to the Department, Zip Coding will lessen damage to parcels, will speed the mail, will save the Department $100 million a year after the program is fully implemented, and so on.

This may be true when and if the scanning machines and other improvements in automating procedures work out as the Post Office hopes. But they are not true now, and the Department is misleading mailers—and the general public—in claiming that these improvements are with us now.

Newspapers have been granted an exemption to the Zip Coding program, and are not required to include the Zip Code number on their publications if they continue to provide a sort which they have been doing for years in order to continue to enjoy "red tag"—preferential—service.

No guidelines, however, have been set for granting hardships exemptions to third-class mailers. Up until last week the Department had told mailers that no applications for hardship exemptions would even be accepted until November.

Mr. Nicholson indicated last week that mailers could file for exemptions—though no forms or suggested procedures are available—and told us that the decision on the exemption will be made at the Regional Director level. There is apparently no appeal from this decision nor do we know of any guidelines set by the Department upon which the decision is to be based.

When our Zip Code hearings first opened over a year ago I made this statement: I said I was "opposed to any philosophy that seeks to make it more difficult, or even impossible—financially, mechanically, or in any other way—for citizens to do business with their postal service." This is still my position.

Business concerns are always searching and seeking for ways to improve customer relationships and to make it easier for business to be transacted. The Congress has adopted the policy that the Post Office is a public service.

There is absolutely no reason why the more than a quarter of a million bulk mail customers of the Post Office Department should have imposed upon them new conditions of acceptability as customers that are so harsh that many will find it extremely difficult to continue to do business with the Department.

I repeat, I cannot subscribe to a philosophy of doing business that seeks to impose mandatory, harsh and costly requirements on the users of the mails that may have an adverse effect on the postal service and on the national economy.

In line with this, I believe there are two things that must be done immediately to make the Zip Code program work fairly and effectively. First, the program must be stabilized. In fairness to mailers, in fairness to the public, the Zip numbers must be frozen. Zip directories must be accurate and available in adequate supply. There must be a good supply of mailbags. Once the program is stabilized, the guidelines for granting exemptions in hardship cases must be set and a quasi-judicial application and appeals procedure established.

The mandatory date for Zip Coding should be set after we see how these things work out.

Because the Zip Code issue is so complicated and because there have been so many inconsistent and conflicting statements about it, our Subcommittee arranged for a special meeting this Thursday at the Post Office Department between Department experts and those who sincerely believe that neither the Post Office nor many users of third-class mail can be fully ready for Zip by January 1967. Subcommittee members will be at the meeting, and we will have an official record of the discussions.

I am hopeful that some agreements can be reached on stabilizing the Zip program and laying out an exemptions procedure. In any case, I am going to continue the hearings on the Zip Code issue until some reasonable solution is arrived at.

The Zip Code issue has taught me quite a bit about the postal service and the problems of those who use it. My Subcommittee is trying to protect mailers and work out a reasonable Zip Code program, and yet, had the Department handled the program properly, our current efforts would not have been necessary.

The Post Office Department did not fully appreciate what they were asking the public to do, and they miscalculated the time it would take the public and business to get ready. The concept of Zip was first announced in November 1962, but the ground rules weren't made known until February, 1965, after several years of saying that Zip would be voluntary. Postal employees were not trained, and public acceptance of Zip codes was not won.

I dwell on these mistakes only because we can profit by them in other fields. Much that the Department did with the Zip Code—or, I should say, what it didn't do—showed the glaring need within the Department for some top level guidance in postal planning—in postal research and development. It is evident that the Post Office needs to develop new ways of handling the mail—and Zip is one of these innovations—but the changes must be thought out and planned and implemented with 20th century—not 19th century—methods.

The Post Office has a tremendous problem in the sheer quantities of mail going into the system. The Department now processes 74 billion pieces of mail a year. The volume of mail is soaring faster than the population. The Post Office estimates that within 10 years, 100 billion pieces of mail will be sent annually in this country.

As the quantity of mail goes up, the quality is changing. New kinds of mail are entering the system. Flowing into post offices, in ever increasing numbers, are credit card transactions, department store bills and payments, dividend checks and social security checks, insurance premiums, advertising matter. Historic changes in other fields are affecting the mail. The nation's transportation patterns are changing, accounting, and mailing are being done by computer. It's all part of a growing nation, and we welcome it, but the postal establishment is going to have to change to handle it.

I have for several years now been critical of the Post Office Department's modernization efforts—not because of what the Department has done, but because I believe it could do so much more. I have urged the Department to initiate a well-thought-out, enlightened, long-range modernization program. This is an absolute necessity to prepare us for the unparalleled crisis facing the mail service. An expanded and dynamic research and development program is needed to re-evaluate old concepts, to develop new systems, and to provide those tools we need to keep pace with the "mail explosion."

The 1967 budget estimate for the Department of Agriculture included $224.9 million for Research and Development out of a total Agriculture budget of $6.99 billion. That is 3.2 percent of the Agriculture budget earmarked for Research and Development. The Department of Commerce R & D budget estimate is 6.4 percent of the total. Defense asked 11.5 percent of its total budget for research and development; Interior 8.8. The Office of Economic Opportunity budget estimate included $55.9 million for Research and Development—or 3.2 percent of its total budget. In contrast, the Post Office Department budget estimate for Research and Development was $16.1 million, or less than ⅓ of 1 percent of its total budget.

It is simply incredible to me that funds for research and development in the poverty program are almost four times those for postal research.

Or compare the Post Office Department with another big business—AT&T, both in the communications field. Out of a 1964 operating budget of $6.059 billion, AT&T spent $69 million for research and development. The Post Office Department, out of operating expenses of $4.9 billion, spent, in 1964, $10.5 million for research and development. AT&T is investing about five times as much money in research as our postal service, and it is making money by so doing. The January 1966 annual report for AT&T makes this point: "Ability to provide improving service at lower rates depends on . . . innovating drive and continuous heavy investment in more efficient facilities."

The Department has a tendency to blame its trouble on "economy-minded Congresses." I therefore think it appropriate to note the action the House Appropriations Committee took this year on the 1967 postal budget. The Department, as we have noted, asked for a little over $16 million for Research, Development, and Engineering. The Appropriations Committee recommended an appropriation of $12 million, or a reduction of about $4 million below the estimate. The recommended amount was the same as had been appropriated for this account for the last four years.

However, in its report on the postal budget, the Appropriations Committee said: (quote) "The Committee would highly favor a strong, viable, and positively oriented program of research and development in the Post Office Department and encourages the Postmaster General to give his personal attention to such a program. When such a program is developed, the Committee would be happy to consider supporting it with adequate funds and personnel." (unquote)

On my own initiative I introduced a bill this year which would create an additional Assistant Postmaster General to head up a new Bureau of Postal Research, Development and Engineering in the Post Office Department. The general purpose of the bill is to expand and accelerate the Post Office Department's Research and Development and Construction Engineering programs. It seeks to do this by providing for an organizational structure in the Department that gives proper recognition and new impetus to these programs.

In addition to the new Assistant Postmaster General, the bill provides for two directorships, one heading Research and Development and the other for Construction Engineering. Section 5 of the bill increases from three to six the number of scientific and professional positions in the Department's Research and Development and Construction Engineering functions.

My Subcommittee held an open hearing on the bill in April, at which it was endorsed by the Postmaster General and representatives of the mailing industry. The bill was favorably reported by my Subcommittee and by the full Committee and should be acted on by the House soon.

The actual number of new positions added in the Department would be four, and the cost to the Government would not exceed $130,000 a year. This is certainly a very modest step toward laying the foundations of a completely new research and development program for the Department.

Frankly, we are trying to prod the Department into a research program and to get them thinking ahead about automation, and mechanization, and new ways of handling the mail.

This Congress has been receptive to new ideas, and our Committee has been almost begging the Post Office Department to come to us with plans to improve the service. The Committee has made it quite clear—and the Appropriations Committee also—that if the Post Office wil go to work and give us a positively oriented and enlightened development program, we are eager to help and will give them the funds and personnel to do the job.

Another area in which I have been working in the Congress—and which affects the direct mail industry—is the field of Government statistics and the census. Again, I knew very little about this work when first coming to Washington. Many talks with direct mailers, our work in the Subcommittee on Census and Statistics, led to the decision to take the census by mail.

This decision is extremely significant for your industry, for once the Government starts using direct mail, widespread public acceptance of the media will follow. Government use of direct mail should do a great deal toward eroding "junk-mail" attitudes among the public.

Both political parties are turning to direct mail. Their lists are now fully computerized, and direct mail will help them reach thousands in appeals for small contributions from average citizens. Here direct mail is having a very positive effect in widening the party base and spreading support for candidates among large numbers of voters.

SPEECH BY THE HONORABLE ROBERT A. BROOKS, ASSISTANT SECRETARY OF THE ARMY, ON ARMED FORCES DAY

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous material.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **DULSKI**. Mr. Speaker, at a luncheon meeting held in Buffalo, N.Y., on May 19, 1966, in connection with Armed Forces Week, the guests were privileged to hear an excellent address by the Honorable Robert A. Brooks, Assistant Secretary of the Army—Installations and Logistics.

I would like to bring his address to the attention of my colleagues, as follows:

Distinguished guests, ladies and gentlemen, I consider it a privilege and honor to be with you today. I congratulate the joint committee on this fine gathering which is indicative of your interest in the military affairs of our country. I know its success and the success of all your various endeavors this Armed Forces Week reflect hard work and dedication on the part of its organizers.

Americans have a deep and natural concern about the military forces that guard this nation's security. The military is fully aware of your concern and recognizes its obligations to help the citizen know and understand its role, mission and activities.

Since 1953, the slogan for Armed Forces Day has been "Power for Peace." This day—and this slogan—again remind us that the strength of our Armed Forces plays a vital part not only in providing for the security of our nation but also for seeking world peace.

Our military power is by no means the only instrument used in the struggle for peace. Diplomacy, economic policy, foreign economic and military assistance, and military alliances contribute to our security. Military preparedness, however, provides the safeguard which permits these other means the freedom of action to serve our national interests.

It is appropriate that we have set aside this day to honor those who are, in the President's words, the "guardians at the gate" in the defense of freedom. Our men and women serving in the Army, Navy, Air Force, Marines, and Coast Guard rightly deserve recognition for their many sacrifices at home and abroad.

If, in reviewing the contributions of the Armed Forces to the nation's security, I talk more about the Army than the other services, it is because the Army is the service I know best, not because any other service is less important to the national defense team. Although each of the services has a distinct mission, each is dependent on the other.

The past year has been a significant one for the Army, especially as it pertained to the Army's role in Vietnam, its world-wide commitments, its expansion, and other major activities injecting new strength and spirit into the ground forces.

First,—why is it so important that we take a stand in Vietnam? President Johnson and other Government officials have answered the "Why Vietnam" question a number of times. The President's basic statement is still applicable:

"Our power . . . is a very vital shield. If we are driven from the field in Vietnam, then no nation can ever again have the same confidence in American promise, or in American protection . . . In each land the forces of independence would be considerably weakened and an Asia so threatened by Communist domination would certainly imperil the security of the United States itself . . . We do not choose to be the guardians at the gate, but there is no one else."

The Vietnamese have asked our help in their struggle for freedom. We have promised assistance and are fulfilling the pledge given by three American Presidents since 1954.

We seek to control no territory nor any people. We are in Vietnam to lend our support to strengthen world order based upon recognition of the dignity of man and respect for his right to live in freedom instead of tyranny.

To those who might challenge this stand in Vietnam, we reiterate the broad objectives assigned our Armed Forces:

First, to prevent, if possible, total nuclear war; if one does occur, to make certain that we bring it to the most favorable conclusion possible.

Second, to dispel any illusion of aggressors that they can successfully engage in local military adventures at the expense of the Free World nations.

Third, to prevent the Communists from gaining control of independent nations through subversion, coercion, assassination, terror, or guerrilla warfare. These are realities under the cloak the Communists cynically call a "war of national liberation" or, "a people's war."

In his 18,000-word manifesto, "Long Live the Victory of People's War!" published last September, Communist China's defense minister Lin Piao emphasized that Vietnam is only the current example of a "people's war." Lin writes: "U.S. imperialism can be split up and defeated . . . by people's wars . . . launched in different parts of the world . . . particularly in Asia, Africa, and Latin America."

The Communists see such a war in three phases: first, guerrilla terrorism and harassment; second, battles of annihilation by enlarged and better-equipped guerrilla units against isolated units; and finally, massive attacks by powerful guerrilla armies. Lin goes on to say, "Political power grows out of a barrel of a gun (and) the seizure of power by armed force . . . is the central task."

This is the kind of enemy we face today in Vietnam. He is tough, determined, and ruthless. As earlier moral support and economic aid proved insufficient, in the early '60's we committed large numbers of military advisors and huge amounts of equipment to strengthen Vietnam militarily. Increased infiltration from North Vietnam coupled wtih the Viet Cong attack on two U.S. camps at Pleiku on 7 February 1965—killing eight Americans and wounding 125—proved that additional measures were needed.

From May through January, the Army deployed two combat divisions and four brigades to the Republic. The 173d Airborne Brigade on Okinawa deployed to Vietnam in May last year. It was followed by the 2d Brigade of the 1st Infantry Division in July. The same month, the 1st Brigade of the 101st Airborne Division reached Vietnam. And in September, the 1st Cavalry Division (Airmobile) arrived, followed by the rest of the 1st Infantry Division in October. In the closing days of last year and the start of this year, two brigades of the 25th Infantry Division were dispatched from Hawaii to Vietnam. These deployments—taking place over about an eight-month period—brought the total U.S. strength in Vietnam at the end of 1965 to approximately 181,000.

While the build-up in Vietnam was taking place, the Army was called upon to send combat elements of the 82d Airborne Division to the Dominican Republic to protect and evacuate citizens of the United States and 40 other nations, and to restore order in that country. They also performed other duties, such as distributing food and medical supplies to the people. Today, some 5,000 troops remain in the Republic as part of an Inter-American Peace Force, comprising troops from six American nations.

Although Vietnam and the Dominican Republic represented areas of major crises last year, they were by no means the only danger spots on the globe. The Cold War front still stretched from Southeast Asia to Western Europe, requiring the presence of U.S. troops.

In Europe, the Seventh Army—the principal combat organization serving NATO—comprises five divisions (two armored and three mechanized), three regiments of armored cavalry, and a support command. An infantry brigade is stationed in West Berlin as a clear indication to the Communists that aggression will not be tolerated.

In the vast Pacific area, besides the forces in Vietnam, the 2nd and 7th Infantry Divisions in Korea make up the major combat forces of the Eighth U.S. Army.

Additionally, in the Continental United States, the Army elements of the unified United States Strike Command have the mission of moving on short notice to reinforce troops in a particular overseas area or to go wherever needed in an emergency. There are now six divisions in this strategic force, less one brigade from the 82d Airborne Division in the Dominican Republic and a brigade from the 101st Airborne Division in Vietnam.

As we view the Army responding to today's challenges we need to remind ourselves of its basic purpose. It was established for a constructive purpose—to preserve peace and to defend the nation. In the words of the Army Chief of Staff, General Harold K. Johnson, "To preserve peace means simply to restore, to maintain, or to create with the minimum of destruction a climate of order so that lawful government can function effectively. The Army's purpose therefore involves the object beyond the war, because war can be only a means, not an end."

Thus the Army's philosophy allows for such operations as military civic action. In 30 countries around the world U.S. soldiers are assisting local military troops in developing and carrying out numerous improvements in community life. These civic action projects cover a wide field—education, public works, agriculture, and medicine.

Perhaps one of the most ambitious of these civic action projects is the Bangkok by-pass road in Thailand. Here military and civilians are working side by side on this 58-mile road. It is expected to be completed this summer. Naturally the road will have military significance in improved communications and support. At the same time, it will open up 250,000 acres of rich, but hitherto relatively unproductive land for agricultural development in eastern Thailand. Buses and trucks are already using part of the road, transporting people and carrying produce to markets. This is but one example of projects that make for a viable, democratic society—a society which will freely support the local government and military forces in their tasks of providing security and freedom for their countrymen.

Related to both military deployment and civic action is the Military Assistance Program. Through MAP, as it is called, we furnish our allies training and equipment assistance. There are Military Assistance Advisory Groups and Missions in 45 countries around the world. Besides assisting in the transfer of equipment to the receiving government, MAAG and Mission personnel follow through by checking on equipment use and maintenance. They conduct on-the-job training and act as advisors at schools and in local military units.

The importance of maintaining close ties and insuring the strength of our allies, was quite effectively illustrated by Secretary of Defense McNamara when he stated:

"Imagine a globe, if you will, and on the globe the Sino-Soviet bloc. The bloc is contained at the north by the Atlantic. To the West are the revitalized nations of Western Europe. But across the south and to the east you find the 11 'Forward Defense' nations—Greece, Turkey, Iran, Pakistan, India, Laos, Thailand, South Vietnam, the Philippines, and the Republics of China and Korea. These nations, together with stretches of the Pacific Ocean bearing the U.S. Fleet, describe an arc along which the Free World draws its front lines of defense."

The military posture of the nations which border the front lines of freedom is of interest not only to each of them but to the United States as well. Although these nations may be far from our shores—their strength is our strength!

With this background of the present roles and missions of the U.S. Army, I'd like to discuss the Army build-up and some of the other significant happenings since last Armed Forces Day.

The expansion of the Army to 1.2 million men, the most since Korea, has provided for the addition of a 17th active division. This is the 9th Infantry Division, reactivated at Fort Riley on the first of February.

Other major units are the 196th Brigade, activated in September at Fort Devens, Massachusetts, and two brigades scheduled for activation by the end of June.

Other build-up actions include:

A sizable increase in the Special Forces, and

The addition of more than 700 units of company and detachment size, among them a large number of helicopter companies.

In order to handle the expansion program, it has been necessary to:

Open two new basic combat training centers at Fort Benning, Georgia, and Fort Bliss, Texas—making a total of 12 such centers in the U.S. operated by the Army.

Reopen three Officer Candidate Schools at Forts Belvoir, Gordon and Knox. Officer Candidate Training is scheduled to increase from the last fiscal year figure of 3,400 to 11,700 this fiscal year.

And increase the annual input at Army schools from 178,000 to 256,000.

The Reserve Components, too, have figured in the Army's stepped-up readiness program. A selected force, consisting of three divisions, six brigades, and over 970 units from the Army National Guard and Army Reserve, is now receiving accelerated training. The units selected for this force are authorized 100 percent combat strength and a 50 percent increase in the number of paid drill periods. High priorities for training of personnel, issuance of military hardware, and maintenance of equipment have also been established for units in the selected force.

Another significant Army action since last Armed Forces Day was the activation and deployment to Vietnam of the 1st Cavalry Division (Airmobile).

After three years of study, tests, and evaluation by the Army, the division was deployed to Vietnam in just over a month from the date of its activation on 1 July. The major innovation of this division is the replacement, where practicable, of aircraft—mostly helicopters—for trucks, tanks, and personnel carriers, to speed up movement of troops and supplies.

The airmobile division is authorized 434 aircraft, all but six of which are helicopters, compared with only 101 in the standard division. The new division has only 1,600 ground vehicles, mostly jeeps, compared with 3,200 in the infantry division.

The special advantages of the airmobile division are summed up in this statement by Major General Harry W. O. Kinnard, commander of the 1st Cavalry Division:

"In brief these include the use of air vehicles to move over difficult terrain . . . to operate over wider areas with an enhanced surveillance capability; and use of the helicopter to permit combat units to be introduced near their objective, not fatigued by marching, and in tactical formations. . . . The division already has proven it has a very rapid speed of reaction inherent in our massed assault supported by either tube or rocket artillery as well as tactical air strikes. Finally, because of its inherent mobility, the division, even more than the insurgent, has the ability to choose its own time and place either to fight or not as is most logical."

The division brings back to the Army some of the dash and color that has been associated with other services. We are proud of this significant development.

Now, to a subject that has not changed since last Armed Forces Day. A subject that has changed little since the formation of the U.S. Army—the men who make up our Army—the American soldier.

The basic qualities that make for excellence as a soldier never change. Our soldiers of today are showing these qualities to the fullest degree in the Vietnam conflict. In addition, the new Army needs more and more the technical skills and alert intelligence demanded by our new equipment and technology. We have made substantial progress in this area. Today, 75 percent of all enlisted men in the Army are high school graduates. This compares with only 48 percent a decade ago. Incidentally, among the national population only about 47 percent of men over 25 are high school graduates.

Now, what about their leaders? In the officer corps, 76 per cent are college graduates, compared with 49 per cent 10 years ago. More than 90 per cent of all lieutenants now hold college degrees. Among the national population, only 10 per cent of men over 25 are college graduates. Some 19 per cent of all active Army officers today hold advanced graduate degrees.

Most of the credit for the high percentage of lieutenants with college degrees is attributed to the Army Reserve Officers Training Corps program. At the present time, about 80 per cent of the Army second lieutenants are from the ROTC. Surprising to some is the fact that this program produces 22 times more officers annually for the active Army than does West Point. Every year, some ten thousand ROTC second lieutenants report for active duty.

With the ROTC Vitalization Act of 1964 now in full swing, the Army is expanding the leadership opportunity available to the nation's high school and college students. The Army now provides ROTC scholarships in 2- or 4-year programs on a competitive basis for selected men who possess the potential to become leaders and the motivation to become career officers.

The first 1,000 scholarships under the new program were awarded last July and are in effect during this school year. In this group there are 600 two-year recipients and 400 four-year winners. Competition was keen, especially for the 4-year scholarships. The average Scholastic Aptitude Tests results for recipients were slightly higher than those of cadets entering West Point, and substantially higher than the average of all men entering college. Three hundred sixty-six, or 92 per cent, were in the top 20 per cent of their class. Thirty-six, or 9 per cent, ranked first and 21 second; 80 were either president of their senior class or of the student body. Needless to say, even at this early date, we think this program is destined to have a tremendous impact on the officer corps.

As a minimum, an individual commissioned through the advanced ROTC program has a military obligation of six years: (a) if commissioned a Reserve Officer, two years active duty, four years in a Reserve Component; (b) if commissioned a Regular Army officer, three years active duty, three years in a Reserve Component; and (c) if commissioned through the ROTC scholarship program, four years active duty, two years in a Reserve Component.

I have mentioned this program in some detail because the Army is making a determined effort to gain wider acceptance of the ROTC program and because I solicit your help in attracting talented young men in pursuing the ROTC route to a military career. Also, you can urge qualified men who may not have completed college or participated in the ROTC program, but who are graduates of high school, to seek a commission through one of the combat arms Officer Candidate Schools. These schools emphasize the development of practical leadership, physical stamina, and the mastery of tactics and weapons. Like the ROTC program, OCS teaches the professional knowledge needed for successful leadership.

In summary, I believe that the Army can take pride in its achievements. It is meeting successfully the force requirements for Vietnam without calling on its reserve components. It has maintained its posture around the world. It has and is continuing to expand its manpower base. It has greatly increased its logistics and production base. It has generated the necessary momentum for sustaining operations for sudden expansion and most importantly the support has gone to men and units who have fought with courage and skill.

Thank you.

A CREATIVE CONTRIBUTION TO THE VIETNAMESE COLLOQUY

Mr. CAMERON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CAMERON. Mr. Speaker, I recently inserted into the RECORD a statement of mine which had gone out to my constituents as part of a newsletter. It contained my views on how our Nation's policy regarding South Vietnam is related to the issue of arms control and disarmament. I emphasized the fact that our southeast Asian policy cannot be disconnected from raw realities in other parts of the globe. One of the realities was America's commitment to Germany.

As a member of the Foreign Affairs Committee, I am most concerned about the credibility of our commitment to the German people, as viewed through their eyes, if we were to make any abrupt policy changes in Vietnam, the worst of which would be a general pullout and disengagement. With certain elements in the German leadership discreetly but definitely insisting on some nuclear say, and the Russian leadership cordially but coldly refusing to sign a nuclear nonproliferation treaty if the Germans are to have their way, it becomes imperative that we not assume an attitude on Asia that could cast grave doubt on our capacity for commitment. To renege at gunpoint on any stated and long-standing American promise is to give ammunition to those Germans who would advocate a semi or wholly nationalistic nuclearism. This could prove disastrous.

Because I firmly believe that this country's primary foreign policy objective should be disarmament, I think that we should always search for the most purposeful paths along which to pursue this goal. Giving Germany, as well as many other free world nations, reasons for believing that they have to protect themselves with nuclear weapons obviously does nothing to advance us toward arms control and eventual disarmament.

Recently I had my legislative assistant, Mark Sconce, research, interpret and prepare a paper on this dilemma of pursuing a war in Vietnam and peace in Geneva. I consider his observations both provocative and important. By demonstrating how interrelated world events are today, I feel he has helped put the U.S. Vietnam policy into a needed perspective.

I generally agree with what he has said, and because he has said it well, I commend it to the attention of my colleagues, as follows:

A Tale of Three Cities

(By Mark Sconce)

There are moments in history when events of a very different nature coincide and in coming together throw light into a previously dark and unknown corner of men's affairs. Sober men are then compelled to ask, "Why did such a corner remain unilluminated when it was vitally necessary for us to determine the dimensions and shape of the room we occupy?" Almost invariably the answer comes back, "Your frenzied activities and your preposterous poses cast shadows so dark and so far reaching that you blinded yourselves to the boundaries about you."

Wasn't this the situation in 1939 when the French, smugly secure behind their Maginot Line, and the English, unflappable in their island seclusion, awoke the following year to find crisis succeeding crisis as the Nazi juggernaut slashed through the Low Countries and finally cornered some of Britain's finest troops and several French army corps? The crisis had clearly come to rest on the British doorstep. It was a shock to the British and yet a signal to the bulldogs among them that long-held illusions of island security should best be abandoned if long-held ideals were to be maintained. Thus a series of lightning events had brought the English to their senses, and the cry of "Dunkirk" stirred the blood of a freedom-loving people.

Early in March, I think, another series of events occurred which, though certainly not as dramatic as the Retreat at Dunkirk, nevertheless should serve to cast some light into a very dimly lit corner of our collective minds and bring us to our senses regarding the situation in which we now find ourselves in Vietnam. The events to which I allude took place in three very different cities of the world. But when drawn together and placed side by side they provide a torch which pierces the shadows and helps to illuminate our national aim in Vietnam.

The key to our purpose in that Southeast-Asian country lies in other parts of the globe. We can begin in Geneva where it was recently reported that the Soviet Union had again rejected an American proposal for halting the spread of nuclear weapons. The Soviet representative told the 18-nation disarmament conference that the U.S. draft treaty on the nonproliferation of atomic arms was not acceptable to his government. The reasons for Soviet rejection were that the American plan did not prevent non-nuclear nations from sharing in an international atomic force, and it did not ban outright the transfer of atomic arms to army units of non-nuclear nations. Though the U.S. representative labeled the U.S.S.R. protest as just another variation of the bickering which has marked the 4-year old conference, there nevertheless remained a certain glue-like substance in the nature of the Soviet complaint. Truth has a way of sticking.

East Berlin was the second city that had news for the world when Herr Ulbricht made a plaintive appeal for admission of the "German Democratic Republic' into the United Nations. In what must surely be recorded as the height of cynicism, he indicated that such a move would promote the chances of German reunification. "The national desire of the German people," he pontificated "can only be achieved through a policy of peaceful co-existence of the *two* German states." Concluding on a farcical note he assured the world that his membership bid was "a new and extraordinarily important peace initiative."

The third news item conspicious for the way in which it was buried near the obituary columns of those newspapers even bothering to report it came from the village of Rongelap in the Marshall Islands. What place on earth could be more inconspicuous and innocent than Rongelap? And yet it was in this lonely corner of the world that the height of human folly surfaced momentarily for all sober men to see and reflect upon.

The news story was crisply headed, "U.S. Pays Million to Island Victims". Indeed, nearly $1 million in compensation payments had just been made to a group of Marshall Islanders who 11 years earlier were victims of radioactive fallout resulting from the test explosion of a thermonuclear device some 100 miles away. The report noted that the extent of injuries suffered by these people had never been accurately determined. The guilt payments, as some will surely interpret them, were authorized by Congress in 1964 and ranged from about $55 a person to a high of about $21,000. The imagination must surely boggle at the thought of a hideous hand clutching a wad of greenbacks. The report also stated that medical examinations would continue, a running reminder of the nuclear necklace hanging about our necks.

The American people were sharply reminded of this necklace two years following the Marshall Island explosion when Democratic Presidential candidate Adlai Stevenson presented a program paper entitled *H-bomb,* which was known thereafter as the "Strontium 90" speech. In it he educated the public by telling something of the effects of radioactive fallout. He concluded with a warning to a whimsical and wandering world:

"Once the bomb is possessed by countries in addition to the present three, the problem of its control will have become infinitely more difficult. Few nations will willingly remain 'have not' atomic nations when their neighbors possess the means to destroy them. And once the bomb is in the possession of a number of nations, all wantonly shooting poison into the atmosphere, the danger of impairing or destroying human life through bomb explosions is enormously increased."

It would certainly not be an overstatement to say that responsible voices such as Mr. Stevenson's were instrumental in bringing about the Nuclear Test Ban Treaty to which 120 countries are a party in one way or another. As Arthur Goldberg eulogized at Stevenson's memorial service, 7 years after his unsuccessful bid for the Presidency, "* * * the United States and the world caught up with him and the air we all breathe is now cleaner and purer. If he achieved nothing else in life, this would have been enough."

It is the Test Ban Treaty which is the essential link that connects and gives meaning to the news events emanating from Geneva, East Berlin and Rongelap.

Examine for a moment the implications of the limited Test Ban Treaty—what it means to this country and why so many other nations were motivated to sign such an international covenant. One motivation which we can confidently ascribe to every signatory was fear, pure and simple. The effects of radioactive fallout had been thoroughly studied, documented, and widely published for all to bear witness to. It was no longer a secret that gross deformities and an excruciatingly slow and painful death were among the side-effects accompanying nuclear testing on the ground and in the earth's atmosphere. Radioactive particles appeared in milk supplies and other foods and the consciences of most nations were sickened and revulsed by it all. The clamor of many protesting voices was heard in the chambers of world leadership. The hard facts were ready to be faced. As President Kennedy expressed it on that historic day in 1963 when America signed the Treaty: "These tests befoul the air of all men and all nations, the committed and the uncommitted alike, without their knowledge and without their consent. That is why the continuation of atmospheric testing causes so many countries to regard all nuclear powers as equally evil; and we can hope that its prevention will enable those countries to see the world more clearly, while enabling all the world to breathe more easily."

But there was another kind of fear which served as a motivating force to bring nations to the signing table—the fear of nationalistic aggression. The U.S. and the U.S.S.R. were among the first to recognize the necessity of defrosting the cold war. Tensions and strain caused by periodic rumblings of nuclear testing only served to blunt any meaningful initiatives for closer contacts, both cultural and diplomatic. Realistic reasoning was gradually being replaced by glandular thinking—the kind that feeds on nationalistic slogans and deceitful demagoguery.

The smaller nations who were without nuclear capabilities, saw the signing of the Test Ban as an opportunity to insure against proliferation of nuclear arms to unfriendly and threatening neighbors. They could also well appreciate the prohibitive cost factor attendant to any arms race. Although many of these nations are not at all happy with the power status quo in their regions of the world, they would much rather upset the balance through conventional warfare or "brush wars" than by firmly grasping the nuclear nettle. The expense of keeping, maintaining, and testing an A–bomb arsenal diverts resources which many of the lesser powers need for long-overdue economic reforms and development demanded by burgeoning populations. In countries such as these the attaining of nuclear status can be a definite step backwards and the leaders know it. Even the relatively mature economy of France is out on a financial limb in developing and maintaining her independent nuclear "force de frappe". Of all European nations, France has the worst housing shortage, and the government is doing little to rectify the situation. De Gaulle, however, is determined to regain his 18th century image of "le grandeur" of France by stumbling out on his own into the nether world of nuclear narcissism.

The father figure of France must be taken into account whenever one tries his hand at balancing the nuclear equation. The motivations which brought eight-ninths of the world's nations to the Test Ban signing table apparently were not valid for de Gaulle. If his prestige as a world figure lends some credibility to his reasons for not signing the Test Ban Treaty, what is to prevent other potential nuclear powers from adopting the same line and proceeding on their own to seek the ultimate in striking forces?

It should be recalled that one of the main reasons given by France in refusing to sign the Treaty was that the United States could not be counted on to come to the aid of a European country if Russia decided to attack with nuclear forces. The U.S., argued De Gaulle, should not be made to endanger her nationhood by coming to the aid of a European nation. This, in my judgment, was and is a very provincial view of power politics in the atomic age and of what a future nuclear confrontation might be like. It disregards the totality and interdependency of the Western world. It is comparable to saying that a man should not be expected to go to his brother's aid when he is being challenged by the neighborhood bully simply because the bully is not from his brother's own block. In today's world there is only one neighborhood.

Whatever France's reasons for abstaining from nuclear sanity, we must keep our eyes fully open to the implications of her present policy of proceeding along the path of nuclear pugnacity. At present, however, I am dubious as to just how wide-eyed and awake we are to the implications. To a large extent we have allowed our peripheral vision to be blocked by investing in a pair of blinders we can ill afford—the blinders of the Nuclear Test Ban Treaty itself. Ironically, we have permitted the Treaty to take our minds off the realities surging around us. There is a sense of complacency in the air. It is as if the Navy, so satisfied with the structure of its latest ship, thought it unnecessary to provide a helmsman to steer it. Now it floats aimlessly among the mine fields of world politics.

Two-and-a-half years ago when the Soviet Union was persuaded to walk the path of nuclear peace, President Kennedy was quick to point out: "There is no cause for complacency. We have learned in times past that the spirit of one moment or place can be gone in the next. We have been disappointed more than once, and we have no illusions now that there are shortcuts on the road to peace." He might have added that those nations who attempt shortcuts without first gauging the consequences of their actions can seriously undermine the peace they say they seek.

If the countries and regimes of the world fail to show restraint and good sense in dealing with international realities, we could quickly find ourselves in the Rongelap era. Our present "peace" is a precarious proposition at best. Disservices to that peace are perpetrated every time a world leader fails, either intentionally or unintentionally, to perceive the treacherous waters upon which his ship of state presumes to sail. A good and recent example of such a disservice can be found in Herr Ulbricht's U.N. bid.

The implications of his diplomatic maneuver should be weighed very carefully. The situation he is fostering speaks so loudly that it is difficult to hear what he says. The facts drown out his pontifical prose. Consider: In early March, when Ulbricht sought U.N. recognition, he caught the diplomatic world off guard. An effort of this sort was unexpected simply because the chances of its success were so remote as to seem impossible. Of the U.N.'s 117 member nations only a mere 12 recognize the Ulbricht regime and they are all within the communist orbit. It is widely recognized in the diplomatic world that U.N. status for East Germany would explode any hope for one legitimately constituted German government speaking for all the German people. At least at this time. One can understand the difficulty simply by passing through the arch of West Germany's foreign policy and studying its keystone. Reunification is the sine qua non of the Federal Republic's foreign policy efforts. It manifests itself in such declarations as the Hallstein doctrine which says that any nation recognizing the Ulbricht regime will, in turn, not be recognized by the Federal Republic. Anything which retards the drive for reunification is roundly denounced by Bonn's leaders. Thus it is readily understandable why U.N. recognition at this time would throw salt into the wound. And this means recognition of any sort.

Even if East Germany were to be given special observer status at the U.N. (something that West Germany now has*), it would pour political concrete between the bricks of The Wall. It is clear that Ulbricht, although asking for a whole loaf, knows that he can expect to get only a slice. In any case, it's the kind of bread and not the quantity which would stick in official West Germany's throat. Anything and everything which lends credibility and legitimacy to the East German regime helps to fan the fires of German militancy.

It is no secret that there is a Gaullist faction in West Germany today. Its members declare that the concept of collective security, as embodied in the NATO pact, is unrealistic and unworkable. To expect a member country to meet an obligation to assist another, they assert, is so untenable as to be absurd—and worse, they add, dangerous.

One of the well-known spokesmen for this faction is former Chancellor Konrad Adenauer. At age 90 he is still one of the country's powerful voices in public affairs. Lately he has been stepping up his criticisms of Chancellor Ludwig Erhard, who embraces NATO's present integrated structure. Adenauer's attacks on Erhard have undoubtedly weakened the Chancellor's leadership position within his party and the nation. Only recently, Adenauer stole the limelight from his successor by engaging in private discussions with President de Gaulle which were reported to have covered every aspect of NATO reform.

The other important voice of opposition belongs to former Defense Minister Franz-Joseph Strauss, who is now building a political base for himself as the leader of the Bavarian Christian Social Union. His military theory should be noted carefully, for it goes to the heart of the matter. The U.S., he declares, should withdraw some of its German "occupation" forces for duty in South Vietnam. This pullout would create a vacuum which could then be filled by more West German soldiers, thus giving Germany a larger role in contributing to its own defense. This, of course, would entail an increased defense budget.

To get too far out on the other limb of his theory is to invite the inevitable. Strauss prescribes a reorganization of NATO which would institute independent American and European commands. A frightening prospect, the European command would be in possession of its own nuclear arm which it could shake with impunity.

The chances are very real that West Germans, faced with continuing threats and pressures from the Soviet bloc, will increasingly adopt the line which Adenauer and Strauss are now openly advocating. This kind of "hardware" approach assumes grave proportions in light of Herr Ulbricht's new bid for world recognition. He has often stated that strict prohibition of proliferation of nuclear weapons would be the best guarantee for European security and prosperity. He is quick to advocate a step-by-step detente in Europe by agreements on armament limitations, and particularly by the renunciation of nuclear weapons by all European states not in possession of such weapons. Even more specifically, he has declared through his Deputy Foreign Minister that ". . . West Germany's claim for nuclear weapons (is) the chief obstacle in Europe preventing the conclusion of a treaty on non-proliferation of nuclear weapons." The impelling irony is the yawning gap that exists between Ulbricht's alleged desires and his unwelcome and unwise foreign policy venture. He ignored France's place in the scheme of things. He also ignored existing political realities and balances of power when he made his U.N. bid—a tactic tailor-made to aggravate the relatively stable peace that now exists in Europe, and to stymie sincere efforts toward reunification.

Ulbricht apparently believed that he would get considerable political and propaganda mileage with his U.N. ploy. In this he is probably right. His action has tightened tensions at the official level and thwarted any progress that was being made toward an easing of the day-to-day strains caused by a divided Germany. Another factor motivating Ulbricht to seek recognition outside the communist bloc is the knowledge that his comrades in the other central European capitals regard East Germany as somewhat of a preposterous proposition and worth a secret snigger. It cannot claim a nationality or an ancient culture of its own and exists as an entity only because the Soviets are there. Governments, like people, are often social climbers. Ulbricht needs international respectability and recognition before he can hold his head up in the circles he wishes to travel.

Hopefully, the Bonn government will see Ulbricht's latest stratagem for what it really is, but in a democracy it is not always easy to convince all of the people all of the time, yet most of the people must be convinced most of the time. Ulbricht, of course, knew that some Gaullist voices would be raised in alarm with a subsequent call to arms and red buttons. By definition, the elected leaders of a democratic government cannot ignore with impunity the demands of the electorate if they are to maintain their leadership positions. Ulbricht, in considering this factor, displayed gross ignorance of the possible consequences. To actively pursue policies which may precipitate nuclear proliferation of any kind is to dally with a death wish so appalling in its implications as to be unthinkable. For West Germany to go into the beastly business of nuclear weaponry is not a consummation devoutly to be wished. People of every clime, color, and political characteristic must, for their ultimate survival, demand that their governments make President Kennedy's admonition a cornerstone of their foreign policy: "These new weapons are not in your interest. They contribute nothing to your peace and well-being. They can only undermine it."

If Ulbricht wants to see the proof of his political pudding, he has only to look to the Geneva disarmament conferences where all non-proliferation proposals are systematically relegated to the trash heap. In effect, these rejections represent an admission by the nations of the world that they are unable to take another step along the path of nuclear peace. Today the vital foreign policy issue facing us is how we can build on that limited Test Ban Treaty. How do we keep faith that nuclear force as a resolution of international disputes must be rejected?

In the absence of any further foreseeable progress in the field of nuclear control, above and beyond that already formalized in the 1963 Treaty, what alternatives will hold the nuclear line and prevent us from slipping back to the frightening days before the ban? The answer—or rather the best alternative in lieu of another formal treaty—is crystal clear. All governments of the world must evolve restrained, temperate, and disciplined foreign policies which seek, at all costs, to avoid precipitous and abrupt actions in international waters. Herr Ulbricht, by standing up and crying for recognition, has rocked the boat. De Gaulle, by insisting that his troops be withdrawn from German soil, has rocked the boat. He has failed to listen to those German officials who declare that French troops must remain in Germany.

Otherwise, they ask, who would replace them? Herr Strauss has the ready answer to that question—German troops, with a nuclear *Knopf* in their old kit bag. Any action that helps to swell the ranks of that fervid faction in West Germany which clamors for an independent national nuclear arm should be denounced as intemperate and flammatory. All actions that tend to support Erhard's rejection of an independent nuclear force should be endorsed as the actions of

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(*Germany accepts an observer's status but refuses to apply for full membership until she is a whole nation.)

reasonable men. His present stand on atomic weapons is unequivocal. He recently said: "I would once again, and unmistakably repeat that the German Government is not asking to have nuclear weapons put at its national disposal, and the German Government stands by its repeatedly expressed formal obligation to refrain from the manufacture of ABC weapons. The German Government continues to be prepared to take part in obligations such as are represented by a worldwide agreement on the non-proliferation of atomic weapons, as long as it is guaranteed that inside NATO, security and deterrence are assured."

This is not to say, however, that West Germany, given an opening, would not be prepared to cooperate on a joint atomic force within NATO. Official Bonn thinks that such a solution would increase the deterrent power of the Alliance, and thus serve the cause of peace. This belief, unfortunately, is shared by the U.S. when it presents proposals for nuclear sharing. The State Department contends that it would be better to satisfy some of Germany's nuclear ambitions than to sign a treaty which is meaningless. A meaningless treaty, State points out, would be one which was signed only by those countries to whom the idea of nuclear proliferation is abhorrent. Those countries who were bent on obtaining nuclear capability would not sign such a non-proliferation treaty. (Fortunately, we did not hold this view on universal concurrence when the 1963 ban was being negotiated.)

In pursuing this line, the U.S. is overlooking one likely consequence that could flow from any kind of nuclear sharing plan with West Germany, a consequence that may not have been overlooked by Herr Ulbricht. A nuclear-sharing agreement with West Germany, regardless of the form it takes, would understandably resurrect traditional Russian fears.

Assuming, however, that through some diplomatic miracle these fears could be reduced to a point where the Soviets could tolerate a NATO nuclear scheme anchored to a non-proliferation treaty, they could then never allow East Germany to reunite with a Western brother who shared in a nuclear arsenal. More than 75 million Germans standing under one nuclear umbrella and all clutching the same flag smacks of sheer madness when viewed by Russians through historically-tinted glasses.

Soviet refusal to negotiate a reunification would almost automatically catapult Ulbricht and East Germany into permanency. The prestige of sovereignty would crown the head of state. It might be argued that with this thesis I am giving Ulbricht undeserved credit for superlative savvy. Perhaps so, but that is beside the point. We should concern ourselves with recognizing consequences, rather than speculating on intent or accident.

We are caught in a dilemma somewhat of our own making. On the one hand, our plan for a mixed-manned force or Atlantic nuclear force might well add to the deterrent power of the Western Alliance, and at the same time partially silence those voices in West Germany which are calling for an independent atomic force. On the other hand, by giving West Germany some share in the nuclear complex of the West, we are placing an obstacle on the paths of re-unification and further nuclear curbs.

This last consideration takes on sobering weight when balanced with such statements as the one recently made by Britain's disarmament minister to the effect that, if our efforts toward full nuclear disarmament fail, we can by 1980 expect some 15 nations to have their own nuclear arms. Such statistics, coupled with the fact that Russia will sign nothing if Germany is given any kind of nuclear say within the Atlantic Alliance, should prompt us to entertain second thoughts about a NATO nuclear force. To abandon nuclear-sharing projects, I think, would be a responsible and restrained move that perhaps could break the stalemate which has developed in Geneva.

The Tale of Three Cities holds for us some indication of what our role in South Vietnam should be. The message is clear to those who will remove their blinders to read it. There is a definite inter-relationship between events in today's world that cannot be ignored if we are to overcome the dangers of a narrow isolationism. Reality should force its attention on the finely spun and delicate intellectual webs that we sometimes tend to weave for ourselves. It is a dangerous habit that allows a man to be so taken with his own mental image of what should be that he forgets what really is. Cerebral creations that cite for their validity the ideal without also considering the actual are a disservice when it comes to life and death propositions. And yet it is continually done, not only inside the academic community, but in the halls of Congress and elsewhere.

The U.S. cannot afford to withdraw from Vietnam, as the dogmatic doves advise, because it would weaken the credibility of our commitments. If we are unwilling to face up to a challenge and follow through on a commitment in one area, what is there to guarantee our doing so in another area? This question is undoubtedly poised on the lips of the German nuclear faction headed by Josef Strauss and marginally by Adenauer. Non-proliferation of nuclear weapons, with or without a formal Geneva agreement, must be our next step if we are to build on the limited Test Ban Treaty. This will not be possible if we leave or fail to show resolve in South Vietnam. But likewise, if we adopt a militant hawk role, our foreign policy will reveal the same quality of unrestraint mirrored by East Germany's U.N. bid and by de Gaulle's planned removal of French troops. In short, a policy of restrained determination must be the one we continue to follow in South Vietnam. Keeping our involvement within rational limits is to follow a policy of "enlightened self-interest" in that we prevent in one part of the world something that could easily happen in another and more politically important part.

We want no more repulsive headlines like the one we read from the Marshall Islands. The day must come when the nations of the world accept some realities and stop pretending to be what they are not. National leaders who whip up illusions of grandeur among their people to hide what, in many cases, is a deep inferiority complex are only exacerbating a situation that is already fraught with fear and uncertainty. By striving to attain nuclear capability, they are convincing themselves that it alone is the be-all and end-all of their national existence. The temptation to use the bomb primarily as a political instrument is great. But the reality of poverty, ignorance, and underemployment should be greater. To embark on a national plan for abating and improving these dire problems is no doubt often difficult. As Tunisian President Bourguiba recently observed:

"It forces men to master their instincts and their egocentrism, to transcend themselves, raising their vision and their action to the level of national interest. The battle is first of all a conquest of self; it is impossible to build on the hatred of others * * * it will be necessary for the poor countries to rid themselves of demagogues, of verbalism and the sterile conflicts engendered by power complexes or the will to dominate."

With France now engaged in military disinvolvement from NATO, the remaining partners must continue to show resolve rather than petulance. We must make clear to Moscow and Peking that our resolve has in no way diminished, that our commitments to collective security are just as clear as they ever were. But in this effort we must not go too far in the other direction by attempting to push ahead with a program of nuclear sharing, in any way, with Germany. This could only lead to the type of tensions that the Test Ban Treaty was meant to reduce.

If we are to get on with any kind of constructive work at Geneva to avoid future Rongelaps, and worse, our resolve both in Vietnam and Berlin should be made indelibly clear to those who would raise the ante in the poker parlors of world power. If there ever comes to exist the faintest indication that we have lost our ability as a world leader to accept the responsibility inevitably attendant to power, then we can expect a situation in which a series of bluffs and other aggressive tactics, characterized by Mr. Khrushchev's 1962 Cuban gesture, will become the rule rather than the exception. Especially in the nuclear age, bluffs must be called when they are designed to upset the precarious balance of power. This is no time to cash in our chips and lean back complacently. We must stay wide-eyed at the table, be it diplomatic or military. As C. L. Sulzberger so bluntly pointed out in a recent New York Times editorial, "When we appear strong and determined in our overseas commitments, other countries often mirror such strength in diplomatic attitudes and internal political convolutions. When we look as if we intend to expire languidly like some fat whale upon a distant beach, the world's jackals start to natter."

Though the argument has been heard before, it should once again be emphasized: our failure to hold firm in South Vietnam will have its definite repercussions in faraway Germany * * * particularly Berlin. Murmurings of doubt about our resolve will increase, and there will be a tendency toward erratic and abrupt international conduct guided more by glands than brains.

If our consciences wince at the regretful reasons that brought the Congress to vote $1 million for a group of innocent Rongelap islanders, then perhaps, at last, we will expand our consciousness to include reasons why we should stay in Vietnam, forgo our nuclear-sharing arrangements in NATO, particularly with Germany, and proceed resolutely with the task of banishing the means of human destruction. Our position as the leading world power commands no less.

Marshall McLuhen of the University of Toronto once queried: "Can we possibly have a global consciousness without also developing a global conscience?" Obviously not, but I would add that it can also work the other way. By disciplining ourselves to be conscious of the inter-relatedness of global initiatives in foreign policies, we will be prepared to take those actions best suited to our consciences.

AMENDMENT OF THE COMMUNICATIONS ACT OF 1934

Mr. OLSEN of Montana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN of Montana. Mr. Speaker, I serve on a subcommittee under the chairmanship of the Honorable Robert N. C. Nix, Congressman from the Second District of Pennsylvania. I have served under many chairmen and I consider Congressman Nix one of the finest.

During this past spring, Congressman Nix has chaired an investigation into the "paperwork jungle" of the Federal Government. Part of these hearings concerned the plight of the broadcasting industry and its redtape problems with the Federal Communications Commission. On May 19, Chairman NIX introduced H.R. 15170, which would relieve the heavy burden of the broadcasting industry. I support that bill by introducing an identical bill today.

Mr. Speaker, this bill will do two things: First, it will abolish the requirement that the users of safety and special radio services reapply for a broadcasting license every 5 years. It is inconceivable that the Federal Communications Commission would deny the renewal of a broadcasting license to the police department of the city of New York, the sheriff's office in Missoula, Mont., or the fire department in Chicago, Ill. For that reason, the requirement that public safety stations reapply for a broadcasting license every 5 years is not a realistic one.

The second important feature of this bill is the provision which would allow broadcasters a little more breathing space between license application periods. At the present time, broadcasters have to reapply for a broadcasting license every 3 years. There is an engineering check of stations 6 months before the application for relicense. This requirement was written into the law well over 30 years ago. The radio and television industry is no longer an infant industry and the businessmen who are in this industry should no longer be treated like children. This bill will extend the reapplication period from 3 to 6 years. It will cut paperwork in the industry in half and the resulting money savings can be reinvested in the broadcasting industry. The aim of regulation in any industry is not the convenience of the regulators or the piling up of voluminous files. The least regulation consistent with the public interest is the objective. I believe that this bill will further that objective in the broadcasting industry.

Mr. Speaker, there are a little over 6,300 broadcasting stations in the United States, and 2,100 a year apply for a license renewal. No matter how long a station is in business, it receives the same license which is only good for a 3-year period. This requirement of the United States Code under title 47 United States Code 307(d) is a burden which affects those who habitually violate Federal Communications Commission regulations and these, by the way, are very few in number, and the vast majority of station owners who do their very best are not involved in violations.

The vast majority of the broadcasters are small businessmen who once every 3 years find that most of the month of December, their busiest time, is taken up with paperwork. There are 22 Federal Communications forms which are applicable to all broadcasters to some degree. Yet in my State, in 20 years of law practice, I have never heard of a single licensee losing his license or having his renewal denied.

From 1962 until 1965 the Federal Communications Commission revoked 14 licenses and denied renewal of 31 station licenses, for a total of 45 severe actions in 3 years out of a total of 6,300 actions taken. When I heard in the hearings that Mr. NIX, the Member from the Second District of Pennsylvania, presided over only 20 people within the FCC directly involved in the perusal of these renewal applications, it raised a question in my mind. Is this requirement merely a convenient device for the FCC, a sort of tickler file reminding the Commission that they should conduct something akin to a school exam every 3 years?

The FCC does not depend on complaints and does not make much use of complaints, but instead proceeds against an industry on a broad front with very little advantage to either. It seems to me that enforcement of the Federal Communications Act should proceed with complaints as a basis or at least in certain areas where violations may have occurred. A spot check or survey system of the broadcasting industry may be necessary but not an entire census of the industry every 3 years.

What is the magic of the 3-year period anyway. When the Federal Communications Act was first passed, a compromise between the House and Senate resulted in the writing of a 3-year period into law. One House wanted a 2-year period and one wanted a 4-year period. In the 1930's licenses were granted for 90 days at first and toward the end of that period licenses were granted for 3 years. We have had well over 30 years' experience with the broadcasting industry and we must have learned something about it. I think we can safely say that the broadcasting industry is no longer an infant industry and that the reins should be loosened.

How did the broadcasting industry come to be regulated in the first place? Without regulations, broadcasters became so numerous that they interfered with each other's frequencies. Regulation was at first necessary then to limit the number of broadcasting stations to prevent frequency interference. That objective has been long accomplished. Very little work needs to be done today to keep up the integrity of frequencies.

What needs to be done then? When we examine the fact that as of April 1 of this year, 272 licenses had not as yet been renewed after expiration of license, it would seem that there is quite a bit of work to be done. But the work that remained to be done was paperwork, not the work of regulation.

These license renewals have been held up for the most part because of failure to include certain kinds of information, which as the result of correspondence will be brought up to exacting standards. This is a certainty because only 21 licenses have failed to be renewed in the past 3 years as the result of the renewal process.

Ten licenses were denied renewal for other reasons and 14 were revoked for other reasons for a grand total of 45. Yet 272 license renewals are delayed as of April 1 of this year, leading to the conclusion that for the vast majority the delay is nothing more than an exercise.

Mr. Speaker, this bill asks in short for a vote of confidence in the broadcasting industry. Private enterprise has succeeded in building the greatest broadcasting system in the world. Government redtape did not build that system, but private risk taking, the investment of savings did build that system. The FCC may not feel that it has imposed great burdens on the broadcasting industry when small stations have to devote from 2 to 3 weeks of work in preparing forms for an application for a new license to stay in business, but it is a burden to the small station and an expense to larger stations to do so.

The preparation of records for the day of reckoning is an expense to the industry. The renewal process requires reference to seven logs which must be kept up to date. Individual contrasts for one performance must be filed with the Commission and kept ready for public inspection at any time. Stations at the present time have a field engineering check 6 months before the 3-year license term is up in any case.

This adds up, Mr. Speaker, to ritualistic paperwork, paperwork for its own sake which gives the impression of great activity on the part of the Commission but which in itself has very little effect. At least one Commissioner has recommended that the relicense application be done away with altogether and two Commissioners have recommended that the license application period be extended to 5 years.

It seems to me that Government regulation is not a one-way street. We should not have a process where once a set of regulations are imposed they are only added to and never withdrawn where there is no longer any need for regulation. I think we should keep faith with the free enterprise system and make it freer wherever it is possible. When a regulation has served its original purpose, we should not make up new reasons for keeping it. I think Government agencies as well as industry must accept change. It is time for a change in the broadcasting field, and I hope the Congress will support this change. Provisions of this bill follow:

H.R. 15215

A bill to amend the Communications Act of 1934 to abolish the renewal requirement for licenses in the safety and special radio services, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 307(d) of the Communications Act of 1934, as amended (47 U.S.C. 307(d)), is amended to read as follows:

"(d)(1) No license granted for the operation of a station in the broadcast service or in the common carrier service shall be for a longer term than six years. Upon the expiration of any such license, upon application therefor, a renewal of such license may be granted from time to time for a term of not to exceed six years, if the Commission finds that the public interest, convenience, and necessity would be served thereby. In order to expedite action on applications for renewal of licenses for stations in the broadcast service and in order to avoid needless expense to applicants for such renewals, the Commission shall not require any such applicant to file any information which previously has been furnished to the Commission or which is not directly material to the considerations that affect the granting or denial of such application, but the Commission may require any new or additional facts it deems necessary to make its findings. Pending any hearing and final decision on such an application and the disposition of any petition for rehearing pursuant to section 405, the Commission shall continue such license in effect. Consistently with the foregoing provisions of this paragraph, the Commission may by rule prescribe the period or periods for which such licenses shall be granted and renewed, but the Commission may not adopt or follow any rule which would preclude it from granting or renewing a license for a shorter period than that prescribed for such stations if, in its judgment, the public interest, convenience, or necessity would be served by such action.

"(2) No license in the safety and special radio services shall be required to be renewed; except that this paragraph shall not apply to (A) special temporary authorizations in such services, (B) licenses for stations in such services engaged in developmental operation, and (C) licenses in such services which the Commission finds after notice and opportunity for a hearing require authorization for a term of years in order to best serve the public interest, convenience, or necessity.

"(3) Any license referred to in this subsection may be revoked as hereafter provided in this Act."

PROPOSED EAST-WEST TRADE RELATIONS ACT

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEOGH. Mr. Speaker, I wish to draw the attention of the Congress to the recent letter sent to the Speaker by the Secretary of State, which transmits a proposed East-West Trade Relations Act.

I am introducing this bill at the request of the administration. The Secretary's letter sets forth an impressive list of reasons why this legislation would be in our national interest. I would like to mention some of its features which I believe are particularly important.

First, the central provision of this legislation is that it would give the President authority to negotiate a commercial agreement at such time as he may choose with individual Communist countries in Eastern Europe, and, as part of such an agreement, he would be authorized to extend to such countries the same tariff duties we give now to other countries.

The President could make such an agreement only when he found it to be in the interest of our country and only in return for equivalent benefits. The President does not have authority now to make such agreements with all such countries. Enactment of this legislation would open up to American industry, agriculture, and labor the opportunities for peaceful trade with the Soviet Union and the other countries of Eastern Europe that are now open to other countries but not to our own people. It would also be an important step in demonstrating to the countries of Eastern Europe our willingness to negotiate for a mutually beneficial increase in trade in peaceful goods. This legislation would not alter the present embargo on trade in strategic goods.

Second, this legislation would reaffirm to Communist countries, and to the rest of the world, that our basic objective is a peaceful world with growing prosperity and increased freedom in all countries. While we demonstrate by our actions in Vietnam that aggression will not be allowed to succeed, through legislation such as this we emphasize at the same time to the nations and peoples of the Communist countries that their real interests lie in improving relations with us through such peaceful means as trade. Trade is one of the few available channels to constructive, improved relations.

Third, the countries of Eastern Europe, including the Soviet Union, are already turning toward gradual liberalization of their internal economies. These countries are all increasing their trade with the West. The trend toward increased trade by the smaller countries of Eastern Europe with the West could help increase the movement of these countries toward a greater degree of maneuverability in their international relations.

Fourth, this legislation would help us to reach out more effectively to the closed societies of these countries, and to demonstrate more widely and tangibly than is now possible, the progress and efficiency of U.S. technology. The quality and diversity of our equipment and products would convey at firsthand the message of the strength and great achievements of our economic system.

These are but a few of the aspects of this legislation we will want to consider. This legislation is not a concession to Communist countries. It is heavily safeguarded against any possibility that agreements made under it could be misused by the other party to our detriment. The legislation does, however, give the President the authority he needs to use the tool of trade to maximum advantage in negotiating with these countries.

Mr. Speaker, in addition to the important political benefits to be derived from this legislation, it offers commercial advantages to the United States.

The Wall Street Journal on May 10 reported that U.S. firms are conducting a great deal of trade with Eastern Europe through their subsidiaries abroad. This trade is fully in accordance with the laws and regulations of the United States and other countries. But significantly it demonstrates the extent to which U.S. labor and our balance of payments suffer when we deny to ourselves the benefits of peaceful trade. Mr. Speaker, I ask unanimous consent to insert in the RECORD at the conclusion of my remarks the article from the Wall Street Journal.

The subject of East-West trade over the past several years has received widespread and thoughtful consideration throughout the country. Many organizations representing industry, agriculture, labor and the general public have become increasingly interested in examining the prospects for increased U.S. trade with Eastern Europe and how this might benefit the national interest of the United States.

Many of these groups have recognized the limitations of our existing policy under the changed conditions in the Communist countries and have called for more realism and greater flexibility in our trade policy with Eastern Europe.

In 1964 the U.S. Chamber of Commerce, for example, asked for a "prompt reexamination and reevaluation of the present system of export controls with the objective of strengthening some controls and eliminating others which are not necessary for the security of the United States and which result in discrimination harmful to its competitive position."

Also, in 1964, the National Foreign Trade Council underlined the "extreme importance of maintaining a watchful and cautious but not unfriendly or inflexible approach to this issue."

In 1965 the Committee for Economic Development, representing an important cross-section of the business and financial community, completed an exhaustive study it had made of East-West trade in cooperation with its counterpart organizations of businessmen in Western Europe and Japan. Its report concluded that "the interests of the West would be served in present circumstances by an expansion of East-West trade brought about by mutual East-West reduction of the obstacles to trade."

The Foreign Affairs Committee in 1964 and the Senate Foreign Relations Committee in 1964 and 1965 conducted hearings to obtain the views of businessmen, bankers, academic figures, and agricultural leaders.

In 1965, President Johnson appointed a Special Committee on U.S. Trade with Eastern European Countries and the Soviet Union, composed of distinguished citizens under the chairmanship of J. Irwin Miller, chairman of the board of the Cummins Engine Co.

The Special Committee concluded that the United States should use peaceful trade in nonstrategic items as an instrument of policy to help United States achieve its foreign policy objectives in Eastern Europe. The Committee specifically recommended that the President be given discretionary authority to grant or withdraw most-favored-nation tariff treatment to individual Communist countries when he determined it would be in the national interest.

In November 1965, the National Foreign Trade Convention, made up of some 2,000 delegates from the world of commerce and finance, specifically endorsed the recommendations of the Special Committee "that the President should be given discretionary authority to grant or withdraw most-favored-nation tariff treatment to or from individual European Communist countries, provided that any concession which results in establishing conditions for expanded trade, is extended only for the duration of the trade agreement of which it is a part, and is open to periodic review."

The legislation I am introducing today is based largely on the recommendations of the President's Special Committee.

Mr. Speaker, the matters dealt with by this legislation are of great importance to our national interest and deserve the most thoughtful attention of all Members of Congress and of the public generally. I ask unanimous consent that

Secretary Rusk's letter to the Speaker, a summary of the bill setting out its salient points and the many safeguards it embodies, and three additional editorials and news items follow my remarks.

THE SECRETARY OF STATE,
Washington.

The Honorable JOHN W. McCORMACK,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: At the direction of the President, I am sending to the Congress proposed legislation to provide the President with the authority necessary to negotiate commercial agreements with the Soviet Union and other nations of Eastern Europe to widen our trade in peaceful goods, when such agreements will serve the interests of the United States.

This authority is needed so that we may grasp opportunities that are opening up to us in our relations with the Soviet Union and the countries of Eastern Europe. It is needed, at a time when we are opposing Communist aggression in Viet Nam, in order to carry forward the balanced strategy for peace which, under four Presidents, our country has been pursuing toward the Communist nations. It is needed to play our part with the NATO nations in reducing tensions and establishing normal and lasting peaceful relations between the West and East in Europe.

NEW OPPORTUNITIES

It is the normal and traditional practice of the United States to encourage peaceful trade with other countries—even those with which we have serious differences. Yet for nearly two decades, we have put major restrictions on our trade with the Soviet Union and Eastern Europe. We applied these restrictions only when the Soviet Union extended control over its Eastern European neighbors and embarked on a course of aggressive expansionism. They properly signified our moral protest against the subjugation of half a continent and gave our protest practical economic effect. Now, however, the hopes that guided our policy have begun to be realized.

In recent years, there have been substantial changes among the Communist nations, within themselves, and in their relations to the nations of Western Europe. Windows in Eastern Europe are being gradually opened to the winds of change. Most of the countries of Eastern Europe have shown signs of increasing independence in guiding their own economic and political courses. They have shown greater concern for the needs of their citizens as consumers. A growing trade in peaceful goods has sprung up between Eastern Europe and the Western world. The Soviet Union itself has recognized this need for more responsive action in its own country as well as in Eastern Europe.

This process of change is continuing. It presents growing opportunities for the United States and for the cause of freedom. But we are not now able to take full advantage of these opportunities. Our trade policies which once served our national interest no longer do so adequately.

What then is needed?

The weakness in our position is the outdated inflexible requirement of law that we impose discriminatory tariffs on the import of goods from Communist countries. All imports from the Soviet Union and Eastern Europe, excepting Poland and Yugoslavia, are subject to the original rates of duty in the United States Tariff Act of 1930. The President has no authority to negotiate with any of these countries for the advantages that we can gain from offering them the more favorable rates that have been negotiated under reciprocal trade agreements over the last thirty years and that now apply to imports from all other nations with whom we trade. We alone of all the major Free World countries have so tied our hands.

The inability of the President to negotiate on this matter sharply reduces his power to use the great economic power of our trade as a bargaining instrument.

In the light of this situation, the President said in his 1965 State of the Union Message:

"In Eastern Europe restless nations are slowly beginning to assert their identity. Your government, assisted by leaders in labor and business, is exploring ways to increase peaceful trade with these countries and with the Soviet Union. I will report our conclusions to the Congress."

Accordingly, to supplement the studies being made in the Government, on February 16, 1965, the President appointed a Special Committee on U.S. Trade Relations with Eastern European Countries and the Soviet Union under the Chairmanship of Mr. J. Irwin Miller. Each member was a widely respected and experienced leader from business, labor or the academic world.

The Special Committee made its report to the President on April 29, 1965. That report provides a searching and balanced analysis of this complex and important subject. It deserves careful study by all citizens and members of the Congress interested in this subject and in this proposed legislation.

The Special Committee concluded that to accomplish our purposes in Eastern Europe we must be able to use our trade policies flexibly and purposefully. The Committee recommended, specifically, that the President should be given discretionary authority to negotiate commercial agreements with individual communist countries when he determines any such agreement to be in the national interest and to grant them in such agreements the tariff treatment we apply to all our other trading partners.

The Administration agrees with this recommendation of the Special Committee and this is the principal authority asked in the proposed legislation.

BENEFITS OF THE LEGISLATION

We must consider the potential benefits and liabilities that may flow from enacting or failing to enact the proposed legislation.

There is abundant evidence that without the authority this legislation would provide, we are losing and will continue to lose significant opportunities to influence the course of events in Eastern Europe. By denying ourselves the ability to enter into meaningful commercial agreements with these nations, we deprive ourselves of the economic benefits that will come to us from increasing trade. More important, we deprive ourselves of a bargaining tool of considerable strength and utility. We unnecessarily limit our influence in Eastern Europe relative to the influence of other nations engaged in or opening wider trade there.

The enactment of the proposed legislation would not weaken or injure the position of the United States in any way. The legislation does not in itself make any grant or concession of any kind to the Soviet Union or any Eastern European country. It would not weaken our legislation, our policy or our controls on exports of strategic goods to Communist countries. Its sole effects would be to give the President added strength to negotiate with these Communist countries to obtain concessions and benefits that will serve the national interest of our country in return for granting the same tariff arrangements already available to other countries.

The benefits of the legislation could be numerous and valuable.

First, improving our trade relations with these countries would be profitable in itself. As their national economies turn more and more toward consumer needs and desires, they will become more attractive markets for our exports. We lead the world in the efficient production of goods which enrich the quality of everyday life. We can expect that new and increasing export opportunities will open up for American industry, American agriculture and American labor. While this trade potential may be modest for the foreseeable future in relation to total United States exports, it could, nevertheless, be significant over the years and of particular importance to American agriculture and to certain American industries.

Although any agreement with any individual nation will necessarily and properly open the way for increased sales of that nation's products to Americans who want to buy them, we have no reason to fear such trade. American industry is the most competitive in the world and thrives on the stimulus of competition.

Second, authority to relax tariff restrictions will give the President the ability to negotiate more effectively for any of several objectives important to the United States. These might include, for example, provisions for the settlement of commercial disputes, the facilitation of travel by United States citizens, the protection of United States copyrights, patents and other industrial property rights, assurances to prevent trade practices injurious to United States labor and industry, settlement of financial claims and lend-lease obligations, more satisfactory arrangements in cultural and information programs—and others of our economic, political and cultural objectives. These possibilities are of course only illustrative and it is improbable that all of them could be dealt with in a single agreement. We will need to test each negotiation for the gains to be made in it.

The Congress may be confident that no agreement will be made under this authority except in return for benefits of equal importance to the United States. Moreover, each agreement will include a provision for suspension or termination upon reasonable notice, so that the President may—and the Congress may be certain he would—suspend or end the obligations of the United States if he determined the other party were not carrying out its commitments.

Third, the most important benefits from any such agreements would develop more slowly. We cannot expect trade alone to change the basic nature of the Communist system in any Eastern European country nor to settle fundamental differences between us. We can, however, expect that the many close relationships normally growing out of trade will provide opportunities for influencing the development of their societies toward more internal freedom and peaceful relations with the free world.

A healthy growth of trade will help to reduce the present dependence of these Eastern European countries on each other and the Soviet Union. They will be encouraged to rebuild the friendly ties they have historically had with the West. Independent action will become more attractive and more feasible. The conclusion of an agreement with any of these countries will be an inducement to others to seek the same benefits.

The very nature of trade, the necessity to follow established rules of behavior, the increased contact with the West, the increasing use of Western goods, the growing appreciation of their quality and of the efficient methods of their manufacture, the growing understanding of the skills, opportunities and earnings of free labor in the United States and other Western nations, the greater exposure to the miracles of American agriculture—all these things could encourage increasing liberalization of the internal economies of the Eastern European nations.

The Soviet Union and other nations of Eastern Europe are increasingly conscious of their stake in stability and in improving peaceful relations with the outside world. Progress toward normal trade relations will increase that stake.

Under the terms of the proposed legislation, each agreement would be only one step in the process of reducing tensions. Agreements would not be of indefinite duration but would be subject to periodic review and to renewal at regular intervals. Each review could become a new opportunity for a useful dialogue with a Communist country. Each renewal could be adapted to encourage the further peaceful evolution of that individual country and the improvement of our relations with it.

There is wide and growing understanding throughout the country that improved conditions for peaceful trade with the Soviet Union and the countries of Eastern Europe would be in the national interest and should be a proper subject of negotiation with those countries. Many business, industrial and agricultural leaders and other expert witnesses who testified in the extensive hearings held on this subject by the Senate Foreign Relations Committee and the House Foreign Affairs Committee concluded that the United States could benefit from the possibility of wider peaceful trade with the Eastern European countries under proper safeguards. So too have a number of leading private organizations that have studied the problem.

To fulfill his Constitutional responsibilities for the conduct of our foreign policy in this complex era, the President must have available to him every appropriate bargaining tool. Nowhere is this need more critical than in our relations with the Communist countries. Granting this flexible authority to the President would not be a concession to the Communist world. Rather, it would give him a valuable instrument of foreign policy to be used where and when it will advance the interests of the United States.

CONDUCTING A BALANCED STRATEGY

In addition to the gains already stated which the proposed legislation can help to realize, it can be an important element in our balanced strategy for peace.

We are reaffirming in Viet Nam—as we have on many earlier battlefields—our determination to aid free and independent nations to defend themselves from destruction by Communist aggression or subversion. But determined resistance to such force is only a part of our strategy to maintain a peaceful world.

It has equally been our purpose to demonstrate to the Communist countries that their best interests lie in seeking the well-being of their peoples through peaceful relations with the nations of the free world. We want the Soviet Union and the nations of Eastern Europe to understand that we will go step by step with them as far as they are willing to go in exploring every path toward enduring peace. We require only that our willingness and our actions be genuinely matched by theirs.

We are confident that this policy is sound even when we are fighting against Communist weapons in Viet Nam. Indeed, it is when we are resisting force with force, that it is most important to hold open every possible avenue to peace. We need to make unmistakably clear to all the Communist nations of Eastern Europe that their best interests lie in economic development and peaceful trade, not in support of futile attempts to gain advantage through the use of force.

THE LEGISLATION

The proposed legislation contains five principal provisions.

The first states the purposes of the Act, particularly to use peaceful trade and related contacts with Communist countries to advance the long-range interests of the United States.

The second authorizes the President to enter into a commercial agreement with a Communist country when he determines it will promote the purposes of the Act, will be in the national interest and will result in benefits to the United States equivalent to those provided by the agreement to the other party.

The third states some of the benefits we may hope to gain in such agreements.

The fourth limits each agreement to an initial period of three years, renewable for three-year periods. It requires that each agreement provide for regular consultations on its operations and on relevant aspects of United States relations with the other country. It also requires that each agreement be subject to suspension or termination at any time on reasonable notice.

The fifth is the central provision recommended by the responsible groups studying this matter: the President would have authority to proclaim most-favored-nation treatment for the goods of Communist nations with which a commercial agreement is made under the Act. Such MFN treatment would continue only so long as the agreement is in effect.

The President would have the authority to suspend or terminate any proclamation made pursuant to this Act. The President should do so whenever he determines that the other party to the agreement is no longer fulfilling its obligations under the agreement, or that suspension or termination is in the national interest.

As part of his negotiating power with respect to a commercial agreement with the Soviet Union, the President would have authority to terminate the existing provisions of law excluding certain furs of Soviet origin.

The authority of the Act would not extend to Communist China, North Korea, North Viet Nam, Cuba or the Soviet Zone of Germany.

The bill expressly provides that it does not modify or amend the Export Control Act or the Battle Act which together control the export of military articles and strategic goods and technology which would adversely affect the national security and welfare of the United States.

The bill does not change in any way existing laws and regulations prohibiting aid and limiting credit to Communist countries.

All agreements will be promptly transmitted to both Houses of Congress.

CONCLUSION

In 1958 President Eisenhower made it clear that "the United States favors the expansion of peaceful trade with the Soviet Union" and spoke of the importance of trade as a means of strengthening the possibilities for independent actions by the countries of Eastern Europe.

President Kennedy in his first State of the Union Message declared his determination that "we must never forget our hopes for the ultimate freedom and welfare of the peoples of Eastern Europe."

In December, 1964, President Johnson expressed our wish "to build new bridges to Eastern Europe:—bridges of ideas, education, culture, trade, technical cooperation and mutual understanding for world peace and prosperity." In May of this year, the President again referred to the way in which "the intimate engagement of peaceful trade, over a period of time, can influence Eastern European societies to develop along paths that are favorable to world peace."

The authority asked in this legislation will help attain these goals.

In Greece, Berlin, Korea, Cuba, and, now, Viet Nam we have tried to convince the Communist countries that the road of aggression and subversion has a dead end. This legislation will help us provide the positive counterpart to that lesson. It will give the President a vital instrument of negotiation to maintain essential balance in our relations with the Soviet Union and with the Communist countries of Eastern Europe and to respond to their growing desire and opportunity for wider contacts with the West. It will thereby serve our own interests and the cause of peace and stability.

Sincerely yours,

DEAN RUSK.

Enclosure: Proposed East-West Trade Relations Act.

THE PROPOSED EAST-WEST TRADE RELATIONS ACT

SUMMARY

The proposed East-West Trade Relations Act would give the President authority to use trade with Eastern European countries and the Soviet Union as a flexible tool in the conduct of relations with these countries. As a companion to existing provisions of law which use the negative power of trade denial—the Export Control Act, the Battle Act, and restrictive provisions of other laws—the East-West Trade Relations Act would equip the President to use the positive aspects of trade to serve our national objectives.

The major substantive provision would be authority to extend most-favored-nation (MFN) tariff treatment to certain individual communist countries when this is determined to be in the national interest. The authority could be exercised only in a commercial agreement with a particular country in which such MFN treatment would be granted in return for equivalent benefits to the United States. MFN treatment for the products of any country would stay in effect only as long as the commercial agreement with that country would be in effect.

The purpose of these commercial agreements would be both to facilitate individual business transactions and to afford the United States Government an opportunity to deal with individual communist countries on a variety of matters in the context of periodic trade negotiations. Agreements made pursuant to the Act would set the framework for trade, but the trade itself—both exports and imports—would depend on decisions of individual firms.

ANALYSIS OF PRINCIPAL FEATURES

Statement of purposes

The stated purposes of the proposed Act are to use trade with communist countries as a means of advancing the national interests of the United States, to provide a framework for U.S. firms to conduct business with communist state trading agencies, and to expand markets for U.S. products in those countries by giving their products an opportunity to compete in U.S. markets on a non-discriminatory basis.

MFN trade treatment

The Act would give the President authority to use most favored-nation treatment as a bargaining instrument in negotiating commercial agreements with individual communist countries. The authority to conclude agreements could be exercised only upon a determination by the President that an agreement with a particular country would promote the purposes of the Act, would be in the national interest and would result in benefits to the United States equivalent to those provided by the agreement to the other country. The Act would not permit negotiation of individual tariffs. It would not permit negotiating or granting of tariff rates lower than those agreed on an MFN basis and set out in in column 1 of the Tariff Schedules.

Exchange of benefits

Commercial agreements under the Act would be made only on the basis of exchange of benefits. The proposed Act sets forth by way of illustration a number of benefits that might be obtained by the United States in exchange for most-favored-nation trade treatment. Among the possible benefits are arrangements for protection of industrial property, settlement of commercial disputes, promotion of trade and tourism, trade fairs, trade missions, entry and travel of commercial representatives, most-favored-nation treatment for United States products, for other arrangements to secure market access and assure fair treatment for United States products, improvement of consular relations, and for settlement of claims. Agreements authorized by the Act would provide for regular consultations. Such periodic review and confrontation procedures could cover not only commercial matters, but also relevant aspects of over-all relations between the United States and the other country.

Safeguards

The Act would provide that before the President would enter into any agreement under the Act, he should seek information with respect to it from all of the United States Government agencies concerned, interested private persons, and other appropriate sources. Since the Act would not authorize negotiation on individual tariffs, and would not authorize reductions in tariffs below the prevailing most-favored-nation rates, there is no special provision for pre-negotiation procedures. However, the procedures for adjustment assistance and escape clause relief set forth in the Trade Expansion Act would be applicable in the case of articles imported in increased quantities as a result of most-favored-nation tariff treatment extended to a country in accordance with an agreement pursuant to the Act. Anti-dumping laws and all other laws for the protection of United States industry, agriculture and labor would remain in full effect. In addition, problems of interest to American businessmen could be dealt with under the consultation procedures or in the periodic negotiations to be provided for in agreements under the Act.

Any initial agreement would be limited to three years and could be renewed for periods not to exceed three years each. Any agreement could be suspended or terminated at any time on reasonable notice. MFN would apply only while an agreement was in effect. The President would be directed to suspend or terminate MFN whenever he determined that the other party was no longer fulfilling its obligations under the agreement or that the suspension or termination was in the national interest.

Countries covered by the act

The Act would apply with regard to communist countries *except* Cuba, Communist China, North Korea and North Viet Nam, and the Soviet Zone of Germany. Existing law and regulations will assure that no benefits of the Act will be made available to these countries.

Poland and Yugoslavia

Poland and Yugoslavia now receive most-favored-nation treatment under section 231 (b) of the Trade Expansion Act, and they could continue to do so.

Relation to other laws

The Act would provide that the President could terminate the prohibition on the import of furs from the Soviet Union if an agreement with that country is concluded pursuant to the Act.

The Act would not disturb the Battle Act, the Export Control Act, or regulations thereunder. Thus, controls on strategic exports would remain in effect, and there would be a continued prohibition on aid to any of the Communist countries concerned.

[From the Wall Street Journal, May 10, 1966]

BACK-DOOR TRADE—U.S. FIRMS DEAL MORE WITH RED BLOC VIA FOREIGN UNITS

(By J. Russell Boner)

LEIPZIG, EAST GERMANY.—American companies are selling more to Communist countries than anyone would ever guess from the trade figures.

They are accomplishing this through the back door, via subsidiaries in Europe. Thus, sales and profits from dealing with Eastern European nations are buried in the consolidated corporate reports of U.S. companies and are reflected in export figures from European nations, rather than in U.S. trade totals. Moreover, these sales may obtain fresh impetus from a bill proposed by President Johnson last week to liberalize trade with East European nations.

Examples abound of heavy selling to Eastern Europe by U.S. subsidiaries abroad.

Victor C. Squitieri, Jr., manager of Honeywell, Inc.'s commercial controls division for continental Europe, says, "Of the commercial equipment we sell (in East Germany) about 60% is made in West Germany and counts as German exports." Only 40% shows up in U.S. trade figures. International Business Machines Corp. reports that its sales to the Communist bloc come almost entirely from its Western European plants.

No one knows exactly how much U.S. trade is carried on through overseas subsidiaries. But talks with companies doing business behind the Iron Curtain indicate commerce of this type is rising faster than direct U.S. trade. Direct trade itself is moving up briskly. Last year U.S. imports from Red nations rose some 40% from 1964, to $141.5 million. U.S. industrial exports to Red nations rose, too. Government officials estimate though the overall export figure slipped to $222.6 million from $339.2 million in 1964, because massive grain shipments of 1964 weren't repeated last year. Based on these figures, America's trade with the Sino-Soviet bloc accounts for only 3% of all East-West trade.

All the evidence indicates these statistics don't even begin to show the volume of U.S. trade with Red nations. Italy's Fiat, for instance, has just negotiated with the Russians to build an auto plant in the Soviet Union with a capacity of more than 2,000 units daily. The cost would be in excess of $800 million. Fiat officials say that U.S. companies may be asked to bid on more than $50 million worth of equipment for the plant. But the shipments to Russia would be through Fiat, and all sales would be lumped into Italy's exports to the Soviet Union.

U.S. EXHIBITORS OVERLOOKED

The U.S. trading role has been taken over by overseas subsidiaries to such an extent that some Communists apparently aren't aware they're dealing with American companies. The East Germans, eager to indicate American de facto recognition of their regime, claimed that 68 American firms were represented at the recent Leipzig fair. The number was heavily bolstered by the inclusion of over 30 U.S. publishers represented in two small booths by Dutch and Swiss exhibitors. Yet, astonishingly, in their listings the East Germans failed to identify as American more than 20 publicly held U.S. companies including subsidiaries and ventures of such giants as Ford Motor Co. and H. J. Heinz (both counted as British), Honeywell (West German) and General Electric (French with Machines Bull).

The Communists aren't the only ones overlooking the American role in sales behind the Iron Curtain. "Britain Wins Moscow Order for Landing Aid System" reads a London Times headline. The story deals with a $280,000-plus Russian order for an instrument landing system to be installed by Standard Cables & Telephones, Ltd., at Moscow's Sheremetyevo Airport. Nowhere does the story mention that SCT is a British subsidiary of International Telephone & Telegraph Corp., New York.

Even U.S. banks apparently are establishing "back door" branches to help U.S. corporate customers abroad conduct trade with Communist nations. They are homing in on Vienna, a key financial center in East-West trade. Last November Bank of America opened an office in the Austrian capital, and Chase Manhattan Bank is currently negotiating to acquire an Austrian bank there.

There are many reasons American companies are selling the products of their European subsidiaries behind the Iron Curtain. Some are matters of simple economics: Lower transportation costs or easier adaptability. Others are of political origin, involving tariffs and clearances.

Caterpillar Tractor Co., for instance, has a perfectly straight-forward reason for preferring to sell Eastern Europe customers its D4 tractors made in France. "It costs $600 to ship a D4 from Grenoble," says Stephen G. Weckel, Caterpillar's Easter European representative. The freight bill to ship one behind the Iron Curtain from Peoria, Ill., the company's U.S. headquarters, is over $1,200.

IBM equipment made in Europe is simpler to sell to the Reds because both East and West Europe are on a 50-cycle electrical system. Equipment sold in the U.S. is designed to operate on 60 cycles.

In many cases the sale of products made entirely in Europe can mean avoiding bothersome clearance procedures through the U.S. Commerce Department. In the final quarter last year, the department rejected export licenses for $1.8 million in goods, or 4% of the total applications for shipments behind the Iron Curtain. Not all the products for which licenses were required appear to be strategic goods. For instance, official clearance was required for $4 million worth of cotton seeds shipped to Albania.

Even where shipments are approved, the licensing procedure can pose a psychological barrier to trade. Mr. Weckel reports that last September Catepillar concluded a deal to sell some $250,000 worth of big crawler tractors and wheel-loaders to Czechoslovakia, but did not get a go-ahead from the U.S. Government until last month. Mr. Weckel contends that the Communist representatives are "very unhappy about having to sign forms" pledging not to use the equipment for strategic purposes. And "it's embarrassing to the customer once they have done it to have to wait six months to a year for U.S. Government approval," he adds.

Communist lands often balk at direct trade with the U.S. because of the difficulties they encounter in selling goods to America.

"Exchanges must be made on a reciprocal basis," argues Vasile Eustatiade, a representative of Rumania's Masinexport. We have to achieve a balance between imports and exports."

COMPLAINTS OF DISCRIMINATION

But this is difficult to accomplish, Gerhard Beir, East Germany's deputy minister of foreign and inter-German trade, says his country is stymied in selling to the U.S. because of "discriminatory treatment of our products." These include, he says, such things as high tariff barriers, the barring of East German businessmen from the U.S. and a requirement that U.S. importers stamp "Made in the Soviet-Occupied Zone" on East German products, including even Christmas tree ornaments.

The high tariff complaint is voiced by most Eastern bloc nations. Only Poland enjoys most favored nation treatment in dealings with the U.S. (So does Yugoslavia, but that country is considered a Western nation by the U.S. Government in its trading statistics.)

President Johnson has tasked Congress to empower him to extend the most favored nation treatment to Red nations at his discretion. Under present law, these nations must hurdle the 1930 Smoot-Hawley tariff to sell in the U.S. The average Smoot-Hawley rate on durable products is about 45% of their value, against a comparable rate of 12.2%

for nations covered under the 1962 Trade Expansion Act.

Many U.S. companies have begun working through Western European agents or representatives who can use or convert bartered Eastern European goods into hard currency in their own lands. This money, in turn, can be switched easily into dollars.

Gunter Diedrichs, a representative of Franz Kragh, Bremen, West Germany, says his firm sells U.S. flue-cured tobacco to the East Germans, receiving goods in exchange. In turn Kragh sells these goods in Western Europe and pays the tobacco growers in dollars.

Gordon S. Planner, director of Dominions Export Co., Ltd., London, handles Red bloc trade for a growing list of British-based U.S.-owned companies. Last year Dominions sold the Communists about 200 British Ford tractors and Ford-powered tractors.

Dominions actually sells more Communist-produced goods, such as fertilizer, furniture, toys and chemicals, in Britain than it does Western goods to the Reds. Because of this favorable flow of foreign exchange through Dominions, Mr. Planner says, the Communists are receptive to hard currency deals for products his company represents. As the Dominions experience indicates, it's much easier to sell Communist goods in Britain than in the U.S.; in fact, Britain has a trade deficit in its dealings with the European Communists.

The back door approach doesn't by any means suggest that American businessmen are being sneaky. Right now there's more pressure than ever before for a lowering of barriers to East-West trade. This year, for the first time, the U.S. State Department dropped opposition to U.S. exhibits at the March fair held here in Leipzig and rated as the most important trade fair in the Communist world.

A CHANGE OF ATTITUDE

The frank and open attitude in discussing trade relations with newsmen displayed by representatives of American firms and products here indicates a vast change from recent corporate misgivings about East-West trade. A year ago Firestone Tire & Rubber Co. dropped plans to give Rumania technical information to build a synthetic rubber plant. Sen. FULBRIGHT (D., Ark.) charged then that the cancellation was due to pressure from U.S. right-wing groups and to attempts by Goodyear Tire & Rubber Co. to exploit the deal with the Communists for competitive purposes.

In fact, the increasing commercial contacts with Eastern Europe are viewed by many as beneficial to U.S. political aims. "Trade negotiations and trade relations can provide us with useful opportunities to influence attitudes in these countries in directions favorable to our national interest," argues a report to the President of the Special Committee on U.S. Trade with Eastern European Countries and the Soviet Union. This blue-ribbon group was headed by J. Irwin Miller, chairman of Cummins Engine Co. of Columbus, Ind.

Despite President Johnson's plea for liberalization of East-West trade, it's unlikely that the suggested measure will be enacted in this session of Congress. Even though the climate for liberalization may be better than it has been, this is not the sort of legislation anticipated in a Congressional election year.

Many Americans still strongly oppose trade with the Red bloc, contending that it only serves to strengthen communism to America's detriment. The prolonged Vietnam conflict, plus indignation over a plan by Western European companies to sell $150 million worth of steel finishing mills and other equipment to Red China could strengthen the opposition to freer trade.

Thus it appears that for the present, at least, the main American approach to the Communist bloc will continue to be through the back door.

[From the New York Times, May 4, 1966]

TRADE BRIDGES TO THE EAST

President Johnson's announcement that he will send Congress legislation aimed at liberalizing trade with Eastern Europe and the Soviet Union is a welcome implementation of his long-expressed interest in building more bridges to the Communist world. Much of the delay in moving toward extended relations has undoubtedly been linked to the fears of adverse domestic political reaction because of the strain of the war in Viet-Nam. Yet the dangers created by that conflict actually make it more rather than less important that the United States extend such a hand of friendship to the more reasonable Communist states.

An expansion of mutually advantageous trade between the United States and the Soviet bloc countries cannot help but strengthen the forces on both side that press for reciprocally beneficial cooperation rather than discord. Substantially to increase that commerce will require at least three basic measures: Ending the discriminatory tariff barriers that now hinder sales of Soviet and most Eastern European goods here; removal of the legal obstacles to extension of normal commercial credits to those countries; and revision of United States strategic export controls to put them on a par with the more liberal and more sensible—regulations in effect in Western Europe and Japan.

The President has now begun the process of making the needed changes, but he will need effective and vigorous support in Congress to make his proposals law at this session. If Congress fails to act positively, the result can only be more cynicism and disillusionment about the United States in the countries involved.

[From the Journal of Commerce and Commercial, May 6, 1966]

MFN FOR EASTERN EUROPE?

As recently as five years ago any President of the United States could count on trouble if he asked Congress for discretionary authority to extend most-favored-nation treatment to the nations of Eastern Europe under Communist influence. By giving, say to, Rumanian or Hungarian goods much the same tariff treatment given to our own allies, the argument would have run, Washington in effect would have been offering the wards of the Soviet a free gift of stiff tariff reductions.

Today the outlook for Congressional approval is measurably better, although the principles involved have not changed at all. Tensions between Moscow and Washington have eased and probably would have eased much more were it not for our involvement in Viet Nam. The regimes holding sway over, say, Hungary and Rumania, have become somewhat more moderate, have got their economies into somewhat better shape and shown an increasing disposition to renew their former commercial ties with the West.

So the atmosphere has changed. It has changed in part because of these developments on Russia's doorsteps and in part because of M. de Gaulle's penchant for demonstrating to the United States that not all its troubles originate in the East. In consequence, Mr. Johnson apparently feels that he can now win legislative approval for a move that would have met certain defeat in almost any other year of the postwar period.

There are good, solid reasons why the President should be granted the authority to extend MFN treatment to nations now denied it. Goods from the latter group are now subject to the most notorious tariff act in American history—the Hawley-Smoot Act adopted in 1930. Where these tariffs remain in force, normal trading is almost impossible.

If trading conditions are not normalized, the United States will be hard put indeed to establish any lasting influence in Eastern Europe. And failing a definite American presence in that area the influence of Moscow will remain dominant for a long time to come. To a considerable degree it will probably do so anyway. The mercantile states of Western Europe, unfettered by the crippling 1930 Tariff Act, will undoubtedly reestablish some of their prewar influence in that area; in fact, they are doing so already. But the kind of counterpoise the United States could set against Soviet domination simply would not materialize.

So it boils down to this: if this country is going to help the Eastern European states to loosen the Moscow economic ties under which they are becoming progressively more fretful, it must offer them some opportunity for a fair exchange of goods and services. This it cannot do unless the President is given the authority he seeks or unless the whole MFN system is abandoned and replaced with something else. (This second alternative, as we have remarked previously, might become a definite possibility if the so-called Kennedy Round of multilateral tariff negotiations collapses).

The administration has already made one important concession to potential Congressional critics of its request. It has expressed the willingness to have the new MFN powers it seeks limited to specific periods, rather than put on a lasting basis. If a particular country did not live up to its undertakings, the President himself could terminate the MFN treatment. Congress in turn, could review matters periodically and order such an agreement terminated at the expiration of any temporary pact made in this way.

We would view this primarily as an interim arrangement designed to bridge the gap between the days of the cold war and a future normalization of East-West trade relations. As a temporary measure it has the virtue of flexibility, not too much flexibility, but probably just enough to enable the President (and, at times, Congress) to meet and cope with any adverse situation that might arise, whether economic or primarily political.

For this reason, we hope that Congress will shun any drive to load the legislation up with so many restrictions that it becomes unworkable. This has happened sometimes in tariff cases, and it just might happen again. If it does, of course, or if the measure is voted down outright, the slow but measurable progress this country has been making in Eastern Europe could be suddenly and probably drastically reversed.

We do not mean to say that extension of MFN treatment to Rumania and Hungary, or even to other countries of a similar bent would create a millennium. Far from it. For the present we merely think it would be helpful. But for this reason alone it is well worth a try.

HOW FAR WE'VE COME

(By Joseph Alsop)

At the moment President Johnson and his advisers are arguing about whether to send to Capitol Hill the long promised bill to relax existing restrictions on trade with the Communist bloc.

The powerful and astute chairman of the House Ways and Means Committee Rep. Wilbur Mills would have to start the bill on its way to becoming law. Mills is against making a serious start at this time although not against sending the bill to Congress in a low-pressure way. He fears the congressional tensions and demagogic temptations engendered by the Vietnamese war.

The same obstacles stand in the way of the important consular convention negotiated with Moscow some time ago. In the case of the consular convention, there are also marked traces of that ineffable expert on foreign relations, J. Edgar Hoover, who does not particularly want the responsibility of watching an extra Soviet consulate or two, in Chicago or somewhere else.

Finally, the Soviet-American air agreement, allowing U.S. and Russian commercial flights between New York and Moscow, is also being held up, pending action on the consular convention. This one could be that American officials must put through by a simple executive order. But the President believes, for persuasive reasons, that it will be better to wait until the will of Congress has been registered on the other matter.

Superficially, this is all very unfortunate and foolish. The consular convention, for example, was negotiated with great difficulty with the Soviets. The sticking point, finally overcome, was the U.S. demand have immediate access to any American who might be arrested in the Soviet Union, for whatever reason.

The advantages of such a Soviet concession do not need underlining. It would be a very good thing, too, to have an American consulate in Leningrad, and despite J. Edgar Hoover, it would probably be a gain to have a Soviet consulate in Chicago or another matching city.

Again, the desirability of the trade-relaxation bill should no longer need to be argued. It is just biting off our noses to spite our faces, to let other countries take over all the very profitable nonstrategy trade with Eastern Europe and the Soviet Union. The sooner most-favored-nation treatment can be extended to the rest of these countries, the better it will be. It has already been extended to Poland and Yugoslavia without causing the skies to turn crimson.

So the congressional delays caused by the Vietnamese war are certainly very deplorable. If one looks a bit deeper, however, what is really interesting and striking is how far we have come.

Here is the American Government treating the need to take these steps as a matter of course, and merely arguing whether this year or next will be the best legislative timing. Here is the American Government also making all sorts of small but significant moves toward a more flexible China policy—moves which are only blocked by the total inflexibility of the Chinese Communists.

This change in our Goverment is not a small thing. Even in President Kennedy's time, the old shibboleths were still quite powerful enough to prevent serious considerations of these steps, which have already been publicly announced as things to be done as soon as possible. Before President Kennedy, any official advocating such steps would have found himself in the midst of a security proceeding.

To be sure, the proposed measure to normalize our dealings with Eastern Europe and the Soviet Union are far from dramatic, just as the gestures in the direction of the Chinese Communists have been prudently unflamboyant. But it is a dramatic fact, none the less, that the shibboleths of the earlier period are beginning to lose their formerly unchallengable power. The next thing you know, we shall be talking about wheat sales to the Soviets as straight commercial transactions.

Nor should there be an undue concern about the delay caused by the Vietnam-born congressional obstacles. If the consular convention were not ratified, for instance, the Soviets would no doubt be pleased; but they would also be embarrassed, for exactly the reason that some congressmen are obstructive. Because of Vietnam, they would probably have to forbid a Leningrad consulate at this time.

The important thing, now, is to think about how to normalize relations with the other half of the world, and to get ready for more normal relations when a suitable time comes. It says a lot for the pragmatism of the Johnson Administration that this is now happening.

FEDERAL REGULATION AND CHILD WELFARE

Mr. POFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. POFF. Mr. Speaker, the situation reflected in the following article extracted from the May 20 issue of the Roanoke World-News published in Roanoke, Va., is an absurdity. It is more than that. It is a tragedy.

Since the article speaks so eloquently for itself, no other comment is necessary except to quote it in its entirety:

THIRTY-FIVE CHILDREN MUST LEAVE BAPTIST HOME

Thirty-five children at the Baptist Children's Home in Salem have been ordered evicted because of a nondiscriminatory clause in the federal Civil Rights Act.

They are children under jurisdiction of welfare departments and under the Civil Rights Act they can no longer be cared for in institutions that have not signed a nondiscrimination certificate pledging that they will take Negro children.

Welfare and child care officials deplored the order, saying removal of the children will not benefit anyone and only cause harm to them.

R. Franklin Hough Jr., superintendent of the children's home, said the children involved range in age from 6 to 18 and have been at the home for an average of three years each.

"In our opinion," he said, "it would be very detrimental to remove these children for this reason."

Mrs. Margaret Malley, superintendent of the Roanoke County Welfare Department, said she hates to see the children have to change homes and schools, especially those who have only one or two more years in high school.

"I wish we could just leave these children alone until they finish school," she said.

Mrs. Malley's department has four children at the home.

The 35 children are among 200 in Virginia who must leave various institutions by July 31. The Lutheran Children's Home, also in Salem, has signed the nondiscrimination clause and is not affected by the order.

The other homes in Virginia involved and the number of children in each are: the Boys Home at Covington, 40; the Faith Home in Pittsylvania County, 60; the Richmond Home for Boys, 17; the Henry and William Evans Home in Winchester, 7; and the Hughes Memorial School in Danville, 30.

Herbert A. Krueger of Richmond, director of general welfare for the state, said the children must be evicted from the homes because the Civil Rights Act prohibits the placing of children under state care in homes that do not have "open door" policies. He said any institutions receiving funds for welfare must be open to Negroes.

Hough said the Baptist Children's Home is operated by the Southern Baptist Convention and cannot sign the racial clause in the Civil Rights Act until the general church does.

As for the 35 children, he said, they are cared for at the homes' expense although they are under jurisdiction of welfare departments. The welfare departments, he said, only referred the children to the home and do not pay any of their expenses.

Hough said he was not doing anything toward removing the children. He said he was waiting for the welfare departments to make some other arrangements for them.

Mrs. Malley said her department has made no move toward moving the children and that she had no idea what arrangements will be made.

Mr. Speaker, under consent granted, I also quote the content of an editorial which appeared in the May 21 issue of the same paper:

BUREAUCRACY SINKS TO STUPID LOW

Sometimes it is well-nigh impossible to believe the utterly fantastic lengths to which the federal bureaucracy will go in its stupid—even punitive—interpretation of the so-called civil rights legislation.

The latest case in point concerns the order from Virginia's State Department of Welfare that some 600 children must be withdrawn from a half dozen private or church-operated Virginia institutional homes by July 31.

Why?

Because the institutions, for one reason or another, do not comply with federal regulations to integrate their facilities.

The State and its agencies which derive funds from federal programs, therefore, are forbidden to refer children who are wards of the Welfare Department to the homes even though the State in no way shares in the cost of their keeping.

And so, the children, 35 of whom have called the Virginia Baptist Children's Home at Salem their home for an average of three years, must be dragged out and moved elsewhere to live in integrated facilities at federal and state expense.

Fantastic. Asinine. Unconscionable. Unbelievable. Unreasonable. Un-American. These are just a few of the words which occur to us for describing such patent idiocy. What do innocent children know of politics? Why should they be victimized by those who do?

The effort to judge everything by the unbending yardstick of racial integration or the lack of it takes first place award for the most heartless, most needless and most unjustifiable action we ever have encountered.

The growing oppressiveness of the socialistic, dictatorial paternalism spawned in the name of race mixing has reached an all-time nauseating low.

Children of the tenderest and most impressionable ages are to be yanked up by what few roots an unkind fate has left them in this peculiar age when home ties are cut over the slightest excuse.

Has the law no humaneness? Have the bureaucrats no feelings whatsoever?

This order, we submit, is the ultimate achievement of an unthinking bureaucracy without morals and without knowledge of the meaning of the words "justice" or "mercy."

God save America if matters have come to this.

MORE TAXES NOT THE ANSWER

Mr. WALKER of New Mexico. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. WALKER of New Mexico. Mr. Speaker, although the attached article by William D. Pardridge which appeared in the March 26, 1966, edition of the Albuquerque Journal does not necessarily reflect my personal thinking, I must admit that the article is well worth considering and certainly has food for thought.

More Taxes Not the Answer: High Production Cited as Only Inflation Curb

(What causes inflation and what is the answer? There is much difference of opinion among the economists. We turn to William D. Pardridge, former editor of the Washington magazine, Air Affairs, for an unusually interesting analysis of the subject that is now giving the nation much concern. This is one of a series of articles the talented scholar is writing entitled "Economic Inequities.")

(By William D. Pardridge)

Increasing taxes to fight inflation is like taking heroin to get rid of alcoholism. This would decrease demand and thus decrease economic employment.

Decreasing taxes to halt inflation also would make matters worse by intensifying the present disparity between money in circulation and goods on the shelves.

A few economists say inflation is a problem of monetary policy—government manipulation of the supply of money and credit.

But most economists say inflation is a problem of fiscal policy—government manipulation of taxes and public spending.

The majority are substantially wrong, and those fewer economists may be only half right.

The amount of money and credit available is generally pitted against the amount of goods and services up for sale. When the two are out of balance, then the price situation moves either up or down.

The more money and credit, the higher the prices; and the more goods and services, the lower the prices. Fiscal policy has nothing to do with it.

And monetary policy only points a finger at the real source of trouble. But at least it does that much.

Like gravy train: Inflationary economics is like a gravy train. Most everybody is consuming, and almost nobody is producing real economic goods and needed services.

A ladies' garment worker consumes and produces—he pays his way.

But a worker in a defense plant—definitely needed for mandatory preparedness—consumes without producing. Worse, he is a two-time consumer because he eats up capital resources as well as the same consumer goods both he and the ladies' garment worker need.

Government workers, Welfare Society employes, and the vast armies of paper shufflers fringely employed by non-governmental activities—these are the consumers who in the main live on the economic proceeds of those who do produce real goods and needed services.

Monetary policy frames this grisly picture by permitting a hastened and uneconomic growth of our stock of money—or it erases the blackboard of inequities by, if need be, contracting the supply of excess money and credit.

Fiscal policy merely re-arranges the types of consumers and expenditures—as between the public and private sectors of the economy.

Production is key: During inflationary times, higher taxes mean more public spending—consuming—without sufficient production of the kinds of goods and services that would be produced if the private sector did the purchasing.

Far from being helpful, this actually is harmful.

Note that we ship commodities, not money, into Viet Nam to fight inflation there. We ourselves need commodities—real goods—right here at home if we are to halt our own inflationary surge.

The truth must finally out. We have to go to work. Utopia must be earned—it cannot be legislated or decreed.

The productive workers must provide for the unproductive workers. When there are more of the latter than the former can support, we get inflation.

Where there are all Indian Chiefs and no plain Indians, there is certain to be an economic massacre.

Mister, you just can't get blood out of a stone.

PERSONAL EXPLANATION

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Rumsfeld] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, on May 10, 11, and 12, 1966, while I was on a trip to southeast Asia with the Government Operations Subcommittee on Government Information and Foreign Operations, four rollcall votes developed, on which I would have voted as indicated below if I had been present:

On rollcall No. 91, May 10, 1966, H.R. 14921, independent offices appropriations, amendment to include funds for rent supplements: "nay."

On rollcall No. 92, May 10, 1966, H.R. 14921, independent offices appropriations, final passage: "nay."

On rollcall No. 94, May 11, 1966, H.R. 14088, Military Medical Benefits Act, final passage: "yea."

On rollcall No. 97, May 12, 1966, S. 1098, railroad freight cars, final passage: "yea."

THE FORGOTTEN AMERICAN

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, in the present inflationary trend, those citizens least able to cope with the rise in the cost of living are those dependent on fixed incomes. While labor has recourse to wage increases and management an increase in prices, that segment of our Nation which exists on the value of dollar savings, of savings bank deposits, of bonds, of mortgages, of insurance benefits, of pensions, and on fixed-income payments of every kind, watch the value of their dollars dwindle as the cost of living increases month by month.

In this era of voting blocs, it is indeed unfortunate that almost 40 million Americans, those living on fixed incomes, cannot exert an influence toward fiscal sanity to preserve their patiently acquired financial security. I am sure the number of ill-advised Federal spending programs would decrease if the fixed-income citizen had one eye on Government expenditures and the other on election day. Such a huge voting bloc could quickly instill sensible priorities in Government spending or put new faces in national elective offices.

Today's New York Times carried an excellent piece by Arthur Krock, a respected columnist of long standing, which emphasized the plight of the fixed-income group. I ask that the item, "The Real Victims of Inflation," be placed in the Record at this point:

In the Nation: The Real Victims of Inflation

(By Arthur Krock)

Washington, May 23.—The statistics cited by President Johnson at his news conference Saturday readily explain why he "would rather face" the problems inflation has created for the national economy than those evoked by a depression. When increases in wages "have come faster" than price increases, and employment and Government revenues are at record levels, the Government can confine its role to that of a sentry as long as the situation lasts. And the President's statistics affirm that this is the present over-all state of the economy.

FIXED-INCOME GROUP

But about forty million people, most of them elderly, exist beyond the reach of the balancing factors against inflation cited by Mr. Johnson. They do not share the margin of rising wages over rising prices. They are not among the beneficiaries of full employment. And, while they share in some expansions of the welfare state the President said the Government's record income "permitted us to increase"—free health services, for example—this does not strike at the root of their difficulty.

It is the problem of living on a fixed income while the purchasing power of the dollar is being constantly impaired by inflation of the prices of the necessities of daily living. In 1964 these 39.8 million people were receiving $11.8 billion in non-Governmental welfare and pension funds. And in general the purchasing power of the dollar has steadily receded from what it was when their payments began.

THE UNORGANIZED

The reason why wages, according to the President's figures, continue to overleap rising prices is that the large proportion of these earnings are the product of organized bargaining with management. No bargaining table is available to the unorganized 39.8 million who live on non-Governmental welfare and pension funds. These are fixed at the time they become payable to the retired workers and inheritors of insurance estates. Since it is probable that most of the beneficiaries are elderly women, few jobs are available to them. And, though the purchasing power of their dollars would increase with falling costs of living, not many have encountered this economic condition.

In the May, 1966, issue of one of the publications of the Tax Foundation, which has a high standard of accuracy, there is a statistical study of the problem which rising inflation imposes on a family composed of a father, mother and two children, with a set annual earning of $10,000. In the period of March 1965-March 1966 the earning was reduced $268 in purchasing power of the family's basic requirements. The cost of the consumer goods they bought in March, 1966, was $112 more than in 1957–1959.

The Administration still rejects the proposition that the rate of Government spending is a major source of this inflation. Accordingly, in the first quarter of 1966 Federal spending for goods and services unrelated to national defense rose about a quarter of a billion. The President asked Congress for $3.2-billion more spending for Great Society programs in the next fiscal year than in this one. And, despite announcements of economies here and there, and the promised impounding of appropriations already voted by Congress, the Bureau of the Budget could not furnish the total amount in these categories.

But the evidence of the President's figures that wage increases are staying ahead of price increases (because the majority of the work force can summon organized power) does not remove the plight of the unorganized 38.9 million on fixed pensions, nor does it remove the problem of those privately employed in household services, and still below the age of eligibility for Social Security payments, whose employers cannot raise their wages because of the ever-sharper bite of the Social Security System and the prices for consumer goods. And, ironically, the full employment the President menioned, with natural satisfaction, does not ease the condition inflation has imposed on groups like these.

TO BRIDGE THE GAP

The architects of the Great Society—the return of world peace permitting—would not soar much higher in their general concept if they proposed that the Government each month make up the difference between the original and current purchasing power of fixed-income dollars. It is difficult to see how otherwise to rescue these pensioners from being the real victims of inflation.

SUPPORT PRICE ON MILK

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. NELSEN. Mr. Speaker, recently Gardner Ackley, the economic adviser to the President, recommended an increase in the support price on milk. It was his belief that by so doing, production of milk would be stimulated, thereby bringing down the price to the consumer.

Mr. Ackley overlooks the fact that due to the continued depressed price of dairy products the farmers' milk cows were trucked off to slaughter and are now steaks and hamburgers on the sales counters in the shopping centers.

Mr. Ackley needs to be advised that it takes 3 years for a heifer calf to become a milk cow. His move comes a little late.

BOND CEILING FOR POWER SHOULD BE INCREASED

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. BROCK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BROCK. Mr. Speaker, 7 years ago, Congress authorized a new and in some respects unprecedented method of financing a Federal program. At that time, TVA was responsible, as it is today, for supplying the power needs of a large area; and those needs, like demands for power in the rest of the country, have been expanding rapidly. The facilities required to serve these growing needs obviously could not be financed from power revenues. In order to finance them, Congress authorized TVA to issue up to $750 million of bonds outstanding at any time. These bonds were not to be guaranteed by the Federal Government; they were to be secured only by TVA's power revenues.

But that was not all. In 1959 there was an outstanding investment of $1.2 billion of appropriated funds in the TVA power system. The 1959 legislation provided not only for revenue bonds to help finance new power facilities, but also for repayment of $1 billion of the outstanding $1.2 billion appropriation investment over a period of a little more than 50 years. At the end of that period, the Federal Government will continue to own the TVA power system with a remaining appropriation investment of only about $200 million.

Nor did the legislation stop there. It also provided that TVA should pay a return on the appropriation investment outstanding at any time based on the Government's current cost of money.

TVA has now operated successfully under this legislation for almost 7 years. It has met promptly every requirement in the law as to payments as a return on and in repayment of the Treasury investment. And it has sold bonds in the private capital markets which have been purchased by underwriters who represent some of the best known names in American finance.

Today, the continuing need for new power facilities to meet the ever-growing requirements in the area TVA supplies makes it essential that the $750 million bond ceiling be increased. Based on TVA's record, Congress can take this action with full confidence in the financial soundness of what it is doing.

TEENAGE DRINKING—DISTRICT OF COLUMBIA AND NEW YORK

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mrs. DWYER. Mr. Speaker, the action of the House yesterday in adopting an amendment to the District of Columbia Alcoholic Beverage Control Act, H.R. 10744. to raise the age limit for the purchase of alcoholic beverages from 18 to 21 was both welcome and very significant.

It was welcome because, if it is accepted by the Senate, this action will help to control an increasingly serious situation created by the easy accessibility of alcoholic beverages in the District of Columbia to youngsters who are prohibited from drinking by the laws of their own States, especially the adjoining States of Maryland and Virginia.

Growing evidence here in Washington, especially in the Georgetown area, of antisocial behavior and physical danger—including automobile accidents, destruction of property, street fighting, and so forth—resulting directly from teenage drinking demonstrates again the wisdom of uniform State laws setting the drinking age at 21. It is ironic, to say the least, that the Nation's Capital should be one of the two important havens in the United States where young people can indulge in what would be illegal activities in their own States.

The other haven, of course, is the State of New York where the situation is even worse. New York, as a much larger area than the District of Columbia, has compounded the problem of the conflict in drinking age laws in several ways. Bordered as it is by five States and Canada, New York has made itself an "attractive nuisance" to many more teenagers than Washington has. New York, too, permits the purchase and consumption of hard liquor in addition to the beer and wine that is available in the District. And by means of its licensing practices, whereby it has permitted the operation of a far higher ratio of bars and package stores in counties and communities bordering its neighbor States than in the State as a whole, New York has positively encouraged out-of-State youngsters to cross the borders into New York for the express purpose of drinking.

New York, unfortunately, has perpetuated this problem in full awareness of the strong opposition of its neighbors and of the demonstrable harm it has caused in terms of death and destruction. New York has virtually ignored the rising tide of automobile accidents directly traceable to teenage drinking in that State and has refused to respond to the repeated appeals from the Governors and legislatures, mayors and newspapers, and citizens of its adjoining States. As one result of New York's intransigence, both New Jersey and Connecticut, for example, have been forced to institute special local and State police patrols and roadblocks in an attempt to control juvenile drivers who drink in New York and then risk their own and other lives on the highways of the two States.

In 1962, Mr. Speaker, 25 of our colleagues in the House and Senate joined me in a formal appeal to the State of New York to conform its law to those of its neighbors. In 1965, 18 of our colleagues joined me in introducing identical resolutions expressing the sense of the Congress that New York should take corrective action.

These resolutions are still pending before the House Judiciary Committee and I urge our colleagues on that distinguished committee to take note of yesterday's action and to give early and favorable consideration to our resolution. With Congress on record in favor of a uniform drinking age of 21, and with the possibility of a Constitutional Amendment to this effect as a final recourse, New York State may yet be persuaded to do justice to its neighbors and to itself.

SOIL STEWARDSHIP WEEK

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TEAGUE] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **TEAGUE** of California. Mr. Speaker, I have the privilege of serving as a member of the Conservation and Credit Subcommittee of the House Committee on Agriculture. In this capacity, I should like to draw to the attention of the House that last week was being observed throughout America as Soil Stewardship Week. It is sponsored by the 3,000 local soil and water conservation districts, their national association, and cooperating church groups. The theme of this year's observance is "Crisis in the Countryside."

Last week hundreds of thousands of church observances were held throughout our land to reflect the close relationship between the teachings of the Bible and the conservation, development, and proper use of soil, water, and related resources.

We are indebted to the 18,000 soil and water conservation district leaders throughout the Nation who have for 12 years inspired this annual observance. I want to pay special tribute to the 163 soil and water conservation districts in my home State of California for their leadership in soil stewardship. I also salute the thousands of clergy in all faiths who use this observance to convey understanding of the concept of soil and water stewardship to their members and the Nation.

Although Soil Stewardship Week is sponsored by soil conservation districts, the materials for supporting it were developed in cooperation with an advisory committee of church leaders. The advisers for this year's observance consist of the Reverend E. W. Mueller, D.D., of the National Lutheran Council, the Right Reverend John George Weber of the National Catholic Rural Life Conference; the Reverend Lewis W. Newman, D.R.E., of the Southern Baptist Convention; the Reverend Harold S. Huff of the National Council of the Churches of Christ in the U.S.A.; and the Reverend Henry McCanna, D.R.E., of the National Council of the Churches of Christ in the U.S.A.

These church leaders have underscored the necessity for man to look beyond today's horizons so he will be able, through judgment and wisdom, to adequately fulfill his multiplying responsibilities as steward of the soil, water, and related resources.

America needs more of this kind of teamwork where the church leaders and the soil conservation district leaders have put their heads together in a common cause of the Nation's future welfare.

ADJOURNMENT TO 11 O'CLOCK TOMORROW

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

STATISTICAL ABSTRACT OF THE DEPARTMENT OF COMMERCE, 1965 EDITION

Mr. **MORRIS**. Mr. Speaker, I ask unanimous consent to insert in the RECORD at this point some figures taken from the Statistical Abstract of the Department of Commerce, 1965 edition, which compares the increases of minimum wages with the average weekly wages in manufacturing during those periods of time.

The **SPEAKER**. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Comparison—Average weekly wage—Manufacturing and the minimum wage

Dates on which the minimum wage was increased	Average weekly wage—manufacturing, on those dates	Percent increase in the period, weekly wage	Percent increase during the period, minimum wage
Jan. 24, 1950	$58.32	35.0	33.3
Mar. 1, 1956	78.78	15.0	17.2
Sept. 23, 1961	92.34	8.7	8.8
Sept. 23, 1963	100.53		

NOTE.—In January 1966, the average weekly wage—manufacturing, had risen to $109, an increase of 9 percent. The minimum wage will be increased to $1.40, or 12 percent, in February 1967. This means that if the average weekly wage increases 3 percent this year, which is very likely, then the 2 figures will retain their historical parallel pattern.

Source: Figures on "Average Weekly Wage—Manufacturing," taken from Statistical Abstract, Department of Commerce, 1965 edition, p. 237, chart No. 320.

FINANCING A COLLEGE EDUCATION

Mrs. **MINK**. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. **ANNUNZIO**. Mr. Speaker, I have already inserted in the CONGRESSIONAL RECORD 3 of a series of 4 articles about higher education written by the eminent educator, Dr. Mary Ellen Mancina Batinich, who is the principal of the John A. Walsh Elementary School located in my congressional district.

It is my pleasure to include in the CONGRESSIONAL RECORD today the last article in the series, entitled, "Financing a College Education."

In this article, Dr. Batinich reveals often overlooked sources for financing college educations and evaluates their relative advantages and availability, with particular emphasis on sources of financial aid available in the Illinois and Chicago area.

Dr. Batinich reassures parents who are concerned about the rapidly rising cost of a college education and points out ways in which even low-income families can afford to send their children to college.

Dr. Batinich's last article follows:

IV. FINANCING A COLLEGE EDUCATION

"This nation can never make a wiser or more profitable investment. * * * It is the obligation of your nation to * * * assist every child born in these borders to achieve every bit of education they can take * * * a high school senior anywhere in this great land of ours can apply to any college or university in any of the 50 states and not be turned away because the family is poor."

—President Lyndon B. Johnson

Almost any parent who has college aspirations for his child has had nightmares about the high cost of a college education. Financing a college education is an increasingly expensive process and the trend shows no signs of leveling off or stopping. In the 1951–52 academic year, the average cost of tuition, fees and room and board at private American colleges was $1,103 per student; in the 1963–64 period it was $2,049—an increase of 86 percent! Compare these costs with today's annual median family income of $6,000 and the reason for the nightmares becomes evident. For most families, financing a college education represents the largest single investment next to the cost of a home.

Visions of the financial disaster which could accompany the severe pocketbook pressure of this investment send many parents scurrying for a means to relieve the pressure—some as early as the day after their child is born. Many problems are half-solved when the realization is made that they exist. Not so for the college financial dilemma. Any investigation of the various means of financing this investment deluges the inquiring parent with a flood of new terms such as "grant-in-aid," "guaranteed loans," "work-study program," "loan forgiveness," "insurance planning," etc. It would be well to pause a moment to sort them out and to present their relative advantages and availability.

Today, there are many forms of financial assistance offered to the college-bound student by sources outside his family. These range from presentation of four-year room, board and tuition scholarships to small direct awards. But outside assistance cannot be planned for or automatically counted upon. The wise family discounts this possibility and plans as best it can to finance the costs completely on their own. Since it is always better to look on the bright side of life, the varieties of outside assistance will be presented here first.

ASSISTANCE FROM OUTSIDE THE FAMILY

Popular literature would have you believe that college scholarships or "free rides" are awarded only to top-notch football and basketball players. This is far from the whole picture. The prohibitive costs of higher education have alarmed many corporations, union and trade groups, and even the colleges themselves. As a result, an increasing amount of financial assistance in the form of scholarships, awards and grants is being offered by these groups as well as by all levels of government to the two out of three students who would otherwise be unable to complete college.

What is a scholarship?

A scholarship is an award granted to a prospective college student from which there is NO RETURN of service or repayment while the student is in college or after he leaves college. There are three main categories of scholarships: general, special, and regional. A general scholarship is awarded to any worthy student regardless of parental employment status, race or religion, or his planned course of study. Special scholarships carry with them restrictions as to who is eligible to receive them. This restriction could be based upon religious affiliation and ancestry, corporation employment or union group of which the parent is a member. It could also be limited on the basis of course of study, such as journalism or aeronautical engineering. Regional scholarships establish as a criteria for award, that the student reside in a specific area such as a state or city, or that he attend a certain high school.

How to win a scholarship

The wise student begins early in his high school years to collect information about scholarships which could be available to him. Winning a scholarship is not a matter of luck, but instead is the result of diligent planning, careful investigation, and hard work.

Just as "Wheaties—Breakfast of Champions" recommends a five-point program for physical fitness, there is a five-point program for "financial fitness," which can increase a student's chances of becoming a "scholarship champion." This program includes the following:

1. Learn about finances, expenses, and how to budget and plan for college.

2. Prepare a survey of his fields of interest, the colleges of his choice, and his personal characteristics, such as religion, parental employment, or club affiliation as a basis for special scholarship qualification.

3. Obtain a basic source of information regarding scholarships and use it as a springboard for gathering details regarding specific scholarship programs which are available to the student which best meet his needs.

4. Examine specific literature, college catalogs, state and federal publications and library books to become as familiar as possible with types of available awards, amounts, qualifications, application procedures, testing programs and deadlines. A notebook or reference file of this detail information should be kept.

5. Check with teachers, counselors and friends who can assess the student's potential and evaluate the alternate opportunities for assistance.

An excellent source for students to use in widening their knowledge about scholarships is *A Guide to Scholarships and Financial Aid for Students in the Chicago Public Schools*. This is a manual of information which lists the kinds of financial assistance that are available and presents suggestions for students to use in seeking this aid. It includes an index arranged alphabetically and by subject fields, which presents for each award, pertinent descriptive details such as the amount, qualifications, source and restrictions. Other sources of information are included in the appendix.

As a note of caution, before a student accepts an award, he should be completely aware of any obligations imposed upon him with this acceptance. For example, some so-called scholarships which require that the student repay the award in service or funds after graduation are little more than low-interest loans. Others may not approve attendance at the college of the student's choice.

Types of scholarships

1. General

There are relatively few scholarship programs which contain no personal or course of study restrictions. Those that do exist in the general category are nationwide in scope and offer enough opportunities to appeal to a national profile of candidates.

National Merit Scholarship Program: More than 1900 awards ranging from $100 to $1500 are presented annually by the National Merit Scholarship Corporation which is sustained with grants from the Ford Foundation and the Carnegie Corporation. High school students who have done well scholastically are eligible to take the initial National Merit Scholarship Qualifying Test which is offered each spring. Additional exams narrow the number of candidates to the point where a committee reviews scholastic records, personal qualifications, extracurricular activities, and recommendations to select the final recipients. There are two parts to the Merit Scholarship: 1) a stipend (or sum of money for non-tuition college expenses such as room, board and books; and 2) tuition payment. A "Parent's Confidential Statement" (the financial condition of the family, i.e., the income and assets of the family) is utilized in computing the size of the stipend. Further information on this scholarship can be obtained from:

National Merit Scholarship Corporation, Evanston, Illinois.

Educational Opportunity Grant Program: As the result of the Higher Education Act of November, 1965, the Federal Government awards grants ranging from $200 to $800 a year to students with "exceptional financial need." The amount of this award is based upon the tuition requirements of the college and can be "no more than one-half of the total assistance" given to the student. For example, if the annual fees of a college are $1600 and the student is awarded one of the educational opportunity grants, the maximum amount he could receive on this type of award is $800. If he or his family is unable to provide the remainder of the needed funds, he could then apply for a "Package Financial Plan," consisting of a combination of loan and work-study plans by which a student can supplement his funds. Another feature of this program is the "bonus award" of $200 a year to any student in the program who was in the upper half of his class during the preceding academic year.

A definite "poverty criteria" is utilized in selecting students who will receive educational opportunity grants. In Chicago, as in other cities, a special effort is made to identify students from economic and cultural disadvantaged backgrounds in inner-city high schools. University officials and high school counselors seek out students and make tentative commitments of scholarships to those students who are qualified.

General Motors National Scholarship Plan: One hundred awards ranging from $200 to $2000 are granted by the General Motors Company annually. To qualify a student must present the results of his College Entrance Examination Board examinations to the Educational Testing Service for consideration. There is no restriction on colleges or courses of study. Applications are due before December 30. More information can be obtained from:

General Motors National Scholarship Plan, Educational Testing Service, Princeton, New Jersey.

Elks National Foundation Scholarship Award: The Elks National Foundation offers scholarships ranging from $700 to $1500 to 71 boys and 71 girls. This scholarship is based on the student's academic record, recommendations, letters, and essays. Students may pursue any curriculum in the college of his choice. Applications must be filed before March 1. Further information can be obtained by writing to:

John F. Malley, Chairman, 16 Court Street, Boston, Massachusetts.

The examples mentioned above are intended to include the type of general scholarships available to qualified students. An examination of any of the texts mentioned in the appendix will reveal information concerning additional awards of this type.

2. Special Scholarships

The majority of private funds available for college financial assistance are awarded in the form of special scholarships. Although the concept of special scholarships sounds limiting, the quantity of them is so large, the required fields of study and personal characteristics so varied that anyone is almost certain to qualify for several of these awards. Thus, the concept is not restrictive, but rather the reverse; that is, it provides for distribution of funds to ensure study in all fields and by all classes of people. For example, a special scholarship set up to train teachers of handicapped children encourages young students to choose this challenging profession as their career and assists them in fulfilling this ambition.

Chicago Federation of Labor and Industrial Union Council: This union offers two $500 scholarships to June graduates of Chicago schools. Children of members of unions affiliated with the Chicago Federation of Labor and Industrial Union Council are eligible. One scholarship is awarded to the son of a member and the other to the daughter of a member. These scholarships are granted on the basis of high school transcripts and scores on College Entrance Examination Board tests. Requests for applications should be addressed to:

Thomas E. Paul, Chicago Federation of Labor and Industrial Union Council, 300 N. State (16th Floor), Chicago, Illinois (60610).

Jewel Tea Company Scholarship Program: Each year Jewel Tea Company provides ten major and fifteen minor scholarship awards up to $1500. Any girl or boy employee of the company who is employed an average of 15 hours per week during the senior year is eligible. The College Entrance Examination Board tests as well as work and school records form the criteria for awards. Applications are due by September 25. Those who are interested should write to:

Jewel Tea Company, Incorporated, Melrose Park, Illinois.

Oberlin College Music Scholarships: Oberlin College gives four-year grants valued at $1,800 to $2,300. To qualify students must meet all academic requirements of Oberlin College and enroll in the conservatory of music there. The awards are granted on the basis of superior musical performance, ability and financial need. Applications must be received before April 1. For further information students can write to:

Director of Admissions, Oberlin College, Oberlin, Ohio.

United States Military Academy Scholarships: Every year the United States Military Academy provides scholarship awards consisting of education, training, and allowance for four years to those who qualify. Unmarried male citizens of the United States, ages 17 through 21 are eligible, however, they must be nominated by a United States Senator or Representative. The student must also pass a physical and mental examination held at the academy. Four years of active duty are required after graduation. For pertinent details the student should write to:

Admissions Division, United States Military Academy, Attention: Theodore E. Hervey, Major Infantry Chief.

United Steelworkers of America Scholarship: Children of steelworker union members in the Chicago-Gary area are eligible for major scholarship awards. Each year, one $4,000 scholarship is granted to an Illinois honor student and one to a student from Indiana. Three additional scholarships ranging from $1,000 to $2,000 are also awarded. Winners are selected on the basis of the results of the American College Testing examination and may attend the school of their choice. Students should apply to:

Joseph Germano, Director, 211-216 First National Bank Building, 720 West Chicago Avenue, East Chicago, Indiana.

Educational Assistance for Veterans and Servicemen: The Veterans Readjustment Benefits Act of 1966, or the "Cold War GI Bill," assists veterans in continuing their education either formally in full or part-time college or informally in vocational training. To be eligible, a veteran would have had to serve continuously on active duty for at least 181 days after January 31, 1955. The benefits which contain allowances for dependents, can be extended to cover a full four-years' college curriculum. To receive application forms and further information, veterans should write to:

Veterans Administration Regional Office, 2030 West Taylor Street, Chicago, Illinois (60612).

UNICO Scholarship: The West Suburban Chapter of UNICO sponsors four scholarships per year—a major prize of $1000 scholarship and three additional scholarships of $500, $300 and $200. Candidates for these awards must be of Italian origin and reside in the west or west suburbs of Chicago. To qualify, each student must submit an essay on the subject, "Cultural Contributions of a Great Italian-speaking Person, Living or Dead." The contribution may be in the field of government, medicine, fine arts, etc. Application blanks may be obtained from:

Dr. S. J. Glorioso, 5910 West North Avenue, Chicago, Illinois (60639).

United Italian American Organization: Each year the United Italian American Organization of Chicago, affiliated with fourteen separate clubs, awards $250 scholarships to two boys and two girls of Italian extraction whose parents are members of one of these clubs. To be considered eligible, the high school student must present a letter from the college of his choice indicating that he has been accepted for enrollment. From then on it is a matter of chance as names of the qualifying students are placed in a container and the winning names are drawn. Applications and letters from the college should be sent to:

Frank Pitarro, 3725 W. Division Street, Chicago, Illinois (60651).

Italian Charities of America: The national organization, Italian Charities of America, presents about forty scholarships per year ranging from $200 to $500 to American students of Italian ancestry. The candidates are selected by the Education Committee of Italian Charities on the basis of scholastic standing and financial need. Application forms which can be obtained from public and parochial high schools must be filed before March 15 with:

Executive Director of Italian Charities of America, 83–20 Queens Boulevard, Elmhurst 73, New York.

Gregorian Scholarship: Another source of financial aid for the needy student is the scholarship provided by the Gregorians, an Association of educators of Italian ancestry in the Chicago area. This group annually provides a $200 scholarship to a worthy Italo-American boy or girl who wishes to prepare for a teaching career. To be considered for the award the student must submit an application specifying intent to teach, the latest transcript of high school grades, and letters of recommendation from the principal, one of his teachers and a member of the community by June 1 to:

Dr. Mary Ellen Batinich, 9215 So. Troy Avenue, Chicago, Illinois (60642).

Scholarships for Training for the Religious Life: Prospective high school graduates who are seriously considering the religious life as a vocation should have little difficulty in obtaining financial assistance if it is needed. While tuition and fees exist at religious training institutions, the moral, scholastic and motivational requirements are generally so stringent that any student accepted in a seminary or novitiate program is not denied entrance for financial reasons. For example, the Catholic Archdiocese of Chicago specifies $1000 per year tuition at its major seminary but the actual fees required of the family frequently are far below that amount.

The various religious communities generally concentrate on a specific type of vocation ranging from elementary school teaching to pure contemplation. The boy or girl considering the religious life should obtain information about the various communities, types of work, qualifications, etc. and then apply for admission to the religious community of his choice. An evaluation of financial need is included in the admission procedure. The boy or girl who wishes to enter the religious life in the Archdiocese of Chicago should write for more information to the following individual:

Father Edward Duggan, Director in charge of Vocations for the Archdiocese of Chicago, 2645 N. Paulina, Chicago, Illinois.

Boys or girls who wish to enter the teaching field may choose a religious order that specializes in the education of youth. Information regarding admission to the order can generally be obtained at any of the schools operated by that order. For boys, one of these orders is the Christian Brothers of Ireland who staff several high schools in the Chicago area, including Brother Rice and Leo High School. For girls, the Sisters of Mercy operate many schools in Chicago, including Mother McCauley and Mercy High School.

An example of a religious order which performs a specialized function is the Scalabrini Fathers (Missionaries of St. Charles) at Sacred Heart Seminary, whose purpose it is to assist Italian immigrants wherever they might go, with the object of keeping the faith. The contributions of various organizations allow the order to assume full financial responsibility for boys who are anxious to become priests but whose families cannot meet basic expenses of the seminary. Among these organizations are the Fillippo Mazzei Post Auxiliary, Chesrow Lodge, Knights of Columbus and the Holy Name Society. In order to be eligible for Sacred Heart Seminary, a boy should do the following: 1) indicate intent to enter the seminary; 2) obtain letters of recommendation from his pastor and school; 3) pass a medical examination; 4) present certificates of Baptism, Confirmation and his parents' marriage; and 5) submit a transcript of his high school work. Correspondence should be directed to:

Rev. Albert Corradin, Vocations Director, Sacred Heart Seminary, Stone Park, Illinois (60165).

3. Regional Scholarships

Some scholarship plans require that recipients must reside within a specific area. Others even specify that the colleges must also be within a region such as a state or group of states. The principal reason for these limiting factors is that frequently the sponsoring organization is itself regional in nature and is primarily interested in providing assistance to local students.

State of Illinois Scholarships: The awards offered by the Illinois State Scholarship Commission provide a typical example of a regional scholarship plan. The program was created not only to encourage Illinois students to attend college, but to encourage their use of Illinois colleges. For the 1967–68 academic year, the Commission will offer approximately 3000 monetary awards ranging from $300 to $1000, applicable to tuition and fees at approved institutions in the state of Illinois. Eligibility requirements are as follows: 1) U.S. citizenship by September, 1967; 2) resident of the state of Illinois; 3) good moral character; 4) semi-finalist status on the ACT qualifications test; and 5) a ranking in the upper half of the graduating high school class. Determination of the award is based on the Commission's evaluation of the family financial data and the tuition and fees at a specified college. In order to be considered potentially eligible for the scholarship, the student must indicate this intention by placing the code number 1047 on the ACT answer sheet when the examination is taken. Further information is available from:

Illinois State Scholarship Commission, 730 Waukegan Road, Deerfield, Illinois.

Mayor's Youth Foundation of Chicago Scholarships: Annually one graduating student from each Chicago high school receives a scholarship valued at $500 from the Mayor's Youth Foundation. This award is applicable to the college and curriculum of the student's choice. Each recipient is chosen by school personnel on the basis of a method of selection determined by the individual school. Students who are interested should obtain the criteria for selection from the principal of the school.

Sears Roebuck Foundation Scholarships: Six college scholarships of $500 each are offered each year by the Sears Roebuck Foundation. Three are awarded to students from north side high schools and three to south side high schools. Applications can be obtained from high school principals and must be submitted to the Bureau of Pupil Personnel Services at the Chicago Board of Education by April 1. Each high school can submit only one application. Winners for each side of the city are chosen by review committees of school personnel.

Illinois Congress of Parents and Teachers Scholarships: The primary objective of the "Golden Jubilee Scholarship" program is to recruit teachers for the Illinois elementary and secondary public schools. A scholarship of $1000 or $250 per year for four years is granted to a student in each PTA district. Winners must score highest in "love of children and desire to teach, in scholarship, leadership, character and health." (4) An applicant must be in the upper 20 per cent of his graduating class and must also present a recommendation from his principal. Selection is made by a local committee of educators and lay people in each of the PTA districts of the Illinois Congress of Parents and Teachers. The recipient must teach as a fully qualified and certified teacher in an Illinois school one semester for each $250 received. Application forms may be obtained from:

The principal of any Illinois public high school or District Director or of any Illinois Congress of Parents and Teachers District.

FINANCING COLLEGE WITHIN THE FAMILY

There are almost as many philosophies on how to approach any major financial investment, whether it is a home, a new automobile, or a college education, as there are people to plan them. Some may accumulate the cash before making the investment, others may depend upon loans which they repay while enjoying the commodity, while a third group may elect to support the investment on a pay-as-you-go basis.

Where will the money come from?

Most banks and insurance companies offer savings plans to assist those who wish to begin providing for college expenses with regular payments well in advance of the time of its need. In addition to these plans, some banks and insurance companies, as well as the Federal Government and the colleges themselves offer educational loans—another form of financial aid which is given at the time of its need and is repaid either in services or in cash *after* the student ceases his course of study.

Since there are great variations from plan to plan in interest rates, expenses coverage, repayment options, collateral agreements, etc., the family who plans to finance an education with a loan should carefully investigate all loan types and sources before agreeing to any one plan.

College expenses can also be subsidized through part-time employment either during the academic year, at vacation time or both. Most colleges maintain placement offices to assist those who indicate a financial need to supplement their funds. However, the possibility of detrimental scholastic effects of outside employment should also be considered. For example, the Association of American Medical Colleges advises the premedical student against working "too many hours during the academic year * * * since (sic) this could adversely affect his scholastic performance in college, which is very important for admission to medical school."

Planning in advance

For those who can see their way clear to plan far in advance of its need, the best means of assurance of sufficient funds to cover college costs would be some form of long-term savings plan, generally either an insurance policy or a savings account. These plans are quite specific in design since the exact time of need of the money, as well as a reasonable estimate of the amount is known in advance.

Savings Accounts: Most banks have package plans whereby one need only specify the nature, the amount desired and the present age of the child to receive from the bank a quota of monthly payment required. Banks today urge that parents set a realistic goal to meet this need, such as $2,000 per year or a total of $8,000 for the four years of college. For example, the early bird who starts his plan the day after his child is born would be required to set aside $23 per month for the next eighteen years to accumulate this amount. Savings accounts for this purpose also may be established under the Illinois Uniform Gifts to Minors Act, under which the money is legally the child's property and the earnings thereon are ordinarily taxable to the child. When the child is ready to enter college, instructions regarding the times and amount of payment both to the college for tuition and fees and to the student for room, board and incidental expenses are conveyed to the bank and fulfilled by them.

Endowment Policies from Insurance Companies: Many parents rely on insurance plans put into effect when the child is young to guarantee funds for his college education. The parents generally contribute enough through the years to ensure the majority of the college expenses, with the remainder supplied by the insurance company or a bank in the form of a loan at the time of its need. An example of this type of endowment policy plan is offered by the Prudential Insurance Company, in cooperation with forty-five leading banks. At a time when the child is in the 8, 9, or 10th grade, parents begin paying into the program. From the proceeds of the program, the insurance company makes five pre-semester payments to the college when the time arrives. The remaining three payments to complete the four years are made by one of the banks. After graduation, any remaining debt is paid off at the prevailing interest rate. In the case of the death or total disablement of the parent any time after the program has started, the funds are guaranteed for the child's education without further payment.

Loans

If the student is a teen-ager and the time is too short to accumulate a savings fund or endowment plan earmarked for his education, there is a great variety of educational loan plans available to assist the family. Until recent years, loans for educational purposes were looked upon with some disfavor. The National Defense Act in 1958 and the acceptance of credit as a way of life have paved the way for purchasing a valuable commodity—an education—on the installment plan. Since scholastic achievement is not necessarily a requirement for these loans, education on credit has extended an opportunity to complete college to many students who could not otherwise have attended.

1. Government and College Loans

Today most colleges have loan plans available to the student utilizing both government and their own funds. Since the majority of loan funds available through the colleges are a result of the National Defense Education Act, the various types of government loan assistance plans will be discussed first.

National Defense Student Loan Program: This program of borrowing offers deserving college students demonstrating a need for help loans up to $1000 per year for scholastic expenses. The colleges themselves determine the need, set the amount, and administer the details of the program. The repayment or "forgiveness" program is as follows: To encourage selection of the field of education as a career, this program allows a 50 per cent cancellation of the loan if a graduate teaches full time for five years after he receives his degree. Provisions for 100 per cent cancellation is offered to those who teach in certain schools located in low-income family areas. Repayment may be deferred up to a total of three years while a borrower is serving in the Armed Forces, with the Peace Corps or in VISTA.

Guaranteed Loans: Frequently a student whose family is in the middle or upper income group may not show enough need to qualify for a National Defense Student Loan. To relieve the financial burden the cost of his education places on the family, the government encourages banks to assist this family by guaranteeing any loan up to $1000 a year made to this student. The terms of this form of loan insurance vary with the income of the family and the amount borrowed.

A private, non-profit organization, the United Student Aid Funds, Inc., also maintains a fund for encouraging local banks to assist students in many colleges and universities. Arrangements for this service, which guarantees the loan if the bank makes it, are handled by the student aid officer of the college of the student's choice. For further information concerning this service, students should write to:

United Student Aid Funds, Inc., Box 72, Burlingame, California.

Health Professions Student Loan Program: This Federal Government program was established to encourage qualified, but financially handicapped men and women to enter the field of medicine. Administered by individual medical schools, it is the largest single source of loan funds. Under its provisions, a student may borrow up to $2000 per year if he is a full-time medical student in good academic standing. This loan is repayable at 4 per cent interest over a ten-year period which begins three years after the borrower ceases his study. If the borrower enters military service or the Peace Corps within three years of graduation from medical school, the repayment and interest accrued on his loan are deferred an additional year for each year of service up to a maximum of three years.

Dental Student Loan Program: The American Fund for Dental Education, sponsored by the American Association of Dental Schools and the American Dental Association, provides funds to all dental schools on the basis of their student population. Each dental school utilizes the grant as it chooses. Students should write to the specific school in which they are interested to receive more information.

2. Commercial Loans

Commercial educational loans have also become a popular means of financing an education, particularly where the parents who are not in financial distress desire merely to extend the costs over several additional years. Most institutions assist parents in planning the best combination of personal funds and loan funds to cover the cost of a college education.

Talman's Educredit Plan: Talman Federal Savings and Loan Association is authorized to lend up to $10,000 per student for educational purposes and it is repayable in whatever period parents and bank officials consider proper—most frequently about eight years. It is not strictly a loan plan but "rather a line of credit designed to fit exactly the needs and circumstances of parents of college students." This type of loan is available to parents or guardians of students with the student co-signing the obligation to repay. The funds must be applied to the tuition, room and board, and expenses in an accredited college in the United States, Canada or Mexico.

Employment

Most students today are able to earn at least part of their educational expenses through temporary work. The more they earn, the less they have to borrow, thus easing their debt burden. While full-time employment during summer or winter vacations is most frequently the case, a student who budgets his time carefully is able to work 12 to 15 hours per week during the school year without jeopardizing his academic performance.

College placement bureaus can direct students in locating opportunities for employment. On campus, such jobs as university office clerks and aids in laboratories, libraries, dormitories and student unions are available. Off campus job openings are also varied, including clerking in department stores, tutoring young children, counseling in summer resorts, and supervising playground and other recreational activities.

College Work-Study Program: To encourage additional employment opportunities for college students, particularly from low income families, the Federal Government has introduced a work-study program in cooperation with the nation's colleges and universities. This program subsidizes up to 90 per cent of the salary paid to part-time students employed by the college who need the employment to continue their studies. This program also extends to full time summer or vacation periods. The work may be for the college itself or for an approved off-campus agency related to a health, welfare or recreation program. In addition to the financial boost, these students obtain meaningful work experience, acquire work habits needed for regular jobs and have an opportunity to assist directly in one of the war on poverty programs. Included in this latter program are such jobs as tutoring bilingual students in learning English, helping remedial readers, teaching slow learners, and preparing the pre-school child for full-time school experience.

Cooperative Education Program: Another plan for combining study and work is the Cooperative Education Program where students alternate periods of college study with periods of full-time employment in occupations related to their academic programs and vocations. In addition to the financial assistance it provides the program offers additional advantages; the student has an advance look at a career field before he formally enters it and he can integrate classroom education with the "outside world" of work—seeing the practical as well as the theoretical side of the subject. For example, a journalism student can work in the college's public relations office, an accounting major can do bookkeeping in the financial office, and a social work major can provide assistance to a caseworker for a social agency. The student who desires further information can write to:

National Commission for Cooperative Education, 8 West 40th Street, New York, New York (10018).

SUMMARY

Thus, with the spiraling cost of college educations, it is no wonder that parents are having financial nightmares. The possibility of a $10,000 investment, to be expended in only a 48-month time period for each child, has caused panic in many middle-income family homes that have several children approaching college age. The bright light in the picture is the increasing amount of awareness of this problem by industry, the government, and the colleges themselves as reflected in the ever-widening array of scholarships and loan programs available today.

A word of caution is in order for those parents who think that by the time their children are ready for college, the scholarship program will be so broad as to include any student who wishes to attend. As extensive as the programs are today, or most likely will be in the near future, they still primarily specify "for students of exceptional ability" or "for students in the upper 10 per cent on the College Board Examinations."

The winning of a scholarship award is not a surprise in senior high school—it is the result of responsible motivation and guidance throughout the school life of the child. It is the result of investigation of available opportunities with the aid of school teachers and counselors. It is the result of careful planning by all concerned.

Instead of panicking and enduring nightmares, parents should investigate the various means of financing a college education themselves, should no scholarship money be forthcoming. Savings, insurance, or loan plans all serve to spread the costs over a longer period of time and ease the short-term pocket-book strain. The possibility of earnings by the student himself should also be considered. Banks urge parents to borrow as a last resort, after savings, current income and the student's own efforts have covered as much of the cost as possible.

Remember, education is for the birds . . . the birds who want to get ahead!

FILLING JOBS THROUGH COMPUTERS

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Ottinger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. OTTINGER. Mr. Speaker, the unemployment situation in our country has improved over the last 6 years, but there is still a serious problem of balancing workers with available jobs. In some parts of the country, and in some industries, there is a shortage of workers, whereas in other areas, and industries large numbers of workers are still unemployed.

These difficulties are compounded by the fact that when a worker who needs a new job goes to the State or Federal employment office in his city, he can only find out about job opportunities in his immediate area, and often cannot even get complete information about these.

The National Commission on Technology, Automation, and Economic Progress, established by Congress in August of 1964, pointed out in its report that most information concerning jobs "passed by word of mouth" through an informal grapevine, and that while the Federal Employment Service is developing increasing amounts of labor market information "there is simply no place in any local labor market, let alone on a regional or national basis, where individual jobseekers or employers can discover the full range of possible jobs or employees available."

This gap in information also hurts business firms that are trying to fill labor shortages.

I believe it would be extremely helpful to the entire national economy if information on jobs could be gathered on a nationwide basis. Any worker out of a job should be able to go to his local office of the U.S. Employment Service and be matched with a job suitable for his skills; any employer looking for certain skills can find the man who has them. This modernized employment service should be available not just to factory and white-collar workers but to corporate executives, as well. As the Wall Street Journal has pointed out, many executives who leave their jobs for one reason or another, must wait for months while expensive talent agencies engage in the rituals that accompany the staffing of the higher levels of the corporate world.

A way to set up such a system, at little cost, is through the use of computers. We have already seen the benefits of computers in business establishments. They have revolutionized our methods of information gathering. They can easily store information on a nationwide basis. If our Government can use computers to program military requirements and send rockets to the moon, it should be able to use them to make it easier for men and women to find jobs to support their families.

I am offering today a bill amending the Wagner-Peyser Act that would direct the Secretary of Labor to establish, in one or more manpower service centers, a model computerized information system to bring jobs and men together in an efficient and productive manner. Such a model would develop specific employment-need information on a firm-by-firm basis. This could be matched by specific jobseeker information, such as *skills, experience, availability,* and so forth. The system would not be limited to a State or political boundary, but could encompass any traditional labor market area or region. Ultimately, we may find that the sufficient information availability, the entire Nation, would be a labor market area—for it is my hope that this model will result in the truly national information system contemplated by the Commission on Automation.

I also believe that persons who must move long distances in order to change jobs should have their moving expenses paid for by the Government. One of the greatest impediments to job mobility today is the financial strain that moving a family puts on the family income. Most private industries do not reimburse the costs of any but their higher level employees. Present tax laws do allow moving costs to be deducted if the new job is over 20 miles away from the old one, and if the taxpayer stays in the new location for at least 29 weeks. But a deduction is not enough to fill the need. I believe Federal reimbursement should be available for persons moving to new jobs in new locations, to the limit of 1 reimbursement every 2 years.

We cannot be happy because unemployment percentages have declined, because each figure represents some family without work. But, through modern techniques and human policies, we can finally realize the goal of full employment in America.

THE UNITED STATES SHOULD REVISE ITS POLICY ON THE REPRESENTATION OF CHINA IN THE U.N.

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Reuss] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. REUSS. Mr. Speaker, in an article appearing in the May 20 issue of Commonweal magazine, I reiterated the need for the United States to rethink and revise its policy on representation for Communist China in the United Nations prior to the convening of the United Nations General Assembly in September.

The United States and the cause of world peace can be the beneficiaries of a policy of agreement to, if not advocacy of, a General Assembly seat for both Communist China and the Nationalist regime on Taiwan.

I include the text of my article hereafter:

Two Chinas: Americans Are Ready for a New Policy

(By Henry S. Reuss)

The time has come for the United States to embrace a policy of "two Chinas"—Nationalist and Communist—in the United Nations. For 15 years, opposition to U.N. representation for Communist China has been a firm, unyielding principle of American foreign policy. In seven votes in the House and Senate from 1951 through 1961 "keep Red China out" resolutions have amassed 1788 affirmative votes to only 2 nays. Politically, Communist China in the United Nations has been an unthinkable thought.

Yet before the United Nations General Assembly reconvenes in September, the United States Government must start rethinking its position. To withdraw our opposition to United Nations representation for Communist China, with continued membership for the Nationalist regime, is to embark upon a more realistic and promising course in America's relations with mainland China, to enhance the peacekeeping potential of the United Nations, and to avoid the danger of a potentially disastrous diplomatic defeat. Last year, on a motion to seat Communist China, the United States' dwindling majority in the United Nations ran out completely in a 47 to 47 vote, with 20 nations abstaining.

Meanwhile, however, the United States had reinforced its embattled position by securing passage of resolutions in 1961 and 1965 declaring the seating of Communist China an "important question," to be decided by a two-thirds majority. But here again, the majority declined from 61 to 34 with 7 abstentions in 1961 to 56 to 49 with 11 abstentions in 1965. Only a switch of four votes on the procedural question and only one additional vote on the main motion were needed to seat Communist China *and* expel the Nationalist government on Taiwan from the United Nations.

Once unseated as the representatives of China, the Nationalist regime's admission to the United Nations as the government of Taiwan would be subject to a veto from the Soviet Union or Communist China. UN recognition of Communist China as the only representative of the China of 1945 would also have the effect of bolstering Peking's claim on Taiwan. The likelihood of a vote for representation of Communist China in spite of American opposition will soar if the issue is presented so that Nationalist China can continue its membership.

A number of countries, many of whom have opposed Communist China's admission at the expense of Nationalist China, have indicated their support for a two-Chinas policy. A San Francisco State University professor of international relations, Dr. Urban Whittaker, reported that, in interviews with 96 of the then 99 delegations to the United Nations in 1961, he found that more than three-fourths of them felt Communist China should be seated as the representative of China in both the Security Council and the General Assembly, and that two-thirds of them believed Nationalist China should retain its seat in the General Assembly.

On the other hand, the recent coups in Africa have boosted the chances the United States would have of browbeating a General Assembly majority into yet another vote against Communist China's representation. As a result of governmental changes around the world since the 1965 vote, it looks as though, all other things being equal, the United States might pick up two votes—Dahomey and the Central African Republic—for declaring seating of Communist China an "important question," and three votes—Dahomey, Central African Republic, and Congo (Leopoldville)—against seating Peking and expelling the Nationalist regime.

Of course, all other things are not going to remain equal. The 21st General Assembly surely will not convene with the same government and the same international atmosphere that prevails today. China's conduct in the next few months could have a significant impact on the vote. A calculated reduction in Chinese truculence could put added steam behind efforts to seat Peking.

No one can predict the outcome with assurance. But unless the United States changes its policy, Communist China could well be voted a seat in the United Nations this year over American objections—inflicting a major diplomatic defeat that would shake domestic support for the United Nations and injure America's international status.

This risk, serious as it is, would still be worth running if the policy of excluding Communist China from the United Nations were in the interest of the United States, if it contributed to the stability of Asia and the peace of the world. But, on the contrary, dogged persistence in the policy of excluding from the United Nations the representatives of 750 million people is not in the United States' interest, for two central reasons:

1.) Representation of Communist China in the United Nations, if she joined, could make the United Nations a more useful instrument for international peace and stability. The Communist regime is in fact the government of mainland China and is likely to remain so for some time to come. Peking directs a quarter of the world's population, the world's largest army and a sizable, if obsolescent, air force. It has nuclear weapons and all too soon will have medium and long-range rockets. It has made significant economic progress despite the lack of outside help since 1957. *China aspires to regain its* former pre-eminence in Asia. And all round its borders—not least along the border with the Soviet Union—it has boundary disputes and Chinese irredentas.

The United States must do international business with China. The United Nations is the most important forum in which international business is conducted. Such great problems as the war in Vietnam, the spread of nuclear weapons, arms control, and boundaries, cannot be solved or even seriously negotiated without China's participation. By excluding China from the United Nations, the United States forces the creation and use of ad hoc groups, such as the Geneva Conference, which do include mainland China. It necessitates the back-alley device of maintaining contact between the United States and China through the ambassadors in Warsaw. It removes China from the pressures of world opinion exercised through the UN.

The great value of the United Nations as a continuing, constantly available focus of diplomatic activity is impaired when nations, and particularly major powers, are excluded. Universality of membership in the United Nations is not just a high-sounding ideal but a practical necessity if the world organization is to make its maximum contribution to world peace.

2.) Opening membership in the United Nations to Communist China has at least a chance of inducing moderation in future Chinese foreign policy. The present Chinese leaders, it is true, would probably reject contemptuously a two-China policy in the United Nations, just as they spurned the United States' recent unilateral offer to issue visas to Chinese students and academicians.

But virtually the entire Chinese Communist leadership is destined to pass from the scene in a relatively short period of time. Many of the most alarming Chinese foreign policy doctrines—the "town and country" theory that the countryside of the world (the developing nations of Asia, Africa, and Latin America) will rise in people's wars against the cities of the world (North America and Europe), and the belief that "power grows out of the barrel of a gun"—have their roots in the revolutionary experience of the present leadership.

As with the original Russian Communist belief that the Russian revolution would be followed by similar upheavals in the other industrial nations, these doctrines may in time cease to have a real influence on Chinese policy. If the present Chinese rulers are international outlaws by the nature of their experience, their successors may well be outlaws only if outlawed. The attitude of China's new leaders, or the outcome of competition for leadership among rival viewpoints, is bound to be influenced by American policy.

CHINESE SETBACKS

One aspect of American policy—containment of China and support for the aspirations of developing nations—has helped create reasons for new Chinese leaders to adopt less aggressive policies. The militant foreign policies of the present leadership have met worldwide disaster. The pro-Chinese Indonesian Communist party has been smashed. The Algiers Conference in which the Chinese placed high hopes collapsed. Chinese influence has been broken in Dahomey, the Central African Republic, Ghana, and Kenya. Cuba is estranged and India has become more unified as a result of Chinese threats.

While frustrating Chinese aggressiveness, the United States should see to it that the alternative of a peaceful role in the international order is available to China. One Chinese objective that will surely remain, whatever the changes in leadership, will be the reassertion of the ancient prestige and *influence of China. Treating China* as an international pariah can only force this ambition into dangerous channels.

The process of re-assessing our China policy has at last begun. Increased contact of all sorts with Communist China—summarized in the watchwords "containment but not isolation"—was repeatedly advocated by China experts in recent hearings before the Senate Foreign Relations Committee and the House Subcommittee on the Far East and the Pacific. Administration spokesmen such as Vice President Humphrey and Secretary of State Rusk have begun describing American-China policy in language similar to that of the China experts. Vice President Humphrey spoke of "containment without necessarily isolation." Secretary Rusk, in testimony to the Far East Subcommittee of the House Foreign Affairs Committee on March 16, released April 17, said that "when it can be done without jeopardizing other U.S. interest, we should continue to enlarge the possibilities for unofficial contacts between Communist China and ourselves—contacts which may gradually assist in altering Peking's picture of the United States."

And in fact, the United States has made a number of small moves toward de-isolation of China by offering to allow Americans to travel to China and to admit Chinese to the United States. China has spurned these overtures. "As for the possibilities of our trade (with China)," Assistant Secretary of State for Far Eastern Affairs William Bundy said, "every time the subject is seriously mentioned in this country, it is shot down immediately in Peking."

But if a willingness to drop the old isolation component of United States policy toward China is to mean anything, it must include opening the door of the United Nations to the Communist regime. Here, United States policy-makers have not yet budged. Secretary Rusk in his March testimony before the House Foreign Affairs Subcommittee said: "So long as Peking follows its present course it is extremely difficult for us to see how it can be held to fulfill the requirements set forth in the charter for membership, and the United States opposes its membership." Assistant Secretary Bundy said during the same hearings that "We would not favor the admission of Peking under any circumstances foreseeable at the moment."

Then, on April 19, UN Ambassador Arthur Goldberg told the National Press Club that the United States was prepared to accept the seating of Communist China in the UN if China first retracted its unacceptable conditions and agreed "to be faithful to the Charter which contemplates a renunciation of force and a willingness to settle differences by peaceful means." While editorials were being prepared hailing this new evidence of reasonableness in American policy, the "State Department spokesman" hastened the following day to explain to newsmen that Ambassador Goldberg had really "stated there has been no change in United States policy with respect to the admission of Communist China to the United Nations and that policy was set forth by the Secretary (Rusk) in his statement to the House Foreign Affairs Subcommittee."

What are the State Department's reasons for its stand against Mainland China's admission? It is said that a two-Chinas policy is impractical because neither China will accept it. Communist China has set what the State Department rightly calls "impossible pre-conditions" for its entry into the United Nations. China has demanded the expulsion of Nationalist China, the complete reorganization of the UN including the expulsion of "imperialist puppets," the withdrawal of the General Assembly Resolution branding it an aggressor in the Korean War, and the condemnation of the U.S. as an aggressor in that conflict.

One cannot be sure that these demands are in fact pre-conditions of Chinese entry into the UN. Just as China's bellicose language on other issues has frequently accompanied a more cautious policy, there may be a wide gap between the extravagant language used by Peking and the action it would actually take if UN membership on fair terms were offered it.

Moreover, the fact that China has made fantastic demands does not compel the United States to cling to an unrealistic policy. Let the United States advance a fair and reasonable program for Mainland China's representation in the United Nations, and put on China the burden of rejecting it. As it is now, the United States bears the burden of maintaining opposition to even a reasonable two-Chinas solution.

It is said also that a two-Chinas policy is impractical because if China joined the UN the Chinese would, as Assistant Secretary Bundy said, "attempt to put a monkey wrench into every peacemaking effort which may be made in the world." Undoubtedly, Communist China would be a turbulent member of the United Nations, just as it is a turbulent member of the world community. But its disruptive proclivities are more likely to be subdued if it is in the United Nations. China would hesitate before incurring the wrath of the small countries and the developing nations, who place great importance in the United Nations, by unremitting efforts to sabotage the organization. Further, as one of 118 members of the General Assembly, it might speak loudly, but it would carry only a small monkey wrench.

Communist China as a permanent veto-wielding member of the Security Council would pose a more serious problem. If the United States fails to take initiatives in the UN that will allow the United States to remain in control of the situation, and Communist China is seated under a one-China resolution in spite of America's continued opposition, the Peking regime will assume China's Security Council seat. Had it held that seat during the Kashmir conflict, for example, it could, and no doubt would have wreaked havoc with Council efforts to end the fighting.

The Security Council seat was originally given to China in 1945 because of its size and potential importance, and its contribution to the war effort. Nationalist China on Taiwan cannot now be entitled to the seat on those grounds. Communist China's record of belligerence is such that at this time it deserves nothing more than a General Assembly seat. In a two-Chinas package, the United States could well propose the replacement of China on the Security Council by the other great continental Asian power, India. Nationalist China might block this proposal with its veto, but at least the United States would be on record for a sound arrangement of the Security Council.

If the Nationalist government determined to withdraw from the UN in protest against an offer of representation on the General Assembly to Communist China, that would be regrettable. But it might also clear the way for the elevation of India to the vacant Security Council seat. In any case, our obligation to the Nationalist regime is to assure the people of Taiwan the right to self-determination, not to pretend that the government in Taipei is the government of all China.

Finally, it is said that China is not legally entitled to membership in the UN since it has shown itself by word and deed not to be a "peace-loving state" as required by Article 4 of the Charter. Legalistically, the argument does not apply, since the question is one of representation of an existing member rather than the admission of a new member under Article 4. When the government of a member state changes, either constitutionally or by revolution, the new government represents the state. Since both the Communist and Nationalist governments hold parts of the territory of the China of 1945, both seem legally entitled to representation, just as Egypt and Syria assumed individual memberships after the breakup of the United Arab Republic.

Realistically, many nations belonging to the UN have also failed to be "peace loving" and to act in accordance with the Charter. As a member, Red China would have to accept the obligations of the Charter to settle international disputes by peaceful means. China, like any other nation, would be subject to suspension from the UN if enforcement action were taken against it under Article 2. Thus, far from rewarding Red China for its militance, membership in the UN would provide an international framework now lacking for widening responsibility on her part.

I believe Americans are ready for a new China policy in the UN. What has been remarkable about my position as an open advocate in the House of Representatives of a two-Chinas policy is not how many but how few thunderbolts of protest have crashed around my head. The recent Gallup Poll confirmed a change in public attitude by showing the highest degree of support ever—25 percent—for seating Communist China in the UN. More important, it showed that a majority (56 percent) would favor this policy if it would lead to improved relations between the United States and China.

If the Administration believes that isolation of Mainland China is sterile, and that increased contacts can in time improve relations, let it translate that belief into changed policy in the United Nations this September. If China is to be isolated from the world, let it be China, not the United States, who does the isolating.

ALLIANCE FOR PROGRESS TAX REFORMS SHOW RESULTS

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. PEPPER. Mr. Speaker, Latin American tax reforms, initiated under the Alliance for Progress, have begun to show very tangible results by bringing a new prosperity to Latin nations, helping to curb inflation which plagues so many of these republics, and making it possible for Latin governments to increase their level of investment in their own social and economic development.

The U.S. Internal Revenue Service, which has supplied most of the alliance technical assistance to improve tax collections and systems in Latin America, has 19 teams throughout the alliance nations. The IRS estimates that to show results tax reforms and new tax techniques will take a number of years. But the first statistics are in, showing that eight nations' tax revenues went up by one-third to two-fifths in 2 years. Chile's tax revenues rose from 13.8 percent of the gross national product to 16.5 percent of GNP in 1965.

It is an equally optimistic report for the future that U.S.-sponsored tax reforms in Latin America will mean more resources and a better opportunity for these nations to take initiative in helping themselves in their economic development.

The following article from the Journal of Commerce outlines these encouraging trends of our foreign aid efforts south of the border:

REVENUES INCH UPWARD: LATINS' TAX REFORMS BEGIN TO GET RESULTS

WASHINGTON, April 21.—At the same time that soaring population growth is putting more heat on Latin American governments, tax reforms initiated in Latin republics under the Alliance for Progress are beginning to provide significantly greater revenues to meet the added social strains. It is only now that tax reformers are able to cite tangible results where it counts—in terms of increased tax revenues. And the gains to date, measured in constant dollars or in the tax take percentage of gross national product of the various countries, are in most cases still fairly modest.

TAX DIRECTORS ENCOURAGED

But this week, as the national tax directors-general from 15 Alliance countries and Canada meet here to take stock of how far they have come from unpromising beginnings in 1961, they are encouraged.

"Tangible indications of progress should be multiplied many times over by the end of 1966," the U.S. Internal Revenue Service predicts. The IRS has been closely involved in the drive to improve Latin tax systems.

Two objectives are furthered by this progress:

On the one hand, it will help to curb the perennial Latin curse of inflation. Severe price inflation has flourished among the republics because their governments were forced by social unrest into welfare spending which had to be financed, in the absence of adequate tax revenues, by printing press money from the central banks.

Secondly, apart from being better able to fund the subsidies and other emergency palliatives which in the past have been the price of avoiding revolutions, the governments are beginning to find enough extra in their tax harvests to increase the level of public capital investment for economic and social purposes. This will help cope with ever larger and younger populations.

American business stake in these gains is a better chance to avoid expropriation or unprofitable operating conditions being foisted upon its Latin American units by local politicians, plus fewer profit complications arising from inflation of Latin currencies.

The U.S. Internal Revenue Service, which since 1963 has provided the technical assistance needed to improve revenue collections in Latin America, is now offering statistics on revenue gains for several of the countries it has assisted to date.

Guatemala, Costa Rica, El Salvador, Nicaragua, Panama, Paraguay, Ecuador, and Peru are cited as cases where tax revenue gains (despite usually stable prices) went up steeply between 1963 and 1965. The figures given out by the IRS show tax gains of one-third to two-fifths in the two-year span.

While the IRS has 19 teams of tax experts helping improve tax techniques throughout Latin America, they are relatively new in most places, averaging 18 months on the scene. The IRS estimates that to do any good, they will have to remain variously from two years to six years.

A more important case to watch is one of Latin America's big four, Chile. Chile was the first to get IRS assistance in 1962 and is the furthest advanced in improving its tax administration.

Inflation has been severe in Chile. However, tax revenues rose from 13.8 per cent of GNP to 16.5 per cent in 1965, a fairly reliable guide that the tax collector is beginning to function better.

The service's optimism is cautiously echoed by tax specialists of international organizations located here who have also been watching the improvement in Latin America over the past few years.

1961 BENCHMARK YEAR

These sources use 1961 as a benchmark year as it was not until the Punta del Este conference in that year setting up the Alliance that tax reform became a commitment among governments of the area.

For the whole 19 republics, they pointed out, tax revenues in 1961 were 12.4 per cent of gross national product. In 1964, the share of GNP going into taxes was up to 13.03 per cent.

Excluding Brazil, the Latin American giant with a federal system of government that leaves the central government largely dependent on excise revenue, the share of Latin tax revenues coming from income tax has gone up from 35.75 per cent in 1961 to 40.19 per cent in 1964.

This is regarded as another sign that Latin American tax collection machinery is beginning to work better and get a better response from taxpayers.

If the improvement continues, Latin America may break the vicious circle in which social unrest forces the government to increase the tax bite on foreign firms within their boundaries, in turn leading companies to get out and thereby reducing the tax take and renewing the circle.

CAPE COD NATIONAL SEASHORE DEDICATION

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. BOLAND. Mr. Speaker, ceremonies marking the formal establishment of Cape Cod National Seashore will be held on Memorial Day, Monday, May 30, beginning at 2 p.m. at the Salt Pond Visitor Center, Eastham, Mass. Thus, with these ceremonies will mark the coming to fruition of the hopes and dreams of many of the Massachusetts Members of Congress, including our late beloved President John Fitzgerald Kennedy, who sponsored the authorization bills several years ago. President Kennedy was then serving as the junior Senator from Massachusetts.

Mr. Speaker, I had the distinct honor of joining with my colleague, Congressman THOMAS P. O'NEILL, of Cambridge, Mass., in filing the first bills to authorize the Cape Cod National Seashore Park on May 12, 1958. My bill that year was H.R. 12449. I said in a floor speech that day that:

> The vanishing shoreline of our Nation ought to be of considerable concern to the people of the United States. Unfortunately, it is not. Concern is shown only by a comparatively limited few and this lack of interest is reflected in the indisputable fact that one of our greatest recreation resources—the seashore— is rapidly disappearing from public use. Time to reverse this alarming trend is still available but it grows short and with each passing year the only opportunities to do anything about the matter are speedily diminishing.

Mr. Speaker, I also pointed out in that speech that—

> The great outer beach area of Cape Cod is one of the most ideal of all the spots in the United States to establish an outstanding recreational facility. There is no longer any comparable region in New England that is more desirable for extensive seashore recreation. Congressman O'NEILL and I feel that this section of Cape Cod offers one of the finest opportunities available to preserve into perpetuity a magnificent playground for all America.

The Cape Cod National Seashore Park is now a reality. President Kennedy, who cosponsored the legislation in Congress with Senator LEVERETT SALTONSTALL and Congressmen HASTINGS KEITH, who represents the Cape Cod area, SILVIO CONTE, THOMAS P. O'NEILL, and myself, signed the bill establishing the Cape Cod National Seashore into law on August 7, 1961. The park is serving more than 2 million persons, and is one of the Nation's great natural resources. I have permission to have included with my remarks at this point in the RECORD, an editorial taken from the Springfield Sunday Republican on May 15, 1966, entitled "The National Seashore":

THE NATIONAL SEASHORE

For several summers, during its development, the Cape Cod National Seashore has been open to the public, and several million visitors have been there. Now the time has come for its formal establishment, which is to take place at Eastham on Memorial Day, with the federal government officially taking possession in the presence of state and national notables.

Cape Cod has countless aspects. There is noise and excitement, but there is also peace and quiet. There is activity ashore and on the water. There are crowded roads and beaches, busy shopping centers, popular theaters and eating places, and there are secluded haunts that few strangers ever find. Old and new meet on Cape Cod, from stately churches and weathered cottages to flashy motels and the most modern homes.

But the National Seashore is the natural Cape Cod, the outer side of the lower cape, where the Atlantic surf pounds and the east wind blows and the struggle between sea and land goes on forever. There are miles of white dunes and high headlands, and sheer bluffs torn by winter storms, and offshore to the south are shoals and sandbars that menace navigation. For centuries ships have been wrecked and mariners lost along this exposed coast.

Geologists regard the outer cape as a rare example of glacial deposits and the violent action of sea on land, accounting for the wide variety of landscapes. As Henry Thoreau noted when he first went there in 1849, the effects of ocean and weather are constantly changing its outline and formation. The narrow strip that is the National Seashore extends some 40 miles between Chatham and Provincetown, and varies in width from less than one mile to nearly five.

Besides its beaches, this public tract includes woodlands, fresh-water ponds, moors and marshes, all abounding in wildlife. There are trails for walking, bicycling and horseback riding, with guides and rangers, shelters and information centers. Also there are vantage points overlooking the sea where one can rest and watch the waves or follow a distant sail, breathe the salt air and soak up sunshine, envying the buoyant sea birds as they ride the wind and find their food.

Cape Cod is one of five national seashores now administered by the National Park Service, which was created in August, 1916, and thus is in its 50th year. The work of improving and expanding the vast park system and of conserving the nation's natural beauties and resources is ever growing. May 30 traditionally marks the beginning of the New England summer season, and it is only a day after the birthday of the late President Kennedy, who in 1961 signed the act authorizing the new recreational domain on Cape Cod.

THE EASTER MONDAY PARADE

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. FOGARTY. Mr. Speaker, I had the good fortune, last month to attend the 50th anniversary of the Easter uprising in Ireland, the celebration of which was truly inspiring. Since returning I ran across an article describing the Easter Monday parade in such warm and vivid language that it literally brought me back to the scene of the event.

This article was written by Bernardine Truden, associate editor of This Week in Public Health. Miss Truden, a graduate of Radcliffe College, has long been connected with health activities in the State of Massachusetts and has been particularly active in Irish-American affairs. In both fields she has earned considerable respect and acclaim through her gifted ability to write cogently and with heart. In addition to her present capacity as associate editor of This Week in Public Health she writes a weekly column on Ireland in the Boston Globe.

Mr. Speaker, under leave to extend my remarks I include the article by Miss Truden on the Easter Monday parade.

THE EASTER MONDAY PARADE

(By Bernardine Truden)

In the heel of the hunt, there were 14 of us—in it!

It was a gift of a day, mild and sunny, a day to put hope in men's hearts just as that long ago Easter Monday put hope in the hearts of all Irish men.

We assembled at St. Stephen's Green at 10:15 in the morning, the Green where Countess Markievicz and her companions took up their positions opposite the Hotel Shelbourne, except that today the Shelborne flew the green, white and orange tricolor instead of the Union Jack.

We had our lovely green banner with the white lettering, Eire Society of Boston. (It had been hanging for two nights from my draperies at the Gresham to shake out the wrinkles.) The two six-footers, President George Ryan and myself, drew the honor of carrying it. Behind us were Bishop Jeremiah Minihan (would he ride in a car when he could march with his fellow Eire Society members?), Vice-president Eugene Sheehan, past presidents Joseph Gannon and Lenehan O'Connell, Fr. John Fitzgerald, Msgr. John Harney, Norah Downey, Margaret Sheehan, Anna Finnerty, Maura McCarthy, Humphrey Mahoney, Sean Hughes, James McCarthy.

If you've never paraded to the skirl of bagpipes, you've never paraded at all. A fife and drum corps isn't in it. Down Dawson St. we went, past the Mansion House, where the Lord Mayor of Dublin gave us a salute, past the Royal Hibernian Hotel, where English visitors gaped, sharp left into Nassau Street, past Trinity College, Oliver Goldsmith, Tom Moore, the Bank of Ireland, all their stone and bronze impervious to our martial gait. Westmoreland Street next, a short stretch, God be thanked, then O'Connell Bridge, where we marked time for the final onslaught on O'Connell Street. Banners of green, white and orange fluttered from every possible cornice. Huge pots of spring flowers brightened every traffic island, even the place on the bridge where "The Thing" used to be.

We gave a sharp eyes right to O'Connell and his four wary angels, another to Grattan. A fleeting (not a pun) though, what a pity Admiral Horatio Nelson's graven image was no longer here to see this sight. Another thought, how convenient he was gone for over the base of the Pillar was, ideal site, a platform for the TV cameras.

Then the General Post Office. Over it flew the same flag that flew there on Easter Monday 1916, returned last week from the British War Museum, dark green, with gold Gaelic letters reading "Irish Republic."

On the platform in front of the erstwhile headquarters of the infant Irish Republic are President Eamon deValera and 900 of his fellow veterans of 1916. They have come from all places and from all walks of life, those who were humble then and stilll are, those who have risen to grander things, 500 from the Dublin garrisons, 160 from Galway, 80 from Wexford, 80 from overseas, 75 from other parts of Ireland.

This is why we are here, to say, by marching by them, "Thank you for what you did! We were born free but it is because of you that so, too, is the land of our forefathers!"

I think of myself as placid but my left hand, that holds my side of the banner, is trembling and my eyes are as moist as a soft Irish day.

We take our places in the mass that forms from the Parnell monument all the way down to the Liffey. The trumpeters of the Army Band sound the Prayer Call, grave and sweet. A stirring voice, invisible from our position, read the Proclamation of the Irish Republic "In the name of the dead generations . . . ." The band sounds the "Sunrise" call. A 21-gun salute, fired from six 25-pounders in the grounds of Trinity, reverberates till it seems the walls along O'Connell St. will fall again. A flight of Vampire jets from the Irish Air Corps flies only a thousand feet overhead. Then army units file by, having converged from the centers associated with the Rising, from the Four Courts, the Mendicity Institute, Jameson's, Church Street, Jacob's Factory, Earlsfort Terrace, Dolphin's Barn. When the last one has passed, the President's Guard of Honor presents arms and the Army Band plays the Soldier's Song, the national anthem of Ireland.

This it is. It's over. What do you do with a week that begins with a climax like that? Well, of course, you look for the light touch. How about this?

In the six counties of Ireland that aren't free, Armagh, Antrim, Derry, Down, Fermanagh and Tyrone, security guards have been doubled and all sorts of special precaution taken. At the Fermanagh-Monaghan border, two armored units of the 39th Infantry Brigade, Queen's Dragoon Guards, have been patrolling. Poor lads ,they're only doing a job and apparently no one has taken the trouble, for a hard job would be, to explain that wee little Ireland is divided into even smaller parts. Nor has anyone, obviously, told them about "approved" roads, roads on which you are allowed to cross the "Border." So, no Paul Revere to spread the alarm, the honest citizens of Clones, County Monaghan, looked up last night to see, for the first time in 45 years, British troops driving down their main street. Fortunately someone woke up and, as fast as they had entered, the armored vehicles turned round and drove away again.

THE HEROIC DEEDS OF MRS. BARBARA MASON, OF WOONSOCKET, R.I.

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. St Germain] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, too often we allow heroic deeds to pass without rendering the recognition and honor due to them. This is truly a pity for by doing so we fail both the person to whom the honor is due and ourselves who can gain the light of courage shown to us by those who truly walked the path of unselfishness and honor.

In the case of Mrs. Barbara Mason of Woonsocket, R.I., the honor due to her must, unfortunately, be rendered posthumously. But the extraordinary deeds of this devoted mother of five children should not be allowed to pass without the attention due to them. Therefore, for the benefit of my colleagues, I would like at this time to call their attention to this most heroic and unselfish woman who in a few moments transformed a very ordinary and unnoticed life to a most extraordinary and exemplary one. Unfortunately, she achieved this through death. She gave her life that one of her children might live. She gave everything she had—she gave her own existence—and this must not go unnoticed by people seemingly too wrapped up in themselves to even afford a glimpse at an example of true heroism and unselfishness.

Mrs. Mason was only 24 years old at the time of her death on May 4, 1966. But she had accomplished much in this brief time. However, to recognize this our values must be attuned to that which centers about unselfishness. Materially, she had little. But she had five children and expected another and herein lies the real meaning of her life as she viewed it. Her family was the alpha and the omega of her earthly life. She never looked beyond her family. This is what she worked and lived for. And she worked hard, 5½ days a week as a presser in a clothing factory in addition to her multitude of household chores. But she did not complain and this was one of the things that impressed her coworkers who were well aware of her struggle to make ends meet. What also greatly impressed her coworkers was the fact that she lived for her children.

The unselfish concern for and deep devotion to her family kept Mrs. Mason working endless hours without complaint. It also drove her to guide seven children to safety—four of her own and three of her neighbors—when the tenement in which she lived caught on fire on May 4. This unconcern for herself and deep concern for her children also was strong enough to drive her to reenter the flaming tenement house to save her youngest daughter, 20-month-old Karen.

Disregarding the warnings of bystanders, she raced through the burning halls to her daughter's bedroom on the third floor. Once there she was trapped by flames. She then went to the window and after gaining the attention of those below, dropped her baby into the waiting arms of Mr. Raymond Fontaine, an off-duty fireman and hero in his own right. Overcome by smoke, Mrs. Mason then slumped over the window sill and plunged three floors to the pavement. She died a half hour later at Woonsocket Hospital.

Mr. Speaker, I hope that the memory of her heroic deed will not die—that it will serve to guide us along the path of unselfishness and courage. And it is for this reason that I have risen to tell you of her heroic deeds.

SESQUICENTENNIAL OF BROOKLYN SUNDAY SCHOOL UNION

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. MULTER. Mr. Speaker, I have today introduced a resolution recognizing the 150th anniversary of the founding of the Brooklyn Sunday School Union.

For many years the Brooklyn Sunday School Union has celebrated their anniversary with a parade of the Sunday school children through Brooklyn. This year the parade will take place on Thursday, June 9, 1966.

The Brooklyn Sunday School Union is made up of all the Protestant sects of the Borough of Brooklyn and every Protestant church sends a fine contingent of their Sunday school children, teachers, and ministers to participate.

The union contributes to the spiritual welfare, religious education, and moral training of the youth of our community and Brooklyn takes pride in the fact that this is the oldest Sunday school union in the entire United States.

I hope that this body will have the opportunity to act on this resolution in the very near future and thus give public recognition of the service to the youth of our area so generously and unselfishly given through the past century and a half by the Brooklyn Sunday School Union.

BROOKLYN'S CHURCH OF SS. SIMON AND JUDE—A FINE DISPLAY OF ECUMENISM

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. MULTER. Mr. Speaker, on April 20, 1966, Rev. Stephen F. McGrail, pastor of the Roman Catholic Church of SS. Simon and Jude, in Brooklyn, presided at a breakfast in the rectory of his church in the district I have the honor to represent.

At the breakfast Father McGrail announced that the bell tower of the new church he is causing to be erected will be dedicated to the Jewish community of Brooklyn.

Father McGrail noted that Brooklyn, with 960,000 people of the Jewish faith, contains the largest Jewish community in America and that they have been living side by side with their Christian neighbors in peace and harmony for many years.

He made a plea for a union of all religions to combat bigotry. I am pleased to quote some of his remarks on that occasion:

> We must all become more deeply involved in the moral well-being of our community. We live in a pluralistic society that has developed out of the special contributions and high moral and religious teachings of all faiths. This is the spirit that has made America great and strong and that has helped us to interpret the basic value of Constitutional Democracy to the world.
>
> The Jewish faith has made its own distinctive contribution to our American way of life. Jewish leaders have made outstanding contributions to the fields of religion, education, law, medicine, social welfare, art, music, science, space research and every field of human welfare and good citizenship.
>
> We must work together to destroy anti-semitism. In so many instances those who call themselves Christians and Catholics have been responsible for thoughtless, foolish, ill-tempered remarks. As we develop a deep respect and reverence for each other's beliefs, we are amazed to realize how much we Jews and Christians have in common.
>
> In the light of the great contributions of our Jewish brethren, it is only natural that, as the people of this parish of Sts. Simon and Jude prepare to construct a new Church to the honor and glory of God, they would want to set aside a "Memorial Plaque" as a tribute of their Jewish brethren.
>
> Certainly we Catholics have passed through many periods of persecution—and mental and physical suffering. We feel deeply for our Jewish brethren who suffer for their ideals and convictions in so many sections of the world—especially from communists and godless dictators. We feel great sympathy for our Jewish brethren who are suffering for their faith and culture in the Soviet Union.
>
> We would like to set aside the campanile of our new church as our tribute to the struggles, dreams and ideals of our Jewish brethren. As the bells of our new Church ring out in the community, they should draw us closer together in love for God and our fellow man.

Mr. Speaker, the new Church of SS. Simon and Jude rising at Avenue T and Van Sicklen Street in the Gravesend section of Brooklyn will be a beautiful reminder of the ecumenical spirit engendered by the recently concluded Vatican Council. Father McGrail merits the respect and admiration of all the people of Brooklyn for his fine recognition of the brotherhood of man under the fatherhood of God.

ANTHONY A. MICOCCI

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. RODINO. Mr. Speaker, on Friday last the United States lost a devoted public servant. Anthony A. Micocci, staff adviser to the Cuban refugee program, Department of Health, Education, and Welfare, died after a heart attack while attending the 40th reunion of his class at the University of Pennsylvania.

Tony was born in Rome, Italy, and came to the United States when he was 5 years of age. He spent the early years of his life in Chester, Pa., and received his bachelor's and master's degrees from the University of Pennsylvania where he was elected to Phi Beta Kappa. He did further graduate study at the University of Grenoble, the American Academy in Rome, Columbia University, and Catholic University.

Before World War II Tony was a public school teacher and also a university instructor. During the war he was chairman of the Italian branch of the Allied Publications Board and headed the Gazetti del Mezzogiorno, and later was director of Radio Bari. Immediately following the war Tony briefly headed the Italian section of Voice of America and in 1946 accepted a position with the Department of State. He always offered sympathetic understanding to refugee problems and the difficulties experienced by displaced persons.

Many, many unfortunate refugees, aided in their quest for a new life by Tony Micocci, never had an opportunity to know their benefactor; however, those of us who knew Tony attest to his humanitarian contributions.

I know that the Members of this body join with me in extending our sincere sympathy to Mrs. Micocci.

CUBAN REFUGEES

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GILBERT] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. GILBERT. Mr. Speaker, yesterday I introduced legislation to permit Cuban refugees in the United States to adjust their status and become permanent residents of this country, if they so desire. This legislation, H.R. 15182 and H.R. 15183, presents two legislative approaches to this adjustment: First, permitting adjustment of status at the time of application; and second, permitting retroactive adjustment as of the date of last entry.

I am keenly aware of and vitally concerned with the problems that these Cuban refugees have faced and are facing due to their temporary status in this country. The great majority of Cuban refugees in the United States are on a parole status—actually at the sufferance of our Government. Consequently, they are hampered in complying with State licensure requirements and find themselves unable to qualify for the benefits that are derived from a permanent resident status. Rather than have the U.S. Government financially continue to support a Cuban refugee program, it certainly seems much more feasible to me to offer permanent resident status to the Cubans so that they can become equal participants in community affairs and not be looked upon as temporary parolees.

The Cuban refugees have been seeking the protection of our shores since January 1959 and thousands have been within our borders for many years. I respectfully submit that it is not only in the best interests of the Cubans to have permanent resident status in this country, but it is also in the best interests of the United States economically, socially, and politically that the Cubans have the opportunities and responsibilities that accrue from permanent resident status. The Cubans are proud people; the Cubans have been our longtime friendly neighbors who turned to the United States for asylum and the United States spontaneously responded. We cannot, however, continue indefinitely to maintain a parental attitude. We must give the Cubans an opportunity in the United States to move forward on their own and share the advantages which this great country can offer.

In support of my position in this matter, Mr. Speaker, I bring to the attention of the House an address by Mr. John F. Thomas, director of the Cuban refugee program which he delivered before the American Immigration and Citizenship Conference on May 20, 1966, in New York City. The very able Mr. Thomas, a longtime expert in refugee matters, has skillfully guided the Cuban refugee program which has assisted over 300,000 Cubans who have sought refuge in the United States. I am pleased to insert in the RECORD this thorough analysis of the Cuban refugee program which John Thomas presented:

> It is a pleasure for me to address the annual meeting of the American Immigration and Citizenship Conference. I would like to take this opportunity to congratulate the officers and members of this august body, for the efforts made in support of amendments to the Immigration and Naturalization law.
>
> We know today that there are some weaknesses in the new law, but we all can take satisfaction from having eliminated the national quota restriction from our basic law.
>
> Recently, I have had conversations with several people who have had experience in refugee work, but who have left this field for other endeavors. These persons contend that there does not exist any real basis for refugee work in today's world. They say that the refugee is no different than any other person who has been caught in and by poverty and other social and economic situations which exist in so many parts of the world. Their arguments consistently stress this point: that the know how and experience gained by persons assisting in the refugee field should be put into wider use, and that refugee work per se in a given country should be integrated into the overall aid and development programs for that country.
>
> I listened to this same type of argument in South Viet Nam last summer. There was the contention that the majority of rural-living persons in South Viet Nam needed some form of assistance, and that the needs of the so-called refugees differed little from the needs of the non-refugee peasants. Therefore, why should a separate refugee office and program be established.
>
> I do not go along with these points of view. I think the fact that, at the present time, 9.7 million persons are in refugee status throughout the world is enough reason for the international community to be concerned with the plight of refugees as a single, separate criteria of persons in need. A refugee, regardless of how or why he may be in refugee status, is generally, though not necessarily, outside of his home country. He is generally destitute, having lost in his flight to freedom whatever material wealth he may have accumulated. He and his family, if he is fortunate enough to have his

family members with him, find themselves in a state of shock and are not prepared to be melded immediately into the community in which they find themselves. In many instances their characteristics differ from the persons native to their new community. In many instances there are religious differences and often language barriers for the refugees to overcome. In far too many cases the newcomers find themselves in a climate of distrust and even hatred. Therefore, as long as political, economic, social, and religious conflicts cause people to leave suddenly their native habitat to seek asylum in a new territory, there will be a need for refugee work as a specific and separate endeavor. As long as men find it impossible to live at peace with their neighbors and thus have to flee from their homeland, there should be international machinery to offer legal protection to these persons, to see that assistance enabling them to meet the basic necessities of life is available, and to help them regain a normal form of daily life.

You will note that I have stressed in the previous sentence "the need for international machinery to be available for assisting refugees." In this present-day world in which unrest and uneasiness is present as a result of the development of nuclear weapons and the existence of ideological conflicts, the principle of freedom of movement can play a strong role in the movement toward international peace. If countries would recognize this principle of free movement and would join hands in a continuing development of international refugee machinery, a strong link in the movement toward peace would be forged.

This point of view stems from my long experience in refugee work. I have become more and more impressed, as a result of my recent work in South Viet Nam with the refugee problem and with the Cuban refugee problem in the United States, by operation of the current Cuban Refugee Program. We now have a fantastically interesting operation since it is based on the willingness of a communist-dominated country to permit the orderly outflow of its citizens to a so-called capitalistic country. We think this is a remarkable development that should merit deep consideration.

There were 650,000 homeless persons in South Viet Nam before our government and the South Vietnamese government decided to do something about them. Perhaps the general AID program could have absorbed these people but certainly this had not been the case. The South Viet Nam government did not have a program which would have given these homeless, landless persons the help they needed. Without a separate refugee program within both the South Vietnamese government and the U.S. AID mission, with concomitant budget appropriations, this large segment of South Vietnamese people would have suffered undue hardship. The majority of these peasants are from former Viet Cong holdings. How difficult it would be to convince these people of the merits of true freedom if we were not prepared to make their first contact with the democratic way of life a satisfactory and a rewarding one.

Under federal auspices, broad-scale aid for Cuban refugees in the United States began late in 1960 when President Eisenhower inaugurated a program to deal with most urgent needs. Subsequently, President Kennedy recognized the Cuban refugee problem as one of national responsibility, beyond the means of individual states or the combined efforts of Voluntary Agencies. On February 3, 1961, President Kennedy issued a statement instructing the then Secretary of Health, Education, and Welfare Abraham Ribicoff, to aid Cuban refugees under these points: (1) Help Voluntary Agencies to provide daily necessities to resettle, and to find jobs; (2) Gain private and government agency cooperation to provide job opportunities; (3) Provide funds for resettlement, including transportation and adjustment costs in the new community, and return to Miami for repatriation to a Free Cuba as soon as that becomes possible; (4) Furnish financial assistance for basic maintenance in Miami and communities of resettlement, administered through federal, state and local channels, based on standards used in communities involved; (5) Provide essential health services; (6) Furnish federal assistance for local public school operating costs related to the Cuban impact; (7) Initiate measures to augment training and educational opportunities, including physicians, teachers, and those with other professional backgrounds; (8) Provide financial aid for unaccompanied children; (9) Undertake surplus food distribution administered by the Dade County (Miami) Welfare Department.

Expenditures of the program, through December 31, 1965 (half of fiscal 1966) totaled more than $200,000, of which the major portion was for welfare assistance and services to needy refugees in Miami. For each fiscal year expenditures were: 1961—$4,089,000; 1962—$38,502,000; 1963—$56,027,000; 1964—$46,011,000; 1965—$36,400,000; 1966—Appropriation, $30,000,000. (A supplementary appropriation of $12,600,000 was approved on request of President Johnson in October 1965, bringing the 1966 total to $42,600,000). The declines in 1964 and 1965 appropriations reflected the fact that fewer refugees in Miami (before the new exodus in late 1965) required financial assistance, as a result of the success of resettlement efforts and of employment opportunities in Miami.

Time will not permit my going into the details of our Cuban Refugee Program.

With so many people crowding into the Miami area, the Federal Government established a policy of resettlement away from Miami. Four national voluntary agencies were contracted to furnish resettlement services to the Government. These agencies are, National Catholic Welfare Conference, United HIAS Service, Church World Service, and the International Rescue Committee. By December 1, 1965, nearly 100,000 of the 185,000 registered refugees had been moved to some 3,000 communities in every State of the Union, including Alaska. This action, based on the generosity of the American people working through their churches, synagogues and community groups, relieved Miami of what could have been a serious conflict of ethnic groups and reduced the financial assistance program in Miami from 67,000 persons to less than 14,000.

On September 28, 1965, Fidel Castro announced that he would permit any person who wished to leave Cuba to do so. President Johnson, in signing the new immigration legislation on October 3, 1965, stated that the United States would hold to its traditional position and grant asylum to anyone who sought it. In November, the Swiss Embassy, acting on behalf of the United States, completed a Memorandum of Understanding with the Cuban government which calls for the orderly movement of Cubans to the United States on the basis of family reunion. Flights were commenced on December 1, 1965, and to date some 20,000 Cuban refugees have arrived in Miami on the current airlift. These refugees are processed by our immigration service, registered by the Cuban Refugee Program and counseled by representatives of the four voluntary agencies working with the Program. About 73 per cent of those registered by the Program move out of Miami to rejoin family members in other parts of the country.

This is one of the few times in history where a communist country permits an orderly flow of its citizens to escape to a so-called capitalistic country. For the benefit of the families which have faced separation for such a long time, we hope that the permissive nature of the flow will continue. Our data processing equipment in Miami shows that some 700,000 persons may want to leave Cuba. This will reduce the population of six million considerably. Castro gains the possessions of the refugees, we gain their skills and the refugees gain their freedom. This is what it is all about.

In the few moments remaining I would like to emphasize a few matters with which I believe the members of this conference could concern themselves in the coming months. Over two-thirds of the Cuban refugees in this country are here on parole status. It seems unfair to us that a person should be held "in limbo" for an indefinite period of time. This is not a matter of political concern, but rather one of economics. Too many persons are being forced to spend their limited resources to leave the country in order to apply for reentry as a permanent resident. Too many refugees are prevented from making advancement in their chosen line of work because of the inability to meet licensing or certification requirements.

I hope that this conference will be able to lend its support to legislation that has been introduced to both houses of Congress to permit the adjustment of immigration status for the Cuban refugee.

The second area in which I believe the members of this conference can concern themselves is in the field I touched on earlier. There is evidence in both the executive and legislative branches that our government is anxious to review the type of international machinery that is presently available for assisting refugee situations wherever they occur. I hope that you people will follow this matter closely and find a way in which you can express your comments and thoughts on this matter, so that a real grass-roots opinion will be available to our Congress.

It was gratifying to learn that members of Congress who addressed the recent Intergovernmental Committee for European Migration meeting in Geneva, mentioned this need for a review of the refugee machinery. Senator EDWARD KENNEDY has indicated that his subcommittee will hold hearings so that a detailed look can be made of the present-day international machinery available to assist refugees.

We have learned a great deal about refugees in the past two decades, beginning with the displaced persons and running through the Hungarian crisis, the African development into present-day Viet Nam and Cuban refugees. Let us use these hard-earned lessons to worldwide advantage.

Statistical report—Cuban refugee program

Cumulative since January 1961 (as of May 13, 1966)

Registrations	202,379
Resettlement	111,556

CURRENT AIRLIFT

Cumulative since Dec. 1, 1965 (as of May 13, 1966)

Total arrivals	20,684

Ages	Number	Percent
0 to 17	6,649	32
18 to 45	7,253	35
46 to 64	5,633	27
65 and over	1,149	6

EMPLOYABLE FAMILY MEMBERS

Occupations	Number	Percent
Professional, semiprofessional, and managerial	1,771	8
Clerical and sales	2,255	11
Skilled	1,167	6
Semiskilled and unskilled	1,087	5
Services	804	4
Agricultural and fishery	381	2
Students, children, and housewives	13,219	64

Total resettlements	13,983

HIRSHHORN MUSEUM

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. FALLON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. FALLON. Mr. Speaker, on May 18, it was my great privilege to introduce a bill (H.R. 15121) to construct a museum to house the Hirshhorn collection, which was referred to the House Committee on Public Works, of which I am chairman. It is our intent to give the bill sympathetic and prompt consideration. Under the measure, the Joseph H. Hirshhorn Museum and Sculpture Garden would be established on the Mall, near the Smithsonian Institution, and would be under the administration of the Institution.

Through the generosity of Joseph Hirshhorn, not only the residents of Washington but millions of Americans throughout the United States and visitors from foreign lands, will be able to see this magnificent collection of paintings and superb group of sculptures. Mr. Hirshhorn deserves the respect and deep gratitude of our entire citizenry for this magnificent gift.

It is truly a collection of our time.

It is a privilege to bring to your attention an excellent background statement on the Joseph H. Hirshhorn collection I am inserting into the CONGRESSIONAL RECORD at the request of Mr. S. Dillon Ripley, Secretary, Smithsonian Institution.

The statement follows:

Believed to be the most valuable of its kind in private hands, the 5,600-piece art collection, given by Joseph H. Hirshhorn to the United States, is a unique recapitulation of the history of modern sculpture and American painting in the 20th century.

In addition, it contains a considerable body of modern European paintings of the past two decades.

On a more modern scale, the collection includes sculpture from antiquity which reflects parallels and relationships with modern art. In the area of African art, it contains the superb group of Benin bronzes.

The collection, said to be worth millions, possibly as much as $25 million, has been built up over a period of more than 40 years, and is now located at Mr. Hirshhorn's home in Greenwich, Connecticut, and his office and storage areas in New York City.

Without respect to rank, it can be said that the Hirshhorn gift is one of the three outstanding cultural events connected with Washington in this century. The other two were the gifts made in connection with the National Gallery of Art and the gifts and bequests of the late Charles Lang Freer.

As a survey of American art the collection begins with a large group of paintings by Thomas Eakins supported by 11 sculptures and reliefs as well as an archives of memorabilia on the life of this American master.

The "school of the eight," is represented by over 100 paintings, watercolors, and drawings, with a sculpture group of over 40 pieces of sculpture of Arthur B. Davies.

While it is impossible to list all the artists represented in the Hirshhorn Collection, it should be pointed out along with such earlier artists as Marin, Weber, Dove, Carles, Hartley, Walkowitz, Maurer, Eilshemius, the Collection contains examples by the Abstract Expressionists, including Gorky, Hofmann, Pollock, Still, Guston, Kline, De Kooning, Motherwell and Gottlieb.

Of course the artists of the previous generation—Kuhn, Stella, Marsh, Stuart Davis, Ben Shahn, and Evergood—are well represented. While the younger generation of painters such as Rauschenberg, Noland, Morris Louis, Rivers, Reinhardt, Poons, Dine, Rosenquist, and Wesselman also are included.

Younger artists are also included because, as Mr. Hirshhorn explains, "I have always sought to encourage young artists—particularly American artists—by purchasing their works of art."

The group of modern European paintings contains such outstanding names as Kokoschka, Picasso, DeStael, Sutherland, Nicholson, Bacon, Saura, Vasarely, Giacometti, Vieira De Silva, Biessier, Fontana, Morandi, Appel, Magritte, Jorn and many others.

It must be borne in mind that this arbitrary listing is intended only to suggest to the scope of the Collection and not to indicate its complete list of artists.

The sculpture collection traces the history of the medium from the middle of the 19th century beginning with Damier, and glancing back to Carpeaux and Houdon. Again, it is impossible to list in any detail the 1600 or so pieces comprising the sculpture collection.

"Some of the highlights that give an idea of the sculpture holdings, notes Abram Lerner, curator of the Hirshhorn Collection, are: (artist and number of his works) Damier, 42; Rodin, 17; Degas, 22; Giacometti, 23; Sir Henry Moore, 53; Matisse, 21; David Smith, 22; Brancusi, 3; Lipchitz, 13; and Manzu, 26."

"As with the paintings, Mr. Lerner said, the sculpture collection has been alert to aesthetic change and to the work of younger sculptors."

Among these are such artists as Agostini, Agam, Arman, Bauermeister, Boriani, Max Bill, Cesar, Chamberlain, De Lap, Dodeigne, Dubuffet, Ipousteguy, Kemeny, Leparc, Liberman, Murray, Pavia, Rivkey, Segal, Sobrimo, Vasarely, Zogbaum.

One of the outstanding qualities of the Collection which offers advantages to students and scholars as well as to the general public is its concentration on individual artists. This presentation on depth intelligently explores artists' development and change, and allows for greater insight and understanding. The painting collection too has many such instances of a body of works by a single artist.

The Hirshhorn Collection is a living assemblage of modern art. It explores the vitality and change of the 20th century without ignoring the background conditions out of which they grew.

THE INDUSTRIALIZATION OF RURAL AREAS

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. PATMAN. Mr. Speaker, many of us have expressed concern over the exodus from rural America to the big cities of our Nation. We have seen the countryside lose too large a portion of its good, substantial people, and we know how the cities are being increasingly burdened with swelling populations and ever-mounting problems.

We also know that for the good of the Nation a way must be found to keep people in rural areas by providing the opportunities they now seek in the cities. If we can do that, we greatly strengthen both rural and urban America.

On the 14th of May, Mr. Speaker, the Secretary of Agriculture, Orville L. Freeman, addressed himself to that problem when he appeared before the Business Council at a meeting in Hot Springs, Va.

There Mr. Freeman called on business and industrial leaders to join in a nationwide effort to "stem the migration from country to city by providing jobs for rural America."

In his speech, Mr. Freeman called attention to the profit opportunities to be found in rural America, and also appealed to the patriotism of businessmen and industrialists to do right by their country while they do right by themselves.

He outlined programs of the Department of Agriculture which are geared to help businessmen and industrialists establish "sound, new plants which can operate profitably in the countryside, and promise rural America parity of income and opportunity."

In the course of his address, the Secretary of Agriculture particularly cited the Campbell Soup Co. as one company which had found that locating plants in rural areas produced profits, happy workers and pleased executives. The Campbell Soup Co. now has 20 of its 26 plants in rural areas, and company President W. B. Murphy is one of the most prominent advocates and successful practitioners of rural industrialization in America.

Because of the significance of Mr. Freeman's remarks, I would like to include in the RECORD the text of his speech and commend it to the attention of my colleagues in this distinguished body from both the rural and the urban sections of our great Nation:

ADDRESS BY SECRETARY OF AGRICULTURE ORVILLE L. FREEMAN BEFORE THE BUSINESS COUNCIL, THE HOMESTEAD, HOT SPRINGS, VA., MAY 14, 1966.

As I was casting about for an appropriate opening thought for today's talk, a certain line kept running through my mind . . . .

The time has come to talk of many things . . . The time has come to talk of many things.

There was something familiar about that line, and suddenly it came to me.

Remember "Through the Looking Glass," which most of us knew as "Alice in Wonderland"?

" 'The time has come,' the Walrus said, 'to talk of many things.' "

The Walrus wanted to talk about shoes and ships and sealing wax, of cabbages and kings, and why the sea is boiling hot, and whether pigs have wings.

Now I really don't have much to say about ships and sealing wax and kings, but if I haven't said much lately about cabbages and pigs with wings, I have had recent occasion to comment on shoes . . . and hide export quotas . . . lettuce . . . and fluttering pork prices.

And as for the sea being boiling hot, that holds no particular fascination for Secretaries of Agriculture . . . who traditionally have a working familiarity with hot water.

Seriously, today I do want to talk to you of many things, of things vitally important to you, to me . . . and to this great Wonderland.

Like the lyrical Walrus, I want to talk to you of factory whistles and whippoorwills . . . of manufacturing plants and meadowlarks . . . and of their compatibility.

I want to talk about space-starved cities and job-starved countrysides . . . of the dangerous paradox of 70 percent of our people living on 1 percent of our land . . . of urban blight . . . and of rural right to a more equitable share of our national prosperity.

I want to take direct issue with those who say the mass migration from country to city is inevitable, inexorable, and desirable . . . and with those who predict that tomorrow's America should consist of a few huge megalopolitan complexes strung together by superhighways running through endless miles of empty land.

I say that this is *not* desirable. And I contend that it is *neither* inevitable nor inexorable.

And I'm hopeful that you, as Americans deeply interested in the welfare of our country, can be persuaded that it is folly to stack up three-quarters of our people in the suffocating steel and concrete storage bins of the city . . . while a figurative handful of our fellow citizens rattle around in a great barn full of untapped resources and empty dreams.

I believe there is only one way to right the maldistribution of people and opportunity in America . . . and that's by putting jobs where there is space . . , in *rural* America.

We can help. But only *you* can put those jobs in the countryside. And that's why I am here today.

I'm here as a pitchman to sell you on the opportunities awaiting industry in rural America . . . opportunities for you who represent business and industry to do right by yourselves . . . and right by your country.

I'm here to argue that modern transportation and communication facilities, coupled with the ready availability of unemployed or underemployed trained and trainable rural labor, refute the traditional case for locating business and industry only in the big cities.

In today's America, few industrial plants need be more than an hour or so away from raw materials and sales markets, nor more than minutes away from power supply and manpower . . . no matter where they are located.

The Federal Government, working in close cooperation with the States and local communities, can provide valuable assistance to those of you who wish to open new plants in the rural areas.

We invite you to come to us for whatever help you need . . . and that help, as I'll detail to you, can be both substantial and significant.

But let me make something crystal clear at the outset so there will be no misunderstanding of what I have to say today.

We are *not* . . . I repeat . . . *not* encouraging "runaway" plants, industrial "piracy" or the exploitation of the job-hungry countryside.

We are *not* encouraging any industry to pack up, leave the city, and move lock, stock and barrel to the countryside.

What we are encouraging is the establishment of sound, new plants, either by existing businesses or new organizations, which can operate profitably in the countryside . . . and promise rural Americans parity of income and opportunity.

Now let me examine for a few minutes what has happened in this Wonderland of America to turn it into a land of crowded cities and vacant countryside.

Just last week I hailed a new era in American agriculture.

I did this because it is now apparent that the days of burdensome surpluses are all but over, and a new era of the Ever-Normal Granary is all but here.

Just 5 years ago, we had on hand 1.4 billion bushels of wheat—more than a full year's domestic commercial sales and Food for Freedom requirements—and a new crop was about to be harvested

Who would have believed then that in just 5 years such a tremendous supply of wheat would have been reduced to a point where the President and the Secretary of Agriculture could proudly announce, as we did last week, a 15-percent increase in wheat acreage allotments?

I called the announcement of the wheat acreage allotment increase an example of the new flexibility and adaptiveness of our great agricultural production plant.

It *is* flexible. It *is* adaptive. For we have now reached the point where we can move millions of acres of land in and out of production with efficiency and economy . . . and we can do it without huge, costly surpluses to gouge the taxpayer and depress farm income.

And how *is* farm income? The best in many years.

Gross farm income will be nearly $10 billion more this year than it was in 1960.

Net income per farm will approximate $4,600 in 1966, compared with only $2,956 six years ago.

And the products moved into foreign markets from our farms will return 5 billion hard dollars this year . . . a dollar sales figure more than 50 percent greater than in 1960.

And while the American farmer has been improving his own income by cooperating with the major farm programs of the past 5 years, he has continued to provide domestic consumers with abundant and varied diets for a steadily diminishing percentage of their take-home dollars.

Americans spend a lower percentage of their incomes for food than any other people on earth, a fact all of us should keep in mind in the current concern over inflationary pressures.

And so you see, we are well on our way to solving the farm problems which appeared so frustrating less than a decade ago . . . And now it is time to turn our attention, and our efforts, toward brightening the entire picture of rural America today.

Let us see why this must be done.

In a relatively short span of history, the productive genius of the American farmer has allowed us to move from what was once basically an agrarian society to what is now basically an industrial society.

As the farmer began to produce more than enough for his own needs, some were freed for other pursuits. For as technological advances were made in agriculture, fewer and fewer farmers were required to feed more and more people. In our technologically-oriented society, we know this trend will continue.

In earlier times, this presented no great economic or social problems. Farmers left the land to move to the settlements and become artisans and tradesmen, merchants and teachers.

This was the beginning of the exodus from rural to urban America . . . and in the beginning . . . and for generations after . . . it was a healthy trend, for the growth of the great urban areas was undoubtedly a key factor in the phenomenal economic development of this nation.

We all know we must have healthy, thriving cities. We know that our economy could not exist without them. And we know that every effort must be made to strengthen the cities and cure their ills. For too many of our big cities are in deep, deep trouble.

Aristotle once said that people live in cities "in order to live the good life."

But President Johnson has said: "It is harder and harder to live the good life in American cities today."

And it will become even harder to live the good life in our cities unless the forced migration of millions of Americans from rural America to the urban centers is slowed, stopped . . . and reversed.

By the year 2000, demographers tell us, 4 out of 5 Americans will live in metropolitan areas.

Two hundred and forty million people will live in 8.7 percent of the Nation's land area, while only 60 million will occupy the remaining 91.3 percent.

Imagine, if you can, American cities more densely populated than the most crowded countries in the world. Again, if the planners are right in their predictions, the average population density of the urban areas of the United States will be 774 people per square mile by the year 2000. Japan, crowded as it is, has only 672 people per square mile.

Plagued already by the multiple problems of too many people for too little space, how can our cities hope to keep pace if these predictions materialize?

My friends, we simply cannot afford, sociologically or economically, to continue to let all of the fall-out from the population explosion settle on our urban centers.

More people moving to the cities means more problems, more waste, more loneliness and more despair.

It means more smog in the air and more filth in the water. It means more traffic, taxing and education snarls, frustrations and failures. And it means more human demands against less human incentive.

Do we, as Americans vitally interested in the welfare of our nation, really want this?

Of course we don't.

Then what can we do about it?

Bev Murphy answered that in these words: "This picture of greater and greater population concentration is to me unpleasant and expensive, and, I would hope, not inevitable . . . If jobs are available in the thousands of small towns and cities away from metropolitan areas, I think most of the people in these rural areas will not move. They will prefer to live in the circumstances in which they were reared."

Bev Murphy backs words with action. The Campbell Soup Company now has 20 of its 26 plants in rural areas, and he has told us the results have been splendid.

I am pleased by his report . . . but not surprised. The Campbell Company's experience with rural locations is being duplicated with equally encouraging results by other large and small companies.

I say I am pleased, but not surprised, because I have all the confidence in the world that there is a "right" rural area for any industry looking to new sites for new plants or expansion.

Rural America has so much to offer business and industry.

It has the tangibles: clean air, abundant pure water, relatively low land costs, building costs, utility costs, and service costs.

Some areas offer additional tangibles. I speak of those responsible communities where, in the absence of industry, home owners and small businessmen have willingly shouldered heavy tax burdens to provide good schools and teachers for their children, to support the best possible police force, to carry out sound local welfare programs, and to build excellent community health facilities.

And I speak of those communities scattered throughout our Nation which have organized local development committees to work for new industry for their towns and to help industry find sites.

And then there are the other, perhaps less tangible, advantages offered by rural America. Freedom from congestion. Space to breathe. Space to live. Space to grow. Space to play. Space to drive and space to park. Recreational opportunities of exciting variety minutes from home and work. Community identity. Community pride.

Many Americans yearn for these blessings.

A Gallup poll published in March of this year revealed that while only about a third of the people actually live in small towns or rural areas, nearly half of all persons surveyed in the poll said that if they had their choice, they would like to live in a small town or on a farm.

Dr. Charles N. Kimball, president of the Midwest Research Institute in Kansas City, Missouri, recently declared that "many Americans would move away from the metropolis if given half a chance."

And so they would. But the catch phrase here is "given half a chance."

For the unpleasant truth is that for far too many years rural America has not been able to give its people "half a chance."

Despite its many blessings, the countryside traditionally has offered little but discouragement to widely disparate segments of its society—the gifted and well-educated . . . and the unwanted and untrained.

The gifted were unable to find the challenges and the opportunities their spirit and training required. The unwanted and the untrained were simply unable to find work to earn a bare livelihood.

Thus the exodus to the megalopolis. A steady stream of millions of young people with each passing year. Some in search of the mystical urban touchstone of success. Others, pushed aside by the technological revolution on farms and in mines, untrained for jobs in strange places, or the victims of racial discrimination, moved to the cities in desperate search for little more than food, clothing and a roof over their heads.

So you see, my friends of business and industry, that while rural America has much to offer you . . . you have much to offer rural America.

It is my hope that you will help each other to your mutual benefit.

And it is my contribution to call to your attention, the tools "creative Federalism" can supply to help you help speed the economic development of rural America.

Encouraging this effort is not just the personal whim of the Secretary of Agriculture. It is a national effort spelled out by President Johnson when the Rural Community Development Service of the Department of Agriculture was born a little more than a year ago.

"It is not easy," the President said, "to equitably distribute Federal assistance to a scattered rural population. . . . A method must be developed to extend the reach of those Federal agencies and programs which should, but do not now, effectively serve rural areas."

The President then urged each Department and agency of government to make sure its programs reached both urban and rural areas on equal terms.

The President also directed the Secretary of Agriculture to put the facilities of his field offices at the disposal of all Federal agencies to assist them in making their programs effective in rural areas.

The Rural Community Development Service now maintains a continuing liaison in Washington with all Federal agencies offering services which can be used in rural America . . . and it uses the Department of Agriculture's field staff to carry to community leaders information about the full range of Federal servcies, the relationship of one to the other, and the procedures for achieving their use.

As we have sought to help rural America develop a broader range of economic and social opportunities, we have learned that many smaller communities—working alone—cannot muster enough of the skills and capital resources required to effectively help themselves, or even to avail themselves of State and Federal assistance.

To meet this problem, the President this year proposed legislation which would create Community Development Districts. Already approved by the Senate, and now before the House Agriculture Committee, this proposal, if enacted, would lean heavily upon the planning and development agencies of State government for effective implementation.

One of its major purposes is to help rural communities which are linked together in a natural commuting pattern to pool their skills and resources to develop a physical, social and public service environment which would be more attractive to industrial, business, and personal service institutions.

These programs, and a new program I will introduce to you today, supplement the Rural Areas Development effort which since its inception in 1961 has mobilized more than 150,000 rural leaders to work to create new job opportunities and improve rural living conditions.

These leaders have organized and promoted no less than 20,000 projects—projects ranging from industrial parks which bring new jobs to communities, to the construction of community facilities to make these communities more attractive to industry.

And now I want to announce the establishment of an even *more* specific program to hasten the economic development of rural America . . . and I can think of no more appropriate forum to make this announcement.

The Department of Agriculture is now ready to launch a Rural Industrialization Program which I am confident can make a valuable contribution to the well-being of our entire Nation.

Through this program, we hope to bring the profit opportunities in America's smaller communities to the attention of industry.

To help businessmen investigate that potential, the Department's Rural Industrialization staff will consult with businessmen * * * in Washington or in their own offices.

Whenever asked, we will also serve as liaison in arranging whatever financial and technical assistance is needed.

To promote this program, we are preparing a brochure which will spell out the advantages for industry in the countryside, and will detail the Federal, State and local assistance available to industry.

This brochure discusses rural labor pools, details the training programs financed by the Government, offers specific information on Federal, State and local industrial financing programs, discusses industrial sites, water, natural resources, and transportation facilities available in rural areas, and specifically describes how the United States Department of Agriculture can help businessmen open new plants in rural areas.

I hope you find it interesting and informative.

In summary, then, let me quickly review the problem. . . and the potential solution.

Three-quarters of our people are jammed onto 1 percent of our land . . . and still the migration to the cities continues.

The problems and the costs of the cities will continue to increase until that migration is stopped.

Without opportunity in the countryside, the farmers who are no longer needed in an agriculture in technological revolution, the well educated of the towns and small cities, and the unwanted and untrained will continue to move to the cities.

To keep people in rural America, opportunities must be created for them.

Specifically, jobs must be provided.

You who represent business and industry can provide those jobs, and, at the same time, serve the best interests of your country by helping to cure both the ills of the countryside and the ills of the city.

I have tried to spell out the advantages of industrial expansion in rural America, and our new Departmental program to encourage rural industrialization will continue that effort.

We want you to be aware of the acres of choice industrial land which will accommodate your present needs and future expansion, help improve service to regional and local markets, service growing new markets created by an expanding and mobile population . . . and at the same time reduce operating costs.

We want you to know that most rural communities have an abundant supply of water for industrial needs and recreational pursuits or developments, a ready source of industrial fuel and power, access to rail, highway, air, and in some cases water, transportation facilities, and a ready-made labor pool of skilled and trainable people.

We want you to know that there are three broad classes of training programs financed by the government to train workers for new and existing plants.

We want you to know that an economically healthy rural America, a rural America which provides jobs and opportunity, can offer you and your workers convenience, contentment, serenity, pleasure and that personal fulfillment and enrichment which comes to those in close accord with Nature.

We want you to know that "creative Federalism" is working to make the small communities of our Nation better places to live, to work, to produce and to play.

And we want you to know that all of the considerable resource assistance of the Federal government is at your disposal in any effort you make to bring more economic opportunity to rural America.

If we cooperate. If we work together. If we pool our resources, then the day will come, gentlemen, when meadowlarks fly over manufacturing plants, and the call of the whippoorwill will blend with the cry of the factory whistle.

SERVICEMEN LEFT STRANDED WHILE ON LEAVE

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. McCarthy] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. McCARTHY. Mr. Speaker, the distinguished chairman of the Armed Services Committee has appointed a special committee to study the availability of commercial air transportation for military service personnel who attempt to fly to and from their homes while on authorized leave.

We all have witnessed the familiar scene in airports across the Nation of service personnel left stranded either because they cannot obtain reservations or because as "standby" passengers, flights have been filled by regular paying passengers. And in many of these cases servicemen must forfeit part of their leave in order to return to their bases before their leave expires.

I endorse our distinguished colleague's action on behalf of our servicemen. And I think it is time that Congress looks into this matter. If the airlines will not or cannot alleviate the congestion in heavily traveled areas by providing additional flights, then it falls upon Congress to seek a solution and make provisions accordingly.

If these men and women give of their time, and in many cases their lives, to defend our Nation and the freedom of other peoples, I certainly think they deserve greater consideration when they are on leave.

DISTRICT OF COLUMBIA HOME RULE—IT CAN BE SAVED IF THE SENATE WILL ACT

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin [Mr. REUSS] is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, the inhabitants of the District of Columbia greeted the 89th Congress with high hopes and great expectations.

There was every reason to believe that this was the Congress which would at last restore to them the right of self-government that is enjoyed by every other city and hamlet in this country.

The Democratic Party in its 1964 platform had reaffirmed:

> We support home rule for the District of Columbia. The seat of our government shall be a workshop for democracy, a pilot-plant for freedom, and a place of incomparable beauty.

This House had its largest progressive, forward-looking majority in years. On January 4, 1965, we reformed the rules of the House establishing a means of sending bills to conference by a majority vote and thus eliminating one potential stumbling block to home rule legislation. Although the number of signatures needed to discharge a committee was not reduced as some of us had hoped, there was reason to believe that home rule legislation could be brought to the floor even under the existing rule requiring the signatures of a majority of the House.

On July 22, 1965, S. 1118, a thoroughly considered bill "to provide an elected mayor, city council, and nonvoting delegate to the House of Representatives for the District of Columbia" passed the Senate by a 63 to 29 vote.

On September 3, 1965, the 218th signature was added to the petition to discharge H.R. 4644, a companion to S. 1118, from the House District Committee.

However, on September 29, 1965, the House voted 227 to 174 to substitute for the text of H.R. 4644 the language of legislation sponsored by the gentleman from California [Mr. SISK] providing for a District of Columbia Charter Board.

The amended bill, with its many drawbacks as an instrument of achieving home rule, was not acceptable to the other body, which on April 5, 1966, asked the House for a conference on the legislation. On May 11, the House District Committee voted down, 10 to 13, a motion to agree to a conference. Even if the House District Committee were to agree to a conference, the dreary prospect is for a conference committee dominated on the House side by determined opponents of home rule in any form.

There the matter rests and is likely to stay unless a new approach is taken.

This Congress, with all its favorable aspects for home rule, should not be allowed to go by without achieving the long-sought objective of self-government for the Nation's Capital. Subsequent Congresses may not have so many members in favor of home rule. A less progressive House may retract the procedure for sending bills to conference by majority vote, just as the House in 1951 repealed the 2-year-old 21-day rule for circumventing Rules Committee roadblocks.

Home rule must not be conspicuous by its absence from the long list of Democratic platform pledges redeemed by the majority during this Congress. The home rule effort may be bloodied and battered, but it need not bow to its opposition.

What is needed is a hero among the 100 Members of the other body to rescue home rule from the clutches of the majority of the House District Committee.

This is how home rule can yet be won this year:

First. Offer a mayor-council bill as a nongermane Senate amendment to a House-passed bill from the Education and Labor Committee.

Let a Member of the other body offer a mayor-council home rule bill as an amendment to a House-passed bill in the jurisdiction of the House Committee on Education and Labor. Such a bill could well be identical with H.R. 11218, introduced by the gentleman from New York [Mr. MULTER] last September 22. H.R. 11218 contained the provisions of S. 1118 as passed by the Senate with certain changes designed to secure the support of House Republicans. Such a home rule amendment might be attached to any one of four bills of lesser importance which passed the House without opposition and are now pending in the Senate Committee on Labor and Public Welfare: H.R. 1153, to amend section 302 (c) of the Labor Management Relations Act of 1947 to permit employer contributions for joint industry promotion of products; H.R. 8989, to promote health and safety in metal and nonmetallic mineral industries; H.R. 10721, to increase benefits under the Federal Employee's Compensation Act; and H.R. 10774, to amend section 302 of the Labor Management Relations Act of 1947 to broaden the permissible uses of trust funds to which employers contribute.

The Senate Committee on Labor and Public Welfare is strongly for home rule. Of its 15 members who were in the Senate on July 22, 1965, 13 of them voted for S. 1118. The 16th member, the Senator from Michigan [Mr. GRIFFIN] who succeeded the late Pat McNamara on the committee, signed the discharge petition and voted against the Sisk substitute as a Member of the House.

Since there is no requirement of germaneness in the other body, the practice of adding legislation on one subject to a bill on a quite different matter—which is not permissible under House rules—is a seasoned legislative maneuver. The Senator from Illinois [Mr. DIRKSEN] attempted last year to employ the American Legion baseball bill—Senate Joint Resolution 66—as the vehicle for one version of a constitutional amendment to overturn the one-man, one-vote rule in State legislatures.

In February 1960, with no civil rights bill reported in the other body or passed in the House, the then majority leader, Lyndon Johnson, called up and invited civil rights amendments to a House-passed bill, H.R. 8315, authorizing the Army to lease unused officers quarters at Fort Crowder, Mo., as a school.

Several months earlier, the Senate added legislation extending the life of the Civil Rights Commission to H.R. 8385, appropriating funds for the mutual security program. When the gentleman from Mississippi [Mr. WILLIAMS] blocked a move to send the bill to conference by unanimous consent, the gentleman from Virginia [Mr. SMITH] presented for the Committee on Rules a rule providing for agreement to the conference. The conferees reported the nongermane amendment extending the Civil Rights Commission in disagreement but the House accepted the amendment on a motion by the gentleman from Pennsylvania [Mr. ROONEY].

On July 5, 1962, the Senator from Montana [Mr. MANSFIELD] tacked an amendment giving the President authority to adjust sugar quota distribution in the Western Hemisphere onto a House passed bill, H.R. 8050, restricting the import of adult honey bees. The gentleman from Virginia [Mr. SMITH] presented a rule, which was adopted, providing for House acceptance of that amendment without a conference.

On March 18, 1958, H.R. 5836, a postal rate increase bill to which the Senate had added a nongermane postal pay increase, was sent to conference by unanimous consent, leading to eventual enactment of the pay raise.

On June 21, 1960, the House, again by unanimous consent, sent to conference H.R. 7634, the omnibus rivers and harbors bill to which the Senate had attached an amendment on Government land acquisition policy.

No point of order on the ground of nongermaneness may be made in the House on a Senate amendment to a House-passed substantive bill. Such a bill may be sent to conference even though the two bodies are in disagreement only on the nongermane amendment, although in all probability there would be differences on the underlying bill as well.

Second. The other body would pass the bill with the home rule amendment and send it back to the House, requesting a conference.

Adoption of the nongermane home rule amendment in the other body is not likely to be a problem. No additional committee action would be necessary, since the bill was considered and reported unanimously by the Senate District Committee during this Congress. There was full debate on home rule in the Senate on July 20 and 21, 1965, after which 70 Members voted for or declared themselves for S. 1118. Any changes from S. 1118 which appeared in the nongermane amendment of course could be fully debated on the Senate floor.

Third. The pro-home rule House Committee on Education and Labor would have jurisdiction to ask for a conference, which could be agreed to by a majority vote under the reformed conference rule.

When the bill with the home rule amendment returns to the House from the other body, House rule XX, section 1, as reformed on January 8, 1965, will come into play. The rule now reads:

> 1. Any amendment of the Senate to any House bill shall be subject to the point of order that it shall first be considered in the Committee of the Whole House on the State of the Union, if, originating in the House, it would be subject to that point: *Provided, however*, That a motion to disagree with the amendments of the Senate to a House bill or resolution and request or agree to a conference with the Senate, or a motion to insist on the House amendments to a Senate bill or resolution and request or agree to a conference with the Senate, shall always be in order if the Speaker, in his discretion, recognizes for that purpose and if the motion is made by direction of the committee having jurisdiction of the subject matter of the bill or resolution.

Regardless of the subject matter of the nongermane amendment, the right and power to move to send the bill to conference clearly remains with the House committee which had jurisdiction of the subject matter of the underlying bill.

Thus in this case, jurisdiction would be in the Education and Labor Committee. Of the 30 members of that committee, 21 signed the home rule discharge petition—the gentleman from New York [Mr. POWELL], the gentleman from Kentucky [Mr. PERKINS], the gentlewoman from Oregon [Mrs. GREEN], the gentlemen from Pennsylvania [Messrs. HOLLAND and DENT], the gentleman from Illinois [Mr. PUCINSKI], the gentleman from New Jersey [Mr. DANIELS], the gentleman from Indiana [Mr. BRADEMAS], the gentleman from Michigan [Mr. O'HARA], the gentleman from New York [Mr. CAREY], the gentleman from California [Mr. HAWKINS], the gentleman from Maryland [Mr. SICKLES], the gentleman from Florida [Mr. GIBBONS], the gentleman from Michigan [Mr. WILLIAM FORD], the gentleman from Maine [Mr. HATHAWAY], the gentlewoman from Hawaii [Mrs. MINK], the gentleman from New York [Mr. SCHEUER], the gentleman from Washington [Mr. MEEDS], the gentlemen from California [Messrs. BURTON and BELL], and the gentleman from New York [Mr. REID]. Twenty members of the committee, including the gentleman from Minnesota [Mr. QUIE], voted against the Sisk substitute.

Under the proviso to rule XX, the gentleman from New York [Mr. POWELL], on the direction of the Education and Labor Committee, could move to send the bill to conference if recognized for that purpose.

Such recognition is in the discretion of the Speaker, who has amply shown his devotion to self-government for the people of Washington on other occasions.

The motion to agree to a conference would be decided by a majority vote, which could be a crucial test vote on home rule.

Fourth. Prohome rule conferees would agree on a meaningful home rule bill along the general lines of H.R. 11218.

Under House rules, the Speaker appoints the conferees, usually at the suggestion of the member in charge of the bill, in this case the gentleman from New York [Mr. POWELL]. Senior members of the Education and Labor Committee who might well be named conferees in the event of three or five members were appointed are the gentleman from New York [Mr. POWELL], the gentleman from Kentucky [Mr. PERKINS], the gentlewoman from Oregon [Mrs. GREEN], the gentleman from Ohio [Mr. AYRES], and the gentleman from Minnesota [Mr. QUIE]. The three majority members signed the discharge petition and voted against the Sisk bill. The gentleman from Minnesota, while not among the signers of the discharge petition, also opposed the Sisk bill.

In the other body, conferees may be elected by the Senate if it sees fit. Moreover, there is precedent for appointment of Senate conferees who are not members of the committee with jurisdiction over the subject matter of the bill in conference. Thus, members of the Senate District Committee, who have worked so long and hard for home rule, could be represented among the other body's conferees together with members of the Labor and Public Welfare Committee. Besides the chairman of the Senate District Committee, the Senator from Nevada [Mr. BIBLE], the ranking minority member, the Senator from Vermont [Mr. PROUTY], who also serves on the Labor and Public Welfare Committee, might well be appointed. Three other Senators also serve on both committees, the Senator from Colorado [Mr. DOMINICK], the Senator from New York [Mr. KENNEDY], and the Senator from Oregon [Mr. MORSE].

These conferees could undoubtedly agree to a conference report embodying the noncontroversial underlying bill and the nongermane Senate amendment along the general lines of H.R. 11218.

Fifth. The House would have a square opportunity to vote for or against a meaningful home rule bill in the conference report.

Once the conferees had reached actual agreement on a meaningful home rule bill and any other provisions of the underlying bill which might have been in disagreement, two courses would be open to the House conferees:

A. They could submit to the House a conference report agreeing to the underlying bill, and to the home rule amendment. The report would be voted up or down in its entirety without amendment. Since the home rule amendment would be attached to a bill which had earlier passed the House without controversy, the vote on the entire conference report could be fairly considered a vote on the home rule bill.

B. On the other hand, if the home rule amendment were attached to a bill whose merit might influence the vote on a conference report proposing agreement on a home rule bill, the House conferees might submit a report of agreement on the underlying bill, with the home rule amendment in technical disagreement. After adoption of the conference report, the House could then vote on a motion to recede from disagreement and to concur in the Senate home rule amendment. This procedure would provide a separate vote on the home rule bill. Moreover, it would in no way endanger the underlying bill.

In either case, the House would have an opportunity to vote for or against home rule for the District of Columbia, both in a test vote on the motion to send the bill to conference and in a vote following the conference report.

But will the results of these votes be any different from the outcome of the vote on the Sisk Charter Board bill?

The answer is an almost certain yes.

The adoption of the Sisk Charter Board bill, which has brought home rule efforts to their present impasse, was not presented as a means of blocking home rule. In fact its sponsor, the gentleman from California [Mr. SISK], urged it as "a sound approach" to home rule. He said:

> It will provide home rule in an orderly fashion for the citizens of the District of Columbia.

As a result, a number of Members who favor home rule voted for the Charter Board substitute, along with those who oppose home rule in any form.

The majority of the House on September 29 did not mean to kill home rule for the District of Columbia. A better indication of the division that will occur if the House is presented squarely with the question of voting for or against home rule is the vote of the House on September 29 on the Committee of the Whole House's recommendation to strike the enacting clause of H.R. 4644. This was defeated 179 to 219. Of the 219, 193 Members who signed the discharge petition were joined by 26 Members who had not signed in voting for home rule. In addition, 12 other signers of the discharge petition were absent or otherwise unable to vote.

In the parliamentary situation as it developed last fall, the House unfortunately never had an opportunity to vote yea or nay on a meaningful home rule bill. The procedure I envision would provide that opportunity.

It may be said that the addition of nongermane amendments to House-passed bills is not an ideal way to legislate, since it can operate to deprive the House committee with jurisdiction over a matter of an opportunity to consider it. But there need be no concern that the House District Committee will have lacked an opportunity to consider home rule. It has had such an opportunity continually since 1948. Instead of perfecting the legislation that was obviously desired by a majority of Congress, the committee has done its best to prevent any legislation. It has already been discharged from consideration of home-rule legislation once during this Congress. The adoption of the procedure of a nongermane amendment to a bill in the jurisdiction of the Education and Labor Committee deliberately uses a committee which reflects the sentiment of Congress. And this is in accord with the sound principle that committees are meant to be the servants, not the masters, of the Houses of Congress.

Those who are most likely to protest the nongermane amendment procedure have participated in legislation by that procedure so often in the past that they can hardly portray the present proposal as the embodiment of legislative malpractice.

It would be intolerable that the House District Committee should be able to employ the rules and precedents of Congress to frustrate the will of the majority, the wishes of the President and of his three immediate predecessors, and the pledge of the Democratic Party when a means of applying the rules and traditions of the Senate in combination with the rules reforms adopted 17 months ago by the House may achieve what justice and equity demand: a meaningful home rule bill enacted this year.

POVERTY IN THE SOUTHWEST AMONG AMERICANS OF SPANISH DESCENT

The SPEAKER. Under a previous order of the House the gentleman from Texas [Mr. DE LA GARZA] is recognized for 30 minutes.

Mr. DE LA GARZA. Mr. Speaker, on Thursday of last week my colleague from Texas [Mr. GONZALEZ], gave a very comprehensive report on poverty in the Southwest as related to people of Spanish-speaking descent. It was a very thorough and well-detailed discourse on some of the problems that exist in that area. He was joined by several of my colleagues from other areas of the United States in that discussion.

Unfortunately, due to official business of the House, I was not present during that discussion. I take this opportunity to add some of my interpretations of the situation as it exists and the several problems that I feel are basic problems of the area, and give some recommendations that I would respectfully make to the people concerned.

First, basically, Mr. Speaker, I concur in the brief history that my colleague gave as to where the people in the area came from, which is generally that they are of Spanish stock, some having come directly from Spain into the Southwest, and others through Mexico.

Many of the blood lines of early Spaniards are still conserved and are unmixed with the Indians of the Southwest or the Indians of Mexico But, nonetheless, eventually there evolved what is commonly known as the Mexican-American, who is a Spaniard, or of one of the Spanish possessions that came to Mexico and intermarried with the Indians.

There are some 4 million people who live in this area who have been good citizens. They have considered themselves to be Americans basically, because their ancestors were here even before there was an America. These people—myself included—are descendants in part of a civilization that had a calendar, that had hospitals, that had a university, that had pyramids—which in my humble estimation far surpassed those of the ancient Nile—before the white man had ever set foot on this hemisphere.

That is the basic lineage of the people about whom I shall speak today. They were, if I may be permitted to say so, the sons of kings, because there was great culture in this area, and noble and courageous blood in their veins.

As this country became the United States of America, they assimilated into the population. Even before then my ancestors lived in Texas when it was a part of Mexico. They lived in Texas when it was a Republic. They live in Texas now that it is a part of the United States of America.

The descendants of this people have always been loyal Americans. Not one with a Spanish surname has deserted to the enemy in time of war. Many with Spanish surnames have been given Congressional Medals of Honor, and thousands more Purple Hearts.

In the early years of this country there came a time when our people were looked down upon, in my estimation for no other reason than ignorance. But even though they suffered they did not march through the streets, they did not run rampant through the communities, they did not demonstrate or interfere with the freedom of others. They fulfilled their basic responsibilities of loyal American citizens.

They went on quietly suffering the indignation of discrimination at many times, but always with the understanding in their hearts that it would be righted somehow, at some time, by those in the Government. This in great part was successful, because they became educated. Some became lawyers. Some became doctors. Some became teachers. Some of us even came to Congress.

This was done without fanfare, without recognition by the press, without recognition by the Government, without recognition by anyone at all who did not live in the immediate area where the problem existed.

So before going on with the continuation of the problem, Mr. Speaker, I pay tribute to this people. Even though they suffered the scourge of discrimination they remained loyal. They never voiced a word of disobedience to the laws of the United States, as other people have done. They never voiced objections which would be detrimental to the welfare of others. They suffered this acrimonious, spiteful discrimination, but if it were done under the guise of law they obeyed the law. For this I believe they should be commended. For this I believe they should be heard.

I do not want you, Mr. Speaker, or my colleagues to mistake the yearnings of this people, because we know of responsibility. We have discharged our responsibility. It is not like the situation with other groups interested in civil rights matters, which request guarantees and request privileges while not once do they mention the basic responsibility that must precede in every instance the assumption of the rights and privileges of a people.

We have assumed the responsibilities. We have fulfilled the responsibilities. Now we feel we are entitled to the benefits of having fulfilled those responsibilities.

I speak generally of the people of the Southwest, because the problems of the Spanish speaking in the urban areas of the East or of the Midwest are not the same problems. The problems of the Cubans and the problems of the Puerto Ricans, who are Spanish speaking, are not the same problems as those of the people of the Southwest of whom I speak today. Therefore, if I may be permitted the use of the word, I am going to segregate the problems in order to discuss mainly the problem of the Southwest.

They do not ask for any special privileges. They only ask for equal opportunity. They do not ask, as the Communists say, that everyone be made equal, in the erroneous manner that the Communists pursue where they will line up every citizen one by one and say, "You will all have one apartment with one bedroom, and you will all have the same kind of car and you will all be equal in every respect."

This is not America. This is not what we are looking for. We are looking for equality under the law, where every man who goes into a courtroom is equal regardless of what his name is or where he came from. We are looking for equality of justice where every man who is arrested or is detained by a sheriff or a peace officer, for whatever reason he may be detained, is detained not because of his color being darker or lighter or because of his name.

We do not ask for anything else except for this equality under the law. We ask for equality in employment and equality in education.

No privileges are asked for. Nothing that anyone else is not entitled to is asked for. A large part of the problem is in employment. This begins with employment in the Federal agencies where you can see that the amount of people working in the Federal agencies from the top to the bottom have very few Spanish names. They are very few and far between.

We do not ask that you do as has been done here in the past, because we would be compounding the error and compounding the problem. For example, when they mention civil rights, everyone assumes generally that they are talking about Negroes. I think my brethren of that race have a problem, and we all wish to help them out. However, the problem was compounded when you said that we must give them their equal rights. In the Federal Government the word went out, "Hire Negroes," be they qualified or not. "Just get me a Negro and put him in this job." He is not in the same civil service position? "It does not make any difference. Get me a Negro and put him in there." This word went out through the Government. I know that for a fact.

The Latin Americans or the Spanish-speaking people of the Southwest are saying that we do not want them to do the same thing. We do not want them to say, "Get me a Spanish-speaking man and put him in there whether he is qualified or not."

All we say is do not exclude us because our name is Gonzalez or Garcia. Do not exclude us because our name is different. Give us the opportunity where we qualify. If you need a lawyer, give us the opportunity. If a man is a lawyer and his name is Gonzalez, do not push him off to the side. Give him an opportunity along with the rest. But, for God's sake, do not compound the crime and put him in there just because his name is Gonzalez. That is not what we want. It is not what I am speaking about today. What I am saying is that everyone should be treated equally.

So I ask and implore our executive branch of the Government and everyone in all the departments of the Federal Government that they look into the situation not with the mistaken idea that I or we are asking that because of our name we should be given this opportunity, but we are asking that you deal with us as every American should be dealt with. You give the man an opportunity because of his qualifications. Do not compound the problem.

Mr. Speaker, the people complain that there is no Commissioner on the Equal Employment Commission who knows the problems of the Southwest and the Spanish-speaking people in the Southwest. That is true and I agree with that. Again they are not asking that someone with a Spanish surname be put on the Commission just for the sake of putting someone with a Spanish name on it. They already have one, but she is not Spanish.

They are asking for someone who knows the problems and can help that Commission to deal with those problems, and no one can know those problems better than one who has lived with them.

Mr. Speaker, I respectfully request and ask the President of the United States and the executive branch of the Government that at the earliest opportunity a person cognizant of the problems of the Spanish-speaking people of the Southwest be placed on this Commission.

Mr. Speaker, I have already mentioned the question of Federal employment. And, there is a vast bank of knowledgeable people who could serve this Government loyally and fruitfully, from the Cabinet level to the lowliest civil servant of which this Federal Government can avail itself, and the interest of these people is in serving their Government.

Mr. Speaker, the only interest that we have is that they be given an opportunity, based upon their qualifications and their qualifications only, disregarding name or color and everything else.

Next, Mr. Speaker, I suggest that our Government, and the resources of this Government, be utilized to see that private industry follows the same course.

Again, I have heard that private industry, and, for instance, a particular company and the vice president thereof, mentioned the fact that they have sent out word throughout the United States to hire Negro people.

We ask only that every individual and every private industry in this great country of ours give our people an opportunity to present their qualifications and that they judge them against the others purely and solely based upon those qualifications.

They also want to and are trying to help themselves, Mr. Speaker. How well I remember the project of the League of United Latin American Citizens called the "Little School of the 400," where with their own funds they helped the little children learn the basic 400 words of English necessary to enter and progress in the first grade.

This program later became a State law called the preschool English law which I am honored to say I coauthored while serving in the Texas Legislature. Another example, Mr. Speaker, is the SER program—Service, Employment, Redevelopment. An attempt by the LULAC's, and the American GI Forum to attack the problem of unemployment, and underemployment. This program will merit the cooperation of the Federal Government, and I respectfully call for its aid.

Next, Mr. Speaker—and this is the solution to the problem insofar as I am concerned—comes education.

Basically, Mr. Speaker, the people of the Southwest receive little education. As a consequence, they have to serve as migrant laborers. They have to serve working in the migrant jobs in many instances, not because of actual discrimination, but because of the fact that they were not prepared to carry out and to perform a better or higher paying job.

So, Mr. Speaker, then we go back to the fact that they were not prepared, because they did not receive the proper education.

Therefore, education is the solution basically to all these problems.

Mr. Speaker, I have done here as much as I have been able to do in the form of cooperating with the agencies of the Federal Government and in working with the legislative branch of the Government in an effort to see that every child, regardless of his name or his race shall receive an education and that he be given the opportunity to occupy a place in our society commensurate with his ability. However, one cannot measure a person's ability who has not received the proper education.

I have seen children with IQ's as high as 140 who never got beyond the fourth grade. But can one imagine the potential of that child had he been able to obtain a college education and what he could have contributed to this country and to the people of this country had that IQ been given the opportunity of having formal education?

Mr. Speaker, I ask that all of the resources of this our Federal Government, that all of the resources of our State governments and that all of the resources of the local governments provide every opportunity to guide and bring these young people into school where they may receive an education and where they will thus become able to help themselves.

Mr. Speaker, since I said that the problems of the Spanish-speaking people in one area were not confined to that area and that the problems of our colored brethren were not the same, because it was only a few years ago, or, perhaps, still now, that that was true in the South. For instance, one could take a person of the colored race to a restaurant and he would not be admited into that restaurant in any city of that State, that was dedicated for the use of white people. That meant that whether he be a college professor or a migrant worker or whatever he be, if he were colored, he could not get into the white place.

Mr. Speaker, this is not the case with the Spanish-speaking people, and this is not the same problem. Therefore, the problem demands a different solution and a different approach.

There has been some question to the effect that the Spanish-speaking people should have been included in the forthcoming civil rights conference which will be held in Washington.

I do not think this would be proper because the problems are not the same.

I, therefore, ask respectfully of the President of the United States and of the executive department that they call a conference on equal job opportunities and on civil rights and specifically for the Spanish-speaking people and people of Spanish descent of the Southwest so that they can deal with their specific problems separate and apart from the problems of other Americans.

I ask also of the President and of the executive department—here let me interject that President Johnson understands the problem. He has always been a friend. He is a product of the Southwest. He is a product of the influence of the people of whom I speak. So, this is not in any way a complaint about the President of the United States or of the executive department, it is more a complaint about the agencies below that level that I am sure are trying to help with the problem, but not having anyone really cognizant of the problem, have stumbled and fumbled in their attempt to help in compounding the crime or compounding the problem.

So, Mr. Speaker, very respectfully and very humbly I add to the remarks of my colleague, the gentleman from Texas, of Thursday of last week.

Further, I can only say, Mr. Speaker, that in the still of the night my people cried out for recognition. Now we are out under the sun at high noon, where all can see, and all can be heard.

I speak for no one, Mr. Speaker, but myself, by the way, in order that my statement may not be misinterpreted that I was trying to speak for the Spanish-speaking people or for the Mexican-Americans, or whatever you might wish to call them. I speak for no one except myself. I speak only from the knowledge that I have of the area and that I have of the people.

The request that I make of the President and of the executive department, is not a request of these people in particular but what I estimate are the things that they are asking for and which I am putting in my own words as a request by me and no one else.

The **SPEAKER** pro tempore. The time of the gentleman has expired.

A SALUTE TO THE STEUBEN SOCIETY OF AMERICA

The **SPEAKER.** Under a previous order of the House, the gentleman from Ohio [Mr. FEIGHAN], is recognized for 5 minutes.

Mr. **FEIGHAN.** Mr. Speaker, the Steuben Society of America celebrated its 47th anniversary on May 21 with a very impressive founders day dinner at the Americana Hotel, New York City.

The society was organized to unite men and women of Germanic origin, native born or naturalized citizens, who are interested in promoting civic betterment in the United States by doing their share in the political and social life of the country. Named in memory of a great military leader in our Revolutionary War, Gen. Frederick von Steuben, the society has worked diligently and with outstanding success to promote the patriotic and civic ideals he fostered during our war of national independence. This work has won lasting respect and grateful appreciation for the national council, the State and local units, and the members of the society.

Mr. Speaker, it was my pleasure to address the 47th founders day dinner and to pay well-deserved tribute to the officers and members of the Steuben Society of America. Following is the address I delivered to the Steuben Society:

A SALUTE TO THE STEUBEN SOCIETY OF AMERICA

The Steuben Society of America and its members have every reason to be proud of their organization and its record of solid accomplishment over the past forty-seven years.

During that span of nearly half a century you have given life and meaning to the lofty principles which moved and guided General Frederick von Steuben in his role as one of the most inspiring leaders in our war for national independence.

Those principles—Duty, Justice, Tolerance and Charity—are as basic to the survival of American Democracy today as they were to the winning of our Revolutionary War nearly two centuries ago.

Your fidelity to those principles and your insistence on their maintenance in the life of our nation, has won respect, admiration and distinction for the Steuben Society.

The founders of your Society were men and women deeply rooted in the spirit of America. They were motivated by the most enduring characteristic of German-American life—a constant concern for the welfare, the happiness, the growth and the safety of our nation.

Over the course of almost three centuries German immigrants and their descendants have woven this characteristic into the fabric of our nation.

Your founders were mindful of the pioneer role played by German settlers in pushing the frontiers of civilization across this vast continent to the Pacific Ocean. Those early settlers moved on from Pennsylvania, along the mountain range southward, colonizing Maryland, Virginia and Kentucky. Following the Indian Wars, my home state of Ohio was opened up to the most hearty of these settlers. The imprint of German talents in the fields of industry, agriculture, commerce, the arts and sciences, education, religion the professions and civic achievement forms an indelible part of contemporary life in the State of Ohio. And so it is in many States of our Union.

Your founders were certainly aware of the industrial history of the nineteenth century in which Germans were pre-eminent in all those pursuits that required technical training. Their love of exact science and technology and their unique ability to apply such talents for the benefit of their fellowmen strengthened, beyond measure, this relatively new land. Many immigrants from Germany brought with them the advantages of training in the technical schools of the homeland at a time when the need for similar institutions in America had not yet been satisfied.

Perhaps above all else, German-Americans led the way in the vital field of engineering. It was John A. Roebling who built the first great suspension bridge over the Niagara River and then went on to build the Brooklyn Bridge—considered for many years as one of the wonders of the age.

German names, too numerous to cite, are engraved in the archives of our industrial development as pioneers in the chemical industry, electrical engineering, mining engineering, wagon and automobile manufacture, the iron and steel industries, and in the production of prepared food products from flour to chocolate.

Your founders were surely proud of the fact that from the birth of our nation German names stand high on the honored roll of fighters in behalf of our free way of life. They have given their sons for the defense of our nation just as they have given their talents and labors to the building of our nation.

George Bancroft, historian of the American Revolution, and Benjamin Gould, statistician of the Civil War, have testified that German volunteers in both those wars exceeded in proportion those of the natives of all other foreign stock.

And they must have been equally proud of the fact that German-Americans were in the forefront of the fight for human rights during the testing decades of the nineteenth century.

Carl Schurz of Wisconsin was a dedicated champion of the anti-slavery cause and Governor John P. Altgeld of Illinois was an able champion of the rights of organized labor.

The long record of German participation in the American march of progress renders many German traditions part and parcel of American traditions existing today. The great results of American ingenuity are in many instances also the results of German ingenuity, incorporated into the mainstream of American knowledge.

These are but some of the causes which moved your founders to action. They acted in harmony with the oldest and the highest ideals of our nation. They were bound together in a common resolve that this citadel of human liberty would henceforth and forever remain a beacon of hope for mankind the world over.

To strengthen their resolve they dedicated their purposes to upholding the patriotic ideals of the revered hero of the war which gave birth to our nation—General Frederick von Steuben.

To reaffirm their devotion to assure an unbroken attachment to the great American dream, they adopted the credo "One Country, One Flag, One Language."

This is the rich legacy of your founders, passed on to all those who have held and now hold membership in the Steuben Society of America.

This is the measure of added responsibility assumed by all who have held or now hold positions of leadership in your Society.

During the past twenty odd years I have been privileged to know and to work with the leaders of your Society at the national level, at the state level of Ohio and in my home city of Cleveland. That has been one of the most memorable and pleasant experiences of my public life. For that experience demonstrated for me that your Society lives by its principles of "Duty, Justice, Tolerance and Charity."

All of you can be proud of the constructive role played by your national officers in congressional reform of our immigration laws. It was my responsibility, as Chairman of the House Subcommittee on Immigration and Nationality, to establish the facts, bring reason to bear and win majority support for a system of immigrant admissions that was humane and in the national interest. In the emotionally charged atmosphere which attended the public hearings during two sessions of the Congress this was not an easy task.

After forty years of heated public controversy over immigration policy, the climax of change was reached.

It became evident that the national origins quota system no longer governed immigrant admissions into our country. Contrary to popular belief the quota system accounted for no more than one third of our annual immigrant admissions. For the previous ten years we had been admitting close to 300,000 immigrants per year in contrast to the 156,000 authorized by the quota system and which most people believed was a fixed numerical ceiling on admissions.

The real problem grew out of the long waiting lists in many countries, made up of close relatives of United States citizens. Under then existing law persons with no relatives in the United States and with no skills needed here were being admitted from some countries while close relatives of our citizens in other countries or persons with needed skills had to wait in line for years.

In our search for a new formula of immigrant admissions our Subcommittee was confronted with sharply conflicting opinions on the number we should admit each year, whether Congress should maintain control of policy through a clear-cut, self-executing law or whether some of the congressional authority in this field should be delegated to a new Immigration Board;—the privileged status of natives of the Western Hemisphere for whom there had never been quota controls or numerical limits on their admission;—the relationship of immigration to our labor market and the need to protect the rights and hard won gains of American labor—just to mention some of the major issues in controversy.

These problems confronting the Congress together with the remedies proposed were discussed at length with the national officers of your Society. This was a part of the process of working out a new system that would be fair to all and consistent with the needs of our country at this point in our national development. The position taken by your officers on all issues was clear and consistent. That position was—What is best for the United States?

It was that same spirit which governed the decisions of the House Subcommittee on Immigration and Nationality. That spirit is clearly reflected in our new selective immigration system signed into law last October 3rd by President Johnson.

This Founders Day Dinner is much more than a review and evaluation of achievements already won by your Society. It serves as a challenge to renewed service in the years that lie ahead.

Each and every one of you, by virtue of your membership in this Society, have assumed responsibility for nurturing the good seeds of dedicated and staunch citizenship planted by past generations.

To you falls the duty for maintaining that constant concern for the welfare, the happiness, the growth and the safety of our nation which motivated the founders of your Society.

Knowing loyal Steubenites as I do, I am confident that you welcome the duties and responsibilities which have been passed on to you by your founders. I am equally confident that your future endeavors will be crowned with the same success which has distinguished the work of your Society over the past forty-seven years.

CONGRATULATIONS, ART CAMERON

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CHARLES H. WILSON. Mr. Speaker, I would like to take this opportunity to congratulate one of our fine congressional employees, Arthur E. Cameron, who has just received the very good news that he has been admitted to the Maryland State bar.

On June 15, Art will celebrate his 17th year as an employee of the House of Representatives. During this time, while working diligently in various capacities on the Hill, he has managed to cap an extraordinary academic career by successfully passing the Maryland State bar examination.

Born in Washington, D.C., the son of George E. and Josephine R. Cameron, Art first came to the Hill under the patronage of New York Congressman Heffernen and continued under the patronage of Congressmen KEOGH, WALKER, Shaefer, Shelley, and Congressman CECIL R. KING. While on the Hill, Art attended page school and served as assistant majority floor manager and supervisor of the Democratic cloakroom. His dedication and cooperation have been a great boon to Democratic Congressmen.

Although finding it necessary to attend college and law school at night and part time during the day, Art's determination and intelligence brought him a high-grade average. He graduated with a bachelor of arts from American University where he was a member of Alpha Tau Omega.

Art continued his studies at American University's Washington College of Law where he was keeper of the exchequer of Delta Theta Phi professional fraternity. He also served as justice of the supreme court of the student bar association and received the Lawyers Cooperative Publishing Co's award in legislative interpretation.

It is obvious by these impressive achievements that this young man has demonstrated outstanding abilities both as an employee of the House of Representatives and in the pursuit of academic excellence.

Again, Mr. Speaker, I want to congratulate Art Cameron on his perseverance and his accomplishments. I am sure my colleagues in the House join me in saluting this congressional employee and wishing him great success as a member of the Maryland bar.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. REID of Illinois (at the request of Mr. GERALD R. FORD), for the balance of the week, on account of serious illness in the family.

Mr. MCMILLAN (at the request of Mr. KING of California), for today, on account of official business.

Mr. COOLEY (at the request of Mr. FOUNTAIN), for today, on account of official business.

Mr. HANSEN of Iowa (at the request of Mr. KING of California), for the remainder of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. RHODES of Arizona (at the request of Mr. HORTON), for 30 minutes, on May 25; and to revise and extend his remarks and include extraneous matter.

Mr. REUSS (at the request of Mrs. MINK), for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. DE LA GARZA (at the request of Mrs. MINK), for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. FEIGHAN (at the request of Mrs. MINK), for 5 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mrs. KELLY and to include extraneous matter, notwithstanding it will exceed two pages of the RECORD and is estimated by the Public Printer to cost $286.

Mr. SAYLOR.

Mr. RESNICK (at the request of Mrs. MINK) and to include extraneous matter in his remarks in the Committee of the Whole today.

Mr. GOODELL and to include extraneous matter, in the Committee of the Whole today.

(The following members (at the request of Mr. HORTON) and to include extraneous matter:)

Mr. PELLY in two instances.

Mr. AYRES.

Mr. DON H. CLAUSEN.

(The following Members (at the request of Mrs. MINK) and to include extraneous matter:)

Mr. HAGEN of California.

Mr. RACE.

Mr. EDWARDS of California.

Mr. ST. ONGE.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 902. An act to provide that the Secretary of Agriculture shall conduct the soil survey program of the U.S. Department of Agriculture so as to make available soil surveys needed by States and other public agencies, including community development districts, for guidance in community planning and resource development, and for other purposes; to the Committee on Agriculture.

S. 2264. An act to authorize the Secretary of Agriculture to accept a cash equalization of exchanges for lands under his jurisdiction, and for other purposes; to the Committee on Agriculture.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 8376. An act to amend title I of the Tariff Act of 1930 to make permanent the existing duty-free treatment for certain corkboard insulation;

H.R. 10366. An act to establish the Mount Rogers National Recreation Area in the Jefferson National Forest in Virginia, and for other purposes;

H.R. 10998. An act to continue for a temporary period the existing suspension of duty on heptanoic acid;

H.R. 11653. An act to make permanent the existing suspension of duty on certain natural graphite;

H.R. 12262. An act to continue until the close of June 30, 1969, the existing suspension of duty on certain copying shoe lathes;

H.R. 12463. An act to extend until June 30, 1969, the suspension of duty on crude chicory and the reduction in duty on ground chicory;

H.R. 12657. An act to continue the suspension of duty on certain alumina and bauxite;

H.R. 12864. An act to make permanent the existing duty-free treatment of personal and household effects brought into the United States under Government orders;

H.R. 12997. An act to extend until July 15, 1968, the suspension of duty on electrodes imported for use in producing aluminum; and

H.R. 14215. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1967, and for other purposes.

SENATE ENROLLED BILL SIGNED

The **SPEAKER** announced his signature to an enrolled bill of the Senate of the following title:

S. 3283. An act to promote private financing of credit needs and to provide for an efficient and orderly method of liquidating financial assets held by Federal credit agencies, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that

that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 8376. An act to amend title I of the Tariff Act of 1930 to make permanent the existing duty-free treatment for certain corkboard insulation;

H.R. 10366. An act to establish the Mount Rogers National Recreation Area in the Jefferson National Forest in Virginia, and for other purposes;

H.R. 10998. An act to continue for a temporary period the existing suspension of duty on heptanoic acid;

H.R. 11653. An act to make permanent the existing suspension of duty on certain natural graphite;

H.R. 12262. An act to continue until the close of June 30, 1969, the existing suspension of duty on certain copying shoe lathes;

H.R. 12463. An act to extend until June 30, 1969, the suspension of duty on crude chicory and the reduction in duty on ground chicory;

H.R. 12657. An act to continue the suspension of duty on certain alumina and bauxite;

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H.R. 12997. An act to extend until July 15, 1968, the suspension of duty on electrodes imported for use in producing aluminum; and

H.R. 14215. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1967, and for other purposes.

ADJOURNMENT

Mrs. MINK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 50 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, May 25, 1966, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2427. A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting a resolution of the 19th World Health Assembly, accepting the U.S. invitation to hold the 22d World Health Assembly in Boston, Mass., in 1969, pursuant to the invitation extended under Public Law 89-357; to the Committee on Foreign Affairs.

2428. A letter from the Director, Peace Corps, transmitting a draft of proposed legislation to amend further the Peace Corps Act (75 Stat. 612), as amended, and for other purposes; to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LENNON: Committee of conference. Conference report on S. 944, an act to provide for expanded research and development in the marine environment of the United States, to establish a National Council on Marine Resources and Engineering Development, and a Commission on Marine Science, Engineering, and Resources, and for other purposes (Rept. No. 1548). Ordered to be printed.

Mr. COOLEY: Committee on Agriculture. H.R. 15151. A bill to permit the planting of soybeans in lieu of cotton in certain disaster areas in 1966; with amendment (Rept. No. 1549). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. Report pursuant to 63 Stat. 3772; without amendment (Rept. No. 1550). Ordered to be printed.

Mr. HAYS: Committee on Foreign Affairs. H.R. 14019. A bill to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations, and for other purposes; without amendment (Rept. No. 1551). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HAYS: Committee on Foreign Affairs. H.R. 11227. A bill to authorize the Honorable Eugene J. Keogh, of New York, a Member of the House of Representatives, to accept the award of the Order of Isabella the Catholic; without amendment (Rept. No. 1552). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS:

H.R. 15202. A bill to provide, for the period beginning on July 1, 1966, and ending on June 30, 1967, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act; to the Committee on Ways and Means.

By Mr. ABERNETHY:

H.R. 15203. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. ADAMS:

H.R. 15204. A bill to exempt from the interest equalization tax certain acquisitions made before the enactment of the Interest Equalization Tax Act; to the Committee on Ways and Means.

By Mr. BATTIN:

H.R. 15205. A bill to amend the Internal Revenue Code of 1954 to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. BUCHANAN:

H.R. 15206. A bill to amend the Communications Act of 1934 to abolish the renewal requirement for licenses in the safety and special radio services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DOW:

H.R. 15207. A bill to amend title 10 of the United States Code to require that the daily ration of members of the Army and Air Force contain at least as much butter as the daily ration prescribed for members of the Navy; to the Committee on Armed Services.

By Mr. ELLSWORTH:

H.R. 15208. A bill to permit the city of Olathe, Kans., to count expenditures made for its current waterworks improvement project as local noncash grants-in-aid toward the Olathe urban renewal project; to the Committee on Banking and Currency.

By Mr. FARNSLEY:

H.R. 15209. A bill relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; to the Committee on Ways and Means.

By Mrs. GRIFFITHS:

H.R. 15210. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit certain short storage or shelf life property to be declared excess, and for other purposes; to the Committee on Government Operations.

By Mr. JARMAN:

H.R. 15211. A bill to amend section 416 of the Federal Aviation Act of 1958; to the Committee on Interstate and Foreign Commerce.

By Mr. KEOGH:

H.R. 15212. A bill to promote the foreign policy and security of the United States by providing authority to negotiate commercial agreements with Communist countries, and for other purposes; to the Committee on Ways and Means.

By Mr. KUPFERMAN:

H.R. 15213. A bill to amend the Internal Revenue Code of 1954 to provide that medical expenses incurred for the care of certain individuals who are 65 years of age or over may be deducted without regard to the 3-percent and 1-percent floors; to the Committee on Ways and Means.

By Mr. LANDRUM:

H.R. 15214. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. OLSEN of Montana:

H.R. 15215. A bill to amend the Communications Act of 1934 to abolish the renewal requirement for licenses in the safety and special radio services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RHODES of Pennsylvania:

H.R. 15216. A bill to amend title II of the Interstate Commerce Act with respect to the issuance of brokerage licenses to certain persons authorizing them to arrange for the transportation by motor vehicle of groups of passengers and their baggage; to the Committee on Interstate and Foreign Commerce.

By Mr. ULLMAN:

H.R. 15217. A bill to provide that certain lands shall be held by the United States in trust for Indians of the Burns Paiute Indian Colony of Harney County, Oreg.; to the Committee on Interior and Insular Affairs.

H.R. 15218. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. BOB WILSON:

H.R. 15219. A bill to amend the Civil Service Retirement Act to allow retirement credit for service performed for the University of California, Division of War Research, in World War II; to the Committee on Post Office and Civil Service.

By Mr. PATTEN:

H.R. 15220. A bill to provide for a comprehensive review of national water resource problems and programs, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. QUIE:

H.R. 15221. A bill to provide for the establishment of the St. Croix National Scenic Riverway in the States of Minnesota and Wisconsin, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. RANDALL:

H.R. 15222. A bill to amend title 38 of the United States Code to provide that veterans of any period of war and their widows on attaining age 65 shall be entitled to pensions at the monthly rate of $101.59, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ROYBAL:

H.R. 15223. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit; to the Committee on Banking and Currency.

By Mr. WHALLEY:

H.R. 15224. A bill to permit all patients using the drug Krebiozen to purchase same in Illinois for use in any State until a clinical test on cancer patients is completed; to the Committee on Interstate and Foreign Commerce.

By Mr. JONES of Alabama:

H.R. 15225. A bill to amend section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority; to the Committee on Public Works.

By Mr. ABERNETHY:

H.R. 15226. A bill to amend section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority; to the Committee on Public Works.

By Mr. ANDERSON of Tennessee:

H.R. 15227. A bill to amend section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority; to the Committee on Public Works.

By Mr. BROCK:

H.R. 15228. A bill to amend section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority; to the Committee on Public Works.

By Mr. CARTER:

H.R. 15229. A bill to amend section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority; to the Committee on Public Works.

By Mr. DAVIS of Georgia:

H.R. 15230. A bill to amend section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority; to the Committee on Public Works.

By Mr. DUNCAN of Tennessee:

H.R. 15231. A bill to amend section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority; to the Committee on Public Works.

By Mr. EVERETT:

H.R. 15232. A bill to amend section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority; to the Committee on Public Works.

By Mr. EVINS of Tennessee:

H.R. 15233. A bill to amend section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority; to the Committee on Public Works.

By Mr. FULTON of Tennessee:

H.R. 15234. A bill to amend section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority; to the Committee on Public Works.

By Mr. GRIDER:

H.R. 15235. A bill to amend section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority; to the Committee on Public Works.

By Mr. MARTIN of Alabama:

H.R. 15236. A bill to amend section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority; to the Committee on Public Works.

By Mr. QUILLEN:

H.R. 15237. A bill to amend section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority; to the Committee on Public Works.

By Mr. WHITTEN:

H.R. 15238. A bill to amend section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority; to the Committee on Public Works.

By Mr. BANDSTRA:

H.R. 15239. A bill to amend the River and Harbor Act of 1965 with respect to benefits which may be allocated to recreation at Corps of Engineers projects; to the Committee on Public Works.

By Mr. LOVE:

H.R. 15240. A bill to promote and foster the development of a modern merchant marine by encouraging the orderly replacement and modernization of merchant vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. NELSEN:

H.R. 15241. A bill to amend section 6 of the District of Columbia Redevelopment Act of 1945, to authorize early land acquisition for the purpose of acquiring a site for a replacement of Shaw Junior High School; to the Committee on the District of Columbia.

H.R. 15242. A bill to establish a fact-reporting bail agency in courts of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. OTTINGER:

H.R. 15243. A bill to amend the Wagner-Peyser Act so as to provide for more effective development and utilization of the Nation's manpower resources by expending, modernizing, and improving operations under such act at both State and Federal levels, and for other purposes; to the Committee on Education and Labor.

By Mr. RIVERS of South Carolina:

H.R. 15244. A bill to authorize the Secretary of the Army to adjust the legislative jurisdiction exercised by the United States over lands within Camp Atterbury, Ind.; to the Committee on Armed Services.

By Mr. ROYBAL:

H.R. 15245. A bill to amend the Fair Labor Standards Act of 1938 to extend its protection to additional employees, to raise the minimum wage, and for other purposes; to the Committee on Education and Labor.

By Mr. KUPFERMAN:

H.R. 15246. A bill to amend the Internal Revenue Code of 1954 to remove certain limitations on the amount of the deduction for contributions to pension and profit-sharing plans made on behalf of self-employed individuals and to change the definition of "earned income" applicable with respect to such plans; to the Committee on Ways and Means.

By Mr. PELLY:

H.R. 15247. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. HALEY (by request):

H.J. Res. 1145. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. McCLORY:

H.J. Res. 1146. Joint resolution to create a joint congressional committee to study and report on problems relating to regional and industrywide collective bargaining, and strikes and lockouts affecting public works; to the Committee on Rules.

By Mr. FARNUM:

H.J. Res. 1147. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PATMAN:

H.J. Res. 1148. Joint resolution providing an emergency limitation on interest rates paid by insured banks; to the Committee on Banking and Currency.

By Mr. THOMSON of Wisconsin:

H. Con. Res. 665. Concurrent resolution relative to parity prices for agricultural commodities; to the Committee on Agriculture.

By Mr. PATMAN:

H. Con. Res. 666. Concurrent resolution authorizing the printing of additional copies of the committee print, "A Study of Federal Credit Programs"; to the Committee on House Administration.

By Mr. SCHMIDHAUSER:

H. Con. Res. 667. Concurrent resolution establishing a Joint Committee on National Service and the Draft; to the Committee on Rules.

H. Con. Res. 668. Concurrent resolution relative to parity prices for agricultural commodities; to the Committee on Agriculture.

By Mr. MULTER:

H. Res. 864. Resolution relating to the Sesquicentennial Year of the Brooklyn Sunday School Union; to the Committee on the Judiciary.

By Mr. BOB WILSON:

H. Res. 865. Resolution extending the greetings and felicitations of the House of Representatives to the San Diego Zoo, San Diego, Calif., on the occasion of the 50th anniversary of its establishment; to the Committee on the Judiciary.

By Mr. HUTCHINSON:

H. Res. 866. Resolution to authorize the Committee on Armed Services to conduct an investigation and study of reports of unidentified flying objects; to the Committee on Rules.

By Mr. OTTINGER:

H. Res. 867. Resolution relating to U.S. denunciation of the Warsaw Convention; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATES:

H.R. 15248. A bill for the relief of Giovanni Sanfilippo; to the Committee on the Judiciary.

By Mr. DAVIS of Georgia:

H.R. 15249. A bill for the relief of Woodfin H. Turner; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 15250. A bill for the relief of Anthony Casamento; to the Committee on Armed Services.

By Mr. GATHINGS:

H.R. 15251. A bill for the relief of Walter W. Taylor; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 15252. A bill for the relief of Mrs. Jane Feitelberg; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 15253. A bill for the relief of Francisco Guerriero; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 15254. A bill for the relief of Mrs. Sara Darvish; and her daughters, Frida, Zoya, and Violet; to the Committee on the Judiciary.

By Mr. SCHISLER:

H.R. 15255. A bill for the relief of Mrs. E. Juanita Collison; to the Committee on the Judiciary.

By Mr. WHALLEY:

H.R. 15256. A bill for the relief of Eddie Garman; to the Committee on the Judiciary.

By Mr. BOB WILSON:

H.R. 15257. A bill for the relief of Sondra D. Shaw; to the Committee on the Judiciary.

By Mr. YOUNGER:

H.R. 15258. A bill for the relief of Edith C. H. Yang and three children, Julia Chen, Dorothy Chen, and Samuel Chen; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H.R. 15259. A bill for the relief of Mrs. Yu-yu Lee; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Disclosures of the Week—Part IV

EXTENSION OF REMARKS
OF
HON. THOMAS M. PELLY
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 24, 1966

Mr. PELLY. Mr. Speaker, hereinafter are a number of startling facts which first came to my attention last week. These news items speak for themselves and forcefully argue for some drastic changes in Government policies of the Johnson administration.

CASE NO. 1

The Tax Foundation, Inc., in its May monthly tax feature, reports that an imaginary but fairly representative American citizen, married, the father of two children, and earning $10,000 annually lost an estimated $268 because of inflation in the period March 1965 to March 1966.

During the same time his brother, earning $7,500 yearly, lost an estimated $201 through inflation.

According to the Labor Department statistics it cost $112 in March to buy the same amount of consumer goods as $100 would have bought in 1957–59.

CASE NO. 2

The chairman of the House Banking and Currency Committee sent the Treasury Department a request for information. Attached to the reply was an interoffice memo which obviously was not intended for his eyes. The memo from one Treasury office to another read as follows:

> You'll note we have purposely not answered the question except in a very indirect way.

CASE NO. 3

Newly appointed Senator ROBERT G. GRIFFIN, of Michigan, just back from Vietnam said that certain Vietnamese merchants have a vested interest in prolonging the war. They are making windfall profits out of import licenses at 60 piasters to the dollar when the black market is 160 to 180 piasters to the dollar. He said due to mismanagement of American aid officials large sums are finding their way into foreign banks in Europe. Likewise, he said, many commodities are going to the Vietcong.

CASE NO. 4

Representative HOWARD H. CALLAWAY, of Georgia, a West Pointer and former Army infantry commander, protested that the network of canals in North Vietnam vital to transporting military supplies to the Communist forces are banned to U.S. bombs. He said these canals are operated by a series of locks which if destroyed by our bombs would knock out major enemy supply routes.

CASE NO. 5

Assistant Secretary of Defense Arthur Sylvester, in charge of releasing war news, told a group of correspondents in Vietnam:

> Look, if you think any American official is going to tell you the truth, then you're stupid. Did you hear that—stupid.

He told the correspondents he expected the American press to be the handmaidens of Government.

CASE NO. 6

It is apparent that this Democratic Congress is not about to stop spending in order to stop inflation. Urged by the White House, it continues to enact new spending programs even while the Council of State Chambers of Commerce reports that existing Great Society programs now costing $3 billion a year will cost $17.7 billion in 5 years—1970, not including an expected $3.8 billion increase in the cost of trust funds programs.

An Open Letter to L.B.J. on Maritime Day

EXTENSION OF REMARKS
OF
HON. THOMAS M. PELLY
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 24, 1966

Mr. PELLY. Mr. Speaker, in observance of National Maritime Day our colleague, Representative WILLIAM S. MAILLIARD, of California, addressed the Propeller Club of the United States, Port of Washington, D.C., on May 23, 1966, at the Statler Hotel, Washington, D.C.

Representative MAILLIARD's remarks were entitled "An Open Letter to L.B.J. on Maritime Day" and knowing that the President peruses the CONGRESSIONAL RECORD daily, I include hereafter the full text of those remarks in the hope that this speech will catch his eye.

As our colleague said, and I quote:

> There is but one man today who can remedy the current inadequacies of the Government's role in maritime affairs. That one man is the President of the United States.

AN OPEN LETTER TO L.B.J. ON MARITIME DAY

(Remarks of the Honorable WILLIAM S. MAILLIARD, ranking minority member, Committee on Merchant Marine and Fisheries, U.S. House of Representatives, before the Propeller Club of the United States, Port of Washington, D.C., on National Maritime Day, May 23, 1966, at the Statler Hotel, Washington, D.C.)

For more than a year now, I have been prodding agencies of the Executive, attempting to stir them into taking constructive action on the problems of the American Merchant Marine. I have made public speeches. I have spoken on the floor of the House. I have appeared before Congressional Committees. I have communicated with the Maritime Administrator, the Under-Secretary of Commerce for Transportation, the Secretary of Commerce, various members of the Department of Defense, and yes, even the Secretary of Defense himself. I stand before you this evening, feeling like a 20th Century Paul Revere whose cries of alarm have fallen upon deaf ears.

Let us not, therefore, delude ourselves any further. You know and I know there is but one man today who can remedy the current inadequacies of the government's role in maritime affairs. That one man is the President of the United States. For no matter how arduously Congress may labor to bring about a constructive maritime program, success or failure is wholly dependent upon Executive implementation. Therefore, this evening I will make my presentation to you in the form of an open letter to the President of the United States.

DEAR MR. PRESIDENT: It seems appropriate that, since you have set aside this day, May 23, 1966, for the 34th annual celebration of National Maritime Day, I should address you on this occasion, expressing my sincere and profound personal concern over the ever-deepening crisis developing in the American Merchant Marine. I unfortunately find little cause for celebration on this festive occasion, since it is my personal belief as a private citizen, as a Naval officer, and as a Member of Congress that, because of the present attitude of the federal government, the American merchant marine today is being steered along a course to disaster. If we hope to preserve the American merchant marine as a useful and effective national asset, we must come to grips with its problems without further delay. Conditions have been allowed to deteriorate to such an extent that now, Mr. President, you and you alone can rescue the American Merchant Marine from the arena of endless academic debate.

We have endured patiently at least five years of extensive study of the ills of the American Merchant Marine by various groups sponsored by the Executive. Each group has published its respective recommendations. None has been disposed of, either through Congressional or Administrative action. To the contrary, each and every study has served only to provide additional material for debate over alternative courses of action which may be taken to revitalize the industry. With more than 80% of our present merchant fleet reaching the end of its economic life within the next five years, we can no longer afford further pursuit of this dilatory and most unprofitable course.

We had hoped that the "new" maritime policy which you promised in your State of the Union Message in January 1965 would resolve this conflict. However, more than sixteen months have now elapsed, and we still have no new maritime policy. Instead, we have two additional and conflicting reports on what should be done. We have received also a bill to create a new Department of Transportation, in which the Maritime Administration will be submerged much in the same manner it now is within the Department of Commerce. None of these events has served to abate the conflict. Rather they have served to increase its severity, raising further doubt over the role of the government in maritime affairs and the future course of the American Merchant Marine.

So confused has this matter become that today we are unable even to get agreement on the existing condition of the merchant marine, much less on a new policy. We have, for example, the Maritime Administrator stating that, and I quote: "Our present fleet is, for the most part, physically obsolete." The Deputy Maritime Administrator states, and I quote: ". . . I, for one, fail to find that our merchant marine is in a disastrous situation." Finally, we have the Secretary of Defense, to whom a considerable amount of responsibility for the industry appears to have been abdicated contrary to existing law, stating that the American Merchant Marine is "adequate." Yet high-ranking professional Naval officers frequently have stated that it is *not* adequate.

Mr. President, this current confusion is simply a manifestation of my worst fears entertained in 1961 when the Maritime Administration was placed within the Department of Commerce. In a word, we are bankrupt—bankrupt in federal maritime leadership; and because of it we find ourselves in this present deplorable state of affairs. Only you, Mr. President, can bring some semblance of order out of this chaos.

I respectfully suggest that there are answers to the current problems facing the American Merchant Marine. The situation is not incapable of solution, but we must get on with a realistic ship construction program.

In your proclamation setting aside this day as National Maritime Day, you stated that, and I quote: ". . . we will continue to need ships—fast, modern descendants of the famous 'Clippers'—to carry our products to the far corners of the earth." I fear that under existing conditions these ships will never be constructed. The subsidized ship replacement program today is more than 90 ships behind schedule. Yet the Congress has before it your budget request for fiscal year 1967, which will allow the construction of only 9 to 11 ships. I respectfully suggest that this level of federal expenditures for ship construction is totally inadequate. We are, for example, scrapping ships from our National Defense Reserve Fleet at ten times the rate of construction provided for under this current request.

I believe you will find upon examination of budget requests over the last several years that the allocation of our national resources to maritime affairs is becoming progressively smaller, while the problems of the industry are getting progressively larger and larger. Even compared with last year's inadequate federal budget for ship construction, this year's request represents a substantial reduction, a cut of about one-third in both dollars and numbers of ships. It is one-half the amount of federal funds requested for ship construction in fiscal 1959 at a time when the total federal budget was only about 60% of that being requested today. Clearly, this is indicative of a shocking de-emphasis of the role of the federal government in maritime affairs.

This budgetary privation can have but one inevitable result, and that is to postpone to some future date the time when we shall have to allocate a substantially greater amount of federal funds to overcome this ever-mounting deficit. A realistic and ongoing subsidized ship replacement program may require that the current level of federal expenditures in ship construction be doubled or even tripled above current levels.

You also stated in your Maritime Day proclamation that, quote: " . . . we will continue to need ships . . . [to] return with the raw materials essential to our national prosperity," and to transport, quote: ". . . surplus commodities to many of the underdeveloped countries." Unless we take prompt and effective action, we will not have the necessary ships to accomplish either of these aims.

Bulk trade represents approximately 80% of our total water-borne commerce, yet today American-flag ships engaged in this trade carry less than 5%. So deficient have we become in this type of ship capability that I have serious doubts whether we have sufficient American-flag ships today to carry even 25% of this year's aid cargoes referred to in your proclamation, much less the statutory requirements of 50%.

We must put to sea a competitive fleet of bulk carriers, and we must set out to do this now. Too long has this segment of the maritime industry been made to wait, hat in hand, for the perfection of an administrative program under existing statutory authority. The only realistic course of action now open to us is to follow the example set by Mr. Truman in 1950 and use the provisions of Title VII of the Merchant Marine Act of 1936. Under this Title, these ships can be constructed for the government's account, placed under charter for operation, and ultimately sold by competitive bids to American-flag operators. It is to my mind the only plausible course left to inaugurate a meaningful program to correct in a reasonable time an alarming gap in national capability.

Non-subsidized American-flag operators must be provided also the ability to accumulate funds for the construction of future replacement ships. This can be accomplished by the simple expedient of amending the Merchant Marine Act of 1936, and extending to these operators the same privilege now afforded subsidized operators of depositing earnings into tax-deferred reserve funds. Several bills now are pending before the Congress to accomplish this end. Successful enactment, however, is greatly dependent upon a change in attitude in those agencies of the Executive which have opposed similar measures in the past.

Significant benefits would flow directly from a ship construction program of this magnitude. First, it would represent a commitment by the government to live up to its responsibilities to the American Merchant Marine. This, in turn, would restore some measure of confidence in the future, which would bring about the necessary climate to inject stability into maritime labor relations and permit both management and labor to make maximum contributions to long-range programs to improve productivity and efficiency.

There also would be a more profitable investment of the taxpayer's dollar in the form of more ships for dollars invested. This could be accomplished through multiple ship construction providing a potential saving of about one-half million dollars per ship. Combined with some degree of standardization in vessel design this potential cost saving might even be doubled.

Our National Defense Reserve Fleet also would benefit from this program. Presently, through a combination of apparent neglect and natural deterioration, the responsive capability of this fleet is today severely limited. We are now paying the price for our folly in permitting this to come to pass. The average reactivation cost to prepare these ships for service in Viet Nam is running about $1½ million each. Five years from now, the cost will be astronomical, and it is doubtful even then whether we will be able to obtain the caliber of ships required to meet our national needs. An effective ship construction program would result in the opportunity to place in our Reserve Fleet some of the better traded-in vessels. With adequate preservation and a periodic ship repair program, we could be assured of future availability of the reserve shipping capacity which our nation requires.

I would contemplate, of course, that the construction of these ships would be accomplished in American shipyards. I sharply disagree with your Maritime Administrator, who has said repeatedly that, and I quote: "We may very well end up sinking our fleet in the name of preserving our shipyards." The truth of the matter is that in recent years we have not held forth the promise to American shipyards of a ship construction program of sufficient magnitude to supply any real incentive. We should, at the very least, provide them with an opportunity to meet this challenge and not close the door prematurely in their face. Moreover, in light of the current position of our balance-of-payments and the drain upon our gold reserves, it is to me totally inconsistent to, on the one hand, request American business to reduce expenditures abroad, and at the same time have an officer of the Executive promote, both here and abroad, the construction of American ships in foreign yards.

Mr. President, I recognize that the suggested programs will not be without increased cost to the government. However, we cannot afford to continue this shopping around in the bargain-basement. Soviet Russia has recognized this fact and is, even today, spending hard currency to build up her maritime power. It is incongruous to me that we should become so preoccupied in our competition with communist nations in other areas, yet totally ignore this direct challenge for control of the seas.

Your Maritime Administrator has stated before our Committee that the reason such programs have not already been inaugurated is because there is, and I quote: "No money." I, for one, know of no request that has been made in recent years for additional money from the Congress for merchant ship construction. I cannot believe a nation which is approaching a Gross National Product exceeding $700 billion cannot afford to underwrite the cost of a reasonable promotional program for a strong American Merchant Marine. To the contrary, from the standpoint of national security, I would think that we cannot help but face up to this cost.

This is not merely a matter of budget cost, but rather a question of what the country receives in return for its tax dollar. If, for example, we can afford to spend $5 billion a year in space efforts without any assurance whatsoever of a return on our investment, then the expenditure of one-tenth of that amount in the construction of a modern merchant marine holding forth the promise of a tangible return is equally deserving of support. I would further venture to say that an investment in the maritime industry would withstand any cost-benefit ratio test. As a matter of fact, your own Maritime Administrator has himself noted, and I quote: ". . . there are substantial domestic economic benefits from the merchant marine. The maritime industry, including the merchant portion of the shipbuilding industry, generates about $1.5 billion in Gross National Products and pays about $75 million in federal and local taxes. In addition, the 100,000 maritime employees pay about $80 million in personal income taxes. The provision of shipping services by U.S.-flag ships conserves about $800 million of our dollar exchange each year, thus aiding our balance of payments position."

I would like to bring to your attention also, Mr. President, the fact that the funds needed to finance such a maritime promotional program need not constitute wholly additional expenditures by the government. The Department of Defense is proposing to construct from 20 to 40 Fast Deployment Logistics ships at a cost of $40 million each. This represents a potential expenditure of between $800 million and $1.5 billion. Under this proposal, the federal government would bear the total cost of both constructing and manning these ships. Frankly, I have very grave doubts that this would constitute an efficient use of either capital or of manpower, especially when a more profitable investment mechanism is available.

Your Secretary of Defense has repeatedly stated that he is interested in "getting more bang for the buck." If this be so, then I would respectfully suggest that you have him explore the possibility of investing these federal funds under the provisions of the Merchant Marine Act of 1936, or in the proposal currently being formulated by the Committee on American Steamship Lines. Under either approach, the government would not bear the total cost but rather would share the cost with private industry. Certainly, such proposals warrant serious consideration if only for the fact that they hold forth the promise of a greater return from the investment of the taxpayer's dollar.

Mr. President, my proposals are neither revolutionary nor are they inclusive of all the actions which might be taken to cure our maritime ills. They would, however, constitute a constructive step toward ending the current impasse. They would transpose words into deeds, assuring the continuation of what you yourself referred to in your proclamation as the ". . . long tradition of essential service to the American economy and defense," by the American merchant marine. All we require is your support, and I am sure most members of Congress, both of your Party and of mine, would welcome the chance to move our merchant marine forward.

To sum up—I suggest that we immediately:

(1) Double our present ship replacement program, to head off impending block obsolescence in the liner fleet;

(2) Inaugurate a government ship construction program under Title VII of the Merchant Marine Act of 1936, and provide new tax deferments to overcome our alarming deficiency in bulk carriers;

(3) Reaffirm the government's role in maritime affairs and restore confidence to the industry;

(4) Establish a more favorable climate in maritime labor relations, setting the stage for technological advances in ship design and providing career incentive to American maritime personnel; and

(5) Up-grade our National Defense Reserve Fleet, and thereby assure its continued availability in times of national emergency.

Mr. President, I recognize that you are preoccupied with many pressing matters such as our commitment in Viet Nam. But, let me remind you that the prosecution of that limited war in Southeast Asia would not be possible without the American Merchant Marine. For, as you yourself have said, and I quote: ". . . our ships are necessary to insure continuous supply of the military material that helps to prevent or defeat aggression by any country." I fear that the day is not too far off when you will no longer be able to rely upon the American Merchant Marine to respond to such demands. We may, in fact, see just how overtaxed our shipping capability is if the current British seamen's strike continues for any appreciable period of time. For so dependent have we become upon the shipping capacity of foreign nations that we would be sorely pressed if at any time these services were to be denied to us.

In conclusion, let me call to your attention the theme for this National Maritime Day of 1966—"American Ships Chart America's Future." If our country's future does sail with American ships, then we urgently need a strong and competent navigator, and I respectfully request, sir, that you take hold of this situation, reconcile the conflict within the government, and get us back on course. You and only you, Mr. President, can do it.

Tribute to John L. McMillan

EXTENSION OF REMARKS

OF

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 1966

Mr. AYRES. Mr. Speaker, as I was standing in the crowded committee room awaiting the unveiling of the oil painting portraying the image of the Honorable John L. McMillan, and listening to the eloquent words of praise that you, Mr. Speaker, were making about the man whom we had come to honor, I could but feel that your words were those that the vast majority of the House could heartily endorse.

John L. McMillan is one of the most dedicated, knowledgeable, and considerate Members of Congress that it has been my fortune to meet. When I first came to this House, 16 years ago, he was a veteran of 12 years of service. Even then he was considered one of our leading authorities on agriculture. I turned to him for advice on this subject and that advice has stood me in good stead throughout the years.

The Honorable John L. McMillan has served as chairman of the House District Committee for 18 years. Only a true dedication to service of his fellowmen would influence a man of his high ability to remain at that most difficult and controversial post.

I believe, Mr. Speaker, that we all owe a debt of gratitude to the public spirited citizens who donated the beautiful portrait of Chairman McMillan. I felt it an honor to be invited to attend such a memorable occasion. I did note that practically the entire body of public officials of the District of Columbia turned out to pay homage to this great American.

I ask no greater honor than to be known as a friend of John L. McMillan.

Joseph A. Gray, Sr., Former Member of Congress

EXTENSION OF REMARKS

OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 1966

Mr. SAYLOR. Mr. Speaker, on May 8 the Honorable Joseph Anthony Gray, Sr., who represented Pennsylvania's 22nd Congressional District in the 74th and 75th Congresses, died in Spangler, Pa., the home of his birth in 1884.

Son of pioneer residents of the Spangler area, Mr. Gray served in the U.S. Army and in the U.S. Signal Corps, 1900–03. He was graduated from Eastern College at Poughkeepsie, N.Y., studied law, and was admitted to the bar in 1910. He began the practice of law in Ebensburg, Pa., and as a result of his interest in public affairs was elected to the Pennsylvania Legislature, where he served in 1913 and 1914.

Before his election to Congress in 1934, Mr. Gray held a number of local public offices, including school director, councilman, and president of the board of health. A Democrat, he served 4 years in the the House of Representatives beginning January 3, 1935. He was instrumental in obtaining aid for Johnstown following the violent flood of 1936.

Like his father, Mr. Gray was a newspaper publisher for many years, remaining in the business until ill health forced him to retire in 1963. During his business career he also had been a motion picture exhibitor in Spangler.

Mr. Speaker, you and the others of our colleagues who served with Mr. Gray will remember him for his determined effort, warm spirit, and wide knowledge of national and international affairs. Residents of the district he served will always honor him for a full lifetime of energy and dedication directed at improving the general welfare.

Keynote Speech by Representative William F. Ryan

EXTENSION OF REMARKS

OF

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 1966

Mr. EDWARDS of California. Mr. Speaker, on Friday, April 22, our colleague, William F. Ryan, delivered the keynote address before the National Conference of College Young Democrats here in the Nation's Capital.

He spoke of the dilemma of a society undertaking to provide both guns and butter. He spoke of the problems of the poor and the unemployed and how the President's budget request for 1967 had decimated its own Great Society programs—how the administration budget was clearly stressing war in preference to the needs of the poor. He said on that occasion:

> The American poor are fighting the Vietnam war, and they are paying for it, and they are losing from it.

As a result of the vision, vigilance and continued pressure of liberal Members such as our colleague from New York, the House, has restored some funds for Great Society programs which were omitted from current budget requests.

Congressman Ryan points out the need for even greater programs in the future, and how the massive need cannot even begin to be met by current plans.

Mr. Speaker, I call the wisdom embodied in this address to the attention of my colleagues:

> Before coming here today, I was undecided whether to address you as college students or as young Democrats. College students, I take it, are supposed to be analytical and idealistic. Democrats, we might say, are supposed to be political creatures—political and realistic. But finally it occurred to me that the National College Young Democrats are probably a blend of the two—and that I could appeal to your idealism while asking you to be political realists.
>
> Today my topic is the Great Society. I want to discuss with you the total inadequacy of our current programs; and I want to ask you to leave this conference *determined* to work for Democratic candidates who will strive to create a *truly* Great Society.
>
> The topic of this convention, as I understand it, is the poor in the Great Society. For the most part my remarks will be an effort to define the Great Society. But as the *keynote speaker* I feel compelled to begin by trying to define the "poor."
>
> What do we really mean when we talk about the poor? Are we talking about a culture—or a subculture? Are the poor an

ethnic or racial group? We will return to the subtler aspects of this question later. But for now, let me suggest that the main characteristic of the poor is perfectly obvious. To paraphrase F. Scott Fitzgerald's description of the "rich":"The poor are different from you and me—they have less money."

Perhaps some of you are historians and remember the years when Calvin Coolidge, warmed Washington with his dry New England wit. He used to explain to the American people that—"When people are out of work, unemployment results." He was right of course. And while I will not try to rival his foresight, I would like to build upon his insight. Indeed, I will flatly assert it. When people have no money, poverty results. I'm perfectly serious about this, because I think that too often we try to explain away poverty by drawing profiles of the poor. The poor are not statistics; they are people. After a while I get tired of hearing people boast that only 3 or 4 percent of the American workforce is unemployed. To coin another Coolidgism, I might point out that among the 3 or 4 million people who are out of work, the unemployment rate is 100 percent.

In testimony before the House Education and Labor Committee, Leon Keyserling told a story which I think we all would do well to remember.

"Being older than most people in Washington now," he said, "I remember when the Titanic sank. More than 2,000 people were on the boat, and by and large the women and children were saved and the men drowned. A lot of economists today, who explain why people are poor by their personal characteristics, would say the men drowned because they had the characteristics of being men. I would say no; the men drowned because the boat sank. Furthermore, as there were only half enough lifeboats to go around, and if the women and children were not put in lifeboats, but the men were put in lifeboats, the men would have been saved. The only choice was as to which people drowned, not as to how many drowned."

Today we are talking about the 34 million people who are not lucky enough to fit into a lifeboat. In other words, the poor are those with low income; those with low income are largely those without jobs; but, for the most part, the unemployed are not unemployable. They are the victims of a limited economy.

Having portrayed, if not defined the poor, I suppose we should now ask the question, "What is the Great Society?" Is it a blueprint for a brave new world? Is it a campaign pledge? Is it a legislative program? Is it an advertising slogan? In a sense I suppose that is like asking whether Moby Dick was a white whale, a God-figure, or as one critic has suggested, the American South. To find the answer, we must look at the text—or ask the author. What does the author President Johnson think that the Great Society is?

At Ann Arbor, Michigan, on May 22, 1964, President Johnson said "the Great Society rests on abundance and liberty for all. It demands an end to poverty and racial injustice, to which we are totally committed in our time. But that is just the beginning. The Great Society is a place where every child can find knowledge to enrich his mind and to enlarge his talents. It is a place where leisure is a welcome chance to build and reflect, not a feared cause of boredom and restlessness.

"It is a place where the city of man serves not only the needs of the body and the demands of commerce, but the desire for beauty and the hunger for community." That was the President's description of the Great Society in 1964.

My own feeling is that the Great Society is an open-ended promise into which anyone can squeeze his hopes for a brighter world. To the Students for a Democratic Society it is participatory democracy. To civil rights militants, it is freedom now. To the middle class, it is an attack on air pollution, urban blight, crime and disintegrating schools. To my little daughter it is a world of candy, fluff and horses. To King Arthur it was Camelot.

But this conference is concerned with the poor. What does the Great Society mean to them? The President has said: "For that other nation within a nation—the poor—whose distress has now captured the conscience of America, I will ask the Congress not only to continue but *to speed up the War on Poverty*. And in so doing, we will provide the added energy of achievement with the increased efficiency of experience."

How do the nation's poor seem to be reacting to all this concern and effort in their behalf? Are they grateful? satisfied? acquiescent?

Many of us have been aware of a growing restlessness and unease in the face of all the promises made by the architects of the Great Society—but have never been sure of the reality, source, or extent of these distress signals.

Last week the signals suddenly rang loudly and clearly—and began, for the first time, to draw national attention to part of the reality. Last week the Citizen's Crusade Against Poverty—held a meeting here in Washington, and a good portion of the participants in this meeting were the poor themselves.

They were neither grateful nor satisfied. In fact, they were irate. During the first day of the meeting they said that the Poverty Program is "one big laugh."

On the second day tempers flared. One woman shouted "when all this poverty money is spent, the rich man is going to be richer and I'm still going to be receiving a welfare check." Others began to heckle. One woman interrupted the speech by Sargent Shriver, Director of the War on Poverty, to call out "Tell us where the poor people are being helped."

A spokesman for the meeting, later attempting to describe what had happened and why, said "when people heard him describe what was happening in their own neighborhoods—neighborhoods that residents had said were untouched by the drive against poverty—they became upset."

Here in the words of the Washington Star is what happened:

"An address by federal anti-poverty director Sargent Shriver broke up in pandemonium here this afternoon as several dozen persons heckled him, attempted to shout him down and jostled him as he left a downtown hotel. In the half-hour address to a luncheon session of the Citizens Crusade Against Poverty Convention, the seemingly unflapable Shriver rattled off figures to demonstrate the success of the poverty program—while demonstrators, many with tears in their eyes, shouted at him time and time again without receiving recognition."

To the vocal poor people at that convention, the figures rattled off by Shriver—which are, incidentally, rather impressive—were meaningless doubletalk. The figures that so impressed Shriver did not impress them. One had the sense not only that they kept score differently, but that they were talking about a different game.

Why should there be such a discrepancy in various understandings of what is taking place? Are the poor people asking for miracles?—for an overnight success that is impossible? Is there any reality to their discontent?

Let me give you an example of their experience. Most of you probably read about the people from "Tent City", Mississippi who came to Washington two weeks ago. They wanted Sargent Shriver to fund a program of self-help housing in the Mississippi Delta. After first having encouraged them, OEO suddenly interposed all kinds of objections. So they set up tents in Lafayette Park—just a few blocks from here—across from the White House. Their demand was not very obscure. They are poor—in fact they define themselves in terms of no income and negative income. No income is when a person has no work and no other money coming in. Negative income is when a person works on a plantation and at the end of the year owes the man $500. That's negative income. Most of the people who came to Washington have negative income. They have been kicked off the plantations and generally owe money to the plantation owner. The Mississippi State Employment Security Commission estimates that between 20,000 and 70,000 more will become jobless during this crop year because of increasing automation and crop-reduction programs. This does not include, of course, another important factor—local reprisals against efforts to vote.

But the people in Tent City have decided to stick it out in the South rather than going North. So they are poor, and they are prepared to work, and they came to Washington with a program which would put them to work and give them housing.

To them, the promise of the Great Society is a job and a house.

But they left Washington two days before Easter without receiving any assurance that their project would be funded. Not because their goals were unworthy, but because their application—which they had been working on with OEO for four months—was suddenly declared inadequate. On April 7, these people, who understandably thought that the Great Society would help them get materials to build their own houses, were sent the following letter. "We have reviewed your proposal," the letter states, "and require some additional information before a complete evaluation can be accomplished." There are two single spaced pages of questions and I won't bore you by reading them. But I thought you would like to hear what kind of information OEO was asking these former sharecroppers to supply. As I summarize these questions, you might keep in mind that none of the people in Tent City have ever gone to college. Most of them have never gone to high school. And they come from a world where public officials have traditionally used complicated questionnaires as devices to prevent them from exercising their constitutional rights.

First, before agreeing to fund a self-help housing project, OEO insists that the project be able to provide one-third of the necessary funds. This money could be borrowed with a guarantee from the Farmers Home Administration, but of course FHA won't guarantee a loan for the people from Tent City, because the people from Tent City don't have any money. To the people from Tent City, this policy is in effect telling them that they are too poor to qualify for the programs of the Great Society.

So the letter first asks where they will get the funds. Then the letter requires "detailed specifications and drawings for the houses to be constructed;" and "detailed construction schedule." It asks "what provisions have been made to assure that material purchased under the grant will not be destroyed by either fire or theft;" and on and on and out it goes for two full pages. The letter sounds like the Chase-Manhattan negotiating a deal with the builders of Levittown. But it's a peculiar way for the Federal Government to talk with poorly educated farmers who spent several nights camped across from the White House.

Obviously Sargent Shriver and the people from Tent City have a different conception of the Great Society. It is tempting to think that the only difference is that Shriver—like those of us in this room—knows that in any complex society you have to fill out bushels of application forms. But there is another difference. At the moment it doesn't look like the people from Tent City are going to get their self-help housing. And if they do, there certainly must be hundreds of thousands of people around the country who will not be so lucky.

What I am suggesting is that for poor people the Great Society is the promise of a home and a job. I am also suggesting that when the poor say "Okay, I'd like my job now," they are told they have it wrong, that the Great Society is really a bureaucratic jungle out of which only a few of them will emerge with a job or an education or a home.

Considered in a vacuum, I think that we could all agree that we have moved closer to the Great Society. But measured against the problems which poor Americans face, or measured against the promises of campaign rhetoric, the millennium of the Great Society seems very remote indeed.

For the poor, the promises of the Great Society are concentrated in four areas: Housing, Medical Care, Education, and Employment. These are the minimal requirements of a decent life.

Perhaps President Johnson put the doctrine of the Great Society most succinctly in his first State of the Union Message, when he said that this nation would help "each and every American citizen fulfill his basic hopes; his hopes for a fair chance to make good; his hopes for fair play from the law; his hopes for a full-time job on full-time pay; his hopes for a decent home for his family in a decent community; his hopes for a good school for his children with good teachers; and his hopes for security when faced with sickness, or unemployment or old age."

But while peoples' hopes have been kindled, their dreams have not been realized.

Let us examine what Americans could understandably hope for, and measure it against what has been done.

In housing the Administration has proposed "massive additions to the supply of low and moderate cost housing."

President Johnson has proposed, "that we combine physical reconstruction and rehabilitation with effective social programs throughout the rebuilding process . . . that we focus all the techniques and talents within our society on the crisis of the American city."

But the promise of decent housing is not being met.

Today—in the words of the President—some "four million urban families are living in homes of such disrepair as to violate decent housing standards."

Yet for 1965, 1966 and 1967, the Administration has actually proposed building public housing at the rate of 35,000 units per year—about the same rate as we built public housing a generation ago, in the 1930's.

Last year the Congress made a number of housing authorizations at the Administration's request. The Administration insisted the authorizations were minimal if we were to begin to meet our housing problems.

This year, however, *in asking for the actual money,* the Administration itself has decimated its own minimal requests.

Taking all Great Society housing programs together, it has sliced its own requests by 40 per cent—which is like amputating a man's legs at the neck.

For instance:

Urban housing grants, authorized at $117 million have been decimated to $35 million.

Housing Rehabilitation, authorized at $160 million, has been chopped down to zero.

Neighborhood Facility Grants, authorized at $88 million, has been sliced down to $25 million.

Rent Subsidies, authorized at $65 million, has been sliced down to $35 million, and then further cut to a third by Congress itself.

Public Housing, authorized at $460 million, has been slashed down to $260 million.

In short, the Great Society is not making "massive additions to the supply of low cost housing." Instead, we are cutting the heart and sinews out of minimal projects to provide the poor a better place to live.

President Johnson talked about the need for medical care and hospital facilities at San Antonio on April 8. He said:

"We are never going to stop trying to find a new way to make Medicare sensitive to what our people need, and make it sensitive to what we ought to do to lift the quality of life in this land and in this world. If I am ever to be remembered I want to be remembered as one who spent his whole life trying to get more people to have medicine and have attention, nursing, hospitals and doctor's care when they need to."

Medicare is now an accepted fact. But it does not build hospitals for the treatment of the elderly. It does not provide drugs. And it only touches the surface of our medical problems.

Our hospital facilities for the poor, all across America, are inadequate or non-existent. One third of the nation's hospital beds are obsolete.

Last year the Congress made a number of medical and hospital authorizations at the Administration's request. The Administration insisted then that its requests were minimal if we were to begin to meet our medical problems.

This year, however, in asking for the actual money, the Administration itself has decimated those minimal requests.

For instance:

The Regional Medical Program, authorized at $90 million, has been sliced down to $40 million.

Construction of Community Mental Health Centers, authorized at $65 million, has been cut down to $15 million.

Health Research Construction Grants, authorized at $93 million, have been chopped down to $15 million.

We are not even beginning to meet the medical needs of the poor.

In education, the President has stated that "every child must have the best education that this nation can provide," unquote. And he has said that, "nothing matters more to the future of our country; not (even) our military preparedness."

Yet for all the promises, our school districts are not keeping up with demand. Attendance in elementary and secondary schools will increase by four million in the next five years. These children will fill 400,000 new classrooms. By 1970, our colleges must teach half again as many students as they are teaching now.

To meet this massive demand, the Federal government will spend only $3 billion on education, and most of that money will go to more wealthy school districts.

Let me read you an editorial from the Washington Post of April 14:

"The rich school districts are turning up at the head of the line for Federal funds predictably, and the poor school districts are at the tail of the line. The money is being spent for educating children from poor families, true enough, but it is being spent disproportionately on those poor children who live in wealthy communities. The pattern of distribution is a bitter reproach to the original high purpose of the legislation to reduce poverty and improve school standards."

The editorial ends, "The rich get richer as usual, and the poor get children."

Again, last year Congress made a number of educational authorizations at the Administration's request. The Administration insisted its requests were minimal if we are to begin to meet the educational needs of our nation.

This year, however, in asking for the actual money, the Administration itself has decimated those minimal requests.

For instance:

Aid to schools in impacted areas, authorized at $416 million, chopped to $180 million.

Federal Aid to Higher Education, authorized at $700 million, sliced to $400 million.

The National Defense Education Act, which includes scholarships, authorized at $500 million, cut to $250 million.

In short, the Great Society is not moving the poor much closer to "full educational opportunity."

For employment, the President has promised that the government will help every citizen fulfill "his hopes for a full-time job on full-time pay. Our goal is not merely to spread the work," the President has said. "Our goal is to create new jobs."

As long ago as 1946 the Congress declared that the country is committed to the goal of full employment. Now we preen ourselves when unemployment gets down to five or four per cent.

Nor has the Great Society managed to assure all workers a decent wage. Hopefully, Congress will pass a new minimum wage law this year, which will lift the minimum wage to $1.60 by 1968, and extend the minimum wage to seven million new workers. But even this measure will not lift the national minimum wage to a level above the poverty line.

A laborer who makes $1.60 an hour, 40 hours a week, 52 weeks a year, still will earn less than $3,500 dollars for the year. In New York City a family is considered impoverished if its income is less than *$4,000* a year.

Last year Congress made a number of authorizations, aimed in part at employment, at the Administration's request. The Administration insisted its requests were minimal if we are to begin to meet the pledge of full employment, and of employment opportunity for the poor.

This year, however, in asking for the *actual money,* the Administration itself has decimated those minimal requests.

Two examples:

The War on Poverty and Appalachia, authorized at $300 million, cut to $200 million.

The Economic Development Administration, which includes public works, authorized at $500 million, cut to $170 million.

In short, millions of Americans apparently will remain out of work. Millions more appear destined to continue to work for less-than-living wages.

Among the poor and unemployed, where unemployment is 100 per cent, it is going to continue at 100 per cent in the Great Society.

But the Administration hasn't made these cuts just in housing, medical care, education and employment programs. It has made them in domestic programs right across the board.

Take two much-publicized programs—water and *urban transit*.

Sewer and water supply grants, authorized at $300 million dollars last year, were cut to $100 million.

Urban transportation, authorized at $185 million, was cut to $100 million.

As Congressman Mahon of Texas, Chairman of the House Appropriations Committee, said the other day:

"It can be clearly shown that the President made some basic and meaningful cuts in preparing his fiscal 1967 budget."

It sure can.

The Kennedy and Johnson Administrations and the Congress have lit the fires of hope among the poor and underprivileged of our society. We have made all kinds of promises.

But with the Vietnam war, we have delayed our promises. Promises delayed are promises denied.

We cannot ignore the Vietnam conflict in our discussion of domestic policy. You cannot consider the problems of the Great Society or the poor today without considering *who* is fighting the Vietnam war, *who* is paying for it and *who* is suffering from it.

Because of our present draft policies, *it is the poor and their sons* who are sharing an unfair burden for the battle in Vietnam.

Because of the way we are financing the war—by gutting programs devoted to the poor—*it is the poor* who are paying for the battles in Vietnam.

And because of the lack of these programs—devoted to enlarging the future of the poor—if anybody is losing the war in Vietnam, it is the poverty stricken in America.

The fact is that *the American poor are fighting the Vietnam war, they are paying for it, and they are losing from it.*

The anti-poverty program does not claim it is wiping out poverty. It's purpose is not to wipe out poverty, but to break into the circle of poverty at several places, to give the poor a chance, a start, a beginning, a first break.

In short, the goal of the war on poverty is to get the poor started upward. But even to start, they must move.

If they are to move, we must get down to building houses for the poor to live in. We must get down to providing the medical facilities to preserve their health, the schools to give them education and the jobs to give them dignity and hope and life.

The problem is not vision. The problem is courage and action. The problem is to fill America and Congress and government with men who have the courage and are willing to take the action to make this society truly Great.

So I ask you today, as college students, to share the vision of the great society, to share the idealism of the President's messages to Congress, and of the newly hopeful poor.

And today I ask you as Democrats to engage in some practical politics. I ask you to leave meetings like this not only with new ideas, but with a new determination to elect men and women who will put those ideas into action. I ask you to work for men and women this fall who will help to create a truly great society.

And finally, I ask you to return to this city in years to come with the conviction and the courage to work for the programs which you discuss today.

I will be waiting to hear from you.

United Farm Front

EXTENSION OF REMARKS

OF

HON. JOHN A. RACE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 1966

Mr. RACE. Mr. Speaker, we have heard much of the problems of the American farmer—particularly the American dairy farmer—in recent months. We have heard that the dairy farmer, hopefully looking forward to sharing an equal portion of the Great Society's prosperity, now feels that he was deceived and misled because of certain recent changes in agricultural policy. We have heard that the farmer is leaving the farm at an ever-increasing rate.

Mr. Speaker, I am pleased to report today that there are still a lot of farmers who are not willing to give up the things which they and their fathers have struggled for so long to maintain. This week, I received a letter from a new farm organization, the Federated Farm Organizations of Sheboygan County, Wisconsin, which is comprised of representatives of the National Farmers Organization, the Grange, the Farm Bureau and the Farmers Union.

These organizations, while they have on occasion disagreed with each other on strategy and on the proper means to their mutual goals, have recognized that the problem is now so acute that a united farm front is needed if the American farmer—particularly, the American dairy farmer—is to survive the current crisis.

The Federated Farm Organizations of Sheboygan County, in a letter to President Johnson, has pointed out that the producing farmers of the country comprise approximately 7 percent of the population; yet, they receive only 2.3 percent of the national income. The letter also points out that, while net farm income has only increased by 12 percent in the past 5 years, the gross national product has increased by 23 percent, workers' wages by 16 percent, dividends by 37 percent, and interest to creditors by 48 percent.

Mr. Speaker, I wish to publicly congratulate these farmers of Sheboygan County; I wish to applaud them.

But, I feel that it is imperative that I point out to this distinguished body the vast significance of this action by the farmers of this Wisconsin dairy district county.

We see, in this action, a strong indication of the plight of the dairy farmer. We see, further, conclusive proof that the farmer is not willing to accept his fate without an all-out fight to preserve his heritage. We see here the birth of a new movement in American agriculture—a movement which must be accorded its due respect and consideration.

We see here a movement which, I am certain, will be recorded as one of the major events in American farm history in the second half of the 20th century.

Highway Beautification Off to a Poor Start

EXTENSION OF REMARKS

OF

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 1966

Mr. DON H. CLAUSEN. Mr. Speaker, since enactment of the very controversial Highway Beautification Act of 1965, many of us who are truly interested in the beautification of our highways have been closely following the activities of the Department of Commerce in implementing the act. On May 20, 1966, the Honorable William C. Cramer, ranking minority member of the Committee on Public Works, spoke to the Roadside Business Association on the subject of the Highway Beautification Act and the draft standards and criteria which have been issued by the Department of Commerce. His remarks clearly and concisely outline the present situation, and I commend them to the careful attention of my colleagues.

Remarks of the Honorable William C. Cramer Before a Meeting of the Roadside Business Association, Friday, May 20, 1966, at St. Louis, Mo.

Ladies and Gentlemen: It is my pleasure to be with you today to discuss the Highway Beautification Act of 1965 and the draft standards and criteria which have been issued by the Department of Commerce under that Act.

First, I would like to review very briefly the history of the Highway Beautification Act of 1965.

On May 26, 1965, the President transmitted his highway beautification proposals to the Congress. The proposals of the President covered four areas: first, legislation to strengthen control of outdoor advertising; second, legislation to control junkyards; third, legislation to broaden existing authority to use Federal-aid funds for the cost of landscape and roadside development; and fourth, legislation to require each State to use ⅓ of the funds apportioned to it for the Federal-aid secondary system for scenic roads, roads leading to scenic and recreational areas and landscape and roadside developments.

These proposals were received by the Congress in a favorable bipartisan spirit. Highway legislation has traditionally been handled in a bipartisan manner by the Congress; and, in this case, I think every Member of the Public Works Committee was strongly in favor of the general concept of beautifying the nation's highways. It should be noted that the first legislation providing for the control of outdoor advertising in areas adjacent to the Interstate System was signed into law by President Eisenhower.

Hearings were held on the four bills in mid-July. These hearings disclosed the existence of a number of problems and unanswered questions, and demonstrated rather conclusively that the bills would have to be substantially revised in order to provide for a workable program. At that time it was the understanding of the Committee that because of the great amount of revision which would be needed, the Committee and its staff would study the bills and not take final action with respect to them until early during the Second Session of the 89th Congress. This understanding came about, at least partially, because of the tremendous work load which confronted the Committee on Public Works at that time.

Despite this prior understanding and the good and valid reasons supporting it, a sudden, unexplained, decision was made to reopen the hearings on the Highway Beautification Bill. These hearings were split over the Labor Day weekend when most of the Members had other plans and commitments of long standing. Following these hearings, Executive Sessions were held both day and night over a period of about a week. Despite these extensive and exhaustive sessions, the Administration would permit practically no changes to the bill, which most Members were convinced contained many unwise and unworkable provisions.

Permit me to cite one example: The Minority Members and staff of the Committee detected a deficiency in the bill concerning the period of availability of funds appropriated to carry out the provisions of the bill. We proposed a purely technical amendment to correct this—but it was summarily and rudely dismissed by the General Counsel of the Department of Commerce, as "just another attempt to gut the bill." This week, at the request of the Administration, the Committee favorably reported an amendment to correct this deficiency. It took the Administration more than eight months to recognize the fact that our suggestion was constructive and necessary—an illustration of the poor draftsmanship and blind political partisanship in the handling of the bill in Committee.

One amendment was adopted, at my urging. This amendment required the Secretary to make a comprehensive study of the economic impact of the programs on affected individuals, industries and commercial enterprises, the effectiveness of such programs, the public and private benefits realized thereby, and alternative and improved methods of accomplishing the objectives of the Act. This is a necessary and desirable amendment. However, it is a poor commentary on the legislative proposals of the President when legislation insisted upon by him must be amended to require a study of what the effect of his legislative proposals will be.

The bill was reported favorably by the Committee, but the Minority Members submitted strong dissenting views. In those Minority views, we pointed out many deficiencies in the bill, and particularly noted that its enforcement would have a destructive impact upon small business, such as motels, hotels, restaurants, service stations and the like, which depend upon patronage by the motoring public for survival and, in addition, deprive the motoring public of needed travel information. It would inject the Federal government for the first time into the zoning business.

The bill was debated and passed by the House of Representatives on October 7, 1966, in a marathon session which lasted until well after midnight on an evening when the Members of Congress and their wives were supposed to be attending a social function at the White House. During the debate, amendments proposed by various Members for the purpose of clarifying and strengthening the bill were summarily shouted down in many cases without an opportunity being given to explain the purpose of effect of the amendment. Some 14 amendments were not even permitted to be debated because of the White House demand that the bill be passed on a given day and in a specific form.

In my opinion, the manner in which this bill was handled, both in Committee and on the Floor of the House, was the complete antithesis of an orderly legislative process. This is particularly unpardonable because, as I mentioned earlier, I and most of the Members of the Public Works Committee and the House of Representatives, strongly favored highway beautification legislation. We who objected to the President's proposals were not objecting to the concept of highway beautification, but, instead, to legislation which was replete with unwise and unworkable provisions.

Under the provisions of the bill, the Department of Commerce is required to hold public hearings in every State before promulgating standards and criteria relative to the lighting, size and spacing of signs within industrial and commercial areas. As you know, the Secretary, before commencing these public hearings, promulgated a draft of tentative standards and criteria. The Secretary has been rather severely criticized for promulgating draft standards before the public hearings; frankly, I can join in that criticism but for different reasons. Since the Secretary emphasized that the draft standards and criteria in no way reflect any conclusions or opinions on his part, and are only tentative for discussion purposes only, I believe that it was perfectly proper for him to issue them, in order to stimulate public discussion. Certainly, public hearings at which interested persons can discuss specific proposals are more informative and productive than hearings where persons must discuss a general subject without specific proposals before them.

But, while I am not critical of the Secretary for promulgating draft standards and criteria as a method of procedure, I do think that the standards and criteria which he issued go far beyond his authority under the Act, are wholly unacceptable, and if put into full force and effect would have the result of putting most of the outdoor advertisers and many others out of business, as well as failing to provide needed information concerning available facilities to highway travelers.

Other members of the panel will, I am sure, discuss the draft standards and criteria in more detail, but I would like to mention a few of the provisions which, in my opinion, are most objectionable.

First, the definition of an unzoned commercial or industrial area. The draft standards state that "a sign, display or device shall be deemed to be in an unzoned commercial and industrial area if within a radius of 300 feet thereof, there are at least two industrial or commercial activities which are in continual operation for at least six months of the year." I have no idea why the Secretary chose two activities instead of one, when, as everyone knows, a single commercial or industrial activity can make the surrounding area for a considerable distance (usually much more than 300 feet) commercial or industrial in character.

Secondly, it should be apparent that many of the general provisions set forth in the standards, such as the prohibitions against signs which are not clean and in good repair, signs which are obsolete, or signs which are erected or maintained on trees, rocks, or natural features, go far beyond the authority set forth in the Highway Beautification Act. That Act limits the Secretary's standards and criteria to the "size, lighting, and spacing" of outdoor advertising signs *consistent with customary use.* The limitations set forth in the general provisions of the draft standards may very well be desirable limitations, but they go far beyond the subjects of size, lighting, and spacing.

The draft standards limit the maximum height of signs to 30 feet above the ground level at either its supports or the nearest edge of the right of way, whichever is lower. Aside from the fact that this provision has nothing to do with size, lighting or spacing, it is completely absurd. For all practical purposes, it would eliminate signs erected on the top of buildings and many signs in steep or precipitous terrain—and signs erected in such locations are "consistent with customary use" throughout the nation.

There are other objectionable parts of the draft standards, such as the 25 foot set back requirement, but I am sure you are at least as familiar with these as I am, and I will not take your time to discuss them, since I am sure they will be fully described by other panel members.

Now, as to the possibility that these draft standards and criteria will be substantially modified: I feel certain that those parts of the standards and criteria which are not in compliance with the law will be removed. If the Secretary himself does not remove them, I am doing all I can to make sure that the Congress will insist upon it. I am informed that the hearings required in each State have now been completed, and the Bureau of Public Roads is now analyzing and considering the voluminous evidence presented at those hearings. It is my understanding that the Bureau expects to have preliminary recommendations ready for submission to the Secretary of Commerce within the next six to eight weeks.

The Highway Beautification Act of 1965 requires that the Secretary of Commerce report to the Congress the standards and criteria and rules and regulations to be applied in carrying out the advertising and junkyard provisions of this law. I have advised the Bureau of Public Roads that I will insist that the final standards be submitted to the Committee on Public Works for consideration before they are put into effect. I am pleased that many Members of Congress on both sides of the aisle have joined in this request, including Senator JENNINGS RANDOLPH of the Senate Public Works Committee who was a leader in obtaining enactment of the bill.

You will be interested to know that just this week the Committee on Public Works favorably reported a bill for the Federal-Aid Highway Act of 1966. The bill, which increases the authorizations for the Interstate System to meet additional costs and rising prices, and authorizes funds for the Federal-aid highway systems and certain other highways for fiscal years 1968 and 1969, was handled in the traditional bipartisan manner which characterized highway legislation before the Highway Beautification Act of 1965. Among other things, the bill authorizes the appropriation of $80 million for each of the fiscal years 1968 and 1969 for carrying out the advertising sign provisions of the Highway Beautification Act. The Administration had recommended financing this out of the Highway Trust Fund and had also cast some doubt on the question of whether just compensation would be paid when signs are removed pursuant to the Beautification Act. In revising the bill, the Committee specifically provided that advertising control could be financed out of the Trust Fund only to the extent that additional funds are made available for such purposes out of revenues which now go on to the General Fund. The Committee also made it abundantly clear that it expects the funds authorized will be made available to pay just compensation upon the removal of signs, by condemnation or otherwise.

Let me summarize my feelings about this entire highway beautification situation:

1) I am strongly in favor of sensible, workable legislation to control outdoor advertising and otherwise enhance the esthetic features of our highways.

2) The Highway Beautification Act of 1965 in the form as passed is not sensible, workable legislation, but can best be classified as legislative crabgrass, which simply inhibits effective beautification efforts.

3) The draft standards of the Secretary illustrate not only the deficiencies of the law, but also the Administration's complete lack of understanding of the problems.

4) To the extent that I can, I will exert every effort to see to it that the concept of highway beautification is promoted with maximum efficiency, with the least private injury or damage.

Ladies and gentlemen, I appreciate the opportunity to join this meeting, and I am sure that the matters to be discussed will be helpful in future activities in the Congress concerning highway beautification.

Conservation Programs Protect Farm Industry

EXTENSION OF REMARKS

OF

HON. HARLAN HAGEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 1966

Mr. HAGEN of California. Mr. Speaker, the agricultural resources of California are among the most valuable in the Nation. Farmers in the three counties in my congressional district produce some 200 agricultural products worth three-quarters of a billion dollars to them annually. After processing, these products bring in more than $3 billion.

One or more of these three counties—Kings, Tulare, or Kern—have ranked among the Nation's top 10 in agricultural income for the past 15 years.

Such an extremely valuable resource demands constant protection from floods, erosion, and abuse, and it demands proper planning and development to insure the best use in accordance with its capabilities.

Ably offering these extremely important services are the 15 soil conservation districts located in my congressional district. The directors who govern these districts serve faithfully year after year, without pay, to help landowners tackle soil and water problems and get conservation on the land.

District programs do much to sustain the agricultural industry of the area. Note these recent accomplishments.

In Kings County, the Excelsior Soil Conservation District has carried out water spreading projects to improve the underground water supply.

More than 27 farmers in the Pond Poso Soil Conservation District in Kern County constructed the Poso Creek channel with Federal cost-sharing assistance to protect the land from periodic flooding and enhance the Kern Wildlife Refuge.

Three soil conservation districts—Three Rivers, Kern Valley, and Kehachapi—with State assistance, have developed comprehensive land use and conservation plans to aid future planning and show resource problems and their possible solutions.

Last year in Tulare County, the Stone Corral and the El Mirador Soil Conservation Districts saved 1,000 acres of citrus land from severe damage by installing underground tile systems to lower toxic high water levels.

In addition, the districts, with technical assistance from the Soil Conservation Service, handle about 2,000 individual requests from cooperators each year on soil and water conservation problems. The districts also promote recreational and beautification projects by providing assistance for farm ponds, reforestation, and income-producing recreation enterprises on private land.

I commend these soil conservation districts for the valuable service they provide to their communities and for their efforts in preserving land and water resources for all the people.

Statement on Connecticut River National Recreation Area

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 1966

Mr. ST. ONGE. Mr. Speaker, under leave to extend my remarks, I wish to insert into the RECORD the text of a statement I submitted on May 20 to the Senate Interior Subcommittee on Parks and Recreation in support of legislation for a feasibility study for the establishment of a Connecticut River National Recreation Area.

The statement was as follows:

STATEMENT OF CONGRESSMAN WILLIAM L. ST. ONGE TO THE SUBCOMMITTEE ON PARKS AND RECREATION, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, U.S. SENATE, MAY 20, 1966

Mr. Chairman and distinguished members of the committee, I want to thank you for this opportunity to present my views on the bill now under consideration before your committee which seeks to preserve the natural beauty and the historic heritage of the Connecticut River. As sponsor of the companion measure in the House of Representatives, I wish to express my deep gratitude to all of you for scheduling these hearings.

In the latter weeks of the 1965 session, the Honorable ABRAHAM A. RIBICOFF introduced his bill S. 2460 in the Senate and I introduced the companion measure, H.R. 11091, in the House. The purpose of this legislation was to authorize the establishment of the Connecticut River national parkway and recreation area in the four States through which the river flows: Connecticut, Massachusetts, Vermont, and New Hampshire.

The Connecticut River is the longest in New England, extending from the Canadian border down to Long Island sound for a distance of over 400 miles. It passes through many towns and cities, through hills and valleys, woods and farmlands—most of it beautiful country and of great historic value associated with glorious events in our Nation's past.

In recent decades, however, the onslaught of modern industry has been taking a heavy toll of the scenic beauty and the natural resources of this area. Deep inroads have been made in many parts of the Connecticut river valley. Industrial pollution, ugly junkyards and the uprooting of wooded areas are gradually transforming the scenery. Some years ago one observer referred to the Connecticut river as "the world's most beautifully landscaped cesspool" because of the sewerage, the waste and the industrial residues pouring into it.

On September 13, 1965, Senator RIBICOFF arranged a boat trip along the Connecticut river to inspect the river and its shorelines with the idea of seeing the beauty of this area and the urgent need for preserving its scenic beauty. Secretary of the Interior Stewart L. Udall, Governor John Dempsey of Connecticut, Senator RIBICOFF and I, as well as many State and local officials, participated in the tour. Needless to say, all of us were very much impressed with what we saw and with the possibilities of preserving this beautiful waterway, the rich valley through which it flows, and the future of the many cities, towns, and villages along its way. It was generally felt by all that much can still be saved and preserved, provided we take action now or within the coming few years; if we wait too much longer, it may be too late to save anything.

What needs to be done is to have the river cleaned up, its numerous coves and nearby wooded hills should be preserved, and the immediate vicinity along the banks of the river should be developed as a national park and recreational area for the use and enjoyment of the people. Unfortunately, we do not have many national parks and recreational areas in the eastern part of our country. The Connecticut River Valley is one area that still can be preserved for such purposes, if we do not wait too long. Its value as a recreational asset for the people is inestimable. I am sure I need not emphasize too much for this committee the need for park and recreational areas, which is bound to become greater in the future as our population increases. It would be a wise step for us, I am certain, to take the necessary precautions now to preserve as much of these assets as possible.

In the 19th century, Timothy Dwight, president of Yale University, wrote that the Connecticut River was "everywhere pure, potable, everywhere salubrious." In the last 50 years, however, swimming in the river has been considered unwise because of the industrial residues and waste. As we completed our boat trip last September, which extended over a distance of some 80 miles from Old Saybrook at the mouth of the river to Hartford, Senator RIBICOFF observed:

"The river is, for the most part, still a thing of beauty. But unless we act very soon, it will not be a 'joy forever.'"

And Secretary Udall added this comment: "We have a chance here to do a model job of conservation. You already have a running start. But population is crowding in and time is running out. What we do in the next decade will be decisive for the river's future."

On February 23 of this year, President Johnson submitted to Congress his message on conservation and the preservation of our natural heritage. Among the major outdoor recreation proposals which he recommended was the following: "For a region which now has no natural park, I recommend the study of a Connecticut River National Recreation area along New England's largest river, in the States of New Hampshire, Vermont, Massachusetts, and Connecticut."

Subsequently, the Department of Interior submitted its report on the bills which Senator RIBICOFF and I introduced. It contained several interesting observations and suggested amendments. Let me quote a few passages from the report which was addressed to Congressman WAYNE N. ASPINALL, chairman of the House Committee on Interior and Insular Affairs:

"We are sympathetic with the preservation and recreational use objectives of the bills which are greatly in need of accomplishment near urban population centers of the United States. At the present time, however, we do not have sufficient information to recommend the establishment of the proposed Connecticut River National Parkway and Recreation Area. We believe that a study should be conducted before bills of this kind are considered. . . The enactment of a bill to establish the area in advance of the study would be premature. . . We believe it would be appropriate, however, to enact a study bill as an expression of congressional interest and emphasis."

The subsequent paragraph of the report reiterates that "we strongly endorse a study for the purpose of examining the feasibility and desirability of establishing a Connecticut River National Recreation Area," and that statement is followed by several amendments.

In view of the recommendation of the President and the report of the Interior Department that a study is needed before the area can be established as a national park, I decided to revise my bill and to incorporate the amendments suggested by the Department. On April 20, 1966, I introduced H.R. 14546 which, as now worded, is a study measure. It is now pending before the House Interior and Insular Affairs Committee. Senator RIBICOFF likewise introduced a similar bill.

The new bill authorizes the Secretary of the Interior to undertake a study of the feasibility of establishing the area as a national park, in order to preserve its natural beauty, its historic heritage, and its recreational use for the public. It provides for the coordination of plans with other Federal and State programs, as well as consultation with local bodies and officials. The Secretary is to submit, within two years, a report to the President of his findings and recommendations with emphasis on the following:

1. The natural values and recreational uses of the area.

2. Potential uses of the water and land resources.

3. The type of Federal program needed to preserve the values of the area in the public interest.

Under the circumstances, I believe that this is the best approach and the most logical way to obtain action leading to the eventual creation of a Connecticut River national recreation area. When adopted, the new measure will actually help lay the groundwork for the project. Such a study has never been made, and it would therefore be most helpful in many ways, including the establishment of the exact delineation of the proposed recreational area, its conservation and preservation, its economic potential, and other important aspects.

Mr. Chairman, I urge you and the members of your committee to approve the authorization of the proposed feasibility study so that Congress, too, can go on record in support of the idea. We would then have unanimity on all three major Federal levels: the White House, the Interior Department, and Congress. This will enable us to proceed without any loss of valuable time.

Vietnam in a Historical Perspective

EXTENSION OF REMARKS
OF
HON. EDNA F. KELLY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 24, 1966

Mrs. KELLY. Mr. Speaker, under leave to extend my remarks, I wish to place in the Record two papers prepared by the Legislative Reference Service of the Library of Congress, dealing with the history of Vietnam.

The two papers which follow were prepared at my request to facilitate better understanding of the situation in Vietnam. The first provides an insight into the background of the Vietnamese nation; the second relates certain key events in Vietnam's history to developments which were occurring simultaneously in other parts of the world. By viewing the present condition of Vietnam from this historical and worldwide perspective, I believe that we can better appreciate what is going on there right now.

I want to mention that the abbreviated chronology was intended to be illustrative rather than all encompassing. I think it is a helpful compilation even though, on my part, I would have preferred to see the years 1954–63 covered in more detail.

This was a very critical and important period not only for Vietnam but also for the rest of the world. It was during those years that the Diem government established effective central authority in South Vietnam, overcame the divisive power of the various warlords, and made a start—a significant start—toward social and economic reconstruction of the country.

These were impressive achievements when one pauses to consider the chaotic situation which prevailed in that country after the French suffered the stunning defeat at Dienbienphu.

They acquire additional significance when one recalls that during the same period the bread-and-freedom riots occurred in Poland, the Hungarian revolution was brutally crushed by the Soviets, the Chinese Communists gained several footholds in Africa, and the world found itself on the brink of utter destruction as a result of Soviet attempts to place missiles on Cuba.

Mr. Speaker, I commend these articles to the attention of the membership of the Congress:

Vietnam: Some Notes on Its History in Relation to International Events Affecting the Policies of the Great Powers

(Prepared according to the instructions of the Honorable Edna F. Kelly, by Russell J Leng, analyst in international relations, Foreign Affairs Division, Library Reference Service, April 7, 1966)

1. PRIOR TO FRENCH COLONIZATION

The early history of the Vietnamese is obscure although they figured in ancient Chinese annals as early as the third century B,C. In 208 B.C. the kingdom of Nam-Viet, composed of parts of present-day southern China with three provinces in northern Vietnam, was formed. It was annexed by China in 111 B.C. and governed as a Chinese Province (Giao Chi) until 939 A.D.

The Vietnamese were able to over-throw Chinese rule in 939 when they capitalized on the anarchy existing in China following the collapse of the T'ang dynasty. Small wars with China and internal power struggles continued until 1427 when the warrior Le Loi drove Chinese forces out of Hanoi and established a dynasty which was to last through the 1770's. Despite their internal independence, the Vietnamese were still not free from the influence of their overpowering neighbor; Vietnam remain a tributary state of China and sent triennial payments to the Chinese to preserve its legitimacy until the time of the French conquest.

With the end of the Crusades in the thirteenth century, Europe began to expand its horizons in the direction of Asia and the Far East. During the first half of the 13th century Europe suffered under a series of successful Mongol invasions and by 1259 the land "from the banks of the Yellow River to the Danube and from the Persian Gulf to Siberia owed allegiance to the Mongols." This did have one bright side, for European travelers acceptable to them were able to gain free passage for overland travel to Asia.

Among the earliest travelers to take advantage of the land route to Asia was Marco Polo, who is known as the greatest of all Medieval travelers. During his travels between 1271 and 1295 Marco Polo became a favorite of the Great Khan of China and traveled through Burma, India, China, and parts of what is now Vietnam. Missionaries and merchants soon followed the footsteps of Polo, whom historians have credited with having "created Asia for the European mind."

The Mongols were overthrown in 1368 and with the accession of the Ming dynasty in China, the great land route was closed to European travelers for the next two centuries. European merchants began to search for a sea route to acquire the then highly valued spices of the East. Six years after Columbus landed in the West Indies, Vasco de Gama rounded the Cape of Good Hope and in 1498 opened a new seaway to India and the Far East.

The Nuygen lords of the Le dynasty, meanwhile, had slowly been expanding southward to consolidate their control over Annan and Cochinchina. They easily spread down into the rich Mekong Delta and by the middle of the eighteenth century they reached the southern tip of Indochina on the Gulf of Siam. As the Nuygens extended their control of Vietnam, they began to experience regular contact with European merchants and missionaries.

2. EARLY FRENCH COLONIZATION

Competition for commercial and religious privileges in Vietnam continued from the seventeenth to the nineteenth century between England, France, the Netherlands, and Portugal. By the eighteenth century the trade had declined considerably but missionary activity, particularly by the French, continued under conditions which ranged from passive toleration to active persecution. The persecution of the French missionaries grew in the 19th century and in 1833 an imperial edict declared the profession of Christianity a crime punishable by death. Finally, with the death of a French and a Spanish missionary, a Franco-Spanish task force invaded Tourance, and then turned south to occupy Saigon in February of 1859. More invasions followed and on August 25, 1883 a treaty was signed declaring Annan and Tonkin French protectorates, in addition to colony status for Cochinchina. But in actual fact, all of Vietnam was now a French colony.

The nineteenth century saw a period of relative stability in Europe after the close of the Napoleonic Wars and the agreements reached at the Congress of Vienna. Despite internal political instability through much of the century, involvement in the Crimean War against Russia, and a defeat at the hands of the Germans in 1870 the French were able to exert a continual effort to extending their control over Indochina. Not even the change from the monarchy of Napoleon III to the Third Republic affected the steadily increasing French control of Indochina which extended to Laos and Cambodia (in protectorate status) as well as Tonkin, Annan, and Cochinchina by 1895.

The English Navy still ruled the seas under what has often been referred to as the "Pax Britannica;" nevertheless, her interests, in the East were primarily centered in China and India rather than the Indochinese peninsula.

The United States was just beginning to emerge on the international scene as a new naval power in the middle of the 19th century. Until then American interests had still been directed primarily toward expansion across the North American continent and toward the Western Hemisphere, but by the end of the century American merchants were competing with the British in China and Admiral Perry had forced the Japanese to open their gates to the West for the first time.

3 FRENCH COLONIALISM PRIOR TO THE SECOND WORLD WAR

Vietnam was now a French colony but resistance to French rule continued, first by the traditional elites in Vietnamese society and later by new leaders born during the period of French colonial control. French colonial policy was based on the concept of effectively using Vietnam as a profitable economic enterprise and several attempts by Vietnamese scholars and nationalists to achieve moderate reforms during the 1920's were rejected outright by their colonial masters.

A Vietnamese Nationalist Party (VNQDD) modeled after the Kuomintang in China attempted an armed uprising on February 9, 1930, which was quickly put down by French authorities who proceeded to effectively destroy the fledgling opposition.

Nevertheless, the disappearance of the VNQDD brought the underground Communist parties in Vietnam to a position of dominance in the resistance movement. Three competing Communist groups were merged into a United Indochinese Communist Party (ICP) that year by the Southeast Asian Comintern representative Nguyen Ai Quoc (Nguyen the Patriot), later known as Ho Chi Minh. Nguyen was born in Vietnam but had spent most of his youth in Paris where he was active first in the Socialist movement and later in French communism. He traveled to Moscow as a Party representative in the early twenties and then accompanied the Soviet agent Borodin to China to work with Kuomintang before he returned to Vietnam in the mid-twenties.

The ICP began to lose a certain amount of support in the thirties due to its acceptance of the Comintern policy of the "Popular Front," then being tried in France and Spain. By the late thirties, however, the collapse of the Popular Front in France and continued strong French retaliation to the ICP's disruptive activities had driven the movement completely underground. The leadership was forced to re-group in Southern China as the Second World War began.

Prior to the Second World War, the West remained generally ignorant of the smoldering fires of nationalism which would be enflamed by the Japanese "liberation" of Southeast Asia during World War II. Woodrow Wilson's principles of self-determination were not applied to these regions, which were considered "backward" and not ready for self-government.

During this period the attention of the Western powers was at first diverted by a devastating World War, the endless complications and problems of the Versailles and other peace settlements, a world economic crisis and the specter of international communism which had at last found a champion in the Soviet Union.

Despite the Western fears, international communism was able to achieve few real successes and the movement became more and more an ancillary arm of Soviet foreign policy. The Borodin mission to China was an example of Stalin's attempt to align himself with the nationalist sentiments of the Kuomintang rather than an attempt to spread international communism. And the election of a Popular Front Government in Paris had little effect on the French colonialists who had little patience with any nationalist movements in Vietnam.

The United States had by now replaced the British as the dominant sea power in the Pacific but even more than the Europeans, American interests tended to turn inward in the period between the two wars. Of all the Western powers, the Soviet Union appeared to express the most concern with the growing power of Japan. The French did not envisage the Japanese invasion of Manchuria in 1932 as a threat to their control of Indochina. The U.S. did not want to become involved in such a far-off problem and the British did not feel they could afford to act alone. The early thirties were already dominated by the economic crisis; then came the conflicts in Ethiopia and Spain; finally, there was the growing menace of Nazi Germany beginning with the occupation of the Rhineland in 1936 and ending in war three years later.

4. THE END OF FRENCH COLONIALISM: WORLD WAR II TO THE GENEVA ACCORDS OF 1954

With the fall of France in June 1940, the colonial regime in Indochina was left to stand alone against the Japanese advance. The Japanese moved in North Vietnam that year and into the South in the next. An agreement between the pro-Vichy colonial administration and the Japanese forces allowed French sovereignty over the area to continue until March 9, 1945, when the Japanese military command established complete control over Indochina. Finally, Vietnamese Emperor Bao Dai, with Japanese urging, proclaimed Vietnam's independence, although the imperial government was able to exert little control over the countryside which had passed largely into the hands of the Communist Viet Minh.

When the Japanese surrendered on August 13, 1945, control quickly passed into the hands of the Viet Minh and, on September 2, 1945, Ho Chi Minh declared the independence of the Democratic Republic of Vietnam (DRV).

France was not invited when the Allies met to discuss the future of the peace at the Potsdam Conference in late 1945. The Indochina problem was secondary to other considerations such as Germany, Eastern Europe, and the United Nations. It was decided that Britain would occupy the South of Vietnam and the Chinese would occupy the North. The British soon turned control of their zone over to the returning French colonialists and by March 6, 1946, an agreement was signed between the French colonialists and a northern Vietnamese coalition government declaring Vietnam a free and united state within the French Union. Neither the French nor the Viet Minh were entirely satisfied with the existing situation, however, and fighting broke out in Haiphong on November 22, 1946, signaling the start of a long and bloody struggle.

It soon became apparent that although the French could control most of the urban areas and lines of communication, the Viet Minh exercised control of the countryside. The Viet Minh's position improved somewhat more in 1949 with the appearance of a friendly Communist neighbor in the form of bordering China. The French government decided to align itself with the moderate nationalists in early 1949 and agreed to allow Bao Dai authority over internal affairs. Vietnam was incorporated into the French Union as an Associated State in return for nationalist military support against the Viet Minh.

In support of its important NATO ally, the United States afforded the French considerable military aid and on February 7, 1950 accorded diplomatic recognition to the Bao Dai regime.

Prior to 1950, American foreign policy necessarily evolved around the pressing problems in Europe and China. Europe had not yet begun to recover from the Second World War when the Soviet Union began to expand its hegemony over Eastern Europe and threaten the war-weakened democracies of Western Europe. The reconstruction of Western Europe and containment of the Soviet Union became the keynote of American concerns in the West while the rapidly deteriorating situation in China demanded most of America's attention in the East. Shortly after the collapse of the Nationalist Government in China, on June 25, 1950, the North Korean Army crossed the 38th parallel into South Korea and the United States was forced to turn most of its attention to a limited, but demanding war.

The British, meanwhile, had their own problems to contend with in Southeast Asia. Although India and Burma had since become independent, a small, difficult and intensifying jungle war was being waged in Malaya and Singapore.

Finally, on May 7, 1954, the French were decisively defeated by North Vietnamese forces under the command of General Giap at Dien Bien Phu. The United States had grown increasingly concerned with the growth of communism in Southeast Asia during the last few years and seriously considered supporting the French stand at Dien Bien Phu with air strikes; however, with British urging and the feeling that American forces were not equipped to turn the tide of the war at this stage of the conflict, the U.S. joined the British in urging that a peaceful solution be sought at the Geneva Conference which was already considering the Korean armistice settlement.

5. AFTER THE GENEVA ACCORDS TO THE FALL OF DIEM, 1954–1963

The Geneva agreement provided for the provisional division of Vietnam at the 17th parallel, banned the introduction of reinforcements for either side, and set up an International Control Commission to supervise the agreement.

The United States attended the Geneva conference but did not sign the final agreement; nevertheless, the American delegate declared that the U.S. would refrain from the threat or use of force to disturb the agreements and would view any renewal of aggression with grave concern.

The South Vietnamese government under Prime Minister Ngo Dinh Diem—with the help of American support and economic aid—consolidated its position in the South while the Communist regime of Ho Chi Minh strengthened its control of the North. The Diem government failed, however, to firmly implant itself at the local level. Civil unrest fostered by pro-Communist rebels and, eventually, North Vietnamese guerrilla infiltration, intensified into a large scale guerrilla war. By February of 1962, the U.S. deemed it necessary to establish a Military Assistance Command in Saigon to aid Diem's beleaguered forces. But, despite American backing, the war in South Vietnam worsened in the early sixties.

With the war worsening and civil unrest, particularly Bhuddist opposition to the Catholic regime, growing, the Diem government was overthrown by a military uprising on November 1, 1963.

During this period, the United States and its allies faced a changing situation in other parts of the world. Britain and France faced a humiliating crisis in Suez in 1956, and the gradual thaw in Soviet-Western relations was set back considerably in the same year when the Russians brutally put down a revolt against Communist rule in Hungary. Both France and Britain proceeded to cut back their foreign and colonial defense commitments during this period, although France fought a long and bloody war before she withdrew from Algeria. Neither had any interest in participating militarily in the growing struggle in Vietnam.

On the other hand, United States concern over the Vietnam situation grew with its increasing commitments around the globe. After the Suez and Hungarian crises of 1956, American attention shifted to another Middle East crisis in 1958 when American troops landed in Lebanon, then the Far East when the Chinese Communists precipitated a crisis over the Taiwan Straits; then Africa in 1960 when another crisis erupted in the Congo, and finally to Latin America where the first Communist regime in the hemisphere had installed itself in Cuba. The Cuban situation flared up with the unsuccessful "Bay of Pigs" invasion of 1961, died down as Americans became more concerned with another Berlin Crisis in the spring and summer of 1962, and then flared up again when Soviet missiles were discovered in the fall of 1962. Yet, despite these crises, American relations with the Soviet Union had improved by the summer of 1963 to the point where the two nations were able to agree upon a partial test-ban treaty outlawing nuclear testing in the atmosphere. Perhaps even more important was the growing antagonism between the Soviet Union and China as well as the loosening of the Communist alliance in Eastern Europe.

One consistent thread that ran through American foreign policy during this period, was the growing concern over the possible spread of Asian communism in Southeast Asia. This concern became apparent almost immediately after the Geneva agreements of 1954, when the U.S. hastened to engineer a mutual defense treaty for the Southeast Asian area. (SEATO). Part of the concern with the situation in Southeast Asia and

Vietnam stemmed from the worsening crisis in Laos. By 1962 the United States decided it would be best to seek a peaceful compromise to the troubles in that nation by agreeing (at another Geneva convention) to the establishment of a neutralist coalition government. Few were very sanguine about the future of the neutralist regime; nevertheless, the United States decided it would be best to take its stand against Asian communism in Vietnam where a more stable regime existed to carry on the fight. When the Diem government fell in the summer of 1963, the United States was already substantially committed to assisting the South Vietnamese in their struggle against the Viet Cong.

6. AFTER DIEM: 1963–PRESENT

A succession of military regimes followed the Diem government until June of 1965 when the civilian government of Dr. Phan Huy Quat dissolved itself and was replaced by a military directory headed by Vice Air Marshal Nguyen Cao Ky. The Ky regime has remained in power as the war has gradually escalated on both sides, although it faces a difficult crisis at the present.

During the last three years, American participation in the Vietnamese war has grown to 230,000 troops, many of whom are combat troops actively pursuing the war against the Viet Cong and North Vietnamese regular units.

The United States Congress politically strengthened the hand of the President in pursuing the war in Vietnam on August 7, 1964, when (after a Viet Cong attack on two American destroyers in Tonkin Bay) it passed a resolution expressing its support of the President in taking "all necessary steps" to repel aggression in Vietnam.

Since then the United States has pursued several "peace offensives" aimed at achieving negotiations to bring a peaceful settlement to the conflict but with no concrete results.

In the spring of 1965 the United States also sent a contingent of combat troops to quell civil unrest in the Dominican Republic. This, however, appears to have been only an interlude in a foreign policy that has recently become more and more concerned with the situation in Vietnam. Two other international shocks occurred in the fall of 1964 when the Communist Chinese exploded their first nuclear device and when, during the same week, Soviet Premier Nikita Khrushchev was forced to step down as head of the Soviet Union, at a time when there was a gradually growing detente with the Soviet Union. In Europe the United States has expressed growing concern over the loosening of the Atlantic Alliance, a development that has been matched by a similar trend among the Communist nations of Europe.

A LISTING OF SOME KEY EVENTS IN VIETNAMESE HISTORY WITH CORRESPONDING INTERNATIONAL EVENTS OCCURRING ON THE SAME DATES

(By Russell J. Long, analyst in U.S. foreign policy, Foreign Affairs Division, Library Reference Service)

166 A.D.

A Roman emissary sent by Marcus Aurelius makes the first recorded contact between Vietnam and the West.

Roman Empire: The reign of Marcus Aurelius and Verus begins the partition of Europe.

East Teutonic Tribes: The Goths continue their migration to the Black Sea.

939

The Vietnamese, capitalizing on the collapse of the T'ang dynasty in China, overthrow Chinese rule in Indo-China.

Europe: Pope Leo VII is replaced by Stephen IX during one of the weakest periods of the Papacy in Medieval Europe. The Moslem ruler, Abdurrahman III continues the pacification of Spain. Otto I the Great establishes his authority over the duchies of Bavaria, Franconia, Lorraine, and Saxony.

Asia: Anarchy continues in China as the Tsin dynasty attempts, unsuccessfully, to assert imperial control.

1535

The Portuguese trader Antonio da Faria establishes the first lasting European post in Indo-China.

Europe: A defensive and offensive alliance is formed between France and Turkey; Charles V occupies Milan, and the Hanseatic League begins to dissolve as a Great Power. English bishops reject papal authority.

Americas: The cities of Buenos Aires and Lima are founded in Latin America. The explorer Cartier discovers the St. Lawrence River.

1658

A Vietnamese expeditionary force intervenes in Cambodia, establishing Vietnamese sovereignty and resulting in a regular Cambodian tribute to the Vietnamese court.

Europe: The English and French defeat the Spanish at Dunes and Gravelius. Oliver Cromwell dies and is succeeded by his son Richard in Britain. The Northern War continues between Brandenburg, Poland, Austria, and Sweden.

Asia: The Dutch continue to extend their trading influence in China after establishing a foothold two years earlier.

1845

A condominium is established between Cambodia and Vietnam. Vietnamese Emperor Thieu-Tri extends his persecution of Christians and flatly refuses to receive any foreign missionaries.

Europe: The English and French are involved in a joint expedition against Madagascar.

Americas: The United States is at war with Mexico.

Asia: The Chinese extend religious toleration to Catholics and Protestants and, as a result of European pressure, foreign residents in China are placed under extra-territorial civil and criminal jurisdiction. The British extend their control in India to Kashmir and Punjab.

AUGUST 31, 1858

A French-Spanish punitive expedition arrives in Tourance, Indo-China and begins advances inland taking Saigon on February 18, 1859.

Europe: Napolean and Cavour meet at Plombiéres to prepare the unification of Italy. A war breaks out between Turkey and Montenegro. Alexander II orders the emancipation of the serf's in Russia.

Americas: Minnesota is admitted as a state. One year later John Brown's raid on Harper's Ferry will signal the opening round of the hostilities leading to the Civil War.

Asia: The British are forced to put down a mutiny of local troops in India. China opens several new ports to Western merchants and admits European Ambassadors for the first time.

AUGUST 25, 1883

The Vietnamese sign a treaty with the French declaring Annan and Tonkin French protectorates. With Cochin-China already declared a French colony, all of Vietnam has, in fact, become a colony of France.

Europe: An alliance is signed between Austria and Rumania in addition to the Triple Alliance signed between Germany, Austria, and Italy two years earlier. Russia begins attempts to extend her interests in the Balkans.

Americas: The second transcontinental railroad line in the U.S., the Northern Pacific, is completed in September. U.S. President Cleveland reduces tariff rates in an effort to diminish the Treasury surplus.

Middle East and Africa: General Hicks and an Egyptian force are defeated in the Battle of El Obeid by the Mahdi, resulting in the Egyptian evacuation of the Sudan. The beginning of German colonial activities in Africa is marked by a German establishment at Angra Pequeña (Southwest Africa).

Asia: Relations between China and the Europeans are worsening. Prince Kung and the Grand Council are dismissed by the Dowager Empress Tzu Hai for failing to repel the French from China and Southeast Asia.

FEBRUARY 9, 1930

An armed uprising by a Vietnamese nationalist party, the VNQDD, is crushed by the French. During the same year three competing Communist groups are merged into a United Indo-Chinese Communist Party (ICP) under the leadership of Nguyen Ai Quoc (Ho Chi Minh).

Europe: The London Naval Conference meets to establish agreements limiting the tonnage of warships operated by Britain, the United States, Italy, France, and Japan. The final preparatory meetings of the Commission on Disarmament come to a close. Hitler's Nationalist Socialists emerge as a major party in Germany as 107 of the Nazis are elected to the German Reichstag. Josef Stalin consolidates his control over the Soviet Communist Party with the expulsion of Bukarin and other opposition members in late 1929. The Soviet Union reaches an agreement with China finally settling the conflicting claims over the Chinese Eastern Railroad.

Americas: Six months after the great stock market crash of 1929, the United States passes the Smoot-Hawley Tariff Act raising U.S. tariff duties on imports to the highest in history.

Asia: Gandhi launches the second civil disobedience campaign in India. The disorders reach their peak in the spring when British authorities arrest the Indian nationalist leader.

AUGUST 30, 1940

The Vichy Government in Paris signs an accord recognizing Japan's "pre-eminent" position in the Far East; thus, leaving the French colonialists alone to face the invading Japanese. During the same year the Viet Minh movement is formed by Vietnamese nationalists.

Europe: World War II rages in Europe. France falls before the German onslaught on June 23. The Battle of Britain begins. Italy attacks Greece. Russia defeats Finland and begins to extend its influence into the Balkans.

Americas: President Roosevelt is reelected U.S. President. The neutral United States exchanges 50 U.S. destroyers for the lease of British bases in the West Indies.

Asia: Japan extends her advance into Southeast Asia as China continues to fight for its life.

SEPTEMBER 2, 1945

Ho Chi Minh declares the independence of the Democratic Republic of Vietnam (DRV) two weeks after the Japanese surrender. The Viet Minh control proves short-lived as the French return within a few months.

Europe: Germany surrenders in the spring of 1945. The Potsdam Conference convenes in the summer, providing for British and Chinese occupation of South and North Vietnam respectively. Soviet troops enter Warsaw and Berlin, establishing a Russian foothold in Eastern Europe.

Americas: President Roosevelt dies. The United Nations Charter is signed in San Francisco.

Asia: Japan surrenders on August 23 after the U.S. drops atomic bombs on Hiroshima and Nagasaki.

NOVEMBER 22, 1946

Fighting breaks out in Haiphong signaling the start of a long struggle between the French and the Viet Minh.

Europe: Winston Churchill delivers his famous "Iron Curtain" speech at Fulton, Mo. as communist republics are established in Albania, Hungary, and Bulgaria. Nazi war criminals are sentenced at Nurnberg. French Premier de Gaulle resigns.

Americas: The first atomic test since the war is conducted at Bikini atoll by the United States.

Asia: The Philippine Republic is inaugurated. A treaty is signed beween the British and Siamese.

MAY 7, 1954

The French are decisively defeated by the Viet Minh at the battle of Dien Bien Phu.

Europe: The Paris Agreements are concluded establishing the Western European Union and terminating the occupation of Western Germany. France rejects the proposed European Defense Community treaty. Italy and Yugoslavia finally agree on a settlement of the Trieste dispute.

Americans: The Communist Party is outlawed in the United States.

Asia: The United States and Japan sign a defense pact. The Korean armistice negotiations continue with little results. After Dien Bieu Phu the United States engineers the Southeast Asia Collective Defense Treaty (SEATO).

Africa: The Algerian revolt against French rule begins.

FEBRUARY 1962

The United States establishes a Military Assistance Command in Vietnam to aid the Diem Government against Communist guerrilla infiltration and terrorist activities.

Europe: The Soviet Union erects a wall separating the Eastern and Western zones of Berlin. The Sino-Soviet ideological dispute worsens and become public.

Americas: The United States discovers the Soviet Union has implanted offensive missiles in Cuba and forces the Soviets to remove them.

Africa: Algeria achieves its independence from France. United Nations forces move against the secessionist regime of Moise Tshombe in the Katanga province of the Congo. Conflict begins in Yemen.

Asia: The Netherlands-Indonesian dispute over West Irian is finally settled. Communist China and India became involved in a series of border conflicts. A comprise is reached establishing a neutralist coalition government in strife-ridden Laos.

NOVEMBER 1, 1963

A military coup in Saigon overthrows the Diem regime.

Europe: President de Gaulle takes the final step in indefinitely postponing Britain's entrance into the European Economic Community. Violence erupts between the Greek and Turkish communities on Cyprus.

Americas: The United States signs a partial Test-Ban Treaty with the Soviet Union. U.S. President John F. Kennedy is assassinated.

Asia: An independent federation is formed in Malaysia between Malaya, Sarawak, Singapore, and North Borneo despite Indonesian hostility.

AUGUST 7, 1964

After a Viet Cong attack on two U.S. destroyers in Tonkin Bay, the Congress passes a resolution supporting the President in "taking all necessary steps" to repel aggression in Vietnam.

Europe: The Labor Party defeats the Conservatives in British national elections. Nikita Khrushchev is forced to resign as Premier of the Soviet Union. Tension continues in Cyprus. A crisis continues over the state of the pound sterling in Britain.

Americas: Rioting breaks out in the U.S.-controlled Panama Canal Zone.

Asia: China explodes her first nuclear device.

FEBRUARY 7, 1965

Viet Cong forces carry out intensive attacks on several South Vietnamese air bases, barracks, and villages. The U.S. retaliates with air attacks against barracks and staging areas in North Vietnam.

Europe: France boycotts the European Economic Community meetings during a summer Common Market crisis. De Gaulle and Erhard are reelected in France and Germany, respectively.

Americas: The United States dispatches troops to quell a crisis in the Dominican Republic.

Africa: The Nkrumah regime is overthrown in Ghana. A crisis develops over the *apartheid* policies of the white government in Southern Rhodesia resulting in that nation's unilaterally declaring its independence from Britain which causes United Nations economic embargo directed against the Smith regime.

Asia: Fighting erupts between Pakistan and India over the disputed Kashmir territory. A cease-fire is obtained by the U.N. Security Council, and an armistice is signed in Tashkent through the good offices of the Soviet Union. Indonesia withdraws from the United Nations over the seating of Malaysia on the Security Council. The Sukarno government is overthrown in the fall, and replaced by an anti-communist military leadership.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 25, 1966

The House met at 11 o'clock a.m.

The Chaplain, Dr. Edward G. Latch, D.D., offered the following prayer:

Psalm 121. *I will lift up mine eyes unto the hills, from whence cometh my help.*

O spirit of the living God, who art the Creator and the sustainer of life, without whose presence all our labor is in vain, we pray that our lives and the lives of our people may be built not upon the shifting sands of pretense and deceit and ill will, but upon the eternal rock of truth and goodness and love. Thou hast made us for Thyself and our hearts are restless until they find rest in Thee. Keep us dissatisfied until we find our satisfaction in Thee and in Thy love for us.

Lead us to the moral heights of personal honesty and political integrity and in all our relationships may we be mindful of Thy presence, responsive to the call of Thy spirit and ever seek to do Thy will: through Jesus Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Bradley, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 14324. An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 14324) entitled "An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ANDERSON, Mr. SYMINGTON, Mr. STENNIS, Mrs. SMITH, and Mr. JORDAN of Idaho to be the conferees on the part of the Senate.

A BILL TO REVISE POSTAL RATES ON CERTAIN FOURTH-CLASS MAIL

Mr. MORRISON. Mr. Speaker, I ask unanimous consent to file a supplementary report to accompany H.R. 14904, a bill to revise postal rates on certain fourth-class mail, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. DERWINSKI. Mr. Speaker, reserving the right to object, will the gentleman explain the purpose of the supplementary report?

Mr. MORRISON. Mr. Speaker, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Louisiana.

Mr. MORRISON. Mr. Speaker, since the filing on May 18, 1966, of Report No. 1543, to accompany H.R. 14904, to revise postal rates on certain fourth-class mail, and for other purposes, it has been noted that the last item on page 40 of such report does not correctly show the changes made by the bill to the provisions of section 207(b) of the act of February 28, 1925, as amended (43 Stat. 1067; 45 Stat. 942).

The purpose of this supplementary report is to correct the error and show the provisions of such section 207(b), as amended by section 7 of the act of May 29, 1928 (45 Stat. 942), which are repealed by section 4(b) of H.R. 14904.

Mr. DERWINSKI. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

SUBCOMMITTEE ON BUILDINGS AND GROUNDS, COMMITTEE ON PUBLIC WORKS

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the subcommittee on buildings and grounds of the Committee on Public Works may sit today during general debate.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CONSUMER PROTECTION ACT OF 1966

Mr. STALBAUM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. STALBAUM. Mr. Speaker, I am today introducing a bill which I have titled the "Consumer Protection Act of 1966." It is a four-section measure designed to give consumers more for their dollar in today's marketplace. It represents the first comprehensive legislative proposal to cover all fields of consumer protection.

My proposal would accomplish the following:

First. It would halt deceptive methods of packaging and labeling.

Second. It would require the full disclosure of finance charge.

Third. It would improve safety and reliability of drugs.

Fourth. It would require safety closures and better labeling of children's drugs.

Others have introduced bills covering portions of this proposal, particularly those relating to truth in packaging and truth in lending. I do believe, however, that Congress in 1966 should proceed to give consumers protection in all of these areas because all are important.

Many others have introduced legislation covering proposals on this bill or have spoken on areas covered by it. Only last Monday my distinguished colleague from Ohio, the Honorable RODNEY M. LOVE, placed remarks in the RECORD on bills which he introduced. In today's Washington Post, Herblock pointed up the need for a truth-in-packaging law. In his cartoon "bunk artists" are being ordered out of the "jumbo container" by the truth-in-packaging policeman.

I urge all who have introduced or spoken on consumer legislation to join in supporting my Consumer Protection Act.

SUPPLEMENTAL REPORT ON H.R. 14904, REVISING POSTAL RATES ON CERTAIN FOURTH-CLASS MAIL

Mr. MORRISON. Mr. Speaker, I renew my unanimous-consent request to file a supplemental report to accompanying H.R. 14904, a bill to revise postal rates on certain fourth-class mail, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

CALL OF THE HOUSE

Mr. ARENDS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Illinois makes the point of order that a quorum is not present. Evidently, a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 110]

Anderson, Tenn.
Ashbrook
Blatnik
Carter
Clawson, Del
Colmer
Conyers
Cooley
Corman
de la Garza
Dowdy
Duncan, Oreg.
Ellsworth
Fallon
Farnsley
Feighan
Fraser
Giaimo
Green, Oreg.
Hall
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Hébert
Irwin
Jacobs
MacGregor
Martin, Ala.
Martin, Mass.
Mathias
Matsunaga
Miller
Morton
Moss
Murray
O'Hara, Ill.
Reid, Ill.
Resnick
Rooney, N.Y.
Roudebush
Smith, N.Y.
Stephens
Stubblefield
Sweeney
Teague, Tex.
Thompson, Tex.
Toll
Watts
White, Idaho
Williams
Willis
Wilson, Charles H.

The SPEAKER. On this rollcall, 376 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON RULES

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent that the committee may have until midnight tonight to file certain privileged reports.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

JOINT COMMITTEE ON NATIONAL SERVICE AND THE DRAFT

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, I am delighted to learn that a number of our colleagues in the other body have today introduced a concurrent resolution to establish a Joint Committee on National Service and the Draft. Their resolution complements the one which I introduced on May 9, along with our colleague the gentleman from Minnesota [Mr. FRASER] and our colleague the gentleman from Wisconsin [Mr. KASTENMEIER].

The Joint Committee on National Service and the Draft would include seven Members of the House chosen by the Speaker and seven Members of the Senate chosen by the President of the Senate.

It would be empowered to study much more than the military. It would discuss alternative ways in which youth can serve the country—whether in international affairs as they have done through the Peace Corps, or in domestic affairs as they have done in the war on poverty and the civil rights movement. It would discuss urban problems and problems of conservation which could be attended by youth. It would discuss the educational value of national service and the need to train and make use of the talents of the millions of young men who cannot meet the physical or mental requirements of the Armed Forces.

As Senator MONDALE said in introducing the resolution in the other body:

> The inquiry should include in its scope the entire system of use of our young manpower. Our national goals encompass far more than military requirements, important and grave as those are.

Other Senators who have joined in introducing this resolution include Senators MONTOYA, YARBOROUGH, HARRIS, PROXMIRE, GRUENING, BARTLETT, and WILLIAMS of New Jersey.

FAIR LABOR STANDARDS AMENDMENTS OF 1966

Mr. POWELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 13712) to amend the Fair Labor Standards Act of 1938 to extend its protection to additional employees, to raise the minimum wage, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 13712, with Mr. PRICE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Yesterday, when the Committee rose, the Clerk had read to the end of line 11, page 30, of the committee amendment. If there are no amendments to that section, the Clerk will read.

Mr. DENT. Mr. Chairman, I ask unanimous consent that the bill be considered as read and open for amendment at all points. I do not intend to use this in any way to curtail debate beyond a reasonable point of discussion.

Mr. AYRES. Mr. Chairman, reserving the right to object, so we can clarify this, I ask the chairman of the subcommittee if we will proceed in order with the bill, even though we are not reading it line by line?

Mr. DENT. That is correct. We will read it section by section.

Mr. GOODELL. Mr. Chairman, reserving the right to object, is the request that we consider the entire bill as read? Why do we not do it by title or section?

Mr. DENT. All the gentleman has to do is object, and we will do it the way he wants to.

Mr. GOODELL. Mr. Chairman, I want to do this on a cooperative basis. I think it would work better and protect everybody's interest. We do not know all the amendments that may be offered. We have no intention to be dilatory at all. We have a bipartisan bill.

Mr. DENT. Mr. Chairman, I withdraw my former unanimous-consent request, and now ask unanimous consent that the bill be considered by title.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. GERALD R. FORD. Mr. Chairman, reserving the right to object, how many titles are there?

Mr. DENT. There are six titles.

Mr. SMITH of Virginia. Mr. Chairman, to save time, I object.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE I—DEFINITIONS

Tips

SEC. 101. (a) Section 3(m) of the Fair Labor Standards Act of 1938 is amended by adding at the end thereof the following new sentence: "In determining the wage of a tipped employee, the amount paid such employee by his employer shall be deemed to be increased on account of tips by an amount determined by the employer, but not—

"(1) during the first two years from the effective date of the Fair Labor Standards Amendments of 1966, by an amount in excess of 35 per centum of the applicable minimum wage rate,

"(2) during the third and fourth year from such date, by an amount in excess of 40 per centum of such rate, and

"(3) during each year thereafter, by an amount in excess of 45 per centum of such rate,

except that in the case of an employee who (either himself or acting through his representative) shows to the satisfaction of the Secretary that the actual amount of tips received by him was less than the amount determined by the employer as the amount by which the wage paid him was deemed to be increased under this sentence, the amount paid such employee by his employer shall be deemed to have been increased by such lesser amount."

(b) Section 3 of such Act is amended by adding at the end thereof the following new subsection:

"(t) 'Tipped employee' means any employee engaged in an occupation in which he customarily and regularly receives more than $20 a month in tips."

Mr. HORTON. Mr. Chairman, I ask unanimous consent that the gentlewoman from Washington [Mrs. MAY] may extend her remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mrs. MAY. Mr. Chairman, I rise in support of the principle of fair labor standards, and I certainly favor good health, efficiency, and general well-being of workers as outlined in the declaration of congressional policy with respect to the legislation before us today.

At the same time, Mr. Chairman, I find the bill, H.R. 13712, as reported by the Committee on Education and Labor, contains provisions which I feel are unrealistic in recognition of the requirements of our agricultural and horticultural industries.

Not only would H.R. 13712, as reported by the committee, have serious adverse effects on farmers, but it would also adversely affect the consumers. The inevitable effect of the provision of the bill covering agricultural workers and requiring additional overtime for agricultural processing employees would be higher consumer prices for fruits and vegetables and other food products. This would result from the passing along of some of the increased costs and more importantly from the fact that many marginal producers would be forced out of business, resulting in a reduction in the supply of food and consequent higher prices to the consumer.

We are all aware of the fact that food prices have been rising appreciably in recent months, and this has resulted in a great deal of concern over the inflationary aspects of the problem. The bill before us today would aggravate this situation.

Fruitgrowers of the States of Washington and Oregon earnestly solicit the support of the House of Representatives for certain amendments to H.R. 13712. They are concerned with section 203 covering agricultural employees and section 204, agricultural processing employees, which would seriously curtail and probably completely eliminate the present exemptions from overtime.

Also, fruitgrowers of the States of Washington and Oregon urge that employees engaged in hand-harvest labor and paid on a piece-rate basis be excluded from the minimum hourly wage for agricultural employees.

At this point, Mr. Chairman, I would like to include in my remarks a memorandum approved by the Northwest Horticultural Council which briefly sets forth the deficiencies in H.R. 13712. I commend the memorandum to my colleagues and urge them to give it their attention prior to pending consideration of the various amendments affecting agricultural laborers.

The memorandum to which I refer follows:

MEMORANDUM: H.R. 13712—FAIR LABOR STANDARDS AMENDMENTS OF 1966

(By the Northwest Horticultural Council, Yakima, Wash., Apr. 22, 1966)

This Bill would, among other things, bring agricultural laborers under the coverage of the Act and would reduce or eliminate present exemptions from overtime for the packing, canning and processing of fruits, vegetables and certain other agricultural commodities. It is not the purpose of this Memorandum to touch on the philosophy of this Bill or the minimum hourly wage. It is directed solely to certain deficiencies of the Bill with respect to farming, including agricultural workers and agricultural processing workers.

Agricultural Workers: The Bill fails to recognize the difference between employees in industry or agriculture who work regular hours and those employed at hand harvest labor at piece rates who work irregular hours. It is almost impossible for a farmer to keep accurate track of the hours worked by hand harvest laborers employed at piece rates. These workers who harvest fruits and vegetables on a piece rate basis pretty much set their own hours. They come to work at different times; stop for lunch at different times; take varying lunch periods and quit at the end of the day when they feel like it. In a large orchard the farmer cannot possibly know how many hours each picker is in the orchard, much less, how many hours he works. The farmer has always left these hours to the worker, being concerned only with getting the crop harvested.

It would be difficult, if not almost impossible, for the farmer to keep an accurate record of the number of hours worked by each picker. Record keeping would also be complicated by the fact that families often pick together, putting their fruit into the same boxes or bins. This Bill, as presently worded, would mean that each picker would have to have separate boxes or bins, whereas at the present time families combine their fruit, thereby saving time in emptying their picking containers. This would mean a waste of time for the pickers as they would have to walk greater distances to the bins. Hand harvest labor paid on a piece rate basis should be excluded from the hourly minimum wage.

Historically, most fruits and many vegetables have been harvested on a piece rate basis. Workers are paid according to their production. Those who are capable and work diligently earn good money; others who may be physically handicapped, and older workers or children who are not able or willing to work as hard or as fast, receive the same piece rate but a lesser return per hour. Establishment of an hourly minimum wage for these workers would force the farmer to eliminate those who cannot or will not produce at the average rate of speed; otherwise the farmer would have to pay more per unit for the slower workers.

Passage of H.R. 13712 would result in the denial of work opportunities to the old, the young and the partially handicapped who want to make their contribution but cannot produce at the average rate.

The Bill should provide that payment of established piece rates will constitute compliance with the Act and that it will not be necessary to guarantee a minimum hourly wage to piece rate workers where the established piece rates provide adequate average return. As above-mentioned, this cannot be on an hourly basis because the farmer cannot have an accurate record of the number of hours worked by each picker.

Agricultural Processing Employees: Section 204 would modify the present exemptions provided for agricultural processing employees. Under the present law, Section 7(b)(3) provides a partial exemption from overtime for a 14-week period for employees in seasonal industries; overtime is required for work in excess of 12 hours per day and 56 hours per week. Section 7(c) provides a complete exemption from overtime for employees of an employer engaged in the first processing of, or in canning or packing, perishable or seasonal fresh fruits or vegetables and other agricultural endeavors. Thus, under the present law, employers have partial or complete exemptions from overtime for up to 14 weeks, or up to 28 weeks if they qualify. But, they are covered by the minimum hourly wage scale of Section 6. Some employers have total exemption from both minimum wages and from overtime under the Area of Production (Sec. 13(a)(10)) and under Agriculture (Sec. 13(a)(6)).

Section 204(d) of H.R. 13712 provides an exemption for overtime for a 14-week period for work up to 10 hours in any work day and 48 hours in any work week for employers engaged in packing, first processing or canning "any *highly* perishable agricultural or horticultural commodities." The Committee Report defining "highly perishable" is so limited that it is highly questionable whether fruit packing or processing houses would have any exemption whatsoever from overtime.

The total elimination of these exemptions is completely unjustified and impractical. Fruit houses have no choice except to work overtime during the peak season. The fruit must be handled immediately if it is to be placed in the retail stores in the best possible condition and the farmer given at least a chance of obtaining a fair return for his product. All available help is utilized; the employer cannot operate on a 40-hour week. Employers need the 14 week periods presently provided by Sections 7(b)(3) and 7(c).

Repeal of the present exemption would place an especially heavy burden on the small grower whose fruit is packed in a cooperative packing plant or by an independent commercial packer. Large growers packing only their own fruit would still be entitled to the lower hourly rates provided for agriculture and would not be obligated to pay any overtime.

The Congress, when the Fair Labor Standards Act was adopted, held extensive hearings and gave serious consideration to the problems of agriculture and seasonal industries and wisely provided the exemptions found in Section 7(b)(3) and Section 7(c). The same conditions exist now as prevailed then, insofar as perishable fruits and vegetables and the requirements of other seasonal industries are concerned. One of the objectives of Congress in requiring payment of overtime over 40 hours per week was to spread out the work and to relieve unemployment. This could be and has been done in industry but it cannot be done in agriculture nor in the processing or packing of perishable fruits, where we almost always have a shortage of help at peak seasons. Overtime cannot be eliminated by hiring additional workers. They are not available. The employer has no choice. The reasons which the Congress found to be sound in 1938 and in subsequent sessions when this problem was considered are equally sound today.

The exemptions from overtime should be preserved. H.R. 13712 goes much too far and would have adverse effects on everyone concerned—grower and consumer alike. The consumer will immediately be faced with an increase in the cost of living to the extent the grower is able to pass along costs.

Furthermore, the additional cost of make-up pay for slow, incompetent, handicapped or lazy farm workers and the cost of overtime for packing and processing workers will inevitably result in many growers being forced out of production. This will mean a smaller supply of fruits and vegetables and will directly lead to higher consumer prices. So city residents, as well as the farmers, will lose if these deficiencies in the Bill are not corrected by amendments.

ERNEST FALK,
Manager.

Mr. Chairman, in addition to the valid points made by the Northwest Horticultural Council, I would like to include at this point in my remarks a resolution regarding seasonal processing exemptions adopted at the annual meeting of the Northwest Canners & Freezers Association last month:

RESOLUTION RE SEASONAL PROCESSING EXEMPTIONS ADOPTED AT ANNUAL MEETING OF NORTHWEST CANNERS AND FREEZERS ASSOCIATION, APRIL 15, 1966

Whereas, The Congress, over a period of some 38 years, has consistently recognized the urgent need of the canners and freezers of seasonal and perishable fruits and vegetables for flexibility in hours of labor during peak harvest and processing seasons and has wisely provided reasonable exemption from the maximum hourly requirements of the Fair Labor Standards Act to permit the preservation of these perishable crops with minimum losses of valuable food without unreasonable overtime penalties for so doing; and

Whereas, Proposals now pending in Congress would reduce present overtime exemptions through statutory limitation to one-half of the present allowable period of time; and

Whereas, Said proposals would further drastically reduce such overtime exemptions by limiting their application to the processing of "highly perishable" commodities in their raw or natural state, which by Congressional intent would be interpreted to mean commodities subject to especially rapid deterioration or spoilage under ordinary circumstances unless some affirmative action (within 24 hours) is taken to preserve them from spoilage or decay; and

Whereas, Said proposals are assertedly intended to spread work and thereby increase employment opportunities, but instead would reduce employment in seasonal fruit and vegetable processing plants, would cause substantial losses of valuable raw food products, would reduce efficiency of operations and would substantially increase the cost of food to consumers; now, therefore

Resolved, By the members of the Northwest Canners and Freezers Association, in meeting assembled this 15th day of April, 1966, that we hereby reaffirm the pressing need for the seasonal processing exemptions as presently applied in our industry; and

Resolved further, That we urge the Congress to reject said proposals, and to retain the present maximum of 28 weeks of overtime exemptions for employers engaged in the first processing of perishable or seasonal fresh fruits and vegetables.

This resolution, Mr. Chairman, explains the pressing need for the seasonal processing exemptions that have been recognized by Congress for 38 years, but which would be done away with in the committee bill. I am hopeful the present maximum of 28 weeks of overtime exemptions for employers engaged in the first processing of perishable or seasonal fresh fruits and vegetables will be retained by the Congress through an amendment to H.R. 13712.

Mr. Chairman, H.R. 13712 contains two additional and serious problems for certain segments of our agricultural industry. I am hopeful both of these can be corrected by amendments.

I do not believe it is realistic to attempt to apply a minimum hourly wage to an employee who has never been an hourly worker. A good example is sheepherding where the individual is traditionally a monthly salaried employee for whom the employer purchases every item for his existence and furnishes lodging and food. A sheepherder may work 2 hours a day or 24 hours a day, depending upon the needs of his flock. Obviously, it would be next to impossible to keep track of a sheepherder's time on an hourly basis. And how would an employer compute the value of lodging and food on an hourly basis to determine a meaningful hourly factor? This is an example of what I feel to be a general lack of consideration of agricultural practices and problems in the makeup of the bill before us today. To rectify this particular problem, the bill should exempt individuals employed on a farm or ranch which is principally engaged in production or feeding of livestock. I would hope the bill may be so amended.

Another inequitable situation, Mr. Chairman, would be the inclusion of agricultural workers whose wages are already set by the Secretary of Agriculture, such as those employees already covered under the Sugar Act.

While a number of my colleagues have discussed other areas of concern in this legislation as it would affect other industries—and may I say I find myself in sympathy with many of my colleagues and intend to support certain of their amendments—I do want to make it clear that I feel agriculture has no place in the legislation before us today. Agriculture is a problem separate from other situations and should be treated separately. I am aware that the problems of agriculture have not been adequately considered in this legislation, and this is understandable because the committee which holds jurisdiction has not in the past been particularly concerned with agricultural problems or practices.

The best way to handle the problem, it seems to me, is to simply exempt agriculture from the bill.

AMENDMENT OFFERED BY MR. GOODELL

Mr. GOODELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GOODELL: On page 30, line 14, strike "(a)".

On page 31, lines 13 through 17, strike all of subsection "(b)".

On page 31, line 12, immediately before the period insert the following proviso: ": *Provided,* That an employer who shows to the satisfaction of the Secretary that the actual amount of tips received by an employee is greater than the maximum amount of tips which an employer may determine an employee receives under this section, the amount paid such employee by his employer shall be deemed to have been increased by such greater amount".

Mr. GOODELL. Mr. Chairman, let me say at the outset that I voted for this legislation in the committee, that I intend to support this legislation regardless of whether the amendments that I offer and the amendments I support are adopted.

I believe we have greatly improved the legislation, as it now stands, compared to the bill reported last fall.

The amendment I offer in this instance is aimed at a problem with reference to tipped employees. For the first time we are covering hotel, motel, and restaurant workers. This means we are covering a large number of workers who receive a substantial portion of their incomes from tips.

The bill as it reads would permit in the first 2 years a maximum of 35 cents per hour credit for tips, provided the employee receives 35 cents an hour or more. If an employee should receive $2.50 an hour in tips he could still be credited only with 35 cents—that is, the employer could be credited with only 35 cents an hour.

The net effect of this, as it stands in the bill, is to help many of those who least need it. I refer to those who may be doormen in fashionable hotels or those who are headwaiters. People of this nature in many instances receive incomes on an annual basis in five figures, because of the large number of generous tips their receive.

The bill as it reads would permit in the only credit 35 cents an hour in tips, regardless of how much was received by an employee in tips. In the third and fourth years it would go up to 40 percent and thereafter to 45 percent.

My amendment in simple terms would permit a crediting of the amount actually received in tips by the employee against the requirement of the minimum wage. It also has the protection that the employer must show to the satisfaction of the Secretary that the actual amount of tips received by an employee is as claimed.

I do not believe there is any loophole here. This would simply permit a fair situation, so far as tipped employees are concerned, where those tipped employees receive substantial income.

I believe very deeply in the concept of covering the very low tipped employees and low wage employees. I do not believe we have any business going in and insisting that an employer pay an additional wage to an employee when the employee may receive in tips as much as $10,000 or $12,000 or more a year.

I believe my amendment strikes directly at this point and does no violence to the basic philosophy of the act. It will do no violence to this section. I believe it could be easily administered by the Secretary.

I urge the adoption of the amendment.

Mr. DENT. Mr. Chairman, I rise in opposition to the amendment.

When we started trying to work out some kind of a reasonable approach to minimum wage coverage, and particularly in this area of tipped employees, we had two diametrically opposite views to deal with. There were the restaurant owners, who demanded that all tips be counted, such as the amendment now before us today provides, towards any minimum wage. There were also the workers within the restaurants, who demanded that no tip allowance be made toward the minimum wage.

The committee, after months of deliberation and consultation with various groups from all over the country, came up with the proposal which is contained in the bill. We tried to work out a reasonable approach to the subject based upon good sound logic and commonsense.

The responsibility for paying the employees always belongs to an employer. To have this Congress take the position officially that it is the requirement of a person going into a restaurant to be served not only to consider the price of the meal but also that it is his responsibility to pay the wages of the employee who serves him his food goes beyond reason. It is not justifiable; it cannot be sustained in logic; and, therefore, is not to be considered seriously, in my humble opinion, by this House.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes. I yield to the gentleman.

Mr. POWELL. Is it not true that if this amendment is adopted, the tipped employees under the 1961 amendment will be worse off than they are now?

Mr. DENT. This is very true. What it means in fact and in practice is that a tipped employee now receiving what is considered the lowest possible pay—and it is only in some States 35 cents an hour—from the employer will find himself by a decree handed down by this House, where all of the employees will have the wage taken away from them and find that they must depend entirely on tips. If they are earning $1 an hour in tips, it is only because that employee is the type of person who, once he stops working for the employer, after he has taken your order and given you your food, then starts to work for you. He sees that your cup of coffee is warm and sees that you have plenty of ice water on the table and is nice to you and tells you a little story which may amuse you or something of that sort. You feel gratified at that treatment and give him a tip. That is your business. But let us not say from now on when you go into a restaurant that it is your job or your duty not just alone to pay for your meal but to pay the full wages of the employees of that institution. I do not believe any Member of Congress can really seriously consider this kind of amendment.

Mr. HORTON. Mr. Chairman, I ask unanimous consent that the gentleman from Kansas [Mr. ELLSWORTH] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ELLSWORTH. Mr. Chairman, the food processing industry itself has publicized the steep gains in productivity—rising at the rate of 8 percent a year. And the U.S. Department of Agriculture found that productivity in the fruit and vegetable processing industry outstripped the average for all farm foods. The processed fruit and vegetable industry ranked second highest among the farm food manufacturing industries in average annual rate of growth in output per man-hour.

The Labor Department's Bureau of Labor Statistics surveyed productivity gains of production workers in 14 manufacturing industries since 1947. Canned and preserved foods ranked fifth highest among these 14 industries in annual increase in output per production worker man-hour.

It can be readily seen, therefore, that processing of fruits and vegetables is an extremely efficient factory operation, utilizing factory mass production techniques and automated equipment. The result is worker and man-hour productivity which ranks at the top compared to other manufacturing industries.

As a result of increased labor productivity, unit labor requirements since 1947 have declined 47.6 percent in terms of production workers—indicating that fewer workers and less work time was necessary to produce a given volume of production. Industry output has risen 45 percent over the period 1957–59 as a base. Yet total man-hours worked annually in food processing plants have declined, according to U.S. Department of Agriculture figures.

CONCLUSION

The continually rising productivity in the canning and preserving industry—which is already well in the lead among high-productive industries—will rapidly absorb any impact of overtime pay or minimum wage requirements or current unit costs of production.

Mr. AYRES. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this is a very important amendment. The gentleman from Pennsylvania [Mr. DENT] is very familiar with his point of view and the gentleman from New York [Mr. GOODELL] is very familiar with his point of view. I know that the members of the committee will want to understand this, because during the course of the day we do not want to prolong the debate any longer than necessary. So, if we can have the cooperation of the committee, I am certain all of us will understand the arguments much better.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from New York.

Mr. GOODELL. I would just like to take the time to answer the gentleman from Pennsylvania and the gentleman from New York in their comments. It should be made absolutely clear that all my amendment does is to permit an employer to credit tips that are actually received by an employee in the full amount that he receives where the employer can satisfy the Secretary of Labor that those tips were received. It is a very simple amendment. The present bill will create a situation where many tipped employees who receive far, far above the minimum wage because of their tipped income will also be given a raise in wages. The employer will be required to pay them an additional wage. Under the bill as it is written the first year the employer will only be able to credit up to 35 cents an hour in tips regardless of how much an employee receives in tips. That is the provision in the bill. My amendment would simply permit the employer to credit whatever tips are received, whether it is 35 cents, 10 cents, or $4.50. The employer will have to prove to the satisfaction of the Secretary that they are received.

Mr. Chairman, it does not seem to me that this is a complicated amendment. I find myself somewhat amazed that there is opposition to it from my good colleague, the gentleman from Pennsylvania [Mr. DENT], who is in charge of the legislation on the other side of the aisle.

Mr. Chairman, I, myself, strongly favor coverage of these employees who are low paid, but I do not feel we should impose upon the employers the extra burden of paying additional wages where the tip income is substantial and the employee's income and earnings far exceed the minimum.

Mr. Chairman, it seems to me this is a simple proposition and I would urge support of the amendment.

AMENDMENT OFFERED BY MR. KLUCZYNSKI

Mr. KLUCZYNSKI. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Amendment offered by Mr. KLUCZYNSKI as a substitute for the amendment offered by Mr. GOODELL: On page 30 at line 14 insert:

"Section 101(a) is amended to read as follows:

" 'Section 3(m) of the Fair Labor Standards Act of 1938 is amended by adding at the end thereof the following new sentence: "In determining the wage of a tipped employee, the amount paid such employee by his employer shall be deemed to be increased on account of tips by an amount determined by the employer, but not by an amount in excess of 45 per centum of the applicable minimum wage rate, except that in the case of an employee who (either himself or acting through his representative) shows to the satisfaction of the Secretary that the actual amount of tips received by him was less than the amount determined by the employer as the amount by which the wage paid him was deemed to be increased under this sentence, the amount paid such employee by his employer shall be deemed to have been increased by such lesser amount.'"

Mr. **KLUCZYNSKI**. Mr. Chairman, this bill has embraced the principle of crediting tip income, in part, against the minimum wage. The credit varies between as much as 35 percent of the minimum in 1967, up to 45 percent of the minimum in 1971. And the right of an employee to appeal if his tips are not as much as the credit is preserved.

I think it is a sound principle to credit tips in part in this way, giving the employer a credit for a part because the tip is earned on his premises, using his equipment, and selling his food. The employer really sets the stage in which the waiter earns his tip.

And the employee should have a part too, of course. His salesmanship and personality contribute to the tip the customer leaves. The employer and the employee are partners in the earning of tips.

Now I notice that the tip credit in the bill is 45 percent of the minimum when the minimum reaches $1.60 an hour.

I think that the tip credit should be 45 percent of the minimum from the very beginning; namely, on February 1, 1967, the date on which the law would become effective. I offer a simple amendment to bring this about.

You know, there are many parts of the Nation where wages are historically low, especially the wages of tipped personnel. The amendment I propose would ease the blow a little in those parts of the Nation.

Tips in this country are greater than you think. Tipped employees are already the aristocrats of the restaurant and hotel industries. I expect that tips now, on a national overall average, exceed $1.25 an hour.

As I have said, the tip proposal of this bill is sound and just in principle. I think, however, the tip credit is not quite high enough in the beginning, and I see no reason to delay the application of the 45-percent tip credit. My amendment would allow the employee to keep all of his tips, but would give the employer a credit for not more than 45 percent of the applicable minimum from the date on which the law becomes effective. Let me point out that the credit is a percentage—45 percent—of the minimum which is applicable at that time—not 45 percent of the actual tip.

A comparison of the fiscal effects of my proposed amendment with the provisions of the bill as now drawn, is shown in the following table which I submit for the Record.

Date	Minimum wage	H.R. 13712 as now drawn			H.R. 13712 with proposed amendment		
		Tip credit		Wage (cents)	Tip credit		Wage (cents)
		Percent	Cents		Percent	Cents	
Feb. 1, 1967	$1.00	35	35	65	45	45	55
Feb. 1, 1968	1.15	35	40	75	45	51.75	63.25
Feb. 1, 1969	1.30	40	52	78	45	58.50	71.50
Feb. 1, 1970	1.45	40	58	87	45	65.25	79.75
Feb. 1, 1971	1.60	45	72	88	45	72	88

Mr. Chairman, I urge the adoption of the amendment.

Mr. **GOODELL**. Mr. Chairman, I rise in opposition to the substitute amendment.

Mr. Chairman, I will not take the full time, but I simply want to clarify what the gentleman's substitute amendment will do.

His substitute will permit an employer to credit in the first year 45 cents an hour in tips instead of 35 cents an hour in tips. This means if the employee receives $2 or $3 or $10 an hour in tips, the gentleman's substitute amendment would permit a credit of 45 cents an hour. This is an inadequate substitute from my point of view and it merely means 10 cents additional credit in tips regardless of how much an employee receives in tips.

My amendment is simple and straightforward and I hope the House will turn down the substitute amendment and adopt my amendment which would permit the crediting of tip income as it is received—to the satisfaction of the Secretary of Labor. The employers are obligated to meet every requirement under my amendment as set by the Secretary of Labor to prove that this is income received by the individual.

I have had it pointed out to me a number of times and in the hearings that we have individuals in this country who pay for their jobs and who receive no wages because their tip income amounts to $30,000 to $40,000 a year. That is a rare case but you do have many, many others who receive a low wage but whose tip income is over $10,000 a year. You certainly have a very large number of tipped employees who receive more than the minimum income per hour, because of their tip income. Tip income should be fairly and properly and straightforwardly credited under procedures set by the Secretary of Labor.

Mr. Chairman, I hope the substitute amendment will be defeated.

The **CHAIRMAN**. The time of the gentleman has expired.

Mr. **PUCINSKI**. Mr. Chairman, I rise in support of the substitute amendment offered by the gentleman from Illinois and in opposition to the original amendment.

Mr. Chairman, I should like first to point out to the House that the amendment offered by the gentleman from New York [Mr. Goodell] would automatically mean a substantial pay cut for some 2 million restaurant workers in this country who are now covered by various labor agreements and who are now receiving remuneration from their employer in addition to the tips that they earn.

In the city of Chicago, for instance, our waitresses receive $6.85 a day. Under the gentleman's amendment, that $6.85 would be wiped out if the girl earned in excess of that in tips. So I submit his amendment would indeed be retrogressive, it would be going backwards for those people who have now carved out for themselves a semblance of a living wage in this industry.

In support of the substitute amendment of the gentleman from Chicago, I would like to say that this committee has been working very hard on the whole problem of tipped employees. Last year the bill reported out by the committee over the objections of the restaurant industry provided very much what the gentleman from New York is now suggesting. The bill provided that the Secretary of Labor would determine in each area how much in tips a girl has earned and how much can be applied against the minimum wages. The restaurant industry quite properly argued that this was putting them at the complete mercy of the Labor Department. As you know, that bill never saw the light of day.

In the bill now before the House we have a legal presumption which is written into the bill that part of the earnings of this girl coming from tips shall be applied against the minimum wage.

What the gentleman from Chicago is trying to do is to improve that formula.

I should like to read you a letter from the National Restaurant Association which may clarify some of our thinking. I shall not read the whole letter, because it is rather long, but I will read that part which applies to this particular proposal:

> If the restaurant industry is to be covered within the provisions of the Fair Labor Standards Act, it is the bill H.R. 13712 which the restaurant industry prefers to any other proposals which have been made. It is true that due to economic differences between the regions of the United States, the effect of this measure will apply in some regions more than in others. The initial impact on February 1, 1967 would fall very largely upon the South. In order to reduce damage in the South, I request that the tip credit now provided in the bill H.R. 13712 be changed to 50 per cent of the minimum, beginning upon the effective date of the Act. This will reduce the harm which will fall in regions of low wage scales.
>
> As you are aware, Section 305 of the bill H.R. 13712 requires a perfecting amendment. I understand that you have this in prospect.
>
> It is felt that the bill H.R. 13712 represents a statesmanlike approach to the problems of the restaurant industry; and the suggestions made above are made with the hope that if they are incorporated, the other provisions of the bill remain intact.

The substitute amendment offered by the gentleman from Illinois [Mr. Kluczynski] meets the request of the restaurant industry. We recognize one thing. Certainly a girl earns tips. But a line must be drawn at some point as to where the tips are actual earnings and where they are gratuities for extra-good service. To accept the original amendment would mean that we should extend this principle to all the service industries, and if any worker gets a tip, he should have that tip deducted from his salary.

I submit that the substitute amendment offered by the gentleman from Chicago would perfect this bill. It would certainly become a working provision to bring the restaurant industry under this coverage without hurting the industry.

I should like to call to the attention of the House the fact that this bill will cover only approximately 4 percent of the restaurants in America. Keep in mind that before the machinery of this act comes into play, a restaurant, under the present bill, must do a half million dollars gross annually. In 1968, when we go down to a quarter of a million dollars gross, it will affect only 6 percent of the restaurants in America. Therefore, I hope that the amendment of the gentleman from Illinois will be adopted.

Mr. BURTON of California. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. BURTON of California. I do not think a great deal of either of these amendments. I intend to support, as the lesser of two evils, the substitute offered by the gentleman from Illinois [Mr. KLUCZYNSKI].

I would like to remind the House that the restaurant industry apparently wants to have it both ways. They want to have tips considered as wages when their obligation to meet the minimum wage law is being considered. But they do not want tips to be considered wages when their obligation as employers to pay social security tax is involved.

Last year they convinced the Congress that tips were not wages and should not be treated as such. So the employers had no obligation to pay the employers tax on tips, as is required of wages under the Social Security Act. This year they are back and telling us that tips should be considered as wages for purposes of the minimum wage. I frankly do not view either of these amendments with very much favor, but on balance I think that the suggestion of the gentleman from Illinois is preferable as a substitute to the proposal of the gentleman from New York.

Mr. DENT. Mr. Chairman, we have discussed this very thoroughly. As I have told the Members of Congress and people throughout the country, one of the most vexing problems was where to set the tip allowance for such employees covered in a bill.

In considering the discussions and interest of the Members of this House, I am accepting on behalf of the members of the committee this substitute amendment.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Illinois [Mr. KLUCZYNSKI] to the amendment offered by the gentleman from New York [Mr. GOODELL].

The question was taken; and on a division (demanded by Mr. GOODELL) there were—ayes 88, noes 26.

So the substitute amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. GOODELL].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ANDERSON OF ILLINOIS

Mr. ANDERSON of Illinois. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON of Illinois: On page 31, after line 17, insert the following new section:

"( ) Section 3(o) of such Act is amended by adding the following new sentence at the end thereof: 'There shall be excluded any time of any employee of a restaurant, hotel, or motel, spent in changing clothes or washing at the beginning or end of each workshift and any time spent eating meals on the premises of the employer.' "

Mr. ANDERSON of Illinois. Mr. Chairman, this is not designed in any way to be a crippling amendment to the bill, I can assure the gentleman on the majority side of the aisle, but rather to clarify the present language of section 3(m).

Simply stated, it would make certain that restaurant and hotel employers are not required to pay employees for uniform changing time and for washup time, and meals.

I submit this amendment because I do not believe the language of the present bill under consideration does give sufficient recognition to the unique problems that the hotel and motel and restaurant industries would otherwise face with respect to this matter, if this language is not added to the bill.

Section 3(o) of the Wage and Hour Law does exclude from hours worked any time that is spent by an employee in changing clothes or washing at the beginning or the end of each work day, if such time is excluded by industry custom or union contract. That is the situation that now obtains with respect to industry generally.

All we are asking is that in specific language we grant this same exemption to employers in the hotel, motel and restaurant industries.

Someone may ask, "Why is this necessary? Would this not be done anyway?"

I raised this matter when the gentleman from Pennsylvania was before the Rules Committee, as shown on page 90, section 4 of the hearings we held. I asked Mr. MARTIN, who I believe was testifying at that time, about this matter, and he said, "Well, it would be up to the administrator. The administrator could issue regulations on this matter."

It seems to me it would be infinitely preferable, in this situation when we are bringing a brandnew industry—namely, the restaurant industry—under the coverage and the application of this law for the first time, to spell this out clearly in the language of the statute, rather than to leave it up to the administrator, which could possibly result in some misinterpretation of what I believe basically probably is the intention of the committee in bringing this bill before us today.

I say this in view of the fact there have been some interpretations in times past by the Labor Department requiring a payment for uniform changing time in several cases when employers do require employees to wear uniforms or when the nature of the work requires a certain kind of uniform. This is obviously true in respect to the restaurant industry.

With respect to wash-up time, they are bound by health codes, State laws, and municipal ordinances to make certain that restaurant personnel take care of matters of personal cleanliness.

So let us spell it out, in deference to the industry which is being brought under coverage for the first time.

It does not take any great mathematical exposition to point out that if the restaurant industry is going to be obliged to pay for uniform changing time, meal periods, and wash-up time, all of which could easily amount to more than a half hour each day, then this will force up the labor costs far more than the 12 percent it has been said this bill would result in for the first year.

I believe in fairness and simple equity we should make the law specific and clear on this point.

Again, I hope the committee will accept the amendment.

Mr. DENT. Mr. Chairman, I rise in opposition to the amendment.

It was a rather long amendment, but if I understood it as it was read and explained, this amendment would give due credit in time to the employer against the number of hours worked, for washup time or bathroom time or restroom time. It would give credit to the employer for this time consumed or used by the employee.

Most of the time when the employees go to the washrooms it is not because they have any choice in the matter. I do not believe we ought to start saying to our employees around the restaurant, "You must go home or wait until after hours."

I do not believe anybody seriously considers this to be a problem in a restaurant. There are many idle hours in restaurant work. The time is often broken down into two or three split shifts, for going to work. The employees never eat during the noon hour. They eat after hours, or before the regular meal times.

I do not believe any employer really seriously has requested this. At least the committee in all its deliberations has not heard of a single request for this type of an allowance on the minimum wage bill.

I do not feel we should have a setup where a "snooper," as it were—as they are called by some—would have to go to every restaurant to find out whether a trip to the bathroom was legitimate or just one to waste time.

I do not understand why this would be necessary.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Frankly, I do not believe we are so worried about that matter which the gentleman now describes as we are about things such as changing uniforms, eating meals on the premises, and so on.

If, as the gentleman says, these things occur during the normal working 8-hour day, there would not be any problem.

Why should the gentleman oppose language which I believe would merely serve to clarify the very point being made?

Under section 30 of the present wage and hour bill, as I pointed out, industry now does not have to pay for that kind of time, if it is not paid for according to the custom of the industry. It is not at present the custom of the restaurant industry to pay employees for time consumed in the types of activities I have described.

So we are merely clearing up some possible confusion and we are doing our best as the legislative branch instead of leaving it up to the administrative.

Mr. DENT. I am glad you took most of my 5 minutes to explain it, because very frankly you have done a better job than I could have done in explaining to the House why this amendment should not be accepted.

Mr. PUCINSKI. Mr. Chairman, I rise in opposition to this amendment.

If I understand the gentleman's amendment correctly, this will probably be the first time that I know of that we will start keeping a time record of the number of times somebody went to the washroom and how long he spent there. This could prove to be downright embarrassing, and I do not think you want this in a bill.

Mr. ANDERSON of Illinois. If the gentleman will yield, there has not been any problem of that kind created under the present section of the bill, which extends the same privilege to industry, which says time like this shall not be counted. Industry does not have any spies or snoops that I know of that go around snooping in dealing with this. Why would the restaurant industry be guilty of that practice? I am trying to clarify something already in the law with respect to industry generally.

Mr. WHITENER. Mr. Chairman, I move to strike out the requisite number of words.

I have asked for this time in order to ask a question of the distinguished gentleman from Pennsylvania [Mr. DENT] with reference to the language on page 31, lines 15 through 17, where it reads as follows:

> "Tipped employee" means any employee engaged in an occupation in which he customarily and regularly receives more than $20 a month in tips.

My question is, Does this apply to the particular employee or does it apply to a class of employees within a service operation?

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman.

Mr. DENT. It applies to the particular employee and is the same basis as is used now by the Internal Revenue Service in consideration as to the description or the definition of a tipped employee. That is why it is in there.

Mr. WHITENER. May I ask you this question: If a new restaurant is opened or a new business in which employees are customarily tipped but the firm has no history, nor does the employee have any history, of more than $20 a month in tips at that particular employment, then what rule will be applied?

Mr. DENT. You will find if you discuss the matter with the Internal Revenue Service and the Social Security Administration, the word used here "customarily" is used in order that an occasional tipped person who may have a one-shot tip and the employer knows about it will not be put in this position, because the employer should not try to take advantage of the fact that this employee on a certain occasion receives an occasional tip. However, if the tips amount to $20 a month regularly, then they are considered to be customarily and regularly. If it happens 1 month out of 4 or 5, he would not be considered to be a tipped employee.

Mr. WHITENER. May I ask this question based upon a hypothetical state of facts: Suppose in a restaurant where there are 10 waiters who have over a period of years realized more than $20 a month in tips a new waiter is employed who has no previous experience in this line of work. Would the record or the history of more than $20 in tips a month received by the old employees in this establishment have any bearing on a determination as to the individual's wages; that is, the individual who is the new employee?

Mr. DENT. No; because it is based upon the individual's receipt of tips. That is the entire purpose of this particular legislation today.

Mr. WHITENER. So, for the first month, then, I take it, the tips could not be included in a new employee's computation of wages?

Mr. DENT. If the gentleman will yield further, may I elaborate upon that?

Mr. WHITENER. Yes.

Mr. DENT. I discussed this in the same manner with the industry representatives and they said to me that not all new employees do they pay them a higher wage during the 4- to 6-week period because of their newness to the job and newness to the customer and their patrons and their tips are very small, if any. But after that and after they get onto the job and are put on regularly, then their tips normally amount to enough to make up for the cut they receive in wages.

A specific example is that one restaurant about which I know pays $1.75 an hour for 6 weeks to its new help coming in. After 6 weeks that employee receives 65 cents an hour.

I believe that ought to answer the gentleman's question and the definition for which the gentleman is asking.

Mr. WHITENER. And, so, the net result is that it is the history of the individual employee that is considered and not the group of employees of which he is a part?

Mr. DENT. If the gentleman will yield further; that is right.

Mr. WHITENER. Mr. Chairman, I thank the gentleman from Pennsylvania. Mr. Chairman, I yield back the balance of my time.

Mr. UDALL. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I would like the attention of the author and floor manager of the bill in order to clarify one provision. Section 305 of the bill provides that any employer performing a contract service for the United States shall pay his employees the minimum wage.

I am interested in the concessionaires who operate restaurants, hotels, and similar businesses within our national parks.

I would like to know whether it is the intent of this provision that concessionaires in the national parks who, of course, operate under a contractual arrangement, that is a concession or franchise with the United States, should be required to pay the minimum wage, or is the provision intended to apply only to those contracts that are primarily benefiting the Government and not the public, such as contracts for construction of Government buildings and roads?

Mr. O'HARA of Michigan. Mr. Chairman, if the gentleman will yield to me——

Mr. UDALL. I yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. The coverage of section 305 is based upon the coverage of the Service Contract Act of 1965. It applies to employees of an employer who has contracts subject to that act. Therefore, the question is whether or not a particular employer is subject to the Service Contract Act of 1965.

At that point, the question is whether the particular contract is a service contract with the Government or a concession contract in which the service is not performed primarily on behalf of the Government or its employees?

I would simply have to say to the gentleman that if the contract is a true concession and the service is provided to Government employees and others, but the service to Government employees is only incidental to the major purpose of the concession, certainly it would not be covered under the Service Contract Act or by section 305 of this bill.

Mr. UDALL. I thank the gentleman for that explanation, and I would like to pose a second question:

I understand that section 201 of the bill exempts any employee of an establishment which is a hotel, motel, or restaurant from the overtime provisions of the bill. It also provides an exemption from both minimum wage and overtime provisions for recreational establishments which either operate for no more than 7 months in the calendar year or have average receipts during 6 months of the preceding year not exceeding one-third of their receipts during the other 6 months.

Am I correct in assuming that a hotel such as a resort hotel operated by a concessionaire in a national park for not more than 7 months of the year would qualify for exemption from both the minimum wage and overtime provisions of this bill?

Mr. DENT. Mr. Chairman, if the gentleman will yield, the resort hotels are in a category of their own, and the question as to whether or not a resort hotel is one that has to be determined based upon what is the principal activity within that area; whether it is recreational, including the hotel as a side interest, or whether the hotel were not a part of the recreational activity at the particular site.

Might I answer your first question with reference to section 305 and the O'Hara contract bill. We have an amendment when we get to that section that will clarify the thing. So I am sure you will get a satisfactory answer. However, in going into section 305 and the effects of this bill, we ran up against the situation that might obtain when medicare comes into effect. So we have a ruling which in essence says that where there is a benefit that goes to a third party, then it is not considered a contract under the provisions of section 305.

Mr. UDALL. I appreciate the clarification. I would raise one final point relating to the matters that I have raised here. Would this overtime and wage exemption apply to a national park concessionaire which qualifies under the criteria you have given? If it does, would this also apply where you have one resort management running a souvenir and gift shop or general supply and grocery store, service station and garage and so forth, along with the hotel or restaurant—that is, all these allied activities under the one management. If all these activities are ancillary to a recreation activity which does meet the seasonality or average 6-month receipts criteria—if this is substantially all under one management and meets these criteria, would all of these activities be exempt under the principle that the gentleman has set forth?

Mr. DENT. In my opinion, it would be—going back to the original answer, it would depend on what is the primary activity.

Mr. UDALL. I thank the gentlemen from Michigan and Pennsylvania for these clarifications.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. HAGEN of California. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to ask the honorable gentleman from Pennsylvania some questions. As I understand it, at some later point in the proceedings, you are going to eliminate the word "highly" from this phrase "highly perishable"?

Mr. DENT. I would suggest to the gentleman that he wait until we get to that particular point in the bill. That is why earlier I asked unanimous consent to have the bill considered as read and be open to amendment. I did not do so to cut off debate. This kind of legislation in many instances crosses over so far as the effects of its provisions are concerned from title to title and it would be easier for the Members of the House to understand what we are doing. It would make it easier in our consideration of the bill if it were considered as read and then we could move about within the confines of any title in the bill on the different subject matters that are related. The point raised by our colleague, the gentleman from California is a related subject that comes under another section of the bill. It is very difficult for us to keep our thoughts in line in discussing the various parts of the bill.

Therefore, if the gentleman from Virginia [Mr. SMITH] is present, I would renew my request to consider the bill as having been read and open for amendment at any point, but since I do not see the gentleman from Virginia present on the floor, I will not make that request.

Mr. HAGEN of California. I have one other question. Again it relates to the subject of farm labor.

As I understand in calculating the 500-man-day qualification of an employer, you exclude certain types of employees. However, it is my understanding that if the employer meets this 500-man-day criteria, then all his employees are covered; is that correct. Can any member of the committee answer my question?

Mr. BURTON of California. That is correct.

Mr. HAGEN of California. So once the employer meets the 500-man-day criteria, even these employees who are excluded from the calculation of the 500-man-day criteria are then included under the minimum wage provisions?

Mr. BURTON of California. That is correct.

Mr. BELL. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. I yield to the gentleman.

Mr. BELL. Relative to the gentleman's question a few moments ago with reference to the phrase "highly perishable," I am going to introduce an amendment to strike out the word "highly."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. ANDERSON].

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DEFINITION OF ENTERPRISE

SEC. 102. (a) Section 3(r) of such Act is amended by adding at the end thereof the following: "For purposes of this subsection, the activities performed by any person or persons—

"(1) in connection with the operation of a hospital, an institution primarily engaged in the care of the sick, the aged, the mentally ill or defective who reside on the premises of such institution, a school for mentally handicapped or gifted children, or an institution of higher education (regardless of whether or not such hospital, institution, or school is public or private or operated for profit or not for profit), or

"(2) in connection with the operation of a street, suburban or interurban electric railway, or local trolley or motorbus carrier, if the rates and services of such railway or carrier are subject to regulation by a State or local agency (regardless of whether or not such railway or carrier is public or private or operated for profit or not for profit),

shall be deemed to be activities performed for a business purpose."

(b) Section 3(d) of such Act is amended by inserting after "of a State" the following: "(except with respect to employees of a State, or a political subdivision thereof, employed (1) in a hospital, institution, or school referred to in the last sentence of subsection (r) of this section, or (2) in the operation of a railway or carrier referred to in such sentence)".

(c) Section 3(s) of such Act is amended to read as follows:

"(s) 'Enterprise engaged in commerce or in the production of goods for commerce' means an enterprise which has employees engaged in commerce or in the production of goods for commerce, including employees handling, selling, or otherwise working on goods that have been moved in or produced for commerce by any person, and which—

"(1) during the period February 1, 1967, through January 31, 1969, is an enterprise whose annual gross volume of sales made or business done is not less than $500,000 (exclusive of excise taxes at the retail level which are separately stated) or is a gasoline service establishment whose annual gross volume of sales is not less than $250,000 (exclusive of excise taxes at the retail level which are separately stated), and beginning February 1, 1969, is an enterprise whose annual gross volume of sales made or business done is not less than $250,000 (exclusive of excise taxes at the retail level which are separately stated);

"(2) is engaged in laundering, cleaning, or repairing clothing or fabrics;

"(3) is engaged in the business of construction or reconstruction, or both; or

"(4) is engaged in the operation of a hospital, an institution primarily engaged in the care of the sick, the aged, the mentally ill or defective who reside on the premises of such institution, a school for mentally handicapped or gifted children, or an institution of higher education (regardless of whether or not such hospital, institution, or school is public or private or operated for profit or not for profit).

Any establishment which has as its only regular employees the owner thereof or the parent, spouse, child, or other member of the immediate family of such owner shall not be considered to be an enterprise engaged in commerce or in the production of goods for commerce or a part of such an enterprise, and the sales of such establishment shall not be included for the purpose of determining the annual gross volume of sales of any enterprise for the purpose of this subsection."

AMENDMENT OFFERED BY MR. REID OF NEW YORK

Mr. REID of New York. Mr. Chairman, I offer an amendment.

The Clerk read the amendment, as follows:

Amendment offered by Mr. REID of New York: Section 102(c) of H.R. 13712 (amending section 3(s)(1) of the law) is amended as follows:

On page 33, line 7, strike out "1969" and insert "1970" in lieu thereof.

On page 33, line 14, strike out "1969" and insert "1970" in lieu thereof.

On page 33, line 17, add the following new language after the semicolon:

"*Provided, however,* That an establishment shall not be considered to be an enterprise engaged in commerce or in the production of goods for commerce by reason of an annual gross volume of sales made or business done in excess of $250,000 but not greater than $500,000 (exclusive of excise taxes at the retail level which are separately stated) unless the Secretary shall, on or before July 1, 1969, after full and comprehensive study of the national experience under this Act since February 1, 1967, find that inclusion of such establishments in this definition is not likely to result in substantially increased unemployment of part- or full-time employees of retail or service establishments. If he determines such increased unemployment is not likely to result, the Secretary shall make a full and comprehensive report of his findings and determinations to the President and to the Congress."

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes in support of his amendment.

Mr. REID of New York. Mr. Chairman and Members, I am offering an amendment to H.R. 13712 which would temper the impact of this legislation on relatively small retail and service establishments and would provide some measure of protection against potential unemployment as the result of the extended coverage of the Fair Labor Standards Act contemplated by this bill.

The bill, as brought to the floor, would extend coverage of the act in two steps to enterprises whose annual gross volume of sales made or business done, during the period February 1, 1967 through January 31, 1969, is not less than $500,000, and, beginning February 1, 1969, is not less than $250,000.

The amendment would delay the effective date of the second step to February 1, 1970 and would condition its effectiveness upon a finding by the Secretary of Labor, after comprehensive study of the national experience during the first period, that inclusion of the smaller enterprises would not be likely to result in increased unemployment of part- and full-time employees of retail and service establishments.

Mr. Chairman, the basic provisions of this bill are sound. They respond to the needs of our economy and of the working men and women who make it viable.

However, inclusion under the act of establishments whose annual dollar volume is as low as $250,000 carries with it the potential danger of forcing out of the economic pipeline many Americans whose employment depends upon the ability of the retail or service enterprise to maintain a year-round work force.

Particularly in the retail trade, many Americans are able to supplement other income of the family unit by part- or full-time work under wage or hour conditions not in conformity with the provisions of the Fair Labor Standards Act. Often this additional income means that the family can afford to send to college a son or daughter who otherwise might not have the benefit of a higher education. If retail and service establishments are required to impose stringent operational economies, many of these workers may be displaced.

The point is that we must beware lest the virtues of extended coverage be outweighed by the danger of increased unemployment in this vital sector of our economy. I do not propose that we abandon today the second step of extended coverage. I do propose that we insure adequate time for full and comprehensive study of the impact on our economy of the initial extension of coverage.

If, after such study, the Secretary of Labor finds that increased unemployment is not likely to result from further coverage, no additional legislation will be needed to implement the second step. We will have made certain, however, that our legislative intent in broadening the coverage of the Fair Labor Standards Act is carried out.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. REID of New York. I yield to the distinguished gentleman from Minnesota.

Mr. QUIE. I thank the gentleman for yielding.

I believe this is a good amendment. If we add another year before the $250,000 goes into effect and require the finding by the Secretary of Labor, we will have more confidence that harm will not be brought to small businesses. There is such a danger now.

Mr. REID of New York. That is correct. I thank the gentleman.

Mr. DENT. Mr. Chairman, I rise to oppose the amendment. I do so because I believe there might be a little confusion in the minds of the Members.

This amendment might have been offered to the original Roosevelt bill, H.R. 10518, because that went down to $150,000. But, as it is now in the act in existence since 1961, this is already in it, and we have been operating under that act since 1961. The $250,000 establishment test is now in the act. It has been operating in the act. I cannot see how this House can accept the responsibility for taking it out of the act by advancing the effective date. That has already been in effect since 1961.

I appreciate the concern of the gentleman, and I say to him that under some other circumstances or on some other day in the far-distant future I might support him.

SUBSTITUTE AMENDMENT OFFERED BY MR. OTTINGER

Mr. OTTINGER. Mr. Chairman, I offer a substitute amendment for the amendment offered by the gentleman from New York [Mr. Reid].

The Clerk read as follows:

Substitute amendment offered by Mr. Ottinger, of New York, for the amendment offered by Mr. Reid of New York: On page 33, strike line 6 and line 7 through "January 31, 1969", and substitute therefor the following: "(1) commencing February 1, 1967."

And on page 33, strike out the words "and beginning" in line 13, and strike out lines 14 through 17, inclusive.

Mr. ANDERSON of Illinois. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ANDERSON of Illinois. I did not hear the Clerk begin to read anything in section 102. How did we get to page 33 of the bill? I thought we were still considering amendments to section 101.

The CHAIRMAN. The Clerk has already read through section 102.

Mr. OTTINGER. Mr. Chairman, I am very much in favor of the bill, H.R. 13712, and I believe it is well timed for us to bring the minimum wage standards up to the realistic costs of living of today.

There are two areas of concern I have as to the operation of the bill. One I share with my colleague from Westchester, a concern about its operation and effect on small business. A second amendment I will offer later is with respect to the hiring of students for the summer.

My amendment would merely eliminate the second step, which would include under minimum wage coverage the small businesses grossing between $500,000 and $250,000.

According to the Census Bureau's 1963 census, which only has statistics with respect to firms grossing between $300,000 and $500,000—rather than the $250,000 provided in this bill—there are approximately 1 million retail establishments in the country. Of these, only 80,000 grossed more than $500,000 in 1963.

There are 58,000 retail establishments which grossed between $300,000 and $500,000.

In the wholesale field, there are 40,000 firms grossing between $300,000 and $500,000.

In the services field, there are some 1,062,000 establishments, and of these 9,000 grossed more than $500,000 and 8,000 grossed between $300,000 and $500,000. The remainder all grossed under $300,000.

In sum, taking retail, wholesale, and service establishments, more than 110,000 small business establishments would receive protection under my amendment.

To show what kind of businesses these are: In the retail trade establishments alone, according to the Census Bureau, there are 30,000 with sales between $300,000 and $500,000 employing from 8 to 19 people; 15,000 in this category employing from 4 to 7 people; and 2,500 in this category employing from 1 to 3 people. In all, there are 47,500 firms which employ 19 people or less.

The impact on many of these small businesses may be such as to cause them to go out of business. Many of them are small establishments with only a few employees, and simply could not afford to pay the rates we are seeking to establish today.

I therefore believe we should broaden the exemption provided in this bill for small business.

I believe the bill clearly does cover those firms in the category between $500,000 and $250,000 gross beginning February 1, 1969. Section 102(c)(1) clearly provides for this coverage. Chainstores are not referred to in the section, but rather single enterprises. The section refers to "an enterprise." The amendment would not, as the gentleman from Pennsylvania [Mr. Dent] has intimated, raise the exemption on chainstore establishments presently covered if they gross more than $250,000.

Individual small businesses are presently covered by minimum wage requirements if they gross more than $1 million. Under H.R. 13712 the limit would be $500,000 after February 1, 1967, and $250,000 after February 1, 1969. My amendment would eliminate this last step, keeping the limit after February 1, 1967, at $500,000.

My effort in this is complementary to that of my worthy colleague from New York [Mr. Reid]. We are both trying to do the same thing, to protect small business and the labor that would be put out of business if failures were induced by inclusion of firms grossing less than $500,000. My amendment just goes a little further than his, and if mine is defeated, I shall be glad to support his amendment.

Mr. DENT. Mr. Chairman, I rise in opposition to the substitute amendment for the same reasons, except that I should like to clarify at least for the other Members of the House exactly what is sought to be done.

These amendments, both the substitute and the original amendment offered by the gentleman from New York, seek to uncover establishments which are already covered under the act.

Now, if the gentlemen are talking about the enterprise test, which is $500,000, that is another matter, but in respect to the enterprise test we are talking about chains, talking about group stores, talking about the A. & P., Kroger, and the large chainstores all over the country.

The $250,000 is in the bill now. The only thing I am trying to tell the House is, if you wanted to do this, you should have done it in 1961 when the bill was before you.

Mr. PUCINSKI. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I agree with the chairman of our subcommittee and I should like to ask the gentleman from New York, a member of our committee who knows I highly respect all of his contributions, something about his amendment. There is no full and comprehensive study of the national figures on this act since February 1, 1967. Does the gentleman agree, since we have had many stores doing $250,000 in gross volume annually or more who are already covered that at least we ought to take that experience back to 1961 instead of 1967? What is the rationale here?

Mr. REID of New York. The rationale, if the gentleman will yield, is that the present coverage with regard to the definition of "enterprise" stops at $1 million in annual gross volume of sales. Am I correct in that?

Mr. PUCINSKI. In the original bill. Yes.

Mr. REID of New York. Therefore, there are a number of single establishments, such as a bookstore, a pharmacy, or a small retail outlet, that are presently not under the coverage of the Fair Labor Standards Act and would not be covered until you get down to $500,000 or $250,000.

Mr. PUCINSKI. What you provide in your amendment is for some kind of escape valve for the businessman who is in excess of $250,000 but has difficulty in meeting these fair labor standards that we provide in here. If I may continue, your escape valve says if the Secretary finds the inclusion of such an establishment is not likely to result in substantially increased unemployment. The only trouble with that language is: First, you are assuming putting these stores under minimum wage does lead to unemployment, which, of course, we do not accept because we have had experience since 1961. There is absolutely no evidence before the Congress or the committee to that effect. Secondly, you say "substantially." What would constitute "substantially"? Who would decide what is a substantial increase in unemployment?

I am afraid what you would do here—and I can appreciate what you are trying to do, and I sympathize with it, but I submit that if we were to take this language, it would mean some 4 million establishments in this country could be examined backward and forward and upside down by the Secretary to determine whether or not going under minimum wage in the $250,000 class is going to create any substantial problems for them.

Now, as to the substitute amendment of the gentleman from New York [Mr. OTTINGER], I think the chairman of the subcommittee has quite properly pointed out we should understand what is the situation now. We now do cover retail establishments doing $250,000 gross annually if they are part of a chain. So we have had this. To accept your amendment would mean to remove these people from the category and remove about 1 million workers who are now covered. If you want to uncover 1 million workers who are now covered in this bill by your amendment, then I suggest you press for your amendment, but I do not think you want to do that.

Mr. REID of New York. Mr. Chairman, will the gentleman yield first to me because he raised a point on my amendment?

Mr. PUCINSKI. All right.

Mr. REID of New York. The gentleman raised two questions, as I recall it. One was the existing experience.

Section 13(a)(2)(iv) of the present law exempts from coverage an establishment that is part of a $1 million enterprise if it does less than $250,000 gross annual sales. In other words, the law now covers $250,000 establishments only if they are part of a million dollar enterprise, or chain.

It is my understanding the legislation before us would cover a single establishment which has not been presently covered and, therefore, there is not any certain experience.

Second, I am not trying to assume one way or another with regard to the impact of the legislation, but there is a presumption that it could affect some retail and other establishments. What we are trying to do is to make certain that the Congress knows what that impact will be by requiring that the Secretary of Labor make a careful and thoughtful study prior to the extension of coverage. The thought is that we should have a very careful examination because there are some stores in retail and other outlets that will be affected by the Fair Labor Standards Act for the first time by reason of the lower dollar volume test. They are concerned that this could affect their hiring and could, perhaps, result in some curtailment of certain part-time and full-time employment that is often a necessary supplement to other income of the family unit.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from New York [Mr. OTTINGER].

The substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. REID].

The question was taken; and on a division (demanded by Mr. REID of New York) there were ayes 33, noes 38.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. MARTIN OF NEBRASKA

Mr. MARTIN of Nebraska. Mr. Chairman, I offer an amendment, and in order to conserve time, I ask unanimous consent to consider them en bloc because the amendment involves section 102 and also section 201 of the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska?

Mr. GUBSER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. GUBSER. Is this an amendment to section 102?

The CHAIRMAN. The Chair will state to the gentleman from California that it is an amendment to sections 102 and 201 which the gentleman from Nebraska asked unanimous consent to be considered en bloc.

Is there objection to the question of the gentleman from Nebraska?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. MARTIN of Nebraska: SEC. 102, "definition of Enterprise," on page 33 delete all of lines 18 through line 21, and on line 22, page 33, strike "(4)" and insert "(2)".

SEC. 201. On page 35, line 24, strike out, beginning with the word "engaged", through the word "establishment" on line 25.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. MARTIN of Nebraska. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Does the gentleman have a copy of that amendment? We seem to have no copies of it.

Mr. MARTIN of Nebraska. I took a copy of it over to your desk; yes, sir, it is marked "No. 1."

Mr. Chairman, this amendment simply would treat those engaged in the business of laundering and cleaning or repairing clothing or fabrics, or in the construction industry on exactly the same basis as those engaged in other fields of the retail industry or in other fields of endeavor.

Mr. Chairman, under the bill, as drawn—and we just had debate upon the subject—an enterprise will be exempt for the next 2 years, until February 1, 1969, if it does less than $500,000 in business a year. Thereafter, the exemption drops to $250,000.

Now, Mr. Chairman, based upon the manner in which this bill is drawn, this exemption does not apply to laundries, drycleaners or those who work with fabrics, or in the construction industry. I feel it is very important that we be fair and equitable with all areas of businesses, and grant them the same exemption as we do to the druggists and to the grocerymen, as well as all the other stores and businesses that are involved in this legislation.

Mr. Chairman, I have here the bill, H.R. 8260, which was the administration bill that was introduced by both the gentleman from New York [Mr. POWELL] and the gentleman from California [Mr. Roosevelt] on May 18, 1965, the same date on which we received the President's message in regard to labor.

In that bill which is commonly known as the administration bill, this exemption, the dollars and cents exemption, for an enterprise, for laundries and drycleaning establishments, was maintained. But somewhere along the line, it was removed.

I think these people should be treated in exactly the same manner as other businesses. Therefore, I have offered this amendment.

My amendment would delete certain language which starts on line 18, page 33, which language is: "is engaged in laundering, cleaning, or repairing clothing or fabrics;" or "is engaged in the business of construction or reconstruction, or both;".

When you talk about fabrics or repairing clothing, you are talking about the widow dressmaker who makes dresses perhaps for your wife or does some repair work on clothing for you. Maybe she has one employee. There is no exemption allowed under the terms of this bill as it is written for that person. As I pointed out yesterday, drycleaners will have no exemption in this area. We all have drycleaners in our hometowns on our main streets that have one or two employees. These people will have no exemption and will be subjected to the provisions of the Fair Labor Standards Act.

Mr. Chairman, I hope the amendments are adopted and I hope the majority side will accept the amendments.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DENT. Mr. Chairman, I rise in opposition to the amendments offered by the gentleman from Nebraska.

Mr. Chairman, if ever there was an instance where a person is healthy and another person then determines that the other person has to take some medicine, even at the risk of making the other person ill and insisting on giving them the medicine, this is such a situation.

The laundry industry, the drycleaners, the clean linen industry all have endorsed this legislation unanimously. They have not asked for any exemptions, either on the part of the owners and operators or on the part of the employees.

This legislation deals with employers and employees. If they are both satisfied, I certainly do not believe they have to be given a dose of medicine when they both appear nice and healthy. Therefore, these amendments are entirely out of order.

This has not been asked for either on the demands of the worker or at the request of the employers.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. DENT. I am happy to yield to the gentleman.

Mr. COLLIER. The gentleman from Pennsylvania has mentioned the laundry industry being unanimously in support of this bill. Is it not a fact that there are 36,000 coin-operated laundries in this country that are unalterably opposed to this? So when we talk about the laundry industry, I think we ought to have clearly defined what segment of it we are talking about—and I have an amendment in this area which I intend to offer later.

Mr. DENT. I might answer the gentleman by saying that a coin-operated laundry is in the great, great percentage of cases run by an individual and usually is run by an individual under a franchise. In very few instances do they employ anybody in these coin-operated laundries and in most cases they may employ some person to work maybe from 8 o'clock to 12 o'clock or between the hours of 8 o'clock and 10 o'clock and then employ another person to work a couple of hours from 2 o'clock to 4 o'clock and then another person from 4 o'clock to 6 o'clock.

Mr. COLLIER. But whether they employ people or not, they are discriminated against lock, stock, and barrel by this proposal.

Mr. DENT. Maybe they are. But they constitute one element in the whole competitive field in that industry. I do not believe it is the purpose of the Congress to establish a competitive advantage for any of the component parts of an industrial endeavor. They are all treated alike. They are all in competition. What is the difference between a coin-operated laundry and a labor-operated laundry except that one employs more people than the other. How can you justify saying that from now on we are going to exempt an industry that automates and puts in automation and that we are going to stick a heavy tax and a heavy cost on those who still have manual labor in their employ?

Are we trying to say to the people of the United States, "From now on, in order for you to get preferential treatment from your Government, automate, eliminate labor, put yourself in a position where you do not need labor, and we will give you a concession instead of a penalty"?

How can you justify saying the coin operator ought not to be covered?

Mr. COLLIER. I will answer how you can justify this. The patrons, by and large, of the coin-operated laundry, are the people in the lower economic strata who take a quarter, put it in a washing machine, and get their laundry washed in that way. In most instances these people are people who perhaps cannot pay the additional cost of a laundry of another type. Go into any type of coin-operated laundry and that is what you will find. That is the difference.

Mr. DENT. Mr. Chairman, I wish to state that the average employer in his $36,000 situation—and suddenly it is growing, because when they protested about this they said it was $22,000—I wish to say for the record that what happened is that up until this bill was introduced it did do one thing. It created employment for a group of unemployed lawyers and public relations people who suddenly realized that here was another group they could sucker into an organization that would come to Congress and fight for or against legislation. This is a brandnew association.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. DENT. Mr. Chairman, I ask unanimous consent that I may proceed for 5 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. DENT. The situation is such that 1.1 persons per operation is employed in the entire United States. If any coin-operated laundry employs 1.1 persons or, say, 2 persons, and cannot gross enough money to pay $1 an hour wage, how on God's earth can that particular institution justify its existence? Is it to be allowed to exist only because it can find some poor old man or some poor needy woman in the area who is willing to work for 25 cents an hour in order to keep that business going?

I want to tell you that on my own examination I found that most of the coin-operated laundries, where they have employees, are owned by persons who play golf regularly, who go to Florida regularly, and have come here to Congress crying about being put out of business, riding here in Cadillacs.

Mr. MARTIN of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman from Nebraska.

Mr. MARTIN of Nebraska. I would like to call to the attention of the gentleman from Pennsylvania that the laundries and drycleaners of the State of Nebraska are completely opposed to this legislation.

I would like to ask the gentleman another question. You talk about endorsement by the National Laundry Association——

Mr. DENT. Let me answer that immediately while it is fresh. Clearly, then, the State of Nebraska does not belong to the American Institute of Laundering, or they have divorced themselves or seceded, because the institute endorsed it.

Mr. MARTIN of Nebraska. I believe it was endorsed by an executive committee, a small group of this organization that met here in Washington sometime last year.

Mr. DENT. I do not know how many they had at their meeting. I do not even ask questions when you get up and say to me that the bankers endorse this or that. I do not know whether it is one banker or a whole lot of bankers that have been called together. I only say that if an institute or an association does not speak for its members, it ought to be abolished. Or are we now saying what a large number of people have suspected for a long time that some enterprising lawyer gets a laundry and purports to speak for a group; is that what you are saying?

Mr. MARTIN of Nebraska. No. The gentleman is trying to put words in my mouth. I believe the laundries in the District of Columbia have been concerned with this problem because of the fact that they do business across State lines in Maryland and Virginia. For some time they have been one of the main backers of this particular provision in the act, which I feel is completely unfair, and I do not think it can be justified, when we give under the bill an exemption to all other businesses in the country on the basis of an enterprise test, the total amount of business they do in one year.

Yet we exclude from the exemption the laundries and the drycleaners, and those who work on fabrics and repair fabrics, and those in the construction industry. I do not believe we are being fair to these industries when we treat everyone else different from these.

Mr. DENT. Mr. Chairman, in answer I might say that the best measure of fairness has to come from those affected. If those affected are not protesting, then evidently we cannot accept the charge of unfairness.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Nebraska [Mr. MARTIN].

The amendments were rejected.

AMENDMENTS OFFERED BY MR. COLLIER

Mr. COLLIER. Mr. Chairman, I offer amendments.

The Clerk read as follows:

Amendments offered by Mr. COLLIER: On page 32, line 3, insert ", an elementary or secondary school" immediately before ", or an institution of higher education".

On page 34, line 2, insert ", an elementary or secondary school" immediately before ", or an institution of higher education".

On page 34, after line 14, insert the following:

"(d) Section 3 of such Act is amended by adding after subsection (u) (added by section 103(b) of this Act) the following new subsections:

"'(v) "Elementary school" means a day or residential school which provides elementary education, as determined under State law.

"'(w) "Secondary school" means a day or residential school which provides secondary education, as determined under State law.'"

Mr. COLLIER. Mr. Chairman, these amendments are simple and sound and essential amendments. I do not believe that any Member of this body who believes in the principle and purpose of the bill before us today can oppose them.

What we have done here, if Members will review with me the language of the definition of "enterprise," is to say that in sum and substance the employee who works as a dishwasher in a home for the sick or the aged or the mentally ill, or one who works as a dishwasher in a college or a university cafeteria, or one who works as a dishwasher, for example, in a mental institution, is covered under this bill. Yet, the same employee working as a dishwasher in an elementary or high school cafeteria is not covered.

All I want to do is to establish equity in application of the bill. Let me tell why. I believe I can best explain it by giving an example. This is an actual case.

In a suburban area of one of our southern States, school officials were recently notified that poverty funds were available to hire students who qualified under the poverty family income level at $1.25 per hour. What happened was this: The same school had working in its cafeteria women who had been employed for years—in fact, one was a widow—drawing 85 cents an hour for working in the school cafeteria. Yet, children were hand-picked and given $1.25 an hour to wash the blackboards in the same school.

I do not believe there is anyone sitting in this House today who can justify this type of situation realizing, as we all must, that there will be under the poverty program a $1.25 hourly wage level. If not, then I would have grave reservation as to the depth of the sincerity such a Member would have in the principle of minimum wage.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Chairman, if I understand this amendment correctly, it will establish a different fair labor standard provision for people presently employed in elementary and secondary schools and universities.

Mr. COLLIER. That is exactly correct. I do not want any inequities such as we have been talking about today. We are moving to achieve equity which means treating everyone alike.

Mr. PUCINSKI. Many of these schools now receive substantial Federal assistance?

Mr. COLLIER. Yes. In fact, in most instances they do. As my friend from Illinois knows, with the existent low pay levels where they are generally found, these areas would be far more likely to receive more Federal aid under the formula of the Federal Aid to Education program.

Mr. PUCINSKI. Has the gentleman discussed this with any educators or administrators of these schools?

Mr. COLLIER. The only time I discuss a matter like this with them is when there is some question in my mind as to the feasibility or the validity of a proposal. In this instance there was not; therefore, I did not.

Mr. PUCINSKI. Let me ask a final question. Would this apply also to private schools which are maintained in many instances by private contributions and which receive no assistance either from a tax-based institution or the Federal Government?

Mr. COLLIER. I am not certain what category of schools the gentleman speaks about, but there has been no breakdown here with regard to whether a school for the handicapped or for the mentally retarded is private or public. Therefore, I did not feel, since there was specific definition in the language of this section of the bill as it applies to the other institutions covered, I did not spell it out; but the amendment covers this point as provided in section 3, subsections (v) and (w).

Mr. PUCINSKI. Let us consider a parochial elementary school, in which the nuns do the work in the cafeteria. Would they have to be paid a minimum wage?

Mr. COLLIER. No, they would not be covered.

Mr. BURTON of California. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I am delighted to yield to the gentleman from California.

Mr. BURTON of California. As I understand, it is not the gentleman's intention to include members of a religious order under the definition of an employee, and therefore a nun would not be considered an employee. Therefore, a minimum wage would not be required to be paid a nun. Am I correct in my understanding of the gentleman's intention?

Mr. COLLIER. That is correct. I did not intend to cover them. I am merely trying to achieve equity and equal application of the principle of the law to people doing the same type of work, whether it is in a university or a public elementary or secondary school.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I am delighted to yield to the gentleman from Pennsylvania.

Mr. DENT. The gentleman's evident sincerity in this area has struck me with a warm and corresponding chord. I accept his amendment.

Mr. COLLIER. I thank the gentleman. It now makes it possible for me to vote for the bill, I might say to the gentleman.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Illinois [Mr. COLLIER].

The amendments were agreed to.

AMENDMENTS OFFERED BY MR. ANDERSON OF ILLINOIS

Mr. ANDERSON of Illinois. Mr. Chairman, I offer amendments.

The Clerk read as follows:

Amendments offered by Mr. ANDERSON of Illinois: On page 33, strike out lines 6 through 17 and insert in lieu thereof the following:

"(1) is an enterprise (A) whose annual gross volume of sales is not less than $500,000 (exclusive of excise taxes at the retail level which are separately stated) (B) which has one or more retail or service establishments, and (C) which purchases or receives goods for resale that move or have moved across State lines (not in deliveries from the reselling establishment) which amount in total annual volume to $250,000 or more;

"(2) is a gasoline service establishment whose annual gross volume of sales is not less than $250,000 (exclusive of excise taxes at the retail level which are separately stated);

"(3) is an establishment of any such enterprise, except establishments and enterprises referred to in other paragraphs of this subsection, which has employees engaged in commerce or in the production of goods for commerce if the annual gross volume of sales of such enterprise is not less than $1,000,000;".

On page 33, line 18, strike out "(2)" and insert in lieu thereof "(4)"; line 20, strike out "(3)" and insert in lieu thereof "(5)"; and, in line 22, strike out "(4)" and insert in lieu thereof "(6)".

Mr. ANDERSON of Illinois. Mr. Chairman, when the debate on this bill opened yesterday, the gentleman from Pennsylvania, the author of the bill [Mr. DENT], said that he was going to look with great suspicion on those who might offer what could be considered as gutting amendments; those who were not in favor of the legislation at all to begin with and, therefore, were going merely to stand up here in the well of the House and offer amendments which, even if adopted, would not cause them to vote for this bill. Perhaps I need not remind the gentleman from Pennsylvania and others present here today that I voted for a rule on this bill and, I may say, to the surprise of some people when it was before the Rules Committee a few days ago. I did that because I sincerely and honestly wanted to bring this bill to the floor of the House. I appreciated the fact that the House ought to be given an opportunity to work its will and, if it could, to improve this bill. So I offer, I assure the gentleman from Pennsylvania, this amendment in that spirit this afternoon.

A few minutes ago we witnessed an unsuccessful effort and a bipartisan effort by the gentleman from New York [Mr. OTTINGER] and the gentleman from New York [Mr. REID], you will recall, to try to do something to soften the impact of this legislation on the small businessman and the small-town merchant. They would have done it by deferring the application of this bill for 1 year, until 1970, and they would have provided that the Secretary of Labor should establish a commission first to examine what the economic consequences of taking in a business doing only $250,000 a year would be. In other words, what the economic consequences on the employment would be. Mine is a far more simple test than that. I am sure you caught it if you listened to the reading by the Clerk of this amendment. It would simply hold the line at $500,000 and say we will not go below an annual gross sales volume of $500,000 a year with respect to retail establishments in deciding whether a particular retailer is covered.

I was here in the 87th Congress and I well remember the titanic battle that was waged on the floor of this House at that time with respect to the so-called $1 million test. I opposed that bill because I thought this was torturing the interstate commerce clause of the Federal Consitution beyond all recognition to say that merely by adopting a test of dollar volume you could say a man was covered by a statute under the commerce clause of the Federal Constitution.

Let me tell you this: If $1 million was torturing the interstate commerce clause beyond recognition, what have you got if you adopt a bill that takes it down to $250,000? More than that, I would remind you of this: I feel pretty sure if we pass this bill in the precise form that it was reported out by the Committee on Education and Labor, if we pass it in this form today, then it is only a question of time before that $250,000 limitation has been progressively reduced to maybe $150,000, $100,000, and then completely eliminated. I find it just a little ironic this morning that I read in the paper that the President hails small business. President Johnson presented a plaque to the small businessman of the year, a man from Puerto Rico who is here with his family. He proclaimed this Sunday will begin Small Business Week. I find it not only ironic but a little bit inappropriate in a week that is dedicated to the small businessman that we should now say literally a little corner grocery store, because that is what you can have with a $250,000 sales volume test that becomes applicable in 1969—you could have a little store with two or three employees doing only $700 or $800 worth of volume a day covered under this act. You know, I am sure you have had the same experience I have had. Even more than the wage, it is coming under the Wage and Hour Administration and trying to interpret and decipher these regulations that bother the small businessman. I had one tell me just yesterday the very first regulation that was issued for small retail stores with the $1 million test came out in the 1961 legislation. The first regulation that was issued was 93 pages long. He had to go down to a lawyer and hire some legal advice in order to decide whether or not this applied to him or to someone else.

Mr. Chairman, it is this kind of regulation which is involved. It does not have to do with the big businessman. I do not plead today for the chainstores or the big businessman. But I say for heaven's sakes in our zeal to legislate across the board, we should legislate uniform equality in this area. Let us not be so ridiculous as to take this thing, to bring in even a little merchant who is doing $250,000 a year in business.

Mr. Chairman, there was an article which appeared a few days ago in one of our Nation's magazines to the effect that, "Will Congress Kill Main Street?" Frankly, I think the article was a little exaggerated, but I do think in small business, when we are considering the small businessman, we should not want to take any action on the floor of this House this afternoon which might expose us to the charge that we are killing off the small merchant on Main Street.

Also, Mr. Chairman, there is an article with reference to a business which is operated in the home State of our distinguished majority leader, the gentleman from Oklahoma [Mr. ALBERT], where they were going out of business because of the impact of this law.

Mr. Chairman, I am sure the gentleman from Pennsylvania [Mr. DENT] does not want that to happen.

The gentleman from Pennsylvania said when he opened this debate—and I know with sincerity and I applaud him for it—that there was not one line written into this bill with the intention of trying to hurt anyone, and I am sure he means that. But at the same time we know that on occasion we have overzealous administrators who get into the act and who undermine the congressional intent of the legislation.

Mr. Chairman, I would ask the House to support the limitation and to retain the limitation of $500,000.

Mr. DENT. Mr. Chairman, I rise in opposition to the amendment. Mr. Chairman, this amendment does about the same, or serves the same purpose as the amendment offered a little while ago which was defeated by the House.

Mr. Chairman, the truth of the matter is that a $1,000 a day establishment in the retail business is not a very small business. The vast majority of retail establishments in the United States do less than $50,000 a year.

Also, Mr. Chairman, in talking about the small towns, if there were one store in that town that does $250,000 a year, it has buying capacity and buying power that certainly more than equalizes its competitive potential, and enjoys an advantage with the smallest store that is not covered.

Mr. Chairman, your committee went into this matter very thoroughly. We studied every possible angle and that is why we have a different test for enterprise than what we have for establishments.

Mr. Chairman, we tried in the best way we could to keep competition within the ability of the competitors to buy and still be equally competitive.

Mr. Chairman, I believe if one examines the bill thoroughly, one will find that I was telling the truth when I said there was not a line contained in this bill that intends to, or does, in fact, harm any individual.

Mr. PUCINSKI. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wonder if I can have the attention of the gentleman from Illinois [Mr. ANDERSON]?

Mr. Chairman, in speaking of that store that went out of business in Oklahoma, that store under the present law, comes under the $1 million test. So, it would have to be a pretty big operation before it would have to start paying the minimum wage and the overtime.

Mr. ANDERSON of Illinois. Will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. My point is, if the gentleman will yield——

Mr. PUCINSKI. I do not think, if the gentleman will let me finish, if we had all the facts before us, that that store went out of business because of this law, because we have not had a single piece of evidence presented before this committee in testimony to the effect that any store has gone out of business because of this law.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman now yield?

Mr. PUCINSKI. Yes, I would be very glad to yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. If you grant the premise—and it is stated in this article—and, of course, the gentleman can stand up and say it is not so, and I say it is so, and there we are—but if you grant the premise that a store belonging to a particular chain—and you say it is and I say it was not—if a chainstore doing $250,000 a year is going to go out of business because of the minimum wage with all of the mass buying power that is available to a chain that it is not available to the corner groceryman or the corner druggist or the retailer who does not belong to a chain, what is the impact of this $250,000 test upon him?

Mr. PUCINSKI. That is precisely why we have drawn a difference. You know if you will take the trouble to read this bill, you will see that this committee has tried to protect all interested parties in America.

Mr. ANDERSON of Illinois. I assure the gentleman that I have read it very carefully.

Mr. PUCINSKI. We have recognized that this store which is a part of a huge multimillion-dollar chain has many advantages in terms of advertising, bulk buying, and various other things so we have provided that that store which is a part of a big chain that the test there would be $250,000.

Mr. ANDERSON of Illinois. But you are going to have the same test apply for an individual store that is not a part of a chain.

Mr. PUCINSKI. But that individual corner store that you are talking about standing alone has to do a million dollars gross annually before it is covered by this bill at the present time.

Mr. ANDERSON of Illinois. But under this bill by 1969, the test will not be a million dollars; is that not correct—it will be $250,000?

Mr. PUCINSKI. That is correct. Under the terms of the bill, it will be $500,000 in 1967 and $250,000 in 1969.

But will my colleague also recognize the fact that the wage scale is deescalated also because we recognize all of these things have to be done slowly and cannot be done overnight so as to upset the economy. So you have the wage scale moving up at the same time you have the gross volume test coming down. So you do have that cushion that the gentleman seeks to provide for in his amendment.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman.

Mr. DENT. Mr. Chairman, so that the Members will not be confused by all these figures, let us get the figures straight. There are a total number of covered employees now in the retail stores of 3,642,000. This amendment covers 1,500,000 more employees. But it leaves uncovered in the United States 2,142,000 employees.

Therefore, we are not reaching down into the little corner store.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. GOODELL. Mr. Chairman, I move to strike out the last word and rise in support of the amendment.

Mr. Chairman, I would simply, to keep the record straight, point out that the amendment offered by the gentleman from Illinois [Mr. ANDERSON] applies at the last stage when the move is from the enterprise test of $500,000 to $250,000 a year. What the gentleman from Illinois [Mr. PUCINSKI] has said with reference to the establishment and the enterprise being distinct and our committee taking good care to distinguish these two does not apply after 2 years. When the enterprise test goes from $500,000 to $250,000 on February 1, 1969, the enterprise test and the establishment test would be precisely the same. That is the point I believe the sponsors of this amendment are making—when you reach that stage of a $250,000 enterprise test, you are treating the large enterprise exactly the same as the small individual store.

In 1969, an establishment that is a part of a large enterprise will be covered in exactly the same way as the small store and vice versa. That being the situation, I think we would be well advised to postpone any determination as to whether we ought to move this enterprise test from $500,000 to $250,000. This is not going to occur in the next year or two. This committee and this Congress have ample opportunity to examine the question as to whether we ought to reduce the enterprise volume test any further.

Let me say further, I agree with what the gentleman from Illinois said in the well of the House in offering this amendment. In 1961 we faced this issue and we talked about the volume of business test in terms of the interstate commerce clause. Unfortunately, we lost at that stage.

It is absolutely true that today all the Congress has to do to include virtually everyone in this country under the minimum wage legislation is to reduce the dollar volume test. That is all we have to do—to cross out "$1,000,000" and make it "$500,000" and cross that out and make it "$250,000" and all the way down—if we want to—to $50,000 eventually, or to $10.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman.

Mr. ANDERSON of Illinois. I have just been reminded, Mr. Chairman, that back in 1961 when we were considering this matter before, when this House adopted a substitute, which was the Kitchen-Ayres bill, you will recall that at that time it did not use the dollar volume test—it did not have the $1 million test—that was put into the bill in conference and not put in initially by the action of this House.

I think the gentleman from New York [Mr. GOODELL] has performed a great service today by putting his finger exactly on the point we are trying to make that we do not want to take that small, independent businessman who is not part of a chain and who does not have all the advantages that the chainstore buyer has so far as the mass purchasing power and the advertising and so on is concerned and say, You have to be lumped into the same category with that fellow who belongs to a chain and who does $250,000 a year.

I would ask the gentleman from New York this question: Do you think that my assumption is entirely unreasonable, that unless we hold the line at $500,000 today, in the next Congress, or shortly thereafter, we may see an attempt to repeal any exemption whatever, in view of the fact that this bill provides with respect to laundries, cleaning establishments, and so on, that no volume dollar test is to be employed?

Mr. GOODELL. I have no doubt whatsoever that that is the direction in which we are moving, and we are going to continue to reduce the amount until we cover virtually everyone.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Pennsylvania.

Mr. DENT. The committee has attempted to carry out the philosophy of extending the differential between the independent store and the chainstore below the $500,000 volume, and if you will read the Roosevelt bill, you will find that the Roosevelt bill went down to $150,000 for the establishment test and maintained the $250,000 for the independent store test. However, no greater howl has been heard in this Congress than when the Roosevelt bill hit this floor for action and was presented. There was never a greater complaint made. That was in reference to the $150,000 test. When you get to $250,000, you are talking about a competitive level where the component part of the chain is a very small component part as related to the big chain.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GOODELL. Mr. Chairman, I ask unanimous consent that I may proceed for an additional 3 minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. GOODELL. I yield to the gentleman from Pennsylvania.

Mr. DENT. Upon examination we find that of 42 separate chains, operating mainly in the Western and Southern States, they are indeed in competition, but none of their component parts do better than $300,000 a year. They are small chains, all small stores operating in rural areas rather than in urban areas.

After much deliberation, the committee decided that the $150,000 test was unfair to those small operating chains which are a group of individual ownerships under a chain management for buying purposes only. This is the truth of the matter and is not intended to hurt any individual store.

Mr. GOODELL. The gentleman from Pennsylvania has very adroitly turned the argument. It is true that under the Roosevelt bill we covered establishments that did more than $150,000 business a year. We have moved that establishment test up to $250,000 a year. The fact remains that in 1967 this bill would reduce the enterprise test to $250,000 a year, and at that stage your individual private store, not part of a chain, will have exactly the same test of coverage, $250,000, as the large enterprise. That is the point that is made by the gentleman from Illinois in offering this amendment. I think we have ample time between now and February 1, 1969, when this is supposed to be triggered, and we move from $500,000 to $250,000 in the enterprise test, to consider this in the Congress, to evaluate its impact, and to make whatever changes we feel necessary at that point.

I urge the adoption of the amendment of the gentleman from Illinois.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. ANDERSON].

The question was taken; and on a division (demanded by Mr. DENT) there were—ayes 82, noes 74.

Mr. DENT. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. ANDERSON of Illinois and Mr. BURTON of California.

The Committee again divided, and the tellers reported that there were—ayes 120, noes 109.

So the amendments were agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Agricultural employees

SEC. 103. (a) Section 3(e) of such Act is amended to read as follows:

"(e) 'Employee' includes any individual employed by an employer, except that such term shall not, for the purposes of section 3(u) include—

"(1) any individual employed by an employer engaged in agriculture if such individual is the parent, spouse, child, or other member of the employer's immediate family, or

"(2) any individual who is employed by an employer engaged in agriculture if such individual (A) is employed as a hand harvest laborer and is paid on a piece rate basis in an operation which has been, and is customarily and generally recognized as having been, paid on a piece rate basis in the region of employment, (B) commutes daily from his permanent residence to the farm on which he is so employed, and (C) has been employed in agriculture less than thirteen weeks during the preceding calendar year."

(b) Section 3 of such Act is further amended by adding after subsection (t) (added by section 101(b) of this Act) the following new subsection:

"(u) 'Man-day' means any day during any portion of which an employee performs any agricultural labor."

AMENDMENT OFFERED BY MR. MARTIN OF NEBRASKA

Mr. MARTIN of Nebraska. Mr. Chairman, I offer an amendment, and again I would like to ask unanimous consent that it be considered en bloc at this time, in order to conserve time, because it does cover four different sections of the bill regarding agricultural employees.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska?

Mr. DENT. Mr. Chairman, I would like to have a complete copy of the amendment, because I am honest in saying to the House that if you are all as aware of what went on a minute ago in that amendment as I consider myself to be, then you are ignorant about the amendment. All we do is go back to the $1 million test. Those of you who want to go back to the $1 million test, all right. That was before 1961. However, I want to see the entire amendment at this time.

Mr. MARTIN of Nebraska. My amendment has nothing to do with the $1 million test.

The CHAIRMAN. Does the gentleman from Pennsylvania object to the request?

Mr. DENT. Yes.

The CHAIRMAN. Objection is heard. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MARTIN of Nebraska: On page 35, between lines 14 and 15, insert the following:

"DEFINITION OF WAGES"

"SEC. 103. Section 3(m) of the Act is amended by inserting immediately before the first proviso and after the word 'employees', the following language, '*Provided*, That such cost shall be determined in each State, subject to the approval of the Secretary of Labor, by the appropriate State agency or officer.' "

Mr. DENT. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman from Pennsylvania will state his point of order.

Mr. DENT. Mr. Chairman, I cannot follow the amendment.

The CHAIRMAN. The Clerk will report the amendment.

Mr. DENT. This amendment is practically a rewriting of the entire section. In decency and fairness, I think we ought to have a copy of it.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MARTIN of Nebraska:

"SEC. 103. Delete section 103, entitled 'Agricultural Employees', beginning on line 15, page 34, through line 14, page 35."

Mr. MARTIN of Nebraska. Do I have unanimous consent, Mr. Chairman, for the other sections to be considered at this time or not?

The CHAIRMAN. There was objection to the request.

Mr. DENT. Mr. Chairman, if the gentleman will allow me to ask one question, he may get his request.

The CHAIRMAN. Will the gentleman from Nebraska yield to the gentleman from Pennsylvania?

Mr. MARTIN of Nebraska. I will be happy to yield.

Mr. DENT. All I have is one single-line copy here. I understand from what I can read of what you have given me the entire purpose of your group of amendments is to strike from the bill all reference to agricultural workers.

Mr. MARTIN of Nebraska. That is correct. This amendment would strike the entire agricultural section of the bill. The reason that the other sections are in there is to correlate them with the amendment which I have offered and in order to expedite the work of the committee and in order to save time.

Mr. DENT. Mr. Chairman, I withdraw my objection to the consideration of the amendments at one time.

The CHAIRMAN. The gentleman will restate his unanimous consent request.

Mr. MARTIN of Nebraska. Mr. Chairman, I ask unanimous consent to consider this amendment en bloc.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendment offered by Mr. MARTIN of Nebraska:

Delete section 103, entitled "Agricultural Employees", beginning on line 15, page 34, through line 14, page 35.

Delete section 203, entitled "Agricultural Employees", beginning on line 5, page 37, through line 14, page 38.

Delete section 302, entitled "Agricultural Employees", beginning on line 18, page 47, through line 3, page 48.

Delete section 501 (c), beginning on line 4, page 56, through line 17, page 56.

Mr. MARTIN of Nebraska. Mr. Chairman, this is one of the most important amendments that will be offered to this bill, because the purpose of these amendments is to strike the entire agricultural coverage from this legislation.

Traditionally, Mr. Chairman, agriculture has been excluded from the Fair Labor Standards Act because of the very nature of the business itself. It is composed of millions of components throughout the country. It is composed of independent operators who operate a business entirely different than any other in the country, because they have little or no say as to what price they are going to sell their product.

Mr. Chairman, agriculture has been in serious economic straits in this country for not only several years, but for many years.

Mr. Chairman, let me give to the Members of the Committee an indication of this situation, as published by the U.S. Department of Labor in January 1966, in regard to farming in this country.

The total farm population in the United States in 1940 was 30.5 million. In 1960 it was down to 15.5 million. In 1964 it was down to 12.9 million.

The number of farms in the United States, according to the Department of Labor, in 1940, was 6,350,000. In 1964 it was 3,472,000.

Mr. Chairman, let me give to the Members of the Committee some further information: According to the Department of Agriculture, in a report issued in April of this year, last month, there was a decrease in the total number of farm employees, farm laborers on the farm, in the United States, from 1 year ago of 393,000.

The decrease in the number of farm employees in the United States in agriculture has been following this trend for many, many years. Here we are coming up with a piece of legislation that is going to aggravate the situation and contribute further to the decrease in the farm population and in the number of jobs on the farm.

I also have some statistics here in regard to the average wage rate in the United States put out by the Department in an April 11, 1966, release.

The average wage rate in the United States on farms today is $1.28 an hour which is considerably above this minimum which is proposed here.

You might say to me, that is a good argument why we ought to have it, because it is not going to affect anyone. But, as I pointed out yesterday, Mr. Chairman, this is only a foot-in-the-door approach.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MARTIN of Nebraska. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

Mr. RACE. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. BELL. Mr. Chairman, I rise in opposition to the amendment.

Mr. MARTIN of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to the gentleman.

Mr. MARTIN of Nebraska. Mr. Chairman, the fact that the average farm wage in the United States is $1.25 an hour can be used by the proponents of this legislation to say, "Well, you do not need it." But, Mr. Chairman, the history of this legislation is that the next Congress or a subsequent Congress will come along and increase the minimum wage which currently, as proposed in the bill, would go up to $1.30 and in a couple of years will bring it up to $1.75 and then on up to $2 and provide for overtime for everything over 40 hours a week. You know what that will do to our agricultural economy.

Then we have another provision here that provides that there is a value to be determined by the Secretary of Labor in Washington for any food and housing that is provided for a farmworker. That is all right—I am in favor of that. But as the gentleman from Virginia [Mr. SMITH] pointed out in our hearing before the Committee on Rules, I understand it is customary in Virginia to give a farmhand 300 pounds of fresh pork. When the farmhand gets the 300 pounds of fresh pork, he salts it down and uses it in the months ahead.

Now what is the Secretary going to do? Is he going to make a determination on whether this hog is a No. 1 or a No. 2 or No. 3 hog and make a determination as to what kind of cuts there are? How is he going to determine the value of this food and the value of the lodging that is furnished to these farmworkers?

Mr. Chairman, this is a very important amendment. It is going to accelerate the decrease in the population of our agricultural areas throughout the country. It will result in fewer jobs on the farms. It will put our schoolchildren out of work so far as getting summer jobs and working on a seasonal basis. This is going to deprive these young people of the opportunity to go out in the summertime and get a job and earn a few dollars and learn the value of a dollar by the sweat of their brow—jobs that will help them to continue their education and help them to buy the necessities of life.

Mr. Chairman, I hope this amendment is approved.

Mr. RESNICK. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to the gentleman.

Mr. RESNICK. I have one brief question, if I may ask the gentleman from Nebraska this question. That is whether there is any correlation in his mind between the severe shortage of farm labor and the fact that they are being paid virtually starvation wages.

Mr. MARTIN of Nebraska. I think the gentleman is entirely incorrect when he talks about starvation wages and I would venture to guess that he has very little firsthand information about agriculture.

In the first place, when you are looking for farm labor, you are in competition with the labor market and competing with other industries and businesses that are asking for that labor. So the farmer has to gage his employment scale on the same basis with his competition.

In my State of Nebraska the going wage is $1.50 an hour for agricultural labor because they cannot get anyone for less than that.

Mr. BELL. Mr. Chairman, the important point about the agricultural features of the bill is that the people involved are those who have been left at the bottom of the economic ladder. They, more than any other group in our Nation, need to be covered. The agricultural people are at the very bottom of the economic ladder.

I wish to point out also that this bill does not involve overtime for agricultural workers. They are not included. All overtime would be excluded. There is no more overtime, I should say. Family farms would be excluded. When we speak of the farms that will be covered under the bill, we are talking only about 1.6 percent of all the farms in the Nation.

Let us again go over the amount of the wage. The minimum wage would start at $1 an hour in 1967 to $1.15 an hour in 1968 and $1.30 an hour in 1969. At a $1.30 an hour the minimum wage amounts to $2,700, which is below the poverty level of $3,000. Only the large farms would actually be covered on the 500-man-hour basis. That means that seven men must be employed on a farm, to fall under the 500-man-hour requirement.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. BELL. Mr. Chairman, I ask unanimous consent that I may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California? The Chair hears none. The gentleman is recognized for 5 additional minutes.

Mr. BELL. Mr. Chairman, I speak in behalf of California because California is already paying wages above the minimum wage, despite the fact that we have an unfavorable competitive hauling problem. Yet we are still paying above the minimum wage. Since 1963 California wages have gone from $1.32 per hour to $1.35 in 1964, to $1.42 in 1965, and $1.50 in 1966. In addition, as I have said, we have an unfavorable competitive hauling problem in California or we are at a competitive disadvantage from the standpoint of shipping farm goods to the East. Yet we are still paying higher wages.

Actually, Mr. Chairman, this is a bill that will keep the large farms from having the advantage that they already have over the small farms by not paying higher wages. Since the large farms have not been paying higher wages, either, they have a competitive advantage over the small farms.

Mr. Chairman, I oppose the amendment of the gentleman from Nebraska.

Mrs. GREEN of Oregon. Mr. Chairman, I rise in opposition to the amendment. Studies of the Department of Labor show that in the United States today 45 percent of all farmworkers receive less than 75 cents an hour, that 52 percent receive less than 85 cents an hour, and 56 percent receive less than $1.

Mr. Chairman, we have heard a great deal about poverty in this country. This Congress has passed war-on-poverty legislation. The gentleman who offered this amendment to strike all the agricultural workers, if my information is correct, voted for the original poverty legislation. In my judgment, if we really mean business in the war on poverty, the piece of legislation that is before us today will do more to eliminate poverty in this country than any other possible piece of legislation that this Congress could pass. Let us establish and increase the minimum rate for agricultural workers and decrease the amount given out in welfare payments.

What are we doing, if we approve the bill that has been offered by the committee? We are saying to a person who works today full time for 40 hours a week, and if he is paid the $1 minimum hourly wage for a full year of 52 weeks, he would receive a total, the magnificent sum of $2,008. On the other hand, if we accept the amendment of the gentleman from Nebraska, we will continue at the sums of 75 cents or 85 cents an hour, and the heads of families and full-time employees will be receiving about $1,500 a year—hardly a living wage in a country that supposedly has the highest standard of living in the world.

We talk about breaking the welfare cycle, getting people off the welfare rolls. In agriculture, these are people who want to work, who want to walk in dignity. We ought to make it possible for them to get off the welfare rolls and live a decent life, and not have them existing on $1,500 a year, which is half the poverty level as generally recognized.

There was a group of people—welfare recipients—who were inspired to take courses for 6 months, so they could get off the aid for dependent children, the ADC program. They took courses and completed the 6 months of work. They went out and applied for jobs. They were offered salaries of 60 cents, 75 cents, or 85 cents an hour, which is similar to what the gentleman from Nebraska says we should continue to pay agricultural workers. Instead of taking the jobs at 60 cents and 75 cents an hour, these people simply said "We cannot support our families on that. We have to go back on the welfare rolls."

I suggest if we want to do something about poverty, it would make more sense to establish a minimum wage on which people can live—instead of being forced to the alternative—that of giving out a dole.

In addition to that, if there is any single group in the United States which is at the bottom of the economic scale it is the agricultural workers. One witness appeared before our committee and said this:

> The miserable existence which these workers and their families must lead on such earnings can be largely attributed to the specific exclusion of workers in agriculture from the protection of social legislation that has benefited other American workers for a quarter of a century.

This type of testimony was restated by other witnesses. It is documented by the personal knowledge all of us have.

If we are to adjust the minimum wage today in any specific category, it seems to me we should begin where the need is the greatest, where people are not organized, where there is not and has not been any voice in the making of policy at the State or National level.

After having said this, may I say one other thing: I had hoped to offer a substitute amendment at this point—but I am not allowed to under the parliamentary procedure. However, I do intend to offer an amendment as soon as it is possible—which would make an exemption primarily designed for young people. It does seem to me that children who work for less than 13 weeks during the summer and who try to earn money so they can continue on in high school, or earn their spending money, should not be prohibited by legislation from working in the harvest field on a piecework pay basis.

I believe children 14 and 15 years of age and other temporary summer employees are in an entirely different category from the heads of families who are working full time. I hope and plead with the Members that we do not accept the amendment offered by the gentleman from Nebraska, that would strike out the only protection the agricultural workers of this country might have. That, instead, we give them a chance to earn a decent wage, so they can get off welfare and break the cycle of poverty and walk with dignity along with the other people of this country.

Mr. GURNEY. Mr. Chairman, I rise in support of the amendment, and move to strike the requisite number of words.

Mr. Chairman, I support this amendment. As the proponent of this amendment stated when he offered it to the House, this is surely one of the most important amendments to this legislation that we have under discussion today.

The gentlewoman from Oregon just made a point which I think is significant. She said that for 28 years we have had no legislation in this field. That is so. In 1938 we had our first minimum wage law. We have had six, as I recall, since then. Each time the agricultural workers have been exempted. I submit to this House of Representatives that there probably is a fairly sound reason why that is so.

We have heard here in the discussion in the last 2 days, and we have heard just now, that agricultural workers are mistreated in this country.

A great case is made that they are at the low end of the economic scale, and I believe there is some point to be made there.

But there is another side to the story. Let me give a few facts of life in respect to my home State of Florida.

The No. 2 industry in Florida is agriculture. The No. 1 industry within the industry is citrus. Our average wages this year paid to citrus workers in the State of Florida were $1.97 an hour. This does not sound like starvation wages to me.

I have here a letter, under the letterhead of the U.S. Department of Labor, signed by Secretary Wirtz, which commends the Florida citrus industry for the wonderful job it is doing in respect to wages.

The same is true in other areas of Florida agriculture.

One of the great vegetable growing industries is in Florida. While it does not quite equal the wages paid by the citrus industry, it does well.

So I say again that agricultural wages are good now.

There is another problem in Florida, the same problem the proponent of this legislation mentioned, which is a rapidly and completely deteriorating farm labor situation which goes downhill with each succeeding year. The reason why it does is we have continuing and increasing interference from the Federal Government in this whole labor area, which is downgrading our employer-employee relationship and making it exceedingly hard for Florida farmers to make a living.

Each year we find this is true: In Florida the people in the farm labor field want to work in lesser numbers, and they want to earn less.

This is also true: Each year we have found that our vegetable crop losses and our citrus crop losses are growing, because we cannot field the proper amount of labor to harvest these crops at the proper time.

I have documented here—and I wish I had time to go into this at length—case after case after case in Florida agriculture of losses this year and last year, and of growers who have said they will cut their acreage next year because they cannot field the farm labor necessary.

This is a letter from one of the chief vegetable and citrus growers in my area. He is not in my congressional district, but in a neighboring district. He operates throughout all the State of Florida.

This grower gives statistics which came from his payrolls. This is a direct answer to the gentleman from New York, who seemed to question the statement I made that workers do not want to work as much and they do not want to earn as much in Florida.

Let me give these figures taken right off the books of one of the biggest vegetable growers in the State of Florida.

In the 1964–65 celery season in Florida the average cost per crate—this is what is earned by the man who packs the crate—was 38.7 cents, and the average number of crates packed on a weekly basis was 106.9.

Now let us come to this season. The wage was boosted to 49.6 cents. Incidentally, that is a rise of about 25 percent in what the man earned per piece compared to last season. That is a substantial increase. But how much did the man pick? He picked, instead of 106.9 crates on a weekly average, only 90.3 crates, a decrease of 18 percent.

One might say that this does not make any sense, that a man should want to work less and not want to earn more. The reason is that many agricultural laborers, I do not say it is true of all, but it is true of a substantial number, have certain limited goals of money. They want only to work long enough to keep them in a certain low standard of living.

Sometimes in Florida cities, he earns this sum in a half week and then he quits for the rest of the week.

In a few documented cases, the worker is satisfied with 1 day's work.

Ofttimes, the worker will play the relief roll game, working a few days and then going on relief, unemployment rolls for the balance.

In other words, the more the pay is increased, the less work that is done.

Without question, so far as Florida agriculture workers are concerned, raising minimum wages will simply mean less work done by a certain percentage of low income workers.

Good workers will not be helped. Poor workers will be encouraged to do less.

Mr. Chairman, I wish to speak further, to certain parts of this very important bill, H.R. 13712, which affects the minimum wages of almost 37 million workers in this Nation, 7¼ million of whom will be brought under the Fair Labor Standards Act for the first time.

Of particular importance to my State of Florida, as well as many other States, are portions of the bill which affect agricultural workers, restaurant workers, and motel and hotel employees. I will speak to these portions at greater length shortly.

But at the outset, I think it appropriate to remark generally on the bill. All of us in this House are sympathetic to the problems of working men and women. We want them to earn adequate wages, in order that they may provide themselves with all of the things of life that are important to each one of us—adequate food, clothing, housing, with a little left over for the pleasures of life. It is to this general problem that this bill is directed.

In the case of many issues that come before the House of Representatives however, there is a grave question in the minds of many whether certain legislation will have the beneficial effects that the proponents claim will be derived.

Times change, social and economic patterns vary, but the effects of unnecessary Government meddling do not change. One of the basic rules of Government, which was so aptly expressed by both Jefferson and Lincoln, is that the best government is the least government. This is just as true today as it was a hundred or two hundred years ago in this Nation, or many hundreds of years ago in ancient civilizations.

So the question here surely is whether further Federal legislation in the field of minimum wages is necessary at this time, particularly as it affects certain industries.

Why is there a need for minimum wage legislation at this time? The reasons must necessarily be because people are not being paid enough. Or because employers are taking advantage of their workers, and paying them less than they are worth.

We should ask ourselves if this is the case.

If we are to believe the Johnson administration, if we are to believe the statistics constantly bombarding the Nation from the Departments of Labor and Commerce and Agriculture and others, they tell us that the Nation has never had it so good. Never have we been more prosperous. Never has there been a time of more employment. Never a time of less unemployment.

And the clincher here is the argument that the administration tells us again and again, never has there been a time when wages have been so high.

In fact, the constant fight between the administration and unions is that the unions want too much in wages, so the administration says. The President and his advisers plead, beg, and sometimes threaten that union leaders and their people stay within the 3.2 percent cost-of-living guidelines that the administration has set down. The union leaders do not like to live within these guidelines.

Yet here, when wages have never been higher and the guidelines, according to the administration, are 3.2 percent, we have a bill proposing to hike the minimum wages from $1.25 to $1.40 and then $1.60, an increase of 12 percent initially and then 14 percent or a total increase of 28 percent over the present $1.25.

This is a tremendous hike in a short time, and it is bound to do one thing, if nothing else. It will add fuel to the fires of inflation, which we are waging a nip-and-tuck struggle to control right now.

What are we thinking of here in time of war, with every manner of employer in this Nation complaining about shortage of labor, with wage and price ceilings rising like a hot-air balloon? What kind of judgment are we using here in the House of Representatives to further aggravate the situation in a drastic minimum wage bill?

I think the question is much more basic than some of the arguments I have heard here in the House the last 2 days. Proponents of the bill continue to run down and deride those who question the wisdom of increasing minimum wages at this time. They say that their opponents are people who constantly oppose everything, and are unfriendly to the workingman and his cause.

I should like to point out that it may be the proponents of this bill themselves, who are not the friends of the workingman. The bill proposes to help the worker on the lower end of the economic scale. This bill may actually hurt him.

The point has been made and substantiated by some of the most eminent economists in this Nation, that increasing minimum wages does not help the worker on the lower end of the economic scale, but results in his direct detriment and injury.

For example, Dr. James Tobin, the late President Kennedy's economic adviser, Dr. Arthur Burns, former head of President Eisenhower's Council of Economic Advisers, and Dr. Gottfried Haberler, economic professor at Harvard University, all have expressed opposition recently to minimum wage laws.

As Professor Tobin put it:

> People who lack the capacity to earn a decent living need to be helped, but they will not be helped by minimum wage laws, trade union wage pressures or other devices which seek to compel employers to pay them more than their work is worth. The more likely outcome of such regulations is that the intended beneficiaries are not employed at all.

It is an economic fact of life that all during the time that minimum wages have been increased, and there have been six such instances during the last approximately three decades—this bill will be a seventh minimum wage law, all during this time the proportion of unemployed among the unskilled workers, among teenagers, among females, and nonwhites, has been growing. For example, Professor Burns has pointed out in an analysis of this problem that the ratio of the unemployment rate of teenagers to that of male adults was invariably higher during the six months following an increase of minimum wage than it was in the preceding year.

As Professor Burns has put it in his own language:

> The board result of the substantial increase of the minimum wage in recent years has therefore been a curtailment of job opportunities for the less-skilled workers.

Professor Haberler of Harvard has expressed it in this language:

> Raising the minimum wage would thus be an irresponsible, anti-social measure, reducing job opportunities of the poor, promoting inflation and retarding growth.

I suggest to the House that the opinion of eminent economists such as these men cannot be taken lightly. None of these people could be classified as obstructionists, or diehard conservatives opposed to change in progress. I suggest that these men know considerably more about the problem than most of us do here in the House, for they have devoted their lives to the field of economics, the study of problems such as we have before us here in this minimum wage bill, and their advice has been sought by and given to Presidents of this Nation such as former Presidents Eisenhower and Kennedy.

Now, I am well aware of the fact that this minimum wage bill is going to pass, but I would fervently hope that the House of Representatives today will consider some amendments which will lessen the impact of this legislation upon employment in this country, and perhaps improve the bill and help out both the worker whose economic lot we are seeking to improve by this bill, as well as his employer, who provides the worker with the job by investing and risking his capital and his management ability.

Now let us talk specifically about two broad areas of coverage in the bill, where we are enacting minimum wage law for the first time, in the field of agriculture, and in the field of the restaurant and motel and hotel industries.

I talked specifically to these, because these areas are so important to the economy of the State of Florida where I come from. The tourist industry is the No. 1 industry of the State, and the restaurant and hotel and motel people make up a large part of the employers in this tourist industry. The second and most important industry in Florida in terms of dollar production is the great agricultural industry. This proposed legislation will have an enormous impact upon these industries, not only in Florida but all over the Nation.

I would expect that the arguments pro or con on the legislation so far as Florida is concerned and these particular industries are concerned would be applicable to other parts of the Nation.

In the past many weeks, in fact during almost the entire time of this session of Congress, I have talked with personally and corresponded with many people in both agriculture and the restaurant and hotel and motel industries, listening to their arguments and trying to personally acquaint myself with their problems.

I could give you example after example, all within my personal knowledge, of cases where I firmly and truly believe that the enactment of this bill under its present form will have an extreme adverse effect upon both workers and employers.

Let us take the agricultural industry first. During the last few years, the agricultural industry in Florida has been beset by labor problems. There are two basic factors involved. One is that the agricultural employer cannot find enough labor to make and to harvest his crop. The second problem is that he finds with each passing year that the labor which he is able to get is becoming less productive. Employer and employee relationships are deteriorating constantly with each passing year.

There is not the time here on the House floor in this debate to go into the many reasons why this is so. To put it in broad perspective, the reasons may be directly laid at the door of the Federal Department of Labor here in Washington. There has been constant interference with employer-employee relationship in the agricultural industry in Florida. There has been demand after demand made upon our farmers in Florida by the Department of Labor. I think it can be truly said that there has been a general reluctance on the part of the Federal Department of Labor to come to grips with and understand the problems of farmers in Florida.

May I say this also, that I do not make the point here that all agriculture employers are paragons of virtue. I expect that they have their faults and shortcomings as do all other segments of our society, and that there needs to be correction and upgrading of the attitudes and the methods used by employers. However, it does not seem to me as though they can be wrong all the time, and yet this seems to be the attitude taken by the Department of Labor.

The important thing to note here is that the wages paid in agriculture in Florida are excellent, and far exceed the minimum wages established by this bill.

For example, I have in my hand here a letter on the letterhead of the U.S. Department of Labor written by and signed by Willard Wirtz, the Secretary of Labor, dated March 16, 1966, which says this of the wages paid by the Florida citrus industry this year:

> Industry records show an average wage of $1.97 an hour; our own audits of citrus payrolls show a slightly higher figure. The indications are that less than 10% of the workers at any one time made less than the old minimum of $1.15.

Here we have an actual communication of the Secretary of Labor expressing satisfaction with the good job the Florida citrus industry was doing in paying wages.

Wages are also high in other fields of agriculture in Florida. The other big segment of the agricultural industry of Florida is the truck-garden and vegetable growing field. Here wages have continually gone up in recent years and are today on the whole, meeting minimum standards set by the U.S. Department of Labor.

Now one might make the point, well, if the wages being paid in the agriculture field in Florida are higher than the minimum wages called for by this bill, what worry do the farmers have if they pass the legislation.

There are always a certain percentage of workers in the agricultural field that are marginal workers. These people for lack of ability, either in the intelligence that the good Lord gave them, or because they are physically handicapped, are unable to meet a minimum wage and produce the necessary amount of work to earn the minimum wage. There are other workers who just plain are not motivated to work. They are either lazy or they just do not care. These people are employable at rates less than the minimum wage, and it is far better that they be employed at gainful work than on relief.

But what is certainly going to happen, if this minimum wage bill passes in its present form, is that many of these workers are going to have to be laid off, for the farmer just cannot afford to carry them at the minimum wage proposed in the bill.

There is another factor here which is very important and that is that there are workers in the agricultural areas of Florida that only want to earn a certain amount of money, regardles of how much inducement in the way of wages is offered to them. I have statistics from payrolls from Florida agricultural employers, which prove conclusively that as wages go up, worker productivity goes down. The worker has a certain goal in mind, a dollar figure that he wants to earn, to provide himself with the necessities of life. When he earns that figure, he will not work any more. There have been instances where workers, excellent workers under piece rate pay in Florida, have earned sufficient in 1 day to satisfy their needs for the rest of the week, and they only work 1 day. There is a very considerable percentage of workers who work for approximately a half a week, 3 or 4 days, and then loaf for the rest of the time, or go on relief for the balance of the week.

If we bring up the minimum wage rates as far as these workers are concerned, then we are going to have a lot more of that.

There are two other points that I want to make in this argument. We have had very serious agricultural losses in Florida in recent years, because of the very bad labor situation. Again and again, our growers have suffered severe crop losses. I have here in my hand case after case, documented from the books of the particular farmers, which show enormous acreage and dollar loss, because of an inability to get adequate workers at harvest time.

There are also many instances, and I have again case after case well documented, that many employers have cut back their acreage and proposed to cut it back further in future crop years, in order to hedge against further economic loss.

There is also concrete evidence that some of our agricultural activities are moving south of the border, down Latin America way, in order to hedge against the labor situation here in the United States.

It is entirely within the realm of possibility that, if we do not drastically improve the agricultural labor situation in this country, over the long pull we may lose a major portion of our fruit and vegetable industry in this country to Latin America.

Now there will be amendments offered here in the House to exempt agriculture entirely from the effects of this legislation. I would earnestly urge the House to support such an amendment.

It occurs to me that there is ample evidence, certainly in the agriculture industry in Florida, that agriculture is more than meeting the minimum wages set down in this bill, where there are agricultural workers who are willing to work and produce and to earn a decent wage. There is also ample evidence in our agriculture in Florida that there is a certain percentage of workers who are not able in one way or another to do sufficient work to earn a minimum wage. Now, these people are going to get hurt, and hurt badly, if this bill passes in its present form.

If the House does not see in its wisdom the way to exempt agriculture entirely, then I hope the House would support any amendments offered that would water down the present coverage contemplated under this legislation.

Now, let us turn to another segment of new worker coverage under this bill and that is the restaurant and motel and hotel industries. As in the case of agriculture, here we have a very special-type service industry, which is not at all comparable to the average industry and factory worker condition.

The arguments have been aired here in the House at great length heretofore, and I do not intend to repeat them. There are many factors which differentiate these people from those in industry. Their work hours are different. Many of them receive substantial income from tips and, while I recognize that that feature of their income is going to be recognized to some extent in this legislation, it still ponts out a marked difference in their kind of employment from that of industry employment. There are a great many fringe benefits in connection with their employment. Some of them are furnished their meals, a very substantial part of their economic and benefit. Some of them are furnished uniforms, and hence save on work clothing. Some of them are furnished shelter, as in the case of the hotel business. Their situation is entirely different from that of the ordinary worker.

It is also a fact that many of the employers in these industries today are hard pressed to make a decent living on their capital investment and the amount of time and energy they devote to their business. In Florida, and that is true in many other parts of the country, this is a seasonal business. It is not an all-year-round business where the employer can depend on week after week of substantially the same income. He has periods of good profit, but also periods of very severe loss.

I have talked to a good many people in these industries, and I have found that many a sound operation today is returning the owner no more than a minimum amount of profit on the amount of capital he has invested and the time he devotes to his business. If we boost the minimum wages of his employees, there is no question that he will have to drastically revise his operation in order to make it worth his while to continue in business. He will have two ways of doing this. He will have to pass the wage increase along to his customers in the form of higher food and meal prices in the case of the restaurant dealers, and higher motel room prices in the case of the hotels and motels, and also their allied restaurants, of course. This will contribute directly to the inflation danger we have in the country.

Or he will have to resort to another means of balancing his books and keeping some kind of a profit to himself, and that will be to reduce his work force and to eliminate the marginal workers that simply cannot row their oar in the particular boat at the minimum wages set out in this bill.

I expect that a combination of these two facts will be used. Again, I fully realize that the House will probably enact this legislation with the restaurant and hotel and motel coverage, despite any argument that I or anybody else might offer here. However, I do suggest to the House that it would be wise to take it a little easier on these people, and give them a little better break in adjusting themselves to the drastic economic effects of this act.

I am sure that even those in this House who wholeheartedly favor this bill in all of its aspects, certainly fervently desire that the bill will work, and want the bill to work in all of its aspects just as effectively as possible. I am sure also that the proponents of the bill have some misgivings about whether the bill will do all that it is designed to do. I am sure that they realize that the employers may well have some sound arguments, and that the bill may have disastrous economic effects upon some employers and also adverse economic effects upon some of the employees who are in the lower economic scale.

Why would it not be a much more sensible thing then, to go a little slow here and give a little better chance for these restaurant and motel and hotel people to work out the problems they are certainly going to have with this act.

My suggestion is this: The restaurant and motel and hotel people are newly covered under the act, just as the agricultural workers are. They are in a special category of employers-employees. Their situation is vastly different from the average industry worker. I think it would be eminently fair if these people were given the same advantages and coverage under the bill as the agricultural workers. Let us put it another way. These industries have traditionally been exempted since the minimum wage law was first enacted in 1938, and there was an excellent reason why they were. These reasons still exist. Therefore, when we are taking the first step in minimum wage coverage here today as far as these industries are concerned, why should not they have the same minimum wage coverage as do the people in agriculture. So when the appropriate time comes, I intend to offer an amendment which would make their minimum wage coverage correspond exactly with the agricultural workers'; $1 an hour to begin with, $1.15 the second year, and $1.30 thereafter.

The Nation has been doing pretty well in the restaurant and the hotel and motel industries for many long years. It has been doing pretty well without any minimum wage coverage at all since we first got minimum wages in 1938. What is wrong with starting minimum wages off in this field in a way which is designed to give a little more time and a little more leeway here to see exactly how this minimum wage is going to work so far as these people are concerned.

Now, I am not asking that they be excluded. I am simply asking that we use a little commonsense here and get this thing started off in a manner that may perhaps have a better chance of working. There is not any question that we are going to revise this minimum wage law again sometime. We have enacted 7 minimum wage laws since 1938, and we will enact 7, 17, and 27 more over the long years ahead. There is plenty of time to examine how minimum wages are affecting the restaurant and the motel and hotel industries the next time minimum wage comes up for review.

I would urge the House to exercise a little commonsense here and support my amendment.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. GURNEY. Mr. Chairman, I ask unanimous consent to proceed for an additional 2 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

Mr. RACE. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mrs. MINK. Mr. Chairman, I rise in opposition to the amendment and move to strike the requisite number of words.

Mr. Chairman and Members of the House, I believe one of the really significant recommendations which the committee has brought before the House is an attempt to bring up the level of wages and the opportunity for a decent living to the agricultural workers of this country.

The amendment has been proposed to completely eliminate coverage for all farmworkers. I dare say there is no one in this Chamber today who would deny that the worker in America who suffers the lowest income in this country is indeed the farmworker.

If we are to make progress and to say that we believe in the eradication of poverty in this country, then we must surely look to the lowest rung of workers in this country, who are the farm laborers. We heard considerable testimony and heard from all sides on this argument. It was the considered opinion of the committee that the recommendation which we have brought before this body is a fair one and takes into consideration some of the desperate problems our farmers are having throughout this country.

It think it is important to bear in mind the philosophy which is encompassed in our bill which is the same philosophy with which we approached legislation years ago in establishing an exemption for enterprise in the retail and service business. This is the same approach that we applied to our farmers. We said that a farm that does not employ 500 man-days in any calendar quarter or in excess thereof of labor would not be covered by the minimum wage provisions of our bill.

We further said not only the 500 man-days would be an exemption but for the purposes of counting 500 man-days there would be certain individuals who would not be counted in order to arrive at that figure, either. This included the hand harvesting piecework employees who commute daily from their residences and did not work more than 13 weeks.

When we put this provision into our bill providing for coverage by minimum wage of our farmers we exempted the vast majority of the farms across this country. As a matter of fact, the committee report indicates only 485,000 workers will in fact be covered. Of those 485,000 only 44 percent or 213,000 actually earn less than $1 an hour. So that is the total coverage of the bill we are now considering before this Committee which the gentleman is offering to amend and remove entirely from the coverage of this act.

Mr. BELL. Mr. Chairman, will the gentlewoman yield?

Mrs. MINK. I yield to the gentleman from California.

Mr. BELL. An increase in the minimum wage to $1.25 would mean an increase per unit of not more than 1 cent per unit of product.

Mrs. MINK. That is correct. I am grateful for the gentleman's contribution. I think I have a small personal offering in this area. My own State of Hawaii covered all workers in every category with a minimum wage of $1.25. Has this destroyed our economy which is basically agriculture? It has not. As a matter of fact, the current worker in agriculture today in sugar and pineapples is currently earning $2.80 an hour. We still have a very competitive and a very viable economic situation in my State. I think it is very important that we appreciate the report that was prepared for the Congress by the Library of Congress pointing out the fact that not only do 4 States already cover agricultural workers, but with reference to the migratory worker that the Secretary of Labor last year, in April 1965, found for foreign contract workers the requirement in 28 States would be in excess of $1 an hour. As a matter of fact, it is $1.15 throughout the States of Arkansas, Florida, New Mexico, Texas, Virginia, and West Virginia. It is $1.25 for Arizona, Indiana, Maine, Michigan, and Wyoming. It is $1.30 in Colorado, Massachusetts, New Hampshire, New Jersey, New York, Oregon, Rhode Island, Vermont, and Wisconsin. It is $1.40 for a higher category. If this country and the farm industry of this country can support the foreign migrant workers at these minimum wages, then I think it is imperative that we give this same opportunity for a decent living to all of our American workers currently working on our farms in this country.

Mr. GLENN ANDREWS. Mr. Chairman, I move to strike the requisite number of words.

Mr. MARTIN of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. GLENN ANDREWS. I yield to the gentleman from Nebraska.

Mr. MARTIN of Nebraska. I thank the gentleman from Alabama.

Mr. Chairman, I would like to call attention to a couple of statements made by the two gentlewomen who have spoken in the last few moments to the attention of the committee.

First of all, I call attention to the Farm Labor Statistical Reporting Service which is put out by the U.S. Department of Agriculture. It is dated April 11. It shows that the average farmworker in the Pacific area, which I believe includes the State of the gentlewoman from Hawaii, is $1.49 an hour. This was issued on April 11.

In reply to the gentlewoman from Oregon [Mrs. GREEN], I should like to read the average farm wages reported in these statistics for New England.

The average farm wage is $1.40.

For the Middle Atlantic States it is $1.29. For the East-North Central States, it is $1.28. For the West-North Central States it is $1.25. For the South Atlantic it is $0.98. For the East-South Central States it is $0.83. For the West Central States it is $0.98. For the Mountain States it is $1.22, and for the Pacific States it is $1.49.

Mr. Chairman, these statistics are published by the Department of Agriculture.

Now, Mr. Chairman, I would like to call to the attention of the committee one other misstatement that I believe was made a few moments ago by the gentleman from California when he referred to the fact that he thought there was an exemption for a farmer unless he had seven or less employees and that he did not come under the provisions of this bill. That is not true, Mr. Chairman, because the only reference in the bill to an exemption is 500 man-days or 500 working days per calendar quarter on the farm. You can have apples to pick or you can have sugarbeets to weed and thin or whatever might be involved where seasonal workers are brought in, and if you have 25 employees on that farm, 20 days, you are utilizing your entire 500 man-days per quarter and then your farm is going to be under the coverage for the following year, even though you might have only one permanent employee.

Now, Mr. Chairman, I would like to bring out another fact. There has been reference made here today to the effect that this is going to cover 485,000 farmworkers in the United States.

The language contained in the bill which was introduced by the gentleman from California, Mr. Roosevelt, and reported last September stated that it was going to cover 1.3 million farmworkers. There is a great difference in the coverage between the Roosevelt bill and the Dent bill.

Mr. Chairman, I have here a copy of the Farm Survey which was made in order to make this determination. This survey was taken in 1965 and requested information from the farmer in regard to the week of May 16 to May 22, 1964, which is not a peak week in employment in agriculture.

So, Mr. Chairman, those are the figures upon which this is based. The enumerators went around asking questions of the farmers. For instance, here is question No. 10:

> About how much was the total cash wages paid to all farmworkers on this place during the 3-month period?

And then they have the four different quarters of the year listed.

Then there is a little note to the enumerator to this effect: "If the total of items 10(a), 10(b), 10(c), and 10(d) and so forth, does not agree with the total in item 9, review the answers in item 9 and 10 so you come out in balance."

It says, "You will note about how many employees or about how much in cash wages were paid."

Then, Mr. Chairman, they took the total cash wages—this was not taken off his income tax report, but just from memory—they took what the Department figures is the average farm wage in the particular State, divided the average wage by the total amount of money that was reported as spent for wages, and said, "Well, he has so many employees."

They only took the survey on a very small number of farms. In the entire country out of 3.4 million, only a very few were taken in the various areas of the country.

Now I ask you. Is that an accurate way to make a survey—and come in with figures that 485,000 farmers are going to be covered?

Mr. ABBITT. Mr. Chairman, I move to strike out the last word and rise in support of the amendment.

Mr. Chairman, I am supporting Congressman DAVE MARTIN's amendment to H.R. 13712—amendments to Fair Labor Standards Act. His is a most important amendment.

I represent one of the great sections of Virginia where agriculture is one of the major source of income and employment.

The aspect of the proposed coverage of farmworkers which concerns me most is the effect upon small farmers.

My district of southern Virginia is one in which there are large numbers of small farmers—growing tobacco and peanuts, fruits, vegetables, and producers of dairy products.

Although they are small farmers most of those producing the commodities I have visited have a sizable farm labor bill.

The proposed coverage of farmworkers by minimum wage legislation would provide a major incentive toward combining small farms into larger units so that they may accomplish the reduction in labor costs that are made possible by the adaption of mechanization and other labor saving equipment and procedures.

Small farms cannot ordinarily do this. Mechanization is an expensive process. Small farmers do not have the necessary volume of production to spread the costs of machine operation on an economic basis. Nor can small farmers usually acquire the necessary capital to convert to machine operation.

This reorganization of agricultural production is not, of course, all bad. It is going ahead gradually in many areas. In most cases the adjustment can be made gradually. As elderly people retire or pass on, it is common for their land to be acquired by a neighbor. But to artificially stimulate this process means that many small farmers will be forced out of production at an accelerated pace. The adjustment will be accompanied by hardship that would otherwise be unnecessary.

The hardship will be felt not only by many small farmers, but by much of the local people whom they employ. It will be reflected on the small community and on many small businesses as the number of people in rural areas declines.

It is no answer to say that this will happen anyhow. It makes a lot of difference to a lot of people if this change is permitted to occur gradually by a process of individual adjustment, or whether it is forced on a crash basis as the result of Federal minimum wage laws.

I just do not know what is going to happen to the people who are disemployed as a result of this and other features of the bill under consideration.

But I think it is clear that the population of my district will be reduced, and that many of the people in my area will be forced to move to other areas if this amendment is not accepted.

I urge the House to accept this amendment.

Mr. DENT. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman and Members, if you do this, I would recommend that you defeat the bill.

If you do this, I recommend that you defeat the bill. If in this year of our Lord, this House of Representatives wants to reclassify the American worker who has to earn his living on a farm, back into those days of the dark dungeons of coal mining when a mine worker could not hold his head up in the community because no matter what he did there was no opportunity for him to provide for his family or even to provide for the bare necessities of life.

Any of you who have ever lived near a farm or who have worked on a farm, if you can vote for this, then you can honestly say to yourselves, This that I do today, I do in bad conscience.

Mr. Chairman, I hold a letter here in my hand, something that I am prouder of than anything I have ever received in all my 34 years as a legislator.

This letter comes from the Pennsylvania Council of Churches. I want to read it to the membership:

THE PENNSYLVANIA COUNCIL
OF CHURCHES,
Harrisburg, Pa., April 21, 1966.

The Honorable JOHN H. DENT,
Linden Drive,
Jeannette, Pa.

DEAR CONGRESSMAN DENT: I am addressing you, on behalf of the Legislative Committee of the Pennsylvania Council of Churches, regarding H.R. 13712 (The Dent Bill on Minimum Wage).

We feel this bill is an important step toward providing economic dignity for a larger segment of the Nation's workers and are pleased, especially, to note that 465,000 farm workers are to be included in H.R. 13712. *We hope you will support this bill in its present form.*

The Legislative Committee of the Pennsylvania Council of Churches consists of delegates from the 37 conferences, dioceses, elderships and synods of 16 major Protestant denominations within the Commonwealth of Pennsylvania. The church members within these groups exceed 3,000,000. We feel we speak for them in supporting H.R. 13712.

Sincerely yours,

RODERICK J. WAGNER.

P.S.—Thank you for what you've done thus far. R.J.W.

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman.

Mr. BOGGS. Will the gentleman from Pennsylvania explain to the House the great amount of time and effort that he has spent to work out this provision. This provision is a compromise and I know that the gentleman from Pennsylvania [Mr. DENT] has worked very hard on this and I think the Congress would be interested if the gentleman will tell the Members what the subcommittee did.

Mr. DENT. In a sense the bill covers approximately 1.6 percent of all the farms in the United States of America. But to prove that there has been a move toward the corporate entity in farming, while we only cover 1.6 percent of the farms, we do cover 39 percent of all the hired hands on the farms. Can any person here honestly say that the large farms in this Nation operating on a more than 500 man-day quarter and which have to have a minimum income of $500,000 and have to employ seven men or more—can any person here honestly say that that kind of operation is a small farm operation?

If the plea of my friend, the gentleman from Nebraska, is that we are injuring the small farm, then how can we be exempting 98.4 percent of all the farms in the United States? In fact, what I am ashamed of is the fact that I have not had the courage to do the job that has to be done so that the people who work on the farms of America can make a decent living and that because of political expediency, we have to give just this token coverage to these individuals.

Yet to find men on this floor—and I hope that no women can be counted in this endeavor, because I think their hearts are gentler when it comes to economic measurement against the needs of the people—to find men in this room, whether we voted for the measure we know that no one is denying his $30,000 a year, saying that an individual has to work for 30 cents an hour on the farms of the United States is beyond me.

Mr. STRATTON. Mr. Chairman, I rise in support of the amendment.

I find it interesting that those particularly who represent urban areas in this body are always experts when it comes to the farm. I represent one of the largest, if not the largest, farm area in New York State, and one of the largest dairy areas in the country. And I rise in support of this amendment, in spite of the fact that I think when it comes to voting to deal with the problem of poverty, when it comes to supporting the causes of working men and women in this country, I can put my record in this body during the last 8 years I have had the honor of serving in this body along with that of any Member who may be opposed to this amendment.

But I think that in representing a farm district I have a little better idea of what our farmers are facing than some of those who are talking so glibly about covering farms and farm employees in this legislation.

In the first place, the farmer himself is not covered under any minimum wage legislation. Farmers do not work on a 9-to-5 schedule. They work even longer hours than most Members of Congress work. I think someone figured up the other day that when you take into account all the hours that a farmer works and then take into account the dollar amount of his investment, many are lucky to end up with something like 42 or 45 cents per hour they put in on their own farms.

Second, there seems to be an impression that the farmers of this country have been getting rich in a hurry. And there seems to have been an impression created lately that the farmers of the country are also mostly responsible for the inflation we have been threatened with in recent months. Why even the Secretary of Agriculture cheered the other day when the return to the farmer on certain products went down in the marketplace. And the Secretary of Defense, no less, a man whom I have frequently supported in this body, dealt the dairy farmers of my district a very heavy blow when he issued an order denying butter in the daily ration of members of the Army and the Air Force. The fact is that our farmers are not getting rich. The fact is they have been very badly hurt by the past 4 years of drought. Many of them have already been forced out of business. I certainly do not want to do anything that will put even more of them out of business.

And it is also a fact that farmers in New York State and other parts of the country are not paying starvation wages. A fellow who works on a farm can also go into Syracuse, Rochester or Schenectady today and get an industrial job. Our farmers still have to compete for labor with that kind of thing.

Yet, as the gentleman from Pennsylvania plainly acknowledged just a moment ago, this bill is just a foot in the door. He apologized that it did not go nearly far enough in covering agricultural employees. Maybe this bill does not affect most farmers in New York State. But look what has already happened to the million-dollar retail store exemption which was written into law a few years ago. We will be escalating the coverage of our farmers very soon if we keep them in this bill. And if we bring farms into this bill, look at the burden of regulation and paperwork our farmers will be saddled with. They will have to determine how many man-days have been worked. They will have to determine how many people commute, and how many miles to work, how many youngsters under 21 or over 21 are working. Yes, our farmers, if this amendment is defeated, are going to be even more heavily saddled with Government redtape and increased costs, and more of them will go out of business than have gone out of business already.

I think we ought to stick with the philosophy we have already been following, and recognize the special and unique circumstances of the farmer. Let us not make agriculture bear an unfair share of the burden of the economic problems we face today.

Mr. Chairman, I urge the adoption of the amendment.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. DENT] is recognized.

Mr. DENT. Mr. Chairman, I only want to be recognized for a special unanimous-consent request.

I would like to know if we can arrive at some kind of decision on a limitation of time on this particular amendment and any amendment thereto.

I see so many Members standing that I will not make my request.

Mr. WHITTEN. Mr. Chairman, I rise in support of the amendment, and move to strike the requisite number of words.

Mr. Chairman, no one—and certainly not I—would question the good intentions of the proponents of this section of the bill. Unfortunately, as the saying goes, one cannot get blood out of a turnip. The record shows that American agriculture is losing about 800,000 farmers a year, who are getting out of agriculture because of the pressures they now face in high costs and low returns. I hope some of the Members have with them the volumes of hearings by the Agriculture Appropriations Subcommittee and will look at page 655 of volume 3 of our hearings. We had a study made just to see what the results of the labor policies of this Government have been and what the effects are on American production, and upon the consumer.

We have had a little experience in the fixing of rates beyond the ability of the producer to pay because under the last law having to do with farm labor coming into this country, I believe, the Secretary of Labor had the right to set wages. At that time he set rates which caused many small producers to pay more than the traffic would bear. Today, Heinz 57, and Campbell's, and many other food processors are now operating in Mexico, taking advantage of cheap Mexican labor. The production coming into the United States has increased in some cases more than twentyfold in the last 10 years.

Most of this production comes in with a Texas name on it, or the name of some other border State, but it is produced in Mexico. Instead of giving more work at higher pay to the American farm workers, as the proponents envisage, the money is going to the adjoining areas, to other countries, and our people are getting out of the farm business, though some are making it by substituting machinery for labor.

Here is the problem: You may say if we get cheaper tomatoes, cheaper asparagus, and cheaper onions, and other perishable commodities, particularly those from Mexico, the American consumer will profit thereby. This is not usually true. There is a flooded market for a period, and there is an absence of any supply at other times. In the year before last, for a period of time, tomatoes could not be bought in Washington, D.C., in any of the large chain stores. Since our system calls for selling at the price the traffic will bear, frequently low foreign labor costs are not passed on to the consumer.

Throughout this bill there is evidence of good intention on the part of my friend from Pennsylvania and others to see that our people have a fair income. That is a worthy objective; but, my friends, it is frequently not possible to get a fair income out of a small business, and no way when such business does not make it. All you do is put the small operator out of business, or larger business operating on a small margin, can be closed down as a result of many of the provisions of this bill.

Your good intentions are not enough. Since pressure for this bill comes from areas that pay more than the minimum wage, such fact indicates that the real desire of many is to retard or stop the industrial development of my section and other similar sections of the United States. Certainly, we would like to see all persons make good salaries of wages. It is my opinion that further development, with more industries, will come nearer bringing that condition about in my section than will efforts to force, by law, payments based upon a return that the business itself does not have. Such a law will not bring that return to the worker. It can put the operator out of business; as our report shows, the business frequently merely goes across the border. The consumer pays more in the long run because supply is intermittent and unreliable

I would like to point out some of the facts concerning the American agricultural producer, as set forth in our recent committee report:

AGRICULTURAL APPROPRIATIONS 1967

FARMING NO LONGER ATTRACTIVE

The number of agricultural producers providing food and fiber for our rapidly expanding population continues to decline and is now down to about 7 percent of the people in this country. Trained and experienced farm labor is in increasingly short supply.

Long hours of hard work, more rigorous living conditions, hazards of weather, threats from insects and diseases, increasing financial risks, and decreasing financial returns, are causing farming to become less and less attractive to each succeeding generation of young people. Fewer and fewer farm children are returning to farming as a career. More and more of their parents are moving to "greener pastures" in town as the monetary return for their labor, investment, and managerial skills decreases on the farm.

As a business venture, farming is becoming less attractive as the necessary farm investment increases and the net return on the investment decreases. Figures from the Department of Agriculture show that average farm investment has increased nearly tenfold in the past 25 years, from $6,158 in 1940 to $59,519 in 1965. They also indicate that the average return on farm investment, including the value of the farmer's own labor and management skills, has dropped about 40 percent during this period, from 14.2 percent in 1940 to 8.6 percent in 1965.

It is entirely understandable, therefore, why fewer and fewer people are remaining on the Nation's farms, and why some 7 percent of our population on the farms is now feeding the 93 percent of urban dwellers in addition to themselves. This undesirable imbalance can be expected to be further aggravated as movement away from agriculture continues.

According to Department figures, an average of nearly 800,000 people have left the farms in each of the last 5 years. The farm population has decreased to about 12.5 million today, compared to double that number in 1950. The 1959 census, the latest official data available, shows that some 17 percent of all farmers in the United States were 65 or older. An additional 22 percent were 55 to 64 years of age. By 1970, it is estimated that nearly half of the farmers will be 55 years of age or over.

The trend away from the farm is also evidenced by the steadily decreasing amount of land used for agricultural production. The total land planted to crops in 1950 was 353 million acres as compared to 307 million acres in 1965, a reduction of 13 percent.

Mr. HAGEN of California. Mr. Chairman, I rise in opposition to the amendment, and move to strike the requisite number of words.

Mr. Chairman and Members of the Committee, I might say I represent the most productive agricultural district in the United States. I rise in opposition to this amendment.

I want to talk to those who represent farm areas. The situation is building up in the farm areas of the country, where there needs to be some device to provide a fair wage for a fair hour's work for a farmworker. I say to the farm area Representatives that the alternatives are worse than the provision contained in this bill, because unless something is done to upgrade farm wages throughout the Nation, farmers will be confronted with increased union activity to secure the same result.

One way to avoid that, in my judgment—because the importation of supplemental labor from abroad is over, in my judgment—is to pay a decent wage and to attract people into the farm labor establishment. Believe me, that needs to be done. This is one way to do it. In saying this, I say, in the main, farm wages in California are fair and reasonable.

I believe the figures established by this bill for farm labor are fair and reasonable, and any farmer worthy of the name can afford to pay $1.40 an hour for a fair hour's work—certainly at least as much as is provided in this bill—most farmers can pay that much, and with the exception of a few chiselers want to pay that amount. The minimum is aimed at the potentially unfair employers and not the majority of fair farmers.

I shall offer an amendment at a later time in this debate to provide that this minimum may be calculated on an average crew return on a piece-rate basis which is best suited for applying minimum wages to farm employment.

Mr. OLSON of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. I yield to the gentleman from Minnesota.

Mr. OLSON of Minnesota. I join in opposition to the amendment. I, too, represent a farm district. I wish to say to the Members of the House that the farmers are not quite as naive as some critics may think they are. The farmers in my district are worried about the figures showing the growth of corporate agriculture brought out by the gentleman from Pennsylvania [Mr. DENT], and the gentlewoman from Hawaii [Mrs. MINK]. Corporate agriculture is a threat to the family farmer, and my family farmers are thankful something is being done about it. I believe the exemptions offered in this bill are more than adequate for family farmers. The sod man-days are equal to almost two full-time hired men for a full year. Farmers whose operations are bigger than this are going to offer unfair competition to family farmers if they are not required to pay a fair, minimum wage.

Mr. BURTON of California. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. I yield to the gentleman from California.

Mr. BURTON of California. I should like to commend my distinguished colleague from California. I am sure he is aware of the fact that in California, which has the highest income from agriculture of any of the 50 States, there are only 11,000 farmers who will be affected by the provisions of this bill. I cite as the source of that statement the department of employment third-quarter figures. That is the highest quarter of agricultural employment. This is dated May 18, 1966, and it describes that some 11,000 California farmers are employing, I might add, 262,000 of the some 400,000-plus due to be covered in the bill before us; and those 11,000 farmers would be subject to the provisions of this act.

I knew my colleague was aware of these facts. This spells out the moderate nature of the committee proposal with reference to extending farm labor coverage to the farm workers of this country.

Mr. GUBSER. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. I yield to the gentleman from California.

Mr. GUBSER. As a representative of a major farm producing area and as a farmer I should like to join with the gentleman in his opposition to this amendment. I believe this bill will be in the long range best interests of farmers and agricultural employees.

At a later time I hope to offer an amendment which will extend this even further than the pending bill.

Mr. HAGEN of California. I thank the gentleman.

Mr. BELL. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. I yield to the gentleman from California.

Mr. BELL. California gets competition from Mexico, as stated by the gentleman from Mississippi. I should like to point out that California consistently has paid higher wages and has had higher employment in agriculture, despite that competition.

Mr. HAGEN of California. Mr. Chairman, I wish to say that part of the problem of the farmers has been getting good quality labor. The only way to get good quality labor is to pay fair and decent wages. That is the way to get production. That is what we have discovered in California.

For a while we relied on the foreign import program. This is a thing of the past, in my judgment, in any part of the country.

Unless something is done to improve the attractiveness of the farm labor situation, I submit to those who represent farm areas unless we correct existent low farm wages situation, the farmer either will not get labor or he will get it on terms he cannot accept at all. A legislated minimum wage is the least dangerous way to do it so far as the income and the welfare of the farmer is concerned. I believe the terms proposed in this bill are acceptable.

Mr. AYRES. Mr. Chairman, I move to strike the requisite number of words.

Mr. GURNEY. Mr. Chairman, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from Florida.

Mr. GURNEY. It seems to me that we have missed a certain fundamental point here. I do not believe anybody in the House of Representatives is opposed to paying a farm laborer a decent wage. I believe the points which the gentleman from California just made in the well indeed are excellent.

He has made the point that farmers must wake up to the economic facts of life and make living conditions for their employees good. He is eminently correct about that. As a matter of fact, our farmers in Florida follow that precise principle. We have been upgrading our farm labor, its working conditions, and its wages. As I pointed out a short time ago here, the average wage in our citrus industry in Florida is $1.97 an hour. But at the same time it seems to me we have two basic problems here. This bill is not going to have any effect on the average wage that a good farmworker is going to make. I think a lot of people in this House are under the impression it is. It does not have anything to do with that. What it is going to do is set a minimum wage. It will affect the bottom of the economic scale. It is going to pick up, if it is passed, the small percent of workers that are being paid a lesser amount than the minimum wage in the bill. But what is this going to do? There is not any question of the fact that in Florida it is going to force some people in this marginal area out of work. I would like to point out to the House of Representatives that I do not think this is an argument purely and simply between city people and farm people or between liberals and conservatives. I read an interesting article in Newsweek magazine a short time ago, which is not noted for being a conservative magazine, written by Henry Hazlitt, on the whole problem of the minimum wage. He quotes in the article in the issue of April 11, 1966, Dr. Burns, who was formerly the chief economic adviser for President Eisenhower; Dr. Tobin, who was the economic adviser for President Kennedy; and Dr. Haberler, of Harvard, a noted economics professor at Harvard University. He says they have all made the point in recent days that minimum wage laws defeat their purposes. Let me read what one of them says here:

Professor Burns says:

> The broad result of the substantial increase of the minimum wage in recent years has therefore been a curtailment of job opportunities for the less skilled workers.

As Professor Tobin has put it:

> People who lack the capacity to earn a decent living need to be helped, but they will not be helped by minimum-wage laws, trade-union wage pressures, or other devices which seek to compel employers to pay them more than their work is worth. The more likely outcome of such regulations is that the intended beneficiaries are not employed at all.

Professor Haberler concludes that:

> Raising the minimum wage would thus be an irresponsible antisocial measure, reducing job opportunities of the poor, promoting inflation and retarding growth.

That is what we are talking about. When we enact this minimum wage law insofar as it applies to agricultural workers we are not going to increase the wages of the workers that work well on the farm today. These wages are generally fair and good. The gentleman from Nebraska read some statistics right out of the Department of Labor that it was so. What we are going to do is to deny jobs to those people that need them desperately now. That is going to be the ultimate effect of this bill. I hope the House will support the amendment.

Mr. MARTIN of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from Nebraska.

Mr. MARTIN of Nebraska. Thank you. I would like to call your attention to a letter I received from the Northwest Horticultural Council that represents fruitgrowers and shippers in Oregon and Washington in regard to my minority views in which I stated I would propose an amendment to strike the entire agricultural section. Let me quote very quickly from this letter:

> I have read with interest the individual views expressed by you in the report to accompany H.R. 13712, the Fair Labor Standards amendments of 1966. This Council which represents the fruit growers and shippers of Washington and Oregon is in complete agreement with the views expressed by you.

One other point I would like to make, because this has not been brought up. Here is H.R. 8260, the bill introduced by Mr. Roosevelt, former chairman of this subcommittee, and introduced a year ago after the President's message was received in respect to labor. There was no agricultural coverage included in the administration bill nor is there any reference to it in the President's message to the Congress.

Mr. WILLIAM D. FORD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment.

Mr. CALLAN. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM D. FORD. I yield to the gentleman from Nebraska.

Mr. CALLAN. Mr. Chairman, from time to time when legislation comes up that will ultimately affect our State and our people, oftentimes I confer with the University of Nebraska in an effort to determine what the thinking of the representatives of the university might be. On this particular minimum wage bill I asked the agricultural economics department to give me an opinion as to what the minimum wage for agriculture would do. I would like to quote some of the things that they said:

> 1. Only by direct action of Government can this large group of unorganized laborers acquire any kind of bargaining power.
>
> 2. This group of people spend virtually all of their income for consumer goods and services, which action must eventually stimulate the economy and increase employment generally.
>
> 3. The argument that high wages induce mechanization fails to recognize the fact that the strengthening force toward mechanization is the unavailability of qualified labor, not its cost.

I feel, Mr. Chairman, that item No. 4 is of particular significance:

> 4. Family farms who by definition provide at least half of the laborers for the operation of their farms, can in the long run receive labor incomes no higher than the wage paid on the large non-family farms. This assumes that other costs and returned relationships are comparable.
>
> 5. The inclusion of only those farms having seven or more fulltime employees (which constitutes only about 2 percent of the farms and receive 40 percent of the hired farm laborers) still leaves a large number of farms larger than family-sized farms still not affected.
>
> In summary, it is our conclusion that the proposed legislation which would increase the level of minimum wages and broaden the coverage of minimum wage laws would be beneficial to the family-sized farms in the United States and the economy in general.

Mr. Chairman, with this point I cannot join my colleague, the gentleman from Nebraska [Mr. Martin] on this amendment, and I urge its rejection.

Mr. RESNICK. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM D. FORD. I yield to the gentleman from New York.

Mr. RESNICK. Mr. Chairman, I would like to point out to all of the Members from the Northeast and from the city what this legislation means to them.

For one thing, Mr. Chairman, it means that the farmers of the Northeast can compete fairly with the farmers from the rest of the country.

Now, Mr. Chairman, we have poultry farmers in our part of the country. Our farmers pay anywhere from $1.25 to $1.75 an hour for help.

I ask you how can they compete with the poultry farmers in Mississippi who pay $3 a day for a 10-hour day?

Also, Mr. Chairman, I would like to point out to the Members who come from the city, how can your factories sell anything to the man who is making $1 an hour?

I say, Mr. Chairman, if we do not pass this legislation, we will see a shortage of farm labor and it is going to be reflected in higher food prices. Already we have a shortage of dairy products and, unless something is done very quickly to increase production, we will have a black market in butter and milk.

This is just a tiny step in the right direction. We in the Northeast are already paying far more than the minimum wages contemplated under this legislation.

I would like to point out to the gentleman from Mississippi, when he speaks of people going down to Mexico and processing, the fact that cotton is being grown in the State of Mississippi under Federal subsidy. And he does not have to compete with Mexican cotton.

Mr. Chairman, in support of my point of view, I include the following telegram:

> Woodbridge, N.Y.
>
> Hon. Joseph Y. Resnick,
> *House of Representatives,*
> *Washington, D.C.:*
>
> Northeastern agriculture has continued to be at a disadvantage competitivewise with agricultural producers in other parts of our country due to the discrepancy in wage rates for agricultural workers here and in the areas referred to above. We are therefore in favor of Federal minimum wages for agriculture and urge the full force and prestige of your office in support of such legislation.
>
> *Intercounty Farmers Cooperative Association, Inc.*
> Abe Jaffe, *President.*
> Albert Cohen, *General Manager.*

Mr. FUQUA. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, if I may have the attention of the chairman of the subcommittee, first of all, I want to thank him for his very kind and sympathetic understanding of the particular situation we have in Florida.

I wonder, Mr. Chairman, will this bill in any way change the exemptions contained in section 13(a)(14) of the act for employees employed in growing and harvesting of shade grown tobacco.

Mr. DENT. I will state to the gentleman as I told him before, I contacted the Department of Labor and the Director of the Bureau, and he informs me that the growing and harvesting of shade grown tobacco on through to the shed processing is exempt under special exemption all the way through to the stemming process and will not be covered by this legislation.

Mr. FUQUA. Then it is correct to say that these workers will remain exempt while growing and harvesting as well as processing this product up to the stemming process.

Mr. DENT. That is exactly right.

Mr. FUQUA. I thank the gentleman from Pennsylvania very much.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. FUQUA. I yield to the gentleman.

Mr. DENT. Mr. Chairman, I just want to announce to the House that we have made a calculation of the grand effort made by the gentleman from Illinois to have so many people—and he uncovered from the act 1,600,000 workers by the amendment offered by him.

I hear some Member applauding and I just wonder if that gentleman would like to reduce his salary to $1 an hour.

As I was saying, Mr. Chairman, this amendment by the gentleman from Illinois has uncovered from the act 1,600,000 workers, and if you do this to agriculture, you will uncover 2 million workers altogether.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. FISHER. Mr. Chairman, I rise in support of the pending amendment, and also for the purpose of addressing an inquiry to the chairman of the subcommittee, the gentleman from Pennsylvania [Mr. DENT].

Mr. Chairman, I would like to get some clarification here for purposes of the legislative history with respect to the business of sheep shearing.

Sheep shearers are paid on a per head basis for the sheep that are shorn.

Mr. DENT. I can only answer the gentleman in this way.

Mr. FISHER. I have not finished my question.

Mr. DENT. You say you are for the amendment.

Mr. FISHER. What amendment?

Mr. DENT. The amendment that is now before us.

Mr. FISHER. Oh, yes, indeed.

Mr. DENT. You are for it?

Mr. FISHER. Yes.

Mr. DENT. Then there is no sense in me answering the question. If you vote for the amendment, then your question will be answered automatically.

Mr. FISHER. Does the gentleman mind me asking him a question?

Mr. DENT. Not at all—go ahead. But I do mind answering the question if it does not do us any good. I like to discuss matters when matters are being discussed in an effort to help. So even if it helps you, you are going to take it out of the bill so what is the value?

Mr. FISHER. Does the gentleman mean to say that he thinks throwing light and clarification on something in the bill will not help?

Mr. DENT. I am happy to throw light and clarification for those who want to see.

Mr. FISHER. Well, what I am seeking is some light on this and will the gentleman help me to provide this light?

Mr. DENT. Yes, I will and if we enlighten the gentleman, will you then reconsider your position as previously expressed to vote against the bill no matter what is in it?

Mr. FISHER. I will certainly listen to the urgings of the gentleman who is very persuasive.

Will the gentleman permit me to finish my question?

Mr. DENT. Of course.

Mr. FISHER. Then if I may start from the beginning, Mr. Chairman.

My purpose in rising was to ask for a clarification, in good faith, of the application of this bill to a particular category of employment. But I was interrupted before I could complete my question. Now before my time expires, I will start from the beginning.

Sheep shearers are paid on a per head basis for the sheep that are shorn. That is a general practice. The customary procedure is for a rancher or a farmer to contract for a crew of shearers to come in and work on the farm or on the ranch for anywhere from 1 day to around 10 days, depending on the size of the flock, and the pay is on a basis of a piece rate rather than on an hourly basis.

The question I have is as follows: Would these shearers be included in the computation of man-days which would determine whether a farm or a ranch would come under the provisions of this bill?

Mr. DENT. To the best of my knowledge, I would say they would be included. That is my opinion.

Mr. FISHER. That was the purpose of my inquiry. I think it is a fair one. Does not the gentleman agree with me?

Mr. DENT. Yes, sir.

Mr. FISHER. I yield to the gentleman from North Carolina.

Mr. JONES of North Carolina. Mr. Chairman, I rise to support the amendment offered by the gentleman from Nebraska. First, let me emphasize that in 1957, as a member of the North Carolina General Assembly, I was one of two Representatives from the agricultural section of our State that voted for the first North Carolina minimum wage law. In 1965, as a member of the North Carolina State Senate, I again voted for an increase in the State minimum wage. I did this from a conviction which I still retain, and this is simply that the matter of minimum wage *should be left to the individual States*, for it is an apparent truth that the farm economy of one State is not consistent with that of another State. I am not convinced that this can be corrected by congressional action. It must come from the local level, through an improved economy and competition in the labor market.

I have some interesting figures which have been supplied me by the office of the North Carolina Farm Bureau. These figures, I am informed, were developed by Mr. Lee Hammond, a marketing economist with the North Carolina State University, and Mr. C. R. Pugh, farm marketing specialist at the same institution. These figures are based on 1964 unit costs, and with the assumption that the farm minimum wage will ultimately reach $1.25 per hour. This is what this wage increase would do. It would increase the cost of the product of corn 5½ cents per bushel; cotton 1.3 cents per pound; soybeans 10.2 cents per bushel; the bright leaf tobacco, which is the main agricultural product of the district I represent, based on a 2,000-pound yield per acre, the ultimate cost under the terms of this bill would be in excess of $160 per acre. When we speak of a 2,000-pound yield, we are talking in terms of some $1,100 gross revenue. Already it is estimated that the present labor cost, plus the other cost factors, amount to some $800. If we add another $160, or an overall 42-percent increase in labor cost, we are then forcing the farmer either to mechanize or sell out. In effect, we would be defeating the very purpose for which the sponsors of this bill desire. For if we go to complete mechanization, we would be doing nothing more than adding to the unemployment and welfare rolls.

In recent months, the farm population has declined from 8 percent to 6 percent. I hope that this House will do nothing to increase this exodus of the farmers of this Nation. I firmly believe that every employer should pay as much in wages as he possibly can, but I do not feel that we should, through legislation, force any segment of our economy to pay more than is economically sound.

Finally, if the farmers of this Nation could control their selling prices as can industry, this would be another matter. Unfortunately, generally speaking, he is at the mercy of the purchaser. You were told yesterday on the floor of this House that 18 crabmeat packing plants closed in North Carolina as a result of the most recent minimum wage, which, may I remind you, involved 1,800 employees. This is what concerns me regarding the agricultural coverage.

Therefore, I intend to support the amendment sent forward by the gentleman from Nebraska.

Mr. FISHER. Mr. Chairman, I yield to the gentleman from Arkansas.

Mr. GATHINGS. Mr. Chairman, the minimum wage proposal to cover the American farmer for the first time arbitrarily would set agricultural employees' rates at not less than $1 an hour beginning February 1, 1967, not less than $1.15 an hour starting February 1, 1968, and $1.30 an hour minimum beginning February 1, 1969. It makes no allowance for the productivity of the particular worker. It says nothing about his skill or whether or not he could perform the particular assignment acceptably. There is nothing said with reference to the ability of the farmer to pay such a rate as set out in the bill under consideration.

There has been a decline of 14 percent in prices of farm commodities between 1952 and 1965. For specific commodities the change was as follows:

[1957–1959=100]

	1952	*1965*
Food grains	116	77
Feed grains	150	106
Cotton	119	94
Tobacco	89	105
Oil bearing crops	129	116
Livestock and products	119	101
Meat animals	115	104
Dairy products	118	101
Poultry & eggs	130	92

Price comparisons for selected commodities

	1952	*1965*
Wheat (bushels)	2.12	1.74
Corn (bushels)	1.64	1.16
Soybeans (bushels)	2.82	2.62
Manufacturing grade milk (cwt.)	4.06	3.37
Commercial vegetables (average of many vegetables)	2.71	2.60
Cotton (cents per pound)	36.56	28.99
Rice (cwt.)	5.53	4.99
Oranges (per box)	1.59	2.80

(Source of above information: Agricultural Prices, Statistical Reporting Services, U.S. Department of Agriculture.)

What has been happening to wage rates? Average gross hourly earnings in agriculture in 1952 were 66 cents; in 1965 it was 95 cents, or an increase of 43.9 percent.

Overall farm costs show that the 1957–59 parity index went from 98 in 1952 to 110 in 1965, which is an increase of 12.3 percent.

Farm costs

	1952	*1965*
Feed	126	104
Motor vehicles	87	113
Farm machinery	86	119
Fertilizer	102	100
Interest	59	204
Taxes	71	155
Wage rates	87	125

The ability of the farmer to pay the added wage rate is a most significant consideration. If he cannot pay and continue to operate his farm at a profit he will have to resort to other means of operations. He will have to change his system. That means additional mechanism instead of the use of manpower to do the particular job. If the farmer could increase the prices of the things he sells to make up the added difference which the legislation would call upon him to pay, then the farmer could not object to the increase set forth in the bill. Such a situation does not exist. The added cost to the farmer has no bearing whatever on the imposition of the new wage rates. The bill would be most harmful to all farm operators, especially small farmers.

Mr. FISHER. Mr. Chairman, I shall be constrained to support the pending amendment. The gentleman from Pennsylvania [Mr. DENT] has just informed us that for the purpose of computing man-hours worked on a farm or ranch in a previous year, to determine whether coverage applies, in his opinion that computation must include contract workers—those who work for a contractor with whom the affected farmer or rancher deals.

Mr. Chairman, most of those who have spoken here today against exempting agricultural workers are from the cities and regardless of their good intentions they simply are not qualified to speak from a background of knowledge and understanding of what the real problems are. The simple fact is that agricultural work does not lend itself to coverage by the wage and hour law. Farm and ranch workers do not punch clocks. Some days they work all day, and often when it rains or for some other reason they work only half a day, or perhaps 2 or 3 hours. Then, there will be days when they do not work at all, or they may work for 12 or 15 hours.

Moreover, it is next to impossible to figure with any degree of accuracy the value of housing, electricity, fuel, garden space, milk cows, and other fringe benefits, in computing a wage rate by the hour. And it is also next to impossible for the average farmer or ranchman to keep the books that will be required by the Labor Department. That employer will be involved in all sorts of harassments by the wage and hour agents, who will be around to represent disgruntled former employees who claim they worked 9 hours instead of 8 on a particular day, or 10 hours, and claiming triple damages from that employer.

Anyone who knows what he is talking about knows that it is utterly impossible to determine whether a sheepherder is on the payroll at midnight when he is awakened and goes out to chase away a predatory animal that is attacking the flock. And the same is true of most of the regularly employed farm and ranch workers. The very nature of their work requires them to be always ready for emergencies during the dark hours of the night. Will the wage and hour people hold those employers must pay that worker for 24 hours of work? Or for 15 hours of work? The effect of this legislation is to declare war on American agriculture and all who are engaged in the production of food and fiber. And it will inevitably force vast numbers of workers out of jobs. It will increase cost of production, and in many instances it will reduce production. That means higher cost of living.

Those who are earnestly and sincerely concerned about the welfare of American agriculture and the welfare of agricultural workers will have to do some deep soul searching when they undertake to explain a vote in favor of forcing agriculture under the wage and hour law, with all the resulting bookkeeping, controls, and increased costs of production. Instead of finding himself paying the $1.30 per hour he may find himself in effect being forced by a Federal bureaucrat to pay a third more than that amount, or even more than that. These employers will be at the mercy of a maze of interpretations with respect to hours worked.

Aside from agricultural workers, this bill will affect thousands of people in laundries, hotels, motels, restaurants, and other small industries. Many of the smaller industries are operating on extremely close margins of profit. If they are forced to pay more, they must reduce the number of workers in order to stay in business. And that will strike hardest at the fringe workers, the elderly, those not in robust health, and others who are unable to produce enough to justify their retention. There will undoubtedly be thousands of them.

Mrs. MAY. Mr. Chairman, I rise in support of the amendment. I do so, even though I am in favor of a minimum wage for farm labor. In my own State, until just this year, we paid the highest farm income in the United States. California leads us by only a slight percentile.

However, the reason I am supporting the amendment is because I honestly think that agriculture should not be included in the bill before us for the reason that there are so many gray areas as to how it would be applied to the very special situations and needs of agriculture. For instance, I do not think we have had time to consider the impact of the bill in the field of cattle and livestock, the gentleman from Texas brought up one point on this.

The same thing applies in the field of canning, processing, the production of sugar, and many other areas.

For that reason, and not because I am opposed to a minimum wage for farm labor, I am supporting the amendment of the gentleman from Nebraska. I think much further work needs to be done on how best we can bring agriculture under the Fair Labor Standards Act, and make just and fair applications of its provisions so that we help the farm laborer, but do not put his employer out of business.

Mr. SMITH of Iowa. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it seems that on some pieces of legislation and on some issues, many Members are determined to swing the pendulum as far as they can one way or the other.

This is a bad way to legislate. Let me remind you what the doctors did. They practically dared the Congress to push them to the edge of the cliff, and then they said, "Push us off or leave us alone." They went off and a lot further than they would have gone had they not taken that rigid position.

Let me remind you also what happened in the field of civil rights. Some people opposed civil rights so vigorously, they were pushed further than they would otherwise have been. It would be better on all legislation to negotiate for a position of fairness and reasonableness instead of all or nothing.

Let me remind my city friends that are here that there is an amendment that will be offered which would take the agricultural exemptions out of the bill. I am just as vigorously opposed to that, for the reason that about 600,000 workers that would be included and were included in the Roosevelt bill were such small operators that they have no significant impact upon the labor wage rates in their area, and there is no need to cover them.

There is no need to make them file the quarterly reports. They have too little impact on the labor market anyway to be interested in Federal legislation.

I am opposed to that amendment, too.

On the other hand, the amendment before us would take agricultural coverage clear out of the bill.

I opposed the Roosevelt bill very vigorously. I went to this committee and talked to them a long time about the agricultural amendment. It would even have covered an employer for 1 year who hired a boy part time for 1 day. Many others did, too.

We should commend this committee for the work they did on the agricultural amendment in this bill. There is not any other proposal in this bill that has been as carefully written. I challenge any Member of the House to try to write a better provision on agriculture than is in this bill.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the majority leader.

Mr. ALBERT. Mr. Chairman, I commend the gentleman on his statement. This bill has been carefully considered and I think the committee has done a good job and deserves our support. The effect of the amendment before us, if I understand it at all, is that, regardless of size, regardless of income, regardless of ownership, whether absentee or local, corporate or what not, every farming operation would be exempt. We would be putting ourselves in the ridiculous position of exempting large corporations while including much smaller businesses of other types.

Mr. SMITH of Iowa. Anyone who is covered in this bill is a big enough operator that, if he cannot stay in business while paying $1 an hour, he should not be operating and should not be subsidized by those six or eight workers any longer.

I think the sensible thing for this House to do is to take this agricultural provision as it is written because if we do not we might get something that is badly written or not reasonable and fair.

Mr. SISK. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. SISK. Mr. Chairman, I want to join with my colleague from Iowa. I, too, want to commend the committee for taking a reasonable approach.

We like to brag about what we represent. I believe many Members of Congress know I represent a substantial agricultural area. I understand percentagewise I will have more farmers covered than any district in the United States, with the possible exception of my friend from California [Mr. HAGEN]. We are in support of the provisions which the committee put in. We believe it is a reasonable approach.

I want to commend Mr. DENT and his committee for taking this reasonable approach to the question. Certainly, Mr. Chairman, I want to oppose vigorously the amendment offered by the gentleman from Nebraska. I commend and thank my colleague from Iowa for yielding.

Mr. HUNGATE. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. HUNGATE. Mr. Chairman, under the family farm exemption and the man-days requirement, I would like to ask if it is true that partners would not be counted for the purpose of determining the man-days for the quarterly exemption?

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. DENT. They will not be counted.

Mr. HUNGATE. Then, as to farm corporations, whether they are family members or not, everyone would be counted?

Mr. DENT. Yes, including the farmers on Wall Street.

Mr. SMITH of Iowa. Mr. Chairman, I want to say again that this provision only covers those farms which are large enough that they should be able to pay the wage rates in their area if they are efficient enough that they should stay in business. If they can't do it without such cheap labor, they can become a family farmer. This is a very well written provision in the bill. I think the committee deserves support for doing all they have done to draft a fair and reasonable compromise.

Mr. WATSON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I shall not take the full 5 minutes. I have been interested in the arguments we have had here. I do not stand before you as an agricultural authority at all and I fear that we are legislating here today on the advice of too many pseudo farm experts. We have heard a lot of persuasive argument as to what effect this will have on the farmer. Frankly, I believe it will have a serious detrimental effect upon him and will further aggravate his manifold problems and reduce his income.

We have had a lot of persuasive argument about trying to elevate the living standards of the various farmworkers. Perhaps, should we pass this, it might be beneficial in some aspects in that area, but in my judgment it will result in loss of jobs and further migration from the farms to the urban areas.

But until this time I have yet to hear anyone argue on behalf of the third party in this controversy, and that is the consuming public of America. What effect will this have on the consumers? We find the cost of living continuing to climb, climb, climb. Economists place the prime responsibility for this on the greatly increased retail cost of agricultural commodities. So I am standing here pleading in behalf of the consumers of America.

As we vote on this particular measure, I hope we will consider this fact.

As we bring agriculture under the minimum wage law I realize we are only limiting it to large farms with 500-man-days per quarter—but this is only a foot-in-the-door proposition. We have had the experience of legislating in the past, of starting with the larger people and gradually lowering it, until ultimately every farmer in America will be covered.

My only appeal to you ladies and gentlemen is this: Consider not only the interest of the farmers, not only the interest of the laborers, but also the interest of the consuming public in America. Just as surely as we pass this measure and include agriculture under the Fair Labor Standards Act there will be an ever increasing cost of food commodities.

Mr. PEPPER. Mr. Chairman, I rise in opposition to the amendment and move to strike the requisite number of words.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. PEPPER. I yield to the gentleman from Pennsylvania.

Mr. DENT. We can only believe and know that which we hear from our constituents and interested parties.

To the gentleman who just preceded the gentleman in the well, I wish to say that the California Consumers Information Committee has sent to every Member of the California delegation, as well as to me, a complete endorsement of this legislation. He said we had heard nothing from the consumers. I have heard from them. They are for it.

Mr. PEPPER. Mr. Chairman, esteeming as I do my distinguished colleague from Florida [Mr. GURNEY], I cannot in good conscience allow his to be the only expression of a sentiment from the State of Florida upon this amendment and that to be one in support of the amendment, which would deny the beneficent provisions of this act to many of the citizens of my State, a segment of our citizenship too long—if not too long and callously—neglected by the Government of our country.

Mr. Chairman beginning in 1938, I had an association with this subject—the minimum wage law. In 1949 I had the privilege of handling the legislation in the other body.

It is not true, as has been indicated in this debate, that the minimum wage law has had the primary effect of dislocating rather than benefiting the labor it affected. On the contrary, if that had been true, after the experiment of 1938 we would not have adopted a bill to increase the minimum wage and to expand the coverage in 1949 in the Congress of the United States. If that had been true, in 1961 we would not have increased the minimum wage and expanded the coverage of the law in the Congress of the United States.

If that were true, this distinguished committee would not have reported this measure to this body for consideration today.

On the contrary, the minimum wage law has had the salutary effect of putting a floor under the wages of this country, primarily for the benefit of those who did not have the power which goes with collective bargaining, which is associated with unionism. The same people, I fear I must say, who have opposed the minimum wage for many classes of our people have vigorously objected to their associating themselves in unions, where they would have some economic collective bargaining power.

Mr. Chairman, this is a modest beginning, to give the benefit of minimum wage legislation to a deserving segment of our citizens.

Let us look at the figures. Today there are 29.6 million persons covered by existing minimum wage legislation. Newly covered nonfarmworkers in this bill total 6,093,000. This bill would add that many from all the nonfarm people, and the pending amendment of the able gentleman from Nebraska would eliminate only 485,000 agricultural employees the bill covers. Why, there are 665,000 new Federal employees, covered in this bill and they certainly are not the most underpaid segment of our citizenship.

Yet to get rid of only 485,000 persons employed in agriculture covered for the first time in this bill the able gentleman would offer and vigorously press for the adoption of this amendment. This bill applies only to 1.6 percent of our farms and farmers, and the larger farmers relatively, many of them the corporate farmers of the Nation. Surely, Mr. Chairman, if we are ever going to make a beginning toward protecting the farmworker whose toil is usually so exacting and if we are not forever going to treat the farmworker as not only a second-class citizen but as an utterly neglected citizen, we must begin sometime.

I concur in the commendations of this able committee for the reasonable and moderate beginning it has made for the protection of the farmworker and I oppose the adoption of this amendment.

Mr. POLANCO-ABREU. Mr. Chairman, will the gentleman yield?

Mr. PEPPER. I yield to the Resident Commissioner from Puerto Rico.

Mr. POLANCO-ABREU. Mr. Chairman, I support the amendment as far as excluding the extension of coverage to agricultural workers in Puerto Rico.

A sound and viable agriculture is an absolute essential to the general welfare of Puerto Rico. In recent years, in an attempt to broaden the economic base, considerable emphasis has been placed on Puerto Rico's industrialization. Thus, we have seen small and medium industries springing up throughout the island under the stimulus of "Operation Bootstrap." Nevertheless, helpful and necessary as the industrialization program has been, agriculture still remains a dominant force in Puerto Rican life. It is still the one largest employer of labor and the one principal source of income to the Commonwealth economy.

Until the early 1950's, Puerto Rico depended almost exclusively upon agriculture. Agriculture, and agriculture alone, generated the income with which to purchase the many goods to whose production the island's climate and limited resources were not then best suited—goods produced better and cheaper on the mainland. It is in the context of this environment that we must appraise Puerto Rico's agriculture today.

Historically, Puerto Rico has been characterized by a population which, by sheer numbers, has pressed heavily against the island's ability to support. Since agriculture was the dominant factor in the economy, agriculture was forced to shoulder the burden of providing the principal source of employment. This meant spreading the work among the greatest number of workers. Because of this, however, and because of the island's limited agricultural resources, it also meant a relatively low level of wages.

In more recent times—that is, within the last 10 or 15 years—there have occurred substantial changes in the Puerto Rican economy, including changes in the island's agriculture. The need to employ a maximum number of workers as a social palliative has diminished and in many cases been replaced by the need to obtain maximum output per worker. This has enabled agricultural wages to rise. Indeed, the rise in agricultural wages has in certain instances paralleled or exceeded that in the industrial segment.

Despite this upgrading of its wage structure, the island simply has not yet had time to make all the adjustments in its agricultural economy necessary to permit survival under a Federal minimum such as that contemplated by H.R. 13712. The downward trend in labor requirements per unit of output, as evidenced in agriculture in the mainland, has been in progress many years. A similar trend in Puerto Rican agriculture is still in its earliest stages. Puerto Rican agriculture is still years away from the labor efficiency found in the mainland.

In the meantime, to saddle this industry with a minimum wage tailored primarily to mainland rather than to Puerto Rican conditions would work irreparable harm. Agriculture is still a dominant force in the economy and should be encouraged to make its full contribution to the general welfare. While having shown marked progress in recent years, the Puerto Rican economy nevertheless still cannot afford to see one of its major components seriously crippled. To blanket Puerto Rican agriculture under the Federal minimum wage structure, as presently contemplated by H.R. 13712, would do just that.

Mr. Chairman, I hope and trust that our colleagues will accept my amendment to H.R. 13712 so as to free Puerto Rico's agriculture from such an intolerable burden.

My position is supported by the report followed by the Senate Committees on Labor, Agriculture and Industry and Commerce on Concurrent Resolution 16 of the House of Representatives of Puerto Rico. The report reads as follows:

> With regard to agriculture it should be particularly pointed out how undesirable and unfruitful would be the application of the provisions of the bill. Our main agricultural commodity is sugar. The wages the cane sugar grower can pay must bear relation with the price at which Puerto Rican sugar is sold in the United States. The United States sugar market is controlled by a quota system. The price at which sugar is sold is not fixed through free competition. The Secretary of Agriculture of the United States has in his hands the mechanisms to control sugar prices in the continental market. Puerto Rico has no means whatsoever to influence the price at which sugar is sold. The wages that can be paid in Puerto Rico in sugar cane cultivation depend on the price of sugar on the United States market. It cannot be higher than what that price allows. On the other hand, to pay wages lower than what economic conditions would permit, would not mean in any wise a competitive advantage, in the market of the United States, for sugar produced in Puerto Rico. If Puerto Rico sold its sugar at a price lower than the prevailing price in the United States, it would not therefore sell more sugar, in unfair competition with sugar produced in the United States, since the quantity of sugar that Puerto Rico can sell is limited to a quota. The criteria that the industrial committees would have to follow in the determination of wages, according to law, would hence be inapplicable in the case of sugar cane.
>
> Coffee is another of the farm products of Puerto Rico. Coffee produced in Puerto Rico is almost all locally consumed. Save in the State of Hawaii, no coffee is produced in the United States. There is no competition between Puerto Rican and Hawaiian coffee. Puerto Rico's coffee is sold on the United States market only in those years in which the crop exceeds local consumption. It does not compete there with coffee produced in the United States, but with coffee imported from foreign countries, duty free.
>
> It is evident that the fixing of wages in Puerto Rico in these two items of our agriculture is a matter that must be governed by the local situation, or by circumstances, as in the case of sugar, which are already predetermined by Congressional law. The intervention of federally appointed industrial committees in the fixing of wages in sugar cane and coffee, taken care of as it is by local law, does not respond to any practical necessity.
>
> In so far as the law is applicable to the tropical food crops of Puerto Rico, which in their largest part are locally consumed, it is obvious that the situation would still be the more preposterous.
>
> The law includes all farmers who have employed during the preceding year 500 man-days in any quarter. A man-day, as defined in the bill, is any man working any part of the day. Excluded from the computation are only the immediate relatives of the farmer and those workers who, besides meeting other requirements have not performed farm tasks for a period of 13 weeks during the preceding year. This last exception has very little application in Puerto Rico, where we have a rural population of 55.8 per cent of our inhabitants, a rural population whose livelihood is, almost exclusively, farming. It would seem quite odd to find a rural worker in Puerto Rico who is not customarily an agricultural laborer. Because of the complexity of computations, many difficulties would be encountered to determine which farmers would be subject to the law and which would not, particularly in the case of small farmers. This would bring about unnecessary anguish and worry, besides issues of a legal nature.

Mr. DENT. Mr. Chairman, I rise to make a unanimous consent request. I wonder if the gentleman from Ohio or the gentleman from California could reach some agreement with us on the time on this amendment and all others to it.

Mr. AYRES. Are all those who want to speak standing?

Mr. DENT. Mr. Chairman, I ask unanimous consent that the House take 20 more minutes for debate on this amendment and all others to it, and that all debate close at that time.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. GATHINGS. Mr. Chairman, I object.

Mr. AYRES. Mr. Chairman, I wonder if the gentleman from Pennsylvania would change his request to 4 o'clock as the time for cutoff of all debate.

Mr. DENT. No. That is too long.

Mr. GATHINGS. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. GATHINGS. Mr. Chairman, the gentleman from South Carolina [Mr. WATSON] made reference to the issue of inflation.

I would like to call the attention of the committee to an Associated Press article that appeared in the early part of April of this year, and here is what it says:

> GNP RISES SHARPLY IN FIRST QUARTER
>
> Gross national product rose sharply during the first quarter of this year, to a seasonally adjusted annual rate of $714 billion, the Commerce Department reported today.
>
> The jump in the value of all goods and services produced in the economy was much larger than administration officials anticipated in January.
>
> The increase could add new fuel to the continuing debate over the need for a tax increase as a hedge against inflation.

Yes, Mr. Chairman, this inflation issue is most significant in this debate. The bill as presented to us could mean increased wages for millions of wage earners which would be greater than the guidelines set by the administration for wage-price increases of 3.2 percent.

Mr. Chairman, I rise in support of the amendment which has been offered by the gentleman from Nebraska [Mr. MARTIN].

I want to call your attention to the fact that in those areas of the country which produce cotton a great number of farmworkers will be driven from the farms to the cities where they will seek welfare benefits. We operate with a tenant or sharecropper system. Here is a farmer who has 12 tenant houses and 12 tenant families live on his place. They are good tenant houses. They are desirable homes in which to live. He has on that farm people who have been in those houses for years and years and in some instances covering farm ownership or operation for two generations.

Now, Mr. Chairman, what will be the result of this legislation? The result will be this: Out of some 12 tenant workers and their families, you will find that there are 7 heads of family of them, perhaps, who are skilled workers. They are paid adequate wages as good or above what is provided for in this legislation, which we are now considering. But on the other hand, Mr. Chairman, you have some five tenant houses filled with people who are unskilled. They have remained there and they receive free rent and also free fuel; that is to say, they get their stove wood or their gas for heating and cooking furnished to them. They have a garden plot next to their home with which they are able to supplement their food requirements for their families.

In addition, they receive free transportation.

These folk may not be needed all the year. When they need a doctor, a doctor is called and made available to their families.

They are hired to chop cotton in the spring; and to pick cotton in the fall. The rest of the year they are given every odd job possible or available. But they cannot be paid throughout the year as there is not enough work on the farm to keep them busy at all seasons.

The result is that 7 of those 12 families will remain there because they are needed to operate the tractors, the combines, and cottonpickers. But, the other five, what will happen to them? They will go to town. They will move to town or will move to a city nearby, and be thrown on the relief rolls. That is going to be the situation if some relief is not attained through an amendment like the one we are now considering.

Mr. POOL. Mr. Chairman, will the gentleman yield?

Mr. GATHINGS. I yield to the gentleman from Texas.

Mr. POOL. Of the five families which go to the city, they will go onto relief rolls and the Federal Government is going to have to take care of them; is that not correct?

Mr. GATHINGS. The Federal Government and State or local is going to have to pay the cost. That is what is going to happen.

Mr. POOL. Mr. Chairman, if the gentleman will yield further; therefore, we have to figure all of that into the cost of this proposed bill?

Mr. GATHINGS. That is the fact of the matter. This legislation set out to help the tenant and sharecropper but you are not going to help them. You are going to drive them to the city.

Mr. POOL. Mr. Chairman, if the gentleman will yield further, he is going to be out of a job and will starve to death if he is not placed on the relief rolls.

Mr. GATHINGS. That is right. He will not have a job at all. However, the others that are skilled will be kept there and will be maintained and will be paid good wages.

The farmer is the only person in our economy who goes to the marketplace with his commodities and is thrown upon the mercy of the buying public. He says to the consuming public, "How much am I offered for my cotton, corn, wheat, peanuts, tobacco, soybeans," or whatever the product is that he produces and wishes to sell. At the time he is selling the produce of his labor and work, little consideration is given the question of how much the cost was to produce that crop.

The farmer is caught in a situation of having to pay more and more for those things that he must buy in his operations. These include labor which has consistently gone up in recent years and that part of the cost represents from 40 to 45 percent of the total outlay of expense in the operation of a cotton farm in which handpickers and choppers are used. In 1946 I was in the farm implement business. We sold a small tractor for about $1,600. Today that tractor has more than doubled in price. The attachments and equipment that go with the tractor have likewise and similarly advanced in price. The cost of farm trucks has risen at about the same rate since 1946. Repair parts such as the overhauling of motors continue to soar in cost.

Now let us take a look at what has happened to the price of cotton. Three years ago the support level on Middling inch cotton was 32.47 cents a pound. Two years ago that support level dropped to 30 cents a pound. In 1965 that support level dropped to 29 cents a pound for the same Middling inch cotton.

The farmer is the only member of society that goes into the marketplace and asks how much will you offer for my produce and commodities.

The amendment to strike agricultural provisions in this bill should be adopted. I trust it will be approved.

Mr. WAGGONNER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I shall not take 5 minutes, but I take this time now to ask a question of the chairman of the subcommittee, or some member of the committee, with relation to this agricultural section.

Mr. Chairman, with regard to the formula or method used for figuring exemptions in man-days worked, I would like to know if the members of a farmer's family are to be included in computing exemptions?

Mr. DENT. Mr. Chairman, if the gentleman will yield, they would not be.

Mr. WAGGONNER. Would employees who are not paid on an hourly rate be included? Monthly employees such as managers for example.

Mr. DENT. Yes; they are included. However, I must clarify and the gentleman must understand if they are not paid by an hourly wage, in most instances they are tenant farmers or live on the premises. All of the costs that are attached to their living expenses are taken into consideration in figuring the wage.

I tell you in all honesty that this will will not touch anything but the high type corporate farm.

Mr. WAGGONNER. I thank the gentleman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BENNETT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I feel that this amendment that has been offered would strike a blow at all farmworkers. I have been particularly interested in trying to protect migratory farmworkers where I have found in my State and in other States injustices working against them.

I think it will be in the interest of our area, as well as all the United States, if farmworkers, and particularly migratory workers, are given the potection that this bill affords. Perhaps the bill could be improved by further amendments or modifications but to remove all farm labor from the bill would be a backward step. I had the privilege of testifying before the committee on this subject and I am glad they saw fit to cover these good Americans in the provisions of the bill. I also suggested to the committee the need to have all Federal employees covered by the minimum wage law and it is my understanding that section 306 will have that effect. I certainly hope so.

Mr. SMITH of Virginia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, for many years we have had on the books minimum wage legislation. This is the first time in my recollection that any attempt has been made seriously to extend it to farm labor, which operates under entirely different conditions and wage arrangements and so forth from any other industry in the country.

The farming business is a variegated business. There are many products involved and there are many different methods of operation.

The farmer in the past—until the government got hold of him—has been a very independent man. He has been the backbone of this country. Now we are undertaking to take all the farmers, with all of their business, and put them in a straitjacket under the dictatorship of a bureaucrat.

The ordinary farmer is not a bookkeeper. It would be utterly impossible for him to keep an accurate record of what he has to do.

Now we have done enough to the American farmer up to now to put most of them out of business. Now we are going to put them in this straitjacket where everybody is governed by the same system and the same regulations. It is utterly impossible for the farmer to carry on his business under such a system and such regulations.

You know very recently, last year, I remember very well the complaints that came here from California because they could not get the labor to pick their strawberries. We fixed it so that they cannot get the labor to pick vegetables. We fixed it so that they cannot get the labor to pick their apples. I think we have done them enough damage up to now so that we might lay off them for a little while before we put all of them out of business.

You know somebody has to do some farming or the rest of you fellows around here are not going to be eating—unless you work out some synthetic kind of food.

But this is serious business—this farming business. I happen to have been born and reared on a farm and I have been interested and have been engaged in the farming business throughout all of my life. I know something about what I am talking of in my area. I think a lot of the folks who voted for these farm measures really did not understand the practical difficulties that the farmer operates under.

The type of farm operation that is predominant in my district is the dairy business. They are going out of business so rapidly in this area in my congressional district that we are just about to run out of the dairy business. You tell a man on a farm that he has to keep account of how much labor he uses and if he hires a fellow for a half hour to milk a cow, then that is a full day's work under this bill and it is so defined in this bill. If a man does any work during the day, it is a full day's work. I happen to have tenants who run dairy farms and I have some knowledge on the subject. I have been in the business for 30-and-some-odd years. A man has a herd of 100 cows—that is not a big dairy—you cannot run a dairy and break even with a farm any smaller than that. You have to cultivate your land and raise your feed and feed those cows. You have to milk those cows every day, and there are no Sundays off. You have to milk them on Sundays, too. Those farmers do not fit into this picture. A 100-cow dairy, which I would say is smaller than the average, would come under the provisions of this bill. That farmer would have to keep all of the records specified.

Then comes the question of the benefits the employees receive. They can receive their houses free, their electric lights, their garden plots, with time to work them, and a certain amount of foodstuffs. Just stop and think what you would be doing to these farmers. I think you have done enough to the farmer. Please do not try to help them any more.

Mr. GOODELL. Mr. Chairman, I rise in support of the amendment. As I said earlier, I will vote for this legislation regardless of the adoption of amendments. But there have been some statements made here about the exclusion of farm labor that I think are not entirely accurate and could mislead our colleagues.

The statement has been made that only corporate farmers will be covered under this legislation. Let me give you some examples of the types of farmers who could very quickly be covered under this legislation. Any seasonal operation is vulnerable. Any farmer who employs a large number of workers for a very short period of time is vulnerable.

Example: A farmer who uses migrant labor. Migrant labor is counted throughout for coverage here. A farmer who uses 50 migrant laborers for 10 days would be covered with all of his permanent employees for the year. He might employ 3 people in his regular year-round operation, but if he employs 50 migrant laborers for 10 days, he meets the 500-man-day requirement, and he is covered. He is no corporate farmer.

A lot of small farms have seasonal operations in which a large labor force is put on for a short period of time. That is the problem with the 500-man-day requirement.

There is another confusion involved here. If you will look at the bill, if you have it before you, on pages 34 and 35 is discussed the type of farm labor that will not be counted toward eligibility, toward this 500-man-day requirement. In order for a worker to be not counted, he must meet all the requirements on page 35—all of them—not a single one alone. Those requirements are as follows: He must be a hand harvest laborer working for piece rate. If he is working for an hourly rate, he is counted. He must be a hand harvest laborer working for piece rate. He must commute daily from his permanent residence to his work. Finally, he must work less than 13 weeks in agriculture.

Those three requirements must be met if the Secretary of Labor is going to go in and say, "We will not count those workers you have on now."

This situation would create havoc for a number of types of farm operations. Each farm operation and each commodity is somewhat different. We had examples of farms that employ large numbers of workers who do commute daily. The workers commute daily to do types of work on the farm. These workers also work less than 13 weeks in a year in farmwork. So they comply with two of the three requirements, but they are not paid on a piece rate. They are paid an hourly rate.

If they are paid an hourly rate, they are counted toward this 500 man-days. With the various types of farm operations in this country, there will be a number of small farms that have seasonal peaks which will be covered with their permanent employees—one, two, three, or four permanent employees through the year. If they meet this 500-man-day requirement in any quarter, they are covered for the whole year. That is the difficulty with the farm provisions for coverage of agricultural workers in this bill today.

I myself believe we should move toward covering farmworkers. We can take some first steps even in this legislation, in spite of the difficulties farmers are having. But let no one be misled that we are going to cover only corporate farms under this bill. We are going to cover a great many small operations.

Mr. HARSHA. Mr. Chairman, I rise in support of the amendment to take the farmers out of the minimum wage coverage. Historically, farmers have been excluded from coverage under this law because of the very nature of their business.

Now this administration who has been using the farmer as a whipping boy for its own inflationary policies is again going to add to the dilemma of the farmer by increasing his costs and decreasing net profit with its insistence that farmers be covered under this minimum wage law. The domestic policies of this administration have been pushing farm production costs to record heights, now to require him to meet these additional costs of increased labor, wages will push his production costs even higher. The Secretary of Agriculture has been depressing grain and livestock prices by dumping Government-owned commodities on the market and expressing pleasure as prices drop. The administration has increased imports on cheese, restricted exportation of hides, sharply curtailed purchases of pork and dairy products by the military and recommended drastic cuts in the school milk and lunch program. Now to further implement its "war on agriculture" it raises farm labor costs. Such action is certainly inequitable and completely unjustified.

This bill is completely discriminatory in its method of treatment of farmers. Many business enterprises are excluded if they do a gross annual business of under $500,000. Yet the farmer is covered irrespective of his gross sales if he uses more than 500 man-days of agricultural labor per quarter. His total volume of sales might be only $25,000 yet he is required to pay a wage an enterprise grossing 20 times what he does, is not required to pay. This is certainly not fair nor equitable under any stretch of the imagination. Furthermore, Mr. Chairman, many farmers in addition to the wages he pays his worker, provides him a place to live, gives him many food products off the farm, and many other benefits, yet no credit apparently is to be granted the farmer for these; nevertheless they cost the farmer considerable money. These fringe benefits will undoubtedly exceed the increases provided for in this minimum wage law and the worker is far better off with them than he is with the increased wage. I predict that if the farmer is forced to pay this higher wage he will take away many of these fringe benefits. He will have to protect himself—so the worker is going to be worse off in the long run and the Federal Government has its long nose further into the business of the American farmer.

Mr. Chairman, this action will drive more Americans from the farm and further deplete the number of farms in this country. I urge my colleagues to support the American farmer and exempt him from coverage under this bill. Let us stop the administration from further eroding the profits of the farmer and support this amendment.

Mr. LATTA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I support the amendment to remove agricultural workers from coverage under the provisions of this minimum wage bill. Their inclusion in this bill will open up a whole new field for Federal intervention and regulation. Further intervention into and regulation of our farmers' affairs by the Federal Government is something that our farmers do not want. The Federal Government has already crippled many of our Nation's farmers by all of its controls and regulations and subsequently forced them off their farms. Why, I ask, put this additional burden on those remaining and eventually cause them to seek other ways of making a livelihood?

Our Nation must depend upon our family type farmers for its food. We cannot depend on the large corporate type farms to do the job. This has been proven time and time again, and is at present being proven in the Soviet Union. Yet, there are those among us today who are willing to put the future of these remaining family type farms in question by further burdening them by inclusion in a bill specifically designed for big business and industry. Under this bill a retail business would have to gross $500,000 per year to be covered and after 2 years $250,000 per year. Yet, regardless of a farmer's gross income he would be covered. Yes, I realize that under the foot-in-the-door approach used in this bill, a farmer's coverage would at first be on a 500-man-day per quarter basis. But, everyone knows that the history of this legislation has been to expand rather than diminish the coverage. The next session of Congress would undoubtedly cut these man-days in half and a succeeding Congress could easily remove them entirely. So, let us not kid ourselves into believing that only our large farm operations would be covered under this bill once the regulations had been promulgated and the precedent established.

I need not remind our farmers that they have not been receiving a fair return on their investments and for their labors. Yet, this type legislation would further diminish their small return. I would think that the Secretary of Agriculture would realize this, but, as the gentleman from Pennsylvania [Mr. DENT], the bill's author, said before the Rules Committee:

> The Secretary of Agriculture is not opposed to this legislation.

I say he should be if he is concerned about farm income. However, on second thought, I wonder if he really is concerned about farm income. If he is, one could not have detected it from the protestations that were heard just recently when a few farm prices started to rise or when pork and butter were withdrawn from our Armed Forces.

Mr. FOUNTAIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment.

Mr. MAHON. Mr. Chairman, I move to strike the requisite number of words.

I rise in favor of the amendment.

From time to time in past years, proposals have been made that farmworkers be covered under minimum wage legislation. This should not be done and I want to record my continued opposition to the coverage of farm labor under minimum wage legislation.

Such legislation would be hurtful to farmers, farmworkers, and consumers.

I strongly support the pending amendment to eliminate farmworkers from coverage.

Mr. ABERNETHY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to inquire of the subcommittee chairman, Mr. DENT, if, once a farmer finds himself under your bill, will he remain under it from thereon and thereafter?

Mr. DENT. No. It always looks back to the previous year. He can be covered this year because of the conditions of the crops and weather, and so forth. But then next year he may be decreased to less than 500 man-days and he will not be covered.

Mr. ABERNETHY. To illustrate, if a farmer used the required labor in 1966, then such would bring him under in 1967. He would be under the law for the entire year 1967. But if, during 1967, he did not use the required amount, which is set at 500 man-days in any one quarter, he would not be under the law in 1968. Is that correct?

Mr. DENT. That is correct.

Mr. ABERNETHY. Suppose this farm is divided next year. It is sold, and it comes under the ownership of two different people. What is the status of the two owners?

Mr. DENT. There are two different places, then, and it would have to follow that each of the places had the 500 man-days. That is a simple matter of law.

Mr. ABERNETHY. Will the law apply to the particular individual and not the land?

Mr. DENT. It applies to the employer.

Mr. ABERNETHY. Then there is no requirement that it must be the same farmer and the same farmland. Is that correct?

Mr. DENT. Are you trying to say that if I had qualified to be covered, and I moved off the farm and into the city, I would still be covered?

Mr. ABERNETHY. Let us put it this way: Suppose the gentleman has a farm, and he is covered this year. He sells that farm and buys another. What then would be your situation as regards this law?

Mr. DENT. There was a man named Solomon. He could not answer everything, and I cannot. I do not believe anybody can answer that. Hypothetical cases can be thrown into the aisle until we reach the moon, but it is not possible for me to anticipate that a farm will be split into 10 sections and sold to a man, perhaps to a man who will build apartments. I do not know what the ruling will be. A request will have to be made to the interested department, and it will rule on the interested employer.

Mr. ABERNETHY. What was the intention of the gentleman when he put this provision in the bill? What was your intention? Was it your intention for the coverage to follow the man thereafter, even though he may have sold the farm and moved on to another?

Mr. DENT. No, I did not intend that. I intend that if a farm is being farmed by a farmer, and he employs labor for 500 man-days a year, and if that same man had that same farm the next year and again hired the people, he would be covered.

If we go into hypothetical situations, there is no limit to the stretch we could make. We could say, "Here is a farmer who had 500 man-days last year, and had 190 acres. He sold 5 acres. Will he now come under the terms of the bill?"

I would not be able to answer that. I cannot make legislative history out of something which may be probable but is not attached to the meaning of the bill.

Mr. ABERNETHY. I assure the gentleman it is not my intention to submit a series of hypothetical questions that confuse. I am simply seeking information. I believe the gentleman has been quite fair and endeavored to enlighten me.

Mr. DENT. I have tried. I really do not know.

Mr. ABERNETHY. But I am trying to determine just what this bill will do. My farmers want to know. I thank the gentleman for his answers, but they do not clear up the confusion.

Mr. Chairman, while I have the floor, may I say that the Martin amendment should be adopted. To include farmers in the minimum wage law would be a serious mistake both for them and the consumers.

Every farm in America will eventually become a disaster area if this law is made applicable to agriculture. While the provision in this bill will exempt the majority of our farms and farmers, it is simply a foot-in-the-door proposition and coverage will soon be expanded to every farm in America. As we all know, it has been the policy of the Congress to modify and eventually repeal all exemptions.

If the proponents of this measure want to kill the way of life of American agriculture and reduce it to the status of big corporate operations, then I can think of no better way to do it than to direct Uncle Sam to move in and begin fixing farm wages.

Second only to the gambling fanatics who frequent the dens of chance of Monte Carlo, there is no greater gambler than those who till the soil. Some years the weather is good, some it is bad. Some years the crops are good, some they are bad. There is a further risk to farming not applicable to most businesses or enterprises. The farmer never knows what he will get for his crop. He takes it to market and has to accept what he is offered. He has no bargaining power whatsoever. He is at the mercy of the buyers.

Furthermore, this idea of minimum farm wages would force more and more mechanization, and more unemployment of farmworkers. The unemployed will have no choice but to depart their rural areas and head for your already overcrowded cities. Untrained and unadapted for urban employment, these unemployed farmworkers will become a part of and further aggravate the already complicated social problems of our cities.

Lastly, there is no question but that bringing farmers under this bill will add to the cost of living. Prices will soar. And the Great Society could very well become the hungry society.

I earnestly urge that the Martin amendment be adopted.

Mr. RANDALL. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Nebraska [Mr. Martin] which would eliminate all coverage for agricultural workers under H.R. 13712.

The proponent of this amendment to eliminate coverage predicates its merit upon the fact that the agricultural economy is in the doldrums and that matters would be worse if minimum wage provisions were applied to agricultural employers. To oppose his amendment means to favor retention of the provision of the bill as it comes from the committee.

The bill as written contains the clear stipulation that there shall be an exemption for agricultural employees if the employer did not during any calendar quarter use more than 500 man-days of agricultural employees. This is the approximate equivalent of seven employees full time in a calendar quarter. In other words it would mean a farmer must have seven or more full-time employees before these employees would receive minimum wage coverage. This is in addition to the exemption excluding agricultural employees if they are a parent, spouse, child, or other member of the employer's immediate family.

The question might properly be asked, What is the effect of these exemptions? The answer is that coverage would apply only to a small portion of all farmers. The provision would have application only to operations of considerable size.

I do not profess to be an agricultural economist. I have heard the expression used quite frequently to describe large agricultural operations as "corporate farming." I don't know whether corporations are actually formed to engage in farming or not. On the other hand, my concern is for the perpetuation of the family farm. It would seem to me that the provision of H.R. 13712 as originally written without this proposed amendment would have a beneficial effect for the family farmer.

To demonstrate this point, if higher minimum wages are paid by large or corporate farmers and the exemption continued for the small or family farmer, this should put the family farmer in a better competitive position. The large or corporate farmer would henceforth, if this bill is passed, be required to pay a higher minimum wage to those who need it the most, being the large numbers of migrant or transient workers he employs, while the family farmer by using his own family or neighbors or those who commute from the smaller communities near the farms will continue to enjoy the minimum wage exemption. In my judgment this is the reason why it is so important that the provision as written be retained in the bill rather than the elimination of all minimum wage coverage as now proposed.

Prior to consideration of this bill, we received some correspondence from our farmers who were concerned about the inclusion of any agricultural employees in the minimum wage bill. On the other hand, our office was the recipient of an enthusiastic letter from one of our constituents, who wrote as chairman of National Egg Producers Organization. At his request, we caused to be included in the daily Congressional Record on March 9, 1966, the letter which pointed out:

> We are hearing a lot about eliminating poverty in rural areas and redevelopment of rural America. Frankly, there is very little wrong with rural America that a decent income level wouldn't cure.

The chairman of the Egg Producers goes on to point out:

> Our country towns have been bled white by loss of millions of their people who have flocked to the big cities in search of greener pastures. This exodus has added to such urban problems as housing, traffic, air pollution, etc., and much of it could have been prevented if we had been realistic and included all workers, including farm workers, under the minimum wage and hour law at the very start.

Finally, near the conclusion of the rather lengthy letter our correspondent concludes by saying:

> We strongly urge inclusion of all farm workers in the wage and hour law, and at the same minimum wage as other workers, so that farmers can compete on even terms for scarce labor to produce more meat and milk for Americans and more grain and soybeans for a hungry world.
>
> Let's keep the remaining farmers on the farms producing food instead of going to the cities to produce more smog, slums, and traffic jams. Immediate inclusion of all farm workers is a must.

Mr. Chairman, one of the speakers in the debate a few moments ago hinted at the fact that farming is now a most important occupation because we must feed almost the entire world. He mentioned the increased productivity of farmworkers increasing from 1940 when 1 farmworker supplied the needs of only 11 persons up to the point where in 1964, 1 farmworker supplied the farm needs of 33 persons. Yes, I think it is true we may be required very soon to help feed the world. There may be some remaining possible gain in productivity because of mechanical harvesting and an increased use of fertilizer and chemical agents, but there must certainly be a limit to this productivity. For that reason it is an equal certainty we must retain on the farms a large farm population if we are to provide the world's food supply. The experts say within the next decade many portions of the world will suffer from famine. It is for such reasons and objectives I agree with my constituent that the best way to keep farmers on the farm is to pay wages which will keep farmers on the farm.

One of the previous speakers bemoaned the fact in this debate on the amendment to eliminate farm coverage, everyone seemed to be worried about the farmer or the farmworker, and the consumer had been forgotten. He made a slight effort to renew the old argument that there was a conflict of interest between the farmer and consumer. The speaker was using the old device to array the city against the country or the farmer against the consumer. Well, if the price of farm products should rise more than wages as a result of this coverage, of course the intent of this legislation would be negated. But the fact of the matter is that field labor is a very small percentage of the cost to the consumer. It has been estimated the cost of bringing agricultural wages up to a level of about $1.25 an hour is approximately equivalent to 1 penny per unit for most vegetables or fruits, whether that unit is a pound or dozen or head or whatever the unit may be. If retail prices should go up more than this amount and if then there is an outcry to blame such an increase of food on rising cost of farm labor then everyone concerned should forthwith demand a complete congressional inquiry.

It should be emphasized that for agricultural workers we are talking about a minimum wage which begins at only $1 an hour on February 1, 1967, and progressed to no higher than $1.30 an hour in 1969. Again the intention is to provide protection for farm employees of the large agri-business enterprises. This provision will not injure the family farmer but in fact should benefit his operation and hopefully assist perpetuation of the family farm.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Nebraska [Mr. Martin].

The question was taken, and the Chairman announced that the "noes" appeared to have it.

Mr. MARTIN of Nebraska. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Martin of Nebraska and Mr. Burton of California.

The Committee divided and the tellers reported that there were—ayes 149, noes 157.

So the amendments were rejected.

AMENDMENT OFFERED BY MR. BERRY

Mr. BERRY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Berry: On page 34, line 24, strike out "or"; page 35, line 9, strike out the period and the quotation mark and insert in lieu thereof ", or"; and, after line 9, insert the following new paragraph:
>
> "(3) any individual who is employed by an employer engaged in agriculture if such individual is employed on a farm or ranch which is principally engaged in the production or feeding of livestock."

Mr. BERRY. Mr. Chairman, I have two amendments designed to make the same correction in two different parts of the bill, and I ask unanimous consent that both amendments be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

The CHAIRMAN. The Clerk will report the second amendment.

The Clerk read as follows:

> Amendment offered by Mr. Berry: On page 37, line 12, strike out "or" and, in line 14,

immediately before the semicolon insert the following: ", or (C) if such employee is employed on a farm or ranch which is principally engaged in the production or feeding of livestock".

The CHAIRMAN. The gentleman from South Dakota is recognized for 5 minutes in support of his amendment.

Mr. DENT. Mr. Chairman, I wonder if we could have the courtesy of a copy of these amendments? They are complicated amendments. A moment ago we could not obtain a copy of that amendment. The gentleman now wants an amendment to cut out what he put into the bill. We must have copies of these amendments in order to know intelligently how to vote on this situation.

Mr. BERRY. Mr. Chairman, this is a simple amendment. All it does is to exempt, if you please, from the provisions of the bill those engaged in ranching and the producing and the feeding of livestock.

Now, Mr. Chairman, from the very nature of the bill itself, it means primarily that these are the larger ranches, already paying probably more, much more, than the minimum wage. For these people it will just simply exempt them from having to make these reports and from having some bureaucrat breathing down their neck.

As a matter of fact, in the ranch business, whether it be ranching in the production of cattle or sheep ranching, there is not any way of determining how many hours a week a man works. No bureaucrat can sit on the tongue of a sheep wagon and tell whether a sheepherder, a man out there with his flock, spends 24 hours a day, or is working 8 hours a day or 40 hours a week. It is impossible to make that determination.

Mr. Chairman, the purpose of these amendments is simply to relieve these larger operators, where they have to have additional help during lambing, during calving time, and during haying time, relieve them of making these reports, and having someone come out and, in effect, see whether or not their help is working 40 hours a week or 41 hours a week, when no one under the provisions of this bill can tell anyway.

Mr. Chairman, I yield back the balance of my time.

Mr. DENT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, these amendments were taken up by the committee on more than one occasion. The gentleman from Nebraska offered them in another form, but they were designed to accomplish the same thing.

Mr. Chairman, we deliberated over them and discussed them. We talked to the various groups involved. I talked to the ranch people myself and other men from the West talked to me about it.

People came in from the West and they talked to us here. The sheep people and the cattle people came in and I want to say that we left very friendly. If I were to quote them, I would say to you that they are not opposed to this legislation.

The record you are talking about is contained on page 22 of the report. I do not believe anybody can hire anybody with or without a bill without having their name, their home address, the date of their birth and if they are under 19 years of age and their sex and the kind of work they are going to do and the time of the day and the day of the week and when the employee's workweek begins and the hours he works each week.

If you hire anybody whether he is covered by the bill or not, you ought to know his name and you have to know how many hours he works in order to pay him his total weekly earnings. When you pay the worker, you have to mark it down somewhere on a check or something that you are paying the man. These records that he is keeping are the only records that we can get so that we can come before this House and deliberate on a bill intelligently. I was asked a question a minute ago and I had to confess to the House, and I did confess, that I could not answer the question. Why? Because in areas where they do not keep any records and have no records, none of us have any way of knowing what we are doing. That is the reason, sir, in the agricultural wage schedule this committee stopped at $1.30 because we honestly could not really and sincerely go beyond 2 years of coverage because we do not know for sure what it is going to do.

We asked the Members of the House to believe we are trying to work in a reasonable fashion. We covered your folks out in your area. They talked to us. They came in to see us. There is not one single coverage in this bill that has not been discussed with the different people and we took suggestions from each of them to change the provisions of previously proposed legislation.

But, it is impossible with 435 Members of the Congress, with each one of us wanting to play on the team and all of us wanting to be the pitcher. No one here wants to shag a fly and say, well, now, I cannot get everything I want for my district. There are 435 districts—each one different—and it is difficult to write a piece of legislation that covers all of the districts and yet give each and every one a complete exemption.

If you do that—if you take out the sheep and cattle ranch people—you will be taking out the largest ranchers in the country.

Mr. BERRY. Mr. Chairman, will the gentleman yield?

Mr. DENT. I am happy to yield to the gentleman.

Mr. BERRY. How can you tell how many hours these people work? How can anyone determine the hours that these people put in?

Mr. DENT. You really do not have to worry about that. There are no overtime provisions. It is a question of man-days. The law itself is based on man-days and in all the correspondence that we have here and we have a great volume of correspondence here, each and every one of them says it is the fairest method.

Mr. BERRY. How are you going to figure out how much an hour a man is getting if you do not know how many hours he works?

Mr. DENT. I will tell you this. If that farmer or that rancher is smart enough to employ people for 500 man-days a quarter and he does not know how to figure out how to pay his people, he needs some supervision. I am trying to be intelligent about it.

Mr. BERRY. And I will tell the gentleman something—all the rancher is interested in—and he is paying more than the minimum wage now——

Mr. DENT. Then why are you objecting?

Mr. BERRY. All the rancher is interested in is that he just does not want some Federal bureaucrat breathing down his neck and checking his books and going through all of these things every 3 months.

Mr. DENT. I would only say this to my colleague. If that is the only basis and the only argument for your amendments, I would point out to you that there is nobody in the United States who welcomes Government snoopers breathing down their back. I am against the income tax. Do you want to repeal the income tax laws because someone is snooping all the time? If that is the only objection to the bill—and the bill does not work any hardship on anybody—and the gentleman points out that these people are paying more than the minimum wage—and it does not affect the ranchers so far as that is concerned, but the ranchers do not want to have snoopers, then I would say that is not a sufficient argument.

Mr. POAGE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it had not been my intention to involve myself in this discussion, but I do feel we must clarify some of the questions of fact which are involved here.

I assume that the amendment offered by the gentleman from South Dakota is actually offered in the form which it takes because there is a problem which more generally confronts livestock growers than it does what are called "row crop" farmers, more often than not, at least in the area with which I am acquainted and I assume in other areas.

There are a great many people who own livestock operations and who employ one—sometimes more than one, but oftentimes only one—employee who will work on the farm or ranch, live in the house, receive all of his utilities and probably transportation in addition as part of his wages. I discussed this question with the chairman of the subcommittee and he was very courteous. I raise it now, not by way of criticism, but solely that we may have a clear-cut understanding of it in the RECORD.

To me it seems clear that if a man is working on a farm or ranch—and it is ordinarily a livestock operation—by the month, and people do not work ordinarily under those circumstances by the hour—at least they do not understand it by the hour—that man is there to do everything and anything which may come up on that place, and if he is required to go out at midnight, he goes out at midnight. If he takes his family to town one day, that is not counted against him. He is in many respects his own boss, but both he and his employer recognize that he is employed to do any work which is needed and at any time it is needed.

I think that under the decisions of the Labor Board that were he working in industry that they would hold he was working 24 hours a day because he is available to work 24 hours a day. I think they have held that way in cases of industrial employment. I see no reason to assume that there would be a different rule under the proposed legislation. I understand the chairman of the subcommittee disagrees with me on that point. Is that correct?

Mr. DENT. Yes, I do.

Mr. POAGE. Just for the record—and I want to get your feeling, not mine—you feel, as I understand it, that the employer and employee would have the right to make any agreement they wanted to, so that a man such as I have described could be considered as working only 8 hours a day, if that is all the time he actually averaged putting in in physical labor?

Mr. DENT. Since there is no time-and-a-half requirement in the bill and no overtime criteria in the legislation, the question gets down to whether or not a monthly payment, with the fringe benefits that are usually granted in conditions where the employees work by the month, the Department of Labor must establish some sort of a ruling other than to take the purely hourly rate, when the whole computation is on a day-rate basis. They will have to establish that a day is considered to be so many hours. As you know, the Department of Agriculture, in the Sugar Act, has decreed that a farm day is considered to be 12 hours. The Sugar Act works on a 12-hour base and has for many years, as the gentleman knows. I do not know what they will determine, but that has to be determined.

Mr. POAGE. This man working in livestock operations is actually on the job 24 hours a day and he is subject to work any one of those 24 hours. I think under the decisions we have in the industrial field they would hold that this man is an employee for 24 hours. That immediately brings this operation under the terms of the bill, because that is more than 500 man-hours.

Mr. DENT. This is not hours.

Mr. POAGE. What is it?

Mr. DENT. That has nothing to do with it.

Mr. POAGE. It has nothing to do with the wage. I am not talking about that, but I want to see if the employment of one man who has a constant responsibility would bring his employer under the bill. I think that there is a strong probability that it would. You think that it would not.

Mr. DENT. It has nothing to do with the coverage. It is 500 man-days. If he worked 24 hours a day, it would be 1 day.

Mr. POAGE. I think they would clearly hold that his 24-hour day was 3 man-days. I do not think there is the slightest doubt about that, and that figures out about twice 500 man-hours per year even if it is not necessary to employ any other help all year, and that is a most unlikely assumption.

Mr. DENT. All I can say to you is that I do not believe the Labor Department or any court in the land would determine that a man was working 21 days a week. They can't do that.

Mr. POAGE. I think it is clear they have done it in the past, and I think it is clear that they would do it in this instance. Under those circumstances it would mean that anyone who employed a sheepherder would be subject to the terms of the bill, and I think we must recognize that danger.

Mr. DENT. He will not be subject to the bill.

Mr. POAGE. I can only hope that the Chairman is correct. Anyway let the record show that the Chairman interprets his own bill as presenting no obstacle to the continuation of the existing practice of employment by the month with the understanding that the employee may be required to work 24 hours at a time.

I fear, however, that even this does not explain how the employer will fill out those records to which the Chairman has just referred. Clearly, the employer could not know just when the employee was working and when he was sleeping, yet it seems equally clear that this bill would impose such a responsibility—I must conclude that regardless of the Chairman's unquestioned good faith, that the proponents of this bill simply have no concept of the practicalities of farming, and that they do not know what the effect of their bill will be.

Mr. SISK. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. SISK. Mr. Chairman, I would like to have the attention of the chairman of the subcommittee.

I believe it is rather important to establish some interpretation here of what we are talking about. I well appreciate the problem that has been brought to the attention of the House by my colleague from Texas.

I happen to have a substantial stock industry. I happen to have a very large sheep industry.

I might say that as late as yesterday I discussed this subject with my wool growers. We are employing a substantial number, I might say—and a great many of you probably know we have to bring them in, because we have to do that in order to get experienced people.

I have assured them they will not be adversely affected by this legislation. But I want to make certain that it is not the intention of the committee that the fact that a sheepherder, who goes out on the range and literally for weeks and months lives with a herd of sheep, is going to be interpreted as working 24 hours a day and has to receive whatever the minimum wage is for each hour of that 24 hours.

Is there any such intention whatsoever in the mind of the committee?

Mr. DENT. There is no such intention. I would stake my reputation as a Philadelphia lawyer that there will be no such ruling.

Mr. SISK. I supported the position of the committee in opposition to the amendment which was offered. But this would be of serious consequence. I think my colleague from Texas and I ought to have some understanding of what we are talking about, because this is a very important subject. We are paying now, for example, $240 and found—and I assume the gentleman knows what we mean by "found."

Mr. DENT. I surely do.

Mr. SISK. We pay a man $240 a month and sometimes more, and we furnish him all his food and lodging and practically all his clothing, and everything he has.

Mr. DENT. That is found. Found is found, and counted.

Mr. SISK. If there is any reasonable interpretation of the hours in a day, it would seem we pay the minimum wage.

Mr. DENT. It is my interpretation, the interpretation I have put on this, that it would not be counted a 24-hour day. A day on the farm is the customary work day on the farm as such.

However, before we vote finally on the bill I will try my best to obtain a statement in this respect from the department that has to administer it. I think that is the only way to get at it.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. SISK. I yield to the gentleman from Texas.

Mr. POAGE. Mr. Chairman, I think the subcommittee chairman is doing a pretty fair thing. I appreciate it.

I want to ask the gentleman from California, if that interpretation is correct, how he will keep these records he referred to, because the chairman pointed out one of the records that must be kept is the exact hours the man worked. How in the world is the sheep owner, who lives in Fresno, going to know the hours that man has worked up on the side of the mountain? How is he going to fill in that blank and turn it in?

Mr. SISK. If the chairman of the committee desires to answer it, I will yield to him. I think I have an answer, but I will be glad to yield to him.

Mr. DENT. Mr. Chairman, there is not a mandatory carrying of the records on all of the four lines. If we will look at the language, it simply says that, for the overwhelming majority of employers this is the only information with respect to employees which will be preserved. When we have a man on a monthly payroll, we do not have to keep the hours.

The CHAIRMAN. The question is on the amendments offered by the gentleman from South Dakota [Mr. BERRY].

The amendments were rejected.

AMENDMENTS OFFERED BY MR. GUBSER

Mr. GUBSER. Mr. Chairman, I offer an amendment.

Mr. Chairman, I have another amendment at the desk. It goes to another portion of the bill.

I ask unanimous consent that the two amendments be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. DENT. Mr. Chairman, I did not hear the unanimous-consent request.

The CHAIRMAN. The gentleman from California requests that the two amendments be considered en bloc.

One amendment goes to another portion of the bill.

Mr. DENT. I thank the Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. GUBSER: On page 34, strike out line 25 and all that follows down through and including line 14 on page 35.

On page 37, strike out lines 8 through 14, inclusive, and insert in lieu thereof the following:

"(6) any employee employed in agriculture if such employee is the parent, spouse, child, or other member of his employer's immediate family; or".

Mr. GUBSER. Mr. Chairman, I opposed the amendments of the gentleman from Nebraska, which would have stricken agriculture from this bill. If I read the legislative barometer correctly, I believe we can now predict that in a very short period of time there will be a minimum wage for agricultural labor. This is a step forward but too small a step.

The bill does not go far enough, so I am offering this amendment which would strike out the exemption for those who use less than 500 man-days of agricultural labor in any one quarter. In other words, it would apply to almost every farmer except those who hire members of their own family.

In defeating the Martin amendment to exempt all agriculture we have established the principle of an agricultural minimum wage. Now the question is, What kind of a minimum wage? I hope in this bill, we will not create one which will be discriminatory.

This bill as presently written discriminates against the employees who work on various sized farms who do exactly the same kind of work. One man can be doing a job on one side of the road and be covered. Another man with the same sized family to feed could be doing the same kind of work on the other side of the road and not be covered.

Furthermore, this bill would widen the competitive gap which already exists between California farmers and the farmers with whom they compete in the rest of the Nation.

The gentleman from Pennsylvania stated that 61 percent of farmworkers would not be covered.

The gentleman from Iowa stated that 600,000 would not be covered. I suggest that these 600,000 persons are being discriminated against.

California agriculture by its very nature is different. We irrigate, and most other States do not. This causes extra work. It means that ground must be worked and reworked between irrigations. We raise deciduous fruits, so we must prune and spray in the dormant season. We have all sorts of operations which other States do not have in the production of the same commodities. This means we use more labor per acre than other States.

We in California are paying the highest agricultural wage rates, with the exception of Hawaii, in the entire Nation. Yet our State is the target today of those who say we are not paying enough. We feel that if we are a target when we are exceeding the minimum wage and leading other areas, it is wrong to exempt 600,000 workers who work for our competitors across the Nation and not force our competitors to at least part of the way up to the level of wages which we in California are paying and will continue to pay.

This discrimination between workers is impractical. If one worker knows in the morning that the farm down the road is paying a nickel more, everybody in that county will know it by noon, and wages will go up. So the distinction is not necessary and therefore not practical.

It is inconsistent with the Sugar Act, which we have had for years and under which all farmers, both small and large, must pay a certain wage.

It has been said that 600,000 people do not constitute an impact on the labor market. I point out that there is an impact on 600,000 human beings who are discriminated against. Let us consider the impact upon people instead of the impact upon the labor market.

It has been said that this will hurt the small farmer. In California when you talk about seven employees versus six employees, you are not talking about the difference between a small and a large farm; you are talking about a small and a smaller farm, because they are all small if they employ as few as seven people.

The trend today is toward larger farm units and fewer small farms. This is due to the tremendously inflated cost of equipment and the necessity for spreading increased overhead over a larger volume.

This trend has persisted even without a minimum wage and I predict that it will continue with or without an agricultural minimum wage.

So the real underlying question is: "In passing this bill, do we intend to subsidize small farms and help them to resist a natural and inevitable economic trend?"

If this is our purpose, then I suggest that we achieve it properly by asking the Committee on Agriculture to consider a program of small farm price supports and subsidies.

It is wrong to ask the farmworker who is currently on the bottom rung of the economic ladder to bear the entire brunt of this subsidy.

It is wrong to ask the California farmer, who is already pressed by unequal competitive factors, to accept increased disparity by legalizing some farmworkers to work at lower wages in order to subsidize small farms.

I came from a small farm and I regret seeing this great American institution gradually disappear. I might even be willing to support a program to help it survive, but I cannot support it by licensing discrimination between workingmen who do exactly the same job.

I do not think any of you should favor such discrimination.

Therefore, I urge you to remove the 500-man-day-per-quarter criteria for coverage of agricultural labor.

I urge you to eliminate discrimination against some workers and against some farmers.

I urge that if we have a minimum wage for agriculture we have it for all farmers, all States, and all workers.

I urge your support of my amendment.

Mr. MEEDS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, if I understand the amendment of the gentleman from California [Mr. GUBSER] correctly, the effect of it would be to include almost every farm in the United States. Every farm that employs one person other than the immediate members of the family would be included if this amendment is adopted. This may be a very fine goal in the future, but I do not think, Mr. Chairman, the time has arrived when we can do this. The 500-man-day test in the agriculture section is to that section what the enterprise test is to the retail trade section. So when we eliminate the 500-man-day test from the agricultural section, it is just like cutting out the enterprise test in the other sections which the gentlemen on the other side of the aisle have seen fit to raise. So it seems to me if we are going to be consistent, we are going to furnish to the small farmer, the family farmer I may add, the same type of protection for his smallness that we are providing to the small businessman with the enterprise test. This I submit also would bring to the small farmer, as the gentleman from Virginia mentioned earlier, problems of bookkeeping which the individual family farmer is not prepared to assume.

Mr. Chairman, I submit that the gentleman from California states that the small farmer is going out of business, anyhow. This amendment would work toward putting him out in a real hurry.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. MEEDS. I yield to the chairman of the subcommittee.

Mr. DENT. I would ask you to oppose this amendment, because the committee did try to do that which was just and proper and fair. We tried to limit coverage to those farms we believed were in a corporate type of entity. We did not believe covering all farms in America would be fair to the farmer or fair to the economy of the Nation any more than we ever believed in covering the mama-and-papa store of a retail association.

Mr. HAGEN of California. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman and members of the Committee, I am going to vote for the amendment of the gentleman from California. I would like to say I think it is a fiction to assume in any area where you have any substantial number of large farms that are covered by this bill that you are not going to raise wages for every farmer in the area, because there are shortages of farm labor almost everywhere in the United States now and all of these farmers are competing for the same labor. They will compete in terms of wages if this bill is passed.

I would like to ask the chairman of the subcommittee some questions if I might. No. 1, in applying this law would it be possible to calculate the compliance with the minimums established for farmwork on the basis of piece rates which result in an average for all his employees, equal or above the minimum, or must there be a flat dollar minimum for every single employee regardless of his individual productivity working on a piece rate basis.

Mr. DENT. Yes.

Mr. HAGEN of California. This method of compliance would be valid under this bill?

Mr. DENT. Yes. If there is a piece rate, it meets the minimum. It is a measure of earnings. A piece rate is used in industry today, and I would assume it would be used in the agricultural field the same as it is used in industry.

Mr. HAGEN of California. And, therefore, if the farmer uses a piece rate method of pay, if his rate were high enough for the average of his employees he would not be out of compliance because a few workers failed to earn the dollar minimum?

Mr. DENT. Mr. Chairman, if the gentleman will yield further, those people who are piece rate workers in most instances are going to be exempt under the Green amendment which will be offered very shortly.

Mr. HAGEN of California. The gentleman says that there will be an amendment offered to permit a pure piece rate as a method of compliance.

Mr. DENT. If the gentleman will yield further, it is an amendment that is designed to clarify the counting and the coverage.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. Not at the moment. I shall be glad to yield to the gentleman later.

I want to ask some questions about this agricultural coverage formula and who is covered, the present description of coverage is rather poor, to be sincere about it.

How is the farmer to determine in counting his man-days whether or not a particular worker has worked less than 13 weeks during the preceding calendar year? How can he accurately determine that?

Mr. DENT. When you ask him.

Mr. HAGEN of California. Suppose he furnishes an incorrect answer?

Mr. DENT. If the gentleman will yield further, it will have to be the same answer as is given when you have to determine the age of a person who is buying a drink of liquor in a liquor store. You can only ask him.

Mr. HAGEN of California. Why put these qualifications in there—this commuting item and this 13-week requirement?

Mr. DENT. Mr. Chairman, if the gentleman will yield further, in order to cover the migrant who is, in fact, a farmworker. We tried to distinguish between a farmworker, one who earns a livelihood at farming, and the local farmworker who comes out during the harvest season, where the worker and his family go out in the harvest season and harvest cherries, strawberries, and blackberries, and other cover crops or ground crops. We do not want to cover them as farmworkers, when they are not in the farmworkers classification, because they are only temporary.

Mr. HAGEN of California. I would like to point out to the gentleman from Pennsylvania that I do not know what the situation is in other States, but labor has settled down in California. A large number of the farmworkers who do harvest, for example, fruits and vegetables, live in the area, and they, in fact, commute to work from their homes.

As I understand it, under the gentleman's definition, their work activities would not be included in this computation of man-days?

Mr. DENT. Not if they work less than 13 weeks in the year. They would travel back and forth to their homes and they would pick another crop.

We have made the provision as tight as we can.

Mr. HAGEN of California. I am not going to try to change your formula with an amendment, but I believe a much fairer criterion would be a criterion of gross income, such as you have with reference to retail establishments, for example.

Mr. DENT. Mr. Chairman, if the gentleman will yield further, that was gone into very, very thoroughly by the committee, and it just was not possible to get any kind of agreement. For example, a farmer may have in 1 year a very fine, prized bull. You just do not get one of those every year, and he might be covered because he had that prized bull. We did not want this bill to be based upon bulls.

Mr. HAGEN of California. Let us assume that the only quarter in the year that he employed 500 man-days of farm labor was the last quarter. What is his situation the next year?

Mr. DENT. He is covered the next year.

Mr. HAGEN of California. Even though this is a new year?

Mr. DENT. That is right. If he does not reach 500 man-days that year, then he is uncovered the next year. That is the only formula about which we know.

Mr. HAGEN of California. He is uncovered the next year?

I would respectfully submit that this formula should be changed when the bill reaches the other body in some fashion. Serious questions remain; for example, assume that the first affecting year of the act coverage is based on the first quarter's employment—does that record establish a requirement for the balance of that calendar year or only for the succeeding year?

Mr. GLENN ANDREWS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I will say to my colleagues that I have listened to the debate yesterday afternoon and today on this bill. I have listened attentively, I think, and I have found expressed by the various Members of this body two distinct purposes behind this legislation.

I, myself, am inclined to believe that both of these factors are involved in the legislation.

But I would like to make it very clear, if I possibly could, particularly to the gentleman from California whether or not the closing of the competitive gap between California agriculture and other agriculture in the United States is their purpose in this legislation? Or whether we ought to believe, with the gentlewoman from Oregon and the gentlewoman from Hawaii, that the purpose of this legislation is to establish decent wages for the lower paid in America.

May I ask the gentleman from California who just spoke if he can tell me whether or not the chief purpose of the bill so far as the California people are concerned is to close the competitive gap—where California enjoys a good climate and great soil and abundant labor—whether their purpose in this bill so far as Californians are concerned is to close the competitive gap or to gain a decent wage for the farm employees of America.

The gentleman from California is not answering that question. Then may I ask the gentlewoman from Oregon what she thinks the chief purpose of this bill is?

Mrs. GREEN of Oregon. The chief purpose of the legislation is to try to establish a minimum floor which would provide a decent living standard for as many Americans as we possibly can at this time in this country. If I had my way, I would like to provide such a decent living standard for every single American in the United States who wants a job, could find that job, and devote his time and energies to it. However, I realize political problems are involved.

I think it is politically and economically unwise and impossible as of today, May 25, 1966, to extend the minimum wage to every family-size farm as well as the corporate farms.

Mr. GLENN ANDREWS. I would say to the gentlewoman, I rose in opposition to this amendment. If it is her purpose as I understand the gentlewoman to gain a decent living for all the farmers in the United States, does she not recognize that there is a difference in living costs which exists and has been established throughout the United States.

The gentlewoman has traveled widely. She knows what the cost of living is in Mississippi as compared with Oregon, New York, and Chicago. Would she not recognize that there is a vast difference in the cost of living and therefore of necessity a difference in wages—while she would have a uniform minimum wage throughout the Nation.

Mrs. GREEN of Oregon. I would apply a floor. And above that floor the wages could go to any particular amount that would be appropriate in that particular community or that particular area of the country.

Mr. GLENN ANDREWS. The floor would affect only those who are below that standard minimum and States like California and New York would have utterly nothing to do with this bill at all; is that correct? Are there not pockets of low income in every State where food costs and laundry costs and so on and so forth vary within the State tremendously—for example, as between New York City and the hinterlands of the State of New York would there not be different living costs where the minimum wage or a uniform wage throughout the Nation would apply in one case and not in another—or would apply unfairly in one case and not unfairly in another case?

Mrs. GREEN of Oregon. I have tried to explain my position on this. I favor establishing a minimum floor. There are differences in the actual living costs and in many States wages are above the floor.

The **CHAIRMAN**. The question is on the amendments offered by the gentleman from California [Mr. GUBSER].

The amendments were rejected.

Mr. DENT. Mr. Chairman, I ask unanimous consent that the remainder of the bill be read by title and be open for amendment and that each title be open to amendment at any point.

The **CHAIRMAN**. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MARTIN of Nebraska. Mr. Chairman, a parliamentary inquiry.

The **CHAIRMAN**. The gentleman will state it.

Mr. MARTIN of Nebraska. I have an amendment to title I and I understand that we are still considering title I.

The **CHAIRMAN**. The gentleman is correct. We are still on title I.

Mr. COLLIER. Mr. Chairman, a parliamentary inquiry.

The **CHAIRMAN**. The gentleman will state it.

Mr. COLLIER. Do I understand correctly that the unanimous-consent request of the gentleman from Pennsylvania is not put into effect until we have completed title I?

The **CHAIRMAN**. That is correct.

Then the remainder of the bill will be considered by title.

AMENDMENT OFFERED BY MR. MARTIN OF NEBRASKA

Mr. MARTIN of Nebraska. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MARTIN of Nebraska: On page 35, between lines 14 and 15, insert the following:

"DEFINITION OF WAGES

"SEC. 103. Sec. 3(m) of the Act is amended by inserting immediately before the first proviso and after the word 'employees', the following language, '*Provided*, That such cost shall be determined in each State, subject to the approval of the Secretary of Labor, by the appropriate State agency or officer, or if there is no such officer or agency, an officer or agency designated by the Governor or by State law', and inserting the word 'further' after the word '*Provided*' in such first proviso."

Mr. MARTIN of Nebraska. Mr. Chairman, I would like to have the attention of the chairman of the subcommittee.

Mr. BURTON of California. Mr. Chairman, will the gentleman yield?

Mr. MARTIN of Nebraska. I am glad to yield to the gentleman from California.

Mr. BURTON of California. As I understand the gentleman's proposal, it would permit each of the 50 Governors to decide what constituted a wage in the area of farm labor.

Mr. MARTIN of Nebraska. No. That is not the point of the amendment at all.

Mr. BURTON of California. That is what the amendment appears to say to me.

Mr. MARTIN of Nebraska. That is not correct. I have discussed the amendment with the subcommittee chairman. In fact, we discussed it in the Rules Committee. Let me explain it for a moment.

First, the amendment provides that the value of any meals, food, and housing furnished to an employee would be determined by the appropriate officer within a State government—for example, the secretary of labor, the secretary of agriculture, or, if there is not any, the appropriate officer to be appointed by the Governor—who would make the determination as to the value of such food and housing furnished.

The determination made would still be subject to the final approval of the Secretary of Labor here in Washington.

Mr. BURTON of California. Mr. Chairman, will the gentleman yield further?

Mr. MARTIN of Nebraska. I yield to the gentleman from California.

Mr. BURTON of California. As I understand it, your amendment would amend the wage section of the bill. You would permit the Governor in each of the States to assign a value to certain incidents of employment that would affect to what extent cash wages would be paid under the minimum wage bill. Is that correct?

Mr. MARTIN of Nebraska. No; that is not correct.

I yield to the subcommittee chairman.

Mr. DENT. Mr. Chairman, the gentleman from Nebraska has taken up his amendment with me many times. All he is asking is that because we are now covering restaurants, we hope, and farmers, we hope, there are areas in which allowances are made for services and fringe benefits that are given to the employees, such as meals, uniforms, housing, and so forth.

Each State that has a minimum wage bill covering those particular areas of coverage has an allowance that they permit, and each State varies in the allowance they permit.

For example, in my State $3 a day is allowed for workers employed in resort hotels that get room, board, and other fringe benefits.

As I understand the amendment, it would allow the Secretary of Labor to accept the State allowances established by the State secretary of labor or wage and hour board, and if the Secretary does not approve those allowances, then he would not accept them. I believe that the amendment is all right.

Mr. MARTIN of Nebraska. That is correct. I have exactly the same interpretation as the subcommittee chairman.

Mr. BURTON of California. Mr. Chairman, will the gentleman yield at this point?

Mr. MARTIN of Nebraska. I am happy to yield to the gentleman.

Mr. BURTON of California. As I understand it, Mr. Chairman, the Secretary must find that the value assigned to these incidents of employment is fair, just, and equitable to the employees. Is that the gentleman's understanding?

Mr. MARTIN of Nebraska. There is nothing in there as to whether it is fair or equitable to the employee or the employer. All my amendment does is simply bring it down to the State level to make the original determination as to what the value of room and board is which is furnished to the employees. But that determination at the State level is still subject to the approval of the Secretary of Labor in Washington. I am trying to bring it down to the State level.

Mr. BURTON of California. Will the gentleman yield further?

Is it the gentleman's intention that this will be applicable only in States that have a statutory minimum wage?

Mr. MARTIN of Nebraska. That is not correct. Would the gentleman like to have me read my amendment again? This is an amendment to the act itself.

Mr. BURTON of California. I understand what the amendment does. I am trying to clarify the gentleman's intention.

Mr. MARTIN of Nebraska. My intention, as I have stated twice now, is simply to make the original determination on the value of any room and board furnished an employee at the State level, subject to the approval of the Secretary of Labor.

Mr. BURTON of California. As I understand, it is not the intention of the gentleman, at least as I have understood the debate, to expand on that which is currently defined as wages in the act, but it is to the extent that the definition is amended in this pending bill?

Mr. MARTIN of Nebraska. It has nothing to do with the wage rate or the minimum wage, either at the State or Federal level.

Mr. POWELL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the distinguished gentleman from Nebraska mentioned that this applies to the 50 States. Will the gentleman's amendment exclude Puerto Rico?

Mr. MARTIN of Nebraska. The act will read, with this amendment included:

(m) "Wage" paid to any employee includes the reasonable cost, as determined by the Secretary of Labor,[18] to the employer of furnishing such employee with board, lodging, or other facilities, if such board, lodging, or other facilities are customarily furnished by such employer to his employees—

This is where my amendment starts:

"*Provided*, that such cost shall be determined in each state, subject to the approval of the Secretary of Labor, by the appropriate state agency or officer, or if there is no such officer or agency, an officer or agency designated by the Governor or by state law".

Perhaps that does not include Puerto Rico.

Mr. POLANCO-ABREU. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the distinguished Resident Commissioner from Puerto Rico [Mr. POLANCO-ABREU].

Mr. POLANCO-ABREU. Mr. Chairman, will the distinguished gentleman from Nebraska accept an amendment? Will the gentleman accept an amendment after the word "State" in his amendment, to insert "and the Commonwealth of Puerto Rico"?

Mr. MARTIN of Nebraska. I will be happy to accept that amendment; yes.

Mr. BURTON of California. Mr. Chairman, I move to strike the requisite number of words.

I am not going to belabor this. The chairman of the full committee has indicated his view on the matter. The gentleman who has offered the amendment has represented it as not his intention to affect or expand on the definition of "wages." That is of some comfort.

However, we are permitting 50 different States' yardsticks to be applied to weighing and measuring the value of room and board. I think this is not wise.

The Secretary of Labor would be deprived of his authority as it currently exists to assign a value in this regard, and put in an appellate position.

I believe the gentleman's suggestion is ill advised. I believe it will mean having 50 different interpretations of the value of room and board. It could well frustrate the purpose of the legislature.

I am personally opposed to its adoption.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. BURTON of California. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Would the gentleman from Nebraska clarify one point? Is the gentleman suggesting that the State is going to determine the value of these services in the case of farmworkers only, or across the board on everything, restaurants and everything else?

Mr. MARTIN of Nebraska. This would cover any area where room or room and board are furnished.

Mr. PUCINSKI. For whom?

Mr. MARTIN of Nebraska. For employees. It would cover employees on farms. It would cover employees in restaurants and hotels.

Mr. PUCINSKI. Then what the gentleman really is saying is that a Governor or a secretary of state, or a secretary of labor, or a commissioner of labor, or a director of labor—whatever he might be—could actually manipulate for each State a different value and a different standard merely by manipulating the value of lodging, clothing, and food?

Mr. MARTIN of Nebraska. That is not correct; because the determination made at the State level still would be subject to the approval of the Secretary of Labor in Washington, D.C.

I should like to make one other point, if the gentleman will yield further.

In regard to the question by the chairman of the committee [Mr. POWELL] about Puerto Rico, I should like to quote from paragraph (c) of the act as to the definition of a State. I have used the word "State" in my amendment.

> "State" means any State of the United States or the District of Columbia or any Territory or Possession of the United States.

I believe that Puerto Rico would be covered by my amendment.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield further?

Mr. BURTON of California. I should like to pursue this matter.

Is it the gentleman's position that if the Secretary decides the value assigned to room and board is not fair and equitable to the employee, the Secretary would have the authority to assign a value to the room and board?

Mr. MARTIN of Nebraska. That is correct; because the Secretary of Labor would make the final determination here in Washington, D.C.

Mr. BURTON of California. So it is the very clear and explicit intent, without regard to the language of the amendment, that the Secretary, if he decides the assignment of value to room and board is not fair and equitable to the employee, may assign the value on his own motion?

Mr. MARTIN of Nebraska. That is correct. All my amendment would do is allow the original determination to be made at the State level.

Mrs. MINK. Mr. Chairman, I rise in opposition to the amendment and move to strike the requisite number of words.

I should like to join my colleagues on my committee and object to the amendment suggested by my colleague from Nebraska.

I point out that the language in section 3 with reference to wages permits the Secretary of Labor to make the determination of value with respect to board, lodging, and other services which might be rendered the employees. I believe it is entirely fitting and proper, that the responsibility be lodged in the Secretary of Labor, since this is Federal legislation establishing a minimum wage. Whatever policies are determined by the Secretary of Labor ought to be uniform, consistent with rules and regulations which are adopted by the Secretary, operative in all the 50 States.

If the purpose of the amendment is to permit the State agencies some opportunity to inform and advise the Secretary of Labor, I should like to point to the language in section 11(b) of the act as it exists today, which gives the Secretary of Labor the responsibility of consulting with the State agencies charged with the administration of State labor laws.

In consulting with these State departments they can arrive at the responsibilities which the Secretary of Labor is charged with under this act. I think the purposes of the bill are well met by the present language of the bill. Therefore, I ask the Members of this House to vote down the amendment as not being necessary and as one which would really thwart the purposes of a Federal minimum wage law which is to establish uniform rules and regulations for the meeting of all the conditions with reference to wages and overtime that are provided in this bill.

Mr. PUCINSKI. Mr. Chairman, will the gentlewoman yield?

Mrs. MINK. I yield to my colleague from Illinois.

Mr. PUCINSKI. I would like to commend the gentlewoman for her observations. I cannot think of any faster way to destroy the whole concept of this minimum wage standard than by letting this amendment go through, because, as we have seen here earlier, what you would do then is let each State set its own standards. You can really negate the basic standard of the minimum wage by doing this. I think it will be giving certain States greater advantages at the expense of other States. I cannot think of any amendment which was presented here today that would do a greater injustice to this whole concept of fair labor standards.

Therefore, Mr. Chairman, I hope this amendment is rejected.

Mr. BURTON of California. Mr. Chairman, will the gentlewoman yield?

Mrs. MINK. I yield to the gentleman from California.

Mr. BURTON of California. I, too, would like to commend the gentlewoman for pointing out that the current law already gives to the Secretary of Labor the authority to assign a value to room and board and this proposal at best is superfluous, and at worst could confront us with the dilemma of an administration of 50 different kinds of yardsticks in the various States of the Nation. We are enacting a national minimum wage here, and the national Secretary of Labor has authority in this area. The fragmentation of this authority into 50 pieces is most unnecessary at best.

Mr. DENT. Mr. Chairman, I rise to see if I can clarify a little of the atmosphere here and clear it up. When the gentleman talked to me, I believe we were discussing the question of who would establish and how could they establish the value of the home provided for a farmhand—power, beef, food from the gardens, or whatever he gives them—and the question of the allowance for meals and uniforms and other things now covered by the act.

I did not contemplate that we would go into an all-inclusive thing. I was ready then and I am now personally ready to accept an amendment which is restricted to the coverage of the new areas of restaurants and farms, because under the old act they have already established procedures which are in effect. So let us not redo them.

My question to those who are afraid that this fragmentation will be to the detriment of the work is, remember that if they do not establish it on a State-by-State basis and you have a Secretary of Labor who might establish a meal value for the city of New York in the State of Kansas or Alabama or Virginia, then you will find that your employee will not get a minimum wage but he will get a meal a day. I think I know a little bit about what I think is best for the worker.

If the Secretary of Labor feels a State has established a value entirely out of proportion to the amount of money being paid to the worker, he can reject it, but if he had the responsibility of setting it up, he will find he must go beyond those in high-cost States trying to take out of the wage earner's pocket a higher cost for the fringe benefits he is getting than what are actually the values.

If it is a low-wage area, the value of a meal will be less than it is in a high-wage area. You will find it to be true. In some counties of some States, for instance, they are different than in other counties. A State may set it up in the city of Pittsburgh, as it does, differently from the county of Westmoreland. If the Secretary of Labor is going to go into the 8,700 counties in the West, he will find himself in an awful situation.

Mr. BURTON of California. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman from California.

Mr. BURTON of California. Mr. Chairman, I would like to commend the distinguished chairman of the subcommittee, because the gentleman has pinpointed the problem inherent in this proposal.

I am pleased to hear that the gentleman from Pennsylvania is going to reject and oppose the amendment, because this amendment covers all, not just the newly covered.

Mr. DENT. I would ask the gentleman from Nebraska [Mr. MARTIN] whether or not when he discussed it with me, at any time we discussed it, it was for other than the newly covered people in the restaurants and on farms. In fact, we were discussing farms when we talked about it.

I will be happy to accept it too, but I cannot take away from the Secretary established authority which he already has.

Mr. MARTIN of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman from Nebraska.

Mr. MARTIN of Nebraska. If we added these words, "provided that such cost with respect to employees employed in agriculture, restaurants, hotels, and motels—

All of these are newly covered employees—and then go on to the wording, would that be acceptable to the gentleman from Pennsylvania?

Mr. DENT. I do not see anything wrong with the wording that the Secretary may accept or reject the State allowance, the allowance allowed by the State government, because if you do not have that, then, of course, you have no protection against the State government, which might want to establish false rates. I would accept it if it were properly worded.

Mr. PUCINSKI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this discussion, I believe, should include the fact that in the bill now we do have the machinery and we do have the provisions for doing what the gentleman from Nebraska suggests and it is in the bill to the effect that the Secretary of Labor and the U.S. Department of Labor may make the determination based upon the following language:

> *Provided further,* That the Secretary is authorized to determine the fair value of such board, lodging, or other facilities for defined classes of employees and in defined areas, based on average cost to the employer or to groups of employers similarly situated, or average value to groups of employees, or other appropriate measures of fair value. Such valuations, where applicable and pertinent, shall be used in lieu of actual value of cost in determining the wage paid any employee.

Mr. Chairman, I just cannot see how this formula, which has worked so well, could be improved upon. We have had no complaints about it. No State has testified in support of any other formula. There has been no criticism of this formula.

I do not know what purpose this Congress is going to serve in trying to revise that formula now and bring in 50 different standards all across America and Puerto Rico.

I say to the members of the Committee that if this is done, we are going to create more problems with that kind of formula than we will solve.

The Secretary of Labor has the experience. There has been no complaint. There has been no testimony in support of this, and I believe at this moment that to rewrite this basic original law is to do what we have previously done when we see what we have done later, it was a mistake.

Mr. Chairman, I feel that we should reject the amendment and stay with the law as it is now spelled out, on which we have had a great deal of experience and expertise and past history.

Mr. MARTIN of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Nebraska.

Mr. MARTIN of Nebraska. We have actually had very little experience in the labor field with reference to making a determination in respect to board, lodging, or other facilities, because there has been very little coverage in this area.

The gentleman from Illinois is making a mountain out of a molehill on this amendment. All I am simply doing is trying to establish the value, of any room and board, at the State level which I believe, might be more realistic than one made in Washington.

I believe further that it will be of great assistance to the Secretary of Labor in Washington to get the advice of the people within the States themselves whom I believe are, perhaps, more conversant with local conditions and the value of housing and meals and so forth.

Mr. PUCINSKI. If we are going to follow the gentleman's logic, why not let the secretary of labor in each State set his own minimum wage standards? Why do you not let them do that and let us have 50 different standards for minimum wages. We are talking about labor and the Fair Labor Standards Act, and I feel when you bring in these extraneous issues, you will not be able to hold this together.

Mr. MARTIN of Nebraska. Mr. Chairman, I have a very simple amendment and the gentleman is making it very complicated. The chairman of the subcommittee has accepted the amendment and I hope the Committee of the Whole will approve it.

Mr. PUCINSKI. Mr. Chairman, I hope the amendment will be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska [Mr. MARTIN].

The amendment was rejected.

The CHAIRMAN. If there are no further amendments to title I, the Clerk will read.

Mr. POWELL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. POWELL. Did not the chairman of the subcommittee obtain unanimous consent that each title be considered as read?

The CHAIRMAN. Without objection, the further reading of title II will be dispensed with.

There was no objection.

Title II is as follows:

TITLE II—REVISION OF EXEMPTIONS

Hotel, restaurant, and recreational establishments; hospitals and related institutions

SEC. 201. (a) Section 13(a)(2) of such Act is amended by striking out everything preceding "A 'retail or service establishment'" and inserting in lieu thereof the following:

"(2) any employee employed by any retail or service establishment (except an establishment or employee engaged in laundering, cleaning, or repairing clothing or fabrics or an establishment engaged in the operation of a hospital, institution, or school described in section 3(s)(4)), if more than 50 per centum of such establishment's annual dollar volume of sales of goods or services is made within the State in which the establishment is located, and such establishment is not in an enterprise described in section 3(s) or such establishment has an annual dollar volume of sales which is less than $250,000 (exclusive of excise taxes at the retail level which are separately stated)."

(b)(1) Section 13(b) of such Act is amended by inserting after paragraph (7) the following new paragraph in lieu of the paragraph repealed by section 211 of this Act:

"(8) any employee employed by an establishment which is a hotel, motel, or restaurant; or".

(2) Section 13(a) of such Act is amended by inserting after paragraph (2) the following new paragraph in lieu of the paragraph repealed by section 202 of this Act:

"(3) any employee employed by an establishment which is an amusement or recreational establishment, if (A) it does not operate for more than seven months in any calendar year, or (B) during the preceding calendar year, its average receipts for any six months of such year were not more than 33⅓ per centum of its average receipts for the other six months of such year; or".

Laundry and cleaning establishments

SEC. 202. Section 13(a)(3) of such Act is repealed.

Agricultural employees

SEC. 203. (a) Section 13(a)(6) of such Act is amended to read as follows:

"(6) any employee employed in agriculture (A) if such employee is employed by an employer who did not, during any calendar quarter during the preceding calendar year, use more than five hundred man-days of agricultural labor, or (B) if such employee is the parent, spouse, child, or other member of his employer's immediate family; or".

(b) Section 13(a)(16) of such Act (agricultural employees employed in livestock auctions) is repealed.

(c) Section 13(b) of such Act is amended—

(A) by striking out the period at the end of paragraph (11) and inserting in lieu thereof "; or", and

(B) by adding at the end of paragraph (11) the following new paragraphs:

"(12) any employee employed in agriculture or in connection with the operation or maintenance of ditches, canals, reservoirs, or waterways, not owned or operated for profit, or operated on a sharecrop basis, and which are used exclusively for supply and storing of water for agricultural purposes; or

"(13) any employee with respect to his employment in agriculture by a farmer, notwithstanding other employment of such employee in connection with livestock auction operations in which such farmer is engaged as an adjunct to the raising of livestock, either on his own account or in conjunction with other farmers, if such employee (A) is primarily employed during his workweek in agriculture by such farmer, and (B) is paid for his employment in connection with such livestock auction operations at a wage rate not less than that prescribed by section 6(a)(1); or".

Agricultural processing employees

SEC. 204. (a) Sections 13(a)(10) (employees engaged in handling and processing of agricultural, horticultural, and dairy products); 13(a)(17) (country elevator employees); 13(a)(18) (cotton ginning employees); and 13(a)(22) (fruit and vegetable transportation employees) of such Act are repealed.

(b) Section 13(b) of such Act is amended by adding after paragraph (13) (added by section 203(c) of this Act) the following new paragraphs:

"(14) any employee employed within the area of production (as defined by the Secretary) by an establishment commonly recognized as a country elevator, including such an establishment which sells products and services used in the operation of a farm, if no more than five employees are employed in the establishment in such operations; or

"(15) any employee engaged in ginning of cotton for market, in any place of employment located in a county where cotton is grown in commercial quantities; or

"(16) any employee engaged (A) in the transportation and preparation for transportation of fruits or vegetables, whether or not performed by the farmer, from the farm to a place of first processing or first marketing within the same State, or (B) in transportation, whether or not performed by the farmer, between the farm and any point within the same State of persons employed or to be employed in the harvesting of fruits or vegetables; or"

(c) Subsection (c) of section 7 of such Act is amended to read as follows:

"(c) For a period or periods of not more than fourteen workweeks in the aggregate in any calendar year, any employer may employ any employee for a workweek in excess of that specified in subsection (a) without paying the compensation for overtime employment prescribed in such subsection if such employee (1) is employed by such employer in an industry (other than an industry described in subsection (d)) found by the Secretary to be of a seasonal nature, and (2) receives compensation for employment by such employer in excess of ten hours in any workday, or for employment by such employer in excess of forty-eight hours in any workweek, as the case may be, at a rate not less than one and one-half times the regular rate at which he is employed.

"(d) For a period or periods of not more than fourteen workweeks in the aggregate in any calendar year, any employer may employ any employee for a workweek in excess of that specified in subsection (a) without paying the compensation for overtime employment prescribed in such subsection, if such employee—

"(1) is employed by such employer in an enterprise which is in an industry found by the Secretary—

"(A) to be characterized by marked annually recurring seasonal peaks of operation at the places of first marketing or first processing of agricultural or horticultural commodities from farms if such industry is engaged in the handling, packing, preparing, storing, first processing, or canning of any highly perishable agricultural or horticultural commodities in their raw or natural state, or

"(B) to be of a seasonal nature and engaged in the handling, packing, storing, preparing, first processing, or canning of any highly perishable agricultural or horticultural commodities in their raw or natural state, and

"(2) receives compensation for employment by such employer in excess of ten hours in any workday, or for employment in excess of forty-eight hours in any workweek, as the case may be, at a rate not less than one and one-half times the regular rate at which he is employed."

(d)(1) Subsections (d), (e), (f), (g), and (h) of section 7 of such Act are redesignated as subsections (e), (f), (g), (h), and (i), respectively.

(2) Subsections (g) and (h) of such section 7 (as so redesignated by paragraph (1) of this subsection) are each amended by striking out "subsection (d)" and inserting in lieu thereof "subsection (e)".

Small newspapers

SEC. 205. Section 13(a)(8) of such Act is amended by striking out "where printed and published" and inserting in lieu thereof "where published".

Transportation companies

SEC. 206. (a) Section 13(a)(9) of such Act is repealed.

(b)(1) Section 13(a)(12) of such Act is repealed.

(2) Section 13(b) of such Act is amended by adding after paragraph (16) (added by section 204(b) of this Act) the following new paragraph:

"(17) any driver employed by an employer engaged in the business of operating taxicabs; or".

(c) Section 13(b)(7) of such Act is amended to read as follows:

"(7) any driver, operator, or conductor employed by an employer engaged in the business of operating a street, suburban or interurban electric railway, or local trolley or motorbus carrier, if the rates and services of such railway or carrier are subject to regulation by a State or local agency; or".

Motion picture theater employees

SEC. 207. Section 13(a) of such Act is amended by inserting after paragraph (8) the following new paragraph in lieu of the paragraph repealed by section 206(a) of this Act:

"(9) any employee employed by an establishment which is a motion picture theater; or".

Logging crews

SEC. 208. Section 13(a)(15) of such Act is amended by striking out "twelve" and inserting in lieu thereof "eight".

Automobile, aircraft, and farm implement sales establishments

SEC. 209. (a) Section 13(a)(19) of such Act is repealed.

(b) Section 13(b) of such Act is amended by inserting after paragraph (9) the following new paragraph in lieu of the paragraph repealed by section 212 of this Act:

"(10) any salesman, mechanic, or partsman employed by an establishment which is primarily engaged in the business of selling automobiles, trucks, or farm implements to the ultimate purchaser, and any salesman, mechanic, or flight personnel employed by a nonmanufacturing establishment which is primarily engaged in selling aircraft; or".

Food service employees

SEC. 210. (a) Section 13(a)(20) of such Act is repealed.

(b) Section 13(b) of such Act is amended by adding after paragraph (17) (added by section 206(b)(2) of this Act) the following new paragraph:

"(18) any employee of a retail or service establishment who is employed primarily in connection with the preparation or offering of food or beverages for human consumption, either on the premises, or by such services as catering, banquet, box lunch, or curb or counter service, to the public, to employees, or to members or guests of members of clubs."

Gasoline service stations

SEC. 211. Section 13(b)(8) of such Act is repealed.

Petroleum distribution employees

SEC. 212. (a) Section 13(b)(10) of such Act is repealed.

(b) Section 7(b)(3) of such Act is amended to read as follows:

"(3) by an independently owned and controlled local enterprise (including an enterprise with more than one bulk storage establishment) engaged in the wholesale or bulk distribution of petroleum products if—

"(A) the annual gross volume of sales of such enterprise is less than $1,000,000 exclusive of excise taxes,

"(B) more than 75 per centum of such enterprise's annual dollar volume of sales is made within the State in which such enterprise is located, and

"(C) not more than 25 per centum of the annual dollar volume of sales of such enterprise is to customers who are engaged in the bulk distribution of such products for resale, and such employee receives compensation for employment in excess of forty hours in any workweek at a rate not less than one and one-half times the minimum wage rate applicable to him under section 6.".

Eniwetok and Kwajalein Atolls and Johnston Island

SEC. 213. Section 13(f) of such Act is amended by striking out "and the Canal Zone" and inserting in lieu thereof "Eniwetok Atoll; Kwajalein Atoll; Johnston Island; and the Canal Zone".

Technical and conforming amendments

SEC. 214. (a) Section 3(n) of such Act is amended by striking out ", except as used in subsection (s)(1),".

(b) Section 13(a) of such Act is amended—

(1) by redesignating paragraphs (11), (13), (14), (15), and (21) as paragraphs (10), (11), (12), (13), and (14), respectively, and

(2) by striking out "; or" at the end of paragraph (14) (as so redesignated in this subsection) and inserting in lieu thereof a period.

(c) Paragraph (7) of section 13(a) of such Act is amended by striking out "or order" and inserting in lieu thereof ", order, or certificate".

AMENDMENT OFFERED BY MRS. GREEN OF OREGON

Mrs. GREEN of Oregon. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. GREEN of Oregon: On page 37, line 12, strike out "or", and, in line 14, insert immediately before the semicolon the following: ", or (C) if such employee (i) is employed as a hand harvest laborer and is paid on a piece rate basis in an operation which has been, and is customarily and generally recognized as having been, paid on a piece rate basis in the region of employment, (ii) commutes daily from his permanent residence to the farm on which he is so employed, and (iii) has been employed in agriculture less than thirteen weeks during the preceding calendar year".

Mrs. GREEN of Oregon. Mr. Chairman, this bill proposes to extend the minimum wage to cover the migrant workers, sharecroppers, and full-time farm employees. With this purpose I am in full and complete agreement.

These are the very ones in most urgent need of some protection; they have no organized voice, no strong lobby to plead their cause.

However, there is one part of the bill, it does seem to me, to which we need to direct our attention and it is to this point that my amendment is directed.

My amendment is designed to encourage part-time seasonal employment opportunities for our young people.

Mr. Chairman, summer employment for our young people is becoming more and more difficult to find.

The release from the White House in April of 1966 stated:

> In 1966, 1,800,000 of our youth will look for work in the summer without finding it. Some of these youngsters will be looking for temporary summer jobs, and getting those jobs may be the difference between going back to school or not being able to return.

It seems to me that work of this nature in the summertime that is on a temporary basis, for less than 13 weeks, is good for young people, if there is no exploitation, and if the children are not engaged in hazardous occupations.

Many of us in this House have worked in the summertime, and I think if we were honest with ourselves we would admit that youngsters who are working in the harvest fields are not working all of the time. Their interest and their energies are not sustained for every single hour of the day. I do not think it is a fair requirement to say to the farmer, "You must pay these youngsters by the hour the same as you would the adult employees. By retaining the piece-rate basis of payment, an incentive is provided and the student can work to full capacity or part-time.

Last month the Secretary of Commerce wrote to employers of the great need to employ as many school-age children as industry can possibly employ. He stated this:

> The President has again asked the Federal, State and local governments and private employers to join forces this summer in an investment program in the nation's youth. He is asking for a cooperative effort to provide work and training experiences this summer for as many as possible of almost one million boys and girls 16 to 21 years of age who will be looking for work with little hope of finding it."
>
> Through the Neighborhood Youth Corps the Federal Government is financing with Federal funds jobs for this particular category of students.

So let us not promote jobs on the one hand with full Federal funds, and then at the same time pass legislation which might well eliminate the opportunity for many of these people to work.

This year the NYC is spending nationwide over $209 million. My home State is spending over $1 million. Yet with this bill unamended, it seems to me that we run the very grave risk of closing the door to fruitful work and employment for many of those for whom Federal funds are creating the opportunities in NYC.

Finally, may I say that this amendment will not affect any single person in the United States who works more than 13 weeks in the preceding year. It has been discussed by the committee. I am authorized by the chairman of the subcommittee, the distinguished gentleman from Pennsylvania, who has done such an outstanding job of handling this bill, to say that the amendment has been accepted by the subcommittee and recommended for approval by the House.

May I emphasize three things. In order to come under this exemption, any workers must meet the following three criteria:

One, they are employees for less than 13 weeks during the preceding year in agriculture.

Second, they are employed as hand harvest workers and are employed on a piece-rate basis—and this, by the way, will provide an incentive for these youngsters so that they will earn as much as possible.

The third point is that they will commute daily from their permanent residence to the farm on which they are employed.

But may I say again and emphasize that all migrants, all sharecroppers and full-time farm employees would still be covered by the minimum wage.

Mrs. MINK. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentlewoman from Hawaii.

Mrs. MINK. Does your amendment relate only to minors who fit the three categories you listed, or does it cover all types of farm employees who fit the description of doing hand harvesting, being paid on a piece-rate basis, commuting daily, and being employed for less than 13 weeks?

Mrs. GREEN of Oregon. The amendment is designed primarily for young people, those youngsters who are working only in the summertime, living at home, and going out into the fields for hand harvesting.

The CHAIRMAN. The time of the gentlewoman from Oregon has expired.

Mrs. GREEN of Oregon. Mr. Chairman, I ask unanimous consent that I may proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Oregon? The Chair hears none and the gentlewoman is recognized for 2 additional minutes.

Mrs. GREEN of Oregon. The amendment also would apply to any other person who would meet these three criteria.

Mr. MARTIN of Nebraska. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from Nebraska.

Mr. MARTIN of Nebraska. I would like to ask what is the difference between her amendment and section 103, particularly at the top of page 35 of the bill, which sets up three tests in regard to the exemption being counted toward the 500 man-day?

Mrs. GREEN of Oregon. We are being consistent and we are making the three criteria the same.

Mr. ULLMAN. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman.

Mr. ULLMAN. Mr. Chairman, I commend the gentlewoman from Oregon. This is a worthwhile amendment. I heartily endorse it and commend her for offering it.

Mr. MARTIN of Nebraska. Mr. Chairman, I move to strike the requisite number of words.

I would like to ask the gentlewoman from Oregon another question or two.

We have in our area of the country young teenagers, about 14 or 16 years of age, who go out and detassle hybrid seed corn in the summer. It provides about 500 jobs in my own community.

These people do not work on a piece-rate basis. They are paid by the hour. They work less than 13 weeks in agriculture, and they are within commuting distance of their homes. They do not work on a piece-rate basis.

How would the gentlewoman's amendment affect these young people who are detassling corn?

Mrs. GREEN of Oregon. One of the three criteria is the hand harvest. It is my judgment it would not include the work to which the gentleman from Nebraska refers.

I am also advised the youngsters doing the work the gentleman described are presently paid over the minimum. Is that correct?

Mr. MARTIN of Nebraska. That is not correct. They are paid, as I understand it, 90 cents an hour.

There is a section in the bill as the gentlewoman knows, that provides that these schoolchildren shall be paid 85 percent as much as the full-time workers. But when this gets up to $1.15 and $1.30, it is going to create a problem for the hybrid seed company.

In fact, I have talked to officials of the hybrid seed company about this problem. They say they will be forced to go to what we call sterile corn, which does not require any detassling. In my county alone that means a loss of 500 jobs for these young people. They work 4 to 6 weeks, they earn from $150 to $180 a year.

If we had an "or" in the amendment, instead of the word "and" in regard to working less than 13 weeks in agriculture, it would take care of this situation of the young people who are students. But when we have the three tests, they cannot meet them because they are not on a piece-rate basis.

Mrs. GREEN or Oregon. I would say to the gentleman that one of the main reasons why I think it desirable to accept this amendment is that paying those youngsters on a piece rate basis, and limiting it to that, will provide an incentive for them to earn as much as they can.

Mr. MARTIN of Nebraska. Would the gentlewoman object to an amendment to her amendment to include the word "or" before the last criteria, that is, the one about working less than 13 weeks in agriculture?

Mrs. GREEN of Oregon. If the gentleman will yield, I would oppose offering this as an amendment to the amendment offered. If the gentleman wants to suggest that as a separate amendment, to be considered on that basis, that is all right. I think it should be limited to a piece-rate basis. If these youngsters are energetic they can earn the minimum and beyond it. If they are earning at the hourly rate it should be considered separately.

Mr. MARTIN of Nebraska. In other words, the gentlewoman is opposed to the youngsters going out in the summertime and learning the value of a dollar by the sweat of their brow. She would exclude them from this opportunity simply because they get paid on an hourly instead of a piece-rate basis. That is the only conclusion I can come to from her remarks.

Mr. POWELL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment.

Mr. BURTON of California. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from California.

Mr. BURTON of California. Mr. Chairman, it is seldom I find myself in even minor disagreement with our distinguished chairman. I recognize the concern that our colleague from Oregon is trying to meet.

However, I am led to believe, by the Wage and Hour Office of the Department of Labor, that some 70,000 employees in the month of May—that is, 70,000 out of 400,000—would be cut out from this bill. Some 85,000 of the 485,000 annual average of farm workers would be cut out of the bill by this amendment.

Although the gentlewoman from Oregon is talking about minors, her proposal excludes adults as well.

This bill has already given consideration to minors by providing the 85 percent differential for the kinds of cases the gentlewoman from Oregon mentioned.

I do not intend to belabor the point. I am certain the amendment will be adopted. I feel it useful and desirable that I record my dissent to the action of the committee.

Mr. POWELL. Mr. Chairman, I believe it would be advisable if we could come to a meeting of minds on this amendment. I should like to know who else is seeking time.

Mr. MARTIN of Nebraska. On this particular amendment?

Mr. POWELL. On this particular amendment, yes.

Mr. Chairman, I ask unanimous consent that debate close on this amendment in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. POWELL. Mr. Chairman, I know there is reasonable dissent on the part of my colleagues, the gentleman from California and the gentlewoman from Hawaii, but I wish to point out that in the course of history even the Bible had to be revised.

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. MEEDS].

Mr. MEEDS. Mr. Chairman, I strongly back the proposed amendment to section 203 of the minimum wage bill. But let me make clear that I support the general provisions of this legislation and appreciate the intent of section 203—extending minimum wage coverage to farmworkers. For many of these people, the minimum wage will be a step toward a living wage.

But in the Pacific Northwest, the harvesting of berries and beans has been a traditional source of summer work for students. Each year, thousands of young people in the counties of Whatcom, Skagit, and Snohomish earn money and appreciate the value of hard work. My own son, Mike, picked strawberries when he was 11 years old. These part-time employees are not breadwinners. Yet, the intent of the farm section of the bill is to protect those workers who must depend on agriculture for a living.

The young pickers in my area are paid on a piece-rate basis. That is, they get paid for what they accomplish. This means that workers with a low output can be kept on the payroll and off the streets. If the farmer had to pay the minimum wage to everyone, many of the inexperienced student pickers might be left standing on the corner.

The present bill without our amendment guarantees a minimum wage of $1 an hour which rises in two stages to $1.30. Students would have to be paid 85 percent of this amount. Let me again emphasize that our minor amendment to section 203 is consistent with the intent of the legislation: migrants, sharecroppers, and full-time employees of large farms would still be protected by the minimum wage.

The amendment we are backing would apply to farmworkers only if they meet three conditions. They must work in agriculture for less than 13 weeks during the preceding year; they must commute daily from their permanent residence; and they must be hand-harvest employees in areas where the piece-rate system is traditional. If they meet all of these requirements, they would be exempt from the minimum wage.

Just a few short weeks ago, President Johnson inaugurated the 1966 youth opportunity campaign. He has urged employers to hire young people for summer jobs. Because I support this effort, and because I fear the effect of the present section 203 of the bill, I am strongly urging the House to approve a needed amendment. Let us keep the door open for young people.

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. HICKS].

Mr. HICKS. Mr. Chairman, I rise in support of this amendment and I commend the committee for accepting the amendment. I wish to join in the remarks of my colleague from Washington [Mr. MEEDS].

The congressional district which I have the honor to represent has a flourishing industry based on berry fields and truck gardens. At least, it has been flourishing. I am frankly more than a little worried about the effects of minimum wage requirements upon growers, unless we amend this otherwise excellent bill to exempt them.

While the berry and truck garden industry is not the most important single factor of our economy in the Sixth District of Washington, it is definitely significant. To those to whom it is important, it is very important indeed. And among those to whom it is extremely important are thousands of young people.

High school youngsters, junior high youngsters, grade school youngsters flock into the fields each summer to earn their first incomes. My own secretary picked berries during her grade school and high school years, and earned money to buy her own wardrobe for the school year. If she is a fair example of the results of this early lesson in earning a living, I can only say that it is unfortunate every child in the country cannot have a chance to at least partly pay his own way in this manner. We would be a better people for it.

I realize that children are not the only ones involved. There are adults who come into the area to pick berries to feed and clothe themselves and their families, and they depend on the berry-picking money almost exclusively for their sustenance. Their plight has not always been a happy one. Conditions are improving rapidly for them, however. Much better housing is provided for them than was the case only a few years ago. Facilities of many kinds are made available to them. And their incomes are improving, too. Just yesterday I read in my hometown newspaper that the berry growers of the great Puyallup Valley have raised the price-per-unit to be paid this season, so workers of all ages in the berry fields will be taking home more money this year.

The overriding consideration, though, is the fact that the industry simply cannot afford to pay a minimum wage. It probably could do so for the adults, for by and large they are expert pickers who in fact often earn more than the minimum wage on a piecework basis; thus they could very well lose money on a minimum wage.

But there are not enough adult professional pickers to harvest the berry crop. Berries ripen all around Puget Sound at the same time, and they must be picked within a day or two or it will not be worth picking at all. That is why youngsters are used in such great numbers to harvest this important crop.

The employment of young people is important enough in this regard alone to justify amending this legislation to permit them to continue picking berries for piecework payment. The area which I represent just cannot afford to be without this industry, and the young people are the ones who make it possible.

But to me it seems at least as important on another level, the level of growing up to responsible and productive citizenship. We are trying with all our might and main to rear Americans who are geared to stand on their own feet, to make their own way and not depend on government to take care of them. The lessons of the berry fields can be very important in their formative years.

They live at home and commute to work, and they are carefully supervised on the job. They do not have to work hard. They do not have to work at all, as a matter of fact, but can spend the whole day gazing at the northwestern sky if they so choose. Of course, they do not get paid if they do not work. And therein lies the first lesson: You work for what you get, and you get paid for what you do.

And it is important for a youngster to get the first breath of independence in the proper atmosphere. He can get it on a street corner or any number of places that do not distribute much to his sense of responsible independence. Or, in our part of the world, he can get it in an atmosphere of productivity and earning, at least during the harvest season.

Generations of young people have depended on berry and fruit picking to earn their first important money, and generations of parents have depended on it to teach their children some practical economics and to relieve part of the strain on the parental purse.

As I indicated earlier, I regard this as a fine and necessary piece of legislation. But all things considered—the value of the berry and fruit industry to my home area, its contribution to the growing-up process of our children, and the drastic effects on all concerned of a minimum wage requirement—the exemption of this industry from minimum wage provisions is fair and necessary.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. WAGGONNER].

Mr. WAGGONNER. Mr. Chairman, I rise in support of the amendment, but I should like to ask the author of the amendment a question.

In establishing criteria for eligibility to participate in this exemption, is there to be an age limit?

Mrs. GREEN of Oregon. No, there is not to be an age limit, but it is really designed for the youngsters who go out in the summertime. There is no age limit set up in the amendment.

Mr. WAGGONNER. I thank the gentlewoman from Oregon.

The CHAIRMAN. The Chair recognizes the gentleman from Oregon [Mr. WYATT].

Mr. WYATT. Mr. Chairman, I commend the gentlewoman from Oregon on her amendment and wholeheartedly support the same.

Mr. Chairman, I rise in strong support of the amendment offered by the gentlelady from Oregon. My files bulge with letters from children who have written to me pleading that they be allowed to continue to work in our fields during their summer vacation period. I have talked to many of our farmers, particularly our strawberry and pole bean growers, and it is very clear that many of them will be out of business if this amendment is not agreed to. Perhaps it does not go far enough, but it at least offers substantial relief where it is needed. The wages of migrant workers will not be effected because of the strict requirements set up to qualify for the exemption. It is good for our agriculture, and it is good for our young people. The abuses which at one time were involved in child labor are not present in our fields where this labor will be done. I urge in the strongest possible manner that this house agree to this amendment.

The CHAIRMAN. The Chair recognizes the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK. Mr. Chairman, I regret very much that I must rise in opposition to the amendment which has been offered by my distinguished colleague from Oregon [Mrs. GREEN], and also in opposition to the stated position of the chairman of my subcommittee. I feel that the philosophy of this bill with reference to the coverage of farmworkers was to establish farms that qualified for coverage under minimum wage. We discussed this matter of trying to exempt individuals, and we felt this would be highly inconsistent with the basic philosophy as it now exists in the other areas of coverage with reference to retail trade, hotels, and so forth.

It was our feeling once a farm qualified by virtue of having 500 man-days of labor in any calendar quarter, that entire farm ought to be brought under the coverage of minimum wage and no single individual within that farm ought to be working for anything less than $1 an hour if that farm qualified. However, in order to meet the difficulties of the farm areas we were willing to exempt from the qualification of 500 man-days these three categories.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. JOELSON].

Mr. JOELSON. Mr. Chairman, what disturbs me about this amendment is I think there are some farmowners who would, in order to get the cheaper child labor—and let us face it, because that is what it is—who would be putting out of work adult labor. I feel this is certainly not the purpose of the author of the amendment. Her purpose is laudatory. I think what is going to happen as a result of this amendment is that a lot of kids are going to be exploited and will be doing the work of adults and not being paid the pay of an adult. This is an unfortunate amendment, and I will oppose it.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. Mr. Chairman, I rise in opposition to this amendment. I agree with the statements that were made by my colleague from Hawaii [Mrs. MINK] and would indicate we discussed this amendment at great length in the subcommittee. Here is what you are going to do by adopting this amendment. You are going to have workers working side by side on the same farm, some of whom are covered by the minimum wage and some of whom are not. In order to help supposedly to exempt children, which sounds like a very good objective, we are exempting all farm laborers qualified according to the criteria. In effect you are saying that if you are a local person coming to work on the farm for a short period, you are exempt. A migrant person is covered. So the farmers using migrant labor will be covered by the minimum wage as far as the migrant labor is concerned. They will not be covered as far as local labor is concerned with people coming from permanent residences and commuting every day. You say we cover permanent agricultural employees but do not cover temporary agricultural employees.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. PUCINSKI].

Mr. PUCINSKI. Mr. Chairman, I ask unanimous consent to yield my time to the chairman of the subcommittee, Mr. DENT.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. The Chair now recognizes the gentleman from Pennsylvania [Mr. DENT].

Mr. DENT. Mr. Chairman, I want to say to the gentleman from New York that you can dig up all kinds of bogeymen to scare people into voting one way or another, but it is nothing new for a two-wage level to be employed in the same shop. Under the Walsh-Healey Act we have been doing this for years. Under the O'Hara bill now, in combination with the minimum wage bill, we will be doing it for many more years to come. It is not unusual. Why, in fact, you find very, very few shops in the world anywhere where all of the workers receive the same remuneration. There are workers working alongside each other doing the same job. One has been there 10 days and another has been there 10 years longer than another. He gets longevity. The only place you do not get it is in Congress. It is a little bit above the minimum, though, I may say.

Now, the gentlewoman from Hawaii [Mrs. MINK] has pointed out, as has the gentleman from California [Mr. BURTON], the difficulty of writing legislation if you undertake to write it based upon that which would affect your own area only.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. AYRES].

Mr. AYRES. Mr. Chairman, it is very seldom that the two gentlewomen on our committee, for whom we have such a great respect and admiration, have disagreed upon any major issue. But, rather than to take a position, since they are in disagreement, I yield the balance of my time to the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. Mr. Chairman, I would only answer the gentleman from Pennsylvania by saying that when we debated and discussed this in the subcommittee, we found no resolution, no way to resolve equitably, the contradictions involved in this amendment. I feel that the amendment should be defeated.

We are now looking into an area in an attempt to try to take care of one small segment of temporary seasonal labor, while the rest would be covered. You are looking into an area where we say to an employer, "You are covered with certain types of people you employ, but you are not covered with other types of people you employ."

Mr. Chairman, I feel that it is a messy amendment. I believe it will cause many problems and it will be unfair.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. O'HARA].

Mr. O'HARA of Michigan. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. POWELL].

Mr. POWELL. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Oregon [Mrs. GREEN].

The question was taken; and on a division demanded by Mr. POWELL, there were yeas 63, noes 55.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. BELL

Mr. BELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BELL: On page 41 strike out "highly perishable" in lines 1 and 5, and insert in lieu thereof "perishable."

Mr. BELL. Mr. Chairman, my amendment would strike the word "highly" on page 41 of the bill.

This change is intended to avoid the grave possibility that needed overtime exemptions in the agriculture processing industry will be eliminated for virtually all perishable agricultural commodities that must be processed as soon as possible after harvest.

Under the present language, as interpreted in the committee report, only those commodities that would deteriorate within a 24-hour period after harvest would retain the overtime exemption.

Through conversations with representatives of both labor and management in the processing industry, it is my conclusion that there is hardly a commodity that would qualify for the 14-week exemption under this language.

Agricultural commodities vary in their degree of deterioration.

A few, such as white asparagus, will deteriorate within 24 hours to the point that they cannot be used for marketing.

Others, such as tomatoes, may be kept over 24 hours before processing.

However, this depends upon weather conditions and harvest timing.

When it is extremely hot, and they are picked during the midday, tomatoes would have to be processed immediately or they would ripen beyond the useful stage.

Similarly with peaches, berries, peas, and apricots.

It is obvious, then, that a great deal of confusion will be caused if this language is retained.

My amendment would maintain the language of the present law which has been applied by the Labor Department for a number of years.

Perishable covers products subject to decay or spoilage. A commodity is not regarded as perishable at the time of delivery unless under ordinary circumstances some affirmative and continuous step such as refrigeration or canning is necessary to preserve it from substantial spoilage or decay within a short period of time, certainly less than 1 week.

And I want to make it abundantly clear that all of those agricultural processors that receive a 14-week exemption under section 7(d) of the act will not qualify for an additional 14-week exemption under section 7(c)—industries of a so-called "seasonal nature."

Section 7(d) to which my amendment is directed applies only to first processing operations.

Section 7(c) will have no application to the processing industry.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to the gentleman.

Mr. DENT. The committee has considered your amendment this morning at an executive committee meeting and the committee endorses and accepts the amendment.

Mr. BELL. I thank the gentleman.

The CHAIRMAN. Without objection, the amendment offered by the gentleman from California [Mr. BELL] is agreed to.

There was no objection.

AMENDMENT OFFERED BY MR. PUCINSKI

Mr. PUCINSKI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PUCINSKI: On page 43, line 18, insert "trailers," immediately after "automobiles,".

The CHAIRMAN. The gentleman from Illinois [Mr. PUCINSKI] is recognized.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman.

Mr. DENT. The subcommittee in executive meeting this morning met and approved and accepted this amendment.

The CHAIRMAN. Without objection, the amendment offered by the gentleman from Illinois [Mr. PUCINSKI] is agreed to.

There was no objection.

AMENDMENT OFFERED BY MR. MARTIN OF NEBRASKA

Mr. MARTIN of Nebraska. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MARTIN of Nebraska: On page 36, line 15, strike the semi-colon ";" and the word "or" wherever is appears and insert the following: "or is an establishment engaged in the operation of a hospital described in Sec. 3(s)(4).

Mr. MARTIN of Nebraska. Mr. Chairman, the purpose of this amendment is simply to allow to the hospitals throughout the country the overtime exemption that is extended to others in business, particularly the hotels, motels, and restaurants. That is the only purpose of this amendment—to allow the hospitals this same exemption.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. MARTIN of Nebraska. I yield to the gentleman.

Mr. DENT. Mr. Chairman, before I state where I stand, I would like to ask the gentleman a question. I know you are trying to perfect the bill. If it is perfected the way you want it, will you still vote against it?

Mr. MARTIN of Nebraska. I am afraid I would have to. I think the gentleman has asked me that question before.

Mr. DENT. Mr. Chairman, I must oppose the amendment because no hospital or association of hospitals have asked for the amendment.

Mr. MARTIN of Nebraska. Mr. Chairman, I decline to yield further to the gentleman.

Mr. Chairman, I would like to explain this amendment.

Hotels, motels, and restaurants have heretofore been exempt from the provisions of the Fair Labor Standards Act. This has also been true of hospitals.

In the bill we have before us today, an exemption is granted from the overtime provisions which is granted to those in the hotel, motel, and restaurant industry. Yet, hospitals, most of which throughout the entire country are nonprofit institutions, are not exempt from overtime.

I had some figures that were furnished to me by the American Hospital Association—in fact, they came up to the Committee on Ways and Means and this was given to me by the distinguished chairman of that committee, in regard to a survey made by the American Hospital Association a year ago based on the current minimum wage which is $1.25 an hour. It was further based on the fact that there was no overtime involved in these calculations. Remember it was based on $1.25 an hour.

Do you know what they came up with? The average increase in the cost in the United States nationally per bed, per day, in our hospitals will amount to $5.87 based on $1.25 an hour.

In the Southern States, this increase will amount to $9.31 a day per bed.

That is a tremendous increase in costs of hospital beds.

This Congress passed a medicare bill which included hospitalization last year, which goes into effect in a very few weeks.

What is this increased cost in regard to hospitalization going to do to the projections as to the cost of medicare set up by the committee and the Congress a year ago? It is going to throw it into a cocked hat, Mr. Chairman. I think this is an excellent amendment. I think it is a fair amendment. I think that the hospitals, particularly because of the fact that they are nonprofit institutions and serve all the people should be entitled to the same exemption from overtime that this committee grants to hotels, motels, and restaurants. I urge the adoption of this amendment.

Mr. HARVEY of Indiana. Mr. Chairman, will the gentleman yield?

Mr. MARTIN of Nebraska. I yield to the gentleman from Indiana.

Mr. HARVEY of Indiana. I have just had an opportunity to check with the county hospital in my own county this afternoon. The superintendent of the county hospital told me that on the basis of their present costs for maintenance help, in other words, the hospital personnel—and compared with the ultimate costs of $1.60, without taking into consideration overtime—that the average per day cost would be increased from $18 to $36 per day.

Mr. MARTIN of Nebraska. Mr. Chairman, I would like to quote very quickly from a letter I received from Paxton and Seasongood of Cincinnati in regard to this particular amendment:

> One of my civic jobs is working with the hospitals in Cincinnati. We have been concerned with the impact of Fair Labor Standards coverage upon these institutions, not with the minimum wage coverage but the overtime provisions. As you know, it is difficult, if not well nigh impossible, to obtain sufficient nurses, both registered nurses and licensed practical nurses, to adequately cover patients in our hospitals.

They go on to ask whether dietitians, technical employees and others will be subject to the overtime provisions of this law.

Mr. POWELL. Mr. Chairman, I rise in opposition to this amendment. The gentleman from Nebraska, who is a member of the Committee on Education and Labor, obviously is not in favor of this bill, and, therefore, any amendment brought forward will ultimately be voted against by him anyway if the bill passes.

I would like to bring the facts before this body. The rate of hospital workers will not go up to $1.60 an hour. That is not true. If you read the bill, you will see that the fact is hospital workers will go up from $1 to—in 1971, 5 years from now—$1.60.

Also, the Department of Labor, Wages and Hours and Public Contracts Divisions, Office of the Administrator, Clarence Lundquist, just assured the distinguished, hard-working chairman of our subcommittee, the gentleman from Pennsylvania [Mr. DENT] as follows:

> If we add $72 million to payroll costs and expenditures to comply with H.R. 13172, there will be an increase in the proportion of the payroll to total expenditures of 0.2 percent—two-tenths of one percent.

Mr. Chairman, I would like to conclude on a personal note. In New York City we are being faced with a very, very serious shortage of workers in our hospitals. We are in another nurses' strike. While the bill does not affect nurses as such, nevertheless the fact is that nurses are resigning and going into other areas. Their action is symptomatic of the unrest right down to the lowest paid employee of the hospitals in the biggest cities of our Nation.

Therefore, I must appeal on the basis of emotion, plus the facts which I have stated from Mr. Lundquist's letter, that this amendment be defeated.

I yield the remainder of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska.

The amendment was rejected.

AMENDMENTS OFFERED BY MR. RONCALIO

Mr. RONCALIO. Mr. Chairman, I offer amendments.

The Clerk read as follows:

> Amendments offered by Mr. RONCALIO: On page 41, line 13, strike out the quotation mark, and after line 13 insert the following:
>
> "(e) Notwithstanding any other provision of this section, for a period or periods of not more than twenty-eight workweeks in the aggregate in any calendar year, any employer in a State may employ any employee for a workweek in excess of that specified in subsection (a) without paying the compensation for overtime employment prescribed in such subsection if such employee (1) is employed by such employer in an enterprise found by the Secretary to be (A) the only enterprise in such State engaged in the canning of any perishable agricultural or horticultural commodity, and (B) not engaged in the canning of any such commodities in any other State, and (2) receives compensation for employment by such employer in excess of twelve hours in any workday, or for employment by such employer in excess of fifty-six hours in any workweek, as the case may be, at a rate not less than one and one-half times the regular rate at which he is employed."
>
> On page 41, strike out lines 15 and 16 and insert in lieu thereof the following: "section 7 of such Act are redesignated as subsections (f), (g), (h), (i), and (j), respectively."

Mr. RONCALIO. Mr. Chairman, ladies and gentlemen, my colleagues and fellow Members of Congress, it is with some reluctance that I take the well of the House tonight, at this late hour, to add further to the work involved in this difficult and complicated legislation, but I must do so in protection of the last remaining industry of its kind that I have in my district, which is the entire State of Wyoming.

I believe, ladies and gentlemen, that this is a classic example of the difficulties we encounter when we try, with one fell swoop, to pass a law that is applicable to some of the richest land in the world, where tens of thousands are employed, where hundreds of canneries are in operation, and where agricultural industry and canning goes into billions of dollars a year, and have that same law be applicable to a little State, 5,000 feet high, with a short growing season, where we have a tough time putting in a crop in June without a foot of snow destroying the first crop.

At one time, when I was a young man, 30 years ago or so, there were over 52 canneries in the Rocky Mountains and West. Now there are less than 20. Of those, only one is in Wyoming. There is only one cannery remaining in the entire State. When the season comes there is not an unemployed person in that part of Wyoming. The cannery employs every college student, every father or mother it can find, every housewife who wants to make a few extra dollars.

This cannery cannot stay in business unless it has an exemption of the kind it now has.

All my amendment does is provide that in those States which have only one cannery, that cannery shall have an additional exemption of the nature it now has and needs.

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. RONCALIO. I yield to the gentleman.

Mr. CEDERBERG. Mr. Chairman, the gentleman said that at one time they had 20 canneries, and now he is down to 1 cannery.

Mr. RONCALIO. No, Mr. Chairman, I said there were 52, now only 20, in the Rocky Mountain West, and only 1 in my State.

Mr. CEDERBERG. I sympathize with the gentleman's predicament. I think we have to take action, or we will have this situation all over. That is why I believe we have to support the amendment Mr. GOODELL is going to put in, or we will have difficulty all over the country.

Mr. RONCALIO. I thank the gentleman.

We can take two alternatives. We can take the land of Wyoming and reduce it by 4,000 feet, down from where it is, so the growing season can be extended. Or we can pass an amendment of this kind and help Wyoming keep the one industry it has.

Mr. BURTON of California. Mr. Chairman, will the gentleman yield?

Mr. RONCALIO. I yield to my colleague from California.

Mr. BURTON of California. Mr. Chairman, I would like to commend the distinguished gentleman from Wyoming for his interesting course on the economics and the industry of that wonderful State of Wyoming.

Further, he made it very clear that few men in this House have the reputation the gentleman from Wyoming has for vigorously advancing and defending the interests of his State.

This particular proposal is not one of giant proportions. It is a modest proposal, as the gentleman knows. But I must reluctantly oppose it. Tough cases make bad law. The gentleman has advanced a very tough case, but I think that his proposal would be a bad law, and I would urge the defeat of the amendment of the distinguished gentleman.

Mr. RONCALIO. I am very sorry the gentleman cannot support the amendment. I was hopeful the chairman of the committee or the chairman of the subcommittee might accept this modest, humble, minute amendment in the interest of equity.

Mr. BURTON of California. I might say that the chairman of the full committee left it to me, believing I would affect fewer votes than anyone else, and that is why I have been handed the assignment to speak in opposition to the amendment.

Mr. RONCALIO. In that event, I hope the rest of my colleagues will vote with me for this amendment. It is equitable and fair.

Mr. POWELL. Mr. Chairman, I move to strike the requisite number of words.

When our distinguished colleague from California requested the chairman to accept the amendment, I was reminded of the old adage, "Beware of Greeks bearing gifts and colored men seeking loans."

We are going to discuss this entire issue of canneries tomorrow, when the gentleman from New York [Mr. GOODELL], offers his amendment. I believe it would be wise for all of us, pro or con on this issue, to delay action until we have the full matter before us. Therefore, I am loath to state that I rise in opposition to the amendment.

Mr. ANDREWS of North Dakota. Mr. Chairman, I move to strike the requisite number of words.

I rise in support of the amendment, and I should like to ask the gentleman from Wyoming if the amendment would apply to any State which has but one cannery?

Mr. RONCALIO. My amendment would apply to any State which has but one cannery, provided the owners or operators thereof did not have additional canneries in other States.

Mr. ANDREWS of North Dakota. That is why I rise in support of the amendment, because we in North Dakota have been looking for our first cannery for some time and this would give us an excellent hunting license.

Mr. RONCALIO. I am very happy to benefit my neighboring States.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wyoming [Mr. RONCALIO].

The amendment was rejected.

AMENDMENT OFFERED BY MR. ROGERS OF FLORIDA

Mr. ROGERS of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Florida: On page 37, following the Green amendment, insert "or (D) if such employee's wage rate is established by the Secretary of Agriculture under section 301(c)(1) of the Sugar Act of 1948.

Mr. ROGERS of Florida. Mr. Chairman, this amendment is a simple one which states that because the Secretary of Agriculture under the Sugar Act now sets the minimum wage for sugar field workers they would not now be covered under the Department of Labor, to have that Department also administer the minimum wage.

It is a simple amendment, and it is my understanding—we have a letter to that effect—that the Department of Agriculture and the Department of Labor concur in this amendment.

It is my understanding that the chairman of the full committee may wish to comment at this time, so I yield to him for that purpose.

Mr. POWELL. Mr. Chairman, I thank the distinguished gentleman for giving me this opportunity to comment.

I have before me a letter from the Department of Agriculture, from Under Secretary John A. Schnittker, which I wish to read:

The Sugar Act authorizes the Secretary of Agriculture to establish minimum wages for fieldworkers in the sugar industry. Under this authority the Secretary has established minimum wages for the current crop. These minimum wage levels increased from 75 cents per hour in 1960, to $1.35 per hour in 1966 for Florida—

That is more than the present bill would provide—

and from 60 cents per hour in 1960 to 90 cents per hour in 1966 for Louisiana.

In view of the provisions of the Sugar Act, exemption of fieldworkers in the sugar industry from minimum wage legislation now before the Congress would not affect such workers adversely. I am advised that the Department of Labor concurs in this view.

I am happy to accept the gentleman's amendment.

Mr. ROGERS of Florida. I thank the chairman for accepting the amendment.

Mr. BURTON of California. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I yield to the gentleman from California.

Mr. BURTON of California. Do I correctly understand that the wages under the Sugar Act currently, at least, are as high as provided in the bill, $1 an hour?

Mr. ROGERS of Florida. In Florida we are paying even more than that. We are now paying $1.35. As has been stated, I believe Louisiana is already paying 90 cents.

The Agriculture Department has already scheduled hearings as to whether the wage rate in both Florida and Louisiana should be amended or continued at the present level.

Mr. BURTON of California. If wages were set and we had in this Sugar Act a minimum that would protect all of those working in this area, that would be fine. However, those of us in California, I might add, pay those in our beet fields higher wages, considerably higher, than this. To some extent cane and beet are competitive. I am sure my colleague from Hawaii [Mrs. MINK] would have a feeling about permitting any agricultural worker to have a wage level set at less than that provided for all other workers in agriculture under this bill.

Mr. ROGERS of Florida. I think you will find they have stated, of course, that they will be guided by this bill in their wage determinations in the Department of Agriculture. As I say, in our State they are even far beyond that. In fact, we were paying up to $1.90 an hour during the 1964–65 season.

Mr. BURTON of California. In other words, it is your understanding that the Department of Agriculture would apply that minimum wage at no less than, or would say those working in the sugar fields, no matter where they are in the country, would receive no less than the minimum provided in this proposal if it becomes law?

Mr. ROGERS of Florida. I understand it will be a guiding feature of the Department of Agriculture.

Mr. BURTON of California. But it is your understanding and your intention in introducing this amendment that the Secretary of Agriculture would in no event establish a wage less than that provided for other agricultural workers in this bill, assuming this bill becomes law. Is that your understanding? If it is, I withdraw my objection.

Mr. ROGERS of Florida. I say that I understand it can be used as a guideline. I cannot speak for the Secretary of Agriculture, but it is my understanding that already he has set a wage in Florida beyond what has been asked for in this bill, which is $1 an hour.

Mr. BURTON of California. As the gentleman knows, the Sugar Act asks for the prevailing wage without any minimum.

Mr. ROGERS of Florida. I understand your minimum will pretty well set a prevailing wage anywhere and, in fact, we are paying above that now.

Mr. ANDREWS of North Dakota. Mr. Chairman, I rise in support of the amendment.

Speaking on behalf of the beet growers in the northern part of our country, we have the same situation existing there. These wage rates are set by the Secretary of Agriculture. For the edification of my friend from California, they are not set higher than the minimum wage that will be established by this act if it goes into effect. In the temporary absence of the chairman of the subcommittee I would like to question my colleague from Florida [Mr. ROGERS], who joined me in conversation with Mr. DENT earlier on the thrust of this amendment. Is it not true that this amendment would also relieve from the 500-man-day criteria these people who are included in this amendment?

Mr. ROGERS of Florida. All this does, as I understand it, is to say that the Department of Agriculture will administer the minimum wage to those field workers in sugar just as they have always done.

Mr. ANDREWS of North Dakota. Let me refer the question to Mr. DENT. This will remove them from the act since they are already covered, that is, these people whose wages are already set by the Department of Labor and the Department of Agriculture, and would remove them from the 500 man days as we said earlier?

Mr. DENT. Will the gentleman yield?

Mr. ANDREWS of North Dakota. I yield to the gentleman.

Mr. DENT. Yes. They will not have any part of this act. They are under the Sugar Act, and I understand the Secretary of Labor and the Secretary of Agriculture already agreed on the jurisdictional disputes.

Mr. ANDREWS of North Dakota. I want to make it crystal clear for the record they will not figure in the 500 man days.

Mr. DENT. Yes.

Mr. HAGEN of California. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS of North Dakota. I yield to the gentleman.

Mr. HAGEN of California. It is my understanding the Sugar Act in setting wages is based on the findings of the prevailing wage. There are wide differences across the country in these wage rates. They have been very low in the South and very high in other parts of the country.

Mr. ANDREWS of North Dakota. I can only speak for the sugarbeet growers of the North. I understand they are higher.

Mr. HAGEN of California. They are so high there I do not know why you object to this coverage.

Mr. ROGERS of Florida. Will the gentleman yield further?

Mr. ANDREWS of North Dakota. I yield to the gentleman.

Mr. ROGERS of Florida. I will be glad to tell him. Here are workers covered by one department and here you have another department coming in to administer the same thing. It is ridiculous. We think it is simply a matter of trying to see that these people are covered. We recognize that. We passed the law covering them. Now we are simply saying that the Department of Labor and the Department of Agriculture have agreed. Even the Secretary has agreed, and certainly I would object if it were not fair, just, and equitable.

Mr. HAGEN of California. The gentleman will agree that wage rates differ from State to State; is that not right?

Mr. ANDREWS of North Dakota. Mr. Chairman, I do not have the time to yield further.

Mr. Chairman, I wish to commend the gentleman from Florida [Mr. Rogers] for offering this amendment and I appreciate the committee chairman and the subcommittee chairman accepting it and clearing up the question of the 500 man-days which is so important to the diversified farmer in my area.

Mr. GOODELL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I shall just take one moment. However, I believe the record should be absolutely clear. A question was asked about whether these workers would be counted toward the 500 man-days total. That provision appears in title I of the bill. I have just checked the amendment. They will be counted, based upon my interpretation, in the 500 man-days. They are exempt from the minimum wage coverage, but they will be counted toward the 500 man-days. This will have to be taken into consideration in determining whether a farmer himself is covered. I believe the record should be clear on this point.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Pennsylvania.

Mr. DENT. Well, all of us have agreed to disagree. That is why there are so many lawyers here.

Mr. Chairman, the Department of Labor said that this is the only amendment required, and they will remain in the status in which they are at the present time. We want to remember that under the Sugar Act now, the Secretary of Labor, in conjunction with the Secretary of Agriculture, has established a control based upon the so-called bracero or migrant worker coming into an area, and if you do not do this, you take away that $1.25 now set up for a local area.

Mr. ALBERT. Mr. Chairman, will the gentleman yield to me?

Mr. GOODELL. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Chairman, let me pose this question: If a farmer has beet or cane sugar operations and also produces wheat or some other crop and has workers engaged therein, would you add the two together in order to get the 500 man-days or in other words does the exemption just go to the workers themselves in the sugar industry, that industry being exempt?

Mr. GOODELL. There is no exemption in this amendment as to counting. They are all counted toward the 500 man-days. The exemption that is included in the gentleman's amendment would exempt them from minimum wage coverage. They would be counted under the Sugar Act insofar as the minimum wage is concerned. Then, all of the employees in the sugar industry would be counted in this instance, working on sugarbeet or sugarcane farms, toward the 500 man-days. You have to amend title I in order to get the correct computation.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Florida.

Mr. ROGERS of Florida. I believe the chairman of the subcommittee has stated the situation correctly concerning its intent. It was so stated by the Department of Labor and by the Department of Agriculture that the intent of this amendment, as stated by the chairman, is simply to allow them to go ahead and cover them as they have been covered under the Sugar Act.

Mr. GOODELL. That is correct, and that is what will happen.

Mr. ROGERS of Florida. And they will accept the minimum wage.

Mr. GOODELL. But they will be counted in the 500 man-days.

Mr. ANDREWS of North Dakota. Mr. Chairman, I would like to ask the subcommittee chairman—I brought this point up earlier this afternoon with the gentleman and he assured me that he had the assurance of the Department of Agriculture and the Department of Labor on the matter—this question: If the amendment does not apply properly to title I, could we have the assurance of the subcommittee chairman, it will be amended in conference to reflect the intent of Mr. Rogers and the sugar industry that these man-days are not counted toward the 500?

Mr. PEPPER. Mr. Chairman, will the gentleman yield for a question?

Mr. ANDREWS of North Dakota. Mr. Chairman, would the chairman of the committee give us assurance that it will be modified in the conference in order, if possible, to reflect the thrust of what the gentleman from Florida and I would like to have?

Mr. POWELL. I cannot bind the conferees to a conference on such a matter.

Mr. ANDREWS of North Dakota. I understand that. Will you keep in mind the idea as expressed by the gentleman from Florida [Mr. Rogers] that you will try to have this worked into the legislation?

Mr. POWELL. Yes.

Mr. GOODELL. I think we may have problems in getting this settled in the conference unless there is a change in the Senate bill.

Mr. PEPPER. Mr. Chairman, I move to strike out the last word to ask this question. Will the able gentleman inform the House how long the Sugar Act under which the Secretary of Agriculture has been fixing the minimum wages and on which now the Secretary of Labor will concur in the decision has been in effect?

Mr. ROGERS of Florida. Minimum wage coverage for sugar workers has been in effect under the Sugar Act, as amended, since 1948.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. Rogers].

The question was taken, and on a division (demanded by Mr. Burton of California) there were—ayes 89, noes 38.

So the amendment was agreed to.

Mr. POWELL. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Price, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 13712) to amend the Fair Labor Standards Act of 1938, to extend its protection to additional employees, to raise the minimum wage, and for other purposes, had come to no resolution thereon.

ADJOURNMENT TO 10 A.M. TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 10 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

MISCELLANEOUS AMENDMENTS TO COAST GUARD LAW

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 11781), to improve and clarify certain laws of the Coast Guard, and I ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

Mr. GROSS. Mr. Speaker, reserving the right to object—and I shall not object—I wish to say to the gentleman that I realize the necessity for getting this legislation through if it is to meet the desired purpose for which it is intended.

I am glad to have the assurance from the Treasury Department and Coast Guard officials that the term of obligated service for the aviation cadets who will be trained for the Coast Guard will be 3½ years, which conforms to the training program for cadets trained by the Navy, the Navy providing for the training of the Coast Guard. I am also glad to have the assurance which has been given by the Treasury Department that no new or additional facilities will be necessary to train the aviation cadets for the Coast Guard; that this training will be provided by the Navy without additional expense for new facilities to be operated by the Coast Guard.

Mr. GARMATZ. The gentleman is correct.

Mr. GROSS. Mr. Speaker, I support the legislation and I withdraw my reservation.

Mr. CLARK. Mr. Speaker, reserving the right to object, I rise in support of H.R. 11781.

The bill, H.R. 11781, is intended to provide the Coast Guard with necessary authority to meet its expanding obligations.

The Coast Guard recently acquired the responsibility for the operation of all large icebreakers. During the coming year it is anticipated that five such icebreakers will be transferred from the Navy to the Coast Guard.

In the past few years we have all observed the rapid expansion of pleasure boating in the United States. This places an increasing burden on the Coast Guard by way of policing and protection of our citizens using the waters. As more and more of our inland waterways are opened to navigation, there is an increasing need for aids to navigation and each year the Coast Guard must provide equipment and facilities to meet this expanding need.

The organization has been operating under a ceiling of 3,500 officers. This bill would increase that figure to 4,000. While there is no present intention of expanding the officer corps of the Coast Guard to any appreciable degree, the expanding responsibilities indicate quite clearly that it will be necessary to add to the number of officers over the next few years.

Along the same line, there is presently a ceiling of 300 cadets in the incoming class at the Coast Guard Academy. At the present time somewhat less than this number is being admitted. Nevertheless, in the immediate future it is more than likely that the needs of the Coast Guard will require an incoming class of more than 300, since this is the prime source of officer material for the Coast Guard. It is necessary that this ceiling be increased so that planning for facilities can be undertaken in time to have them available for the growing classes. During the current year the Congress authorized the construction of a new 300-man barracks at the institution.

This is part of a long-range plan to provide facilities for training of future officers. In the course of the next few years, if this bill is passed, it is likely that additional facilities by way of classrooms and laboratories will be required. In any event, the increasing authorization for the incoming classes is necessary now to provide for orderly expansion, as needed.

Along the same line, members of the Coast Guard are being trained by the Navy for careers in the aviation branch. However, their status is different from that of their naval counterparts with whom they are being trained, and this bill provides for a parallel grade with the Navy—that of aviation cadet.

Again in line with future requirements, provisions are inserted in the bill for procurement of merchant marine officers. In view of the fact that a considerable part of Coast Guard activity is devoted to merchant marine inspection and control of large merchant vessels, a percentage of merchant marine trained officers is desirable. This bill would would provide them.

In this connection I call the attention of the House to the fact that the Maritime Safety Committee of the Intergovernmental Maritime Consultative Organization has just completed a session in London at which representatives of the Committee on Merchant Marine and Fisheries were in attendance. The results of this session will materially improve fire safety standards on merchant vessels and strengthen the hand of the Coast Guard in protecting our people who travel in foreign vessels.

Finally, the bill places the retirement provisions for the Commandant and the Assistant Commandant upon the same level as those of the other three armed services. In view of the growing importance of the Coast Guard, I feel that this is a most reasonable advance.

It is my view, and that of my committee, that all of the provisions of this bill are necessary for the future welfare of the Coast Guard, and accordingly I urge that it be approved.

I include in the RECORD at this point a letter from the Coast Guard to the chairman of the committee:

TREASURY DEPARTMENT,
U.S. COAST GUARD,
May 23, 1966.

Hon. EDWARD A. GARMATZ,
Chairman, Committee on Merchant Marine and Fisheries, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: In response to your inquiry of 20 May 1966, you are advised that approximately 150 prospective officers would not be commissioned on 10 June 1966 if H.R. 11781 (or S. 2471) does not become a public law by June 10th.

This situation stems from the proposed amendment to increase the maximum authorized number of Commissioned Coast Guard Officers on active duty from 3500 to 4000. On 8 June 1966, after commissioning the Class of 1966 at the Coast Guard Academy, there will be 3466 commissioned officers on the active duty list, or 34 below our present authorized ceiling of 3500.

On 10 June, 174 men will graduate from the Officer Candidate School in Yorktown, Virginia. In addition, 8 direct commissions are contemplated for graduates of maritime academies, and 2 commissions are planned for aviation cadets.

The following figures indicate the status of the commissioned officer program on 10 June 1966 with the present ceiling of 3500 officers in effect:

On board June 8, 1966	3,466
Acquisitions	174
	8
	2
	184
On board June 10	3,650
Present authorized ceiling	3,500
Excess	150

The urgent need for these additional officers is due to increased responsibilities in the search and rescue and international fishery patrols, as well as the recent requirements for officer personnel in South Viet Nam and for manning the additional icebreakers being taken over from the U.S. Navy.

The enclosure hereto contains a breakdown of the officer growth in the Coast Guard since 1948 and some examples of officer increases planned for 1967, in addition to our requirements for South Viet Nam and for manning five Navy icebreakers.

Sincerely yours,
P. E. TRIMBLE,
Rear Admiral, U.S. Coast Guard Chief of Staff.

Enclosed: (1) Commissioned Officer Growth.

Commissioned officer growth

[Number on June 30]

Year:	
1948	1,854
1949	1,984
1950	2,073
1951	2,652
1952	3,146
1953	3,177
1954	2,653
1955	2,654
1956	2,694
1957	2,763
1958	2,824
1959	2,897
1960	3,011
1961	3,078
1962	3,140
1963	3,176
1964	3,284
1965	3,388
1966 (estimated)	3,649
1967 (estimated)	3,870

EXAMPLES OF OFFICER INCREASES

Operation of larger vessels and aircraft built under prior year A.C.&I. appropriations	27
Additional pilots and flight instructors to meet increased workload on existing aviation units	35
Operation of expanded shore facilities, including hazardous cargo supervision	33
New planning staff and engineers for Loran C	9

RECENT OFFICER REQUIREMENTS

Operation Market Time—South Viet Nam	94
Support and manning of five Navy icebreakers	82

Mr. Speaker, I withdraw my reservation.

Mr. CLARK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ST. ONGE. Mr. Speaker, reserving the right to object—and I shall not object—on many occasions we of the Merchant Marine Committee have had occasion to call the attention of the House to the great and growing importance of the Coast Guard. We have pointed out the part played by the weather stations in making ocean transportation and air transportation safer—the great part played by that organization in connection with protecting the growing number of small boat users in the country, and in providing aids to navigation both on our inland waterways and on our coastal shores.

As our commerce grows and as the number of people using the water for recreation increases there is a growing demand for the services of the Coast Guard. We are substituting helicopter stations for the old lifeboat stations along our coasts, and we are all too slowly providing replacements for the overaged fleet of large cutters to protect those who travel on the oceans. The tragic disasters of the *Yarmouth Castle* and *Viking Princess* have emphasized anew the role played by the Coast Guard in protecting our passengers by establishing and enforcing standards of ship construction and maintenance.

This organization, though its commandant, achieved a notable success only this month by persuading other nations of our intent to furnish the maximum practicable protection to those who travel in foreign vessels.

It is obvious that the growing needs of the Coast Guard in all of these fields will, in the course of time, require a larger organization which in turn means more trained officers. At the moment the organization has a ceiling of 3,500 officers and approximately that number are presently serving our needs. This bill will provide a ceiling of 4,000, in place of the 3,500. While there is no present intention to make any drastic increase in the number of officers, the increased authorized number is necessary in order to provide for future planning and to make the necessary arrangements for future plant and equipment.

Along the same lines, the ceiling on incoming cadets at the Coast Guard Academy in New London, which is in my congressional district, is set at 300. Although somewhat less than that number is presently being admitted, the future needs of the Coast Guard indicate that a degree of flexibility be afforded it to increase this number as the needs of the organization demand. Accordingly, the bill provides for a new ceiling of 400. The provision for such a figure is dictated by future needs of the Coast Guard, and also by the necessity of providing facilities for them to permit a gradual increase in the student body. By the same token new provisions for the procurement of officers with merchant marine training is required.

As one who has had the interest of the Coast Guard at heart for many years, I heartily endorse the aims of this bill and urge the House to support it.

Mr. Speaker, I withdraw my reservation.

Mr. HALL. Mr. Speaker, reserving the right to object—and I shall not object—I want to compliment the committee which has brought this to the floor of the House under this unusual circumstance, in view of the action of the Coast Guard and the need for a cadet aviation training program, as well as the manner in which they are going to do it, and the obligated service, to be conducted in close coordination with the uniformed military services.

The Coast Guard is doing a tremendous job overseas and around the world, and of course its regular excellent job on our own coastal waters.

I am strongly in favor of this legislation. I commend the gentleman from California [Mr. MAILLIARD], our colleague who is the ranking minority member of the important Committee on Merchant Marine and Fisheries, for the coordination done on the floor of the House and in the Congress.

I strongly recommend that the bill be passed.

Mr. Speaker, I withdraw my reservation.

Mr. ROGERS of Florida. Mr. Speaker, I rise in support of this legislation. As a member of the committee which has jurisdiction over the Coast Guard I am pleased to have seen the fine public service record of the Coast Guard extolled before the committee, and to have participated in this legislation.

Certainly the Coast Guard is entitled to the authorization of additional officers provided by this legislation. The Coast Guard is doing an excellent job not only in the execution of its duties here in the United States, but in Vietnam as well.

I urge the Congress to approve this legislation, and clear it for the President.

Mr. Speaker, I withdraw my reservation.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the bill, as follows:

H.R. 11781

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 14, United States Code, is amended as follows:

(1) Section 4 is amended—

(A) by inserting the word "and" at the end of clause (d); and

(B) by striking out "; and" at the end of clause (e) and inserting a period in place thereof.

(2) Subsection (a) of section 42 is amended by striking out "three thousand five hundred" and inserting "four thousand" in place thereof so that the subsection will read as follows:

"(a) The total number of commissioned officers, excluding commissioned warrant officers, on active duty in the Coast Guard shall not exceed four thousand."

(3) Section 44 is amended by striking out "The position vacated by an officer appointed Commandant shall be filled by promotion according to law."

(4) Subsection (c) of section 46 is amended to read as follows:

"(c) An officer who is retired prior to the expiration of his term, while serving as Commandant, may, in the discretion of the President, be retired with the grade of admiral and retired pay computed at the highest rate of basic pay applicable to him while he served as Commandant."

(5) Subsection (d) of section 46 is repealed.

(6) Subsection (c) of section 47 is amended to read as follows:

"(c) An officer who is retired while serving as Assistant Commandant, or who, after serving at least two and one-half years as Assistant Commandant, is retired after completion of that service while serving in a lower rank or grade, may, in the discretion of the President, be retired with the grade and retired pay of vice admiral."

(7) Subsection (d) of section 47 is amended to read as follows:

"(d) An officer who, after serving less than two and one-half years as Assistant Commandant, is retired after completion of that service while serving in a lower rank or grade, shall be retired in his permanent grade and with the retired pay of that grade."

(8) Section 182 is amended by striking out "three" in the first sentence and inserting "four" in place thereof so that the sentence will read as follows:

"The number of cadets appointed annually to the Academy shall be as determined by the Secretary but the number appointed in any one year shall not exceed four hundred."

(9) Section 186 is amended—

(A) by striking the words "of the teaching staff" and the words "whose compensation shall be fixed in accordance with the Classification Act of 1949, as amended" in the first sentence, by inserting the word "faculty" between "civilian" and "members" in the first sentence, and by inserting a period after the word "require" so that the first sentence will read as follows:

"The Secretary may appoint in the Coast Guard such number of civilian faculty members at the Academy as the need of the service may require."

(B) by redesignating the amended section as subsection (a).

(C) by adding a new subsection (b) as follows:

"(b) The compensation of persons employed under this section is as prescribed by the Secretary."

(10) Section 190 is amended by inserting the following after the first sentence:

"The Secretary may retire any member of the permanent commissioned teaching staff who has completed thirty years' active service."

(11) Subsection (a) of section 211 is amended by striking out "four" in paragraph (4) and inserting "two" in place thereof so that the paragraph will read as follows:

"(4) licensed officers of the United States merchant marine who have served two or more years aboard a vessel of the United States in the capacity of a licensed officer."

(12) Subsection (a) of section 214 is amended by striking out the period at the end of the sentence and adding ", and from licensed officers of the United States merchant marine."

(13) Subsection (b) of section 214 is amended by striking out the period at the end of the sentence and adding ", and from licensed officers of the United States merchant marine."

(14) Subsection (c) of section 214 is amended by striking out the period at the end of the sentence and adding ", and from licensed officers of the United States merchant marine."

(15) Subsection (a) of section 253 is amended by inserting "the officers eligible for consideration," after "to be considered,".

(16) Subsection (a) of section 256 is amended by inserting the words "who are eligible for consideration for promotion to the next higher grade and" before the words "who have not" in the second sentence.

(17) Clause (2) of section 258 is amended to read as follows: "the names and records of all officers who are eligible for consideration for promotion to the grade to which the board will recommend officers for promotion, with identification of those officers who are in the promotion zone."

(18) Subsection (b) of section 332 is amended by inserting the following sentence at the end thereof: "However, this limitation does not apply to retired officers of these grades recalled to serve as members of courts, boards, panels, surveys, or special projects for periods not to exceed one year."

(19) The catchline of section 334 is amended to read as follows:

"334. Grade on retirement".

(20) By adding the following new sections after section 370:

"§ 371. Aviation cadets; procurement; transfer

"(a) The grade of aviation cadet is established as a special enlisted grade in the Coast Guard. Under such regulations as the Secretary prescribes, male citizens in civil life may be enlisted as, and male enlisted members of the Coast Guard with their consent may be designated as, aviation cadets.

"(b) Except in time of war or national emergency declared by Congress, not less than 20 percent of the aviation cadets procured in each fiscal year shall be procured from qualified enlisted members of the Coast Guard.

"(c) No person may be enlisted or designated as an aviation cadet unless—

"(1) he agrees in writing that, upon his successful completion of the course of training as an aviation cadet, he will accept a commission as an ensign in the Coast Guard Reserve and will serve on active duty as such for at least three years, unless sooner released; and

"(2) if under twenty-one years of age, he has the consent of his parent or guardian to his agreement.

"(d) Under such regulations as the Secretary prescribes, an aviation cadet may be transferred to another enlisted grade or rating in the Coast Guard, released from active duty, or discharged."

"§ 372. Aviation cadets; benefits

"Except as provided in section 402(c) of title 37, aviation cadets or their beneficiaries are entitled to the same allowances, pensions, gratuities, and other benefits as are provided for enlisted members in pay grade E-4. While on active duty, an aviation cadet is entitled to uniforms, clothing, and equipment at the expense of the United States."

"§ 373. Aviation cadets; appointment as Reserve officers

"(a) An aviation cadet who fulfills the eligibility requirements of section 6023(b) of title 10 for designation as a naval aviator may be appointed an ensign in the Coast Guard Reserve and designated a Coast Guard aviator.

"(b) Aviation cadets who complete their training at approximately the same time are considered for all purposes to have begun their commissioned service on the same date, and the decision of the Secretary in this regard is conclusive."

(21) Section 438 is amended by striking out "and section 438 of this title,".

(22) Section 654 is amended by inserting the following catchline immediately after the section number:

"Public and commercial vessels and other watercraft; sale of fuel, supplies, and services".

(23) Subsection (b) of section 755 is amended to read as follows:

"(b) The provisions of chapter 13 of this title, except for section 461, apply to members of the Reserve under the same conditions and limitations as are applicable to officers and enlisted men of the Regular Coast Guard."

(24) Section 771 is amended to read as follows:

"§ 771. Applicability of this subchapter

"(a) This subchapter applies:

"(1) only to the Coast Guard Reserve;

"(2) equally to women members of the Reserve except where the context indicates otherwise.

"(b) This subchapter does not apply to temporary members of the Coast Guard Reserve."

(25) The analysis of chapter 11 is amended—

(A) by striking out—

"334. Retirement in cases where higher grade has been held."

and inserting in place thereof:

"334. Grade on retirement."

(B) by inserting the following new items:

"371. Aviation cadets; procurement; transfer.
"372. Aviation cadets; benefits.
"373. Aviation cadets; appointment as reserve officers."

(26) The analysis of chapter 13 is amended by striking out the following items:

"462. Pay and allowances of rear admirals.
"464. Allotment of pay.
"465. Advance to officers ordered to and from sea or shore duty beyond the seas.
"466. Settlement of accounts of deceased officers and men.
"474. Compensation for travel tolls and fares.
"504. Disposition of remains of personnel.
"505. Escorts for deceased officers and enlisted men.
"506. Issue of national flag free of cost."

Sec. 2. Title 37, United States Code, is amended as follows:

(1) Subsection (e) of section 415 is amended by striking out "435" and inserting "214" in place thereof.

(2) The second sentence of section 402(c) is amended by deleting "or" between Air Force and Marine Corps in both places that it appears and by inserting ", or Coast Guard" after Marine Corps in both places where the latter appears so that the sentence will read as follows: "An aviation cadet of the Navy, Air Force, Marine Corps, or Coast Guard is entitled to the same basic allowance for subsistence as is provided for an officer of the Navy, Air Force, Marine Corps, or Coast Guard, respectively."

Sec. 3. Subsection (e) of section 5 of the Act of September 24, 1963 (77 Stat. 193), is amended by adding the following at the end thereof: "An officer of the Regular Coast Guard who was appointed as a permanent commissioned officer under any provision of law in effect prior to the effective date of this Act and who is serving on active duty shall be considered to have been appointed under section 211 of title 14, United States Code, and subject to the provisions thereof."

Sec. 4. Section 202 of the Classification Act of 1949, as amended (5 U.S.C. 1082), is further amended by adding the following paragraph:

"(36) civilian members of the faculty of the Coast Guard Academy whose compensation is fixed under section 186 of title 14, United States Code."

With the following committee amendments:

On page 4, line 5, delete "need" and insert in lieu thereof "needs".

On page 6, between lines 7 and 8, delete " '334. Grade on retirement' " and insert in lieu thereof " '§ 334. Grade on retirement' ".

On page 6, lines 18, delete "percent" and insert in lieu thereof "per centum".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries be discharged from further consideration of the bill (S. 2471) to improve and clarify certain laws of the Coast Guard, which is identical to the House bill just passed, and I ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the bill, as follows:

S. 2471

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 14, United States Code, is amended as follows:

(1) Section 4 is amended—

(A) by inserting the word "and" at the end of clause (d); and

(B) by striking out "; and" at the end of clause (e) and inserting a period in place thereof.

(2) Subsection (a) of section 42 is amended by striking out "three thousand five hundred" and inserting "four thousand" in place thereof so that the subsection will read as follows:

"(a) The total number of commissioned officers, excluding commissioned warrant officers, on active duty in the Coast Guard shall not exceed four thousand."

(3) Section 44 is amended by striking out "The position vacated by an officer appointed Commandant shall be filled by promotion according to law."

(4) Subsection (c) of section 46 is amended to read as follows:

"(c) An officer who is retired prior to the expiration of his term, while serving as Commandant, may, in the discretion of the President, be retired with the grade of admiral and retired pay computed at the highest rates of basic pay applicable to him while he served as Commandant."

(5) Subsection (d) of section 46 is repealed.

(6) Subsection (c) of section 47 is amended to read as follows:

"(c) An officer who is retired while serving as Assistant Commandant, or who, after serving at least two and one-half years as Assistant Commandant, is retired after completion of that service while serving in a lower rank or grade, may, in the discretion of the President, be retired with the grade and retired pay of vice admiral."

(7) Subsection (d) of section 47 is amended to read as follows:

"(d) An officer who, after serving less than two and one-half years as Assistant Commandant, is retired after completion of that service while serving in a lower rank or grade, shall be retired in his permanent grade and with the retired pay of that grade."

(8) Section 182 is amended by striking out "three" in the first sentence and inserting "four" in place thereof so that the sentence will read as follows:

"The number of cadets appointed annually to the Academy shall be as determined by the Secretary but the number appointed in any one year shall not exceed four hundred."

(9) Section 186 is amended—

(A) by striking the words "of the teaching staff" and the words "whose compensation shall be fixed in accordance with the Classification Act of 1949, as amended" in the first sentence, by inserting the word "faculty" between "civilian" and "members" in the first sentence, and by inserting a period after the word "require" so that the first sentence will read as follows: "The Secretary may appoint in the Coast Guard such number of civilian faculty members at the Academy as the needs of the Service may require."

(B) by redesigning the amended section as subsection (a).

(C) by adding a new subsection (b) as follows:

"(b) The compensation of persons employed under this section is as prescribed by the Secretary."

(10) Section 190 is amended by inserting the following after the first sentence: "The Secretary may retire any member of the permanent commissioned teaching staff who has completed thirty years' active service."

(11) Subsection (a) of section 211 is amended by striking out "four" in paragraph (4) and inserting "two" in place thereof so that the paragraph will read as follows:

"(4) licensed officers of the United States merchant marine who have served two or more years aboard a vessel of the United States in the capacity of a licensed officer."

(12) Subsection (a) of section 214 is amended by striking out the period at the end of the sentence and adding ", and from licensed officers of the United States merchant marine."

(13) Subsection (b) of section 214 is amended by striking out the period at the end of the sentence and adding ", and from licensed officers of the United States merchant marine."

(14) Subsection (c) of section 214 is amended by striking out the period at the end of the sentence and adding ", and from licensed officers of the United States merchant marine."

(15) Subsection (a) of section 253 is amended by inserting "the officers eligible for consideration," after "to be considered,".

(16) Subsection (a) of section 256 is amended by inserting the words "who are eligible for consideration for promotion to the next higher grade and" before the words "who have not" in the second sentence.

(17) Clause (2) of section 258 is amended to read as follows: "the names and records of all officers who are eligible for consideration for promotion to the grade to which the board will recommend officers for promotion, with identification of those officers who are in the promotion zone."

(18) Subsection (b) of section 332 is amended by inserting the following sentence at the end thereof: "However, this limitation does not apply to retired officers of these grades recalled to serve as members of courts, boards, panels, surveys, or special projects for periods not to exceed one year."

(19) The catchline of section 334 is amended to read as follows: "§ 334. Grade on retirement".

(20) By adding the following new sections after section 370:

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"(a) The grade of aviation cadet is established as a special enlisted grade in the Coast Guard. Under such regulations as the Secretary prescribes, male citizens in civil life may be enlisted as, and male enlisted members of the Coast Guard with their consent may be designated as, aviation cadets.

"(b) Except in time of war or national emergency declared by Congress, not less than 20 per centum of the aviation cadets procured in each fiscal year shall be procured from qualified enlisted members of the Coast Guard.

"(c) No person may be enlisted or designated as an aviation cadet unless—

"(1) he agrees in writing that, upon his successful completion of the course of training as an aviation cadet, he will accept a commission as an ensign in the Coast Guard Reserve and will serve on active duty as such for at least three years, unless sooner released; and

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amended as follows:

(1) Subsection (e) of section 415 is amended by striking out "435" and inserting "214" in place thereof.

(2) The second sentence of section 402(c) is amended by deleting "or" between Air Force and Marine Corps in both places that it appears and by inserting ", or Coast Guard" after Marine Corps in both places where the latter appears so that the sentence will read as follows: "An aviation cadet of the Navy, Air Force, Marine Corps, or Coast Guard is entitled to the same basic allowance for subsistence as is provided for an officer of the Navy, Air Force, Marine Corps, or Coast Guard, respectively."

SEC. 3. Subsection (e) of section 5 of the Act of September 24, 1963 (77 Stat. 193), is amended by adding the following at the end thereof: "An officer of the Regular Coast Guard who was appointed as a permanent commissioned officer under any provision of law in effect prior to the effective date of this Act and who is serving on active duty shall be considered to have been appointed under section 211 of title 14, United States Code, and subject to the provisions thereof."

SEC. 4. Section 202 of the Classification Act of 1949, as amended (5 U.S.C. 1082), is further amended by adding the following paragraph:

"(36) civilian members of the faculty of the Coast Guard Academy whose compensation is fixed under section 186 of title 14, United States Code."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 11781) was laid on the table.

"COLLAPSE OF BUDDHIST MYTH"

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a newspaper article.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, I am putting in the RECORD an article which appeared in the Washington Star yesterday entitled "Collapse of Buddhist Myth."

It tells of 40 newspapermen who were trapped in a Buddhist pagoda and who were enticed there by these phony alleged "monks" who told them there was going to be a press conference there.

Mr. Speaker, this article ought to be must reading for every Member of Congress. It tells how these Buddhist bonzes dragged bodies in from the streets—bodies of people who were shot by their own men. Then they attempted to fake a scene and have the bodies set up in different positions as though they had been shot inside the pagoda so the American newsmen could take pictures and send them back here, which pictures would purport to show the brutality of American troops and the brutality of the South Vietnamese troops.

The writer of this article says that the scales were knocked from the eyes of the newspaper crew in Saigon. I think it is about time the scales were knocked from the eyes of a lot of Americans who talk about these Buddhist bonzes as being members of a religious order. The fact is that they are politically inspired power grabbers and a lot of them are bums and beggars and the sooner we wake up to that fact and know what is really going on out there, the better off we will be.

I think everybody ought to read this article.

The article referred to is as follows:

[From the Washington Star, May 24, 1966]

NEWSMEN ENTICED, TRAPPED—COLLAPSE OF BUDDHIST MYTH

(By Richard Critchfield)

SAIGON.—The collapse of the myth that the Buddhists represented a just but repressed popular cause probably began Sunday night in Da Nang when veteran Associated Press Reporter Robert Poos staggered into the American press camp livid with anger and bleeding from a chest wound.

"The Buddhists trapped us in the pagoda and then opened fire when we tried to get out," Poos shouted with rage.

During the previous hour the scales had fallen from the eyes of some 40 American and foreign newsmen who spent some of the most frightening moments of their lives within Da Nang's besieged Tinh Hoi Pagoda.

In a kind of shock treatment that stripped bare the almost incredible cynicism toward human life of Buddhist monks and rebel political commissars, newsmen were enticed inside for a fictional urgent announcement, then were told it was too dangerous to leave for the remainder of the night after Buddhist forces provoked a heavy firefight with surrounding paratroopers and tanks.

PLACE OF TERROR

Though the word hostage was never used, there was little mistaking the monks' intentions. In the early darkness Tinh Hoi was a place of unutterable terror. Torches flickered from a horror chamber where 26 corpses lay under Buddhist flags and swarms of flies.

Other dead and dying civilians lay on the dusty exposed courtyard ground in pain and unprotected during bursts of heavy fire. Muffled sobs of nearly 100 high school girls and boys mingled with frenzied pagoda gongs and explosions in the nightmarish cacophony.

In a candlelit cell Tinh Hoi's senior bonze, Thich Minh Chieu, held a press conference. "I fear," he said, his smooth face impassive and pallid, "the paratroopers will attack us tonight or at dawn. I want the press to be here to see it."

FEAR GRIPS NEWSMEN

By then, in an atmosphere of hysteria and fanaticism, several newsmen voiced fears of ending up as corpses in Tinh Hoi's grisly collection of "martyrs." These fears later proved well grounded when in the predawn hours rebel fanatics, or possibly Viet Cong, set up machine guns on the pagoda terrace and started shooting at any rebel soldiers who tried to surrender.

For almost every newsman there is one particular bit of horror he knows he will never forget. For some it was seeing painfully wounded women lying on stretchers on the ground in a hideously callous display for press photographers. For others it was the corpses, including those of two small children whom the Buddhists claimed the government wouldn't allow them carry out for burial, though we had seen large trucks waving Red Cross flags drive in and out of the pagoda smuggling grenades and ammunition. Perhaps the most cynical and outrageous touch was a wailing baby someone had propped against the body of a dead woman for the photographers' benefit.

Until paratroopers surrounded the pagoda with tanks and armored cars mounted with machineguns just before dusk on Sunday, people had moved freely in and out of secret passageways to the pagoda compound, yet monks had made no attempt to lead the young girls and children to safety. Both Vietnamese and American eyewitnesses near the pagoda claimed many of the dead and dying were victims of rebel snipers' bullets and grenades falling in the street who were dragged into the pagoda by Buddhist Boy Scouts.

Tim Page, one of the photographers wounded by a grenade blast as newsmen attempted to leave, after being pulled into a doorway a few yards down the street from the pagoda gate, kept murmuring through bloodsoaked mosquito net wrapped around his head: "Don't take me back to the pagoda. Don't take me back to the pagoda."

Both Vietnamese and American witnesses earlier had expressed their belief that most of the civilians wounded by rebel grenades or sniper fire had been dragged into the pagoda yard by Buddhist Boy Scouts.

If Premier Nguyen Cao Ky's battalions had indeed launched a bloody all-out assault on the pagoda it would have been an epic news story to reporters who survived to describe or photograph it. But a compulsion to stand up for human decency swept the newsmen there in the darkness of Tinh Hoi, and their fright became mixed with almost uncontrollable anger.

Despite the real risk of being mowed down by the Buddhist rebels, the newsmen turned their backs on the monks and, waving handkerchiefs and undershirts, marched out the pagoda gates with rebel machineguns trained at their backs. After trying to stop the first group with sniper bullets and a grenade and injuring three, rebels let others pass without firing.

Looking back now with relative calm, the truth is the real civil war in Da Nang probably ended as the reporters marched down the dark street away from Tinh Hoi. The rebel leaders and senior bonzes might have defied Ky's troops and triggered a bloody showdown after slipping away themselves at the last moment. But if the pagoda was to be destroyed and scores of women, children, and soldiers massacred, the enormity of such carnage would require the monks being positive in advance that the press would fix the blame on Ky's forces and not themselves.

VIETNAM

Mr. YATES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. YATES. Mr. Speaker, this morning's newspaper carries a fortuitous and significant combination of reports from two speeches made yesterday.

The first by U.N. Secretary General U Thant delivered to the Amalgamated Clothing Workers of America, stressed the fact that he feared the war in Vietnam was becoming a major threat to world peace. He said:

> Peace can only be restored by a return to the Geneva agreements and that as a preparatory measure, it would be necessary to start scaling down military operations, and to agree to discussions which include the actual combatants.
>
> Perhaps under these conditions—

He said—

> it will still be possible to arrive at an agreement between all powers concerned, and among these the five major powers including the People's Republic of China.

The second newspaper item reported the speech made by Secretary of State Dean Rusk in which he said:

> I remain prepared to go to Geneva immediately whenever there is anybody there with whom to negotiate peace.

Mr. Speaker, there is nothing new in the Secretary's expression of willingness to go to Geneva to discuss peace. What is new—and I hope I am not reading something not intended into the Secretary's language—is his use of the term "anybody." Previously, his language had stressed the term "governments."

As I see it, this is a very important breakthrough, for the term "anybody" would appear to include the so-called Vietcong. This is the first indication I have seen that the Secretary is willing to negotiate directly with this belligerent group—and I, for one, welcome it.

I have believed for some time that the Secretary's refusal to deal with the Vietcong has been a major barrier to efforts to establish peace negotiations. A willingness to confer with the Vietcong does not constitute approval either of them or of their demand that they be recognized as the Government of South Vietnam. It would indicate only that as a combatant the Vietcong is an appropriate party in discussions to end hostilities.

Mr. Speaker, we have offered before to scale down our military operations in the cause of peace. Let us hope that this new concession on our part will help break the impasse that now exists, and permit the Secretary General to initiate a peace conference. I urge the Secretary General to renew his efforts now to bring into being in Vietnam a cease-fire and peace negotiations.

MIDDLE EASTERN WAR COULD MEAN GLOBAL DISASTER

Mr. FARBSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, I note in the morning press that Ahmed Shukairy, mouthpiece for the group which calls itself the Palestine Liberation Organization, has been boasting that Arab refugees are being armed and trained by Communist China to wage a war against Israel. I can only interpret this to mean, Mr. Speaker, that the refugees currently sustained and protected by the United Nations, mostly with American funds, are secretly cooperating with the Red Chinese to foment strife in the Middle East. I will ask the State Department to check on the accuracy of Shukairy's claim. If it is true, I shall recommend in the Foreign Affairs Committee and on this floor that the United States suspend immediately all assistance to the Palestine refugees and if unsuccessful, at least to reduce the American share of aid this year. Nothing could be greater folly, it seems to me, than for us to continue to finance an operation which is ostensibly humanitarian but which in reality is opposed, in the most belligerent fashion, to America's peaceful objectives in that area of the world.

Let me also note with some gratification, Mr. Speaker, the decision of our Government to sell tactical jet bombers to Israel. This decision reaffirms our commitment to an arms balance in the Middle East, a balance constantly being upset by purchases by Egypt and other Arab States of modern arms from behind the Iron Curtain. The American commitment, in making the jet bombers available, is an important one.

But I must go on to say, Mr. Speaker, that a peace-loving observer of what is occurring in the Middle East cannot be happy with recent events. The arms race is escalating at a frightful pace, fed on the one hand by the Communist countries, on the other by us. The likelihood of a major conflict seems to grow every day. I do not believe it is in the interest of either the Western bloc or the Communist bloc to trigger war in the Middle East. Both sides stand to be losers. The whole world could easily be engulfed in such strife. I suspect the consequence of a new outbreak of war in the Middle East would make Vietnam look like a Sunday school party. For this reason, I urge our Government to reinitiate efforts—no matter how often in the past they have failed—to curtail the arms race in the Middle East. If the Communists or the Arabs will not take the initiative, then we must do it. Middle Eastern war could conceivably mean global disaster.

THE RESPONSIBILITY OF THE AMERICAN PRESS FOR ACCURATE REPORTING

Mr. McDOWELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Delaware?

There was no objection.

Mr. McDOWELL. Mr. Speaker, on Monday, May 23, there appeared in the Wilmington, Del., Evening Journal, the Delaware State News, and on Tuesday, May 24, in the Washington, D.C., Post, and in other newspapers of the Nation and the world on these days, a UPI radiotelephoto and an AP wirephoto which demands the most serious consideration by the Congress. The caption on the AP wirephoto reads as follows:

> Baby Weeps Over Mother: Lying wounded on a stretcher, a Vietnamese mother, who was caught between opposing forces fighting in Da Nang, comforts her crying baby while awaiting further aid yesterday.

The UPI radiotelephoto reads this way:

> Innocent Bystanders: Sharing a stretcher with his wounded mother, a bleeding baby boy wails in pain after they were hit yesterday in Da Nang during an exchange of fire at the surrounded Tinh Hoi Pagoda. Rebel holdouts in the pagoda surrendered today to troops loyal to Premier Nguyen Cao Ky.

The origin of these official AP and UPI wirephotos is described in the following manner by a byline story published in the Washington, D.C., Evening Star on Tuesday, May 24, written by Richard Critchfield, Asian correspondent of the Star, and I quote from Mr. Critchfield's dispatch, which is entitled "Newsmen Enticed, Trapped: Collapse of Buddhist Myth," the following revealing statement:

> Perhaps the most cynical and outrageous touch was a wailing baby someone had propped against the body of a dead woman for the photographers' benefit.

I submit the full text of the Critchfield dispatch:

[From the Washington (D.C.) Evening Star, May 24, 1966]

NEWSMEN ENTICED, TRAPPED: COLLAPSE OF BUDDHIST MYTH

(By Richard Critchfield)

SAIGON.—The collapse of the myth that the Buddhists represented a just but repressed popular cause probably began Sunday night in Da Nang when veteran Associated Press Reporter Robert Poos staggered into the American press camp livid with anger and bleeding from a chest wound.

"The Buddhists trapped us in the pagoda and then opened fire when we tried to get out," Poos shouted with rage.

During the previous hour the scales had fallen from the eyes of some 40 American and foreign newsmen who spent some of the most frightening moments of their lives within Da Nang's besieged Tinh Hoi Pagoda.

In a kind of shock treatment that stripped bare the almost incredible cynicism toward human life of Buddhist monks and rebel political commissars, newsmen were enticed inside for a fictional urgent announcement, then were told it was too dangerous to leave for the remainder of the night after Buddist forces provoked a heavy firefight with surrounding paratroopers and tanks.

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Though the word hostage was never used, there was little mistaking the monks' intentions. In the early darkness Tinh Hoi was a place of unutterable terror. Torches flickered from a horror chamber where 26 corpses lay under Buddhist flags and swarms of flies.

Other dead and dying civilians lay on the dusty exposed courtyard ground in pain and unprotected during bursts of heavy fire. Muffled sobs of nearly 100 high school girls and boys mingled with frenzied pagoda gongs and explosions in the nightmarish cacophony.

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"I fear," he said, his smooth face impassive and pallid, "the paratroopers will attack us tonight or at dawn. I want the press to be here to see it."

FEAR GRIPS NEWSMEN

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For almost every newsman there is one particular bit of horror he knows he will never forget. For some it was seeing painfully wounded women lying on stretchers on the ground in a hideously callous display for press photographers. For others it was the corpses, including those of two small children whom the Buddhists claimed the government wouldn't allow them carry out for burial, though we had seen large trucks waving Red Cross flags drive in and out of the pagoda smuggling grenades and ammunition. Perhaps the most cynical and outrageous touch was a wailing baby someone had propped against the body of a dead woman for the photographers' benefit.

Until paratroopers surrounded the pagoda with tanks and armored cars mounted with machineguns just before dusk on Sunday, people had moved freely in and out of secret passageways to the pagoda compound, yet monks had made no attempt to lead the young girls and children to safety. Both Vietnamese and American eyewitnesses near the pagoda claimed many of the dead and dying were victims of rebel snipers' bullets and grenades falling in the street who were dragged into the pagoda by Buddhist Boy Scouts.

Tim Page, one of the photographers wounded by a grenade blast as newsmen attempted to leave, after being pulled into a doorway a few yards down the street from the pagoda gate, kept murmuring through bloodsoaked mosquito net wrapped around his head: "Dont' take me back to the pagoda. Don't take me back to the pagoda."

Both Vietnamese and American witnesses earlier had expressed their belief that most of the civilians wounded by rebel grenades or sniper fire had been dragged into the pagoda yard by Buddhist Boy Scouts.

If Premier Nguyen Cao Ky's battalions had indeed launched a bloody all-out assault on the pagoda it would have been an epic news story to reporters who survived to describe or photograph it. But a compulsion to stand up for human decency swept the newsmen there in the darkness of Tinh Hoi, and their fright became mixed with almost uncontrollable anger.

Despite the real risk of being mowed down by the Buddhist rebels, the newsmen turned their backs on the monks and, waving handkerchiefs and undershirts, marched out the pagoda gates with rebel machine guns trained at their backs. After trying to stop the first group with sniper bullets and a grenade and injuring three, rebels let others pass without firing.

Looking back now with relative calm, the truth is the real civil war in Da Nang probably ended as the reporters marched down the dark street away from Tinh Hoi. The rebel leaders and senior bonzes might have defied Ky's troops and triggered a bloody showdown after slipping away themselves at the last moment. But if the pagoda was to be destroyed and scores of women, children, and soldiers massacred, the enormity of such carnage would require the monks being positive in advance that the press would fix the blame on Ky's forces and not themselves.

Mr. Speaker, there are glaring discrepancies between the AP and the UPI picture story and its caption on Monday and the Critchfield dispatch the following Tuesday, and I demand an explanation by the responsible news media which have brought these two stories to the attention of millions of American newspaper readers. In the absence of such an explanation, the responsibility and accuracy of the American press in its reporting of the war in South Vietnam is immediately subject to question. Either the photographer and these official pictures of the UPI and AP, major news gathering media around the world, were at fault and are guilty of inaccurate and irresponsible reporting, or the reporter, Critchfield, is equally guilty of these charges. Realizing that the American people, as well as world public opinion is entirely dependent upon the reasonable accuracy of the journalists who originate their stories in South Vietnam, there must be no question of the responsibility for accuracy by the wire services and the reporters, newspaper editors, and publishers of these dispatches.

I therefore call upon these private agencies to accept their public responsibility to clarify the marked variances between the two news stories and pictures I have described, and if they are in the wrong, to admit their error and therefore make such an explanation fully available to the American people. In the absence of any reasonable investigation by the news media responsible for these spectacular stories, I shall call upon proper committees of Congress to make a full investigation of this violation of the responsibility of the press of this country. For, if one single picture or one single major news story can be questioned for accuracy and factual background, then the American public should know this that they may judge their newspapers accordingly. We expect propaganda in the Communist press. Certainly our own free press should not be subject to such a charge.

A GREAT AMERICAN: ANTONIO A. MICOCCI

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, I must speak first for my own State of Florida—and, indeed, for my own city of Miami—in mourning the untimely passing of Antonio A. Micocci, staff adviser to the Cuban refugee program in the Department of Health, Education, and Welfare. Tony Micocci moved into the Cuban refugee program in its early days—at a time when all sorts of dire predictions were being made. During those trying times he worked, almost single-handedly in Washington, not only to take care of the physical needs of the refugees from Castroism, but also to look to their future as Americans.

But I speak, too, for all Americans when I pay tribute to this remarkable man. You will recall that, back in February 1961, with Cuban refugees coming into this country at the rate of 1,800 per week, President Kennedy established the Cuban refugee program.

Tony understood that he was working on behalf of a proud people most of whom had never been on relief, but now found themselves stripped of their resources in a strange land. He also understood that the great voluntary agencies of America could help not only with the immediate problems in Florida, but also in finding homes for these brave people throughout the country.

In December of 1961, when doubters were still questioning the program, he told a Senate committee:

> The thing to remember is that it took 18 months to resettle 38,000 Hungarians. We have been resettling in the last 2 months at a rate of better than 525 persons a week. That is a measure of the fine job that the [voluntary] agencies are doing and indicates why we don't think we need to panic yet, and why we can do better * * *. We haven't gone in for any drama with this program, not yet, anyhow. Maybe we will have to come around to it. But in spite of that, the rate of resettlement at the end of September was as high as that of the Hungarian program, and now it has exceeded it.

One reason for the deep understanding and great heart which Tony Micocci brought to the Cuban refugee program was that he knew what it was like to come to a strange land with a great hope in your heart. Born in Rome, he came to the United States with his parents at the age of 5—at a time when some people were deploring the hordes of immigrants coming to this country. He attended public schools in Chester, Pa., and received a bachelor's and master's degree at the University of Pennsylvania. It was while attending the 40th reunion of his class at Penn that he was seized with the heart attack which brought him to his grave.

The years in between had been busy. Following further graduate study at the University of Grenoble, the American Academy in Rome, Columbia and Catholic University, he taught Latin and served as assistant principal in several Philadelphia high schools and at Catholic University. During World War II he was made chairman of the Italian branch of the Allied Publications Board. He briefly headed the Italian section of the Voice of America following the war and came to Washington in 1946 to work for the State Department. The story of his life speaks for his courage, his intelligence, and his great understanding of the American dream. Starting life as an immigrant boy, he has served his country as an educator, a businessman, a prophet, and a dedicated public servant, devoted to the cause of immigrants, refugees, and minority groups.

In a letter to Secretary John W. Gardner, of the Department of Health, Education, and Welfare, dated November 18, 1965, President Johnson wrote:

> As a result of the Cuban refugee program launched in 1961, more than 180,000 refugees have been aided to resettle and integrate in Miami and elsewhere in the United States. This is a good record of which Americans can be proud. I want our new program to be even better.

There could be no greater testimonial to Tony Micocci than for all of us to proceed toward this purpose.

NATIONAL SEA GRANT COLLEGE AND PROGRAM ACT OF 1966

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, recently there has been considerable discussion about the close relationships between our Nation's security, welfare, and economic well-being, and a strong national oceanographic program. This lively exchange of ideas, this fruitful discussion of the pros and cons of one approach or another has been conducted on a wide scope in the Congress, throughout industry, and by other areas of our society. The sea-grant college bill which I am introducing today is a very challenging and promising element in this on-going debate. I am pleased to see the amount of interest already shown in the idea behind this bill.

I have followed the oceanographic debate with more than just a passing interest. Early last year I introduced H.R. 5654, the National Oceanographic Act of 1965, to provide for expanded research in the oceans and the Great Lakes, to establish a National Oceanographic Council, and for other purposes. The bill, corresponding at that time to S. 944 sponsored by Senator Magnuson and others, has three main legislative purposes. One is to establish clearly defined objectives grouped together in a coherent program. The second is to direct this program toward the practical utilization of the ocean's resources. The third is to provide sustained high-level leadership, guidance, and coordination of this multiagency program. Different versions of S. 944 are now before a conference committee. A compromise bill should be reported out soon.

The sea-grant college bill supplements this legislation by providing the trained manpower required to tackle the practical problems before us in oceanography. It will support educational and research programs in the marine sciences; encourage and develop a viable transfer of information; facilitate use of the submerged lands of the Outer Continental Shelf; and finally encourage and facilitate development of regional centers of excellence in the various fields of marine sciences.

Of course, my district, bordering the Atlantic, will benefit from this legislation. I am proud to say that the well-known oceanographic research center, the Institute of Marine Sciences of the University of Miami, is located in my district. The institute embraces both the marine laboratory, which conducts research in marine science, and the department of marine science, which provides academic instruction. It is this combination of research and education which the sea grant college bill wants to promote and sustain.

The institute's director and staff have talked with me on many of these matters. I have heard about the exciting opportunities and substantial benefits that lie before us. But these opportunities will be realized by scores of institutions affected by this legislation. And on a much larger scale, the benefits will be realized by the whole Nation. For we are an insular country; our Nation is dependent on the use and exploitation of the oceans for its very survival.

In this connection one point seems especially relevant. Adm. Alfred Thayer Mahan in his important book, "The Influence of Seapower on History," said that the ability of a nation to utilize the oceanic element of national power depends to a great extent on the number of people in vicinity of the seacoast who are skilled in ocean technology. We have long been a world seapower. We have enjoyed the security and economic benefits attributable to such supremacy. Yet, today we are faced with both a moribund fishing industry and merchant marine. We have less than a coherent Federal oceanographic program. The continuity of manpower supply is not guaranteed under the present mechanism of support. The application of existing knowledge to pressing problems is inadequate, thereby creating a gap which needs to be bridged.

The sea-grant college bill assures a continuing source of support for education, research, and dissemination of information in the ocean sciences and technology. It will promote the vitality and growth of our oceanic efforts and the strength of our Nation at sea. Continuity of support will also afford a better opportunity to look ahead and to more effectively plan and promote a truly national oceanographic program. We will be more capable of coping with the problems confronting industry, especially fishing and shipping. The emerging ocean engineering industry will be enhanced.

We have already seen what the land-grant colleges, and associated experimental stations and extension services, developed in the 19th century and perfected in the 20th century, have done for the agricultural arts and sciences. They have provided a source of continuing support in education, research, and the diffusion of knowledge. The problems tackled were practical; the approach deliberate; the success phenomenal.

The sea-grant college bill will do the same thing for the maritime arts and sciences. It will supply the skilled manpower which is an essential element in our Nation's commitment to master the seas.

Mr. Speaker, I strongly urge all my colleagues in this Chamber to support this bill.

MRS. CHARLES S. GUGGENHEIMER

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, New York is a city of high mirth, serious culture, and deep diversity. On Monday, May 23, it lost one of its patron saints when Mrs. Charles S. Guggenheimer died.

"Minnie" Guggenheimer had all these qualities and more. She was an accidental humorist whose occasional malapropism delighted no one more than herself. She was a deliberate humanitarian whose contributions benefited an entire city. She was the woman who presided at the marriage of music and New York every summer at Lewisohn Stadium.

In its obituary on May 24, the New York Times did justice to the rich personality of this great New Yorker. The obituary, a New York Times editorial of May 24, and a New York Post editorial of May 25, follow:

[From the New York (N.Y.) Times, May 24, 1966]

MINNIE GUGGENHEIMER, 83, DIES; FOUNDER OF LEWISOHN CONCERTS

Mrs. Charles S. Guggenheimer died yesterday at her home, 174 East 72d Street, after a long illness. She was 83 years old.

For something over 40 years, Minnie Guggenheimer was a fixture in the musical life of New York. It was not so much because she founded the summer concerts at Lewisohn Stadium in 1918, though nobody would contest their importance. It was also because she ran them with a kind of flair and instinct for showmanship that made her the idol of newspapermen, the joy of stadium-goers, and a scandal to grammarians. She was once described as having the speech habits of Casey Stengel out of Mrs. Malaprop.

Breezy and uninhibited, Mrs. Guggenheimer was always engaged in losing encounters with the English language. From these she emerged as smiling and confident as ever. Her intermission speeches were among the favorite parts of any stadium program. Invariably, she would preface her remarks with "Hello, everybody!", to which anywhere from 2,000 to 15,000 persons would chant back "Hello, Minnie!" On those occasions when she did not make any appearance, an audience would be likely to set up a rhythmic cry of "We Want Minnie!"

GARBLED INTRODUCTIONS

When on stage, Minnie would proceed to describe the program and coming events. Very often she would mispronounce names of composers and musicians. She once announced the appearance of Enzio Pinza Bass instead of Ezio Pinza, bass. The audience responded with a yell of pure rapture, at which Minnie beamed before realizing that something was wrong.

On another occasion a titled guest, about to be introduced to the audience, got lost and started to wander into the wings. "Here Prince! Here, Prince" yelled Minnie, chasing after him. Her stadium speeches also might contain appeals for money, details about her personal life or requests for program suggestions.

Stadium Concerts had its inception during World War I. In 1918, Mrs. Arnold Volpe, the wife of a then prominent conductor, asked Mrs. Guggenheimer if she would join a committee to support good music at Lewisohn Stadium.

Mrs. Guggenheimer approached Adolph Lewisohn, who had donated the new stadium at City College. A two-week season was given, and there has been a season ever since. In 1962, Mrs. Guggenheimer had to withdraw because of illness, and her daughter Sophie, ran the series for two summers. The Metropolitan Opera took over the series in 1965.

BLOOD, SWEAT AND RAIN

During the years Mrs. Guggenheimer was associated with Stadium Concerts, she ran them virtually singlehanded. She raised money for each season, engaged artists, handled negotiations with the unions and worried about the entire operation. She especially worried about the weather. A series of rainy days would have made for a large deficit in a budget that ran to some $300,000.

Once she phoned the Weather Bureau in March to ask for a prediction about the June 22 opening concert. "Lady," the forecaster said, "you want to speak to God."

Mrs. Guggenheimer had a few comments to make about her involvement with the weather. "If I worried too much about it, I'd be three-quarters crazy instead of one-quarter crazy." She would discuss the weather with her audience and take a consensus as to whether a program should be canceled. Weather was a fixation with her, and, in 1962, she described her experiences at the stadium as "44 years of blood, sweat and rain."

Next to weather, Mrs. Guggenheimer's great challenge was the airplane. That was not a problem in the early days of Stadium Concerts. As air travel developed, however, the evening skies grew noiser, all the more because Lewisohn Stadium was under the flight path to La Guardia Airport.

AT WAR WITH AIRPLANES

Mrs. Guggenheimer seemed to think that all airline pilots loved music and would sweep low over the stadium to listen. She bombarded the Civil Aeronautics Board with complaints and had lengthy conferences with Adm. Charles Rosendahl of the National Air Transport Command. Attempts were made to have pilots reroute their paths during stadium hours, although it cannot be said that this was a campaign that Mrs. Guggenheimer won.

A short, stout, grandmotherly type, Mrs. Guggenheimer smoked two packs of cigarettes a day, enjoyed an occasional drink and delighted in absurd little hats. She had interested herself in other musical projects and served on the board of the New York Philharmonic, but all of her major endeavors were directed toward her summer concerts.

She lived, breathed and talked stadium with such intensity and volubility that the impact came through even at second hand. A critic once had a discussion with her on the telephone and finally replaced the receiver with a dazed look.

"Minnie," he said, "is the only person in the world who can throw up her hands over the phone."

Those who thought she was only a figurehead, or those who were misled by her grandmotherly aspects, soon found they were dealing with a shrewd woman, a good organizer and an operator with some very high connections.

POWERS OF PERSUASION

In 1934 Mrs. Guggenheimer persuaded Mayor Fiorello H. La Guardia to take personal charge of a campaign to raise $25,000. A few years later she was successful in getting many business concerns to help finance her seasons. And in an emergency she was always on top of things.

One such emergency occurred in 1942 when the shell of the musicians' stage collapsed when hit by a lightning bolt. Mayor La Guardia, under Mrs. Guggenheimer's urgings, rushed a wrecking crew to clear the debris, and the next night the orchestra gave a concert seated on the field. A new stage was built the following year. The present shell, constructed at a price of $400,000 inaugurated the 1949 season.

Through the years, the Lewisohn Stadium concerts played an important part in the musical life of this city. The events were one of the best buys in town, and the only place during July and August where one could consistently hear symphonic music in New York—at 25 cents for many seats.

PROBLEMS MOUNT

Up to the middle nineteen-forties the greatest artists consistently appeared there. Many young New Yorkers were first exposed to the best music through the good offices of Mrs. Guggenheimer. After the end of World War II, though, Stadium Concerts began fighting a losing battle. People had money and began to drift away, lured by competing summer musical events. Television and the long-playing record also made inroads into attendance.

Many complaints, too, were voiced against the antiquated amplifying system at the stadium. In addition, the area of Lewisohn Stadium, at Amsterdam Avenue and 137th Street, became rundown. It became apparent that the summer concerts no longer filled the need that they once had filled. But the fact remained that for many years the focus of summer music in New York was Lewisohn Stadium, and it remained that way because of the efforts of one dedicated woman.

Mrs. Guggenheimer, born on Oct. 22, 1882, was the daughter of Samuel Schafer, a member of the Schafer Brothers banking concern founded in 1860. She did not receive a musical education, but she played the piano well enough to accompany many of the famous singers who were guests at the Schafer home.

Mrs. Guggenheimer was appointed a Chevalier of the French Legion of Honor in 1951, and received the John H. Finley Award in 1952. She was given many citations for her unflagging efforts to give symphonic concerts to New York during the summer months.

Toward the end of her life, Mrs. Guggenheimer was a frequent guest on the Jack Paar television show, where her uninhibited comments ("I'm a healthy old hog," she said when asked about her health) and her malapropisms thrilled the television audience as much as they had thrilled two generations of stadium-goers.

Leonard Bernstein yesterday paid tribute to Mrs. Guggenheimer: "Minnie—pioneer woman, old-fashioned heroine—has vanished along with the era she glorified. And if this summer the parks of America overflow with music-lovers, it is in no small measure due to Minnie's guiding spirit."

In 1903 she was married to the well-known lawyer Charles S. Guggenheimer. He died in 1953. Surviving are a son, Randolph Guggenheimer, a lawyer; a daughter, Sophie Guggenheimer Untermeyer, who has won several golf titles; two grandchildren and three great-grandchildren.

A funeral service will be conducted at Temple Emanu-El, at 10:30 A.M. Thursday.

[From the New York (N.Y.) Times, May 24, 1966]

"MINNIE" OF THE STADIUM

Mrs. Charles S. Guggenheimer—"Minnie" of Lewisohn Stadium—made an unforgettable impact on everybody, this stout little woman with the perky hats, the shrewd eyes, and the incredible pronunciations of the common and proper nouns of the English language.

She was as much part of Stadium Concerts as the orchestra and soloists, and people would anxiously await the moment she came on stage with her cherry "Hello, everybody!" To which the chant would come back: "Hello, Minnie!" Not until then did one feel that a Stadium concert had properly gotten under way.

In the great days of Stadium Concerts, from 1918 to about 1945, many New Yorkers were first exposed to music through the efforts of Mrs. Guggenheimer. Through those years Lewisohn Stadium played host to some of the world's finest musicians, and in Depression days they could be heard for as little as 25 cents. Mrs. Guggenheimer was a dedicated woman who wrought well, and New York owes her much.

[From the New York (N.Y.) Post, May 25, 1966]

IN MEMORY OF MINNIE GUGGENHEIMER

The summer evening concerts she brought to Lewisohn Stadium were the great love of Minnie Guggenheimer's life; she shared it with multitudes of New Yorkers.

The rains and the planes were her great adversaries; she was never quite able to overcome them, but she never abandoned the battle.

Her death is a large loss. She was a generous, delightful woman with a merry heart and an honest spirit. She will be remembered with affection by thousands who listened with her to a song at twilight.

ANNIVERSARY OF SIGNING OF CHARTER OF AFRICAN UNITY

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, today I join my colleagues in saluting the third anniversary of the signing of the Charter of African Unity. Three years ago, at Addis Abada, the leaders of 30 African States, containing nearly a quarter of a billion people, took a giant step forward in the cause of a democratic, progressive, united continent.

On that occasion the leaders of Africa proclaimed their devotion to the cause of economic, political, and social progress for all the people of a great continent. They dedicated themselves to establish a firm foundation for human rights and cooperation of the nations of Africa to building a peaceful world.

One of the joys of my assignment as a delegate to the General Assembly of the United Nations was the opportunity afforded me to associate with the delegates from Africa. Their wisdom and their enthusiasm were an inspiration. Moreover, I have watched with great interest the sophistication with which they have evaluated the efforts by which some nations have attempted to sell their ideologies. The Africans have listened politely, even patiently, but they have reserved the right to draw their own conclusions and make their own judgments.

African unity is young; but I have faith that, like our own country, Africa will progress toward a well earned status of world leadership.

MARY BENSON, SOUTH AFRICAN AUTHORESS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, by unanimous consent I am extending my remarks to include the statement of Miss Mary Benson, renowned South African authoress, before the Subcommittee on Africa of the Committee on Foreign Affairs. Miss Benson traveled from her native South Africa to London, and from there to Washington, especially to testify at the subcommittee hearings on American relations with South Africa with emphasis on apartheid.

CAREER OF MARY BENSON

Mary Benson was born in December 1919 and educated in Pretoria, South Africa. Her forebears settled South Africa in 1820.

At the age of 18 she studied in Great Britain and visited the United States before becoming a secretary in High Commission Territories office of the British High Commission, South Africa.

In 1941 she served in the South African Women's Army and rose to the rank of captain. She was personal assistant to British generals in the Middle East, Algeria, Italy, Greece, and Vienna.

After the war she joined UNRRA and subsequently became involved in the field of drama, journalism, and human relations.

In 1952 she assisted in founding the Africa Bureau in London and was its secretary until 1957. In 1957, through offices of the Anglican Bishops of South Africa, she became secretary of the Treason Trials Defence Fund in Johannesburg.

She was the first South African to testify before the United Nations Committee on Apartheid in 1963.

She returned to South Africa in 1964 to see her family and friends and to write. In February 1966 she was placed under house arrest and was served stringent banning orders under the Suppression of Communism Act which includes prohibition on writing.

She left South Africa in 1966 with the particular immediate intention of appearing before the Subcommittee on Africa.

She has written a number of widely known books, including: "Tshekedi Khama" which was published in December 1960 and selected by Arthur Koestler among his two best books for the year.

MARY BENSON'S STATEMENT

Mary Benson's statement follows:

Mr. Chairman, I have an extreme sense of urgency in coming to you and your subcommittee. But I feel intensely the difficulty of expressing all I have been a witness to in South Africa in the past 16 months because it is still so close. And I feel an overwhelming sense of responsibility towards those friends, or people whose experience I know something of, who are silenced and cannot speak for themselves because they are in jail, or under severe banning restrictions, or banished, or are denied passports.

Another factor is how strange I feel, partly due to the unexpected and profound psychological effects of house arrest and bannings, and of the risks constantly run in South Africa if one is to be at all true to one's self; but largely I feel strange because living there, for anyone involved in opposing the evils of white supremacy, is like being in the front line of a battle, and when one withdraws, the outside world seems unreal. Even now, in the freedom of Washington, I dream of the Security Police, and of my apprehensions. Yet what I personally experienced is mild compared to what thousands and thousands there are suffering—besides, I knew that so long as I wasn't actually imprisoned, I could, with a British passport, leave the country.

How can I bring it all to life for you? How convey the shattering deterioration between the time I was last there, in 1962, and when I returned in December, 1964? In that time the government had succeeded in blasting a chasm between white and black. There has been a scattering, as after a bombardment. Quite apart from the fact that most of my black friends were in prison or in exile, and their wives restricted, the laws, the physical distances, sheer mistrust, have shrivelled the possibility of contact. And again, as I shall try to show, there was a further deterioration just in the time I was there, between the end of 1964 and April 1965. Of course, investors would see only the expansion in trade, the rise in profits.

I notice your press handout mentions my friendship with Nelson Mandela. (Actually it was not through him, but the Anglican Bishop of Johannesburg, that I became Secretary of the Treason Trials Defence Fund in South Africa in 1957.) When I returned to South Africa in May 1961, Mandela had organised a nationwide stay-at-home, yet one more non-violent protest from Africans. The State retaliated by ruthlessly suppressing the protest with all the forces it could command. I met Mandela underground at the time and he told me, with bitter regret, that after 50 years of disciplined non-violence the Africans had been driven to the conclusion that the increasingly organised violence of the State could only be answered by counter-violence. Thereafter, sabotage broke out, mainly against installations, but resulting in a handful of deaths. The saboteurs hoped thereby to impress on white South Africa and Western investors the gravity of the non-white people's affliction and the urgency of their anger. But as you know, within 3 years they were routed, most of the leaders were imprisoned for life, a number being executed. Meanwhile, young white intellectuals had also turned in despairing frustration to sabotage, one even to a terrorist act, while other Africans resorted to anarchistic rioting and murder in several incidents in the Cape.

(Significantly, in the 1914–18 war, when Afrikaner nationalist extremists rebelled against the government and many scores of people were killed, only one leader was executed and that because he was at the time in the Defence Force and in the rebellion had been responsible for many deaths—he is now an Afrikaner martyr. All the other 281 ringleaders were released within two years. And that very violent revolt was in wartime. But the mercy shown to their people in the past is clearly not a characteristic of the present-day rulers.)

I'm sure Mandela, now with about 1,000[1] other men imprisoned in Robben Island's maximum security jail, would be glad to know I have come before you, but as he is, like almost all non-white political prisoners, graded category D, he can have only one letter, and one half hour visit every six months. . . .

I wish I could imbue you with a feeling of what it is like in South Africa today. How on the surface there is law and order, stability, as the Government and British and American investors like to point out; how on the surface there is white complacency and black apathy; and we know little of what goes on below except that now and then something breaks surface, as happened last October. There was a trainload of African workers—as always monstrously overpacked for they, not being voters, can be pushed and shoved around like that and the train crashed, killing scores (in all 91); whereupon enraged survivors turned on the first white man they saw, who in fact was coming to their aid, and battered him to death . . . No, for the most part we can only guess what goes on below the surface.

After I had been house arrested and placed under eight pages-worth of bans, I naturally considered the pros and cons of remaining in Johannesburg or leaving. Virtually all friends urged me to go as usefulness there seemed ended. It was a help in making the painful decision to know I might be able to come before your committee. I knew that excellent factual evidence had already been given to you. But also I knew the Government and most white South Africans condemn those who criticise their policies without up-to-date first-hand experience—indeed one of the reasons I returned to South Africa was to get such experience and knowledge. No doubt I got too much of it! Certainly it is an honour, if an exceedingly obnoxious one, to be severely restricted. It means the government dare not charge one with an offence and bring one to court yet it fears one, or one's power as a writer, to such an extent that it arbitrarily imprisons one's talents and one's spirit.

(By the way, I believe—from the timing of the restrictions on me, from the fact that for the first time a phrase was introduced banning the "transmission" of material to anyone, and the fact that letters to me from Washington had been opened—that I was banned mainly because I had been enquiring about sending material to your committee.)

The cost of stability

South Africa then, is a "stable" country, but at what cost. The Afrikaner people, once great and brave fighters for freedom, have not the courage, the generosity, nor the common sense to extend freedom to others. Instead, as a rare and splendid Afrikaner, the Rev. Beyers Naude, has pointed out, there are more and more parallels to Nazi ideology in Afrikaner Nationalism; not only in the methods used to "preserve" the white race and "Christian Western civilization" (sic) but in the fear "freezing South Africans into silence and acquiescence." When you come to think of it, the Afrikaner extremists and the sinister Broederbond who rule South Africa, most of them admirers of Hitler, in all the world find avowed support for their policies only from Portugal, from the Rhodesian rebels, and from a handful of societies like the Ku Klux Klan, the John Birchers and the League of Empire Loyalists. But of course, there is the other kind of support; support that is tangible however much apartheid may be verbally castigated, and despite the denial of arms to the present government; support that comes from many English-speaking white South Africans and from British and American investors, not to mention some Western Governments, including British and American.

You have had first-rate testimonies from several people, you have been told by Mr. Mennen Williams what apartheid does to human beings. Mr. Neilsen, in describing the inhuman, un-Christian policies, spoke of the degradation of the government's methods; and of the moral horror of what is going on. You know from Kenneth Carstens and others of the dreary cruelty of the unlimited arrests under the pass laws. All I can contribute then is a few examples of what has become the South African way of life, as I saw it, in 1965 and 1966. In essence: what is being done to people there, in this, which is their only life on this earth; and we don't know what, if anything, happens to us after death.

In Johannesburg, recently, there were at night regular police raids on domestic servants' quarters. All who were not actually employed at each house were arrested: husbands, boyfriends, wives, children, etc. In one raid for instance, 800 police "netted" 800 men, women and teenagers. The raids were followed by mass trials, not in courts, but in the cells, with four magistrates, in one instance, trying 1,000 people in 3½ hours. A police officer was reported to say: "We have to have these raids. We've caught five or six housebreakers among the petty offenders. . . ."

In 1962, near Cape Town, I visited a young African woman and her four children, who were being forcibly driven 500 miles from her husband and from the pondokkie (in the sandflats "reserved" for non-whites) which she had cherished into a safe neat home. This still goes on—she is but one of thousands; and in April last year in the Black Sash Advice Office[2] near Cape Town, I again listened to pathetic appeals from Africans facing the enforced breakup of their families. All this to satisfy an administrative edict. Indians continue to be torn from homes and businesses in towns they have helped to prosper and are stuck miles outside in undeveloped country. Other edicts, toward the end of the year, killed off District Six, the traditional home of Coloured People in Cape Town; they like Africans will be confined to bleak sandflats. And through the year, the Immorality Act took its toll with reputations, lives destroyed. All these laws and edicts are idiotic.

Idiotic—for South Africa, prosperous, spacious, could easily provide opportunities and security for all its racial groups were it not for the life-denying ideology of its rulers. And food. Yet, when I passed through the Ciskei, one of those African areas where many live on the borderline of starvation, an African clergyman to whom I gave a lift, from being stolidly taciturn, suddenly burst into a passionate description of how children in his village on some days of each week went without food. Government aid is begrudging and offers from voluntary societies are frequently rejected by the authorities who like to pretend there is no starvation.

Perilous, then, is the sickness of South Africa. For the life-denying dogma of white supremacy does not simply breed cruelty, it brings with it intellectual decline and moral decadence, not only in the small Afrikaner tribe which seeks self-preservation through tyranny, but among the English-speaking whites, who are mainly preoccupied with profit and pleasure. What a waste it was when young liberal intellectuals felt constrained to attempt ill-conceived sabotage. In court many of them spoke of the futility of their acts. Again I would stress the waste, the unnecessariness in this rich, wide country which, as Mr. Williams pointed out, could lead Africa in constructive development.

But if present policies are regarded as abominable, think what lies ahead. Mr. Balthazar Vorster, the Minister of Justice, who was detained in the 1939–45 war for his subversive, pro-Hitler activities, has been given and will continue to grasp more and more power. Education of Afrikaner youth, Afrikaner newspapers, the State-dominated broadcasting system, combine to isolate, to indoctrinate.

A number of the elite of Afrikaner youth at the University of Pretoria—among them perhaps future Cabinet Ministers—expressed their contempt for Opposition United Party speakers at the election in March by throwing chairs and violently preventing meetings from taking place. Is it surprising when their leaders regard liberalism and humanism as dirty words? One of the few Afrikaners to maintain the best in their forebears, independent, brave and generous, the Rev. Beyers Naude, set up the Christian Institute—dedicated to a loving God. He is constantly harassed by fellow Afrikaners in authority.

I should mention one seeming aberration on the part of the State that confuses people abroad: the fact that a few fearless people can express perpetual criticism of government policies without being silenced. Well, of course, Alan Paton's passport was withdrawn, as was that of Laurence Gandar, whose editorials in the Rand Daily Mail are a source of inspiration to all independent-minded South Africans, black and white. One factor is that it's convenient for the government to present an apparently free press to the world and besides these men are internationally distinguished which still has meaning for a government that spends a fortune in trying to whitewash its image, as Dr. McKay revealed.

JUSTICE

Inevitably justice was long ago subverted by the spate of unjust laws. While I was there, a number of cases drew fierce comment from the few English language newspapers still putting up a fight. To mention only one case: four young white men were convicted of raping an African woman after three of them had assaulted her escort. Three were sentenced to six strokes of a light cane and the fourth to six strokes with an adult cane, and a year's imprisonment suspended for three years. In an editorial Laurence Gandar remarked: "Just imagine it: a half an hour's sharp pain and a week or so of discomfort for one of the most serious and revolting crimes in the book. From the court proceedings it is quite clear that this was a particularly vicious and brutal episode. The men had been drinking that evening but according to the evidence of a white girl at whose home they had been for a time, they were not very drunk. They had left saying it was a good night to chase "kaffirs" . . . In passing sentence the judge said he could not understand why the men spent their time drinking and visiting shebeens. He recommended that they should make use of their free time by joining a club." As the editor pointed out, had the rapists been black and the raped woman white, they would surely have been sentenced to death.

But the area where justice is most blatantly being subverted by the whole process of the administration of the laws is the Eastern Cape where important American automobile and other factories flourish (see p. 25–26 of Part I of the record of your hearings). It was in this area that Africans first felt the glow and excitement of new ideas and of education brought by missionaries from the 1830's on. In those days Africans there even had the vote. Outstanding African intellectuals and leaders emerged—from Professors Jabavu and Z. K. Matthews to Mandela, Sisulu, Tambo, the area has long been the centre of militant African activity; a majority of the 8,500 volunteers who went to jail in the African National Congress's 1952 defiance campaign came from there.

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[1] According to press reports, the Chief Commissioner of Prisons, while in Sweden in 1965, said there were some 8,000 political prisoners in all South African jails.

[2] The white women of the Black Sash unstintingly provide assistance for non-whites endlessly persecuted under the pass and other administrative laws.

Now the Security Police are intent on purging the area, particularly Port Elizabeth's African townships, of the last drop of political consciousness. But the purge goes further, it is aimed at the very heart of this society, at the qualities of independence, self-respect and mutual trust, without which human beings become corruptible.

During the past 2½ years, about 1,000 men and women have been arrested there, and in innumerable trials most have been charged with membership of the unlawful African National Congress (ANC) or, in fewer cases, to the Pan Africanist Congress (PAC). None of these cases is concerned with acts of violence, which would go before the Supreme Court, but increasingly the State produces evidence of talk of violence.

The local press had barely reported these trials and I was the first overseas correspondent to do so. It is painful to try to tell you about it all—what I witnessed was peculiarly sinister and odious.[8] The accused, usually simple men and women, are held for between 5 to nineteen months, awaiting trial. If they crack under interrogation, which may include assaults and sometimes physical or mental torture, and agree to give the necessary evidence, they become state witnesses. Those who somehow hold out become the accused.

The Johannesburg Star has spoken of "the practice of arresting in haste and collecting evidence at leisure." Frequently the charges relate to actions allegedly committed three or four years ago, making it almost impossible to prove an alibi, yet state witnesses unable to recollect recent events can give precise 'evidence' about 1961 which, however nonsensical, they recite with an air of pride. I found one state witness had already given evidence against sixty people, another learnt his evidence off by heart, one, as Defense Counsel remarked, had the history of a man in the pay of the police. They would vehemently deny torture or pressure of any kind. They had come to court to tell 'the truth' and—in a startingly repetitive manner—they would volunteer: 'I was not forced to make a statement.' Increasingly their corroboration of small details of what happened in 1961 or 1962 stretched one's credulity. It was like hearing parrots come to court. And in several instances, the Defence elicited the fact that State witnesses during a trial had slept—sometimes two or three together at a time—in a room with an African security sergeant, but they insisted nothing concerning the case was ever discussed.

Virtually the trials are held in camera, in villages remote from Port Elizabeth, on the grounds that State witnesses fear intimidation or reprisals, with resulting difficulty in finding defence counsel and in the Press being able to attend, so that a dreadful pall of anonymity settles over them.

But where injustice is most apparent, though blessed by the law, is in the framing of the charges, for these have been broken down under multiple counts: membership of an unlawful organisation, furthering its aims, collecting funds for it, attending meetings, allowing premises to be used for its meetings, distributing leaflets; the maximum sentence on each count being three years; with, in some cases, each meeting, each leaflet, treated as a separate count! The severity of sentences can be imagined: whereas in Johannesburg admitted rank-and file members of the Communist Party—who collected subscriptions, distributed leaflets, painted slogans and attended more than twenty cell meetings—were sentenced to two years, in the Eastern Cape ANC and PAC members have been sentenced to up to ten years for a lesser series of activities.

The charges are framed under the Suppression of Communism Act which, as I'm sure you know, covers any particularly effective and active opponent of the Government and has been used far more widely against African nationalists and white liberals than against the small group of Marxists. As a result newspaper headlines frequently label the cases: "28 Charged Under Red Act"; "Relatives Pack Court To See 200 in 'Red' Cases."

One man, Tommy Charlieman, a trades unionist aged about sixty, after being imprisoned in four different jails for a total of nineteen months, was released in December 1964 without any charge being laid. In January 1965 he wrote to the Minister of Justice claiming damages for loss of health and wages. He was then re-arrested, and charged with ANC membership, and other counts emerging from a meeting in November 1962. He was found guilty and sentenced to eight years. On appeal his sentence was reduced, I believe, by three years.

I attended several days of the trial of Nursing Sister Mpendu, and followed by case subsequently. She, a middle-aged woman, had been trying to get a passport to study pediatrics in Britain when she was arrested in March 1964. She was held, in prison—apart from a brief couple of weeks when bail was allowed—for sixteen months, awaiting trial. When Defence counsel questioned the Security Police sergeant in charge of her case about this period, he replied it was "perhaps not too long". He added: "There were others who were more important, who had waited longer." Yet bail had been withdrawn from her fifteen months before and the State Prosecutor had given as a reason that she was the "most dangerous" of the sixty-one prisoners awaiting trial before the court at the time. Fifteen months in prison, a "most dangerous" woman, and when it came to her trial, she was charged with a different set of facts from those for which she was arrested. The Prosecutor declared her case centered on the "disposal of a motor van". It was alleged that her man had been given the van by the ANC, and, after his arrest, she had taken over its sale. She denied the charges. State witnesses said she told them the sale was to raise money for the ANC, and would be used—according to one or another of them—for ammunition; explosives; fire-arms; petrol bombs; machine-guns; rifles; revolvers. For long days Sister Mpendu was made to sit on a backless bench while the case toiled on. The small court-room under a hairdressing salon, next to a railway siding in a rich orange-growing area, was constantly adjourned because of the din of shunting trains. Eventually the Magistrate, describing her as an evasive, hesitant witness, found her guilty on four counts: ANC membership, raising funds, having an ANC meeting in her house, and stamping a receipt with an ANC sign. Allowing for the eighteen months she had by this time been in custody—he sentenced her to a further two and a half years, in all then four years.

Men already fined or imprisoned for an offense are recharged, years later, for the same offense. Thus the employees of a bus company in Port Elizabeth were fined £7 10s ($22) each in 1961 for having gone on strike, which is illegal for Africans. Three and a half years later a score or more have been rearrested. It was then alleged that the strike had been organized by the African National Congress and, after more than a year awaiting trial in prison, they have now been sentenced to four, or four and a half years' imprisonment.

Some found "not guilty" have been promptly re-arrested. And now a new refinement has been thought up by the State: instead of releasing those who are completing their sentences, it is charging them again with violations of the same law. So far 160 or more have been named for this repeated incarceration. Imagine the feelings of the family of the prisoner—just as they are preparing to welcome him or her back. The first case, Dixon Fuyani, after serving 2 years was sentenced to seven more. The second, Benson Ndimba, after 2½ to 4½ more.

I wish there were time to read you parts of my notes of the evidence and cross-examination in some of these trails. Perhaps I could tell you briefly about one other case I observed, in which a young white woman was found guilty of attending an ANC meeting in 1961. The Court sentenced her to four years' imprisonment, "with a prayer in its heart." On appeal the Supreme Court set aside the conviction. As the Rand Daily Mail commented: ". . . This was a case in which the State relied heavily on the testimony of accomplices—who gave their evidence in the presence of the Security Branch. It was a case in which the defence claimed that one State witness had changed his story after spending an overnight adjournment with a member of the Security Branch; that another had learnt his evidence off by heart; and that yet another had been in the pay of the Security Branch.

"Whatever the truth of these claims may have been, the fact is that the Judge President of the Eastern Cape has now rejected the State evidence of five accomplices and declared that it was quite inconceivable that Miss Neame was ever a member of the ANC—as they had all sworn she was . . ." Incidentally, the Judge did not ask why these state witnesses should choose to lie about a white woman unknown to most of them.

Much as I've taken of your time to tell you about the Eastern Cape trials, I am very aware of how inadequately I've conveyed the reality of what is going on. The hopelessness that often deadens the atmosphere in the courts, the anguish of the families, their struggle against hunger, for even when a welfare committee is allowed to function it can afford less than $7 a month for each family. To provide school fees, clothes and books has been virtually impossible.

"Law and order" has been maintained. The Security Police are in control. And they are there to stay.

Virtually all defence in the hundreds of political trials and in the appeals (a number of which have been at least successful in reducing sentences) has been paid for by the Defence and Aid fund, of which Alan Paton was a leading member. I wish you could have seen the dedicated work of its organizers, battling with selfless courage against all the obstacles the State and Security Police could contrive, in order to see that people had some defence. (The State only provides pro deo defence in capital cases.) Over the years, hundreds of men and women have been saved from imprisonment or have had sentences lessened, through the efforts of D & A. It was absolutely clear that the Security Police were enraged by its activities. Over many months last year Police pressure intensified as one after another of the Fund's workers were banned from its activities and placed under grim personal restrictions. Then, two months ago, the Minister of Justice outlawed the entire Fund. The penalties for furthering its aims are one to twelve years imprisonment as in the ANC and PAC cases.

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[8] Perhaps one of the Committee might have time to look at a pamphlet, "The Purge of the Eastern Cape" for which I provided much of the material.

When I came away political accused were having to defend themselves.

As if this were not appalling enough, the Minister of Justice went on to house arrest and ban the attorney handling most of these cases, Miss Ruth Hayman! Miss Hayman, since the 1930's, has provided a model of what a full, creative life can become even in the destructiveness that blights South Africa. Also a leading member of the Liberal Party, in her legal practice she has been quite indomitable, and to her office a constant stream of non-whites and others would come for legal advice, whenever they were threatened with arrest or punishment for one thing or another. Yet apart from the Liberals, the Black Sash and one or two newspapers, hardly a protest was uttered at this banning, that not only could destroy her career, but deprives hundreds of men and women of their legal adviser, for the scope of her work is now heavily confined.

This picture is dark. But I was in a court one day when the Defence brought on a witness, Terrance Makwabe, straight from Robben Island prison, where he was serving a two and a half year sentence. He was a slight, modest-voiced man who looked much younger than his forty-five years. The prosecutor rose to remind him that the effect of his giving evidence might well lay him open to renewed prosecution and a further sentence. He agreed. Why, then asked the prosecutor, was he giving evidence?

"Andi Soykik", Makwabe replied. The interpreter translated: 'He says "I am no longer afraid" '.

It was a marvelous moment.

WHAT BANNING AND HOUSE ARREST MEAN

The weapon of "banning" has been part of the South African way of life since 1953. It is a penalty unique in the history of criminal law, according to Professor Julius Lewin, of the University of Witwatersrand. No charge to answer, no trial, no effective appeal, nor can you protest as it is illegal for anyone to publish your remarks. Suddenly one day police arrive on the doorstep and, in my case, they handed me eight pages of bans which I was supposed to study and absorb while they stood over me. The bans are under the Suppression of Communism Act and have been used to punish and silence Liberals far more than Marxists, and have been used in a deliberate policy of attrition to crush non-white trades unions. There are about 25 different bans with the Minister constantly thinking up new ramifications. For instance in my case he almost doubled the previous number of restrictions on writing so that it became almost impossible to write anything at all, whether for publication or for my own private purposes. Alan Paton expressed his view to me: "This is to my mind unpardonable, not so much because it may take away your living but because it denies you the right to use gifts that are given you—that to me is one of the things that is within the province of God, not of the State."

About 520 people are at present "banned". Almost all are restricted for a five year period in which they cannot ever leave one town, or one African township, or even one small suburb. Among new restrictions are those that forbid people to go into specified buildings. This increasingly deprives people of jobs. An African factory worker, for example, is banned from any factories. Mrs. Helen Joseph, the English-born social worker who was among the accused in the Treason Trial and who has done so much for the banished men and women in South Africa, after being house-arrested and under considerable bans for a number of years, recently had an extension of these bans which prevents her entering a building in which there is a trade union. She works for a medical aid society in the same building as a trade union. At the time when I left I heard that she, a woman in her late fifties, was trying to teach herself touch-typing in the hope of getting a secretarial job. Mr. Congress Mbata, banned just after I was, a research officer for the Institute of Race Relations, under the ban can no longer go into that office. On his behalf, a deputation of distinguished men, including two former judges, tried to see the Minister of Justice, but were curtly rejected. One Coloured writer, among the handful placed under 24 hour-a-day house arrest, is also banned from writing and has to rely upon his wife keeping the family going. Regularly in Government Gazettes there are lists of Africans placed under wide bans for five years.

But as I don't think the pernicious character of bans can be understood without reading them, I am handing in a copy, which I hope can be recorded, of these pages that distort and really unimaginably limit a person's life. I found painful the restriction on having any visitors. And, of course, even partial house arrest at nights, weekends and holidays destroy's one's social life. For the first time in my life, I really felt my spinsterhood! But harshest of all, after the ban on writing, was that on social gathering. Nowadays this is being interpreted in law as a banned person and one other. Tea, lunch, even conversing, are dangerous unless the gathering occurs casually or fortuitously. I sometimes went to town and walked the streets hoping to bump into friends. I wrote to the Magistrate to whom one can apply for exemptions, explaining that as a spinster with few relations, I would like permission to have occasional meals with my sister and brother-in-law. This was refused. On occasions when I made a discreet date with somebody to meet in a coffee bar, I did so with a lawyer's warning ringing in my ears, that it was all right for me to decide to take the calculated risk, but if I were arrested the person I was meeting might be called as a state witness against me; no one wants to be a state witness, and to refuse to be one, could lead to up to a year in prison.

I found the psychological effects disconcertingly deep and immediate. The police had no sooner left than I felt a distinct drop in self-respect at the realization that I was obeying a series of bans from Vorster. I was tempted to disregard them and go on living in the ordinary way. But the thought of the penalty of between one and ten years for breaking most of the bans, and up to three years on breaking the ban on social gathering, deterred me. Then came paranoia; not only from the thought of security police surveillance but almost immediately it was as if one had the plague and, from getting several phone calls a day, I felt excited if three or four people phoned me a week.

All this just arbitrarily slammed on one by the Minister of Justice because he can't find one guilty of any offence, even under the fantastic network of laws he already has at his disposal. About 45 people have been partially house-arrested, and about 12 imprisoned in their own homes under total house arrest. Once a week I had to report to a police station and sign the parole book but some, Helen Joseph for instance, have to report daily to the police station; the penalty to which African men and women, particularly those who have resisted the Government's tyranny in tribal areas, are banished, some for many years on end. A report on thirty or more so condemned only reached the South African public after the New York Times had carried it.

THE SECURITY POLICE AND IMPRISONMENT WITHOUT A TRIAL

Above all, what came as a sickening shock to me on my return was to witness the corruption induced by widespread intimidation, even terrorism would not be too strong a word for it, they do induce terror in their victims, from the Security Police and their increasingly sophisticated interrogators. As a result South Africa is now riddled with informers. Sometimes, as you have been told, strong men have been broken by torture, three were driven to suicide under the 90 days law. That vile law was withdrawn in January 1965, only to be replaced in September by a law precisely twice as terrible, the 180 Days Law. The first man so held attempted to commit suicide. Since then about 40 more men and women have been thus kept in solitary confinement for up to six months, without a charge, while they are interrogated with the object of forcing them to become state witnesses. The Security Police have developed a brilliant aptitude for psychological torture—through non-stop interrogation while the prisoner is held in isolation or through forcing prisoners to stay awake or remain standing for days on end. Most of those who have been released have refused to say anything about their confinement, but one, Mrs. Weinberg, after three months imprisonment, told the court she had made a statement to the police only after relays of security men had questioned her continuously for three days. She was kept awake and standing, she alleged, with the physical effect of alarmingly swollen legs—her ankles hanging over her shoes—and her eyelids swollen till her eyes were like slits. As a result of this and the intense psychological pressure, she had made a statement but this she refused to repeat in court, choosing further imprisonment rather than to become a traitor. Of course, there are those who simply out of self-interest turn traitor and give evidence against their friends.

Inside South Africa noted legal experts have drawn attention to the failure of a number of judges to reject evidence given by such detainees, evidence which should be treated with the greatest suspicion. And a leading Progressive, for failing to do so is up to 10 years imprisonment. Professor Lewin has spoken of the grim uncertainty about the extent of these bans in the lives of every banned person. No lawyer can advise the client with any assurance whether attending this or that type of gathering or entertainment is 'safe'. For instance, in the courts, snooker has proved all right on appeal, but bridge or tennis involving four persons has resulted in a sentence, in the case of bridge, of three months, two being suspended. A 'banned' girl who climbed a mountain with two others and had a picnic on top, was sentenced to two months suspended. A man who sat in the kitchen while a party took place and spoke to one person at a time, coming into the kitchen, was sentenced to a year, suspended. These suspended sentences hang over the person's head. In effect, what it meant, because I found every other day, I was breaking one or other of the bans, was that the police only had to watch consistently for a time to collect some bit of evidence.

Cruelest are the bans and house arrest orders that are immediately served on men and women who had been charged, tried and sentenced to terms of imprisonment, and upon serving those sentences, have returned to their homes and families, only to be put under the severest possible restrictions. 520 people banned, 520 lives broken up, and how many more hundreds or thousands intimidated from action as a result.

Almost the only protests recently have come from a handful of English language newspapers, from Mrs. Helen Suzman, the Progressive MP, from the Black Sash, the Liberals, and one or two others. It was not till the Minister banned a student leader, Ian Robertson, who was to have been the host to Senator KENNEDY in a week or two's time, that protests really became significant. There have been student marches and large protest meetings of citizens. In Johannesburg a few days ago, more than 1,500 people unanimously resolved to call on the Minister to charge or release those who are banned and restricted without a trial. As Uyskrige, the Afrikaans writer and poet, remarked: "What extraordinary habits we are acquiring. It seems to have become an old South African custom to accuse a man or a woman, for that matter, of something extremely serious, clap him in jail or ban him or silence him by other means, and afford him no trial, give him not the least chance to defend himself."

Far more atrocious are the physical and spiritual deserts and abysmal poverty Mr. Hamilton Russell, has said: "I believe that courts will be conscious of the mountain of authentic evidence from experts that solitary confinement amounts to mental torture which is sometimes more serious than physical torture."

In Britain, three M.P.'s of the different political parties said there was little doubt that numbers of state witnesses have been brain-washed in solitary confinement to give whatever evidence the police required of them. But a handful have superbly held out as Mrs. Weinberg did, preferring to serve terms of imprisonment rather than lose their souls.

In the trial of Abram Fischer, the Afrikaner descended from the President of the Orange River Colony, who became a Communist in the 1930's and who has had a most distinguished legal career in South Africa, a young woman, Mrs. Lesley Schermbrucker, a 180 day detainee, refused to give evidence for the state against Fischer. In an article Nadine Gordimer, the novelist, describes the moment: "She turned to the Magistrate . . . and said, 'I've decided that not at this stage or any other stage will I give evidence. And I'm prepared to face the consequences.'" When warned that she could be sentenced to a year's imprisonment if she maintained her refusal, she again said no. Miss Gordimer writes: "She was sentenced to 300 days and she went down in the well of the Court in the peculiar, awkward silence produced in onlookers by the spectacle of courage."

While on the subject of Fischer, who was sentenced to life imprisonment for conspiring to commit sabotage along with Mandela and others who two years previously were thus sentenced in the Rivonia trial, may I quote from the Manchester Guardian in November 1964, where I said, "Today, when the norm among White South Africans is to be fearful, apathetic and mean, Fischer's country should be proud of the extremism with which this man gives himself. And when Afrikaner Nationalists have become rigid conformists, they should honor this 'son of our soil' (as a Magistrate called him) who has kept the spark of rebellion against repression alive."

From studying the history of South Africa for the books that I have written about the African struggle for freedom there, and from personal experience in the days of the Treason Trials in 1957 when I first got over my bitter prejudice against Communists by knowing some of them as individuals, I have felt with even greater regret the failure of Christians, in particular, to identify ourselves with that struggle. If only, instead of being terrified of being tarred with the same brush as Communists, or instead of competing in a negative manner, we could seek to transform our own too inadequate record. I was glad that a member of the Society Friends made a similar point to you. It is ironic that it is to a handful of white Communists who befriended Africans over decades that we owe to a large extent the refusal of so many African leaders to turn racist.

BANTUSTANS

Protagonists of the South African system may reject the picture I have given as mainly of political 'agitators.' What then of the government's vaunted Bantustan, the Transkei, or of Zululand, to mention only two tribal places, what of the moderate men who lead the oppositions there? The government's favorite weapon against them has been to block passports to such fine men as Knowledge Guzana, leader of the opposition multi-racial party in the Transkei, and Gatsha Buthelezi, a senior Zulu chief, both of whom had been looking forward to taking up State Department invitations to travel in the United States. This is just one more proof of the farce of the government's claim that these areas are heading for freedom and self-government. Incidentally, between May 1964 to April 1965 and possibly for longer all applications from newspapers and journalists to visit Bantu areas in the Transvaal were rejected.

And what more ludicrous a showing up of the government's color policy and the convenience of its prejudice, than the case of the Japanese who have been made honorary whites—because they buy pig iron, while Chinese and Indians and Coloured South Africans continue to be harshly discriminated against.

CREATIVE PEOPLE AND CREATIVE ACTS

But having said all this, having given first-hand impressions of what Mr. Nielsen called "the most flagrant and clearcut case in the world today of oppressed colored people by white people as a matter of official policy," I haven't given you the extra dimension provided by the few who continue to struggle on, not only bravely confronting the evil, but at times even creating. It would be indiscreet to say much more for fear this little also would be destroyed. But I wish I could communicate to you the wonder of knowing these people. Even in the time I was there, the ranks thinned significantly—some were forced into exile because bans prevented their making a living, others were taken into 180 days or were cut off from normal life by bans. While I was amongst those few remaining, there was the constant refreshment of their company, inspiriting and delightful. When one looks around the world—so much of it in a mess—and then thinks of these few of all races and beliefs, one feels inspired to carry on, to believe that perhaps a better future can be won.

I wonder if you realize that some in South Africa feel your country is their greatest hope. Perhaps if you thought of them as constituents you could imagine their anxious expectation? If is not only because the United States is the most powerful country in the world. It is not only that they have given up expecting anything from Britain, with its billion pounds bound up in South Africa. It is that you have a very particular history and that you here are striving—with whatever stumbling and prevarication—to cope with a history of racial oppression and the resulting disasters. Your experience can help them, action on their behalf can help you.

Britain and America are deeply, irrevocably involved in South Africa—through investment and profits gained, some of your firms have their fingers deep in the pie of Eastern Cape industry, and as you know, in the Eastern Cape terrible things are being done. They are involved not only because Dr. Verwoerd vaunts himself as a bulwark of Western Christian civilization and, in the lineup so far has, in fact, been treated as such, but they are also involved through Christian and educational connections.

South Africa is a microcosm of our world: in its races, its religions, its political beliefs, in its perilous division into 'haves' and 'have-nots.' If no constructive way out of the deadly impasse is found and found soon, how can our world hope to survive?

AGREEMENT ON IMPORTATION OF EDUCATIONAL, SCIENTIFIC, AND CULTURAL MATERIALS ("FLORENCE AGREEMENT")

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CURTIS. Mr. Speaker, on June 1, 1965, Chairman MILLS introduced H.R. 8664, a bill to implement the so-called Florence agreement. The Florence agreement is an international agreement which provides that signatories remove tariff and other barriers to imported educational, scientific, and cultural materials, such as books and paintings, and also scientific equipment purchased by qualified institutions, if equipment of "equivalent" scientific value is not made in the importing country. A list of 49 nations which have put the agreement in force is attached. The signatory countries include most of the industrial nations of the world with the notable omission of Canada and Japan.

HISTORY

While the Florence agreement is economic in form—technically a tariff and trade matter—it is most essentially an instrument to promote social and cultural understanding among nations. The agreement was conceived by the 1948 General Conference of the United Nations Educational, Scientific, and Cultural Organization — UNESCO — then technically revised by a meeting of the contracting parties of the General Agreement on Tariffs and Trade, and approved unanimously by the UNESCO General Conference in Florence in July 1950. Opened for signature at Lake Success, N.Y., on November 22, 1950, the agreement entered into force on May 21, 1952, with 10 nations having signed and accepted it.

The United States did not sign the Florence agreement until June 24, 1959. The United States hesitated—though it had been a strong force behind this agreement to strike down international "barriers to knowledge"—in part because the Eisenhower administration wished first to assess the effects of the Universal Copyright Convention, signed by the United States in 1954, on foreign trade in U.S.-copyrighted material.

It was feared that this convention, which eliminated the effect of the "local manufacturing clause" of the U.S. copyright law, would result in greater imports of English language publications. The manufacturing clause is essentially a quota on any imported foreign-made English language book if its copyright is claimed here.

It was not possible to test the convention until after the United Kingdom finally ratified it in 1957. Imports did not increase and the administration and the U.S. publishing industry discovered that its fears were groundless, as the then Assistant Secretary of State for Economic Affairs and the representative of the publishing industry testified before the Senate Foreign Relations Committee in 1960.

Though signed, the agreement's application was, of course, conditional on the advice and consent of the Senate, and implementation by Congress. Senate hearings were held on January 26, 1960, the agreement was reported favorably to the Senate on February 8, and that body gave its advice and consent on February 23, 1960.

Two implementing bills were introduced in the 87th Congress, H.R. 2537 and H.R. 12821, which were drafted in the context of the then unrevised tariff schedules. The present bill, H.R. 8664, is drafted to fit the new TSUS. Action on these bills has been delayed partly because the responsible agencies were unable to agree and act on translating the general terms of the agreement into U.S. tariff legislation.

It should be noted that even though the United States has been tardy in implementing a pact which it sponsored, U.S. duties on the items covered by the agreement have been quite low.

STRONG SUPPORT FOR THE AGREEMENT

During the 1960 Senate Foreign Relations Committee hearings no person submitted testimony against the agreement. All groups represented, by witnesses or statements, were unanimous in favor of the agreement. Among those groups were the American Book Publishers Council, Association of American Colleges, American Textbook Publishers Institute, American Library Association, American Council of Learned Societies, and American Council on Education.

The witness for the American Book Publishing Council said in response to Chairman FULBRIGHT's question whether there was any opposition from publishers that:

> There is not—I think I can safely say that the publishing industry is 100 percent behind this and has felt for several years that this would be a very good thing to do in this country.

Later the witness said:

> We have wanted this for a long time. And we thoroughly believe in the book industry, Mr. Chairman, that not only ideas but technology and trade follows the book abroad. So we want to sell all the books abroad that we can.

Support for the Florence agreement was expressed by CBS President Frank Stanton in December 1965 at the White House Conference on International Cooperation Panel on cultural and intellectual exchange:

> Export taxes, import tariffs, and surcharges have no place on materials whose major content and purpose are cultural and intellectual. As revenue measures they are picayune, and as protective devices they are self-defeating, harassing the very activities they theoretically protect. Again, as in copyright, we lag behind by not implementing the Florence Agreement that takes a considerable step forward in this area.

President Johnson has also endorsed the Florence agreement as an objective.

Scientific instrument makers, not represented among the above witnesses, have withheld their comments until the implementing legislation has been formulated. The Board of Directors of the U.S. Chamber of Commerce voted in February this year to support implementation of the agreement.

HOW THE TARIFF SCHEDULES AND U.S. EXPORT-IMPORT TRADE WILL BE AFFECTED

In drafting H.R. 8664 an effort was made to simplify the existing TSUS while carrying out the meaning of the agreement, but without incorporating some of its provisions which have previously had no place in the U.S. schedules. There would be no reason to incorporate into U.S. schedules some of the exceptions to duty-free entry allowed by the agreement, which have no economic validity in the U.S. context.

Many of the items for which the agreement contemplates duty-free treatment are already free of U.S. duty. Such items are, for example, newspapers, all periodicals relating to current literature, most travel posters and travel literature, all manuscripts and most geographical, hydrographical or astronomical maps and charts, antiques made before 1830, handmade prints—etchings, engravings, and lithographs—sculpture, statuary and paintings, and articles for the blind.

For this reason the trade effect of the agreement will probably not be great, except in a few categories. One category in which large import trade exists at present is books—TSUS items 270.45 and 270.50. Under item 270.45, books of foreign authorship providing a duty of 3 percent ad valorum, imports worth $29 million occurred in 1964. Under item 270.50, books of U.S. authorship providing a duty of 7 percent ad valorum, imports worth $5.5 million occurred in 1964. These duties would be eliminated by H.R. 8664. Other items substantially affected would be antiques and scientific instruments which will be discussed below.

In its report to the Ways and Means Committee on H.R. 8664 the Tariff Commission will fully explore the effects of the bill on the TSUS by item, a task too lengthy for this paper.

PROVISIONS OF THE FLORENCE AGREEMENT AND H.R. 8664

Following is a brief summary of the agreement's provisions, with reference to the implementing bill, H.R. 8664, which is attached, as is a copy of the full text of the agreement and its annexes.

ITEMS COVERED BY AGREEMENT

Covered by the agreement are: printed books, publications, and documents—annex A; works of art and collectors' pieces of an educational, scientific or cultural character—annex B; visual and auditory materials of an educational, scientific, or cultural character—annex C; scientific instruments or apparatus—annex D; and articles for the blind—annex E.

FREEDOM FROM DUTIES AND EXCHANGE AND LICENSING REGULATIONS

Items listed in the above annexes shall be accorded duty-free treatment and exemption from exchange and licensing regulations under certain conditions specified by the agreement and the proposed implementing legislation in cases where the United States does not already allow duty-free entry. Other charges on imports would also be waived under the agreement except, first, charges such as sales taxes, provided these charges do not exceed those applied to similar domestic products; and second, fees such as handling charges but not in excess of the cost of the services rendered. No such charges and fees are applied in the United States.

Contracting parties also agree, insofar as possible, to grant import licenses and foreign exchange for importation of materials covered by the agreement. This provision was specially important in the context of the economic conditions of the 1950's. Today it is applicable mostly to developing countries. The agreement requires signatories to grant unconditionally licenses and/or foreign exchange for articles listed in article II, section 1 of the agreement.

Article IV is a catch-all provision urging signatories to remove other types of restrictions. Its main provision—paragraph a—is that signatories will "continue their common efforts to promote by every means the free circulation of educational, scientific, or cultural materials, and abolish or reduce any restrictions to that free circulation which are not referred to in this agreement."

ANNEX A—BOOKS, PUBLICATIONS AND DOCUMENTS

Annex A contains a list of the publications to receive duty-free treatment, as well as items to which the agreement does not apply. Books are excepted from duty with no qualifications as to their educational, scientific or cultural character, including books printed abroad by authors in the importing countries. Also duty free are printed music, maps and tourist posters and literature.

The items excepted from Annex A which will remain dutiable are, in part, stationery, books, and documents published for a private commercial enterprise when they are for essentially advertising purposes, and newspapers and periodicals in which the advertising matter is in excess of 70 percent by space.

An example of how the bill interprets the agreement is provided by this last provision regarding the free importation of newspapers depending on advertising content. The United States allows newspapers duty-free entry, without qualification. To put into U.S. law this concept would be a step backward, away from existing sound U.S. practice.

Regarding books, section 3(a)(1)(i) of the bill provides duty-free entry for TSUS items 270.15 to 270.40, inclusive. These are four items, two of which are already duty-free. The bill would, therefore, only eliminate duties on two items—270.35 and 270.40; prayer books—2 percent ad valorem; and picture books for children not over 6 years of age—7.5 percent ad valorem.

Duties of 7 percent and 3 percent on foreign-printed books and pamphlets are removed by section 3(a)(1)(ii) of the bill, except the bill applies these duties to foreign printed catalogs of U.S. products by making a new article description for item 270.45. This provision might, for example, discourage a large U.S. mail order house from having its catalogs printed abroad.

The provision of the bill relating to periodicals, section 3(b), effectively removes a duty of $0.04 a pound on certain fashion periodicals. All other periodicals are now duty-free.

ANNEX B—WORKS OF ART AND COLLECTORS' PIECES

The agreement covers paintings and reproductions of paintings when made by hand, also handmade prints, sculpture, and antiques which are defined by the agreement as being over 100 years old.

An important provision of Annex B is duty-free treatment for collectors' pieces and objects of art consigned to public galleries, museums and other public institutions, when approved by the competent authorities of the importing country and when the articles are not intended for resale—article III. Several items in the TSUS—862.10 and 862.20, 864.05–864.70—now provide for articles brought into the United States not for sale as samples, advertisements, use in constructing public monuments, or for museum exhibition. These would seem to comply with the Florence agreement's requirements, but the administration has chosen to broaden the article description for item 864.70 by including as duty-free "educational" and "literary" articles for exhibit, and deleting the requirement that such articles be brought in for exhibit by scientists, lecturers, and other such persons.

The agreement contemplates duty-free treatment for antiques if over 100 years old and ethnographic objects if 50 years old prior to their date of entry—section 4(b) of the bill. Present U.S. practice is to treat as duty free antique objects entering before 1830. This date has logic because it is the approximate date when articles began to be made by industrial methods rather than by hand.

The 100-year moving provision for antiques would, it is claimed, be very difficult to administer by Customs, though the Customs Bureau has reportedly advised that it can administer the provision, if Congress makes the decision that it should.

The trade effect of this provision might give pause. In 1964, $35 million and in 1965, $43.3 million of antiques entered the United States duty free—item 766.25. U.S. exports in these categories were only $16.3 million in 1964 and $23 million in 1965. These exports are in major part works of art, including paintings. Works of art are not included in the above import figure, however. U.S. imports of works of art were valued at about $100 million in 1965—TSUS items 765.05–765.30—all duty free except item 765.07, unoriginal art objects, at a duty of 8 percent.

One way to avoid some administrative problems might be to apply the 100-year moving definition in jumps of 10 years. For example, if the bill is enacted the year of definition could initially be set at 1860. In 1976, the definition year would automatically jump to 1870, and so forth. Such a provision might be acceptable in terms of the agreement on the grounds that the United States imports more antiques than any other nation, and that administering the 100-year moving definition is very difficult. Of course, it would be possible to implement the agreement with a U.S. reservation on its provision for antiques. This would not be the ideal course, however.

ANNEX C—VISUAL AND AUDITORY MATERIALS

This annex covers films, film strips, microfilms, slides, sound recordings, patterns, models and wall charts, of educational and scientific nature, when they are destined for an approved institution or organization. Such treatment can be extended at the discretion of the importing country to approved broadcasting organizations. The bill goes beyond the agreement in including videotapes in the category of duty-free items in annex C, in the belief that such material would have been included in the agreement if known at the time—section 10(b) (5) (6).

ANNEX D—SCIENTIFIC INSTRUMENTS OR APPARATUS

The agreement grants exemption to scientific apparatus intended exclusively for educational purposes, or for pure research, when consigned to approved institutions and used under the control of those institutions, and when instruments of "equivalent scientific value" are not manufactured in the importing country.

In spite of this last seemingly limiting clause, the witness for the American Association of Physics Teachers at the 1960 Senate hearings testified that much foreign scientific equipment is unique, not available in the United States, and of very great potential value to American instruction in the sciences.

At the moment—

He testified that—

> the tariff laws insulate the U.S. educational system from the equivalent influence of good ideas in the equipment field.

This provision of the agreement would be implemented by section 6 of the bill, which establishes a procedure for determining duty free imports. The applicable TSUS item is 851.60. This is a provision of special meaning to Congress, which is increasingly called on to pass private bills allowing duty-free importation of certain instruments by qualified institutions.

Determining equivalency of foreign with U.S.-made instruments is perhaps the major problem in implementing this provision. This procedure established by the bill would in brief require the following 5 steps:

First. Institution must make application to Treasury describing article it desires to import and state that it is not made in the United States.

Second. Treasury sends copies to Secretaries of Health, Education, and Welfare, and Commerce.

Third. Secretary of Commerce publishes invitation to comment on proposal in Federal Register.

Fourth. After receiving comments the Commerce Secretary determines whether the equivalent article is made in United States and finding is published in Federal Register with statement of reasons at latest 90 days after Secretary of Treasury makes request.

Fifth. Institution must place its order for the equipment within 60 days lowing publication of favorable findings by Secretary of Commerce.

No materials or supplies, or maintenance equipment for qualified institutions is entitled to duty-free treatment under section 6 of the bill.

The trade effect of the provision is very difficult to estimate.

It should be noted that in 1957 the Ways and Means Committee did not report to the House H.R. 9349, a bill to except from duty scientific equipment for educational purposes, because the scope of the exception was too broadly defined.

The Florence agreement definition as implemented by the bill is more precise than in the former bill, and the procedures established by the bill have the major advantage of allowing domestic instrument makers to contest a decision to allow duty-free entry for any given instrument.

ANNEX E—ARTICLES FOR THE BLIND

Duty-free treatment of books and other articles intended for the blind is contemplated by Annex E under conditions prohibiting resale. Purchase of foreign in preference to like domestic scientific apparatus for the blind is also enjoined. The United States already allows all items for the blind to enter duty-free.

SPECIAL PROBLEMS OF IMPLEMENTATION

The Florence agreement provides that a signatory need only extend the provisions of the agreement to other signatories. However, it is said that in practice many signatories extend the provisions of the agreement to all nations without exception, and H.R. 8664 would also do so. This poses the problem of allowing duty-free imports on publications, scientific and cultural objects from the Soviet Union and other Communist nations. But many such imports that might be harmful are prohibited from entry by section 305(a) of the Tariff Act of 1930, which provides that books and other types of printed matter, including drawings, containing "any matter advocating or urging treason or insurrection against the United States," and so forth, is prohibited from entry.

Another problem is knowing whether, in fact, the other signatories are implementing the agreement fully. Whether or not the agreement is a truly reciprocal one, other signatories should be expected to give equivalent treatment to U.S. cultural materials. UNESCO has no provision for annual review of the implementation of the agreement by its signatories. One safeguard would be to amend the Trade Expansion Act's annual reporting requirements to include review of the Florence agreement's operation.

TARIFF ADJUSTMENT AND ADJUSTMENT ASSISTANCE

A protocol was appended to the Florence agreement in 1950 at the request of the United States that would allow it to invoke the following provision, "if as a result of the obligation incurred by a contracting state under this agreement, any product covered by this agreement is being imported into the territory of a contracting state in such relatively increased quantities and under such conditions as to cause or threaten serious threat to the domestic industry in that territory producing like or directly competitive products," and so forth, such country can revoke its obligation.

Thus the provisions of section 11 of H.R. 8664, providing for tariff adjustment and other adjustment assistance, are legal in the context of the agreement, and can be applied. These provisions are consistent with those provided in the Trade Expansion Act.

It is not expected that the implementation of the agreement will have a meaningful trade effect. U.S. experience with the Copyright Convention showed that the U.S. very strong export position in the publication field remained unchanged. Other reasons for this expectation are that: First, duties in all categories to be eliminated are very low; and second, many of the items affected by the agreement and the bill are already duty-free.

The argument can be made that, if the United States is truly dedicated to the principles on which the Florence agreement is based, that is, the elimination of economic barriers to knowledge and understanding, there should be no provision for "escape" action. It also could be argued that, in the real world, were the U.S. publishing industry suddenly to suffer a reverse and imports begin to "flood" in, an adjustment mechanism would be appropriate. But, it is countered, can a "flood" of culture be harmful? This is a question that might be further discussed.

SUMMARY

Implementation of the Florence agreement, signed by the United States in 1959 and consented to by the Senate in 1960, is overdue. The Ways and Means Committee should hold public hearings on the implementing bill, H.R. 8664, as soon as possible this session.

The implementation of the agreement should not be difficult, or cause economic injury. It would show the willingness of the United States to support the goals it professes. It would have the major advantage of simplifying procedures for importing certain scientific instruments. And it would promote exchange of knowledge among nations, thereby increasing understanding and furthering world peace through international cultural and intellectual commerce.

The signatories and parties to the Florence agreement follow:

SIGNATORIES AND PARTIES TO THE FLORENCE AGREEMENT

DATE OF SIGNATURES

United States, June 24, 1959.
Belgium, Nov. 22, 1950.
Bolivia, Nov. 22, 1950.
China, Nov. 22, 1950.
Colombia, Nov. 22, 1950.
Dominican Republic, Nov. 22, 1950.
Ecuador, Nov. 22, 1950.
Egypt, Nov. 22, 1950.
El Salvador, Dec. 4, 1950.
Greece, Nov. 22, 1950.
Guatemala, Nov. 22, 1950.
Haiti, Nov. 22, 1950.
Israel, Nov. 22, 1950.
Luxembourg, Nov. 22, 1950.
Netherlands, Nov. 22, 1950.
Philippines, Nov. 22, 1950.
Switzerland, Nov. 22, 1950.[1]
Thailand, Nov. 22, 1950.
United Kingdom, Nov. 22, 1950.
Iran, Feb. 9, 1951.
New Zealand, March 16, 1951.
Pakistan, May 9, 1951.
France, May 14, 1951.[2]
Afghanistan, Oct. 8, 1951.
Sweden, Nov. 20, 1951.[3]
Honduras, April 13, 1954.
Uruguay, April 27, 1964.
Peru, July 8, 1964.

DATE OF RATIFICATIONS DEPOSITED

Belgium, October 31, 1957.
Egypt, February 8, 1952.
El Salvador, June 24, 1953.
Greece, December 12, 1955.
Guatemala, July 8, 1960.
Haiti, May 14, 1954.
Israel, March 27, 1952.
Luxembourg, October 31, 1957.
Netherlands, October 31, 1957.
Philippines, August 30, 1952.
Switzerland, April 7, 1953.[1]
Thailand, June 18, 1951.
United Kingdom, March 11, 1954.
New Zealand, June 29, 1962.
Pakistan, January 17, 1952.
France, October 14, 1957.
Afghanistan, March 19, 1958.
Sweden, May 21, 1952.

ACCEPTANCE, DATES OF DEPOS.

Yugoslavia—April 26, 1951.
Cambodia—November 5, 1951.
Ceylon—January 8, 1952.
Laos—February 28, 1952.
Monaco—March 18, 1952.
Vietnam—June 1, 1952.
Cuba—August 27, 1952.
Spain—July 7, 1955.
Finland—April 30, 1956.
Germany, Fed. Rep.—August 9, 1957.
Ghana—April 7, 1958.
Austria—June 12, 1958.
Jordan—December 31, 1958.
Norway—April 2, 1959.
Malaya, Fed. of—August 31, 1957.
Demark—April 4, 1960.
Nigeria—June 26, 1961.
Sierra Leona—March 13, 1962.
Congo (Leopoldville)—May 3, 1962.
Madagascar—May 23, 1962.
Gabon—September 4, 1962.
Tanganyika—March 26, 1963.
Italy—November 26, 1962.
Cyprus—May 16, 1963.
Ivory Coast—July 19, 1963.
Nicaragua—December 17, 1963.
Cameroon—May 15, 1964.
Rwanda—December 1, 1964.
Uganda—April 15, 1965.
Malawi—August 17, 1965.
Upper Volta—Sept. 14, 1965.

COMMUNITY SERVICES ACT OF 1966

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MORSE. Mr. Speaker, I am today introducing legislation entitled "The Community Services Act of 1966." The purpose of the measure is to encourage the development of coordinated across-the-board programs of community service.

In recent years, we have enacted a number of new social and health assistance laws. The programs they authorized are proceeding at varying rates and with varying degrees of success in different parts of the country. In many cases the services they provide overlap. In others similar programs of assistance are located in scattered places which impose severe inconveniences for the people who are supposed to benefit from them.

The purpose of this legislation is to stimulate the excellent efforts already underway in some communities to consolidate all of these programs in comprehensive community centers which would draw on the talents and experience not only of the Government people responsible for Federal and State programs but of the dedicated volunteers of the private agencies as well.

Mr. Speaker, I think that this is a useful and constructive initiative. Tribute for the design and drafting of this legislation must go to the distinguished Lieutenant Governor of Massachusetts Elliott Richardson, who as a former official of the Department of Health, Education, and Welfare is intimately familiar with the problems and possibilities of Federal-State-local private cooperation in providing needed community services. Under unanimous consent I include a summary and explanation of the bill in the RECORD at this point:

SUMMARY AND EXPLANATION OF THE COMMUNITY SERVICES ACT OF 1966

THE PROBLEM

Our society is today girding itself for an unprecedented attack on age-old causes of suffering and deprivation. We are beginning to forge a whole new arsenal of weapons for the conquest of educational, emotional, economic and physical handicaps. And in the process we are discovering that the most serious barriers to the effective use of these weapons are barriers of communication, of jurisdictional jealousy and of structural rigidity.

The needs of people are seldom adequately met by any single one of the narrow categorical programs through which help has traditionally been channeled. The existing sources of help, moreover, are too numerous, too scattered, and too much isolated from each other. Their administration tends to be both cumbersome and impersonal. The result is greatly to impair the effectiveness as well as the efficiency with which we are able to bring to bear on human needs our available resources of funds and manpower.

In an effort to overcome these deficiencies, many of our established agencies are experimenting with community-based programs offering a broad spectrum of services. Community-centered mental health programs, neighborhood service centers for the poor and the aged, community service centers for welfare recipients, and networks of community health services are all at various stages of delevopment or consideration.

But these developments are only a partial answer. Each is evolving independently of the rest, yet all are converging on the same client population. The inevitable result will be overlap, discontinuity, confusion, and—in consequence—disappointment of the very expectations to which they gave rise. Instead of community mental health centers, community welfare centers, and community public health centers competing side by side for scarce dollars and scarcer personnel, we need comprehensive centers, coordinated programs, and a planning process capable of focusing on the total needs of the individual and the family.

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[1] With reservation
[2] Will be extended to Tunisia
[3] Subject to approval

PURPOSE OF THE ACT

The development of better community services must be accompanied by a concerted effort to stimulate better coordination and communication among them. This is a task primarily for state and local agencies, public and voluntary, working together. But there is also an urgent need for national leadership. Having contributed to creating the problem, the Federal Government should now assist in solving it by encouraging means of welding categorical programs into a more unified whole.

The Community Services Act of 1966 is designed to stimulate progress in this direction. It would do so by providing Federal support to the States for planning and operating comprehensive community service programs and centers, drawing on citizen participation and enlisting the cooperation of voluntary agencies. Such programs and centers, launched on an experimental basis in many kinds of communities and in a variety of governmental settings, could, while providing better services to people, build bridges between the "helping professions" and reducing the fragmentation of our total response to human needs.

DEFINITIONS

Basic to the Community Services Act are several key definitions:

"Community Service Center"—a facility or adjacent or neighboring facilities in which are brought together community services to people living within a community service area.

"Community Services"—public welfare services, public health services, mental health services, vocational rehabilitation services, and other related social services.

"Community Service Area"—a geographical area within which, in the light of such factors as population distribution, governmental boundaries, transportation accessibility, and incidence of health, welfare, and social service needs, community services can be efficiently provided and administered.

"State Coordinating Council"— a body created for the purpose of the joint planning and coordinated administration of community services which is representative of private agencies providing such services and of each of the state agencies responsible for such services and which is supported by a staff adequate to assure that it can efficiently fulfill its planning and coordinating function.

"Community Service Programs"—means activities essential to the coordinated planning, administration, and provision of community services within a communty service area making such services elements of a comprehensive and integrated whole.

"Eligible Program Costs"—means (A) overhead and administrative costs, including rental costs, which are necessary for a community service program and (B) costs of services, such as referral, counseling, and diagnostic services which serve the general purposes of this Act and which were not previously provided within the community service area.

PLANNING GRANTS

Title I of the Act authorizes appropriations of $2,750,000 to enable grants of up to $50,000 to be made to the States to assist in planning for the development of community service programs and centers.

The grants are to be made upon the application of and directly to the State Coordinating Councils which are to be established to administer the program.

PROGRAM GRANTS

Title II of the Act authorizes appropriations of $40,000,000 for fiscal 1967, $60,000,000 for fiscal 1968, and $80,000,000 for fiscal 1969 to be allotted to the States on the basis of population, extent of need for community service programs and financial need of the State. Grants will be made to meet 75% of the administrative and overhead costs of community service programs and 75% of new services such as joint diagnostic and referral services which stem from the development of a program and were not previously available within the community service area.

Each participating State would develop a state plan setting forth the development of a statewide system of community service programs based upon a survey of needs and resources and including a schedule for implementation.

Grants for programs to the State Coordinating Council would be made upon certification by the Council that the program meets the standards set by the Secretary of Health, Education, and Welfare and the approved state plan. Certification will assure that programs will be administered and services rendered as elements of a comprehensive and integrated whole. Provision must be made for interagency cooperative and contractual arrangements toward this end.

CONSTRUCTION GRANTS

Under Title III of the Act appropriations of $50,000,000 for fiscal 1967, $75,000,000 for fiscal 1968, and $100,000,000 for fiscal 1969 are authorized to assist in the cost of construction of community service centers. A construction project would be eligible for such support only if consistent with a state plan approved under Title II.

The Federal share for construction of community service centers would range from one-third to two-thirds of the cost, the proportion to be determined by the State Coordinating Council. This would provide the State with considerable flexibility in the allocation of its State allotment to assure the most effective distribution of the available resources.

Regulations issued by the Secretary of Health, Education, and Welfare would prescribe the specific kinds of services required to be provided by a community service center.

OTHER PROVISIONS

Other provisions of Titles II and III are similar to those contained in other comparable Federal grant-in-aid programs such as the Community Mental Health Centers Act of 1963 and the Mental Retardation Facilities and Community Mental Health Centers Construction Act Amendments of 1965.

Title IV contains the definitions set forth above together with other general provisions governing the administration of both grant titles.

ADDRESS BY HON. WAYNE L. HAYS

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MORSE. Mr. Speaker, early this month it was my privilege to serve as a U.S. congressional observer at the Consultative Assembly of the Council of Europe. The chairman of the delegation was the distinguished gentleman from Ohio [Mr. Hays].

Mr. Hays address to the Assembly was hard-hitting and to the point. It was warmly received by the great majority of the delegates from the other nations represented. While I do not agree with his remarks in every particular, I think that it was necessary and valuable that these remarks were made. So that all of my colleagues may have the opportunity to read Mr. Hays' address, I include the full text in the Record:

Speech of the Honorable Wayne L. Hays, Chairman of the U.S. Delegation, Before the Consultative Assembly of the Council of Europe, Strasbourg, France, May 4, 1966

Mr. President, distinguished members of the Consultative Assembly, it is with a sense of deep appreciation that I accepted the invitation to be with you again and to have the privilege of addressing you today. I have found it a stimulating and worthwhile experience to visit this lovely and historic city and to attend your meetings. The level of debate has been highly informative. I hope I can also add that the frank exchange of views has been mutually productive of an increase in understanding—I feel that it certainly has in my own case.

I would not want to begin my remarks today without expressing to your distinguished former President, the Honorable Pierre Pflimlin, my sentiments of highest esteem and regard. Being a parliamentarian myself, I have especially appreciated the skill and the statesmanship which President Pflimlin has consistently displayed in discharging his responsibilities as the presiding officer of this Assembly. In completing his third term as President of this august body, he adds another laurel to the wreath he has won in his long and dedicated career of public service. His outstanding efforts for the promotion of peace and the betterment of mankind have earned the admiration and gratitude of public-spirited citizens throughout the free world.

Your new President, Sir Geoffrey de Freitas, is a man well-known to the United States. He is associated with many American Congressmen and the NATO Parliamentarians' organization, and I am sure he will carry on in the highest tradition set by his predecessor.

The Consultative Assembly has provided a most useful forum for much spirited debate and the free exchange of views. Such forthright discussions among men of good will are conducive to stronger, rather than weaker, ties of friendship. We of the West have all been brought together by historic ties of friendship as well as of our common goals and aspirations for the establishment and maintenance of world security. It is only natural that in the approaches to our objectives, we will from time to time have vigorous differences of opinion. This is a healthy political state of affairs. As you all know, outspoken expression of differences of opinion is a very strong political characteristic of my own country. Recently, some might feel, and perhaps with more than a little justification, that in the United States this may have gone somewhat beyond a robust state of health. The fact remains, however, that our policies and objectives are overwhelmingly supported by the majority of our government and our people, regardless of political party.

When I have had the privilege of speaking to you previously, you have very kindly made me feel free to indulge in the same outspoken frankness that I would use when addressing my colleagues at home in the House of Representatives. Just as at home, I have appreciated, even when I could not fully agree with them, some of the sharp rebuttals evoked by my own remarks.

Because of our common interests and our close bonds of mutual esteem and friendship, I hope I may again be permitted to speak very candidly on some of those matters which are of grave concern to all of us.

Undoubtedly, and there are polls to prove this, the most popular international organization to which the United States belongs is the North Atlantic Treaty Organization, because this is the only organization, except for the OECD, where the United States has a common meeting ground with the nations of Western Europe. And, because it was the first such organization, it occupies a unique place in the sentiments and affections of the American people. Because of this, I want to speak very forthrightly today about the recent problems in this organization.

One of the most influential newspapers in America is the "Washington Post." Certainly, since it is the morning paper in the Nation's capital, it is the one most read by Congressmen and government officials. Only this week the lead editorial was "The Need for Unity" and I quote:

"In his testimony before the Jackson Committee, Dean Acheson, the former Secretary of State, has stated the essentials of Western defense with his customary courage and conciseness.

"He has pointed out again, as he pointed out years ago when NATO was formed, that the first principle to which we must adhere is 'allied unity of purpose.' More importantly, he has declared again that 'the need for a strong Western coalition has not diminished.' And these are the two essential elements in the predicament of the West that France, at this juncture, seems to reject altogether.

"While stressing the importance of leaving a 'vacant chair' to which France may some day return, the former Secretary of State rightly describes the French position as deriving from a reversion to nationalism. And he rightly recalls that France was once eager to have NATO commands and the United States headquarters for U.S. forces in Europe in France. Now, as he points out: 'No landlord serving notice of termination of a lease upon an undesirable tenant could have been more brusque,' in demanding that these forces depart within a year.

"The French suggestion of a continued 'alliance' without integration is rightly dismissed by the former Secretary as inadequate and insufficient. The difference between a lose alliance bound together by vague treaty commitments and a coalition contributing to an integrated military force is the difference between the tragic failure of the treaty system of 1914 and the successful European integrated defense of the last 20 years.

"Secretary Acheson has made it clear once more that the United States is firmly committed to European unity—to the creation of an European confederation whose economic, political and military strength will permit it to bargain as an equal with the United States in conducting NATO's affairs. He rightly warns that 'a Europe of small medium-sized nationalities, divided by jealousies and selfish rivalries, can never play a part worthy of Europe's potentials.'

"It is to be hoped that France may yet be persuaded to return to the support of institutions so largely inspired by French statesmen, so greatly deriving from French experience and intuition and so generously furthered by French policy in the past."

Now we have just been told by the French Foreign Minister in a recent interview: "American friendship is an ancient and precious value to which we are all attached in France and which we do not wish to see disappear or even diminish." It is further suggested that America is or should be grateful to have such an "independent" ally. When this interview was printed in America, the American press recalled an old American adage which says: "With friends like this, who needs enemies?"

Applied to this situation, my friends, these are strong words, but it is not we who are brutal but the situation. This is not a quarrel between the United States and France—it is a rough situation brought about by the actions of the French Government that have set France against all of her neighbors and allies. What is at stake in this confrontation is not the reform of the Alliance or its form, but its very existence; indeed, whether the Atlantic nations will push ahead with the system of cooperation that has developed over the post-war period or turn back to the disastrous patterns of the 19th century. The question, therefore, is where the West will go and how it should get there. Shall we go forward together trying to find agreements among honest and honorable differences, but under the umbrella of a common determination, or shall we descend into disparity, factionalism and balkanization? This city of Strasbourg in which I have the honor to address you know well the possible consequences of such a development.

The French Government has not merely assaulted the United States or merely France's Atlantic ties; it has mounted a general assault against the integration of Europe as well. The same principle of collective action in Europe has been under French attack whether it is the organization of Europe or the Atlantic Alliance. The members of this Alliance have all agreed on a system of collective action in order to prevent aggression. The foundation of NATO is a recognition on the part of the Allies that each has a long-range interest in remaining and acting together. It is totally contradictory to this principle that one member should act unilaterally, without consultation and demand complete freedom from any and all obligations to the Alliance in order to act solely in its own national interest. As a distinguished former French diplomat has remarked, "The very nature of the alliance is based on the assumption that we do have long-range common interests." To deny common interests and then say that we ought to be grateful to have such an independent ally is to indulge in mockery.

A great Frenchman, the late Robert Schuman, whose thoughts and deeds are so well remembered in this city, said that "political frontiers have emerged from a respectable, historic and ethnic evolution, from a long effort at national unification; one should not even dream of erasing them. In other periods they were changed by violent conquests or by fruitful marriages. Today, it is sufficient to devaluate them." No one questions the essential matter of national sovereignty, and we in the Congress of the United States are always alert in this matter. But if national sovereignty is to be employed to call into question the sanctity of international agreements, than the very fabric of international order is destroyed.

It has been claimed that NATO has been used—or will be used in the future—to force France to act against its will or against its national interest. Where is the evidence that this has ever happened or that it could happen? And in the only case presented, that of the use of French air fields in the humanitarian rescue operation in the Congo, the facts do not square with the assertion. It has been said that the United States did this without consulting France. Permit me to say categorically that this assertion is false. The French Government was consulted and gave its consent.

What other charges have been leveled against NATO? The French Government has spoken of the need for NATO reform and has justified its drastic actions, which began on March 7, by saying that this was the only way in which it could be brought about. Yet it is an indisputable fact that, despite repeated invitations to do so, the French Government has never made any official proposal whatsoever revealing its views about NATO reform. An informal French suggestion was made in 1958 proposing a directory of three countries. President Eisenhower felt that we could not accept such a proposal, one aspect of which would have been to establish a French veto over American nuclear weapons, not only in Europe but world-wide. Quite apart from this, there was no evidence that Western Europe was, or is today, prepared to have France as its self-appointed spokesman. Today the Alliance has been told by pre-emptive, totally unilateral action that the French Government has come to the conclusion that no reforms of NATO are possible and that it must therefore act unilaterally. The least that one could expect of an ally is that he at least give his views and grant others an opportunity to discuss them before taking unilateral steps of this magnitude.

The basic foreign policy position of the United States is clear and has been consistent. We place the defense of Europe on a basis of absolute priority with the defense of the United States. This has been stated unequivocally by President Johnson on May 14, 1965, as it has been by his predecessors. This does not mean that we are not or cannot be mindful of dangers lurking elsewhere in the world, but we are deeply aware of the fact that a shift in the position of Europe could permanently upset the worldwide balance of power. Therefore, in our own interest as well as in the interest of Europe, Europe remains our first line of defense. The tangible evidence of this commitment is the 7th Army and the fact that we have not reduced our combat forces in Europe despite the heavy demands of the conflict in Southeast Asia.

Our broad support of NATO has never led us to the rigid view that every letter of the arrangements within NATO is sacrosanct and must not be touched. We are quite aware of the fact that times change and that a Europe which is renascent and proud would want and should have a greater share in both the burden and responsibilities of the alliance. We have said innumerable times that we are open at any time to discuss any and all proposals, and we continue to welcome them. But the word to be underlined is discuss. We would welcome any serious endeavor to reform the alliance; but, as I have said before and as it has been stated by Americans and Europeans, the alliance is based upon the principle of collective action. In fact, I hope that one result of what amounts to French withdrawal from NATO is that the fourteen will seize this opportunity to see what can be done to broaden and strengthen the alliance.

A realistic contemplation of the European political scene reveals that there are many problems still with us. Europe is still divided between East and West and at the heart is the arbitrary division of Germany. Yet Europe and the West have managed to remain free and make great economic and political progress because of our unity. This unity, as must be obvious, has not prevented certain structural changes in Eastern Europe and, in fact, has tended to encourage a relaxation of the atmosphere there somewhat. To the extent that the West has influenced these developments, it has done so by its strength and unity. It would be folly to give up this unity at the time when its value has been so abundantly proven. Communism respects only strength while it prays on the weak and uses them where it can.

On Monday of this week, writing in the "New York Herald Tribune" the noted American columnist Roscoe Drummond wrote on the subject of "Who Needs NATO?". I quote in part from the article:

"Events are beginning to unravel the only argument which gives any point at all to President de Gaulle's plan to dissolve NATO.

"The only partly plausible thesis which causes some to think that NATO can go is that the Soviet Union has become so peace-minded that NATO is no longer needed.

"Why, they ask, have all the bother of an organized peace force in Western Europe if all danger of force or threat of force has been dissolved?

"This is why De Gaulle thinks he can safely say to the United States and hopes the other NATO nations will also say the same: 'Yankee, Go Home.'

"But, fortunately, the Russians are doing just enough and saying just enough to show how empty and wishful this cozy contention is."

Mr. Drummond further in his article points out the Russians seem to want a conference on the future of Europe with anybody and everybody including the nations of Eastern Europe and excluding guess who—the United States. Mr. Drummond concludes his article with the following two paragraphs:

"Is Moscow really a friend of the nations of Western Europe? I suspect today's European leaders have not forgotten that Moscow was ready to sacrifice Western Europe to Hitler until Hitler turned on Russia itself.

"Gromyko has just shown that the NATO fire department cannot be safely disbanded."

In this situation the hope of any one country to attempt to act as a broker between East and West would be a fatal miscalculation. Such a country, far from being an arbiter, would, because of lack of authority, inevitably find itself unable to influence Soviet decisions but subject to use by the East as a means of contributing to the disunity of the West. It should be noted that the United States, despite its great power, has never been willing to set itself up as the negotiator for the Atlantic nations with the USSR. Our consistent policy has been to insist that the alliance, as a collective entity, must be prepared to seek accommodations with the East.

Let me say positively and forcefully in this connection that the United States will never make or be a party to a deal with Russia at the expense of Germany. We stand for reunification but not at any price. We reject categorically any arrangement which will benefit us or others and at the same time damage or destroy the freedom of the Federal Republic of Germany or its chances for reunification.

The United States remains convinced that the Atlantic Alliance and its organization, without which NATO is drained of content, offers the best means for Europe to provide for its own defense and for the United States to participate in that defense. We cannot believe, to paraphrase our Secretary of State, that 450 million people of fourteen nations can be thwarted in their determination to preserve and extend their carefully constructed relationships.

To this task we have dedicated ourselves as long as our contribution to the common defense is needed and wanted. We are in Europe by invitation only. We are not trying to "Americanize" Europe or to press it into an American mold. True, we are too big, too powerful to go unnoticed. But our resources have been applied to these objectives through multilateral alliances in which our voice, powerful as it may be, is only one. We have no goals in Europe which were not offered by Europe herself.

In conclusion, I feel that I owe you, as fellow Parliamentarians, a frank word of caution—even of warning. As a member of the United States Congress, as one deeply committed to Europe, I am nonetheless keenly aware of the fact that we legislators are servants of our constituents. If we lose touch with them or move in directions contrary to their deeply felt views, the constituency will either impose its will or replace us. There is danger in the present situation. The United States is deeply involved in South East Asia, not in an effort to establish an imperial regime or for national economic benefit, but in an effort to preserve freedom and contribute to world order. If, at the same time, the fourteen NATO nations should fail in their efforts to adjust effectively to the actions that have been taken by France against NATO and, more specifically, against the United States, then it cannot be assumed that this will go unnoticed in the United States. In that unhappy event, there is always the possibility that the American people may come to the conclusion that it is not merely France, but that Europe as a whole is resentful of our presence and regards United States forces in Europe and United States presence in the alliance as unwanted interlopers rather than as allies and collaborators. If this should come to pass, then irresistible pressure might mount within the United States for American withdrawal from Europe.

The foregoing point needs to be made, not because I think this is what the future holds, but so that there will be no complacence either in Europe or the United States. The North Atlantic relationship, this phenomenal post-war development of cooperation, is now facing its most severe test. The manner in which it has met this test over the last two months reflects credit on each of the fourteen. I have not the slightest doubt that the fourteen, in the difficult days and months to come, will face with energy and imagination both the problems and the opportunities that lie ahead. Do not be confused by the occasional American voices that call into question the importance of Europe or the institutions that we have developed together. There remains in the United States the most widespread and deep support for the Atlantic partnership. A continuing effort on the part of the Western European nations to work together on collective enterprises and to carry on cooperative and collective efforts across the Atlantic with the United States will always be met more than halfway by America.

H.R. 11600 TO ASSIST STATES

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. ELLSWORTH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ELLSWORTH. Mr. Speaker, our State and local governments are spending over $70 billion per year, and it is estimated this will increase to over $100 billion by 1970. My home State of Kansas has increased its expenditures from $91.8 million in 1946 to $429.8 million in 1964. State and local outlays for education alone increased from $2 billion a year at the end of World War II to over $24 billion in 1964.

But, State and local governments are reaching the end of the rope on taxes. They are still unable to meet their revenue needs and it is doubtful that they can continue to raise sales, payroll, service and real estate taxes at anywhere near the rate they have been increasing them over the last decade. So we have a problem, a crucially important problem, and now is the time to look at it in the light of needs that will exist in 1969, 1970, and later. We must find a form of stronger support for the States: support that strengthens their finances and also strengthens their independence. Those levels of government closest to the people are most responsive to their wishes and best equipped to most efficiently administer programs for the health, education, and welfare of our people. In order to strengthen these governments to enable them to meet their increasing and heavy responsibilities, the trend toward fiscal and power centralization must be restrained.

Last year, I introduced a bill in Congress which would strengthen the control of State and local governments and at the same time would provide them with more resources to meet their needs. My bill, H.R. 11600, calls for distributing to the States an amount equal to 1 percent of the aggregate Federal taxable income reported on individual income tax returns each calendar year. The money returned to the States would be qualified only by the condition that it be used in programs of health, education, or welfare. In further explanation, I include here an excerpt from the Republican section of the 1966 Joint Economic Committee Report:

FEDERAL GRANT PROGRAMS

There are presently over a hundred different specific Federal grant programs, each with many conditions attached. Aside from increasing the complexity of State and local budgetary problems, this situation unavoidably leads to overlapping and waste, confusion of objectives, and inefficient administration at the Federal level. While we do not suggest a reduction in the present size of the Federal grant-in-aid program, we do oppose increased complexity, regulation, and awkwardness.

Among many proposals to help solve the State-local financial dilemma, three stand out as being particularly worthy of consideration. These are the revenue-sharing plan introduced by Senator JAVITS in the Senate (S. 2619) and by Representative ELLSWORTH in the House (H.R. 11600), the revenue-sharing proposal for education made by Senator MILLER, and the income-tax-credit approach.

Under the Javits and Ellsworth plan, a trust fund would be established into which the Federal Government would deposit 1 percent of aggregate taxable income each year. Payments from the trust fund to the States would be made in the following manner. The most substantial portion of the trust fund would be distributed to each State on a population basis with each State's allotment being adjusted according to its revenue effort relative to the average effort of all the States. The remaining portion of the fund would be distributed to the lowest quarter of the State in per capita income, each State's allotment determined on the basis of population. The only restriction placed on the State allotment is that it must be spent on programs in the fields of health, education, and welfare and not on programs already liberally provided for by the Federal Government, such as highway construction and disaster relief, or on general administrative expenses or debt service. Provision is made for local government aid by requiring the States to contribute to its local governments no less a percentage of its own revenues than the average over the previous 5 years.

Under the proposal made by Senator MILLER, the Federal Government would allocate a percentage of the total Federal revenue collections to the various States "for education purposes." This would provide assistance to the States coping with the increasing costs of education, while avoiding Federal bureaucracy and controls in this area.

In terms of dollars and cents, the States would be eligible for approximately $2.5 billion from the fund during the first year. My home State of Kansas would receive $25.4 million during that first year.

This type of legislation has been sponsored by distinguished Members of both the Senate and the House of Representatives. Nineteen House Members have introduced bills which are similar to my proposal. Five Senators and six Representatives have introduced legislation identical to my bill. These sponsors include Senator JACOB K. JAVITS, Republican, of New York; Senator VANCE HARTKE, Democrat, of Indiana; Senator KARL E. MUNDT, Republican, of South Dakota; Senator HUGH SCOTT, Republican, of Pennsylvania; Senator PETER H. DOMINICK, Republican, of Colorado; Hon. OGDEN R. REID, Republican, of New York; Hon. SEYMOUR HALPERN, Republican, of New York; Hon. F. BRADFORD MORSE, Republican, of Massachusetts; Hon. JOSEPH M. MCDADE, Republican, of Pennsylvania; Hon. FLORENCE P. DWYER, Republican, of New Jersey; Hon. HAROLD D. DONOHUE, Democrat, of Massachusetts.

The bill has support in Congress and I have been in touch with interested persons all over the United States in order to have the benefit of their views, comments and analysis of the proposal. I would like to bring some of these comments to the attention of my colleagues:

UNIVERSITY OF MINNESOTA,
DEPARTMENT OF ECONOMICS,
Minneapolis, Minn., December 20, 1965.

Messrs. ROBERT F. ELLSWORTH and OGDEN R. REID,
Members of Congress,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR MESSRS. ELLSWORTH AND REID: Thank you very much for your letter of December 14 enclosing the copy of your bill (H.R. 11600) and the material relating to Senator JAVITS' proposal in the Senate.

Even though any "fiscal dividends" for 1966 will be eaten up (and then some) by the rising costs of war in Vietnam, it is none too soon to get a thorough airing of the ways in which we can carve up the Federal revenue pie once the demands of Vietnam let up.

Not long ago, I prepared a summary of the references relating to the revenue-sharing plan, and I enclose a couple of copies for your use. Also enclosed are copies of my Frazar Wilde Lecture, "Fiscal Policy and Fiscal Federalism Today." As I write further pieces on this subject, I'll send along copies for your information.

Sincerely,

WALTER W. HELLER.

THE STATE OF KANSAS,
OFFICE OF THE GOVERNOR,
Topeka, December 29, 1965.

Hon. ROBERT F. ELLSWORTH,
Member of Congress,
House Office Building,
Washington, D.C.

DEAR BOB: I have your letter of December 14 and the enclosed bill that has been introduced by yourself and OGDEN REID and perhaps other members of the House. This question of sharing state revenues collected by the federal government has been discussed in considerable detail at both the National Governors' Conference and the Midwest Governors' Conference. Further, I have a personal interest in this matter inasmuch as I am serving on a committee of the National Governors' Conference on federal and state relations. In turn I was asked to serve on a subcommittee dealing with this specific question of additional state revenues for the respective states.

I am enclosing a copy of some policy positions that we reached at the last meeting of this subcommittee. These views largely express my own position on this question. Certainly categorically I do favor a return of revenues collected by the federal government in the states in order that the state can continue to sustain the functions that have historically been carried out by it. The greatest objection governors generally have to federal grants is to the restrictions attached to them. An example is the latest federal aid to education bill which specifically requires that this money be expended in addition to present state programs and not to offset any costs of local programs.

There is another delicate issue to which no proponent of tax-sharing has made a firm reply. I submitted this question at the Governors' Conference in Minneapolis and it was pushed aside in embarrassment by most of those addressing themselves to this question. The Heller proposal came at a time when surpluses were expected in the federal budget. Since those surpluses have not yet occurred and it is doubtful if they ever will, would the states anticipate sharing revenue even though there was deficit spending which increases the national debt at the federal level. I would appreciate your views on this question.

Hazel and I send our best wishes to you and Vivian for a happy new year.

Yours very truly,

WM. H. AVERY,
Governor.

THE COUNCIL OF STATE GOVERNMENTS,
Chicago, Ill., December 21, 1965.

Hon. ROBERT F. ELLSWORTH,
Member of Congress,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. ELLSWORTH: Cordial thanks for advising me that the proposed Federal Tax-Sharing Act has been introduced in the House. We are naturally pleased to note congressional concern for additional state and local revenue needs.

You will wish to know that the Council of State Governments is working closely with a special committee of the National Governors' Conference which is studying total state and local revenue needs, and this committee is considering the Federal-State Tax-Sharing Plan as proposed in H.R. 11600, along with alternative proposals for meeting the increasing state and local revenue needs.

Again, our sincere thanks for keeping us advised with respect to the congressional interest in this important field.

Sincerely,

CHARLES A. BYRLEY,
Director, Midwestern Office.

BOARD OF COUNTY COMMISSIONERS,
Kansas City, Kans., January 12, 1966.

Hon. ROBERT F. ELLSWORTH,
Member of Congress,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ELLSWORTH: Thank you very much for sending me a copy of your bill. I have not completed my study of its provisions, but I believe that any measure which will lighten the burden of the local taxpayer should receive the wholehearted support of everyone. Whatever you can do to improve our local tax situation will be highly appreciated.

Sincerely,

CORDELL D. MEEKS,
Chairman, Board of
County Commissioners.

NATIONAL EDUCATION ASSOCIATION,
Washington, D.C., January 4, 1966.

Hon. ROBERT F. ELLSWORTH,
Washington, D.C.

DEAR CONGRESSMAN ELLSWORTH: Thank you very much for the copy of H.R. 11600 and the copy of the statement made by Senator JAVITS when he introduced the proposal in the Senate.

I feel this legislative proposal has considerable merit, and should receive consideration by the Congress and by all those interested in the financing of public education.

I will share this communication with Dr. J. L. McCaskill, Executive Secretary to the N.E.A. Legislative Commission.

Sincerely,

STANLEY J. MCFARLAND,
Assistant Director,
Division of Federal Relations.

TAX FOUNDATION, INC.,
New York, N.Y., December 21, 1965.

Hon. OGDEN R. REID,
Hon. ROBERT F. ELLSWORTH,
U.S. House of Representatives,
Washington, D.C.

DEAR SIRS: Thank you for sending me a copy of your bill proposing a system for Federal tax-sharing with the states, and the reprint from the CONGRESSIONAL RECORD pertaining to it. I have been interested in this proposal for some time, as well as in some of the alternatives, and I am glad to see that it has now been introduced so that its merits can be subject to debate in the Congress.

We will follow the discussion of your proposal, along with others which may be submitted, with considerable interest. If we publish additional relevant material, we will certainly see that you receive copies.

Very truly yours,

ELSIE M. WATTERS,
Director, State-Local Research.

YALE UNIVERSITY,
New Haven, Conn., January 17, 1966.

Representative ROBERT F. ELLSWORTH,
Congress of the United States,
Washington, D.C.

DEAR BOB: . . . I find your proposal attractive and hope that it will prosper.

Sincerely yours,

HENRY.

CITY OF LAWRENCE, KANS.,
January 3, 1966.

Hon. ROBERT F. ELLSWORTH,
Washington, D.C.

DEAR BOB: I appreciate your forwarding H.R. 11600 for comment and criticism. Your recognition of and obvious intention to seek solution to the complex problem of financing the services of local government is certainly far-sighted and praiseworthy . . . I will look forward to following the progress of the Bill during the next session.

Very truly yours,

RAY S. WELLS,
City Manager.

THE CHRISTIAN SCIENCE MONITOR,
AFRICA HOUSE,
London, December 20, 1965.

ROBERT F. ELLSWORTH,
Member of Congress,
House of Representatives,
Washington, D.C., U.S.A.

DEAR CONGRESSMAN ELLSWORTH: Thanks very much for your letter of December 14 regarding legislation calling for distribution to the States of some share of the federal income tax intake. Surely this would be tremendously helpful to the States. The big problem, I suppose, would be to persuade the Federal Government to surrender even one percent of this revenue.

It was very good to hear from you.

Yours sincerely,

WILLIAM H. STRINGER,
Chief of London Bureau.

THE CITY OF OVERLAND PARK,
Kansas, January 12, 1966.

Hon. ROBERT F. ELLSWORTH,
Member of Congress,
House of Representatives,
Washington, D.C.

DEAR BOB: Thank you for your letter of December 14th enclosing a copy of your bill concerning a refund to the states of certain

Federal monies. I have read the bill and it seems to be a satisfactory and logical basis on which to pro-rate the funds returned * * *.

I personally think that your idea of revenue sharing is a good one, and even if the City could not qualify in one year for the funds, I think the idea of returning some of the tax money is fine, and is subject to considerable development.

I appreciate your taking the time to keep the City informed on this and other matters, and want you to know that we are mindful of your efforts.

Sincerely yours,
City of Overland Park,
Donald E. Pipes,
City Manager.

American Bankers Association,
New York, N.Y., May 6, 1966.

Hon. Ogden R. Reid,
Hon. Robert F. Ellsworth,
U.S. House of Representatives
Washington, D.C.

Gentlemen: As I mentioned in my letter of January 24, 1966 concerning H.R. 11600, The American Bankers Association has been seriously considering a policy study in the area of state and local government expenditures and the problems of financing them.

Since January the A.B.A. staff has devoted considerable time in putting together a study on intergovernmental relations that was presented to the A.B.A. Economic Policy Committee at its spring meeting on April 21. Mr. Joseph A. Pechman, co-author of the Heller-Pechman plan, was the guest speaker and presented to the Committee a picture of the problems confronting state and local governments in their quest for sources of funds to finance their ever increasing needs. He also set forth the essential characteristics of the revenue sharing plan which would be based on the municipalities' needs for public service and on their fiscal capacities.

Pechman's presentation was followed by a general discussion, with the consensus of the Committee being that a further study be made concentrating on various financing means available to state and local governments with one obvious alternative being the Heller-Pechman plan.

In view of the above it has been decided to go ahead with an additional study that the A.B.A. staff will develop in the months ahead. I will keep you informed as to the progress of our deliberations and the nature of our conclusions as we arrive at them.

Sincerely yours,
Charles E. Walker.

The University of Iowa,
Iowa City, Iowa, December 20, 1965.

Hon. Robert F. Ellsworth,
Member of Congress,
Third District, Kansas,
House of Representaives,
Washington, D.C.

Dear Congressman Ellsworth: Thank you for your letter of December 14 and for the copy of the bill for sharing federal tax receipts with the states. I am in general strongly in favor of the policy embodied in your bill. If I can be of any service in helping to gain acceptance for the idea, I should be pleased to be called upon.

Yours sincerely,
Howard R. Bowen.

The Board of
County Commissioners,
Johnson County, Kansas,
December 23, 1965.

Hon. Robert F. Ellsworth,
Member of Congress,
Washington, D.C.

Dear Bob: Thank you very much for sending me a copy of H.R. 11600.

My only comment is "Amen".

Sincerely,
C. M. Standiford.

An article written by Mr. William Chapman which appeared in the March 13, 1966, edition of the Washington Post points out the support of the National Governors' Conference for this type of proposal.

[From the Washington (D.C.) Post, Mar. 13, 1966]

Governors Find L.B.J. Cool to Heller Plan

(By William Chapman)

President Johnson firmly but gently rebuffed State governors yesterday when they again sought White House support for a revenue-sharing plan free of Federal control.

The Executive Committee of the National Governors' Conference told the President its members are strongly in favor of the so-called Heller plan or some similar formula to give States more revenue.

Instead, Mr. Johnson said that, while he was not absolutely rejecting the Heller plan, he favored helping States through traditional Federal programs in the fields of health, education and welfare.

The question of Federal assistance for financially pressed states was brought up at an amicable morning meeting between Mr. Johnson and the Governors' Conference Executive Committee, headed by Gov. John H. Reed of Maine.

Later, the President met with the chief executives of states that participate in the Appalachia program and then lunched with all 41 Governors who had come to the White House for a day-long meeting at his request.

All of the sessions reportedly were harmonious, even the one at which Mr. Johnson doused the Heller plan with more cold water. "We feel the prospects were never better for Federal-State relationship," Reed told the President in front of reporters. "We are very grateful to you."

The revenue-sharing plan favored by the Governors was drafted by Walter Heller, former chairman of the Council of Economic Advisers, and was still under White House consideration a year ago, officials said then. It proposed an annual distribution of surplus Federal tax receipts to the 50 states with virtually no U.S. Government strings attached.

Its proponents called it fairer than increased State taxes because U.S. taxes are more equitably levied and collected. Opponents claim the States would either waste the money or use it at lower standards than Federal officials usually impose.

The Johnson Administration never has explained publicly its position on the Heller plan. Some critics have charged it was buried because Mr. Johnson was piqued at premature disclosure in a newspaper. White House aides have said the premature "leak" itself killed the Heller plan by exposing it to public opposition too soon.

Gov. Reed told the President that all the Governors favor the Heller plan or some similar distribution formula, a White House source said later. Reed said they conceded that the times are not propitious because of war expenses in Vietnam.

Mr. Johnson replied that his Administration, instead of pushing the Heller plan, was putting increasing amounts of money into the States through existing grant-in-aid programs.

"I told the Governors that we were redistributing Federal revenues, we were increasing our distribution to the States," Mr. Johnson said later at a news conference in his office, citing figures to make his point.

The Governors also wanted Mr. Johnson to explain his concept of "creative Federalism," a phrase that he used in his State of the Union message without elaboration. Mr. Johnson said there is need to redefine the relations between the Federal Government and other institutions. He said he will appoint a special commission, consisting of scholars, public administrators and politicians, to make a two- or three-year study of these relations.

Mr. Johnson drew unanimous praise from the Appalachia state governors although his 1967 budget proposes a slight cut in appropriations for that depressed region.

Gov. William W. Scranton of Pennsylvania told the President that "though our particular budget is forced to take a cut because of the problems in Vietnam, we understood this and were able to arrange it within ourselves . . ."

Governors from seven other states echoed Scranton's declaration of pleasure with the Appalachia program.

The Republican coordinating committee's task force on the functions of Federal, State and local governments has expressed great interest in, and support for, this type of bill. At this point, I wish to bring to the attention of my colleagues their recent report entitled, "Financing the Future of Federalism: The Case for Revenue Sharing":

Financing the Future of Federalism: The Case for Revenue Sharing

(Adopted by the Republican Coordinating Committee, March 28, 1966; presented by the Task Force on the Functions of Federal, State, and Local Governments)

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FINANCING THE FUTURE OF FEDERALISM: THE CASE FOR REVENUE SHARING

(NOTE.—This paper incorporates material previously published in a Statement entitled "Grants in Aid to State and Local Governments," adopted by the Republican Coordinating Committee on December 13, 1965. The present document owes a considerable debt to a research paper, "Fiscal Poverty Amid Federal Plenty," prepared by Dr. James M. Buchanan of the University of Virginia at the request of Mr. Winthrop Rockefeller, a member of the Task Force. Copies of Dr. Buchanan's paper are available upon request from the Research Division, Republican National Committee, 1625 Eye Street, Northwest, Washington, D.C. 20006.)

A major element of American history has been the nature of the federal partnership between the national government on the one hand, and the States which form it on the other. Today, as for the past third-century, the problem of American federalism has been one of ever-increasing centralization of power and responsibility at the national level, a growing State dependence on largesse from Washington, and a weakening of the abilities of States to meet their responsibilities.

Many factors have combined to bring this situation about. But none of these has more impact than the imbalance in revenue sources available to the several levels of government. As a practical matter, the national government has pre-empted the graduated income tax as a major revenue source.

For the most part, State and local governments have been left to rely on three major sources for the bulk of the revenues they need to operate. These three sources—property taxes, sales taxes, and income taxes of flat or only mildly progressive rates—have tended only slightly to keep pace with inflated prices, and the mushrooming demands for governmental services. In an era of economic growth conditions, revenue and credit sources available to State and local governments have not increased at rates at all commensurate with demands and prices.

By comparison, the highly progressive income tax on which our national government relies for the bulk of its revenue is a powerful source of revenue in a growing economy. Without tax increases and despite tax reductions, the amount of funds available to the national government has grown steadily year by year. Currently, the built-in increase in revenue amounts to some $6 billions annually.

Thus, the financial plight of governments in America today is one of fiscal abundance at the national level, but fiscal poverty at State and local levels. This has had an inevitable impact on governmental and political leaders. At the State and local level, the pinch caused by insufficient funds has created a reluctance to embark upon new programs demanded by an increasing metropolitan population. At the national level, the predicament is reversed. The ready availability of funds leads to approval of new programs and commitments without sufficient examination of the desirability of national governmental action.

Four paths of action are open to the national government to utilize the ever-increasing flood of revenues produced by the national income taxes: (1) Expansion of direct spending; (2) Tax reduction; (3) Retirement of the national debt; and (4) Expansion of indirect spending via programs of grants in aid. The last of these has increasingly been utilized to absorb the new revenues.

The growth of grants in aid

In 1934, eighteen grant in aid programs existed to disburse national government funds for specific purposes to State and local governments. Thirty years later, that number had risen to 68 programs to State and local governments, plus an additional 60 programs for disbursement of funds to individuals and institutions. Adding in additional programs which have been authorized since 1964, there are today some 140 grant in aid programs of the national government.

The growth in the amount of money involved is staggering. Grants in 1934 totalled $126 million. By 1964, this had risen to $10,060 million—80 times the 1934 total. Expenditures per program increased from $7 million in 1934 to $148 million in 1964.

The most conservative of projections to 1984 is alarming. Based on increases in the 1934–64 period, the total of grants in aid to State and local governments projects to $52 billion, an increase of 556 percent over 1964.

Typical of the grant approach has been a steady increase in controls and restrictions tied to the money. This has produced at one end an increase in the national bureaucracy, and at the other a further demeaning of State and local governments and their officials.

The Republican Party has always advocated the strengthening of our State and local governments. But clearly, these governments will be able to meet less and less of their responsibilities if additional sources of revenues are not found. Reliance on specific grant in aid programs controlled from Washington is not the answer. At the worst, the States will continue to sink into a morass of financial inadequacy and eventual bankruptcy. At best, they will become mere administrative appendages of the national government.

Shared revenues: A proposal

The solution to the problem of States slowly strangling for lack of funds amid the fiscal abundance of the national government must be one which emphasize the independence of the States and not a system which ties them further to Washington.

We therefore propose a system to share the personal and corporate income taxes collected by the national government with the States. Under this plan, one-half of each State's share would be computed on the basis of returning income tax collections to the State in which they originated. The other half of each State's share would be computed in a way which will provide some measure of fiscal equalization.

We recognize that some States are wealthy, while others are in serious need. Equalization cannot altogether alleviate fiscal inequities among the States but no plan of revenue sharing is feasible unless some degree of equalization is included. The equalizing formula should be simple and could be based upon population and per capita income levels.

Equalization grants should be made only to the States which themselves contribute a fair proportion of their per capita incomes to the costs of their own State and local services. This fair proportion should be defined in the statute. Grants to any State should be reduced proportionately if the State and its local units do not apply an adequate amount of State and local tax revenue.

We also believe that the provisions of Title VI of the Civil Rights Act of 1964 prohibiting racial discrimination in Federally financed programs should apply to this revenue sharing system.

In accordance with this two-part plan, we urge that two percent of personal and corporate income tax collections be returned to the States in the first year of implementation. (If this program were to take effect in fiscal year (FY) 1967, the total amount involved would total less than $2 million.)

Thereafter, the percentage of collections returned should increase two percentage points every two years. If FY 1967 can be the first year of implementation at a two percent rate, the proportion shared would rise to four percent in fiscal 1969, six percent in FY 1971, eight percent in FY 1973, and ten percent in FY 1975.

At current tax rates, income tax collections over the course of the next ten years are expected to increase some $50 billions. This proposal for shared revenue would earmark $11.5 billion of the $50 billion for the States. The remainder, $38.5 billion, is clearly sufficient to allow for some reduction in the national debt, periodic tax reductions, reasonable expansions of programs of direct national government spending, and some degree of specific grant in aid programs.

Once instituted, however, it is imperative that a sharing of revenues continue. Future budgets of the national government should provide for the proportion of revenues to be redistributed, regardless of whether or not budgetary surpluses exist. To place the States in a position where they would not know from year to year whether they will receive their share of tax collections would place them in an agonizing plight, and create a crisis in State and local finance for more chaotic than anything we have seen to date.

A system of functional grants

In addition to sharing revenues with the States, we urge the institution of a system of *functional grants* to the States with a minimum of supervisory controls. Thus, the national government would make grants to the States in broad, functional areas (such as mental health, education, water pollution control, highways, etc.), without pinpointing the precise programs through which these funds would be spent. This would have the virtue of providing financial assistance to the States to solve problems of national importance while allowing the States to use the funds to solve these problems in their own way. Obviously, a condition must be met that the State governments not decrease their preexisting expenditures in the problem area.

Decreasing centralized control

These proposals have two objectives:

First, to provide for the States and their localities a steady source of funds with which to meet public demands for governmental services, and one which will grow more or less proportionately to increases in the gross national product.

Second, to free the States and local governments from the maze of regulations, paperwork, red tape, and restrictions which hamper them in their efforts to serve their citizens.

One of the strengths of the American system has been diversity. Different States try different approaches to problems, and all benefit by the experiment. Likewise, different areas have different problems which must be met in different ways.

If this strength of diversity is to be maintained and increased, the controls and restrictions placed by the national government on the States' utilization of shared revenues and functional grants must be at a minimum. Pre-auditing should be avoided; so should schemes which require advance approval of State and local plans or programs from Washington. The States must be free to plan and act with a minimum of pressures from the national government, regardless of whether they arise from those who act in the name of fiscal responsibility or those who seek the expansion of the influence of the central government. Procedural qualifications should, however, include such obvious basics as prohibition on the use of funds to deprive citizens of Constitutional rights.

Comparison with other proposals

The idea of revenue sharing outlined here is not a novel one. Numerous plans to share in some manner the revenues of the national government with State and local governments have been advanced by many people, including Republican Members of Congress and Republican Governors. In particular, the Heller-Pecham scheme has received much public attention. That plan recommended that one percent of the *base* for the national income tax be returned to the States through bloc grants, using population only as a mild factor of equalization. While this plan would return more money initially, it lacks provision for increasing the amount over a period of time. Such a provision, together with stronger equalization factors, is essential in any plan to redistribute tax revenues.

Specific grant in aid programs

The specific grant in aid is an approach with limited utility. In some areas, such as the development of the Interstate Highway System, it has been a marvelous tool in a national-State partnership. But in many other problem areas, it has created a maze of bureaucracy and confusion which has produced almost as many problems as the program was designed to solve.

Too often, States have programmed activities for which national grants in aid are available, without due regard to whether such programs are as essential as some others for which national grant money is not available but for which there is a greater need within the State. Thus grant programs have frequently had the effect of skewing State plans and budgets toward problem areas which are considered important in Washington, but not necessarily within the States. Moreover, Federal matching-fund requirements have frequently dictated types of approaches to problem areas and have hogtied State budgeting.

Assuring State participation in policy formation

All grants, whether functional or specific, should be subject to two important conditions which have been frequently recommended by studies on intergovernmental relations.

First, no new grant programs should be passed until the opinions of the governors of the States about the desirability of the proposed grant have been presented to Congress. There may be a few occasions in which a grant for a function of urgent national importance should be carried through even though the State governors are not in agreement. But it is very wrong to do what we are doing—building up an entire system of national fiscal controls on State and local governments without adequate consultation with State and local authorities.

Second, there also should be provisions for careful review of grants by Congress and the Administration every five years. A number of grants which were started as "stimulating grants" have been on the statute books, in some cases for almost half a century, without careful consideration of the desirability of the national government's remaining in the field concerned.

The proposals we have made here—for a broad-based sharing of national revenues with the States, for a system of functional grants, and for a reformulation of the use of specific grants—all are designed to foster a rebirth in the ability of the States to handle their own problems. The Republican Party has always had faith in State and local government as the best tool to solve many of our pressing governmental problems.

But expressions merely of faith are no longer sufficient. We believe that the States must help themselves, that they must develop a greater will to meet contemporary problems. The proposals we have advanced will give them the tools to do the job. But it is up to our States—those who united to form our Union and those who later joined them—to bring about their own maturity and to achieve their own destiny. In so doing, our nation will have attained the peak of its own high purpose.

Mr. Speaker, the need for new revenue sources for States and localities is reaching the point of crisis. It is good that various solutions are being discussed and it is time for the Congress to act so that the fiscal demands of the future will not overwhelm our State and local governments.

THE ADMINISTRATION'S "MANAGED NEWS" POLICY

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. Dickinson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DICKINSON. Mr. Speaker, Henry Cabot Lodge has been in public life so long that he is scarcely a secret weapon. There are no Buddhist priests known to be in Washington who might burn themselves before the White House. If the Reverend Bill Moyers was introducing a new dance to replace the frug and the watusi, it is scarcely a national security problem.

Yet, a White House dinner party for about 190 persons honoring the Ambassador to Vietnam, Mr. Lodge, was subjected to military censorship and, contrary to usual custom, the guest list has yet to see the light of day.

The story behind it is one of the funniest that has hit Washington for a long time. With society editors exercising enforced self-censorship, the incident would be entirely hilarious if it did not have serious implications as to the extent of the administration's "managed news" policy.

On May 10, my colleague and friend, the gentleman from Iowa, Representative H. R. Gross, stood up on the House floor and, speaking of a benefit dance for the John F. Kennedy Foundation for the Performing Arts, remarked:

> Last weekend, the Smithsonian Institution—the new building on which the taxpayers have spent millions of dollars—was converted into a place of exhibitionist dancing with $75 to $100 charged for admission tickets.
>
> I could not believe my eyes last Sunday when I picked up the newspapers and saw pictures of the Reverend Moyers, White House Press Secretary, gyrating halfway down on his knees, doing the watusi or the frug, or whatever you please to call it.
>
> Then there was a picture of the wife of a State Department official who was sent home to put on some clothing. She apparently appeared half naked; at least that is the story in the newspapers.

You all know the commotion which followed. But apparently few, if any, realized into what terror these remarks threw ruling circles.

It came out when Washington Evening Star society writer, Isabelle Shelton reported Thursday, May 19, that there had been a huge "private" White House dinner party the previous Monday for Ambassador Lodge and that there was "an attempt to bottle up the whole thing and pretend it was not happening."

Now, since big White House diplomatic dinners are put on at taxpayers' expense, guest lists customarily have been made available for those interested. But even subsequent attempts to get a guest list for the Lodge dinner were unavailing. In fact, society reporters seemed frightened they would lose their White House party privileges if they even talked about the affair. Betty Beale, top Washington social columnist, wrote in the Washington Star of Sunday, May 22, that when a man, who said he was telephoning from the Senate Office Building, called up to ask names of those who had attended the Lodge dinner, "he hung up without getting the information desired."

The Rose Garden curtain has fallen. Henceforth, it will be as hard to follow the Moyers' dusk-to-dawn antics as it is to learn what the policies and facts are with respect to the Vietnam war.

"STRATEGY STRINGS" ASSAILED IN FOOD-FOR-FREEDOM PROGRAM

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Harvey] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HARVEY of Indiana. Mr. Speaker, I ask unanimous consent to include this article from the Christian Science Monitor of May 25, 1966, in the body of the Record.

I do not agree with the conclusions arrived at by Mr. Willis, but do expect to include the subsequent article on this subject.

"Strategy Strings" Assailed in Food-for-Freedom' Program

First of two interviews giving both State Department and congressional sides of a rising Washington fight over a key arm of American foreign policy—the Food for Peace program.

(By David K. Willis, Staff correspondent of The Christian Science Monitor)

Washington.—Richard W. Reuter, the man who runs the $1.6 billion-a-year American Food for Peace program, strode across the room, sat down, and took aim at the House of Representatives.

"It would seem," he said in an interview, "that political strings are to be attached to concessional sales of American food to hungry nations abroad. They will make the program inflexible. They will reduce its influence. They will tarnish the American image."

Mr. Reuter, a brisk special assistant to Secretary of State Dean Rusk, was making his first public criticism of changes the House Agriculture Committee made last week in the President's Food for Freedom bill.

He and Mr. Rusk are particularly concerned by the committee's action in forbidding food sales or grants to nations who sell or ship to North Vietnam or to Cuba.

This is an extension of the current law, which bans sales only to nations whose ships carry trade to Cuba. The Agriculture Department and the Agency for International Development are equally opposed to change.

"India sold $600,000 worth of jute to Havana between April and December, 1965," Mr. Reuter said sternly. "That's two-tenths of 1 percent of its total jute shipments.

"Cuba uses the jute to make sugar bags. Now, the House committee language makes no distinction between strategic or nonstrategic goods, or humanitarian cargoes. So if this becomes law, India will have to stop selling the jute or lose American food aid."

NATIONS AFFECTED BY CHANGE

He implied that India must have the food, so it will drop its jute exports. This is the kind of invasion of another nation's affairs that the State Department badly wants to avoid.

Other nations immediately affected by the House action would be Pakistan, Yugoslavia, Poland, Morocco, and six in Latin America.

Responsible for the new language is Rep. PAUL FINDLEY (R) of Illinois, who wins considerable support in Congress by insisting that no aid be given to anyone helping Hanoi fight Americans in South Vietnam.

Beginning what is intended to be a sustained campaign to have the House language changed, Mr. Reuter told this newspaper:

"Political strings like this are self-defeating. Why, the United States itself does not meet the criteria—we have been sending medical supplies to Cuba ourselves!

"If this kind of restriction had been in effect over the last 10 years, about half the value of the program would have been lost."

(So far, Food for Peace has provided some $14.6 billion worth of food abroad, in grants and local currency sales.)

Now in top gear, Mr. Reuter continued:

"Look at the position this put us in. The emphasis in the President's bill is on self-help. We are saying to needy nations: 'If you help yourselves, so that in time you can produce your own food, then it is worthwhile for us to meet your short-term needs now.'"

HOUSE MOOD ASSESSED

"Moreover," he said, "we are trying to convince European nations to help us to do it.

"Now, all of a sudden, we are saying that we will fight the war on hunger—but on carefully chosen ground. Political strings can only detract from our motives.

"We are not trying to help Hanoi or Havana—far from it. We just believe that our foreign-policy hands should not be tied in this way."

Judging by the House mood at the moment, there appears little likelihood that the full House will amend the committee language on the floor.

Two weeks ago, the full House endorsed the same language in the agriculture appropriations bill.

Nor is the State Department happy about what might happen in the Senate. "We just don't know," said an official with a shrug of the shoulders. The administration has some friends in the Senate. It now is busy checking each member of the Senate Agriculture Committee to ascertain support.

There are signs that the language may be amended in the Senate, and go to conference. But Mr. Reuter isn't waiting. He has decided to move onto the attack now.

"You know," he said with a grin, "the bill is a good one, really, even as amended by the House committee. For the first time, food is given the same value as steel and tractors in foreign aid. Credit terms are to be the same as regular aid. The committee wanted to reduce the repayment period from 40 years to 20 years, but this was eventually reversed by a vote of 19–15.

"Before now, Food for Peace was just surplus food. Not too much attention was paid to it. Now farmers are being given more acreage to grow the types of food needed in the hungry areas."

PLANTING LEVER USED

(Farmers were told recently they could plant an extra 15 million acres of wheat this year. As part of its new campaign, the administration is hinting that the increase might have to be rescinded if the House language isn't amended.)

The bill leaves intact the President's request for $3.3 billion a year for the new Food for Freedom program, but cuts the authorized term from five to three years.

It also establishes a farmer-to-farmer program by which the Agriculture Department would use American know-how to solve farm problems abroad.

Mr. Reuter is worried about other committee changes. Among them: that countries receiving Food for Peace—or, to give its new title, Food for Freedom—aid must identify it as coming from the United States when it is sold.

He waved a hand at the unusual curtains in his office—made from the sacks used to transport wheat abroad, with the red and white government markings clearly visible.

"That's how we show where the food comes from when it enters the other nations," he said. "I have the curtains up there for effect. But now we are told that when a man overseas comes to buy a loaf of bread, the words 'United States' must be on that bread.

"But only the government of the man's country gets the food on concessional terms. The man himself pays the same price in the shop that he always did. So what do we gain by putting 'from the generous United States' on the loaf?

"We don't gain—we lose."

The bill will go to the House floor in early June. Then, and only then, will the Senate Agriculture Committee take it up.

State Department officials, from Dean Rusk down, are working hard to turn what is to them a most unfavorable tide of events.

THE PLIGHT OF THE FARMER

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Mississippi [Mr. WALKER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WALKER of Mississippi. Mr. Speaker, we have heard much recently about the plight of the farmer: the high rate of farmers who are abandoning their farms for other methods of earning a livelihood, the high cost of production of the farmer, and the high cost of food.

Now, this body is considering legislation that will add greatly to these existing problems.

My first contention is that when the farmer is forced to pay a minimum wage to his field hands, in many cases, it will put them completely out of business and in other cases, it will force him to lay off the necessary number of hands to allow him to operate without having to comply with the law. A high pay scale to farmworkers is of no value at all to those who are out of work because the farmer cannot afford to pay them.

Many of my colleagues say this will not happen. I say if this measure passes, the farmer will have only two alternatives—either he will be put out of business, or he will continue to operate at the cost of further inflationary food prices.

I think it is high time that all branches of this Government realized the importance of the farmer to the American economy. It is as simple as this: he feeds us. And, in the face of a worldwide food shortage, he is presented the problem of possibly having to feed the rest of the world.

In recent years farm income has risen only 6 percent compared to a jump of more than 50 percent in the cost of living.

I think that this body should show the farmer through its refusal to extend minimum wage coverage to him that we are in complete sympathy with the problems confronting him.

Already our economy is in a state of inflation. The President has asked businesses to proceed cautiously with capital investments. He has asked the housewife not to purchase items that are priced too high. Now he is asking this Congress to pass legislation which will do exactly what he is supposedly trying to prevent.

He is asking the Congress to extend this coverage to the small businessman who already is in trouble financially. To force a small business to incur the added expenses that this bill proposes, would be doing nothing but adding to the present rate of unemployment and increasing the mortality rate of small business.

This Nation was once called a nation where anyone with ingenuity and the desire to work hard could be successful.

This is not altogether the case today—and the added burden of having to comply with this legislation would make it nearly impossible for the small businessman to survive.

To place this burden upon the farmer and the small businessman would prove unfair to the employer, a threat to the security of the employee, and a grave danger to our economy.

RADIO BROADCASTING

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Mississippi [Mr. WALKER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WALKER of Mississippi. Mr. Speaker, 45 years ago, on September 15, 1921, the Department of Commerce issued its first regular broadcasting license. Forty years ago the first 24-station radio network was started. In the years since, the growth of radio has been spectacular.

By its silver anniversary in 1946, radio had achieved amazing success. There were some 1,150 radio stations and 57.8 million radio sets. Radio's record of service during World War II had been exemplary. For the first time American civilians were promptly and fully apprised of war developments around the world. Radio was the entertainment medium of the Nation—with daytime soap operas, comedy and variety shows, and dramatic programs. Ma Perkins, Edward R. Murrow, Arthur Godfrey, Bob Hope, and "Twenty Questions" were in almost every American living room—on radio. The sound of radio was the sound of entertainment.

With the birth of radio's younger brother, television, radio seemed outdated. Television soon preempted radio's role, as families gathered around TV screens for the evening's entertainment.

Yet, radio refused to die. Rather, after a few years, it adapted itself to a new role. It took on a new sound. Today radio's sound is not that of the dramatic or variety program. It is that of music, news, or the talk show. Unlike television which seeks the largest possible audience, radio stations tend to specialize. There is the popular music station, the talk station, the country and western station, the religious station, the classical music station. Radio is not geared to the national, but to the local audience. It furnished a local forum, provides local news, carries local advertising, promotes local civic drives, and caters to local needs.

Radio accompanies the listener as he drives to work or on vacation. It is carried from room to room, to the beach, on the street. It is turned on all day, not just in the evening hours. And, it can either demand full attention, as in news broadcasts, or furnish background sound, the sound of music.

Radio is still growing. Radio is found in 93 percent of all homes in the United States. Whereas on January 1, 1946, there were 7.5 million automobile radios in use, last January 1 there were 60 million. The total number of radio sets in use has increased during the same period from 57.8 to 242 million. The clock radio did not have appreciable use until the 1950's. The transitor radio is a recent development—and dramatically demonstrated its worth in last fall's east coast power blackout.

The number of radio stations has also grown. Whereas there were about 1,000 AM stations on the air in 1946, in 1965 there were 4,000. And during this period FM radio has come into its own, with more than 1,400 FM stations on the air.

Radio is very much a vital force in the United States—issuing storm warnings, keeping the public informed of the latest news developments. It is used not only for commercial broadcasting, but also by police departments, firefighters, public utilities, and transportation companies. It is used for essential personal and business communications through the Citizens Radio Service. It is a hobby for more than 260,000 radio hams, who through their own Amateur Radio Public Service Corps and through the Government-sponsored Military Affiliate Radio System and the Radio Amateur Civil Emergency Service meet countless emergency situations and provide a reservoir of trained personnel for military and civil defense communications.

Radio is indeed a most important sound in 1966. My congratulations to the radio industry which has so well met our Nation's changing needs.

CONGRESSIONAL REFORM—LIVE BROADCAST OF NEW YORK SENATE SHOWS WAY FOR U.S. CONGRESSIONAL "LOOK AND LISTEN" BILL

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, last month, the State Senate of New York permitted a live broadcast of one of its sessions. This is a great step forward and should be emulated by the Congress. I have introduced legislation to provide for the live broadcasting of both House sessions and House committee hearings—House Resolution 650 and House Resolution 660. These would put into effect what I call the public's right to look and listen to their Government in operation. I believe these measures would help restore the prestige of Congress.

This principle has won the endorsement of the broadcasting industry and numerous newspapers. Among them is the New York Times, which, in an editorial dated April 21, commented in a most constructive way upon the action of the State senate in New York. I hope to see this procedure adopted in the House of Representatives and the Senate as well. The Times is to be praised for its support of this important principle and I include the editorial referred to at this point in the Record:

Lawmaking by TV

For the first time in the history of the State Senate its proceedings will be televised live next week when it debates reform of New York's antiquated divorce law. We hope the telecast will prove the precursor of many future efforts to give New Yorkers as intimate a view of the lawmaking process as they would get it they had seats in the State Capitol at Albany.

The value of such telecasts has been demonstrated by the enthusiastic interest stirred by the recent hearings of the Senate Foreign Relations Committee on Vietnam and by many key debates in the United Nations. The breakthrough at Albany brings into sharp question the wisdom of the City Council's refusal to permit TV coverage of the public hearings it is now holdings on Mayor Lindsay's tax program. Certainly, no civic issue more directly affects the welfare of millions in the metropolitan district.

The immediacy of television makes it an ideal instrument for giving the citizen a sense of participation in governmental affairs. There is, of course, the risk that legislators will succumb to the temptation to "ham it up" for the unseen audience. And there are the mechanical difficulties of keeping cameras, wires and other equipment from making a shambles of chambers designed before the electronic era. But none of these obstacles should outweigh the gains to the democratic process that could flow from wider use of TV to link citizen and lawmaker.

SEIZURE OF TUNA BOATS

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Bob Wilson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, four more U.S. tuna boats have been seized by the Peruvian Government for fishing in an area that they claim to be territorial waters. The boats were approximately 19 miles offshore in what is universally recognized as international waters. The boats have been taken into the Peruvian port of Talara under armed guard.

During the first 5 months of this year, a total of eight American ships have been seized and we have obviously come to the time when the White House and the State Department can no longer ignore their responsibility to the American fishing industry. Peru claims its territorial limit extends 200 miles from shore. Yet, as illustrated in the May 22 San Diego Union, Russian fishing vessels are competing with California sport fishermen in an area not more than 3 miles from our coast. I agree with this Union editorial that:

> The resolution of the Russian fishing problem will be difficult because the U.S. recognizes a three-mile territorial limit. Much, however, can be done to stop the harassment of U.S. fishermen off Western Latin American coasts.
>
> The first action, of course, must be serious and intensive conferences between U.S. and Latin American nations to reach an amicable solution if possible.
>
> The United States would have considerable economic levers to use at such a conference, including the millions we spend in aid to the nations harassing our tuna fleet. Some of the military ships used in the harassment were given to the countries by the U.S.
>
> Additionally, the U.S. could review its substantial importation of fish from Latin America, particularly Peru. In the case of Panama, that Nation's desire for a sea-level canal could be a talking point. A final argument, if reason cannot prevail, would be a U.S. promise to give its fishermen legal protection in international waters.
>
> Financially, and in principle, the harassment of U.S. fishermen has reached a proportion where it can no longer be tolerated and the matter must be resolved as soon as possible.

OPERATION HIGHLINE

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Bob Wilson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, today as never before in our history, we have large numbers of officers retiring from the armed services who must continue as civilians to pursue some gainful occupation to properly support their families.

Because of the dedication with which these gentlemen have carried out the long years of service to their country, they have had small opportunity to study and know the civilian society. Consequently, our country has a continuing pool of excellent, mature management-type labor lacking in knowledge as to how to make itself available to the business and industrial world.

Recognizing this problem, the Navy League of the United States a few years ago instituted a volunteer activity entitled "Operation Highline." Since a highline is a device used in the Navy between the masts of ships for the transfer of personnel, this is a very apt description of this laudable undertaking of assisting retiring officers to transfer from the military to the civilian society.

Reacting typically for the populace of the 36th District of California, the San Diego chapter of the Navy League is operating the largest and most successful of the Highline activities. It works on the basis that the most direct route to assisting these deserving retirees to make the transition to a completely new society is to assist them in preparing themselves to find employment. And, while they are not an employment agency, their efforts in the San Diego operation alone during 1965 successfully assisted over 500 retirees.

The majority of retiring officers in the San Diego area are from the Navy, of course, but many Army and Air Force officers are listed among those helped.

The actions of the Navy League as a whole and the San Diego chapter particularly are commendable. I am sure that my constituents working in this volunteer activity would welcome inquiries from other parts of the United States that may wish advice on this subject. A successful undertaking such as this where appropriate not only helps the individuals concerned but is also of great value to the business community concerned.

FIRST WORLD FESTIVAL OF NEGRO ARTS

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentlewoman from Ohio [Mrs. BOLTON] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mrs. BOLTON. Mr. Speaker, one of the most exciting pageants of our times took place last month in Dakar, Senegal. Work and leisure activities centered around a great international convention: the First World Festival of Negro Arts, which ran from April 1 through April 24. Although I was not able to attend it myself, I have heard splendid reports. It has been suggested that the intermingling of Negroes from around the world has broadened the experience of all who attended. Perhaps the impact was greatest on those who came from relatively remote locations and whose horizons have suddenly expanded from village limits to the edge of outer space. Surely they will never be the same again.

WHAT IT WAS LIKE

Originator of the vision that brought about this impressive gathering was the Poet-Philosopher President of Senegal, Leopold S. Senghor. The festival, sponsored by UNESCO and the Society of African Culture, brought together Negro artists from some 44 countries throughout the world, to get acquainted, converse, and perform.

Reports from Dakar indicate that a very wide variety of both fine and performing arts had a place. The main centers for performances were the lovely national theater, a large and small stadium, and a downtown cathedral.

Among the many international artists who participated in the festival, some American artists shone.

Duke Ellington dazzled his audiences with brilliant performances in Friendship Stadium outside the city and the Daniel Sorrano theater in Dakar. Marion Williams and her singers held the attention of large audiences with gospels and spirituals, a type of music with special appeal in Africa. An Easter sunrise service by the De Paur Chorus received wide acclaim, and the Chorus amazed its listeners by singing not only in English and French but also in several African languages. The last 2 days of the festival featured Alvin Ailey and his American Dance Theater, which drew great praise. Solo performances by pianist Armenta Adams and soprano Martina Arroya demonstrated that American musical talent was not confined to modern and popular music.

There was an exhibition of various types of traditional African art, much of which had been taken from Africa to the far corners of the earth, in Museum Dominique, contributed on loan by the world's great museums and private collections. An exhibition of contemporary art was placed in the Grand Hall of the Palace of Justice, which has a spacious open court in the center. Transporting these collections was a major undertaking.

Prizes were awarded in all categories—for the best novel, drama, essay, scientific, and historical work, for the best portrait collection, illustrated books, various forms of dance, music, films, and so on. There were far more than I can name. I have been told of very interesting hemp sculpture and plastic art, of breathtaking, vigorous acrobatic dance routines, of striking drama. The competition was wholesome and stimulating.

Approximately 10,000 spectators were treated to the bustle and variety of art, dance and music, drama and literature. Emperor Haile Selassie made a state visit to Senegal during this time and loaned prized paintings from the Ethiopian Palace collection. The American Society of African Culture arranged for a chartered flight for 180 visitors for 10 days. Included in the group were many school teachers on spring vacation, museum curators, and collectors. In addition to exhibitions and performances, Senegal provided sightseeing tours and excursions which were educational as well as entertaining. Dr. Zelma George, prominent lecturer and sociologist from Cleveland, wrote back from Dakar:

> This is a very rich experience. The First World Festival of Negro Arts is eminently successful.

One of the highlights of the festival was the colloquium during its first week. Thirty Negro scholars met to discuss aspects of Negro culture which are distinctive and should be preserved from the destruction and neglect that often accompany industrialization and urbanization. The discussion raised the question of what it means to be a Negro. Some scholars, including President Senghor, expressed the view that there is something inherently different from other peoples in the Negro personality. Others felt that this difference, called "negritude" by President Senghor, and "soul" by American poet Langston Hughes, is essentially not biological but environmental. The debate led to a fuller recognition of the African heritage and stirred up reflection over the present and future role of Negroes in the worldwide context. Although the festival came to a close a month ago, the exploration of these issues continues.

In addition to Mr. Hughes, American intellectuals participating in the colloquium included painter Hale Woodruff, anthropologist St. Clair Drake, and historian John A. Davis. President Senghor surprised Mr. Hughes by reciting from memory some of his verses and quoting from them in a speech to Emperor Haile Selassie.

PRIVATE U.S. SUPPORT

As the Nation second only to Nigeria in size of Negro population, the United States was invited to take appropriate part in the festival. On the request of President Senghor, Mrs. Virginia Inness-Brown, a New York patron of the arts and former cultural adviser to the Department of State, formed the U.S. Committee for the First World Festival of Negro Arts, Inc. She and Dr. John A. Davis, president of the American Society of African Culture, jointly chaired the U.S. Committee.

While most other nations relied on governmental machinery to arrange participation in the festival, the United States counted on this private, voluntary association. As Chairman of the U.S. Committee, Mrs. Inness-Brown coordinated American representation at the festival, a task that demanded three trips to Africa and countless consultations with the Department of State and the U.S. Information Agency. The Committee assured a significant share of the burden of financing, and Mrs. Inness-Brown almost singlehandedly raised nearly $100,000 in contributions from American foundations and private donors. With this money, the U.S. Committee sent to the festival an American collection of traditional African art, the Alvin Ailey dance group, several outstanding American films, and many books and records for entry in prize competitions.

The Department of State cooperated closely with the Committee and, as part of the educational and cultural exchange program, agreed to send Duke Ellington, the Leonard De Paur chorus, and Marion Williams' singers to the festival. In addition, the U.S. Information Agency arranged an exhibit of contemporary art by American Negro painters, and a photo display depicting American life.

APPRECIATION TO THE U.S. COMMITTEE

It is fitting that a word of special recognition of the U.S. Committee for the Dakar Festival be included. Mrs. Virginia Inness-Brown, Chairman of the U.S. Committee, Dr. John A. Davis, Cochairman; and other Committee members, as well as the numerous supporting donors and foundations, have rendered our Nation a great service.

Mrs. Inness-Brown devoted 2 years of her time and her great personal talent to insuring the success of the American artistic community and promoted friendly ties between the United States and Africa. For their part in this effort Mrs. Inness-Brown, Dr. Davis, and other Committee members richly deserve our thanks.

RUDE AWAKENING

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, on May 18 I inserted in the Congressional Record an article entitled "The Crisis in British Medicine," which describes the present plight of British doctors after almost 18 years of socialized medicine in Great Britian. According to the author, Joan Hobson, despair is widespread among British doctors because of the excessive demands placed upon them. Although medical coverage under the British system is more extensive than under the present setup in the United States, the chances for the expansion of government-sponsored medical care are by no means remote if the case of New York State is any indication.

On April 30 the New York State Legislature passed a sweeping new medical aid bill which made eligible for free glasses, dental care, doctor's treatment, and hospitalization a family of four with a net income of $6,000. The New York bill takes advantage of a little noted section of the Federal Medicare Act, title 19. Under that section, persons of any age who earn enough to take care of all but medical needs, may receive aid through a State-administered program. To date seven States and Puerto Rico have already gotten tentative approval for such programs, while New York and Connecticut have applied. In the case of New York State, bringing its present medical aid program under title 19 will increase Federal aid from $79 million to $217 million a year.

If the allocation of funds were the only prerequisite for comprehensive medical care, the present mushrooming programs of Government-sponsored medicare programs would be much easier to defend. However, when one considers the part played by the doctor and the limitations of his service in terms of time and physical capacities, it is urgently necessary that the case of the overburdening of British doctors be given serious consideration.

Barron's, the national business and financial weekly, in its May 23 edition, supplies food for thought on this issue. That the issue of Government-sponsored medical care is more complex that the mere allocation of funds is certainly a matter for further study. To add additional background information to this subject, I include the article, "Rude Awakening—Medicare Is Bumping Against the Limits of U.S. Resources," in the Record at this point:

Rude Awakening—Medicare Is Bumping Against the Limits of U.S. Resources

Among the many admirers of Sen. Robert F. Kennedy, we never expect to stand up and be counted. On the contrary, we share the view of John O'Hara, who, in his witty new book, "My Turn," bitingly wrote of a chance encounter with the junior Senator from New York: "I thought then, as I do now, that there is something pathetic about a man who turns on the charm when he has none." Charm (or the lack thereof) aside, the Senator has taken positions on major issues of the day which invariably seem to find us in opposition. However, despite precedent and against all odds, Senator Kennedy said something the other day which we are pleased to quote. At the Judy Holliday memorial dinner in NYC last week, RFK warned of a looming "crisis" in the nation's capacity to care for the sick. "What is the value of offering medical treatment to our aged," he eloquently asked, "if there are no doctors available to administer it? What is the value of offering nursing-home care to our old people if there are no nursing homes to which they can go?"

The speaker, of course, was seeking to whip up sentiment for a far-reaching new program of federal aid to U.S. health and welfare. What he succeeded in doing, perhaps unwittingly, is to expose as a fraud all the costly measures of this kind which he and other like-minded legislators lately have written into law. On the eve of Medicare, which is scheduled to go operative on July 1, the nation is growing aware that in the government's prescription at least two vital ingredients, training and talent, somehow seem to be missing. As New York City realized with a jolt last week, when it came perilously close to shutting down the municipal hospitals, doctors and nurses are even scarcer than money. Thanks to the Social Security System, demand for medical and hospital services six weeks hence will get a powerful shot-in-the-arm. Unfortunately, however, supply will be painfully slow to respond.

For what might be called the welfare syndrome, government itself is largely to blame. The proliferation of federally financed research projects, for example, has succeeded in drawing away too much of the available talent from the sickroom. The advent of Medicare, which threatens to bring sweeping and not necessarily beneficial change to the practice of medicine, will do nothing to attract young blood. Like most professional—and productive—people in a so-called welfare state, finally, doctors and nurses find themselves chafing under the mounting demands imposed by the powers-that-be on their time and talent. Even the richest country in the world cannot forever afford to exploit its limited human resources. Atlas has not yet shrugged: to judge by what's happening at home and abroad, however, he's grown dangerously weary.

Until recently, nobody in authority seemed to know or care. Congress last year passed Medicare—labelled by President Johnson "a milestone in the social history of the U.S."—under which the federal government soon will pay for 60 days of hospital care per year for people over 65; in January, Uncle Sam also will underwrite the cost of up to 20 days annually in an extended care facility or nursing home (and all but $5 daily for another 80 days). Moreover, under a little-known provision of the law, New York State, among others, has launched an ambitious program of subsidized medical assistance to the needy of all ages. The President even has begun to plead the cause of Denticare, which would give free dental treatment to pre-school children. Now, however, the imminence of Medicare suddenly has caused a rash of official concern over the nation's capacity to do the job. We have noted the strictures of Sen. Kennedy. More significant, by Executive Order the President early this month established a National Advisory Committee on Health Manpower. "The U.S.," warned the White House, "is facing a critical shortage of manpower in carrying out its commitment to improve health care for our citizens."

Thus Washington belatedly has recognized what long has been a chronic complaint. More than three years ago this magazine underscored the growing shortage of doctors. Since then, symptoms of the deep-seated malaise have multiplied. In 1964 American doctors took up barely 21,000 of 38,000 AMA-approved residencies available at U.S. hospitals; the rest either were offered to foreign physicians or went unfilled. Similarly, during the past 15 years, the ratio of dentists to the population as a whole has declined from 54 per hundred-thousand to 45. The number of registered nurses in New York municipal hospitals has dropped sharply, from a peak of 5,400 just before World War II to an estimated 3,500 today, with no early change in sight. On this score, Gotham narrowly averted disaster last week by bowing to the demands of its nurses, who threatened to resign en masse in protest against substandard salaries and working conditions.

Citing New York's nurses, who "are paid less than garbage collectors," Sen. Robert F. Kennedy proposes to set things to rights through still another federal program, a $2 billion, 10-year effort to encourage the construction of new medical facilities and to spur training. Nine out of 10 dollars would go toward bricks and mortar. At a time when some hospitals are closing off wings for lack of nurses, the Senator's prescription has scant hope of bringing fast relief. Indeed, if the past be any guide, it runs a genuine risk of making matters worse. Over the years the federal government has succeeded magnificently in aggravating the shortage of medical personnel. Thanks to the National Institutes of Health, over 10% of the nation's newly licensed physicians, instead of launching a practice, each year go into research, the value of which qualified observers increasingly tend to question. Under the aggressive leadership of Dr. James Goddard, the Food and Drug Administration, by offering exemption from the draft through the Public Health Service, lately has had no trouble dragooning eligible doctors into its ranks. "It's like sending a bunch of Boy Scouts to do a Marine's job," protested one pharmaceutical executive. It's also a foolproof way of depleting the nation's limited resources of medical talent.

Such attrition may be weighed and measured. In other more subtle ways the welfare state, in the realm of health, has done incalculable harm. For example, by pitting itself against idle machines and idle men, the New Economics has succeeded in creating a climate of super-full employment, in which poorly compensated jobs like ambulance driver, hospital attendant or nurse, which call for extraordinary dedication, simply go begging. By pursuing inflationary policies, the federal government inevitably has dimmed the luster of careers in civil-service or fixed-income posts. Finally, through the graduated income tax and similar inequities, it has progressively undercut professional incentive. In Socialist Britain, to judge by the mounting "brain drain," the debilitating process has passed the point of no return. In the Great Society, unless there is a striking change of heart and mind, the prognosis is equally grim.

On this score the current stirrings among those in authority, though belated and uncertain, hold out a faint ray of hope. Perhaps it finally has dawned on Washington that federal aid, abroad or at home, is not necessarily the cure for all the ills that afflict mankind. Perhaps a few officials have come to suspect that even the wealthiest of nations can reach the limits of its potential. In some realms of life, money is simply no substitute for experience and talent. People, not programs, are what count.

SECONDARY MARKET OPERATIONS OF FNMA

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Widnall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WIDNALL. Mr. Speaker, I have today introduced a bill, H.R. 15288, which would authorize the Secretary of Treasury to subscribe to an additional $110 million of preferred stock of the Federal National Mortgage Association for use in its secondary market operations. Under the secondary market operations of FNMA the Association provides a secondary market for FHA and VA home mortgages. The objective of the operation is to supplement rather than supplant private home mortgage lending.

Under the Federal National Mortgage Association Charter Act the Association may borrow up to 10 times the amount of its capital and surplus to obtain funds for home mortgage purchases. Therefore, under the bill I have proposed, an additional $1.1 billion of borrowing authority would be made available to FNMA. This added to the preferred stock subscription will provide additional mortgage purchase authority in the amount of $1.2 billion.

At the current rate of FNMA mortgage purchases, its unused authorization would be exhausted in a matter of 4 or 5 months. The additional mortgage purchase authorization which would be provided by my bill should extend this period to over a year allowing the Congress ample time to later review conditions in the mortgage market to see what, if anything, further should be done. Additional authorization for FNMA mortgage purchase at this time should minimize the risk of "a run on the bank" such as might easily occur if imminent exhaustion of FNMA mortgage purchase authority was in prospect.

FNMA in itself cannot be expected to assume the full burden of providing funds for Government assisted housing, but it has proven to be a very valuable instrumentality in supplementing home mortgage funds in a period of a tight mortgage market such as exists at the present time.

Other suggestions have been made to increase FNMA's borrowing authority by increasing the 10 to 1 ratio of borrowed to capital funds to a ratio of 15 or 20 to 1. In the opinion of many this raises serious doubts as to legality inasmuch as FNMA presently has outstanding over $3 billion of debt issued under charter provisions providing the debt shall not exceed 10 times capital funds.

In 1957 on two occasions, FNMA's borrowing authority was expanded by increasing the amount of authorized preferred stock that could be purchased by the Secretary of Treasury, in the first instance by $50 million, and in the second instance by $65 million. There was no adverse reaction in the ability of FNMA to borrow funds in the private market. It would seem the better part of wisdom to follow this time proven procedure and again authorize an increase of preferred stock to be purchased by the Secretary of Treasury rather than experiment with the legally doubtful expedient of changing the ratio of authorized borrowed funds, to capital funds.

PUBLIC MISINFORMATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Arizona [Mr. Rhodes], is recognized for 30 minutes.

Mr. RHODES of Arizona. Mr. Speaker, the House Republican policy committee adopted the following statement on freedom of information legislation, S. 1160:

> The Republican Policy Committee commends the Committee on Government Operations for reporting S. 1160. This bill clarifies and protects the right of the public to essential information. Subject to certain exceptions and the right to court review, it would require every executive agency to give public notice or to make available to the public its methods of operation, public procedures, rules, policies, and precedents.
>
> The Republican Policy Committee, the Republican Members of the Committee on Government Operations, and such groups as the American Newspaper Publishers Association, the professional journalism society Sigma Delta Chi, the National Editorial Association and the American Bar Association have long urged the enactment of this legislation. Due to the opposition of the Johnson-Humphrey Administration, however, this proposal has been bottled up in Committee for over a year. Certainly, information regarding the business of the government should be shared with the people. The screen of secrecy which now exists is a barrier to reporters as representatives of the public, to citizens in pursuit of information vital to their welfare, and to Members of Congress as they seek to carry out their constitutional functions.
>
> Under this legislation, if a request for information is denied, the aggrieved person has the right to file an action in a U.S. District Court, and such court may order the production of any agency records that are improperly withheld. So that the court may consider the propriety of withholding, rather than being restricted to judicial sanctioning of agency discretion, the proceedings are de novo. In the trial, the burden of proof is correctly placed upon the agency. A private citizen cannot be asked to prove that an agency has withheld information improperly for he does not know the basis for the agency action.
>
> Certainly, as the Committee report has stated: "No Government employee at any level believes that the 'public interest' would be served by disclosure of his failures or wrongdoings * * *." For example, the cost estimates submitted by contractors in connection with the multimillion-dollar deep sea "Mohole" project were withheld from the public even though it appeared that the firm which had won the lucrative contract had not submitted the lowest bid. Moreover, it was only as a result of searching inquiries by the press and Senator Kuchel (R., Calif.) that President Kennedy intervened to reverse the National Science Foundation's decision that it would not be "in the public interest'" to disclose these estimates.
>
> The requirements for disclosure in the present law are so hedged with restrictions that it has been cited as the statutory authority for 24 separate classifications devised by Federal agencies to keep administrative information from public view. Bureaucratic gobbledygook used to deny access to information has included such gems as: "Eyes Only," "Limited Official Use," "Confidential Treatment," and "Limitation on Availability of Equipment for Public Reference." This paper curtain must be pierced. This bill is an important first step.
>
> In this period of selective disclosures, managed news, half-truths, and admitted distortions, the need for this legislation is abundantly clear. High officials have warned that our Government is in grave danger of losing the public's confidence both at home and abroad. The credibility gap that has affected the Administration pronouncements on domestic affairs and Vietnam has spread to other parts of the world. The on-again, off-again, obviously less-than-truthful manner in which the reduction of American forces in Europe has been handled has made this country the subject of ridicule and jokes. "Would you believe?" has now become more than a clever saying. It is a legitimate inquiry.
>
> Americans have always taken great pride in their individual and national credibility. We have recognized that men and nations can be no better than their word. This legislation will help to blaze a trail of truthfulness and accurate disclosure in what has become a jungle of falsification, unjustified secrecy, and misstatement by statistic. The Republican Policy Committee urges the prompt enactment of S. 1160.

Mr. Speaker, certainly these are troubled times. And much of our present difficulty stems from the fact that the Johnson-Humphrey administration has entangled this Nation in a web of half-truths, distortions, and contradictions. The speakers that follow me will cite example after example wherein the administration's policy has appeared to be to confuse rather than enlighten, to hide rather than disclose. Hopefully, the freedom of information legislation will prove to be at least a start in the direction of truthfulness and full disclosure.

Mr. GERALD R. FORD. Mr. Speaker, half-joking remarks sometimes reveal hard truths.

At one of his rare White House press conferences last February, President Johnson was asked by a reporter "to clear up some confusion."

> I always want to do that—

Mr. Johnson interjected.

> The first 2 years I was here I did that every time I met with the press. They were always confused and I found out that after I was through explaining it, I was confused.

At the radio-TV correspondents' dinner early this year, the White House Press Secretary—senior grade—Bill Moyers, got laughs by quipping:

> The crisis of credibility has gotten so out of hand that we don't believe our own leaks.

And last weekend at a University of Wisconsin symposium, White House Press Secretary—junior grade—Bob Fleming said he is opposed to outright lies but argued that "hiding the full truth is sometimes in the interest of national policy." Newsweek's White House reporter, Charles Roberts, who has covered four Presidents, said:

> Mr. Johnson is the most frustrating President of modern times to get straight substantial answers from. He has lowered a curtain of ice between himself and the working press.

While I sympathize over Mr. Johnson's confusion, Mr. Moyer's incredulity and the White House press corps' icy curtain, this crisis of credibility is no longer funny. It is an international danger and a national disgrace.

U.N. Ambassador Arthur Goldberg, a former Supreme Court Justice and a lifelong lawyer, well knows that when you impeach the credibility of a witness, his case is lost. So it is not surprising that Ambassador Goldberg warned last December 19 on network television that:

> The credibility of our Government has been assailed. We have a great problem here maintaining our credibility with our own people.

Unfortunately, the Johnson-Humphrey administration has paid little heed to this sober warning. The crisis of credibility has grown steadily worse. The gap has become a canyon. Mismanagement in our national affairs is being alibied by even more shocking mismanagement of the facts. Hiding behind half-truths, statistical smokescreens, cries of "Baloney" and stubborn silence has become a habit in the highest levels of the executive branch. A pattern of indigent denial, grudging admission and hasty coverup is followed whenever criticism or questions arise.

I submit that the crisis of credibility which plagues the Johnson-Humphrey administration is due to an apparent fear of the facts and of taking the American people into its confidence. This bill is a step, but only a step, in the direction of free and full disclosure of the public business of government. Why is the White House so afraid of it?

Here I rely on the comprehensive annual report of the Freedom of Information Committee of Sigma Delta Chi, the national professional journalism society and one of the chief backers of this bill. It reported:

> The Johnson Administration blocked passage of a Federal public records bill in 1965, and seems to be opposed to any legislation in this field that will limit executive branch secrecy .... Administration representatives demanded that the language of the House bill be changed to give the President and the Cabinet officers legal authority to "executive privilege" when no such legal authority has existed. . . . (They) informed members of the Moss subcommittee that no public records bill could be passed and signed unless it included the changes President Johnson demanded.

I hope the Democratic majority in the House will bring this bill up promptly and pass it. It has already passed the Senate. I challenge President Johnson not to sign it.

This law will not solve the problem of deliberate deception by officials. This will remain the job of probing reporters and questioning Congressmen. Nor will it change the circumstances under which Assistant Secretary of Defense Arthur Sylvester asserted the Government's "right to lie to save itself" in dire emergency. It will, however, address itself to the continuous challenge which Mr. Sylvester spoke of in a less well-remembered portion of that same 1962 speech:

> When the Administration is on the defensive, under our political system I would always be suspicious of what it said.

The Johnson-Humphrey administration is today on the defensive on almost every foreign and domestic front. The crisis of public confidence extends into every American home, factory, farm, and office. Public misinformation is evident in official statements on the Vietnam war, the Pentagon's overall defense posture, foreign policy, inflation, taxation, the soaring cost of living, farm programs, employment, poverty, wages, and dozens of other instances. My colleagues will discuss only a few of them.

Mr. ARENDS. Mr. Speaker, on April 25, 1966, the Hébert subcommittee of the House Armed Services Committee issued a detailed report charging that Secretary of Defense McNamara had overruled his top military advisers on the role of future manned bombers for the Strategic Air Command. It alleged, and quoted testimony to show that McNamara had misled the subcommittee with regard to the views of the Air Force Secretary and the Joint Chiefs of Staff on this vital decision by frequent use of the word "we" and by other statements to the subcommittee. It branded some of the Pentagon testimony "a truly masterly demonstration of language to conceal fact and, possibly, thought."

Secretary McNamara immediately declared that the report, which was agreed to by all but one member of the bipartisan subcommittee, shockingly distorted the true picture. He summoned some of his subordinates to a news conference to lend credence to his denial.

Representative HÉBERT on May 12 declassified some of the secret testimony on his own authority and renewed his charge that McNamara sought to conceal the true views of his military advisers on the need for a $6 billion advanced manned bomber program. That afternoon the Defense Secretary retreated to the excuse that a badly drafted memorandum from his office caused the contradiction and explained at great length a new management system he had imposed upon the service chiefs. He conceded the record shows complete confusion.

Representative HÉBERT said he interpreted McNamara's backdown as evidence of "an open mind" on the future of manned bombers and excused McNamara's "earlier excesses of language." But, he added, "Let's not let past weaknesses of syntax further cloud the facts."

Mr. LAIRD. Mr. Speaker, Secretary McNamara's best known prediction on Vietnam was his statement of October 2, 1963, reporting his judgment that the major part of the U.S. military task can be completed by the end of 1965, although there may be a continuing requirement for a limited number of U.S. training personnel. This is not, however, his only contribution to the credibility gap.

On November 21, 1963, Secretary McNamara said:

> We are equally encouraged by the prospects for progress in the war against the Vietcong.

As he spoke the Vietcong were rapidly gobbling up great areas of South Vietnam. This he admitted two months later when he said:

> The Vietcong moved in . . . and had many successes during the period of November and December.

On January 27, 1964, he told the Nation that the successor to the Diem government "has considerably more popular support than its predecessor." Two days later that government was overthrown.

On April 24, 1964, Secretary McNamara expressed the expectation of "dramatic progress" in Vietnam by July or August, and on July 15, he reported an improvement in the morale of the Vietnamese. On August 7, however, General Khanh found it necessary to declare a state of emergency throughout Vietnam. Widespread student rioting followed, and Khanh was forced to resign on August 25.

On May 9, 1965, Secretary McNamara appraised the military situation in Vietnam by saying "in the last 8 weeks there has been an improvement." Yet, on October 13, 1965, he said that the Vietcong in May and June came close to cutting South Vietnam in half and destroying the regular South Vietnamese military forces.

> In that period of time (May–June, 1965)—

He declared, the Vietcong—

> substantially increased their control of the geography of the country.

On November 29, 1965, Secretary McNamara said "we have stopped losing the war." Yet, during the period when, according to the Secretary, we were losing the war, he made statements acclaiming "progress" and exuding optimism on no less than 14 separate occasions.

This list of inaccurate prophecies and faulty assessments is far from complete, but it is enough to show why the public is skeptical about administration statements on Vietnam.

Mr. GOODELL. Mr. Speaker, another blatant instance of public misinformation came to light concerning the functioning of a war on poverty program.

Appearing before the Poverty Subcommittee of the House Committee on Education and Labor on March 8, 1966, Director Sargent Shriver of the Office of Economic Opportunity testified that "Since last summer fewer than 50 ineligibles have been discovered in the Neighborhood Youth Corps."

The next day, I questioned Secretary of Labor W. Willard Wirtz on this point. The hearings read:

> Q. "The question is, how many have been dropped (from the Neighborhood Youth Corps) because of your insistence on the poverty standard?"
>
> A. "And the answer is 5,000, plus or minus, a fairly small plus or minus."

Mr. BOB WILSON. Mr. Speaker, while truth seems to be somewhat strained and often in the Johnson-Humphrey administration the worst examples of shocking misinformation are apt to occur in a political campaign season. Let us go back to the last off year congressional election—that of 1962.

At that time, Mr. McGeorge Bundy, Special Assistant to the President for National Security, stated on "Issues and Answers" on the ABC network on October 14, 1962—1 week before the Cuban missile crisis became public knowledge:

> I know there is no present evidence and I think there is no present likelihood that Cubans and the Cuban government and the Soviet Government would in combination attempt to install a major offensive capability. So far everything that has been delivered in Cuba falls within the categories of aid which the Soviet Union has provided, for example, to neutral states like Egypt or Indonesia.

Let us look now at the interim report of the Senate Preparedness Subcommittee, following the 1962 elections and the Cuban missile crisis, signed by four Democrats and three Republicans:

> After September some reports of missiles being introduced into Cuba were suggestive enough of strategic or offensive weapons to arouse the suspicion of intelligence analysts. This resulted in the conclusion apparently reached near the end of September, 1962, that there was a suspect medium range missile site in Pinar del Rio Province. As a result photographic coverage of the suspect area was proposed and on October 14 a Strategic Air Command U-2 reconnaissance aircraft overflew the area and emerged with hard photographic evidence of the San Cristobal medium range ballistic missile complex.

On the domestic side, the issue of employment is always paramount. Six days before the November 1962 election, Secretary of Labor W. Willard Wirtz announced that unemployment had reached a 3-year low in October and had declined by 2 million since the Kennedy administration took office.

After the election, Wirtz admitted to Chicago Daily News Reporter James McCartney that his announcement contained "invalid" comparisons because the statistics were not seasonally adjusted. It turned out, after the ballots were counted, that there always are more people employed in October than there are in January. The decrease was actually 784,000 instead of 2 million.

These, Mr. Speaker, are just two illustrations which point up the crisis of credibility we face.

Mr. CRAMER. Mr. Speaker, last week the Republican policy committee called attention to the serious credibility problem that surrounds the present Democratic administration. Time after time, the American public has been told less than the truth. It is unfortunate but true that much of the confusion over the Dominican crisis stems from the fact that there have been conflicts and contradictions in the administration's story. For example:

President Johnson stated May 1, 1965, following criticism of his failure to consult with the Organization of American States prior to ordering U.S. forces into the Dominican Republic:

> In this situation hesitation and vacillation could mean death for many of our people. I thought that we could not and *we did not hesitate*. Our forces, American forces, were ordered in *immediately* to protect American lives.
>
> There may be those in our own country who say that such action was good but we should have waited, or we should have delayed, or we should have consulted further, or we should have called a meeting. * * * The matter was before the OAS peace committee on Tuesday, at our suggestion. It was before the full Council on Wednesday, and when I made my announcement to the American people that evening, I announced then I was notifying the Council.

Six weeks later, following other criticism of his quick Dominican intervention, President Johnson told his June 17 news conference the decision to land U.S. troops "was a decision we considered from Saturday until Wednesday evening."

Question. Was it "immediately" or after 5 days' deliberation?

On April 28, 1965, President Johnson announced that he had ordered U.S. troops into the Dominican Republic "in order to give protection to hundreds of Americans who are still in the Dominican Republic and to escort them safely back to this country."

Two days later, on April 30, President Johnson began to shift his story. "There are significant signs that people trained outside the Dominican Republic are seeking to gain control over the rebel movement," he said.

On May 2, the President stated:

> The revolutionary movement took a tragic turn. Communist leaders, many of them trained in Cuba, seeing a chance to increase disorder, to gain a foothold, joined the revolution. They took increasing control.

After hearing secret testimony by administration officials before the Senate Foreign Relations Committee, Senator FULBRIGHT concluded:

> U.S. policy was marred by a *lack of candor and by misinformation.*
>
> It was officially asserted, for example, by the President in a press conference on June 17, . . . that "some 1500 innocent people were murdered and shot, and their heads cut off." There is no evidence to support this statement.

The Democratic Senator concluded:

> The United States did not intervene primarily to save American lives; it intervened to prevent what it conceived to be a Communist takeover.

Under the circumstances, it is becoming increasingly difficult for the American people to sort fact from fiction. A forthright statement is certainly needed. It may even be that now that the situation has become almost hopelessly tangled, the Democratic administration may have to resort to the truth. What a refreshing and needed change this would be.

Mr. POFF. Mr. Speaker, the crisis of confidence has spread to the economic sector. Anyone who has followed the stock averages over the past few weeks will recognize this.

Like most crises, this is the result of a long series of statements and actions that have had a cumulative effect on people's thinking. Space permits recital of only a few outstanding instances of deception and news management in the Johnson-Humphrey administration's policy on wage-price gidelines.

President Johnson, speaking to business leaders on April 28, 1964, described the wage-price guideposts as sensible and fair. He declared:

> They are in the public interest, and while I cannot—and will not—force anyone to follow them, I can call them to your attention and ask for your cooperation.

The pledge was quickly forgotten after the election when the White House bludgeoned selected industries into rescinding price increases by threatening to dump Government stockpiles on the market.

On October 29, 1965, three major aluminum producers—Olin Mathieson Chemical Corp., Reynolds Metals Co., and Kaiser Aluminum & Chemical Corp. announced a price rise of one-half cent a pound of for primary aluminum—an increase of 2 percent. The aluminum companies declared that the new ingot price would still be a full cent below that prevailing in 1961.

The next day the President was reported as "sputtering mad" and the Secretaries of Defense, Treasury, and Commerce held a conference to discuss the possibilities of disposing of surplus stock of aluminum.

The administration vigorously insisted that the sales from the Government aluminum stockpile were completely unrelated to its pressure to hold the line on aluminum prices.

On November 5, Alcoa, the largest producer in the Nation, joined the price increase. On the following day the Chairman of the Council of Economic Advisers denounced the price increase as inflationary. Secretary McNamara at the same time announced that the Government would sell 200,000 tons of aluminum from the Government stockpile.

On November 8, an Alcoa executive defended the price increase and said it would not be rescinded. The next day President Johnson announced that 100,000 tons of aluminum would be sold at once and an additional 200,000 tons would be sold at a later date.

On November 10, after a series of meetings between Alcoa's president and Secretary McNamara, Alcoa announced that it was rescinding its price increase.

When the aluminum companies agreed to refrain from increasing prices, the threatened sales from the stockpiles were withdrawn. This led the New York Times' James Reston to comment that "the number of people who believe in this extraordinary coincidence could be gathered together comfortably in any Washington telephone booth."

On the last day of 1965, the Bethlehem Steel Corp., the Nation's second largest steel producer, announced a price increase of $5 a ton on the price of structural steel. The reaction of the administration was swift. President Johnson declared the increase unwarranted and called attention to the sacrifices of our men in Vietnam. His chief economic adviser, Gardner Ackley, flatly declared the increase "inflationary." He, too, called attention to the men fighting in Vietnam. Two days later, unidentified administration officials indicated that the Government would use its buying power to prevent any increase in steel prices. When Bethlehem was joined by Inland Steel and Colorado Fuel & Iron in the price increase, the Department of Defense, the Department of Commerce, and the General Services Administration issued orders that all structural steel purchased by Federal Government contractors was to be bought at the lowest possible price.

United States Steel announced on January 5 that it would raise prices on structural steel by an average of $2.75 a ton, but it would reduce prices on cold rolled sheets on the west coast by $9 a ton. Later that same day, Bethlehem and Inland indicated they would fall in line with the new price levels.

As the administration told it, the whole settlement with United States Steel came as a sort of pleasant surprise to the President over the news tickers. Even after the settlement was reached, White House Press Secretary Moyers told reporters he did not know "with whom any of the steel company officials might have met." He said he did "know there were no meetings at the White House and no meetings involving White House officials."

James Reston reported in the New York Times that:

> What is generally believed is that the Administration put severe pressure on the steel companies not to go along with Bethlehem's $5-a-ton price increase; that at least one member of the Cabinet discussed what would be acceptable to the Administration, and that all this was done with the knowledge of the President. It is known that Roger Blough, the president of U.S. Steel, was (in Washington) talking to a member of the Cabinet—apparently Secretary of Defense McNamara.

Mr. SMITH of California. Mr. Speaker, in hearings on the 1964 cotton bill, the Department of Commerce asserted that it would result in substantial consumer savings. The House Agriculture Committee summed up the case in its report:

> Thus the savings to consumers at $500 million or more . . . would more than double the extra costs to the taxpayers in operating this new program.

However, in hearings May 26, 1965, Under Secretary of Agriculture Murphy testified that "price reductions for textiles to consumers are still around the corner."

They are still around the corner.

The producer has fared no better than the consumer of cotton, it seems.

Under Secretary Murphy foresaw "a substantial increase in the total net income of cotton producers" when promoting the bill in 1964. But last year the Republicans on the committee pointed out cotton growers have felt an 8-percent drop—some $238 million—in the farm value of cotton and cottonseed.

Secretary of Agriculture Freeman frequently states, as he did in Kansas City on April 13, 1965:

> It is both unfair and unsound to deny the farmer an opportunity to get a fair return in the marketplace as do other segments of our economy.

But the Johnson-Humphrey administration has used surplus sales to depress farm income just as it has dumped surpluses of metals to coerce the industrial segment of our economy.

One week before his Kansas City farm speech, Secretary Freeman testified to the House Agriculture Committee that his department deliberately forced down feed grain prices by Commodity Credit Corporation sales in the 1961–62 period. And only last March 10, on network television—Today Show—Ray Scherer asked Gardner Ackley, chief economic adviser to President Johnson, what the Government could do about rising food prices. Ackley answered:

> I've got a wife who goes to the grocery store, too, and reports this. I think everyone tends to exaggerate the extent of increase in food prices . . . . There aren't a great many things we can do but we're trying to do every one of them that is available. For example, I mentioned the fact that increase in supplies of pork depend on the difference between the price of hogs and the price of corn, and *we're trying to hold down the price of corn.* The government's acquired large stocks of corn in its past price support operation, and now we're releasing them into the market.

Mrs. BOLTON. Mr. Speaker, on May 7, 1965, President Johnson said:

> For months now we have waited for a sign, a signal, even a whisper, but our offer of unconditional discussions has fallen on unreceptive ears. Not a sound has been heard. Not a signal has been sighted.

Again on July 13, 1965, the President declared:

> I must say that candor compels me to tell you that there has not been the slightest indication that the other side is interested in negotiation or in unconditional discussions althougn the U.S. has made some dozen separate attempts to bring them about.

But on November 15, 1965, the respected reporter Eric Sevareid in a Look magazine article recalled an interview with the late Adlai Stevenson on August 12, 2 days before his death in London. Ambassador Stevenson told Sevareid, he said, that an offer from the Hanoi government to meet with U.S. representatives in Rangoon to discuss a means of ending the Vietnam war was relayed to him by U.N. Secretary General U Thant in late 1964, but that someone in Washington insisted it be postponed until after the 1964 presidential election. After the election, Sevareid wrote, Mr. Thant renewed the private peace feeler from Hanoi and this time it was Defense Secretary McNamara who reportedly vetoed it.

The State Department confirmed the Look report in substance, and so did U Thant. The only explanation for the flat conflict with President Johnson's earlier statements that not a sign, sound, signal, slightest indication, or "even a whisper" of such an event had reached the U.S. Government was that "we did not believe at any time" that North Vietnam was serious.

Would it not have been far better, had we been told the truth at the outset?

Mr. BOW. Mr. Speaker, perhaps the biggest and certainly most expensive example of the Johnson-Humphrey administration's penchant for misinformation is the President's 1967 budget. As ranking Republican on the House Appropriations Committee, I have described the 1967 budget as one based upon gimmickry and legerdemain.

In all my years here, I have never seen a budget based on more tenuous revenue assumptions nor on more iffy expenditure reductions. Without the gimmicks and legerdemain that run throughout the document, the President's budget would be unbalanced by several billion dollars more than the estimated deficit of $1.8 billion. To keep the deficit small, the administration has turned to revenue gimmicks which include: first, a one-shot $3.6 billion acceleration in personal and corporation income tax payments; second, a $1.2 billion restoration of expired excises on automobiles and telephone service; third, a $1.5 billion funny money profit which will come from minting coins with inexpensive metals; and fourth, a $100 million acceleration of OASDI taxpayments by the self-employed.

The iffy expenditure reductions, which are contingent upon approval by Congress of cutbacks in public-favored programs and enactment of legislation to implement abnormal reduction proposals, include: first, cutbacks in popular programs such as special milk, school lunch, impact school aid, land-grant college aid, and agricultural conservation and research; second, creation of revolving funds for the Rural Electrification Administration and the Department of the Interior; third, assessment of meat and poultry inspection fees and the imposition of other user charges; and fourth, the sale of $4.2 billion of Federal loan asset participation certificates.

Defense needs have been understated in the budget and supplemental requests for defense almost certainly will be forthcoming later in the year. By no stretch of the imagination can the administration expect that Congress will approve all of these proposals. The budget results for 1967 will differ materially from estimates in the January budget, and I think the administration knew they would when the budget was submitted to Congress.

Mr. LIPSCOMB. Mr. Speaker, we all recognize that sensitive military information must be kept top secret, secret, or confidential, and this means that there are legitimate areas where the American people's right to know must be outweighed by the potential value of the information to their enemies.

However, there have been far too many occasions when this classification process has been applied in a rather curious and, to me, illogical way. It is difficult to discern, sometimes, whether the Department of Defense is primarily interested in keeping information from the enemy or in keeping it from the American people.

For example in our hearings on the fiscal 1967 defense appropriations which were, of course, in executive session, I questioned Secretary McNamara about his decision to do away with the airborne alert of our Strategic Air Command bombers, which has been in operation for many years and unquestionably has enabled millions of Americans to sleep better at night. The figure which the Secretary had cut out of next year's budget submission for the airborne alert, and later discussion of it, were classified by the security people at the Pentagon.

It seemed to me that this was quite a step to take in secrecy, stopping the airborne alert which had been a major feature of our national defense posture almost from the outset of the nuclear age. They were just going to quietly drop it and the American people would never know the difference, presumably.

When I questioned Maj. Gen. Duward L. Crow, Comptroller of the Air Force, about this classification, he stated that maintenance of an airborne alert "is something that would be of value to the other side if they knew we were going off of an airborne alert. I assume through their intelligence channels they certainly know we have had one, but I would not want to give them the comfort to know we are coming off it." The following colloquy ensued:

> Mr. LIPSCOMB. If that is the case, why should it not be maintained? If it is going to give our enemy comfort by taking it off.
>
> General CROW. It would give him benefit to know what our posture is. I think that is the classification aspect of it.
>
> Mr. LIPSCOMB. We want to keep them thinking we have an airborne alert?
>
> General CROW. I would think in terms of their not knowing our posture, that would be of advantage to us; yes, sir.
>
> Mr. LIPSCOMB. It appears to me then if just the mere knowledge we do not have it would reduce our posture, it would be significant we keep the airborne alert.
>
> General CROW. As we pointed out this morning, we recommended we keep it. The decision to go off the airborne alert was not an Air Force decision.

When the transcript of the appropriations subcommittee hearings was "sanitized" by the Pentagon, Secretary McNamara's justification of his reasons for overruling the Air Force and deciding to drop the airborne alert were left in the public record. But all of my questions about the original classification of the subject, and the answers, were heavily censored. I protested and succeeded in having the entire exchange cleared for public information.

In fairness, I want to point out that General Crow was neither responsible for the decision to drop the airborne alert nor for the Pentagon's classification policies.

Another example of the Department of Defense's curious classification policy in respect to information given committees of the Congress recently was brought to light by a Democratic member of the House Armed Services Committee, according to United Press International.

UPI reported on May 5, 1966, that Representative OTIS PIKE, Democrat, of New York, had called a news conference to charge that the Department of Defense had "surreptitiously" reduced the total of Vietcong wounded claimed since 1961 in the Vietnam war. The enemy casualty claim was cut by about half, he asserted.

Representative PIKE said the figure of 365,000 wounded was replaced with one of 182,000 in figures given the House Armed Services Committee at a secret briefing. He said the lower figure was "slipped in" because, apparently, the old one was growing so large as to be unrealistic. The estimate of Vietcong dead, however, was left unchanged at about 100,000 for the 5-year period.

The Democratic Congressman said the Pentagon's only explanation was that it had devised a new system for estimating enemy casualties. He declared that the American people, armed with accurate facts, are capable of mature judgment. He said:

> I think infinitely more would be gained by a straightforward presentation of the facts. I do not believe that news of American defeats and American difficulties should be withheld from (the American people).

Mr. Speaker, I agree with my Democratic colleague.

Mr. HALL. Mr. Speaker, on the birthday anniversary of George Washington, the President who could not tell a lie, Representative MELVIN LAIRD, Republican of Wisconsin, put into the CONGRESSIONAL RECORD a detailed and highly disturbing report by the distinguished military analyst of the New York Times, Hanson W. Baldwin. Mr. Baldwin cited chapter and verse on alleged shortages in trained military manpower, equipment, clothing, ammunition, and ordnance items, and concluded that "all available U.S. forces are spread dangerously thin in Vietnam and elsewhere." He also noted:

> The commitment of more than 200,000 men to Vietnam, supported by strong air and naval forces, and the maintenance of two divisions in Korea, more than five in Europe and of smaller units elsewhere, including the Dominican Republic, have *reduced the forces in the United States to a training establishment*.
>
> A recently retired officer . . . said that "whatever the course of action (in Vietnam)—continued, escalated or modified downward—we are in *a situation of perilous insufficiency*" without much capability of "a graduated response to any serious challenge."
>
> Many of the officers in the services have long felt that many of Secretary McNamara's cost-effectiveness formulas were *too rigidly applied and did not allow a sufficient cushion of supplies and equipment for emergencies*. Some of the centralized control procedures instituted in the Defense Department have proved to be *too inflexible or too slow* in response to the needs of the services. For some years, *even before Vietnam* became acute, the services were tending to live off inventories, particularly in spare parts and ammunition, and full *replacements were not provided*.
>
> As the Vietnamese War became larger and larger, the services were required until last year (the year following the 1964 Presidential elections) to fit the extraordinary expenses of the war into their regular budgets. The war was unfunded until last spring.
>
> Thus the policy now in effect, of gradually building up the strength of the regular forces by increased draft calls and voluntary enlistments, has resulted in very considerable reduction in overall experiences levels and in constant squeezes, as one officer put it, in "robbing Peter to pay Paul."
>
> Shortages of winter and summer uniforms, overcoats, raincoats, fatigues, jungle boots, underwear, socks, and other items are widely reported * * * Some National Guard recruits have been temporarily drilling in civilian clothes * * * Many different items of ground, air and naval ordnance are in short supply * * * In Vietnam there has been no ammunition rationing as such, but many different items, including 5.56 millimeter ammunition for the M–16 rifle, 2.75-inch rockets, illuminating shells and 750-pound bombs have been issued on an "as available" basis, which means these items are not always available without limitation * * * Spare parts of every type of aircraft, helicopters, communication and electronic equipment, engineering equipment and motor transport are in short supply *everywhere* * * * Many other items that are in short supply include generators of all types, batteries, tires for jeeps, trucks and aircraft, engineering and material handling equipment such as fork lifts and, in Vietnam, barbed wire, sandbags and other field fortification material.
>
> The scarcities or actual or potential shortages in trained manpower and equipment have caused considerable concern to the services, not only because of the increasing requirements of Vietnam and continued commitments elsewhere in the world, but because of the restrictive effect of these factors upon U.S. capability to meet other emergencies that might arise.

Equally grave concern was felt by many knowledgeable Members of Congress. On March 11, 1966, three Republican members of the Defense Appropriations Subcommittee of the House—Representatives GLENARD P. LIPSCOMB, Republican, of California; MELVIN R. LAIRD, Republican, of Wisconsin; and WILLIAM E. MINSHALL, Republican, of Ohio, said in their additional views to the $13 billion supplemental Defense appropriation for fiscal 1966:

> The heavy drain of the war in Vietnam has brought on serious problems in personnel, equipment, repair parts and other materials. As a result, our capability to meet worldwide commitments other than Vietnam * * * has suffered.

The Republican Members pointed out that the same warning, expressed in the subcommittee's report on the regular 1966 defense appropriation bill nearly a year earlier, was not adequately observed by the Department of Defense. They also noted:

> Witnesses before this committee have, in effect, been directed to withhold their own views from the committee unless pressed, and if pressed, are directed in effect to argue against their own position if it is contrary to established Defense Department policy.
>
> The financing of the war by supplemental (appropriation requests) demonstrates a growing lack of planning which could, if not altered, produce *serious risks* for the future

> security of the United States and indeed of the free world.

A week earlier, Defense Secretary McNamara's famed icy calm evaporated into steam when questioned about these management deficiencies. He blew his top at a West German reporter, who inquired at a March 2 press conference whether U.S. forces in Europe were being weakened by the demands of the Vietnam war.

> I am sick and tired of hearing the implication that we've drawn down the readiness of forces in Europe.

McNamara shouted. Later he reportedly apologized to the foreign correspondent, but not to Clark Mollenhoff of the Cowles Publications, whom he had heatedly ordered to shut up or leave the room.

Yet, on April 7, it was officially announced that 15,000 highly trained Army combat and support troops would be pulled out of Europe by June 30. Later it was admitted this figure would be 30,000, but half would supposedly be replaced by the year's end. Hanson Baldwin wrote in the New York Times of April 8:

> U.S. forces in Europe are at a lower level of strength than at any time since before the Berlin crisis in 1961.

Later, the figure was put at 45,000.

Secretary McNamara's censors at the Pentagon had clamped a "secret" cover on the July 1965 report of the Senate Preparedness Subcommittee, which Senator Stennis subsequently revealed showed serious flaws in the combat readiness of four Army divisions in the United States, as well as units in Europe and the Far East.

The Stennis report had been "sanitized" by the regular Pentagon security officers, but Mr. McNamara refused to release even the cleared portions, Senator Stennis said. Perhaps this was because it flatly contradicted Secretary McNamara's testimony before the Senate Defense Appropriations Subcommittee on August 4, 1965, in which he stated that "all divisions are ready to go to combat."

Secretary McNamara was asked if the divisions "have all they need." His answer was "Yes, sir, without any qualification whatsoever."

Of this, Senator Stennis observed in a March 30 press statement:

> The investigation . . . showed that at the time (McNamara's) statement was made, one of the four U.S. divisions was at barely 55% authorized strength and another was barely more than 70% of authorized strength. I am certain that the Secretary had not been advised of the actual condition of these divisions when he made the statements quoted above.

But Secretary McNamara continues to give evasive answers, flat denials, and abusive accusations whenever questioned about his management of the Pentagon.

On March 29 he denied any shortages except in such "new weapons or new use for older weapons"—which covers a lot of weapons—as 750- and 500-pound bombs for B-52 aircraft.

At about the same time, March 31, Assistant Defense Secretary John McNaughton admitted in a letter to me that certain munitions were to be reacquired from West Germany. He said the recovery cost could not be given precisely, but that:

> Of course, we will pay no more for the material than was paid to us when it was sold.

Following a flood of published reports by reputable newsmen on the scene in Vietnam that air strikes had been sharply curtailed due to bomb shortages, the House minority leader, Mr. Ford, raised the question of Secretary McNamara's mismanagement again on April 14. The Defense Secretary called a quickie press conference that same afternoon and hotly denied any bomb shortages. Again, he fired off a mass of irrelevant—and previously classified—statistics in self-defense.

But, in response to probing questions Secretary McNamara was compelled to admit that the Air Force had bought back over 5,000 750-pound bombs sold 2 years ago as surplus to a West German fertilizer firm. Asked about cost, he said he "hoped" they had not cost more than they had sold for.

Pressed for hard figures, the Pentagon admitted they were sold for $1.70 apiece and repurchased for $21 apiece, about 15 times as much. Later Mr. McNamara tried to square this by saying they would cost several hundred dollars to buy new. Fine, but evidently there were no new bombs available.

And what about the Pentagon's assurance to me a fortnight earlier? I again revealed that Assistant Defense Secretary McNaughton had confirmed that other munitions were being reacquired from U.S. allies, including small arms ammunition, bombs, artillery shells, radios, and small arms.

Thereupon, Assistant Secretary of Defense Arthur Sylvester summoned the press and said such reports were "typical of the kind of charges Congressman Ford has been mouthing." He said there were no longer any plans to reacquire bombs, shells, and so forth, from other countries. Asked when this decision was made he offered "no comment." I suggest it was made about 10 seconds after the question was asked.

The very next day, a quiet Saturday in the Pentagon, an anonymous official spokesman confirmed that 18,000 bombs had been reacquired from about a half-dozen allies.

And on April 20, appearing before the Fulbright committee of the Senate, Secretary McNamara sought to suppress the bomb shortage scandal.

"All this baloney" about bomb shortages, he said when shown a New York Times dispatch from Saigon, "it's absurd. No nation has ever been so well prepared for military operations as this Nation is today."

Mr. RUMSFELD. Mr. Speaker, the Government Operations Committee on which I am privileged to serve, in its recent report on S. 1160, the so-called freedom of information bill, cites as a particularly flagrant example of improper withholding of public information by a Federal agency the initial award of a contract for Project Mohole, in these words:

> In 1962 the National Science Foundation decided it would not be "in the public interest" to disclose cost estimates submitted by unsuccessful contractors in connection with a multimillion-dollar deep sea study. It appeared that the firm which had won the lucrative contract had not submitted the lowest bid. It took White House intervention to reverse the agency's decision that it had authority for this secrecy.

This is correct as far as it goes. It must be recalled that in 1962 the White House was occupied by President John F. Kennedy and that Lyndon B. Johnson was Vice President. It should also be noted that the White House intervention reversed only the withholding of information ruling, not the contract award. Information on the competitive bids had already been pried out of the National Science Foundation by alert newspapermen and by Senator Kuchel, of California, Republican whip in the Senate.

Prompted by disclosures on March 18, 1962, that the bidding data had been refused by NSF to John Averill of the Los Angeles Times, Senator Kuchel requested the agency for this information. So did the House subcommittee chairman, Representative Moss.

Senator Kuchel received some data from NSF which he described as "inadequate and insufficient." He then asked Comptroller General Joseph Campbell to make an investigation of the award. Mr. Moss' request was twice rejected by NSF, and he then appealed to the White House.

Meanwhile, however, the Comptroller General submitted his report to Senator Kuchel, more than confirming the questions raised about the contract by John Averill's report in the Los Angeles Times. On June 20 Senator Kuchel made this GAO report public and charged in a Senate speech that "politically powerful" selfish interests apparently had prevailed in making the award to a firm whose estimate was almost half again higher than the lowest, and which was actually awarded the sum estimated by the highest of three bidders.

The GAO investigation showed: NSF awarded the Project Mohole preliminary contract, envisioning an ultimate cost of $43.6 million, to the huge engineering firm of Brown & Root of Houston, Tex. NSF had originally disclosed only a cost of "between $35 and $50 million."

Prior to the award, a panel of NSF experts had rated leading engineering firms capable of doing the job. Brown & Root had been ranked third among the prospects. First on the list was Global Marine Drilling Co. of Los Angeles, which pioneered the first ocean floor borings off the southern California coast. Its cost estimate—in combination with Shell Marine Co. and the Aerojet-General Corp.—was $23 million, about half the highest. Second choice of the panel and the highest bidder, at $44 billion, was a combine headed by the Socony Mobil Oil Co. Brown & Root estimated their cost at $35 million, the middle figure, but were nonetheless awarded $43.6 million.

Brown & Root, which only a few months earlier had won the NASA contract for moving the manned space center from Florida to Texas, was the subject of a profile in the magazine Business Week in May 1957. This article described the president of the firm, Herman Brown, as a close friend and associate of the then Senate majority leader, Lyndon B. Johnson. In 1962, Vice President Johnson was chairman of the National Space Council.

Although the facts of this curious contract award finally were disclosed through the persistence of the press and Members of Congress, the project continued. By 1966 the estimated costs had soared to about $110 million. The House Appropriations Committee on May 5 cut the $19.7 million requested for fiscal 1967 from President Johnson's budget. It noted that "the cost of the project has already greatly exceeded the original estimate and promises to go still further" and concluded, in view of the world situation, that Project Mohole should be terminated.

But President Johnson has not lost interest in the project. On May 18, 1966, the White House released a letter in which the President said:

> I urge that Congress appropriate the funds so that construction of this vital instrument (a deep sea drilling platform) can begin promptly. The Mohole Project will provide the answer to many basic questions about the earth's crust and the origin of ocean basins.

Mr. FINDLEY. Mr. Speaker, in December 1965 Secretary of State Rusk and Secretary of Defense McNamara assured the NATO Council in Paris there would be no redeployment of "major combat units" from West Germany to meet the needs of the Vietnam war.

The catch-phrase was clear. Minor units, support units, and individual specialists from combat units were not covered. In April 1966 McNamara disclosed that 15,000 would be withdrawn. When it was revealed that 30,000 would leave Germany, this was explained to mean "15,000 net." That is, there would be some 15,000 replacements by the end of the year. Later reports said 45,000 would be withdrawn.

The announcement of the 15,000-man withdrawal was made to the press by Secretary McNamara without the prior knowledge of our allies—or, unbelievably, of our State Department. Officials of West Germany first learned about it in the papers. Germany is especially sensitive about U.S. troops stationed there and the sudden announcement caused concern and resentment.

Secretary McNamara tried to explain that no combat units were really involved, but the withdrawal of 15,000 men in uniform was hard to explain away as a matter of no combat consequence. If they had no importance to our combat position, why were they there in the first place?

The withdrawal may have been fully justified, but the decision should not have been made without full consultation with our allies—and especially with West Germany.

Handled as it was, the troop withdrawal gave our allies added reason to believe McNamara runs NATO as a part of his own personal domain.

Mr. CHAMBERLAIN. Mr. Speaker, it was not until last April 28 that the Department of Defense admitted it had been doctoring the statistics it made public on the extent of free world shipping serving the North Vietnamese, thus helping the enemy with which the United States is engaged in deadly combat. It appeared that the Pentagon had been keeping two sets of books, one for public consumption and one "classified" containing the real figures.

Assistant Secretary of Defense Arthur Sylvester, had challenged the accuracy of my claim that the true number of free world ships visiting Haiphong and other North Vietnamese ports was more than double the number—119 ships—released by the Pentagon for calendar 1965.

After months of prodding, the Pentagon declassified the true figures but only for the last quarter of 1965 and the first quarter of 1966. It must be pointed out that in this period free world trade with North Vietnam, as a result of public and congressional protests in the United States, has begun to decline. However, even in this period of 6 months, 80 free world ships served North Vietnam instead of the 37 acknowledged publicly by the Pentagon—64 British, 7 Greek, 4 Cypriot, 3 Norwegian, 1 Italian, and 1 French in registry.

Our efforts to win the struggle in South Vietnam cannot be aided here at home by the official dispensing of misinformation which is designed not to protect our security but to cover up ineffective policies.

The number and nationality of Communist-bloc ships trading with North Vietnam is still withheld as secret by the administration. Since the Communists obviously know which of their vessels are visiting Haiphong and other harbors, no satisfactory explanation has been offered for keeping this information from the American people.

Mr. YOUNGER. Mr. Speaker, after a careful review of the record, I was forced to conclude that President Johnson was at best misleading the public on a most important issue at his press conference of April 27, 1965. Asked what he thought generally about the poll tax, the President replied:

> I have always opposed the poll tax. I am opposed to it now.

I found there were 16 rollcalls from 1942 to 1960, while Mr. Johnson was a Member of the House and Senate, on which he had an opportunity to vote directly or indirectly against the poll tax. He voted or was paired against repeal of the poll tax on every vote down to 1960, 14 out of the 16 rollcalls.

President Johnson hedged his position by claiming that prohibition of the poll tax by statute, rather than by constitutional amendment, would be unconstitutional. However, this was not the impression he sought to convey to the press and public by his flat statements in 1965 in the White House.

This is the kind of thing that weakens credibility, at the very hour the American people need to have confidence in their leader.

Mr. QUIE. Mr. Speaker, on May 23, 1965, President Johnson announced that some 25,000 summer job opportunities would be given by Federal departments and agencies to boys and girls, 16 through 21, and would be awarded on the basis of need for economic or educational advantages.

When it was reported that majority Members of Congress had been asked to submit names, and that some 3,380 jobs were filled on a political patronage basis, including close relatives of some high officials, the press sought to obtain lists of the youths employed. I asked the Post Office Department for the complete list of names, as did others among my colleagues.

Postmaster General Gronouski declined to release the names, citing for justification regulation 744.44 of the Post Office Department which states that names, salaries, and other data about postal employees should not be given to any individual, commercial firm, or other non-Federal agency. This would seem to be designed to prevent improper exploitation or solicitation and not to prevent proper public investigation.

Under constant pressure from the press and Congress, the full story was eventually published without contradiction by the administration. But this is a classic case of official coverup by an executive agency of the sort that widens the credibility gap.

Mr. GROSS. Mr. Speaker, the House Republican leadership is correct in charging that the crisis of credibility which troubles this Nation is due to the Johnson administration's apparent fear of taking the American people into its confidence. Here are just a few of the many confusing and contradictory reports which have been forthcoming from the White House.

On January 22, 1965, 2 days after L.B.J.'s inauguration, reporters asked the White House Press Secretary whether the President and Vice President HUMPHREY had entered into any disability agreement. Mr. Reedy replied:

> No, it has not been concluded as yet. We just haven't gotten to that yet.

On January 23, President Johnson went to Walter Reed hospital with a cold and a cough when reporters renewed the question. Mr. Reedy replied that they had reached a disability agreement "sometime before the inauguration."

On October 15, 1965, President Johnson told newsmen he would undergo surgery for removal of his gall bladder and added that "a thorough examination showed this to be the only trouble."

After the operation, it was learned that surgeons also had removed a kidney stone. The President's physician said Mr. Johnson still had another stone in his left kidney and had known about them "for some years."

On July 20, 1965, President Johnson announced the resignation of Associate Supreme Court Justice Goldberg and his appointment as U.S. Ambassador to the United Nations.

On July 27, 1965, President Johnson told reporters in his office that he had not begun to consider an appointment to replace Justice Goldberg.

On July 28, 1965, President Johnson announced at a press conference the appointment of Abe Fortas, his "first choice," as Goldberg's successor.

The White House reported, according to the Washington Post of December 3, 1965, that President Johnson had ordered the elimination of 25,000 Federal jobs by June 1966.

The fiscal 1967 budget submitted by President Johnson in January 1966, states—special analyses, page 27:

> It is estimated that by June 1966 permanent fulltime civilian employment in the Executive Branch will have *increased by 132,647*.

On March 10, 1966, NASA Director James Webb told the House Space and Astronautics Committee that the President's 1967 budget leaves no margin for setbacks or failures in the race for the moon; that "we are as much as 2 years behind the Soviet Union in certain aspects of space power" and the Russians may reach the moon before 1969, and that the 1967 budget will not close this gap.

On March 16, 1966, President Johnson announced:

> We haven't wiped out all the deficiencies in our program yet, but *we have caught up and we are pulling ahead*.
>
> We intend to land the first man on the surface of the moon and we intend to do this in the decade of the Sixties.

President Johnson's aversion to formal press conferences is understandable. Transcripts are made and kept for the record. For instance:

January 13, 1966, President Johnson at a press conference:

> I have never made any prediction on when Congress would adjourn . . . whether they will go in June or January, I don't know. And I have never done it. *I have never made any such prediction*. And I do get a little bit sensitive sometimes when I see presidential decisions and predictions being made, and recommendations being made, that I never heard of.

August 25, 1965, President Johnson at a press conference:

> But we look forward to the Congress being able to get out of here early next year—I would say certainly far ahead of the end of the fiscal year in June—so that the members could be at home and could report to the people.

Mr. Speaker, the list could go on and on. Is it any wonder that our people do not know what to believe?

GENERAL LEAVE TO EXTEND

Mr. HORTON. Mr. Speaker, I ask unanimous consent that all Members may revise and extend their remarks in connection with the special order today of Mr. RHODES of Arizona.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from New York?

There was no objection.

REPUBLICAN ATLANTIC STUDIES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. FINDLEY], is recognized for 30 minutes.

Mr. FINDLEY. Mr. Speaker, for the past several months the House Republican Committee on NATO and the Atlantic Community, of which I am chairman, has been conducting studies on the future of the Atlantic community.

Members of the committee are:

Representative E. ROSS ADAIR, of Indiana.

Representative CHARLES E. CHAMBERLAIN, of Michigan.

Representative DON CLAUSEN, of California.

Representative JAMES C. CLEVELAND, of New Hampshire.

Representative ROBERT F. ELLSWORTH, of Kansas.

Representative HASTINGS KEITH, of Massachusetts.

Representative JAMES D. MARTIN, of Alabama.

Representative ROGERS C. B. MORTON, of Maryland.

Representative ALEXANDER PIRNIE, of New York.

Representative ALBERT H. QUIE, of Minnesota.

Representative OGDEN R. REID, of New York.

Our committee has been gratified to receive the cooperation of these eminent scientists, scholars, and military experts in this program:

Prof. Maurice Allais, professor of economics at the Ecole Nationale Superieure des Mines and the Institute de Statistique de l'Universite de Paris; research director at the Centre National de la Recherche Scientifique.

Gen. Andre Beaufre, director of the French Institute of Strategic Studies, Paris, France.

Mr. Hendrik Brugmans, rector of the College of Europe, Bruges, Belgium.

The Honorable W. Randolph Burgess, a director of the Atlantic Treaty Association and the Atlantic Council of the United States; U.S. Permanent Representative to NATO, 1957–61.

Adm. Arleigh Burke, director, executive board, Center for Strategic Studies at Georgetown University; former U.S. Chief of Naval Operations, 1955–61.

Prof. Harold C. Deutsch, Department of History, University of Minnesota; radio and TV world news analyst; Fulbright research fellow and author.

Mr. Christopher Emmett, executive vice president, American Council on Germany.

Dr. Edgar Furniss, director of the Mershon Center for National Security Policy; lecturer for Army, Navy, Air and National War Colleges; author of "France, Troubled Ally" (1960).

Gen. Pierre M. Gallois, retired French military officer who was Chief of Strategic Studies on the staff of the Supreme Allied Commander Europe, when General Norstad held that post.

The Honorable Thomas S. Gates, chairman of the board, Morgan Guaranty Trust Co.; former U.S. Secretary of Defense.

Dr. Richard J. Goodman, economist with Great Plains Wheat, Inc.; agricultural international trade specialist; consultant to GATT on cereals.

Dr. William R. Kintner, deputy director, Foreign Policy Research Institute, University of Pennsylvania; author of many books relevant to the Atlantic community.

Dr. Hans Hohn, Foreign Policy Research Institute, University of Pennsylvania; visiting professor at numerous universities; author of numerous books dealing with history.

Prof. Ruth C. Lawson, chairman, Department of Political Science, Mount Holyoke College, contributor of articles and reviews to political and law journals.

Mr. Leslie Lipson, director of studies, the Atlantic Institute, Boulogne-sur-Seine, France; lecturer at the National War College.

Prof. Burton Marshall, research associate, Washington Center of Foreign Policy Research, and visiting professor, School of Advanced International Studies, Johns Hopkins University.

Prof. Eugene V. Rostow, dean, Law School, Yale University; adviser to the Department of State; author of books and articles on economics.

Vice Adm. Friedrich Ruge, lecturer at the University of Tubingen; former chief of the German Navy.

Sir John Slessor, marshal of the Royal Air Force; vice president of the Institute for Strategic Studies, London; former chief of the air staff; author of many books including "The Great Deterrent" (1957), and "What Price Coexistence?" (1962).

Dr. Robert Strausz-Hupe, founder and director, Foreign Policy Research Institute, University of Pennsylvania; member of Research Council of Atlantic Institute; author of many books including "Building the Atlantic Community."

Clarence K. Streit, president of Federal Union, Inc., and International Movement for Atlantic Union; editor of "Freedom & Union"; author of numerous books and articles on political union of the free nations.

Dr. Edward Teller, professor at large, University of California, Berkeley.

Dr. Ellsworth Tompkins, executive secretary of the National Association of Secondary School Principals; chairman, education branch of the Atlantic Treaty Association.

Dr. Harold C. Urey, University of California; Nobel Prize in chemistry, 1934; Davy Medal, Royal Society of London, 1940; and numerous other awards; author and contributor to scientific journals.

Ethelbert Warfield, lawyer, firm of Satterlee, Warfield & Stephens, New York City; member American, New York State, and Philadelphia Bar Associations.

Several have submitted essays on political, economic, and military problems, and selected Members of the House are preparing critical comment on these.

Today I wish to draw your attention to a statement prepared for our committee by a retired French general who was chief of strategic studies when General Lauris Norstad was Allied Commander, Europe, and is among Europe's most prominent military experts.

Here is General Gallois' statement:

STATEMENT OF GEN. PIERRE M. GALLOIS ON THE PROBLEMS OF THE ATLANTIC COMMUNITY

1—The origins and causes of the present problems raised by the Atlantic Alliance, and more specifically by NATO, must be found in the strategic revolution which took place, during the last 20 years and, also, in the political changes which have, during the same period, transformed the situation of the world. None of the many proposals which have been submitted to the Governments and to the public to adjust the present allied organization to the new order of things have taken into consideration the magnitude of the revolution both in strategic and political matters. No wonder if none was retained as a valid solution.

2—The strategic revolution is due to technical achievements made essentially by the United States:

—the advent of long-range ballistic missiles, capable to carry nuclear warheads, and making America as vulnerable as any other country of the ancient world to a nuclear attack

—the increase of the yield and consequently of the radius or power of destruction of the nuclear weapons. The first result of such an increase of destruction potential is to demonstrate that only a very few of these weapons could inflict unacceptable destruction upon any country, irrespective of location, size, population and industrial potential. To a certain extent, there is a sort of equalization in both vulnerability and means of aggression, because the majority of the nations are almost equally vulnerable and several nations are almost equally capable of delivery of the very few weapons necessary to inflict enormous damages.

—the development of low-yield atomic weapons has suppressed the solution of continuity which was existing for years between the highest TNT military explosive and the lowest (in yield) atomic explosive. This sort of continuity between the two gamuts of weapons—conventional and nuclear—has created the notion of "escalade": "Escalade" meant more security for Western Europe and Europeans for the Russians appeared to be deterred at a lower level of violence when, in the contrary, it meant more danger for America and American forces in Europe. The Kennedy Administration obviously feared the consequences of escalation in Europe and managed to reduce American commitments to the defense of that part of the World.

—the compactness of the nuclear explosive has made possible the development of invulnerable weapons (at least of decisive weapons which one cannot, for the time being, destroy simultaneously). As relatively few weapons might be sufficient to inflict non-acceptable damages upon a great country, neither America nor Russia would be certain to destroy enough enemy decisive weapons and be capable to absorb the remaining ones. Anti-forces strategy cannot be implemented and what is left is anti-city strategy. Consequently, the certainty of destroying the enemy but of also being destroyed to a sufficient degree to make the recourse to such an exchange of nuclear weapons a last spasm to defend what is absolutely vital or an act of complete absurdity. It is, in both camps, this invulnerability of some decisive weapons systems (such as "Polaris" submarines in the West) which has rendered precarious military alliances. If one enemy might believe that, being close to lose everything, an Atomic power might resort to the nuclear spasm, it is less credible that this Power would do the same, not for itself but for its Allies, inviting by retaliation its own destruction.

Oddly enough, these very decisive inventions in the field of strategy, and consequently international policy, have been made mostly by the United States. But it appears as if the U.S. Government refused to consider the political consequences of the technical achievements of its scientists and engineers, at least when discussing with allies about their fate in a world which, to a large extent, has been modeled by American technology, economy and policy.

3—the fast economic improvement of continental western Europe is one of the main changes which took place while the Atlantic Treaty was implemented. Economically, Europe is far from her position of 1949/50. Thanks to the Marshall Plan, recovery has been rapid and well directed. But since several years, it is not difficult to realize that America is much less interested than before to see this Europe making progress toward political unity. In spite of her intellectual, scientific and industrial potential, Europe has been denied the ability to develop her own modern means of defense.

The nations of Europe of the former Holy Roman-German Empire—fully integrated in the past—have more or less agreed to be permanently protected countries. However, France in the continent has returned to her traditional policy of opposing such an attitude. But all the attempts which have been made to exploit the new strategic situation as described previously and to propose her future as well as the future of European countries in the field of advanced science and technology and efficient economy have been severely criticized by U.S. Government or U.S. representatives. All the attempts which have been made to create new scientific and technical ties within European nations have been countered by American diplomacy. In the field of Defense (which is more or less a fifth or a fourth of the budget of main European nations) the Europeans have been told to provide foot soldiers and conventional weapons, the advanced armaments being furnished by the U.S.

U.S. politicians and press have made fun of French efforts to modernize her defense while other European nations were officially advised to concentrate on techniques, doctrine and military posture of the past. However, the future of Europe cannot be prepared with the abandonment of advanced techniques of self-defense, and independent economies, etc. . . . But still, today, it appears as if the nations of Europe, through the eyes of the U.S., were in the same state of chaos as 20 years ago. Many begin to think—and mainly in France—that America is now selling security and, in exchange for her atomic umbrella spread over European nations, seeking to maintain these nations in a state of good consumers of U.S. advanced technics, while they are denied the normal preparation of their future. This is not the case, but if NATO appeared to be the instrument of such a policy, it would not last long.

4. Instead of asking all NATO nations to risk nuclear death in case one of them is seriously threatened while expecting each to carry on alone the technological race at the same tempo as the two great Powers, NATO should be transformed into machinery capable of financing common research and development of the necessary weapons—these weapons being distributed to member nations. It is up to individual nations to decide what risks they are ready to take in case of threat directed against them. Hence enormous risks would not be shared while member nations would economically dispose of the best instruments for their security. If such a system cannot be worked out, then we must face the realities of the European situation. Within Western Europe, some nations are capable—in case of a vital threat directed against them—to deter the implementation of such a threat and some cannot. This difference in situations might lead to a difference of military status within an Alliance which would be otherwise maintained as before, for the common benefit of the people on both sides of the Atlantic.

Mr. FINDLEY. Mr. Speaker, our committee is indebted to the gentleman from California [Mr. LIPSCOMB] for making a study of General Gallois' statement. The gentleman is ranking Republican on the Defense Appropriations Subcommittee and eminently qualified in military affairs.

I now yield to Mr. LIPSCOMB.

Mr. LIPSCOMB. Mr. Speaker, the importance of Western Europe cannot be overemphasized when viewed in the context of today's world and the future of Western civilization.

When NATO was created 17 years ago, the primary problem was to prevent the expansion of communism into Western Europe. The aggressive designs of the Soviet Union have to date been blunted, and to that extent NATO has been successful. There are those who now see the Soviets as having lost their aggressiveness and feel NATO has, therefore, lost some if not all of its value. Nothing could be further from the truth. The total realities of today's world clearly show the need for a more dynamic NATO, as the threat is greater today than it was 17 years ago.

We recognize the totality of the threat to the West. Communism cannot be considered to have become compartmentalized. Such differences as do exist between Communist camps are potentially advantageous to the West, but only if the West exploits those differences, which to date it has not done.

The Communist threat in Asia through the North Vietnamese Communists must be viewed as an attack against the West. Both the Soviet Union and Communist China and various other Communist nations are providing direct assistance as well as mounting propaganda campaigns throughout the world.

The scope of the threat to the West includes:

First. The hot war and military realities—the actual and potential military capabilities of the Communist camps from so-called wars of liberation to total war.

Second. The cold war realities—the economic, diplomatic, and political aggressions by the Communists either overtly or covertly.

Third. The scientific and technological conflict realities—the massive effort by the advanced Communist states, particularly the Soviet Union, to achieve scientific and technological superiority over the West, primarily for the purpose of gaining greater freedom of action in the military and cold war spheres.

I believe General Gallois, in his statement, recognizes these elements and concludes there is need for greater military, technical, economic, and political sharing between the NATO countries. One may disagree with what form such mutual assistance may take, but there should be no doubt that greater cooperation in these areas would strengthen the West and make the goals of communism more difficult if not impossible to achieve.

In my view, however, the most critical item which runs through General Gallois' statement is not just a disagreement with our defense and foreign policies, but more basically a lack of trust in our leadership and intent. We, therefore, have a crisis in confidence which must be solved before any meaningful agreements can be reached in any mutual sphere of interest, particularly defense.

Relative to the problem of defense, the lack of trust or confidence is a reflection of the belief that the United States will not respond adequately to an attack by the Soviet Union upon any one or all of the NATO members. The problem, to paraphrase General Gallois, is that with the advent of nuclear power, coupled with the intercontinental ballistic missile, all of the NATO countries have become equally vulnerable, including the United States. Since the United States and the Soviets are capable of inflicting unacceptable destruction upon each other even after a first strike, it is questionable whether or not the United States would accept such a consequence over an attack upon one or more countries in NATO.

General Gallois recommends, therefore, that each country have its own capability to deter attack on the basis that it is up to the individual nations to decide what risks they are willing to take in case of a threat directed against them. A solution in this direction would require at least a sharing of knowledge, or weapons, or control, or some combination by the United States with its NATO allies.

General Gallois' position, I understand, is recognized by many as being militarily sound. Therefore, if it is not accepted in some form, we can expect to incur a military risk of some significant magnitude. On the other hand if it is largely accepted, it does create difficulties when political considerations are weighed in, such as heightening East-West tensions.

But if we continue as we are now without any meaningful solution, we can expect greater risks quite likely leading toward the total disintegration of NATO and the Atlantic community. If one believes, however, that NATO must be a viable, economic, political, and militarily cohesive force, then a solution must be found and the risk, whatever it may be, must be accepted.

Positive solutions which offer a minimum of risks can be found, but that requires leadership based upon trust in our allies and on an equal-partnership basis. Instead of building up confidence, we have created distrust. Instead of making our nuclear capability stand for strength, we have built up a fear complex, not upon the Soviets, but upon our allies and our own people.

NATO, as both the well and the bastion of Western civilization, must be protected and perpetuated. In recognition of the magnitude and scope of the threat today from communism, there must be a mutual agreement as coequal partners over the military arrangements necessary for NATO to protect itself. Further, economic policies must be established which will strengthen this community and permit it to withstand the economic thrusts being made upon it by the Communist nations of the world. Politically it must keep safe the heritage of freedom in a growing totalitarian world.

The freedom of the West was nourished upon the diversity of individuals and nations. Our strength, therefore, is in our differences, not in conformity or an amalgamation which destroys the very essence of Western freedom. Rather, the future of the West and the Atlantic Community depends upon adherence to the moral laws and common heritage upon which our principles of democracy, individual liberty, and the rule of law are based. These provide the foundation upon which mutual trust can be built. Based upon such trusts, no problems are insurmountable and no risks are too great to insure the future integrity and growth of Western civilization.

Mr. FINDLEY. I yield back the balance of my time.

NIGERIA AND RHODESIA DOUBLE STANDARD

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. Ashbrook] is recognized for 10 minutes.

Mr. ASHBROOK. Mr. Speaker, every day we see the foolhardy double standard which seems to apply to African nations. Only today, the Washington Post gave graphic illustration of this deliberate attempt to build up public ire against Rhodesia while at the same time viewing the development in other African nations with a different set of values. They continually tag Rhodesia with the "racist" label though this certainly is not justified. Every effort is made to paint the Ian Smith regime as one dedicated to tyranny and oppression. This is not true.

On the other hand, Nigeria is painted as a nation of emerging democratic institutions. An article with a byline credit to the Manchester Guardian appeared in the May 25 Washington Post with a five-column heading proclaiming "Nigeria Becomes Unitary State."

The word "unitary" could better be called "tyrannical" or "dictatorial." The article pointed out a very simple change which the bloody Nigerian Government was effecting. It states:

> Ironsi, the head of Nigeria's military government, also announced the prohibition of all political parties until January, 1969.

Now, if this were to be done in Rhodesia the Post's liberal sympathizers would be screaming bloody murder. The Ironsi regime swept into power with a murderous blood bath in which 23 of Nigeria's top officials were slaughtered. The same thing happened in Burundi and other African states. This is supposedly not the subject of criticism in the liberal press but Rhodesia, a peaceful nation, with good government is the target of a propaganda barrage.

The article is quite illuminating. It is a good example of the liberal double standard. If Rhodesia were doing any of these things the point of view would be quite different, Mr. Speaker. Let the Record show that they are not fooling everybody in this strange double standard.

The article is as follows:

[From the Washington Post, May 25, 1966]

Nigeria Becomes Unitary State

Lagos, May 24.—"Nigeria has ceased to be a Federation and has become a unitary state called the Republic of Nigeria," Maj. Gen. Johnson Aguiyi-Ironsi announced in a broadcast tonight.

Ironsi, the head of Nigeria's military government, also announced the prohibition of all political parties until January 1969, and the approval in outline of two new economic development plans—a 20-year "perspective" plan and a five-year "medium-term" plan. Nigeria's present six-year plan ends in 1968.

The end of Federation means that Nigeria's former regions are abolished and the country is to be grouped into provinces. Military governors now assigned to the regions will be assigned to groups of provinces and subject to the direction of a "national military government." As an "entirely transitional measure," these grouping will coincide with the former regions, Ironsi said.

Nigeria's civil service, previously divided into a Federal and four regional services, are now unified into a single service, but for the moment a provincial service commission remains in each group of provinces. In practice, the only immediate effect of the reform is likely to be that civil servants above a certain rank will be posted and promoted on a national instead of regional basis.

Ironsi said that the new measures were "without prejudice" to the committee studying a new constitution, but the abolition of the regions was explicitly reserved for that committee in April. The government was clearly under pressure from radical opinion, which had been restive at the apparent slowness of change.

The abolition of political parties also applied to party activities conducted through various tribal societies and organizations, but not to tribal associations for self-help, the education of young people and rural economic life that do not engage in political activity. But distinguishing what is political and what is not may be difficult.

The constitutional and political measures are apt to be more popular in the former eastern region than elsewhere in Nigeria, since the Ibo people of the East produce more excess civil servants and more people seeking employment away from home than any other group.

The new economic plans will assume that no more than 40 per cent of capital investment will come from foreign sources. This reflected the failure to realize the 50 per cent from foreign sources envisaged in the current plan.

The new plans will also include an iron and steel product that has long been under study and a new salt manufacturing industry.

HEREFORD, TEX., FEDERAL CREDIT UNION INCREASES SERVICES, BUT NOT ITS RATES

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Patman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. PATMAN. Mr. Speaker, 30 years ago, a group of foresighted citizens in Hereford, Tex., formed the Hereford, Tex., Federal Credit Union. Since the founding of this institution, its assets have grown to more than $3 million, and it is recognized as one of the leading credit unions in Texas.

During the 30-year period since the Hereford Credit Union was founded, prices generally have skyrocketed. However, the May issue of the Hereford Credit Union Newsletter reports that in this period of rising prices, the credit union's interest rate is still the same as it was in 1936, with two exceptions: Interest rates on home loans and higher education loans have been lowered. The credit union still continues to accept savings deposits in amounts as small as 25 cents and, since 1938, has paid a 4-percent dividend on savings.

The Hereford Credit Union is a forerunner in educational loans and, since 1936, has made hundreds of such loans. Recently, the credit union began awarding scholarships to students at Dimmitt High School and Hereford High School as further evidence of its continuing interest in education.

The Hereford Federal Credit Union supplies every service that a credit union may offer, including such extras as a free photocopying service of important documents of credit union members, for example, discharge papers, wills, contracts, and so forth.

Over 30 years ago, Mrs. Dyalthia Benson—a resident of Hereford and, incidentally, a very outstanding and public-spirited citizen—asked the local librarian to find out about credit unions, that she would like to know what a credit union was. The librarian, Miss Lillie Hosteteler, made inquiry, received all the necessary information for Mrs. Benson and delivered it to her. As a result this fine credit union at Hereford, Tex., was organized.

Mrs. Benson has been managing director ever since it was organized and she is entitled to a major share of the credit for the success of the credit union and, particularly, for the wonderful help that so many deserving people have received from it.

Mr. Speaker, the citizens of Hereford and Deaf Smith County, Tex., are indeed fortunate to be served by such an outstanding financial institution as the Hereford Federal Credit Union.

SUPERIOR SERVICE AWARD—TODD EDMONDS

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. PATMAN. Mr. Speaker, the Lone Star State of Texas is indeed proud of the outstanding Federal service record made by William C. Edmonds, of the Farmers Home Administration's Texas State Office who recently received the Department of Agriculture's Superior Service Award from Secretary Orville L. Freeman.

Only 83 USDA employees received this nationwide award during the May 17 presentation ceremonies at the Washington Monument grounds.

Mr. Edmonds—who is affectionately known as "Todd" to thousands of East Texans whom he has worked with and helped over the years—has served the agency as an area supervisor for the past 10 years and has been with this and predecessor agencies for over 30 years. Todd was given official recognition for:

> Conspicuous skill in developing and administering the Farmers Home Administration program to improve rural America and better the living conditions and efficiency of farmers and rural residents in northwest Texas.

This Superior Service Award winner was credited with helping improve rural northeast Texas along with bettering the living conditions and efficiency of family farmers and rural residents.

He worked diligently and enthusiastically, devoting his time, skills, training, and experience to improve the conditions of rural families.

Todd Edmonds has exemplified unusual leadership in developing and administering a program to assist small farmers who needed a bigger base to build on. He helped young farmers overcome tremendous barriers and enter the field of agriculture on a sound and secure basis.

Todd Edmonds also aided established farmers in making large-scale adjustments in order to keep pace with changing times and brought technical and financial assistance to farmers and ranchers facing crisis because of crippling blows struck by drought, water shortages, and other disasters.

This honor award winner's interest and leadership has resulted in improving rural living conditions and the efficiency of family farmers and rural residents. At work, at home, and in community contacts, Mr. Edmonds has lived and breathed Farmers Home Administration, its objectives and its programs, thereby contributing to the betterment of rural America.

Born at Lone Oak, Tex., he attended Metropolitan Business College, Dallas, and completed agricultural economics extension courses at Texas A. & M. College. He served in the Navy from 1917 to 1919. Todd Edmonds should also be recognized as a great humanitarian, sensitive to the needs of others and generous with his time and energy far beyond the official call of duty—a wonderful person who has made helping others the rule of his life.

SMALL DISTANT COUNTRIES NEED HELP AGAINST AGGRESSORS TOO

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. MONAGAN. Mr. Speaker, I should like to call to the attention of Members an editorial in this morning's Washington Post which effectively places in perspective the problems which we face in attempting to solve the difficulties in South Vietnam.

It emphasizes the point that simply because a country is small and distant and lacks a sophisticated social fabric should not deter us from helping it to resist aggression.

This course would doom all such countries to dismemberment.

I hope that you may find "Lessons of Adversity" as illuminating as I did.

[From the Washington Post, May 25, 1966]

LESSONS OF ADVERSITY

The crisis in South Vietnam is producing a great deal of reflection in this country, not only about the United States role there, but about the American role elsewhere in the world where like situations may arise. Painful as this reflection may be, it is necessary, useful and constructive as a means of developing policy in a democratically governed society. Instruction based on theoretical example is never as well remembered as that derived from actual experience. The experience we are living through now is a teacher we cannot despise.

The critics of American presence in South Vietnam make some accusations that are not easily answered. They say South Vietnam is a very small country, and this cannot be denied. They say it is a very weak country, and this can hardly be disputed. They say it is a very divided country, and no one can gainsay it while Buddhists are attacking the troops of their own government and those of its allies, while Catholics and Buddhists stage demonstrations and counterdemonstrations. They say that it never has had and does not now have familiarity with democratic institutions and this is true. They say that South Vietnam lies in an area of Chinese Communist influence and in close proximity to Communist power and this cannot be contradicted.

It is only at grave risk that a great power assists a small, weak and divided country to resist aggression. The lesson seems plain. Hereafter let United States assistance be reserved for victims of foreign aggression only when they are large, powerful, united, democratic and far away from any Communist power. Such assistance will not involve us in the great risks that are involved in helping the small, the weak, the divided and the vulnerable. The great and powerful nations we assist will make good use of our aid. They will not fritter it away. They will not waste their strength and ours in internal bickering and quarreling. Their efficient, peaceful and capable utilization of our aid will be a source of continual satisfaction and expanding power. Thus we shall make our large friends invulnerable, ourselves secure and obtain peace in our time. Once the world has grasped our policy, Communist nations will attack only small countries. Inasmuch as we will defend only large ones, there will be no more East-West conflict.

Of course, there will come a time when all the small, weak and divided countries have been reduced by aggression. But any war that follows that development is bound to be cozily close at hand. In order to fight it, we will not have to run the risks of transporting troops great distances. Our soldiers will not have to give battle in strange surroundings or in a disagreeable climate. They will not be exposed to the temptations of alien brothels but can revel in the luxury of homegrown sexual immorality.

Such are the lessons of adversity to be gained from the difficulties encountered in South Vietnam.

DICTATORIAL PUPIL ASSIGNMENT REGULATIONS

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. WHITENER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. WHITENER. Mr. Speaker, on May 17, 1966, I called to the attention of the House the fact that the parents of Negro students at Gastonia, N.C., were opposed to the dictatorial pupil assignment regulations issued recently by the U.S. Commissioner of Education.

Gastonia is my home city, and it has a splendid reputation for harmonious race relations. Negro parents at Pleasant Ridge School at Gastonia strongly oppose having their children assigned to other schools in the Gastonia area. In order to prevent the unwise and unwarranted pupil assignment regulations from becoming effective at Pleasant Ridge School the parents of the students plan to bring action in the courts.

The requirement that the Negro students at Pleasant Ridge School be forced to attend predominantly white schools not of their choice by Office of Education regulations, points up the dilemma facing school administrators, parents, and students throughout the country. The pupil assignment regulations of the Commissioner of Education must be rescinded or chaos will result in our public school system. I strongly recommend that the Congress, through the appropriate committees, investigate the matter.

As I know that my colleagues will find the article to be most interesting and informative, I request that a story appearing in the Gastonia, N.C., Gazette of May 24, 1966, describing the situation at Pleasant Ridge School, be inserted in the body of the RECORD.

HIRE ATTORNEY—NEGROES FIGHT STUDENT SHIFT

(By Ray Jimison)

The controversial Pleasant Ridge School problem—a situation where Negro students are fighting transfer to white schools—seems to be worsening.

Maynard Love, president of the Pleasant Ridge PTA and leader of the group of Negro parents objecting to sending their children to white schools, said a temporary delay has been encountered in filing suit against the city and county school boards.

But, a meeting between the Charlotte attorney, who will lodge the suit, and the parents is scheduled for next week.

Love refused to reveal the name of the attorney, saying only that "He is highly well known."

Neither is the threatened action a project of the PTA nor will it be associated with the NAACP. "I just happen to be president of the PTA and the parents are members of the PTA. But we're not doing this under the PTA," said Love.

He added that the NAACP will be bypassed. "We don't want to get involved with the NAACP," declared Love.

Money for the lawsuit, he added, will be put up by parents of the students involved.

The parents are objecting to the assignment of over 100 students now attending Pleasant Ridge, currently an all-Negro school, to three virtually all-white schools in the city.

Pleasant Ridge is a county school but is situated inside the city school district. This is the crux of the problem. Under federal guidelines, students of one school system cannot be sent to schools in another school system if the results tend to limit desegregation or maintain what is essentially a dual school structure.

The 100-plus students involved reside in the city school district but have been allowed to attend Pleasant Ridge, though it is a county school. Love said the line was changed, thus putting the houses on Miller St., in front of the school, in the city school district.

This means, he charges, that children living in the school door won't be allowed to attend Pleasant Ridge. Instead, they'll have to go across town to Abernathy, Arlington, and Wray schools. The latter two are junior highs.

By the same token, many Negro children as far away as South Gastonia will have to attend Pleasant Ridge, traveling miles to get to school.

The line, he said, was placed behind the houses on Miller St., separating the Negro homes and the plush homes of Wesley Park. He cited a ditch as the school line.

However, it has been learned that the line was never changed. The truth of the matter, according to school officials, is that Pleasant Ridge, a county school, was mistakenly built inside the city school district.

But, because of convenience, county officials have been allowing the city students to attend Pleasant Ridge.

But, Supt. Bill Brown of the city system says the federal guidelines now prohibit the city system from allowing students to attend schools in another system. That's why the students are being reassigned for next year to city schools.

Love contends that it is unfair to take children living in the door of one school and force them to attend other schools far away.

"We favor integration but we don't see why we have to go out of our way to make it balance," he said. He cited transportation problems as a factor, too.

He indicated the suit against the school boards would have already been filed except for the fact that the attorney retained by the parents has been tied up on another case.

But he's assured us he's finishing up and will be here next week to talk to us. Love said the suit will be filed within a matter of weeks.

He added, "We're staying away from the NAACP. We want to show we can do something without them." He charged that most Negro groups always run to the NAACP in such matters.

Just how many children are involved is not known exactly, but both Love and school officials say it is over 100.

If the suit is filed, as Love promises it will be, it could be an interesting test case of the federal guidelines and could, in the opinion of many people, disrupt orderly desegregation. It could also put the federal government in a bind since whites forced into Negro schools would have the same recourse if the suit is upheld.

Others call the attempt of the Negroes "inverse integration," pointing out that it's not so much an effort to keep Negroes in Negro schools but to get white students in previously all-Negro schools.

ALL THIS HAPPENED—THE STORY OF AMERICAN LABOR, PART VII

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. MULTER. Mr. Speaker, it is my pleasure to commend to the attention of our colleagues part VII of the continuing series on the history of the American labor movement appearing in the Seafarer's Log, a publication of the Seafarers International Union. Part VII appeared in the May 13, 1966 edition.

Previous installments have appeared in the RECORD as follows: Parts I and II, March 30, 1966, pages 7195 through 7198, part III, March 31, 1966, pages 7348 and 7349, part IV, May 4, 1966, pages 9860 and 9861, parts V and VI, May 18, 1966, pages 10958 through 10960.

The article follows:

ALL THIS HAPPENED—THE STORY OF AMERICAN LABOR

(Part 7 of a Seafarers Log feature)

The decade of the 1920's was a time of danger for the American labor movement. Employers emerged from World War I richer and more powerful than ever before and determined to weaken or destroy the unions. Times were good and the nation was soon committed totally to the "Roaring Twenties." Unions had experienced tremendous growth during the war years and showed increased militancy in the early post-war years. But under the rampant business expansion, speculation and high employment of the twenties labor militancy was tempered. Samuel Gompers died in 1924 and was replaced as AFL President by William Green. In the heady atmosphere of the Roaring Twenties employers returned successfully to their union busting tactics and open shop drives. Lethargy settled over American Labor. But not for long. In 1929 the Great Depression struck the nation.

The strong anti-union attitudes of American business were felt as soon as World War I ended. Propaganda began almost immediately for the so-called American Plan, which was a scheme for the open shop. Business raised tremendous war chests to push for open shop legislation. Many employers resorted to blacklisting, labor spies and strikebreakers to destroy the unions. At the same time their union-busting tactics began to lean heavily on Company Unions and Yellow Dog Contracts. It was early in this antilabor decade that the largest seamen's strike in American history up to that time took place.

In 1921 the International Seamen's Union went on strike against ship operators' attempts to cut wages by 25 percent, abolish the three-watch system and abolish overtime pay. Shipping was soon paralyzed from Maine to Texas and ships on the Pacific Coast found it difficult to recruit crews. However the shipowners received invaluable aid in breaking the strike from the U.S. Government Shipping Board, which declared that the lower rates would be put into effect aboard all Government owned or leased vessels. In addition, the shipowners got antistrike injunctions from several friendly judges, pickets were restrained, and police along the struck coasts cooperated by jailing striking seamen for vagrancy and other charges. The strike was broken. Blacklisting, discrimination and other traditional anti-union abuses again became the way of life in the shipping industry.

Blacklists against pro-union workers became standard throughout American industry. To gain employment workers more and more often were forced to sign Yellow Dog contracts stipulating that they would not join a union. Company Unions, which benefited nobody but the employer, became common. Workers everywhere lost the gains they had made during the war. American business was riding high, imposing its will everywhere. Then came Black Thursday, October 24, 1929, the day the Stock Market crashed and shook the whole economic structure of the nation. The United States was plunged into the worst economic depression the world had ever known. The theory that the nation's welfare could depend on business interests to run the country was destroyed.

By 1932, 14 million Americans were out of work. Factories across the nation closed their doors. Breadlines grew longer and longer. Banks foreclosed on mortgages and then closed themselves when the mortgages proved to be worthless. The Depression tightened its grip ever more firmly on the whole nation. The business-oriented Republican administration of Herbert Hoover was stunned and bewildered by the business collapse and the Government seemed incapable of taking action to alleviate the situation. All attempts to get business going again failed. The cries of starving unemployed workers and their families went largely unheeded and hunger walked the streets of the world's wealthiest nation. Stalked by hunger, the American people voted for a New Deal in 1932 and elected Franklin Delano Roosevelt President.

Where Hoover had offered aid to the business interests rather than the unemployed workers in the vain hope that money spent at the top would trickle down to the bottom somehow, Roosevelt recognized that the real suffering and greatest need was at the bottom of the economic ladder. To his reassuring words that "There is nothing to fear but fear itself," he added a more practical and important observation—"Our great primary task is to put people to work . . ."

To put people to work, Government agencies were set up. The Public Works Administration (PWA)—later the Works Projects Administration (WPA)—put people to work building bridges, highways, dams and public buildings. The Civilian Conservation Corps (CCC) put young people to work on forest conservation projects. Many more people were put to work by other means. The National Industrial Recovery Act (NRA) was established to stimulate business through fair competition, control of production and price regulation and bring about the downfall of the economy. As another way of regulating business the NRA established codes of minimum wages and hours and gave workers the right to organize and bargain collectively without employer interference.

The NRA provided organized labor with a substantial boost after its membership had been thinned drastically by unemployment and general hopelessness. Union militancy revived as workers sought to obtain protection and security through union recognition. But the employers, even in the midst of their greatest debacle, refused to change their ways or give an inch to labor. Business refused to adhere to the codes of the NRA, which had no effective means of enforcement, and the Act was eventually declared unconstitutional. Labor received other protections to replace it however. The Norris-LaGuardia Act had already been passed in 1932 placing strict controls on the use of court injunctions as strikebreaking devices—thus eliminating to a large degree one of management's most effective and most abused anti-labor weapons. To this was added in 1935 the National Labor Relations Act or Wagner Act, which guaranteed workers the right to organize, to select unions to represent them and to bargain collectively with their employers. Management was prevented from forcing workers to sign Yellow Dog contracts, threatening workers for joining a union, discriminating against union men, refusing to negotiate with a union, hiring labor spies or using blacklists to eliminate pro-union employees.

These guarantees of labor's rights spurred union organization. Though this was the law of the land, the employers bitterly resisted and made every effort to smash the labor movement.

Despite the nation's new public policy in which the rights of labor were clearly spelled out in law, employers generally displayed the same vicious anti-union attitudes they had in earlier years. Though they opposed union activity in virtually every form, the employers reacted most bitterly to the attempts of the trade union movement to organize workers in the unorganized industries.

They refused to reconcile themselves to the fact that the worker had a legal right to bargain collectively through a union of his choosing. The employers mustered every possible resource to prevent this from happening. Where company unions failed to do the job, they used more violent means by establishing company police forces and goon squads. And, when strikes erupted in many areas, the employers' strikebreakers were protected by National Guardsmen and deputized police. But labor militancy ran high and in spite of the employer-instigated violence, with its kidnappings, beatings and murders of workers across the nation, the trade union movement was on the march.

THE 25TH SESSION OF THE COUNCIL OF THE INTERGOVERNMENTAL COMMITTEE FOR EUROPEAN MIGRATION

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Rodino] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. RODINO. Mr. Speaker, I was privileged to be a congressional delegate to the 25th session of the Council of the Intergovernmental Committee for European Migration and it was a particular honor for me to read to the Council an address which our beloved dean of the House of Representatives, the gentleman from New York, Emanuel Celler, had planned to deliver. His sage advice was warmly received by the delegates from the 30 member nations of this organization. It is my pleasure to insert his speech in the Record.

Mr. Chairman, and Delegates to this Twenty-fifth Session of the Council of the Intergovernmental Committee for European Migration:

It is indeed my privilege to join with you in your discussion and deliberations on the recent activities of this humanitarian Committee and to contemplate activities for the forthcoming year. As I reflect upon the great assistance rendered by this Committee to people in need over the years, I must correlate these reflections with what my own Government has done in helping refugees and displaced persons since the close of the last great holocaust.

The United States is extremely proud of its history of assistance to refugees. In 1948, the 80th Congress passed the first Displaced Persons Act, which, with subsequent amendments, enabled some 341,000 displaced persons to enter the United States as permanent residents outside of the basic immigration laws then in existence. Then again, to assist in the completion of refugee movement, the United States Congress enacted the Refugee Relief Act of 1953. This legislation brought to our shores approximately 220,000 refugees. The majority of these refugees were assisted in the processing and subsequent transportation by ICEM.

In 1956, the United States approved the admission of 39,000 Hungarian Refugees and, again I might add, ICEM assisted in the processing and the transportation of these unfortunate, brave people. I also recall legislation for the Portuguese victims of the earthquake which took place in the Azores and the Dutch expelled from Indonesia. Then, of recent vintage, was the Fair Share Law, which enabled the United States to open our immigration gates to thousands of refugees who were left behind in Europe.

I do not fail to note the relief which the United States gave to the acute pressure problem in Hong Kong caused by the exodus of the many thousands of Chinese who sought the protection and freedom of the Crown Colony. By direction of our late President, 13,619 Chinese displaced persons entered the United States from Hong Kong.

In January 1959, the Government of Cuba was taken over by a revolutionary group, and for the first time in her history the United States became a country of first asylum for refugees. The United States responded to the exigencies of the situation in following the traditional pattern of offering asylum to all who seek refuge from tyranny and persecution. It has accepted over 300,000 Cuban nationals and has appropriated over $200,000,000 for assistance to the Cuban refugees.

I am privileged and honored to be Chairman of the Committee on the Judiciary, House of Representatives, a Committee composed entirely of lawyers. We, of the Committee and the Congress, are justly proud, in each of our discussions on proposed legislation, of the wisdom of our forefathers who endowed the United States with a Constitution intended to endure for ages to come with that flexibility which has permitted it to be adapted to the various crises of human affairs. Our Constitution is a "living law"—a guarantee to man that it will not become a "dead letter." Our Constitution is a law of the people and lives in the presence of today.

We have in the United States a body of men who interpret the laws, in the light of that great document, so as to insure that the welfare of man will be considered in the aura of the present day and not merely in the essence of what was said years ago.

With this fundamental principle in mind, I turn to you, members of this Council, who sit in judgment of the activities of ICEM. ICEM, too, has a constitution, a Constitution which, although somewhat precisely definite, in part, has been drafted in such a way that there may be an "extension of purpose". This body may be likened to the United States Supreme Court. When an interpretation of the ICEM purpose and function is required, you, the members of the Council, act as judge and arbitrator. You are empowered to turn your eyes to the areas of need. It is not necessary that this Organization exist under a law written under grossly different circumstances in a prescribed area in a past era—this Organization can place itself in the context of current situations. This Organization can look across the horizon and find vast or even small pockets of human misery and political strife—situations that cry out for the help and solution which this Organization is equipped to provide. This Organization is not a 30-member nation paper-producing mechanism, it is an Organization conceived and geared to deal with people, and to deal with people by best serving the national policies of each of the Member Governments.

The problems so long existent in Europe of under-employment and overpopulation and under-opportunity are no longer evident and may be, hopefully, recognized as problems of the past. I could submit that ICEM, by its contributions of excellence, has done well and is doing well in Europe. However, I am cognizant, as I am sure the Member Governments are aware, that there will for a long time be refugees who will need hope through assistance for a new life.

The inevitable results of chaos, whether it is caused by natural calamity or political upheaval, is the refugee.

The Council has, last year, wisely reviewed traditional definitions of refugees and with its adoption of a reclassification of categories of refugees, the Council has reinforced the foundation upon which there may be that "extension of scope" of the activities set forth in the ICEM Constitution. ICEM must adjust to the times and must recognize that changing circumstances demand changing reactions. After all, this is the scope of a Constitution—to establish purpose and to present guidelines to carry out that purpose. It must breathe vitality, and this the Council must generate.

I respectfully submit that this Council examine thoroughly the possibility of applying the ICEM Constitution in such a way that will permit the experienced and excellent knowledge of the ICEM staff to be put to use in refugee situations as they exist and as they may develop around the world.

The continuing presence of members of the Congress at your ICEM Council meetings and the leadership extended by the United States Government demonstrate that the President and the Congress wholly support this Organization.

We look to ICEM and its capability to continue its activities in Europe, to extend its endeavors to Latin American and elsewhere.

The service rendered south of our border is necessary and it is the imperative element of a welcome economic revolution in Latin America. Our intentions are no less important toward Latin America than they were a decade ago when Europe was in need. The United States came to the rescue of Europe, and now perhaps Europe can reciprocate by rendering a greater contribution to the Americas.

Mr. Chairman, in all humility, we look to this Council to maintain the vitality of this Organization, of recognizing the existence of tasks which must be attended to if the pledge of Brussels is to be fulfilled.

LEGAL AID IN THE WAR ON POVERTY

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Rodino] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. RODINO. Mr. Speaker, a very important weapon in the antipoverty war is the availability and application of legal services. In this connection, I would like to call attention to an article on the subject appearing in Brief Case, the publication of the National Legal Aid and Defender Association. The article features excerpts from a speech by the association's distinguished president, Mr. Theodore Voorhees:

> For the first time in history, a truly resourceful, imaginative, and novel approach has been developed to eradicate poverty and the indignity and inequality that are a part of it. Neither the hand-out, the leaf-raking, the condescending charity, nor the distribution of surplus food—in short, none of the quarter-way measures and temporizing of the past—form a part in this new program. It is built solidly around a single concept: the invasion of the pockets of poverty, the slums and the ghetto, and the enlistment of the poor themselves to fight their own battle to gain jobs, independence, education, and self-respect. If compassion for the plight of the poor does not move you to accept the program, you can still embrace it as an enormously important measure in the battle against crime, the geometrical progression of which is the great by-product of poverty. Crime, along with Communism, if unchecked, threatens ultimately to engulf us all.
>
> Now, the heart of the new program has to be the providing of legal services. Whether we are talking in terms of a man's right to an opportunity for employment, or to receive welfare that is legally due him in the absence of a job, or to live in an inhabitable dwelling under the minimum standards of the rent and housing laws, or to keep his child in a friendly or unfriendly school, or to escape vicitimization at the hands of the unscrupulous purveyor of consumer goods, the whole bundle of rights that the poor ought to share with the rest of us are utterly meaningless to them unless legal representation is provided to give these rights reality. *The anti-poverty drive to bring new opportunities of employment, health, and education into the immediate neighborhood of the poor will inevitably fall far short of its mark unless lawyers and the Legal Service Program are in the vanguard. They should spearhead the whole program.*
>
> Legal Aid and the legal profession have had an excuse in the past for our failure to do a broader and better job in providing services to the poor. We have not had the funds. Congress has now proffered the money that has been needed; but now that it is available, we are neglecting to step forward, and demand that the money be allocated to legal services in order to assure the War on Poverty have the minimum chance for success.
>
> I suggest to you that the profession must exercise a greater sense of responsibility. *What is developing in the War on Poverty must be made a matter of our deepest concern.* It is not enough for us merely to answer the critics of the program. The bar must watch the allocation of the funds and insist that they be expended wisely. We must see to it that all necessary steps be taken to insure the achievement of the widest measure of the program's success. *We would assuredly give it that backing if its beneficiaries were our own rich clients. It is unthinkable that we should do less, simply because the service is designed to help the poor.*

MEDICARE PATIENTS SHOULD BE ABLE TO COLLECT FOR TRANSPORTATION TO RECEIVE TREATMENT IN REHABILITATION CENTER

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Fraser] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. FRASER. Mr. Speaker, I am introducing a bill, H.R. 15275, to allow reimbursement of medicare patients for their transportation to a hospital or rehabilitation center to receive the care of a therapist.

All that is involved is striking from the medicare law a phrase stating that expenses can be paid "but not including transportation of the individual in connection with any such item or service."

I believe that the following letter from Dr. Frederick J. Kottke, head of the department of physical medicine and rehabilitation at the University of Minnesota Medical School, tells clearly the problem created by the present wording of the statute.

I am hopeful that we can take action on this question quickly and avoid a dissipation of the services of our therapists who are in such short supply.

The aforementioned letter and the text of the bill follow:

University of Minnesota Medical
School,
Minneapolis, Minn.,

Re transportation of patients under medicare.

Hon. Donald M. Fraser, M.C.
House Office Building,
Washington, D.C.

Dear Mr. Fraser: I am concerned that the provision under the new Medicare law to pay for the travel of therapists to extended care facilities or into the patient's homes will lead to such an inefficient utilization of professional medical personnel that, in effect, we will squander our health resources.

The Medicare Bill provides that under both Part A and Part B a patient may receive a variety of types of rehabilitation therapy either in a nursing home or at home. I am not particularly concerned at this time about the cost of this care at home but I am concerned about the fact that this program will dissipate the available time of therapists as they travel from one place to another to give therapy. What limited statistics are available indicate that a therapist who travels about to give care can provide only 25–30 per cent as much service as a therapist working in one place. This means that rehabilitation care for a given number of patients will require three or four times as many therapists under the "out-of-hospital" program as would be necessary if patients came to a therapy department.

At the present time there are approximately four times as many jobs available for physical therapists as there are therapists to fill the jobs. There are two to three times as many jobs available for occupational therapists as there are therapists to fill the job. There are five to six times as many jobs available for speech therapists as there are therapists to fill those jobs. The proposal therefore to establish a highly inefficient program at a time when we do not have enough rehabilitation personnel to take care of current demands is incomprenhensible to me.

The Expert Medical Committee of the American Rehabilitation Foundation has discussed this problem several times with a number of persons in the Public Health Service. Although it was acknowledged that the "out-of-hospital" program will be more inefficient of personnel than an in-hospital program, it has been defended on the basis that we must protect the utilization of hospital rooms and hospital beds. As a matter of fact, there is less critical demand for hospital beds than there is for therapeutic personnel. Moreover, if there were provision to transport the patient to the hospital for therapy rather than try to transport the therapist to the patient, this would not require more hospital beds, it would conserve the time of personnel, and it would be less expensive than the "out-of-hospital" system that is being proposed.

I am writing this letter as a desperation measure. Time is running out. We are already seeing a depletion of the therapists and in rehabilitation departments in hospitals such as our own. We have a table of organization for 22 physical therapists and have 14 at the present time. On the first of June we will have 8. Some of these therapists are leaving to accept more lucrative jobs in nursing homes which are tooling up to exploit Medicare. A nursing home in order to qualify for rehabilitation services must have a physical therapist. The increased charges which can be made by rehabilitation nursing homes are so much greater than those which can be made for a standard nursing home that the nursing homes are willing to pay an annual salary of $10,000 or more to a physical therapist merely to qualify.

Unfortunately that therapist in the nursing home will be in no position to provide the same kind of rehabilitation service to patients which can be provided in a rehabilitation center. There will not be the doctors available to supervise nor will there be the necessary equipment or complete organization to provide a comprehensive rehabilitation program. I foresee that unless arrangements can be made to transport patients from homes or nursing homes to comprehensive rehabilitation facilities where the care can be adequate and efficient, there will be such a depletion of personnel from the rehabilitation centers that they will be unable to function and the type of therapy given in the extended care facilities or at home will be totally inadequate to achieve rehabilitation.

For this reason it appears to me imperative that provision be made to transport patients to and from the medical centers for their therapy.

Sincerely,

FREDERICK J. KOTTKE, M.D.,
Professor and Head, Department of Physical Medicine and Rehabilitation.

H.R. 15275

A bill to amend title XVIII of the Social Security Act to permit payment thereunder, in the case of an individual otherwise eligible for home health services of the type which may be provided away from his home, for the costs of transportation to and from the place where such services are provided

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1861(m)(7) of the Social Security Act is amended by striking out the comma at the end of subparagraph (B) and inserting in lieu thereof a semicolon, and by striking out "but not including transportation of the individual in connection with any such item or service;".

FAIR LABOR STANDARDS AMENDMENTS OF 1966

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GILBERT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. GILBERT. Mr. Speaker, I support H.R. 13712, the Fair Labor Standards Amendments of 1966. I believe this legislation will help to meet the vital needs of our working poor. The workingman, the bulwark of our economy and our Nation's strength, must have an adequate living wage to meet present day increases in living costs and taxes of all levels of government. Early in this Congress, I introduced a bill proposing a $2 an hour minimum wage increase. I felt this should be the minimum if we are to establish the Great Society and win our war against poverty. So, while the bill before us does not, in my opinion, provide adequate minimum wage, and it still leaves many workers without Fair Labor Standards protection, it is constructive and an important step forward.

I commend Chairman DENT of the Labor Subcommittee and other members of the committee. Many months of intensive study and deliberation have gone into the bill before us. H.R. 13712 will increase the Federal minimum wage for those presently covered by the act, to $1.40 an hour in February 1967, and to $1.60 an hour in February 1968. The extension of coverage to 7.2 million additional workers—including 485,000 agricultural employees—will increase the purchasing power of those who need the increase the most. The bulk of the newly covered would be in retailing, hospitals, nursing homes, certain agriculture employees, construction, restaurants, hotels, motels, laundries, and certain Federal Government employees—those whose employer provides contract service for the United States and wage board and certain other employees.

Mr. Speaker, in 1938 we enacted the first minimum wage laws to enable workers to live at least at a "minimum standard of decency." Congress then declared it to be the policy of the Fair Labor Standards Act "to correct and as rapidly as practicable to eliminate labor conditions detrimental to the maintenance of the minimum standard of living necessary for health, efficiency, and general well-being of workers." Mass poverty at that time was greatly reduced by Federal minimum wage and hour protection. The three increases in our minimum wage since that time were justified and the proposed increases in today's bill and extended coverage are needed and are justified. Today, mass poverty stemming from substandard wages is one of our society's greatest problems, affecting every racial and ethnic group. In my own State of New York, our Negro and Spanish-speaking people constitute an increasingly large segment of the lowest income groups. A higher minimum wage and the protection of coverage for more workers is far more desirable to increase the level of living of the poor than increases in welfare payments and similar programs at the expense of the taxpayers.

Mr. Speaker, our affluent society cannot argue that it cannot afford to pay a living wage. In 1963, of 7.2 million families living below the poverty level, 2 million had heads of family who worked full time through the year; but at wages insufficient to raise their families above the poverty line. A head of a family would have to earn $1.55 an hour to reach the poverty index of $3,100, and $3.20 an hour to achieve a modest but adequate family income. As I have said, the increases proposed in this bill will not assure minimum level of living to the families of all covered workers, but at least it represents progress toward that objective.

Those who oppose a minimum wage increase will argue that industries covered by the minimum wage will find it difficult or impossible to adjust to wage increases. Surveys of the U.S. Department of Labor and various State agencies have shown this has not been the case after previous minimum wage increases.

Statistics show that minimum wage changes do not cause unemployment, and inflation has never resulted from increases in the past. The claim that the increases will prove inflationary because they increase the cost of production is not supported by experience following minimum wage increases in the past. The Department of Labor survey found no identifiable relationship between minimum wage changes and overall price levels. Studies of the last increase in minimum wage on low-wage industries concluded there was no discernible effect on their nationwide levels of employment. Aggregate employment in these industries has increased since 1961. Most firms can pay for the costs of the proposed amendments through increases in productivity. Some of the lowest wage industries have experienced above-average increases in productivity.

Mr. Speaker, the provisions of this bill will provide more purchasing power to workers, will benefit our economy, and will provide decent living standards more in keeping with today's living costs. It will be a step forward in our fight against poverty.

I rise in support of H.R. 13712, and urge my colleagues in the House to vote with me for passage of this bill.

LET'S PUT PRESSURE ON DE GAULLE

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. OTTINGER. Mr. Speaker, by now it is quite clear that our relations with France are at their lowest point in many years. France has announced that it is withdrawing French troops from NATO, and has asked American troops to leave French soil. France has refused to sign the Nuclear Test-Ban Treaty. She has actively opposed our efforts in Vietnam, and in fact has combined with Russia in the United Nations Security Council to veto the peace efforts made there earlier this year under the leadership of Ambassador Arthur Goldberg.

France has engaged in extensive trade with Communist China, but in Europe she has refused to permit Britain to enter the Common Market, thus rendering useless the major provisions of the trade act passed by Congress in 1962.

These anti-American actions cannot be blamed on the United States. We have tried to be friends with France. We have given her almost $10 billion in aid since

World War II, and offered our cooperation in economic and military matters. Nor do these actions represent, in my judgment, the feelings of the French people. They are solely and exclusively the policies of one man, Charles de Gaulle, with his archaic notions of grandeur and his concepts of ultranationalism.

We have been kind to De Gaulle, hoping that we could wait him out. But when, at 78, he ran for another 7-year term and won, and when he then intensified his anti-U.S. policies, it became obvious that our course of action could never succeed.

I therefore propose that we make it crystal clear to De Gaulle that we will henceforth deal with him at arm's length. We should:

First, stop furnishing France with nuclear materials and nuclear technology, as we have been doing.

Second, if he insists on American NATO troops leaving France, make him pay for the moving costs—$700 million—and for the real property—$2.5 billion—that must stay there. If he refuses to do so, we should recoup this sum, either by refusing to enforce France's claims against the American gold supply or by requiring France to resume payments on its long-standing war debts to us.

Third, strengthen our sanctions against France and all other countries trading in strategic goods with North Vietnam and Communist China.

But the most effective leverage we can apply to De Gaulle is economic. I therefore suggest that we encourage our Common Market allies to consider creating a new European economic alinement by amalgamating with Britain and the European Free Trade Union countries, thus isolating France economically. Just the threat of this new alinement should be effective.

France is our oldest ally. Our ties of friendship go back to our own Revolution. We all have the warmest friendship for the French people and the greatest respect for the contributions France has made to civilization.

But we, too, have national pride, and should not allow any nation to frustrate our attempts at world security the way France has recently.

THE NLRA AND ITS EFFECTIVENESS

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'Hara] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, yesterday our colleague, the distinguished and able gentleman from New Jersey [Mr. Thompson], discussed the operation of the National Labor Relations Act in an excellent speech before the wiring device section of the National Electrical Manufacturers Association.

As the chairman of the Special Subcommittee on Labor, a subcommittee on which I am privileged to serve, the gentleman from New Jersey [Mr. Thompson] is a leading authority on the Labor Act. His speech clearly sets forth some of the steps we should take to improve the act.

So that other Members of Congress will have the opportunity to read our colleague's recommendations, I include his speech as part of my remarks at this point in the Record:

Speech of Hon. Frank Thompson, Jr., Before the Wiring Device Section of the National Electrical Manufacturers Association

The introduction by your Chairman is very pleasant, but it reminds me of the story about the boy who came home from Sunday School and his grandmother asked him what he had learned. The lad replied that he had heard a great story, all about how Moses got his people out of slavery. Moses woke his people early in the morning, and before the Pharaoh knew it, they were across the Red Sea. Then the Pharaoh sent his armored columns and his tanks after Moses, but Moses called on his dive bombers, which hit the bridge when all the Egyptian troops were on it, and they were all drowned in the Red Sea. His grandmother said: "Sonny, they didn't teach you any such nonsense". The boy admitted that that was so, but said: "If I told you the truth, you wouldn't believe it".

I'm glad the Chairman did not tell the truth about me in his introduction, but I will try to tell you some truths, hard though they may be, about the National Labor Relations Act.

As you know, I Chair the Special Subcommittee on Labor in the House of Representatives. It is the job of this Subcommittee to "ride herd" on the National Labor Relations Act as it is administered by the National Labor Relations Board. This Committee assignment takes us right into the thick of all the current issues.

Two of the issues which my Subcommittee explored with many witnesses, and about which we proposed amendments, are Section 14(b) and the "Common Situs Picketing" amendment. Should Section 14(b) be repealed, and with it the 19 State "Right-To-Work" laws? Should we adopt a "common-situs picketing" bill and thereby permit a particular union—the carpenters, the electricians—to picket a non-union employer at the building site shared by the non-union subcontractor with other subcontractors, many of whom are union, and whose employees might be expected to honor the primary picket line?

These are controversial matters; but exciting, and very demanding. I am sure the glamor of these and similar assignments had nothing to do with the fact that Bob Griffin resigned from our Subcommittee to accept a Michigan seat in the Senate; that Carlton Sickles is resigning to seek the Governorship of Maryland; that Ralph Scott is resigning to seek some peace and quiet in his native North Carolina foothills.

These losses make a big gap in our Committee, but fortunately, we have plenty of bench strength: Jim O'Hara from Michigan, whose district runs from Detroit, through the northern suburbs. Hugh Carey, whose 13 children add to the beauty and density of his populous constituency in Brooklyn. James Scheuer, from the Bronx, who made a distinguished name for himself in urban redevelopment and the building of planned communities prior to his arrival in Congress. On the Republican side we have Glenn Andrews of Selma, Alabama; Edward Gurney from Florida; and Ogden Reid from Westchester County, New York—all with great ability.

Collectively, we have a diversity of backgrounds, experience, predilections, and what have you. We share, however, a common concern that the Labor Act work well, and work as Congress intended it to work.

With this background of our Subcommittee, I would like to share with you some of the areas of our concerns about the effectiveness of the National Labor Relations Act.

I. THE PROBLEM OF DELAY

A major weakness in the Labor Management Relations Act is the long delay in the NLRB proceedings in holding elections; and, more importantly, in the trial of unfair labor practice cases. If an employer discharges an employee for union reasons today, it makes little practical difference if he is ordered to reinstate the man two years from now.

A. In representation hearings

As you know, one of the major functions of the Labor Board is to conduct elections wherein the employees select, by secret ballot, the union of their choice, or no union at all.

Upon a petition showing that at least 30% of the employees want a union, the Labor Board will hold such an election. The Board must ascertain the "appropriate unit", those who are employed within this unit, and identify those who are ineligible to vote because they are supervisors, guards, professional employees, or otherwise ineligible.

In 1960 it took 110 days (almost 4 months) from the time the petition for an election was filed until the election was ordered. Today, it takes 45 days (about a month and a half).

This decrease in time was due to the 1959 Landrum-Griffin amendments wherein we in Congress authorized the Labor Board to delegate the routine work of conducting elections to the Regional Directors, reserving to itself the power to review important cases.

This delegation has worked well. About 90% of the election cases are decided on the scene by the local officials in about a month and a half. The remainder go to the Board in Washington on review. These are the novel cases, the rough cases, the cases where there is conflict; and there, the latest figures show, it takes an average of 131 days (over 4 months) from petition for election until decision that an election should be held. I don't know if we can hope for further improvement.

B. In unfair labor practice cases

The delay in processing unfair labor practice cases continues. Let me explain the process here and some of the delays.

1. *The charge and investigation.* An unfair labor practice case begins when a union, a company, or an individual walks into the Regional Office and *charges* that his rights under the Labor Act have been violated. The regional officials investigate the charge, interview witnesses, and decide to dismiss the charge or go forward. This process takes, on an average, 25 days. There is then a process of mediation, where the parties are informed of their rights. If there is no settlement, a "complaint" is filed. There is an average of 59 days (2 months) from the charge to the issuance of complaint.

2. *The complaint and hearing.* After the complaint is issued by the Regional Office, an independent trial examiner in Washington is assigned the case; and he sits like a trial judge hearing all the evidence. It takes approximately 66 days (2 months) from the issuance of the complaint to the close of the hearing.

Then, the trial examiner must write his findings of fact and conclusions of law. This takes, on the average, an additional 114 days (almost 4 months).

In short, the case is pending at the trial examiner level for almost six months. The delay at this stage is due almost entirely to the large volume of business handled by each trial examiner, and can be solved by hiring more trial examiners. This is being done.

3. *Appeal to the Labor Board.* Currently, every person who loses at the trial examiner level has a right to appeal to the Labor Board. There were 749 such appeals this last fiscal year—almost 2 a day. They pile up awaiting their turn for decision, and it takes on an average of 105 days (3½ months) from the time the appeal is filed until the Labor Board decides the case.

4. *Appeal to the Courts of Appeal.* The losing party then has a right to appeal his case to the United States Courts of Appeal for review; and this opportunity is availed of. Over 64% of the litigants before the Labor Board take this opportunity, and another year or so is added to the case.

In sum, it takes, on an average, some 12 months from the time the charge is filed in the Regional Office until it is decided by the Labor Board in Washington. Then there is up to another year while the case is pending in court on review.

As an Ad Hoc Subcommittee asked in 1961: "If an employer refuses to bargain collectively on June 1, 1961, how much good will be done by an order to bargain entered June 1, 1963"? By then the union will be dead and long gone, there will be no one to bargain with.

I might add that the normal unfair labor practices committed by unions do not go unremedied for this length of time. Section 10(1) of our Act requires the Regional officials to seek interim relief from the Federal courts whenever there is reason to believe that a union has violated the secondary boycott, the hot-cargo, or the recognitional-picketing provisions of our law.

What can be done about this delay?

Not much at the Regional Office level when two months go by while the case is investigated and the complaint is filed. We can prod the local officials, but there is a need for thoroughness in investigation and in the opportunity for conciliation.

At the trial examiner level—six months from complaint to decision—we can cut down the delay by hiring more trial examiners and spreading the case load and the work to more people.

At the Labor Board level, there are various proposals for cutting down the 3½ month delay. One proposal is more Labor Board members, operating in panels of three. Another proposal is that we create regional, intermediate Labor Boards, with appeal to the Washington Labor Board on a discretionary basis.

I favor a greater delegation of authority to the trial examiners. If similar delegation worked in representation cases, why not try it in unfair labor practice cases? At least for certain kinds.

A great bulk of the unfair labor practice cases concern violation of 8(a)(3), discharge because of union membership or activity. Most of these cases involve questions of fact—did the employer discharge the man because of union activity, as charged; or was it because of inefficiency as alleged by the employer? In this type of case, the Labor Board generally affirms the findings of the trial examiner; and does so unanimously. This is the situation in over 95% of these cases.

Why must these cases flood the Labor Board and clog the decisional processes? Judge Friendly, of the Court of Appeals for the 2nd Circuit, suggests that the trial examiner decision be made final. I almost agree; but I would give the Labor Board discretionary authority to review this type of case when there is a novel or otherwise unusual question involved.

In short, I think that we in Congress should amend the Act to permit the Labor Board to delegate greater authority to the trial examiners in these routine, factual cases which arise under this particular section of the law.

II. THE PROBLEM OF REMEDIES

Another problem we regard seriously is that of remedies. Here too, I would like to center upon the 8(a)(3) violations—the discharge of employees because of union membership or activity. These charges constitute 72% of all charges against employers; and they go to the very heart of the Act—the right guaranteed by Section 7 to "self-organization."

These discharges seldom occur in a unionized plant; and the normal or typical situation as we see it, is something like this—The union begins an organizing drive; and the employer decides to resist. He does this by discharging a handful of the known activists in the union organizing drive. This chills the enthusiasm of the others, and the organizing drive dies down. An unfair labor practice charge is filed; and ultimately, a year after the event (or two years if the employer seeks court review), the Labor Board orders the employer to reinstate the discharged employees with back pay—less what they earned while they were laid off.

Now, approximately a quarter of the employees whose reinstatement is ordered can't be found. They have moved elsewhere and have just dropped out of sight. Another quarter have been found, but don't want their old jobs back. They found other employment, and are happy. The other half goes back to work at the old job, with back pay, less what they earned elsewhere. Whatever the amounts the employer must pay, these amounts are tax deductible as a business expense. These reinstatement-with-back-pay awards have been characterized by union spokesmen as "nothing more than license fees for union-busting." I am afraid there is some truth in that. The employer rids his plant of a union, and stands to suffer very little loss.

I suggest we take the profit out of this violation of the Labor law. I suggest, specifically, that the employee discharged for union membership be given double, or treble, damages for his lost wages. He certainly needs it; for the costs in mental anxiety, in the loss of installment purchase items, in the costs of borrowing-to-tide-one-over exceed by far the amount lost in steady income.

I further suggest that this violation of the Labor law be made more expensive by hitting the violator where it hurts—in the pocketbook. Many of these repeated violators—and they can be identified—have contracts with the government. I suggest that the Walsh-Healey, the Davis-Bacon, and the Service Contracts Acts be amended to authorize the government purchasing agents to look with disfavor on any bidder who is certified by the Labor Board to be a repeated, a flagrant, a knowing violator of the Labor law. I would not penalize the employer who violates the law through ignorance, through mistake, through inadvertence. But the company that repeatedly flouts the Federal laws should not be rewarded with a Federal contract.

III. THE PROBLEM OF COVERAGE

You may gain the impression that the Labor Act is not working. It isn't in some individual instances; but it is in the main.

In the 1935 Wagner Act (reaffirmed by Taft-Hartley and Landrum-Griffin) Congress declared that it is the policy of the United States to encourage the practices and procedures of collective bargaining. This is the policy of most businessmen and of most unions. Strikes and lock-outs are mostly a thing of the past. Less than one half of one percent of lost man-hours are due to industrial disputes. Strikes still occur, but rarely.

All over the country local people are bargaining peacefully over local wages, hours, and conditions of employment, and finding local situations to meet the local needs. This is how it should be.

The Labor law works so well when given a chance, that I wonder if the National Labor Relations Act should not now be extended to three classes of employees who heretofore have been denied its benefits. I refer to hospital workers, to those employed by educational and charitable institutions, and to agricultural laborers. These three classes of employees are usually at the bottom of the economic ladder, and have no opportunity for arms-length meaningful bargaining with their employers on an individual basis.

A. Hospital employees

Hospital employees were covered by the 1935 Wagner Act, and the Labor Board conducted elections between the various unions interested in organizing and representing the nonprofessional employees.

The 1947 Taft-Hartley amendments excluded employees of charitable hospitals from the protection of the Act by defining employers so as not to include a corporation or association operating a hospital, if no part of the net earnings inures to the benefit of any private shareholder or individual. The Labor Board, by a policy ruling, extended this exemption to private profit-making hospitals, and refused a hospital's request that it conduct an election between two competing unions.

The reasons for the statutory exclusion of charitable hospitals, and the administrative exclusion of profit hospitals, are two-fold: that hospitals are not in "commerce"; and that hospitals carry out local functions and should be subject to the jurisdiction of local agencies. I believe Blue Cross and Medicare put the hospitals in "commerce"; and the local jurisdictions by and large show no concern over the labor-management relations in hospitals. There is a void, a vacuum, hospitals are not required to recognize and bargain with unions; so they don't. The consequence is that wages and employment conditions remain static. The professionals drift off to better paying jobs (witness the current situation in New York City); and the non-professionals remain on the job; but bitter, disillusioned, strike happy. It is time for some agency to move into this void and impose sensible proceedings for the resolution of disputes. We have several bills pending to restore NLRB jurisdiction, and will give them a close look.

B. Employees of charitable organizations

Employees of charitable organizations, other than non-profit hospitals, have never been excluded from the protection of the Labor Act by any express provision.

In 1947 the Hartley bill in the House contained a provision which would have expressly excluded employees of religious, charitable, scientific, educational and other like institutions. The Taft bill in the Senate contained no such exclusion. The Taft-Hartley compromise was the exclusion of nonprofit hospitals. The Conference Report explained the omission of other kinds of charitable institutions from this express exclusion on the theory that the Labor Board had never considered them within its jurisdiction except "in exceptional circumstances and in connection with purely commercial activities".

Taking cue from this Conference Report, the Labor Board had taken jurisdiction "when the particular activities involved have been commercial in the generally accepted sense"; when, for example, the activity is a commercial radio station owned by a university, or a publishing house owned by a religious corporation, or a training school doing work for the parent organization. On the other hand, the Labor Board will not take jurisdiction "where the activities concerned are intimately connected with the educational activities of the institution and are noncommercial in nature". Thus, the Labor Board dismissed the petition for an election filed by the clerical personnel employed by the various libraries at Columbia University.

This situation was brought to our attention recently by a spokesman for blind workers, employed at various "shelters" and "lighthouses" around the country. These "shelters" are non-profit, and provide job training, vocational guidance, and personal counselling. In the usual situation, 90% or so of the funds supporting these institutions come from the sale of commercial products produced by the handicapped workers. The other 10% comes from contributions.

In recent months, the handicapped workers have organized into unions, and have gone out on strike in various cities around the country: Dallas, Cleveland, St. Louis, San Diego, and Berkeley. In St. Louis, there was an eight-week strike against the Lighthouse for the Blind. In the Berkeley strike, the blind broom makers boarded buses and picketed the State House in Sacramento; complete with guide dogs. The demands are pretty uniform: recognition of their union, a set wage scale, seniority in layoff, a grievance procedure for the resolution of disputes.

The Labor Board has so far refused to accept jurisdiction over these disputes. In a three to two opinion, the Labor Board recently ruled that the activities of the Sheltered Workshops of San Diego partake more of the character of rehabilitation and training rather than activities "commercial in the generally accepted sense". The two dissenters rejected the concept that a non-profit organization (existing on commercial profits) "owes its employees less than other employers do".

I myself feel that the Labor Board is letting the tail wag the dog here. The handicapped do receive job training and personal counselling; but they also produce the goods sold on a commercial basis, which makes the whole venture possible. These workshops live on the proceeds of the work products, expect the handicapped to work, regulate their hours of work, pay them at rates which take into account differences in proficiency and productivity, dock them for time lost from work, and lay them off when work is slack. The employee/trainees have grievances, why not regularize their adjustment?

C. Agricultural employees

A third category of "excluded" employees are those who work on the farms. The 1935 Wagner Act excluded them, on the theory that the Constitutional power of the Commerce Clause did not extend to agriculture. Indeed, it was argued at that time that the Commerce Clause did not extend to local manufacturing. Since the 1935 Wagner Act, the Supreme Court in a number of related situations has upheld the Congressional power—under the Commerce Clause—to regulate farm activities. Thus, there is no longer any constitutional impediment to extending the coverage of the Labor Act to farm workers.

It is also suggested that the Labor Act has no place in the intimate relationships between the farmer and his hired hand. I agree; but I am speaking of the large corporate farm where a hundred or more employees are hired on a regularized basis to drive the tractors, repair the equipment, prune the trees, and so on. The situation, in short, is like that at Delano where two or three thousand regularly employed workers recently completed a long and bitter strike against the large grape orchards.

It is the purpose of Federal labor laws to encourage collective bargaining. The theory behind these laws is that peaceful settlements among the parties working by themselves under the aegis of Federal law will be substituted for the old-time labor feuds—too frequently accompanied by bitter strife and wasteful, dangerous conflicts verging on private war. These hopes have been largely realized in most segments of our economy. I hope someday to extend the Labor law, with the same beneficent results, where it does not now reach.

CONCLUSION

I have enjoyed the opportunity to come here and share with you some of the problems, and some of the thinking, of the Special Subcommittee on Labor.

We had hoped to look into these matters in some depth this current session of Congress. But, while you may be disbelieving, we could not get a budget approved by the appropriate committee. So, I take this opportunity to give you some of our tentative thinking: I am the witness presenting ideas, you gentlemen can help us by giving a reaction.

EXEMPTION FOR MENTALLY RETARDED DEPENDENT

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. GILLIGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. GILLIGAN. Mr. Speaker, today I have introduced a bill that will provide some Federal income tax relief to taxpayers who support a mentally retarded dependent. My bill will allow the taxpayer to take an additional $600 personal exemption for a mentally retarded dependent. Thus, under my bill the taxpayer will be allowed total personal exemptions of $1,200 instead of the $600 currently allowed for a dependent.

Most of us are keenly aware of the plight of a person who must care for a mentally retarded individual. Many of us have had some acquaintance with the mentally retarded, either by knowing such a person or learning about them through some information medium such as television. Everyone who has seen such a person is well aware of the heartbreak and anxieties experienced by a parent who must care for such a dependent.

Broader aspects of the problems dealing with the mentally retarded are provided in various excellent studies. These reports provide both startling facts and sad descriptions of the condition of many of the retarded. At the same time, however, they offer much encouragement as to what can be accomplished for the retarded.

The national concern for the retarded has been clearly demonstrated in these reports. The concern has also been manifested recently by the late President Kennedy and by President Johnson. In 1961 President Kennedy appointed a group to study the problems of mental retardation. The results of the study were reported a year later. In 1964 President Johnson illustrated the scope of the problem when he stated:

> Mental retardation afflicts nearly 6 million Americans. It affects 10 times more persons than diabetes; 20 times more than tuberculosis; 600 times more than polio. A retarded child is born every five minutes, 126,000 a year.

It has become increasingly evident that in order to reduce the growing problem of mental retardation, we must attack the problem on many fronts. We must learn more about the causes for the condition. We must learn more about preventing it. We must provide adequate facilities and skilled personnel to care for the mentally retarded and to train those who are trainable. In addition, we need to extend some form of tax relief to the taxpayer now burdened with providing care and training for a mentally retarded person.

Current law already recognizes the need for tax relief for certain special groups. For example, an additional personal exemption is allowed the aged and blind. This is recognized as a socially desirable tax benefit. Similarly, my bill is a worthy relief measure that will cost the average taxpayer very little. The revenue cost will be considerably below the loss resulting from some tax relief measures that are currently extended to certain types of businesses or certain types of transactions. And compared to total revenues of the Government, the cost would be almost insignificant. Thus, my proposal to permit an additional personal exemption on behalf of a mentally retarded dependent would fall well within the bounds of fiscal responsibility.

My proposal is equitable. In fact equity demands enactment of it. Many of the mentally retarded will never be able to earn a livelihood. This means a lifetime dependence on others. With living costs as high as they are, this creates a continuing hardship on the persons providing their support. Moreover, with the increase in knowledge of drugs and medicines to prolong the lifespan of individuals, we can expect the years of dependence of the mentally retarded to increase.

Some of the mentally retarded are capable of being trained, and become qualified to enter the labor market. However, they usually never progress beyond one of the lower paying positions. This is to be expected, because of the restriction that their intellectual capacity places on them. It was determined, for example, that in 1964 most of the retardants employed by the Federal Government were earning an average of about $3,150.

Tax relief such as proposed in my bill will help toward rehabilitating mentally retarded individuals. At the present time there are parents who cannot afford the therapeutic care and training their mentally retarded children need. The tax savings will help some of these parents to afford at least a limited rehabilitating program for the child. The funds could be used to hire professional help in the home or to provide some type of institutional training or care. For the parents who now are providing their children some help, the tax saving could be used to expand or improve the treatment and care. Thus, under my tax relief proposal many retarded children will receive help they would not otherwise receive.

In conclusion, I would like to say that my bill to allow a taxpayer an additional personal exemption of $600 for a mentally retarded dependent should be enacted without delay. It will provide at least some additional funds which can be used to further the rehabilitation of the mentally retarded. Yet it will not impose a burden on our fiscal structure. And I am certain that the long-run social gain from such a program will be immeasurable.

TRICONTINENTAL CONFERENCE AND THE MONROE DOCTRINE—SEQUEL

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. FLOOD. Mr. Speaker, in a statement to the House on April 20, 1966, I quoted a thoughtful article summarizing the proceedings at Havana in Soviet Cuba during January 3–15, 1966, of what is popularly known as the "Tricontinental Conference" and the text of House Resolution 560 adopted by the House on September 20, 1965, to reaffirm and extend the Monroe Doctrine to include subversion or threat of subversion.

In my April 20 statement, I warned that one of the main purposes of the Tricontinental Conference was to accelerate the pace of terror and subversion in Latin America. Though only 5 months have passed, this prediction has already proved accurate with intensification of revolutionary operations of Cuban-trained activists in central Andean and various Caribbean countries. In addition to training cadres for infiltration in the Western Hemisphere, Cubans are now being used for training Congolese recruits in guerrilla warfare at bases in the Congo for action primarily against African countries.

In order that the Congress and all agencies of our Government concerned with the problems of Cuba may have the recent information, I quote the following article on the progress of Cuban-based subversion and the possession of missiles by Cuba for possible use against the United States.

[Latin America Report, Washington, D.C., May 2, 1966]

TRI-CONTINENTAL ORGANIZATION MOVES AHEAD WITH SUBVERSION

The Russian presence in Cuba has two basic purposes. One is amply evident in the resolutions which came out of the Tri-Continental Conference. From January 3 to January 15, Havana hosted some 600 Communist delegates from eighty-two countries. The purpose of the meeting was to expand world-wide subversion against the United States and to create sophisticated machinery for doing so. (See "The Havana Conference," LAR, Vol. 4, No. 7, April 4, 1966.)

The second, and corollary, purpose of the Russians is to protect their Cuban base of subversion. Cuba has become Russia's offshore missile base, with the aim of bringing the United States under nuclear threat and thus discourage direct action against Russia's base in the hemisphere.

Both purposes appear in large part to have been realized.

Virtually unnoticed by an American public whose attention is riveted on the war in Vietnam, world Communism is advancing from its Cuban pace at a rate considered impossible just a few years ago. Its gains are in sharp contrast to the glacier-like pace of the United States in dealing with the threat posed by those gains.

Pursuant to a secret agreement made in Havana last December and ratified at the Tri-Continental Conference in January, 700 Cuban soldiers were dispatched to the Congo—Brazzaville. Confidential documents reaching Latin America Report from impeccable sources include a run-down on the Congolese camps where the Cubans are located, and the directives under which the Cubans operate.

The 700 Cubans are located in the following camps:

Kilometer 17 Camp on the Pointe-Noire road south of Brazzaville—200 Cubans.

The balance are assigned in various numbers to:

Makala, a former execution center;

Madibou, formerly owned by Abee Fulbert Youlou;

Near the Maya-Maya air base;

Fouati, about six miles from the border of the two Congos.

The principal task of the Cubans is to train Congolese recruits in guerrilla warfare and terrorist tactics. The ratio of Cuban cadres to recruits is established at two Cubans to each fifty Congolese. This would bring Congolese terrorist forces (many of whom are still being recruited) to roughly 27,500.

As noted in earlier LAR reports, neighboring Tanzania has been a base for training and slipping Congolese terrorists back into their homeland. Now, beefed-up Cuban cadres which have been operating in the Congo for some years, are establishing training bases on Congolese soil. The immediate advantage is that recruitment, which has lagged far behind the Communist schedule, can now be effected through coercion and terror *a la* Vietcong, and training can be carried out on the spot. It also eliminates the danger of apprehension when foreign-trained subversives are slipped across international borders.

An interesting side note to this most recent information is that the Cubans in the Congo reportedly are operating under the control of Red Chinese guerrilla experts. It is recalled that, at the time of the outburst of fighting along the borders of the two Congos in September of 1965, the Red Chinese were found to be fighting with, and directing, their Cuban allies.

The Tri-Continental organization is also doing well in Latin America, according to reports from that continent. Peruvian police arrested Ricardo Gadea Acosta, and found that he had recently received $12,000 from the Communist network operating in Chile. Castro's official newspaper, *Granma,* earlier identified Gadea, a Peruvian, as "Commander of the southern guerrilla front of Peru." It also said that Gadea was Treasurer General of a group of guerrillas identified in *Granma* as Tupac Amaru.

The Peruvian police were able to elaborate on Gadea's antecedents and the scope of his mission. Official accounts from Lima identified him as the brother of Hilda Gadea, Peruvian former wife of Major Ernesto "Che" Guevara, Castro's chief lieutenant until he disappeared from sight one year ago. Hilda Gadea also is President of the Cuban branch of the Tricontinental Committee to Aid Vietnam.

Gadea's operations included neighboring Bolivia, according to official reports from Lima. For, apprehended with Gadea was Alfonso Arata Hurtado who admitted to having received 50,000 Bolivian soles from Gadea. The money was to buy arms for Bolivian Communist terrorists.

After studying the evidence, Peruvian officials concluded that Russian-backed Cuba is intensifying its activities in the Central Andean countries, and that those activities are being conducted through the Latin American Solidarity Organization, the action group charged by the Tri-Continental Conference with overall subversion in the hemisphere. Gadea, it was pointed out, had been trained in Moscow, Peking, and Cuba.

Colombia also shows signs of increased Communist activity. In Bogotá, police picked up Mario Ernesto Romero. Romero was a former Castro delegate to the UNESCO, and was found upon capture to be a member of the Cuban intelligence service, in which capacity he recruited over 200 Colombian youths and sent them for training in Cuba. Upon their return, Romero organized the recruits into Communist cells. Money for his operations was found to be coming directly from Havana.

Colombia is being saturated with Cuban-trained activist groups whose ultimate purpose, and the coordinated purpose of their colleagues in other Latin American countries, is to topple governments by making it impossible for them to rule. This also is the tactic being developed in the Congo and elsewhere in Africa. Without question, the focus of Cuban subversion is global, indeed. Also without question, that subversion is building to a crescendo.

If there are any doubts about this, Castro's interview with Belgian journalist Wim Dannau should dispel them. On April 20, the Cuban radio broadcast the interview, a portion of which is cited below:

"Question. Through the economic blockade of the Americans, you fell into greatest difficulties. You need friends, after all.

CASTRO. Friends, however, are those who do something for the sake of friendship. . . Do you understand now why the Latin Americans do not like the Americans? . . . This has not changed even today. What remains to be done? Force! And as sure as my name is Fidel Castro it will not be long before revolution is flaming in Latin America. My revolution!"

The same interview further exposed the twin policy of subversive aggression so explicit in the Castro interview above, coupled with nuclear blackmail which is inherent in the same interview. After discussing with Wim Dannau Khrushchev's agreement with the late President Kennedy which Castro said "eliminated the rockets" in Cuba. Castro volunteered the following statement:

"By the way, we still have smaller Soviet rockets in Cuba, and with these rockets we can hit the American shores."

On April 21, Castro issued a statement repudiating that part of the interview which quoted him on missiles, and political pundits, taking the "shores" part of his statement literally, began to measure distances from Havana to Key West. The German magazine in which the interview was published, *Bunte Illustrierte,* angrily reaffirmed the truth of the statement, adding that Dannau was allowed to photograph Russian-made medium-range rockets at a parade in Havana. And some types of medium-range missiles—such as the Soviet J–3 which was paraded in Havana—have a range of 1,400 miles. Said *Bunte Illustrierte:* "The fact that these rockets are capable of reaching the United States—apart from Castro having said it in the interview—is self-evident."

Clinching proof that Castro *did* say that Cuban-based missiles can reach this country is evident in the fact that his statement was broadcast from Cuba itself. And anyone who has a rudimentary knowledge of censorship in that country knows that the broadcast would not have been made if had not been given official, and very high-level, approval.

Castro's belated denial may well have been dictated by the Russians, who count on pursuing their double-track policy of maintaining outwardly friendly relations with a United States and a Free World which its agents are seeking to destroy. That the policy seems to be working is evident in the willingness of our State Department to accept what apparently is Castro's Russian-dictated denial, rather than the photographic evidence obtained by *Bunte Illustrierte*, and the fact that Castro himself first volunteered the information.

What *can* be said is that medium-range missiles are in Cuba. Evidence has been supplied to that effect time and again by *Latin American Report*. That evidence was cited publicly on February 18 by Ambassador Spruille Braden, President of the Citizens Committee for a Free Cuba. It has been stated by Fidel Castro himself, and *Bunte Illustrierte* has photographed those medium-range missiles.

Yet official Washington refuses to acknowledge the burden of that evidence. The question which must be asked, then, is this: Has Washington succumbed to nuclear blackmail? If not, then what is going on? The public seems to want to know.

GUANTANAMO: A BASE AND A TREATY

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. FLOOD. Mr. Speaker, in the course of my studies over many years of Caribbean and Isthmian policies of the United States, I have visited our naval base at Guantanamo and thus have had the benefit of firsthand observations. Encircled by Cuban troops and military installations, it is in a virtual state of seige, with our naval and Marine Corps forces on constant alert and ready for any eventualities.

In considering the problems of Guantanamo, it is important to realize that this station is more than a convenient base for naval training exercises. Located on the northern flank of the Atlantic approaches to the Panama Canal, which is the key target for Red conquest of the Caribbean, what happens to one will have its impact on the other. The loss of Guantanamo would mean the loss of the canal.

In these general connections, Mr. Speaker, I would invite the attention of the Congress and executive agencies of our Government to the fact that the House of Representatives on September 20, 1965, after careful consideration and considerable debate, adopted, by a vote of 312 to 52, House Resolution 560, 89th Congress. This measure, which I originally introduced and supported, expresses the sense of this branch of the Congress as regards the Monroe Doctrine in the light of the latest dangers, so well illustrated by the situation at Guantanamo.

It is strikingly clear that the policy of the Communist world revolutionary conspiracy is to keep the United States at war in Vietnam for an indefinite period while the Communists expand their activities and power in Latin American countries with Cuba as the base of operations and with immediate objectives of driving the United States from Guantanamo and the Panama Canal.

A most informative article by Anthony Harrigan, associate editor of the Charleston News and Courier, follows:

[American Security Council Washington Report, Apr. 25, 1966]

GUANTANAMO: A BASE AND A POLICY

(By Anthony Harrigan, Strategy Staff)

GUANTANAMO BAY, CUBA

Under the massive range of the Sierra Maestra Mountains, where Fidel Castro created his revolutionary rural base of operations almost a decade ago, the United States continues to hold an important toehold on the island of Cuba. The 45 square miles which make up the U.S. Naval Base at Guantanamo may serve, in the future, as an important political beachhead for the recovery of Cuba for the forces of freedom.

Gitmo, as this base is known to the Navy, is an important politico-military card in the hand of the United States. But the U.S. is not playing any political or military games here at this time. Absolute correctness, within terms of the treaty signed in 1903, is the national policy in force. Every effort is made to avoid incidents and to refrain from what might be construed as provocative action. Guantanamo Bay is being used in its traditional role as a fleet training area for the U.S. Atlantic Fleet. Deep water in the huge bay and right offshore enable American warships to exercise almost as soon as they pull away from their piers or weigh anchor. Located on the southeast coast of Cuba, Guantanamo is not on the primary shipping lanes used by Red bloc vessels—most of which follow the northern coast to Havana.

Guantanamo could be very useful to United States or Inter-American forces in the event of fresh communist activity in the Dominican Republic this summer or as a staging area for peace-keeping forces that might be dispatched to Haiti in the event of unrest in that turbulent next-door neighbor of the Dominican Republic. It seems, however, that use of Gitmo as a marshaling area is out of the question unless there is a drastic change in U.S. government policy. When the communist-led rebellion flamed in Santo Domingo last spring, Guantanamo was not used by American forces involved and refugees were taken to Puerto Rico, not Gitmo. Indeed naval vessels of friendly foreign governments are not received at Guantanamo these days, though the U.S. continues to respect a treaty provision that foreign merchantmen bound for Cuba may proceed into the inner bay that constitutes Cuban waters. This means that Red bloc shipping is allowed to pass through the waters of the naval base to the sugar port of Boqueron, Cuba.

The absolute strictness with which the 1903 treaty provisions are interpreted in Washington clearly indicates the determination of the Johnson administration to avoid fresh entanglement in Cuba while there is a hot war raging in Southeast Asia. Thus Guantanamo continues to meet the regular training needs of the fleet but, at this time, apparently is not used to support the wider national interests of the U.S. in the Caribbean. Its activities, therefore, are circumscribed by considerations of national policy. It is from U.S. South Atlantic ports and Roosevelt Roads, Puerto Rico—not from Guantanamo—that naval task forces would be supported in the event of emergencies this summer.

Nevertheless, the symbolic importance of Guantanamo is enormous. Gitmo stands for the commitment of U.S. power in the Caribbean. If Fidel Castro could shove the United States out of the Guantanamo Naval Base, he would score a political triumph that would undermine the credibility of American strength and resolution throughout the Latin American world. Because of this fact, there is an ever-present danger of communist surprise attack on the base and a consequent need for the greatest vigilance on the part of the U.S. defending forces.

The possibility of a Cuban attack on Gitmo may be dim, according to some calculations. Some observers reckon that the Soviets would veto any plans Castro might have for such an attack, out of fear of a confrontation involving nuclear weapons. Much as the Soviets want the U.S. to be removed from Guantanamo, they surely realize that an attack on the base would lead to a major reaction by the United States.

On the other hand, serious questions arise from the military measures Castro's regime has taken along the 17-mile fence line that forms the boundary of the base. Riding along the perimeter, I could see that the Cubans have installed many new pillboxes and trench positions. They have had heavy machinery at work clearing cactus and shrub palm in a wide strip around the base. What is the purpose of these costly activities at a time when Cuba is in a desperate economic condition? Certainly, Castro knows that the U.S. does not intend to attack from Guantanamo. Even if the U.S. currently had a design for recapturing the island, it would not begin a campaign in Oriente Province, which is the end of nowhere in Cuba.

Some observers regard the Castorite military measures either as a form of psychological warfare directed at the United States, or as activities carried out for home consumption—to give the Cuban people a beleaguered feeling. But if this is all part of a war of nerves, it is a very expensive operation for a poor country—and the rewards for such warfare seem almost nonexistent.

Some Cuban refugee elements arriving in Miami believe that Castro, in a fit of desperation or in danger of being overthrown by powerful rivals within the Cuban regime, actually might order an attack on Guantanamo as a final suicidal act. It is against such a contingency that the U.S. must be prepared. Fortunately, the U.S. preparations seem very thorough.

Aside from men attached to the Marine barracks at Gitmo, sailors are organized in emergency defense forces and a hard-core defending force is provided by a battalion of Marines on rotation from Camp Lejeune, N.C., for four months at a time. These Marine defending forces have heavy tanks and artillery. They have myriad defense positions throughout the hills on the base; a system of watchtowers and minefields provide added warning and protection. The ships that conduct training exercises at Gitmo are a key element in the defense of the base. In the event of an attack, fire support from the guns of these ships would back up the Marines.

It would be the task of the Marine defenders and the fire support ships to hold off the attackers until Marine reinforcements could be flown from North Carolina bases. A strategic area, which would require especially determined defense, would be the jet airfield on the leeward side of the base. In terms of the overall defense of Guantanamo, the most unfortunate feature is the separation of the base into two parts by the bay which runs deep into Cuban territory.

At the moment, Castro is not harassing base personnel. There haven't been any recent incidents involving Cuban militiamen throwing rocks at Marine guards. But the Cubans man their pillboxes periodically and a helicopter flight along the fence line reveals the barracks the Cubans have built for their troops. The principal instrument of harassment in the past was the cutting off of the water supply from Cuban territory. The installation of a $10 million plant for desalting ocean water now gives the base self-sufficiency in its water supply.

Such is the current situation at Guantanamo. Policy for this base is shaped in terms of the overall strategic situation facing the

United States, not only in the Caribbean but around the globe. We have, in short, a minimum commitment in Cuba—the maintenance of the Guantanamo base against political or military assault. This minimum commitment may be the only feasible posture at a time when our trained and ready ground forces are almost completely engaged in the Far East. However, Cuba remains a festering sore in this hemisphere and the time surely will come when corrective action will be needed.

Part of the tragedy of Cuba is that we think in terms of deterrents to further Castroite military aggression, but register a blank when it comes to politico-military determinants. U.S. policy toward Cuba is essentially negative, whereas the communists have positive goals. The Tri-Continental Conference held in Havana in January, which was attended by delegates from 86 countries, drafted plans for forcing communist rule on the rest of the Latin world. As early as the 16th century, Cuba was the island base from which the Spanish set out to conquer Central and South America and Castro and the communists are well aware of the strategic value of his island bastion.

The United States, for its part, must prove its credibility—in terms of national power and effectiveness—by positive action against Cuban communism. The mere possession of Guantanamo will not continue to have great weight in the thinking of Latin nations if they see that we intend to do nothing with our toehold in Cuba, if they judge that Guantanamo has been neutralized except as a training facility for naval vessels. Great military and naval bases are those that are understood to be bases for offensive action. Okinawa, in the Pacific, is regarded as such by the Chinese communists.

The principal deficiency in our country's Caribbean posture is a lack of understanding of the opportunities for political warfare. Indeed this is a global deficiency, with Viet Nam being the one spot where an understanding of the inter-action of political and military operations is being developed.

Ideally, the U.S. should be carrying out political warfare in eastern Cuba, while the armed forces stand firm in Guantanamo. Castro's revolution began in Oriente Province and its failure shows up there in glaring fashion. The Fidelista movement, aside from its communist component, was built around a conflict between the impoverished countryside and metropolitan Havana. But the Castro revolution has been a failure in the countryside. The sugarfield workers are worse off than before the revolution. One has only to look across the Guantanamo fence line at the little sugar port nearby and see the crude shacks and outhouses that characterize rural Cuba after seven years of revolutionary rule. If the United States had given adequate stress to the cold war education of the American people and responsible officials, the time our country has had would have been used constructively to weaken the Castro regime and prepare the way for a successor government that would want to be a good neighbor of the U.S. Unfortunately, far too many Americans in and out of Washington think of the cold war struggle in narrow, separated categories.

The Marines manning defensive positions along the Guantanamo fence line understand what to do if Castro's militiamen launch an attack against the base. There is no question but that our navy destroyers would respond promptly to lob shells at an attacker or that airlift planes would have the first reinforcements on the base within six hours. But all these actions are limited and defensive and do not belong to the class of actions designed to exploit our national opportunities for adding to the security of the United States and to the security of our good neighbors in Latin America.

A policy of rigid diplomatic correctness and military firmness in defending small, well-defined areas can be justified for certain periods and under certain conditions. Ultimately, however, the United States must master and employ the political warfare that is the only answer to communism's ability to leapfrog fences and national boundaries and create subversive conflicts inside nations such as the Dominican Republic. Unless the U.S. gains this counter-revolutionary capacity in political warfare, a base such as Guantanamo will lose much of its utility and symbolic value.

WILLIAM LEWIS HERNDON: "SCIENTIST ON THE BRIDGE"

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. FLOOD. Mr. Speaker, on two previous occasions in statements to the House, "William Lewis Herndon: Heroic Death Added Glory to Naval Traditions," on February 25, 1964, and "William Lewis Herndon: Pathfinder of the Amazon," on April 25, 1966, I commented at some length on the life and career of that celebrated naval explorer (1813–57). In the first, was quoted an October 19, 1857, report to the Secretary of the Navy on the tragic end of Herndon and, in the second, an article by Dr. Donald M. Dozer, published in the autumn 1947 issue of the Virginia Quarterly Review.

As a member of the Board of Visitors of the U.S. Naval Academy, I have often stopped at the Herndon Monument in front of the chapel and pondered its significance, for no officer of our gallant Navy has ever been so much honored for peacetime heroism as Herndon. Even so, with the passage of the years, the dramatic story of his heroic career has been largely forgotten, even in the great State of his birth, Virginia.

It was, therefore, with the greatest interest that I read in the spring 1966 issue of the Virginia Cavalcade, the quarterly magazine of the Virginia State Library, a most thoughtful article by Edward F. Heite on Herndon, in which is supplied much additional information.

In order that this article may be better known throughout the Nation, I quote it as part of my remarks:

SCIENTIST ON THE BRIDGE: HIS ORDERLY RESCUE OF WOMEN AND CHILDREN FROM THE STORM-SWEPT DECK OF THE "CENTRAL AMERICA" MADE WILLIAM LEWIS HERNDON A NATIONAL HERO

(By Edward F. Heite)

On May 3, 1852, Lieutenant Matthew Fontaine Maury, superintendent of the National Observatory, sent a message to Congress suggesting that a steamship line be established between the United States and Brazil. He described the commercial potential of the Amazon basin as "the most magnificent in the world." Maury had an impressive array of evidence, but his most convincing argument for trade with the Amazon basin was even then being written in Brazil by Lieutenant Herndon.

William Lewis Herndon was born in Fredericksburg in 1813, the son of Dabney Herndon, cashier of the Farmers Bank of Fredericksburg. The boy was named for his uncle, Captain William Lewis, who was lost at sea in 1815 with the brig *Epervier*. When William was thirteen, his parents died, and he went to live with his guardian, William J. Roberts.

Two years later, Roberts wrote to the Secretary of the Navy, requesting an appointment for young Herndon.

"It was a favourite scheme of Mr. Herndon that his son William Lewis should go in the Navy, and I believe a pledge was made by the late Capt. William Lewis of the Navy, to take charge of him at a proper time, which his unfortunate death prevented. Master Herndon is now in his fifteenth year, and has lived in my family ever since the death of his mother. It gives me pleasure to say that he is a youth of fine habits and great acquirements for his age . . ."

Herndon was appointed midshipman on November 1, 1828, and he reported for training aboard the *Guerriere* at Norfolk on December 14. For the next eleven years, as a midshipman, Herndon served in North Atlantic and South American waters aboard the *Constellation, John Adams, Constitution, Fairfield,* and *Independence.* On the *Independence,* in 1836, he was appointed acting master, and in the same year he was appointed acting lieutenant aboard the *Fairfield.* In 1839 he again served aboard the *Independence* on the Pacific station. In 1841, he was promoted to lieutenant and assigned to command the revenue cutter *Jefferson* and later the cutter *Madison.*

In 1842, when Maury became superintendent of the Depot of Charts and Instruments, he made Herndon his assistant. Together, they soon transformed the depot into the National Observatory. They worked together for five years, compiling sailing directions, current charts, and whale charts.

Maury was closer to Herndon than to any other scientist; as Maury himself later wrote, "We were intimates; I have known him from his boyhood; he was my kinsman and my wife's brother. The ties of consanguinity, as well as our professional avocations, brought us frequently and much together; we were close friends."

In 1847 and 1848, Herndon again served at sea, but he soon returned to the observatory and to the whale charts, in which he traced the seasonal migrations of right and sperm whales. In July of 1849, his scientific work was again interrupted by sea duty, this time aboard the *Vandalia* on the Pacific station.

While the *Vandalia* was at Valparaiso in August 1850, Herndon received a letter from Maury, informing him that the next mail steamer would bring him orders for detached service. Maury's research into ocean currents had proved that the Amazon basin was more easily accessible by sea than had been suspected, and he determined to open this river system to exploitation. Since the Amazon was unknown in the United States, Herndon was to explore its entire length.

His first orders directed him to examine the records in Peru and Bolivia concerning the headwaters of the Amazon. On April 4, 1851, Passed Midshipman Lardner Gibbon joined him in Lima and brought orders to cross the continental divide and to explore the Amazon from its source to the port of Para, on the Atlantic. On May 1, Herndon and Gibbon left Lima, and on July 1, they separated, to descend different tributaries of the Amazon.

Herndon followed the main river, and arrived at Para in May of 1852; Gibbon continued his explorations until October. The results of their efforts, embellished with numerous drawings by Gibbon, were published in two volumes entitled *Exploration of the Valley of the Amazon* in 1853 and 1854. It was more than a mere report; it was a scholarly interpretation of the meteorology, anthropology, geology, and natural history of the Amazon, presented in an imaginative literary style.

Herndon's sweeping description of the summit of the Andes has often been quoted.

"Though not yet sixty miles from the sea, we had crossed the great 'divide' which separates the waters of the Atlantic from those of the Pacific. The last steps of our mules had made a striking change in our geographical relations; so suddenly and so quickly had we been cut off from all connexion with the Pacific, and placed upon waters that rippled and sparkled joyously as they danced by our feet to join the glad waves of our own dear land. They whispered to me of home, and my heart went along with them. I thought of Maury, with his researches concerning the currents of the sea; and, recollecting the close physical connexion pointed out as existing between these—the waters of the Amazon and those of our own majestic Mississippi—I musingly dropped a bit of green moss, plucked from the hillside, upon the bosom of the placid lake of Morochoca, and as it floated along I followed it, in imagination, down through the luxurious climes, the beautiful skies, and enchanting scenery of the tropics, to the mouth of the great river; thence across the Caribbean sea, through the Yucatan pass, into the Gulf of Mexico; thence along the Gulfstream; and so out upon the ocean, off the shores of the 'land of Flowers.' Here I fancied it might meet with the silent little messengers cast by the hands of sympathizing friends and countrymen high upon the head-waters of the Mississippi, or away in the 'Far West,' upon the distant fountain of the Missouri."

The popular imagination was caught by Herndon's vivid prose, and more than ten thousands copies of the report were printed. Maury used passages from Herndon's report in his arguments for United States involvement in South American trade, and Mark Twain said that the report inspired him to write *Life on the Mississippi.*

However, Herndon's scientific work was again interrupted, this time forever, by his assignment to sea duty aboard the USS *San Jacinto,* in which he sailed to England, France, Spain and the West Indies. After a year aboard the *San Jacinto* he was transferred to the *Potomac,* where he served until his promotion to commander on October 8, 1855. Later that month, he received orders to command the mail steamer *George Law,* in packet service between New York and Aspinwall, in Panama.

The *George Law* was a private vessel, but she operated under a mail contract which required that her master be a naval officer. Herndon made all but one of her last twenty voyages, over a period of two years.

In the summer of 1857, the *George Law* was suddenly renamed the *Central America.* Critics of the line said that she was in bad shape and that she was renamed so that the public would be deluded into thinking that the *Central America* was a new ship, rather than the same old, unseaworthy *George Law.* The owners never answered the charges against her seaworthiness, nor did they reveal the extent of damage her hull had suffered earlier that year on a bar in the Caribbean.

On September 8, 1857, the *Central America* sailed from Havana for New York on the last leg of her second voyage under the new name. She carried a million dollars worth of California gold.

A fresh trade wind stiffened to a gale by midnight of the ninth, and on Friday morning, September 11, off Cape Hatteras, it reached hurricane strength. Until noon, the ship held her own, but she suddenly sprung a leak, and within an hour, the boilers were drowned.

Without power to hold a course, the *Central America* was now doomed to wallow helplessly until she sank. The crew and passengers made brave attempts to keep her afloat, but the water gradually crept higher. The sail soon blew away or were cut away. Captain Herndon ordered the flag hoister union-down, in hope that some passing ship might come to the rescue.

Finally, at noon on September 12, the sea began to abate, and a sailing ship bore down on the stricken steamer. Herndon hailed the passing vessel, but her captain replied that he could be of no assistance, and sailed away. About two hours later, the brig *Marine* sighted the *Central America.*

Maury described the encounter in his report of the disaster:

"At about 2 p.m. the brig *Marine,* Captain Burt, of Boston, bound from the West Indies to New York, heard minute guns and saw the steamer's signals of distress. She ran down to the sinking ship and, though very much crippled herself by the gale, promised to lay by. She passed under the steamer's stern, spoke, rounded to, and kept her word.

"The steamer's boats were ordered to be lowered; the *Marine* had none that could live in such a sea."

The brig was unable to stay close, for she was too badly damaged to answer her helm. Herndon therefore ordered the women and children into the boats immediately; each boat made two trips, carrying about a hundred survivors to the brig, which was being blown away from the *Central America.*

As the last boat was leaving, Captain Herndon handed his watch and chain to a passenger, with a request that they be forwarded to Mrs. Herndon.

He then turned his efforts toward saving the passengers who were still aboard, without hope that the boats would be able to return again. He ordered the forward part of the hurricane deck cut away to make a raft, and distributed life belts. Since night was closing in, Herndon began firing rockets, in hopes of attracting another rescue vessel.

Herndon then went to his stateroom, put on his dress uniform, and returned to the bridge.

The boatswain's lifeboat again came alongside the *Central America,* but Herndon ordered it away, lest the suction of the sinking ship pull the boat to the bottom. This was his last order.

As a signal rocket illuminated her deck, the *Central America* gave a mighty heave; Captain Herndon clutched the rail and lifted his hat in a gesture of farewell. Within seconds, the *Central America* had disappeared. Some survivors later thought that they had spoken to Captain Herndon in the water, but Maury said that he doubted such reports, for Herndon has been a frail person, and could not have struggled after two days of exertion.

Later that night, the Norwegian bark *Ellen* arrived on the scene and rescued 49 survivors from the water; on the ninth day after the wreck, the English brig *Mary* picked up three more.

When news of the disaster reached the public, Herndon became a national hero, though the ship's owners were roundly criticized for hiding her defects. Herndon's heroism rose above the charges and countercharges; his orderly removal of the women and children, and his maintenance of discipline, inspired the nation.

A monument to him, erected in 1860, was for half a century the only memorial to an individual at the United States Naval Academy. So well known was his heroism that the monument bore only two inscriptions: "Herndon" on the front, and "September 12, 1857" on the back.

On March 6, 1858, the General Assembly of Virginia joined the praise of Herndon and instructed Governor Wise to commission a gold medal to be presented "in the name of the commonwealth, to the widow of the deceased, as a simple testimonial of respect for a virtuous and brave man, and a noble and gallant officer."

F. R. Smith, a medallist in New York, saw the newspaper accounts of this resolution and wrote to Governor Wise, offering to make a medal for $500. Wise accepted Smith's bid, and they began a lengthy correspondence about details of the design. The obverse of the medal was to show Herndon standing on the wheelhouse, together with the words "Devotion to Duty, Christian Conduct, and Genuine Heroism Respected and Revered." The reverse side would bear a commemorative inscription.

After the design and inscription had been decided upon, Smith added a wreath. When he submitted his drawing of the inscribed reverse, with a wreath added, he wrote to Secretary of the Commonwealth George Wythe Munford:

"For this I shall make no further charge, as I desire the medal to be as neat and handsome as possible. In this my object is twofold: First, a national pride in the matter, and Second, I wish the work to give me further reputation in my profession."

Smith apologized that the letters on his drawing "were hurriedly done, and merely that you might form an idea of the amount and style of the inscription." After this revision, the designs were approved, and Smith announced on August 17 that the work was complete.

On that day, he sent the gold medal, the steel dies with which it was struck, and two bronze copies, by express to Richmond. The bronze copies were for Governor Wise and Secretary Munford, and the steel dies were to be kept in case there should ever be cause to make another copy of the medal.

On November 29, Munford wrote to Mrs. Herndon, informing her that the gold medal was finally ready. It was delivered to her in New York by Major William Munford. Governor Wise gave his bronze copy to one of Herndon's relatives.

In May 1858, Congress awarded the widow $7,500. The Herndon's only child, Ellen, was married on her father's birthday, 25 October 1859, to Chester Arthur, whose descendants now own the gold medal.

ELECTIVE COVERAGE OF FEDERAL EMPLOYEES UNDER THE SOCIAL SECURITY SYSTEM

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KEOGH] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. KEOGH. Mr. Speaker, I have today introduced legislation to permit Federal employees to elect to come under the Federal social insurance system established by title II of the Social Security Act. I hope this legislation will resolve, finally, the question of coverage of the single largest group of employees in the United States who have been denied the privilege of obtaining the benefits of our very fine and very sound old-age, survivors, and disability insurance protection. This is a matter which has been under consideration by boards and bureaus, committees and commissions, both in and out of the Congress, for more than 15 years. It has been considered by Cabinet-level commissions, by departments of Government, and by the Committee on Ways and Means on numerous occasions. It is time for action and not another 15 or 10 or 5 years or even 1 year of discussion. Our Federal Government, as the largest single employer in the United States, can ill afford to continue in the anomalous position of refusing to permit its employees this protection which it has afforded to 95 percent of all the other citizens of the United States. I believe the legislation which I have today introduced resolves the problems fairly, equitably, and in the best interests of both the employees and the U.S. Government.

In brief, the solution embodied in my bill is to permit Federal employees to make a choice as to whether they will come under the social security system in addition to their civil service retirement coverage. Private employees get social security coverage in addition to whatever private pension they may have. New employees would have 2 years from the date of their employment within which to file a certificate indicating their desire for such coverage. Existing employees would likewise have 2 years to make such election. This election generally can be retroactive for a 1-year period if the employee so chooses and if he pays the tax due. In addition, in order that employees might have a further opportunity, because of changed family or financial conditions, and so forth, to elect coverage, the bill provides that at the end of a 5-year period, each employee will have one further chance to elect coverage. There would be 6 months within which to elect coverage at that point.

The bill provides that the employee shall pay the employee tax. This would be done by the employer—the Federal agency—withholding the appropriate amount.

Mr. Speaker, without going into further detail on this bill, permit me to point out that with regard to its actuarial soundness, it follows the precedent established last year when coverage was extended to 1½ million individuals who receive earnings in the form of tips and gratuities by providing that only the employee share of the tax shall be payable and that the employer share shall not be payable. Therefore, there would be no budgetary impact. It would not cost the Federal Government a single penny. The Chief Actuary of the Social Security Administration testified that extension of social security coverage to the 1½ million individuals who receive earnings in the form of tips by payment of the employee share of the tax was an actuarially sound solution to that coverage problem. This would be equally true of extension of coverage to Federal employees because they are, as a group, generally conceded to be superior risks in terms of insurance actuarial considerations. I believe the majority will elect coverage. There would be no adverse selection, because they would have to come in at one of two points in time, or be barred from coming in.

Therefore, the solution which my bill embodies is actuarially sound; it is in the interest of the employees because it permits them to make the election in their own interest; and it is in the interest of the U.S. Government not only from a budgetary point of view but also because it closes the final large gap of coverage which remains under the social security system and removes the quite legitimate criticism that the U.S. Government has denied its own employees coverage which it has mandatorily extended to employees of private organizations and employers.

Mr. Speaker, I shall use every parliamentary means at my command to secure favorable consideration of this legislation during this session of the 89th Congress.

FOREIGN FISHING VESSELS

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. St Germain] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, in 1945, President Truman, taking view of the growing value and future needs of the resources of the Continental Shelf, made the following proclamation:

> Having concern for the urgency of conserving and prudently utilizing its natural resources, the government of the United States regards the natural resources of the subsoil and sea bed of the continental shelf beneath the high seas but contiguous to the coasts of the United States as appertaining to the United States, subject to its jurisdiction and control.

Currently, the flood tide of unchecked exploitation by foreign fishermen of the fishing stocks of our coastal waters coupled with the growing world demand for fish and the diminishing status of our fish industry demands that we take effectual legislative action to assure this Nation of fulfillment of its future needs and proper place in the world fish industry.

While the fishing fleets and the catches of foreign nations continue to grow in accordance with the growing world demand for fish, the United States, since 1957, has dropped from second to fifth place among nations in total world catch, accounting for less than 6 percent of the world catch in 1963 as opposed to 13 percent in 1950. Not only have we failed to keep abreast of this growing world demand for fish, but we have also greatly contributed toward the mounting foreign dominance of this industry by allowing foreign fleets to exploit our coastal waters and by importing approximately 50 percent of the edible fish consumed in this country. In other words, Mr. Speaker, in many instances we are buying back from foreign nations—in various forms—the fish that they may have gathered from our coastal waters.

While our fishermen are subjected to conservative measures imposed by our Government, the foreign fishermen, fishing outside the 3-mile limit are not. Consequently, what is often thrown back in by our fishermen is subsequently gathered in by foreign fishermen, thus depleting our present stock and, more significant, greatly reducing future stocks. In other words, foreign fishermen are allowed to fish indiscriminately at the cost of our own fishermen. For example, one of my constituents tells me that because of the indiscriminate methods of foreign fishermen it now takes 15 boats in 1 month to gather the same amount of lobsters that were caught by only 7 boats a year ago.

Mr. Speaker, we can no longer merely look upon an undesirable situation with grave future repercussions such as exists in relation to our coastal waters and the fishing industry. We must take proper legislative action to rectify this situation and assure that future needs can be met by the action we take today.

Therefore, in addition to the establishment of a 9-mile fisheries zone—extending from our 3-mile territorial sea—it is necessary that we establish a conservation zone contiguous to the 9-mile fisheries zone and extending over the Continental Shelf—or to a depth of 200 meters. Thus, all foreign fishermen operating in our coastal waters within the 100-fathom line will be subjected to the same conservation measures as are our own fishermen. This legislation will enable us to: first, effectively control fishing within our coastal waters; second, enhance rather than impair the efforts of our fishermen to expand their catch; third, take proper conservative action to insure that our future demands for fish are met; and fourth, will ultimately allow us to take our proper place in the world fish industry.

NATIONAL CEMETERY IN THE DELAWARE VALLEY

Mrs. MINK. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Byrne] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mr. BYRNE of Pennsylvania. Mr. Speaker, almost all the available gravesites in the Beverly National Cemetery, N.J., have been used for burials or reserved for surviving spouses, and there is dire need for more space for this purpose. The following resolution in the General Assembly of Pennsylvania petitions the Congress to establish a new national cemetery in the Delaware Valley area:

House Resolution No. 56, Session of 1966

(Introduced by Messrs. Eilberg, Comer, Gallagher, Walsh, Ogilvie, Gremminger, Stone, Moran, Needham, Mrs. Brugger, Messrs. Lederer and Pezak, April 26, 1966. Referred to committee on rules, April 26, 1966.)

In the House of Representatives,
April 26, 1966.

There was established in the City of Philadelphia a National cemetery which was filled to capacity and closed for burials some ten years ago.

The National cemetery at Beverly, New Jersey, which has served for burials of decedents of the Delaware Valley area is almost filled and soon will be no longer usable for this purpose.

The National cemetery at Gettysburg, Pennsylvania, has very few vacant spaces for burials and soon will be closed.

Unless additional facilities are provided, in the not too distant future, those eligible for interment in National cemeteries will have to be buried in National cemeteries hundreds of miles from the Delaware Valley area.

Since the Delaware Valley area of the Commonwealth of Pennsylvania played, and is playing a major role in all our war efforts, it would be fitting that additional locations be acquired to provide convenient final resting places for our National war heroes; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania memorializes the United States Congress to establish a new National cemetery in the Delaware Valley area; and be it further

Resolved, That a copy of this resolution be forwarded to each member of Congress from Pennsylvania and to the Honorable Joseph S. Clark and the Honorable Hugh Scott.

Mr. Speaker, I have been cognizant of this situation for several years and in previous Congresses I have introduced bills to provide for the establishment of a national cemetery in or near Philadelphia, Pa. I believe it is now time to authorize the establishment of another cemetery for those servicemen who have given their lives for their beloved country.

THE NATIONAL LABOR RELATIONS ACT AND THE J. P. STEVENS CO.

The SPEAKER pro tempore (Mr. Albert). Under previous order of the House, the gentleman from New Jersey [Mr. Thompson] is recognized for 1 hour.

Mr. THOMPSON of New Jersey. Mr. Speaker, on March 22, 1966, the five members of the National Labor Relations Board unanimously upheld the findings of an independent trial examiner that the J. P. Stevens Co. had flagrantly violated those provisions of the National Labor Relations Act expressly designed to guarantee to all employees the rights to self-organization. The Labor Board found an effort by the J. P. Stevens Co. "to crush the union movement in its plants with small regard for the means employed." The "flagrant unlawfulness" contained in the record includes:

First. The wholesale discharge of union members;

Second. Spying on union meetings and employee attendance;

Third. Reprisals to discourage union adherence;

Fourth. Stripping employees of union insignia; and

Fifth. Posting lists of union members on the company bulletin boards, and inducing those so listed to "scratch" their names.

The labor board ordered the company to remedy its violations by first, reinstating all discharged employees with back pay; second, posting a notice on its bulletin boards that it would not again violate the law; third, sending copies of this notice to all employees at their homes; fourth, reading the notice aloud in plant meetings; and fifth, affording the union reasonable access to company bulletin boards.

This decision was handed down by the Labor Board at 9:30 a.m. on March 22, 1966. The company immediately appealed to the U.S. Court of Appeals for the Fourth Circuit. In fact, the original appeal was filed at 8:30 a.m., an amended appeal at 9:03 a.m., and the finalized appeal shortly after the Labor Board announced its decision.

There was also haste on the floor of this House.

On March 24, 1966, 2 days after the labor board decision was announced, a distinguished former Labor Committee member denounced it on this floor. He claimed that the J. P. Stevens Co. decision "creates unrest and creates a lack of confidence in the executive branch of our Government." He claimed that the Board order requiring the Stevens Co. to publicize the "cease and desist order"—"that they have sinned but will sin no more," as our colleague put it—"infringes upon a fundamental right of every American employer."

The gentleman from South Carolina [Mr. Dorn] joined in this denunciation and characterized the Labor Board's opinion as "an attack upon our free enterprise system." He claimed that the decision, if affirmed, "could well destroy enlightened industrial labor relations." He did not elaborate his assumptions. On May 23, 1966, Mr. Dorn again addressed himself to this subject and announced that he was sending President Johnson a telegram—see Record page 11131. Again Mr. Dorn did not elaborate.

Mr. Rivers and Mr. McMillan of South Carolina associated themselves with these remarks.

These comments, as I have indicated, came 2 days after the 117-page opinion was made available, and the gentlemen admitted that their comments were based upon reports in the press.

On April 27, the gentleman from Virginia [Mr. Tuck] joined in the attack. He described the decision as "base," "unwarranted," and "reprehensible." He claimed that "the persons responsible for this decision"—presumably the five members of the Labor Board—"have undoubtedly become exposed to the methods employed by Communists." He concluded that "every patriotic and thoughtful American should rally to the defense of the Stevens Co."

I find a certain irony in this charge. Just over a decade ago, the head of the J. P. Stevens Co. was the target of the same inference by some Members of the other body. The eventual hearings developing out of an exchange of charges were widely followed on national television.

By April 27, the gentleman from Virginia had had the opportunity to study the Labor Board decision. But he based his assertions instead on his "long friendship with the Honorable Robert T. Stevens," who heads what the gentleman from Virginia describes as a "fine organization." He did not elaborate this assumption either.

I share the concern of my distinguished colleagues for this decision as an illustration of labor relations in the textile industry in our Southeastern States. I have taken the time to study the decision, and frankly, my reaction is not the reaction of my colleagues who have spoken earlier on the subject.

However, since the opinion has raised such a furor, I would like to withhold my reaction until I can put the case before you in the perspective of the statutory background and the facts of record.

I. THE STATUTORY BACKGROUND

Mr. Speaker, over 30 years ago this Congress passed the Wagner Act, the magna carta of labor. This act declared and recognized that it is the "policy of the United States to encourage the practice and procedure of collective bargaining." This basic policy of the 1935 Wagner Act was reaffirmed in the 1947 Taft-Hartley amendments and again in the 1959 Landrum-Griffin amendments. It is the policy of the United States today.

In the 1935 Wagner Act this Congress gave to all employees "the right to self-organization," the right "to form, join, or assist labor organizations." This right was continued in the 1947 Taft-Hartley amendments and in the 1959 Landrum-Griffin amendments, and is a right promised by Congress today.

To endorse this "right to self-organization," this Congress directed the National Labor Relations Board to hold secret-ballot elections wherein the employees could vote for the union of their choice, or for no union. The Labor Board since 1935 has held these secret-ballot elections. It was early discovered that on occasion, fraud, bribes, or other undue pressures by management or the participating unions made it impossible for the election to fairly reflect the honest views of the voters. On such occasions, the Labor Board would set aside the results of the tainted election and conduct what are known as rerun elections. This is an administrative practice of some 30 years' standing, a practice which we have adopted through repeated reenactment of the basic laws.

Congress in 1935 sought to guarantee the right of employee "self-organization" by making it unlawful for employers to interfere with or to retaliate because of the exercise of this right. The Labor Act of 1935, as enacted and as amended in 1947 and in 1959, makes it an unfair labor practice for the employer "to interfere with, restrain, or coerce employees" in the exercise of their rights to self organization; and further makes it unlawful for an employer to discourage membership in any labor organization by "discrimination in regards to hire or tenure of employment."

In short, for over 30 years now, the law of the land makes it unlawful for an employer to restrain or coerce his employees from joining a union, or to fire them from their jobs if they do join a union.

II. THE J. P. STEVENS REACTION TO THIS STATUTORY FRAMEWORK

On March 22, 1966, the five members of the National Labor Relations Board unanimously upheld the findings of a trial examiner that the J. P. Stevens Co. had flagrantly violated these two basic prohibitions of the act in an unsophisticated effort "to crush the union movement in its plants with small regard for the means employed." Seventy-one workers were discharged in a company antiunion campaign marked, as the Labor Board described it, by "flagrant unlawfulness."

While the proceedings leading to this initial opinion were pending, the antiunion campaign continued. At a second series of hearings, the same NLRB trial examiner found that the J. P. Stevens Co. had discharged not only union members but also those employees—some of whom were not union members—who had testified under subpena against the company in the original Labor Board proceedings. I would like to remind the Congress that since our enactment of the Wagner Act in 1935 it has been unlawful for an employer "to discharge or otherwise discriminate against an employee because he has filed charges or given testimony under this act."

Incredible as it may sound, while the second round of hearings was going on, the company continued its policy of discharge, and the independent General Counsel of the National Labor Relations Board has issued a third complaint charging still more violations of the basic prohibitions of our 30-year-old law. The charges in this case are presently being heard by Trial Examiner Boyd Leedom, Chairman of the NLRB during the Eisenhower administration.

This is not a new story, but how long will it continue?

III. THE GENERAL BACKGROUND

I would like to discuss the organizing campaign at the J. P. Stevens Co. and some of the facts of record. I think this is important if we are to assess the effectiveness of the Wagner Act, now 30 years old. I think we shall learn that the act is not effective in the face of a recalcitrant and deliberate obstruction to the congressional mandate therein expressed.

First, a bit of background. The southern textile industry is the largest open-shop industry in America. The antiunion animus of the employers certainly plays a major role in keeping the workers unorganized. Discharge of union adherents, surveillance of union organizers, the use of race-hate propaganda to associate and discredit the unions with civil rights efforts, threats of plant closing if the union comes in—these are some of the weapons in the antiunion armory. We all remember the Darlington story, typical of many others. The workers in Darlington, S.C., were warned that the plant would be closed if they voted for the union; and the plant was closed when they voted for the union. We may minimize the impact of this story, but the southern textile worker cannot.

The J. P. Stevens Co. is a giant in this open-shop industry, second only to the Burlington industries. With headquarters in New York, it operates more than 60 mills and employes some 40,000 workers. In early 1963 the industrial union department of the AFL-CIO selected the Stevens Co. as a prime target for a mass organizing drive, primarily because the plants were localized in the Carolinas, and because the company could well afford to improve the pay and working conditions. The company's 1964 report to the stockholders boasted that "net income has more than doubled in the past 10 years." Wages for most employees centered between $1.38 to $1.75 an hour, averaging around $62 for a 40-hour week.

The union drive was unique in several ways. Rather than going at it on a plant by plant basis—inviting the company to close down an organized plant as at Darlington—the union tackled some 25 of the 40-odd Stevens plants in the Carolinas almost simultaneously. There was another departure from the past organizing techniques. Whereas customarily the fact of individual union membership was kept secret—to protect against discharge—the union here decided to inform the company of its membership on a current basis. The reason for this decision is found in the Labor Board requirements that company knowledge of union membership is an indispensible element in proving that discharges were based on such union membership.

IV. THE PATTERN OF COMPANY RESISTANCE: DISCHARGE OF KNOWN UNION MEMBERS ON ANY PRETEXT

The organizing campaign got under way in June 1963. Shortly thereafter, the company posted a notice on the bulletin boards in its plants that "it is our positive intention to oppose this union and by every proper means to prevent it from coming in here." Copies of this notice were mailed to all employees at their homes with a covering letter describing it as of "vital importance." It is clear from the record that the company did oppose the union, and not always with "proper means." The pattern as described to the NLRB trial examiner went something like this:

The union, despite the company's declared hostility, signed up a substantial number of employees. These were, of course, the bolder and more active spirits. With their consent, the union sent their names to the company. The company promptly posted the names on the bulletin board. Supervisors then approached and asked the individual employees if the union was telling the truth, if they in fact had joined the union. The supervisors offered to help them withdraw from the union if they so wished. If the individual decided to withdraw, he was marched to the bulletin board where he was permitted to cross out his name from the list of union members. If he refused to withdraw from the union, his work was watched carefully, fault was found, and he was discharged for inefficiency—usually within a day or so of the time he was publicly named as a union member.

V. SOME INDIVIDUAL EXAMPLES

Some individual examples will give flavor and content to this general policy of discharge outlined above.

A. THE REPUBLIC PLANT NO. 2, IN THE ROCK HILL AREA

Arthur Wright, Idolene Steele, Charles Knight, and two other employees at Republic plant No. 2 were the first five to join the union. Their names were sent to the company and posted on the bulletin board on August 17. The next day, on August 18, Wright, Steele, and Knight were discharged for inefficiency, the first ones so fired in that plant in over 4 years. The other two union members immediately went to the supervisor and said they wanted to get out of the union. They were told they would have "to prove" themselves, which they did by disclosing the homes where the union meetings were held and the identity of those in attendance.

B. REPUBLIC PLANT NO. 3

At Republic plant No. 3, James Walden was one of the first employees to join the union. His name was posted by the company on August 18. He was fired on August 22 for "tying doubles." There was undisputed evidence that no one in 20 years had been fired for this reason, "though doubles were continually being tied."

The next day three coworkers of Walden went to the superintendent's office to resign from the union. They were told to "prove" themselves. They did so by disclosing the identity of other union members. When the name of one such individual was mentioned, the company official said:

> He's got six children. I don't know why in the world he would want to put his name on that thing; to start with, if he was to lose his job, he couldn't even get back on.

William Sibley was also a union member, and had been employed at this plant for 21 years. He was fired shortly after he joined the union for "mixing waste." His supervisor subsequently testified that he could not recall ever before discharging a man for "mixing waste." After the discharge, a coworker intervened and asked for reconsideration for the sake of Sibley's four children. The superintendent agreed to think it over, but did nothing after he spotted Sibley handing out union leaflets at the gate of plant No. 3.

C. THE WHITMIRE PLANT

There was a very unusual situation at Whitmire, where most of the 3,500 inhabitants worked at the mill. Jess Cudd and his son, Donald, were the first two employees to join the union. Jess had worked for the mill for 50 years, since he was 13. Donald, his son, came to work in 1949.

Donald, the son, was discharged for inefficiency: the first "doffer" so fired to the memory of the shift foreman. Although removed from the plant, Donald continued on in the village and was active in union organizational work. The company devised a plan to get Donald out of the community, and his father, Jess, out of the plant, without discharging a man with 50 years' seniority.

The general overseer approached the father, suggested that he quit and adopt his grandchildren. This would make him eligible for $250 a month in public relief, which, with his social security, would almost equal what the company was paying him. With the children cared for by the grandfather, the son would then be free to leave town. As Jess Cudd related the conversation with the plant manager:

> He said if I'd run Donald, my son, off, and adopt them two younguns, and quit myself, it'd be all right.

Jess rejected this suggestion, and was discharged for inefficiency. The plant was thus rid of the union's presence.

D. THE BLACKHAWK TUFTIN PLANT AND WAREHOUSE

James Goodwin was employed for 10 years in the warehouse of the Blackhawk mill in the Greenville area. He was one of 27 employees in the warehouse who had joined the union. Shortly after this was made known to the company, the union employees were called publicly to the management office and asked if they had any "questions." They did not, and shortly after they began to be fired, one by one, on various pretexts. Goodwin was fired because he went across to a restaurant for a sandwich—as was customary—without obtaining permission to leave the plant. Thereafter, he returned asking for his job back. The foreman called the other union warehouse employees together and told them Goodwin would have a better chance of being reemployed if they would admit that they were wrong in joining the union. He said:

> If enough of you go up there and take your name off, they will hire James Goodwin back.

E. OTHER SITUATIONS

The record is replete with similar situations. At the White Horse plant, Horace Anderson has been employed for 11 years and his work was "excellent." He joined the union on October 6, and was discharged on October 7 for spending too much time in the bathroom. Alvin Baker was employed as a sweeper and joined the union on October 10. The company was so informed on October 11. On the next working day, the assistant overseer followed him around all day, suggesting he resweep here, that he had missed some dirt there, and so forth. At the end of the day, his pay was reduced from $1.31 to $1.25 an hour. The next day, the assistant overseer again was at his side, even following him to the bathroom. Baker then quit in disgust.

At the Greer plant, Charles Plemmons was one of five men in his work area who joined the union on August 13. His name was posted on the company bulletin board as a union member, and on August 24 he was fired for "horseplay." A few minutes before going on duty, while waiting for the bell to ring, he swung a map like a baseball bat and "hollered" in a loud voice, "not at nobody or nothing," "just hollering." His overseer admitted that in the 12 years he had been on the job he had not discharged any other employee for this reason.

Shirely Hobbs was employed at the Rosemary fabrication plant. Her job was to sort napkins into "firsts" and "seconds" and to count them into bundles of 100. On an average day, an inspector sorts and counts 8,500 napkins. She joined the union and attended an open meeting on October 3. On October 6, the general overseer of the plant recounted all her bundles, found one bundle one napkin short, and discharged her for inefficiency. This was her first, and only, "writeup."

Virginia Ray was also an inspector at the Rosemary fabricating plant. Her job was to inspect several thousand towels—of poor quality and loosely woven—each day, and separate them as "firsts" or "seconds" into bundles of 24. She joined the union and her name was sent to the company on August 27. Three days later the assistant department overseer "spot checked" her bundles and discharged her upon finding five "seconds" in a bundle of "firsts." This overseer admitted on examination that Virginia Ray was one of the best of the inspectors.

I believe this very limited sample of individual situations gives flavor and content to support the generalized conclusion of the trial examiner concerning the general pattern of the company antiunion practices.

The normal pattern was a union meeting, generally on a weekend, at which a number of employees joined, the company advised the same day by letter or telegram, the name received the next working day, and the names posted, and a personnel action report, or even discharge, the same day or the next . . . the triggering act was clearly the employee's advising (the company) that he had joined the union. The write-up or discharge, or both, followed as quickly as a pretext could be found . . . in many instances the write-ups would be the first ever received by the employees during a long course of employment, or the first received for many years, or the first for the same alleged dereliction.

I might interpolate here that these events took place and this pattern of antiunionism flourished in an area governed, thanks to section 14(b) of the Taft-Hartley Act, by so-called right-to-work laws. This history of events indicates what was repeatedly said in this Chamber last summer: these laws do not give any one the right to work. A better and more accurate name for such laws, based upon the record of events in the Stevens case might well be: right-to-be-fired laws.

VI. THE FAIRNESS OF THE TRIAL EXAMINER

It might be thought that the trial examiner's decision might reflect a pro-union bias. But such a thought is dispelled by the record.

I do not believe that the trial examiner was biased in favor of the union. If anything, he leaned over backwards to favor the company. I think two cases will suffice to prove his open-handed approach. It was charged that these two employees were discharged because they had testified under subpena against the company in the earlier Labor Board proceedings. One, Daniel Murray, was employed at the Patterson plant in the Roanoke Rapids area as a "sweeper," to clean 11 toilets. He was discharged for inefficiency after he testified in the Labor Board proceedings against the company. There was a great deal of conflicting testimony on how clean he kept the toilets, but the trial examiner ruled for the company on the theory that the general counsel had failed to establish a prima facie case. So, too, in the case of Juanita Faulkenberry, a weaver with 30 years' experience employed at Republic plant No. 1 in the Rock Hill area. She testified in the Labor Board hearings, and thereafter was discharged for inefficiency. She had never before been issued a personnel action report complaining of her work, but the trial examiner ruled for the company:

> Since Faulkenberry was not associated with the union and since her testimony at the first hearing was relatively innocuous, I do not find that the General Counsel has met the burden of proof which rests upon him and I shall recommend that the complaint be dismissed as to Faulkenberry.

VII. THE PROBLEM OF REMEDIES

To summarize the situation so far, the trial examiner went into the minutia of the evidence concerning many employees at many of the company's plants, usually finding that the individual had been fired for union activity, sometimes not. He did, however, find a company pattern of interference, restraint, and coercion with the employee's statutory right to "self-organization."

The Labor Board members heard the appeal, affirmed in general, but found fault with some particulars of the individual situations.

The J. P. Stevens Co. appealed to the court of appeals. The employees discharged in the spring, summer, and fall of 1963 must wait another year or more before the reinstatement order becomes final. Meanwhile, the union organizing drive has been blunted, if not destroyed. This raises serious question concerning the effectiveness of the NLRB remedial orders.

The normal Labor Board remedial order is little more than a slap on the wrist. The guilty party is told to cease and desist from like future conduct, and to post the cease and desist order in a conspicuous place. If employees are discharged, the Board is authorized to order their reinstatement, with or without back pay. Sums earned, or which could have been earned, during the discharge period are offset against the amount owing. These normal remedial orders were issued in the J. P. Stevens Co. case.

But the J. P. Stevens Co. situation was not normal. The company had notified all employees by mail of its determination to resist the union, so the Labor Board ordered the company to mail copies of the cease and desist order to each employee.

Many of the employees are illiterate, so the Labor Board ordered the company to read aloud the cease and desist order to assembled groups of employees.

The channels of public communication in the southern mill village are often closed to the union; so the Labor Board ordered the company to provide bulletin board space to the union message.

The Labor Board denied the remedy requested by the union: an order that the company bargain with the union on a "members only" basis. This request was bottomed on the theory that "but for" the company law violations, the union would have signed up a majority of the employees and the right to bargain on their behalf. To deny the union bargaining rights, at least on a "members only" basis, permits the company to profit by its own misdeeds. As I said, this union request was denied by the Labor Board.

How effective is this order? Does it do any good for the Labor Board or a court to compel an employer to publicize a "cease and desist" order—2, 3, or 4 years after the event—that the employer was wrong when he interfered with, restrained and coerced the employees from exercising their statutory rights? I submit that in many cases the order is entirely ineffective: it does not unscramble the egg: the organizing drive cannot be put on ice for this period of time, and is long since destroyed.

Does it do any good for the Labor Board, or a court, to order the reinstatement of employees discharged for union activity, even with back pay? Many of them have moved elsewhere and cannot be found; others have found employment and cannot prove financial loss; and in any event the back pay awards are tax deductible as a business expense. But more important, the back pay awards in no way compensate for the anxiety and strain in making ends meet while all income is cut off.

The remedies of the Labor Board are too little and come too late. This situation, however, can be changed. I would like to discuss just a few of the current proposals on how this can be done.

A. THE SECTION 10(J) INJUNCTION

In 1947 this Congress recognized that the justice delayed by the due process procedures of the NLRB hearings was in fact no justice at all in many instances. Accordingly, we provided in section 10 (l) of the Taft-Hartley amendments that the Labor Board must seek a temporary restraining order from the lower Federal courts whenever there is good cause to believe that a labor union has engaged in unlawful secondary boycott activities. In the 1959 Landrum-Griffin amendments, we extended this requirement that the Labor Board must seek Federal court injunctions in "hot cargo" and "recognitional picketing" situations. In short, when an allegation is made against a labor union unfair labor practice, the Federal courts step in with immediate relief while the merits are slowly decided by the administrative processes.

In 1947 we also authorized the Labor Board to seek judicial injunctive relief—pending the administrative processes—when a complaint was issued alleging other violations of the Labor Act by unions or by management. Section 10(j) of the Taft-Hartley amendments authorizes the Labor Board in this situation to seek "appropriate temporary relief or restraining order."

We recognized, in the 1947 Taft-Hartley amendments, that there may be a local or regional prejudice for or against labor unions. Accordingly, we authorized the Labor Board to seek the judicial relief under both section 10(j) and under section 10(e) either "within any district wherein the unfair labor practice in question is alleged to have occurred," or, "wherein such person resides or transacts business."

I understand that the Labor Board has sought section 10(j) injunctions when a complaint was issued alleging unlawful discharges based on union activities. The Labor Board sought this judicial relief in the J. P. Stevens Co. case. I further understand that the Labor Board has obtained temporary court orders putting the discharged employee back on the job in other sections of the country, but never in the southern textile mill States. It did not get this relief here in the J. P. Stevens case. Why has not the Labor Board sought a court injunction in the district "wherein such person resides or transacts business"? Specifically, why did not the Labor Board seek the 10(j) injunction in the Federal court in New York where the J. P. Stevens Co. has its headquarters? Why has not the Labor Board exhausted the possibilities for interim judicial relief which we set out in our 1947 Taft-Hartley amendments? I wish this had been tried.

B. SECTION 10(e) INTERIM RELIEF

In sections 10(j) and 10(l) we recognized the necessity for temporary judicial relief from the U.S. district courts pending the administrative adjudication by the Labor Board and its trial examiners. In section 10(e) of the act we recognized the necessity for temporary relief while the Labor Board decision was reviewed on appeal to the courts of appeal.

In section 10(e) we authorized the Labor Board—pending review of its decisions by the courts of appeals—to petition such reviewing courts for "appropriate temporary relief or restraining order." We also authorized the reviewing courts "to grant such temporary relief or restraining order as it deems just and proper."

I understand this is a dead letter, that the Labor Board seldom if ever asks for "temporary relief." This means judicial delay of a year or more compounds the damage caused by the administrative delay. Relief is in sight, but never in hand. I do not understand why the Labor Board does not utilize the congressional authorization to seek "temporary relief" from the reviewing courts; especially, as here, where the Labor Board has found unlawful discharges, and the dischargees are obviously in financial straits.

Let me briefly review the situation.

The union here charged that a number of employes had been discharged because of union membership. The regional office of the NLRB investigated these charges, and found reason to issue a complaint against the company. Thereafter a trial examiner heard days of evidence, and in a lengthy, 117-page, opinion, found that some of the employees had been discharged because of union activity and other employees for legitimate reason. There was an appeal to the Labor Board. Five members of the Board—Republican and Democrat alike—reviewed the evidence and the findings, and thereafter affirmed the trial examiner in almost all particulars. The case now moves on to the court of appeals for review. In that forum, according to our statutory mandate in section 10(e) of the act:

> The findings of the Board with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive.

Statistically, there is very little likelihood that the reviewing court will reverse the Labor Board findings of fact concerning the reasons for the discharges. The only real issue in this appeal concerns an entirely different question: Whether the Labor Board has power to require the employer to read aloud the order which concedingly he must post upon the bulletin boards. Why must the discharged employees be denied their reinstatement pending the review of this unrelated issue? Why does not the Labor Board utilize the remedial weapons we enacted into law? I hope this is tried; if not in this case, at least soon in another.

C. SOME LEGISLATIVE REFORMS

I have been discussing remedies presently available but untried. I do not think the successful use of these techniques will solve the problem. Something further must be done.

The J. P. Stevens Co. has so far lost all the battles but has won the war. It has achieved its objective—to keep the union out. Its violations of the law, assuming the reviewing court upholds the Labor Board, will be punished by a wrist-slapping. The contest between the J. P. Stevens Co. and the U.S. Government is unequal.

We send the Labor Board with a slingshot to enforce our laws against an armored Goliath, and the days of David are over. If we want the laws we pass to be enforced, we must equip the agencies we create with power to deter the law violators. There are several necessary legislative reforms which have been proposed to my subcommittee. I would like to present a few of them here:

First. Currently, the National Labor Relations Act authorizes the Labor Board to order the reinstatement of employees discharged for union affiliation with back pay. This back pay award does not compensate the employee for his financial loss; nor does it deter the wrongdoer. The back pay award has been called "nothing more than a hunting license for union-busters." I suggest that we give the Labor Board authority to assess double or treble damages against certain violators—those who have been deliberate or repeated or flagrant in their violations of our laws.

Second. The laws should be amended so a violation will hurt where it counts—in the pocketbook. Moreover, it does not make sense for the Federal Government to subsidize with lucrative contracts the individuals and companies which violate our laws. Accordingly, I propose amendments to the Davis-Bacon and Walsh-Healey Acts so as to give the contracting agencies of our Government power to withhold contracts from companies which the Labor Board finds to be in open, flagrant, knowing, and purposeful violation of our laws. I made a similar proposal in connection with those who violate our antitrust laws, and I think the same rationale is applicable here.

Action, I say, is urgent, if we are to demonstrate that the U.S. Government is larger than the total of its parts.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Hanna (at the request of Mr. Albert) for today on account of official business.

Mr. Hansen of Idaho (at the request of Mr. Gerald F. Ford) for today and tomorrow on account of death in family.

Mr. Thompson of New Jersey for May 27 to June 14 on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Horton for 1 hour on June 16, to revise and extend his remarks and include extraneous matter.

Mr. Findley (at the request of Mr. Horton) for 30 minutes today, to revise and extend his remarks and include extraneous matter.

Mr. Ashbrook (at the request of Mr. Horton) for 10 minutes today, to revise and extend his remarks and include extraneous matter.

Mr. Thompson of New Jersey (at the request of Mrs. Mink) for 60 minutes today, to revise and extend his remarks and include extraneous matter.

Mr. Reuss (at the request of Mrs. Mink) for 30 minutes on May 27, to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Philbin in three instances and to include extraneous matter.

Mr. Rhodes of Arizona.

Mr. Resnick (at the request of Mrs. Mink) to revise and extend his remarks made in Committee today, and include extraneous matter.

Mr. Kluczynski (at the request of Mrs. Mink) to include charts and tables in his remarks in Committee today.

The following Members (at the request of Mr. Horton), and to include extraneous matter:

Mr. Morton.

Mr. Grover.

The following Members (at the request of Mrs. Mink) and to include extraneous matter:

Mr. Powell.

Mr. Gilligan.

Mr. Brademas.

Mr. Karth.

Mr. Sweeney.

Mr. Schmidhauser in two instances.

ADJOURNMENT

Mrs. MINK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 31 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, May 26, 1966, at 10 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2429. A letter from the Comptroller General of the United States, transmitting a report of opportunities for reducing the number of vehicles maintained in fleet, Soil Conservation Service, Department of Agriculture; to the Committee on Government Operations.

2430. A letter from the Comptroller General of the United States, transmitting a report of review of development of certain scientific instruments for the surveyor project, National Aeronautics and Space Administration; to the Committee on Government Operations.

2431. A letter from the Comptroller General of the United States, transmitting a report of planning for and utilization of automatic data processing equipment, Ames Research Center, Moffett Field, Calif., National Aeronautics and Space Administration; to the Committee on Government Operations.

2432. A letter from the executive director, Reserve Officers Association of the United States, transmitting the audit report of the Reserve Officers Association of March 31, 1966, pursuant to the provisions of Public Law 81–595; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MORRISON: Committee on Post Office and Civil Service. Supplemental report. H.R. 14904. A bill to revise postal rates on certain fourth-class mail, and for other purposes; without amendment (Rept. No. 1543, pt. II). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOLLING: Committee on Rules. House Resolution 868. Resolution for the consideration of H.R. 14050, a bill to extend and amend the Library Services and Construction Act; without amendment (Rept. No. 1553). Referred to the House Calendar.

Mr. PEPPER: Committee on Rules. House Resolution 869. Resolution for the consideration of S. 1357, an act to revise existing bail practices in courts of the United States, and for other purposes; without amendment (Rept. No. 1554). Referred to the House Calendar.

Mr. COOLEY: Committee on Agriculture. H.R. 14888. A bill to amend the act of February 28, 1947, as amended, to authorize the Secretary of Agriculture to cooperate in screw-worm eradication in Mexico; with amendment (Rept. No. 1555). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DYAL:

H.R. 15260. A bill to amend title 32, United States Code, to clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

By Mr. FASCELL:

H.R. 15261. A bill to amend the National Science Foundation Act of 1950, as amended, so as to authorize the establishment and operation of sea-grant colleges and programs by initiating and supporting programs of education, training, and research in the marine sciences and a program of advisory services relating to activities in the marine sciences, to facilitate the use of the submerged lands of the Outer Continental Shelf by participants carrying out these programs, and for other purposes; to the Committee on Science and Astronautics.

By Mr. KEOGH:

H.R. 15262. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. McGRATH:

H.R. 15263. A bill relating to the reduction of the public debt; to the Committee on Armed Services.

By Mr. McMILLAN:

H.R. 15264. A bill authorizing the sale of standard silver dollars held by the Treasury; to the Committee on Banking and Currency.

By Mr. MORSE:

H.R. 15265. A bill to amend the Interstate Commerce Act to prevent the discontinuance of certain commuter operations which could benefit from new governmental programs for the improvement of commuter services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. O'BRIEN:

H.R. 15266. A bill to amend the Public Health Service Act to provide a loan program for students of pharmacy and to authorize basic and special improvement grants to schools of pharmacy on the same basis as such grants are made to other health profession schools; to the Committee on Interstate and Foreign Commerce.

By Mr. ROYBAL:

H.R. 15267. A bill to amend title 32, United States Code, to clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

By Mr. STAGGERS:

H.R. 15268. A bill to amend the Public Health Service Act to provide special assistance for the improvement of laboratory animal facilities, and to otherwise assure humane care and treatment of laboratory animals; to the Committee on Interstate and Foreign Commerce.

By Mr. STALBAUM:

H.R. 15269. A bill to prevent the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities; to require the disclosure of finance charges in connection with extensions of credit; to improve the safety and reliability of drugs; to protect children and others from accidental death or injury by requiring safety closures on drug containers and cautionary labeling of containers, and by prohibiting the distribution of extremely hazardous articles; to the Committee on Interstate and Foreign Commerce.

By Mr. WHALLEY:

H.R. 15270. A bill to exclude from income reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. CURTIS:

H.R. 15271. A bill to implement the Agreement on the Importation of Educational, Scientific, and Cultural Materials, opened for signature at Lake Success on November 22, 1950, and for other purposes; to the Committee on Ways and Means.

By Mr. EDWARDS of California:

H.R. 15272. A bill to amend title 32, United States Code, to clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

By Mr. FOGARTY:

H.R. 15273. A bill to designate a Veterans' Administration hospital in Providence, R.I., as the Theodore Francis Green Memorial Hospital; to the Committee on Veterans' Affairs.

H.R. 15274. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

By Mr. FRASER:

H.R. 15275. A bill to amend title XVIII of the Social Security Act to permit payment thereunder, in the case of an individual otherwise eligible for home health services of the type which may be provided away from his home, for the costs of transportation to and from the place where such services are provided; to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 15276. A bill to amend the Interstate Commerce Act to prevent the discontinuance of certain commuter operations which could benefit from new governmental programs for the improvement of commuter services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 15277. A bill to amend section 41(a) of the Trading With the Enemy Act; to the Committee on Interstate and Foreign Commerce.

By Mr. ST GERMAIN:

H.R. 15278. A bill to extend the area within which certain foreign vessels (and the masters thereof) are prohibited from fishing; and to make domestic conservation laws applicable to foreign vessels (and masters thereof) fishing above the Continental Shelf, to the same extent that such laws are applicable to U.S. vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. VIVIAN:

H.R. 15279. A bill to establish safety standards for motor vehicle tires sold or shipped in interstate commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 15280. A bill to amend the National Science Foundation Act of 1950 to make changes and improvements in the organization and operation of the Foundation, and for other purposes; to the Committee on Science and Astronautics.

By Mr. ELLSWORTH:

H.R. 15281. A bill to amend the Internal Revenue Code of 1954 so as to allow a deduction for certain amounts paid by a taxpayer for tuition and fees in providing a higher education for himself, his spouse, and his dependents; to the Committee on Ways and Means.

By Mr. FOGARTY:

H.R. 15282. A bill to offer means for coordinating State health and welfare services at the community level by providing common facilities and encouraging their administration of elements of a comprehensive whole; to the Committee on Interstate and Foreign Commerce.

By Mr. GARMATZ:

H.R. 15283. A bill to authorize the carriage of military cargoes by U.S.-flag vessels at reduced rates which are fair and reasonable; to the Committee on Merchant Marine and Fisheries.

By Mr. GILLIGAN:

H.R. 15284. A bill to amend the Internal Revenue Code of 1954 so as to allow an additional income tax exemption for a dependent who is mentally retarded; to the Committee on Ways and Means.

By Mr. KORNEGAY:

H.R. 15285. A bill to provide a comprehensive program to combat alcoholism; to the Committee on Interstate and Foreign Commerce.

By Mr. LAIRD (by request):

H.R. 15286. A bill to offer means for coordinating State health and welfare services at the community level by providing common facilities and encouraging their administration of elements of a comprehensive whole; to the Committee on Interstate and Foreign Commerce.

By Mr. MORSE:

H.R. 15287. A bill to amend the Tariff Schedules of the United States with respect to the determination of American selling price in the case of certain footwear of rubber or plastics; to the Committee on Ways and Means.

By Mr. WIDNALL:

H.R. 15288. A bill to enlarge the home mortgage purchase authority which the Federal National Mortgage Association may exercise in its secondary market operations by increasing the amount of preferred stock which such Association may issue for delivery to the Secretary of the Treasury; to the Committee on Banking and Currency.

By Mr. EDWARDS of Louisiana:

H.R. 15289. A bill to amend title 38 of the United States Code so as to broaden the veterans' educational assistance program under that title to include certain flight training programs not creditable toward a standard college degree; to the Committee on Veteran's Affairs.

By Mr. GROVER:

H.R. 15290. A bill to amend the National Science Foundation Act of 1950, as amended, so as to authorize the establishment and operation of sea grant colleges and programs by initiating and supporting programs of education, training, research in the marine sciences and a program of advisory services relating to activities in the marine sciences, to facilitate the use of the submerged lands of the Outer Continental Shelf by participants carrying out these programs, and for other purposes; to the Committee on Science and Astronautics.

By Mr. HOLLAND:

H.R. 15291. A bill to amend title 10, United States Code, to authorize the award of exemplary rehabilitation certificates to certain individuals after considering their character and conduct in civilian life after discharge or dismissal from the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. MORSE:

H.R. 15292. A bill to offer means for coordinating State health and welfare services at the community level by providing common facilities and encouraging their administration as elements of a comprehensive whole; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHMIDHAUSER:

H.R. 15293. A bill relating to the use of revenue from oil shale deposits; to the Committee on Armed Services.

By Mr. SWEENEY:

H.R. 15294. A bill creating a Commission to be known as the Commission on Obscenity and Pornography; to the Committee on Education and Labor.

By Mr. GRAY:

H. Con. Res. 669. Concurrent resolution officially recognizing Carbondale, Ill., as the birthplace of Memorial Day and authorizing the President to issue an appropriate proclamation relating to the centennial anniversary of the first celebration of Memorial Day; to the Committee on the Judiciary.

By Mr. SWEENEY:

H. Con. Res. 670. Concurrent resolution relative to parity prices for agricultural commodities; to the Committee on Agriculture.

By Mr. POWELL:

H. Res. 870. Resolution authorizing the Speaker to appoint delegates and alternates to attend the International Labor Organization Conference in Geneva; to the Committee on Rules.

By Mr. RESNICK:

H. Res. 871. Resolution designating the third Sunday of June as Father's Day; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 15295. A bill for the relief of Tang Tit Keung; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 15296. A bill for the relief of Dr. Shahrokh S. Morovati; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 15297. A bill for the relief of Leonard G. Duffy, lieutenant, U.S. Navy; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 15298. A bill for the relief of Michael Goro Yoshida; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

391. By the SPEAKER: Petition of Henry Stoner, Portland, Oreg., relative to interstate hitchhikers and national identification; to the Committee on Interstate and Foreign Commerce.

392. Also, petition of the Council of the Borough of Bound Brook, N.J., relative to the designation of May 29, the birthday of John F. Kennedy, as a national holiday; to the Committee on the Judiciary.

SENATE

Wednesday, May 25, 1966

The Senate met at 12 o'clock meridian, and was called to order by the Acting President pro tempore (Mr. Metcalf).

Father John P. Schotte, rector, Immaculate Heart Missions Seminary, Catholic University, Washington, D.C., offered the following prayer:

Almighty God, Thou art the source of all authority and power, and we are but the stewards of Thy gifts.

Grant, we humbly pray, unto the distinguished Members of this assembly light and inspiration, as each day they seek to understand the mission Thou hast entrusted to them.

Fortify them against the moods of doubt and discouragement. May Thy word be the check and balance that will safeguard them against prejudice and selfishness.

Give them prudence in their actions and wisdom in their words, firmness in their decisions and kindness in their judgment of others.

And make us all understand, O Lord, that the true greatness of a man lies in the measure of his dedication to Thee and to the welfare of mankind. Amen.

THE JOURNAL

On request of Mr. Long of Louisiana, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, May 24, 1966, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on May 24, 1966, the President had approved and signed the act (S. 3283) to promote private financing of credit needs and to provide for an efficient and orderly method of liquidating financial assets held by Federal credit agencies, and for other purposes.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House insisted upon its amendments to the bill (S. 693) to amend the Foreign Agents Registration Act of 1938, as amended, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Celler, Mr. Tuck, Mr. Kastenmeier, Mr. Poff, and Mr. Hutchinson were appointed managers on the part of the House at the conference.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Long of Louisiana, and by unanimous consent, the following subcommittees or committees were authorized to meet during the session of the Senate today:

The Antitrust and Monopoly Subcommittee of the Committee on the Judiciary.

The Committee on Commerce.

The Subcommittee on Executive Reorganization of the Committee on Government Operations.

The Subcommittee on Juvenile Delinquency of the Committee on the Judiciary.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Long of Louisiana, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Audit Report of Reserve Officers Association of the United States

A letter from the executive director, Reserve Officers Association of the United States, Washington, D.C., transmitting, pursuant to law, an audit report of that organization, as of March 31, 1966 (with an accompanying report); to the Committee on the Judiciary.

Audit Report of National Safety Council

A letter from the president, National Safety Council, Chicago, Ill., transmitting, pursuant to law, an audit report of that council, for the year 1965 (with an accompanying report); to the Committee on the Judiciary.

PETITION

The ACTING PRESIDENT pro tempore laid before the Senate a petition, signed by Anthony Kubilos, and sundry other citizens of Tulsa, Okla., relating to social security benefits, which was referred to the Committee on Finance.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. MONRONEY, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated May 12, 1966, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. METCALF:

S. 3396. A bill to provide for the modification of the excess land provisions of the Federal reclamation laws as they apply to irrigable lands within the Flathead Indian Irrigation Project, Montana; to the Committee on Interior and Insular Affairs.

By Mr. SALTONSTALL:

S. 3397. A bill for the relief of Katherine M. Perakis; to the Committee on the Judiciary.

By Mr. CARLSON:

S. 3398. A bill to provide for the installation of an eternal flame at the site of the Tomb of the Unknowns in Arlington National Cemetery; to the Committee on Interior and Insular Affairs.

S. 3399. A bill to permit the city of Olathe, Kans., to count expenditures made for its current waterworks improvement project as local noncash grants-in-aid toward the Olathe urban renewal project; to the Committee on Banking and Currency.

(See the remarks of Mr. Carlson when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. DOUGLAS:

S. 3400. A bill to amend the act entitled "An act to amend the Clean Air Act to require standards for controlling the emission of pollutants from certain motor vehicles, to authorize a research and development program with respect to solid-waste disposal, and for other purposes", approved October 20, 1965 (79 Stat. 992), in order to provide for the disposal of junked automobiles; to the Committee on Public Works.

(See the remarks of Mr. Douglas when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 3401. A bill to amend the Ship Mortgage Act, 1920, relating to fees for certification of certain documents, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. ROBERTSON:

S. 3402. A bill to authorize the Secretary of the Interior to acquire certain properties within the Colonial National Historical Park, in Yorktown, Va., and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Robertson when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS (for himself and Mr. Brewster):

S. 3403. A bill to authorize the Commissioners of the District of Columbia to provide additional personnel for the Department of Public Health and the Department of Corrections; to the Committee on the District of Columbia.

S. 3404. A bill to authorize the Attorney General to transfer an inmate of the District of Columbia jail to any other institution under the control and supervision of the Director of the District of Columbia Department of Corrections notwithstanding the pendency of a petition for a writ of habeas corpus with respect to such inmate; to the Committee on the Judiciary.

(See the remarks of Mr. Tydings when he introduced the above bills, which appear under a separate heading.)

By Mr. MILLER:

S. 3405. A bill to provide for the sharing of Federal tax receipts with the States for purposes of education; to the Committee on Finance.

(See the remarks of Mr. Miller when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT (for himself and Mr. Clark):

S. 3406. A bill to amend section 336(c) of the Immigration and Nationality Act so as to authorize any petitioner for naturalization to take the oath of allegiance at a final hearing held upon his petition within 30, rather than 60, days preceding a general election; to the Committee on the Judiciary.

(See the remarks of Mr. Scott when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 3407. A bill for the relief of Angelo Luciano Colavita, his wife, Maria Carmela Colavita, and their two sons, Michelino Colavita and Antonio Colavita; to the Committee on the Judiciary.

By Mr. MUSKIE:

S. 3408. A bill to strengthen intergovernmental cooperation and the administration of grant-in-aid programs, to extend State merit systems to additional programs financed by Federal funds, to provide grants for improvement of State and local personnel administration, to authorize Federal assistance in training State and local employees, to provide grants to State and local governments for training of their employees, to authorize interstate compacts for personnel and training activities, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. Muskie when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN:

S. 3409. A bill authorizing the sale of standard silver dollars held by the Treasury;

S. 3410. A bill to make certain expenditures by the city of Decatur, Ala., eligible as local grants-in-aid for purposes of title I of the Housing Act of 1949; and

S. 3411. A bill to provide authority to the Secretary of Defense to acquire properties and provide other relief for certain homeowners whose properties are situated at or near military installations which have been ordered to be closed; to the Committee on Banking and Currency.

(See the remarks of Mr. Sparkman when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. TOWER:

S. 3412. A bill to provide for a survey by the Secretary of the Interior to establish the route of the Chisholm Trail and for the establishment of markers to identify such route, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Tower when he introduced the above bill, which appear under a separate heading.)

By Mr. FONG (for himself and Mr. Kennedy of Massachusetts):

S. 3413. A bill to amend section 329 of the Immigration and Nationality Act in order to facilitate the naturalization of certain aliens or noncitizen nationals who have served honorably in the Armed Forces of the United States during the Vietnam hostilities; to the Committee on the Judiciary.

By Mr. FONG:

S. 3414. A bill for the relief of Ah Nang Yu; to the Committee on the Judiciary.

(See the remarks of Mr. Fong when he introduced the first above-mentioned bill, which appear under a separate heading.)

CONCURRENT RESOLUTION

ESTABLISHMENT OF JOINT COMMITTEE ON NATIONAL SERVICE AND THE DRAFT

Mr. MONDALE (for himself, Mr. Gruening, Mr. Harris, Mr. Montoya, Mr. Proxmire, and Mr. Williams of New Jersey) submitted a concurrent resolution (S. Con. Res. 95) establishing a Joint Committee on National Service and the Draft, which was referred to the Committee on Armed Services.

(See the above concurrent resolution printed in full when submitted by Mr. Mondale, which appears under a separate heading.)

ESTABLISHMENT OF ETERNAL FLAME AT TOMB OF THE UNKNOWNS

Mr. CARLSON. Mr. President, I am today introducing a bill to establish an eternal flame at the Tomb of the Unknowns in Arlington National Cemetery.

Next Monday is Memorial Day, a day on which we honor the memory of all Americans who have died fighting for the preservation of our freedom. The Tomb of the Unknown Soldier symbolizes all those honored dead to whom we owe so much, and so I feel the advent of Memorial Day is a fitting time to offer a resolution paying special tribute to all Americans who have made the supreme sacrifice for their country.

We owe the very existence of our country to those honored patriots who left their homes and their families, never to return. Imbued with the fire of patriotism, they fought to protect our American ideals, and as long as we have men of such courageous dedication, we need not fear from any foe.

I feel an eternal flame at the Tomb of the Unknown Soldier would be a continuing symbol of the fire of courage, patriotism, and self-sacrifice which burns in the hearts of all Americans who are willing to fight for their country.

Mr. President, I ask unanimous consent that the bill be printed in the Record; and that the bill may lie at the desk for 10 days for additional cosponsors.

The PRESIDING OFFICER. (Mr. Montoya in the chair.) The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record and will lie on the desk, as requested by the Senator from Kansas.

The bill (S. 3398) to provide for the installation of an eternal flame at the site of the Tomb of the Unknowns in Arlington National Cemetery, introduced by Mr. Carlson, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That (a) The Secretary of the Army is authorized and directed to install and maintain at the site of the Tomb of the Unknowns at the Memorial Amphitheater in Arlington National Cemetery, Arlington, Virginia, a flame which shall be kept forever burning as a symbol of the Nation's undying gratitude to the members of its armed forces who gave their lives that Freedom might endure.

(b) Notwithstanding any other provision of law, no facility to provide a flame as a memorial at the site of any grave or tomb shall be installed at any other place in such cemetery after the date of enactment of this Act unless specifically authorized by the Congress, but the foregoing shall not apply in the case of any memorial flame heretofore established in such cemetery.

Mr. CARLSON. Mr. President, I also ask unanimous consent that a resolution adopted by the board of directors of the Order of Lafayette at a meeting in Washington, D.C., on Saturday, May 7, 1966, and a very excellent article which appeared in the New York Times, issue of December 22, 1963, written by Ted Slate, which is an excellent historical statement on the use of the eternal flame, both nationally and internationally, be made a part of my remarks.

There being no objection, the resolution and the article were ordered to be printed in the Record, as follows:

IN SUPPORT OF ESTABLISHING AN ETERNAL FLAME AT THE TOMB OF THE UNKNOWN AMERICAN SOLDIERS

Resolved by the Directors of the Order of Lafayette at a meeting held at the Shoreham Hotel, Washington, D.C. on Saturday, May 7th, 1966. In view of the fact that its President General, Hon. Hamilton Fish introduced the bill in Congress to bring back the body of the Unknown Soldier for burial near the memorial amphitheater at Arlington which was the last legislative measure signed by Woodrow Wilson on March 3, 1921 and at the request of the War Department, placed a wreath representing all the armed forces of the United States, on the Tomb of the Unknown American Soldier at the burial ceremonies on November 11, 1921, we respectfully urge the Congress since the creation of a flame at the grave of former President Kennedy, that it establish an eternal flame at the tomb of the Unknown American Soldiers as has been done in Paris and in Rome and prescribe that hence forth, there shall be no other eternal flame in the Arlington cemetery without the consent and approval of the Congress (keeping Kennedy's, of course).

[From the New York (N.Y.) Times Dec. 22, 1963]

KENNEDY FLAME HAS PRECEDENTS—FIRE AT GETTYSBURG HONORS DEAD IN CIVIL WAR BATTLE

(By Ted Slate)

WASHINGTON, December 21.—The eternal flame at President Kennedy's grave in the Arlington National Cemetery has some precedents in the United States and abroad.

In a number of countries flames burn to commemorate those who died in their country's service, usually in war. The most recent flame burns on an Oklahoma hillside in memory of Mr. Kennedy. It is guarded by Cherokee Indians.

Prior to lighting the flame in Arlington, the most widely visited eternal flame in the United States was on the Gettysburg battlefield.

President Franklin D. Roosevelt dedicated the Eternal Light Peace Memorial there July 3, 1938. The President stood on the crest of Oak Hill, the scene of the first day's fighting on July 1, 1863, and accepted the memorial from the Governor of Pennsylvania, George H. Earle, in honor of veterans of the Civil War.

In presenting the monument to Mr. Roosevelt, Mr. Earle said that he acted "with the hope that the light will burn from its crest without interruption and forever; and that so long as it burns, our land and our people will enjoy the security and peace that is rightfully theirs."

The memorial is a 51-foot structure of veined Alabama limestone. The flame flows from the top of its shaft. It is fed by natural gas. The flame burns brightly most of the year from 6 p.m. until 6 a.m. In the winter, a device is set to allow the flame to burn 16 hours daily. During the day, the flame is kept burning, but on a pilot light level.

FLAME KINDLED IN 1938

From the time it was kindled in 1938 the flame has burned continuously except for three years during World War II, when it was extinguished so that it would not serve as a guide to enemy aircraft.

Electric bulbs or other devices have been used in many parts of the world to function as eternal flames. In June, 1924, an electric light atop a flagpole was lighted in Madison Square Park, New York, to honor the veterans of World War I.

In Menlo Park, New Jersey, an electric light bulb burns in honor of Thomas A. Edison, inventor of the incandescent lamp.

In front of the War Memorial in Kansas City, Mo., a beam of light illuminates a jet of steam, producing a flame effect. And in the Heldenplatz in Vienna, an electric light burns in memory of Austrian war heroes.

In addition, candles, oil lamps, electric bulbs or similar devices burn in most religious houses of worship.

The Cherokee Indian Reservation, outside Cherokee, N.C., is the site of an eternal fire that has been burning since 1951.

Its origin lies in the ancient council fires that the Cherokees maintained in North Carolina. In the early eighteen-thirties, when the Cherokees were forced to leave their homes and relocate in Oklahoma, the last to leave took the fire with them on their "Trail of Tears," so named to reflect the starvation and suffering of their journey. The flame was kept alive along the route and was preserved in several places on the reservation in Oklahoma.

MEMORIAL IN OKLAHOMA

The North Carolina Reservation was established for a group of Cherokees who hid out in the Great Smoky Mountains rather than migrate.

In May, 1951, four Eastern Cherokee tribal leaders retraced the "Trail of Tears" by automobile and brought back live coals from Oklahoma.

Today, the flame burns in front of an amphitheater. The fire is fed by propane gas from a 100-gallon storage tank. The burner rests within a stone enclosure built by the Cherokees.

There are other eternal fires in Oklahoma maintained by the Cherokees. Two are part of the original flame that was carried from North Carolina. The third was lighted this year in memory of Mr. Kennedy.

The President was a well-known friend to the Cherokees and had publicly expressed an interest in them. Saddened by the news of his assassination, they lit a fire in his memory Nov. 26. It is at a site called Oo-Loo-Teka. It consists of a circular mound of ashes 10 feet in diameter and is kept lighted by coals which are fed to it at intervals by the Cherokees who guard the flame. The flame also memorializes Oo-Loo-Teka, a past chief of the Cherokees.

Prior to lighting the flame at Mr. Kennedy's grave on Nov. 25, the most widely known one was the flame at the Arc de Triomphe in Paris. On Jan. 28, 1921, the body of a French unknown soldier of World

War I was interred there and a perpetual flame lighted. It is fed by gas supplied by the Paris Gas Company.

A sampling of the embassies here and the United Nations legations in New York disclosed several other eternal flames. These are:

Mexico City, at the Monument of Independence, in commemoration of the independence of Mexico declared in 1810.

Baghdad, at the Tomb of the Unknown Soldier in Freedom Square.

Prague, at the National Monument, in honor of the unknown soldier and other heroes and leaders in Czechoslovak history.

Brussels, at the Tomb of the Unknown Soldier.

In the cemetery of Monte Cassino overlooking the Cassino, Italy. The Torch of Brotherhood burns there for those who died in World War II.

Buenos Aires, outside the doorway of the Cathedral of Buenos Aires. The remains of San Martin, Argentina's liberator, rests in a mausoleum within the cathedral.

At Brisbane and Melbourne, Australia, there are flames at shrines in honor of the dead of World War II.

JUNKED AUTO BILL

Mr. DOUGLAS. Mr. President, I am introducing a bill which will help rid America of the growing number of automobile junkheaps which are marring the face of our Nation. The bill I am introducing would amend the Solid Waste Disposal Act of 1965 and empower the President to set up a program to dispose of the accumulation of junk automobiles. If passed by the Congress, this measure would be known as the Junked Auto Disposal Act of 1966. It is similar to a bill I proposed to the Highway Beautification Act a year ago, the financial parts of which were substantially enacted.

It was a year ago today on May 25, 1965, that President Johnson addressed the White House Conference on Natural Beauty and spoke about the growing number of junk automobiles littering our countryside. The President rightly said that these junked automobiles "are among the deadliest enemies that natural beauty has ever known." I think it is time that we do something about this problem.

Mr. President, I have seen the junked hulks of autos piled 20 or 30 deep along our city streets and rural lanes. These byproducts of progress form a grim testament of some of our neglect—private waste and public indifference.

The old cycle of reducing junk autos to scrap and ultimately to new steel has broken down. Mr. President, as a result of this disruption, we now have 30 to 40 million junk cars disfiguring our countryside from coast to coast. Until someone acts to solve this problem, we will have to pile up junk cars wherever we find space. I think my bill is one answer to this problem.

The measure I am proposing would empower the Federal Government to develop techniques for efficiently and economically disposing of the remains of used automobiles. Under my bill, the President would have the authority to develop a program for the purchase, storage, and resale of scrap from old and wrecked automobiles. In addition, the bill would encourage the development of improved scrap processing techniques, and assist States and localities in creating practical programs for the disposal of junk autos.

Last year we were successful in the fight to permanently retain a minimum Federal excise tax of 1 percent on the sale of new automobiles. The cost of the junk auto disposal program I am proposing would be borne by those who buy cars. My bill provides that moneys appropriated annually to finance the program would not exceed the 1 percent permanent Federal excise tax collected by the Treasury.

If enacted into law, this bill will insure a proper burial for old autos that have outlived their usefulness. Every new car should carry with it the funds for its ultimate disposal. Let us beautify America. Let us get rid of the rusty scrapheaps that are a disgrace to our country.

I ask unanimous consent that a statement I have prepared on the junked auto problem be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR DOUGLAS ON THE PROPOSED JUNKED AUTO DISPOSAL ACT OF 1966

The bill that I have today introduced would help us get rid of the growing number of automobile junkpiles which are littered across our nation. The bill would amend the Solid Waste Disposal Act of 1965 and set up a program to dispose of the accumulation of junked automobiles.

We have all seen these rotting and rusting scrap piles defiling our countryside and city lots. And like the proverbial weather, everyone talks about the problem but does little about it.

Of all the problems created by the automobile, probably none is as obvious and direct as getting rid of used up cars. We are made painfully aware of our vast productive capacity every time we pass an auto graveyard. There we see ugly rusting auto carcasses which were once gleaming and expensive sedans. I have seen the junked hulks of autos piled 20 or 30 deep along city streets and rural lanes.

THE AUTO JUNK PROBLEM

The underlying causes of the junk auto problem are economic and technological.

A few years ago, the system of producing and disposing of cars worked reasonably well. When a car owner decided to junk his aging jalopy, he could usually get 40 to 50 dollars for it from an auto junkyard. Here the car would be stripped of its salable parts and then sold to a scrap processor. The processor would burn out the upholstery and other non-metallic materials and crunch the remaining body into a compact one-ton steel cube about the size of a TV set. These cubes would then be sold to steel mills as scrap for making new steel. Eventually, they might even be reincarnated in the form of another gleaming auto fresh from Detroit's assembly line.

Several things have happened to upset this happy situation. First of all, there are a growing number of cars being sent to the scrap heap each year. In 1958, 3.6 million cars were retired from service while in 1964 we junked 5.6 million. Part of the reason is increased production. We are now producing over 10 million vehicles annually, and sooner or later all of these will find their way into a junkpile. And it will probably be sooner than later. Unlike humans, the average age of a car is declining. In 1960 it was 14 years; in 1964 it was down to 10. If I may entertain a frivolous thought, if this trend continues, economists may have to revise their definition of durable goods and place autos in the same category of perishable commodities as fruits and vegetables.

Some say the reason for the decline in life expectancy is due to built-in obsolescence. Others place the blame on advertising and yearly style changes. Whatever the reasons, there is no doubt that we are getting rid of our old cars faster than ever before and the trend is likely to continue.

Secondly, not only is the supply of junk autos increasing—but the long term demand for them is decreasing. The decline in demand is due to a shift in steelmaking technology. The old open hearth furnace was a voracious consumer of scrap steel. It used about half scrap and half ore in making new steel. However, the oxygen converter method which is used by many mills today, uses only 25 percent of scrap in making new steel. Moreover, it has a finicky appetite. Bits of glass, plastic, or other impurities will upset its delicate digestive system and as a result, oxygen converter mills are more particular about the quality of scrap they buy.

THE GROWING JUNKPILES

This is what has happened over the last few years. Less than half of the autos junked each year are processed into steel scrap. The majority are tossed upon the 15,000 auto junkpiles which are scattered across the country. One newspaper estimates that there are now between 30 and 40 million junk cars disfiguring our countryside and city lots from coast to coast. A junk dealer in Massachusetts candidly observed that: "People complain about the piles of junk but no one has come up with a solution to get rid of the mess. Until somebody finds the answer, we'll have to keep piling them up wherever we find space."

With the reduced demand for scrap, auto junkyards have cut the price they will pay for an old car. Years ago many auto wreckers paid $30 to $50 for a car but today one is lucky to get one-half of that amount. Most dealers can still make a profit at these prices by selling the parts and tossing the body on a scrap heap where it will rust away indefinitely. As one writer rhapsodized, these junks are "like lobsters once full of succulent meat but now mostly hard shell that's hard to sell."

In some cases, you can't even give an old car to a junk dealer. If you attempt to leave it anyway, he will call the police and charge trespassing. In other cases, the price a dealer will pay is less than the cost of towing an old disabled car to the yard.

The old cycle of reducing junk autos to scrap and ultimately to new steel has broken down, and as a result of this disruption, we now have 30 to 40 million junk cars disfiguring our countryside from coast to coast. Until someone acts to solve this problem, we will have to pile up junk cars wherever we find space.

PROSPECTS FOR THE FUTURE

Many cities have clamped down on those who leave their useless cars in the street, but generally, this only removes the problem to a growing scrap heap on the edge of town.

A few scrap processors have been able to sell more scrap at a profit with larger and more efficient processing equipment. But such equipment costs around 2 million dollars and is beyond the reach of most processors.

The Bureau of Mines has been conducting research on alternative uses of scrap steel and they have come up with a few promising ideas.

Some communities have experimented with dumping autos in lakes or rivers to form breakwaters.

All of these actions have achieved limited results, but they are only a dent in the problem. The inventory of junk autos continues to grow faster than it can be processed.

In 1963, 13,600 cars were abandoned in New York City or more than double the number found in 1962. In 1964, the New York City Department of Sanitation reported that approximately 25,000 cars were abandoned on that city's streets. Some 22,000 cars were abandoned in Chicago in 1963, and over 9,000 cars were found in Washington, D.C., in 1964. City officials have contended that these wrecks constitute a serious safety and health hazard as well. And the heap of rusting cars will get larger every year despite the limited actions taken to alleviate the problem.

Clearly, an all out assault upon junk autos is in order. We can't expect to cure the problem without spending money, for under our present economy, it is cheaper to let these cars rust away in a massive heap than to get rid of them. And this is exactly what is being done. No one enters the esthetic cost of ugliness upon their economic balance sheet—neither the auto maker, the person who abandons his car on the street, the junk dealer, the scrap processor, nor the steel mill. And so unless we do something about the problem—unless we inject the public interest into this never ending cycle—unless we declare a war on ugliness and place a premium on beauty—it is obvious that Detroit will continue to churn out 10 million or more vehicles a year, only to deposit them a few years later upon the towering scrap piles of junk and steel which will soon surround every major city and extend for miles into the countryside.

SOLVING THE JUNK AUTO PROBLEM

Last year I urged the permanent retention of a minimum 1% Federal excise tax on the sale of new automobiles. The costs of the program I am now proposing would be borne by the purchasers of automobiles in that the monies authorized to be appropriated annually to finance the program would not exceed the permanent 1% Federal excise tax collected by the Treasury.

Under my bill, the President would have the authority to develop a program for the purchase, storage, and resale of scrap from old and wrecked automobiles. In addition, the bill would encourage the development of improved scrap processing techniques, and assist states and localities in creating practical programs for the disposal of junk autos. If enacted into law, this bill will insure a proper burial for old autos that have outlived their usefulness. Every new car should carry with it the funds for its ultimate disposal.

This subject has recently received a good deal of attention by many people in the Executive Branch and in the Congress. There are many possible ways of dealing with the junk auto problem and some of these are being closely looked into. However, because recognition of the problem is relatively recent and because many alternative approaches are possible, I believe it is necessary to provide the President with broad flexibility to propose a course of action. The bill does not spell out the detailed techniques or methods by which *the President is to solve* the junk auto problem. Instead, it declares, as a matter of national policy, that junk autos must be effectively dealt with and that the cost shall be borne by those who buy cars. It requires the President to develop the detailed methods and techniques for dealing with the problem.

If this were not such an urgent problem, it might be argued that Congressional action should await the development of a detailed action program by the President. However, unless we act quickly public concern about the automobile and problems related to it may diminish.

By passing this proposal, we are likely to prod the industry to come up with a specific program in a short period of time.

I cannot think of a single action which would beautify America more than getting rid of our unsightly scrapheaps of junked automobiles. As President Johnson observed in his message on Natural Beauty: "The skeletons of discarded cars litter the countryside. The same society which receives the rewards of technology, must, as a cooperating whole, take responsibility for control."

No other eyesore can match auto junkpiles for sheer ugliness. No other blemish upon our land is quite as symbolic of the failure of our society to deal with its problems. We cannot continue indefinitely to pile car upon car in a towering heap of rust and scrap. Sooner or later we will run out of space. Eventually, the sight will become unbearably ugly for even the most insensitive observer. By then we will have a full-scale crisis upon our hands.

Why not solve the junk auto problem now while we still have a chance? Let us act now. My bill is one answer to this problem.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 3400) to amend the act entitled "An act to amend the Clean Air Act to require standards for controlling the emission of pollutants from certain motor vehicles, to authorize a research and development program with respect to solid-waste disposal, and for other purposes," approved October 20, 1965 (79 Stat. 992), in order to provide for the disposal of junked automobiles, introduced by Mr. Douglas, was received, read twice by its title, referred to the Committee on Public Works and ordered to be printed in the Record, as follows:

S. 3400

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to require standards for controlling the emission of pollutants from certain motor vehicles, to authorize a research and development program with respect to solid-waste disposal, and for other purposes," approved October 20, 1965 (79 Stat. 992), is amended by adding at the end thereof a new title as follows:

"TITLE III—DISPOSAL OF JUNKED AUTOMOBILES

"Short title

"Sec. 301. This title may be cited as the 'Junked Auto Disposal Act of 1966'.

"Disposal of junked automobiles

"Sec. 302. (a) The President is authorized to formulate and carry out a program to alleviate the blight caused by the ever increasing number of aged or wrecked motor vehicles which have been abandoned or relegated to scrap or salvage. In pursuance of such program, the President may make payments to individuals, to corporations or other business entities, and to public bodies or instrumentalities to carry out approved *programs for the alleviation of such blight. In* carrying out the authority conferred upon him by this subsection, the President—

"(1) shall take into consideration the effect of any action taken pursuant to such program on the market for iron and steel scrap;

"(2) may prescribe such rules and regulations as may be necessary to carry out the *provisions of this section;* and

"(3) may delegate any power or authority conferred upon him by this section to one or more officers or agencies of the Government.

"(b) The authority conferred upon the President by this section shall include the following:

"(1) to make *payments* to individuals, corporations, or other business entities, upon application therefor, pursuant to such regulations as he may prescribe, to develop and facilitate the processing of old and wrecked automobiles into usable scrap for the making of steel;

"(2) to increase the market for iron and steel scrap by initiating a program for the purchase, storage, and resale of the usable scrap processed from old and wrecked automobiles upon such terms and conditions, including resale at a loss, as the President determines will carry out the purposes of this section;

"(3) to initiate and conduct research and development programs for improved processing techniques for such scrap, and for alternative uses of such scrap: *Provided,* That not to exceed 5 per centum of the funds appropriated to carry out this Act may be expended for such research and development projects; and

"(4) to make grants to any State or locality, upon application therefor, for the payment of part of the cost of practical programs for the disposal of old or wrecked automobiles if he determines, in accordance with such regulations as he may prescribe, that—

"(A) the program will initiate a feasible and economic method for such automobile disposal or significantly expand and improve such a program already in existence;

"(B) the program will include adequate provisions for the screening or the relocation of automobile junkyards located along nonfederally aided highways;

"(C) the program will provide adequate public supervision of such program submitted; and

"(D) the program will provide such fiscal control and accounting procedures as he deems necessary.

"(5) The grants made under paragraph (4) above shall be subject to the following conditions:

"(A) Distribution of assistance among the several States shall be as equitable as practical;

"(B) No payments made shall exceed 90 per centum of the cost of such program; and

"(C) The term 'State' means a State, the District of Columbia, and the Commonwealth of Puerto Rico.

"Authorization for appropriations

"Sec. 303. There is hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1967, a sum equal to so much of the taxes received by the Treasury during the immediately preceding fiscal year under section 4061 (a) (2) of the Internal Revenue Code of 1954 (relating to tax on passenger automobiles and trailers) as is attributable to so much of the tax imposed on articles taxable under such section as does not exceed a rate of one per centum.

"Reports

"Sec. 304. The President shall prepare and submit to the Congress at least once in each fiscal year a comprehensive and detailed report on the administration of this title."

AMENDMENT OF SHIP MORTGAGE ACT, 1920

Mr. MAGNUSON. Mr. President, I introduce, by request and for appropriate reference, a bill amending the Ship Mortgage Act of 1920.

I ask unanimous consent that a memorandum in support of and explaining the proposed amendment be included in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the memorandum will be printed in the Record.

The bill (S. 3401) to amend the Ship Mortgage Act, 1920, relating to fees for certification of certain documents, and for other purposes, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The memorandum, presented by Mr. MAGNUSON, is as follows:

MEMORANDUM

The Ship Mortgage Act was adopted in 1920. Without going into the reasons for its adoption, it can simply be stated that the historical concept of admiralty jurisdiction was quite rigid and as such precluded the granting of a mortgage on a ship except under certain circumstances where it could be proved that the proceeds of the loan were used for "maritime purposes." In those days, "maritime purposes" did not include the financing of the purchase of a new ship. A shipowner, therefore, owning one vessel free and clear of encumbrances could not grant a mortgage on his vessel for the purpose of procuring equity money to finance the purchase of a second vessel.

Recognizing this dilemma, at the request of shipping and banking interests, the Congress adopted the Ship Mortgage Act of 1920. The Act, in brief, provides, in the context of the legislation under consideration, that the owner of a vessel may grant a mortgage on it by recording the mortgage in the office of the Collector of Customs at the home port of the vessel. The mortgage is granted a preferred status if it is so recorded and endorsed on the vessel's document and contains certain sacramental language and provisions with reference to the maintaining of the preferred status thereof. The mortgagor is required to "place, and use diligence to retain," a certified copy of the mortgage on board the vessel and cause the copy to be exhibited by the master of the vessel to any person having business with the vessel which might give rise to a maritime lien thereon. The master is required to exhibit the copy to anyone requesting a sight of same.

The Act provides that the respective Collectors of Custom shall furnish certified copies of recorded ship mortgages upon request, and upon the payment of a fee in the amount of 20¢ a folio, subject to a minimum charge of $1.00. All fees are required to be covered into the Treasury as miscellaneous receipts (Act of June 5, 1920, c. 250, 30, sub I, 41 Stat. 1002, 46 U.S.C. 927).

The provisions of the Ship Mortgage Act of 1920 which require the keeping of a certified copy of a ship mortgage on board a non-self-propelled vessel and which requires the payment of a charge of 20¢ a folio for each certified copy of the mortgage are the provisions of the existing law to which this bill is directed. It is to be noted that the statutory charge is 20¢ a folio. A "folio" under Customs Regulations 4.98(g)(1) is defined to mean 100 words; and the following subsection of the same section of the Regulations provides for the averaging of printed pages to determine the number of folios in any printed document.

Needless to say, the Collector of Customs does not require a copy of the mortgage be kept on board the vessel, or, indeed, that a copy be obtained for placing on board the vessel. The Collector is not interested in whether or not the mortgage is maintained as a valid mortgage. However, the requirement of the Act to the effect that the mortgagor shall use due diligence to see that a certified copy of the mortgage is placed aboard the vessel requires that the mortgagee determine that the certified copy has been procured, and most careful attorneys also require a certification from the mortgagor that a certified copy of the mortgage has in fact been placed on board each vessel.

Examples of the cost involved in complying with the present requirements of the Ship Mortgage Act of 1920 are set forth below:

1. Mississippi Valley Barge Line Company has a Preferred Ship Mortgage issued in 1961 which in printed form is 87 pages long, including the acknowledgments and exhibits. There were included in the schedule of vessels subjected to the mortgage 18 towboats and 418 barges, or a total of 436 vessels. One copy of the mortgage is necessary for the mortgage holder, and 437 copies were therefore ordered. A charge of $64.20 was made for each certified copy and a total of $28,055.40 was collected by the Collector of Customs for issuing the certified copies.

On December 17, 1964, a supplement to the foregoing mortgage was placed of record, requiring 471 copies of a 31 page mimeographed document which were procured at a cost of $16.40 per copy, or a total of $7,724.40. Additionally, 75 copies of the 1961 mortgage were required in view of the fact that 75 additional barges were subjected to the mortgage, at a cost of $64.20 each, or a total of $4,815.00. The recordation cost of this document was therefore $12,555.80, again representing the price of two signatures on the last page.

2. Federal Barge Lines, Inc., a wholly owned subsidiary of St. Louis Shipbuilding-Federal Barge, Inc., has of record a Preferred Ship Mortgage dated May 18, 1964 which covers 63 vessels. The cost of certifying this 23 page printed document was $18.20 for each copy and the 64 certified copies of the mortgage necessary to complete the transaction cost $1,164.80. Simultaneously, the parent company put of record a Ship Mortgage on 18 vessels, which mortgage was 99 printed pages long. The cost of a certified copy of this mortgage was $75.20 and the total cost for 19 copies was $1,428.80.

3. A. L. Mechling Barge Lines, Inc. granted a Preferred Ship Mortgage on its fleet on April 23, 1963. The printed mortgage, including the schedules and acknowledgments was 44 pages long and covered 172 vessels. 157 copies of the mortgage were procured and there were also recorded 29 original copies. The recording charge was $54.80 for each so that the total charge for the 29 originals was $1,589.20 and for the 157 copies was $8,603.60.

4. Sioux City & New Orleans Barge Lines, Inc., incurred similar charges in connection with its Preferred Ship Mortgage of 1960. This document in printed form contains 27 pages and includes in the schedule of vessels subjected to the mortgage 6 towboats and 90 barges, or a total of 96 vessels. In this instance the number of folios in the document amounted to 265, so the cost was $53.00 per certified copy. 108 certified copies were obtained at a total cost of $5,724.00.

5. In connection with the recordation of a 1956 Fleet Mortgage executed by Coyle Lines Incorporated in favor of The Northern Trust Company, the mortgage was recorded as a preferred and as an ordinary mortgage (due to the size of certain of the vessels) at a cost of $1,848.00, of which amount $1,702.00 was for the required 35 certified copies.

6. The Collector of Customs in each instance was furnished with printed copies of the mortgage in which all data, including the acknowledgments and the printed signatures of the parties, was included. In other words, the only act which the Collector had to perform was to sign the two blank spaces on the last sheet of the document in which he certified that it was received for recordation and in which he certified that the document was a true copy of the original on file with him.

It is submitted that the recordation cost is completely out of line with the services rendered. The price set for the certification of documents could not conceivably be a revenue measure insofar as the government is concerned. It is believed that everyone would agree that certification costs should be commensurate with the value of the services, and under the proposed Bill which limits the fees for certification of copies to the fee payable on ten copies, plus a charge of $1.00 for extra copies is more than sufficient to reimburse the Collector for the time of his Deputy. It is to be noted that the proposed amendment requires that copies be furnished by the party requesting certification, so that there can be no question about the value of the services to be performed: a signature only is required.

The other portion of the Ship Mortgage Act to which the Bill is addressed has reference to the maintenance on board non-self-propelled vessels of a copy of the preferred mortgage. Generally speaking, non-self-propelled vessels are unrigged and in by far the majority of cases, such vessels have no crew quarters or crew. Although a master is "signed on" every documented vessel as a condition precedent to documentation, the master is not physically on board and is a master in name only and not in fact.

As applied to most barges on the inland waterways, the provisions for the carrying of a copy of the mortgage on board are meaningless. There is no place for ship's papers to be carried on a barge which has no quarters or house on it. In order to obviate the difficulty and to provide a place for the maintenance of copies of mortgages and other ship papers on board, some companies have welded a pocket or a tube on the barge where the papers can be placed, but it will be easily recognized that this type of arrangement is unsatisfactory and that in short order the papers become watersoaked, oilsoaked or otherwise illegible, or alternatively the compartment is never opened so that for all practical purposes they need not be there.

Although generally speaking a vessel is required to carry her document on board, it is believed that T. D. 56.452(4) provides that it is unnecessary for an unrigged vessel to do so except in those cases where the vessel is also certificated by the Coast Guard. The elimination of the requirement that the copy of the mortgage be carried aboard is not, therefore, a radical departure from the current thinking of the Commissioner of Customs, although, of course, his office has no connection with maintaining the effectiveness of the lien of a preferred ship mortgage. That problem is solely a problem of the mortgagor and the mortgagee.

PURCHASE OF NELSON HOUSE

Mr. ROBERTSON. Mr. President, I send to the desk, for appropriate reference, a bill to authorize the Interior Department to acquire the historic Nelson House and three other early 18th-century structures at Yorktown, Va.

These four properties, located along the main street of Yorktown, are within the Colonial National Historical Park, and their acquisition by the Government will do much to preserve the atmosphere of an area which played so important a role in the American Revolution.

In addition to the Nelson House, the properties include the Edmund Smith House, the John Ballard House and the Thomas Pate House, which constitute the George Waller Blow Estate. Representatives of the estate are willing to sell these valuable properties to the United States at fair market value. Under present law, the act of July 3, 1930, as amended, the Secretary of the Interior is precluded from acquiring the properties because that law limits the amount which may be appropriated for land acquisition. The bill I am introducing today will increase the limitation on land acquisition from $2 million to $2,778,800.

While all four properties are valuable and will be significant additions to the

Colonial National Historical Park, the Nelson House is the most noted and the most imposing structure in Yorktown.

It is a two-story brick house with a gable roof, in a brick wall garden, built about 1740 by Thomas Nelson, 1677–1745. The property passed in 1776 to Nelson's grandson, Gen. Thomas Nelson, Jr., a signer of the Declaration of Independence, commander of the Virginia State forces from 1777 to 1782, and Governor of Virginia in 1781.

The house is believed to have been occupied by Lord Cornwallis during the last part of the seige of Yorktown in 1781, during which General Nelson directed a cannonade against this house—his own home. Still embedded in the east wall is one of his cannon balls.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3402) to authorize the Secretary of the Interior to acquire certain properties within the Colonial National Historical Park, in Yorktown, Va., and for other purposes, introduced by Mr. ROBERTSON, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

LEGISLATION TO REMEDY PROBLEMS AT THE DISTRICT OF COLUMBIA JAIL

Mr. TYDINGS. Mr. President, on behalf of myself and the distinguished senior Senator from Maryland, I am today introducing, for appropriate reference, two bills which are designed to alleviate some of the disturbing conditions that exist at the District of Columbia jail.

The first bill, S. 3403, provides for increased medical and psychiatric personnel at the jail. It provides:

First, the District of Columbia Public Health Department shall increase its psychiatric personnel in order to provide the psychiatric care now lacking at the jail. The measure will add a psychiatrist, a social worker and a clerk, all headquartered at the jail, in order to allow adequate supervision of emotionally disturbed inmates;

Second, the bill authorizes an additional doctor for the jail to aid the presently overworked medical staff;

Third, the bill authorizes the hiring of five medical technicians to staff a special treatment unit for inmates who require treatment in the infirmary. Jail officials have indicated willingness to convert one of the present cellblocks into such a unit if provision is made for adequate medical staff.

The second bill, S. 3404, deals with another problem at the jail. The jail is primarily a detention facility for persons awaiting trial and, after conviction, an inmate is normally transferred to Lorton or Occoquan. However, usually about 60 convicts at the jail have petitions for writs of habeas corpus on file, often only to prevent transfer to Lorton or Occoquan, both of which, like the District of Columbia jail, are under the control of the Director of Correction. The bill we introduce now would allow the Director of Corrections to transfer such petitioners to other institutions under his control and provides that such a transfer will not deprive the District Court for the District of Columbia of jurisdiction over the case.

I ask unanimous consent that the full text of the bills Senator BREWSTER and I have introduced be printed at this point in the RECORD.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the RECORD.

The bills, introduced by Mr. TYDINGS (for himself and Mr. BREWSTER), were received, read twice by their titles, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on the District of Columbia:

"S. 3403. A bill to authorize the Commissioners of the District of Columbia to provide additional personnel for the Department of Public Health and the Department of Corrections;

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Commissioners of the District of Columbia are authorized to increase the legal-psychiatric clinic personnel of the District of Columbia Department of Public Health by the addition of one psychiatrist, one psychiatric social worker, and one clerk for the purpose of providing resident psychiatric services for inmates of the District of Columbia jail.

"SEC. 2. The Commissioners of the District of Columbia are authorized to increase the personnel of the District of Columbia Department of Corrections by the addition of (A) five medical technicians for the purpose of establishing a special treatment unit within the District of Columbia jail, and (B) one medical doctor to be added to the staff of the infirmary of the District of Columbia jail."

To the Committee on the Judiciary:

"S. 3404. A bill to authorize the Attorney General to transfer an inmate of the District of Columbia jail to any other institution under the control and supervision of the Director of the District of Columbia Department of Corrections notwithstanding the pendency of a petition for a writ of habeas corpus with respect to such inmate:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That notwithstanding the pendency before the United States District Court for the District of Columbia of a petition for a writ of habeas corpus with respect to an inmate of the District of Columbia jail, such inmate may be transferred by the Attorney General of the United States or his authorized representative to any of the institutions under the supervision and control of the Director of the District of Columbia Department of Corrections. In no case shall any transfer of an inmate of the District of Columbia jail pursuant to this Act deprive the United States District Court for the District of Columbia of jurisdiction over any petition for a writ of habeas corpus filed with such court by any such inmate prior to his transfer. The authority provided by this Act shall be in addition to any other authority of the Attorney General relating to the transfer of prisoners in his custody."

ESTABLISHMENT OF TAX-SHARING FORMULA AND FUND

Mr. MILLER. Mr. President, I introduce for appropriate reference a bill to establish a tax-sharing formula and fund to provide the States with revenue needed to assist in providing educational opportunities.

In its review of the "Educational Responsibilities of the Federal Government," the Educational Policies Commission of the National Education Association said in 1964:

> There is little doubt that the federal government has a responsibility for trying to express the national interest in education. But the question is raised whether the Congress ought to have power to decide which aspects of education are worth reinforcing and which aspects do not need support, and whether the Executive agencies which carry out legislation and affect its preparation ought to have influence over such decisions. This power and influence are in fact increasing.

The commission went on to say that the central Federal decision on education has to do with the amounts of money to be distributed to the States, and it stated its belief that the total sums of Federal money involved come nowhere near meeting the needs that many States and localities are also unable to meet.

With the percentage of Federal revenue approach, there would be no Federal bureaucracy, and thus the foundation for future possible control from this direction would be eliminated. A law which would simply allocate a percentage of the Federal revenue collections to the States "for education purposes" would, once put into effect, have a status not unlike the annually recurring appropriation to pay interest on the national debt, and would be in little danger of amendment or restriction by the appropriations committees.

The case for Federal aid should be premised on the needs of the States for more sources of revenue to meet their own specific needs in education—some being improved teachers salaries, some being classrooms, some being laboratories, some being assistance for higher operating costs, and some being all of these items. The percentage-of-Federal-revenue approach which I have advocated for 6 years now, would meet the various needs of the individual States without Federal administrative waste and control.

I ask unanimous consent that the bill lie at the desk until June 10 for cosponsors and that the full text of the bill be printed following my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and will lie on the desk, as requested by the Senator from Iowa.

The bill (S. 3405) to provide for the sharing of Federal tax receipts with the States for purposes of education, introduced by Mr. MILLER, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Tax-Sharing Education Act of 1966".

SEC. 2. (a) There is hereby established in the Treasury of the United States a fund to be known as the tax-sharing fund. The tax-sharing fund shall consist of amounts appropriated to such fund as provided in this section.

(b) There is hereby appropriated to the tax-sharing fund, out of any money in the Treasury not otherwise appropriated, for the fiscal year beginning July 1, 1968, and for each fiscal year thereafter, an amount equal to 2 per centum of the total Federal tax collections received during the preceding fiscal year.

(c) The Secretary of the Treasury (hereinafter referred to as the "Secretary") shall, from time to time, but not less often than quarterly, transfer from the general fund of the Treasury to the tax-sharing fund the amounts appropriated by subsection (b). Such transfers shall, to the extent necessary, be made on the basis of estimates by the Secretary of the amounts referred to in subsection (b). Proper adjustments shall be made in the amounts subsequently transferred to the extent that prior estimates were in excess of or less than the amounts required to be transferred.

Sec. 3. (a) The Secretary shall, during the fiscal year beginning July 1, 1968, and during each fiscal year thereafter, pay to each State, from amounts appropriated to the tax-sharing fund for the fiscal year in which payments are to be made, a total amount equal to the allotment of such State in such fiscal year computed under this section. Such payments may be made in installments periodically during any fiscal year, but not less often than quarterly.

(b) (1) From the total sum of the amounts appropriated to the tax-sharing fund pursuant to section 2 for any fiscal year, the Secretary shall allot to each State in such fiscal year an amount which bears the same ratio to such total sum as the population of such State between the ages of 5 and 20, inclusive, bears to the total population of all of the States between the ages of 5 and 20, inclusive. The allotment of each State in any fiscal year so computed shall be reduced or increased in accordance with the provisions of paragraph (2) of this subsection.

(2) (A) Each such allotment computed under paragraph (1) shall be increased in the case of those States whose annual per capita income is less than the average annual per capita income of all of the States and shall be reduced in the case of those States whose annual per capita income is greater than the average annual per capita income of all of the States. The amount of any such increase or reduction to be made with respect to the allotment of any State shall be computed by multiplying such allotment by the percentage by which the annual per capita income of such State is less or greater, as the case may be, than the average annual per capita income of all of the States.

(B) Each such allotment computed under paragraph (1) shall be reduced in the case of those States in which the annual cost of living falls below the average annual cost of living of all the States and shall be increased in the case of those States in which the annual cost of living exceeds the average annual cost of living of all the States. The amount of any such reduction or increase to be made with respect to the allotment of any State shall be computed by multiplying such allotment by the percentage by which the annual cost of living of such State falls below or exceeds, as the case may be, the average annual cost of living of all the States.

(c) For purposes of this section—

(1) The population of a State between the ages of 5 and 20 and of all of the States between the ages of 5 and 20 shall be determined by the Secretary on the basis of the most recent data available from the Department of Commerce.

(2) The per capita income of a State and of all the States shall be determined by the Secretary on the basis of the most recent data available from the Department of Commerce.

(3) The cost of living of a State and of all the States shall be determined by the Secretary on the basis of the most recent data available from the Bureau of Labor Statistics, Department of Labor, relating to the Consumer Price Index.

Sec. 4. (a) Each State may use payments from its allotment in any fiscal year under section 3 for activities, programs, and services in the field of education, including activities, programs, and services provided with respect to elementary and secondary schools, vocational and technical schools, and institutions of higher learning.

(b) Whenever the Secretary, after giving reasonable notice and opportunity for a hearing to a State, finds that such State (1) has used any amount of such allotment for purposes not within the scope of subsection (a), or (2) has not obligated any amount of such allotment within two fiscal years immediately following the fiscal year in which such allotment was made, the Secretary shall give notice of his intention to substract, from any subsequent allotment or allotments to such State, a total amount equal to the amount referred to in clause (1) or (2). The State may, within thirty days following notice of such intention, appeal the decision to the United States District Court for the District of Columbia. In the event of any reduction in the allotment of any State in any fiscal year under this subsection, the Secretary shall reallot and pay the amount of such reduction to other States in proportion to the original allotment to such States under subsection (b) of section 3 for such year.

Sec. 5. (a) (1) Any State desiring to receive its allotment in any fiscal year under this Act shall certify and provide satisfactory assurance to the Secretary that such State will—

(A) use such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for any allotment paid to such State;

(B) make such accounting reports to the Secretary and the Comptroller General, in such form and containing such information as the Secretary and Comptroller General may reasonably require to carry out their functions under this Act; and

(C) adhere to all applicable federal laws in connection with any activity, program, or service provided solely or in part from such allotment.

(2) For purposes of this subsection, the provisions of title VI of the Civil Rights Act of 1964 shall be deemed to be applicable to any activity, program, or service provided solely or in part from any allotment received by a State under this Act.

(b) Whenever in any fiscal year the Secretary, after giving reasonable notice and opportunity for hearing to a State, finds that such State is not in substantial compliance with the purposes of subsection (a), the Secretary shall, subject to appeal as provided in subsection 4(b), cancel any subsequent payments to such State under this Act in such fiscal year and reallot any remainder of the allotment of such State for such fiscal year to other States in proportion to the original allotments to such States under subsection (b) of section 3 for such fiscal year.

Sec. 6. The Secretary shall report to the Congress not later than the first day of March of each year on the operation of the tax-sharing fund during the preceding fiscal year and on its expected operation during the current fiscal year. Each such report shall include a statement of the appropriations to, and the disbursements made from, the tax-sharing fund during the preceding fiscal year and an estimate of the expected appropriation to, and disbursements to be made from, the tax-sharing fund during the current fiscal year.

Sec. 7. As used in this Act, the term "State" includes any of the several States and the District of Columbia.

AMENDMENT TO SECTION 336(c) OF THE IMMIGRATION AND NATIONALITY ACT

Mr. SCOTT. Mr. President, on behalf of my senior colleague from Pennsylvania [Mr. Clark] and myself, I introduce for appropriate reference a bill to amend section 336(c) of the Immigration and Nationality Act to reduce from 60 days to 30 days the period immediately preceding the November general election during which applicants for citizenship cannot take their oaths of allegiance to the United States.

The 60-day prohibition against administration of the oath of allegiance is an anachronism. Moreover, it interferes with the meaningful observance of Citizenship Day—September 17—and Constitution Week—September 17 through 23—provided by Federal statute and Presidential proclamation.

On April 4, 1966, the Board of Governors of the Philadelphia Bar Association passed a resolution memorializing Congress to correct this anachronistic provision in the Immigration and Nationality Act. This bill is offered in response to that request.

I ask unanimous consent that the resolution to which I just referred be printed at this point in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Whereas the Congress of the United States by joint resolution, has designated the 17th day of September each year as "Citizenship Day" in commemoration of the formation and signing, on September 17, 1787, of the Constitution of the United States and in recognization of all who, by coming of age or by naturalization have attained the status of citizenship; and

Whereas the Congress of the United States, by joint resolution, has authorized and requested the President of the United States to designate the period beginning September 17 and ending September 23 of each year as Constitution Week, and to issue annually a proclamation inviting the people of the United States to observe such week in schools, churches and other suitable places with appropriate ceremonies and activities; and

Whereas the President of the United States, in accordance with such joint resolutions has issued annually a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on such day, and inviting the people of the United States to observe the day and week in schools, churches and other suitable places with appropriate ceremonies and activities; and

Whereas a most meaningful part of such observance is the acquisition of citizenship by persons upon their petition to the naturalization court and administration by such court of the oath of allegiance as provided by law; and

Whereas, Section 336 (c) of the Immigration and Nationality Act of 1952 (66 Stat. 257, 8 U.S.C. Sec 1447 (c) prohibits an applicant for citizenship from taking the oath of allegiance within sixty days preceding the holding of a general election within the territorial jurisdiction of the naturalization court; and

Whereas by reason of the provisions of such statute, naturalization courts, as a matter of practice, do not calendar final hearings on any petition for naturalization within such period of sixty days preceding the holding of a general election, except on rare occasions; and

Whereas Citizenship Day, that is September 17, and Constitution Week, regularly occur within such sixty day period, except on rare occasions: Now therefore, the Philadelphia Bar Association memorializes the Senate and the House of Representatives of the United States and the Congress assembled, to amend so much of the applicable statute so as to permit petitioners for citizenship to take the oath of allegiance as provided by law not later than thirty days preceding the holding of a general election within the territorial jurisdiction of the naturalization court.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3406) to amend section 336 (c) of the Immigration and Nationality Act so as to authorize any petitioner for naturalization to take the oath of allegiance at a final hearing held upon his petition within thirty, rather than sixty, days preceding a general election introduced by Mr. SCOTT (for himself and Mr. CLARK), was received, read twice by its title, and referred to the Committee on the Judiciary.

RELIEF FOR CERTAIN HOMEOWNERS

Mr. SPARKMAN. Mr. President, I introduce, for appropriate reference, a bill to implement the Department's proposal to provide certain assistance to those civilian employees and servicemen homeowners who have been affected by base closings. This bill contains the modification in the Department's proposal suggested by Senators RUSSELL and STENNIS.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3411) to provide authority to the Secretary of Defense to acquire properties and provide other relief for certain homeowners whose properties are situated at or near military installations which have been ordered to be closed; introduced by Mr. SPARKMAN, was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. SPARKMAN. Mr. President, last year, section 108 of the 1965 Housing Act provided certain relief to civilian employees and service personnel homeowners of the Department of Defense in areas where military bases were ordered to be closed. For reasons of his own, however, the Secretary of Defense did not request funds to implement this section of Public Law 89–117. Instead, he stated he wished to make a study of all the problems of those affected by base closings and he indicated to me, at least, he would have proposals regarding such homeowners early this year.

The bill I introduce today represents these proposals with the slight modification I have mentioned.

I have not had time to study the Secretary's proposal in detail, but I can assure you it will be given most careful consideration by the Housing Subcommittee, of which I am chairman, and by the Banking and Currency Committee.

Mr. President, I have received many letters over the last 8 or so months from civil servants and service personnel of only moderate means who cannot sell their homes in areas where bases have been or will be closed and who cannot afford to buy a second home in the area to which they have been transferred. Incidentally these letters have not only come from Mobile, Ala., where Brookley Air Force Base is located and which is being closed out, but from all over the United States. These letters are from people who face foreclosure and all the implications that go along with such action. These letters are from people who face financial disaster and they are pleading for some relief. These letters come from people who saw for themselves a gleam of hope in section 108 of last year's bill, and I regret very much that the Secretary of Defense did not implement the provisions of last year's act.

I did not, as other Senators did not, agree with the Secretary in these base closings. But this is neither the time nor the place to discuss that matter since it has now become a reality.

Mr. President, I say again that we shall give the Secretary's proposal careful consideration in committee, and I hope we can come up with a provision that will be helpful to those homeowners who have been affected by base closings as well as a provision the Secretary will get behind and put to work.

PRESERVATION OF HISTORIC CHISHOLM TRAIL

Mr. TOWER. Mr. President, I introduce for appropriate reference a measure designed to enable the Secretary of the Interior to preserve the historic Chisholm Trail. This historic route of the early cattle traders was opened in 1865 by Jesse Chisholm, an Indian trader, and was followed by Capt. Henry Spekes in 1866. After these two exploits, the way was opened for many other trail drivers to bring millions of Texas longhorns to market in Kansas.

The Chisholm Trail brings to mind many names, such as Wichita, Dodge City, Spanish Fort, and many others. In the days before the opening of the cattle trade to the railroads in Texas, the trail was the only way for the many ranchers to get their cattle to market. The long and arduous drives that were made are the subject of many sagas of the early days of the great Southwest.

Mr. President, it is altogether fitting that we now commemorate in the hundredth year of the trail, the great exploits of the many unsung cowboys who helped make the cattle industry one of the mainstays of the southwestern part of the country. The commemoration and establishment of the route they followed will serve as a lasting reminder to Americans of how much they owe to the people who have preceded them and how fortunate we are to have made the great progress which those early pioneers began.

I hope that the Senate will with all due haste consider this measure and give it an overwhelming approval. It will be another important step forward in our goal for the conservation of history.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3412) to provide for a survey by the Secretary of the Interior to establish the route of the Chisholm Trail and for the establishment of markers to identify such route, and for other purposes, introduced by Mr. TOWER, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

AMENDMENT OF SECTION 329 OF IMMIGRATION AND NATIONALITY ACT

Mr. FONG. Mr. President, I introduce, for appropriate reference, for myself and the distinguished Senator from Massachusetts [Mr. KENNEDY], a bill to amend section 329 of the Immigration and Nationality Act. This legislation would facilitate the naturalization of certain aliens or noncitizen nationals who have served honorably in the armed services of the United States during the Vietnam hostilities.

I have carefully considered the most appropriate date which should be specified in the bill as the date on which the Vietnam hostilities may be deemed to have begun. The date February 12, 1955, has been selected because that was when the first American military assistance group—approximately 800 members of the Special Forces—was sent to Vietnam.

As for the closing date, I have left this open and flexible and propose that this be left to the discretion of the President in view of the uncertainty of the present situation in Vietnam.

To qualify for naturalization under my bill, an alien or noncitizen national GI must have served honorably in the Armed Forces of the United States in an active duty status, and have been honorably separated.

In addition, my proposal incorporates the two alternative conditions precedent already spelled out in section 329(a) of the Immigration and Nationality Act—8 United States Code 1440—that is, first at the time of enlistment or induction the serviceman "shall have been in the United States, the Canal Zone, American Samoa, or Swains Island, whether or not he has been lawfully admitted to the United States for permanent residence;" or, second, at any time subsequent to enlistment or induction the serviceman "shall have been lawfully admitted to the United States for permanent residence."

Under that same provision, no person who was a conscientious objector, who refused to wear the uniform, or who was separated from the military service on account of alienage, may be regarded as having "served honorably" or having been separated "under honorable conditions." These requirements are retained in my proposal.

This legislation also leaves intact all other basic requirements for citizenship enumerated under chapter 2 of the Immigration and Nationality Act, such as the requirement of good moral character, allegiance to the principles of the Constitution, and the understanding of the English language.

Finally, this bill would leave unaffected an alternative procedure for the naturalization of alien GI's provided for under section 328 of the Immigration and Nationality Act. Section 328 allows aliens who serve honorably in the Armed Forces for an aggregate period of 3 years following lawful admission for permanent residence to apply for naturalization.

Mr. President, section 4(a) of the Universal Military Training and Service Act (50 app. U.S.C. 454(a)), provides that:

> Every male citizen of the United States and every male alien admitted for permanent residence, who is between the ages of eighteen years and six months and twenty-six years . . . shall be liable for training and service in the Armed Forces of the United States.

That law further provides that:

> Any male alien who is between the ages of eighteen years and six months and twenty-six years . . . who has remained in the United States in a status other than that of a permanent residence for a period exceeding one year . . . shall be liable for training and service in the Armed Forces of the United States.

The Universal Military Training and Service Act allows an alien to be relieved from liability for training and service under the act if he makes application to the appropriate authorities. But any alien who so applies "shall thereafter be debarred from becoming a citizen of the United States."

Besides induction, aliens may, under certain conditions, enter the service by voluntarily enlisting in the Armed Forces of the United States.

Under the authority of an act of June 30, 1950 (64 Stat. 316), 2,500 unmarried male aliens were authorized for enlistment in the Regular Army of the United States. However, Public Law 87–143, section 1(1), 75 Stat. 364, enacted August 17, 1961, provides that:

> In time of peace, no person may be accepted for original enlistment in the Army unless he is a citizen of the United States or has been lawfully admitted to the United States for permanent residence.

Public Law 87–143, then, revokes the authority granted under the 1950 act. Aliens who did enlist under the 1950 act were exempted from the limitations of Public Law 87–143, by a law enacted by the 85th Congress (Public Law 85–116, 71 Stat. 311).

Mr. President, as of March 31, 1966, there were approximately 2,968,000 men and women serving in the U.S. Armed Forces. Of this number about 889,000 serve at the overseas bastions of the United States as protectors of freedom and democracy. Approximately a quarter of a million soldiers wearing the American uniform are now fighting in South Vietnam today to stem Communist aggression in that area of the world.

While more recent figures and more inclusive statistics are not available, the Department of Defense has been able to give me the number of aliens who were serving in the U.S. Army as of July 31, 1965. Out of an approximate total of 970,000 GI's, 2,605 were aliens—about twenty-seven one-hundredths of 1 percent. Of this 2,605 total, 835 aliens were inductees who were either permanent residents of the United States or who have resided in the country for 1 or more years, as required by the Universal Military Training and Service Act which I discussed earlier. The remaining 1,770 were voluntary enlistments.

Comparable figures for other branches of our Armed Forces are not available. However, the Department of Defense has assured me that the number of aliens serving in the U.S. Navy and Air Force is very, very small, and that the number serving in the Army constitutes well over 95 percent of the total number of aliens serving in all three branches of the armed services.

I feel very strongly that any man or woman wearing the American uniform, serving in the defense of our country, risking his life for the United States, should have the opportunity of immediately becoming an American citizen if they qualify. We can bestow upon them no higher honor for the great service they are rendering our Nation.

There is ample precedent for my proposal. Similar legislation was enacted previously, enabling aliens who served honorably in the Armed Forces of the United States during World War II and the Korean war to qualify for naturalization, whether or not they had been admitted to the United States as permanent residents. These laws were enacted on March 27, 1942, to affect veterans of World War II, and on June 30, 1953, affecting veterans of the Korean hostilities.

Having extended the privilege of naturalization to veterans of all previous conflicts in recent history, I believe veterans of the Vietnam conflict should also be accorded these privileges.

I trust that the Congress will speedily and expeditiously enact this very meritorious legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3413) to amend section 329 of the Immigration and Nationality Act in order to facilitate the naturalization of certain aliens or noncitizen nationals who have served honorably in the Armed Forces of the United States during the Vietnam hostilities, introduced by Mr. FONG (for himself and Mr. KENNEDY of Massachusetts), was received, read twice by its title, and referred to the Committee on the Judiciary.

ESTABLISHMENT OF JOINT COMMITTEE ON NATIONAL SERVICE AND THE DRAFT

Mr. MONDALE. Mr. President, I submit, for myself, and Senators GRUENING, HARRIS, MONTOYA, PROXMIRE, and WILLIAMS of New Jersey, a concurrent resolution to establish a Joint Committee on National Service and the Draft.

I ask unanimous consent that the concurrent resolution lie on the desk for 1 week for the addition of cosponsors.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will lie on the desk, as requested by the Senator from Minnesota.

The concurrent resolution (S. Con. Res. 95) was referred to the Committee on Armed Services, as follows:

> *Resolved by the Senate (the House of Representatives concurring)*, That there is hereby established a Joint Committee on National Service and the Draft (hereinafter referred to as the committee) to be composed of seven Members of the Senate (not more than four of whom shall be members of the majority party) to be appointed by the President of the Senate, and seven Members of the House of Representatives (not more than four of whom shall be members of the majority party) to be appointed by the Speaker of the House of Representatives. The committee shall select a chairman and a vice chairman from among its members.
>
> SEC. 2. (a) The committee shall make a full and complete study of the Selective Service System and of alternative forms of national service.
>
> (b) This study shall include, but shall not be limited to, the policies and operations of the Selective Service System; methods of insuring that our Armed Forces have sufficient manpower available to meet any national requirement; the educational value of national service; the non-military needs of the United States, domestic or international, which could be met by a reserve of manpower acting through Government or private organizations; the responsibility of the United States to educate and make use of the talents of citizens who cannot pass the mental or physical tests of the Armed Forces; and the committee shall give due regard to the effects which any legislation or administrative action may have on personal liberties.
>
> (c) On the basis of such study the committee shall recommend such legislation or administrative action or both as it may deem appropriate.
>
> SEC. 3. (a) The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Congress, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable.
>
> (b) The committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable.
>
> (c) The expenses of the committee, shall be paid from the contingent fund of the Senate upon vouchers signed by the chairman.
>
> SEC. 4. The committee may report from time to time to the Senate and the House of Representatives the results of its study, together with its recommendations, and shall file a final report with the Senate and the House of Representatives on or before the termination of the present Congress. Such final report shall contain such proposed legislation and administrative actions as the committee may deem appropriate to carry out its recommendations. If the Senate, the House of Representatives, or both, are in recess or have adjourned, the report shall be made to the Secretary of the Senate or the Clerk of the House of Representatives, or both, as the case may be.

Mr. MONDALE. Mr. President, the operation of the draft has come in for a great deal of discussion and criticism in the past several weeks. For reasons which I will state, I believe that the time has come for a thorough reexamination of its operation. But I believe that any such inquiry should include in its scope the entire system of use of our young manpower. Our national goals encompass far more than military requirements, important and grave as those are.

There has never in our history been a greater need for service by our youth—service in an unprecedented variety of efforts which will meet the international and domestic needs of the Nation. Experience with thousands of Peace Corps volunteers in 46 nations of the world has shown that when our young people bend their efforts to the service of others, very concrete results can be achieved in the fight against ignorance, poverty, and disease.

Another great lesson of the Peace Corps experience is that as our young people engage in such efforts and return to this country, we as a nation share the maturing experience of the volunteers. In recognizing the needs of others, we discover the needs of ourselves. And we discover the tremendous value of individual and group service as a national resource. Thus VISTA is the logical extension of the Peace Corps. And this resource has barely been tapped.

There are many other fine private organizations engaged in work equally valuable, and equally serving our broadest interests.

The relation of voluntary service to some of our most urgent national goals was best put by President Johnson when he signed the extension of the Peace Corps Act last August. To a group of former volunteers and of Peace Corps trainees headed for Brazil, he said:

> I wish I had as many of you people as I do soldiers and sailors and marines. If I had more of you, I would need less of them.

Because of the proven value of voluntary service and its importance to the Nation and the world, we need an integrated study of such programs to determine the way to get maximum use from this resource.

We need to study the relation of such programs to the operation of the draft, taking into account the need for both military and civilian manpower and the possibility and wisdom of giving military credit for civilian service, and with due regard for the nature and character of voluntary service.

We need to consider particularly the possibility of giving civilian voluntary workers the kind of educational readjustment benefits we have extended to those who have served in the military.

We need an examination of the fairness of various aspects of the draft itself. Our military manpower needs are crucial and must be filled. But there is grave question over the fairness of the present deferment system, particularly in regard to the operation of the student deferment. The present system places the heaviest burden on the economically and culturally deprived of our citizens, on the minority groups, and thorough consideration must be given to alternatives which would distribute the obligations of military service more equitably. Study should also be given to the effect of the present grade and test systems as the basis of student deferment, and its effect on our higher education system.

There is also need for study of the opportunity and obligation of the Nation to train and upgrade the soldiers from racial minority and other deprived groups who are giving such fine service. A column by Joseph Alsop appearing in this morning's Washington Post states the case very well. He says that "more generous arrangements are needed to provide additional education to soldiers of promise, who cannot otherwise be promoted to officer rank." He also points out that the culturally deprived soldier needs special help in getting full benefits of the GI bill. I ask unanimous consent that the Alsop column be printed in the RECORD at the conclusion of my remarks.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 1.)

Mr. **MONDALE**. Finally, attention must be paid to the whole mass of our manpower, which includes the alarmingly high percentage of our youth who are found physically unfit for military service, and who may be unfit for certain kinds of civilian service. The great contribution made by our youth in military service and in civilian voluntary work makes all the more striking the lamentable waste of a national resource represented by the rejected.

Because the manpower problem as we wish it to be studied takes in a broader territory than, in due respect, is within the scope of any one committee, the resolution would establish a joint committee permitting full congressional consideration of the entire question prior to the expiration of the Universal Military Training and Service Act in July 1967.

EXHIBIT 1

[From the Washington Post, May 25, 1966]

MATTER OF FACT—THE NEGRO AND THE ARMY

(By Joseph Alsop)

DIAN, VIETNAM.—At this uncertain juncture, it is wiser not to try to answer any of the crowding, obvious questions about the political future here. So the subject of this report is a very hopeful thing that happens to be very visible in Vietnam.

Since it was so memorable, it may be well to begin with the experience that started me asking questions about this hopeful thing. The scene was a wide, sunny field by the roadside in rubber-plantation country. The time was last September, when our green troops were first going into action in Vietnam.

The fence along the road was lined by hundreds of little Vietnamese children giggling and oohing and aahing. The grand attraction that was evoking all this interest was the Point Company of one of the battalions of the Airmobile Brigade. Only a few minutes earlier, the Company had been helilifted, after eight rough days of jungle fighting which had also been this company's introduction to combat.

It was a day of brilliant sunlight, and most members of the company had stripped to the waist. In this country of small, lightboned people, they looked like giants. They were all in high good humor, too, and the Negro soldiers, who composed at least a quarter of the company, were celebrating the release from the jungle along with everyone else.

The company commander was a genuine giant—he must have been at least 6 feet 5 inches tall—and his Southern drawl all but announced his origin. He came, in fact, from Columbus, Miss. He was a fighting man above all, as you could see by the way he answered questions about the jungle operations. Finally, when the inquiries grew too complicated, he gave a shout of "Harry" and with obvious pride and confidence, he introduced his company executive officer.

Harry turned out to be a wiry young Negro lieutenant, striking, alert, exceptionally intelligent, who came from rural Louisiana, just across the border from Columbus. That, really, is all there is to the story; but if you just reflect on the probable relationship between Harry and his white company commander if they had still been at home and in civilian life, you can see there is a lot to it.

That moment, when one saw all the ancient, ugly barriers of race were suddenly struck down and forgotten, was not to be forgotten. It has now led me to ask a lot of questions about the role of Negro soldiers in the new model American Army in my days with the 1st Division. Briefly, these were the answers.

First of all, the proportion of Negroes in the Army as a whole is not enormously higher than the Negro proportion of the American population. But in the combat units, the proportion is markedly higher, running above 20 per cent in the average infantry company.

There are two reasons for this. One is that good athletes make good infantrymen. The other is economic. The Negro recruits, with a lower average of technical skills, are less likely to be assigned to one of the technical specialties requiring such skills.

The other side of the same coin (and a bitterly unjust coin it is) can be seen in the numbers of Negro non-commissioned officers. Because Negroes can make a better career in the Army, more re-enlist, so nearly a third of the non-coms in our infantry divisions are now Negroes.

For just the same economic reason, finally, the other large, easily identifiable group in the new Army is composed of Southerners from poor families. You might suppose the mixture would be explosive, especially when a Negro officer commands a company with a high component of Southern troops, as quite often happens. But far from being explosive, the mixture merely serves to demonstrate how needless, how ignoble, how silly and sordid is the racial segregation that mars so many departments of American life.

This totally integrated new model Army should in truth serve as a model to the rest of us. Yet there are, I think, two steps that still need to be taken. In the Army itself, more generous arrangements are needed to provide additional education to soldiers of promise, who cannot otherwise be promoted to officer rank. This would benefit Negroes and poor Southerners almost equally.

Mainly to aid the same two groups, special arrangements are also needed at home, to make it easier to take advantage of the GI Bill of Rights. The Negro soldiers, and many of the poor Southern soldiers, too, will be educationally debarred from the privileges conferred by the GI Bill. Special placement centers, special intermediate training courses, special arrangements with universities and technological schools—all these are needed if these men are to get their due.

And it is their due! They serve their country with shining courage, with splendid proficiency, with soldierly determination, and with never a doubt that America truly is their country, despite the ugly memories of prejudice and injustice that can hardly be absent from the Negro soldiers' minds. A debt is owing. And if the debt is paid in such a manner that this ugly war results in a major increase in the number of university-trained Negro Americans, all of American society will be the better for it.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961—AMENDMENT

AMENDMENT NO. 570

Mr. PELL. Mr. President, on behalf of myself, the senior Senator from New Jersey [Mr. CASE], the senior Senator from Pennsylvania [Mr. CLARK], the senior Senator from Michigan [Mr. HART], the senior Senator from New York [Mr. JAVITS], the junior Senator from Minnesota [Mr. MONDALE], the junior Senator from Pennsylvania [Mr. SCOTT], the junior Senator from New Jersey [Mr. WILLIAMS], the junior Senator from Massachusetts [Mr. KENNEDY], the senior Senator from California [Mr. KUCHEL], the senior Senator from Illinois [Mr. DOUGLAS], the senior Senator from Rhode Island [Mr. PASTORE], the junior Senator from New Hampshire [Mr. McINTYRE], the junior Senator from New York [Mr. KENNEDY], the Senator from North Dakota [Mr. BURDICK], the Senator from Missouri [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator from South Dakota [Mr. MCGOVERN], and the Senator from Kentucky [Mr. COOPER], I send to the desk an amendment to the Foreign Assistance Act. I ask that the amendment be printed in the RECORD at this point.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

AMENDMENT No. 570

On page 3, after line 14, insert the following:

"(d) Section 214, which relates to American schools and hospitals abroad, is amended by adding the following subsection:

"'(d) There is hereby authorized to be appropriated to the President for the purposes of section 214(b), in addition to funds otherwise available for such purposes, for fiscal year 1967, $1,000,000 in foreign currencies which the Secretary of the Treasury determines to be excess to the normal requirements of the United States.'"

Mr. PELL. This amendment would allow a modest expansion in our present program of grant assistance to American sponsored schools and hospitals overseas. It would authorize the use of $1 million in excess foreign currency to support such institutions.

It is the intention of the sponsors of this amendment that the beneficiary be the Hadassah-Hebrew University Medical Center in Jerusalem, a modern facility supported by the private charitable operations of the Hadassah organization in the United States. The medical center houses a comprehensive program of teaching, healing, and research in medicine, dentistry, nursing, and pharmacology. It has an enrollment of nearly 1,500 and it is important to note that many of its students come from outside of Israel, representing countries from many parts of Africa and south Asia.

It has seemed to me that this is the kind of private international venture which is most worthy of assistance to help its sponsors meet the needs of expansion. The Center conforms admirably to the objectives set out by President Johnson last February 4 in his message on international health and education when he said we should double our efforts at strengthening medical and health training institutions in the developing nations.

The amendment which we offer today conforms to other objectives of the administration also. Because it would make use of surplus foreign currency credits, it would not contribute in any way to inflationary pressure on our own economy. Similarly, it would not affect our balance of payments.

I am advised, moreover, that there are ample reserves of excess Israel currency to cover this and other projects. At present the United States holds credits totaling 75 million Israel pounds and additional credits totaling 56 million Israel pounds are expected during fiscal 1967, yielding a total of 131 million Israel pounds in our favor. Requirements now anticipated for fiscal 1967 will total some 55 million Israel pounds, leaving a balance of 76 million, of which this amendment would use 3 million at the current rate of exchange.

I might say in conclusion that it is our hope that the Foreign Relations Committee will be able to take account of this amendment while considering the Foreign Assistance Act this week. It should be noted that a somewhat similar amendment which I sponsored last year was approved in the Senate but was lost in conference.

Finally, I ask unanimous consent that an article, entitled "Reconsideration Is Needed," from the Near East Report and another, entitled "Humphrey Lauds Israel Medicine," from the New York Times, be inserted in the RECORD at this point.

I ask that this amendment lay on the desk until the end of business today in case any of my colleagues wish to cosponsor it.

The PRESIDING OFFICER. The amendment will be received and appropriately referred; and, without objection, the articles will be printed in the RECORD.

The amendment (No. 570) was referred to the Committee on Foreign Relations.

The articles, presented by Mr. PELL, are as follows:

[From the Near East Report, May 3, 1966]

RECONSIDERATION IS NEEDED

Regrettably, AID has made no provision in the current Foreign Assistance Act to help Hadassah's famed medical center complex in Israel.

Health and education are major concerns of this year's foreign aid program. Hadassah has pioneered in this area for more than half a century. The institution which it built and administers includes a hospital, medical and nursing schools and many ancillary services, with a capital investment of more than $30 million contributed by Hadassah members and the American public at large. It has trained a host of doctors and nurses, including students from developing nations in Africa and Asia.

Hadassah's work is favorably regarded by the Administration. For years, as a voluntary agency, it has been authorized to channel U.S. surplus foods to needy persons in Israel. And last year, it was given a grant for nutritional development and education of one million Israel pounds.

To meet growing deficits, Hadassah last year applied under Section 214 of the Foreign Assistance Act, which annually authorizes grants to American-sponsored schools and hospitals abroad. The application came in too late to permit adequate consideration by Congress last summer. However, it was hoped that AID would include Hadassah in this year's AID request to Congress.

But, surprisingly, it hasn't, although AID's total request for Section 214 was increased from $7 million to $11.3 million. And in fiscal 1967 the Administration proposes to commit $178 million for national health programs—more than double the amount in 1965.

Hadassah is *not* requesting a gift in U.S. dollars. It has applied for three million Israel pounds (the equivalent of $1 million) which are part of the accumulated U.S.-owned counterpart funds in Israel. This gift would not affect the U.S. balance of payments.

In 1965, the total grants under Section 214 came to $17.5 million. The American University of Beirut has been a favorite. The Lebanese institution received $12.5 million in fiscal 1965 and $2 million in 1966. Over the years, grants to AUB have exceeded $33 million. The American University of Cairo received $1.1 million in 1965 and its total grants came to $4.8 million—more than half of it in Egyptian currency. Other grants in 1965 included:

In Greece: American Farm School, $125,000; Anatolia College, $80,000; Athens College, $70,000; Pierce College, $125,000. In Turkey: Robert College, $1.5 million; Admiral Bristol Hospital, $250,000. Honduras: Escuela Agricola Panamericana, $250,000. Burma: Seagraves Hospital, $30,000. Project Hope: $1.5 million.

It is hoped that AID will reconsider its negative stand on Hadassah's request and that Congress will amend the Foreign Assistance Act to enable Hadassah to expand and maintain an institution which serves the highest objectives of our foreign aid program.

[From the New York (N.Y.) Times]

HUMPHREY LAUDS ISRAELI MEDICINE—AT HADASSAH MEETING, HE CITES NATION'S AID TO OTHERS

(By Irving Spiegel)

Vice President HUBERT H. HUMPHREY asserted last night that the western world recognized Israel's achievements in medicine and that the country had become a leading center for medical training and study for the developing countries.

The Vice President's remarks were made before an overflow assemblage of more than 2,500 women in the Waldorf-Astoria Hotel's grand ballroom. They were attending a banquet session of the 51st annual convention of Hadassah—the Women's Zionist Organization of America.

Mr. HUMPHREY was presented with Hadassah's highest honor, the 1965 Henrietta Szold Award, a scroll honoring the founder of the organization, which now has more than 318,000 members.

The citation lauded the Vice President for "his active sponsorship and energetic encouragement of national and international medical research" which "have carved out new paths for medicine and extended the boundaries of medical service." The presentation was made by Mrs. Herman Shulman, chairman of the award committee.

CENTER IS PRAISED

In an unusually strong tribute to the Hadassah-Hebrew University Medical Center, in Jerusalem, built at a cost of more than $25 million, Mr. HUMPHREY recalled his visit to the center.

"I want to see it again," he said. "I want more and more Americans and other visitors, of every faith and nationality, to see it and be inspired by it."

The Vice President said: "Israel's medicine has already enriched the world far beyond what would be predicted by some sliderule formula—by the size of her population, or the modest amount of her natural resources, or brief length of her sovereignty."

Mr. HUMPHERY said official United States assistance to Israeli research, "in dollars and in counterpart currency, is probably one of the highest dividend-paying 'investments' in our history." He added: "The dividends are healthier human beings the world over."

GOVERNOR SPEAKS, TOO

Sharing the platform, Governor Rockefeller declared it was "significant and important that Hadassah should honor the Vice President for his contributions to the advancement of medical research."

The Governor also lauded Hadassah's membership for dedication its object—to "cure the sick, comfort the afflicted, restore the land."

The Hadassah Medical Organization, headed by Dr. Kalman Mann, director general, conducts its network of social and medical services from the medical center in Israel. In cooperation with the Israeli Government, the center has sent skilled medical personnel into African and Asian countries to develop medical and health services.

For several years the center has been training doctors, nurses and other personnel from these newly emerged states for service in their own countries. The center's vast complex of institutions, covering every phase of medicine and related research, handles more than 250,000 patients annually.

FEDERAL EMPLOYEES COMPENSATION ACT—AMENDMENT

AMENDMENT NO. 571

Mr. JAVITS. Mr. President, I submit an amendment intended to be proposed by me, to H.R. 10721, the bill to amend the Federal Employees Compensation Act.

The amendment would amend the section of H.R. 10721 defining an "educational institution" for purposes of benefits to surviving children between the ages of 18 and 22. Similar benefits were provided by amendments to the Social Security Act last year, which defined an "educational institution" as any school which meets certain specific criteria. H.R. 10721, on the other hand, provides discretion to the Secretary to define the term "educational institution."

The amendment I submit would incorporate the definition used in the Social Security Act amendments last year, but would still permit the Secretary to include other types of schools within the scope of the term "educational institution."

I ask unanimous consent that the amendment be printed in the RECORD.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 571) was referred to the Committee on Labor and Public Welfare, as follows:

On page 6, strike out lines 9 to 13, inclusive, and insert in lieu thereof the following:

"(M) For the purposes of this section, a person shall be considered a student while he is regularly pursuing a full-time course of study or training at an institution which is—

"(i) a school or college or university operated or directly supported by the United States, or by any State or local government or political subdivision thereof, or

"(ii) a school or college or university which has been accredited by a State or by a State recognized or nationally recognized accrediting agency or body, or

"(iii) a school or college or university not so accredited but whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited, or

"(iv) an additional type of educational or training institution as defined by the Secretary,

but not after he reaches the age of twenty-three or has"

ADDITIONAL COSPONSORS OF BILLS AND RESOLUTION

Mr. RIBICOFF. Mr. President, I ask unanimous consent that at the next printing of the bill to allow medicare coverage for State and local employees (S. 3287), the names of Senators DOUGLAS, KENNEDY of Massachusetts, and MURPHY be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at the next printing of the bill (S. 3303) to amend the Veterans' Readjustment Assistance Act of 1966, the name of Senator WILLIAMS of New Jersey may be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that at the next printing of the Senate resolution regarding United Nations supervision of the forthcoming elections in South Vietnam (S. Res. 258), the name of Senator PROXMIRE be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF RESOLUTION

Mr. MOSS. Mr. President, I am today joining the distinguished Senator from Wisconsin [Mr. NELSON] on his resolution to establish a committee to review the draft and selective service policies. I feel that such a review is long overdue.

I have been giving troubled thought to our draft policies for some time, and was consulting in advance of the preparation of a resolution of my own when Senate Resolution 268 was introduced. I am glad to lend my support to this resolution because I feel that an examination of our draft policies and procedures by a bipartisan committee of distinguished citizens would be most salutary.

However, I would like to be sure that the review does include an exhaustive examination of the wisdom of establishing universal national service. Secretary McNamara made this revolutionary suggestion in a speech recently, and other prominent Americans have indicated that they feel the time is ripe for the consideration of such a program.

Some 2 million of our young people turn 18 years of age every year and become eligible for the draft. Because our present system of choosing those who serve in the military service is riddled with inequities, only a small percentage of our young men are actually ever inducted and asked to give 2 years of their life in the service of their country.

This is obviously unfair. Those who go into the service suffer an interruption of their normal activities, and even though they have the opportunity to advance their education, or to learn a trade, in many ways they are 2 years behind other young men who do not go into the service in finding their place in life and getting established in it. The fact that many of those who are being inducted during the Veitnam war are subject to military service which takes them into danger makes the present system of choosing our inductees even more inequitable.

The time may have come in the history of our country, and in the history of the world, when we should ask each young person to devote 2 years of his life to his country in some capacity. It need not necessarily be in the military service. It could be in the Peace Corps, or in the National Service Corps. It could be in conservation work in our national forests or on our depleted national lands, similar to the service in the CCC during the depression. It might even be on our farms in helping to harvest crops we need for our expanding populations. We need information as to possible spheres of service as well as information about the impact of such service on our young men and women.

The fact that nonmilitary service would be available as an alternative to military service does not, in my estimation, mean that we would not be able to fill our military requirements under a plan of universal national service. Many of our young men would prefer military service to other types, and if such service was more rigorous or dangerous than other types of service, it might be more attractive by reason of this very fact. Moreover, there is added compensation of GI benefits for military veterans.

Now, I realize that the idea of universal national service may be repugnant to many people, and that it may not be practical. Also, there may not be enough nonmilitary jobs which our youth could fill with satisfaction to themselves and benefit to the country. But this is something we should find out.

I hope therefore that when the resolution of the distinguished Senator from Wisconsin is considered by the Armed Services Committee, the big picture of our national needs and commitments in fields other than the military will also be considered, and that any resolution which is reported will provide for a study of national military and nonmilitary service, and not just a study of our selective service policies.

ADDITIONAL COSPONSOR OF AMENDMENT NO. 565

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that the name of the junior Senator from Massachusetts [Mr. KENNEDY] be added as a cosponsor of amendment 565 to S. 3102, the Allied Health Professions Personnel Training Act, at the next printing of the amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHANGE OF REFERENCE

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Committee on Banking and Currency be discharged from further consideration of the bill (H.R. 11927), and that it be rereferred to the Committee on Labor and Public Welfare.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHANGE OF REFERENCE

Mr. SPARKMAN. Mr. President, on May 13, the Department of Defense sent a proposal to the Senate which is designed to provide certain relief for civilian employees and servicemen homeowners whose properties are situated at or near military installations which have been ordered to be closed by the Secretary of Defense on or after November 1, 1964.

This proposal was subsequently referred to the Armed Services Committee of this body. I do not wish to engage in a length discussion of committee jurisdiction over this proposal, and I think it suffices to say that the proposal should have been referred to the Banking and Currency Committee. I say this because a similar provision was contained in the Housing and Urban Development Act of 1965, that is section 108, and this proposal of the Department of Defense represents an alternative to section 108. The Department proposal would, in fact, repeal section 108.

I have conferred with the distinguished chairman of the Armed Services Committee, Senator RUSSELL, and also the distinguished chairman of the Military Construction Subcommittee of the Senate Appropriations Committee, Senator STENNIS, regarding committee jurisdiction of the Department's proposal. They both acquiesce in the idea that since the Banking and Currency Committee dealt with the subject matter of the Department's proposal last year this matter should be again considered this year by the Banking and Currency Committee. They did request, however, that a slight modification be made in the Department's proposal. I, therefore, ask unanimous consent to have the Department's proposal, which was transmitted to the Senate on May 13, referred to the Banking and Currency Committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARING ON NOMINATION OF JOHN J. HICKEY, OF WYOMING, TO BE U.S. CIRCUIT JUDGE, 10TH CIRCUIT, VICE JOHN C. PICKETT, RETIRED

Mr. McCLELLAN. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Wednesday, June 1, 1966, at 10:30 a.m., in room 2228, New Senate Office Building, on the nomination of John J. Hickey, of Wyoming, to be U.S. circuit judge, 10th Circuit, vice John C. Pickett, retired.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Mississippi, chairman, the Senator from Arkansas [Mr. McCLELLAN], and the Senator from Nebraska [Mr. HRUSKA].

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. McCLELLAN. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Gerald E. Murch, of Maine, to be a member of the Board of Parole for the term expiring September 30, 1971 (reappointment).

Roland S. Mosher, of Arizona, to be U.S. marshal, District of Arizona, term of 4 years (reappointment).

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Wednesday, June 1, 1966, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

LESSONS OF ADVERSITY

Mr. LONG of Louisiana. Mr. President, there appeared in the Washington Post this morning a very interesting editorial which reduced to absurdity the argument of those who contend that this Nation should be faint of heart and should cease its efforts in Vietnam, because of difficulties that plague the government of a small and remote country.

The President has very wisely decided that this Government will remain firm in its support of the Government of South Vietnam, that we will stand firmly behind the government which wishes to have free elections, and abide by the results of those elections. As an individual Senator, I applaud the decision of the President and the Secretary of State to remain firm and steadfast in support of our friends in that area.

From hindsight, in my opinion, this Nation could perhaps be regarded as having made a mistake insofar as it failed to do everything that could have been done to support President Diem when he was in charge in Vietnam. We have seen what happens when a government falls and it is necessary for people in a small country to try to establish and rebuild confidence in a new government. In the effort that is being made there to establish a government supported by the people in a free election, it is extremely important that this Nation should stay by its friends.

As the editorial so well points out, if this Nation is only to support people in defense of their independence and freedom when they have a stable government, when they are located close to the United States, when they have other allies and friends to come to their aid and assist them; if we are to support only that kind of government, then in short order we will find ourselves defending our own boundaries and our own shores, and we will not be plagued by all the problems that beset small, new nations that lie in an exposed position.

If we take that attitude, then, sooner than most people realize, we will find that we are defending a nation that does not have all those problems. We will be defending a nation that has a stable government, a great nation, a nation that is very close to our hearts—because the nation we will be defending will be the United States of America. It will not be beset by the problems of small, weak governments. But, by the same token, we will not have the advantage of great oceans and friendly governments lying between us and those who seek to destroy us.

Mr. President, I ask unanimous consent to have printed in the RECORD the editorial entitled "Lessons of Adversity," published in the Washington Post for Wednesday, May 25, 1966.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LESSONS OF ADVERSITY

The crisis in South Vietnam is producing a great deal of reflection in this country, not only about the United States role there, but about the American role elsewhere in the world where like situations may arise. Painful as this reflection may be, it is necessary, useful and constructive as a means of developing policy in a democratically governed society. Instruction based on theoretical example is never as well remembered as that derived from actual experience. The experience we are living through now is a teacher we cannot despise.

The critics of American presence in South Vietnam make some accusations that are not easily answered. They say South Vietnam is a very small country, and this cannot be denied. They say it is a very weak country, and this can hardly be disputed. They say it is a very divided country, and no one can gainsay it while Buddhists are attacking the troops of their own government and those of its allies, while Catholics and Buddhists stage demonstrations and counterdemonstrations. They say that it never has had and does not now have familiarity with democratic institutions and this is true. They say that South Vietnam lies in an area of Chinese Communist influence and in close proximity to Communist power and this cannot be contradicted.

It is only at grave risk that a great power assists a small, weak and divided country to resist aggression. The lesson seems plain. Hereafter let United States assistance be reserved for victims of foreign aggression only when they are large, powerful, united, democratic and far away from any Communist power. Such assistance will not involve us in the great risks that are involved in helping the small, the weak, the divided and the vulnerable. The great and powerful nations we assist will make good use of our aid. They will not fritter it away. They will not waste their strength and ours in internal bickering and quarreling. Their efficient, peaceful and capable utilization of our aid will be a source of continual satisfaction and expanding power. Thus we shall make our large friends invulnerable, ourselves secure and obtain peace in our time. Once the world has grasped our policy, Communist nations will attack only small countries. Inasmuch as we will defend only large ones, there will be no more East-West conflict.

Of course, there will come a time when all the small, weak and divided countries have been reduced by aggression. But any war that follows that development is bound to be cozily close at hand. In order to fight it, we will not have to run the risks of transporting troops great distances. Our soldiers will not have to give battle in strange surroundings or in a disagreeable climate. They will not be exposed to the temptations of alien brothels but can revel in the luxury of home-grown sexual immorality.

Such are the lessons of adversity to be gained from the difficulties encountered in South Vietnam.

FAIR PACKAGING AND LABELING ACT

Mr. MONDALE. Mr. President, the Commerce Committee has just reported an amended S. 985 to be known as the Fair Packaging and Labeling Act. The original bill was introduced by the distinguished senior Senator from Michigan, and I was privileged to be a cosponsor. Senator HART deserves great credit for his long and skillful championing of this bill, as the New York Times has stated in an editorial last Sunday.

I now urge passage of the bill as it has emerged from committee, and I believe that it will be of great benefit to the consumer and the ethical business community as well.

The consumer, Mr. President, is being bilked. He is a member of an abused majority, and it is not his fault. He spends some $80 billion a year on "kitchen and bathroom" articles, as Senator HART has pointed out, and because of existing packaging and labeling practices, he has great difficulty in spending it wisely.

As an example, 33 women who were college graduates were told to buy the lowest priced of a representative 20 supermarket items. They took nearly two and one-half minutes per item, which is nearly three times that taken by the usual shopper.

With 43 percent of the items, these women decided wrong and failed to select the cheapest product. All of them selected the cheapest sugar, because sugar comes in standard 1-, 5-, and 10-pound packages. But none of them selected the cheapest detergent.

When soap powder is sold in a "regular" size package of 1 pound, 6 ounces at 32 cents, in a "giant" size of 3 pounds, 5½ ounces at 79 cents, and in a "king" size of 5 pounds, 11 ounces at $1.33, it is virtually impossible to tell that the regular size is in fact the cheapest. And this is not a fictitious example.

I was impressed with one letter which appears in the committee hearings from a man and his wife who have solved the problem by doing all of their shopping with the aid of a slide rule, which they found necessary to determine which items were the best buy. I admire this couple, but suggest that when a consumer cannot do a decent job of shopping in a supermarket without a slide rule, something is really wrong.

The shopping problem is further complicated by the fact that in many cases the weight or volume of the contents is so placed on the package that it is nearly impossible for the shopper to find it.

The Fair Packaging and Labeling Act will help correct these abuses. It proceeds from a recognition that the very heart of our economy is open competition in a free marketplace. In the final analysis, the full and free play of competition is the best protection the consumer can have. But competition is meaningless unless there can be an informed choice by the buyer. Price and quantity must be easily compared. The bill in its present form represents a good faith compromise between the need for consumer protection and the realities of modern merchandising. For that reason it is not as sweeping as the original bill. But it still contains important consumer protections which will set ground rules benefiting the ethical packager as well. It recognizes the mutual interests of the producer and consumer.

The first thing the bill would do is to require a clear and conspicuously placed statement on the label of the net quantity in the package. It would be a plain factual statement, such as "8 ounces," not a "giant half pound."

Another major protection for the consumer is in section 5(d) of the bill. When the regulating agency concludes, after a hearing, that the weights or quantities in which a commodity is being distributed are likely to impair the consumer's ability to compare prices per unit, the agency can issue regulations establishing reasonable weights or quantities in which the commodity can be sold.

In other words, instead of having potato chips sold in 71 different weights making true comparison impossible, a reasonable number of standard sizes could be established. This does not mean that there is any authority to make packages look the same; there will be plenty of room for variety. It does mean that no matter how differently styled they are, the housewife will have one 12-ounce package to compare with another 12-ounce package, and she can draw sensible conclusions when one costs more.

When the regulating agency decides that standards of weight or volume should be set, the industry concerned can move to work out its own voluntary standards under procedures established by the Secretary of Commerce, and it has a year or in some cases a year and a half to do it. We would hope that industry will in most such cases take the lead in establishing standards in a process where consumers are represented, as the bill requires.

The bill authorizes the regulating agency to take other actions when necessary to prevent deception or to permit price comparison. Regulations can be passed to eliminate confusion over "king size," "giant size", and such names in a product line. Labels such as "4 cents off" can be regulated. "Four cents off" what? The producer or distributor who puts the label on does not know, and neither does the consumer.

Such regulations may also be issued to set a quantity for a "serving" when foods are labeled by the serving. I would hate to sit six people down to dinner at my house and give them courses of some packaged foods represented as "serving six." If a "serving" always meant the same thing, I could adjust for it according to my appetite, but the point is that it doesn't mean the same thing each time.

When there is no standard, two persons suffer. The first is the consumer, who unknowingly pays more for a product because it supposedly has more servings. The other loser is the ethical producer—the one who means a full serving when he says "serving." This bill will remove the unfair advantage of the producer who says a "serving" when he means a half a serving.

It may appear that we are talking about pennies, and in the case of any individual item, we are. But the total economic effect of misleading packaging is great, to the individual consumer and to the economy.

In the example of the 33 college-educated housewives who failed 43 percent of the time to select the cheapest product, they paid a total of 9 percent more than they would have if they had selected the cheapest item in every case. We can only speculate how much greater this percentage may be in the case of the less educated consumer, and what impact such higher percentage has on the poor. True, the housewife may not always want the least expensive product. But she should at least be able to tell which it is and select it if she wants it.

The consumer who is a retired person on a small pension, or who has a large family and small salary, is the one most likely to try to select the least expensive goods. And when a consumer family spends up to $250 per year extra just because it is impossible to tell which items are cheapest, it is not pennies at all.

We talk about preventing inflation. But has anyone realized the tremendous inflationary effect which occurs when consumers who are buying $80 billion worth of packaged goods are spending 9 percent more than they need or want to? Nine percent extra spent for such items is greater than the total increase in consumer prices over the last 5½ years. This inflationary effect is caused by misleading packaging practices, and the money goes to those who are engaged in them. It does not go to the people who grow the food. Of the $105 increase in per capita food expenditures over a 14-year period, less than 1 percent of that money has gone to the farmer.

The consumer will spend less if he can—that is what he is being asked to do to prevent inflation. But he cannot do that unless there is some way for him to determine which product on the shelf is cheaper. Enactment of the Fair Packaging and Labeling Act would give the consumer the weapon he needs for his own self-defense.

I ask unanimous consent to have printed in the RECORD the editorial from the New York Times of May 22, 1966, entitled "Reforms for the Consumer."

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the New York (N.Y.) Times,
May 22, 1966]

Reforms for the Consumer

After four years of public discussion, committee hearings and extensive revision, a truth-in-packaging bill is now nearing a vote in the Senate. Its approval by the Senate Commerce Committee is a tribute to the perseverance of the bill's sponsor, Senator Philip Hart, of Michigan.

The bill would afford consumers some necessary and elementary protection when they shop for food, drugs, cosmetics and toilet articles. At the same time it meets many, though not all, of the objections of manufacturers who have expressed fear that strict Federal controls will inhibit competitive merchandising. In its mandatory sections the bill requires manufacturers to state on their labels the exact contents of the package and either a numerical count of its contents or its net weight in ounces. In this way the buyer will be able to compare the prices of different makes and sizes. Misleading verbiage is forbidden. The bill also grants discretionary authority to Federal authorities to develop additional regulations for specific kinds of products.

Although the bill could usefully have been more stringent in some respects, it is nevertheless a reasonable compromise. Its prospects for approval in the Senate appear to be good; but if action is to be completed in this Congress, it is imperative that the House Commerce Committee begin work promptly. And now that the truth-in-packaging bill has finally cleared its committee, this should be a signal to the Senate Banking Committee to take up a companion measure, the truth-in-lending measure introduced by Senator Paul Douglas, of Illinois. Consumers are as unwary—and as much in need of Federal protection—when they go shopping for credit as when they buy food in the supermarket.

Mr. LAUSCHE. Mr. President, while I voted in favor of reporting S. 985, the Fair Packaging and Labeling Act, to the full Senate, I reserved at that time the right to oppose the bill on the floor of the Senate.

I wish to point out that I want to protect the consumer in the fullest degree against any deceptions practiced by the manufacturers or distributors of packaged articles. There is no issue with me about the need of such protection. The issue is whether or not under existing Federal laws, the executive branch of the Government has already been vested with coercive powers adequate to protect the consumer and make the manufacturer or distributor answerable to criminal prosecution and injunctive relief favoring the consumer by ordering a complete cessation of practices that are deceptive.

At present, the Federal laws contain two acts which are intended to protect the consumer:

First. The Federal Food, Drug, and Cosmetic Act:

Section 403 of this act states that food shall be deemed to be misbranded—first, if its labeling is false or misleading in any particular; second, if it is offered for sale under the name of another food; third, if it is an imitation of another food, unless its label bears, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated; and fourth, if its container is so made, formed, or filled as to be misleading.

This section of the act also requires:

First. That labels show an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count; and further second, that all information required by the act to appear on the label must be prominently placed thereon with such conspicuousness and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

While the foregoing major provisions apply only to foods under this act, similar provisions are contained in the act relating to drugs and cosmetics.

It should be further noted that general regulations were issued by the Food and Drug Administration, section 1.9 (1) through (6) amplifying existing law which takes into consideration smallness or style of type, insufficient background, contrast, obscuring designs, etc.

Second. The Federal Trade Commission Act:

Section 5 of this act declares unlawful "unfair methods of competition in commerce, or unfair or deceptive acts or practices in commerce."

Section 12 of this act arms the Federal Trade Commission with additional procedural weapons to combat practices of false advertising of foods, drugs, devices, and cosmetics, thus giving these broad provisions coverage over all unfair or deceptive packaging and labeling and advertising practices relating to all products in commerce.

It has been my opinion that under these two acts, the Federal Government is vested fully with the power to bring prosecution against manufacturers or distributors who in any manner practice deception in the packaging of their goods and also vests the Federal Government with the power to go into a court of equity and procure injunctive relief against any manufacturers or distributors who indulge in such practices.

In addition to the two foregoing acts of the Federal statutes, each State has laws which subject individual manufacturers or distributors engaged in fraudulent practices in the sale of their goods to criminal prosecution and many States have laws giving the State government the right to seek injunctive relief to procure a remedy against fraudulent practices.

During the Commerce Committee's consideration of this bill, I supported the proposal which requires manufacturers or distributors of packaged goods to print on the outside of such packages in clear, understandable, conspicuous lettering the weight, measure, or numerical count of the pieces contained in the package and if the content is not in pieces but in weight, then the weight contents should not be identified in pounds and ounces but in ounces alone to simplify the housewives task in making comparisons.

My interest in protecting the buyer is just as deep as the interest of anyone else, but I do not subscribe to the policy of passing new laws on a given subject when existing laws are adequate to reach the desired objective.

Every time you pass a new law of this type, you create new bureaus with their plethora of public employees bringing about a scandalous, indefensible expansion of public workers duplicating the work that is already authorized under existing law.

SELECT COMMITTEE ON INTELLIGENCE OPERATIONS

Mr. MONDALE. Mr. President, I wish to speak in support of the resolution of the senior Senator from Minnesota to establish a Select Committee on Intelligence Operations, as that resolution was ordered reported by the Foreign Relations Committee.

Recent stories in the press indicate that there is a need for oversight over some aspects of the activities of the Central Intelligence Agency with particular reference to the effects of this activity on our general foreign policy. Participation of members of the Foreign Relations Committee will permit and be particularly appropriate to such scrutiny.

It appears, for example, that CIA agents used Michigan State University as a "cover" for intelligence activities, in a technical assistance project undertaken in South Vietnam from 1955 to 1959.

What effect does such activity have on our technical assistance projects elsewhere in the world? Surely it gives opponents of U.S. activity in such countries a handle with which to beat our supporters. If so, is the gain from this particular activity worth such a cost? These questions of foreign policy can best be answered by a broadly based Select Committee.

It is reported in the series of New York Times articles of April 25–29 on the Central Intelligence Agency that the Agency has used money to influence the results of elections in foreign countries on occasions where it appeared that Communists were doing so. Certainly such activity cannot be carried on without becoming known. If the report is correct, how does this affect other foreign policies which we wish to pursue?

The junior Senator from New York recently spoke in this Chamber on the Alliance for Progress, and urged that the United States should take an active part in encouraging democratic forms and traditions in Latin America. I think nearly everyone agrees with him. How is such a desirable policy affected in its execution by the fact that we are in some places using bribery to influence the outcome of electrons? Will they not do as we do, not as we say?

Answering such questions involves weighing the intelligence advantages in light of our long range foreign policy—an exercise most appropriately performed by a committee including members of the Armed Forces, Appropriations, and Foreign Relations Committees.

Another question which might well be taken up by the Select Committee is the degree to which our foreign intelligence activities may properly extend into this country. It has recently come to light in the press that Mr. George A. Carver wrote an article on the Vietcong in the April issue of Foreign Affairs without disclosure of the fact that he is a full-time employee of the CIA. The New York Times also reports in its series of articles that the CIA has subsidized U.S. book publishers under circumstances that were not clear. What intelligence goals are furthered by such activities? To what extent do they conflict with historic values and freedoms of our citizens?

The same question may well arise from the position of the Agency, asserted in a slander suit in Baltimore, that its agent when acting under orders, can with absolute immunity slander a man in this country by labeling him as a Soviet agent.

Because these questions extend beyond the intelligence field into areas of foreign policy, I support the motion which would place them within the scope of a select Committee on Intelligence Operations.

VIETNAM: MOMENT OF TRUTH

Mr. YOUNG of Ohio. Mr. President, with American battle casualties exceeding those of the South Vietnamese, and with the South Vietnamese fighting one another instead of the Vietcong, the time has come for us to consider what possible justification there is for us to continue fighting in Vietnam.

Incidentally, when I visited Vietnam and Thailand and other places in southeast Asia from last September 28 until October 19, my eyes were opened, and it did not take me very long to see for myself that we were involved in a miserable civil war in an area that is of no strategic or economic importance whatsoever to the defense of the United States.

Our President has two alternatives. One is to escalate the war by increasing our armed forces in southeast Asia, from the present number approximating 400,000 by 100,000 or 200,000 additional American GI's, bombing Hanoi and mining the harbor of Haiphong, and carrying the war more directly to North Vietnam.

The second is to suspend all bombing of areas of North Vitenam and withdraw to our strongholds, pending the negotiation of a cease-fire and an armistice. This should be followed by elections under the supervision of the International Control Commission or under the auspices of the United Nations, and eventually by the orderly withdrawal of our Armed Forces.

Mr. President, in his usual concise and clear manner, Walter Lippmann, one of the free world's great journalists and outstanding thinkers, has stated the problem extremely well in his column, entitled "Moment of Truth," which was published in the Washington Post on May 24, 1966. I commend this column to my colleagues and am hopeful that administration leaders responsible for Vietnam policy will give serious and careful consideration to the excellent analysis set forth by Walter Lippmann. I ask unanimous consent that his column be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

MOMENT OF TRUTH

(By Walter Lippmann)

The hardest question facing us at the moment is whether or not the disintegration of the Saigon government and army can be stopped and reversed. The official position is, of course, that it can be.

But there is little evidence to support the official will to believe, and there is mounting evidence that General Ky or anyone like him is in an irreconcilable conflict with the war-weary people of Vietnam. There is no prospect now visible that the South Vietnamese people and the South Vietnamese army can be united and rallied for the prosecution of the war.

Unless this condition changes radically, we shall increasingly be fighting alone in a country which has an army that is breaking up and a government which has little authority.

We can already see on the horizon the possibility of an American army fighting on its own in a hostile environment. We must hope that the President and his strategic planners are prepared for such a development. For if the South Vietnamese government and army continue to disintegrate as is now the case, our troops may find themselves without serious organized military support, and forced to find their way in a seething unrest where friend and foe are indistinguishable.

If the Saigon forces disintegrate, it will no longer be possible to continue the war on the theory that the mission of our troops is to smash the hard core of the enemy while the Saigon troops occupy and pacify the countryside. What then? We shall be hearing from the Goldwater faction, whose first article of military faith is unlimited belief in airpower. They are arguing that the way to repair the breakdown in South Vietnam is to bomb Haiphong and Hanoi in the north. The Administration, as we are told by Secretary McNamara and Mr. Brown, the Secretary of the Air Force, knows the folly and the futility of that course of action.

Is there any real alternative to a holding strategy, sometimes called the enclave strategy, pending the negotiation of a truce and agreement for our phased withdrawal from the Asian mainland? If the Vietnamese war cannot be won by the Air Force, if it cannot be won by American troops fighting alone in South Vietnam, what other strategic option is there?

The only other option would be to make no new decisions, pursue the present course, and hope that things are not so bad as they seem, and that something better will turn up. The President is bound to be strongly tempted to take this line. The alternatives open to him are dangerous or inglorious, and repulsive to his cautious but proud temperament.

A great head of government would have seized the nettle some time ago, as long as 1964, and would have disengaged gradually our military forces. But that would have taken a high-mindedness and moral courage which are rare among the rulers of men. For rulers of men nearly always will do almost anything rather than admit that they have made a mistake.

Yet the moment of truth comes inexorably when a radical mistake has been made. The mistake in this case has been to order American troops to fight an impossible war in an impossible environment. The American troops, which may soon number 400 thousand men, are committed to an unattainable objective—a free pro-American South Vietnam. They are commanded to achieve this on a continent where they have no important allies, and where their enemies have inexhaustible numbers.

The situation, not anyone's pride or the Nation's prestige, must be our paramount concern.

GALLANT SHIP AWARD CEREMONY ON CAPITOL STEPS TO "JAPAN BEAR"

Mr. KUCHEL. Mr. President, yesterday, on the steps of the Senate wing, an intrepid American merchant mariner, his officers and crew of the ship the *Japan Bear* were honored for a great act of courage and heroism performed a year ago last January when the Chinese Nationalist vessel radioed an SOS as it was breaking in two, and the *Japan Bear* came to its rescue.

The captain of the *Japan Bear* is Kenneth A. Shannon. I am proud to observe that he is a fellow Californian.

The ceremonies took place under legislation adopted in the 84th Congress and sponsored by one of the great leaders in the field of maritime legislation in Congress, our friend, the distinguished senior Senator from Washington [Mr. MAGNUSON].

The Senator from Washington spoke yesterday at the ceremonies. It was an eloquent tribute at the time that the Gallant Ship Award was given to the ship the *Japan Bear*.

Mr. President, I ask unanimous consent to have printed in the RECORD the text of the comments made by the Senator from Washington.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS BY SENATOR WARREN MAGNUSON AT GALLANT SHIP AWARD CEREMONY

It is a special pleasure for me to be here to present the Gallant Ship Award to the *Japan Bear*. I have long been deeply aware of the selfless courage exemplified by American seamen and concerned that it be properly recognized. It was for that reason that I sponsored Public Law 759, which was passed by the 84th Congress, and it is for that reason that I am here today.

We expect our American seamen to be courageous. Even their way of life is barred to the fainthearted, for they leave home and shore far behind them as they venture to the farthest reaches of the earth. No matter how new and modern their vessel, they must always beware of the power of the sea which, when enraged by storm, is a fearful adversary. Thus their very calling requires courage. How much greater is the demand when they face the elements in a rescue at sea. It is only just that we recognize how magnificently they respond.

I am proud of the men who man our ships—men like the crew of the *Japan Bear*, acting in the highest tradition of the sea. Their courage is unchallengable and their willingness to come to the aid of others is known throughout the world. I am proud of the superb seamanship which enables them to successfully battle the elements, and I am proud of the safety of American ships—the safest in the world.

No words can better praise the men of the *Japan Bear* than the simple story of what they did. I would like to read the Unit Citation so that all may know and admire these men.

"During the early morning of January 13, 1965, the *Japan Bear* received an SOS from the Chinese Nationalist Ship *Grand*, immediately altered course and raced to intercept the distressed vessel. Late that afternoon in heavy seas rendezvous was made with the *Grand*. The vessel had broken in two; only the stern section remained afloat and that was settling rapidly. The *Grand's* remaining lifeboats were damaged and the survivors huddled on deck. The Master of the *Japan Bear* immediately assumed on-scene command and ordered other arriving vessels to strategic positions about the stricken vessel. A lifeboat was launched in an attempt to remove the survivors, but the wind and waves made this impossible, and it was only after a supreme effort that the lifeboat and its crew were recovered. In a display of skillful seamanship, an unmanned lifeboat was towed to a position where it would drift alongside the wreck and nine survivors jumped into the boat. When the lifeboat floated clear of the wreck, the *Japan Bear* maneuvered alongside and hauled the survivors safely on board.

"The courage, resourcefulness, expert seamanship and teamwork of her Master, officers and crew in successfully effecting the rescue of survivors from a sinking ship have caused the name of the *Japan Bear* to be perpetuated as a Gallant Ship."

The *Japan Bear* today joins a select company. Only 17 other ships have been designated as Gallant ships. Nine ships were cited for actions in which they participated during World War II, three for their part in the *Andrea Doria* rescue, one for a mass rescue of 14,000 civilians during the Korean conflict, one for a rescue off Alaska in 1959, one for the rescue of all 47 crewmen of a sinking Japanese ship on the edge of a typhoon, one for the rescue of nine survivors of a Chinese ship off Formosa in 1963, and one for the rescue of 18 survivors of a Liberian ship off the Japanese Coast in 1964.

It is with great pride that I present to you, Captain Shannon, and through you to your officers and crew and to Pacific Far East Lines, the Gallant Ship Plaque. This beautiful bronze award carries on it for all to read the story of your gallant ship. I also present to you for the crew the Gallant Ship Citation Bar which all 60 members of your crew will have the honor of wearing.

To you, Captain Shannon, for your magnificent display of seamanship and to the five members of your crew who manned the lifeboat that awful, stormy day, I am proud and honored to present Merchant Marine Meritorious Service Medals. I present them to you on behalf of Thomas Cresci, Leland M. Faraola, Alfred J. Gluck, Julius Hudzik, John J. Kerlin, and yourself, Captain Kenneth A. Shannon. Finally, I present to you for the Radio Officer of the *Japan Bear*, Lamber F. Champion this letter of Commendation.

Mr. KUCHEL. Mr. President, I ask unanimous consent to proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

PHILIPPINE BROOM—WALIS NA TING TING

Mr. KUCHEL. Mr. President, in April of this year, the Philippine House of Representatives, by a vote of 45 to 6, approved the dispatch of an engineering battalion to aid in the struggle for freedom in South Vietnam. The Philippine Senate is now debating that question. It has been proposed that this Philippine battalion join the forces of the United States, Korea, Australia, New Zealand, and other countries, in helping to defend the people of South Vietnam.

Mr. President, we live in a world where free nations are interdependent. There is a wise and unique saying in the Philippines about a locally made broom which is called the walis na ting ting. This broom is made of tiny ribs of ting ting. A single rib is weak and brittle, but not even the strongest of men can break the ting ting when they are joined together.

Thus it is with free peoples joined together to deter aggression, or if unhappily, it becomes necessary to combat it.

On March 1, Senator Francisco Soc Rodrigo spoke out in the Philippine Senate in support of sending Filipino forces to southeast Asia. In a clear discussion of the issues as seen through the eyes of a patriot of the Philippine Republic, the senator pointed out how the contributions of small nations can be joined, like the walis na ting ting and, more importantly, how vital to national self-respect and sovereignty it is for these nations to participate in the defense of the freedom of their neighbors.

If there is any aspect of diplomacy of southeast Asia today that should give us heart in these troubled times, it is the support given by free and independent nations in the far Pacific to the cause of a free South Vietnam.

In his speech, this fellow legislator, recalled the words of that great and gallant American soldier, Douglas MacArthur. He also recalled the words of the first Filipino President after the United States of America brought freedom and independence to our gallant friends in the Philippines. He made his speech with great eloquence, which commends itself to reading by all Senators. I therefore ask unanimous consent that a major portion of the Senator Rodrigo's speech entitled "Help the Philippines by Helping South Vietnam" be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

HELP THE PHILIPPINES BY HELPING SOUTH VIETNAM

(Privileged speech delivered by Senator Francisco Rodrigo on the floor of the senate on Mar. 1, 1966)

Some friends of mine advised me against coming out openly with my stand on the raging issue of sending an Engineering Battalion with security support to South Vietnam. They called my attention to the fact that I might be running for reelection next year, and therefore it would not be politically prudent for me to make a public stand on a very controversial issue such as this. They said I would be better off if I played it safe; kept quiet; and maybe just cast my vote without participating in the public discussion of this issue.

I appreciate the well meaning intention of these friends of mine, but I cannot follow their advice. My conscience tells me that I have no right to again face our people as a candidate if I do not have the courage to face them with my stand on an issue which vitally concerns the security of our country. I would rather not run for re-election than run away from the performance of a very important, though very difficult, public duty.

Mr. President, since last year, I had already formed my opinion on this subject. I was in favor of H.B. No. 17828, recommended by then President Macapagal, appropriating the sum of ₱25.-million, for the same purpose. I arrived at this decision after a conscientious study of all arguments, pro and con, always bearing foremost in my mind the security and best interest of our country.

Since last year to the present, there has been no change in the situation to warrant a change in the stand I had taken. If anything, the threat to our security has intensified.

The only significant change is in the local political scene. There is now a new administration. While H.B. No. 17828 was recommended by President Macapagal, who belongs to my party, the present bills on the subject are recommended by President Marcos, who belongs to the opposite party.

This fact is no reason for me to change my stand. The issue involved is of such vital importance to our people that our approach to it must transcend partisan motivations.

I appeal to our people to place this issue above party; and above petty prejudices and irritations. Let us not be guided by emotionalism. Let us illumine our judgment by a dispassionate, objective, courageous and patriotic appraisal of present facts and future consequences.

And let us not allow the discussion of this issue to degenerate into name-calling and personal recriminations. Let us not endanger our national unity by dividing our people into two hostile camps—branding one camp "doves" and the other "hawks"; or labeling one side pro-communists and the other puppets of America. Let us anchor our debates to the factual and sober premise that all of us, brother Filipinos, are motivated by what we believe is to the best interest of our country and people.

* * * * *

Among the very first pronouncements made by the Filipino people in the Constitution is our adherence to democracy.

In the very first section of the "Declaration of Principles", our people declared that "The Philippines is a Republican State. Sovereignty resides in the people and government authority emanates from them."

In the same Constitution, we imposed upon ourselves the duty to safeguard this democracy, not only for our generation but for generations yet to come. Thus, in the preamble of our fundamental law, the Filipino people announced that one of the basic purposes of ordaining and promulgating the Constitution is to "secure to themselves and their *posterity* the blessings of independence under a regime of justice, liberty and *democracy.*"

In the pursuance of this great objective, our people, in the second section of the Declaration of Principles, imposed upon the Philippine government and all Filipino citizens the following solemn obligation: "The defense of the State is a prime duty of the government, and in the fulfillment of this duty all citizens may be required by law to render personal, military or civil service."

The very first law enacted by our National Assembly, after the promulgation of the Constitution, was Commonwealth Act No. 1—the National Defense Act. The fact that our National Assembly gave topmost priority to this law; the fact that it did not enact any other statute before it had enacted Commonwealth Act No. 1, demonstrates that the members of that body considered every other action futile until they shall have provided for the military defense of our country.

I pointed out this basic policy laid down in our Constitution lest our people be misled by the repeated emphasis placed by the opponents of the Vietnam bill on a subsequent constitutional declaration that "The Philippines renounces war as an instrument of national policy".

I want to make it clear to our people that this principle does not mean that this country should never resort to military action in defending itself against aggression, and in securing to our people and our posterity the blessings of independence under a regime of justice, liberty, and democracy.

In the light of these principles, any help that we send to our beleaguered allies in South Vietnam, would be in response to the sovereign mandate of our people.

We will be helping in the preservation of democracy which, in South Vietnam, is imperiled by communist aggression.

We will be acting in defense of the State by helping prevent the tide of aggression from approaching our shores.

We will be helping secure to ourselves and to our posterity the blessings of independence under a regime of justice, liberty and democracy, for unless the tide of communist aggression is contained in South Vietnam, all these blessings will be in serious jeopardy.

B. OUR NATIONAL DEFENSE IS BASED ON COLLECTIVE SECURITY

I want to make it clear that the plan to send help to South Vietnam is not just a product of a "good neighbor policy", but is actually part and parcel of our national defense effort.

This is so because the basic philosophy of our national defense is collective security.

Being a small and weak nation, we know that, alone, we are sadly lacking in resources to put up a military establishment strong enough to defend our country. We know, however, that there are many countries in the world—big or small, strong or weak—that are willing to enter into treaties of collective defense with us, because of mutality of interests and unity in fundamental beliefs and ideologies.

It was in pursuit of this national policy of collective security that we entered into a mutual defense agreement with the United States, and allowed her to maintain military and naval bases within our territory. It was also in consonance with this policy that we became a member of the Southeast Asia Treaty Organization, together with seven other countries: the United States, Great Britain, France, Pakistan, Thailand, Australia and New Zealand. The state of South Vietnam, as well as Cambodia and Laos, are included in that Treaty by means of a protocol. Said inclusion entitles these three countries, subject to their request, to the economic measures and military assistance provided in Articles III and IV of the Treaty.

It is also in pursuance of the principle of collective security that the Philippines is a member of the United Nations.

The basic concept of collective security, expressed in simple layman's language, is the following: You undertake to come to the aid of your allies in their time of need, so that they will, in turn, come to your aid when your time of need comes. It is, to my mind, an application, in international relations, of the golden rule: Do unto others what you want others to do unto you.

Since we rely on collective security for our national defense, and since collective security means helping our allies so that they will in turn help us, I want to erase the misconception in the minds of many people that by helping in the common action of free countries in the war in Vietnam, we are not actually helping ourselves; and that the money we will spend to send an engineering battalion to Vietnam is an expenditure that bears no relation to the defense of our own country.

This is a dangerously wrong concept; and it is our duty, as leaders of our people, to correct it.

Based on the concept of collective security, whatever help we extend to our allies in Vietnam, is not a useless expenditure, but a profitable investment. Using an imperfect analogy, it is like depositing money in a common fund from which we can draw bigger amounts later on, in case of need.

Our Armed Forces are among the smallest and weakest in Asia. And yet, our yearly appropriation for our Department of National Defense, is ₱284.-million, in round figures, for the Fiscal Year 1965–66. For the coming Fiscal Year, the amount proposed for that Department by the President, is ₱355.-million, in round figures.

Imagine the amount we would have to appropriate every year, if our National Defense posture were not based on collective security. Even if we were to allocate our entire budget of over ₱2.-billion for National Defense alone, leaving not a centavo for education, health, public works, and other government expenditures, we would not be able to put up a military establishment strong enough to defend our country, without the help of our allies.

It is a fact that cannot be denied that our adherence to the principle of collective security has saved our country hundreds of millions, if not billions, of pesos.

It is in this light that we must evaluate the ₱35.-million sought to be appropriated in the bill.

Were the defense of our country not based on "collective security", how much more would we be spending every year for our national defense? It would certainly be much, much more.

If we refuse to appropriate this amount of ₱.35.-million now to strengthen our position within the "collective security" circle of free nations, how much more would we have to appropriate and spend, if, when the hour of our need comes, our allies deny us the help we seek in the same manner that we rejected their call for help? It would most certainly be much, much more.

And if and when that time comes—and it will come unless the tide of communist aggression and subversion is halted—can anyone say sincerely that we can save our country without the full support of our allies, no matter how much money we pour into our armed forces?

And so, I repeat, let us not view this investment which we are called upon to make within the narrow confines of our vulnerable national boundaries, but in the larger perspective of "collective security" upon which we have to rely for our national survival.

C. HELP STOP THE WAR BEFORE IT REACHES OUR SHORES

It is practically inherent in the concept of "collective security" agreements that some members will be in need of help ahead of the others.

Thus, South Korea, which comes under the "collective security" mantle of the United Nations; and now South Vietnam, which is a protocol state under the SEATO, were confronted with the need, ahead of us, to seek shelter under the "collective security" roof of her allies.

Should we lend a deaf ear to her call for aid, simply because our time of need has not yet come? Should we lament the fact that, thus far, we are the ones called upon to help?

No! In fact, we should thank God that our time has not yet come. Indeed, we should pray that it never comes.

But let us not just pray. Let us contribute to the fullest extent of our capacity, to prevent the coming of that day when we shall be the ones crying for help.

Let me repeat the wise saying of our people: If there is a fire in the neighborhood, help put it out before it reaches your own house.

Some people brand this as a hackneyed cliche. But, as far as I am concerned, the basic truth and wisdom of this saying cannot be diminished by merely labeling it with an ugly tag. In fact, if this saying has been repeated so often it is because of its practical wisdom and validity.

All of us in this hall remember the suffering and devastation suffered by our country during the war with Japan. Thanks to the collective action of the allied powers, we were liberated from the Japanese tyranny, and the global war was finally won by the side to which we belonged.

But the glow of final victory was dimmed by the havoc wrought by that war on our land and people. Why? Because the war reached our shores and our country became a battleground.

Such a catastrophe could happen again. It is our bounden duty to utilize, to the fullest extent, our limited capabilities to prevent this beloved country of ours from again becoming a theatre of armed combat.

D. TIDE OF COMMUNIST EXPANSION IN ASIA FLOWS TOWARDS THE PHILIPPINES

But, unless the communist tide of aggression is stopped in South Vietnam, our country will again face such a very grave danger.

It is no longer a hidden nor a contested fact that the ultimate objective of international communism is world domination.

If there is any disagreement at present between the two communist big powers—Soviet Russia and Red China—it is not because either of them has deviated from said objective, but only because they vary in the means of achieving it. While Soviet Russia believes in using political action in an atmosphere of a co-existence, Red China believes in using armed aggression and violent subversion.

This renders the position of the Philippines more dangerous, because our country comes within the geographical orbit of Red China.

This ugly design of Red China is clearly manifested both by the statements made by her leaders as well as by her overt acts of aggression and subversion.

Mr. Lin Piao, Red China's Defense Minister and Vice Chairman of the Chinese Communist Party's Central Committee, issued a Manifesto in September, 1965, wherein he quotes Mao Tse-Tung as saying, "The seizure of power by armed force, the settlement of the issue by war, is the central task and highest form of revolution."

Lin Piao develops the thesis of fomenting "national liberation movements (which actually means subversion) in Asia, Africa and Latin America." He does not hesitate to recommend seizing the power of state by "revolutionary violence". He quotes Chairman Mao as saying, "political power grows out of the barrel of a gun."

In the field of actual aggression and subversion, contemporary history is witness to Red China's acts of aggression in Korea, Tibet and India; and her acts of subversion in South Vietnam, Indonesia, Laos, Thailand and Cambodia. Even in our country, there are already Red Chinese agents at work to subvert our freedom and democracy.

* * * *

E. COMMUNISM CAN BE CONTAINED

Can this danger be avoided? Can the communist flood be confined and contained?

The answer is, yes. But it calls for courage, determination and sacrifice; it call for the combined collective effort of every freedom loving nation. It calls for maximum united effort of every country on the side of democracy, whether big or small.

According to Ambassador Salvador P. Lopez, our chief delegate to the United Nations, "The policy of timely and resolute resistance whose validity had previously been demonstrated in Berlin, in Greece, Turkey, Korea and Lebanon is today being tested anew in Vietnam. This is the policy based on the principle that any attempt to overthrow the legitimate government of a state by acts of subversion, infiltration and guerrilla warfare, abetted and supported wholly or in part by another state, necessarily exposes the latter to the ordeal of military reprisal."

And according to the late President Kennedy, "The hard tough question for the next decade . . . is whether any free society . . . with its freedom of choice, its breadth of opportunity, its range of alternatives—can meet the single-minded advance of the Communist system . . . I think we can."

May I add to this the statement of President Eisenhower in his letter to Winston Churchill (April 4, 1954): "If I may refer again to history; we failed to halt Hirohito, Mussolini and Hitler by not acting in unity and in time. That marked the beginning of many years of stark tragedy and desperate peril. May it not be that our nations have learned something from that lesson?"

F. PHILIPPINES SHOULD RENDER UTMOST EFFORT TO STOP COMMUNIST AGGRESSION

It appears to me indisputable that it is to the interest of Philippine security that the tide of communist aggression be stopped in South Vietnam.

This being so, the Philippines is called upon to help in this enterprise to the fullest measure of her capability.

We are called upon to do so because of our treaty commitments.

We are called upon to do so because our own national defense posture depends on the amount of our contribution and investment in our collective security agreements.

We are called upon to do so because, among all the countries in Asia, we are the most dedicated to the ideals of freedom and democracy; and we are most committed against communism. In fact, we have outlawed the communist party and the Hukbalahap organization in the Philippines (R.A. No. 1700).

We are called upon to do so because, should South Vietnam fall, the threat of a communist take-over in our country is much graver even than in the United States, which is spearheading the fight in South Vietnam. We are in graver danger because of our geographical proximity to the scene of the struggle; and because, as I have already mentioned, we are more vulnerable to both external aggression and internal subversion.

G. LET US BE AT THE CONFERENCE TABLE

There is one important aspect of the struggle in Vietnam which has not been considered sufficiently in assessing the Philippine position. This is the great probability that the war might end at a conference table.

Thus far, our speculations on the possible duration of the war has been premised on the complete military victory or defeat of either side. If complete military victory be the basis, then it is anybody's guess how long the fighting will last. Indeed, it might be a long protracted struggle.

But we should not discount the possibility—nay, probability—of a negotiated peace. In fact, the immediate objective of the decisive and determined military stand of the free nations in South Vietnam is to persuade the communist side to sit at a conference table; to negotiate peace under just and reasonable terms. This is the clear intention of the U.S. government—articulated officially by her highest officials, and demonstrated convincingly by her all-out peace offensive.

Will the Communists agree to negotiate? Perhaps—but only after they are convinced that free nations are determined in their united stand; and after they realize that further prosecution of their present military adventure is futile.

This pragmatic policy of the Communists has been demonstrated, time and again—in Korea, India, Cuba, Berlin, Greece, Turkey, Indonesia and Lebanon.

It can honestly be said—though seemingly paradoxical—that our purpose in sending our men to help in Vietnam is not so much to help win the war as to help hasten the peace.

And when the negotiation for that peace comes, it is to the best interest of our country that we sit at the conference table. We want our country's delegates at that conference to sit—not as passive, shy and embarrassed observers from the country that did not participate in the war to attain the peace, but as dignified and vocal representatives of a country that contributed her utmost to the common struggle.

This we desire, not merely to flatter our pride and *"amor propio"*, but for practical and patriotic reasons, so that in the formulation of the terms of the peace agreement, the security and best interests of the Philippines are amply voiced and protected.

H. WHY AN ENGINEERING BATTALION WITH SECURITY SUPPORT?

Now we come to the very crux of the issue.

Why should we send an engineering battalion with security support? Why don't we just send medical teams and other kinds of civilian help?

I shall answer this question.

I have already shown that—

1. That is the particular kind of help requested of us;

2. We can financially afford it; and

3. It is to the best interest of our country and our national security to send the maximum help that we can.

If we can comply with the specific request of an ally—and we can, in this case—why not do so?

I repeat, our national defense set-up is based on collective security. If and when our time of need comes, the successful defense of our country will depend on the help extended to us by our allies.

If and when that time comes, are we not the best judge of the kind of help that we need? And if the kind of help that we request from our allies is not the help extended to us, does this not weaken our national defense effort?

For example, how would we feel if, at a time when the Philippines is the target of armed aggression, we ask the United States for soldiers, and she sends us Peace Corps volunteers?

There is no doubt that the Peace Corps personnel are quite cooperative, charming and useful. I do not doubt that in some barrios and municipalities of the Philippines, there are Filipinos who want to build monuments for them.

But that is not the point. The point is that our need for the moment is for fighting men, not for Peace Corps men and women.

"Walis na tingting"

It is said that our sending an engineer battalion to Vietnam will not materially affect the victory or defeat of either side.

My answer to this argument is the following:—

There is a wise saying in our National Language about the "walis na tingting" or the local broom made of tiny ribs of coconut leaves. The saying goes this way: that each "tingting"—each rib—is very weak and brittle and easy to break, but when many "tingtings" are bunched together to make a broom, not even a strong man can break it.

This is the essence of collective security. Each country alone—specially weak ones like the Philippines—cannot win a war. The little help it can give, considered singly, cannot indeed be decisive in the victory or defeat in a big armed conflict.

But, like the "walis na tingting", if each little help, each little contribution of many small nations are bound together in a common effort, the combined collective resources becomes a powerful force.

So let it not be said that simply because our single little contribution cannot turn the tide of war, therefore we should not contribute.

If we accept this fallacious argument, then the Philippines—and every other small and weak nation—would have no right at all to enter into any collective security agreement. Why? Because, as the argument goes, since the single individual effort of a weak nation is not enough to turn defeat into victory, therefore she should not contribute with her effort at all.

The argument is sophistic. It leads us to the absurd conclusion that a weak nation, which most needs a collective security agreement, cannot enter into such agreement. For, by entering into such agreement, she is expected to help in a common effort to win a big war. But if she should not contribute to that common effort, because, following the argument, her little contribution cannot turn the tide of war, then this poor weak nation which cannot defend herself without a collective security agreement, cannot enter into such agreement at all.

What the Philippines should do—if it were to follow such argument—is just to be a ward under the complete protectorate of a big power like the United States. We might as well tell the United States: Please protect us if we are attacked, but do not expect us to help in a collective war for our common good, because our little help will not be decisive in victory or defeat.

This is illogical and absurd.

But I deny that the sending of a Philippine Engineer Battalion to South Vietnam will have no appreciable effect in the outcome of the war.

In a closely contested conflict, there is no doubt that every little thing counts. And, as I have already said, the little contributions of many small nations, combined together, becomes a powerful factor for victory.

* * *

The Philippines is considered the bulwark of democracy in South East Asia.

If we decide against the sending of such aid—especially after two successive Presidents of our country have committed themselves to it—can you imagine to what extent the communist propagandists will exploit this to serve their cause? Can you imagine the jubilation this will create within the communist ranks, and the demoralization it will cause within the circle of free nations.

Let us face the facts. Let us face them brutally.

Can you imagine how the Vietnyets and the so-called "doves" in the United States will capitalize on this? How they will use this to appeal to American mothers who have their sons fighting and dying in Vietnam? Do we realize how this can fan the fire of that small but growing segment of U.S. public opinion which clamors that that country pull out of Vietnam, and even from Asia itself?

A voice from the past

Mr. President, almost twenty years ago today, one of our greatest Filipino statesmen said: "In a troubled world where our alliance with one group of nations or another might help determine the fate of mankind, we cannot afford to hesitate or choose capriciously. We cannot be epicures at the international table. We must select our fare, and adhere to that selection. Our alliances must be firm and unshakable. Our loyalties must be strong and enduring."

Those, Mr. President, were the words of President Manuel Roxas, spoken on July 4, 1946, the inaugural day of our independent Philippine Republic.

Speaking of the "dynamic growth of international interdependence," President Roxas recognized the need for collective security. He said, "In the world of nations we lack the authority of power. We must depend on the world's conscience for our protection and salvation."

I ask, Mr. President, on whose conscience can we depend? The Viet Cong? The Chinese communists? No. We must stand with our allies, who have proven to be "firm and unshakable". And "our loyalties must be firm and enduring".

On that memorable day, almost two decades ago, President Roxas also said, "While we gain the glorious gift of freedom, it is accompanied by a charter of obligations."

And Manuel Roxas added, "If called upon to help in the enforcement of peace, we must supply that help." (Quotations taken from: "Papers, Addresses and Other Writings of Manuel Roxas", Vol. I).

Mr. President, in this year of Our Lord, 1966—and of the Philippine Republic, the 20th—we would do well to heed that prophetic counsel of the first President of our Republic, said by him on the very day that our flag was hoisted alone, for the first time, to wave nervously but gloriously in our skies.

As we face a troubled and uncertain future, may this voice from the past add to us the needed wisdom, courage and inspiration to see and fulfill our "charter of obligations" that we may preserve inviolate our "glorious gift of freedom."

CANYONLANDS NATIONAL PARK

Mr. MOSS. Mr. President, since Canyonlands National Park was authorized in the 88th Congress, millions of words have been poured out about its flamboyant beauty. Its magnificent vistas, its infinity of color, its unique formations, and the sense of peace and tranquillity it brings to all who see it, have been described, and described again, in national magazines and in news stories and editorials in all parts of the country.

No one has written with greater sensitivity and eloquence, however, than Maxine Newell in an editorial which appeared in the Times Independent, which is published in Moab, the Utah city which is closest to the northern entrance to Canyonlands.

I ask unanimous consent to have this editorial, which appeared on May 19, printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

IT'S A RUGGED PARK

(By Maxine Newell)

To date seen only by a few, Canyonlands National Park in Southeastern Utah is a vast and glorious expanse of rugged terrain.

The nation's newest park is primitive country, though even now visitors can refresh at plush accommodations in surrounding towns at the end of their awe-filled days.

Much of the park is now accessible only to four wheel drive vehicles, or the more basic mode of travel—by foot. But it will remain an unspoiled wilderness long after paved highways have been carved through its rocky canyons over routes located by early day explorers and cowboys.

The breathtaking beauty of the Canyonlands is impossible to describe. It must be seen to be believed. It is a tourist center which will never be stereotyped, for each person who visits it will leave with his own individual impression.

Some of the Park's tourists will remember the enveloping rugged beauty of the whole 250,000 acres when they think of Canyonlands National Park. They will see an overall picture of gigantic eroded spires and domes that stretch hundreds of feet toward the sky to defy the elements; they will remember terraced plateaus and endless crevasses which form intricate geometric designs on the landscape. They will recall a fantasy world of sandrock replicas of city skylines, elephants, and castles which force the most dormant imaginations into use.

The visitors will remember views that stretch to infinity; colors that shift from reds and golds to purples and blues before awed spectators' eyes; and the marvel of the tiny green valleys tucked away unsuspectingly in natural rock fortresses. They will remember rubbing shoulders with history as they explored haunts of prehistoric Indians, early day explorers, outlaws and cowboys, closing the gap between the past and the present.

Some will return from the Park with vivid memories of its more outstanding features—they will relive the breathless moment when they were confronted by Angel Arch and felt a dwarflike experience as their eyes moved up her 790 foot figure to the halo of light around her head.

They will recall the some 50,000 acres of "Needles" country, with fertile Chesler Park in the middle of miles of rocky spires, and the huge balanced rocks, stacked by nature in a gravity-defying prank.

They will cherish memories of solitary horseback trips that took them out of the realm of civilization; four wheel drive tours which will always be a great challenge for the more adventuresome.

The rarity of the unspoiled land tends to bring out human covetiveness. Now the panic of fear sets in that man eventually might ruin Canyonlands National Park with modern intervention. Not so. Someday in the not too distant future, that larger group of travelers who prefer to thrill at nature's wonders in a less vigorous way will be able to drive their modern cars over smooth paved roads to the colorful fantasy land. Nor should the most ardent wilderness lover begrudge these access roads which will make the sights of Canyonlands available to all Americans. This 250,000 acre park always will be a frontier land. It's too big and too tough to spoil.

EXECUTIVE SESSION

Mr. LONG of Louisiana. Mr. President, I move that the Senate proceed to the consideration of executive business to consider nominations of postmasters on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER laid before the Senate a message from the President of the United States submitting a nomination, which was referred to the appropriate committee.

(For nomination this day received, see the end of Senate proceedings.)

The PRESIDING OFFICER. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations for postmasters.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the nomination for postmasters be considered and confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed en bloc.

Mr. LONG of Louisiana. Mr. President, I ask that the President be notified immediately of the nominations confirmed.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. LONG of Louisiana. Mr. President, I move that the Senate return to legislative session.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

A MARSHALL PLAN FOR AMERICANS

Mr. JAVITS. Mr. President, I have noted with the greatest interest, and I think the country should note with the greatest interest, the report of an agendum for the impending White House Conference on Civil Rights, the agendum being drafted under the authority of a 29-man council, headed by Mr. Ben Heineman, chairman of the Chicago & North Western Railway, a very successful businessman in his own right.

I think we are now beginning a course which is so critically important to making civil rights meaningful that it deserves comment on the floor of the Senate.

The sweeping and truly exciting program of discussion which has been designed by this council should mark this White House Conference on Civil Rights as the beginning of a new era in America's progress toward equal opportunity.

Until now, we have been moving forward in the area of political equality and the exercise of equal rights. Fifteen years ago, our laws themselves enforced discrimination. In many parts of the country, dual school systems and double sets of public facilities were provided. Different standards of justice prevailed in courthouses. Certain areas of employment were carved out for whites and for Negroes.

The Federal Government was not less at fault than were the States, since Federal money reinforced these programs, and Federal inaction entrenched them.

Since 1954—since the Supreme Court decision in the Brown case—we have been moving slowly to give the Negro his full legal rights. The legislation which is now before the Judiciary Committees of both Houses may, indeed, be the last in a series of bills along these lines—bills to correct injustice directed specifically against the Negro. Now we must begin the positive programs which will enable these Americans to take full advantage of the absence of discrimination, to utilize their talents to the fullest extent, to receive from and contribute to our society on an equal basis.

For 15 years we have been clearing the field of weeds. Now we must begin to plant.

Many of the programs suggested by the Council will be controversial. They include broad new public works programs to provide jobs for all the unemployed; a greater Federal role in job placement; the development of guaranteed job programs; open housing—including the enforcement and extension of the President's Federal housing order, which I have urged as an alternative than legislation—the abolition of de facto segregation in our schools; a national minimum welfare standard.

The price tag during a decade probably will be in the billions, but much of the money probably will come from private business. The investment will redeem 18 million Americans, and in my judgment will add 5 percent, or roughly $35 billion, to our gross national product every year.

I will join in exploring and suggesting, in proposing and amending the new programs, and I welcome with enthusiasm the opportunity to make a contribution. Having fought the war against segregation for 20 years, I am eager to begin the process of rebuilding as suggested by the Council blueprint.

Mr. President, this is truly a Marshall plan for Americans, and it is long overdue. I hope that we attack it with the same alertness and the same willingness to give it our resources, public and private, which we showed in connection with the European Marshall plan. This program is an atoning for the injustices of a century which have been inflicted upon 10 percent of our people.

Mr. President, I ask unanimous consent to have included in the Record, as part of my remarks, several news reports and excerpts from the recommendations of the Commission.

There being no objection, the news articles and excerpts were ordered to be printed in the Record, as follows:

Johnson's Panel on Rights Urges a Vast Program—White House Meeting Asked To Support Proposals for Negro's "True Equality"—All Society Involved—Presidential Panel Proposes Reforms in Employment, Education, and Housing

(By John Herbers)

Washington, May 24.—The White House Conference on Civil Rights, to be held June 1 and 2, will be asked to support a multibillion-dollar program to give the Negro "true equality" without disturbing the Federal system or private enterprise.

The recommendations, made public today, are contained in a 100-page report submitted to the 2,400 conference delegates by a 29-member council named by President Johnson last February to draw up an agenda.

Despite the breadth and cost of the proposals, the chairman of the conference, Ben W. Heineman, a railroad executive, said he considered them all attainable goals and not "pie in the sky." However, he said their enactment would involve the total society, not just the Federal Government.

GOAL IS ACHIEVEMENT

The purpose of the conference, as announced by the President a year ago, is to help Negro Americans "move beyond opportunity to achievement" and dissolve remaining barriers that have kept them "a people apart."

The major recommendations include:

Sweeping new public works projects that would attempt to provide employment for all at their existing levels of skills. For those still unable to work or find jobs, there should be a guaranteed level of income provided under uniform, Federal standards.

Federalization of public employment agencies to make jobs available without regard to regional boundaries.

Adoption of a national minimum of welfare assistance to furnish a standard of living "compatible with health and decency."

Equalization of the education effort among states and districts throughout the nation "so that our schools provide for all children what is now provided for the fortunate few." The average expenditure for each pupil should be raised from $533 to $1,000 a year as a "reasonable goal."

Affirmative action at every level "to break down the walls of segregation" in public schools.

Assurance that every citizen will have the right to higher education.

Large-scale construction of low-cost integrated housing to "revitalize the ghetto" and to disperse people from the slums through a total revamping of present methods.

Although the recommendations went far beyond the Great Society legislation on the books and before Congress, the Council made it clear that the chief burden for achievement of the goals laid outside the realm of Federal Government.

"In our diverse society," the report said, "it is the citizen who leads. It is to this mobilization of spirit, commitment and resources that we must address ourselves."

"The national Government's response to the compelling cry of the Negro American for justice and true equality has not been matched by the state and local government, by business and labor, the housing industry, educational institutions, and the wide spectrum of voluntary organizations who, through united effort, have the power to improve our society," the report continued.

"In the struggle for equality, we must now move to new and different battlefields in every city and its suburbs, in rural areas, and in every state."

Mr. Heineman, chairman of the Chicago & North Western Railway, said at a news conference here that the delegates invited to attend represented "every shade of opinion" ranging between the Ku Klux Klan and the Black Muslims.

He said those two groups were not invited because they did not prescribe to the purpose for which the conference was called—the assimilation of Negro Americans.

Mr. Heineman said he regretted that the Student Non-Violent Coordinating Committee, the most militant of the national civil rights organizations, had withdrawn from the conference.

However, he said that poor and unorganized Negroes would be represented.

In order to assure their representation, he continued, members of the Council had contributed money to two foundations to provide for travel and living expenses for those who could not afford to pay their way.

In response to questions by reporters, Mr. Heineman put the cost of the suggested program at billions of dollars.

A BROAD REPRESENTATION

The Council, like the conference, contains broad representation. Its members range from men like James A. Linen 3d, president of Time, Inc., to John Lewis, the recently ousted chairman of the Student Non-Violent Coordinating Committee.

Mr. Lewis attended a majority of the meetings in which the recommendations were adopted. One reason for his replacement on the student group, according to informed sources, is that the organization, which works largely among the poor in the South, is moving toward black nationalism.

Mr. Heineman, who answered questions with the crispness of an executive at a stockholders' meeting, would not say what security precautions were being made to prevent an outbreak of violence or disruption by civil rights militants who believed the Johnson Administration to be insincere in its efforts to help Negroes.

Another spokesman for the conference, however, said "regular White House security" would be arranged because Vice President Humphrey is expected to address the opening session and the President is likely to speak at its conclusion.

The main sessions will be at the Sheraton Park Hotel.

The conference will adopt no resolutions nor vote on any proposal. Delegates will be divided into several sections where each recommendation will be discussed and where each delegate will be free to make recommendations on his own.

After the conference, the Council will take transcripts of all the sessions and draft a report to the President.

Mr. Heineman said this procedure was adopted by unanimous consent of the Council in order to keep the conference from bogging down in parliamentary quarrels.

It is expected that the final report to the President will generally follow the recommendations released today.

The Council pointed out that many proposals were being submitted because, as Mr. Johnson said last year, the problems confronting Negroes constituted "a seamless web." For this reason, Mr. Heineman said, none of the proposals were given priority.

The report, however, seemed to put special emphasis on employment. It pointed out that even in today's booming economy the unemployment rate for Negroes was about 7 percent—more than twice the average for the whites. For Negro youth between 16 and 19 years old, it said, unemployment is "nothing less than catastrophic, averaging more than 30 percent for girls and 25 percent for male teen-agers in 1965."

[From the New York Times, May 25, 1966]

Excerpts From Recommendations of White House Civil Rights Council

(Washington, May 24.—Following are excerpts from the recommendations of the Council on the White House Conference on Civil Rights, which will be held June 1–2:)

ECONOMIC SECURITY AND WELFARE

There is no single, simple or quick solution for the economic problems of Negroes but nothing less than a broadly based "crash" program can significantly improve the life-chances of hundreds of thousands of Negro Americans now trapped in joblessness and poverty.

I. Established metropolitan jobs councils in all major urban areas

Metropolitan jobs councils should be established in each major urban area with a substantial Negro population. Membership should include organized labor, metropolitan governments, education and training institutions and other appropriate community organizations.

II. Create a rural jobs task force

The council recommends the appointment of an emergency rural jobs task force whose first report, with action recommendations, should be due no later than Sept. 1. Local and regional rural jobs councils will be needed to implement the action program.

III. Develop a comprehensive human resource program

The recommendation will provide a flexible basis for creative action; serve as a guide in developing new manpower, economic or related legislation; help to alert local and national planners to emerging problems or trends, and provide guidelines for manpower program actions by business, organized labor, local and state governments and other agencies.

IV. Develop guaranteed jobs programs

Jobs must be provided without delay to solve the Negro unemployment crisis. And these jobs must be made available for Negroes at their existing level of skill attainment.

The tasks assigned to workers on a proposed government employment program, far from being "make work," are essential to fill the very real and pressing needs for public works and services that have accompanied population growth urbanization, and increasing demands on the nation's physical resources.

V. Mount year-round programs for Negro youth

Young Negroes need especially intensive vocational counseling to determine their best occupational prospects, and to plan the most effective educational and training programs tailored to their individual needs.

VI. Affirmative actions by private employers, labor organizations, and Government to provide more and better jobs

Employers need to look, think, and act beyond simple nondiscrimination and pro forma or passive equal employment opportunity programs. Active and deliberate efforts to increase and improve jobs for Negroes are necessary. The Government itself needs to become a model employer in every respect and set the example for affirmative action. State and local governments should also become model employers.

Management must devote as much thought and effort to this as it does to other major functions of administration.

Labor organizations have failed to take affirmative action commensurate with the problems faced by Negro job seekers.

Churches, educational institutions, health and welfare groups, and associations, can undertake affirmative action through technical assistance and through the example of their own practices.

Title VII of the Civil Rights Act of 1964 *should* be strengthened by expanding its coverage, authorizing "cease and desist" orders, and providing back pay to persons suffering financial loss.

The Equal Employment Opportunity Commission's technical assistance and education programs should be greatly expanded to help employers, labor unions, and others develop capabilities for providing equal employment opportunities and to reduce employment prejudice and discrimination.

VII. Initiate and reinforce supportive services

There is a crucial need to make available occupational training and related basic and remedial education to help prepare jobless Negroes for employment. There is also a need for training to upgrade employed Negroes who are working below their skill potentials.

There is a need to federalize the public employment service.

VIII. Strengthen income maintenance and labor standards programs

The strengthening of income and labor standards programs is of special importance for Negroes, who are heavily concentrated in occupations and industries which pay low wages, provide only intermittent employment, and are excluded from protective labor standards legislation.

IX. Restructure public assistance and related welfare programs

The nation's welfare programs fail to provide welfare recipients and other impoverished people with maximum opportunity to move from dependency to self-sustaining employment.

The Federal Government should establish and enforce national standards.

State and local governments and community organizations should make available supplemental services to needy people; consumer education, legal assistance, vocational and personal counseling, health information, home management services, free family planning services, day-care centers for working mothers, and expanded school lunch programs.

HOUSING

For 15 million Negroes congested slums have constituted their homes and ghettoed isolation has been their environment. In housing, as elsewhere, there have been and continue to be two Americas.

The only program aimed at their housing needs was low-rent public housing. After nearly 30 years, however, that program has accounted for only 1 per cent of the nation's housing inventory.

I. Freedom of choice—the open market

A firm and vigorous policy on the part of the Administration to utilize all the programs and resources of the Department of Housing and Urban Development and other agencies to promote and implement equal opportunity and desegregation is needed.

Enforcement under the executive order and Title VI of the Civil Rights Act of 1964 must be more affirmative and vigorous.

A comprehensive Federal antidiscrimination law is urgently recommended.

State licensing authorities should require that all licensed brokers, builders, etc., show that they are serving the entire public without distinction as to race as a condition of the issuance or reissuance of the license.

The National Association of Real Estate Boards (N.A.R.E.B.), the National Home Builders Association, the several banking and saving and loan associations, and insurance companies engaged in housing finance, are urged to adopt and prominently publish policy statements advocating equal opportunity in housing guaranteed by law.

N.A.R.E.B. and all state and local real estate boards are urged to admit all licensed real estate brokers of all races to membership.

Fair housing councils or their equivalent should be organized in every urban area. Housing information and service centers should be established at convenient locations in each urban area.

II. Housing supply of low- and moderate-income families

More than one million new houses per year are required to take care of the housing needs of the expanding population. At least half, preferably more, of the new stock should be made available to low- and moderate-income families.

The Federal Government should invest as extensively in promoting research and development in housing as it has in, for example, agriculture.

Federal legislation designed to increase the rate of production of new houses to 2,000,000 units per year is urged.

The rent supplement bill as submitted to Congress in 1965 is strongly endorsed as a model until a more comprehensive program can be devised.

The Department of Housing and Urban Development should request funds necessary for a vastly enlarged program of research and development in housing and urban development.

Consultation of experts on all aspects of community development and housing should be called.

F.H.A. 221 (D) (3) below-market interest program, which benefits moderate-income families, requires greatly increased funding.

The authorization of federally chartered rural housing development corporations to build homes in rural areas for either the elderly or for agricultural labor, migrant or otherwise, is urged.

A housing industry program, patterned after the plans for progress program in employment, should be launched under the leadership of the President.

III. Suburban communities and new towns

The Federal Government bears a large share of the responsibility for the dual market—new housing in the suburbs for white families with sufficient incomes, and old housing in the central city for Negroes regardless of their incomes.

Federal assistance to any local governmental unit should be conditioned on the submission of a metropolitan-wide plan providing for the desegregation of housing and promotion of communities inclusive of all races and incomes.

In areas in which local governing bodies are not meeting their responsibility to provide housing for all segments of the population, the nonwhite and the poor, the Federal Government should take direct action to provide the housing needed.

In locating, transferring or expanding governmental agencies, departments, and other operations, the Federal Government should require racial and income inclusiveness of the community.

H.U.D. should be empowered to purchase, lease, and sell land to assure that its development and occupancy, now and in the future, will provide housing, facilities and services for persons of all races and incomes.

Local public housing authorities should be enabled to function on a metropolitan basis.

State governments should either regulate the zoning activities of municipal and township governments, establish state land banks for housing purposes, or create district authorities to reserve land in all parts of each metropolitan area for housing for lower-income families.

State governments should create housing development corporations comparable to the industrial development corporations which have come into common use in recent years.

IV. Revitalizing and integrating the ghetto

Thirty years of public housing experience and 15 of urban renewal have taught us that the problems of the American slums are far too huge and complex to submit to the piecemeal, uncoordinated attacks of separately conceived and administered programs.

The elimination of the segregation pattern of residence from the American urban scene, the affirmative implementation of equal choice and freedom of movement for all Americans and the revitalization of existing ghetto areas should be made the cornerstone of Federal housing policy.

The proposed demonstration cities program is strongly endorsed in its principle and its general design.

A realistic plan for promoting racial desegregation in the city and metropolitan community should be a basic and mandatory element of all workable programs for urban renewal.

The practice of locating large public housing projects in areas of racial concentration must be changed.

EDUCATION

More than 90 per cent of our children are educated in racially segregated schools. Segregated Negro schools, almost without exception, are inferior in quality to white schools.

Federal courts, the Congress, and the executive branches have made almost no affirmative contribution to solving problems of de facto segregation in the North and West which has become more, rather than less rigid.

State governments have defaulted in their obligation to achieve adequate and equal educational opportunity for all.

I. Equalizing educational investment

The present average of per pupil public expenditure is $533. A reasonable goal would be $1,000 per child.

States must commit themselves to a public policy of equalization, educate their citizens on revenue needs, and devise formulas in allocation of financial and human resources that will remedy past inequities.

Individual local school districts must also take the initiative in achieving equality of educational opportunity.

The Federal Government should increase the allocations under Title I of the Elementary and Secondary Education Act.

II. Reduction of racial concentration

The Federal Government should proclaim that it is national policy to reduce racial concentration in the schools—racial concentration of pupils, teachers, and other school personnel.

Proposals to deal with problems of de facto segregation should not eclipse the size of the job still to be done to eliminate the dual system prevailing in the South.

The Federal Government should enlarge the scope of present provisions for demonstration centers.

Specific efforts must be made to promote integration in teacher and other school personnel assignments.

The sanctions already enacted in the Civil Rights Act of 1964 are failing in their purpose and must be strengthened.

It is time that the burden of desegregating the Southern schools be removed from the Negro parents and children where it now resides, and placed squarely as the responsibility of school boards and administrators.

III. Quality education for all

Communities must realize that built-in inequities cannot be compensated for by an effort of a year or two, in effect shaking an educational Aerosol can over our nation's slums.

Individuals and organizations, school boards and school administrators, civil rights groups and government officials, private foundations and other private resources must take on the hard task of reorganizing local education to establish flexible, healthy educational centers that belong to the community and to the children.

School boards must, as far as possible, be constituted so as to support a policy of equal opportunity, reduction of racial concentration, and improvement in the quality of education.

Consideration should be given to a major reorganization of the school system.

School systems should make kindergarten a regular part of the school program in the many areas where it does not now exist, with curriculum, teacher-pupil ratios, and enrichments patterned after successful experimental programs.

Rural communities need to investigate curricular innovations which will prepare their children not only for probable migration elsewhere, but for different kinds of vocational and technical skills.

Vocational education has not kept pace with the rapid changes in technology and work, and has not involved sufficiently the efforts of industry, labor, schools, agencies and organizations to make it relevant.

Negro students in present agricultural programs have little opportunity to participate in work experience in local agri-business.

Two years of postsecondary education should be made available at public expense for all high school graduates.

Predominately Negro colleges should be adequately supported and strengthened.

ADMINISTRATION OF JUSTICE

Effective legislative and executive measures are needed to combat the deplorable condition, found in some parts of the Deep South, where Americans are murdered, beaten, and subject to other forms of intimidation because they exercise constitutional or other Federal rights or aid others in the exercise of such rights.

The threat to the personal security and rights of Negroes and civil rights workers in the South warrants the attention of the country and the Congress. There must be adequate Federal protection for those asserting Federal rights.

There is a need to secure equal justice for Negroes in the South. Negro citizens and civil rights workers must be free to exercise their constitutional rights free from harassment, intimidation and discrimination by courts, court officials, law enforcement agents, and unfairly selected juries.

Police-minority group community relations is an urban problem most pronounced in the North and West but with grave implications for the entire nation. Positive steps must be taken to deal with them. Fairer and more professional police departments will be far more able to cope with the rising incidence of street crime.

I. Protection of Negroes and civil rights workers from intimidation

There should be broad support of Title V of the Administration's civil rights bill, which would provide greater Federal protection to Negroes and civil rights workers from intimidation.

Legislation should be enacted giving persons who suffer physical injury or property loss as the result of exercising rights protected by the criminal provisions of Title V, or as the result of urging or aiding others to exercise such rights, an opportunity to receive compensation for the injury or loss.

Any county government, city government, or other local government entity that employs officers who deprive persons of rights should be jointly liable with the officers to persons who suffer injury or loss from such officers' misconduct.

More Federal agents should be made available to increase the effective enforcement of civil rights laws.

II. Equal justice

Title I and II of the Administration bill which provide for nondiscrimination in the selection of Federal and state jurors should be supported.

Federal legislation should be enacted to provide for the removal of civil rights cases from state to Federal trial courts in order to assure a fair trial.

Federal legislation should be enacted to permit private persons to obtain injunctive relief where state prosecutions are brought against persons for exercising First Amendment rights directed at obtaining equal treatment for all citizens.

Federal legislation should be enacted to afford more adequate criminal sanctions against state and local officials who deprive citizens of constitutional rights.

Law schools and bar associations, including the American Bar Association, should take steps to assure zealous representation by local counsel of Negroes and civil rights workers.

Legal aid centers should be established by the Federal Government to provide adequate legal representation to Negroes and civil rights workers.

III. Improvement of police-community relation

The Federal Government should seek to improve police-community relations by establishing assistance programs in the areas of recruitment, testing, selection, training, organization and pay.

The states and localities themselves must take action in those areas in which success will depend upon their initiative. The states should take the following steps:

1. Initiation of a positive and aggressive campaign to recruit and hire qualified minority group personnel.
2. Establishment of minimum state standards for all police officers.
3. Provision for periodic training programs.
4. Assist localities in developing better police forces.

The major burden for improving police-community relations rests on the local government. They should undertake the following steps:

1. Upgrade police organization, equipment and facilities.
2. Establish adequate complaint procedures.
3. Define the role that the police department is expected to play in the community.
4. Establish a community relations unit in the police department.

GUARANTEED JOB FOR ALL IS PROPOSED—JOHNSON PANEL GETS SWEEPING RIGHTS PROGRAM

(By Jean M. White)

A Government-guaranteed job for anyone unemployed—even if untrained and unskilled—is among more than a hundred proposals laid down in an "action program" to go before the White House Conference on civil rights.

The job-guarantee recommendation, which would cover all citizens, is linked with a call for a large-scale Federal program of public works and public services to help supply work quickly. Since more Negroes are untrained and unemployed, they will be the chief beneficiaries of the job guarantee.

With emphasis on the need for the "specific and immediate," the Conference's Steering Council has put forth a wide range of recommendations in four areas termed "critical" for Negro rights—education, housing, jobs and economic security and welfare, and administration of justice.

A 104-PAGE REPORT

The Council's 104-page report has been mailed to the 2400 delegates invited to the White House Conference on June 1 and 2. The Conference takes its title "To Fulfill These Rights" from President Johnson's address at Howard University a year ago.

At a press conference yesterday, Ben W. Heineman, Conference chairman, said the recommendations had been unanimously approved by the 30-member Council of business, labor, civil rights, religious, educational and public leaders.

Some of report's proposals are bound to generate sharp discussion and controversy. The Council calls for much more money, more legislation, more executive leadership, and more business, labor, church, and citizen involvement in obtaining Negro rights.

There are a few swipes at the Federal Government for not taking more vigorous action in certain areas, particularly against de facto school segregation and housing discrimination.

The report supports certain Administration proposals—rent supplements, demonstration cities, antipoverty programs. But it goes far beyond these in some cases. The Council backs the proposed 1966 Civil Rights Act, but urges a stiffer fair-housing provision, indemnification of injured civil rights works, and removal of civil rights cases to Federal courts if needed for fair trial.

The reports include some controversy-laden, ground-breaking proposals beyond the Government-guaranteed job programs. There would be back payments to those who suffer job discrimination, national standards for public assistance, and Federal housing aid conditioned on a metropolitan-wide desegregation plan.

Heineman said no price-tag estimate could be put on the Council's far-reaching recommendations.

SPENDING WOULD RISE

But they obviously would require stepped-up spending in the public sector for such proposals as a massive public works program, doubling the present national average per-pupil school expenditure, free junior colleges, and Federal help to encourage 2 million new houses a year.

Heineman, who is chairman of the Chicago & North Western Railway, did his best yesterday to minimize reports that the Conference might be disrupted by civil rights supermilitants and non-collaborationists.

Two days ago the Student Non-Violent Coordinating Committee (SNCC) said it would boycott the Conference. Julius Hobson, a militant Washington Negro leader, has threatened to picket the two-day session and so have some Mexican-American leaders.

PULL-OUT REGRETTED

SNCC's pull-out was termed "regrettable" by Heineman yesterday.

"What we tried to do," he added, "is to cover all spectrums of opinion. I'm sure individual members of SNCC would have contributed to the dialogue."

Conference planners have kept emphasizing that it represents a "broad cross section of America" and is aimed to involve "all society and all points of view."

In response to a reporter's question, Heineman said members of the Ku Klux Klan and the Black Muslims had not been invited. This, he explained, was because the program to fulfill Negro rights requires "involvement" that is inconsistent with the aims of these groups.

LIST TO BE RELEASED

Another reporter asked if Hobson had been invited. Heinemen said the list of participants would be made public later, but if Hobson had not been invited personally, his "thinking" would be represented at the Conference.

Conference participants will not be allowed to vote on resolutions. This could be a possible trouble spot if some delegates want to offer proposals and find they can't. It could lead to floor demonstrations like the one that disrupted the Citizens Crusade Against Poverty when antipoverty chief Sargent Shriver was hooted down.

Heineman said the delegates will be able to participate in discussions, which will be transcribed, and their views will be reflected in the final report to the President.

MULTIYEAR FOREIGN AID PROPOSAL

Mr. JAVITS. Mr. President, the Senate Foreign Relations Committee's decision to reject the President's request that economic aid be authorized for a 5-year period, represents a severe setback for the more effective administration of economic aid. I shall, therefore, intend to introduce an amendment when the foreign aid bill comes to the Senate floor for consideration, to give the President authority to plan our foreign economic aid program for a period of at least 2 years.

For many years now, distinguished leaders of business, the academic world and government have testified before the committees of Congress urging the adoption of a policy of multiyear authorizations for foreign aid to increase its efficiency and to permit aid recipients to plan their own efforts more effectively. I agree with this approach.

I disagree with those who hold that approval of multiyear authorizations would result in the lessening of congressional control over foreign aid. Checks are available through the appropriations process and by retaining the right to terminate any aspect of the program, should there be proper justification.

I think we are binding our hands in an unwise manner, and I think it is time that we came to a new conclusion.

PROTECTION AGAINST PUBLIC STRIKES

Mr. JAVITS. Mr. President, the New York Times has an editorial today containing an analysis of legislation now being considered in the New York State Legislature to revise the law dealing with strikes by public employees. The pending bill, which was recommended by a distinguished panel of experts on industrial relations, may well set a pattern for the rest of the Nation. I ask unanimous consent that the text of this editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PROTECTION AGAINST PUBLIC STRIKES

I. THE NEED FOR ACTION

The New York transit strike of last January gave ample proof of the inadequacy of the Condon-Wadlin Act as a protection against stoppage of vital public services. The evidence was made conclusive by the humiliating necessity, under threat of a second illegal walkout, for a special act of the Legislature to immunize the subway strikers against enforcement of the penalties that their strike had theoretically made mandatory.

The current shutdown of child health stations because of a dispute over nurses' salaries is merely the curtain-raiser to what could become an epidemic of conflict when contracts covering more than 100,000 civil service employes expire June 30. Under these circumstances, no subject deserves higher priority at Albany than the prompt enactment of a realistic no-strike law for public employes.

Regrettably, this imperative subject has been left to the end of the legislative session. The danger is great that election-year politics, labor lobbying and adjournment fever will combine to block passage of a bill containing the essential elements of equity for government workers and protection for the community. Insistent public demand for a sound law may be able to overcome such prospective default of the Legislature.

The first question that needs determination is whether the vastly expanded range of state, county, and municipal agencies—an expansion that has raised the number of public employes in this state from 400,000 to 600,000 in the last ten years—makes it undemocratic to deny government workers the same right to strike as workers in private industry possess.

Union spokesmen contend that prohibitions on public strikes should be confined to workers performing "essential" duties. But once they get past police and fire, the advocates of such a limitation never seem able to agree on anything else they consider essential. Even such basic functions as sanitation, education, welfare and water supply would be open to strikes under their definition.

Quite apart from the administrative impossibility of drawing a line between what is essential and what is nonessential in government, there is a more compelling reason for rejecting any strike parallel between public and private employment. The target of a civil service strike is not an employer seeking private profit but the total community; the use of economic weapons to force concessions from a public agency is plainly inconsistent with the orderly functioning of democratic processes. However, it is both unfair and unrealistic to believe that a total ban on public strikes can be enforced if no adequate machinery is provided for peaceful resolution of grievances over wages, working conditions or other issues.

II. PEACE PROCEDURES

As guides to the state in evolving a model program, Governor Rockefeller turned to five nationally prominent experts on industrial relations—George W. Taylor, David L. Cole, John T. Dunlop, E. Wight Bakke and Frederick H. Harbison. Their lifelong identification with progressive approaches to the problems of labor-management harmony was a guarantee that equity and workability would characterize the panel's recommendations for a Condon-Wadlin substitute.

That expectation was vindicated by the masterly report that has now become the basis for a Rockefeller-endorsed bill in the Legislature. It proposes establishment of a Public Employment Relations Board to certify organizations as collective spokesmen for government employes, foster development of independent procedures for resolving disputes, mediate when direct negotiations break down and designate impartial factfinders to propose peace terms in situations that mediation fails to ease.

The accent of the plan is on flexibility; but it also takes cognizance of the necessity for working out wage agreements before budgets are frozen and for assuring civil service employes that third-party review will be available. As a final court of appeal when factfinding proves unacceptable, the peace machinery provides for direct access to local and state legislative bodies, the representatives of the whole people.

All this is in marked contrast to the approach of the present law, which puts its reliance on heavy punishment for strikes, without concern for methods of facilitating peaceful agreement. The new plan's aim is to make certain that public employes will have the fullest recourse to avenues for fair treatment within the framework of a democratic system, thus obviating any valid basis for strikes. However, the panel does not commit the error of assuming that to make strikes unnecessary gives automatic assurance that they won't occur.

III. STRIKE PENALTIES

The Rockefeller bill requires a specific affirmation by every union certified to represent government employes that it does not assert the right to strike against the government. An affirmation of this kind is now required by law of every union active among Federal employes; there is no reason why it should not be equally standard in state and local agencies.

The specific sanctions to deter strikes shy away from the discredited notion that wholesale dismissals or other drastic penalties against individual strikers will prove effective. They also steer clear of giving strike leaders an aura of synthetic martyrdom by sending them to jail. Instead, the squeeze is put on the pocketbooks of lawbreaking unions through fines for illegal strikes and loss of representation rights. Experience has demonstrated that no deterrent is more persuasive than an assault on a union's treasury.

Experience also has shown that any loophole for evading penalties will become an avenue for their nullification, through political pressure, as part of the terms of every strike settlement. To guard against this possibility, the new law would make it obligatory for chief law officers to proceed in the courts for antistrike injunctions and for judgments in criminal contempt if the injunctions were violated. The present ceiling of $250 a day on fines would be abolished, and it would be up to the court to decide what fine would get the strikers back to work.

The most controversial of the panel's recommendations is likely to be the one that calls for stripping unions of their representation rights after an illegal walkout. Here again rules already prevailing in the Federal service provided the pattern; the panel also specified that hearings be held before any revocation to determine whether the union had sought to prevent the walkout and to decide how long the disqualification should last.

The problem with this penalty does not relate to its fairness—unquestionably, a union that does not live up to its legal obligations ought not enjoy representation privileges—but to its practicality. The difficulty with Condon-Wadlin was that its penalties could not be enforced; the revocation penalty may be in the same class. A strongly entrenched union in so vital a field as transit or sanitation could scarcely be dislodged if its members remained loyal. We believe the purpose of this penalty could be achieved more surely and more effectively by canceling the dues checkoff for unions that flout the law.

The people of New York State are entitled to dependable protection against inexcusable and intolerable strikes in the civil service; public employes are entitled to a guarantee that their forfeiture of economic weapons will not deprive them of equity or democratic expression in the determination of their wages and working conditions. Both objectives will be achieved by passage of the panel's statutory recommendations. The Legislature must not adjourn until that job has been done.

TWA ANNOUNCES $8 MILLION EXPANSION AT KANSAS CITY

Mr. LONG of Missouri. Mr. President, Missouri is proud of the contribution Trans-World Airlines is making to the growth and progress of our State.

Recently, TWA announced an $8 million expansion of its overhaul base at Mid-Continent International Airport, Kansas City. Construction will start this fall and will be completed in the summer of 1968. This is another step forward in TWA's partnership with Kansas City.

Mr. President, TWA's 7,834 employees in Missouri and all Missourians are pleased to note that by the first of next year TWA will have become the first major all-jet airline in the world.

There recently appeared in the Kansas City Star an editorial titled "TWA in a Progress Surge as Kansas City Cheers." Mr. President I ask unanimous consent that this editorial and an editorial which was aired by KCMO, Kansas City, be printed at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Kansas City Times, Apr. 29, 1966]

TWA IN A PROGRESS SURGE AS KANSAS CITY CHEERS

A golden glow surrounds both the present fortunes and the prospects of Kansas City's "home-town" airline, T. W. A. Times were never better for the big national and international carrier. The management is proud of its record-setting growth and optimistic about the outlines of expansion now on the horizon. All of which is important news for the people of this community.

The interlocked economic positions of Trans World Airlines and Kansas City are generally recognized. But a meeting of T. W. A.'s board of directors here this week provided a backdrop for updating the facts. Thus a progress report by Charles T. Tillinghast, Jr., the airline president, noted that:

> In 1965, T.W.A. gained 17.7 per cent in individual passengers and 19 per cent in passenger miles. Domestic air cargo was up a spectacular 26.6 per cent in ton-mileage over 1964, while international air cargo increased 45.2 per cent.

Growth on this scale brought direct economic benefits to the Kansas City area, T. W. A.'s own employment in its "port city" rose from 6,994 at the end of 1964 to 7,834 at the close of 1965—a rise of 12 per cent and an increase of 30 percent since 1958. The average employee's paycheck has gone up even higher proportionally. The volume of local purchases and operating fees paid by the airline has kept pace.

The T. W. A. overhaul base at Mid-Continent International airport is being expanded at a cost to the airline of nearly 8 million dollars. The plant handles both T. W. A.'s own jets and a rising number of engines for the company's outside customers. By the first of next year, as its delivery of new aircraft continues, T. W. A. will have become the first major all-jet airline in the world.

In this country fast flights to smaller cities are being provided with the availability of shorter-haul DC–9 jets. A flight out of Kansas City, now ending in Bombay, will terminate in Bangkok starting July 4. Moreover, T. W. A. is a strong competitor for new routes both in this country and overseas. A major bid, if approved by the U. S. government, would offer Mid-West travelers direct service to the Far East over two routes. Thus the airline's round-the-world system would be completed by connections westward across the Pacific.

Against this background of progress—including record company profits—and the potential of route expansion, T. W. A. sees itself in the forefront of the surging advances in air trunkline service. With good reason, Kansas City applauds both the stepped-up achievements and the splendid outlook for the airline now deeply rooted in this community over a 36-year span. The intertwined relationship—and its hopes for an ascendant future—are stronger now than they have ever been.

[From KCMO Broadcasting, Kansas City Mo. Apr. 25, 1966]

Kansas City now has an international promotion agent. Kansas City is the home town of Trans World Airlines, and the company is throwing its tremendous business know-how into a drive to attract new industry and commerce to the Heart of America.

Taking advantage of its United States connections and its overseas operation, TWA is contacting some 25,000 major firms to acquaint them with the advantages of our city. Few, if any cities, can lay claim to such an extensive boost and by a private industry doing it voluntarily. Coming at this time, the TWA promotion for Kansas City could produce significant results in view of the expanding economy. Many of the larger industrial firms, both here and abroad are actively investigating expansion.

TWA has collected, with the assistance of the Kansas City Chamber of Commerce, an attractive outline of economic advantages in this region including the location, expansion areas, general business and labor statistics, government, educational and research facilities, housing, recreation, and culture. It is prepared to supply more detailed information to any company desiring a deeper look at Kansas City. Trans World Airlines is providing a good example of leadership.

This has been a KCMO editorial presented as a Public Affairs feature. Copies are available on written request. Send your comments on important issues of the day to Speak Up, KCMO Broadcasting, Kansas City, Missouri.

CUTBACK IN SCHOOL MILK PROGRAM WOULD BADLY DAMAGE AMERICAN DAIRY INDUSTRY

Mr. PROXMIRE. Mr. President, I was shocked to hear the Department of Agriculture express its opposition to my bill to make the special milk program for schoolchildren permanent on the grounds that when milk production is dropping we should think twice about providing milk to our children under this program. This is a paraphrase of a statement by Assistant Secretary of Agriculture George L. Mehren before the Subcommittee on Agricultural Production, Marketing, and Stabilization of Prices of the Senate Agriculture Committee.

I would like to explore this statement because I think it represents a basic misconception of how the problem of reduced milk production should be handled—a misconception that could have a very serious impact on the dairy industry as a whole as well as the price the housewife pays for fluid milk. To be more specific, Assistant Secretary Mehren made these remarks:

> Output of dairy products has in fact shrunk in absolute terms over the past year. Stocks in government storage have been depleted and relatively little has been acquired in this present spring period. There have been thirteen consecutive months of downturn in monthly production as compared to the same month one year earlier. There is disturbing evidence, not compelling but surely disturbing, that the production basis for dairy products may actually be shrinking.
>
> Thus, the long-standing reason for a special milk program to alleviate surplus production conditions does not now exist. There is no evidence that there will be such surplus in the near future. We do not need a special milk program for this reason.

Of course, this statement overlooks the very important fact that, while the school milk program was started as a means of dealing with the surplus milk problem, it is now considered primarily as a child nutrition program. The statement disregards the fact that as "nature's perfect food" milk is an extremely valuable food supplement and is used as such through the midmorning and midafternoon milk breaks provided under the milk program.

This is not what concerns me, however. My deepest concern lies in the fact that although the Department of Agriculture admits that "average income levels to dairy farmers are still far too low"—so low that these dairy farmers are selling out in droves—the administration's answer is to make it even more difficult for dairy farmers to make a decent income.

For example, when the price of manufacturing milk used in making cheese went up, giving dairy farmers a better return on their investment, did the Department of Agriculture allow this income increase to stand in the hope that it would stem the tide of departing dairy farmers? Hardly. The Department simply asked the Tariff Commission to permit the importation of additional cheddar cheese to correct a so-called temporary imbalance—knocking cheese prices down by 3 cents a pound and causing a substantial reduction in the price the farmer received for his manufacturing milk.

When the Secretary of Agriculture noted the rapid outflux of dairy farmers this spring did he substantially increase support prices to halt the mass exodus from the dairy farm under the authority of the Agriculture Adjustment Act that directs him to set support prices at a level which will assure an adequate supply of domestic dairy products? No, indeed. Although there was an increase in the support price it was 25 cents below what the dairy farmer was then receiving for his surplus milk on the open market—25 cents below a price that forced many farmers into selling out.

I earnestly hope that the Department of Agriculture will stop treating the symptoms rather than the disease. Only by encouraging higher, not lower, dairy income will our Government insure a continuing supply of vital milk. By persisting in its efforts to keep dairy income low, the Department is slowly but surely leading the Nation's consumers down a path leading only to great milk shortages and inflated prices. This hurts not only the dairy farmer, but the American housewife as well.

A GREAT MOTION PICTURE

Mr. GRUENING. Mr. President, recently I have had the privilege of seeing a preview of a marvelous motion picture entitled, "The Russians Are Coming. The Russians Are Coming." Briefly, it is the story of a Russian submarine cruising off our New England coast and getting stuck on a sand bar. The captain sends some of his crew ashore to get the help of a boat to tow off the submarine. The people in this New England village panic and think the Russians are starting to invade America. The situation that develops is one of the most amusing and entertaining that I have known, and I am hopeful that this picture will have a wide acceptance, not because of its entertaining qualities but because it implies a profound and salutary lesson.

The story is based on a novel by Nathaniel Benchley, novelist, and worthy son of that great humorist, Robert Charles Benchley, who entertained audiences and readers far and wide until his death 20 years ago. He was a personal friend of mine, as is his son, Nat.

It is interesting that this picture attracted so much attention that the Washington Daily News, the Scripps-Howard paper in our Capital, devotes its leading editorial to it in the issue of Wednesday, May 25. As it summarizes pretty much what I would like to say about this picture, I ask unanimous consent that the editorial, entitled "Good Show Coming," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

GOOD SHOW COMING

Seldom do we tout a motion picture on this page, but the other day we happened to catch a preview of an exercise in high comedy which opens in Washington next month and we feel it our bounden duty to warn our readers that, if they see it, they may never be quite the same again.

It is called, "The Russians Are Coming The Russians Are Coming", a title so breathless that even the comma is lost in the rush, and it left us limp with laughter and a sense that the world was mad.

The plot? Well, this Russian submarine, cruising somewhere off Cape Cod, comes in close for a look at the beautiful American shoreline and somehow manages to run aground, an enormously embarrassing predicament which well could touch off World War III. A party is put ashore to commandeer a boat to haul the sub off the shoal. There ensues the funniest couple of hours one is likely to encounter in a motion picture theater this or any year, in the process of which the Russians manage to fall in love with the Americans, and the Americans with the Russians, and the audience with the lot of them.

Is this good? Well, we are reminded of the best of the old Charlie Chaplin comedies when, wildly shaken by laughter, one is suddenly made deeply aware that man, however simple, is a glowing and glorious creature indeed.

There is already some talk that "The Russians Are Coming . . ." will be a strong contender for the Nobel Peace Prize.

Maybe so.

All we can say is that we cannot conceive of Hollywood having had the courage to make such a picture 10 or 15 years ago. It is bound to have a profound effect on millions of Americans who see it—and, with any sort of luck, on millions of Russians who perhaps will see it, too—and if this results in taking the chill off the Cold War, that's just fine.

Producer-director Norman Jewison, who put this all together for the Mirisch Corporation and United Artists, and a score of remarkable players, including Carl Reiner, Eva Marie Saint, Alan Arkin, Brian Keith, Jonathan Winters, Theodore Bikel, Ben Blue, and several attractive youngsters, may have achieved what the world's diplomats have thus far failed to do: That is, to show us the innate absurdity of international conflict, and in doing so to celebrate the sometimes idiotic splendor of mankind.

"YOUTH'S RESPONSIBILITY TO HIS AMERICAN HERITAGE"—PRIZE-WINNING ESSAYS IN DALLAS WOMEN'S CHAMBER OF COMMERCE CONTEST

Mr. TOWER. Mr. President, the Women's Chamber of Commerce in Dallas held an essay contest on "Youth's Responsibility to His American Heritage," which was open to high school students in Dallas and the park cities area in Texas and brought an impressive response with thoughtful and well-written entrees.

In order to recognize the commendable achievement of the winners, in particular, of this contest for their insight and perceptive objectivity of the role of our Nation's youth, I ask unanimous consent that the winning first-, second-, and third-place essays be printed at this point in the RECORD.

There being no objection, the essays were ordered to be printed in the RECORD, as follows:

YOUTH'S RESPONSIBILITY TO HIS AMERICAN HERITAGE

(By David Aronofsky, age 18, 2867 W. Ninth, Sunset High School, 726 words, first place)

The very foundation of American democracy and freedom has been threatened in recent times by world forces bent on destroying them. These threats have aroused in the American people a new interest in the principles that underlie their national life. They wish to understand clearly the things to which they, as a people, are dedicated—principles for which untold millions have fought and died. These principles of democracy have become the basis for personal freedoms throughout the free world. In these troubled times, the United States of America stands out as the leading pillar of democracy in the free world, and it is to this great nation that the weak and oppressed cast hopeful glances in pursuit of free government and freedom of choice.

What role does the American youth of today play in this worldwide struggle for democracy? This question is being asked over and over in the minds of American teenagers. Unlike the world of a few years ago, today the United States is possibly on the verge of war, and many young men are now being sent overseas to fight and perhaps die in a struggle which has little or no meaning to many of them. There is something going on in Asia right now far more important than a military campaign. American boys are not becoming men overnight only to protect a few thousand Vietnamese people. They are fighting to protect the ideals and principles upon which the free world is based. A threat to the rights of even one small group of people is a threat to the entire world.

The American youth today must prepare himself to defend democracy to the utmost. In order to do this, it is necessary for him to understand both the objectives in this struggle and the reasons for these objectives. This country once consisted of thirteen separate colonies, all of which were under the British flag. Then, also, were democratic principles being threatened. Surrounded by absolute monarchies, dictatorships, and despots, only the thirteen colonies dared to be different. In that world of tyranny, Americans dared to say that every individual is born with the rights of life, liberty, and pursuit of happiness, and they fought and defeated the mightiest empire in the world in defense of those rights. When the peoples of the free world were threatened with German aggression, the United States hastened to the defense of the threatened nations. Throughout history Americans have been the biggest supporters and defenders of human rights. It is up to the American youth of today to prepare himself for the continuation of the struggle, for the need of a powerful defender of democracy is becoming greater as time advances.

Why should the young American prepare himself to meet these responsibilities? Surely we all realize that the proud past of our country will have been for naught if the forces of evil and tyranny prevail. That is a heavy burden for one to bear. As for the millions who have struggled in defense of a free world, their work and deaths would be meaningless. Are the young Americans of today going to let the names of Washington, Lincoln, Roosevelt and countless other great Americans go down in history as failures? Who are we to let the works of these great men crumble in vain? The youth of today owes a debt to these men and to others like them who have made it possible to exist in a free society today.

The young American can best serve his country by simply being a good American citizen. He can swell his chest with pride when he says, "I am an American." He can further his education in order to prepare his mind to combat the problems that will arise in the future. He can encourage adults around him to be loyal, civic-minded citizens. The youth of today has considerable influence, which can be used to promote loyalty and patriotism. The American teenager can play a vital role as a supporter of the democratic ideals upon which his nation and government are based. This young American, this beardless Uncle Sam—awkward, abundant in his love, stubborn but stern in his sense of justice—born in revolution, cradled in a continent of content, maturing in a world of violent change—upon his shoulders rests the fate of the world.

YOUTH'S RESPONSIBILITY TO HIS AMERICAN HERITAGE

(By Brian Kelly, 17, 127 N. Montclair, Sunset High School, 985 words, second place)

Faced with the economic, social, and moral problems developing in the world today and promising to become more severe as time goes on, American youth will have to see that he lives up to the responsibilities imposed by his American heritage. These problems, of a complex nature such that they could endanger the life of democracy in America, must be coped with in such a manner that the democratic system will be upheld. The future state of affairs will require young Americans to possess the same wisdom, foresight, courage, and ability which were employed by their forefathers in building the nation.

Americans have a colorful past of which they can all be proud. The freedoms we enjoy today had their beginnings in the bold period of history during which America was a mere handful of colonies. At that time a number of very unique ideas in the field of government and personal liberty were introduced. The authors of these thoughts were a rare breed of men, fearless of the personal dangers to which they were exposed as a result of their beliefs, and strong in the ability to organize themselves. These laudable patriots had ideas that had occurred to few men before them, the desire to be free from foreign oppression as a nation as well as to be free from any other man as an individual. When pushed to their breaking point, they refused to submit to tyranny, fighting until they had achieved their ideals. The government they set up was planned carefully to insure freedom, justice, and equality for all, privileges which have come to be taken for granted. There is no reason that they should be taken for granted. We cannot stand aside and expect the happy state in which we live to continue without any effort on our part. Any system of government and public life so carefully thought out by such an outstanding group of men as our American patriots is not going to continue by itself. The simple truth is that someone is going to have to keep at work constantly, as long as our country exists in its present form, to maintain the blessings of freedom which we now enjoy. For unless repair work is performed on our intricate system of government in order to meet the demands of changing times, our once efficient method of operating a democratic society will become antiquated and useful.

Who is going to carry on this much needed work? The answer lies in American youth, for he is the only one who can possibly replace the capable leaders who have kept our American heritage alive. There is no telling where we would be today were it not for the experienced leadership of men such as Jefferson, Lincoln, Roosevelt, and numerous others who have led our country through one trial after another. Where would we be today if these men had shirked their responsibility when they were youths, preferring to tend to their own interests rather than to their patriotic duties? The baton has been passed from generation to generation of political leaders for almost two hundred years with few mistakes, and it is up to American youth to take it in turn, without faltering in his responsibility. As youth does assume his role in sustaining American ideals, he must realize the solemn importance of the duty entrusted to him, and uphold it with all his ability.

How might American youth best prepare for the work of forwarding the progress of our civilization in keeping with the American heritage? Much of that which is required can be classified as qualities of the spirit. The basic American character might ideally resemble that of the patriots who established our American way of life. The demands of the future will require two separate groups to be active in seeing that our democracy runs smoothly, each assuming its respective role in society. As outlined by the most fundamental democratic principles these two groups are the leaders, who administrate the government, and the citizens, who control the government.

Future leaders must have the courage to hold to their convictions in the face of adversity, wisdom to understand what is best for our country, and leadership ability to help others follow in the proper path. They must at the same time keep themselves open minded to the suggestions of others, above reproach in regard to personal moral standards, and aware of the rights of other nations. As the leaders are merely the dedicated servants of the people, the citizens themselves are equally if not more important. In our system of self-ruled government the people must be well enough acquainted with the workings of government and the principles of our heritage that they can run it responsibly. This is where the importance of education must be emphasized. Through learning the history of our political system as well as the intricacies of its delicate machinery, youth can best understand the principles on which our government depends, thus becoming a better citizen. In today's increasingly complicated world deep understanding of all aspects of government is becoming more difficult to obtain—and more important.

In assuming his role in American life, whether in the leadership group or as a patriotic citizen, American youth must do all he can to see that the spirit of self-reliance and independence that is deeply rooted in the American heritage is continued. There are undoubtedly upcoming times when the self-sufficient American character may falter unless enforced by those who stand guard over our way of life. In the future there are many threats to be made to our American system. Each challenge that is made to our way of life will have to be answered; each attack, repulsed. Today more and more youth is warned of the dangers that lie ahead unless he readies himself. The fate of American ideals and traditions hangs on youth's response to this call.

Youth's Responsibility to His American Heritage

(By Deborah Ann Kalles, 16, 1641 Trail Ridge Drive, Dallas, Tex., W. H. Adamson High School, 799 words, third place)

American Heritage—Big Deal! Everyone's got that. Well, maybe not *American* heritage, but some type of *heritage*. So what's the big fuss about "Your American Heritage."

That's what I get slapped with all the time. It makes me stop and wonder, "What's happened to American people?" Allow me to introduce myself. I'm "your American Heritage." Oh—I'm not a real live person like you. No sir! But I do have feelings, which, by the way, have been terribly bruised. You owe me an apology. Why? Just let me explain why . . .

In the first place you're lucky to have me. How would it be to have Russian heritage? Not so great, you say? How about Chinese heritage? It's just not everyone who gets to be born in America—*America*—now that's a subject I like to talk on, considering it's my given name!

I've been here since the first people came across the ocean to make their home here. I watched them as they toiled and fought and lost their loved ones. I also saw their tears of joy and sorrow.

I saw America grow through the centuries. I saw my land grow to be the greatest nation in the world. Each time a soldier died in defense of America, I felt a pang in my heart. I knew someone cared. What great forefathers you had! What's that you say? You're sick of hearing that "forefather's jazz? That's all you hear—"your forefathers were so great." Well listen here—have you ever thought about this? One day you, too, will be a forefather. Future generations will look back to see what the people of America were doing in your time. What will they say? "Oh, I remember that part of history. There was rioting, discrimination, and draft dodgers. Funny—Why didn't they love America and appreciate the fact that they were able to live in so great a nation?"

That's exactly what I am—Great! Don't get me wrong now—I'm not conceited. I just know the facts. Let's go back to the beginning and work up.

The reasons for creating a new nation were many. The people wanted a free land; a land in which they could worship and live without fear. They wanted the right to govern themselves and so worked toward that goal. They began by building the nation up. They farmed and cleared land to make American soil prosperous. It was a big land of opportunity and many others came. Many died, but others took their place.

They had finally built and created this "new world" into a democratic nation. Then the British decided they would turn America into a strictly-run colony and treat it as such. The first real feeling of American heritage began. The people wanted a land of their own; they wanted to be Americans. They fought for their land and won.

It was still a hard struggle to keep America going. There were other wars to fight and other obstacles to climb but the people did it. America is now the greatest nation in the world.

It's hard to understand the feeling of our forefathers. They had to begin life under something other than a democracy. They knew what a great thrill it was to experience a taste of freedom and to live in a land such as ours, with the many opportunities it provided them.

The people born in America today do not realize how very lucky they are to already have this heritage. They do not have to struggle to obtain it—it is their's by right of birth. It is important that one maintains this freedom. Everyone should sit up and take notice of the privileges that are theirs. It is too easy to overlook what is obtained too easily.

It is your American heritage—a heritage that represents freedom of speech, religion, press, assembly and freedom within one's self. In a heritage such as this, people have the right to think for themselves and to better themselves. They have the opportunity to progress to their fullest potential. They were blessed with the luck of being born in a great and prosperous nation; a nation which raises itself a head above all other nations.

It is your heritage. You did not have to fight for it. You only had to be born within America's borders. It will continue to be your's only if the people themselves want it and love their nation enough to defend it.

I've said only what everyone knows, but it was in the hope that some would stop and think it over. In behalf of myself I would like to say only one more thing! "Loving one's country, making it prosper, and protecting it is a small price to pay for the privilege of living in so great a nation as America."

PENSIONS AND INFLATION

Mr. KENNEDY of New York. Mr. President, many experts on the aging, Members of Congress, and members of the community generally have been concerned for some time about the inadequacy of social security benefits, about the difficulties that older Americans have in making ends meet on the slender benefit checks that they receive from the Social Security Administration. Yesterday's syndicated column by Sylvia Porter, entitled "Pensions and Inflation," explained more concisely and more succinctly than anything I have seen the extent to which benefits have not kept pace with increases in the cost of living, let alone with increases in productivity that have benefited every other segment of American society. Miss Porter has a great capacity for dealing in an interesting and effective way with the economic problems of our day. And she does so time after time about the issues which are of greatest meaning to all of us. Her continuing insight into American economic problems and their social implications is a great help. I ask unanimous consent, Mr. President, that Miss Porter's column of yesterday be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Pensions and Inflation

(By Sylvia Porter)

The elderly American couple who retired in 1950 and qualified for the then $120 maximum monthly benefit is now receiving $168.60—reflecting the increases in benefit levels over the years. But because of the relentless climb in living costs in these 16 years, this couple's "real" income has been raised not $48.60 but only $6.67 a month. In actual comparative buying power today the $168.60 benefit check shrinks to $126.67.

The very elderly couple who retired as far back as 1940 and drew that year's top $68.40 in monthly Social Security benefits is now receiving $152.50—or more than double the benefit a quarter-century ago. But because of rising living costs, this couple's benefit check will actually buy $1.32 less than in 1940.

Before Social Security benefits were raised 7 percent across the board last year, the maximum being received by retired couples was the equivalent of just 3c more in buying power than the maximum received in 1950.

These statistics, compiled and to be released soon by the Diversified Investment Fund, Inc., in Elizabeth, N.J., dramatize the position of those who now depend primarily on Social Security benefits and underline the vital importance of outside savings and investments to supplement retirement income. In stark summary, the millions among the elderly who depend entirely on Social Security benefit checks are just barely keeping up with the rising cost of living. For them there is no financial leeway for any rise in living standards or any way to share in the nation's prosperity.

Since 1950 per capita personal income across the nation has nearly doubled to today's $2,872—far outpacing the 34 percent cost of living rise. Even assuming a living cost rise in the 2½–3 percent range this year, the pay of the vast majority of workers will rise enough to keep them ahead.

In contrast, by the end of 1966 well over half of 1965's Social Security benefit boost will have been swallowed by inflation. The dollar put away at the end of last year already has dwindled in value to less than 99c; the dollar saved just one year ago is now worth only about 97c.

This erosion may still be imperceptible to you, the young worker. But it is beginning to dig deeply into the budget of the retired individual. The brunt of inflation always is borne by those living on fixed or slow-rising pensions and by those in lowest-paid jobs.

What does this mean to all of us? It means that there will be mounting pressure again for higher Social Security benefits and for increased liberalization of the Social Security "retirement test" allowing only $1,500 in earnings before Social Security benefits are reduced.

It means that we who are still working and paying taxes will be faced with the prospect of steeper taxes to cover benefits going to those already out of the work force.

It means that we are moving closer to the point at which the working public will balk at paying ever-higher Social Security taxes to finance ever-broadening, ever-rising benefits.

It means there will be more and more pressure on corporations to expand and extend pension plans for retired employees, to design pensions to keep pace with price rises and to loosen mandatory retirement policies.

It certainly shouts a message to all of us to strive for outside income sources—savings, investments, insurance, etc.—which will supplement our future pension benefits. The past and present of others warn us that these will be essential if we are to live in dignity in our own tomorrow.

NUCLEAR PROLIFERATION

Mr. NELSON. Mr. President, on May 17, the Senate voted 84 to 0 for Senate Resolution 179, a historic resolution supporting current efforts to limit the spread of nuclear weapons and urging additional steps toward the solution of this critical problem. Its overwhelming passage owes much to the fruitful efforts on its behalf by its original sponsor, the distinguished Senator from Rhode Island, John Pastore.

Halting the spread of nuclear weapons must be a central priority of American policy. We need a sense of urgency about this problem. Unlike the war in Vietnam, the threatened spread of nuclear weapons rarely captures newspaper headlines. But this does not lessen its status as a grave threat to world security and peace.

Five nations now have the proven capacity to produce and explode nuclear weapons. At least 10 nations, perhaps more, have the technical capability to develop such weapons within the next few years. The cost and complexity of nuclear development are no longer decisive deterrents to the spread of nuclear weapons. Soon an investment of a few million dollars is all that will be needed to produce such weapons, and it is well known that the needed technical skill is already widespread. Even more chilling is the claim made by experts that nuclear capability will soon be within the reach even of private organizations.

Delay in confronting this problem responsibly and effectively increases the chances that more nations will make irreversible decisions to develop nuclear weapons, and that such decisions will encourage still others to follow suit. If nothing further is done, nations of all types, of all degrees of stability, of all degrees of responsibility, will have in their hands the power of life and death over the whole planet. Security for all will then be gravely diminished, and the chances of nuclear catastrophe immeasurably increased.

Constructive steps to meet the problem of nuclear proliferation need to be taken now. I therefore commend the Senate for passing Senate Resolution 179, and join the overwhelming majority of my colleagues who voted for the resolution in commending current efforts to negotiate international agreements limiting the spread of nuclear weapons and supporting future efforts to bring about solutions to nuclear proliferation problems.

PRESS FOR VIET ELECTIONS NOW

Mr. BOGGS. Mr. President, an editorial in today's Wilmington, Del., Morning News makes the point that now that the rebel elements in South Vietnam have been put down by the Government, it is incumbent upon the United States to increase pressure to hold national elections.

I believe the editorial's point is well taken and I ask unanimous consent that the editorial be inserted at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Press for Viet Elections Now

Now that Premier Ky has crushed the rebel elements in Da Nang and gone a long way toward establishing the suzerainty of the Saigon government over the northern provinces, the United States should step up the pressure on his government to hold national elections in the fall.

This will take will power in Washington, where there have been obvious differences of opinion on the desirability of holding Vietnamese elections for several months. Those men in the Administration who favor sticking with Ky and letting Vietnamese political evolution wait until after the Viet Cong are defeated will undoubtedly find themselves in a stronger position at the White House now that Ky has made it clear that the Buddhists were not the formidable force they seemed to some.

But if their view should prevail, it will be a mistake. The United States would again be ignoring the basic problem in Viet Nam, the effort of the Vietnamese people to bring about a political revolution that is Vietnamese in character. This is an effort that was begun even before World War II and an effort that has been frustrated since then. It is the revolution that Premier Diem subverted and the revolution that the Communists are trying to subvert now.

No one inside or outside Saigon knows how it is going to come out once it has run its course, but that should be no reason for refusing to encourage it, just as Gen. Ky's predilection for labeling as Communist anyone who opposes him is not justification for dismissing as disruptive any Vietnamese who is convinced that the military junta isn't the group to accomplish the Vietnamese political revolution.

It is difficult to fight the kind of war that is being waged in South Viet Nam, that's admitted. But will it not be even more difficult if the enemy not only is the Viet Cong, but also the Buddhist, the Catholic, the Montagnard and the Hao, Hao; the student, the politician, the intellectual and the monk; all those many, many other individuals and groups who believe that they too should have something to say about running their country and fighting the Viet Cong? The answer to that question is obvious. The United States has no real choice but to press for an election so that all these people will have some reason to hope, some reason to continue the fight against the Communists. The United States has no real choice but to press for an election for its own sake, too, for if the only reason the Johnson Administration has for fighting in Viet Nam is to save face, then it has no reason at all.

OPEN HOUSING

Mr. KENNEDY of Massachusetts. Mr. President, the Denver Post has published what I consider to be a serious and provocative editorial on President

Johnson's new civil rights bill, especially as it pertains to housing.

The newspaper warns of a truly massive problem, the expanding Negro ghettos in American cities. Once creeping segregation has gained momentum, reversing it or even slowing its progress is a massive job, it is pointed out.

> A fair housing law such as the President has proposed won't do this job by itself—

The paper declares, adding that a coordinated effort at all levels—backed by effective law—will be required.

The Post editorial provides much food for thought. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OPEN HOUSING: WORTH CONGRESS' STUDY

Columnists and other pundits are predicting, we note, that the housing desegregation section of President Johnson's 1966 civil rights bill will never get past Congress.

Well, the pundits were wrong on some predictions like that about the Civil Rights Act of 1964, but this time they could be right. Housing is the area of civil rights where resistance is the best organized, and Negro leadership is the least militant. As a result, this is the only area where racial segregation in America is still increasing.

If the housing section of the administration's bill is doomed to rejection, we hope that it at least stirs plenty of debate, because this proposal opens up for the first time in Congress a truly massive problem: the expanding Negro ghettos in American cities.

Consider the facts: Washington, as everyone knows, is already more than 50 per cent Negro—the first major city in the country to achieve this unnatural distinction. But Baltimore and New Orleans are more than 30 per cent Negro and, according to students of population trends, may well pass the 50 per cent mark by 1970. Philadelphia, Detroit, Cleveland and St. Louis, now more than 25 per cent Negro, all could have Negro majorities by or before 1980. And Chicago and Houston, now more than 20 per cent Negro, would be next.

On this score alone, the problem is worthy of the Congress' most serious study and action. But reciting mere population changes does not begin to hint at the real troubles such changes are already starting to cause.

School administrators, of course, are well aware of those troubles. In cities all over the nation, including Denver, they are wrestling with the educational problems caused by racial change. Oncoming segregation casts a long shadow ahead of it in the schools. In Philadelphia, for instance, though the city is still nearly 70 per cent white, the public schools are already 57 per cent non-white.

Mayors in many cities also are becoming sharply aware of the problem. They see high-income white taxpayers moving to the suburbs, being replaced by lower-income taxpayers who need more city services; they see civic leaders being replaced by people who know little or nothing of such valuable techniques.

City businessmen, too, are fighting the problem—though it's doubtful whether many realize it. In many cities, they busy themselves trying to rejuvenate downtown areas, ignoring the hard fact that ghettos expanding around the inner city are displacing their closest affluent customers and cutting them off from suburban customers.

This process, of course, can be reversed. It has been done in Georgetown, Washington's most fashionable residential area. It is being done in several other cities—including, possibly, Denver's Park Hill. But once creeping segregation has gained momentum, reversing it, or even slowing its progress, is a massive job.

A fair housing law such as the President has proposed won't do this job by itself. In most cities, this job will require a coordinated, cooperative effort of civil rights leaders, city officials, school officials and business and real estate leaders—backed by an effective law.

The reason even such a potent civic power coalition would need a law can be seen in a statistic from Philadelphia. George Schermer, a well-known Philadelphia human relations expert, estimates that merely to keep Philadelphia's Negro ghettos at their present size would require the movement of 6,000 Negro families a year out of those ghettos, for years to come. Can anyone conceive of any Negro exodus on this scale unless white neighborhoods are legally opened to nonwhites?

So there is good reason for Congress to study and debate the problem. And if congressmen do nothing this year, they can feel uncomfortably sure the problem, bigger and harder to solve than ever, will keep coming back to haunt them until they do act.

THE TURNING POINT IN VIETNAM

Mr. CHURCH. Mr. President, one of the most distinguished foreign correspondents reporting on the Vietnam conflict is the Frenchman Jean Lacouture of Le Monde. He concluded a recent article in the May 12 issue of the New York Review by saying:

> We can only hope that it is not too late to attempt a different policy, one that would place reliance on the Vietnamese themselves—all the Vietnamese—to maintain their integrity in the face of whatever forces may threaten it.

This article which is entitled "Vietnam: The Turning Point" makes several concrete suggestions which might assist in bringing about a truce or even a peace. It deserves the attention of my colleagues:

I ask unanimous consent that it be printed in its entirety in the RECORD.

VIETNAM: THE TURNING POINT

(By Jean Lacouture)

On the screen an old peasant woman stands amidst devastated houses and fields; like twenty-five million men and women in both parts of her country she wears black silk pajamas. Her left sleeve hangs empty. The picture dissolves quickly and those who see her on the television film that James Cameron, an English newspaperman, has brought back from North Vietnam will forget her—unless they have also read his book, *Here Is Your Enemy.*[1] It is dedicated to the "old lady who lives in the village of Naah Ngang, in the Thanh Hoa province of North Vietnam which is unfortunately near a strategically important bridge."

"The bridge as far as we know still stands," [Cameron writes], "but the old lady had her left arm blown off by one of the bombs that went astray. She was more fortunate than her daughter, who was killed. She said: 'I suppose there is a reason for all this but I do not understand what it is. I think I am too old now ever to find out.'"

Most Americans are now too old to understand and are living far enough from the bombed bridges to appraise soberly the Vietnam policy pursued in their name. Indeed they have more information available to them about the war than any other nation that has ever fought in a remote foreign land. Now, at a moment when the war seems to be reaching a turning point, James Cameron's book and film give us the first perceptive report we have had in years on the lives, reactions, ideas, and leaders of the enemy in the North.

Cameron was the first Western correspondent admitted to Hanoi since the beginning of the bombings. "Why I was selected out of a clamoring multitude of serious newspapermen is an enigma to me," he writes. "It could have been the fact that I had insisted on going, if I went, on my own terms, uncommitted and unsponsored." In any case, it was a fortunate choice. Cameron is not a neutral observer—he has been critical of both the Conservatives and Labour positions on Vietnam—but he seems less susceptible to the passions and resentment we might have expected from a French or American reporter. An English liberal with long experience in Asia, he is able to distinguish between the totalitarian Communist apparatus which rules in North Vietnam and the authentic drive for national identity and independence which has made the Vietnamese revolution possible.

Much of Cameron's book will be familiar to those who read his dispatches in *The New York Times* and the London *Evening Standard* last September. What emerges most clearly from the second reading is his sense of the ordinary Vietnamese people he met during the winter of 1965 when American bombs were falling on the transport and communications systems throughout the country. Cameron is not a sentimentalist but he was enormously impressed by the remarkable courage and cheerfulness of the Vietnamese in the face of death. Indeed the most important contribution of his book is to show that the stoicism of the Vietnamese is one of the most important, and most neglected, factors in the debate over Vietnam—as important as the follies of French colonialism, or the calculations of Secretary Rusk. Western leaders have not understood that bombing operations that might produce panic and disruption in their own countries have had remarkably little effect on a people who resisted French "mopping up" operations for eight years and are led by an old man who has spent one third of his life in prison and another third shaking off the agents of various colonial police forces.

"So far from terrorizing and disrupting the people" [Cameron writes] "the bombing seemed to me both stimulated and consolidated them. By the nature of the attacks so far, civilian casualties had not been very great, but they had been great enough to provide the government of the Vietnam republic with the most totally unchallengeable propaganda they could ever have dreamed of. A nation of peasants and manual workers who might have felt restive or dissatisfied under the stress of totalitarian conditions had been obliged to forget all their differences in the common sense of resistance and self-defense. From the moment the United States dropped its first bomb on the North of Vietnam, she welded the nation together unshakably . . . even in their own interests the U.S. planners failed to recognize the reality of a society like this. A bomb here, a bomb there; a family eliminated here or there; . . . these were troublesome, infuriating; they were not disabling. The destruction of a bridge or a road—in Western terms it could be disastrous. Here it was a nuisance."

One might add that since the resumption of the bombing, the rate of North Vietnamese infiltration into the South has quadrupled; the number of American casualties has risen; Northern influence in the South has increased along with the prestige of the Communist cadres in the Vietcong. Moreover, the membership of the PRP, the Communist organization within the National Liberation Front, has tripled during the last year.

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[1] Here Is Your Enemy, by James Cameron. Holt, Rinehart & Winston, 160 pp., $3.95.

No doubt Cameron's book will be dismissed—as his articles were dismissed by *Time*—as a "conduit for North Vietnamese propaganda," naive in its uncritical presentation of talks with North Vietnamese leaders. But Cameron writes, "It seemed to me from the beginning that I of all people was most likely to be handled with circumspection and to receive in official conversations the most distilled official line." On the other hand, his observation of the effects of the war on the North Vietnamese are his own and they are important. Those who have served as a "conduit"—if not as a source—for official American propaganda justifying the bombings can learn from Cameron's report how badly this policy has failed.

The events of the past month make Cameron's book all the more pertinent. The bombings in the North have become even more severe, while the demonstrations in the South seem to have made a political solution more possible. At least some of the more fragile American myths have been exploded and the hard political questions that have been obscured by Washington's rhetoric are coming into the open. Can the war be justified as a "defense of free men against a foreign invasion" when thousands of people have been openly demanding an end to dictatorial government, not to mention the American presence itself? Do all the non-Communists really want a powerful American army to fight in Vietnam until the last Vietcong is killed or driven North? If not, what is the basis of the American commitment?

These questions can at last be raised largely because of the agitation of the Buddhists in their Northern stronghold of Hué and Danang as well as in Saigon. But the intentions of the Buddhists are not easily discerned, for they have been reluctant to announce their concrete political aims: Tri Quang and his followers have advocated "absolute peace" and "absolute nationalism," while shrewdly improving ways to undermine the military dictatorship. If their views seem abstract or contradictory, this is a characteristic of Vietnamese political life. Nationalism and Communism have long been intermingled in the Vietnamese revolution; so have the desire of the South Vietnamese for reunification and their resentment of Northern domination. In much the same way it is extremely difficult to distinguish the religious principles of the Buddhists (and often the Catholics) in the South from their political activism.

But it should be made clear that the Buddhists are a relatively new force in South Vietnamese politics. They did not begin to make their influence felt until the early Sixties when the pagodas and monasteries became centers of resistance to the oppressive (and largely Catholic) Diem government. The recent demonstrations are the Buddhists' third political offensive. The first created the situation which led the army to bring down Diem in 1963; the second ended in the fall of Khanh in 1964. Their current campaign is a direct reaction to the mounting intensity of the war and the increasing numbers of civilian casualties all over the South. (According to the recent testimony of Representative ZABLOCKI of Wisconsin before the House Committee on Foreign Affairs, it is estimated that at least two civilians, and perhaps as many as six, are being killed for each Vietcong soldier.)

"This cannot go on!" is the Buddhist slogan. It is aimed not only at the war itself, but at the recent national humiliation which is summed up by the word "Honolulu." For the Honolulu meeting exposed the nearly total failure of a great Western power to understand public opinion in a small country, where feelings of oppression and resentment have been smoldering for years. In organizing the conference Washington had hoped not only to strengthen Ky's position but to encourage him to be more flexible politically and to undertake social reforms. However so far as most Vietnamese were concerned, Washington had already shown unprecedented contempt for their country by imposing Premier Ky on them in the first place; to them, the meeting was no more than a summons from a foreign general to a cocky lieutenant—a glaring example of Saigon's "abject" dependence on Washington. The following week Tri Quang warned an American visitor that a wave of anti-American agitation was sure to follow: Obviously a considerable part of the population shared his feelings.

The crisis that broke out on March 10 may well have set a hopeful process in motion. It has shown Washington that the Vietnamese cannot be treated simply as pawns to be managed by native dictators, but that they are in fact a volatile and touchy people with a complex politics of their own. And in South Vietnam itself Washington has begun to act with more political acumen. Although General Ky was foolish enough to claim that Danang was in Communist hands, and the U.S. Air Force was available to help "liberate the city," no serious reprisal was allowed to take place; and William P. Bundy, the Assistant Secretary of State was unusually calm in his appraisal of the situation. Furthermore William Komer, the new White House advisor on foreign affairs, met with Tri Quang in Hué soon after the crisis erupted. He listened to his complaints against the Ky government and then forwarded a letter from Tri Quang to Mr. Johnson. In this letter the Buddhist leader requested that the United States support the convening of a Vietnamese national Congress that would settle peacefully the political and military future of Vietnam and would, in particular, decide whether U.S. forces should continue to be present in the country.

The promise of elections on August 15 seems to have pacified Tri Quang, at least for the moment, but we may be sure that the continuing presence of American troops will remain the central question of the future. Tri Quang and his colleagues will have more to say on this subject. Their elusive neutralism may turn out to be quite incompatible with any permanent foreign military presence.

Thus the basis of the American commitment in Vietnam has been thrown into doubt. Until now Washington's professed aim has been to allow the South Vietnamese to choose their future freely. The recent compaign of the Buddhists could finally make such a choice feasible, but it may also mean that the Vietnamese will eventually demand the removal of the American garrison. The question must be raised, however, whether some leaders in Washington are committed not to "self-determination" but to preserving South Vietnam as a military base for the containment of China. In a remarkable essay in the April *Commentary*, George Lichtheim suggests that the essential American motive is to maintain a strong American presence in Vietnam—particularly the enormous air base now being built at Cam Ranh—in preparation for the day when Communist China will possess a nuclear force. Furthermore, in his interview with a correspondent of *Le Monde* George Ball defined Washington's view of an acceptable Vietnamese neutrality as the absence of foreign alliances—but said nothing about foreign bases.

The hypothesis that certain American authorities are anxious to have a large permanent base in Vietnam may help to explain certain aspects of American behavior in the past: its intransigent opposition to direct dealings with the Vietcong, for example. However, the policy has not been publicly stated or defended and it remains unclear why the U. S. should need a base in South Vietnam at all, in view of its other strong installations in the area as well as the Seventh Fleet. But if such a policy were to be adopted, an espousal of neutralism by the Buddhists would make them, for American purposes, the allies of Chinese imperialism and they would soon be swept aside. Tri Quang could easily find himself in the same position as Juan Bosch did last year.

Obviously Washington is about to make vital decisions. The rainy season in the South will start in two months and this will sharply limit air operations and therefore the efficiency of General Westmoreland's troops. We may also expect that attempts will be made during the next two months to reconvene the Geneva conference—possibly as a result of General de Gaulle's visit to Moscow. When this happens, the international pressures on Washington to participate will be heavy. President Johnson would be well advised to undertake his own diplomatic efforts first.

In this situation Washington may reckon that it has two months to win the war. As General Ridgway has recently written in *Look*, the war could be won if the full force of U.S. air and naval power were brought to bear on the enemy. But the price would be genocide: Much of Vietnam would be turned into a desert occupied by Marines, a result the General believes unworthy of American traditions and not justified by the threat of China. Meanwhile another experienced observer, J. K. Galbraith, has warned that the country is running an "intolerarble risk" of provoking Chinese intervention as it launches heavier and heavier bombing attacks on the North.

At the same time certain hopeful, if little-publicized, diplomatic developments have taken place: Along with the recent negotiations with the Buddhists they may help to provide an alternative to genocide and further escalation. It seems clear, for example, that new and very discreet contacts have been made with the Vietcong. For over a year negotiations have been underway to obtain the release of Mr. Hertz, a U.S. official held prisoner by the Vietcong. First, Paris attempted to intervene with Hanoi on Mr. Hertz's behalf; then Senator ROBERT KENNEDY stepped in. Four months ago Hanoi let it be known that the National Liberation Front insisted on conducting its own negotiations concerning the prisoner. After some hesitation Washington made contact with the Vietcong and several meetings followed. So far as is known, a dialogue is now secretly taking place somewhere in the South between the U.S. government and the N.L.F. Apparently no results have been achieved so far, but at least a channel of communication has been established.

Official doctrine is also changing. While Vice President HUMPHREY denounced Vietcong "assassins" in Honolulu, Charles Bohlen and Averell Harriman hinted at a more flexible U.S. position: The Vietcong, they said, might back candidates in the next election and thus participate in a South Vietnamese government. And later, after Senator KENNEDY's statement on Vietnam, Bill Moyers stated that no groups could be denied participation in the public life of South Vietnam, provided its representatives had been duly elected. This "Moyers Compromise" would seem to be the last authoritative word on the subject. Neither Hanoi nor the NLF has as yet rejected Senator KENNEDY's suggestion that the Vietcong might participate in a coalition government (the first "goal of war" of the NLF), although Peking called it a "new imperialist maneuver." Whether or not this is of any significance remains to be seen.

Let us suppose that the American leadership finally rejects the course of escalation and decides to bring the war to an end. The logical objectives of such a policy would be: (a) to restore the moral prestige of the United States in Asia and in the world; (b) to allow the South Vietnamese to create their own independent state which can prepare a future merger with North Vietman and co-exist with China; (c) to promote the development in South East Asia of a broad movement based on both neutralism and nationalism—a movement that would include the political tendencies of both India and Indonesia and would establish friendly relations with Japan.

Is it possible to suggest precisely what steps should be taken to implement such a policy? A peaceful settlement might be pursued in three stages. At first, every effort must be made to encourage the local forces in South Vietnam to come forward and take their place in the political life of the country. If democracy has any chance in Vietnam it will succeed only by the vigorous political activity of the groups that genuinely represent Vietnamese society—the Buddhists, Catholics, trade unions, students, army, Cao-Dai, and "Hoa-Hao" among others. These are the famous "chickens" that Mr. HUMPHREY wants to protect from the hungry "fox." But if they are bold enough to challenge a regime supported by the U.S. army there is good reason to believe they will be able to resist threats to their integrity in the future. Tri Quang may favor neutralism and negotiations, but he is not a man inclined to yield power to any competing group.

Recently there has been a tendency in the United States to make glib jokes about Vietnam's political "instability." But it remains to be seen whether people who have refused to support a series of despicable dictatorships openly backed by foreigners—the regimes of Bao Dai, Diem, Khanh, and Ky—have proven their instability or their desire for identity and freedom. Should the Vietnamese be called "irresponsible" and "ungovernable" because they reject the rule of an unknown jet pilot trained by the French at the height of the Algerian war?

We can now say that the first step toward a peaceful settlement of the war was taken this Spring, although many questions remain in doubt. Will elections be held on August 15 to form a National Congress? Will this assembly meet only to write a South Vietnamese constitution and decide on the form of a future civilian government? Is it possible to arrange reasonably fair elections under present conditions? In any case, a Constitutional Convention might be able to work out procedures to form a more permanent congress made up of delegates representing all the significant groups in the South. Until the signing of a cease fire, a number of seats could be held open for the representatives of the NLF. Meanwhile the Congress would set up a caretaker government that would eventually deal with the NLF and prepare the way for its return to legitimate political life.

During the second phase the military leaders on both sides would meet to work out a cease fire: Representatives of the American and South Vietnamese armies would negotiate with leaders of the Vietcong and their Northern Allies. But this will be a harder task than the first because there is no evidence that the Vietcong have abandoned the theory that a long struggle will bring them total victory as the U.S. grows weary of the war. Indeed one of the great tragedies of the conflict is that both sides are so badly informed about the firmness of the other's intentions. Undoubtedly the hard-line Communists in the Vietcong want a long war. For one thing it brings them new recruits. Communist membership has grown from ten thousand since 1951 to almost a hundred thousand at the present time.

The principal effort of American policy must therefore be to provide political opportunities to those revolutionaries who have not become "professional warriors." Unlike the guerrilla fighters who *enjoy* the adventure and power of warfare, many of the Vietcong followers are exhausted. Senator KENNEDY's proposal is therefore sound, because it may strengthen the position of those revolutionaries who would like to convert a military into a political struggle. However while the Vietcong is a most efficient machine of war, its political and psychological skill may not match its fighting power. This is probably one reason why its chiefs prefer war.

The only chance of persuading the guerrillas in the South to accept a cease fire is to speak to them directly and not through Hanoi or at an international conference. They have not forgotten the 1954 Geneva conference when their interests were submerged in a deal among the great powers (and the less-than-great Vietminh). The Southern combat forces were sent off to the North while the country remained in "reactionary" hands.

Many of the same guerrillas have now returned to the "Maquis" in the South and have resumed fighting. It is true that they now depend on the North and the nations of the Communist bloc for much of their support; and any agreement with the guerrillas would eventually have to involve Hanoi as well as the great powers. But since the guerrilla chiefs are wary of being duped again by an international deal—and are enjoying the prestige of battle—they are quite capable of sabotaging an agreement made without their full consent. Therefore any efforts to make peace must start with them—if peace is the goal.

Once a cease-fire agreement is in prospect, the third stage—preparation for self-determination—should begin. The opposing forces must agree on the procedures for a nationwide referendum. It should be pointed out that, unlike the FLN in Algeria, the NLF leaders have unequivocally admitted that their movement cannot fully represent the South Vietnamese people. This has been made clear not only in public statements but in the allotment of public seats on the National Council to volunteers—who are not volunteering. Is it possible that the two incomplete assemblies—the National Congress and the NLF committee—might merge to form a fully representative parliament for South Vietnam?

No matter how it is organized, a referendum would reveal the full diversity of South Vietnamese society. It is entirely possible that the NLF will appear as a "major factor of the South Vietnamese political scene," as George Carver has recently written in *Foreign Affairs*. It is also quite likely that the Congress will reflect the various zones of influence in South Vietnam, with Buddhists predominating in the Hué and Danang areas, the Catholics around Saigon, Cai Dailists in the West, and Hoa-Hao in the South West. The Vietcong may be expected to predominate in the East (Zone D), the South, and the Quang Ngai area, which lies between the strongholds of the Buddhists in the North and the Catholics in the center of South Vietnam. In Vietnam, as in most countries, men have a stronger political appeal than ideas: The referendum might therefore be more effective if it were to choose a head of state rather than a cabinet government drawn from different factions or parties—but this would require the non-Communist groups to agree upon a common candidate, something that seems highly unlikely at the moment. The key to the political situation and to a workable balance of power among the forces in the South will be the possibility of cooperation between the Buddhists and the Catholics. The Vatican is now trying to bring this about with the help of the new liberal Catholic groups which center around Mgr. Binh and the Archbishop of Saigon, and are now providing a counterforce to the reactionary traditions of Vietnamese Catholicism.

It should be clear that no solution will be acceptable to Hanoi unless there are guarantees of close ties between the two Vietnams before the country can be reunited. It is far from clear how long reunification itself might take. Ho Chi Minh estimated that it might take ten years when I spoke to him in 1962, while in 1965 an NLF spokesman in Algiers thought fifteen years more likely. It could take a long time indeed.

Finally, it will remain for international negotiation to guarantee the results of the peace talks, perhaps making use of an enlarged version of the International Control Commission of 1956 (India, Poland, Canada) to supervise the referendum and protect Vietnamese neutrality. As a matter of fact, international negotiations among the Great Powers have secretly been taking place since 1964. It is rumored that Secretary General U Thant now plans to request a leave of absence from the United Nations in order to concentrate on the Vietnam question. This will put him in a better position to deal with the Asian Communists who distrust his organization but trust him personally. Something may also come of General de Gaulle's trip to Moscow, as well as new interventions by Pope Paul VI. Harold Wilson may at last choose to display his diplomatic talents by assuming his position as cochairman at a reconvened Geneva conference. He could then count on the assistance of Canada (whose delegate at the International Control Commission has kept in close touch with Hanoi).

The next two months will be decisive. The United States can certainly hold South Vietnam and impose a military government simply by threat of force; it can retain a firm grip on its "enclaves" and bases without worrying about popular feelings. The Vietnamese have been subjected to treatment of this kind for many years. Even if this Spring's uprising has demolished some of the myths on which American intervention has been based, it can not be expected to end power politics.

Washington has intervened in Vietnam four times: first, from 1950 to 1954 when it supported France in her fight against Asian Communism; second, from 1954 to 1963 when it supported Mr. Diem, "the defender of freedom"; third, from 1963 to 1965 it sent American troops to fight in the South; fourth, since 1963 it has extended the war to all of Vietnam. There is no reason why there should not be a fifth stage during which it holds on to the large base of Cam Ranh, in case there is to be a sixth stage—a great war against China.

We can only hope that it is not too late to attempt a different policy, one that would place reliance on the Vietnamese themselves—*all* the Vietnamese—to maintain their integrity in the face of whatever forces may threaten it.

PROPER PROTECTION FOR RESEARCH ANIMALS

Mr. BREWSTER. Mr. President, public interest in the issue of protecting research animals has been increasing steadily during the present session of Congress. If the hundreds of letters I have received during the last few weeks can be taken as any indication, the vast majority of the American people fervently hope that strong protective legislation in this field will be passed this year.

Mr. President, I believe that I echo the public sentiment accurately when I state that what we need is a law that will apply to animal dealers and research facilities alike. Any legislation that fails to include this two-pronged approach to regulation will be sadly inadequate. The measure passed by the House of Representatives—H.R. 13881—is fine so far as it goes, but, in exempting research facilities from Federal standards, it regrettably only goes half-way.

S. 2322, the bill I cosponsored, if passed with the proposed Monroney amendments, would go the whole way. The Senate Commerce Committee has held hearings specifically on the Monroney amendments in order to explore further the controversial issue of covering the research facilities.

The issue of laboratory coverage has provoked much editorial comment in past weeks, but two editorials especially have caught my attention. One was published in the Louisville Courier-Journal of May 16, 1966; the other in the New York Times of May 23, 1966. Both represent the considered opinions of two of the Nation's most distinguished newspapers. Both strongly support S. 2322 or other legislation that would cover both animal dealers and research laboratories.

The New York Times editorial brings up one point that is especially important at this time. This is the issue of whether S. 2322 would hamper research. The Times reiterates what the bill's supporters have been saying all along: absolutely not. Anyone who reads the bill carefully will see that nothing in it refers to the laboratory experiments themselves. The bill is simply not concerned with the period of time during which an animal is undergoing experimentation.

Unfortunately, this important point has been overlooked by the many respected doctors and scientists who vehemently oppose Federal supervision of animal facilities in laboratories. I am hopeful that the Commerce Committee hearings, together with responsible comment like the Times and Courier-Journal editorials, will dispel this harmful confusion.

Mr. President, I ask unanimous consent that the Times and Courier-Journal editorials cited above be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times, May 23, 1966]

PROTECTING RESEARCH ANIMALS

The Senate Commerce Committee has scheduled additional hearings this week on the difficult problem of drafting legislation to protect the hundreds of thousands of animals used each year for medical research.

The House of Representatives has already passed a bill—limited to dogs and cats—requiring that the Department of Agriculture license and inspect dealers who sell these animals to laboratories. Representative JOSEPH Y. RESNICK of New York and others interested in this problem have presented distressing evidence that some dealers have failed to provide adequate food and water or sufficiently large pens for these animals. As a result, many animals have died or suffered needlessly without serving any medical purpose whatever.

The controversial question before the Senate committee is whether the Federal standards should also apply to laboratories in the period before and after the actual experiments. In our view, this is a reasonable requirement. It would be desirable to extend the coverage of the bill to include monkeys, rabbits, and other vertebrates.

The pending bill in no way regulates animal experiments, but many respected doctors vehemently oppose Federal supervision of animal facilities in laboratories because they view it as the first step toward Government controls over the conduct of experiments. As we have stated in the past, we believe it would be possible to devise criteria affecting the duration and painfulness of experiments without stifling research. However, that question does not arise under the pending bill, and Congress at present shows little disposition to consider it. On its own merits, a bill to regulate the facilities for animals before and after the experiments deserves enactment.

[From the Courier-Journal, Louisville, Ky., May 16, 1966]

WE OWE DECENCY TO THE ANIMALS THAT DIE FOR US

Last month, Kentuckians were shocked by an incident that took place on a Lexington street. Police stopped a truck which was crammed with 151 dogs. A veterinarian called to examine them said they were "stuffed in cages" that were cruelly overcrowded. He found one dog dead, and no food or water whatever for the wretched survivors. More than 500 animal lovers rushed forward to try to ransom the dogs out of their prison. The drivers of the truck explained, however, that they were under contract to deliver the animals for laboratory experimentation in another state. Each of the drivers was fined $100 for cruelty to animals, but the truck rolled on to its destination.

This is the kind of incident that has produced more letters on protection for laboratory animals than on any legislation before the current session of Congress. A large majority of Americans believe in the necessity of animal experimentation for the benefit of human health. Millions who hold that view, revolt, however, when such work is allowed to entail needless anguish for the animals involved.

Proper, decent safeguards are written into two bills now before the Senate Commerce Committee. They are S. 3059, sponsored by Senator SCOTT, and S. 2322, sponsored by Senators CLARK, MAGNUSON and BREWSTER.

WHY ACTION IS BLOCKED

These measures require humane standards of care for animals in the hands of dealers, in transit, and in laboratories. They do not touch the issues of control over actual laboratory experiment.

Bills for the protection of laboratory animals have been grinding along in Congress for the past six years. They have been blocked in various committees. Public sympathy is aroused, but it has been diffused and dissipated among the various measures. Now it is possible to get a vitally needed reform into effect this very year. Such a simple and forthright measure as S. 2322 or S. 3059 could be released quickly from the Commerce Committee and voted into law without further long delay.

The frantic barking and howling of the dogs trapped in the truck on the Lexington street continued to haunt those who came near, long after the vehicle had lumbered away. Such cries of help from animals marked for laboratory use ring in the ears of men and women of conscience everywhere.

We exact from these animals the sacrifice of their lives for our welfare. Surely we owe them in return a humane standard of care until they meet their death.

DISCRIMINATION AND DUE PROCESS

Mr. LONG of Missouri. Mr. President, my deep and continued interest in administrative practice and procedure causes me to call the attention of the Senate to an article recently published in the Federal Bar Journal, volume 25, No. 4, beginning at page 333 entitled "Discrimination and Due Process." The author of this article, Conrad D. Philos, is a past national president of the Federal Bar Association and has given considerable research and thought to many of the problems that are arising in the administrative process as our Government gets more complex.

Due to the article's length, I will not place the entire text in the RECORD, but I would like to point out the article comments on the many issues raised by the Civil Rights Act of 1964. It indicates the need to establish a sound legal approach in the enforcement and implementation of the act. I am sure all who are interested in the act will find Mr. Philos' article valuable reading.

I also take this occasion to commend the Federal Bar Association for the many articles and panels published down through the years on the developing process of administrative law. When the Civil Rights Act of 1964 was before the Senate, the Federal Bar Journal devoted one entire issue to this important subject, with many articles on both sides, in the legal sense, by several Senators and outstanding legal minds in the Nation under the direction of Justice Stanley F. Reed, retired, of the Supreme Court.

WHY NOT CONFESS ERROR?

Mr. GRUENING. Mr. President, what a wonderful thing it would be if President Johnson would take a new look, would squarely face the increasingly apparent truth that our military involvement in South Vietnam has been and is a tragic error. It is, of course, difficult for the head of the State, one proud and sensitive and accustomed to success—which he has so brilliantly achieved in his domestic program—to admit that the path that he has been following in southeast Asia is mistaken. But the evidence is becoming overwhelming day by day that we have no business militarily in Vietnam, that increasing bombing and violence are no solutions, that we can only get ourselves involved more and more deeply with steadily diminishing prospects of a decent solution. The time, it seems to me has come—indeed is overdue—when error should be confessed and every step taken to reverse the existing policy.

Judging from the President's Chicago speech on May 17, he wants every candidate for election in November to support his war policy in southeast Asia. But why hang that albatross around our fellow Democrats' necks? The Democrats have a record in domestic affairs of which all can be proud. The performance of the 1st session of the 89th Congress by both the President and the Congress was unsurpassed in our history.

Why let our folly in Vietnam nullify that great achievement?

Our dilemma is realistically discussed in a lucid and forthright column by Walter Lippmann entitled: "Moment of Truth," which appeared this week in the Washington Post. Walter Lippmann analyzes the steadily deteriorating position of the United States in Vietnam and points out that:

> We shall increasingly be fighting alone in a country which has an army that is breaking up and a government which has little authority.

And he concludes:

> The moment of truth comes inexorably when a radical mistake has been made. The mistake in this case has been to order American troops to fight an impossible war in an impossible environment. The American troops, which may soon number four hundred thousand men, are committed to an unattainable objective—a free pro-American South Vietnam. They are commanded to achieve this on a continent where they have no important allies, and where their enemies have inexhaustible numbers.
>
> The situation, not anyone's pride or the Nation's prestige, must be our paramount concern.

I ask unanimous consent that the entire column be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

MOMENT OF TRUTH

(By Walter Lippmann)

The hardest question facing us at the moment is whether or not the disintegration of the Saigon government and the army can be stopped and reversed. The official position is, of course, that it can be.

But there is little evidence to support the official will to believe, and there is mounting evidence that General Ky or anyone like him is in an irreconcilable conflict with the war-weary people of Vietnam. There is no prospect now visible that the South Vietnamese people and the South Vietnamese army can be united and rallied for the prosecution of the war.

Unless this condition changes radically, we shall increasingly be fighting alone in a country which has an army that is breaking up and a government which has little authority.

We can already see on the horizon the possibility of an American army fighting on its own in a hostile environment. We must hope that the President and his strategic planners are prepared for such a development. For if the South Vietnamese government and army continue to disintegrate as it is now the case, our troops may find themselves without serious organized military support, and forced to find their way in a seething unrest where friend and foe are indistinguishable.

If the Saigon forces disintegrate, it will no longer be possible to continue the war on the theory that the mission of our troops is to smash the hard core of the enemy while the Saigon troops occupy and pacify the countryside. What then? We shall be hearing from the Goldwater faction, whose first article of military faith is unlimited belief in airpower. They are arguing that the way to repair the breakdown in South Vietnam is to bomb Haiphong and Hanoi in the north. The Administration, as we are told by Secretary McNamara and Mr. Brown, the Secretary of the Air Force, knows the folly and the futility of that course of action.

Is there any real alternative to a holding strategy, sometimes called the enclave strategy, pending the negotiation of a truce and agreement for our phased withdrawal from the Asian mainland? If the Vietnamese war cannot be won by the Air Force, if it cannot be won by American troops fighting alone in South Vietnam, what other strategic option is there?

The only other option would be to make no new decisions, pursue the present course, and hope that things are not so bad as they seem, and that something better will turn up. The President is bound to be strongly tempted to take this line. The alternatives open to him are dangerous or inglorious, and repulsive to his cautious but proud temperament.

A great head of government would have seized the nettle some time ago, as long as 1964, and would have disengaged gradually our military forces. But that would have taken a high mindedness and moral courage which are rare among the rulers of men. For rulers of men nearly always will do almost anything rather than admit that they have made a mistake.

Yet the moment of truth comes inexorably when a radical mistake has been made. The mistake in this case has been to order American troops to fight an impossible war in an impossible environment. The American troops, which may soon number 400 thousand men, are committed to an unattainable objective—a free pro-American South Vietnam. They are commanded to achieve this on a continent where they have no important allies, and where their enemies have inexhaustible numbers.

The situation, not anyone's pride or the Nation's prestige, must be our paramount concern.

DEATH OF FORMER SENATOR THEODORE FRANCIS GREEN, OF RHODE ISLAND

Mr. MUSKIE. Mr. President, death cannot diminish the inspiration which Theodore Francis Green has been to so many Americans.

A lifetime of nearly five-score years is an opportunity for exceptional achievement, and Senator Green filled his years with exceptional deeds of public service.

Throughout his career, he was a modern day renaissance man, excelling as a Roman law scholar and professor, an attorney, businessman, textile manufacturer, State representative, Governor, and U.S. Senator. He was a world traveler, linguist, art connoisseur, and a gentleman whose integrity, wisdom, courtly manners, and warm wit charmed his friends and colleagues.

Senator Green applied his enormous energies without stint to every undertaking, whether it be the chairmanship of the Foreign Relations Committee, the reorganization of Rhode Island's executive and judicial branches, or his demanding regimen of physical fitness.

In many respects, Senator Green was born to be a national leader. But were it not for his tremendous desire to serve, and his courage to overcome 25 years of political defeat, Rhode Island and our Nation would have been deprived of his leadership.

It will always be a source of great satisfaction to me that I was privileged to serve in the Senate with him. He enriched the lives of all who knew him. He was respected by all who worked with him. It is my good fortune to occupy his office, suite 221 in the Senate Office Building. My office is a daily reminder of a man whose values I admire so much.

APPEALING EDUCATOR: MOTHER ELEANOR M. O'BYRNE

Mr. KENNEDY of New York. Mr. President, Mother Eleanor M. O'Byrne announced last week that she will retire as the president of Manhattanville College of the Sacred Heart in July. Her term as president has witnessed many changes in the college—not just its relocation from New York City to Westchester County, and a substantial increase in the number of students enrolled, but also a steady increase in the standards of educational quality under her intelligent and imaginative leadership. She is in large measure responsible for the retention of a warm spirit among the faculty, staff, and students, a difficult task when an educational institution increases in size and expands the educational opportunities available to its students, and at the same time requests that the students devote greater energies to both studies and community projects. All those connected with the college will miss her intense personal interest in them—and her smile.

The American educational community will also miss Mother O'Byrne. She has contributed fruitful ideas, and has given generous service, particularly in the field of Negro and international education. I hope that her promise to keep in touch will mean that she will continue to give the benefit of her experience and imagination to other college administrators, their students, and to all with whom she comes in contact.

The New York Times reported Mother O'Byrne's decision to retire last week and also published a warm account of her years at Manhattanville in an accompanying "Woman in the News" column. I ask unanimous consent, Mr. President, that these articles be printed in the RECORD.

There being no objection, the articles was ordered to be printed in the RECORD, as follows:

APPEALING EDUCATOR: MOTHER ELEANOR MARY O'BYRNE

She has called herself "the old witch," "Crazy Jane" and "Mother Lollipops," but the secret of her achievements, she confided to an interviewer, is her ability to be a "Jimmy, Jimmy, got anything to gimmee." The last characterization was Mother Eleanor Mary O'Byrne's salty way of explaining her success in wheedling money for her beloved Manhattanville College of the Sacred Heart in Purchase, N.Y. During her 21-year tenure as president—the school announced yesterday that she will retire in July—she has more than tripled the college's worth, to $19.1-million, and raised alumnae contributions from $65,000 in 1945 to $169,050 last year.

That sum would be just chalk-and-erasers money for one of the universities that count their students in the tens of thousands, but for Manhattanville, with its 935 girls, it is a gift-giving record to make a secular college president, hired chiefly for his ability as a dollar-collector, gnash his teeth in envy.

One reason the gifts come pouring in is the loyalty the college instills in its girls. No student spent four years at the gray stone and brick campus without becoming a first-name intimate of Mother O'Byrne. And she keeps the ties taut with frequent visits to alumnae around the country.

Invariably, on these trips, the Manhattanville graduates proudly present their children, an experience Mother O'Byrne enjoys and prepares for carefully.

LOLLIPOPS, UNLIMITED

"For the first two minutes the children are always perfect," she said. "Then they start behaving normally. That's why I'm always armed with lollipops."

Small, slim, with plump cheeks and bright brown eyes behind rimless spectacles, Mother O'Byrne looks, at first glance, nowhere near the 70th birthday she is approaching this year. And she is in perpetual motion, bouncing quickly down the marble stairs of the administration building, a turreted, granite castle that once was the home of Whitelaw Reid; racing down the walk toward the chapel for a moment of prayer; using even her rare moments of repose for knitting.

She seems to be the living embodiment of the spirit of the college. A frequent visitor said he never would forget seeing her at the head of a line of nuns, passing chairs from hand to hand like a bucket brigade as they prepared the campus for an outdoor concert, and all of them singing lustily "I've Been Working On the Railroad."

A HECTIC MOVING DAY

Another recalled the hectic summer days of 1952, when the college was preparing to move to Purchase from its old center on Convent Avenue in Manhattan.

Ophir Farm, as the place was called when the Reid family owned it, had been churned up into a sea of mud by bulldozers and other heavy machinery as workmen rushed to complete five new buildings. Mother O'Byrne wore heavy overshoes under her long black skirts and waded into the muck and mire to cheer the workmen on.

And when one truck driver shouted to another to ask "Where's this blankety-blank Mother O'Byrne?" she just chuckled over the "blankety-blank" and answered: "Here I am. What do you want?"

Born on Sept. 12, 1896, in Savannah, where she was reared, Mother O'Byrne is the antithesis of the green-yallery Georgia peach, and very much a modern woman. Reproached for the abstract design of the stained glass windows installed in the college chapel in 1963, she replied: "We are living in a contemporary world—not in the 13th century."

SHE ABOUNDS IN DEGREES

Mother O'Byrne prepared herself for the Sacred Heart Order and for a career of teaching at the Manhattanville College, Fordham University and Oxford University. She has two bachelor's degrees, two master's degrees and three honorary doctorates. In June, she will get two more honorary degrees, from Boston College and from Georgetown University.

After completing her studies at Oxford in 1933, she returned to Manhattanville as professor of history, became dean in 1934, and succeeded to the presidency in 1945. In recent years, her work off campus, on committees of distinguished educators, has brought her national fame.

One off-campus work Mother O'Byrne is particularly proud of is her service on behalf of Negro education. In 1953, she began urging the Association of American Colleges to open scholarships and fellowships to Negro students, and she has served as director of Catholic Scholarships for Negroes and as a member of the educational committee of the United Negro College Fund.

Manhattanville Losing President: Mother O'Byrne, 69, To Quit in July for Post "Just 240 Minutes Away"—Students in Serenade—Sing "Dixie" When They Hear She's Leaving After 21 Years as College Head

Purchase, N.Y., May 19.—Manhattanville College of the Sacred Heart announced today that Mother Eleanor M. O'Byrne would retire as its president in July. She will be succeeded by Mother Elizabeth J. McCormack, academic dean of the Roman Catholic institution..

Now 69 years old, Mother O'Byrne said, "God has left me in good health, and senility has not yet appeared." While still ahead, she went on, she wants to step aside for Mother McCormack, who is 44.

When she had to confide her plan to the faculty this week she waited until the end of a routine meeting when the teachers were about to leave.

"This is the time of year for good-bys, and we can add Mother O'Byrne to the list," she said as tears welled in her brown eyes.

She paused, then said: "There's nothing I want less than good-bys. I'll never leave Manhattanville in interest. In my new work I'll be just 240 minutes away by driving at the legal limit—and I'm sure my friends will do it much quicker."

Her new post will be in Kenwood, the provincial house of the Sacred Heart Order in Albany, where she will set up education and advisory projects.

When the campus grapevine spread the word about Mother O'Byrne, somebody pushed a button in the chapel that started the bells pealing.

Soon most of the 935 students left their dormitories and formed outside the chapel. Their voices rose first in "Dixie" (Mother O'Byrne is from Savannah, Ga.) and then "For She's a Jolly Good Fellow."

"Silly girls," Mother O'Byrne retorted. "This is a strange use of your reading period. I never say good-by." Then she saw Mother McCormack in the crowd and added, "Everybody must know that I am not irreplaceable."

Mother O'Byrne became president of Manhattanville in 1945 when its campus, with 399 students, was in Manhattan. She managed the development of the new campus here in 1952 on the old Ophir Hall estate of Whitelaw Reid.

Mother McCormack, who is from Larchmont, joined Manhattanville in 1944 as an English teacher. She became the academic dean in 1962.

PRICE-CUTTING ACTIVITIES AFFECTING AGRICULTURAL PRODUCTS

Mr. TOWER. Mr. President, on April 27, the distinguished Senator from South Dakota [Mr. McGovern] submitted a concurrent resolution—Senate Concurrent Resolution 88—to prevent the various branches of the executive department from engaging in price-cutting activities affecting agricultural products.

It has become very modish of late in the Government to attack the effects of inflation rather than to worry about its causes, that is, the Federal governmental agencies have apparently attempted to use their powers to achieve de facto price and wage control even though no such power has been specifically accorded them for this purpose.

One such case in point was the action in April of the Department of Commerce in imposing export controls on cattle hides. Senator McGovern referred to this action in his remarks at the time of introduction of this legislation, and I think this episode is a perfect example of the type of price-setting activity which Senate Concurrent Resolution 88 would help eliminate.

As an action to control domestic prices, it is based on a complete misunderstanding of the inflation problem. To attempt to control prices, in this case as in an increasing number of other cases, is to substitute cause for effect.

Rather than changing its policy and removing the causes of these price increases, the various agencies are attempting to deal with each particular increase by measuring it against arbitrary guidelines for wages and prices, and enforcing its wage- and price-setting policies for consulting a catalog of various powers which were delegated to the agencies for very different purposes.

Far from insuring an adequate supply of cattle hides for domestic use, measures such as the present one will adversely affect the industry and will result in a flight of capital out of the industry. Thus, the long-range effect will be a deteriorating situation in the industry and a reduction in the overall number of hides available.

I do not believe that the Export Control Act was intended as a lever to manipulate prices. The announced purpose of the Department's action on hides was to provide adequate supplies for domestic consumption. However, it appears to many that the purpose was to provide adequate supplies at a set ceiling price to domestic shoe manufacturers. I do not believe that this was the intent or the spirit of the short supply control authority in the act.

The same could be said about the Government's action to hold down prices in other commodities, both agricultural and industrial.

Mr. President, I am pleased to be a cosponsor of Senate Concurrent Resolution 88.

The proposed legislation is a first step in the right direction, the direction of limiting Government activities which are designed to establish precedent for price and wage control.

METHODS OF SELECTION FOR MILITARY SERVICE

Mr. KENNEDY of Massachusetts. Mr. President, our Nation's methods for selecting young men for military service have come under increasing public and official scrutiny in recent weeks. This national concern over the draft and those affected by it illustrates pointedly that serious inequities do exist in this system, and that many Americans think the system should be changed.

Last month in a Senate speech I pointed out certain inequities in our present system, and 3 weeks ago I proposed that we consider setting up a national lottery for drafting young men. I think this proposal deserves careful study. Also, I think we should also study other alternatives, such as Secretary McNamara's recent suggestion that young Americans serve in programs like the Peace Corps and VISTA to satisfy their obligations to the country.

To document this growing national concern over our draft system, I ask unanimous consent to have printed in the Record a number of recent newspaper articles on the subject. I am heartened to see this wide-ranging discussion of the draft, because I think it is vital that this

system be made to operate with all possible fairness in the future.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Harvard Crimson, May 7, 1966]

ABOLISH THE 2–S

Like some great Gothic cathedral, the draft system continues to grow and complicate itself. All the while, however, its two characterizing features are maintained: inequity and confusion. For an astounding number of years, Congress has politely averted its gaze and allowed the Selective Service System to construct an incredible edifice of unreasonable, bewildering, and unfair rules and sanctions. Congressional apathy continues, but the whole rotten draft structure is finally beginning to heave and sigh under its own weight. Student groups are staging little Berkeleys; civil rights organizations are protesting; corporate recruiters are voicing perplexity; college deans are wondering aloud; some professors have even stopped grading. A consensus is forming that the draft must be reformed, both radically and soon.

But there is no agreement about the type of reform needed. Some wish to abolish the draft altogether, replacing it with either a professional army or nothing at all. Others support the concept of universal service, which would encompass a whole range of military and nonmilitary programs. While such "total" solutions have their merits, discussion of them should be postponed. Abolition of the draft and universalization of the draft would both require truly massive bureaucratic alterations. Congress would understandably hesitate to ask such changes from a military establishment already occupied with other matters. The Selective Service System should be reformed now, but for the present it must remain a selective service, a compulsory but non-universal draft.

This qualification obviously limits the appeal of any proposed reform. By definition, a selective service system involves elements of coercion and arbitrariness. No such system can be comfortable to live with. But the present system is more than uncomfortable; it is shockingly unjust, a scandal in a nation which pretends to be democratic. The injustice has its source in the 2–S deferment, and reform efforts should center on the abolition of this feature. The 2–S deferment means in practice that most of those with the money to go to college do not get drafted. The provision makes the present draft code one of the clearest examples of class-privilege legislation in American history.

THE NATIONAL INTEREST

That the society has so long tolerated this legislation reveals how easily Americans are seduced by the facile identification of one bright abstraction, Education with another bright abstraction, the National Interest.

The reasoning is simple. Since Education is in the National Interest, those being educated should not be drafted. This argument—which has some weight, but not much—represents a very crude extrapolation from two sound proposals: (1) Formal education generally benefits, in an economic and "cultural" sense, both the student and the society he eventually serves. (2) There are times when a democratic government must act unjustly to preserve itself, must place short-run "national interest" before the long-run goal of building and preserving a democratic society. Though defensible in themselves, neither of these propositions justify the 2–S deferment.

The deferment does not protect Education per se; rather it protects the privilege of some to get an education. Abolishing the 2-S would not abolish education. It would merely mean that present non-students would have a chance to fill the places and use the scholarship funds of those students who are drafted. The "national interest" in education would be preserved; only the *special* interest of those now receiving that education would be removed.

Three objections are commonly raised to this argument.

First, some claim that the present students are better students than those who would replace them, and thus that the national interest *would* be impaired by wiping out the special interest of the academic incumbents. This objection has little, though some, merit. Money is not the sole criterion dividing students from non-students in American society, and abolishing the 2–S *might* lower the general standard of education somewhat. But this unverifiable and hardly earth-shaking possibility cannot counterbalance the gross injustice of the present system. Concern for national interest should override concern for equity only when the national interest in question is urgent and substantial. This objection also overlooks the fact that most drafted students will return to their studies in several years. We are discussing here chiefly the distribution of inconvenience, not selective genocide.

Second, some argue that abolition of the 2–S would make education difficult for *anybody;* without the deferment, the whole learning process would lie under a pall of uncertainty, for no student could be sure of his future. This objection overlooks many things. The present system, with its welter of criteria (class standing, board location, test ranking, etc.) casts a similar pall of uncertainty. Physical disruption of one's education need not be a disadvantage, as anyone who has taken a leave of absence can testify. In fact, the life of a student, neatly partitioned into semesters and marked by tangible and postponable goals, is probably less disrupted by military service than the lives of many non-students. Finally, the abolition of the 2–S would not preclude the continuation on expansion of programs, such as ROTC, which ensure a continuous four-year education.

Third, some contend that the 2–S deferment serves the national interest not by protecting either education per se or those now receiving education but by providing a general social incentive toward education. Unlike the other objections, this one is totally without merit. If this compulsively ambitious society ever needed such an incentive, it no longer does. The fetishistic attachment to grades and degrees in this country long ago became a National Neurosis. The 2–S, and the newly-instituted exams, merely accelerate the tendency to equate education with a collection of glittering honors and badges. To foster this disease is the opposite of furthering the national interest, however the latter might be construed.

THE LOTTERY

How would the draft work without the 2–S? The names of all men of eligible age would be put in a large hat, and that frowsy, grandmotherly creature, the Clerk, would withdraw as many names as General Hersey suggests. A simple lottery—it is the only equitable method. Ideally, the selection could be made but once a year, thereby guaranteeing the non-selected twelve months of security. But under war conditions, manpower needs fluctuate erratically, and more frequent lotteries would no doubt be needed. Still, it would be possible to continue the 1–S deferment, providing most of the selected students a term to put their affairs in order. A similar mechanism should be devised for non-students.

Deferments and exemptions untainted by class-privilege should also be maintained, and some extended; physical and mental disability, family dependency, conscientious objection. Some occupations and types of training may still merit deferments or exemptions in the national interest, but the criteria of national interest should be very carefully and conservatively defined.

* * * * *

Finally, a man should have a choice of alternate means of service: Peace Corps, Teachers Corp, Vista, and selected private agencies of social action. Since universal draft is not envisioned here, these nonmilitary organizations would not have to alter their admission standards. The only bureaucratic shuffling required would be the establishment of ROTC-like programs, so that students accepted by nonmilitary agencies might complete their education before serving.

The draft has finally entered the university to the detriment of the university and it is now incumbent upon students and educators to lead a nationwide lobbying campaign for reform of the Selective Service. On most campuses, the students have been ahead of their administrations and faculties in recognizing the importance of reform. At Chicago and CCNY, the split between students and administration has provoked the former into employing singularly inappropriate tactics. To protest military intrusion in the academy, the students themselves set a dangerous precedent by using brute force to dramatize their position. A whole host of milder methods, from petitions to orderly boycotts, should have been exhausted before force was even contemplated.

But if students have over-reacted at some universities, they have under-reacted at Harvard. Dean Monro long ago recognized the need for reform, and he has now joined in a national effort to convince other educators, and Congress, of that need. His proposals closely parallel those outlined here. He deserves, and has not yet received, the active support and help of all students who agree that class-privilege legislation will eventually undermine the integrity of the university and the society it serves.

[From Life magazine, Apr. 29, 1966]

A MORE UNFAIR DRAFT

"Everyone will now be mobilized, and all boys old enough to carry a spear will be sent to Addis Ababa. Married men will take their wives to carry food and cook. Those without wives will take any woman without a husband. . . . Anyone found at home after the receipt of this order will be hanged." *—Emperor Halie Selassie as Italians Invaded Ethiopia in 1935.*

A copy of Halie Selassie's crisp edict hangs in the New York City headquarters of the Selective Service System, and many of the young men who stop to read it can reflect that the system that has caught them is not nearly as fair as the emperor's.

America's Selective Service System has become so selective, even with the Vietnam build-up, that this year's registrant has only one chance in six of being drafted (see Life Editorial, Oct. 15). For the individual who is that one in six, the system is unfair—and he has good cause to complain when his friends slip untroubled into America's affluent civilian society.

Until recently, the best way to fend off the draft has been to get and hold on to student status. Federal guidelines (used by local boards) have suggested that a college freshman in the top half of the males in his class in a given school should be deferred. This incredible formula equates a Caltech physics major with a water-ski specialist from Nowhere State.

Now, to pile discrimination on illogic, the Selective Service System has scheduled a series of qualifying tests for this spring. Supposedly, the tests would give students ranking in the bottom half of their classes a second chance to obtain deferment. Actually, the tests will discriminate against just those students who stand to gain the most from higher education—Negroes and members of other minorities. Standard achievement tests, of the type about to be used, always favor the white middleclass students because the questions are drawn from, and reflect, the language and situations of their society.

A chance to make a quick buck has not escaped the notice of some of the faster presses in the publishing business. A number of manuals, designed to help a student score high on the test, have appeared in bookshops and are selling faster than Ian Fleming. Their covers make the pitch that for $1.95 or $2.95, "this vital book can help you to draft deferment."

There is something basically abhorrent in the idea that any man can help send his neighbor off to be shot at instead of himself simply by paying $1.95. Still, it is only a logical outgrowth of the unfairness built into student deferments. It takes money to stay in school, so, by and large, the students who avoid the draft that way are the ones with parents who can afford the tab. The system isn't much different from the one that prevailed in the North during the Civil War—just more expensive. In 1863 a draftee could hire a substitute for $300. Today his family does the same, in effect, by paying college bills that can run over $3,000 a year.

As long as the armed services can use only a sixth of the men available this year, a better way must be found to pick them. It shouldn't be because they are expendable—fair game because they are a little short of education or of money.

Perhaps a lottery is the answer. We have used that system before—with the famous fishbowls of the two world wars. Rough as lottery justice is, it would be fairer than the system we have today.

[From the Christian Science Monitor, May 21, 1966]

The Draft

The urgent, difficult, and continuing problem of how to meet America's military manpower needs most fairly is again coming strongly to the fore. That the nation is ready to pounce on and debate any suggestion for change in the present situation was shown by the instantaneous attention paid Defense Secretary Robert S. McNamara's Montreal proposal. He had suggested that all young American men and women be asked to give two years of service to their country. This could have been either in the armed forces or in "some other volunteer developmental work at home or abroad."

Although the White House dove like a jet plane on the proposal in its hurry to disavow the suggestion, it has had the effect of starting public and congressional debate. Some of this is all to the good, some is not.

On the one hand, some congressional opinion has apparently taken the McNamara proposal as an invitation to make early and major changes in the present Selective Service procedures. Hasty action in this regard is unwarranted and dangerous. On the other hand, anything which spurs national thinking to work out more equitable draft laws is needed and welcome.

Recent protests on university campuses and elsewhere indicate that there is a growing dissatisfaction with important aspects of the way in which men are drafted for military service. If there are inequities these must be corrected as quickly and as fairly as possible.

Many alternatives to the present Selective Service program remain. The most commonly discussed is that of universal military service, in which all young men are trained and then the fittest selected for actual service. The Pentagon opposes this as too costly.

Another calls for numbers to be drawn by lot. Another advocates an entirely voluntary army other than in time of major war (which does not yet apply to Vietnam). This latter is again opposed as being far more costly.

Many believe that the present system is the best of the limited (that is non-national service) systems if only a few more kinks could be ironed out. There are many strong arguments for exemption and deferral on educational grounds, even though these are bound to raise some resentment.

We believe that the moment has come for a thorough review and for a full-scale public and congressional debate on this problem. Where the lives of young men are at stake, it is utterly mandatory that scrupulous care and equity be observed. It is also mandatory the public be shown that, whatever system is followed, it is as humanly just as lies within the nation's power.

[From the New York Times, May 14, 1966]

Testing for the Draft

The need for a fundamental reappraisal of Selective Service procedures is put into sharp focus as several hundred thousand students across the country take the first draft deferment tests today.

As long as the present deferment system remains in force, the use of these tests is preferable to reliance on college grades and class standing. The national examination at least frees faculty members from the unwanted obligation to apply academic yardsticks to the draft decision. It also offers assurance that attendance at a more demanding college will not reduce the chances for deferment.

These factors make current student sit-in strikes to protest the tests and civil disobedience directed against the university administrations particularly inexcusable. The forms of protest have the earmark of adolescent irrationality—temper tantrums aimed at those who want to assure the fairest possible treatment under existing conditions.

Nevertheless, it is plain that the test only alleviates a generally unsatisfactory procedure. Deferment of college students places most of the burden of military service on the shoulders of the very poor or the academically untalented. This smacks of a caste system, in which prolonged education can readily turn deferment into exemption. When only a small minority of the nation's youth attended college, deferring students was an essential measure to guarantee that the country would not lack for doctors, engineers, scientists, teachers and other skilled personnel. But, with greatly expanded college attendance, such emergency action is less justifiable.

If selective induction is to be continued, then it would be far less discriminatory to return to the original concept of the lottery, with deferments taking into account only questions of hardship, conscientious objections and demonstrable national interest.

Even this would be only a stop-gap improvement, however. Nationally sound reform lies in the direction of universal national service, with limited options to serve either in the armed forces, the Peace Corps, the National Teacher Corps or a variety of domestic urban and rural missions. Leading educators have already endorsed such a plan. It is now up to the nation's educational, manpower and military leadership to evolve a blueprint for national debate and Congressional action.

[From the Lowell (Mass.) Sun, May 4, 1966]

Draft Will Be Hot Issue

(By Peter Barnes, Sun Washington Bureau)

Washington.—Four years ago, when the Selective Service act was renewed by Congress without altering a comma, there was a combined total of less than ten minutes of debate in both Senate and House.

Next year, things won't be quite so placid. The Selective Service act will be up again for reconsideration in the midst of a highly unpopular war in Viet Nam, and a rising amount of grumbling about the inequities of the draft.

Dissatisfaction with General Hershey's Selective Service system takes many forms.

Some married men are distressed because they have been included while thousands of single men classified 1-A have not been called.

Young men who have not wanted to or are not able to attend college, claim that the student deferments discriminate against them.

Students in the tougher colleges maintain that deferments based on a student's rank in his class make deferments easier for students in second-rate colleges.

Youths classified 1-A get angry about movie star George Hamilton, who has been deferred as a "hardship case," and professional football star Joe Namath, who has not been drafted because of a bad knee.

Men who were once classified 1-Y and deferred from service are now being reclassified after having made other plans for their careers.

In short, thousands of men and families across the country believe that they are getting a "raw deal" from General Hershey. They recognize that there is a need to bear what President Kennedy called "the burden of freedom," but they feel that the draft should be carried out in a more equitable way.

With grumbling on the rise, it is not surprising that politicians are beginning to speak up.

Thirty Republican congressmen, including Rep. F. Bradford Morse of Lowell, called for a congressional investigation of the Selective Service system on the grounds that it was "grossly inefficient."

Rep. S. Mendel Rivers (D-S.C.), chairman of the House Armed Services Committee, announced he would hold hearings to look into the status of athletes such as Joe Namath who are deferred for physical reasons.

Sen. Edward M. Kennedy (D-Mass.) last Sunday, in a national magazine, called for replacing the present system of deferments and exemptions with a national lottery, conducted among all men reaching age 18. Those passing the mental and physical tests whose numbers were picked in Washington would begin service immediately. Those whose numbers were not picked in the year they were examined would no longer be vulnerable to the draft, except in an extreme national emergency. They would be able to plan their lives free of uncertainty.

Probably not much will come of Sen. Kennedy's proposal. Despite dissatisfaction with the present hodge-podge of deferment rules, a national lottery would take all the "humanity" out of the draft. Joe Jones is lucky, Bob Smith is unlucky—so one serves and the other doesn't. Americans like to think they can influence their own fates to some extent.

Not much has come yet of the Republican call for a congressional inquiry, either. A more opportune time would be after the 1966 congressional elections.

But the voices being raised now are just the beginning of what is in store for 1967. Hearings will have to be held on the renewal of the Selective Service law, and they are certain to be controversial.

President Johnson in 1964 directed the secretary of defense to undertake a study of the draft, and the study reportedly has been completed. But nobody has seen it. It will probably come out in time for the 1967 hearings.

Thus, though it is much too early to predict what the Selective Service system will look like after 1967, there is no doubt that the draft will undergo a searching examination by Congress and possibly be drastically overhauled.

[From the Washington Daily News, May 23, 1966]

A "WHOLE MAN" DRAFT

Gen. Lewis B. Hershey, director of Selective Service, has nothing to do with the physical and mental standards for those drafted.

The armed forces set the standards and give the examinations.

But it is no secret that the blunt-talking general thinks the services are too finicky about whom they take.

"If we had waited for all these tests in frontier days, the country would still be in the hands of the Indians," he sometimes says half-facetiously.

Gen. Hershey believes in what he calls the "Whole Man" standard.

By that he means that a man should not be ruled out just because he has a trick knee or flat feet or a punctured ear drum if overall he is a good physical specimen capable of being a good soldier.

The general has also pointed out that some of the best fighting men this country ever had weren't exactly educational giants.

The armed forces should consider more realistic standards in the light of the Viet Nam War. For example, we believe most people think it ridiculous that a man can take the week-after-week pounding of professional football and still be rejected as physically unfit.

Physical and mental rejection is no minor problem.

There are 2.5 million men in 4-F—men rated physically or mentally unfit in any circumstances.

There are an additional 2.2 million classed 1-Y. These are borderline cases, qualified for military service only in case of war or national emergency.

Many of these obviously are crippled, sick or mentally ill to the point where it would be heartless—and pointless—to put them in the armed forces.

But many would meet more realistic standards and Gen. Hershey's "Whole Man" yardstick makes sense.

More is involved here than thousands of additional eligible men—men whose places have to be taken by someone else. The most important thing is that reasonable "Whole Man" standards would add to the draft's fairness.

Couple this with a lottery system of determining the order in which eligible men are called and the draft would be on a far more just basis.

And thus more acceptable to the people of this country.

[From the New York Times, May 22, 1966]

WASHINGTON: THE COMPUTER THAT TURNED PHILOSOPHER

(By James Reston)

WASHINGTON, May 21.—The military draft is now a major source of controversy in Washington, thanks to Secretary of Defense McNamara. He has no authority to change it, but he has opened it up to scrutiny and revision, and the Congress is now talking about the possibilities of change.

In the short run, very little is likely to be done. Few college students will be drafted this year unless the monthly draft call goes up from 28,000 to about 40,000, which is not likely. Also, the politicians are neither prepared nor eager in an election year for a major debate on a new system of national service.

Yet nobody is happy with the system as it is. A bright boy working as a clerk in a hotel may be drafted, while an equally bright boy going to the hotel management school at Cornell is exempt. One draft board may run out of single men and start calling up married men, while another draft board may still have plenty of bachelors loose on the town.

THE INEQUITIES

The inequities are obvious. It pays to be stupid under the present system and it pays to be smart and rich. Of the 1,850,000 18-year-olds who will become eligible for the draft this year about 600,000 will fail to pass the Selective Service tests. This means that a third of them cannot measure up to a ninth-grade level.

A boy of average intelligence may rank in the top quarter of his class in an inferior college and thus be exempt, while a boy of equal intelligence may rank in the bottom quarter of his class in a really good university and be drafted. The ranking system clearly discriminates against the poor who cannot afford to go to college and the Negroes who manage to get to college but are not quite able to overcome inferior early education and stay high in the grade ranking system.

At the other end of the scale, one bright student may spend two years of Peace Corps service in a jungle in Nigeria and be drafted when he comes home, while his twin brother may avoid the draft by writing monographs on jungle life in Nigeria at Harvard or Wisconsin.

M'NAMARA'S PROPOSAL

"It seems to me," Secretary McNamara told the editors in Montreal (in a speech read several days before delivery by Secretary of State Rusk and Bill Moyers in the White House) "that we could move toward remedying that inequality by asking every young person in the United States to give two years of service to his country—whether in one of the military services, in the Peace Corps or in some other volunteer developmental work at home and abroad."

This startled Washington, which is a funny town, and thinks of McNamara as the mechanical man who always defines Administration policy with geometrical accuracy, which is both true and wildly inaccurate. He is a philosophical computer, and the philosopher in him is stronger than the computer.

"Who is man?" he asked, which is not a bad question for computers. "Is he a rational animal? . . . Mutual interests, mutual trust, mutual effort—these are the goals . . . If he is [rational] then these goals can ultimately be achieved. If he is not, then there is little point in making the effort. . . I, for one," he concluded, "would not count a global free society out. Coercion, after all, merely captures man. Freedom captivates him. Thank you very much."

Thank you indeed! Something is happening here. This is news, which almost all the newspapers missed but all the protesters on the campuses should not misunderstand. The headline conflict between power and principle, between the present and the future, between the old and the new generations, between the political and intellectual communities of the nation, may not be as hopeless or irreconcilable, as it seems.

THE FUTURE

McNamara is reaching beyond the draft, beyond the Pentagon, beyond Administration policy, beyond the present, even beyond the concept of sovereign nation States, and certainly beyond Vietnam and the present inequities of Selective Service.

He is searching for a unifying principle between power and principle, between the restless defiant generation on the campuses and the harassed and distracted policy-makers in Washington, between the one-third who can't qualify for the draft, the one-third who are financially and intellectually above the draft, and the one-third in the middle who are caught in the draft; and even between the poor nations that need help and the rich nations that need, for their own security and even serenity, to give help.

In this search, McNamara is actually nearer to people like Kingsman Brewster at Yale and Clark Kerr at the University of California who are trying to understand and mobilize the yearnings of the coming generation than he is to the politicians here in Washington, who are merely complaining about the campus demonstrations and the rumbles and knife warfare in the cities.

At Montreal McNamara was not thinking about present policy or present politics, or even about the present inequities of the draft. He was going beyond these things. He was supporting what Harris Woffard, the associate director of the Peace Corps, calls "the politics of service" and thinking about a new concept of national service in which all young people in America can acquire a sense of purpose and an opportunity for service at home and abroad.

McNamara will probably not last long enough here to see much progress toward his ideals. He is not the symbol but the critic of Pentagon power. He has fought too many battles against the military interests, the commercial interests, and the political interests—the generals, who want more guns and planes, the manufacturers who make the guns and planes, and the politicians and communities who benefit from the manufacture of guns and planes—to be popular or even to endure.

But he has opened up by his speech in Montreal some fundamental questions, and these will or should be, debated seriously on Capital Hill and in the newspapers and on the university campuses long after he is gone.

[From the Worcester (Mass.) Gazette, Apr. 25, 1966]

KENNEDY ON DRAFT QUOTAS

Senator KENNEDY of Massachusetts has pointed out a real inequity in our selective service system. He said that assigning draft quotas by states means that married men are being drafted in one state while bachelors remain undrafted in another. It depends on how the manpower pool in each state breaks down into the various categories of the 1A classification.

But, concerned though he was, the senator hardly went far enough; for the Selective Service System is bound to be somewhat unfair to start with, though not deliberately so. The nation must maintain its military manpower pool and in time of emergency the pinch of inequity becomes more apparent.

The charge against state draft quotas can be made with equal force against local draft boards. The pattern differs according to quotas and the men available. Parents with some means, moreover, are better able to equip and finance their sons for higher education than poorer parents are. The student deferment policy thus favors those children who, despite the availability of scholarship aid these days, do not have the educational background for college. Even if the government were to adopt a system of truly universal federal service, military and civilian, as is sometimes suggested, the problem of encouraging education as a great contribution to the country would not be solved.

The House Armed Services Committee is planning a thorough review of the draft system before the Selective Service Act comes up for renewal in Congress in 1967. Congress can perform a real service for the youth of the nation by seeking to minimize whatever injustice the draft system still contains.

[From the Washington (D.C.) Sunday Star, May 22, 1966]

THE DRAFT—THERE MUST BE A BETTER WAY

Criticism of the draft is mounting. The complaints come not only from those called up, but also from the highest circles in government.

Defense Secretary McNamara last Wednesday hit the system's "inequity" in singling out a minority for duty. He proposed a variety of universal service either in the military or in social work such as the Peace Corps.

Earlier this month Senator EDWARD KENNEDY called the present law downright unfair and suggested a lottery to put the rich and poor at least on an equal basis. Representative ADAM CLAYTON POWELL is bitterly attacking student draft deferment tests. He considers them inherently biased against Negroes because so many Negroes get inferior education to begin with and are therefore likely to flunk. "Then we pack these academic failures off to Viet Nam to be killed," he declares.

Certainly any system is open to question when it sends one youth into steaming jungles infested with Viet Cong but lets another stay home because he's studying English sonnets at college. Selective Service is at best a compromise. It makes certain broad assumptions about what civilian activities are "necessary to the maintenance of the national health, safety or interest" and then goes about exempting blocs of young men pursuing these activities. Others are excused from duty for reasons of physical, mental or moral defects. Those left are subject to the draft.

It is true, as Selective Service spokesmen point out, that college students in the long run are no more likely to escape the draft than boys who do not attend college. Officials insist that graduates do go into the service in fair proportion to their numbers.

And yet the advantage given to the rich young man under the present system is manifestly unfair. He can afford college, and as of now, at least, this postpones his encounter with the VC for four years. He can afford graduate school, too—good for several more years. He can afford marriage. If he had the foresight to tie the knot before last August, that defers him further. Can he afford children, too? With luck, he may never be called at all.

Supposedly we have come a long way from Civil War days when a man could buy a draft exemption for $300 cold cash. Or have we? Perhaps the price is merely higher today, disguised as college tuition, room and board. As the Journal of the Armed Forces bluntly puts it, ". . . Universities of the nation obviously are providing hiding places for some youngsters who seek and enjoy the best of American life but shy away from the responsibilities which citizenship entails."

But this is not the whole story. The present Selective Service class-standing system, because it is designed to weed out students in the lower levels, favors the youngster with high grades at an easy college over a student of equal ability but lower marks in a tough university. Draft deferment tests now being given at colleges attempt to solve the problem. But these too are under fire. What if a student is nervous or off his stride the day the test is given? What if he does badly under pressure? Suppose, as Representative POWELL claims, he suffers from an inadequate preparation, going back to childhood, because of his race?

The present system has other peculiarities. Its medical rules may exempt a man with a minor ailment, such as a trick knee. The regulations also defer those in curious occupations such as glass blowers and certain types of sewerage system employees, as well as farmers.

At this point, thoughtful Americans must ask themselves: What are the alternatives to the present Selective Service System? Is there any way that is more fair, without these economic and arbitrary aspects?

One proposal is Secretary McNamara's plan for universal service. This is not a new approach. William Josephson, general counsel for the Peace Corps, offered the idea some time ago, suggesting that the Corps and other civilian agencies could absorb recruits as alternatives to the armed forces—all on a voluntary basis.

But the shortcomings of this scheme are obvious. Is anybody in his right mind going to risk death on a lonely outpost in Da Nang when he can avoid it by organizing volleyball games in the Peace Corps? If there aren't enough volunteers for Viet Nam now, how is the new plan going to add more?

As a dollars and cents matter, universal military training with its six months' instruction for every youth simply would cost the nation too much. That was the conclusion of the Army General Staff 18 years ago, and it is still valid. There are now more than 32 million registrants in Selective Service. Some 2 million more reach draft age every year. Only a small fraction of all this manpower is needed for a Viet Nam-type operation. Train everybody? For what? The waste in money and time would be appalling.

So we are left with the suggestion made recently by Senator KENNEDY and others—that the draft should be shifted to a lottery setup which includes college students among those available for service. Despite its faults, this method seems to us to offer a moral advantage—cutting impartially across class and economic and racial lines—that make it preferable to other systems.

The national lottery can be made flexible. It can call up a big or small number of men, thereby adapting itself to the kind of brushfire war we have faced in the past two decades.

Such a method need not abandon the principle of selectivity. Those unfitted for service for physical or mental or moral reasons would be set aside. Men with dependents could be placed in another category before the lottery wheel was ever spun along with those in critical occupations and courses of study. This game of fortune would choose from a pool of men after all the usual exclusions had been made.

To be sure, such an approach is not perfect. It shifts decisions to random chance. But at least it offers a more democratic method than the existing program which lets college students by the hundreds of thousands defer military obligations while others, less favored by providence, are getting shot and killed.

Voices in Congress now are demanding a whole new look at the draft system. Their call for hearings and a serious, thorough re-examination are well justified. This should not go down in history as a "poor man's war," a campaign where an intellectual elite was allowed to sit things out for years on the sidelines.

OMBUDSMAN—ATTORNEY FOR THE PEOPLE

Mr. LONG of Missouri. Mr. President, recently, Senator MAGNUSON and I introduced a bill (S. 3344) to create a Small Tax Court for the United States. In my statement on this bill, I said this would be a sort of tax ombudsman, in the form of regional small tax commissioners. The response to this bill has been extremely favorable, and I am hopeful that hearings on the bill will be held at the earliest possible date.

The ombudsman concept is a fascinating one, and has many possibilities here in the United States. I am pleased to see that many law journals and magazines have been printing articles on the subject. Recently, the March 1966 issue of the Chicago Bar Record printed an article by Mr. Gerald L. Sbarboro entitled "Ombudsman—Attorney for the People." I ask unanimous consent to insert this article in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OMBUDSMAN—ATTORNEY FOR THE PEOPLE

(By Gerald L. Sbarboro, legislative counsel, State of Illinois, member, Chicago Bar Association)

In the modern state characterized by a heavy involvement in social activity, ranging from basic regulation of the economy to road building, to social welfare, and to a vast number of other functions, the growth of the administrative apparatus as a general phenomenon is widely accepted and will undoubtedly persevere. As the systems have grown larger, they have also been withdrawn from the public and have become significantly depersonalized—thereby significantly increasing the possibility of administrative injustice.

Such a phenomenon is not peculiar to our state and nation, but approaches universality in modern democracies. Accordingly, in the desire to protect the rights of the citizen in his relations with the administrative system, the approach to the problem of controlling the administrative machinery, as practiced in Scandinavia, Great Britain and New Zealand, may be particularly relevant to the appraisal of the United States and State of Illinois methods.

The Scandinavian countries use an "Ombudsman"—"representative" in the Norse tongues, or in political science terminology—"attorney," "agent"—appointed by the national legislature, to check and oversee administrative agencies as to the fairness, legality and efficiency of their operations. The "Ombudsman's" authority extends to both national and municipal administrators, and, in Sweden, to the law courts as well. On his own initiative, or on complaint, the "Ombudsman" may investigate administrative agency actions where there is any question of illegality, inequity, undue delay, or simple rudeness. He has no power to set aside administrative rulings, but he may suggest corrective action, publicize his findings and recommendations in interviews with the press or reports to Parliament, and, in extreme cases, institute criminal proceedings.

In that he has no power to change any administrative action, his only powers are to investigate, criticize, recommend and publicize, and this power rests heavily on his individual prestige and widespread public knowledge of his function.

Prestige plus publicity provide a powerful sanction. The Danish press seems eager for any statement the "Ombudsman" cares to release and the public seems interested in what he says. Of course, he does not publicize all he does; some of his most important recommendations are made without publicity, particularly his annual reports to Parliament and legislative recommendations.

Since 1958 Great Britain has had a collective "Ombudsman," the Council of Tribunals. The Council checks the rulemaking tribunals, that function within every major British administrative department, for fairness and legality, but does not yet possess the same powers as the Scandinavian "Ombudsman" to compel disclosures and entertain complaints.

While the spectacular success of the office of "Ombudsman," particularly in Denmark, has heightened the interest in the system all over the world, the office of "Ombudsman" is by no means a purely new innovation; the general idea represented by the office is almost as old as public administration itself. An adumbration of it is doubtless to be discerned in the Athenian practice of subjecting public officials to jury trial for malfeasance in office, and in the office of the Roman Tribune. In Imperial Germany there were military overseers to check on various departments of the Reischwehr, and in Indonesia today there are reported to be overseers of civilian administration. Tsar Peter the Great of Russia instituted an office of oversight, that of the Procurator, which survives and flourishes in the Soviet Union today. Sweden adopted the office of Justitieombudsman in its constitution in 1809; Finland, when it was established as a nation, in 1919; Denmark in 1953–1954; Norway, 1961; New Zealand in 1962; and presently it is being contemplated for Australia.

Proposals for an American "Ombudsman" have taken bill form in Connecticut and Illinois and have been discussed in Congress. In Illinois the movement received a setback when House Bill No. 1772 establishing the office of "Ombudsman," sponsored by Representative Harold A. Katz, received a recommendation of do not pass by the Executive Committee of the House of Representatives and was tabled during the 74th Session of the General Assembly. Undoubtedly it will be reintroduced in subsequent sessions of the Illinois legislature and in other states.

While the "Ombudsman" may not prove to be the panacea for our administrative dilemmas, perhaps, in an age when legal aid centers are being formed to aid the citizen, primarily in his negotiations with administrative agencies, and when the state representatives, in particular, are burdened with the tasks of becoming an employment agency, wound-healer, trouble-shooter, law-explainer' bill-finder, issue-translator, resolution-interpreter, controversy oil-pourer, civil skirmisher, convention-goer, watchdog of the underdog and so on, ad infinitum, the time has come in our quest for new and better governmental procedures to give serious consideration to the Americanization of the "Ombudsman," the office which could prove to be the "attorney for the people," or one of its counterparts, especially at the state government level.

THE CAUSES OF TRAFFIC ACCIDENTS

Mr. CURTIS. Mr. President, every segment of our society should be concerned about highway safety. Public officials, the general public, and certainly the automotive industry and all related businesses should give their attention to this important problem.

In considering any problem it is always essential that we ask the question, "What are the facts?"

What are the facts in reference to highway accidents? The facts are that most accidents are caused by car drivers. Pedestrians, by violating laws and regulations, can contribute to car accidents also.

Government authorities have a responsibility with reference to the design and condition of streets, highways, traffic signals, and the like. Certainly automobile manufacturers have a responsibility to constantly improve the safety of automobiles.

In recent weeks the press published a statement attributed to Mr. Tom Ryan, Traffic Safety Coordinator and Accident Records Director for the Department of Roads, State of Nebraska, in which he said:

> Less than 4% of traffic accidents can be attributed to vehicular failure, while at least 95% result from driver errors.

We cannot solve this problem by directing the attention of the public away from the facts. The facts are that accidents are caused by drivers. If there is any doubt about this, all a person has to do is read the news accounts that appear day after day as accidents happen. The attention of the country must not be directed away from the hazards of speed demons, drunken drivers, sleepy drivers, careless drivers, and drivers who make no attempt to drive within the law.

USE OF ELDERLY TO AID CHILDREN IN ROBERT B. GREEN HOSPITAL IN SAN ANTONIO

Mr. YARBOROUGH. Mr. President, on May 25, 1966, Mr. Milbrew Davis, director, foster grandparent project at the Robert B. Green Hospital in San Antonio, Tex., testified before the Subcommittee on Aging of the Committee on Labor and Public Welfare. Those hearings, of which the able Senator from New Jersey [Mr. WILLIAMS] was chairman, were on bills to establish a Senior Citizens Corps—S. 2877, sponsored by Senator WILLIAMS and cosponsored by me, and S. 3326, sponsored by the Senator from Florida [Mr. SMATHERS].

In his fine statement to the subcommittee, Mr. Davis described the excellent program the Green Hospital has, whereby unemployed and retired elderly men and women have served as foster grandparents for the children in the hospital, thus providing warmth and a better emotional environment for the children, as well as developing for the elderly a feeling of worthiness. The results of the program have been notable: the health of children has been considerably improved and their hospital stays reduced, and the foster grandparents have obtained much satisfaction from their participation, as well as employment and help in meeting financial obligations. Those who were skeptical about the program before it started have been won over, and other institutions wish to start similar programs.

I ask unanimous consent to have printed in the RECORD the text of Mr. Davis' statement.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. Chairman, honorable Senators, my name is Milbrew Davis, director of the foster grandparent project at the Robert B. Green Hospital in San Antonio, Texas. I am a graduate of the Worden School of Social Service and prior to accepting my current job I worked in the social service department of this hospital two years as a medical social worker, and four years as a casework supervisor and assistant director of the department.

Bexar County, Texas, is an urban community with a population of 687,151. Of this number, 49 percent are of Latin American background, 7 percent are Negro and the remaining 44 percent are Anglo. It is a community which represents large pockets of poverty and where, according to the 1962 Bureau of the Census report on the characteristics of population, over 50 percent of the families had incomes of less than $3,000 per annum. Associated with this high incidence of poverty are the concomitants of inadequate housing, poor health, illiteracy, illegitimacy, high incidence of tuberculosis and school drop outs.

The Robert B. Green Hospital where this program is conducted is a part of the Bexar County Hospital District. It is a tax-supported institution which provides medical care for the medically indigent and economically deprived of this county. Last year the hospital provided medical care for 200,699 patients; of this number about 25% were children.

In our joint staff meeting we have for a number of years been aware of the missing ingredients of warmth and individualized care needed by our children.

We saw large numbers of infants and young children with conditions diagnosed as failure to thrive, diarrhea and malnutrition, battered child, burned child and so on. Upon admission to the hospital they were subjected to the sterile, indifferent atmosphere and technical skills of this setting. These were infants and young children who quite often remained in the hospital for periods of three weeks, three months and sometimes six months or more. These were infants and young children in their formative years whose self-image and perception of the world in which they lived were helped to be shaped by the attention, or lack of it, they received during this time. We believed, therefore, that while they were in our care such a climate could and should be created that would influence in large measure not only their physical health but their emotional health as well.

As a means of facilitating a climate conducive to the development of emotionally healthy children we envisioned a program that would provide the stimuli produced by the social interactions found in a normal home environment.

In considering how such a program could be accomplished in a hospital setting, we looked at the other side of the coin, as it were. We recognized that there were vast numbers of unemployed and retired elderly men and women who could serve as model adults and provide a warm emotional climate consistent with normal growth and development of children. The elderly people would benefit from this also in that they would develop in themselves a worthwhileness that they had been denied by virtue of the dehumanizing effect of unemployment and inadequate income: their self-image and self-esteem would improve as they were able to supplement their inadequate income by their own efforts—and for some of our foster grandparents this is their only source of income—rather than suffer the indignity of being relegated to the mercy of relatives and/or public assistance agencies for their support.

When we learned of the foster grandparent program we in the social service department were convinced that this was the program to provide the missing ingredients needed by our children.

Through the press media, TV, and radio, and community agencies we have received over 300 applications for participation in our program. We selected our quota of 38 and they were provided a two week orientation class to familiarize them with the hospital and our expectations of them. The remaining 130 applicants who meet the requirements to participate have been placed on a waiting list. They will be used in our program as we have attrition or referred to other agencies as new programs are developed. We have seven men and thirty-one women who range in age from 60 to 82 in our program. Eleven are Anglo, thirteen are Negro and fourteen are Latin-American.

We proposed, therefore, that elderly men and women, sixty years of age and over, who were natural parents or had knowledge and experience of working with children, and who could give of themselves love, warmth and affection be employed to provide the extra ingredients needed to produce the desired emotional climate for the development of mentally healthy children.

This proposal was met with a great deal of resistance on the part of some of our medical and nursing staffs. They felt that these elderly lay people would be in the way, that they would cause extra work for their staffs, and perhaps, get involved in activities which only skilled personnel were capable of performing. However, after lengthy discussions and with much reservation the proposal was accepted.

As a result of close coordination of the foster grandparents' activities with the medical-nursing staffs, and observation of the tremendous impact the services provided by the foster grandparents had on the children's hospital adjustment, and on medical and nursing management of the children, the project is now wholeheartedly accepted. The doctors and nurses are requesting that specific children have a foster grandparent assigned to them.

From any evaluative statement of the project made by the director of nursing service I quote, "I think the foster grandparent project is an excellent program to have in the hospital. The foster grandparents have provided emotional security and comfort for the children which enabled the children to adjust to the hospital more expeditiously and with less trauma." She stated further that, "the activities of the foster grandparents have enabled the nurses to be more effective in the performance of their duties."

An observation from one of the resident physicians on the pediatric service will convey the now existing consensus of opinion of *the medical staff. I quote: "I have observed* the care the foster grandparents are giving our children on the wards and I feel that both the children and the elderly are being rewarded by this program." The doctor attributes the activities of the foster grandparents and the emotional climate as the results of them to improved medical care and I quote, "Their reporting * * * has helped tremendously in our medical management of the patients. The extra care provided the children * * * enabled the children to respond more quickly to medical treatment which has resulted in shortened length of hospital stay." The first six months of our program the foster grandparents served 326 children and the average length of stay was decreased to 9 days.

Perhaps even more obvious benefits derived from this program are those derived by the foster grandparents. Some of our foster grandparents have been employed on the regular hospital nursing staff as full-time aids; some have been able to obtain jobs elsewhere as a result of this experience. The income has enabled them to meet their financial obligations. They are obtaining a great deal of personal satisfaction from being useful and of service again, and their relationship with their family and friends has improved.

Our observations have been that the foster grandparents are dependable and cooperative. There has been a minimal amount of absenteeism. They are usually at the hospital before time for them to begin work and remain after the hour for them to leave. They become very attached to the children they are assigned to and frequently call in on their days off to inquire about them. On the basis of our experience, we are convinced that they could serve effectively in other service capacities such as foster parents for children in the home, companions for other elderly people to enable them to remain in their own homes as long as possible, and as aides in nursing homes.

As a final comment I would like to say that when our project was under consideration by the Office of Economic Opportunity we tried to encourage other hospital and child-caring institutions in the community to develop a similar program but they would not hear of it. Since we have been in operation, however, almost all of the hospitals have become interested and representatives have visited us and inquired about procedures for setting up a similar program in their facility. I think the project is perhaps best described by a doctor in a California hospital where the program is being conducted. He described the services provided by the foster grandparents as that normally obtained by patients in a private hospital. It is now recognized in our community by the other hospitals that the need for services rendered by the foster grandparents exist in their hospital and the desirability of obtaining these services is increasing.

CRIMINAL JUSTICE IN THE NATION'S CAPITAL

Mr. KENNEDY of New York. Mr. President, today the junior Senator from Maryland [Mr. TYDINGS] delivered a speech before the Judicial Conference of the District of Columbia which is of great importance to all of us who are concerned with problems of criminal justice here in the District.

Throughout his tenure as U.S. attorney in Maryland and as chairman of the Senate Subcommittee on Judicial Improvement, Senator TYDINGS has had a longstanding interest in problems of criminal justice.

His address today is a comprehensive statement regarding the entire administration of criminal justice here in the District. He details for us the overcrowded conditions in the District of Columbia jail and the lack of many necessary services, and makes seven specific *proposals to alleviate these conditions* at the jail. He describes the judicial backlog of the district court and the court of general sessions. And he describes the problems faced by the U.S. attorney's office. Finally, he discusses the responsibilities of the bar in the improvement of the administration of criminal justice.

Senator TYDINGS' carefully documented speech and thoughtful proposals deserve the attention of Members of the Senate. I ask unanimous consent, therefore, that Senator TYDINGS' address delivered today be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

CRIMINAL JUSTICE IN THE NATION'S CAPITAL

(Speech of U.S. Senator JOSEPH D. TYDINGS, before the Judicial Conference of the District of Columbia, Wednesday, May 25, 1966)

It is both a pleasure and an honor for me to be here today with the distinguished bench and bar of the District of Columbia.

I would like to discuss with you the administration of criminal justice here in the District. While the situation, as I shall point out, is subject to many deficiencies, the administration of criminal justice in the District in some respects is more effective than it is in many jurisdictions handling a similarly heavy volume of criminal work. But while recognizing this, I must emphasize that there are serious administrative problems plaguing our criminal process in the Nation's Capital. Let me outline briefly what they are:

The District of Columbia Jail, though not as bad in some aspects as pictured by the press, and though managed by competent and able personnel, is an outmoded, overcrowded institution lacking many necessary services.

The District Court has an intolerable criminal trial backlog.

There is a pressing need for an enlarged staff for the United States Attorney's Office.

The Court of General Sessions needs better organization and suffers from both a lack of decent facilities and a lack of judicial coordination.

There is a need for authority and appropriations for the compensation of appointed counsel in the Court of General Sessions.

The Bar Association of the District of Columbia has failed to meet its responsibility to oversee the conduct of counsel in General Sessions, and to scrutinize the operations of that Court.

Let me consider first the problems of the District jail. The accounts in the Washington Post of conditions in the jail were disturbing to everyone concerned about the administration of justice in the Nation's Capital. Therefore my distinguished colleague from Maryland, Senator DANIEL BREWSTER, joined with me in seeking a careful study of conditions at the jail. Senator BREWSTER and I made two visits to the jail, and members of our staffs have followed up by added inspection of the facility and further discussions with jail officials.

In our study of the jail we were extremely fortunate in having the valuable cooperation and assistance of a special committee of the Junior Bar Section of the District of Columbia Bar Association. Mr. Kevin Charles, chairman of that committee, worked diligently to assure the success of this project. The Junior Bar sent a task force of young lawyers to the jail on April 5, to talk with prisoners and learn first-hand what their complaints were. We have also studied statistics relating to the population of the jail, in order to determine how long and for what purposes people are detained there. My remarks concerning the jail today are an informal report on the results of the study that the Junior Bar, Senator BREWSTER and I began several weeks ago.

At the outset, let us bear in mind that most of the inmates at the jail have not been convicted of a crime, but are merely being detained pending trial or grand jury action. After conviction, they are transferred to other facilities, unless they are sentenced for 5 days or less.

The fundamental problem at the jail is overcrowding. Originally constructed in 1875, the jail is designed to house 695 men. But on January 28 of this year, for example, there were 1,202 inmates, or almost 75% more than intended capacity. The crowding in dormitories causes exceptionally cramped conditions, and small cells designed for one inmate are now routinely used for two.

The recent publicity has encouraged the Department of Corrections to take some steps to reduce the population at the jail. Changes in administration policy have allowed inmates to be moved to the less-crowded facilities at Lorton or Occoquan. As a result the number of individuals housed at the jail has been reduced to less than eleven hundred—still far too many. But this small, though welcome, improvement represents all that can be done by the jail authorities themselves.

Next, the facilities for recreation and exercise at the jail are totally inadequate. Each cellblock has one small area set aside for these purposes—an area too small to allow any exercise other than aimless shuffling about. The situation is somewhat better during warmer months when the only outside recreation yard can be utilized. Understandably, lack of adequate recreational facilities was one of the most frequent complaints we heard. The psychological problems produced by this crowding without release for energy and tension are extremely serious. As to all these matters, the newspaper accounts painted an unhappy but accurate picture. The Department of Corrections plans to add an additional outside exercise yard, but there is nothing that it can do to expand the indoor facilities.

Another critical problem concerns medical services. The infirmary of 45 beds is supported by a first-aid clinic and a sufficient operating room for minor surgery. But there are no facilities or personnel for the treatment of emotionally disturbed inmates. The District of Columbia Public Health Department from time to time does send a psychiatrist to the jail to conduct court-ordered tests or to deal with critical emergency cases, but there is no provision for continued treatment of medically supervised detention. On one of the days that Senator BREWSTER and I were there, we saw two disturbed inmates who had become violent. Jail officials had no recourse but to put them in solitary confinement in hand and leg restraints—a procedure not unlike the 18th century treatment for the insane. Without psychiatric personnel skilled in the proper administration of appropriate tranquilizers or other drugs, corrections officers were helpless to take more enlightened or effective action.

Other sources of unnecessary tension and frustration are the unreasonably restricted visiting and mail privileges. Inmates' complaints about this seem justified. Only half an hour per week of visiting time is allowed each prisoner, and the visiting list is restricted to family only, and may not include friends. Moreover, the current schedule for visits is restricted to regular daytime business hours, and relatives who work in the day cannot see a prisoner without suffering economic penalty. The effect of this schedule often is to deprive an inmate of any visitors whatsoever.

With respect to mail privileges, only three letters per week are allowed, and each may be just three pages in length. Frequently the penning of a letter to a friend or relative may be an inmate's only diversion. Prisoners are allowed unlimited "special purpose" communications, which in addition to correspondence to lawyers, include pleas to judges and government officials. This means that public officials often take the place of family and friends as the recipients of tension-releasing communications.

Since the overwhelming majority of the jail's inhabitants are not convicted criminals but persons awaiting trial—and consequently presumed to be innocent—all the foregoing deficiencies are even more objectionable.

These then are the major problems of the District of Columbia Jail: overcrowding; inadequate recreational and exercise facilities; inadequate medical and psychiatric facilities; unnecessarily restricted mail and visiting privileges. What corrective steps can be taken?

It should be clear to everyone that a new jail facility is needed which can incorporate and reflect principles of modern penology. The current structure, almost a century old, is so obsolete that even major remodeling can not make it adequate for present needs. The President's Commission on Crime in the District of Columbia has hired the American Correctional Association to make a complete study of the jail, and that report will be presented shortly by the Commission. It would be premature for us to recommend specific details for the construction of a new jail until the thorough study by these experts is presented for evaluation. However, we can point out certain features that should be incorporated in the new structure.

The new jail must have sufficient recreational facilities to allow inmates a reasonable amount of genuine exercise, as opposed to the mere opportunity to walk around. It must contain a well-staffed psychiatric clinic for the treatment of mentally disturbed inmates. There must be facilities for rehabilitation and education, so that inmates may learn useful skills and crafts and so that serious educational defects such as illiteracy may be remedied. A work-release program for men serving sentences should be an integral part of the new facility. To make this possible, the jail must have separate quarters to house those inmates who have gainful employment in the community. Not only will such a plan make more productive the time spent by prisoners, but it will also aid their return to a useful place in society.

Such a jail will be an important element in the fight against crime in the District of Columbia. It will ensure that time spent in jail serves to alleviate rather than aggravate anti-social tendencies that an inmate may have. Senator BREWSTER and I believe that a modern jail is one of the District's pressing needs, and once the Crime Commission has made its report and we have had an opportunity to study its recommendations, we are prepared to press with all our energy for the prompt construction of a new facility.

But while a new jail is the keystone in any long-term improvement of the existing situation, there are some steps that can be undertaken immediately to provide relief from the problems that plague the present jail. To this end, we have a number of specific proposals:

1. The District of Columbia Public Health Department must increase its psychiatric personnel in order to provide the psychiatric care now lacking at the jail. With a psychiatrist, a social worker and a clerk headquartered at the jail, supervision of emotionally disturbed inmates will be possible. I have prepared legislation, which Senator BREWSTER co-sponsors, to effect this change, and our bill will be introduced in the Senate later this afternoon.

2. An additional doctor is necessary to aid the presently overworked medical staff at the jail, and, likewise, we have prepared a bill, also to be introduced this afternoon, to accomplish this.

3. There should be a unit in the jail for the treatment of special cases. These include inmates not sick enough for confinement in the infirmary, but who require continuous medication or observation. Also included would be emotionally disturbed patients who need close supervision. Jail authorities are willing to convert one of the present cell-blocks into a Special Treatment Unit if they are given the medical technicians to staff such a unit on an around-the-clock basis. We have prepared a bill to authorize the needed personnel.

4. The medical staff is badly in need of more help to assist in doing case histories and physical examinations for inmates referred to the infirmary. Fourth-year medical students are sufficiently qualified to do this under the supervision of the staff physician, and would themselves gain valuable experience. We have been in communication with both the medical schools in the District and the Department of Public Health, which, with the Department of Corrections, are now considering arrangements to supply this added help to the infirmary. It appears that this can be accomplished without additional legislation.

5. Visiting and mail privileges should be expanded. At least half an hour a day seems a reasonable minimum, and friends and associates, in addition to relatives, should be allowed to visit inmates. The schedule for visits should include the evening hours in order to maximize the benefits of the privilege. We also recommend that each inmate be allowed to send at least one letter a day. If more personnel are necessary to facilitate these changes, we shall make every effort to obtain the requisite additional appropriations.

6. Existing habeas corpus procedures for the District of Columbia must be modified. Under present law, the forum for the petition is the district court for the judicial district in which the prisoner is held. When an inmate at the jail files a petition for habeas corpus he must be kept at the jail until the matter is concluded. Usually about 60 prisoners at the jail have petitions on file, often only to prevent transfer to Lorton or Occoquan. We have prepared legislation, also to be introduced this afternoon, to allow the Director of Corrections to keep such petitioners in whatever institution he believes most appropriate, with the proviso that the petitioner will be readily available for appearance in court or consultation with his attorney.

7. An intelligent program of pre-trial release can keep to the necessary minimum the number of people held in the jail pending trial. Such a program has been in effect in the District under the auspices of the D.C. Bail Project, which will soon come to a complete end. Unless Congress acts quickly to perpetuate the program under Federal auspices, we can expect the overcrowded conditions at the jail to be seriously aggravated. Senator BREWSTER has already made an appeal to the Senate, and I join in urging my colleagues to give the D.C. Bail Project legislation immediate and expeditious attention.

These seven specific proposals can alleviate some of the immediate problems at the jail. In making these proposals, however, I want to emphasize that the Department of Corrections has done an extremely creditable job in the face of adverse circumstances. It is a compliment to the administration of the jail that our interviewers encountered relatively few serious complaints from inmates. In fact, 40% of the 332 prisoners interviewed registered no complaint at all about the jail, even when urged by interviewers to discuss even the most trivial grievances.[1] Many of the men complained about the food; though it may be far inferior to mother's cooking, certainly it is wholesome and nutritious, and sufficient in quantity. We found no evidence to justify the allegation that prisoners are subjected to frequent physical or sexual assaults by other prisoners. The interviewers did not turn up any complaint from an inmate that he had been sexually attacked, and only 6 prisoners thought that homosexuality constituted a problem at the jail. We appreciate that in a jail environment there may be consensual acts of homosexuality, but the editorial charge that the jail is a "brothel" cannot be substantiated.

On our tours of the jail we found it to be clean, with maximum use being made of the available space and resources. But with severe overcrowding and the other deficiencies we have noted, the present environment of the jail is unduly oppressive and degenerative. It is no great wonder that men subjected to these conditions develop animosity towards society and leave the jail a greater threat to society than when they entered. In particular, I fear this situation is conducive to racial tension, making the jail a fertile ground for recruiting by Black Muslims and other groups which emphasize hatred in race relations. Though the clandestine activities of such organizations are difficult to detect until the festering problems erupt violently into view, we must be alert to conditions that breed unnecessary discontent and encourage these possibilities.

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[1] To identify the most significant instances of delay and to hear from men who had been in the jail for a period sufficient for them to become acquainted with conditions there, a task force of the Junior Bar Section decided to interview men who had been incarcerated at least four weeks. A total of 332 interviews were conducted, covering about 85% of the inmates in this category. Each inmate was asked to state his three major complaints, though in the rare instance when an inmate had more than three complaints he was allowed to give them all. It is interesting to note that of the men who were interviewed, 80 had no complaint whatsoever, and an additional 55 made no complaint relevant to the jail itself. Of the complaints registered about the jail, ranked in order of frequency, food, recreation, medical facilities, mail and visiting were the most common. Complaints directed to court delay and attorneys were nearly as numerous as those about food and recreation. A complete report and analysis of the interviews will be submitted to the Judicial Conference by Mr. Kevin Charles and his special committee of the Junior Bar Section on June 1.

The deficiencies in the administration of justice in the District of Columbia do not all relate to the jail, however.

Chief among the District of Columbia's problems is judicial backlog. The most serious backlog is in the United States District Court, as was illustrated by our study of the jail.

Only prisoners who had been at the jail for over a month were interviewed. The inmates interviewed were all waiting either for grand jury action or for trial before the District Court. One hundred and twenty-eight, or about 39% of those interviewed, were awaiting action by the grand jury. Of this number, 72, or about 56%, had been waiting from 30 to 60 days, and 40, or about 31%, had been waiting between 60 and 90 days. Sadly enough, we found 16, or about 12%, who had been waiting over 120 days!

Since March the United States Attorney has had two grand juries working on the indictment backlog. Though there has been improvement, the problem is far from solved. Of the men held in jail for grand jury action on May 16, almost 44% had been waiting for more than 30 days.

The situation with regard to inmates awaiting trial on a felony charge was equally bad. Of the 204 persons interviewed in this category—and let me caution you again that we interviewed only those who had been there for at least four weeks—only 40, or about 20%, had been in jail for less than three months; 86, or about 42%, had been incarcerated between three and five months; and 78, or about 38%, had been awaiting trial for more than five months.

The District Court's annual spring ritual of assigning 8 or 9 judges to the criminal jury docket is again in progress, but little has been accomplished to reduce the backlog. The jail census as of May 16 shows that 30% of the inmates awaiting trial in District Court have been waiting more than 5 months. with summer recesses fast approaching, there is little prospect that the current jam will be much reduced during the next three months, and a large number of prisoners can look forward to sweltering in jail through the long hot summer without a determination of their guilt while justice takes its annual vacation. Crime, unfortunately, does not take a vaction, and we can look forward to an even more staggering backlog in the fall.

These statistics indicate that criminal justice is lagging, but the statistics do not indicate solutions. How much of the responsibility for this delay rests with the District Court, and how much comes from other sources?

One problem is that the current staff of the U. S. Attorney is not sufficient to handle the caseload, and many of his men are burdened with upwards of 70 cases—an impossible load. We applaud and support the efforts of the U. S. Attorney's Office to secure more staff. We hope that the Department of Justice will take immediate steps to provide the manpower necessary for the U. S. Attorney to do his job.

Second, we know that dilatory tactics on the part of defense counsel can burden the calendar. There is a need for members of the bar to discharge both their duty to clients and their duty as officers of the court, and to recognize the problems that unnecessary delaying tactics pose for the system.

Third, undoubtedly part of the responsibility rests with the operation and administration of the District Court itself. A professional management study of court business is necessary in order to identify those court practices that are in need of improvement. Such an evaluation of present court-management techniques is essential to any long-term solution of the caseload problem. The Chief Justice of the United States, in his recent speech to the American Law Institute, called for a complete systems analysis of our judicial machinery. I cannot stress too strongly the importance of this kind of approach. While there is a limited study now being conducted in the courts under the auspices of the D.C. Crime Commission, this project is too narrowly confined to meet the whole need. We are confident that the judges of the District of Columbia will follow the lead of the Chief Justice and cooperate enthusiastically in the implementation of a thorough management study.

Both Senator **Brewster** and I stand ready to support and aid the Judicial Conference of the District of Columbia in a program to identify and eliminate problems in the management of caseload. I realize that the problems of our District Court are not unique. Many courts, both Federal and state, are afflicted with an ever-rising caseload. Indeed, in comparison with other Federal district courts, the record of the district court here is not a bad one. But we must demand more from a court in our Nation's Capital, which should serve as a model for judicial systems throughout the United States.

Next, let us turn to the D.C. Court of General Sessions. Over the past several months the quality of justice afforded in that court has been vigorously attacked. The court has been charged with being incapable of handling its staggering caseload, and with operating in an atmosphere that cultivates disrespect for law. Disquieting allegations have been made about the quality of defense counsel and the adequacy of the probation office.

The criminal trial docket of the District of Columbia Court of General Sessions has become reasonably current in the past few months, primarily because additional judges have been assigned to try criminal cases. A jail census on May 16 indicated that only 18 inmates had been incarcerated for more than a month pending disposition of their cases by the General Sessions Court. There is prospect for even more effective dispatch of the Court's caseload as, hopefully, Congress shortly will authorize five additional judgeships for General Sessions.

Though this additional judicial manpower is needed, the increased number of judges will place a great strain on the already overburdened facilities of the Court. The new judgeships will make all the more pressing the need for a new facility for the Court of General Sessions. Indeed, I know that some judges of the Court believe that a new courthouse would alleviate many of the problems resulting from the lack of a proper atmosphere for the conduct of legal business—problems that now distort the image of the Court as an instrument of justice.

The present facility hampers the effectiveness of the prosecutorial screening of citizens' complaints. The office used by the Assistant United States Attorneys to screen these complaints resembles a bargain basement counter, not a legal workshop. Yet consultation at the "counter" is a means of eliminating from the judicial process those interpersonal squabbles not worthy of judicial consideration. If present plans for remodeling the quarters for the assistant U.S. Attorneys serving at General Sessions provide for facilities in which to handle this process in privacy and with decorum, the value of the "counter" and the effectiveness of the administration of justice will be enhanced.

But more judges, and remodeled or new facilities for the Court of General Sessions, will not be enough to reshape the image of the Court and make it the model it should be for courts of limited jurisdiction throughout the nation. There is a need for a thorough study and reform of the organization and operation of the Court, which faces a staggering civil and criminal caseload not unlike that facing municipal courts in every major urban center in this nation. Thirteen years ago, a New York City magistrate accurately defined the plight of the judge who serves in a court of limited jurisdiction when he said:

"It is obvious that the burdens on a conscientious inferior criminal court judge are many and varied. These burdens are increased immeasurably by the fact that decisions must be made quickly, under constant pressure. . . . Mistakes are inevitable, but a judge cannot worry overmuch about them—there is always the next case to be considered.

"It has been said that the inferior criminal courts are the most important tribunals of the land, because they influence for better or worse far more lives than any other court. But this recognition accorded to inferior criminal courts occurs in bar association speeches. It does not result in the adoption of better methods of selecting judicial personnel . . . and the more adequate organization of the inferior criminal courts. Nor does it secure the psychiatric, social work, probation and institutional facilities without which even the best of judges is seriously handicapped. Until a community recognizes the importance of the inferior criminal courts in these terms, it will continue to have an inferior level of performance from its inferior criminal courts."

The Department of Justice, the Congress, the Bar Association of the District of Columbia, this Judicial Conference, and the Court of General Sessions itself, must recognize the problems of the Court and seek to foster an enlightened organization for the Court. Probation and social work activities must be reshaped to provide an enlightened basis upon which the conscientious General Sessions judge can act. Beyond this, the judges of the Court must begin to eliminate the notorious lack of uniformity that has been characteristic of the Court's judicial actions. Too often in General Sessions the disposition of a case depends upon which judge mounts the bench. Of course, judges must operate with a great deal of independence and individual discretion, but at least administrative policies, such as the proper judicial treatment of alcoholics under the *Easter* decision, should be worked out by the judges as a court. Unless the judges voluntarily work together to achieve a more consistent administration of justice, criticism will continue and the demand for remedial Congressional action will grow.

There are other things to be done. Justice demands effective representation by defense counsel. Some attorneys who have appeared in General Sessions do not provide such representation. I am told that subsequent to the enactment of the Criminal Justice Act approximately a dozen competent lawyers who formerly practiced regularly in the Court of General Sessions moved to practice exclusively in the District Court. These men now shun practice in General Sessions because the question has not been settled whether the Criminal Justice Act allows payments to attorneys appearing at General Sessions. At present, an attorney appearing at General Sessions goes unpaid unless he can extract a fee from his client or his client's family. Perhaps, with the inducement of fees under the Criminal Justice Act, more qualified attorneys would appear in General Sessions, and the public, to take one recent example among many, would not be treated to the spectacle of an attorney who appeared for trial in an intoxicated condition. Unless in the near future the Criminal Justice Act is deemed to apply to General Sessions, I will propose appropriate legislation to establish a separate program for that court.

Assuring that attorneys representing indigents in General Sessions are compensated for their services is not a complete solution to the long-standing deficiencies of counsel in that court. The Bar Association of the District of Columbia must take an active interest in overseeing the practices of its lawyers in General Sessions. Stories of incompetent or inebriated counsel should not have to reach the press in order to reach the attention of the Bar Association. The Bar must be willing to police its own ranks; it cannot restrict its attention to those areas of law that support handsome fees but touch the lives of only a few of this city's residents.

Furthermore, an increase in the size of the Legal Aid Agency staff is necessary. Currently, its twelve lawyers cover both General Sessions and the District Court. Lately, most of the staff has been working in the District Court, leaving General Sessions short-handed. This is unfortunate, especially since the Criminal Justice Act attracts attorneys to the Distict Court and away from General Sessions. We understand that a proposal for a minimum of ten more Legal Aid Lawyers whose efforts will be in General Sessions is being prepared for submission to the Office of Economic Opportunity. If a grant is made for that purpose a great step forward will have been taken. In the meantime, however, we urge that the Legal Aid Agency concentrate its efforts in the Court of General Sessions.

This Judicial Conference is a great legal institution. I know that your primary concern, like mine, is to elevate the standards of the administration of justice in the District of Columbia. I know that you will understand that my comments today are offered in a spirit of constructive criticism.

There may be some here who would rather not have heard what I had to say. They might have preferred a more humorous, lighthearted speech that ignored our serious problems. But that would have been a waste of your time and mine. The problems I have discussed are, as you well know, real and important, and though the proposals I have outlined today will not be a complete solution, they are at least a beginning. Having begun, we must not rest until the job is finished.

The forthcoming report of the D.C. Crime Commission, buttressed by the District of Columbia court study that we propose, will be a fertile source of information upon which we can act intelligently to solve our problems. In addition, the committee of distinguished lawyers appointed by this Conference and headed by Mr. Gerhard A. Gesell is studying the courts of the District with a view toward improving their operation. The work of this committee, too, will be an important source of new ideas.

But what is crucial is the active concern and support of you, the Bench and Bar of the District of Columbia. This is your judicial system. With the support of this distinguished assembly, progress and improvement are assured; without it, failure is inevitable. Senator BREWSTER and I promise to work with you to do the job ahead. Though we have criticized, we shall also cooperate to the end that all of us together—Bench, Bar, Community and Congress—will build in our Nation's Capital a system of judicial administration that will be second to none.

Thank you.

ROBERTSON'S RULES OF ORDER

Mr. SPARKMAN. Mr. President, for many years now the Senate Banking and Currency Committee has been working on legislation arising out of our coinage and currency problems. Many of these issues have been full of emotion and sentiment and have inspired a great volume of critical mail. Very little of the mail has given recognition to the fact that we have gone through an extremely difficult period in our history and we have made some very substantial changes in our coinage and currency systems, out of necessity, without panic and without real hardship or serious distress. This has not been just luck. Our success in handling these many currency and coinage problems over the past years has, to a considerable extent, been the result of capable handling of legislation in this field by the chairman of the Banking and Currency Committee and the committee members.

My attention has been called to an informed and judicious review of the work of Senator ROBERTSON and the Banking and Currency Committee in the field of currency and coinage and mint legislation.

I should like to bring this informative and well-deserved editorial to the attention of the Senate and the readers of the RECORD. I, therefore, ask unanimous consent to have printed at this point in the RECORD an editorial from today's Coin World entitled "Robertson's Rules of Order."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ROBERTSON'S RULES OF ORDER

Look Magazine, Wall Street Journal and Kiplinger, among others, consult us for observations on coin collecting. Grade school kids write us. We keep busy supplying college students with research material for everything from term papers to doctoral theses. We like this. We are here to help our readers, inspire new collectors, and it keeps us on our toes as we must review numismatic happenings constantly, and keep our files current.

This week we had occasion to study numismatic legislative history for the past several years and an impressive, strong pattern emerged. It involved one man, the Honorable A. WILLIS ROBERTSON, the Virginia Democrat who has headed the Committee on Banking and Currency of the United States Senate since February 6, 1959.

Now the adjective, "powerful," has been applied so many times to this Senate committee, the word has become prescriptive rather than descriptive! We believe the term also applies to Senator ROBERTSON, that he is a powerful man numismatically.

We have assembled a long list of important numismatic measures that have become law, thanks to his skillful steering, as chairman of the Banking and Currency Committee.

These range from enabling legislation for the striking of many historic commemorative medallions, ranging from the new one for the American Numismatic Association, to those honoring General Douglas MacArthur, the Statue of Liberty, Padre Junipero Serra, the founding of St. Louis, several statehood issues, to mention a few, to the important Silver Purchase Act, and the Coinage Act of 1965.

Senator ROBERTSON realistically saw to it after the John F. Kennedy half dollar legislation was proposed during the high wave of grief and emotionalism that it went through before the end of 1962 so it would conform to Mint procedures at the beginning of a new year.

He actually shepherds the Bureau of the Mint twice—as chairman of the Senate Banking and Currency Committee, and as a member of the Treasury-Post Office Subcommittee of the Appropriations Committee. His interest and support of the Mint's current building program, funds for the crash coinage program, the overtime, the additional equipment and personnel, has enabled the Mint to accomplish coinage production of almost incomprehensible proportions.

Last year, he demonstrated the perfect balance of a tightrope walker with his staunch middle-of-the-road attitude as he swiftly and skillfully steered the Coinage Act of 1965 through the Senate. He is credited with averting what could have been a serious situation by being neither a silver man nor a silver users' disciple. He stood in the middle between these two factions, got the Coinage Act of 1965 through with very little fighting and no fuss. By sticking to the administration's compromise bill, not completely satisfactory to everybody, but giving everybody something, he got the bill through in record time. Actually, it was under his control for only eight days!

Had all of the silver been left out of coinage, or had there been silver left in the quarter and dime, a six-week filibuster in the Senate could have developed. Such a fight would have focused full public attention on coinage, and there could have been an appalling coin shortage, a literal disappearance of coins underground. Senator ROBERTSON got the bill through quickly, without any monkey business! There are still grumbles about the clad coins—collectors agree they are far from the world's most beautiful coins, but it is physically obvious now that we couldn't have the .900 fine silver coins any longer. No one is sure any better coins can be produced with the materials at hand, either.

Senator ROBERTSON was all for restoration of the date on the nation's coinage. He worked hard to keep 1964 on the coins in an effort to combat coin hoarding. He was equally strong in his endorsement of the Bureau of the Mint last fall when it indicated there was a possibility of putting the 1965 date on coins without endangering the supply. We know it to be a fact, from personal experience, that he was fully appreciative of the desirability of continuing a good tradition, the dating of coins, as long as it could be done without damage to the economy.

The senator is history-minded. The long list of historic medals and coinage legislation illustrates this bent most eloquently, much to the satisfaction of the collector. He's always in favor of collector services if they do not interfere with the coin supply of the nation. It is his belief that if the United States does not have a meaningful, useful and effective coinage system, then there isn't much of a hobby. Coin collectors fully endorse this theory.

Another thing we like about Senator ROBERTSON, in addition to the fact that he's a Virginian, and we know some mighty special Virginian numismatists: Because he is a historian, he asks each petitioning agency for medallions to develop a detailed paper on why these medals should be struck. President Matt Rothert did this for the American Numismatic Association. This emerges in the form of a report—and thus an important and detailed piece of historic and numismatic information is preserved in the national archives! The senator truly gets pleasure from the role he plays in preserving history both in metal and on paper. Numismatics has a good, levelheaded historic-minded friend in Senator A. WILLIS ROBERTSON.—M.R.

SCHOLARSHIP AND PUBLIC SERVICE

Mr. BREWSTER. Mr. President, the month of June rapidly approaches, and the high schools, colleges, and universities of our Nation will graduate the leaders of tomorrow. Princeton University, my alma mater, recently dedicated Woodrow Wilson Hall as a part of its School of Public and International Affairs.

President Johnson spoke at the dedication, emphasizing the need to bring the scholars emerging from our institutions of higher learning into public service.

A few days later, Vice President HUMPHREY spoke to the National Congress of Parents and Teachers in Baltimore. His remarks were aimed at the participation of the Federal Government in extending educational opportunities to the youth of America from the lowest to the highest educational levels.

Under President Johnson's administration, we have increased aid to elementary and secondary schools; now we must also assist those who seek a higher level of academic attainment and scholastic development. To do this, we must provide the opportunity to learn, and the facilities to put this knowledge to its best use.

The demand for advanced educational preparation continues to grow and must be met if we are to preserve the democratic way of life. The call for scholars in Government service is greater than ever. If we are to achieve greatness, those who attain academic excellence must be brought into the halls of our Federal, State, and local governments. The new public servant must be scholar and agent, academician and practitioner.

As the President dedicated Woodrow Wilson Hall to learning and to the Nation's service, we must dedicate ourselves to academic achievement and further educational enlightenment.

Mr. President, I ask unanimous consent that the President's remarks and those of the Vice President be printed at this point in the RECORD.

There being no objection, the remarks of the President and the Vice President were ordered to be printed in the RECORD, as follows:

REMARKS OF THE PRESIDENT AT THE DEDICATION OF THE WOODROW WILSON HALL AT THE WOODROW WILSON SCHOOL OF PUBLIC AND INTERNATIONAL AFFAIRS

I am happy that I could come with Secretary Gardner to help celebrate Princeton's continued growth. It is good that one of the Nation's oldest universities is still young enough to grow.

This commitment to the increase of higher learning has deep roots in our country. Our forefathers had founded more than fifty colleges before the Republic was half a century old.

With a sure sense that the pursuit of knowledge must be part and parcel of the pursuit of life, liberty, and happiness, they set in motion two irreversible forces which have helped to shape our land.

The first was that learning must erect no barriers of class or creed. The university was to nourish an elite to which all could aspire. Soon after our first colleges came the first scholarships for worthy students who could not pay their own way.

The second idea was that the university would not stand as a lonely citadel isolated from the rest of the community. Its mission would be to search for truth and to serve mankind. As Woodrow Wilson later said: "It is the object of learning not only to satisfy the curiosity and perfect the spirits of individual men, but also to advance civilization."

THE VITAL FLOW

We who work in Washington know the need for the vital flow of men and ideas between the halls of learning and the places of power. Each time my Cabinet meets, I can call the roll of former professors—HUMPHREY and Rusk, McNamara and Wirtz, Katzenbach (another distinguished Princetonian), Gardner and Weaver. The 371 major appointments I have made in the last 2½ years, collectively hold 758 advance degrees. And so many are the consultants called from behind the ivy that a university friend of mine recently said: "At any given moment a third of the faculties of the United States are on a plane going somewhere to advise—even if not always to consent."

While learning has long been the ally of democracy, the intellectual has not always been the partner of government. As recently as the early years of this century the scholar stood outside the pale of policy, with government usually indifferent to him. That has changed.

The intellectual today is very much an inside man. Since the 1930's our government has put into effect major policies which men of learning helped to fashion.

More recently, the 89th Congress passed bill after bill suggested by scholars from all over the country in the task forces I appointed in 1964.

In almost every field of governmental concern, from economic to national security, the academic community has become a central instrument of public policy.

THE AFFLUENCE OF POWER

This affluence of power for an intellectual community that once walked on the barren fringes of authority has not been won without some pain. An uneasy conscience is the price any concerned man pays, whether politician or professor, for a share of power in the nuclear age.

More than one scholar, thus, has learned how deeply frustrating it is to try to bring purist approaches to a highly impure problem.

They have come to recognize how imperfect are the realities which must be wrestled with in a complicated world.

They have learned that criticism is one thing, diplomacy another.

They have learned to fear dogmatism in the classroom as well as in the capital—and to reject the notion that expertise acquired in a lifetime of study in one discipline brings expertise in all other subjects as well.

They have learned, too, that strident emotionalism in the pursuit of truth, no matter how disguised in the language of wisdom, is harmful to public policy—just as harmful as self-righteousness in the application of power. For as Macauley said: "The proof of virtue"—and, we might add, of wisdom—"is to possess boundless power without abusing it."

The responsible intellectual who moves between his campus and Washington knows, above all, that his task is, in the language of the current generation, to "cool it"—to bring what my generation called "not heat but light" to public affairs.

The man for whom this school is named always believed that to be scope of scholarship. He never doubted the inter-dependence of the intellectual community and the community of public service. "The school," he said, "must be of the Nation."

A WORTHY CALLING

So we dedicate this building not only to the man, but to his faith that knowledge must be the underpinning of power—and that the public life is a calling worthy of the scholar as well as the politician.

There was once a time when knowledge seemed less essential to the processes of good government. Andrew Jackson held the opinion that the duties of all public offices were "so plain and simple" that any man of average intelligence could perform them.

We are no longer so sanguine about our public service. The public servant today moves along paths of adventure where he is helpless without the tools of advanced learning.

He seeks to chart the exploration of space, combining a thousand disciplines in an effort whose slightest miscalculation could have fatal consequences.

He has embarked on this planet on missions no less filled with risk and no less dependent on knowledge.

He seeks to rebuild our cities and to reclaim the beauty of our countryside. He seeks to promote justice beyond our courtrooms, making education and health and opportunity the common birthright of every citizen. And he seeks to build peace based on man's hopes rather than his fears.

These goals will be the work of many men and of many years. They will call for enormous new drafts of trained manpower into the public service.

Over the next four years, the Federal Government will need thirty thousand more scientists and engineers and six thousand more specialists in health, technology, and education.

By 1970, our state governments must grow by more than 600,000 to keep pace with the times. Employment for state and local government will exceed ten million persons. Each year over the next decade, our nation will need 200,000 new public school teachers to keep up with the growing population.

THE CITIZEN SOLDIERS

The call for public service cannot be met by professionals alone. We must revive the ancient ideal of citizen-soldiers who answer their nation's call in time of peril. We need them on battlefronts where no guns are heard but where freedom is no less tested.

Here at the Woodrow Wilson School, you have done much to raise the sights of public service. I urge you to continue to promote excellence in all levels. We intend to do the same in Washington, sparing no effort to assist those who select this as their life work.

I have asked Chairman John Macy of the Civil Service Commission to head a task force which will survey Federal programs for career advancement. I have asked him to study an expanded program of graduate training which, with the help of the universities, can enlarge our efforts to develop the talents and broaden the horizons of our career officers.

I also intend next year to recommend to Congress a program of expanding opportunities for those who wish to train for the public service we will assist: students planning careers in Federal, state, or local government; colleges and universities seeking to enrich their own programs in this field; state and local governments seeking to develop more effective career services for their employees.

Our concept of public service is changing to meet the demands of our time. A new public servant has emerged. He may be the scholar who leaves his study for the crucible of power in his state or national capital. Or he may be the young man or woman who chooses public service but does not abandon at its doorstep the techniques of scholarship and the search for knowledge.

These men and women will help us to answer the question Franklin Roosevelt asked thirty years ago: Will it be said "Democracy was a great dream, but it could not do the job?"

He did not doubt the answer. Even as troubles mounted, he took the starting steps to strengthen a Federal structure capable of carrying this Nation safely through its crisis. He began to organize the modern office of the

President and to bring American Government into the mid-twentieth century.

THE ESSENTIAL QUESTION

As we enter the final third of this century, we are engaged once again with the question of whether democracy can do the job.

Many fears of former years no longer seem so relevant. Neither Congress nor the Supreme Court shows signs of becoming rubber stamps to the Executive. Moreover the Executive shows no symptoms of callous indifference to the ills we must cure if we are to preserve our vitality. State and local governments are more alive and more involved than thirty years ago. And our Nation's private enterprise has grown many times over in size and vitality.

The issue for this generation is a different kind. It has to do with the obligations of power in the world for a society that strives, despite its worst flaws, to be just and humane. Like almost every issue we face, this is one in which scholars and public officials alike have an irrevocable stake.

Abroad we can best measure America's involvement, whatever our successes and failures, by a simple proposition; not one single country where we have helped mount a major effort to resist aggression—from France to Greece to Korea to Vietnam—today has a government servile to outside interests.

There is a reason for this which I believe goes to the very heart of our society: The exercise of power in this century has meant for the United States not arrogance but agony. We have used our power not willingly and recklessly but reluctantly and with restraint.

Unlike Nations in the past with vast power at their disposal, the United States has not sought to crush the autonomy of her neighbors. We have not been driven by blind militarism down courses of devastating aggression. Nor have we followed the ancient and conceited philosophy of the "noble lie" that some men are by nature meant to be slaves to others.

THE RECENT LESSONS

As I look upon America this morning from the platform of one of her great universities, I see, instead, a nation whose might is not her master but her servant.

I see a nation conscious of lessons so recently learned: that security and aggression, as well as peace and war, must be the concerns of her foreign policy; that a great power influences the world just as surely when it withdraws its strength, as when it exercises it; that aggression must be deterred where possible and met early when undertaken; that the application of military force, when it becomes necessary, must be for limited purposes and tightly controlled.

Surely it is not a paranoid vision of America's place in the world to recognize that freedom is still indivisible—still has adversaries whose challenge must be answered.

THE STERNEST CHALLENGE

Today, of course, that challenge is sternest in Southeast Asia. Yet there, as elsewhere, our great power is tempered by great restraint. What nation has announced such limited objectives or such willingness to remove its military presence once those objectives are achieved? What nation has spent the lives of its sons and vast sums of its fortune to provide the people of a small, striving nation the chance to elect a course we might not ourselves choose?

The aims for which we struggle are aims which, in the ordinary course of affairs, men of the intellectual world applaud and serve: the principle of choice over coercion, the defense of the weak against the strong and aggressive, the right of a young and frail nation to develop free from the interference of her neighbors, the ability of a people—however inexperienced, however different, however diverse—to fashion a society consistent with their own traditions and values and aspirations.

THE SCHOLAR'S OBLIGATION

These are all at stake in that conflict. It is the consequences of the cost of their abandonment that men of learning must examine dispassionately. For to wear the scholar's gown is to assume an obligation to seek truth without prejudice and without cliche, even when the results of the search are at variance with one's own opinions.

That is all we expect of those who are troubled, even as we are, by the obligations of power the United States did not seek but from which she cannot escape.

Twenty-six years ago Archibald MacLeish asked of all scholars and writers and students of his generation what history would say of those who failed to oppose the forces of disorder at loose in Europe.

We must ask of this generation the same question concerning Asia.

MacLeish reminded that generation of the answer given by Leonardo when Michelangelo indicted him for indifference to the misfortunes of the Florentines. "Indeed," said Leonardo, "indeed, the study of beauty has occupied my whole heart."

Other studies, no matter how important, must not distract the man of learning from the misfortunes of freedom in Southeast Asia.

While men may talk of the "search for peace" and the "pursuit of peace," we know that peace is not something to be discovered suddenly—not a thing to be caught and contained. Peace must be built—step by painful, patient step. And the building will take the best work of the world's best men and women.

It will take men whose cause is not the cause of one nation but of all nations—men whose enemies are not other men but the historic foes of mankind. I hope that many of you will serve in this public service for the world.

Woodrow Wilson knew that learning is essential to the leadership our world so desperately needs. Before he came to Princeton, he attended a small college in North Carolina and went to classes every day beneath a portal which bore the Latin inscription: "let learning be cherished where liberty has arisen."

Today, this motto which served a President must serve all mankind. Where liberty has arisen, learning must be cherished—or liberty itself becomes a fragile thing.

We dedicate this building—not only to the man; not only to the Nation's service—but to learning in the service of mankind.

There can be no higher mission.

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY, NATIONAL CONGRESS OF PARENTS AND TEACHERS, BALTIMORE, MD., MAY 17, 1966

Twenty-one years ago, President Franklin Roosevelt issued an urgent call to Congress for federal assistance to education.

He called such assistance "our national obligation to all our children." This country," he said, "is great enough to guarantee the right to education adequate for full citizenship."

Tonight we meet at a time when that obligation is finally being fulfilled. And no one is more responsible for this than you.

Your 12 million members have long since proved that citizenship in America is active, not passive.

I think you can take it as something of a compliment—a right-handed compliment, so to speak—that extremist groups have in recent years chosen the P-TA as a target.

What extremist groups—both left and right—*say* sounds different. But what they *do* is similar. They share a common contempt for the democratic process and for democracy itself.

The best way to defend and extend democracy is to put it to work—meeting people's needs and aspirations.

And that is just what we have done with federal legislation for education.

All of you know what the Congress has accomplished, under President Johnson's leadership.

To this audience, I won't recapitulate the details of last year's historic education legislation, or the additions proposed this year.

I shall, though, give you some illustrations of how the new programs have worked.

First, some dollars and cents figures.

In constant dollars, *overall expenditures on education in the school year 1966–67 will be double what they were ten years ago.*

And the federal contribution to these outlays has increased even more dramatically. *Expenditures for education through the U.S. Office of Education alone are running at a rate 20 times what they were a decade ago.*

Until last year, the federal government gave no *general* aid to elementary and secondary schools. We now have an Administration request for over 1.3 billion dollars for the coming year.

The long debate over federal aid has dwindled away. The fear that federal aid would mean federal control has been laid to rest.

So we can turn from false issues to real ones.

We can cease arguing whether federal dollars *should* be put into our schools, and start discussing *how* to put them to the best use.

On this score, Secretary John Gardner has said:

"The need for (school aid) money is less acute than the need for new ways to use it . . . What's needed is a combination of money and good educational ideas."

Secretary Gardner said this when he was still a private citizen.

But, as Secretary for Health, Education and Welfare, he acts on this same principle—a principle which pervades our new federal legislation.

It is in this spirit that the funds allocated under Title I of the Elementary and Secondary Education Act—the bulk of the new federal funds—are directed particularly to the schools and the children who need help most, those in low-income urban and rural areas.

In one problem school in Harlem, the staff has been strengthened so that its ratio to students is one to eight. Its ultra-modern playground and fresh interior decoration have made it a delight to the eyes, inside and out.

In that school, the principal called her teachers together and said:

"At last, we have everything we needed and wanted. Now it's up to us to do the job."

At a nearby junior high school—a junior high where the children were supposed to be disinterested—the new federal funds have made it possible to keep the library open after school hours. Those disinterested students have logged out 40,000 books in five months.

In one elementary school in my own city of Minneapolis, 22 mothers have been employed as part-time aides, and there is a waiting list of 115 applicants.

They work as home visitors and as playground monitors; they read to children and do clerical chores.

Innovation is not confined to the big cities, either.

A skilled teacher in a poor farming community in Iowa meets with ten small groups of housewives each week to tell them what they can do at home with their pre-school youngsters.

The sessions range from the importance of books and educational toys to instructions in making finger paint from liquid starch and food coloring. They call it "Project Homestart." It costs less than 10,000 dollars a year.

In another rural area, the new school nurse has found that a child everyone thought mentally retarded was actually suffering from severe but remediable physical handicaps. This story has been repeated in other places.

I haven't even mentioned the many imaginative uses that are being made of federal funds for supplementary educational services, under Title III of the Elementary and Secondary Education Act.

The fact is, a veritable explosion of creative thought and experiment is under way in our school systems.

But not everywhere.

Many of the neediest rural school systems have not yet been able to get organized to take advantage of the new opportunities. Here the various State Departments of Education—and funds are provided in the Act to strengthen them—can be of great assistance.

Despite the proven success of Headstart last summer—over 500,000 culturally deprived children took part in it—school officials have generally not pushed it with federal funds during this regular school year.

Only 7 per cent of the children in the preschool age group are presently in classes (including kindergarten) under the school aid program.

You may be able to help.

However, this *is* only the first year of the new program. Districts that haven't got off the launching pad this year can do so next year. Ideas that have proven themselves in practice can be picked up by other school districts. Ideas that haven't can be phased out.

At the dawn of Western history, the Greek philosopher Diogenes said:

"The foundation of every state is the education of its youth."

Foundations are laid in accordance with what we seek to build upon them.

Our goal is to bring into being here in the United States not a handout state or even a welfare state, but a state of opportunity.

We seek to give effect to the "great law of culture" which the great English thinker Thomas Carlyle laid down:

"Let each become all that he was created capable of becoming."

To achieve this goal, it is not enough that each American child have the fullest opportunity to develop his talents. *He must also be able to put them to full use.*

That is why we are seeking to open all the doors closed against those of the wrong skin color, religion, or last name.

That is why our economic policies are geared to vigorous, sustained economic growth, and to the creation of steadily expanding opportunities for employment and promotion.

That is why we energetically promote scientific and technological innovation, and their prompt application throughout our economy.

That is why we have launched the war against poverty, and are determined to press it forward to ultimate victory.

That is why we are working for an America worthy of its people—its water fresh and wholesome . . . its air clear and free of pollution . . . its cities fit and safe places in which to live . . . its open spaces refreshing to the spirit.

Moreover, our vision of the Great Society does not stop at the water's edge.

The ideal of Roman education was a sound mind in a sound body.

We have set our sights higher.

We seek a sound America able to help build a sound world.

And we have chosen education as the best means to achieve it.

As President Johnson said in his message to Congress on international education earlier this year:

"Education lies at the heart of every nation's hopes and purposes. It must be at the heart of our international relations."

We look forward to a world in which, in the words of the prophet Isaiah:

"Nation shall not lift up sword against nation, nor shall they learn war any more."

The road to that kind of world may be long and hard. But we know, as Thomas Jefferson said, that man cannot be both ignorant and free.

The road to freedom begins in the classroom—here and everywhere on earth.

Finally, a personal word.

Education was no plentiful commodity when many of us grew up.

The tale has been told many times of how President Johnson—and myself, too, for that matter—dropped out of school to work, then later to return, and then to teach.

We got our college degrees—far later than many young people today. But we finally got them. And because of that, the path lay open to a world ahead. It was a hard world, true, but it was ours to enter.

How many millions of American men and women, for a million heartbreaking reasons, did not have that opportunity?

How many millions of talents today lie unused, or woefully underused, because:

There was no money.

There was no encouragement.

There was no hope, back at the crossroads of life.

Today America stands as the most rich and powerful nation in the history of the earth.

There is no depression. There are no breadlines. There are no wind storms grinding American dreams to dust.

Can we, in our wealth and power, afford the waste of a single American child?

Can we find any reason for less than excellence of education and fullness of opportunity for *all*—yes, my friends, *especially* for the children of those left standing behind before?

There is no reason to find.

We have made our national commitment. We intend to keep it.

ANTONIO A. MICOCCI, ADVISER TO THE CUBAN REFUGEE PROGRAM

Mr. KENNEDY of Massachusetts. Mr. President, on Friday night, Mr. Antonio A. Micocci, adviser to the Cuban refugee program, passed away suddenly in Philadelphia. He was attending the 40th reunion of his class at the University of Pennsylvania.

Mr. Micocci was born in Rome and came to the United States as a child. In the years which followed, he provided a great example of the sturdy character, industriousness, and devotion to freedom which the immigrants have traditionally brought to this country.

At the University of Pennsylvania he earned the bachelor's and master's degrees, and was elected to Phi Beta Kappa. He pursued additional studies at the University of Genoble, the American Academy in Rome, Columbia, and Catholic University. For many years he was a teacher of Latin in Philadelphia. Later he became associated with several Government agencies. He was best known to Members of Congress for his keen interest in just immigration policies and the plight of refugees throughout the world.

In the early 1950's he served as Deputy Administrator of the refugee relief program, and, in 1961, when President Kennedy established the Cuban refugee program in the Department of Health, Education, and Welfare, he was appointed adviser to the program. He served in that capacity until his death, and made important contributions to the welfare of the Cuban refugees who sought asylum on our shores.

As chairman of the Senate Judiciary Subcommittee on Refugees and Escapees, I know his efforts well, and on behalf of the subcommittee I want to extend my deep sympathy to the members of his family, especially to Mrs. Micocci and his children.

Our country has lost a good and compassionate man. The refugees have lost a true friend.

UNITED STATES SHOULD STOP BEARING INORDINATE SHARE OF NATO BURDEN

Mr. RANDOLPH. Mr. President, in 1962, I attended a North Atlantic Treaty Organization parliamentary conference as a representative of the U.S. Senate. After studying statistics available on the subject of financial and manpower participation by member countries in NATO, I expressed the opinion at that conference in Paris, France, that the United States was carrying an inordinate burden. And I declared unequivocally that European member nations were not contributing a fair share toward meeting costs and were not making equitable commitments of manpower to the NATO defense structure.

Now—4 years later—I am even more positive in that view, and the recent declarations and demands of President Charles de Gaulle of France accentuate the validity of my position. The President of France would pull all French military forces out of the integrated NATO structure and would ban all non-French troops and military service elements from France unless they are brought under unilateral French command. These threats and demands have not been brought to the action point, but they hang over NATO as an ominous cloud. Likewise, they make tenuous the nature and degree of U.S. future participation in NATO and in the "primary defenses" of Western Europe.

I would not presume to make NATO policy. I believe in NATO and I will support it as long as it remains an effective and unified organization of North Atlantic Treaty states with each making equitable contributions. If, however, NATO is to be subjected to fragmentation of the nature President de Gaulle would bring about, then I see the need for penetrating reappraisals of the U.S. position and commitment.

Without France participating as a full partner and active member, and without France being a base and hub of NATO activity, I feel that there is considerable validity in a U.S. position which would recognize the necessity of the countries of Western Europe taking over their own primary defenses. A consequence of this could be a very substantial reduction in the U.S. troop and military service force presence in Western Europe.

I assume this position because, in the first place, the countries of Western Europe which are members of NATO have long since recovered from the low physical and economic conditions into which the ravages of World War II plunged them. For the most part, they have been rehabilitated. Each Western European state should, therefore, carry its proper and equitable share of the burdens, both financial and manpower—and this does not except France.

Furthermore, as Senator Stuart Symington recently wrote in a penetrating report to the chairmen of the Senate Committees on Armed Services and Foreign Relations, inasmuch as General de Gaulle is rigid in his determination to get rid of all American and other non-French units on French soil as soon as possible, NATO can take its forum for discussions into the Low Countries. But that would be an ineffective alternative. I agree with the distinguished senior Senator from Missouri that without any French terrain or French support, it will not be possible to establish a joint military defense structure comparable with NATO's military arm—SHAPE. The withdrawal of French planes and pilots from NATO, plus other unilateral actions on the part of France, already seriously reduce the strength of that NATO military arm.

Without French active participation and without substantially more assistance from the other countries of NATO which have an even greater stake in the ultimate outcome than does the United States, I do not see how we can continue in the future—and I do not see why we should in the future—maintain ground troop strength in NATO to the extent that we have done in the past. The sooner the United States frankly faces these facts with the countries of Western Europe, the better for all concerned.

There must be a realization that we are becoming overcommitted, especially in view of the difficult and heavy responsibilities we have in combating Communist aggression with too little allied assistance in southeast Asia.

Mr. President, I commend Secretary of Defense Robert S. McNamara for having declared in his speech last week to the American Society of Newspaper Editors in Montreal, Canada:

> The American people are not going to shirk their obligation in any part of the world, but they clearly cannot be expected to bear a disproportionate share of the common burden indefinitely.

In a significant commentary, "McNamara Puts NATO on Notice," on the editorial page of the Washington Evening Star, May 24, 1966, Richard Fryklund wrote that Defense Secretary McNamara was giving "final notice" to NATO in that speech.

Secretary McNamara, he said, stressed that the United States has been spending a greater part of its gross national product on defense than any other major free world nation—even without Vietnam, and the writer singled out this additional passage in the Defense Secretary's Montreal speech:

> We have, over the last few years, as many men in uniform as all of the nations of Western Europe combined—even though they have a population half again greater than our own.

Mr. President, Richard Fryklund's column is a sobering analysis of the subject under discussion and I ask unanimous consent to have it printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Evening Star, May 24, 1966]

Washington Closeup—McNamara Puts NATO on Notice

(By Richard Fryklund)

The other countries of NATO have been put on firm notice by Secretary of Defense Robert S. McNamara that the United States will no longer carry an unfair share of the burden of European defense.

The larger and richer allies in particular will increase their defense spending—or else.

As far as McNamara is concerned, the final notice was given in his Montreal speech last week. In one sentence that was overlooked by most of the reporters and probably ignored by any allied official who may have read the text, McNamara said:

"The American people are not going to shirk their obligation in any part of the world, but they clearly cannot be expected to bear a disproportionate share of the common burden indefinitely."

He pointed out that the United States has been spending a greater part of its gross national product on defense than any other major freeworld nation—even without Viet Nam.

"And we have, over the last few years, as many men in uniform as all of the nations of Western Europe combined—even though they have a population half again greater than our own."

McNamara was being polite with the NATO allies, or he would have added:

We have a real war on, and we also have a war against poverty that is fully as important to us as your own welfare programs are to you. But, you are not helping to any real extent in Southeast Asia, even though the problem there is a mutual one, and you are increasing your welfare programs at the expense of our common defense.

McNamara has prodded the allies before and during NATO meetings, and the other defense ministers have squirmed and shrugged and waited for the lecture to end. He assumes that they will try to shrug this one off, too.

But they can't. Time has run out. The public and Congress will no longer run up a massive dollar deficit to maintain a larger force in Europe than is fighting in Southeast Asia—unless the Europeans, who are the primary beneficiaries of the American insurance policy, pay their share of the premiums.

But even if the public and Congress are not as outraged as McNamara thinks they should be, McNamara is. So is the President.

Therefore, if the allies ignore this final warning, they will get the "or else," gentlemanly but ominously.

McNamara's present intention is to sit down with representatives of the allies and say that since they are not raising their defense budgets the United States is reviewing its own obligations to NATO to see if they can be fulfilled on the cheap.

Today, in McNamara's view, the United States goes first class. It spares no money or men to give Central Europe the best possible force, indeed, on the scene.

No other NATO country does this. The West Germans have made the next-best contribution, but theirs is an undermanned, undertrained and underequipped force with poor reserves and skimpy support facilities.

Other countries do worse.

The United States spends almost 8 percent of its gross national product on defense; the allies average about half that, and their percentages are going down (with the exception of Britain and Norway, who can claim some temporary special expenditures, which right now are keeping their percentages level).

The result is that the first-class American divisions on the Iron Curtain are flanked by economy-class allies.

It may be that the allies can convince McNamara that economy class is sufficient. If so, the United States will save billions of dollars by going economy, too.

But if the allies do not believe this, and if they really are good friends, worth helping in a community effort, then they will raise their own budgets until their defense spending stays at least level as a percentage of their expanding gross national products.

The allies will no doubt protest that they do not have America's economic fat and that it is tough enough just to meet welfare payments.

McNamara will reply that West Germany, Britain, France and Italy are fully able to make major sacrifices for the Atlantic Community and that rich smaller countries like Belgium, the Netherlands and Canada can contribute substantially more.

West Germany will get the most McNamara pressure. The German government has pledged to buy arms and services in the United States to the same value as the gold-dollar drain created by the American divisions stationed in Germany.

She is falling behind her biennial pledge, however, by almost half—about $600 million—and is looking for a way out.

But she will fulfill her pledge, McNamara said. That's all there is to it. She will ante up no matter how tight the squeeze.

So will the other allies.

This, McNamara insists, is his final notice.

CHINA: THE CONTINUATION OF AN HISTORICAL TRADITION

Mr. CHURCH. Mr. President, our preoccupation with China as a Communist power often leads us to overlook the continuity of Chinese society and politics. O. Edmund Clubb referred to the Chinese Communists as "more Chinese than Communist." The continuity of Chinese society is also the burden of an article by Prof. C. P. FitzGerald, entitled "Peking: The Past Clings," which appeared in the April 27 edition of the Christian Science Monitor. After emphasizing the continuing heritage from its imperial past, Professor FitzGerald concludes that "a policy of denying China its proper place as a great power can lead only to frustration by a long, inconclusive struggle."

I ask unanimous consent that this article be printed in its entirety in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Peking: The Past Clings

(The Communist China of today is not wholly a new China. National interests and national characteristics remain almost the same as before 1949. In this, the first of 10 pages on 'The China giant,' the roots of China's past are examined in relation to the fruits borne in the shade of the Peking regime.)

(By C. P. FitzGerald)

Historians have always known, and the general public now increasingly understands, that revolutions do not wholly destroy the historical continuity of a society, even when they bring about the most sweeping social changes.

National interests remain, and soon reappear, almost identical with those pursued by the prerevolutionary regime. National characteristics are not eliminated with the fall from power of a ruling class which very often shared these characteristics to a much lesser extent than the mass of the nation.

So it has been in China since, nearly 20 years ago, the Chinese Communist Party came to power.

The historical factors which still exert great influence on the development of Chinese society can be considered from two aspects: those that affect internal conditions, and those that mold foreign policy.

China has never been governed by democratic institutions. The empire was as autocratic and authoritarian as the limitations of preindustrial society permitted. The republican revolutionary regimes which followed never succeeded in their early endeavors to establish democracy and in later periods virtually abandoned even the aspiration to do so. Kuomintang Party rule in the pre-Communist decades emerged as a substitute for the monarchy—sharing many of the vices of—but without the prestige or stability of—the old order.

The rule of the Communist Party today thus carries on a tradition already established, but its exercise of this power is more effective and far-reaching than that of the emperors or the Kuomintang ever was. The Communist Party is above all, and within it, the Central Committee holds an unchallenged authority.

MAO'S PRESTIGE

It may be that the personal prestige of Mao Tse-tung confers upon him an authority which his successor will not inherit. But the practical working operation of the Communist Party rule for these past 17 years has undoubtedly been distinctly personal, and far from unfamiliar to the student of Chinese history.

The trappings of imperial power have been laid aside. The palaces are museums. There is no court, no ceremonies. No gorgeous robes are now worn by the rulers of China. But the hard realities have changed much less.

China today is governed by what can be considered from one angle as a modern version of the former imperial system. Once more the ruling class, the Communist Party, is educated in a special orthodox doctrine peculiar to China—the form of Marxism-Leninism enriched by the thought of Mao Tse-tung. No one who has not studied this doctrine can be admitted to the ruling party.

As before, but much more genuinely than in imperial times, the new ruling class is open to all who can pass its stiff admission tests, which are intellectual, not economic or hereditary. This was also the ideal of the imperial civil service, vitiated in practice by the fact that only the wealthy could afford to give their sons the long, expensive education needed to pass the public examinations.

Education in Communist China is free from primary school to university. On the other hand, it is highly selective. Only the brilliant student can reach the university. China thus recruits its governing class by a system similar in purpose, if modernized in practice, to the system of the imperial civil service. Representative institutions, with the right to form opposition parties, do not exist. One may vote for the Communist Party or its endorsed allied candidates. No others run.

LEGAL PENALTIES ABSENT

Old China had no legal system as the West has evolved it. Law was criminal law, upheld by harsh penalties. There was no defense counsel, only the magistrate who was both prosecutor and judge, and also, if humane and intelligent, could be defender of the innocent.

Civil law was customarily outside the sphere of government, administered by guilds, family elders, village headmen, depending on whether the dispute concerned commercial contracts and deals, inheritance and family relationships, or land and water rights. In all these matters the government was not interested. Arbitration and persuasion were the instruments of this civil law. Legal penalties were absent.

Therefore there was no legal profession, and for the same reason, no guarantees of personal liberty, habeas corpus, or constitutional rights. Opposition to the imperial government was treason, punished not only by the death of the chief offender, but by the ruin of all his family also.

In contemporary China there is also no established system or code of civil law. Counterrevolution, the equivalent of treason against the Emperor, is punished, often less harshly, by periods of long imprisonment during which the prisoner is led to change his thought, to admit his errors, and to seek by prolonged study of Marxism-Leninism to achieve moral regeneration.

Civil laws is administered by People's Courts, which act essentially as arbitrators between the aggrieved parties, admit no legal counsel, but give decisions based on equity, the spirit of the new society, revolutionary ideals, and other unwritten but widely understood criteria.

CONTINUITY TRACED

There is here, also, a definite continuity under changed forms in more modern guise of the practices which prevailed in earlier Chinese history. The power of guilds, elders, and headmen has been replaced by that of the People's Courts. But the operation of the new system continues to run along the same lines as the old one.

In spite of rapid industrial progress and development, China is still a predominantly agrarian society, the main change affected by the revolution being the abolition of private landed property and the substitution of collective ownership in cooperative farms grouped in communes.

In this radical reshaping of the Chinese land tenure system, and in the local government also, there is little link with the past. It could perhaps be said that forms of cooperation in agricultural work were well known and much practiced between villagers of the same clan, or greater family, especially in southern China. But these customs have little in common with the cooperative farms of the present time, except the general idea of sharing a common task.

What remains common to the new China and the old is the overriding importance of good weather, provisions against flood and drought, and the organization of relief when natural calamities occur.

In its relations wtih foreign countries, much must of necessity remain unchanged. China, whether Communist or imperial, has a long northern land frontier, and a long eastern sea coast. From these two directions all previous dangers have come, either in the form of the nomad invasions of Mongols and others, or the incursions of the seaborne foreigners, European and Japanese.

Defense of the frontier and the coast is still the underlying problem of Chinese foreign relations. Differences with the Soviet Union once more underline the the risks of invasion from the north. The continuing quarrel with the United States is, in Chinese eyes, a new form of the danger so long faced from Japan.

It is an unfortunate fact that the Chinese people, and their rulers, remain unconvinced that the purpose of American military power in the Far East is only to contain, and not to constrain China.

CONTINUING HERITAGE

Chinese aspirations to exercise predominant influence in the countries of Southeast Asia are another continuing heritage from the imperial past. Then all these countries—Vietnam, Laos, Thailand, Cambodia, and Burma—were tributary to China. It was a vague and light burden, implying little except recognition of the supremacy of the Chinese Emperor and an obligation not to assist his enemies.

In modern form this old policy reappears as a Chinese determination to eliminate alien influence from the region, and to secure in these countries—governments either neutralist or Communist—which will be amenable to China's influence and exclude that of hostile powers.

There is very little in Chinese policy toward these countries which would differ from the policy of any other Chinese regime, non-Communist or imperial, if it had grown strong enough to carry it out.

What is new in Chinese foreign policy is the much greater involvement with more distant countries, which in later imperial times and the republic that followed were mainly of interest to China as potential aggressors or possible counterchecks to such aggressors. Today China concerns itself with the affairs of Europe and Africa, even of South America, for different purposes.

ARGUMENTS ADVANCED

It can be argued how far China's interest in revolutionary movements in distant countries is designed to involve its chief antagonist, the United States, in new troubles, and how far motivated by pure revolutionary zeal. Or again, by the desire to capture the leadership of the Communist world from a Soviet Union which it sees as laggard in the task of leadership.

The continuing factor in Chinese policy is the deep concern, bred of a century of weakness, for the security of the state seen as "menaced by hostile imperialist powers" and "betrayed" by a lukewarm ally, the Soviet Union.

The internal forces of continuity are not likely to undergo drastic reduction in the near future. There is no basis for a democratic state in the Western sense, and none is likely to emerge.

But there are profound social changes taking place in China. The transformation of an agrarian economy with a very weak industrial sector to an advanced modern economy must also transform the outlook of the people and the ruling class.

Economic and social change, the rising standard of living, the spread of technology, the general modernization of the Chinese society, may in time modify political, legal, and theoretical aspects of the regime. It would seem that the present senior leadership is concerned with the possible effect of these forces and seeks to keep revolutionary zeal at a high pitch, lest the Chinese society slide slowly (as they see it) down the path already taken by the Soviets.

AUTHORITARIAN HUE

Outwardly, at least, the Chinese state system will continue for many years to be authoritarian, and in that sense, traditional. Beneath this surface the pressures of a new age and a new generation of technically educated people will produce modifications of outlook and attitude which cannot now be forecast.

The problem of China's place in the world is, for the rest of us, rather more pressing and important than the nature of the Chinese society and its future. It can be said that three possibilities may be tried, or have been tried.

It is clearly no longer possible to return to the position of the 19th and early 20th centuries when China was weak, subject to the attacks and intrusions of stronger nations, and had a role of, at best, passive defense. China now aspires to integrate the Communist world under its own leadership and interpretation of Marxism and, if possible, to extend this doctrine and leadership to the underdeveloped world as well.

In view of the opposition this policy encounters, not only from the Soviet Union, but also from a substantial part of the underdeveloped world, it is unlikely to succeed.

On the other hand, the policy so far followed by the Western nations—one of ostracism and an attempt to isolate China—is considered by Peking a new form of the 19th-century policy of seeking concessions, colonies, and basis. This time they are outside rather than within the Chinese frontiers. But they have a similar purpose—to contain China and, in Chinese eyes, to deny it its legitimate sphere of interest.

OBJECTIVES WITHIN REACH

It would therefore seem probable that China will before long be compelled to realize that its aspiration to lead the Communist world is unacceptable to the majority of the Communist nations. Under such circumstances, China's chances of leading a world revolutionary movement in the underdeveloped countries would be much reduced.

Peking will therefore concentrate on objectives more easily attained, such as the restoration of its own former position of preponderance in Southeast Asia, especially continental Southeast Asia.

This objective is still strongly opposed by the United States. Yet the reason for this opposition, the fear that "communism" will spread throughout Asia and beyond is, in my opinion, clearly outdated by the evidence that communism is no longer (if it ever was) a monolith. And others, Communists included, are opposed to far-reaching Chinese ambitions.

If China will find it impossible to realize its own dreams, it is also clear that a policy of denying China its proper place as a great power can lead only to frustration by a long, inconclusive struggle.

Note.—The author: Prof. C. P. FitzGerald, an internationally known historian, is professor of Far Eastern history at Australian National University, Canberra. He lived in China in 1946–50 and revisited there in 1956 and 1958. Among his books are "China: A Short Cultural History," and the forthcoming "A Concise History of East Asia."

A GREAT LEGISLATIVE RECORD IN BEHALF OF EDUCATION—BOTH IN WASHINGTON AND IN ALASKA

Mr. GRUENING. Mr. President, as one who has long believed and publicly stated that in our free society "democracy and education are one and inseparable," the performance of President Johnson and the 1st session of the 89th Congress which enacted the most comprehensive educational program in our history, deserves the utmost praise and applause.

The Elementary and Secondary Education Act of 1965 was truly a landmark in the history of education in the United States. Among other things, it reaffirmed the Federal Government's responsibility to our Nation's schools by a ringing consensus of the Congress, it recognized that an educated populace is not only in the national interest, but may be the final determinant for our survival as a nation, and most important of all, the act provides the means by which the "poor" school districts in this country can provide quality school programs so that equality of educational opportunity can become a reality.

In recognizing the Federal responsibility to our Nation's schools, the act by no means absolved the traditional State responsibilities to provide schools for the youth of this Nation. I am pleased and proud to report that the Fourth Alaska State Legislature, which has recently concluded its session, has a correspondingly comprehensive and effective record in the field of education.

Unlike most States, Alaska has been denied the orderly transitional growth of its school system. Upon achieving statehood, we inherited a school system, or I should say systems, that had to a degree been imposed upon us over the Territorial years by a series of events over which Alaska had little, if any, control. For the most part, these school systems were devised to meet the exigencies of the times. Out of the often chaotic and frenzied rush to provide schools as events dictated, we now have order. Alaska is not only meeting its educational responsibilities, it has gone beyond them, and is making every effort to provide a quality education for all of its youth.

Few legislatures have been as reponsive to educational needs as has Alaska's, and few legislatures are fortunate enough to be blessed with committees so devoted to a cause. Much of the legislative responsiveness has been a direct result of the able and dynamic leadership of Alaska State Senator N. J. "Nick" Begich, himself a teacher, whose efforts in improving our educational system have been untiring.

When I was Governor of Alaska, I urged teacher pay increases and these were granted by each and every legislature that met. This practice has been carried on by the Democratic legislatures since Alaska became a State and I hope that the tradition and practice thus established will continue. Our teachers' salaries are now the highest in the Nation, and we have quality teachers and teaching as a direct result. We Alaskans are proud of that fact. It demonstrates that we fully understand and appreciate the value of the teacher in our free society, of the men and women to whom we entrust the training of our future citizens.

The Fourth Alaska State Legislature can properly be compared with the 1st session of the 89th Congress, which President Johnson called the "Education Congress." Educational measures enacted in Alaska included a substantial pay increase for teachers, significant changes in the Teacher Retirement Act—making it one of the best in the Nation—revision of the school bus transportation laws which were enacted at my urging when I was Governor, a kindergarten bill which Senator Begich authored and had introduced in three previous sessions, mandatory provisions for special education programs in every area of the State, a provision that will allow cooperative arrangements for special education between school districts, provision of State funds to allow children with special disabilities to be sent to rehabilitation centers in other States, and transportation reimbursements for special education for children when school bus regulations preclude this service.

Higher education received its appropriate share of attention also. The legislature approved a $16 million bonding issue that when aproved by the voters will provide facilities for community colleges at Anchorage and southeastern Alaska and expansion of facilities at the University of Alaska.

The Alaska House and Senate committees also worked arduously and diligently in recodifying the entire school law, making many excellent changes. The new code will allow teachers greater voice in the certification requirements, will double the number of teachers participating in sabbatical leave, makes provision for selection of textbooks by the school districts, and guarantees teachers the right to offer constructive criticism of a school system.

The legislature appropriated over 50 percent of the State budget for education. On a per capita basis, Alaska ranks first in the Nation in expenditures for public education—in this, we can be justifiably proud. I congratulate the fourth State legislature, its committees and individuals who so responsibly persisted in their efforts, for its splendid accomplishments in moving education forward in Alaska—a land that is most noted for its richness in natural resources but which considers as its most important natural resource its school age youth.

These fine legislative achievements enacted at both the Federal and State levels should be conclusive proof that Federal assistance need not interfere with the administration of the public schools in the several States—these advances are mutually compatible. We have taken a great stride forward, yet much remains to be done. The promises of full equality of educational opportunity and the promises of high-quality education are as yet only promises. These ideals must be fulfilled. If the Federal-State partnership in education continues its cooperative efforts, as demonstrated by the Congress and the Alaska Legislature, we will succeed.

As Francis Keppel, formerly dean of the Harvard Graduate School of Education, U.S. Commissioner of Education, and Assistant Secretary of Health and Welfare, has said in his recent book, "The Necessary Revolution in American Education,"—which by the way is an excellent book:

> American education, that great engine of the Democracy, does not drive itself. It must be guided, not by one but by many, into a future of incalculable promises.

COAL AND CONSERVATION

Mr. BYRD of West Virginia. Mr. President, on May 10, Representative John P. Saylor, of Pennsylvania, delivered an address to the American Mining Congress coal convention at Pittsburgh, Pa., which is indeed thought provoking in its content. I believe that his remarks are worthy of wider circulation.

I, therefore, ask unanimous consent that his address, "Coal and Conservation," be printed in the Record at this point.

There being no objection, the address was ordered to be printed in the Record, as follows:

Coal and Conservation

(By Representative John P. Saylor, of Pennsylvania, at the American Mining Congress Coal Convention, Pittsburgh, Pa., May 10, 1966)

There was a time when it might have been considered foolhardy for a notorious conservationist to appear on a coal convention program between one session on surface mining and another on water and air pollution.

Senator Robert C. Byrd of West Virginia, your luncheon speaker yesterday, referred to me as the father of coal research. Bob Byrd voted for my coal research bill when he was a Member of the House, and he supported the final version when it received Senate approval and became law shortly thereafter. As a member of the Senate Appropriations Committee, he has played a vital role in obtaining the funds necessarv to carry on the work of the Office of Coal Research.

Thus far no one has accused me of being the father of federal strip mining legislation, but I hereby confess to the dubious honor. Actually, my good friend and neighbor Dr. Morgan, who represents Pennsylvania's 26th District, introduced a similar bill on the some day of February 1959, so I suppose he should be labeled a co-conspirator.

I got a raft of complaints from coal industry people about my bill, yet the opposition was not by any means unanimous. Some operators have for a long time felt that legislation would help to keep the industry honest and in balance. Why should the whole industry be crucified by fly-by-night operators who are in the business only for the fast buck that they can get out of the ground without making any attempt to redeem the soil they desecrate?

Every company has an obligation to its stockholders to show profits large enough to justify their investments. There is also an obligation to pay just wages and to provide safe and salutary working conditions, with the compensatory duty on labor to act in the best interests of the employer. And there is an obligation to the general public which in the case of strip mining includes the kind of reclamation programs that responsible companies long ago undertook voluntarily in the absence of federal or state law.

I have seen unproductive land in Western Pennsylvania transformed into beautiful forests. I have seen barren stretches in Ohio become lakes and parks and bird sanctuaries. In Illinois and Indiana, places that in their native state were so sorry it seemed the Lord had just overlooked them in his wondrous work of beautifying the landscape * * * places where flora couldn't grow and fauna wouldn't be interested in coming out for it if it did; today some of those places are grazing lands and farm sites because surface mine operators went out and overturned the land to get the coal, then put their shovels and dozers to work making those strip pits attractive and productive terrain.

But there were also hit-and-miss operators with no interest in anything but extracting the coal without turning a hand—or a shovel—to replace the land. Because they left so much of our countryside a peril to life and limb and a disgrace to the sensitive eye, I have been convinced that the Secretary of the Interior should make a survey of the scarred lands. That survey was the purpose of the bill I introduced six years ago. Today that survey is being conducted under the Appalachia Development Act, which also contains my provision for sharing with states the expenses of reclaiming stripped land in the public domain.

I hope that all elements of the mining industry are cooperating with state and county officials in order that mining regions will obtain maximum benefit from this legislation. Regardless of who scarred the land and then abandoned it, the blight reflects upon the entire mining industry and does not exculpate the guiltless. The unsightly surroundings are perfect settings for horror stories that have been appearing in magazines and newspapers, which in turn are converted into foils by politicians seeking to carve their careers on popular issues regardless of the soundness of their position. Some of the states have threatened, and in fact enacted, such strict laws that a few coal men have wondered aloud how Uncle Sam might work out something less obnoxious to be applied nationally.

My information is that the Department of the Interior is drawing up a stripping bill that would in practice have nation-wide application, though presumably only *recommending* standards. The gimmick is that, when any federal funds are involved, the state conforms or else. I do not know what provisions the bill will contain. My own theory is that we are gaining ground in most of the states and that we should wait for the results of the Appalachian survey before making any hasty or drastic laws that might unnecessarily handicap the surface mining industry. It is a basic component of the economy of many of our mining regions and, as I have said, its *responsible* operating companies have injected new life into many drab countrysides.

There has also been developed such a rash of recommendations on the water pollution problem that your Mr. Kegel and his colleagues are going to be around the hotel for a long time if they expect to get through very many of them at this afternoon's session. America—the federal government, the states, communities, industries—everyone waited too long to tackle the water supply problem. We are at last making some headway, and I congratulate progressive mining companies which have put such diligent effort into *their* part of the job. Several weeks ago I took the House floor to explain the remarkable progress that has come about on the Ohio and its tributaries through the work of ORSANCO, much of whose leadership has come from coal people.

The coal industry became a culprit in the water pollution problem in the most inoffensive manner. Time was when acid mine drainage seeped into our streams and got lost in the fresh water without anyone's knowing the difference. But add industrial waste and local sewage and suddenly everyone finds himself a partner in crime. The coal industry was one of the first to realize the awful consequences of the jump in population and industrial activity from the standpoint of water supply, and coal has been backing research in this area for many years.

I was pleased at the recent announcement that steel companies have contributed another 30 thousand dollars for the study of acid mine drainage in the State of Pennsylvania's coal research program. Several years ago I arranged for my old friend Beecher Charmbury to go down to Cuba with a team of technicians to make a study of the Navy's Guantanamo desalting plant on the theory that it might become a model for coal-fired plants to make fresh water out of brackish water in our part of the country. Research is proceeding on this project, which is just one of the myriad desalination experimentations taking place in the United States and elsewhere in the world.

Before leaving this subject let me suggest that everyone in this audience should try to familiarize himself as far as possible with the federal government's many water pollution control programs and the various funds that are available for research and for community sewage facilities. Whether or not you like the idea of going to Washington for money, you might find ways to have your university or your industrial research laboratories put some of it to good use, and you might be able to suggest beneficial projects to your community officials.

There is also a lot of federal money going into research on air pollution control. I believe that Jim Garvey is getting some of it for his Bituminous Coal Research laboratory. Jim took me around that science plant last year, and I want to say that no coal man should leave Pittsburgh without visiting there. BCR's appropriation is through the Office of Coal Research, but what OCR has is peanuts compared with funds that have been appropriated to the air pollution control activities of the Department of Health, Education, and Welfare.

Parenthetically I should like to point out that OCR's operations are a real source of satisfaction to me. When my bill to create OCR was passed and signed into law, I envisioned long, hard struggles in search of breakthroughs that would give coal a more conspicuous place on the energy scene. I frankly did not anticipate such encouraging signs so early in OCR's history. George Fumich is to be congratulated on the progress that he has stimulated on a very limited and very frugal budget. I considered it a personal responsibility to ask the House Appropriations Committee to give Mr. Fumich his full budgetary request for the coming fiscal year and to allow him whatever leeway he might request for any reprogramming he may feel necessary. I likewise defended the Bureau of Mines appropriations requests, for I can assure you that the Bureau has some of the government's most dedicated workers and is an invaluable ally of a thriving coal industry.

But let's get back to Health, Education, and Welfare, which has become so big that it's an easy place to get lost. HEW has some responsible and efficient employees, but it also has ambitious bureaucrats who don't know * * * and seemingly don't care * * * where they are leading us. The coal industry has been one of the major targets. You have heard about the idiotic restrictions that HEW, through Public Health Service, has attempted to impose on fuel use in new federal facilities. While the effects might reflect significant tonnage at first, there is no question but that the next step would be to extend the regulation to *all* government buildings and installations. What is worse, the standards would come to be accepted as models for municipalities and coal would come to be known as the obsolete fuel.

There is no question about where I stand on conservation. My philosophy is that a company does not belong in business if it does not have the inclination and/or the capability of reclaiming the land it strips, or if it does not conform to standards of decency and public responsibility with respect to contamination of the atmosphere. I might even name you a coal company or two violating this concept for the sake of profit. But industry in general has made remarkable strides in reducing air pollution, and I object to the person who rides on the public payroll and attempts to inflict ridiculous, impractical, uneconomic, and unneeded policies on *any* industry * * * whether it be coal, electric utilities, corn milling, or cranberry canning.

Let me tell you what is happening up at the Conemaugh station in my district. A few weeks ago the utilities building that plant announced that electrostatic precipitators costing $3,800,000 will be installed. The precipitators are engineered to trap 99.5 per cent of the fly ash and soot before they enter stacks. Now you cannot expect a plant built before the war to have equipment of this efficiency any more than you expect nuclear power on the U.S.S. Missouri. Sometimes modern devices can be built into old machinery and old boilers, but cost, practicability, and necessity are factors that must always be taken into consideration.

The coal industry is faced with some very unrealistic proposals in the air pollution sector. I caution you to watch closely at the federal, state, and community levels. I urge all related industries to work as closely together as possible in enlisting the aid of every person whose livelihood is in any way connected with the products of your own efforts.

Getting coal and the utilities to work together on the atomic energy issue is something else again! If we can generate electricity in nuclear reactors without government subsidization, I cannot object. But we are going to have to repeal the Price-Anderson law before we have free competition in this area.

The unfair competitive aspect is not the only reason for my objection to Price-Anderson. I consider it a decidedly unfair imposition on the general public. On the one hand you have a government edict stating that the liability of the operator of an atomic generating station is so limited that residents of a community could conceivably receive only a fraction of the amount of damages suffered in the event of a runaway at the reactor; in the other hand you hold your house insurance policy and find that there is an exclusion clause preventing you from collecting a single dime if your home is made uninhabitable from radioactive fallout. The whole theory is indefensible.

Price-Anderson furthermore has the effect of pushing the atomic power too fast, in my opinion. I would prefer to have atomic plants planned in a more orderly manner, with more experience to test their safety and reliability. So long as operators have only limited liability, they are planning them at a pace out of proportion to their need. We have all the fossil fuels necessary to take care of our energy requirements in the foreseeable future. Why not give the atom plants a better chance to prove themselves? If so many go on the line that a substantial part of total generating capacity is atomic, what happens if one should break down and spew its pollution into the atmosphere? In all likelihood there would be a demand for shutting down all the others until the cause of the trouble were discovered, and we could have a power termination that would make last Fall's Northeastern blackout look like the Great White Way on New Year's Eve.

I furthermore question the unnatural advancement (unnatural because of the government subsidy involved) of atomic power in the face of last week's report on uranium reserves by the Joint Committee on Atomic Energy. According to the report, uranium reserves still unmined represent less than half the amount already acquired by AEC. If we expect our nuclear Navy to be assured of fuel supply over the long range, it would seem reasonable to slow down the whole reactor program pending a thorough review of the uranium reserve picture.

Just one more item, and then we can allow the remainder of the program to continue. I believe that coal elements of the Mining Congress should be warned that there is a move afoot to repeal Section 202 of the Mineral Leasing Act. Such action would permit railroads, with their enormous coal reserves on land-grant acreage, to compete directly with commercial producers. A bill—S. 3070—to repeal Section 202 is certain to pass the Senate, so you should be prepared to take whatever steps are necessary to stop it in the House.

Bob Hall of National Coal has written to our Interior and Insular Affairs Committee pointing out that the Union Pacific Railroad alone owns 10 billion tons of recoverable coal in Wyoming and would have a tremendous advantage competing with producers whose reserves are on public lands and who would have to pay royalties to the government for every ton mined. In addition, commercial producers are required to maintain expensive operating conditions in connection with their government leases. I personally hope that the bill will never get a hearing in our House committee.

I am grateful to you, Al Overton, for giving this opportunity to a conservationist to meet with your people. You too are conservationists. You make available for use of the general public one of our most vital natural resources. You—except for the bad guys in the industry—have reclaimed useless land and converted it into farming regions, forests, preserves, and recreational sites.

Yet your opportunities in the conservation movement are greater than ever before. With each year the nation needs more areas far removed from the trials and troubles of city life, places where a man can take his family to enjoy the Nature that God must surely have wanted us to feel * * * and inhale * * * and appreciate, for he made so much of it. But human beings, perhaps unknowingly, have destroyed more than we can afford to lose, and you can help us to retrieve some of it. Thank you.

WALTER J. TUOHY EULOGIZED

Mr. BYRD of West Virginia. Mr. President, the recent death of Mr. Walter J. Tuohy, chief executive officer of the combined Baltimore & Ohio and Chesapeake & Ohio Railroads, is deeply regretted by the multitude of persons who have known him during the many productive years of his life. I wish to add my own tribute to the eulogies which have been expressed in the various areas of our Nation where his labors have taken him.

He is well remembered in my own State of West Virginia for his executive abilities, which have been utilized in a manner which has been constructive in helping to resolve some of West Virginia's industrial problems, stemming from coal production and transportation changes. The depth of his motivation to make the rail industry serve more effectively in promoting the welfare of our Nation's economy is truly deserving of recognition and remembrance.

A newspaper editorial in the May 24 edition of the Fairmont Times, Fairmont, W. Va., entitled "A Man of Vision," commented on his constructive efforts toward revitalizing coal industrial development.

I ask unanimous consent that this newspaper editorial be printed in the Record at this point.

There being no objection, the newspaper item was ordered to be printed in the Record, as follows:

A Man of Vision

The recent death of Walter Joseph Tuohy, chief executive officer of the combined Chesapeake & Ohio and Baltimore & Ohio Railroads, recalls the vital role he played in the closely allied coal and transportation industries. He started out in the coal business and he always believed that a viable industry was essential to the national economy and security.

After serving as president of a Chicago-based coal company, Tuohy became C&O's vice president for coal traffic in 1943. Five years later he was elevated to the presidency, and it was under his dynamic leadership that the affiliation of C&O with B&O was consummated.

He was familiar with government, having served as deputy administrator of mines in the Department of Interior when the coal industry was taken over by the federal government. He also spoke for the railroad presidents at hearings before Congress and many of his recommendations were embodied in the Transportation Act of 1958 which changed many outmoded rules and regulations.

One of his little known activities came through his affiliation with the National Coal Policy Conference, of which he was a founder. In 1964 he served as a member of a special committee—along with George H. Love of Consolidation Coal, John L. Lewis and W. A. (Tony) Boyle of the United Mine Workers of America and others—who called on President Johnson to discuss coal and transportation matters.

The committee proposed a major private industry investment in new coal producing and transportation facilities in Appalachia if the federal government would reduce the quotas on imported residual fuel oil. A special cabinet committee headed by Defense Secretary Robert S. McNamara was named and held several meetings with the NCPC group.

Although the effort did not result in the reduction of residual imports, it was credited with affecting the decision to retain import controls at a time when there were many indications they might be removed entirely. Doubtless it was a result of the impact made by the committee on which Tuohy served that the quotas, though weakened, are still in effect.

A small, ruddy-cheeked man, Tuohy bore a resemblance, friends thought, to Field Marshal Montgomery. He was a man of great vigor, but a heart attack struck him down only an hour or two before he was to conduct a stockholders' meeting at which a vote was scheduled on his newest plan—a merger of C&O-B&O with the Norfolk and Western System. Even as he lay dying, the proposal was approved.

The great railroad combination he had envisioned will some day operate as a living testimonial to his foresight and wisdom. Walter Tuohy himself would have asked for no better memorial.

DR. ELLIOTT SHAPIRO

Mr. KENNEDY of New York. Mr. President, I ask unanimous consent to have in the Record, at the conclusion of my remarks, a profile from the New Yorker magazine of May 7, 1966.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. KENNEDY of New York. Mr. President, this profile describes one of the finest educators in New York City—indeed, in my judgment, perhaps one of the finest in the Nation.

He is Dr. Elliott Shapiro, the principal of Public School 119 in New York City. Dr. Shapiro's school is in central Harlem. Many of its students come from poor families and broken homes. Few have had adequate preparation for school. Dr. Shapiro, and his teaching staff, believe that the children can learn; they are committed to develop the children to the full limit of their abilities. Indeed, their work is a commitment to the principle that there are no limits to the capacities of children—only limits on our commitment and talent and will to teach them.

Dr. Shapiro's work, brilliant as it is, is also valuable for what it shows cannot be done in school alone. He points out:

> That it is after the first grade that the great disparities between our children and

the children of the middle class start showing up. You see, as our children grow older their lives get worse and, simultaneously, their responsibilities increase. They have more younger siblings to take care of, and their mothers are forced to become more distant as their problems increase. In the fifth and sixth grades, there are more children of broken families, for instance, than there are in kindergarten and the first grade. It gets harder and harder for the fathers to find employment that will bring in enough money and will also keep their egos intact. And, precisely because the fathers do have self-respect, they begin to disappear. I remember that during the Depression a lot of us didn't know what to do with ourselves. The Negro male in a neighborhood like this is in a permanent depression, much worse than anything we went through in the nineteen-thirties.

Mr. President, it is, therefore, clear that if we are to help Dr. Shapiro and other committed educators meet the problems of our urban ghettoes we must engage in a total effort to reconstruct our urban society—an effort which meets the problems of jobs and housing, of decent and dignified living for all of our citizens.

But whatever we do, whatever the dimensions of our effort, we will make no progress without the continued devotion and talent of men like Elliott Shapiro, and men and women like the equally devoted teachers of his staff. All of us are in their debt.

EXHIBIT 1

[From the New Yorker magazine, May 7, 1966]

PROFILES: THE PRINCIPAL, ELLIOTT SHAPIRO

During recent years, I have listened to some vehement condemnations of New York City public schools in what are euphemistically known as disadvantaged neighborhoods. Civil-rights workers, educational reformers, and parents have complained particularly about callous teachers and administrators who appear to be convinced that Negro and Puerto Rican children have limited capacities for learning. But in central Harlem, I've noticed, the complaints on this score have invariably excepted one elementary school—P.S. 119, on West 133rd Street, near Eighth Avenue—and that school's principal, Dr. Elliott Shapiro. Mrs. Thelma Johnson, a former official of the Harlem Parents Committee, regards Shapiro as being "beyond category." "In Harlem, either we get principals who consider their work as just a job, a certain number of hours to be filled, or, occasionally, we get a liberal," she has said. "The liberal feels he must help the heathen, but since he does indeed see the children as heathen, his attitude precludes his being of any help. Elliott sees them as children, and he has a strong sense of the importance—and individuality—of each one of them." About a year and a half ago, at a testimonial dinner given for Shapiro by a neighborhood association in conjunction with the staff of P.S. 119 and the parents of its pupils, a similar appraisal was made by Ralph Edwards, a Negro teacher at the school. "His concerns are not empathic in the clinical sense which treats each separate instance of suffering with the same 'detached' sympathy, emphasizing interest rather than involvement," Edwards said. "No, Elliott Shapiro learned a long time ago that we are all in trouble, himself included. He finds it impossible to be detached from a condition in which he is so inextricably involved."

I started making fairly frequent visits to Shapiro at P.S. 119 about a year ago. The building, a massive four-story brick structure dating from 1899, is bleak and forbidding, and so is its setting. If I arrived in midmorning, I would see men standing on the stoops of decayed brownstones along 133rd Street, usually alone, and doing nothing. Just about the only relief from the gloom was provided by bright patches of color from children's drawings in the windows of the old building. Right next to it, however, its replacement was being completed, and not long ago the children of P.S. 119, thanks in appreciable measure to the determination of their parents and their principal, moved into a brand-new school, known as P.S. 92. Shapiro had no regrets in leaving the old building. "It's like a medieval castle, isn't it?" he once remarked. "When it rains and the yard gets flooded, all you need is a drawbridge." Shapiro, who is six feet tall but slightly stooped, has gray hair and the face of a watchful but gentle eagle. At P.S. 119, he had a small private office opening off a larger room occupied by secretaries and clerks. The door of his office was always open when I came to call, and, like the children in his school, I never had any trouble getting in to see him.

One morning last fall, as he stood up to greet me, a wiry eight-year-old girl in a white sweater and a flowered skirt walked past the secretaries and into his office, and he leaned down to hear what she had to say. "Dr. Shapiro, do you know where they put the books you can buy from the book fair?" she asked. "I wrote down the one I want."

He took a slip of paper from her and looked at it. "You're a little bit late, Debbie, but I'll try to save one for you," he said gently. "I think we have some of those left."

"I have the money back in my room," she explained.

Shapiro nodded, and she waved goodbye. "Thank you for coming," he said.

There were eleven hundred children in P.S. 119 then, in classes ranging from pre-kindergarten through the sixth grade, and Shapiro seemed to know most of them by name. The area served by Shapiro's school—extending from 129th Street north to 134th and from St. Nicholas Avenue east to Seventh Avenue—is what social workers call a high-delinquency neighborhood. About thirty-five per cent of its families are on welfare, and those residents who are employed have low-income jobs. "The level of family income is from forty to seventy dollars a week," Shapiro told me that day. "Almost all the parents earn so little that their children qualify for free lunch." (Later I discovered that some of the parents, too, were coming in for free lunches.) "As for housing, our *middle*-income housing is the low-income St. Nicholas project," Shapiro said. "They send us about three hundred and fifty children. The housing conditions for many of the others are very bad. Across the street, a house built for eight families has forty-five. Next door to it, there is a place with serious heating problems. Two winters ago, I spent hours trying to track down the owner, and finally I told a man who said he was only the agent that if heat wasn't provided there would be a picket line of teachers and me. There was heat for the rest of the winter. Last year, there was no heat again, and we couldn't find even the agent. Finally, the city took it over as a public nuisance. We had found someone in the Mayor's office who was vulnerable to picketing, and he arranged for the city to take it over. Nonetheless, the furnace remained broken, and it took us fifteen days of constant pressure to get it fixed. People talk about the 'apathy' of the people here. Well, all of us middle-class 'respectable' forces, including a neighborhood clergyman, couldn't get any action for *fifteen days* in the dead of winter, with people sick in the building. How do you expect poor people to have confidence *they* can get anything done?"

I asked whether it wasn't somewhat unusual for a principal to get himself involved in neighborhood housing problems.

"Our school has to have an organic relationship with the community," Shapiro said. "*Then* the parents come alive. And, in any case, what happens in the community affects our children. Suppose, in a social-studies lesson, the teacher is talking about this being a democratic society, and a child says, 'Teach, we have no heat at home. What do we do in this democratic society to get heat?' If the teacher doesn't formulate some plan in which the children can participate—picketing, or something else that might change the situation—the children won't buy that lesson. Teachers *can* work out that sort of plan in New York, thanks to their union—the United Federation of Teachers. They can capitalize on the real liveliness in their children, and they can extend irritability into liveliness. Almost nowhere else in the country can a teacher do this. That's why, when I was asked recently, at a meeting of educators, whether I thought a teacher should first encourage the liveliness of his children or first join the U.F.T., I said without hesitation that he should start by joining the U.F.T. But so far, hardly any New York teachers realize the scope of their possibilities in this direction. They don't have a full enough sense of their own strength through the grievance machinery that's been set up. Previously, if a teacher in the system had advocated, let us say, a rent strike, the principal could forbid it. And most of them would have forbidden it on the ground that a rent strike is not a proper activity for a teacher. If the teacher had gone ahead, he would have been guilty of insubordination or of conduct unbecoming a teacher. Now teachers *can* follow through. But the U.F.T. must do more to make its members sufficiently aware of this breakthrough. You see, with this kind of protection, teachers could also be important in advising, participating in, and stirring up community action—about neighborhood rehabilitation, for instance, and other problems that directly concern the children as well as their parents. Think of masses of parents marching with teachers!"

About ninety-six percent of Shapiro's students are Negro, he told me, and all the rest are Puerto Rican, except for a few Chinese. The average class size in P.S. 119 was 28.3—a little lower than the city average for elementary schools, which is 30.5. "But it's still far too large for our purposes," he said. "The ratio should be one adult to twelve children, and never worse than one to twenty-two. For certain children, one adult for three is right. For some, one for one. And I can think of cases where two adults for one child is the proper ratio."

The little girl in the flowered skirt was back. She gave Shapiro an envelope. "The money's in there," she said.

He took it. "When you leave money with someone, Debbie, you should ask for a receipt," he said. He made out a receipt and gave it to her. She put it in her pocket, giggling, and walked away. "Don't lose it!" Shapiro called after her.

The child obviously hadn't been at all hesitant about interrupting while Shapiro was talking with an adult, and when I remarked on this, he said, "Oh, we encourage interruptions. Many of our children are not in real communication with adults, so we have to bring adults into their lives—adults they can depend on and feel at ease with. Our children are likely to come from large families, often with working mothers and no fathers, and they lose their childhood too early. They become self-reliant too soon. When they're seven or eight, they're as self-reliant as a young adult of the middle class. But a dependency relationship with an adult is necessary for children. They should have a long childhood, because there's so much to learn. And the school has to be the place where these children can be children—a specially created world in which small events are important, and in which they can discuss those events with an adult they trust. That's why I keep coming back to the need for smaller classes."

We walked out into the hall just as a group of children rushed by. "They look lively, don't they?" Shapiro said. "And they're very charming. But the way they look conceals the fact that they're dying. It's not like being killed by a car. There's no blood on them, and because there's no visible injury nobody in the middle class is aghast at the sight. Nobody gets really involved. Let me give you an example of what I mean. Fourteen years ago—two years before I came here—out of a hundred and twenty-two children in the sixth grade, only three were reading at grade level. That is, a hundred and nineteen children had been separated very effectively from society. They're now twenty-five years old. What kinds of jobs do you think they have? I don't know, but I can make an informed guess. That year, a hundred and nineteen children died. And thousands and thousands of other children in this city have been dying, because their brain cells have never really been brought to life. But the white middle class doesn't *see* this. The children are out of sight and out of conscience. We did begin to do a little better, though not nearly well enough. By 1961, out of a hundred and sixty-seven children in the sixth grade, forty-five were reading at grade level or above. That doesn't mean the children fourteen years ago were inferior. It means that we were helping some of our children learn to read somewhat more effectively. But since this society still allocates so much less than we need for education, there was a precipitous drop in the achievement level of that 1961 sixth grade below the top forty-five. We were too badly outnumbered to give the rest of those sixth-graders all they needed. And they died, too."

A twelve-year-old boy ambled along the corridor. Shapiro said "Hi" to him and waved. The boy smiled.

"From 1961 on, in terms of sixth-grade reading levels, we've been going downhill," Shapiro went on. "The reason is that after the third grade we send our best achievers away to Intellectually Gifted Children's classes. And we urge some of our better students to take advantage of the free-choice transfer policy and go to schools in other areas in order to promote integrated education. Sure, it's discouraging for our teachers to lose their very best achievers, but we owe it to the children to let them get into those I.G.C. classes. When we move into our new building, I want us to develop our own I.G.C. program and encourage class leaders from other schools to come to us. Heterogeneous classes, with children at varying achievement levels, would obviously be better yet. But to make those work you need a much, much better ratio of adults to children."

I asked about the current emphasis on preschool education, such as the Head Start program that has been sponsored by the federal government.

"It's important," Shapiro said. "But it's hardly the whole answer. The entire system has to be radically improved. Moreover, the emphasis on pre-school training leads to the assumption that nearly all our children begin school badly damaged. Well, four years ago, we decided to compare a group of children from three schools in poor neighborhoods—one of them P.S. 119—and three schools from middle-class sections. We tested kindergarten children and first-graders who had not gone to kindergarten. And we tested them in their first weeks in class, before they had experienced any formal schooling. We expected great disparity between the Harlem children and the others. Actually, while twenty-five per cent of our children were severely deprived, the other seventy-five per cent were much closer to middle-class norms in terms of knowledge and in terms of their apperceptive abilities than most people had given them credit for.

"It is *after* the first grade that the great disparities between our children and the children of the middle class start showing up. You see, as our children grow older their lives get worse and, simultaneously, their responsibilities increase. They have more younger siblings to take care of, and their mothers are forced to become more distant as *their* problems increase. In the fifth and sixth grades, there are more children of broken families, for instance, than there are in kindergarten and the first grade. It gets harder and harder for the fathers to find employment that will bring in enough money and will also keep their egos intact. And, precisely because the fathers do have self-respect, they begin to disappear. I remember that during the Depression a lot of us didn't know what to do with ourselves. The Negro male in a neighborhood like this is in a permanent depression, much worse than anything we went through in the nineteen-thirties."

Shapiro had to return to his office to keep an appointment, and he left me with Miss Carmen I. Jones, an assistant principal in charge of the lower grades from pre-kindergarten through the second grade. Like about three-fifths of the members of the staff, she is a Negro. Miss Jones took me into the second-floor teachers' room and introduced me to several teachers, including Mrs. Jean Boone, a reading teacher in the fifth and sixth grades, and to Albert Marcus, a fifth-grade teacher.

I asked them how they would describe Shapiro's individual style as a principal.

Mrs. Boone, a slim and intense woman, thought for a few moments. "There's never anything overwhelming about it," she said. "Only gradually do you realize there is leadership, and then not in the conventional administrative sense. He's not a machine, like many other principals, nor is he so chaotically involved that he runs around like a teacher trainee, the way others do. How can I make it tangible? He's a constant stimulus. Here we're all free to initiate ideas and practices of our own. And if they don't work out, we're not made to feel stupid. I don't think anyone on the staff feels hampered. That's why the turnover of teachers is low and why many teachers volunteer to come here. Another thing is that he listens."

"Unlike those principals who don't want to be bothered with problems," Marcus broke in. "In some schools, if you have a child in trouble, it's like *your* fault. The principal doesn't want to have anything to do with it."

"It's a funny way he listens, though," Mrs. Boone said. "Often, all of a sudden, you find yourself answering your own questions."

"And that lack of pressure reaches the kids," Marcus added. "You can be yourself and you can let them be themselves—if that's the way you teach. Many of these kids, after they finish sixth grade here, keep coming back. You almost have to chase them on to their new school."

"They feel accepted here," Mrs. Boone said. "They get a sense of their own presence. And they feel as free to go to Dr. Shapiro as to go to their teacher. Sometimes freer. I've heard *little* children say to a teacher, 'I'm going to tell Dr. Shapiro on you.' And they don't have to go far to find him. He wanders a lot. He knows what is going on. It's the oddest thing—if there's a crisis anywhere in the school, he's *there.*"

"You know what it is?" Marcus said. "The school is alive. You go into some elementary schools and everything is quiet—much too quiet. But these kids are suppressed in small, overcrowded apartments. They need a place where they can express themselves. And this is the place. But he can't perform miracles—we need more money for books and for materials. Like when we're working in Negro history—there aren't enough books to cover more than one class at a time."

"And we need smaller classes!" Mrs. Boone almost shouted. "I've taken children on my own in groups of three and four, and *then* I got results, let me tell you. Even with absolute non-readers. Also, we need more money to help build a range of experiences for the children. I don't mean Higher Horizons, these programs where you take a group of kids somewhere for 'cultural enrichment' and they all meet outside, still segregated. I mean experiences in which they're integrated with children of backgrounds that are varied economically and socially as well as racially. All sorts of children ought to take trips together, and our kids ought to be able to participate in other schools' activities—like sharing a science fair, say. And children from other schools ought to come here and work in our science fair."

"It would be valuable for some of the teachers in other schools to get to know our kids," Marcus said. "Those stereotypes about the children of the poor are still so pervasive—'They can't learn,' 'They won't learn.' It's surprising how much they do learn, even with all the obstacles."

"Oh, they have strengths," Mrs. Boone said, shaking her head. "The ability to survive, for one. And look at the amount of responsibility these children have to take. They can't enjoy growing up, because they can't be children. They've been frustrated so long that some days I feel like I'm sitting on a powder keg and not accomplishing *anything.*"

"I've heard Shapiro tell children that if they're hurt, they should cry," Marcus said. "He'll soothe them and let them know someone's in their corner. To an adult, their problems often seem so little. He sees those problems as the kids do."

"I used to work in a school with a principal who was afraid of the kids," Mrs. Boone said. "He was afraid to *touch* them. Shapiro pulls them in. Before you know it, there's a child in his arms." She smiled. "I walked into his office last week and he was comforting a boy who had ripped his pants, and at the same time he was trying to sew up the tear. I had to take the needle away from him—sewing is not one of his major skills. And the community senses his realness, too. I was with him one day when a stranger stopped him on Eigth Avenue. 'You ain't just the principal of the school,' the man said. 'You're the principal of this neighborhood.' " Mrs. Boone was silent for a few seconds, and then went on, "You know, I never think of him in terms of color. With some people, I always have in the back of my mind: What does this white guy want? But I've stopped thinking of him as a white man. He's almost become a 'member.' "

A young Negro teacher, listening in, laughed. "I don't think of him as a 'member,' " she said. "I know he's a Jewish man with a long, hooked nose. But I know he cares about these kids, and that's what counts."

A few mornings later, I arrived at P.S. 119 a little after nine for an assembly in the school auditorium, on the fourth floor. I found Shapiro standing at the back, watching as some of the children performed—some singing, others reciting. A buxom woman named Mrs. Bonnie Taylor, whom I had met on a previous visit, announced that the assembly was being dedicated to

Dr. Shapiro. He winced. Eleven girls stood and sang in unison:

> Oh, he is the bravest!
> Oh, he is the greatest!
> We'll fight before we switch!

"Talk about brainwashing," Shapiro mumbled.

A little later in the program, Shapiro said softly, "You see that girl with the brown blouse in the center of the back row? I'm worried about her. Her mother is known in the area as a quasi-prostitute, and the other kids used to tease her unmercifully. She reacted with various kinds of aggressions and was very difficult to handle. Then I put her in Mrs. Taylor's class. It's an unusual class in that it includes children from the second to the sixth grades who need extra support—who need to be able to believe that an adult cares enough about them to protect them. When they're strong enough, they leave her room and go into their regular grade classes. Mrs. Taylor has forbidden the children in her room to tease the girl, but she has other problems, too. I don't know how long we'll be able to hold her." Shapiro smiled. "Mrs. Taylor seems indestructible," he said. "She has a kind of bull strength. The most aggressive children soon learn that they can't act out against her, and they also learn that she'll protect them against the aggression of others. She visits the homes, too, and makes the relatively few mothers who reject their children toe the line and support their children. Usually, she starts out with a class of about ten, but it increases as the year goes on. Right now she has forty. In addition, she comes in very early to take charge of the yard, and she works in the after-school center."

A lean boy of about twelve, wearing a green jacket, old black pants, and a porkpie hat, walked up the aisle toward us. His head was down. "Hello, John," said Shapiro. The boy didn't look up and kept going. "There's a remarkable boy," Shapiro told me. "He's in the sixth grade and reads at an eleventh-grade level. He may be the smartest boy we've ever had. I don't really understand how it happened. He doesn't know who his mother was. He does know he has a father somewhere who has no interest in him. Some years ago, he was picked up by a woman who became his mother. She was an alcoholic, but she gave the child real warmth. Sometimes we'd see them hanging on to each other, almost crying on each other. He has signs of some kind of heart strain, and she'd take him down to Bellevue for pills. Well, if they made her wait too long, sometimes she'd raise such a ruckus the police had to be called. They'd call the school, and we would calm them down. A few months ago, the man she had been living with died. And soon after that, she died. The man had been brutal—he used to whip the boy—but, with the woman there, there was at least someone in the house he could depend on. Now he and his younger sister are being taken care of by another woman. He calls her an aunt. She doesn't care much for him, and the man *she's* living with has no use for him. There have been times when he's had no food for a whole weekend. When there's no food in the house, his younger sister has eaten with neighbors, but John says he refuses to beg for food. When it gets too bad, he goes out and hustles, and then buys what he wants. He's disgusted with the kind of life his 'aunt' and 'uncle' live, but he's not sure he can get out of it.

"John has always been difficult, but in recent months he's become worse. He gets angry at the slightest provocation—or with no provocation at all. A few weeks ago, he was walking through the gym while a small class of mentally retarded children were playing there. John took the basketball away from one of them, the child complained, and John kicked him in the stomach. A young teacher named Richard Stephenson dragged him down to the office and insisted John shouldn't be in the school. He wanted to bring charges against him at the police station, but I said that wasn't our style here. We take calculated risks, and the kind of pressure Stephenson wanted to apply through the police would have limited our chances to experiment. Well, the next day three policemen from the Youth Squad showed up. Stephenson *had* lodged a complaint. I'm not saying he might not have had a grievance. John *seemed* dangerous, and it could have been claimed that he was in the way of educating the other children. But grievances should be taken up with the school's staff-relations committee or with the union's grievance committee. He could have appealed above me in the system. The police just didn't seem to be the proper agency. Stephenson's an unusually creative teacher, there's no question about that—his class has been putting together a computer, for example, and that stimulated them to read better, because they couldn't assemble it if they didn't understand the instructions—but he has a tendency to over-protect his children, probably because he's aware that our children certainly do need more protection than they receive." Shapiro sighed. "I do very much respect his defending his children, but I wish he'd had more trust in our attempts to help John."

I asked what happened with the police.

"It started badly," Shapiro said. "One of our guidance counsellors, Mrs. Olga LaBeet, began to explain how bright he was. So they asked him to read something for them. He flatly refused and told them to go away. In fact, he swore at them. That made them think Stephenson was right. But they were impressed that John is never absent—that, with no direction from home, he gets here every day. And I spoke to them at length about his potential and my anger at what Stephenson had done. That seemed to move them. Finally they made out a file card—which they lose anyway—and he was able to stay in school. But we did feel John could be helped by one of the caseworkers with the Bureau of Attendance. The problem was, we couldn't get a caseworker unless his problem concerned attendance in some way. Well, he does occasionally run out of a classroom, so, technically, he's sometimes absent from class, and we got him a caseworker."

When the assembly was over, Shapiro and I walked into the corridor. "John's always testing us," he went on. "Right after the incident that led to Stephenson's calling the police, John started swearing at me. He and I were alone on a landing outside the gym. He called me a number of obscenities—with 'white' at the head of each list. Then he started swinging at me. I kept my hands up so I wouldn't get hurt, and I looked right into his eyes and told him, 'I'm letting you do this because I can guard against being hurt.

"'The reason you hit little kids, like the kid with the basketball, is that those are the only kinds of problems you think you can take care of at the time they happen. You have very hard problems, John, and we can help you with them.' 'I don't need your help, you white bastard,' he said. Finally, I told him that I was going downstairs and that he could come if he wanted to. After a while, he followed me to the office, hung around, and found something to read. A few weeks later, he challenged me to box him. Testing again. He had to reassure himself that, physically, I *could* take care of him. That way, if I was going to help him, my help would be worthwhile by his criteria. In other words, was I 'soft' only because I was helpless? You know, the man who lived with the 'mother' who took care of John before she died was very cruel, but John missed his beatings, in a way, because he felt a man as strong as that could give him some kind of security. So he came into my office, I closed the door, and we boxed for about three minutes. Mostly I outfeinted him, although occasionally I'd hit him lightly on the face. He was really trying, but he was quite pleased that he lost, because now he felt I could take care of him."

I asked how long John had been in the school.

"He started out here, but we haven't had him for the full six years," Shapiro said. "While he was in the third grade, the people he was living with moved out of the district. Late in his fifth-grade year, we heard that he had got into considerable trouble in his new school and was about to be suspended. We were able to get him back through a waiver of district lines. For some time this year, we've been letting him work in the office when he can't stay still in class. He wasn't relating to his sixth-grade teacher At first, we'd let him walk around the building. I'd know he wasn't in class when little kids would come into the office complaining that he'd bothered them. But once he began to get office work to do, he'd gravitate there."

A short woman of about forty was walking toward us in the hall, and Shapiro called her over to meet me. She was Mrs. LaBeet, the guidance counselor who had hold the police how bright John was, and when she learned that we had been discussing John, she said, "A friend of mine asked me, 'Why do you let this John cheat the other children?' He's not cheating them *that* much. Not compared to how much the Board of Education is cheating them. I think we can be of some help to that child. But what happens to him after he leaves here?"

Shapiro nodded. "The boy could be in one of the professions, but the odds against him are so large," he said. "After he leaves here, we could be helpful in a parental way if he felt free to come back, knowing we'd always be interested in what he was doing. But I wonder what will happen to him in junior high school, when he has six or eight different teachers to cope with. All he needs is to get into trouble with one, and then what?"

After a glance at his watch, Shapiro excused himself to return to his office, and I walked on down the corridor with Mrs. LaBeet. "The most important thing you have to understand about these children is their uncertainty," she told me. "They have to worry about so many things! Problems are always hanging in the air. For some, the problem is as basic as 'Where am I going to live tomorrow, and with whom?' Or, if there's a father in the house, is he going to walk out? Or, if he has gone, is he ever coming back? A boy was acting up the other day, and he yelled at me, 'Go ahead and put me out of school! My father will take care of me!' Well, I know who his father is, and I know his father hasn't seen him in two years. What he has at home is a mother with two other boys, and all three boys are troublesome. Sure, she loves them, but she's in a state of constant irritation, and so are they." Mrs. LaBeet held up her hand to slow down a boy who was running, and then she said, "Don't forget everybody has a TV set nowadays. These kids look at those fathers in the neat suits, they see those delicious meals and comfortable homes on the screen, and they look at where *they* are. At least before TV, if you were poor, you couldn't go to the movies very often. Now the whole business is shoved down their throats every day. A school like this can help. But there are eighteen hours a day when they're not here. Sometimes it's the bright ones who are destroyed first. They're more acutely aware of the gap between what they see on TV and the unemployed men they see standing on the streets, to say nothing of their own lack of enough food and clothes. You look at these children and you *know* they have as much potential as middle-class children. So you try to teach them, but on some days it's as if they pulled a shade down between themselves and you. And you can't get in there."

I asked Mrs. LaBeet what made her keep on trying to raise the shade.

She laughed. "I do like children," she said. "And my own background at home was such that we were all taught to feel responsibility for our own people. I live in New Rochelle, and I keep busy fighting the school board there. I could have taught there, too, but I decided to work in Harlem, because I felt these kids especially needed Negro teachers like me. I don't want to sound egocentric, but I was brought up in a neighborhood like this and I was as poor as they are. I did have a father and mother who were interested in my education, but I can identify with these children. When they behave in annoying ways, I remember that there were days when I acted like that. There are other Negro teachers here who were brought up in this kind of neighborhood, and, by and large, the kids relate better to the teachers who have been through what they're going through. Teachers like us can see their real abilities. We know these kids can take care of themselves better than any middle-class children in the city, and we try to broaden those abilities. In other neighborhoods, it's accepted as a matter of course that a child's abilities have to be developed along many different lines. Here all those positive energies are first channelled into just surviving. We have to get them doing more than that. We have to give them confidence that they can do more. But first, some of them just have to learn that they can be loved. That's why what Mrs. Taylor does is so important. If you walked in at the wrong time, you might not understand what's going on in her room. Like once a very big boy was threatening her. 'O.K.,' she said. 'Let's go, sweetie.' And she beat the daylights out of him. But then she said, 'Come to Mother,' and kissed him when he put his head on her bosom. She doesn't reject them. She may raise Cain with them, but she doesn't reject them. She does set up restrictions, but they're within the framework of love, and they help the child begin to develop his own inner controls, so that he doesn't fall off the edge. The mothering class Dr. Shapiro set up for her was the first one in the system. It still is just about the only one. We could use a lot more."

After my talk with Mrs. LeBeet, I found Shapiro in his outer office, handing a piece of paper to John. "Two Thermofax copies, please," he said to the boy. "It's a very important letter."

I followed Shapiro into his private office. On a table was a small bag of grass seed. "There was another bag," he said. "I gave it to John a couple of weeks ago, when he asked for it. For a while, he held it in his arms like a rag doll, rocking it back and forth. Then he thought he might plant the seeds in the park. Later, he said he might put them on his mother's grave. And he gave me a little box of dirt with a grass seed in it. I was very proud of it and kept it on my desk, but we had a hot argument one day and he took the box and spilled everything into the wastepaper basket. He's coming along, though. He did rip down some posters in the hall this morning, and he's been stealing a bit of money from the office. But sometimes, when a child steals, he steals from a person he likes. The fantasy is that the person has given him a gift because he likes him. I learned that when I was working with disturbed children at Bellevue years ago. I'd been working day after day with a boy who had serious reading difficulties. One day he stole my watch. I felt destroyed, like a martyred parent. Fortunately, a child psychiatrist on the staff explained to me what was happening."

John came in with the two copies he had been asked for. Shapiro looked them over. "Fine," he said. "Pull me another one."

"Make up your mind," said John.

"I apologize," said Shapiro, smiling.

John grinned and went out with the letter.

The letter, Shapiro told me, concerned a meeting of the P.S. 119 Parents' Association. I mentioned that the association was known to be an aggressive one, although one of the stereotypes about schools in neighborhoods of the poor is that it's difficult to get parents involved in such groups. "For a long time, it was difficult here, too," Shapiro said. "The parents didn't trust us, and they had good reason not to. One of the problems with parents in this kind of neighborhood is supposed to be that they're non-verbal. Well, they often have very good reasons for not saying much to school administrators. They're thinking, Why don't the children have readers to bring home, and why don't they have more of other things, too? But often the parents don't ask, because they sense that the principal is loyal to the system, and not to the children, and they figure, What's the use? He's not going to do anything to change the system. So it's an act of intelligence on their part to refuse to enter into what would be a phony dialogue. The parents here were slow to accept the fact that we were talking honestly about the deficiencies of the school. We told them that what we were doing was much impaired because we didn't have the resources to do very much. That kind of admission was something new in their experience. We admitted that we didn't have enough books, for example, and finally we got the parents to write to the Board and ask for more. Between their efforts and ours, we did get more, and then we discovered that many of the same parents who had seemed inarticulate were very verbal and quite sophisticated. We began with only ten parents coming to meetings, but eventually we started getting as many as seven hundred and fifty at important meetings.

"However, I know perfectly well there's also a residue of criticism of our school," Shapiro went on. "When I first came, I began to relax the discipline in the school—in the narrow sense of that word—and there were parents who interpreted that as indicating I was just another white man who didn't care about their children. If I cared, I'd discipline them more. I think we've proved we do care, but there are still parents who feel our discipline isn't strong enough. They go off to work and are worried about their children being alone. So the threat of severe corporal punishment if the child misbehaves is always in the air, almost like a wireless, between the parent and the child. They want us to 'protect' the child in the same way. I keep telling them it would actually be easier for us to use strong discipline—in that narrow sense—but that our staff tries to develop the children's liveliness. We're trying to help them develop an *inner* discipline. A child must have enough energy left in him to remain courageous. By that I mean the ability to question rather than always saying, 'Yes, sir,' and 'No, sir.' I think it's good that many of our children are able to question the wisdom of the adults in the building. This is particularly important for Negro children. They've been taught that it's safe to be respectful. We want them to understand that they're citizens and they *can* question. That is, they're citizens except for one right—the right not to go to school. It's a very important right, and since we've taken it away from them, it's our responsibility to make the school as interesting as possible. You know, at Junior High School 136, where most of our girls go when they leave here, and at 139, where the boys go, our children are considered outstanding in behavior in that they're not hostile to the teachers. Being able to question them, they can respect and trust them.

"Incidentally, the children in Mr. Marcus's fifth-grade class have been doing some important questioning," Shapiro said with evident satisfaction. "They analyzed a sizable number of social-studies textbooks, and they found every one to be wanting. Then they wrote letters to the publishers and to some of the people in the school system, pointing out that certain matters of opinion were being treated as facts—the statement in one book, for example, that, on the whole, slaves were happy on the plantations. They got many answers, and not being satisfied with some of them, they wrote again."

I asked Shapiro what the reaction had been from officials of the school system.

He smiled. "There were inquiries," he said. "Nothing was said that was an outright condemnation, but implicit in the questions was, 'How could you let this happen?' That's the sort of attitude that keeps teachers passive. My answer was that at this point there is no social-studies textbook that treats the Negro fairly, and that the children's questions were a true culmination of their research and were an excellent learning experience."

Miss Jones, the assistant principal in charge of the lower grades, came into Shapiro's office to say that she had just heard "exciting news" from one of the second-grade classes. "Thirteen of the children have finished 'Our New Friend,'" she said. "That's only a first-grade book, of course, but Gus is really reading. He's picked up lots of new words." Miss Jones turned to me, and said, "That's when we get the rewards. You feel you're up against a blank wall, and suddenly one day light dawns, and the child unfolds. No wonder a teacher feels like shouting when that happens. You have no idea of the months of energy and effort that went into getting Gus to read. They didn't nickname him Granite Gus for nothing."

"That sort of thing gets through to the parents, too," said Shapiro. "Our teachers have a great emotional investment in getting the children to learn. The depth of a concern like that only becomes clear over a long period of time, although on one occasion that you've probably heard about, it was made evident in a very dramatic way."

Shapiro was referring to an event that briefly made P.S. 119 famous and had more than a little to do with the construction of P.S. 92 as a replacement for it. "Five years ago, the physical conditions here were awful," he explained. "The plaster was falling down. When it rained, there were floods in the halls. And there was no way to get the building clean, with all the vermin and cockroaches around. You could run into a rat on any floor. I sent letters and letters to the Board, and almost invariably I received no response. I'd call, and I'd be told, 'It's not my department. I'll switch you.' I'd hold on and nothing would happen. Some of the parents went to City Hall with pictures of water running in the halls. Still nothing happened. We had a number of staff meetings, trying to figure out what to do. Finally, I suggested that we could always advertise in the newspaper. Everybody chipped in, and on May 22, 1961, an ad appeared on the school page of the *World-Telegram & Sun*." He rummaged through a drawer in his desk and brought out a copy of the ad:

HELP! HELP! HELP!

HELP US TO GET A NEW SCHOOL TO SAVE OUR CHILDREN

GIVE US A BUILDING WITHOUT:

1. Rats and Roaches on Every Floor
2. A Leaking Roof
3. Broken Door Frames
4. Split Sessions (½ an education)

5. Refrigerator Temperatures in the Winter and Oven-Like Sweltering During Spring

6. Irreparable Plumbing, Resulting In: Backups, Leaks, Flooded Yards and Corridors and Lunchrooms

7. Sagging, Dangerous Walls

8. Overcrowding in Lunchrooms and Classrooms

9. Unsanitary Children's Toilets

10. Wasteful Temporary Patching of Obsolete and Intrinsically Inadequate Scrap-Pile Facilities Without Shoving the Taxpayers' Money Down the Drain

11. Condemnation of Nine Classrooms in One Wing of Our Old (1899) School Where Our Entire Building Is Wrought with Fire and Health Hazards

OUR CHILDREN DESERVE A NEW SCHOOL NOW!

The Teaching, clerical, and administrative
staff of Public School #119—Manhattan

When I handed the ad back to Shapiro, he grinned and said, "That was the first time in the history of the New York public-school system anything like that had happened." He went on to tell me that after the ad appeared, on a Monday, there was no word from the Board in the next few days. However, the story had been picked up by radio and television stations, newspapers, and news magazines. Gabe Pressman, of WNBC–TV, arrived at the school, saw four rats, had them chased with a camera, but was unable to photograph them. At eleven o'clock on Thursday night of that week, Shapiro got a telephone call at home from a man he had never heard of before, who called him Elliott, and who identified himself as the Mayor's educational representative. Mayor Wagner, Shapiro was informed, was going to visit the school the next day with the president of the Board of Education and several high administrative officials of the school system. The following morning, as Shapiro ushered the Mayor and the school officials into the auditorium, a teacher and several students suddenly pointed at a corner of the room and yelled "Rat!" Seizing a broom, the principal pursued the rat. The Mayor, somewhat shaken, peered in the direction of the hunt but wasn't quick enough to see the rat before it escaped under a radiator. The rat hole, however, was clearly visible.

After the Mayor left, Shapiro told me, he returned to his office and found an associate superintendent waiting for him. "Why didn't you go through channels?" he demanded of Shapiro. "This is a hell of a thing—airing our dirty linen in public. Ellie, you're disgracing us! This should have been kept a family affair." Shapiro told the associate superintendent that he had tried to go through all the channels he knew about but there had been no results. "Sure, you chose an effective method to publicize your grievances," the associate superintendent said sardonically. "But you could have been just as effective by burning down the building."

Shapiro told me he said nothing at this point. "I forgave him that first outburst, because he was chagrined," he explained. But the associate superintendent went on comparing the newspaper ad to burning down the school. "No, the two are not equivalent," Shapiro finally said to him. "What we did was simply part of the democratic process as it applies to education. After appealing through channels, we owed it to the public to let it know what was happening. We're extremely democratic up here. Your talking about burning down the building indicates that you and we have radically different concepts of the democratic process."

In addition to the Mayor and representatives of the school-system hierarchy, there were other visitors at P.S. 119 that day, including parents of pupils and officers of several unions. "If the Mayor's visit had boomeranged, we would have had more than a thousand pickets at the school the next Monday, and there would have been pressure from the labor movement on certain politicians," Shapiro told me. "In a sense, I felt it was too bad it didn't boomerang. I felt that the picketing would be a good educational experience for the children and their parents, too."

Before the building was repaired and a commitment was made to build a new school, the kids and their parents had their educational experience. In the fall of 1962, parents set up a picket line to protest that the school was unsafe. A corollary boycott was called, and for two days nine hundred children were absent. It was the most effective boycott of a New York City public school up to that point. Of his role in the boycott Shapiro said to me, "I couldn't tell them to keep their children out, but they knew I was empathic."

The incident of the rat and the demonstrations that followed it obviously didn't make Shapiro's relationship with his superiors any warmer than it had been. I asked him to estimate his status at 110 Livingston Street—the Board's headquarters, in Brooklyn.

"I would say that for a long period it has been recognized that my opinions are often different from those of the Board of Education, some headquarters personnel, and the Council of Supervisory Associations to which most of the other principals belong," he said dryly. "I have regard for the Board of Education, but it has never fully recognized that it ought to be functioning as the representative of the children—all children, but most particularly poor children, who have the fewest representatives in power. The Board should continually be making strong statements about the urgent need for money and services. So far, the Board has represented education in a taxpayer's style.

"It ought to keep haranguing the city to the point at which a real exploration takes place of how to get the essential funds. Sure, there'd be some complaints from parts of the citizenry, but it would be useful to get those complaints out into the open. And the middle class as a whole would not really oppose this kind of push. The middle class is always passive—alienated from its own beliefs. It doesn't even know it *has* beliefs until things are stirred up. We ought to make education *the* basic industry in this city. Specifically, if we could expand the school budget by some four hundred million dollars a year—and that's not much—we could reduce class size significantly. For only sixty million dollars a year, we could make every elementary school—and perhaps the junior high schools, too—in Harlem, the South Bronx, Jamaica, and Bedford-Stuyvesant into a qualitatively effective school. In Harlem, we'd need just six or seven million dollars more a year to make the twenty elementary and junior high schools into qualitatively effective schools. It certainly can't be impossible to get that kind of money. We ought to be ashamed—I mean we educators—that we have not been leaders for dramatic improvements and that we participate in a process in which two-thirds, or maybe three-fourths, of the children are being so badly undereducated that we're giving them a lifetime of unemployment.

"Let me give you another example of how all of us have been dropouts as educators," Shapiro went on. "For years, we gave children in neighborhoods like this reading tests—geared to the experiences of middle-class children—and we used those tests as indices of the children's intelligence quotients. The result was a self-fulfilling prophecy. The children, the theory ran, were reading poorly because they were stupid. Consider the insensitivity of the educators in charge. We were torturing the children with those tests and we were tormenting the teachers as well. Yet no group of principals or of headquarters personnel criticized that technique of demeaning the children. Of course, we had a kind of vested interest in not complaining about the way we were testing them. If you accept the premise that our children have low I.Q.s, according to the national average, our own woeful inefficiency doesn't come out. Only in the past couple of years, as a result of pressure from the civil-rights movement, have we stopped giving those biased I.Q. tests."

Shapiro looked at his watch and said that it was time for him to go and move his car before he got a parking ticket. I walked along with him. "There's so much that could be done," he said. "Take this neighborhood. It's poor. Stores go out of business, leaving many vacant spaces—some with back yards—that could be used as classrooms. From a Hundred and Tenth to a Hundred and Forty-fifth Streets between Seventh and Eighth Avenues, you have the equivalent of forty or fifty potential classrooms. Why not use them for young children—with the back yards as schoolyards, and with libraries interspersed here and there? The libraries could be for parents as well as children and could be open until eight or nine in the evening. We would be coming right into the heart of the community, creating the kind of reciprocal relationship between the community and the schools that you don't find anywhere in this city—or in this country. It could be a stimulus toward the creation of a new society. I've proposed this idea to the Board, with the estimate that it would take four thousand dollars to transform each vacant store into a classroom. The Board's estimate is ten thousand, but even ten thousand isn't much when you consider that the average classroom in a regular school costs more than sixty thousand to construct."

We passed the open door of a classroom, and Shapiro looked in for a moment. "That teacher is so well organized that she has organized the room rather than the children," he said. "She's much too distant from them. She's not *physically* close enough to them. I have a certain amount of autonomy as to what teachers I can get rid of, but it's limited."

I remarked that, so far, Shapiro had said nothing about ways of integrating the schools.

"To begin with, the storefront classrooms could increase the possibilities for integration," he replied. "As you spread out along the avenues, you would break through district lines and move into neighborhoods that would allow for different racial balances in those classrooms. There are other ways of doing it, too. Often, segregation is on an economic basis. Segregation of black and white is more obvious in appearance, but look at what we have here in Harlem. Increasingly fewer middle-class parents—those, for instance, in Lenox Terrace or the Riverton Houses—send their children to public schools. Take P.S. 197. It's in a largely middle-class Negro community, and its teachers are the equivalent of those in the private schools, but hardly any of those middle-class parents send their children there. We—I mean teachers—have to begin by leafleting and by approaching these parents and other middle-class parents, both Negro and white, in other ways to make an issue of this. Of course, simultaneously, the public schools in Harlem have to be made much more effective. At present, it may be that a middle-class child, Negro or white, isn't sufficiently challenged in a class of thirty made up largely of children at lower levels of achievement. But in a class of twelve or fifteen, children coming from different backgrounds would have a lot to offer each other. Certainly if the class size at P.S. 197 were around ten, those middle-class parents would send their children there. If the schools are drastically improved throughout the city, particularly in our neighborhoods, I'm convinced that more and more middle-class parents—Negro and white alike—will return their children to public school. And if children are to be bussed out of their own neighborhoods, it will be a first-rate school, thereby changing the nature of *that* discussion.

"Right now, all through the city, children are being picked up to travel to private schools, where there's more personal involvement with the teachers. Why can't the public schools do this? In Harlem and in other poor neighborhoods, we could have some of our schools emphasize certain specialties—the new math, say, or language arts. On an elementary-school level, they could be beacons—like the Bronx High School of Science. There are white parents who would send their children to those schools. It's been happening for years at the High School of Music and Art at the edge of Harlem. There are schools here only ten minutes from Washington Heights by station wagon. I've talked to groups of parents in Washington Heights. On the whole, they were opposed to bussing but when I told them about this kind of possibility, they were eager to try it. A school of quality can obviously fulfill one of a parent's status needs as well as his educational desires for his children."

As we walked through the schoolyard, Shapiro waved at a thin, well-dressed middle-aged Negro across the street. "The local numbers booker," he remarked. Then he returned to his theme. "Some of these basic improvements can be put in motion by teachers' spurring the parents," he said. "You know, it's very often said that the schools reflect the social order. Actually, that often means that the schools are institutions of apology for the social order. But it doesn't have to be that way. The schools could be an instrument for changing the social order into a more truly democratic society. But for that to happen, we have to break the circle in which professional personnel tend to remain loyal to institutions rather than to the human beings who should be served by those institutions."

Elliott Shapiro was born in Washington Heights, on March 15, 1911. His father, George, had come to America from a large city in Lithuania that was known then as Kovno and is now known as Kaunas. His mother, Lily, was from Vilna, the capital of Lithuania. They did not know each other in Europe, but both came to New York in 1893, and they met a few years afterward and were married in 1903. They had three sons, of whom Elliott is the eldest. Edwin, born in 1913, is now comfortably retired after a career as a dealer and expert in rare coins. David, born in 1919, is principal of P.S. 611, in Queens, and acting president of the association made up of all the principals of the so-called 600 Schools, which handle children with emotional and behavioral problems; he has a Ph. D. in clinical psychology and is a practicing psychologist—as is Elliott.

Elliott Shapiro remembers his father with warmth and pride. "He was not a learned man, but he was very interested in ideas," he told me one day. "The first books I remember in the house were the Harvard Classics. Also, unlike most European-born fathers, he would join us in sports. Since we were one of the very few Jewish families in Flatbush, where we lived when I was a kid, my father taught me boxing, so that I could handle myself." Shapiro developed into an unusually skillful boxer; when he was twenty-eight, in an exhibition bout, he outpointed a man who later became middleweight champion. "I won't give his name," Shapiro said in telling me of this episode. "It would embarrass him." During those years in Flatbush, Shapiro used his fists in the streets practically every day.

"I remember an elderly Jewish man with a caftan and a long white beard passing through the neighborhood one day," he said. "Some of the kids began to make fun of him—yelling, 'Fox in the bush!' I felt it was my responsibility to defend him. I dreaded that kind of responsibility, it was so gratuitous a burden, but somehow or other I felt I had to help him. And I did. Another time, when I was nine, I had a fight with a kid two years older than I, and a lot bigger. It was toward evening, near a subway exit, and we soon had about five hundred people of all ages watching us. I got the impression that all of them were on the other kid's side, me being Jewish. Suddenly, my father came up the stairs, saw what was going on, and stopped the fight. He took off his belt and marched me home with a great show of indignation that a son of his had been brawling in the street. Once inside our house, he shook my hand in congratulation."

In 1927, Shapiro's father died of pernicious anemia, and a year later, upon graduating from Erasmus Hall High School, the boy had to go to work to help support his family. He was taken on at the North American Ironworks, in 1929, as an errand boy, and the duties of junior draftsman and bookkeeper were soon added. His mother also worked for a time—selling shirts, socks, and underwear from house to house. In 1930, when business began to decline, Shapiro was laid off. He enrolled for day courses at the Maxwell Teachers Training College, in Brooklyn. Nights and weekends, he worked at a subway newsstand, but he found time to join the college debating society and its boxing and baseball teams, and to serve as captain of its fencing team. When Maxwell closed, after he had been there two years, he enrolled at the City College of New York, and at the same time took two part-time jobs, one in a jewelry store and one in a shop selling malt and hops. "I eventually discovered that the malt-and-hops store was a disguise for a bootlegging operation," he told me. "One time I was carrying a big bronze object through the streets of Yorkville, innocent of the fact that it was a still. Policemen were looking at me, but I guess they figured anyone carrying a still in the open *had* to be innocent." At City College, he began to acquire the credits he needed in order to qualify as a teacher in the New York City public-school system. Then, in 1935, when a W.P.A. job in remedial reading opened at P.S. 202 in Brooklyn, he took it. He soon became active in union affairs, against the advice of his principal, who told him that he could go far in the school system if he would only concentrate on passing the examination for a city teaching license and restrain his union fervor.

In 1936, Shapiro started to teach reading in the children's ward in the psychiatric division of Bellevue Hospital. The following year, having obtained a city teaching license, he moved to the adolescent ward in the psychiatric division, and there he remained for eleven years. "They were mostly poor children," Shapiro told me. "At first, the highest percentages were Italian and Irish. By 1948, about half were Negro, and now some ninety per cent are Negro and Puerto Rican." The classes were small—between eight and twelve children to a teacher—and Shapiro's responsibilities included teaching English and arithmetic, though the heavy emphasis was on reading. Shapiro also spent a good deal of time in the Bellevue psychiatric clinics, where he was at first an interested observer and then, having done extensive reading on the dynamics of the learning process, a participant in psychiatric conferences. Meanwhile, he continued his academic training. He was awarded a Bachelor of Science degree in education by New York University in 1937; in 1939 and 1940 he studied social philosophy and psychology at the New School for Social Research; during the summer of 1940 he took four courses in history at Cornell; and the next summer he studied social pathology at the University of New Hampshire. He acquired a Master's degree in school guidance and administration from New York University in 1946, and received a Ph.D. in clinical psychology from the New York University School of Education in 1959.

In 1948, Shapiro became principal of P.S. 612, in Brooklyn, which had just been set up in the psychiatric division of Kings County Hospital. It was one of the first of the city's 600 Schools, and Shapiro was its first principal. After two years of conducting classes in a ward for patients, Shapiro opened a day school at Kings County Hospital for children who would otherwise have been sent away from their homes to Rockland State, Creedmore, or some other state institution. The school also enrolled children who had been institutionalized and were now permitted to return to their homes and attend classes at the hospital. In 1952, the then superintendent of Kings County Hospital ordered the day school closed at the end of the year, on the ground that the space was needed for medical purposes. Shapiro fought for many months to get the order rescinded by the Department of Hospitals, and finally it was.

At the time Shapiro won his fight, he was offered an appointment as a principal elsewhere in the school system, but he turned it down, preferring to stay on for a year or two and protect the children in his day school from any further attempts to close it. Finally, in 1954, he did ask for another position, and became principal of P.S. 119. "My first preference had been a school in the Bedford-Stuyvesant area, because I was living near there at the time," he told me. "But I'm glad the Board sent me to P.S. 119, because it soon became evident to me that the people in Harlem had a strong feeling for the place—a feeling that did not exist nearly so firmly in Bedford-Stuyvesant. I was looking for a challenging school, since I had a fairly unusual background and felt I was qualified to deal with children who had problems. I came to Harlem, however, with some presuppositions that I found out were wrong. I had expected that children growing up crowded together in broken homes would present problems similar to those manifested by neurotic children. I have discovered that, on the whole, they do not. Most of the children here are as 'normal' as children in middle-class neighborhoods.

"But they do have overwhelming problems to deal with. It's to their credit that they maintain their courage as long as they do, especially when you consider that those of us who should be giving them support—teachers, school principals, and social-service personnel in general—are unable to because we're so outnumbered. I found out that, for the most part, I was working not with neurotic children but with deprived children. And people like me were among those who had been depriving them. It also became clear that my work as principal had to extend into the community."

That sort of extension has always come easily to Shapiro. Back in 1931, he helped develop leagues of the unemployed in Flatbush, and ever since he has been outspoken on any public issue that has seemed important to him. In 1937, for example, he participated in the Interracial March on Congress, whose purpose was to gain increased appropriations for social welfare. He was among those who went to Jersey City in 1938 to defend Norman Thomas's right to speak there. And in 1963—this time with his wife and their two children—he took part in the civil-rights March on Washington. The Shapiros travelled down by train with a delegation from the Negro American Labor Council, but they became separated from their party at the station and found themselves marching under the banners (lettered in Yiddish) of the Jewish Socialist Bund. "Is this a good organization?" his daughter asked him. Shapiro, who had known the organization since the early thirties, happily told her that it was one of the best.

People who work with Shapiro are amazed by his energy. Since 1940, he has frequently lectured and given courses in psychology at a number of institutions, including Bellevue, the Kings County Hospital School of Nursing, and Brooklyn College, and since 1951 he has been conducting a private practice as a psychologist. He got his training for this work at the New York Institute for Gestalt Therapy, where his analyst was Dr. Laura Perls, one of the founders of the institute. Beginning at five in the afternoon on Mondays, Tuesdays, and Thursdays, Shapiro keeps office hours at his home, in a large apartment building in Rego Park, Queens. "The time I give to psychotherapy prevents me from being as good a principal as I could be, in that otherwise I would devote those hours to becoming more involved in the Harlem community," he told me. "But with two children in college, my salary as a principal isn't enough. And my practice does give me insights as an educator that I might not otherwise have had." (His salary is $16,235 a year.)

Shapiro has also raised a family. In 1939, he married Florence Fishkin, a graduate of Hunter College who was a teacher of English and Latin in junior and senior high schools. Mrs. Shapiro continued to teach until 1944, shortly before their first child, George, was born. George recently got his bachelor's degree *summa cum laude* in mathematics from Harvard, and is now working for his doctorate in mathematics there. Their daughter, Ellen, is a junior at Brandeis University, concentrating on fine arts and the history of art. With both children away from home, Mrs. Shapiro has resumed teaching Latin, part time, in the upper grades of the Ramaz School, a Hebrew school on East Eighty-second Street. "Florence has always been of enormous support," Shapiro told me. "Whatever I was doing—from the fight to keep the day school open at Kings County Hospital to the furor over the rat at P.S. 119—she never cautioned me or expressed any fear that I might be jeopardizing my job. If she had, those periods of tension might have been more than I could have borne."

Mrs. Shapiro frequently visits P.S. 119, and in 1960, when there appeared to be a chance that some of the girls in the school could meet the requirements for the junior high school operated by Hunter College, she helped tutor them. One girl was accepted—th first Harlem student to be taken at that school in many years. "I got the news when a secretary came up to me in the hall," Shapiro told me. "Her hands were shaking and she could hardly talk. Then *my* hands started to shake. A wave of exultant hysteria spread among the teachers. They laughed and cried all at once. Even now, when I talk about it, I'm moved all over again."

There are people, including some of the other principals in Harlem, who take a dour view of Shapiro's activities outside the school. "You can't help but like Elliott," one principal has said. "But he bends so far backward that, with him, the Negro community, Negro teachers, Negro anything can do no wrong." And a city official once said to Shapiro, "You seem to have departments of home welfare, housing, and community service at P.S. 119. Don't you have a department of education?" In response to the contention that a principal should be only an educator, Shapiro has said, "I can rationalize what I am doing, because if a child's life is catastrophic he can hardly be expected to learn anything. Of course, as a human being, I don't have to rationalize that part of my work at all."

In his battle with the Welfare Department and other city agencies, Shapiro has been joined by many members of his staff, and he and his colleagues have frequently used their money to prevent evictions, or simply to provide food when the Welfare Department was slow in processing an application. They also bring in clothing to distribute, and several mornings I have seen Shapiro unloading coats, sweaters, skirts, and trousers from the trunk of his car.

In addition to involving himself and his staff in neighborhood activities, Shapiro has been much concerned wih emphasizing Negro history and culture in the school's curriculum. Three years ago, with his encouragement, thirty-five of the staff, under the direction of Miss Beryle Banfield, who is now an assistant principal at P.S. 175, on 134th Street, prepared a manual for teachers on ways of introducing African material into elementary-school classwork. The manual is seventy-five pages long and includes sections on African folklore, African family life, African games, African music, African dances, African art, African foods, and African history, and ends with a bibliography for teachers and another for children. Requests for the manual have come from public-school systems, church groups, social agencies, colleges, and individuals throughout the country. In the summer of 1964, sixty copies were in use in Mississippi Freedom Schools. There has also been a demand for the manuals from the neighborhood. "People come in off the street and ask 'Where is our history?,' " Shapiro told me. One group that showed almost no interest in the manual was the Board of Education. Copies were sent to each of its members and to supervisory personnel, but for a long time there was no response at all. Finally, two polite notes arrived, from a member of the Board and from an assistant superintendent in charge of integration. But there was no offer to make the manual available throughout the school system. The cost of preparing the manual was defrayed entirely by the staff of P.S. 119, and much of its distribution has been financed by a church group.

"Dr. Shapiro is obviously fully committed to the concept of giving both the children and their parents a strong sense of their own past," I was told by Mrs. Florence Persons, who was a guidance counsellor at the school while the manual of African studies was being prepared, and who is now a district guidance coordinator in upper Manhattan. "But he had more than one motive—as he often has—in getting the manual put together. Several years ago, about two-thirds of the Negroes on the staff became deeply involved in the African independence movement. They took courses in it, and all of a sudden they recognized that they had a heritage, and began to react. They reacted to the only white people they saw on a day-to-day basis—the white teachers at P.S. 119. There was clearly a growing hostility between black and white, and it tore Dr. Shapiro apart. At one teachers' meeting, he tried—gently—to get them to recognize that they were all there together with the single goal of teaching the kids. But that went over their heads, so he determined to have everyone join that rise of pride in race. And that was one of the reasons he encouraged the compilation of the manual. Working on it united the school, and by the time everybody—black and white—had got saturated with Africa, the animosity had cooled off as he'd known it would."

I asked Mrs. Persons what her initial impression of Shapiro had been.

"P.S. 119 was my first teaching job," she said. "Nine years ago, a friend of mine and I had just got our licenses and we went looking for a school we would want to teach in. At P.S. 119, while waiting for an interview with Dr. Shapiro, we watched him. We watched the courtesy and respect with which he talked to the parents. It's a respect all parents are entitled to, but poor parents don't often get it. Then there was the interview. He doesn't conduct exhaustive interviews. He acts according to his own sensitivities about human nature. And we were hired. At first, I felt that here was the father I'd always hoped for—all-perfect, kind, good. I wanted to accomplish more and more to please Dad more. For most of my first year, he never once came into my room to observe a lesson. But he knew what was going on. The door would be open, and as he passed by he'd hear what was being said—my tone of voice, the responses of the children. And he'd watch the number of parents who came in to see me, and later he'd talk to them. Finally, at the end of the term, he walked in, looked into the back closet, winked at me, and walked out. I guess that was his official observation of the class. He's always telling you about the good things you're doing, but then he'll often add a sentence. If you just keep basking in the compliments, you may not pick it up, but if you do, you'll realize later that he's prodded you into looking at a problem from another angle, into seeing it in another dimension. After I'd been in the school a couple of years, he suggested that I try being a guidance counsellor. I hadn't had any preparation for giving advice to other people—students, parents, and also other teachers—and I did not think I knew enough. 'Please try it,' he said. 'Work with the teachers first. Let them feel free to come in and talk with you.' Well, little by little, they did start coming, and from time to time I'd talk to him about the problems I was working with.

"I learned to listen for the suggestions hidden inside his compliments, and gradually I began to feel I knew what I was doing. His style doesn't work with everyone. Some teachers don't pick up his suggestions. And some become so used to his paternal way of giving that when he's a little tired and can't give to the same degree as usual, they become annoyed and itchy. There are times when he should be more authoritative than he is. And he's not a saint. If a teacher has a raspy, irritating voice and a manner to match, he's likely to stay away from her for a while. In any case, there *is* a limit to how much he can give to everyone." Mrs. Persons smiled. "Some days, he's away from everybody," she said. "I used to call them 'gray days.' His gray eyes and gray hair and gray suit all seemed to be of a piece. But later, gradually, we'd sometimes see the results of that kind of thinking—like his decision on how to cope with that period of black-and-white hostility among the staff."

One morning, I arrived at P.S. 119 and found Shapiro in what appeared to be one of his gray days. He was abstracted and looked tired. "There's a lot of Eichmann in everybody," he said, without preliminary. "I'm not talking about overt viciousness. I mean the strong tendency to go along—to conform. Look. While I've been principal of P.S. 119, in any given year more children are *not* educated than *are* educated. What do I do? Do I picket my school? Or do I wait for those moments when I can do something effective about changing the situation? The problem about waiting is that as you let time go by you develop a vested interest in keeping your mouth shut. You tell yourself that this isn't the proper time. But any time will be difficult. What it amounts to is to try to keep yourself as conscious as possible of your basic assumptions so that you don't, in some unconscious way, move in a direction that alienates you from yourself and your hopes without your knowing it. Of course, when you do act, whatever you decide to do means that you've lost a chance to do something else. You can always justify or rationalize those losses. I try to keep aware of them, and it's wearying." Shapiro was staring out the window, and seemed to be talking to himself more than to me. "When you do decide to do something, you have to undertake it with some reason to believe it can succeed," he said. "And that may require working to build a foundation for its success in various ways and through various channels that don't appear to be connected with what you want to do at all."

He shook his head, and in an attempt to turn his mind to other matters I asked him if there was anything new with John.

"We've been paying a lot of attention to a little first-grader who has some severe problems and John is getting jealous," Shapiro replied, readily. "He picks on the boy, verbally and physically. Yesterday John hit him in front of a lot of first-graders and kindergarten children. I had to separate them, and John got sore and started swinging at me. I decided to let him. He took off his raincoat, and swung so hard that he fell down. That was to show he meant business. Then he tore a picture off the wall, also to show he meant business. I walked away and he followed me. I told him, 'You're acting like a little boy, too. You're jealous of him.' 'I'll show you how much of a little boy I am,' he said, and took a real whack at me. Later, he told a teacher he was sorry and was going to apologize. He came back to the office and started to work. Not a word from him. At lunchtime, I was too busy to go out, and mentioned to one of the office workers that I had no coffee. A few minutes later, I felt a hard sock on my back. It was John. 'Here's your coffee,' he said. It was the hardest sock he'd ever given me. But he's been going to class more than usual, and he's also been helping out in one of the kindergartens. I think there's some improvement there."

Later that morning, I visited the classroom of Richard Stephenson and, finding him alone, asked him why he had turned John over to the police. I had been told that Stephenson, who is a vigorous man in his early thirties, had heard about P.S. 119 a couple of years ago, while he was engaged in a remedial-reading project for Negro children in Prince Edward County, Virginia, and had come to see Shapiro and been hired almost immediately. "I tried working with John, but I didn't realize how disturbed he was," Stephenson said in reply to my question. "I don't agree with the theory of just giving him a warm atmosphere and no other limits. A child needs limits in order to be able to define himself. Some of these kids don't know who they are. They've got to learn inner control from outer control. As for John, they've allowed him to be an *idiot savant* around here. They haven't taught him to inhibit his aggressive instincts and they haven't helped him define himself. They tolerate him because he's the best reader in the school. O.K., he has no mother or father, but I have kids in my class in the same situation, and they get along very well. The point is not to feel sorry for him. The point is to teach him. If a child is allowed to act out his aggressive impulses, he gets worse. Some of the kids who've been put in 600 Schools because they were disrupting classes in regular schools do quite well in that sort of strongly structured setting. But when they go back to a more permissive atmosphere they start acting out again. This school hasn't helped John. It has reinforced his negative impulses, his negative energy. Look here. I want you to see something positive that's going on in the gym."

Stephenson opened the door of his classroom, and there was John lying on the floor of the corridor. Standing over him and laughing were two girls.

"I'm gonna punch you in your goddamn mouth!" John yelled. He got up and chased the girls.

"See what I mean?" Stephenson said. "If you don't intervene and tell them certain kinds of behavior are not allowed, this is what happens. Oh, well, we'll be reading about John on the front pages one day."

Stephenson locked the classroom door behind him, and we went to the gym. The room appeared to be in chaos, with children running, shouting, throwing balls, laughing, roaring. In one corner, however, a chunky boy of ten or eleven was leading five other boys in a set of military drill patterns. "That leader used to hit girls constantly," Stephenson told me. "I had to take him downstairs to the principal's office a few times. Now he and his cadet corps are the best-disciplined children in the gym. We're going to get them uniforms and keep the cadet corps going all year round."

A bell sounded, and Stephenson went back to his classroom, but I stayed on in the gym. In a few minutes, it had been cleared except for a kindergarten class scurrying around Lawrence Greenfield, another teacher in his early thirties, whom Shapiro had pointed out to me as a man who had once conducted a special second-grade class for emotionally disturbed children, similar to Mrs. Taylor's ungraded class. I walked over to him and introduced myself.

"I'm giving them some extra time down here," Greenfield said, gesturing at the children. "The room gets too confining for them." A tiny girl with tears in her eyes pulled at Greenfield's pants. He knelt down, hugged her, listened to her, hugged her again before she wandered away.

I asked Greenfield what he thought about John.

"I'm with Dr. Shapiro," he said. "There's some merit in the arguments of those on the staff who want him controlled, but I'm for saving individuals short of endangering anyone else. And John hasn't really done that. Maybe Dr. Shapiro is biased because John is so intelligent, but I guess I'd be biased in the same direction. I admire him for taking a chance with John, and I think he's winning. More discipline is always the easy way. But if you were to clamp down on someone like John, he could explode and perhaps kill."

I mentioned Stephenson's conviction, that the children in P.S. 119 needed firm, structured classroom situations so that they'd be equipped to get along in the outside world.

"I admire Stephenson's dedication," Greenfield said, "but I feel that our job here in the lower grades is to build basic human strengths." Keeping an eye on the racing children, he went on, "Let me give you an example of what often has to be done first in this school, before we start worrying about academic achievement. Last year, I taught a third-grade class. One of the girls was very bright, very perceptive, and yet her academic record was low. For her first two years here she'd had good teachers of the academic kind. They concentrated on getting in the fundamentals. And now there she was, projecting such tremendous anxiety that it was heartrending to watch her. Her attention span, moreover, was minuscule. I figured the hell with her achievement, this kid needs something from *me*. For two months, if she wanted to read, that was fine, and if she didn't want to read, that was all right, too. When she became tense, I'd let her stop what she was doing, come to me, and put her head in my lap. I let her feel able to cry. Dr. Shapiro tells us, 'When they want to cry, let them cry.' They don't have much chance to cry at home, and some have a lot to cry about. I can usually sense in a failure situation when a child wants to cry, but many are afraid of that kind of relief. So you have to make the first move, in a way that lets them accept your invitation to get it out if they're able to. And they also have to be free not to accept it. If you're open, sooner or later most of them will come to you. And the process of contact and resolution must go on as the child needs it.

"Well, by the end of the year, that girl had achieved a great deal academically. I see her around now and she's a much calmer, healthier, and happier girl. Sure, I have qualms occasionally in working with children like her that the breakthrough won't be made. When I had that special second-grade class, there was a boy who was full of life and also maddeningly distracting. After six months of complete frustration with him, I gave up. He just couldn't concentrate. For my own sake and that of the class, I put him by himself at a desk right in front of mine. I let him have clay, airplanes, and other things that captured his imagination, and allowed him his private world, so he wouldn't distract the other children. But I did this with a great sense of defeat. I'm still convinced that if I'd been able to give him more time in a smaller class, he could have progressed."

Greenfield left me to pick up a small girl who had fallen while running. When he returned, he said, "And sometimes when there is something you can do, it's not enough. In that second grade one year, there was a bright-faced little girl of seven, Mandy. She would cock her head to one side at about a thirty-degree angle, and as she smiled her whole face, especially her eyes, would just light right up. From the neck down she was a combination of sores and old, dirty, torn clothes—a most unattractive morsel. But from the neck up—a fount of life. She was bright, but she was so busy defending herself, so preoccupied with struggling to live, that she couldn't stop to listen. And, what was worst of all for her, she couldn't afford to make a mistake, to be wrong—not ever. I tried to teach her that mistakes were permitted without loss of love or status. But it seemed as if I couldn't communicate with her. She was emotionally overloading every situation, precluding any chance to see anything with clarity. Nevertheless, the cumulative effect of an accepting environment—day by day in the classroom—had its impact. As she felt more secure, she could relax enough to listen, at least when other children were involved. Finally, a breakthrough came.

"That March, about six months into the school year, I was going through a comparable situation with a girl named Lisa. She, too, had so much emotional investment in not making a mistake that she couldn't digest what I was saying. But Mandy, sitting there, not directly involved, could identify with Lisa and see herself in a similar situation with me. In the middle of something I was saying to Lisa, Mandy suddenly said to me, 'Hey, Big Nose!' For about the first time, she was expressing a positive awareness of me. I stopped talking to Lisa momentarily, because I thought the interruption was important, and I looked into Mandy's eyes and smiled and said 'Hi!' And then I went back to Lisa. For the next couple of days, Mandy was unusually silent and watchful of me. I knew something was going on, but I wasn't sure what it could be. On the third day, again while I was speaking to Lisa, Mandy interrupted, in a tone I can only describe as harshly forced, with 'Hey, Stupid!' Having had her warmth accepted, even when it was obliquely expressed, she was trying to find out how her hostility would be received. At least, that was my guess. I pretended to be angry, and said in my best angry tone, 'Don't you *dare* call me Stupid. My name is Big Nose.' Mandy looked at me for a long time, and somehow she understood. Her wild, contemptuous manner was not acceptable, but her positive connection to me had been firmly established. If I had said my name was Mr. Greenfield, insisting on respect for my authority, she would have felt that all her feelings were unacceptable. Well, from then until June, it was mostly gravy. Her behavior improved noticeably and her work leaped forward. It was an amazing turnabout. But I was her teacher, not her father. And in June it ended. I knew of no way to prevent the terrible impact of separation on Mandy. Two summers and a year with another teacher have gone by—a good teacher, but not one with a big nose. And the sweet side of Mandy—the beautiful human being who had begun to emerge, the real girl—has slowly receded. I suppose I should be realistic about it. There was nothing more I could have done. She wasn't my responsibility after she had left my class. But I don't feel good about it. It's a lousy feeling to be so helpless in the face of reality."

Greenfield was silent. "That's the job," he said, and he called his children together to go back to their classroom.

Two mornings later, I looked in on the kindergarten class of Mrs. Marguerite Butler—the one in which John had taken to spending some of his time. Mrs. Butler, a calm, pleasant woman in her thirties, was collecting crayons from the children. John, in a black sweater and blue jeans, sat in a far corner, chewing gum. I nodded to him. There was no response. "It's one of his off days," Mrs. Butler said. "He's sort of belligerent this morning, and I'm trying to ignore him. On his good days, he plays records for the children and works with them building with blocks. They look up to him. And sometimes he treats them. Yesterday he brought an ice-cream cone to the child who had done best with the blocks."

John rose and began handing out crackers and cups of juice to the children—there were twenty-two of them, and they were all sitting at low tables. A little boy yelled at a girl next to him, and John picked up a drumstick and rapped him on the head.

"I asked John this morning if he'd had breakfast," Mrs. Butler said. "He wouldn't answer. I suspect that's one of the things wrong with him today. I hoped *he'd* take some juice and cookies, but he's too proud. Quite a few of the little ones also come in without breakfast. Many of these children are quite bright, but it's not easy to release their potential. At the beginning of the year, several didn't know their own names. They answered to other children's names. Some didn't know how to use crayons, because they hadn't seen any before. But once they're exposed to this whole new world of school, they soak it up like a sponge. Most of them."

At rest time, all the children except one little girl put their heads down on the tables. "Lay down," said John to the nonconformist. "Or I'll smack you."

"A funny boy, John," Mrs. Butler said. "He came in this morning, saw my desk was full of junk, and cleaned it up. But then he sulked. Yesterday, I asked him if he'd like to come in at a definite time each day and read a story to the children, and he seemed very happy about the idea. We'll see."

I asked Mrs. Butler whether many of the parents of her pupils visited the school.

"Quite a few this year," she said. "Some you never see. I don't believe in waiting until a child has problems to send for a parent. Even if a child is doing very well, I'll send a note home asking the parent to come in. And I do some visiting in the homes. But there are parents who are not eager to have you see the way they live. They may be poor, but they have their pride."

John had put his porkpie hat on. Mrs. Butler looked hard at him across the room and said, "John, men don't wear hats indoors, do they?"

"No," said John. The hat stayed on.

"John, you can't help *them* if you don't know what to do yourself," Mrs. Butler said, indicating the children.

John pulled the hat off and began prowling around the tables where the children were resting. He raised his hand to hit a little boy who was whispering, but when Mrs. Butler frowned, he walked on by.

"John likes the idea of supervising and bossing, but he doesn't quite know how to do it," she said. "I'll have to talk to him again about leaving the discipline to me."

As I left Mrs. Butler's classroom, a file of five- and six-year-old children was coming down a flight of stairs from the third floor. One youngster stepped out of line, and a teacher, her face very sour, pushed him back in. "You should be in *sub*kindergarten," she growled. "If you don't behave, you'll be suspended." As she marched down the stairs, I noticed a girl in braids, her arms akimbo, standing behind her. The girl looked at the teacher's back not with antagonism but with amused disdain.

When I told Shapiro about the teacher on the stairs, he looked pained. "That's terrible," he said. "I know who it is. I've talked to her a number of times about yelling at the children. She has been doing better, but I'll have to talk to her again. Maybe she had a bad time with her husband this morning. I feel very weary when I hear about things like that, because even if I indicate my displeasure with teachers who say this kind of thing, their lack of knowledge of group dynamics will come out in another way. What we really need are workshops in group dynamics and group therapy for the teachers, especially teachers of young children. I ran such a workshop once for a year at the Institute for Gestalt Therapy. We had about ten in the class—private-school and public-school teachers. Then I tried it at City College, but there were thirty-five in the class, and that was too many. Sometimes what comes to the surface can be very wounding, and there's no chance to assuage the hurt before the period ends. We need small groups—no more than eight teachers—and the workshops should last one or two years, under instructors who have had expert training in psychology."

Since my last visit to P.S. 119, I told Shapiro, I had heard some criticism of his methods from a woman he knew of, who has long been active in organizations devoted to bringing about greater integration in the public schools and to improving the education of all slum children. She had told me that, though she admired Shapiro very much, she still felt that his students weren't scoring as high as they should in tests. "It may be that all the understanding they get in that school, while it does help them develop a better self-image, doesn't help them achieve," she had said. "Shapiro is like from another world. He has the kind of values all of us ought to have. But when those kids leave the school, they aren't going into his kind of world. They're going into a world that's increasingly competitive, and increasingly automated as well. Maybe it damages a kid to push him, but I keep wondering whether Shapiro isn't damaging them in another way. Are his kids going to have enough competitive drive to do more than survive?" I told Shapiro what the woman had said and asked him what he thought of it.

"I agree with her, at least on the point that our children don't achieve enough," he said. "We're far behind. And yet our children are achieving more, as a group, than children used to achieve here in the past, and there is *no* school in a poverty-stricken neighborhood in which children are any more successful at reaching a plateau of reasonable efficiency. And our children are at least achieving the courage of their convictions. The very fact that Mr. Marcus's fifth-graders were able to write critically to publishers and to superintendents about the inadequacies of social-studies textbooks is an indication that they may have the spirit to contend with what lies ahead. It's just because the children *are* going to have to live in an automated world that it's imperative for them to remain human beings. This is one more reason that it's vital for children of all kinds of backgrounds to be in small enough classes so that they can have close and pleasurable relationships with adults. All of us are becoming more and more like I.B.M. machines in an increasingly organized and rationalized society, and all children ought to have the experience of real human contact, so they'll remember later on that human contact is both permissible and pleasurable. And our kids, of course, need that most of all."

I asked Shapiro about an observation I had heard from a parent of a child in his school that at P.S. 119 it was the middle group—rather than the best and the worst of students—that was often overlooked.

He nodded. "Around 1955, I became aware of the fact that no child in the school at the time was going to make it to college," he said. "It seemed to me that we therefore had to put a sizable amount of the resources we had into working with those children who seemed to be the most likely achievers. And since those resources were so few, we had very little left over. Now, barring catastrophic circumstances in junior high school, in high school, in their lives, and in the community, twenty per cent of our children have a good chance to reach college. That's a great improvement, but the degree of our deprivation can be measured by the fact that sixty per cent of *all* children in the country are now reaching college. What about the others here? While we were focusing most of our energy and resources on the better achievers, we were also trying to make the entire school a place more favorable, as it were, for human contact—a freer place in which to teach and in which to be a child. Gradually, we were able to develop a relatively stable staff, so that the middle range of children would have a sequence of teachers who were relatively more experienced than those the children used to have here. And there has been some degree of improvement in the achievement of the middle children. But the fact remains that after we get past the best achievers, there is a precipitous drop. We have a long way to go. And we need a great deal of help.

"What we particularly need, of course, is smaller classes," Shapiro said. "A start has been made in that direction by the More Effective Schools plan that was adopted in the city a couple of years ago, and it's an example, by the way, of how a strong teachers' union can institute basic changes in the school system. Essentially, the plan was formulated by the U.F.T., although the plan the union advanced was initially rejected. Finally, the superintendent of schools set up three groups of planners—one from headquarters, one from supervisory personnel, and one from the U.F.T. Only the U.F.T came in with a cohesive plan, and that was the one adopted, with some additions, compromises, and improvements. The U.F.T. plan provided, for example, that no More Effective School would contain more than eight hundred pupils. The compromise was one thousand. But what did go through involved greatly increasing the number of teachers and specialists and greatly reducing the size of classes—cutting them in half in certain schools. I was a consultant on class size, incidentally, and I recommended one adult to twelve children. In 'Slums and Suburbs,' you may remember, Conant pointed out that in the wealthiest suburban areas the ratio is one to fourteen. The idea of reducing class sizes that drastically was turned down twice by the Board of Education—almost scornfully. They called the idea visionary, because, they said, there weren't enough teachers. But we're at the end of the teacher shortage. The first wave of Second World War babies is moving into adulthood, and many of them are becoming teachers, so it's unrealistic to keep planning on the basis of a lasting shortage of teachers. At any rate, the More Effective School program did get a small start in ten elementary schools in September of 1964, and about ten more were added a year later, but no funds are being allocated to extend the program. Despite all the drawbacks, the most recent test scores indicate that the plan is working. For the first time in recorded history, as far as I know, children in slum neighborhoods are achieving one month's scheduled improvement—or better—for each month they're in class. But despite these signs of success, there are strong forces in the system that are opposed to a really substantial increase in the number of More Effective Schools. My guess is that those people are worried about costs. They forget that children are worth everything we can give them."

A tall young Negro with glasses had come into Shapiro's office while he was talking, and Shapiro introduced me to him. He was the caseworker with the Bureau of Attendance who had been assigned to John. The principal excused himself after a secretary beckoned to him from the outer office to let him know that a child wanted to see him, and when we were alone, the caseworker began comparing Shapiro with other principals he dealt with. "Most of them don't want to make any waves," he said. "Waves might mean trouble—might blemish their record with the Board. So their schools are little ivory towers, with nobody taking any responsibility for what's going on in the community. Some principals are so damn insecure they actually try to isolate their schools from the community. They're just plain afraid, and both the staff and the children sense the fear. In schools like that, the children are really in control. The reactions of the staff and the supervisory personnel are built around their fear of the children."

At that moment, John himself appeared in the doorway. In his right hand was a gun. "If that's loaded—" the caseworker said. He held up a hand as if to defend himself, and John shot a thin stream of water against it. The boy doubled over with laughter. As he went over to the copying machine and set to work, he was still laughing.

The caseworker smiled and took up the thread of what he had been telling me. "I get around to about twenty-five schools in the Harlem area, and, believe me, Dr. Shapiro is very unusual. He never underestimates what these kids could become. Why, sheltered children exposed to what these kids go through would collapse right away. Some of these kids can be caught in time and given help. Even some of the ones who don't get help will live reasonably O.K. lives, except that they'll never realize anything like their full potential. And some, of course, are just plain doomed."

NAT HENTOFF.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

LEGISLATIVE PROGRAM

Mr. LONG of Louisiana. Mr. President, for the information of the Senate, it is planned to have the truth in packaging bill, which we expect to have reported today, laid before the Senate and made the pending business tomorow, and it is anticipated that that matter will be before the Senate and that it will remain the unfinished business over the Memorial Day recess.

AUTHORIZATION OF CERTAIN CONSTRUCTION AT MILITARY INSTALLATIONS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 3105, the military construction bill.

The PRESIDING OFFICER. The bill will be stated by the title.

The LEGISLATIVE CLERK. A bill (S. 3105) to authorize certain construction at military installations, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services with an amendment to strike out all after the enacting clause and insert:

TITLE I

SEC. 101. The Secretary of the Army may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparations, appurtenances, utilities and equipment for the following projects:

Inside the United States

United States Continental Army Command

(First Army)

Fort Devens, Massachusetts: Troop housing, $7,117,000.

Fort Dix, New Jersey: Training facilities, $1,914,000.

Fort Eustis, Virginia: Training facilities, and maintenance facilities, $445,000.

Fort Knox, Kentucky: Training facilities: $2,470,000.

(Third Army)

Armed Forces Examining Entrance Station, Montgomery, Alabama: Administrative facilities, $235,000.

Fort Campbell, Kentucky: Operational facilities, $355,000.

Fort Gordon, Georgia: Troop housing, $12,630,000.

Fort Jackson, South Carolina: Training facilities, $2,631,000.

Fort Rucker, Alabama: Operational facilities, $318,000.

(Fourth Army)

Fort Bliss, Texas: Training facilities, maintenance facilities, and research, development and test facilities, $4,936,000.

Fort Hood, Texas: Training facilities, and utilities, $1,871,000.

Fort Polk, Louisiana: Training facilities, $861,000.

(Fifth Army)

Fort Riley, Kansas: Troop housing, $3,100,000.

(Sixth Army)

Fort Ord, California: Training facilities, $596,000.

United States Army Materiel Command

Atlanta Army Depot, Georgia: Utilities, $237,000.

Charleston Army Depot, South Carolina: Utilities, $200,000.

Edgewood Arsenal, Maryland: Research, development, and test facilities, and utilities, $3,293,000.

Frankford Arsenal, Pennsylvania: Supply facilities, $249,000.

Natick Laboratories, Massachusetts: Research, development, and test facilities, $109,000.

Picatinny Arsenal, New Jersey: Research, development, and test facilities, $620,000.

Redstone Arsenal, Alabama: Research, development, and test facilities, $600,000.

Rock Island Arsenal, Illinois: Research, development, and test facilities, $3,246,000.

Sharpe Army Depot, California: Maintenance facilities, $158,000.

Watervliet Arsenal, New York: Research, development, and test facilities, $955,000.

White Sands Missile Range, New Mexico: Research, development, and test facilities, $2,336,000.

United States Army Security Agency

Vint Hill Farms Station, Virginia: Operational facilities, $145,000.

United States Army Strategic Communications Command

Fort Lewis, Washington: Maintenance facilities, $916,000.

Fort Ritchie, Maryland: Utilities, $397,000.

United States Army Alaska

Fort Richardson, Alaska: Operational facilities, and supply facilities, $1,001,000.

Fort J. M. Wainwright Alaska: Utilities, $110,000.

Outside the United States

United States Army Pacific

Okinawa: Utilities, $619,000.

United States Army Forces, Southern Command

Panama Canal Zone: Operational facilities and utilities, $2,011,000.

United States Army Materiel Command

Kwajalein Atoll: Research, development and test facilities, $31,333,000.

United States Army Security Agency

Various locations: Operational facilities, maintenance facilities, supply facilities, administrative facilities, troop housing and community facilities, and utilities, $1,970,000.

United States Army Strategic Communications Command

Various locations: Operational facilities, $208,000.

SEC. 102. The Secretary of the Army may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $33,000,000.

SEC. 103. (a) Public Law 85–241, as amended, is amended under the heading "INSIDE THE UNITED STATES" in section 101, as follows: (1) Under the subheading "TECHNICAL SERVICES FACILITIES (ORDNANCE CORPS)", with respect to "Anniston Ordnance Depot, Alabama", strike out '$2,015,000" and insert in place hereof "$2,881,000."

(b) Public Law 85–241, as amended, is amended by striking out in clause (1) of section 502, the amounts "$119,330,000" and "$296,809,000," and inserting in place thereof "$120,196,000" and "$297,675,000," respectively.

SEC. 104. (a) Public Law 87–554, as amended, is amended under the heading "INSIDE THE UNITED STATES" in section 101, as follows: (1) Under the subheading "TECHNICAL SERVICES FACILITIES (Ordnance Corps)," with respect to "Letterkenny Ordnance Depot, Pennsylvania", strike out "$411,000" and insert in place thereof "$466,000".

(b) Public Law 87–554, as amended, is amended by striking out in clause (1) of section 602, "$102,315,000" and "$150,824,000" and inserting in place thereof "$102,370,000" and "$150,879,000", respectively.

SEC. 105. (a) Public Law 88–174, as amended, is amended under the heading

"INSIDE THE UNITED STATES" in section 101, as follows:

(1) Under the subheading "CONTINENTAL ARMY COMMAND (Second Army)", with respect to "Fort Belvoir, Virginia", strike out "$1,083,000" and insert in place thereof "$1,213,000".

(2) With respect to "section 102", strike out "$8,900,000" and insert in place thereof "$9,112,000".

(b) Public Law 88–174, as amended, is amended by striking out in clause (1) of section 602, "$155,696,000", "$8,900,000", and "$200,353,000", and inserting in place thereof "$155,826,000", $9,112,000", and $200,695,000", respectively.

SEC. 106. (a) Public Law 88–390, as amended, is amended under heading "INSIDE THE UNITED STATES" in section 101, as follows:

(1) Under the subheading "CONTINENTAL ARMY COMMAND (Second Army)", with respect to "Fort Belvoir, Virginia", strike out "$3,564,000" and insert in place thereof "$4,113,000".

(2) Under the subheading, "CONTINENTAL ARMY COMMAND (Second Army)", with respect to "Carlisle Barracks, Pennsylvania", strike out "$5,244,000" and insert in place thereof "$5,808,000".

(3) Under the subheading, "CONTINENTAL ARMY COMMAND (Second Army)", with respect to "Fort Knox, Kentucky", strike out "$7,778,000" and insert in place thereof "$8,566,00".

(4) Under the subheading, "CONTINENTAL ARMY COMMAND (Third Army)", with respect to "Fort Benning, Georgia", strike out "$5,452,000" and insert in place thereof "$6,483,000".

(5) Under the subheading, "CONTINENTAL ARMY COMMAND (Fifth Army)", with respect to "Fort Benjamin Harrison, Indiana", strike out "$1,652,000" and insert in place thereof "$1,836,000".

(6) Under the subheading, "CONTINENTAL ARMY COMMAND (Sixth Army)", with respect to "Presidio of San Francisco, California," strike out "$283,000" and insert in place thereof "$349,000."

(7) Under the subheading "ARMY COMPONENT COMMAND (Alaska Command Area)," with respect to "Fort Richardson, Alaska," strike out "$767,000" and insert in place thereof "$882,000."

(b) Public Law 88–390, as amended, is amended by striking out in clause (1) of section 602, "$249,697,000" and "$300,758,000", and inserting "$252,994,000" and "$304,055,000", respectively.

SEC. 107. (a) Public Law 89–188 is amended under heading "Inside United States" in section 101, as follows:

(1) Under the subheading, "CONTINENTAL ARMY COMMAND, LESS ARMY MATERIEL COMMAND (First Army)", with respect to "Fort Devens, Massachusetts", strike out "$11,008,000" and insert in place thereof "$11,964,000".

(2) Under the subheading, "ARMY MATERIEL COMMAND", with respect to "Jefferson Proving Ground, Indiana", strike out "$52,000" and insert in place thereof "$71,000".

(3) Under the subheading, "ARMY MATERIEL COMMAND", with respect to "Sharpe Army Depot, California", strike out "$175,000" and insert in place thereof "$261,000".

(b) Public Law 89–188 is amended by striking out in clause (1) of section 602, "$252,661,000" and "$309,522,000", and inserting "$253,722,000" and "$310,583,000", respectively.

TITLE II

SEC. 201. The Secretary of the Navy may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment for the following projects:

Inside the United States

Bureau of Ships facilities

Naval Shipyard, Boston, Massachusetts: Operational facilities, $65,000.

Naval Shipyard, Bremerton, Washington: Operational facilities, maintenance facilities, and utilities, $1,928,000.

Naval Shipyard, Charleston, South Carolina: Maintenance facilities, $535,000.

Naval Shipyard, Long Beach, California: Maintenance facilities, $49,000.

Naval Shipyard, Norfolk, Virginia: Operational facilities, and maintenance facilities, $1,628,000.

Naval Shipyard, Pearl Harbor, Oahu, Hawaii: Operational facilities, and maintenance facilities, $940,000.

Naval Shipyard, Philadelphia, Pennsylvania: Operational facilities, and maintenance facilities, $1,368,000.

Naval Shipyard, Portsmouth, New Hampshire: Operational facilities, and utilities, $295,000.

Naval Shipyard, San Francisco Bay, California: Maintenance facilities at Hunters Point and on Mare Island, $2,782,000.

(Research, Development, Test, and Evaluation Stations)

Navy Marine Engineering Laboratory, Annapolis, Maryland: Research, development, and test facilities, $600,000.

David Taylor Model Basin, Carderock, Maryland: Research, development, and test facilities, $2,124,000.

Fleet Base Facilities

Naval Station, Brooklyn, New York: Operational facilities, administrative facilities, and utilities, $1,7000,000.

Naval Station, Long Beach, California: Operational facilities, and utilities, $1,658,000.

Naval Submarine Base, New London, Connecticut: Operational facilities, and troop housing, $2,377,000.

Headquarters Support Activity, New Orleans, Louisiana: Operational facilities, and administrative facilities, $500,000.

Naval Station, Newport, Rhode Island: Troop housing, $1,124,000.

Naval Station, Pearl Harbor, Oahu, Hawaii: Troop housing, $719,000.

Naval Submarine Base, Pearl Harbor, Oahu, Hawaii: Troop housing, $1,346,000.

Naval Station, Philadelphia, Pennsylvania: Troop housing, $1,353,000.

Naval Weapons Facilities

(Naval Air Training Stations)

Naval Auxiliary Air Station, Chase Field, Texas: Maintenance facilities, $93,000.

Naval Air Station, Memphis, Tennessee: Training facilities, and troop housing, $3,882,000.

Naval Air Station, Pensacola, Florida: Real estate, $377,000.

Naval Auxiliary Air Station, Saufley Field, Florida: Utilities, $44,000.

Naval Auxiliary Air Station, Whiting Field, Florida: Troop housing, $800,000.

(Field support stations)

Naval Station, Adak, Alaska: Maintenance facilities, and utilities, $2,440,000.

Naval Air Station, Albany, Georgia: Operational and training facilities, and maintenance facilities, $2,100,000.

Naval Air Station, Cecil Field, Florida: Maintenance facilities, and troop housing, $619,000.

Naval Air Station, Jacksonville, Florida: Operational facilities, and maintenance facilities, $1,706,000.

Naval Air Station, Lakehurst, New Jersey: Maintenance facilities, $69,000.

Naval Air Station, Lemoore, California: Maintenance facilities, and utilities, $251,000.

Naval Station, Mayport, Florida: Troop housing, $280,000.

Naval Air Station, Norfolk, Virginia: Maintenance facilities, $2,512,000.

Naval Air Station, North Island, California: Troop housing, $1,920,000.

Naval Air Station, Oceana, Virginia: Operational and training facilities, maintenance facilities, and troop housing, $1,466,000.

Naval Auxiliary Air Station, Ream Field, California: Operational facilities, maintenance facilities, and ground improvements, $1,816,000.

Naval Air Station, Whidbey Island, Washington: Medical facilities, $1,674,000.

(Marine Corps air stations)

Marine Corps Air Station, Beaufort, South Carolina: Supply facilities, $491,000.

Marine Corps Air Station, Cherry Point, North Carolina: Training facilities, and maintenance facilities, $572,000.

Marine Corps Air Facility, New River, North Carolina: Troop housing, $486,000.

Marine Corps Air Facility, Santa Ana, California: Operational facilities, $406,000.

(Fleet readiness stations)

Naval Ammunition Depot, Bangor, Washington: Operational facilities, $189,000.

Naval Weapons Station, Charleston, South Carolina: Maintenance facilities, $260,000.

Naval Propellant Plant, Indian Head, Maryland: Production facilities, $97,000.

Naval Torpedo Station, Keyport, Washington: Maintenance facilities, $1,274,000.

(Research, Development, Test, and Evaluation Stations)

Naval Ordnance Test Station, China Lake, California: Research, development, and test facilities, $198,000.

Naval Ordnance Laboratory, Corona, California: Research, development, and test facilities, $743,000.

Naval Aerospace Recovery Facility, El Centro, California: Research, development, and test facilities, $430,000.

Naval Underwater Ordnance Station, Newport, Rhode Island: Utilities and ground improvements, $86,000.

Naval Air Test Center, Patuxent River, Maryland: Maintenance facilities and supply facilities, $283,000.

Pacific Missile Range, Point Mugu, California: Research, development, and test facilities on San Nicolas Island, $343,000.

Supply Facilities

Naval Oceanographic Distribution Office, Ogden, Utah: Administrative facilities, $236,000.

Naval Supply Center, Puget Sound, Washington: Administrative facilities; and at the Seattle Annex, administrative facilities, and community facilities, $940,000.

Navy Fuel Depot, San Pedro, California: Supply facilities, $111,000.

Marine Corps Facilities

Marine Corps Base, Camp Pendleton, California: Maintenance facilities, administrative facilities, troop housing, and utilities, $3,166,000.

Marine Corps Recruit Depot, Parris Island, South Carolina: Real estate, $168,000.

Marine Corps Recruit Depot, San Diego, California: Troop housing, $781,000.

Marine Corps Base, Twentynine Palms, California: Operational facilities, and supply facilities, $1,042,000.

Service School Facilities

Naval Academy, Annapolis, Maryland: Utilities, $2,803,000.

Fleet Anti-Air Warfare Training Center, Dam Neck, Virginia: Training facilities, $2,128,000.

Naval Training Center, Great Lakes, Illinois: Training facilities, $24,000.

Fleet Training Center, Newport, Rhode Island: Utilities, $167,000.

Fleet Anti-Submarine Warfare Training Facility, Pearl Harbor, Oahu, Hawaii: Training facilities, $452,000.

Naval Training Center, San Diego, California: Troop housing, and utilities, $5,727,000.

Nuclear Weapons Training Center, Pacific, San Diego, California: Training facilities, $44,000.

Naval Training Center, location to be determined: Training facilities, medical facilities, troop housing, and utilities and ground improvements, $14,900,000.

Medical Facilities

Naval Hospital, Memphis, Tennessee: Troop housing, $234,000.

Naval Submarine Medical Center, New London, Connecticut: Hospital and medical facilities, $4,957,000.

Naval Hospital, Portsmouth, Virginia: Community facilities, $48,000.

Communication Facilities

Naval Communication Station, Adak, Alaska: Troop housing, $1,197,000.

Naval Radio Station, Northwest, Virginia: Utilities, $132,000.

Various locations: Operational facilities, $1,057,000.

Office of Naval Research Facilities

Naval Arctic Research Laboratory, Barrow, Alaska: Research, development, and test facilities, administrative facilities, troop housing and community facilities, and utilities, $3,000,000.

Yards and Docks Facilities

Naval Construction Battalion Center, Davisville, Rhode Island: Operational facilities, $66,000.

Outside the United States

Bureau of Ships Facilities

Atlantic Undersea Test and Evaluation Center, West Indies: Research, development and test facilities, supply facilities, troop housing, and utilities and ground improvements, $1,371,000.

Naval Weapons Facilities

Naval Air Station, Agana, Guam, Mariana Islands: Maintenance facilities, and community facilities, $159,000.

Naval Air Station, Cubi Point, Republic of the Philippines: Troop housing, $530,000.

Naval Air Station, Guantanamo Bay, Cuba: Troop housing, $2,333,000.

Naval Station, Keflavik, Iceland: Operational facilities, $203,000.

Naval Air Facility, Naples, Italy: Operational facilities, $37,000.

Naval Station, Roosevelt Roads, Puerto Rico: Troop housing, $1,142,000.

Marine Corps Facilities

Camp Smedley D. Butler, Okinawa: Supply facilities, administrative facilities, and community facilities, $1,056,000.

Medical Facilities

Naval Hospital, Guantanamo Bay, Cuba: Supply facilities, and medical facilities, $279,000.

Communication Facilities

Naval Communication Station, Nea Makri, Greece: Troop housing, and community facilities, $363,000.

Naval Communication Station, North West Cape, Australia: Operational facilities, and troop housing, $708,000.

Naval Communication Station, San Miguel, Republic of the Philippines, Troop housing, $476,000.

Naval Radio Station, Totsuka, Japan: Operational facilities, $576,000.

Various locations: Operational facilities, $715,000.

SEC. 202. The Secretary of the Navy may establish or develop classified naval installations and facilities by acquiring, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $13,788,000.

SEC. 203. (a) Public Law 88–174, as amended, is amended in section 201 under the heading "INSIDE THE UNITED STATES" and subheading "NAVAL WEAPONS FACILITIES (Field Support Stations)", with respect to the Naval Air Station, Cecil Field, Florida, and the Naval Air Station, Norfolk Virginia, by striking out "$150,000" and "$3,242,000", respectively, and inserting in place thereof "$182,000" and "$3,640,000", respectively.

(b) Public Law 88–174, as amended, is amended by striking out in clause (2) of section 602 "$115,601,000" and "$202,500,000", and inserting in place thereof "$116,031,000" and "$202,930,000", respectively.

TITLE III

SEC. 301. The Secretary of the Air Force may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for the following projects.

Inside the United States

Air Defense Command

Duluth Municipal Airport, Duluth, Minnesota: Troop housing, $260,000.

Hamilton Air Force Base, San Rafael, California: Utilities, $422,000.

McChord Air Force Base, Tacoma, Washington: Operational facilities and maintenance facilities, $528,000.

NORAD Headquarters, Colorado Springs, Colorado: Operational facilities $3,297,000.

Perrin Air Force Base, Sherman, Texas: Maintenance facilities, $61,000.

Peterson Field, Colorado Springs, Colorado: Maintenance facilities, $53,000.

Stewart Air Force Base, Newburgh, New York: Operational facilities and utilities, $154,000.

Air Force Logistics Command

Griffiss Air Force Base, Rome, New York: Research, development, and test facilities, $225,000.

Hill Air Force Base, Ogden, Utah: Operational facilities, maintenance facilities, research, development and test facilities, supply facilities, administrative facilities, troop housing, and utilities, $1,504,000.

Kelly Air Force Base, San Antonio, Texas: Operational facilities, administrative facilities and utilities, $450,000.

McClellan Air Force Base, Sacramento, California: Operational facilities, and maintenance facilities, $1,008,000.

Robins Air Force Base, Macon, Georgia: Maintenance facilities, $154,000.

Tinker Air Force Base, Oklahoma City, Oklahoma: Maintenance facilities, troop housing, and utilities, $3,043,000.

Wright-Patterson Air Force Base, Dayton, Ohio: Operational facilities, research, development, and test facilities, administrative facilities, and utilities, $4,373,000.

Air Force Systems Command

Arnold Engineering Development Center, Tullahoma, Tennessee: Research, development, and test facilities, $974,000.

Edwards Air Force Base, Muroc, California: Research, development, and test facilities, $3,366,000.

Eglin Air Force Base, Valparaiso, Florida: Training facilities, maintenance facilities, research, development, and test facilities, and supply facilities, $3,929,000.

Eglin Auxiliary Airfield Number 9, Valparaiso, Florida: Maintenance facilities and utilities, $705,000.

Holloman Air Force Base, Alamogordo, New Mexico: Operational facilities, maintenance facilities, research, development, and test facilities, and troop housing, $4,382,000.

Los Angeles Air Force Station, Los Angeles, California: Administrative facilities, $195,000.

Patrick Air Force Base, Cocoa, Florida: Operational facilities and supply facilities, $484,000.

Various locations: Operational facilities, troop housing, and utilities; $1,192,000.

Air Training Command

Chanute Air Force Base, Rantoul, Illinois: Training facilities and utilities, $586,000.

Craig Air Force Base, Selma, Alabama: Maintenance facilities, $226,000.

Laredo Air Force Base, Laredo, Texas: Maintenance facilities, $220,000.

Laughlin Air Force Base, Del Rio, Texas: Operational and training facilities and maintenance facilities, $675,000.

Lowry Air Force Base, Denver, Colorado: Training facilities and utilities, $2,295,000.

Mather Air Force Base, Sacramento, California: Operational and training facilities, maintenance facilities and troop housing, $2,359,000.

Moody Air Force Base, Valdosta, Georgia: Maintenance facilities, $225,000.

Randolph Air Force Base, San Antonio, Texas: Maintenance facilities, $236,000.

Reese Air Force Base, Lubbock, Texas: Operational and training facilities and maintenance facilities, $546,000.

Sheppard Air Force Base, Wichita Falls, Texas: Operational and training facilities, maintenance facilities, and troop housing, $1,935,000.

Vance Air Force Base, Enid, Oklahoma: Operational facilities and maintenance facilities, $1,169,000.

Webb Air Force Base, Big Spring, Texas: Maintenance facilities, $226,000.

Williams Air Force Base, Chandler, Arizona: Maintenance facilities, $331,000.

Alaskan Air Command

Eielson Air Force Base, Fairbanks, Alaska: Operational facilities and utilities, $1,655,000.

Elmendorf Air Force Base, Anchorage, Alaska: Operational facilities and utilities, $365,000.

Various locations: Operational facilities, maintenance facilities, supply facilities, troop housing, and utilities, $1,200,000.

Headquarters Command

Andrews Air Force Base, Camp Springs, Maryland: Operational facilities, maintenance facilities, and utilities, $1,033,000.

Military Airlift Command

Charleston Air Force Base, Charleston, South Carolina: Operational facilities, $212,000.

Dover Air Force Base, Dover, Delaware: Utilities, $250,000.

McGuire Air Force Base, Wrightstown, New Jersey: Maintenance facilities, $1,920,000.

Norton Air Force Base, San Bernardino, California: Operational and training facilities, maintenance facilities, supply facilities, and troop housing, $7,706,000.

Pacific Air Force

Hickam Air Force Base, Honolulu, Hawaii: Supply facilities, $193,000.

Strategic Air Command

Barksdale Air Force Base, Shreveport, Louisiana: Maintenance facilities, troop housing and utilities, $1,263,000.

Bunker Hill Air Force Base, Peru, Indiana: Operational facilities, $106,000.

Carswell Air Force Base, Fort Worth, Texas: Training facilities and maintenance facilities, $1,231,000.

Castle Air Force Base, Merced, California: Maintenance facilities, supply facilities, and troop housing, $2,203,000.

Columbus Air Force Base, Columbus, Mississippi: Training facilities and utilities, $494,000.

Davis-Monthan Air Force Base, Tucson, Arizona: Maintenance facilities and utilities, $444,000.

Ellsworth Air Force Base, Rapid City, South Dakota: Maintenance facilities, $397,000.

Grand Forks Air Base, Grand Forks, North Dakota: Operational facilities, maintenance facilities, and troop housing, $941,000.

Little Rock Air Force Base, Little Rock, Arkansas: Operational facilities and supply facilities, $361,000.

Malmstrom Air Force Base, Great Falls, Montana: Maintenance facilities and troop housing, $1,618,000.

March Air Force Base, Riverside, California: Operational facilities, maintenance facilities, supply facilities, and troop housing, $3,240,000.

McCoy Air Force Base, Orlando, Florida: Maintenance facilities, $199,000.

Minot Air Force Base, Minot, North Dakota: Troop housing, $440,000.

Offutt Air Force Base, Omaha, Nebraska: Administrative facilities and utilities, $762,000.

Vandenberg Air Force Base, Lompoc, California: Operational facilities and utilities, $186,000.

Westover Air Force Base, Chicopee Falls, Massachusetts: Troop housing and utilities, $350,000.

Wurtsmith Air Force Base, Oscoda, Michigan: Operational facilities and troop housing, $358,000.

Tactical Air Command

Bergstrom Air Force Base, Austin, Texas: Operational and training facilities, maintenance facilities, administrative facilities, and troop housing, $4,487,000.

Cannon Air Force Base, Clovis, New Mexico: Maintenance facilities, troop housing, and real estate, $2,147,000.

England Air Force Base, Alexandria, Louisiana: Operational and training facilities, maintenance facilities, and utilities, $2,187,000.

George Air Force Base, Victorville, California: Training facilities and administrative facilities, $598,000.

Langley Air Force Base, Hampton, Virginia: Utilities, $468,000.

Luke Air Force Base, Phoenix, Arizona: Maintenance facilities, $203,000.

MacDill Air Force Base, Tampa, Florida: Maintenance facilities, $1,006,000.

McConnell Air Force Base, Wichita, Kansas: Training facilities and real estate, $609,000.

Myrtle Beach Air Force Base, Myrtle Beach, South Carolina: Operational and training facilities and maintenance facilities, $371,000.

Nellis Air Force Base, Las Vegas, Nevada: Training facilities and maintenance facilities, $1,165,000.

Shaw Air Force Base, Sumter, South Carolina: Maintenance facilities, $473,000.

United States Air Force Academy

United States Air Force Academy, Colorado Springs, Colorado: Troop housing and utilities, $10,758,000.

Aircraft Control and Warning System

Various locations: Maintenance facilities, supply facilities, medical facilities, troop housing, community facilities, utilities, and real estate, $3,713,000.

Outside the United States

Air Defense Command

Various locations: Operational facilities, $238,000.

Military Airlift Command

Various locations: Utilities, $396,000.

Pacific Air Force

Various locations: Operational facilities, supply facilities, troop housing, community facilities, and utilities, $6,189,000.

Strategic Air Command

Andersen Air Force Base, Guam: Operational facilities, $22,000.

Ramey Air Force Base, Puerto Rico: Real estate, $63,000.

Various locations: Maintenance facilities and community facilities, $1,303,000.

United States Air Forces in Europe

Various locations: Operational and training facilities, maintenance facilities, supply facilities, troop housing, and utilities, $3,513,000.

USAF Southern Command

Howard Air Force Base, Canal Zone: Operational facilities and utilities, $1,244,000.

United States Air Force Security Service

Various locations: Operational facilities, maintenance facilities, supply facilities, troop housing and utilities, $1,123,000.

Sec. 302. The Secretary of the Air Force may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $76,825,000.

Sec. 303. (a) Public Law 87–554, as amended, is amended in section 301 under the heading "INSIDE THE UNITED STATES" and Subheading "TACTICAL AIR COMMAND", with respect to Nellis Air Force Base, Las Vegas, Nevada, by striking out "$3,136,000" and inserting in place thereof "$3,416,000".

(b) Public Law 87–554, as amended, is amended by striking out in clause (3) of section 602 the amounts "$131,679,000" and "$743,407,000" and inserting in place thereof "$131,959,000" and "$743, 687,000", respectively.

Sec. 304. (a) Public Law 88–390 is amended in section 301 under the heading "INSIDE THE UNITED STATES" and subheading "MILITARY TRANSPORT SERVICE", with respect to McGuire Air Force Base, Wrightstown, New Jersey, by striking out "$687,000" and inserting in place thereof "$786,000".

(b) Public Law 88–390 is amended by striking out in clause (3) of section 602 the amounts "$165,228,000" and "$303,348,000" and inserting in place thereof "$165,327,000" and "$303,447,000", respectively.

TITLE IV

Sec. 401. The Secretary of Defense may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for defense agencies for the following projects:

Inside the United States

Defense Atomic Support Agency

Armed Forces Radiobiology Research Institute, Bethesda, Maryland; Research, development, and test facilities, $1,890,000.

Defense Communications Agency

Headquarters, Defense Communications Agency, Building 12, Navy Department Service Center, Arlington, Virginia: Utilities, $290,000.

Defense Supply Agency

Defense Construction Supply Center, Columbus, Ohio: Supply facilities, $59,000.

Defense Depot, Memphis, Tennessee: Supply facilities, $171,000.

Defense Personnel Support Center, Philadelphia, Pennsylvania: Research, development, and test facilities, $257,000.

Defense Depot, Tracy, California: Supply facilities, $50,000.

Defense Electronics Supply Center, Dayton, Ohio: Administrative facilities, $428,000.

National Security Agency

Fort Meade, Maryland: Troop housing, $550,000.

Kent Island, Maryland: Research, development, and test facilities, $30,000.

Outside the United States

Defense Atomic Support Agency

Johnston Island: Research, development, and test facilities, $1,750,000.

National Security Agency

Frankfurt Post, Tanus District, Germany: Operational facilities, $400,000.

TITLE V

Military Family Housing

Sec. 501. The first sentence of section 515 of Public Law 84–161 (69 Stat. 352), as amended, is amended by striking out "1966 through and including 1967" and inserting in lieu thereof "1967 and 1968".

Sec. 502. (a) In order to provide temporary housing relief at certain military installations the Secretaries of the military departments concerned are authorized during fiscal years 1967 and 1968 to lease housing facilities at or near the military installations named below. The number of units which may be leased during such period are indicated following the name of the installation.

Army:
  Presidio of San Francisco, California, 100 units.
  Hawaii installations, 100 units.
  Rock Island Arsenal, Illinois, 10 units.
  Fort Meade, Maryland, 100 units.
Navy:
  East Bay, California, 200 units.
  South Bay, California, 100 units.
  New London, Connecticut, 200 units.
  Long Beach, California, 100 units.
  Hawaii installations, 300 units.
  Glenview, Illinois, 200 units.
  Johnsville, Pennsylvania, 100 units.
  Whidbey Island, Washington, 100 units.
  Marietta, Washington, 10 units.
  Newport, Rhode Island, 100 units.
  Quonset Point, Rhode Island, 100 units.
Air Force:
  George Air Force Base, California, 100 units.
  Hawaii installations, 100 units.
  Bunker Hill, Indiana, 100 units.
  Offutt, Nebraska, 100 units.
  Tinker Air Force Base, Oklahoma, 150 units.
  Kingsley Field, Oregon, 30 units.

(b) The leasing authority contained in subsection (a) of this section may be exercised at or near any such military installation only if the Secretary of Defense or his designee determines that there is a lack of adequate housing facilities at or near such military installation. Housing facilities leased under such authority shall be leased for assignment as public quarters to military personnel and their dependents, if any, without charge, and shall be leased on an individual basis. Expenditures for the rental of such housing facilities may not exceed an average of $160 a month for each military department, including the cost of utilities and maintenance and operation.

(c) The number of units authorized for leasing under this section is in addition to the number authorized under section 515 of Public Law 84–161 (69 Stat. 352), as amended.

Sec. 503. There is authorized to be appropriated for use by the Secretary of Defense or his designee as authorized by law for support of military family housing, including operating expenses, leasing, maintenance of real property, payments of principal and interest on mortgage debts incurred, payments to the Commodity Credit Corporation and mortgage insurance premiums authorized under section 222 of the National Housing Act, as amended (12 U.S.C. 1715m), an amount not to exceed $514,844,000.

TITLE VI

General Provisions

SEC. 601. The Secretary of each military department may proceed to establish or develop installations and facilities under this Act without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 602. There are authorized to be appropriated such sums as may be necessary for the purposes of this Act, but appropriations for public works projects authorized by titles I, II, III, IV, and V shall not exceed—

(1) for title I: Inside the United States, $54,051,000; Outside the United States, $36,141,000; section 102, $33,000,000; or a total of $123,192,000.

(2) for title II: Inside the United States, $94,378,000; Outside the United States, $9,948,000; section 202, $13,788,000; or a total of $118,114,000.

(3) for title III: Inside the United States, $99,100,000; Outside the United States, $14,091,000; section 302, $76,825,000; or a total of $190,016,000.

(4) for title IV: a total of $5,875,000.

(5) for title V: Military Family Housing, a total of $514,844,000.

SEC. 603. Any of the amounts named in titles I, II, III, and IV of this Act, may, in the discretion of the Secretary concerned, be increased by 5 per centum for projects inside the United States (other than Alaska) and by 10 per centum for projects outside the United States or in Alaska, if he determines in the case of any particular project that such increase (1) is required for the sole purpose of meeting unusual variations in cost arising in connection with that project, and (2) could not have been reasonably anticipated at the time such project was submitted to the Congress. However, the total costs of all projects in each such title may not be more than the total amount authorized to be appropriated for projects in that title.

SEC. 604. Whenever—

(1) the President determines that compliance with section 2313(b) of title 10, United States Code, for contracts made under this Act for the establishment or development of military installations and facilities in foreign countries would interfere with the carrying out of this Act; and

(2) the Secretary of Defense and the Comptroller General have agreed upon alternative methods of adequately auditing those contracts;

the President may exempt those contracts from the requirements of that section.

SEC. 605. Contracts for construction made by the United States for performance within the United States and its possessions under this Act shall be executed under the jurisdiction and supervision of the Corps of Engineers, Department of the Army, or the Bureau of Yards and Docks, Department of the Navy, unless the Secretary of Defense or his designee determines that because such jurisdiction and supervision is wholly impracticable such contracts should be executed under the jurisdiction and supervision of another department or Government agency, and shall be awarded, insofar as practicable, on a competitive basis to the lowest responsible bidder, if the national security will not be impaired and the award is consistent with chapter 137 of title 10, United States Code. Regulations issued by the Secretary of Defense implementing the provisions of this section shall provide the department or agency requiring such construction with the right to select either the Corps of Engineers, Department of the Army, or the Bureau of Yards and Docks, Department of the Navy, as its construction agent, providing that under the facts and circumstances that exist at the time of the selection of the construction agent, such selection will not result in any increased cost to the United States. The Secretaries of the military departments shall report semiannually to the President of the Senate and the Speaker of the House of Representatives with respect to all contracts awarded on other than a competitive basis of the lowest responsible bidder.

SEC. 606. (a) Notwithstanding the repeal provisions of section 606 of the Act of September 16, 1965, Public Law 89–188 (79 Stat. 815), all authorizations for military public works (other than family housing), contained in the Act of August 1, 1964, Public Law 88–390 (78 Stat. 363), and all such authorizations contained in the Act of September 16, 1965, Public Law 89–188, including prior authorization extended by section 606 (a)(3) of said Act of September 16, 1965, to be accomplished by the Secretary of a military department in connection with the establishment or development of military installations and facilities, and all authorizations for appropriations therefor, are repealed as of October 1, 1968, except—

(1) authorizations for public works and for appropriations therefor that are set forth in those Acts in the titles that contain the general provisions; and

(2) the authorization for public works projects as to which appropriated funds have been obligated for construction contracts or land acquisitions in whole or in part before October 1, 1968, and authorizations for appropriations therefor.

(b) Notwithstanding the provisions of section 606 of the Act of September 16, 1965, Public Law 89–188 (79 Stat. 815), effective October 1, 1968, all authorizations for construction of family housing which are contained in this Act or the Act of September 16, 1965, Public Law 89–188, including prior authorizations for construction of family housing saved from repeal by the provisions of section 606(b) of such Act of September 16, 1965, are repealed except the authorization for family housing projects as to which funds have been obligated for construction contracts or land acquisitions or manufactured structural component contracts in whole or in part before such date.

SEC. 607. Notwithstanding any other provision of law, none of the military public works authorized by title I, II, III, or IV of this Act may be placed under contract until such time as those military public works previously authorized by law, and for which funds have been appropriated and for which the authorization has been extended by section 606 of this Act, have been placed under contract. The foregoing provision shall not apply to military public works previously authorized by law which have heretofore been deferred and which are certified by the Secretary of Defense to be no longer current and necessary to the mission of the military department or military installation concerned. Certifications by the Secretary of Defense under this section shall be made in writing to the Committees on Armed Services of the Senate and House of Representatives.

Notwithstanding the foregoing provisions of this section, any military public work authorized by title I, II, III, or IV of this Act may be placed under contract if the Secretary of Defense determines and certifies in writing to the Committees on Armed Services of the Senate and the House of Representatives that such project is (1) urgently required in the interests of national defense, and (2) more essential to the interests of national defense than those military public works previously authorized by law, described in the first sentence of this section.

SEC. 608. The last sentence of section 2674 (a) of title 10, United States Code, as amended, is amended by changing the figure "$15,000" to "$25,000".

SEC. 609. None of the authority contained in titles I, II, III, and IV of this Act shall be deemed to authorize any building construction project inside the United States (other than Alaska) at a unit cost in excess of—

(1) $32 per square foot for cold-storage warehousing;

(2) $8 per square foot for regular warehousing;

(3) $1,850 per man for permanent barracks;

(4) $8,500 per man for bachelor officer quarters; unless the Secretary of Defense or his designee determines that, because of special circumstances, application to such project of the limitations on unit costs contained in this section is impracticable.

SEC. 610. Chapter 159 of title 10, United States Code, is amended as follows:

(1) By adding the following new section:

"§ 2683. ESTABLISHMENT AND DEVELOPMENT OF INSTALLATIONS AND FACILITIES TO REFLECT CERTAIN CHANGES IN MISSIONS AND RESPONSIBILITIES

"(a) The Secretary of a military department, with respect to his department, may—

"(1) establish or develop military installations and facilities by proceeding with construction made necessary by changes in missions and responsibilities of those agencies or that department that were occasioned by—

"(A) unforeseen security considerations;

"(B) new weapons developments;

"(C) new and unforeseen research and development requirements; or

"(D) improved production schedules;

if the Secretary of Defense, or his designee, determines that deferral of such construction for inclusion in the next military construction authorization act would be inconsistent with interests of national security; and

"(2) in connection with action taken under clause (1), acquire, construct, convert, rehabilitate, or install permanent or temporary public works (including land acquisition, site preparation, appurtenances, utilities, and equipment).

Not more than $10,000,000 is authorized for any fiscal year under this section with respect to a military department.

"(b) The Secretary of a military department, with respect to that military department, shall notify the Committees on Armed Services of the Senate and the House of Representatives, upon reaching a final decision to take action under this section, of the cost of construction of any public work undertaken hereunder, including real estate actions pertaining thereto.

"(c) Installations and facilities may be established or developed under this section without regard to section 4774(d) or 9774 (d) of this title or section 529 of title 31.

The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 255 of title 40, and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use) by gift, purchase, exchange of Government-owned land, or otherwise."

(2) By adding the following new item in the analysis:

"2683. Establishment and development of installations and facilities to reflect certain changes in missions and responsibilities."

SEC. 611. Titles I, II, III, IV, V, and VI of this Act may be cited as the "Military Construction Authorization Act, 1967".

TITLE VII

Reserve Forces Facilities

SEC. 701. Subject to chapter 133 of title 10, United States Code, the Secretary of Defense may establish or develop additional facilities for the Reserve Forces, including the acquisition of land therefor, but the cost of such facilities shall not exceed—

(1) for the Department of the Navy: Naval and Marine Corps Reserves, $5,000,000.

(2) for Department of the Air Force:

(a) Air National Guard of the United States, $8,900,000.

(b) Air Force Reserve, $3,300,000.

SEC. 702. The Secretary of Defense may establish or develop installations and facilities under this title without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774 (d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estae or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 703. This title may be cited as the "Reserve Forces Facilities Authorization Act, 1967".

Mr. JACKSON. Mr. President, the bill before the Senate provides construction and other related authority for the military departments and defense agencies within and outside the United States, including authority for the construction of facilities for the Reserve components. The sum total of the new authority contained in the bill is $969,241,000. In addition thereto, approval is granted for an increase in prior years' authority of $6,430,000 for a total authorization of $975,671,000.

The Army is authorized $123.2 million; the Navy $118.1 million; the Air Force $190 million; the Defense agencies $5.9 million; and for the cost of operating and maintaining and the debt payment on existing military family housing $514.8 million; and $17.2 million for the Reserve components.

The bill this year for normal objectives is about half that of the requests of recent years. For the purpose of comparison, the request this year, exclusive of family housing, was approximately $522.8 million compared with $1,210 million requested last year. We were told this is the result of the over-riding demands for resources associated with the support activities in southeast Asia. After a careful review of the approximately 646 individual line items proposed for some 262 named bases throughout the world, the authority finally granted by the committee is $75,413,000 below the amount requested.

Now I should like to review briefly certain factors involving the military construction authorization bill during the past 3 years that are of considerable concern to the committee. When the construction bill for fiscal year 1965 was before the committee, responsible witnesses of the Defense Establishment offered assurance that the authorization requests contained in that bill were for construction to support the latest approved program which would be in place no later than the end of fiscal year 1967. Supposedly, the requests represented the most urgent construction needs.

That bill was signed into law August 1, 1964; yet, on November 19, 1964, with little prior notice to the Congress, the Secretary of Defense announced 95 actions to consolidate, reduce, or discontinue altogether Department of Defense activities in the United States and overseas. Surprisingly enough, several construction projects had been included in the recently approved construction bill for installations that were announced for closing. As a result of this, the committee and Congress took two actions when the fiscal year 1966 construction program was under consideration: first, the committee placed each witness on notice that it was his responsibility to advise the committee of any projects requested in the bill for any installation where tenure seemed in doubt, and second, the bill approved by the Congress contained a provision designed to assure some advance notice to the Congress of any future base closures proposed by the Defense Department.

Again, when, the fiscal year 1966 construction bill was before the committee, assurances were given that the projects included in the bill represented the fiscal year 1966 segment of the approved 5-year plan and must be in place not later than fiscal year 1968 to coincide with the overall objectives for this period. However, on December 21, 1965, and again with little advance notice to Congress, the Secretary of Defense announced the indefinite deferral of nearly 50 percent of recently approved construction program for a total of $620 million, including projects in 42 States and the District of Columbia. We were told these deferrals were made in light of the magnitude of the cost of our military operations in Vietnam and the inflationary pressures in the construction industry and elsewhere in the economy.

Included among the deferred projects were 8,500 units of military family housing and badly needed troop housing so necessary to the welfare of the service personnel. Now, when considering the pending bill, the committee was advised that each of the projects requested must be initiated in fiscal year 1967 to meet operational schedules or to support new missions or projects which are essential for other compelling reasons, such as the health and safety of personnel and the improvement of the most deficient troop housing.

Frankly, Mr. President, the committee found itself in an almost untenable position of being asked to pass upon a bill composed of projects that for the most part seemed to be of secondary importance to many of those approved and funded by Congress last year that have been deferred. To illustrate—we found requests for troop housing at bases where such had been deferred, additional training facilities asked for when other training facilities have been postponed, and a request to lease family housing in areas where housing has been authorized but not placed under contract.

In light of this, the committee has included in the bill a provision, section 607 of title V, which is designed to encourage the Secretary of Defense to proceed with those projects that have been deferred prior to placing the projects authorized by the current bill under contract. More specifically, it would preclude the Defense Establishment from placing under contract military public works authorized in titles I, II, III, and IV of the current bill until such time as those projects that have been deferred have been placed under contract.

The committee recognizes that there may be among the deferred projects some that are no longer current and valid requirements, or conceivably there may be some projects in the current bill that are more urgently required in the interests of national defense than those that have been deferred. With this in mind, an escape clause has been included in the provision which will require a certification by the Secretary of Defense that a deferred project is no longer needed or that a project in the bill before you is more urgently needed than those deferred. It is hoped that the Department of Defense will be most candid in carrying out the intent of this provision.

The reduction of $75.4 million in the overall bill recommended by the committee consists of $68.4 million for the Active forces and $7 million for a reduction in the leased housing program requested by the Department of Defense and which I shall refer to later in more detail. About two-thirds of the reduction made in the requests for Active forces was for projects of a classified nature with which the committee and Congress have repeatedly found fault. The balance was made up of projects which were not of great urgency and could be deferred for the present in light of the requirements for southeast Asia, or where they were deemed unnecessary and present facilities were believed sufficient for the present.

Specifically, the Army was denied a total of $38 million, of which $32 million was designated for two classified programs, one of which is being denied for the third time. The other is believed to require further study and should be coordinated with NATO.

The Navy program is quite austere and a reduction of only $8.7 million is recommended. The principal reduction made was $3.8 million for a hypervelocity wind tunnel which was deferred for a year in view of the southeast Asia requirements, and a new hospital at Roosevelt Roads, Puerto Rico, which is believed to require further study.

As for the Air Force, a reduction of $21.6 million was made, $18.6 of which related to a theater air base vulnerability program about which the committee has serious doubts and a part of which has been repeatedly denied in past years.

No reduction was made in the modest requests of the Defense agencies and Reserve components.

In regard to family housing, as I have previously stated, the new authority granted is primarily for the operation, maintenance, and debt payments on the existing housing inventory. No funds are requested for new construction. A request was made, however, to increase the leased housing program by 6,075 units for a total of 13,075 units over all, as authority now exists and is being extended for 7,000 leased units within the United States. The committee was told that the proposed increase in the domestic leasing program is a temporary measure to meet some of the more pressing needs for military family housing and that the additional authority would be used for locations where new construction had been tentatively planned for fiscal year 1967. It was further explained to the committee that there is no direct relationship between the additional leasing requested and the deferral of the fiscal year 1966 construction program. It was found, however, from a review of a tentative list of locations where these additional leases were to be executed, that all but 2,000 of them were for areas where new construction was authorized last year and has been deferred or where new construction has been repeatedly denied by Congress.

The committee was basically opposed to increasing this program which has been somewhat difficult to control in the past, nor is it believed that leased housing is a substitute for new construction where such is warranted. Nevertheless, a temporary increase of 2,400 units has been granted in recognition of the hardships to military families that will apparently result from the deferral of the fiscal year 1966 construction program and the lack of any new request for construction in the bill now before the Senate. The locations where new leases may be undertaken are spelled out in title V of the bill and for the most part apply to those areas where new construction was not requested last year and where an acute housing shortage is known to exist.

Mr. President, in conclusion I should like to mention that six projects for three locations approximating $2 million were added to the bill by the committee. Each of these projects was found to be fully justified and is a valid requirement. First is a sewage disposal plant for the Dover Air Force Base in Delaware in the amount of $250,000. This project is equally as important, if not more so, than several other similar projects contained in the bill. Next are three projects for the Malmstrom Air Force Base in Montana totaling $1.6 million. They are a part of a six-project package requested by the Air Force this year but which were deferred to next year's program by the office of the Secretary of Defense in the final budget review. They consist of a heated auto storage facility for this important missile base, an airmen's dormitory to relieve an existing shortage and to accommodate a proposal increase in personnel, and a civil engineering facility. Two steam distribution improvement projects totaling $295,000 were included for the Portsmouth, N.H., Naval Shipyard. These improvements are badly needed at the present time to carry out the mission of this yard and are self-amortizing prior to the time this yard is to close some 10 years hence.

Mr. President, I believe I have fairly summarized the committee action in regard to the military construction authorization bill for the coming fiscal year. I feel confident we have adequately provided for the essential requirements as we see them within the framework of the limited budget requested by the Secretary of Defense.

Mr. President, before I conclude, I should like to express my deep appreciation to the members of the subcommittee, the distinguished senior Senator from South Carolina [Mr. THURMOND], who so ably represented the minority, and the Senator from Texas [Mr. TOWER], who likewise was of great help. To the Senator from Nevada [Mr. CANNON], the Senator from West Virginia [Mr. BYRD], and the Senator from Hawaii [Mr. INOUYE], I wish to add my special thanks.

All of us know that the handling of a bill as complicated as this one cannot be accomplished without the able assistance of competent staff. In this regard, it is Mr. Gordon Nease who deserves the great credit for taking care of the many details, and seeing to it that Senators on the subcommittee were fully informed regarding all facets of the problem as presented in the budget request. I know I speak for all of the committee in expressing our deep appreciation for the fine professional way in which Mr. Nease once again has done the staff work for the subcommittee and for the full committee in handling the annual military construction bill.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. JACKSON. I am happy to yield to the distinguished ranking minority member of the committee.

Mr. THURMOND. Mr. President, I merely wish to take this opportunity to commend the able and distinguished Senator from Washington for the splendid leadership he has given to the subcommittee on this matter. I doubt if there is a Member of this body who is better informed on military matters in general and on nuclear weapons than the distinguished Senator from Washington [Mr. JACKSON]. It was a great pleasure for me, as the ranking minority member of the subcommittee, to work with him.

I think that the bill that has been brought to the Senate is probably the best bill that could be arrived at under the circumstances. We must realize that a military construction bill is always a complicated piece of legislation. It involves military construction not only in this country, within the borders of the United States, but also in various other parts of the world. There is a tremendous responsibility resting upon the Armed Services Committee—and specifically the Military Construction Subcommittee—to prepare a bill that will meet the needs of the armed services and yet stay within reasonable bounds of spending. I feel that this bill meets those demands and requirements, and I state again, it was a pleasure for me to serve on the committee with the distinguished Senator from Washington.

Additionally, I wish to join with the able Senator from Washington in commending Mr. Gordon Nease for his able staff assistance. I have been on the Armed Services Committee since 1958, and I have not known a more able nor more dedicated staff member than Mr. Nease. I have always found him helpful, constructive, and cooperative. We are very fortunate to have staff members of his high caliber and of his fine character and ability.

Mr. JACKSON. I thank my distinguished colleague on the committee for his comments, and again I express my appreciation for the able assistance that he gave us on the committee.

Mr. President, I yield the floor.

Mr. MILLER. Mr. President, on last June 28, the senior Senator from Illinois and I cosponsored an amendment to the military construction bill for the current fiscal year which would have restored a line item for the Rock Island, Ill., arsenal for research, development, and test facilities. The Department of Defense had requested this item, but it had been deleted by action of the Senate Armed Services Committee. The deletion resulted from a request by the senior Senator from Massachusetts because of a pending audit report being made for the purpose of persuading the Secretary of Defense that the Springfield, Mass., armory should not be closed and the research, development, and test function transferred to Rock Island. Our amendment took cognizance of this by making the authorization subject to the condition that the request for this line item not be withdrawn by request from the Secretary to the Committees on Appropriations of the House and Senate prior to final consideration of the appropriations bill for military construction. This would have given time for the audit report to be reviewed, and if the review did not result in any change, the requested line item would have stayed in and the appropriation for it would have moved forward promptly. During the debate on the amendment, I pointed out to my colleagues that the Secretary of Defense had not withdrawn his request for this item, and that our committee had been informed that the Department of Defense "remains firmly convinced that the action to close the Springfield Armory is sound, and that authorization of the projects associated with this action should be allowed." Nevertheless, our amendment was defeated by a roll call vote of 56 to 32.

I am pleased to note that the line item is back in the military construction bill now before the Senate, on page 44. I only point out what I have said to demonstrate to the Senate that this item should have been left in the bill last year; that our amendment should have been agreed to, because it was a reasonable amendment; and that the failure to accept this amendment has resulted in delay which need otherwise not have occurred.

Mr. PELL. Mr. President, I congratulate the Senator from Washington, as chairman of the Subcommittee on Military Construction of the Armed Services Committee, on the language that appears in the bill in section 607, which I shall read into the Record:

> Sec. 607. Notwithstanding any other provision of law, none of the military public works authorized by title I, II, III, or IV of this Act may be placed under contract until such time as those military public works previously authorized by law, and for which funds have been appropriated and for which the authorization has been extended by section 606 of this Act, have been placed under contract. The foregoing provision shall not apply to military public works previously authorized by law which have heretofore been deferred and which are certified by the Secretary of Defense to be no longer current and necessary to the mission of the military department or military installation concerned. Certifications by the Secretary of Defense under this section shall be made in writing to the Committees on Armed Services of the Senate and House of Representatives.
>
> Notwithstanding the foregoing provisions of this section, any military public work authorized by title I, II, III, or IV of this Act may be placed under contract if the Secretary of Defense determines and certifies in writing to the Committees on Armed Services of the Senate and the House of Representatives that such project is (1) urgently required in the interests of national defense, and (2) more essential to the interests of national defense than those military public works previously authorized by law, described in the first sentence of this section.

Mr. President, in behalf of my senior colleague [Mr. Pastore] and myself, I would urgently hope that the Secretary of Defense will take to heart this language in the handling of the construction of bachelor officers' quarters in my own State, one increment of which has been deferred but is still authorized, and the other group of which is authorized under this legislation. I hope that he will consider building them both simultaneously, because if he did that, there would be increased economy in letting the contract, which would be of advantage to the Government.

Moreover, it seems to me that since the bill before us clearly acknowledges the need for new housing at the Newport Naval Station by calling for a further increment in construction worth $1,124,000, the Secretary of Defense could hardly now declare that the earlier deferred increment is "no longer current and necessary." As it is the BOQ's that we have, where many of our younger officers are presently living, and with which I became familiar when I was on active duty in the Coast Guard, are virtual firetraps. In fact, they have been described as hazardous by the Navy itself, according to a recent House subcommittee report.

These facilities need to be quickly razed and replaced by the new increments presently authorized. Such action would have a real impact on the morale of our younger officers.

Therefore, I hope that in going ahead with this program, both of these increments may be constructed soon and together.

Mr. JACKSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JACKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the committee amendment in the nature of a substitute.

The committee amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. TOWER. Mr. President, in my opinion this year's military construction authorization bill is a very sparse measure, indeed. It is substantially lower than the requests of prior years. Our committee was informed that the reason this bill is lower is because we are in a war.

No doubt there are some who will wonder why a war calls for reduced expenditures for the construction projects designed to support our military operations and training. In addition, our committee was faced this year with the Defense Secretary's deferral of more than $600 million worth of projects from last year's authorization.

It should be clearly understood that the Armed Services Committee has acted in full good faith in this and in past years in authorizing construction projects on the basis both of committee inspection and of insistance from the Department of Defense that the projects it requests are of the highest priority.

The committee has included in this year's bill a provision designed to encourage the Defense Secretary to proceed at the earliest opportunity with those priority projects he deferred last year. On the basis of past experience the Congress also must expect that the Defense Secretary may once again decide to defer some of the things his own Department has testified are of high priority this year.

This bill leaves a great deal of flexibility with the Secretary. It instructs him to proceed first with those vital projects authorized last year, but it recognizes that some of this year's projects may be even more vital.

Therefore, an escape clause has been provided, but I hope the Secretary will carefully note these words from the committee report:

> It is not intended as a loophole to circumvent the intent of the committee. It is expected that candor and sound judgment will prevail.

I can think of nothing, Mr. President, which would be more helpful to the Congress today than complete candor from the Department of Defense. I regard it as most unusual that a Senate committee must specifically request this in writing. Let us hope, for the good of the Nation, that candor will be forthcoming.

In a number of recent visits to forts and bases in Texas, and on two recent trips to southeast Asia, I have found that the Vietnam buildup is seriously straining our often antiquated military facilities. We need more troop housing barracks, more bachelor officers quarters, and more military family housing. These things go to the very root of morale. We should not ask men to be first-rate soldiers while dooming them and their families to living in second- or even third-rate housing. I hope the Secretary will proceed with these projects.

Mr. CANNON. Mr. President, I take this opportunity to congratulate the chairman of the Subcommittee on Military Construction for the outstanding work performed by him and the staff members on the subcommittee in carrying out a very difficult and tedious, but well planned and well thought out military construction bill. I believe the bill has been very well handled.

We now have a bill that will maintain our military forces and our military posture as they should be, if the funds are authorized to be spent as we have authorized them for appropriation here.

I take this opportunity to commend the chairman and the other members of the committee for their diligent efforts.

Mr. JACKSON. Mr. President, I wish to express my appreciation to the distinguished Senator from Nevada [Mr. Cannon].

As always, he asked many penetrating questions that brought forth interesting aspects in the hearings which helped us to better review and act upon the pending measure.

Mr. HOLLAND. Mr. President, I ask unanimous consent to have inserted in the Record a letter addressed to me, dated May 25, 1966, signed by Robert H. B. Baldwin, Under Secretary of the Navy, relative to a third recruit training center which is to be authorized under the provisions of the pending bill.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Department of the Navy,
Office of the Under Secretary
Washington, D.C., May 25, 1966.

Hon. Spessard L. Holland,
U.S. Senate,
Washington, D.C.

Dear Senator Holland: In reply to your query as to the Navy's preference for the location of a third recruit training center I should like to inform you that the Navy strongly supports the establishment of such a training center at Orlando, Florida and has so recommended to the Department of

Defense and Congress. Both Secretary Nitze and I have urged approval of this recommendation.

The recommendation itself was made after a thorough consideration of all other possible locations in the Eastern areas. Our study indicated that a third recruit center and its associated facilities could be built for approximately $4.7 million less at Orlando than at Bainbridge. In addition, the housing situation at Orlando and vicinity is favorable and provides adequate housing without additional costs to the government. It is estimated a savings of at least $13 million in this area alone will be realized.

The area under consideration has available over 900 acres of land which is nearly double that presently in use in San Diego and is completely adequate for planned facilities. The nearby community can support and absorb these facilities. The many opportunities for varied, wholesome and inexpensive recreation in the Orlando area make it attractive for youth and family living; this is an important morale factor. The Air Force has reported that its Orlando base has been one of the most sought after duty stations and the large number of retired personnel living in the area further attests to the attractiveness of Orlando and its environs. Since approximately 60% of a recruit's time is spent outdoors, the warm climate will reduce the incidence of upper respiratory disease, thereby cutting down on man days lost because of sickness.

In summary, Senator HOLLAND, the Navy enthusiastically supports the establishment of a recruit training center at Orlando, Florida and is hopeful that Congress will authorize and appropriate funds for the center in Fiscal Year 1967. This requirement is urgent at this time because of the severe overcrowding of our present training centers at San Diego and Great Lakes. The possibility of another meningitis outbreak is of continuing concern to us. The third center would provide the flexibility we need in the event that an epidemic should force us to close or reduce the operations at one of the other two installations.

Sincerely,

ROBERT H. B. BALDWIN.

The **PRESIDING OFFICER**. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 3105) was passed.

TRANSFER OF FEDERAL WATER POLLUTION CONTROL ADMINISTRATION

Mr. **MUSKIE**. Mr. President, on May 10, 1966, the Federal Water Pollution Control Administration was transferred under Reorganization Plan No. 2 from the Department of Health, Education, and Welfare to the Department of the Interior. Members of the Congress and others raised serious questions about the transfer when it was proposed. Questions are still being raised about the effectiveness of the Federal water pollution control and abatement program in its new home.

An example of this criticism is an article in the May 12, 1966, issue of Engineering News-Record.

Federal Pollution Agency Is Short on Men, Morale and Momentum as—FWPCA Moves (Lamely) to Interior.

The article is pessimistic about the agency's performance. I hope the predictions in the article are wrong, but I am alert to the possibilities.

Because I think it is well for my colleagues to be aware of these criticisms and because I think it is well for the Department of the Interior and the Federal Water Pollution Control Administration to know we are aware of these criticisms and will be watching the program closely, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FEDERAL POLLUTION AGENCY IS SHORT ON MEN, MORALE, AND MOMENTUM AS—FWPCA MOVES (LAMELY) TO INTERIOR

The Federal Water Pollution Control Administration was a lusty, vigorous intent when it was born in Congress last fall, but it looked like a sickly child when it transferred from the Department of Health, Education, and Welfare to the Department of the Interior early this week.

FWPCA suffers from a decline in momentum, a loss of experienced technical staff and damaged morale.

Up until last fall, when water pollution control was still in the Public Health Service, pollution control enforcement teams were rocketing around the country, pouncing on municipal and industrial polluters in the manner of Batman and Robin. But caught up in the implementation of new pollution control laws, reorganization and movement to a new department, the old aggressive spirit petered out.

So far, only about a third of the 300 commissioned Public Health Service officers who worked in water pollution control have signed on with FWPCA as it now switches departments. Close to another third have definitely signed off, the rest are undecided.

Defections actually began when pollution control was separated from PHS last fall. Going with FWPCA means the PHS officers must give up military-type benefits such as free health services and retirement after 20 years, and switch to regular civil service status (no health benefits and 30 years to retire).

The move from HEW to Interior completely separates the pollution control staff from PHS, and some have opted out to at least stay with HEW.

The new structure of FWPCA, which puts most of the operations in the shadow of a few men at the top, has set off grumbling among the remaining engineers and scientists that is likely to reduce the aggressive quality of the program even further.

To give itself a chance to get settled at Interior, FWPCA will soon begin a flurry of activity to mask its disarray. Among probable actions:

The almost immediate issuance of federal guidelines to the states for the establishment of water quality standards. The guidelines will be assaulted both for being too tough and for being too lax.

The well publicized announcement of some popular but not too controversial enforcement actions, including one on California's Lake Tahoe.

The resumption of construction grants, which, along with most actions within the Administration, have been in a state of hibernation during the two months the transfer of jurisdiction has been in the works.

The beginning of demonstration projects on the separation of storm and sanitary sewer lines.

The actions will be more storm than substance in the absence of meaningful enforcement. And FWPCA Commissioner James M. Quigley has already said he anticipates a hiatus in enforcement actions, at least while the states are meeting the July, 1967, deadline for the establishment of water quality standards and criteria.

A slower paced program, though it will irritate key congressmen, may, however, be in tune with the times.

President Johnson's determination to create a "partnership" among federal, state, local and industrial forces may blunt the edge of the federal pollution control axe.

And unless Interior Secretary Stewart Udall sees his reputation as a conservationist threatened by a less vigorous pollution abatement program and moves to strengthen it, further congressional action may be needed next year to make Washington more than the bankroll of future pollution abatement efforts.

THE INTERGOVERNMENTAL PERSONNEL ACT OF 1966

Mr. **MUSKIE**. Mr. President, I am pleased to introduce a bill to enable greater collaboration in personnel matters between and among the levels of government in order to improve the administration of Federal grant-in-aid programs and to strengthen the public service of the States and their localities.

THE STATE AND LOCAL MANPOWER CRISIS

For over three and a half years the Subcommittee on Intergovernmental Relations of the Committee on Government Operations, which I am privileged to chair, has been examining the critical, but largely misunderstood, topic of Federal-State-local relations. On the basis of the subcommittee's diverse legislative and research undertakings, I am now convinced that the success of the Great Society programs—and indeed, perhaps the future of American federalism—largely depends on whether or not we recognize and overcome the crisis in governmental manpower, especially as it involves State and local governments. In his May 11 address at Princeton University, President Johnson took note of this crisis and called for a joint effort to surmount it.

But to date, we at the national level have acted largely as though the crisis does not exist. During the past five sessions of Congress we have developed the most impressive package of Federal legislation since the New Deal to attack poverty, ignorance, uneven economic development, discrimination, and urban blight and sprawl. For the most part we have utilized the categorical grant-in-aid device as the basic weapon in this many-faceted attempt to achieve a social and economic betterment of all our people. But the grant-in-aid involves joint efforts, not simply Federal efforts. It involves joint action, not just Federal action. It involves the utilization of governmental manpower at all levels, not merely the Federal.

The grant-in-aid today is the most striking symbol of cooperative federalism. Yet its effective use constitutes one of the greatest challenges to creative federalism. And in the final analysis, our heavy reliance on the grant mechanism has made the governmental manpower crisis a crisis of contemporary federalism.

Most of us are unaware of the extent to which we have turned to the grant-in-aid in our efforts to implement the

Eisenhower program, to chart the New Frontier, and to establish the Great Society. From 1955 through 1967, total Federal aid to State and local governments will have more than quadrupled—rising from $3.1 billion in 1955 to an estimated $14.6 billion in 1967. And in number, these programs have reached the 170 mark. In relative terms, this growth has been fairly modest. Witness the fact that Federal aid as a percentage of State and local revenue during this 13-year period increased by only approximately 5 percent. But this gradual growth highlights indirectly the extraordinary effort that State and local governments have made to resolve their fiscal crisis. During this same 13-year period, State and local expenditures will have more than doubled—rising from $34.5 billion in 1955 to approximately $84 billion for fiscal 1967. The increase in the number and amount of Federal aid available to State and local governments, then, is not the most significant factor in the total State-local fiscal picture, but it has thrust greater burdens on an already strained intergovernmental system.

State and local employment, for example, reached the 8 million mark last year. This represented a half million increase over the 1964 figure, a 2.2 million rise from the 1961 figure, and a 4.7 million hike from the 1946 employment level. By way of contrast, the Federal Government employed 2.6 million workers in 1965, or 60,000 more than in 1964. This figure was 200,000 above that of 1961, but 100,000 less than in 1946. These comparisons dramatically highlight the strenuous efforts State and local governments have made in the past two decades to meet the demand for more public services.

A breakdown of the 8 million State-local employees, by jurisdictional categories, is equally striking. State governments now account for over one-fourth of the State and local total. Counties have one-eighth of all such employees, while municipalities engage nearly one-fourth, and school districts a little less than a third. Townships employ 3.5 percent, and other special districts, 2 percent of the total. From 1961 to 1965, the States, other special districts, townships, school districts, and counties—in that order—experienced the greatest increase in employment.

Changes in occupational categories further highlight the impact of public demand for new or improved State and local governmental services. From April 1957 to October 1965, the number of full-time State and local highway workers rose by 24 percent. Employment in police protection increased by 30 percent, and in public health and hospitals by 41 percent. The number of full-time public employees in education soared by 60 percent, and those in public welfare, by 62 percent. Much of this massive growth in State and local employment can be attributed to the population explosion and the demand for expanded services generated by it. The physical and social problems stemming from urbanization and suburbanization, however, have been other key factors in developing greater needs for police, fire, housing, sanitation, welfare, and other public services. In addition, one of the byproducts of our affluent society is the rise in popular expectations with respect to governmental services. To put it more bluntly, the American citizenry is not willing to settle for the level and quality of services that were provided three, or even two, decades ago.

THE FEDERAL RESPONSIBILITY

The crisis in State and local employment, however, also bears a close relationship to expanded Federal programs and activity. Federal programs in highway construction, education, urban renewal, housing, water pollution control, and poverty—to mention only a few—have produced new and urgent personnel needs at the State and local levels. Moreover, other new legislation in the fields of primary and secondary education, the aged, and medical assistance—if inadequately planned for—will only aggravate this manpower crisis.

Much of the recent Federal aid legislation sets only general goals and provides the funds necessary to achieve them. The job of implementation falls to the States, the counties, and the cities, which then have to "staff up" to accomplish the objectives of this legislation. Further, some Federal aid programs simply make money available to the States and municipalities for developing their own plans for use of such funds. In these instances, Federal agencies merely play the role of disbursing agent to underwrite plans and projects initiated and developed at the State and local levels. Finally, many of these Federal efforts generate counterpart efforts at other levels of government, with many States and localities enacting legislation in program areas similar to those covered in Federal legislation.

In these various ways, congressional action directly or indirectly has contributed to the extraordinary growth of public employment at the State and local levels. So, the States now employ more than 2 million workers with a monthly payroll of $850 million, and local governments employ nearly 6 million workers with a monthly payroll of $2.5 billion.

We have reached the point where, on a day-to-day basis, intergovernmental relations are primarily administrative relations. As the recent subcommittee survey, "The Federal System as Seen by Federal Aid Officials," pointed out, the authorizing statutes, the funds, and the legislative oversight which affect Federal-State-local relations come from legislative bodies. Policy directives, budgetary review and control, and administrative rules and regulations come from top management policymakers. Advice, assistance, and support, as well as complaints, criticism, and censure, come from officeholders, individual citizens, and interest groups at all levels. These basic forces in our pluralistic political system shape and sustain the intricate pattern of today's intergovernmental relations. But the "wheelhorses of federalism" are administrative, professional, and technical personnel—the Federal middle-management aid officials, their fieldmen, and their functional counterparts at the State and local levels. We must focus our attention, then, on the largely unexplored topic of intergovernmental manpower if our efforts to achieve a creative federalism are to succeed.

The various growth figures I have cited indicate that State and local governments are vigorously attempting to provide the manpower needed to administer the new joint-action programs as well as their own. They suggest that present Federal efforts in this area are inadequate, since they are geared largely to the needs of certain grant programs and to certain categories of specialized personnel administering them. They indicate that the Federal Government has a greater responsibility to provide financial, technical, and other forms of assistance to the States and localities to help them mount a broad attack on this manpower crisis. And they indicate the critical need for the legislation I am introducing today.

Economy and efficiency compel our concern, for the wisest use of the Federal grant-in-aid dollar depends upon how well we meet this challenge. Improved public administration makes it necessary, since the success of these various programs depends on our ability and willingness to solve this critical problem. Improved intergovernmental cooperation requires it, for conflict between and among administrators is one of the major sources of friction in contemporary Federal-State-local relations. Finally, manpower needs of State and local governments in the years immediately ahead clearly dictate that the Federal Government must join with the other levels of government in helping to surmount this crisis.

Present estimates indicate that total governmental employment will reach the 13 million mark by 1975. As in the past two decades, nearly all of the increase will be in State and local governmental agencies. Continued population growth and the migration of people from rural to urban areas, and from cities to suburbs, will raise the requirements for public health services, education, police and fire protection, sanitation, street and highway maintenance, welfare, and other services. Consequently, State and local government employment is expected to rise by more than 38 percent between now and 1975, whereas little change is expected in Federal employment—barring, of course, major unemployment, big wars, or other national catastrophes.

There already exists a shortage of well-trained and highly qualified administrative, professional, and technical personnel at all levels of government, and forecasts indicate this gap will grow. Many well-trained and well-qualified employees in State and local governments were hired during the depression years and are now approaching retirement age. More than one-third of all municipal executives fall in this category and will retire within the next decade. In certain specialized categories, however, the proportion is even higher. Half of the Nation's municipal health directors, for example, will be eligible for retirement within the next 10 years. And a recent survey of New York City revealed that one out of every five budgeted positions of a professional, managerial, or technical nature—excluding education—was vacant. Many others were filled with people not fully qualified. More or less similar conditions exist in many other of the Nation's cities. By 1980, local governments will have to recruit approximately 300,000 additional administrative employees to achieve their current program objectives.

When the long-term implications of recently enacted programs are considered, this manpower gap widens. Witness these facts: That, as of 1964, it was estimated that the Nation's counseling personnel would have to be increased during the subsequent 3 years by approximately 90 percent to meet the new requirements for public schools, public employment offices, and other governmental agencies; that there will be an estimated 3,000 vacancies each year for trained recreation workers, but only about 600 persons complete preparation for this occupation annually; that there will be 200 traffic engineer vacancies occurring annually, but there are only approximately 50 new graduates in this specialized area; that there will be at least 2 vacancies for every graduate of a university course in city management; and that between 1960 and 1970, according to the Manpower Commission's report, the overall demand for professional and technical personnel at the local level will have increased by 40 percent.

These current and projected estimates of governmental manpower shortages have implications extending far beyond the individual States, communities, and programs that are affected. They indicate that we can take no great comfort in the fact that State and local employment has reached the 8 million mark. They indicate that State and local governments generally—not just a few of these jurisdictions—are having difficulty in attracting and holding professional, managerial, and technical personnel, and that these levels will experience even greater difficulties in the future. They suggest that decisionmakers at all levels of Government are not yet fully aware of the critical nature of this manpower gap, and that long-range planning in this area is in its infancy. They further corroborate John W. Gardner's assessment—in his book on "Excellence"—that:

> * * * The demand for high-talent manpower is firmly rooted in the level of technological complexity which characterizes modern life, and in the complexity of modern social organization. And more important than either of these is the rate of innovation and change in both technological and social spheres. In a world that is rocking with change we need more than anything else a high capacity for adjustment to changed circumstances, a capacity for innovation.

And finally, these estimates document the need for a national policy on intergovernmental personnel. The legislation I introduce today provides such a policy.

CHARTING A COURSE

The proposed Intergovernmental Personnel Act does not purport to solve all the manpower problems faced by State and local governments. There is, of course, no panacea for the absolute shortages in the country in certain professional fields. The Federal Government in a variety of ways is now assisting in the professional education of many in these fields. But these measures are geared to specific Federal program needs and specific types of personnel. They must be supplemented to meet the particular staffing requirements of State and local public agencies. Personnel administration in the States and localities must be equipped to deal with the whole range of State and local job needs. Practical methods must be devised for recruitment, selection, utilization, and development within the realities of current supply and demand. At the same time, a rational plan for meeting projected needs must be devised and initiated. This legislation will encourage the development of such methods and plans.

The act deals directly with three major hurdles confronting State and local governments in recruiting and holding qualified employees. A fourth—low salary schedules—is not so directly considered, but it is a topic that cannot be ignored. Generally, State and local salary schedules—though better today than they were a few years ago—are still lower than those at both the Federal Government and private industry. The Municipal Manpower Commission report found:

> Salaries are a major source of dissatisfaction among more than one-third of all municipal executives—

And that—

> nine out of ten believe that their salaries are not as high as comparable positions [carry] in private business, and 60 percent believe that Federal salaries would also be higher.

Not so long ago, Clarence B. Randall, the distinguished Chairman of the Panel that President Kennedy appointed to review Federal salary policy, wrote:

> Inadequate Federal pay poses two problems that seriously hamper Federal agencies' operation. It's a tossup in the Federal service whether getting the best people is more difficult than keeping the good ones. * * * Inadequate compensation is one of the principal reasons for reluctance to enter Federal service. In fact, it frequently eliminates groups of potential candidates for Federal positions. On others it imposes severe financial sacrifices. First there are those who have not yet reached the top of their career ladders and who are still faced with such real problems as mortgages and their children's education. * * * Not so generally known are the problems associated with filling second echelon positions. * * *
>
> I do not contend that government salaries should be identical with those in industry. On the contrary, I never want to see the money seekers go into government. * * * But the present disparity between public pay and private pay in the leadership positions is a scandal. It must be corrected or the United States will not be able to fulfill the high destiny to which it has been called in this difficult modern world.

While Mr. Randall was primarily concerned with Federal pay scales—and it should be noted that his panel's recommendations were instrumental in enactment of the Federal Salary Reform Acts of 1962 and 1964—his remarks have no less relevance to the States and their localities. The report of the Municipal Manpower Commission and the survey of Federal aid officials conducted by the Intergovernmental Relations Subcommittee clearly indicate that low pay and the resulting high personnel turnover have served to put many State and local governments at a competitive disadvantage. And the latest figures—July 1, 1965—for specific State and local professional and technical positions, indicate that, despite some recent improvements, salary schedules are still a critical problem. A few case studies will illustrate my point:

> The average annual salary of a State hearings referee ranges from $7,750 minimum to $9,737 maximum. Such referees are responsible for preparing, conducting, and deciding quasi-judicial hearings involving questions of statutory compliance, claims, and violations of regulations in issues between State departments and other parties; they usually must have an A.B. and a law degree.
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> The average annual salary of an unemployment claims deputy ranges from a minimum of $5,237 to a maximum of $6,604. This technical position involves non-monetary determinations on unemployment insurance claims, including the adjudication of questionable or contested claims; successful applicants must possess considerable prior experience or college training.
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> The average salary for public assistance case worker supervisors ranges from a minimum of $5,810 to a maximum of $7,762. This post involves professional social work at the local level and immediate supervision and development of a group of case workers; it usually requires training in a graduate school of social work.
>
> The annual pay of sanitarians ranges from a minimum of $5,142 to a maximum of $6,592. This professional position in environmental sanitation work involves control of communicable diseases, promotion of health and safety, and the solution of environmental health problems; it usually requires a college degree with specialization in the physical and biological sciences.
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> The mean salary of a public health nurse ranges from a minimum of $4,778 to a maximum of $6,194. This position usually requires graduation from an accredited school of nursing, State registration, and a program of study in public health nursing, or appropriate public health nursing experience.
>
> The average salary of vocational rehabilitation counsellors ranges from an annual minimum of $6,051 to a maximum of $7,712. Such counsellors are responsible for initiating and carrying out rehabilitation processors for persons who are physically and mentally handicapped. The position usually requires a college degree and some experience in the field of vocational guidance, psychology, social work, personnel work, or industrial relations.
>
> The average salary of an administrative officer in a State's Civil Defense program ranges from a minimum of $6,893 to a maximum of $8,819. An employee in this position provides administrative assistance in the personnel, budgetary, and fiscal areas to Civil Defense offices; the position usually requires a college degree and considerable experience in the field of general administration, office management, or a combination of both.

In light of these and other findings, I am convinced that the President and the

Advisory Commission on Intergovernmental Relations should join in launching a national study of State and local salary reform. The issue is that critical. Constitutional barriers and the dictates of interlevel comity bar direct consideration of this question in the proposed legislation. But certain of its provisions bear indirectly on such reform—including those sections which seek respectively to strengthen the merit system, upgrade classification and salary schedules, and improve training programs in these jurisdictions.

(1) THE MERIT SYSTEM IN GRANT-IN-AID PROGRAMS

A basic problem in the intergovernmental personnel field concerns the merit principle, and particularly as it applies to Federal grant-in-aid programs. The proposed Intergovernmental Personnel Act deals directly with this controversial issue. My experience as a State legislator, as Governor of the State of Maine, and as a U.S. Senator convinces me of the validity of this principle. I strongly believe that an open system of public employment, operating under public rules and based, among other factors, on competitive examinations, equal pay for equal work, tenure contingent on successful performance, and promotion on evaluated capacity and service, provides one of the surest foundations for the development and maintenance of an efficient career civil service based on excellence. Equally important, it meets the democratic objective of equal opportunity.

The beginnings of State and local civil service, based on the merit principle, first appeared in the 1880's, following the enactment of the Federal legislation. Thanks to the efforts of the National Civil Service League and others, additional jurisdictions subsequently adopted the system. But widespread acceptance did not come until the 1930's. Beginning with an amendment to the Social Security Act in 1939, the Federal Government contributed to this development by specifying standards which would bind State and local agencies to such requirements if they received Federal funds under certain grant programs.

In spite of these advances and some recent improvements in a few of the larger States and in some municipalities, only 28 States and only our larger cities today have a merit system covering employees in most of the executive departments; 22 States and most of the smaller local jurisdictions only apply the principle selectively. In these 22 States, the merit principle applies in all instances to departments administering those few federally aided programs subject to merit requirements, but in only some instances to employees of one or more other departments. In these States, the impact of those grants—based on approximately nine statutes and administered by the Departments of Health, Education, and Welfare; Labor; and Defense—has been a primary if not exclusive factor in encouraging the merit principle.

Is this record adequate? I think not. I am completely aware that formal merit systems based on detailed examination, promotion, dismissal, and other factors may not prevent political sabotage of the principle. I am also aware that a patronage-based system of personnel administration may produce at any given time a competent civil service with high morale. In general, however, I am convinced that the application and extension of the formal requirements have had a salutary effect. And I am convinced that the arguments President Roosevelt advanced in his message calling for application of the merit principle to the social security program are as valid today as they were in 1939:

> * * * I recommend that the States be required, as a condition for the receipt of Federal funds, to establish and maintain a merit system for the selection of personnel. Such a requirement would represent a protection to the States and citizens thereof rather than an encroachment by the Federal Government, since it would automatically promote efficiency and eliminate the necessity for minute Federal scrutiny of State operations.

For these reasons, I believe merit standards should be added to more grant-in-aid programs as a condition for eligibility.

Title I of the Intergovernmental Personnel Act of 1966 provides for this by authorizing the President to require, insofar as he deems practicable, that, as a condition for receiving Federal funds under any grant program, personnel engaged in its administration must be employed under a merit system meeting Federal standards. This discretionary provision recognizes the difficulties of extending the merit system to all grant-in-aid programs. More particularly, it recognizes the troubles inherent in attempting to apply it to many of the recently enacted programs. At the same time, it encourages action in those grant programs which involve substantial Federal funds and are ongoing, rather than experimental, ventures. The Federal highway program immediately comes to mind as an excellent candidate.

The proposed legislation also seeks to strengthen the merit system by providing that the grants authorized for improving State personnel administration under title II be used to strengthen or extend the career civil service of the State. To sum up, the Federal Government, a majority of the States, most of the larger cities, and nearly all of the experts in the field recognize the relationship between attracting and retaining competent public administrators and the presence of a viable merit system. These provisions of the Intergovernmental Personnel Act are based on this relationship.

(2) OVERALL PERSONNEL ADMINISTRATION

Aside from the Federal interest in more effective administration of grant programs, there is a clear Federal interest in strengthening the overall personnel management of the States and their localities as partners in the federal system. The absence of an effective system of personnel management contributes to the manpower difficulties now confronting State and local governments. Both the merit principle and modern management techniques require such a system, which calls for imaginative recruitment efforts and sophisticated examination techniques; an intelligent placement system, which fits the man to the job, and a fair and rewarding promotion system; the development and continuous updating of a position classification plan, since the grouping of positions into classes helps to identify questions of pay, lines of promotion, requirements for transfer, and other basic administrative questions; the meaningful development of the time-honored concept of a career service, in which advancement is not limited merely to service in one agency; and planning for the manpower needs of the years ahead.

These are but a few of the basic objectives of good personnel management. Concern with the merit system initially prompted the development of examinations and classification plans. And the requirements of modern management and modern government have modified and expanded the original list of personnel administrative functions. Yet, in nearly all of the States and localities that lack a general civil service system, personnel management, in practice, is usually limited to the job classification and salary setting functions. Even in those States possessing a viable merit system, conflicts between the policing efforts of the Civil Service Commission and the management concerns of the Governor—his staff and personnel officer—sometimes have impeded improvements in this area.

In general, then, State and local resources for public personnel administration have not kept pace with the growth of the programs they administer. With few exceptions, State and local personnel agencies have not been equipped or given additional support for new workloads. The inadequate support of personnel planning and operations has left many personnel agencies short of needed professional personnel, including trained job analysts, personnel psychologists, and training staff. For example, only 10 States have as many as 25 professional, administrative, and technical employees in the State civil service or merit system agency to handle their continuing responsibilities, let alone to undertake broadened activities. Yet State and local personnel agencies must cope with new needs and new problems.

The Intergovernmental Personnel Act of 1966 recognizes these needs and attempts to come to grips with these problems. Title II of the proposed legislation authorizes grants to enable States to strengthen their systems of personnel administration, to provide State personnel services to smaller jurisdictions of local government, and to stimulate projects for the improvement of personnel administration in their larger cities. To qualify, States would need to develop programs of personnel improvement which might cover such topics as: expansion of the coverage of a State merit system; planning for manpower needs; improvement in one or more of the traditional areas of recruitment, examination, position classification plans, and compensation schedules; or possibly research and demonstration projects in the new areas of electronic data processing and motivational research.

Title II also seeks to improve the personnel administration of smaller units of local government. Grants are authorized for the development of State plans that might involve broader coverage of local employees under a State merit system, State technical personnel services to such units of government, cooperative research and demonstration projects in this field, or cooperative intergovernmental efforts relating to loans, transfers, or promotions of personnel. The title assigns full responsibility to the States for developing their own programs and a coordinating role for their local jurisdictions.

There is a need for pioneering efforts in State assistance to nonmetropolitan local governments. At the local level, the smaller jurisdictions are not in a position to establish modern personnel systems that meet the need for broader recruitment for professional personnel or for attracting able young men and women who regard these initial jobs as rungs on the career ladder rather than as blind alleys. Intergovernmental cooperation with the possibility of increased mobility can help meet these problems.

Self-contained local personnel systems present certain problems of parochialism even in our larger metropolitan governments. They are simply not feasible for the smaller nonmetropolitan governments in terms of either the expense or the availability of technical services. Hence there is a need for State services to the nonmetropolitan governments. The act provides for a variety of services ranging from merit system coverage to more limited specialized services.

Part C of the title authorizes a separate program of Federal assistance for personnel improvement in our larger cities. There is a pressing need for innovative activities in our metropolitan areas. The shortages of professional, administrative, and technical personnel require planned recruitment, selection to assure the intake of a fair share of young talent, and a long-range staff development program covering various occupational fields. Imaginative job analyses can lead to the establishment of new types of auxiliary jobs to help meet the absolute shortage in many professional and technical fields. They also may open up opportunities for job training and employment for many of the disadvantaged. While public personnel administration is not a social program designed to solve the problem of employment of the disadvantaged, governments, as large employers, can and should show leadership in this area.

The act provides for project grants for metropolitan personnel administration in order to permit a wide range of experimentation and demonstration projects to strengthen personnel administration and meet urgent manpower problems. These grants may be used for personnel planning, for upgrading or establishing personnel agencies, for improving personnel operations in specific functions, or for initiating pilot projects designed to meet current and projected needs.

The States are given the initial opportunity to work with the cities in developing project proposals under this section, with special emphasis on the particular problems of our larger metropolitan units of general local government. But if a State fails to submit any projects after one year, individual metropolitan units may then initiate their own projects. This aproach, I feel, recognizes the necessary coordinating role of the States in personnel management, while permitting direct Federal-local efforts in cases of State inaction.

Title II, it should be noted, would be administered by the Department of Health, Education, and Welfare. More specifically, it is anticipated that HEW's Division of State Merit Systems would assume primary responsibility for its administration. This division has had more practical experience with State personnel systems than any other unit in the Federal Government, thanks to the merit requirements of many HEW grant programs. Moreover, it already has a tradition of extending technical assistance to State and local governments which have sought out its assistance in upgrading their civil service. The concurrence of the Department of Housing and Urban Development, however, would be required before HEW could approve projects for metropolitan jurisdictions.

In addition to the grants authorized for State and local personnel administration under title II, the proposed legislation provides another means for improved intergovernmental collaboration in this field. Title V of the act authorizes the Civil Service Commission to join on a shared-cost basis with States or units of general local government, or both, in cooperative recruitment or examinations under mutually agreeable regulations. Some authorities believe the Commission already possesses this authority, but the same authorities concede that adequate provision is lacking with respect to financing such joint activity. This title provides a statutory basis for the Commission's authority to enter into such cooperative arrangements, and it settles the financial question by adopting the shared-cost formula.

In these ways, the proposed legislation squarely confronts many of the more significant personnel management problems confronting State and local governments today. The amounts authorized are modest, and the cooperative arrangements are permissive. But the funds will be seed money well spent, and the devices for cooperation will encourage a concerted attack on what we must now concede to be a joint problem.

(3) TRAINING

Inextricably linked to the merit system and personnel management problems is the need for more and better training opportunities. Ideally, such a program should include provision for orientation, inservice and outservice training, tuition refund, and educational leave. It should be rooted in the career service ethic and imply future prospects that reward special effort on the part of employees. Our concern here is training within the service after appointment, not education for public service prior to appointment. The latter, of course, deserves the consideration of all of us, and hopefully title I of the Higher Education Act of 1965 will resolve some of the problems in this area.

The manpower shortages I have described, along with the mounting technological, social, and economic changes affecting the activities of State and local governments, underscore the emphasis that all of us should give to establishing and strengthening training programs at these levels of government. Many legislators, administrators, and other public officials now recognize the need for such programs. Yet only California, New York, Michigan, and a few other States have training programs for top management. Others provide some training for other key personnel. But according to a recent survey conducted by the International City Managers Association, most of the States have no training or development programs for administrative, technical, and professional personnel. And no city has anything approaching a model training program.

Most existing training is still designed to improve the skills of routine office-workers, policemen, and firemen. Moreover, training programs stimulated by Federal grants-in-aid are largely geared to specific functional specialties. Such inservice training and educational leave are valuable, of course, but they do not meet the growing requirements of State and local governments for more and better administrative, professional, and technical talent. The report of the Municipal Manpower Commission and the survey of the Federal aid officials by the subcommittee fully document the need for a Federal response to this critical personnel management deficiency.

The Intergovernmental Personnel Act attacks this problem of training in four ways. First, title III authorizes Federal departments and agencies conducting programs for their professional, administrative, and technical employees to open them up to State and local personnel in counterpart agencies. The States or localities would initiate the request to participate, and fees for attendance could be waived for employees in short-supply categories.

Second, Federal departments or agencies administering grant-in-aid programs are authorized to establish training programs for counterpart State and local personnel in the professional, administrative, and technical fields. Such agencies are authorized to make grants to States and localities from Federal funds appropriated for administrative costs of the program to cover the expenses of such training. In addition, such Federal agencies are permitted to make grants from such funds for educational leave or comparable arrangements for salaries and training expenses of merit system employees in short-supply areas, to permit them to attend university or other training courses related to their program.

Third, title IV establishes a grant-in-aid program for inservice training of

State and local employees. This provision is geared to promoting high levels of performance of such personnel, particularly in the professional, administrative, and technical areas, and the development of employee potential by providing Federal funds for State and local governments to initiate or strengthen training programs for their own public servants. Such assistance would be available only in personnel areas where comparable aid is not already provided under other Federal statutes. The pattern of Federal assistance here roughly parallels that of title II, except that the Civil Service Commission would be the administering agency.

The States would be given the primary responsibility for developing plans for the training of their employees and the initial responsibility for joining with local governments in the development of training programs for local personnel. Such plans would include provisions for a continuing assessment of training needs, for equitable standards relating to the selection and assignment of personnel for training, and for efficient utilization of personnel receiving training—including continued service for a reasonable period of time. Educational leave or other arrangements for salary and training payments for periods in excess of a month in any one calendar year would be permitted only for career personnel employed under a merit system. In addition, a State plan would include guidelines covering the selection of universities or other nongovernmental facilities, when such institutions are to be used for training purposes.

The title also authorizes units of general local government in a State, either jointly or separately, to submit a training plan if, within a year from the effective date of the act, the State fails to submit a proposal which includes substantial provisions for training local government employees. Such project applications would have to meet the same general requirements applying to State plans and the administrative regulations established by the Civil Service Commission. In addition, the concurrence of the Secretary of Housing and Urban Development would also be required for project approval, to assure full consideration of the special training problems of our Nation's cities.

It is important to understand what this title does not provide. It does not, for example, distinguish between metropolitan and nonmetropolitan units of local government, since the problems relating to inservice training differ materially from those falling under the traditional heading of personnel administration. It does not compete with title VIII of the Housing Act of 1964 which, among other things, authorizes matching grants to the States for developing and expanding programs to provide special training in skills needed for economic and efficient community development to technical and professional people who are employed or are being trained for employment in a governmental body which has responsibility for such development. That Housing Act title is primarily concerned with a comparatively narrow range of vocational specialties and, it should be noted, has yet to be funded.

Title IV also is not intended to duplicate or compete with title I of the Higher Education Act of 1965. That Act authorizes the Commissioner of Education to make grants to strengthen community service programs of colleges and universities. It is geared to institutions of higher education in the States, and to the development of an educational program designed to assist in the solution of community problems in rural, urban, or suburban areas, with particular emphasis on urban and suburban problems. To date, only a few project applications submitted under title I of the Higher Education Act of 1965 relate to the broad inservice training needs of the various categories of State and local personnel.

In short, title IV is residual. Personnel receiving training under other Federal statutes are specifically excluded from its coverage. It does not replace or restrict existing Federal training programs for a wide variety of professional personnel in grant-aided fields. But more positively, it meets the training needs of the States and their localities, as these jurisdictions see them. It emphasizes training needs as they are seen from the administrative firing line. It is designed to replace the piecemeal method that has to date characterized the Federal approach. It is geared to attacking a problem that administrators at all levels, as well as experts in public administration, have described as critical. Finally, it fully recognizes that, as President Johnson stated at Princeton:

> The public servant today moves along paths of adventure where he is helpless without the tools of advanced learning.

The proposed Intergovernmental Personnel Act provides still another means for improving the inservice training capability of State and local governments. Title VI gives prior congressional consent to interstate compacts or other agreements, not in conflict with any law of the United States, for cooperative efforts and mutual assistance relating to the administration of personnel and training programs for State and local employees. The New England Governors' Conference already has launched a survey of the possibilities of regional collaboration with respect to personnel training programs. Building on the precedent set in the Housing Act of 1961—which gave prior congressional approval to interstate compacts establishing metropolitan agencies in multistate urban areas—this provision hopefully will encourage expanded efforts to develop training programs on a regional basis.

CONCLUSION

Improved merit systems, improved State and local personnel management, and improved inservice training programs—these are the three basic concerns of the Intergovernmental Personnel Act of 1966. Put more simply, greater career competence is the paramount theme of this legislation. Through a judicious combination of grant funds, technical assistance, and new devices for intergovernmental cooperation in the personnel area, the proposed legislation provides a variety of ways to strengthen the professional standing and prestige of personnel at the State and local levels. The Advisory Commission on Intergovernmental Relations went on record at its April meeting as favoring the objectives of this legislation. And at Princeton, President Johnson called for a program of assistance to "State and local governments seeking to develop more effective career services for their employees."

Prof. Charles Adrian has pointed out that conflict in our cooperative federal system does not stem today from the relations between the levels of government as such, but that "friction results whenever the administrative personnel at a particular level for a particular function are not fully professionalized." The findings in our survey, "The Federal System as Seen by Federal Aid Officials," clearly illustrate the administrative difficulties produced by such friction.

We need greater expertise at these levels, then, because its absence is now one of the primary sources of tension and conflict in intergovernmental relations. We need it because the success of the Great Society programs depends on reducing these antagonisms. We need it because we live in an age of administrative federalism; in an age of more, not less, use of grants-in-aid; in an age of more, not less, contact among the administrative officials at all levels of government. We need it if the States and their localities are to be vigorous members in the great partnership that was established in 1789. We need it if we are—in the President's words—to "develop a creative federalism to best use the wonderful diversity of our institutions and peoples to solve the problems, fulfill the dreams of the American people."

This is precisely what the Intergovernmental Personnel Act of 1966 is all about. And that is precisely why I am introducing this measure today.

Mr. President, I ask unanimous consent that the text of the bill, together with a section-by-section analysis, be inserted in the RECORD immediately following my remarks, and that the bill lie on the table for 10 days so that other Senators may join in cosponsoring it.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and will lie at the desk, as requested by the Senator from Maine.

The bill (S. 3408) to strengthen intergovernmental cooperation and the administration of grant-in-aid programs, to extend State merit systems to additional programs financed by Federal funds, to provide grants for improvement of State and local personnel administration, to authorize Federal assistance in training State and local employees, to provide grants to State and local governments for training of their employees, to authorize interstate compacts for personnel and training activities, and for other purposes, introduced by Mr. MUSKIE, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the Record, as follows:

S. 3408

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Intergovernmental Personnel Act of 1966."

Declaration of Policy

Sec. 2. The Congress hereby finds and declares:

That effective State and local governmental institutions are essential in the maintenance and development of the Federal system in an increasingly complex and interdependent society.

That, since numerous governmental activities administered by the State and local governments are related to national purpose and are financed in part by Federal funds, a national interest exists in a high caliber of public service in State and local governments.

That intergovernmental cooperation in State personnel administration on a merit basis has contributed to greater efficiency in various federally aided programs and should be extended generally to such programs.

That Federal financial and technical assistance to State and local governments for strengthening their personnel administration will improve the effectiveness of the public service and is in the national interest.

That the continuing training and development of career employees, particularly in professional, administrative, and technical fields, are critical to the success of joint Federal-State-local programs and that the Federal Government should encourage and assist in such training for State and local employees.

TITLE I—EXPANSION OF MERIT SYSTEM IN FEDERALLY AIDED PROGRAMS

Declaration of Purpose

Sec. 101. The purpose of this title is to achieve greater efficiency in the administration of programs financed in whole or in part by Federal funds extending the application of personnel standards on a merit basis in the administration of such programs.

Personnel Standards

Sec. 102. The President is authorized to require, insofar as he deems practicable, that as a condition for the receipts of Federal grants in any program financed in whole or in part by Federal funds, the personnel engaged in the administration of the program be employed under a State or local merit system meeting Federal standards. He is authorized to approve for this purpose standards for a merit system of personnel administration. The Federal Government, however, shall exercise no authority over the selection, tenure, or compensation of individuals employed in accordance with such system.

TITLE II—GRANTS FOR STATE AND LOCAL PERSONNEL ADMINISTRATION

Declaration of Purpose

Sec. 201. The purpose of this title is to provide Federal grants-in-aid to enable each State to strengthen its system of personnel administration, to provide State personnel services in nonmetropolitan units of local government, and to stimulate projects for the improvement of personnel administration in metropolitan areas.

Appropriation Authorization

Sec. 202. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, and each of the four succeeding fiscal years, the following sums: (a) $10,000,000 for payments to States which have plans for State personnel administration approved under section 204; (b) $8,000,000 for payments to States which have plans for provision of State personnel services to nonmetropolitan units of general local governments approved under section 206; and (c) $15,000,000 for payments to States or metropolitan units of general local governments which have projects for metropolitan personnel administration approved under section 208.

Part A. Grants for State personnel administration

Sec. 203. (a) From the sums appropriated under section 202(a) the Secretary of Health, Education, and Welfare (hereinafter referred to as the Secretary) shall make annually grants to States which have plans for State personnel administration approved by him under section 204.

(b). The sum available annually for grants under this section shall be allotted among the States under a formula approved by the Secretary which shall give weight to the number of employees under the merit system and the financial ability of the State as indicated by its relative per capita income, except that each State will receive not less than $25,000.

Requirements of State Plans

Sec. 204. A State plan for State personnel administration to be approved by the Secretary must—

(a) designate the appropriate State personnel agency for the administration of the plan;

(b) provide for a merit system conforming to the Federal standards established under this Act for a Merit System of Personnel Administration;

(c) set forth a program for the improvement and strengthening of State personnel administration which may include, among other features:

(1) expansion of the coverage of State employees under the State merit system;

(2) assessment of manpower needs in developing programs and methods for meeting them;

(3) improvement in one or more areas of personnel administration such as recruitment, examinations, classification, and compensation plans;

(4) research and demonstration projects for the use of valid personnel methods, including electronic data processing techniques;

(5) development of auxiliary or support types of positions to perform appropriate functions currently performed in occupations in which there are now shortages; and

(6) interdepartmental and intergovernmental cooperation in personnel administration;

(d) provide for financial participation by the State in the costs of merit system administration at least equal in amount to the Federal grants, and further provide that the operation of the plan will not result in a reduction in State expenditures for such administration or the substitution of Federal for State funds previously available for merit system administration; and

(e) provide that the State agency will make such reports in such form and containing such information as the Secretary may from time to time require, and shall keep and make available such records as he may require for the verification of such reports.

Part B. Grants for State personnel services to nonmetropolitan units of local government

Sec. 205(a). From the sums appropriated under section 202(b) the Secretary shall make annually grants to States which have plans approved by him under section 206 for services to nonmetropolitan units of general local government.

(b) The sum available annually for grants under this section shall be allotted under a formula approved by the Secretary which shall give weight to (1) the number of employees and number of local governments served, (2) the scope of State services provided, and (3) the financial ability of the State as indicated by its relative per capita income, except that each State shall receive not less than $25,000.

Requirements of State plan

Sec. 206. A plan for State services on personnel administration to nonmetropolitan units of general local government to be approved by the Secretary must—

(a) designate the State agency, which may be the agency designated under section 204, for the administration of the plan;

(b) set forth a program for improvement and strengthening of personnel administration of such local governments by one or more of the following means:

(1) the coverage of local employees under the State merit system;

(2) technical services in one or more areas of personnel administration such as recruitment, examinations, classification and compensation plans;

(3) cooperative research and demonstration projects for the use of valid personnel methods; or

(4) intergovernmental cooperative arrangements between the State and local governments or among local governments, including facilitating interjurisdictional loans, transfers or promotions of personnel;

(c) provide for financial participation by State or such local governments, or both, in the costs of providing services at least equal in amount to the Federal grants, and provide further that the operation of the plan will not result in a reduction in State and local expenditures or a substitution of Federal for State or local funds for personnel administration; and

(d) provide that the State agency will make such reports in such form and containing such information as the Secretary may from time to time require and shall keep and make available such records as he may require for the verification of such reports.

Part C. Grants for personnel administration in metropolitan areas

Sec. 207(a). From the sums appropriated under section 202(c) the Secretary shall make annually payments to States or metropolitan units of general local government which have projects approved by him under section 206.

(b) The Secretary of Health, Education, and Welfare, with the concurrence of the Secretary of Housing and Urban Development, shall establish such standards for the distribution of grants under this section among the States and among such metropolitan units as will most effectively carry out the purposes of this Act, and shall establish regulations for financial participation by States or such units, or both, in an amount equal to at least one-third of the costs of each project, including the reasonable value of facilities and personnel services made available by the State or such local government for the administration of the project.

Project requirements

Sec. 208. Projects to be approved for grants under section 207 shall conform to criteria established in regulations which shall be issued by the Secretary of Health, Education, and Welfare, with the concurrence of the Secretary of Housing and Urban Development. Grants will be used, in accordance with such regulations, for projects for strengthening personnel administration on a merit basis in order to meet increasingly critical problems of administration in metropolitan units of general local government. Projects may include, but are not limited to—

(1) assessment of manpower needs in developing programs and methods for meeting them;

(2) improvement of classification and compensation plans, and recruitment and examinations, particularly for professional, administrative and technical personnel in shortage categories;

(3) application of psychological and other research in personnel administration directed toward improvement of selection and development of members of disadvantaged groups whose capacities are not being fully used;

(4) plans for establishing auxiliary or support types of positions to perform appropriate functions currently performed in occupations in which there are now shortages;

(5) research and demonstration relating to techniques, such as electronic data processing, for improving the speed and quality of personnel operations; and

(6) cooperative activities in recruitment and examining by governmental jurisdictions operating in metropolitan areas.

Exception—Submittal of Local Projects

SEC. 209. After the expiration of one year from the date of enactment of this Act, if a State has not submitted any projects under section 208 of this title which have received approval, the metropolitan units of general local government may submit projects for approval, and such projects may be approved if they comply with the requirements of section 208.

Administration

SEC. 210. The provisions of this title shall be administered by the Secretary, who is authorized to furnish such technical assistance to States or units of general local governments and to prescribe such regulations as may be necessary to carry out the purposes of this title.

Suspension of Grants

SEC. 211. Whenever the Secretary, after giving reasonable notice and opportunity for hearing to the State or local agency administering a plan approval under this title, finds (1) that such plan has been so changed that it no longer complies with the provisions of this title, or (2) that in the administration of the plan there is a failure to comply substantially with any such provision, the Secretary shall notify such agency of his findings and no further payments will be made to the State or other recipient under this title (or in his discretion further payments will be limited to projects under, or portions of, the plan not affected by such failure), until he is satisfied that there will no longer be any failure to comply.

TITLE III—AUTHORIZATION FOR TRAINING

Declaration of Purpose

SEC. 301. The purpose of this title is to foster the training of State and local employees by permitting their attendance at Federal courses, and by authorizing Federal departments or agencies administering grant-in-aid programs to conduct training and to permit Federal grants to States and localities to be used for training and educational leave.

Participation in Federal Programs

SEC. 302. Any Federal department or agency conducting training programs for professional, administrative, or technical employees in the Federal service is authorized to include in such programs, under conditions imposed by the head of such agency, State and local officers and employees in similar or related functions, on the request of the State or local government. Fees for attendance at any such training program may be received by the Federal agency conducting it and expended in the same manner as fees received for attendance of Federal employees, or the payment of fees may be waived in occupational categories determined by the head of the Federal department or agency to be in short supply.

Training in Grant-Aided Programs

SEC. 303. Any Federal department or agency administering a program of grants or financial assistance to States and localities is authorized (a) to conduct training for State and local officers and employees in professional, administrative, and technical fields related to such programs; (b) to make grants to State and localities from Federal funds appropriated for State or local administrative expenses of the program, under the usual terms and conditions of such grants, for the conduct of training for State and local officers and employees in such program; and (c) to make grants to State and localities from Federal funds appropriated for State or local administrative expenses of the program, under the usual terms and conditions of such grants, for educational leave or comparable arrangements for salaries and training expenses of employees in professional, administrative, and technical fields who have been employed under a merit system of personnel administration in State or local agencies administering the federally aided program, in order for them to attend university or other training courses related to the program.

Saving Provision

SEC. 304. The authorizations in this title are not a limitation on existing authority under law for Federal departments or agencies to conduct training or to make grants for training or educational leave.

TITLE IV—GRANTS FOR TRAINING OF STATE AND LOCAL EMPLOYEES

Declaration of Purpose

SEC. 401. The purpose of this title is to promote higher levels of performance of employees in the public service, particularly in professional, administrative, and technical fields, and the development of employee potential by providing Federal assistance to State and local governments to institute and carry out programs for the training of their employees in fields where such Federal assistance is not already provided under grant-in-aid or other statutes.

Appropriation Authorization

SEC. 402. There is hereby authorized to be appropriated the following sums for payments to States and units of general local government which have plans approved under this title for the training of their employees: $10,000,000 for fiscal year 1967, $25,000,000 for fiscal year 1968, and $50,000,000 for each of fiscal years 1969, 1970, and 1971.

Grants Authorized

SEC. 403(a). From the sums appropriated under section 402 the Civil Service Commission (hereinafter referred to as the Commission) shall make annually grants to States or units of general local government which have plans approved by it under sections 404 and 405, respectively.

(b) The sums available annually for grants under this section shall be allotted among the States, and between States and units of general local government in a State, under formulas to be approved by the Commission which shall give weight to the number of State and local employees, the number of local governments participating, the scope of training to be provided, and the financial ability of the State as indicated by its relative per capita income, except that each State will receive not less than $25,000 for fiscal year 1967 and $50,000 annually thereafter.

Requirements of State plans

SEC. 404. A State plan for training of officers and employees to be approved must—

(1) designate the State agency for the administration of the plan;

(2) set forth a program for the training of officers and employees of States and units of general local government which will meet the objectives of this title and provide for training personnel of agencies not receiving assistance under other Federal programs;

(3) provide for continuing assessment of training needs;

(4) set forth equitable standards for the selection and assignment of personnel for training;

(5) provide for the efficient utilization of personnel who have been given such training, and for their continued service for a reasonable period of time;

(6) provide that educational leave or other arrangements for payment of salary and training expenses for periods in excess of one month in any one year shall be allowed only for career personnel employed in accordance with a merit system;

(7) set forth, when training is to be given through university or other nongovernmental facilities the policies with respect to the selection of such facilities and the types of agreements to be entered into for the training; and

(8) provide for financial participation by the States, the units of general local government thereof, or from private sources, in an amount equal to one-fourth of the cost of the training, including the reasonable value of facilities and personal services made available for administration of the training, provided that the operation of the plan will not result in a reduction in State and local expenditures or substitution of Federal for State or local funds for training.

Exception—Submittal of Local Plans

SEC. 405. If after one year from the effective date of this Act, a State has not submitted and had approved a plan under section 404, including provision for training of local governmental employees involving expenditures at last equivalent to the expenditures for training of State government employees, one or more units of general local government in the State jointly or severally may submit a plan for such training during the following fiscal year, designating a single local agency for administration and otherwise conforming to the requirements of section 404 under regulations which shall be prescribed by the Commission with the concurrence of the Secretary of Housing and Urban Development.

Administration

SEC. 406. The provisions of this title shall be administered by the Commission, which is authorized to furnish such technical assistance to States or units of general local government and to prescribe such regulations as may be necessary to carry out the purposes of this title.

Suspension of Grants

SEC. 407. Whenever the Commission, after giving reasonable notice and opportunity for hearing to the State or other agency administering any plan approved under this title, finds (a) that a State or other plan has been so changed that it no longer complies with the provisions of this title, or (b) that in the administration of the plan there is a failure to comply substantially with any such provision, the Commission shall notify such agency of its findings and no further payments will be made to the State or other recipient under this title (or in its discretion further payments will be limited to projects under, or portions of, the plan not affected by such failure) until it is satisfied that there will no longer be any failure to comply.

TITLE V—COOPERATION IN PERSONNEL RECRUITMENT AND EXAMINATION

SEC. 501. The Commission is authorized to join, on a shared-cost basis, with State or units of general local government or both, in cooperative recruitment or examinations under such regulations as may be jointly agreed upon.

SEC. 502. The Commission is authorized, upon written request from a State, a unit of general local government thereof, or both, and under such regulations as may be jointly agreed upon, to certify to such agencies, from appropriate registers, a list of eligible personnel who have successfully completed such examinations and satisfied such requirements as the Commission has prescribed, upon the payment by the unit of government making the request, of the salaries and such other costs for performing such service.

SEC. 503. The terms of reimbursement for the service authorized under section 502 shall be determined by the Commission. All moneys received by the Commission in payment for furnishing such service authorized shall be deposited to the credit of the appropriation of the Commission.

TITLE VI—AUTHORITY FOR INTERSTATE COMPACTS

SEC. 601. To promote higher personnel standards and mobility of qualified personnel, particularly professional, administrative, and technical personnel in shortage categories, the consent of the Congress is hereby given to any two or more States to enter into compacts or other agreements, not in conflict with any law of the United States, for cooperative efforts and mutual assistance (including the establishment of such agencies, joint or otherwise, as they deem desirable) for the administration of personnel and training programs for officers and employees of State and local governments.

TITLE VII—DEFINITIONS

When used in this Act,

State

SEC. 701. The term "State" means any of the several States of the United States, the District of Columbia, Puerto Rico, any territory or possession of the United States, or any agency or instrumentality of a State, but does not include the governments of the political subdivisions of any State.

Merit System

SEC. 702. "Merit system" means a planned State or local operation to develop and maintain an efficient career service, under public rules, which among other provisions include appointment through competitive examination, nondiscrimination in race, politics or religion, equal pay for equal work, tenure contingent on successful performance, and promotion on evaluated capacity and service.

Metropolitan Unit of General Local Government

SEC. 703. "Metropolitan unit(s) of general local government" means any city or comparable general-purpose political subdivision of a State with a population of 100,000 or more, as determined by the most recent Federal census, or any county or parish with such population which includes a city or comparable subdivision with a population of 50,000 or more, as determined by such census.

Non-metropolitan Unit of General Local Government

SEC. 704. "Non-metropolitan unit(s) of general local government" means any city, county, parish, town, village or other general-purpose political subdivision of a State, except such units of general local government as are included in section 703 of this Act.

There being no objection, the bill and the section-by-section analysis was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS OF THE INTERGOVERNMENTAL PERSONNEL ACT OF 1966

Section 1. Short title.

Section 2. Declaration of Policy. Under our federal system and in an increasingly complex society, effective State and local governments are indispensable. Their efficiency and administrative competence is of national concern, particularly since many programs they administer are federally financed. The application of merit systems of personnel administration in certain federally aided programs has contributed to their efficiency, and such systems should be extended to other grant programs. Federal financial and technical assistance should also be made available to State and local governments to strengthen their overall personnel administration. The Federal Government should encourage and assist in the continuing training and development of State and local employees, particularly in professional, administrative and technical fields, in order to improve the capability of the public service.

The Act recognizes that the success of the joint-action programs enacted by the Congress and the State legislatures is vitally affected by the caliber of State and local personnel administering them. It recognizes that all levels of government involved in these joint ventures—including the Federal Government—have not only a right but a duty to take steps to see that such programs are efficiently administered and that the funds provided are used effectively to accomplish the purposes prescribed by law. The Act, then, is designed to assist State and local governments in strengthening their partnership role in the federal system.

States and localities are facing critical problems in the recruitment, selection, and retention of well-qualified personnel for new and expanded programs. This shortage is acute in the upper levels, both in the public and private sectors of the economy. The State and local financial and technical resources for public personnel administration and staff development, however, have not kept pace with the growth of the programs they administer. Yet, qualified personnel and sound personnel policies are absolutely essential to effective governmental operations.

The Act proposes to build on the intergovernmental personnel experience in certain grant-in-aid programs. It would make matching grants and technical services available to State and local governments for the improvement of their overall personnel administration. It would encourage cooperative efforts in recruitment and training on an interlevel and interstate basis. It would make available Federal training facilities and also provide grants and technical assistance for training. Thus, it balances the need to foster dynamic personnel systems for recruitment of State and local staffs of high capacity with an effort to assist in their continuous development.

TITLE I—EXTENSION OF THE MERIT SYSTEM IN FEDERALLY AIDED PROGRAMS

This title authorizes the President, in order to achieve greater efficiency in administration of programs financed with Federal funds, to extend to additional programs the requirement that State and local personnel in such programs be employed under a State or local merit system meeting Federal standards. No Federal authority would be exercised over the selection, tenure of office, or compensation of any individual employed in accordance with such systems.

This pattern of administration is now applicable in the various public assistance, child health and welfare, public health, employment service and unemployment insurance, civil defense, and aging programs. The merit system requirement was originally enacted for programs under the Social Security Board. This action was taken by Congress in 1939 after some three years' experience without such a requirement demonstrated the need for it to assure program effectiveness and economy. It has been expanded over the years, most recently by the 89th Congress in the medical assistance title of the Social Security Act and in the Older Americans Act of 1965.[1]

The Division of State Merit Systems of HEW has served for more than a quarter of a century as the Federal interdepartmental unit concerned with State and local personnel administration. Under common Federal standards for the application of the merit system in various grant programs administered by the Departments of HEW, Labor and Defense, it has provided coordinated Federal technical and advisory services on State and local personnel management.

Under this title, the President, at his discretion, would determine if and when to extend the merit system requirement to other programs. He would be free to take into account such factors as he deemed relevant. Such criteria might include the proportion of Federal funds involved or the experimental nature of the program.

TITLE II—GRANTS FOR STATE AND LOCAL PERSONNEL ADMINISTRATION

Section 201 expresses the threefold objective of this title to provide Federal grants to enable each State to 1) strengthen its system of personnel adminisration, 2) provide State personnel services to nonmetropolitan local governments, and 3) stimulate projects for the improvement of personnel administration in metropolitan units of general local government (as defined in Section 703 of this Act).

Section 202 authorizes $8 million, $10 million, and $15 million, respectively, to carry out the purposes of this title.

Grants for State personnel administration

Section 203 provides that grants will be made to States which have approved plans for State personnel administration under an allotment formula which gives weight to the number of employees under the State merit system and the financial ability of the State. The Secretary of Health, Education, and Welfare is assigned the responsibility of administering this program in recognition of the fact that HEW's Division of State Merit Systems has the greatest experience in the area of State personnel administration.

Section 204 lists the major elements a State plan must have to be approved. These include designation of a State agency, conformity with Federal standards, provision for State matching funds and a description of the program for improving and strengthening personnel administration. The program may include expansion of the scope of the merit system; plans to meet manpower needs in new and expanding State programs; improvement of services in recruitment, examinations, classification and pay plans; development of auxiliary types of positions to supplement professional staff in short supply; research and demonstration projects; and interdepartmental and intergovernmental cooperation in personnel administration.

Grants for State personnel services to nonmetropolitan local governments

Section 205 provides that the Secretary of Health, Education, and Welfare shall make grants annually to States which have approved plans for State personnel services to nonmetropolitan local governments under an allotment formula which gives weight to the number of local governments and employees to be served, the scope of the services to be provided, and the financial ability of the State.

Section 206 lists the major elements a State plan for services to nonmetropolitan local governments must have to be approved, including State or local matching funds.

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[1] Cf. U.S.C. Title 42, Sec. 302(a)(5), Sec. 503(a)(1), Sec. 703(a)(3), Sec. 712(a)(3), Sec. 723(a)(2), Sec. 1202(a)(5), Sec. 1352(a)(5), Sec. 2674(a)(5); and U.S.C. Title 50, Sec. 2236(a)(4).

It provides that these services to local governments may include: coverage of local employees under the State merit system; technical services from the State in such areas as recruitment, examinations, classification and compensation plans; cooperative research and demonstration projects; and cooperative arrangements (including interchange of personnel) among units of local governments or between State and local governments.

The States and localities could strengthen personnel operations for nonmetropolitan units of government in a variety of ways. The plan may not only vary from State to State, but may provide for differentiated services within a State depending on the size and needs of the local governments. The services may vary from complete coverage of local employees under the State merit system to limited services to meet specific local needs. The latter might include recruitment of specialized personnel or demonstration projects for improved classification plans.

Grants for personnel administration in metropolitan areas

Section 207 provides that the Secretary of the Department of Health, Education, and Welfare shall make payments annually to States (and alternatively under Section 209 to local governments in metropolitan areas) which have approved projects for personnel administration, with State or local financial participation to the extent of one-third of the costs of the projects. Standards governing the distribution of such grants shall be made by the Secretary of HEW with the concurrence of the Secretary of Housing and Urban Development.

Section 208 provides that approved projects may include manpower planning and utilization; improvement of classification and compensation plans and of recruitment and examining; research for the improvement of the selection and the development of disadvantaged persons whose capacities are not being used; developing auxiliary positions in shortage occupations; improvement of management techniques, such as electronic data processing, in personnel operations; and developing cooperative activities in such areas as recruiting and examining by government jurisdictions in a metropolitan area.

Metropolitan governments are facing new and acute problems with limited resources in personnel administration. This title is designed to provide for innovative projects of various kinds to meet special needs. This may involve the application of tested personnel methods or the demonstration of new techniques. Local governments vary greatly in both their organization for personnel administration and the level of its effectiveness. Many factors explain this, including the administrative and political traditions of the jurisdiction, the statutory base and the financial support for personnel administration, and public attitudes. Since the scope and quality of personnel operations vary, the Act permits projects to be designed realistically to meet specific needs for improvement.

Section 209 provides that if a State has not submitted any projects (under section 208) receiving approval within one year after the enactment of this legislation, the metropolitan unit of general local government may submit projects for approval.

Section 210 provides that this title will be administered by the Secretary of Health, Education, and Welfare. The criteria for metropolitan projects, as was noted previously, would be established with the concurrence of the Secretary of Housing and Urban Development.

The intent of this section is to utilize the experience in intergovernmental personnel relations of the Department of Health, Education, and Welfare's Division of State Merit Systems in various grant-in-aid programs. At the same time, the responsibility of the Department of Housing and Urban Development with respect to urban personnel administration would be recognized by its required concurrence in the development of criteria for metropolitan personnel projects. The Federal approach would be coordinated, taking into account the Federal interest in the various grant programs and the differential needs for State and for local nonmetropolitan and metropolitan administration. Technical services, as well as financial assistance, would be available to strengthen State and local personnel administration.

Section 211 provides for withholding of funds after notice and hearing for noncompliance with approved plans or projects.

TITLE III—AUTHORIZATION FOR TRAINING

This title permits, upon request of the respective State and local governments, the attendance of State and local employees at Federal training courses; it authorizes Federal agencies administering grant programs to conduct training for State and local professional, administrative, and technical personnel; and it provides that Federal funds granted to State and local governments for the administration of joint programs may be used to conduct training or for educational leave.

Cooperative relationships in the field of training have, in recent years, developed to such an extent that they are becoming common practice. Even so, most of them are limited to particular types of training offered by one Federal department or agency to employees in counterpart State and local agencies. That the F.B.I. Academy provides certain training for law enforcement officers for both State and local governments is well known. Not so well known is the fact that many other Federal departments and agencies also offer training to State and local officers and employees. Among these are the Department of Agriculture, the Food and Drug Administration, the Forest Service, the Internal Revenue Service, the Public Health Service, and many more.

This title builds on these precedents and extends authority to all Federal departments and agencies to make their training programs available to counterpart State and local officers and employees. It does not limit existing training authorizations.

TITLE IV—GRANTS FOR TRAINING OF STATE AND LOCAL EMPLOYEES

Section 401 states the purpose of this title: to promote higher levels of performance in the public service and to develop employee potential through Federal assistance to State and local governments for initiating and carrying out training programs in fields where such Federal assistance is not already provided under existing grant-in-aid or other statutes.

Section 402 authorizes $10 million for fiscal 1967, $25 million for 1968, and $50 million each for 1969, 1970, and 1971 to carry out the stated purpose of this title.

Section 403 provides that the Civil Service Commission shall make grants to States (and, alternatively under Section 405, to local governments) which have approved plans for training under an allotment formula which gives weight to the number of State and/or local employees and governments to be served, the scope of the services to be provided, and the financial ability of the State.

Section 404 lists the major elements a State plan for training must have to be approved under Section 403. These include: designating the State agency to administer the training plan; setting forth the program of training, with educational leave for periods of over one month limited to career personnel; providing for continuing assessment of training needs; establishing standards for the selection of personnel for training and their subsequent utilization; and issuing policies and standards for the selection of university or other nongovernmental facilities and for the types of agreements to be entered into for such training; providing for financial participation from State, local or private sources to the extent of one-fourth of the total training costs.

Section 405 provides that if within a year after the enactment of this legislation a State has not received approval for projects which provide at least as much training for local employees as for State employees, then the local governments may submit plans for such training.

Section 406 authorizes the U.S. Civil Service Commission to administer the provisions of this title and to furnish technical assistance to State or local governments. The Commission is assigned this responsibility because of the extensive experience it has acquired through its own career development training program for Federal employees. The Commission is also authorized to prescribe the regulations necessary to carry out the purposes of this title. Local plans for training must be consistent with criteria established in regulations issued with the concurrence of the Secretary of Housing and Urban Development.

Section 407 provides for the withholding of funds after notice and hearing for noncompliance with approved plans.

TITLE V—COOPERATION IN PERSONNEL RECRUITMENT AND EXAMINATION

This title authorizes the U.S. Civil Service Commission to cooperate with State or local governments on a shared-cost basis in cooperative recruitment or examinations.

TITLE VI—AUTHORITY FOR INTERSTATE COMPACTS

This title authorizes any two or more States to enter into compacts or other agreements for cooperative efforts and mutual assistance for the administration of personnel and training programs for officers and employees of State and local governments. The purpose is to promote higher personnel standards and mobility of qualified personnel, particularly professional, administrative, and technical personnel in shortage categories.

When the compact clause of the Constitution was framed and adopted, it was apparently feared that it might be improperly used. Thus, it was further assumed that each proposed compact would be carefully examined and debated as a part of the consent procedure. This procedure often is no longer fully adhered to. The Congress has on numerous occasions given prior consent, and in 1948 when the Southern Regional Education Compact was under consideration, the point was made that no formal consent was required for two or more States to perform cooperatively an activity that each has the power to perform individually.

TITLE VII—DEFINITION

This title provides definitions of the terms "State," "merit system," "metropolitan unit of general local government," and "nonmetropolitan unit of general local government."

Mr. YARBOROUGH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

U.S. YOUTH PROGRAM

Mr. SCOTT. Mr. President, I am delighted to take this opportunity to comment on the 1966 U.S. Senate youth program sponsored by the William Randolph Hearst Foundation and implemented with the cooperation of the Senate. It was my pleasure to serve on the advisory committee as cochairman with my distinguished colleague, Senator CANNON. This program, which brings two outstanding young people to Washington for a week, has enjoyed the enthusiastic support of the Senate. There is no match for its effectiveness, its value, and its worth to our young people as a whole. I know that we all look forward to the continuation of the U.S. Senate youth program.

OPERATION OF THE IMMIGRATION AND NATIONALITY ACT OF 1965

Mr. KENNEDY of Massachusetts. Mr. President, the Immigration and Nationality Act of 1965 has been operating since last December 1. As Senators know, this act eliminates the national origins quota system, and, of key importance, removes many barriers to the reunion of families. The record will indicate that substantial progress is being made in the area of family unity, and with a minimum of problems and delays. For expediting these provisions of the new law, the Immigration and Naturalization Service and the Department of State deserve our thanks and commendation. I know of longstanding cases involving citizens of Massachusetts with close relatives abroad which have been closed, and I am sure the story is repeated across America.

A number of difficulties, however, have developed from the provisions of section 212(a)(14), which requires special labor certification for most potential immigrants other than relatives. In the case of immigration from Western Hemisphere countries, some relative categories are also covered by these provisions. Primarily affected, however, are prospective immigrants in the sixth preference and non-preference categories. The sixth preference provides for individuals who are capable of performing specified skilled or unskilled labor, not of a temporary or seasonal nature, for which a shortage of employable persons exists in the United States.

The labor provisions may also apply to certain prospective immigrants who would appear to fall in the third preference category, but who do not adequately meet the standards established by the Department of Labor. The third preference is available for professionals or persons of exceptional ability in the arts and sciences.

In view of the widespread feelings in the implementation of section 212(a)(14) and my personal concern that the new immigration law be administered efficiently and effectively in all aspects, I sent a communication to Secretary of Labor Wirtz requesting that he review the implementation of this section.

On March 29, the Secretary replied to my letter, and he recognized that improvement was needed. He also outlined some of the steps being taken to facilitate the processing of applications for labor clearance. I ask unanimous consent that his letter be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. KENNEDY of Massachusetts. Mr. President, some of the difficulties of section 212(a)(14) have involved administrative questions which inevitably arise in the formative stages of any newly passed legislation. Apparently a major factor has been a lack of adequate staff in the Department of Labor to undertake a broader responsibility in immigration. I have also received substantiated reports, the latest only a short time ago, that local, State, and regional offices of the Department of Labor, as well as American consuls abroad, have not been fully informed of the national guidelines and procedures established by the Department, and in some instances the piecemeal instructions sent from Washington have been conflicting and contradictory. Over the past several months, administrative difficulties have contributed a great deal of inefficiency and delay in the processing of applications for labor clearance. The executive agencies responsible for implementing our immigration policy recognize the difficulties, and I am hopeful that recent action taken by appropriate officials is helping to rectify this situation.

Other difficulties, Mr. President, have involved the procedures established by the Department of Labor in recruiting immigrants and processing their applications for labor clearance. These procedures concern the prospective employer in this country as well as the prospective immigrant overseas.

I shall not burden the RECORD with any lengthy recitation of these complex procedures. They are readily available from the Department of Labor. Moreover, I am sure that, like myself, many Members of Congress have familiarized themselves with these procedures, because of their personal interest in this matter, or as a result of mail from their constituents and representatives of the voluntary agencies which daily assist the movement of immigrants. I ask unanimous consent, however, that following my remarks, excerpts from two statements bearing directly on this matter be included in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. KENNEDY of Massachusetts. The statements were issued by the American Immigration and Citizenship Conference, which numbers among its members most agencies assisting immigrants.

Suffice it to say, that as currently administered, section 212(a)(14), with certain exceptions, requires each prospective employable immigrant to establish satisfactorily his qualifications to fill a specific job opening, for which a specific employer has satisfactorily established that no American is available, and that the prevailing wage rates will be paid the prospective immigrant.

The case material and experience of several voluntary agencies leaves no doubt in my mind that the lengthy forms and detailed procedures required by the Department of Labor for compliance with section 212(a)(14), have been unnecessarily cumbersome and heavily weighted with redtape. I have received a great deal of mail on this matter, and have spoken personally with the representatives of many of the voluntary agencies. Some excerpts from a letter I received from the executive secretary of one of the largest agencies, the Reverend Caesar Donanzan of the American Committee for Italian Migration, expresses the feeling of most agency personnel. He writes as follows:

> The labor clearance procedures are frustrating, excessively time-consuming and impractical. In the case of 6th preference cases, there is a general reluctance on the part of employers to become involved in so long and complicated a procedure, where the promise of success seems very remote.
>
> The experience of our agency is primarily concerned with aliens of special skills such as tailors, cabinet makers, bakers, marble workers, etc. When they, through friends or relatives in the United States, can finally make contact with an employer who may wish to petition for them, the prospective sponsor loses all interest in the matter upon encountering the obstacles and delays involved in getting past the first step, i.e., the obtaining of a labor certificate.
>
> For example, a large New Jersey company which makes marble monuments had filed for a certification for a skilled worker to cut and carve designs on marble and was informed that he had to advertise in the local newspapers for such a worker. The employer, who had in his employ other marble workers who had migrated under the first preference category of the old law, resented being compelled to undergo what he considered an unnecessary expense and felt that it was useless to do so as well, since it was obvious to him that qualified workers were not available to do the work and that this fact could easily be confirmed by the U.S. Employment Service. He dropped the matter in disgust.
>
> In Chicago, situations have been reported where employers who had advertised locally for skilled workers were told by the Employment Service that they must be prepared to advertise on a "nation-wide" basis in a manner specified by them for a person to perform the services in question.
>
> Employers feel that the imposition of such unrealistic conditions upon them in the obtaining of a certification is merely a covert method of discouraging their applications. Whether or not this is so, it is apparently having precisely this effect, for the number of employers willing to see a petition through is practically nil. These restrictions seem ironic at a time when there is reported concern over the lack of skilled manpower in the United States, and the provisions of the law meant to enrich our country's manpower have become self-defeating.

Mr. President, it is too early to measure the full impact of the labor clearance procedures, as currently administered, upon the pattern of immigration.

It is clear, however, that these procedures have thus far had a deterring effect in immigration. It is anticipated, for example, that at the end of the current fiscal year, at least 70,000 of the regular quota numbers will not have been used, and will, therefore, be available to the general pool for oversubscribed areas in the fiscal year which begins next July 1. This is a substantial increase over unused quota numbers in the last full year of operations under the act of 1952. As the legal officer of the State Department's Bureau of Security and Consular Affairs, Mr. James J. Hines, indicated in a recent speech in Detroit, the increase in unused quota numbers undoubtedly reflects the impact of section 212(a) (14), as currently administered by the Department of Labor. There is ample evidence from statistics compiled by the Visa Office, that in countries such as England, Ireland, France, the Netherlands, Germany, and Austria, whose past immigration to the United States has been largely in the nonpreference category, immigration is being drastically affected by section 212(a) (14). Statistics show a sharp drop in total immigration from at least these countries, and in the nonrelative categories for other countries as well.

A few examples will help to illustrate the point. I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a brief chart showing the issuance of visas in several countries.

The PRESIDING OFFICER (Mr. HARRIS in the chair). Without objection, it is so ordered.

(See exhibit 3.)

Mr. KENNEDY of Massachusetts. If this trend continues, and following the clearing up of backlogs in oversubscribed areas, section 212(a)(14), as currently administered, will undoubtedly have the effect of diminishing immigration far below the levels authorized by law. It is my understanding, as I pointed out during debate last September, that the function of the Secretary of Labor is to increase the quality of immigration, not to diminish it below authorized levels.

Mr. President, in view of the numerical and other statutory limitations on immigration, in view of the fact that incoming immigrants form an insignificant part of our total labor force, but could, nevertheless, help alleviate labor shortages in certain job categories, I believe the procedures established to administer section 212(a) (14) are unduly restrictive. They are disruptive to the normal flow of immigration. They are not in the spirit of the new law.

And this raises the question of congressional intent. As floor manager of the immigration bill during the debate last fall, on September 17, I made several comments relative to section 212(a) (14). These comments followed closely the analysis in the committee report, and the record of debate will indicate that among the supporters of the bill, no dissent was raised.

My comments were as follows:

> This provision was included in this bill to further protect our labor force during periods of high unemployment. But it was included with the intent that it be meaningful only where it has some meaning. Section 212(a) (14) of the act which is amended here relates only to those aliens who come here for the purpose of performing skilled or unskilled labor.
>
> Moreover, it was not our intention, nor that of the AFL-CIO, that all intending immigrants must undergo an employment analysis of great detail that could be time consuming and disruptive to the normal flow of immigration. We know that the Department of Labor maintains statistics on occupations, skills, and labor in short supply in this country. Naturally, then, any applicant for admission who falls within the categories should not have to wait for a detailed study by the Labor Department before his certificate is issued. On the other hand, there will be cases where the Secretary will be expected to ascertain in some detail the need for the immigrant in this country under the provisions of the law. In any event, we would expect the Secretary of Labor to devise workable rules and regulations by which he could carry out his responsibilities under the law without unduly interrupting or delaying immigration to this country. The function of the Secretary is to increase the quality of immigration, not to diminish it below levels authorized by law.

Mr. President, this analysis did not anticipate any serious administrative difficulties and the apparent need for the Department of Labor to expand its facilities. As the committee report stated:

> The Department of Labor should have no difficulty in adapting to this new procedure in as much as the Department, through its Bureau of Employment Security and affiliated State Employment Service agencies, presently determines availability of domestic workers and the standards of working conditions. There is no apparent need to increase facilities.

This analysis did not anticipate any cumbersome, long, drawn-out procedures which disrupt the normal flow of immigration. This analysis did not anticipate that each and every employable immigrant, with the exceptions noted, would be required to establish his qualifications to fill a specific job opening, for which a specific employer had satisfactorily established that no American worker was available. And I emphasize this point, Mr. President, because I believe this is the heart of the matter—this is the origin of the difficulties and public concern which currently plagues the implementation of section 212 (a) (14).

I do not believe that the interpretation given this section by the Department of Labor adequately reflects the consensus expressed in this body during the debate last fall, or in the hearing records issued by the Subcommittee on Immigration and Naturalization. I believe the Senate anticipated more flexibility in the application of section 212(a) (14).

In fact, I believe the Senate anticipated that blanket employment certification would be established for certain skilled occupations with a shortage of American labor, such as tailors, sample stitchers, exceptionally qualified governesses, orthopedic shoe builders, foreign specialty cooks and bakers, and so forth—all of which would fall under sixth preference. The reasoning applied by the Department of Labor for blanket certification in the third preference category, would also seem valid for many cases in the sixth preference category. Certainly it would expedite the processing of an alien's request for a visa. As Secretary Wirtz testified with reference to the third preference category:

> It is fairly unrealistic to identify a particular job before the person gets to this country * * * instead of looking at the particular individual and finding a specific job opening for him, we review our economy as a whole, and then permit the admission of those who fit in by way of their occupation and experience into the broad areas of needed ability.

In this connection, Mr. President, I believe it would be advisable to divide blanket certification into two groups—one national, the other local. The same rule should apply to the noncertification schedules currently issued by the Department of Labor. As now constituted, these schedules are a national listing only. Additional local listings, however, would undoubtedly reflect more fully the actual situation in the labor market. For what is an oversupply of labor in New York, may very well be in short supply in Los Angeles. Moreover, I believe that national and local listings would be more in conformity with both the letter and spirit of section 212(a) (14).

Of special concern to me has been the way this section has been applied to foreign nurses who have expressed a desire to come to our country. In many States, including my own State of Massachusetts, hospitals and clinics depend very much on the influx of foreign nurses. Recently I received a letter from Mr. Richard T. Viguers, president of the Massachusetts Hospital Association. He wrote in part:

> The administration of the Immigration and Nationality Act, as amended by P.L. 89-236, has resulted in a critical nursing shortage in hospitals in Massachusetts. Some hospitals have had to close beds, and other hospitals are barely able to maintain a safe standard of nursing care and may be forced to close beds.
>
> We must have foreign trained professional nurses to meet the needs of the sick in Boston and surrounding areas. I cannot state the issue too strongly. We are literally discussing the closing of large segments of major hospitals.
>
> There are qualified and competent foreign nurses who are ready and anxious to come to the United States, but they cannot get visas. They have been waiting for months and we have been waiting for them for months. It is my understanding that there have been similar difficulties in New York, New Jersey, California, Texas and other states where foreign trained nurses are employed.
>
> As the law has been administered, the result has been that not a single foreign trained nurse has been granted a visa to come to Massachusetts since January 1, 1966.
>
> With the advent of Medicare on July 1, 1966, it is likely that the hospital resources of the country will be put under severe strain. This is the worst possible time to be closing hospital beds and reducing our abilities to care for the sick. We urge in the strongest possible terms that immediate steps be taken to correct this stoppage of foreign trained professional nurses. There are qualified nurses waiting to come to the United States. We are critically short of nurses. Surely, it would be possible to grant visas to these nurses to come to the United States and serve the sick.

I ask unanimous consent that the full text of Mr. Viguers' letter be included in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 4.)

Mr. KENNEDY of Massachusetts. Mr. President, I have called to the attention of the Department of Labor the situation regarding foreign nurses, and was informed earlier this week that steps are being taken to expedite their entry into Massachusetts and other areas of the country in need of nursing personnel. This clearly shows that flexibility is possible in the administration of section 212(a) (14) and I commend the Secretary of Labor for his active concern in this regard.

Mr. President, I know there are several Members of the Senate who share my concern, and that of the voluntary agencies, regarding the interpretation and administration of section 212(a) (14), which is currently being established by the Department of Labor.

Only a few weeks ago, Senator HART, who is one of the Senate's most eloquent spokesmen of fair immigration policies, expressed his views on this subject.

I believe the process for labor clearance needs review and clarification by the Department of Labor and other agencies in the executive branch. On Thursday of last week, I personally expressed my concern to Secretary Wirtz. I am happy to report that he recognizes the situation, and I believe he will make every effort to find reasonable and cooperative answers to the undeniable problems which exist. I am confident that early action will be taken to carry out more fully the spirit of the Immigration Act of 1965.

CUBAN REFUGEES

Mr. President, a by-product of the labor clearance provision has been the cruel hardship it has brought to many Cuban refugee families. I am sure that, like myself, many members of Congress have received mail on this matter. Close relatives of many refugees in this country are in Spain and Mexico. Husbands and wives are separated. Children are without their parents. Elderly parents are stranded in a country they do not know, and without the support of their children.

In recent hearings before the Subcommittee on Refugees, which I serve as chairman, the situation was graphically outlined by voluntary agency representatives. If we seriously take the principle of family unity as a basic concept of our immigration policy, we must make every reasonable effort to unify the families caught in this difficult situation.

I have discussed the matter of Cuban refugees in Spain with the Spanish Foreign Minister, and have received a formal report from Ambassador Duke in Madrid.

Several weeks ago I sent formal recommendations to Secretary Rusk requesting that special parolee status be granted to all parents and minor children of Cubans now in the United States—whether parolees or permanent residents. I have discussed this situation with the Attorney General and others in the executive branch. I have been informed that the case for these people is in the process of being favorably acted upon, and I am happy to report that we may expect an important announcement on this subject within the next few days.

EQUALITY FOR RELATIVES IN THE WESTERN HEMISPHERE

Mr. President, earlier in my statement I indicated that certain relative categories in Western Hemisphere immigration were covered by the labor clearance provisions. I believe this runs counter to one of the primary purposes of the new law, namely, the reunification of families. If the latter is important to immigrant cases from all other areas of the world, it is equally important for immigration cases from the Western Hemisphere. The situation requires a change in the law, and for that purpose I will shortly introduce an amendment to place relative categories in Western Hemisphere countries on an equal footing with those in all other areas of the world.

Today, after a long 40 years, the law books finally record a sound basis on which the United States can build and develop progressive and creative immigration policies—policies which serve the national interest and fully reflect our tradition and heritage as a democratic and humanitarian people. I hope we use this opportunity well.

President Kennedy championed the cause of just immigration policies throughout his years of public service. His sympathies are best expressed in his essay, "A Nation of Immigrants."

He said:

> Immigration policy should be generous; it should be fair; it should be flexible. With such a policy we can turn to the world, and to our own past, with clean hands and a clear conscience. Such a policy would be but a reaffirmation of old principles.
>
> It would be an expression of our agreement with George Washington that "The bosom of America is open to receive not only the opulent and respectable stranger, but the oppressed and persecuted of all nations and religions; whom we shall welcome to a participation of all our rights and privileges, if by decency and propriety of conduct, they appear to merit the enjoyment."

EXHIBIT 1

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, March 29, 1966.

Hon. EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: Thank you for your recent letter concerning the "labor clearance" provision of the new Immigration Act.

Let me say that it is my firm belief that we have carried out the legislative intent. The law and the legislative history make it clear that the intent is that aliens not be admitted if American workers are available, or if the wages and working conditions offered to aliens would adversely affect the wages and working conditions of American workers. We have tried in every way possible to apply this policy with sympathy and reason. No Departmental action has been brought to my attention which would indicate otherwise.

With respect to our performance on the time required to process applications, let me be the first to say that improvement is needed. The workload under the new law is about three times as great as under the old law. No appropriation was available for this added load, and authority for a deficiency apportionment was not approved by the Bureau of the Budget until January 28. To meet the problem, we have borrowed staff from other activities and taken other emergency actions. Nevertheless, we are now taking steps to cure all of this.

Let me briefly outline the specific action we have taken to cut "red tape" and expedite immigration applications.

On January 6, 1966, I authorized on a trial or experimental basis, the delegation of authority to certify in a limited group of skills (draftsmen, medical technicians, live-in maids, executive chefs, machinists, tool and die makers, cabinet makers and skilled garment workers) to four regional offices (Chambersburg, New York, Chicago and San Francisco) covering six major metropolitan areas (Philadelphia, New York, Chicago, San Francisco, and Los Angeles and Washington, D.C.).

Included in this delegation was authority to modify the procedures for recruitment by permitting the waiving of advertising and inter-area recruitment at the discretion of the local office. In addition, Immigration requests in the above categories are sent directly from the local offices to the regional office—bypassing the State Office. This delegation has worked well. But for it, there would be a tremendous backlog of immigration cases in the national office.

In view of our excellent experience (outlined above), I have directed the Manpower Administrator to expand the delegation responsibility to all Regional Offices. Briefly, we are now developing procedures to:

(a) Expand Schedule "A" by adding a number of professional occupations known to be in short supply.

(b) Expand the list of eight occupations (mentioned above) to include a larger group of occupations known to be in short supply.

(c) Expand the delegation of authority (described above) to cover the entire United States.

Our original intention had been to gain about one year's experience before delegating certification authority to the Regions. A further delegation of authority to the States and, in turn, to the local offices is not possible under the present legislation.

I am personally satisfied that the new procedures outlined above will eliminate most of the problems and just criticism which have resulted from our inexperience in administering these new amendments.

Let me once again reiterate my very deep and personal interest in this program.

Sincerely,

W. WILLARD WIRTZ,
Secretary of Labor.

EXHIBIT 2

AMERICAN IMMIGRATION AND CITIZENSHIP CONFERENCE

(Memorandum on the new immigration law with particular reference to the labor certification requirement, February 23, 1966)

Public Law 89–236, which went into effect December 1, 1965, maintains existing quotas until June 30, 1968, but provides a ceiling of 170,000. It also provides that any unused numbers should go into a pool and that the numbers from the pool should be used for all preference categories up to 20,000 a year for any one country. (Note: The bill does not reduce the quotas of Great Britain and Germany down to 20,000 during this three year period).

Western Hemisphere remains as before with no numerical limitations during this three year period. The ceiling of 120,000 goes into effect in 1968, unless Congress provides otherwise.

The new law requires certification by the Department of Labor for prospective immigrants who will enter the labor market to the effect that a job is available for which there is no resident worker, and which will not affect the wages and working conditions of the U.S. labor force.

The law provides seven preference categories for countries in Europe, Asia and Africa. Four of these preference categories

(1st, 2nd, 4th and 5th) are for relatives.[*] The seventh preference provides for approximately 10,200 numbers for refugees from communist countries and certain areas of the middle east. All prospective immigrants who fall into these preference categories are now able to enter if numbers are available, provided they meet the basic provisions of our immigration law as far as health, security, morals, etc. The question of labor certification is not involved in these cases, nor for spouses, children or parents of citizens.

There are two other preference categories: 3rd and 6th. The third preference is available for professionals or persons of exceptional ability in the sciences or the arts. Under the old law, such persons came under first preference and they had to have a specific job offered them for which they could prove they were qualified. This is no longer necessary. Now they only have to prove their educational and experience qualifications in accordance with the Department of Labor Form ES-575A, "Application for Alien Employment Certification." [**] This change was made because the old procedure was too cumbersome and entailed tremendous delays and difficulties, and would not serve our basic purpose of having this type of immigrant in the United States. Occupations that fall under this procedure are listed in Schedule A, a copy of which is enclosed.

The sixth preference category provides for people who are capable of performing specified skilled or unskilled labor, not of a temporary or seasonal nature, for which a shortage of employable and willing persons exists in the United States. In addition, there is a nonpreference category. Sixth preference and nonpreference worker aliens have to have a Labor Department certification. This requires the immigrant while out of the United States to find a person who will employ them in a job for which he can prove there is no resident available, and that the wages and the working conditions will not affect the American labor market. Further, the applicant has to show that he is suitable for the job. Thus, the law now places the burden of proof on the immigrant who is far removed from the American scene.

They have to submit U.S. Department of Labor Form ES-575A and get an employer who is willing to employ them and who will fill out Form ES-575B. These forms are in addition to the regular visa petition forms.

This procedure presents numerous difficulties and delays in that an employer has to show the efforts he has made to find an American worker through a variety of ways, indicating there is no resident worker available. In other words, the employer has to go through the long drawn out process of filling out Form ES-575B for a person whom he has never seen and who, because of the complications of administrative processes undoubtedly could not come to him for months, during which period any number of new conditions might arise. If this procedure proved so difficult formerly in connection with highly specialized professionals, how much more cumbersome and even open to misuse will it be for the average immigrant? It is questionable how many employers would be willing to go through this process.

Under the old law, the Secretary of Labor could certify to the Department of State and the Attorney General that certain jobs were in oversupply and those people were automatically not admitted to the United States. In fact, it was a practice that if an employer wanted to bring to the United States some 25 or more aliens, the Department of Labor checked to see if there might be an oversupply in his area. The effectiveness of the procedure under the old law was evidenced in connection with the Mexicans who were coming into the United States for legal admission as permanent residents. Because of the oversupply of such labor, these cases were checked by the U.S. Employment Service and as a result Mexican immigration dropped from 55,253 in 1963 to 32,967 in 1964.

In connection with the sixth preference and nonpreference, the Department of Labor has issued "Schedule B" listing occupations which are *not* in short supply and for which no applications will be received. Schedule B is also enclosed. For all others, the above procedure applies, except for certain exempt classes.

For persons from the Western Hemisphere, unlike the rest of the world, labor certification is required for *all* except the parents, spouses and children of U.S. citizens and resident aliens. Other relatives are treated like immigrants who do not have family ties in the United States, and have to have Labor Certification. The above six exempt classes, of course, apply here too.

WHAT WILL OUR IMMIGRATION PICTURE BE?

For the fiscal year that ended June 30, 1965, of the total quota of 158,361, some 56,000 numbers were unused and therefore are available for the pool this year. Because of the long waiting list of relatives in the past for countries such as Italy, Greece, Portugal, Poland, Spain, et al., there is no question that the numbers that are available in the pool will be used up this year. However, it is estimated now that at least 70,000 of the regular quota numbers will not be used this year. This increase in unused quota numbers undoubtedly reflects the impact of the labor certification requirement. (Note: The new law was not in effect from the beginning of the fiscal year July 1, 1965 to December 1, 1965). Preference waiting lists are quickly being satisfied and except for Italy the preference waiting list will probably be eliminated by next year. The full effect of the labor certification requirements on total immigration therefore will not become evident until next year.

There is already evidence that in countries such as England, Ireland and Germany, 98% of whose total emigration to the United States was in the nonpreference category in the past, immigration is being drastically affected by the fact that a labor clearance is required. (The first recorded figures available from the Visa Office show a sharp drop in immigration from these countries.) However, the law will have to be in operation for a somewhat longer period before one can really judge as labor certification is a long drawn-out procedure, and the delays at the beginning of the Act are inevitable. It is to be noted that approximately 80% of all quota immigration in the past was nonpreference.

CONCLUSION

The new law has given rise to a basic change in our philosophy of immigration, in that immigrants with certain exceptions, are now required to have specific jobs before entering. It is questionable whether, considering the numerical and other limitations on immigration, that there is a sound basis for the change.

Large numbers of immigrants in the past, because of their ingenuity and initiative have contributed to our national wealth, even though they started often on the lowest rung of the ladder.

Numerically, the immigrants entering the labor market each year form an insignificant part of the total U.S. labor force. They enter many different types of occupations scattered throughout the U.S., and cannot therefore have any significant effect on the labor market. In addition, our Manpower Division of the U.S. Department of Labor reports certain specific occupations in which we have labor shortages.

Also, it must be noted that less than one-half of all immigrants that came in any one year enter the labor market; the rest are housewives, children, etc. Therefore, every immigrant entering the labor market represents two or more consumers.

DEPARTMENT OF LABOR SCHEDULE A—THE BLANKET CERTIFICATION LIST

Group I: Persons upon whom an advanced degree has been conferred at least equivalent to the Master's degree conferred by accredited U.S. colleges and universities and who have been gainfully employed for at least two years in an occupation related to and dependent upon their area of academic specialization. Among physicians and surgeons, certification by the Educational Council for Foreign Medical Graduates may be substituted for two years of gainful employment.

Group II: Persons whose education or experience is equivalent to the bacculaureate degree conferred by accredited U.S. colleges and universities in the following specialties:

Aeronautical Engineering.
Chemical Engineering.
Electronic Engineering.
Library Science.
Mathematics.
Mechanical Engineering.
Metallurgical Engineering.
Metallurgy.
Nuclear Engineering.
Organic Chemistry.
Pharmacology.
Physical Chemistry.
Physics.

Group III: Professional Nurses presenting the education or experience required for licensure in the State or territory of intended residence. Evidence that the qualifications necessary for licensure have been met must include a Letter of Evaluation from the Board of Nursing in the State of intended residence certifying that the Professional Nurse has met the minimum requirements of education, training, and experience for licensure in the State.

DEPARTMENT OF LABOR SCHEDULE B—OCCUPATIONS NOT IN SHORT SUPPLY, HENCE THE "NONCERTIFICATION" SCHEDULE

Attendants, Parking Lot.

Attendants (Service Workers such as Personal Service Attendants, Amusement and Recreation Service Attendants).

Automobile Service Station Attendants.
Bakers' Helpers.
Bartenders.
Bookkeepers II.
Busboys.
Carpenters' Helpers.
Cashiers II.
Chauffeurs and Taxicab Drivers.
Charwomen and Cleaners.
Clerks (general office).
Clerks (hotel).
Clerks and Checkers, Grocery Store.
Cook's Helpers.
Counter and Fountain Workers
Domestic Day Workers.
Electric Truck Operators.
Elevator Operators.
Fishermen and Oystermen.
Floor Man, Floor Boy and Floor Girl.
Groundkeepers.
Guards and Watchmen.

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[*] First Preference: Unmarried sons or daughters of U.S. citizens over 21 years of age; Second Preference: Spouses and unmarried sons or daughters of permanent resident aliens; Fourth Preference: Married sons or daughters of U.S. citizens; Fifth Preference; Brothers or sisters of U.S. citizens.

[**] Form ES-575 consists of 2 parts: ES-575A and B. Part A is to be completed by the prospective immigrant and questions him with regard to his personal background, education, training, skills, experience, etc. Part B is to be completed by the prospective employer and questions him with regard to the nature of his business, the job offered, efforts made in recruiting workers for the job, etc. Detailed instructions on how to complete Parts A and B accompany the Form.

Housekeepers.
Housemen and Yardmen.
Janitors.
Kitchen Workers and Helpers.
Laborers, Farm.
Laborers, Mine.
Laborers, Common.
Launderers, Cleaners, Dyers and Pressers.
Library Assistants.
Loopers and Toppers, Textile.
Maids, Hotel.
Material Handlers.
Packers, Markers, Bottlers, and related.
Painters' Helpers.
Porters.
Routeman Helpers.
Sailors and Deck Hands.
Sales Clerk, General.
Sewing Machine Operators and Hand-Stitchers.
Street Railway and Bus Conductors.
Telephone Operators.
Truck Drivers and Tractor Drivers.
Truck Driver's Helpers.
Typists, lesser skilled.
Ushers, Recreation and Amusement.
Waiters and Waitresses.
Warehousemen.
Welder's Helpers.

These Schedule B occupations are defined in the regulations in accordance with the *Dictionary of Occupational Titles*.

American Immigration and Citizenship Conference

(Working paper prepared for the use of the AICC Joint Committee on Legislation and Administration, February 1966—Labor certification provisions of the Immigration and Nationality Act as amended by P.L. 89-236; procedural impact of section 212 (a)(14) on sections 203(a)(3), (6), and (8), and 101(a)(27)(A))

INTRODUCTION

This report deals with the procedural impact of Section 212(a)(14) of the Immigration and Nationality Act as amended by Section 10 of the Act of October 3, 1965 (P.L. 89-236), that is, it will deal with the impingement of amended Section 212(a)(14) upon Sections 203(a)(3), (6), and (8), and 101(a)(27)(A), or in other words, upon third and sixth preference immigrants, nonpreference immigrants, and one class of special immigrants—natives of independent foreign countries of the Western Hemisphere and the Canal Zone. In passing, it would appear that procedures for immediate relatives, returning residents, and relative preference immigrants remain the same; ministers of religion no longer require a petition; and former U.S. citizens are no longer subject to Sec. 212(a)(14). I & NS Form I-140 which is required for third and sixth preference immigrants has been substantially shortened, but if you wonder where the questions went, you will find them reincarnated in the new Form ES-575 which foreshadows the fateful role of a fourth administrative body in immigration, namely, the Department of Labor. The free and supporting documentary evidence remain the same.

PROCEDURE FOR THIRD PREFERENCE

The third preference is available for members of the professions, or persons with exceptional ability in the sciences or arts. The alien or his representative files Part I of Form I-140, $10 fee, Part A of Form ES-575 (in triplicate) and documentary evidence in support of the beneficiary's qualifications with the office of the Service having jurisdiction over the alien's intended place of residence. Whereas the priority is the date whereon the petition is properly filed, nevertheless the Service will not accept it or consider it properly filed unless it is accompanied by Department of Labor Form ES-575A and the documentary evidence.

Thereafter the Service examines for Employment Certification which is ascertainable in two ways:

(*a*) *Blanket employment certification*

If the profession or exceptional ability is listed in Schedule A and the alien is clearly qualified, the Service will hold that the employment certification has been met.

(*b*) *Individual employment certification*

If the profession or exceptional ability is not listed in Schedule A or Schedule B, or if the alien is not clearly qualified, or if the alien is clearly not within the purview of Sec. 201(a)(3), the Service will refer Form ES-575A and supporting documents to the local State Employment Service for review.

The local State Employment Service will notify the Service of its determination with respect to the issuance of a certification, and will also advise concerning the beneficiary's qualifications. Reconsideration or review of noncertification may be requested of the Secretary of Labor or the local State Employment Service.

The Service adjudicates whether the alien qualifies as a member of the professions or as a person with exceptional ability. Although the Service will not look behind the certification, yet it will examine the alien's qualifications. If the alien qualifies, his petition for third preference is approved. Denial of a petition for third preference classification or denial of a request for revalidation may be appealed to the Regional Commissioner except when the denial is based upon the lack of an employment certification. A third preference approval is valid in the case of a blanket certification for 1 year from the date of approval, and in the case of an individual certification for 1 year from the date of any individual certification. When an employment certification expires, the petition expires. The submission of Form ES-575A in connection with revalidation of a petition does not require supporting documentary evidence.

ANALYSIS

Although the elimination of a prior employment and hence the possibility of an alien or his representative to petition without the necessity of an employer in third preference cases is constructive, nevertheless it is felt that Group II of Schedule A is inadequate, and thereby frustrative of the intent of the legislation because of inadequacy in implementation. Group II as it now stands gives blanket certification to persons whose education or experience is equivalent to the baccalaureate degree conferred by accredited U.S. colleges and universities in designated specialities of which half are engineering. Persons in other field all need an individual employment certification with its attendant delays, red tape, uncertainties and indeed hazards and anxieties in Sec. 245 cases. Under previous law no clearance order was required for certain listed occupations and groups of occupations in connection with first preference petitions. As a matter of fact when Sec. Wirtz was asked to give a list of major skills in short supply he read from one of the old lists. To our way of thinking the aforesaid lists, and even the U.S. Department of Labor's list of Critical Occupations, were less restrictive than Group II, were somewhat more conducive to the immigration of professionals, and more reflective of the spirit of the Great Society than the present listing.

The intent of President Kennedy's bill, which was subsequently endorsed by President Johnson, was to eliminate an employer petition in first preference cases on the ground that that requirement unduly restricted our ability to attract the educated, trained people whose services would significantly enhance our economy, national life, and general welfare. You will have noted the words "attract the educated, trained people." Now to attract means to elicit desire by making a good known. Obviously one does not attract by hiding attractiveness. Therefore, because of its poverty in listings. Group II tends to frustrate the intent of the third preference.

Sec. Wirtz testified "Unquestionably with respect to some of the professionally, highly skilled, technical areas we are at the bottleneck point as far as some of those skills are concerned, enough so that as one feature of a revised immigration bill, we would count it a strengthening of the economy if we could say that if somebody has experience in those areas, we would like to see him come in or see her come in, and our facilities now are such that we can do that slotting in." However, Group II identifies too few of the areas wherein there are shortages. If these areas are not listed, how is the alien or the Consular or the Service officer to know about them? If there are shortages why not let us know about them? The professional alien may be averse to acting on a hunch and may decide that the assembling of documents, completion of forms, etc. may all end in a waste of time and money, especially when all that the Consular or Service officer can say is, file the ES-575 and after a number of months you will know whether or not you are eligible for a visa. Yet, Sec. Wirtz stated that it would be at the scientific level, professional, technical and highly skilled levels that we feel the greatest need for additions to the work force.

Sec. Rusk averred that there have been great advantages, not only in recent years, but for centuries, in the free flow of scientists, artists, scholars, men of letters and men of special talents. Note here that Sec. Rusk includes artists and men of letters. Recall too that Sec. 203(a)(3) uses the words persons with "exceptional ability in the arts", and "cultural interests". However, we see no inclusion of these in Group II unless they are intended to be covered by Group I which requires a Master's degree plus two years of gainful employment. Under previous Dept. of Labor listings provision was made for this type of professional.

The preliminary guidelines of the Dept. of Labor noted that S. 500 would result in the admission of a larger number of persons whose educational and specialized professional attainments would be most advantageous to the United States—a larger number of these could make more significant contributions to our society and our economy. It added that the elimination of the job requirement would increase the number which would be able to come in as first preference immigrants. Sen. Ervin in pointing out the small number of professionals who entered the U.S. in 1964 labeled this claim as sanctimonious propaganda, but Sec. Wirtz asserted that in the fifth year of the operation of this law there will be about 11,000 professional and technical people coming into this country in professional and technical areas where we need them.

Nota bene

Expansion of Schedule A as aforeindicated would facilitate proper filing for preference classification. For example, if a person files for third preference and is subsequently informed that he should file for a sixth preference, he will have lost valuable time which he might have used in finding an employer. This could be crucial in a Sec. 245 case, involving adjustment of status.

PROCEDURE FOR SIXTH PREFERENCE

Sixth preference is available for aliens capable of performing skilled or unskilled labor. Since no blanket certifications have been published for this preference, Form ES-575 with completed Parts A and B (in triplicate) and documentary evidence are filed by the employer or his representative with the local office of the State Employment Service serving the area of intended employment. The Employment Service certifies by endorsement of Form ES–575A and an advisory opinion on the alien's qualifications will also be endorsed on the form. Form ES–575 and documentary evidence are then returned to the employer.

Thereafter the employer or his representative files Form I–140, $10 fee, certified Form ES–575 (Parts A and B), and the documentary evidence with the office of the Service having jurisdiction over the place where the alien's services are to be performed. The Service adjudicates whether the alien qualifies and if he does, then the petition for sixth preference is approved. Procedure for denial or revalidation of a petition are the same as for third preference; period of validity, and priority of a petition, and reconsideration of noncertification are also the same.

ANALYSIS

The present sixth preference was supposed to be a subsidiary category of the fourth preference in the bill proposed by Presidents Kennedy and Johnson. That bill provided for an Immigration Board which was to recommend to the Attorney General after consultation with the Secretary of Labor, a list of skills which were in short supply in the United States and thereby enable us to bring such persons into the United States more expeditiously.

Sec. Wirtz submitted a special statement with reference to the subsidiary fourth preference as follows: "The fourth subsidiary preference occupational group proposed in S. 500 provides a means of meeting proven shortages for specific job vacancies. Examples of occupations approved for entry in the last year are tailors (master or journeyman) and sample stitchers, governesses having specialized language skills or experience in working with handicapped or retarded children, orthopedic shoe builders, specialized medical and dental technicians, foreign specialty cooks and bakers, and electronic technicians with extensive experience. Preference subsidiary four will require proof of job offers from employers. It is expected that such job offers will be reviewed to assure their salaries offered are at prevailing rates, and to determine the nonavailability of legal resident workers for the job, in order to assure the protection of the job opportunities and working conditions of the Nation's labor force. Such requirements and procedures are very similar to those now used by the Dept. of Labor in carrying out its responsibility delegated under existing immigration law, in connection with the first preference provisions to protect American workers from any adverse effects."

But it would appear that Schedule A lists none of the proven shortages in the sixth preference, and if one relies on past experience and the proposed procedure as outlined only in part by Sec. Wirtz, it is somewhat difficult to entertain a belief that the entry of skilled workers will be facilitated. To the question as to how many of such skilled workers we might get, Sec. Wirtz estimated that in the fifth year of operation there would be an addition to our labor force of about 14,000 craftsmen, foremen, and kindred workers.

NONPREFERENCE PROCEDURE

This classification is available for non-worker aliens and worker aliens; no petition is required. Whereas non-worker aliens do not require an employment certification, worker aliens must have such a certification in order to qualify. Visa numbers are made available to this classification strictly in the chronological order in which the applicants qualify. Procedure for worker aliens is similar to that which applies in sixth preference cases except that the Employment Service sends the certified Form ES–575 to the Consular office serving the area of the alien's residence abroad. In Sec. 245 cases the certification is returned to the employer to furnish to the alien for filing with the Service.

ANALYSIS

The analysis of this provision of the law was put quite simply by Sec. Wirtz when he was asked about new seed immigration. He responded as follows: "I would think the unskilled, uneducated immigrant without family support would not be admitted under the law." We do not want to substitute for the national origins system a provision that would snuff out the American dream by which a dish-washer could become the owner of a chain of restaurants.

WESTERN HEMISPHERE PROCEDURE

Procedure for natives of independent foreign countries of the Western Hemisphere and the Canal Zone to the extent that they touch on employment certifications parallel procedure for third, and sixth preference, and nonpreference immigrants.

ANALYSIS

Senators **Kennedy**, **Hart**, and **Javits** filed their separate views in reporting H.R. 2580; noted the unique relationship that exists among the nations of the New World and their contribution to our culture and society; and they emphasized that the existence of a non-quota status for nationals of the Western Hemisphere has never been considered a form of discrimination against the other nations of the world, for the distinction was not based on race, religion, or ethnic origin. Yet a discrimination, or distinction if you will, still exists and it is hemispheric. Indeed, it runs counter to one of the primary purposes of the law, namely, the reunification of families. If the latter is important to immigrant cases, it is equally important in special immigrant cases.

This discrimination is a carry-over from previous legislation, that is, Sec. 212(a)(14) of the Act of June 27, 1952, the Immigration and Nationality Act. The following relatives who are natives of the Western Hemisphere are subject to employment certification whereas their immigrant counterparts are not:

Sons and daughters of a U.S. citizen, their spouses and children;

Unmarried sons and daughters of an alien lawfully admitted for permanent residence; and

Brothers and sisters of U.S. citizens, their spouses and children.

EXHIBIT 3

Nonquota visa issuances

	December		January		February		March	
	1964	1965	1965	1966	1965	1966	1965	1966
Montreal	874	303	906	216	761	311	1,151	408
Toronto	875	187	836	120	798	151	1,100	368
Quebec	258	85	232	44	213	39	283	92
Vancouver	329	71	352	60	320	76	403	121

Quota visa issuances

	December		January		February		March	
	1964	1965	1965	1966	1965	1966	1965	1966
London	988	326	963	427	925	564	1,232	875
Paris	182	65	170	29	153	48	175	86
Frankfurt	656	38	675	87	729	85	851	154
Hamburg	219	5	178	27	223	52	282	67
Dublin	219	2	306	12	189	22	322	46
Rotterdam	196	54	162	66	175	95	165	63
Naples	360	2,446	249	1,767	268	1,740	326	2,413
Palermo	136	564	129	965	138	978	138	1,185
Vienna	85	11	77	12	78	18	118	34
Warsaw	392	976	395	591	494	420	606	517
Hong Kong	26	328	22	435	12	553	21	904
Manila		132	1	251	3	321	3	499
Athens	52	341	48	353	77	645	55	1,146

Note.—The figures show that at posts which had a heavy preference backlog of relatives of U.S. citizens or permanent-resident aliens, such as Naples, Lisbon, Hong Kong, and Athens, visa issuances since Dec. 1 have shown a substantial increase. These relatives are not subject to labor certification. A substantial decrease has occurred at other posts noted in the above table, where traditionally we have no preference backlogs in the relative categories, and where visa issuance in the past has been heavily nonpreference.

ALLOCATIONS FOR VISA ISSUANCES IN THE VARIOUS PREFERENCES UNDER THE OPERATION OF THE NEW LAW—THROUGH MAY 24, 1966

Additional figures on the allocation of visas in the various preference categories under the new law show a sharp drop in nonrelative immigration as compared to immigration in 1965, which was 80 percent nonpreference.

First preference: Unmarried sons or daughters of U.S. citizens	1,537
Second preference: Spouses, unmarried sons or daughters of permanent resident aliens	12,599
Third preference: Members of the professions	6,407
Fourth preference: Married sons or daughters of U.S. citizens	16,121
Fifth preference: Brothers or sisters of U.S. citizens	23,616
Sixth preference: Persons capable of performing specified skilled or unskilled labor	1,617
Seventh preference: Refugees	4,571
Nonpreference	8,531
Total	74,999

EXHIBIT 4

NEW ENGLAND MEDICAL
CENTER HOSPITALS,
Boston, Mass., May 5, 1966.

Hon. EDWARD M. KENNEDY,
The United States Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: The Administration of the Immigration and Nationality Act, as amended by P.L. 89–236, has resulted in a critical nursing shortage in hospitals in Massachusetts. Some hospitals have had to close beds and other hospitals are barely able to maintain a safe standard of nursing care and may be forced to close beds.

A relatively small, but strategic, portion of bedside nursing care in Massachusetts has been rendered by foreign trained professional nurses—mainly from England and Ireland. There are not enough United States nurses available to provide the nursing care needed.

Let me review who these foreign nurses are. First, they are trained and licensed in their own countries. Second, they are carefully screened so that we get especially competent nurses. Third, they work only in hospitals where they are carefully supervised and are assigned responsibilities compatible with their demonstrated knowledge and skills. Fourth, these are nurses who in the opinion of the nursing supervisors, medical staff and patients are completely competent.

We must have foreign trained professional nurses to meet the needs of the sick in Boston and surrounding areas. I cannot state the issue too strongly. We are literally discussing the closing of large segments of major hospitals.

F. Lloyd Mussells, M.D., Director of the Peter Bent Brigham Hospital, states, "From its inception some fifty years ago the Peter Bent Brigham Hospital has encouraged foreign physicians and nurses to come to work at the hospital, for the institution feels that the interchange of information and ideas among people of varying professional backgrounds is extremely beneficial and helpful, and that it leads to better patient care. The Brigham experience with foreign nurses and physicians has been highly satisfactory. Their presence and participation have increased the richness of both our patient care and educational programs."

John A. Harrison, Administrator of the Lynn Hospital, Lynn, Massachusetts, reports, "We have formerly employed between twenty and thirty-five foreign trained nurses at a given time while experiencing a patient occupancy rate in Medicine and Surgery approaching 100% which figure has been constant over the past eight years. To lose the availability of these foreign nurses would mean that more than four nursing floors would have to be closed to patient care, thus seriously affecting our community by denying its citizens the availability of needed beds. This past summer, three patient care units totaling some sixty-two beds *were* closed as a result of our inability to enable nurses from England, Ireland and Wales to come to Massachusetts and Lynn Hospital."

Dr. Dwight E. Harken, Clinical Professor of Surgery, Harvard Medical School and Chief of the Department of Thoracic Surgery, Peter Bent Brigham and Mt. Auburn Hospitals, and Past-President of the American College of Cardiology states, "That many of these foreign trained nurses are *essential*—even our patients' life line for now and the foreseeable future, is clear. That many of these ladies can be trained to assume *vital roles* in general and specialized areas, I am certain."

Dr. Ralph A. Deterling, Jr., Professor and Chairman of the Department of Surgery of Tufts University School of Medicine and Surgeon-in-Chief of the New England Medical Center Hospitals; Director, First (Tufts) Surgical Service, Boston City Hospital, reports, "From my own observations over a period of twenty years, both in this country and abroad, I can attest to the fact that there are many foreign nurses who could add materially to our effort in providing more and better health services. With the advent of Medicare next July, our pressures will be even greater."

Mr. Robert D. Lowry, Executive Director of the New England Deaconess Hospital, Boston, Massachusetts, states, "We are *deeply* concerned by the sharp limitations regarding the entry of well-trained foreign nurses into the Commonwealth at a time when the shortage of nurses is so acute, and we are all aware that the shortage is going to be even more serious when Medicare becomes effective."

In a statement by Edwin B. Astwood, M.D., Professor of Medicine, Tufts University School of Medicine; Director of the Clinical Study Unit and Chief of the Endocrinology Service, New England Medical Center Hospitals, he reports, "The Clinical Study Unit of the Tufts University School of Medicine and New England Medical Center Hospitals provides the facility of 14 beds, for clinical research at our institution. The Clinical Study Unit, one of the 80 NIH supported Clinical Research Centers, relies for its successful operation upon the active participation of an expert nursing staff, and includes in its budget sufficient funds to provide 7.8 nursing hours per patient per day."

"We have continued to recruit actively from all possible sources for graduates of American Nursing Schools. In the face of this recruitment at home and abroad, the successful overseas recruitment resulted in 80–85% of our staff being constituted by young women from the British Isles and Ireland. We have been able to maintain our staff more or less consistently at 15 graduate nurses and have been able to fulfill our commitment to clinical research in our institution. This has enabled us to provide for staff support to the conduct of all investigators desiring it and has enabled us to expand the scope of our research activities even beyond the plans included in the original grant request.

"We have found that the nurses recruited from overseas have been highly qualified and have in most instances been able to take part in the activities of our Unit in a superlative way."

There are competent and qualified foreign nurses who are ready and anxious to come to the United States but they cannot get visas. They have been waiting for months and we have been waiting for them for months.

One of the purposes of the amendments in the Immigration and Nationality Act (P.L. 89–236) was to encourage the immigration of members of professions who could substantially benefit the welfare of the United States. [As the law has been administered, the result has been that *not a single foreign trained nurse has been granted a visa to come to Massachusetts since January 1, 1966.*] It appears that this has been due to the unanticipated hardship resulting from the Rules and Regulations promulgated to administer the amendment to the Act and the difficulty of processing visa applications under these Rules and Regulations by the Massachusetts Board of Registration in Nursing. [It is my understanding that there have been similar difficulties in New York, New Jersey, California, Texas and other states where foreign trained nurses are employed.

[With the advent of Medicare on July 1, 1966, it is most likely that the hospital resources of the country will be put under severe strain. This is the worst possible time to be closing hospital beds and reducing our abilities to care for the sick.

[We urge in the strongest possible terms that immediate steps be taken to correct this stoppage of foreign trained professional nurses. There are qualified nurses waiting to come to the United States. We are critically short of nurses. Surely it should be possible to grant visas to these nurses to come to the United States and serve the sick.]

I have sent a similar plea to the Hon. W. Willard Wirtz, Secretary, United States Department of Labor.

Sincerely yours,

RICHARD T. VIGUERS,
Administrator, President, Massachusetts Hospital Association.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. KENNEDY of Massachusetts. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I note with the greatest interest and considerable gratification that the Senator is active and explicit in continuing to pursue the development of our immigration laws, and not accepting in any spirit of a fortiori the last law which we passed as being the end of the road.

I wish to join the Senator in that respect. I have not yet had an opportunity to analyze every aspect of the Senator's speech; but I shall do so because I hold him in great regard as a friend and as a colleague.

The basic fact that the American people should know is that we had to make a lot of settlements in the Judiciary Committee before we got the immigration law which was passed last year. It is by no means the great body of immigration freedom that some might suppose that it was. It has great problems and difficulties.

The Senator and I both fought and bled with regard to refugees and the Latin American quota, which had not been present before.

In my office in New York we have many immigration cases, as I am sure both the Senator from Massachusetts and his brother have.

This problem is beginning to show up. It is not as easy to reunite families as it was thought it would be when the bill was passed. Similarly, the labor certificate problem has been troublesome as well, resulting in hardship and the loss of needed skills for our country.

The cause of immigration reform is very much alive. The Senator is very much enlisted in that cause as I am.

Mr. KENNEDY of Massachusetts. I appreciate the remarks of the Senator.

Mr. JAVITS. I am grateful to the Senator for his speech.

Mr. KENNEDY of Massachusetts. I am grateful for the comments of the Senator from New York.

The Senator is intensely interested in this matter in the Senate and in the immigration law that was passed and signed by the President.

I know that his interest is that many of the injustices that exist under the current law, such as deportation, refugees, and other areas, which are my concern as well, will be corrected.

I remember in the course of debate last year we received assurances from the Attorney General that a message was going to be sent to the Congress outlining the recommendation of the administration on these matters. The Senator from New York questioned the Attorney General and the Secretary of State during the hearings.

I wish to give my assurances to the Senator from New York that we are still waiting for that message. We are extremely hopeful that it will be introduced in the not too distant future.

We have noted the activities of the Department of Justice in sending up recent civil rights legislation. We are restless but we will be patient until we consider many of these matters on the merits.

I know that this matter is close to the Senator's heart.

Mr. JAVITS. I thank the Senator.

MEXICAN-AMERICANS AND AMERICAN INDIANS SHOULD BE INCLUDED IN CIVIL RIGHTS CONFERENCE

Mr. YARBOROUGH. Mr. President, a week from today the White House Conference on Civil Rights will be convened. The power and influence of the most powerful office on earth will be brought to bear upon a major American problem, as it has so many times in the past few years.

I regret that there will be no participation by Mexican-Americans and Indians at this conference. These two minority groups have been the victims of discrimination for hundreds of years. Their problems are great and immediate.

President Johnson has long labored in behalf of the rights and liberties of both of these groups. More than any other President in history, he is aware of their economic and civil liberties problems.

At his news conference Saturday, the President pointed out that the White House Conference flowed from his Howard University speech which focused upon the problems of the Negro. The President said, however, that it would be possible to have a similar conference for the problems of Mexican-Americans.

I endorse the President's proposal and recommend that any such conference include Mexican-Americans, American Indians, and other minority groups which have similar problems of language and cultural barriers to overcome. I hope that plans for such a conference can be announced before the June 1 convening of the White House Conference on Civil Rights so that the commitment of our Government to protecting the rights of all Americans will be reaffirmed.

I ask unanimous consent that a portion of the President's May 21 news conference be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

15. MEXICAN-AMERICANS

Q. Mr. President, in this same vein, I asked you a couple of months ago about the Mexican-Americans and their unrest. Can you tell me what the situation is today?

A. I went to California on a conference in that field when I was Vice President. I have done everything I could to contribute to a better understanding. I had members of the House who were of Mexican-American ancestry go on a visit with me to Mexico.

During that time we talked about the desirability of a meeting with the Latin-American leaders in the United States, that is, the Mexican-Americans. Since then, some of my people in the White House have had conferences with members of the House and Senate, and other leaders of various organizations, the G.I. Forum, the Lulacs, the veterans' organizations, and others.

We have been concerned about the special problems of the Mexican-Americans and other Spanish-speaking peoples in our country. I am very familiar with those in the Southwest.

We hope that we can arrange a meeting to invite the Mexican-American leaders and others to the White House to meet with members of the staff and probe more deeply into their problems and the actions that can be taken.

I have tried to find qualified employes for the Government from this group. I now have a good many requests out for recommendations.

16. RACIAL CONFERENCE

Q. What about the White House conference coming up? Will that include members of that group? A. No, the White House conference flowed from my Howard speech but we will be glad to have one of the same type for their problems.

AUTHORITY TO SIGN BILLS, RECEIVE MESSAGES, AND FILE REPORTS

Mr. SPARKMAN. Mr. President, I ask unanimous consent that during the adjournment of the Senate after close of business today, the Secretary of the Senate be authorized to receive messages from the President of the United States and from the House of Representatives; the Vice President and the President pro tempore be authorized to sign enrolled bills; and committees be authorized to file reports including the report of the Committee on Commerce on S. 985, together with minority, separate, additional, and individual views thereon.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. SPARKMAN. Mr. President, if there is no further business to come before the Senate, I move that the Senate stand in adjournment until 12 o'clock tomorrow noon.

The motion was agreed to; and (at 2 o'clock and 27 minutes p.m.) the Senate adjourned until tomorrow, Thursday, May 26, 1966, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 25, 1966:

COMMUNICATIONS SATELLITE CORP.

George Meany, of Maryland, to be a member of the board of directors of the Communications Satellite Corp., until the date of the annual meeting of the corporation in 1969. (Reappointment.)

CONFIRMATIONS

Executive nominations confirmed by the Senate May 25, 1966:

POSTMASTERS

ALABAMA

Margaret H. Dassinger, Coosada.
Imogene P. Jones, Cottondale.
Olene H. Tate, Forkland.
Robert C. Greene, Phenix City.
Russell H. Fischer, Valley Head.

ARKANSAS

Loyce Anderson, Prescott.

CALIFORNIA

Audrey E. Mull, Downieville.
Clarence R. Tryon, Oakdale.
Marvin Arbuckle, Palo Alto.
June M. Daniels, Shingle Springs.
William H. Fitzpatrick, Spring Valley.

COLORADO

Gerald F. Dickman, Meeker.

CONNECTICUT

Thomas F. Henry, Andover.
William R. Kowalsky, Glastonbury.
Elton F. Deckelman, Old Saybrook.

FLORIDA

Lois M. Green, Nichols.

GEORGIA

Ralph J. Williams, Moultrie.
Bashie R. Raulerson, Statenville.

INDIANA

Louis F. Brandenstein, Cynthiana.

IOWA

Eugene W. Street, Center Point.
Phillip L. Fassler, Cherokee.
Thomas H. Garrod, Fonda.
Kathleen E. O'Brien, Geneva.
Edmund M. Hucker, Hopkinton.
Charles H. Walter, Jr., Knoxville.
Joseph L. Cooney, Marengo.
Helen I. Brecht, Watkins.

KANSAS

Elmer F. Feldkamp, Baileyville.
Ralph J. Crow, Bennington.
Lewis L. Jones, Plains.

KENTUCKY

William H. Pence, Owensboro.

LOUISIANA

Robert E. Yancey, Boyce.
Calvin P. Rice, Glenmora.
Joseph E. Morein, Ville Platte.
Pat G. Harrell, Winnfield.

MAINE

Alfred E. Lewis, Boothbay.
Vernard R. Harding, East Newport.
Waldo E. Lincoln, Wayne.

MARYLAND

George L. Kennedy, Kennedyville.

MASSACHUSETTS

John J. O'Donnell, Harwich Port.
Edward W. Iria, North Wilbraham.
Richard E. Brown, Reading.

MICHIGAN

Lloyd G. Kolhoff, Berrien Springs.
Grant O. Glaspie, Cass City.
Arie H. Bomgaars, Coral.
Richard F. Haver, Fostoria.
Harold E. Joy, Haslett.
William A. Green, Onekama.
Newton G. Aspenleiter, Pearl Beach.

MINNESOTA

William P. Sorenson, Champlin.
Charles K. DesRochers, Glenwood.
Walter J. Hogan, Minneapolis.
Floyd B. Olson, Roseau.
Betty J. Peterson, Walters.

MISSISSIPPI

Hallie R. Young, Belzoni.

MISSOURI

Everett R. Putnam, Jr., Charleston.
Catherine L. Shelton, Edgar Springs.
Dwight W. Jacobs, Green City.
Glenn W. Holloway, Laclede.

MONTANA

Della T. Hough, Kevin.

NEBRASKA

Ellwood R. Meek, Ravenna.
H. Robert Meyer, St. Libory.

NEW HAMPSHIRE

Ralph L. Hoyt, Jr., Rindge.

NEW YORK

Frank J. Graber, Cherry Creek.
Harvey L. Osborne, Cincinnatus.
William M. Fleckenstein, Colden.
Robert J. Riell, Copake Falls.
William J. Divitto, Croton-on-Hudson.
Gordon E. Doling, Dolgeville.
Lawrence N. Dodge, Minetto.
Sister Thomas T. Fink, St. Josephs.
Richard T. Kerwin, Spencerport.
Arthur P. Rockefeller, Tivoli.
Emily F. Blass, West Copake.

NORTH CAROLINA

Blanche P. Nowell, Creedmoor.
Sadie L. Odom, Gibson.
Jerry H. Bunch, Lewiston.
William K. Taylor, Walstonburg.
Henry F. Lee, Warsaw.

NORTH DAKOTA

Albin O. Haugen, Kloten.
Michael L. Voller, Strasburg.
Daniel Klein, Zeeland.

OHIO

Lewis E. Wiggins, Milford.

OKLAHOMA

Charles V. Gilmore, Holdenville.
Alva E. Stinson, Mangum.

PUERTO RICO

Luisa M. Arana de Salas, Hatillo.

SOUTH CAROLINA

Alvia Sanders, Clearwater.
John W. McDill, Due West.
Vivion H. Ingle, Moncks Corner.
Eddie L. Moore, Rembert.

SOUTH DAKOTA

Frank C. Scheda, Fairfax.

TENNESSEE

W. Clay Avant, Alexandria.
Robie T. Hensley, Chuckey.
Paulyne D. Lee., Dixon Springs.
Albert E. Whitson, Harriman.
Vernon G. Cox, Hornsby.

TEXAS

Harold C. Strauss, Bellville.
William D. Shepherd, Channing.
Thomas A. Boulmay, Galveston.
Jesse K. Brett, Hull.
Norma L. McBee, Lefors.
Ralph W. Chaney, Monahans.
A. J. McAlister, Post.
Flora M. Martin, Ropesville.
Charles B. Towns, Tahoka.

UTAH

Frank J. Petty, Cedar City.

VERMONT

Rita M. Frechette, Gilman.

VIRGINIA

Robert C. Dawson, Salem.

WASHINGTON

J. Thomas Coupe, Greenbank.
Jack R. Lee, Sprague.

WISCONSIN

Leland T. Lowe, Friendship.
Merle L. Sollars, Palmyra.
Iral W. Schreiber, Randolph.
Bernard J. Fox, Sarona.

WYOMING

Mary F. Wheatley, Encampment.
Francis W. Freese, Lander.
Una M. Heap, Thayne.

EXTENSIONS OF REMARKS

A Future Farmer

EXTENSION OF REMARKS

OF

HON. ROGERS C. B. MORTON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1966

Mr. MORTON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following: Several days ago I was paid a visit by a young man from my district, Edwin R. Fry, of Chestertown, Kent County, Md.

Visits from people like Mr. Fry make the entire day worthwhile. They get you thinking about the qualities of our youth, particularly our young farmers and about the general good qualities of hard-working intelligent Americans.

Mr. Fry is only 18, but already is an active farming partner with his dad, Edwin C. Fry, on 1,400 acres of the most fertile and productive dairy land in the world.

He is Maryland's president of that fine organization, the Future Farmers of America, and is presently majoring in dairy production at the College of Agriculture, University of Maryland at nearby College Park.

The boy is paying his way through college by raising and selling Holstein cattle and has 25 acres of his father's farm in production for himself.

He is also helping the United States in the export market because in the past year he has sold $1,600 worth of heifers to Italian customers.

I know $1,600 is not going to knock a big hole in our balance-of-payments shortage but it is heartening to see an 18-year-old start tackling the problem and making a positive contribution.

He is more than just a good young American farmer getting a good education. Talking with him I learned that he is quite interested in the workings of government both at home and abroad. I might add, he is quite knowledgeable in this area too.

He is taking his time to help other young FFA members and next month will preside at the Maryland State Convention of this organization's 2,782 members. He will also attend the National Youth Conference on Natural Beauty and Conservation here in Washington next month.

Mr. Speaker, in conclusion, may I say that if the next generation of farmers is to be composed of young men like Ed Fry, we should have no fear for the plight of agriculture. We should take hope in our ability to feed and feed well the new great numbers of people. I join the members of the Future Farmers of America of Maryland in paying a much deserved tribute to this fine young man.

Polish Constitution Day

EXTENSION OF REMARKS

OF

HON. JOHN R. SCHMIDHAUSER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1966

Mr. SCHMIDHAUSER. Mr. Speaker, I would like to take this opportunity to pay tribute, on the occasion of her millennium, to Poland and her people, so many of whom she has contributed to America. This year and especially this month has seen many ceremonies in Poland celebrating this millennium, and it is only fitting that we join in spirit in these celebrations which mean so much to the many fine Polish Americans who have enriched the life of our Nation.

Poland became a part of Western culture in 966 when Catholicism was accepted from Rome and in the 1,000 years that followed, Poland has developed as a symbol of a gallant people's struggle for freedom from authoritarian rule. The Poles have suffered many kinds of oppression and for centuries have been a pawn in the struggle between Germany and Russia for control of Eastern Europe. Throughout this period, the Polish people have continued to maintain their love of liberty and to work constantly to regain it.

I salute this love of liberty and freedom which has ever given life to the Polish people and would like to express my earnest wish that their desire for self-government finally bear fruit.

Salute to the Organization of African Unity (OAU) Third Anniversary

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1966

Mr. POWELL. Mr. Speaker, this May marks the third year since the founding of the Organization of African Unity—OAU—at Addis Ababa, Ethiopia, in 1963.

Comprised of all the independent states of Africa except South Africa, this organization has maintained its existence despite some trying experiences which might have wrecked less cohesive groupings. Prior to its creation, the continent was made up of various blocs going their separate ways, but each one desirous of one particular goal—African unity and solidarity. Since each state agreed upon this principle, the framework was laid for the writing of the OAU Charter.

The OAU provides a structure and a framework within which to discuss and define problems among African states, and hopefully, to reconcile differences and resolve disputes. Thus far the organization has met with some success, such as halting the fighting between Algeria and Morocco in November 1963, and playing a major role in lessening tension between Kenya, Ethiopia, and Somalia in February 1964.

In addition to the question of Rhodesian independence, one of the primary items to which the OAU addressed itself in 1965 was urging the United Nations General Assembly to consider the topic of denuclearization of Africa. A declaration on this subject has been agreed upon at the July 1964 meeting of the OAU. In the resolution that was passed, the General Assembly endorsed the Declaration of Heads of State and Government of Africa on the denuclearization of that region and also called on all states to refrain from the use, or threat of use, of nuclear weapons on the African Continent, to refrain from testing, manufacturing, acquiring, using, or deploying such weapons in Africa, and not to transfer nuclear weapons, scientific data or technological assistance to assist in the manufacture or use of nuclear weapons in Africa.

The decision of the OAU to concentrate on all African issues at its latest meeting in October 1965, at Accra, is a firm indication that the organization is determined to make serious efforts to keep out of cold war problems and solve some of its own difficulties.

Africa has been undergoing numerous upheavals during the last few months, but the solidarity and unity of the OAU has remained intact. That is indeed a good indicator of the overriding importance each nation places in the goal of true African unity. I extend best wishes to them as they commemorate their third year as a functioning body and wish them continued success in their search for solutions to Africa's problems.

Senior Citizen Month

EXTENSION OF REMARKS

OF

HON. JOHN R. SCHMIDHAUSER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1966

Mr. SCHMIDHAUSER. Mr. Speaker, on the first of April of this year, the President issued a proclamation designating May of 1966 as Senior Citizen Month. Today, I would like to pay tribute, as so many of my colleagues have done, to the more than 2 million older Americans whom President Johnson has asked us to honor this month.

It is most fitting that May of 1966 be designated Senior Citizen Month since the year that precedes it has seen the passage of so much legislation vital to the dignity and well-being of our Nation's senior citizen. Of course, medicare comes first to mind—this landmark law which should go far to remove the fear and insecurity which before haunted the elderly. This was the fear that a major illness would strike and insecurity result because a major illness could well mean financial disaster. I was proud to have been a part of the Congress which passed the Social Security Amendments of 1965 and thus demonstrated that we, as a nation, recognize our obligation to provide the means by which each citizen in his financially productive years may provide security for his future from the specter of long-term illness.

Medicare was not the only legislation by which Congress recognized the responsibility to see that our senior citizens are able to live out their lives with dignity and self-respect. The Older Americans Act of 1965, for instance, provided for the development of programs to assist the aged in their own communities. The Housing and Urban Development Act of 1965 has among its provisions, aid for housing for the elderly. Also, the comprehensive medical services established as a result of the Heart Disease, Cancer and Stroke Amendments of 1965 will benefit the elderly and the amendments to the Economic Opportunity Act insured that the elderly will be included in the war on poverty.

Much of this legislation, of course, addresses itself to the physical well-being of our senior citizens, since it is this aspect of their lives which can be most directly benefited by governmental action. This should not be taken to mean, however, that we in Congress feel that our only responsibility is to see that the aged are given a life of physical comfort and financial security so that they may retire from any activity in the community. No, we try to accomplish these things first so that we may repay in small part the contribution which our senior citizens have made to the life of our Nation. But, perhaps more important, so that free from worry, pain, and degradation, they may contribute to our society the wisdom which life has given them for which we will be eternally in their debt.

Jet Aircraft Use of Washington National Airport

EXTENSION OF REMARKS

OF

HON. JOSEPH E. KARTH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1966

Mr. KARTH. Mr. Speaker, I feel compelled to speak up for jet aircraft use of Washington National Airport.

Mr. Speaker, I have high regard for my colleagues, both from Virginia and Maryland; but the convenience of the traveling public should not be subservient to or dependent upon the air-travel economy of just two States.

In my many travels to and from my district and State, I have used all three airports. Washington National is the only one which provides me with convenience and reasonable time usage to accomplish my objective. Yet, not even my own convenience nor the time involved for me to often commute to and from my district is the important factor. The important factor is the time and convenience involved for millions of Americans who desire to visit or who must do business in the Nation's Capital.

Therefore may I say that from the standpoint of cost, time, and efficiency, there is no justification for not using National as a jet field.

That, Mr. Speaker, leaves but one argument—noise. My family and I live in an area that is considered to have not one, but two traffic lanes. We live in an area where both Washington National and Andrews Air Force Base traffic passes overhead.

Let me state without reservation that the noise and vibration from propeller-driven aircraft is far more objectionable to us than that of jet craft. First, jet craft moves overhead at nearly twice the speed. Therefore, every propeller-driven aircraft gives us twice the time abuse. Secondly, propeller-driven craft, especially on takeoff, sets up varying and irritating vibrations. The jet aircraft does not do this in my experience.

That then, Mr. Speaker, eliminates all of the arguments. I congratulate the FAA and those involved who are responsible for the use of jet craft at Washington National Airport. Truly, they have ruled in the best interests of all the people. As I see, that is their responsibility and I commend them for it.

In Memoriam Senator Elisha T. (June) Barrett

EXTENSION OF REMARKS

OF

HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1966

Mr. GROVER. Mr. Speaker, in all of the history of the State of New York, there has been no more dedicated a legislator than State Senator Elisha T. Barrett who was called to his eternal reward on May 8. Senator Barrett served with distinction for nearly 30 years in the State legislature; he was first elected to the assembly in 1936 and then to the senate in 1956. He was the successful candidate in 18 consecutive elections, in itself a tribute.

Senator Barrett's influence has been felt for these 30 years in the State capitol at Albany; his influence will endure and surpass the test of time. His integrity, wisdom of judgment, and farsightedness marked him as outstanding in a group of outstanding legislators.

His political party saw fit to give him high recognition when in 1957 he was named permanent chairman of the New York State Republican convention.

It was my privilege, before becoming a Member of the Congress, to serve in the New York State Legislature as an assemblyman. I was fortunate to be among those to receive the wise counsel of Senator Barrett. The many eulogies given in a memorial session of the State senate, held on May 9, testify that I was not alone in being so privileged as to have received the advice of this truly great man. Legislation was his business and he was never too busy to discuss it with a freshman legislator, or with anyone else who sought information. He justifiably earned the title of "Full Time Legislator," for Senator Barrett never allowed anything to interfere with his work as a lawmaker. During session, he hardly ever left Albany to return to his home in Brightwaters, Long Island; rather, he remained to do his "homework" on the numerous pieces of legislation in which he was interested, and on the many problems confronting the legislature. His devotion to his work enabled him to become most effective.

Prior to the 1965 redistricting of the New York State Legislature, Senator Barrett represented all of Suffolk County. It was then the second largest State senatorial district in all of the United States, Los Angeles being the largest. Yet, despite its huge size and the almost constant demands of his constituents, Senator Barrett was able to keep up with the demands, and the changing times.

His eulogy, as one high-placed New York State official remarked, is contained in the laws of the State of New York from the year 1936, when he was first elected, to 1966.

Senator Barrett has left a legacy for the people of his county, the people of his State, and all of the people of the United States of America. He was chairman, for about 15 years, of the New York State Joint Legislative Committee on Interstate Cooperation, and as its chairman gained national prominence in the cause of federalism among the States. Many bills, which originated with Senator Barrett have been adopted in all 50 States and U.S. territories. His ability toward this end received the recognition of President Dwight D. Eisenhower, who selected Senator Barrett for membership on the Advisory Committee on Inter-Governmental Cooperation.

Senator Barrett held numerous positions outside the realm of the State of New York. He was a charter member of the Atlantic States Marine Fisheries Council, and held the post of vice chairman of the Council of State Governments for the Northeastern States.

His knowledge of the laws of the State and of the compacts between the States was befittingly eulogized also when he was termed a great "nonlawyer lawyer."

I have lost a dear friend; New York State and our great country have lost an elder statesman.

Col. James L. Conrad: Eminent Educator

EXTENSION OF REMARKS
OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 25, 1966

Mr. PHILBIN. Mr. Speaker, it is with mingled feelings of real regret, gratitude, and gladness that I recently learned of the approaching retirement of my friend, Col. James L. Conrad, as president of Nichols College of Dudley, Mass., an outstanding school in my district.

His has been a most remarkable career devoted to youth and education and while I am happy that Colonel Conrad after 35 years of devoted service to his school will have the chance to get a well-deserved rest, I feel a sense of special loss because his rich experience and great abilities will no longer help direct Nichols and its capable staff of instructors.

That Nichols has taken its present high position of esteem among the small colleges of the Nation is largely due to the monumental efforts of this man. In fact, it was in 1931 with the arrival of a young teacher from New Hampshire named Conrad that Nichols entered into an era of growth and ever-growing responsibility that continues today.

While Nichols had its beginnings in 1815 as Nichols Academy, it was in 1931 that Nichols Junior College was established with Colonel Conrad as president. Nichols had a student body of 11 and 3 old buildings, and the future looked far from promising. However, under the direction of this dedicated teacher and able administrator, the school has grown to become a fully accredited 4-year college known today as the Nichols College of Business Administration and School of Forestry.

The large and spacious campus comprises some 200 acres with modern buildings and facilities, a large fieldhouse and swimming pool, modern dormitories, athletic fields for lacrosse, football, track, baseball, and a nine-hole golf course.

From the 11 students of 1931, Nichols has grown to a student body of nearly 700 and a faculty of 42 members and degrees are now conferred in accounting, finance, management, and marketing. Forestry students are awarded degrees in forest management and park management. There is also an evening division.

The name, Col. James L. Conrad, has and always will be synonymous with Nichols College. In fact, Colonel Conrad is known today as "Mr. Nichols College." This is quite understandable because Colonel Conrad not only built from the small beginnings of 1931, but again in 1946 rebuilt Nichols when he returned from the war. A captain in the Army Reserve, he entered on active duty in 1941 and 2 years later the college closed its doors. At the end of the war, Colonel Conrad returned to rebuild in 1946 the school a second time.

Designing most of the new buildings, Colonel Conrad has carefully preserved the New England colonial style and today there are 33 buildings spread over the beautiful Nichols campus. The newest addition is the modern fieldhouse with a large sports hall and indoor swimming pool.

Mr. Speaker, I desire to extend my heartiest congratulations to Colonel Conrad upon the tremendous contributions he has made to the community, State, and Nation which have become enriched by the enviable record of achievements and accomplishments he has made in training and molding our youth into capable, respected, and useful citizens in communities all over the land.

His has been a truly dedicated life whose good works and effective contributions will remain an inspiration to us for many, many years to come—for truly, Nichols is a living monument to the vision, capabilities, and magnificent achievements of Col. James L. Conrad.

I am very proud of Colonel Conrad's brilliant record. It is one of distinctive achievement marked by the spirit of true dedication. Such loyal service exemplifies the best traditions that we have in America. I wish for him many happy years in retirement and hope and pray that he may enjoy all choicest blessings of continued good health with the satisfaction that comes from finest achievements, and every measure of success, happiness, and peace.

In Defense of the Colorado River Project

EXTENSION OF REMARKS
OF

HON. JOHN J. RHODES

OF ARIZONA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 25, 1966

Mr. RHODES of Arizona. Mr. Speaker, the Colorado River project is intended to develop the water resources of the West, for the benefit of mankind. There are many sincere people who for reasons they consider to be good and sufficient are opposed to the project. However, in their zeal, many usually accurate individuals and newspapers have made rather seriously inaccurate statements. As an illustration, I ask permission to insert in the RECORD an editorial from the New York Times of May 18, 1966, together with a letter to the editor of the Times signed by the Honorable MORRIS K. UDALL, and by me.

THE HIGH COST OF ARIZONA

With its magnificent scenery and attractive climate, Arizona has a fast-growing population and a worsening water shortage. But there is something that outreaches its need for water. That is the state's breathtaking political audacity in trying to seize hold of national resources to put them to its own use.

Not content with proposing dams on the Colorado River that would invade the Grand Canyon, Arizona would also like to tap the Columbia River and other water resources of the Northwest. Title Two of the bill to authorize the Central Arizona project would open the door to this use of Northwestern water.

Not very surprisingly, Senator HENRY JACKSON of Washington, the chairman of the Interior Committee, and other senators from the Northwest are upset about Title Two. Because of Senator JACKSON's pivotal position on the committee, the Columbia River is probably safe for the moment from Arizona's imperial appetite.

But the Colorado is not so fortunate. Arizona and the neighboring states in the Colorado Basin have reached a political understanding to push for a $1.7 billion plan that involves building two dams, one above Grand Canyon National Park and one below it. It is true, as advocates always point out, that the view that most tourists see from the south rim of the Canyon would not be altered. But the Colorado River, as one of nature's master workmen flowing freely, moving thousands of tons of silt every day, and cutting canyons, would do its work no more. It would cease to be a free-flowing river; its ecology would be subverted; its side canyons would silt up.

The tragedy in all this is that these dams are not essential to divert water to central Arizona; they are merely intended to generate hydroelectric power which will be sold at a profit. It is this revenue that would be used to pay, in part, for the water diversion.

Arizona has to have water and its legitimate needs can and should be met. But Congress has the duty to study the state's needs in terms of national priorities. The first consideration must be that the violation of the Grand Canyon is too high a price to pay.

HOUSE OF REPRESENTATIVES,
Washington, D.C., May 20, 1966.

The EDITOR,
The New York Times,
New York, N.Y.

DEAR SIR: Your editorial dated May 18, 1966, and entitled "The High Cost of Arizona" has been read with great interest by those of us who are working on the pending bill before Congress to alleviate the water problems of the Southwest. Because the editorial criticizes Arizona's "breathtaking political audacity in trying to seize hold of national resources to put them to its own use," it indicates your editor is not aware of the nature of the problem or the purpose of the bill. We from Arizona would like to provide you with this information.

The revised bill to which you refer is not a bill sponsored by Arizona alone. Indeed, it was co-sponsored by thirty-four of California's thirty-eight representatives, and it has the support of all the five other states of the Colorado River Basin: Colorado, Nevada, New Mexico, Utah, and Wyoming.

Its purposes are these: to construct the works to bring a portion of Arizona's Colorado River entitlement to central Arizona (Phoenix-Tucson) where it is desperately needed; to establish criteria for the operation of the river to protect the interests of the states of the Upper Basin (Colorado, New Mexico, Utah, and Wyoming) and permit them to develop their needed projects; to provide for the water to furnish to Mexico as required by the treaty between the U.S. and Mexico; and to investigate and report on a plan or plans to import water to the Colorado to provide for shortages which are already upon the basin and will grow progressively worse. The bill is also designed to provide recreation facilities for the public and to improve conditions for fish and wildlife.

No particular river or river basin is mentioned in the bill as a source of water export but the Columbia River Basin and Northern California are likely to be studied as possible sources of importation. The bill provides only for a study of water importation. Any actual diversion of water could come only after authorization by Congress in a subsequent act.

Water, if and when imported to the Colorado River, is not to serve Arizona alone. The first import, if authorized, would provide water to serve the Mexican Treaty. The next stage of imported water would be for use in Arizona, California, and Nevada, and the next water would be for the states of the Upper Colorado Basin. Imported water would also be provided to assist states which can use it in course of transit, such as Nevada and Eastern Oregon.

The use of water as a national resource is a vital part of the present program of our government. It is expressed in the Water Resources Planning Act passed by Congress in 1965 providing for water planning on a national scale with regional and river basin studies. It is expressed in the bill to control pollution. The fair and efficient utilization of this nation's water is as important to New York as it is to Arizona and the Southwest.

We submit that this bill is not an attempt by Arizona to seize national resources "for its own use" but the initiation of a part of the national program for broad regional water planning in which the resources of the whole region will be put to work for the benefit of more than 25 million people. The plain fact is that every region of this country is threatened with a future water crisis. We of the Pacific Southwest are facing ours first because we are (a) the most arid, and (b) the fastest growing. This bill is a highly significant pioneering attempt to see whether a region can resolve local differences and take the painful, broad and expensive steps required to meet long-range water needs before they become critical.

Nor does Arizona desire or intend to ruin the Grand Canyon by its water planning. The Grand Canyon of the Colorado is the natural wonder for which Arizona is best known, and it is its first pride.

Contrary to the series of distorted charges which are being made, the Colorado River Basin Project Act does not bring ruin to the Grand Canyon. The river would still flow unhampered for 104 miles through the Canyon, past the famous Bright Angel trail, the famous temple formations, and the other beloved landmarks visible from the South Rim. In fact, no dam, or its effects, will be seen from that part of the Canyon so familiar to so many Americans.

The State of Arizona counts among its friends the people of all of the other forty-nine states. We hope we can obtain the understanding and cooperation of all of these states without harm to any.

Respectfully,

MORRIS K. UDALL,
Member of Congress.
JOHN J. RHODES,
Member of Congress.

The Struggle Against Pornography

EXTENSION OF REMARKS

OF

HON. ROBERT E. SWEENEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1966

Mr. SWEENEY. Mr. Speaker, I wish to direct the attention of the House today to the growing national crisis concerning the struggle against pornography and obscene matter. In my humble opinion, pornography is the Hydra of our present-day American civilization. Like the mythological monster which had nine heads, any of which when cut off, was succeeded by two others unless the wound was cauterized, so pornography suppressed in one area finds the purveyor of pornography going to another area to dispose of his product.

In December 1963, Ralph Ginzburg was sentenced to 5 years in jail and fined $28,000 because of three of his publications. He began an appeal from his conviction, wrote a protest against the judge's decision and then went right back to his same office and began the publication of another not too dissimilar magazine. Edward Mishkin was found guilty of violating a New York law by hiring others to prepare and publish obscene books and by possessing obscene books with intent to sell them. He, too, appealed his conviction and went right back to his Times Square shop where six new retail outlets have opened in the last 6 months joining the dozen already there—New York Times, March 27, 1966, page E–8.

The propagation of pornography is indeed a multifarious evil having many sources which will not be overcome by a single effort anywhere but only by a nationwide effort by a commission appointed to study and suggest more effective means to combat the dissemination of noxious and obscene matters and materials, a commission like that recommended in my bill H.R. 14090.

Although almost everyone disapproves of the amount of pornography now being sold in this country, few people realize the full extent of the business being conducted. A study made in 1958 indicated that the traffic in mail order pornography was doubling every 5 years. It was also estimated at that time that dealing in pornographic products and books was a $500 million business. During the 1965 hearings before the Select Subcommittee on Education of the House Committee on Education and Labor on H.R. 7465 to establish a similar commission, one witness testified:

> A $2 billion business in raw and rampant pornography is poisoning our youth and * * * that almost 2 million teenagers are solicited annually through the mails with lewd and obscene literature. (Hearings before the Select Subcommittee on Education of the House Committee on Education and Labor on H.R. 7465, 89th Congress, 1st Session, 1965, p. 59.)

In Time magazine, in December 1965, there was an article on "The Obscenity Chore" of the Supreme Court, in which it was said that the Court was caught between the extremes of declaring that the first amendment protected all writings and an immediate restoration of all obscenity cases to local courts. The first position "might open the Court to criticism for seeming to encourage pornography" and the second "might encourage local censorship of legitimate literature." Time concluded:

> The Court needs an honorable compromise—but what is it? (Time, Dec. 17, 1965, p. 39.)

The Court found its compromise in the decisions in March 1966, when it affirmed the convictions of Ginzburg and Mishkin. It also continued to spell out additional tests to determine the definition of obscenity.

A study of the history of obscenity reveals that it is one of the newer crimes. It was first made punishable under English common law in 1727, and Federal legislation to control the flow of obscene material through the mails was first enacted in this country in 1873. This first Federal legislation was introduced by Anthony Comstock, of New York, who was, at that time, the secretary of the New York Society for the Suppression of Vice. Attempts to control obscenity are often referred to as experiments in "comstockery."

Obscenity is an international as well as a national problem. More than 40 years ago the League of Nations held international conventions for the suppression of the circulation of and traffic in obscene publications. The United Nations has continued these conferences. In fact at a recent United Nations conference attended by 85 nations the United States was "pretty much alone on the issue of mass media. It seems that the portrayal of crime, violence, brutality, and sadism has a bad effect on youth and is directly conducive to crime. The mention of lack of scientific proof by the U.S. delegation was met, by and large, with incredulity—perhaps one should say utter amazement, and a certain amount of hostility"—hearings, supra, page 65.

This attitude on the part of other nations coincides with the opinion of J. Edgar Hoover:

> The circulation of periodicals containing salacious materials plays an important part in the development of crime among the youth of our country. (Hearings, *supra*, p. 64.)

A Commission on Noxious and Obscene Matters and Materials, as proposed, by my bill is needed to bring together in one coordinated effort all National, State, and local agencies to combat the traffic in obscene materials and to join with the Citizens for Decent Literature and other private groups who are dedicated to ending this traffic. It was James Kilpatrick in his 1960 book, "The Smut Peddlers," who stated that the Citizens for Decent Literature conceive of "their war upon obscenity as a duty they owe society and as a responsibility they hold as parents and good citizens."

The battle against obscenity should rightly be called a war because of the size of the conflict—it spreads across the entire country—and because of the intensity o fthe bombardment from the dealers in pornography. It is a war also which we may well lose unless we take action on it very soon, and it is in the House of Representatives where action must be taken. Senator MUNDT, in his testimony before the House Committee, supra, mentioned that the Senate had passed the bill several times but that it "never came up for vote on the floor of the House"—hearings, supra, page 9. Senator MUNDT also commented on the critics of this legislation who claim "that the people buying these books aren't affected by them, that it does not have any result in connection with their social attitudes, that censorship is the only way in which you can deal with it, and that censorship is bad."

It was during the House hearings also that Assistant Attorney General Fred N. Vinson, Jr., announced that the Department of Justice in connection with the Department of Health, Education, and Welfare was considering "a proposal for conducting a scientific study on the effects of obscenity" on the human mind—hearings, supra, page 110.

One of the witnesses before the House committee summarized the need for a Commission as follows. He said:

> Bearing in mind that these channels of social decay are now nation-wide, there is definite need for a commission to be formed on a national level to study fully the problems that are facing our Nation due to the ever-increasing flood of pornography and smut in every field of social and business association today. * * *
>
> Easy money, to be sure, has played a decisive role in the explosion of muck and pornography; but its growth has largely capitalized on the decreasing moral tone of our society. (Hearings, *supra*, p. 61.)

Whatever the causes of our present plight with regard to pornography, the time has come to take steps to correct it and the first step is certainly the creation of a commission to coordinate efforts for an all-out war on it. The Supreme Court has recently given a small particle of hope in this regard in affirming the convictions of Ginzburg and Mishkin and in setting forth a new and a more easily enforced facet in its definition of obscenity. The Mishkin decision, according to the New York Times, "gave ammunition to the antipornography groups and to efforts to clean up the Times Square area." The chief inspector of that area reported:

> * * * [A]rrests for the sale or distribution of sex literature have increased 300 percent since the Court's ruling. (New York Times, March 27, 1966, p. 4E.)

The Supreme Court found that Mishkin's activity was "not innocent but calculated purveyance of filth." (*Mishkin* v. *New York*, U.S. Supreme Court No. 49, Mar. 21, 1966.) It also found that Ginzburg's publications in addition to meeting the earlier tests of obscenity laid down by the Court in *Roth* v. *United States*, 354 U.S. 476 (1957), and *Jacobellis* v. *Ohio*, 378 U.S. 184 (1964), were sold as "commercial exploitation of erotica solely for the sake of their prurient appeal." (*Ginzburg* v. *United States*, U.S. Supreme Court No. 42, Mar. 21, 1966.)

The same day, however, found the Supreme Court refusing to find the notorious "Fanny Hill" obscene and sending the case against it back to the Massachusetts Supreme Court. This decision caused Mr. Justice Clark to write:

> It is with regret that I write this dissenting opinion. However, the public should know of the continuous flow of pornographic material reaching this Court and the increasing problem States have in controlling it. (*A Book Named "John Cleland's Memoirs of a Woman of Pleasure," et al.* v. *Massachusetts*, U.S. Supreme Court, No. 368, March 21, 1966.)

Justice Clark's words, "the public should know of the continuous flow of pornographic material," and "the increasing problem in controlling it," provide the greatest single argument for the passage of H.R. 14090. The establishment of a Commission on Noxious and Obscene Matters and Materials will let the public know and will coordinate all efforts in the public's war on pornography. Just as the Hydra was slain finally by Hercules, so perhaps the passage of H.R. 14090 and a herculean effort on the part of all law enforcement officials and citizens may overcome the pernicious traffic in obscenity now existent in this country.

Mr. Speaker, I am honored to be part of the national effort to curb filth and the corrosive effect it has upon our youth. Like the vast majority of those who are engaged in this national effort, I seek not to limit directly or indirectly any American's constitutional entitlements, but I wish to register serious concern regarding the ever mounting volume of pornography and obscenity filtering through our society. I believe sincerely that a Presidential Commission through its report will shed great light upon the issues involved and will proceed by their summary recommendations to mount a national effort to curb the production of filth and other obscene materials.

Cape Cod National Seashore—A Dream Come True

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1966

Mr. PHILBIN. Mr. Speaker, the formal establishment of Cape Cod National Seashore will be marked this Memorial Day weekend with appropriate ceremonies at Eastham, Mass. The main dedicatory address will be given by our good friend and former colleague, the Honorable Stewart L. Udall, who as outstanding Secretary of the Interior took a most active part in helping to establish this memorable addition to the national park system.

This event is particularly pleasing to me, because it is just a little more than 9 years ago that I introduced on April 8, 1957, the first bill in Congress calling for the creation of a national park on Cape Cod. I was prompted to introduce this bill, numbered H.R. 6720, largely as the result of the special National Park Service study, "Our Vanishing Shoreline," which showed that out of the 3,700 miles of Atlantic and gulf coasts shoreline only 240 miles were held by the State or Federal Governments for public recreational use.

H.R. 6720 specified no special boundaries or specific acreage. It was introduced to get more detailed studies from the Department of the Interior for review and action by the Congress on a national park at Cape Cod. With the friendly and effective help of the distinguished chairman of the House Committee on Interior and Insular Affairs, the Honorable WAYNE N. ASPINALL, the Department of the Interior was requested to prepare the needed legislative reports for committee review.

As primary objective, H.R. 6720 sought to preserve for the people an unusual historical, biological, and geological treasure trove on Cape Cod—truly a variety of significant attributes not found in any other part of the country. H.R. 6720 sought to protect the scenic beauties of Cape Cod and make available for the people its recreational features and quiet charm. H.R. 6720 sought to prevent some of the deterioration which had become all too evident in recent years along some parts of Cape Cod.

More than a century ago, Henry David Thoreau in his timeless eulogy to the cliffs on the Great Outer Beach of Cape Cod's forearm, wrote of its wonders:

> There I had got the Cape under me, as much as if I were riding it barebacked. It was not as on the map, or seen from the stage coach; but there I found it all out of

doors, huge and real, Cape Cod! as it cannot be represented on a map, color it as you will; the thing itself, than which there is nothing more like it, no truer picture or account; which you cannot go farther and see. * * * What are springs and waterfalls? Here is the spring of springs, the waterfall of waterfalls. A storm in the fall or winter is the time to visit it; a lighthouse or a fisherman's hut the true hotel. A man may stand there and put all America behind him.

Our beloved President Kennedy saw Cape Cod with the eyes of Thoreau and when he was Senator sponsored in September 1959 with Senator SALTONSTALL and the able distinguished Member representing Cape Cod in the House, the Honorable HASTINGS KEITH, legislation setting out specific boundaries for the Cape Cod National Seashore.

Truly, it must have been a great moment when President Kennedy signed the Cape Cod bill in August 1961. I well recall his words at the White House signing ceremony when he said:

> This act makes it possible for the people of the United States, through their Government, to acquire and preserve the natural and historic values of a portion of Cape Cod for the inspiration and enjoyment of people all over the United States.
>
> This is a wise use of our natural resources, and I am sure that future generations will benefit greatly from the wise action taken by the members of the Congress who are here today.

And now, Mr. Speaker, with the formal dedication of the Cape Cod National Seashore on Memorial Day, 1966, there will be preserved forever for the people of this Nation the glory of sea and sand, history and tradition, beauty and charm of an area of Cape Cod which the philosopher-poet. Thoreau in his century and our own great President Kennedy in our own time saw and loved.

Under leave to extend my remarks in the RECORD, I include therein the full text of my H.R. 6720, introduced on April 8, 1957.

The material follows:

H.R. 6720

A bill to provide for the establishment of the Cape Cod National Park, in the State of Massachusetts

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Interior shall acquire by gift, purchase, condemnation, transfer from any Federal agency, or otherwise, such lands (together with any improvements thereon) as he shall consider necessary or desirable for the purpose of establishing the lands in the vicinity of Cape Cod, situated in the Commonwealth of Massachusetts, as a national park.

(b) Any Federal agency is authorized to transfer, without consideration, to the Secretary of the Interior any lands (together with any improvements thereon) which are excess to the needs of such agency for use by the said Secretary in carrying out the provisions of this Act.

SEC. 2. (a) The lands acquired under the first section of this Act shall be set aside as a public park for the benefit and enjoyment of the people of the United States, and shall be designated as the Cape Cod National Park. The National Park Service, under the direction of the Secretary of the Interior, shall administer, protect, and develop the park, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535).

(b) In order to provide for the proper development and maintenance of the park, the Secretary of the Interior shall construct and maintain therein such roads, trails, markers, buildings, and other improvements, and such facilities for the care and accommodation of visitors, as he may deem necessary.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Address of Hon. Frank Thompson, Jr., Before the Wiring Device Section of the National Electrical Manufacturers Association

EXTENSION OF REMARKS
OF

HON. JOHN BRADEMAS

OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 25, 1966

Mr. BRADEMAS. Mr. Speaker, it is with pleasure that I call to the attention of my colleagues the recent address of our distinguished colleague, Congressman FRANK THOMPSON, JR., of New Jersey, before the wiring device section of the National Electrical Manufacturers Association.

Congressman THOMPSON is the chairman of the Special Subcommittee on Labor of the House Committee on Education and Labor and is, therefore, closely concerned with the National Labor Relations Act as it is administered by the National Labor Relations Board.

In his address, Congressman THOMPSON has many worthwhile and interesting observations, comments, and suggestions in regard to the operation of the National Labor Relations Act. I believe his address is must reading for those who wish to become better informed on this important subject.

The address follows:

ADDRESS OF HON. FRANK THOMPSON, JR., BEFORE THE WIRING DEVICE SECTION OF THE NATIONAL ELECTRICAL MANUFACTURERS ASSOCIATION

The introduction by your Chairman is very pleasant, but it reminds me of the story about the boy who came home from Sunday School and his grandmother asked him what he has learned. The lad replied that he had heard a great story, all about how Moses got his people out of slavery. Moses woke his people early in the morning, and before the Pharaoh knew it, they were across the Red Sea. Then the Pharaoh sent his armored columns and his tanks after Moses, but Moses called on his dive bombers, which hit the bridge when all the Egyptian troops were on it, and they were all drowned in the Red Sea. His grandmother said: "Sonny, they didn't teach you any such nonsense." The boy admitted that that was so, but said: "If I told you the truth, you wouldn't believe it."

I'm glad the Chairman did not tell the truth about me in his introduction, but I will try to tell you some truths, hard though they may be, about the National Labor Relations Act.

As you know, I chair the Special Subcommittee on Labor in the House of Representatives. It is the job of this Subcommittee to "ride herd" on the National Labor Relations Act as it is administered by the National Labor Relations Board. This Committee assignment takes us right into the thick of all the current issues.

Two of the issues which my Subcommittee explored with many witnesses, and about which we proposed amendments, are Section 14(b) and the "Common Situs Picketing" amendment. Should Section 14(b) be repealed, and with it the 19 State "Right-To-Work" laws? Should we adopt a "common-situs picketing" bill and thereby permit a particular union—the carpenters, the electricians—to picket a non-union employer at the building site shared by the non-union subcontractor with other subcontractors, many of whom are union, and whose employees might be expected to honor the primary picket line?

These are controversial matters; but exciting, and very demanding. I am sure the glamor of these and similar assignments had nothing to do with the fact that BOB GRIFFIN resigned from our Subcommittee to accept a Michigan seat in the Senate; that CARLTON SICKLES is resigning to seek the Governorship of Maryland; that RALPH SCOTT is resigning to seek some peace and quiet in his native North Carolina foothills.

These losses make a big gap in our Committee, but fortunately, we have plenty of bench strength: JIM O'HARA from Michigan, whose district runs from Detroit, through the northern suburbs. HUGH CAREY, whose 13 children add to the beauty and density of his populous constituency in Brooklyn. JAMES SCHEUER, from the Bronx, who made a distinguished name for himself in urban redevelopment and the building of planned communities prior to his arrival in Congress. On the Republican side we have GLENN ANDREWS of Selma, Alabama; EDWARD GURNEY from Florida; and OGDEN REID from Westchester County, New York—all with great ability.

Collectively, we have a diversity of backgrounds, experience, predilections, and what have you. We share, however, a common concern that the Labor Act work well, and work as Congress intended it to work.

With this background of our Subcommittee, I would like to share with you some of the areas of our concerns about the effectiveness of the National Labor Relations Act.

I. THE PROBLEM OF DELAY

A major weakness in the Labor Management Relations Act is the long delay in the NLRB proceedings in holding elections; and, more importantly, in the trial of unfair labor practice cases. If an employer discharges an employee for union reasons today, it makes little practical difference if he is ordered to reinstate the man two years from now.

A. In representation hearings

As you know, one of the major functions of the Labor Board is to conduct elections wherein the employees select, by secret ballot, the union of their choice, or no union at all.

Upon a petition showing that at least 30% of the employees want a union, the Labor Board will hold such an election. The Board must ascertain the "appropriate unit", those who are employed within this unit, and identify those who are ineligible to vote because they are supervisors, guards, professional employees, or otherwise ineligible.

In 1960 it took 110 days (almost 4 months) from the time the petition for an election was filed until the election was ordered. Today, it takes 45 days (about a month and a half).

This decrease in time was due to the 1959 Landrum-Griffin amendments wherein we in Congress authorized the Labor Board to delegate the routine work of conducting elections to the Regional Directors, reserving to itself the power to review important cases.

This delegation has worked well. About 90% of the election cases are decided on the scene by the local officials in about a month and a half. The remainder go to the Board in Washington on review. These are the novel cases, the rough cases, the cases where there is conflict; and there, the latest figures show, it takes an average of 131 days (over 4 months) from petition for election until decision that an election should be held. I don't know if we can hope for further improvement.

B. In unfair labor practice cases

The delay in processing unfair labor practice cases continues. Let me explain the process here and some of the delays.

1. *The charge and investigation.* An unfair labor practice case begins when a union, a company, or an individual walks into the Regional Office and *charges* that his rights under the Labor Act have been violated. The regional officials investigate the charge, interview witnesses, and decide to dismiss the charge or go forward. This process takes, on an average, 25 days. There is then a process of mediation, where the parties are informed of their rights. If there is no settlement, a "complaint" is filed. There is an average of 59 days (2 months) from the charge to the issuance of complaint.

2. *The complaint and hearing.* After the complaint is issued by the Regional Office, an independent trial examiner in Washington is assigned the case; and he sits like a trial judge hearing all the evidence. It takes approximately 66 days (2 months) from the issuance of the complaint to the close of the hearing.

Then, the trial examiner must write his findings of fact and conclusions of law. This takes, on the average, an additional 114 days (almost 4 months).

In short, the case is pending at the trial examiner level for almost six months. The delay at this stage is due almost entirely to the large volume of business handled by each trial examiner, and can be solved by hiring more trial examiners. This is being done.

3. *Appeal to the Labor Board.* Currently, every person who loses at the trial examiner level has a right to appeal to the Labor Board. There were 749 such appeals this last fiscal year—almost 2 a day. They pile up awaiting their turn for decision, and it takes on an average of 105 days (3½ months) from the time the appeal is filed until the Labor Board decides the case.

4. *Appeal to the Courts of Appeal.* The losing party then has a right to appeal his case to the United States Courts of Appeal for review; and this opportunity is availed of. Over 64% of the litigants before the Labor Board take this opportunity, and another year or so is added to the case.

In sum, it takes, on an average, some 12 months from the time the charge is filed in the Regional Office until it is decided by the Labor Board in Washington. Then there is up to another year while the case is pending in court on review.

As an Ad Hoc Subcommittee asked in 1961: "If an employer refuses to bargain collectively on June 1, 1961, how much good will be done by an order to bargain entered June 1, 1963?" By then the union will be dead and long gone, there will be no one to bargain with.

I might add that the normal unfair labor practices committed by unions do not go unremedied for this length of time. Section 10(1) of our Act requires the Regional officials to seek interim relief from the Federal courts whenever there is reason to believe that a union has violated the secondary boycott, the hot-cargo, or the recognitional-picketing provisions of our law.

What can be done about this delay?

Not much at the Regional Office level when two months go by while the case is investigated and the complaint is filed. We can prod the local officials, but there is a need for thoroughness in investigation and in the opportunity for conciliation.

At the trial examiner level—six months from complaint to decision—we can cut down the delay by hiring more trial examiners and spreading the case load and the work to more people.

At the Labor Board level, there are various proposals for cutting down the 3½ month delay. One proposal is more Labor Board members, operating in panels of three. Another proposal is that we create regional, intermediate Labor Boards, with appeal to the Washington Labor Board on a discretionary basis.

I favor a greater delegation of authority to the trial examiners. If similar delegation worked in representation cases, why not try it in unfair labor practice cases. At least for certain kinds.

A great bulk of the unfair labor practice cases concern violation of 8(a)(3), discharge because of union membership or activity. Most of these cases involve questions of fact—did the employer discharge the man because of union activity, as charged; or was it because of inefficiency as alleged by the employer. In this type of case, the Labor Board generally affirms the findings of the trial examiner; and does so unanimously. This is the situation in over 95% of these cases.

Why must these cases flood the Labor Board and clog the decisional processes? Judge Friendly, of the Court of Appeals for the 2nd Circuit, suggests that the trial examiner decision be made final. I almost agree; but I would give the Labor Board discretionary authority to review this type of case when there is a novel or otherwise unusual question involved.

In short, I think that we in Congress should amend the Act to permit the Labor Board to delegate greater authority to the trial examiners in these routine, factual cases which arise under this particular section of the law.

II. THE PROBLEM OF REMEDIES

Another problem we regard seriously is that of remedies. Here too, I would like to center upon the 8(a)(3) violations—the discharge of employees because of union membership or activity. These charges constitute 72% of all charges against employers; and they go to the very heart of the Act—the right guaranteed by Section 7 to "self-organization".

These discharges seldom occur in a unionized plant; and the normal or typical situation as we see it, is something like this—The union begins an organizing drive; and the employer decides to resist. He does this by discharging a handful of the known activists in the union organizing drive. This chills the enthusiasm of the others, and the organizing drive dies down. An unfair labor practice charge is filed; and ultimately, a year after the event (or two years if the employer seeks court review), the Labor Board orders the employer to reinstate the discharged employees with back pay—less what they earned while they were laid off.

Now, approximately a quarter of the employees whose reinstatement is ordered can't be found. They have moved elsewhere and have just dropped out of sight. Another quarter have been found, but don't want their old jobs back. They found other employment, and are happy. The other half goes back to work at the old job, with back pay, less what they earned elsewhere. Whatever the amounts the employer must pay, these amounts are tax deductible as a business expense. These reinstatement-with-back-pay awards have been characterized by union spokesmen as "nothing more than license fees for union-busting". I am afraid there is some truth in that. The employer rids his plant of a union, and stands to suffer very little loss.

I suggest we take the profit out of this violation of the Labor law. I suggest specifically, that the employee discharged for union membership be given double, or treble, damages for his lost wages. He certainly needs it; for the costs in mental anxiety, in the loss of installment purchase items, in the costs of borrowing to tide one over exceed by far the amount lost in steady income.

I further suggest that this violation of the Labor law be made more expensive by hitting the violator where it hurts—in the pocketbook. Many of these repeated violators—and they can be identified—have contracts with the government. I suggest that the Walsh-Healey, the Davis-Bacon, and the Service Contracts Acts be amended to authorize the government purchasing agents to look with disfavor on any bidder who is certified by the Labor Board to be a repeated, a flagrant, a knowing violator of the Labor law. I would not penalize the employer who violates the law through ignorance, through mistake, through inadvertence. But the company that repeatedly flouts the Federal laws should not be rewarded with a Federal contract.

III. THE PROBLEM OF COVERAGE

You may gain the impression that the Labor Act is not working. It isn't in some individual instances; but it is in the main.

In the 1935 Wagner Act (reaffirmed by Taft-Hartley and Landrum-Griffin) Congress declared that it is the policy of the United States to encourage the practices and procedures of collective bargaining. This is the policy of most business men and of most unions. Strikes and lock-outs are mostly a thing of the past. Less than one half of one percent of lost man-hours are due to industrial disputes. Strikes still occur, but rarely.

All over the country local people are bargaining peacefully over local wages, hours, and conditions of employment, and finding local situations to meet the local needs. This is how it should be.

The Labor law works so well when given a chance, that I wonder if the National Labor Relations Act should not now be extended to three classes of employees who heretofore have been denied its benefits. I refer to hospital workers, to those employed by educational and charitable institutions, and to agricultural laborers. These three classes of employees are usually at the bottom of the economic ladder, and have no opportunity for arms-length meaningful bargaining with their employers on an individual basis.

A. Hospital employees

Hospital employees were covered by the 1935 Wagner Act, and the Labor Board conducted elections between the various unions interested in organizing and representing the non-professional employees.

The 1947 Taft-Hartley amendments excluded employees of charitable hospitals from the protection of the Act by defining employers so as not to include a corporation or association operating a hospital, if no part of the net earnings inures to the benefit of any private shareholder or individual. The Labor Board, by a policy ruling, extended this exemption to private profit-making hospitals, and refused a hospital's request that it conduct an election between two competing unions.

The reasons for the statutory exclusion of charitable hospitals, and the administrative exclusion of profit hospitals, are two-fold: that hospitals are not in "commerce"; and that hospitals carry out local functions and should be subject to the jurisdiction of local agencies. I believe Blue Cross and Medicare put the hospitals in "commerce"; and the local jurisdictions by and large show no concern over the labor-management relations in hospitals. There is a void, a vacuum, hospitals are not required to recognize and bargain with unions; so they don't. The consequence is that wages and employment conditions remain static. The professionals drift off to better paying jobs (witness the current situation in New York City); and the non-professionals remain on the job; but bitter, disillusioned, strike happy. It is time for some agency to move into this void and impose sensible proceedings for the resolution of disputes. We have several bills pending to restore NLRB jurisdiction, and will give them a close look.

B. Employees of charitable organizations

Employees of charitable organizations, other than non-profit hospitals, have never been excluded from the protection of the Labor Act by any express provision.

In 1947 the Hartley bill in the House contained a provision which would have expressly excluded employees of religious, charitable, scientific, educational and other like institutions. The Taft bill in the Senate contained no such exclusion. The Taft-Hartley compromise was the exclusion of non-profit hospitals. The Conference Report explained the omission of other kinds of charitable institutions from this express exclusion on the theory that the Labor Board had never considered them within its jurisdiction except "in exceptional circumstances and in connection with purely commercial activities".

Taking cue from this Conference Report, the Labor Board had taken jurisdiction "when the particular activities involved have been commercial in the generally accepted sense"; when, for example, the activity is a commercial radio station owned by a university, or a publishing house owned by a religious corporation, or a training school doing work for the parent organization. On the other hand, the Labor Board will not take jurisdiction "where the activities concerned are intimately connected with the educational activities of the institution and are noncommercial in nature". Thus, the Labor Board dismissed the petition for an election filed by the clerical personnel employed by the various libraries at Columbia University.

This situation was brought to our attention recently by a spokesman for blind workers, employed at various "shelters" and "lighthouses" around the country. These "shelters" are non-profit, and provide job training, vocational guidance, and personal counseling. In the usual situation, 90% or so of the funds supporting these institutions come from the sale of commercial products produced by the handicapped workers. The other 10% comes from contributions.

In recent months, the handicapped workers have organized into unions, and have gone out on strike in various cities around the country: Dallas, Cleveland, St. Louis, San Diego, and Berkeley. In St. Louis, there was an eight-week strike against the Lighthouse for the Blind. In the Berkeley strike, the blind broommakers boarded buses and picketed the State House in Sacramento; complete with guide dogs. The demands are pretty uniform: recognition of their union, a set wage scale, seniority in layoff, a grievance procedure for the resolution of disputes.

The Labor Board has so far refused to accept jurisdiction over these disputes. In a three to two opinion, the Labor Board recently ruled that the activities of the Sheltered Workshops of San Diego partake more of the character of rehabilitation and training rather than activities "commercial in the generally accepted sense". The two dissenters rejected the concept that a non-profit organization (existing on commercial profits) "owes its employees less than other employers do".

I myself feel that the Labor Board is letting the tail wag the dog here. The handicapped do receive job training and personal counseling; but they also produce the goods sold on a commercial basis, which makes the whole venture possible. These workshops live on the proceeds of the work products, expect the handicapped to work, regulate their hours of work, pay them at rates which take into account differences in proficiency and productivity, dock them for time lost from work, and lay them off when work is slack. The employee/trainees have grievances, why not regularize their adjustment?

C. Agricultural employees

A third category of "excluded" employees are those who work on the farms. The 1935 Wagner Act excluded them, on the theory that the Constitutional power of the Commerce Clause did not extend to agriculture. Indeed, it was argued at that time that the Commerce Clause did not extend to local manufacturing. Since the 1935 Wagner Act, the Supreme Court in a number of related situations has upheld the Congressional power—under the Commerce Clause—to regulate farm activities. Thus, there is no longer any constitutional impediment to extending the coverage of the Labor Act to farm workers.

It is also suggested that the Labor Act has no place in the intimate relationships between the farmer and his hired hand. I agree; but I am speaking of the large corporate farm where a hundred or more employees are hired on a regularized basis to drive the tractors, repair the equipment, prune the trees, and so on. The situation, in short, is like that at Delano where two or three thousand regularly employed workers recently completed a long and bitter strike against the large grape orchards.

It is the purpose of Federal labor laws to encourage collective bargaining. The theory behind these laws is that peaceful settlements among the parties working by themselves under the aegis of Federal law will be substituted for the old-time labor feuds—too frequently accompanied by bitter strife and wasteful, dangerous conflicts verging on private war. These hopes have been largely realized in most segments of our economy. I hope someday to extend the Labor law, with the same beneficient results, where it does not now reach.

CONCLUSION

I have enjoyed the opportunity to come here and share with you some of the problems, and some of the thinking, of the Special Subcommittee on Labor.

We had hoped to look into these matters in some depth this current session of Congress. But, while you may be disbelieving, we could not get a budget approved by the appropriate committee. So, I take this opportunity to give you some of our tentative thinking: I am the witness presenting ideas, you gentlemen can help us by giving a reaction.

The Role of the Citizen in Today's Society

EXTENSION OF REMARKS

OF

HON. JOHN J. GILLIGAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1966

Mr. GILLIGAN. Mr. Speaker, it is commonplace today to define our age in terms of loss—or loss of confidence and assurance, almost hopelessly adrift in a turbulent world, unsure of our course and even what our course should be. Ours is supposed to be an era of anxiety and alienation.

This diagnosis is, I believe, only partly true. We are confusing a retrospective and nostalgic cast of mind with an aimlessness. We are unsure of the future, but every age has been, just as every age has suffered from anxiety. But we have not lost touch with the past, which is a necessary and powerful source of strength, nor have we abandoned the future.

Men in the last century, if we look closely, concealed their uncertainty under a cloak variety of deterministic philosophies. This outlook itself was, at least in part, a substitution for an anxious feeling. Our predecessors spoke and wrote bravely of progress, but they were uncertain and hesitant in their pronouncements.

Some of us have become victims of a style of thought. I do not recognize among our people a despairing attitude or a sense of life without purpose. On the contrary, what uncertainty exists stems from a keener awareness of the complexities of our age's problems, a recognition that answers are not easy to formulate, an understanding that solutions are accomplished slowly and with difficulty. We are not victims of the simplistic faith in progress that troubled men in the last century. Those who today describe our society as purposeless sift the evidence to match their preconceptions, ignoring the idealism and sense of movement which is deeply rooted in our democratic faith. Our mission today is more subtle, less liable to be summed up in slogans, but it is evident everywhere.

Secretary of Health, Education, and Welfare John Gardner recently spoke on this theme, "The Role of the Citizen in Today's Society." He spoke of faith, of hope, and of understanding, and he spoke for many Americans who look to the future aggressively.

His remarks follow:

THE ROLE OF THE CITIZEN IN TODAY'S SOCIETY

(By John W. Gardner, Secretary of Health, Education, and Welfare, as delivered at the Glenn Memorial Church Auditorium, Emory University Campus, Atlanta, Ga., Saturday, April 30, 1966)

As many of you know, my concern for years has been with the individual, with how society can best serve the individual, and how we the citizens can create such a society.

Until recently, I pursued this concern in the relative tranquillity of a philanthropic organization. Like most of you, I was a private citizen. Then the President asked me to come to Washington. That was eight months ago, and I must say that it's been an exciting time.

We are living in one of the most creative moments of history, a moment when the past is slipping away and the future is being shaped. It is also a difficult and painful moment. Creative times usually are.

I'm always surprised to discover how many intelligent citizens are untouched by the excitement of the world that I see and know, and how many are not moved to participate in the events of their time.

Some of these people are overwhelmed by the size and scope of our problems today. It's a natural feeling. It does often seem that we're producing more history than we can consume. But most generations of man since the beginning have been faced with overwhelming problems. What distinguishes us from earlier generations is that we are far more aware of our problems, and far less fatalistic about them.

Another source of discouragement today is the view that there's little the individual citizen can do. Even though he may believe that the problems are solvable, he's likely to doubt that he as an individual can be of help. Again, it's a natural feeling, but I think anyone who is guided by it is too easily discouraged.

It's true that as our society grows larger and more complex, citizen participation isn't the simple thing it once was. But the surprising and cheering thing is that the tradition of citizen action is not only surviving, it's growing stronger. And it's more needed than ever.

Some people have assumed that the growth of the Federal establishment has diminished the responsibility of the individual, the community, and the State. That is certainly not true of the programs administered by my Department.

Let me tell you why.

Our programs deal with people, with a wide range of human needs. They are carried out not only by our bureaus in Washington, but in conjunction with many other institutions: the States and local communities, hospitals and school boards, universities and voluntary organizations. The quality of most of our work ultimately depends on the performance of these non-Federal institutions and agencies. We provide resources. It's their responsibility to use them. The payoff is at the local level.

The Federal Government can't bring about that final result in Washington. Federal laws, dollars and programs don't teach children nor heal the sick. Teachers teach children and doctors heal the sick—individual teachers and doctors in the schools and clinics of Atlanta and Seattle and Phoenix. This means that to get full benefit from Federal programs, vitality at the local level is essential. In short, you are as responsible for most of the Federal programs as we are.

President Johnson has a name for this deepening involvement of citizens and institutions in the work of government. He calls it "creative Federalism," meaning a creative partnership between the Federal Government and State, local and non-governmental institutions and agencies.

But it won't work unless there is real vitality at the local end of the partnership—and that's where you come in. You're the only ones who can keep State and local agencies and institutions vital.

Now, I know it is traditional for Federal officials traveling around the country to talk about the achievements of government (especially in even numbered years). I respect this tradition, and I can tell you that our achievements have been substantial.

But to talk only of achievements would give you a very inaccurate picture of my world. When I get up in the morning, I don't think about our achievements, I think about our problems.

And, after all, they are not exclusively Washington's problems although we are working hard to find answers to them. They are Atlanta's problems. They are the problems of our time.

Let's begin with health. I spent most of this morning at the Communicable Disease Center here, which, as you may know, is an arm of my Department. It's an extraordinary operation, reflecting some of the spectacular advances in the health sciences.

The American people, through their Federal Government, support a gigantic health effort. Your taxes pay for about two-thirds of all the medical research being done in this country today. But research is only the first step toward better health. A step that sometimes seems considerably more difficult is how to make available to all Americans the gains already achieved.

Much of the recent health legislation enacted by the Congress is an effort to do this, to bring the best of modern medical care to the aged, to the poor, to children, to those who live far from the leading medical centers.

In order to accomplish that we have some difficult problems to solve, and by we I mean everyone in and out of government who is concerned with the health field.

There are already grave shortages of health manpower of all sorts—doctors, nurses, technicians, and so on. How do we recruit them, how do we educate them for careers in a field that is changing so fast? How do we sort out professional and sub-professional tasks so that physicians aren't doing jobs that registered nurses could be doing, and so that neither is doing tasks that sub-professional aides should be doing?

How can we ensure that the small-town doctor has access to the expensive equipment so essential to modern medicine? How do we make it possible for him to keep up with the life-saving advances in medicine?

There is extensive duplication of health services in most of our metropolitan areas. People don't know where to go for what, and often those who need help most don't even know it is available. How can we better organize and communicate these services?

Thanks to the extraordinary scope of recent legislation, we are now able to tackle these problems with new vigor and imagination. And again it is not a matter of the Federal Government acting alone. The legislation puts us in partnership with State and local agencies, hospitals and universities, voluntary and professional associations, independent laboratories and clinics.

Now let's take a look at the War on Poverty. If you don't bother to understand it, the War on Poverty can appear to be demagoguery, or routine do-goodism, or just a tired phrase. But if you see how our approach to poverty has evolved historically, and understand how complex the problem continues to be, you will comprehend how courageous and inventive some of the current efforts really are.

Poverty has always been with us, but it is only in recent years in the highly developed countries that there has been sufficient productive capacity to make the elimination of poverty a realistic hope.

As we in this country have worked on it, in my own life-time, the nature of the problem has changed continuously. What we have accomplished in the past 30 years in gaining control of our economic system is immensely impressive.

But we still have deeply embedded pockets of poverty in a generally affluent society. These pockets—and they contain 35 million Americans—won't dissolve with the waving of an economic wand.

We now recognize that poverty is deeply rooted—in the early deprivation of the child, in his parents' lack of education, in their feelings of resignation and apathy and defeat, in the slum environments that confirm such attitudes, and in the urban disorganization that permits—and promotes—a high rate of social casualties.

How do you get at these things? We are working at them today from all sides and at every level of government. You all know about Operation Head Start, about the Neighborhood Youth Corps, about various occupational retraining and job-placement programs. My own Department is deeply involved in many of these efforts, as it is, of course, in vocational rehabilitation of the disabled, in improving slum schools and in strengthening family life.

The fact that some of these efforts give rise to controversy is inevitable. It's inevitable, too, that we shall experience some failures. Everyone wants the Government to be bold and imaginative and infallible—all at the same time. It will never happen. But our approach to the problem today is more broadly based, more inventive and more honest than anything yet tried.

Now let's turn to education. In the last three years 19 major pieces of legislation have been passed. When President Johnson came to office, we were spending less than $4.75 billion on education. This year we will spend $10.2 billion. A few years ago the Office of Education was a relatively insignificant agency; in the last six years its budget has increased 545 percent.

But as in the earlier examples I have given you, I want to take you behind the multi-billion dollar figures to some of the human issues we are tackling and I want to talk about problems rather than achievements.

How can we improve the distressingly bad education offered in most low-income areas? How can we overcome the initial educational handicaps of the deeply deprived youngster? What can we do to upgrade the teaching profession and teacher education? How can we better prepare young people for employment? How can we prepare them for lifelong learning? How can we best assist the colleges and universities in this period of rapid expansion?

Thanks to the great legislation of recent years, we are able to make a frontal assault on these problems. And as in all of our other programs, it is a partnership effort, in which we collaborate with all of the States, with the school districts, with the Universities and with professional associations.

I doubt that there has ever been a time in our history when the effort to improve education has been so widely shared. Not only teachers and administrators but school board members, parents, and local officials all over the country have been drawn into the difficult and exciting business of redesigning the educational system.

It isn't a comfortable process for any of them. It isn't supposed to be. But out of it is going to come a better educational system and a better nation.

A corollary problem we're working on is racial equality. As you know, this is not exclusively a Southern issue. It is a national issue, as acute in Buffalo as it is in Birmingham, in Los Angeles as it is in Nashville.

The problem of justice for the Negro has gnawed on the national conscience ever since this Nation was founded. It is in an important sense, *the* American problem.

We are now committed, as a Nation, to solve that problem. Perhaps we were always so committed. Freedom, justice, and equality are not mere abstractions. They are the foundations of this society. What we build upon them can only be precarious if they are not firm and sure. In acting to bring Negroes into the full stream of American life, we are doing what must be done to preserve and strengthen the foundations of our society.

This means moving steadily, progressively toward a single school system. It means the removal of racial barriers in hospitals, nursing homes, welfare agencies, and so on. It means serious and insistent efforts to make inroads on Northern *de facto* segregation.

As in all of the earlier issues I've talked about, we face some large, unsolved problems.

How can we repair the deficiencies of education that segregated schooling has left us? How can we teach tolerance and mutual respect to both Negro and white? How can we heal the wounds of all these years of strife and bitterness?

Residential patterns in all our large cities still enforce the cleavage of races. How can we alter these patterns? How can we build bridges of communication and understanding between the Negro ghettos of the cities and their predominantly white suburbs?

I know a lot of people are working on these issues. We need more. We need the best minds, the clearest heads, the warmest hearts. And we need strong, responsible leadership, for people will not go where their leaders will not take them.

If I had the time I'd like to talk to you about a great many more problems that we're at work on—mental illness, aging, juvenile delinquency, problems of addiction, air pollution, home and highway accidents, mental retardation, the safety of new drugs, and so on.

I could show you how every one of these affects intimately the quality of life in our society and more immediately the quality of life in your community.

And that brings me to a final word concerning the purpose of our efforts—the purpose of all our trials and errors and seeking and finding. It is to enhance the individual human being. That is easy to lose sight of because we talk, as we must, of institutions, of processes, of dollars. But their only legitimate purpose is to foster the conditions in which individual lives may be lived humanely.

It is not easy to live the good life in an enormously crowded and complicated world. A lot of rich as well as poor people find it increasingly hard to do so. When we look outward, we see complexity where we yearn for simplicity. When we look inward, all too often we see fragmentation when we long for wholeness.

The world is complex. We must accept that fact and learn to control it, so that as individuals we may be whole and not fragmented. We pass laws and design government programs to try to deal with complexity, to protect individuals from the buffeting of forces they cannot control. But we should never forget the central purpose of laws and government programs in a free society. That is to make the world manageable, so that individuals may have the maximum amount of freedom, freedom to grow and develop, freedom to be what they have in them to be, freedom to choose.

No society can properly define for any individual the purpose and meaning of his life. Quite the reverse: the Great Society must create the conditions in which the individual can find his own purpose and meaning in life.

We may fumble frequently in trying to build that kind of society, but our efforts are not an appropriate target for either cynicism or despair.

The American people, and that means you, have tackled some extraordinarily tough problems. Through your elected representatives, you have chosen to face up to some of the realities that comfortable people usually prefer to forget—that in fact many of our children do not have an equal chance, that in fact many of our older people cannot live out their lives in dignity, that we are polluting our streams and lakes and the air we breathe, that most of our cities cannot be a source of pride to a rich and powerful people.

Well, I like the fact that we've tackled the toughest problems we could find. I would never have interrupted my happy and productive life as a private citizen had it not been for my belief that the Johnson Administration and the 89th Congress were plunging into the most complex issues in our national life.

I don't underestimate the difficulty of what we're undertaking. We've committed ourselves to a rugged agenda. But it will be a sad day for this great Nation when we get so placid and comfortable that we no longer bite off more than we can chew. That's what this Nation is about.

The history of American education is one long, turbulent record of a nation that wasn't afraid to risk failure or trouble or confusion in pursuit of a goal that at first seemed wildly impractical: to give every American child a chance to develop to the limit of his ability. It is still one of the most radical ideas in human history, yet it grew out of the American soil as naturally as wheat or corn.

In short, difficult assignments are something we've never avoided. President Johnson said recently that the Great Society is going to have to be built brick by brick in the heat of the day and the noise of the marketplace. That will take visionaries who are not afraid of grinding work. It will take dedicated people who understand how complex and challenging the problems really are.

If you are that kind of person you can share in these great efforts. And when you are very old and people talk about the turning point in our society that began in the 1960's, you can say: "I not only remember it—I was part of it."

Dedication of Lunenburg, Mass., Post Office

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1966

Mr. PHILBIN. Mr. Speaker, under unanimous consent to revise and extend my remarks in the RECORD, I include therein my remarks in part, at the dedication of the new post office building at Lunenburg, Mass., May 21, 1966:

REMARKS, IN PART, OF CONGRESSMAN PHILIP J. PHILBIN, DEDICATION OF NEW POST OFFICE BUILDING, LUNENBURG, MASS., MAY 21, 1966

It is a very high privilege, honor and pleasure for me to join you today for the dedication of this beautiful new Lunenburg Post Office and I want to assure you that I deeply cherish the opportunity afforded me to participate in these very impressive dedicatory exercises.

It is a special pleasure for me to be introduced to this gathering of able and distinguished public officials and so many patrons of the office and citizens of the community by my esteemed and much beloved friend, the able Chairman of this meeting, your highly esteemed fellow citizen and townsman, Mr. Arthur Brockelman, and I thank him for his very gracious remarks.

I want to compliment the Committee, the Postmaster, and our great Post Office Department for arranging this fine program to dedicate this new building to the service of the postal patrons and the people of Lunenburg.

Your community is growing at a very substantial rate and these new post office facilities will serve a real need for years to come.

This is a day of heartiest congratulations, of satisfaction with a job well done, and deep gratitude to all those who joined in making this very worthwhile project possible.

Let me assure you that the Congress is deeply interested in the great work of our unequaled Post Office Department, and General Services Administration, and has been glad and privileged to provide the authority and funds to insure useful, needed public buildings like this one for the benefit of the American people. I am especially happy to have been in a position to cooperate and help with the fulfillment of this meritorious project we dedicate so proudly today.

We recognize and appreciate the tasks of planning and completing the construction of this fine building, and our commendations and congratulations are extended to every individual and every group who participated in this splendid work, including government and local officials, the architects and contractors, the workers and all those who played a part in bringing about the happy, concrete results we observe on this occasion.

This building is functional and it is well designed to provide adequate facilities for local postal services. But we should remember that buildings, equipment and appurtenances alone, however modern and well implemented, do not insure adequate postal services, nor do they meet the total needs of the patrons and the people who require these services.

There is another necessary, vital component, namely, the capable, efficient, experienced, faithful postal workers of every rank and station who, in the real sense, will make this building and these postal facilities the meaningful public agency that it is to serve in a responsible manner, the urgent community need for the many indispensable services which our great Post Office Department provides in these advanced times.

We must remember, too, that this great Department with its far-flung operations, its distinguished leaders, and dedicated personnel at every level, constitutes the greatest, most efficient, outstanding, most useful post office service in the whole world.

This Department has many difficult problems these days, caused by the population explosion, the advance of science, the new gadgets and the new techniques that are being used in business, and by our fellow citizens, not to think of radical changes in our transportation systems which are such a challenge to post office administrators and workers.

Notwithstanding these problems, and we must recognize that in whatever we undertake these days, we will have to face difficult problems, one thing should be clearly understood, that we propose to maintain this great system that serves the American people in so many vital areas, at maximum possible pitch of efficiency and usefulness, its basic functions adapted to modern developments, its leadership vigorous and progressive, its personnel well paid and efficient, cooperative and helpful to the patrons they serve, and the entire postal system of which we are so proud given that support by the Congress and the people which it is entitled to enjoy.

And on this occasion, too, appreciating this fine new postal building dedicated to the service of the people, it is a time to reaffirm our loyalty to the great government of which it is a part, and the ideals and principles for which it stands.

We live in a time of turmoil, trouble and strife and we are facing many dangers and many problems.

As in other instances when freedom was challenged and our security threatened, we are engaged in conflict, this time against organized World Communism and tyranny in Vietnam.

None of us can foretell what the future will bring, as our gallant boys fight ruthless aggression and tyranny, and as we earnestly, vigorously and unceasingly strive for peace for ourselves and for the world.

But let no one mistake our purpose to defend our priceless heritage of freedom, democracy and justice, and let no one ever doubt the loyalty, devotion and firm commitment of the American people to protect our country and our free way of life as we manifest our determination to defend against aggression, to defend our country and uphold the cause of human freedom and justice.

Let us hope and pray that the forces of World Communism will soon listen to our urgent appeals, so that the way may be open soon for justice and peace in the world.

Meanwhile, let us do our part as loyal Americans. Let us remain strong in every sense, militarily, economically and spiritually and unswerving in our purpose to serve and protect our country and the truths, principles and blessings for which it stands.

It is up to us as proud loyal Americans to make sure that, no matter what our problems are, we strengthen and defend our great, free enterprise system, our liberties and the individual rights that we enjoy as citizens of this great nation, so that no power on earth can ever deprive us of the precious birthright of freedom that we cherish so deeply.

The future destiny of this nation is in our hands. Let us make certain beyond any doubt that we will guard, protect and secure it from all enemies, foreign and domestic. That is our duty and our solemn commitment in this generation, so let us loyally unite, regardless of creed, color, race or station, for God and country, to guard and preserve our rich heritage for those of our generation and pass it over to our posterity, unsullied, untarnished and unimpaired, stronger, better, more prosperous and more responsive to the needs and high objectives of the people.

Thank you all for the high privilege of being with you today.

SENATE

THURSDAY, MAY 26, 1966

The Senate met at 12 o'clock meridian, and was called to order by Hon. HARRY F. BYRD, JR., a Senator from the State of Virginia.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

For the beauty of the earth,
  For the glory of the skies,
For the love which from our birth
  Over and around us lies;

For the joy of ear and eye;
  For the heart and mind's delight;
For the mystic harmony
  Linking sense to sound and sight.

For the joy of human love,
  Brother, sister, parent, child,
Friends on earth, and friends above;
  For all gentle thoughts and mild.

For thyself, best gift divine!
  To our race so freely given;
For that great, great love of thine,
  Peace on earth, and joy in heaven:

God of all, to Thee we raise
This our prayer of grateful praise.

Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., May 26, 1966.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. HARRY F. BYRD, JR., a Senator from the State of Virginia, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. BYRD of Virginia thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. STENNIS, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, May 25, 1966, was dispensed with.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Pursuant to the order of the Senate of May 25, 1966,

Mr. MAGNUSON, from the Committee on Commerce, reported favorably, with an amendment, on May 25, 1966, the bill (S. 985) to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes, and submitted a report (No. 1186) thereon, which was printed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 2471) to improve and clarify certain laws of the Coast Guard.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 944) to provide for expanded research and development in the marine environment of the United States, to establish a National Council on Marine Resources and Engineering Development, and a Commission on Marine Science, Engineering and Resources, and for other purposes.

The message further announced that the House had passed a bill (H.R. 15151) to permit the planting of soybeans in lieu of cotton in certain disaster areas in 1966, in which it requested the concurrence of the Senate.

PLANTING OF ALTERNATE CROPS ON ACREAGE WHICH IS UNPLANTED BECAUSE OF NATURAL DISASTER

Mr. ELLENDER. Mr. President, there is at the desk H.R. 15151. I requested that that bill remain at the desk so that we may be able to take it up this morning.

I have consulted with the majority leader and the minority leader and those who are interested in the bill. There was no objection to taking it up today.

However, I have learned in the last few minutes that there is objection. There will be objection urged by the Senator from Delaware [Mr. WILLIAMS].

A Senate bill similar to this bill—H.R. 15151, which has been enacted by the House of Representatives—is before the Committee on Agriculture and Forestry.

I have consulted many members of the committee, and there is no objection to it.

My purpose this morning is simply to ask unanimous consent that this bill be considered, and since there will be objection, I ask unanimous consent that the first and second reading be dispensed with and that the bill be placed on the calendar so that we might be able to take it up tomorrow.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. WILLIAMS of Delaware. Mr. President, reserving the right to object, I would object to its being taken up that quickly. If it is desired to put the matter on the Senate Calendar, to be taken up after the Memorial Day recess, I have no objection.

I wish to point out one matter. This bill was introduced in the House of Representatives on Tuesday of this week and passed the same day it was introduced. It never appeared on the calendar of the House of Representatives. It never appeared on the calendar of the Senate. Now it is being asked that the bill be passed without going to the Senate committee.

I think that the least we can do is to put it on the calendar and let it go over for a couple of days so that those who are interested can understand what is being done and those who have objection may have an opportunity to examine the bill.

If the bill is going to be put on the Senate Calendar with the understanding that there will not be any effort to bring it up for consideration until next week, I have no objection to the unanimous-consent request. Otherwise, I do object.

Mr. ELLENDER. Mr. President, we have no recourse, I assume. We consent to that reluctantly.

Mr. President, I renew my unanimous-consent request.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. WILLIAMS of Delaware. Mr. President, reserving the right to object, I understand that the request now is that it go direct to the Senate Calendar with the understanding it will not be motioned up until next week.

Mr. ELLENDER. The Senator is correct.

Mr. WILLIAMS of Delaware. No objection.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The bill will be considered as having been read twice and placed on the calendar.

Mr. ELLENDER. Mr. President, I ask unanimous consent that a copy of the bill, H.R. 15151, as passed by the House of Representatives, excerpts from the House Report No. 1549, and a copy of S. 3382 concerning the same matter and introduced in the Senate on May 19, 1966, by Senator EASTLAND for himself and Senators BASS, SYMINGTON, LONG of Missouri, COOPER, and MCCLELLAN be made part of my remarks, as well as a letter from the Secretary of Agriculture with an enclosure.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

H.R. 15151

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 103(d) of the Agricultural Act of 1949, as amended, is amended by striking out of the last sentence in paragraph (3) thereof the words "income producing crop in such year." and inserting "crop for which there are marketing quotas or voluntary adjustment programs in effect."

SEC. 2. Section 105(e) of the Agricultural Act of 1949, as amended, is amended by striking out the sentence "an acreage on the farm which the Secretary finds was not planted to feed grains because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of feed grains planted for harvest for purposes of such payments provided such acreage is not subsequently planted to any other income-producing crop during such year." and inserting in lieu thereof the sentence "an acreage on the farm which the Secretary finds was not planted to feed grains because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of feed grains planted for harvest for purposes of such payments provided such acreage is not subsequently planted to any other crop for which there are marketing quotas or voluntary adjustment programs in effect."

SEC. 3. Section 379c(a) of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the sentence reading "an acreage on the farm not planted to wheat because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of wheat planted for harvest for purposes of this subsection provided such acreage is not subsequently planted to any other income-producing crops during such year." and inserting in lieu thereof the sentence "an acreage on the farm not planted to wheat because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of wheat planted for harvest for purposes of this subsection provided such acreage is not subsequently planted to any crop for which there are marketing quotas or voluntary adjustment programs in effect."

Amend the title so as to read: "A bill to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster."

EXCERPTS FROM REPORT

PURPOSE

The purpose of this bill is to give farmers who are prevented from planting wheat, feed grains, or cotton by flood or other natural disaster the same opportunity to plant alternative crops that the law now accords farmers whose crops have been destroyed by such a disaster after planting.

NEED FOR THE LEGISLATION

Under the provisions of the Food and Agriculture Act of 1965, farmers who have signed up to participate in the wheat, feed grain, or cotton program and have planted their permitted acreage only to have it destroyed by flood, drought, or other natural disaster, are eligible to receive the land-diversion and price support payments they would have received had the crop not been destroyed. At the same time, they are permitted to use the land for any other nonregulated crop.

Apparently by inadvertence, this same privilege of planting alternative crops was not extended to those farmers participating in the wheat, feed grain, or cotton programs who were prevented by flood or other natural disaster from even planting their permitted acres.

This situation was brought to the attention of the committee as the result of the heavy and protracted rains in the south central part of the United States which have prevented some cotton farmers from planting. The bill will permit these farmers, if the Secretary finds that their failure to plant was due to a natural disaster, to have the same opportunity to plant an alternative crop that the law now permits for farmers who did plant their permitted crop and had it destroyed later.

COMMITTEE AMENDMENT

Hearings were held on similar bills by Mr. Jones of Missouri, Mr. Gathings, of Arkansas, Mr. Abernethy, of Mississippi, Mr. Stubblefield, of Kentucky, Mr. Passman, of Louisiana, and Mr. Everett, of Tennessee. All these bills related only to cotton.

The committee has amended the bill introduced by Mr. Jones (H.R. 15151) so as to make the same principle apply to wheat and feed grains, as well as to cotton.

The bill as amended was unanimously reported.

COST

There should be no additional cost to the Government as the result of this legislation.

DEPARTMENTAL APPROVAL

Witnesses for the Department of Agriculture at the hearings stated that the Department recognizes the equity of the situation involved here and has no objection to the bill as amended.

S. 3382

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 103(d) of the Agricultural Act of 1949, as amended, is amended by adding before the period at the end of paragraph (3) thereof the following: ": *Provided,* That for the 1966 crop any such acreage in areas designated by the Secretary as disaster areas may be devoted to soybeans."

DEPARTMENT OF AGRICULTURE,
Washington, D.C., May 25, 1966.

Senator ELLENDER: We thought you might find the attached statement, dealing with the provisions and effect of H.R. 15151, useful to you in connection with the Senate consideration of this measure.

Each day lost in final consideration of this bill will, as you know, work an additional hardship on affected farmers who already are faced with losses due to natural disasters.

ORVILLE L. FREEMAN,
Secretary.

One enclosure.

H.R. 15151

A bill to permit planting of alternate crops on acreage which is unplanted because of natural disaster

This bill would give farmers who are prevented from planting wheat, feed grains, or cotton by flood or other natural disasters the same opportunity to plant alternative crops that the law now accords farmers whose crops have been destroyed by such disaster after planting.

This is emergency legislation which if not immediately passed will deny planting prospects for hundreds of farmers, particularly in the Mid-South cotton-growing area which already has experienced widespread flooding. It would provide equitable treatment to all types of farmers whose operations at this time are suffering from excessive rainfall which has reached flood proportions in several States, including Missouri, Arkansas, Kentucky, Mississippi, Louisiana, and Texas.

The two main objectives of this bill are: (1) To make farmers eligible for price support and diversion payments even though they are unable to plant the crop and (2) to authorize them to utilize their permitted cotton, feed grain, and wheat allotment or base acres for other crops that can be planted later in the year and require less time to reach maturity and harvest. Soybeans are an example. The legislation specifically prohibits these acreages from being planted to any other crop for which there is in effect a production adjustment program—such as wheat, feed grains, tobacco, peanuts, rice, sugarcane, and sugar beets.

Both objectives of the bill are laudable. Additional payments to farmers which would be made under it, while not expected to be large in the aggregate, would be of significant benefit to recipients. Total costs of affected programs would not change from budgetary estimates as a result of the proposed legislation. Further, the proposal would provide farmers with additional income by virtue of the opportunity they would have to produce and market other crops on acreage which otherwise would be lost to production this crop year. While an estimate of additional crop acreages involved cannot be made with precision, the total for all such crops would be quite small in relation to national production. At the same time such acreages would be very important to the individuals involved.

Mr. ELLENDER. Mr. President, at present in order to qualify for price support payments on cotton or feed grains, or for wheat marketing certificates on wheat—

First, the commodity must be actually planted, or

Second, planting of the commodity must have been prevented by a natural disaster and the acreage which would have been planted to the commodity but for the disaster must not be "devoted to any other income-producing crop."

H.R. 15151, as amended and passed by the House, would permit the producer to qualify for such payments and certificates in the case of such disaster as long as he did not produce any crop subject to marketing quotas or voluntary adjustment programs. This would permit him to plant soybeans and other crops not subject to quotas or adjustment programs and still qualify for payments and certificates.

There is no doubt that there is an imperative need for quick passage of this bill. Farmers in a number of States including Missouri, Arkansas, Tennessee, Kentucky, Mississippi, Louisiana, and Texas have been prevented from planting their normal crops because of excessive rainfall which in some parts of the above States have reached flood proportions. In many cases it will be too late to plant the usual crop of cotton or feed grains but not too late to plant soybeans.

Furthermore, in those cases where farmers still have the opportunity to plant cotton it would be better insofar as the Government is concerned to plant soybeans instead. In my view it is unconscionable to require farmers to plant cotton when the carryover this year will be about 16.3 million bales and when the Government has $2,275,433,000 invested in 15,437,000 bales of cotton. It would seem to me that every additional bale of cotton not produced this year would save the Government about $105.

Senator BASS spoke to me about this bill sometime ago as did Senator EASTLAND and Senator COOPER. Senator SYMINGTON and Senator LONG of Missouri also spoke with me as did Senator MCCLELLAN. All of us are agreed that it is emergency legislation that must be acted on promptly otherwise it will cost the Government money on the one hand and on the other hand farmers will be penalized because of their inability to plant a crop.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

Election Reform Act of 1966

A communication from the President of the United States, transmitting a draft of proposed legislation to revise the Federal election laws, and for other purposes (with an accompanying paper); to the Committee on Rules and Administration.

Report on Defense Procurement From Small and Other Business Firms

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on defense procurement from small and other business firms, for the period July 1965-March 1966 (with an accompanying report); to the Committee on Banking and Currency.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of development of certain scientific instruments for the Surveyor project, National Aeronautics and Space Administration, dated May 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on opportunities for reducing the number of vehicles maintained in fleet, Soil Conservation Service, Department of Agriculture, dated May 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on planning for and utilization of automatic data processing equipment, Ames Research Center, Moffett Field, Calif., National Aeronautics and Space Administration, dated May 1966 (with an accompanying report); to the Committee on Government Operations.

PETITIONS

The ACTING PRESIDENT pro tempore laid before the Senate two resolutions adopted by the board of directors of the National Guard Association of California at their meeting in Fresno, Calif., on March 12, 1966, relating to insurance of combat capability of all National Guard units, and a more equitable promotion system; which were referred to the Committee on Armed Services.

FEDERAL SALARY AND FRINGE BENEFITS ACT OF 1966—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 1187)

Mr. MONRONEY. Mr. President, from the Committee on Post Office and Civil Service, I report favorably, with an amendment, the bill (H.R. 14122) to adjust the rates of basic compensation of certain employees of the Federal Government, and for other purposes, and I submit a report thereon. I ask unanimous consent that the report may be printed, together with the individual views of the Senator from Indiana [Mr. Hartke].

The ACTING PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Oklahoma.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

John W. Tuthill, of Illinois, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Brazil;

Jacob D. Beam, of New Jersey, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to the Czechoslovak Socialist Republic;

Eugene M. Locke, of Texas, to be Ambassador Extraordinary and Plenipotentiary to Pakistan; and

Elliott P. Skinner, of New York, to be Ambassador Extraordinary and Plenipotentiary to the Republic of Upper Volta.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CARLSON:

S. 3415. A bill to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments; to the Committee on Government Operations.

By Mr. SPARKMAN:

S. 3416. A bill for the relief of Aaron Bailey; to the Committee on the Judiciary.

By Mr. DODD:

S. 3417. A bill to amend section 101 of the Housing and Urban Development Act of 1965 to permit occupants of public housing to qualify for tenancy in housing assisted under the rent supplement program; to the Committee on Banking and Currency.

(See the remarks of Mr. Dodd when he introduced the above bill, which appear under a separate heading.)

By Mr. FULBRIGHT (by request):

S. 3418. A bill to amend further the Peace Corps Act (75 Stat. 612), as amended, and for other purposes; to the Committee on Foreign Relations.

(See the remarks of Mr. Fulbright when he introduced the above bill, which appear under a separate heading.)

By Mr. HILL (for himself, Mr. Sparkman, Mr. Gore, and Mr. Bass):

S. 3419. A bill to amend the Tennessee Valley Authority Act of 1933, as amended, to increase the limitation on the authority to issue bonds to finance its power program; to the Committee on Public Works.

(See the remarks of Mr. Hill when he introduced the above bill, which appear under a separate heading.)

By Mr. HART (for himself and Mr. Proxmire):

S. 3420. A bill to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to eliminate certain requirements with respect to effectuating marketing orders for cherries; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Hart when he introduced the above bill, which appear under a separate heading.)

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Stennis, and by unanimous consent, the Antitrust and Monopoly Subcommittee of the Committee on the Judiciary and the Subcommittee on Executive Reorganization of the Committee on Government Operations were authorized to meet during the session of the Senate today.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Stennis, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

AMENDMENT OF SECTION 101 OF HOUSING AND URBAN DEVELOPMENT ACT OF 1965

Mr. DODD. Mr. President, I introduce, for appropriate reference, a bill to amend the Housing and Urban Development Act of 1965.

This act, certainly one of the most meaningful passed in the 1st session of the 89th Congress, can do much to alleviate the pressing problem of decent housing for the economically disadvantaged who are not already in public housing.

Public housing has not kept up with the existing need.

Now that Congress has appropriated the initial funds for the rent supplement program, perhaps the gap between the need for decent housing and the financial capacity of the poor to afford it can be narrowed.

The only families eligible for rent supplement assistance under the 1965 Act at the present time are the elderly, the handicapped, those displaced by renewal projects or natural disaster, and those living in substandard housing.

In addition, their incomes must be low enough that they are eligible for public housing.

The act neglects, and I think regrettably so, those already in public housing who want to better themselves but are unable to afford housing on the private market.

Ambition and initiative are penalized because the law expels from public housing anyone who makes more than a subsistence income.

Faced with the prospect of losing their public housing if they improve their living standard, yet knowing they will be unable to afford decent living space elsewhere, many of the occupants of public housing give up on self and family improvement in order to be able to keep a decent roof over their heads.

The Housing and Urban Development Act of 1965 makes no provision for families now in public housing to qualify for tenancy in housing assisted under the rent supplement program. Unless their wages improve substantially, families are unable to afford rents in the private market and they end up forever trapped in a public housing project.

The legislation I am introducing today would remove this dead end. It would simply add to the list of those eligible for rent supplements persons who though still technically eligible to remain in the public housing they now occupy, want to move to rent supplement housing due to a modest increase in income.

A true ladder of housing opportunity would be created. A family could receive maximum subsidy and concentrated social services in public housing projects.

As their lot improved, but not substantially enough to disqualify them from public housing, they could shed the economic and psychological trap of public housing and move up to scattered, less heavily subsidized homes as a step toward eventual purchase.

I feel, Mr. President, that if the Government is ever going to get out of the housing business that those desiring to better their housing conditions must be encouraged as much as possible.

I believe my bill would do much in this regard by putting another rung on the ladder of housing opportunity.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3417) to amend section 101 of the Housing and Urban Development Act of 1965 to permit occupants of public housing to qualify for tenancy in housing assisted under the rent supplement program, introduced by Mr. Dodd, was received, read twice by its title, and referred to the Committee on Banking and Currency.

PEACE CORPS ACT AMENDMENTS

Mr. FULBRIGHT. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Peace Corps Act, as amended, and for other purposes.

The proposed legislation has been requested by the Director of the Peace Corps, and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill may be printed in the Record at this point, together with the letter from the Director of the Peace Corps dated May 23, 1966, to the Vice President in regard to it, and the section-by-section analysis of the proposed bill.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill, letter, and section-by-section analysis will be printed in the Record.

The bill (S. 3418) to amend further the Peace Corps Act (75 Stat. 612), as amended, and for other purposes, introduced by Mr. Fulbright, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the Record, as follows:

S. 3418

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(b) of the Peace Corps Act, as amended, which authorizes appropriations to carry out the purposes of that Act, is amended as follows:

(a) Strike out "1966" and "$115,000,000" and insert in lieu thereof "1967" and "$112,150,000", respectively.

(b) Strike out ", of which not to exceed $300,000 shall be available for carrying out research" and insert in lieu thereof ": *Provided, however,* That not to exceed $950,000 of funds made available hereunder for fiscal year 1967 shall be obligated under contracts or agreements to carry out research: *Provided further,* That no such contracts or agreements shall be executed unless the research in question relates to the basic responsibilities of the Peace Corps.

(c) Add a second sentence as follows: "Unobligated balances of funds made available hereunder are hereby authorized to be continued available for the general purposes for which appropriated and may at any time be consolidated with appropriations hereunder."

Sec. 2. Section 5 of the Peace Corps Act, as amended, which relates to Peace Corps volunteers, is amended to add immediately after the end thereof a new subsection as follows:

"(1) Notwithstanding any other provision of law, counsel may be employed and counsel fees, court costs, bail, and other expenses incident to the defense of volunteers may be paid in foreign judicial or administrative proceedings to which volunteers have been made parties."

Sec. 3. Section 13(a) of the Peace Corps Act, as amended, which relates to the employment of experts and consultants, is amended by striking out "$75" and substituting therefor "$100".

Sec. 4. Section 15 of the Peace Corps Act, as amended, which relates to utilization of funds, is amended as follows:

(a) In subsection (c), strike out "7(c) (2)" and substitute therefor "7(a) (2)".

(b) In subsection (d) (4), strike out "7 (e)" and substitute therefor "7(c)".

Sec. 5. Section 25(b) of the Peace Corps Act, as amended, which defines the term "United States" for the purposes of that Act, is amended by striking out "and territories".

Sec. 6. (a) Section 16 of the Peace Corps Act, as amended, which relates to appointment of persons serving under prior law, section 20 of the Peace Corps Act, as amended, which relates to moratorium on student loans, section 21 of the Peace Corps Act, as amended, which amends the Civil Service Retirement Act, and Title II of the Act, which relates to Internal Revenue Code and Social Security Act amendments, are hereby repealed.

(b) Such repeal shall not be deemed to affect amendments contained in such provisions and the application of the amendments contained in the title. All determinations, authorizations, regulations, orders, contracts, agreements, and other actions issued, undertaken, or entered into under authority of the provisions of law repealed by subsection (a) shall continue in full force and effect until modified by appropriate authority.

Sec. 7. (a) The Peace Corps Act, as amended, is amended to add immediately after title I thereof a new title as follows:

"TITLE II—SCHOOL-TO-SCHOOL PARTNERSHIPS AND EXCHANGE PEACE CORPS

"Declaration of purpose

"Sec. 201. The Congress declares that it is the policy of the United States and a further purpose of this Act to promote world peace and friendship through School-to-School Partnerships under which United States schools and organizations shall help schools and organizations of interested countries and areas to meet their educational and other community needs, and through an Exchange Peace Corps, which shall make available to United States schools and organizations men and women of interested countries and areas, qualified for service in the United States, to help those schools and organizations in meeting their needs for trained manpower, to provide those men and women with experience that on their return will be valuable to their countries or areas, and to help promote a better understanding of their peoples on the part of the American people and a better understanding of the American people on the part of other peoples.

"Exchange Peace Corps volunteers

"Sec. 202. Such provisions of this or any other Act relating to volunteers, volunteer leaders or applicants for enrollment as the President determines to be appropriate shall be applicable to Exchange Peace Corps volunteers: *Provided, however,* That as applied to Exchange Peace Corps volunteers the term 'abroad' in subsection 5(d) (2) of this Act shall mean outside of their country or area: *Provided further,* That for the purposes of section 42 of the Federal Employees' Compensation Act (5 U.S.C. 793) Exchange Peace Corps volunteers shall be deemed not to be citizens or residents of the United States, any Territory or Canada and injuries to them, wherever occurring, shall be deemed to occur outside the United States in their countries or areas."

(b) (1) Section 9 of the Peace Corps Act, as amended, which relates to participation of foreign nationals, is amended by striking out "and" immediately after "volunteers" and by inserting "and to carry out the purposes of title II of this Act," immediately after "where appropriate," in the first sentence.

(2) Section 10(a) (3) of the Peace Corps Act, as amended, which relates to the acceptance, employment and transfer of gifts, is amended by inserting "or transfer" immediately after "and employ" and by striking out all that appears between "or otherwise" and "; and".

(3) Section 15(d) (7) of the Peace Corps Act, which relates to the utilization of funds for unforeseen emergencies or contingencies, is amended by striking out "arising in the Peace Corps".

The letter and section-by-section analysis, presented by Mr. Fulbright, are as follows:

Peace Corps,
Washington.

The Honorable Hubert H. Humphrey,
President of the Senate.

Dear Mr. President: In the President's Message last March transmitting to Congress the Peace Corps' fourth annual report, he described some of the Peace Corps' achievements in the past year.

Enclosed for your consideration is draft legislation which will enable the Peace Corps to add to those achievements—and to strengthen further our work on behalf of world peace and understanding.

This legislation will authorize the appropriation of $112.15 million for the Peace Corps in fiscal 1967. This authorization is $2.85 million less than the amount authorized for 1966.

Yet it will enable the Peace Corps to train an estimated 10,100 volunteer applicants in the coming year: 900 more than this year.

The legislation will enable the total number of volunteers and trainees to grow from an estimated 13,900 on August 31, 1966, to more than 15,000 by that time next year.

During this year, Peace Corps volunteers will be assigned to several of the more than two dozen countries whose requests we have not yet filled.

Finally, this authorization will enable us to add a wholly new dimension to the Peace Corps, through two partnership exchange programs. These promising ventures were recommended by the President in his February 2, 1966, Message to Congress relative to International Education and Health.

As the President said:

"Only when people know about—and care about—each other will nations learn to live together in harmony. I therefore propose that we—

"(1) *Encourage the growth of school-to-school partnerships.*—Through such partnerships, already pioneered on a small scale, a U.S. school may assist the brick-and-mortar construction of a sister school in less developed nations. The exchange can grow to include books and equipment, teacher and student visits.

* * * * *

"(2) *Establish an exchange Peace Corps.*—Our Nation has no better ambassadors than the young volunteers who serve in 46 countries in the Peace Corps. I propose that we welcome similar ambassadors to our shores. We need their special skills and understanding, just as they need ours.

"These 'volunteers to America' will teach their own language and culture in our schools and colleges. They will serve in community programs alongside VISTA volunteers. As our Peace Corps volunteers learn while they serve, those coming to the United States will be helped to gain training to prepare them for further service when they return home."

Peace Corps volunteers serving overseas and former volunteers back in the United States will help make these partnerships more meaningful.

The Exchange Peace Corps of volunteers to America is a logical next step for the Peace Corps as it works to promote world peace and friendship between peoples.

Like our Peace Corps volunteers, exchange volunteers to America will be dedicated, highly motivated, highly capable young citizens of the world.

Just as our Peace Corps volunteers abroad contribute new perspectives and needed skills to the nations they serve, exchange volunteers wil offer much to our people and our national progress.

And—just as our volunteers learn while they serve abroad—these exchange volunteers will learn valuable and enduring lessons while they serve here.

Exchange volunteers will come from many of the countries where Peace Corps volunteers are now serving. We will also welcome exchange volunteers from countries in which Peace Corps volunteers are not serving.

Qualified foreign students in this country who are willing to volunteer part time during the summer or during the academic year will find opportunities for service and self-development in the Exchange Peace Corps—and we will thus be able to do far more to involve exchange students in American life and to make their stay in the United States more rewarding.

Many exchange volunteers will teach. But many others will work in social service and community action—in settlement houses, in neighborhood and child care centers, and in hospitals and clinics.

This is not an untried idea.

Last year, five citizens of India, preparing for responsibility in India's domestic voluntary service program, came to the United States to train Peace Corps volunteers and to work in local community action programs. The experiment had excellent results.

The education department of a midwest Neighborhood Centers Association said of its Indian volunteer:

"It is our strong conviction that the United States would greatly benefit from having five thousand . . . who could share with the American people the experience and culture of India."

Our plan is that the costs of Exchange Volunteers to America will be significantly financed by the sending countries and the United States schools or communities which will receive the volunteers.

In the President's February Message, he set an initial goal of 5,000 volunteers. The Peace Corps' program for this year looks toward the entrance into serve of 800 exchange volunteers from this fall through the summer of 1967.

The Bureau of the Budget has advised that enactment of this legislation would be in accord with the program of the President.

Sincerely,

JACK VAUGHN.

SECTION-BY-SECTION ANALYSIS OF THE PROPOSED ACT TO AMEND FURTHER THE PEACE CORPS ACT

The proposed act (the "bill") to amend further the Peace Corps Act, as amended (the "act"), has two main purposes. First, it authorizes appropriations for fiscal year 1967 under the general authority in the act for appropriations to carry out programs in furtherance of the purposes of the act. The bill would accomplish this by striking out the amount and the reference to the fiscal year in that general authorization and substituting the new amount and the new fiscal year. Deletion of the amount and year in the general authorization, of course, has no effect on prior appropriations thereunder to carry out the provisions of the act. Second, the bill would make a number of other amendments to the act. Some are designed to promote more effective and efficient operation of the Peace Corps. Some are technical. The remainder relate to the proposed Partnership Exchange program.

Section 1.—Amends section 3(b) of the act, which is the authority for appropriations to carry out the provisions of the act, in three respects:

Subsection (a) amends section 3(b) to authorize the appropriation of $112,150,000 for fiscal year 1967. In 1965, the appropriation of $115,000,000 for fiscal year 1966 was authorized by amendment of this general authority. A total of $114,100,000 was actually appropriated, under the general authorization, to carry out the provisions of the act in fiscal year 1966.

Subsection (b) amends section 3(b) to substitute two new limitations for the existing limitation on the use of funds to carry out research. The existing provision limits to $500,000 the fiscal year 1966 volunteer and project cost funds available for contract research projects. Under the new limitation, $950,000 of fiscal year 1967 funds available for volunteer and project costs could be obligated under contracts or agreements to carry out research. Moreover, fiscal year 1967 funded research contracts or agreements could be executed only on a determination by the Director of the Peace Corps that the research in question relates to the basic responsibilities of the Peace Corps. Of the $950,000, only approximately $450,000 would be available for new contract research. Continuing contract research previously authorized will require approximately $500,000 of fiscal year 1967 funds.

Subsection (c) amends section 3(b) by adding a new second sentence to authorize the reappropriation of unobligated balances of funds previously made available and to provide authority to consolidate them with other Peace Corps appropriations. The Peace Corps has not previously sought such a provision. It seeks it now only because in each of the last three years title II of the Foreign Assistance (or AID) and Related Agencies Appropriation Acts, 1964, 1965, and 1966, has continued available (i.e. reappropriated) unobligated balances of funds previously appropriated to carry out the provisions of the act. Nothing in the act specifically authorizes an appropriation which takes the form of a reappropriation of unobligated balances. Thus, such reappropriations might be subject to points of order. This amendment would provide any necessary authorization and thus preclude points of order should Peace Corps appropriations continue to include reappropriation of unobligated balances. The amendment, which is similar to section 645 of the Foreign Assistance Act of 1961, as amended, would not authorize appropriations which entail the reobligation of prior year obligations.

Section 2.—Amends section 5 of the act, which relates to Peace Corps volunteers, to add a new subsection to authorize the retention of counsel and the payment of counsel fees and other expenses incident to the defense of volunteers before the tribunals of foreign countries and areas. The enactment of this authority for Peace Corps volunteers is warranted by the limited living allowances available to them and the requirement that they not supplement these allowances during Peace Corps service from employment or contributions from family or friends.

Revised Statutes §§ 189 & 365 (1875), as amended, 5 U.S.C. §§ 49 & 314, generally prohibit Government agencies from employing counsel at Government expense. Related statutes assign to the Department of Justice responsibility for attending to United States' legal interests. Section 15(a) of the act authorizes the use of Peace Corps funds for expenditures outside the United States for the procurement of services and for other administrative and operating expenses (other than compensation of employees) necessary to accomplish the purposes of the act without regard to laws and regulations governing the obligation and expenditure of Government funds. But even if section 15(a) authorizes the waiver of these statutes in particular cases, if as a matter of policy legal services are to be procured for volunteers, specific Congressional authorization is desirable.

By virtue of sections 7(a)(2) and 15(d)(11) of the act, the authority of section 1031 of the Foreign Service Act of 1946, as amended, is available to the Peace Corps. As a specific exception to the prohibitions of the Revised Statutes, it authorizes the procurement of legal services when required to protect the United States from possible liability, whether legally or administratively determined. Although section 1031 also authorizes the procurement of legal services to enable a Foreign Service officer or employee to carry on his work effectively, under the act volunteers are not deemed to be United States Government employees for this purpose. Even if volunteers were made employees for section 1031 purposes, legal services could not be procured for them in all cases.

The amendment is based on 10 U.S.C. § 1037 which provides the Armed Services with authority to ensure that persons subject to the Uniform Code of Military Justice have adequate legal representation in cases before foreign tribunals. Like section 1037, this amendment authorizes representation in both civil and criminal cases before foreign forums. Such representation would be available to defend volunteers' interests at all stages of civil and criminal cases including pre-trial, trial and appellate proceedings and proceedings for probation, clemency or pardon. In accord with the practice of the Department of the Air Force, continued payment of expenses could be authorized when a proceeding to which a volunteer has been made a party continues after the termination of his Peace Corps service. The Peace Corps would also generally follow the Department of the Air Force's practice and limit use of this authority to the following instances: (1) criminal proceedings in which a sentence of six months or more or capital punishment might be imposed; (2) proceedings in which the accused's substantial rights might be denied; and (3) proceedings which might have a significant impact on the relations of the United States with a foreign government or on other United States interests, legal or otherwise. Also, like section 1037, the amendment would not authorize the Government to pay fines or damages, and volunteers who forfeit bail would be liable for all costs to the United States. Unlike section 1037, the amendment would not authorize representation at Government expense of plaintiff interests of volunteers.

Section 3.—Amends section 13(a) of the act, which relates to the employment of experts and consultants, to increase the maximum compensation which may be paid individuals thereunder from $75 to $100 per day. Similar authority has already been provided in other acts with respect to programs of 23 other United States Government agencies, including all the major regulatory commissions, the Agency for International Development, the United States Arms Control and Disarmament Agency, and the Office of Economic Opportunity. Since most other agencies can pay experts or consultants up to 33⅓ percent more than the Peace Corps can, the Peace Corps has experienced difficulty in competing for scarce professional talent.

The express approval of the Director of the Peace Corps would be required before any expert or consultant could be compensated at a rate above $75 per day.

Section 4.—Amends section 15 of the act, which relates to the utilization of funds, to correct two cross references.

Section 5.—Amends section 25(b) of the act, which defines the term "United States" in the geographic sense, to eliminate United States territories from that definition. In order to provide training in an environment that approximates that of Latin American countries, the Peace Corps since 1961 has trained volunteers at two isolated training camps in Puerto Rico. "United States" is now defined in section 25(b) of the act as "the several States and territories and the District of Columbia." Because Puerto Rico is a United States commonwealth, it is not within the United States in the geographic sense for purposes of the act. Hence, act authorities available abroad apply there, including particularly the section 5(d)(2) conclusive presumption that illnesses suffered or diseases contracted by volunteers abroad shall be deemed to have been caused by their employment.

In 1965, the Peace Corps established a comparable training center in an isolated area of St. Croix, United States Virgin Islands. It offers an environment which is comparable to that of many African countries to which volunteers are assigned. Also in 1965, the Peace Corps trained in Guam volunteers who were to be assigned to India. The United States Virgin Islands and Guam are both territories of the United States. The nature of Peace Corps activities there, like those in Puerto Rico, warrants making available thereto act authorities available abroad.

Making United States territories outside the United States in the geographic sense for the purposes of the act would not authorize the assignment of volunteers to United States territories to meet their needs for trained manpower. The purposes of the act as set forth in section 2 make meeting the needs of *foreign* countries and areas for trained manpower a fundamental Peace Corps Act purpose. On the other hand, although administered by the United States, the Trust Territory of the Pacific Islands is a foreign area. Therefore, assignment of volunteers there has always been authorized by the act.

Section 6.—Repeals an obsolete provision (section 16) of the act, two provisions of the act (sections 20 and 21) which make amendments to other acts, and a title of the act (title II) which makes amendments to other acts and provides for their application. Such repeal will not affect any amendments to acts effected by the provisions repealed or the application of the provisions contained in the title. Nor will it affect any actions taken thereunder prior to repeal.

Section 7.—Amends the act to add after title I thereof a new title II, which relates to School-to-School Partnerships and Exchange Peace Corps, and to make related amendments in two sections of title I. The proposed title II consists of two sections. Together with the authorities in title I to carry out the purposes or provisions of the act, they will authorize the President or his delegates to carry out School-to-School Partnerships and the Exchange Peace Corps on such terms and conditions as may be determined.

Subsection (a).—Amends the act to add after title I thereof a new title II which relates to School-to-School Partnerships and Exchange Peace Corps.

Section 201 of the new title declares the promotion of world peace and friendship through School-to-School Partnerships and through an Exchange Peace Corps to be a policy of the United States and a further purpose of the act.

School-to-School Partnerships are an expansion of the School-to-School program already being carried out by the Peace Corps. Under it United States schools, communities and other entities make available to entities overseas funds to defray part of the costs of school construction. These funds have been, and would continue to be, accepted by the Peace Corps and transferred by it to entities overseas under the act's section 10(a)(3) authority to accept and transfer money in furtherance of the purposes of the act. Self-help is an important factor in this program. The overseas community or other entity will contribute money, supplies and equipment, or services to the building of these schools.

School construction would continue to be a major aspect of the School-to-School Partnerships that section 201 would authorize. But other partnership programs would also be encouraged such as the donation and transfer of books, teaching aids and other classroom materials, television sets for use in educational television programs, laboratory supplies and equipment, and so forth. All this should lead to the development of lasting relationships between United States and overseas schools, communities and other entities including exchange of information about history, geography, current events and language, and student and teacher exchange.

Generally, Peace Corps funds will be expended to encourage the development of these partnerships but not to finance the partnership activities themselves. Partnership activity costs will generally be the responsibility of the partners. In particular, the Peace Corps will continue generally not to pay transportation costs for supplies and equipment. But it may do so in exceptional cases where the value thereof is commensurate with the transportation costs and where the United States entity cannot donate funds for this purpose.

Under the Exchange Peace Corps, qualified men and women of interested countries and areas, not necessarily those to which Peace Corps volunteers have been assigned, may volunteer for service in the United States. The purposes of the Exchange Peace Corps are essentially the same as the purposes of the Peace Corps itself: first, to help the United States schools, communities and other entities to meet their needs for trained manpower including language, history, geography, literature, vocational and other teachers and community service personnel; second and third, to promote a better understanding of the American people on the part of other peoples and a better understanding of other peoples on the part of the American people. An additional purpose is to provide Exchange Peace Corps volunteers with experience that will be valuable to their countries' and areas' social and economic development efforts.

The sending countries and the United States entities to which Exchange Peace Corps volunteers are assigned will each pay a significant portion of Exchange Peace Corps volunteers' costs. Generally, these payments will be donated to the Peace Corps under section 10(a)(3) of the act. The Peace Corps will then employ the funds under that authority to pay allowances and other Exchange Peace Corps costs.

Section 202 of the new title makes applicable to Exchange Peace Corps volunteers such provisions of the act or any other act relating to Peace Corps volunteers, volunteer leaders or applicants for enrollment thereas as the President shall determine to be appropriate. Under this authority most of the provisions of the act relating to Peace Corps volunteers including section 5 (Peace Corps volunteers), section 6 (Peace Corps volunteer leaders, spouses and minor children), section 8 (training), section 17 (foreign currencies), and section 24 (foreign language proficiency) would be made applicable to Exchange Peace Corps volunteers by the President or his delegate. Examples of act provisions not appropriate for application to Exchange Peace Corps volunteers are section 5(f) (United States Government retirement system volunteer service credit) and section 5(j) (volunteer oath).

The provisions of five other acts now specifically refer to Peace Corps volunteers and volunteer leaders (including applicants for enrollment thereas). Application of four of those acts to Exchange Peace Corps volunteers would not now seem to be appropriate. They are the Civil Service Retirement Act, as amended (5 U.S.C. § 2253 *et seq.*), the Higher Education Act of 1965 (20 U.S.C. § 1001 *et seq.*), the National Defense Education Act of 1958, as amended (20 U.S.C. § 425 *et seq.*) and the Social Security Act, as amended (42 U.S.C. § 301 *et seq.*).

The applicability of the fifth act, the Internal Revenue Code of 1954 (26 U.S.C. § 1 *et. seq.*) is still under consideration. Provisions of the Internal Revenue Code require the inclusion in the gross income of Peace Corps volunteers and volunteer leaders of amounts received as allowances, except those portions of living allowances determined not to be basic compensation. They also exempt from withholding at the source Peace Corps volunteer or volunteer leader allowances other than the readjustment allowance. Section 202 would authorize the President to make these provisions applicable to Exchange Peace Corps volunteers. If he should decide not to make them applicable, then absent other Executive action Exchange Peace Corps volunteers would be subject to Federal income taxation in exactly the same manner as all other foreign citizens or nationals similarly situated.

Provisions of the Code also deem Peace Corps volunteer and volunteer leader service to be employment and certain allowances to be wages for Federal Insurance Contributions Act purposes. Like application of the Social Security Act, application of these Code provisions to Exchange Peace Corps volunteers would not seem to be appropriate. As holders of visas under section 101(a)(15)(J) of the Immigration and Nationality Act, as amended (8 U.S.C. § 1101(a)(15)(J)), Exchange Peace Corps volunteers will not be considered to be employed for Federal Insurance Contributions Act purposes under section 3121(b) of the Code. That section was added by the Mutual Educational and Cultural Exchange Act, as amended (22 U.S.C. § 2451 *et seq.*). That act also made the Social Security Act, as amended, inapplicable to holders of such visas.

The first section 202 proviso provides that, for the purposes of title II activities, the term "abroad" in subsection (2) of section

5(d) of the act, which relates to Federal Employees' Compensation Act medical services and disability benefits, shall mean outside of the country or area of which Exchange Peace Corps volunteers are citizens or nationals. Thus, Exchange Peace Corps volunteers outside their country or area will be entitled to the same FECA coverage to which Peace Corps volunteers outside the United States are entitled.

The second section 202 proviso provides that Exchange Peace Corps volunteers shall be deemed not to be citizens or residents of the United States, any Territory or Canada for the purpose of section 42 of the Federal Employees' Compensation Act (5 U.S.C. § 793) and, wherever injured shall, for purposes of that section, be deemed to be injured outside the United States in the countries or areas of which they are citizens or nationals. This will ensure that, regardless of where Exchange volunteers are injured, the United States Government may pay disability and death compensation to them or their beneficiaries in the currencies of their countries or areas and in amounts less than the minimum prescribed by the act but appropriate to the standard of living in those countries or areas.

Subsection (b).—Amends two sections of title I of the act.

Paragraph (*1*) amends section 9 of the act, which relates to participation of foreign nationals, to add to the purposes for which the President may make provision carrying out the purposes of title II of the act. The principal reasons for this amendment are to make applicable to Exchange Peace Corps volunteers authority to provide health and accident insurance and to provide for admission to and deportation from the United States. Exchange Peace Corps volunteers would be admitted to the United States as non-immigrants under section 101(a)(15)(J) of the Immigration and Nationality Act, as amended (8 U.S.C. § 1101(a)(15)(J)). They would be subject to the security investigation normally conducted of persons from the country in question who are admitted to the United States thereunder.

Generally, the provisions of section 5 of the act relating to volunteers will be relied upon to provide transportation, housing, subsistence or per diem in lieu thereof to Exchange Peace Corps volunteers. The similar section 9 authorities would permit agreements with countries or areas whose citizens and nationals participate in their own voluntary service programs for their service in the United States as members of those programs but not necessarily as Exchange Peace Corps volunteers. Also, under section 9, as amended, foreign nationals could come to the United States to participate in the training or administration of Exchange Peace Corps volunteers as they now come to participate in the training of Peace Corps volunteers.

Paragraph (*2*) amends section 10(a)(3) of the act, which relates to acceptance, employment and transfer of gifts of services, money or property, to permit such gifts to be transferred in furtherance of the purposes of this act to entities with which volunteers are not serving as well as to those with which they are. Such entities might be in countries in which volunteers are not serving as well as those in which they are. Under the Peace Corps School-to-School program, United States schools, communities and other entities make available to entities overseas funds to defray part of the costs of school construction. These funds have been, and under expanded School-to-School Partnerships they and supplies and equipment would be, accepted by the Peace Corps and transferred by it to entities overseas.

Paragraph (*3*) amends section 15(d)(7) of the act, which relates to the utilization of funds for unforeseen emergencies or contingencies, to strike out "arising in the Peace Corps". Section 15(d)(7) is available for those emergencies or contingencies for which no provision is made in the act or any other law. Emergencies or contingencies are unforeseen if the Executive Branch has not proposed act provisions to meet them. With the enactment of title II, the phrase "arising in the Peace Corps" might imply that this authority could not be used to meet emergencies or contingencies resulting from or related to Exchange Peace Corps activities. Also, "arising in the Peace Corps" appears unnecessary because in any case funds could be used under section 15(d)(7) only when necessary to carry out the provisions of the act.

AMENDMENT OF TENNESSEE VALLEY AUTHORITY ACT OF 1933

Mr. HILL. Mr. President, on behalf of myself, Mr. SPARKMAN, Mr. GORE, and Mr. BASS, I introduce, for appropriate reference, a bill to amend the TVA Act of 1933, and ask unanimous consent that it may lie at the desk until the end of next week so that other Senators may have an opportunity to join in sponsoring the legislation.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Alabama.

The bill (S. 3419) to amend the Tennessee Valley Authority Act of 1933, as amended, to increase the limitation on the authority to issue bonds to finance its power program, introduced by Mr. HILL (for himself and other Senators) was received, read twice by its title, and referred to the Committee on Public Works.

AMENDMENT OF AGRICULTURAL ADJUSTMENT ACT, AS AMENDED, RELATING TO MARKETING ORDERS FOR CHERRIES

Mr. HART. Mr. President, on behalf of myself and Senator PROXMIRE, of Wisconsin, I send to the desk a bill amending the Agricultural Marketing Agreement Act of 1937 as it relates to marketing orders for cherries.

For some years now it has been my hope that there could be developed a workable marketing order agreement to help stabilize the marketing procedures and improve the income of growers of red tart cherries in the Great Lakes basin.

In 1965 a marketing order hearing and referendum was conducted by the U.S. Department of Agriculture for the cherry industry. The referendum failed to obtain sufficient votes of either the growers or the processors.

Earlier this year grower organizations urged the Department of Agriculture to conduct further hearings and develop a new proposed marketing order for submission to referendum. The Department did not call for such hearings. While agreeing that there was probably sufficient support now among growers for a carefully developed order, the Department indicated that its informal inquiries continued to indicate strong opposition from large processors to any marketing order.

The red tart cherry industry last year had a bumper crop so large that prices on this highly perishable crop fell drastically and many growers did not even bother to pick the crop. This year we have evidence that a severe freeze has reduced the prospects for a crop and there will be another year of economic loss to the growers. Certainly such variations in the crop could be handled in a fashion that would provide some more adequate return to the growers if there were an industry marketing order.

For 2 years I have served as a member of the National Commission on Food Marketing. The work of this Commission is almost complete. From the studies undertaken by the Commission and the testimony it received, we know that there has been a dramatic reduction of almost 50 percent over the past 5 years in the number of processors in the cherry industry. This fact alone indicates the difficulty of ever obtaining agreement from the processors for a meaningful marketing order.

The most encouraging information—information that leads me to introduce this amendment during this session—comes from preliminary reports of a Michigan State University survey of red tart cherry growers as to how they now feel regarding a cherry marketing order. I have been informed that the preliminary findings of this study indicate that well over the required two-thirds of the growers responding would today favor a marketing order that would include provisions relating to industry economic information services, product promotion advertising, product research, quality control, and quantity marketing controls in large crop years. This study will be available in the next few weeks, and I believe will be an important source of guidance for the committees considering this amendment.

It is my belief that there is widespread support among cherrygrowers for a sound marketing order for this crop today. The continued concentration of the cherry processing industry, and the informal surveys by the Department of Agriculture indicate no real prospect that there could be obtained agreement by processors under the terms of the present act for any order.

It is economically important to this important segment of our Great Lakes fruit industry that the growers in the years ahead be afforded the protection and income security that could be achieved through a marketing order under the Federal Marketing Agreements Act.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3420) to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to eliminate certain requirements with respect to effectuating marketing orders for cherries, introduced by Mr. HART (for himself and Mr. PROXMIRE), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

FAIR PACKAGING AND LABELING ACT—AMENDMENT

AMENDMENT NO. 572

Mr. COTTON. Mr. President, I submit, so that it may be printed and lie on the table, an amendment to S. 985, the Fair Packaging and Labeling Act. I also ask unanimous consent that the amendment may be printed at this point in the record.

It is, of course, my intention to call this amendment up at the appropriate point in the Senate's consideration of this legislation.

If adopted, this amendment would strike from the bill its most controversial feature—the packaging control provisions contained in subsections 5 (d), (e), (f), and (g).

These subsections confer on officials downtown the power to ultimately determine the sizes and weights in which commodities shall be packaged or bottled. They put in the hands of a bureaucrat the authority to standardize packaging. Such a step would limit, if not stifle, competition. It would make it more difficult for new and small producers to secure a place in the market by presenting their merchandise in new and distinctive sizes. It would compel manufacturers to spend millions of dollars in changing their machinery to conform to the edict of a Federal official. Every one of these results will add costs to the consumer—whom this bill is supposed to protect.

These subsections would enable a Federal bureaucracy to flex its muscles and to establish autocratic power in the marketplace—to the detriment of the consumer, as well as the producer and manufacturer.

If this amendment is adopted, I shall support the bill. If the amendment is defeated, I must continue to oppose this as bad, even vicious, legislation.

I shall support the bill, if the amendment is adopted, because of its strengthened labeling provisions, many of which resulted from amendments which I offered in the committee and which were adopted by the committee.

Packages should be labeled so the busy housewife can determine their contents without juggling the package six different ways, without having to convert from pint and pounds into ounces, and without the need for a magnifying glass.

The amendments I offered in the committee are aimed at clear and conspicuous disclosure of the nature and amount in every package of consumer commodities. Once the shopper has that information, she does not need help from the Government in determining which product to buy.

The specific provisions added to the bill by the amendments I suggested include the following requirements:

First. Labels bear the name and place of business of the manufacturer, packer, or distributor;

Second. The net content be separately stated and appear in a uniform location on the package;

Third. The net content of packages of less than 4 pounds or 1 gallon be expressed in ounces, rather than in mixed units of pounds and ounces or pints and ounces;

Fourth. The net content statement be generally parallel to the bottom of the package; and

Fifth. The statement of net content be unadorned by any qualifying words or phrases.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and will lie on the table; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 572) is as follows:

Beginning on page 20, line 8, strike out all of subsections (d), (e), (f), and (g) of section 5, down to and including line 6 on page 23.

ADDITIONAL COSPONSORS OF BILLS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that at its next printing the name of the senior Senator from Hawaii [Mr. FONG] be added as a cosponsor to S. 2877, a bill to establish a National Community Senior Service Corps.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that at its next printing the name of the senior Senator from Indiana [Mr. HARTKE] be added as a cosponsor to S. 3273, the Dairy Import Act of 1966.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. DOUGLAS:

Statement by him regarding the 20th anniversary of the founding of the Republic of Italy.

Statement by him regarding the 48th anniversary of Armenian Independence Day.

By Mr. YARBOROUGH:

Statement by him regarding book entitled "To Save the Soil," written by Mrs. Naomi Talley.

BIG MAN FROM ALASKA

Mr. GRUENING. Mr. President, an excellent article on my colleague, E. L. "BOB" BARTLETT, entitled "Big Man From Alaska," appears in the current issue of Agenda magazine, published by the Industrial Union Department of the AFL–CIO. It is a well-deserved tribute and summary of some of his many achievements as an outstanding public servant.

I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BIG MAN FROM ALASKA

Even in an era of "government by consensus," a nonpartisan dinner saluting a political figure is news. The event is particularly newsworthy if it attracts enough political figures of all persuasions, and other interested persons, to fill three large banquet rooms.

So it was not surprising that Alaska newspapers back in May 1965 headlined plans for a dinner in Anchorage honoring the state's senior Senator, E. L. (BOB) BARTLETT.

Nor was it surprising that the dinner, marking Senator BARTLETT's 20th year in Washington, should attract such interest. As Marquis W. Childs, nationally syndicated columnist recently observed, Senator BARTLETT is "closely identified with the destiny of the state."

No less an authority than the late Speaker of the House Sam Rayburn credited BOB BARTLETT as the reason Alaska achieved statehood in 1958. And probably 90 percent of the more than 700 persons who attended the dinner last May would testify to the Senator's key role in the rebirth of the state following the earthquake in 1964.

The legislative package put together under BARTLETT's leadership in the hectic days following the earthquake has been a model for subsequent federal aid to areas hit by natural disasters.

If those two achievements are Senator BARTLETT's legislative highpoints, he has a host of other accomplishments of only slightly less renown.

Perhaps the best way to sum up the BARTLETT activities in Congress is to play the numbers game. During his 14 years as delegate and his first two years as Senator, he sponsored more than 200 bills which became law.

These acts have been instrumental in the economic development of Alaska. They affect activities ranging from transportation, fishing, and timber to better living conditions for Alaska's native people.

Many of these legislative acts are still important today.

For example, in 1947, when BARTLETT was still a territorial delegate, he steered through Congress, just beating the adjournment gavel in the Senate, a resolution authorizing sale of timber from the Tongass National Forest in southeast Alaska.

Today, timber is a major resource being developed in the state. Large pulp mills at Sitka and Ketchikan provide valuable employment and tax revenue. Last summer the largest sale in the history of the U.S. Forest Service was negotiated for timber in the Tongass forest. One contingency in the sales contract was an obligation to construct a pulp mill in Alaska. So the state continues to benefit from that 1947 resolution.

BARTLETT's legislative record takes added luster from the fact that a territorial delegate could introduce bills, sit on committees, talk and listen—but he couldn't vote. In Washington, advocating legislation without a vote is like panning for gold without a pan.

The Senator would never have attempted that in the days of his youth when he was an Alaska miner! He worked at gold mining first with his father and later on his own. Sandwiched between his mining days was a stint as a reporter on the Fairbanks News-Miner.

If he never had to overcome the problems of panless gold mining, BARTLETT was successful in finding ways to be an effective legislator on Capitol Hill though voteless. Those "ways" were being a good listener and a good talker, doing his homework, and knowing when to talk and when to remain silent.

Those talents earn respect and friendship, two important assets in both Washington and Alaska.

His efforts have not gone unnoticed in Alaska. In seven contests for delegate and two for Senator, BARTLETT's smallest vote was 56.6 percent of the total; his largest, 83.8 percent, garnered the year of statehood.

Statehood brought many changes to Alaska and to Senator BARTLETT. As a U.S. Senator his legislative interests broadened considerably, for he was now in position fully to use his talents on behalf of national legislation.

His voting record reflects that his concern for people is not limited to Alaskans and their problems. He was an early booster of medicare and federal aid to education. Proud of his state's record in civil rights, he became a strong supporter of national legislation in this field.

The recent debate over repeal of Section 14(b) of the Taft-Hartley Act is an example of his dedication to causes he believes are in the interest of people. Favoring repeal of Section 14(b), he faithfully answered live quorum calls in an effort to break the filibuster. He made a forceful statement on the right to vote on this important labor-management relations issue.

As a member of the Senate Appropriations Committee, he is in a good position to work for full funding programs he supports.

He is also a member of the Commerce Committee, important to Alaska because it handles work on fish, aviation and maritime legislation. If these interests are close to his heart because of their importance to Alaska, his work in this field is also of importance to the entire nation.

When dedicating a U.S. Navy ship, he warned: "Let's make no mistake about what constitutes the full dimensions of sea power. Our enemies have not.

"Sea power is more than carriers and deck guns. Sea power also is passenger ships and luxury liners, tugs and tankers, fishing vessels and research ships, and the capability to build and repair one's ships in one's own yards staffed by one's own highly trained people," he said.

BARTLETT added that "the good sense to explore and cultivate the great natural resources of the sea" was part of sea power.

One of his great concerns is that the United States is not doing enough to develop the resources of its Continental Shelf. He is a leading advocate of government programs to explore the bottom of the sea, which he has called "the last frontier."

He points to studies showing that huge quantities of such needed resources as copper, manganese and cobalt can be obtained from the sea to support his contention that development of ocean resources would mean many new industries and many new jobs.

Full utilization of fish, a high protein food, in the war against world hunger is another of his important projects.

He has worked hard to have fish included in this nation's foreign food assistance programs, pointing out that it is the cheapest source of protein now available. For the same reasons, he is the leading advocate of developments of fish protein concentrate, an odorless, tasteless powder which could be used as a food supplement.

Nutrition experts agree that a cheap protein supplement is needed if an effective attack on world malnutrition is to be mounted.

In more than 20 years BOB BARTLETT has progressed from a voteless territorial delegate to a key U.S. Senator, but his concern has remained with people; only the scope has changed. That concern has broadened as he has gained opportunities to act on an ever-widening range of interests.

However, BARTLETT still receives a great deal of satisfaction from being able to help an individual with a problem. This past year he went to bat successfully for a civilian employe who was fired from an Alaska military station because he refused to shave off his beard. In a Senate speech, he termed the incident "a close shave" for a civil liberty.

Actions like these are remembered in Alaska.

That's why, when Senator BARTLETT campaigns for re-election this fall, he will be greeted as "BOB," the man who cares about people.

WHAT SCHOOL MILK CUTBACK WOULD MEAN TO ONE MASSACHUSETTS SCHOOL

Mr. PROXMIRE. Mr. President, earlier this year two excellent witnesses appeared before the Agriculture Subcommittee of the House Appropriations Committee to spell out the difficulties the administration's proposed 80-percent cutback in the special milk program for schoolchildren would impose on the Commonwealth of Massachusetts. One of these witnesses spoke for the Massachusetts Department of Education while the second represented the parochial schools in the archdiocese of Boston.

Mr. John Stalker, speaking for the department of education, pointed out that the administration's proposals to direct the program to the needy alone in schools with a lunch program raises the question of who has the greater need. He goes on to ask:

> How does one single out which is to be included? In our individual schools we have children from families with average, low and limited high levels of income. Do we question each child on his parents' earnings?

This, of course, is a problem that concerns all school administrators. The only administratively sound answer is a means test. Yet this approach to the problem is bound to rule out many children who genuinely need Federal assistance and bar other young people whose parents are too proud to apply through a social worker for such assistance.

If the administration's proposal were passed, 15 million of the 18 million children who are presently estimated to receive the benefits of the school milk program would have to pay the full price for their milk. What this would mean in the typical school can be glimpsed by referring to an example of what the inauguration of the milk program meant in such a school in terms of increased consumption. Such an example was given by Thomas O'Hearn representing the department of education of the archdiocese of Boston.

Mr. O'Hearn told the House Agriculture Subcommittee:

> In one of our own Boston parochial schools . . . with an enrollment of 800 students, approximately 650 children each day are now purchasing milk at a rate of 3 cents per one-half pint. . . . The school milk program was inaugurated in this school on January 1, 1966. Just prior to this time, without the availability of Federal funds, this school was serving only 235 children each day at a 7 cents per carton rate.

An 80-percent cutback in the school milk program would probably mean that 300 or 400 children in this school would stop drinking milk at recesses. The 40 needy children who now receive milk free in the school might well continue to get free milk under the new program. However, they are not counted as part of the 650 students now paying 3 cents per half-pint. The 235 children originally paying 7 cents undoubtedly would continue to purchase milk. But this leaves 415 students, a majority of whom would no longer receive milk at recess time.

AGE 65 SHOULD NOT BE BAR TO PROGRESS

Mr. YARBOROUGH. Mr. President, all of us are gratified at the increasing recognition that is being given to the special problems of the aging citizen in our society. Our Special Senate Committee on the Aged and Aging and the recently created Administration on Aging in the Department of Health, Education, and Welfare illustrate the benefit to be gained from close study of the special problems of this group.

For many years before governmental recognition was achieved, enlightened private citizens were working to have more public attention focused on the needs of the aged. One of the most distinguished of these citizens, cited as "the leader of Texas oldsters," is Mr. Al Lieberman, of Houston, Tex., executive director of the Texas Council of Senior Citizens. In a recent interview with the Houston Post, Mr. Lieberman gave some provocative comments on the present situation and needs of the aged in our society.

I ask unanimous consent that the article titled "Age 65 Should Not Be Great Stone Wall," by Frank Krystyniak, from the May 22 Houston Post, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Houston (Tex.) Post, May 22, 1966]

THE GOLDEN YEARS: ARE THEY REALLY SO GOLDEN? IT'S A MATTER OF ADAPTING!—"AGE 65 SHOULD NOT BE GREAT STONE WALL," SAYS LIEBERMAN

(All that is said to be golden does not glitter, too many elderly citizens are finding. Once a person reaches retirement age, it is widely believed that he automatically has time for travel, relaxation and the means to do so. Too many have found loneliness, poor health and inactivity in place of the things they have expected. What do the elderly themselves think of their dreams and disappointments? What problems do they have? How are they solving them? To answer the question the Houston Post interviewed some elderly persons on how they feel about old age. An interview with the leader of Texas oldsters gives his views on their collective problems and his idea to solutions.)

(By Frank Krystyniak)

For too many senior citizens the years after 65 come not as welcome rewards but as punishing periods of inactivity, want, and hardships.

This is the view of Al Lieberman, 1122 Hoffman, executive director of the Texas Council of Senior Citizens.

Lieberman explained that the age 65 should not be a great stone wall for those who reach it to batter against, but a tower of activity, social life, educational betterment and decent existence.

"Too many people have the idea that today you're 64 years, 364 days old. You are hard working, sharp-witted and are making a valuable contribution to society.

"Tomorrow you are 65. You become senile, decrepit and a drain on the fit people."

ALL CAN BE SOLVED

There are problems, Lieberman admits, but none which could not be solved by a little common sense and effort. A Senior Citizens Center would go a long way toward helping those over 65 live a more normal life.

"The federal government is willing to fund and sponsor, it if the community will inaugurate it," he said. "What we need are the city fathers to give it a little consideration."

Politicians have too long looked upon senior citizens as free voters, he said. "All they know about my people is that they know how to vote."

Lieberman listed the vehicles of adjustment for those turning 65 as political work, recreation, social activity, continued employment, decent housing and educational pursuits. The center could serve as a "clearing house" for all of these points, he said.

Its main benefit would be convenience and would eliminate the need for senior citizens to seek information and services from widely separated agencies.

An example of its service could be to senior homeowners who need to make home repairs but cannot afford to pay competitive prices. Old persons with those skills could be contacted through the center, benefitting those who get employment and those who need the work done.

FOR MORE CONVENIENCE

Lieberman also discussed the Medicare bill, saying he thought it was a "wonderful advance, but an anemic proposition."

"It promises to pay for services but it doesn't promise the services will be performed," he said.

"I don't know how we're going to take care of the 93,000 eligible persons in Harris County come July 1," he said. "It's got me frightened."

"IT DOESN'T TAKE LONG FOR A MAN TO CATCH UP ON FISHING"

The man who says he is going to catch up on his fishing after retirement is heading for trouble.

"He's heading for trouble because when you hear a fellow make that statement, it's an admission that he doesn't have anything to do after retirement," said Dr. Joe L. Clark, 85, retired director of the social science division at Sam Houston State College at Huntsville.

"It doesn't take long for a man to catch up on fishing. For many, the years dull some of the sport's glamour."

Dr. Clark is of the opinion that retirement shouldn't be looked at with the degree of finality that most people do.

"It is very important for people to make plans for the golden years. Any man is foolish if his plans for after retirement years aren't just as exact and carefully made as his life's career."

"I tell my friends to do two things during their first career years—invest some of your income as you should be free from financial worry after retirement. Secondly, you got to plan for what you are going to do after the last day on the job—you can't just sit down."

"Mrs. Clark (she died in 1961) and I made our plans well in advance of my 70th birthday. We were going along with things we liked to do. She was busy painting and I had my research and writing."

"The golden years can be happy years but you have to constantly challenge your body and mind," he said.

Dr. Clark said that his retirement has just been a relief from scheduled activities. He already had written several books on history. He has continued his historical research and writing.

Even though he averages working eight hours each day, he said he doesn't follow a regular schedule. "I try to be sensible about this thing. When I get tired—I quit."

In addition to his research and writing, Clark is still active in civic, church, historical associations and community projects.

"Right now I am in the big stream of the youth movement—I rent part of my home to a young married couple," he said.

"AND IT MAKES YOU FEEL BETTER IF YOU CAN HELP SOMEBODY . . ."

"If you've lost a loved one your best policy is to keep busy because it takes your mind off your grief. The time goes better. And it makes you feel better if you can help somebody."

Mrs. Violet Wiley, 62, widow of Benjamin H. Wiley, a tool and die maker who died in December, 1962, keeps busy and helps others by driving friends to social affairs for senior citizens and working as a seamstress in her home at 129 Eichwurzel.

"I am a seamstress by trade," she explains. "I'm doing a quilt right now for extra income. I'm on Social Security but am not quite old enough yet for Medicare.

"I sew for friends or relatives as well as for customers.

"I watch television. But I can't just sit. I've got to be busy. So I usually sit and sew, piecing quilts or making dresses."

Mrs. Wiley said she takes her car and does the driving when she and two neighbors go to a recreation center for senior citizens.

"We enjoy going," she said. "We make a lot of new friends. We play games, such as bingo, dominoes and 42. And we sang at our last meeting and were accompanied on the piano by one of the senior citizens."

". . . . WE DON'T BELIEVE IN JUST LOOKING AT THE FOUR WALLS . . ."

Homer Vidrene has had many a close call but is still going strong at the age of 97. He credits a spirit of "Never say die."

Vidrene nearly choked to death on a wild plum at the age of 10. He was later kicked by a horse, fell off a building and survived a variety of illnesses.

He went through a bout of pneumonia that put him in the hospital for 17 days in his 90s. "But I got over it," he says. "And I'm feeling good now."

Vidrene of 401 Valentine is facing the challenge of life in retirement after a long and varied career as a farmer, barber, carpenter and furniture and saddle craftsman.

He and his wife, 79, a former employee of the City Recreation Department, are meeting the challenge by keeping as active as possible and belonging to no less than three clubs for senior citizens.

"We don't believe in just looking at the four walls," says Mrs. Vidrene.

"We don't give up. We like to go places and not just sit down and brood about things.

"We go to club meetings, play dominoes, watch television and visit. I sing. I can't do anything laborious, of course, but I can and do tell the folks about things and urge them to take part in activities such as the annual picnic for senior citizens."

FRESH OUTLOOK ON LIFE IS ADVISED

Al Lieberman, 1122 Hoffman, executive director of the Texas Council of Senior Citizens, says that growing old gracefully is no snap.

Lieberman said that his organization wants "any oldster who would like to join." Membership is free to those who cannot afford to pay, he said, and anyone interested can get further information by calling him at WA 3–8866.

Lieberman said his organization tries to help senior citizens in their attempt to "maintain a fresh outlook on life, even though they can't stay young."

"Those who can accept the fact that the dead are dead and the living are living, and that life must continue, make the best adjustments as senior citizens," he said.

"It's a matter of making the adaptation gracefully and graciously."

THE BUSINESSMAN'S OPPORTUNITY TO INFLUENCE CHANGE

Mr. MUSKIE. Mr. President, Mr. Ben W. Heineman, chairman of the Chicago & North Western Railroad Co., made good sense in his speech, "Preaching What We Practice: The Businessman's Opportunity To Influence Change," at the 54th annual meeting of the National Chamber of Commerce in Washington on May 2.

His message was a convincing, rational invitation to the business community to play a more responsible role in the search for solutions to national problems.

Mr. Heineman told his colleagues that the problems of government are complex and that they cannot be solved by simple measures.

He asked that businessmen assess national issues with the same analytical thoroughness that they apply to their own business problems.

Mr. Heineman said that some inventive business managers react to public issues with unsophisticated cliche. At the same time, Mr. Heineman said that many successful businessmen are intelligently responsive to public needs but that the official voice of the business community is "hardly distinguishable from the one that resonated 25, or 50, or 100 years ago."

He said this voice undermines "the credibility of the entire business community as a responsible critic of government programs."

Mr. Heineman recommends that the business community be selective, supporting valuable programs and opposing inefficient and ineffective programs.

Mr. President, as we seek to improve the quality of our society the talents of all sectors must be utilized. The business world makes major contributions to our welfare. Mr. Heineman suggests that the business community can do even more. His remarks are a significant assessment of the opportunities for the business world to further enrich America. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

PREACHING WHAT WE PRACTICE: THE BUSINESSMAN'S OPPORTUNITY TO INFLUENCE CHANGE

(An address by Ben W. Heineman, chairman, Chicago & North Western Railway Co., Chicago, Ill.)

The theme of this morning's meeting—"How Business Leadership Can Bring About Desired Changes"—seems to me a particularly appropriate one. And that it should command our attention *here* and *now* could not be made more clear, I believe, than by a recognition of the dramatic changes that *are* taking place in our society—changes which provide not only the opportunity, but the responsibility, for enlightened business leadership.

But the theme of this meeting, however timely, is not a new one for gatherings of business leaders. Indeed, it is reminiscent, in a sense, of a meeting that took place only a few blocks from this hall in the Department of Commerce auditorium nearly three decades ago. The occasion was a conference of one thousand of the nation's businessmen, called to Washington at the invitation of President Franklin D. Roosevelt, to propose means of combating the country's economic depression. Unfortunately, the laudable objective of the meeting was not realized because the delegates never got around to discussing rationally "how business leadership" could "bring about" *any* "desired changes" to end the Great Depression.

From the outset, the conference was a scene of almost constant turmoil, interrupted only fitfully by a few moments of orderly procedure. At the first session, according to a contemporary account of the meeting, it took a full hour after the gavel fell before someone was able to read President Roosevelt's message of greeting.[1] Nor did the chaos subside as the conference progressed. Throughout the three days of meetings, men and women who a few days before had been quietly minding their own businesses back home were all shouting at once. The only apparent common bond uniting the delegates was their opposition—both violent and vocal—to the federal government in general and the New Deal in particular.

Individually, the businessmen who had accepted the President's invitation doubtless had constructive suggestions for bringing about economic recovery and for improving wasteful New Deal programs. Collectively, however, these business leaders were so consumed with trying to surpass one another in the vehemence of their condemnation of the federal government that the wealth of experience they could have brought to bear on treating the nation's economic ills was lost forever in the chaos.

I am not suggesting, of course, that this fifty-fourth annual meeting of the Chamber of Commerce of the United States has any more in common with the conference I have just described than the theme—"How Business Leadership Can Bring About Desired Changes."

However, I do believe the events of that tumultuous gathering are relevant to this morning's theme—or rather, that they are illustrative of some problems we as businessmen must face and overcome if we are to exercise the kind of leadership that will have any real impact on the changes our society is undergoing.

As I see it, there were two messages that emanated from that unfortunate visit to Washington by the nation's businessmen. About the first—dealing with the chaotic discord that pervaded the conference—I will have more to say later. At the moment, I should like to address myself to the substantive message that emerged from the meetings. And I am speaking now of the indiscriminate and unflinching opposition of that group of businessmen to the federal government as an institution, to the spending programs of the federal government, and to any tendency of the federal government to undertake social reform.

While this position has not often been expressed by a group of businessmen in such chaotic fashion, the message is one we have heard many times from business leaders in calmer surroundings and in more rational language. The founding of this Chamber of Commerce in 1912 was proclaimed with the hope that "it can and will be a strong factor in . . . checking the socialistic tendencies of the times."[2] One of the pioneers of the auto industry was fond of saying that "as long as we look to legislation to cure poverty or to abolish special privilege, we are going to see poverty spread and special privilege grow."[3] And at least one businessman's reaction to the depression was that it was caused by "individual weakness" and that the only thing government could legitimately do about it was to concern itself with the "overshadowing problem of . . . crime" and nothing else.[4]

Now it has been some time since we have heard a responsible business leader seriously advocate the repeal of social security or the abolition of the income tax. And today's generation of businessmen cannot justifiably be identified with the public pronouncements of an earlier era. One would have to be wearing blinders to deny that dramatic changes *have* taken place in the relations between business and government and in the attitudes of many, perhaps even most, businessmen toward the legitimate scope of government. Far more typical of the modern business executive's approach to government is the question posed recently by the president of one of the nation's leading industrial enterprises when he asked: "How can I contribute to a business-government relationship that will yield the greatest possible benefits to all elements of our society, with particular concern for those whose welfare is affected directly by my decisions?"[5]

There are, of course, reasons for this change in attitude. For one thing, government has finally begun to apply management techniques, learned from business, to its own complex affairs. A recent issue of *Fortune* magazine has described the process whereby "tens of thousands of professional and managerial types, in and out of government service, are shaping and executing Great Society programs."[6] The Defense Department's successful effort to apply recognized business techniques to procurement, inventory controls, standardization and similar problems has met with general approval. This kind of cooperation has inevitably reduced tensions and encouraged a rapprochement between government and business.

Also contributing to a more enlightened attitude about government has been an increasing realization by modern businessmen that their own best interests require them to be concerned about the social welfare of their employees, their customers, and the public at large. It was not an altruistic, but a pragmatic, business leader who said: "The time is past when management can close its eyes to the kind of world we live in and blithely buy and sell, hire and fire, expand or contract, and then expect government to maintain full employment, public welfare and political harmony."[7]

Perhaps more significantly, the profit motive itself has been a powerful instrument in combating irrational negativism towards government—because, just as businessmen realize that their own progress depends upon the general prosperity, they also realize that government policies affect, and may indeed contribute, to that prosperity. As one business leader put it recently: We are accepting "the reality that government is a decision-making partner today," and are seeing the need "for influencing the kind of decisions this partner is making."[8]

I for one, am encouraged by this kind of enlightened self-interest. Unfortunately, however, when it comes to the institutional voices which purport to speak for the business community on public issues, these enlightened businessmen appear to represent an inconsequential minority. What *appears* to be the collective voice of business still views the demands of the people for social services as "the irresponsible clamor of the mob for bread and circuses" and government acquiescence in these demands as "steps toward inevitable socialism and slavery."

I say this antiquated position *appears* to represent the thinking of businessmen because I am not convinced that the appearance accurately mirrors the reality. Be that as it may, the fact remains that the public voice of business today is hardly distinguishable from the one that resonated twenty-five, or fifty, or one hundred years ago. Only last month one of our more distinguished business publications warned anew of "the bigger and more pervasive . . . Government handouts" that people are willing to accept with loss of "individual dignity" because "they have been conditioned to socialism for some 35 years."

Another of our collective voices recently counseled that "what should be done, of course," is to dismantle "the whole wasteful apparatus of Socialism known as the Great Society." And yet another keeper of the business conscience noted ominously that "even the socialist ideal, 'to each according to his need,'" has been replaced by a "new political philosophy: 'To each according to his greed.'"

These are harsh words, radiating more heat than light, and not reflecting, I am afraid, the point of view of most businessmen toward many of the concrete problems for which our society must find solutions. However guilty the federal government may sometimes be of believing that the sheer massiveness of federal expenditures and progress are the same things, it is neither enlightening nor productive of reform merely to condemn wasteful programs as "socialistic" and urge that the whole government establishment be bulldozed into the Potomac River. The inevitable result of this simplistic approach to complex problems is to undermine the credibility of the entire business community as a responsible critic of government programs. People are so accustomed to hearing the voices of business viewing every new spending program as a fatal step toward impending national bankruptcy that they simply do not believe it when someone tells them that we are genuinely concerned about "How Business Leadership Can Bring About Desired Changes"—even though it is true. Our valid criticisms of particular programs lose their sting because of our indiscriminate attacks upon all programs without regard to relative merit.

If the tenor of my remarks leaves the impression that I too would characterize businessmen as reactionaries, let me hasten to set the record straight. So far as I am concerned, nothing could be further from the truth. Quite the opposite, I look upon today's successful businessmen as among the most *radical* groups in our society. The city of Washington has acted as host for a good many meetings of what might be called radical organizations, but I strongly suspect that it has seldom seen so many genuine radicals assembled in the same hall as in this group of business leaders that I have the privilege of addressing today.

I have the impression that businessmen generally do not like to call themselves radicals. But the occasional one who does must know what I mean when I use the term. A candy manufacturer, applying the phrase to himself, once explained that "a radical is a man who intellectually goes to the bottom of all problems."[9]

Typically, the successful businessman prides himself in his ability to meet a payroll and to keep a pace ahead of the competition.

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[1] These accounts of the conference proceedings are taken from John N. Bunzel, *The American Small Businessman* (New York: Alfred A. Knopf; 1962), pp. 1–8.

[2] Bunzel, *op. cit.*, p. 62.

[3] Francis X. Sutton, *The American Business Creed* (Cambridge, Mass.: Harvard University Press, 1956), p. 195.

[4] Bunzel, *op. cit.*, p. 134.

[5] John D. Harper, "Full Throttle For Change," an address before the Traffic Club of Pittsburgh, January 27, 1966.

[6] Max Ways, "Creative Federalism and the Great Society," *Fortune* (January, 1966), p. 123.

[7] W. A. Patterson, "Growing Dimensions of Management," as quoted in Bunzel, *op. cit.*, p. 137.

[8] "A Declaration of Interdependence," *Fortune*, March, 1966, p. 103.

[9] Edward Wimmer, *Now Or Never, Mr. Independent Banker* (Burlingam, Calif.: National Federation of Independent Business), p. 10.

And when the crises arise, he is willing to meet the challenge through *radical innovation*. He cares not one whit that the solution to his problem may bring tradition in his business or industry crashing down in a shambles. While he does not rush to the conclusion that his difficulty requires that great sums of money be spent, neither does he instinctively cry out that the only answer is to reduce expenditures. If, after a careful analysis of the situation, he concludes that he must invest the future of his business in improvements, he is not afraid to take the risk of going into debt. Wherever possible, to be sure, he will economize and cut expenses, but he will know specifically where waste can be eliminated. He will not merely view with alarm the ever-increasing total of his business' expenditures. He will look at the totality, see what he is getting for his money, and rely on the discipline of the "bottom line."

This man is a true radical. He is praised by his fellows because "unorthodoxy is [his] way of life, be it in the breaking of old rules or the making of new ones."[10] He is extolled by the management consultants because he is an "intuitive manager. . . . He is an activist, equipped to move fast, to question business situations incisively and to find unique solutions to difficult problems."[11]

This professional problem-solver often speaks with a different voice, however, when a public issue or the nation's purse-strings are in question. He is heard to speak unsophisticated cliches—or they are spoken in his behalf—when he is discussing the nation's fiscal problems rather than the financial affairs of his own business. He delights in admonishing his audience that if he were to run his own business the way government conducts its affairs he would soon be in the throes of bankruptcy.

I do not propose to dwell upon the reasons why the same fiscal strictures that apply to an individual enterprise may not be applicable to the federal government. But if there is an analogy to be made between government and business, I believe it would be more accurate to say that if we were to run our businesses the way we would have government conduct its financial affairs, we would most surely be bankrupt. Some of us condemn the increasing national debt without ever considering its relationship to the gross national product; if we viewed our corporate debt without examining other items on our balance sheets, we could easily be as afraid to invest in our businesses as we seem to be about government investments in the future of America. We would never see our profits increase if we feared that the improved products and services we provide for our customers robbed them of individual initiative the way some of us seem to think government services affect them.

What I am suggesting is not that we suddenly become profligate and support all government spending programs with the same vigor that we are accustomed to opposing them. But I do advocate that we cease to view every new proposal for dealing with education, or urban renewal, or water pollution, or whatever else, as an *ideological issue*. They are *problems* of an increasing urban society which must be solved by someone; and they should be dealt with as we deal with problems in our own businesses every day. A particular solution which is advanced may be productive or wasteful; efficient or disruptive; realistic or naive. It should be scrutinized for cost-effectiveness and subjected to constant review in its execution. But a hard *problem* does not go away simply because we are able to show that a suggested course of action is too expensive or impractical. Our business experience teaches us that in such cases we must find a more realistic alternative. And it is precisely this hard analytical approach we should take to the problems of society which government faces instead of indiscriminately viewing with alarm or suggesting that the Federal Government do nothing.

All of which brings me back to that rather chaotic Washington meeting of businessmen some thirty years ago. If there is a lesson to be learned from that gathering's simplistic opposition to the complicated matter of Government, I would say there is a much greater lesson in the *manner* in which those businessmen voiced their criticism. Just as the useful suggestions of those men were drowned out in their confusion and vehemence, our business-tested proposals for economy in government are often unheard or ignored because they do not survive the chorus of negativism that we seem to preach.

When I suggested earlier that the credibility of the business leader's commitment to bringing about desired changes is in doubt, I did not mean that a commitment to economy is inherently incredible. The problem is that we advocate *parsimony* in the guise of *economy*.

Edmund Burke wrote in 1796 that "Economy is a distributive virtue, and consists not in saving but in selection. Parsimony requires no providence, no sagacity, no powers of combination, no comparison, no judgment."[12] If we as businessmen were more selective in the economy we advocate, if we supported useful programs at the same time we oppose wasteful ones, I believe our message would stand much greater chance of acceptance. If we are distressed that government does not seem concerned enough about the cost-effectiveness of particular concrete programs, perhaps we must share some of the burden of responsibility for failing to make a sufficiently pursuasive case.

I have never believed that political bodies are inherently unreasonable. I am convinced that if our arguments are rational, if we are discriminating in what we oppose and propose, and if we admit that there are problems that must be solved by government, we will get a much fairer hearing in the legislative halls and wherever we seek support for economy in government.

Take our approach to education, as an example. If we made clear that we believe in this day and age that educating our children is a legitimate national concern, and if we supported or suggested sound federal programs having this objective, we would surely be received with less suspicion when we argue, for instance, that the program for federal aid to impacted areas is wasteful. We would sound more convincing when we point out that the present formula for allocating school aid funds on the basis of the number of children of federal employees results in some of the wealthiest school districts in the country receiving the largest subsidies.

Or, to take another example, we might recognize that the health of Americans sometimes requires federal programs, and we might even support those which effectively and efficiently contribute to this cause. If we did so, we might be thought objective enough to persuade the Congress that the 1795 provision for federal hospitals at seaports to treat the exotic diseases of returning merchant seamen is finally outdated. We might get a fair hearing when we argue that this program makes little economic sense as it is used today to provide free hospital care for the crews of every ferry boat, garbage scow, shrimp boat, and other U.S. vessel plying the inland waters or oceans.[13]

All I am suggesting really is that we *preach* about government spending what we *practice* in our own businesses—that we apply the problem-solver's analytical tools to economy in government. If we will do this, I have no doubt that we will be able to demonstrate "How Business Leadership Can Bring About Desired Changes."

The January issue of *Nation's Business*, this organization's national publication, urged that in the matter of federal subsidies, "We need to make intelligent choices" between the ones we will accept and the ones we will reject. We were told that if we don't, "we may find, as Ben Franklin warned, that we've paid very dear for our whistle."[14] I would only add that if we don't employ the same good sense in making these choices that we do in making our business decisions, we may find that we've paid very much more dearly for our whistle than even Ben Franklin could have imagined.

PRIVATE AND PUBLIC PENSION PLANS

Mr. DOUGLAS. Mr. President, I ask unanimous consent to insert in the RECORD an article entitled "Probing Pension Plans" by Robert Cahn which appeared in the Friday, May 13, 1966, edition of the Christian Science Monitor. This article reflects the splendid and dedicated efforts of my good friend Congresswoman MARTHA GRIFFITHS in probing an area not often written of in the news, but one which deserves the care and concern of us all.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PROBING PENSION PLANS

(By Robert Cahn)

Washington is so dominated by men making the news, that one sometime forgets there isn't a job in town that a woman couldn't perform just as well if given the opportunity.

What brought this admittedly unprovable observation to mind was the experience of watching one woman member of Congress conducting a congressional hearing the other day.

Most of Washington's attention (and that of the nation through live TV) was being centered on the Senate Foreign Relations Committee hearing room where Secretary of State Dean Rusk was trying to defend the administration's Vietnam policy. But at the exact same hour, in a small room at the Capitol, Congresswoman MARTHA W. GRIFFITHS (D) of Michigan was gaveling to order a congressional joint economic subcommittee hearing on private and public pension plans.

From her post behind the outer curve of a U-shaped raised conference table, Mrs. GRIFFITHS faced the chief witness, Secretary of Labor W. Willard Wirtz, and several of his aides.

The places alongside Mrs. GRIFFITHS at the committee table were vacant. It wasn't that the four senators and two other representatives on the subcommittee weren't interested.

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[10] "Management's Rule-Breakers: The Ways of the Winners," *Dun's Review*, January, 1966, p. 34.

[11] John T. Kimball, "Age of the Intuitive Manager," *Dun's Review*, January. 1966, p. 42.

[12] Edmund Burke, *Letter to a Noble Lord* (1796).

[13] Kermit Gordon, "Research Opportunities in Applying Rational Calculation to Federal Expenditures," a paper presented at the Graduate School of Industrial Administration, Carnegie Institute of Technology, October 2, 1965.

[14] "The Piper's Tune," an editorial in *Nation's Business*, January, 1966, p. 98.

Sen. Paul Douglas (D) of Illinois, for instance, once wrote a book on pensions. At the moment, though, he and the other subcommittee members were attending to matters they considered of greater priority.

Later they would take part in subcommittee discussion and the filing of a report. These hearings, which had started with union and company leaders, and were now branching out to hear public officials, were the special province of Martha Griffiths.

Her experience as a six-term member of Congress, a former lawyer, Detroit judge and Michigan legislator, had not automatically made Mrs. Griffiths an expert on pensions. But a couple of years ago when she brought up pension plans for discussion other members of the Joint Economic Committee agreed there was great need for a congressional study. And as so often happens in committee work—even in Congress—the job was turned over to the one who brought up the subject.

Wearing a knit dress with softly rounded collar, Representative Griffiths looked disarmingly feminine and charming. But the lady was very much in charge. The 70-minute session to hear Secretary Wirtz went zippety-zap, with no lost motion or time wasted in raising useless questions or talking endlessly about a minor point.

From the opening moments, it was obvious Mrs. Griffiths had put in many hours of "homework." She started the hearing by reading from letters she had received, showing inequities and unfairness in private pension plans. One worker had signed up for a pension, expecting to receive $200 a month. When his retirement time came, he received only $135. And he had no recourse. "We get one letter after another like that from people who haven't received what they had expected," Mrs. Griffiths said. She listed other complaints.

Secretary Wirtz, in his prepared testimony, indicated the problems were vast and complicated. Millions now covered by private pension plans probably would never be able to draw benefits. Most of the present systems hampered labor mobility, because most employees can't take their built-up pension credits with them if they change jobs.

Under Mrs. Griffiths' questioning, Secretary Wirtz admitted there wasn't much he could do about the situation. He had headed a presidential study committee which had made a report last year (and on which no action had been taken). There was no present formal administration position on any of the problems. He said more basic information on results of pension plans was needed. Various projects were underway to get this data.

One after another, the problems were brought to the surface as Mrs. Griffiths deftly questioned Secretary Wirtz. She probed even such a basic question as "should pension plans encourage early retirement?" And the Secretary, in his answer, opened up a whole new nest of problems by saying that early retirement was not as important as finding useful ways to spend later years of one's life.

Her questions answered, Congresswoman Griffiths folded her letters into her purse and prepared to adjourn the meeting. But not without a final word. The exchanges had been amiable—perhaps deceptively so. She wanted the record to show again that she felt citizens were not being treated fairly. And something had to be done about it.

"If you are not indignant about this, I am," she said to Secretary Wirtz. "I'm furious that these people are paying into these pension plans and getting nothing for it."

Her indignation properly expressed, she closed the hearing and went forward to thank Secretary Wirtz personally.

The hearings will continue at least through May 20. And no one in Congress thinks Martha Griffiths will give up then.

ALASKA VINDICATED

Mr. BARTLETT. Mr. President, on May 24, Alaska was vindicated. On that day the U.S. District Court for the District of Columbia ruled that the Alaskan requirements for voting have never been used to deny to anyone the right to vote by reason of race or color.

This declaratory judgment by the court brings to an end the Federal suspension of that section of the Alaskan constitution dealing with voters' qualifications. The section provides that to be eligible to vote an Alaskan must be able to read or speak English.

Under the terms of the Voting Rights Act of 1965, all such tests were suspended in any State or county in which less than half the voting age population actually voted in the 1964 election. At the time of the election the Bureau of the Census had estimated there were 138,000 persons of voting age in Alaska. Of these, 30,000 were members of the Armed Forces. Many of these men have their families living with them in Alaska, although there are no precise figures on the number of military dependents. The military are welcomed to vote in Alaska. A large percentage, however, prefer to vote in their own home State. Including in the calculations the military residents of the State, only 48.7 percent of Alaskans voted in 1964. If the military residents are not included in the calculations, 62.3 percent of Alaskans voted.

Because the act requires that the military be included in the calculations of the overall population figures Alaska technically came within the terms of the Voting Rights Act because less than 50 percent of its residents had voted.

I have worked closely with State officials in the Department of Justice on this matter. It was clear to all concerned that there had been no discrimination in Alaska and that no discrimination of any sort was intended by the voting qualifications set in the Alaska constitution. It was necessary, however, to seek a declaratory judgment from the court in order to insure beyond doubt the legality of this clause of the Alaka constitution.

The court ruling on May 24, represents agreement between the State of Alaska and the United States of America on this point and the court has accordingly stated:

> It is ordered, and adjudged and decreed that during the five years preceding the filing of this action no such test or device has been used in or by the State of Alaska for the purpose or with the effect of denying or abridging the right to vote on account of race or color.

This is good news to all Alaskans of all races and of all colors.

I ask unanimous consent that the court ruling, an article on the ruling from the Washington Post of May 25, and copy of a letter written by me and my colleague [Mr. Gruening] to the Attorney General may be made a part of the Record at this point.

There being no objection, the material was ordered to be printed in the Record, as follows:

[In the United States District Court for the District of Columbia—Civil Action No. 101-66]

State of Alaska, Plaintiff, *v.* United States of America, Defendant

STIPULATION

It is hereby stipulated and agreed between the parties that the Court may enter the Declaratory judgment attached hereto.

William D. Rogers,
Attorney for Plaintiff,
State of Alaska.
Stephen J. Pollock,
Attorney for Defendant,
United States of America.

[In the United States District Court for the District of Columbia—Civil Action No. 101-66]

State of Alaska, Plaintiff, *v.* United States of America, Defendant

CONSENT DECLARATORY JUDGMENT

This matter coming on for determination before the undersigned upon the application of the plaintiff for a declaratory judgment under Section 4(a) of the Voting Rights Act of 1965, Public Law 89-110, 79 Stat. 437, and the Attorney General of the United States having determined that he has no reason to believe that any test or device, as defined in Section 4(c) of said Act, has been used during the five years preceding the filing of this action in or by the State of Alaska for the purpose or with the effect of denying or abridging the right to vote on account of race or color, and the parties having stipulated their agreement to the entry of this judgment, now therefore

It is ordered, adjudged and decreed that during the five years preceding the filing of this action no such test or device has been used in or by the State of Alaska for the purpose or with the effect of denying or abridging the right to vote on account of race or color.

This court shall retain jurisdiction of this action for five years after the date of this judgment and shall reopen the action should there be made during that period of time a motion by the Attorney General alleging that a test or device has been used in or by the State of Alaska for the purpose or with the effect of denying or abridging the right to vote on account of race or color.

Done in open court this ——— day of May, 1966.

——— ———,
Judge.
——— ———,
Judge.
——— ———,
Judge.

[From the Washington (D.C.) Post, May 25, 1966]

Alaska Ruled Free of Voting Restrictions

Alaska yesterday became the first state to be exempted from the provisions of the 1965 Voting Rights Act. The Justice Department agreed to a consent judgment saying for the last five years Alaska's literacy test has never been used to deny the right to vote on the basis of race or color.

The agreement, filed in U.S. District Court, will end the suspension of the state's literacy test. Under the 1965 law, all such tests and devices were suspended in states and counties where less than half the voting age population took part in the 1964 general election. Literacy requirements were banned in Alaska, Alabama, Mississippi, Georgia, Louisiana, South Carolina, Virginia, 40 counties in North Carolina, 4 in Arizona and 1 each in Idaho and Hawaii.

August 10, 1965.

Hon. Nicholas deB. Katzenbach,
Attorney General of the United States,
Department of Justice,
Washington, D.C.

Dear Mr. Attorney General: We have received a copy of your recent letter to Secretary of State Hugh J. Wade informing him of the effect of the Voting Rights Act of 1965 on the State of Alaska. In it you state that "the decision to appoint examiners will be made where it is clear that past denials of the right to vote justify it or where present compliance with federal law, including the Voting Rights Act, is insufficient to assure prompt registration of all eligible citizens."

Although firm supporters of the Voting Rights Act from the time of its introduction, we have always regarded Alaska as a somewhat special case. The state's Eskimo and Indian citizens have never been restricted to reservations nor have they been discouraged from participation in its political or social life. In every Alaska community native citizens live and work side by side with more recent caucasian "immigrants" and the relatively few caucasians who have been born in Alaska.

At the Alaska Constitutional Convention in 1956 particular care was taken to assure the native peoples of Alaska every opportunity to exercise the franchise. Rather than adopting language similar to that prevalent in most other states requiring an ability to read or write English, Alaskans chose language requiring only the ability to "read or speak" English. As almost every Eskimo and Indian in Alaska can speak some English, hardly anyone, white or non-white, is prohibited from voting in any national or local election.

There is no pre-registration of voters in Alaska. Special Assistant to Governor William A. Egan, Gerald W. Bowkett, was quoted in a news story appearing in the New York Times August 9, 1965 as saying that the use of the literacy test at Alaska polling places has been limited to rare instances when an election judge was doubtful about a person's grasp of English. In such cases, the applicant could qualify to vote by "briefly conversing with the election judge by the use of simple English words".

The determination by the Director of the Bureau of the Census which you cite in your letter includes Alaska not because there is discrimination against non-white Alaskans of voting age, but because the rather substantial number of military personnel and their dependents temporarily resident in the state have been included in his count of "persons of voting age residing therein who voted in the presidential election of November 1964." Despite every opportunity to do so, most of these persons vote not in Alaska but in their own states by absentee ballot—or not at all. Statistics compiled by the Secretary of State for Alaska covering the election of 1964 show that but 554 persons voted at the polling places established on the three principal military bases around the state. Yet some 32,000 military personnel and dependents were included in the Bureau of Census determination under the Voting Rights Act. With these 32,000 persons excluded, over 60 per cent of the state's voting age population voted in last November's election.

To our knowledge and that of responsible officials of the State of Alaska, no use has ever been made of the Alaska literacy test to discourage or prevent non-white Alaskans from voting. Contrary to what statistics may show, there is no basis in the facts, as they are apparent to all who are familiar with Alaska, for the appointment of voting registrars in our state.

As your letter and other announcements issuing from the Department of Justice since the introduction of the Voting Rights legislation earlier this year have caused considerable concern in Alaska we would appreciate a statement from you setting out precisely what the Department of Justice intends to do in applying the Voting Rights Act of 1965 to Alaska.

With best wishes, we are,
Sincerely yours,
E. L. Bartlett.
Ernest Gruening.

TRIBUTE TO WALTER SHOUP SMITH

Mr. JORDAN of Idaho. Mr. President, in a career spanning more than a quarter century of government service, Walter Shoup Smith has earned a reputation as an expert in veterans' affairs and has won a place of special affection in the hearts of the many on Capitol Hill, in the agencies, and in the military with whom he has come in contact. His work is testimony to a fine ability, but perhaps more importantly it has been the expression of a personality which values compassion and humanity above all else.

The son of late Idaho Congressman Addison T. Smith, Smitty like his father, has served Idaho and the Nation with distinction. I was fortunate to obtain his services as a member of my staff when I first arrived in the Senate. Now he has retired. But his long years of devotion to the cause of Idaho's servicemen has left an imprint of respect and gratitude on the minds of countless veterans. Sandor Klein, long a Washington correspondent and now managing editor of the Idaho Statesman, has written a deserved tribute to Smitty and I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Reporter's Notebook

(By Sander S. Klein)

"Smitty," one of Idaho's unsung heroes in the never-ending battle on the Potomac, has finally retired. Although his retirement as a member of the staff of U.S. Sen. Len B. Jordan was observed in Washington, where a farewell party was held in his honor in the caucus room of the Senate Office Building, the occasion was not noted in Idaho because "Smitty" didn't care about publicity.

Walter Shoup Smith, son of the late Congressman Addison T. Smith, was born before the turn of the century in a house now the site of the new Senate Office Building. His father, at the time, was secretary to the late Sen. George L. Shoup of Idaho. But "Smitty," as he has been known just about all his life, developed a love for Idaho that remained unshakable throughout the years. He attended Twin Falls High School, graduating with the class of 1917. After a brief period at Iowa State College and then service in the Army, he majored in animal husbandry at the University of Idaho, where he met and married the former Mable M. Sweeney of St. Maries. "Smitty" farmed for a time and engaged in business in the Twin Falls area and then went back to Washington where he worked for the gas company.

Then, during World War II, Smitty moved into a calling which became, in a sense, his life's work—service to America's veterans. He joined the Veterans Administration as a rating specialist on the rating board at the regional office in Kentucky. He became chairman of that board, serving in that capacity for three and a half years.

In 1949 he went to work for Sen. Henry Dworshak of Idaho as a staff member specializing in veterans affairs, armed service matters, service academy appointments, State Department affairs and in many other capacities.

Though he was serving the senator, he also was serving Idaho. Time after time, "Smitty" appeared before the Board of Veterans Appeals in behalf of former Idaho servicemen and successfully argued their cases. Neither "Smitty" nor Sen. Dworshak and Sen. Jordan, for whom he served in the same capacity later, had any use for draft dodgers. But where he felt there was a real and compassionate reason for separating men from the services or for emergency furloughs, he intervened in their behalf with the military authorities. These cases involved situations where the head of the family died or was seriously injured and the only person who could keep the family together was a son in the service.

Early in June 1962, "Smitty" advised Sen. Dworshak that having reached the eligible age he wished to take retirement. The senator assented and agreed that he would leave July 23, 1962. That night Sen. Dworshak died of a heart attack and after the funeral "Smitty" and his wife went to Priest Lake for a vacation. While there, he received a telephone call advising that Sen. Jordan, who had been appointed to fill Sen. Dworshaks seat, would like him to remain on the staff because of his specialities. "Smitty" went back to Washington and resumed his duties, which he performed until his recent second retirement after 28 years of government service.

While he was on his father's staff in 1924, "Smitty" organized the Idaho State Society of Washington, D.C., serving as president twice during his 42 years' membership. During his employment with the gas company there, he organized Washington Gas Light Company Post 44 of the American Legion, of which he is a life member.

During the time Smith lived in Washington, he personally met nine presidents, starting with Theodore Roosevelt in 1905 right through to President Lyndon B. Johnson.

Though, of necessity, he has lived in Washington for a good many years, "Smitty" still votes in Twin Falls at the same precinct he cast his first vote in 1918.

At his farewell party, "Smitty" was presented with the desk his father had occupied for 20 years as a member of the House of Representatives. Speaker of the House McCormack had authorized the Clerk of the House to sell the desk to "Smitty's" friends.

"Smitty" is coming back to Idaho this summer to travel through the state he loves.

So if anyone spots a thin, bespectacled man looking admiringly at a lava outcropping along a highway, the chances are he might be "Smitty." He deserves a welcoming handshake.

POLLUTION'S NEMESIS

Mr. KENNEDY of New York. Mr. President, for some years one man—more than any other—has been identifiable in New York City as the leading fighter against air pollution. That man is Councilman Robert Low.

When the city council recently passed what many experts have characterized as the strictest air pollution control ordinance yet enacted in the country, the New York Times recognized Bob Low's major role in this achievement by publishing a profile on him entitled "Pollution's Nemesis." This was recognition well deserved, for Bob Low, more than any other single person, is responsible for enactment of this new legislation.

Mr. President, New York City is fortunate in having councilmen who are as intelligent and as dedicated as Robert

Low. So that we in the Senate might recognize his contribution, I ask unanimous consent that the New York Times profile be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, May 21, 1966]

POLLUTION'S NEMESIS: ROBERT ALLEN LOW

As befits his role as an American husband, Robert Allen Low is frequently assigned the job of taking out the garbage. Most men merely wedge the sack into the incinerator door, listen for a moment as the glass shatters on the way down, and then forget about it. But to Mr. Low, what happens to the garbage from that point on is a matter of such concern that he has spent the better part of the last 15 months worrying about it.

Beyond just worrying, Mr. Low, in his capacity as a City Councilman, has been able to do something about the effect incinerators have on the city's air. Largely as a result of his personal perseverance, Mayor Lindsay was able to sign yesterday what is generally regarded as the toughest air-pollution control bill in the country.

"Bob deserves the credit for this bill," Councilman Edward L. Sadowsky said yesterday. "I was on the committee and I'm one of the bill's sponsors, but he is the one who put it across. He's lived with this subject for 15 months."

Mr. Sadowsky's sentiments are shared by most of the other Councilmen, who, even if they are not fans of Mr. Low personally, generally respect him as a legislator who works hard and does his homework.

"HE'S TOO ABRASIVE"

"Bob is a good Councilman, but a bad persuader," one of his colleagues said yesterday.

"He's too abrasive, too much inclined to lecture people. The longer he speaks in favor of a bill on the floor, the more Councilmen line up against it."

The air-pollution bill was a notable exception to this rule. Mr. Low spoke long and frequently on its behalf and when it was passed by the Council on May 3, the vote was unanimous.

Mr. Low's interest in air pollution, instilled by a lifetime of sooty windowsills in New York, was brought to the surface by an article that appeared in The New Yorker two years ago this month.

The article quoted a Columbia University professor, the late Morris Jacobs, on some specific steps that could be taken to control the growing menace of pollution in the city.

"It struck me as exactly the sort of thing that the City Council could and should do," Mr. Low recalled yesterday.

GENESIS OF LEGISLATION

"I got in touch with Mr. Jacobs, we had lunch a few times and finally drafted a piece of legislation based on his suggestions."

The battle to get the bill passed was a long and often noisy one, but Mr. Low is quick to credit the Councilmen who shared the committee work with him.

"They withstood terrific pressures for a long period of time," he said. "They were under every kind of pressure from the industries—particularly the incinerator manufacturers—but they didn't crumble. The bill they reported out is a good one."

During the 15 months he worked on the bill, Mr. Low's preoccupation with air pollution was almost total. This, according to his friends, is typical of his approach to things.

"Everything is a crusade with Bob," one of his Council colleagues said yesterday. "When he gets interested in something, he becomes completely absorbed in it."

Born in Scarsdale on June 6, 1919, Mr. Low was the second son of Clarence Low, a successful businessman and ardent New Dealer who served as treasurer of the New York State Democratic Committee for seven years.

By the time Robert was four, his family had moved to an apartment at Park Avenue at 80th Street. They lived there while he attended Collegiate School and went on to prep at Choate, where he was two years behind President Kennedy.

At Choate he captained the tennis team and won the National Interscholastic singles and doubles titles in 1936. Mr. Low went on to Stanford University where he was Phi Beta Kappa, the tennis captain and a columnist on the university daily.

The war years were spent as a gunnery officer on a series of destroyers in the Pacific. Discharged in 1945 as a lieutenant commander (one of the youngest in the Navy), Mr. Low returned to New York and went to work as advertising manager for The Saturday Review.

His inherited interest in politics drew him into several local campaigns and in 1950 he went to Washington as legislative assistant to the late Senator Herbert L. Lehman.

It was a year later, when he was attending George Washington University law school at night and working as a Congressional liaison officer for the State Department during the day, that Mr. Low met his wife, the former Frances Levison, who was covering Capitol Hill for Time magazine.

Back in New York as a lawyer, he became one of the founding partners of Migdal, Low, Tenney and Glass, a general law firm with offices at 598 Madison Avenue.

Mr. Low served two years as an assistant to Mayor Robert F. Wagner before he was elected to the Council in 1961. In his own words, his Council duties absorb "80 per cent of my time, day and night."

What little leisure time is left to the Lows is spent relaxing with their two sons, Allen, 11, and Roger, 8, in their duplex apartment in the rear of a brownstone on East 84th Street.

A TRIBUTE TO THE VISTA VOLUNTEERS IN ALASKA

Mr. GRUENING. Mr. President, it is often difficult, if not impossible, to express the achievements of a social-welfare program such as Volunteers in Service to America in quantitative terms. We can cite the numbers of the VISTA volunteers on the field, the number of poverty stricken enrolled in VISTA activities, and the costs of the program in dollars—but this tells us little of what is actually being achieved by these unselfish young Americans who are donating their time and effort to the underprivileged, poverty-stricken Americans who have been denied an opportunity to advance their standard of living.

I can think of no group of Americans who have been more deprived of an opportunity to enter the mainstream of American life than the Indians, Eskimos, and Aleuts of Alaska. These fine people, who make up one-fifth of Alaska's population, are in many instances almost solely dependent upon hunting and fishing for their livelihood in a land where the elements make subsistence living an extremely difficult and full-time task.

Last year, the first group of VISTA volunteers arrived in Alaska. These responsible men and women, who believe in sharing their attributes with the less fortunate, have chosen for themselves the most difficult of tasks in making the dream of the Great Society a reality in Alaska. Most of the VISTA volunteers in Alaska have been assigned to the remote and isolated villages which dot our sparsely settled State. They will spend their year of service in VISTA with relatively little physical contact with the outside world. They will experience loneliness, hardship, and the deprivation of the comforts of this affluent American way of life. What will be their reward? Surely not the $50 a month they receive for their services. Their rewards will lie in what they achieve for our poor, and considerable progress has been achieved. Sixty-four volunteers in more than 20 villages are working with over 300 children in preschool activities with emphasis on instruction in learning English. They are tutoring 114 children and have enrolled 329 adults in adult education classes and have established 10 new libraries. These figures are impressive, but they do not begin to show the real accomplishments of the VISTA activities.

Dr. J. Kenneth Fleshman, a pediatrician for the Public Health Service expresses well the immeasurable value of the VISTA program in Alaska when he writes:

> I recently returned from a visit to Hooper Bay during which I examined all the infants and pre-school children. On this visit I observed the preschool program being conducted by the VISTA workers and would like to submit my observations and thoughts about this program. As a pediatrician I am interested in more than the physical health of the child but in his emotional health and social development also including his education.
>
> One of the greatest handicaps presently facing the Alaska native in acculturation is his inability to communicate effectively with the non-native. In the present operation of most of the village schools the child does not enter until he is 6 years of age. He frequently enters speaking no English and from a culturally poor home. Since the basic language formulation takes place in the first 4 years the children presently entering school too often are severely handicapped in language, meet great frustration in school, and accomplish very little considering the many years some of them spend in the primary grades and the great effort put out by their teachers.
>
> In Hooper Bay the 4- and 5-year-olds were attending the preschool program and learning English and learning to communicate while they were still in the formative years for expressive language development. This was strikingly apparent when these children were examined and compared to their shy, non-communicative, older siblings. These younger children spoke with some assurance and showed a real curiosity in their surroundings. This program is being conducted by volunteers with very few material resources. I believe that it is so important and based on such sound principles of early childhood education that I hope it will be continued and expanded into a formal part of the education program.

Mr. President, I would like to take this opportunity to let the VISTA volunteers know that I, as well as the people they are serving, are deeply appreciative of their efforts and wish them even more successes.

USE OF NUCLEAR-PROPELLED VESSELS BY FOREIGN COUNTRIES

Mr. MAGNUSON. Mr. President, proliferation of atomic weapons is one of the major international problems facing the world today. The indications are that more and more nations will soon be joining the once-exclusive club whose members possess operational and deliverable weapons. The three recent explosions in Communist China are a prelude to the future.

The proliferation of peaceful uses of atomic power, however, is not a matter that creates the same apprehension. If the world is not obliterated in the blinding flash of a nuclear blast, it will have to be lighted by electricity produced from controlled reactions, have its goods transported by the energy of controlled reactions, and so forth.

The recent atomic tests in Communist China received a great deal of publicity. Less publicity has been given to Communist China's prospective use of nuclear power for merchant shipping. According to the World Digest section, page 267, of the April issue of the British Journal, Nuclear Engineering, a nuclear-powered coaster of about 20,000-ton size has been under construction at Tien Tsin since April 1964. The source of this is attributed to the French journal, Energie Nucleaire. The vessel is said to be due for completion shortly. It is designed for operation along the Chinese seaboard and will carry 3,400 passengers at a speed of 23½ knots. The powerplant is said to consist of one reactor, two steam generators, and two turbines driving twin screws. The reactor is a pressurized water reactor of 180 thermal megawatts output, with a core of slightly enriched uranium jacketed in zirconium.

Communist China does not stand alone in the use of nuclear power for vessels. In Germany, the world's second nuclear merchant ship, the NS *Otto Hahn*, was launched on June 13, 1964, and has been outfitting since then. The primary system of the *Otto Hahn* is to be completed this fall, to be followed by core loading early in 1967, and sea trials late that year. The reactor was supplied by a U.S. manufacturer.

Japan is considering the construction of a nuclear power oceanographic ship. Britain, Belgium, the Netherland, Norway, and Sweden also have plans or programs in various stages of completion.

In December 1957, the *Lenin* was launched. It is the first Soviet nuclear-powered icebreaker. Since December 1959, she has operated as a part of the fleet.

The use by other countries of atomic power in merchant shipping is broadening, but the United States does not seem to pursue peaceful uses of atomic energy with the same vigor.

In 1962, the U.S. Government built the NS *Savannah* as a prototype vessel. By March 1965, the ship had "opened" 40 ports to nuclear merchant ships, been viewed by 1.5 million people, and traveled the equivalent of nearly four times around the world. Since August 1965, the ship has been in commercial cargo operation, under the banner of First Atomic Ship Transport. It is the world's first atomic-powered merchant vessel.

The NS *Savannah* operations report, August 20, 1965, to March 10, 1966, reports the following:

> During the first four commercial voyages of *Savannah* the vessel traveled 39,383 nautical miles. This is equal to more than 43% of all previous distance traveled since launching, and represents more than 30% of the total cumulative distance traveled through 10 March 1966. At 2400 hours on 10 March 1966, the N.S. *Savannah* had traveled a total of 129,626 nautical miles.
>
> The vessel made 42 different port entries plus numerous shifts of the vessel from berth to berth within the ports. *Savannah* was well received by host governments and port officials in her new role as a merchant vessel. Plans and procedures prepared by the various national and local officials were most effective.
>
> During the period 20 August 1965 to 10 March 1966, a total of 23,255 weight tons of cargo was loaded on the vessel, plus numerous sacks of mail. While the cargo weight did not approach the capability of the vessel, the nature of the cargo generally resulted in a "full ship" and, thus, a high utilization of the vessel's cubic capacity. Cargo revenues were in accordance with those anticipated, and the Corporation remained in a sound financial position.

Despite this record, despite the activity in the rest of the world, despite our advantages in nuclear electric power generating units, despite advances in weaponry, despite the Navy's nuclear fleet, no positive steps have been taken by the Government to begin new nuclear merchant vessel construction.

Some recite the need for a land-based prototype before building more vessels. Our technology is no longer new or untried. Speaking as a nonscientist, I have not been convinced that the Navy and *Savannah* programs have been that unsuccessful. Many scientists hold a similar view.

Some recite the cost difference between conventional and nuclear merchant vessels. This argument that such ships are uneconomical proves both too little and too much. It proves too little because conflicting figures are available that dispute the claims of the pessimists. It proves too much because portions of the merchant marine are already heavily subsidized in various ways. The economy argument should concern itself over whether it is desirable to have what might be called a new opportunity in the existing subsidy program.

I have requested that the Department of Defense, the Atomic Energy Commission, and the Maritime Administration collaborate and prepare recommendations on an atomic merchant fleet. This report is due on or before June 14, 1966. It is my hope and expectation that in this letter, the confused voice of government will become understandable on the subject. Hearings will be scheduled to consider this response and on S. 2949. This bill, introduced by Senator Cotton, and pending before the Committee on Commerce, would authorize aid in developing, constructing, and operating privately owned nuclear-powered merchant ships.

I do not necessarily subscribe to the theory that a nuclear fleet will revitalize our merchant marine. It should be perfectly obvious that no one-shot operation can accomplish this. It should also be equally obvious that part of the revitalization program must include nuclear vessels.

The Nation reacts with shock at the proliferation of atomic weapons. The top decisionmakers in the Government are racking their brains to find even a beginning approach to the problem. On the other hand, the problem of peaceful uses needs only one thing—encouragement.

Now the Chinese Communists seem to have the technology for nuclear merchant vessels. I urge all interested parties to promote this peaceful proliferation. I particularly urge our own leaders to see beyond our weaponry and to encourage these peaceful uses at home. Our indecision does not slow down the rest of the world.

McGOVERN LEADERSHIP ON FARM MEASURES LAUDED

Mr. METCALF. Mr. President, the admiration and respect which colleagues of the junior Senator from South Dakota [Mr. McGovern] have developed for him is now evident beyond the Senate floor.

On Sunday, May 15, the Associated Press' national agricultural writer, Mr. Ovid A. Martin, authored an article devoted to the Senator's effective leadership in the field of agricultural affairs.

The article states:

> Mr. McGovern has risen fast as a spokesman for those who have been insisting that the government carry out what they regard as its promises and commitments to the nation's food and fiber producers. He is serving his fourth year in the Senate and is a member of the Agriculture Committee.
>
> A measure of the degree of McGovern's new leadership is shown by the fact that he was able to get 40 Senate colleagues—Democrats and Republicans—to join him in sponsoring a resolution which would prohibit government action to keep the farmers from getting parity.

Mr. Martin's article is well-deserved recognition.

The Senator from South Dakota has been in the forefront of national agricultural policymaking almost from the day he came to this body from his post as Food for Peace Director and special assistant to President John F. Kennedy.

In his first year in the Senate, he proposed the voluntary wheat certificate plan and successfully managed the wheat title of the bill—now law—which translated that proposal into law. It is a very successful and popular farm program.

Almost a year ago, on June 17, 1965, he proposed an International Food and Nutrition Act which would eliminate the surplus requirement in Public Law 480 and expand our foreign food assistance program. This Congress will undoubtedly enact the food-for-freedom bill now pending in the Agriculture Committee, writing into law the fundamental changes in our food-for-peace effort which he proposed.

Also last year, the McGovern amendment to the Foreign Assistance Act authorized purchase of dairy products for foreign assistance use to assure an adequate supply of this high protein food for the school, milk, and welfare feeding programs we are assisting abroad.

His current defense of fair farm prices, highlighted by his Senate Concurrent Resolution 88, in which I was pleased to join with him and 40 other Senators, is the sort of effective work we have all come to expect from the Senator from South Dakota.

I ask unanimous consent, Mr. President, to have printed in the Record Mr. Ovid Martin's Associated Press article about Senator McGovern as it appeared in the Kansas City Star on Sunday, May 15.

There being no objection, the article was ordered to be printed in the Record, as follows:

McGovern Takes Farm Leadership Role

(By Ovid A. Martin)

Washington (AP).—A quiet-spoken man who looks the part of a professor has become a leading figure among those classed as liberals on American farm policy.

He doesn't hesitate to take on President Johnson, himself no mean battler.

STRONG IN HIS ATTACK

The man is George McGovern, Democratic Senator from South Dakota. In recent weeks, he has attacked what he views as anti-inflation policies unfair to farmers with the combativeness he showed during World War II when he made 35 missions as a B–24 bomber pilot.

McGovern has risen fast as a spokesman for those who have been insisting that the government carry out what they regard as its promises and commitments to the nation's food and fiber producers. He is serving his fourth year in the Senate and is a member of its agriculture committee.

When the Johnson administration took the line several weeks ago that food and farm prices were inflationary in character and were threatening to force the President to propose an income tax increase, McGovern promptly called this a misjudgment of the situation. He insisted that the administration back up.

He was among the first of the farm leaders to argue that farm prices cannot be a threat to economic stability because they are below the parity-price goal of Federal farm-aid legislation—a goal first set up in the new deal days of President Franklin D. Roosevelt.

In fact, when the administration took first action to put a lid on farm prices, the South Dakotan noted that those prices then were at only 82 percent of parity. They since have declined to 80 percent.

HE HELPED FORCE A CHANGE

There can be little doubt that the drumbeat of McGovern's criticism of an administration of his own political faith contributed greatly to a change in tactics in farm prices. In fact, the administration has pulled back from some of the actions which McGovern criticized.

"I strongly resent the current efforts of some administration officials to blame farmers for the inflation caused by the Vietnam war," he told the Senate. "We are not rolling back wages and salaries.

"Instead, a bill is on the way through Congress with administrative backing to increase Government salaries. We are doing nothing about the 3 to 8 percent increase in shoe prices. * * * agriculture has been depressed in relation to the rest of our economy since 1953."

The South Dakotan said the President is allowing his council of economic advisers to determine farm and anti-inflation policies in apparent disregard of Orville L. Freeman, secretary of Agriculture.

"I appreciate the serious inflation problem with which we are confronted," he said. "I applaude the Presidnet's desire to prevent a price spiral. But I deplore the resort once more to the old, handy formula of making the farmers pay the price."

A measure of the degree of McGovern's new leadership is shown by the fact that he was able to get 40 Senate colleagues—Democrats and Republicans—to join him in sponsoring a resolution which would prohibit Government action to keep farmers from getting parity.

JOINED BY LEADERS

Those joining him included Democratic leader Mike Mansfield of Montana and George T. Aiken of Vermont, ranking Republican member of the Senate agriculture committee.

Before winning his Senate seat, McGovern was named food-for-peace director and special assistant to President John F. Kennedy in 1961, a post he held until he ran for the Senate.

He had been elected to the House of Representatives in 1956 and 1958 and earlier was a professor at Dakota Wesleyan University.

As a Senator, McGovern was the first to suggest the present Federal wheat stabilization program.

Of course, not all farm groups or leaders agree with McGovern in his support for Federal farm programs. Naturally, those who want less government in agriculture disagree with him on many matters. These include the influential American Farm Bureau Federation. But he gets strong support from the National Farmers Union and the National Grange and some wheat grower organizations.

TRIBUTE TO GOV. JOHN A. BURNS OF HAWAII

Mr. INOUYE. Mr. President, Hawaii has long been proud of its beautification program which was launched many decades ago by an organization of women known as the Outdoor Circle.

Hawaii seeks to preserve its beautiful natural environment and the State of Hawaii, under the leadership of Gov. John A. Burns, has intensified the efforts along these lines following the announcement of the President's beautification program.

Governor Burns recently received the Gold Seal Award from the National Council of State Garden Clubs in recognition of his work in this field. The award was presented May 11 in the city of New Orleans, La.

I ask unanimous consent to have the Governor's remarks on this occasion printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Address by Gov. John A. Burns, National Council of State Garden Clubs 37th Annual Convention, New Orleans, La., Wednesday, May 11, 1966

It is, indeed, a singular honor to receive the Gold Seal Award from your organization, the National Council of State Garden Clubs. In behalf of the people of Hawaii, each of whom shares very deeply in your concern for the preservation and enhancement of the natural beauty with which our great country is so richly blessed, it is my pleasure and privilege to accept this award.

Since we became a State in 1959, Hawaii has been recognized for many things—for our role as the bridge of understanding between the cultures of the East and the West; for our increasing capacity as the center of Pacific commercial traffic; as a focal point in the rapidly developing business of oceanographic and space research; as the vacation goal of most Americans.

None, perhaps, is as fitting as this recognition of Hawaii's natural assets as the garden spot of the Pacific and of our State's efforts to preserve our natural beauty. We are most grateful to you of the National Council of State Garden Clubs for bestowing this most highly prized honor on the Aloha State.

I am doubly pleased to receive this award here in New Orleans, because Hawaii has very close and very warm relationships with a number of prominent people from this city and from this State.

It may be of interest to you to know that we might still very well be a Territory waiting for statehood had it not been for men such as George Lehleitner of New Orleans and Senator Russell B. Long, Majority whip of the United States Senate.

George championed our cause at a time when most people on the Mainland hardly knew of the Hawaii Islands, except perhaps for Pearl Harbor. He went to a great deal of personal expense to further our Statehood effort, and for this we are forever grateful to this special friend of Hawaii.

Senator Long visited our Islands shortly after the end of World War II and immediately became a convert to our cause. His position was a most important factor in clearing away certain objections to our Statehood, and we look to him as today an honorary citizen of Hawaii.

I would be remiss in not acknowledging also the timely assistance and many courtesies extend to me during my service as Delegate to Congress in the 85th and 86th Congresses by Senator Allen Ellender and by my former colleagues, Congressmen Edward Hébert, Hale Boggs, Edwin Willis, Otto Passman, and James Morrison.

My association with all of these gentlemen has been a most rewarding and enriching one, as have been my previous visits to Louisiana.

I regret very much that Mrs. Burns was unable to attend this award presentation dinner with me, because it would have been more meaningful with her here.

You see, I must confess that I leave the gardening and landscaping responsibilities at the Governor's Mansion in Honolulu in her very capable hands.

For my part, I generally confine my closer observations of flora to those well-landscaped pockets of greenery distinguished by 18 especially green targets spaced over a number of choice acres of closely cropped grass. On these occasions, I try very hard to stay out of the woods, however attractive they are to the eye.

My success in this effort is not necessarily matched by the frequency of my field trips, but I believe it good for the human spirit to keep trying.

Seriously, however, it is a very high privilege to have this opportunity to discuss with you a subject of mutual concern which has been prominently brought to the forefront of public attention under the leadership of our great President Johnson and our First Lady, Mrs. Johnson.

You members of State Garden Clubs have, for many years, been in the vanguard of those who have championed the conservation and preservation of our country's natural beauty. You have been leaders among those who have been concerned with the total relation between man and the world around him.

The essence of our mutual concern seemed to be best expressed by the President, in his message on natural beauty last year, when he told the Nation:

"Beauty is not an easy thing to measure. It does not show up in the gross national product, in a weekly paycheck, or in profit and loss statements.

"But these things are not ends in themselves. They are a road to satisfaction and pleasure and the good life.

"Beauty makes its own direct contribution to these final ends.

"Therefore, it is one of the most important components of our true national income, not to be left out simply because statisticians cannot calculate its worth."

The truth of the President's observations is self-evident if we but consider how empty our daily lives would be but for the natural beauty that surrounds us at all turns.

The national effort to preserve this beauty, then, deserves the support of every citizen.

We must also be concerned with those activities attendant to the continuing development of a modern society which create hazards to natural beauty. Air and water pollution, flood control, urban encroachment—these are matters which demand citizen attention everywhere.

This great land of ours, with all its magnificent endowments, is a heritage that can be preserved and improved even in the development of its vast natural resources.

I think it should be made clear that when we speak of natural beauty, we are not necessarily speaking against development as such. The two are compatible, as has been proved many times.

Man can provide for his creature comforts without destroying all that is naturally beautiful about his surroundings.

In Hawaii, we are fortunate to have the beauty of our environment—our sparkling beaches and crystal clear ocean waters, our majestic mountains, our imposing volcano country—so impressed upon the minds of our people that there is a ready consensus for the preservation of these natural assets.

Early this year, following upon the President's program, we convened, at the sponsorship of my office, a Conference on Natural Beauty and Community Appearance.

The response to this conference was most inspiring.

After all, we have as modern an American city in Honolulu as anywhere else on the Mainland, and we have also the problems that naturally attend urban expansion.

Our conference served to galvanize the many different groups interested in conservation and natural beauty toward common goals.

The conference served further to alert the citizenry of the continuing need to preserve and enhance those elements of our surroundings which make life in Hawaii especially meaningful.

The State Administration, of which I am Chief Executive, has developed a beautification program which may also be of interest to you.

The highlights of our program include the following points:

A comprehensive Statewide outdoor recreation plan, outlining the areas, both public and private, which should be preserved for parks and open spaces to preserve Hawaii's natural beauty.

In connection with this plan, we have proposed a shoreline setback law. As you know, Hawaii's shorelines are among our primary natural assets. To keep these beach areas accessible to all and to prevent the kind of development that would ruin the beaches, we have proposed that a boundary protecting the shoreline be observed.

We have also a highway beautification program, and I recently signed into law three key pieces of legislation designed to make drives on our asphalt strips visually more pleasant.

One bill authorizes our Highway Department to use special funds for road landscaping; another is for sign control along Federal-aid roads (although we have long had laws prohibiting billboards in Hawaii); and the third provides for control of junkyards along Federal-aid roads.

Diamond Head crater is, as many of you know, a symbol of Waikiki and of the Hawaiian Islands to people throughout the world. The development of high-rise buildings in Waikiki and near the foot of Diamond Head has threatened to block the view of this majestic landmark. While this is largely a problem of municipal control, the State, which has jurisdiction of the crater itself, as a State monument, has developed a co-operative plan for the preservation of the historic as well as the visual aspects of Diamond Head.

In the construction of our new State Capitol, we are also planning for the creation of a sweeping vista from the center of government activity in downtown Honolulu to Honolulu Harbor, through which many of our visitors enter our State.

The foregoing are a few of the specific programs we in Hawaii have underway as part of our government's contribution to our citizens' needs to preserve a State in which we can all take pride.

Beautification—the maintenance and improvement of the land and water which surrounds us—is vital to continued public health and economic growth.

We recognize that the preservation of open spaces, the mountain slopes and beaches, are necessary for man to retain contact with nature, as a measure of his scale, for identification of himself and for his sense of human dignity.

Orderly development can go hand in hand with the preservation and enhancement of all that is beautiful about our land, no matter where we are.

Perhaps the feeling we share on this matter is best expressed in the poem entitled "Rocky Acres" by Robert Graves. In the final stanza, the poet says:

"Yet this is my country beloved by me best,
The first land that rose from Chaos and the Flood,
  Nursing no fat valleys for comfort and rest,
  Trampled by no hard hooves, stained with no blood.
  Bold Immortal country whose hilltops have stood
  Stronghold for the proud gods when on earth they go,
Terror for fat burghers in far plains below."

Again, my deep appreciation for the high honor you have bestowed upon me and my fellow citizens of Hawaii.

It has been a pleasure to be among those who share a feeling for all that is beautiful and worth preserving about our country.

May I extend to each of you a standing invation to visit Hawaii and to enjoy with us the pleasures of Island living.

My very best wishes for continued success in all your organization's many worthy endeavors. May the Almighty's blessed guidance continue to be with you.

Mahalo.

DISCRIMINATORY OCEAN FREIGHT RATES

Mr. DOUGLAS. Mr. President, last week my Subcommittee on Federal Procurement and Regulation concluded another round of hearings on discriminatory ocean freight rates. The hearing last week produced further evidence that substantial economies are possible in the Navy's military cargo shipment program.

In testimony on Thursday, May 19, Vice Adm. G. R. Donaho, head of the Navy's Military Sea Transportation Service, stated that as a result of competitive prices on the North Atlantic trade routes during the period from April 1, 1965, and March 31, 1966, the Navy has saved $13,899,291 on the cost of military shipments. This was a saving of about 25 percent.

The total dollar volume for ocean transportation for the Department of Defense in 1965 was $362 million, Admiral Donaho said. Because of the war in Vietnam, which will increase military shipments, the dollar volume of these shipments will rise to at least $400 million in 1966, he said. This is a very substantial amount of money.

Admiral Donaho told my subcommittee last week that if a general policy of competitive pricing or competitive bidding were instituted on all trade routes that the cost of Defense Department ocean transportation could be reduced by up to 25 percent. A reduction of this magnitude could result in savings for the Navy of some $100 million annually. This is a most extraordinary saving.

Until very recently contracts for the transportation of military cargo carried by American-flag vessels were always worked out on a negotiated or fixed price basis. Competitive bidding was unknown. But last year, a maverick shipper, Marshall Safir, owner of the Sapphire Steamship Co. appeared before the subcommittee and pledged to carry military cargo at rates far below those charged by the other shippers or by the cartels. He said he could do so and still make money. Here was an entrepreneur who was ready to do battle with the pools and cartels.

Admiral Donaho, a great public servant, courageously went along with Mr. Safir and as a result of the lower rates charged by the Sapphire line nearly $14 million was saved by the Navy in a 10-month period.

In his testimony before the subcommittee, Admiral Donaho said last week:

> The reduced shipping costs of $13,899,291 are attributed to the lower tariff rates quoted by Sapphire Steamship Company when services were initiated in the North Atlantic trade about April 1, 1966.

The admiral went on to say at the hearing that other carriers, reacting to the Sapphire competition, reduced their rates as well, providing additional savings to the Government. However, this competitive influence was at work only on the North Atlantic trade.

As a result of the Navy's successful experience with Mr. Safir, the Department of Defense stated recently that it is prepared to improve its procurement policies by actively seeking price competition to the maximum extent practicable.

Testifying before my subcommittee, Robert C. Moot, Deputy Assistant Secretary of Defense for Logistics Services, said:

> In following this new policy, the Department of Defense will be dealing only with individual shipping operators and not with ratemaking groups or associations.

Also in his testimony, Mr. Moot said that "the comprehensive hearings on ocean freight rates held by this subcommittee every year since 1963 were of the greatest help to the Department in its evaluation" of its practices in the procurement of ocean freight services.

While I was enormously encouraged after hearing Mr. Moot's testimony, I gained the distinct impression after last week's hearings that although the Department of Defense agrees in principle to competitive pricing it was taking only the most halting steps to put this new policy into effect. Testifying last week were Alan S. Boyd, Under Secretary for Transportation, U.S. Department of Commerce and Robert H. B. Baldwin, Under Secretary of the Navy.

I earnestly hope that no administrative slow balling will interfere with the implementation of this moneysaving program. We should have competitive bidding on all military shipments on all trade routes as soon as possible.

I hope that the courageous efforts of Mr. Safir and Admiral Donaho are not torpedoed somewhere along the line by the bureaucratic game of button, button, who has the button. The stakes are too high.

Speaking of Mr. Safir, he figured prominently recently in another important merchant marine development, demonstrating again that he is a bold, imaginative shipper who wants to break with traditional approaches to modern merchant marine problems.

A few days ago, the Maritime Administration announced that it was giving initial approval to a program that will enable the Sapphire-Atlantic Express Line—a Safir venture—to build and operate three new container vessels without Government subsidy. This could be a tremendous breakthrough for the American merchant marine. I have been critical of maritime subsidies ever since we began our hearings back in 1963.

Under the plan worked out by Sapphire and the Maritime Administration, the company will spend some $60 million for three ships to be built by the General Dynamics Corp. The Government would grant mortgage insurance—as is done in FHA housing—for up to 78 percent of the actual cost of each ship, but would not provide any direct subsidy to underwrite either construction or operating costs.

U.S. taxpayers are paying more than $350 million a year in direct subsidies to 15 American steamship lines and yet despite this lavish public support, American carriers, for the most part, are not competitive in either rates or service.

I have long contended that our subsidy policies are inflexible and should be completely overhauled. The Sapphire-Atlantic proposal adds further weight to this contention and should have profound, long-term consequences for our embattled merchant marine.

MEXICAN-AMERICANS OF THE SOUTHWEST

Mr. YARBOROUGH. Mr. President, an article in the April issue of Welfare in Review raises many challenging questions concerning relations and attitudes of the Anglo majority in the Southwest to their Spanish-American neighbors. The author, Robert G. Hayden, makes the point that:

> It is essential for Spanish-Americans in the Southwest to have greater equality of opportunity without being forced to abandon large areas of their cultural tradition.

He calls for greater understanding by Anglos of their Spanish-American neighbors and greater willingness on the part of Anglo authorities to encourage and work through the Spanish-Americans' love of their rich cultural heritage rather than working against it.

This article is part of a larger study of the Spanish-Americans of the Southwest now underway by the Division of Research of the Welfare Administration. As part of a continuing effort to inform the public on the problems and prospects of our Spanish-American neighbors, I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SPANISH-AMERICANS OF THE SOUTHWEST—LIFE STYLE PATTERNS AND THEIR IMPLICATIONS

(Robert G. Hayden*)

Spanish-Americans are a significant group in the Southwest, representing 12 percent of the population of the five States of California, Colorado, Arizona, New Mexico, and Texas. An earlier article in *Welfare in Review* by Raymond F. Clapp presents an analysis of the most important demographic facts concerning the relative status of the Spanish-speaking peoples of the Southwest region. Both his earlier presentation and this article are broadly illustrative of a full-length study now underway by the Division of Research of the Welfare Administration. The larger study deals with economic and social characteristics of Spanish-Americans and with pertinent cultural and social-psychological processes relevant to problems affecting the social and economic welfare of this ethnic group.

Fortunately, the number of published and unpublished sources of information about Spanish-American life are extensive; well over over 500 references exist. Further, social scientists in describing and analyzing Spanish-American life styles have demonstrated a high level of agreement. It indicates that a solid base exists for the information included in this article.

A more comprehensive treatment of Spanish-American problems and the importance of relations between "Anglos"** and Spanish-Americans will be included in the full-length study. In this article it was possible to deal only with selected areas.

SOME BASIC CONSIDERATIONS

By reasons of their history and the opportunity structure of their present environment Spanish-Americans in the Southwest are a poor, proud, stable and cohesive group, with a value orientation strongly emphasizing interpersonal relations rather than ideas, abstractions or material possessions. They place a high value on their heritage, which is expressed in terms of pride in and loyalty to la raza.[1] Translated literally as "the race," la raza is a term encompassing Spanish-speaking peoples. Adherence to la raza is strongly expressed through loyalty to the Spanish language and to the highly cohesive, extended family unit. The above statements and those which follow apply with particular force to the poorest and least educated Spanish-Americans, who are the primary concern of this article.

Indeed, Spanish-Americans are inclined to regard with scorn those of their brethren who have adopted the demeanor and habits suggestive of Anglo standards.[11, 26] These negative feelings are intensified by evidence of material success among "pochos" (apparently an allusion to those who have become "bleached" and who now only faintly reflect the traditional values of la raza).

For a chronically poor people who for many centuries were exploited by a miniscule and privileged minority, it is not surprising to find that any display of material success, which seems to differentiate any one individual or family from its immediate reference group, is normally regarded as unseemly. Success appears to be suggestive of craft and dishonor, regardless of whether those achieving it are outwardly "pocho" or true children of la raza.

Despite prolonged contact with Anglo norms, Spanish-American values have been influenced only to a slight degree by the Anglo social environment—although we do not imply that such influence never occurs or that it cannot. However, all indications are that it is weak since very few Spanish-Americans adopt the Anglo's competitive, materialistic orientation that could be of assistance to them in rising above their present underprivileged position.

Furthermore, Spanish-Americans in business or the professions also tend to be automatically suspect in the eyes of their compatriots because they do not perform "honest labor" which, according to Spanish-Americans, is work commonly requiring physical strength, tenacity, and dexterity. A traditional example of this is agricultural labor.

Their very strong emphasis on the social and interpersonal traditions of la raza, often at the expense of a higher standard of living in the material sense, does not mean that money as a means to better living is of no interest to Spanish-Americans. Indeed a great deal of the migration from Mexico to this country can be attributed to the prevalence of relatively higher wages in the United States, even though in terms of the American wage structure Spanish-Americans are very close to the bottom. Nevertheless to the immigrant the country has appeared to offer greater assurance that the basic needs of one's family, whether accompanying the household head or remaining in Mexico, could be met more satisfactorily. As is suggested later, and in somewhat greater detail, the question of positive and negative motivations concerning the acquisition of money or material goods after basic needs are met remains a poorly understood and largely unexamined empirical problem in experimental psychology. Furthermore, what is also in doubt is the influence on motives of such social factors as the Anglo's much higher standard of living.

Clearly, new information leading to a better understanding of acquisitive tendencies and the social constraints upon them could have very important practical applications in social welfare programming and planning by the Southwestern States.

See footnotes at end of article.

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** A designation commonly used in the Southwest to identify the white non-Spanish population. Broadly speaking, "Anglos" represent American middleclass norms in that region.

The same emphasis on non-materialist and non-ideational values spills over into attitudes toward education, which is to say Anglo-run educational systems. Public schools tend to reinforce this attitude when they make a strong point of defining the value of education primarily as a means to material success. Children could be doing "honest work" instead of receiving schooling, suspect from both utilitarian and moral standpoints. This applies with particular emphasis to those beyond the elementary level. An additional factor further undermining potentially positive attitudes toward schooling on the part of pupils and their families is the fact that school policies and procedures display a strong tendency to denigrate the Spanish language, heritage, and values.[11]

ARTICLE'S PRIMARY ORIENTATION

It is essential for Spanish-Americans in the Southwest to have greater equality of opportunity without being forced to abandon large areas of their cultural tradition. The basic viewpoint presented in this article is that more complete integration of Spanish-Americans into the opportunity structure of American life is desirable but that complete assimilation at the expense of ethnic identity is both impractical and undesirable. In our pluralistic society, it should never be required that equality of opportunity and subcultural differences be mutually exclusive.

If more social welfare services were extended to Spanish-Americans than is presently the case, many new kinds of opportunities would probably become available to them. In order to increase the effective delivery of those services, it is essential that welfare program planners and field workers become intimately acquainted with the traditions and values of this group and the reactions these traditions and values evoke from Anglo society.

More specifically, in order that social welfare programs and policies may produce more positive consequences among poor Spanish-Americans, those formulating and implementing them must (1) be more responsive to pride in la raza, (2) understand that their influence can be exerted most effectively through rather than apart from the highly cohesive and extended family system and (3) stimulate maximum participation in the opportunities of American life by encouraging biculturalism among Spanish-Americans. In this way the least amount of undesirable social disruption would occur. The most important positive consequences should be an increase in median income (40 percent of employed males earn less than $3,000 annually); the matching of family size to its resources; a great increase in all health and welfare services; increased enrollment in and less absenteeism from both grade school and high school (proportionately there are only one-fourth to one-half as many Spanish-American high school graduates as Anglos). The most important aim in education would be markedly to improve Spanish and English language skills at all age levels.

Clearly not all of these goals can be achieved by the application of existing resources; additional funds and personnel are required. However, program planners will have to be clear about the goals and the means of achieving them before knowing what kinds of additional resources are most essential.

We are reminded that there exist excellent historical and contemporary reasons why members of the Spanish-American community are inclined to be distrustful of those representing the dominant Anglo institutions in the Southwest and why they are highly sensitive to both real and imagined insults emanating from members of these institutions. Obviously, sensitivity and distrust will impede efforts to enhance social and economic growth of Spanish-Americans in these five States. The whole problem is complicated by the fact that the Spanish-Americans are constantly reminded that advancement is incumbent upon adopting Anglo ways. They are, however, offered scant evidence that the discarding of valued and familiar ways will really promote their acceptance as equals or that it will actually lead to an improved condition of la raza.[38] [43]

CORE VALUES, ASPIRATIONS, AND SOCIAL MOBILITY

An important corollary of the view that person-oriented facets of behavior are of greatest importance to Spanish-Americans is their attempt to avoid or keep secret any situation which is likely to arouse envy of relations, friends, classmates, or co-workers. Visible signs of newly acquired wealth would tend to give rise to such situations. Unpleasant social relations characterized not only by envy, but also by dislike, hostility, and rejection are likely to be the consequence of new wealth. Naturally, then, the likelihood of an improved economic position can be a very potent threat to the individual. Therefore, aspirations to achieve the Anglo's higher economic standard are likely to become strong only if everyone in la raza or the neighborhood—or at the very least everyone in the extended family—will benefit.

In support of such reasoning it should be pointed out that Spanish-Americans who have already achieved middle-class status among their own people are much more favorably inclined to adopt some asepcts of Anglo mores, presumably because they value their status position and see Anglo ways as advantageous in maintaining or advancing it further. They are also more acceptable to Anglos and thus have access to a more rewarding opportunity structure. In other words the achievement of middle-class status, even if only within the Spanish-American social structure, will, for reasons indicated previously, produce alienation from some Latin core values as well as a shift in the value system in the direction of Anglo norms, which are predominantly middle class.

For the most part the bulk of Anglos in the region have apparently never really understood la raza. They have not been sufficiently sensitive to Latin pride and social etiquette to avoid infringing on them inadvertently in their everyday relations with their Spanish-American employees, students, clients, acquaintances, and friends. Their expressed views tend to reflect both the "melting pot" philosophy prevalent at the turn of the century, as well as the inclination to believe that Anglos retain some inevitable superiority over Spanish-Americans, even when the latter become Anglicized. Despite the fact that Anglos often do permit themselves to be charmed by the "quaintness" of some Spanish-American customs, only rarely do they accord full status to Latin traditions as the expression of a legitimate philosophy of life.

For instance, in many Southwest schools the use of Spanish is forbidden in class and on the playground; often there have even been attempts to devalue it by ridicule and other means. It would be unnatural if such negation of Spanish did not create resentment and defensive reinforcement of loyalty to la raza. The aim of Anglo school authorities is to make Spanish-American students proficient in English. However, instead of this desired result the unintended consequences are likely to be alienation of students from the Anglo world and its language,[11, 21, 28] early school leaving, reduced respect for the process of education, rebelliousness and delinquency, and a low level of aspiration. It would be surprising if the essence of these unfavorable attitudes were not passed on from one generation of Spanish-Americans to the next. Experiences in the school environment tend to confirm and reinforce the view among Spanish-Americans that the Anglo world and its ways are unfriendly toward them and therefore best avoided when possible.[45] Such a situation does not augur well for increased independence among Spanish-Americans and the raising of their sights for social and economic achievement. Instead, it seems likely that the prevailing educational climate will only serve to perpetuate marginal incomes and continuing dependency on various public agencies.

Schooling is potentially the single most powerful and durable life-event for introducing Spanish-Americans to Anglo ways. As Jane and Chester Christian point out, rarely will schooling leave unfavorable impressions unless it incorporates respect for the student, his family, and his people. "The Spanish-speaking child's first contact with Anglo culture is . . . an educational system in which almost all classes are taught in English by teachers who do not understand" or who are not permitted to use Spanish. "He is subject to pressures . . . to keep him from using Spanish. As a result he may drop out of school, and the 1960 rate of 'functional illiteracy' (four years or less of schooling) was higher for the Spanish speaking in the Southwest than for any other . . . group except for Indians in New Mexico and Arizona, most of whom are on reservations."[11]

Unquestionably, Spanish-Americans need to and can be moved in the direction of greatly increased literacy in English but it is doubtful that such change can be very rapid or that it can assume meaningful proportions without a thoroughgoing reappraisal of educational philosophy and methods, for both children and adults, at all levels of the public school systems of the five Southwestern States.

The Spanish-American heritage imposes unique conditions on social welfare program planning and development which, if not given thoughtful attention, makes such work as is done much less effective than it could be. Social welfare planners must give more consideration to the following important facts: (1) There exist and will continue to exist geographic and cultural contiguities between Spanish-Americans and Mexicans. (2) Large parts of the land area now constituting the States under study were settled by men of Spanish heritage over two centuries before annexation by the United States.

The contemporary consequences of Mexico's geographic proximity and the centuries-old Spanish traditions in the Southwest have been documented repeatedly by students of that region. In 1934 Emory Bogardus was already able to discuss Spanish-American life in detail, citing over 250 references. New studies have been steadily accruing since that time. Therefore those seeking a better understanding of Spanish-American life styles have had available to them ample information resources. Indeed, the problem is one of adequate evaluative selection from the great number of extant sources. And much of the reliable information available requires appropriate translation into action terms applicable to existing and developing social welfare programs and plans.

SANCTIONING AND ENCOURAGING BICULTURISM

Taking the long view, that is at least one generation ahead, is it not sensible for educational and welfare programs in the Southwest to give positive encouragement to biculturism and particularly to bilingualism? Would not Spanish-Americans, finding that la raza is accepted and that study of its history and language are esteemed, take an increasing interest in schooling? And might not Anglo ways then be regarded with greater

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See footnotes at end of article.

favor? Would not encouraging a high level of literacy in Spanish also encourage the achievement of like excellence in English? In these ways some of the basic prerequisites for Spanish-Americans to become integral, participating members in American society could be met, with one major consequence being greater independence of more families, for longer periods, from privations of a social and economic nature.

But what of the current problems—those which have to be faced now and in the immediate future? Solutions to today's crises and stresses should not wait for another 20 years while productive biculturism is nurtured. By recognizing the advantages to be gained by knowledge and visible respect for la raza, today's problems could be solved more rapidly.

The most obvious prerequisites would appear to be the following: First, many more teachers and welfare workers fluent in the Spanish language, particularly as spoken in the Southwest, must be put into service. This may provide an excellent opportunity for the utilization of indigenous workers and teacher's aides. Second, a willingness of Anglos to show respect for and work within the local Spanish-American traditions is required. Third, it should be recognized that the cohesiveness of the large,* extended Spanish-American family in the Southwest makes imperative a radical change in the definition of the family unit by welfare agencies. The extended family must be considered the smallest common denominator. It or preferably a superordinate social unit must be the basic unit in social welfare programs. Fourth, experimental field research needs to be performed on "motivational pump priming" to determine the level of money payments which will be required to act as an incentive to heightening the Spanish-American's motivation for monetary gain to a point at which it will approximate the strength of the Anglo drive.

Put another way, the question is how much seed money would be needed to let low-income Spanish-Americans glimpse a way of life they would be willing to make prodigious efforts and sacrifices to achieve. The assumption is that the strength of such a drive is a function of the level and duration of real consummatory experience. It is of special importance to provide such experience for this group, which unlike other equally impoverished groups subscribes to a value system having little resemblance to an extension of American middle-class norms.

For historical and contemporary reasons the "melting pot" philosophy adopted to a large extent by other immigrants to this country has little applicability to Spanish-Americans. Most of these ethnic groups, unfamiliar with the English language, arrived in America when life based on Anglo-Saxon mores was already in full swing. All of them for a variety of reasons sharply curtailed their cultural ties with the country of origin soon after the major flow of immigration from their homeland ebbed, and thus faced weaker constraints insofar as acculturation was concerned. Their heritage, relations, and friends were not just "across the border." In addition to the proximity of Mexico, which reinforces old cultural habits, another barrier to acculturation is that the requirements for entering the opportunity structure have today become more demanding as a result of technological innovations and higher educational norms. And as time passes the growth of the latter barrier accelerates at an even more rapid pace.

The Spanish-American problem, therefore, is one of the here and now and of the future. It does not lend itself to action decisions in terms of different events and different people of a now almost unrelated era. The past is not always a useful teacher.

DETAILS OF THE PRESENT SITUATION

It is a well-documented fact that Spanish-Americans in the Southwest are economically and educationally deprived.[III] Suffice it to say that for Spanish-Americans in the Southwest, levels of education, income and employment and quality of housing [47, 49] differ only slightly from those of nonwhites in that area.[19, 31]

Although Spanish-Americans have been influenced by the technological and cultural contextual variables peculiar to the United States,[11, 26] most of them retain the core values of Mexican folk culture and reject the basic aspects of the Anglo value system. This statement is particularly applicable to the poorest of this group with whom this article is primarily concerned. Only a very small proportion could be described as being socially marginal as a function of value conflicts between the two cultures. Even fewer can be said to have become acculturated to and integrated with an English-speaking world.

From the above one might draw the erroneous conclusion that Spanish-Americans of Mexican descent represent a completely insulated cultural group whose members are Americans only because territory was acquired in the war with Mexico. Nothing could be more inaccurate. Members of this group, regardless of degree of acculturation, appear to be very much aware that they are citizens of the United States, although they often feel—and with good reason—that some rights of full citizenship are denied them. Nevertheless, Spanish-Americans are an extremely patriotic group, and they have demonstrated their valor repeatedly, during World War II and the Korean conflict.

Members of la raza can see no reason why the maintenance of their time-honored customs should impede their right to full participation in American life on an equal footing with Anglos. They regard "respect of person" and the opportunities characteristic of first class citizenship in this country as their just due, and not as a favor to be bestowed. But continued discrimination [IV] has encouraged a certain fatalism about their position in Southwestern society, to the point of inducing in them some acceptance of Anglo beliefs about the inferiority of Latins. This phenomenon is well known from other situations in which an arbitrary dominant-subordinate relationship exists between groups. Most are reluctant to leave the Southwest for material gain because of powerful family and community ties and the lack of assurance that bias will be less severe elsewhere.

Despite a long history of discriminatory practices, Spanish-Americans are markedly uninvolved in any civil rights movement.[11] There appear to be a number of reasons for this: pride, individualism, and lack of organizing experience for collective action are among the most important. Picketing, sit-ins, and other common weapons of Negro civil rights activities are regarded by Spanish-Americans as injurious to dignity. In short, the cure may seem worse than the disease.* In addition, "self-help" motivations in this area are also weakened by the common belief that God will see justice triumph. Should it not occur in their lifetime. God must be angry—and for good reason. At this point, the "bad Mexican" [26] is often brought into the picture as having dishonored la raza and thus incurred the wrath of the celestial powers.

ROLE DIFFERENTIATION

The family is under the firm authority of the father, while the mother assumes the traditional subservient and severély proscribed role of homemaker, the model of purity, bearer and trainer of children. This is a reflection of "hombria" or "machismo," i.e., supreme male dominance, and male individualism, assertiveness, and extreme pride—attributes which strongly influence nearly all phases of Spanish-American life.

Male sexual prowess is an important attribute of machismo. It is understood that husbands to maintain a high level of machismo will likely carry on dalliance after marriage as before. This does not mean, however, a dimunition in the husband's felt responsibility to his family or a loosening of his firm ties to it.[26]

Similarly, large families are looked upon as evidence of adequate machismo. For that reason, among others, family size usually far exceeds family resources.[44] Although wives seem often to express a desire for fewer childbirths, those who resort to contraceptives or whose child-bearing capacity is impaired, are considered to be interfering with the cult of machismo and are therefore likely to incur their husbands' "justifiable" ire. Physical punishment of a wife by her husband is accepted as customary; her use of contraceptive devices would probably be regarded as ample justification for punitiveness. It will become apparent later in discussing the nature of Spanish-American folk religion that the custom of having very large numbers of children, this in spite of the family's exceedingly limited resources, owes much more to the cult of machismo than to religious constraints on family planning.

Because of folk customs and extremely low levels of income, expectations that family size and income can be coordinated are quite unrealistic, since basically such coordination would mean that poor families would have to plan for no children at all. Clearly, then, realistic psychological incentives for matching family size to resources are likely to develop only when income levels are raised to a point which makes such matching meaningful. Determination of the required income level is a question for empirical behavioral science research. This is a difficult and sensitive problem area on which a very great deal of research still needs to be done, if effective ways are to be found for removing one major obstacle to the potential for upward social mobility among poor Spanish-Americans.

INDIVIDUALISM, SOCIAL CONSTRAINTS, AND AMBITION

The extreme individualism of Spanish-Americans is also reflected in their traditional attitudes toward public authorities, who are assumed to have little, if any, positive interest in the affairs and well-being of citizens. They hold the belief that ulterior motivations tend to prompt what little interest is shown. In addition, human beings are viewed as continually subject to the danger of overpowering temptations which can be checked only through external controls and threats of punishment. The indispensability attributed to the chaperone system for women is an excellent example. Males need not be chaperoned because of their inherent role as supreme individualists. This is part of the cult of machismo.

Jane and Chester Christian [11] write that the cultural traditions of Spanish-Americans in the Southwest provide usually well-defined and often absolute limits for social behavior. "When limits of behavior are absolute, they are well . . . defined and there is no need to preoccupy oneself with them . . .

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* *"The usual Spanish-speaking family is huge by U.S. standards. It not only includes mother, father, and commonly from five to fifteen children, but often includes brothers and sisters of the parents, their own parents, and perhaps even their grandchildren."* [10]

See footnotes at end of article.

* The recent grape pickers strike in California may indicate that the idea of collective action is gradually becoming more acceptable.

usually one need only follow the prescribed form. However, when as in Anglo society, such limits are relative and variable . . . it is necessary to be an 'expert' in the culture to know what they are . . ." and ". . . constant application is necessary to learn how to act. The Spanish-speaking person of the Southwest is not culturally prepared for this learning process. He usually assumes the barriers are final and absolute, and his behavior is thereby more restricted than that of the Anglo."

This ubiquitous aspect of the culture is of extreme importance in examining the problems engendered by social and economic deprivation among Spanish-Americans. The Christians explain that individual status and role referable to the wealth-poverty dichotomy is quite permanently established in the eyes of most Spanish-Americans. Consequently, ". . . the poor do not waste their energies trying to make more money to rise in the social system. Therefore insofar as they have any energies left after the struggle to maintain life, they put them wholeheartedly into the creation of a 'good life' which is not dependent on economic standards. . . . There is 'serenidad' (and fatalism) because people are not generally engaged in a race with their neighbors to climb the social ladder." Work is seen as a means of providing the basic necessities of life, not as an end in itself. And because one's position in life is perceived as relatively fixed, work is not regarded as a means to alter one's personal or social status.

Family origins are still the primary determinant of status among Spanish-Americans in the Southwest. As the Christians [11] point out, "In many cases virtually all one's friends are relatives." This aspect of intrafamilial relations is of great importance, particularly for Spanish-Americans in the very low income brackets.

It means that even if an individual were convinced that increased earning power would permit him to rise above his station or to satisfy some urge or want without social opprobrium, there would nevertheless be little of the additional money left over after the customary distribution is made among brothers, sisters, parents, grandparents, children, and others.* The Christians judge that Spanish-American families "would have to earn double or more the income of an Anglo family to maintain an equivalent standard of living . . ." Furthermore, the employment of the household head's wife, while not unknown, is strongly frowned on and is obviously impractical considering the large family size and the high frequency of births. The constraints on accepting employment are then so great that wives as a group have little effect in advancing the economic status of the family.

The substantial differences between Spanish-Americans and Anglos in their outlook on life has been amply illustrated. A majority of Anglos tend to ignore, if not actually oppose, Spanish-American mores. The Christians [11] make the observation that ". . . Anglo teachers have known nothing of the language and less of the culture; they have assumed that both are weeds to be uprooted so that English and 'our way of life' can flourish." And they comment, "knowing nothing of the richness of the cultural heritage of the Spanish speaking, nor of Anglo culture's inadequacy in providing the satisfaction which Hispanic culture provides, they have been perplexed at the stubborn refusal of the Spanish-speaking to 'give up and face reality.'"

If Anglo organizations are earnestly desirous of convincing Spanish-Americans that it may be advantageous, desirable, and even necessary to adopt some facets of Anglo culture, they at the same time must make the effort to understand Latin habits much more thoroughly. Entry into and influence with the community is best achieved through opinion leaders and other indigenous individuals who have extensive contacts with Spanish-Americans. The folk-curers or "curanderos," where available, might be considered a natural group for such a purpose. However, individuals regarded by the Spanish-American community as "inglesado," "agringado," or "pocho"—terms reserved for those with weak ties and dubious loyalty to la raza—would be unsuitable since they would command little respect and would be unconvincing. Unfortunately those so labeled—e.g., physicians, lawyers, successful merchants—are most likely to be considered community leaders by the Anglos.[25 26] There seem then to be excellent reasons for employing the indigenous poor as welfare aides and as neighborhood community leaders to implement social welfare program and planning objectives.

IMPORTANCE OF RELIGIOUS AND RELATED BELIEFS

Religious folk beliefs rather than formal observances or formal adherence to Roman Catholicism characterize this group, which, as we have seen, lives by well-defined mores, and clear-cut sex and age-based role prescriptions within the family structure, the neighborhood, and within la raza. Although Spanish-Americans often do not follow the prescribed Roman Catholic ritual and despite the fact that men attend church but rarely, they regard themselves as good Catholics, believing that it is sufficient for the women and children of the family to go to church with some degree of regularity. Their faith is strong and enters daily life in many ways, from the invariable naming of children after saints, to supplicating saints at family altars. They also seek direct intercession with God through curanderos, who are presumed to be more efficacious than either priests or modern physicians. Priests are perceived primarily as being respected figureheads who are too far removed from the life of ordinary men to really understand the inner workings of either soul or body. On the other hand, physicians tend to be stereotyped by the poor Spanish-Americans as cold, unsympathetic, and greedy individuals regardless of their ethnic identity.[26, 43]

In general, religion and folk beliefs about illness, fate, luck, social position, and other important facets of every day life are closely intertwined.[V] Witches and spells cast by them often cause real concern. Defense measures may consist of invoking counter-witchcraft or physically assaulting the presumed instigator of a spell.

The missionary work of certain Protestant sects has been much in evidence in areas of the Southwest heavily populated by Spanish-Americans. In the past missionaries have often incorporated some welfare services such as food, clothing, and assistance in finding employment in their efforts to induce more favorable attitudes toward Protestantism among Spanish-Americans. These services were usually furnished free or at a very nominal cost in order to assuage the recipients' pride. Nowadays, however, many such services are furnished without any sectarian overtones—by community centers, for example, which are broadly representative of the Protestant community.

However, many Spanish-Americans have at times often interpreted these services as constituting undignified bribes and have been inclined to respond with chagrin. An illuminating Spanish-American comment on the many sects of Protestantism is cited by William Madsen[26]. "The only real difference between them [Protestant sects] and us is that we honor the saints. God is God wherever He is but each Protestant church seems to think He is someone else." There is, on the whole, little interest among most Spanish-Americans to recast themselves in the image of an alien tradition whether religious beliefs or other values are involved.

RELATIONS WITH WELFARE WORKERS

It is not unlikely that welfare workers may resemble religious missionaries in the eyes of Spanish-Americans when they expound on what is right and proper. Because Spanish-Americans, like other people, strongly resent criticism of their way of life and regard as impolite questioning of private beliefs, welfare workers are likely to be regarded as graceless intruders if they show disregard for the amenities of Spanish-American customs.

It remains an empirical question to discover the extent to which the cultural discontinuities between welfare personnel and clients produce adverse effects in the delivery of welfare services. Separate field studies of welfare practice in the five states examined would appear to be in order, particularly because historically States differ somewhat with respect to time and conditions of Mexican and Anglo settlement and in the development of traditional viewpoints each group holds of the other. Such a study might well begin by discovering the extent to which Spanish-Americans are employed in welfare work.

It is not implied that welfare agencies are completely unaware of or are inactive in dealing with problems arising from cultural discontinuities and disparities. For example, the Colorado Department of Public Welfare, through its staff development program, provides an instructor to acquaint its staff with the history and customs of Spanish-American residents. A few such programs may exist in other states; however, there are no indications that they are about to appear in profusion.

We have commented on the possibility of Spanish-Americans drawing a resemblance between Anglo welfare workers and missionaries for Anglo Protestant sects. It is also instructive to consider that a similar parallel appears to exist in their perceptions of the Anglo welfare worker and the modern objective physician. In contrast, however, the folk-curer (curandero) tends to typify the Latin virtues of warmth and tact. Madsen,[26] who has written knowledgeably about health practices in the Rio Grande Valley, relates the following: "Both curer and physician are specialists in curing illness"—although, as he points out, their efficacy varies with the nature of the disease. However, Spanish-Americans tend to see the curer as patient-person oriented—as caring, whereas the physician's main concern is said to focus on being paid. The curandero takes the patient's self diagnosis seriously and explains the treatment he administers. He comforts those seeking help. The modern doctor seems to Spanish-Americans to be cold and disinterested. According to Madsen's observations, "Mexican-Americans are highly sensitive to the behavior of the physician, which seems to reflect an unwarranted superiority over other men. A physician may receive some respect for his formal training but the Mexican-American often feels that the doctor has not learned enough about the patient as a person." *

Thus the folk-curer's bedside manner is seen as superior in terms of respect and genuine sympathy for his supplicants. (Spanish-Americans, however, often visit both curandero and the modern physician for the same illness, but in view of the generally greater confidence in the curandero the latter frequently receives credit when the former's treatment is successful.) By virtue of his positive image the curandero is also seen as an effective practitioner. Indeed, students of folk medicine believe that he often effects genuine cures of psychosomatic conditions.

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*When the tradition for mutual aid is so strong, public assistance payments, as might be expected, tend to melt away in much the same manner.

See footnotes at end of article.

* *Interestingly, studies of the general U.S. population reveal that patients complain very frequently about physicians being interested in the "disease" at the expense of the "person". Rarely, however, do these same people have a sympathetic curandero to whom they can turn. But psychotherapists may often serve a similar purpose.*

It is legitimate and important to ask: what proportion of welfare workers are seen by Spanish-Americans as respectful, sympathetic, and effective? This is a question for empirical research. Such evidence as is now available, however, suggests that Spanish-American perceptions of welfare personnel and of physicians are similar. This is a further indication that opportunities for positive social welfare intervention tend to be severely limited.

The scope for successful intervention can undoubtedly be broadened in a variety of ways, one of which would be to find means for enhancing the image of welfare workers among Spanish-Americans. This was successfully accomplished in the area of public health when Mexican physicians and nurses were made part of public health teams. Their background and extensive experience with impoverished patients in rural Mexico provided them with the necessary skills to create a positive impression on the Spanish-Americans they treated. This again emphasizes the fact that effective social welfare activities must be based on a thorough understanding of the Spanish-American culture, and language.

An experimental approach would be for welfare personnel to try to obtain the sanction and preferably the active help of respected and influential individuals in Spanish-American enclaves, such as curanderos.

Throughout this discussion the emphasis has been on ameliorating social conditions by working "with" and "through" the Spanish-American culture. There appear to be essentially two alternatives: (1) maintain the status quo, that is, continue along a course of less than adequate understanding and involvement; or (2) attempt to weaken the fabric of la raza in the belief that Spanish-Americans will then have no choice but to adopt Anglo ways. This alternative is likely to produce—for at least a generation—widespread episodes of social disorganization, characterized by an increase in family crises and a greater need for social services of all types.

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[II] School policies: Although many other references could be given the following cover this topic quite adequately: 2, 8, 11, 21, 25, 36, 46.

[III] Deprivation: Covered adequately in the following citations: 12, 14, 28, 31, 38, 47.

[IV] Discrimination: See: 27, 28, 38, 44, 47, 50.

[V] Religious and Related Beliefs: For detailed discussions see: 11, 21, 26, 48, 50.

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REAPPORTIONMENT AND THE LEGISLATIVE PROCESS

Mr. BYRD of West Virginia. Mr. President, during the spring semester at the American University, Washington, *D.C., I conducted a seminar at the law* school on the subject, "The Legislative

Process." One of the students, Mr. J. David Eberly, prepared a term paper entitled "Reapportionment and the Legislative Process." For the benefit of college students throughout the country, I ask unanimous consent that Mr. Eberly's term paper may be printed at this point in the RECORD.

There being no objection, the paper was ordered to be printed in the RECORD as follows:

REAPPORTIONMENT AND THE LEGISLATIVE PROCESS

(By J. David Eberly, Term Paper for Legislative Process Seminar, Washington College of Law, Spring 1966)

INTRODUCTION

"Reapportionment should not be thought of solely in terms of a conflict of interests between urban and rural areas. In the long run, the interests of all in an equitable system of representation that will strengthen State government is far more important than any temporary advantage to an area enjoying overrepresentation." [1]

This seminar paper basically asks three questions. What is reapportionment? What is the legislative process? In what ways has the legislative process been influenced by the nationwide activities and problems surrounding the reapportionment issue? Inasmuch as the seminar has taken the form of a course in law and its subject is the legislative process my paper will deal less in terms of the first two questions than with the latter. My stated supposition is that there is a familiarity by the student with the reapportionment issues and cases in general and a workable acquaintance with the legislative process so that primarily the function of this paper is to examine the relationship of these two forces. How has reapportionment affected the processes whereby laws are proposed, initiated, examined, debated, directed, adopted or defeated? In what ways have the country's institutions and traditions been threatened or changed? As a result of reapportionment? What are the anticipated results to be seen in the future, and perhaps the question that begs the most important answer is whether or not the changes brought about by reapportionment will solve the problems which, it has been argued, are the causes for the need behind reapportionment? In other words, will reapportioned legislatures be able to cure the social and political illness inherent in the so-called old regime of malapportionment?

Even though I have assumed much in the way this paper has been organized the end result may appear to be more of a political science discussion than one of law. This is almost inevitable for the ideas that are connected with this problem are deeply involved with political theory. Questions of republicanism, democracy, representation, and politics have too much at stake here to be ignored.

It is also to be noted, by way of introduction that the material available on this subject is virtually inexhaustible. To the student it would appear that almost everyone has written about it, from political science professors, lawyers, journalists and teachers to the legislators themselves including many very eminent United States Senators. My research has in no way begun to exhaust the possibilities; it could not if an entire year were dedicated to the study. This is secondary research in that basically I have read what others have written and from them have I gained the ideas to be presented. These sources have been filled with comments hitting at the very heart of our political system. It is not difficult to see how the fibre of such discussions might tend to become emotional, for when men and women feel threatened they are apt to react in many ways. As a personal opinion, I should hasten to say that there is a great deal to be said for "both sides of the issue," not in terms of city vs. rural people, but in terms of complete reapportionment vs against no reapportionment at all. I must confess that prior to my reading I had little or no sympathy or understanding for those fighting the reapportionment trend. I now testify that they have many compelling arguments.

This paper will be divided into four parts. In the first section I want to discuss what many see to be the causes of the problem. Why did the reapportionment movement begin? What were some of the social and political forces that led to its initiation? By understanding what lies at the roots it should be an easier task to determine what results reapportionment will yield. The second section will deal generally with a question of political philosophy. What does representation mean? Whom does a representative actually represent? What have been the different historical interpretations of this idea called republicanism? An understanding of what the reapportionment drive is trying to accomplish can come only as one understands this very basic concept, for otherwise malapportionment would be as satisfactory a political interpretation of republicanism as fair apportionment and yet they stand as direct opposites in political theory. The third section will briefly survey what has been said by the courts and commentators about reapportionment. What is it? How has it come about? What does it mean in terms of our existing institutions? The last section describes what changes and results have been observable and some predictions for additional change. This part, I hope, serves as the conclusion to a logical development of the idea. It may seem that I have chosen the technique of asking rather than answering barrages of questions. If this is so it is because the country is yet attempting to discover how reapportionment will, in fact—not theory, affect it. We are adjusting to legal decisions which have been laid down which will indirectly affect us more, than probably any others in our legal history. There is little wonder that the simple question is more easily forthcoming than the simple answer.

ROOTS OF REAPPORTIONMENT

If the reapportionment problem is the tree the tangle of events that has supported its growth may well be seen as its roots. In this case social politics has reversed the laws of botany, for the roots and the plant are of a totally different stock. What can be said as to the forces in the background that have led to reapportionment? There are those who have said that the place to begin is to see this as a treatment of an episode in the urbanization of the American community.[2] In other words to use an old test of the law of torts, "but for" the growth of urbanization in our country there would have been no need for or cause of reapportionment. Urbanization has involved not only the growth of American population over the past years, but also to a great extent its relocation. In 1790, almost a decade following the beginning of our Republic only four per cent of the American population could be said to be urban. By 1962 the figure had changed to seventy per cent. Seven out of every ten persons in this country live in a community (city, town, or suburb) setting. In a little more than one hundred seventy-five years better than six and a half persons out of every ten in the United States moved from a farm to the cities. The result of this migration has been that now some seventy-five per cent of the people live on about one per cent of the land. This mobility of our population has many immediate problems relating indirectly to the issue of reapportionment. Among them it the resulting loss of vote because of residence requirements. ". . . it is estimated that somewhere between six and eight million persons lost their vote in the 1960 presidential election because they had changed residence shortly before election day." [3] One of the results of this mass movement of people has been the creation of what Professor Schattschneider has called a national politics.[4] Interstate systems of transportation and communication have combined to give the people a national outlook which has been assisted by the efforts of the national political parties. As a consequence many of the older political alignments based on sectionalism and geography are being displaced.

People do not feel the loyalties to county and state if they are relative newcomers as much as they once did when their entire life was spent in the community of their birth. "Geographically, the states are obsolete," insists writer-professor Jerome Ellison, "Their boundaries were drawn on the bases of political realities of 50 to 300 years ago." [5] It is the competition thus engendered between state and national politics [6] for the favor of and service to the people that has been a resulting part of the urbanization movement. This competition has not always come about out of what critics of big government have called the insatiable thirst for power by the national government. In many cases it came about because conditions on the state level were so bad that there was no alternative. What has been at the heart of the inability or unwillingness of state governments to solve the problems of the people? In its simplest terms the problem can be stated by saying that the movement of the people from the country to the towns was not correlated with a corresponding examination or change in the basis of representation from election districts to those state legislatures. Representation remained pretty much by tradition as it had always been. "Well," one might ask, "what is at fault in this?" John Locke commented many years ago concerning almost an identical problem faced by the English in their Parliamentary elections—a problem resulting from the migration of people from the country to town because of the job opportunities created by the industrial revolution.

"To what gross absurdities the following of custom . . . may lead . . . when we see the bare name of a town of which there remains not so much as a ruins, where scarce so much as a sheepcote or more inhabitants than a shepherd is to be found, sends as many representatives to the grand assembly of law makers as a whole county numerous in people and powerful in riches." [7]

Armbrister, in his article [8] has laid the issue squarely in the laps of malapportioned state legislatures where rural groups—the "Cornstalk Brigade" in Ohio, "Appleknockers" in New York, "Kerosene Kult" in Vermont have thwarted the efforts of the urban legislators to assist in urban problem solving. Senator TYDINGS of Maryland, in commenting of the extensiveness of such conditions throughout the nation[9] noted that by the mid-1950's only Massachusetts and Wisconsin had equitable representation in both houses of their state legislatures. These inequitable conditions were the result of urbanization. Statistics could be quoted almost endlessly to indicate the inequality of control in legislatures throughout the country. To sample just a few[10] we find that as of 1964 26 of the 50 state senates were apportioned in such a manner that 40% or less of the voters in those states could elect a majority of the senators; 25 of 49 lower houses were equally malapportioned. Eight per cent of the electorate of Nevada could elect a majority in the Nevada Senate. In the lower house in Connecticut one representative was elected by 428 times as many voters as another from a rural district. The editor of a major magazine[11] reports that one State Senator from Los Angeles, California, represents 6,038,771 people while one of his brethren from the north eastern part of the state is responsible to only 15,300. In my own state of Maryland the five most populous State Senatorial districts have a combined population of 2,335,000 which is 75% of the total state population. Yet they elect only 57% of the members of the House of Delegates and 35% of the State Senators. The Senator from the largest county in Maryland alone represents more people than does a majority of his colleagues combined.[12]

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[1] Report by the President's Commission on Inter-Governmental Relations, 1955

[2] Schattschneider, E.E., "Urbanization and Reapportionment," 72 Yale L.J. at p. 7.

[3] New York Times, Aug. 11, 1962, p. 18, col. 1.

[4] Schattschneider, E. E., op. cit. at p. 8.

[5] Armbrister, Trevor, "The Octopus in the State House," Saturday Evening Post, Feb. 12, 1966 at p. 26.

[6] Schattschneider, E. E. op. cit. at p. 9.

[7] Subcommittee on Constitutional Amendments of the Committee on the Judiciary, U.S. Senate, 89th Congress-First Session, "Reapportionment of State Legislatures," 1965, at p. 650.

[8] Armbrister, Trevor, Supra at note 5.

We might inquire into the practical results of such apportionment. What have been the effects of such legislatures? Mayor McKeldin in his testimony[13] discussed the financial crisis of Baltimore. He noted how the present urbanization movement is from inner city to suburb. People are leaving Baltimore because property taxes are too high and the people coming in are unable to meet the high real estate tax levels. Property values are dropping and so is the ability to pay. Many times the city has gone to the state legislature to ask for permission to broaden its area of taxation—to no avail. Requests for sales and income taxes were refused.[14] Legislatures have too long held to ancient prerogatives of interfering in local city affairs. Home rule has been slow in coming. In Maryland only three counties and Baltimore city have a form of home rule. It has not been too many decades ago that state legislatures were debating appropriations for a city hall for Philadelphia, fire engines for Maryland cities and police protection for New York City.[15]

To be sure, the defeat of proposed legislation is as much a part of the legislative process as its passage. This veto power has been the most effective measure employed by rural representatives,[16] who often have not come to the legislature with any other motive thán to kill a certain bill. For example, the Indiana legislature has consistently refused to allow the city of Indianapolis to accept federal grants to be used for urban renewal. It has allocated state gas tax funds for repair of county roads, but steadfastly denied them to the city. A case in point was reported recently in activities in the Maryland General Assembly.[17] State Senator Gude of suburban Montgomery County had sponsored a bill to raise the minimum driving age to 18 unless 16 and 17 year olds had participated in a state accredited driver training program. He thought this would help solve a nationwide highway safety problem particularly acute in congested urban areas. He was supported by Anne Arundel and Howard Counties of the fast growing Baltimore-Washington area. Rural legislators had other ideas and argued that farm youngsters could learn to drive without such lessons. Senator Thomas R. O'Farrell of rural Carroll County was quoted, "It's going to inconvenience a lot of people, this thing. Frankly, I don't think it will save the life of one no-good scoundrel. My boy is going to drive too fast, just like I do. It's not lessons. * * * You've got to change people up here." (he said pointing to his head) "We have boys 7, 8, 10 years old driving tractors with ten tons of equipment behind them. You all don't mind imposing these hardships on people in the country."

The crux of the problem has been pointed out by several commentators. Senator Tydings has said, "Most State legislatures have simply been out of touch with a majority of the people of their states."[18] Professor Schattschneider had much the same thing in mind when he observed that the power to "rationalize the structure of local government is vested in state legislatures which are out of touch with urban problems and too antiquated to do anything about them."[19] But the problem has been clearly put before us when we realize that these issues of urban government over which states are ineffectually struggling affect the welfare, health, and happiness of nearly three-fourths of the American people. Institutions to cope with problems of public policy, power, finance, and public administration need to be found. That existing state governmental institutions have been indicted for their shortcomings, has been evidenced by a periodic reading of the newspapers. The closing of the 1966 session of the Maryland General Assembly saw failures in the areas of redistricting—both at the Congressional and State level—and a tax reform bill which was designed and strongly urged as a means of supporting big-city education in Baltimore. The last term of a retiring governor and general lack of unity by the Assembly leadership produced a hectic turmoil bordering on the ridiculous.

A reporter summed it all up by noting "the sorry spectacle of an archaic and ineffective state government, shorn of leadership, bled of morale, and unable to deal effectively with the pressing issues of its time."[20] The analysis[21] as to why this is so includes, among its reasons, not only malapportionment, but also lack of sufficient salaries[22] to interest capable people other than those of independent means of support and woefully inadequate legislative sessions,[23] with mandatory adjournment deadlines. This void of action at the state level coupled with the trend toward a national politics has resulted in increased activity at the level of national government. "The federal government," observes Saunders, "now participates extensively in areas of governmental activity, such as welfare, education, housing, health and highways. Most of the problems are essentially urban in nature, and the new role of the national government results from urban pressures. The existence of these pressures is in part a response to the stagnant structure of local government and malapportionment."[24] In part the federal response to this pressure can be seen in the newly created cabinet position of Secretary of Housing and Urban Development. To those for whom such federal intervention is disagreeable one can only ask—what is the forseeable alternative? In 1953, President Eisenhower appointed a special commission to try to determine what powers the states wanted to recoup from the federal government. Their report indicated that the states really didn't want to recapture a single important function.[25] The report, set out in part below, indicates the potential result of the look toward Washington.

"If States do not give cities their rightful allocation of seats in the legislature, the tendency will be toward direct Federal-municipal dealings. These began in earnest in the early days of the depression. There is only one way to avoid this in the future. It is for the States to take an interest in urban problems, in metropolitan government, in city needs. If they do not do this, the cities will find a path to Washington as they did before, and this time it may be permanent, with the ultimate result that there may be a new government arrangement that will break down the constitutional pattern which has worked so well up to now."

"One result of State neglect of the reapportionment problem is that urban governments have bypassed the States and made direct co-operative arrangements with the National Government in such fields as housing and urban development, airports, and defense community facilities. Although necessary in some cases, the multiplication of national-local relationships tends to weaken the State's proper control over its own policies and its authority over its own political subdivisions."[26]

SOME IDEAS ON REPRESENTATIVE GOVERNMENT

If American forms of government were like these assemblies of ancient Greece the problem of reapportionment would be relegated to academic discussions of the political philosophers. However, the population growth of democracies has proven that pure democracy is unwieldy and so republicanism or representative democracy has become necessary. With representative government has come the concurrent problem of representation or apportionment. There is not a real need here to build a case for the importance of suffrage. The casting of the vote is the process by which the individual delegates authority to another in his behalf. One who does not cast that ballot or who is prevented from doing so takes no part in the decision making process. The franchise in a republic is all important. It is the private citizen's only direct activity in government. It is by casting his vote that he helps to insure a government being directly responsive to his needs and wishes rather than becoming despotic-benevolent or otherwise. As each voter casts his vote the government should hear him equally as well as each and every other.

As we view the development of early representative bodies it may be noted that their first functions were neither legislative nor was their apportionment popularly equitable.[27] They were primarily gatherings of representatives of classes who met to bargain with the King. The matter of a tax levy was always facilitated for the King when the representative body agreed to it. Their bargaining power, or price was usually the right of a presentation to the King of complaints and petitions for his favor. These people may be seen as little more than agents of local powers acting under special instructions or mandates.[28] The English Parliament and French Estates General of pre-revolution days are examples of assemblies made up of group or class interests. Aristocratic, commercial, ecclesiastical and industrial interests were thought to be sufficiently different that their voices should be segregated and heard separately. Friedrich considers that even today the most important function of legislatures is not so much the initiation of legislation, even though this is considered the peculiar province of representative assemblies, as is the carrying on of popular education and propaganda and the integration and coordination of conflicting interests and viewpoints.[29] The clash of argument in debate precipitated by divergent interests brings out in a healthy manner the pros and cons of pending proposals in a manner necessary for intelligent legislating. How then may a system of politics insure that these differing interests are present in their representative assemblies? One alternative that comes to mind first is that of having a national at-large election. This would certainly insure that everyone had an equal voice in the selection of representatives and consequently that there would be fair apportionment.

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[9] Tydings, Joseph D. U.S.S., "The Last Chance For The States," Harpers, March, 1966 at p. 24.

[10] Saunders, Albert C., "The Right to an Equal Vote," National Council of Churches, Washington Office, August, 1965.

[11] "Are Farmers Better Than City People?" Saturday Evening Post, June 19, 1965 at p. 90.

[12] Testimony of the Hon. Theodore McKeldin before Subcommittee on Constitutional Amendment, supra at note 1, p. 6.

[13] Testimony of the Hon. Theodore McKeldin, op. cit.

[14] It should be noted that at the conclusion of the 1966 session the Maryland General Assembly did vote an optional one per cent income tax for the use of local governments.

[15] Subcommittee on Constitutional Amendments, op. cit. at p. 770.

[16] Armbrister, Trevor, op. cit. at p. 29.

[17] Homan, Richard, "Rural Group Again Heads Off Gude At Pass," Washington Post. February 3, 1966.

[18] Tydings, Joseph, op. cit.

[19] Schattschneider, E. E., op. cit. at p. 11.

[20] Dessoff, Alan, "Plight of Assembly Traced To Tawes," Washington Post, March 30, 1966.

[21] Saunders, noted supra at note 2 on p. 7.

[22] New Hampshire legislators are paid $100 per year. 34 states pay their legislators $2500 or less per year.

[23] 31 states alternate yearly sessions of 30 and 90 days.

[24] Saunders, noted supra at note 2 on p. 7.

[25] Armbrister, op. cit. at p. 27.

[26] Report of Presidential Commission, noted supra at note 1, p. 1.

[27] Friedrich, Carl, "The Dual Nature of Representation," *Legislative Politics U.S.A.*, ed. by Theodore J. Lewi, Little Brown, 1965.

A closer examination of this at-large election presents a less optimistic picture. With a single majority and a single minority the winner, in essence, takes all and no one is present to speak the dissident minority voice. The minority becomes dependent upon the majority to be benevolent without the benefit of a nagging, loyal opposition. In effect, this would destroy two party politics. Many factors have been advanced[30] as bases of representation other than strict accord with population; such as geography, historical tradition, political unit boundaries, and property value to name but a few. The burning question is whether and how extensively they may be used. Some fundamental questions of public political policy need to be determined as they become reflected in a system of representation. What is it that needs to be protected—property interests or people? What is the ultimate basis of suffrage—what one stands to gain from government or what one stands to lose to government? The United States Supreme Court has clarified this public policy when it said, "Neither acres, nor trees, nor cows are entitled to vote, and their owners should not be favored in the legislative councils because of the fact of ownership." [31]

Historically, our country in rejecting the idea of at-large elections in an effort to make sure different interests were heard in government settled on representation based on factors such as history and geography. There are those current writers who feel this is as important a judgment as has been made in determining apportionment, even more so than making sure every person is equally represented. A state has the right to make this policy decision, according to Justice Harlan in his dissent to the *Baker* decision and it is no more illogical or discriminatory than levying a tax on property rather than income. Both are legislative judgments.[32] Whenever a government operates under such apportionment, however and this legislative judgment gives equal voice to minority sections such as rural areas, the cry of discrimination is immediately raised. In response to a proposed Constitutional Amendment introduced by Senator Dirksen (discussed later in this paper) which would give the states the right to eventually make such a legislative judgment an editorial of a leading magazine proclaimed, "let no one be deceived. The proposed amendment actually is based upon the wrongheaded premise that some Americans are more worthy than others—in short, that men who live in the open country, near the soil, possess a natural ability and earthly wisdom that entitles them to dominate the corrupted city dwellers." [33]

Part of the argument for unit representation rests in the theory of bi-cameralism. The proposed Dirksen Amendment is based on this also. Basically its logic is that the United States Congress is apportioned on the basis of both population and units. In keeping with this precedent there ought to be an opportunity for one house of each state legislature to be based on a plan similar to that of the Senate of the United States. This Federal analogy argument was foreseen and answered by Woodrow Wilson many years ago when he wrote:

"No such historical reason exists for having two houses in the States. The object of the Federal arrangement is the representation of the two elements on which the National Government rests, namely, the popular will and a Federal Union of States. The State legislatures have two houses simply for purposes of deliberateness in legislation . . . The double organization represents no principle, but only an effort at prudence." [34]

Another idea of interest and importance that should not be overlooked is the outlook of the representative (not represented) body. To pursue this question is to ask—to whom do the representatives owe a responsibility, only to those who voted for them, to those of the particular area from which they come, or to the state or nation (whichever the case may be in a state or national body) as a whole? In short, is he an agent of his senders or an official of the government as a whole? To the extent that he is seen as an official of the whole the question of the means of election and the basis of apportionment lessens in significance. That our country and its government is viewed as a whole unit was declared by President Lincoln in his rejection of the doctrine of secession. The Constitution is a compact of the people of the United States and not a compact between the States.[35] This was a basic premise on which the conflict of the Civil War was, in large part, based. Lewis Dexter seems to be of the opinion that legislators are not at all united in their approach to this question. They see their obligations either to this whole or to their own constituency exclusively. Other possible obligations such as to foreign allies, for example, are seldom considered.[36] Strong motives for responsibilities to voters occur frequently. Dexter again cites, "A Congressman of my acquaintance took about 100 letters which he received on a particular issue and checked the registration of the writers. He found that almost three-quarters of them were not registered in his district. What difference then would their views make with respect to his prospects for reelection?" [37] No less a Parliamentarian than Edmund Burke sees a representative assembly as being responsible to the whole. He writes:

"Parliament is not a congress of ambassadors from different and hostile interests, which interests each must maintain, as an agent and advocate, against other agents and advocates; Parliament is a deliberative assembly of one nation, with one interest—that of the whole—where not local purposes, not local prejudices, ought to guide, but the general good, resulting from the general reason of the whole. You choose a member indeed: but when you have chosen him, he is not a member of Bristol, but he is a member of Parliament." [38]

That Congress is a national assembly may be seen by the facts that Congressional salaries are paid from the National treasury, each house is the judge of the qualifications of its own members, and may make its own rules and discipline its members. The same arguments can be made for state legislatures representing the state as a whole rather than counties or other smaller units. Why then, if we are to accept this premise, do legislators feel so responsible to the interests of their own home location? Why wouldn't at-large elections insure the most equitable means of selecting representatives oriented to the whole and why then worry about malapportionment at all? Without dealing again with these questions we seem to have come the full circle in this discussion of representation. The most we might say is that an elected body may and usually will be both a set of agents from different interests as well as a representative group determining the common interest.

As a legislature draws its capacity to make law from its representatives, its ability to balance the interests of the community rests with its ability to reflect them in proportion to their actual occurrence in the community itself.[39] We are concerned then, in securing a representative assembly which reflects with more or less mathematical exactness the various divisions in the electorate. This leads us to an examination of exactly what is fair apportionment. Two elements are suggested; first that all interests are heard and represented. Friedrich says that our system requires a drawing from every geographical area of the country,[40] and Bickel carries this argument to its extreme, but perhaps logical conclusion in the following excerpt:

"Is it irrational and does it represent no policy to wish to maintain two party balance in a State of predominantly Democratic registration by insuring Republican control of one house of the legislature? Is it irrational to wish to insure the election of one Republican representative from Manhattan? Is it irrational or otherwise forbidden so to Gerrymander districts that a solid Negro or Puerto Rican vote is insured, thus making certain that legislative bodies will contain members of these minority groups?" [41]

The second factor appears to be that these interests are heard and represented in proportion to their size. In other words, fair representation is an assurance that each person will have, as nearly as possible, an equal opportunity to share in the political process through which the persons charged with the legislative function are chosen. Allan Sindler has sent out the meanings of these two terms succinctly when he said, "The more equally represented are the voters, the more equitable can the 'apportionment' be said to be. Conversely, 'malapportionment' sets in at some point—the exact location depending on one's standards—as one moves away from an identical 1:1 ratio of representation among all voters throughout all political subdivisions."[42]

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[28] Friedrich, Carl, op. cit. at p. 3.

[29] Ibid. at p. 10.

[30] McCloskey, Robert, "Foreward: The Reapportionment Cases," 76 Harvard Law Review 54, 1962.

[31] Baker v. Carr, 369 U.S. 186, 1962.

[32] Dissent of Justice Harlan in Baker v. Carr, cited supra in note 2 at p. 15.

[33] "Are Farmers Better Than City People?" op. cit.

[34] Subcommittee Report cited supra (at note 1 on page 6) at page 651.

[35] Kelly and Harbison, *The American Constitution*, W. W. Norton & Co. 1963, at p. 395.

[36] Dexter, Lewis, "The Representative and His District," *Legislative Politics U.S.A.*, ed. by Theodore J. Lewi, Little Brown, 1965, p. 8.

[37] Ibid. at page 88.

[38] Burke, Edmund, "Speech to the Electors of Bristol," *Legislative Politics U.S.A.*, op. cit.

[39] McKay, Robert, "Political Thickets and Crazy Quilts—Reapportionment and Equal Protection," 61 Michigan Law Review, 1963 at page 650.

[40] Friedrich, op. cit.

[41] Bickel, Alexander M., "The Durability of Colegrove v. Green," 72 Yale Law Journal, 1962, at page 43.

REAPPORTIONMENT

As has already been noted, much of the legislative history of our country testifies to the importance of the right to vote. We have moved to throw down suffrage barriers based on wealth, sex, former condition of slavery or servitude, race and ability to pay taxes. The reapportionment issue extends the importance of voting by saying, in essence, that not only the right to vote, but the right to an equal vote is basic to democratic survival. The process of reapportionment begins when notice is taken of such inequality of voting strength and steps are inaugurated to equalize it as much as possible. So far we have been talking in terms of apportionment in general, but it must be realized at this point that it affects legislative life at two levels of government. Distinguishment needs to be made between reapportionment of State legislatures, which by and large has occupied the bulk of time and effort of the courts, and Congressional redistricting—in other words drawing up equal districts in terms of population from which to send representatives to the United States House of Representatives. The reason that these two aspects of the reapportionment problem are seldom separated in general discussions is that the responsibility as well as the failure to act is inherent in the states. The problem has gained prominence, with obvious necessity when the states have failed in their responsibilities to make the necessary adjustments. A second distinguishment that needs to be made for clarification pertains to the method of reapportionment. How should or rather how is this all coming about? In the early 19th century in England, notice was taken of what was termed rotten boroughs and the problem of malapportionment in general by Parliament. The Reform Bill of 1832 sponsored by the Whig government of Earl Grey—in essence a piece of national legislation—affected the then desired remedy. This is the second concern, for when a legislature appears to be unable or even unwilling to participate in its own reapportionment, who will, or can do it for the legislative body? Do the courts have this power? In general, the reapportionment controversy has raged over the judicial judgments made and not over the legislative efforts.

The legislature, and especially those legislators who have felt a responsibility to engage in self reapportionment have been hamstrung by a variety of barriers. The State Constitutions, for one thing, which have created and outlined the powers and organizational structure of the legislatures were drafted (the bulk of them) in the 18th and 19th centuries when government was considered as something less than desirable—a necessary evil so to speak, but surely not a positive instrument of society.[43] Legislative reapportionment by the legislatures has been compared to do-it-yourself surgery, "a painful job that is apt to be done badly.[44] Self interests, whether personal, partisan or emotional make it difficult to insert the scalpel. In Maryland, for example, the General Assembly in its efforts at Congressional redistricting could not bring itself to eliminate one of the three representatives sent exclusively from Baltimore city. It may be noted that all three incumbents have sufficient seniority to hold important and powerful committee memberships in Congress and all three belong to the party that controls the General Assembly. Consequently, the legislature failed to adopt a plan. It now remains for the Federal District Court to do it for them. The most obvious question that comes to mind is whether a malapportioned legislature can introspect its attention and cure itself? Can one expect a bill approving the destruction of a system to be adopted by that very same system? Mayor McKeldin of Baltimore does not think so.[45]

"I cannot find it in my heart to castigate the members of the State legislature who vote, in effect, to maintain their own advantage and that of their constituents. I may not like the way they vote, and I may not like the consequences, but I recognize their vote, in terms of political reality, as inevitable and natural."

Maryland, in effect, was stuck without the help of court intervention. The state ballot of 1950 called for a consensus vote by the Maryland voters on the issue of a Constitutional Convention. 200,439 voters approved such a call while 56,998 disapproved. In spite of this almost 4–1 edge and in violation of Article XIV, Section 2 of the Maryland Constitution the General Assembly has refused to pass enabling legislation to call such a convention which could have laid the groundwork for reapportionment. Critics point out, however, that the delegates to such a convention would be selected on the same malapportioned basis as those in the Assembly and consequently, the Convention would have served no useful purpose. The Maryland Court of Appeals has written off any chance of self-reapportionment when it said, "the chances of the appellant's obtaining relief from the infringement upon their alleged Constitutional rights, other than from the courts, is so remote as to be practically nil." It must be said that even in the face of legislative inactivity the courts have stepped in with the greatest of reluctance. A Federal District Court in Alabama said in 1962 that the "duty to reapportion rests clearly on the legislature and the court was acting only because of long-continued default and total inability of the legislature to reapportion itself."[46] The reluctance of some has gone so far as to be patently optimistic. Yet their optimism carries a hint that a judicial course of action is still open.

"The legislative branch has, as yet failed to act. So long as time remains for performance, we cannot presume that once their duty has been called to their attention they will fail to carry it out."[47]

". . . if the legislature neglects or refuses to make a fair, equitable and constitutional apportionment within a reasonable time after the 1963 legislature has been in session, then plaintiffs or others should not be prejudiced or prevented, by the decision in this case, from appealing to a federal court for redress."[48]

Why should the courts feel this reluctance to speak out in these cases? If one has been injured hasn't it been the historic purpose and function of the courts to give him assistance? Is it not the court that makes the aggrieved the equal of the aggravator? Lee Rankin strongly supports the judicial action at this point when he notes that, "the Supreme Court in its historic action in the reapportionment cases has been faithful to its great role as the protector of democratic rights and institutions."[49] In response to the accusation that by such action the Court has subjected itself to a loss of prestige he replies that it would have lost more prestige by ignoring the problem than by facing it. Another, but related issue is the question of propriety of a federal court intervening in the matter of the organization of state and local governments. Thus, the delicate relationship of federalism is subjected to more pressure. Mayor McKeldin raised this concern, even though recognizing the inability of his state to cure its own problem. He somewhat answered his own fears by saying, "However, they (Constitutional framers) did not intend the preservation of states' rights at the expense of individual rights, and they wisely provided instruments and mechanisms by which the Federal Government might restore individual rights whenever these latter were threatened at any other level of government."[50] Another fear of critics is that the court is now entering an area where it becomes involved in partisan political policies, for beneath the surface of most of the cases there has lain a political struggle. Rankin recognizes this, but says it is inevitable.

"Reapportionment normally involves a struggle of one political group against another for increased power. The manifest purpose of reapportionment suits is to aid the complainants in their efforts to exert a greater influence on legislation and political decisions than these who are in control of the legislature. In such a contest it is impossible to avoid the bitterness engendered by the effort to redistribute political influence from a group of 'haves' to a group of 'have nots'."[51]

Such an attitude is tempered with a cautious warning from others. McCloskey suggests that the courts' value as constitutional tribunals would be seriously jeopardized if the public began to come to the conclusion that they were merely another legislature and that judicial appeal was just another way of expressing a super layer imposed on the legislative process.[52] Perhaps traditionally, the strongest argument against judicial intervention in such cases was a lack of discernable, effective remedies to be used by the courts. Some remedies that have been suggested and used to a degree are: injunctions against election officials restraining them from holding elections without a correction of existing malapportionment,[53] at-large elections—thus eliminating the discrepancies of unequal districts,[54] and writs of mandamus issued against the legislature itself. (The latter is not likely to be used in view of the difficulty of holding an entire legislature in contempt for failure to comply.) The lack of effective remedies has not seemed to present any discoverable hardship and the courts have not suffered any apparent loss of prestige because of it. McCloskey reports no instance of legislative defiance in the face of a judicial pronouncement[55] since the beginning of these cases. This says something of a very significant nature about the position of the courts in our political society.

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[42] Sindler, Allan. P., "Baker v. Carr: How to 'Sear the Conscience' of Legislators," 72 Yale Law Journal, 1962, at page 23.

[43] Armbrister, op. cit. at p. 71.

[44] Schattschneider, op. cit. at p. 12.

[45] Testimony of Theodore McKeldin, noted supra at note 4, p. 7 at page 834. The following exchange was recorded on page 839. Senator Tydings: "Could you conceive of the Maryland legislature submitting for the people of Maryland a fair apportionment plan under the present constituted malapportioned State Assembly?" Mr. McKeldin, "That would be impossible, in my opinion." Senator Tydings: "That is right—means nothing when you have a malapportioned legislature which is submitting the plan to the people."

[46] Sims v. Frank, 208 F. Supp. 431 (M.D. Ala. 1962) at p. 441.

[47] Michell v. Rousseau, 183 A. 2nd 817, Vt. 1962, at p. 823.

[48] Wisconsin v. Zimmerman, 209 F. Supp. 183 (W.D. Wis. 1962) at p. 188.

[49] Rankin, J. Lee, "The High Price Exacted for Not Entering The Political Thicket," 15 American University Law Review 1, Dec. 1965, at page 27.

[50] Testimony of Theodore McKeldin, cited supra note 4, p. 7, at p. 831.

[51] Rankin, op. cit at p. 2.

[52] McCloskey, op. cit. at p. 67.

[53] Saunders v. Gray, 203 F. Supp. 158 (N.D. Ga. 1962).

[54] Carroll v. Becker, 285 U.S. 380, 1932.

The remainder of this section will be devoted to a look at a sample of the cases that have affected apportionment. Basically the issue that brought the question to the court's attention was that unequal representation in State legislatures and the United States House of Representatives was a denial of the equal protection of the laws as required by the 14th Amendment to the Constitution. In other words, a person in a district of greater population and yet represented by an equal or lesser number of representatives than one living in a district of lesser population was not given an equal voice in the creation of law; therefore he was not equally protected. That these cases have been important is hardly a disputed fact. Senator SAM ERVIN of North Carolina in one of our seminar sessions stated that in his opinion the "courts have best influenced the legislative process through the reapportionment cases." Lee Rankin feels that the *Baker* v. *Carr* decision, among others of its successors will probably "have a more far-reaching effect on the nature and development of American life and institutions than any other pronouncements . . . within modern times."[56] Potentially the effect of these decisions will reach every subsequent piece of legislation. Let us look briefly at some of these decisions.

The tradition that had developed in reapportionment cases was spelled out in *Colegrove* v. *Green*,[57] a 1946 case. Colegrove held, on a question of inequities in Congressional districts, that malapportionment is a "political question" and therefore not meet for judicial determination. Political questions are those for which redress should be sought in the electoral, not judicial process; therefore such a question was held to be non-justiciable. The Supreme Court developed this doctrine of non-justiciability on several grounds. The wrong complained of was not a private wrong, but one suffered by the entire body politic. To involve the judiciary in the politics of the people is "hostile to a democratic system." A due regard for the effective working of our government dictates that one branch should not do what is the responsibility of another. A final argument even saw the Constitution as being sufficiently viable to permit malapportionment, if legislatively determined.

Gomillion v. *Lightfoot*[58] is seen as an assertion that the general matter of apportionment is justiciable under certain circumstances. This decision, handed down in 1960 held that the State legislature of Alabama could not recast the municipal boundaries of Tuskegee in such a way as to exclude the plaintiffs from a rightfully held right to vote in municipal elections. The Court stated, "Legislative control over municipalities no less than other State power, lies within the scope of relevant limitations imposed by the United States Constitution. The opposite conclusion, urged upon us by respondents, would sanction the achievement by a state of any impairment of voting rights whatever, so long as it was cloaked in the garb of the realignment of political subdivisions. It is inconceivable that the guarantees imbedded in the Constitution of the United States may thus be manipulated out of existence."[59]

By far, the case that opened the door for extensive judicial examination of apportionment was *Baker v. Carr*.[60] This case was brought by a citizen of Tennessee who noted that the Tennessee State legislature, contrary to State constitutional requirements had not reapportioned for sixty years. The complaint was brought on the basis that such malapportionment—the result of the failure of the legislature to reapportion—constituted a denial to the plaintiff of the equal protection of the laws under the 14th Amendment of the United States Constitution. The Supreme Court, in a precedent shattering 1962 decision held this to be a justiciable issue and preceded to make their examination. At least two things are important to note here: first of all it is a case of the federal court determining that a State legislature was violating this individual right and second, that the issue was brought under the 14th Amendment—a charge of discrimination—and not on the old orthodox issue that malapportionment was a violation of the Constitutional guarantee of a republican form of State government. Justice Brennan in stating the decision laid the issue of non-justiciability of a political question by saying, "The political question doctrine, a tool for maintainance of government order, will not be so applied as to promote only disorder."[61]

It would appear to me, in terms of the matter of representation and the legislative process, that the Court set definite limits on the utility of the presently defined doctrine. For example, it is questionable whether representatives who have been elected from an unchallenged and malapportioned district could have their prior election challenged and subsequently thrown out on the basis of this case. ". . when the senators and representatives of a State are admitted to the councils of the Union, the authority of the government under which they are appointed, as well as its republican character, is recognized by the proper constitutional authority. And its decision is binding on every other department of the government and could not be questioned in a judicial tribunal."[62] Justice Douglas in a concurring opinion stated that the test under which apportionment is to be judged is not universal equality, but whether or not the malapportionment injects an obvious and invidious discrimination on the plaintiff. The *Baker* case has, it goes without saying, been roundly discussed and resoundly cussed. McKay calls it one of the two most important cases decided by the Supreme Court in the 20th century.[63] *Baker* serves to strengthen and extend the most important voting function by protecting the integrity of the vote which is cast. Without this integrity, says McKay, the vote is meaningless. The dissent in *Baker* follows the old rule laid down in *Colegrove;* that the redress, if any, is to be found in an "informed, civically militant electorate," and not in the courts. "Do not the legislatures have the right to remain silent?" asks Justice Harlan in a dissenting opinion.[64] Legislative inaction may be seen to be as surely an exercise of legislative power as legislative action.

"Surely it lies within the province of a state legislature to conclude that an existing allocation of senators and representatives constitutes a desirable balance of geographical and demographical representation, or that in the interest of stability of government it would be best to defer for some further time the redistribution of seats in the state legislature."[65]

Baker was followed in 1964 by *Reynolds* v. *Sims*.[66] The *Reynolds* case restated the *Baker* concept—that the "Equal Protection Clause" requires substantially equal legislative representation for all citizens of a state regardless of where they reside. This decision went further in a more specific manner to declare that in a bicameral state legislature the seats of both houses must be apportioned substantially on a population basis. This hit virtually all of the legislatures in the country. These bodies have had at least one house apportioned on a basis other than population. These county or unit areas of representation that were involved were, as we have already seen, the locus of extreme inequities in proportional representation. It had become a matter that the county or the unit or the chief economic or other interest group was that which was being primarily represented. This was what the Supreme Court was now striking down when they said, "Legislators represent people, not trees or acres. Legislators are elected by voters, not farms or cities or economic interests. As long as ours is a representative form of government elected directly by and directly representative of the people, the right to elect legislators in a free and unimpaired fashion is a bedrock of our political system."[67]

To dilute the weight of a vote, continued the court, because of the residence of the voter impairs his basic constitutional rights under the 14th Amendment as much as invidious discrimination based on race, sex or economic status. Political equality can mean only one thing—one person, one vote. A state may no longer give consideration to any of the following as an apportionment basis; history or tradition, economic or group interests, area, geography, desire to insure effective representation for sparsely settled areas, availability or access of citizens to their representatives, theories of bicameralism—except as approved by the Court, occupation, attempt to balance urban and rural power, and the preference of a majority of voters in the state. It may have been this last, as much as any other idea that prompted Justice Harlan in his dissenting opinion to *Reynolds* when he said, "I believe that the vitality of our political system on which in the last analysis all else depends, is weakened by reliance on the judiciary for political reform; in time a complacent body politic may result."

EFFECT OF REAPPORTIONMENT ON THE LEGISLATIVE PROCESS

The task of drawing some conclusions is at once the most difficult in the analysis of this problem and yet few of the observations that have been made in this paper are separate from the legislative process. That apportionment is vitally concerned with the legislative process is not in dispute. The only figures I have ever seen on the importance of single votes were a part of a film[68] which claimed that in an off-year election the winner could be determined by getting the votes of an uncommitted 3 or 4 out of every 100 voters in each precinct of each district. The issue of apportionment which is directly involved in the location of these boundaries and the population make-up of those districts and precincts becomes a major factor in who gets elected to serve in the legislative halls of our country. Now that the Supreme Court has ordered the reapportionment of legislatures along certain lines and the fact that states are voluntarily complying one wonders what changes will be evident.

One of the fears that was expressed as a reaction to the *Reynolds* v. *Sims* decision came from Everett Dirksen, United States Senator from Illinois. Senator Dirksen claims that in our haste to cure the ills of rural dominated malapportioned legislatures we will jump to the opposite extreme which is equally as disastrous. "In turning the control of the State legislatures over to the cities, the court is giving to the city bosses the power to tax and with it the power to destroy."[69] It becomes evident that just as urbanites have suspected rural interests because of what they have done in the legislatures so the rural interests are now afraid of what will happen when the "shoe goes on the other foot." Dirksen claims that the city "machines" will determine where roads will be built, where school funds will go, where police protection will be provided and the disposition of welfare funds. Numbers, say Dirksen, don't hold the key to wisdom in terms of questions of public policy. Now, he charges, because of the decree of the Supreme Court California can be dominated by Los Angeles and San Francisco; Michigan by Detroit; New York State by the five boroughs of New York City and Pennsylvania by Philadelphia and Pittsburgh. To answer, at least in part, this fear one need only look to the United States Senate. Since the adoption of the popular election amendment potentially the large urban areas or cities in the states could control the election of the states' two Senators. It hardly appears that this possibility has harmed the caliber of the occupants of the Senate. The cities seemed to have helped in electing as capable Senators as the State legislatures did before them. Professor Hanson of American University claims this urban conspiracy is more myth than possibility.

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[55] McCloskey, noted supra at note 3, p. 27.

[56] Rankin, op. cit. at p. 1.

[57] Colegrove v. Green, 328 U.S. 549, 1946.

[58] Gomillion v. Lightfoot, 364 U.S. 339, 1960.

[59] Ibid. at 344–345.

[60] Baker v. Carr, 369 U.S. 186, 1962.

[61] Baker v. Carr, supra at page 215.

[62] Ibid. at p. 220.

[63] McKay, op. cit. (Along with the school desegregation case—Brown v. Board of Education).

[64] Baker v. Carr, supra at p. 336.

[65] Ibid.

[66] Reynolds v. Sims, 377 U.S. 533, 1964.

[67] Reynolds v. Sims, supra at p. 562.

[68] "Where Were You?" a Ford Motor Company Film produced about 1960.

"Urban and suburban citizens, who will receive their fair share of legislators at long last, are not a homogeneous mass of humanity. Their interests and politics are, as a rule, far more complex, diverse, and divisive than rural politics. Majorities and minorities are more likely to rest on temporary coalitions of interests than on urban-rural cleavage."[70]

The most obvious of the results to the legislative process is the new and more extensive activity of the courts. Now, not only may a court exert an influence on legislation by construing its meaning upon question and determining its constitutionality, but it may also look into the very substance of the process of representation. The new concept of judicial restraint in political questions revolves around two points. The Court may not inquire into any matter (1) calling for a decision by a parallel and coequal branch of the national government, or (2) where judicially discoverable and manageable standards are lacking. The question in the minds of many in this respect is whether these reapportionment cases indicate a trend that the Supreme Court will become more liberal in its interpretation of its jurisdiction. Robert McKay thinks it might. Any question presented to a federal court in a proper form "arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made under their authority,"[71] is justiciable. "To deny recognition to fundamental constitutional issues and to retreat from correction of wrongs discovered by inquiry would be a sad confession of judicial inability."[72]

Another result affecting the legislative process is that authority for legislatures to apportion themselves on bases other than population can come only from the Constitutional amending process. As in the cases of popular Senatorial elections, woman suffrage, income and poll tax questions an Amendment has been introduced. Senator Dirksen, on August 11, 1965 introduced Senate Joint Resolution 103—"Proposing an amendment to the Constitution of the United States to preserve to the people of each State power to determine the composition of its legislature and the apportionment of the membership thereof in accordance with law and the provisions of the Constitution of the United States." This proposed amendment provides that in the case of a bicameral state legislature members of one house shall be apportioned on the basis of population but that members of the second house may be apportioned on other bases such as geography or political subdivisions. Whatever apportionment is to become effective in a state must be approved by a majority of its voters. These choices for approval by the voters must contain one plan which is based solely on substantial equality of population. The basic proposition expounded by backers of this proposal is that the people of a state ought to have the right to choose how they shall be represented in the state legislature. Dirksen has found substantial popular support for the amendment. Some of this support, to be sure, comes from an emotional appeal to the fear of big city political machines, some of it is an appeal to majority democracy—a concept difficult to oppose and some of it comes from a realistic appraisal of states where practical political problems might occur.

"There is need for the Dirksen amendment in states like California, where the population tends to be jammed up in a small section of a tremendously variegated geographical whole. Under 'one man, one vote' representation in two houses of the California State Legislature, urban Los Angeles could, at least theoretically, reduce the whole San Francisco Bay region to the role of humble petitioners at the Capitol in Sacramento."[73]

Opponents of the amendment, such as Royce Hanson, say that the basic issue is not one of the democratic right of a majority to decide, but rather to what extent should individual rights of citizens be subordinated to majority power?[74] Some personal rights are beyond the reach of any majority at any time. Thomas Jefferson was quoted, during testimony of Hanson, as saying, "Equal representation is so fundamental a principle in a true republic that no prejudice can justify its violation because the prejudices themselves cannot be justified."[75]

Professor Schattschneider sees that reapportionment will eventually influence some of the traditions in Congress. In particular he foresees the decline of the advantage that the seniority system has worked for some Congressmen. Lengthy tenures in Congress will not be as common from states previously felt to be one party strongholds.

"In the U.S. House of Representatives, malapportionment combines with a different factor to produce an anti-urban, even a pro-rural bias. The internal organization of the House tends to give a great premium to members who acquire seniority because they have very little organized opposition in their 'safe' constituencies. Notoriously the seniority system in the House works to the advantage of (1) members from one-party, rural constituencies in the North and West and (2) members from states of the old Solid South."[76]

Reapportionment appears to have many changes in store for our state systems of legislative bicameralism. If one might assume for purposes of argument that the Dirksen Amendment will find favor with sufficient states and members of Congress to be adopted and ratified the result, providing the States take advantage of the option provided, would be a legislature with one house apportioned on the substantial equality basis and the second house remaining as it is. It is hard to see that such a scheme would provide any change over the current status quo. Professor Hanson cites instances where this isituation has existed. In Michigan one house was reasonably well apportioned on the basis of population while the other was poorly apportioned. An impasse developed between the two houses over tax legislation essential for the state. By the time the impasse was resolved the State was on the verge of financial bankruptcy. In 1962 Maryland enacted a stopgap reapportionment measure in the House of Delegates. The House proceeded to pass a series of bills dealing with urban issues. The Senate, however, which remained unchanged in its apportionment on a county basis operated to veto these bills. Many of the proposals did not even make it to the floor of the Senate while those that did were defeated. Some will say that to reapportion both houses on the basis of population will destroy the value of a bicameral system. The Court in its *Reynolds* decision was very explicit in its suggestions for the maintainance of bicameralism on the State level.

"We do not believe that the concept of bicameralism is rendered anachronistic and meaningless when the predominant basis of representation in the two State legislative bodies is required to be the same—population. A prime reason for bicameralism, modernly considered, is to insure mature deliberate consideration of, and to prevent precipitate action on, proposed legislative measures. Simply because the controlling criterion for apportioning representation is required to be the same in both houses does not mean that there will be no differences in the composition and complexion of the two bodies. Different constituencies can be represented in the two houses. One body could be composed of single-member districts while the other could have at least some multi-member districts. The length of terms of the legislators in the separate bodies could differ. The numerical size of the two bodies could be made to differ, even significantly, and the geographical size of districts from which legislators are elected could also be made to differ. And apportionment in one house could be arranged so as to balance off minor inequities in the representation of certain areas in the other house."[77]

All of the results discussed so far have been incidental to the main concern of the reapportionment movement. If the causes were rooted in urban problems and the ineptness and inefficiency of State governments, what will happen in these areas? Will reapportionment solve these crises? Based on our observation of conditions under a rural dominated legislature it seems a fair assumption that only an urban legislative majority is likely to have the interest and the will to do the things that need to be done. As these legislatures become apportioned on the basis of population our second assumption is that fair representation will result and where urban majorities are in order they will come into existence. Such a legislative majority will, by political necessity, be required to tackle these matters so long ignored by the states—civil rights, social welfare, penology, crime prevention, labor benefits, conservation, education and a host of others. By making the proper number of seats available to the suburbs and cities, reapportionment makes possible the better representation of minority interests and groups, such as Negroes, fringe area farmers, laborers, businessmen (and even Republicans).[78] Armbrister, in his extensive report[79] printed in the Saturday Evening Post sees a real advance in the political growth of two-party politics in many areas of the country; Republicans in the South, Southwest and West; Democrats in New England and the Midwest. Minority groups will also have new voices as witnessed by the election of ten Negroes to the Georgia State legislature. It is generally felt that the group that stands to gain the most in terms of additional representations is the suburb. In the Chicago area, for example, while the city proper will pick up three more seats as a result of Illinois legislative reapportionment the surrounding suburbs are gaining twice that number. Thus, the suburban voter will be in a new position as a shift man on partisan policies.

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[69] Dirksen, Everett McKinley, U.S.S. "The Supreme Court Is Defying The People," Saturday Evening Post, September 12, 1964.

[70] Testimony of Royce Hanson before the Senate Subcommittee on Constitutional Amendments, op. cit. at p. 653.

[71] *Constitution of the United States,* Article III, Section 2.

[72] McKay, op. cit. at p. 650–651.

[73] Chamberlain, John, "Reapportionment Favors Suburbs," King Features Syndicate, Washington Post, 1966.

[74] Hearings Before Subcommittee on Constitutional Amend. op. cit. p. 649.

[75] Ibid.

[76] Schattschneider, op. cit. at page 11.

[77] Reynolds v. Sims, supra, page 576–577.

Many of the suburbanites are what one writer has called the "old central city Democrats" who have jumped several notches in the economic ladder and in so doing have deserted the inner city for the more open suburb. If the Democrat Party moves too far to the left under pressure from the service starved city, the suburban Democrat may respond by going Republican. Such conjecture at times gets a bit theoretical, but at any rate cross currents like these help to point up the possible lack of complete unity on the part of the urbanites which may help to relieve some of the fears of the Dirksen Amendment supporters. It is a fair summary and perhaps understatement to admit that the shift of political power is moving gradually but surely from the rural to the urban complex as a result of reapportionment. As to what all this will do to the dilemma of State government may perhaps be seen in an example cited in Armbrister's report.[80] Following the reapportionment of the Michigan legislature the legislative newcomers set about: increasing appropriations for education and mental health, hoisted workmen's and unemployment compensation by substantial amounts and provided homestead exemptions for senior citizens. The legislature not only concerned itself with urban problems, but turned its attention to the organization of the State government. As a result, the governor was successful in reducing the top-heavy number of executive boards and commissions from an unmanageable 140 to a streamlined 19. These fringe benefits, as Armbrister calls them will be as important a result of reapportionment in the long run as the overt advantages gained by the individuals from a more equitable distribution of legislative seats. Indeed, it seems as if reapportionment has given the states a long sought opportunity to reassert themselves as meaningful units of government.

AGRICULTURE AND ECONOMIC GROWTH

Mr. SCOTT. Mr. President, it has been estimated that the number of people on this planet will at least double in the next third of a century—from 3 to 6 billion. This will require a doubling of our total food supply over the same period just to maintain present standards. According to the U.N. Food and Agriculture Organization, the total food supply will have to triple by the year 2000 in order to bring the diets in the low-income two-thirds of the world up to minimum standards for health and efficiency.

Therefore, I was particularly interested in an address by H. J. Heinz II, on "Agriculture and Economic Growth" before the International Advertising Association in Mexico. Mr. Heinz describes the role of the private, as well as the government, sector in insuring agricultural development. He points up the success formulas of countries which are actively meeting the dilemma of population growth coupled with food shortages. He suggests the necessity of giving incentive to the farmer and bringing agriculture into fuller participation in national economic growth.

Mr. Heinz's address makes a significant contribution to our efforts to meet problems of the growing world population and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

AGRICULTURE AND ECONOMIC GROWTH

(Address by H. J. Heinz II, to the International Advertising Association, Mexico, D.F., Mexico, May 9, 1966)

None of us can fail to be impressed by the stark arithmetic of the race between population and food supply. We are told that the number of people on this planet will at least double in the next third of a century, from 3 billion to 6 billion. At a minimum, this calls for doubling our total food supply over the same period. But, according to the UN Food and Agriculture Organization, the total food supply will have to *triple* by the year 2000 if diets in the low-income two thirds of the world are to be brought up to minimum standards for health and efficiency.

This is a grim challenge, particularly in view of the record and current performance of agriculture in all but a very few areas of the world. We have also come to recognize that population control, while important in the long run, is only half the equation and is at best a difficult and slow process because of cultural, religious and other obstacles.

The proposition I should like to explore with you today, however, is that the food deficit is not the fundamental challenge we face between now and the end of the century. Our primary task is not simply to engineer more food production. It is to learn how to stimulate broad-scale, balanced economic growth in the low income areas—growth in which the agricultural sector participates, contributes, and benefits.

I do not minimize the crisis aspects of current and anticipated food shortages. Hunger is a reality, and famines are a real possibility. Emergency measures are needed and are already under way. Huge sales and donations of food grains and other commodities have been flowing in recent years from the so-called "surplus" agricultural areas, especially North America and Australia, to countries hit by crop failures and temporary food shortages. India, for example, will receive 10 million tons of U.S. food grains this year, and an additional 2 million tons from Canada and other donor countries. These shipments will be close to the limits of what India's port, storage and transport facilities can handle.

Governments and private industry are also cooperating in crash efforts to develop and market nutritional food additives and substitutes, particularly high-protein concentrates. A few promising breakthroughs have recently been made. Incaparina, developed in Guatemala by the Institute of Nutrition of Central America and Panama, was introduced commercially in Guatemala by a local brewry and, in Colombia and Venezuela, by Quaker Oats, which will also market it in Brazil. This mix of corn massa, cottonseed meal, sesame-seed meal and turula yeast is nearly 30 percent protein, and is the nutritional equivalent of milk, although it costs one sixth to one tenth as much as milk. Nestle recently agreed to manufacture and market Peruvita, a comparable vegetable food mixture developed by the Peruvian government. In Hong Kong, Pepsi-Cola has introduced a soy milk which reportedly outsells all soft drinks in the colony.

Hopeful technical progress is reported in other areas, including water desalinization and reclamation, and whole-fish-meal protein concentrates. Mexico recently proposed, at Rio de Janeiro last fall, an interesting idea for a Hemisphere food and medical "bank," an Inter-American Emergency Aid Fund. All these and similar efforts and proposals can prove most valuable, and they need to be supported and expanded.

They do not, however, deal with the causes of world food shortages. The causes lie in our failure, so far, to understand agriculture's role in overall economic development—and our failure to make the public and private policy decisions that are necessary to bring about a world revolution in agricultural practices and production.

We are well acquainted with most of the elements of such a revolution. We have acquired a considerable body of knowledge about the many ways in which economic development takes place and, more specifically, about agricultural technology, farm management, and farm marketing. There has also been, in the last few years, a wider sharing and adopting of this knowledge through foreign aid programs, intergovernmental technical assistance, and foundation-supported projects such as the International Rice Research Institute in the Philippines, which has developed and is now distributing in Asia new hybrid varieties of rice that are much higher in nutritive quality. Similar progress in corn and wheat hybrids is taking place in Mexico on a commercial scale, and in sorghums in India. President Johnson's proposed "Food for Freedom" program, with its emphasis of self-help, can stimulate agricultural research and the sharing and adapting of technologies while, at the same time, the planned expansion of food shipments to the food-deficit areas will buy time for these technologies to take root.

All this is to the good, but I am afraid it is not enough. Too little emphasis is being placed on research in, for example, the development or adaptation of seed varieties that are more productive under local conditions and are resistant to local plant pests and diseases. The extension of farm technology to farmers is expanding, but too little of this extension is research-based. A notable exception is the National School of Agriculture at Chapingo, Mexico, which is now being expanded and strengthened in precisely this dimension.

There is also too little attention to farm credit and marketing problems, to rural-community development, and to the decentralization of industry and consumer services into rural areas. Too much is being said and proposed about land reform, without sufficient, careful consideration of the patterns of land ownership and tenancy that are economically sound for a particular country, and that allow the farmer the opportunities to earn his way into a cash economy.

What is lacking in too many parts of the world is a coherent strategy for *balanced* economic growth. We need a systems management approach which recognizes, not only the separate inputs and elements of development but also the right "mix" of public and private inputs in each local situation. Moreover, government must evolve those public policies which will encourage private attitudes and initiatives favorable to self-sustained growth.

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[78] Testimony (tongue in cheek) by Hansen—one time Democrat candidate for Congress to the Dirksen (Republican) Amendment hearings.

[79] Armbrister, op. cit. page 29.

[80] Armbrister, op. cit. page 26 and 70.

We must free ourselves from the notion that economic development is synonymous with industrialization, or that urban-industrial development can be successful without simultaneous expansion of productivity and purchasing power in the rural areas. I think, too, we should get out of the habit of treating agricultural development purely in terms of production technology—as if additional investments in water, seeds, fertilizer and other technical inputs will solve the problem.

The real question is whether the farmer has the *incentives* as well as the opportunities to become more productive.

Historically, there is no field of human endeavor in which the incentives of the marketplace are more important than in agriculture. Unlike any other major industry, decision-making in agriculture is diffused among many relatively small producing units. The decisions of what to grow, how much to grow, whether to invest in the expectation of higher yields, are all based on the incentives the market offers to the individual farm operator. Even in collectivized agriculture, individual decisions to work harder, to perfect new practices, to strive for higher yields, depend on whether the rewards are worth it—a fact which communist economic planners are reluctantly admitting.

I am not talking pure theory. There are some very encouraging success stories, in several different developing countries. Pakistan is one. I should like to use it as an illustration because it provides a clear-cut "before" and "after" demonstration. We also have some good hard data from as yet unpublished studies conducted for the Pakistan Planning Commission by Walter P. Falcon and Carl H. Gotsch of Harvard's Center for International Affairs.

The "before" period in Pakistan's development runs from 1947 to 1959—from the partitioning from India through the end of the first Five Year Plan. During this period, Pakistan's agricultural output grew at a slower rate than population, with some crops, including rice, at an absolute standstill.

The "after" period coincides with the second Five Year Plan, 1960–65, when the agricultural growth rate more than doubled, from 1.2 percent a year to 3.2 percent.

What happened?

According to the well-documented Harvard studies, there was a basic change in the government's posture toward agriculture, and in its policies and services related to agriculture. In this changed climate, with adequate inputs available and with the right incentives present, there occurred a wide variety of private initiatives. The synergistic effect was a real revolution in agricultural practices and performances.

The most important innovations in government policy were first, to give agriculture—and industries related to agriculture—the highest priority in government planning and investment and second, to dismantle, progressively, the principal government restraints and controls on agriculture and the market.

Until 1960, for example, the food grain market was subject to compulsory government procurement at less than market prices. Since 1960, farmers have been able to sell to the highest bidder. To prevent excessive price fluctuations, however, the government has used buffer stocks of U.S. PL 480 wheat. Local currency proceeds from these sales are ploughed back into agricultural development projects, probably to a larger degree than in any other country.

Similarly, the Pakistan government has progressively reduced export duties on cotton and jute, and since 1958 offered an export bonus on fine quality rice that can earn a premium price in foreign markets. Dismantling the export duties cut into a traditional source of government revenue but, more important, it provided a market stimulus for increased production and contributed to sharply increased export earnings.

In addition to freeing the market for farm products, the government expanded its work in irrigation and salinity control. Government efforts to develop and distribute improved seed varieties were only marginally successful. However, an important means for adopting better seed varieties turned out to be farmer-to-farmer exchanges of the best selections of local seeds. I might add that just 18 months ago Pakistan began experimenting with dwarf varieties of wheat imported from Mexico, with very promising results.

Farming in West Pakistan—wheat, sugarcane, rice, cotton and other crops—is heavily dependent on irrigation. The country has, in fact, the world's largest irrigation system, constructed mainly between 1880 and 1920. For several decades the government has been sinking tube wells, pumping supplementary and more reliable quantities of water onto the farms where it is needed. Beginning in the late fifties, the government disseminated its tube-well technology to individual farmers and to private well-sinking companies. As a result, there was a sudden surge in the drilling of private wells. A total of 25,000 tube wells were sunk during the last five years. The private wells enable farmers to calculate their use of water more precisely, as well as to insure adequate water.

The expanded and more efficient use of water is credited with about one third of the increased farm output during 1960–65. It is worth mentioning also that the farmers' demand for their own wells has created a sizable private industry of small machine shops and pump and engine factories in rural towns and cities of West Pakistan.

The government began subsidizing fertilizer and pesticide prices in 1959, and sent extension personnel into the fields to apply plant sprays. In 1964, the government gave up its fertilizer monopoly by admitting private competition, with a resulting heavy increase in the availability and use of fertilizers.

The record has been parallel—though somewhat less clear—in the rice country of East Pakistan, which is dependent on rain, rather than irrigation. Until 1960, the rate of rice output was stagnant. During the second Plan period, with decontrol and the easing of export restraints, output climbed an average 3.4 percent a year. About one third of the increase can be attributed to the cultivation of new land, including 100,000 acres of marginal land brought under irrigation. Two thirds of the increase, however, is attributed to improved and new varieties of seeds, heavy increases in the use of fertilizers and plant protection, improved roads, intensified use of labor. And, overall, considerable credit must be given to the incentives of a decontrolled market, which rewarded the farmer for greater efficiency and higher yields.

There are, as I have said, several such success stories where a developing country has found the right mix of public and private inputs—and the kind of market environment—that encourage entrepreneurship in farming, and thus help bring agriculture into fuller participation in national economic growth. Taiwan has contributed to this progress through public policies which treat agricultural development as an inseparable partner of industrialization. Overall economic progress in Taiwan has also relied heavily on free interaction between urban and rural markets, with marginal but growing reliance on exports. Peru has had spectacular results in that section of its agriculture that is directed toward exports, particularly in cotton, sugar and coffee and, recently, fisheries. Peru has been much less successful in developing a commercial agriculture for domestic consumption. In Mexico, the northern deserts that have been brought under irrigation now account for over 40 percent of this country's total farm production, by value. These are the commercial farms that are large enough to be worked efficiently, and to take advantage of technical services such as irrigation and fertilizer.

We should also include, among these examples, the experience of the United States, whose agricultural revolution is also more recent than we sometimes assume. For approximately 130 years, from 1800 to the 1930's, U.S. agriculture was in many respects in a comparable state to agriculture in many of today's developing economies. It consisted of a commercial agriculture, devoted partially to domestic consumption and partially to export, and subject to slumps and booms with the swing of market prices, plus a subsistence agriculture that was normally even more precarious. Much was learned, throughout this long period, about soil chemistry, plant and animal genetics, control of plant diseases and insects, and other technical inputs that could—in controlled pilot experiments—increase farm productivity. Yet, despite some startling exceptions in selected regions of the country, the average yields per acre in the United States showed no appreciable increase between 1890 and 1930. One of the first to put his finger on the problem was a research agriculturist, Dr. Tennyson B. Jarvis, who wrote in 1931:

"What is the secret of this inconsistency between our accumulation of scientific knowledge in relation to agriculture and our lack of gain in average yield per acre? It is that we have concentrated upon isolated problems of genetics, insect and disease control, soil fertility, or individual response to stimuli, and have neglected to view all agencies in their interactive relationship. . . ."

The real revolution in U.S. agriculture was beginning at the time Dr. Javis wrote those words—in the midst of a world-wide depression, but also at a point in history when many separate agricultural inputs were being made simultaneously, and were starting to interact. These inputs of the 1930's included stepped-up public investments in irrigation and flood control, control of soil erosion, farm-to-market roads, Federal insurance of farm mortgages, rural electrification, and expanded research and extension in the broad range of farm technologies and farm and home management. Equally important were the wide variety of private-sector inputs—rural credit and marketing cooperatives, consolidation of farms into larger and more economic units, investments in mechanization, and a greatly increased flow of private capital into agribusiness, including fertilizers and pesticides, farm implements, commercial development of improved seeds and strains, food processing, and food distribution and retailing. All these inputs interacted to produce a revolution in U.S. agriculture when they reached what the physicists call a "critical mass" in an essentially free and competitive market.

The real agricultural revolution, which in the United States began some 30 years ago and is still very much under way, has yet to begin in most of the developing areas. It cannot wait for the artificial stabilization of population and it need not wait for universal education. It is a process that begins when farmers have the technical means and the incentive to compete in the market, to increase their purchasing power, and to acquire their share of the benefits, goods, and gadgets of the rest of the economy. When the opportunities are demonstrated to him, the farmer will take the actions first and acquire the technical understanding later. If his plot of land is small, he will adopt the technologies that go with labor-intensive farming, as the Japanese and others have done before him. If he has ample land and adequate credit, he will invest in mechanization and other capital-intensive technologies. But the means must be available to him, and he must have the incentive of economic rewards.

An agricultural "take-off", to use Walt Rostow's term, cannot be planned, it can only be encouraged. In those parts of the world where economic planning is now traditional, the most effective role for government to play is to formulate national goals realistically, and to provide basic public investments and services, stimulating rather than regulating private decision-making. The only thing that cannot be planned is the performance of the individual producer and consumer.

In the words of a former agricultural adviser to the Pakistanis, "The Government must learn to govern in areas in which it has competence—and to stand by in a fatherly posture where it is less efficient than the private citizen in hot pursuit of a rupee."

Creating this optimum environment in the low-income areas is a responsibility that must be shared, at this stage in history, three ways—by the governments of the various developing countries, by other agencies that are providing economic and technical assistance to the developing countries, and by private investors, local and foreign, who can supply the entrepreneurial drive along with creative know-how. I should like to devote the balance of my remarks to a brief set of recommendations for each of these sectors.

The principal tasks before the governments of the developing countries, I believe, are these:

1. To recognize that agriculture is itself a major, income-producing industry and an important potential market for other industries. This means giving high priority to agriculture in national planning and investment, to help produce the interacting growth of agriculture, industry and services. It means adequate attention to agricultural research as well as extension, irrigation, fertilizer and other technologies, and farm credit and marketing.

2. To recognize, at the same time, that agriculture is by its nature a market-oriented industry made up of individual entrepreneurs, and that the shift from a subsistence agriculture to a productive commercial agriculture requires a reasonably free market in which the individual farmer has the opportunities to improve his productivity and has the incentives to do so.

3. To recognize that agriculture is the base for many related industries—food processing, transportation and storage, wholesaling and retailing, fertilizers and pesticides, farm implements, and hosts of others. This means public policies and incentives that will encourage, rather than discourage, an increased flow of local venture capital and know-how into these fields and into decentralized rural-industrial areas.

4. To recognize, finally, that much of this capital and know-how must come from foreign private investors in food, fibre, chemicals, and other agriculture-related industries, and to adopt attitudes and policies that will encourage, rather than discourage, economically creative foreign private investment.

The aid-granting governments of the advanced industrial nations, such as my own, and the World Bank and other intergovernmental agencies that are assisting the developing countries, can help by improving their procedures for project review. That is, they can give priority to those national development plans and specific projects that are most likely to foster the balanced growth of agriculture, industry and services. I am gratified that my own country's foreign aid agency, AID, has recently been giving greatly increased attention and support to projects that will open up private investment opportunities, including agriculture-related investments.

My last two recommendations are addressed to private investors throughout the world, both in the free-enterprise developing countries and in the capital-exporting countries. We in the private sector have, I believe, an opportunity and obligation to help bring about a constructive revolution in agricultural practices and performance in the developing areas. Indeed, I am convinced the job cannot be done without a considerably accelerated flow of venture capital and know-how into developing agriculture and agribusiness. These are fields, not for speculation, but for long-term growth. There are no quick returns. The risks are sometimes high but so are the potential rewards—in expanding markets, rising purchasing power, and greater stability in the world. The investment opportunity consists of a variety of diversified and intensive private efforts in those developing countries that have both the economic potential and a sufficiently favorable investment climate to warrant the risk. Toward this end, I propose the following two steps in interindustry cooperation:

1. I recommend that the Industry Cooperative Program recently set up with the UN Food and Agriculture Organization accept major responsibility for studying and identifying opportunities for expanded private investment in agriculture and agribusiness in the developing areas. The FAO/Industry program is well-suited to this task because it provides a meeting ground for international experts in agriculture, national and international lending and technical assistance agencies, and representatives of the private sector. It is a forum to which developing countries can bring their agricultural development problems—and specific project proposals—for study and review. Through this mechanism it should be possible to define and select those situations and projects where private investment is appropriate, and to recommend, at the same time, those public policies that are most likely to stimulate private investment in these situations.

2. Once suitable investment opportunities are identified, I recommend the creation of appropriate private investment consortia to act on these and other feasible projects in agricultural development. Each would combine expertise in farm management, farm equipment, chemical and food processing, distribution and marketing. Each of these consortia should be an operating group, with adequate capital to act on specific "in depth" investment opportunities, and to join with local venture capital and/or public agencies in developing these opportunities.

One such combination might contribute to the development of vegetable farming, under contract, along with such supporting facilities and services as agricultural research and training, farm credit and marketing institutions, food processing, and product promotion in the local market.

Another might combine its technical experiences to help support a new broad-scale agricultural experiment station, to be set up in association with a national college of agriculture in South Asia, Africa or Latin America. Such an institution, like the Mexican National College of Agriculture at Chapingo, would need to be established and financed by the host government and would probably require assistance from foreign governments and foundations. Private industry's contribution, however, could be of great significance if it involved technical assistance from seed and feed companies, farm-implement manufacturers, fertilizer and pesticide manufacturers, and experienced food-marketers. This is a role which private industry has long performed in the United States, in association with experiment stations and state colleges of agriculture, and it is a pattern that can be adapted to the needs of developing agriculture.

The long-term profit potential in such a venture would lie in the gradual opening up of commercial markets for locally developed or adapted seeds, fertilizers, pesticides, basic farm implements, and other commercial products.

Constructive steps such as these—thoughtfully developed and executed—I feel, are within the scope of private sector and worthy of the imagination and resourcefulness of industry. The multiplier effect of these and other similar activities could lead to greatly expanded international investment, in a joint effort to bring our best combined resources to bear on a challenge that none of us dares ignore. It is the exciting challenge, not merely of raising more food for more people, but of inviting all the world's people—rural as well as urban—into the joint enterprise of self-sustained economic growth.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

Mr. STENNIS. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE 79TH BIRTHDAY ANNIVERSARY OF SENATOR ROBERTSON

Mr. STENNIS. Mr. President, I ask unanimous consent that if Senators wish me to yield to them on the matter which I shall briefly discuss, I may do so without losing my right to the floor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, tomorrow our esteemed friend from Virginia, WILLIS ROBERTSON, will celebrate another calendar birthday. I do not think of him, though, in terms of birthdays, but rather, in terms of milestones and accomplishments during more than one-third of a century of continuous service in the Congress of the United States. He will celebrate his 79th birthday.

Mr. President, few men in American history are privileged to serve as a Member of the legislative branch of our Government for a third of a century, and fewer still have such a record as the Senator from Virginia, which is filled with constructive service and with achievements that have met many of the problems of his time.

WILLIS ROBERTSON came to the House of Representatives in 1933 while the country was in the depths of the worst and most devastating depression that we have ever known. He served in the House for 13 years and was a member of the Ways and Means Committee most of that time, where he became an expert in the fiscal affairs of our Nation, the major phases of our economy, and the necessary policies to be followed to make our Nation strong.

Following that service in the House, he came to the Senate in 1946 and has been a member of the Committee on Appropriations since 1948. In addition, he has served as a member of the Committee on Banking and Currency since 1946 and has been the chairman of that committee since 1959.

The Banking and Currency Committee handles legislation dealing with every facet of our economy, and the Appropriations Committee fully reviews and exercises surveillance over every department of our vast Government.

In each of these places the Senator from Virginia has distinguished himself with outstanding service of the very highest quality, and continues to do so as he labors here among his colleagues year after year.

As we hail him today for these accomplishments, I wish to enumerate some of the characteristics that have gone to make his record not only a good one, but a noble one, as well as some of the reasons why he is so influential with his colleagues.

I would first point to the tremendous volume of work that he carries on to completion each year. He is quick, energetic, and not only is willing to work but loves his work. I do not know of any Senator who handles a greater volume of work than does the Senator from Virginia. The second thing that I have noticed about his valuable work is his completeness. He never brings in a problem partly worked out, or merely presented from a single viewpoint. He has a great way of making a thrust for the controlling points about a problem and a proposed remedy. He comes to the council table or to the Senate floor with a complete knowledge of every phase of both the problem and the testimony that has been taken in connection therewith. His counsel is sought and availeth much.

Another factor in his effectiveness here is that the membership in this body, without a single exception, have complete confidence not only in his integrity, but also in his competency as to the subject he is handling. All may not agree with him, but he is quite persuasive for his position and can get the attention, and often the support, of wavering colleagues because of the completeness of his work and their confidence in both his ability and integrity.

Thus, we have the finished product—an active, effective Senator. This is the test of a Senator's value—his effectiveness. Senator Robertson is an effective Senator for his State; an effective Senator for his committees; and is effective at the council table and on the floor of the Senate. I emphasize that, after all, this is the real test and final test of a man's worth and service to his State, to his people, and to the Nation.

After all, the outstanding trait that makes Senator Robertson a great Senator is his love for the State of Virginia and for the people of Virginia, as well as an intense personal interest in their welfare. This, and his love for the Constitution of the United States, is the guide of his life as an individual and as a Senator. He is truly a great constitutional lawyer. His explanations of that document on the Senate floor are excellent, unexcelled in any generation.

Soon after I came to the Senate I was attracted to him because of his fine knowledge of the economic needs as well as other problems of his State and his desire to improve them; his intimate knowledge of the Government installations that are located there; as well as his knowledge of and desire to improve the rivers and harbors, flood control, and other public works in Virginia.

As you sit with him at the committee and council tables, you quickly realize that in all matters his State and his people are ably represented.

Finally, our friend has lived according to the physical rules of life, with an abundance of outdoor living and physical exercise. This has given him continuing health and strength of an unusual degree and has retained for him the zest of life and the resolution and vigor to live it with complete action.

I am indebted to him not only as a fellow Senator, but also because he has greatly extended my enjoyment of an outdoor life in a field of sport, particularly hunting. Not too long ago, after trying to keep up with him for a full afternoon during a rather strenuous quail hunt, I finally insisted that we call off the dogs when darkness was approaching so rapidly that you could see the fire from his gun more readily than you could see the quail. He replied, "Well, all right, if you want to throw away the rest of the afternoon we'll go in." He capped it all, though, the last time we went quail hunting this past season when, out of his first nine shots, he killed nine quail and considered this little more than a limbering up exercise.

I salute him on the eve of his birthday, heartily congratulate him on his outstanding services to the Nation and to humanity for more than a third of a century, and wish for him and the Nation many more years of useful and active participation in the problems that beset our times.

Several Senators addressed the Chair.

Mr. STENNIS. Mr. President, I yield to the Senator from Illinois [Mr. Dirksen].

Mr. DIRKSEN. Mr. President, on May 27, our distinguished colleague from Virginia, the Honorable A. Willis Robertson, observes another birth anniversary, and it has a little more than ordinary significance to me.

It was on March 4, 1933, that 435 candidates who had been elected to the 73d Congress raised their hands and took the oath as Members of the Congress of the United States. In that group were 163 freshmen believe it or not. Of that number, I believe that only three are still serving in Congress. Interestingly enough, two of the three graduated from the House to the Senate since that time. One of them happens to be the present minority leader of the U.S. Senate, the other is A. Willis Robertson, of Virginia. The third is William M. Colmer, of Mississippi, who still serves in the House. It is interesting to reflect on the effacing force of time and on the many things which have happened in that period of a third of a century. One could easily compile a huge book on the happenings of that period and the motivations behind what has happened.

To be sure, things happen only as the force of human personality upon what is here makes them happen, and certainly not the least of the great personalities of our time and generation is the senior Senator from Virginia, who has brought to his public duty a great sense of responsibility and amazing diligence, as well as a devotion to his country, his State, and his community which is unsurpassed. It has been a colorful record, indeed, and today on his birth anniversary, I, as one of the three old classmates of the class of 1933, the 73d Congress, salute him and wish for him every one of life's choicest blessings.

Mr. SPARKMAN. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield to the Senator from Alabama.

Mr. SPARKMAN. Mr. President, I want to join with my other colleagues in paying tribute to my good friend and deskmate, the senior Senator from Virginia, Willis Robertson.

Willis Robertson was first elected to Congress in 1932. Four years later, I was elected to the House of Representatives. I came to know, to respect, and to admire this gentleman from Virginia, who is a diligent worker and an able legislator, a courteous gentleman, and a sincere friend.

On November 6, 1946, Willis Robertson and I became Members of the U.S. Senate. When committees were named in the following January, he and I were both sent to the Banking and Currency Committee and have sat side by side on that committee during the years. For the last 5 years or more, he has been chairman of the committee, and I have worked by his side and under his leadership.

I believe I have come to know the man through these years. He is an able and just presiding officer. He has been most cooperative and helpful to me in connection with my duties as chairman of the Housing Subcommittee. Often he could not go along with certain provisions of housing legislation, but he always saw to it that we had a fair chance to have our legislation approved by the full committee and submitted to the Senate calendar. A less cooperative chairman could have blocked many provisions of the legislation which were controversial. He never at any time made any effort to block legislation. When he was opposed to something, he said so, but at the same time would make it known that he was ready to cooperate in having the committee work its will on the housing legislation.

Let me comment, in this connection, on what the Senator from Mississippi just stated about the great interest of Willis Robertson in his State of Virginia. He has always been attentive to the desires of his constituents and has been quite potent in getting those desires taken care of in legislation.

I can give one example of a great project in Norfolk, Va., which we wrote into the housing bill last year, to provide some $9 million in benefits for that area, benefits which were just, and to which the people of that area were entitled, but they were written into the bill because of the efforts of the distinguished legislator from Virginia in representing his constituents so well.

Willis Robertson has been a Member of Congress for a third of a century. He has ripened into a legislator not only of great ability, but also of great experience and skill. The years have been kind to him. He is a man who remains young in heart and young in action.

I congratulate him upon his birthday and wish for him many more happy birthdays.

Mr. BENNETT. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield to the Senator from Utah.

Mr. BENNETT. Mr. President, it was my privilege to be associated with the Senator from Virginia [Mr. Robertson] as a fellow member of the Committee on Banking and Currency when I first came to the Senate. Of course, this was many years after he came here, but I have been a member of the committee, now, for nearly 16 years, and it has been my special privilege for the last 4 years to have served as its ranking minority member and, therefore, to have the special privilege of working with the Senator from Virginia, who is chairman of the committee.

I approached that responsibility with some diffidence, but I am very happy that I can say today that the ranking minority member has an excellent working relationship with his chairman, and that no one has ever been treated more courteously or more considerately than I have been.

Looking back now, I believe that one of the happiest experiences of my whole Senate career is the privilege of working with and therefore coming to know more intimately the character and the fine spirit of this good man. We are on opposite political sides of the fence, but in terms of the problems that we face together on the committee this has never been a bar to our relationship.

I see in him the air of the tradition of his grandfather, who served with such distinction as a Confederate officer in the War Between the States, and of his father, who served with distinction in the ministry. I see both sides, both evidences, the two evidences, of this interesting combination—a man of great courage, a man of great spiritual devotion and insight.

I am happy to join with his other friends today in congratulating him on his birthday and expressing the hope that he will be a Member of the Senate for many years to come, both for the benefit of the Senate and of the people of the great State of Virginia, whom he has represented so ably for so long a time.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, I want to join my colleagues in speaking just a little word of praise and affection for our good colleague the senior Senator from Virginia, Willis Robertson. Others will speak of some other qualities. I want to speak, if I may, of his great quality as a true sportsman in the fields, in the woods, and on the waters.

I have had the pleasure of fishing or hunting with the Senator from Virginia in four different States, the States of Maryland, Virginia, West Virginia, and Florida.

I think I have had some chance to know what a true sportsman he is and what a true friend he is of conservation of wildlife, which he has protected by real sportsmanship, so that fish and game may be passed on to our children and our grandchildren perpetually.

May I just give one little instance in which I got such pleasure that I wish to share it with my colleagues in the Senate. The former Senator from Ohio, Mr. Bricker, and I were with Willis Robertson on a trout stream in Virginia. We were at a vantage point from which we knew he could not see us and we could see him. He was trying to lure a great big mountain trout from under an overhanging rock, in a place where it was completely impossible for either one of us to cast. He patiently cast, repeatedly with one fly, with no success. He cast with another fly, with the same result, and then with a third fly. Suddenly, boiling from under that rock came one of the biggest mountain trout that I have even seen, and he landed it successfully without a net, under conditions which would have been impossible for either of us who were watching. When he got through, we let out with a great uzzah which would have been a fitting response if we had been watching a great battle and had seen our champion win.

I think Members of the Senate know that he was the first head of the conservation organization for the Commonwealth of Virginia—I believe it is the Game and Inland Fisheries Commission, or whatever it is called. He served under one of our great former colleagues, the then senior Senator from Virginia, the father of our present colleague from Virginia [Mr. Byrd]. He has made an enviable record in the same field in the House and in the Senate, and has always been devoted to this kind of undertaking.

He is one of the joint authors of the Pittman-Robertson Act, which has contributed over $150 million to the cause of true sportsmanship in all sections of this Nation.

I just want to say for the record that there is no finer sportsman. There is no one who enjoys more listening to other sportsmen tell of their successes. He is one who likes to sit around the campfire at night and enjoys hearing others tell of their accomplishments, just as he enjoys his own accomplishments. He is a true sportsman.

In closing, may I say that in addition I think he has made some of the finest contributions to the cause of real debate on constitutional questions which I have heard in the 20 years that I have had the pleasure of serving in the Senate. I do not know where he gets the time to do the research for the many fine speeches and addresses he has made here on questions of constitutional importance. I think that some day somebody is going to write a book about those contributions and about "Willis Robertson, Great Constitutional Lawyer."

I just wish for him many added years in the Senate. I think some of his tireless contributions have come as a result of his devotion to the great out-of-doors and the vigor he has derived therefrom. I hope he will continue to serve the people of the Commonwealth of Virginia, my mother's native State, with the skill, with the devotion, with the dedication, and with the achievements that have characterized his years of service in the Senate. I wish you good luck, Willis.

Mr. WILLIAMS of New Jersey. Mr. President, tomorrow the distinguished chairman of the Banking and Currency Committee, Senator A. Willis Robertson, marks his birthday. He reaches this occasion filled with unfailing vigor and with the wisdom acquired in years of distinguished congressional service. Although ever loyal to his home State of Virginia, Senator Robertson is a good friend to New Jersey. He served on the New Jersey Tercentenary Commission and made many valuable contributions to that group's work.

Just recently he testified with wit and eloquence before the Woodrow Wilson Commission on an appropriate memorial for this son of Virginia who went on to become a Governor of New Jersey and then President.

I know, from my service on the Banking and Currency Committee, the courtesy and fairness with which Chairman Robertson runs that committee. Although at times we disagree, he is always an honorable and gentlemanly opponent. I am happy to salute Senator Robertson who, in the great tradition established by another distinguished Virginian, Carter Glass, has so ably conducted the work of the Committee on Banking and Currency.

Mr. YOUNG of North Dakota. Mr. President, I wish to join all of the other Members of the Senate in paying tribute to a fine American and a great Senator—and, happily, a colleague of ours for many years—Willis Robertson.

His has been a long and illustrious service to his beloved Old Dominion of Virginia in Congress of the United States. His third of a century of service in Congress is equaled by very few in the history of the United States. I have never known a more conscientious, dedicated, faithful, and able member of the Senate than our friend Willis Robertson.

He has many fine qualities which are responsible for this long and continued fine service to his State and the Nation, but one that stands out above all others is the sincere and faithful effort he has put forth continuously to serve his people in the finest traditions of his State and the Congress of the United States.

I am always amazed at how our friend, Willis Robertson, can keep up this terrific schedule—and over such a long period of years. There seems to be no limit to his energy. There would be few indeed who could follow his pace from morning until night, year after year, no matter what his age might be.

I hope that our good friend, WILLIS ROBERTSON, will be celebrating many more birthdays in the U.S. Senate.

Mr. YARBOROUGH. Mr. President, I am pleased to join with my colleagues in extending best wishes for a happy birthday to the distinguished senior Senator from Virginia [Mr. ROBERTSON].

Being myself a sometime student of history, particularly American history, I must recognize that there is one among us who is without peer in his knowledge of historical fact and anecdote. Numerous times I have been educated on some historical matter by the great knowledge of the Senator from Virginia. In his one-third of a century in the Congress, he has illuminated many an occasion.

Our felicitations to our colleague should not go by without also an expression of appreciation to him for the wit and humor with which he enlivens and expedites our deliberations. His capsule remarks can expose the heart of an issue and greatly assist in the formation of opinion pro and con.

I thank my colleagues for this opportunity to say "Happy Birthday, WILLIS ROBERTSON."

Mr. SYMINGTON. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield to the Senator from Missouri.

Mr. SYMINGTON. I would like to join my colleagues in praise of the great senior Senator from Virginia.

Some 20 years ago, when I first came into Government as a member of the executive branch, the Senator from Virginia was a Member of the House of Representatives. He was most kind and considerate with respect to all of the problems with which I was connected in the Pentagon. I found at that time, and later when he became a Member of the U.S. Senate, that he was one of the true authorities on military matters. He gave a great deal of attention to the significance of air power, as much as any other Member of this body, even though his heart may have been in the Navy, because of the tremendous installations in his State that were of significance to the security of the United States. When he was the acting chairman of the military appropriations subcommittee of the Senate at the time of the illness of the former Senator from New Mexico, I was again impressed with his fairness with respect to all the branches of the service, Army, Navy, and Air Force, and with his astute knowledge of all matters pertaining to the security of the United States.

I join my colleagues in marveling at his energy. Not only has he been devoted to the prosperity and security of his own State and Nation, but he has time to advise all of us who are his junior colleagues. We respect him and love him because of his high character, his dedication to the principles and ideals of Thomas Jefferson, and his great service to the United States of America.

It is a privilege to be here and to pay my respects to one of the greatest Americans it has been my pleasure to know.

Mr. HILL. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield to the Senator from Alabama.

Mr. HILL. Mr. President, I count it a privilege and am indeed happy to join with my colleagues in congratulating our distinguished colleague, the Senator from Virginia [Mr. ROBERTSON] on his forthcoming birthday.

It has been my good fortune to serve with Senator ROBERTSON in the House of Representatives and to serve with him here in the Senate through the years he has been a member of this body. I well recall the day he was chosen to be the Senator from Virginia. I was in Wytheville, Va., and sent him a telegram congratulating him on his selection and congratulating the people of Virginia on having him as their Senator.

We well know of Senator ROBERTSON's many accomplishments for the people of Virginia and of his great services to our country. By virtue of his seniority, he has for some time been the chairman of the powerful Committee on Banking and Currency, which has played such a great part in the shaping of our vitally important monetary policies and programs. He has been indefatigable in his work in the Senate and in his devotion to the people of Virginia. He is as alert, as dynamic, and as vigorous today as he was on the first day he entered this body. He has been the dedicated student and defender of the ideals and principles upon which our Republic was founded. Senator ROBERTSON is indeed worthy of the tremendous heritage which is his as a Senator from the State which has given to our country Washington, Jefferson, George Mason, Patrick Henry, James Madison, James Monroe, and so many of her greatest and noblest sons.

Mr. President, the people of Virginia are truly fortunate to be represented in the Senate by a man of the character, the ability, the courage, and ever effective and inspiring leadership of WILLIS ROBERTSON. I am proud to join my colleagues in congratulating him on his forthcoming birthday and in wishing him many more years of great and distinguished service in the Senate of the United States.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. McCLELLAN. Mr. President, I am happy to join Senators in extending congratulations and best wishes to our distinguished friend, the senior Senator from Virginia.

Mr. President, I have served in the Senate with the distinguished senior Senator from Virginia for nearly 20 years, and before that I served with him in the House. I am pleased and proud to honor this man on his birthday, which is tomorrow. It is most appropriate on this occasion that we pay tribute to him for his long and outstanding service both to the State of Virginia and the country as well.

Senator ROBERTSON has served with honor and distinction as chairman of the Committee on Banking and Currency since 1959; as alternate chairman of the Joint Committee on Defense Production; and as chairman of the Subcommittee on Treasury and Post Office Departments Appropriations of the Committee on Appropriations.

I have long regarded him as one of the stalwart statesmen of this body. On issues involving constitutional government, on all fundamental principles, and in his steadfast adherence to these indispensable attributes of our liberties, he is always a source of strength and hope to all of us.

It is, indeed, a tribute to the good judgment of the people of Virginia that they have chosen and permitted this experienced and able legislator to serve in the Senate. I sincerely trust, and I am confident, that they will continue to exercise this same good judgment in the future.

Mr. President, I, too, have had the pleasure of being with other Senators on the hunting trips, and I can verify what has been said here about Senator ROBERTSON's killing nine birds with the first nine shots. While he was doing that, I seemed to be shooting at vanishing quail with hitless shots. I was not nearly so proficient. I am afraid that if being a good marksman were one of the qualifications for the Senate, I might not survive. I certainly would not survive as long as my good friend from Virginia would be entitled to remain here.

So, Mr. President, I extend to this distinguished and truly outstanding statesman my warmest personal regards and best wishes for another happy birthday.

Mr. STENNIS. Mr. President, I yield to the Senator from Louisiana [Mr. ELLENDER].

Mr. ELLENDER. Mr. President, I am very proud to join Senators in paying tribute to a great statesman. I use the word "statesman," advisedly, knowing that Senator ROBERTSON has always stood squarely on the Constitution, and has never straddled an issue.

When I came to the Senate 30 years ago, my good friend from Virginia was a Member of the House; and soon after I arrived, he joined the Senate. He has served on the Appropriations Committee with great distinction. Senator ROBERTSON is loyal to the people of Virginia, and I am happy to have been able to assist him on many occasions in providing various projects and public works for the people of Virginia. The Senator has been a great leader in his State, and he has been a great leader in the Senate. I trust he will long continue to serve with us in the future.

I extend to Senator ROBERTSON my congratulations on his 79th birthday.

Mr. STENNIS. Mr. President, I yield to the Senator from Kansas [Mr. CARLSON].

Mr. CARLSON. Mr. President, I do not want this opportunity to pass without expressing congratulations and best wishes to the distinguished Senator from Virginia on his birthday anniversary.

It has been my privilege to have been associated with him for many years. He came to the House of Representatives in the 73d Congress. I began my service in the 74th Congress. He was elected to the Senate in 1946. That was the same year in which I was elected Governor of Kansas, and I was out of Congress for

4 years. Therefore, I have had the great privilege of serving with him 12 years in the House of Representatives, and now for 16 years in the Senate.

Senator ROBERTSON came to Congress at a time when the Nation was in one of its greatest depressions. He and I served together on the House Committee on Ways and Means at a time when Congress was in the process of enacting emergency legislation, so to speak, to get the country out of the depression and moving again.

I can assure Senators that we never had abler counsel than we received from the distinguished Senator from Virginia [Mr. ROBERTSON]. It was a great pleasure to have served with him as we enacted legislation that was important in the economic field, the social welfare field, and other fields of legislation in that trying time.

Since coming to the Senate, it has been my privilege to have worked with him closely in many problems affecting the welfare of the Nation. I have found him to be not only a hard worker but also a great student of government. He has wide knowledge in the important field of economics, and is an able administrator as chairman of the Committee on Banking and Currency.

Senator ROBERTSON has been a close friend of mine, and I extend congratulations and best wishes to him on this occasion.

Mr. PROXMIRE. Mr. President, it has been my privilege to serve with WILLIS ROBERTSON on the Committee on Banking and Currency, since I first came to the Senate in August 1957. In February 1959, he became chairman of the committee. I have also had the privilege to serve under Senator ROBERTSON's chairmanship of the Treasury-Post Office Subcommittee of the Appropriations Committee.

It has been a richly rewarding experience to serve on the committees under his chairmanship. While we have differed on issues, I could always depend on WILLIS ROBERTSON's innate sense of fairness and decency to make sure that my views were presented to the committee for its consideration.

The Senator from Utah [Mr. BENNETT] talked of the happy experience of serving with WILLIS ROBERTSON. It has been happy. He has a keen sense of humor. On occasions when differences of opinions bring on heated committee debate, the chairman, has been able to ease the tension by a delightful story or experience that occurred to him in his years in participating in Virginia politics. His stories of the Civil War should be published for the public to read—they are that good.

I pay tribute to this fine statesman, a remarkable Biblical scholar, and a true gentleman from the State of Virginia.

Mr. STENNIS. Mr. President, I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, I was a little late in arriving in the Chamber today because I was visiting our able majority leader, who is so much loved and admired on both sides of the aisle.

The majority leader wishes to be associated with the remarks of Senators who are expressing their high admiration for WILLIS ROBERTSON.

I may say in my own capacity as a U.S. Senator that it was my privilege to enjoy the friendship of WILLIS ROBERTSON and to admire him from the day I came to the Senate in 1949. When I was assigned to the Committee on Banking and Currency, WILLIS ROBERTSON had been a member of that committee for several years. He had served in the House of Representatives on the Committee on Ways and Means which deals with fiscal and monetary affairs.

He has been a member of the Committee on Banking and Currency since he first came to the Senate. Senator ROBERTSON had great experience and understanding of all matters involving the financial affairs of our country. Nevertheless, he was willing to take time to provide answers to the elementary questions which those who served as freshmen committee members saw fit to ask. His understanding and the assistance he gave to me and to other junior Senators were tremendously helpful.

I have been greatly impressed by the indefatigable work of the Senator from Virginia.

I recall one occasion when he shared the views of some of us who were opposing a piece of proposed legislation, and those who did not agree with our views were pressing to pass the measure. They were insisting on a round-the-clock debate.

I recall that one night, when a few of us who are now present in the Chamber had held the floor until 4 o'clock in the morning, the Senator from Virginia came in to take charge. He had a red rose in his lapel and looked as though he were ready to continue for 24 or 36 hours in an effort to explain the position of the opponents of the measure.

The Senator has always been one of the first to show up at a committee meeting and one of the last to leave the Senate when the day's work is over.

Time and time again, Virginia has been most fortunate in its selection of great statesmen of the Nation.

Virginia has been fortunate in our time in furnishing us with leaders like Harry Byrd and WILLIS ROBERTSON as successors to those other very great statesmen, George Washington, Thomas Jefferson, Carter Glass, and many others that we could list.

For a third of a century WILLIS ROBERTSON has epitomized the devotion to duty and public service seemingly inherent in the Old Dominion. His talents and apparently boundless energy on behalf of good government are greatly appreciated by every Senator.

I look forward to serving with him for many years to come.

Mr. STENNIS. Mr. President, I yield to the Senator from Iowa.

Mr. HICKENLOOPER. Mr. President, it is a great privilege and delight for me to congratulate the senior Senator from Virginia, WILLIS ROBERTSON, on his 79th birthday. I have not had a great deal of association with the Senator from Virginia on committee work except for the last year or so on the Committee on Banking and Currency, on which committee I have been privileged to serve under his chairmanship.

There is no other Senator for whom I have greater admiration than I have for the senior Senator from Virginia. I have known him for 20 years in the Senate as a colleague.

The senior Senator from Virginia in many ways has exemplified the ideals of a great student of American history. However, more than that, he is an unswerving and uncompromising defender of the United States and its system of government which has made our country great.

I do not mean to say this facetiously, but the Senator has always played the role of Horatio at the bridge whenever there was the threat of any danger of evasion or erosion of our rights.

It is for those reasons, as well as for his scholarly attitude, his willingness to work, the great work that he has done, and his great capacity for work that he has endeared himself to me as a friend. My respect has been certainly strengthened as the years have gone by.

My respect for him, I am afraid—being human—sometimes changes to envy. I have hunted with the Senator a couple of times, and he can outshoot me. I am envious to that extent.

While I may be a year or so older than the Senator, he can outwalk me also. I advise anyone who wants to get into any physical outdoor competition with the Senator that he had better have a thorough physical checkup before he gets into such competition, because the Senator will run the legs off anyone and will also outshoot him.

I have enjoyed my associations with the Senator. Above all, I have a deep respect for him as a great and dedicated American from the Old Dominion State of Virginia. My association with the Senator has been invaluable to me in my service in the Senate.

I congratulate the Senator on his years of full service to his country. I congratulate our country on the years that the Senator has been able to give so constructively to the country.

Mr. STENNIS. I yield to the Senator from Colorado.

Mr. ALLOTT. Mr. President, I am indeed happy and honored to be able to join with my colleagues in congratulating the distinguished senior Senator from Virginia on his birthday anniversary.

I have not served in the Senate with the Senator for so long a time as have some of my colleagues. My service has been for only a 12-year period.

Those 12 years seem to have passed very quickly. During the last 8 years, I have had the opportunity to serve with the Senator from Virginia on the Committee on Appropriations and particularly on the subcommittee over which he presides with such great ability.

Many qualities of a Senator endure in one's memory and engrave his memory in the hearts of his colleagues. I should say that the first such quality that has endeared WILLIS ROBERTSON to many others as well as to myself is the fact that he attends to his business. He presides over his committee and does it in an organized way. Everyone always has a sense of direction when the committee work starts, while it is proceeding, and when it is concluded.

Second, I personally admire him for two qualities which he has developed during all of the years. The Senator has as great a knowledge of American history as does any other person whom I know, and particularly any other Senator.

Third, I have had occasion many times in the past 12 years to listen to the Senator speak on constitutional law. I respect his acumen, his intelligence, and his knowledge in the field of constitutional law. In this respect particularly he has contributed greatly to the work of the Senate.

The fact that I ever hunted or fished with the Senator is not one of the relationships which will endure in my memory, because I did not. The Senator perhaps thought that I did not have sufficient talent in either of these areas, and I am sure he is correct. However, the Senator has that rather indefinable quality of permitting everyone to express his opinion and of giving evaluation to that opinion. The Senator does it with a sense of fairness, without any rancor or anything of that sort. I think this is one of the greatest attributes of the Senator, and it is one which will be engraved upon the hearts and the memories of all of us here. For these reasons, I am more than happy to join my fellow Senators today in wishing him a happy birthday.

Mr. STENNIS. I thank the Senator from Colorado. I yield to the Senator from Maryland.

Mr. TYDINGS. Mr. President, I should like to associate myself with the remarks of the distinguished Senator from Mississippi and of both the distinguished Senators from Louisiana on this eve of the birthday of the distinguished senior Senator from Virginia.

Mr. President, one of the great honors which the people of Maryland bestowed upon me when they sent me here in 1964 was to serve—and to be the second generation of Tydings to serve—in the U.S. Senate with the distinguished Senator whom we are honoring at this time. I also had the privilege of being a classmate of his son in my school days; and, of course, my father, when he was a Member of the United States Senate, was a great admirer and dear friend of the Senator from Virginia.

I should like to make two points. It has been my observation, in the short time that I have been here, that no Senator takes greater advantage of the opportunities of his position to represent the interests of his State and to secure for the State the benefits of the various Federal programs which have been initiated in Washington than does the distinguished senior Senator from Virginia. Also, it would appear to me that another attribute of greatness which Senator Robertson can claim is the ability to adjust, to move to meet the challenges of changing times and changing situations.

I have been particularly fortunate in being able to have, not so close a relationship as I should have liked, but at least the opportunity to be afforded advice from the Senator from time to time in my short tenure here. I should say that there is no Senator who brings greater honor or a stronger sense of integrity to the Senate than does Willis Robertson. His sense of history, his sense of the importance of the National Legislature, his sense of the federal system, are all distinct contributions to this body, and I am happy and honored to be able to lay my name alongside those of the distinguished Senators who have spoken upon this happy occasion.

Mr. STENNIS. I thank the Senator from Maryland. I yield to the Senator from Maine.

Mr. MUSKIE. Mr. President, I have listened to all these tributes to the distinguished Senator from Virginia, I have enjoyed them, and I am impressed and delighted. It is a personal pleasure to join with so many of my fellow Senators in their expressions of good will and good wishes to the distinguished Senator from Virginia on his birthday.

I have enjoyed serving under his chairmanship of the Committee on Banking and Currency for the past 7 years. He has been unfailingly helpful, courteous, and understanding, notwithstanding our philosophical differences from time to time. I have deeply appreciated the opportunities he has given me to assume enlarged responsibilities in the work of the committee. As has been said over and over again today, Mr. President, the Senator from Virginia has never used his position to block legislation with which he disagrees, and he has given the members of his committee ample opportunity to express their views, whether or not they coincided with his own, and to shape legislation. It has been his consistent policy to give priority consideration to administration bills, whether or not he personally approves them.

His own dedication to his duties and to hard work in his application to them are well known and are a tribute to his vigor. He is a Senator of ability and of strong and respected convictions, principles, and accomplishments.

So on the occasion of his birthday I am happy to have this opportunity to pay tribute to a distinguished Senator and a Virginia gentleman, whose friendship I value highly.

Mr. HARRIS. Mr. President, will the Senator yield?

Mr. STENNIS. I am happy to yield to the Senator from Oklahoma.

Mr. HARRIS. Mr. President, I have listened with attention and approval to the words of tribute spoken this afternoon concerning the distinguished senior Senator from Virginia [Mr. Robertson]. As I listened, I wondered if it would not be rather presumptuous of me, as a younger Member of the Senate, to even attempt to comment upon the great service that he has rendered to his State and to his country. But since another younger Senator, the Senator from Maryland [Mr. Tydings], has commented, and also since I think it might be well that others know that younger Members of the Senate are also extremely impressed with the record, the dedication, the service, the ability, and the principles of the distinguished Senator from Virginia, I thought I might also add my commendations and congratulations on the occasion of his birthday.

Other Senators have stated much better than can I the qualities of this great man. However, there are two qualities I might emphasize, in addition to the others that have been mentioned, which have impressed me about the distinguished Senator from Virginia, in my position as one of the younger Members of this body.

One is his great sense of humor. I put great store in a sense of humor. This old world needs a little more ability to laugh; and I think we all would be able to understand things a little bit better if we were able to do that.

I have had the privilege from time to time—although not so frequently as I would wish—to attend the Wednesday morning prayer group of which the distinguished Senator from Mississippi [Mr. Stennis] is the host. I have had occasion there to witness the faith—and not only faith, but a particularly happy kind of faith—that the distinguished Senator from Virginia evidences. I believe we need not only to be serious and earnest in these serious times, but we need also a good sense of humor; and no man, I think, has exemplified that better, in my experience, than does the distinguished Senator from Virginia.

Another thing that impresses me, as a young Member of this body, is the amazing capacity for work exhibited by the distinguished Senator from Virginia. Every day this week, except today, I have had four simultaneous subcommittee meetings. Today I have had two simultaneous subcommittee meetings; and, as we all know, committees also often meet during the session of the Senate itself. I frankly admit that I have not yet learned how to arrange my time to keep up with the much smaller load of work that I have, in comparison with that of the distinguished Senator from Virginia. His ability somehow to organize his time and his efforts and to accomplish the amazing amount of work he does accomplish is something that younger Members of the Senate can pattern after; and that quality, which he exhibits in great degree, has been most impressive to me.

So I add my congratulations, Mr. President, to those of the other Senators who have spoken, and say not only "Many happy returns of the day," but also "Many further years of service in this body, so important to your State and to the country."

Mr. STENNIS. I thank the Senator from Oklahoma.

Mr. President, I have a communication of remarks prepared by the senior Senator from Georgia [Mr. Russell], who could not be present today, but who asked me to present them to the Senate by reading them:

STATEMENT BY SENATOR RUSSELL OF GEORGIA READ BY SENATOR STENNIS

Mr. RUSSELL of Georgia. Mr. President, it is a great privilege to join my colleagues today in paying a birthday tribute to our distinguished friend from Virginia, A. Willis Robertson.

Senator ROBERTSON has served his State and his nation ably and well in the U.S. Congress for 33 years, first as a Member of the other body and subsequently as a Member of this body. During that time, he has won the affection and the respect of all who have known him because of his personal charm, his unchallenged integrity, and his unflagging devotion to the cause of the people he serves and principles to which he is dedicated.

I have known the Senator from Virginia throughout the years that he has served as a Member of the Congress. I believe I have the qualifications to testify personally to his immense ability and great vigor, for we have stood shoulder to shoulder in many battles for common causes. One could not ask for a more robust and stalwart ally than WILLIS ROBERTSON in any fight, or for a more vigorous and forthright champion of the principles of constitutional government to which he is totally committed. He is without doubt one of the foremost authorities on the life, times, and philosophy of another great Virginian, Thomas Jefferson.

Mr. President, the people of Virginia are extremely fortunate to have men of the caliber of Senator ROBERTSON fighting for their interests and for the advancement of his State. He has labored diligently and faithfully in their behalf, and the combination of his ability, experience and Senate seniority has yielded handsome dividends to the Commonwealth of Virginia and its people.

Few Members of the Senate have greater committee responsibilities than the Senator from Virginia, and few discharge those responsibilities with more diligence and ability. As chairman of the Standing Committee on Banking and Currency, and of the Joint Committee on Defense Production, he plays an influential role in shaping legislation that bears vitally on the Nation's economy. Moreover, as a senior member of the Committee on Appropriations, he is chairman of the Subcommittee for the Treasury and Post Office Departments and serves as an energetic and valuable member of the Defense Department Subcommittee, over which I have the honor to preside.

Mr. President, it is wholly unnecessary to recite in detail the many attainments of the Senator from Virginia. They are well known by the Members of this body, and his record speaks for itself. I do, however, want to join my colleague in expressing my high esteem for this great Virginian and great American, and to extend to him my heartiest congratulations on his birthday.

Mr. STENNIS. Mr. President, the senior Senator from Massachusetts [Mr. SALTONSTALL], who is a fellow member of the Committee on Appropriations with the distinguished Senator from Virginia, could not be here this afternoon. He has written a letter to me and has asked that I read the following paragraph:

> I have served with WILLIS ROBERTSON on the Appropriations Committee of the Senate for eighteen years and I know he has his feet on the ground with relation to the expenditures of our government on the programs that are submitted to the Congress. He is always thoughtful concerning his Virginia constituency, but places his country above his State on matters that affect the nation as a whole. He is my friend!
>
> With best regards,
>
> Sincerely,
>
> LEVERETT SALTONSTALL.

Mr. President, the distinguished Senator from Oklahoma [Mr. MONRONEY] was in the Chamber earlier today. He had intended to speak, but was unexpectedly called away. I am privileged to comply with his request to read his statement.

STATEMENT BY SENATOR MONRONEY READ BY SENATOR STENNIS

Mr. MONRONEY. Mr. President, I wish to join my colleagues on this happy occasion and to add my congratulations and best wishes for a happy birthday to Senator ROBERTSON.

I am constantly amazed at the youth and vigor he exhibits in carrying out all his many important leadership tasks in the Senate.

I pay particular tribute to him for the great contribution he has made as a senior member of the Appropriations Committee and especially for the work he has done as chairman of the subcommittee which handles appropriations for the Department of the Treasury and the Post Office Department. It has been my privilege to work closely with him for the past several years on this subcommittee.

Senator ROBERTSON is a chairman who knows his subject well. This has been clearly demonstrated in his sensitive and understanding handling of the appropriation of more than $5 billion for the Post Office Department.

Senator ROBERTSON has been outstanding in his service to the Senate. It has been an honor for me to serve with him in Congress for these past 28 years.

Mr. STENNIS. Mr. President, another Senator who is much interested, but who could not be in the Chamber this afternoon, the Senator from Georgia [Mr. TALMADGE], has asked me to convey his sentiments, which are expressed in the following words:

STATEMENT BY SENATOR TALMADGE READ BY SENATOR STENNIS

Mr. TALMADGE. Mr. President, I am delighted to join the many friends of the distinguished senior Senator from Virginia who are saluting him on his birthday anniversary.

No Member of the Senate has served with greater distinction, dedication, and devotion to duty than has WILLIS ROBERTSON. He has served 33 years in the Congress. He is one of the Nation's hardest working Senators, working every day and carrying a very heavy load as chairman of the very important Committee on Banking and Currency.

To know WILLIS ROBERTSON is to love him. He is one of the Senate's great historians and, by all odds, its best Bible scholar.

It has been my privilege to claim the friendship of Senator ROBERTSON almost 10 years. This friendship has been cemented on lakes, rivers, and streams, and in the fields. He is an avid sportsman, and I have hunted and fished with him whenever our Senatorial duties would permit. He has one of the sharpest eyes in the quail field that it has been my experience to meet. Despite the fact that he is a number of years my senior, I find it difficult to keep up with him in the field.

I salute him and wish him many more years of outstanding, dedicated service to his country.

Mr. STENNIS. Mr. President, the Senator from Washington [Mr. MAGNUSON], who is also a member of the Committee on Appropriations, and who has had a long period of service with the Senator from Virginia, could not be present. He has asked me to express his very kindest best wishes and great esteem to the Senator, and to express his sentiments as reflected by the letter which I read:

> U.S. SENATE,
> COMMITTEE ON COMMERCE,
> *May 26, 1966.*
>
> Hon. JOHN STENNIS,
> *U.S. Senate,*
> *Senate Office Building,*
> *Washington, D.C.*
>
> DEAR JOHN: It is thoughtful of you to call attention to the birthday of our colleague, Senator ROBERTSON, during the morning hour today.
>
> Since I will be conducting the Independent Offices Appropriation Subcommittee at that time, I would appreciate your including my best wishes to him at that time.
>
> Tell him that I hope to have the opportunity to wish him a "Happy Birthday" later in the day personally.
>
> Best regards.
>
> Best wishes indeed.
>
> Sincerely,
>
> WARREN G. MAGNUSON,
> *U.S. Senate.*

Mr. President, the Senator from South Carolina [Mr. THURMOND] could not be in the Chamber this afternoon, but he has sent me his remarks and has requested that I read them on the floor of the Senate.

STATEMENT BY SENATOR THURMOND READ BY SENATOR STENNIS

Mr. THURMOND. Mr. President, I welcome the opportunity to join with my colleagues in paying tribute to the able and distinguished senior Senator from Virginia, A. WILLIS ROBERTSON. The people of the Commonwealth of Virginia are fortunate to have a man of the character, integrity, and intelligence of WILLIS ROBERTSON to represent them in the Senate of the United States; and, by the same token, the people of Virginia are to be congratulated for having had the foresight to take advantage of his excellent, effective leadership capabilities. Senator ROBERTSON is a man who has a keen understanding of and appreciation for the Constitution of the United States, and he is a jealous watchdog against encroachments by the Central Government into the domain of the States which tend to upset the delicate balance provided in the Constitution.

For almost 2 years, now, it has been my good fortune to serve as a member of the Committee on Banking and Currency under the chairmanship of WILLIS ROBERTSON. This experience has only served to fortify my prior observations of WILLIS ROBERTSON as a man of sterling character, outstanding ability, good judgment, and consummate fairness.

Mr. STENNIS. Mr. President, the Senator from Missouri [Mr. LONG], who is temporarily away from the Chamber, has asked me to read this statement.

STATEMENT BY SENATOR LONG OF MISSOURI READ BY SENATOR STENNIS

Mr. LONG of Missouri. Mr. President, it is a pleasure to join with many of my colleagues in commenting on the work and service of the senior Senator from Virginia, WILLIS ROBERTSON. It is an honor and a privilege to serve with him on the Committee on Banking and Currency. No committee chairman could be more fair or reasonable in his conduct of committee business. He considers his role to be that of presiding officer, and he never attempts to dictate to the committee what action it should or should not take. All members of the Committee on Banking and Currency are assured the opportunity to present their views and arguments. Time and again, the Banking and Currency Committee has considered and approved legislation which has not found favor with Chairman [ROBERTSON] because he has not abused the chairmanship. He is one of the most active and hardworking Members of the Senate, and I have often turned to him for advice and counsel relative to matters before the committee. Our views on national issues do not always coincide, but I have the highest regard for him and his broad knowledge and experience.

Mr. STENNIS. Mr. President, our majority leader [Mr. MANSFIELD] deeply regrets that he cannot be here today. He had expected to say something had he been here. His sentiments have already been referred to by the assistant floor leader. However, I have a telegram which the majority leader recently sent regarding the Senator from Virginia [Mr. ROBERTSON], and I take the liberty to read it.

TELEGRAM FROM SENATOR MANSFIELD

WILLIS ROBERTSON's work as chairman of the Senate Banking and Currency Committee and as a member of the Appropriations Committee and chairman of the Appropriations Subcommittee on the Departments of Treasury and Post Office and the Executive offices place tremendous burdens on his time and energy. He has carried these burdens with an energetic efficiency. He is as vigorous and dedicated in the pursuit of his responsibilities as any man in the Senate. It is said that if you cannot find WILLIS ROBERTSON on the floor, it does not mean that he is not in the Senate. Look for him in the committee rooms where you will find him at work day in and day out and not infrequently far into the night as one of the Senate's outstanding legislative craftsmen.

MIKE MANSFIELD,
Majority Leader,
United States Senate.

Mr. President, I wish to thank the Senate for its indulgence in yielding to me so that I might yield to Senators who wished to express themselves on this subject.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HARRIS in the chair). Does the Senator from Mississippi yield to the Senator from Virginia?

Mr. STENNIS. Mr. President, I appreciate the fact that the Senate has had presiding in the Chair a part of the time this afternoon the distinguished junior Senator from Virginia [Mr. BYRD]. The Commonwealth of Virginia is blessed with two good Senators. I am glad to yield to the junior Senator from Virginia.

Mr. BYRD of Virginia. Mr. President, I thank the distinguished Senator from Mississippi.

Mr. President, I wish to associate myself with the splendid remarks that have been made this morning about the distinguished senior Senator from Virginia. To them I should like to add my own warm felicitations on the forthcoming birthday anniversary of Senator ROBERTSON.

The senior Senator from Virginia and I have been friends for many years. I have known him most of my life. For 13 years he represented the congressional district in which I reside. I am pleased to have the opportunity to say, along with so many distinguished Senators, how much we esteem the comradeship and friendship of the senior Senator from Virginia.

For me, it was a happy coincidence to be able to preside over the Senate when so many warm tributes were being paid to him.

Mr. KUCHEL. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I am happy to yield to the Senator from California.

Mr. KUCHEL. Mr. President, I believe it is quite fair to say that birthdays are completely nonpartisan in character and that their joys are visited upon my Democratic colleagues as well as upon those of us who sit on the Republican side of the aisle.

This occasion, the birthday of a distinguished U.S. Senator and American, and one whom I am most proud to call my friend, should not go unnoticed.

This is my 14th year of service in the Senate. How can one have his life enriched more than by acquiring more than casual acquaintances along the way, and enjoying friendships in which many happy experiences are shared? I am sure that this has been the lot of the distinguished Senator from Mississippi. It has also been mine.

It has been the lot in great measure of our friend the Senator from Virginia [Mr. ROBERTSON]. We have shared the burden of the Appropriations Committee of the Senate, the arguments and debates which have ensued, and also the happy moments—and there have been plenty of them—as we have sat together there.

But we have also shared many pleasant experiences, and one of them was when we served together as Members of the U.S. Senate portion of the Interparliamentary Union delegation. Alongside all of the official duties and labors which we shared were delightful evenings when my friend from Virginia, and I, and others, were of good spirit and enjoyed a camaraderie all the while.

I am most happy to join with my friends in extending best wishes to our colleague, the Senator from Virginia.

Mr. STENNIS. I thank the Senator from California for his very fine remarks.

Mr. President, the Senator from North Carolina [Mr. JORDAN] has asked me to deliver this sentiment to all Senators concerning the Senator from Virginia.

STATEMENT BY SENATOR JORDAN OF NORTH CAROLINA READ BY SENATOR STENNIS

Mr. JORDAN of North Carolina. Mr. President, I should like to join my colleagues in wishing our friend and colleague, Senator WILLIS ROBERTSON, a most happy and joyous birthday.

All of us have the very highest admiration for Senator ROBERTSON's intellect and wisdom, but if there is any one thing about him that stands out above all else, it is his vigor and his apparant capacity to grow younger with the years.

So all of us who know him and who work with him join with his family and his multitude of friends elsewhere in wishing him a very happy birthday today and many, many more in the future.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to our esteemed friend.

Mr. ROBERTSON. Mr. President, for me this is the capstone of 50 years of public service. Never have I been so highly honored before.

Never have I received such tributes before.

Never have I felt more inadequate to express in words my deep and heartfelt appreciation of these tributes.

Mr. President, I have served in the Senate now for nearly 20 years. I have 99 colleagues. I can stand on the floor of the Senate and joyfully say that every one of them is my friend.

I know that they have praised me today far beyond my just desserts, but that is one of the privileges of friendship.

I wish to let them know that I shall cherish this RECORD, that I shall cherish it for my children, and that they will hand it down to my grandchildren.

I am also glad to acknowledge the fact that I have some friends in the Press Gallery. One of them sent me a note saying, "May I share my birthday candle with you?" He certainly may. Thank you very much, gentlemen of the fourth estate.

Again, Mr. President, nothing can mean more to a man who has devoted his life to public service than to feel that he has the kind of friendship—regardless of differences on issues over a period of years—which has been expressed to me here in the Senate today.

I shall never forget this occasion.

Thank you.

Thank you very much, every one of my dear colleagues.

Mr. STENNIS. I thank the Senator for his remarks. His humility in making them proves the true greatness of the Senator from Virginia, to which so many Senators have referred.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW, AND FROM TOMORROW UNTIL 10 A.M. ON TUESDAY, MAY 31, 1966—AUTHORITY TO SIGN BILLS, RECEIVE MESSAGES, AND FILE REPORTS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 o'clock a.m., Friday, May 27, 1966, and that upon the conclusion of business on that day, the Senate adjourn until 10 o'clock a.m. Tuesday, May 31, 1966; and that immediately after convening on that day the Presiding Officer, without the transaction of any business or debate, shall declare the Senate adjourned until 12 o'clock noon on Wednesday, June 1, 1966; and that following the adjournment of the Senate from Tuesday, May 31, 1966, until noon Wednesday, June 1, 1966, the Vice President or the President pro tempore be authorized to sign duly enrolled bills; that the Secretary of the Senate be authorized to receive messages from the President and from the House of Representatives; and that committees be authorized to file their reports.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE BILLION-DOLLAR PATENT GRAB

Mr. LONG of Louisiana. Mr. President, on March 21, a majority of the Senate Patents Subcommittee favorably reported S. 1809 to the Committee on the Judiciary, a bill which would authorize a multibillion-dollar giveaway without precedent in the history of our country. If this bill were to become law, it would put patents worth literally billions of dollars in the hands of a few large corporations.

On future occasions, I shall demonstrate—as I have in the past—that nothing short of a flat prohibition of private patents on public research is adequate to prevent Government agents from yielding to pressure by those who demand monopoly rights amounting to billions of dollars of Federal expenditures for research and development.

Even in cases where the law clearly prohibits private patents on Government research, tremendous pressures have been brought to bear upon Government officials to convey monopoly rights to private contractors.

Unfortunately, no President since Harry S. Truman has indicated an interest in urging Government agents to resist such demands. At a future date, I shall show how large corporations and favored Government contractors have been able to obtain private patents on billions of dollars of Government research in areas where it was never intended, because discretionary authority was placed in the hands of those who succumbed to the pressures of selfish interests.

S. 1809 places enough discretionary authority in the hands of Government agents to authorize and legalize the giveaway of public rights in all publicly financed research wherever a contractor is involved. We have seen in the past how public rights have been surrendered when a Government agent had any excuse whatsoever to permit the giveaway. The measure before the Judiciary Committee—applied to any given set of circumstances—is adequate to make it possible to give away the public's rights to research for which it has paid.

S. 1809 authorizes a giveaway of title to inventions discovered by private contractors in the performance of all Government research and development contracts. It would give these contractors property which rightfully belongs to the public. It would place these contractors in a position where they could exploit the taxpayers by charging unconscionable prices to make use of inventions created by the use of tax funds.

Let me illustrate my point with an example. Suppose that the Government paid a private corporation $10 million to build a bridge across a river, with the payment including a substantial profit. What would we say if the Government then turned the bridge back to the contractor and permitted him to set up toll booths and charge motorists for the right to cross the bridge?

Almost everyone, except the contractor, would think such action by the Government to be utter folly and indefensible. Yet that is the kind of thing that S. 1809 does.

What this bill, soon to be considered by the Judiciary Committee, would do is to grant to a contractor full interest in any invention discovered while performing a Government research and development contract. The bill contains a great deal of language which may tend to obscure this effect. It makes a half-hearted effort to provide the public with some protection from exploitation in the hands of Government-subsidized contractors. But in its fundamental terms, it would give away private title to tens of thousands of inventions and place private corporations in a position where they could extract a heavy toll from the public. In doing so, it would reverse the long-established patent policies of many Government departments and agencies, like the Department of Agriculture, the Tennessee Valley Authority, and Atomic Energy Commission, which now retain title to inventions made by their contractors.

The significance of this giveaway cannot be overemphasized. Currently the Federal Government spends more than $15 billion a year in support of research and development. Most of that money will be paid to private companies for the actual performance of research contracts. In carrying out these contracts, the companies inevitably make valuable discoveries. Between 1946 and 1959, approximately 32,000 patents were issued on inventions originating in federally financed research.

Not only is the number of inventions large, but their significance is great as well. One company pointed out, for example, that of the inventions which it had made while doing Government work, several were so important as to provide a basis for a new industry or an entirely new product line. In short, S. 1809 would give monopoly rights to inventions which are the key to the country's economic future. The tens of billions of dollars invested in defense and space research yield valuable discoveries which are certain to be critical to the country's future. If these inventions are to be used for the good of the public rather than weapons of exploitation, they must be kept out of monopolistic hands. When the Government takes title to a patent, the Government very properly permits everyone to use it on a royalty-free basis. This brings low, competitive prices to the benefit of the public. A good example of this is penicillin. The wholesale price of this essential medicine dropped from $20 per 100,000 units in 1943, shortly after it began to be marketed, to 60 cents per 100,000 units in 1945. By 1956, the price per 100,000 units fell to 2 cents.

In other words, the price dropped from $20 per 100,000 units to 2 cents per 100,000 units. Or, if we considered 1 million units for a large single dose, which some doctors prescribe, the price for 1 million units dropped from $200 to 20 cents.

Under our patent system, if a company had been able to obtain a patent as a cost-plus contractor, there would be nothing to prevent that company from charging the public $200 for 1 million units, even though that company could pay expenses and still make a fair profit by selling it at 20 cents a million units.

In some cases the public has paid up to 1,000 times the cost of the medicine. In contrast to penicillin, let us consider tetracycline, which is made under a great number of names. It is sold under the name of Acromyacin, under the name of Stechlin, and Panalba. All three are precisely the same medicine.

When a private firm takes title, it charges as much as it thinks the public can be made to pay—sometimes the price is as much as 1,000 times the cost of production.

In contrast with penicillin, there was no competition in tetracycline. The price to the patient was held at 50 cents per tablet from the time this antibiotic was introduced in 1954 until the FTC decision in 1959. In all likelihood the price was held down by the low price of penicillin. Then some firms began importing it from Europe and the price came down to 30 cents per pill. Even this price seems too high in view of the fact that the cost of manufacture is less than 1 cent per pill.

It can be seen that even this slight competition from abroad had an effect on price. This shows what a little competition will do.

If S. 1809 is favorably reported by the Committee on the Judiciary, each Senator, in contemplating his vote on this measure, must ask himself some hard questions. Can we, in good conscience, cast a vote for a bill which gives away billions of dollars in valuable inventions to a handful of corporations? Can we place in private hands Government property which can be used to exploit all of our citizens? Can we in good conscience accede to corporate greed when so many brave Americans are giving up their lives on foreign soil in defense of the national interest?

Let me serve notice that if S. 1809 comes to the Senate floor, I, and other Senators, will make clear to the American people that this measure does more violence to the rights and interests of 190 million Americans than any measure that we have considered in my 17 years in the Senate. This bill must be opposed by all who are concerned with the public interest. The fight will not be an easy one, for we will be opposed by the biggest of the big corporations. But the fight must be waged if the public is to be served and if we are to discharge properly our responsibility to 95 percent of the voters who sent us here.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. LONG of Louisiana. Mr. President, in accordance with the order previously entered, I move that the Senate stand in adjournment until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 1 o'clock and 46 minutes p.m.) the Senate adjourned until tomorrow, Friday, May 27, 1966, at 10 o'clock a.m.

HOUSE OF REPRESENTATIVES

THURSDAY, MAY 26, 1966

The House met at 10 o'clock a.m.

Reverend Father John P. Schotte, C.I.C.M., rector of Immaculate Heart Missions Seminary, Washington, D.C., executive secretary of the General Council of the Immaculate Heart Mission Society, Brussels, Belgium, offered the following prayer:

Job 34: 4: *Let us choose judgment, and let us see among ourselves what is best.*

Heavenly Father and Supreme Legislator, to Thee alone belong the hearts and the minds of the people.

Give unto the distinguished Speaker and the dedicated Members of this House an open mind to face the issues in all their dimensions. Let their noble office force them always to rise above their own limitations.

Instill in them a passion for the common good. Help them to bear the burdens of the weak, to share the gifts of Thy bounty with those in need, and to preserve freedom and dignity for all men.

Make us understand, O Lord, that no one is free who is free alone, that no one is strong who is strong alone, and that no man is a faithful servant of Thine who does not find the fulfillment of his destiny in the service of others. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

NLRB POWER MUST BE CURBED

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, I was greatly alarmed by the proposals the gentleman from New Jersey made to the House last night that would increase the power of the National Labor Relations Board—power to further harass and coerce the J. P. Stevens Co. and its employees; proposals which would give this Board power by statute to withhold contracts necessary for the war effort and to penalize, fine, and excessively regulate.

The NLRB has already gone far beyond the law as written by Congress. The Board, by biased, arbitrary rulings and decisions is writing law. It has gone far beyond the intent of Congress. The Congress by no stretch of the imagination gave the NLRB the power to force the officials of the J. P. Stevens Co. to plead guilty of alleged law violations in public meetings before all of its employees.

The law does not give the Board power to make its bulletin boards available to nonemployees of the plant. It does not have the power to force a company to plead guilty and then force upon the company various methods of pleading guilty.

Mr. Speaker, the time has come for this Congress to clearly define and limit the power of the NLRB. Already, Mr. Speaker, under decisions of the NLRB, industry and their employees are in a state of confusion. They are alarmed about the future employee-management relationships. The power of the NLRB must be clearly defined and curbed.

WAR ON POVERTY—TUXEDOS FURNISHED

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MICHEL. Mr. Speaker, I have noted with great interest the frequent references to the war on poverty which has punctuated the debate on the minimum wage bill. I would like to take this moment to report to you another glorious victory against poverty which has come to my attention. The Fort Lauderdale News of May 22 reports that 16 boys at Dos Palos Union High School there will be able to attend their junior prom because the war on poverty furnished tuxedos at a cost of $290. In addition, their bill for dinner afterward and tips will be courtesy of the taxpayers.

I know that dancing and partying are very much in vogue in this administration, but I am a little surprised to find that they are considered such vital areas in the war against poverty. What next? Perhaps it will be deemed equally important to furnish mink stoles for those who want to attend the opera but would not feel they were properly attired without a furpiece.

With these fancy-dancy goings on, the so-called Great Society is fast becoming the high society.

MARINE RESOURCES AND ENGINEERING DEVELOPMENT ACT

Mr. LENNON. Mr. Speaker, I call up the conference report on the bill (S. 944) to provide for expanded research and development in the marine environment of the United States, to establish a National Council on Marine Resources and Engineering Development, and a Commission on Marine Science, Engineering, and Resources, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1548)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 944) to provide for expanded research and development in the marine environment of the United States, to establish a National Council on Marine Resources and Engineering Development, and a Commission on Marine Science, Engineering, and Resources, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the Senate bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That this Act may be cited as the 'Marine Resources and Engineering Development Act of 1966'.

"DECLARATION OF POLICY AND OBJECTIVES

"SEC. 2. (a) It is hereby declared to be the policy of the United States to develop, encourage, and maintain a coordinated, comprehensive, and long-range national program in marine science for the benefit of mankind to assist in protection of health and property, enhancement of commerce, transportation, and national security, rehabilitation of our commercial fisheries, and increased utilization of these and other resources.

"(b) The marine science activities of the United States should be conducted so as to contribute to the following objectives:

"(1) The accelerated development of the resources of the marine environment.

"(2) The expansion of human knowledge of the marine environment.

"(3) The encouragement of private investment enterprise in exploration, technological development, marine commerce, and economic utilization of the resources of the marine environment.

"(4) The preservation of the role of the United States as a leader in marine science and resource development.

"(5) The advancement of education and training in marine science.

"(6) The development and improvement of the capabilities, performance, use, and efficiency of vehicles, equipment, and instruments for use in exploration, research, surveys, the recovery of resources, and the transmission of energy in the marine environment.

"(7) The effective utilization of the scientific and engineering resources of the Nation, with close cooperation among all interested agencies, public and private, in order to avoid unnecessary duplication of effort, facilities, and equipment, or waste.

"(8) The cooperation by the United States with other nations and groups of nations and international organizations in marine science activities when such cooperation is in the national interest.

"THE NATIONAL COUNCIL ON MARINE RESOURCES AND ENGINEERING DEVELOPMENT

"SEC. 3. (a) There is hereby established, in the Executive Office of the President, the National Council on Marine Resources and Engineering Development (hereinafter called the "Council") which shall be composed of—

"(1) The Vice President, who shall be Chairman of the Council.

"(2) The Secretary of State.

"(3) The Secretary of the Navy.

"(4) The Secretary of the Interior.

"(5) The Secretary of Commerce.

"(6) The Chairman of the Atomic Energy Commission.

"(7) The Director of the National Science Foundation.

"(8) The Secretary of Health, Education, and Welfare.

"(9) The Secretary of the Treasury.

"(b) The President may name to the Council such other officers and officials as he deems advisable.

"(c) The President shall from time to time designate one of the members of the Council to preside over meetings of the Council during the absence, disability, or unavailability of the Chairman.

"(d) Each member of the Council, except those designated pursuant to subsection (b), may designate any officer of his department or agency appointed with the advice and consent of the Senate to serve on the Council as his alternate in his unavoidable absence.

"(e) The Council may employ a staff to be headed by a civilian executive secretary who shall be appointed by the President and shall receive compensation at a rate established by the President at not to exceed that of level II of the Federal Executive Salary Schedule. The executive secretary, subject to the direction of the Council, is authorized to appoint and fix the compensation of such personnel, including not more than seven persons who may be appointed without regard to civil service laws or the Classification Act of 1949 and compensated at not to exceed the highest rate of grade 18 of the General Schedule of the Classification Act of 1949, as amended, as may be necessary to perform such duties as may be prescribed by the President.

"(f) The provisions of this Act with respect to the Council shall expire one hundred and twenty days after the submission of the final report of the Commission pursuant to section 5 (h).

"RESPONSIBILITIES

"SEC. 4. (a) In conformity with the provisions of section 2 of this Act, it shall be the duty of the President with the advice and assistance of the Council to—

"(1) survey all significant marine science activities, including the policies, plans, programs, and accomplishments of all departments and agencies of the United States engaged in such activities;

"(2) develop a comprehensive program of marine science activities, including, but not limited to, exploration, description and prediction of the marine environment, exploitation and conservation of the resources of the marine environment, marine engineering, studies of air-sea interaction, transmission of energy, and communications, to be conducted by departments and agencies of the United States, independently or in cooperation with such non-Federal organizations as States, institutions and industry;

"(3) designate and fix responsibility for the conduct of the foregoing marine science activities by departments and agencies of the United States;

"(4) insure cooperation and resolve differences arising among departments and agencies of the United States with respect to marine science activities under this Act, including differences as to whether a particular project is a marine science activity;

"(5) undertake a comprehensive study, by contract or otherwise, of the legal problems arising out of the management, use, development, recovery, and control of the resources of the marine environment;

"(6) establish long-range studies of the potential benefits to the United States economy, security, health, and welfare to be gained from marine resources, engineering, and science, and the costs involved in obtaining such benefits; and

"(7) review annually all marine science activities conducted by departments and agencies of the United States in light of the policies, plans, programs, and priorities developed pursuant to this Act.

"(b) In the planning and conduct of a coordinated Federal program the President and the Council shall utilize such staff, interagency, and non-Government advisory arrangements as they may find necessary and appropriate and shall consult with departments and agencies concerned with marine science activities and solicit the views of non-Federal organizations and individuals with capabilities in marine sciences.

"COMMISSION ON MARINE SCIENCE, ENGINEERING, AND RESOURCES

"SEC. 5. (a) The President shall establish a Commission on Marine Science, Engineering, and Resources (in this Act referred to as the "Commission"). The Commission shall be composed of fifteen members appointed by the President, including individuals drawn from Federal and State governments, industry, universities, laboratories and other institutions engaged in marine scientific or technological pursuits, but not more than five members shall be from the Federal Government. In addition the Commission shall have four advisory members appointed by the President from among the Members of the Senate and the House of Representatives. Such advisory members shall not participate, except in an advisory capacity, in the formulation of the findings and recommendations of the Commission. The President shall select a Chairman and Vice Chairman from among such fifteen members. The Vice Chairman shall act as Chairman in the latter's absence.

"(b) The Commission shall make a comprehensive investigation and study of all aspects of marine science in order to recommend an overall plan for an adequate national oceanographic program that will meet the present and future national needs. The Commission shall undertake a review of existing and planned marine science activities of the United States in order to assess their adequacy in meeting the objectives set forth under section 2 (b), including but not limited to the following:

"(1) Review the known and contemplated needs for natural resources from the marine environment to maintain our expanding national economy.

"(2) Review the surveys, applied research programs, and ocean engineering projects required to obtain the needed resources from the marine environment.

"(3) Review the existing national research programs to insure realistic and adequate support for basic oceanographic research that will enhance human welfare and scientific knowledge.

"(4) Review the existing oceanographic and ocean engineering programs, including education and technical training, to determine which programs are required to advance our national oceanographic competence and stature and which are not adequately supported.

"(5) Analyze the findings of the above reviews, including the economic factors involved, and recommend an adequate national marine science program that will meet the present and future national needs without unnecessary duplication of effort.

"(6) Recommend a Governmental organizational plan with estimated cost.

"(c) Members of the Commission appointed from outside the Government shall each receive $100 per diem when engaged in the actual performance of duties of the Commission and reimbursement of travel expenses, including per diem in lieu of subsistence, as authorized in section 5 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 73b-2), for persons employed intermittently. Members of the Commission appointed from within the Government shall serve without additional compensation to that received for their services to the Government but shall be reimbursed for travel expenses, including per diem in lieu of subsistence, as authorized in the Act of June 9, 1949, as amended (5 U.S.C. 835-842).

"(d) The Commission shall appoint and fix the compensation of such personnel as it deems advisable in accordance with the civil service laws and the Classification Act of 1949, as amended. In addition, the Commission may secure temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the Administrative Expenses Act of 1946 (60 Stat. 810) but at rates not to exceed $100 per diem for individuals.

"(e) The Chairman of the Commission shall be responsible for (1) the assignment of duties and responsibilities among such personnel and their continuing supervision, and (2) the use and expenditures of funds available to the Commission. In carrying out the provisions of this subsection, the Chairman shall be governed by the general policies of the Commission with respect to the work to be accomplished by it and the timing thereof.

"(f) Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) may be provided the Commission by the General Services Administration, for which payment shall be made in advance, or by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator of General Services: *Provided*, That the regulations of the General Services Administration for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C. 46d) shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of said Administrator for the administrative control of funds (31 U.S.C. 665(g)) shall apply to appropriations of the Commission: *And provided further*, That the Commission shall not be required to prescribe such regulations.

"(g) The Commission is authorized to secure directly from any executive department, agency, or independent instrumentality of the Government any information it deems necessary to carry out its functions under this Act; and each such department, agency, and instrumentality is authorized to cooperate with the Commission and, to the extent permitted by law, to furnish such information to the Commission, upon request made by the Chairman.

"(h) The Commission shall submit to the President, via the Council, and to the Congress not later than eighteen months after the establishment of the Commission as provided in subsection (a) of this section, a final report of its findings and recommendations. The Commission shall cease to exist thirty days after it has submitted its final report.

"INTERNATIONAL COOPERATION

"SEC. 6. The Council, under the foreign policy guidance of the President and as he may request, shall coordinate a program of international cooperation in work done pursuant to this Act, pursuant to agreements made by the President with the advice and consent of the Senate.

"REPORTS

"SEC. 7. (a) The President shall transmit to the Congress in January of each year a report, which shall include (1) a comprehensive description of the activities and the accomplishments of all agencies and departments of the United States in the field of marine science during the preceding fiscal year, and (2) an evaluation of such activities and accomplishments in terms of the objectives set forth pursuant to this Act.

"(b) Reports made under this section shall contain such recommendations for legislation as the President may consider necessary or desirable for the attainment of the objectives of this Act, and shall contain an estimate of funding requirements of each agency and department of the United States for marine science activities during the succeeding fiscal year.

"DEFINITIONS

"SEC. 8. For the purposes of this Act the term 'marine science' shall be deemed to apply to oceanographic and scientific endeavors and disciplines, and engineering and technology in and with relation to the marine environment; and the term 'marine environment' shall be deemed to include (a) the oceans, (b) the Continental Shelf of the United States, (c) the Great Lakes, (d) seabed and subsoil of the submarine areas adjacent to the coasts of the United States to the depth of two hundred meters, or beyond that limit, to where the depths of the superjacent waters admit of the exploitation of the natural resources of such area, (e) the seabed and subsoil of similar submarine areas adjacent to the coasts of islands which comprise United States territory, and (f) the resources thereof.

"AUTHORIZATION

"SEC. 9. There are hereby authorized to be appropriated such sums as may be necessary to carry out this Act, but sums appropriated for any one fiscal year shall not exceed $1,500,000."

And the House agree to the same.

Amend the title so as to read: "An Act to provide for a comprehensive, long-range, and coordinated national program in marine science, to establish a National Council on Marine Resources and Engineering Development, and a Commission on Marine Science, Engineering and Resources, and for other purposes."

ALTON LENNON,
PAUL G. ROGERS,
THOMAS N. DOWNING,
CHARLES A. MOSHER,
THOMAS M. PELLY,
Managers on the Part of the House.
WARREN G. MAGNUSON,
JOHN PASTORE,
E. L. BARTLETT,
DAN BREWSTER,
NORRIS COTTON,
THRUSTON B. MORTON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the Conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 944) to provide for expanded research and development in the marine environment of the United States, to establish a National Council on Marine Resources and Engineering Development, and a Commission on Marine Science, Engineering, and Resources, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendments struck out all of the Senate bill after the enacting clause and inserted a substitute text and provided a new title for the Senate bill, and the Senate disagreed to the House amendments.

In large part the provisions of the Senate bill and the House substitute amendment were the same or similar, but there were some rather important differences.

The committee of conference recommends that the Senate recede from its disagreement to the amendment of the House to the text of the bill, with an amendment which is a substitute for both the text of the Senate bill and the House amendment to the text of the Senate bill, and also that the Senate recede from its disagreement to the amendment of the House to the title of the bill, with an amendment which is a substitute for both the title of the Senate bill and the House amendment to the title of the Senate bill.

The differences between the House amendments to the text and the title of the bill and the substitute amendments agreed to in conference are noted below except for the clerical corrections, incidental changes made necessary by reason of agreements reached between conferees, and minor drafting and clarifying changes.

Section 1: The short title of both the Senate bill and the House amendment provided that this act may be cited as the "Marine Resources and Engineering Development Act of 1965." The conference substitute changes the date to "1966".

Section 2: The Senate bill, like the House amendment, enumerated certain national objectives. The Senate bill omitted a declaration of policy. A declaration of policy is included in the bill agreed to in conference.

Section 3: The Senate bill provided for the establishment in the Executive Office of the President of the National Council on Marine Resources and Engineering Development (referred to therein as the "Council") to be composed of the Vice President as Chairman of the Council, the Secretary of State, Secretary of the Navy, Secretary of the Interior, Secretary of Commerce, Chairman of the Atomic Energy Commission, the Director of the National Science Foundation, the Secretary of Health, Education and Welfare, and such other officers and officials as the President may deem advisable. There were also certain provisions relative to the appointment of alternates and employment of a staff headed by a civilian Executive Secretary. It was the duty of the Council to advise and assist the President, as he may request, with respect to the performance of certain enumerated and related functions in the field of marine science and engineering.

The House amendment omitted the provisions relative to the establishment of the Council, but rather imposed the duty of performing the above mentioned enumerated and related functions directly upon the President, with direction to the President to "utilize such staff, interagency, and non-Government advisory arrangements as he may find necessary and appropriate and * * * consult with departments and agencies concerned with marine science activities and solicit the views of non-Federal organizations and individuals with capabilities in marine science."

It is in this section that the major differences between the Senate bill and the House amendment occurred.

The managers on the part of the House agreed to the establishment of the National Council on Marine Resources and Engineering Development, with the addition of the Secretary of the Treasury to its membership. The most important change agreed to by the conferees in respect to the provisions of the Senate bill to establish a Council is that "The provisions of this Act with respect to the Council shall expire one hundred and twenty days after the submission of the final report of the Commission pursuant to section 5(h)." In other words, the Council would be self-liquidating after the Commission, with a life of 18 months, completes its study and submits its report. The 120-day grace period would give Congress a reasonable opportunity to act on the Commission's recommendations as to organization. If it did not act within that time, direction and management of the program would revert to the President under procedures otherwise provided in the bill.

Section 4: The conference substitute retains substantially all of the duties imposed upon the President under the House amendment, but provides that the performance of such duties shall be "with the advice and assistance of the Council."

Section 5: The Senate bill provided authorization for the establishment "at the discretion of the President" of a Commission on Marine Science, Engineering and Resources, composed of 15 qualified members appointed by the President, including 5 representatives from Government, 5 representatives from industry, and 5 representatives from universities, institutions or laboratories engaged in marine science pursuits, such Commission to assist the President and the Council in carrying out their previously enumerated functions.

The House amendment provided for the establishment of an independent Commission, appointed by the President, composed of 15 members, "including individuals drawn from Federal and State governments, industry, universities, laboratories and other institutions engaged in marine scientific or technological pursuits."

The bill as agreed to in conference omits the discretionary establishment of the Commission as provided in the Senate bill and conforms to the intent of the House bill for the mandatory establishment of an independent Commission.

In lieu of the provisions of the Senate bill and the House amendment relative to the composition of the Commission the bill agreed to in conference provides that not more than 5 members shall be from the Federal Government and that "the Commission shall have four advisory members appointed by the President from among the Members of the Senate and the House of Representatives." The bill provides that the advisory members shall not participate, except in an advisory capacity, in the formulation of the findings and recommendations of the Commission.

Relative to the membership of the Commission, it was the unanimous view of the committee of conference that the Commission should be as well balanced as possible as to the fields of endeavor from which the individual members are drawn so as to give the widest representation from industry, government, and the major scientific disciplines involved.

Section 7: Under the sections dealing with "Reports" in both the Senate bill and the House amendment a subsection provided that classified information should not be included in any report made under the section. No such provision is contained in the bill as agreed to in conference since there are other provisions of law which would accomplish this intent. The provision is therefore unnecessary.

Title: The House amendment to the title of the bill did not include reference to the National Council on Marine Resources and Engineering Development. The title to the bill as agreed to in conference includes such a reference.

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THOMAS M. PELLY,
Managers on the Part of the House.

Mr. LENNON. Mr. Speaker, after extensive and comprehensive hearings by the Committee on Merchant Marine and Fisheries last summer, we ordered the bill S. 944, known as the Marine Resources and Engineering Development Act, reported to the House with a substitute text and amended title. The bill passed the House on September 20, 1965.

Although the bill, as it passed the House, was similar in most respects to the bill as it passed the Senate, and both versions were fully in accord as to the nature and importance of the objectives, there were certain major differences.

The principal difference between the two versions lay in the fact that the Senate bill would have created a "National Council on Marine Resources and Engineering Development" composed of the Vice President as chairman and the heads of departments and agencies heavily involved in various aspects of the marine sciences. The Senate bill would also have established a 15-member "Commission on Marine Science, Engineering, and Resources" with responsibility to review all marine science activities of the United States and report thereon, including a recommendation as to a Government organizational plan, within 18 months after appointment. Under the Senate bill establishment of the Commission was discretionary in the President.

The House version omitted provision for the Council and made the Commission mandatory.

Within recent weeks the Senate requested a conference on S. 944, in order to attempt to resolve the differences between the two versions. After several meetings full agreement has been reached between the conferees of the House and the conferees of the Senate and the conference report was filed in the House on Tuesday, May 24.

The conference substitute reconciles all minor and major differences between the two versions. A National Council is provided for with provision for automatic termination within 120 days after the Commission files its report. The conference substitute makes the study Commission mandatory.

I will not go into further detail as to the effect of the conference report in relation to the bill as it passed the House, since I believe the statement of managers is adequately explanatory.

The conferees believe that the conference substitute will fully and fairly meet the objectives sought by all. Under it, the national oceanographic program would assume the stature which it deserves, and will provide an effective mechanism for moving forward in this vital program.

I want to take this opportunity to express the highest commendation to my colleagues on the Merchant Marine and Fisheries Committee who have labored long and thoughtfully to bring this important legislation to this point. And I particularly want to express my deep appreciation to the many members of the House, both on and off our committee, who have assisted in the development of this legislation through bills of their own, setting forth various alternate approaches. They have taken a keen interest in our hearings, and have given us the highest cooperation in our efforts to work out the most effective legislation possible.

Mr. KEITH. Mr. Speaker, I would like to express my satisfaction that the House and Senate conferees have ironed out the differences between the Marine Resources and Engineering Development bills passed by the two Houses. I congratulate the conference committee on their excellent resolution of the various questions, although the bill still provides only an interim solution. Hopefully the Commission called for in the bill can produce a workable and complete plan for the future organization of our oceanographic effort. In the meantime, the high-level Council on which members of the Cabinet will serve, will lend the stature to our oceanographic effort which it has long deserved.

S. 944 represents only a first step, but it is a necessary one. Our oceanographic effort has long been impeded because it has been splintered into 7 separate and independent agencies and about 20 bureaus within these agencies. Duplication and lack of communication between the separate bureaus have been major problems. The Commission will have the mission of suggesting to Congress a reorganization of the U.S. effort. I am confident that the resultant channeling of our energies will enable us to move ahead more rapidly and effectively than we now can.

I applaud in particular the provision for representation on the Commission of all segments of our society which deal with marine science and technology. Members will be drawn from both Federal and State governments, industry, universities, and independent institutions and laboratories. Since the ultimate goal of this legislation is to make a truly effective national effort, it is essential that the Planning Commission represent the interests and abilities of all facets of marine science and technology.

Each time the Soviets announce that they are launching a new research vessel or a new program, the need for us to take action increases. The Soviets recognize the importance of a central planning body and have recently established the National Council for the Utilization of the Resources of the Sea to oversee directly all applied research. They are responsible for the national program and as such can determine priorities and allocate resources with an eye to the broad picture.

Experts seem to agree that although we lead the Soviets in basic research, we are lagging in the applied area. Unfortunately no organization at present has adequate authority to make this evaluation of our program as a whole and reallocate some of our resources. We need an organization which can pick up the loose ends of our program and give it a better and clearer focus for the future.

Although we would not want to exercise the same kind of control over the field of oceanography that the Soviet state does, a greater degree of control is essential. I have no doubt that with improved overall planning our competitive free enterprise system will enable us to pull ahead of the Soviets in this race for inner space. The Soviets take this race very seriously, whereas I do not think we have given it adequate importance. It has, in the minds of most scientists, been dwarfed by our space effort. Even though this is true, we as a nation stand to gain a great deal both politically and economically from intensified study and exploitation of the seas. The benefits from our efforts in space will take many years—perhaps generations—to materialize. By comparison, a relatively small investment in oceanography will pay off in immediate terms. S. 944 when signed by the President can be the beginning of a new era for oceanography. It can put us on the road to a vigorous and truly national oceanographic program.

Mr. MAILLIARD. Mr. Speaker, I wish to join my colleagues on the Committee on Merchant Marine and Fisheries in urging favorable action on the conference report accompanying S. 944.

The purpose of this bill is to take an initial step in providing an effective and coordinated national oceanographic program. It is an action which is long overdue, and which represents belated recognition of the potential rewards waiting to be harvested from the oceans.

I am proud to say that my own State of California appropriately recognizes the promises of the vast resources of the seas. Two years ago industrialists, State officials, and specialists in the Federal Government participated in a symposium on "California and the World Ocean." That meeting led to the formation of a Governor's advisory commission on ocean resources. This, in turn, has led to the first comprehensive study by a State of its relation to the ocean.

It is fitting therefore that the Federal Government should take similar cognizance of this last frontier. We have long been preoccupied with the exploration of outer space which, while being a commendable effort, holds forth little promise of an immediate return upon our investment. We have, in fact, been spending on the order of $5 billion a year in this endeavor. On the other hand, progress in the area of inner space—the world ocean and its resources—has been too long neglected. Our total national oceanographic program budget for each of the past 3 fiscal years, for example, has been at a level of less than 4 percent of that provided for our space programs.

Equally demonstrative of our current apathy toward oceanography and marine sciences is status of our educational programs. Over the last 20 years only about 50 undergraduate degrees and less than 900 graduate degrees have been conferred by major institutions of learning offering such courses of study.

Enactment of S. 944 will hopefully bring our endeavors in the sphere of inner space into proper perspective so as to take advantage of the vast economic benefits available to us through a concerted and effective effort in the exploration and development of marine resources.

I, therefore, commend to the favorable consideration of my colleagues the adoption of the conference report on S. 944 as a first step to be taken by the Federal Government in bringing these aims to pass.

Mr. ROGERS of Florida. Mr. Speaker, I rise in support of this legislation. As a member of the Oceanography Subcommittee and of the full Merchant Marine and Fisheries Committee, I was pleased to have participated in the hearing and formulation of this legislation. As the author of H.R. 9064, a bill to establish a Presidential Commission to survey this Nation's oceanographic and ocean engineering capabilities, I am pleased that S. 944 also contains provisions for such a Commission.

The distinguished chairman of the Senate Commerce Committee, Mr. MAGNUSON, and the chairman of the full House committee, Mr. GARMATZ, along with subcommittee chairman, Mr. LENNON, are to be commended for their vision in handling this bill. This bill is perhaps one of the most significant pieces of legislation to pass the Congress in a decade, although its real importance to the future security and progress of the United States may not yet be realized.

I am very hopeful that S. 944 will receive the same enthusiasm in the executive branch of the Government which it has received here in the Congress. Oceanography is a new scientific discipline which is becoming even more essential to America now than it was last year when the House and Senate hearings were held.

Mr. Speaker, with the Soviet Union now holding a worldwide convention for oceanographers from every nation, and by excluding our Nation's most modern research ship from port, it is clear that Russia is highly conscious of not only oceanography, but this Nation's position in the "wet space race."

With Soviet ocean research being expanded from bases in Cuba to the waters of the Atlantic, Caribbean, and Gulf of Mexico there exists ample reason for the United States to step up marine exploration of these seas. The Soviets are there to catch fish, an already massive effort of the Russian fleet throughout the world. They have entered these waters for espionage purposes, and they are unquestionably determining methods of submarine warfare which could be effective against this Nation. Further Soviet interest in the rich and abundant waters near our shores lies in the minerals just off the U.S. mainland. A major legal question arises as to ownership of such minerals if they are beyond the territorial seas of the United States. It would be disastrous if the plentiful mineral deposits of this hemisphere's seas were to fall into the hands of an unfriendly power.

The Soviet Union is vitally interested in all phases of oceanography and the marine sciences. Along with Congressman HASTING KEITH I was fortunate to inspect marine science, shipbuilding, and fisheries installations in the Soviet Union and in Poland in January of this year as a member of a special Merchant Marine and Fisheries Committee delegation which went to those countries for such a purpose. The Soviets have committed much of their national resources to oceanography and maritime development. These fields have a high national priority in Russia. In terms of personnel, the Soviet Union has nearly 3 times as many oceanographers and supporting technicians working toward the conquest of hydrospace than we have here in the United States. And they are training more young Russians to enter the field.

It is hoped that the work to be done by the Commission will provide a foundation for America to fully utilize her resources for progress in oceanography and limnology. This Nation is unique in many respects, and one of the factors which has made America great is her geography. The population of the Nation is concentrated in areas which have access to water—the east and west coasts, the gulf coasts, and the Great Lakes. The industrial strength of America is so situated as to be positioned for easy access to the waters near these population centers.

Private enterprise in the United States today is keenly aware of new technology. Industry is eager for new dimensions in science which can be translated into practical engineering methods. Certainly the accessible resources of the Great Lakes and the seas beckon American industrial technology which only now awaits appropriate incentives to work in partnership with Government toward the conquest of sea frontiers.

The academic community which houses the capability of basic as well as applied marine research must be given greater opportunity to provide not only new innovations in science but more marine scientists as well.

And the challenge of governmental organization for the stimulation of this Nation's commitment to the "wet space race" with Russia is a task which remains to be completed.

The Commission provided for in S. 944 has a large job to do in a short period of time. The Commission's report to the President and the Congress will have great impact throughout the scientific and industrial community. The report will be cited by future generations as an example of America's ability to adapt her total resources and free enterprise system for the achievement of new milestones in history.

The world is being reshaped by science. A new technology has been forged in just a decade of outer space exploration. Yet man knows more about the technology of outer space than he does about the depths of the seas, and three-fourths of the earth's surface is water. Furthermore, the seas make up a major portion of the earth itself.

Man is beginning to use advanced technology as he turns to the seas for his wants. Nations themselves are looking toward the seas for the attainment of national goals and the preservation of national security. The United States must lead the way into a new era of discovery and utilization of the earth's hydrology. If we falter in this early stage, the drama of world power may find the Communists playing the leading role.

I urge that S. 944 be approved into law in order that this Nation's science and technology may continue to propel America into first place in the wet space race.

Mr. FASCELL. Mr. Speaker, on Tuesday a committee of conference issued a report, House Report No. 1948, on S. 944, the Marine Resources and Engineering Development Act of 1966. The report is a historical milestone in our Nation's oceanographic effort. It is designed to give our oceanography program a long-needed coherent and realistic framework. It receives my full support and I strongly recommend swift approval by the House.

The bill provides for expanded research and development in the marine environment of the United States. It establishes a National Council on Marine Resources and Engineering Development. It sets up a Commission on Marine Science, Engineering, and Resources. The bill is the culmination of debate and discussions over many years about the potentials and dimensions of our oceanic commitment. I am proud to have had a small part in this congressional effort. My interests and activities in oceanography go back to the beginnings of congressional interest in oceanography, to the beginnings of congressional concern about the lack of coherent purpose and explicit policies in our study and use of the seas. Early last year I introduced H.R. 5654, the National Oceanographic Act of 1965, which corresponded to S. 944. The central purpose of those bills was to set forth a firm declaration of national policy about oceanography. They sought to establish specific objectives for the practical utilization of the ocean's resources. They would have provided a mechanism for central planning and coordination of the oceanographic interests and work of the Federal Government.

The conference report now before us encompasses these principles. This report makes a declaration of firm policy. It calls for a sustained, coordinated, comprehensive, long-range national program in marine science. Its purpose is to assist in the protection of health and property; to enhance commerce, transportation, and national security, which also includes our debilitated merchant marine; to revitalize our commercial fisheries and to increase utilization of all oceanic resources.

The objectives are aimed toward the practical utilization and exploitation of the sea and include the accelerated development of resources and the expansion of knowledge of the marine environment so as to preserve the leadership role of the United States in marine science and resource development. It will encourage the private sector of our economy to invest more in exploration, technological development, marine commerce, and economic utilization of marine resources. Simultaneously it will promote the effective use of the scarce manpower and facilities through close cooperation of all agencies, both public and private. It will advance education and training in the marine sciences to maintain the necessary manpower base. It will develop and improve facilities, both shore based and sea based, and the equipment and instruments for meeting these objectives. Finally, like so many of our other scientific programs, it will foster cooperation with other nations, and groups of nations, when in the national interest.

The leadership for carrying out these policies and objectives will be vested in a National Council on Marine Resources and Engineering Development, with the Vice President as its chairman. The Council will be comprised of the Secretaries, Chairmen, and Directors of the many departments and agencies directly concerned with oceanography.

Also proposed is a Commission on Marine Science, Engineering and Development. This Commission will consist of leaders from Federal and State Governments, industry, universities, and other institutions engaged in marine science and technology. The Commission will review, analyze, and recommend. It will review the present and expected marine resource needs; the present efforts to satisfy these needs; and the existing oceanographic and ocean engineering programs, their individual stature, and adequacy of support. The Commission will analyze these findings, giving attention to economic factors. It will finally recommend, within 18 months after establishment, an adequate and realistic national marine science program and a Government organization plan. To give Congress time to consider the report, the Council will remain in existence for 120 days after the submission of the Commission's report.

All of this is a concrete example of "creative federalism" at work. This legislation will give all parts of our Nation concerned with oceanography—the Federal and State Governments, industry, universities, and other interested institutions—a great opportunity to forge a truly productive program.

Through the creative Federal effort made possible by this bill, national oceanographic objectives can be explored and clearly defined. Effective plans can be made. And a creative, productive mixture of Federal, State, and private involvement can be brought about.

The conference report and the objectives and policies it sets out, and the National Council and Commission that it proposes, constitutes a giant step forward. It can provide that firm legislative base for action so long delayed and so badly needed. I commend it and strongly urge its endorsement by the House.

Mr. HANNA. Mr. Speaker, the House of Representatives will be making a major breakthrough in the field of oceanography when it approves today the conference report of S. 944, the Marine Resources and Engineering Development Act of 1966.

After extensive conference negotiations the Senate and House conferees ironed out the major differences. As a result we now have a practical, but forward looking piece of legislation designed to bring the United States to the forefront in oceanographic research.

The need for a stepped-up program of oceanographic research is, I believe, desirable. Our national security demands we respond to the Soviet Union's aggressive challenge in the "wet war." We must not allow a serious ocean penetration gap to develop in our effort in "inner-space," as the vast ocean environment has come to be called.

The needs for our future economic strength and position strongly dictate that we lead in the world's efforts to tap the great resources of the sea for food, for minerals, for energy, and for potable water. Our concern for scientific leadership calls clearly for an all-out research effort to learn more of the anatomy of the sea; its inner relationships of chemistry, biology, temperature, and currents. We also must concern ourselves with the sea's outer relationships between the inner-space of the oceans and the upper-space of the atmosphere which creates the weather conditions that affect all of man's activities.

The oceans of the world, now in expanse of 71 percent of the world's surface, are an area of comparative lawlessness in terms of the new and heretofore unimagined activities and exploitations now taking place. Some have compared this situation to the "wild" west of a century ago. Unless something is done to encourage the development of equitable international law covering this field, the possibilities of "shoot outs" on the ocean main streets will be ominously present.

Today, in our own jurisdictional waters we face the threat of more than one "quick draw" McGraw operator and all the headaches of "claim jumping" we experienced in the early west. Just recently San Pedro, Calif., fishermen rightly complained about Russian fishing fleets depleting American fishing grounds. An ugly international situation is smoldering over this incident fanned by our most recent refusal to allow one of these Russian vessels admittance to the port of San Francisco for repairs. This is the type of "maverick" incident we must try to alleviate.

I intend to encourage the National Oceanographic Council, set up by S. 944, to launch an oceanographic expedition.

What I envision is the establishment of a mission similar to the Lewis and Clark expedition. Of course the expedition would be commissioned for relatively short periods of time, with specific research goals. The members of these short-term expeditions would be drawn from the experts in universities, private firms, and Government agencies.

Expeditions of this sort would allow us to move quickly in meeting the research goals to be established by the new Oceanographic Council, without disrupting the fine work now being carried on by existing agencies and institutions.

Such expeditions will serve to encourage cooperation and coordination of activity, and additionally serve to spark the interest and imagination of the American people in this exciting and vital science.

The possibilities and potentialities of the ocean are staggering. I have always felt somewhat chagrined at the irony of our current policies that stress our effort in space, while putting little emphasis on our immediate environment. It never ceases to amaze me how little we know of our oceans. Perhaps because the oceans have always been such an integral part of man's environment we have taken them for granted.

Our motivation in the space effort can easily be translated to exploration of the ocean. Curiosity, potential, national security, and man's desire to learn of the universe in which he lives are motivations as applicable to our planet's oceans as they are to the exploration of the void through which the earth plummets on its ever-continuing journey.

The adoption of the conference report on S. 944 will be a significant step toward providing the machinery to answer man's question about the world in which he lives.

Mr. WYDLER. Mr. Speaker, I am delighted to support this conference report. It is an indication that our Nation's effort in oceanography is about to begin in earnest.

We should keep in mind, however, that this step is only the first in an effort that must be stepped up almost at once to take full advantage of the wealth and material benefits that can flow from a true conquest of the ocean's depths.

I am particularly delighted to inform the Congress that the Governor of the great State of New York, Nelson Rockefeller, has informed me that he will hold a Governors' conference on oceanography in New York State in the near future. Plans for this conference are getting underway and I personally hope and propose that it will be held on Long Island in New York State. This conference is coming at a particularly important time in the history of oceanography. Recognition of its potential is now a fact, but it is still an infant industry and one that can take full advantage of a conference international in scope.

The New York Governors' conference on oceanography will be the greatest conference of its type ever held and it will marshal the force in New York State and in our Nation to meet the new challenge that we face in being first in the world in the conquest of the oceans.

Mr. MOSHER. Mr. Speaker, I want to compliment the gentleman from North Carolina [Mr. LENNON] for his skillful defense of the essentials of the House position on S. 944, the Marine Resources and Engineering Development Act of 1965, during the conference with representatives from the other body on the disagreements which existed between the two Houses concerning that legislation.

We on this side of the aisle who participated in that conference, and I believe all minority members of the Merchant Marine and Fisheries Committee, are in full agreement in support of the conference report as it is presented to the House today.

In my remarks on the floor of the House on September 20, 1965, during general debate on S. 944, I emphasized that the crucial element in the bill is this, that it places mandatory responsibility squarely on the President to create central coordinating machinery for developing national policy and activities in the ocean sciences and ocean engineering. The bill recognizes the immediate, urgent need for more effective, more innovative national leadership to mobilize and expand our oceanographic programs, for the more vigorous, comprehensive exploration and use of the wonderful resources of the marine environment.

The conference report as presented today maintains fully the integrity of that crucial element in the bill. It does mandate upon the President—rather than merely give him discretionary authority—the responsibility to establish a competent and responsible Commission on Marine Science, Engineering, and Resources which shall report in 18 months or less to the Congress and to the President, with specific recommendations for more effective machinery to do the job which I just mentioned.

This bill also lays the basis for more effective congressional oversight of the national program in ocean sciences and ocean engineering.

And, incidentally, the conference report also in no way modifies the point which we made clear in the RECORD on September 20, that by approving this bill the Congress intends that the Great Lakes shall have equal standing with all our ocean areas as the location of Federal Government programs in the ocean sciences and engineering.

Mr. Speaker, I know of no opposition to the conference report nor any disagreement on our side of the aisle.

We urge your approval of the conference report which resolves the differences between the two bodies concerning S. 944.

Mr. LENNON. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. LENNON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the conference report just adopted.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

CALL OF THE HOUSE

Mr. BOW. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 111]

Abernethy
Ashley
Baring
Blatnik
Cahill
Celler
Chelf
Clawson, Del
Colmer
Corman
Dawson
de la Garza
Dickinson
Diggs
Ellsworth
Erlenborn
Evans, Colo.
Evins, Tenn.
Farnsley
Fraser
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Hardy
Hawkins
Hébert
Hull
Jacobs
Long, La.
McCarthy
McVicker
MacGregor
Mackie
Martin, Ala.
Martin, Mass.
Miller
Moeller
Morton
Moss
Murray
Olson, Minn.
Pool
Reid, Ill.
Resnick
Ronan
Rooney, N.Y.
St Germain
Toll
Williams
Willis
Wilson, Charles H.
Wolff

The SPEAKER. On this rollcall 377 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

NATO HEARINGS

Mrs. KELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. KELLY. Mr. Speaker, for the past 2 months the Subcommittee on Europe of the Committee on Foreign Affairs has been conducting hearings on the problems and prospects of NATO and of the North Atlantic community as a whole.

In the course of these hearings, our subcommittee has received testimony from a number of executive branch witnesses, from academic experts, and from other private citizens whose distinguished record of public service and knowledge of this subject contributed greatly to our undertaking.

Among the witnesses who testified before our subcommittee were the Honorable Dean Acheson, former Secretary of State and adviser to the President on NATO problems; the Honorable Thomas K. Finletter, former Secretary of the Air Force and our longtime Ambassador to NATO; the Honorable Robert Murphy, former Under Secretary of State and president of the Corning Glass Works International; Prof. Zbigniew Brzezinski, of Columbia University, who was recently appointed to the Policy Planning Council of the Department of State; Prof. Robert Osgood, director, Washington Center of Foreign Policy Research—Johns Hopkins School of Advanced International Studies—and Prof. Robert Strausz-Hupe, director, Foreign Policy Research Institute, University of Pennsylvania.

I am taking the floor this morning to announce that on Wednesday, June 3, at 2 p.m., the subcommittee will be pleased to receive views and recommendations of Members of Congress on the subject under study. It would be appreciated if the Members who desire to appear or to submit statements would notify our subcommittee in advance of that date.

FAIR LABOR STANDARDS AMENDMENTS OF 1966

Mr. POWELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 13712) to amend the Fair Labor Standards Act of 1938 to extend its protection to additional employees, to raise the minimum wage, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for further consideration of the bill, H.R. 13712, with Mr. PRICE in the chair.

IN THE COMMITTEE OF THE WHOLE

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, it had agreed that the bill be read by title instead of by section. The Clerk had read through title II of the committee substitute, ending on line 13, page 46, of the bill. Are there further amendments to that title?

AMENDMENT OFFERED BY MR. O'HARA OF MICHIGAN

Mr. O'HARA of Michigan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'HARA of Michigan: On line 17, page 45, after the period insert the following:

"OPPRESSIVE CHILD LABOR

"Section 213—Section 13(c) of such Act is amended by striking out 'to any employee employed in agriculture outside of school hours for the school district where such employee is living while he is so employed, or' and on page 45, line 20, strike out 'Section 213' and insert 'Section 214' and on page 46, line 2, strike out 'Section 214' and insert 'Section 215.'"

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes in support of his amendment.

Mr. O'HARA of Michigan. Mr. Chairman, the effect of these amendments would be to apply the same prohibition against the use of child labor by agricultural employers that applies to all other industrial employers. These provisions can be found on page 49 of the committee report. To describe briefly the effect of these amendments, it would be to prohibit the use of the labor of any child under the age of 16, except in those occupations where it would not be harmful to the health or welfare of the child, when a child could work at ages 14 or 15 or in an exceptionally hazardous occupation in which a child would not be permitted to work until the age of 18.

Mr. Chairman, 50 years ago a quatrain was published by Sarah Claiborn, which was appropriate to the day. That quatrain is as follows:

The golf links lay so near the mill
That almost every day
The laboring children can look out
And watch the men at play.

Mr. Chairman, 30 years ago the U.S. Congress took steps to end child labor in manufacturing and in mining. At the time they did so there was a great outcry because the managers of these enterprises claimed that they could not operate successfully without the use of some child labor and that, furthermore, such labor was good for children. Not only was it good for them, they said; it taught them the value of a dollar.

But the Congress went ahead anyway and prohibited the use of child labor in manufacturing and mining.

We find to our surprise, some 30 years later, that the mining and manufacturing industries have not collapsed as a result of our action, and that the welfare of children has been advanced, not destroyed.

Mr. Chairman, we have heard on the floor that agriculture cannot get along without child labor, that the harvesting of field crops, out in the hot sun, is good for kids.

Mr. Chairman, I do not think it is any better for a child than working in a mill or a mine. I believe we should correct the wrong that we did 30 years ago when we carved out this agricultural exemption.

Yesterday we heard that there were going to be a million young people, between the ages of 16 and 21, looking for work this summer, with little hope of finding it. If we want to help them find work, in addition to the amendments we adopted yesterday, we ought to adopt an amendment which would prohibit using 10- 11-, 12-, and 13-year-olds in agriculture. Then perhaps some unemployed 16- to 21-year-olds can find the jobs they are looking for.

Finally, Mr. Chairman, let me state for those who are not aware of it that this amendment would not apply to any child working for his parent, or a person standing in the place of his parent. It does not apply to such situations in mining and manufacturing under the Fair Labor Standards Act provision.

Mr. Chairman, the quatrain I read no longer applies, but it is true that the fields lay so near the golf course that working children can still look up and see men at play.

This is a simple, straightforward vote on the question of whether this Committee wishes to continue the shameful practice of employing children under the age of 14 in agriculture for persons other than their parents.

Mr. Chairman, I ask that the amendment be adopted.

Mr. DENT. Mr. Chairman, I rise reluctantly and sadly, in a way, because it is not my usual temperament to quarrel with a position taken by a good friend, especially on a matter which appears to be so humane, a question involving children, but I rise to oppose the amendment.

In the first place, I thought we were good enough friends that the gentleman at least would give me the courtesy of talking over the amendment with me and also allowing me to give him the history of the discussions in the committee over the past 3 years, as to the basis for what should be done or not done with respect to young harvest pickers who may go out with their mothers or go out with their fathers to pick strawberries and other ground cover crops. This allows the mother to go out into the fields. Otherwise, if she had to pay some one to stay with the children at home, of course she would have no opportunity to go out into the fields to work.

This sounds as though we are a great big group of ogres, ready to devour the youth of America and pour them into the child labor mills.

I defy any person in this Chamber to show a better record against the use of child labor than mine, during the 34 years I have served.

I do not like sneak punches, and I do not care who throws them. This is a sneak punch to a bill on which we have worked hard. We have worked honestly, I believe, to come before this House with clean hands.

We say to the Members, this is just like the amendment which was put in by the gentleman from Illinois. The House does not know how far it will go. It does not know what it will do.

I will tell the Members what it will do. It will not apply itself to the 1½ percent or the 1.6 percent of the farms we would cover in this modest agricultural bill, but it would cover each and every farm in the United States, including those of the Amish, including those of the Mennonites, including those of the religious groups which have for many, many years had to be given special consideration, since to them farming is not only a way of life and a livelihood but also a religion, tightly tied into their way of believing and practicing their religion.

No Member of this House wants to send a tender young child out into a dangerous occupation. No one wants to send a child on to a farm as a hired hand.

Those who have lived on farms know the situation. I come from a district which has—perhaps excepting Florida, Georgia, California, and Arizona—as many voters who are farmers as any other district represented in the Congress of the United States has. I believe I know whereof I speak when I say to the Members that this amendment is not fair.

It is not honorable to come in here at this minute and to try to scuttle this legislation with an amendment which sounds so humane, which sounds so unimpeachable, because of the effort that the man is making and because of the interest involved and the character of the problem.

I refuse to be labeled as a man who would deliberately pass legislation which would injure the youth of this country of ours.

I say to the Members, I should like to have the committee support me and our committee in our stand against the amendment.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. DENT. I am glad to yield to the gentleman from New York.

Mr. GOODELL. I commend the gentleman for his statement. I merely wish to say that I agree with him on this amendment and I hope the amendment will be defeated.

Mr. CAREY. Mr. Chairman, I rise in support of the amendment and move to strike the last word.

Mr. Chairman, I am not going to take 5 minutes, but I am going to register some surprise.

I am surprised, frankly, as much as my distinguished chairman is surprised by the offering of the amendment, but I have an even greater degree of surprise that we have come so far and gone so long without doing something about this problem.

I stand here to tell the Members that I did not realize that for 30 years we have not done anything to treat the problem of children in this country working as common laborers, with employees subject to no penalties, when they are used merely for profit and are below the age of 14.

I do not want to come into this well again during the consideration of this bill and speak against the chairman of this subcommittee, but I must ask, aside from the element of surprise, what is wrong with bringing these children under the coverage of humane labor laws?

Mr. DENT. Are you asking me the question?

Mr. CAREY. Yes, I am asking you.

Mr. DENT. I will tell you what is wrong with it. It is because there is not a person on this floor that has made a greater study of the agricultural section of this bill. For the first time in history you are surprised that we have not done anything for the children on the farm. You ought to be shocked that we have not done anything for the grownups that work on the farms.

Mr. CAREY. Why can we not do it for both of them?

Mr. DENT. Let me answer you.

Mr. CAREY. All right.

Mr. DENT. We have gone as far as any honest legislator will. He will try to do that which he can do, at the moment that he has to do it. I say to you that if you want to cover agriculture for the first time in the history of these United States, then you have to do it in the area where you can talk intelligently and honestly. I do not know what the effect of it will be. The Secretary of Labor does not know the effect. No agency knows the effect of it at this time in the first effort to cover farmworkers. We are going into all of the farms and saying to them, "You cannot have a family come out and pick crops."

Mr. CAREY. Mr. Chairman, I decline to yield further at this point. I see that the gentleman is attempting to have children work with their mothers in berry-picking and other types of harvesting. I say that this amendment is similar to the act under which we eliminated stoop labor among wetbacks. We eliminated stoop labor among the wetbacks, and I ask why can we not do the same thing for children in America on American farms. I fail to see why we have to wait. If we are going to do something for the first time in the field of agriculture, then why do we not do it for the children of America? It seems to me they need attention. The children below the age of 14 are now working with their parents and going out and laboring for profit. Why in the world do we not cover them first, if we cover anyone at all? I think this amendment cries out for attention. Everybody on this floor should speak to his own conscience and say that if we are not going to cover children in this bill, then this bill does not go far enough, regardless of surprise. I am reminded at this time that it was a long time ago that we passed an amendment to eliminate child labor in this country. It was a constitutional amendment that was passed by the Senate and passed by the House. It is the only amendment which has not been ratified yet because most of the States—most of them—have passed provisions attempting to undo this grevious harm. I hope the amendment will be supported and I urge the adoption of the amendment.

Mr. POWELL. Mr. Chairman, in the interest of completing this as rapidly as possible although not trying to thwart anybody's desire to offer amendments, I would like to request and ask unanimous consent that all debate cease now on this particular amendment. Mr. Chairman, in view of those who are standing, I ask unanimous consent that all debate close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. MEEDS].

Mr. MEEDS. Mr. Chairman, I rise in opposition to the amendment and ask unanimous consent to revise and extend my remarks.

Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Michigan. The education and Labor Committee discussed fully the matter of applying an age restriction to children employed in agriculture during periods when school is not in session. It was our decision then to strike the 12-year-old age restriction from the bill.

It is hard to believe that the Congress of the United States would deliberately legislate youngsters out of a job, but this harmful amendment would do just that. As I said yesterday, thousands of young people in the Pacific Northwest find summer work by picking berries and beans. Over 85 percent of the strawberries in my district, for example, are picked by youths under 16 years of age. And there is a labor shortage for this sort of employment. This amendment would prohibit young people under 16 from working in agriculture during their summer vacations; it would deny these people the opportunity to earn money and to find jobs on farms. The amendment is similar to a bill defeated resoundingly by the House in 1962. There is no sense to this *amendment, and it should be voted down.*

The CHAIRMAN. The Chair recognizes the gentlewoman from Oregon [Mrs. GREEN].

Mrs. GREEN of Oregon. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am not one who is in favor of any exploitation of children, but my heart hardly bleeds for the people who complain about children going out and picking strawberries and picking beans in the summertime. As far as I am concerned, it would be much better if we were to do something about juvenile delinquency and give them a useful occupation to help them or allow them to earn money in the summertime and continue their education and buy the things they need. We have heard some references to the horror of their being out in the hot sunshine. I suggest that it would be much better for them to be out in the fresh air and the sunshine rather than on the dark corners and in the dark alleys. There is an old saying that idle people get into trouble. Let us allow these youngsters to work for the few weeks they can in the summers.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. JOELSON].

Mr. JOELSON. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I was not at all impressed by the idyllic description of these happy people, children and mothers and fathers, kids under 14 years of age going out in the golden sunlight to pick strawberries.

Of course, these children are going out to be exploited.

I heard it said on this floor not so long ago that children under the age of 14 years can perform stoop labor better because they are built close to the ground.

Mr. Chairman, if that is the case, let us get the babies out into the field, and be done with it. They can crawl contentedly about, picking crops.

Mr. Chairman, this is a good amendment and I support it.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. SCHEUER].

Mr. SCHEUER. Mr. Chairman, the President has characterized this Congress as the "Education Congress." It could be described as the "Youth Congress," because the major thrust of this Congress—exemplified in the Elementary and Secondary Education Act, the Higher Education Act, as well as the antipoverty program—is aimed at breaking the cycle of poverty and despair for the youth of this country.

Mr. Chairman, the farm youth of America, generation after generation, have experienced endemic, inherited structured poverty in their lifetime. Indeed, 45 percent of the impoverished families and kids in our Nation live on farms in rural America where the miserable pittance these striplings of 10 and 12 years have earned in stoop labor has but fortified and maintained their life of poverty, not changed or altered it one jot or tittle.

Mr. Chairman, there is no shred of *evidence on the record to the effect that* stoop labor by these kids has ever given them either the cash or the commitment to emerge from poverty. My colleague from New Jersey has recalled and identified the ancient canard that stoop labor is ideally conceived for kids because they are built so close to the ground. Well, Mr. Chairman, if these 10- and 12- year-olds are built real close to the ground, they are built just as close to desks, too. Let us get them into education and antipoverty programs full time. Let us break the cycle of poverty on the farms as well as in the cities. Let us make this the "youth Congress" for all of young America by passing this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. BOLLING].

Mr. BOLLING. Mr. Chairman, I rise in support of the amendment. None of the arguments made against it impress me. Children under 14 should not work in commercial field or farm away from home any more than in mill, mine, or factory.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. AYRES].

Mr. AYRES. Mr. Chairman, as a former farm boy who earned his first 3 cents stooping to pick a quart of strawberries, I must agree with the chairman of the subcommittee, the gentleman from Pennsylvania [Mr. DENT]. The work did not hurt me one iota.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. HUNGATE].

Mr. HUNGATE. Mr. Chairman, I would like to inquire of the distinguished gentleman from Pennsylvania [Mr. DENT] whether or not under the Bell amendment changing "highly perishable" to "perishable," if under the exemption heretofore described the term "perishable" would in his opinion include fruit such as apples and nursery stock?

Mr. DENT. Mr. Chairman, if the gentleman will yield; yes, horticulturists and the rest.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. POWELL] to conclude the debate on this amendment.

Mr. POWELL. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The question was taken; and on a division (demanded by Mr. O'HARA of Michigan) there were—ayes 24, noes 131.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. GOODELL

Mr. GOODELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GOODELL: On page 40, lines 3 and 4, strike out the words "(other than an industry described in subsection (d))."

On page 40, line 6, strike out the word "ten" and insert the word "twelve."

On page 40, line 7, strike out the word "forty-eight" and insert the word "fifty-six."

On page 40, line 10, strike out the word "employed" and insert the following: "employed: *Provided,* That in any place of employment in which the exemptions provided in this subsection and subsection (d) both apply to employees, the number of exempt workweeks provided by this subsection shall not exceed ten in any calendar year, which shall be in addition to the ten exempt workweeks provided by subsection (d)."

On page 40, line 11 through page 41, line 13, strike out all of subsection (d) and insert the following new subsection (d):

"(d) In the case of an employer engaged in the first processing of milk, buttermilk, whey, skimmed milk, or cream into dairy products or in the compressing of cotton, or in the processing of cottonseed, or in the processing of sugarbeets, sugarbeet molasses, sugarcane, or maple sap, into sugar (but not refined sugar) or into sirup, the provisions of subsection (a) shall not apply to his employees in any place of employment where he is so engaged; and in the case of an employer engaged in the first processing of, or in canning or packing, perishable or seasonal fresh fruits or vegetables, or in the first processing, within the area of production (as defined by the Secretary), of any agricultural or horticultural commodity during seasonal operations, or in handling, slaughtering, or dressing poultry or livestock, the provisions of subsection (a), during a period or periods of not more than ten workweeks in the aggregate in any calendar year, shall not apply to his employees in any place of employment where he is so engaged."

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Goodell].

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman.

Mr. POWELL. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. Goodell] be given 5 additional minutes to explain his amendment.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. POWELL. Mr. Chairman, I also ask unanimous consent that all debate on this particular amendment close at 12 o'clock noon.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. Powell]?

Mr. GERALD R. FORD. Mr. Chairman, reserving the right to object, would the gentleman from New York [Mr. Powell], chairman of the committee, speak a little louder so that Members may be fully cognizant of what his request is so that those Members who want to speak may have an opportunity to stand up so that they may be included in the allocation of time. May I ask the chairman, would it be feasible for the time to be divided equally between the proponents and the opponents rather than allocating a certain amount of time, 3 minutes or 5 minutes or whatever it is, to each and every Member who stands up and seeks recognition.

Mr. POWELL. I am very happy to accept the suggestion of the distinguished minority leader.

Mr. Chairman, I ask unanimous consent that the next 60 minutes be divided between both sides with 30 minutes to each side with all debate finally to close and to come to a vote on the amendment in 60 minutes.

The CHAIRMAN. Does the gentleman from New York include in his request who shall control the time?

Mr. POWELL. I also include in my unanimous-consent request, Mr. Chairman, that the gentleman from Pennsylvania [Mr. Dent] control the time on this side of the aisle.

The CHAIRMAN. And who on the other side of the aisle?

Mr. POWELL. The gentleman from New York [Mr. Goodell].

Mr. GOODELL. Mr. Chairman, would the gentleman from New York [Mr. Powell] also amend his request so that the time be limited to 1 hour since there are now only 55 minutes remaining before 12 o'clock noon and it would simplify the problem of allocating the time if the time were limited to 1 hour.

Mr. POWELL. Mr. Chairman, I accept the advice of our distinguished senior colleague.

The CHAIRMAN. Does the Chair understand the unanimous-consent request is now to provide for limiting of debate to 1 hour after the gentleman from New York [Mr. Goodell] who is now in the well concludes his remarks?

Mr. ALBERT. Mr. Chairman, reserving the right to object, would it be in order to ask unanimous consent, or to include in the unanimous-consent request, a request that the gentleman from Pennsylvania [Mr. Dent] might have 10 minutes in which to reply to the gentleman from New York, and that otherwise the time shall be equally divided between the gentleman from Pennsylvania and the gentleman from New York.

The CHAIRMAN. The chairman of the subcommittee, the gentleman from Pennsylvania, would have control of the time.

Is there objection to the request of the gentleman from New York?

Mr. HALLECK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HALLECK. Would the limitation be on a given number of minutes or a given time on the clock?

The CHAIRMAN. The Chair understands that the request is for 1 hour of debate, including the remarks of the gentleman now in the well.

Does the gentleman from New York mean 1 hour after the present occupant in the well completes his statement?

Mr. POWELL. I renew my request so that there will be no misunderstanding. I ask unanimous consent that the debate on this amendment be limited to 60 minutes, 30 minutes on each side. The gentleman now in the well has control of the time on his side. If the unanimous-consent request is approved, the gentleman from Pennsylvania will have control of the time on this side.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

The Chair hears none, and the request is agreed to.

There was no objection.

Mr. GOODELL. Mr. Chairman, it has been traditional in the past that when we consider minimum wage legislation, we end up in a great deal of confusion on the floor, often, in fact, in seething, swirling, agitated controversy and confusion. This year I thought it might be different, for we are not dividing on partisan or party lines significantly. But I do wish to say that after yesterday, I think we have been living up to our tradition with reference to minimum wage legislation.

This is a proposal that I think is one of the most important as far as this legislation is concerned. As I indicated every time I have spoken, I intend to vote for this legislation whether my amendments or other amendments are adopted or not. We have made many delicate adjustments in this legislation in the subcommittee and in the committee. They were very necessary because it often is impossible to impose by legislative fiat a just or uniform rule across the land.

Most of us can agree on the objective of reaching minimum wages for all our people as quickly as possible. Some in our midst want no minimum wage legislation, no intrusion by government. Others wish to grab the objectives we seek suddenly, imprudently, and without concern for the consequences on others. In some instances they are oblivious of the consequences upon others, both those they seek to serve, the low-wage earners, and those who employ the low-wage earners. Some objectives in life and in government we just cannot achieve by reaching out and grabbing them. Too often when you do that you end up simply crushing the desired objective in your hand.

My amendment could go under various labels. It could be called the "Consumers Amendment." It could be called the "Small Processors Amendment," or the "Processors Amendment," alone. It could be called the "Small Town Amendment," the "Farmer," or "Small Farmer Amendment."

In simple terms here is the situation we face: Present law provides exemptions for certain types of processors from the overtime provisions of the law. This provision has nothing to do with the minimum wage itself.

The provision of present law is a 14-week period of exemption, unlimited in hours per day or hours per week, and a somewhat different 14-week provision applying to some different commodities and operations, that is limited to a 12-hour day and 56-hour week.

At the outset let me say I believe we should move toward coverage of everyone we can with the overtime provisions, as quickly as we can do it, without causing undue hardship. I had originally proposed to offer an amendment that would restore the two present exemptions of 14 weeks. In order to be just as completely fair as I could with reference to this whole issue, the amendment I have offered is not a restoration of the present exemptions. It is to give two 10-week exemptions that are comparable to the two 14-week exemptions.

Why are these exemptions necessary? When we considered the minimum wage legislation in 1961, we had great debate about this, and we finally set it aside, leaving the exemptions the way they were, and we authorized the Secretary of Labor to undertake a study.

That study was completed in February 1962. It revealed some surprises, I believe, to those who had been agitating to eliminate these exemptions.

First of all, they very clearly determined that food and vegetable processing is inherently seasonal in nature, that most of the seasonal pack is accounted for by highly perishable commodities, and that efforts by processors to reduce the seasonality of employment have been substantially unsuccessful. I quote from the study:

> Although there are specific instances of partial control over the perishability of fresh fruits and vegetables delivered for processing, as discussed above, an overwhelming part of the seasonal pack is accounted for by highly perishable commodities—such as peas, corn, tomatoes, green beans, and cling peaches—for which little or no post-harvest control of perishability is exercised. For these commodities, the canner or freezer must be prepared to process the raw product within a matter of hours upon delivery.

A study was done by some university professors, "confirming without question the fact that the significant canning crops must be canned within hours of harvest, and that any attempt to hold these crops by bulk freezing or cold storage would result in adding to processing costs, thus increasing substantially the prices for these products, aside from the additional considerations of probable loss of quality, texture, flavor, and nutrients as well as waste."

Now, my colleagues, why is this necessary? Many people have indicated that our modern harvesting equipment and our mechanized processes should solve this problem. Perhaps over the next 10 or 15 years developments will come that will completely solve this problem. But none of these developments have changed the requirement that when highly perishable products are brought into a processor they must be processed immediately, usually within 24 hours.

There is an alternative that others have proposed. Why do they not hire more people, so they do not have to use overtime?

The unfortunate facts of life are that more people are just not available in most of the communities where these processing operations are carried on. I can give facts and figures and statistics from innumerable processors in their attempts to find people to work at minimum wages and above minimum wages in these processing plants. They cannot find them, so they must use existing labor, usually surrounding the small towns, largely men and women who want to work for a short period of time and supplement the incomes of their families.

These people will come in and are glad to come in to have this opportunity to work. They will work at times around the clock to save the loss of a crop.

This is the situation we face.

The present bill would provide a 14-week exemption, limited to 48 hours a week and 10 hours a day. I say that the elimination of the 14-week blanket provision in present law perhaps will have the most excruciating effect of all upon these operators, because they simply cannot operate under the 10-hour-a-day and 48-hour-a-week procedure in the processing periods of the peak hour requirements.

This is the reason why I offer the amendment.

Another statement is made by those who oppose this that a man should not need any more than 14 weeks, and even though the hours may be a little bit tough on him the 14 weeks should be sufficient.

The problem is, for the small processors particularly, in order to make a living they have developed multiple commodity processing. For instance, in New York State—and each region has something comparable to this—they start with peas on June 20; and move into things like cherries on July 10; then green beans, carrots, beets in the summer months; and then corn, tomatoes and so on in the late summer months; and then into frost time with apples, grapes, and other products of that nature. So there is a continuing succession of peak demands for overtime labor.

I believe my proposal is a reasonable one. I believe it makes a delicate adjustment and achieves the delicate balance we should have, moving toward full coverage but giving the smaller processors and the people with a special problem of adjustment an opportunity to adjust over a longer period of time.

Mr. DENT. Mr. Chairman, I should like to take 5 minutes of the 10 minutes reserved for my use at this time.

I believe all of us recognize the danger we get into when we start to take amendments on the floor without copies and without reference to where the language fits within the bill itself.

The proposal of the gentleman from New York [Mr. GOODELL] would do a lot more than provide two 10-week exemptions for overtime for agricultural processing.

What the gentleman seeks to do—and I believe all of us should know it—in his substitute of 7(d), is to eliminate from line 11 on page 40 through line 13 on page 41.

By so doing he would provide a complete year-round exemption for the employees of an employer engaged in the processing of milk, buttermilk, whey, skim milk, cream, butter production, processing of cotton, sugarbeets, and sugarcane in any place of employment where the employer is so engaged.

There is no justification—and there has never been a single request on record in the history of the Department of Labor—for an exemption on a year-round basis for any of these mentioned industries or any industry in the United States.

For the remaining agricultural processing activities in the proposed new 7(d), all the other agricultural people who are the subjects of real exemption presented in 1938, and amended in 1940 by the proposal of the gentlewoman, Mrs. Norton, we would find ourselves in a position that they would be limited to one 14-week period by the language of his amendment.

He does not cover the whole field of the agricultural processes except when he gives year-round exemption to certain specific, well-defined areas in order to get the backing of certain sectional votes here on the floor.

I was berated awhile ago by one of my good friends because he said I used the words "sneak punch." Well, I am not what Senator SCOTT calls a gut fighter, but this is not a sneak punch; this is a low blow.

Secondly, there is no legislative history whatsoever to indicate that the Congress which enacted the original FLSA of 1938 ever intended for any process or agricultural endeavor to receive both 14-week exemptions. Historically, if you will review the history of the exemptions, the 14-week exemption which was first put in was spelled out specifically. In 1940 the Congress realized that they had not covered seasonal employees. Therefore, the second 14-week exemption was put into the act.

It was seasonal and in those days we had not yet reached the stage of mechanization and advancement into the holding of foods before processing and during processing by refrigeration, by heat processes, by parboiling, and by other methods of holding vegetables that are highly perishable until they can feed them into the processing system. Therefore, they put through the second no-limit overtime exemption. However, because the language was left without complete explanation on the floor, as I have tried to do in every instance on every section of this bill, they gradually slid into taking both 14 weeks. There is no legislative history. There is no recordation in any of the department files that in any way ever established that the Congress meant for both exemptions to be taken consecutively or ultimately by any single industry. So this Congress at this time, after hearings filling at least three volumes—

The CHAIRMAN. The gentleman has consumed 5 minutes.

Mr. DENT. Mr. Chairman, I yield myself 3 additional minutes.

Mr. Chairman, we find that the testimony throughout all of the hearings does not in any way justify the action presented by the great friend of the bill who professes he is going to vote for it. I think this reminds me of the story of Peter Finley Dunne where he has made a statement about unions and he says, "You know, I am going to permit the unions but only the unions that I like. The ones that I like best are the ones that do not have members, the ones that do not have bylaws, do not have contracts, and do not have officers." That is the kind of a bill my good friend from New York would like to have—one without anything in it. But we are not standing here just to chew our gums or to make a lot of noise.

The situation on this particular amendment is, if we wanted to accept this amendment, we had very alluring arguments made to us by many people. However, to say that the industry needs it is not true, because the records of the department show this. These are the records of the Department of Labor—all industries, 1964; the average workweek in the canned foods industry was

40.4 hours a week. The average workweek in all manufacturing was 40.7 hours per week. The average in meatpacking was 44 hours per week. Here we come before this group and we are doing what I said yesterday. We have a very healthy child, but we are insisting on making it healthier by giving it pills that are bound to make it sick. That is what we are doing here. This industry has not asked for this exemption except in certain particulars. The Heinz Co. came in and asked for the exemption. They operate in my district. Less than 2 months ago they signed a new contract for 40 hours and for 22½ cents an hour increase. And, when they come in and plead that they cannot survive this, if you cut out all of the overtime, this would not affect them.

Mr. Chairman, most of the canning plants in America have never used the overtime during the harvest season. They use it after they have processed the food and they do it in the freezing of vegetables. They pick vegetables and they blanch the vegetables. They put them in under high refrigeration, and then when the time comes when they have a slackening off in the field crops, they go into the processing of their canned vegetables and fruits. And, they do it, mind you, during the offpeak season.

I oppose the amendment proposed by Congressman Goodell to restore the two 14-week overtime exemptions for agricultural processing.

First of all, Mr. Goodell's proposal would do more than provide two 10-week overtime exemptions for agricultural processing. Since his substitute 7(d) eliminates lines 11, page 40 through line 13, page 41, it would provide a complete year-round overtime exemption for employees of an employer engaged in the first processing of milk, buttermilk, whey, skimmed milk, or cream into dairy products or in the processing of cotton, cottonseed, sugarbeets, and sugarcane in any place of employment when the employer is so engaged. There is no justification for this year-round overtime exemption. The Department of Labor surveys show that none of the industries involved need a year-round exemption or have ever asked for it.

For the remaining agricultural processing activities in the proposed new 7(d), a 14-week overtime exemption, unlimited as to hours worked, would apply.

Secondly, there is no legislative history whatsoever to indicate that the Congress which enacted the original Fair Labor Standards Act of 1938 ever intended that two 14-week overtime exemptions should apply to any industry. Congresswoman Norton of New Jersey introduced 7(c) as a substitute for the various exemptions for the handling and processing of agricultural commodities which were offered, including the 13(a) (10) exemption, although both 7(c) and 13(a) (10) were retained in the first bill. The 7(b) (3) exemption was added by the conference committee to take care of the needs of seasonal activities which were not included in 7(c). However, the way the exemptions were written left open the question as to whether they could be taken consecutively.

Throughout the years, the combined exemption has been taken primarily by the canners and packers of fresh fruits and vegetables, and by tobacco stemmers and redryers. The Department of Labor survey shows that in 1960, 92 percent of the fresh fruit and vegetable canning plants, 84 percent of the fresh fruit and vegetable packing plants, and 99 percent of the leaf tobacco processing and packing plants would not have been affected by a limitation of the overtime exemption to one 14-week overtime exemption, either because they were not engaged in the handling or processing activities for more than 14 weeks of the year, or they did not operate more than 40 hours per shift during any week outside of the peak 14, or they paid the overtime premium rate for hours in excess of 40 a week outside of the peak 14.

As a matter of fact, the Department's survey indicated that, with respect to the great bulk of the employment in the handling and processing of farm products, employers did not use an exemption period of more than 1 week. A 2-week overtime exemption means that the employees are not protected by the 40-hour workweek standard for a period of nearly 7 months in any year. An exemption for this length of time is neither necessary from the standpoint of the employer's needs nor equitable from the standpoint of fairness to his employees.

Since 1949, attempts have been made by the Congress to reduce somewhat the excessively long hours which the exempted agricultural products processing employees are permitted to work. Unlimited hours are indefensible. A 12-hour day and a 56-hour week in a modern canning or packing plant is as outmoded as the 12-hour day in the steel mills. A Department of Agriculture report shows that output per man-hour for all employees in factories processing farm food products increased about 56 percent from 1947–49 to 1963. Thus, about two-thirds as many man-hours as were needed a decade and a half ago were required per unit of output in 1963. This would warrant some decrease in the hours of work of food processing workers. As a matter of fact, the Department of Labor's survey showed that the majority of these workers did not work in excess of 48 hours during a week of maximum employment in 1960.

AMENDMENT PROPOSED BY CONGRESSMAN GOODELL TO THE AGRICULTURAL PROCESSING PROVISIONS OF THE BILL

The amendment proposed by Mr. Goodell would have the effect of restoring the agricultural processing provisions which the bill seeks to change. It would restore the present section 7(c) of the act, and it would substantially restore section 7(b) (3).

DISCUSSION

In enacting the 1961 FLSA amendments, Congress directed the Secretary of Labor to "study the complicated system of exemptions now available for the handling and processing of agricultural products under the act and particularly sections 7(b), 7(c), and 13(a) (10); and to submit to the Congress "information, data, and recommendations for further legislation designed to simplify and remove the inequities in the application of such exemptions." The Department of Labor made a detailed study of these exemptions, and the proposed amendments to 7(c) and 7(b) (3) in the committee bill grew out of the Department's study. By restoring these exemptions to their present form in the act, the proposed amendment will also restore all the complexities, confusion, and inequities that result from the present provisions of the act, and will ignore completely the committee's recommendations on these points.

Under the act at the present time, certain employers may qualify for two different 14-week overtime exemptions, with the result that their employees may be deprived of overtime protections for more than 6 months of the year. Under the committee bill, an employer may avail himself of only a single 14-week exemption. The Goodell amendment would again permit an employer to use two different 10-week exemptions.

Moreover, the committee bill requires that overtime must be paid for hours worked over ten in a day or 48 in a week during the week exemption period. Under the Goodell amendment, some employers would have a complete overtime exemption during the 14-week period; that is, they could work their employees as long as they liked without paying overtime. Certain other employers would be required to pay overtime during the exemption period only for hours worked over 12 in a day or 56 in a workweek. Thus, the Goodell amendment would condone sweatshop operations during the period of exemption.

AN EXEMPTION OF 28 WEEKS FAR EXCEEDS ACTUAL PROCESSING NEEDS

The U.S. Department of Agriculture has stated that over 60 percent of the harvest seasons for commercial vegetables last 4 weeks or less. Ninety-three percent of the harvest seasons last 8 weeks or less. Only 4 of 313 harvest periods studied by the Agricultural Department last over 14 weeks, and none over 18 weeks. The crops whose harvesting dates extend over 14 weeks are beets, cabbage, and spinach—none of which fall into the category of "highly perishable" crops.

It is clearly evident, therefore, that a 14-week exemption period, as provided under H.R. 13712, is more than adequate for the overwhelming proportion of the Nation's commercial vegetable crops.

THE FOOD PROCESSING INDUSTRIES CAN AFFORD TO PAY THE MINIMUM WAGE AND OVERTIME PAY UNDER H.R. 13712

Food processing workers have been discriminated against long enough. In the words of the Administrator of the Wage-Hour Divisions of the U.S. Department of Labor:

> Employees working in the handling and processing of agricultural products are just as deserving of minimum pay standards as are employees in other industries.

Such workers should be paid the minimum wage and receive the same overtime practices applicable to other industries. H.R. 13712 will constitute a giant step in this direction. It will help to move them closer to the rank of first class citizens in the world of work.

H.R. 13712 does not completely eliminate the overtime exemptions under the Fair Labor Standards Act. It cuts the present two 14-week exemption periods to one 14-week exemption period and provides that overtime be paid after 10 hours' work per day and 48 hours per week—the straight-time workweek for other industries is 40 hours.

The food processing industry can well afford whatever financial impact may be involved in narrowing the exemption.

Since 1957, profits of food processing companies have risen more than those of all manufacturing concerns, 83 percent versus 78 percent for all manufacturers— Federal Trade Commission—Securities and Exchange Commission figures.

A series of studies on the impact of minimum wage increases demonstrate conclusively that such increases have not resulted in substantial unemployment and have had negligible upward price consequences. Such studies explode the myths about the adverse effect of minimum wage increases.

Secretary of Labor W. Willard Wirtz has testified, in connection with H.R. 13712, that increasing the minimum wage or removing the overtime exemptions will not reduce employment.

Sales in the canned food industry have risen about 26 percent over the 1957–59 base and net income rose 33 percent. Profit margins have risen from 9.75 percent in 1957 to 11.56 percent.

FOOD PROCESSING IS A MANUFACTURING INDUSTRY—NOT AGRICULTURE—IT IS HIGHLY AUTOMATED

Canning and preserving are not agriculture.

The food processing industries today are major industries, composed of large-scale corporations with plants operating throughout the United States. They can well afford to meet the requirements of the Fair Labor Standards Act.

Food processing has all the characteristics of any manufacturing operation. Food processing is industrial, not agricultural. Canning and processing plants have production lines and machinery like any other factory. And the trend is toward even greater industrialization and greater use of machinery and equipment.

Food processing is not a small business industry. According to the 1963 Census of Manufacturers, over 70 percent of the employees in canning and processing fruits and vegetables were working in establishments employing 100 or more employees. In 1958, this figure was 65 percent.

In 1947, there were 2,220 establishments engaged in fruit and vegetable canning and processing. In 1963, the number had declined to 1,430—a drop of 35 percent.

Thus, the average size of plant in this industry has grown larger and the proportion of small plants has declined. Output is increasingly concentrated in fewer, larger units.

This is a full-fledged industry, engaged in manufacturing operations, and not just little plants doing for the farmer what he might do himself. Almost 40 percent of the employees work in establishments with 250 employees or more.

The plants use elaborate and expensive machinery and equipment. Food processing is one of the most highly automated of all industries today. These automated processes have made possible greater output, at lower cost, while actually using less labor.

Mr. GOODELL. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, the gentleman from Pennsylvania's comments have raised some points that merely confuse the issue.

Mr. Chairman, with reference to the form of the amendment, there is no question as to what the form of the amendment is. It provides exactly what the present law provides, in terms of exemptions, with the exception that it cuts the two 14-week periods to 10 weeks each. There is nothing more involved than that fact. Mr. Chairman, this question about year-round exemptions is as crazy as it can be. This does not apply. The gentleman is well aware that the provisions apply to first processing. This is not the issue.

The gentleman raised some points about the canning industry generally that had nothing to do with the canning and processing of perishable products. The averages which he takes are very adroitly chosen, because they include such things as soup and pork and beans and some special items, as well as a large number of things that have no application to this amendment and which have no exemption. They do not qualify under the present law and they will not qualify under my amendment for exemption for these year-round operations. These exemptions have been used. Because the gentleman from Pennsylvania fully recognizes that the Heinz Co. is primarily concerned with pork and beans and soups and 57 varieties, and these items do not need or get an exemption, the gentleman is giving you a false impression as to how the perishable processing industry feels about this. The small producer needs to survive under these circumstances. They need this kind of exemption and they are asking for it. They asked for it before our committee, and they have been consulting with a number of you gentlemen, telling you the details as to the need for this kind of exemption.

Mr. Chairman, I ask that the members of the Committee support my amendment.

Mr. Chairman, I yield the gentleman from California [Mr. BELL] 2 minutes.

Mr. BELL. Mr. Chairman, the trend in the last few years has been steadily toward larger canneries. In fact, the number of companies in 1947 were 2,265. The number in 1958 was 1,607.

The trend has been toward larger and more automated canneries. For example, today in California they have union contracts today that place California on the basis of 48 hours a week, 8 hours a day for two 14-week periods.

However, despite the unfavorable basis upon which we have to compete with other States in the Union, California has been producing 62 percent of the tomatoes, in canned peaches, 90 percent of the cling peaches, 60 percent of the freestone peaches, 92 percent of the apricots, and 54 percent of the asparagus.

Yet we have, both on the basis of higher labor costs and shipping costs, been able to survive under this program.

The small processors are usually the plants that do not have a great many products to process. So a 14-week exemption in most cases is adequate for the small processing plants.

Mr. Chairman, I am opposed to this amendment and ask that it be defeated.

The CHAIRMAN. The gentleman from California [Mr. BELL] has consumed 2 minutes.

Mr. DENT. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. HOLLAND].

Mr. HOLLAND. Mr. Chairman, perishability has become much less of a problem than in the past. Modern technology and controlled-temperature warehousing largely prevent the danger of spoilage.

The Wage and Hour Administrator has stated:

> Perishability is no longer a factor in the handling of many fresh fruits and vegetables by reason of the development of new methods of processing such as freezing and controlled storage.

The new knowledge of postharvest physiology makes it increasingly possible for the canner to bring all fruits and vegetables under some degree of control over perishability. And in some instances, such as pears, the control may be virtually complete. Ripening can be achieved under temperature controlled conditions following extended periods of storage. Cooling or holding rooms are used to hold the peak time pickings and to provide fairly uniform product flow. The "peak and valley" system of raw products is largely a thing of the past.

Today, green beans, for example, can easily be held 7 days between picking and processing. This is true of most all other major processing vegetables, and in the case of fruits, they can be held for weeks before processing.

Most fruits and vegetables used for processing are grown under a processor-grower contract. According to the executive vice president of the National Canners Association, Milan D. Smith:

> Today virtually 100 percent of a number of commodities (fruits and vegetables) which find their way to the consumers in processed form are handled through this very excellent grower-processor relationship (preharvest contracts).

This gives the canner substantial control over the rate of flow and the condition of the raw product he is to process. Such a contract, for example, specifies planting dates, varieties, cultural methods, the acreage to be delivered, and if necessary, daily delivery quotas.

At Seabrook Farms, one of the Nation's largest growers and processors, "crops are harvested on specified days—sometimes even at a certain hour—to prevent production jam-ups."

Just as in the processing of most other products, fruit and vegetable processing has become rationalized and mechanized.

Canning has become less and less seasonal. This is certified by official Government can-shipment figures as quoted in Canner/Packer, the industry's trade magazine.

In 1938, the same year that the Fair Labor Standards Act was passed, including exemptions for agricultural processing industries, the National Canners Association boasted:

> Canners have helped growers to extend the harvesting season over a longer time. This has been done by the development of varieties that mature at different times of the growing season and by spacing planting dates.
>
> These methods have helped to lengthen the canning period and, in turn, have resulted in longer periods of work for seasonal employees of canning plants.

A new process, involving the use of nitrogen-rich protective atmosphere in trailer trucks or boxcars carrying fresh produce can slow down the metabolism of the food so as to reduce spoilage on long trips from growing field to processing plants or markets.

Mr. GOODELL. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia [Mr. DOWNING].

Mr. DOWNING. Mr. Chairman, I rise in support of this amendment.

Mr. Chairman, this is a terribly important amendment for this industry. I do not know what the situation is with large plants like Heinz but I do know what the situation is with the small canners and processors—I have them in my district.

I tell you, it is important that we have these exemptions. Historically we have had them and we have used them and we need them.

I think it should be made clear at the outset that the canning industry does not seek any exemption from the minimum wage. Fruit and vegetable canners have been under the minimum wage from the time the law was enacted—except for a few small companies that were able to operate within the area production exemption—and this exemption is being repealed by this bill.

What we are asking the Committee to do today is to amend this bill so that the fruit and vegetable canners packing seasonal and perishable products will not be required to pay penalty overtime. We have had these exemptions in the law historically and I really do not understand just why it is sought to take them out at this time. But I ask the Committee to go along with this amendment. I tell you it is necessary and I hope you will provide for this exemption for us by an overwhelming vote.

Mr. POFF. Mr. Chairman, will the gentleman yield?

Mr. DOWNING. I yield to the gentleman.

Mr. POFF. Mr. Chairman, I support the amendment and I would like to ally myself with the eloquent remarks that my Virginia colleague has just made.

Mr. DOWNING. I thank the gentleman.

Mr. FLYNT. Mr. Chairman, will the gentleman yield?

Mr. DOWNING. I yield to the gentleman from Georgia.

Mr. FLYNT. Mr. Chairman, I want to associate myself with the remarks of the gentleman from Virginia [Mr. DOWNING].

We have a number of food canning operations in the part of Georgia that I represent, many of them extremely perishable. We recognize the need for this type of exemption referred to by the gentleman from Virginia. There is a vast difference in the perishability of various kinds of fruits and vegetables. This exemption is essential if some of the small canning operations are to continue in existence, and make a reasonable profit in their operations. When highly perishable fruits and vegetables, among them pimientoes, peaches, and tomatoes, reach the unloading platform they have to be processed immediately. Oftentimes a delay of a few hours will result in destructive deterioration.

Mr. Chairman, I hope the amendment will be adopted.

Mr. DOWNING. I thank the gentleman from Georgia.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

Mr. DOWNING. I yield to the gentleman from Florida.

Mr. ROGERS of Florida. Mr. Chairman, sugarcane mills operate on a seasonal basis; they do not operate year round. They have been exempted from the payment of overtime for this reason, and because they must operate 24 hours a day during the grinding season. Because of the perishable nature of sugarcane, the seasonal nature of its harvesting and processing, the fact that mills must operate 24 hours a day 7 days a week during the season, processors have been exempt from overtime provisions of the act during the processing season only. The Labor Department recognized those conditions in 1962 when it made a report to the Congress entitled "Handling and Processing of Agricultural Products" in which the Department stated that sugarcane is a highly perishable commodity, and must be processed almost immediately after being harvested. Unless cane is processed promptly, it will deteriorate and ruin.

In part I of a 1962 Department of Labor report on the 1962 minimum wage bill the impact of proposals elminating section 7(c) of the Fair Labor Standards Act which exempts Florida and Louisiana sugar processors is stated as follows:

> A 56-hour limitation on the overtime exemptions for sugarcane processing and cotton ginning would have a substantial impact. Eighty percent of the 5,500 sugarcane processing employees in Louisiana and Florida worked 57 or more hours in a peak week of 1960, even though all of the processing establishments operated two or more shifts.

H.R. 13712 exempts overtime payments for a period or periods of not more than 14 workweeks in any calendar year, provided the Secretary of Labor determines the employer's operation is of a seasonal nature. Under H.R. 13712, the employer is required to pay overtime for work performed in excess of 10 hours in any workday, or in excess of 48 hours in any workweek. Thus, H.R. 13712 does recognize the need for exemptions. However, the exemptions contained in H.R. 13712 would not be effective for sugar mills in Florida and Louisiana. In Florida, mills grind for approximately 150 days. H.R. 13712 grants an exemption for only 98 days, calculated over the 14-week period. Thus, under the bill our mills will lose exemptions of up to 52 days now contained in the present act, even though those mills process what the Secretary of Labor called in 1962 a highly perishable commodity.

Sugarcane processing time has not changed in 4 years. Florida mills will still process the cane over the same period of time.

The Secretary of Agriculture, who has the authority to set prices for sugar as well as wages for sugar workers, has long determined that it is unreasonable to expect sugar processors to pay overtime during the processing season. The Secretary of Labor has made this same determination in his 1962 report to the Congress.

I urge that the wisdom of both the Secretary of Agriculture and the Secretary of Labor be recognized by assuring these exemptions through the adoption of this amendment.

Mr. DOWNING. I thank the gentleman.

Mr. DENT. Mr. Chairman, I yield to the gentleman from California such time as he may consume.

Mr. BURTON of California. Mr. Chairman, I rise in opposition to the amendment. There are a couple of important factors I would like to mention in this industry. They are as follows:

First. The exemption: Hundreds of thousands of canning and food processing workers are effectively denied overtime pay because of two provisions in the Fair Labor Standards Act: First, for 14 weeks each year, the employer need not pay time-and-one-half rates for overtime no matter how many hours the employee works—section 7(c); second, for an additional 14 weeks each year, the employer need not pay time-and-one-half rates for overtime except after an employee has worked 12 hours a day or 56 hours a week—section 7(b)(3).

For 28 weeks—more than a half year—these workers get no overtime pay. Since canning and other food processing plants using these exemptions rarely operate on an overtime basis as much as a half year, these provisions result in a total overtime exemption.

Second. Committee compromises: In testimony before the General Subcommittee on Labor last year, representatives of labor unions and other witnesses urged the complete and immediate elimination of these exemptions. The subcommittee, in its original bill to amend the Fair Labor Standards Act, proposed a three-stage cutback in the exemption until it would be eliminated.

The Committee on Education and Labor revised this provision as a result of the complaints of canners and other agricultural processing firms. The committee only limited the overtime exemptions. Thus, according to H.R. 13712, for any 14 weeks each year, an employer processing "highly perishable agricultural and horticultural commodities" need not pay time-and-one-half rates for overtime except after an employee has worked 10 hours a day or 48 hours a week.

The House of Representatives should approve the agricultural processing provisions of H.R. 13712, the Education and Labor Committee's bill, as the very least way of dealing with this exemption.

Third. Here is why the cutback in the agricultural processing exemption is fully justified. The amendment should be defeated:

First. The exemptions have been made obsolete by the widespread use of automation and rapid mechanization in the agricultural processing industries. Even small firms have made substantial capital investment in such equipment. Typically, the commodity is delivered to fruit and vegetable processors a few hours after it is harvested. In the factory, the processes of washing, sorting, cooking or freezing are carried on with highly complex machinery. Spoilage has become negligible.

Second. The new technology has severely cut the number of workers. In the peak months of 1965, some 25,000 fewer workers were employed by the canned foods industry than in the peak months 6 years before.

Third. The payment of overtime would provide a small amount of increased pay to workers who currently get an average of 55 cents an hour less than the average earnings of all U.S. workers. Or more important, it may provide some additional jobs in rural areas where they are desperately needed.

Fourth. The industry can afford to pay overtime rates without increasing consumer prices. Unit labor costs declined 7.3 percent between 1948 and 1962, as compared with a 34-percent increase for the economy, as a whole, in the same period. The Bureau of Labor Statistics reports that in the 1948–62 period output per man-hour increased 86.8 percent; total volume of output increased 78.5 percent; production worker employment declined 11.8 percent.

Fifth. Actually, because of the new technology, no great amounts of overtime are worked. Average seasonal production in the canned foods industry averaged 40.8 hours in 1964 and 41.3 in 1965, according to the Bureau of Labor Statistics. Weekly hours during the season average only one-tenth of an hour more than the average for all American manufacturing.

Problems of scheduling rush work and overtime exist in all industries. Why in the agricultural processing industries alone should such problems be solved at the expense of only the worker? Why in the area of heavy rural unemployment should food processing companies be encouraged to schedule overtime hours and be deprived of economic incentive for hiring the jobless?

There is no justification. The overtime exemptions affecting agricultural processing workers should at least be limited, as proposed in H.R. 13712. Therefore, I urge the defeat of the pending amendment.

Mr. GOODELL. Mr. Chairman, I yield 2 minutes to the gentlewoman from Washington [Mrs. MAY].

Mrs. MAY. Mr. Chairman, I rise in support of the amendment. Like my colleague from Virginia, I represent an area of small canners, packers, and processors that provide thousands upon thousands of jobs in the Northwest. I would just repeat what I said in my remarks yesterday by reading from the statement unanimously adopted by the Northwest Horticultural Council, which represents the many people involved in the canning and processing business in our Northwest States. I quote:

> The total elimination of these exemptions is completely unjustified and impractical. Fruit houses have no choice except to work overtime during the peak season. The fruit must be handled immediately if it is to be placed in the retail stores in the best possible condition and the farmer given at least a chance of obtaining a fair return for his product. All available help is utilized; the employer cannot operate on a 40-hour week. Employers need the 14 week periods presently provided by Sections 7(b)(3) and 7(c).
>
> Repeal of the present exemption would place an especially heavy burden on the small grower whose fruit is packed in a cooperative packing plant or by an independent commercial packer. Large growers packing only their own fruit would still be entitled to the lower hourly rates provided for agriculture and would not be obligated to pay any overtime.
>
> The Congress, when the Fair Labor Standards Act was adopted, held extensive hearings and gave serious consideration to the problems of agriculture and seasonal industries and wisely provided the exemptions found in Section 7(b)(3) and Section 7(c). The same conditions exist now as prevailed then, insofar as perishable fruits and vegetables and the requirements of other seasonal industries are concerned. One of the objectives of Congress in requiring payment of overtime over 40 hours per week was to spread out the work and to relieve unemployment. This could be and has been done in industry but it cannot be done in agriculture nor in the processing or packing of perishable fruits, where we almost always have a shortage of help at peak seasons. Overtime cannot be eliminated by hiring additional workers. They are not available. The employer has no choice. The reasons which the Congress found to be sound in 1938 and in subsequent sessions when this problem was considered are equally sound today.
>
> The exemptions from overtime should be preserved. H.R. 13712 goes much too far and would have adverse effects on everyone concerned—grower and consumer alike. The consumer will immediately be faced with an increase in the cost of living to the extent the grower is able to pass along costs.
>
> Furthermore, the additional cost of make-up pay for slow, incompetent, handicapped or lazy farm workers and the cost of overtime for packing and processing workers will inevitably result in many growers being forced out of production. This will mean a smaller supply of fruits and vegetables and will directly lead to higher consumer prices. So city residents, as well as the farmers, will lose if these deficiencies in the Bill are not corrected by amendments.

Mr. DENT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DENT. I would like to inquire as to the time schedule.

The CHAIRMAN. The gentleman from Pennsylvania has 16 minutes remaining and the gentleman from New York has 14 minutes remaining.

Mr. DENT. Mr. Chairman, I yield 2 minutes to the gentleman from Washington.

Mr. MEEDS. Mr. Chairman, I rise in opposition to this amendment. I would like to point out the original purpose of this type of exemption.

The purpose was to enable those people who were engaged in peak operations to have an exemption so they could handle the bulk of the crops that were coming in.

I certainly agree with the gentleman from New York [Mr. GOODELL] that this could not be done if we were to restrict the people in the canning industry, as was the original intention of the Roosevelt bill. I point out, however, that in making this correction the gentleman from New York has offered to this House something which was almost the same as we had been operating under. The difference is merely 8 weeks.

In the committee I was aware of the problem of the canners and the packers, because I have canners and packers in my district that I represent and was successful in getting the 14-week amendment. I believe they do need some coverage, but they do not need 20 weeks if they are going to be peak operations.

The situation the gentleman from New York has described has gotten away from the concept of peak operations, where they take on this crop and that crop and some other crop, and it then becomes a steady manufacturing industry, and does not need the peak production protection which was the original intent of the bill.

We ought to stick to the original intent of the bill, and a 14-week exemption with 10 hours and a 48-hour week is ample.

I would also point out that almost all of the people we are talking about are presently covered by union contracts, where not even the exemption which is being asked for is utilized completely. We would be punishing the unskilled, unorganized people by this type of amendment.

Mr. GOODELL. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. HORTON].

Mr. HORTON. Mr. Chairman, I rise in support of the amendments to expand the exemptions for canning operations and support the position taken by the gentleman from New York [Mr. GOODELL]. I worked very closely with Mr. GOODELL in respect to this problem of providing additional exemption for the food processors and canners.

Mr. Chairman, I caused a survey to be made in my area and I have been informed that because of the circumstances in this particular area, over half of some 62 canning operations using the exemption needed 20 to 28 weeks of exemption. This demonstrated the need for the 28-week exemption. To reduce the exemption below 20 weeks will be an extreme hardship. I feel it is important that we protect this industry. Therefore I support the amendment as inroduced by the gentleman from New York [Mr. GOODELL], and urge my colleagues to support it.

The principal argument given for virtually eliminating the canning overtime exemptions in H.R. 13712 is that methods now are available for holding perishable fresh fruits and vegetables for a period of time after harvest and before processing, so that it is no longer necessary for canners to operate their plants on an around-the-clock basis and in a concentrated period during the year. The difficulty with this argument is that it is not supported by facts and is contradicted by the testimony at the hearings.

Indeed, the Department of Labor, in the very study which is relied upon for curtailing the processing exemptions, acknowledges that no methods are now available for holding the major perishable fresh fruits and vegetables after harvest and prior to canning. The principal canning crops are subject to rapid deterioration after harvest, and it remains absolutely necessary for canners and freezers to process these commodities, once they have been harvested, as quickly as possible in order to avoid loss of quality and nutrients, and to prevent costly waste. Once the crops have reached the desired state of maturity in the field, it is necessary to harvest them at once and to begin processing operations immediately.

There was some suggestion during the course of the hearings before the House committee that perhaps canners should bulk freeze the crops, and then can them at their leisure later in the year. It was argued that the need for the exemptions could be avoided in this way.

Frankly, my study convinces me this approach would not provide a solution: First, very few canners have available an adequate freezing operation for processing the tremendous volumes of fruits and vegetables that they can; second, even if adequate freezing facilities were available, this approach would require extensive additional transportation of the crop from the field to the freezing facilities, to storage, and then to the canning plant; third, the major canning crops would suffer a loss of quality by this double processing operation, and some crops, such as tomatoes, do not lend themselves to freezing at all; fourth, even if this approach were at all feasible, it would still be necessary for the processor to freeze the commodities with the same degree of haste and under the same conditions that he now cans them. The need for the exemptions would thus remain for the freezing operation; fifth, this double processing, increased transportation, waste, and loss of quality would result in vastly increased costs to the processor and ultimate higher retail prices to the consumer, with no attendant benefit.

I urge my colleagues to consider carefully the arguments on both sides. It is my honest belief that an expansion of these exemptions is both deserved and demanded.

Mr. GOODELL. Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. Roudebush].

Mr. ROUDEBUSH. Mr. Chairman, I rise in support of the Goodell amendment. I remember, as a boy, when practically every crossroads in Indiana had a cannery. It was a great industry furnishing jobs to many employees. The number of the canneries has greatly decreased, mainly because of the lack of help, the lack of available labor supply, and the seasonable conditions under which they must operate.

I heard the gentleman from Pennsylvania a few moments ago speak about storage capacity. The typical tomato cannery has no storage capacity. The picked food is taken directly from the truck or unloading docks onto the canning lines and canned. The crop can be picked only as fast as it can be canned. Certainly without the exemptions, as proposed by the gentleman from New York in his amendment, I fear a very serious harm would be rendered to the canning industry. I thank and commend the gentleman from New York [Mr. Goodell] for his proposed amendment.

Mr. DENT. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. O'Hara].

Mr. O'HARA of Michigan. Mr. Chairman, the gentleman from Pennsylvania has detailed the history of the exemption from overtime enjoyed by the canning industry. I believe he has demonstrated that the exemption very possibly was never justified.

I am not going to concern myself with that question. The question before us at this time in history, with the many developments that have taken place in that industry, is whether an overtime exemption of the kind proposed by the gentleman from New York is now justified.

I believe the evidence is clear that it is not. Automation has come to that industry, as it has come to other industries. Output per man in that industry has increased between 1948 and 1962 by 86.8 percent. The employment of people in the industry has declined by 11.8 percent. In the last 6 years, 25,000 less employees have been employed in the industry than before.

Given that situation and given the situation we find on the farms of America, with many marginal operators being squeezed out of farming or needing second jobs to remain in farming, we should not be taking the step suggested by the gentleman from New York, and thereby reducing the number of employment opportunities in the canning industry. Certainly the adoption of his amendment would have that effect.

Mr. Chairman, I urge the committee to stick with the provisions of the bill, which I believe are appropriate to the canning industry at this particular stage of their development, and not go back to a provision which might have been appropriate 10 or 15 years ago but is no longer.

Mr. DOWNING. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from Virginia.

Mr. DOWNING. It is true there has been some automation, but nothing can be done about the weather. These are perishable fruits and vegetables which must be processed immediately.

Mr. O'HARA of Michigan. I agree with that, but I point out to the gentleman that in actual fact the amount of in-season overtime worked in recent years in the canning industry was only one-tenth of an hour more than in industry as a whole. There has not been any actual need for this amendment shown by the experience of the industry.

Mr. DOWNING. That is not correct in my district.

If the gentleman will yield further, another point is that this will not spread the employment. Those same people are working. It is not possible to get more people than they have at that one time. This would not be spreading employment. It would merely keep the same people on.

If this amendment is not agreed to, it will be necessary to pay them overtime.

Mr. O'HARA of Michigan. I assure the gentleman I do not believe that is the case. I believe the result would be the hiring of more people, or more shifts. Even if that were not the case, I point out that the industry could well afford to pay a little overtime, because the unit labor costs have declined by 7.3 percent in recent years.

Mr. GOODELL. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. Gubser].

Mr. Chairman, will the gentleman yield?

Mr. GUBSER. I yield to the gentleman from New York.

Mr. GOODELL. I should like to quickly answer two or three contentions which have been made.

First, let it be absolutely clear that the averages as to use of overtime in the canning industry are taken for the entire canning industry, most of which is not seasonal and most of which is concerned with soups, pork and beans, and other canned products. Less than 25 percent of the industries included in the Bureau of Labor Statistics figures for canning are for seasonal, perishable canning and preserving, so they come up with this one-tenth of an hour increased use of overtime, and it is completely fallacious.

So far as the impact of this amendment is concerned, secondly, if the Members will look at any State chart they will find that in almost every case the canning industries are in areas where there is no surplus employment. I have before me a group, marked with X's, showing where the canning industries are located.

Mr. GUBSER. Mr. Chairman, it is incongruous to me that on yesterday we would extend minimum wage coverage to an entirely new group—agricultural employees, a principle which I strongly favor—and on the same day we restrict that coverage so that 60 percent of the agricultural workers are not included—while today, we are thinking of removing a major part of a traditional exemption which has been proven to be necessary.

Let us not forget: One can automate the canning industry all he wants, but he can never automate an act of God Almighty.

In my district there is one cannery which can process 1 ton of tomatoes per minute, but God Almighty sometimes brings warm weather and the ripened tomatoes are stacked on the loading platform in such a quantity that a capacity of 2 tons per minute is required to can them before they spoil.

There is no way in the world you can anticipate such an act of God and automate against it.

The canning industry has done a remarkable job of absorbing increased costs and still producing foodstuffs for the American housewife at prices which, comparatively speaking, are very little higher than they were a decade and a half ago. In 1950 you paid 28.7 cents for a 2½-can of cling peaches. Today you pay only 35.2 cents on the average—an increase of less than 25 percent. Yet in this period of time wages paid to cannery workers have almost doubled from $1.26 per hour to $2.19 per hour. In California this increase has been from $1.37 per hour in 1950 to $2.70 per hour in 1966. Canners have paid more for their raw material because farmers have been required to absorb great increases in the prices of equipment, fertilizers, sprays, and labor. In California the farm wage was 69 cents per hour in 1950, and $1.29 in 1966—almost double.

In almost every instance the consumer price index for food has seen a slower rise than the consumer price index for all items—this is further proof that the food industry, of which canning is a basic part, has done a good job in keeping prices down while absorbing costs which, percentagewise, far exceeded increased prices.

The canneries kept food prices down by good planning which includes automation and increased output per man-hour. They also absorbed these costs by accepting a lower profit margin.

The canning industry, according to the latest figures available has a low net profit of only 1.7 percent of sales—one of the lowest such ratios in all industry.

How can you ask canners, already on such a low profit margin, to absorb a sudden cost increase for overtime when they cannot anticipate such a need? An act of God causes the need. It cannot be anticipated nor can you automate to absorb it.

Obviously such increased costs will result in instability at the marketplace and a rise in consumer prices.

I point out that this amendment is a compromise. The law now allows two 14-week exemptions. Two 10-week periods is a cut of almost 30 percent. Is it not fair to say that this amendment is a reasonable compromise?

Mr. DENT. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois [Mr. PUCINSKI].

Mr. PUCINSKI. Mr. Chairman, I rise in opposition to the amendment.

The actual average weekly hours worked in food processing and canning, in peak periods, are less than those in other industries dealing with perishable products whose workers are covered by the Fair Labor Standards Act.

The food processing industry works less overtime, on the average, than other manufacturing industries dealing with perishable products. We are not talking here about people working in the fields picking crops; we are talking about people working in factories.

The meat and poultry industries deal with a perishable product. Yet these industries are fully covered by the Fair Labor Standards Act, even though they work more hours, on the average, than industries processing farm products. In the peak months of July through October 1965, average weekly hours worked in canning and preserving were markedly less than those worked in meatpacking in each of these 4 peak months.

Since 1958, average weekly hours in canning—except seafood—have steadily declined in each of the 4 peak months, by as much as 4 hours a week.

The annual average workweek in 1965 in canned foods was only 40.7 hours, as against 41.2 in all manufacturing, and 42.2 in meatpacking.

Average hours worked in canning have been less than the average hours worked in meatpacking in every year since 1959. Moreover, average weekly hours have declined since 1951 in canning; they have risen in meatpacking. Yet meatpacking has no exemption.

The Committee on Labor and Public Welfare, on May 25, 1965, stated that the average number of overtime hours worked by production workers in manufacturing industries in 1964 was 3.1 hours. By contrast, in canned and preserved foods—except meat—the average number of overtime hours in 1964 was 2.7. For 1965, the corresponding figures are 3.6 for manufacturing and 2.9 in canning. The spread has widened.

Since the canning and preserving industry, according to official Government figures, is working fewer overtime hours than all manufacturing industries, or the meatpacking industry, it is clear that:

First. The burden of overtime is not substantial except for a few weeks during the year; and,

Second. The cost of meeting full overtime requirements of the Fair Labor Standards Act is minimal for the entire canning industry.

The cost of meeting the overtime requirements under H.R. 13712—which permits work up to 10 hours per day and 48 hours per week without overtime pay—would be even less.

And another conclusion is equally obvious: In view of the long-term decline in hours worked in food processing, even during peak months, the industry has sufficient labor to meet demand.

Testimony before our committee furthermore shows that productivity has increased by 8 percent in the canning industry.

ATTACHMENT 7: PRODUCTIVITY IN THE FRUIT AND VEGETABLE CANNING INDUSTRY: INDUSTRY STATEMENTS

1. "The canning industry has a remarkable productivity record. Since the end of World War II the annual rate of increase has averaged about 8 percent. This is almost three times the rate of growth achieved by American industry as a whole. Through efficient management the production of canned fruits and vegetables per man-hour has doubled in the last 15 years, making more canned foods available at low retail prices. Consumers have been quick to see the advantages of this situation and have increased their consumption of canned foods continuously over the years . . . . The 1961 pack of canned vegetables required only half as much labor per case as the average pack 12 years ago. This means that the increase in productivity was roughly 8 percent a year."

(William A. Free, Sr., 1963 President, National Canners Association. Address at the 60th Annual Convention of the Tri-State Packers Association, in Baltimore, Maryland, Dec. 3, 1963. *In* The Canning Trade, Jan. 13, 1964, pp. 46, 47).

2. "Between 1948 and 1961 in the United States, the average increase in productivity was three percent per year, expressed in terms of production per man-hour. The increase in productivity in the canning industry, however, has been about eight percent per year."

(Milan D. Smith, Executive Vice President, National Canners Association. Address at the 30th Annual Convention of the Ontario Food Processors Association, Dec. 10, 1963. *In* The Canning Trade, Jan. 13, 1964, p. 22).

3. "Output per man-hour in factories processing fruits and vegetable . . . rose faster than the average for all farm foods."

(Output per Man-Hour in Factories Processing Farm Food Products. U.S. Department of Agriculture, Agricultural Marketing Service. Technical Bulletin No. 1243. May 1961, p. 10).

This industry should be placed on a more equitable footing with all other American industries.

I urge defeat of the amendment.

Mr. GOODELL. Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. HARVEY].

Mr. Chairman, will the gentleman yield?

Mr. HARVEY of Indiana. Yes, I yield to the gentleman from New York.

Mr. GOODELL. Mr. Chairman, I suppose I will have to answer this for each speaker. They seem to have a set line, but when they give the canning industry statistics, they are talking about everything from soup to nuts. They are not talking about anything whatsoever with reference to preserving the perishables affected by this amendment and the only products affected by this amendment.

Mr. HARVEY of Indiana. Mr. Chairman, I would like to comment in furtherance of the comments by my Indiana colleague, in regard particularly to the tomato canning industry.

Mr. Chairman, there is one thing that should be understood with regard to this industry, especially in the Middle West. Your peak processing period lasts for only a short time and is a period during which these canneries process enough tomatoes to put them into the business of canning food products for which tomatoes are the basic ingredient during the rest of the year. So, you have essentially two types of operation within the same factory.

Mr. Chairman, it is this one critical processing period to which we should devote our attention and give it the consideration it deserves.

Mr. DENT. Mr. Chairman, I yield such time as he may require to the gentleman from Montana [Mr. OLSEN].

Mr. OLSEN of Montana. Mr. Chairman, in recent years the number of canning plants in Montana has dropped from five to two plants at present. One ceased operation in Billings within the last 6 months.

This has been caused presumably by high raw products costs and increases in the cost of supply items. Profits in the canning business are meager at best and even nominal cost increases can make a cannery unprofitable.

In the case of H.R. 13712 the increase in the minimum wage—to which we have not objected—will raise wage costs 12 percent. If we should be further affected by the proposed reduction in exemptions from overtime a canner in our State estimates the action would further increase his payroll 18 percent. The two would make a total increase of 30 percent.

Purpose of the overtime is, of course, to spread employment. There are 2,500 people in Red Lodge where the cannery in question is located, a rural and small county. During the 60-day seasonal operation of the cannery from late June to late August, all available workers are already employed either at the plant, or construction, farms, or ranches. Even if he wished, the canner could not hire more people. Many of the plant's summer jobs are filled by high school and college students to earn money to continue their education.

One product of the plant is canned peas. To preserve their quality they must be canned within 4 hours of the time they are picked. And, as everyone knows, peas mature on Saturday, Sunday, and holidays, just like every other day.

The plant has been struggling, year by year to stay in business. They have higher than usual raw product cost. Their cans, packing cases, labels, and many other items cost more than in other areas because of their location. To face a 30-percent increase in wage costs on top of these other disadvantages will make their problem of survival even more difficult.

I wish to preserve our canning industry and in view of these facts I am in favor of restoring the two 14-week exemptions of H.R. 13712 in substantially the same form that exists in the present law.

Mr. DENT. Mr. Chairman, I yield 3 minutes to the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, I would like to restate some of the very salient points made by the chairman of our subcommittee in opposition to this amendment.

Mr. Chairman, I believe it is very important to remember that this double 14-week exemption which is currently in operation was something that was not intended by the original drafters of the bill when they considered the amendments years ago. I believe this is a very important argument against this amendment.

Further, the second point which the chairman raised was the fact that the 14-week period, according to evidence submitted to our committee, is fully adequate to meet the needs of the agricultural food processors in terms of their peak seasonal periods.

Mr. Chairman, the language of the bill very carefully takes into account the question of seasonality and the question of perishability.

Mr. Chairman, I believe it is important for this committee to accept the fact that food processing is very much like all other kinds of industrial work. There is no reason, aside from the seasonality of the 14-week period and the perishability of the product, to treat these workers in the canneries any differently than the ordinary industrial workers in our communities.

Mr. Chairman, food processing today is highly mechanized. We have all kinds of very sophisticated equipment, now, in our canneries.

Mr. Chairman, let us consider the new equipment listed in a recent issue of the magazine, Food Engineering. Listed there one will find discussed machines to count chunk items up to 500 a minute by electronic eye and to pack the items in cans. There are machines to core tomatoes at the rate of 4 tons per hour. There are machines to slice mushrooms at the rate of 1,200 pounds per hour. There are machines to sort small fruit by high-speed electronics. There are machines to separate beans at the rate of 2,000 pounds per hour, and there are machines to package raisins at the rate of 250 boxes per minute.

Mr. Chairman, very little of this kind of work today is actually done by human hands. Therefore, since this is actually an industrial activity, it certainly should come under the protection of overtime compensation.

Also, Mr. Chairman, I am moved by the fact that in the overall consideration of this bill—the persons we have covered under the minimum wage in the retail business, in the restaurant business, in the hospitals, and in the laundries are the women of America.

Similarly, under this canning provision, we are dealing again with a large group of women who are the underpaid, overworked workers in our canneries today.

Mr. Chairman, I believe these women particularly deserve the consideration of this House so that after having to work from 7 in the morning until 5 in the evening, that after 5 o'clock they be paid time and a half and after 48 hours a week receive this same consideration. I urge this amendment be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. ANDERSON].

Mr. ANDERSON of Illinois. Mr. Chairman, I think it is very apparent at this point in the debate on the amendment offered by the gentleman from New York [Mr. GOODELL] that the speakers for and against this amendment have not divided along partisan lines. It is largely on the basis, I think, of sectional interest. Those who come, as I do, from great areas of the country where we grow highly seasonal and highly perishable row crops—and in my own area of Illinois where we grow tomatoes, asparagus, and corn—we realize just exactly what this bill is going to do unless we adopt the provisions of the Goodell amendment.

It does not do much good to stand up before this body and cite statistics comparing the canning industry with the meat packing industry or with other industries in general and to cite statistics about the improvements in the output per man hour. That does not do anything as the gentleman from Virginia so aptly pointed out. It does not do anything to automate the weather. There is not much that we can do to legislate against the vagaries of the weather.

The gentleman from Pennsylvania says the industry has not asked for this exemption except in certain particulars—well, of course, that leaves more than just a little bit of a loophole. Let me tell the gentleman that the canners and processors of perishable and seasonal crops in my area have come to me and have said that the effect of this bill without the amendment of the gentleman from New York would be disastrous. They are not asking for everything. We are coming down from two 14-week exemptions to two 10-week exemptions. This is a compromise.

We recognize the fact, as the gentleman has pointed out, that there has been automation and an increase of output per man-hour. We are not asking, in other words, to stand pat. We are asking here for a reasonable and fair compromise.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman.

Mr. DENT. You name one canner—one canner in your area that has used the 28 weeks of overtime—name one.

Mr. ANDERSON of Illinois. Mr. Chairman, under permission to revise and extend my remarks, I wish now, for the record, to answer the question propounded by the gentleman from Pennsylvania [Mr. DENT], inasmuch as time did not permit me to give him an answer on the floor. The Rochelle Asparagus Co., of Rochelle, Ill., which is located in the 16th Congressional District of Illinois that I represent, did last year use a full 24 weeks of its exemptions under the wage and hour laws. Additionally, I would like to point out to the gentleman from Pennsylvania that this is 4 weeks more than we are requesting under the Goodell amendment. Therefore, it should be absolutely clear that this amendment is needed by the canning industry in the Middle West.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOODELL. Mr. Chairman, how much time do we have remaining on this side?

The CHAIRMAN. The gentleman has 6 minutes remaining on his side, and the gentleman from Pennsylvania [Mr. DENT] has 5 minutes remaining.

Mr. GOODELL. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. CEDERBERG].

Mr. HUTCHINSON. Mr. Chairman, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentleman.

Mr. HUTCHINSON. Mr. Chairman, present law extends to processors of perishable fruits and vegetables two periods of exemption from the overtime provisions of the wage and hour law. For one period of 14 weeks the exemption is complete. For another period of 14 weeks the exemption is limited to 56 hours of work in any 1 week. The bill as it comes to us from committee would strike from the law the period of complete exemption and would reduce the limited exemption period to a 48-hour week. The amendment offered by the gentleman from New York [Mr. GOODELL] would again establish two periods, one completely exempt from overtime provisions for not to exceed 10 weeks, and the other with a limited exemption as to 56 hours of labor in any 7-day period for not more than 10 weeks. I support the amendment.

An employer of labor engaged in handling and processing perishable agricultural or horticultural commodities in their raw or natural state is in a unique situation, unlike most employers. He cannot control the flow of goods to be processed into his plant. When the fruit or the vegetable is ripe for harvest it must be immediately harvested and processed. Where most employers can space out their supply and thus avoid the economic penalty of overtime, the fruit and vegetable processor cannot. When the crop comes to him he must receive it and process it if the farmers who produced it are to be paid.

Nature is not so cooperative as to ripen crops of fruits and vegetables on a 40-hour week. It has already been pointed out in debate that the problem is not solved by saying the processor can employ more people. In the rural communities where fruit and vegetable processing is done, the additional labor is simply not available.

Nor is it sufficient to say that even if the exemptions were entirely repealed all competitors would be treated equally. They would not be. The uneven treatment of nature interferes. One processor, located in one section of a State, can experience a crop coming into his plant during a single week, while his competitor, situated in another part of the State, is enabled to receive the crop during a 2- or 3-week period. A flexibility such as recognized by these overtime exemptions is essential.

Processors are ordinarily not single-crop employers. There are several perishable crops ripening at different times during the season. It is necessary there be a sufficient period of exemption to accommodate them all. For 28 years there have been two 14-week periods of exemption. The Goodell amendment will reduce each of these periods to 10 weeks. It will, nevertheless, preserve the flexibility needed by these employers who cannot control the flow of goods to be processed into their plants.

Mr. CEDERBERG. Mr. Chairman, I rise in support of this amendment, this is an anti-inflation amendment. Personally, I prefer the present law as it is.

No one has spoken for the consumer on this subject. Let me tell you that if these exemptions are removed from the seasonal processors and the seasonal processor is required to pay these additional expenses, he only has three choices:

First. He can, if his profits are good enough, absorb them, and there are few who can do that.

Second. He can raise the prices of his commodities, and obviously he is going to do that.

Third. If competition will not allow him to do this, he will go out of business and as the gentleman from California said, we will have bigger and bigger canneries. I do not think that would be in the best interest of the consumer.

If you are interested in taking care of the consumers in this country who are going to have to bear this added cost—then you will support this amendment. It is a good amendment. Historically it has been working well in the industry. This is a compromise—it provides for 10 weeks instead of 14 weeks and that makes a great deal of sense.

I do not see how anyone, when we recognize the problems of inflation that are abroad in the land today, and if you will look at the last cost-of-living index—going up and up and up—if this industry is going to be required to bear this additional cost, the consumer from every congressional district will bear the costs of increased food prices.

Now I have very few canneries. I have a sugar processing company that will be involved. Its costs will go up.

So I say to you this is an anti-inflation amendment. Unless it is adopted, it is going to cause a continued increase in the cost of living.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentleman.

Mr. McCULLOCH. Mr. Chairman, I would like to join in the statement of the gentleman from Michigan [Mr. CEDERBERG] and in the statement of the gentleman from Illinois [Mr. ANDERSON]. There are probably as many tomatoes picked and canned in the two congressional districts of northwestern Ohio as in any place in the Union. You have put your finger right on the heart of the problem of the growers and the canners.

Mr. Chairman, I urge the adoption of the amendment.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentleman from California.

Mr. TEAGUE of California. I compliment the gentleman on an excellent statement. I, too, support the amendment and hope that it will be adopted.

Mr. CEDERBERG. I can only say to my colleagues that if you are interested in the price of commodities to consumers you will support this amendment.

I yield back the balance of my time.

Mr. GOODELL. Mr. Chairman, I yield to the gentleman from Ohio.

Mr. LATTA. Mr. Chairman, I wish to join our colleague the gentleman from Michigan [Mr. CEDERBERG], in the statement he has just made. Coming from one of the districts that undoubtedly produces as many tomatoes as any congressional district in the United States, I wish to say that his statements are absolutely correct.

Mr. DENT. Mr. Chairman, I yield to the gentleman from California.

Mr. COHELAN. Mr. Chairman, I rise in opposition to this amendment.

Mr. DENT. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. SISK].

Mr. SISK. Mr. Chairman, I rise in opposition to this amendment. The amendment goes much further than what I anticipated would be offered with reference to the canning industry.

I have a substantial canning industry, and, as far as I am concerned, I think our area produces more tomatoes than any other place in the United States. The fact is that there is no tomato season in America today that uses up to the present allowable period in this bill of 14 weeks in a season in the canning of tomatoes. In fact, I have the list and the chart showing the required so-called peak periods in the canning of fruits and vegetables of all types and kinds.

The truth of the matter is that in most cases it runs only from 6 to 12 weeks.

I have discussed this question with the canning industry of California as well as canner representatives from other areas. I do not blame them for wanting as broad an operation as they can get and as wide open as they can get it. But the facts are that when you look at the record of past performance and the total number of weeks those canneries operated in perishables this last year and the year before—1964, 1963, 1962, 1961, and 1960—there is simply no justification whatsoever for an exemption beyond the 14 weeks allowed in this legislation.

Mr. COHELAN. Mr. Chairman, will the gentleman yield?

Mr. SISK. I yield to the gentleman from California.

Mr. COHELAN. I wish to compliment my colleague from California on the statement he has just made, and to go one step further. While I am going to support the committee bill and the provisions that are in it, I would like to see the exemptions eliminated. The committee has been very generous in compromising the issue in order to get votes to support the bill. But I think the record made by Mrs. MINK and others should make it clear that exemptions in this industrial food processing field is a special and exceptional benefit.

Mr. GOODELL. I yield to the gentleman from Alabama.

Mr. GLENN ANDREWS. Mr. Chairman, I rise in opposition to the amendment. I do not like minimum wage bills at all, but we have had them for some time. My position on this amendment represents the position I have taken all along on this bill. I chiefly oppose minimum wages where the purchasing power is unable to absorb higher prices. This is involved when we bring under minimum wages purely local businesses. Low purchasing power in certain areas will surely phase out and close many businesses and create unemployment, when it is impossible to pass along higher prices to the public. This is true in all low income States and thousands of low income pockets in every State.

I do not see, in this business of canning, when we already have a national minimum wage law; when we can raise prices and pass along the extra costs in the processing of these vegetables, to a regional or national purchasing power, why any unemployment is involved at all. Canning coverage is in line with the former minimum wage bills. I oppose the amendment, not that I approve minimum wages, but in order to dramatize or point out the difference between this and former minimum wage bills.

Mr. DENT. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. PEPPER].

Mr. PEPPER. Mr. Chairman, I rise in opposition to this amendment.

The question presented here is whether or not the consuming public of the United States has a right to ask men and women—and they are mostly women, I believe—who work in the processing of canning of food in its raw or natural state in many of our States, to make the sacrifice of working longer than an ordinary working day for any protracted period without being paid for overtime.

I believe in general the people, many of them heads of families, who work in the food processing industries of this country have the same right to a normal working day and the same right to fair basic compensation, that the other workers of this country have.

This bill exempts the employer from paying overtime to workers who work in the fields. I hope that exemption will be limited as time goes on. But when the food gets into the processing plant, into the packing house, or into the cannery, the people who work on it there are engaged usually in an assembly line process an industrial operation. I see no reason why the people who shall later enjoy that food should ask these people—as this amendment would have them do—for 2½ months to work as many hours a day as might be required—even eighteen or more—and receive no overtime whatsoever; and for the second 2½-month period, 10 weeks, to receive no overtime unless they worked more than 12 hours a day, 56 hours a week. Why have we a right, as consumers, to ask those people to make that sacrifice? When they are among the lowest paid workers of the country?

Yet the bill before us recognizes that there are problems in these processing and canning operations, as I do, and for a 14-week period requires the payment of no overtime until the worker has worked more than 10 hours in a day and more than 56 hours in a week.

I think this is a fair and reasonable concession to these important industries and the amendment should be defeated.

CALL OF THE HOUSE

Mr. POWELL. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Ninety-five Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 112]

Bandstra
Burton, Utah
Clawson, Del
Colmer
Corman
de la Garza
Erlenborn
Evans, Colo.
Evins, Tenn.
Fraser
Garmatz
Hanna
Hansen, Idaho
Hansen, Iowa
Hardy
Hébert
Huot
Jacobs
MacGregor
Mailliard
Martin, Ala.
Martin, Mass.
Miller
Moeller
Morton
Moss
Murray
Pike
Reid, Ill.
Resnick
Rivers, S.C.
Rooney, N.Y.
Thompson, N.J.
Toll
Williams
Willis
Wilson, Charles H.
Wolff

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. PRICE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H.R. 13712, and finding itself without a quorum, he directed the roll to be called, when 394 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from New York.

Mr. GOODELL. Mr. Chairman, we have reached the point of voting. Let me say very simply that apparently a great many of the comments made in objection to this amendment are from what might be termed window-box farmers. We have a serious situation in the farm areas with reference to this problem of perishable commodities.

My proposal is a compromise. It does not restore the full 14-week periods. It provides for two 10-week periods comparable to the exemptions that are provided for overtime in the present law. The processors are presently covered by the minimum wage. This is simply an amendment to help them adjust over a period of time to full inclusion of overtime for their workers.

I would point out that the statistics that have been used over and over again with relation to the alleged fact that we do not need this are overall canning statistics. They include everything from soup to nuts that go into cans. These are the Bureau of Labor statistics for all of the pork and beans and every other item that is canned. When you consider perishable items alone, they do need this amendment. The amendment is concentrated on perishable commodities. It is a critical amendment, and I ask for your support of it.

Mr. DENT. Mr. Chairman, I yield to the gentleman from Wyoming.

Mr. RONCALIO. Mr. Chairman, H.R. 13712 to amend the Fair Labor Standards Act is, in my opinion, essentially a good bill. However, I find it most objectionable in its design to cut in half the present 28-week provision exempting agricultural processing employees who are working on perishable products.

There is little that I can add to my previous statement on page A2014 in the daily CONGRESSIONAL RECORD of April 6, 1966, but I do want to reaffirm my position in support of the proposition that this exemption should remain unchanged.

I have every reason to believe, Mr. Chairman, that this provision will not only work a hardship on the processors of perishable products, but that it will also jeopardize the very existence of companies such as Big Horn Canning Co., located in the sparsely populated area of Cowley, Wyo., where as a physical and practical matter labor is not available during the season of harvesting and processing of perishable quantities. The original intent of the overtime provisions of the Fair Labor Standards Act, as I understand them, is to encourage employers to seek out unemployed people in the labor market rather than continue operation with already overworked and fully employed people. In situations such as the one at hand, the labor market is already exhausted and the result is to place such companies in an uncompetitive position in an extremely competitive industry.

For this reason, Mr. Chairman, I am sincerely hopeful that my colleagues will vote to retain the present exemption.

In this connection, I would like to take this opportunity to insert for your consideration a memorandum from the Rocky Mountain Canners Association, along with the very excellent letter from Reynold H. Peterson, president of the Big Horn Canning Co., which summarizes the situation at hand; also, the letter I sent to the members of the Dent subcommittee on this subject:

BIG HORN CANNING CO.,
Cowley, Wyo., February 14, 1966.

Re Jas. Roosevelt H.R. 10518; PATRICK MCNAMARA S. 1986.

Hon. TENO RONCALIO,
House of Representatives,
Washington, D.C.

DEAR TENO: The Dent Subcommittee of the House Committee on Education and Labor is presently reviewing the wage and hours bill that was reported to the House last session. This means that all sections of the legislation are open for reconsideration.

(1) I am fearful that the above bill will be rewritten so that 7(b)(3) and 7(c), that allow canners of seasonal and perishable fresh fruits and vegetables 28 weeks of exemptions from overtime so that a single 14 week period of exemption limited to 10 hours a day and 48 hours a week would be available. The House bill would further restrict the exemption to what someone that knows nothing about it to what they call "highly perishable" commodities.

(2) Would repeal the "area of production" exemption.

(3) The House bill would raise the industrial minimum wage to $1.40 an hour in July, 1966; $1.60 an hour in July, 1967; and $1.75 an hour in July 1968, and would place agricultural labor under a minimum wage of $1.15 in July, 1966, and $1.25 an hour in July, 1968.

(4) The Senate bill would require the payment of double time after 48 hours a week this year, 47 hours next year, 46 hours the following year, and 45 hours thereafter, unless exemptions otherwise apply.

1. Congress recognized the necessity for the seasonal canning exemptions when the law was passed in 1938 and Congress has resisted every effort since that time to repeal or modify these provisions of the FLSA. The processing of perishable agricultural crops requires prompt handling from the field and through the cannery. Ripening is controlled by nature and crops must be canned without delay when ready. Quality can only be achieved by this action and the consumers' interest must be protected.

2. Canning is an industry including many relatively small businesses located in rural agricultural environments and should not be subjected to the labor standards or urban industrialization.

3. The imposition of penalty overtime at any time during the canning of fresh perishable agricultural products would not be effective in spreading employment as the industry presently offers seasonal jobs to available qualified workers to the maximum extent practical.

4. The seasonal exemptions apply only to perishable crops that must be processed when harvested. Highly perishable crops such as peas, corn, green beans, tomatoes, peaches, apricots, cherries and plums cannot be stored for later canning.

5. The full 28 weeks authorized by the present law are needed in handling the seasonal crops that periodically mature from spring through the fall.

6. The proposed legislation will add significantly to canners' cost of operation without achieving the stated purpose "to reduce unemployment and to strengthen the economy by a better distribution of work presently performed." Higher prices to the ultimate consumer will necessarily result.

Last season working under 7(b) (3) and 7(c) as is, we were unable to secure the help needed at our Cowley, Wyoming plant. Which you can confirm with the Wyoming Employment Service if you wish.

Teno, I am asking your support in retaining the exemptions that now exist as it would be impossible for us to operate under a time and one half for overtime over forty hours per week.

We have been operating our plant at Cowley for 40 years, since 1926, and we have many letters in our files from young people, fathers and mothers thanking us for the employment we have given them and their children during the summer, which made it possible for them to earn enough to go back to college.

Please don't let the only canning plant in Wyoming be legislated out of business.

I am sure you understand our problem and would appreciate hearing from you and if we can depend on your support in retaining our present exemptions. I am enclosing a list of members of full committee.

My best regard to you and your staff.

Yours very truly,

Reynold H. Peterson.

Memorandum to: Senators and Congressmen from Rocky Mountain region.

From: Rocky Mountain Canners Association.

Re H.R. 8259 and S. 1986.

Our industry in the rocky mountain area is genuinely worried about H.R. 8259 and S. 1986 which would seriously curtail the long-established overtime exemptions under the Fair Labor Standards Act for processors of fresh fruits and vegetables.

Presently there are two exemptions. One is found in Section 7(c) of the Act which gives processors of seasonal commodities 14 weeks without penalty overtime. The bills would repeal this section.

The other exemption is in Section 7(b) (3) which permits 14 weeks of freedom from overtime up to maximum of 12 hours per day and 56 hours per week. The bills would require time and a half after 10 hours per day and 48 hours a week.

While I know you are aware of some of the reasons why Congress, provided these when passing the Act in 1938 I should like to allude to them for the mere purpose of presenting the matter to you. Firstly, fruit and vegetable ripening is controlled by nature. They require immediate processing if high quality canned food is to be produced. Three-fourths of our canning plants are situated in small communities where all available labor is used during harvest and processing time. Employment cannot be spread because additional workers are not available. Thus the usual objective of such legislation could not be achieved but canners would be seriously penalized in a matter over which they have no control.

Profits are meager in our industry and we asked our members what per cent of their 1964 profit would be taken by higher labor costs were the two bills to be enacted.

Following is a tabulation of those responding so far:

Number of canning companies:	*Percent of 1964 profit taken by higher labor cost*
3	100
2	75
1	25
1	17

And one smaller processor said 2%.

During the last thirty years the number of canning plants in Montana, Wyoming, Colorado and Utah has dwindled from some 50 canneries to 23 at present. It is evident that such an effect on profits would present a serious financial problem to our industry.

While our industry is not relatively large, we purchased fresh fruits and vegetables from 2,669 growers in the four states last year, paying them $5,095,790. During the operating season our plants had 6,059 employees and paid an annual payroll of $5,196,484. Other purchases totaled $10,759,576 or a total of $21,051,850 excluding taxes. In the rural areas this economic stimulus is of considerable importance.

We would appreciate if you will give careful consideration to opposing the proposed curtailment of these exemptions.

Nelson W. Aldrich,
Executive Vice President, Rocky Mountain Canners Association.

August 6, 1965.

Mr. DENT. Mr. Chairman, I wish to say to the House that there are 14 weeks of overtime allowance in this bill as we now have it, without the amendment for perishable goods.

The factor of perishability as a justification to continue the wage and overtime exemptions under the Fair Labor Standards Act is no longer applicable.

In the early days, the canning industry was a salvage operation in which raw products not sold on the fresh market went into tins. Today, this is changed. With few exceptions, every ton of product packed is produced especially for canning through direct ownership by the processor or through contractual arrangements between growers and processors.

As a result of such vertical integration three major developments have occurred which have reduced perishability to a minor problem:

First. The first is the creation of specialized varieties and strains of fruits and vegetables. They have stressed big yields, reduced waste, staggering of planting, and a host of other characteristics which have made possible stability in the handling and the availability of the raw product.

Second. The chemical industry has produced a series of products intended exclusively for processing which have been designed to increase yields and durability, and to fit the particular processing procedures and requirements.

Third. Tremendous strides have occurred in the mechanization of raw product production. Planters, transplanters, cultivators, harvesters, viners, viner-feeders, truck loaders, and many other items all help to speed raw products to the processing plant with minimum effect on the condition of the product. Corn, carrots, beets, bush beans, peas, lima beans, and so forth, are now picked by machine instead of by hand.

Fourth. Cooling or holding rooms are maintained to hold the peak time pickings and provide a uniform product flow. Today, green beans can easily be held for 7 days between picking and processing. All other major processing vegetables can be held for a like period with the exception of peas and corn. In the case of fruits, many can be held for weeks and months, such as apples and pears, before being processed. The same is true of olives and pickles.

In addition to the vast changes already mentioned, the easier movement of the raw products from the fields to the processing plants have removed the need for the exemptions.

We have in this country over 3 million miles of highways and freeways which are constantly being improved. Likewise, there have been considerable improvements in truck equipment. Truck construction employing strong, lightweight materials, and hydraulic drive minimizes damage to fragile shipments. Moreover, the availability of large fleets of trucks on flexible but precise schedules eases the flow of the products. Mechanical refrigeration in trucks offers the highest possible degree of flexibility ranging from normal to subnormal temperatures. The use of trailers now makes it possible to park the product in trailers in the loading zones of the plant for convenient unloading at a later time.

Thus, the revolution that has characterized changes in agricultural handling and processing is equally applicable to the trucking of the product.

In short, the relationship between growing and processing has become scientific and rational since the era of peaks and valleys that characterized the flow of the raw products when the FLSA exemptions were enacted in 1938. In view of the developments cited, which reduce perishability problems almost to the vanishing point, there is no need nor justification for continuing these exemptions. Certainly then, the 14-week exemption, with overtime after 10 hours a day or 48 hours a week, as provided in H.R. 13712, is more than adequate.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. Goodell].

The question was taken; and the Speaker announced that the "nays" appeared to have it.

Mr. GOODELL. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Goodell and Mr. Dent.

The Committee divided, and the tellers reported that there were—ayes 145, noes 162.

So the amendment was rejected.

The CHAIRMAN. Are there any further amendments to title II?

AMENDMENT OFFERED BY MR. DOWNING

Mr. DOWNING. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Downing: On page 41, after line 20, insert the following new subsection:

"(e) Section 13(a)(5) of such Act is amended by inserting '(A)' immediately after 'any employee employed in', and by inserting immediately before the semicolon at the end of such section the following: ', or (B) the processing of any kind of shellfish or crustacea'."

Mr. DOWNING. Mr. Chairman and Members, I suppose one could call this the oyster shucking, crab picking amendment.

Human beings make mistakes, and in my opinion the Congress made a mistake in 1961 when it included for the first time the shellfish industry under the minimum wage.

The effect of my amendment would be, if it is adopted, to immediately put back to work hundreds—yes, thousands—of people who are now on the welfare rolls because they were forced there by the imposition of the minimum wage.

Prior to 1961 all employees engaged in onshore shellfish processing were exempt from coverage under the Fair Labor Standards Act, and I believe that developments in the shellfish industry over the past 5 years have demonstrated that we should restore this exemption for employees engaged in the processing of shellfish.

The application of the minimum wage to the shellfish industry in 1961 has forced the industry into a severe economic crisis. Many shellfish businesses have had to close down over the past 5 years because they were simply unable to pay the statutory costs. Serious unemployment has resulted throughout the industry because so many firms have been forced to lay off their employees.

In my own district, for example, which is the First Congressional District of Virginia, the Virginia Crab Packers Association has compared employment levels in 1961 with 1965.

I ask Members to listen to this: Among the 16-member businesses, 907 crab pickers were employed in 1961. In 1965 the total employment had dropped to 589, and they tell me it will drop another 25 percent this year.

I will not take my colleague's time to cite employment figures for all of these firms, but I will take one of them as an example, and I think it is a pretty fair example. One seafood firm in Virginia employed 100 crab pickers in 1961 and 60 in 1965. They told me by telephone yesterday they are now employing 35. They have gone from 100 employees to 35 employees in 5 years' time. This is not just true in Virginia. The hardships exist in almost every State. For example, in North Carolina the crab packing industry shut down completely for a while when the minimum wage escalated to $1.25 last year. Crabbing is a major factor in North Carolina's commercial fishing industry and it is obviously symptomatic of the severe economic pressures.

Mr. LENNON. Mr. Chairman, I wonder if the distinguished gentleman from Virginia will yield to me.

Mr. DOWNING. I will be glad to yield to my friend from North Carolina.

Mr. LENNON. Mr. Chairman, I want to commend the gentleman from Virginia for his very informative, knowledgeable, and persuasive reasoning as to why his amendment should be adopted. Unfortunately, Mr. Chairman and ladies and gentlemen of the House, the membership of this House does not recognize the problem confronted by the seafood industry on shore in shelling of crabs, picking of shrimp, shelling of oysters, and shelling of scallops and other seafood of that kind. It is a fact, as the gentleman so clearly stated, in North Carolina when the minimum wage was escalated to the point it is now for this particular segment of our total seafood industry we had to close down the industry. We hear these impassioned pleas to use the resources of the sea to feed the hungry of the world. We hear this every day on the floor of this House and on the floor of the other body and in the news media. Yet we are inevitably heading in the direction where we are going to thwart and destroy our own efforts to feed the hungry of the world with the resources of the sea. I hope the ladies and gentlemen of this House will seriously consider this amendment which is necessary to all of the Atlantic coast, the Gulf coast, and the Pacific coast as well.

Mr. Chairman, I commend the gentleman for bringing this matter to the attention of the House, and I hope they will respond favorably.

Mr. DENT. Mr. Chairman, I rise to oppose the amendment.

Mr. Chairman, I will only take half a minute to say to the House that this is not new material added to the bill by our committee. What this amendment does is it strikes from the present minimum wage law provisions put in in 1961. This industry is already covered under the law as it now exists. This amendment would remove this industry from the provisions of the act. In order to clear up the matter of the closing down of the crab industry, I would like to give you the facts. A typical report received on the closing down of the crab processing industry in North Carolina referred to by the previous speaker shows that 18 plants shut their doors on September 3, 1965, because of the increase in the minimum wage to $1.25, throwing 1,800 workers out of work. An investigation disclosed that 17 of the 18 plants had actually closed, but all except one had reopened within the month and the last one opened within 6 weeks. All they had done was a little cleaning up at the plants.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. DOWNING].

The amendment was rejected.

AMENDMENT OFFERED BY MR. GOODELL

Mr. GOODELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. GOODELL: On page 40, lines 3 and 4, strike out the words "(other than an industry described in subsection (d))."
>
> On page 40, line 10, strike out the word "employed" and insert the following: "employed: *Provided*, That in any place of employment in which the exemptions provided in this subsection and subsection (d) both apply to employees, the number of exempt workweeks provided by this subsection shall not exceed ten in any calendar year, which shall be in addition to the ten exempt workweeks provided by subsection (d)."
>
> On page 40, line 11 through page 41, line 13, strike out all of subsection (d) and insert the following new subsection (d):
>
> "(d) In the case of an employer engaged in the first processing of milk, buttermilk, whey, skimmed milk, or cream into dairy products or in the compressing of cotton, or in the processing of cottonseed, or in the processing of sugarbeets, sugarbeet molasses, sugarcane, or maple sap, into sugar (but not refined sugar) or into sirup, the provisions of subsection (a) shall not apply to his employees in any place of employment where he is so engaged; and in the case of an employer engaged in the first processing of, or in canning or packing, perishable or seasonal fresh fruits or vegetables, or in the first processing, within the area of production (as defined by the Secretary), of any agricultural or horticultural commodity during seasonal operations, or in handling, slaughtering, or dressing poultry or livestock, the provisions of subsection (a), during a period or periods of not more than ten workweeks in the aggregate in any calendar year, shall not apply to his employees in any place of employment where he is so engaged."

Mr. GOODELL. Mr. Chairman, this amendment is somewhat similar to the previous one. It would do essentially the same thing, with one major exception. My previous amendment eliminated a reduction in the hours per day and the hours per week.

Under the present law, the 14-week exemption, the processor is permitted the 12-hour day and 56 hours per week.

Mr. Chairman, in my original amendment I attempted to restore this 12-hour-day and 56-hour-week exemption.

Mr. Chairman, this amendment conforms to the provisions of the present bill. It will limit the hours to a 10-hour day and to a 48-hour week. It would extend two 10-week exemptions to the processors.

Mr. Chairman, I believe this is a reasonable amendment and I would hope that it can be accepted as an even further compromise of my last proposal.

Mr. Chairman, I yield back the balance of my time.

Mr. DENT. Mr. Chairman, I rise to oppose the amendment.

Mr. Chairman, this matter has been discussed rather thoroughly. It is just another probe into the same wound. It is the same amendment that we had before us previously. We have already gone through the motions of a vote. It is the same 20-week amendment, proving again the statements made a while ago that they could not exist unless they had unlimited overtime and that they can exist with limited overtime.

Mr. Chairman, after due deliberation and consideration of the matters contained in the amendment, I ask my colleagues to vote down the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. GOODELL].

The question was taken, and the chairman announced that the noes have it.

Mr. GOODELL. Mr. Chairman, I demand the tellers.

Tellers were ordered, and the chairman appointed as tellers Mr. GOODELL and Mr. DENT.

The Committee divided, and the tellers reported that there were—ayes 70, noes 127.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. COLLIER

Mr. COLLIER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLLIER: Page 37, after line 2, insert the following new paragraph:

"(2) Section 13 of such Act is amended by inserting after paragraph (11) the following new paragraph in lieu of the paragraph repealed by section 206(b)(1) of this Act:

"'(12) any employee employed by any establishment engaged in self-service, coin-operated laundering or cleaning if such establishment has an annual gross volume of sales of less than $40,000; or'."

The CHAIRMAN. The gentleman from Illinois [Mr. COLLIER] is recognized for 5 minutes in support of his amendment.

Mr. COLLIER. Mr. Chairman and my colleagues, we have been told that this bill does not cover the mom and pop type of business. While that is substantially true, actually it is not.

So my amendment would give you an opportunity to eliminate what is a rank discrimination in this concept of coverage of the minimum wage bill.

Let me cite an example that is typical to illustrate what I mean. Take a typical type of small business block in any town or village in the United States, and let us say we have a drugstore, a hardware store, an independent food store, perhaps an appliance store, and a laundromat.

Under this bill, if the delicatessen, the appliance store, the food store, and the hardware store does a volume of business of up to $100,000 gross in a year, they would not be covered under the bill. With that I have no argument. But the laundromat on the same block could do $20,000 gross a year and it is in fact covered.

I do not think I have to go any further in trying to convince one that this is, in fact, discrimination and defies or flaunts the so-called ma-and-pa concept of immunity under this bill.

To give you a litle idea what the broad picture in this area is, the coin-operated laundry and drycleaning industry comprises 36,000 stores in the United States, and it is operated by 25,000 owners. The industry's annual gross volume for coin-laundry service is currently $525 million. This averages less than $15,000 annual gross per coin-operated store. The gross for coin-operated drycleaning is estimated at $225 million in 9,000 stores. The average annual gross for each coin-dry-cleaning store would be about $25,000.

What are we talking about in connection with this thing? Incidentally, I would say that were it not for the fact that the laundry business per se apparently is satisfied with this bill—and if they are. I do not want to disturb them—the coin-operated laundry people are not. The only reason I have singled this out and established——

Mr. ARENDS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Sixty-seven Members are present, not a quorum.

Mr. ALBERT. Mr. Chairman, I move that the Committee do now rise. On that I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. ALBERT and Mr. ARENDS.

The Committee divided, and the tellers reported that there were—ayes 3, noes 108.

So the motion was rejected.

The CHAIRMAN. A quorum is present.

The gentleman from Illinois [Mr. COLLIER] is recognized.

Mr. COLLIER. Mr. Chairman, I regret that the minority whip made the point of order, because I have explained my amendment as well as I know how, and now we have a larger group to listen to the eloquent opposition that I anticipate from the chairman of the committee.

Be that as it may, and seriously, I believe this does represent an area of discrimination in the concept which the committee has otherwise carried out in excluding the "mom and pop" type of business. I would hope by putting this restriction on it—as I have done in this amendment—that this House will adopt the amendment in fairness to one small segment of the business community that is being discriminated against in this bill.

Mr. DENT. Mr. Chairman, I rise in opposition to the amendment.

I recommend that the Members review the remarks on this particular subject made yesterday. The record is very clear. The committee rejected the same proposal.

I ask the Members to vote against the amendment.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I should like to have an explanation from someone as to why there have been the dilatory tactics which have just been undertaken on the part of the majority. Is it a disposition to stretch out consideration of this bill, perhaps to go into the night?

Only a short time ago, we had a quorum call, initiated by the majority, and now we have just had a delaying tactic in the nature of a teller vote on a motion for the Committee to rise.

What is taking place? Can the gentleman tell me?

Mr. DENT. I would say that I am probably the wrong man to answer this question, because we are not indulging in the practice. However, when one fights fire one fights fire. There was proposed a dilatory tactic. We found this was needed.

Mr. GROSS. I thought the stretchout started on the majority side a short time ago with a quorum call.

Mr. DENT. We are not interested in stretching the argument. I say to the Members on the other side of the aisle, we have no amendments. We are ready to rise and to vote, if the other side is ready.

Mr. GROSS. Ready to do what?

Mr. DENT. We are ready to vote.

Mr. GROSS. The vote just taken by the majority was against the Committee rising.

Mr. DENT. We had before us an amendment. The gentleman would not accuse us of being unfair to the gentleman, would he?

Mr. GROSS. Does the gentleman from Illinois wish to contribute to this?

Mr. COLLIER. Mr. Chairman, I should like to contribute to a discussion of my amendment, but not to the issue specifically in question here.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from New York.

Mr. GOODELL. I am a bit surprised to hear someone call an effort to have a quorum on the floor to hear an important amendment a dilatory tactic. In this instance there was a request for a quorum call, to have a quorum of our Members, a mere 100 in the Committee, to listen to important debate and to dispose of important amendments. The Chair counted 65 Members present. We should not be voting on important legislation of this nature with 65 Members, out of the 435.

Anyone who wants to insist that we have more than 65 of the 435 Members present is not engaging in dilatory tactics.

Mr. DENT. Mr. Chairman, will the gentleman yield, so that I may answer.

Mr. GROSS. I yield to the gentleman from Pennsylvania.

Mr. DENT. If we did not know each other around here, and if this were not an open book, we would understand this great plea, but we know the Chairman cannot go into your cloakroom and get the boys.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. In just a minute.

It seems to me there were a goodly number on the majority side who were parked out in the Speaker's lounge a little while ago.

Mr. DENT. That is right.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Illinois.

Mr. COLLIER. If we may, I should like to briefly get back to my amendment.

The distinguished gentleman from Pennsylvania said that this amendment, which I have offered, was disposed of yesterday. The fact of the matter is that there is a marked difference between the amendment which I offered and the one which was defeated yesterday, which would have generally embraced the entire area of hospitals and all types of laundries.

My amendment is specifically directed to the so-called "mom and pop" laundromat. I do not believe it was disposed of yesterday. I would have had some reservations about voting for the amendment which the gentleman said was disposed of yesterday—in fact, I did not support it.

I believe the area to which my amendment is directed is a different area. I believe this bears a rank discrimination, in dealing with one segment, as I said before, of the local business community.

I would hope that the committee would see fit to adopt the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. Collier].

The amendment was rejected.

Mr. POWELL. Mr. Chairman, in order to save time, according to the desires of my good friend the gentleman from Iowa [Mr. Gross], I should like to ask if there are any more amendments to title II.

Mr. GROSS. What do I have to do with that?

The CHAIRMAN. There are three at the desk.

Are there further amendments to title II?

Mr. POWELL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, how many amendments are at the desk now?

The CHAIRMAN. There are three amendments at the desk, but the number depends on whether or not others desire to offer any.

Mr. POWELL. Mr. Chairman, I ask unanimous consent that all debate on title II close in 30 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

AMENDMENT OFFERED BY MR. WATSON

Mr. WATSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Watson: On page 44, delete lines 3 through 15.

Mr. WATSON. Mr. Chairman, I should first like to apologize to my esteemed friend who has been handling the bill for not presenting him with a copy of this amendment. However, it is a very simple one, just deleting section 210 so as to allow the restaurant industry to remain beyond the purview of the minimum wage law, as they have been over the past year.

I want to assure all of you that in this drama of fighting poverty or breaking the cycle of poverty there has to be someone who comes along and appeals to you to show some consideration for the consuming public. I have no financial interest in the restaurant industry at all. I am a patron of it, just as most of you ladies and gentlemen are. However, I hope we will be a little considerate of the unique factors involved in that particular industry.

First of all, they are not in competition with any other industry. They are in competition with the housewife. If the prices become so high in the restaurants as to become prohibitive, then you are going to find the worker carrying a lunch pail or else returning home in order to eat. Secondly—and I think this is an important consideration—the restaurant industry is not engaged in interstate commerce by and large. Simply because we have a little restaurant down in South Carolina or in your home area does not mean that it is in competition with the Waldorf in New York or the Brown Derby in Los Angeles. If you have a need for a meal, you are going to eat where you are. Additionally, I am afraid this bill does not take into consideration the differences in the costs of living in the various areas and the various States of this Nation.

Also, I hope you will take into consideration this fact: If you are going to increase the minimum wage for the dishwasher in the restaurant, then you likewise are going to have to increase what you pay for the domestic servant in the home. In this area and in California and in other areas perhaps you pay $60 or $70 a week for a domestic servant, but down home the economy neither permits nor demands such a salary. Our cost of living is much below that of California. I think it is unfair for you to try to impose a minimum on South Carolina or on any other area which might have a lower cost of living than they have in so many other States of this Nation.

Let me assure you in making this statement or proposing this amendment I am not doing so at the request of the restaurant industry. In fact, I have received a number of requests from waitresses, those who are working in the restaurant industry, saying, "Do not put us under this mimimum wage legislation. We are harassed enough and we are fearful about the detrimental effect it will have on the business of the various restaurants, and ultimately we might even lose our jobs."

Let me say in closing that we in South Carolina are concerned about elevating the salary level of all of our people. I have made the statement repeatedly that I would rather have one employee overpaid than two underpaid, but I am afraid passage of this legislation will result in the loss of jobs rather than in an elevation of the standard of living of these people.

We in South Carolina are trying to do something about those who are unskilled. Of our own volition, as I have pointed out earlier, we have established technical educational centers—even prior to the Federal Government getting into the business—in order to retrain our people, those who are displaced by automation or other factors. We are seeking to better equip those who are unskilled in order to enable them to get higher paying jobs.

Let me appeal to you again to consider the effects of this legislation on the buying public and also I hope you will realize the restaurant industry is in a unique position. They are in competition with the home. You can raise your prices only so high, and then it will be prohibitive. The worker, the very person you are trying to help, is going to have to pay higher prices in order to get lunch at the noon hour.

Mr. Chairman, let me say this in conclusion: If there is an inequity in California insofar as minimum wages are concerned, let California take care of it. If you have a problem in New York and the other States of the Union insofar as minimum wages are concerned, then you take care of that. But we are trying to do the best we can for the people in South Carolina commensurate with the financial ability of our business enterprises.

Mr. Chairman, I believe we would be doing a great injustice to the dining public and the local restaurant operator if we pass this particular section.

Mr. DENT. Mr. Chairman, I rise in opposition to the amendment.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. DENT. I am happy to yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I arise to commend the gentleman from South Carolina for proposing this amendment and supporting it so ably. I can say little in addition. However, I do have a letter at hand from a small restaurateur in Branson, Mo.—family owned and operated—which sets forth clearly total gross receipts and annual net receipts, number of people employed, and total wages paid (including the family), and all pertinent factors. The writer, Mr. Ladd, owner and salaried employee in his own food-service business in a land of tourists and retirees, further points out passage of this law without such an amendment, would result in: first, reduction of 15 to 9 employees; second, elimination of all part-time and summertime employees—college students.

Mr. Chairman, I strongly support this amendment.

Mr. DENT. Mr. Chairman, of all of the areas that are covered in this legislation, no area of coverage has received more attention nor has there been more cooperation between those who work in the restaurants and the food service industries, and those who operate or own or manage such institutions.

Mr. Chairman, we have had absolutely no complaint. No one, except one or two Members of this Congress, have taken it upon themselves as individuals to fight for an elimination of all of the restaurant workers. We are, in fact, in this bill covering only 425,000 of the 1,753,000 employees in the restaurant area.

Mr. Chairman, under the amendment put in by the individual from Illinois yesterday that number would be cut down to probably a little less than 300,000 coverage in the entire industry.

Mr. Chairman, how can we talk about injury to the restaurant business? Let me just read to the members of the committee a letter given to me by one of my good colleagues from Louisiana who is a Member of this Congress. It is addressed to him. He brought it over to me. He said, "I want to do something to help this woman." Also, he said, "I want to do something to help the waitresses, but I want you to try to preserve some balance so that the small restaurant can stay in business."

Mr. Chairman, it was upon that kind of premise that this committee operated. It was exactly along that line that we drafted the provisions of this section.

Mr. Chairman, we have tried to help the really underpaid waitresses and waiters. We have also tried to keep the industry within a position of competition.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman from New York.

Mr. POWELL. Mr. Chairman, I want to take this opportunity to compliment the gentleman from South Carolina as one of the great legislators here, and I am sure he is representing the people of his district as it should be represented.

Mr. Chairman, I just wanted to add my sincere congratulations to him in proposing the amendment. The gentleman from South Carolina is a member of the party that freed the slaves and closed the black people to its breasts in love and respect. It is his party which helped to pass the great Civil Rights Act of 1964 which could not have passed without bipartisan support.

Black people enjoy a greater measure of social equality today all over this land because of his party's actions. If it had not been for his party, black people would not be sitting in the dining rooms of democracy eating with their white brothers.

Surely, the gentleman from South Carolina wears his party badge with pride. He can be even more proud that he carries the unusual distinction of representing during his period in Congress both of our two great political parties, but the party whose banner he now carries is the party where many black people have enjoyed the fruit of equality, justice, and loving brotherhood between all men and all women, black and white.

Again, I commend him for being such a fine and upstanding representative of the party of Abraham Lincoln.

Mr. DENT. Mr. Chairman, I want the Members of the committee just to hear this:

"I have been a waitress for 25 years in the State of Louisiana. The salaries here have never increased. I am receiving a salary of 32 cents an hour, having worked 32 years in the restaurant industry. That is all that I have to support my family, and God pity women who are forced to support a family on such a salary. If there is anything that you can do in the Congress to help the waitresses in Louisiana, I wish that you would."

Mr. Chairman, I want to say that I wrote a nice letter to the lady and told her that her Congressman had come over and had shown a keen interest in the matter and was going to do what he could to help.

Mr. Chairman, I cleared with every Member of Congress who made an inquiry, either for himself or for a restauant or a group of restaurants in his State or in his district, the provisions of the restaurant section of this act.

This is the first complaint I have had on that particular section.

Mr. WATSON. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes, I yield to the gentleman from South Carolina.

Mr. WATSON. As I recall, yesterday the gentleman expressed grave concern about some of the effects of this legislation, and I am sure that he is sincere in that and he knows the high esteem that I have for him.

In response to the position I took yesterday as I was trying to speak out to the consumers, you quoted a statement from the Consumers Union or what-have-you of California. I did not take exception at that time, Mr. Chairman, because I was sure that upon second reflection you did not mean to convey to this Committee that the people of America are not concerned about the increased cost-of-living. You can take any polls you wish, anywhere in the world, and I will take exception to it if that poll should try to reflect that the people of America are in favor of higher prices. It just does not add up.

I know the problems we have in this industry. I know you have tried to wrestle with these problems before the Committee on Rules. As I recall, from reading some of the testimony, I believe the Restaurant Association of Omaha reportedly had no objection to this particular section, but later it was established that that was not true.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina [Mr. WATSON].

The amendment was rejected.

Mr. WATTS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have a question that is disturbing me. I would like to address this question to the chairman of the committee or anybody else on the committee who may be able to answer it.

The fine gentlewoman from Oregon and others have said that this bill covers sharecroppers. Now the bulk of farming throughout my section of Kentucky and all of the Southern States and many other places are operated on a sharecrop basis.

The question that I would like to have the answer to is this, and I will take my own personal situation and try to explore it with you to see what the situation would be.

I have three farms. They are all operated by sharecroppers. I furnish the home, I furnish a lot of the tools and I furnish the fertilizer. They do the work. At the end of the year we sell all the livestock and all the tobacco and anything else that is raised on that farm. They get half of it as per the contract and I get half as per the contract. But I am not there to know how many hours they put in. I am not there to know whether they put in overtime. At the end of the year I go home and we sell our crops. We sell the tobacco or the cattle or whatever it might be. Sometimes a barn may burn down or the entire tobacco crop might be lost. Of course, it is no fault of theirs and it is no fault of mine. Maybe a flood comes along and destroys the corn crop. Maybe some kind of cattle disease gets to the cattle and they are destroyed.

At the end of the year when I come to settle with them, I give them their full half. They are share croppers. After they have received their half—and we will say it is $4,000—they then drag a paper out of their pocket and say, we put in so many hours working on this farm last year. We put in so many hours of overtime. When you consider the minimum wage that Congress has set, they say—We are entitled to $8,000. Due to the fact that our tobacco burned up and our cattle died, we only got $3,000. Am I supposed to dig down in my pocket as landlord simply because they are share croppers and give them $5,000? If so, it is an atrocious situation. I would like an answer from somebody on the committee who can give me an answer to this kind of situation.

Mr. POWELL. I thank the gentleman for his very incisive question. I hope my remarks and what I will read from our committee report will answer the gentleman's question. This is on page 32 of the committee report:

> Testimony indicates that there are large numbers of so-called sharecroppers who are not allowed to make a single economic decision regarding the land upon which they live and work. For example, they do not decide what to plant, when to plant, when to harvest, where to purchase seed, or where to sell the product of their labor. For these people, the term "sharecropping" only denotes a means of compensation; it conveys no connotation of independence, individualism, or self-determination. On the other hand, there are true tenant farmers, who make basic economic decisions up which rest the productivity of the farm and consequently the amount of their compensation. Generally these tenants operate farms owned by absentee landlords. They are unsupervised, make day-to-day decisions necessary to the running of the farm, and share in the profits related to the productivity, for which they are greatly responsible. Such persons are not intended to be covered by the Act.

Mr. WATTS. This is not intended to be covered.

Now we will take the sharecropper. Who is going to determine what decision the landlord can make? Naturally, a landlord wants to have some say as to what portion of his farm is tied up. He would also like to have some say as to when the crop is going to be sold so that he can be present. For instance, there are situations where the landlord does exercise the right to say, "Now, look, I do not want this field plowed; I want that one plowed."

The CHAIRMAN. The time of the gentleman has expired.

Mr. WATTS. Mr. Chairman, I ask unanimous consent that I may pursue this subject for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky? The Chair hears none, and the gentleman is recognized for an additional 5 minutes.

There was no objection.

Mr. WATTS. I am not trying to impede the bill. I hope that the bill will be put into such shape that I can support it.

The landlord wants to say that a given part of his farm is to be plowed. He wants to say, "I have known this land better than you do. Having farmed it for years before I retired, I know better what kind of crops it will grow, and I would like to suggest that you grow this kind of crop." Then he would like to suggest that it be sold at a time when he could be present.

Who is going to make all of those determinations? In the event the landlord makes those determinations in relation to a tobacco crop—and that is the big crop in my country—that the crop normally would sell for $10,000 and the landlord would get $5,000 and the tenant $5,000, and about 5 days before the crop goes to market, without any overt act on my part or on the part of the tenant, a fire burns it up, he gets nothing. Am I going to have to dig down, after losing my half of the tobacco, and pay him for the hours he put in, if I make those decisions?

I believe there ought to be more clarification in a situation of this kind, especially when I cannot be there and some fellow comes in and says, "I put in X hours, and X hours overtime." I am really disturbed about that. I think there should be some clarification on that point somewhere.

Mr. DENT. If the gentleman will yield, I will try to clarify it.

Mr. WATTS. I yield to the gentleman from Pennsylvania.

Mr. DENT. The question as to whether a sharecropper is an independent contractor can be determined by some decisions of the Supreme Court in this area. We also know that the determination is based upon whether there is day-by-day supervision by the owner of the land of the tenant, sharecropper, or independent contractor, and whether you would make the decision on the sales in conjunction with him or whether you would make the decision as to which fields to plant in order to determine "supervision" within the meaning of this act.

If you will read the report, you will find in the report the answer to every question you have asked.

Mr. WATTS. No, there is one other question I want to ask, and I do not think I can find that. Suppose the landlord does supervise day by day. Suppose they had a contract that they were to divide the proceeds of the crop and then, as I said, the crop was destroyed. Would the landlord then have to turn around and pay the sharecropper the minimum wage?

Mr. DENT. I am not going to take the place of the court and say to you that he would or would not. If he had an insurance policy, and the damage was paid under that insurance policy——

Mr. WATTS. Do you not think this great committee is capable of writing legislation that would not leave a situation of that kind hanging up in the air so that somebody would have to go to court?

Mr. DENT. You are talking about a farmer who has seven sharecroppers.

Mr. WATTS. He has one or he has seven.

Mr. DENT. Well, he still has the 500-man-day test. If he has one, he would not come under it; if he has two, he would not come under it——

Mr. WATTS. I am speaking of a farmer who would be under it. If he was not under it, he would not be affected one way or the other.

Mr. DENT. If he has seven sharecroppers, he would not be giving the kind of directions that would be considered to be daily supervision.

Mr. WATTS. I do not know who will judge that.

Mr. DENT. You cannot determine that until a test case is made. No one can judge a hypothetical situation.

Mr. WATTS. I have known of situations in which floods have come along and wiped out entire crops. It has disturbed me very much, whether the landlord has 7 tenants or 70, that if he lost part of his crop, he would have to turn around and pay the sharecropper an hourly wage for every hour the sharecropper said he put in.

Mr. DENT. That is absolutely not even within the realm of remote possibility. If you are working in an office with a contract or a year's retainer and the office burns down, the owner does not have to pay you, does he?

If a fellow does not open up again, he does not have to pay it, does he?

Mr. WATTS. No. But under the bill there is a provision he shall receive the minimum wage for the time he put in.

Mr. DENT. He is then an independent contractor under those conditions.

Mr. POWELL. Mr. Chairman, I ask unanimous consent that the gentleman from Kentucky [Mr. WATTS] may proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. POWELL. Mr. Chairman, will the gentleman yield further?

Mr. WATTS. I yield to the gentleman.

Mr. POWELL. Mr. Chairman, the gentleman from Kentucky has raised a very good point. It is excellent. Let it be clearly understood from the colloquy between the gentleman and the committee that the point he has raised is exactly correct, and we stand behind the position he has stated.

May I further ask the gentleman to read the famous case of the *Rutherford Food Corp.* v. *Macomb* of 1947 (331 U.S. 722), which laid down the criteria. The committee says, on page 32, that we fully subscribe to these six criteria as to what is a sharecropper who is entitled to a minimum wage, and what is a sharecropper who is not.

But, in lieu of even that, I reaffirm the position of the gentleman from Kentucky is exactly correct. I support it. Let it be known that is the intent of Congress, as it goes into the CONGRESSIONAL RECORD.

Mr. WATTS. If the gentleman will yield further, I can see that the purpose of covering the sharecropper was probably to keep somebody from ducking out from under the law and claiming so-and-so was a sharecropper. That may have been what was in the committee's mind. But certainly there is the crop in which both of them have an interest, and they worked on it, both of them. He used the land, and the crop was then destroyed. I hope we are making the history here, that it is not the intention of this Congress or of this committee that the sharecropper could then say, "I am sorry it burned, old buddy, but I have put in so many hours, and you have to pay me."

Mr. POWELL. That position I subscribe to.

The CHAIRMAN. If there are no further amendments to title II, the Clerk will read.

The Clerk read as follows:

TITLE III—INCREASE IN MINIMUM WAGE

Presently covered employees

SEC. 301. (a) Section 6(a) of such Act is amended by amending that portion of the section preceding paragraph (2) to read as follows:

"(a) Every employer shall pay to each of his employees who in any workweek is engaged in commerce or in the production of goods for commerce, or is employed in an enterprise engaged in commerce or in the production of goods for commerce, wages at the following rates:

"(1) not less than $1.40 an hour during the first year from the effective date of the Fair Labor Standards Amendments of 1966 and not less than $1.60 an hour thereafter, except as otherwise provided in this section;".

(b) Such section is amended by striking out the period at the end of paragraph (3) and inserting a semicolon, and by adding the following new paragraph:

"(4) if such employee is employed as a seaman on an American vessel, not less than the rate which will provide to the employee, for the period covered by the wage payment, wages equal to compensation at the hourly rate prescribed by paragraph (1) of this subsection for all hours during such period when he was actually on duty (including periods aboard ship when the employee was on watch or was, at the direction of a superior officer, performing work or standing by, but not including off-duty periods which are provided pursuant to the employment agreement); or".

Agricultural employees

SEC. 302. Section 6(a) of such Act is amended by adding after paragraph (4) (added by section 301(b) of this Act) the following new paragraph:

"(5) if such employee is employed in agriculture, not less than $1 an hour during the first year from the effective date of the Fair Labor Standards Amendments of 1966, not less than $1.15 an hour during the second year from such date, and not less than $1.30 an hour thereafter."

Newly covered employees

SEC. 303. Section 6(b) of such Act is amended to read as follows:

"(b) Every employer shall pay to each of his employees (other than an employee to whom subsection (a)(5) applies) who in any workweek is engaged in commerce or in the production of goods for commerce, or is employed in an enterprise engaged in commerce or in the production of goods for commerce, and who in such workweek is brought within the purview of this section by the amendments made to this Act by the Fair Labor Standards Amendments of 1966, wages at the following rates:

"(1) not less than $1 an hour during the first year from the effective date of such amendments,

"(2) not less than $1.15 an hour during the second year from such date,

"(3) not less than $1.30 an hour during the third year from such date,

"(4) not less than $1.45 an hour during the fourth year from such date, and

"(5) not less than $1.60 an hour thereafter."

Employees in Puerto Rico and the Virgin Islands

SEC. 304. Section 6(c) of such Act is amended to read as follows:

"(c)(1) The rate or rates provided by subsections (a) and (b) of this section shall be superseded in the case of any employee in Puerto Rico or the Virgin Islands only for so long as and insofar as such employee is covered by a wage order heretofore or hereafter issued by the Secretary pursuant to the recommendations of a special industry committee appointed pursuant to section 5.

"(2) In the case of any such employee who is covered by such a wage order and to whom the rate or rates prescribed by subsection (a) would otherwise apply, the following rates shall apply:

"(A) The rate or rates applicable under the most recent wage order issued by the Secretary prior to the effective date of the Fair Labor Standards Amendments of 1966, increased by 12 per centum. Such rate or rates shall become effective sixty days after the effective date of the Fair Labor Standards Amendments of 1966 or one year from the effective date of the most recent wage order applicable to such employee theretofore issued by the Secretary pursuant to the recommendations of a special industry committee appointed under section 5, whichever is later.

"(B) Beginning one year after the applicable effective date under paragraph (A), not less than the rate or rates prescribed by paragraph (A), increased by an amount equal to 16 per centum of the rate or rates applicable under the most recent wage order issued by the Secretary prior to the effective date of the Fair Labor Standards Amendments of 1966.

"(3) In the case of any such employee to whom subsection (a)(5) or subsection (b) would otherwise apply, the Secretary shall within sixty days after the effective date of the Fair Labor Standards Amendments of 1966 appoint a special industry committee in accordance with section 5 to recommend the highest minimum wage rate or rates in accordance with the standards prescribed by section 8, but not in excess of the applicable rate provided by subsection (a)(5) or subsection (b), to be applicable to such employee in lieu of the rate or rates prescribed by subsection (a)(5) or subsection (b), as the case may be. The rate or rates recommended by the special industry committee shall be effective with respect to such employee upon the effective date of the wage order issued pursuant to such recommendation but not before sixty days after the effective date of the Fair Labor Standards Amendments of 1966."

Contract services to Federal Government

SEC. 305. Section 6 of such Act is amended by adding at the end thereof the following new subsection:

"(e) Notwithstanding any other provision of this Act (except section 13(a)(1)), every employer providing a contract service under a contract with the United States or any subcontract thereunder shall pay to each of his employees wages at rates not less than the rates provided for in subsection (a)(1) of this section."

Federal employees

SEC. 306. Section 18 of such Act is amended by inserting "(a)" immediately after "SEC. 18." and by adding at the end thereof the following new subsection:

"(b) Notwithstanding any other provision of this Act or any other law, any employee—

"(1) described in paragraph (7) of section 202 of the Classification Act of 1949 (5 U.S.C. 1082(7)) whose compensation is required to be fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates, or

"(2) employed in a nonappropriated fund instrumentality under the jurisdiction of the Armed Forces,

who performed service during the workweek in a work place within the District of Columbia or a State of the United States, shall have his basic compensation fixed or adjusted at a wage rate which is not less than the appropriate wage rate provided for in section 6(a)(1) of this Act and shall have his overtime compensation set at an hourly rate not less than the overtime rate provided for in section 7(a) of this Act."

Mr. POWELL (during the reading of the bill). Mr. Chairman, I ask unanimous consent that the further reading of title III be dispensed with and that the title be open for amendment at any point.

The **CHAIRMAN**. Without objection, it is so ordered.

There was no objection.

AMENDMENT OFFERED BY MR. POWELL

Mr. POWELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POWELL: On page 49, line 18, strike out the period and insert in lieu thereof the following: ", unless such rate or rates are superseded by the rate or rates prescribed in a wage order issued by the Secretary pursuant to the recommendations of a review committee appointed under paragraph (C)."

On page 50, line 9, strike out the period at the end of the line and insert in lieu thereof the following: ", unless such rate or rates are superseded by the rate or rates prescribed in a wage order issued by the Secretary pursuant to the recommendations of a review committee appointed under paragraph (C)."

On page 50, after line 9, insert the following new paragraphs:

"(C) Any employer, or group of employers, employing a majority of the employees in an industry in Puerto Rico or the Virgin Islands, may apply to the Secretary in writing for the appointment of a review committee to recommend the minimum rate or rates to be paid such employees in lieu of the rate or rates provided by paragraph (A) or (B). Any such application with respect to any rate or rates provided for under paragraph (A) shall be filed within sixty days following the enactment of the Fair Labor Standards Amendments of 1966 and any such application with respect to any rate or rates provided for under paragraph (B) shall be filed not more than one hundred and twenty days and not less than sixty days prior to the effective date of the applicable rate or rates under paragraph (B). The Secretary shall promptly consider such application and may appoint a review committee if he has reasonable cause to believe, on the basis of financial and other information contained in the application, that compliance with any applicable rate or rates prescribed by paragraph (A) or (B) will substantially curtail employment in such industry. The Secretary's decision upon any such application shall be final. Any wage order issued pursuant to the recommendations of a review committee appointed under this paragraph shall take effect on the applicable effective date provided in paragraph (A) or (B).

"(D) In the event a wage order has not been issued pursuant to the recommendation of a review committee prior to the applicable effective date under paragraph (A) or (B), the applicable percentage increase provided by any such paragraph shall take effect on the effective date prescribed therein, except with respect to the employees of an employer who filed an application under paragraph (C) and who files with the Secretary an undertaking with a surety or sureties satisfactory to the Secretary for payment to his employees of an amount sufficient to compensate such employees for the difference between the wages they actually receive and the wages to which they are entitled under this subsection. The Secretary shall be empowered to enforce such undertaking and any sums recovered by him shall be held in a special deposit account and shall be paid, on order of the Secretary, directly to the employee or employees affected. Any such sum not paid to an employee because of inability to do so within a period of three years shall be covered into the Treasury of the United States as miscellaneous receipts."

On page 50, line 25, strike out the quotation mark, and after line 25 insert the following new paragraph:

"(4) The provisions of section 5 and section 8, relating to special industry committees, shall be applicable to review committees appointed under this subsection. The appointment of a review committee shall be in addition to and not in lieu of any special industry committee required to be appointed pursuant to the provisions of subsection (a) of section 8, except that no special industry committee shall hold any hearing within one year after a minimum wage rate or rates for such industry shall have been recommended to the Secretary by a review committee to be paid in lieu of the rate or rates provided for under paragraph (A) or (B). The minimum wage rate or rates prescribed by this subsection shall be in effect only for so long as and insofar as such minimum wage rate or rates have not been superseded by a wage order fixing a higher minimum wage rate or rates (but not in excess of the applicable rate prescribed in subsection (a) or subsection (b)) hereafter issued by the Secretary pursuant to the recommendation of a special industry committee."

Mr. POWELL (during the reading of the amendment). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and that it be printed in the RECORD.

The **CHAIRMAN**. Without objection, it is so ordered.

There was no objection.

The **CHAIRMAN**. The Chair recognizes the gentleman from New York [Mr. POWELL] in support of his amendment.

Mr. POWELL. Mr. Chairman, this amendment merely maintains the present status quo of the minimum wage law applicable to Puerto Rico. It comes with the full support of the peoples not only of Puerto Rico but the peoples of mainland United States of Puerto Rican ancestry.

I hold in my hand a letter from one of the oldest and outstanding leaders in New York, Tony Mendez, my good friend, who says that they support this amendment in New York as well. It maintains the minimum wage standards but it sets up a wage review board so that where there is a question of hardship in any industry, then the wage review board will be able to listen to the complaint and act accordingly.

Puerto Rico is making glorious strides upward. We are very proud of Puerto Rico. I do not think placing the peoples of Puerto Rico totally under the 1966 amendments to the Fair Labor Standards Act would help them the slightest bit, but I do think it will destroy their economy unless some measure of equitable relief is provided.

Mr. POLANCO-ABREU. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the distinguished Resident Commissioner of Puerto Rico.

Mr. POLANCO-ABREU. Mr. Chairman, I support the amendment offered by the distinguished gentleman from New York. His study of the probable effects of H.R. 13712 on the Puerto Rican economy has led him to the conclusion that safeguards must be built into this bill as was done in the 1961 act. It is rapidly coming to light that both within and outside this Chamber other forces concerned with minimum wages are inexorably coming to the same conclusion. I may point out that the amendment does not go further so as to preclude extended coverage in the legislation in recognition of the fact that Puerto Rico's own minimum wage law protects workers in almost every industrial classification. But if I had a vote, I would vote today for the amendment offered by the gentleman from New York, and I urge our colleagues to do this.

The review committees provided for by the amendment constitute appellate bodies for hard-hit industries in Puerto Rico which may not be able to pay the automatic across-the-board percentage increases of section 304. These committees will review circumstances and make recommendations whether such industries should be required to pay the percentage increases or, instead, pay a fixed minimum as determined by the review committees.

It is simply an appellate procedure for industries unable to pay the percentage increases that the bill calls for. Otherwise, there can be no doubt that some of these industries, particularly the smaller ones, the newer ones, the struggling ones, will most certainly have to curtail operations and throw people out of work, or at worst close their doors altogether.

The 1961 amendments imposed percentage increases in minimum wages in Puerto Rico for the first time. Doubtful of the effect of these increases on the Puerto Rican economy Congress provided for review committees, appointed by the U.S. Secretary of Labor and comprised of representatives of labor, management, and the public. The review committees, appointed by the Secretary when more than 50 percent of a given industry appeals for relief, publicly gather evidence and make recommendations to the Secretary as to whether the statutory minimums should prevail or to what degree relief should be granted.

With the 1961 law, 10 industries successfully appealed to the U.S. Secretary of Labor and review committees were appointed to study the effect of the automatic increases.

These 10 industries represented 30 industrial classifications of which 25 were given relief in the form of lower minimums, and in 5 cases the 15-percent increase of the first year of the 1961 law was upheld.

The second 1961 automatic increase called for a 10-percent hike in minimum wages. In this case, 8 industries comprising 24 classifications appealed, 22 of which were given relief, while the committee upheld the automatic 10 percent for only 2 industrial classifications.

This enabled most affected industries in Puerto Rico to stay in business, but considerable unemployment resulted.

We cannot stand further unemployment in Puerto Rico. It has been our No. 1 problem for many years. The main effort of the Puerto Rican government has been to reduce unemployment and underemployment through industrialization. With our young population and rapidly expanding labor force, we have to run faster and faster just to stay even. While we have been generally successful in creating new jobs, the unemployment rate was still 11.6 percent of the labor force in October 1965.

I am sure, Mr. Chairman, it is apparent to our colleagues that provision for review committees as was the case in the 1961 law, must be retained in this bill, and I hope my colleagues will support the amendment to accomplish this purpose.

Mr. POWELL. Mr. Chairman, I yield to the gentleman from New York [Mr. O'BRIEN] who has been chairman of the Subcommittee on Insular Affairs of the Committee on Interior and Insular Affairs.

Mr. O'BRIEN. Mr. Chairman, I rise in support of the amendment offered by the gentleman from New York and defended so eloquently by the Resident Commissioner from Puerto Rico.

The Commissioner, in a persuasive letter to his colleagues on May 12, stated that he was "alone in representing in Congress 2.9 million people in Puerto Rico" and that he is not accorded a vote.

The Commissioner is technically correct, but, in fact, he is not alone and he has many friends here who realize the enormity of his problems and those of his beautiful Commonwealth, and we stand with him today.

My support of this amendment is not inconsistent with my support of the legitimate interest and rights of the workingman. But the House in its wisdom has given its Members varied responsibilities and assignments.

One of mine, through the years, has been Puerto Rico. I am proud of the progress there. Operation Bootstrap has been the economic marvel of this hemisphere.

But progress does not mean full accomplishment. Much remains to be done before Puerto Rico can arrive at the per capita income level of the poorest State. We must be very careful not to pull the pillars from beneath the economy which has been built brick by brick. This amendment will preserve one of these vital pillars.

Mr. Chairman, we cannot expect a chicken to deliver an ostrich egg. If such an attempt is made, through full application of the stateside minimum wage law, we will get no egg at all and we may well, in the process, kill the chicken.

Mr. GONZALEZ. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from Texas.

Mr. GONZALEZ. Is the amendment tantamount to an exemption for Puerto Rico? Does it designate Puerto Rico?

Mr. POWELL. No. In 1961, at the request of the former Governor of Puerto Rico, Luis Muñoz-Marín, our committee put into the minimum wage law for the first time Puerto Rico. All the amendment will do is to maintain the situation in Puerto Rico as it was in 1961.

The amendment would exempt no area whatsoever. It would give them a wage increase of 12 percent the first year and 16 percent the second year. But if, in the opinion of the Wage Review Board in Puerto Rico—which, by the way, was appointed by the Secretary of Labor on the mainland, in the United States—the increase is considered a hardship, then that Wage Review Board, composed of representatives of labor, management and the consumer, will adjust the wage.

Mr. GONZALEZ. But actually the provision for a Review Board, insofar as the proposed legislation is concerned, is a unique and singular feature applied to the Puerto Rico area?

Mr. POWELL. That is correct. We did that because Puerto Rico is unique in its economy in relation to the continental United States. They have made tremendous progress through Operation Bootstrap, and they are going forward by leaps and bounds. It is only a question of time, and a short time, when the Minimum Wage Act, in its total legislative thrust, will apply to Puerto Rico.

Mr. GONZALEZ. The reason I was asking the question is that in my part of the country we have areas or pockets, so to speak, in which very similar situations exist. This has been precisely the point made by those who have objected to the increased coverage and exemption of the present Minimum Wage Act. It seems to me that this is a sort of admission, to a certain extent, even if partial, that the arguments that we have heard may have some basis in truth, and that we ought to have the type of review that is set up in the case of Puerto Rico.

Mr. POWELL. We do have depressed-area legislation and war-on-poverty legislation. We do have that kind of legislative thrust for those areas. I think the problem is being taken care of.

Mr. GONZALEZ. I thank the gentleman.

Mr. GLENN ANDREWS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I ask the distinguished chairman of the Education and Labor Committee if the amendment he opposes does not in effect set up a review board veto of any rise in the minimum wages at all in Puerto Rico, when they feel it is necessary?

Mr. POWELL. I would like to answer the gentleman with two answers, if I may.

The review boards have always been in existence prior to our committee's putting Puerto Rico under the minimum wage in 1961. They were in existence at that time. The review boards can only act in a presented hardship case. The boards must be certified by the U.S. Secretary of Labor. The review board is composed of labor, management, and consumers.

Mr. GLENN ANDREWS. I maintain there is going to be hardship throughout all of the lower income areas, against which the island of Puerto Rico competes, as far as markets are concerned.

What peculiar situation is involved that would give them an opportunity to veto the minimum wage rates, as an exception for them, as compared to the mainland, which is in open competition with them in many cases?

Mr. POWELL. The reason is because the Island of Puerto Rico is an island in which the economy is at a far lower level than the lowest State in the United States of America. The average per-capita income is quite low. They have no natural resources whatsoever. Only about 10 percent of the land is arable, and 90 percent is mountainous. They have tremendous costs in transoceanic shipping. The population density is the largest in this part of the world per square mile.

They are doing a wonderful job with the Operation Bootstrap. Something like this would just about pull the economic rug out from underneath them. We in this Congress would then have to spend three or four times as much as we now do in Puerto Rico, because that island is our showcase in Latin America.

Mr. GLENN ANDREWS. I have no interest in working any hardship on Puerto Rico. I warned the gentleman ahead of time that minimum wage Hurricane Betsy was heading for the island.

But if we are going to take that particular hardship and exempt them, Puerto Rico has about half the per capita income as compared to Alabama, and Alabama has about half the income as compared to New York.

If we make an exemption for Puerto Rico, why not an exemption for Alabama? Why not a graduated minimum wage? What is the difference?

Mr. POWELL. The difference is I believe Alabama is both a part of the mainland of the United States and one of our 50 States.

Mr. GLENN ANDREWS. Against which Puerto Rico competes.

Mr. POWELL. No. Not on the mainland.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. GLENN ANDREWS. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I would like to see Puerto Ricans put on a basis where they cannot undercut a knitting mill I have in my district. The knitting mill has had great difficulty getting contracts to produce knit gloves and mittens because it is underbid by the Puerto Rican knitting mills that are operated out of New York City. There is no minimum wage applicable in Puerto Rico to this production.

Mr. GLENN ANDREWS. May I say to the gentleman that in Puerto Rico the hardships are taken care of by the local boards, by adjusting the local wages. But the minimum uniform wage, applied across all the States, across the Southern States and the low-income States, will work a hardship. This is what I am against in the bill.

Mr. GROSS. The industry in my district has to conform with the minimum wage law. It ought not to be forced into unfair competition with producers in Puerto Rico who are not bound by a minimum wage.

Mr. STRATTON. Mr. Chairman, will the gentleman yield?

Mr. GLENN ANDREWS. I yield to the gentleman.

Mr. STRATTON. Mr. Chairman, in connection with the point made by the gentleman from Iowa, the distinguished chairman said that this refers only to hardship cases. In that connection I would like to know if he will keep in mind the hardship cases of the glove industry in New York. They have been similarly hurt by industry moving out of New York and into Puerto Rico. I believe this is the type of hardship about which some of us are concerned in connection with this bill.

Mr. POWELL. I am concerned about the hardship of my people who have the highest unemployment rate in the United States. I am concerned about the hardship of my people who have the highest percentage of dropouts and pushouts. I am concerned about the hardship of my people who still suffer from economic deprivations and educational inadequacies.

Mr. BOW. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have not participated in the debate on the minimum-wage bill, but I rise in support of the amendment of the gentleman from New York [Mr. POWELL], on behalf of the people of Puerto Rico.

In the early days of my service here I served on the Committee on Interior and Insular Affairs at a time when we developed the Commonwealth of Puerto Rico. I might say that I first visited Puerto Rico in 1946, not as a Member of Congress but as an individual. It was then the poorhouse of the Caribbean, but the Congress in its wisdom gave to Puerto Rico the right to self-government. We passed Public Law 600. We gave them the right to develop a constitution, and minimum-wage provisions to take care of it and to build Puerto Rico economically.

Even today Puerto Rico has tripled the unemployment that any State of the Union has. It seems to me this is one place we should make an exception, and we should give these people the opportunity to further develop.

As I say, it was the poorhouse of the Caribbean in 1946. As an individual I have gone back and forth to those islands every year, once or twice, not as a Member of Congress but as an individual, because I like the people. I like what they are doing. I like the development they have made.

Now, some talk about the stealing of industry. This is not correct. They do not do that. They will not give tax benefits to people who take industry away from other States. This is for the development of new industry on the island.

My friends, Puerto Rico is now the Pearl of the Caribbean. It is a place where we can tell the people of the world what we do with what was once a territory and now is a commonwealth. It is a showplace for all the world to see, to show that the United States is not a colonial empire but that the United States has developed its territories so that they can begin to produce and walk with dignity.

Puerto Rico today is the fifth largest consumer of goods made in the United States of America. They are one of our best customers, because they have been able to develop.

I am convinced, my colleagues, if we adopt the amendment of the gentleman from New York, that within the next 4 or 5 years they will be to the point that they can accept this minimum wage. Unless we give them the opportunity to continue to develop, I fear we will destroy the advances which have been made and we will have to begin to send dollars to support the economy of Puerto Rico, rather than let them take care of it themselves.

I urge the adoption of the amendment of the gentleman from New York.

These are fine American citizens. Let me say that in years gone by I pointed out to the House, from this well, their great support of our Armed Forces in Korea, when their own battalions protected the 1st Marine Division from annihilation. They are good American citizens. They are our own people.

I would hope that we would do nothing here to destroy the advance being made on the island of Puerto Rico. I am convinced that within 4 years they will be able to meet these minimum wages.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Iowa.

Mr. GROSS. In the district I have the privilege to represent there is one of the few knit glove and mitten mills left west of the Mississippi River. There used to be several of them. There used to be many of them in Wisconsin.

I wish the gentleman would go out to the Third District in Iowa and tell the operator of that mill that his business and the jobs of his employees have not been stolen by Puerto Rico.

Mr. BOW. I might say that perhaps some of the business from the State of Ohio has been taken over into the State of Iowa in some of the meat-producing end of our business. It is a question of going from one State to the other. Perhaps they do a better job. This happens. The wages in Iowa in the canning industry and in the meat-producing end of the industry are a little lower than they are in the State of Ohio. Perhaps—I do not know—this is a question of comity between the States.

Mr. GROSS. No. It is a question of the Minimum Wage Act. That is the question. It is cheap labor in Puerto Rico.

Mr. BOW. I think we are paying more than that in the State of Ohio. But I say to you unless we continue this growth in Puerto Rico, we will be in for trouble.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. POWELL. I have no question, but I just wish to thank the gentleman for his cooperation on this amendment.

Mr. BOW. I thank the gentleman. I would like to say further the gentleman from Ohio [Mr. AYRES] has supported this amendment and the people of Puerto Rico owe him a great debt of gratitude.

Mr. Chairman, I would like to commend the Resident Commissioner of the Commonwealth of Puerto Rico on his excellent statement. He has convinced me that I must offer my wholehearted support in seeing that H.R. 13712 is amended, to prevent the government of Puerto Rico from suffering a serious setback in its determined efforts to bring prosperity and well-being to a once poverty-stricken land.

My relationship with Puerto Rico is no different from that of my colleagues in this Chamber. I have been entrusted with the power, as have you, to pass upon legislation which will significantly affect this insular affiliate of the United States and the almost 3 million U.S. citizens living there. And I recognize, as you must also, that this power imposes upon me a duty to act reasonably, fairly, and conscientiously with respect to Puerto Rico.

This duty does not spring solely from the grant of power to reasonable men. It is a duty imposed by our own best interests. A prosperous Puerto Rico will provide an invaluable market for consumer goods produced in the various States. Not too long ago, the people of Puerto Rico were so poor that the thought of possessing and consuming American goods was but an idle dream. Today, Puerto Rico is the fifth largest customer of the U.S. mainland, buying over a billion dollars in commodities coming from every State in the Union. This startling figure warns us to be wary of tampering with the greatly improved, but still delicately balanced, economic structure of the Commonwealth. I understand, from my colleague from Puerto Rico, that this minimum wage legislation will produce an immediate loss of at least 27,000 jobs on the island, not to mention the many jobs that will never come into being. We are insulated, by a thousand miles of ocean, from the suffering and deprivation that this unemployment will cause. But the industries and merchants here will feel it, as their sales in Puerto Rico dwindle.

Consequences will also be felt on the international level. The United States can now look with pride upon its relationship with Puerto Rico—a political, economic, and social coadventure which has made Puerto Rico the "showcase of the Caribbean." To the underdeveloped countries of Latin America, Puerto Rico vividly demonstrates that rapid economic development and peaceful social reform can be accomplished within the framework of democratic institutions, without resort to revolutions or dictatorial regimes. To the nations of the world, Puerto Rico, with its great measure of political autonomy, is dramatic proof of the United States desire that its neighbors and associates pursue their own policies and programs, without meek subservience to the wishes of any larger power. It would, indeed, be a shame if, by passing an improvident piece of legislation, we were to blacken all the progressive policies toward Puerto Rico that this country has heretofore pursued.

Finally, I believe we would be derelict in our duty if we were to assume that Puerto Rico is now economically no different from any State, and that it is equally capable of absorbing the wage policies of our highly industrialized and diversified economy. We must listen when the Resident Commissioner tells us that this is not the case; that the unemployment level in Puerto Rico is almost triple that of the United States; that the average income of Puerto Rican workers is but three-fifths that of the lowest per capita income State; and that the Federal minimum wage in Puerto Rico must be tailored to meet these unique problems.

I, for one, am not willing to argue with these hard facts. They show to me the necessity of continuing in Puerto Rico the flexible system of special industry committees and of rejecting automatic wage increases. They convince me of the dangers of extending coverage in Puerto Rico. And I urge my colleagues to be willing to listen, to be convinced, and to offer Puerto Rico their much needed support.

Mr. MATSUNAGA. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. FARBSTEIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **CHAIRMAN.** Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. FARBSTEIN. Mr. Chairman, I feel sure my colleague has in mind the welfare of the workingman, both in Puerto Rico and on the mainland, in introducing the amendment currently before us. I sincerely believe, however, that this is a bad amendment and that it will ill serve Puerto Rico and the Puerto Ricans, as well as the cause of labor and industry throughout the country.

The amendment inserts a loophole into this very fine bill presented to us today. It is a loophole through which countless employers in Puerto Rico, as well as the Virgin Islands, will be able to slip in in order to avoid or delay paying decent wages to their employees. The amendment gives employers in Puerto Rico and the Virgin Islands a chance to evade increases provided by H.R. 13712. This they would do by asking the Secretary of Labor to appoint committees which would be given the task of seeing whether or not increases in minimums provided for by the Congress of the United States should be put into effect. It is not as if the Dent bill did not allow for wage differentials between the continental United States and Puerto Rico. The bill leaves untouched those elements of autonomy in the Puerto Rican system that permits minimums lower than those in the continental United States to those industries that need them to survive. I am almost sorry that it does that, because statistics and experience seem incontrovertibly to demonstrate that industries required to pay a decent wage soon adjust to it and survive very nicely at the higher pay level. But, be that as it may, the Dent bill perpetuates Puerto Rican autonomy where it presently exists but closes any loopholes against evasion. It requires that the minimum wage be raised in all industries by the same percentage—28 percent over 2 years—that it is raised in the continental United States. Since minimum wages in Puerto Rico range from 30 cents to $1.25, the increases will range from 3.6 cents to 15 cents in 1967 and from 4.8 cents to 20 cents in 1968. That, to be sure, is a modest increase, one which Puerto Rican industry can afford. It must be made to afford it to preserve decent living standards among its workers. I might add that the provisions that apply to Puerto Rico and the Virgin Islands in the current bill duplicate the provisions in the last amendment to the Fair Labor Standards Act, except for denying special privileges to a few employers. The difference between procedures under the bill and under the amendment is that the bill provides for an automatic increase; the amendment will permit employers to stall any increase for months and even years and perhaps to avoid it completely.

I am inserting in the RECORD at this point a letter from the chiefs of all of the major Puerto Rican labor organizations and a telegram from Keith Terpe, president of the San Juan Central Labor Council. The letter says, with no equivocation at all:

> The Puerto Rican organized labor movement solidly supports the provisions of the Dent bill as reported out. We vigorously oppose any amendment that would exclude Puerto Rico or alter the coverage in any way except as provided in House Bill 13712. To consider omitting Puerto Rico from this legislation is utterly incredible * * *.

Yet, Mr. Chairman, that is precisely what the amendment seeks to do. It will put Puerto Rican labor at the mercy of the employers, much as American labor was at the mercy of employer anarchy before the first Fair Labor Standards Act was passed.

I am inserting in the RECORD at this point a telegram from prominent Puerto Rican labor leaders:

> The Puerto Rican organized labor movement solidly supports the provisions of the Dent bill as reported out. We vigorously oppose any amendment that would exclude Puerto Rico or alter the coverage in any way except as provided in House Bill 13712. To consider omitting Puerto Rico from this legislation is utterly incredible. In 1964 the commonwealth government urged that a $1.50 island minimum be established plus profit sharing plans for Puerto Rican workers to combat "exploitation by U.S. interests" whose sole interest was a "quick buck". We appreciate the fact that then the economic problems of Puerto Rican workers were fully recognized by the commonwealth government. We vigorously disagree that our current wages are sufficient to cope with the steadily increasing cost of living index on this island—even higher than that of Washington, D.C. Our more than 200,000 AFL–CIO members in Puerto Rico—plus the thousands of other workers here not priviledged to be affiliated with international unions must not be made stepchildren in the family of U.S. labor. Puerto Rico enjoys a unique position as the showcase of democracy and economic development in the Latin hemisphere. Permanent damage to that image, will occur here and elsewhere if the Congress of the United States makes us by law in effect second class citizens—and Puerto Rico another Hong Kong. Total exploitation of the labor force here can and will occur at the expense of both the Puerto Rican and stateside worker, as well as stateside industry. Fomento, the industrial development division of the Government of Puerto Rico, reported that out of almost 500 factory closings over an 18 year period only 7 actually closed because of minimum wage increases on Federal or local levels. We implore you therefore to support fully and vote for House Bill 13712 without further amendment.
>
> Signed by:
>
> 1. Keith Terpe, President Siu of Puerto Rico.
> 2. Thomas Martinez, NMU.
> 3. George Treviño, Steelworkers Union.
> 4. Rafael A. Valle, American Federation of State County & Municipal Employees.

5. Moises Lebron, Boilermakers Union.

6. Victor Rosario, Federal Firefighters, Local F–97.

7. Bob Alpert, Gastronomical Workers Union, Local 610.

8. Vicente Melendez Borges, Int'l Association of Firefighters.

9. Ralph Garcia, International Brotherhood of Carpenters.

10. Hugo Caprarella, International Leathergoods Union.

11. Guillermo Ortiz, ILA, Local 1575.

12. Mr. Jimenez, IUE.

13. Sergio Caseine, Office Employees.

14. Diego Pagan, Oil Chemical & Atomic Workers Union.

15. Luis Montañez, P.R. Newspaper Guild.

16. Candido Soto, Retail Clerks Union.

17. Red Campbell, SIU A & G District.

18. Mr. Robles, Typographical Union.

19. Rafael Berrios, UDEM.

20. Manuel Menendez, Amalgamated Clothing Workers Union.

21. Hiram Rivera, Amalgamated Meat Cutters.

22. Len Mahoney, Ironworkers Union.

23. Jose Ramos, Cannery Workers Union of Atlantic & Pacific.

24. Agustin Benitez, Reg. Dir. AFL–CIO.

25. Ron Gillman, International Rep., Guards & Watchmen's Union.

26. Alberto Sanchez, Int'l Ladies Garment Workers Union.

27. Manuel Rey, Airline Clerks, Lodge 3000.

The total labor movement of Puerto Rico shocked and astonished over newspaper reports that automatic FLSA coverage providing for $1.40 and $1.60 wage rates for Puerto Rico to be denied in House bill number 13712. We urge reconsideration on your part. Puerto Rican labor force desperately needs full protection as was provided for in the Dent bill. Automatic proportionated increases for Puerto Rico are vital and failure to recognize this would result in incredible hardships being inflicted on the Puerto Rican labor force and would mean that the workers of Puerto Rico in effect would become second class citizens as well as being at the total mercy of the employer. We urge you read testimony given by Puerto Rican labor movement before Senator NELSON and the Senate subcommittee which conducted hearings in San Juan on January 4th and 5th our position is clearly expressed therein.

KEITH TERPE,
President, Central Labor Council of San Juan and Vicinity, AFL–CIO.

I am inserting in the RECORD at this point an analysis of the Puerto Rican economy which proves beyond a doubt that Puerto Rico can afford, can thrive, and definitely needs, at the very least, the provisions of the Dent bill. Fairness requires them. The workers deserve them.

NOTES ON PENDING LEGISLATION—PUERTO RICO

1. Minimum wage changes, including automatic increases, did not have any adverse effect on employment or economic growth of Puerto Rico.

"There can be no refuting of the undeniable fact that Puerto Rico has experienced impressive rates of growth, notably in its income, but also, to a lesser degree, in its employment, during the past decade; i.e., since 1956, when an active perusal of the act's requirement that wages in Puerto Rico be raised as rapidly as economically feasible, was instituted; or, for that matter, since 1961, when automatic across-the-board increases were imposed on existing Puerto Rican minimums."

Amadeo I. D. Francis, Economic Adviser to the Administrator, Economic Development Administration, Puerto Rico, hearings of the Senate Labor Subcommittee on the amendments of the F.L.S.A., page 1478.

2. Employment in Puerto Rico manufacturing industry grew at a much faster rate than employment in the United States or in 13 out of 14 Southern States. The annual rate at which employment increased between 1957 and 1964, or between 1960 and 1964 (the period during which the automatic minimum wage adjustments applied to Puerto Rico) are shown in the table below:

	Average annual increases (percent)	
	1957–64	1960–64
Puerto Rico	+5.3	+6.1
United States	+.1	+.7
Alabama	+.6	+2.1
Arkansas	+5.3	+5.3
Florida	+4.5	+3.6
Georgia	+1.9	+2.5
Kentucky	+1.6	+3.0
Louisiana	+.1	+2.0
Mississippi	+3.9	+4.0
North Carolina	+2.5	+2.3
Oklahoma	+1.0	+2.8
South Carolina	+2.6	+3.2
Tennessee	+2.6	+3.4
Texas	+1.1	+2.4
Virginia	+2.2	+2.9
West Virginia	+.8	+.1

Source: Puerto Rico Department of Labor, Employment, Hours and Earnings in the Manufacturing Industries in Puerto Rico, 1957–64; U.S. Bureau of Labor Statistics Bulletin 1370–2, Employment and Earnings Statistics for States and Areas, 1939–64 (data for 1964 is the latest published by the Bureau for the different States).

3. The value of goods produced in Puerto Rico rose at a much faster rate than the value of goods produced in the United States. This is evident from data on the average annual changes in shipments of goods from Puerto Rico to the United States between 1957 and 1965 and between 1960 and 1965 (the period during which the automatic minimum wage adjustments under the Fair Labor Standards Act applied to Puerto Rico):

Period covered	Average annual increases (percent)	
	Shipments from Puerto Rico	Manufacturers' sales, United States
1957–65	+10.7	+4.3
1960–65	+10.5	+5.5

Source: U.S. Department of Commerce, U.S. Trade with Puerto Rico and U.S. Possessions (FT800), and Manufacturing and Trade Sales and Inventories.

4. On passage of Labor Standards Act Amendments of 1966, minimum wages in the United States are expected to rise on February 1, 1967 from $1.25 to $1.40 an hour (or by 15 cents) and on February 1, 1968 to $1.60 an hour (or by an additional 20 cents). The flexibility in minimum wages of Puerto Rico will be preserved because they will be increased by corresponding percentages 12 and 16 respectively, 60 days after stateside rates become effective. Since minimum wages in Puerto Rico range from 30 cents to $1.25 an hour, this means that 1967 increases in Puerto Rico will range from 3.6 cents to 15 cents an hour and the 1968 increases will range from 4.8 cents to 20 cents an hour, depending on the wage levels.

5. Because many automatic adjustments in the Puerto Rican minimum will be smaller in cents per hour than the corresponding minimum wage increases in the 50 States, the differential between Puerto Rican minimums and those in the United States will widen thus providing additional advantages for industry in Puerto Rico.

6. Puerto Rico can readily bear the proposed increases, since physical productivity of workers in Puerto Rico approximates that of workers elsewhere in the United States.

". . . the evidence suggests that, given comparable training, equipment, and management, there is no significant difference between the personal efficiency of experienced factory workers in Puerto Rico and and on the mainland."—Lloyd G. Reynolds and Peter Gregory, Wages, Productivity and Industrialization in Puerto Rico (1965).

"The overall productivity of the plants surveyed was 96 percent of comparable mainland plants."—Puerto Rico Economic Development Administration, Investment and Business Opportunities in Puerto Rico (1965)

7. Despite high productivity, minimum wages in Puerto Rico and average wages and fringe benefits costs in Puerto Rico lag far behind those stateside. Differences in these costs demonstrate that room for continued improvements in minimum wages is ample and that minimums can be readily raised in Puerto Rico by the same percentages as the stateside increases without jeopardy to future employment prospects. The wage disparity will continue to favor Puerto Rico and will remain more than adequate to meet whatever costs are incurred because of the distance between the mainland and Puerto Rico.

". . location and comparatively low ocean freight rates often make it possible to transport products to certain areas of the United States more cheaply from Puerto Rico than from locations in Canada or the United States proper . ."—Puerto Rico Economic Development Administration, Profit Opportunities in Puerto Rico for Canadian Manufacturers (1962).

Industry "can serve California markets at lower cost from Puerto Rico than . . . from Chicago."—Puerto Rico Economic Development Administration, Puerto Rico 1963: A Report to Industry on Productivity and Profit Potential.

8. Industrial operations in Puerto Rico are an integral part of the economy of the United States. An overwhelming proportion of goods made in Puerto Rico are produced for sale in the United States. As such, Puerto Rican products compete directly with all similar products produced elsewhere in the United States.

". . . U.S. and Puerto Rican industry are in direct competition in whatever market they seek to sell."—Puerto Rico Economic Development Administration, The Industrial Development Program, 1942–60.

9. Automatic increases in minimum wages in Puerto Rico following increases in stateside minimums helps to maintain the competitive relationship between Puerto Rico and the rest of the United States which existed immediately prior to the enactment of higher stateside minimums.

10. Automatic increases in minimum wages in Puerto Rico following increases in minimum wages in the 50 States assure that at least proportionate adjustments in the Puerto Rican rates will take place. This will benefit Puerto Rican workers whose incomes are low and whose living costs are high.

The 1961 amendments to the Fair Labor Standards Act permitted some employers in Puerto Rico to petition for the appointment of review committees and thus avoid the application of automatic minimum wage increases. Seven industries made such appeals both in 1961 and 1963. It is significant that the available data on the dollar volume of shipments of these 7 industries shows an upward trend:

[Dollars in millions]

Industry	Volume of shipments		
	1960	1965	Increase (percent)
Tobacco	$41.2	$123.8	+200.5
Sugar manufacturing	116.1	116.3	+.2
Hosiery	.8	6.6	+725.0
Handkerchief, scarf, and art linen	3.5	6.3	+80.0
Sweater and knit swimwear	13.8	28.9	+109.4
Fabric and leather glove	7.6	9.8	+28.9
Women's and children's underwear and women's blouse	18.8	36.6	+94.7
Total	201.8	328.4	+62.7

Let me also point out, for the information of my colleagues who think that the welfare of Puerto Rican workers has no bearing on them or on their constituents, that most goods made in Puerto Rico are sold in the United States. Puerto Rican products compete with American-made products. Puerto Rico competes with the mainland as an attraction for locating industry. It is fair to say that passage of the Powell amendment will put certain American industries at a distinct disadvantage, an unfair disadvantage, one which Puerto Rican employers have no justification for demanding. Puerto Rican reconstruction does not depend on the Powell amendment. It depends on fair wages, which the Dent bill will help provide. It depends on making Puerto Rican industrial leaders aware of the need to compete with the mainland by methods other than peonage. I must advise my colleagues that a vote for this amendment will be a vote against the interests of industry and labor at home, as well as on the islands. I urge my colleagues to defeat this amendment decisively.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. POWELL].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MORRIS

Mr. MORRIS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MORRIS: On page 46, beginning on line 24, strike out "during the first year" and insert in lieu thereof the following: "during the first three years."

Mr. MORRIS. Mr. Chairman, I yield to the gentleman from New York [Mr. POWELL].

Mr. POWELL. Mr. Chairman, I ask unanimous consent that our colleague from New Mexico be given 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. POWELL. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments there to close at 2:30.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. AYRES. Mr. Chairman, reserving the right to object, and I shall not object, just to get the record clear on this, this is on the so-called Morris amendment only? All debate on this amendment and amendments thereto would close at 2:30?

Mr. POWELL. That is right.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MORRIS. Mr. Chairman, I, too, wish to compliment the gentleman from Pennsylvania [Mr. DENT], the gentleman from California [Mr. BELL], and the members of the subcommittee and full committee who have exerted so much time and effort in this legislation. I do not deny that they have been real legislative craftsmen. It is my intention in offering my amendment to make the proposed legislation even better. I have no intention of desecrating or destroying the work that they have done because I intend to vote for H.R. 13712 whether my amendment is adopted or not.

My amendment to the minimum wage bill is aimed at achieving a $1.60 level in a manner more conducive to the continued health and stability of the overall national economy. I have sent to every member a chart, showing the net effect of my amendment and demonstrating that it provides for the increase to $1.60 at a pace much more consistent with the President's guidelines for sound economic growth than does the bill as it now stands.

However, in my opinion the present version of the bill not only fails to meet the President's own economic standards but may also be self-defeating of its declared purposes of creating a better living standard for American wage earners. That is the danger inherent in the accelerated pace at which this legislation would introduce higher minimum wage levels into the economy.

Like myself, there are many Members of the House who support the $1.60 minimum wage goal contained in the bill. But what we should seek here today is not simply a dollars-and-cents increase in minimum wages. We are charged with shaping a minimum wage increase bill which will be meaningful in terms of greater purchasing power for wage earners.

The fact is that a minimum wage increase that is thrust upon the economy at a rate too rapid to be properly absorbed might result in drastic economic consequences which would find our wage earners with less dollar-for-dollar purchasing power than they have today.

And that, in my opinion, is the built-in danger of the abrupt 12-month absorption period between the $1.40 level increase and the $1.60 level increase included in the committee bill.

I have long felt that it is necessary to permit our economy to absorb these increases in a reasonable and orderly manner. Last fall at the AFL–CIO convention, I spoke of the need to "carefully pace the speed" with which we approach our minimum wage objectives. Nothing has occurred since that time to disprove my thesis or alter my views regarding this need. In fact, the case for a careful pacing of proposed minimum wage increases is even stronger today than it was 7 months ago.

As now written, H.R. 13712 provides for a 20-cent minimum wage increase to become effective only 12 short months after the economy has absorbed the 15-cent increase to $1.40. My amendment would leave untouched the 15-cent increase to $1.40, effective February 1, 1967. But whereas H.R. 13712 now calls for a comparative large 20-cent increase only 12 months later, my amendment provides for a 36-month absorption period.

It should be noted that the 36-month period outlined in my amendment is wholly within the historic pattern of minimum wage increases and effective dates established by every minimum wage bill enacted since the original Fair Labor Standards Act of 1938. The 12-month absorption period provided for by H.R. 13712 sharply breaks this pattern and is without precedent in nearly three decades of minimum wage legislative history.

Today, economic restraint is more than ever the keyword in considering our national wage-price structure. And despite the arguments of those who believe that a wage increase can be passed into law without any corresponding effect on prices, a responsible Congress cannot overlook the integral relationship which each bears to the other.

Let us therefore have our needed minimum wage increase to $1.60. But at a time when all prudent men call for restraint and moderation, let us enact into law an increase that will energize and not overheat our expanding national economy.

I do not wish to get bogged down in a battle of statistics, since statistics can be and often are twisted to prove almost everything. I would like to call to the attention of the Members the chart which I inserted in the RECORD May 24 on page 11326. This chart was taken from the statistical abstract of the Department of Commerce and shows that since January 1950, when the minimum wage level was set at 75 cents, until the present time, the minimum wage and the average weekly wage in manufacturing have risen in a pattern that is virtually parallel.

If the Members will recall the chart I sent to each of you showing the historical trend of minimum wage increase, you can visualize the gradual but steady rise in the minimum wage. If I could show a chart of the average weekly wage in manufacturing, it would demonstrate the same gradual and steady rise at almost the same rate.

As the chart which the Members received showed, H.R. 13712 contemplates a sharp increase in a period of 12 months. I cannot say that the average weekly wage in manufacturing will also increase so sharply even though the two have always moved together in the past 15 years.

I simply say that it is reasonable to assume that the skilled workers of this country, who have always enjoyed a wage well above the minimum level, will continue to insist on their historical differential. If they do, and you and I know they will, and history continues as it has in the past, then passage of this bill without my amendment will mean that the average weekly wage in manufacturing will increase 14.3 percent in 1 year—the contemplated increase in the minimum wage. My amendment would spread the 14.3-percent increase over a 3-year period, which would produce a yearly increase of approximately 4.7 percent, a figure much more nearly in line with reasonable economic guidelines.

I know that you can get 100 economists together and probably get 100 different answers as to whether or not this particular proposal or some other is inflationary. The Members of this House realize, I am sure, that you do not have to be a chef to recognize good food and that you do not have to be a chicken to know the quality of an egg. So, also, you do not have to be an economist to exercise the good sense and judgment that would point out to you that if the average weekly wages in manufacturing were raised 14 percent in a 12-month period it would cause a serious inflationary spiral which could wipe out the benefits of the minimum wage bill which we are considering. This proposal seems to me to be very similar to a sign along a highway which indicates that a safe speed of the curve ahead is 50 miles an hour. This does not mean that you might not be able to survive making the curve at 60 miles an hour but it does mean that you would not be exercising the best judgment if you tried. I am only asking you to exercise your own good judgment. If we adopt my amendment and it turns out that the minimum wage needs to be raised, sooner than 1970, those of you who are returned to the 90th Congress can raise it but you and I know that if we adopt the committee bill as is, it will not be lowered even if the circumstances prove it should be. I hope the committee will adopt my amendment.

The CHAIRMAN. The time of the gentleman has expired.

Under the unanimous-consent agreement limiting debate on the pending amendment, the Chair will recognize Members who were standing at the time of the request indicating their desire to be recognized.

Mr. WAGGONNER. Mr. Chairman, I ask unanimous consent that the time allocated to me may now be allotted to the gentleman from New Mexico [Mr. MORRIS].

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from New Mexico [Mr. MORRIS].

Mr. POWELL. Mr. Chairman, I ask unanimous consent that my time be allotted to the gentleman from New Mexico [Mr. MORRIS].

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from New Mexico [Mr. MORRIS] for 6 minutes.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. MORRIS. I yield to the gentleman.

Mr. POWELL. The gentleman from New Mexico and I have discussed this amendment—and I do not agree with it.

I think for labor to wait for 3 years to go to $1.60 is an undue hardship, but recognizing the parliamentary situation and the mood of the House, may I inquire if the gentleman is disposed to accept an amendment to his amendment to make the last jump 24 months instead of 36 months?

Mr. MORRIS. I will say to my friend, I hope that there is never a time when reasonable men and women cannot talk something over and discuss an issue. I would personally rather have the 36 months, but if the gentleman from New York and the Committee feel they can compromise on 24 months, I would certainly yield to their great wisdom and judgment.

Mr. POWELL. I am doing this unilaterally and not on behalf of the committee. We have not discussed it at all. I have yielded my time to the gentleman from New Mexico. But maybe some member of the Committee will subsequently oppose the 36 months or my proposal of 24 months. In any event, I thank the gentleman.

Mr. MORRIS. I thank the gentleman from New York.

Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state the parliamentary inquiry.

Mr. MORRIS. As I understand, the gentleman from New York [Mr. POWELL] has proposed a 24-month stretchout instead of the 36-month stretchout which I have proposed—and the committee bill proposes a 12-month stretchout. Is there an amendment to my amendment pending to do this, Mr. Chairman?

The CHAIRMAN. No amendment to the amendment offered by the gentleman from New Mexico [Mr. MORRIS] has been offered.

Mr. POWELL. I would say to my colleague, the gentleman from New Mexico, that I have personally not offered an amendment but I was just engaging in colloquy with him seeking to know how he felt about this.

Mr. MORRIS. I thank the gentleman.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. MORRIS. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Is it the intention of the gentleman from New Mexico to press for his amendment or does he intend to withdraw his amendment in the expectation that either the gentleman from New York, the chairman of the committee, or the gentleman from Pennsylvania, the spokesman for the majority on this bill will offer an amendment. I think it is important to have a clarification.

Mr. MORRIS. Mr. Chairman, I am somewhat confused as to the status of my amendment.

Mr. GERALD R. FORD. If the gentleman will yield further, I think under the circumstances those of us who support the gentleman from New Mexico ought to urge him to continue to speak on his amendment, awaiting perhaps an amendment to the amendment or a substitute. Let us correct the committee bill one way or another. Such action is necessary.

Mr. MORRIS. I thank my friend from Michigan.

The CHAIRMAN. The time of the gentleman from New Mexico has expired.

The Chair recognizes the gentleman from Nebraska [Mr. MARTIN].

The Chair recognizes the gentleman from Arizona [Mr. RHODES].

The Chair recognizes the gentleman from Ohio [Mr. AYRES].

SUBSTITUTE AMENDMENT OFFERED BY MR. AYRES

Mr. AYRES. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

> Amendment offered by Mr. AYRES as a substitute for the amendment offered by Mr. MORRIS: On page 46, line 25, strike the word "year" and insert in lieu thereof the words "two years".

The CHAIRMAN. The gentleman from Ohio is recognized for 3 minutes in support of his amendment.

Mr. AYRES. Mr. Chairman, I take this time, first, to thank the chairman of our full committee, the chairman of the subcommittee, the gentleman from New York, and the gentleman from Pennsylvania, respectively, for accepting the substitute to the amendment offered by the gentleman from New Mexico [Mr. MORRIS]. All this amendment would do is cut the period back to 2 years from the 3-year period that was in the amendment offered by the gentleman from New Mexico.

This committee has worked very hard and, I might say, the chairman of the subcommittee has been very fair. There have been moments of tension, but there have also been moments of compromise which make for good legislation. I am very happy that the chairman of the full committee, the gentleman from New York [Mr. POWELL], has agreed to accept this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. JONES].

Mr. JONES of Missouri. Mr. Chairman, may I have the attention of either the chairman, or the chairman of the subcommittee, to answer a question for me?

Mr. DENT. Yes, sir.

Mr. JONES of Missouri. I ask the chairman, the gentleman from Pennsylvania [Mr. DENT], to explain something I do not quite understand.

For instance, the substitute amendment would say "not less than $1.40 an hour for the first 2 years."

Would that be 2 years before we would go from $1.25 to $1.40? Is that correct, if the substitute amendment carries?

Mr. DENT. No. As I understand the substitute amendment, it would mean the effective date of February 1, 1967, would see the $1.40 come into effect. It would remain in effect until 2 years later, 1969. At that time it would go to $1.60. If we take the substitute, under the Morris amendment, it would go to $1.60 in 1970. This is just an explanation of what the gentleman has asked. It does not mean I approve it.

Mr. JONES of Missouri. I understand that.

It seems to me we are going too far too fast. I call the attention of Members to what I stated on the floor at the time we were voting on medicare. Some of the people now are beginning to realize that if we had taken that in a little more orderly manner and on some more reasonable steps, we would not be facing the situation we are going to be faced with on July 1 of this year.

I call attention to the fact that even if we go to $1.35 at the end of the first year, that would be an 8-percent increase over the present minimum wage. That 8 percent would be more than twice the standards that have been set by the President to try to avoid inflation.

I am hopeful some of the experts in this line will offer an amendment raising it to $1.35, and then to $1.45, and then to $1.60. Then we would be able to keep up with the inflation we are in now. In fact, the way it is going now, we are increasing this minimum wage at twice the rate at which inflation is going. So this will have only one effect, and that is to make the inflation speed up more rapidly. We are going to have a spiraling inflation, rather than just a gradual increase.

I would like to vote for a minimum wage bill that is reasonable, to the extent that the economy can accept it.

It has been repeated on this floor many times, and I will say it again: Anyone who has had any experience in hiring labor in an area such as that in which I live will find he cannot go this fast without throwing a lot of people out of work and throwing them on the Government dole.

The CHAIRMAN. The chair recognizes the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Chairman, as a result of the efforts of the Republican members of the Education and Labor Committee, the increase in the minimum wage under H.R. 13712 is far more realistic than that provided by the broad and sweeping provisions of the bill that was reported last year. By postponing the first step of this increase until February 1, 1967 and the second until February 1, 1968, the impact of the increase has been minimized. The impact can and should be further minimized by stretching out the increase over a 4-year period. For this reason, I urge that the amendment of the gentleman from New Mexico be adopted. Also, the delay in the effective date will provide the Johnson-Humphrey administration an additional period within which to place its fiscal house in order, curtail nonessential spending, and balance a runaway budget. Unless these steps are taken, the contemplated increase in the minimum wage may fan the inflationary flame and the gain in earnings will be wiped out by another advance in the cost of living. Thus, I call upon the administration to take immediate and appropriate action.

In this period of rising inflation, those individuals who earn the least suffer the greatest hardship. A recent Department of Labor report reflects that a family with an annual income of $2,000 to $3,000 spends 28.4 percent of its income for food, 34.1 percent for housing, and 8.2 percent for clothing. These, of course, are the very items that have experienced the most dramatic increase. Thus, for these families, a reduction in purchasing power means a reduction in essentials. The increase in the minimum wage contemplated by H.R. 13712 will counter this tragic result. Certainly, those on the lower rung of the economic ladder should not be forced to bear the brunt of the administration's spendthrift policies.

There is mounting evidence that the minimum wage concept adopted in the depression year of 1938 is today antiquated and out of date. These are indications that the present legislation may even be hurting many of the people whom it is intended to help. Certainly, reform and modification are long overdue. Unfortunately, under the present ritualistic manner in which amendments are adopted, many questions and considerations, no matter how important, are subordinated to the question of the minimum wage increase. As a result, essential changes and modifications are either given short shrift or used as trading material. Thoughtful and careful consideration is postponed until the next time a minimum wage increase is considered and then the pattern of the past is repeated.

For example, although study after study has reflected that it is the individual with little or no education, few skills, or an age handicap who experiences the greatest unemployment, this bill ignores this problem. I therefore urge that the Education and Labor Committee undertake a detailed study and investigation to determine the extent and scope of the adverse effect the present minimum wage may have on the job opportunities for those who are experiencing the greatest difficulty in finding and keeping employment.

In this connection, I note that the September 1965 report of the Committee for Economic Development stated:

> The present concentration of unemployment reflects in large measure a failure of the wage structure to adapt to the present structure of worker productivity. One reason for this is the legal minimum wage established by the Federal Government and by some States.
>
> Greater flexibility is needed now in permitting exceptions from the legal wage for categories of people among whom unemployment is particularly high, such as the young. In the future, the legal minimum should not be raised in a way that would limit the employability of the unskilled.

Similarly, many economists have called for a split-level Federal minimum wage that would provide a lower minimum in certain cases. They see this two-level Federal minimum wage as accomplishing a threefold task. It would help reduce unemployment. It would make the inexperienced and those with an age handicap more attractive to potential employers. And it would relieve labor shortages brought on by the administration's escalation of the Vietnam war.

Significantly, a recent report by the Bureau of Labor Statistics dramatically illustrates that finding the first job is the biggest problem for most unemployed youth. According to this report, 70.6 percent of the unemployed who were 18 and 19 years of age were looking for work for the first time. On the other hand, only 21.9 percent of the unemployed who were 20 years and over fell into this category.

I am also concerned that the inclusion of agricultural workers may have grave and irreparable consequences. At the present time, the American farmer is caught in a serious cost-price squeeze. Many farm operators are being driven from the land and those that remain are forced to obtain laborsaving devices and costly machinery. As a result, farm jobs are being eliminated at an alarming rate and many of the unemployed and unskilled farmworkers are required to leave the rural areas and to move into the already crowded city slums.

The Secretary of Labor recently announced an intensive training program for 9,325 persons after receiving reports of a 66-percent unemployment rate among Negroes in the Mississippi Delta because of displacement by cotton-picking and cotton-cultivating machines. In the event the provisions of H.R. 13712 pertaining to agricultural coverage are enacted, there undoubtedly will be many more instances of hardship and unemployment among agricultural workers.

This bill continues to erode, if not destroy, the distinction between interstate and intrastate commerce by extending the coverage of the Fair Labor Standards Act to many small businesses that are locally owned and not really involved in interstate commerce. In 1961, the Republican members of the Education and Labor Committee, concerned by the long-range implications of the proposed extension of coverage, stated that that bill "must be viewed for what it really is, a long step toward bringing all American business, irrespective of size and location, within the reach and restrictions of the Fair Labor Standards Act." Now, the next step has been taken. This bill extends the coverage of the act to every retail store that has as little as $250,000 in gross annual sales. This extreme extension of coverage should be eliminated.

Certainly, appropriate amendatory action should be taken before this bill is enacted into law. Moreover, the investigation of the effect of the minimum wage legislation on the unemployment problem must be instituted as quickly as possible. The employability of many individuals depends to a great extent upon the wage at which they can be hired. The wage level can be raised to a point where employment becomes economically impossible. In this critical period of explosive dissatisfaction and hardcore unemployment, productive and meaningful jobs are needed, not more and more antipoverty programs and costly governmental make-work projects. Employment and hope must be substituted for idleness and despair.

Under the present circumstances, I support an increase in the minimum wage. I believe that if the bill is modified as I have suggested, it should not pose an inflationary threat provided the Johnson-Humphrey administration immediately undertakes essential fiscal reforms. Without question, the low-income families who will benefit from this increase need additional money to keep from going under the ever-mounting inflationary tide.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. Jennings].

Mr. JENNINGS. Mr. Chairman, I want to say at the outset that I intend to support passage of this minimum wage bill. I have supported minimum wage during my tenure in Congress. But, I really believe if we take a look at the chart here, we will conclude that this compromise is the best for the economy.

The gentleman from New Mexico desires to extend this over a 36-month period. I had an amendment to his amendment at the desk which would make this over a 24-month period, rather than a 36-month period. That is the amendment suggested by the gentleman from Ohio [Mr. Ayres].

It seems to me this is more logical, because it is a gradual increase and more or less follows the same pattern that has developed over the years. I believe this is a good compromise.

I believe that we should adopt amendments when they are warranted, as in this case.

There will be arguments made that we should not change, that this was some commitment previously made, and that we should not tinker with it now. But, let us look at the change. It will go to $1.40 just as proposed under the bill at the beginning of 1967, but it will then go to $1.60 over a 2-year period rather than over a 1-year period.

This is a 20-cent increase. We are taking a long gamble. If we continue with favorable economic indicators and the gross national product continues to expand, perhaps we could absorb this entire amount in a year's time. I am not arguing it could not be done. However, I believe we should take it up with gradual, even speed.

I support the substitute amendment. I believe it is a reasonable compromise. I hope the substitute to the amendment of the gentleman from New Mexico will be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Goodell].

Mr. GOODELL. Mr. Chairman, I support the original Morris amendment. I certainly would support the Ayres substitute. I believe the Ayres substitute is a very reasonable proposal.

The sustitute would elongate the period we will take to go from $1.40 to $1.60. I personally feel that the 12-month period to go from $1.40 to $1.60 is too fast. We have a difficult situation, because I believe this 20-cent increase in a 12-month period would be the greatest increase ever had in the minimum wage.

We should be very careful to evaluate the ultimate impact of this kind of legislation as to whether it will provide fewer jobs for the nonskilled, as to whether it will increase inflation, as to whether it will increase the number of businesses which must close their doors and therefore be unable to offer jobs to their employees any further.

I urge that we adopt the Ayres amendment as a reasonable proposal.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. Gerald R. Ford].

Mr. GERALD R. FORD. Mr. Chairman, 2 weeks ago I believe it was a foregone conclusion that the committee bill in this respect probably would be maintained, but in the interim two things have transpired which have resulted in the change of sentiment we see on the floor today.

First, the chart and the explanation which was circulated by the gentleman from New Mexico pointed out very graphically the impact that this proposal in the committee bill would have. The chart illustrated how the increase in 12 months from $1.40 to $1.60 would be far more drastic than most people expected and more drastic than had been done by the Congress on previous occasions.

However, I believe a second factor has contributed to the change of atmosphere today.

Last Friday the Department of Labor released the latest Consumer Price Index figures. As all of us here know, the release for the month of April indicated there has been a 0.4 increase in the cost of living. The Consumer Price Index figures showed for the months of April, March, and February we have had the greatest increase in any 3-month period since 1951. We know as a result of these figures released by the Department of Labor that we are in an escalating inflationary period. We know that there is no prospect in the months ahead that the administration will do anything effective about it. Therefore, since this legislation as recommended by the committee will add to inflationary pressures, I therefore support the Ayres substitute to the Morse amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. Dent] to close debate on this amendment.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman from Michigan.

Mr. WILLIAM D. FORD. I rise vigorously to oppose both the Morris amendment and the so-called compromise thereto.

The proposal of the gentleman from New Mexico now contained in his amendment was transmitted to each of us, several days ago. After careful study of his proposal to stretch out the schedule of increases in the minimum wage level.

These proposals for a further unreasonable delay in reaching what I consider to be an already inadequate wage floor of $1.60 would be an added perversion of a bill, now so watered down and insipid that even the most reactionary opponents of a decent minimum standard of living for all Americans have exhausted their supply of crippling amendments.

An examination of the correlation of average factory workers' wages to the minimum wage level for covered employees for the period from 1938 through 1968, as projected under H.R. 13712 without further delay in reading the $1.60 minimum shows that the gap between these two figures has progressively increased. In other words, average factory wages, which more nearly parallel the increase in the cost of living during the same 30-year period, have consistently risen in advance of and more rapidly than the minimum wage level.

This legislation is intended to assist most those people at the very bottom of the scale of earnings. There can be no doubt that these wage earners and their dependents suffer most severely from the lag I have described.

How then can we in good conscience accept an amendment, in either form proposed here, the effect of which would be to further delay the increases scheduled in this bill to the detriment of those families most in need of its assistance.

Mr. Chairman I would ask you and all the members of the house to reject the spurious assertions made by our Republican colleagues that enactment of H.R. 13712 would aggravate and escalate the cost of living and be inflationary.

I offer for your consideration, the following letter from the Chairman of the Council of Economic Advisers to the chairman [Mr. Dent], and I read:

The Chairman of the
Council of Economic Advisers,
Washington, D.C., May 19, 1966.

Hon. John Dent,
House of Representatives.

Dear Mr. Dent: This is written in answer to your request for our views on H.R. 13712, the Fair Labor Standards Amendments Act of 1966.

The President's Council of Economic Advisers believes that the enactment of H.R. 13712 will benefit the welfare of the Nation. The enactment of the bill will represent a major step in the process of eliminating substandard wages and working conditions, without imposing significant or abrupt cost increases on employers. Thus, the content of H.R. 13712 reconciles the goals of our social policy with the vital objectives of noninflationary prosperity for the American economy.

Providing the protection of the minimum wage to the American worker has been an important element in our national policy for almost 30 years. Underlying this policy has been the recognition that some segments of our labor markets work imperfectly and that many workers are at a disadvantage in bargaining with their employers. But in recent years, the protection has applied to a smaller proportion of private nonsupervisory workers than was the case in 1938, when the Fair Labor Standards Act was passed. Moreover, the level of the minimum wage has not kept pace with our economic advances. The enactment of H.R. 13712 will rectify these developments. The extension of the coverage of the Fair Labor Standards Act will bring for the first time the protection of the minimum wage to about 7 million workers in services, trade, and agriculture. And the increase in the minimum for those already covered by the FLSA will make an important contribution toward the elimination of labor conditions that are inconsistent with the rising standards of earnings that characterize the majority of the American labor force.

An important feature of H.R. 13712 is that its enactment will not hamper our policy designed to preserve stability of costs and prices. First, the provisions of the bill will become effective in two stages—February 1967 and February 1968; the timing makes possible a gradual adjustment without causing disruptive cost pressures. Secondly, the minimum wage for the newly covered worker begins with a very modest figure of $1.00 and rises gradually over a period of 4 years.

The minimum wage increase proposed by H.R. 13712 for those already covered by the FLSA reflects appropriate concern for the standards of noninflationary behavior of wages. As you know, the Council's wage guidepost provides for a specific exception in those cases "where wages are particularly low—that is, near the bottom of the economy's wage scales." The wages of those actually affected by minimum wage protection obviously fall into this category of exceptions to the guidepost, and therefore should move up at a more rapid pace than the economy's productivity trend. Only then can our least advantaged workers move closer to the average standards of prosperity enjoyed by the Nation's labor force. When one considers the time span since the last increase in the minimum wage in 1963 and the timing of the increases scheduled by H.R. 13712, the rate of increase appears entirely reasonable for this particular type of exception to the guideposts.

In view of all these factors, the enactment of H.R. 13712 is essential and will make an important contribution to social and economic welfare.

Sincerely,

ARTHUR M. OKUN,
Acting Chairman.

Thank you, Mr. Chairman. I urge the defeat of the Morris amendment and the Powell-Morris compromise or substitute.

Mr. DENT. Mr. Chairman, a famous American once said what is good for General Motors is good for the United States. Evidently today they are carrying that philosophy here. This is the General Motors amendment in that all it does is cover those who were covered in 1938 and reduce the percentage impact for General Motors, for Ford, for the A. & P., and for all of the big chain stores. But these little laundry workers who have been bleeding and all of these little people you say cannot afford the increase—no one says a word about the impact on them. You are letting them alone. Maybe they could not afford the right kind of propaganda to come before Congress and fight for their little interests.

What does this do? It simply says instead of paying $1.40 in 1967 and $1.60 in 1968, well, we are going to let General Motors and all of these very poor corporations stay put, stay put, until 1969 under one amendment and until 1970 under the other. Let me tell you all something. The gentleman from Michigan [Mr. GERALD R. FORD] talked about this increase in the cost of living. You know, there is nothing in the increase in the cost of living that excludes from that increased cost this poor little devil making 80 cents an hour. If the statistics went up 0.4 percent last week, he had to pay the same as the General Motors worker.

You must be realistic. Do not blame the minimum wage for the increase. They have not had it. The gentleman from Michigan said this was the greatest increase in 3 months at any time in the last 100 years or I do not know how many years. There has not been a minimum wage. This has not even passed yet. Already he has been stuck with that particular increase in the cost of living, and the only way he can get it is through the legislative processes, because the humane employer will not give it to him. The best chance is the Morris amendment. He says we cannot afford it. I want to tell you one thing. I am paying a lot more for my Lincoln than I paid when the minimum wage law passed in 1961.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. DENT. No. I cannot yield. I only have 3 minutes.

I would like to have you go along with me, but I am afraid you will not. And everybody else has been paying for it. Yet we have not increased the minimum wage. Do not take this for what it seems to be. This is like the old question, which comes first, the chicken or the egg. The poor little fellow is going to pay for this increase in the cost of living, but you say that is all right; we are not going to fix it so he can pay his bills.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Ohio.

The question was taken; and the Chair announced that the noes appeared to have it.

The question was taken; and on a division (demanded by Mr. AYRES) there were ayes 105, noes 88.

Mr. DENT. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. AYRES and Mr. BURTON of California.

The Committee again divided, and the tellers reported that there were—ayes 160, noes 121.

So the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Mexico as amended by the substitute amendment of the gentleman from Ohio [Mr. AYRES].

The amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. AYRES

Mr. AYRES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. AYRES: On page 51, strike out lines 4 through 9, inclusive, and insert in lieu thereof the following:

"(e)(1) Notwithstanding the provisions of section 13 of this Act (except subsections (a)(1) and (f) thereof), every employer providing any contract services (other than laundering or related cleaning services) under a contract with the United States or any subcontract thereunder shall pay to each of his employees whose rate of pay is not governed by the Service Contract Act of 1965 (Public Law 89–286) or to whom subsection (a)(1) of this section is not applicable, wages at rates not less than the rates provided for in subsection (b) of this section.

"(2) Notwithstanding the provisions of section 13 of this Act (except subsections (a)(1) and (f) thereof) and the provisions of the Service Contract Act of 1965 (Public Law 89–286), every employer in an establishment providing laundering or related cleaning services to the United States or under a contract with the United States or any subcontract thereunder shall pay to each of his employees in such establishment wages at rates not less than those prescribed in subsection (b), except that if more than 50 per centum of the gross annual dollar volume of sales made or business done by such establishment is derived from providing such laundering or related cleaning services under any such contracts or subcontracts, such employer shall pay to each of his employees in such establishment wages at rates not less than those prescribed in subsection (a)(1) of this section."

Mr. AYRES (interrupting the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD, because the real meaning of the amendment has already been stated.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

The Chair hears none, and the request is agreed to.

There was no objection.

The CHAIRMAN. The gentleman from Ohio is recognized for 5 minutes in support of his amendment.

Mr. AYRES. Mr. Chairman, first, I want to again commend the chairman of the subcommittee and the gentleman from California [Mr. BURTON] and the gentleman from Michigan [Mr. O'HARA]. Briefly, the amendment would do this: Section 305 of the pending bill requires an employer who performs any contract service under a contract or subcontract with the Federal Government to pay all of his employees not less than the highest minimum wage rate applicable to presently covered employees. My amendment would change that requirement for employees of Federal Government service contractors working in the laundry and linen supply business. All such employees who are presently covered would receive not less than the highest minimum wage applicable to presently covered employees. All the rest of such employees, whether newly covered or exempt would receive not less than the minimum wage applicable to newly covered employees.

If more than 50 percent of the annual dollar volume of an establishment in the laundry and dry cleaning industries consists of performing contract services for the Federal Government, all the employees of such establishment would receive not less than the highest minimum wage applicable to presently covered employees, $1.40 beginning February 1967.

Mr. BURTON of California. Mr. Chairman, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from California [Mr. BURTON].

Mr. BURTON of California. Mr. Chairman, as I understand it, the language "laundering or related cleaning services," is intended to include laundering or cleaning of clothing or fabrics, and does not include any other type of cleaning such as janitorial services and the like. Is this understanding correct?

Mr. AYRES. The understanding of the gentleman is correct.

Mr. BURTON of California. As I understand it, this amendment's sole purpose, except as to employees of laundering and related cleaning services, is to apply the section 6(b) rates to those employees or employers having Government service contracts whose rates of pay are not determined by the provisions of the Service Contracts Act of 1965 or by section 6(a)(1) of the Fair Labor Standards Act.

The section 6(a)(1) rates would continue to establish the minimum rates for employees of Government service contractors, except those providing laundering and related cleaning services under contract with the United States.

With respect to employees in an establishment providing said laundering and related cleaning services, said employees will be paid wages set in section 6(b) of the FLSA, unless more than 50 percent of the gross annual dollar volume of sales made or business done by such establishment is derived from providing such laundering or related cleaning services under any such contracts or subcontracts, in which events the 6(a)(1) rate would prevail.

Mr. AYRES. That is correct. This applies directly to the employees who work directly with laundry and cleaning services. We tried to say, in drafting the amendment, that if an establishment did more than 50 percent of its gross business under Government contract then it was primarily in the Government contract service business. Therefore any other business would be secondary. But in the event they had a smaller percentage that was under Government contract, the bulk of their business would be outside of Government work.

We all know how impractical it has been in the linen-supply business to try to determine who is working on which job. In fact, the Secretary of Labor has ruled that, in the event a laundry is doing Government work, all employees should be paid the higher rate, because it is impossible to determine who is working on a Government tablecloth and who is working on one from a hotel.

Mr. Chairman, I ask the gentleman from California, if, in his judgment, by taking the 50-percent figure, we will correct the difficulties that have occurred in the past?

Mr. BURTON of California. I would like to commend the gentleman from Ohio for his diligence and effort in this field. However, as the gentleman knows, we have had somewhat different views on this matter. I believe that all those actually working on a Federal service contract should receive the higher minimum. The linen-supply problem is a most difficult one and the gentleman's amendment highlights this difficulty.

Mr. AYRES. I thank the gentleman for his observation.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. DENT] is recognized for 5 minutes.

Mr. DENT. Mr. Chairman, if the Rules Committee members will remember, I was asked the question before the Rules Committee, as to what we intended to do because of the apparent conflict between the provisions of this act and the provisions of the O'Hara bill. I discussed the matter with the gentleman from Michigan [Mr. O'HARA].

We came to an agreement whereby we would put into this legislation practically the same provisions that obtained insofar as coverage is concerned in the Walsh-Healey Act, in that only those employed under the Government contract would be covered by the O'Hara bill. The rate under the O'Hara bill is the statutory minimum or prevailing wage, whichever is greater. In order to do that, we propose an amendment which will eliminate from coverage under the O'Hara bill the new coverage we put in, in the restaurant field and other newly covered industries. That is all we intended to do with this amendment.

I understand there has been some discussion between the two Members on this side and Mr. O'HARA. Whatever agreements they have come to will be disclosed on the floor, in that they will attempt to alleviate the problems that are peculiar to the clean-linen industry and other laundry industries, until we have a longer period of time for study.

Mr. O'HARA of Michigan. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I appreciate the efforts the gentleman from Ohio has made to limit the effects of his amendment, but I must advise the Committee that I still oppose the amendment, for whatever that is worth.

Mr. Chairman, many years ago the Congress enacted legislation known as the Davis-Bacon Act to provide that on all Government construction contracts those mechanics employed on such contracts would receive the prevailing wage for their kind of work in that area.

Then the Walsh-Healey Public Contracts Act was passed. It said that those working on Government supply contracts would have to receive at least the prevailing wage in that industry.

That left a gap in the coverage of the prevailing wage concept on Government contracts. Neither the Davis-Bacon Act nor the Walsh-Healey Act provided any prevailing wage protection for those who worked on Government contracts for the provision of services such as driving mail from one community to another or sweeping out a Federal building, or whatever it might be.

The Service Contracts Act of 1965, which I had the privilege of sponsoring—which came from the Committee on Education and Labor unanimously, which passed the House of Representatives unanimously, which went through the Committee on Labor and Public Welfare of the Senate unanimously, and which passed the Senate unanimously—did exactly that.

The amendment offered by the gentleman from Ohio attempts to do something the Congress has never done before, which is to create an exception to the prevailing wage concept in Government contracting.

Mr. Chairman, for this reason I am opposed to the amendment. I do not deny that there is a difficult situation confronting the linen industry, but there is also an answer to it within the Service Contracts Act.

We know, from the work we have done in the past 2 days on this bill, what happens when we start to create exceptions and exemptions to wage standards bills.

In the Service Contracts Act there is an answer to the problem raised by the gentleman from Ohio, in section 4(b):

> The Secretary may provide such reasonable limitations and may make such rules and regulations allowing reasonable variations, tolerances, and exemptions to and from any or all provisions of this Act as he may find necessary and proper in the public interest or to avoid serious impairment of the conduct of Government business.

The linen supply industry just last week went to the Secretary of Labor and presented their case to him. The example given by the gentleman from Ohio the day before yesterday, when he indicated he was going to present this amendment, all presented cases in which the conclusion was that the linen supply companies were going to quit bidding, that there were going to be no more bids on Government work by them. That presents a classic case of the kind of situation in which the exception provision could be applied by the Secretary of Labor.

I do not believe we ought to take a course we have never taken with respect to the Davis-Bacon or the Walsh-Healey Act by carving out an area of exemption or exception in the Service Contracts Act.

Mr. Chairman, I hope the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. AYRES].

The question was taken; and on a division (demanded by Mr. AYRES) there were—ayes 104, noes 68.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. HAGEN OF CALIFORNIA

Mr. HAGEN of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. HAGEN of California: On page 48, line 3 strike the period and the quotation marks and add a colon and the following: "*Provided*, That in the case of workers employed by a farmer on a piece rate basis, if all the workers employed by such farmer on a piece rate basis have average earnings that equal or exceed the required hourly wage as provided above, the employer shall be considered to be in compliance with this section."

Mr. HAGEN of California. Mr. Chairman, first I want to commend the gentleman from Pennsylvania [Mr. DENT], the chairman of the subcommittee which produced this legislation, for the excellent job he has done and the knowledge he has displayed of many different fields of labor.

I have an amendment here which I trust is not controversial and which I discussed with the honorable gentleman from Pennsylvania [Mr. DENT] yesterday and which he seemed, to me at least, to accept in principle. Essentially all this amendment does is to provide that in judging compliance with the minimum wage of farm workers that the farmers who use a piece rate basis as a method of payment would be able to comply by paying a piece rate high enough to yield the average of all his piece rate workers an hourly rate which is equal to or in excess of the dollar minimums established in this bill.

As I stated earlier, I discussed this with Mr. DENT yesterday, and he seemed to accept it in principle. He seemed to think that the bill itself provided it. Quite frankly, I think we should spell out clearly in the bill this alternate method of compliance. I may say that this principle has been endorsed by the Secretary of Labor, Mr. Wirtz, in the Florida citrus situation, and he has brought back glowing reports of its value to the workers and employers in that situation.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. I yield to the gentleman from Pennsylvania.

Mr. DENT. Maybe I am getting a little weary. Like the girl in the play Oklahoma, I am getting to the point where I cannot say no. Very frankly, though, I would appreciate it very much if the gentleman would not insist on his amendment at this time. I cannot honestly say that the interpretation you and I placed on this yesterday is correct. The Secretary of Labor has confused the issue a little with the statement he made on the adverse effects doctrine. Unless we can get that straightened out we will not be able to vote intelligently, in my opinion, on this amendment. If the gentleman will refrain from insisting on the amendment, I will work with him and we will go to the Senate together, if it is workable, and try to ask the Senate to put it in the bill.

Mr. HAGEN of California. I thank the gentleman, and will agree to that procedure. Therefore, I ask that my amendment be withdrawn.

I would like to comment further, however——

Mr. DENT. Mr. Chairman, will the gentleman yield just 1 minute?

Mr. HAGEN of California. I yield to the gentleman from Pennsylvania.

Mr. DENT. I do not mean that the Secretary of Labor confused the issue. He confused me.

Mr. HAGEN of California. Mr. Chairman, with that assurance that this amendment is not prejudged unfavorably by the very able chairman, the very able gentleman from Pennsylvania [Mr. DENT], I would ask unanimous consent that it be withdrawn.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. Certainly.

Mr. TEAGUE of California. I have asked the gentleman from California to yield to me just for this purpose: This is a most commendable and reasonable amendment. I am glad to hear that there will be a good faith attempt to work it out with the Senate.

I am inclined to think that it should be passed here, but if the sponsor of the amendment thinks it should not be pressed, I, personally, will not object or offer it, but I do want to express my support for it and to say that I am one who is not in favor of eliminating agriculture from this bill. I expect to vote for the bill on final passage.

Mr. Chairman, this is a most important provision, and it is highly important that it be worked out in the other body or in conference.

There is no question about the fact that, for example, the older person who might not want to work every minute of every hour and not want to work for a half-hour and sit down for a half-hour in the harvesting of fruits and vegetables and earn 75 cents, 80 cents, or 90 cents an hour, still may have a job.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. HAGEN of California. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. FOLEY. Mr. Chairman, reserving the right to object, and I shall not object, I make this reservation to commend the gentleman from California [Mr. HAGEN] for his concern that this bill reflect clearly the status of piecework.

Mr. Chairman, in my own district there is a substantial horticultural industry which without question, pays substantially above the minimum wages contemplated by this bill. I feel that any industry which is paying very adequate wages by the piecework method should be permitted to continue this method of computing compensation, and I commend the gentleman from California and the chairman of the committee, the gentleman from Pennsylvania [Mr. DENT], in being concerned that this bill reflect clearly permission for this system to continue. However, if any further clarification is necessary, I shall support the gentleman from California and the chairman to make the intention of the Congress absolutely plain.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. HALL. Mr. Chairman, reserving the right to object, I simply want to establish in the RECORD the fact that perhaps the apologies will not need to be so profuse, especially as to which comes first, the hen or the egg, nor would the confusion reign quite as supreme were not the Secretary of Labor in the Gallery, in the Speaker's box, with one of the entrepreneurs or barons—so called—of organized labor, listening to this debate.

Certainly they have the right to be there as all citizens of the United States do, but this further gives effect and substance to the frequent claim of arm twisting and confusion visited on the Congress, by the members of the appointed Cabinet of the President of the United States. It is questionably of the best interest to the separation of powers, the legislative function, and the working of the will of the people by this body of the Congress. One is known by the company he publicly keeps.

Mr. Chairman, I withdraw my reservation.

The CHAIRMAN. Is there objection to the request of the gentleman from California that he be permitted 3 additional minutes?

There was no objection.

Mr. HAGEN of California. I wish to say one reason, Mr. Chairman, I am withdrawing this amendment at this time is I think it can be refined further.

Under the bracero program which is now a thing of the past, they did have a formula similar to this. But it was more refined so there was not what the gentleman from California [Mr. COHELAN] calls the dumbbell effect where you might have a number of high wage level workers at one end overbalancing the thing and too large a percentage of less willing or efficient workers not receiving the minimum possible.

I think it will be in conference with the other body to arrive at an agreement on a refined formula which will do exact justice and permit the employment of people who might be unemployable elsewhere, for example, on a piece rate basis which will not unduly burden the farmer but which will guarantee to all willing and efficient farmworkers who are working on a piece rate basis that they will receive at least the minimums established by this bill. Yesterday we recognized the validity of a piece rate formula for wages in agriculture by adopting the amendment of the lady from Oregon [Mrs. GREEN].

The necessity and worth of piece rates have been validated by practice and even by the judgment of Mr. Wirtz, the Secretary of Labor in the Florida case.

The reason for the necessity is the fact that the contrast between the low valleys and high peaks of farm labor requirements requires resort to part-time workers who are either unskilled or partially disabled or pin money workers. The farmer can afford to use them on a piece rate basis. He cannot use them under high flat dollar minimums at the same time that it provides job opportunity to these people, a piece rate, fairly established, provides more than minimum earnings to more qualified and regular farm employees. It is fair to the farmer, the regular farmworker, and permits employment of the casual part-time farmworker.

AMENDMENT OFFERED BY MR. GURNEY

Mr. GURNEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GURNEY: Page 48, line 5, insert "(a)" immediately after

"Sec. 303.", and, after line 24, insert the following new subsection:

"(b) Section 6(a) of such Act is amended by adding after paragraph (5) (added by section 302 of this Act) the following new paragraph:

" '(6) if such employee is employed in an establishment which is a hotel, motel, or restaurant, not less than $1 an hour during the first year from the effective date of the Fair Labor Standards Amendments of 1966, not less than $1.15 an hour during the second year from such date, and not less than $1.30 an hour thereafter'."

Page 48, line 8, insert "or (a)(6)" immediately after "subsection (a)(5)".

Page 48, line 3, strike out the period and insert "; or".

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. Gurney] in support of his amendment.

Mr. DOLE. Mr. Chairman, will the gentleman yield?

Mr. GURNEY. I yield to the gentleman from Kansas.

Mr. DOLE. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DOLE. Mr. Chairman, I had seriously considered offering an amendment to H.R. 13712, but after consulting with the Parliamentarian and the Legislative Reference Service of the Library of Congress, I am convinced my proposed amendment would not be germane. The purpose of the amendment would be to amend section 306 of H.R. 13712 to bring members of the Armed Forces now serving in combat areas under the provisions of the Fair Labor Standards Act.

The proposed amendment is as follows:

On page 51, line 15, before the word "employee", insert the words "individual or".

On page 51, line 25, after the word "States", insert the following paragraph:

"(3) or who is a member of the Armed Forces of the United States and is on active duty in any area of the world in which actual hostilities occur or which constitutes a combat zone, after computation of all pay and allowances,".

There has been much discussion on the floor about the merits of this legislation. Nearly every effort to exempt a specific segment of the economy has been defeated. The proponents have stated many, many times that the employer can well afford to pay the minimum wage prescribed in this bill. If this argument is sound, then it should apply to the U.S. Government as an "employer" with reference to members of the Armed Forces now serving in combat zones around the world.

A review of the hearings before the House Committee on Armed Services in June of 1965, graphically illustrates the fact that thousands of young men in the armed services are not receiving the present minimum wage. If H.R. 13712 is enacted, as presently written, the differential would be even greater. In other words, the combat soldier, in far too many cases, will receive less than the hourly minimum wage proposed in this legislation.

Considering basic pay and other allowances, it is estimated that a combat soldier on duty 60 hours a week receives between 60 and 75 cents per hour. In Vietnam at the present time, it is likely the average GI puts in many 7-day weeks and many 12-hour days. The point is that the pay is low, and the debate on this measure clearly indicates a need to upgrade the pay and allowances received by American servicemen serving in a combat zone.

In addition, there are many basic weaknesses in H.R. 13712. Perhaps the most glaring is the inclusion of agricultural workers under coverage for the first time. The general increase to $1.60 an hour far exceeds the guidelines set down by the President; but the inclusion of agriculture is perhaps even more significant.

In the first instance, it should be made clear that the American farmer is not opposed to paying reasonable wage rates, but is opposed to being subjected to further control by another Federal agency, this time the Department of Labor.

The wage rates for agricultural employees in this bill provide for a minimum of $1 per hour beginning February 1, 1967, $1.15 on February 1, 1968, and $1.30 on February 1, 1969, if 500-man days are performed per quarter. While this provision of H.R. 13712 will not immediately affect many farmers in the State of Kansas, the agricultural provision coupled with other provisions affecting the small businessman are not, in my opinion, in the best interests of rural America. The day is fast approaching when every man, woman, and child in every conceivable pursuit will be covered by the Fair Labor Standards Act and under the jurisdiction of the U.S. Department of Labor.

Mr. GURNEY. Mr. Chairman, this amendment does this—it would put the hotel, motel, and restaurant workers in the same wage status under this legislation as the agricultural workers are placed.

It seems to me there is a good sound argument why this should be done. In the first place, both categories of workers are newly covered in this legislation, although we have had minimum wages in the Nation for 25 years. Both of these classes of workers are special sort of workers. There are fringe benefits in both areas. In the motel, hotel, and restaurant area, of course, there are fringe benefits such as tips that have been recognized in the bill. Some of the employers furnish clothing. Many of them furnish food and shelter. So they are indeed a special category of workers.

As a matter of fact, that is probably one of the principal reasons why they were not covered before in a minimum wage bill. So I think newly covered as they are, we should give these workers the same benefits so far as coverage is concerned as we are giving the agricultural workers.

Now what are these rates? In the bill the new workers who are brought in go steps from $1 to $1.60. What I am asking in the amendment is that they should go to $1, $1.15, $1.30 just as the agricultural workers do.

It occurs to me there are two reasons why this is important. We all know that in the hotel, motel, and restaurant field, we do have many marginal workers, people who perhaps could not be gainfully employed in any other kind of business because they are not very productive. But because they can be furnished food and certain other fringe benefits to supplement their pay employers can give them jobs.

I say that it would be far better for us to go a little easier on these industries and cover them in the three-step stage, giving them the same consideration as the agricultural workers, and not run the risk of putting a lot of people out of work.

The other main argument, I think, lies in the nature of the business itself. I have talked to a great many restaurateurs and motel and hotel people, particularly in Florida. Our tourist and restaurant and motel industries are among the largest in the Nation. Many of them frankly tell me that they are uncertain as to what is going to happen when this bill goes into effect.

They know they will have to refine their operation in some respect. They believe that probably they will have to drop some workers. They believe that probably they will have to pass on the increased wage costs to the buying public, the people who come in and buy meals and buy rooms. In fact, I have some statistics on that, which I do not have time to go into here.

Yesterday I pointed out—and I think it is true—that there are many economists in this country who firmly believe that minimum wage laws are not in the best interests of the marginal workers, the very people we want to protect here. They say increase of minimum wages cause their being dropped from the payroll because they cannot produce enough work to justify the minimum wage.

I submit to my colleagues in the House of Representatives that we might be a little sensible here. We should take the restaurant and motel and hotel workers in two easy steps, as we are doing in the agricultural field. I hope that my amendment will be adopted.

Mr. DENT. Mr. Chairman, for reasons that have already been placed in the Record on more than one occasion, I ask that the Committee oppose and vote down this amendment.

Mr. PEPPER. Mr. Chairman, I rise to oppose the amendment.

Mr. McMILLAN. Mr. Chairman, will the gentleman yield?

Mr. PEPPER. I yield to the gentleman from South Carolina.

Mr. McMILLAN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Chairman and Members of the Committee, I find it impossible for me to support H.R. 13712, which has for its purpose to amend the Fair Labor Standards Act of 1938.

I believe that the majority of the people in the United States who have an inclination to work either have a job or could certainly be working if they so desire. I also believe that the majority of the industry in the United States is paying higher salaries than the minimum rate, which certainly makes this proposed legislation unnecessary.

We are continuing in this Congress, at the suggestion of the administration, to federalize everything in the United States. We will soon have an inspector or a policeman checking on everything we do from the time we wake up in the morning until we retire at night.

The National Labor Relations Board is the most dictatorial agency connected with the U.S. Government. They do not even consider the manager or owner of an industry or business establishment.

It will only be necessary for you to check on the manner in which the National Labor Relations Board has been treating the J. P. Stevens Co., and numerous other outstanding industries in the United States, at the present time to realize this.

Even though the employees of the J. P. Stevens Co. voted against unionizing the plants, the labor unions continue to harass the management by saying that the company had mistreated labor. We all know that if this were true the employees would have voted to unionize the J. P. Stevens Co.

I have a small used parts plant in my congressional district and the National Labor Relations Board calls the employees out to talk to them, separate from the manager, in order to find out if they happen to work a few hours overtime. To my knowledge the manager pays his employees days and sometimes weeks without calling on them to work, and then when they work a few hours overtime the National Labor Relations Board tells these employees to file for overtime pay.

I believe that the labor unions dictatorial manner in handling their affairs in this country is driving industry to foreign countries to the extent that in a few years we will have millions unemployed here in the United States.

I am unalterably opposed to including farm labor under any type of minimum wage program. There are certain seasons in the year when it is necessary for the farmer to work 15 to 20 hours each day, especially the farmer who is cultivating and processing tobacco. The remainder of the year he may not be required to work 6 hours a day.

The farmer naturally cannot pay overtime to any of his employees and certainly he cannot pay a strict minimum wage set out in the bill under consideration here today. If the farmers were financially able to pay equal wages with industry, we all certainly should have sense enough to know that the prices we pay for our clothes and our groceries would double. If the farmer is required to pay union wages to labor there is no other explanation that can be given than "You can't get blood out of a turnip." The increase in wages the farmer would have to pay would certainly be passed on to the consumer.

The United States has become a great country because of our great farmers and great industries and I believe that when the Federal Government begins to try to handle the affairs of our farmers and our industry our country is on the road to destruction.

I have used all my influence to prevent farm labor from being included in this proposed measure and I feel that the entire bill is absolutely unnecessary and I shall vote against this legislation.

Mr. PEPPER. Mr. Chairman, I respect the concern of my distinguished colleague, the gentleman from Florida [Mr. GURNEY], for the protection of the hotel and restaurant industry. I doubt if any Member of the House has a more important segment of that industry in his district than I am privileged to have. I have followed with a great deal of interest the development of this legislation as it might affect that very important industry, which is so vitally essential to the economy of my district and State.

But I want to attest that the able chairman of the subcommittee, the gentleman from Pennsylvaina [Mr. DENT], has throughout the handling of this bill kept in very close contact with both management and the representatives of the employees in the hotel and restaurant industry, and generally both management and the employees agree to this bill. The employees wanted a little bit more, quite naturally, than the bill provides for them; management would have liked to have given a little less. But both have been reasonable about it, and I think the able gentleman from Pennsylvania can attest that both management and labor have generally accepted the provisions of this bill as they are written, and will be agreeable to trying to carry out its provisions in good faith and in good spirit.

This bill goes much more slowly forward in advancing the minimum wage of the newly covered nonfarm—among them the hotel and restaurant employees, the subject of this amendment—than it might well have done. For example, you will note on page 3 of the report the minimum wage of $1 takes effect February 1, 1967. It does not go to $1.15 until February 1, 1968, then to $1.30 February 1, 1969; $1.45 on February 1, 1970, and it does not reach the maximum of $1.60 an hour until February 1, 1971. I do not think that rate of progression is unreasonable. I hope my distinguished colleague will not press for the adoption of that amendment. I believe that in the public interest and since it is generally agreeable to both employers and employees, the bill as written should be adopted and the amendment rejected.

Mr. GURNEY. Mr. Chairman, will the gentleman yield?

Mr. PEPPER. I yield to the gentleman from Florida.

Mr. GURNEY. I have listened with interest to the statement of the gentleman that the chairman of the subcommittee had sought the advice of people in the motel, hotel, and restaurant industry. This I do not doubt. I am sure he has, because he has done fine work in the preparation and writing of this bill.

I would like to point out that I have personally contacted the restaurant industry in Florida, and they, in turn, have polled all of their members. I can tell you their members are wholeheartedly in favor of the amendment I have offered. I cannot speak for the other parts of the industry, but I do speak to that in Florida.

Mr. PEPPER. Mr. Chairman, if I have a minute more, I had a personal conference with the representatives of the major hotels in the Miami Beach area, which is one of the important segments of that industry in Florida. Those gentlemen told me they agreed to the minimum wage provisions of this bill. They did want an adjustment made with respect to the account to be taken of tips, but we substantially met their opposition to the bill by having the 45 percent being taken for credit on the tips, as proposed by the able gentleman from Illinois.

I am confident the major portion of the industry in my district and, I believe, in Florida and the Nation, is in favor of the minimum wage provisions of this bill. I hope the amendment will be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. GURNEY].

The amendment was rejected.

Mr. DENT. Mr. Chairman, a point of information:

Are there any more amendments at the desk to title III?

The CHAIRMAN. Are there any additional amendments to title III? If not, the Clerk will read.

The Clerk read as follows:

TITLE IV—APPLICATION OF MAXIMUM HOURS PROVISIONS

Presently and newly covered employees

SEC. 401. Section 7(a) of such Act is amended to read as follows:

"(a)(1) Except as otherwise provided in this section, no employer shall employ any of his employees who in any workweek is engaged in commerce or in the production of goods for commerce, or is employed in an enterprise engaged in commerce or in the production of goods for commerce, for a workweek longer than forty hours unless such employee receives compensation for his employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which he is employed.

"(2) No employer shall employ any of his employees who in any workweek is engaged in commerce or in the production of goods for commerce, or is employed in an enterprise engaged in commerce or in the production of goods for commerce, and who in such workweek is brought within the purview of this subsection by the amendments made to this Act by the Fair Labor Standards Amendments of 1966—

"(A) for a workweek longer than forty-four hours during the first year from the effective date of the Fair Labor Standards Amendments of 1966,

"(B) for a workweek longer than forty-two hours during the second year from such date, or

"(C) for a workweek longer than forty hours after the expiration of the second year from such date,

unless such employee receives compensation for his employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which he is employed."

Commission salesman

SEC. 402. Subsection (i) of section 7 of such Act (as so redesignated by section 204 (d) of this Act) is amended by adding at the end thereof the following new sentence: "In determining the proportion of compensation representing commissions, all earnings resulting from the application of a bona fide commission rate shall be deemed commissions on goods or services without regard to whether the computed commissions exceed the draw or guarantee."

Mr. DENT. Mr. Chairman, I ask unanimous consent that the title be considered as read and open for amendment at all points.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. Are there any amendments to title IV? If not, the Clerk will read. The Clerk read as follows:

TITLE V—STUDENTS AND MANAGEMENT TRAINEES

Student and management trainees

SEC. 501. (a) Section 14 of such Act is amended—

(1) by inserting "(a)" immediately before "The Secretary of Labor";

(2) by striking out "of messengers" and inserting in lieu thereof "and of messengers";

(3) by striking out ", and of full-time students outside of their school hours in any retail or service establishment: *Provided*, That such employment is not of the type ordinarily given to a full-time employee"; and

(4) by adding at the end thereof the following new subsections:

"(b) The Secretary, to the extent necessary in order to prevent curtailment of opportunities for employment, shall by regulation or order provide for the employment of full-time students, regardless of age but in compliance with applicable child labor laws, on a part-time basis in retail or service establishments (not to exceed twenty hours in any workweek) or on a part-time or a full-time basis in such establishments during school vacations, under special certificates issued pursuant to regulations of the Secretary, at a wage rate not less than 85 per centum of the minimum wage applicable under section 6, except that the proportion of student hours of employment to total hours of employment of all employees in any establishment may not exceed (1) such proportion for the corresponding month of the twelve-month period preceding May 1, 1961, (2) in the case of a retail or service establishment whose employees (other than employees engaged in commerce or in the production of goods for commerce) are covered by this Act for the first time on or after the effective date of the Fair Labor Standards Amendments of 1966, such proportion for the corresponding month of the twelve-month period immediately prior to such date, or (3) in the case of a retail or service establishment coming into existence after May 1, 1961, or a retail or service establishment for which records of student hours worked are not available, a proportion of student hours of employment to total hours of employment of all employees based on the practice during the twelve-month period preceding May 1, 1961, in (A) similar establishments of the same employer in the same general metropolitan area in which the new establishment is located, (B) similar establishments of the same employer in the same or nearby counties if the new establishment is not in a metropolitan area, or (C) other establishments of the same general character operating in the community or the nearest comparable community. Before the Secretary may issue a certificate under this subsection he must find that such employment will not create a substantial probability of reducing the full-time employment opportunities of persons other than those employed under this subsection.

"(c) The Secretary, to the extent necessary in order to prevent curtailment of opportunities for employment, shall by certificate or order provide for the employment of full-time students, regardless of age but in compliance with applicable child labor laws, on a part-time basis in agriculture (not to exceed twenty hours in any workweek) or on a part-time or a full-time basis in agriculture during school vacations, at a wage rate not less than 85 per centum of the minimum wage applicable under section 6. Before the Secretary may issue a certificate or order under this subsection he must find that such employment will not create a substantial probability of reducing the full-time employment opportunities of persons other than those employed under this subsection.

"(d) The Secretary shall by regulation or by order provide that retail or service establishments may employ management trainees, under special certificates issued pursuant to regulations of the Secretary, without paying such trainees the overtime compensation provided for by section 7 for a period which shall not exceed eighteen months, if such trainees are being trained for employment in a bona fide executive or administrative capacity as defined by the Secretary under section 13(a)(1). In the case of any retail or service establishment, no such special certificate shall be in effect—

"(1) where there are fifty employees or less in such establishment, with respect to more than one management trainee, or

"(2) where there are more than fifty employees in such establishment, with respect to more than a number of such trainees which is equal to 3 per centum of the number of employees in such establishment in excess of fifty (rounded to the next lowest whole number), plus one, or

"(3) where such management trainees receive compensation for hours worked over forty in any workweek at a rate less than one and one-half times the minimum wage rate applicable to such employees under section 6, or

"(4) where such management trainees are employed for more than forty-eight hours in any workweek.

"(e) Nothing in this Act shall require any employer to pay in excess of 75 per centum of the applicable minimum wage prescribed by section 6 to any employee, under the age of twenty-one years, during the first six weeks of full-time employment of such employee's employment career."

(b) The center heading for such section 14 is amended to read as follows:

"Learners, apprentices, and handicapped workers; students; and management trainees".

Mr. DENT. Mr. Chairman, I ask unanimous consent that the title be considered as read and open for amendment at all points.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DENT. Mr. Chairman, may I inquire as to whether there are any amendments to title V?

The CHAIRMAN. Are there any amendments to title V?

AMENDMENT OFFERED BY MR. OTTINGER

Mr. OTTINGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OTTINGER: Page 54, line 24, strike out "85 per centum" and insert in lieu thereof "75 per centum", and in line 11 on page 56 strike out "85 per centum" and insert in lieu thereof "75 per centum".

Mr. OTTINGER. Mr. Chairman, this amendment is designed to encourage the hiring of young people during the summer and vacation periods, or on a part-time basis during the year, by requiring firms hiring them to pay 75 percent of the minimum wage rather than the 85 percent provided in H.R. 13712.

It is vital that these young people be assisted in finding gainful employment, not only because many of them desperately need such employment to help them continue their educations or to contribute to their family income, but also to keep them constructively occupied during vacation periods when so many youngsters turn to vandalism and delinquency out of sheer boredom. The Federal Government in recent years has increased its activities in this area, taking positive steps to encourage the hiring of young people during the summer, but we cannot simply pay lipservice to the idea of finding jobs for our youth. We must back up our words with action.

One way to give positive encouragement to businesses is to ease the minimum wage requirement. I have spoken with many business leaders who indicated they would like to hire more young people, but they cannot justify it if they have to pay 85 percent of the minimum wage. While they would prefer a much lower rate, almost unanimously these businessmen agreed that a 75-percent figure would be much more acceptable.

The decrease I propose of just 10 percent is modest. Unfortunately, we have no statistics in this area, to show how many additional youths would be employed if the minimum wage applied to them were lowered. I think that the Department of Labor should perform a survey to show the impact of the minimum wage on the summer employment of youth so that in future years we can make appropriate adjustments with greater knowledge.

The many youngsters with whom I have discussed this matter indicated they were less concerned with the wage itself than with being able to find a job to keep busy during summers and other vacation periods.

We are going to have a serious problem on our hands if we do not face up to this problem.

Last July, 18.6 million young people between the ages of 14 and 24 entered the labor force, an increase of 4.3 million over April of that year. The unemployment rate for these youngsters was 10 percent. That means 430,000 young people looked for jobs and could not find them.

More important, the unemployment rate for the 14-to-19 age bracket is much higher. These are the young people about whom we must be particularly concerned.

I spoke with officials of the Department of Labor this morning, to find out what they estimate the situation will be in July of this year. The figures are disturbing, to say the least.

They estimate that 19.4 million young people between the ages of 14 and 24 will be looking for jobs in just about a month from now, 4.2 million more than are in the labor force from this age bracket now; 3.2 million of these will be students looking only for summer jobs, and nearly 90 percent of them are between the ages of 14 and 19.

The Department of Labor estimates that 13.4 percent of these youngsters will be unable to find jobs. This means 450,000 young people this summer between the ages of 14 and 19 will be on the streets, available for work, but who will not be employed.

The amendment I have offered will enable business firms, and especially the smaller ones, to hire these youngsters. This is vital to these young people. It is important to the business firms themselves. And it is vital to our efforts to combat crime and juvenile delinquency.

We recently adopted an amendment offered by our distinguished colleague from Oregon to provide this kind of help for young people employed in the strawberry patches of Oregon. I believe our small businesses deserve the same type of help.

I urge my colleagues to support this amendment.

Mr. DENT. Mr. Chairman, I rise in opposition to the amendment.

In the interest of time, since we face the probability of at least four rollcall votes, I would say that the subcommittee and the committee have considered this question of youth employment. We have come up with the particular answer contained in this bill. To this date I have received absolutely no correspondence from any person or group of persons in the United States against the provision.

Mr. BELL. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman from California.

Mr. BELL. I support the chairman of the subcommittee in his position.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. Ottinger].

The amendment was rejected.

AMENDMENT OFFERED BY MR. VIVIAN

Mr. VIVIAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Vivian: On page 57, strike out lines 20 through 24, inclusive, and insert in lieu thereof the following:

"(e) Nothing in this Act shall require any employer to pay in excess of 75 per centum of the applicable minimum wage prescribed by section 6 to any employee, under the age of twenty-one years, but over the age of fifteen years, during the first six weeks of full-time employment of such employee's employment career, or to pay in excess of 85 per centum of such minimum wage to any employee, under the age of twenty-one years, during the next twelve weeks of full-time employment in his employment career. The number of employees of any employer paid the special minimum wage rate provided in this subsection may not exceed the greater of—

"(1) 2, or

"(2) 10 per centum of the number of his employees (rounded to the next highest whole number). For the purposes of this subsection the term 'employee' does not include an individual who is not paid on the basis of an hourly wage rate."

Mr. VIVIAN. Mr. Chairman, I intend to support H.R. 13712. However, Mr. Chairman, I propose an amendment which will provide added stimulus for employers to hire teenagers, to reduce the appalling unemployment rate of teenagers.

Now section 501(e) of the bill as reported, provides that persons under the age of 21 can be paid for a period not exceeding 6 weeks, at a rate not less than 75 percent of the applicable "adult" minimum wage rate for other hourly employees. My amendment, would establish a subsequent additional 12-week period at an hourly rate of 85 percent—not 75 percent—of the prevailing hourly rate; and in addition, it will restrict use of the special minimum rate, and will exempt workers being compensated by a piece rate.

Some months ago, during the period the subcommittee was deliberating on this bill now before us, I—among others— asked the chairman of the subcommittee, the distinguished gentleman from Pennsylvania, to include a differential rate for teenagers. A differential rate is needed, we concluded, to motivate employers to hire and train young men and women coming into the labor market on a fulltime basis for the first time.

At that time, I submitted a statement to the committee describing and supporting the proposal.

Subsequently, during mark-up of the bill, the subcommittee did include the version of this proposal printed in section 501(e), on page 57.

I thank, and commend, the chairman and members of the subcommittee for so doing. However, Mr. Chairman, I am convinced that the 6-week period chosen will not be long enough, in many situations, to act as a sufficient stimulus to employers, particularly in those occupations requiring thoroughly trained employees.

The 12-week additional period I propose, I believe, will be most helpful.

As you can calculate, the wage reduction, for 6 weeks, proposed in the committee bill, gives the employer a reduction in cost of $100, to employ the youth for 6 weeks. My amendment adds an incentive of an additional $120, provided the employer keeps the youth on the job for an additional 3 months.

As many Members are aware, the present teenage unemployment rate is the highest of any segment of the labor force. It is now about 12 percent—about four times as high as for all adults; it is over six times higher than for married men. The unemployment rate for nonwhite teenagers is currently a staggering 24 percent.

For a variety of reasons having to do with the chronology of the postwar "baby boom," the 1965 Manpower Report of the President calls attention to an expected net increase of more than half a million 18- and 19-year-olds this year—twice the increase in 1964, and a number larger than the entire growth of this age group in the civilian labor force between 1950 and 1963. The report states that a substantial number of these will enter the labor force on a full-time permanent basis, and that the severity of their unemployment problem and the seriousness of teenage unemployment may increase.

The unemployment of teenagers is both short term and long term. Short-term unemployment may occur several times during the year. The President's 1965 Manpower Report goes on to say:

> Never before in our history has so large a proportion of teenagers started their work lives with the disadvantage of unemployment—in many cases frequent or prolonged periods of joblessness. For these, the already difficult problems of beginning a successful work career are increased many fold. The experience, learning, and seniority that generally go only with stable employment are postponed, frequently into the adult years when the responsibilities of marriage and family add to the burdens of unemployment.

Teenagers are employed in a great variety of activities—clerical work in many different industries, ground and building maintenance, household work and other service activities, laborers, operatives in manufacturing, numerous service trades, and retailing. On account of their youth and inexperience, teenage workers are usually employed in unskilled and semiskilled occupations and only infinitesimally in skilled categories, although not all of the jobs are "dead end" and some offer opportunities for promotions into skilled work.

The various efforts to improve the employability of teenagers such as reducing the school dropout rate, vocational training programs, training programs under the Manpower Development and Training Act, the Job Corps and related activities, are worthy efforts to prepare teenagers to find and hold jobs and to compete in today's job market. However, all labor employed is a cost to the employer; and it does not make the accomplishment of employment easier, if the cost of less effective and inexperienced labor is too high.

Furthermore the high unemployment rate for teenagers probably will not be reduced, but probably will be further increased, when the higher statutory minimum wage—which I support—goes into effect. The higher minimum rates will make teenagers more costly to employ, yet such higher rates will not increase the productivity of such teenage workers, or give them work experience.

And a large proportion of teenagers work in low-productivity industries, and jobs, and also have the disadvantage of poor vocational, and even psychological, preparation to adjust quickly to demanding jobs.

The Federal Labor Standards Act already has recognized that employment is stimulated when certain classes of workers are paid less than the statutory minimum wage, as evidenced by existing programs utilizing learner certificates and certificates for the handicapped. Of course, the procedure of certification would not be practical or workable for the millions of teenagers endeavoring to break into the labor market. What they need is a temporary rate, less than the statutory minimum for adults—a rate which takes into account their inexperience and lack of training and which would encourage employers to employ them.

The extension and limitation to an 18-week period, such as I propose, of course, is open to debate. If no limit is provided, some of these youngsters would be working at the same rate for 3 or 4 years. By comparison, the period for "learners certificates" for those who, under the present act, get certificates which enable them to be employed at less than the minimum rate, is now generally 6 weeks, similar to the 6 weeks listed in section 501(e). But this period is simply too short, in my opinion.

As part of the amendment, to prevent abuse of the special minimum rate, I have included a limitation to not over two young people who may be employed at the special rate in a small establishment, and not over 10 percent of the number of employees in establishments employing over 20 or more hourly workers.

Finally, I have included a provision that the same piece rates should be paid teenagers as are paid other workers doing the same work, to assure that any teenager who is as productive as other workers will receive the same piece rate wages.

To conclude, Mr. Chairman, this amendment will, in my opinion, effectively act to combat the abnormally high teenage unemployment rate, by providing additional employment opportunities to inexperienced and unskilled young people; I urge the Committee to adopt it.

Mr. DENT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment, if adopted, would amend a section of the bill that was introduced to the committee by the gentleman from Minnesota [Mr. QUIE]. After much deliberation, we considered the 6 weeks' period a sufficient time in which a new worker could become established or find that he could not fit into the type job that he had.

Mr. Chairman, I ask that the committee vote "no" on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. VIVIAN].

The amendment was rejected.

Mr. SISK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, if I might have the attention of the distinguished gentleman from Pennsylvania [Mr. DENT], the chairman of the subcommittee, I would like to direct the gentleman's attention to the colloquy which we had on the floor yesterday pertaining to the livestock industry and employment on the range in that industry in which the gentleman had expected to obtain information from the Department as to certain rulings regarding what a day of work was.

I wonder if the gentleman would care at this time to make a comment upon that?

I shall be glad to yield to the gentleman from Pennsylvania for that purpose.

Mr. DENT. Mr. Chairman, I wish that the members of the committee would pay attention a little to this particular point in the RECORD, because I want to cover another question that was asked yesterday and would like to clear up at this time all the gray areas that were considered yesterday, in the hope that there will not be any misunderstandings in the RECORD as to what this committee thinks this legislation, if adopted, would do.

Now, Mr. Chairman, I spoke to the Department about the sheepherder angle. I was told by the Department, for the RECORD, that in these particular instances they have to consider a day as a day's work. So, therefore, if they are paid on a salary base, which they are in all the instances that have been brought to our attention, they are paid a salary and are paid in kind. This means they are paid all of their expenses, plus a salary. Since their expenses are considered part of their wage base, the Department takes the position that based upon a day's work of so many days in the month period and it would about even that, if that person's income was based on an income over and above the so-called bare minimum, it would be considered by the Department to be in compliance with the law.

Mr. Chairman, insofar as the records are concerned, the Department takes a 5-percent sampling. If in this sampling, they find that it is in accordance with the provisions of the law as they see them, the records are not demanded monthly from the farmer or the sheepherder. That, I believe, clears up that question.

Mr. SISK. I thank the gentleman from Pennsylvania for his comments.

Does the gentleman desire me to yield further to him?

Mr. DENT. Surely.

Mr. SISK. I shall be glad to yield further to the gentleman from Pennsylvania.

Mr. DENT. Mr. Chairman, at this time, I would like to attempt to clear up the information requested by some on the matter of laundry and drycleaning and clean linen truckdrivers insofar as overtime is concerned.

Mr. Chairman, the Department takes the position that they are to be considered the same as milk drivers are considered under that section of the act.

On page 33, in the regulations, part 541 dealing with drivers who are in a sense outdoor salesmen because they devote their time not alone to the delivery of a product but to replenishing stocks, to collecting bills, and to soliciting new customers. This, then the Department has said they would give the same consideration and the same determination that is given to the milk truck drivers.

Mr. Chairman, I make as a part of the RECORD and as a part of my remarks at this time the entire body of the regulations that are contained therein.

The regulations referred to follow:

EMPLOYEE EMPLOYED IN THE CAPACITY OF OUTSIDE SALESMAN

Section 541.500. Definition of "outside salesman"

Section 541.5 defines the term "outside salesman" as follows:

The term "employee employed * * * in the capacity of outside salesman" in section 13(a)(1) of the act shall mean any employee:

(a) Who is employed for the purpose of and who is customarily and regularly engaged away from his employer's place or places of business in:

(1) Making sales within the meaning of section 3(k) of the act; or

(2) Obtaining orders or contracts for services or for the use of facilities for which a consideration will be paid by the client or customer; and

(b) Whose hours of work of a nature other than that described in paragraph (a)(1) or (a)(2) of this section do not exceed 20 percent of the hours worked in the workweek by nonexempt employees of the employer: *Provided*, That work performed incidental to and in conjunction with the employee's own outside sales or solicitations, including incidental deliveries and collections, shall not be regarded as nonexempt work.

Section 541.501 Making sales or obtaining orders

(a) Section 541.5 requires that the employee be engaged in (1) making sales within the meaning of section 3(k) of the act or (2) obtaining orders or contracts for services or for the use of facilities.

(b) Generally speaking, the Divisions have interpreted section 3(k) of the act to include the transfer of title to tangible property, and in certain cases, of tangible and valuable evidences of intangible property. Thus sales of automobiles, coffee, shoes, cigars, stocks, bonds, and insurance are construed as sales within the meaning of section 3(k).

(c) It will be noted that the exempt work includes not only the sales of commodities, but also "obtaining orders or contracts for services or for the use of facilities for which a consideration will be paid by the client or consumer". "Obtaining orders or contracts * * * for the use of facilities" includes the selling of time on the radio, the solicitation of advertising for newspapers and other periodicals and the solicitation of freight for railroads and other transportation agencies.

(d) The word "services" extends the exemption as outside salesmen to employees who sell or take orders for a service, which is performed for the customer by someone other than the person taking the order. For example, it includes the salesman of a typewriter repair service who does not himself do the repairing. It also includes otherwise exempt outside salesmen who obtain orders for the laundering of the customer's own linens as well as those who obtain orders for the rental of the laundry's linens.

(e) The inclusion of the word "services" is not intended to exempt persons who, in a very loose sense, are sometimes described as selling "services". For example, it does not include persons such as service men even though they may sell the service which they themselves perform. Selling the service in such cases would be incidental to the servicing rather than the reverse. Nor does it include outside buyers, who in a very loose sense are sometimes described as selling their employer's "service" to the person from whom they obtain their goods. It is obvious that the relationship here is the reverse of that of salesman-customer.

Section 541.502 Away from his employer's place of business

(a) Section 541.5 requires that an outside salesman be customarily and regularly engaged "away from his employer's place or places of business". This requirement is based on the obvious connotation of the word "outside" in the term "outside salesman". It would obviously lie beyond the scope of the

Administrator's authority that "outside salesman" should be construed to include inside salesmen. Inside sales and other inside work (except such as is directly in conjunction with and incidental to outside sales and solicitations, as explained in paragraph (b) of this section) is nonexempt.

(b) Characteristically the outside salesman is one who makes his sales at his customer's place of business. This is the reverse of sales made by mail or telephone (except where the telephone is used merely as an adjunct to personal calls). Thus any fixed site whether home or office, used by a salesman as a headquarters or for telephonic solicitation of sales must be construed as one of his employer's places of business, even though the employer is not in any formal sense the owner or tenant of the property. It should not be inferred from the foregoing that an outside salesman loses his exemption by displaying his samples in hotel sample rooms as he travels from city to city; these sample rooms should not be considered as his employer's places of business.

[28 F.R. 9505, Aug. 30, 1963, as amended at 28 F.R. 14424, Dec. 28, 1963]

Section 541.503 Incidental to and in conjunction with sales work

Work performed "incidental to and in conjunction with the employee's own outside sales or solicitations" includes not only incidental deliveries and collections which are specifically mentioned in § 541.5(b), but also any other work performed by the employee in furthering his own sales efforts. Work performed incidental to and in conjunction with the employee's own outside sales or solicitations would include, among other things, the writing of his sales reports, the revision of his own catalogue, the planning of his itinerary and attendance at sales conferences.

Section 541.504 Promotion work

(a) Promotion work is one type of activity often performed by persons who make sales, which may or may not be exempt work, depending upon the circumstances under which it is performed. Promotion men are not exempt as *"outside salesmen."*[13] However, any promotional work which is actually performed incidental to and in conjunction with an employee's own outside sales or solicitations is clearly exempt work. On the other hand, promotional work which is incidental to sales made, or to be made, by someone else cannot be considered as exempt work. Many persons are engaged in certain combinations of sales and promotional work or in certain types of promotional work having some of the characteristics of sales work while lacking others. The types of work involved include activities in borderline areas in which it is difficult to determine whether the work is sales or promotional. Where the work is promotional in nature it is sometimes difficult to determine whether it is incidental to the employee's own sales work.

(b)(1) Typically, the problems presented involve distribution through jobbers (who employ their own salesmen) or through central warehouses of chainstore organizations or cooperative retail buying associations. A manufacturer's representative in such cases visits the retailer, either alone or accompanied by the jobber's salesman. In some instances the manufacturer's representative may sell directly to the retailer; in others, he may urge the retailer to buy from the jobber.

(2) This manufacturer's representative may perform various types of promotional activities such as putting up displays and posters, removing damaged or spoiled stock from the merchant's shelves or rearranging the merchandise. Such persons can be considered salesmen only if they are actually employed for the purpose of and are engaged in making sales or obtaining orders or contracts. To the extent that they are engaged in promotional activities designed to stimulate sales which will be made by someone else the work must be considered nonexempt. With such variations in the methods of selling and promoting sales each case must be decided upon its facts. In borderline cases the test is whether the person is actually engaged in activities directed toward the consummation of his own sales, at least to the extent of obtaining a commitment to buy from the person to whom he is selling. If his efforts are directed toward stimulating the sales of his company generally rather than the consummation of his own specific sales his activities are not exempt. Incidental promotional activities may be tested by whether they are "performed incidental to and in conjunction with the employee's own ouside sales or solicitations" or whether they are incidental to sales which will be made by someone else.

(c)(1) A few illustrations of typical situations will be of assistance in determining whether a particular type of work is exempt or nonexempt under § 541.5. One situation involves a manufacturer's representative who visits the retailer for the purpose of obtaining orders for his employer's product, but transmits any orders he obtains to the local jobber to be filled. In such a case the employee is performing sales work regardless of the fact that the order is filled by the jobber rather than directly by his own employer. The sale in this instance has been "consummated" in the sense that the salesman has obtained a commitment from the customer.

(2) Another typical situation involves facts similar to those described in the preceding illustration with the difference that the jobber's salesman accompanies the representative of the company whose product is being sold. The order in this instance is taken by the jobber's salesman after the manufacturer's representative has done the preliminary work which may include arranging the stock, putting up a display or poster, and talking to the retailer for the purpose of getting him to place the order for the product with the jobber's salesman. In this instance the sale is consummated by the jobber's salesman. The work performed by the manufacturer's representative is not incidental to sales made by himself and is not exempt work. Moreover, even if in a particular instance the sale is consummated by the manufacturer's representative it is necessary to examine the nature of the work performed by the representative to determine whether his promotional activities are directed toward paving the way for his own present and future sales, or whether they are intended to stimulate the present and future sales of the jobber's salesman. If his work is related to his own sales it would be considered exempt work, while if it is directed toward stimulating sales by the jobber's representative it must be considered nonexempt work.

(3) Another type of situation involves representatives employed by utility companies engaged in furnishing gas or electricity to consumers. In a sense these representatives are employed for the purpose of "selling" the consumer an increased volume of the product of the utility. This "selling" is accomplished indirectly by persuading the consumer to purchase appliances which will result in a greater use of gas or electricity. Different methods are used by various companies. In some instances the utility representative after persuading the consumer to install a particular appliance may actually take the order for the appliance which is delivered from stock by his employer, or he may forward the order to an appliance dealer who then delivers it. In such cases the sales activity would be exempt, since it is directed at the consummation of a specific sale by the utility representative, the employer actually making the delivery in the one case, while in the other the sale is consummated in the sense that the representative obtains an order or commitment from the customer. In another type of situation the utility representative persuades the consumer to buy the appliance and he may even accompany the consumer to an appliance store where the retailer shows the appliance and takes the order. In such instances the utility representative is not an outside salesman since he does not consummate the sale or direct his efforts toward making the sale himself. Similarly, the utility representative is not exempt as an outside salesman if he merely persuades the consumer to purchase an appliance and the consumer then goes to an appliance dealer and places his order.

(4) Still another type of situation involves the company representative who visits chain stores, arranges the merchandise on shelves, replenishes stock by replacing old with new merchandise, consults with the manager as to the requirements of the store, fills out a requisition for the quantity wanted and leaves it with the store manager to be transmitted to the central warehouse of the chainstore company which later ships the quantity requested. The arrangement of merchandise on the shelves or the replenishing of stock is not exempt work unless it is incidental to and in conjunction with the employee's own outside sales. Since the manufacturer's representative in this instance does not consummate the sale nor direct his efforts toward the consummation of a sale (the store manager often has no authority to buy) this work must be counted as nonexempt.

[28 F.R. 9505, Aug. 30, 1963, as amended at 28 F.R. 14424, Dec. 28, 1963]

Mr. Chairman, before the Committee rises, I would like to say that I will ask for a record vote on the Anderson amendment to section 102. I would briefly like to explain why.

Mr. Chairman, last night while driving home I had my car radio tuned to the news. I found myself hearing the commentator discuss the day's activities on this bill and concluding with something like this: "The House rejected an amendment to remove agricultural coverage from the bill, but accepted an amendment preventing small businesses from being covered."

Mr. Chairman, the first part of that statement is quite true; but I found the last part somewhat incredible. Since when is a small business one that does an annual gross volume of sales of, between $250,000 and $500,000. Even an enterprise doing a business at the lowest figure—$250,000—has gross sales of $1,000 per working day. Is this "small business"? Mr. Chairman, I believe many of us are confusing the corner grocery store with something far beyond that.

The amendment of the gentleman from Illinois affects 1.6 million workers. The success of his amendment means that 1.6 million working Americans will be denied minimum wage protection. Are 1.6 million American workers said to be sacrificed in the name of small business or worse, political expediency?

Mr. Chairman, I would also like this Committee to know the circumstances under which the Anderson amendment was accepted. I think it entirely proper to say that no one on this side had a copy of the amendment, and absolutely correct to note that our efforts to obtain one were futile. In fact, as the amendment was being debated, majority counsel had to hand copy it from the clerk's copy. I think it also significant that the principal supporters of the amendment did not know the exact dollar figures contained in the amendment, and even more significant that the sponsor of the amendment—I am told—erred in changing his original copy to satisfy his subsequent intentions. Yet, this amendment was accepted in a maze of confusion. And this amendment therefore stands unless the majority of us can correct the tragic mistake of yesterday by voting against it in the House.

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[13] This discussion relates solely to the exemption under § 541.5, dealing with outside salesmen. Promotion men who receive the required salary and otherwise qualify may be exempt as administrative employees.

Mr. Chairman, regardless of the fate of my request for a record vote, I would like to make one point abundantly clear. That is, when all of you who support this amendment do your reelection campaigning this summer and fall, please do not tell your constituents that you staved off an effort to hurt the small businessman. Do not tell them anything about that noble accomplishment of yours. Just remind yourself that you allowed 1.6 million employees of prosperous enterprises to continue earning wages of 80 cents, 90 cents, and $1 an hour. Sober your progressive selves on that reality, and your consciences should prevent you from even wanting to think about your vote for small business.

ANALYSIS OF ANDERSON AMENDMENT

The Anderson amendment, approved by the House of Representatives in Committee of the Whole by a teller vote of 120 to 109, provides:

First. Additional coverage in the retail and service field would be limited to enterprises having one or more establishments annual gross sales of not less than $500,000, purchases across State lines of $250,000. This contrasts with the bill approved by the Committee on Education and Labor with only two dissents, which extends coverage in the retail and service field to enterprises having annual gross sales of $500,000 for a 2-year period, February 1, 1967–January 31, 1969, but reduces the volume of business test to $250,000 after January 31, 1969.

Second. With the exception of laundries, construction firms, and hospitals, nursing homes and educational institutions, enterprise coverage in other fields would be limited to those having annual gross sales of not less than $1,000,000. This contrasts with the committee bill which extends coverage to these enterprises on the same basis as to retail and service enterprises; namely, to those having annual gross sales of not less than $500,000 during the period from February 1, 1967, through January 31, 1969, and annual gross sales of not less than $250,000 thereafter.

The effect of the amendment would be to deprive at least 1,630,000 workers of the benefits of the legislation as follows:

Retail trade, 345,000; restaurants, 125,000; hotels, 85,000—since it is not clear what the effect of applying an inflow test to hotels may be, the number affected may be much larger; transit 65,000; nonprofit, 400,000; professional organizations, 160,000; educational institutions, 240,000; and all others, 210,000.

Mr. Chairman, there has been some questions raised by Members concerning laundry, dry cleaning, and clean linen truckdrivers.

I am asked whether or not these employees are excepted from the overtime provisions. To answer this question I checked with the Labor Department and they assured me that they are not covered by the overtime provisions.

They are considered and classified as outside salesmen.

In support of this position I want to read the regulations covering this phase of overtime coverage:

Section 541.505 Driver salesmen

(a) A large group of employees known generally as "route salemen", "distributor salesmen", or "driver salesmen" are commonly employed by distributors of carbonated beverages and beer, cigars, and numerous dairy and other food products. Typically, the driver salesman carries an assortment of the articles he sells and calls on the same customers at frequent and regular intervals. He confers with the customers, replenishes the customer's stock of goods and if he is introducing new varieties or new lines, endeavors to persuade the customer to buy the new products. He removes the empty bottles, cases, and other containers if these are to be returned to his employer and delivers the articles sold to the customer. The exemption is not defeated by the fact that the employee combines deliveries, collections, and other incidental work with his sales activities. It is clear that such an employee is employed for the purpose of making sales.

The third matter is the matter of the sharecropper. It is a very simple regulation and one that cannot be misunderstood. So long as there is a contract between the owner and the sharecropper on a percentage of the proceeds or of the produce of that farm, then no matter what happens in the way of an act of God or any other kind of accident or catastrophe that was mentioned here yesterday afternoon, it is a bona fide contract unless the owner of the property orders or tells the so-called contract partner when he is to come to work, what kind of clothes he is to wear and when he is to quit work or other matters that are detailed in the contract.

If it is a contract in which they decide which fields to plow and which fields to fertilize and all the other things that go into farming, it is a bona fide contract and the sharecropper is not included in the 500-man-day provision.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. GOODELL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to clarify the legislative history. I think we are in complete agreement with reference to the exemption provided for salesmen, mechanics, and partsmen in the automobile section. We worked very hard on this. In the committee report we have tried to make it absolutely clear.

I would just like to have in the RECORD a statement by the gentlemen from Pennsylvania that the exemption that we have put in here for salesmen, mechanics, and partsmen employed by an auto, truck and farm dealerships is self-operating and we intend that their salesmen, mechanics, and flight personnel in aircraft sales establishments be exempt under the act.

We recognize we have special problems so far as their pay scale is concerned.

We have put in here that it makes no difference if there is a paint shop or a body shop that is down the road or across the street. It is part of the dealership and it would be included in the exemption that we have provided here.

I think the gentleman from Pennsylvania will agree with me?

Mr. DENT. We cleared that up in the record during the debate. Further, in the report on page 42, it clearly states that even if they work in physically separate buildings or areas so long as they are employed in a department functionally operated as part of the dealership, it is the intention of this exemption to exclude them from the coverage of section 7.

Mr. GOODELL. Mr. Chairman, the other point that we do not intend to quibble about is whether dealership is a retail or service establishment. We believe if they are a dealership in these autos, trucks, and farm implements that this is a self-operating exemption and that these mechanics and salesmen and partsmen will be exempt.

Mr. DENT. I do not know what you mean by the word "self-operating." If you mean to ask—are they exempt under the particular terms that you have detailed—my answer is yes. I do not want to agree to the word "self-operating" because I do not know how that fits into the picture.

Mr. GOODELL. Then to use a different phase—we are not going to quibble about whether these are retail or service establishments. If they are a dealership in these autos and trucks or parts or farm implements, we feel that these particular employees are exempt.

Mr. DENT. That ruling has already been made. So long as they sell to the ultimate consumer, they are considered a dealership.

Mr. GOODELL. I appreciate the gentleman's statement. There has been some confusion and concern about this. I think the gentleman from Pennsylvania has worked very hard to make sure that they did have an exemption, as we have described it here.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Iowa.

Mr. GROSS. It is reported that 80 percent of the poverty funds in some instances is being spent on salaries and other costs of personnel, particularly salaries. Can I be sure and can Members of the House be sure that these poverty workers are getting the minimum wage?

Mr. GOODELL. I hope you will not get me started on poverty or we will be here until next week. I think you can be assured that most of the poverty workers who are employed have to have a minimum wage under the poverty law—yes.

Mr. WHITENER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time in order to make an inquiry of the distinguished gentleman from Pennsylvania [Mr. DENT].

In title V of the bill in the provision with reference to full-time basis employment of students, I note in line 22, it is restricted by the words "during school vacations."

I am sure the gentleman knows that many of our students do find employment during the Christmas season, particularly in the retail or service establishments. Is it correct to say that this language would not preclude full-time employment during a Christmas vacation period at 85 percent of the applicable minimum wage for that particular employer?

Mr. DENT. Yes. The words in the bill and in the report clearly state that it is during a vacation, and the 20-hour-week limitation is only when they are attending school. That is to allow them to pick up a couple of hours of work like some of our elevator operators around here who are working their way through school. But a vacation is a vacation, whether it is in July or in December.

Mr. WHITENER. So it is the intent of the committee and the intent of Congress that this provision will not be limited to what we know as the summer-vacation period. It will include school students working during Christmas vacations.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. If there are no further amendments to title V, the Clerk will read title VI.

The Clerk read as follows:

TITLE VI—STATUTE OF LIMITATIONS; EFFECTIVE DATE; AND STUDY

Statute of limitations

SEC. 601. (a) Section 16(c) of such Act is amended by striking out "two-year statute" and by inserting in lieu thereof "statutes".

(b) Section 6(a) of the Portal-to-Portal Act of 1947 (Public Law 49, Eightieth Congress) is amended by inserting before the semicolon at the end thereof the following: ", except that a cause of action arising out of a willful violation may be commenced within three years after the cause of action accrued".

Effective date

SEC. 602. Except as otherwise provided in this Act, the amendments made by this Act shall take effect on February 1, 1967. On and after the date of the enactment of this Act the Secretary is authorized to promulgate necessary rules, regulations, or orders with regard to the amendments made by this Act.

Study of excessive overtime

SEC. 603. The Secretary of Labor is hereby instructed to commence immediately a complete study of present practices dealing with overtime payments for work in excess of forty hours per week and the extent to which such overtime work impedes the creation of new job opportunities in American industry. The Secretary is further instructed to report to the Congress by July 1, 1967, the findings of such survey with appropriate recommendations.

Mr. DENT (interrupting the reading). Mr. Chairman, I ask unanimous consent that title VI be considered as read, printed in the RECORD, and open for amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

The Chair hears none, and it is so ordered.

There was no objection.

The CHAIRMAN. Are there any amendments to title VI?

Mr. DENT. Mr. Chairman, I move to strike the last word.

I take this time to acquaint the House with what probably will be the program after the Committee rises.

First, I will ask for a separate vote on the Anderson amendment. We find that the Anderson amendment went much further than at least this particular Member of the House considered it would go, for it would strike from the umbrella of protection of the minimum wage law 1,600,000 employees. It would apply to 250,000 the inflow test for the service industries, including hotels, restaurants, food shops, and so forth, and thus could defeat any meaningful coverage in this area, even those that have been covered over the years.

In our opinion, service industries do not generally sell the products which they purchase, and the inflow test is not a true test of that particular type of enterprise. I speak of the total volume of business.

The committee introduced an amendment which was carefully considered but rejected by the committee after extensive public hearings. It represents ill-advised and ill-conceived action without regards to its full implications.

In 1960 the House adopted an amendment under somewhat similar conditions, and we found ourselves in a position where we had uncovered 14 million workers in America who had previously been covered, and we had to go the next day and, by unanimous consent and other parliamentary maneuvers, move into an area that would bring us back into the realm of sanity.

I believe this is the point now. This particular amendment serves to show what happens when a committee does not have the time to study all of the provisions of lengthy amendments handed over the desk without copies to the members.

I intend to ask for a separate vote on the amendment known as the Ayres-Morris amendment on the escalation of the wage increase.

I do so because in my humble opinion this would create an area of injustice not intended even by the sponsors, in that they would get a flow together of the wage of the lower paid workers, whom we are fighting so hard to put under the umbrella at an earlier date than they would be under the amendment which we have in the bill itself.

We say there is a differential in the economic levels of the new workers we are putting in and the old workers who have been covered since 1938. We say there is a difference in the economic situation of those who were covered in 1938 and the vast proportion of American industry that has accepted and that has considered this type of wage legislation as a part of everyday work life.

We say if we take the Ayres substitute to the Morris amendment, which was an amendment of expediency, even the supporters of that Morris amendment could not stomach the 36-month situation, because then they would have the little boys working around the restaurants getting more under the act at an earlier date than those working at General Motors.

I mean it when I say this is a "General Motors" amendment. It is against the cornerstone of this bill, if we are going to maintain an understanding of the American economy and the categories of our economy, in the production industries, which are notably higher paid.

The service industry is broken into two: the personal service, and the service that goes to the general economy. In the agricultural sector, under this amendment we will soon have the poor farmer, whom we have been trying to help, receiving a higher minimum wage, if we continue that philosophy, than the workers in General Motors.

So, Mr. Chairman and Members of the Committee, I say the members of this committee have tried at every session to meet every logical complaint of every Member of this body and their constituents who were presented to the committee. We have tried to write a bill that probably does not suit all the Members.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

(By unanimous consent, Mr. DENT was allowed to proceed for 2 additional minutes.)

Mr. DENT. Mr. Chairman, this bill does not meet the approval of all of the Members of New York, or of Hawaii, or of Mississippi, or of Kentucky. But how can any legislation dealing in the economics of money—particularly money that is to be paid for labor—meet the approval of all?

The Members have heard me say that there will always be controversy over wages. There has been since the first man invented the wheel and found he could pay somebody to push it. There has been a fight ever since then as to how much the man gets who owns the wheel and how much the man gets who pushes the wheel.

So I ask all of the Members from New York and from Pennsylvania, and from Ohio and from Kentucky, to remember that while this does not do everything we would like to have it do in each State, this is not a State legislature. This is the Congress of the United States.

I do not believe we could do much better than we have done in trying to meet the problems of the 50 States in one piece of legislation.

I beg the Members to give consideration to the efforts of the committee, and to the hours and days spent in trying to bring a bill to the Members of which they can proudly say that we have not done the best for everyone; but we have not given anybody the worst of the deal.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. JONES of Missouri. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania [Mr. DENT] may proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. JONES of Missouri. Mr. Chairman, I want to ask the gentleman a question, since he keeps referring to General Motors. I cannot envision any place where General Motors would pay less than $1.25 an hour. Can the gentleman enlighten me on what somebody would be doing for General Motors who would be receiving less than $1.25 an hour?

I would like to have it for my information.

Mr. DENT. General Motors is a vast and complex corporation. In fact, someone has said that we should ask what is good for the United States by asking what is good for General Motors.

Mr. JONES of Missouri. Where are people working, who work for General Motors, who receive less than $1.25? That is all I am asking.

Mr. DENT. If they have installations in certain States of this Nation, in certain regions, they are paying the prevailing wage rates in that section.

Mr. JONES of Missouri. Where?

Mr. DENT. I will say if they have certain installations in some parts of Pennsylvania, they will pay less than $1.60.

Mr. JONES of Missouri. What type of work? Can the gentleman tell me that?

Mr. DENT. Yes, I can tell the gentleman. They have sweepers.

They have handy men around their places. They have women who come in at night to clean up the offices.

Mr. JONES of Missouri. Are not those people members of a union?

Mr. DENT. I do not know. I have not asked them.

Mr. JONES of Missouri. If they are members of a union, they would be getting more, would they not?

Mr. DENT. I do not know that.

Mr. ANDERSON of Illinois. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I was not on the floor yesterday to hear the gentleman from Pennsylvania say that the amendment which I offered, and which was adopted in the Committee of the Whole yesterday, would strike from coverage under this bill 1.6 million workers. I deny completely the charge that the gentleman has made.

The legislative history which was compiled on this amendment in the Committee of the Whole yesterday makes it abundantly clear that the main thrust and purpose of this amendment is to help the small businessman of America—to say that, instead of resorting in 1969 to a second stage of decreasing the volume test, the enterprise test, to $250,000, we will hold it at $500,000.

The opponents of my amendment refer to subparagraph (3) of the amendment, where the $1 million was not changed as the basis for this ill-founded charge that the effect of the amendment is to strip coverage from a great number of workers.

Let me remind the gentleman from Pennsylvania of something of which I am sure he is well aware, that under the Fair Labor Standards Act there are two tests for coverage. There is the test for those employees who are individually employed in interstate commerce or in the production of goods for commerce. There is also the enterprise test. I feel confident that under subparagraph (3) of my amendment the employees the gentleman talked about, apparently to the press or elsewhere, those working in small mines, mills, and factories, would be covered—95 percent of them—under the clause of this act which covers employees who are individually engaged in commerce or the production of goods for commerce.

Let me say this in addition: If there are some additional words of art which are necessary, I am not suggesting that the language is perhaps completely perfect. I believe the chairman of the full committee put it pretty well yesterday when he accepted an amendment to his own committee bill and said that even the Holy Scriptures have had to be revised over the past 2,000 years.

I have been personally assured by the gentleman from Ohio [Mr. AYRES], who will head the Republican conferees, that if there is any confusion in the conference committee at all about what this amendment is designed to do he will support any language necessary to clear up that confusion. I do not believe there is any.

I believe the opposition to this small business amendment is setting up a strawman, so that they can knock it down.

I noticed the gentleman from Pennsylvania, when he talked against my amendment, did not have much to say about the substance of it. Most of his time was spent talking about stripping people from coverage.

I repeat: This amendment does not take away the present coverage of the act from anyone, and I deny that it takes out an additional 600,000 under the expanded coverage that is proposed under this bill.

We are to celebrate, beginning on Sunday, Small Business Week. The President of the United States the other day presented a plaque to the small businessman of the year. This is an opportunity for you fellows to stand up for the small businessman of America who says, "Do not put me in the same category with the big chains having a $250,000 volume test. That fellow, with his mass purchasing power, his mass advertising available to him, perhaps ought to be covered."

I say that I know a little bit about small business. I grew up behind the counter of a corner grocery store that would be covered by this amendment—where mom and dad and brothers and sisters and perhaps two or three employees work behind the counter. Believe me, there are not any trips to Florida, as somebody was talking about. There are not any Cadillacs for those people who run these types of businesses in America.

I have before me a little article, written by one of the leading economic experts in the country, Pierre Rinfret. The heading is: "Rinfret Sees Possible Recession in Mid-'67."

Well, if that recession comes and the $1.60 goes into effect in 1969, if the Morris amendment is adopted, it is the little fellow who is going to feel the impact first.

Let me close by saying that I supported a rule for this bill. I was the only one on my side of the aisle on that committee who did support it.

I am going to vote for this bill. I am not standing here in the well as one who is out to "gut" this legislation, but I believe when the gentleman from Pennsylvania came before our committee and asked for an open rule that is what he wanted. We had a right on the floor of the House to offer amendments.

Are we supposed to sit here and just accept the bill out of the committee as it comes to us without making any effort to improve it? No. I supported the gentleman from Pennsylvania on that child labor amendment even though I grimaced just a little bit when I did it, but I did it because I thought he was right. I hope when the separate vote comes on this amendment that he will support me, because I think I am right and I think it is logical and it is clear and it is plain and we have a perfect justification for making some distinction and some differentiation as between the big businessmen and the chainstore merchant and the little fellow who is running a corner grocery store or a hardware store or some other little business.

Mr. Chairman, I now yield to the gentleman from New York [Mr. OTTINGER].

Mr. OTTINGER. Mr. Chairman, I would like to congratulate the gentleman from Pennsylvania [Mr. DENT], on the fine job he has done with this bill, but I wish to express myself as favoring the amendment of the gentleman from Illinois [Mr. ANDERSON]. During the debate on H.R. 13712 over the past 3 days, I have made clear my support for this legislation. I believe it is a moderate, reasonable proposal to bring the national minimum wage up to today's living costs. This bill will have my wholehearted support on final passage.

However, as I stated yesterday when I offered an amendment to section 102(c) of H.R. 13712, I do feel that we must take steps to temper the effect of this legislation on the Nation's small businesses and the men and women they employ. For this reason, I am supporting the amendment of the gentleman from Illinois [Mr. ANDERSON] and I hope my colleagues will support it, also.

I realize the amendment goes further than had been intended, by exempting from the enterprise definition under the act wholesale and manufacturing firms grossing less than $1 million a year, rather exempting only firms grossing under $500,000 yearly.

However, I do not believe this will make that much of a difference in the amount of workers covered, and I believe it is still consistent with our goal of providing reasonable protections for the smaller firms. A wholesale firm or a manufacturer grossing $1 million a year or less is not big business. If we bring these firms under the coverage of the minimum wage provisions, many of them will either have to go out of business or lay off some employees. The minimum wage bill is supposed to be an adjunct of our other antipoverty efforts. We must be sure that the impact of this legislation is consistent with those efforts and will not, in fact, serve to heighten the problem we are attacking on this and other fronts. Increasing the minimum wage for workers defeats our purpose if its effect is to destroy the jobs they now hold.

Mr. ALBERT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the distinguished manager of the bill has advised me that he would ask for a separate vote on the Anderson amendment among others. I appreciate what the distinguished gentleman from Illinois [Mr. ANDERSON], the author of the bill has said. He has made a very impassioned plea for his amendment and has stated in very strong language his understanding of what his amendment means.

Mr. Chairman, as soon as this amendment was passed yesterday we procured copies of it and asked the Department of Labor to make an analysis. We have the results of that analysis with us now.

The Department of Labor having analyzed this amendment states that the effect of the amendment would be to deprive at least 1.6 million workers of the benefits of the legislation as follows: 345,000 employees in retail trade; 125,000 employees in restaurants; 85,000 employees of hotels and motels, with the notation that this figure may be larger depending on the effects of an inflow test on service industries; 50,000 employees in miscellaneous services; 65,000 employees of transit systems; 400,000 employees of nonprofit organizations; and 480,000 employees of all other categories, with the notation that this includes such categories as professional institutions, wholesale trade, finance, insurance and real estate, business services, manufacturing and transportation, communication, and public utilities.

Now, Mr. Chairman, in view of the determination of the Department of Labor on this matter, it would seem to me that it would be the part of wisdom to turn this amendment down. Do gentlemen here want to be careful in their work or do they want to adopt something simply on the basis of an emotional plea? I have told the Committee what the Department of Labor says about the amendment.

I have a high regard for the very able and articulate and distinguished Member, the gentleman from Illinois, but as between his conclusions as to what this amendment means and the conclusions of the Department of Labor, I personally feel that I would have to go along with the Department of Labor.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Pennsylvania.

Mr. DENT. It is very easy for someone just to get up and grab a lot of figures out of the air, but your committee studied them. It has been said that this is the small businessman's amendment. Let me tell you, the bill before you, before it was amended by the gentleman from Illinois, took into consideration the small business people. Let us see what happens in the retail field. The bill we brought to this House exempted 1,252,000 establishments in the United States in the retail business that do $250,000 a year of business or less. The only thing this amendment does that was put in by the gentleman from Illinois is it extends the same exemption to 74,000 stores in the United States whose income is $250,000 to $500,000.

And, Mr. Chairman, I defy anyone to get up and defend as small business a store doing $10,000 a week.

Mr. ALBERT. Mr. Chairman, I agree with the gentleman from Pennsylvania and I thank the gentleman for his contribution.

Mr. Chairman, may I conclude simply by saying that the committee has done a good job and that this has been a very constructive debate.

I trust that the members will support the committee in the vote on the amendments and on the passage of the bill.

Mr. Chairman, I yield back the balance of my time.

Mr. GOODELL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I shall not use the full time, but it does seem to me that since we have had a full recitation of figures on employment and those that would be left out of this bill through the adoption of the Anderson amendment, I feel that there should be some clarification on the matter.

Mr. Chairman, the Anderson amendment, if adopted, will take no one out from under the present coverage of the minimum wage.

Mr. Chairman, the Anderson amendment, if adopted, will have its impact as of February 1, 1969.

Under the present bill we are moving the volume of business test from $1 million to $500,000, as of February 1, 1967, and that $500,000 volume of business jurisdictional test then continues for 2 years, until February 1, 1969.

Mr. Chairman, the net impact of the Anderson amendment is to say that as of February 1, 1969, we will not take the next step down to $250,000 volume per year. We remain at the $500,000—half-million dollar level—as to enterprises that would be covered under the Federal law.

As I said when we considered this yesterday and as we were dealing with it now today, Mr. Chairman, since this is going to take place 3 years from now, the Congress is not going to go out of business. We are going to be here. We can consider the impact of this legislation in the next 3 years. If we then feel that we could move the jurisdiction down, without hurting small business, without putting people out of business, then we can move in that direction.

Finally, Mr. Chairman, the one thing that the Anderson amendment accomplishes, if adopted, which is most important. Under the bill, as written, we will on February 1, 1969, be treating the chainstore establishment exactly the same way as we treat the private independent establishment. They will both be covered, if they do $250,000 worth of business. That, I believe, is a critical point.

Always, Mr. Chairman, on this committee we have in the past felt that a private, independent store should have a little bit of extra consideration, since it does not have the advantage of chainstore operations.

As of February 1, 1969, we will erase that difference or distinction in treatment.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Pennsylvania.

Mr. DENT. I will say to the gentleman from New York that I want to give as much credence to this statement that he has made as I have given to all the others, and the gentleman from New York is making it for the record, that all of us will be here 3 years from now. I appreciate that very much.

Mr. GOODELL. I will say to the gentleman from Pennsylvania that if I said all of us will be here, I certainly did not intend that all individual Members would be here. But I certainly hope the Congress of the United States will still be meeting in this Chamber. It is a continuing body, and we will be certainly working in the Committee on Education and Labor on this kind of legislation.

I appreciate the gentleman's comment. But if I may conclude with this, I believe we should pass the Anderson amendment. We have 3 years during which to consider whether we ought to move down that step in 1969. In the meanwhile, let us go to the $500,000 level and let us see how it works out, this entire impact, insofar as inflation and employment is concerned.

Mr. MARTIN of Nebraska. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to inform the Members that I expect to make a recommittal motion at the proper time. The recommittal motion will consist of two amendments to the legislation.

The motion to recommit is to include the amendment which I offered yesterday to strike all of the agricultural sections from the bill—four different sections—all in reference to agriculture. As was brought out in the debate late yesterday afternoon by the very able gentleman from Kentucky, there is a great deal of confusion as to who is covered by this particular agricultural legislation.

The subject was brought up about sharecroppers and whether the owner of a farm would be liable for wages paid to a sharecropper on a percentage of the crop basis. We did not get a satisfactory answer and there is not anything in the bill covering sharecroppers. This is just one illustration of the confusion that exists.

The second part of the recommittal motion will be the amendment offered by the gentleman from New York [Mr.

GOODELL] in regard to the food processors which was debated earlier today.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. MARTIN of Nebraska. I yield to the gentleman.

Mr. GOODELL. I simply want to say, this was the first amendment I offered, which would change the present two 14-week exemptions to two 10-week exemptions with no other change in the hours.

I hope we have the support of the Members on the recommittal motion.

Mr. O'HARA of Illinois. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this has been a great debate and I think it should close in an atmosphere of sweetness.

Never have I been prouder of the House of Representatives of the Congress of the United States than I have been during this debate. The debate on both sides has been intelligent, it has gone with clearness and exhaustiveness into the nooks and the corners and it has been carried on with the eloquence of sincerity and conviction in the noblest traditions of fairness of this historic Chamber. So I take only a minute, Mr. Chairman, to express what I think is in the minds of all my colleagues—appreciation of and congratulations to the members of this great committee on both sides of the aisle for an outstanding job they have done and for a brilliant and memorable debate.

Mr. WELTNER. Mr. Chairman, I support the increase in the minimum wage and the extension of coverage.

For over 5 years now the Nation has enjoyed unprecedented prosperity. Corporate profits, executive salaries, and personal savings are at alltime highs. Investors in long-term securities are enjoying record yields. Real estate values continue to climb.

Now, surely, with all this outpouring of staggering wealth, we can give some consideration to the millions of people who do not own stocks and bonds and real estate, but depend upon their daily labor to support themselves and their families. We can do something to assure that working people, along with industrial and commercial interests, share in this prosperity, and improve, in some measure, their personal lot.

The working men and women of this country deserve this protection, Mr. Chairman, and I, for one, am grateful for the opportunity to support them.

Mr. POLANCO-ABREU. Mr. Chairman, I rise to support the amendment in regard to extension of coverage. I will limit my observations to the effect of extended coverage in Puerto Rico.

I know that the drafters of the principal legislation, which we have been considering, had in mind to better the lot of underprivileged people far down on the economic ladder. But in Puerto Rico, the effect threatens not to better them but to worsen them in their economic position.

Nothing could be more evident that an increase in wages, but without a job to provide them, would be the most idle of all legislative gestures. Nothing could be more meaningless. And for these people who have been led to believe that the minimum wage amendments with its extended coverage will reach out and embrace them, nothing could be more deceiving.

As our former Governor, the Honorable Luis Muñoz-Marín has said, the lowest possible wage is no wage at all.

The danger in extending the provisions of such general legislation tailored for the needs of the U.S. industrial economy is apparent. All of the extended coverage of this bill applies to Puerto Rico, but the tailoring was not done to fit the suit to Puerto Rico. And I can tell you that the suit simply will not fit. The pity is that Puerto Rico will have to wear it and it will not look good, either to the Puerto Rican people or to the people of the world.

For the workingman in the additionally covered industries in Puerto Rico, the protection of the minimum wage law is something that he could do better without and would be better without.

The simple fact is that the extended coverage threatens extended unemployment in Puerto Rico and, for that reason, I support the amendment under consideration.

The legislative assembly, the executive branch, and the Commonwealth of Puerto Rico are opposed to the application of the extension of coverage, either by redefinition of terms—sections 102 and 103—or by revision of exemption.

I include part of the report on resolution No. 16 of the House of Representatives of Puerto Rico. The document reads as follows:

Provisions That Extend the Federal Fair Labor Standands Act To Cover Industries Not Heretofore Subject to Said Act in Puerto Rico, Including Agriculture

By extending the coverage of the Fair Labor Standards Act, minimum wages for industries heretofore not included in its provisions, would be determined through the Industrial Committees procedure. The agricultural industry is included

As regards new industries, agriculture inclusive, the provisions of the bill to apply in the United States are directed to the circumstances of the United States economy. Although, by virtue of its federal form of government, the Union consists of 50 different political units, the truth is that the United States constitutes a geographical unit (with the only exception of Hawaii and Alaska) and, undoubtedly, an economic unit. This is the outcome of a long and well known historical development. Consequently, the concept of interstate commerce has been progressively changing in its significance and interpretation. The commercial and industrial activities do not evolve in separate state compartments. United States commerce develops throughout the entire United States geographical area. At present it is difficult to draw a line between what is interstate commerce and what is purely internal state commerce. The concept of interstate commerce has been in practice substituted for one of national internal commerce.

Although the economic development of all the geographical areas of the Union is not uniform, the differences between them are not extreme and it is possible to find, for the purpose of establishing a national minimum wage, a reasonable common denominator. It is only in a limited number of cases that minimum wages might be higher than the wages prevalent in a given industry or region.

Puerto Rico's case does not fit in this pattern. Neither does the degree of development of Puerto Rico, whose per capita income, in spite of the progress achieved during the last few years, continues to be about half the per capita income of the state of the Union having the lowest income; nor the geographical location of Puerto Rico, at a distance of not less than 1,000 miles from the eastern coast of the United States and depending for its manufacture on raw material transported from the continent; nor the lack of raw material for manufacturing purposes (except certain tropical agricultural products); nor its population density; nor its high percentage of unemployment, permit the application of the same criteria to regulate the intercoastal commerce of Puerto Rico with the United States, and much less to consider the local commerce of Puerto Rico, as if immersed within or wholly integrated into the U.S. national internal commerce.

Wholesale and retail trade in Puerto Rico does not have the same effect on the wholesale and retail trade in the United States, as the wholesale and retail trade of a state has on the wholesale and retail trade of a contiguous or neighboring state. The construction industry in Puerto Rico does not and cannot have the same effect on the construction industry in a state of the Union, as that of a contiguous or neighboring state in the Continent. Laundries in Puerto Rico can not possibly compete with laundries in the states of the Union; laundries more than one thousand miles apart cannot influence each other from an economic point of view. Public transportation, restaurants, hotels, motels, hospitals and other related institutions, and gasoline service stations, are activities of an eminently local character in Puerto Rico and must operate within and in harmony with local economic conditions, in an insular area, not in accordance with continental economic conditions. The highest possible wage should be established for the sake of the workers, but the element of competition with the salaries of the workers of the continent does not exist. It should be born in mind that one of the two criteria that must be followed in the application of the law in Puerto Rico under the formula of the Industrial Committees is that the wages in Puerto Rico should not be so low as to permit the industries of the Island to unduly compete on the market of the United States. Such criterion would be inapplicable in the local non-agricultural industries nor in the agriculture of Puerto Rico.

Had Puerto Rico been remiss to adopt laws for the protection of the wages of its workers, the provision of federal protection by federal law might be warranted. But Puerto Rico has an efficient Minimum Wage Act since 1941, and it is a fact that under this system wages in Puerto Rico have considerably increased in the course of the years. For instance: In the manufacturing industries, from 36 cents an hour in 1946, to $1.26 in 1965; in hotels, from 36 cents an hour in 1950, to $1.26 in 1965; in laundries, from 35 cents in 1950, to 77 in 1964; in restaurants, from 17 cents in 1944, to 77 in 1965; in wholesale commerce, from 59 cents in 1950, to $1.34 in 1963; in hospitals, from 27 cents in 1950 to 88 cents in 1965; and in the construction industry, from 49 cents in 1950 to $1.27 in 1964. As a result, the distribution of Puerto Rico's income has notably improved, the proportion for wages and salaries having increased from 56.5% in 1940, to 69.0% in 1965.

The Minimum Wage Act of Puerto Rico provides that in the determination of minimum wages the conditions of each industry must be taken into account. Minimum wages should be determined at the highest level the industry is able to bear. In this respect nothing new is proposed for Puerto Rico in H.R. 13712 by the extension of coverage to new industries and agriculture. However, instead of the Industrial Committees being entirely composed of residents of the community they serve, they would be largely composed of residents in the Continent, who cannot be supposed to have a greater or even an equal knowledge of local conditions as residents here might have. Another difference would be that instead of the industrial committees being appointed by the Puerto Rico Minimum Wage Board, with permanent offices in Puerto Rico, they would be appointed by the U.S. Secretary of Labor.

It is difficult to understand how industrial committees thus composed can be more effective in the protection of the worker's wages and employment stability than the industrial committees formed under the Puerto Rican law. The economic conditions of a country visited for the first time cannot be easily understandable in a short period of days nor by those who have never lived in that community. The procedure to which employers and workers in Puerto Rico are used would be substituted for others with which they are not familiar. Any claim or complaint would have in each case to wait until the federally appointed committees are met and in operation in Puerto Rico, or else addressed to Washington. At present, employers and workers have continuous access to the Puerto Rico Minimum Wage Committee, with its permanent office in Puerto Rico.

Although the teaching of English is compulsory in the schools of Puerto Rico and a considerable percentage of our population is knowledgeable in said language, Spanish is the community language of Puerto Rico for the same historical reasons that English is the community language of the United States. Proceedings before the Puerto Rico Minimum Wage Board are conducted in Spanish. The employers and workers of Puerto Rico not proficient in the English language would meet difficulties which they do not have today in their relationship with an official organization in charge of matters of such importance to them as the fixing of minimum wages. This would especially apply in the case of agriculture; it would affect in a large measure our rural population.

MINIMUM WAGE BILL

COMMENTS ON INDUSTRIES WHOSE EXPANSION OR PROMOTIONAL POTENTIAL WOULD BE ADVERSELY AFFECTED BY PASSAGE OF H.R. 13712

The Economic Development Administration of the Commonwealth of Puerto Rico has canvassed its promotional staff, and checked its promotional records in an attempt to ascertain the impact of the proposed amendments to the FLSA on the industrial promotion activity which is so essential to the Commonwealth's continued economic expansion. This canvass indicated the following:

Industries whose potential expansion or location in Puerto Rico would be adversely affected included, strangely enough, many that are already subject to a $1.25 minimum in Puerto Rico. These include, first, electronics, and second, metal working industries. It was explained by promotional prospects queried on the matter that the average wage in these industries for unskilled workers in, let us say, the New York area, was currently $1.40 to $1.45; thus, there was a differential of 15 to 20 cents favoring a Puerto Rican location, which based on an operation of 100-plus employees was sufficient enough to overcome the added shipping costs, and so forth, inherent in a Puerto Rican location. However, a hike in the Puerto Rican minimums to $1.60 would substantially reduce the differential, possibly to as little as 5 to 10 cents, which would not be sufficient to overcome the added costs inherent in operating in Puerto Rico. These reports, it should be noted, came from enterprises located in the Southern, Mid-Atlantic, and New England States.

Third, the next group of industries that our field reports showed would be affected were the apparel and textile products. The differential in many of these industries is currently very slim, with a Puerto Rican minimum in such activities as brassieres at $1.27 and sweaters at $1.22, vis-a-vis average wages in such States as North Carolina being $1.44, Georgia $1.48, Alabama $1.45, and Mississippi $1.40. It should be noted that wages not much above these are often paid in certain areas of New York City itself.

Fourth, another industrial area that would be affected would be that of leather products—notably small leather goods and shoes. This is particularly so in light of the import situation, where many companies, faced with the possibility of importing leather goods from low-labor-cost foreign locations, have often found a Puerto Rican location to be desirable because of a more favorable production situation vis-a-vis other mainland locales. However, as labor costs rose in Puerto Rico, with no commensurate rise in labor costs in foreign locations, the choice would be to import such goods rather than produce them in Puerto Rico.

Finally, a number of service industries—such as tool and die operations, plastic molding, and so forth—whose Puerto Rican locations are premised on the growth of the activities which they service, would find their potential growth exceedingly restricted. Of course, the many industries mentioned before, whose continued operations in Puerto Rico would be imperiled by this measure, are also characteristic of those industrial areas where Puerto Rico would lose its current promotional potential. The technical studies undertaken by the Economic Development Administration of the Commonwealth of Puerto Rico reveals that employment in the following industries would be particularly imperiled by the enactment of H.R. 13712, as it currently reads:

A. All plants would be imperiled:

1. Meat products.
2. Confectionery and other food and kindred products.
3. Men's and boys' suits and trousers.
4. Women's blouses and shirts.
5. Women's skirts.
6. Nurses' and maids' uniforms.
7. Hats, caps and millinery.
8. Wood household furniture.
9. Paper and allied products, n.e.c.
10. Aluminum, metal and glass windows, doors and screens.

B. Industries in which a majority of the jobs would be imperiled:

1. Canning and preserving of fruit, vegetables and sea foods.
2. Sweater knitting mills.
3. All other knit outerwear mills.
4. Other knitting mills.
5. Floor covering mills.
6. Children's and infants' outerwear.
7. Shoulder straps.
8. Housefurnishings, other than curtains and draperies.
9. Other miscellaneous fabricated textile products.
10. Furniture and fixtures, n.e.c.
11. Corrugated and solid fiber boxes.
12. Commercial printing.
13. Leather goods (including belts).
14. Plastic flowers, fruit and foliage.
15. Stone, clay and glass products, n.e.c.
16. Electroplating, plating and anodizing.
17. Miscellaneous fabricated metal products and hardware.
18. Baseballs, softballs and other leather sportgoods.

C. Industries in which the survival of a majority of the plants (though they might not represent a majority of the employment in the industry) would be endangered:

1. Yarn and thread mills.
2. Dyeing and finishing of textiles.
3. Women's, misses' and juniors' dresses.
4. Women's and misses' sportswear.
5. Brassieres and accessories.
6. Dress and work gloves (excluding knit and all leather).
7. Embroideries.
8. Curtains and draperies.
9. Plastic toys, jewelry and novelties.
10. Aluminum extrusions; coating and insulating of wire.
11. Primary metal industries, n.e.c.
12. Non-electrical machinery, n.e.c.
13. Special industrial and farm machinery.
14. Transportation equipment.
15. Precious metal jewelry.
16. Cutting and polishing of diamonds.
17. Costume jewelry and novelties.

Mr. VANIK. Mr. Chairman, I want to take this opportunity to speak in support of this legislation to increase the minimum wage for almost 30 million workers in the United States to $1.40 per hour, effective February 1, 1967, and to $1.60 per hour, effective February 1, 1968.

I am also in hearty support of the provision to extend coverage to some 7 million people presently not covered.

In my opinion, the Committee on Education and Labor has prepared a very wise and acceptable increase in the minimum wage which reconciles Federal minimums to present-day realities. It is an effective tool in the fight against poverty. It does not and it should not have any effect on the wage-price spiral.

The minimum wage laws in the country are most useful as a tool to bring about fair play among the States with respect to labor standards. As long as any one State can offer a minimum wage program which is significantly and competitively lower than its sister State, it can use the low wages as a device to lure industry across State borders into low-wage havens.

This country is strong because we unite in efforts to establish fair wage standards which provide a decent standard of living to the worker and which permit American industries to fairly compete with each other. However, we cannot permit the States to assault and tear down each other's wage and employment standards for temporary advantages of runaway industries which thrive upon the cruel and special privileges of cheap labor.

In the United States, today, living costs are reaching a new level which are almost uniform throughout the country. Practically no one in the United States can work for much less than his fellow citizen. The enactment of Federal minimum wage laws does not interfere with the right or privilege of workers and employers to competitively bargain for their personnel and job opportunities above minimum wage levels. The Federal law merely establishes a minimum base beyond which we cannot permit labor standards to fall.

I support this legislation because it will help preserve industrial production and industrial employment in my community from the persistent threat of industry to flee to areas of lower labor standards. The producer of goods, of course, desires to produce in the area of lowest labor costs and to sell in the communities where higher wages are received. He cannot have his cake and eat it too. The higher wage earner becomes a better consumer who constantly needs a greater supply of new products. The economy moves more effectively in a climate of fair labor standards.

Mr. VIVIAN. Mr. Chairman, I rise in support of H.R. 13712, for I approve of the principal goals of this bill: to bring a larger portion of the Nation's working population under the jurisdiction of minimum wage legislation, and to raise the minimum wage to a more meaningful level.

In fact, Mr. Chairman, it is impossible for me to understand how any sensitive person can be against this legislation. Even today, the Office of Economic Opportunity sets the poverty level at $3,000 a year income. The bill before us today will raise the minimum wage over the next 5 years to just barely high enough to exceed that marginal level. By 1971, the minimum wage, for all except agricultural workers, will be set at $1.60 per hour; thus each person fortunate enough to work full time—let me repeat that—work full time—then will earn not less than the grand annual sum of $3,200 a year.

Can a family in the 1960's in the United States live decently on $3,200 a year? I do not believe so, Mr. Chairman, and I do not believe anyone in this Chamber sincerely believes it either.

I was particularly impressed by the remarks, Tuesday, in favor of this bill by my friend and colleague on the Science and Astronautics Committee—and I might add a distinguished Member of the minority delegation in the House—the gentleman from California [Mr. BELL]. He reminded us that both the late Senator Taft and President Eisenhower strongly supported minimum wage increases and extensions in the past. The gentleman from California also effectively put the impact of this bill in human terms, when he said:

> The committee, in studying this aspect of the bill, found that in industries covered by the act, 8 to 14 percent of workers who were family heads received less than $3,000 during 1963.
>
> However, for those not covered by the act, 33 to 49 percent of family bread winners earned less than $3,000 a year.
>
> We should be shocked to know that 40 percent of all children living in poverty were in families where there was a worker who had a full-time job throughout the year.
>
> And I would call the Members' attention to the fact that the minimum wage this bill seeks to establish in 1967 for those now covered by the act will yield an annual income of $2,800 for a 40-hour week.
>
> Not even equal to the minimum standard set by the poverty program.
>
> Today we have an opportunity to strike a blow against poverty while at the same time strengthening the free enterprise system.

Earlier, I introduced an amendment to this bill, which would have extended a special minimum wage to young persons under 21 years of age trying to obtain and to hold on to their first full-time job. These young people of our Nation are probably the only persons, in my opinion, who can survive on and benefit from a lesser wage, and even these young people can benefit only for a very limited period at the reduced wage. My amendment was defeated. But the bill well deserves our support as it stands.

Mr. GALLAGHER. Mr. Chairman, for three decades Congress has provided a minimum wage for millions of Americans—continually revising it to meet changing economic needs. Today's amendments to the Fair Labor Standards Act insure a livable wage for many American workers during the late 1960's and into the early seventies.

Last Tuesday was the 29th anniversary of the day President Roosevelt asked Congress to establish a minimum wage of 25 cents an hour for certain employees. One year later Congress passed the Fair Labor Standards Act, and succeeding Congresses periodically have raised the minimum level and expanded its coverage as the standard of living has increased.

It is only fair and humane that a person earn enough to meet the basic needs of his family, to retain his dignity, and to make America's vast opportunities available to his children. As President Roosevelt said in his Fair Labor Standards Act message in 1937:

> Our Nation so richly endowed with natural resources and with a capable and industrious population should be able to devise ways and means of insuring to all our able-bodied working men and women a fair day's pay for a fair day's work.

If a President of the United States could believe so strongly in such a statement and a Congress of the United States could support it with action in the wake of this country's most devastating depression, then surely, with our Nation enjoying its greatest prosperity, the American people and this Congress can do the same today. Action is especially urgent now because of today's record-high cost of living.

Five years ago I was proud to cosponsor the amendments to the Fair Labor Standards Act that brought more benefits to the American worker than any other action since enactment of the original legislation in 1938. I am equally proud to support today's amendments, which continue this country's excellent record of providing for its less fortunate.

Mr. FEIGHAN. Mr. Chairman, the concerns we have expressed in this body over the need to reduce and eventually to eradicate poverty from among us has already taken the form of many programs, centering in those authorized by the Economic Opportunity Act of 2 years ago. On a dozen fronts we are training, retraining, moving men to the jobs, moving jobs to the men, providing new opportunities for the disadvantaged, the sick, the minority groups, youth, women, even those just released from prison.

These programs all have one common feature—the aim of helping those who do not work, either because they are unable to work, or for one reason or another, because they are unable to find a job. These programs have received and will continue to receive my support and encouragement. There is nothing in our free society more discouraging than to need and to seek work and to be denied an opportunity to work and to be self-supporting.

There is one possible exception, Mr. Chairman. That is to have a job and to work and to earn so little that, working full time, the worker finds himself and his family unable to overcome the day-to-day burdens of poverty.

It is the problems of the working poor that we are concerned with here today. The unemployed number some 3 million. Employees who are presently within the scope of the Fair Labor Standards Act and earning less than $1.60 an hour are estimated to number nearly 6 million. We are proposing to bring several additional million workers, including at least a million presently earning less than $1 an hour, within the protection of that act. H.R. 13712 is a bill for the protection of the working poor, not the unemployed or the nonworking poor. It is about time we did something for those who are employed full time yet their meager earnings find them in reality among the ranks of the poor by any reasonable standard of judgment.

H.R. 13712 will not, as it is written, end the poverty of the working poor. Even at $1.60 an hour, a rate which will not be reached under the bill until 1968 for those now covered, and as late as 1971 for those we are now proposing to cover, we do not lift a family out of a dismal life of poverty. On the average it will eventually enable these workers to earn approximately $3,200 a year, which we recognize society should provide were no member of this family able to work.

Indeed, for those employed in agriculture whom we are proposing to bring within the scope of the act, we are proposing to increase these workers to only $1.30 an hour, and that only in 1969.

But, by these amendments to the Fair Labor Standards Act, we are taking a step, and a long overdue step, in the direction or raising the floor under wages to a level closer to the objective which has been a part of the "finding and declaration of policy" of the act since its enactment, back in 1938. That is, the elimination of wages so low they do not enable the man or woman who works to maintain a "minimum standard of living necessary for health, efficiency, and general well-being."

After all that we have done to aid those who do not work, in order that they may have a decent level of self-respect, can we in conscience refuse to aid those who do work so that they may earn a minimum wage? Does it make sense to go on training the unemployed, paying them a subsistence rate of $1.25 an hour, in order that they may, when trained, take a job which pays only $1 an hour?

THE UNIVERSITY OF MICHIGAN LIBRARIES

Mr. Chairman, I urge the passage of H.R. 13712 as a matter not only of economic justice, but of conscience and commonsense.

Mr. BINGHAM. Mr. Chairman, I support passage of the bill before us (H.R. 13712) increasing the coverage and the level of minimum wage guarantees.

In this period of mounting prices and increases in the cost of living, I am particularly distressed about those people who are employed full time but whose earnings fall below the amount needed for a minimum decent standard of living. It is a shocking fact that there are many men, even in New York, who work 40 hours a week but whose families receive welfare payments because the gross weekly earnings are inadequate to meet living costs. To the extent that H.R. 13712 will have any effect in New York State, it will tend to alleviate this situation.

This bill will also serve to protect the jobs of the people I represent. Many of our New York manufacturers, for example, find themselves in competition with firms in other States where the wage differential is so great as to injure the New York manufacturer. As a rule, most New York businesses pay far above the minimum wage. In fact, in January 1966, average weekly wages in New York State were $117, almost 2½ times the present minimum wage of $1.25 per hour and 83 percent higher than the ultimate minimum of $1.60 per hour proposed under this bill.

In contrast, there are States where the average wage is far, far less than New York's and where the impact of the new statutory minimum will be to narrow the wage gap between New York and her competitors. This will reduce the tendency of industry to migrate out of New York and the pressures of New York workers to accept less wages in order to be competitive.

As the debate on this bill has shown, there are members who believe that this bill goes much too far, others that it does not go far enough. The formulas in the bill before us today were evolved as a compromise position after a long and exhaustive process of negotiation. I do not, of course, feel bound by compromises to which I have not been a party, but I respect the people who participated in its formulation. I am reluctant to substitute my judgment for those who worked out these formulas or to criticize their supporters because I might have concluded that a different level, a different effective date or more extensive coverage would be preferable.

I have opposed the many weakening amendments that have been offered and I regret that one of them has been adopted. However, in spite of the bill's weaknesses, I shall of course vote for it. If enacted, it will be another achievement of the 89th Congress, another step toward the goals of the Great Society.

Mr. GRIDER. Mr. Chairman, this House will pass H.R. 13712, the Fair Labor Standards Amendments of 1966.

It was my intention to offer amendments to this bill which would have had the effect of broadening the coverage of the minimum wage laws without increasing the minimum from the present $1.25.

During the debate, it has become obvious that such an amendment would have failed of passage. I was informed that the Committee on Education and Labor had decided to oppose all amendments. Furthermore, the obvious intention of my colleagues was to increase the minimum. For this reason, I did not offer the amendment.

I will vote for passage, and would vote for passage even if my amendments had failed. However, it seems to me that it would have been a better bill if it had simply increased the coverage at this time.

In 1961, Congress added 3.6 million new employees to the 24 million already covered while adding a 25-percent wage increase. This was a 15-percent increase in coverage.

The bill includes a 28-percent wage increase while adding 7.2 million to the 29.6 million already covered, an increase of 25 percent.

Although I believe that this action is somewhat drastic, I will vote for the bill. The Morris amendment which delays for 1 year the last step in the increases makes the bill more reasonable. I wanted my colleagues to know why I did not introduce the proposed amendment, and my feelings on the bill.

The CHAIRMAN. The question is on the committee substitute amendment, as amended.

The committee substitute amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee will rise.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. PRICE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 13712) to amend the Fair Labor Standards Act of 1938 to extend its protection to additional employees, to raise the minimum wage, and for other purposes, pursuant to House Resolution 851, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote on any amendment demanded?

Mr. DENT. Mr. Speaker, the committee demands a separate vote on the so-called Anderson amendment and the so-called Ayres-Morris amendment.

The SPEAKER. The Clerk will report the first amendment on which a separate vote has been demanded.

The Clerk read as follows:

On page 33, strike out lines 6 through 17 and insert in lieu thereof the following:

"(1) is an enterprise (A) whose annual gross volume of sales is not less than $500,000 (exclusive of excise taxes at the retail level which are separately stated) (B) which has one or more retail or service establishments, and (C) which purchases or receives goods for resale that move or have moved across State lines (not in deliveries from the reselling establishment) which amount in total annual volume to $250,000 or more;

"(2) is a gasoline service establishment whose annual gross volume of sales is not less than $250,000 (exclusive of excise taxes at the retail level which are separately stated).

"(3) is an establishment of any such enterprise, except establishments and enterprises referred to in other paragraphs of this subsection, which has employees engaged in commerce or in the production of goods for commerce if the annual gross volume of sales of such enterprise is not less than $1,000,000;".

On page 33, line 18, strike out "(2)" and insert in lieu thereof "(4)"; line 20, strike out "(3)" and insert in lieu thereof "(5)"; and, in line 22, strike out "(4)" and insert in lieu thereof "(6)".

The SPEAKER. The question is on the amendment.

The question was taken; and the Speaker announced that the "noes" appeared to have it.

Mr. ANDERSON of Illinois. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 195, nays 200, answered "present" 3, not voting 33, as follows:

[Roll No. 113]

YEAS—195

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Aspinall
Ayres
Baring
Bates
Battin
Beckworth
Belcher
Bennett
Berry
Betts
Bolton
Bow
Bray
Brock
Broomfield
Brown, Clarence J., Jr.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Byrnes, Wis.
Cabell
Callan
Callaway
Carter
Casey
Cederberg
Chamberlain
Chelf
Clancy
Clark
Clausen, Don H.
Cleveland
Collier
Conable
Cooley
Craley
Cramer
Curtin
Curtis
Dague
Davis, Wis.
Derwinski
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Edwards, Ala.
Edwards, La.
Ellsworth
Everett
Findley
Fisher
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Fuqua
Gathings
Gettys
Goodell
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Harsha
Harvey, Ind.
Harvey, Mich.
Hays
Hébert
Henderson
Herlong
Horton
Hosmer
Hull
Hutchinson
Ichord
Jarman
Jennings
Johnson, Pa.
Jonas
Jones, Mo.
Jones, N.C.
Keith
King, N.Y.
King, Utah
Kornegay
Kunkel
Kupferman
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McClory
McCulloch
McEwen
McMillan
Mahon
Marsh
Martin, Nebr.
Mathias
Matthews
May
Michel
Minshall
Mize
Moore
Morris
Morrison
Morse
Mosher
Natcher
Nelsen
Olson, Minn.
O'Neal, Ga.
Passman
Pickle
Pirnie
Poage
Poff
Pool
Purcell
Quie
Quillen
Reid, N.Y.
Reifel
Reinecke
Rhodes, Ariz.
Rivers, S.C.
Roberts
Robison
Rogers, Fla.
Rogers, Tex.
Roudebush
Rumsfeld
Satterfield
Schneebeli
Scott
Secrest
Selden
Shriver
Sikes
Skubitz
Smith, N.Y.
Smith, Va.
Springer
Stafford
Stanton
Steed
Stephens
Stratton
Stubblefield
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Tex.
Thomson, Wis.
Tuck
Utt
Waggonner
Walker, N. Mex.
Watkins
Watson
Watts
White, Idaho
White, Tex.
Whitener
Whitten
Widnall
Wilson, Bob
Wright
Wyatt
Wydler
Young
Younger

NAYS—200

Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Bandstra
Barrett
Bell
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Brown, Calif.
Burke
Burton, Calif.
Byrne, Pa.
Cahill
Cameron
Carey
Celler
Clevenger
Cohelan
Conyers
Corbett
Culver
Cunningham
Daddario
Daniels
Davis, Ga.
Dawson
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Fino
Flood
Fogarty
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gibbons
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffiths
Hagen, Calif.
Halpern
Hamilton
Hanley
Hansen, Wash.
Hathaway
Hawkins
Hechler
Helstoski
Hicks
Holifield
Holland
Howard
Hungate
Huot
Irwin
Jacobs
Joelson
Johnson, Calif.
Johnson, Okla.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
Kelly
Keogh
King, Calif.
Kirwan
Kluczynski
Krebs
Landrum
Leggett
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
McVicker
Macdonald
Machen
Mackay
Mackie
Madden
Mailliard
Matsunaga
Meeds
Mills
Minish
Mink
Monagan
Moorhead
Morgan
Multer
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
O'Neill, Mass.
Patman
Patten
Pepper
Perkins
Philbin
Pike
Powell
Price
Pucinski
Race
Randall
Redlin
Rees
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Rodino
Rogers, Colo.
Ronan
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schweiker
Senner
Shipley
Sickles
Sisk
Slack
Smith, Iowa
Staggers
Stalbaum
Sullivan
Sweeney
Thomas
Todd
Trimble
Tunney
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Weltner
Wolff
Yates
Zablocki

ANSWERED "PRESENT"—3

Conte
Ottinger
Pelly

NOT VOTING—33

Burton, Utah
Clawson, Del
Colmer
Corman
de la Garza
Erlenborn
Evans, Colo.
Evins, Tenn.
Gilbert
Hanna
Hansen, Idaho
Hansen, Iowa
Hardy
MacGregor
Martin, Ala.
Martin, Mass.
Miller
Moeller
Morton
Moss
Murray
Reid, Ill.
Roncalio
Rooney, N.Y.
Smith, Calif.
Tenzer
Thompson, N.J.
Toll
Walker, Miss.
Whalley
Williams
Willis
Wilson, Charles H.

So the amendment was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Hansen of Idaho for, with Mr. Evans of Colorado against.

Mr. Morton for, with Mr. Gilbert, against.

Mr. Ottinger for, with Mr. Rooney of New York against.

Mrs. Reid of Illinois for, with Mr. Conte against.

Mr. Erlenborn for, with Mr. Pelly against.

Mr. Murray for, with Mr. Miller against.

Mr. Smith of California for, with Mr. Thompson of New Jersey against.

Mr. Walker of Mississippi for, with Mr. Moss against.

Mr. Burton of Utah for, with Mr. Charles H. Wilson against.

Mr. Evins of Tennessee for, with Mr. Moeller against.

Until further notice:

Mr. Hansen of Iowa with Mr. Del Clawson.
Mr. Hanna with Mr. MacGregor.
Mr. Williams with Mr. Martin of Alabama.
Mr. Hardy with Mr. de la Garza.
Mr. Colmer with Mr. Corman.
Mr. Roncalio with Mr. Toll.
Mr. Willis with Mr. Whalley.
Mr. Tenzer with Mr. Martin of Massachusetts.

Mr. CONTE. Mr. Speaker, I have a live pair with the gentlewoman from Illinois [Mrs. REID]. If she were present, she would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

Mr. PELLY. Mr. Speaker, I have a live pair with the gentleman from Illinois [Mr. ERLENBORN]. If he were present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

Mr. OTTINGER. Mr. Speaker, I have a live pair with the gentleman from New York [Mr. ROONEY]. If he were present, he would have voted "nay." I voted "yea." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the second amendment on which a separate vote has been demanded.

The Clerk read as follows:

On page 46, line 25, strike the word "year" and insert "two years."

The SPEAKER. The question is on the amendment.

Mr. AYRES. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 205, nays 194, not voting 32, as follows:

[Roll No. 114]

YEAS—205

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Aspinall
Ayres
Baring
Bates
Battin
Beckworth
Belcher
Bennett
Berry
Betts
Bolton
Bow
Bray
Brock
Broomfield
Brown, Clarence J., Jr.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Byrnes, Wis
Cabell
Callan
Callaway
Carter
Casey
Cederberg
Chamberlain
Chelf
Clancy
Clausen, Don H.
Cleveland
Collier
Conable
Cooley
Corbett
Craley
Cramer
Cunningham
Curtin
Curtis
Dague
Davis, Wis.
Derwinski
Devine
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Edmondson
Edwards, Ala.
Ellsworth
Everett
Findley
Fisher
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gathings
Gettys
Goodell
Greigg
Grider
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Harsha
Harvey, Ind.
Harvey, Mich.
Hays
Hébert
Henderson
Herlong
Hosmer
Hull
Hutchinson
Ichord
Jarman
Jennings
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Keith
King, N.Y.
King, Utah
Kornegay
Kunkel
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Long, La.
McClory
McCulloch
McEwen
McMillan
Mahon
Marsh
Martin, Nebr.
Mathias
Matthews
May
Michel
Mills
Minshall
Mize
Moore
Morris
Mosher
Murray
Natcher
Nelsen
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
Passman
Pickle
Pike
Pirnie
Poage
Poff
Pool
Purcell
Quie
Quillen
Redlin
Reifel
Reinecke
Rhodes, Ariz.
Rivers, S.C.
Roberts
Robison
Rogers, Fla.
Rogers, Tex.
Roudebush
Rumsfeld
Satterfield
Saylor
Schneebeli
Scott
Secrest
Selden
Shriver
Sikes
Skubitz
Smith, N.Y.
Smith, Va.
Springer
Stafford
Stalbaum
Stanton
Steed
Stephens
Stubblefield
Talcott
Taylor
Teague, Calif.
Teague, Tex
Thompson, Tex.
Thomson, Wis.
Tuck
Tuten
Utt
Vigorito
Waggonner
Walker, N. Mex.
Watkins
Watson
Watts
White, Idaho
White, Tex.
Whitener
Whitten
Widnall
Wilson, Bob
Wright
Wyatt
Young
Younger

NAYS—194

Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Bandstra
Barrett
Bell
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Brown Calif.
Burke
Burton, Calif.
Byrne, Pa.
Cahill
Cameron
Carey
Celler
Clark
Clevenger
Cohelan
Conte
Conyers
Culver
Daddario
Daniels
Davis, Ga.
Dawson
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edwards, Calif.
Edwards, La.
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Fino
Flood
Fogarty
Foley
Ford, William D.
Fraser
Friedel
Gallagher
Garmatz
Giaimo
Gibbons
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Griffiths
Hagen, Calif.
Halpern
Hamilton
Hanley
Hansen, Wash.
Hathaway
Hawkins
Hechler
Helstoski
Hicks
Holifield
Holland
Horton
Howard
Hungate
Huot
Irwin
Jacobs
Joelson
Johnson, Calif
Karsten
Karth
Kastenmeier
Kee
Kelly
Keogh
King, Calif.
Kirwan
Kluczynski
Krebs
Kupferman
Leggett
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
McVicker
Macdonald
Machen
Mackay
Mackie
Madden
Mailliard
Matsunaga
Meeds
Minish
Mink
Monagan
Moorhead
Morgan
Morrison
Morse
Multer
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Powell
Price
Pucinski
Race
Randall
Rees
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Rodino
Rogers, Colo.
Ronan
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
St Germain
St. Onge
Scheuer
Schisler
Schmidhauser
Schweiker
Senner
Shipley
Sickles
Sisk
Slack
Smith, Iowa
Staggers
Stratton
Sullivan
Sweeney
Tenzer
Thomas
Todd
Trimble
Tunney
Tupper
Udall
Ullman
Van Deerlin
Vanik
Vivian
Weltner
Wolff
Wydler
Yates
Zablocki

NOT VOTING—32

Burton, Utah
Clawson, Del
Colmer
Corman
de la Garza
Dickinson

Erlenborn
Evans, Colo.
Evins, Tenn.
Gilbert
Hanna
Hansen, Idaho
Hansen, Iowa
Hardy
MacGregor
Martin, Ala
Martin, Mass.
Miller
Moeller
Morton
Moss
Reid, Ill.
Roncalio
Rooney, N.Y.
Smith, Calif.
Thompson, N.J.
Toll
Walker, Miss.
Whalley
Williams
Willis
Wilson, Charles H.

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Burton of Utah for, with Mr. Rooney of New York against.

Mr. Smith of California for, with Mr. Gilbert against.

Mr. Morton for, with Mr. Thompson of New Jersey against.

Mr. Hansen of Idaho for, with Mr. Miller against.

Mr. Dickinson for, with Mr. Hanna against.

Mr. Walker of Mississippi for, with Mr. Moss against.

Mr. Hansen of Iowa for, with Mr. Evans of Colorado against.

Until further notice:

Mr. Ashley with Mr. Martin of Massachusetts.

Mr. Colmer with Mr. Reid of Illinois.

Mr. Charles H. Wilson with Mr. MacGregor.

Mr. Evins of Tennessee with Mr. Martin of Alabama.

Mr. Moeller with Mr. Erlenborn.

Mr. Williams with Mr. Whalley.

Mr. Willis with Mr. Toll.

Mr. Hardy with Mr. Corman.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the amendment as amended.

The amendment as amended was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. MARTIN of Nebraska. Mr. Speaker, I offer a motion to recommit the bill.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MARTIN of Nebraska. I am, Mr. Speaker.

The SPEAKER pro tempore. The gentleman qualifies.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. MARTIN of Nebraska moves that the bill H.R. 13712 be recommitted to the Committee on Education and Labor with instructions to report the bill back to the House forthwith with the following amendments:

Delete section 103, entitled "Agricultural Employees", beginning on line 15, page 34, through line 14, page 35.

Delete section 203, entitled "Agricultural Employees", beginning on line 5, page 37, through line 14, page 38.

Delete section 302, entitled "Agricultural Employees", beginning on line 18, page 47, through line 3, page 48.

Delete section 501(c), beginning on line 4, page 56, through line 17, page 56.

On page 40, lines 3 and 4, strike out the words "(other than an industry described in subsection (d))."

On page 40, line 6, strike out the word "ten" and insert the word "twelve."

On page 40, line 7, strike out the word "forty-eight" and insert the word "fifty-six."

On page 40, line 10, strike out the word "employed" and insert the following: "employed: *Provided*, That in any place of employment in which the exemptions provided in this subsection and subsection (d) both apply to employees, the number of exempt workweeks provided by this subsection shall not exceed ten in any calendar year, which shall be in addition to the ten exempt workweeks provided by subsection (d)."

On page 40, line 11 through page 41, line 13, strike out all of subsection (d) and insert the following new subsection (d):

"(d) In the case of an employer engaged in the first processing of milk, buttermilk, whey, skimmed milk, or cream into dairy products or in the compressing of cotton, or in the processing of cottonseed, or in the processing of sugar beets, sugar beet molasses, sugarcane, or maple sap, into sugar (but not refined sugar) or into sirup, the provisions of subsection (a) shall not apply to his employees in any place of employment where he is so engaged; and in the case of an employer engaged in the first processing of, or in canning or packing, perishable or seasonal fresh fruits or vegetables, or in the first processing, within the area of production (as defined by the Secretary), of any agricultural or horticultural commodity during seasonal operations, or in handling, slaughtering, or dressing poultry or livestock, the provisions of subsection (a), during a period or periods of not more than ten workweeks in the aggregate in any calendar year, shall not apply to his employees in any place of employment where he is so engaged."

Mr. MARTIN of Nebraska (during reading of motion to recommit). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read. I explained the motion earlier. It eliminates completely the coverage in agriculture through the amendment which I offered on yesterday, and the amendment of the gentleman from New York [Mr. GOODELL] in regard to processors as contained therein.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. MARTIN of Nebraska. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 167, nays 232, not voting 32, as follows:

[Roll No. 115]

YEAS—167

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Baring
Battin
Beckworth
Belcher
Berry
Betts
Bolton
Bow
Bray
Brock
Brown, Clarence J., Jr.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Byrnes, Wis.
Cabell
Callaway
Carter
Cederberg
Chamberlain
Chelf
Clancy
Cleveland
Conable
Cooley
Cramer
Cunningham
Curtin
Curtis
Dague
Davis, Wis.
Derwinski
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Edmondson
Edwards, Ala.
Edwards, La.
Everett
Findley
Fisher
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Fuqua
Gathings
Gettys
Goodell
Gross
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Harsha
Harvey, Ind.
Harvey, Mich.
Hébert
Henderson
Herlong
Hosmer
Hutchinson
Jarman
Jennings
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
King, N.Y.
King, Utah
Kornegay
Kunkel
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Long, La.
McClory
McCulloch
McEwen
McMillan
Mahon
Marsh
Martin, Nebr.
Mathias
Matthews
May
Michel
Mills
Minshall
Mize
Morrison
Murray
Natcher
Nelsen
Olsen, Mont.
O'Neal, Ga.
Passman
Pickle
Pirnie
Poage
Poff
Pool
Purcell
Quillen
Reifel
Rhodes, Ariz.
Rivers, S.C.
Roberts
Robison
Rogers, Fla.
Rogers, Tex.
Roudebush
Rumsfeld
Satterfield
Schneebeli
Scott
Selden
Shriver
Sikes
Skubitz
Smith, N.Y.
Smith, Va.
Springer
Stafford
Stanton
Steed
Stephens
Stratton
Stubblefield
Taylor
Teague, Tex.
Thompson, Tex.
Thomson, Wis.
Tuck
Tuten
Utt
Vigorito
Waggonner
Watkins
Watson
Watts
White, Tex.
Whitener
Whitten
Wilson, Bob
Wyatt
Young

NAYS—232

Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Aspinall
Ayres
Bandstra
Barrett
Bates
Bell
Bennett
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Broomfield
Brown, Calif.
Burke
Burton, Calif.
Byrne, Pa.
Cahill
Callan
Cameron
Carey
Casey
Celler
Clark
Clausen, Don H.
Clevenger
Cohelan
Collier
Conte
Conyers
Corbett
Craley
Culver
Daddario
Daniels
Davis, Ga.
Dawson
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edwards, Calif.
Ellsworth
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Fino
Flood
Fogarty
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gibbons
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffiths
Grover
Gubser
Hagen, Calif.
Halpern
Hamilton
Hanley
Hansen, Wash.
Hathaway
Hawkins
Hays
Hechler
Helstoski
Hicks
Holifield
Holland
Horton
Howard
Hull
Hungate
Huot
Ichord
Irwin
Jacobs
Joelson
Johnson, Calif.
Johnson, Okla.
Karsten
Karth
Kastenmeier
Kee
Keith
Kelly
Keogh
King, Calif.
Kirwan
Kluczynski
Krebs
Kupferman
Leggett
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
McVicker
Macdonald
Machen
Mackay
Mackie
Madden
Mailliard
Matsunaga
Meeds
Minish
Mink
Monagan
Moore
Moorhead
Morgan
Morris
Morse
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pike
Powell
Price
Pucinski
Quie
Race
Randall
Redlin
Rees
Reid, N.Y.
Reinecke
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Rodino
Rogers, Colo.
Ronan
Rooney, Pa.
Rosenthal
Roush
Roybal
Ryan
St Germain
St. Onge
Saylor
Scheuer

Schisler
Schmidhauser
Schweiker
Secrest
Senner
Shipley
Sickles
Sisk
Slack
Smith, Iowa
Staggers
Stalbaum
Sullivan
Sweeney
Talcott
Teague, Calif.
Tenzer
Thomas
Todd
Trimble
Tunney
Tupper
Udall
Ullman
Van Deerlin
Vanik
Vivian
Walker, N. Mex.
Weltner
White, Idaho
Widnall
Wolff
Wright
Wydler
Yates
Younger
Zablocki

NOT VOTING—32

Burton, Utah
Clawson, Del
Colmer
Corman
de la Garza
Erlenborn
Evans, Colo.
Evins, Tenn.
Gilbert
Hanna
Hansen, Idaho
Hansen, Iowa
Hardy
MacGregor
Martin, Ala.
Martin, Mass.
Miller
Moeller
Morton
Moss
Reid, Ill.
Roncalio
Rooney, N.Y.
Rostenkowski
Smith, Calif.
Thompson, N.J.
Toll
Walker, Miss.
Whalley
Williams
Willis
Wilson, Charles H.

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Burton of Utah for, with Mr. Rooney of New York against.

Mr. Smith of California for, with Mr. Gilbert against.

Mr. Morton for, with Mr. Evans of Colorado against.

Mr. Hansen of Idaho for, with Mr. Miller against.

Mr. Walker of Mississippi for, with Mr. Evins of Tennessee against.

Until further notice:

Mr. Rostenkowski with Mr. Whalley.

Mr. Moeller with Mr. Martin of Massachusetts.

Mr. Hanna with Mr. Erlenborn.

Mr. Thompson of New Jersey with Mr. Del Clawson.

Mr. Charles H. Wilson with Mr. MacGregor.

Mr. Moss with Mrs. Reid of Illinois.

Mr. Corman with Mr. Martin of Alabama.

Mr. Colmer with Mr. Toll.

Mr. Williams with Mr. Hansen of Iowa.

Mr. Hardy with Mr. Willis.

Mr. Roncalio with Mr. de la Garza.

The result of the vote was announced as above recorded.

The **SPEAKER**. The question is on the passage of the bill.

Mr. **GERALD R. FORD**. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 303, nays 93, answered "present" 1, not voting 34, as follows:

[Roll No. 116]

YEAS—303

Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Aspinall
Ayres
Bandstra
Barrett
Bates
Beckworth
Bell
Bennett
Berry
Betts
Bingham
Blatnik
Boggs
Bolling
Boland
Bolton
Bow
Brademas
Brooks
Broomfield
Brown, Calif.
Brown, Clarence J., Jr.
Broyhill, N.C.
Burke
Burton, Calif.
Byrne, Pa.
Cahill
Callan
Cameron
Carey
Carter
Celler
Chamberlain
Clancy
Clark
Clausen, Don H.
Cleveland
Clevenger
Collier
Conable
Conte
Conyers
Corbett
Craley
Cramer
Culver
Cunningham
Daddario
Daniels
Davis, Ga.
Dawson
Delaney
Dent
Denton
Derwinski
Devine
Diggs
Dingell
Donohue
Dow
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Ellsworth
Everett
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Fino
Flood
Fogarty
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gibbons
Gilligan
Gonzalez
Goodell
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffiths
Grover
Gubser
Hagen, Calif.
Halleck
Halpern
Hamilton
Hanley
Hansen, Wash.
Harsha
Harvey, Mich.
Hathaway
Hawkins
Hays
Hechler
Helstoski
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hungate
Huot
Ichord
Irwin
Jacobs
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
Keith
Kelly
Keogh
King, Calif.
King, N.Y.
Kirwan
Kluczynski
Kornegay
Krebs
Kupferman
Laird
Landrum
Latta
Leggett
Long, La.
Long, Md.
Love
McCarthy
McCulloch
McDade
McDowell
McEwen
McFall
McGrath
McVicker
Macdonald
Machen
Mackay
Mackie
Madden
Mailliard
Mathias
Matsunaga
May
Meeds
Michel
Mills
Minish
Mink
Minshall
Mize
Monagan
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Powell
Price
Pucinski
Quie
Race
Randall
Redlin
Rees
Reid, N.Y.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, Pa.
Rosenthal
Roush
Roybal
Ryan
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Secrest
Senner
Shipley
Shriver
Sickles
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Springer
Stafford
Staggers
Stalbaum
Stanton
Steed
Stratton
Sullivan
Sweeney
Talcott
Taylor
Teague, Calif.
Tenzer
Thomas
Todd
Trimble
Tunney
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Weltner
White, Idaho
White, Tex.
Whitener
Widnall
Wilson, Bob
Wolff
Wright
Wyatt
Wydler
Yates
Young
Younger
Zablocki

NAYS—93

Abbitt
Abernethy
Andrews, George W.
Andrews, Glenn
Ashmore
Baring
Battin
Belcher
Bray
Brock
Broyhill, Va.
Buchanan
Burleson
Byrnes, Wis.
Cabell
Callaway
Casey
Cederberg
Chelf
Cooley
Curtin
Curtis
Dague
Davis, Wis.
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Edwards, Ala.
Edwards, La.
Findley
Fisher
Flynt
Fountain
Fuqua
Gathings
Gross
Gurney
Hagan, Ga.
Haley
Hall
Harvey, Ind.
Hébert
Henderson
Herlong
Hull
Hutchinson
Jarman
Jones, Mo.
Jones, N.C.
King, Utah
Kunkel
Langen
Lennon
Lipscomb
McClory
McMillan
Mahon
Marsh
Martin, Nebr.
Matthews
Murray
Natcher
Nelsen
O'Neal, Ga.
Poage
Poff
Pool
Purcell
Quillen
Rivers, S.C.
Roberts
Rogers, Tex.
Roudebush
Rumsfeld
Satterfield
Scott
Selden
Smith, Va.
Stephens
Stubblefield
Teague, Tex.
Thompson, Tex.
Thomson, Wis.
Tuck
Utt
Waggonner
Watkins
Watson
Watts
Whitten

ANSWERED "PRESENT"—1

Gettys

NOT VOTING—34

Burton, Utah
Clawson, Del
Cohelan
Colmer
Corman
de la Garza
Erlenborn
Evans, Colo.
Evins, Tenn.
Gilbert
Hanna
Hansen, Idaho
Hansen, Iowa
Hardy
MacGregor
Martin, Ala.
Martin, Mass.
Miller
Moeller
Morton
Moss
Reid, Ill.
Roncalio
Rooney, N.Y.
Rostenkowski
Sikes
Smith, Calif.
Thompson, N.J.
Toll
Walker, Miss.
Whalley
Williams
Willis
Wilson, Charles H.

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Morton for, with Mr. Burton of Utah against.

Mr. Rooney of New York for, with Mr. Walker of Mississippi against.

Mr. Evans for, with Mr. Sikes against.

Mr. Gilbert for, with Mr. Gettys against.

Mr. Rostenkowski for, with Mr. Smith of California against.

Mr. Thompson of New Jersey for, with Mr. Hansen of Idaho against.

Until further notice:

Mr. Miller with Mr. Whalley.

Mr. Hardy with Mr. MacGregor.

Mr. Moss with Mr. Martin of Massachusetts.

Mr. Evins of Tennessee with Mr. Erlenborn.

Mr. Moeller with Mr. Martin of Alabama.

Mr. Charles H. Wilson with Mr. Del Clawson.

Mr. Cohelan with Mrs. Reid of Illinois.

Mr. Hansen of Iowa with Mr. Hanna.

Mr. Williams with Mr. Toll.

Mr. Corman with Mr. Willis.

Mr. Colmer with Mr. Roncalio.

Mr. **CARTER** changed his vote from "nay" to "yea."

Mr. **GETTYS**. Mr. Speaker, I have a live pair with the gentleman from New York [Mr. Gilbert]. If he had been present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. **DENT**. Mr. Speaker, I ask unanimous consent that all Members be given 5 days in which to revise and extend their remarks on the bill just passed.

The **SPEAKER**. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. **DENT**. Mr. Speaker, before leaving, on behalf of the committee, I would like to thank the membership of the House for their very courteous treatment and their kindness throughout a day of turmoil on this bill.

I would also like to make the announcement that with the aid of the amendment of the gentleman from Illinois [Mr. Collier], which we are grateful for, the coverage is now approximately 7,590,000 persons.

PROVIDING FOR AN ADDITIONAL CLERK FOR ALL HOUSE MEMBERS

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution (H. Res. 855) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 855

Resolved, That, effective on the first day of the first month which begins after the date of adoption of this resolution, there shall be paid out of the contingent fund of the House, until otherwise provided by law, such sums as may be necessary to increase the basic clerk hire allowance of each Member and the Resident Commissioner from Puerto Rico by an additional $7,500 per annum, and each such Member and Resident Commissioner shall be entitled to one clerk in addition to those to which he is otherwise entitled.

With the following committee amendment:

Line 7, strike out "$7,500" and insert "$7,000".

Mr. FRIEDEL. Mr. Speaker, this resolution is a very simple one.

House Resolution 855 provides for an increase in the basic clerk hire allowance of $7,000 per annum and authority for one additional clerk for each Member of the House of Representatives.

At the present time each Member representing a district of less than 500,000 population has a basic clerk hire allowance of $25,000 per annum, and may employ not more than 10 clerks. Under the provisions of House Resolution 855, this Member will have a basic clerk hire allowance of $32,000 per annum and may employ not more than 11 clerks.

For those Members having a constituency over 500,000 population, the basic clerk hire allowance is $27,500 per annum and not more than 11 clerks may be employed. Under the provisions of House Resolution 855, this Member will have a basic clerk hire allowance of $34,500 per annum and may employ not more than 12 clerks.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the distinguished gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding.

I wonder if the distinguished gentleman, the chairman of this subcommittee of the Committee on House Administration, realizes that this is a portion of the bill that we submitted under House-Senate Concurrent Resolution No. 2 on the joint reorganization of the Congress and related agencies. If so, has that been taken into consideration?

Mr. FRIEDEL. No, it has not, but I can assure the gentleman once that recommendation is made and we can fit the language into a bill that would be agreeable to the members of our committee, we will consider it at the first opportunity.

Mr. HALL. I want to assure the gentleman from Maryland our committee has no operational jurisdiction. It can only recommend.

Mr. FRIEDEL. Right. Once we get the recommendation, we will certainly give it consideration.

Mr. HALL. The marked up portion of the bill for the resolution that will be submitted to the Congress uses the term, Mr. Speaker, "an additional employee to be known as a legislative assistant." I see nothing in this that would limit the use of these additional funds that are provided by House Resolution 855 for any purpose. Nor would it limit the jurisdiction of the Member as far as additional staffing is concerned or personnel vacancies are concerned?

Mr. FRIEDEL. The gentleman is correct.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, is this amendment related to any other personnel changes or any other procedure over which the Committee on House Administration has jurisdiction, or does it have to do with a change in the basic pay and gross pay?

Mr. FRIEDEL. It is stipulated for basic personnel pay.

Mr. HALL. So this is considered as basic pay?

This is simply an additional $7,000 premium out of the contingency fund, until otherwise provided by law that any Member or the Resident Delegate from Puerto Rico could use it as they see fit as well as one additional vacancy.

Mr. FRIEDEL. That is true, but on the other hand if the Member does not need it, he would not have to take it. It will not go in his pocket. It is not used at all.

Mr. HALL. I want the record to be crystal clear that I am not in opposition to the principle of this bill. I think that many of the Members need this and, in fact, the recommendation was going to come out of the Committee on Joint Organization of Congress unanimously, in my opinion, insofar as we can tell. It is regrettable that they have printed perhaps a bill that might have been better worded, at least in the opinion of the committee. The committee has been holding these hearings for now almost 2 years and shall come forward with a rule. I certainly appreciate the direct action and I understand the effective date as written into the bill.

Mr. VIGORITO. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from Pennsylvania [Mr. VIGORITO].

Mr. VIGORITO. I will ask the gentleman from Maryland [Mr. FRIEDEL] if during the 89th Congress an additional clerk was not allowed, and there was an additional clerk allowance provided for in the 89th Congress?

Mr. FRIEDEL. The gentleman is correct.

Mr. VIGORITO. Mr. Speaker, if the gentleman will yield further, if I am correct, last summer did not we have an additional student trainee allowed for our offices?

Mr. FRIEDEL. That had nothing to do with this whatsoever.

Mr. VIGORITO. Mr. Speaker, I hope that this resolution will be defeated and that it will come up on the regular calendar.

Mr. Speaker, I object to the present consideration of the resolution.

Mr. FRIEDEL. Mr. Speaker, I move the previous question.

The SPEAKER. The Chair will state to the gentleman from Pennsylvania that this is a privileged resolution as reported by the Committee on House Administration, and it is in order when called up. The matter is privileged.

Mr. VIGORITO. Mr. Speaker, will the gentleman yield further?

Mr. FRIEDEL. Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman from Maryland moves the previous question.

The previous question was ordered.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the resolution, as amended.

The question was taken; and on a division (demanded by Mr. JONES of Missouri), there were—ayes 221, noes 10.

So the resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the resolution just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I have asked for this time for the purpose of asking the distinguished majority leader the program for the rest of the week and for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished minority leader, we have finished the legislative business for this week.

We will meet tomorrow and following the announcement of the legislative program for next week, I will ask unanimous consent that the House adjourn over until Tuesday.

Mr. Speaker, the legislative program for next week is as follows:

Monday is Memorial Day—no session.

Tuesday: H.R. 9167, narcotics addict rehabilitation, open rule, 3 hours' debate.

Wednesday: S. 2950, defense procurement authorization for the fiscal year 1967, open rule, 4 hours' debate, waiving points of order.

Thursday: S. 1357, Bail Reform Act of 1966, open rule, 2 hours' debate; H.R. 14050, Library Services and Construction Act Amendments of 1966, open rule, 2 hours' debate.

Mr. Speaker, this announcement is made subject to the usual reservation that conference reports may be brought up at any time, and any further program will be announced later.

Mr. Speaker, the distinguished gentleman from Ohio [Mr. HAYS] has just advised me that he has about 25 printing resolutions which, of course, are privileged and which will be called up some day next week.

ADJOURNMENT OVER TO TUESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow, it adjourn to meet on Tuesday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GROSS. Mr. Speaker, reserving the right to object, and I shall not object, I wonder if the distinguished majority leader thinks it will take an extension of the CONGRESSIONAL RECORD to take care of all the extensions of remarks on the resolution just passed.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CADET MARTIN J. WALSH

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, on February 21, 1966, Cadet Martin J. Walsh, a member of the class of 1966 at the U.S. Military Academy, lost his life in an automobile accident. I had appointed him to West Point in the belief that he would make an outstanding officer. Certainly his record during his years at West Point indicated he would be a leader among men. Cadet lieutenant, president of the Cadet Astronomy Club, good athlete, Martin Walsh was a young man who exemplified the best in American youth. He was respected and admired by his classmates. He was entering upon a career of public service in the footsteps of his dedicated father, Philip J. Walsh, who rose from the ranks to become the chief of detectives of the New York City Police Department.

Mr. Speaker, I am proud of the record he made and profoundly saddened by the tragedy. To his parents and brothers and sisters I extend my heartfelt grief.

Mr. Speaker, I include at this point in the RECORD "General Orders No. 42" issued by the Superintendent of the U.S. Military Academy on February 23, 1966:

HEADQUARTERS,
U.S. MILITARY ACADEMY,
West Point, N.Y., February 23, 1966.

GENERAL ORDERS NO. 42: ANNOUNCEMENT OF DEATH

It is my solemn duty to announce the death of *Cadet Martin Joseph Walsh*, a member of the Class of 1966, United States Corps of Cadets, which occurred as a result of an automobile accident at Highland Falls, New York on 22 February 1966.

The late *Cadet Walsh* was born to Mr. and Mrs. Philip J. Walsh on 11 March 1945 in Brooklyn, New York, and lived there before entering the Military Academy. He graduated from LaSalle Academy, New York, New York, after transferring from Saint Mary's High School, North East, Pennsylvania. During these years he was active in Boy Scouts, attaining the rank of First Class Scout with Our Lady of Angels Parish Troop of Brooklyn, New York. He served as a member of the editorial staff of the *Cardinal*, the LaSalle Academy newspaper. He was offered a New York Regents State Scholarship to attend a college of his choice in New York State but elected instead to enter West Point.

Cadet Walsh was appointed as a Congressional Competitor by Representative WILLIAM F. RYAN of the New York 20th Congressional District in 1962. During his three and a half years at West Point he was an active participant in the Rugby, Sky Diving, and French Clubs, the Dialectic Society and the Cadet Catholic Choir. Last Fall he was chosen to be President of the Cadet Astronomy Club, an activity in which he was an active participant for two preceding years. He was a permanent Cadet Corporal during his Second Class Year serving as a squad leader. *Cadet Walsh* was appointed a Cadet Lieutenant and served as a Platoon Leader during his First Class Year.

Throughout the period he was at West Point, *Cadet Walsh* exemplified the highest qualities of manhood. In every endeavor and activity he displayed a deep sense of duty, a high moral code, outstanding appearance, pride and bearing, and a sincere desire to encourage and assist others. His love of West Point and complete acceptance of the motto of the Military Academy singled him out early as a future officer of high potential. The qualities of courage, integrity, bearing, enthusiasm and unselfishness which he epitomized will perpetuate his memory in the minds of those with whom he came in contact and will serve to inspire them throughout their careers. He is truly a son of West Point, and the United States Military Academy will always be proud to claim him as such.

I wish to extend to the parents, brothers and sisters of the late *Cadet Walsh* the sincere and profound sympathy of all the officers, cadets and other members of this command. His death will be mourned by all who have known him as a great loss to them personally and to the military profession.

Distribution: A, B, D, M.

D. V. BENNETT,
Major General, USA,
Superintendent.

Mr. Speaker, I include at this point in the RECORD an article from the Pointer View at West Point from the issue of February 25:

[From the Pointer View, Feb. 25, 1966]

FUNERAL SERVICES HELD FOR WEST POINT CADET

Approximately seventy members of the Corps of Cadets participated this morning in funeral services in Brooklyn, N.Y. for Cadet Martin J. Walsh, who was killed in a car accident in Highland Falls Monday night.

The accident occurred when the vehicle he was driving failed to negotiate a turn on South Main St. and struck a wall and utility pole. Injured in the accident were First Classmen Juel G. Droubay and Floyd C. Culhane Jr. Both cadets were admitted to the Post hospital.

Cadet Walsh, 20, was a member of the Class of 1966.

A Solemn Requiem Mass was offered at 10 a.m. this morning at Our Lady of Perpetual Help Church, 59th St. and Fifth Ave., Brooklyn. The Mass was followed by interment with full military honors at St. John's Cemetery in Brooklyn. Pallbearers were eight members of Cadet Walsh's company, E-1.

GRAVESITE CEREMONIES

Participating in the gravesite ceremonies were the 1st Regiment Color Guard, a 48-man cadet honor guard, and a cadet firing party. A bugler from the USMA Band sounded taps.

All first classmen in Co. E-1 participated in the ceremonies. Commander of the cadet honor guard was Cadet Gerald T. Cecil.

Cadet Walsh is survived by his parents, Mr. and Mrs. Phillip J. Walsh, and seven brothers and sisters, all of Brooklyn.

Cadet Walsh was appointed to West Point by Rep. WILLIAM F. RYAN in 1962. The First Classman had served as president of the Astronomy Club and participated in the Skydiving, Rugby and Spanish Clubs and the Information Detail. He had selected Artillery as his branch upon graduation in June.

Cadet Walsh's father is chief of detectives in the New York City Police Department.

Mr. Speaker, I include also a most moving article written by Jimmy Breslin for the New York Herald Tribune of February 25:

[From the New York Herald Tribune, Feb. 25, 1966]

PHIL WALSH'S GRIEF

(By Jimmy Breslin)

Four years ago, the Civil Service exams for Congressman WILLIAM FITTS RYAN'S appointment to West Point turned up two candidates who were about equal on paper. RYAN, to handle the thing the right way, had both of them take another competitive exam, given by the academy. The bigger of the two boys RYAN had sent, Martin Walsh, who was just over the age limit of 17, had the higher mark. RYAN promptly appointed Martin Walsh to the class of cadets entering the academy in 1962.

It was the biggest thing ever to happen to Phil Walsh, the boy's father. Phil was one of the top inspectors on the New York Police Department, which was a lot further than he ever thought he would get in life. Phil Walsh's father came over here from Ireland and he was a trolley car conductor in Brooklyn. Phil went to a business high school, very few Walshes in his part of Brooklyn thought of college in the '30s, and he started out as a stenographer. A year later, he took the police test. He moved up quickly in the force. But everything in his life ran second to the fact he could grab you, and tell you very quietly, "The kid's in West Point. Did you ever think you'd see the day when a guy like me, with a trolley car conductor for a father, could say a thing like that?"

Even when they made Phil Walsh the chief of detectives in New York, all he wanted to talk about was his boy.

"The chief wants to see you," a detective said in the hallway of Police Headquarters on day last fall.

Walsh was standing in his office. "You were over in Viet Nam?" he said to his visitor. "Tell me what it's like. I got the boy in his last year at West Point. He'll be going over there soon, I guess."

"It's a bad place for anybody to go to."

A PROUD FATHER

"Yeah, but he wants to go," Walsh said. "He doesn't know any other way but to go. He's an engineer and they could be sending him for further study maybe, but he already put in for Viet Nam. He wants to go with the bunch in his class. Why shouldn't he? He owes it to the country."

The father's eyes were shining. "He'll only be 21 when he graduates. Most of them have a year of college or a couple of years in service before they enter the academy, you know. Marty, he made it right in from high school. That's something, having a kid that young getting through. Oh, you don't know how I feel about it."

Three weeks ago, Martin Walsh, a cadet lieutenant of Company E-1, his marks fine, his military record excellent, received permission to have a car on the grounds. It is a new policy at West Point. The graduating class is allowed cars for the last three months of school.

"He called me up and says he wants an MG," Phil said. "Well, he's going to have it. I'll make sure of that. If he's going to Viet Nam, he rates a car."

There was a loan taken out, and a 1964 red MG bought. On the weekend, the boy came down and picked up the car. Martin Walsh had the car for a week at West Point. Then, on Monday night, he was driving two other cadets back to the academy from the town of Highland Falls in time for midnight check. They had 20 minutes to make it. The car was going around a curve when it went out of control. It shot across the road into a heavy utility pole. The steering wheel snapped off and killed Cadet Martin Walsh.

It was about three in the morning when the phone woke up Phil Walsh. It was somebody from the police communications bureau telling him that people were coming over to the house to see him on business, Phil Walsh didn't think anything of it. When the doorbell rang, he went to it ready to talk about some crime. When he opened the door, Msgr. J. P. Moore, the Catholic chaplain at West Point, was standing there with an Army officer and a cadet who was a friend of Martin Walsh's. They were standing there and telling him that his son was dead.

Last night, Cadet Martin Walsh was in a casket in the Schaefer Funeral Home on 42d St. and Fourth Ave. in Brooklyn. He was in his full dress uniform, with the polished breast plate gleaming in the candlelight and a red sash tied around the waist. Some big off-duty cop was kneeling down and looking at Phil Walsh's boy. When the big cop got up he was crying out loud.

This morning, at 10 a.m., there will be a solemn requiem mass for Cadet Martin Walsh at Our Lady of Perpetual Help Church in Brooklyn. A West Point honor guard will accompany the body to St. John's Cemetery in Queens. Then they'll bury the kid, and a good piece of an old detective's heart with him.

WE ARE ONE NATION

Mr. BARRETT. Mr. Speaker, I ask unanimous consent to address the House for 1 hour and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARRETT. Mr. Speaker, 80 years ago the Statue of Liberty was placed on Liberty Island in New York harbor and dominates that door to our country. Our Nation was just a little more than a century old at that time. Engraved in that monument to liberty is the famous poem, "The New Colossus" by Emma Lazarus with the most remembered lines:

> Give me your tired, your poor,
> Your huddled masses yearning to breathe free,
> The wretched refuse of your teeming shore,
> Send these, the homeless, tempest-tost to me,
> I lift my lamp beside the golden door.

These lines depict the heritage of our country, for from the beginning, we have been a nation of immigrants, coming from many lands, with differing customs, languages, attitudes and beliefs. For more than 200 years, before we became a nation, they came to these shores from every corner of the world seeking opportunity and freedom.

It was that desire for opportunity and freedom which gave rise to our Declaration of Independence in 1776. And it was in this document, that was set forth the cherished principle "that all men are created equal." For generations, it can be said, these were fine words, an excellent statement of principle—but in actuality, in the every day of living it was not practiced. The rights and privileges set forth in the Constitution, intended to make all men equal, were also just words for far too many years. It is only in this day and age that affirmative actions have been taken and our Constitution interpreted to give life and meaning to those words.

Proudly it can now be said, that more has been done in the past few years, to make all men equal, than was done in the more than 150 years before. The Congress has enacted laws, the President has issued Executive orders, having the effect of laws, and the courts have rendered decisions to make the Constitution a living, meaningful document. Now more than ever before actions are being taken to secure, as the noble phrase contained in the preamble to our Constitution proclaims: "the blessings of liberty to ourselves and our posterity."

But let us not be deceived or lulled into a state of complacency—let us not be naive or overcome with a feeling of satisfaction. We have only taken the first step. In this land, which we proclaim as the "land of the free," we must be ever mindful of possible abuses of the basic freedoms set forth in the Constitution. There are those, using constitutional principles and our cherished heritage, who would deny to minorities the rights and privileges that we hold to be unalienable.

Let us not forget the holocaust which consumed Europe not too long ago with the loss of 11 million lives, including 6 million Jews, which was started by a small group of ultra-nationalists who controlled almost all of Europe before the free world could bring about its downfall. And 20 years later we find again the rise of ultranationalism and neo-Nazism in many parts of Europe, the Middle East and Latin America. We also find in Russia a national policy of government designed to destroy a people whose heritage and culture goes back for centuries.

One has merely to pick up the newspapers or check with any one of a number of organizations that are involved in the quest for liberty and freedom, and concerned with the dignity and rights of man, to learn that the evil octopus of hatred, bigotry and intolerance rears its ugly head and runs at large to wrap its tentacles about the innocent and unsuspecting; to learn, that many are still being denied their equal rights because of race, color, or creed; to learn, that racism, anti-Semitism, neonazism, and other threats exist to deny us the great freedoms we all seek to enjoy.

These threats come from a number of quarters; they come from the far right as well as the far left; they come from the ultranationalists and other so-called patriotic organizations. And I question their use of the term "patriotic." They would use the rights and privileges guaranteed by the Constitution to deny others those same rights on an equal basis.

One can learn of the burning of crosses on the grounds of various churchs and synagogues and at the homes of religious leaders and officials. Such activities are no longer limited to any particular area of the country, but can take place next door or in your own backyard. One can learn of the desecration and defacing of synagogues, churches and religious community centers in almost any section of the country. These activities are the works of those who seek to destroy the very foundation of our constitutional system. They violate everything that is decent in man.

But these are only the more overt of such activities. The more subtle forms of hatred, bigotry, and intolerance have existed for many, many years in every quarter of our country. Discrimination in employment; discrimination in education; and discrimination in housing to mention but a few. While local, State, and the Federal governments work away at removing the barriers to such efforts. In the past such groups equality there are still those who oppose generally have been disconnected and their activities considered to be workings of a few crackpots. Today, however, we find more and more evidence of mutual support, particularly among the rightwing radical elements in this country.

The recent, more insidious activities of the ultraconservative, rightwing radical elements have been the infiltration and takeover of one of our great national political organizations. Within the past few years we have seen what can happen to a political party in this country. Prior to the 1964 Republican convention many of the ultraconservative, rightwing young Republicans joined a group called the "Young Americans for Freedom," organized for the purpose of securing the Republican nomination for President for a candidate of their own choosing. In this they were successful, and the control of the GOP, for the most part, has fallen into the hands of the ultraconservative elements, who are even to the right of that former candidate.

These elements have continued their efforts and activities to take over the various segments of that party. The most brazen of these recently took place in California where the Young Republicans elected three top officers, who are acknowledged and admitted members of an ultranationalistic organization. These three boasted of this membership in their campaign for office.

A notorious example of such activities has taken place in New Jersey in the past few years, where a group calling themselves the Rat Finks took over several Young Republican county organizations. The Rat Finks, described as a "semisecret" group, have entertained at the New Jersey Young Republican State convention and at the Young Republican national convention with a group of supposed fun and folksongs. These songs in fact were found to be viciously anti-Semitic and anti-Negro songs. It is reported that seven Young Republican county chairmen have been ordered to purge their organizations of the bigots and to reorganize. They were instructed to conduct secret closed-door trials "to consider expelling those allegedly involved." One questions the efficacy of such procedure. To further compound the basis for concern, the activities of these rightwing radicals are being supported and defended by writers having nationwide circulation in our newspapers. It is such groups and activities that would deny us our rights and freedoms, often under the guise of patriotism.

Americans, without regard to race, color, or creed, have died and are dying in the name of liberty and freedom. This Nation has given of its youths' blood in many corners of the world for principles and ideals which we hold to be sacred. It is, therefore, incumbent upon us to remain vigilant here at home to see that those principles and ideals which we cherish are secured for all those who live in this great land of ours, without any qualification or reservation. Only when we have removed the last traces of hatred and bigotry from our own land and lives can we say that we have given life to the words of our Declaration of Independence and Constitution, and then we can truly proclaim that we are "one nation, under God, with liberty and justice for all."

COMMITTEE ON AGRICULTURE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight May 28 to file certain reports.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

COMMUNIST SUBVERSION IN THE CIVIL RIGHTS MOVEMENT

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, a petition signed by 106,000 citizens from 48 of the 50 States was presented to the House Committee on Un-American Activities this morning calling for an investigation of Communist subversion in the civil rights movement.

Some time ago, U.S. Communist Party leader, Gus Hall, made the statement that—

> Members of the Communist Party are very active in all the Negro organizations engaged in the civil rights struggle.[1]

Repeatedly, over the last few years, FBI Director J. Edgar Hoover, in his testimony before the House Appropriations Committee, has stated that while the civil rights movement was not Communist initiated and is not Communist controlled, the Communists have been doing all they can to infiltrate and influence the movement and have succeeded in doing so to some extent.

Last year the Director of the FBI submitted the following statement to the Appropriations Committee:

> The ever increasing evidences of racial unrest in the country during the past year have witnessed a parallel in the increased emphasis being placed by the Communist Party, U.S.A. on the Negro question and the racial movement generally. There are clear-cut evidences that the party has not only been "talking," but also has been directing and urging the increased participation by its adherents in the racial movement. As in any similar party effort at infiltration, when there is participation there is influence in varying degrees.
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> The past year found the party devoting maximum attention to its efforts to influence civil rights developments. Always alert to exploit discontent and promote disorder, the party continued to regard the civil rights issue as one facet of the class struggle within the capitalist system. With this Marxist-Leninist analysis as a guide, the party has as an objective the use of the civil rights issue to create a Negro-labor coalition which it would dominate to advance the cause of communism in the United States. As in the words of the party's general secretary, Gus Hall, "Jim Crow can be dealt with only by dealing with capitalism."

Obviously, it is not good for anyone in this country—except the Communists—when there is Communist infiltration of any major movement in the United States. Such infiltration hurts the Nation, the movement, its members and its purposes. It is a corrupting, destructive influence.

Years ago, the Communists believed that the working class in this country would form the base of a revolution here. They therefore concentrated on penetrating the trade unions. They never converted a significant number of American workers to communism. In fact, they have had proportionately less success with the American workingman than they have had with our so-called intellectuals. But though they failed to convert the workingman, they did succeed in infiltrating key posts in, and eventually seizing control of, a dozen or more powerful trade unions in this country.

When responsible trade union leaders saw what had happened, they did not hesitate to act. A dozen Communst-controlled unions were expelled from the CIO. American labor cleansed its ranks. When it did so, it not only strengthened itself, but strengthened our country and set an example for all segments of our society to follow if they should ever find themselves in the same position.

In my view, no one should have more interest in cleansing the civil rights movement of Communist infiltration and taint than those persons, in and out of the movement, who have an honest interest in the rights of Negroes and the general welfare of this Nation.

Some leaders of civil rights groups to their everlasting credit have warned their members of Communist attempts to infiltrate and use their organization. They have refused to cooperate with certain ultraradical elements in the civil rights movement who have tried to involve the movement in matters which have nothing to do with civil rights and which serve only Communist purposes.

Not only the civil rights movement, but all Americans can be proud of these leaders. On the other hand, we must all regret the fact that other leaders in the movement have indicated that they have no intention of barring Communists from their ranks and have indicated by their actions and statements that they are going along with the Communists on some issues that are completely outside the area of civil rights.

There is no excuse for this. If it continues, these people will succeed only in damaging not only the civil rights movement, but our country as a whole. It is time for responsible people in the civil rights movement to act to prevent this.

There are in the air at present many threats of Watts-type riots in various major cities this summer. Resorting to rioting and violence has not been used as a means for progress by any minority group in this country heretofore, including the Negro Americans. Such an approach is typical of Marxism-Leninism, but foreign to this Republic's entire tradition of liberty under law, in which American citizens have always sought to secure equity or redress through due process of law. This is a disturbing indication of the possibility of increasing influence by subversive elements in the civil rights movement.

I will give my full support to an investigation in this area. Such action, in my judgment, would be timely and would constitute a service to the Nation.

U.S. FOOD AND FREEDOM POLICIES ARGUED

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HARVEY] may extend his remarks at this point in the RECORD and include extraneous matter.

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[1] St. Louis Post-Dispatch interview, January 12, 1964.

THE UNIVERSITY OF MICHIGAN LIBRARIES

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HARVEY of Indiana. Mr. Speaker, under unanimous consent I include in the body of the RECORD a followup article from the May 26 edition of the Christian Science Monitor. The first of this series of two articles appeared in May 25 edition of the Monitor and CONGRESSIONAL RECORD of same date. This article very adequately answers some of the objections raised in the prior issue with regard to the extension of Public Law 480 or food for peace. May I particularly express my regret that the position of the gentleman from Illinois [Mr. FINDLEY] was attributed to political considerations. As one member of the Committee on Agriculture who will not be subject to election this fall, I do support Mr. FINDLEY's position.

U.S. FOOD AND FREEDOM POLICIES ARGUED—MILITARY VIEW GIVEN PRIORITY

(*This is the second of two interviews giving both sides of a rising Washington conflict over the food-for-peace program.*)

WASHINGTON.—"It is a question of priorities: Is winning the war in Vietnam the most important object of our foreign policy today, or isn't it?"

Brandishing a yellow pencil, Rep. PAUL FINDLEY, Republican, of Illinois was explaining why he has championed controversial amendments to the President's Food and Freedom bill now pending in the House.

At Mr. FINDLEY's urging, the House Agriculture Committee voted last week to ban all concessional food sales to nations who sell or ship goods to North Vietnam or to Cuba.

The full House is expected to endorse the ban on the floor in early June. Last April 26 it overwhelmingly approved similar language—also inspired by Mr. FINDLEY—in the agriculture appropriations bill.

Current law bans food sales only to nations whose ships engage in trade with Cuba. Now Mr. FINDLEY has broadened it to include sellers, and trade with North Vietnam.

VICTORY GOAL

The director of Food for Peace, Richard W. Reuter, has told this newspaper that the change will make the program "inflexible." It could force a dozen countries to break off trade with Hanoi and Havana in order to obtain needed American food. This political string, Mr. Reuter said, was most unwelcome, adding that it would tend to defeat the program's aims.

"Inflexibility?" asked the trim, crew-cut Mr. FINDLEY in an interview in his office.

"Well, that's what we need—more inflexibility. It seems to me the Johnson administration's declared aim is to defeat Hanoi and to prevent Castro from building a powerful economy in Cuba. So far it hasn't succeeded.

"All I'm trying to do is help."

Clearly, Mr. FINDLEY continued, the primary American aim today is to win the Vietnam war. That is more important than bolstering the exports of a dozen nations to Hanoi or to Havana.

Told that India had sold $600,000 worth of jute to Havana last year, and needed the foreign exchange it earned, Mr. FINDLEY replied:

"Food for Peace is a voluntary program. India can accept it or reject it as she wishes. If she accepts it—and her need is so great that I can't imagine her doing otherwise—then she has to realize that the United States must have cooperation in the embargo against Havana, and Hanoi as well.

"Obviously the administration hasn't been using strong enough tools to convince other nations that we mean business in Vietnam.

"What is the State Department's goal? To bolster the Indian economy or to win the war in Vietnam? Again, it's a question of priorities."

Mr. Reuther said the Findley restriction would detract from the moral position of the United States as the supplier of food to the hungry of the world.

"But we have another moral obligation," the congressman said at once. "We have a moral position in South Vietnam. We have a moral position to stay there and fight.

"I can't think of any other country that would not place its own paramount self-interest above such matters as the State Department raises.

"We would certainly look sad in the eyes of the world if we were forced to withdraw from Vietnam, in part because of the help our so-called allies were giving to Hanoi. What would be our moral position then?"

Mr. Reuther had objected that Mr. FINDLEY failed to make a distinction between strategic and nonstrategic trade. His amendment would cut off food sales even to nations providing Hanoi or Havana with medicines.

"I do not accept this fine distinction between strategic and nonstrategic goods," Mr. FINDLEY said, waving his pencil again.

"Any goods that help Hanoi's economy are strategic. War involves the total economy, not just parts of it. Food and medicine help Hanoi, just as military equipment does."

U.S. LABEL DEMANDED

The amendments, he believed, gave the United States a peaceful, noncombatant method of helping to stop Hanoi's effectiveness in South Vietnam.

"The very fact that a senior State Department official would object to my amendments in this way shows the need for more inflexibility in the bill," he added.

It was also Mr. FINDLEY who inserted a provision that United States food aid must be labeled as such when it is sold to the consumer abroad.

Mr. Reuther objects that, because the consumer pays the normal market price, this would have little effect.

Mr. FINDLEY replies that the people of India and other nations must be told who is providing the food they are eating. For too long, he says, local governments have been taking the credit for American generosity.

The battle over Food for Freedom now moves to the Senate, where the bill's future is uncertain.

Under Secretary of State for Economic Affairs Thomas Mann is busy urging senators to reverse the Findley amendments.

WHY FARMERS LEAVE HOME

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. O'KONSKI] may extend his remarks at this point in the RECORD and include extraneous matter and tables.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. O'KONSKI. Mr. Speaker, since 1950 almost a million people a year have been leaving our farms. This is the most tragic event in our country. Why this is happening with particular reference to dairy farmers is the purpose of this statement.

Analysis of the records of the brucellosis ring test program conducted by the Wisconsin State Department of Agriculture on all herds supplying milk to dairy plants disclosed that 7,231 dairy herds were not tested at least one time during the 16-month period November 1964 through February 1966. Presumably these omissions indicate that the operators of these herds are no longer in dairying. This represented the sharpest drop in number of herds tested in any such period since the inception of the BRT testing program in Wisconsin in 1952.

To determine the reasons for this accelerated rate of disposal of dairy herds, the Department initiated a survey in March 1966. Results were summarized and analyzed by the Department's Statistical Reporting Service. Of the total questionnaires mailed to these dairymen, 4,026 were returned, and 3,619 questionnaires or 50 percent of the total mailed out were usable in this study. This preliminary report shows their response to questions on first, why they quit dairying; second, what happened to their dairy herds; and third, what these former dairymen are now doing since they are no longer in the dairy business.

HERD AND FARM SIZE SMALLER

Herds disposed of during the survey period averaged 20 cows both dry and in milk per farm which was about 4.5 less than the average for all dairy farms in Wisconsin. Herds sold in most sections of the State were smaller than the average for all herds in their respective districts. Herds averaged from 3.5 to 5.5 milk cows smaller except in the southeast where herds were almost 1 milk cow larger than average. Of the 3,600 herds included in the survey, about 18 percent had less than 10 milk cows, 36 percent from 10 to 19 milk cows, 27 percent from 20 to 29 cows, 13 percent from 30 to 39, and around 4 percent from 40 to 49 cows. Only 2 percent of the herds disposed of contained more than 50 milk cows, and these included a few 100-cow herds.

Statewide, the size of farms operated by farmers who disposed of their herds averaged slightly more than 150 acres or around 20 acres per farm less than the average for all farms in Wisconsin. In the eastern and southern sections of the State, former dairy farms more closely approached the average size for all farms in their respective areas.

However, dairy farms in the southeast district exceeded the all-farm average by nearly 20 acres. Over 93 percent of the former dairymen in the survey indicated they owned at least a portion of the land in the farms operated. The proportion renting some land was greater than the average for the State in the southern districts, and was highest in the southeast.

Farmers who operated up to 100 acres most frequently had kept herds ranging from 5 to 20 milk cows, and as might be expected, there was a tendency to milk larger herds as farms increased in size. Farmers with 100 to 149 acres most frequently had kept herds ranging from 10 to 30 milk cows, while farmers with 150 to 399 acres kept from 10 to 40 milk cows. Dairy herds disposed of on 400- to 499-acre farms were mostly in the 20- to 50-cow size range. Herds on larger size farms varied from 5 to 80 or more milk cows indicating more diversification into other types of agricultural enterprises.

SMALLER HAY ACREAGE

Compared with all farms in Wisconsin, former dairymen ranked favorably in the acreage of corn harvested for grain, corn cut for silage, and oats harvested, but were short on hay. Dairymen average 24 acres of corn harvested for grain per farm in 1964 compared with 22 acres on all farms in the State. Silage averaged just under 14 acres per dairyman's farm, or about an acre less than on all Wisconsin farms. Oat acreage on farms operated by former dairymen averaged about 18.5 acres, which was down 3 acres from the average for all farms. However, the average acreage of all hay was less than for total farms in all districts. Former dairy farms averaged around 19 acres compared with between 32 to 35 acres for all farms in the State. All permanent and rotation pastures averaged 41 acres with the northern and western areas averaging higher than the State.

HALF IN DAIRYING OVER 20 YEARS

When asked how long these former dairymen had kept milk cows, 12 percent indicated 5 years or less, 9 percent replied from 6 to 10 years, 11 percent from 11 to 15 years, and 16 percent from 16 to 20 years. These accounted for nearly one-half of the total. Twelve percent had kept dairy herds from 21 to 25 years and 12 percent more from 26 to 30 years, or about another one-fourth of the total. Sixteen percent had been dairying from 31 to 40 years and 10 percent from 41 to 50 years. Only between 1 and 2 percent had been in the dairy business for over 50 years, and most of them indicated they had quit for personal reasons such as age, health, or retirement.

REASONS FOR ACCELERATED RATE

The rate of disposal of dairy herds increased after the first quarter of 1965 and tended to fluctuate at a higher level through the remainder of the year, with heavier liquidation of herds in March and April and the heaviest in the August-November 1965 period. Personal reasons given by former dairymen through March 1965 shifted to some extent to economic and labor reasons in the later months.

METHODS OF DISPOSAL

Well over one-third of the dairy herds were sold at farm auctions and over another one-third were disposed of at public markets or to dealers. Nearly one-fourth more went direct to other farmers, while cows now used to nurse calves and other methods of herd disposal accounted for the remaining small percentage. Farm auctions were used most frequently in the West Central and Southern districts, while herds were sold generally at public markets and to dealers in the Northern and most of the Central parts of the State.

ECONOMIC AND PERSONAL REASONS FOR DISPOSAL

Over one-third of the former dairymen sold their milk cows because of economic reasons. Twenty percent reported low income from the enterprise, 14 percent more indicated the high cost to expand or modernize, and less than 1 percent due to loss of market. Farmers that milked from 10 to 29 cows were more inclined to sell their herds because of low income and cost of expansion, and especially those keeping from 10 to 19 milk cows.

Another one-third indicated they quit dairying for personal reasons. About 18 percent sold their herds due to advancing age or retiring from farming, and around 12 percent stopped because of ill health and other handicaps. Personal reasons were the primary cause for disposing of herds with less than 10 milk cows. As herds increased in size, personal reasons became of less importance.

A little over one-fourth quit dairying because of the need for help and heavy time and labor requirements. About 10 percent reported lack of help and its high cost, 8 percent because of time and labor required in dairying, and 7 percent due to loss of son to industry, college, or the military service. Labor factors took the heaviest toll of herds with over 30 milk cows. The farm operator and his family could generally care for a smaller herd but the dairyman often had to look elsewhere for additional help when his herd was larger.

Other reasons such as shortage of grain and roughage, disease, poor production of the herd, and other miscellaneous reasons accounted for another 10 percent. Insufficient feed supply made up about one-half of this total and generally affected all sizes of herds.

DAIRYMEN OLDER

The average age of dairymen who disposed of their herds was 54 years. This compares with an average age of about 50 years for all farmers in the State. Of the dairymen that sold their herds, one-fourth were under 45 years of age, one-fourth were between 45 and 54 years, one-fourth from 55 to 64 years, and the other one-fourth were 65 years and older. Younger dairymen were more inclined to sell their herds for economic reasons while older ones for personal reasons. Shortage of labor was most serious among the 45-to-64 age groups.

The proportion of dairymen that reported doing regular off-farm work prior to disposing of their herds varied considerably over the State. Over one-third of the total that responded to this question worked regularly off their farms, with a higher percentage in the northern part of the State than in the south. Nearly one-half had off-farm work in the north central district in contrast to a low of around one out of five dairymen in the south central and southeast.

ONE-THIRD STILL FARMING

Since selling off their milk cows, one-third of these farmers have turned to another type of farming. This has occurred most often in the southern parts of the State. Full-time work in factories accounted for 10 percent of the total, and other full-time work off farm, 17 percent. Factory work is now being done most frequently in central and eastern areas while other kinds of full-time work occurring more often in northern Wisconsin. Eight percent are doing part-time work, and another one-fourth of the former dairymen have either retired or moved to town. Retirement accounted for 13 percent of the total, and was heaviest in northern districts. Another 13 percent have moved into town.

PRESENT STATUS OF FARM

Farms where milk cows had been kept are now being used several different ways. Over one-fourth of the former dairy operators indicated that at least a portion of their land is under various Government programs. Cash crops were the next ranking use and accounted for over one-fifth of the total. This was followed closely by other livestock farming such as beef or hogs that made up about another one-fifth. And, sale of farms and land rented to others each accounted for over 15 percent.

Former dairymen turned most frequently to Government land programs in all parts of the State. Raising other livestock was next in importance in southern Wisconsin, while cash crops was next in the central section. Cash crops and renting to others were next in importance in the northern part of the State.

Of the farmers that sold their milk cows, about one-fifth of them were also raising beef cattle and one-tenth had hogs on their farms. The proportion of dairy farms with beef cattle ran higher than the average for the State in the northwest, south central, and in the eastern districts. Farms keeping hogs generally exceeded the State average in the southern two-thirds of the State. Milk cows accounted for 56 percent of all cattle and calves on farms where farmers disposed of their dairy herds. The proportion of the total cattle and calves that was milk cows reached a high of 61 percent in the east central and southeast sections of the State.

LESS EQUIPMENT AND FACILITIES

In general, dairy farmers selling their herds had less milking machines and bulk tank equipment than do all dairymen in Wisconsin. A total of 93 percent of the former dairymen had milking machines compared with 95 percent for all dairy farmers in the State. In the northwest section of the State former dairymen were better equipped with milking machines than all dairymen in that area. In contrast farmers in the east central district that had sold their herds were least equipped compared with all dairymen.

Former dairymen in the State were not as well equipped with bulk tanks as they were with milking machines, as about 25 percent had bulk tanks compared with 35 percent for all dairy farms. The proportion of former dairymen with bulk tanks ranged from a high of 62 percent in the predominantly grade A southeast district of the State down to only 10 percent in the north central. Former dairy farms in all parts of Wisconsin had fewer bulk tanks than the average proportion in each of the respective areas, with the greater differences generally shown in the east central and southern districts.

ONE OUT OF FIVE GRADE A PRODUCERS

The survey indicated that less than 2 percent of the former dairymen had milking parlors on their farms, but over three-fourths had permanent type silos. In addition, 6 percent had feed mixing equipment on farm, 62 percent used artificial insemination in their herds, 36 percent kept detailed farm records, and 21 percent participated in the DHIA program.

A total of 22 percent of the milk producers reporting on the herd disposal survey sold grade A milk and 78 percent manufacturing grade milk. The proportion selling grade A ranged from 6 percent in the north-central district to 62 percent in the southeast. Sections of the State where the proportion of producers selling grade A milk exceeded the average of 22 percent for the State included the northwest with 27 percent, east-central with 23 percent, south-central with 36 percent and southeast with almost two-thirds.

FEW WOULD RETURN TO DAIRYING

Less than 5 percent of these former dairymen in Wisconsin reported that they are now considering going back into dairying under the conditions at the time of the survey. The percent that indicated an immediate interest in returning to dairying was lowest in the east and southeast sections where only 2 to 3 percent reported interest.

In response to the question if they would ever consider dairying again, less than one-third of the former dairy farmers indicated an interest if it became more profitable. The strongest interest was shown in the north and central parts of the State. The least desire to return to dairying was evidenced in the southern sections where just one-fourth of the former dairymen were still interested. In these sections, growing field crops and raising beef cattle are more frequent alternative enterprises.

Disposal of dairy herds in Wisconsin

FORMER DAIRYMEN AND LIVESTOCK ON THEIR FARMS

District	Former operator of dairy farm					Grade of milk sold (percent of total)		Milk cows sold as percent of all cattle and calves	Proportion of dairy farms with other livestock (percent of total)	
	Average age (years)[1]		Average years had dairy herd	Owned at least part of land (percent of total)	Worked off farm prior to selling herd (percent of total)					
	Survey	All				Fluid	Manufacturing		Beef	Hogs
Northwest	56.0	51.0	24.0	96.0	42.0	27.0	73.0	52.0	23.0	3.0
North-central	53.0	51.0	20.0	97.0	48.0	6.0	94.0	57.0	19.0	7.0
Northeast	54.0	50.0	23.0	98.0	38.0	14.0	86.0	66.0	23.0	5.0
West-central	54.0	50.0	23.0	93.0	28.0	21.0	79.0	52.0	19.0	10.0
Central	54.0	51.0	23.0	95.0	40.0	14.0	86.0	54.0	21.0	12.0
East-central	55.0	50.0	25.0	94.0	35.0	23.0	77.0	61.0	22.0	12.0
Southwest	54.0	49.0	22.0	92.0	30.0	12.0	88.0	50.0	16.0	14.0
South-central	53.0	49.0	24.0	88.0	22.0	36.0	64.0	58.0	28.0	20.0
Southeast	54.0	51.0	25.0	85.0	19.0	62.0	38.0	61.0	30.0	16.0
State	54.1	49.7	23.3	93.4	34.4	22.2	77.8	55.5	21.6	10.9

[1] Survey of farms where herds were disposed of compared with all farm operators in their respective areas. Other items are survey of former dairy farms only.

DISPOSITION OF DAIRY HERDS AND PRESENT STATUS OF FARMS

[In percent of total]

District	Dairy herd disposed by—				Present status of dairy farm				
					Farming		Land		Sold the farm
	Sold at farm auction	Sold at market or to dealer	Sold to another farmer	Used as nurse cows, etc.	Other livestock	Cash crops	Rented to others	In Government programs	
Northwest	30.0	39.0	27.0	4.0	20.0	18.0	22.0	27.0	13.0
North-central	35.0	36.0	26.0	3.0	18.0	19.0	22.0	22.0	19.0
Northeast	30.0	47.0	19.0	4.0	13.0	27.0	17.0	29.0	14.0
West-central	40.0	30.0	27.0	3.0	17.0	21.0	15.0	31.0	16.0
Central	28.0	41.0	28.0	3.0	19.0	24.0	12.0	31.0	14.0
East-central	31.0	44.0	23.0	2.0	16.0	31.0	15.0	21.0	17.0
Southwest	54.0	19.0	22.0	5.0	23.0	8.0	22.0	28.0	19.0
South-central	44.0	30.0	23.0	3.0	23.0	23.0	14.0	25.0	15.0
Southwest	48.0	30.0	19.0	3.0	21.0	29.0	11.0	26.0	13.0
State	36.9	35.4	24.1	3.6	19.2	22.1	16.8	26.2	15.7

PRESENT STATUS AND INTENTIONS OF FORMER DAIRYMEN, MARCH 1966

[In percent of total]

District	What operators are now doing								Operators that would consider dairying again	
	Retired and living on farm	Another type of farming	Moved to town	Work off farm				No plans at present	Now	Future
				Another farm	In factory	Other full time	Part time			
Northwest	17.0	29.0	10	1.0	7.0	22.0	8.0	6.0	3.0	32.0
North-central	15.0	25.0	14	(1)	11.0	21.0	8.0	6.0	6.0	36.0
Northeast	17.0	27.0	7	1.0	15.0	18.0	10.0	5.0	5.0	37.0
West-central	11.0	35.0	14	2.0	4.0	19.0	9.0	6.0	6.0	31.0
Central	11.0	34.0	12	(1)	15.0	15.0	8.0	5.0	5.0	35.0
East-central	10.0	35.0	12	1.0	15.0	15.0	7.0	5.0	2.0	32.0
Southwest	14.0	32.0	21	2.0	6.0	17.0	6.0	2.0	4.0	26.0
South-central	10.0	40.0	13	2.0	9.0	13.0	8.0	5.0	7.0	27.0
Southeast	8.0	43.0	12	------	9.0	14.0	11.0	3.0	3.0	27.0
State	12.6	33.3	13	.9	10.1	17.3	8.1	4.7	4.6	31.7

[1] Less than ½ of 1 percent.

Disposal of dairy herds in Wisconsin—Continued

FARMS OPERATED BY FORMER DAIRYMEN [1]

District	Average size of farms (acres)		Average size of herds (number)		Average acreage of crops per farm							
					Corn for—				Oats harvested		All hay baled or chopped	
					Grain		Silage					
	Survey	All	Survey	All	Survey	All	Survey	All	Survey	All	Survey	All
Northwest	161.0	186.0	17	21.0	12.0	11.0	13.0	18.0	18.0	19.0	21.0	36.0
North-central	143.0	175.0	18	22.0	13.0	7.0	15.0	15.0	18.0	20.0	17.0	35.0
Northeast	157.0	172.0	19	22.0	15.0	10.0	13.0	14.0	17.0	20.0	24.0	34.0
West-central	166.0	198.0	19	24.0	19.0	18.0	23.0	18.0	18.0	22.0	19.0	35.0
Central	160.0	187.0	17	20.0	21.0	18.0	11.0	14.0	18.0	20.0	18.0	32.0
East-central	119.0	130.0	21	26.0	18.0	16.0	13.0	14.0	22.0	26.0	17.0	34.0
Southwest	185.0	204.0	20	25.0	25.0	25.0	9.0	10.0	15.0	19.0	16.0	41.0
South-central	142.0	159.0	24	29.0	36.0	33.0	12.0	14.0	19.0	22.0	17.0	32.0
Southeast	151.0	132.0	30	29.0	31.0	28.0	12.0	17.0	19.0	22.0	25.0	32.0
State	151.8	171.5	20	24.4	23.8	22.1	13.7	14.7	18.4	21.5	18.6	34.8

[1] Survey of farms where herds were disposed of compared with all farms in their respective areas.

SPECIFIED EQUIPMENT AND FACILITIES ON FARMS OF FORMER DAIRYMEN

[In percent of total]

District	Milking machines [1]		Bulk tanks [1]		Permanent silos	Milking parlor	Feed mixers	Artificial insemination	Detailed records	DHIA program
	Survey	All	Survey	All						
Northwest	93.0	19.0	16.0	24	70.0	1.0	5	84.0	34.0	20.0
North-central	91.0	92.0	10.0	18	65.0	2.0	4	84.0	36.0	14.0
Northeast	92.0	94.0	20.0	27	82.0	2.0	6	79.0	34.0	18.0
West-central	93.0	94.0	28.0	36	76.0	2.0	6	82.0	34.0	18.0
Central	89.0	93.0	15.0	21	76.0	1.0	4	83.0	33.0	18.0
East-central	94.0	100.0	32.0	43	82.0	2.0	7	76.0	41.0	26.0
Southwest	93.0	94.0	17.0	29	66.0	(2)	6	73.0	31.0	18.0
South-central	95.0	98.0	41.0	57	84.0	2.0	9	83.0	33.0	22.0
Southeast	96.0	98.0	62.0	70	97.0	3.0	12	81.0	51.0	34.0
State	92.8	94.7	25.5	35	76.3	1.5	6	82.1	35.9	20.7

[1] Survey of farms where herds were disposed of compared with all farms with milk cows in their respective areas. Other items are survey of former dairy farms only.

[2] Less than ½ of 1 percent.

DAIRY FARMS THAT DISPOSED OF MILK COWS, BY SIZE OF HERD

[In percent of total]

District	Number of milk cows per farm					
	1 to 9	10 to 19	20 to 29	30 to 39	40 to 50	60 and over
Northwest	28.0	38.0	19.0	12.0	2.0	1.0
North-central	21.0	40.0	26.0	9.0	4.0	(1)
Northeast	21.0	40.0	22.0	12.0	5.0	
West-central	19.0	37.0	26.0	13.0	3.0	2.0
Central	25.0	39.0	26.0	8.0	2.0	(1)
East-central	13.0	36.0	33.0	13.0	3.0	2.0
Southwest	15.0	36.0	32.0	13.0	3.0	1.0
South-central	11.0	32.0	29.0	17.0	9.0	2.0
Southeast	8.0	20.0	27.0	27.0	14.0	4.0
State	18.5	36.1	26.9	12.8	4.4	1.3

[1] Less than ½ of 1 percent.

ELLSWORTH URGES VIETNAM POLICY

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. ELLSWORTH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ELLSWORTH. Mr. Speaker, there is still time for the Johnson administration to shape up in South Vietnam or get out. But time is running short.

Marshal Ky declared the day before yesterday, on May 24, 1966, that the South Vietnamese elections which are now scheduled for September could be held only if secure and stable conditions prevailed in South Vietnam at that time. Ky has thus laid the groundwork for a further postponement of elections and the continued reign of instability throughout his country.

It is imperative that the Johnson administration make it absolutely clear, now, to the Ky regime in South Vietnam, that the elections must be held on schedule. I have been urging President Johnson to make clear to the leaders in South Vietnam that either they get together, stop fighting each other, and start fighting the Communists, or the United States will get out of Vietnam.

A clear, strong, and unmistakable statement to this effect by the Johnson administration, accompanied by contingency plans for withdrawal, would have one of two results. First, if the feuding South Vietnamese leaders faced the hard fact of imminent U.S. withdrawal and did get together to form a reasonably stable, united and representative government, the war against the Communists could then be pursued with maximum effect—and the American commitment to a united South Vietnamese Government would have meaning and purpose. Second, on the other hand, if the South Vietnamese leaders choose to continue their civil war in the face of imminent U.S. withdrawal and to ignore the need for united action against the Vietcong, then the United States would be fully justified in removing its forces—our withdrawal would be honorable, for the sacrifice of American lives would have lost its meaning and purpose.

Those who now read of Marshal Ky's show of strength should not be deluded into thinking that stability has been achieved. The history of the last 30 months demonstrates conclusively that a government in Saigon based on military power alone is inherently unstable:

November 1, 1963: President Diem was overthrown and replaced by a government under former Vice President Nguyen Ngoc Tho.

January 6, 1964: A three-man military council under Gen. Duong Van Minh took over from Tho.

January 30, 1964: A military coup replaced General Minh with General Khanh.

February 8, 1964: General Khanh formed a new government with General Minh as chief of state.

August 16, 1964: General Khanh ousted General Minh, established a military council and proclaimed a new constitution.

August 27, 1964: General Khanh withdrew the constitution and reinstalled General Minh in the military council.

August 29, 1964: New caretaker government established with Nguyen Xuan Oanh as acting premier.

September 3, 1964: General Khanh became premier again with General Minh as chief of state.

September 13, 1964: Coup and countercoup removed and then reinstalled General Khanh.

October 26, 1964: The revolutionary council elected Phan Kahc Suu as chief of state.

November 1, 1964: Tran Van Huong was named premier with a military council.

January 27, 1965: Coup relieved Huong of power; military council asked General Khanh to solve the political crisis; Oanh was chosen as acting Premier.

February 16, 1965: Thang Huy Quat replaced Oanh.

February 18, 1965: Khanh was ousted from the military council.

February 19, 1965: Khanh resumed power.

February 21, 1965: Khanh resigned.

June 12, 1965: Quat asked the military to take over the government and restore stability; Marshal Ky and his military directory came to power.

Marshal Ky's own regime has, of course, been riddled by popular dissatisfaction and civil war. No one can view this history without concluding that General Ky can gain short-range police state stability only at the expense of long-range political stability. He cannot buy political stability at the point of a gun when the Buddhists represent 75 percent of the people of Vietnam.

What is missing in the efforts to form a stable South Vietnamese Government is a compelling reason for the feuding anti-Communist factions—political, religious, and military—to form a representative government to fight the Vietcong—their common enemy and the greatest threat to their nation.

What is missing is the insistence by the Johnson administration that if the South Vietnamese leaders do not unite to form a government the United States will withdraw. The Johnson administration must adopt a policy which will either induce the feuding South Vietnamese to create political stability or lay the basis for an honorable U.S. withdrawal if they do not.

The sacrifice of American lives will have no meaning if the South Vietnamese leaders prefer to fight each other rather than to join battle against the Vietcong. The Johnson administration must make this abundantly clear. And if the South Vietnamese leaders fail to reach agreement on a representative government the United States should get out of Vietnam.

From the Johnson administration, since the inception of the Vietnamese conflict, the American people have heard many optimistic statements:

In March 1963, General Harkins, then our commanding general in South Vietnam, stated that the South Vietnamese Armed Forces had "all that is required for victory."

In May 1963, the Pentagon told us: "The corner definitely has been turned."

In October 1963, Secretary McNamara said:

> The major part of the military task can be completed by the end of 1965.

Early in 1964, Secretary McNamara told Congress that neither more combat troops nor more money would be needed in South Vietnam.

Late in 1965, Secretary McNamara, returning from a personal inspection of Vietnam, said:

> We have stopped losing the war.

The Johnson administration has created a credibility gap between itself and the American people. The Johnson administration has failed to make its objectives in Vietnam clear to the American people. It has failed to make its objectives clear to the leaders in South Vietnam. It has failed to insist upon stability in Saigon as a necessary prerequisite for continued American involvement in the war. And it has failed to make an adequate effort to move the Vietnam conflict from the battlefield to the negotiating table.

For months I have been consulting on the Vietnamese situation with the highest officials in our Government: in the Foreign Service, in the State Department, in the Pentagon, and at the White House itself. I have discussed the crisis at length with some of the ablest and most distinguished journalists in our country. I have sought out the views and opinions of foreign and military policy experts both within the Government and outside.

The time has now come for decisive action by the Johnson administration. Neither the war nor the peace can be won in Vietnam without stability in Saigon and diplomacy in Washington. The administration must confront Saigon with the hard facts of life—either they get together to fight their common enemy or we will get out.

Mr. Speaker, I presented this position to the people of Kansas in an address in Great Bend on April 23 and again at Wichita State University on May 16. By unanimous consent, I include my speech in the Record at the conclusion of my remarks.

On May 21 the able and distinguished Governor of Kansas, our former colleague, the Honorable William H. Avery, spoke in plain terms to the American Legion convention in Wichita, calling for a reexamination of our position and our commitment to South Vietnam. Numerous newspapers and columnists, in Kansas and across the Nation, have echoed a substantially similar position. I also include these additional materials in the Record.

Ellsworth Calls for New Look at Vietnam Policy, May 16, 1966, Wichita State University

It is now time for the Johnson Administration to shape up in South Vietnam or get out.

As a Member of Congress I have repeatedly voted for measures to support our Armed Forces in Vietnam and to give the President all the authority he has asked for.

But I am rapidly losing confidence in this Administration's ability to see to it that our military operations are effectively backed up by the necessary political stability in Saigon. This, in turn, has undercut our efforts to move the Vietnam conflict from the battlefield to the negotiating table.

Over 400,000 people have already been killed in this war—yellow, white, and black.

More than 3,000 Americans have been killed.

We now have 300,000 Americans on the scene in Vietnam, and by the end of the year, we will probably have 500,000.

Helicopters, air support, and modern firearms give our troops in Vietnam four to five times the striking power our soldiers had in World War II.

We have already dropped the equivalent of a ton of bombs for every Viet Cong soldier.

Since 1954, we have given over three billion dollars in aid to South Vietnam.

In March, 1963, General Harkins, then our Commanding General in South Vietnam, stated that the South Vietnamese Armed Forces had "all that is required for victory."

In May of 1963 the Pentagon told us: "The corner definitely has been turned."

In October, 1963, Secretary of Defense McNamara said: "The major part of the military task can be completed by the end of 1965."

Early in 1964 Secretary McNamara told Congress that neither more combat troops nor more money would be needed in South Vietnam.

Late in 1965, Secretary McNamara, returning from a personal inspection of Vietnam, said: "We have stopped losing the war."

A credibility gap exists between what the Administration tells us and what actually happens.

After all these years, all these efforts, and all these sacrifices, there is no evidence that the American presence has brought political maturity or political stability to the people or the government of South Vietnam. Just the opposite is the case: anti-government riots have shown an alarming influence in the very cities we and the South Vietnamese regimes have claimed to control. The spring of this year has seen chaos, turmoil, and rioting in the streets of South Vietnam, and curtailment of our military operations because of it.

Soldiers and officers of the South Vietnamese Army have removed their uniforms and put on civilian clothes in order to participate in anti-American riots.

At the height of the riots, we began for the first time to experience a higher death rate among our own American troops than the South Vietnamese forces were sustaining themselves. The anti-Communist South Vietnamese were so busy wrangling among themselves that they didn't have time to fight the Communists.

The Viet Cong and the North Vietnamese are close to winning the conflict in Vietnam on the political front.

Here at home, our Vietnam expenditures are largely responsible for the inflation that wracks our own country, for material shortages, and for government interference in wage and price decisions. The Vietnam War is a profound threat to our whole economy. When Chairman Gardner Ackley of the President's Council of Economic Advisors was before the Joint Senate-House Economic Committee on February 1 this year, discussing the President's Economic Report, he admitted in response to a question from me that he was "either ill-informed or a poor guesser about the trend of Vietnam expenditures."

Our dollar outflows to Vietnam accounts for more than half of our present annual balance of payments deficit.

No matter how much military power we focus in South Vietnam, no matter how magnificent the moral of our fighting men is, no matter how much effort and sacrifice they pour into the Vietnamese conflict, and no matter how much strain is put on our own society here at home, it will all be wasted unless the South Vietnamese can be effectively organized on a political basis. This the Johnson Administration has failed to do.

The political initiative in South Vietnam, in the sixth year of our American presence there, now rests with the anti-Americans.

If there is a single vital lesson to be drawn from our experience in Vietnam, it is that foreign aid for economic development plus foreign aid for military development are practically useless without a strong program of political development among the people we are trying to help. Unless the people of a country can learn to participate in politics—to band together for community projects—to build the forms of citizen action, which we in this country take for granted and which have been the source of our progress—unless the people of a country can do these things, then all the money in the world for economic development, and all the bombing and killing of which we are so clearly capable, cannot bring much progress or much stability. This lesson of Vietnam the Johnson Administration still has to learn.

Lack of political cohesion among the anti-Communist forces in South Vietnam is and has been for a long time our most immediate and pressing problem. The Johnson Administration has failed effectively to do very much about it.

This Administration must now make it perfectly clear to all political leaders in South Vietnam—religious and military alike—that we do not intend to fight on in Vietnam unless they can get their own house in order, stop fighting each other, and start fighting the Communists.

Neither the American people nor the Congress will support the war in Vietnam much longer, unless the South Vietnamese are required to and do make an effective effort to establish political stability.

The sacrifice of our men's lives can have meaning only if our purpose is clear and our efforts are not wasted.

I, therefore, propose:

1. The Johnson Administration must immediately ask and get reasonable political stability in South Vietnam; otherwise, we must prepare to withdraw and quit wasting the efforts and sacrifices of our troops and our people.

(a) The original agreement to hold elections in August for a Constituent Assembly to draft a national Constitution should not be delayed to September or October or some later date, despite "trial balloons" along that line recently floated from the Ky regime in South Vietnam.

(b) It must be made clear that we expect the Constituent Assembly to complete its task in a specified and reasonable length of time so that a representative government can be established.

(c) We must insist that the leaders of all major anti-Communist religious sects subordinate their differences to the immediate task of fighting the Communist threat to their freedom, if they expect us to help them.

(d) A firm pledge of loyalty to the government must be exacted from each military officer in the Vietnamese Armed Forces, with compelling sanctions against violation of such pledges.

(e) We should also require, from all the main factions, pledges of full cooperation in broad and intensive programs for educating the urban and rural people of South Vietnam so that a foundation is laid for them to be able to control their own destiny.

If the government and people in South Vietnam are unwilling to make and keep these pledges, the United States should withdraw its forces. We are not there to impose our will on the people of Vietnam. If the government and people of Vietnam are not willing to take the minimum steps necessary to achieve enough political stability so that they can fight effectively, then the sacrifice of American lives will serve no purpose.

2. At the same time the Johnson Administration must renew and redouble its efforts to move the Vietnamese conflict from the battlefield to the negotiating table. This, however, it must do against a background of reasonable political stability in South Vietnam and by the use of real and meaningful diplomacy.

Real and meaningful diplomacy is not the use of grandiose public relations efforts. A truce in Korea was made possible not by the dispatch of big-name Presidential envoys to hold press conferences in far-flung capitals of the world, but by a President who convinced the Communists that he sincerely desired to bring an end to the conflict.

The Suez Crisis was resolved, not by a flamboyant appeal for a U. N. debate which was never followed up by a real debate, but through a sincere effort to seek U. N. help to avoid a world crisis.

Successful negotiations for a test ban treaty did not come through spectacular Presidential journeys to Honolulu or other exotic spots, but through quiet, tough, patient diplomacy.

The twin pillars of peace in Vietnam are stability in Saigon and diplomacy in Washington. Peace cannot be secured without both.

It is now time for the Johnson Administration to require reasonable political stability in South Vietnam and to move the Vietnamese war from the battlefield to the negotiating table, or to get out of Vietnam.

[From the Wichita Beacon, May 16, 1966]

MOVE TO DEMOCRATIZE VIETNAM LAID ASIDE

(By Rowland Evans and Robert Novak)

WASHINGTON.—Inside the national security apparatus of the government early last autumn, a project was started—then laid aside—with deep implications for the war in Viet Nam.

The project was a major effort to democratize the South Vietnamese government. As put together by senior officials in the White House and State Department, the object of the plan was to hurry free elections, both the selection of a constituent assembly and the election of a national assembly.

However, the project was put in cold storage. At that time President Johnson's advisers were more interested in "pacification" of South Viet Nam including social reconstruction and reform—a program to woo peasants in the hamlets and commit their loyalties to the Saigon government.

It was felt then that both pacification and political reform would just be too much for the military government of Air Marshal Nguyen Cao Ky to apply itself to simultaneously, while still fighting a shooting war at the same time. Pacification was given top priority, and political reform was put on the back burner.

In hindsight, top government officials now concede privately that their priorities were wrong. If there had to be a choice, they now believe, the effort should have been put on political reform. The price of this error in judgment is the continued political turmoil which is undermining U.S. popular support for President Johnson's policy.

Of course, it should be quickly stated that adoption of the political reform six months ago would have carried no ironclad guaranty against the political agitation this spring in Viet Nam. Indeed, there is no sure-fire protection against political opportunists like the Vietnamese Buddhist leaders.

Nevertheless, had a national assembly been in existence a month ago when the Buddhist campaign against Prime Minister Ky began, it would have provided a far more orderly forum of protest than the streets of Saigon. And in that event, top officials here believe, Americans would better understand such protests.

In the opinion of official Washington, the most damaging aspect of the political tumult in South Viet Nam has been its erosion of popular support for the war in the United States. Even though the political crisis has now simmered down, there is a vague grass roots resentment in this country, on grounds that the great sacrifice of American blood and treasure in Viet Nam is totally unappreciated by the Vietnamese.

Ironically, this loss of support at home comes at a time of impressive military progress. There is a growing conviction that the once-invincible Communist Viet Cong, badly stung in encounters with U.S. troops, are now seeking to avoid Americans.

Yet, military successes, while one essential part of the Viet Nam equation, certainly cannot solve the whole problem. Nor can pacification and reconstruction. The vital need is political stability among the various South Vietnamese political factions, and this is precisely the area in which Washington has directed the least effort and derived the least benefits.

Pessimists believe there is no better than one chance in ten that elections when finally held, will yield truly representative government and satisfy the various factions of Buddhists, Catholics, the military and other segments of that unhappy country. Those not satisfied are apt to take to the streets in demonstrations, or worse.

But the U.S. is strictly limited in what it can do. Washington received only a few hours notice of Ky's dismissal of Gen. Thi, which set off the current crisis. Nor can it control what is said today by Ky, an aviator, not a politician. All that Ambassador Henry Cabot Lodge can do is to make sure that Ky is "terribly impressed" (in the words of one top U.S. official) that every word he utters will be dissected back in the United States (as were his comments about staying in office for another year).

Yet, there is a temptation to wonder what might have been if that political reform project of six months ago had been followed out. It was a chance that may never be regained.

[From the Washington Post, May 1, 1966]

VIETNAM IN KANSAS

(By Rowland Evans and Robert Novak)

A hardfought battle on the plains of Kansas for the Republican nomination for the United States Senate is turning into a referendum on President Johnson's Vietnam policy.

The early stages of Representative ROBERT ELLSWORTH's attempt to take the nomination away from incumbent Sen. JAMES PEARSON revolved mainly around personality questions. But a week ago, ELLSWORTH injected the Vietnam issue in a speech at Great Bend.

While not suggesting that the United States drop its Vietnam commitment, ELLSWORTH rapped sharply at the Johnson Administration for neglecting political aspects of Vietnam and concentrating too much on the military. His charge that President Johnson is to blame for our present predicament drew heavy applause. In contrast, PEARSON has generally supported Mr. Johnson in Vietnam.

[From the New York Times, May 18, 1966]

WASHINGTON: THE EVADED MORAL QUESTION IN VIETNAM

(By James Reston)

WASHINGTON, May 17.—President Johnson has been confronted for some time with a moral question in Vietnam, but he keeps evading it. The question is this: What justifies more and more killing in Vietnam when the President's own conditions for an effective war effort—a government that can govern and fight in Saigon—are not met?

By his own definition, this struggle cannot succeed without a regime that commands the respect of the South Vietnamese people and a Vietnamese army that can pacify the country. Yet though the fighting qualities of the South Vietnamese are now being demonstrated more and more against one another, the President's orders are sending more and more Americans into the battle to replace the Vietnamese who are fighting among themselves.

THE TWO OPTIONS

Ever since the start of this latest political crisis in Saigon, the President has had before him two courses of action. The first was to make clear to all the contending South Vietnamese leaders that the United States was going to limit its reinforcements, its military and economic aid, its casualties, and its military operations to the minimum until they had composed their differences.

The objective of this course was to try to produce unity, and failing that, to provide time for a basic reappraisal of the American commitment.

The second course was to appeal to everybody to get together and meanwhile to keep the war going as best we could with the American forces. President Johnson chose the second course. He is appealing and fighting, though he has even less reason to believe in the formation of a stable government now then he had at the beginning of the crisis.

WHAT JUSTIFICATION?

Justifying this historically, and particularly, justifying it personally to families of the casualties in the coming monsoon offensive will not be easy. If there were a reasonable expectation of political stability, the thing might be done, but lacking that, it is hard to see why the President rejected the course of a defensive pause.

The latest review of the war here with Ambassador Henry Cabot Lodge did not deal primarily with fundamental policy, but with operations. It did not focus on where we now stand or where we mean to go from here, but on what to do about the inflation and the shipping in Saigon, and the tactical problems in Danang and Hue, and how to pump a little more sawdust into the ruling generals in the capital.

There is little reason to believe that President Johnson's latest "appeal" to the Buddhist leader, Thich Tri Quang, will have any more effect than the other innumerable appeals that have been made to that militant monk by other Americans in the last few weeks.

He is clearly not thinking much about putting aside "the lesser issues in order to get on with the great national tasks." He is summoning his followers to new demonstrations against the military junta in Saigon and the generals in the Government are moving troops of the Seventh Infantry Division out of the operations against the Communists to deal with the expected rioting in the capital.

Plenty of appeals have been made by President Johnson, among others, to General Ky, to "compose his differences" with the Buddhists and get on with the formation of a civilian government, but his answer to that was first to increase his military power by kicking out his rival general in the First Corps area, and lately sending his marines to Danang and bringing the country to the verge of civil war.

It may be that, in the face of all this petty and provocative folly, President Johnson is playing a waiting game and being more clever than anybody here can see. What he will do if his latest appeal to Tri Quang is ignored and followed by more chaos in the streets remains to be seen.

WHAT COMMITMENTS?

At one point, however, if the present trend continues, there will have to be a new definition of all the commitments that have been given. Our commitment to Saigon originally rested on Saigon's commitment to fight and govern, neither of which it is now doing effectively. The President's commitments in this war involve not only a handful of generals who seized power, but involve the Vietnamese people and the American people as well.

Our commitment was to a "legitimate government" and what we now have in Saigon is neither "legitimate" nor a "government." Our commitment was to help them win the war not to replace them on the battlefield. Our arms were provided to fight the aggressors and not to start a civil war. Our promise was to help South Vietnam, not to destroy it.

[From the Washington Post, May 19, 1966]

INSIDE REPORT: THE DOUGLAS-PERCY BATTLE

(By Rowland Evans and Robert Novak)

KANKAKEE, ILL.—At the very moment President Johnson was vigorously defending his Vietnam policy Tuesday night before a $100-a-plate black-tie dinner in Chicago's cavernous McCormick Place, a different kind of political gathering was taking place in Kankakee 55 miles to the south.

Nearly 300 local Republicans pushed back from a ham-and-beef supper at the Kankakee Civic Auditorium to hear Charles H. Percy, Republican candidate for the U.S. Senate, open his speech with these words:

"Under President Eisenhower, the record is that for eight years, we were not engaged in a war. Americans were not being shot at."

Percy then went on to reel off a lengthy indictment of President Johnson in Vietnam: failure to go to the United Nations before the resumption of bombing in North Vietnam. Refusal to fully inform the public about the war. Spread and escalation of the war. Convening of the "impetuous and ill-advised" Honolulu Conference. Inability to get our allies to send troops to Vietnam.

The repetition of such charges throughout the state as the long campaign begins means that liberal Republican Chuck Percy has found, for the moment at least, *the* issue in his drive to unseat three-term liberal Democratic Senator PAUL DOUGLAS.

It is the Vietnam issue that has reduced the highly popular DOUGLAS, the best Democratic vote-getter in this state's history, to no better than an even bet against Percy. One secret survey delivered to Percy recently by an Eastern pollster shows the race at this early stage to be a virtual dead heat.

This is particularly worrisome to the White House because DOUGLAS, a staunch anti-Communist, has been one of the Senate's most dependable supporters of Mr. Johnson's Vietnam policy. Consequently, any widespread feeling that this stance could cost DOUGLAS his seat might start a Nation-wide stampede of Democratic candidates away from the President's position. For this reason, the President's political visit to Chicago on Tuesday will not be his last trip in behalf of DOUGLAS.

On the political balance sheet, however, the asset of Mr. Johnson's support seems outweighed by liabilities stemming from DOUGLAS's Vietnam stance. Some fickle liberal Democrats, forgetting DOUGLAS's long record in behalf of social welfare legislation, are refusing to support him in this campaign because of Vietnam. A few go so far as volunteering to work for Percy.

Moreover, Vietnam is having the effect of smoothing over Percy's long quarrel with the right-wing Bourbon Republicans, of Illinois, whose animosity contributed mightily to his defeat for governor in 1964. Even among the Bourbon there is more support for the Percy line (which flatly opposes expansion of the war) than for the Barry Goldwater-Richard Nixon formula of accelerated bombings.

After his Kankakee speech Percy was confronted by one Bourbon-type precinct captain, who allowed he would have liked to hear some blasts against inflation and higher Federal taxes (not included in Percy's speech) but was all for Percy's position on Vietnam. "We can't save the whole world with our money and our boys," was the comment of this conservative Republican.

In fact, such comments are about all that Percy hears in after-speech conversations, question-and-answer sessions and street corner handshaking. Even during an expedition into working-class saloons on Chicago's West Side by Percy last Saturday night, he heard complaints about Vietnam.

Some Republicans feel Percy is playing with fire in concentrating on Vietnam. One competent political professional, managing the campaigns of a dozen Republican congressional candidates in the Midwest, has advised them to keep still about Vietnam and talk about inflation instead. His reason: Mr. Johnson may somehow radically change the Vietnam situation before election day.

But for now, the unmistakable rising tide of public resentment against the dirty little war seems to be hurting PAUL DOUGLAS. After easily turning aside Republican charges of "socialism" and "radicalism" in three previous Senate campaigns, he may be beaten this year as a hard-line anti-Communist.

[From the Manhattan (Kans.) Mercury, May 19, 1966]

IF TROUBLE STAYS, U.S. EFFORTS MAY BE LOST

WASHINGTON.—Some of the best informed U.S. officials now fear prolonged political violence in South Viet Nam could undermine the whole basis of the American war effort there and force this country to reconsider its Vietnamese policies.

A deepening sense of worry and frustration has become evident among policymakers here in recent days.

The Johnson administration is still hopeful that the ruling military directorate in Saigon, headed by Premier Nguyen Cao Ky, and rebellious Buddhists and military elements at Da Nang and Hue can patch over their differences quickly. Both sides have been warned that they are endangering American support.

But in administration quarters there is less talk than there was during earlier outbreaks of violence this year that the South Vietnamese are merely suffering political growing pains. There is more anxious speculation that their differences may be too deep to be reconciled and, even if apparently composed, soon will erupt again.

Secretary of Defense Robert S. McNamara's statement Wednesday specifying limitations on the amount of U.S. help that will be given to developing nations is being interpreted by some authorities here as underscoring in policy terms the diplomatic warnings to South Vietnamese leaders disclosed by Secretary of State Dean Rusk at a news conference Tuesday.

Rusk said the South Vietnamese were being told that "their own attitude, their own solidarity, their own efforts are crucial elements in the combined (American and Vietnamese) determination to get on with the fight against Communist conquest.

McNamara, in talking about U.S. aid to underdeveloped countries in a speech to the American Society of Newspaper Editors in Montreal, said American security is related to the security of developing nations and when they request help they may get it.

But he also noted:

"Certainly we have no charter to rescue floundering regimes, who have brought violence on themselves by deliberately refusing to meet the legitimate expectations of their citizenry."

At another point, he declared: "Our role must be precisely this: to help provide security to those developing nations which genuinely need and request our help, and which demonstrably are willing and able to help themselves."

[From the Lawrence (Kans.) Daily Journal World, May 20, 1966]

TIME TO LEAVE?

The recent conduct of the South Vietnamese and their various factions has forced increasing reassessment of United States policy regarding the Asian country.

And not only in Washington but all over the country, more thought than ever before is being given to the feasibility and practicality of an American withdrawal from the strife-torn region.

For a long time now, we have been hearing that various outbreaks and conflicts among South Vietnamese factions like the Ky Administration and the Buddhists were basically superficial and more or less "growing pains" of a nation striving to find itself in the democratic scheme.

But analysts now admit that experts on such matters are beginning to speculate openly that these differences may be too deep to be reconciled and may continue to erupt and grow in severity.

And here is where rise is given to more consideration to a sharp change in U.S. policy.

The United States went to Vietnam in 1954 at the request of that government, to help advise the South Vietnamese in the process of fighting off the Communists and developing a democratic society similar to ours.

The "government," however, has changed often and on short notice, and the Ky regime represents the eighth change in the past three years. Furthermore, the Ky Administration is a military organization supposedly set up to run things only until civil authorities can take over and establish stability and consistency.

Civil-religious groups, such as the Buddhists, take a dim view of the military regime and are opposing it, often violently, to the point where an all-out civil war could break out soon. Americans who supposedly have been fighting on behalf of both factions could be caught in the middle. The end result is that the U.S. forces might have to kill not only the Communists but the Ky people and the Buddhists and everyone else the Yanks were supposedly sent to Asia to help.

Going into a country at the request of a government to help establish law and order and to combat aggression and Communism is one thing. Getting involved in a civil war is something else. Suppose the situation should become so hot that the U.S. is forced to fight for its life and has to establish a military dictatorship of its own to get out of the hodge-podge of selfishness and uncertainty? How would our image look then?

Secretary of Defense Robert McNamara, who has long defended our role in Viet Nam, apparently has misgivings of his own about the way things are going now. He said just this week. "Certainly we have no charter to rescue floundering regimes who have brought violence on themselves by deliberately refusing to meet the legitimate expectations of their citizenry. * * * Our role must be precisely this: To help provide security for those developing nations which genuinely need and request our help, and which demonstrably are willing and able to help themselves."

So far, South Viet Nam has given no concrete evidence of being demonstrably willing and able to help itself. The government changes hands regularly and the various factions remain so selfish that they cannot sublimate their own particular whims to the point they can work with anyone else.

It is tough enough to help a people in a case like this when those people have unity, singleness of purpose and a determined will to get a job done. Even with all this, the South Vietnamese problem would be tough because of the constant pressure and harassment from the Communist troublemakers.

But the South Vietnamese do not have such dedication, and do not appear on the verge of acquiring it for years.

In principle, the Ky Administration is undesirable where a democratic future is concerned. History shows that the longer a military group is in power, anywhere, the greater the abuses and the more likelihood of a totalitarian system eventually coming to the fore. Yet the Ky group sees nothing better in the offing and is reluctant to relinquish control.

In principle, the Buddhists, who oppose a military junta, are right. They understand what can happen and want no more of the Diem-type dictatorship which they were instrumental in unseating.

But even though these and other groups allegedly interested in democracy for South Viet Nam are right, all seem so self-centered that they refuse to work together and create the kind of cooperation necessary.

What business has the United States, even a benevolent United States, in a chaotic situation like this?

Some leaders keep saying we were asked there and must meet our commitment; and others keep talking about how Communism will overrun Asia if we pull out of South Viet Nam.

But to whom are we committed at this point? There is no semblance of the "government" that asked us to go over in the first place. Thus all we are doing is spending money and, more important, lives, to try to bring order out of a chaos which the South Vietnamese don't seem to have enough character, courage and determination to want to dissolve.

Then we hear the ethereal argument about how great will be our loss of face if we pull out of Viet Nam now.

France left Viet Nam in the early 1950s thoroughly beaten by the Communists, yet does France's image suffer much today?

Furthermore, the United States certainly is holding its own and often is winning in the conflict against the Communists. We are not doing as well as some government spokesmen say we are, but even so we are anything but defeated the way France was.

France also had a long record of colonial exploitation in Viet Nam. The U.S. has no such status and desires none.

In view of the turmoil in South Viet Nam and our standing in the war with the Communists, the United States would appear to be in a good spot to get out of Viet Nam now and stop its always-costly, often-tragic operation there. The sooner the better.

Unless the South Vietnamese themselves show a lot more backbone than they have in their so-called fight for democracy and dignity, then we are foolish to stay and be scapegoats for every faction that happens to have a crusade.

Americans in Viet Nam frequently hear the familiar "Yankee, Go Home!" The time may be at hand to oblige them.

[From the New York Times, May 20, 1966]

JAVITS LINKS AID TO VIETNAM UNITY—SAYS CONTINUED U.S. EFFORT DEPENDS ON STABLE REGIME

(By Alfred E. Clark)

Senator JACOB K. JAVITS said last night that if the South Vietnamese could not establish a "stable government" the United States might have no alternative but to withdraw its forces.

Speaking before a liberal party group at the Astor Hotel, Mr. JAVITS declared that "under no circumstances should the United States, in effect, 'take over' South Vietnam."

He asserted that the Johnson administration "should not try to dictate a solution or support any particular faction or man."

The Senator spoke before the political group's committee-at-large, which is composed of persons associated with the city's civic, community, cultural and business affairs. Stuart Scheftel, chairman of the committee, presided and about 250 persons were present.

Although the State's senior Senator is a Republican, Mr. JAVITS has been an ardent exponent of President Johnson's approach to the problem of South Vietnam.

Unlike his junior colleague, Senator ROBERT F. KENNEDY, a Democrat, Mr. JAVITS has constantly defended the position taken by the administration while Mr. KENNEDY has been a constant caustic critic.

"A MAJOR STATEMENT"

Last night Senator JAVITS's talk, which followed recent trips to Vietnam, Latin America and Europe, was characterized by his staff as a "major statement on the Vietnam crisis."

He proposed a four-point program for elections in South Vietnam "to insure the freedom and legitimacy of the elections and the earliest possible establishment of a civilian government."

The proposals were:

A cease-fire during the election period.

Supervision of the elections by an international body.

Guarantee of universal suffrage by secret ballot as the basis of participation in the elections.

Transformation of the Constituent Assembly into an interim Parliamentary Assembly, once the work of the former in producing a constitution has been completed. The interim Parliamentary Assembly should be authorized to establish a caretaker civilian government until new elections are held under the Constitution.

He said that there was a limit to the patience of the American people with regard to the factional strife among the South Vietnamese "and this limit could be fast approaching."

Senator Javits called upon President Johnson to make clear to the leaders of the strife-ridden country "that our assistance is naturally contingent upon the tenability of the position of our forces." He added:

"If they cannot put an end to their personal drives for power and concentrate on their mutually agreed common enemy, we may have to take this as a signal that our aid may no longer be practicable.

"This country should not interfere in the internal politics of a nation we are trying to help to secure freedom. Such interference could only be against the very purpose we are there to serve."

[From the New York Times,
May 20, 1966]

BLOW THE WHISTLE ON SAIGON

The eruption of fighting in Danang between Saigon's forces and pro-Buddhist elements demonstrates the extreme delicacy of the American position in South Vietnam, despite the presence of a quarter-million United States troops and vast sums of economic aid.

Secretary Rusk has let it be known that American officials for days have been urging the Vietnamese to halt the power struggle and settle their differences through elections. This advice has been ignored, particularly by Premier Ky. The United States is being caught up in a war within a war—and American planes are being shot at by the people they are trying to help.

The question Washington must face is how long it can permit its counsel to be flouted. With Saigon concentrating on internecine feuding, American troops are being forced to carry the brunt of the anti-Communist struggle; their casualties now are beginning to exceed those of the South Vietnamese Army.

Senator Mansfield has warned the United States to "keep our hands off" the internal conflict in South Vietnam and this is good advice as far as it concerns an attempt to dictate which faction wins. But there is no reason why the full weight of American influence—and this means going beyond words, when words are disregarded—should not be brought to bear to restore peaceful processes.

So far, the American answer to political chaos in Saigon at almost every turn has been to step up American military action. In the summer of 1964 Premier Khanh was promised a bombing offensive against the North, presumably on Presidential authority, to extract pledges from Saigon of governmental stability and efficacity. When the bombing of the North finally began the following winter, its primary objective—as explained by the highest American officials in Saigon—was to stabilize the politics of South Vietnam. The open engagement of American aircraft in the South, the introduction of American combat troops, the commitment of those troops to ground battle in Asia and the subsequent build-up to levels that have turned an aid commitment into an American war—all these steps have been justified as underpinning for the Saigon Government as much as by the need to fight the Vietcong.

This course of action clearly has failed. It has always been likely that the more the United States assumed responsibility for the war, the more irresponsible the Saigon Government would become. The time is now, if it is not already too late, to reverse this process. First steps toward a withdrawal of American troops to their bases in Vietnam—rather than a cut-off of economic aid, which would only penalize the helpless civilian population—undoubtedly would bring Saigon to its senses.

Premier Ky has violated the agreement negotiated with the Buddhists to abstain from force and to proceed rapidly toward elections, constitutional processes and the formation of a representative government. There will be no "arrogance of power" but a mere facing of facts if President Johnson now blows the whistle on Saigon instead of continuing the present policy of *laissez-faire*.

REMARKS BY GOVERNOR WM. H. AVERY TO THE AMERICAN LEGION CONVENTION, BROADVIEW HOTEL, WICHITA, KANS., MAY 21, 1966

Probably no year in the 47 year history of the American Legion has a state convention met in a period of greater frustration and greater indecision in regard to foreign policy and national defense than in the unhappy year of 1966. Never in my experience in public life or as a private citizen have I seen dissension at the policy-making level and among the electorate that we are today witnessing everywhere about us. I want to make it abundantly clear that I do not make these observations from a point of criticism, but only from the standpoint of expressing concern as to the direction our national affairs will take in the months that are ahead.

Division and lack of common purpose seem to have invaded the legislative department of government at the national level. It is in the public interest that all aspects of a foreign policy decision and the consequences that result therefrom should be fully understood by the American people before a commitment of our prestige and military power is made. In the situation today, however we appear to have gone beyond the point of open and constructive debate.

The unique factors in the situation I see today are threefold:

1. The dissension in the legislative branch of government comes largely from within the same political party as that of the Chief Executives. I do not know of any similar circumstances since the uneasy days of the Civil War.

2. There is also disagreement among our friends in the group we describe as the NATO nations, largely made up of the countries of the free world. This is not altogether surprising as the alliance is now more than 20 years old and forces have regrouped and attitudes have shifted considerably in this period. During such a period of transition, it is no surprise that these member nations would have different problems, different perspectives and different aspirations than they did following the end of World War II. Nor withstanding this reasoning, it still must be comforting to the Communists to learn that we have been put on notice to remove our forces from France by April 1, our traditional ally.

3. The most critical aspect of all is that our military strength is committed to defend a far away nation which apparently has no sense of unity, no understanding of nationalism and no discernible goal for themselves. I am referring, of course, to the South Vietnamese. The recent civilian disagreements and strife there have reached such a stage that it would seem to justify the reexamination of our position and our commitment to that country.

I do not have any confidential or classified information on which to base these views, but it seems abundantly clear from the news media, that the recent events in the political and religious environment of that country that have altered the nature and extent of our commitment. The picture that we saw there a month ago of a nation resisting an enemy is not the picture we see today where one native countryman turns on his fellow.

I am not suggesting that a compromise with the Viet Cong or any other Communist force be negotiated. Any change in our position or our stated objective cannot be based upon our failure to meet the Communist aggressor. Our American forces have never retreated because of fear of the enemy. The new question in this most complex and complicated picture is whether or not the lives of American soldiers can be committed to save a nation that cannot decide for itself if it wants to join American soldiers in fighting the aggressor or would prefer to draw apart and engage at the same time in a Civil War for reasons not clear to me.

It is one thing to commit the military might and the armed forces of America to protect a weak nation against Communist aggression. It is an entirely different matter to provide an umbrella or shield for a people that is unconcerned and would prefer to enjoy the luxury of civil strife rather than to unite with our armed forces to repeal the enemy.

We are there by invitation of the South Vietnamese. Now we can ask who can truly speak for the Vietnamese people.

I am not unmindful of the most unpleasant position in which the President of the United States and his advisors find themselves in this year of decision. As Commander-in-Chief of the armed forces of the United States, he has difficult decisions to make. Further, as President he is chief architect of our foreign policy and it is not possible to make a distinction between principal foreign policy and military strategy in the Southeast Asian dilemma. This expression of understanding, however, does not in any way diminish the implications of the events that have taken place in the last few weeks.

Questions logically arise whether prolonged civil strife may put a greater burden of fighting on American troops in the country and whether American forces, already battling the Viet Cong, may be caught in the middle between warring factions of the South Vietnamese.

American combat deaths exceeded those of South Viet Nam's armed forces last week for the third time this spring, a period of political unrest.

I submit that the reasons for being in Vietnam, which I supported, do not necessarily obligate us to remain under these recent unpleasant and inexplainable developments.

Drawing these decisions and the consequences of these decisions to a state level, there are several obligations for us to perform. There are a few decisions on the state level that directly or indirectly affect our Kansas boys who have returned and, we hope soon will return, from Vietnam. The 1966 amendments to the Veterans Readjustment Benefits Act, become a matter of concern to the Kansas Veterans Commission, the American Legion and all other service organizations with a special interest in veterans. The Kansas Veterans Commission has already made special effort to advise Vietnam veterans, as well as peacetime veterans whose service was rendered subsequent to January 31, 1965, of opportunities that have now become available to them as a result of the above-mentioned amendments to the Veterans Act. I know that this will be covered in greater detail by other speakers at this convention.

In a related matter, I recommended and the legislature approved, a new hospital facility at the Fort Dodge Soldiers Home. It became increasingly evident to me that the age group of veterans served by this facility required an increasing amount of medical services. The State of Kansas makes its principal contributions in assisting veterans through the operation of the Fort Dodge facility. No only is the present medical facility obsolete and inadequate but additional residence accomodations could be made available by utilizing the present hospital for patient residents. It is estimated that the present hospital could be converted to a patient residence to accommodate 45 residents. It should be pointed out that

27% of the patients at Fort Dodge were previous veteran patients at state hospitals.

This in turn makes the bed at the other treatment hospital available to another veteran or another citizen who can be helped or rehabilitated at the institution where professional psychiatric care is available. The legislature approved the appropriation which was to be matched by federal funds.

After the President requested governors to defer any major construction that was not considered necessary, the question arose whether or not the federal matching funds would be available for this authorized addition to the Fort Dodge home. In order to clarify the status of the available federal funds, a few weeks ago I wrote to Farris Bryant in the Executive Office of the President, who serves as liaison to governors on matters affecting federal-state relations.

On April 22, I received a letter from Mr. Bryant which I will quote here in part: "In response to your question about deferral of your new medical facility, the President has refrained from establishing priorities on specific grant projects because of the many factors that continue to influence the States' capital improvement program. However, I can say that the President's desire is not to cut back essential welfare or medical projects and your medical facility appears to fall in this category. The final decision must rest with the States and the Governors."

I am announcing this afternoon that it is my decision, unless reversed by the Kansas legislature, to continue with our planning for the Fort Dodge hospital improvement. This appears to be consistent with the view expressed for the President by former Governor Farris Bryant, director of the Office of Emergency Planning. I know that this project has been high on the priority list of the American Legion of Kansas for at least ten years. I am happy that we were able to obtain legislative approval of this during the budget session just recently adjourned.

[From the Washington Daily News, May 23, 1966]

Disillusionment About Viet Nam War: "Let's Get Out" Trend Worries LBJ

(By R. H. Shackford, Scripps-Howard staff writer)

The Johnson Administration is alarmed by the growing disillusionment among Americans at home about Viet Nam.

This disillusionment coincides with plans to increase the number of American ground forces—to "at least 400,000"—in that war.

More demands for "getting out" are feared if the South Vietnamese continue to fight among themselves and leave the war to be fought by American troops.

But the Administration is trying to hide its fears even tho President Johnson told one of his rare press conferences Saturday that no one wanted to get out more than he.

"Leading that parade is the President," he said.

Behind the scenes, Administration officials—who decline to be named or quoted—are explaining eroding public support for the President's policies by claiming that the civil war situation is not as bad as portrayed by the press.

But House Republican leader **Gerald Ford** of Michigan suggests that it is the President who is not "leveling" with the American people about the crisis.

The Administration now is counting on Premier Nguyen Cao Ky to succeed in putting down by force the dissident military and religious groups in Da Nang. Officials seem to hope that once Da Nang is suppressed, the rebellion and turmoil will fade away.

But these officials are aware that the spectacle of South Vietnamese killing South Vietnamese has caused serious damage to the attitude of American public opinion. This is reflected in polls and in congressional statements (even by "hawks").

Administration officials don't go so far as to blame news reporting from Viet Nam for the decline in support of Vietnamese policies. But they do claim newspapers and television have kept the nearly three months of political turmoil and civil war out of perspective.

For example, they say the press ignores the fact that there is no civil strife in the countryside. But they fail to explain that most of the countryside has been controlled by the Viet Cong for a long time.

The following week-end developments explain why President Johnson and his top associates are trying to calm public alarm:

Gen. Maxwell Taylor, former Ambassador to Viet Nam and now a presidential adviser, who tried to belittle the crisis by saying "we don't need to wring our hands over this unrest," also said: "we will probably need more people (in Viet Nam) and I believe we would at least reach a manpower strength of 400,000." There are 255,000 American ground forces there now.

Chairman L. **Mendel Rivers**, Democrat, of South Carolina, of the House Armed Services Committee who is a "super-hawk," said: "We may have to make a decision damned soon about whether to pull out altogether. * * * I'm getting tired of it. His colleague, Chairman **Richard B. Russell**, Democrat, of Georgia, of the Senate Armed Services Committee has been showing increasing impatience, too.

For the first time, support of the President's policies in Viet Nam dropped in the Gallup Poll to less than 50 per cent—to 47 per cent with 35 per cent disapproving. An even more disturbing poll on Sunday showed 54 per cent favoring U.S. withdrawal if the South Vietnamese start fighting among themselves on a big scale and 72 per cent in favor of "getting out" if the South Vietnamese stop fighting the Communists.

Casualty figures continue to show that Americans are doing most of the fighting against the Viet Cong. During three of the last six weeks, American deaths exceeded those of South Vietnamese soldiers, and total casualties—killed, wounded and missing—for Americans have been two to three times higher than for the South Vietnamese force which is more than twice as large.

Senator **Jacob Javits**, Republican, of New York, warned that if the South Vietnamese cannot do the major fighting (which they haven't been doing), then "we have no alternative but to withdraw." He said that point hadn't been reached yet but it "now seems possible" the U.S. may have to face it.

Reports from Saigon that Premier Ky probably will win his "civil war" in Da Nang encouraged the Administration. But how much it will allay public alarm at home depends more on Ky's dubious ability to unite all the warring political, religious, sect and regional factions.

The Administration fears that disillusioned Americans will look with frowning disfavor on vastly increasing American ground forces and escalating the war unless there is some semblance of political stability—and that is unlikely. If the war becomes increasingly an American war, the mood at home could become increasingly anti-war.

[From the Washington Post, May 25, 1966]

Doubt, Frustration Rise Among Americans in Vietnam

(By Stanley Karnow, Washington Post Foreign Service)

Saigon, May 24.—Only a few months ago, to question the wisdom of U.S. policy and practice in Vietnam was to invite snarls from most Americans here.

These Americans, immersed in the blood, tears, toil and sweat of the Vietnam conflict, understandably opposed any talk that smelled of surrender.

Today, however, that sense of determination has altered to a perceptible mood of doubt, frustration and even disgust—a mood generated by the complex, confused political strife that has been roiling this country.

PULLOUT NOT ADVOCATED

By no means does this feeling signify that Americans here advocate U.S. withdrawal from Vietnam tomorrow. But it has set them to wondering if they can give this situation the patient, persistent involvement it requires.

More and more, Americans who once considered negotiation a defeatist term, now ruminate aloud on "how we get off the hook" here.

The struggle between Premier Nguyen Cao Ky's government and the Buddhist rebels has left an impression that the rival Vietnamese factions are more concerned with fighting each other for power than with fighting the Communists.

APPEAL BY RUSK

It has lent a certain irony to Secretary of State Dean Rusk's appeal last week to the disputing Vietnamese to "set aside their lesser issues" and get on with the war. And it has revived the question, posed here often over the years, whether it is possible to save people who are not primarily focused on their own salvation.

"We want to win this war more than they do," is the way some Americans put it. Implied in that statement is whether it is worth the effort.

A U.S. Marine officer near Danang asks, for example, how he can decently order his men to risk enemy fire to extend their perimeter—while back in the city, the Vietnamese they protect are busily killing one another.

At the same time, several American officials here have been depressed by their own incapacity to control or even comprehend Vietnamese actions. How Ky was able to send three entire Vietnamese battalions to Danang last week without American knowledge is one of the sweetest mysteries of late, particularly since U.S. advisers went with the troops.

Such lack of intelligence is matched by a deep ignorance about key Vietnamese figures. A random poll of U.S. diplomats here will reveal that the Buddhist leader Thich (Venerable) Tri Quang, as powerful a man as any in the country, is (A) a Communist, (B) an anti-Communist, (C) a Communist dupe, (D) a nationalist patriot.

Compounding this murkiness have been visible divergences within the U.S. mission on which of the rival Vietnamese groups to support. While Ambassador Henry Cabot Lodge has apparently sympathized with Ky, the Marine commander in Danang, Lt. Gen. Lewis W. Walt, has sheltered Ky's opponents.

Another discouraging strain here has been the growing anti-Americanism, especially among Buddhist youth groups. Much of this stems from the traditional chauvinism prevalent in central Vietnam, where Buddhists are strong. It has also been animated by the social and economic disruption caused by having 285,000 American soldiers in Vietnam.

American backing of Ky has further stimulated Buddhist criticism of U.S. strategies in Vietnam. The other day, Buddhist students came out with the "three shames of U.S. foreign policy"—Hiroshima, Santo Domingo and Ky's crackdown on the Buddhist rebels in Danang.

DRAFT DEFERMENT TESTS

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. **Ellsworth**] may extend his remarks at this point in the **Record** and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ELLSWORTH. Mr. Speaker, last March 29, Republican Congressmen joined me in a call for a congressional investigation of the draft. As a result of our continuing study into the Selective Service System, we have, this week, reissued a call for an investigation, and release six in-depth studies about problem areas in the draft system. Last week, I was delighted to come across an excellent editorial on the draft deferment tests. The editorial is all the more meaningful since it appeared in the "Stars and Stripes," which is the voice of the veterans in the United States. The editorial follows as an extension of my remarks:

[From the Stars and Stripes-The National Tribune, May 19, 1966]

DRAFT DEFERMENT TESTS

In all parts of the country, students are in revolt against the draft deferment tests being conducted by the Selective Service. Sit-ins are occurring at many universities and it is apparent that students feel that the one glaring deficiency in the test operation is that those who have financial means to attend universities are privileged over those who do not have the necessary funds to attend college and therefore wind up as draftees.

There is much to be said for this point of view. We feel that the deferment examinations are not in accord with the best means of securing military personnel. Simply because some students do not attain high enough averages in college exams or are unable to go to college because of restrictions is no good reason for their becoming draft bait.

Many young men in college, particularly in their freshman and sophomore years find college work with its increasing demands extremely difficult. They just do not become adjusted until their last two years in universities. Neither do many of them have clearly defined ideas as to just what courses they want to major in. Under the present examination system this places them at a distinct disadvantage.

Another point at issue is the fact that apparently the Selective Service is the judge and jury. It seems to us that some of the decisions which will have to be made by the Selective Service boards will necessarily be open to question.

In view of continuing high academic requirements by colleges and universities it is extremely difficult for some young men to gain admittance to any college at the present time. Indications are that these requirements are increasing rather than decreasing. So it would appear that college officials, aware of the demands upon college students, should be the proper ones to make decisions as to scholastic grades, particularly if grades are to determine whether or not a student is to be drafted or to be deferred from the draft.

There seems to be sound logic in the contention that the present draft system is in drastic need of revision. The present system is a patchwork of legislative amendments enacted thru the years. A new and fresh approach to this most important problem is unquestionably needed at the present time.

THE 48TH ANNIVERSARY OF ARMENIAN INDEPENDENCE

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, on Saturday, May 28, the courageous people of Armenia will observe the 48th anniversary of the day when their independence was proclaimed from Turkish and Russian rule. Tragically, they were unable to maintain their freedom because of the World War and the indifference of leaders of the free world to the Armenian cause.

Americans of Armenian descent are one of the most vigorous groups working in the free world for the restoration of independence to Armenia and the other nations suffering under Communist tyranny. I encourage them to continue their efforts to maintain the hope and faith of the Armenian people in the future, when they will regain the freedom for which they so vehemently long.

I also congratulate the many Armenian-Americans who have made such outstanding contributions to the culture and progress of the United States. They have proved to be unusually gifted in educational, political, artistic, and economic fields.

Mr. Speaker, let us in the House of Representatives rededicate ourselves to the cause of Armenia and the other captive nations under Communist rule and do what we can to aid these brave people achieve the freedom and self-determination which they are now denied.

THE 48TH ANNIVERSARY OF GEORGIAN DECLARATION OF INDEPENDENCE

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, on this date in 1918, the independence of the people of Georgia was officially proclaimed by the Georgian Parliament meeting in Tiflis, the capital of the Georgian Republic. I would like to pay tribute to the freedom-loving Georgian people on this, the 48th anniversary of their declaration of independence.

Although 26 countries recognized the Georgian Republic, the nation succumbed to the military aggression of the Russian Communists who established their domination over the brave Georgian people before they were able to solidify their independence.

The history of the Georgian people is a long and honorable one, Mr. Speaker. They have retained their national identity throughout many centuries and have been Christians since the fourth century. In spite of their forced incorporation into the U.S.S.R., the brave Georgian people have maintained a vigorous nationalist spirit and anti-Russian attitude throughout their unjust domination by Soviet Communist forces. They vehemently oppose the dictatorial policies of communism and continue to hope for the day when democracy will be restored to their land.

Mr. Speaker, in recent years the Voice of America has been reducing both the number and length of broadcasts to the Georgian people. It gives only straight news because it is the policy of the Johnson administration not to offend the Soviet Union in any way. I believe that lengthier and more effective broadcasts which would pierce the wall of Communist propaganda and deliver the truth to the people of Georgia should be provided by the Voice of America. This agency should be a vehicle for delivering the message of truth to this brave people so that their resistance to Communist brainwashing will not weaken under the constant propaganda to which they are subjected by their tyrannical Moscow rulers.

I join the Georgian people who are suffering under Communist domination and refugees and their descendants from that land in observing today this anniversary of their declaration of independence. I also share their hope that the day will soon come when they can once again enjoy the freedom and independence they deserve.

THE PURPOSE OF THE CAPE COD NATIONAL SEASHORE IS CONSERVATION

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Keith] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEITH. Mr. Speaker, the legislation establishing the Cape Cod National Seashore specifies that the seashore's primary purpose is conservation of the unique natural, historical, and scientific features of the area. The congressional sponsors of the legislation intended recreational uses of the seashore to be secondary and restricted to those specifically permitted in the act.

The Secretary of the Interior has placed the seashore, for administrative purposes, in the category of recreational areas. Although we are confident that it is the Secretary's intention to administer the seashore according to the provisions of the legislation, we fear that in future years this categorizing of the seashore could make conservation secondary. In the light of the fact that last year the number of visitors to the seashore increased by nearly 500,000 over the previous year, the problem cannot be ignored.

To prevent perversion of the purpose of the legislation, the Senate committee in its report on appropriations for the Department of the Interior, H.R. 14215, included the following statement:

> The committee believes that even though the Secretary of the Interior has included all

> national seashores in a recreational category, the purpose of the Cape Cod National Seashore should continue to be one of conservation as set forth in the legislation authorizing its establishment.

I applaud the reaffirmation of the original intention of Congress and trust that in future years the seashore will be administered in accordance with our purposes.

The following editorial from the Cape Cod Standard-Times expresses my feeling in this matter very well:

> ### Guideline Offered
>
> Three cheers for the Senate Appropriations Committee!
>
> In a statement after acting on funds for acquisition of more land for Cape Cod National Seashore the committee noted that it was the understanding of Congress and others involved with the Cape Seashore that it was established to conserve the dunes and beaches of the Lower Cape.
>
> It was not, the committee statement said, to be used for recreational purposes.
>
> The committee said that while all the National Seashores were listed by Interior Secretary Stewart L. Udall as recreation areas, this was just for classification sake and did not mean they were to be used for recreation purposes primarily.
>
> Thus the senators have put the Interior Department and the National Park Service and those lawmakers and others who are so anxious to develop the Cape Cod Seashore as a recreational area on notice that this is not to be done, this is not what was planned.
>
> For many Cape Codders who have been saying this for so long, and who appeared to be doing nothing but talk into the wind, the senators have provided a big boost.
>
> The idea of preserving the Lower Cape areas is favored by most, but the idea of developing these sites to be recreational areas for the millions who live in the Northeast is not favored by many Cape Codders.
>
> That these beautiful natural areas will be saved for posterity is fine.
>
> Let us hope that the recreation forces won't disregard this warning from the Senate Appropriations Committee and try to make the Lower Cape a giant recreational area open to one and all at the expense of the resort business that supports a growing Cape.

LET'S GET EDUCATIONAL TV ROLLING AGAIN

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROBISON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROBISON. Mr. Speaker, I have today introduced legislation to extend the program of Federal matching grants for the construction of educational television—ETV—broadcasting facilities, and to raise the present limitation which any one State may receive under this program from $1 to $2 million.

When this 5-year program was initiated back in 1962, nearly everyone was excited about it; it enjoyed both widespread publicity and strong popular support throughout the country. Now, only 4 years later, the Office of Education has come to Congress for its final appropriation under the terms of the present law; yet nothing has been done to continue this worthwhile effort.

Some progress has been made, but we are a long way from reaching the ultimate goals in the field of educational television. Although there are some States that have yet to take advantage of this program, several others have been severely hampered or even stymied by the existing limit of $1 million for any one State.

New York State, for example is one of almost a dozen States who have already used their $1 million. One New York community has an application pending which cannot be approved because there are no funds available; another city, Binghamton, in my district, has received State funds but cannot progress any further toward Federal aid; and still a third city in the overall State plan will be ready to move soon—but cannot.

By the Office of Education's own estimates it will take 35 to 40 years to reach desirable levels of ETV coverage at the present rate of station activation; and the demand, exclusive of the States like New York that have been cut off, will exceed the funds available by some $4 million next year.

As I said 4 years ago when voting for the original program:

> In my judgment, this is a way to both improve and equalize educational opportunities—especially in those special subjects for which there is only a limited quantity of gifted teachers—to help bridge the gap between high-school and college—to aid in educating handicapped or sick children—and, equally important, improve the process of adult education, as well.

My bill would extend the existing program for an additional 5 years, authorize the expenditure of another $32 million over that period, and raise the per-State limitation from $1 to $2 million.

I believe the need for this legislation is obvious, and I do not think we can afford to wait much longer before getting the wheels rolling again.

THE COSTS OF INFLATION

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CURTIS. Mr. Speaker, the unusually large month-to-month increases in the Consumer Price Index since the start of the year makes the report of the Republican Coordinating Committee on "The Rising Costs of Living" timely reading. The report not only pinpoints the sources of inflation in expansionary Government fiscal and monetary policies but offers a program to restore stable growth.

Republican proposals to restrain Government spending and slow down the rapid increase in the money supply are as valid today as when they were made in March. It is true that some indicators, such as housing starts, retail sales and the stock market, may be signaling a cooling down of economic activity. Nevertheless, I believe an analysis of key factors in the outlook indicates a continuation of inflationary pressures and the need for restraint.

Those who predict a dropping off of activity compare the likely future performance of the economy with the first quarter, when GNP rose a staggering $17 billion to a seasonally adjusted annual rate of $714 billion. This was the highest quarterly rise since the Korean war. If this pace were to continue through the year, we would have galloping inflation that would make the need for restraint apparent even to the Johnson administration. In the first quarter of th year alone, one-third of the GNP increase was accounted for by price increases as opposed to increases in real output. A decline from this level of activity does not mean that inflation has vanished.

Last month's increase in the Consumer Price Index confirms the inflationary trend. Consumer prices rose 0.4 percent in April. From December through April, living costs have risen by 1.4 percent or by 4.2 percent at an annual rate.

Wholesale prices have also shown continued strength. From December through April, wholesale prices have risen an average of 1.3 percent or at an annual rate of 3.9 percent. The WPI, which was stable for about 7 years, now stands 3.7 percent above what it was a year ago.

Significantly, food prices have begun to level off while industrial commodities have been increasing in price. During the first 4 months of this year, industrial commodities rose at an annual rate of 3.3 percent. It appears that the period when the administration could put the blame for inflation solely on food prices has passed. Inflation today is broadly based throughout the entire economy.

The price indexes provide a measure of inflation, but what are the basic economic factors at work which indicate a continuation of the trend?

First, capital spending by U.S. business continues at a high rate. The most recent survey by McGraw-Hill of capital investment plans predicts an increase of 19 percent in 1966. This is 3 percentage points higher than Government estimates made earlier in the year.

Second, imports increased a sharp 14 percent in the first 4 months of the year, while exports showed a gain of only 7 percent. Our trade surplus through April declined to $4.1 billion at an annual rate, which was significantly below the $4.8 billion surplus of 1965 and the $6.7 billion surplus of 1964. The Department of Commerce has admitted that one important reason for the decline, which is the key to our worsening balance of payments picture, is the rapid expansion of domestic demand. Not only does a high level of domestic output pull in more exports, but it also discourages businessmen from making greater efforts to open up new export markets.

Third, the money supply is increasing at a rapid rate. After increasing by 4 percent from 1964 to 1965, the compounded annual rate of change in the money supply from December through April was 6.8 percent. From February through April, the rate of increase was almost double this. Since last June the money supply has been increasing at a rate of almost 7 percent a year, which is the fastest rate for a comparable period since World War II. Bank reserves are also shooting up, with an increase at an annual rate amounting to almost 15 percent since February. Business loans, too, are increasing sharply at close to 20 percent annually.

Fourth, major collective bargaining agreements in the first 3 months of the year provided median first-year wage increases of 3.7 percent as well as average 3.7 percent increases over the full term of the contract. This does not include fringe benefits. In effect, the guideposts for noninflationary wage behavior have been abandoned in actual negotiations, proving the futility of "voluntarism" in an overheated economy. More serious from the standpoint of inflationary pressures is the fact that, as one writer put it, unions will be coming to the bargaining table next year "with blood in their eyes." Rising prices, high profits, and low unemployment put labor in the best bargaining position it has enjoyed in many years. Even worse, 1967 is a heavy bargaining year. During the first 6 months more workers will be represented at the bargaining table than in all of 1966.

Fifth, order backlogs—a critical inflationary indicator—have been soaring. At the end of March, backlogs were up to a seasonally adjusted $70 billion. Since the beginning of the year, monthly increases in backlogs have regularly exceeded the increases of the previous month.

Sixth, the administration's hope that defense spending would level off in the second half of 1966 appears unsustainable in light of developments in Vietnam. In part, defense costs have been held down by reductions in inventory and by drawing on some of our combat strength in Western Europe. The need to restock and to train more men will cause an acceleration of defense spending over the next year, particularly if our troop commitment in Vietnam goes from 250,000 to 400,000, as many suggest it will. This alone is almost a certain guarantee of continuing inflationary pressures.

Seventh, the administration has made no progress in its much touted effort to reduce fiscal 1966 civilian spending. While the deficit will be down from earlier estimates, the reason is higher revenues, a large part of which come from a speedup in corporate payments of taxes withheld from employees. This change alone will result in $1 billion in increased revenues in 1966 and a corresponding increase in the fiscal 1967 deficit to at least $2.8 billion. On top of this, the Democratic Congress is reported by Chairman Ackley of the Council of Economic Advisers to be adding an estimated $3 billion to the administration's 1967 spending requests.

The outlook, then, is for continued and possibly accelerated inflation. Who pays the bill? The fact is that the average working man or woman pays the cost of inflation in reduced purchasing power. Amazingly, at a time when administration propagandists hail the great prosperity created by their "new economics" the factory worker today has about the same real spendable earnings that he did a year ago. New taxes and higher costs of living have eaten up wage gains, even those resulting from longer working hours.

Inevitably, the only tool which this administration apparently even considers using to stop inflation is a tax increase. Evidently, the political risks outweigh the President's dedication to the principles of the "new economics." There may be a well-founded suspicion that the voter would rebel against more tax hikes following close on the heels of the increases in social security taxes, excise taxes, and the higher withholding schedule put into effect this month for many taxpayers.

Those who proclaim their boldness in stimulating the economy now shrink from the politically distasteful task of dampening down an overheated economy. While it was easy and popular to pour money into the spending stream, it is much more difficult to remove it when basic conditions change. This is as true of tax increases as it is of reductions in favored spending programs.

This abdication of economic leadership by the administration will impose heavy costs. The poor will become poorer as inflation bites into limited purchasing power. The economy itself will run the risks of a later recession as inflationary excesses and distortions mount. And the balance of payments will continue to show a large and dangerous deficit.

In spite of these dangers, the administration has continued to assure the public that somehow we will muddle through without further fiscal and monetary restraint. The fact is that unless the administration holds down spending for low-priority civilian projects in fiscal 1967, the country may be in for a repetition of the damaging wage-price spiral of the middle 1950's. The job now is to minimize this danger by moving swiftly and effectively to defer postponable expenditures so as to reduce the pressures of surging demands on our resources. This policy will not only avoid further inflation, but it can prolong our expansion and help us to maintain a high level of employment, ostensibly important goals of the Johnson administration.

A PROPOSED CIVIL RIGHTS ACT OF 1966: THE MENTALLY INCOMPETENT

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CURTIS. Mr. Speaker, at the beginning of this session of Congress, my colleague, Dr. DURWARD HALL, introduced a bill, H.R. 785, "to protect the constitutional rights of mentally incompetent persons committed thereunder, and for other purposes" which was then referred to the Committee on the Judiciary.

Regrettably, no hearings have been scheduled on this important piece of legislation nor has the Johnson administration shown any interest in the subject matter. Yet here is an area of jurisprudence which both the medical and the legal profession have long pointed to as needing considerable updating.

I would point out that as a strong central government grows it becomes increasingly important to safeguard those areas of personal liberty which history and current events demonstrate come under attack. Strong central governments have a tendency to treat differences of opinion within a society as arising from intransigence and stupidity on the part of the dissenters rather than the limitation of human knowledge or of the knowledge of those in power. It is a temptation to zealots to cross the dimly lit border to interpret intransigence as mental illness.

Dictators throughout history have resorted to calling their critics crazy and placing them in mental institutions as a convenient way of stilling their views and influence.

Medical insanity, of course, is a reality and it is necessary for the welfare of the mentally sick person as well as for the protection of society in certain instances to place them under restraining medical care. However, there needs to be at all times laws carefully written and carefully administered to be certain that improperly motivated persons who have an interest in having a person declared insane are unable to pursue their nefarious designs.

There have been two recent publicized events involving the actions of Federal officials which have alarmed me. One involved the case of a Federal employee who gave testimony deleterious to the objectives of the current administration who was then sent to a mental institution under very questionable circumstances. The other case involved a retired military general who was on the scene of a serious civil rights demonstration at Mississippi University and was removed from the scene and sent to a Federal mental institution, again under questionable circumstances. The most alarming aspect of these cases is not that Federal officials in the United States did what they did, and this is alarming, but rather what seemed to me to be the calloused reaction of the civil rights groups in our society to these violations.

It alarms me that many civil rights groups in the name of certain aspects of civil rights, and I would agree with them that these aspects are serious, many times pursue a course which ignores equally important other aspects of civil rights. The apathy of the general public is understandable if our civil rights and religious leaders are not zealous about all aspects of civil rights.

The civil rights groups should be in the vanguard of the movement to update our laws and procedures for incarcerating people who might be mentally ill. I am most pleased to introduce a companion bill and join my colleague the gentleman from Missouri [Dr. HALL] in pushing for expeditious study by the Judiciary Committee of this matter with the hope that legislation in this important and neglected area of civil rights will soon be achieved. It could be acclaimed, with reason, as the Civil Rights Act of 1966.

GOVERNOR CAULFIELD

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CURTIS. Mr. Speaker, on May 11, there passed away a distinguished former Member of this Chamber, Henry S. Caulfield of Missouri. As Governor of Missouri, U.S. Representative and later as a member of the judicial bench, Henry Caulfield fulfilled the highest traditions of public service in a free society. I knew him as a friend, mentor, a spokesman for righteous causes and as an attorney who gave dignity and stature to our legal profession.

Governor Caulfield enjoyed the respect of statesmen on both sides of the political aisle and it was highly apropos that both daily newspapers in his home community of St. Louis should note his death with words of tribute for the attainments of his career and the record of achievement he leaves as memories for his three daughters, son, grandchildren and great-grandchildren.

Accordingly, I ask unanimous consent that two well-justified memorials to Governor Caulfield be placed into the Record. The one is from the St. Louis Globe-Democrat and the other the St. Louis Post-Dispatch. I ask my colleagues to join with me in reflecting, in the sorrow of this time for Henry Caulfield's family, upon his examples of patriotism and dedication to the welfare of his fellow man which he in his lifetime set for all of us in elected office.

[From the St. Louis Globe-Democrat,
May 13, 1966]

Governor Caulfield

Missouri over the years has been supremely fortunate in the character and performance of its governors. Henry S. Caulfield was in that great tradition.

He had a long and distinguished career. He was elected to Congress sixty years ago this year and served one term. Though he might have returned regularly, he preferred state government and the practice of law in his native St. Louis to a life in Washington.

Following this he served successfully as St. Louis Excise Commissioner, Judge of the Court of Appeals, City Counselor, Chairman of the Board of Freeholders and a Member of the Board of Election Commissioners. In 1928 he was elected Governor and served with distinction.

In that office, Governor Caulfield was noted for his fairness and his integrity. He did not move mountains but no one moved him from the course of good solid achievement during the Depression.

People of that difficult era knew that they had in the Executive Mansion a thoroughly honest citizen who was above petty politics and a man of compassionate interest in his fellow men.

Following his retirement from the governorship he served for eight years as Director of Public Welfare in St. Louis and then retired to the practice of law.

Governor Caulfield was a gentle, kindly man. He leaves for his family a heritage of enrichment of his state and of high honor to every public office which he held. He died at 92 still beloved, honored and respected for the high qualities of heart and mind which shone through his long career.

[From the St. Louis Post-Dispatch,
May 15, 1966]

A Man of Integrity

Henry S. Caulfield lived to the age of 92 and, we believe, to a permanent place in the annals of public service in Missouri. He was Governor three decades ago, having been a Congressman long before that and becoming a judge later. And though his depression-afflicted state administration created a budgetary system, a Highway Patrol and a needed reformatory for young offenders, it is not only for such accomplishments that Gov. Caulfield will be remembered.

He was a man of integrity. As a public servant he was known to be above influence by special interests and favor-seekers. He was independent within his Republican party. And those were days when political bossism was common, gangsterism was not uncommon and the ethics of public service were under constant challenge. Being a man of integrity in such times deserves remembrance. No doubt the times have changed somewhat for the better today, but there is no less need for men of integrity.

TRUE ACADEMIC FREEDOM

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, it is indeed perplexing why some of those who are vitally concerned about academic freedom in the field of education overlook the threat to such freedom implicit in the Federal aid to education programs. In his book, "The Liberal Establishment," M. Stanton Evans, editor of the Indianapolis News, quotes former chairman of the House Education and Labor Committee, John Lesinski, as stating:

> It is impossible to draft a general federal aid bill which will not contain a great deal of federal control over local school systems. I am convinced, after the hard study we have put to the question, that no acceptable bill preventing federal domination of local schools can be drawn.

Perhaps because of the proliferation of Federal aid programs in so many fields today, the appreciation of the dangers of Federal control has diminished. For this reason, the following excerpts from Mr. Evans' book should be given due consideration in evaluating the true worth of Federal proposals regarding education:

[From the Chicago Tribune, May 1, 1966]

"Aid" Means Control

(M. Stanton Evans, editor of the Indianapolis News, has examined in his book, "The Liberal Establishment," the direction in which our present rulers are taking what he calls "the once-free society of the United States." Excerpts dealing with the effect of federal "aid" on education are reprinted by permission of the publisher, The Devin-Adair company. The book is priced at $5.95.)

(By M. Stanton Evans)

If politicians and ideologues seek to control the economy, how do they go about it? Troops, except on rare occasions, do not go marching about the streets. Newspapers have not been padlocked. Industry is not nationalized. Whence comes the power the Liberal wants to achieve?

The answer . . . that has become most familiar to Americans is summed up in the two words, "federal aid." By use of the taxing and spending power, the government can effectively evade constitutional restrictions upon the scope of its authority. It can take away from individual citizens the power to dispose of their own resources. It can make individuals and interest groups dependent upon its will for their sustenance. And, finally, it can impose controls upon the recipients of its largess. . . .

Thru the magic of "aid" the quest for power becomes a philanthropic mission, in which the affections and the freedom of the citizenry are purchased with their own money. . . . There are many aspects of this problem worthy of consideration. One is the built-in fallacy of states and localities shipping money to Washington, having sizable deductions made there as the cost of handling, bungling, and general overhead, and then receiving back the diminished remainder with thanks as "aid." Another is the false argument that federal taxing resources are more competent to handle modern problems than are state and local resources. . . . Yet another is the false hypothesis of "need" worked up to justify every such proposal—whether it concerns medical care for the aged or funds for school construction. And still another is the widespread opportunity for graft and corruption presented by the throwing about of such great sums of money.

Perhaps the most obvious method of control is in the exertion of the taxing power itself. As such as [Prof. Arthur M.] Schlesinger and [Sen. Joseph S.] Clark make clear, taxation is an effective means of transferring the power to make decisions away from the private citizen and vesting it in the federal government. . . .

Morally, the government has no right to take taxpayers' dollars and to distribute them irresponsibly, without maintaining some influence over the way in which they are spent. All of these things provide quite legitimate and necessary bases for "control." There is, moreover, another reason for control—the desire of the Establishment to have it. This, indeed, is the major reason for Establishment advocacy of "aid" programs—the fact that "aid" *does* mean control, and therefore will enable the federal government to remold American institutions in the pattern of Liberal ideology. Federal aid, as Sen. Clark has indicated, supplies a means of breaking past the will of local agencies, of redistributing the wealth, of enacting uniform national programs to supersede diverse local programs. . . .

Congressman John Lesinski [D., Mich.], former chairman of the House education and labor committee, put it that "it is impossible to draft a general federal aid bill which will not contain a great deal of federal control over local school systems. . . . I am convinced, after the hard study we have put to the question, that no acceptable bill preventing federal domination of local schools can be drawn." . . .

And so, invariably, it has turned out:

Item. The state of Nebraska decided to accept federal funds for certain educational purposes. When the state board of education sent along to Washington its plans for use of the money, however, it was informed that "the math and science program" would have to be revised "according to the guidelines sent out by the federal government," if the state was going to receive the money. As one Nebraska newspaper put it, "The federal department will set the terms and the state will follow them." . . .

Item. George Peabody college in Nashville, Tenn., withdrew from participation in the National Defense Education act because it found that, to get federal funds, it had to lower its academic standards regarding admissions, was not allowed to make its own changes in the curriculum, was prevented from making changes in personnel, and was subjected to arbitrary conditions about when and how to recruit students for its program.

Item. The president of the University of Louisville testified unhappily that his school had eight doctoral programs, all in science, and all resulting from the shaping influence of federal funds. . . .

These three items draw back the veil from Liberal purposes in promoting federal "aid": To break down local autonomies, notoriously resistant to the prevailing cliches of the Establishment, and to homogenize American schools into a single system, administered in Washington where the Establishment is in charge. This might well give liberalism so firm a purchase on the minds of American youngsters that nothing could dislodge it. . . .

In April, 1961, the United States Office of Education . . . published a report . . . that education is now one of the major responsibilities of the federal government. The document does not say that a takeover should occur; it begins from the premise that the take-over is already a fact of life.

EDUCATION TAX ADJUSTMENT ACT OF 1966

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. ELLSWORTH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ELLSWORTH. Mr. Speaker, in America, higher education is no longer a luxury—it is a necessity. Tuitions and fees at our colleges and universities are edging up all the time. It is now essential that Congress give consideration to providing some relief for hard-pressed taxpayers by allowing a tax deduction for fees and tuition.

I have, this week, introduced legislation, the Education Tax Adjustment Act of 1966, to give parents up to $1,000 in tax deduction for each child they have in a college or university. The same deduction can be applied by every student working to finance his own education. My bill is a form of Federal aid to education, but it requires no bureaucratic machinery, no channeling of money to Washington, and no Federal controls. What it will do is help parents and students with the financial burden of higher education and encourage working students not to drop out because of pocketbook pressures.

I urge the Congress to give this legislation early consideration.

SOUTH AFRICAN BAR ON AMERICAN NEWSMEN

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KUPFERMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, the action taken by the Union of South Africa in barring American newsmen from accompanying the junior Senator from New York, the Honorable ROBERT F. KENNEDY, on his forthcoming trip to that country is a flagrant attempt to restrict the free press and to manage the flow of news.

The South African government apparently hoped it could spare itself unfavorable reports of its notorious apartheid practices by prohibiting foreign newsmen on its shores. However, with this most recent attempt to stifle freedom, South Africa is only confirming what many hold to be true, that it is fast approaching a police state.

I have written the Secretary of State, the Honorable Dean Rusk, asking that he formally protest this procedure to the Union of South Africa. I have done so both on my own behalf and also for an outstanding organization located in my district, the Overseas Press Club, and its president, Victor Riesel.

MAY 26, 1966.

The Honorable DEAN RUSK
The Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: The Overseas Press Club, an organization of newspapermen who have been involved in assignments abroad, and a well-known institution located in my District at 54 West 40th Street, New York City, has lodged an official protest with me through their President, Victor Riesel, on the banning by the Union of South Africa of American newspapermen in connection with the forthcoming visit there of the Junior Senator from the State of New York, the Honorable ROBERT F. KENNEDY.

Both personally and on behalf of this great organization, I must protest against the restriction on freedom of the press thus involved.

I think that it is imperative that we point out that, as a member of the British Commonwealth of Nations, in which many of the freedoms originated which we in the United States hold dear, the Union of South Africa should consider this ban a violation of its own heritage.

For us in the United States, this restriction can only emphasize that which many have suspected, which is that the Union of South Africa fast approaches a police state.

I think that our government must lodge an emphatic protest against this ban.

Sincerely,

THEODORE R. KUPFERMAN,
Member of Congress.

INVESTIGATE FAA AND AIRLINES

The SPEAKER. Under previous order of the House, the gentleman from New Jersey [Mr. CAHILL], is recognized for 10 minutes.

Mr. CAHILL. Mr. Speaker, a gag increasingly heard in airports throughout the country goes like this: "When you have time to spare, go by air." This, regrettably, however, has now become a truism, particularly at the National Airport in Washington, D.C.

It has also been my personal experience that it applies almost equally to all of the big city airports throughout our country. Time and again I have heard businessmen, professional men, wives of servicemen, and every segment of our population, complaining about the inadequacies of air service.

It seems to me that the time has come for the Congress to investigate the Federal Aviation Agency. The time has come to ask questions, and the time has come to insist upon answers. Why, for example, has the FAA failed to keep abreast of citizen interest in air travel? Why has it failed to anticipate the tremendous growth in airlines? Why have more flights been permitted for airports already physically incapable of handling existing traffic? Why are airline schedules not in keeping with known peaks of air travel? Why are airlines with peak hour schedules permitted to use inadequate equipment resulting in scores of prospective passengers waiting endlessly in line as standbys only to be told that the flight is filled?

Mr. Speaker, an investigation should also encompass the adequacy and the safety of airports. I learned today as a result of personal experience, that Philadelphia does not have emergency radar equipment. As a result of a failure in existing radar equipment, flights were delayed more than 2 hours in Philadelphia, and this delay will continue until a spare part is flown from Oklahoma City. Why cannot spare parts be kept at the airport where the equipment is in operation? Why does not Philadelphia and other airports have emergency radar equipment?

I also believe, Mr. Speaker, that the cost of air travel should be thoroughly investigated and the fares reduced, particularly, because of the increase in passenger and freight revenue to the airlines. I find it impossible to understand why it costs twice as much to travel the 3,000 miles between New York and London as it does to travel the 3,000 miles between New York and San Francisco.

I think, too, Mr. Speaker, the airlines themselves better wake up. They are indeed following the same path pursued by the railroads. I can recall the late 1940's and the early and middle 1950's when the airlines were seeking to obtain the passenger service from the railroads. The service on the airlines was outstanding, and every effort was made to satisfy the comfort and convenience of the passenger. Today, the attitude of the airlines seem to be, "If you do not like it, try something else."

I never cease to marvel at the patience and the forbearance of the American public standing in airports with inadequate facilities for their comfort, who are forced to submit to delay upon delay without explanation. How many times have business and professional men been prevented from attending important meetings and conferences because of unnecessary delays that go unexplained? How many times have we observed women of all ages, many with children accompanying them, forced to stand endlessly in line without any explanation being given by airline personnel as to the reason for or the extent of the delay. Of all the frustrations endured by airline travelers, the worst, in my judgment, is the refusal of airline personnel to keep the passengers informed of events, particularly when lengthy delays are anticipated. The airlines seem to revel in keeping everything a great big secret.

I also wonder, Mr. Speaker, why the airlines do not concentrate more on comfort, convenience, and safety, than they do. I am sure most passengers would rather have comfortable seats than to see a second- or third-rate movie. Certainly most travelers would prefer a reduction in cost of transportation to a free drink of cold coffee or hot coke.

I intend to discuss many other features of airline neglect in this country and to raise many other questions which cry out for answer. I have this day written to the Honorable HARLEY STAGGERS, chairman of the Interstate and Foreign Commerce Committee, pointing out some of the deficiencies in our airline service and asking the Interstate and Foreign Commerce Committee to make an early and complete investigation of every facet of this problem. Some effort must be made to correct existing conditions.

For example I cannot understand why private planes carrying 1 or 2 passengers are permitted to use at peak hours, runways necessary for commercial transports carrying anywhere from 50 to 100 passengers. Most certainly, private airplanes should be provided with safe, convenient, and adequate facilities, but they should not require the use of airports necessary for large transports.

Our traffic in the air is on the increase, our people want to travel by air. We owe them the obligation of providing adequate facilities and insuring their safety, their comfort and, as far as we can, courteous and prompt service. It is time that we all take a look at the airlines and, I hope, the committee will take immediate steps to insure the correction of some of the more flagrant abuses.

I intend, Mr. Speaker, to follow this problem until I can note some real improvement.

Mr. KREBS. Mr. Speaker, will the gentleman yield?

Mr. CAHILL. I yield to the gentleman.

Mr. KREBS. Mr. Speaker, I commend my colleague for taking the initiative to call this to the attention of the Congress.

I too have been suffering the needless inconvenience and inadequate service that many people flying the airlines between Newark, N.J. and Washington, D.C., have been suffering for a long time.

The service is fit for cattle in most cases. The question of equipment leaves much to be desired. Eastern Airlines has been running shuttle planes between Newark and Washington, and the equipment gets older and older. Half the time passengers cannot see out of the windows for the filth on them.

The planes are completely inadequate and antiquated.

What is more serious is the attitude of the company. It seems to care little about providing service to which the people are entitled.

I also believe the FAA ought to look into the practices of the scheduling of airlines. I have here the current schedule between Newark, N.J. and Washington, D.C., for a 24-hour period starting at 12:30 a.m. and ending at 11:45 p.m. We find three flights between Newark, N.J., and Washington, D.C., on airlines other than Eastern Airlines. All the others are on Eastern Airlines. There is no competition. There is no free enterprise.

I submit that this is one of the reasons why service is so inadequate.

People have to pay $18 fare on the shuttle planes, when the other couple of airlines, with a couple of flights, provide what amounts to first-class service for less. They provide a hot breakfast on United Airlines, for $16.12, and Eastern Airlines will not give a person a glass of cold water, and charges $18.

One of the reasons why they are able to get away with this is that there are not any other airlines providing service between Newark and Washington, D.C.

The question here is one I have wanted to bring to the attention of the House. I am grateful to my colleague, the gentleman from New Jersey [Mr. CAHILL], for doing this. I join him in petitioning the Congress to investigate the Federal Aviation Agency, because I am fearful that if we ask the FAA to investigate the airlines we will wind up in precisely the same spot we are now.

Mr. HORTON. Mr. Speaker, will the gentleman yield?

Mr. CAHILL. I yield to the gentleman from New York.

Mr. HORTON. I should like to join the gentleman and to say that I am very much interested in this problem which has been brought to the attention of the House, because the area which I represent includes the city of Rochester, N.Y.

There is only one airline servicing Rochester and Washington, D.C., as opposed to Rochester-New York City or Rochester-Chicago, where other airlines serve.

The equipment used between Rochester and Washington, D.C.—which is a monopoly, insofar as the particular airline is concerned, and it happens to be United—has been downgraded, and the scheduling is very poor. We have had very incomplete and very poor service insofar as that airline is concerned, because it operates a monopoly.

As the gentleman stated, there is no free enterprise, and there is no competition.

I certainly join with the gentleman and indicate my full support, particularly insofar as the Rochester-Washington, D.C., route is concerned. I am sure we can get a lot of support for the action proposed.

Mr. CAHILL. I intend to pursue this in the coming weeks, when more Members are present here. The only reason I selected today was because of a disastrous personal experience I had. I felt I should say something today.

I have conferred with many Members who have heard complaints over the past year about this overall problem. I believe a great many Members of Congress will agree with us.

I hope the committee will do something about it.

Mr. HORTON. Mr. Speaker, will the gentleman yield further?

Mr. CAHILL. I yield to the gentleman from New York.

Mr. HORTON. I believe the point also should be made with respect to these airlines that in many instances a person is not even able to get other means of transportation, so they have a higher responsibility because there is no other means by which one can travel between one point and another except by air.

Mr. CAHILL. I believe this subject matter ought to be fully discussed on the floor. I propose, when we return after the holiday, to take some special orders and discuss it in depth.

NATIONWIDE SUPPORT URGED FOR CERTIFICATES OF DEPOSIT LEGISLATION: SAVERS, HOMEBUILDERS, HOMEOWNERS, BANKING, SAVINGS AND LOANS, AND OTHER THRIFT INSTITUTIONS AFFECTED

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. PATMAN. Mr. Speaker, for the past 3 weeks the Committee on Banking and Currency has been holding one of the most important series of hearings in this session of Congress. We have been studying and hearing some expert advice on the problems created by the innovation of this recent money market device, the negotiable certificate of deposit.

It is with great emphasis that I say "most important" because this matter affects almost all our citizens, the saver, the homeowner, the homebuilder, the banking industry, and the thrift industry. We have heard from all these groups from all over the country, urging the Banking and Currency Committee to take immediate action to avert crises in the homebuilding industry and the mortgage market. Mr. Speaker, I urge the Members to read these letters and telegrams, following my remarks, to see how these few samples out of the hundreds who have written me feel about this issue.

Of course we all know, Mr. Speaker, that this creature, the negotiable certificate of deposit, was created by a big New York City bank in 1960 to serve as a way of gathering corporate liquid funds and be maintained as savings accounts. The Federal Reserve Board has accommodated the big New York and Chicago banks by raising regulation Q, which regulates the rates payable on CD rates and passbook rates, each time these banks found themselves in need of rolling over these CD's. We know, too, Mr.

Speaker, that since 1960 CD's have increased from $0 to $17.5 billion. This money had to come from somewhere. No longer do you find corporations investing in short-term Treasury bills to the extent they have in years previous. In the past 2 years, banks have been issuing CD's in denominations of $100, $50, and $25 at the highest rates permitted. Since December 1965, when the Fed gave the go-ahead to a rate of 5.5 percent, some banks have given rates on these low denomination CD's. These CD's have caused the saver to pull out his savings account and put it into the CD's. The thrift industry can only make mortgage and home improvement loans, and the loss of new savings has damaged the industry's ability to make more mortgage loans. Of course, commercial banks can lend for almost any purpose and are not limited to the mortgage field, which is long term. Savings and loan associations have made over 40 percent of home mortgages made since the end of World War II and have well served the purpose which Congress prescribed when the Federal Home Loan Bank System was created in 1932, to aid and serve the American homeowner.

Immediate action on CD legislation will aid many; it is not just a bank regulation with which we are dealing, it affects the jobs, homes, and the savings of the American public. These are important enough considerations upon which to act.

Mr. Speaker, I urge the Members to read the following correspondence which I have received:

Long Island City, N.Y.,
June 2, 1966.

Hon. Wright Patman,
House Office Building,
Washington, D.C.:

Your support and ultimate passage of HJR 1148 to limit high interest rate certificates of deposit to a $100,000.00 will have an important effect on availability of funds for new construction and home purchases in our area. Unless something is done to limit the drain of deposits from our savings institutions to high rate certificates of deposit in commercial banks, our new commitment for residential purposes will continue at zero for the balance of this year and for the foreseeable future. At present we have no mortgage money to finance new homes or the sale of old homes. Inevitably this money shortage created by the very substantial transfers of funds from our savings accounts to certificates of deposit in the commercial banks must result in stagnation of the home building field and in chaos in the residential market generally. I am not a prophet of gloom and doom but it doesn't make much sense for savers to keep their money at 4½ percent in savings bank and savings and loan associations when 5½ percent is available in competing commercial banks. Without savings, we don't make mortgages. Without mortgages, the home building and real estate industry dries up. I urge you to do all in your power to help pass HJR 1148 to limit high interest rate certificates of deposit to $200,000.00. We urge you to limit the commercial banks allowable interest on passbook savings accounts to 4 percent repeat 4 percent. If this is not done and commercial banks are allowed to pay as much as thrift institutions, we will still not get the funds that we require to make new mortgages.

Jerome Z. Lorber,
President,
Woodside Savings Loan Assoc.

Wichita, Kans.,
June 1, 1966.

Hon. Wright Patman,
Congress of the United States,
House of Representatives,
Washington, D.C.:

Urgently request immediate action on legislature limiting maximum interest rate to 4½ percent on certificates of deposit under $100,000. Savings and loan industry and home building industry have been crippled by the indiscriminate usage of certificates of deposit. Unless immediate action taken these industries will be irreparably damaged. Best regard.

S. G. Hatfield,
President, Southwest Federal Savings and Loan Assn.

Enfield Savings and
Loan Association,
Enfield, N.C., May 30, 1966.

The Honorable Wright Patman,
House of Representatives,
Washington, D.C.

My Dear Mr. Patman: With reference to the effect of the spreading rate war on the savings market as a result of high rate, consumer-size commercial bank certificates of deposit which is currently under consideration by the House Banking and Currency Committee, of which you are a member, I would like to impress on you the need for early action.

I am requesting that you use your influence to crystallize this issue by immediate legislation towards giving relief to those savings institutions whose funds go into long term home mortgage lending before the industry is seriously crippled by the present trend for higher and higher savings interest in the rate competition.

Thanking you for your cooperation in an effort to clear up this serious situation at the earliest date possible, I am

Very truly yours,

Kesler Askew,
Secretary-Treasurer.

Martin County Savings and
Loan Association,
Windsor, N.C., May 30, 1966.

Hon. Wright Patman,
Member of Congress,
Washington, D.C.

Dear Sir: I heard your wonderful speech before our Convention at Dallas last November and agreed with every word, especially the upper hand which the tremendous, monopolistic banks have.

Between the so-called curb of inflation and the high interest rates on CDs paid by these large banks, it looks as if the building trades may soon be bankrupt, not to mention the savings and loans which usually keep this segment of our economy going.

Even in our little town of 7,000 people (with two strong chain banks) we have suffered an awful loss of savings funds to these banks because of their high rate of interest on CDs, while the home prospects and building trades are looking to us.

We are fortunate in having a friend like you in Washington at this time and hope you and our other friends will be able to find an equitable solution to this problem. We will be most grateful.

Sincerely and respectfully,

Vella A. Wynne,
Secretary-Treasurer.

Lancaster First Federal Savings
and Loan Association,
May 30, 1966.

Hon. Wright Patman,
Chairman, House Banking and Currency Committee, House of Congress, Washington, D.C.

Dear Congressman Patman: I do not know of anyone who has been a better friend to the Savings & Loan industry than you. You have done a wonderful job in helping us in the past and are continuing to do a good job in trying to work out the trouble which we are having with the Banks on "running wild" on the interest rates they are paying on Certificates of Deposit.

The Bill H.J.R. #1148 which you have introduced is well founded and I do not know of anyone who is in a better position to have introduced this Bill, for you have been in close contact with the work, efforts and results that have been accomplished by the Savings & Loan Associations throughout the country. Actually, the Savings & Loan Association is a big help to the small saver and the small home owner who is trying to buy his home and get same paid for.

I want to urge and recommend that you not let up on any of the work which you are doing to reduce the savings rate that the Banks can pay on a C. D. down to 4% as they pay on savings certificates. As you already know, the Regulation Q was changed to help the large Banks, but the entire operation has shifted down to the smaller Banks all over the country, and until we can get some kind of regulation to stop their operations, the small savers and the people wanting to purchase a home will be left high and dry from the standpoint of owning a home.

Knowing you as well as I do and you being a good fellow Texan, I extend my sincere thanks for everything which you have done for the industry, and my hope is that your entire Democratic committee will give you every support and backing that is necessary for you to carry through on the request and requirements which you are making.

Again thanking you, and with kind personal regards, I am

Sincerely yours,

L. K. Busch, *President.*

First Federal Savings
and Loan Association,
Valdosta, Ga., May 31, 1966.

Hon. Wright Patman,
Congressman from Texas,
Washington, D.C.

My Dear Congressman: I read with tremendous interest about the introduction of House Bill 1148, dealing with the CD rates which may be paid by the banks—as outlined in Mr. Slipher's "Washington Notes" of May 27.

Those of us in the Savings and Loan industry are stimulated by any legislative effort to effect a solution to the very serious problem involved. We know full well that unless some legislative assistance is developed, those agencies which have hitherto been the backbone of the stimulation of home ownership will be seriously pressed.

Sincerely,

J. L. Newbern, Sr.,
Chairman of Board.

Note.—A copy of this letter for each member of your Committee.

Citizens Federal
Savings and Loan Association,
San Francisco, Calif., May 27, 1966.

Re Sale of Certificates of Deposit by Banks.

Hon. Wright Patman,
Chairman, Banking and Currency Committee, House of Representatives, House Office Building, Washington, D.C.

My Dear Mr. Patman: In your consideration of H.R. 14026 and H.R. 14422, you may be interested in the impact of tight money on our Association (assets $357 million). This table summarizes our situation:

Lending volume (000 omitted)

Average per month, 1965	$7,794
January 1966	8,527
February 1966	4,940
March 1966	8,463
April 1966	6,084
May 1966 (preliminary)	4,200
June 1966 (estimated)	1,400
Average per month—(second half, 1966—estimated)	1,200

Our lending volume since March is as large as it is because we are honoring preexisting commitments. We are making very few loans to finance new sales or construction. Our net decrease in savings totals since March 31, is $7,092,000, and we continue to experience net withdrawals.

Our estimated real estate lending rate for the second half of 1966 of $1.2 million per month will be only 15% of our 1965 monthly lending rate. Many California associations have ceased lending entirely.

The direct impact of this cut in lending will obviously affect home building and home sales seriously. The indirect impact on sales of appliances, furniture, homewares, etc., and on income and wages, will also be considerable.

To halt or slow the continuing drain on savings and loans, we believe legislation is needed at once to control the issuance of Certificates of Deposit by the commercial banks.

We suggest that C.D.'s be limited to denominations of $100,000 or more. We realize that the banks were pinched for liquidity earlier than the savings and loans, and that a floor of $100,000 may have to be established gradually over a period of months. Certainly, at the inception, the floor should be $15,000, or, at the very least, $10,000.

Cordially,

F. MARION DONAHOE.

YAKIMA FEDERAL SAVINGS
AND LOAN ASSOCIATION,
Yakima, Wash., May 26, 1966.

Hon. WRIGHT PATMAN,
Chairman, Banking and Currency Committee, House of Representatives, Washington, D.C.

DEAR MR. PATMAN: It is a most encouraging sign that your committee is concerned with the bank CD's. By using the corporate CD as a way of attracting consumer savings in the insured account area, commercial banks are drying up our source of funds for mortgages. If this continues for us as it has so far this year, we are going to find it most difficult to supply the needs of builders and others in the housing industry. We sincerely hope that you will find a way of correcting the abuses which have occurred in the sale of corporate CD's.

The efforts you have made in this line are very much appreciated.

Yours truly,

J. ALEX MAXWELL, *President.*

THE COMMONWEALTH OF MASSACHUSETTS, OFFICE OF THE COMMISSIONER OF BANKS,
Boston, May 27, 1966.

Hon. WRIGHT PATMAN,
Chairman, House Committee on Banking and Currency, Capitol Hill, Washington, D.C.

DEAR MR. CHAIRMAN: It is the considered opinion of the Massachusetts Banking Department that the action of the Federal Reserve Board and the Federal Deposit Insurance Corporation authorizing the increase in the interest rates on time deposits of commercial banks from 4½ to 5½% has created problems of significant danger for financial intermediaries and for the entire construction and real estate industry of the nation.

In Massachusetts there have been reports of unsettling and disruptive shifts of funds among banks and from savings banks, cooperative banks, and savings and loan associations to commercial banks. Such a fierce competitive race for savings is particularly harmful to the real estate investment and local economies which they serve. Healthy competition among financial intermediaries and commercial banks is highly desirable. However, competition that entices consequential flows of funds from country to city, and from small banks to large banks, and from savings banks, co-operative banks, and Federal savings and loan associations to commercial banks, can be harmful. For Massachusetts thrift banks and the real estate industry, the past few months have been trying ones.

Most of our thrift banks encountered heavy deposit withdrawals within the last sixty days. It is clear to this Department that there will be a shortage of funds for mortgage credit as a result of the action of the Federal Reserve Board last December in increasing the permissible rate that banks could pay on C of D's.

On December 30, 1965, I recommended to the Hon. William McChesney Martin, Jr., Chairman of the Board of Governors of the Federal Reserve System and the Hon. Kenneth A. Randall, Chairman of the Federal Deposit Insurance Corporation to cause Regulation Q to be amended so that the increase from 4½ to 5½% in time interest rates would be limited to accounts of more than $30,000. For the information of the Committee I am enclosing the communication that I sent last December to both Federal Agencies.

The problems that the banking department of Massachusetts anticipated last December have come to pass this Spring. In my judgment, an immediate revision of Regulation Q would greatly relieve the existing tension and would tend to avert a disastrous shortage of mortgage credit. Therefore, I suggest that your Committee consider a recommendation to the Congress that the recent increase in Regulation Q from 4½ to 5½% on time deposit interest rates be restricted to accounts of more than $5,000 in the next three months. Moreover, I strongly recommend that on October 1, 1966 this increase be limited to accounts of $10,000 or over.

I would appreciate an early consideration of this request.

Very truly yours,

JOHN B. HYNES,
Commissioner of Banks.

THE COMMONWEALTH OF
MASSACHUSETTS,
OFFICE OF THE COMMISSIONER OF BANKS,
Boston, December 30, 1965.

Hon. WILLIAM MCCHESNEY MARTIN, Jr.,
Chairman, Board of Governors, Federal Reserve System, Federal Reserve Building, Washington, D.C.

Hon. KENNETH A. RANDALL,
Chairman, Federal Deposit Insurance Corporation, Washington, D.C.

GENTLEMEN: The Massachusetts Banking Department has reviewed the developments resulting from the action of the Federal Reserve Board and the Federal Deposit Insurance Corporation, authorizing increases in the interest rates on time deposits of commercial banks and other member banks from 4½ to 5½ per cent. This department views with great concern the almost daily reports of increases in time deposit interest rates being adopted by banks in various sections of the country.

This Commonwealth has 179 savings banks, with about $9 billion and 162 cooperative banks with nearly $2 billion of assets. Savings banks have approximately 4 million and co-operative banks 800,000, deposit accounts, and the average account is about $2,000. The great bulk of the assets of these banks consists of first mortgages on real estate, less than 25 per cent of which are V.A. guaranteed or F.H.A. insured.

Most of these banks presently pay no more than 4½ per cent interest rate on their deposits, the exceptions being largely by savings banks with respect to 90 day notice accounts but not exceeding 4½ per cent. Except in rare instances, these banks cannot properly pay more than the 4¼ to 4½ per cent rates. Thus the permissible maximum interest rate of 5½ per cent recently established by the Federal Reserve and F.D.I.C. for commercial bank time deposits, has confronted our Massachusetts savings and cooperative banks with an interest rate impasse.

Increases in commercial bank time deposit interest rates to 4¾ per cent or higher on amounts as small as $500 (as many already have done throughout the nation) will quickly and inevitably have one or more of the following consequences on our savings and co-operative banks:

1. Substantial withdrawals will occur for transfer to commercial banks paying higher interest rates not only to Massachusetts commercial banks but more likely to commercial banks in New York and financial centers outside Massachusetts. Such withdrawals already have commenced.

2. A drying-up of the liquidity of those savings and co-operative banks suffering withdrawals, necessitating large borrowings or, more seriously, requiring the forced sale of mortgage loans or U.S. Government Bonds or other securities, resulting in substantial losses from book values.

3. The diminishing of the reserves of these banks, thus weakening if not impairing the thrift banking structure of this Commonwealth.

Unless the regulations governing interest rates on commercial bank time deposits are revised as soon as may be feasible, the savings institutions of Massachusetts may well face damage of substantial degree and enduring in nature. Accordingly, I urge the Board of Governors of the Federal Reserve System and the Board of Directors of the Federal Deposit Insurance Corporation to cause the pertinent regulations to be amended as soon as possible, to relieve if not remove this impending threat by limiting the recent increase from 4½ to 5½ per cent on time deposit interest rates, to accounts of more than $30,000, thus fixing the rates on accounts of less than that amount to a maximum of 4½ per cent. I suggest $30,000 as, under the Massachusetts law, both savings and cooperative banks may accept deposits, in single or joint accounts, in the maximum aggregate amount of $30,000 in both capacities and most of the deposits consist of such accounts.

In my judgment such an immediate revision of the regulations would greatly relieve the existing tension and will tend to avert a disastrous interest rate contest.

I would appreciate your early consideration of this request, and would be most grateful for an indication of early relief.

Respectfully yours,

JOHN B. HYNES,
Commissioner of Banks.

MONTANA SAVINGS AND LOAN LEAGUE,
Billings, Mont., May 26, 1966.

Mr. WRIGHT PATMAN,
Chairman, House Banking and Currency Committee, Washington, D.C.

DEAR SIR: We have read with interest the reports we have received regarding the hearings before your committee on H.R. 14026 and HR 14222 regarding Certificates of Deposit and related matters.

Up until now, the Savings and Loan Associations in Montana have not felt the results of the Federal Reserve Board's decision to permit banks to pay up to as much as 5½% on CDs as much as Savings and Loan Associations have in other parts of the nation. However, the effect of the higher rates is finally catching up to us as you will note from the enclosed ad which just appeared in the Bozeman paper. Our associations in Montana are generally paying 4¼ or 4½%. Therefore, when banks treat CDs as savings accounts at higher rates it is certainly going to effect the flow of funds into our institutions which will, in turn, make much less money available for home mortgages and what will be available will have to be at considerably higher rates than at present.

I would like to call your attention to the ad which is enclosed and you will note that they are compounding the earnings every 90 days. In other words, they are treating the certificates of deposit the same as savings accounts and I don't think this was the intent when CDs were first authorized.

We could write much in regard to the problems created by the higher rates on CDs which would mostly be repeating information which has already been presented by the representatives of our trade association, the United States Savings and Loan League and Mr. John E. Horne, Chairman of the Federal Home Loan Bank Board. I would particularly like to call your attention to the testimony given by Norman Strunk on May 9 and we wish to endorse everything that he said, and urge that your committee take action to provide the Federal Reserve Board with power to revise their present regulations to set a minimum amount for which CDs can be issued and to control the rate paid. It appears to us that this is immediately necessary to provide relief from this problem of excessive rate competition.

We would like to suggest that the minimum size CD should be $10,000 with a one year maturity. For amounts from $10,000 to $15,000, the maximum rate should be 4½%. Then on CDs from $15,000 to $25,000, the maximum rate shouldn't be more than 5% and over $25,000 the ceiling of 5½% could be permitted.

Unless definite steps are taken to control the issuance of high rate CDs, the shifting of funds is going to be very detrimental to the Savings and Loan business because as has been pointed out to your committee, the Savings and Loan business does not have the opportunity to earn as much money as commercial banks and this is especially true when rates are high and rising as at present. Our associations still have many loans on the books which are at 4—4¼—4½ and 5%. These loans aren't very profitable when we have to pay 4½ or 5% to compete with the commercial bank CDs.

We strongly urge that you give due consideration to this problem and take appropriate action in line with the recommendations of Mr. Strunk and Mr. Horne.

Very sincerely yours,

PAUL A. JOHNSON, *President*.

COLUMBIA SAVINGS
AND LOAN ASSOCIATION,
Woodhaven, N.Y., May 26, 1966.

Hon. WRIGHT PATMAN,
Chairman, House Banking and Currency Committee, House of Representatives, Washington, D.C.

Re Pending Legislation on Certificates of Deposit.

DEAR SIR: We are a State Institution of over $130,000,000. and have been organized for more than 75 years. This is the first time in our history that we find ourselves unable to supply our community with the necessary funds for home financing and home building. Our position is not unique. It extends to all thrift institutions and our difficulties are brought about by the tremendous impact of the commercial banks' *certificates of deposit* which have drained off all savings funds by reason of the large interest rates and threaten to continue to drain off these vital funds needed in the community and which, up to now, have always been plowed back by us into our community. The position of the Columbia Savings and Loan Association stands out differently than other thrift institutions because we have literally put back all our savings into our local community. We do not spread our money outside our lending area on the purchase of participation agreements and out-of-State mortgages.

We have read with great care the testimony of Mr. Norman Strunk, Executive Vice President of the U.S. Savings and Loan League, the testimony of Mr. Sherbourne of Elizabeth, N.J., the testimony of Secretary Fowler and various men of prominence pointing out the dire need of immediate legislation and have read in the public press the concern of the members of your Banking Committee to create constructive legislation. As is pointed out in summarizing this testimony, it appears that the most good can be obtained not by creating a floor on these CD's but rather by regulating the rate of interest on those CD's that compete with savings accounts and which are in the nature of "consumer certificates" and this probably could be done by fixing a competitive variable rate of interest. We wish to point out that we are not opposed to competition in any form, that we welcome competition, but the competition should be fair and open and should be a type that will keep the funds in the community to be used for home financing rather than commercial ventures such as building up of business inventories and the like. Specific guide lines should be established either by legislation or by regulation that will clearly define and protect the savings which as a matter of history has primarily been used in the lending area of the thrift institutions for home financing.

We believe with these protective features competition with commercial banks will not be stifled but there will be assurance created that the "Savings" of the people in the community will be returned to the lending area of the thrift institutions.

We would appreciate any legislation that can be created which will protect the thrift institutions against this unwarranted appropriation of "Savings".

Sincerely,

COLUMBIA SAVINGS AND LOAN ASSOCIATION,
GEORGE J. DREYER, *President*.

SHERMAN SAVINGS AND LOAN
ASSOCIATION,
Sherman, Tex., May 25, 1966.

The Honorable WRIGHT PATMAN,
House of Representatives,
Washington 25, D.C.

DEAR MR. PATMAN: There are two bills currently before the committee on Banking and Currency—H.R. 14026 and H.R. 14422—which in different ways would affect the acceptance or issuance of time deposits by insured Commercial Banks.

Since the Federal Reserve lifted the ceiling on time deposits to 5½%, under Regulation Q, there has been an unhealthy rate war raging between commercial banks and thrift institutions. As a result of the increased time deposit rate the banks have been able to attract enormous funds that might otherwise have gone to savings and loan associations.

Over the years the banks have never evidenced an interest in long term mortgages, which are the life-bread of the homebuilding industry. With the flow of funds from the savings and loan associations to the commercial banks has come undue constraints on the flow of money into the mortgage market and homebuilding.

In closing I sincerely urge you to support these bills as submitted, or in any form that would tend to give some relief to the homebuilding industry, which is becoming more distressed daily. The American Home is the safeguard of American liberties.

Sincerely,

JAMES RIVERS, *President*.

THE HOME BUILDERS ASSOCIATION
OF HARTFORD COUNTY, INC.,
West Hartford, Conn., May 25, 1966.

Hon. WRIGHT PATMAN,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE PATMAN: The members of this Association realize you are fully cognizant of the many circumstances surrounding the "tight" money situation in long-term credit or residential mortgage financing.

However, we are compelled, at this time, to bring to your attention recent developments which have made the mortgage picture in our state very grim. The situation has become critical; so serious that home builders insist remedial action is urgent.

The home building industry in Connecticut is "hurting". Until the past two weeks, builders were managing to "get along" with the "Tight" mortgage market. Buyers, were not discouraged by the higher interest rates.

Now, however, builders find themselves with buyers for their unsold inventory in houses, but "No Sales" realized because the buyer cannot arrange the necessary mortgage financing. It is not the buyer's inability to qualify for mortgage credit, but rather the banks' inability to make the needed funds available. Some banks have stopped making mortgage loans regardless of the interest rate the buyer may be willing to pay. Others have even refused to accept mortgage applications, acknowledging funds are not available for this purpose. At first, this was true with only a few lending institutions, but with each passing day the number grows.

A recent meeting of New England home builders revealed a number of builder bankruptcies, resulting from demand notes being called by banks on development and construction financing. Future development and construction plans can be cut-back, postponed and sacrificed, but a growing drought of "No Sales" can be disastrous to capital already invested in land development and completed houses in unsold inventory of the home builder.

The situation is not unique to Connecticut. We have reports of stalled projects from other parts of the country. The recent rise in FHA interest rates has made little difference in the availability of money, or reducing the "points" paid by builders to get a loan for the buyer.

Savers have been taking money out of our savings institutions and putting it into certificates of deposit at a higher rate of return, thus leaving less funds for the savings institutions to lend. In some areas, the outflow of funds has been as much as 4 to 5% of deposits in one month's time, an extremely critical outflow of funds normally used for housing loans. One Hartford savings bank, for example, reported a loss of $500,000 in savings deposits in a single day. No one, builder or lender, can offer a guess as to when conditions might improve.

It is felt the only "real" braking action to discourage inflation has been in long-term credit. And as the nation's largest user of long-term credit, the home building industry feels it has been made the "sacrificial goat" in Government attempts to hold down the economy in the midst of a sales boom that cannot be fueled because of the tight money situation.

Irreparable damage to the home building industry, to other small business, and to the nation must inevitably follow if credit is only available for industrial expansion and for shorter term and higher yielding consumer loans.

In Connecticut alone, the home building industry means more than $250 million annually in business activity, and more than 45,000 full-time jobs for Connecticut workers. We call upon you to help bring pressure to bear upon those responsible for reshaping federal Reserve and Government credit policies to insure more equitable distribution of available credit to all sectors of the economy. This cannot be accomplished by monetary actions alone, and without accompanying fiscal and other governmental measures.

The home building industry does not believe it alone should bear the burden of present restrictive monetary policy. With each day that passes the situation worsens. Actions taken too late are as bad as actions not taken at all.

Sincerely,

Russell R. Naughton,
Executive Vice President.

Belmont Savings & Loan Association,
Long Beach, Calif., May 20, 1966.

Congressman Wright Patman,
Banking and Currency Committee,
House Office Building,
Washington, D.C.

Dear Congressman Patman: A $10,000 minimum on Time C.D.'s is not adequate to solve the drain on funds from savings and loans to commercial banks. The absolute minimum must be $25,000 and preferably $50,000. A commercial bank could issue a $10,001, 5½%, 91 day Time C.D. and have all but $1 of it insured. The leverage which commercial banks have had for years is well known. It has taken a spread of one point between what banks pay for savings and what savings and loans pay for savings for savings and loans to be able to attract funds. Commercial banks that are "the department stores of finance" have such a wide range of services to offer that the savings and loans must have a differential for savings or there will not be money in the mortgage market.

The very fact that the commercial banks' regulatory authority has sufficient powers to establish an administrative ruling that drains large sums of money from savings and loans indicates the strength of this leverage they have over the monetary system.

Bank of America alone has eight branch offices close to our office here in East Long Beach. None of these eight offices are more than two miles apart. Bank of America has over 900 branches and is going toward 1,000 branches. They have convenience, size, flexibility and yet they have an organized anti-savings and loan campaign going with their personnel. We believe the four things that could be done to provide close-to-adequate funds in the mortgage market are:

1. Increase the insurance of accounts for both banks and savings and loans to $20,000.
2. Have the head of the Federal Reserve set an absolute minimum of $25,000 at which commercial banks could offer Time C.D.'s and then only be allowed to pay 5%. They could be allowed to pay 5¼% on C.D.'s of $50,000 or more, and 5½% on $100,000 or more.
3. Increase the line of credit which the Federal Home Loan Bank has with the Treasury to $3 billion from the present $1 billion.
4. Allow the Federal Home Loan Bank to float long-term securities of ten years or more for lending advances.

Yours very truly,

Wm. J. Crawford, *President.*

State Bank of East Moline,
East Moline, Ill., May 19, 1966.

Chairman,
House Banking and Currency Committee,
Washington, D.C.

Dear Sir: I have been watching with a great deal of interest the hearings regarding the issuance of C/D's and the interest paid thereon.

The one suggestion made, namely, that a restriction be placed on, or even eliminate the issuance of C/D's under $25,000.00. If this were so, we would, as would most smaller banks, lose most of our C/D money. This interest fight between competing financial institutions was started by the *Big* banks paying exorbitant rates on negotiable C/D's and time deposit open accounts. The smaller banks have been forced to follow suit, but not to the same extent, in order to keep their savings deposits. We, for instance, have had savings deposits for 62 years and they exceed our demand deposits. By the same token, we have always made real estate loans. Last year we placed $3,908,000 in real estate loans and for the first four months of 1966 we have placed $1,231,996 in real estate loans.

Remember, the prime rate and the increase in allowable interest paid on savings accounts and C/D's was not done for the benefit of the smaller banks, but for the banks of the Eastern Sea Coast. We smaller banks don't like to increase interest rates but are forced to go along by the big boys. The Treasury Department and the Federal Reserve Board are both to blame for this situation.

I emphasize that you and your committee give very sincere consideration to this matter and for goodness sakes protect the smaller banking institutions from ruin. These smaller banks have been the backbone of our country and now like all other small business enterprises must stoop to the wishes of the big institutions. Let's preserve these institutions for the benefit of the small people who make up the bulk of our population.

Very truly yours,

B. H. Ryan.

Metropolitan Federal Savings,
Detroit, Mich., May 25, 1966.

Congressman Wright Patman,
House Office Building,
Washington, D.C.

Dear Congressman Patman: I am writing on behalf of the Board of Directors of Metropolitan Federal Savings, the real estate salesmen and brokers of Metropolitan Detroit, the building trades workers and, most importantly, the home buyers of Metropolitan Detroit, to urge you to support H.R. 14026.

I am sure you are aware of the problems this critical shortage of mortgage funds has caused in the State of Michigan and in the rest of the United States. If the bank competition, with the free use of CD's issued in amounts as low as $100.00, is not curtailed, the savings and loan business will face extreme difficulty in surviving as an effective home financing and thrift facility in our communities.

Very truly yours,

Roger C. Richards.

The Kirkland Companies,
Battle Creek, Mich., May 24, 1966.

Banking and Currency Committee,
House of Representatives,
Washington, D.C.

Gentlemen: We are builders of single family homes, apartment buildings, which we retain ownership of through various corporations, and sub-dividers of land for single family homes.

We are, therefore acutely aware of the tremendous difficulties which have been spawned by the present policies relating to Certificates of Deposit. These difficulties amount to an almost non-availability of mortgage funds for all phases of the building business, and is having a most adverse effect in our area.

We solicit your wholehearted support of HR 14026 in order that the flow of mortgage funds into our industry be reinstituted.

Very truly yours,

The Kirkland Companies,
W. H. Kirkland, *President.*

Denver, Colo.,
June 2, 1966.

Hon. Wright Patman,
House of Representatives,
Washington, D.C.:

It is absolutely substantial that the mortgage money market be eased. Our business can not continue under present conditions. Immediate release is needed to avoid a complete breakdown in Denver's economy.

Theador A. Grossman,
President, Allied Steel Co.

Denver, Colo.,
June 2, 1966.

Hon. Wright Patman,
House of Representatives,
Washington, D.C.:

The present situation in the mortgaged money market is ruining the construction industry. Our business is at a complete stand still. Our entire community is suffering from its impact. We must have an immediate release to prevent disastrous conditions.

Charles Goldberg Barnett Co.

TENNESSEE PARTNERS OF THE ALLIANCE: A PROGRESS REPORT

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Fulton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, just a few short months ago, Mr. Jim Boren of the Partners of the Alliance program in the Department of State, visited Nashville, Tenn., to discuss the establishment of a Tennessee partners group.

Mr. Boren is a very dedicated public servant who believes that the key to progress is partnership. It was this belief that led him to the idea and implementation of the partners program which is now being carried out between 30 States and 15 Latin American countries.

In Tennessee, Mr. Boren met with a number of individuals representing private groups and organizations from across the State who were interested in establishing a partners program between Tennessee and western Venezuela.

Under the very able guidance and leadership of Carl O. Thomas, assistant dean, Graduate School, University of Tennessee, and with the competent assistance of the members of his committee, William Boozer, Margarita B. Hogan, J. C. Hundley, Tommy Lynn, Frank L. Prins, Jr., and Nelson Robinson, the program was established, has grown and expanded until today it is one of the very finest.

Recently, Dr. Thomas wrote me of the plan for the Tennessee partners program over the coming months and I with permission granted insert portions of that letter in the Record at this point:

Tennessee Partners of the Alliance,
Knoxville, Tenn.

Representative Richard Fulton,
U.S. House of Representatives,
Washington, D.C.

Dear Representative Fulton: I believe that we are now past the major organizational difficulties and are beginning to be involved in significant program activities.

We are assembling, in cooperation with the Southern Highland Handicraft Guild, and with the support of the Southeastern Regional Arts Council, an ambitious collection of the crafts of the southern highlands. This will go on a two-year tour of Latin America (beginning in Venezuela) sometime later in the autumn. The exhibition is being designed to demonstrate the benefits of a native craft industry to the culture of the region and also to the local economy. Documentary films with Spanish language soundtracks, Spanish language brochures, etc. will be provided with the collection.

We are also undertaking (and a copy of a recent news release is enclosed) a workshop in community development this summer. This is being supported in Tennessee by the state League of Women Voters. We hope to have a number of Venezuelan women leaders in community development present in the state during July and August. If the summer-1966 program is successful, we hope to follow up with a similar workshop in Venezuela in the summer of 1967. I believe that this could develop into one of our most significant projects this year.

The collection of contemporary Venezuelan paintings, now on tour in Tennessee, will be shown at the Venezuelan Embassy beginning sometime in September. We will provide the Embassy with a great deal of material regarding the tour in Tennessee for use in their own publicity. In addition, I have verbally agreed with the Venezuelan Embassy for showings of several additional Venezuelan collections. One of these, a fine collection of photographs, is now on display at the Embassy.

These are only a few of our current activities. I believe that we are now beginning a period of significant cooperative programs with Venezuela which will be of great benefit to both of our countries. We appreciate very much your considerable assistance in helping us to initiate this program in Tennessee.

Very truly yours,

CARL O. THOMAS,
Chairman, Tennessee Partners of the Alliance.

Mr. Speaker, I think it important to note here that these activities are to be carried out without the expenditure of Federal moneys. These activities are being carried out with the energies and talents of private citizens, not Federal employees. These programs are not agreements between governments or grants-in-aid. They are partnerships between individuals of different nations whereby each receives and each contributes.

You can see from the report of Carl Thomas that Tennessee has and will benefit from the partners program just as have the people of Venezuela.

I believe that Jim Boren, his staff, Carl Thomas and his counterparts in the other partners programs throughout our States are to be commended and encouraged in this worthwhile undertaking which is designed to make our world a better place in which to live through partnership and understanding.

BILL WOULD PERMIT TEACHER TAX DEDUCTIONS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. JACOBS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. JACOBS. Mr. Speaker, it is the policy of the Internal Revenue Service to prevent teachers from deducting the educational expenses of getting their masters degrees in States such as Indiana.

It is my opinion that this policy is contrary to our most important goal of excellence in education.

I realize there are a number of technical ways to justify either the pro or the con on this issue.

However, after engaging in voluminous correspondence over a period of several months with the Internal Revenue Service, I can boil it down to this:

As soon as one who has chosen law as a profession is allowed to charge money for his services, any additional training in his profession is deductible.

As soon as one who has chosen teaching as a profession is allowed to charge money for his services, he might not be permitted to deduct expenses of further professional training under present regulations.

On such a close technical question—one which I understand has been resolved in favor of the teachers by at least one or two judicial Federal circuits—I believe that the public policy of achieving excellence in education should determine the decision.

For this reason, I am today introducing legislation to secure income tax deductions for practicing teachers' advanced professional education.

PLEASANTON PLANT MATERIALS CENTER IN ALAMEDA COUNTY, CALIF.

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. EDWARDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, I am introducing a bill to authorize the Secretary of Agriculture to sell the Pleasanton Plant Materials Center in Alameda County, Calif., and to apply to proceeds of the sale to acquiring and developing a center at a more suitable location in California.

The area has changed considerably since 1939, when the Soil Conservation Service began to operate the Pleasanton Center. Rapid urbanization is taking place and the center is surrounded on three sides by fairgrounds. It is also within the commercial area of the town of Pleasanton. Numerous problems have been the outcome. Trespassing, pilferage, and vandalism have increased. The proximity of residential areas—on which, of course, the center cannot control the species of plants to be grown—has made it increasingly difficult, if not impossible, to maintain the pure plant materials species being developed and improved at the center.

The work carried on at the center is of vital importance to soil and water conservation in the Pacific Southwest coastal area. Plant species are developed and adapted to changing conservation needs. The results of the work have long proved its economic value. This area requires plant materials and cultural management practices that differ from other parts of the United States. Other centers—even though in bordering States—do not serve its specialized needs.

The county of Alameda has an urgent desire for the present site of the center for their expanding needs and has expressed a willingness to proceed on any reasonable basis to assure the acquisition and development of a suitable replacement site. So that there will be no interruption in this vital plant materials work, the operation would continue at the Pleasanton site until a new site could be developed.

The 60 acres of land on which the Pleasanton Center is located is not excess to the needs of the U.S. Department of Agriculture and therefore not surplus in the purview of the Federal Surplus Property and Administrative Services Act of 1949, as amended.

I believe that it is to the advantage of both the Federal Government and the local community to relocate the activities of the Pleasanton Plant Materials Center at a more suitable site as provided in the following proposed bill:

H.R. 15304

A bill to authorize the Secretary of Agriculture to sell the Pleasanton Plant Materials Center in Alameda County, Calif., and to provide for the establishment of a plant materials center at a more suitable location to replace the Pleasanton Plant Materials Center, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to convey to the County of Alameda, State of California, by quitclaim deed, for not less than fair market value as determined by independent appraisal, all right, title, and interest of the United States in and to the Pleasanton Plant Materials Center, situated in Alameda County, California, and the improvements thereon, which conveyance may be made subject to such reservations and upon such terms and conditions as the Secretary may deem appropriate, including the reservation of the right to continue the operation of the Pleasanton Plant Materials Center until a plant materials center to replace the Pleasanton Plant Materials Center shall be constructed, equipped, and ready for operation, and the functions of the Pleasanton Plant Materials Center are removed to the new site.

SEC. 2. The Secretary of Agriculture is authorized to apply the proceeds of the sale of the Pleasanton Plant Materials Center to the costs of acquiring other land or interests in land in the State of California which the Secretary deems suitable for a plant materials center to be established as a replacement for the Pleasanton Plant Materials Center, to the costs of construction and alteration of buildings, and the development of such other improvements thereon as may be necessary for the establishment of the plant materials center, and to the costs of removal to such center of the functions of the Pleasanton Plant Materials Center, including the expenses incident to the transfer of personnel, and the removal of equipment, planting stock, and other property.

SEC. 3. Proceeds received from the sale of the Pleasanton Plant Materials Center shall be available to the Secretary until expended for carrying out this Act. Any such funds which the Secretary determines are not required for the establishment of a comparable new plant materials center as provided in this Act, shall be deposited in the Treasury of the United States as miscellaneous receipts.

MANPOWER DEVELOPMENT AND TRAINING ACT

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. HOLLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. HOLLAND. Mr. Speaker, on Thursday next, June 2, 1966, the Select Subcommittee on Labor will begin hearings on proposed amendments to the Manpower Development and Training Act. Last year, almost a quarter of a million Americans received job training under the Manpower Development and Training Act. Next year, Mr. Speaker, we have to do even better.

I have supported, and I will continue to support, legislation to carry out the war against poverty in the United States, but central to victory in any war against poverty is the need to find jobs for people, and to equip people for jobs. This we are doing under Manpower Development and Training Act. We can do better.

Some of the amendments which have been proposed and which will be considered by the select subcommittee, provide for relaxation of existing barriers against training referral for the chronically unemployed, for young people who have had to leave schools to provide for dependents, and for persons who have taken training, only to find that, through no fault of their own, it did not equip them for employment.

Other proposals include bills to provide special training for older workers, training in areas important to employability, such as the ability to communicate usefully with an employer, limited medical services for trainees to make it possible for them to profit from training, and training in entirely new fields, such as training for inmates of correctional institutions, and training for public service work.

On June 2, Mr. Speaker, we will be hearing testimony from our colleague, the gentleman from Florida [Mr. BENNETT] and from officials of the American Correctional Association, and from Dr. Charles G. Hurst, Jr., of Howard University. On June 6, we will hear testimony from Secretary of Labor Wirtz, and on June 7 from Eli Ginzberg, Chairman of the National Manpower Advisory Committee, and from witnesses representing both labor and management. Finally, on June 8, testimony will be given by our colleague from Texas [Mr. GONZALEZ] and from the Department of Health, Education, and Welfare.

The Manpower Development and Training Act has not been a perfect program, Mr. Speaker. If it had been, we would not have to listen to proposals for further amendments. As I said to this House in 1962:

> This is the first of many steps we must take if we hope eventually to eliminate our unemployment problem.

The act has, on the whole, justified the faith this House has shown in it, when it first passed the original act in 1962, and when it amended it in 1963 and again in 1965. The act, the subsequent amendments, and the program itself have enjoyed constructive bipartisan support; it has earned enthusiastic and helpful participation by both labor and management. But, to end on the same note as I began, we can do better.

THE COMSAT PROBLEM

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, as a member of the House Committee on Interstate and Foreign Commerce and the Subcommittee on Communications and Power I have had occasion to become acquainted with problems relating to satellite communications and with the Communications Satellite Corp. better known as Comsat. Comsat was created by the Congress as a vehicle to carry forward our communications satellite program, to enable the United States to continue as a world leader in communications, and to develop new methods and means to maintain the free world's vast communication resources.

This country's leadership in the area of communications can be attributed primarily to the accomplishments of private enterprise which has engaged in extensive research and development programs.

In a recent speech at Tufts University, Mr. Bruce Sundlun, a member of the board of directors of the Communications Satellite Corp., is reported to have stated and I quote:

> I think our great international carriers should give serious thought to selling their facilities to Comsat.

His comments were reported in the April 15 edition of Telephone Engineer & Management.

I do not know the complete background of why Mr. Sundlun made this statement. I think it is of such magnitude that my colleagues should be aware of it. If the international record carriers were to sell their businesses to Comsat, this Nation would be faced with a basic reorientation of our international telecommunications system. Such change should not be permitted to come about without a full investigation by the Congress, the Federal Communications Commission, and the executive branch of our Government in order to determine whether such sales and acquisition would be in the public interest.

I thought my colleagues would be interested in the article that appeared in the April 15 edition of Telephone & Engineer & Management:

NO LAUGHING MATTER

In the satellite communications field, another interesting development in recent weeks was the "only half-facetious suggestion" by Washington attorney and Comsat board member Bruce G. Sundlun to the international record carriers that they "perhaps give serious thought to selling their cable facilities to Comsat."

If such an idea ever came to fruition, coupled with any entry into the domestic field by Comsat, the Corporation's face certainly would be changed.

Sundlun, speaking at a conference on satellite communications, said one of the impacts of Comsat's efforts will be on the international carriers, which have "large investments in cables which are now essentially saturated." While international record communications increase at a rate of "about 20 per cent per year," he said, "the increase can be expected to be serviced by Comsat's satellite capacity rather than by any new cables."

The record carriers, Sundlun said, "argue that their future growth is forestalled by Comsat, and the possibility of their increasing their capital investment becomes almost non-existent. They argue that their income is limited to a reasonable rate of return on their current investment and becomes fixed for the future. Without possibility for continued growth, they claim the value of their cable assets will dwindle. In fact, as their current capital investment is depreciated on the books, and if no new investment is added, the day inevitably arrives when the current capital investments are completely written off."

Mentioning "the old adage of, 'If you have a disability make use of it,' ". Sundlun suggested that the record carriers consider the sale of their cables. "Comsat's treasury at the moment is not empty," he declared, "and there are those who say that until Comsat establishes a debt-to-equity ratio, the company will not have the usual financial characteristics of a public utility."

THE 25TH COUNCIL SESSION OF THE INTERGOVERNMENTAL COMMITTEE FOR EUROPEAN MIGRATION

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. ROGERS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. ROGERS of Colorado. Mr. Speaker, during the 25th Council session of the 30-member nation Intergovernmental Committee for European Migration, held in Geneva, Switzerland, the second week of May, tribute was paid to our colleague, the esteemed FRANK CHELF, of Kentucky.

The gentleman from Kentucky [Mr. CHELF] was present in Brussels, Belgium, in 1951, when this great organization came into existence and he has been an active contributing participant in its activities ever since. As you know, FRANK CHELF is not seeking reelection to the Congress and thus he attended the Council session as a congressional delegate for the last time. I am pleased to insert into the RECORD the remarks that the Honorable PETER RODINO made on this occasion:

> I come before you today to perform a task which gives me a mixed feeling of sadness and a sense of friendly pride. For this session of the Council marks the last and final official appearance of one of ICEM's oldest and most fervent and distinguished supporters, my good friend and colleague, the Honorable FRANK CHELF, Member of Congress from Kentucky, who has chosen not to seek re-election. FRANK CHELF is without peer

in the Congress with respect to humanitarian endeavours and experience in refugee matters. FRANK CHELF was a member of the first special sub-committee that came to Europe in the summer of 1947 seeking a solution to the misery of the thousands of displaced persons. The recommendation that FRANK CHELF prepared for the Congress became the foundation for the Displaced Persons Act that was enacted by the United States Congress in 1948 and gave relief to so many people in desperation. And again in Brussels in the year 1951 when the idea of this great Organization came into being and took shape, FRANK CHELF was one of its chief and principal architects. I may add that your Deputy Director, Mr. Besterman, was counsel to that special sub-committee and he can well attest to the significant contributions of my beloved colleague.

I could say much more but I will say only this: FRANK CHELF is one of those rare humans who is made up of all heart. He flows over with the milk of human kindness; he learned well while still young the adage that we are rich only for what we give, we are poor for what we refuse and keep. FRANK CHELF's life has been full of giving. He is rich. I know it is said that no one is indispensable but I am sure that FRANK CHELF is irreplaceable and I know too that I echo the sentiments of each of the Members of this Council when I say that we shall miss him and we wish him well. Thank you.

THE REDUCTION OF TARIFF ON IMPORTED RUBBER-SOLED CANVAS FOOTWEAR

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MONAGAN. Mr. Speaker, I want to thank all of the members of the New England delegation who met Tuesday at your request for a discussion of plans to reverse the Customs Bureau's recent reduction of the tariff on imported rubber-soled canvas footwear. Your cooperation has been extremely helpful in mobilizing concerted action on this matter, and is greatly appreciated by all of us.

Although the Customs Bureau's recent decision will have an unfavorable economic impact upon many different labor market areas across the Nation, it is obvious that a major portion of the affected industries are located in New England, and the responsibility for correcting this situation rests most heavily upon our delegation.

Since my congressional district is the site of one of the country's major rubber footwear producers, Uniroyal, U.S. Rubber's Footwear Division in Naugatuck, Conn., I have been deeply concerned with the potential effect of this new tariff reduction, and on February 23, 1966, I introduced H.R. 12983, to rescind this reduction. Since then I have been joined by a number of cosponsors including Representatives FOGARTY, ST GERMAIN, BURKE, MORSE, and O'NEILL, as well as Senator DODD. In addition to these members of the New England delegation, we have been joined by Representatives THOMSON, ADAIR, and SCHISLER, and I think that this bipartisan list of supporters demonstrates the broad-based support that this measure has already received. Also the magnitude of the concern caused by this issue in my congressional district was borne out by the presence at our meeting of the mayor of Naugatuck, Conn., Hon. Joseph Raytkwich, and representatives of labor and management of the Naugatuck Footwear Division of Uniroyal, Inc., President George Froehlich and Joseph Sciarretta of Local No. 45 of the United Rubber Workers Union, and Vice President Willard E. Bittle and Labor Relations Manager Thomas J. Nelligan of Uniroyal, Inc.

Representing the United Rubber Workers of America were: George Burdon, international president; Peter Bommarito, international vice president; Sal Camelio, director, District No. 2; Keith Prouty, research director; S. A. Bercaro, Local No. 21914, Watertown, Mass.; Oscar R. Carlson, Local No. 21914, Watertown, Mass.; William DiSalvo, Local No. 220, Bristol, R.I.; Edward Benemels, president, Local No. 220, Bristol, R.I.; Leo Jolly, president, Local No. 224, Woonsocket, R.I.; Rudy L. Perusse, Local No. 631, Middletown, Conn; and Al Demers, president, Local No. 137, Andover, Mass.

Representing New England footwear companies were: Charles A. Cameron, B. F. Goodrich Co., Watertown, Mass.; M. A. Sousa, Bristol Manufacturing Corp., Bristol, R.I.; T. J. Meyers, Goodyear Rubber Co., Middletown, Conn.; S. A. Stone, Converse Rubber Co., Malden, Mass.; David A. Golden, tariff counsel, Rubber Manufacturers Association, New York; P. W. Koval, U.S. Rubber Co., Woonsocket, R.I.; and Mitchell Cooper, Esq., Rubber Manufacturers Association, Washington, D.C.

This meeting has served to emphasize the true nature of the Customs Bureau's new guidelines, and to point out their lack of legal justification. Although the Bureau would seek to minimize the effect of the recent tariff cut by labeling it a revised method of evaluation, I have been informed by the Customs Bureau itself that the implementation of its revised valuation methods will result in an $8.8 million loss of revenue on the 60.8 million pairs of footwear already involved.

Congress has prescribed the proper and legal mechanism for such tariff concessions in the Trade Expansion Act of 1962. The provisions of this act require the Tariff Commission to investigate the probable economic impact and effect on domestic employment before such tariff reductions may be granted. Moreover, the letter and spirit of the Trade Expansion Act direct that such concessions be reciprocal. The Customs Bureau's new guidelines actually reduce the tariff on rubber-soled footwear by at least 35 percent without any investigations or report on the economic impact on domestic industry and employment, and without obtaining any reciprocal concessions from our trading partners.

The effect of this action is to present our domestic rubber footwear industry and its employees with the burden of this gratuitous tariff cut as our U.S. negotiators prepare for negotiations in the Kennedy round at Geneva which may further reduce this already-eroded tariff. In fact, the domestic industry has been exposed to the added risk that the American selling price system of valuations itself may be negotiated at Geneva.

Obviously we are up against serious odds in this battle and the high stakes involved make our concerted constructive efforts all the more necessary. With this in mind it was very encouraging for me to note the large turnout of members of the New England delegation at our meeting Wednesday and the willingness of all these members to participate in efforts to restore the original tariff level. I think that the excellent presentations of factual data on the economic impact of increased foreign competition made by representatives of labor and industry were adequate to direct our immediate attention to the restoration of the original tariff base.

I consider it an honor to have been appointed as chairman of the committees established by the meeting to expedite favorable consideration of my bill, and other bills on this subject, and to take other steps discussed at the meeting. The courses of action outlined at our meeting offer a number of possibilities with great potential and we should pursue each of them without delay. The committees established at this meeting will arrange to meet with officials of the Treasury Department to investigate the reason for the tariff reduction and to present data on the impact of foreign competition on domestic employment, and all other necessary and desirable steps will be taken.

I am confident that these measures, in conjunction with our continuing efforts to obtain hearings on H.R. 12983 in the Ways and Means Committee, will prove productive, and I am especially pleased with the progress which was made at Tuesday's meeting.

LET'S GIVE A SECOND CHANCE TO REHABILITATED VETERANS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. MCVICKER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. McVICKER. Mr. Speaker, I have introduced a bill to alleviate a situation that has too long gone unheeded. I refer to the more than 500,000 Americans holding a less than honorable military discharge. This hangs over their heads, regardless of the fact that many of them have sought to lead exemplary lives since leaving the military service of the United States.

One young man has two honorable discharges in addition to an undesirable. He is ineligible for reenlistment or change of discharge in order to obtain decent employment.

Another young man has an unsuitability discharge which has been changed to honorable, but under a service regulation which still renders him "unsuitable." As a result he can only do menial work, although he is quite young and seems to have exceptional intelligence.

Yet another is married with three children. He comes from a deprived background, and cannot get work because of his dishonorable discharge.

My bill would allow, under proper evidence, awarding of a rehabilitation certificate to certain of these citizens who qualify under its terms. By amending title 10 of the United States Code, it would aid those veterans who could adequately prove rehabilitated conduct for at least a 3-year period.

Certificates would be issued by the Department of Labor, with the Secretary of Labor authorized to establish boards to receive and act upon applications for them. Evidence submitted to the boards would include statements signed by law enforcement officials, persons acquainted with the applicant, and his employer, if any. Boards could then conduct indedependent investigations.

Those individuals receiving the certificate would then be eligible for job counseling and employment placement, as these benefits are denied to them under existing law, thereby working severe hardships upon many of them.

Mr. Speaker, I feel many of these veterans deserve this opportunity to ease their lot, and that my bill, once passed, will give them a better springboard towards useful lives.

PATIENCE, PERSEVERANCE, AND PERSPECTIVE CALLED FOR IN VIETNAM

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Stratton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. STRATTON. Mr. Speaker, when this country undertook to declare its independence in 1776 we had problems. There were ups and there were downs before we were fully free and operating as a fully democratic society. We even had to fight a long and bloody civil war before the principle was finally accepted that one region of our country could not just go off and set itself up on its own and thumb its nose at the established authority of the country just because they did not happen to like it.

But with patience and perseverance we prevailed, Mr. Speaker. Neither Rome nor the United States of America was built in a single day. We need just a little perspective when we see the things that are happening today in Vietnam. Let us not panic. Let us take the long view. The birth of a nation, like the birth of an individual, can take time and is often painful. But our forces are doing well in Vietnam. Let us not throw away the achievements and the sacrifices they have made just because the news from Da Nang and Hue and Saigon may be disturbing at the moment.

In that connection I commend to the attention of my colleagues an admirable editorial that appeared in the Washington Post for May 25:

Lessons of Adversity

The crisis in South Vietnam is producing a great deal of reflection in this country, not only about the United States role there, but about the American role elsewhere in the world where like situations may arise. Painful as this reflection may be, it is necessary, useful and constructive as a means of developing policy in a democratically governed society. Instruction based on theoretical example is never as well remembered as that derived from actual experience. The experience we are living through now is a teacher we cannot despise.

The critics of American presence in South Vietnam make some accusations that are not easily answered. They say South Vietnam is a very small country, and this cannot be denied. They say it is a very weak country, and this can hardly be disputed. They say it is a very divided country, and no one can gainsay it while Buddhists are attacking the troops of their own government and those of its allies, while Catholics and Buddhists stage demonstrations and counterdemonstrations. They say that it never has had and does not now have familiarity with democratic institutions and that is true. They say that South Vietnam lies in an area of Chinese Communist influence and in close proximity to Communist power and this cannot be contradicted.

It is only at grave risk that a great power assists a small, weak and divided country to resist aggression. The lesson seems plain. Hereafter let United States assistance be reserved for victims of foreign aggression only when they are large, powerful, united, democratic and far away from any Communist power. Such assistance will not involve us in the great risks that are involved in helping the small, the weak, the divided and the vulnerable. The great and powerful nations we assist will make good use of our aid. They will not fritter it away. They will not waste their strength and ours in internal bickering and quarreling. Their efficient, peaceful and capable utilization of our aid will be a source of continual satisfaction and expanding power. Thus we shall make our large friends invulnerable, ourselves secure and obtain peace in our time. Once the world has grasped our policy, Communist nations will attack only small countries. Inasmuch as we will defend only large ones, there will be no more East-West conflict.

Of course, there will come a time when all the small, weak and divided countries have been reduced by aggression. But any war that follows that development is bound to be cozily close at hand. In order to fight it, we will not have to run the risks of transporting troops great distances. Our soldiers will not have to give battle in strange surroundings or in a disagreeable climate. They will not be exposed to the temptations of alien brothels but can revel in the luxury of home-grown sexual immorality.

Such are the lessons of adversity to be gained from the difficulties encountered in South Vietnam.

JOSEPH ALSOP SAYS WE ARE WINNING IN VIETNAM

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Stratton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. STRATTON. Mr. Speaker, last month when the subcommittee which I had the honor to head, returned from an inspection trip to Vietnam, we reported to this House, in the Record for April 27, that we found the military situation going much better in Vietnam than most people back here had been led to believe. We said we believed our forces were winning the military war in Vietnam.

Unfortunately, Mr. Speaker, not much of the national press paid much attention to that story. Somehow the press seems to favor those accounts which reflect unfavorably on our commitment in Vietnam and play down those accounts that favor it.

The report of the gentleman from California [Mr. Moss], for example, which was highly critical of our foreign aid dealings in Vietnam got banner headlines in Washington and around the country.

Yet the statement of the Governor of Pennsylvania, a former Member of this body, in Vietnam on a visit, saying he felt our military operations there are going well got almost no coverage here.

That is unfortunate, Mr. Speaker. It gives the people of the country a misleading and distorted view of the actual situation in Vietnam.

I do hope that perhaps the unhappy experience of some 90 American and foreign press representatives in Da Nang the other day, which was reported in the Washington Star on Tuesday, by Mr. Richard Critchfield, as an experience in which "the scales had fallen from the eyes of some 40 American and foreign newsmen" as regards the real motives of the antigovernment Buddhist demonstrators in Vietnam, may perhaps mean that we can look for more accurate and less consistently biased reporting and photography in the future.

In any case, Mr. Speaker, I was delighted to see that the optimistic view which our subcommittee reported to this House a month ago is now supported by no less distinguished a reporter than Mr. Joseph Alsop, who has just returned from Vietnam and whose report appears in the current, June 4, issue of the Saturday Evening Post. I am sure Members will find his analysis of considerable interest. I am, therefore, including it at this point in the Record:

Why We Can Win in Vietnam

(By Joseph Alsop)

In Vietnam, great numbers of Americans are now committed to a war which very few Americans even begin to understand. Most of us, of course, have a fair understanding of the issues our troops are fighting for, but only a tiny minority understand the war itself.

This has struck me with increasing force after every one of my more recents visits to Vietnam—and I have been there 16 times since 1953. People talk about other matters such as the chops and changes of politics in Saigon, where the Communists might manage an eventual victory—although I do not think they will. No one ever mentions the fairly desperate combat problems that now face the Viet Cong. No one analyzes the present strategy of our brilliant field commander in Vietnam, Gen. William C. Westmoreland. No one refers in any way to what is currently happening on the battlefield. Yet the battlefield is where our own best hope of victory lies.

The whole pattern of the fighting, as it happens, is still determined by an almost successful gamble that the Communists made to win the war last year. Hence we must backtrack a bit at the outset in order to see the timing, the nature and the risks of this enormous Viet Cong gamble, to make what happened reasonably comprehensible.

Many normally well-informed persons still believe that a Communist guerrilla movement like the Viet Cong is something spontaneous—halfway, let us say, between a misguided patriotic society and a nationwide game of cops-and-robbers. From their first obscure guerrilla origins, however, the Viet Cong have been a second government of South Vietnam, and they still are. Furthermore—and here is the important point—this clandestine Communist second government has all the fiscal, economic, manpower and other problems that plague any normal government. Since this is also a government at war, the V.C. second government's biggest problem is naturally to recruit, equip and maintain its armed forces. This has always been the biggest problem, and its difficulties caused the Viet Cong gamble already mentioned, which was decided on in late 1963 after the coup d'etat against South Vietnamese President Ngo Dinh Diem.

South Vietnam in the summer of 1963 was a country in which every province had its own civil war, with the Saigon government controlling the provincial capitals and a good many villages, with the V.C. second government controlling a good many other villages, and with troops of both sides in the field everywhere. By that time, there was a Viet Cong provincial battalion of about 500 men operating in each of Vietnam's 43 provinces. There was a Viet Cong district company of about 150 men operating in each of at least 250 of the administrative districts into which the provinces are subdivided. And in each of several thousand V.C.-controlled villages and hamlets, there was a Viet Cong guerrilla band of 20 or 30 men to maintain local discipline and to harass friends of the established government in neighboring villages and hamlets. All these V.C. soldiers—about 50,000 in the local forces and 110,000 in the guerrilla bands, or approximately 160,000 men in all—had to be paid and armed and kept supplied with ammunition and much other matériel, and all but the minority of strictly part-time guerrillas had to be provided with rations as well. Salaries and rations also had to be found for tens of thousands of Viet Cong in essentially civilian occupations, ranging upward from humble couriers and tax collectors, through secret policemen and the personnel of the medical services, to the awe-inspiring members of the Communist Party's central committee for South Vietnam in their remote jungle lair near the Cambodian border.

In addition, this second government was deeply engaged in a big and costly program of military public works. The rule books for guerrilla war, written by Mao Tse-tung and his remarkable Vietnamese Communist pupil, Gen. Vo Nguyen Giap, lay down an absolute requirement for guerrilla main bases in areas immune to penetration by hostile troops. The mountainous, jungle-covered and swampy tracts of South Vietnam provide splendid terrain for many such main-base areas. But barracks, hospitals and numerous other facilities had to be secretly built within these fastnesses. Wherever the ground was suitable, the main bases also had to be fortified by an almost inconceivably antlike program of digging and tunneling; and although *corvée* labor from V.C.-controlled villages was used for this purpose, the hundreds, even thousands of men in the *corvées* at least had to be given rations while away from home. Finally, all the main bases had to be prestocked with medical supplies, ammunition and food. This was an enormous undertaking in itself. A single underground cache found last year, for instance, contained no less than 2,000 tons of rice. Since the cache was in a huge hole approachable only by a narrow tunnel, all this rice had evidently been carried in on men's backs, bagful by bagful.

Early in 1963, moreover, the first main forces—their nature will be explained in a moment—had begun to be mobilized in the main-base areas. Therefore, long before Diem was assassinated in November, 1963, the Viet Cong leaders had to meet a pretty imposing total budget. Their clandestine second government then controlled no more than about four million of the total South Vietnamese population of 17 million. Few legally established governments of countries having only four million people manage to keep more than 160,000 men under arms at all times, even if their soldiers are paid the merest pittance, as are the soldiers of the Viet Cong.

Such was the position when the Diem regime was brought down by an army coup, and almost the entire structure of government control abruptly came to pieces, for a while, in almost every province. The Viet Cong were thus enabled to surge forward everywhere, and this led to the decision to begin organizing main forces on a really big scale.

Like everything else the Viet Cong had done up to that time, the move to organize the main forces was strictly in accordance with the rule books of Chairman Mao and Gen. Giap. Main forces (the classification is Mao Tse-tung's) bear little resemblance to the simple guerrilla bands that almost everyone envisions when the Viet Cong are mentioned. They also differ sharply from the local forces—the provincial battalions and district companies, which are already well above the guerrilla level—for the main forces have no permanent regional attachments, and their units are much larger and more heavily armed. In fact, they almost exactly resemble regular troops in a regular army. According to the Mao-Giap rules, these main forces have two functions: to help the local forces and guerrillas increase the pressure everywhere, until the established government is visibly hanging on the ropes; and then to strike the knockout blows in big set-piece battles like that which finished off the French at Dienbienphu.

With more than 160,000 men already under arms, and with the additional organization of something like a brand-new regular army now decided upon, the V.C. second government obviously had its work cut out. At the outset, all went easily enough. In the secret main-base areas, with their palm-thatched barracks, their deep-dug, jungle-hidden fortifications and their painfully accumulated supply caches, large numbers of Viet Cong cadres and recruits were now assembled for regimental training. The new main-force regiments had a strength of around 1,500 men each. In design they were roughly comparable to regular light-infantry regiments of 30 or 40 years ago, and they had the capability of being joined together in light-infantry divisions for the knockout blows that were expected later. Each regiment was given an attached porter battalion of about 500 men to handle its local supply and transport. To get all these men, recruiting was stepped up in all the V.C. areas of South Vietnam. A major expansion of the supply movement from North Vietnam, down the Ho Chi Minh trail and along the sea-smugglers' routes, was also undertaken to provide the new regiments with their 57 mm. recoilless rifles, heavy mortars, antiaircraft guns and other crew-served weapons. And many more specially trained cadres were brought down from the Communist North to become officers and noncoms.

By New Year's Day of 1964, at least five of the new main-force regiments already had been recruited, armed and trained. By this time, too, because of their post-Diem surge, the Viet Cong controlled perhaps five million to six million people. Even so, however, the second government's base in the countryside—the Viet Cong infrastructure, as our intelligence officers call it—was still too small to support the ambitious military superstructure that was planned. To complete the plan, the masks had to be dropped. This was the Viet Cong gamble. If Gen. Westmoreland's strategy attains the hoped-for results, this dropping of the masks will be remembered as the moment when the Viet Cong began to lose the war. But it did not look that way at the time.

Until 1964 the Viet Cong had always worn two masks—one to deceive people abroad, the other for the South Vietnamese themselves. For foreign eyes, they had worn the mask of an indigenous movement of social discontent. However, as early as 1956, Le Duan, now first secretary of the Communist party of North Vietnam, had gone south to make preparations for the beginning of guerrilla war, with the aid of many thousands of cadres whom the Communist government in the North had ordered to go underground in the South when the French war ended in 1954. From Le Duan's arrival onward all the higher direction of the V.C. had come from Hanoi. The northern Communist government had also provided large quantities of military equipment and had secretly sent further tens of thousands of cadres to the South to aid and guide the struggle there. But all this was hidden well enough that those who wished could go on claiming that this was "just a civil war."

The other mask, worn to deceive the simple people of South Vietnam, was vastly more important and valuable to the V.C. This was the mask of amiable agrarian reformers—the same mask that the Chinese Communists had worn with such success until they got control of China. Until the critical period we are now examining, the Viet Cong also wore this mask with great success, thereby gaining rather solid popular support in their "liberated areas" and seriously softening up every contested area. The success ultimately depended, however, on something much more important than Communist propaganda or V.C. land reform. It depended on a convincing pretense of government by consent, which was impossible without a considerable degree of real consent. To gain this degree of consent, the Viet Cong promised the peasants, again and again and with utmost emphasis, that there would be *no* V.C. taxation and *no* V.C. conscription.

These promises were approximately kept until the year 1964. Devious, even cruel, tricks were often resorted to, of course. A potential recruit's government identity card would be stolen, for example, and he would then be frightened into volunteering by warnings that the government police would shoot him as a Communist if they ever picked him up. Or an obstinate noncontributor to the Viet Cong war chest would be "struggled with" by V.C. cadres before all the people of his village, and if this public brainwashing did not get results, he might then be shot in the back of the neck as a "spy for the reactionaries and imperialists." But in the main, the V.C. military outfits really were manned by volunteers, which made the average outfit both tough and highly motivated. And in the main, besides road tolls, market tolls and the like, the V.C. tax collectors only asked the people of the villages for "voluntary contributions," which meant that the burden on the peasantry was light and easily bearable.

The trouble was that this semi-voluntary system reached its limit with the creation of the first five or six main-force regiments, as did the system of largely concealed aid and direction from the North. If the masks were retained, enough men and resources to complete the war plan simply could not be secured, and both masks were therefore boldly and simultaneously dropped. Beginning in 1964, all the main forces and many of the provincial battalions were completely reequipped with the new 7.64 mm. family of Chinese-made weapons, which required a supply movement from North Vietnam too big to be hidden any longer. At the same time, preparations also began for the eventual invasion of the South by complete units of the North Vietnamese regular army. Thus the pretense was abandoned that this was "just a civil war." At the same time, and incomparably more important, the pretense of governing by consent was also quite ruthlessly abandoned.

The repeated Viet Cong promises that there would be no V.C. taxation and no V.C. conscription became dead letters. Taxes were sternly imposed on the people of the villages. Quarter by quarter the Viet Cong increased these levies until they became cruelly burdensome. Universal military service was proclaimed for all males from 18 to 36. As the manhunt progressed, the Viet Cong press gangs began rounding up boys of 14 or 15. All this was a gigantic gamble, for the V.C. had now broken the first and most sacred rule of Mao Tse-tung: Popular support of the guerrilla movement must never be endangered until the final victory. But the Hanoi leaders and the V.C. high command clearly believed that the gamble could never go sour, simply because they were so certain of an early victory—after which, of course, any grumbling in the villages could be dealt with by secret police.

To insure the expected victory, they brought off a feat probably without parallel. Although they were still no more than the second government of South Vietnam, the Viet Cong between January, 1964, and the early spring of 1965 wrung from the unhappy villages enough men and resources to increase the V.C. main forces to 24 regiments, complete with porter battalions, or the equivalent of eight army divisions. Even so, this was not enough to meet the war plan's requirements. Hence the second government undertook the considerable further responsibility of maintaining and providing porter battalions for two complete divisions of the North Vietnamese regular army, the 325th and the 304th, which covertly invaded South Vietnam in late 1964 and early 1965. By the spring of 1965, therefore, besides 160,000 troops in the V.C. local forces and guerrilla bands, the second government could boast a main-force army of the strength of 10 light-infantry divisions. And this new army, with its porter battalions and longer range supply detachments, numbered close to 800,000 men. The achievement was astonishing, but the price was heavy. One can imagine the Viet Cong finance minister—they have one, even if his name is not publicly known—groaning when he learned the true scope of the main-force program. And one can all but hear his colleagues airily telling him not to worry, because victory was just around the corner.

It is almost unknown in America, but the truth is that a Viet Cong victory really was just around the corner in the late spring of last year, months after the situation had been supposedly saved by President Johnson's decision to bomb North Vietnam. Throughout the spring of 1965 almost the whole South Vietnamese army was firmly pinned down in the provinces by the urgent requirements of local defense. In those spring months almost the whole of the army's slender mobile reserve, 13 South Vietnamese ranger and Marine battalions, was also being chewed up by new main-force regiments. By mid-June, after the bloody fight at Dong Xoai, about 60 miles from Saigon, only three of the government's reserve battalions remained in good combat trim. Meanwhile, the Viet Cong had an uncommitted central reserve equivalent to at least five divisions in their main-base areas. No reserves on one side, strong reserves on the other, meant, of course, that the V.C. could win province after province by concentrating in heavily superior force wherever they chose to do so. In this manner they could count on rolling up South Vietnam like a carpet before the summer ended. Then President Johnson upset their calculations by ordering the commitment of U.S. troops on a big scale.

This order had all the elements of brilliantly successful, if wholly unintentional ambush, and like every good ambush, in the first place, it was a complete surprise. There had been an earlier surprise in February, when the President gave the order to bomb the North after the Viet Cong attack on the Pleiku barracks. But this second surprise was quite as complete as the first, and it was far more terrible.

Nor was this all. Effective ambushers must never attack the head of a column, nor hold their fire until the column has passed—either way, some of the enemy column may escape. But to open fire on the middle of the column insures that the ambushees can neither advance nor retreat, but must stand and fight and be annihilated. It was this effect that President Johnson's order unwittingly achieved.

In order to see why this was so, it is only necessary to consider what would have happened if the President had committed American combat troops in Vietnam rather more than a year earlier, when the Pentagon first urged him to do so. In that spring of 1964, the harshest and most burdensome period of the second government's main-force program still lay in the future, and the Viet Cong had barely begun to drop their masks. It would still not have been too late for a convincing reassumption of the Viet Cong mask of agrarian reformers, with no need for heavy taxes or press-ganged conscripts. The V.C. could therefore have pulled back and dug in for many more years of less intensive war, on the classical, slowly erosive, elusive guerrilla pattern that they understand so well. There can be no doubt that this is precisely what the Viet Cong would have done if the President had in fact committed U.S. troops a year earlier. The rule books are very strict about this: Mao Tse-tung strongly emphasizes the need for any guerrilla movement to be ready to retreat at once if the conditions of the struggle unexpectedly develop in an unfavorable manner.

But the Viet Cong could not follow this pull-back rule when Johnson at last committed U.S. troops, because the V.C. had already breached Mao Tse-tung's cardinal rule against alienating popular support before the final victory. It is not easy, after all, for any government, legal or clandestine, to pull back and to ask its people to fight onward indefinitely, if the most sacred promises have been broken, and if this has been justified by assertions that the war will end in triumph in a few weeks or months. It is very dangerous, too, for any guerrilla movement to dilute its fighting units with unwilling conscripts, as the Viet Cong had done. In the early summer of 1965, this danger was demonstrated by a first trickle of Viet Cong desertions, previously all but unheard of—a trickle that has now become a near hemorrhage in some units and some areas of Vietnam. Above all, there was the danger in the countryside, where heavy taxes and press-gang conscription had caused the people's former propagandized consent to be widely replaced by sullen acquiescence. This danger was also being demonstrated by the tens of thousands who were refusing to acquiesce. And these people, fleeing from "liberated areas" to government areas, have now become a pitiful refugee army of nearly a million men, women and children. Their flight has even begun to leave the V.C. areas seriously short of hands to till the crops. For these reasons, it was much too risky to pull back, and the second government made its defiant choice to continue the war in the main-force phase.

The same basic considerations that led the Hanoi and V.C. leaders to make this choice also led Gen. Westmoreland to adopt his strategy of "seeking out and destroying" the Viet Cong main forces. When the President's troop commitment abruptly gave Westmoreland the responsibility for turning the tide and winning the war, this careful yet inspired soldier had been studying the Viet Cong for many anxious months. Obviously the V.C. and North Vietnamese main-force regiments, being heavier outfits that could be located and engaged with greater ease, were the most suitable military targets for the incoming American troops. Gen. Westmoreland's chief reasons, nevertheless, for concentrating on the main forces were—and are—paramilitary. Westmoreland reasoned that the Viet Cong had made themselves politically vulnerable by breaking the first rule of Mao Tse-tung, and that this vulnerability would increase as war pressures forced the V.C. to take more rice and more conscripts from the long-suffering villagers. He believed, therefore, that the already severe strains on the V.C. second government could be increased until its entire structure would crumble. And he planned to precipitate this general breakup of the second government's structure by breaking the main-force backbone of the V.C. Time alone can tell whether Westmoreland is right, but he most certainly still believes he will be proved right—if the accidents of Saigon politics do not tragically forestall the proof.

We have now examined two of the three main parts of the war's military pattern—the gamble taken by the V.C. second government to create its main forces and the ambush effect of President Johnson's troop commitment. If the Viet Cong had not gambled by breaking Mao's first rule on popular support and if they now had a less burdensome and more flexible military organization, I should be making a very different military prognosis.

But these conditions do not now exist in Vietnam, because the rules have in fact been broken. And more rule breaking is the essence of the third part of the war's military pattern which is the acuteness of the combat problems now besetting the V.C. For the Viet Cong leaders, beyond doubt, this is the pattern's most painful part, since their entire experience has taught them to put an almost religious reliance on the simple fighting rules laid down by Giap and Mao. These tactical rules worked brilliantly well for Mao in China, and for Giap against the French and for the Viet Cong themselves until last year. They built the record, in fact, that still leads people to repeat solemnly that "regular troops cannot defeat guerrillas." Yet these closely studied, carefully defined tactical rules for guerrilla war have all but begun to work in reverse in Vietnam nowadays. This is the most far-reaching single result of the U.S. troop commitment.

Consider, for example, "old never-fail." In the years before 1965, "old never-fail" was the sardonic name used by American officers advising the South Vietnamese army for the guerrillas' surprise-attack-plus-ambush combination. This combination was the principal offensive tactic of the Viet Cong, accounting for over 80 percent of their more showy and damaging victories during all the years when the war was going well for them. First would come the predawn news that mortar shells were falling on an isolated government post, which was surrounded by a strong V.C. force that had crept up under cover of darkness. The government's province chief (the military governor) would hastily organize a relieving force, and the column of troops would move out, as dawn began to break, along the wretched, narrow road leading to the post under attack. Then would come the report that the relief column had been ambushed by another strong V.C.

force which had slipped into positions commanding the road's most dangerous sector. Next the radio would fall ominously silent, meaning, of course, that the post under attack had also fallen. And so the government's forces would be further eroded and demoralized, government control would be reduced, and V.C. power and authority would once again grow proportionally.

But "old never-fail" began to work very differently with the end of the rather primitive situation envisioned by Mao and Giap—a situation in which the government had few heavy guns, only the barest minimum of air power, and no air-mobile infantry. This situation ceased to exist in South Vietnam last year. First, a network of heavy-artillery positions was thrown over most of the country, and these were linked by good communications to every government post in the populated areas, and to most of the more remote posts as well. Second, after Pleiku the President not only ordered bombing of the North, he also authorized direct use of American air power in the South, thereby multiplying the air strength the Viet Cong had to face. And finally, the American troop commitment vastly multiplied the helicopters available for troop lifts.

Today when the Viet Cong attempt "old never-fail," as they still frequently do, the ambushers generally discover that they are really ambushees. The post chosen for surprise attack at once calls in the heavy artillery, and the big guns inevitably slow down the assault. When dawn breaks, U.S. fighters and fighter-bomers make their appearance, guided by spotter planes, and unless the Viet Cong break off the attack, they become exposed tragets for decimation from the air. If the situation warrants, there may also be a heli-lift of infantry, either to cut off the V.C. surrounding the post, or to take the V.C. ambushing force in the rear.

"Old never-fail" has certainly not become "old always-fail." Nor have their novel tactical handicaps taken all the fight out of the Viet Cong, any more than their widespread loss of popular support has deprived them of the active help of the 10 to 15 percent of genuine Communist converts in their "liberated areas." Only recently they were able to bring up two artillery batteries for an attack on the very outskirts of Saigon—which did not succeed, but did cause much disquiet in the city. And terroristic acts continue in most provinces at a very high rate.

Yet it is deeply meaningful that in the months from last September—when the U.S. troop commitment began to have a serious impact—until late April, when these words were written, the record shows only two victorious V.C. operations much above the petty-terror level. These were the annihilation of a South Vietnamese regiment in a Michelin rubber plantation early last winter and the more recent capture of the isolated Special Forces post at Ashau on the Laotian border. By contrast, the Viet Cong failures have been too numerous to be recalled. These failures have vastly greater meaning, moreover, than might be surmised from newspaper stories of body counts of 50 enemy dead here, 100 in another place, and in another place above 200, after a Viet Cong or North Vietnamese assault has been beaten back. These stories mean that the V.C. are now regularly breaking the next-most-important guerrilla rule after the rule about always retaining popular support.

As Mayo and Giap both emphasize, any guerrilla movement lives and grows and has its being by success. Great failures may perhaps be precariously survived, as happened in China at the time of the famous Long March. The rule books nonetheless enjoin guerrilla commanders always to prefer the mere assassination of a village elder to the dramatic capture of a district town, if it is thought that the attempt on the town may risk defeat. Yet the Viet Cong have been floundering forward with great obstinacy and considerable courage, from failure to bloody failure for many months, with few military successes.

These changes in the tactical situation have quite directly affected every type of Viet Cong unit, whether main-force, local-force or guerrilla—for the guerrilla bands are almost always ordered to support the larger operations in their neighborhoods. The main forces—Gen. Westmoreland's prime targets—are the units chiefly affected by another change of great significance. Life in a main-force regiment once offered a good deal to tempt an ambitious young Vietnamese. He belonged to a crack unit, which was a matter of pride. He had been taught to believe in an early victory, and as a main-force soldier he could expect personal advancement when victory was won. Above all, he did not have to endure prolonged hardship. Two or three night marches out from the base, one or two days of fighting at the scene of his regiment's operation, and two or three night marches back to his regimental main-base area—that was about the maximum effort that was normally required each month. The balance of every month was spent resting, training, absorbing replacements and doing meticulous sand-table exercises to prepare the next sally against a government post. And all these weeks between operations were passed in the absolute security of a main base, with its simple but comfortable barracks, its reassuring fortifications, and its food caches.

Today, however, this quite bearable existence has suffered a savage transformation. It began when Gen. Westmoreland called in the B–52's of the Strategic Air Command, with their immense loads of heavy bombs that can penetrate even fortification tunnels 30 feet below ground. Daily since late last summer, the B–52's have been hammering the main-base areas, with such effect, as captured documents have revealed, that the main-force regiments are now under strict orders to spend no more than one night, or at most two nights, in the same place. Long gone, therefore, are each month's restorative stretches of orderly barracks life.

Night after night, the main-force soldiers must bivouac in the jungle or on the mountain slopes. Every day or every two days there is a toilsome march to the next bivouac. These movements cause supply problems, and the men sometimes go hungry. There's little time for rest or training, or any of the other things that keep an outfit happy and in combat trim. In addition, as the American forces in Vietnam have grown stronger, there have been more infantry sweeps through the main-base areas—many of which had not been visited by hostile troops since the beginning of the French war. Supply caches that took months, even years, to accumulate are found and destroyed by our men. Fortifications representing hundreds of thousands, even millions, of man-hours of hard work are discovered and greatly damaged, if not always totally destroyed. V.C. outfits that have sought the base areas' security must either flee or stand and fight against hard odds. In these ways still another cardinal Mao-Giap rule has been broken—the rule that a successful guerrilla movement needs completely secure bases. Without this minimal security, Mao says, any such movement must automatically "deteriorate" into a mere "peasant revolt" which "it would be fanciful to suppose" could "avoid defeat."

From the foregoing follows the final profound change in the V.C. situation. In Vietnam the intelligence gathered has always been substantial, but the South Vietnamese formerly had no way to process intelligence as it came in, much less to respond to it promptly. Nowadays, in contrast, the intelligence gathered has multiplied many times over, partly by freer reporting by the people of the countryside, partly by mechanical means such as airborne infrared devices that spot main-force campfires and the like, and partly by the enormously increased numbers of deserters and prisoners of war. Furthermore Gen. Westmoreland's headquarters has now set up something like a Vietnamese-American intelligence-processing factory, capable of handling several tons of captured documents and several hundreds of interrogations in a single week. Thus it is no longer a case of blind men fighting men who see all too well, as it was for so many years.

The new eyes of the intelligence can even penetrate main-base areas well enough so that each B–52 strike has proved to have an even chance of finding its pinpoint target of barracks and fortifications within the huge surrounding tract of swamp or jungle or mountain forest. Movements of Viet Cong units are also being swiftly tracked if luck is good and the movements are fairly big. Sometimes we have no luck, as with the recent attack near Saigon. Yet good intelligence enabled Gen. Westmoreland to mount no fewer than eight uniformly successful spoiling operations against long-planned V.C. attacks in a recent period of only a few weeks. Thus another crucial rule is being broken pretty frequently, for both Mao and Giap lay great emphasis on all guerrillas' need to move absolutely unseen, while watching the smallest enemy movement. Inasmuch as such texts as Mao Tse-tung's *On the Protracted War* and Vo Nguyen Giap's *People's War, People's Army* have always had the standing of scripture for both the Viet Cong and the North Vietnamese, the Mao-Giap prescriptions' rather monotonous failure to work nowadays must be a very shaking thing in itself. The Viet Cong soldiers must be greatly shaken too by the failure of their leaders to find substitute prescriptions that work a bit better. Nowadays a Viet Cong battalion commander getting his orders for another surprise-attack-plus-ambush must have the same sinking feeling that the government's province chiefs always used to have when word came in of another predawn assault on an isolated post. For the long pull, an unending diet of many big and little defeats, with only the rarest success to raise the spirits, can in itself prove fatal to the Viet Cong. *The strain of declining morale is already grave, as prisoner interrogations reveal, and this strain is bound to increase if Gen. Westmoreland is allowed to pursue his strategy.*

These are the principal factors that control the present pattern of the fighting in Vietnam. *I would be less confident of their great significance if I had not closely watched the trend of the fighting.* When I visited Vietnam in the spring of 1965, one could easily discern American air power's effects on the Viet Cong. But *it was equally easy to see that air power alone was not enough, and that the V.C. would win during the summer if the President did not commit* U.S. ground troops.

When I visited Vietnam again last September, the full impact of the initial U.S. troop commitment was really beginning to be felt. The fine Marine victory at Chulai had taught the Viet Cong that Americans were not "paper tigers" after all—at any rate, not on the field of battle. The first B–52 raids on the main bases were beginning to show impressive results. It was already clear that the tide had turned, but it was by no means clear as yet how the Viet Cong and their masters in Hanoi would deal with this alarming change.

On the key point there was some divergence between Gen. Westmoreland and the majority of his staff. Westmoreland already suspected that the President had achieved an unintended ambush, and he therefore doubted whether the Viet Cong were free to follow Mao's rules of "advance and retreat." His staff members were almost unanimous in

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expecting the Viet Cong to follow the rules. This was a disturbing prospect, for a return to classical guerrilla fighting was bound to mean American troops endlessly marching through jungle and over mountains in frequently vain pursuit of mere companies of the enemy. Westmoreland's staff asked "whether the people at home would stand for an endless penny-packet war." If there was any way at all to exhaust American patience and fortitude, endless penny-packet war was surely the most likely way.

These worries were shown to be ill-founded in October, in the obstinate battle for the Pleime Special Forces post, and in the subsequent fighting in the Ia Drang valley, which continued into early November. For days on end, with superb courage and endurance, a small band of men of the Special Forces, both American and Vietnamese, took on and hurled back a greatly superior number of troops of the V.C. main forces. When the Pleime outpost had been relieved at last, the scene shifted to the Ia Drang Valley. Here the men of the 1st Air Cavalry engaged an entire North Vietnamese division, composed of the 32nd regiment, the 33rd regiment, and the 66th regiment, with two V.C. main-force regiments in occasional support. Even by mid-October the number of American combat troops on the ground was not large, and Maj. Gen. Harry Kinnard, commander of the 1st Air Cavalry, could not afford to overcommit his vital division. Hence he never put into the line more than two battalions-plus, the battalions in combat being rotated by helicopter as the fighting went on. On our side, therefore, we did not have as much as a full regiment engaged at any one time, whereas the enemy had three regiments always engaged, with two more to aid them.

As must happen, alas, in battle, 275 men of the Air Cavalry were killed in the weeks the action lasted. But we have since captured the enemy's complete battle plans, and we also have a post-battle critique by the North Vietnamese commander on the scene, who has the pseudonym of Gen. Bai Quan. This evidence reveals that in this single battle the enemy lost the staggering total of 5,000 killed and severely wounded, as well as almost all his heavy weapons. By any test this victory against such odds was a shining feat of U. S. arms, all the more noteworthy because these were near-green American troops.

After the Ia Drang valley no one could any longer believe in an intended Viet Cong pull-back to low-level guerrilla activity. If the V.C. could not or would not pull back, it was clear that they would have to try to go forward. Furthermore, there was increasing evidence of a massive, continuing invasion of South Vietnam by North Vietnamese regulars coming down the Ho Chi Minh trail. Reconnaissance also revealed that the North Vietnamese were urgently improving the trail to make it a truckable highway.

In November, therefore, Hanoi's apparent intention to reinforce the Viet Cong to the utmost led Gen. Westmoreland's staff to make carefully revised estimates of the enemy's maximum capabilities—the maximum military buildup the North Vietnamese government and the V.C. second government could achieve and support. These estimates projected a continuous growth of the enemy main forces in South Vietnam at the rate of two regiments per month until the end of 1966. In other words, the main forces, which had a strength equivalent to 10 divisions when the President committed U.S. troops, were projected to grow to a strength equivalent to about 18 divisions before next New Year's Day.

This projection by Gen. Westmoreland's staff was presented to Secretary of Defense McNamara when he visited Saigon at the end of November. It of course implied a need for a good many more American troops to match the enemy's expected increase of strength. For this reason the new estimates caused a panic in Washington when Secretary McNamara brought them home. Out of the panic grew the President's peace offensive, the pause in the bombing of the North, and other manifestations that presumably helped to renew the Hanoi leaders' slumping faith in their basic theory of American weakness of will. The question remains whether the panic was justified. I think it was wholly unjustified.

My chief reason is based on the situation I discovered when I returned to Vietnam for my most recent visit in February. On the one hand, all was far from perfection on our side. The stability of the South Vietnamese government could certainly not be taken for granted. And the President's hesitant and intricate methods of war-making, combined with the manifestoes of the war's senatorial and other critics, had deprived our men of the absolute confidence in their support at home that American troops in combat always ought ideally to have. On the other hand, however, these imperfections, though serious enough, were powerfully counterbalanced by the situation of the Viet Cong.

The refugee flow from the V.C. areas was increasing; by the end of February the total was nearing 800,000 men, women and children, or close to one-sixth of the population that the V.C. had controlled at their high point. Viet Cong propaganda was already publicly denouncing the refugee movement as an imperialist plot to diminish the rice supplies available to the second government's tax collectors. There were symptoms that the V.C. second government's available pool of conscripts had already begun to dry up in more than one province. In Gen. Westmoreland's highly successful Masher-White Wing operation, the two prime-target regiments, the 18th of the North Vietnamese 325th division and the 2nd V.C. main-force regiment, had come south into Bindinh province with the primary intention of taking the offensive—instead they were so badly knocked about that they were put out of action for several months. But P.O.W. interrogations revealed that these regiments' southward move from Quangngai province had the secondary purpose of securing badly needed replacements, since the press gangs had been coming back almost empty-handed.

When I went down to the delta town of My Tho, I discovered the sad plight of the most famous V.C. provincial battalion in Vietnam, called by Hanoi radio the "Ever Victorious Ap Bac Battalion" in memory of a smashing success in the past. The "Ever Victorious" had just suffered two drubbings within two months by the local South Vietnamese troops. Furthermore—and much more revealing—the battalion was now afflicted, according to a large number of defectors, with a desertion rate well above 60 percent per year. Each province in Vietnam is markedly different from the next province, and symptoms in Quangngai and in Dinhtuong, the stamping ground of the "Ever Victorious," must never be exaggerated into nationwide symptoms, yet all this evidence was pretty impressive nonetheless.

The provincial evidence and the immense refugee movement were impressive, above all, because they had no precedents. Even more impressive, and equally unprecedented, was the evidence of the many battlefields. Until hardly more than a year ago, just one Viet Cong prisoner of war or battlefield deserter was so rare a phenomenon that Saigon would be agog about him for days on end, and it was also a real cause for celebration if as many as four or five enemy dead were found on the field of battle. Even today the V.C. and North Vietnamese have not altered the battlefield discipline that requires all killed and wounded to be carried away by their comrades, any more than they have changed their rules against desertion. After the Chulai fight, a couple of hundred Viet Cong corpses were found hidden in a trench where they had been dragged with butchers' meat hooks. More recently, V.C. P.O.W.'s have turned up with loops attached to their clothing to make dragging easier in case of need—*a prebattle precaution which must surely raise fighting spirit in a wonderful manner.* Thus while others might be unimpressed, I, remembering the quite recent past, was left all but incredulous by *the almost daily body counts of enemy dead abandoned on the battlefield,* and by the constant news of prisoners of war and battlefield deserters.

It is also worth noting that in the two months of January and February, the body counts reached a grisly cumulative total of 7,352 enemy dead. This means that the true total of enemy killed in action was certainly above 10,000, for although counts made in combat must be discounted for accidental duplication, a big addition must also be made for enemy dead dragged away in continuing compliance with the old discipline. It is also conservative to assume that the total of the enemy's disablingly wounded was double the total of those killed. Hence the overall figure for enemy dead and disabled in January and February alone was probably above 30,000. To this must be added 1,100 P.O.W.'s and battlefield deserters—the latter being troops who seize the opportunity of battle to squat down in a ditch until they are overrun by our men. To be sure, not more than half these heavy V.C. losses were soldiers of the main forces, for many were porters, guerrillas, local-force troops and even civilians impressed as temporary porters. But even so, it was abundantly clear that the main forces were being very badly knocked about. This was all the more striking because *the Ia Drang experience had taught the Viet Cong and North Vietnamese commanders not to court any more set-piece battles.* Engaging main forces had therefore become more difficult, since they in most cases had first to be sought out. Altogether the "seek out and destroy" strategy struck me as succeeding beyond all expectations. What is more important, this opinion was—and is—shared by Gen. Westmoreland.

If you look at this war's military aspect without regard to such political factors as instability in Saigon, or hesitancy in Washington to give full backing to Gen. Westmoreland, you have to conclude that the situation is full of promise. To be sure, the enemy is still reinforcing at about the rate projected in the November estimates. To be sure, the very fact that the enemy is still reinforcing means that clearly he intends to use his reinforcements in battle. So there is hard fighting still ahead. But if you make a practical analysis of the V.C. second government's problems, you are driven to conclude that the present enemy reinforcement is like one of those last high raises that losing players sometimes make to frighten their opponents out of a poker game.

The limit on the number of troops the North Vietnamese Communists can send southward is not yet in sight, but the limit is quite clearly in sight on the number of troop units the V.C. second government can sustain in the South. This is why it is wrong to talk about an "unlimited war," and this is also the main reason for believing that we are confronted with something like a desperate last high raise in poker. If you examine the projection of enemy-troop buildup made by Gen. Westmoreland's staff, you find, first of all, that most of the buildup is accounted for by a very large additional invasion of the South by North Vietnamese. This is risky in itself, since many of the southern rank and file of the Viet Cong much resent the overt northern takeover in the South. Second, you find a very puzzling anomaly, in the form of a great increase in the burden of the already overburdened V.C. second government. In the spring of 1965 the strain of supporting main forces of a strength of 10 divisions was already severe. If the enemy buildup continues until the end of this year as projected by the Westmoreland staff, the strain will be nearly twice as great, for the V.C. second government will be supporting main forces of the strength of 18 divisions. All the strictly military personnel of the main forces are now coming from North Vietnam—but this was already the case in 1965. But now, on the one hand, the V.C. second government has a reduced productive and manpower base, primarily because of the refugee movement. And on the other hand, if the buildup continues as projected, the second government is eventually going to have to provide the main forces with nearly twice as much rice each month, with at least double the number of men to fill gaps in the regimental ranks, and with close to double the number of men or women (for women are now being drafted for this purpose) to serve in the porter battalions and the longer range transport detachments. If the strain was already severe in the spring of 1965, what then will be the strain on the V.C. second government by December, 1966?

The answer, I think, is that the present enemy reinforcement has behind it a truly desperate decision—a decision, in fact, to throw in all remaining reserves, and to consume all the remaining stocks of food and other supplies still cached in the main bases, to make one final try for victory. If this be true, we are indeed confronted with a last high raise. And the maker of a last high raise always loses the game if another player has the resources and the courage to call and raise again.

I believe that we in America have the needed courage, as I know we have the needed resources. To this hopeful observation, however, I must add two brief footnotes. First, a warning is needed concerning that phrase "losing the game." When and if Gen. Westmoreland succeeds in breaking the enemy's main forces, the big war in Vietnam will be over, and the game will really be won. Breaking the main forces will break most of the V.C. power in the countryside. It will not break *all* the V.C. power, however. A little war of mopping-up operations, costing few casualties and needing fewer troops, but troublesome and ugly all the same, may therefore continue for a considerable period. By method and determination, that little war can be won in the end in South Vietnam. But the war planners in Hanoi will still be the masters of the V.C. remnants of the South. They will still have the power to end all fighting by calling home their men. And the prime reason for maintaining a stern, persistent, though not irrational, bombing pressure on North Vietnam is to teach the lesson that the call-home order had better be given as soon as the big war in the South is decisively lost.

Second, despite the hopefulness of the military situation, the war can perhaps be lost somewhere in the dark labyrinths of Saigon politics. Despite all the positive factors, this warning must be reiterated, and the need for American patience with the vagaries of Vietnamese politics must be emphasized. For close on a century before 1954, the Vietnamese had no experience of self-government. Under Ngo Dinh Diem, they then made considerable progress. As authoritarian governments go, the Diem regime was worthy of considerable respect—far more respect, certainly, than the dogmatic, harsh and gloomy Communist regime in the North—but under Diem, the Vietnamese got their bellyful of authoritarian government in Saigon. A long period of sometimes wild cut-and-try is therefore unavoidable, before the Vietnamese find the mode of government that suits their traditions, habits and outlook. There is nothing to worry about in that—so long as they do not stab themselves in the back during one of the wilder cut-and-tries. For the long pull, moreover, South Vietnam is one of the very richest countries in Asia, with an industrious and talented people who have been forcefully dragged into the 20th century by all the technological lessons of their bitter war experience. So I have no patience with those who ask, "What shall we have in South Vietnam, even if we win?" Every sort of basic factor promises a good future if the suffering people of South Vietnam can only be granted peace at last. If that time comes, moreover, the United States cannot only take the satisfaction of a stronger nation that has rendered loyal service to a weaker ally, we in our country can also sleep more easily in our own beds. For if the northern Communist aggression against South Vietnam is not successfully defeated, there will be another such aggression, and another, and another, until men begin to say, "The line must be drawn somewhere." And thus the Third World War may begin, and that is what we are now fighting to avert.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Gonzalez (at the request of Mr. Boggs), for Tuesday, Wednesday, and Thursday, May 31, June 1 and June 2, on account of official business.

Mr. Hanna (at the request of Mr. Boggs), for today and tomorrow, on account of official business.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. Cahill (at the request of Mr. Horton), for 10 minutes, today; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Rosenthal, notwithstanding the cost is estimated by the Public Printer to be $234.

(The following Members (at the request of Mr. Horton) and to include extraneous matter:)

Mr. Ayres.
Mr. Saylor.
Mr. Reinecke.

(The following Members (at the request of Mr. Matsunaga) and to include extraneous matter:)

Mr. Cooley.
Mr. Garmatz.

ADJOURNMENT

Mr. MATSUNAGA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 21 minutes p.m.) the House adjourned until tomorrow, Friday, May 27, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2433. A communication from the President of the United States transmitting a draft of proposed legislation to revise the Federal election laws, and for other purposes (H. Doc. No. 444); to the Committee on House Administration, and ordered to be printed.

2434. A communication from the President of the United States transmitting amendments to the request for appropriations for the legislative branch for fiscal year 1967 (H. Doc. No. 445); to the Committee on Appropriations, and ordered to be printed.

2435. A letter from the Comptroller General of the United States, transmitting a report of compilation of General Accounting Office findings and recommendations for improving Government operations, fiscal year 1965 (H. Doc. No. 446); to the Committee on Government Operations, and ordered to be printed.

2436. A letter from the Assistant Secretary of Defense (Installations and Logistics) transmitting a report on Department of Defense procurement from small and other business firms for July 1965–March 1966, pursuant to the provisions of section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

2437. A letter from Congressmen Dante B. Fascell, Donald M. Fraser, Joseph Y. Resnick, Albert Quie, James D. Martin, Howard W. Robison, Representatives to Conference on International Cooperation, transmitting a report on the participation during 1965 of the United States in the activities of the International Cooperation Year (ICY); to the Committee on Foreign Affairs.

2438. A letter from the Comptroller General of the United States, transmitting a report of review of efforts to have borrowers refinance their Government loans when private or cooperative credit becomes available, Farmers Home Administration, Department of Agriculture; to the Committee on Government Operations.

2439. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Va., and for other purposes; to the Committee on Interior and Insular Affairs.

2440. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize the Commissioners of the District of Columbia to establish, or cooperate in the establishment of, a laboratory for the testing of materials, and for other purposes; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FRIEDEL: Committee on House Administration. House Resolution 855. Resolution providing for an additional clerk for all House Members; with amendment (Rept. No. 1556). Ordered to be printed.

Mr. KEOGH: Committee on Ways and Means. H.R. 10. A bill to amend the Internal Revenue Code of 1954 to permit pension and profit-sharing plans to provide contributions or benefits on a nondiscriminatory basis for certain self-employed individuals without special limitations on the amount of contributions; with amendment (Rept. No. 1557). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES:

H.R. 15299. A bill to amend the veterans' educational assistance program in title 38 of the United States Code to provide for payments to certain veterans who obtained their education before June 1, 1966; to the Committee on Veterans' Affairs.

By Mr. BLATNIK:

H.R. 15300. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit; to the Committee on Banking and Currency.

H.R. 15301. A bill to protect children and others from accidental death or injury by amending the Federal Food, Drug, and Cosmetic Act with respect to aspirin intended for children, safety closures on drug containers, and cautionary labeling of containers of articles subject to the act where necessary to that end, and by amending the Federal Hazardous Substances Labeling Act to ban hazardous toys and articles intended for children, and other articles so hazardous as to be dangerous in the household regardless of labeling, and to apply to unpackaged articles intended for household use, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 15302. A bill to provide that tires sold or shipped in interstate commerce for use on motor vehicles shall meet certain safety standards; to the Committee on Interstate and Foreign Commerce.

By Mr. DON H. CLAUSEN:

H.R. 15303. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. EDWARDS of California:

H.R. 15304. A bill to authorize the Secretary of Agriculture to sell the Pleasanton Plant Materials Center in Alameda County, Calif., and to provide for the establishment of a plant materials center at a more suitable location to replace the Pleasanton Plant Materials Center, and for other purposes; to the Committee on Agriculture.

By Mr. GROVER:

H.R. 15305. A bill to establish a U.S. Department of Maritime Affairs; to the Committee on Government Operations.

By Mr. IRWIN:

H.R. 15306. A bill to amend title 10, United States Code, to provide that members of the Armed Forces shall be retired in the highest grade satisfactorily held in any armed force, and for other purposes; to the Committee on Armed Services.

By Mr. JACOBS:

H.R. 15307. A bill to amend the Internal Revenue Code of 1954, to authorize and facilitate the deduction from gross income by teachers of the expenses of education (including certain travel) undertaken by them, and to provide a uniform method of proving entitlement to such deduction; to the Committee on Ways and Means.

By Mr. LEGGETT:

H.R. 15308. A bill to authorize a separate sleeve insignia for Merrill's Marauders, a volunteer unit of the U.S. Army that served in the China-Burma-India theater of operations during World War II; to the Committee on Armed Services.

H.R. 15309. A bill to amend title III of the National Housing Act, to increase the funds available to the Federal National Mortgage Association for its secondary market operations; to the Committee on Banking and Currency.

By Mr. McVICKER:

H.R. 15310. A bill to amend title 10, United States Code, to authorize the award of exemplary rehabilitation certificates to certain individuals after considering their character and conduct in civilian life after discharge or dismissal from the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. MILLS:

H.R. 15311. A bill to amend the Social Security Act to provide for expansion and development of social work manpower training; to the Committee on Ways and Means.

By Mr. REES:

H.R. 15312. A bill to provide for the establishment of the Joseph H. Hirshhorn Museum and Sculpture Garden, and for other purposes; to the Committee on Public Works.

By Mr. SISK:

H.R. 15313. A bill to amend title 32, United State Code, to clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

By Mr. WHITTEN:

H.R. 15314. A bill to authorize an additional 41,000 miles for the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. WYDLER:

H.R. 15315. A bill to amend title 39, United States Code, to change the positions of city or special carrier and special delivery messenger (KP–11), distribution clerk (KP–12), and window clerk (KP–13) from salary level 4 to salary level 5 of the Postal Field Service Schedule; to the Committee on Post Office and Civil Service.

By Mr. ASPINALL (by request):

H.R. 15316. A bill to authorize the Secretary of the Interior to enter into contracts for scientific and technological research, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BURLESON:

H.R. 15317. A bill to revise the Federal election laws; and for other purposes; to the Committee on House Administration.

By Mr. CURTIS:

H.R. 15318. A bill to amend title 18 of the United States Code to protect the constitutional rights of mentally incompetent persons committed thereunder, and for other purposes; to the Committee on the Judiciary.

By Mr. DULSKI:

H.R. 15319. A bill to authorize the Postmaster General to relieve postmasters and other employees for certain losses resulting from improper, or incorrect payments; to the Committee on Post Office and Civil Service.

By Mr. EDWARDS of Louisiana:

H.R. 15320. A bill to amend the Land and Water Conservation Fund Act of 1965 to prohibit entrance, admission, and user fees at fish and wildlife refuges and similar areas; to the Committee on Interior and Insular Affairs.

By Mr. GARMATZ:

H.R. 15321. A bill to authorize the Secretary of the Interior to establish the Constellation National Historic Site, in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HALPERN:

H.R. 15322. A bill to provide for the establishment of a permanent commission on aircraft noise abatement problems, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HARVEY of Michigan:

H.R. 15323. A bill to enlarge the home mortgage purchase authority which the Federal National Mortgage Association may exercise in its secondary market operations by increasing the amount of preferred stock which such association may issue for delivery to the Secretary of the Treasury; to the Committee on Banking and Currency.

By Mr. HELSTOSKI:

H.R. 15324. A bill to amend the National Defense Education Act of 1958 to permit Federal grants for equipment for the teaching of, and for institutes for teachers of, music and art; to the Committee on Education and Labor.

H.R. 15325. A bill to amend the Manpower Development and Training Act of 1962, as amended, to provide for special programs for older workers; to the Committee on Education and Labor.

H.R. 15326. A bill to amend Public Law 815, 81st Congress, to provide temporary assistance where public school buildings are destroyed by natural causes; to the Committee on Education and Labor.

H.R. 15327. A bill to amend title 18 of the United States Code to prohibit the use of contributions made to Members of Congress for personal purposes; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 15328. A bill to amend the Civil Service Retirement Act to provide equality of treatment with respect to the survivor annuitants of male and female employees, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MATHIAS:

H.R. 15329. A bill to authorize the Secretary of the Interior to establish the Constellation National Historic Site, in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MILLS:

H.R. 15330. A bill relating to the income tax treatment of installment sales when a taxpayer changes from the accrual to the installment basis of reporting profits; to the Committee on Ways and Means.

By Mr. ROBISON:

H.R. 15331. A bill to amend the Communications Act of 1934 to extend and enlarge the program of grants for educational television broadcasting facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. SWEENEY:

H.R. 15332. A bill to establish a free guide service for the U.S. Capitol Building; to the Committee on House Administration.

By Mr. TODD:

H.R. 15333. A bill to provide that expenditures made in connection with certain structures and facilities in the city of Albion, Mich., may be counted as local grants-in-aid toward an urban renewal project in accordance with title I of the Housing Act of 1949; to the Committee on Banking and Currency.

By Mr. WHALLEY:

H.R. 15334. A bill to amend title 39, United States Code, with respect to mailing privileges of members of the U.S. Armed Forces and other Federal Government personnel overseas, to extend such mailing privileges to voice recordings of personal messages, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FOUNTAIN:

H.R. 15335. A bill to amend the act entitled "An act to establish an Advisory Commission on Intergovernmental Relations," approved September 24, 1959; to the Committee on Government Operations.

By Mrs. DWYER:

H.R. 15336. A bill to amend the act entitled "An act to establish an Advisory Commission on Intergovernmental Relations," approved September 24, 1959; to the Committee on Government Operations.

By Mr. BATES:

H.J. Res. 1149. Joint resolution to authorize the President to proclaim National Ceramic Hobby Day; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.J. Res. 1150. Joint resolution to authorize the President of the United States to proclaim August 28, 1966, as Polish Millennium Day; to the Committee on the Judiciary.

By Mr. KING of California:

H.J. Res. 1151. Joint resolution to request the President to negotiate with the Mexican Government for the purpose of setting up a Joint United States-Mexican Commission to investigate the flow of marihuana, narcotic drugs, and dangerous drugs between the United States and Mexico; to the Committee on Foreign Affairs.

By Mr. RONCALIO:

H.J. Res. 1152. Joint resolution expressing the intent of the Congress with respect to appropriations for watershed planning for fiscal year 1966; to the Committee on Appropriations.

By Mr. MILLS:

H. Res. 872. Resolution authorizing the printing of additional copies of Public Law 89-97, 89th Congress, the "Social Security Amendments of 1965"; to the Committee on House Administration.

By Mr. RESNICK:

H. Res. 873. Resolution designating Father's Day; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII,

481. The SPEAKER presented a memorial of the Legislature of the State of Maryland relative to the appropriation of funds necessary for the construction of a water impounding dam on the North Fork of the Potomac River on the Maryland-West Virginia border; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BELL:

H.R. 15337. A bill for the relief of Leonard Alfred Brownrigg; to the Committee on the Judiciary.

By Mr. CALLAN:

H.R. 15338. A bill for relief of Peony Park, Inc., and others; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.R. 15339. A bill for the relief of Dr. Roman Bijan, his wife, Helena Bijan, and their minor daughters Kristina Bijan and Maria Bijan; to the Committe on the Judiciary.

By Mr. REES:

H.R. 15340. A bill for the relief of Mrs. Lucille Colucci and her minor son, Richard Colucci; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Joint AFL-CIO Maritime Union Position

EXTENSION OF REMARKS

OF

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1966

Mr. ROSENTHAL. Mr. Speaker, under leave to extend my remarks I would like to include in the CONGRESSIONAL RECORD the testimony of Mr. Paul Hall, president of the Seafarers International Union of North America, before the House Committee on Government Operations, of which I am a member, on H.R. 13200, to create a Department of Transportation.

Mr. Hall's statement follows:

JOINT AFL-CIO MARITIME UNION POSITION ON PROPOSALS TO CREATE A DEPARTMENT OF TRANSPORTATION AND TO MAKE THE MARITIME ADMINISTRATION AN INDEPENDENT AGENCY

(Presented by Paul Hall, president, Seafarers International Union of North America, before the House Committee on Government Operations, Washington, D.C., May 19, 1966)

My name is Paul Hall. I am the president of the Seafarers International Union of North America but the views I am about to express today, with respect to the proposed Department of Transportation, represent the views of all AFL-CIO maritime unions affiliated with the AFL-CIO Maritime Trades Department, the AFL-CIO Metal Trades Department and the AFL-CIO Maritime Committee.

I am therefore here today as a spokesman for virtually all of American maritime labor—both licensed and unlicensed.

Moreover, I might add that other AFL-CIO transportation unions in the airline, railroad and highway carrier fields have endorsed the views I am about to present, and have pledged us their support, just as we in turn have pledged our support to their respective positions regarding the Department of Transportation.

I might also add that certain of our views, as I will note later in this presentation, have been endorsed by the full AFL-CIO, so that with respect to these views we carry into these hearings the support of the entire organized American labor movement.

Now with respect to the Department of Transportation, I shall not attempt here to discuss all of the proposals made by the President in the Transportation Message which he sent to the Congress last March 2nd.

Discussions of those proposals which relate to other modes of transportation—air, rail and highway—I shall leave to the appropriate persons in those fields, and I shall confine my discussion to those proposals which relate directly to the maritime industry.

To begin with, I might note that the President's Transportation Message, while calling for the inclusion of the Maritime Administration in the Department of Transportation, and while setting forth a number of general proposals for improving water transportation, leaves unanswered many basic questions regarding maritime's position in the proposed department.

I might also note that the identical legislation which has been introduced in the Senate and House to implement the President's recommendations—S. 3010 by Senator MAGNUSON and H.R. 13200 by Congressman HOLIFIELD—similarly leave unanswered the same basic questions.

Neither the Transportation Message, in fact, nor the legislation which is now being considered by this committee, is specific about maritime's position in the new department, about the functions and duties of the Maritime Administration within the department, or about what future Federal maritime policy will be—a matter with which maritime labor is extremely concerned.

In fact, if one studies the proposed structure of the Department of Transportation, as reported by the *Congressional Quarterly* of March 25, 1966, and appended here as *Exhibit No. 1*, one will note that all we really have here is a brief sketch of a new and mammoth Federal department within which the present Maritime Administration could very easily become lost in a bureaucratic maze.

The chart indicates, for example, that the proposed department will have a Secretary, an Undersecretary, four Assistant Secretaries (one of whom will be an Assistant Secretary for Administration) and a General Counsel. But the functions of these officers are not delineated, nor are the lines of communication and responsibility between them and maritime clearly drawn.

What, in other words, is the channel of communication between maritime, at the bottom of this structure, and the Assistant Secretaries, Undersecretary, Secretary, and finally the President himself, at the top? Neither the chart, the Transportation Message nor the proposed legislation makes this clear.

Nor do either the Transportation Message or proposed legislation make clear a number of other matters. The President stated in his Transportation Message that the proposed department would embrace the Maritime Administration, but there is no clear indication in either the message or the legislation as to how the Maritime Administration will be constituted, what policies it will promote, or how much independence it will have in the promotion of these policies.

Certainly, with regard to policy, all of our past experience has taught us that whenever jurisdiction over maritime affairs has been delegated to Federal departments or agencies whose primary concern has *not* been the merchant marine, the merchant marine has suffered, and with it the nation which should be the beneficiary of the contributions which the merchant marine can make to its commerce and security.

This has been true whenever maritime affairs have been in the hands of the Department of Agriculture, the Department of Defense, the Department of State or other Federal Departments and agencies. It is true in the present instance, in which the Maritime Administration occupies a subordinate position within the Department of Commerce, and there is every reason to believe it would be true in the Department of Transportation, particularly since the role of the Maritime Administration is not clearly defined, nor are the lines of responsibility clearly drawn.

In light of this we feel very strongly that maritime would be completely swallowed up within the mammoth, complex structure of the proposed department, that maritime concerns would be shunted aside or pigeonholed in a bureaucratic web, and that no proper representation would be given to maritime's interests which in many respects are far different from those of other forms of transportation.

The merchant marine, it must always be remembered, differs from other modes of transportation—except possibly the airlines—in that its operations are international in scope. In a sense, it is a political instrument, as well as an economic instrument and an instrument of our national defense, and each of these roles must be given its full share of consideration in the determination of maritime policy and the administration of maritime affairs.

In the proposed Department of Transportation, we strongly feel, none of these roles of the merchant marine would be given their full and proper consideration, and neither the best interests of the merchant marine nor the nation would be served.

The merchant marine, we believe, would have a far better chance for survival and growth if its affairs were under the jurisdiction of a Federal agency whose sole concern was maritime.

For this reason, we strongly oppose inclusion of the Maritime Administration in the Department of Transportation and urge that the Maritime Administration be removed from the Department of Commerce and reestablished as an entirely independent and autonomous agency. And in this position, I might note, we are not only being supported by other AFL–CIO transportation unions, but by the entire AFL–CIO which endorsed the concept of an independent Maritime Administration in Resolution No. 217 unanimously adopted at the AFL–CIO convention in San Francisco in December of last year, and appended as *Exhibit No. 2*.

Our reasons for favoring an independent and autonomous Maritime Administration are as follows:

1. The Maritime Administration now has no independent power and must compete with other programs administered by the Department of Commerce. Thus, the Merchant Marine Act of 1936 has not been properly administered and the inevitable result has been the decline of the American merchant marine. Putting Marad in a Department of Transportation would not alter this situation.

2. The creation of an independent agency to administer this country's maritime laws would focus greater attention on our decaying fleet, and the ultimate objective of revitalizing the industry and enabling the United States to meet its foreign commerce needs and defense commitments pursuant to the policy set forth in the Merchant Marine Act of 1936.

3. The present structure of the agency constitutes an inconsistency in government organization since, whereas the Federal Aviation Act of 1958 created the Federal Aviation Agency, thus giving independent status to aviation, the promotional activities of the merchant marine—as well as administration of the subsidy program—were buried within the Department of Commerce by Reorganization Plan No. 7 of 1961. Also, subsidy functions of the Civil Aeronautics Board are *not* to be included in the new Department of Transportation but the maritime subsidy functions *will* be included.

4. The Merchant Marine Act of 1936 provided for a five-man independent Maritime Commission, to be appointed by the President with the consent of the Senate. The Commission functioned independently and conducted a survey which resulted in a long-range program of shipbuilding designed to provide some 500 new ships over a ten-year period. It was during this time that the "C" type vessel was designed for the carriage of cargo, and the passenger liner *S.S. America* was built. During the Commission's existence, between 1936 and 1950, an unprecented strengthening of our merchant marine took place.

5. The Maritime Subsidy Board cannot now function independently as intended by the Act of 1936 since its decisions are subject to review and veto by the Secretary of Commerce. An independent maritime agency, with a stronger and more independent Maritime Subsidy Board, would serve to cure these ills.

We are aware, of course, that some 11 different bills have already been introduced to make the Maritime Administration an independent agency, but while we favor the intent of these bills, we do not feel that any of them would provide us with the type of independent Maritime Administration which we really need. This is particularly true because none of the bills separate the quasi-judicial subsidy functions of the Maritime Administration from purely promotional and administrative functions and it is our strong feeling that the interests of the maritime industry would best be served by giving independence to the Maritime Subsidy Board.

The value of separating subsidy functions from other functions has already been recognized in other areas—as in the case of the CAB which we have just cited—and it is our strong feeling that subsidy determinations are so important to the maritime industry that those charged with the responsibility for these determinations should be absolutely free to reach their decisions on the basis of the merits of the case, without regard to other considerations and without the overriding of their decisions by some other person who may be influenced by other considerations.

For this reason, we have drafted our own proposed legislation calling for the establishment of an independent Federal Maritime Agency, and a copy of this proposed bill is appended as *Exhibit No. 3*.

The manner in which our proposed bill would alter existing legislation is shown in *Exhibit No. 4*.

As can be seen from a study of these two exhibits, our proposed bill would not only establish an independent and autonomous Federal Maritime Agency, but within that agency the Maritime Subsidy Board would be a relatively independent body composed of the Maritime Administrator and two other members appointed by the President with the advice and consent of the Senate.

The Board would have complete and final authority to pass upon all matters related to construction and operating subsidies, and the affirmative votes of any two members of the Board would be sufficient for the disposition of any matter which comes before it. No single Board member, including the Maritime Administrator, in other words, would have the power to override the decisions of the other two Board members, nor would any other official.

The Maritime Administrator would also be appointed by the President with the advice and consent of the Senate, and he would be appointed with due regard for his fitness for the efficient discharge of the powers and duties vested in and imposed upon him by the bill. Previous employment by or previous pecuniary interest in any business or union associated with the maritime industry would not constitute a bar to appointment as Administrator. A Deputy Maritime Administrator, appointed by the Administrator under the classified civil service, is also provided for by our bill. The Deputy Administrator would at no time sit as a member or acting member of the Maritime Subsidy Board.

Thus, our bill would solve four of the most pressing problems now confronting the present Maritime Administration within the Department of Commerce:

1. It would establish a completely independent and autonomous Federal Maritime Administration.

2. It would establish a strong and independent Maritime Subsidy Board within the Maritime Administration, whose rulings would not be subject to veto by another agency or higher official.

3. By establishing such a Maritime Subsidy Board, it would separate within the Maritime Administration quasi-judicial subsidy matters from purely administrative and promotional matters. Yet a close liaison between the two functions would be maintained because the Maritime Administrator would be Chairman of the Board.

4. It would provide for the appointment of a strong Maritime Administrator who could devote a good portion of his time to promoting the merchant marine. Previous experience in the industry, either management or business experience, would not be a bar to his appointment as Administrator, and such experience could be considered as an asset.

EXHIBIT NO. 1

PRESENT STRUCTURE OF EXECUTIVE TRANSPORT AGENCIES

- President:
  - Interior Department.
    - Alaska Railroad.
  - Commerce Department.
  - U.S. Travel Service.
  - St. Lawrence Seaway Development Corporation.
  - Undersecretary for Transportation.
    - Great Lakes Pilotage.
    - Maritime Administration.
    - Bureau of Public Roads.
    - Emergency Transportation.
  - General Services Administration.
  - State Department.
  - Housing and Urban Development Department.
  - Treasury Department.
    - Coast Guard.
  - Federal Aviation Agency.
  - Defense Department.
    - MAC.
    - MSTS.
    - MTMTS.
    - Corps of Engineers.

PROPOSED DEPARTMENT OF TRANSPORTATION

- President:
  - Secretary, Undersecretary.
    - Staff Offices.
    - National Transportation Safety Board.
    - General Counsel.
    - Assistant Secretary.
    - Assistant Secretary.
    - Assistant Secretary.
    - Assistant Secretary.
    - Assistant Secretary for Administration.
    - St. Lawrence Seaway Functions.
    - Rail Functions.
    - Highway Functions.
    - Maritime Functions.
    - Coast Guard Functions.
    - Aviation Functions.

EXHIBIT NO. 2

AMERICAN MERCHANT MARINE AND MARITIME POLICY: RESOLUTION NO. 217

(Text of American Merchant Marine & Maritime policy adopted by AFL-CIO convention)

Whereas, The Merchant Marine Act of 1936 sets forth the intent of Congress that the United States shall have an American-flag merchant fleet capable of carrying a substantial portion of our waterborne commerce and of serving as a naval or military auxiliary in time of war or national emergency.

Whereas, Despite the intent of the 1936 Act, our American-flag merchant marine has continued to decline in terms of the number of ships, in terms of the percentage of our cargoes carried by these vessels, and in terms of job opportunities for merchant seamen, shipbuilders and other workers in the maritime industry. As a result, the American merchant marine today cannot meet the criteria of the Merchant Marine Act; it is not adequate to fulfill its responsibilities as an arm of our national defense, a factor in our economy or as a productive symbol of America's position of world leadership.

Whereas, This is being most strikingly demonstrated in the current Viet Nam emergency in which, as a result of increased shipping needs, our Government has turned to foreign flag ships, not only to fulfill its commercial commitments, but to carry military cargoes as well.

Whereas, The decline of the American flag fleet has taken place largely because the executive departments and agencies of the Federal Government have failed to implement the Congressional mandate set forth in the 1936 Act, and because budgetary expediencies, rather than national need, have been allowed to dominate maritime programs.

Whereas, The Soviet Union meanwhile—recognizing the importance of a strong merchant marine to its economic, political and strategic objectives—has been moving rapidly to control the oceans and trade routes of the world, and within a few years is expected to surpass the United States as a maritime power in all areas—passenger liners, freighters, dry bulk carriers and tankers.

Whereas, To meet this crisis in U.S. maritime, and to assure that this nation will have an adequate merchant marine, the President's Maritime Advisory Committee—consisting of representatives of labor, management and the public—has proposed a significant expansion of our merchant marine. Meanwhile, however, a so-called Interagency Maritime Task Force report, prepared by representatives of the same Federal departments and agencies which have been largely responsible for the decline of our fleet is being circulated.

Whereas, The Task Force Report outlines a program which is based primarily on budgetary considerations, calls for a restriction of our merchant marine, and the elimination of major existing safeguards of American flag shipping and shipbuilding. Proponents of the report have given strong evidence that they will attempt to have their views adopted by the President and the Congress as the new national maritime program which the President has indicated he will announce, probably some time early next year.

Resolved, the AFL-CIO reaffirms its support of a strong U.S. flag merchant marine, citizen-owned, citizen-manned and American-built, adequate to the needs of our country in peace and in defense emergencies and, therefore:

1. Endorses the report of the President's Maritime Advisory Committee, calling for a significant expansion of the American flag merchant fleet.

2. Condemns the report of the Interagency Maritime Task Force as dictated only by shortsighted budgetary considerations and inadequate to the national need.

3. Calls for a Congressional investigation to determine the actual state of readiness of the U.S. naval and merchant fleets.

4. Calls for continued efforts to alert Congress to the Soviet maritime menace and to obtain revitalization of the American-flag fleet as rapidly as possible to meet this threat.

5. Calls upon the State Department to re-evaluate its position and support legislation to bar from U.S. commerce foreign-flag vessels which have been trading with North Viet Nam.

6. Calls upon the President and the Congress to resist and reject pressures to eliminate the requirement that at least 50% of the wheat and other grains sold to the Soviet nations be carried in American-flag ships and to assure strict enforcement of all cargo preference requirements.

7. Calls upon the President and the Congress to reject any "Built Abroad" philosophy regarding the building of American-flag merchant vessels and to preserve and strengthen regulations designed to safeguard American-flag, American-built shipping.

8. Supports a naval construction program in U.S. shipyards to assure our continued superiority as the world's leading naval power.

9. Calls for legislation to extend the jurisdiction of the NLRB to cover the crews of runaway-flag vessels in American commerce.

10. Calls for continued efforts to alert Congress and the public to the need for protecting the passengers and crews from hazardous conditions such as existed on the ill-fated *Yarmouth Castle* and calls on Congress to enact pending legislation to reserve cruise operations out of U.S. ports to American-flag vessels, unless unavailable, and to regulate any participation of foreign-flag vessels in these trades by requiring them to comply with U.S. safety standards.

11. Calls upon Congress and the appropriate Federal departments and agencies to enact and implement such measures as will restore the domestic merchant fleet, including those vessels in the coastwise and intercoastal trades, on the Great Lakes, and on our rivers and inland waterways and reaffirm our opposition to any attempt to destroy the protection afforded to domestic shipping by the Jones Act.

12. Supports legislation presently pending in Congress to protect our fishing industry, by extending our present territorial limits from the present three miles to twelve miles.

13. Urges the Government to exert its efforts to bring about early ratification by such nations as are necessary to put into full force and effect the Convention on Fishing and Conserving the Living Resources of the High Seas, as adopted by the United Nations Conference on the Law of the Sea, held at Geneva, Switzerland, February 4, to April 27, 1958.

14. Calls for introduction in Congress of legislation to increase U.S. carriage of our waterborne foreign commerce to the level called for by the Maritime Advisory Committee and support the building in U.S. yards of an adequate number of vessels to achieve this purpose.

15. Affirms our opposition to runaway flag operations and calls for the complete scrapping of the so-called "effective control" concept, and any policies placing reliance on foreign flag ships for the vessel strength essential to U.S. defense and economic requirements.

16. Supports moves to re-establish the Maritime Administration as an independent agency, outside of the Department of Commerce, and to centralize the administration of the cargo preference laws in the Maritime Administration.

17. Supports members of Congress who favor a stronger merchant marine and calls upon the Committee on Political Education of the AFL-CIO to cooperate in this endeavor by including votes on maritime issues in their standards for determining support or opposition to Congressional candidates, and to urge the cooperation of local, central, and state bodies, as well as the various AFL-CIO departments, in order to achieve this objective.

EXHIBIT NO. 3

A bill to amend title II of the Merchant Marine Act, 1936, to create the Federal Maritime Administration, Maritime Subsidy Board, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The Federal Maritime Act of 1966".

SEC. 2. Section 201 of title II of the Merchant Marine Act, 1936, is amended to read as follows:

"SEC. 201. (a) There is hereby established an agency to be known as the Federal Maritime Administration, hereafter in this chapter referred to as the 'Administration', which shall be an independent agency not under any other department, agency, or instrumentality of the executive branch of the Government or under the authority of the head of any such department, agency, or instrumentality.

(b) (1) There shall be at the head of the Administration a Federal Maritime Administrator who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall receive compensation at the rate of $28,500 per annum. The Administrator shall be responsible for the exercise of all powers and the discharge of all duties of the Agency, with the single exception described in Section (3) of this Act. In the exercise of his duties and the discharge of his responsibilities the Administrator shall not submit his decisions for the approval of, nor be bound by the decisions or recommendations by any committee, board or other organization created by Executive order.

(2) The Administrator shall be a citizen of the United States, and shall be appointed with due regard for his fitness for the efficient discharge of the powers and duties vested in and imposed upon him by this chapter. Previous employment by or previous pecuniary interest in any business or union associated with the maritime industry shall not constitute a bar to appointment as Administrator.

"(c) There are hereby transferred to the Administration—

"(1) all functions of the Secretary of Commerce conferred upon him by Reorganization Plan Numbered 21 of 1950 and confirmed as being vested in him by section 202(a) of Reorganization Plan Numbered 7 of 1961.

"(2) all functions of the Secretary of Commerce transferred to him by section 202 (b) of Reorganization Plan Numbered 7 of 1961, except as hereunder provided.

(3) There shall be in the Administration a Deputy Maritime Administrator, who shall be appointed by the Administrator under the classified civil service and who shall perform such duties as the Administrator shall prescribe. The Deputy Maritime Administrator shall be Acting Maritime Administrator during the absence or disability of the Administrator. Such Deputy Administrator shall at no time sit as a member or acting member of the Maritime Subsidy Board.

SEC. 3. (a) There is hereby established the Maritime Subsidy Board, referred to in this chapter as the Board. The Board shall have complete and final authority to pass upon all matters related to construction differential and operating differential subsidy.

(b) There are hereby transferred to the Board—

"(1) all functions of the Secretary of Commerce transferred to him under section 105 (1) (2) (3) (4) (5) by Reorganization Plan Numbered 21 of 1950 and confirmed as being vested in him by section 202(b) of Reorganization Plan Numbered 7 of 1961.

(c) The Board shall be composed of: (1) the Federal Maritime Administrator, who shall serve as chairman; (2) two members appointed by the President with the advice and consent of the Senate for a term of five years, who shall receive compensation at the rate of $28,000 per annum. Of the members appointed under (2), one shall be appointed for a term expiring on June 30, 1970, and one for a term expiring on June 30, 1971. Their successors shall be appointed for terms of five years except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the member of the Board whom he succeeds.

(d) A vacancy in the Board, so long as there shall be two members in office, shall not impair the power of the Board to execute its functions. Any two of the members of the Board shall constitute a quorum for the transaction of the business of the Board and affirmative votes of any two members of the Board shall be sufficient for the disposition of any matter which may come before the Board.

SEC. 4. So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, used, held, available, or to be made available, in connection with the functions transferred to the Federal Maritime Administration and Maritime Subsidy Board by the provisions of this Act as the Director of the Bureau of the Budget determines necessary, shall be transferred to the Federal Maritime Administration and Maritime Subsidy Board.

SEC. 5. Sections 201, 203, and 204 of part II of Reorganization Plan Numbered 21 of 1950, and part II and section 303(c) of Reorganization Plan Numbered 7 of 1961, are hereby superseded by this Act and the amendments made by this Act.

SEC. 6. Nothing in this Act or any of the amendments made by this Act shall be deemed to affect (1) the Federal Maritime Commission established by part I of Reorganization Plan Numbered 7 of 1961, or (2) any of the functions of such commission.

SEC. 7. This Act, and the amendments made by this Act shall take effect sixty days after enactment.

EXHIBIT NO. 4

COMPARISON OF PROPOSED AND PRESENT LEGISLATION: RE STATUS OF MARITIME ADMINISTRATION

BILL PROPOSED BY UNIONS	PRESENT LEGISLATION
1. *Federal Maritime Administration*	1. *Maritime Administration*
A. Autonomous agency (Sec. 2(a))	A. Agency within the Department of Commerce (1950 Reorganization Plan #21, Part II, sec. 201.)
B. Not under outside jurisdiction (Sec. 2(a))	B. Under the jurisdiction of Dept. of Commerce (#21, Sec. 201)
2. *Federal Maritime Administrator*	2. *Maritime Administrator*
A. Head of Federal Maritime Administration (Sec. 2(b)(1))	A. Head of the Maritime Administration (1961 Reorganization Plan #7, Part II, Sec. 201)
B. Appointed by President, by and with advice and consent of the Senate	B. Same (#7, Sec. 201)
C. Salary—$28,500 per annum (Sec. 2(b)(1))	C. Salary—$26,000 per annum (5 U.S.C.A. 2211(e) (89))
D. Responsible for exercise of all powers (Sec. 2(b)(1)) and discharge of all duties of the Administration except those conferred on the Maritime Subsidy Board (Sec. 2(b)(1))	D. Perform those duties prescribed by the Secretary of Commerce (#7, Sec. 201)
E. Final judgment—not bound by the decisions or recommendations of any other group. (Sec. 2(b)(1))	E. Final judgment vested in Secretary of Commerce (#7, Sec. 202)
F. U.S. citizen (Sec. 2(2))	F. No citizenship provision
G. Previous employment by or pecuniary interest in the maritime industry shall not bar appointment (Sec. 2(2))	G. Previous pecuniary interest in, or official relationship with water carrier, shipbuilder, contractor, or other firm, association, or corporation with whom the Maritime Administration may have business relations bar appointment (46 U.S.C.A. 1111(b))
3. *Functions of the F.M. Administrator*	3. *Functions of the Secretary of Commerce*
A. All functions of the Maritime Administration now under the Department of Commerce are transferred to the F.M. Administrator, i.e., making reports and filing accounts, making recommendations to Congress (Sec. 2(c)(1))	A. Same (#7, Sec. 202(a))
B. Maritime Administrator will have ultimate authority over all administrative functions related to the assembling of facts and statistics necessary to enable the Maritime Subsidy Board to consider and act upon applications for construction and operating differential subsidy (Sec. 2(c)(2))	B. Same (#7, Sec. 202(b))
4. *Deputy Maritime Administrator*	4. *Deputy Maritime Administrator*
A. Appointed by the Administrator under the classified civil service (Sec. 2(3))	A. Appointed by the Secretary of Commerce, after consultation with the Maritime Administrator, under the classified civil service (#21, Sec. 203)
B. Performs duties prescribed by the Administrator (Sec. 2(3))	B. Same (#21, Sec. 203)
C. Acting Administrator during absence or disability of Administrator (Sec. 2(3))	C. Same (#21, Sec. 203)
D. May at no time sit as member or acting member of Maritime Subsidy Board (Sec. 2(3))	D. Permanent member of the Maritime Subsidy Board (U.S. Dept. of Commerce, D.O. 117, Sec. 2(.02), April 9, 1962)
5. *Maritime Subsidy Board*	5. *Maritime Subsidy Board*
A. Final authority to act on all construction and operational differential subsidy applications (Sec. 3(a))	A. Final decision and review of Maritime Subsidy Board's actions vested in Undersecretary of Commerce for Transportation (D.O. 117, Amendment 2, Sec. 7, Nov. 5, 1965)
1. Administers all phases of subsidy program now under control of Secretary of Commerce (Sec. 3(b)(1))	1. Administers all phases of subsidy program subject to above—does not have final decision (D.O. 117, Sec. 4)
B. Three member board	B. Three member board
1. F.M. Administrator-Chairman. Two other members appointed by the President, with the advice and consent of Senate (Sec. 3(c))	1. Maritime Administrator-Chairman, Deputy Administrator and General Counsel (D.O. 117, Amendment 1, Sec. 2(.02), June 25, 1962)
a. One member with term expiring June 30, 1970; second member's term expiring June 30, 1971 (Sec. 3(c))	a. No provision for length of term
b. Thereafter appointments shall be made for a five (5) year term. Vacancies will be filled only for the length of unexpired term. (Sec. 3 (c) & (d))	b. Vacancy, absence or disability of member filled by Comptroller, as acting member (D.O. 117, Amendment 1, Sec. 2 (.02))
2. Two members needed for quorum (Sec. 3(d))	2. Same.
3. Salary—$28,000 per annum (Sec. 3(c))	3. Salary—not specified—have G.S. civil service ratings
4. Concurring votes of two members shall be sufficient for disposition of any matter which may come before the Board (Sec. 3(d))	4. Same (D.O. 117, Sec. 2(.02))
6. *Federal Maritime Administration*	6. *Maritime Administration*
A. Ultimate control over funds allocated for its operations (Sec. 4)	A. Ultimate control over funds vested in Sec. of Commerce, who may transfer such funds to the Dept. of Commerce (#7, Sec. 303(c))

The 20th Anniversary of the Republic of Italy

EXTENSION OF REMARKS

OF

HON. PAUL H. DOUGLAS

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Thursday, May 26, 1966

Mr. DOUGLAS. Mr. President, this June 2 will mark the 20th anniversary of the founding of the Republic of Italy. We in this country commend 20 years of democratic government in Italy, and are heartened by the Italian example. At the end of World War II, Italy was a broken land. Fascism had drained the country and children walked the streets hungry. Political discord was rampant and remnants of the Fascist right and Communist left threatened to destroy the new government. But, somehow, out of the chaos and despair the true spirit of the Italian people emerged. Responsible leaders came to the fore, and with the help of the United States, they began building a free and prosperous Italy.

Today Italy is in the forefront of the artistic and industrial surge of the 20th century. The movies of Italy complement the paintings of the old masters and together they enrich the spirit of the entire world. The names Fiat and Olivetti rank with those of Ford and IBM as being the leaders of the international business community. Italian goods are in demand everywhere because of their fine workmanship, and the profits from this flourishing economy have been used to rebuild a war-torn Italy.

America owes a great debt to those of Italian descent in this country, for they have contributed much to our society. Italian-Americans are prominent in every phase of American life and they have willingly fought and died to protect this country. We all share in the pride that the Italian-Americans have for their homeland. And we recognize where long ago a man was proud to say, "I am a Roman," today men are equally proud to say, "I am an Italian."

Naomi Talley Writes a Gem of a Children's Book on Soil Conservation

EXTENSION OF REMARKS

OF

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Thursday, May 26, 1966

Mr. YARBOROUGH. Mr. President, the poet said the child is father of the man, and in no instance is this borne out more meaningfully than in the attitude of the citizen toward preservation and enrichment of the natural environment.

That is why I am particularly proud to recommend a little gem of a book written by a Texas lady who has served her State and the Nation well for many years as a staff member of the Soil Conservation Service of the U.S. Department of Agriculture.

Mrs. Naomi Talley's recently published "To Save the Soil" was written for children so that they might better understand about the land and waters of America, the disasters suffered when the land was ill-used, and what has been done through the efforts of wise conservationists to restore and develop our irreplaceable soil and water resources for the lasting benefit of the American people.

I think adults will gain a lot of useful knowledge from this book, too. Mrs. Talley is a former schoolteacher in Texas who turned to Government service in a field that has required exceptional insight, dedication, and determination to get established conservation practices that have made the land bloom again where it had been laid waste, and that have further enhanced the value of the countryside as a refuge for our rapidly growing urban population.

It is essential, I believe, for the young American to understand how the land and waters of his country have been exploited since the earliest settlements, and the efforts which have been made to advance soil and water conservation as early as the days of Washington and Jefferson. He should understand why there was a Dust Bowl in the thirties, why today once-sparkling streams no longer flow clear, why some of the land he sees in the city or on drives through the countryside is eroded and ugly. He should understand that this damage to the land and waters of America can and must be prevented, and that it must be repaired where it occurs.

The young American should be familiar with the pioneers in soil and water conservation as heroes he can look up to and emulate. Mrs. Talley's book will introduce these pathfinders to many a child and youth. Conservationists like Hugh Hammond Bennett, and many others, are men in whose footsteps the young American can readily follow, for conservation of our natural resources is a continuing responsibility of every citizen. The child who understands this responsibility will assume it throughout his adult life. I believe we can be quite certain of that.

"To Save the Soil" is a valuable contribution to the literature on soil and water conservation because it reaches out to the young American who in the years just ahead must help decide the destiny of his land and its waterways for those who will follow him.

Soil Stewardship

EXTENSION OF REMARKS

OF

HON. HAROLD D. COOLEY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1966

Mr. COOLEY. Mr. Speaker, I take this occasion to salute the Nation's conservationists, who have just completed the observance of National Soil Stewardship Week. These are the people who are consecrated to the protection and improvement of our most vital resource, the soil.

The United States is the best fed nation on earth.

We shall soon assume leadership in a world war on hunger.

This would not be possible had not our farmers long ago accepted the conservation of our natural resources as their responsibility and trust. They have protected and they have improved these resources. Now this country eats well and we have food to share with hungry people in other nations.

I commend the churches and the communities that have participated in National Soil Stewardship Week, and the National Association of Soil Conservation Districts which has led this observance.

Mr. Speaker, in this era of great national concern for the conservation and beautification of our soil, water and woodland resources, the people of rural America generally and traditionally are responding with great enthusiasm.

It is particularly satisfying to me that North Carolina is typical. In the great home State of the late Hugh Hammond Bennett, recognized widely as the father of soil conservation, soil and water conservation work is moving forward impressively.

And the pride of Hugh Bennett, the Soil Conservation Service, continues after 30 years to lead this movement, ever extending its record of technical assistance.

In addition to significant progress in conservation districts and small watershed projects there are other activities in my own congressional district that merit commendation.

For example, it was through the impetus provided by the Wake County Soil Conservation District that the present statewide effort got underway to get utility rights-of-way seeded for erosion control and to provide better wildlife food and habitat.

The Nash County Soil and Water Conservation District, in addition to joining the utility right-of-way project, has undertaken a number of other activities to stimulate local residents in the conservation effort, including the selection of an outstanding conservation farmer each year and holding poster and other contests in the schools.

These efforts are examples of the enduring results our people achieve through imagination, local initiative, and cooperation.

The feasibility of these sound, supplemental local approaches to a universal problem is gratifying. In this case, it is especially fitting that this is so in the State that gave us Hugh Bennett and the first soil conservation district in the world.

GI Bill

EXTENSION OF REMARKS

OF

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1966

Mr. AYRES. Mr. Speaker, I am today introducing a bill to amend the veterans educational assistance program to provide for lump-sum payments to certain veterans who obtained their education before June 1, 1966.

I have long been interested in the enactment of a program of education and training for the so-called cold war veteran. In fact, even before January 31, 1955, the effective date of the President's Executive order terminating eligibility for the Korean GI bill, I introduced H.R. 2962 in the 84th Congress. This was the first cold war GI bill introduced in the House of Representatives. It provided for a program of education and training for veterans of service after February 1, 1955. This measure, of course, did not become public law. It did, however, become the prototype for hundreds of bills on this subject in the years thereafter.

With the escalation of the conflict in Vietnam and the involvement of U.S. troops, the subject of educational benefits for veterans became more popular. Scores of bills were introduced in the 89th Congress. I was no exception and again introduced a bill on this subject, H.R. 11862. Now, the philosophy behind the two previous GI bills, both the World War II and the Korean GI bills, was that the returning veteran required readjustment assistance in making the transition to civil law. My bill, therefore, would have provided educational benefits for those serving after February 28, 1961, which according to Department of Defense spokesmen, was the date our mission in Vietnam became combat rather than advisory.

Had this date been selected in the bill which eventually became law, there would have been no inequities created. The new law, however, granted eligibility for education to those who had served 6 months since January 31, 1955.

During the 11-year period since January 31, 1955, thousands of young men were released from military service and then obtained a college education through borrowing money and working at odd jobs. Why did they not wait for a grateful Government to bestow its largess upon them? They did not, because they were informed that they had not served in a war and therefore, no GI educational benefits would be available to them.

These young men, opponents of my bill will tell us, can go to graduate school with the eligibility they have earned. This is true if they can get into graduate schools that are already overcrowded with students who would rather carry text books than an M-1 rifle.

Most of these young men, however, cannot even think of graduate school. They are too busy earning enough money to repay the national defense education loans or other money borrowed to pay for their education.

While those who have waited for the GI bill to obtain their education are receiving from $100 to $150 monthly from the Federal Government, those who have already attained their educational objective are making monthly payments on national defense education loan.

I have received scores of letters, Mr. Speaker, from former servicemen who had the initiative to obtain an education and now are saddled with a large indebtedness as they embark upon their careers. The bill I am introducing will correct this inequity by authorizing a lump-sum payment for education pursued by a veteran after his release from military service in an amount equal to the allowance to which he would have been entitled for education pursued after June 1, 1966.

The text of the bill plus a representative number of the letters I have received on this important matter follow:

A bill to amend the veterans' educational assistance program in title 38 of the United States Code to provide for payments to certain veterans who obtained their education before June 1, 1966

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 34 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"SEC. 1687. Payments with respect to education previously obtained.

"(a) The Administrator shall, upon application made to him on or before the 180th day after the date of enactment of this section by any eligible veterans who pursued a program of education in an educational institution after his discharge or release from any period of active duty by reason of which such veteran is an eligible veteran for purposes of this chapter and before June 1, 1966, pay to such eligible veteran in a lump sum an amount equal to the educational assistance allowances to which such veteran would have been entitled under this chapter if such program of education had been pursued under the provisions of this chapter.

"(b) Any application for a payment under this section shall be in such form and contain such information as the Administrator may prescribe.

"(c) The period of entitlement of any veteran to an educational assistance allowance under the other provisions of this chapter shall be reduced by a period equal to any period with respect to which payments are made under this section."

(b) The analysis of chapter 34 of title 38, United States Code, is amended by adding at the end thereof the following:

"1687. Payments with respect to education previously obtained."

AKRON, OHIO,
April 16, 1966.

Hon. WILLIAM H. AYRES,
Congressman, Ohio 14th District,
Rayburn House Office Building,
Room 2367,
Washington, D.C.

DEAR SIR: Being a veteran of the Navy I read with great interest the article in the Akron Beacon Journal by Robert H. Feldkamp concerning your proposal for an amendment to the recently enacted G.I. Bill. You are to be commended for your concern for the "forgotten" veterans.

The following is a list of information concerning my military and college life:

Name: William T. Leask.

Date of birth: 10/19/38.

Military service: U.S. Navy; induction date, 9/12/56; separation date, 10/20/59; discharge date, 9/11/62.

College: The University of Akron; dates, 9/60 to 9/66; degree; BSEE (Electrical Engineering).

Loans:

New York Higher Education Assistance Corp	$950
National Defense Student Loans	2,003
Personal Loans	300
Total	3,253

I estimate that I earned 80% of my college expenses through part-time and co-operative program jobs.

The G.I. Bill as it presently stands is discriminating against veterans who had the initiative to make it through college on their own resources. I sincerely hope your proposal for an amendment to the G.I. Bill will be favorably received.

Respectfully yours,

WILLIAM T. LEASK.

AKRON, OHIO,
April 30, 1966.

Representative AYRES,
Room 2367, Rayburn House Office Building,
Washington, D.C.

DEAR SIR: Below is the information concerning my Military Service and college, if any more details are needed please let me know.

Name: Jerry Lee Hatchett.

Induction, 29 October 1965; discharge, 16 September 1960; U.S.A.F. 16565270.

College att., dates, money borrowed

McMurray College, part time, summer of 59 and 60	------
Brigham Young U., Sept. 1960–June 1961	$500
Purdue extension night school, Sept. 1961–June 1963	------
Purdue U., Sept. 1963–Aug. 1965, BSEE	$2,600
Total	$3,100

We still owe around $2,100.00.

Sincerely,

JERRY L. HATCHETT.

BLOOMFIELD HILLS, MICH.,
April 20, 1966.

DEAR SIR: I have recently read a article in the Akron Beacon Journal concerning your interest in payment for those servicemen who financed their own college expenses.

I served with the U.S. Army from Jan. 1959 through March 1962, a period of more than 36 months. After my service obligation was complete, I returned to college for 33 months and received a B.A. degree.

Currently I am, an accountant trainee with General Motors Truck and Coach in Pontiac, Mich.

During my college career I incurred debt of more than $2,500.

Any services you could render would be greatly appreciated.

Sincerely,

DONALD F. HALEY.

R. C. CRICHTON, D.C., D.M.,
Cuyahoga Falls, Ohio, April 17, 1966.

Hon. WILLIAM H. AYRES,
Room 2367, Rayburn House Office Building,
Washington, D.C.

DEAR MR. AYRES: Pursuant to the Akron Beacon Journal, April 15, 1966, I am forwarding the necessary information you wish:

Date of my induction: June 2, 1942.

Date of my discharge: January 17, 1946.

Logan College: February 1954, March 1957, graduated with degree, 36 months.

Great Lakes College: September 1960, June 1961, received post graduate degree, 9 months.

Loan: $8,500.00; Balance $3,500.00 for curricula fees, textbooks, instruments, office equipment.

Sincerely yours,

ROBERT C. CRICHTON.

Enclosure: Copy of discharge.

HONORABLE DISCHARGE—P–602–8

1. Name, Crichton, Robert C.
2. Army serial No. 15 102 705.
3. Grade, Cpl.
4. Arm or service, MD.
5. Component, AUS.
6. Organization, Med Det 38th Cav.
7. Date of separation, 21 Jan. 46.
8. Place of separation, Unit B Sep Ctr 45 IGMR Pa.
9. Permanent address for mailing purposes, 2534 Front St., Cuyahoga Falls, Ohio.
10. Date of birth, 27 Feb. 20.
11. Place of birth, Akron, Ohio.
13. Color eyes, hazel.
14. Color hair, brown.
15. Height, 5, 7.
16. Weight, 153 pounds.
17. Number dependents, 1.
18. Race, white.
19. Marital status, married.
20. U.S. citizen, yes.
21. Civilian occupation and number, tester 1, 6–78.671.

MILITARY HISTORY

22. Date of induction, 2 June 42.

24. Date of entry into active service, 2 June 42.

25. Place of entry into service, Fort Harrison, Ind.

Selective service data

26. Registered, yes.

28. County and State, Summit, Ohio.

30. Military occupational specialty and number, Medical NCO, 673.

31. Military qualifications and date (i.e., infantry, aviation, and marksmanship badges, etc.), M1 Rifle, SS, 03 Rifle, MKM, Carbine MKM.

32. Battles and campaigns, GO 33 & 40 WD/45, Normandy, No. France, Rhineland, Ardennes, Central Europe.

33. Decorations and citations, Good Conduct Med, American Thr Ser Med, EAME Thr Ser Med w/5 Bronze Stars and 1 Bronze Arrowhead, Victory Med.

34. Wounds received in action, none.

35. Latest immunization dates: Smallpox 19 Dec. 45; typhoid, 14 Dec. 45; tetanus, 25 May 43; Ty, 23 Nov. 45.

36. Service outside Continental U.S. and return, 27 May 43, ETO, 2 June 43; 7 Jan. 46, USA, 17 Jan. 46.

37. Total length of service: Continental service, 11 months, 29 days; foreign service, 2 years, 7 months, 21 days.

38. Highest grade held, Cpl.

40. Reason and authority for separation, AR 615–365–52–61–1, demobilization.

41. Service schools attended, Med Western Signal School, 4 months, teletype maint.

42. Education, high school.

PAY DATA

43. Longevity for pay purposes, 3 years, 7 months, 20 days.

44. Mustering out pay: Total, $300; this payment, $100.

46. Travel pay, $14.50.

47. Total amount, $156.77.

INSURANCE NOTICE

Important: If premium is not paid when due or within thirty-one days thereafter, insurance will lapse. Make checks or money orders payable to the Treasurer of the U.S. and forward to Collections Subdivision, Veterans' Administration, Washington 25, D.C.

48. Kind of insurance, Nat Ser.

49. How paid, allotment.

50. Effective date of allotment discontinuance, 31 Jan. 46.

51. Date of next premium due (one month after 50), 23 Feb. 46.

52. Premium due each month, $6.60.

53. Intention of veteran, to continue.

55. Remarks, Lapel Button Issued ASR (2 Sep. 45) 92.

56. Signature of person being separated, Robert C. Crichton.

57. Personnel officer, M. F. Emerich, 1st Lt. WAC.

APRIL 19, 1966.

Representative WILLIAM H. AYRES,
Rayburn House Office Building,
Room 2367,
Washington, D.C.

DEAR MR. AYRES: I recently read an article concerning your GI benefit proposal and would like to add my name to the list of other veterans who have written you.

I served in the United States Air Force from October 1955 to August 1961. I enrolled at Kent State University in September 1961 and continued there till March 1963, when I was forced to drop out due to the financial strain.

I was married with two children and spent approximately $7,000.00 during this period for books, tuition, and support of my family. I am presently trying to finish my college through night school.

A large portion of the $7,000.00 mentioned above was borrowed from my father.

I am, needless to say, 100% in favor of your proposal and hope it will eventually become a bill.

Sincerely yours,

E. C. PICKARD, Jr.

AKRON, OHIO,
April 16, 1966.

Representative WILLIAM H. AYRES,
Room 2367,
Rayburn House Office Building.

DEAR SIR: In reply to your requests for the following information I have:

Date of induction, June 14, 1956.

Date of discharge, June 13, 1959.

College dates, September, 1959, to June, 1964, total months, 45 months.

Estimated funds borrowed, $2,500.

Respectfully yours,

HAROLD A. LERCH.

AKRON, OHIO,
April 19, 1966.

Representative WILLIAM H. AYRES,
Rayburn House Office Buliding,
Room 2367,
Washington, D.C.

DEAR SIR: In reply to your request for information on veterans who attended college between G.I. bills without education benefits from either, I am sending the pertinent data on myself.

I served in the United States Air Force from September, 1956 to October, 1959, receiving an honorable discharge. I attended the State University of Iowa from September, 1962 to August, 1965, graduating with a baccalaureate degree. In the course of obtaining my degree, I found need of borrowing $5,600.00.

May I also take this opportunity to strongly object to the published remark of one Washington official who stated that a provision for benefits to those, like myself, who have already attended college, would only result in "another beer bust". I find this grossly unjust, not only to those of us who also worked jobs for many hours a week to make ends meet, but also to our wives and children who worked and otherwise endured the hardships we had to be content with in pursuing a higher education.

Much continued success in your fine efforts to aid the "cold war" G.I.

I remain,

Sincerely yours,

EDWIN L. BUGENHAGEN.

APRIL 18, 1966.

Hon. WILLIAM H. AYRES,
Room 2367,
Rayburn House Office Bulding,
Washington, D.C.

DEAR SIR: In response to your statement published in the Akron Beacon Journal, I am writing to inform you of my financial condition resulting from college loans.

I entered the United States Marine Corps on June 20, 1956, and was honorably discharged as a sergeant on April 1, 1959. My total period of active duty was 2 years, 9 months, and 11 days.

I then entered the University of Pittsburgh, Pittsburgh, Pennsylvania, from which I received a B.S. 1962 and an M.B.A. in 1965.

To complete my education, I incurred a debt of $4450.00. To date, I have paid a total of $350.00 on these loans. It will be at least seven years before I am able to complete payment of my college debts.

If any documentation of my education debts, education, or military service would help our cause, please let me know. I would be glad to send you photostatic copies of all pertinent documents.

Sincerely,

JOHN G. MATEY.

BARBERTON, OHIO, *April 17, 1966.*

Representative WILLIAM H. AYRES,
Rayburn House Office Building,
Washington, D.C.

DEAR SIR: The following is information covering my service record which may be of benefit to you concerning your proposed amendment to the recently enacted G.I. Bill.

Name: David Thomas Rouch.

Service: U.S.A.F. (Serial No. AF 15578413); Active dates, 3 Sept. 1957 to 23 Nov. 1960; (early release when returned from overseas, originally a 4-year enlistment.

Honorable disch: 2 Sept. 1963.

Highest rating: Airman First Class.

College: University of Akron, Sept. 1961 to present. I graduate with the Bachelor's Degree in Electrical Engineering this coming June.

Present outstanding debts due to college expenses:

A. Approximately $2,000.00 to U.S. Government through the NDSL Program.

B. Approximately $1,500.00 to assorted relatives.

C. In addition, I will be totally broke on graduation day, by anyone's standards.

Of interest:

1. The University of Akron Engineering School is a Co-operative 5 year program. My Co-operative work was spent with the U.S. Department of Defense at Ft. Geo. G. Meade, Md.—a total time of 1 year, in 4 split semesters.

2. The most unhappy thing about the new GI bill is that I will be paying back my National Defense Student Loans, while the government will be paying out to people who were in service at the same time as I—rather a punishment for incentive, don't you think?

Finally, and perhaps oddly enough, I have elected to continue in government service, and will be moving to the Washington, D.C., area shortly after graduation. If I may be of further assistance, please feel free to contact me here at my Barberton address.

Respectfully;

DAVID T. ROUCH.

MANLIUS, N.Y., *May 3, 1966.*

Hon. WILLIAM H. AYRES,
House of Representatives,
Washington, D.C.

DEAR SIR: I read with interest a column by Ruth Montgomery in the May 2nd issue of the Syracuse *Herald-Journal.* The article discussed your proposed amendment to the Cold War G.I. Bill.

Since I am one of those veterans (USMC 1956–1958) who took the initiative to go to college, I am directly affected by your bill, and welcome it.

I am currently repaying $3,500.00 in loans from the Federal and New York State Governments, have been for four years and will be for six years more.

What are the prospects of your bill being passed? What can I do to help? Is the American Legion for or against it?

Please keep me informed of the progress of your bill.

Very truly yours,

E. W. NEWLAND.

AKRON, OHIO,
May 1, 1966.

Representative WILLIAM H. AYRES,
Rayburn House Office Building,
Room 2367, Washington, D.C.

DEAR MR. AYRES: I am a military veteran from the 14th district of Akron, presently attending college. The following is information in answer to the Akron Beacon Journal article (April 15th) regarding your amendment to the new GI bill—to cover veterans not covered in the new bill.

Air Force Service, from February 1960 to November 1963 (an early out for college).

College, from January 1964 to June 1966.

Money borrowed for education, $1,000.

Yours truly,

GERALD W. SNYDER.

REYNOLDSBURG, OHIO,
May 10, 1966.

Representative WILLIAM H. AYRES,
Congressional Office Building,
Washington, D.C.

DEAR SIR: As an ex-GI who served in the period 1955 to 1959 and later went on to obtain a couple of degrees at my own expense, I'd be delighted to just be able to trade off borrowed money (National Educational Defense Loan) against accrued educational benefits under the new "GI bill."

Sincerely yours,

JACK W. MILLER.

WESTERVILLE, OHIO,
May 11, 1966.

U.S. Representative WILLIAM H. AYRES,
House Education and Labor Committee,
House of Representatives,
Washington, D.C.

DEAR SIR: I wish to lend whatever support I can to your proposed addition to the new G.I. Education Bill which goes into effect June 1, 1966. I understand that this addition would make it possible for the government to reimburse those individuals who served in the armed forces since the cancellation of the previous G.I. Bill and who then went on to college totally at their own expense.

I served in the army from August, 1959 until August, 1961. Shortly after my release I returned to college and completed my education for a bachelor degree in Mechanical Engineering totally at my own expense. I was forced to borrow money and work part-time in order to support myself, my wife and two children during the 27 months it took to complete my education. I have been out of school now for 16 months and I still have a long way to go to pay off these school loans.

I would like to be kept informed as to the progress of your proposed addition to the G.I. Bill. Needless to say, I will apply for these benefits if and when the funds are available.

Very truly yours,

JOHN L. GENSLER.

WAYNE, PA.,
May 2, 1966.

Mr. WILLIAM H. AYRES,
House of Representatives, Education and Labor Committee, Washington, D.C.

DEAR SIR: Today I read an item in the Philadelphia Inquirer concerning the G.I. Educational Bill that will be introduced this week.

My husband and I were very disappointed when we learned that the present bill will not help us until June 1, and that there will be no retroactive payments. He hopes to graduate in December of this year. At that time we will still owe approximately $2500 balance on a loan of $4500.

Immediately after his Naval release, Norman entered Villanova Univ. He worked eight hours at night and attended full time day school, meanwhile traveling from Westmont, N.J. to Villanova, Pa. daily. As a result, his grades suffered.

We married early in 1965 and he changed to evening school. I was to continue working in order to relieve his financial burden. This plan failed, because we soon learned that we were expecting. Previously, I had discontinued my hospitalization to save money. Therefore we had to make another loan to meet the hospital, obstetrical, and baby clothing costs.

We have a little baby now and our expenses have risen further. Our budget is so close that after the bills are paid we seldom have $1.00 in coin left to last till the next pay.

It may seem selfish of me but I don't want to leave my baby until he is at least three years of age. If I don't work, we will be hampered by this loan for 3½ years. This is money that could help to buy a home for us. A three room apartment is not very large, especially with an active growing child.

Norman would like to go on to graduate school for a masters degree. This situation has so depressed him, that I don't know if he will.

I do not ask for sympathy by writing this letter. I hope that I have presented the need for such a Bill as you are presenting. There probably are many similar stories, and I am sure that if the Congressmen knew some of them they would realize what a blessing this Bill will be.

Thank you for your attention and Good Luck!

Sincerely,

PRISCILLA PFIZENMAYER.

COLLEGE OF WILLIAM AND MARY,
Williamsburg, Va., May 3, 1966.

The Honorable WILLIAM H. AYRES,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE AYRES: I was surprised and pleased to read (in the Philadelphia *Inquirer* for May 2) of your proposal to make the cold-war G.I. Bill retroactive for veterans who have already completed college.

Many of us hoped—in vain—for such a bill in the late 1950's and early 1960's. Because it remained unpassed, we worked and borrowed our way through college. By so doing, we added years and additional loss of income to the time spent in school. Many peacetime veterans found the psychological and financial going too rough and were forced to quit school. These years cannot of course be made up, and the debts are still very much with us. The lack of a GI bill changed many lives for the worse.

The image of a peacetime veteran who believes that the nation owes him educational benefits is hardly attractive. Most of us forgot our complaints and did what we had to do to get through college. Nevertheless, Eisenhower's cancellation of the G.I. Bill and the concurrent drop in draft calls worked a tremendous inequity on those who had to serve and, in addition, subsequently to work their way through college. I look at my colleagues now, and I see dozens who never had to give a day to military service. Few are in debt; fewer still would probably be in favor of a bill such as yours.

If your bill is passed, many peacetime veterans would be be given a fresh start in life. I have my doubts about the bill's chances. Probably the dollar sign will be chosen before the human being. But this letter simply expresses the thanks of one veteran for your concern and for your courage in offering such a bill. I am sure that I speak for hundreds of thousands of other peacetime veterans in thanking you. Your bill, if passed, would be just.

Sincerely yours,

DAVID L. HOLMES.

Balance of Payments and the Dangers of Doing Business Abroad

EXTENSION OF REMARKS
OF

HON. ED REINECKE

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 26, 1966

Mr. REINECKE. Mr. Speaker, for many months American businessmen, economists, importers and exporters, and prominent leaders in the administration have been warning us about the balance-of-payments problem. The President has urged Americans to stay in this country to vacation, and thus avoid spending money overseas. The business community is trying every means of increasing American exports to create a more favorable balance of trade. The crisis in this Nation's merchant marine even affects the balance of trade, and major changes are urged to increase our commercial shipping.

It has come to my attention, through the unfortunate experiences of my constituent, Mr. Sid Coolidge of North Hollywood, Calif., that businessmen selling exports to customers in other countries often have difficulties getting paid for their products. Mr. Coolidge sold some aerial photo equipment to a French firm. The firm, Guy Robert & Cie, of Paris, accepted the equipment as satisfactory, and resold it to the French Air Force. The agreement was for the Robert firm to pay for the equipment in installment payments, as each shipment arrived in Paris. After the firm received the equipment they refused to pay for it, claiming that it was unsuitable for use by the French Air Force. However, the air force was already using it. Mr. Coolidge agreed to accept the equipment back and to pay for its reshipment back to the United States. To date, the equipment is still in France. The Paris firm has resold it to the French Air Force, and Mr. Coolidge has still not been paid his money.

Mr. Speaker, if we want to encourage American businessmen to venture overseas to increase our international trade we must offer them every reasonable protection and support. We must seek through legislation and international treaty agreement to set firm standards for the conduct of commerce between individuals in different nations. There must be clear standards for quality of products; and there must be set standards for credit purchases. We must offer our businessmen every encouragement; every protection; and every assurance possible that this Government will stand by them. Through the commercial attachés in each of our embassies around the world we must seek every means of justice for American businessmen in the international marketplace. The case of Mr. Coolidge is still undecided. I trust that this Government will not fail one of our citizens in distress in another country. We will be watching the outcome of this matter in France. And I trust that fairness and justice and the standards of good business will prevail in Paris.

Critical Maritime Situation

EXTENSION OF REMARKS
OF
HON. EDWARD A. GARMATZ
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 26, 1966

Mr. GARMATZ. Mr. Speaker, in Baltimore, the week during which Maritime Day occurs is celebrated as World Trade Week and is observed with appropriate ceremonies every day of that week. On Tuesday of this week, the Rotary Club of Baltimore held a luncheon in observance of this special week, and had as its speaker, the Senior Senator from Maryland, DANIEL B. BREWSTER.

As a member of the Merchant Marine Subcommittee of the Senate Commerce Committee, and the Senator from a State which includes the second largest port on the east coast, Senator BREWSTER has intimate knowledge of the entire maritime situation and therefore is well qualified to speak on that subject.

His address should be read by all Members, because the facts he has brought out must be given careful consideration and prompt attention by all who have any authority to take action in this matter and I am inserting it in the RECORD:

REMARKS BY SENATOR DANIEL B. BREWSTER BEFORE THE ROTARY CLUB WORLD TRADE WEEK LUNCHEON, TUESDAY, MAY 24, 1966

Gentlemen: I am grateful for the opportunity to speak to you today.

We are now in the midst of activities celebrating World Trade Week. It is trade which built our Port and our Port which built our City and our State. Every Marylander is proud of this Port and of the associated industries and skilled labor which make Baltimore a center of international trade.

But we must never let our pride cloud our vision. We must never let the past replace the future.

We are assembled here during World Trade Week at a time when the United States is carrying only 8 percent of its foreign commerce in American ships—at a time when the United States has sunk to 14th place in commercial ship construction.

I am confident that all of you who are here are familiar with the deterioration which has characterized our maritime industry in recent years. I am confident that all of you recognize the dangers to our security, our economy, our industry and our Port which are inherent in runaway flags, slashed budgets, idle shipyards, and decreasing numbers of skilled operators and laborers.

These weaknesses in our current maritime posture have not developed suddenly, but they have suddenly taken on an urgency which requires our immediate attention.

The emergency which we face in Vietnam has had at least one positive value—it has highlighted for the public what many of us have known for a long time—that a vital factor in the equation of national power, namely sea power, has been shockingly neglected.

Our present dilemma has many causes but among these, Government policy, or lack of it, is most at fault.

Any one familiar with ships and the sea knows that the essential tools of seamanship are the anchors, the rudders, and the engines. A ship which has none of these is destined to drift aimlessly—to drift toward the rocks and shoals—to drift toward inevitable disaster.

In the simplest analysis, it is drift that has characterized United States maritime policy. We have had no anchor in policy, no seamanship at the wheel, and no propulsion to move us forward.

A few illustrations will highlight the rocks and shoals onto which we have drifted. 1. By 1970 we will have only 200 dry cargo liners under 25 years old. 2. Our tramp and independent fleet currently averages between 23 and 26 years old. 3. The American shipbuilding program is now 90 ships behind. 4. The Soviet Union has 612 vessels on current order but the Bureau of the Budget has cut new American construction to 11 ships. 5. Our reserve fleet is a paper tiger of overaged, obsolescent, snailpaced or unseaworthy craft. 6. The average American seaman is 50 and our skilled maritime work force ashore continues to dwindle.

The impact of this disaster is twofold. First, in its consequences for our security and, second, in its effect on our economy and our balance of payments.

Our current active and reserve fleet is inadequate to meet the demands of even the Vietnam conflict. The government has currently under charter for the handling of military cargo about 100 American commercial vessels. It has reactivated 111 reserve ships and it is currently seeking 25 additional commercial vessels for charter before July 1st.

It would simply be impossible for the United States to meet the contingency of the secondary conflict anywhere in the world with our present merchant fleet.

The seriousness of this situation can be best understood when one realizes that 98 percent of all supplies for Vietnam are carried by ship and that nearly 50 percent of the cargo in every American berth line vessel is currently military cargo.

The glaring danger to our security inherent in this situation is clear. What is less obvious is the impact of this situation on our commercial trade.

The United States has been locked in a fierce competitive struggle with foreign carriers for the shipment of ocean cargo. The 8 percent of overseas shipments now carried in American bottoms testifies to this. Our present lack of a shipbuilding program and the current diversion of commercial vessels to the handling of military cargo could well spell the end of American shipping in free world trade.

With no surplus of operating vessels, whenever the government must charter a ship, that ship must be withdrawn from its commercial route. Those of you involved in foreign commerce here in Baltimore know that cargo cannot wait. Another ship must be found. The only ship you can find will fly a foreign flag.

The foreign flag operators have not missed the opportunity which this situation presents. They have endeavored to render good service at reasonable or even cut rates in an effort to attract and hold new customers.

The American operators tell me that once they have withdrawn a ship from the commercial route, it is virtually impossible to recover the trade when the government releases the ship.

The lesson should be clear. It is even clearer when we realize that United States berth line and tramp vessels currently contribute 1 billion dollars to our annual balance of payments, while 73 cents on every freight revenue dollar is carried from our shores when foreign flag vessels carry our trade.

The latest figures available indicate that in 1963 our deficit in freight charges on export and import cargo amounted to 55 million dollars. This was the 5th consecutive year of net deficit. We can only imagine what the war in Vietnam will have done to the 1964–1965 figures.

If the situation is this bad today—and it is—what will it be like in 1973? We can only imagine, but we can be sure of one thing—since it takes seven years to build a ship, the decisions we make this year will determine our maritime posture in the early years of the next decade.

When the President created the Maritime Advisory Committee in June 1964 he said it was to seek long range solutions. When he delivered his State of the Union message to the Congress in January, 1965, the President promised to submit a new maritime policy. We are now approaching June, 1966, and there is still no policy.

No one knows when we will get one and whether it will reflect the recommendations of the Inter-Agency Maritime Task Force or the President's Maritime Advisory Committee. The danger in this situation lies in the fact that we may well be sinking our ships while seeking consensus.

If the policy recommendations are confusing, the record of statements by responsible public officials are even more so.

In recent months, the Federal Maritime Administrator has told the American Merchant Marine it should begin to rely on "competition fairly fought and won." He has explained this position with the most glorious oversimplification, "I simply refuse to believe it can't be done."

I do not believe we can afford irrational experiments with our security. The risks, and the consequences of being wrong, are far too great.

In recent months we have seen other agencies of the government begin to fill the policy vacuum created by the failures of the present Maritime Administration.

The Department of Defense has announced a program of construction of at least 20 fast deployment logistic ships at a cost of 40 million dollars each.

More recently the same Department has announced that it would open all contracts for the carrying of military cargoes overseas to competitive bidding.

I firmly believe that we must develop a plan for a modern maritime fleet and that we must do so quickly. We cannot allow the independent, uncoordinated decisions of a variety of government agencies, acting without consultation, to determine in a random way what our maritime policy shall be.

The Defense Department announcement is that kind of decision.

Senator MAGNUSON, Chairman of the Senate Commerce Committee, and I have discussed this problem in detail. We have agreed that the many issues which currently characterize the maritime scene must receive thorough examination by the Senate Commerce Committee.

Three weeks ago, I opened our hearings. We have already developed a great deal of useful information. And we have raised serious questions which must still be answered: 1. Should the Department of Defense plans to implement a cost effectiveness program be allowed to depress maritime rates to non-compensatory levels? 2. How can a rate war benefit an industry which is already suffering from foreign competition. 3. Isn't the fast deployment logistic ship program a serious misallocation of funds? Couldn't this one billion dollars be better spent on a merchant shipbuilding program for vessels available to the military when needed but otherwise paying their way on the trade routes of the world?

I am hopeful that the testimony that we develop can lead to the formulation of a series of inter-related policies and objectives aimed at a stronger American Merchant Marine built in American shipyards, manned by American seamen, carrying the bulk of American trade, and ready to answer any call as a vital element of American defense.

This brings us up-to-date. There is no shortage of challenges to be met.

Normally the President proposes and the Congress disposes. But on this critical matter there is no more time to wait. Too much time has been wasted already and the Congress is now beginning to act.

If I may close with a personal note: Baltimore is my home and this Port has made this City great. So long as I am privileged to represent the people of Maryland in the United States Senate, the needs of the maritime industry will have a hearing before the Congress and the public.

The Steel Car of Tomorrow

EXTENSION OF REMARKS

OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1966

Mr. SAYLOR. Mr. Speaker, if a majority of the Members of Congress had been present at Tuesday's United States Steel presentation in the Washington Hilton Hotel suggesting some solutions to the Nation's growing traffic dilemma, there is no question but that efforts to ease the District of Columbia's transit problems would be assured of a prompt and effective legislative boost.

In a highly interesting combination of personal appearances by company executives, slides, prototypes, and working models of equipment, the production demonstrated the use of steel tunnel liners for subway transportation, modern passenger stations, aerial structures for elevated rail traffic, a unique electrical utility substation designed to enhance the esthetic value of a community, and a full-scale transit car called the New Scot—Steel Car of Tomorrow.

The meeting was opened by William G. Whyte, United States Steel's vice president, Washington. He was joined by Max H. Hofmann, manager of sales for the Baltimore district; Robert L. Hardin, Jr., general manager of transportation industry marketing; and Bruce A. Williams, marketing representative. They are to be congratulated for giving Washington the show that should bring animation to this city's stalled transportation plans, and commendations are also due Roger Blough, chairman of the board, President L. B. Worthington, and other executives whose willingness to invest in this gigantic research effort will help speed the way out of the maze that is reaching emergency proportions in numerous metropolitan areas.

I hope that representatives of the various organizations in any way responsible for the projections intended to untangle this area's jumbled traffic problems were in attendance. If not, they should attempt to obtain the materials on the subject made available at the Hilton on Tuesday. These booklets and papers should be perused carefully by all members of the National Capital Planning Commission, the Policy Advisory Committee, the National Capital Transportation Agency, the District Policy Advisory Committee, the Fine Arts Commission, the Committee of 100 on the Federal City, Maryland's Washington Suburban Transit Commission, the Northern Virginia Transportation Commission, and the myriad of other government and public groups interested in bringing the District out of its transportation labyrinth.

Mr. Speaker, a look at the history of Washington's roads might prompt a disgusted resident to recommend that the unfinished end of the Potomac River Freeway be looped into the shape of a question mark as a monument to local highway planning. The National Capital Planning Commission's recommendation for scrapping the remaining interstate freeway program until the projected subway system becomes reality appears to be the only reasonable step at this time.

No doubt the fate of the Du Pont Circle underpass should be considered among the top blunders in recent traffic planning. After months of construction work that turned into years of inconvenience for motorists, transit riders, and pedestrians alike, the completed tunnel served streetcar traffic for a very short time before being shut off as entirely useless when buses replaced the electric cars.

But other miscalculations of such magnitude as to make the Du Pont Circle case seem judicious by comparison have been in the making and could come into being unless the NCPC recommendation is approved.

There is no logic in planning a highway and city street program that will handle anticipated traffic of 1980—or of 2000. Mr. Whyte pointed out at Tuesday's conference that there will be about 100 million automobiles in use in the United States by 1980. If Washington's streets are going to accommodate all the traffic that could develop as more cars make their appearance, it would not be long until encroachment on embassy properties along Massachusetts Avenue would be required; it has already been suggested that Glover-Archbold Park serve as part of the north leg freeway in violation of terms stipulated when the public inherited the land; and beware the time that cutting into the monument grounds will be propounded as essential to serving vehicular traffic.

Currently there is an attempt to use tax revenue taken from the people of the 50 States for the subsidization of parking lots in the District of Columbia. In the face of the administration's determination to expedite construction of a subway system here, I am astounded at the proposal for public parking lots. We do not want to attract more automobiles to the downtown area. We need to dissuade increased traffic. Fringe parking is an effective deterrent, and it should be further exploited.

Meanwhile, plans for a rapid transit system—whether it be underground, above ground, on the surface, or in combination—should be accelerated. United States Steel put a road on the show on Tuesday and everyone who has any interest and/or responsibility should have a look at what that company's research and development program has already brought forth.

The city of Washington belongs to all Americans and should serve as a model for the highway and street requirements of tomorrow. Furthermore, it should be easy enough to enter and to move around in without overtaxing the energy of visitors who come to relax and learn, not to suffer the frustrations that will only increase unless a rapid transit system is put into service to lighten the traffic load on city streets.

The 48th Anniversary of Armenian Independence

EXTENSION OF REMARKS

OF

HON. PAUL H. DOUGLAS

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Thursday, May 26, 1966

Mr. DOUGLAS. Mr. President, this May 29 marks the 48th anniversary of Armenian Independence Day. In 1918 the brave patriots of Armenia threw off the oppressive yoke of Turkish despotism, and formed a free and independent Republic. It was a day of rejoicing and of dedication to the freedom of man, for Armenia was to be the first democratic Republic in Asia Minor. It was a day that climaxed a six-century struggle which tested a people as few others in all of history have been tested. The Armenian people proved that they will always cherish freedom and that they will endure any hardship to gain that freedom.

The Armenian Republic lasted an all too brief 2 years. Then it fell prey to the conquering armies of Soviet Russia. The dreams, of the Armenian people for an independent country, were shattered by the attacking Communist forces. The work of Woodrow Wilson to establish an order which would guarantee political independence for the great and small nations alike, was destroyed by the invading Red troops. But the dreams are not forgotten and the work is beginning again. The Armenian people are destined to again light the lamp of liberty in their native land.

There are more than 150,000 people of Armenian descent in this country and many of them live in my home State of Illinois. We are proud of these people for they have contributed much to American life. They have brought to this Nation a zest for living and a willingness to fight for liberty which they learned long ago on the Armenian plains. We thank them for all that they have given to America and we share in their prayers that their homeland of Armenia will soon know a rebirth of freedom.

HOUSE OF REPRESENTATIVES

FRIDAY, MAY 27, 1966

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore, the gentleman from New Jersey [Mr. GALLAGHER].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

THE SPEAKER'S ROOM,
May 27, 1966.

I hereby designate the Honorable CORNELIUS E. GALLAGHER to act as Speaker pro tempore today.

JOHN W. MCCORMACK,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Dr. Edward G. Latch, D.D., offered the following prayer:

Blessed are the dead who die in the Lord from henceforth: Yea, saith the Spirit, that they may rest from their labors; and their works do follow them.—Revelations 14: 13.

Almighty God, our Heavenly Father, from whom we come, with whom we live, and unto whom our spirits return, grant us Thy blessing as we pray and enable us so to put our trust in Thee that we may find comfort and courage for the facing of these days.

We remember before Thee those who have given their lives for our country. Comfort the hearts and the homes that walk in sorrow and in grief. Even as they journey through the valley of the shadow of death, may they feel Thy presence near and in the assurance of Thy love find strength sufficient for every need.

May we and all our people hear the summons to a greater and nobler living which comes to us as we remember our loyal and loving dead—a summons to give our best that a government of the people, by the people, and for the people shall not perish from the earth.

We pray for one of our number who lost a little one this week. May Thy presence make them strong and truly comfort their hearts. In Jesus' name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3105. An act to authorize certain construction at military installations, and for other purposes.

DOMESTIC FINANCE SUBCOMMITTEE TO CONTINUE FIGHT TO PROTECT SERVICEMAN-CONSUMER

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, for the past year the Domestic Finance Subcommittee of your House Banking and Currency Committee has been conducting an investigation of abuses by companies that extend credit to servicemen.

These investigations and subsequent hearings have been highly successful and have gone a long way toward curbing many of the sharp practices and abuses to which servicemen seeking credit were subjected.

As a result of the subcommittee's efforts, the Department of Defense has published three landmark directives: The first directive provides that credit unions operating on military bases in the United States are officially recognized as welfare and morale activities and carry official Department of Defense endorsement. The second directive for the first time establishes credit unions on military bases overseas. Prior to this directive, servicemen stationed overseas were without a low-cost, completely reliable source of credit. The third directive, entitled "Personal Commercial Affairs," for the first time establishes guidelines for companies extending credit to servicemen and who later seek military assistance in collecting the debt.

The personal commercial affairs directive carries out many of the recommendations made by the subcommittee and includes a full-disclosure provision which requires that the military will not provide assistance if the contract does not include finance charges broken down into a simple annual interest percentage.

The subcommittee also exposed the operations of one of the largest military service-oriented finance companies—Federal Services Finance Co. This company was designated by the military services as the prime offender among sharp-practice operators, even though its 12-man board of directors contained 8 retired high-ranking admirals and generals, many of whom held high military posts.

MINISH NAMED TO HEAD STUDY GROUP

Mr. Speaker, the Domestic Finance Subcommittee will not rest on the work that it has accomplished. As long as there are companies and individuals who deliberately take advantage of our men in uniform, the subcommittee will expend every effort possible to correct the situation. We cannot expect our servicemen in Vietnam to fight to protect our free enterprise system if the very system for which they are giving their lives abuses the military's trust and confidence. To this end, I have appointed the gentleman from New Jersey, the Honorable JOSEPH G. MINISH, to head a special investigative group to step up and broaden our military credit investigations. The other members of the group are the gentleman from Georgia, Congressman CHARLES L. WELTNER; and the ranking minority member of the subcommittee, the gentleman from New Jersey, Congressman WILLIAM B. WIDNALL.

Not only will this group and the subcommittee look into the operations of finance companies that deal primarily with the military, but it will also probe automobile dealers who specialize in military selling, particularly agencies that take orders for automobiles for future delivery. In addition, the subcommittee will look into the operations of military banks; that is, commercial banking institutions which operate on military posts both at home and abroad. In some cases the officers and directors of these banks are active-duty personnel of the military. The committee wants to make certain that these banks are serving the needs of all military and are not operating merely to make a profit for a few stockholders and employees.

The investigations into these new fields have already begun and it is anticipated that hearings will be held as soon as the preliminary investigation is completed.

PATMAN ANNOUNCES HEARINGS ON EDUCATIONAL TECHNOLOGY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the Joint Economic Committee, which I have the honor to chair, has long been a pioneer in investigating the major scources of growth in our economy. One of them is automation; we have followed this dynamic factor with close interest, and I am proud to say that we have predicted many of the great changes that have come from automation. Automation is a force that derives from the inventive genius and spirit of venture of the American people.

Ten years ago, the Joint Economic Committee pointed out that education was crucial to continued technological advance. Vannevar Bush, one of our great scientists testifying on automation before the Joint Economic Committee, warned that Russia was graduating engineers at a rate twice as fast as ours, and technicians at 30 or 40 times our rate. This warning was accentuated later by the success of the Russians in space. In spite of the fact that their wealth is only half of ours, and they are burdened with the wasteful bureaucracy of communism, they have been able to parallel us and, in some cases, move ahead of us in space exploration. The secret of their success is education.

Since then, we have come to recognize even more deeply that education is our biggest challenge. It is the major source of growth and productivity; it is the principal cure for poverty; and it is the best guarantee of the continued strength of our democracy.

Total annual expenditures on education are at least $60 billion, and there are many more billions that are not counted in the official figures. We face an urgent need to do a better job in education—to teach more people a greater amount of knowledge in a more efficient way than we do now. In this respect, it is encouraging that the ingenuity of our industries and knowledge of our scientists are being brought to bear increasingly on the problems of education. One result is the emergence of a whole new aspect of automation. We call it educational technology.

Mr. Speaker, I am told that billions of dollars are being invested in this new educational technology. The implications of these developments for the quality of our education and for the school systems, are undoubtedly vast. We need to know a great deal more about the subject. As one small example of the kind of problem that our educators face, it has been estimated that it would take the most brilliant man in the world 500 years just to read the technical papers published last year.

It is a source of pride to announce that the Joint Economic Committee in the course of its extensive analysis of human resources is scheduling hearings on this very important question of automation and technology in education.

I am pleased to submit for the RECORD a press release issued by the Joint Economic Committee today, announcing the hearings:

PRESS RELEASE BY JOINT ECONOMIC COMMITTEE, FRIDAY, MAY 27, 1966

Representative WRIGHT PATMAN (D., Texas), Chairman of the Joint Economic Committee, today announced that his Subcommittee on Economic Progress would hold hearings on automation and technology in education.

The Texan said that the educational institutions of this country are spending over 40 billion dollars a year, and the amount is rising annually. Moreover, there are billions of additional dollars spent on education by individuals and corporations.

Because of the growing emphasis on expansion and the need for improvement in the quality and quantity of education, U.S. corporations are devoting intensive research and investment to the development of new technology for teaching. The implications of these developments for America's schools and the productivity of our educational system are most important.

"The little red schoolhouse has done a great job, but it is outdated now. Our rapidly changing, growing economy places heavy demands on education, and we have to utilize all the resources that our ingenuity can devise," said the Chairman.

"The Joint Economic Committee has been a pioneer in exploring the effects of automation on the economy. Educational technology represents one of the latest applications of science and the Committee is deeply interested in its prospects for increasing the effectiveness of our schools.

The hearings will provide an opportunity for the Committee to get the latest information on these developments. The Chairman said that one panel would be made up of industrial executives whose companies are in the forefront in developing new educational technology. A second panel will be made up of experts in the educational field who can provide the Committee with an assessment of the opportunities for, and significance of new developments in this field. A third panel will be made up of the Commissioner of Education and other Federal officials.

The hearings are scheduled for June 6, June 10, and June 13, in Room 8407, The Capitol (AE–1). The schedule of Hearings follows on the attached sheet.

AUTOMATION AND TECHNOLOGY IN EDUCATION—SCHEDULE OF HEARINGS

Monday, 6 June, 10:00 a.m.

Maurice B. Mitchell, Chairman of the Executive Committee and President of the Encyclopaedia Britannica, Inc.

Robert E. Slaughter, Executive Vice President, McGraw-Hill, Inc.

Launor Carter, Vice President, Systems Development Corporation.

Harold Haizlip, Associate Director, Basic Systems, Inc.

Friday, 10 June, 10:00 a.m.

Raymond Carpenter, Professor of Psychology, Pennsylvania State University.

John Folger, Director of the Commission on Human Resources and Advanced Education, National Academy of Sciences.

Robert E. Glaser, Director, Learning Research and Development Center, University of Pittsburgh.

George E. Arnstein, National Education Association, Washington, D.C.

Monday, 13 June, 10:00 a.m.

Harold Howe, II, U.S. Commissioner of Education and staff.

Members of the Subcommittee on Economic Progress:

Representative WRIGHT PATMAN, Chairman.
Representative HENRY S. REUSS.
Representative MARTHA W. GRIFFITHS.
Representative WILLIAM B. WIDNALL.
Senator WILLIAM PROXMIRE.
Senator HERMAN E. TALMADGE.
Senator JACOB K. JAVITS.
Senator LEN B. JORDAN.

THE PRESIDENT'S ADDRESS ON AFRICA

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, as chairman of the subcommittee on Africa of the Committee on Foreign Affairs, I am pleasurably aware of the high regard in which the President is held throughout Africa.

Africans know how sincere and universal is his interest in the welfare and happiness of all men, women, and children of all races and of all nationalities, their freedom from want, disease and ignorance, their enjoyment of equal opportunities, with each individual accorded the fullest measure of respect of his dignity.

Last night the President in recognition of the third anniversary of the signing of the Charter of African Unity, which was the day before, entertained the African Ambassadors and other friends of Africa at a White House reception, which was of great significance as marking the commencement of an accelerated program to aid the new nations of Africa to attain economic and political stability in the quickest possible time.

The President in his remarks made it crystal clear that the United States could not countenance conditions such as those in Rhodesia and South Africa that permit the minority to ride herd on the majority. How far the United States can and will go to combat apartheid and such the President did not discuss, although it was apparent to all who listened to his remarks that the nations continuing to hold to practices that to us are immoral and intolerable will not share in the accelerated and stimulating program of African help on many fronts.

Mr. Speaker, I have said on many occasions and I have said it with deep conviction that as Africa goes so will go the world. There is building in Africa a future of limitless possibilities.

President Johnson last night contributed immeasurably to the better understanding of us by governments and the peoples of the new nations of Africa that are destined to play important roles in tomorrow's world. And that tomorrow, Mr. Speaker, is not far off.

MISSING REACTOR PARTS AND PIECES MYSTERY SOLVED

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, on several occasions I have complained about the parts and pieces of a reactor being built at Tarapur, India, which were seized by Pakistan during those two countries' brief war last year. The article from the Washington Evening Star of May 26, reproduced at the conclusion of these remarks, recites the details of the situation.

I am pleased to advise my colleagues that, if all goes well, soon this property will be liberated. This welcomed news was revealed yesterday during hearings of the Joint Committee on Atomic Energy in a colloquy between myself and Herman Pollack, Acting Director, International Scientific and Technological Affairs, Department of State, which went as follows:

Rep. Hosmer. What about those missing parts and pieces of the Tarapur reactor that presumably are being used for hitching posts over in Pakistan?

Mr. Pollack. We reached an agreement on the release of all the AID-financed cargo which would include the equipment designed for Tarapur and we expect the negotiations on the actual mechanics for the release of this material to be completed in the near future.

Rep. Hosmer. Do you know what is going to happen to those things now that they are being released?

Mr. Pollack. We don't have a clean-cut answer. I inquired about that a while ago. It is possible they may be used by the manufacturer for another installation. I don't know whether that is technically possible or not.

Rep. Hosmer. Did you reach the agreement with the Pakistanis recently?

Mr. Pollack. I don't have the exact date. I believe it was recent.

Rep. Hosmer. Last week?

Mr. Pollack. Last week or so, yes, sir.

Representative Hosmer. After my third complaint about these things?

Mr. Pollack. I am sure that possibly had a stimulating effect.

The article referred to follows:

[From the Evening Star, Washington, D.C., Thursday, May 26, 1966]

The Rambler . . . Reports a Mystery

(By John McKelway)

Was rather surprised the other day to come across an item in the Congressional Record which, if true, indicates there will always be another foreign aid story.

This one, the Rambler thinks, is rather remarkable and it had somehow escaped his attention.

The story, or mystery, is provided by Rep. Craig Hosmer, R-Calif., in a note to the House GOP Conference.

To sum it up, it seems that a great number of parts and pieces, intended for the use of a reactor we are helping to build in Tarapur, India, are missing under strange conditions.

As the Rambler understands it, and to go back a bit, it seems that during the recent unpleasantness last fall between India and Pakistan a ship docked at a Pakistani port. In its hold were "several hundred thousand dollars worth," according to Hosmer, of pieces of a reactor India was trying to put together in Tarapur.

As Hosmer retells it:

"The shipment consisted of a 20-ton airlock and precisely formed pieces of sheet steel. The Pakistani succeeded in removing these bulky items to a place unknown. It is still unknown. AID (the Agency for International Development) and the State Department were notified, but proved inadequate to the task of tracking them down."

If Hosmer is correct, and the Rambler has no reason to doubt him, it seems astonishing that the Pakistani were able to make off with a whole 20-ton air lock, whatever that might be, and then successfully hide it—along with some precisely formed pieces of sheet steel.

Pakistan, of course, is not the smallest country in the world and it is full of wastelands and mountains. Still, it must have been quite an accomplishment to get the air lock out of the ship after finding out what it was and what it looked like.

Hosmer has a theory. "So far as anybody knows they (the air lock and the other parts and pieces) are being used as hitching posts for camels."

Even a James Bond probably would be fooled by this. Whoever heard of using a piece of a nuclear reactor to tie up a camel?

Hosmer goes on:

"Despite President Johnson's friendship with a Pakistani camel driver, despite his wining and dining Premier Ayub Kahn of that country, who made a money-hunting expedition to the U.S. subsequent to the hijacking, despite more millions of U.S. aid and loans since that time, the Johnson administration—with all the resources of the United States at its command—has been unable to do a single thing to clear up the mystery of the missing reactor parts and pieces. . . ."

The parts and pieces eventually were replaced by the General Electric Co., which is trying to build the $100 million nuclear power station for India under what must be trying conditions. The United States is putting up something like $80 million under the foreign aid program.

Although the original air lock and accompanying pieces may have been placed under the premier's bed, Pakistan it turns out, has a fully operative research reactor at Islamabad.

"Pakistan officials," according to Hosmer, "are expected soon to request payment of the $350,000 grant which the Atomic Energy Commission committed to Pakistan in 1960 to get (their) research reactor built."

"By copy of this document," continues Hosmer, "I am suggesting to the President, the State Department, AID and the AEC that the $350,000 'commitment' be discharged by giving Pakistan a legitimate title to the hijacked property. Or, if they won't agree, these U.S. officials should hold up the $350,000 until the mystery is solved and Pakistan agrees to compensate the rightful owners of the property."

The Rambler, who naturally contributed perhaps a half-a-cent or so toward that air lock, as a taxpayer, will watch this case closely.

Perhaps out of it all, there will come a government document devoted to the subject of how to steal and get rid of a hot, 20-ton air lock. Certainly, it appears, there is good evidence research should be undertaken in this area.

HOW MANY STANDARDS OF MORALITY ARE THERE IN THIS GOVERNMENT?

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, there appeared in the Washington Post of Wednesday, May 25, 1966, a five-column headline which reads as follows: "Nigeria Becomes Unitary State."

There follows a news story which contains an announcement by General Ironsi, the Negro military dictator of Nigeria, which says that all political parties in Nigeria have been prohibited from engaging in political activity until January 1969.

Now I do not know whether this constitutes apartheid. It certainly is a denial of self-determination. It is clear that the Negroes of Nigeria, under Dictator Ironsi, are not going to indulge in any free elections or political activity until January 1969.

This, to me, is very interesting in view of the fact that the Government of this country joined in a boycott of Rhodesia on the ground that not all the people of Rhodesia have the right of self-determination. How many standards of morality are there in this Government of ours when the United States joins in a boycott of one country and utters not a single word of public protest against the same thing in Nigeria.

Mr. Speaker, we have had enough doubletalk and double and triple standards of morality in the White House and State Department. If self-determination is good for all the people of the African country of Rhodesia it is good for all the people of the African country of Nigeria.

If President Johnson and his stooges in the State Department say what they mean and mean what they say, let them immediately slap a boycott on Nigeria and every other country, in and out of Africa, that denies self-determination to its citizens.

REPUBLICAN POLICY COMMITTEE STATEMENT ON ELECTION REFORM AND DEDUCTIONS FOR POLITICAL CONTRIBUTIONS

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. Rhodes] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, at the recent meeting of the House Republican policy committee a policy statement regarding "Election Reform and Deductions for Campaign Contributions" was adopted. As chairman of the policy committee, I would like to include at this point in the Record the complete text of this statement.

Republican Policy Committee Statement on Election Reform and Deductions for Political Contributions

The House Republican Policy Committee urges the immediate review and reform of the federal laws that pertain to campaign contribution expenditures.

Political campaigns are becoming so expensive that soon this country will be faced with a situation wherein only the rich, or a person with substantial financial backing will be able to run for public office. There is a growing danger that, in many instances, a person with unlimited financial means, but fewer qualifications, may be able to overwhelm a better qualified, but less affluent, opponent through the maximum use of radio, TV, and other methods of communication and advertising. The federal election laws should be changed so that absolute but reasonable limits are placed on general election and primary campaign expenditures for the various federal offices.

Strict and accurate accounting should be required so that expenditures remain within established limits, and the use of spurious campaign committees to avoid the reporting of total expenditures should be prohibited. Also, a central repository under the direction of the General Accounting Office should be established so that all reports would be received, examined, tabulated, summarized and publicized in a uniform manner.

By its terms, the existing law prohibits contributions by both corporations and unions to campaigns for federal office. Unfortunately, through court interpretation and lack of enforcement, this provision has become almost meaningless. Today, thousands and thousands of dollars of union and corporation funds are channeled, either directly or indirectly, into various political activities. Reform in this area is long overdue. Legislation that will correct the defects in the law and permit vigorous enforcement must be enacted.

In order that there may be maximum participation in the election process by the American public, a $100 tax deduction should be provided for campaign contributions to an appropriate committee of a qualified political party. This deduction should be available whether or not the taxpayer elects to take the standard deduction. A tax deduction of this type would encourage individuals in all walks of life to contribute. Moreover, it would prevent candidates from becoming too dependent upon a few large contributors.

The 1962 Report of the President's Commission on Campaign Costs recommended certain reforms, including tax allowances. These suggestions, which were limited to Presidential and Vice Presidential campaigns, were favorably received and implementing legislation was recommended by the President. Unfortunately, this legislation did not receive serious consideration by either the 87th or the 88th Congresses. In order that a first step toward the solution of this serious problem may be taken during the 89th Congress, we urge that the appropriate Congressional committee give prompt and careful consideration to legislation that will provide a $100 tax deduction for campaign contributions.

That there is a growing interest in elections, and a willingness to participate through campaign contributions, is illustrated by the fact that in the 1964 campaign, a large percent of the total funds collected by the Republican Party was in contributions of $100 or less. Significantly, for 800,000 Republican contributors, the average contribution was $11. On the other hand, a recent report by the Citizen's Research Foundation of Princeton, N.J., reflects that in 1964, of the total Democratic contributions from individuals, 70 percent were received in sums of $500 or more.

Certainly, small contributions must be encouraged. Providing a $100 tax deduction is, we believe, a logical and fair way to achieve this result.

ANOTHER WIRTZ THEORY REFUTED

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Talcott] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TALCOTT. Mr. Speaker, in order to attract adequate, competent agricultural workers during peak harvest seasons, California farmers pay the highest wages and provide the best housing, working, and living conditions of any area in the world.

California fruit and vegetable farmers receive practically no Federal subsidy.

Nevertheless, California growers have been unable to obtain adequate workers. Crops are spoiling in the fields, when some persons are hungry. Growers and processors are moving to Mexico where adequate, and cheaper, labor and materials are available. Labor Secretary Wirtz claimed better family housing would attract an adequate seasonal work force. The growers in my district have provided family units—and there are none better anywhere—new, modern, clean, attractive. The new family units have discommoded many longtime local residents. Nevertheless, the family units are mostly vacant. Workers are desperately needed.

The Federal proposal was wrong again. Every Federal proposal so far has been more harmful than helpful.

We are hopeful that someday the Department of Labor will accept some suggestions from somebody who knows something about the migrant farm laborer, his needs and desires.

I insert at this point an editorial from the Salinas Californian of May 10 which tells the sad story much more clearly than I can:

Another Wirtz Theory Refuted

Another pet theory of the academicians of the U.S. Labor Department has been refuted.

The theory was that speedy construction of good, low cost family housing would attract an adequate number of seasonal farm workers to California.

Remember that one? It was expounded ad nauseum last year by Labor Secretary W. Willard Wirtz and his minions.

It has become quite apparent this week that the theory worked much better on paper than in practice. Ah, those Washington, D.C. farmers.

When the bracero program ended on Dec. 31, 1964, Salinas Valley growers were caught with scarcely any family farm housing. Now, according to the latest reports, they have built 600 to 700 new units—using their own money, not "federal money."

And these new units, which are among the best, if not the best anywhere, are less than half filled by worker occupants. The press tour conducted in the Valley last week by the Council of California Growers revealed that indisputable fact.

Ironically, even as the gleaming new half vacant housing was being shown to the press, the Labor Department was firing off official commendations to the growers who installed it.

Have you ever seen a commendation pick a strawberry or thin a row of lettuce?

The hard facts of the matter seem to be that: 1. The actual size of the southwest's migrant labor pool was vastly overrated by bureaucratic theoreticians, and 2. Diversion of the migrant mainstream from its traditional routes is much more easily talked about than accomplished. (You can lead a horse to water, but . . .)

Salinas Valley growers are fulfilling all the preconditions for successfully attracting an efficient supplementary domestic work force—one of the highest farm wages in the nation, excellent sanitary facilities, new family housing, vigorous interstate recruiting, etc.—so sanctimoniously laid down last year by the Labor Department.

And they're still short of workers.

Do you suppose that the Washington think-factory which hatched the A-Team and Sioux Indian and other similarly goofy programs last year has made another miscalculation?

It's just possible!

One of these days Washington will have to start listening to the farmers' answers for farm problems—taking the advice of real experts, in other words.

What we're worried about is that by the time Washington starts listening, California agriculture will have become—by attrition—only a pale shadow of what it now is, the state's No. 1 industry and a wonder of productivity.

PLIGHT OF THE FARMER

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Talcott] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TALCOTT. Mr. Speaker, more people should know more about the manner, methods, and techniques used by the Federal Government to harass and burden the small farmer.

California Governor Brown has—in desperation—furloughed State felons to help harvest asparagus—excepting men with histories of violence, narcotics, and mental defects. This was necessary because U.S. Secretary of Labor Wirtz refused to permit the importation of temporary workers during peak harvest times when no domestic workers were available. The severe shortage of workers threatened the crops.

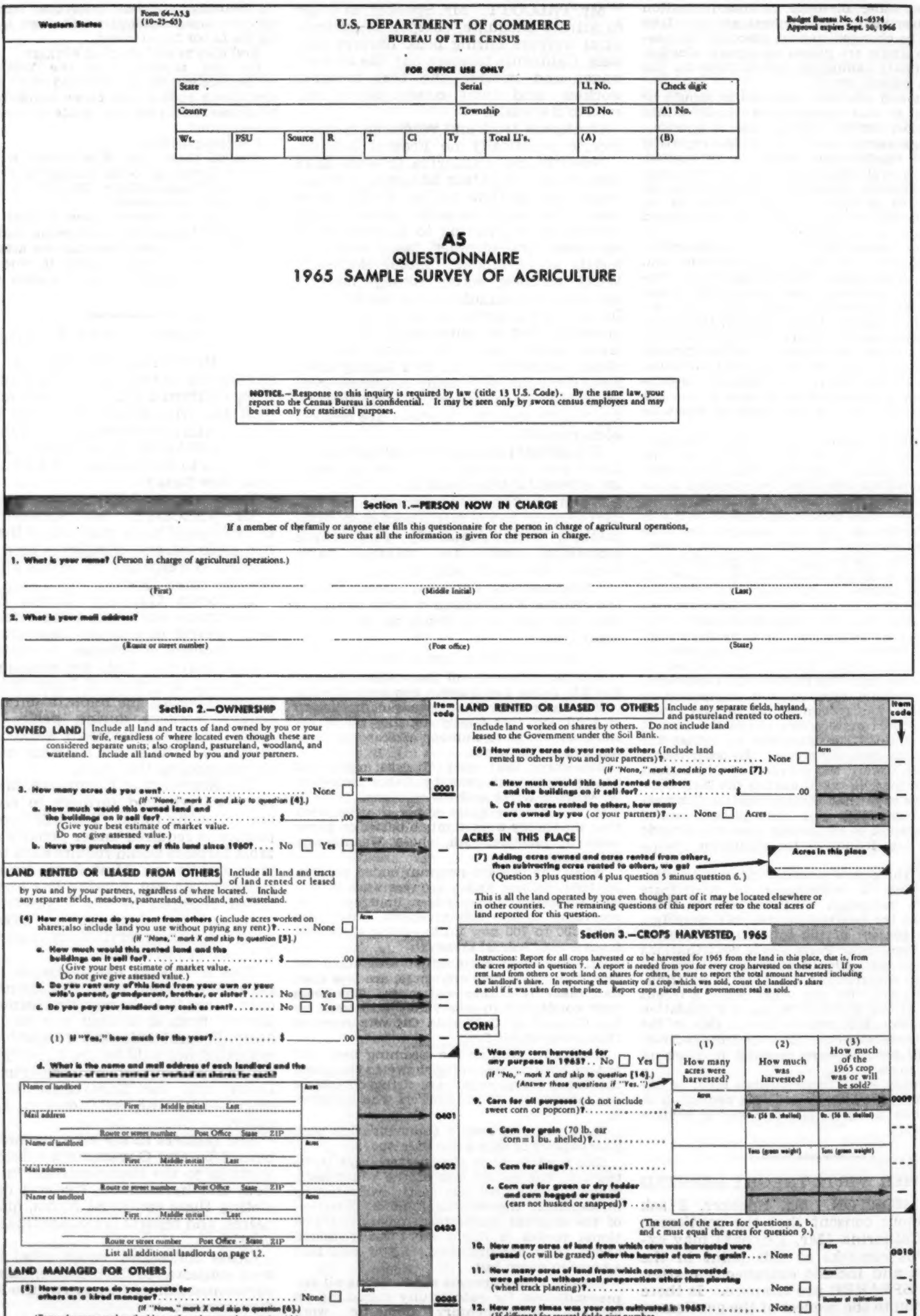
The Secretary of Commerce, Mr. Connor, has required farmers to complete the following form. You will note compliance is required under penalty of law. Most farmers would require days to complete the form. Most farm accounting practices do not provide the enormous detail required by the Commerce Department questionnaire—so extraordinary accounting services are required under pain of jail or fine.

This is another extravagance, an unnecessary burden upon the farmer. Its only value is to harass the farmer who already finds it difficult to comply with every Federal rule and regulation promulgated not only by the Department of Agriculture, but by the Department of Labor and the Department of Commerce—with no relationship to any other.

The farmers in my area are not reimbursed by any Government subsidy. In addition to the inconvenience, interruption, and harassment, the cost of completing these continual forms, questionnaires, and reports is extraordinarily expensive.

Other industries would rebel if they were subjected to the treatment accorded our nonsubsidized farmers by the Federal Government.

I include the full questionnaire at this point.



Western States

Form 64-A5.3
(10-25-65)

U.S. DEPARTMENT OF COMMERCE
BUREAU OF THE CENSUS

Budget Bureau No. 41-6574
Approval expires Sept. 30, 1966

FOR OFFICE USE ONLY

State						Serial		Ll. No.	Check digit
County						Township		ED No.	A1 No.
Wt.	PSU	Source	R	T	Cl	Ty	Total Ll's.	(A)	(B)

A5
QUESTIONNAIRE
1965 SAMPLE SURVEY OF AGRICULTURE

NOTICE.—Response to this inquiry is required by law (title 13 U.S. Code). By the same law, your report to the Census Bureau is confidential. It may be seen only by sworn census employees and may be used only for statistical purposes.

Section 1.—PERSON NOW IN CHARGE

If a member of the family or anyone else fills this questionnaire for the person in charge of agricultural operations, be sure that all the information is given for the person in charge.

1. What is your name? (Person in charge of agricultural operations.)

(First) (Middle initial) (Last)

2. What is your mail address?

(Route or street number) (Post office) (State)

Section 2.—OWNERSHIP

Item code

OWNED LAND Include all land and tracts of land owned by you or your wife, regardless of where located even though these are considered separate units; also cropland, pastureland, woodland, and wasteland. Include all land owned by you and your partners.

3. How many acres do you own? .... None ☐ Acres 0001

(If "None," mark X and skip to question [4].)

a. How much would this owned land and the buildings on it sell for? .... $ .00 →
(Give your best estimate of market value.
Do not give assessed value.)

b. Have you purchased any of this land since 1960? .... No ☐ Yes ☐ →

LAND RENTED OR LEASED FROM OTHERS Include all land and tracts of land rented or leased by you and by your partners, regardless of where located. Include any separate fields, meadows, pastureland, woodland, and wasteland.

[4] How many acres do you rent from others (include acres worked on shares; also include land you use without paying any rent)? ...... None ☐ Acres

(If "None," mark X and skip to question [5].)

a. How much would this rented land and the buildings on it sell for? .... $ .00 →
(Give your best estimate of market value.
Do not give give assessed value.)

b. Do you rent any of this land from your own or your wife's parent, grandparent, brother, or sister? ..... No ☐ Yes ☐ →

c. Do you pay your landlord any cash as rent? .... No ☐ Yes ☐ →

(1) If "Yes," how much for the year? .... $ .00 →

d. What is the name and mail address of each landlord and the number of acres rented or worked on shares for each?

Name of landlord First Middle initial Last Mail address Route or street number Post Office State ZIP	Acres	0401
Name of landlord First Middle initial Last Mail address Route or street number Post Office State ZIP	Acres	0402
Name of landlord First Middle initial Last Route or street number Post Office State ZIP	Acres	0403

List all additional landlords on page 12.

LAND MANAGED FOR OTHERS

[5] How many acres do you operate for others as a hired manager? .... None ☐ Acres 0005

(If "None," mark X and skip to question [6].)

(Enter the name and mail address of employer under question 4d.)

a. How much would this managed land and the buildings on it sell for? .... $ .00 →
(Give your best estimate of market value.
Do not give assessed value.)

LAND RENTED OR LEASED TO OTHERS Include any separate fields, hayland, and pastureland rented to others.

Include land worked on shares by others. Do not include land leased to the Government under the Soil Bank.

[6] How many acres do you rent to others (Include land rented to others by you and your partners)? .... None ☐ Acres

(If "None," mark X and skip to question [7].)

a. How much would this land rented to others and the buildings on it sell for? .... $ .00 →

b. Of the acres rented to others, how many are owned by you (or your partners)? .... None ☐ Acres →

ACRES IN THIS PLACE

[7] Adding acres owned and acres rented from others, then subtracting acres rented to others, we get → Acres in this place
(Question 3 plus question 4 plus question 5 minus question 6.)

This is all the land operated by you even though part of it may be located elsewhere or in other counties. The remaining questions of this report refer to the total acres of land reported for this question.

Section 3.—CROPS HARVESTED, 1965

Instructions: Report for all crops harvested or to be harvested for 1965 from the land in this place, that is, from the acres reported in question 7. A report is needed from you for every crop harvested on these acres. If you rent land from others or work land on shares for others, be sure to report the total amount harvested including the landlord's share. In reporting the quantity of a crop which was sold, count the landlord's share as sold if it was taken from the place. Report crops placed under government seal as sold.

CORN

8. Was any corn harvested for any purpose in 1965? .. No ☐ Yes ☐

(If "No," mark X and skip to question [14].)
(Answer these questions if "Yes.")

	(1) How many acres were harvested?	(2) How much was harvested?	(3) How much of the 1965 crop was or will be sold?	Item code
9. Corn for all purposes (do not include sweet corn or popcorn)?	Acres ★	→	→	0009
a. Corn for grain (70 lb. ear corn = 1 bu. shelled)?		Bu. (56 lb. shelled)	Bu. (56 lb. shelled)	
b. Corn for silage?		Tons (green weight)	Tons (green weight)	
c. Corn cut for green or dry fodder and corn hogged or grazed (ears not husked or snapped)?		→	→	—

(The total of the acres for questions a, b, and c must equal the acres for question 9.)

10. How many acres of land from which corn was harvested were grazed (or will be grazed) **after the harvest of corn for grain?** .... None ☐ Acres 0010

11. How many acres of land from which corn was harvested were planted without soil preparation other than plowing (wheel track planting)? .... None ☐ Acres

12. How many times was your corn cultivated in 1965? .... None ☐ Number of cultivations
(If different for several fields give number of times for largest acreage.)

13. How many tons of green corn were harvested with a field forage harvester and fed without being stored (green chop)? .... None ☐ Tons

SORGHUMS

[14] Were any sorghums harvested for any purpose in 1965? . . . No ☐ Yes ☐
(If "No," mark X and skip to question [17].)
(Answer these questions if "Yes.")

	(1) How many acres were harvested?	(2) How much was harvested?	(3) How much of the 1965 crop was or will be sold?	Item code
15. Sorghums for all purposes? (Include sorghums for grain, silage, forage, pasture, and sirup. Report sorghum-sudan crosses under question 39.) . . .	Acres ★			0015
a. Sorghums for grain or seed? . . . (1 bu. = 56 lbs.)		Lb.	Lb.	- - -
b. Sorghums for silage?		Tons (green weight)	Tons (green weight)	- - -
c. Sorghums cut for dry forage or hay and sorghums hogged or grazed?		Tons hay cut	Tons hay sold	0016
d. Sorghums for sirup? . . . . (Report tenths of an acre.)	. /10	Gallons	Gallons	- - -

(The total of the acres for questions a, b, c, and d must equal the acres for question 15.)

16. How many acres of the land from which sorghums were harvested in 1965 were grazed (or will be grazed) **after the harvest of sorghums for grain, hay, or silage?** . . . . None ☐ Acres —

SOYBEANS

[17] Were any soybeans harvested for any purpose in 1965? . . . . No ☐ Yes ☐
(If "No," mark X and skip to question [21].)
(Answer these questions if "Yes.")

	(1) How many acres were harvested?	(2) How much was harvested?	Item code
18. Soybeans for beans?	Acres ★	Bu.	0018
19. Soybeans for hay?	★	Tons	- -
20. Soybeans hogged or grazed, or cut for silage?	★		—

SMALL GRAINS Include the landlord's share as sold if taken from this place.

(Answer these questions, if "Yes.")

Were any of the following grain crops harvested in 1965—

	No	Yes	(1) How many acres were combined or threshed?	(2) How much was harvested?	(3) How much of the 1965 crop was or will be sold?	Item code
			Acres	Bushels	Bushels	
[21] Wheat?	☐	☐	★			0021
22. Oats for grain?	☐	☐	★			0022
23. Barley?	☐	☐	★			0023
24. Rye?	☐	☐	★			0024
25. Other grains?	☐	☐				
Such as— Mixed grains Safflower Flaxseed Rice Proso millet — Give name			★			0025
Give name			★			0025

26. How many acres of small grains were harvested in 1965? . . . None ☐ or **add acres from questions 21, 22, 23, 24, and 25 and enter total here** → Acres 0026
(If "None," mark X and skip to question [27].)

a. How many of the total acres from which small grains were harvested in 1965, were pastured or grazed BEFORE harvest? . . . . None ☐ Acres —

b. How many of the total acres from which small grains were harvested in 1965, were pastured or grazed AFTER harvest? . . . . None ☐ Acres —

FIELD SEEDS

[27] Were any alfalfa seed, clover seed, or other field seeds harvested in 1965? . . No ☐ Yes ☐
(If "No," mark X and skip to question [33].)
(Answer these questions if "Yes.")

	No	Yes	(1) How many acres were harvested?	(2) How much clean seed was harvested?	Item code
			Acres	Pounds	
28. Alfalfa seed?	☐	☐	★		0028
29. Red clover seed?	☐	☐	★		0029
32. Other field seeds?	☐	☐			
Such as— Alfalfa Fescue Red clover Ryegrass — Give name			★		0032
Give name			★		0032

FIELD CROPS

(Answer these questions, if "Yes.")

Were any of the following crops harvested in 1965—

	No	Yes	(1) How many acres were harvested? (Report tenths of an acre for Irish potatoes.)	(2) How much was harvested?	Item code
[33] Irish potatoes for home use or for sale? . . (If less than 10 hundredweight were harvested, do not report acres.)	☐	☐	Acres ★ Tenths /10	Cwt.	0033
36. Cotton?	☐	☐	★	Bales	0036
37. Dry field and seed beans?	☐	☐	★	100-lb. bags	0037
38. Sugar beets for sugar?	☐	☐	★	Tons	0038

HAY AND GRASS SILAGE CROPS If two or more cuttings, count the acres only once but give total tons for all cuttings.

Include sorghum-sudan grass crosses. Include the landlord's share as sold if taken from this place.

39. From how many acres of land were hay and grass silage harvested in 1965? . . . . None ☐ Acres ★ 0039
(If "None," mark X and skip to question [41].)

a. How many tons of hay were cut from this land in 1965? . . None ☐ Tons —

b. How many tons of this hay were or will be sold? . . . . . . None ☐ Tons —

c. How many tons of grasses and legumes were cut for silage from this land in 1965? . . . . None ☐ Tons —

d. How many tons of grasses and legumes were harvested in 1965 with a forage harvester and fed without being stored? (Include green chop.) . . . . None ☐ Tons —

40. How many acres of land from which hay or grass silage was cut in 1965 were grazed after the harvest of hay or grass silage? . . . . None ☐ Acres —

VEGETABLES FOR HOME USE AND FOR SALE

[41] Were any vegetables, sweet corn, or melons harvested in 1965 for home use? . . . . No ☐ Yes ☐

42. Were any vegetables, sweet corn, or melons harvested in 1965 for sale for fresh market or to canners, freezers, processors? . . . . No ☐ Yes ☐
(If "No," for question 42, mark X and skip to question [56].)

Were any of the following vegetable crops harvested for sale in 1965— *(Answer these questions, if "Yes.")*
(If two or more plantings of the same crop were made, either on the same land or on different land, report the total harvested acres of the several plantings.)

	No	Yes	(1) Acres harvested? (Report tenths of acres)	Item code
			Acres Tenths	
43. Sweet corn?	☐	☐	★ /10	0043
44. Tomatoes?	☐	☐	★ /10	0044
47. Cabbage?	☐	☐	★ /10	0047
50. Dry onions?	☐	☐	★ /10	0050
51. Lettuce and romaine?	☐	☐	★ /10	0051
52. Cantaloups, honeydews, persians, and muskmelons?	☐	☐	★ /10	0052
54. Other vegetables?	☐	☐		
Such as— Asparagus Carrots Celery Cucumbers and pickles Green lima beans Green peas Onions Snap beans (bush and pole types) Spinach Squash Watermelons — Give name			★ /10	
Give name			★ /10	
Give name			★ /10	
Give name			★ /10	

55. What was the value of all vegetables sold in 1965? . . . . $ __________.00 0055
(Include the landlord's share; do not include the value of Irish potatoes.)

BERRIES AND OTHER SMALL FRUITS

[56] Were any berries or other small fruits harvested in 1965 for sale? . . . . No ☐ Yes ☐
(If "No," mark X and skip to question [59].)
(Answer these questions, if "Yes.")

Were any of the following berry crops harvested in 1965—

	No	Yes	(1) Acres harvested? (Report tenths of acres)	(2) Quantity harvested?	Item code
			Acres Tenths		
57. Strawberries?	☐	☐	★ /10	Lb.	0057
58. Other berries?	☐	☐			
Such as— Raspberries Blueberries — Give name			★ /10	Quarts	0058
Give name			★ /10	Quarts	0058

NURSERY AND GREENHOUSE PRODUCTS, FLOWER AND VEGETABLE SEEDS AND PLANTS, AND BULBS

[59] What area was used for growing nursery and greenhouse products, vegetable seeds or plants, flowers or bulbs grown for sale in 1965? . . . . None ☐ { Acres ★ ________ /10 0059 Sq. ft. __________ —
(If "None," mark X and skip to question [61].)

60. How much was the value of sales of nursery products, greenhouse products, vegetable seeds, vegetable and other plants, holly, flowers and bulbs in 1965? . . . . None ☐ $ __________.00 —

TREE FRUITS, NUTS, AND GRAPES

[61] Is there a total of 20 fruit and nut trees and grapevines on this place? . . . . No ☐ Yes ☐
(If "No," mark X and skip to question [75].)
(If "Yes," answer questions 62 through 74.)

62. How much land is in bearing and nonbearing fruit orchards, groves, vineyards, and planted nut trees? . . . . Acres ★ Tenths /10 0062

(Answer these questions, if "Yes.")

Are any of the following kinds of fruit and nut trees on this place—

	No	Yes	(1) How many trees (or vines) are NOT of bearing age?	(2) How many trees (or vines) are of bearing age?	(3) How much was harvested in 1965?	Item code
			Number	Number	Pounds	
63. Apples?	☐	☐				0063
64. Peaches?	☐	☐				0064
65. Pears?	☐	☐				0065
66. Grapes?	☐	☐				0066
67. Plums and prunes?	☐	☐				0067
68. Cherries?	☐	☐				0068
70. Oranges?	☐	☐				0070
71. Apricots?	☐	☐				0071
72. English walnuts?	☐	☐				0072
74. Other fruits and nuts?	☐	☐				
Such as— Almonds Avocados Grapefruit Improved and wild and seedling pecans Nectarines Olives — Give name						
Give name						

OTHER CROPS

[75] Are there any other crops that were harvested in 1965 on this place, such as—Dry field and seed peas? Sweetpotatoes? Peanuts? Broomcorn? . No ☐ Yes ☐

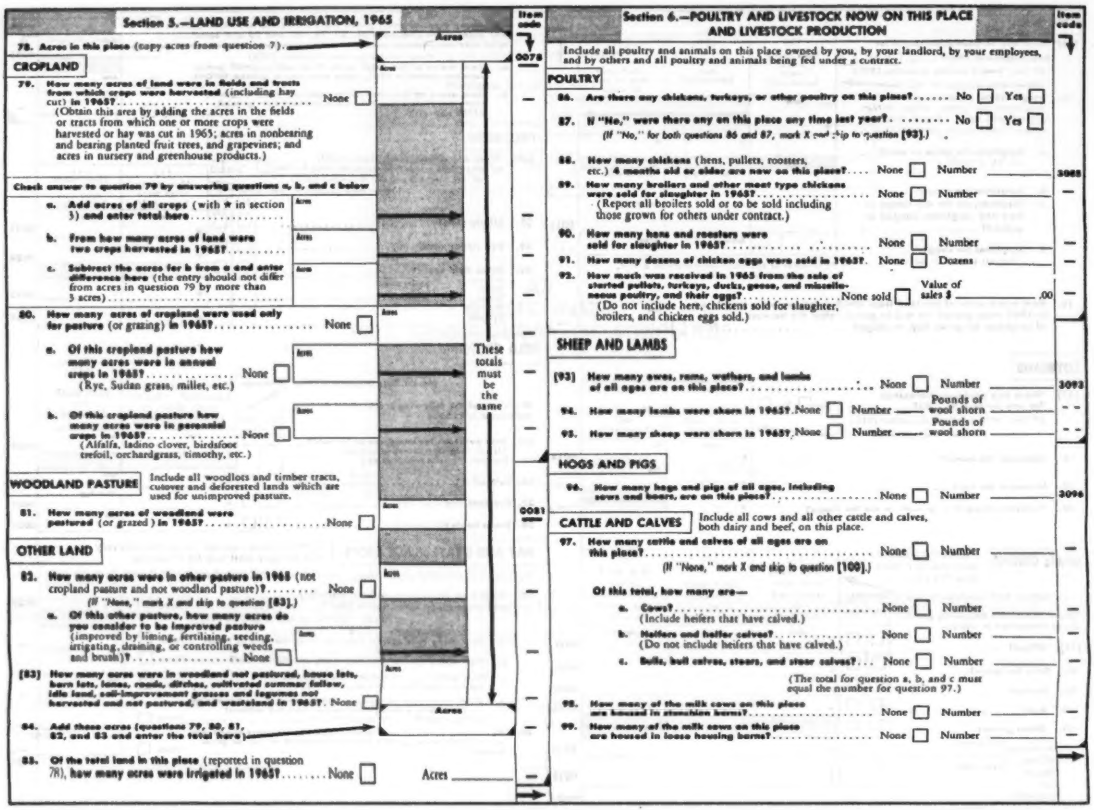
(If "Yes," answer for each crop.)

(1) Give name of crop?	(2) Acres harvested?	(3) Quantity harvested?	(4) Unit of measure?	(5) Value of sales?	Item code
	★			$ ________.00	0075
	★			$ ________.00	0075
	★			$ ________.00	0075
	★			$ ________.00	0075

Section 4.—FOREST PRODUCTS THIS YEAR, 1965

76. How much was received in 1965 from the sale of: standing timber or trees (including standing timber sold for pulpwood)? . . . . None sold ☐ $ __________.00 0076

77. How much was received in 1965 from the sale of firewood, pulpwood, fence posts, sawlogs and veneer logs, Christmas trees, poles and piling, bark, bolts, and mine timbers? . . . . None sold ☐ $ __________.00 —



Section 5.—LAND USE AND IRRIGATION, 1965

Item code

78. Acres in this place (copy acres from question 7). → Acres ______ 0078

CROPLAND

79. How many acres of land were in fields and tracts from which crops were harvested (including hay cut) **in 1965?** .... None ☐ Acres ______
(Obtain this area by adding the acres in the fields or tracts from which one or more crops were harvested or hay was cut in 1965; acres in nonbearing and bearing planted fruit trees, and grapevines; and acres in nursery and greenhouse products.)

Check answer to question 79 by answering questions a, b, and c below

a. **Add acres of all crops** (with ★ in section 3) **and enter total here** .... Acres ______

b. **From how many acres of land were two crops harvested in 1965?** .... Acres ______

c. **Subtract the acres for b from a and enter difference here** (the entry should not differ from acres in question 79 by more than 3 acres) .... Acres ______

80. How many acres of cropland were used only for pasture (or grazing) **in 1965?** .... None ☐ Acres ______

a. **Of this cropland pasture how many acres were in annual crops in 1965?** .... None ☐ Acres ______
(Rye, Sudan grass, millet, etc.)

b. **Of this cropland pasture how many acres were in perennial crops in 1965?** .... None ☐ Acres ______
(Alfalfa, ladino clover, birdsfoot trefoil, orchardgrass, timothy, etc.)

WOODLAND PASTURE Include all woodlots and timber tracts, cutover and deforested lands which are used for unimproved pasture.

81. How many acres of woodland were pastured (or grazed) **in 1965?** .... None ☐ Acres ______ 0081

OTHER LAND

82. How many acres were in other pasture in 1965 (not cropland pasture and not woodland pasture)? .... None ☐ Acres ______
(If "None," mark X and skip to question **[83]**.)

a. **Of this other pasture, how many acres do you consider to be improved pasture** (improved by liming, fertilizing, seeding, irrigating, draining, or controlling weeds and brush)? .... None ☐ Acres ______

[83] How many acres were in woodland not pastured, house lots, barn lots, lanes, roads, ditches, cultivated summer fallow, idle land, soil-improvement grasses and legumes not harvested and not pastured, and wasteland in 1965? None ☐ Acres ______

84. Add these acres (questions 79, 80, 81, 82, and 83 and enter the total here) → Acres ______

These totals must be the same

85. Of the total land in this place (reported in question 78), **how many acres were irrigated in 1965?** .... None ☐ Acres ______

Section 6.—POULTRY AND LIVESTOCK NOW ON THIS PLACE AND LIVESTOCK PRODUCTION

Include all poultry and animals on this place owned by you, by your landlord, by your employees, and by others and all poultry and animals being fed under a contract.

POULTRY

86. Are there any chickens, turkeys, or other poultry on this place? .... No ☐ Yes ☐

87. If "No," were there any on this place any time last year? .... No ☐ Yes ☐
(If "No," for both questions 86 and 87, mark X and skip to question **[93]**.)

88. How many chickens (hens, pullets, roosters, etc.) **4 months old or older are now on this place?** .... None ☐ Number ______ 3088

89. How many broilers and other meat type chickens were sold for slaughter in 1965? .... None ☐ Number ______
(Report all broilers sold or to be sold including those grown for others under contract.)

90. How many hens and roosters were sold for slaughter in 1965? .... None ☐ Number ______

91. How many dozens of chicken eggs were sold in 1965? None ☐ Dozens ______

92. How much was received in 1965 from the sale of started pullets, turkeys, ducks, geese, and miscellaneous poultry, and their eggs? .... None sold ☐ Value of sales $ ______ .00
(Do not include here, chickens sold for slaughter, broilers, and chicken eggs sold.)

SHEEP AND LAMBS

[93] How many ewes, rams, wethers, and lambs of all ages are on this place? .... None ☐ Number ______ 3092

94. How many lambs were shorn in 1965? None ☐ Number ______ Pounds of wool shorn ______

95. How many sheep were shorn in 1965? None ☐ Number ______ Pounds of wool shorn ______

HOGS AND PIGS

96. How many hogs and pigs of all ages, including sows and boars, are on this place? .... None ☐ Number ______ 3096

CATTLE AND CALVES Include all cows and all other cattle and calves, both dairy and beef, on this place.

97. How many cattle and calves of all ages are on this place? .... None ☐ Number ______
(If "None," mark X and skip to question **[100]**.)

Of this total, how many are—

a. **Cows?** .... None ☐ Number ______
(Include heifers that have calved.)

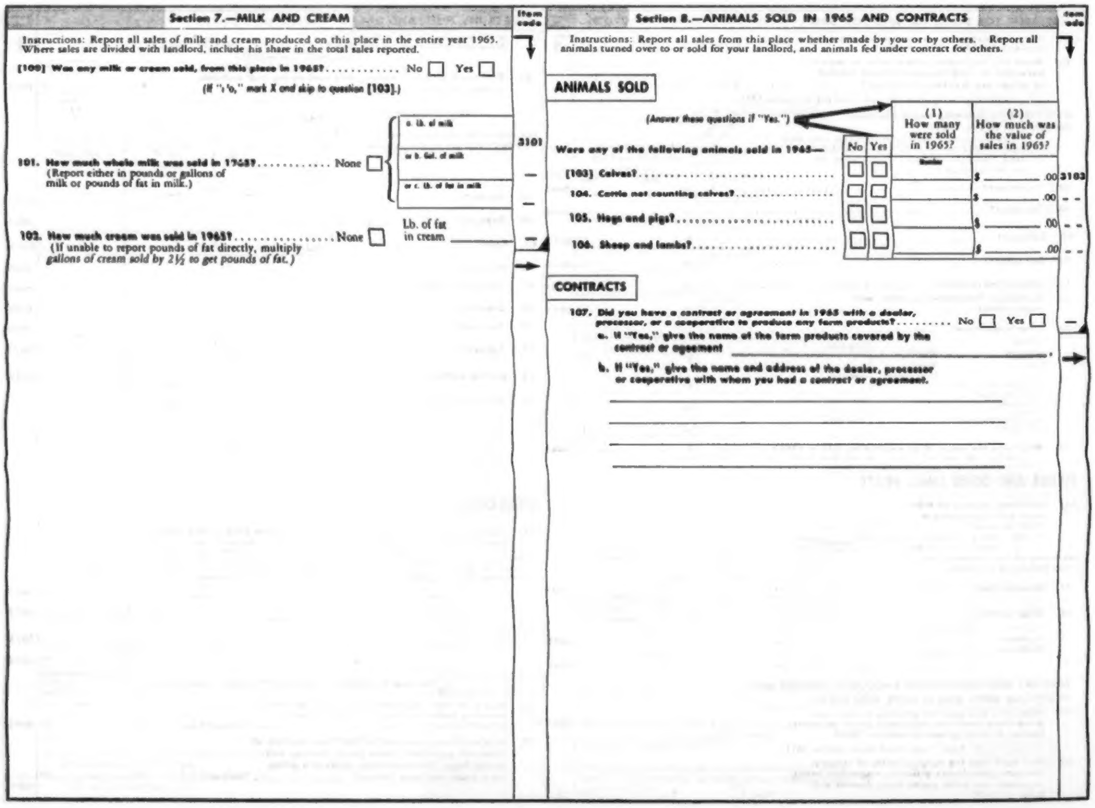
b. **Heifers and heifer calves?** .... None ☐ Number ______
(Do not include heifers that have calved.)

c. **Bulls, bull calves, steers, and steer calves?** .... None ☐ Number ______

(The total for question a, b, and c must equal the number for question 97.)

98. How many of the milk cows on this place are housed in stanchion barns? .... None ☐ Number ______

99. How many of the milk cows on this place are housed in loose housing barns? .... None ☐ Number ______



Section 7.—MILK AND CREAM

Instructions: Report all sales of milk and cream produced on this place in the entire year 1965. Where sales are divided with landlord, include his share in the total sales reported.

[100] Was any milk or cream sold, from this place in 1965? .... No ☐ Yes ☐
(If "No," mark X and skip to question **[103]**.)

101. How much whole milk was sold in 1965? .... None ☐ 3101
(Report either in pounds or gallons of milk or pounds of fat in milk.)
a. lb. of milk ______
or b. Gal. of milk ______
or c. lb. of fat in milk ______

102. How much cream was sold in 1965? .... None ☐ Lb. of fat in cream ______
(If unable to report pounds of fat directly, multiply *gallons of cream sold by 2½ to get pounds of fat.)*

Section 8.—ANIMALS SOLD IN 1965 AND CONTRACTS

Instructions: Report all sales from this place whether made by you or by others. Report all animals turned over to or sold for your landlord, and animals fed under contract for others.

ANIMALS SOLD

(Answer these questions if "Yes.")

Were any of the following animals sold in 1965—	No	Yes	(1) How many were sold in 1965?	(2) How much was the value of sales in 1965?	Item code
[103] Calves?	☐	☐	Number	$ ______ .00	3103
104. Cattle not counting calves?	☐	☐		$ ______ .00	
105. Hogs and pigs?	☐	☐		$ ______ .00	
106. Sheep and lambs?	☐	☐		$ ______ .00	

CONTRACTS

107. Did you have a contract or agreement in 1965 with a dealer, processor, or a cooperative to produce any farm products? .... No ☐ Yes ☐

a. **If "Yes," give the name of the farm products covered by the contract or agreement** ______

b. **If "Yes," give the name and address of the dealer, processor or cooperative with whom you had a contract or agreement.**

______

______

______

______

Section 9.—FARM EQUIPMENT ON THIS PLACE

Farm operators have greatly increased their use of farm machinery during recent years. Your answers to the following questions will provide information on the number of some important machines on farms. Include equipment, whether owned by you or by others, on this place. Include only equipment that is in operating order and was used during 1964 or 1965.

	Total number on this place	How many of these were new when purchased by you?	Item code
108. How many cornpickers and picker shellers are on this place?			
a. 1-row cornpickers:			
(1) **Pull type**	None ☐ ______	None ☐ ______	4108
(2) **Mounted**	None ☐ ______	None ☐ ______	- -
b. 2-row cornpickers:			
(1) **Pull type**	None ☐ ______	None ☐ ______	- -
(2) **Mounted**	None ☐ ______	None ☐ ______	- -
(3) **Self-propelled**	None ☐ ______	None ☐ ______	- -
c. Cornpicker shellers (including pickers converted to picker shellers):			
(1) **Pull type**	None ☐ ______	None ☐ ______	- -
(2) **Mounted**	None ☐ ______	None ☐ ______	- -
(3) **Self-propelled**	None ☐ ______	None ☐ ______	- -
d. Cornpicking units for combines:			
(1) **2-row**	None ☐ ______	None ☐ ______	- -
(2) **Over 2-row**	None ☐ ______	None ☐ ______	- -
109. How many grain combines are on this place?			
a. Pull type:			
(1) **6 ft. or under**	None ☐ ______	None ☐ ______	4109
(2) **Over 6 ft. and under 9 ft**	None ☐ ______	None ☐ ______	- -
(3) **9 ft. and under 12 ft**	None ☐ ______	None ☐ ______	- -
(4) **12 ft. and over**	None ☐ ______	None ☐ ______	- -
b. Self-propelled:			
(1) **10 ft. or under**	None ☐ ______	None ☐ ______	- -
(2) **Over 10 ft. and under 12 ft**	None ☐ ______	None ☐ ______	- -
(3) **12 ft. and under 14 ft**	None ☐ ______	None ☐ ______	- -
(4) **14 ft. and over**	None ☐ ______	None ☐ ______	- -
c. In what year was the newest self-propelled combine purchased? . . Year ______			-
110. How many pickup balers are on this place?			
a. Twine	None ☐ ______	None ☐ ______	- -
b. Wire	None ☐ ______	None ☐ ______	- -
111. How many grain drills are on this place?			
a. Under 10 feet wide	None ☐ ______	None ☐ ______	- -
b. 10 feet wide and over	None ☐ ______	None ☐ ______	- -
112. How many tractor mowers are on this place?			
a. Cutter bar	None ☐ ______	None ☐ ______	- -
b. Rotary or flail	None ☐ ______	None ☐ ______	- -
			→

		Number on this place			Item code
		Diesel	Gasoline	LP gas	
113. How many wheel type tractors are on this place?					
a. Manufactured 1961 or later	None ☐	______	______	______	4113
b. Manufactured 1956 through 1960	None ☐	______	______	______	- - -
c. Manufactured 1951 through 1955	None ☐	______	______	______	- - -
d. Manufactured 1950 or earlier	None ☐	______	______	______	- - -

		Pickups	Other trucks	Item code
114. How many motortrucks are on this place?				
a. Manufactured 1961 or later	None ☐	______	______	- -
b. Manufactured 1956 through 1960	None ☐	______	______	- -
c. Manufactured 1955 or earlier	None ☐	______	______	- -

		Mounted	Pull	Item code
115. How many tractor moldboard plows are on this place?				
a. 1 and 2 bottom	None ☐	______	______	- -
b. 3 and 4 bottom	None ☐	______	______	- -
c. 5 bottom and larger	None ☐	______	______	- -

				Item code
116. How many field forage harvesters are on this place?				
a. Shear bar	None ☐	Number	______	4116
b. Flail	None ☐	Number	______	—
117. How many crop driers are on this place?				
a. Heated air type	None ☐	Number	______	—
b. Crop drying fan	None ☐	Number	______	—
118. How many corn, corn and cotton, and unit planters are on this place?				
a. Less than 4 row or 4 units	None ☐	Number	______	—
b. 4 row, 4 unit, or larger	None ☐	Number	______	—
119. How many power sprayers and dusters are on this place?				
a. Power sprayers	None ☐	Number	______	—
b. Power dusters	None ☐	Number	______	—
120. How many manure spreaders are on this place?	None ☐	Number	______	—
121. How many power operated barn cleaners are on this place?	None ☐	Number	______	—
122. How many tractor mounted loaders are on this place? . .	None ☐	Number	______	—
123. How many cotton pickers are on this place?	None ☐	Number	______	—
a. In what year was the newest cotton picker purchased?		Year	______	—
124. How many side-delivery rakes are on this place?	None ☐	Number	______	—
125. How many power dumping and unloading wagons are on this place?	None ☐	Number	______	—
126. How many upright silo unloaders are on this place?	None ☐	Number	______	—
127. How many electric-powered bunk feeders are on this place?	None ☐	Number	______	—
128. How many electric-powered poultry feeders are on this place?	None ☐	Number	______	—
129. How many pipeline milking systems are on this place? .	None ☐	Number	______	—
130. How many power chain saws are on this place?	None ☐	Number	______	—
				→

Section 10.—OFF-FARM WORK, INCOME AND OPERATING EXPENSES

AGE AND OFF-FARM WORK

		Item code
131. What is your age?	Years ______	3131
132. When did you begin to operate this place? .... (Report month if you began to operate this place since January 1, 1964.)	Month ______ Year ______	—

133. How many days did you work off your farm in 1965? Include work at a nonfarm job, business, profession, or on someone else's farm. (Do not include exchange work.)

(Mark one.) →	(1) None ☐	(2) 1 to 49 days ☐	(3) 50 to 99 days ☐	(4) 100 to 199 days ☐	(5) 200 or more days ☐	—

INCOME

Many farmers and their families receive part of their income from off-farm sources. Your answers to the following questions when combined with those given by others will provide measures of such income. *Include income received between January 1 and December 31, 1965. If you are not certain of the exact figure please give your best estimate.*

			Item code
134. How much did you and members of your family living in your household receive in 1965 from cash wages, salaries, commissions, and tips from all jobs? .... (Report amount before deducting taxes.)	None ☐	$______.00	—
135. How much did you and members of your family living in your household receive in 1965 from Federal Social Security, pensions, and retirement pay, veterans' payments, and annuities?	None ☐	$______.00	—
136. How much did you and members of your family living in your household receive in 1965 from custom work (operating own combine, cornpicker, or other machine for hire)? .... (Report net earnings after deducting cash operating expenses.)	None ☐	$______.00	—
137. How much did you and members of your family living in your household receive in 1965 from interest dividends, and regular payments from trust funds?	None ☐	$______.00	—
138. How much did you and members of your family living in your household receive in 1965 from the rental of farm property to others? .... (Include rent from houses on your farm. Report net after deducting expenses on this property.)	None ☐	$______.00	—
139. How much did you and members of your family living in your household receive in 1965 from Government payments (Soil Bank, crop diversion, payments for conservation practices including liming, fertilizing, establishing cover crops, erosion control, etc.)?	None ☐	$______.00	—
			→

			Item code
140. How much did you and members of your family living in your household receive in 1965 from working in a nonfarm business or professional practice? .... (Report net earnings after deducting business expenses.)	None ☐	$______.00	3140
141. How much did you and members of your family living in your household receive in 1965 from the rental of nonfarm property? .... (*Report net after deducting expenses on this property.*)	None ☐	$______.00	—
142. How much did you and members of your family living in your household receive in 1965 from unemployment insurance, workmen's compensation, and old age assistance?	None ☐	$______.00	—
143. How much did you and members of your family living in your household receive in 1965 from roomers and boarders plus contribution for support of family from persons outside the family?	None ☐	$______.00	—
144. How much did you and members of your family living in your household receive in 1965 from other sources? .... (*Oil, gas, and coal easements, rights of way, etc.*)	None ☐	$______.00	—

VALUE OF FARM PRODUCTS SOLD

			Item code
145. What will be the total value of farm products sold from this place in 1965? .... (Be sure to include livestock and poultry products sold and the value of crops harvested in 1965, yet to be sold. *Include landlord's share, if any, and Commodity Credit Corporation loan.*)	None ☐	$______.00	—
a. If a tenant, what will your share be?	None ☐	$______.00	—

OPERATING EXPENSES

			Item code
146. What were the total cash operating expenses for this farm in 1965? .... (Do not include cash expenses paid by landlord.)	None ☐	$______.00	—
			→

Section 11.—PURCHASES, EXPENDITURES, AND CUSTOM WORK IN 1965

Item code

PURCHASES

How many of the following were purchased by you for farm business use in 1965—

147. New automobiles? .... None ☐ Number______ 3147
148. Used automobiles? .... None ☐ Number______ —
149. New motortrucks? .... None ☐ Number______ —
150. Used motortrucks? .... None ☐ Number______ —

(Please report the amount paid or to be paid (the purchase price) for automobiles, motortrucks, farm machinery and equipment. Report only the net cost after subtracting the value of your trade-in. Do not include finance charges, carrying charges, interest, insurance, license, or titling fees.)

How much did you pay or agree to pay for the purchase of the following for farm business use in 1965—

		Amount paid for new items	Amount paid for used items	Item code
151. Automobiles?	None ☐	$______.00	$______.00	- -
152. Motortrucks?	None ☐	$______.00	$______.00	- -
153. Farm machinery and equipment?	None ☐	$______.00	$______.00	3153

EXPENDITURES AND CUSTOM WORK

154. How much was spent by you for farm business use in 1965 on repairs, services, and parts for—

a. Tractors? .... None ☐ $______.00 —
(Do not include expenses of fuel, oil, and grease.)

b. Farm machinery? .... None ☐ $______.00 —
(Do not include expenses of fuel, oil, and grease.)

c. Motortrucks? .... None ☐ $______.00 —
(Do not include expenses of fuel, oil, and grease.)

d. Automobiles? .... None ☐ $______.00 —
(Include only the farm business share of expenses. Do not include expenses for gasoline, oil, and grease.)

155. How much was spent by you in 1965 for hired labor, including cash payments to members of your family and Social Security tax payments for employees? .... None ☐ $______.00 —

a. How much of his amount spent for hired labor was paid to members of your family? .... None ☐ $______.00 —
(Include Social Security taxes on these payments.)

156. How much was spent by you in 1965 for custom application of pesticides:
(Include the cost of materials and cost of application.)

a. Insecticides? .... None ☐ $______.00 3156
b. Fungicides? .... None ☐ $______.00 —
c. Herbicides? .... None ☐ $______.00 —
d. Other pesticides? .... None ☐ $______.00 —

157. How much was spent by you in 1965 for pesticides applied with your equipment:
(Include cost of materials only.)

a. Insecticides? .... None ☐ $______.00 —
b. Fungicides? .... None ☐ $______.00 —
c. Herbicides? .... None ☐ $______.00 —
d. Other pesticides? .... None ☐ $______.00 —

158. How much was spent by you in 1965 for repairs and maintenance of existing farm buildings on this place? .... None ☐ $______.00 3158
(Include repairs made or paid for by you on rented buildings.)

How much of the following was purchased by you and your landlord for use on this place for farm business use in 1965—

159. Gasoline? .... None ☐ Gallons ______ —
160. Diesel fuel? .... None ☐ Gallons ______ —
161. Light fuel oils? .... None ☐ Gallons ______ —
162. LP gas? .... None ☐ Gallons ______ —
163. Kerosene? .... None ☐ Gallons ______ —
164. Other fuels? .... None ☐ Gallons ______ —
Give name ______

165. Lubricating oil? .... None ☐ Gallons ______ 3165
166. Grease? .... None ☐ Pounds ______ —

167. Was there any custom application of lime or liming materials on this place during 1965? .... No ☐ Yes ☐
If "Yes"—

a. How many tons of lime were applied? .... Tons ______ —
b. How many acres were limed? .... Acres ______ —

168. Was there any custom application of fertilizer or fertilizing materials on this place during 1965? .... No ☐ Yes ☐
If "Yes"—

a. How many tons of fertilizer or fertilizing materials were applied? .... Tons ______ —
b. How many acres were fertilized? .... Acres ______ —

169. How many tons of home grown grain were custom ground in 1965? .... None ☐ Tons ______ —

Section 12.—FARM BUILDINGS AND STRUCTURES

Item code

To improve their farms and farming methods, many farmers have constructed new buildings during recent years. No one has any recent figures showing how many and what kinds of new buildings have been built on farms. Your answers to the following questions will provide the needed information. (Do not report any building that cost less than $100.)

170. Has the construction of any of the following kinds of new buildings or structures been completed on THIS PLACE since January 1, 1963? (Dwelling? Barns? Hoghouses? Poultry houses? Sheep shelters? Grain storages? Silos? Garages? Machinery or other storages? Other farm buildings?) .... No ☐ Yes ☐ *(If "Yes," please answer the questions below.)*

Principal present use of building (If more than one building of each kind has been completed since January 1, 1963, list the second building in question 183.)	In what year was building or structure completed?	What is the size of the building?		What material was used for—																						Does the building have electricity? (Mark X)		Does the building have running water? (Mark X)		How much was spent by you for materials, hired labor, or for contracts for the construction of each building completed? (Please give your best estimate excluding landlord's share.)	Item code
				Wall framing? (Mark X)				Exterior walls? (Mark X)					Roof framing? (Mark X)				Roof covering? (Mark X)				Flooring? (Mark X)				(25)		(26)			(27)	
	(1)	Length (feet) (2)	Width (feet) (3)	Wood poles (4)	Lumber (5)	Steel or other metal (6)	Other (7)	Lumber, plywood and other wood products (8)	Masonry (brick, stone) (9)	Metal (10)	Asbestos cement, or paneled shingle (11)	Other material (12)	Wood poles (13)	Lumber (14)	Steel or other metal (15)	Other (16)	Asphalt (17)	Wood shingle (18)	Metal (19)	Other material (asbestos, cement, etc. (20)	Concrete (21)	Wood (22)	Earth (23)	Other (24)	Yes	No	Yes	No		
171. Dairy stall barns																													$ ______.00	2171
172. Dairy milking parlors																													$ ______.00	2172
173. Dairy loose housing buildings																													$ ______.00	2173
174. Barns for beef and other cattle except dairy cows																													$ ______.00	2174
175. Stationary hog houses																													$ ______.00	2175
176. Movable hog houses																													$ ______.00	2176
177. Poultry and turkey houses																													$ ______.00	2177
178. Sheep shelters																													$ ______.00	2178
179. Storage for corn and grains																													$ ______.00	2179
180. Storage for hay and bedding																													$ ______.00	2180
181. Storage for fruits and vegetables																													$ ______.00	2181
182. Shops and storage for machinery																													$ ______.00	2182
183. All other buildings, except dwellings (second building of a kind, also, milk-house, egg-handling, crop drying buildings, etc.). Give name:																													$ ______.00	
______																													$ ______.00	
______																													$ ______.00	
______																													$ ______.00	
184. Operator dwelling		Sq. ft.																											$ ______.00	2184
185. Other dwellings or bunkhouses		Sq. ft.																											$ ______.00	2185

Has the construction of any of the following been completed since January 1, 1963?—

	Length	Width	Height		
186. Trench or bunker silos (give length, width, height, and expenditure)	______	______	______	$ ______.00	0186
187. Upright silos:					
a. Concrete stave or masonry (give width, height, and expenditure)		______	______	$ ______.00	0187
b. Steel (give width, height, and expenditure)		______	______	$ ______.00	- -
c. Wood (give width, height, and expenditure)		______	______	$ ______.00	- -
188. Paved barnyards (give length, width, and expenditure)	______	______		$ ______.00	0188

Section 13.—DEBTS

Continuing changes in agriculture have often increased the amount of money and credit required for farming. This survey of debts owed by farmers is to measure farm credit requirements, and to get a more complete picture of the farm debt situation. Please report money that you owe as a result of the ownership or operation of this place and debts owed for household and family living expenses.

INSTRUCTIONS

Please read these instructions before answering questions 189 to 198.

The debts which you report in columns 1, 2, and 3 should refer only to money NOW owed. Report amounts owed to each lender.

Column 1

The debts to be reported in column 1 include the total of all loans, notes, and advances, charge accounts, time purchases, and purchase contracts including mortgages and deeds of trust due to the ownership or operation of the acreage reported in question 7 (this place).

Column 2

Report in column 2 that part of the debts reported in column 1 which are secured by real estate in this place. Include debts secured entirely or in part by real estate mortgages (first, second, or third), deeds of trust, or land purchase contracts. Report these debts in column 2 even though they are also secured in part by chattel mortgages or liens on livestock, poultry, equipment or crops.

Column 3

Report in column 3 that part of the total debts reported in column 1 which are not secured by real estate in this place. Include unsecured debts and debts secured entirely by notes, chattel mortgages, crop liens, livestock and farm equipment. Also include unpaid bills and accounts which you owe.

General

Do not include any of the following kinds of debts in this report—

Debts on farm property rented to others.
Debts on nonfarm property.
Price support loans owed to the Commodity Credit Corporation.
Your landlord's share of any debts.

For debts that are due to the ownership or operation of this place, as reported in question 7, and to the ownership of other farm or business property, estimate and report only that part applying to this place. The share of the real estate debts (to be reported in column 2) should be estimated in proportion to the market values of the properties. Estimate and report in column 3 only that part of the nonreal estate debt that relates to this place.

	Total Amount Now Owed? (Report unpaid principal for debts you owe on this place. The amount in Column 1 should equal the total of the amounts in Columns 2 and 3.) (Total amount owed = real estate debt + nonreal estate debt.) (Column 1)	How much of the total amount owed by you is secured by land and buildings in this place? (Include debts secured by real estate mortgages, deeds of trust, land purchase contracts, etc.) (Column 2)	How much of the total is not secured by land and buildings? (Include debts secured by chattel mortgages, notes, unpaid bills, open accounts, etc.) (Column 3)	Item code ↓
	(If none, mark X)	*(If none, mark X)*	*(If none, mark X)*	
How much money do you now owe to—				
189. **A Federal Land Bank (or Federal Land Bank Association)?**	None ☐ $ ______ .00	None ☐ $ ______ .00	None ☐ $ ______ .00	3189
190. **The Farmers Home Administration?**	None ☐ $ ______ .00	None ☐ $ ______ .00	None ☐ $ ______ .00	---
191. **An insurance company?**	None ☐ $ ______ .00	None ☐ $ ______ .00	None ☐ $ ______ .00	3191
192. **A commercial or savings bank** (National or State bank, Trust company, etc.)?	None ☐ $ ______ .00	None ☐ $ ______ .00	None ☐ $ ______ .00	---
193. **A production credit association?**	None ☐ $ ______ .00	None ☐ $ ______ .00	None ☐ $ ______ .00	3193
194. **Other lending institutions?** (Mortgage company, livestock loan company, savings and loan association, finance company, State or county agency, etc.)	None ☐ $ ______ .00	None ☐ $ ______ .00	None ☐ $ ______ .00	---
How much money do you now owe to—				
195. **Merchants and dealers** (including cooperatives, mail order companies, farm machinery companies, and other manufacturers) **for purchase of—**				
a. **Tractors and farm machinery** (including repairs)?	None ☐ $ ______ .00	None ☐ $ ______ .00	None ☐ $ ______ .00	3195
b. **Autos and trucks** (including repairs)?	None ☐ $ ______ .00	None ☐ $ ______ .00	None ☐ $ ______ .00	---
c. **Gasoline, oil, and other fuel?**	None ☐ $ ______ .00	None ☐ $ ______ .00	None ☐ $ ______ .00	3196
d. **Feed, seed, fertilizer?**	None ☐ $ ______ .00	None ☐ $ ______ .00	None ☐ $ ______ .00	---
e. **Livestock and poultry?**	None ☐ $ ______ .00	None ☐ $ ______ .00	None ☐ $ ______ .00	3197
f. **Household furniture, household appliances, household supplies, food, and clothing?**	None ☐ $ ______ .00	None ☐ $ ______ .00	None ☐ $ ______ .00	---
g. **All other purchases from merchants and dealers, including building supplies, hardware, customwork, and similar purchases?**	None ☐ $ ______ .00	None ☐ $ ______ .00	None ☐ $ ______ .00	---
How much money do you now owe to—				
196. **An individual from whom you bought part or all of this farm—**				
a. **Under a mortgage or deed of trust?**	None ☐ $ ______ .00	None ☐ $ ______ .00	None ☐ $ ______ .00	3198
b. **Under a land purchase contract?**	None ☐ $ ______ .00	None ☐ $ ______ .00	None ☐ $ ______ .00	---
197. **Any other individual, your landlord, a relative, a friend, an estate, etc.?**	None ☐ $ ______ .00	None ☐ $ ______ .00	None ☐ $ ______ .00	3199
198. **How much money do you now owe on unpaid bills for hospital, medical and veterinary services, utilities, taxes or insurance premiums, and debts for other purposes?**	None ☐ $ ______ .00	None ☐ $ ______ .00	None ☐ $ ______ .00	---

199. **On what date was this questionnaire filled?** ______ (Month) ______ (Day), 1966. 3200 →

Name of person filling this report ______ (First) ______ (Middle initial) ______ (Last)

Address ______ (Route or street number) ______ (Post office) ______ (State) Telephone exchange ______ Telephone number ______

		Item code ↓	**EXPLANATIONS AND CALCULATIONS:**
Name of landlord ______ First ______ Middle initial ______ Last Mail address ______ Route or street number ______ Post Office ______ State-ZIP	Acres	0404	
Name of landlord ______ First ______ Middle initial ______ Last Mail address ______ Route or street number ______ Post Office ______ State-ZIP	Acres	0405	
Name of landlord ______ First ______ Middle initial ______ Last Mail address ______ Route or street number ______ Post Office ______ State-ZIP	Acres	0406	
Name of landlord ______ First ______ Middle initial ______ Last Mail address ______ Route or street number ______ Post Office ______ State-ZIP	Acres	0407	
Name of landlord ______ First ______ Middle initial ______ Last Mail address ______ Route or street number ______ Post Office ______ State-ZIP	Acres	0408	
Name of landlord ______ First ______ Middle initial ______ Last Mail address ______ Route or street number ______ Post Office ______ State-ZIP	Acres	0409	
Name of landlord ______ First ______ Middle initial ______ Last Mail address ______ Route or street number ______ Post Office ______ State-ZIP	Acres	0410	
Name of landlord ______ First ______ Middle initial ______ Last Mail address ______ Route or street number ______ Post Office ______ State-ZIP	Acres	0411	
Name of landlord ______ First ______ Middle initial ______ Last Mail address ______ Route or street number ______ Post Office ______ State-ZIP	Acres	0412	
Name of landlord ______ First ______ Middle initial ______ Last Mail address ______ Route or street number ______ Post Office ______ State-ZIP	Acres	0413	
Name of landlord ______ First ______ Middle initial ______ Last Mail address ______ Route or street number ______ Post Office ______ State-ZIP	Acres	0414	
Name of landlord ______ First ______ Middle initial ______ Last Mail address ______ Route or street number ______ Post Office ______ State-ZIP	Acres	0415	
(If additional space is needed, attach supplemental sheets)			

SBA CHIEF BACKS INDEPENDENCE

Mr. HORTON. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. Moore] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MOORE. Mr. Speaker, minority members of the Select Committee on Small Business early in this session of the Congress began to unveil by a series of weekly observations some of the difficulties, the trials and tribulations that the Small Business Administration was experiencing in which the small businessman of our Nation was being made the victim.

Aside from pointing out the lack of an Administrator and urging the immediate appointment of the same, we sought reimplementation of the original purposes of the agency and cautioned the membership of the Congress that the independence of the Small Business Administration was about to be lost as reliable rumors continued to indicate that the administration would seek to merge it with the Department of Commerce.

It is now a matter of general knowledge that we have a new and, I think, competent Administrator. We have this week been pleased with the announcement that the business loan program is being reactivated and that applications from small businessmen will be received in the various regional offices throughout the Nation.

Mr. Speaker, in addition to these, I am pleased to include with my remarks an article which appeared in the Washington Post in which the new Administrator has taken a firm position about maintaining the independent status of the Small Business Administration. I am sure Mr. Boutin is adamant in his statement that he did not come to the SBA as a caretaker or as an undertaker, and that he does not intend to become one.

These remarks, Mr. Speaker, augur well with the Republican members of the Select Committee on Small Business.

The article follows:

New SBA Chief Backs Independence

Bernard L. Boutin, new Small Business Administrator, opposes any attempt to move the Small Business Administration from its independent status to the Commerce Department.

Although the Johnson administration has proposed nothing formally to Congress for such a move, there were reports earlier this year that the switch would be suggested. Many members of Congress have already opposed the idea.

SBA said Boutin's comments before the National Advisory Council were his own personal views, but they could indicate a softening of administration thinking.

Boutin, a former head of the General Services Administration, was sworn into office only last Thursday and President Johnson undoubtedly knew his views on the transfer.

Boutin said that when Johnson named him administrator "he did not ask me to come to the Small Business Administration as a caretaker or as an undertaker, and I do not intend to be either."

The new administrator said "it is my firm conviction that SBA cannot be the strong and effective voice of small business within this government unless it maintains its position as an independent agency of this government."

ELMO ELLIS HONORED AT ANNUAL PRESENTATION OF ALFRED P. SLOAN RADIO-TV AWARDS FOR HIGHWAY SAFETY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. Mackay] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. MACKAY. Mr. Speaker, I am pleased to note that radio station WSB in Atlanta, and its general manager, Elmo Ellis, were honored Tuesday night at the annual presentation of the Alfred P. Sloan Radio-TV Awards for Highway Safety.

Station WSB received an award for sustaining programs, with the following citation:

> Traffic safety is a basic part of every WSB broadcast day, and six 24-hour days were devoted entirely to safety in 1965. The extension of a skycopter service to include ground patrol of traffic is considered a "highly effective, almost invaluable" aid by Atlanta's police chief. With singleness of approach and appeal, WSB conducted an Expressway Editorial Campaign which resulted in official action to improve the city's expressway system. This dedication to traffic safety is in the highest tradition of public service in broadcasting.

Mr. Ellis was presented with the Creative Award for Radio Writers. His citation stated:

> Hard-hitting editorials by Elmo Ellis, general manager of WSB, Atlanta, Georgia, in a campaign to improve ramps on the city's expressway system brought immediate response from the public and action by public officials. This combination of public support and official action resulted in improvements at high accident locations and created a renewed interest in expansion of the city's freeway system. The forthright, practical approach to accident prevention by Mr. Ellis meets the highest standards of journalism.

In addition to these well-deserved honors, Mr. Ellis and station WSB can take pride in knowing that they have made a positive contribution to the safety and well-being of highway users in the Atlanta community.

Positive contributions of this type must be multiplied many times if we are to achieve a significant reduction in the Nation's traffic toll. For this reason I was most interested in the address given at the Sloan Awards banquet in New York City by Alan S. Boyd, Under Secretary of Commerce for Transportation, who discussed the administration's traffic safety proposals.

Opinions vary on the administration's proposals. Some find them too strong and others, like myself, would like to see them made stronger, and I have offered amendments which I believe would accomplish this. I can agree completely with Mr. Boyd, however, when he says of the administration's objectives: "We want results."

His address sets forth quite forcefully the administration's approach to the safety problem and, in addition, offers a clear picture of how these goals would be pursued. I believe this speech makes an important contribution to the traffic safety debate, and I include it at the close of my remarks:

Remarks by Alan S. Boyd, Under Secretary of Commerce for Transportation, Prepared for Delivery at the Annual Presentation of the Alfred P. Sloan Radio-TV Awards for Highway Safety, at the Waldorf-Astoria Hotel, New York City, 7 p.m., Tuesday, May 24, 1966

There is a normal human tendency to be self-satisfied: to feel that what we are doing now and the way in which we conduct our affairs is good and sufficient. It is often uncomfortable to consider that we can and should improve our activities. But we can step out of our humdrum routine to promote, to inspire, and to educate. Those whom we honor tonight have done this by utilizing the communications media with sensitivity and imagination to promote Highway Safety.

In winning the Alfred P. Sloan Awards you have demonstrated your ability to live up to Mr. Sloan's own high ideals of public responsibility. This sense of responsibility was reflected in his life-long commitment to the cause of highway safety, and the personal leadership he gave to this cause.

Thirty years ago he joined with three other industry leaders in organizing the Automotive Safety Foundation, which he continued to support even after his retirement as an active executive of General Motors Corporation. In 1948, as founder and chairman of the Alfred P. Sloan Foundation, he established these awards to the broadcasting industry, and he continued to participate personally in this program so long as his health permitted.

It is good to take occasion periodically to recognize the efforts spent on traffic safety because those who are devoting their energies in this cause may be tempted to feel that they have been rowing upstream and against a strong current, at that. Tonight's ceremony affords a brief pause to look around and see where we have been and where we are going. I can't leave this simile, however, without urging you not to rest too long on your oars.

We have made considerable progress in this long, upstream struggle. Travel on the Nation's roads and streets is almost three times as safe as when the Automotive Safety Foundation was founded—as measured in deaths per vehicle miles.

But it still is far from safe enough. The closer we get to shore, if you will, the stronger the current—because of the enormous growth in population, in drivers, vehicles, and highway usage. The absolute toll in lives lost, injuries, accidents and damages now reaches new records each year.

The figures are familiar and frightening: Fifty thousand Americans killed in a year; 100,000 permanently disabled; nearly 4 million injured; over $10 billion in economic losses.

You know, and I believe more and more American citizens know, that this national tragedy need not continue. They agree with President Johnson that "we can no longer tolerate such anarchy on wheels."

Earlier this year President Johnson presented a program designed to carry forward a comprehensive, accelerated attack on traffic accidents. Congress now is preparing to make decisions about this program which I am confident will launch a new era in safer highway travel for the American people—provided the program receives the strong and continuing support it must have to be most effective.

First, let me make it as clear as I can that the Administration's approach is positive, not negative.

The Administration has not sought to create scapegoats. It has no script for "good guys" and "bad guys." It has not thought in terms of accusing or punishing anyone.

It has, instead, thought in terms of how accidents, injuries, and deaths can be reduced. We in the Administration are not interested in legislation for the sake of legislation. We are not concerned with organizing elaborate programs for their own sake—or for their propaganda value.

In three words: We want results.

Last April 22 in making an appeal for enactment of the Administration's highway safety bill, President Johnson said:

"The American people are aroused. They want action. We want action, too, but we want it to be fair and intelligent—for the American driver and the great industry that provides for his car."

That sums up our goal: to obtain tangible improvements in highway safety, with fairness and intelligence.

This objective has been the guideline in formulating the Administration's proposals. I believe an examination of those proposals will bear me out.

These proposals do not anticipate any easy cure, just as they do not single out any particular villain. They do not prejudge any facet of the safety issue. Rather, they offer a program designed to take full advantage of the progress made to date, and to force the pace in discovering and implementing new knowledge and new techniques that will yield substantial, provable benefits.

The public discussion and debate of the past few months, while they have stimulated a desirable public interest in traffic safety, have tended to center attention on one or two elements of the problem. The Administration's program, on the other hand, considers all aspects.

The scope and direction of the Administration's program has been emphasized repeatedly by Secretary Connor in his appearances before Congressional Committees. I would like to quote from his testimony:

"The program that would be provided by this legislation would devote the needed emphasis and resources to all aspects of the highway safety problem. It is based on the recognition that accidents often are caused by multiple factors—they are frequently the result of some failure of the system which includes the driver, his vehicle, and his environment, including the highway, or the interaction of all three. It does not assume that any one of these elements is more important than the others, and it is not directed toward a panacea-type solution to the highway safety problem.

"The approach of this legislation, besides being directed toward all elements of the traffic safety problem, would include the participation of all levels of the Government—Federal, State, and local—as well as industry and private organizations."

I might add that the legislation was drafted intentionally to be flexible with regard to program, organization and administration, so as to facilitate the full use of existing knowledge and the results of research and development as they become available and as their usefulness is proven.

Specifically, the Administration proposes a broad Federal research and development program in highway safety. The Administration also seeks directive authority to set safety performance standards for automotive vehicles and their components. And the Administration is seeking $420 million over a six year period to assist the States in developing and improving their own comprehensive traffic safety programs under uniform national standards.

The latter provision recognizes the traditional responsibilities of State and local governments with regard to control of the traffic system.

The Federal Government's responsibility to provide leadership and coordination for these State programs was clearly established by Congress last year, in an amendment to Federal-aid highway legislation. Now, the Administration is seeking Federal funds to assist the States in carrying out the objectives of this amendment.

This approach is in keeping with the spirit of Federal-State cooperation which has worked so successfully in the Federal-aid highway program. Through this program the Federal Government has made and is making an enormous contribution to highway safety. It is enabling the States to construct the Interstate Highway System, whose controlled-access freeways are the safest roads yet built. It is assisting the States in their long-range improvement programs for major highways. And now it is aiding them in a priority program for eliminating the danger traps that still remain on Federal-aid highways.

The Federal-aid program, is providing substantial benefits in safety, as well as in faster, more economical, and more comfortable travel.

Still, highways are only one element of the traffic safety problem. The legislation now on the books, as a result of last year's amendment, plus the financial aid requested by the Administration, would permit the development of a comprehensive program, with no aspect excluded.

It would permit a program directed toward the total highway transportation system, and its three basic elements: the driver, his vehicle, and the highway. The States would continue to assume primary responsibility for control of the driver and the highway, but the Federal government would take a portion of the State's responsibility for the vehicle, to the extent that it would assure that new vehicles met minimum safety performance standards. This new role for the Federal Government recognizes the desirability for uniform national standards for manufacturers, rather than separate State standards.

In addition, under its authority to set uniform standards for other areas of State traffic safety programs, the Federal Government could identify the major gaps and weaknesses that exist throughout the country today, and proceed in cooperation with the States to upgrade current programs and formulate new ones as needed.

The goal of the program I just outlined is to get tangible improvements in highway safety with fairness and intelligence. The key to how this program must proceed to get results lies in the concept that accidents and their consequences result from failures of the system which includes the driver, the vehicle, the highway, and their interaction.

While this concept is simple enough to state, its implications are not widely understood. It requires the rather belated application to highway transportation of what is known in engineering as the "systems approach."

The main obstacle to the most effective use of systems engineering in the past has been the practice of assigning a "primary" cause in accidents—and particularly of blaming most accidents on "driver error." In this way of thinking any accident that a driver may conceivably have averted is *ipso facto* his fault. The way to prevent accidents, then, is to make all drivers perform at all times without error.

Systems engineering, on the other hand, recognizes that accidents can result from multiple causes, in the sense that a cause is any condition existing prior to the accident which it might have been possible or practicable to eliminate, and but for which the accidents would have been avoided. In this view, all accident causes are equal if, by the elimination of any one of them, the accident might have been prevented.

Rather than accepting driver error as the "primary" cause of most accidents, systems engineering seeks ways to change the elements of the highway transportation system so that accidents will not occur, or so that their severity will be reduced.

For a simple parallel we can take an illustration from industry. A worker could be trained to operate a dangerous power machine and signs could be posted warning him to work safely. Then if he gets careless just once and maims himself, it is presumably his own fault. On the other hand, the machine could be designed with a protective guard which would make it impossible for him to get hurt.

In highway transportation, the effectiveness of the systems approach has been demonstrated quite clearly by the Interstate Highway System. These controlled-access freeways are consciously designed to prevent many types of traffic conflict and to make driving easier and safer.

They provide separate roadways for opposing traffic with wide medians, or median barriers, to prevent head-on collisions. They have no intersections, or cross traffic at grade, thus preventing angle collisions. They have gentle curves and grades and long sight distance. They have wide, paved shoulders and clear roadsides.

On the best of our highways, if a driver loses control of his car for whatever reason—whether he was swatting a bee, lifting his pet dog off the floor, falling asleep, or if he had a "couple of beers"—if he goes off the road, he has a chance to regain control without slamming into a tree, or rolling into a ditch. What could have been a needless fatality becomes simply an incident.

Or take a case where the vehicle is at fault. If the brakes fail, the driver has a better chance to ride out safely on the Interstate, because there are no intersections, or driveways, or cross traffic, or sharp curves, and there are wide shoulders where he can get out of the traffic stream.

Because safety has been engineered into the Interstate System, the same drivers have only a half or a third as many accidents on the Interstate as they do on conventional highways. This year alone, the Interstate Highways now open to traffic will save the lives of at least 4,000 persons who would be killed if they were forced to use conventional roads.

It is apparent, then, that if we try to understand drivers as they are—with their capabilities and their limitations—we can design highways and vehicles that make their driving more reliable and more effective.

We need to recognize that driving today is a complicated task, that it occasionally requires drivers to make decisions and to act with speed or precision that is beyond their abilities. We can help them by reducing the difficulty of the driving task or by giving them better tools to cope with it.

System engineering is the way to this objective. It can be effective both in preventing accidents and in reducing the severity of those that do occur. At the present time, for example, highway engineers are experimenting with breakaway sign supports for those obstacles that must remain near the pavement. Research also is underway in the Bureau of Public Roads to develop electronic or mechanical aids for the driver, which could, for instance, inform him when it is safe to pass on a two-lane rural highway, or when he is closing too fast on the car ahead.

The systems approach also looks to changes in the vehicle that will make driving more reliable, or that will prevent or reduce injury and death when accidents happen. And it looks to the interaction of the vehicle and the highway, and to reducing the adverse effects of the environment, particularly of hazardous weather conditions.

By approaching highway safety as primarily a technological problem—and only secondarily as a social or legal one—and by attempting to reduce the demands on the driver, we encounter some raised eyebrows from those accustomed to thinking of accidents in terms of driver error. It has been suggested, for instance, that this approach is somehow immoral, that it relieves drivers of responsibility for misconduct, that it excuses them instead of punishing them.

I do not agree. It is no more immoral than shaving with a safety razor instead of a straight edge.

It does say that the man who makes a mistake, where it is an honest one or pure negligence, need not suffer instantaneous corporal, if not capital, punishment. And that innocent passengers and drivers of other cars need not suffer with him. The drunken, reckless, or irresponsible driver can be brought to justice through due process of law.

Furthermore, the people we are trying to protect are not, by and large, habitually dangerous drivers. They are not the "suicidal boobs" that self-styled experts like to preach against. Nor are they imaginary. They are, in fact, you and I.

The truth is that the great bulk of accidents involve average, normally responsible drivers. This was borne out quite clearly in an analysis by the Bureau of Public Roads last summer of 150,000 California drivers' records. The study showed that almost an entirely different group of drivers is involved in accidents each year. Removing the repeaters—those who have two or more accidents in one year—would have little or no effect on the following year's accidents.

So, our annual traffic toll is, to an overwelming degree, an accumulation of rare accidents, occurring to all too many generally good drivers. It is plain, then, that if accidents are to be radically reduced, all drivers—not just the "dangerous" few—must be helped.

This is precisely what President Johnson's traffic safety program is meant to do.

Relating this view of driver error or driver responsibility more specifically to the safety efforts we are honoring tonight, I would guess—and this is an undocumented guess—that most of the traffic safety efforts of radio and TV stations in past years would come under the heading of "driver motivation" or "driver improvement." No one, of course, would deny that there is room for improvement in the general level of driver competence. For that matter, I suppose each of us here could stand to improve his own skill behind the wheel. But while driver improvement is a worthy cause, it must be supplemented by engineering more safety into the highway transportation system.

For this reason, I would urge broadcasters to support safety programs at all levels of government. And I would urge you to review your public service safety efforts, remembering that our objective in mass communications as well as in our operational programs should be to help rather than harass the driver.

I believe President Johnson's proposals provide the means to make such programs a reality. I think they are the basis for an effective safety program that will get results for the American people.

WE NEED A NEW SELECTIVE SERVICE LAW—SOME QUESTIONS FOR GENERAL HERSHEY

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from Wisconsin is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, the draft—our Selective Service System—is not working well.

The extension we voted in 1963 expires in 1967. The System should not be extended again without major revision.

We are still using a system of conscription developed and designed through a situation of full-scale war. It is proving increasingly inappropriate for the vastly different military manpower needs of the 1960's.

Because it has not been adapted to the changed situation, the draft has become overly filled with inequities and uncertainties.

Congress has, I am afraid, missed its chance for a thorough review of Selective Service by a high-level national commission—at least before the present act expires. But we can use the occasion of General Hershey's appearance before the House Armed Services Committee next month to raise a number of crucial questions.

There is time for him to come back with a proposed revision, or with several alternative revisions, which the Congress can debate before it must vote next year. Indeed, I would like nothing better than an opportunity to amend and revise the draft law at this session of Congress, this summer.

I should like, this afternoon, to spell out a number of the questions I think it is important to have asked and to lay out a number of specific proposals on which I think it would be useful to have General Hershey comment.

WHAT'S WRONG WITH THE DRAFT?

In a nutshell, the trouble with the draft is that—in total—the military services require only about 400,000 men a year out of a pool of draft-age men that now totals about 12 million.

The job of Selective Service is to decide "who goes." The present system worked well during the war when practically everybody went. In this period when only a few are needed, however, it is proving increasingly unable to assign the burden fairly.

The figures are important. Let me review them briefly.

We now have—at the present height of the Vietnam buildup—about 3 million men in uniform. During the past year we have added about 900,000 men considering both those needed for the buildup and those needed to replace men routinely leaving service. Of this 900,000, about 300,000 have been secured through the draft.

This has been, however, an untypical year. In a more normal year—during the early 1960's, for example—the military added only about 400,000 men a year, of which only about 100,000 were secured through the draft.

Everything now, indicates less and less need for a mass army—and more and more need for a relatively small, highly trained professional force.

While the need for men is shrinking, the pool of available men is growing. The number of men between 18 and 26 is estimated to grow to 15 million by 1972.

This huge and growing surplus of available men is the central fact about the draft. More and more, the burden of military service will be carried by a minority. Already half or more of the men reach age 26 without seeing any form of service. And the proportion will rise.

To decide "who goes," Selective Service uses a complicated set of presumably rational judgments about who can be spared from his civilian life and who cannot. Certain individuals that is, are exempted or deferred from military service.

These deferments were designed originally, at a time when virtually everyone was needed for the national emergency, to exclude from service those vitally needed in their civilian work or training.

Physical and mental standards were set up, as well, to exclude those truly incapable of rendering military service.

As the need for manpower fell off after the war this system changed in a very fundamental way. In an effort to soak up the growing pool of available men the draft boards became vastly more liberal with their deferments. And the services became enormously more choosy in their examinations.

By the early 1960's local boards were granting student and occupation deferments of openhandedly. As draft calls fell off, even marriage became a ground for deferment.

And the services—vigorously resisting every suggestion that they should play any role in training the socially handicapped—were rejecting half or more of all the men sent for examination.

Selective service regulations themselves have been set up precisely to encourage local draft boards to grant deferments. Calls are based on the number of men available after deferments. Thus, the more men are deferred, the fewer calls the board will receive. Theoretically, a board which could defer everybody would receive no calls at all.

Selective service has worked well as a system for procuring military manpower. Huge numbers of men have been conscripted with hardly a flicker of protest, and with no taint of scandal on the part of the local boards.

There is, however, a growing problem of equity.

Peacetime conscription can be justified only when virtually every man has an equal liability for service and when exemptions are granted only for truly serious disabilities or when a man is clearly serving a specific national need better by remaining in his civilian job or training.

The growing surplus of draft-age men undermines this whole foundation of equity on which the system rests. Deferments come to be granted on ever-flimsier grounds. Men are rejected for evermore-minor disabilities. The choice as to "who goes" becomes ever more arbitrary. And men must wait longer to know what will happen.

The need for reform is clear, and yet it does not happen. A principal reason lies in a paradox which I am afraid many people do not fully understand.

The worst inequities and the greatest uncertainties come precisely as draft calls drop to very low levels. Unfortunately, the low level of calls also means the draft becomes almost invisible: No deferment tests are given; no sit-ins are held; practically nobody talks about the draft any more.

In a time like the present, when calls are rising rapidly, we have the public attention on the issue But unfortunately—from the point of view of reform—the rise in calls also means the inequities are disappearing: deferments are harder to get, and the average age of induction is falling.

The challenge before us is to act now to correct the situation that, inevitably, will be with us again, almost unnoticed, after the Vietnam conflict is over.

THREE SPECIFIC COMPLAINTS

Continuing the wartime Selective Service System basically unchanged into this period of low draft calls has had three major undesirable consequences.

First, it has led to serious discrimination among groups within our society.

Student and occupational deferments—which are the big ones—tend to go to what are already the more favored groups—the brighter and wealthier young men, rather than the poorer and less well educated.

Traditionally, the student deferment has been defended on the ground that it does not determine whether a young man goes to military service, but simply when.

This has become another fiction of postwar selective service. In a period when calls are low and deferments are easy, the student deferment does become in effect an exemption. It protects many young men from induction long enough for them to graduate and marry and switch their classification from "student" to "occupational"—or simply to "father."

This means of beating the draft is objectionable because it is available to young men almost directly in proportion to their ability to pay the cost of an extended college or graduate school education.

I am afraid we often forget how unequally the opportunities for a college education—and for the kind of early schooling that can prepare a boy for a college education—are still distributed in this country.

It is intolerable that an opportunity still enjoyed predominantly by the upper income classes should—even inadvertently—become an official standard for assigning so basic an obligation as military service.

Second, the present system has led to serious discrimination among individuals.

The process of selection is fragmented among more than 4,000 local boards of citizens. It is the essence of the system that the basic determination whether a man is eligible to serve or not is made by a young man's local board, on his individual case.

And local boards differ—even between adjacent cities or counties. Board members differ in their attitude: Some believe in deferring teachers, for example; some do not. Some are tough on student deferments; some are not.

Inevitably, therefore, men in comparable situations—single, let us say, with a high school education, in good health, and working in almost identical jobs—frequently end up in different draft classifications.

One of the reasons Selective Service has survived as long as it has without major change is that the decentralization which creates these inequities also prevents us from seeing really how often they do occur.

Third, the System is far too great a source of uncertainty in the lives of far too many young men.

It leaves them uncertain, for one thing, whether they will even be eligible for service.

Except for a brief effort at "early examinations," which began early in 1964, Selective Service has normally not called young men for their preinduction examinations until the age of 21 or later.

In the recent period of low calls, with the armed services being extremely choosy about whom they take, what this means is that fully half of all young men are kept waiting 2, 3, or more years—with all the problems this raises for their employment—simply to be told they are not going to be taken at all.

This is inexcusable. It is another example of the draft serving its own convenience, at the expense of the young men it handles.

The draft also leaves those accepted for service uncertain as to when they will be called.

Their liability for call now extends over an 8-year period—up to age 26. The number of men called varies from year to year and from month to month—and is projected only a month or two ahead. Further, regulations on deferments can change radically—and suddenly. All these uncertainties, at present, continue well into the time of a man's life when he needs better assurance of stability, in his family life and in his job.

SOME POSSIBLE ALTERNATIVES

A number of possible solutions for the problems of the draft are now being widely discussed. Some of them are new; some are not.

First. Full universal military training is often proposed as a way to solve the problem of equity. In fact, however, it would not—since inevitably it would still be necessary to choose some men who would fight and some who would merely train. Congress—wisely—has consistently rejected this as a solution.

Second. There is a new and slightly different proposal for universal national service getting a good deal of attention just now. It is popular particularly with student groups. It is the one which Secretary McNamara seemed to endorse in his recent speech in Montreal—before he backed off in the face of questioning. Essentially the idea is to give young men likely to be called for military service the option of going, instead, into the Peace Corps or some other public or private service work. It is also suggested that this national service be made compulsory—perhaps for women as well as for men.

The idea is superficially attractive. It would tend to ease the problem with those who object to military service on religious or philosophic grounds, by offering an alternate way of fulfilling their service obligation. And it would presumably result in getting illiterates taught, and roads built, and cities beautified. All this is good.

I am opposed to this solution for three reasons.

First—like all universal service—it is likely to be an economic waste. Universal service would produce far more men than could effectively be used. The draft pool exceeds by many times the needs of the military. And few of the young people gathered in by such a system, I suspect, would be truly suited for the difficult antipoverty service work the sponsors of this system have in mind. And the practical problems—discipline, enforcement, administration—are staggering.

Second, the spur of compulsion is not compatible with the volunteer spirit which underlies the Peace Corps, VISTA, the Teacher Corps, and other similar programs. Desirable as the object is, I am not sure the means is really consistent with our democratic philosophy.

Third, none of the civilian programs mentioned really is the equivalent of serving in the military as an inductee.

Both kinds of service meet certain national needs, of course. Both also might involve low pay and a certain amount of personal discomfort. But an essential difference remains.

Service in the military, unlike service in the Peace Corps and similar programs, necessarily involves a significant loss of personal freedom in favor of rather unattractive unit discipline. It involves, too, a certain loss of the individuality so cherished by students, in favor of an often unpleasant uniformity of dress and behavior.

I think we must recognize that what we have are two separate problems. The draft, with its inequities, is one problem, which should—and can—be solved by itself.

And the need for people to work with the disadvantaged in America, and with the peoples of the underdeveloped nations abroad, is another problem, which ought to be solved by itself.

Third. A basic proposal for removing some of the objections to the present draft is to soak up more of the excess manpower by calling more men for shorter terms.

This is simply unworkable. The useful term of service of a 2-year draftee is short enough as it is. It is ridiculous to think it can be cut further. Among other things, we have simply not got the regular forces to tie up in that much training.

Fourth. Nor, can we realistically end current objections to the draft by moving to the concept of the so-called "just war" whereby every young man is given an opportunity to decide for himself in what conflicts he will and will not serve.

A SENSIBLE REMEDY

There is no one, simple, grand solution for the difficulties that have grown up within our very complex system of military manpower procurement.

It is possible, however, to begin implementing a "package" of individual reforms which will together reduce the inequity and uncertainty in the present system, without sacrificing the strength of our Armed Forces.

The "package" falls into two parts. Let me discuss each separately.

The first is a series of actions to increase the size of the professional force we can maintain without recourse to conscription.

We can improve the financial inducements for a man to enlist voluntarily and, once in, to stay in. This means better pay. It also means better fringe benefits and privileges. The cold war GI bill which the Congress passed this year is precisely the right kind of step toward this goal.

We can at least study the possibility of increasing enlistments by waiving some of the services' present arbitrary height, weight, and other requirements which really have very little to do with how well a man performs a noncombat job. Clerk-typists and cooks do not really need to pick up rifles very often: They should not necessarily be required to meet combat standards.

We can, I am assured, do a far more skillful and selective job of recruiting for the military services. We can stop limiting the approach almost exclusively to graduating high school seniors—all of whom require extensive training and many of whom will promptly leave the service. We can begin going after the men who already have the skills that are in short supply—paying what it takes to get them. They will not be easy to get, but once in, they are more likely to stay in.

We can also work the "demand" side by reducing the need for military personnel by hiring civilians, rather than using enlisted men, as babysitters, cocktail-mixers, and in other jobs not contributing essentially to military operations.

The second part of the "package" is a drastic revision of Selective Service.

As our efforts to increase the size of the professional Army begin to pay off, there will be fewer and fewer occasions when we need to resort to the draft to meet our military requirements though we should not expect to be able simply to abolish the draft entirely.

And as our dips into the manpower pool for draftees become still smaller, the present complex system for determining "who goes" will become totally unworkable.

It should then be replaced by a lottery—which will be a fairer way of distributing the military obligation among the very large number of men involved.

The first step will be to give virtually all youths an equal exposure to being selected. This means abolishing the present system of deferments—specifically, the deferments for certain occupations, for fathers, and for students.

I think the case for abolishing the student deferment is overwhelming. I am, frankly, amazed by the objections I read in some letters to the editor against taking this step, letters which seem to argue for the deferment on the irrelevant ground that the Nation needs highly trained men.

Perhaps it needs to be made quite clear for these people: Abolishing the student deferment will not determine whether a young man goes to college or not. It will simply—in a relatively few cases—determine when he goes. As a matter of fact—since a college education is now one of the benefits of military service—ending the deferment will increase the number of men in higher education.

I would not change the present deferment for conscientious objectors—a question which I have substantially left aside in this analysis as a specialized problem which is being basically well handled under present procedures.

We should also continue the exemptions for the clergy, and for students in the middle of a year of school. And we should continue deferments for cases of extreme personal hardship, and for certain extremely vital civilian jobs.

Second, young men should be given their physical and mental examinations immediately upon registering at age 18. If found eligible for service, they would then be given a 1-year exposure to call for service, between the ages of 18½ and 19½. If not called during that year, their liability would end, except of course in that kind of national emergency which requires practically everyone to serve.

This change will wipe out the problem of uncertainty caused by the present system of keeping men liable from age 18 to age 26.

It will also give us a manpower pool of adequate size. About 1.8 million men now turn 18 every year. This number will dip slightly through about 1968 and then rise again to 2 million by 1972. Plenty of men will be available—even allowing for some hard-core deferments and a rejection rate fully as high as in recent years. Third, men should then be drawn from this pool essentially at random—which is simply a way of saying everyone will have an equal chance of being picked. I stress that this should be a national drawing—a fundamental change from the very limited sort of lottery used by the local boards at the beginning of World War II.

The minority selected for service should then be fully compensated for the special burden it is being asked to bear. The cold war GI bill is fully defensible simply as a reward to those young men devoting 2 years of their lives to the military while the majority of their age group remains free to pursue their private careers.

We should, at the same time work toward the concept of much more universal national service. We should bring to bear the full influence of our national leaders to stimulate service in the Peace Corps and in other service corps at home and abroad.

We should approach this, however, as a moral, and not a legal, obligation on our youth.

QUESTIONS FOR GENERAL HERSHEY

Top officials of the Department of Defense should accompany General Hershey before the Armed Services Committee next month. The questioning of them need not be hostile. But it will need to be persistent, and forceful. General Hershey cannot be expected to be enthusiastic about any system of lottery which would tend largely to replace his own organization.

The principal and immediate need is for information, for a full picture of how the draft is actually working, rather than a description of the way in which it is supposed to be working.

This information is very difficult to get.

Congress needs to have the long-promised Department of Defense study of possible alternatives to the draft. This is the study requested by President Johnson in the summer of 1964. It was to have been published in April 1965. It is completed. But it has not yet been released.

We are told now that it will, at last, come out next month. The Armed Services Committee hearings would be an appropriate occasion for its unveiling.

Congress also needs to see—assuming this information is not in the "alternatives" report—the various plans for lotteries developed by Defense manpower experts. We need to know how each would work and to see a professional evaluation of its pros and cons.

Congress urgently needs to know, from General Hershey, precisely what kinds of men—in terms of their racial, social, economic, educational and occupational backgrounds—are currently being drafted, rejected, exempted, and deferred in all the various classifications.

Congress must hear, in short, more facts and less fiction about—for example—the mythical universal military obligation, which exists in law but not in practice.

To its credit, Selective Service has made an effort to develop this essential picture of the workings of the draft by a representative sampling of the files in its local boards.

To its misfortune, however, the sample secured has proved unworkably large: The national office is literally buried in data which it cannot begin to utilize.

I strongly recommend, as an indispensible foundation for the decision the Congress must make about the draft, that a fully professional job of survey research be done immediately on the records of the Selective Service System.

All these needs of Congress for information should be presented to General Hershey and to the Department of Defense during the hearings.

So should the kind of complaints about the draft which I have been discussing this afternoon.

So, too, should the sort of proposals for change which I have been putting forward—and which are now being widely urged in Congress and by a growing number of organizations and individuals around the country.

If those of us who are critical of the present system are mistaken, let them tell us, specifically, where, and how.

If, however, our suggestions are valid, then let them give us a commitment to start promptly on the drafting of legislation which will, at last, create a system of military manpower procurement suited to the needs of today.

Mr. GIBBONS. Mr. Speaker, I should like to commend the gentleman from Wisconsin [Mr. REUSS] for the fine, intelligent, and very well thought out proposal he has just made on the floor.

I think it shows he is still contributing to this Congress of the United States, as he has in the past, in a very intelligent manner.

ADDITIONAL AUTHORITY FOR TVA TO ISSUE REVENUE BONDS AND NOTES

Mr. STUBBLEFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. STUBBLEFIELD. Mr. Speaker, I am pleased to introduce a bill which will raise to $1,750 million the authority of the TVA to issue revenue bonds and notes.

This simply adds to the existing authority of TVA to finance needed electricity facilities through issuance of revenue bonds backed by the revenues which TVA obtains from the sale of electric power.

These bonds are not obligations of the Federal Treasury. The interest from the bonds is subject to Federal income taxes. The bonds are backed by power revenues, and TVA must, under the law, charge rates sufficient to cover all costs, including principal and interest payments on the bonds.

The fact is that the growing demand for electric power in the Tennessee Valley has led TVA to add the power facilities necessary to meet the area's requirements. And now, when the initial congressional authorization of $750 million has been essentially exhausted, it is time to extend the authority for an additional $1 billion.

In 1959 Congress authorized TVA to have revenue bond financing authority in the amount of $750 million for a sort of trial period. Revenue bond financing has worked in an excellent manner, and I believe the Congress should speedily enact a bill to extend the authority for an additional $1 billion, to meet the power demands in the area.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. GOODELL (at the request of Mr. HORTON), for 30 minutes, on May 31; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

(The following Members (at the request of Mr. HORTON) and to include extraneous matter:)

Mr. QUILLEN.

Mr. AYRES.

Mr. BERRY in three instances.

(The following Member (at the request of Mr. BOGGS) and to include extraneous matter:)

Mr. JACOBS.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3105. An act to authorize certain construction at military installations, and for other purposes; to the Committee on Armed Services.

ADJOURNMENT

Mr. GIBBONS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 25 minutes p.m.), under its previous order, the House adjourned until Tuesday, May 31, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2441. A letter from the Secretary of the Interior, transmitting a report summarizing the 1965 operations of the Department of the Interior regarding the desalting of sea and brackish water, pursuant to the provisions of Public Law 83-448, as amended; to the Committee on Interior and Insular Affairs.

2442. A letter from the Director, Congressional Liaison, Agency for International Development, Department of State, transmitting a copy of the Agency's reply to the Acting Comptroller General's report of March 11, 1966, on effects of foreign currency sales in commercial sales of wheat to the United Arab Republic; to the Committee on Government Operations.

2443. A letter from the Assistant Secretary of Defense, transmitting a report showing grants for basic scientific research made by the Department of Defense to nonprofit institutions during calendar year 1965, pursuant to Public Law 85-934; to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COOLEY: Committee on Agriculture. H.R. 14929. A bill to promote international trade in agricultural commodities, to combat hunger and malnutrition, to further economic development, and for other purposes; with amendments (Rept. No. 1558). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WILLIAM D. FORD:

H.R. 15341. A bill to permit the city of Garden City, Mich., to count expenditures in connection with the Florence Primary School as a local grant-in-aid to the Cherry Hill urban renewal project; to the Committee on Banking and Currency.

By Mr. GALLAGHER:

H.R. 15342. A bill to provide that disabled individuals entitled to monthly cash benefits under section 223 of the Social Security Act, and individuals retired for disability under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act without regard to their age; to the Committee on Ways and Means.

By Mr. STUBBLEFIELD:

H.R. 15343. A bill to amend section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 15344. A bill for the relief of Settimo Li Mandri; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 15345. A bill for the relief of Caroline G. Junghans; to the Committee on the Judiciary.

SENATE

FRIDAY, MAY 27, 1966

The Senate met at 10 o'clock a.m., and was called to order by Hon. SPESSARD L. HOLLAND, a Senator from the State of Florida.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God, our Father, in this temple of freedom we bow at the altar of devotion which our fathers set up at the Nation's birth. We would pause now so that before we speak we would listen. In such a time, with its tumult and shouting, for our soul's sake we must find the quiet places, the still waters, the green pastures, if our jaded spirits are to be restored.

May our individual lives be as lighted windows amid the encircling gloom. In this global contest beyond the light and darkness, make us as individuals the kind of persons which Thou can use as the instruments of Thy purpose for all mankind. We ask it in the Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., May 27, 1966.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. SPESSARD L. HOLLAND, a Senator from the State of Florida, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. HOLLAND thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. Kuchel, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 26, 1966, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on May 26, 1966, the President had approved and signed the following acts:

S. 1098. An act to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes;

S. 1748. An act for the relief of Virgilio Acosta-Martinez; and

S. 2696. An act for the relief of Abraham Ezekiel Cohen.

ESTABLISHMENT IN THE DISTRICT OF COLUMBIA OF A LABORATORY FOR THE TESTING OF MATERIALS

The ACTING PRESIDENT pro tempore laid before the Senate a letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize the Commissioners of the District of Columbia to establish, or cooperate in the establishment of, a laboratory for the testing of materials, and for other purposes, which, with an accompanying paper, was referred to the Committee on the District of Columbia.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. METCALF, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 10476. An act to retrocede to the State of Kansas concurrent jurisdiction over Haskell Institute (Rept. No. 1192).

By Mr. METCALF, from the Committee on Interior and Insular Affairs, with an amendment:

S. 2912. A bill to declare that certain federally owned land is held by the United States in trust for the Minnesota Chippewa Tribe (Rept. No. 1193); and

S. 2948. A bill to set aside certain lands in Montana for the Indians of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont. (Rept. No. 1191).

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 12264. An act to declare that 99.84 acres of Government-owned land acquired for Indian administrative purposes is held by the United States in trust for the Apache Tribe of the Mescalero Reservation (Rept. No. 1190).

By Mr. ALLOTT, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 10451. An act to authorize the Secretary of the Interior to transfer certain lands in the State of Colorado to the Department of Agriculture for recreation development, and for other purposes (Rept. No. 1188).

By Mr. SIMPSON, from the Committee on Interior and Insular Affairs, without amendment:

S. 2595. A bill to place in trust status certain lands of the Wind River Indian Reservation in Wyoming (Rept. No. 1189).

BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BARTLETT:

S. 3421. A bill to authorize the Secretary of Agriculture to convey certain lands and improvements thereon to the University of Alaska; to the Committee on Agriculture and Forestry.

S. 3422. A bill to authorize the conveyance of all right, title, and interest of the United States reserved or retained in certain lands in Fairbanks, Alaska, heretofore conveyed to Hillcrest, Inc.; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Bartlett when he introduced the above bills, which appear under separate headings.)

By Mr. ROBERTSON:

S. 3423. A bill to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Va., and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Robertson when he introduced the above bill, which appear under a separate heading.)

By Mr. DODD:

S. 3424. A bill to amend title XIX of the Social Security Act to provide that the amount of Federal financial assistance available thereunder with respect to certain State expenditures shall not be affected because of the identity of the particular State agency giving rise to such expenditures; to the Committee on Finance.

(See the remarks of Mr. Dodd when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON:

S. 3425. A bill for the relief of Donald G. Blaylock; to the Committee on the Judiciary.

By Mr. MUSKIE:

S. 3426. A bill to authorize the conveyance of all right, title, and interest of the United States reserved or retained in certain lands heretofore conveyed to the State of Maine; to the Committee on Armed Services.

By Mr. McCARTHY (for himself and Mr. Mondale):

S. 3427. A bill to provide a temporary program for dairy farmers under which production adjustment payment shall be made to such farmers who voluntarily adjust their marketings of milk and butterfat; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. McCarthy when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 3428. A bill to authorize appropriations to the Department of Commerce to be available until expended or for periods in excess of 1 year; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. BIBLE:

S.J. Res. 165. Joint resolution to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the 93d annual session of the Imperial Council, Ancient Arabic Order of the Nobles of the Mystic Shrine for North America, to be held in Washington, D.C., in July 1967, to authorize the granting of certain permits to "Imperial Shrine Convention, 1967, Inc.," on the occasions of such sessions, and for other purposes; to the Committee on the District of Columbia.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Kuchel, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

TRANSFER OF FACILITIES OF ALASKA AGRICULTURAL EXPERIMENT STATION AT PALMER, ALASKA, TO THE UNIVERSITY OF ALASKA

Mr. BARTLETT. Mr. President, I introduce today, for appropriate reference, a bill to provide for the transfer of the buildings, land, and other facilities of the Alaska Agricultural Experiment Station at Palmer, Alaska, to the University of Alaska.

In 1948 administrative responsibility for the Alaska Agricultural Experiment Station was transferred from the University of Alaska to the U.S. Department of Agriculture and the Experiment Station has been operated directly by that Department since that time. The Federal Government has been responsible for all of the administrative and operational expenses of the station in addition to the research programs it conducted. The time has come to return the responsibility for agricultural research to the University of Alaska.

Let me point out that the Federal Government will not be suffering a loss by this transfer. The physical property has reached such condition that considerable sums of money must be spent to rehabilitate it and the University of Alaska is willing to take over the station in its present condition. Additionally, the Federal Government will no longer have the financial responsibility for maintenance and operation.

This bill will have the effect of placing the Agricultural Experiment Station with respect to its relationship to the University of Alaska in the same position as agricultural experiment stations in the other 49 States and I am hopeful that the bill may be passed this year so that the State of Alaska will have sufficient opportunity to make the budgetary provisions necessary for continuing the station's operation. At this point, I ask unanimous consent that the text of the bill be printed in the Record.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 3421) to authorize the Secretary of Agriculture to convey certain lands and improvements thereon to the University of Alaska, introduced by Mr. Bartlett, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the Record, as follows:

S. 3421

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provisions of law, the Secretary of Agriculture is authorized to determine and to convey by quitclaim deed and without consideration to the University of Alaska for public purposes all the right, title, and interest of the United States in and to the lands of the Alaska Agricultural Experiment Station, including improvements thereon, and such personal property as may be designated, located at Palmer and Matanuska, Alaska.

CONVEYANCE OF CERTAIN LANDS IN FAIRBANKS, ALASKA, TO HILLCREST HOME FOR BOYS

Mr. BARTLETT. Mr. President, I introduce, for appropriate reference, a bill which would authorize conveyance of all right, title, and interest of the United States reserved or retained in certain lands, in Fairbanks, Alaska, which were conveyed to Hillcrest Home for Boys under the Recreation and Public Purposes Act of January 24, 1961.

Hillcrest Home for Boys was first organized at a meeting at the Eagle's Hall on September 11, 1958. Hillcrest, a home for boys without a home, is a community project and will accept all boys without regard to race, creed, or color. It is not a detention home nor a correctional institution. Rather, it is a home to live in during their 4 years of high school. Hillcrest will provide housing, school guidance, counseling, part-time opportunities for work, and the interest and care of a director and his wife who will reside at Hillcrest.

Surveys have made apparent the need for Hillcrest, and Hillcrest has the support of both public and private agencies and service groups. Hillcrest plans to cooperate to the fullest degree possible with others in the field including Federal, State, and private organizations.

Hillcrest is in the process of acquiring property to accommodate 8 to 10 boys and personnel at a location close to schools, part-time job opportunities, medical and dental care, and the general educational and cultural offerings at Fairbanks. The land acquired under the Recreation and Public Purposes Act can be used as income property if the bill I introduce today is favorably considered by Congress. The original plan to locate the home on that property is not at present feasible or desirable but future plans provide for expansion to the subject property.

Mr. President, the Hillcrest organization has expressed an interest in congressional action on my bill during this session of Congress. In view of the fact that there are many bills already pending, I know this will be difficult. Nevertheless, I hope it will not be impossible.

Mr. President, I ask unanimous consent that the text of the bill which is very brief be printed in the Record.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 3422) to authorize the conveyance of all right, title, and interest of the United States reserved or retained in certain lands in Fairbanks, Alaska, heretofore conveyed to Hillcrest, Inc., introduced by Mr. Bartlett, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

S. 3422

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Interior is authorized and directed to convey to Hillcrest, Incorporated, without consideration, all of the right, title, and interest of the United States in and to the tract of land (together with any buildings or other improvements thereon) described as the SE¼, Section 26, Township 1 North, Range 2 West, Fairbanks Meridian, such tract being the tract conditionally patented to Hillcrest, Incorporated, by Patent Numbered 1216565 under the Recreation and Public Purposes Act of June 14, 1926 (43 U.S.C. 269), for use as a home for juvenile boys.

ESTABLISHMENT OF WOLF TRAP FARM PARK IN FAIRFAX COUNTY, VA.

Mr. ROBERTSON. Mr. President, I introduce, for appropriate reference, a bill to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Va., and for other purposes.

This legislation is the culmination of long and fruitful negotiations between the Department of the Interior and the civic-minded owners of valuable property in northern Virginia who have donated the land to the United States for public use as a unit of the national park system.

The bill was submitted and recommended by the Secretary of the Interior, and I ask unanimous consent that the text of the legislation together with the letter accompanying the bill be printed in the Record.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the Record.

The bill (S. 3423) to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Va., and for other purposes, introduced by Mr. Robertson, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of establishing in the National Capital area a park for the performing arts and related educational programs, and for recreation use in connection therewith, the Secretary of the Interior is authorized to establish, develop, improve, operate, and maintain the Wolf Trap Farm Park in Fairfax County, Virginia. The park shall encompass the portions of the property formerly known as Wolf Trap Farm and Symphony Hill in Fairfax County, Virginia, to be donated for park purposes to the United States, and such additional lands or interests therein as the Secretary may acquire for purposes of the park by donation or purchase with donated or appropriated funds, the aggregate of which shall not exceed 145 acres.

Sec. 2. The Secretary of the Interior shall administer the park in accordance with the provisions of section 1 of this Act and the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4), as amended and supplemented.

Sec. 3. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

The letter, presented by Mr. Robertson, is as follows:

U.S. Department of the Interior,
Office of the Secretary,
Washington, D.C., May 25, 1966.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: Enclosed is a draft of a proposed bill "To provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Virginia, and for other purposes."

We recommend that the bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The bill authorizes the Secretary of the Interior to establish the Wolf Trap Farm Park in Fairfax County, Virginia, on such portions of the property formerly known as Wolf Trap Farm and Symphony Hill as may be donated to the United States and such additional acreage as the Secretary may designate. The total amount of the property so donated and designated may not exceed 145 acres. Wolf Trap Farm Park will be a park for the performing arts, and will provide educational programs and recreational opportunities.

The property known as Wolf Trap Farm and Symphony Hill is within a 20-minute drive from the District of Columbia. It adjoins the limited-access road to Dulles International Airport and consists of rolling landscape, mostly forested, with some pasture land. Mrs. Jouett Shouse, owner of Wolf Trap Farm, has offered to donate approximately 58 acres of it, together with a 3,500-capacity amphitheater, to the United States for a park. The American Symphony Orchestra League has also offered to donate for park purposes approximately 37.8 acres of adjoining land known as Symphony Hill. The two donations will form the nucleus of a park which will provide a unique cultural opportunity for visitors to the National Capital Region, and serve to inspire similar developments by other communities throughout the Nation.

The amphitheater will be constructed under the supervision of this Department. It will be used for the presentation of all forms of the performing arts as well as for conferences and educational programs in the arts. The woodland character of the property surrounding the amphitheater will be retained, and we propose to develop paths, benches, and picnic tables on this property for public recreational use. Small cabins will also be provided for use by the public and by creative artists in the performing arts.

In addition to the lands comprising the two donations, we believe that approximately 19.2 acres of land adjacent to these tracts should be acquired for proper development of the park, and that scenic easements should be acquired in another 20 acres of surrounding property to protect the scenic quality of the park. The estimated cost of acquiring the additional lands and interests in lands is approximately $107,500.

As stated above, the amphitheater will be developed with donated funds. A facility costing not more than $1,750,000 has been proposed by the donor. Federal developments, which will consist of a visitor center complex, parking facilities, trails, picnic areas, and a water system, are expected to cost approximately $476,500, on the basis of preliminary information.

Annual administrative costs will be about $82,000 after the park is developed.

The Federal park lands in the Washington Metropolitan area are already heavily used. Land in this area is expensive and difficult to acquire. The proposed Wolf Trap Farm Park will augment the park and recreation opportunities in the National Capital Region and will involve the expenditure of only a minimum amount of Federal funds. We therefore urge the enactment of the enclosed bill.

The Bureau of the Budget has advised that enactment of this legislation would be consistent with the Administration's objectives.

Sincerely yours,
Stewart Udall,
Secretary of the Interior.

Enclosure.

AMENDMENT OF TITLE XIX OF SOCIAL SECURITY ACT

Mr. DODD. Mr. President, Connecticut has long been recognized as one of the leaders of State medical and health programs. Today there exists in Connecticut a well-organized health program that for years has aided the needy and less fortunate, particularly in the area of specialized medical services such as those required by crippled children.

Section 1903(a)(2)(3) of title XIX of the 1965 social security amendments authorizes Federal support for 75 percent of the costs for compensation or training of skilled professional medical personnel and staff directly supporting personnel of a State welfare agency; but only 50 percent of such costs when these personnel are employed by the State health department.

This provision of section 1903 is in contrast to the stated desire of many of the Nation's health leaders who have urged greater coordination and cooperation among State health programs.

The bill that I am introducing today Mr. President, would amend title XIX of the Social Security Act to provide that the amount of Federal financial assistance available to train skilled professional medical personnel would be the same regardless of the identity of the particular State agency giving rise to such expenditures.

Thus, those States that have already invested many hours of staff effort to coordinate and consolidate services concerning comprehensive health care for the medically indigent would not be penalized.

The **ACTING PRESIDENT** pro tempore. The bill will be received and appropriately referred.

The bill (S. 3424) to amend title XIX of the Social Security Act to provide that the amount of Federal financial assistance available thereunder with respect to certain State expenditures shall not be affected because of the identity of the particular State agency giving rise to such expenditures introduced by Mr. DODD, was received, read twice by its title, and referred to the Committee on Finance.

TEMPORARY PROGRAM FOR DAIRY FARMERS UNDER WHICH PRODUCTION ADJUSTMENT PAYMENT SHALL BE MADE FOR THOSE WHO VOLUNTARILY ADJUST THEIR MARKETINGS OF MILK AND BUTTERFAT

Mr. McCARTHY. Mr. President, on behalf of Senator MONDALE and myself, I introduce, for appropriate reference, a bill to provide a temporary program for dairy farmers under which production adjustment payment shall be made to such farmers who voluntarily adjust their marketings of milk and butterfat.

This program is designed to strengthen farm income from dairying, maintain a better adjustment of supply to demand, and provide greater assurance of adequate supplies of milk and dairy products for consumers.

The program is needed to meet the current emergency situation in the dairy industry and to provide stability for the dairy industry. It is an emergency program, to be effective for a 2-year period during which time it will be possible for Congress to review the entire dairy problem and make much needed adjustments and improvements in the permanent dairy programs.

For many years the dairy farmers of the Nation have suffered from depressed prices for milk. They have not shared in the past 5 years in the general higher level of returns characteristic of other groups in the economy. While the cotton, wheat, feed grain, and other commodity programs have been adjusted and improved in recent years, there has been no significant dairy legislation enacted.

Since 1949 there has been a program to provide a national support price for manufacturing milk and butterfat. During most of this period the market price for milk used for manufacturing has moved with the support price, at the most slightly higher, and since 1953–54 the support price has been at or close to the minimum legal level of 75 percent of parity. Because of restrictions in existing legislation, the support price from April 1, 1962, to March 31, 1966, was continuously at the minimum of 75 percent of parity.

It is understandable why so many dairy farmers have become discouraged and discontinued dairying. Others have reduced their herds. The supplies available to many cooperative creameries and other processors have been reduced and their welfare is threatened. Shortages of fluid milk have developed in some areas. The dairy industry today is in a period of distress and there is great uncertainty about the future.

The seriousness of the dairy problem is reflected both by the decline of production and the reduction of the number of cows and heifers.

Nationally, milk production in the first quarter of 1966 was down 5 percent from the same period in 1965. In April it was 4 percent lower than April of 1965, the smallest April output since 1953.

The total cows and heifers 2 years or older kept for milk numbered 16,607,000 on January 1, 1966. This was the smallest number since 1900 and represented a decline of 6 percent from the number a year earlier. Dairy replacement heifers 1 to 2 years old were 4,068,000 on January 1, 1966, a decline of 7 percent from the previous year. The number of heifer calves under 1 year of age being raised for milking purposes was 5 percent less on January 1, 1966, than the total a year earlier.

The dairy situation is far more serious in those regions where production goes primarily for manufactured dairy products.

Minnesota and Wisconsin together produce about 23 percent of the entire milk supply of the United States. This is the area of heaviest production of manufacturing milk. In Minnesota the decline in milk production was 14 percent in January, 14 percent in February, 10 percent in March, and 7 percent in April compared to the same months in 1965. In Wisconsin production was down 7 percent in January, 8 percent in February, 7 percent in March, and 6 percent in April compared to production for the same months the previous year. The April 1966, decline compared to the same month in the previous year was 9 percent in Iowa, 11 percent in North Dakota, 9 percent in South Dakota, 11 percent in Nebraska. In New York, which is traditionally the second or third highest ranking State in terms of total production, the April 1966 decline was 4 percent.

The U.S. Department of Agriculture held three emergency hearings on milk prices in the Federal market orders in March and as a result increased the April–June minimum prices for bottling milk in 47 Federal milk market orders by 22 cents per 100 pounds over the usual formula prices.

I regret that the price support for this marketing year, beginning April 1, was not higher. The 1966–67 price support for manufacturing milk was raised to $3.50 per 100 pounds, which is 78 percent of parity. The butterfat support price was set at 61.6 cents per pound, which is the minimum 75 percent of parity price.

Today, dairy farmers are receiving somewhat higher prices in the market as a result of shortages, but their returns are still generally far below parity.

Dairy farmers cannot be expected to maintain herds and increase production if they know that their response will again result in pushing prices down to the legal minimum. They need the assurance that if they work and invest to maintain adequate supplies they will receive a better return than they have averaged over the past decade.

The present price support program is designed as a floor under prices. When the market price over several years continues to be about the same as the minimum support price, something is wrong with the program and adjustments are required.

The entire dairy program needs to be studied and adjustments and new procedures developed if reasonable stability is to be achieved and if adequate supplies are to be available to consumers at fair prices.

The bill I am introducing today authorizes the Secretary of Agriculture to make production payments up to 50 cents per 100 pounds of milk marketed for manufacturing usage. The Secretary could also extend the program to make payments for milk marketed in a Federal market order for fluid use but which is utilized for manufacturing purposes.

The program is designed to give the Secretary flexibility in providing incentives to adjust supply to demand. He could make payments to voluntary cooperators who adjust their production above, or below, their marketing base, depending upon the supply needs; or to those who maintained production at their marketing base level, if he determined that supply and demand were in balance. The marketing base for each producer would be his marketings during the year April 1, 1965, to March 31, 1966, with provision for adjustments because of unusual or abnormal conditions.

The payments under the program would be made either directly to producers or indirectly through milk handlers, as determined by the Secretary.

The proposed program is a temporary measure, to be effective until April 1, 1968. It is a supplemental program. It does not change the present price support law which requires a minimum support of 75 percent of parity.

The Government costs of the dairy program have declined sharply in the past year because of the drop in production. The net Government expenditures for the marketing year beginning April 1, 1963, was $377 million—excluding Government costs under titles I and II of Public Law 480—for a milk equivalent of 7.5 billion pounds. The costs for the 1964 marketing year were $360 million, with a net removal of 8.2 billion pounds of milk.

For the marketing year beginning April 1, 1965, the net Government expenditures were $173 million, for a net removal of 2.9 billion pounds of milk. In view of the continued downward trend in production, it can be assumed that CCC purchases will be less this year.

The costs of the program provided in the bill I am introducing today would vary, depending upon the size of the payment set by the Secretary and the degree of voluntary participation in the program.

About half of the milk produced in the United States is used for manufacturing purposes. In 1965, total production of milk in the United States was 125.1 billion pounds, of which 49.8 percent went into manufactured dairy products, 43 percent into fluid use, and the remaining 6.8 percent for farm usage.

If the Secretary determines that direct payments of 25 cents per hundred are required to achieve and maintain adequate supplies, the cost of direct payments might range between $110 to $150 million for the marketing year depending upon the degree of voluntary participation and whether or not payments were made for milk marketed for fluid use in Federal market orders but utilized for manufacturing purposes.

This money will go directly to dairy farmers. It will encourage them to maintain production so adequate supplies will be available to meet domestic and foreign needs. It will be far less costly in the long run than what will result if the present decline in production and the decline in the number of dairy cows is not checked and if the instability and uncertainty in the dairy industry is not reduced.

This bill is similar in several respects to measures I introduced in the 87th and 88th Congresses. They also were voluntary programs providing for direct payments to producers who cooperate in adjusting supplies of manufacturing milk. They maintained the basic minimum support price of 75 percent of parity, while offering an opportunity to improve the income of dairy farmers. At that time the dairy problem was particularly acute in the regions where milk is used principally for manufacturing purposes. Several of us warned then that unless the Congress took action a dairy crisis would develop. The Senate did not act, and unfortunately, the dairy problem has grown much worse.

Today there is widespread concern about the dairy situation across the Nation. There is general agreement among dairy farmers and spokesmen for dairy groups that the industry is in serious difficulty and that adjustments are necessary to halt the decline of production and to bring stability to the industry. I am hopeful that the Department will give strong support to a voluntary program providing production payments. It will give the Secretary the flexibility to meet the kind of serious problems experienced in the past 5 months. I urge the Committee on Agriculture to hold hearings on the dairy situation and to recommend a voluntary production payment program for approval by the Senate.

I ask unanimous consent that the bill lie at the desk until next Friday, June 3. I also ask unanimous consent that the bill be printed at this point in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and held at the desk, as requested by the Senator from Minnesota.

The bill (S. 3427) to provide a temporary program for dairy farmers under which production adjustment payment shall be made to such farmers who voluntarily adjust their marketings of milk and butterfat, introduced by Mr. MCCARTHY (for himself and Mr. MONDALE), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding any other provision of law, whenever the Secretary of Agriculture determines that a program of production adjustment payments to dairy farmers would promote the general welfare by creating greater assurance of adequate supplies of milk and dairy products, maintaining better adjustment of supply to demand, including the requirements of domestic and foreign programs, and strengthening farm income from dairying, the Commodity Credit Corporation is hereby authorized to make payments to dairy farmers who voluntarily agree to adjust their marketings of milk and butterfat during any one or more marketing periods as determined by the Secretary in relation to the quantity of milk and butterfat marketed by them during the base period, or a percentage thereof: *Provided, however,* That no payment shall be made with respect to marketings after the 1st day of April 1968. Payments hereunder shall be made only with respect to milk for manufacturing usage and shall be at such rates not to exceed 50 cents per hundred pounds of milk or milk equivalent as the Secretary determines appropriate to effectuate needed adjustments in the marketing of milk and butterfat. Payments shall be made to producers who agree to adjust their marketings on the quantity of milk that they market and different rates of payments may be established for individual producers according to the amounts by which they change their marketings: *Provided, however,* That payments to producers marketing their milk under Federal milk marketing orders shall be made on the quantity by which they adjust their marketings used to produce manufactured dairy products at such rates as the Secretary determines. Payments to all producers, whether or not they are marketing their milk under Federal milk marketing orders, may be made at such times in such areas either directly to producers or indirectly through milk-handling plants, and upon such terms and conditions as the Secretary determines appropriate to protect the interests of the Government and accomplish the objective of production adjustment.

(b) The Secretary shall establish a marketing base for each producer in the continental United States, excluding Alaska, who desires to enter into an agreement with Commodity Credit Corporation pursuant to subsection (a) of this section. Such marketing base shall be the number of pounds of milk, or the number of pounds of milkfat, or such units of dairy products as the Secretary may deem appropriate for the administration of this subtitle which is the lower of (i) the producer's marketings during the marketing year ending March 31, 1966, or (ii) the Secretary's estimate of what would be marketed in a marketing year by the producer based on the rate of his marketings when he enters into the agreement with Commodity Credit Corporation, adjusted for seasonal variation. In establishing a marketing base, the Secretary may make such adjustments in the producer's marketings as he deems necessary for flood, drought, disease of herd, personal health, or other abnormal conditions affecting production or marketing, including the fact that the producer may have commenced production and marketing after April 1, 1965. A producer's marketing base for the marketing year shall be apportioned by the Secretary among quarterly marketing periods thereof in accordance with the producer's prior marketing pattern, subject to such adjustments as the Secretary determines necessary to enable the producer to carry out his herd management plans for the marketing year. The quantity thus apportioned to a quarterly marketing period shall be the producer's marketing base for such period.

(c) The Secretary shall prescribe such regulations as are necessary for the enforcement and the effective administration of this Act and may require buyers, processors, and handlers of milk and butterfat to furnish reports with respect to purchases and utilization of milk and butterfat.

AUTHORIZATION OF CERTAIN APPROPRIATIONS TO THE DEPARTMENT OF COMMERCE

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to authorize appropriations to the Department of Commerce to be available until expended or for periods in excess of 1 year. I ask unanimous consent to have printed in the RECORD a letter from the Secretary of Commerce, requesting the proposed legislation, together with a statement of the purpose and need.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter and statement will be printed in the RECORD.

The bill (S. 3428) to authorize appropriations to the Department of Commerce to be available until expended or for periods in excess of 1 year, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and statement, presented by Mr. MAGNUSON, are as follows:

THE SECRETARY OF COMMERCE,
Washington, D.C.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There are enclosed herewith four copies of a draft bill "to authorize appropriations of the Department of Commerce to be available until expended or for periods in excess of 1 year" and four copies of a statement of purpose and need in support thereof.

The Bureau of the Budget advises that from the standpoint of the Administration's program there is no objection to the submission of this proposed legislation to the Congress.

Sincerely yours,
JOHN T. CONNOR,
Secretary of Commerce.

Enclosures.

STATEMENT OF PURPOSE AND NEED TO AUTHORIZE APPROPRIATIONS OF THE DEPARTMENT OF COMMERCE TO BE AVAILABLE UNTIL EXPENDED OR FOR PERIODS IN EXCESS OF 1 YEAR

Legislation to provide statutory authorization for appropriations to be on a multiple year basis or to be without fiscal year limitation would materially assist the Bureaus of the Department in planning and administering many of their programs more efficiently and effectively. This bill would not increase the cost of any Government operation and would promote efficiency and economy by providing for more effective planning and management of research and multi-year operations. No estimate of savings has been made. A few examples of specific problems such legislation would solve are as follows:

1. Historically, for each census the Congress has made annual appropriations based on fiscal year phases of the work, but has approved appropriation language which allowed the funds to remain available until the end of the census period in the event that the work could not be accomplished as fast as contemplated in the budget plan.

Since each census is a single interrelated project extending through several fiscal years, the present continuity of financing has contributed materially to efficient and effective management of the censuses. It has allowed and encouraged decisions regarding planning, implementation, control and adjustments to be made in the context of the total census operation, rather than being related to fiscal year deadlines which do not have operational significance. This has been an important factor in achieving important savings and cost reductions, as well as improving the content, quality, and timeliness of the information. In addition, providing a single appropriation symbol for the entire census simplifies recordkeeping and reduces accounting and bookkeeping costs.

Since the value of the data is greatly increased by timely publication, the Bureau of the Census is under continuous and responsible pressure to improve the timeliness of the publication of results from the censuses. Accordingly, the budget planning and appropriation requests are based on the earliest release of information believed potentially feasible at the time the appropriation request is prepared.

However, the information collection and some other early stages of a census are often affected by circumstances outside of the Bureau's control, and experience has shown that these unpredictable situations can cause significant variation in work progress as compared to the work plan. Weather, respondent cooperation, and rechecking and recalls are examples. Such developments usually occur too late in the fiscal year to be considered in the regular appropriation process for the following fiscal year, and, with the previous funds lapsing, supplemental appropriation would be required frequently. In addition, the uncertainty and timing problems inherent in this situation would tend to create inefficiencies of operations and slow down the release of the data. With the carry-over provision we usually have been able to make adjustments in the financial plan and the scheduling of the later phases of the work in order to meet the original time table and budget goals.

Unforeseen circumstances largely beyond the control of the Bureau which may delay a census can be illustrated by the Economic Censuses and the Census of Agriculture. For the Economic Censuses, timeliness in the collection of returns (which is conducted by mail) is dependent upon the cooperation which can be obtained from respondents. If a lower than anticipated level of cooperation is received from reporting firms, or if their returns are incomplete and substantial follow-up is required, considerable delays will occur. In the Census of Agriculture (which is conducted by personal interview) unusual weather conditions during the collection phase can cause substantial delays.

Since the completion of the periodic censuses over a span of several years is quite parallel to the construction of large buildings, the amendment requested finds precedent in 31 U.S.C. 682 which provides that "All moneys appropriated for the construction of public buildings shall remain available until the completion of the work for which they are, or may be, appropriated; and upon the final completion of each or any of said buildings, and the payment of all outstanding liabilities therefor, the balance or balances remaining shall be immediately covered into the Treasury."

2. Research and development projects, particularly in the National Bureau of Standards, could be more effectively carried out by the availability of "no-year" funds. Justification is found in the uncertainties inherent in R&D programs, unpredictable factors, and need for flexibility. Problems arise in obtaining or developing essential equipment or recruiting essential scientists. Funds available for only one year are lost to the project and must be replaced in succeeding years for later stages of the project. Opportunities to hire scientists and engineers frequently arise at the most inopportune time in the budget cycle. Rapid deadlines or short-time availability of funds may lead to premature decisions concerning initiation of a task or purchase of equipment. Congress has recognized the validity of these needs in the past by legislative approval of "no-year" appropriation authority for scientific agencies such as the National Science Foundation (42 U.S.C. 1875), the National Aeronautic and Space Administration (31 U.S.C. 699), and the Office of Coal Research of the Department of the Interior (30 U.S.C. 668).

3. The no-year appropriation not only would introduce opportunities for greater economies and efficiencies in negotiation of certain kinds of contracts with the attendant decrease in cost, but would also reduce the need for supplemental appropriations which requires much time and effort on the part of the Bureau and the Congress. If an urgent item cannot get underway by June 30, under an annual appropriation, a supplemental request would be required or it would be necessary to again request funds through the regular budget process which would introduce a delay of almost eighteen months.

The no-year appropriation, while providing needed flexibility, would still be subject to annual Congressional review and control.

ADDITIONAL COSPONSORS OF RESOLUTION

Under authority of the order of the Senate of May 19, 1966, the names of Mr. FULBRIGHT, Mr. MCCARTHY, Mr. MCGOVERN, Mr. MORSE, Mr. MOSS, Mr. PELL, and Mr. YARBOROUGH were added as additional cosponsors of the resolution (S. Res. 268) relative to appointment of a commission to study the Selective Service System and make recommendations thereon, submitted by Mr. NELSON on May 19, 1966.

NOTICE OF HEARINGS

Mr. JACKSON. Mr. President, I wish to announce that the Subcommittee on Territories of the Committee on Interior and Insular Affairs will hold a hearing on June 21 on three bills which would amend the Organic Acts of Guam and the Virgin Islands: H.R. 13298, to authorize the Legislature of Guam to provide by law for the election of its members from election districts; H.R. 13277, to provide for the reapportionment of the Legislature of the Virgin Islands; and S. 3080, to increase the special revenue bond borrowing authority of the Virgin Islands.

The hearing will be held in Room 3110, New Senate Office Building, beginning at 10 a.m., at which time any interested parties are invited to testify on this legislation.

EXECUTIVE SESSION

Mr. KUCHEL. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business, for action on nominations.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from California?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of Kenneth L. Payne to be postmaster at Leadwood, Mo., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The ACTING PRESIDENT pro tempore. If there be no reports of committees, the clerk will state the nominations on the executive calendar.

DEPARTMENT OF STATE

The legislative clerk read the nomination of Jacob D. Beam to be Ambassador Extraordinary and Plenipotentiary to the Czechoslovak Socialist Republic.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of John W. Tuthill to be Ambassador Extraordinary and Plenipotentiary to Brazil.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Eugene M. Locke to be Ambassador Extraordinary and Plenipotentiary to Pakistan.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Elliott P. Skinner to be Ambassador Extraordinary and Plenipotentiary to the Republic of Upper Volta.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. KUCHEL, and by unanimous consent, the Senate resumed the consideration of legislative business.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WHAT THE SCHOOL MILK PROGRAM MEANS IN NUTRITIVE TERMS

Mr. PROXMIRE. Mr. President, since the Senate convened in January I have been speaking out daily on the need to maintain the school milk program at its present level. As we all know the administration proposes to cut the program by 80 percent.

Now, in presenting the case for the school milk program I have proceeded on the assumption that milk, as Nature's perfect food, is the most essential part of the schoolchild's diet. I have always considered it the most perfectly balanced food available.

The Department of Agriculture in its testimony on my bill to make the school milk program permanent seems to question this assumption. They object to the bill because it "is concerned with only one, albeit an important one, part of the nutritive needs of the child. It provides a separate program for one essential commodity and not for any other essential element of the diet of the child."

Of course, the most obvious reply to this complaint is that the companion school lunch program is specifically intended to provide for additional nutritive needs. However, it is also worthwhile to examine why milk has been picked out for special treatment in view of the Department's implication that it should be considered as just another component of a child's dietary requirements.

For this purpose I ask unanimous consent to insert at the conclusion of my remarks an article that appeared in the Washington Star for Friday, May 13 on the nutritive value of milk in the diet. Written by a doctor, the article reaffirms my assumption that milk does indeed deserve a special place in our children's diets. It points out, for example, that—

> Milk gets an A for its contribution of all three food constituents (protein, minerals and vitamins) . . . Milk has an added value because all of the constituents are present in such a well-balanced combination that it has been reliably stated: "Milk's value as a whole is greater than just the sum of its known constituents.

The article goes on to say:

> Every boy or girl between 12 and 18 who fails to have a daily intake of two or three glasses of milk is greatly decreasing the chance for healthy growth and a healthy future.

Of course, this is the prime purpose of the school milk program—to insure that every child gets one or two glasses of milk a day in addition to the half-pint he receives under the school lunch program. This is the largely unspoken reason why the program is so highly regarded and strongly supported by my colleagues in the Senate.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NUTRITION QUIZ ON THE VALUE OF MILK IN THE DIET

(By Frederick J. Stare, M.D.)

Milk has a great reputation. It is said to be perfect for the newborn, popular with grandparents and a valuable health aid at every age between. Is this true or false? The right answer could make a difference to you. How about testing yourself on today's quiz?

1—Which of these constituents is well supplied by milk?

a) protein b) minerals c) vitamins

2—Which is the right answer?

a) milk is low in calories

b) milk is high in calories

3—For whom is milk desirable?

a) pre-teens and teens

b) parents and grandparents.

In 1, milk gets A for its contribution of all three food constituents. Milk (with its products) is a good source of many important minerals, and it is far and away the very best source of calcium. This is the mineral which the body must have for building bones and teeth and also for blood clotting and muscle contraction.

ESSENTIAL VITAMINS

Similarly, milk is filled with many essential vitamins. Its content of protein, too, is of exceptionally high nutritive value since it contains an excellent proportion of all the essential amino acids. The fact that milk contains all of the essential amino acids, some of which are low or lacking in grains, explains why cereal and bread are most healthful when accompanied by milk.

Finally, milk has an added value, because all of the constituents are present in such a well-balanced combination that it has been reliably stated: "Milk's values as a whole is greater than just the sum of its known constituents."

In 2, a is correct. Skim milk contains only 90 calories and these are packed with a whole storehouse of healthful nutrients. Milk fat in whole milk adds another 75 calories, but with this comes a liberal bonus in the form of all the fat soluble vitamins. And 165 calories isn't very much compared for instance to the 330 calories in a candy bar or the 440 calories in a serving of iced chocolate cake. So we consider skim milk, a low calorie food and whole milk is average in calories. It is not high.

EVERY AGE NEEDS MILK

In 3, it is certainly correct that milk is desirable for both these age groups. Because adolescence is a time of rapid growth and many body changes, pre-teens and teens have greater need for the nutrients that built bone and tissue. All of these are richly supplied by milk and it is almost impossible to obtain an adequate amount without the use of milk or its products. Therefore, every boy or girl between 12 and 18 who fails to have a daily intake of two or three glasses of milk is greatly decreasing the chance for healthy growth and a healthy future.

Although parents and grandparents have stopped growing in height (and hopefully in weight) they have not outgrown their need to maintain and repair body tissues. A wisely balanced diet of many varied foods probably fills this need, but a daily intake of one or two glasses of milk is a desirable safety factor. This is particularly important in order to insure an adequate supply of calcium. Many doctors believe that older people (especially women) suffer from osteoporosis (softening of the bones) as a price for long neglect of foods containing calcium.

Definitely milk is valuable at every age.

INDUSTRIAL POLLUTION CONTROL

Mr. NELSON. Mr. President, recent studies have shown that industrial sources now account for the greater part of the present volume of pollutants being discharged into our lakes, rivers, oceans, and groundwaters. Yet industrial pollution control is a relatively neglected aspect of our national pollution abatement program.

I think the time has come to recognize that industries which dump raw wastes are avoiding the costs associated with disposing of such material in a manner which would not pollute water. These costs are passed on to other industries, municipalities, private citizens, and others who must pay for purifying polluted water before use, and for the deleterious and often injurious effect of pollution.

I believe that we must have a system of economic incentives, including outright grants-in-aid, favorable tax treatment, and an effluent charge, to encourage and assist industry—and coerce it, if necessary—to accept responsibility for its pollution activities. This system of incentives should allow firms of differing economic strengths and technological capabilities to undertake pollution abatement and prevention on an equitable basis without damaging themselves economically.

Dr. Fred A. Clarenbach, professor of urban planning at the University of Wisconsin, has prepared a paper on the hidden costs of industrial pollution and the use of an effluent charge to encourage industry to meet its share of these costs which clearly explains these complex matters. I ask unanimous consent that Professor Calenbach's article be entered in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INCENTIVES FOR INDUSTRIAL POLLUTION CONTROL

(By Fred A. Clarenbach, the University of Wisconsin; presented at the Industrial Wastes Institute, University of Wisconsin, Madison, March 2, 1966)

A big billboard near the edge of town proclaims that Quality Doesn't Cost, It Pays. Like many such messages, this advertising slogan is somewhat less than half right. A more accurate statement is that an improvement in quality usually does cost, and sometimes it pays more than it costs. A great deal depends on how you define and identify and weigh or measure the "costs" and the "benefits."

If in looking at the economics of stream pollution abatement you adopt the limited viewpoint of the single industrial firm, the typical outcome of engineering-economic calculations is that significant additional outlays for pollution control will not pay off in dollars and cents. Sometimes yes, usually no. Ordinarily the single firm concludes that the dollar costs would considerably exceed the dollar benefits to the firm. Rational business managers are not likely to favor major "unproductive" outlays and thus deliberately and surely reduce the company's profits. The stockholders would not want earnings to be reduced by, say, 20 cents a share and the stock's capital value to fall by perhaps $3 a share. Therefore the private company may well say that sizeable pollution abatement outlays don't make economic sense from its point of view and that it just can't afford to squander hard-earned corporation profits in such a way.

Now there's nothing wrong with this logic as far as it goes. But it doesn't go far enough. The single-firm calculation fails to take into account large elements of cost which are external to the polluting firm. Downstream users and would-be users of the water may suffer serious economic losses. Such damages can be very real and important, not only in the eyes of the private persons who are hurt economically, but also from a regional public viewpoint. Downstream municipalities and industries may be forced to bear much heavier costs of treating their water supplies because the river is badly polluted. Some downstream industries may need to get process water from different, high-cost sources. New industry may decide to locate elsewhere. Existing and possible future recreation uses may be restricted or even eliminated. If these kinds of real costs are in the picture, and rarely are they missing in populated areas, then both economic logic and common sense suggest that such costs be taken into account when public policy decisions are being made.

Considerations of this sort do in fact influence not only government policies but also private company actions. The managements of some firms have a sense of responsibility to their own communities and to those downstream, and such firms may take care to meet or exceed the minimum regulatory requirements for pollution control. Unfortunately, not all company managements succeed in maintaining a lively sense of civic responsibility in practice. In truth, most of the ostensibly voluntary attention to pollution abatement seems to stem from concern that otherwise an adverse public opinion would stimulate much stricter government regulation of industrial waste disposal.

Here, then, is one fairly obvious incentive to industry for quasi-voluntary pollution control: it is to forestall a strong and effective assertion of public authority to abate nuisances and to maintain a generally higher level of quality of stream waters. In 1966 it is reasonably clear that the semi-voluntary methods have largely failed. In increasing numbers of localities and regions, these methods do not work even tolerably well to protect water quality and to prevent mounting damage to downstream economic interests and deprivation of benefits to recreational users. It is likewise clear that semi-voluntary and state-local regulations have failed to prevent the development of great support for strong federal action for cleaner streams.

The evolving federal programs include research and training, technical assistance and demonstration, comprehensive basin surveys, grants for partial support of state pollution control agencies, construction grants to municipalities, provision of reservoir storage for low-flow augmentation and effluent dilution, and some enforcement activities with respect to interstate waters.

In addition to those broad and expanding elements of the federal program are various existing and proposed devices to provide further incentives to industry. Among these are the investment tax credit and accelerated depreciation for income tax purposes, loans at low interest rates, government guarantee of loans, and direct cash subsidies to the industrial firm for construction of waste control facilities. Similar devices (plus property tax exemptions) could be and sometimes are used by state and local governments. Finally, there has arisen recently a good deal of discussion about effluent charges which could provide powerful financial incentives for both industries and municipalities to handle their waste problems in ways which would be both efficient and equitable from a basinwide or regional viewpoint.

In this short paper it is not my purpose to review in any detail the incentive aspects of existing state-local-federal water quality programs or the currently proposed extensions along established lines. Most members of this group undoubtedly are at least moderately familiar with present and proposed measures, with the possible exception of the effluent charge idea. I shall therefore give primary attention to the principles of an effluent charge system incorporating broad incentives for regionally efficient handling of both industrial and municipal wastes. Along the way and in the latter part of the paper I will comment on relative advantages and disadvantages of some of the other kinds of incentives.

Let's try to be clear at the outset what the proper economic objective is, what the aim ought to be. It is not the elimination of all pollution from all streams, for that is technically and economically impossible. Nor is it necessarily even the reduction of all kinds of pollution everywhere. The rational objective is to reduce pollution damage to the point where the cost of further reduction would exceed the value of the damages avoided. In other words, from a regional viewpoint it makes sense to spend more dollars for pollution abatement so long as the additional benefits exceed the additional costs. If the discharge of wastes into a stream causes no damage, then on rational economic grounds no expenditure for abatement can be justified; both the industrial firm and the regional community would be better off spending the money for something beneficial. Similarly, if the costs of abatement are clearly higher than the expected regional benefits (reduction of damages), then again the outlays could not be justified. On many or most streams, however, the potential for pollution damage reduction is exceedingly great, though typically the costs also will be high. One problem, then, is to make valid comparisons of benefits and costs from a regional public viewpoint and to abate pollution to the extent that benefits exceed costs. Because some kinds of benefits—notably the aesthetic and recreational kinds—are notoriously hard to evaluate, the problem is not easy to solve in practice. Implicitly or explicitly, legislatures and administrative agencies of government must and do attach "shadow prices" or "public account values" to the so-called intangible benefits (and to intangible costs, also). To fail to take these values into account as carefully and as explicitly as possible is to fail in an important public responsibility.

The recent federal legislation requiring the setting of stream quality standards on interstate waters undoubtedly will focus attention on the necessity for more adequate evaluations of those benefits for which the market does not yield specific and usable price tags. For in order to set meaningful standards, it is necessary to consider the range of water uses and to make tentative decisions about what is a proper mix of private and public uses, on which reaches of which streams, and when. Too often in the past there has been little or no objective analysis of policy alternatives. Relatively obscure political processes of pressure and emotion seem to have operated along with a good deal of sheer guesswork and chance. If the stream quality standards approach to providing a rational basis for decisions is to give much better results, more careful attention must be given to evaluating benefits and costs of alternative combinations of uses of streams. Although benefit-cost analysis of this sort is still a fairly crude instrument today, experience in using it will undoubtedly bring improvement. Even today it can be of great service in policy making if administrators and legislators will learn to understand its advantages as well as its shortcomings.

Now suppose that, with the help of benefit-cost analysis, our administrators and legislators arrive at honest and serviceable judgments as to the patterns of multiple uses of stream waters which may best serve private and public interests. Suppose further that these judgments are faithfully and adequately reflected in a fairly elaborate set of stream quality standards. Suppose also that among the uses judged to be necessary or/and beneficial on many or most streams is the discharge of limited quantities of municipal and industrial wastes. Then, what principles and formulas should be adopted for allocating "pollution quotas" among the various cities and firms? *Who* is going to be allowed to discharge how much wastes of what kinds, where, and when? Starting from the existing "over-polluted" situation, how can our democratic governmental machinery solve this thorny problem in all its detail and dynamism? What would a reasonably efficient and equitable solution be like? This is where the idea of a system of effluent charges comes in.

Effluent charges are properly to be regarded as administered prices to be paid for the use of public waterways for waste disposal. These charges are analogous to payments for the use of many other kinds of public facilities and services: water supply by municipal enterprises, sewerage and sewage treatment and disposal by municipalities and metropolitan districts, public transportation services, postal service, and so on. Knowing the schedule of charges, each user is free to use the service or facility to whatever extent he may judge it to be in his interest to use it. If he has (or is stimulated to find) alternative opportunities for getting the same or closely similar services at lower costs, he is free to take advantage of those opportunities.

By successive approximations, the pollution control agency can arrive at a set of effluent charges which will result in achieving the stream standards at the least cost for the region as a whole. Whenever and wherever the standards are not met with regard to particular parameters, the charges could be raised. Conversely, if a quality standard were substantially exceeded in practice, the charge could be lowered. It is important to note that a stream standard operates as a "constraint" in the process of moving toward an optimum combination of stream uses and toward the least-cost combinations of measures for handling wastes. In the absence of stream standards, a system of effluent charges could in principle also operate effectively to achieve economic optima. To exclude certain toxic substances, the charges could be fixed so high as to be absolutely prohibitive. In practice, extremely dangerous substances probably should be excluded by direct prohibition, and such a constraint would function in effect as a stream standard. Furthermore, the stream standards themselves should be subject to adjustment upward and downward and also by the addition or subtraction of particular parameters of quality. Adjusting the constraints as well as the charges would probably be necessary from time to time in any dynamic economy.

The effluent charge system, then, provides a good answer to the question posed earlier: who will be permitted to discharge how much wastes of what kinds, and where and when? Within the bounds of the stream standards and direct constraints, the actual and prospective dischargers of waste will make their own decisions in the light of the effluent charges which they would be required to pay. Such a system closely resembles the "automatic" character of competitive markets, and it would tend to put the optimum economic values on the "waste carrying services" of streams. Waste disposal is regarded as a cost of doing business, and the external costs (pollution damages to others) are reflected in the effluent charges. In a competitive system, a firm which cannot meet its costs of production may not stay in business very long unless it can adjust its operations to reduce costs or increase earnings or both.

The beauty of an effluent charge system (if such a thing can be beautiful) is that it not only allows the individual firm to make its own choices: it also sets up some powerful financial incentives to find and to apply alternative lower-cost measures for dealing with the industrial waste problem. Fortunately, the specific technical measures and combinations of measures for reducing damaging discharges of industrial wastes to streams are numerous and are continually increasing in numbers and usability. Many kinds of changes in industrial processes are practicable; changes in the product itself may be possible; production may be reduced or suspended during periods of low streamflow (adjusting vacation and plant maintenance schedules accordingly); effluents may be held temporarily and timing of discharge may be regulated advantageously; careful housekeeping and maintenance in the plant can avoid accidental spillages, leakage, or bypassing of polluting substances; segregation of some wastes and disposal by means other than discharge to streams; recirculation and re-use of some waters; various kinds and levels of waste treatment (physical, chemical, biological) by the industrial firm itself; treatment of industrial wastes in municipal, metropolitan, or regional treatment plants; and combinations of partial treatment by the industrial firm and further treatment in a public system. All these and other procedures could be used singly or in combination—or a firm might find it best simply to pay the effluent charges. Often the most economical combination would include various measures to reduce the amounts of pollutants discharged and also the payment of an effluent charge for the quantities actually put in the stream.

No public agency can possibly know in adequate detail what are the various waste-handling alternatives available to all or most industrial firms. Much less can a public agency staff be expected to evaluate realistically the "economic reasonableness" of combinations of possible alternative measures for each firm. Under an effluent charge system the administrative agency does not have to attempt the impossible job of assigning and continually adjusting "pollution quotas" for separate industrial firms and municipalities on an economic basis. A system of effluent charges—carefully related to the spillover costs—would permit the firm to choose a combination of measures most appropriate to its own circumstances, and thus an efficient over-all use of resources would be achieved.

A highly important aspect of a well-designed charge system must be emphasized: this approach can provide *strong incentives* for (1) better perception or recognition by the firm of the waste-handling alternatives actually available to it; (2) more careful analysis and less laggard adoption of least-cost combinations of available measures; and (3) possibly more vigorous search and research to find additional and better alternatives.

One of the alternatives likely to be attractive in many situations is for the industrial firm to send its wastes to a public system for treatment and disposal. Already, more than one-fourth of the waste volume handled by municipal and metropolitan treatment systems is of industrial origin. Often the charges to the industrial firm take into account not only the volume of waste water but also the composition or strength, and sometimes other factors such as the time and variation of flow. All these factors obviously affect treatment costs, and thus here the principle of tying charges to costs is essentially the same principle on which the broader proposed system of effluent charges (for disposal to streams) is based. The underlying principle is sound and can be adapted and extended in practice. In the long run, the whole pollution problem can be handled far more effectively through well-planned *regional* systems of water quality management. To bring more and more of the industrial wastes into the public plants is to move in the right direction. Surplus funds collected as effluent charges by state, interstate, and possibly federal agencies could be used to finance the planning, facilities construction, operation and maintenance, and administration of the needed regional systems for water quality management. Such regional systems would be concerned not only with municipal sewage and industrial wastes, but also with other significant factors including rural and urban land run-off.

To the extent that special incentives (tax credits, fast write-offs, loans, or grants) to industry might actually stimulate separate industrial waste treatment facilities, such incentive policies could have adverse effects on a desirable trend toward handling both industrial and municipal wastes in public regional plants. Existing and prospective federal grants for municipal plants can indirectly but significantly benefit the industrial firms using the aided municipal systems. Further, in view of the rather feeble and uncertain incentives which could likely be provided by further tax-tinkering (federal or state), these approaches also probably should be regarded with considerable reserve. In general, the schemes for direct subsidies for industrial waste control suffer from several grave disadvantages. The administrative difficulties are likely to be large and complex; the inequities are likely to be considerable; the efficient and desirable allocation of economic resources may be adversely affected, especially when marginal enterprises may be only temporarily prolonged; and the "incentive" may not be important enough in any event actually to influence significantly the waste-control policies of major and substantial firms.

On the other hand, the federal policy of providing essentially free of charge a great deal of costly reservoir storage for low-flow augmentation of streams would seem to operate as an important *disincentive* for industries and cities to invest in treatment plants and to take other measures which in combination would probably often be considerably less expensive and more efficient than flow augmentation. The propaganda slogan, the-solution-to-pollution-is-dilution, seems to be much less than half right in most situations.

To return briefly, in conclusion, to the effluent charge idea: there are technical and administrative problems in practical application, but these can be overcome—as the successful experience in the Ruhr region of West Germany shows. In his message to Congress of February 23 on conservation and pollution, the President called for substantially increased federal assistance for acceptably planned initial construction of treatment works. Then he added significantly: "Thereafter, local communities will collect revenues from users sufficient for the operation, expansion, and replacement of the facilities. Continuing responsibility will reside where the benefits accrue—with local authorities." Thus the principle of user charges is enunciated in direct association with expansion of the federal grant program. Clearly both are needed now. And the user charge idea may well be extended to embrace a system of effluent charges on both industries and municipalities who discharge damaging effluents into public streams. Such charges could be designed to function as powerful incentives to reduce damaging pollution to an economic minimum acceptable to the regional community of water users.

MORATORIUM ON CCC WAREHOUSE SUSPENSIONS

Mr. HRUSKA. Mr. President, this morning my office received a call from the Commodity Operations Office of the Department of Agriculture informing me that, effective today, the Commodity Credit Corporation had declared a moratorium on its arbitrary suspensions of grain warehousemen who have been unable to comply with its load-out orders. The moratorium will be in effect until November 1.

Mr. President, this is good news.

The announcement is welcome, but long overdue news. The suspension policy is unfair and discriminatory at best. The suspension resulted from conditions completely beyond the control of elevator operators, yet they were the ones penalized.

As you know, Mr. President, the CCC under the direction of Secretary Freeman has been engaged in a massive grain dumping program since the first of the year. Also, the U.S. Government has agreed to ship additional wheat to India in great quantities. These extra demands have been placed on an already overburdened rail transportation system straining to meet the requirements and priorities of the Vietnamese war effort. These factors, coupled with the chronic boxcar shortage meant that many boxcar orders this year went unfilled.

The CCC has adopted a policy which calls for automatic suspension of any warehouseman under contract who fails to comply with its load-out orders after the expiration of a 90-day period. Apparently, this policy was formulated under a grant of authority in the Commodity Credit Corporation Charter Act of 1949 which provides in part that the Corporation "may contract for the use, in accordance with the usual customs of trade and commerce, of plants and facilities for the physical handling, storage, processing, servicing, and transportation of the agricultural commodities subject to its control."

Mr. President, I want to emphasize the words "in accordance with the usual customs of trade and commerce" appearing in that language. The suspensions have been placed on the warehousemen for conditions completely beyond their control. To the best of my knowledge there is no custom in the trade comparable to this suspension policy.

In any event, the policy is in effect and it has worked a real hardship on warehousemen, particularly in my State. Our warehousemen have borne the brunt of these suspensions to date. For example, on May 20, there were 90 suspensions in effect. Of this total, 38 were Nebraskans. My information is that this has been the case all year long with the Nebraska suspensions running between 40 and 50 percent of the national total.

A letter which I received from Mr. Howard Elm, executive secretary of the Nebraska Grain and Feed Dealers Association, *forcefully states* how this suspension policy has hurt so far and how it would have continued to hurt.

Mr. President, I ask unanimous consent that the letter and accompanying editorial from the Grain and Feed Journals be inserted in the RECORD at this point.

There being no objection, the letter and editorial were ordered to be printed in the RECORD, as follows:

GRAIN AND FEED DEALERS ASSOCIATION,
Lincoln, Nebr., April 20, 1966.

Hon. ROMAN HRUSKA,
U.S. Senate,
Washington, D.C.,

DEAR SENATOR HRUSKA: This is an urgent request that you investigate a policy adopted by CCC–USDA of suspending from the approved list, those grain warehouses which, after 90 days time, have failed to fully comply with CCC loading orders.

Nebraska Grain Warehousemen are being suspended and/or removed from Commodity Credit Corporation's approved list of warehouses for causes beyond their control which we feel is in violation of the Uniform Grain Storage Agreement and beyond the authority of the Corporation.

When CCC removes a warehouse from the approved list of warehouses, it means that warehouse receipts issued by the grain warehouse to farmers will not be eligible for price support loans and also that the warehouse will not be used by CCC to receive grain owned by the Federal Government for storage or handling. Neither will the elevator be paid for services already rendered or accrued storage charges due the elevator until such delivery order has been fulfilled and the suspension order cancelled.

We would not condone or approve, nor ask for special considerations for a warehouseman who was willfully negligent in taking all necessary steps to comply with all loading orders issued by CCC. We would like to insist, however, that he should not be subjected to the inexcusable injury caused by the suspension order when he has been unable to comply due to failure of the railroads to furnish sufficient box or hopper cars to make delivery.

We have one of the most severe rail car shortages that has ever beset this nation. The Interstate Commerce Commission has recognized this fact by issuing a number of service orders designed to encourage better use of existing facilities and imposing penalties on shipping delays. Likewise, the problem has been recognized in both the United States Senate and the House of Representatives as both houses have before them legislative bills which deal with the problem.

The suspension of a warehouseman on such technical grounds that he has failed to do something which is physically impossible for him to do has these side effects:

1. General knowledge of the suspension creates the false, but actual, impression that the warehouseman has been guilty of some ethical violation, or that he is in legal violation of the contract or State Warehouse Law.

2. Removal from the approved list by suspension even for the shortest time tends to divert the warehouse's customers to other assembly points and the injury to his business may become permanent to a degree great enough to threaten the very existence of his business.

3. The policy of CCC–USDA does not in any way or degree increase the box or hopper cars available for grain shipment.

In addition to the many warehouses currently removed from the approved list, it is estimated that between now and harvest time—which is only 60 to 75 days in the future—nearly all of the elevators in Nebraska who have received loading orders will be under suspension. This means that they will not be able to accept new crop wheat for CCC price support loans. If farmers are unable to be eligible for a crop loan as a result of action by CCC–USDA against the local warehouseman, which we feel is illegal and unethical, the whole price support program will become ineffective. This you must not permit to happen. The appeal from the trade to the Department of Agriculture fell on deaf ears. Urgent help is needed to change CCC's–USDA's policy and to allow the industry to adequately serve its farmer customers.

Yours very truly,
HOWARD W. ELM,
Executive Secretary.

[From the Chicago Grain and Feed Journal, Apr. 27, 1966]

INTERPRETING CURRENT EVENTS

(By Ray B. Bowden)

In this first week of April the grain warehouse trade is completely bewildered by the unrealistic demands of USDA–CCC for grain shipments.

The government agency, under pressure to deliver the grain it has contracted for sale, draws against the stocks it has stored in hundreds of grain elevators, on forms known as *"loading orders."*

To emphasize its need for the prompt shipment of the grain, and to discourage possible negligence among warehousemen, the government announces that it will *"suspend"* from its approved list any warehouseman who, after 90 days, has failed to complete his loading order shipment.

Suspension means that the warehouseman can no longer issue storage receipts which the producer can use to obtain government loans and supports. In some situations, suspension could virtually mean business failure.

There is a joker right here. There is a nationwide shortage of boxcars, a shortage so critical that another government agency, the I.C.C., has issued service orders intended to relieve the emergency.

Grain warehousemen are among other shippers who find that it does little good to order cars if the carriers simply do not have them available.

Many grain warehousemen are trying desperately to avoid the disaster of suspension, but find they simply cannot obtain boxcars sufficient to load the government orders.

And until quite recently, the government office has continued to pile loading order on top of loading order, burying the warehouseman deeper under a requirement which he is physically unable to meet.

Over the years the CCC has made grain storage agreements with literally thousands of grain warehousemen, and by the law of averages there have been a few moral accidents.

These mishaps usually came to public notice through the *"suspension"* of the warehouse. Thus, the public unconsciously associates *suspension* with some inference of improper practice.

But now the *suspension* may happen to the warehouseman of finest reputation and outstanding performance record, through a fault certainly not his own.

As government has abandoned the former program of burdensome surpluses, the volume of grain going under loan each year has grown less.

The local country warehouseman has been more and more under the necessity of merchandising grain which he bought from the producer.

Thus he is under the necessity of shipping much grain for his own account, and for the CCC now to demand a virtual monopoly on all available boxcars reaching the elevator is, to say the least, shaky behavior for a government agency.

What will be the cure? Barring an immediate change of policy in the government office, suspension of very many warehouses at harvest time could conceivably deprive farmers of facilities for loan storage.

That would bring a change in policy more quickly than would trade protests, even those being made through members of congress.

As the government grain agency goes through the transition period from *"surplus"* to *"reserves,"* there will be recurring irritations.

There is naturally more grain storage space available than there is loan grain to fill it, and few warehouses can hope for enough storage volume to insure annual income.

Government being, *so to speak*, in the jaybird's seat, there would be little reason to expect their more tolerant treatment of trade demands.

The CCC cannot be enjoined by court action and unless there is considerable sympathetic understanding in USDA, about the only recourse left to individual warehousemen hurt by the suspension action, would be to bring suit or claim for damages, *itself* a cumbersome and costly process.

The trade is hoping that fair-minded USDA officials will join with businessmen in preventing unfair damage to either CCC or the local warehouseman.

Mr. HRUSKA. Mr. President, this Senator registered several complaints with Secretary Freeman. As recently as May 18, his department gave no indication of a letup on suspensions as the letter which I now ask unanimous consent be placed in the RECORD at this point indicates.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE,
AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE,
Washington, D.C., May 18, 1966.

Hon. ROMAN L. HRUSKA,
U.S. Senate.

DEAR SENATOR HRUSKA: This is in further reply to your letter of May 5, 1966, enclosing correspondence from two of your constituents concerning action by the Agricultural Stabilization and Conservation Service in removing warehouses from the approved list that fail to ship government-owned grain.

As you know, export sales of grain have increased substantially over the past few years, a part of which must be filled from government-owned stocks. Everything possible is being done by all segments of the trade and the Department to keep needed stocks of grain moving into export position to meet demand.

By most careful planning in making early movements, we have been able to give warehousemen up to 90 days in which to ship if cars could not be obtained sooner. At the present time only about four percent of the warehousemen in Nebraska have not been able to meet the 90-day requirement. We feel this 90-day limitation was necessary in order to get as much grain moved as possible before the harvest. In view of the known car shortage there was every indication that some warehousemen would be able to slow down shipments. Thus, Commodity Credit Corporation would again receive most of the criticism for using rail cars at harvest time and prevent farmers from shipping their new crop grain to market.

The removal of a facility from the approved list does not necessarily jeopardize a firm as far as future business with the CCC is concerned. In fact, the warehouseman will be reinstated as soon as he completes the loading order shipments.

While our policy may seem harsh to some warehousemen, we think most people will agree it has assisted us in moving a vast quantity of grain. As a result, we are hopeful that with this early movement we will be able to meet our obligations with a minimum of rail car usage during the harvesting season.

As the harvest season approaches we are watching the situation closely and we will consider the need for an extension of the 90-day period.

Sincerely yours,

E. A. JAENKE,
Associate Administrator.

Mr. HRUSKA. Mr. President, the moratorium announced today means a reprieve has been granted that will carry through the fall harvest to November 1. I might add that this will also carry through the forthcoming elections.

But then every indication is that the policy will be resumed once the political heat is off.

Mr. President, I sincerely urge that this moratorium will be converted into a full burial and that it will not be revived next fall.

BIRTHDAY ANNIVERSARY OF JOHN F. KENNEDY

Mr. McGEE. Mr. President, Sunday will mark the birthday of John F. Kennedy. It is indeed fitting that we should honor him on that day. In three short years he gave this Nation a new sense of dedication and direction that will be a part of our lives for decades to come.

I shall not attempt here to eulogize his memory. His accomplishments and his vital spirit are now a part of all of us. Undoubtedly there will be many ceremonies across this land—public and private—in homage to him.

In the 3 years since the tragedy of his assassination there have been memorials both upon the day of John Kennedy's birth and upon the day he was taken from us. Mr. President, if we are to honor the memory of this great man with special attention on an anniversary day, is it not more fitting that that day be the anniversary of his birth rather than that of his death?

This would be the anniversary of hope rather than that of despair. We remember John Kennedy for his spirit of life, not for the tragedy of his death. His widow has expressed her desire to so honor her husband. I hope that those who would set aside one day in his honor will choose the date of his birth, and I would suggest that any official observance by any branch of the Government be held on that day. By so doing, we will most appropriately honor this great man and renew our dedication to achieve those new frontiers which he has charted for us.

BETTY FURNESS SELLING VISTA

Mr. SYMINGTON. Mr. President, on many occasions most, if not all, television viewers have enjoyed being persuaded of the virtues of one appliance or another by Betty Furness, television's former No. 1 saleslady. The attractive Miss Furness is now engaged in "selling" an important and exciting national program.

As described in articles by Olivia Skinner and Beulah Schacht which appeared on May 10 in the St. Louis Post-Dispatch and the St. Louis *Globe-Democrat* respectively, Miss Furness is busy recruiting volunteers for VISTA, the war on poverty's domestic Peace Corps. As a result of a trip to the White House to see Mrs. Lyndon B. Johnson about Project Headstart, she is also helping to promote that important part of the antipoverty program.

Mr. President, I am confident that I speak for all her television audience in saluting Miss Furness for her efforts on behalf of our Nation's poor. I ask unanimous consent that the articles referred to be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the St. Louis Post-Dispatch, May 10, 1966]

BETTY FURNESS BANGS SHUT ICE BOX, FACES NEW VISTA

(By Olivia Skinner)

Betty Furness, about $1,000,000 richer by demonstrating electric appliances on television, has slammed that refrigerator door for good.

"I'm out of the kitchen, and well out of it," said the pencil-slim ash blonde, here to recruit for VISTA (Volunteers in Service to America), the domestic Peace Corps.

"I get an enormous satisfaction out of this work," she said. "Poverty needn't be tolerated and it mustn't be."

She is currently on her fifty-ninth flight this year for VISTA. Her nationwide tours began when Mrs. Lyndon B. Johnson asked her to the White House to hear about Project Head Start.

"It occurred to me, since I'd been a saleslady for 11½ years, that I could sell Head Start as well," she said. "So I combined it with the VISTA program and here I am."

Miss Furness, interviewed at the Sheraton-Jefferson Hotel, said that the project needed older workers as well as college students.

"The widowed housewife of 51 who says she hasn't ever done anything but raise a family is immensely useful in the poverty war," she said. "She has helped persuade youngsters to stay in school, she may well have tutored her own children, and she certainly has marketed for nutritious, economical meals. All these are skills we can use.

"One of our volunteers found a family with a desperately sick baby," Miss Furness continued. "When the doctor ordered medicine to be given every half hour, our VISTA girl discovered that not only did the family have no clock, but that no one could tell time. So she stayed with them, gave the baby medication on the half hour, and meanwhile taught the family to tell time."

The ex-Miss Refrigerator now has her own radio program, "Ask Betty Furness." She said that she never could go back to acting, either in commercials or anything else.

"It was all the Westinghouse Company's fault for sending me to national conventions," she said. "There I met newsmen and politicians. What they were doing was real—I was just playing with make-believe. When I quit the Westinghouse show, I thought I'd go back to acting, but I found I just couldn't.

"There is so much going on in the world, so many people looking for information and just not getting it—I'd like to act as a catalyst, get people together with other people they need to know. What I want is to get into the news department of television while I can still be photographed, but I've met with total resistance."

Miss Furness said that she became an all-out feminist during the three years she presented a radio program called "Dimensions of a Woman's World."

"I am so excited about how women are breaking out of total domesticity," she said. "To play the three parts of wife, mother and career girl all at the same time is a darn good trick. I'm extremely interested in continuing education for women. With the pattern of early marriage and girls dropping out of college, this is a must. Every time I say this, everywhere I go, some woman says quietly, 'Why, I'm back at college.'"

In one town Miss Furness met a slim, attractive, fortyish woman with five young children who was studying for an advanced degree. She told Miss Furness that with the price of college going up constantly, her education was just good insurance for that of the children.

The VISTA promoter has large, expressive blue eyes and speaks in a low, throaty voice that makes her listeners sit back and purr. But somehow she exudes an aura of honor that makes other women trust her.

"When I was in Hollywood, I found that it was a pity I was not very, very sexy. But for commercials or your own television show, that's just fine," she said. "Women say to me, with no rancor at all: 'You're my husband's favorite girl and he sends his love.'

"Women trust me and men like me, and that's sheer luck for such a business. Somehow I don't think that Zsa Zsa Gabor should do a program for women, and she's a darling girl.

"I do try not to look like the girl next door—I think that if women want to see her, all they have to do is look out the window."

Miss Furness's career began in Hollywood 32 years ago when at the age of 16 she starred in "Renegades of the West," opposite Tom Kean.

"You've never been to Hollywood?" she exclaimed in amazement. "You've got to—it's like going to the zoo. Of course, I was there in the Golden Age, and all I could think of was 'How could this possibly be happening to me?'

"Things I remember? A short fling with Cary Grant when I was 18, but of course I knew it couldn't last. Joan Crawford's graciousness. She was very nice to me, but Constance Bennett had me thrown off her set when I wanted to watch her work."

Of her highly lucrative decade in commercials, she stated:

"I was NOT the girl who couldn't open the refrigerator door, even though people said I was. One night I couldn't get the hose off the vacuum cleaner, so after I'd struggled a while I just went on with my commercial, saying, 'Well, you take it off when you can get it off.'"

Betty hopes that her television talks on VISTA will catch the eye of New York television producers.

"The sad part of it is that everywhere I go when I say I want to do newscasting, television producers tell me to come right in, sit down and talk about it. But I don't want to work anywhere but New York. There they either tell me that I have no news background, or that I'm just the Refrigerator Girl. But I'm sure that the public will forgive me that.

"What I want to do is a person-to-person interview newscast for women. Women are up to so many interesting things these days.

"Sometimes I think men don't want to hear about them. I wish men would come out of the bedroom and let me out of the kitchen just long enough to sit down and talk to them in the living room sometimes—not always, but sometimes," she said, a bit wistfully.

[From the St. Louis Globe-Democrat, May 10, 1966]

Betty Furness Sells New Product—VISTA

(By Beulah Schacht)

Betty Furness, television's former No. 1 saleslady, is on the road selling a different kind of product—VISTA (Volunteers In Service To America), better known as the Domestic Peace Corps.

Still as attractive, vivacious and untiring as she was in the days when she broke records for swinging open refrigerator and range doors and demonstrating the simplicity of operating vacuum cleaners, Betty said she appointed herself as an all-expenses-paid, no-salary ambassador for the cause.

"I just got all steamed up about the war on poverty," she said during a one-day visit to St. Louis Monday. "In February last year, Mrs. Johnson invited me to a luncheon at the White House when they were starting 'Project Head Start.'

"Frankly, I was so flattered to be invited, I wanted to do anything I could do, so I went right to Sargent Shriver and asked if I couldn't help by doing something on radio and television, because, after all, that's my racket.

"Somebody on the sidelines overheard me and said: 'Would you mind talking about VISTA at the same time?' "

Betty has been doing that ever since. This is the fourteenth city she's visited to encourage those interested to vounteer their services.

Members of VISTA serve for one year, living and working with the poor. They receive living expenses, medical care and $50 a month, which is banked for them until they complete their year of service.

Headquarters for the recruiting drive, which is headed by Mrs. Dorthy Barker, is the VISTA information center at the YWCA, 1411 Locust st., room 214. The office will be open from 9 a.m. to 5 p.m. Tuesday, Wednesday and Thursday. The telepone number is: CHestnut 1-2974.

"You must be at least 18 years old and you can't have any dependents under 18," Betty said, "but there is no upper age limit. Frankly, you can almost pick the spot where you would like to work in the U.S."

It's only because her present career permits her an elastic schedule that she's able to grab a plane at a moment's notice when a VISTA jaunt is dropped in her lap. She now has a five-minute daily New York radio show and she tapes them a week at a time.

"And I go around the country lecturing before women's groups with my own speech. I speak to college groups for VISTA. That last one's a challenge. I haven't done a commercial for five years. College kids don't know who I am or what I am and I really have to sell but, boy, am I crazy about those kids. You just hear about the bad ones. Not the good ones. The good ones are not bad news."

She's not at all interested in being a product demonstrator again on TV and she's not interested in acting. She wants to do news and public affairs on radio, but she's having a tough time selling her point. "I keep telling them I don't want to be Walter Cronkite. Just me. I'll wait.

"I'm the only person doing this kind of thing for VISTA," she concluded.

"You mean you're a one-girl gang on the program?" our photographer, Ken Winn, asked.

"I like that," Betty said and grinned. "I'm a one-girl gang."

OPPOSITION OF STATE OF MICHIGAN TO SEAWAY TOLL AND FEE INCREASES

Mr. HART. Mr. President, on June 9 and 10 the St. Lawrence Seaway Development Corporation will be holding hearings in Chicago on proposals to increase the tolls on the seaway and reimpose lockage charges at the Welland Canal.

There is widespread opposition to these increases in the State of Michigan. This opposition is reflected in House Concurrent Resolution 262 adopted last month by the Michigan House and Senate. I ask unanimous consent that this resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

HOUSE CONCURRENT RESOLUTION No. 262

(A concurrent resolution stating the policy position of the State of Michigan relative to tolls on the St. Lawrence Seaway and memorializing the Congress of the United States relative to action to be taken thereon)

Whereas under the joint sponsorship of the the United States of America and the Dominion of Canada, the St. Lawrence Seaway, a dream of these two great countries for many years, has become a reality and, as a product of this reality, a great international area has been opened to the commerce and industry of the world and as a consequence thereof, the international commerce of both the Dominion of Canada and the United States of America, especially the Midwestern Provinces and States, has greatly expanded; and

Whereas certain tolls were placed upon the waterway traffic of the world using the St. Lawrence Seaway although this was in opposition to the freedom of world traffic; and

Whereas increasing tolls or fees on the St. Lawrence Seaway would be of great detriment to the shipping of the world and to the expanding economy of the Dominion of Canada and the United States of America; and

Whereas in the face of persistent statements that have emerged from various knowledgeable sources in the shipping and commerce industry of the world that tolls might be increased on the St. Lawrence Seaway, the State of Michigan wishes to state its position most emphatically regarding any increases in tolls on the St. Lawrence Seaway: Now, therefore be it

Resolved by the House of Representatives (the Senate concurring), That the members of the Michigan Legislature wish to state the position of the State of Michigan regarding the tolls and charges on the St. Lawrence Seaway: (1) That the State of Michigan most emphatically opposes any increase to such tolls and fees; (2) That the State of Michigan is very much in favor of a reduction in present tolls and fees and to provide eventual elimination of all tolls and fees on the St. Lawrence Seaway; and be it further

Resolved, That the State of Michigan urgently requests that the Congress of the United States reexamine its present reciprocal legislation regarding tolls and charges on the St. Lawrence Seaway with the eventual goal of supporting the position of the State of Michigan relative to reducing and eventually eliminating such tolls and charges; and be it further

Resolved, That the Michigan Legislature urgently requests the Michigan delegation to the United States Congress to deem this a high priority necessity and that the members do everything within their power to prevent any attempt to increase tolls or charges upon the St. Lawrence Seaway; and be it further

Resolved, That the members of the Michigan delegation to the Congress of the United States work closely with the U.S. Department of Commerce in order to make known the position of the State of Michigan and other Midwestern States relative to their position regarding tolls and fees on the St. Lawrence Seaway; and be it further

Resolved, That a copy of this resolution be transmitted to the President of the United States, Prime Minister of Canada, to the presiding officer of the U.S. Senate, to the presiding officer of the U.S. House of Representatives, to the presiding officer of the Canadian Parliament, to each member of the Michigan delegation to the U.S. Congress, to the St. Lawrence Seaway Development Corporation, to the St. Lawrence Seaway Authority, to the U.S. Department of Commerce, and to the Governors of the following States of the United States.

Kentucky, Illinois, Indiana, Iowa, Minnesota, New York, Ohio, Pennsylvania, West Virginia, and Wisconsin.

Adopted by the House April 7, 1966.
Adopted by the Senate April 12, 1966.

EUGENE B. FARNUM,
Secretary of the Senate.
T. THOS. THATCHER,
Clerk of the House of Representatives.

BIRTHDAY ANNIVERSARY OF VICE PRESIDENT HUMPHREY

Mr. McGEE. Mr. President, it is very difficult to find the proper words to use in saluting our beloved Vice President on his birthday. For there is the sure knowledge that whatever I say, he has said it before.

But I would like to be on record in support of the idea that HUBERT HUMPHREY has brought to his job a combination of talents that has served all Americans very well. He has the vision to conceive new ideas for the benefit of all Americans and indeed all mankind, he has the knowledge to form those ideas in realistic ways, and he has the skill and experience to translate his ideas and knowledge into action.

Much of the legislation which this recordbreaking 89th Congress is enacting into law found its beginnings in the mind of our Vice President. His career, from the counter of the little drugstore in South Dakota to the high position he holds today is proof that the American dream still is pertinent to the space age. I salute HUBERT HUMPHREY on his birthday and wish him many more of equal happiness and achievement.

MEXICAN-AMERICANS FEEL NEGLECTED IN WAR ON POVERTY

Mr. YARBOROUGH. Mr. President, Tom Littlewood, of the Chicago Sun-

Times, has written a very informative article on the problems of the Mexican-American citizens of the Southwest. I ask unanimous consent that the article, which appeared in the May 26, 1966, Washington Post, under the title "Mexican-Americans Seek Federal Aid—Many Feel Neglected in War on Poverty," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MEXICAN-AMERICANS SEEK FEDERAL AID—MANY FEEL NEGLECTED IN WAR ON POVERTY

(By Tom Littlewood, Chicago Sun-Times)

In the Mexican-American settlements of the Southwest, the idea is gaining currency that he who sqawks the loudest will receive most of the Federal "candy" in the war on poverty.

There are about 4 million Americans of Spanish-Mexican ancestry in a cresent-shaped poverty belt from the Gulf Coast of south Texas into California.

Job discrimination, lack of educational opportunities, and large families in shanty housing have combined to create continuously oppressive social problems.

Spanish-speaking leaders are disappointed and angry because they believe the political leverage of the Negro voting bloc has caused their own needs to be ignored in the war on poverty. In all of California there are almost twice as many Spanish-speaking residents as Negros, with widespread poverty in both groups.

According to Federal standards of poverty, San Antonio, Tex., has two-thirds as many poor people as Chicago. San Antonio's poverty program, bothered by city-county political conflict, is still getting off the ground; by now Chicago has already consumed millions of anti-poverty dollars.

SOME INCOMES DECLINE

In Los Angeles County, where the median income of some 850,000 Mexican-Americans actually dropped between 1960 and 1965, new youthful and aggressive leaders have been wondering whether rioting is necessary to attract Washington's attention. Some thought is being given to picketing next month's White House Conference on Civil Rights protesting its exclusive attention to Negro problems.

A new militant spirit recognizing the necessity of banding together for political action is emerging. The two states where this movement is likely to have its greatest impact are Texas and California.

By uniting in California, leaders of the ethnic group are making plans to be more demanding of the Democratic party and the political action arm of organized labor.

In Texas, if the movement catches on, its pressure would be felt by the unique "Anglo" power structure in south Texas. There the alliance between political rulers—the conservative Democratic faction under Gov. John Connally—and the oil and other economic interests operates ruthlessly.

The Federal poverty program has not even begun to penetrate the controlling apparatus in south Texas. In rural communities where a maid can be hired for $8 a week and a Mexican-American warehouseman is paid 40 cents an hour, the local rulers have not been anxious for uplift.

TOO MANY GROUPS

It has been said that there are 10 Mexican-American political organizations for every social service organization—and this is one of the problems.

Representative HENRY B. GONZALEZ, of San Antonio, has referred to political "brokers" who so confuse the masses that they become apathetic. GONZALEZ was a national leader of the 1960 "Viva Kennedy" movement. The successor to this campaign organization later broke apart over disagreement on which Mexican-American should receive a Federal judgeship in Texas.

Another Democratic Congressman EDWARD R. ROYBAL, of Los Angeles, was a leader of PASSO—Political Action for Spanish-Speaking Organizations—founded in an effort to land more high government appointments.

Then there is the League of United Latin American Citizens, the American G.I. Forum, Political Unity for Mexican-Americans, the Mexican-American Political Association and many others.

Voting registration among Mexican-Americans has been uniformly low. Those who do vote usually can be depended on to vote Democratic.

Although Texas has gotten rid of its poll tax, a tightly restrictive registration system has been kept in force by Connally and the legislature.

GONZALEZ said that there is serious division among Mexican-Americans about how much ethnic muscle they ought to show—whether only a Mexicano can ably represent a Mexicano; whether, by doing so, the group may in fact be promoting its self-segregation.

NEBRASKA RURAL ELECTRIFICATION ESSAY CONTEST WINNERS

Mr. HRUSKA. Mr. President, each spring the winning participants of the Nebraska Rural Electrification Association essay contest visit Washington, as part of their prize. This year, 24 youngsters will be guests of the association. Their essays were judged the best of hundreds of entries on the subject "The Value of Rural Electrification in Our Home and Community." It is my privilege to place five of these winning essays in the RECORD.

We are no doubt inclined to take electricity for granted without considering the benefits, the convenience and the continuing improvements of this priceless commodity and its effects on our lives.

Recently a large section of the eastern seaboard learned how accustomed and dependent it is on just flicking on a light, turning on the radio or sitting down to watch the evening newscast on television. As a result of the blackout we have a deeper appreciation of what we often think of as one of the "simple things of life."

In farm areas, such as in Nebraska, electricity has not been taken for granted for quite as long a time. The youngsters whose essays are printed herein have captured realistically and vividly the advantages of rural electrification in their communities.

Mr. President, I ask unanimous consent to place in the RECORD the essays written by the following:

Ann Jameson, 17, a junior at Elsie High School; the daughter of Mr. and Mrs. Marvin Jameson, of Elsie, Nebr. Sponsor: The Midwest Electric Membership Corp., Elsie, Nebr.

Caren Lucille Hay, 17, a junior at Trenton High School; the daughter of Mr. and Mrs. Clarence Hay, of Trenton, Nebr. Sponsor: Southwest Public Power District, Palisade, Nebr.

Wayne Johnson, 16, a junior at Trenton High School; the son of Mr. and Mrs. Orval Johnson, of Trenton, Nebr. Sponsor: Southwest Public Power District, Palisade, Nebr.

Jeretta Cass, 17, a junior at Beaver City High School; the daughter of Mr. and Mrs. Dean Cass, of Beaver City, Nebr. Sponsor: Twin Valleys Public Power District, Cambridge, Nebr.

Gayland Regier, 16, a junior at Madrid High School; the son of Mr. and Mrs. Pete Regier, Jr., of Madrid, Nebr. Sponsor: The Midwest Electric Memebrship Corp., Grant, Nebr.

There being no objection, the essays were ordered to be printed in the RECORD, as follows:

THE VALUE OF RURAL ELECTRIFICATION IN OUR HOME AND COMMUNITY

(By Ann Jameson; age 17; grade, junior; school, Elsie High School; name of father, Marvin Jameson, Elsie, Nebr.; contestant sponsored by the Midwest Electric Membership Corp., Grant, Nebr., in cooperation with the Nebraska Rural Electric Association)

"What in the world is REA?" Can you answer that question and give a meaningful explanation of why it exists? Well, my friend, REA stands for Rural Electrification Administration. Yes, we have come out of the dark ages into electrified light; a power that makes the whole world shine in its glory.

The REA was created on May 11, 1935. This order granted power to an REA administrator to "initiate, formulate, administrate, and supervise a program of approved projects with respect to the generation, transmission, and distribution of electric energy in rural areas."

To start the process electric co-operatives had to be formed. These are private, nonprofit enterprises, locally owned and managed and incorporated under state law. Since these co-operatives are owned by the members, each one has a vote on the affairs despite the amount of electricity he uses. When more farmers joined, the lines were strung and mile by mile lights were provided. Even after the poles and wires were erected, there was the problem of wiring the houses to use the electricity. The high cost of wiring a house caused some to go without it. The REA worked this out also, by a "group-wiring plan" which cut costs.

The night the lights came on will long be remembered by many people. Farm houses shined throughout the night marveling over their new found friend. And a friend it was indeed, for the first time suspicious farm owners knew the indispensable helper was to their advantage.

In this day and age electricity is one of those modern conveniences thought of as never failing. Its very existence isn't even very noticeable "until" you are without it; then its importance to life is amazing.

Did you ever stop to realize how indispensable electricity really is? A small farm motor can do the work of eight men, the blood of the soil, water, is pumped by electricity for faster service. A poultry farmer uses electricity every step of the way: to hatch eggs, brood the chicks, feed and water chickens, cool, clean, and grade the eggs. In the same respect, the livestock business depends on electricity. The very environment provided for cattle, sheep, hogs, and other livestock can be predetermined by electricity for success or failure in business.

We own a grade A dairy farm and without electricity, absolutely nothing will operate. In running an efficient dairy, everything is on a set schedule; each milking must be completed within a certain amount of time to assure a regular maximum of production.

The first step in milking electrically is to wash and dry the cow's udder. Milk is then stripped from each teat to check any disorder, after which an electric milker is put on to complete the process. When the milking is finished, the milkers are taken down to be washed electrically by a flip of the switch. The milk which has been taken from the cow, converted through a glass tube into a large bulk tank is then ready for cooling. The production of milk takes approximately two and one-half hours to complete, twice a day, every day of the year, by this reduction it is impossible to operate without electricity.

In this day and age the thought of having to go without electricity is an incredible impossibility.

Rural Electrification and the Value of Electricity in the Home and on the Farm

(By Caren Lucille Hay; age, 17; grade, junior; school, Trenton High School; name of father, Clarence Hay, Trenton, Nebr.; contestant sponsored by the Southwest Public Power District, Palisade, Nebr., in cooperation with the Nebraska Rural Electric Association)

Have you ever thought about what that little cartoon character, Willie Wiredhand, stands for?

He has an electric socket for a head with a plunger switch as a nose. His hands are like the rubber gloves worn by REA linemen. His arms are small wires like a lamp cord. His body is a piece of heavy conductor terminating in a standard cord plug.

But Willie Wiredhand is much more than a few pieces of electrical equipment. He is a symbol—a symbol of the hard work, the electrical power, the service, the many dreams and all the other factors that make up the REA.

To Grandma, he is the symbol that changed her life. When electricity came, most of her hardest working years were just over. Nevertheless, electricity has affected her. Her retirement years are made even happier. Modern electric conveniences make the housework she must do easier and quicker. Many avenues of relaxation are opened to her that she never dreamed of before.

To Grandpa, Willie has come just in time to make his retirement pleasant. For once in his life he can keep abreast of the world news by way of television and radio. Saturday and Sunday afternoons are spent watching his favorite teams on television. The few farm chores he must do outdoors are lightened by electrical equipment.

To Mother, Willie is more fulfilling. Her years of work are just beginning and Willie Wiredhand is doing everything he can to make her life easier. A freezer and refrigerator store the food until the time comes for it to be cooked on the electric stove. Cleaning is done with new electrical appliances such as the vacuum cleaner. Electricity makes sewing quicker and easier. Washing and drying of clothes is done in the completely new automatic washer and dryer. Good lighting makes her work even easier, and her leisure hours in the evenings can be spent in a well-lighted room instead of in the dark.

To Father, Willie means even a greater variety of benefits. In the dairy barn electricity feeds, waters, and milks his cows for him. Grain and hay are dried so there is no thought of crop loss. The milk is hardly seen as it just goes to the bulk tank via pipe line. Willie gives him a cleaner barn in just a few minutes. Willie is a workshop that sharpens tools, repairs machinery and performs all the other tasks Father never dreamed of doing before. Electricity lights each farm building and provides light for the farmyard. Willie does things for Father that he isn't aware of.

To the children—well, Willie is nothing new to them. They appreciate good lighting. They enjoy the entertainment provided by radio, television and phonograph; and some of their favorite toys are electric. Anything run by electricity is natural to them. They've never known anything different—thank goodness.

But Willie is even more than this. He is all of the elements that make up the REA—the consumers of the District, each and every employee of the REA, and the cooperation. He is the dreams of the past and future.

Who would have thought that a little character like Willie Wiredhand could mean so many things to so many people?

Rural Electrification and the Value of Electricty in the Home and on the Farm

(By Wayne Johnson; age, 16; grade, junior; school, Trenton High School; name of father, Orval Johnson, Trenton, Nebr.; contestant sponsored by the Southwest Public Power District, Palisade, Nebr., in cooperation with the Nebraska Rural Electric Association)

Times were quite prosperous for me until the REA brought electricity to my owner's farm. Until then I was used every morning and night to provide light for doing chores, as well as light for all the other night-time jobs my farmer-owner had to do.

But now I have been thrown back into an old dirty corner, and my chimney is cracked. Willie Wiredhand, who symbolizes the REA, has really screwed things up for me. Since he was brought to the farm by that dern wire and pole, he revolutionized the whole place. The farmer can now complete the chores I helped him with in so much shorter an amount of time that is used to take, that it amazes me. This is because of the electric lights in the barn and milkhouse, the electric milking machines and separators, and all kinds of other handy gadgets.

Willie came here back in 1933. My boss was very proud of him because most people around here didn't have electricity then, and were still using my friends and relatives to provide light. My farmer just had electric lights back then, but in the past 33 years, he and almost all the other farmers around here have really put Willie to work.

Mr. George Norris had a pretty big hand in organizing bills in the Congress to bring Willie to the farm. I knew him because he used to come and visit my boss a lot before he went to Washington. This wasn't because he was any relation of my owner or anything; it was just that Mr. Norris lived in the town nearest to us before he became so important. Therefore, when he decided to run for the Senate, he campaigned among "us farmers" so he could get elected. He told my farmer that if elected, he hoped to be able to push a bill through congress that would provide electricity to the farmers. He said that electricity was very handy, and could be readily put to use if only it could be brought out to where we were. My boss thought the idea sounded quite good and beneficial, and I guess everyone else did too, because George Norris was elected and went to Washington. He then got things to rolling, and since then, the REA has spread to every state in the Union, except Connecticut, Massachusetts, Rhode Island, and Hawaii, with more than 96 per cent of America's farms electrified.

Yes, the future looks pretty dim for us kerosene lamps. But, I guess we just had to move to make way for progress, and I feel it is quite a privilege to move for the REA. They have put the farmer on an equal status with the city dweller. The farmer can now do thousands of things electrically that 40 years ago, he had to labor long hours to complete.

Not only is the farmer freed from much drudgery, but his wife also benefits. With electricity on the farm, she can do the daily chores and still have time to relax, to enjoy cultural events, and to do many other useful things for mind and body that were impossible to complete only a century ago. Yes, I feel contented to retire and let this giant of farm progress take over.

The Development of Rural Electrification and How It Affects Us

(By Jeretta Cass, age 17; grade, junior; school, Beaver City High School; name of father, Dean Cass, Beaver, City, Nebr.; contestant sponsored by the Twin Valleys Public Power District, Cambridge, Nebr., in cooperation with the Nebraska Rural Electric Association)

Thirty-five years ago wheat was selling for 37 cents, corn was being burned for fuel, and unemployment was reaching staggering totals. Farmers were crying for progress—progress which would give them a fuller, more productive life.

It was in this atmosphere of unrest that the Rural Electrification Administration, known universally as REA, was born in May of 1935. Although the agency was first developed as part of Roosevelt's depression relief measures, it was soon converted into a loan agency. Under the direction of Morris Cooke, REA was to act as banker for local groups of citizens who wished to establish their own local electrical distribution systems. They, in turn, were to hire employees, build lines, and contract to buy wholesale electric power. This job of bringing power to the rural areas was a difficult one. Privately-owned companies had refused to distribute power to the farm, and they were bound to make it difficult for the farmer to serve himself. REA was not only criticized by privately-owned companies but also by interested people who charged that such use of federal funds would be immoral, destructive to free enterprise, and socialistic. Despite this opposition, thirty years later, the Rural Electrification Administration has almost accomplished its purpose. Locating nearly 1,000 consumer-owned rural electric systems in 46 states, it has provided 20 million people with electric service.

Thanks to rural electrification, city life is no longer more comfortable and modern than that in the rural areas. Today farm housewives depend a great deal on the aid of electricity to run their homes efficiently. Electricity provides the power that refrigerates food, cooks meals, heats water, washes, dries, and irons clothing, regulates heating and lighting, and cleans the home. It also allows for enjoyment of television, radio, and stereo.

To the farmer, electric power is essential in the management of the farm itself. By taking advantage of the electrical equipment on the market, he saves both time and money. Electricity offers a more efficient way of watering and feeding livestock, drying grain, gathering eggs, milking cows, fencing animals, and irrigating crops. Also, now as a service of the local rural electrics, automatic mercury vapor yard lights are installed on many farms to provide light from dusk to drawn for the security of the home and farm.

Besides offering the farmer and his family a more comfortable, more efficient way of life, rural electrification affects us in even more ways. Estimates indicate that rural people create a market in appliances and equipment alone that totals $1¼ billion yearly. In addition, since mid-1961, 135,000 new jobs have been created directly or indirectly by the rural electrics. Even rural schools, churches, business firms, and industry owe their power and success to local rural electrics.

Edison's light rolled back the darkness to make way for progress. Seizing the opportunity, farmers joined together to better themselves, and they succeeded. Perhaps my generation can maintain this pioneering spirit which made rural electrification possible and work for even greater achievements in the future.

THE VALUE OF RURAL ELECTRIFICATION IN OUR HOME AND COMMUNITY

(By Gayland Regier; age, 16; grade, junior; school, Madrid High School; name of father, Pete Regier, Jr., Madrid, Nebr., contestant sponsored by the Midwest Electric Membership Corp., Grant, Nebr., in cooperation with the Nebraska Rural Electric Association)

I reside on a dairy farm northwest of Madrid. Its operations are centralized upon electricity supplied by our Rural Electric Association. This supply promotes the success and productivity of our dairy business. There are numerous electrical equipment that need this constant electric power in our dairy operation. Among this equipment is a deep well pressure pump that must maintain a constant water pressure, both hot and cold. Also, electricity provides a source of power to operate the milker as well as the milk cooler. One of the most helpful and useful is our automatic self-unloader feeding system in our silo. The amount of time and work it saves us is unbelievable. Once the hay is blown into the steel structure, our work is reduced to push-button and the cows are automatically fed.

A product sold is one thing, and the product's service is another. Yet it is the least thing to worry about with REA. As we decided to change from an old costly irrigation motor to an electric motor, we experienced service never known. Now our new electric irrigation well, equivalent of producing 1,200 gallons per minute, is only a push of a button away.

As I stop to analyze rural electrification, I like to think of it in comparison to the human body. REA is the "life stream" of the Western rural communities. And as our blood, REA keeps a constant and sufficient supply of energy to its organs—the farms. Thus it keeps the body—the Great Plains—in a healthy and prosperous condition.

Another aspect brought to our community with electrification is industrialization. In 1820, when Stephen Long explored the Midwest, he proclaimed it as a vast desert. But contrary to his belief, modern methods of irrigation powered by REA, have made the Midwest an important industrial area of the United States. This makes profits as well as beautification easier.

With the increase of rural services, there are presently over 200 mercury vapor lights in the community. These not only tend to bring neighbors closer together but also aids them economically.

Recently when the mid-March blizzard struck it paralyzed the county. Several days after the storm, when communications were restored, I heard much of the storm's results. Listening to two farmers talk of the storm I heard this statement: "We sure rely on the necessities and luxuries of REA." Too many take this valuable energy for granted until the power is cut off. No doubt, electricity has raised the standard of living of the farmers and their families. From my farm life experience "I do not know what is more important on a farm than REA."

CIVIL RIGHTS ADVANCE

Mr. HART. Mr. President, the Washington Star presents strong arguments in favor of President Johnson's proposal to outlaw racial discrimination in housing.

In the Star's opinion, the basic goals and motives of the President's recommendation are sound. Furthermore, the Star in an editorial points out, it is morally indefensible in this day and age to deny access to housing to anyone solely on the basis of race.

Another point made by the Star is that a universal law against discrimination would ease the pressures felt by those builders and homeowners who fear integration would cause them economic loss.

I offer the editorial as persuasive testimony in behalf of the administration bill and ask consent that it be made a part of the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HOUSING: THE NEXT CIVIL RIGHTS ADVANCE

It is time, said President Johnson on April 28, for Congress to ban racial discrimination in all aspects of private housing. And with that the '66 round in the civil rights battle began. It might turn out to be the bloodiest round of all.

Federal requirements for fair housing practices are by no means unique. By Executive Order, racial bias has been forbidden since 1962 in government-owned housing and in new private apartments and houses financed under FHA and GI insurance. The categories were extended somewhat by the Civil Rights Act of 1964. In all, however, these actions cover a mere 3 percent of the nation's total housing supply. They barely scratch the surface.

The current bill, which is part of a larger civil rights proposal, covers all types of housing—old and new. It would outlaw, for the first time as a matter of federal law, discriminatory practices by builders, realtors, banks, homeowners or anyone else engaged in the sale, rental or financing of housing. It proposes, also for the first time, a legal remedy by which any individual discriminated against might seek redress in the federal or state courts. And it would authorize the Justice Department to initiate suits where it found prevailing "patterns" of discrimination.

It is too early in the game to discuss at length the specific provisions of this proposal. It is clear that a good many of them will not survive in precisely the form they were drafted.

Attorney General Katzenbach had barely begun his explanation of the bill to a House subcommittee the other day, for example, when he was asked if its provisions need extend all the way to the operator of a small boarding house—the symbolic "Mrs. Murphy" of the 1964 public accommodations law. The Attorney General conceded that such an exemption in the housing bill, as in the 1964 act, would not seriously impede its effectiveness. He was right, in our opinion, to say so.

Apart from details, however, the basic goals and motives of the administration bill are sound—and overdue.

Administration officials frequently repeat the remark that housing "seems to be the one commodity in the American market that is not freely available on equal terms to everyone who can afford to pay." That statement is sufficiently accurate to make a crucial point. The point is that to deny anyone access to this "commodity" solely on the basis of race is, in this day and age, morally indefensible.

No law can solve, by itself, the problems of slums and poverty, or provide decent homes in decent neighborhoods for people who cannot afford them. The end of segregation would not dissipate the powerful force which the economics of the situation exert on housing patterns, especially in the suburbs. It would, however, give many Negroes a far greater opportunity than now exists to improve their conditions.

By now nearly everyone recognizes the need to revitalize our central cities, for the benefit of all the parts of our growing urban regions. Yet, while new suburban growth is continuing at a rapid pace, larger and larger portions of our cities are turning into racially segregated slums. It is evident that this pattern must be broken if cities are to survive. One part of the answer is to accommodate some portion of the Negro populations in suburban areas. Another, equally important, is to attract increasing numbers of white families back to the city. Under present practices, however, both these trends are discouraged.

In their House testimony, both Mr. Katzenbach and Secretary Weaver argued at length that landlords and builders who resist integration frequently do so not out of personal bigotry, but out of fear that their investments will suffer if they become the first to break the pattern of discrimination. There is strong evidence to support these views.

In a recent survey of apartment living in Washington suburbs, where there is only token integration, The Star was told by several large developers that they would welcome an anti-discrimination law, and that very little is apt to change until one is secured.

These same pressures and fears stimulate panic selling on the part of individual homeowners when the first Negro families move into previously all-white neighborhoods. They encourage blockbusting tactics by unscrupulous realtors who too often are eager to play on the uncertainties of the situation. Perhaps Mr. Katzenbach goes too far in his conclusion that if all those in the housing industry "are bound by a universal law against discrimination, there will be no economic peril for any of them." But surely such a law, applied across the board, would ease the pressure of current fears.

In putting forward this legislation, the administration is relying for constitutional authority on the commerce clause of the Constitution and the "equal protection" clause of the 14th Amendment.

Senator DIRKSEN contends that the housing measure is "absolutely unconstitutional." He has offered, if he can be persuaded that interstate commerce is involved in selling or renting a house "fixed to the soil," to "go out and eat the chimney."

This is a difference which, of course, can only be settled by the courts. The Supreme Court has demonstrated no hesitancy on previous occasions, however, to stretch both the commerce clause and the 14th to cover an increasing number of activities which were deemed to be in the public interest.

Senator JAVITS, meanwhile, is vigorously attacking the bill not on its merits, but on grounds that it is a tactical error. His motive is to avoid at this point the "divisive struggle" of congressional debate. He argues—and his view is shared by many civil rights leaders—that the administration could and should accomplish the same ends by expanding to extreme lengths the 1962 Executive Order which now bans bias only in new FHA and VA-insured housing projects.

It seems to us that the error, however, is on Senator JAVITS' side. The Executive Order approach would cover only a fraction of the housing covered by the administration bill. It would rely largely on banks and other private lenders to police discriminatory practices, posing, as the Justice Department has pointed out, the most perplexing sort of practical problems. Even if the backdoor approach of the Executive Order were practical, however, it would be a mistake. You cannot solve the problems of racial discrimination in housing by refusing to debate them.

For the biggest problem of all, perhaps, is that the whole subject has been brushed under the rug for far too long.

Mr. HART. In addition, Mr. President, I call the Senate's attention to a recent resolution of the general board of Christian Social Concerns of the Methodist Church. The resolution addresses itself to the need for fair housing legislation at the Federal and State levels. The position of the general conference of the Methodist Church is quoted in this resolution and it states the official position of the Methodist Church that "the right to choose a home should be guaranteed to all regardless of race, culture, national origin, social class or religion.

I ask unanimous consent that this resolution be printed at this point in my remarks.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Fair Housing Legislation

The harsh facts of racial discrimination in the housing market are notorious in the United States. Many studies and surveys reveal that minority group members are barred from many housing areas and are forced to pay more for less when they can buy or rent.

Without question, racial discrimination in housing represents a fundamental violation of Christian convictions and of democratic principles. Race discrimination in housing represents a denial of justice and of equal opportunity: It is morally wrong.

Therefore, the General Conference of The Methodist Church has issued strong statements concerning housing discrimination and its cure:

"Christians must insist that all people have the freedom to reside wherever their economic means and their personal wishes permit.

"The right to choose a home . . . should be guaranteed to all regardless of race, culture, national origin, social class, or religion."

Note the word "guaranteed" in the foregoing statement. No rights are guaranteed in a constitutional democracy except by law.

We, therefore, call upon Methodist people in every state and territory to work for the passage of State and Federal laws which will bring an end to racial discrimination in the sale and rental of housing. The police power of the States, in support of the general welfare, provide broad authority for State fair housing statutes.

It has long been established that private property rights are limited by the larger demands of the general welfare when there is conflict between them. This well-established governmental principal cannot properly be denied application to the housing market. As of June 1965, nineteen states had already made this application.

The Biblical principle of neighbor-love destroys any attempt to absolutize the freedom of the housing seller, for this amounts to destroying the freedom of the housing buyer. Here, equal opportunity and neighbor-love coincide. Fair housing legislation, balancing the rights of buyers and sellers, appropriate to all levels of government, should be enacted speedily as part of the long, painful struggle of the people of the United States to bring to fuller reality the clear meaning and purpose of our fundamental laws and principles.

EXTREMIST GROUPS

Mr. McGEE. Mr. President, because we on the majority side of the aisle hold firmly to the belief in the two party system, we can sympathize with our friends who face the problems arising out of what Life magazine calls the Rowdies and Dowdies of the Right.

Life, last week, editorialized upon these groups who operate with the name of Republicans, but who do no good to the cause of true, reasonable conservatism in this country. They are not alone, of course, for there are many other extremist groups at work undermining the average American's confidence in his Government, in our democratic institutions and in our very form of political life. That they endanger all of us is, I think, apparent. I ask unanimous consent that Life's editorial on the "Rowdies and Dowdies of the Right" be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Rowdies and Dowdies of the Right

This could be the year for the Republicans to gain a march on '68. But the chance will be missed unless the party finds a way to do something about the "Rowdies and the Dowdies" on the far-right fringe.

That descriptive epithet has been applied to the National Federation of Republican Women and the Young Republican National Federation. Meetings of the Young Republicans have broken up in power-plays and fist-fights more reminiscent of German beer halls of the '30s than of the Grand Old Party, and some members have been tabbed "gray-flanneled Hell's Angels." The ladies restrain themselves to verbal hair-pulling, but between them the two groups inhabit a never-never land far to the right of Barry Goldwater.

As campaigns get under way for this fall's off-year elections, the ladies and the Young Turks seem as determined as ever to drive voters out of the G.O.P. camp—thus providing more aid and comfort to the Democrats than Senator Fulbright has given to the cause of the Vietcong.

The New Jersey "Rat Finks" started the process. That lunatic splinter group entertained at YR meetings with rabidly anti-Semitic and anti-Negro songs (and led local wags to rename their state "the Southern California of the East Coast").

Then there was the case of Mrs. Phyllis Schlafly, first vice president of the Women's Federation, who electrified her blue-rinsed colleagues with the announcement that the Johnson administration planned to legalize polygamy for the elderly. The plan, as she outlined it, would limit a man retiring at 65 to one wife, but if he quit at 60, thus helping to alleviate unemployment, he could have a second spouse. At 72, he would qualify for a third, and even a fourth, if he were also blind.

Asked for the source of this "Administration plan," Mrs. Schlafly produced a news clipping and explained, "He's a Salt Lake City physician, Dr. Victor Kassel, and I assume he must be a Democrat."

The people hurt most by the antics of the rowdies and dowdies are the moderate Republican officeholders and candidates. And the incredible thing is that it is difficult for the sensible Republicans to do much about the situation.

While bearing the name "Republican," neither the Women's Federation nor the Young Republicans is responsible to the National Committee. They raise their own funds, disburse them as they please, and bear no responsibility to the party except to link its name to their idiocies.

Without a financial club to force the fringe groups into support of the majority views of the party, alternative pressure can only come from firm leadership at the top of the Republican National Committee. And Ray Bliss, national chairman, doesn't see things this way, at least yet.

Bliss, trying to rebuild on the ruins of the '64 disaster claims, "If you're going to build an organization, you don't do it by banging heads." We don't agree that the G.O.P. has the time to indulge in Bliss's hopes for evolutionary change.

We lean to the view of Pennsylvania's Republican Senator Hugh Scott who found, just before he spoke to a Young Republican meeting in Washington, that it was about to consider a motion offering support to the racist Rhodesian regime of Ian Smith. Furious Scott told the audience, "Go ahead with your program of self-destruction if you will . . . after a while there'll be so few of you you'll have what you want—a tiny little smoke-filled room of the white Anglo-Saxon super-privileged country-club set.

THE BATTLE FOR MEN'S MINDS IN LATIN AMERICA

Mr. MONTOYA. Mr. President, of all the battles that are going on in Latin America today between freedom and despotism, there is none more important than the battle for men's minds.

The people of Latin America will have gained nothing if they win their epic struggle against poverty and disease, but lose their love of freedom and their faith in democratic institutions.

In the marketplace of ideas, nothing sells as well as the truth and, for that reason, the United States has a built-in advantage in the relentless competition with Cuba, China, and Russia. We have truth on our side.

Our problem has always been how best to exploit this advantage; how best to communicate to the Latin people that they have everything to gain by retaining their faith in freedom, and everything to lose by turning to the lying blandishments of the Communists.

The spearhead of our communication effort in Latin America is the U.S. Information Agency. Through trial and error, through Republican administrations and through Democratic administrations, through budgetary squeezes and through sudden expansions, the USIA has sought for the best ways to convey the story of democracy.

Today, Mr. President, I believe that the USIA has found the key to effective competition in the marketplace of ideas.

That key is books and other printed material. Books occupy a special place in the minds of Latin Americans. For many years, reading and the ability to use a book were skills reserved for the educated elite and, although there has been a great increase in literacy, the printed word still maintains its almost mystical authority for millions of people.

USIA was a little slow in recognizing the importance of a good book program in the Latin countries. It was not until 1962, in response to a directive from President Kennedy, that the publications effort began to receive the attention it deserved.

The steady improvement since then shows up dramatically in the statistics.

In the last year before the Kennedy directive, USIA published 253,000 books in Spanish and Portuguese. The next year, the figure was nearly four times that number, and by 1965 USIA was producing nearly four and a half million books per year for Latin America. Since 1962, over 11 million books in 1,100 editions have been produced.

This is a cooperative venture. USIA does not publish the books, but works with Latin American publishers to bring out the selected titles.

USIA support sometimes takes the form of outright purchase of an agreed-upon portion of the first printing. These copies are used for presentation to key individuals in Latin America, such as government officials, educators, and media personnel, as well as for augmenting book collections of our libraries in the area. The support may also consist primarily of sharing costs of production and promotion. Whatever the mechanics of the arrangement, however, the USIA requires cooperating publishers to market the books at the lowest practicable prices.

This is important, and has been a major factor in the success of the program. Prices for USIA-sponsored books are consistently below those of the Communist competition, and often cost only half as much.

The books selected concern one or more of the following themes:

"The Alliance for Progress": This takes in a variety of subjects, including books on development, economics, agriculture, business, labor, education, health, housing, community development, self-help, sociology, mass media, and citizen education.

"U.S. Foreign Policy": This may be historical, general, or up to the minute. The book program supported, for example, the publication of books dealing with both the Vietnam and the Dominican Republic situations. In the first instance, incidentally, the program-supported book on Vietnam, in an edition of 12,000 copies, sold out. Sold, too, were more than 21,000 copies of a book on the Dominican situation.

"American Civilization": Much of the effort under this heading involved providing information and facts to refocus the distorted image of the United States as a materialistic, uncultured society.

"Unmasking the True Nature of Communism," the dangerous falsity of its specious appeals, and its drive for world domination, especially through the medium of the so-called wars of national liberation.

This is a good selection, but I do not believe that it is enough. For the fiscal year 1967, USIA's book budget is only $1,548,938. I am advised that that will mean an additional 5 million copies can be produced and distributed. In my opinion, we should be aiming for at least twice that many. Ten million books would not seem to be excessive, when you consider that annual book sales in the United States are nearly 1 billion.

Our enemies are as aware of the value of the printed word as we are.

Over 75 publishing houses are engaged in publishing Communist books, and there are nearly 150 outlets for this material scattered throughout the region.

In Montevideo, the Communist publishing house, Ediciones Pueblos Unidos, which is also an outlet for the U.S.S.R.'s foreign language publishing house, lists over 1,500 titles in its catalog. A series of Communist books on the theme of American economic imperialism was initiated in 1963 and includes such titles as "Dollar Imperialism: The Empire of High Finance," and "The Empire of Oil."

The keystone of the Communist propaganda structure in Latin America is the printed word. The Soviet Union's press agency, TASS, is represented in at least 10 Latin American countries, Communist China's New China News Agency—NCNA—in 9, and Cuba's Prensa Latina—legally or otherwise—in 17.

Throughout the area, there are over 425 Communist or pro-Communist newspapers and periodicals.

In the face of this massive opposition, and with our own limited resources, we must choose carefully the methods we use to get the publications of the USIA to the Latin American audience.

One of the most effective ways we have developed are the USIA libraries which are located in key cities.

Free, public libraries—from which one may borrow books on the strength of one's signature and within which one may freely use reference books and other information sources—have been all but unknown in the countries of Latin America, as in many other parts of the world.

Aside from the function they fulfill, therefore, the USIA libraries and reading rooms are physical symbols of some of the finest aspects of American culture and civilization. It is regrettable, but hardly surprising, that, from time to time, our libraries should attract, like lightning rods, Communist violence. As monuments to the truth and free dissemination of knowledge, they must, by their very existence, infuriate those whose ideology has no place for either truth or freedom.

The 29 USIA libraries and reading rooms in 13 Latin American countries contain a total of over 237,000 books. During fiscal year 1965, book circulation came to nearly 747,000, while the number of those who visited the libraries and reading rooms to use books on the premises approached 2 million.

But this is not the whole library story.

To varying degrees, the USIA helps support, throughout Latin America, 113 cultural institutions known as binational centers. These centers—through such activities as seminars, cultural presentations, and the teaching of English—which produces revenue from fees—stimulate understanding between the host countries and the United States.

The binational centers also have libraries, with a total of nearly 406,000 books. Last year, attendance at these libraries totaled over 220,000, and book circulation approached 500,000. These attendance figures are for binational center libraries, only; the total number of people who attended various activities at the centers last year came to nearly 2,500,000.

But here again, we are not doing the job we could be doing because of limited funds. Our libraries in Latin America do not meet the demand for what they have to offer, which is another way of saying that their potential for improving our dialog with Latin Americans is far from having been realized.

The problems can be summed up in five words: budget and limitations on personnel. Mr. President, I would suggest that a program as valuable as this should receive all the support it needs from Congress and, if more money is needed, we should provide it.

Turning to newspapers and periodicals as vehicles of the printed word, we find conditions which would seem strange—perhaps intolerable—to the average citizen of the United States.

We take for granted our morning and evening newspapers, complete with news of the day and replete with commentary, advertising, and features to satisfy every member of the family. We do not question the comparatively low cost, even grumbling when a daily raises its price to, say, 10 cents. We accept without wonder the rapid reporting of news from wherever in the world it happens to be made. The fat, heavy Sunday paper is practically a fixture of the American way of life.

In many parts of the world—and Latin America is one of them—this is not the way things are.

About 85 percent of the world's consumption of newsprint occurs in North America, Europe, and the U.S.S.R.—where only a third of the world's population lives. The rest of the world—Africa, Asia, and Latin America—uses the remaining 15 percent for the other two-thirds of the world's people. Looking at it from another angle and more specifically, we see that there are some 25 copies of daily newspapers per 100 persons in the United States—but, in Latin America, only 8 per 100.

Nor can the Latin American take for granted a low-priced daily newspaper, complete with news from all over the world, plus assorted features. Economic conditions being what they are, the price of the newspaper represents something tangible. Newsprint limitations do not permit the inclusion of many features, by our standards. And the publishers, with a few notable exceptions, cannot afford to buy the fast, up-to-the-minute news from the commercial press wire services.

None of this, however, makes the Latin American press any the less an important factor in the area's politics.

The USIA's Press and Publication Service engages in activities designed to strengthen the responsible Latin American press, without in any way competing with American commercial press wire services. For example:

Monday through Friday of each week, via teletype, an "American Republic File" is transmitted in Spanish to USIA's posts in 19 countries of Latin America. This schedule permits the transmission of 50,000 words weekly. The file carries all important texts—such as presidential statements—interviews, features, selected news stories, and USIA-produced commentaries. Additional material is supplied for weekend editions.

Another wireless file, in English, is transmitted daily, Monday through Friday for a total of 20,000 words each week. This is sent to Rio de Janeiro and Sao Paulo in Brazil, where it is translated into Portuguese; but it is also monitored by Kingston, Georgetown, and seven other Caribbean and Latin American posts.

The press and publications service further processes about 15,000 words a week of "mailer" copy, known as "slow output." Included are special packets—on, for example, U.S. cultural developments, women's activities, and so forth—picture stories, labor items, youth news, Alliance for Progress material, and items which factually unmask Communist objectives and activities.

Approximately 2,000 photoprints on 70 to 90 subjects are airmailed monthly to 28 posts in Latin America, with 19 of the posts additionally receiving copy negatives of the same subjects from which they can reproduce additional photos.

About the same number of plastic plates of five different cartoon strips are serviced weekly to 250 Latin American newspapers. One of these—"Liborito"—is designed specifically for Latin American audiences and calls attention to the sinister nature of Castroism by means of satirical strokes of the cartoonist's pen.

Over 50 million copies of cartoon books have been produced and sent out for distribution. Fourteen deal with the Alliance for Progress and self-help, eight with the menace of Castroism, and six with democratic citizenship.

The output of USIA's Press and Publications Service for Latin America is supplemented by a regional service center in Mexico City. Additionally, 19 USIA posts in the area publish 26 periodicals, mostly low-cost and in keeping with the appearance and style of locally published magazines.

What kind of results are we getting?

Reports from the field indicate that the publications program is one of the most effective weapons that we have in countering the lies and distortions of the Communists about the United States.

One series of 18 books on science subjects for students, following initial publication with USIA support, racked up such impressive sales figures that the publisher undertook a second printing, with assistance, of all 18 titles, plus a third printing of 12.

In Colombia, two titles were adopted as university texts.

In Mexico, a book published through USIA sponsorship had such an impact that the Soviets published a "reply" in an attempt to reduce its influence.

In the past 2 years, 60 Spanish-language editions and 77 Portuguese-language editions have been sold out, while 45 books in Spanish and 57 in Portuguese have been reprinted.

These are impressive statistics, Mr. President, and they show we have made great strides in our "war of words" in Latin America.

But much still remains to be done. There are still many areas which are not being reached.

The major problem is distribution.

Distances are great in Latin America, and customs regulations are varied and frustrating. Surface transportation from country to country is slow and uncertain. The cost of air freight is prohibitive. Systems for payment and accounting among outlets, wholesalers, and publishers are, at best, inadequate. There is always the possibility that a book may be produced in large quantities at low cost for a known market but—because of any combination of the factors cited—gather dust in a warehouse or in a forgotten railway car on a remote siding.

We must redouble our efforts to eliminate these problems, and if it is necessary to increase the budget of the USIA book program to do so, I would strongly urge such action.

A failure in the distribution system means that the whole effort to produce a book has been wasted. Effective, comprehensive distribution is every bit as important as the selection of the titles, the choice of translators and the contract with the publishers.

It is of the utmost importance that we reach into every corner of every country with the message of freedom, because when the people of Latin America read of the deeds of Washington and of Lincoln, when they read of the goals and aspirations of Roosevelt, Kennedy, and Johnson, they will know that we and they have a common destiny.

Understanding cannot be accomplished without communication, and in a region as large and diverse, both politically and geographically, as is Latin America, this is a task of extraordinary difficulty.

Language differences complicate the problem. Before overestimating the magnitude of this particular obstacle, however, we would do well to recall George Bernard Shaw's description of Great Britain and the United States as two countries separated by a common language.

Communication between ourselves and the people of Latin America, in brief, is a complicated task, demanding maximum effort. Understanding needs care and attention to survive and grow. Misunderstanding, unfortunately, feeds on itself and grows like a cancer.

Overall, Mr. President, I think we are making real progress in overcoming the distorted image which the Communists have painted of the United States. Much more must be done. There are weaknesses and shortcomings in our present programs, but the dedicated men and women of the U.S. Information Agency are doing everything in their power to overcome them.

We in Congress must give them all the support they require. When we do, we cannot fail because we have truth and right on our side.

LLOYD W. SMITH RETIREMENT

Mr. HRUSKA. Mr. President, the recent retirement of Lloyd W. Smith, of the Burlington and Great Northern Railroads marks the end of a remarkable and effective career. He has been in the industry for 39 years.

Mr. Smith has served the railroad industry and Congress by his professional and always candid work. It has been my great privilege to have known Smitty both personally and professionally. I must also refer to his charming wife, Bess, who was the power behind the throne. I am certain that many in the Senate join me in wishing him a long and most pleasant retirement.

The man and his performance are perfectly captured by Harry L. Tennant's article in the April 1966, issue of the Cahners publication Modern Railroads. I ask unanimous consent to have the article printed in the Record.

There being no objection, the article was ordered to be printed in the Record as follows:

End of a Legislative Era?

The retirement of Lloyd W. Smith, of the Burlington and Great Northern Railroads from the Washington legislative scene marks what may very well be the end of the personal handling of railroad problems in Congress. After some 24 years pushing the cause of his railroad—especially in recent times during the heated per diem battle—Mr. Smith retires as the industry moves toward a more consolidated approach. Many persons in Congress see in this trend less emphasis on efforts to fight for single rail causes.

Mr. Smith's determined fight to win more support for the western railroad's car ownership cause touched nearly every facet of Congress at one time or another. One Senate source pointed out that his personal efforts in bringing about a boosting of car rentals undoubtedly returned to western railroads a sizable profit. This was because he continuously kept not only the leaders in Congress aware of the issues, but saw to it that everyone down to the receptionist in a congressional office was acquainted with his railroad's problems. His personal and effective approach is not likely to be seen again.

SO-CALLED RIOTS IN SOUTH VIETNAM

Mr. McGEE. Mr. President, when I reported to the Senate recently on my trip to Vietnam I remarked on the nature of the so-called riots there, saying they were not aimed at Americans directly but at the domestic political situation.

In a recent column in the Evening Star, Foreign Affairs Editor Crosby S. Noyes has written from Saigon to the effect that the riots are staged examples of what he calls tactical anti-Americanism not really meant to intimidate Americans, but to cause us to reconsider our support for the policies of the Ky government. The riots happen, as Mr. Noyes points out, but they do not constitute a way of life in Saigon. Says Noyes:

> The impression that Saigon today—or at any time is a seething cauldron of violence is entirely fanciful.

So it is, Mr. President, that we get a distorted picture because the riots, quite naturally, make news. There is another type of distortion, and it is an indefensible sort, to which the Washington Post called attention in its editorial "The Revisionists" yesterday. This is the distortion of some critics of our foreign policy, who in order to prove their point have been busily rewriting history. The Post editorial gives us an excellent example to digest.

Mr. President, I ask unanimous consent that both Mr. Noyes' article from the Evening Star and the Washington Post editorial be printed in the Record.

There being no objection, the article and editorial were ordered to be printed in the Record, as follows:

[From the Washington Post, May 2, 1966]

The Revisionists

Some of the critics of American policy in South Vietnam, in order to prove the Chinese Communists devoid of aggressive purpose, have been trying to rewrite the history of the last 20 years.

A notable example of this kind of double-think is an article entitled: "Chinese Aggression: Myth or Menace," written by Charles S. Burchill, printed by The Study Group on China Policy of Vancouver, B.C., and circulated by the American Friends Service Committee office in Seattle.

He begins his proof of Chinese virtue with the Korean War and produces a rewrite of that episode that is an affront to scholarship, an outrage to history and a triumph of double-think that even transcends the facility of the Soviet rewriters who do over Soviet history to suit annual alterations of policy.

"On May 30, 1950," he writes, "the government of Syngman Rhee in South Korea was decisively defeated in a general election, winning only 49 out of 219 seats."

The election actually resulted in the election of 133 Independents, 46 Rhee minority party members and 31 members of minority parties opposed to Rhee. In the previous election 85 Independents were elected, 55 Syngman Rhee followers, 28 Korean Democrat Party candidates and 32 from minor parties. So the Rhee party support dropped from 55 to 46—but the coalition that had previously ruled then re-elected P. H. Shinicky chairman of the Assembly, and went on to form the government that ran the Korean War. So Rhee's coalition regime was not "decisively defeated" but continued to command a ruling majority in the Assembly.

Then, says Mr. Burchill, "John Foster Dulles flew to Korea, and on June 19 (1950) addressed the South Korean National Assembly, pledging continued American aid, *but only if Syngman Rhee's minority government continued in power*."

Now, the truth is that John Foster Dulles, as a special assistant to the Secretary of State, did address the Assembly and did pledge American aid—but he did not say one word about making that aid contingent on the continued rule of Syngman Rhee or on any other political decision in South Korea. Without condition of any kind, he promised, "The American people give you their support, both moral and material, consistent with your own respect and your primary dependence on your own effort." There is not a single word in this address about continuing the Rhee government.

Then came the invasion from the North. By all competent accounts the North Koreans attacked the South, but Dr. Burchill finds the genesis shrouded in obscurity. He is not sure who attacked first. He says:

"Both sections had large armies, equipped and trained by their foreign sponsors. However the southern army showed little willingness to fight for the government that had been repudiated. The northern army encountered little resistance from the southern forces, and there was no popular opposition to its advance."

Actually, a heavily armored North Korean force of more than 154,000, with 242 Soviet-made T-34 tanks, 1900 heavy weapons and 211 military planes, attacked by surprise the force of South Korea (numbering 100,000 at the start of the war but only recently expanded from a 25,000-man constabulary) and equipped with no tanks, 20 armored cars, 700 guns and 22 light planes. Not surprisingly, the lightly armed South Korean constabulary was no match for the North Korean armored force and fell back clear to the Pusan perimeter before it could regroup.

Although the United Nations repeatedly branded the later intervention by 300,000 Chinese Communists as "aggression," this invasion from China is dismissed by Burchill as a response to U.N. actions, proven by the fact that the Chinese forces were promptly withdrawn after the cease fire.

The beginning of the Korean War may be obscure to Mr. Burchill, but to competent historians there was no obscurity. Fairbank, Reischauer and Craig, in their *East Asia: the Modern Transformation*, say of the start of the war: "The North Korean surprise attack on June 25, 1950, was at once condemned by the United Nations Security Council . . . under the well-prepared North Korean assault, the outnumbered Korean-American forces initially were forced back southeast of the Naktong River." Writing in Foreign Affairs in October, 1950, John K. Fairbank said: "Our military resistance to Communist aggression in Korea has been entirely necessary and unavoidable . . ."

It is the privilege and duty of those who wish to dissent politically to try to change the history of the future; but their efforts to change the history of the past in order to absolve the Chinese Communists of the odium of previous aggression will not deceive or mislead any informed person in the West. Fairbank estimates the Chinese had 900,000 casualties in the Korean War. They were not engaged in peaceful demonstrations at the time.

The Study Group on China Policy says it was formed for the purpose of "raising the level in Canada of knowledge and debate on China." The circulation of a farago of fiction and nonsense such as this will hardly accomplish that purpose. And the American Friends Service Committee, by disseminating such a distorted version of the past casts doubt upon its view of the present.

[From the Washington Evening Star, May 23, 1966]

Point of View: Viet Riots Grow in the Telling

(By Crosby S. Noyes, foreign affairs editor of the Star)

Saigon.—Developments here today and news filtering back from Washington suggest that this is an excellent time to declare a moratorium on sweeping statements about the future of the American involvement in Viet Nam.

Once again an outbreak of inspired anti-American rioting is leading the news from Saigon. And once again the result is likely to be a goodly amount of wattle shaking and table pounding among the more impressionable members of the World's greatest deliberative body in Washington.

Given an admittedly messy situation in Viet Nam, there is of course a great temptation to sound off in a pox on both your houses tone.

But those who succumb to it should realize quite clearly that they are in fact encouraging the rioters and doing precisely what the Communists in this country hope they will do.

It is also possible to form a completely distorted impression of what's really going on here.

News stories are accurate enough. Americans in Saigon have been shouted at, spat on, chased around, and occasionally roughed up.

The distortion, however, is the question of focus.

News stories are zeroed in on what happens at a particular place and at a particular time.

What happens the rest of the time or in the city as a whole is not exactly the stuff headlines are made of.

The impression that Saigon today—or at any time—is a seething cauldron of violence is entirely fanciful.

The riots that have occurred are calculated to produce the reports that have been written and the reaction in the U.S. which follows with Pavlovian predictability.

The rioters know exactly what they are doing and why. These anti-American demonstrations are about as spontaneous as demonstrations at the Republican National Convention—and just about as indicative of real public sentiment.

They can be turned on and off again like a garden hose. The same American who might get lynched at the Vien Hoa Dao pagoda today might be received with impeccable courtesy a couple of days or even a couple of hours later.

The same gang of young hoodlums who chased Americans around a few weeks ago burning cars and generally raising hell eagerly received this reporter at their headquarters a few days ago to smoke his cigarettes and discuss their future plans.

This sort of tactical anti-Americanism is not really expected to intimidate Americans in Saigon.

Its first purpose is to bring pressure on the American mission to stop the crackdown on dissident Buddhist elements in the north.

And beyond that it is designed to get the U.S. government and public so fed up with the whole problem of Viet Nam that a general handwashing impulse will become irresistible.

It is hard to exaggerate the limited scope of these disturbances up to now.

The truly remarkable—indeed almost unaccountable—fact about Saigon today is the utter impunity with which Americans wander around the city night and day.

Unless he's deliberately looking for trouble—as reporters sometimes must—an American could be completely unaware of any of the unpleasantness that he might expect to find in almost any other town.

He might get his pockets picked. He might possibly be held up in a dark alley. He might even, if he happened to be very unlucky, get himself blown up in Viet Cong operation or zapped by friendly American bullets.

But the chances of this are almost as remote as the chances of being run down by a car while crossing Connecticut Avenue at tea time.

The mysterious fact is that in a city presumably swarming with dyed in the wool Viet Cong, almost none of these extremely vulnerable Americans here gets hurt.

No one is very sure why this is so. One common and plausible theory is that the Viet Cong make a very good thing out of Americans in Saigon financially.

The Viet Cong, it is widely believed, have the controlling interest in the aspects of Saigon's cultural life recently mentioned by Sen. J. W. Fulbright.

And if through indiscriminate rough stuff these establishments were shut down or put off limits to any American servicemen, the one who would be really put out would be Victor Charlie, the Viet Cong sympathizer, himself.

It may be that what seems like a sort of conspiracy of security may not last forever. For the time being, however, Americans here sleep a little bit better at night because of it.

And their dreams are not very much disturbed by staged convulsions at the other end of town.

CONCLUSION OF MORNING BUSINESS

Mr. KUCHEL. Mr. President, if there be no further morning business, I ask unanimous consent that morning business be terminated.

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is concluded.

THE CREDIBILITY OF THE ADMINISTRATION ON VIETNAM

Mr. PEARSON. Mr. President, Webster's dictionary defines the word credibility as "the quality or state of being believed." Increasingly of late the Johnson administration has been drawing critical fire for its lack of credibility, and the phrase "credibility gap" has come into an extensive use.

In part, this can be attributed to the normal functioning of partisan politics intensified by the competition of an election year. Thus, charges about the existence of a credibility gap are frequently raised by the administration's partisan opponents. But although the working of political partisanship has intensified the debate, it is not the basic source of the criticism. Increasing numbers of prominent spokesmen within the President's own party openly deplore the gap between words and deeds. Indeed, in several areas, it is Democratic criticism which has been the sharpest. In addition, a growing number of newspaper editors and columnists have registered concern over the fact that the administration's official words of the moment and its subsequent actions are all too often strangers.

Mr. President, the credibility of those who hold in their hands the power to affect the lives of all Americans and millions of people around the world is a precious and fragile thing. The task of constructing and maintaining it is difficult, demanding, and never ending.

A government's credibility cannot be assured by simple and frequent incantations of "believe us."

It is born not of a single deed but comes into being out of a long series of matched words and actions. Likewise, the erosion of a government's credibility occurs slowly and after a long series of mismatched words and deeds, of nuclear goals, and confusing and contradictory methods.

Mr. President, the borderline between public faith and public distrust is not clearly marked. But once it is crossed, the capacity of the government, however worthy or honorable its intentions, to govern effectively may be permanently damaged.

In a democratic and diverse society no administration can design a set of policies acceptable to all, and political disagreement is inevitable. But loss of faith in a government's credibility involves much more than differences of political opinion. The erosion of credibility not only intensifies the criticism of those who are politically opposed to its policies but erodes the stabilizing support of those who would otherwise agree. Thus, a policy, or a set of policies, may be emasculated, not because they are wrong or because too many people oppose the objective sought but because too many examples of lack of candor on the part of the Government generate disillusionment and public enthusiasm is replaced by public apathy.

The concept of policymaking by consensus has been widely attributed to the President, and has now become a household word. If this is another term for majority rule then it is nothing more than a truism. The practice of consensus politics is the essence of democracy.

But in a democracy, the manner in which consensus is achieved is as important as the consensus itself. And in achieving consensus there is no better standard than the President's own oft-stated principle, "let us reason together." But the enunciation of a principle does not make it a reality. Taking the record of the past 2½ years as a whole the administration has more often than not sought to build consensus by public confusion, rather than public reasoning. This political strategy has often been successful in securing enactment of the administration's program. But the total effect of this strategy has also served to dilute the prestige of the Presidential office and to erode the public's faith in the credibility of the administration.

This strategy of consensus by confusion is most despaired by the administration's partisan opponents. Whatever else may be said of the President, all recognize him as a masterful political tactician. Mr. Johnson is a past master of throwing his potential opponents off balance so as to better pave the way for the acceptance of his proposals, and he has practiced this strategy with supreme skill.

But, Mr. President, there is a difference between political shrewdness and political cynicism. There is a thin line between legitimate rough and tumble partisan politics and illegitimate public deception. And there is a growing impression that the line has been crossed too often.

During the past 2½ years there has been a growing number of episodes which serve to raise doubts as to the credibility of the Johnson administration's conduct in domestic affairs. Without question, however, the credibility gap charge has been applied most often and most tellingly to the administration's handling of its Vietnam policy.

In recent weeks attention has been focused on whether or not our forces in Vietnam are suffering from shortages of war materials. Mr. President, if we know anything about past military buildups of the type that have occurred in Vietnam we know that certain shortages will almost inevitably occur. The American people recognize this and if the shortages which occur do not reflect gross and inept mismanagement this would be accepted as one of the harsh facts of war, which at best is organized confusion.

But what has been the administration's response to disclosures first by the public press and then by congressional investigating committees, that shortages have in fact developed in Vietnam? Typically the administration's first reaction was to categorically deny that any shortages whatsoever existed. The Secretary of Defense branded any suggestion of shortages as pure "baloney." Whether or not these shortages have seriously hampered our military effort there or caused a greater loss of life among American troops than would otherwise be the case is not yet clear and may never be clear.

However, Mr. President, the most revealing and disturbing aspect of this episode has been the administration's overreaction to its critics. The administration, assuming a posture that admits to no mistakes, has dogmatically and militantly denied the existence of shortages and has tried to discredit those who reported their existence. This type of intolerant and bellicose reaction only serves to further alienate the critics and to raise new doubts among the administration's supporters as to its overall credibility.

The episode of military shortages is only one of the more recent examples of confusion surrounding this country's involvement in Vietnam. But as it comes after a long series of inconsistent and contradictory statements about our policy in Vietnam, it has taken on added significance.

During the past 2 years the American public, in response to the questions of opinion pollsters, has given overwhelming support to the President. However, in the past few months public opinion polls have registered a growing sense of frustration and agony over Vietnam. And within the past few weeks several polls indicate that less than a majority of the people express satisfaction with the administration's handling of the Vietnam situation.

The record shows that the American people genuinely want to support the President. But it also shows that the public is finding it increasingly difficult to do so. The cause of this erosion of support is a growing confusion as to why we are in Vietnam, what are our objectives there, and what methods are to be used in achieving those objectives.

Mr. President, the administration says that there is no basis for this confusion, and argues that if there is confusion, it is due to the ill-founded and ill-tempered blusterings of a few articulate but misguided critics. But the matter cannot be dismissed this easily. Widespread public confusion does exist, and it is due to the actions of the administration itself.

In this respect a recent statement by Carl T. Rowan, a former official of the Johnson administration, is significant and revealing. He stated:

> I left the government five months ago thinking I knew what United States' policy in Vietnam was. Today I haven't the remotest idea.

Mr. Rowan made this statement in a column in which he was trying to decipher the meaning of a flurry of official and unofficial statements by administration spokesmen in response to the suggestion by the able and distinguished Senator from New York [Mr. KENNEDY] that the United States might consider negotiating with the Vietcong. The administration was variously reported as being in agreement with Senator KENNEDY, in complete disagreement, and "very close" to Senator KENNEDY's proposals. This display of an administration frantically trying to cover all bets serves as a vivid illustration of the fact that if we do have a clear and consistent policy in Vietnam, one cannot discover it by listening to the words of the administration purporting to describing and explaining it.

Mr. President, in regard to its development and handling of the Vietnam policy the administration has been afflicted by three weaknesses. First, the administration is unhealthily obsessed with a notion that it is always right and never wrong, or at least that it should so try to present itself as to appear to be beyond error. But this type of strategy inevitably breeds distrust, because no man and no government is immune from the human frailty of miscalculation and misadjustment.

The mark of a great leader is not that he never makes mistakes but that when he does he is strong enough to recognize these mistakes and, therefore, adjust his actions accordingly. This is particularly vital in the conduct of foreign policy, for much more is at stake than the personal reputation of one man or one administration.

A second weakness in the handling of the Vietnam policy is the administration's overpowering urge to be "all things to all people at all times." Thus, the administration is often more concerned with saying and doing those things which will nullify domestic and international criticism of its policy rather than conducting that policy in the way that it believes it is best designed to achieve the objectives sought. But in a long drawn out and complex situation such as Vietnam this continual effort to be all things to all people ultimately presents the danger that the word of the administration will have little meaning or value to anyone.

The third basic weakness is the administration's aversion to long-range planning and its predisposition to "playing things by ear." Now it may be that somewhere within the bowels of Government there exists a long-range plan complete with contingency programs to take account of unexpected events. But if such a plan exists, it has been carefully concealed.

Thus, Mr. President, while it is easy to determine where we have been in Vietnam it has always been virtually impossible to guess where we might be in the future. This vagueness of direction creates the impression that we are simply reacting to events in Vietnam rather than controlling those events. Daily the impression grows that we are helpless victims of a situation that we cannot control; that we, the most powerful nation in the world, cannot determine our own destiny.

The administration continually proclaims that its Vietnam policy is clear, consistent, and well defined and that those who do not understand it are simply ignorant of the record. But although the administration says that confusion should not exist and desperately wishes that it would not exist, confusion grows both at home and abroad.

It is a confusion born of inconsistent and contradictory explanations, of vaguely expressed goals and unclear means, and of sweeping proclamations pregnant with glittering generalities but empty of concrete meaning. After a prolonged exposure to this type of record, the American public and the world at large find it ever more difficult to believe what the administration says at any given time and are increasingly uneasy about what the administration may say and do at any given time in the future.

Mr. President, the erosion of the administration's credibility began long before the military shortages episode or the contorted reactions to recent proposals that the United States consider negotiating with the Vietcong. Indeed the seeds of doubt and confusion can be found even in the administration's explanation of why we are in Vietnam.

The reason we are there is really quite simple. The administration is convinced that the Vietcong constitute a form of aggressive, expansionist communism, which if left unchecked might mean that all of southeast Asia and possibly the entire Asian community will come under a Communist rule directed and controlled from Peking. Thus, our commitment in Vietnam can be seen as a logical extension of a nearly two decades old foreign policy principle which aims at the containment of totalitarian communism.

Mr. President, much of the questioning of our Vietnam policy comes from those who doubt that this is a genuine example of expansionist communism. Criticism is also registered by those who may accept the argument that this is an example of expansionist communism but who disagree with the strategy we are employing to halt its spread. Most of these critics accept the containment principle but argue either that it is unnecessary to invoke it in this particular situation or that we are employing the wrong techniques to achieve it. There are also a few critics who suggest that the containment principle, used so effectively in Europe and the Middle East, simply cannot be applied to Asia.

But the exploration of these arguments is not the purpose of these remarks. For the purpose of this discussion, I accept that the Vietcong movement in South Vietnam is an example of expansionist communism and that it is in our national interest to take reasonable steps to prevent its growth. If this be true, there is no question that the majority of the American people would support our effort in Vietnam.

But how, in fact, does the administration explain our position in Vietnam? Unfortunately, it almost never uses the simple and clear language of the containment policy and the defense of our national interest. Instead, it talks in grandiose generalities which seem to have little relationship to the reality of the situation in southeast Asia. For example, it talks about defending freedom and democracy. These are admirable objectives to be sure, but who among us now believes that there is any meaningful freedom and democracy in southeast Asia to be defended.

The administration talks about honoring commitments. It often implies that we are bound by the SEATO Treaty. But if that be so, then none of the other members of the organization seem to believe it to be the case. Apparently, the administration does not either, as is evident by the fact that it has never really consulted with the members of the organization in regard to our Vietnam policy.

Mr. President, the administration talks most often about a commitment to the nation of South Vietnam as if we had entered into some solemn and binding agreement with the Government and the people. In this respect, President Johnson frequently implies that whether we like it or not President Eisenhower made a commitment to Vietnam which we are honorbound to observe. In point of fact, the so-called Eisenhower commitment is nothing more than a letter to the Diem government offering economic aid and technical assistance with the conditional provision that the Diem government begin to institute extensive social, economic, and political reforms.

Being fully aware of the niceties of diplomacy and the necessities of politics, one can appreciate why the administration cannot always simply and directly say that we are in Vietnam because we believe it to be in our national interest. But continual harping on the notion of honoring commitments no one understands, ultimately destroys public confidence in our position there.

Too often the administration justifies our position in terms of narrow legalisms. This not only obscures our basic reasons for being there, but also raises doubts that the administration itself is convinced that we are, in fact, fighting a form of expansionist, imperialistic communism.

Mr. President, reduced to its simplest and most meaningful terms our objective is to prevent the spread of totalitarian communism to South Vietnam and into the rest of southeast Asia. Prior to 1965, this objective was sought primarily by the use of technical advice and economic aid aimed at the internal strengthening of South Vietnam so that it could better prevent a Communist takeover. Increasingly of late, however, we have committed vast military forces in an effort to achieve that objective.

The administration says that our objectives are limited; to guarantee an independent and peaceful South Vietnam. And, I believe that our objectives are, in fact, really limited. But simple declarations do not prove it or convince our adversaries or our potential allies. If we are really willing, as I believe we are, to settle for a truly independent South Vietnam, one that is neither controlled nor dependent upon the United States or Hanoi, Moscow, or Peking, we must do more than simply mouth the words. Our adversaries and those around the world who are inherently suspicious of our intentions need more than vague verbal declarations.

The administration has declared our objectives to be limited but its words and actions have given rise to considerable doubt and suspicion as to the precise limits of those objectives. The picture has been particularly confused by the administration's words and actions regarding a settlement that would satisfy those objectives.

The administration has said that we would be willing to negotiate anywhere at any time without prior reservations or conditions. But at the same time that we issue such unconditional statements, we also assert that we will not negotiate directly with the Vietcong. Now it may be that there are sound reasons for refusing to negotiate with the Vietcong. Certainly it would be foolhardy for the United States to agree to negotiate only with the Vietcong as Hanoi and Peking continually demand.

But the tragic thing, Mr. President, is that if our position is really sound it has been lost to world opinion by the inevitable loss of faith in the credibility of a government which loudly proclaims with one mouth that it will negotiate without prior reservations and then quietly asserts with another mouth that it will actually negotiate only under prespecified conditions.

Moreover, the practice of escalating our military commitment in Vietnam at the very same time we announce anew our desire for a settlement only serves to increase doubts among friend and foe alike as to the precise nature of our intentions, even though those intentions may in fact be entirely honorable and our objectives truly limited.

The credibility of the administration was further weakened by the disclosure that we may have rejected several "peace feelers" from the Communists. It might well have been the case that these feelers were not worthy of serious consideration, that they did not provide a reasonable basis for negotiation. But again, as so often in the past, the administration was discredited in the eyes of many not necessarily because its position was unsound, but because it acknowledged those contacts only after documentation in the public press made it impossible to deny their existence.

Against the background of ringing declarations to explore all possible avenues for a peaceful settlement the disclosure that the administration had rejected these feelers added fuel to the growing doubts and criticism about our Vietnam policy.

Mr. President, when our changed position in Vietnam became evident in late 1964 and early 1965, it brought forth the first serious public questioning and debate of our policy. The administration sought not to clarify that debate but to prevent it. Ultimately the questioning and criticism could not be prevented. The administration then adopted a strategy of attempting to nullify each fresh wave of criticism by seeming to agree with the demands of the critics. But this only served to bring confusion and more questioning of the Government's credibility.

Two recent examples are illustrative. As doubts, at home and abroad, as to the sincerity of our desire for a peaceful settlement continued to grow in late 1965 the administration staged a massive peace offensive during January of 1966. The bombing of North Vietnam was temporarily halted and top administration officials and ambassadors were sent scurrying around the world, all proclaiming that the United States really did want a peaceful settlement in Vietnam. Ambassador Harriman went to Poland, Yugoslavia, and India. McGeorge Bundy went to Ottawa. Arthur Goldberg visited the Vatican, Rome, Paris, and London. Vice President HUBERT HUMPHREY made a country-hopping tour in the Far East. Ambassador Kohler conferred with the Soviet officials in Moscow. G. Mennen Williams talked to leaders of several African nations, and Thomas C. Mann did the same in Mexico City.

It was indeed a Texas-sized peace offensive. And while the administration was obviously sincere in hoping that this display might actually serve as a catalyst for the beginnings of realistic negotiations, it was generally apparent that this was a staged affair, a political display aimed more at nullifying the mounting criticism challenging the sincerity of our offer for negotiation rather than a careful calculated effort to secure a peaceful settlement.

If in fact, Mr. President, we had been making the proper efforts in exploring all possible diplomatic channels, then such a spectacular display was unnecessary. If we had not been doing these things, then this display of jet diplomacy would convince no one, friend or foe.

Another example of this type of administration strategy was the calling of the recent Honolulu conference. The peace offensive had failed, the bombing in North Vietnam had been resumed, and the internal political situation in South Vietnam showed no improvement. Increasingly, criticism was being directed at the failure of the United States to bring about any of the desperately needed economic, social, and political reforms in South Vietnam which all observers, including our top military leadership, recognize as being absolutely necessary to any genuine solution in South Vietnam. Thus, the President and an impressive number of top Government officials flew off to a hastily convened conference in Honolulu with Premier Ky and other members of his government. After a few hectic days at the conference table, the Honolulu declaration was issued with great fanfare.

The administration has hailed the Honolulu declaration as a historic document and has bitterly complained that the public press and congressional critics had failed to give it the recognition and praise that it deserves. In point of fact, American public and world reaction to the conference was precisely what it deserved. Again, while no one would argue that the goals announced by the conference were not genuinely desirable, all recognized that the impetus for the conference was the growing criticism of the administration's conduct in Vietnam rather than a logical extension of its long-range policy. There is depressingly little evidence that we are ready or capable, even at this late date, of instituting the programs of aid and reform that would be needed to achieve the goals so proudly proclaimed.

Mr. President, it is no wonder, then, that the American people and the world in general are confused about our policy in Vietnam. Our basic reasons for being in Vietnam have never been adequately explained. The objectives we seek there have never been clearly delineated. And the administration's zigzagging and contorted efforts to answer every critic simultaneously have beclouded our entire involvement.

But none of these has so eroded the American public's faith in the administration's credibility as has the yawning gap between what we have said would be necessary to achieve our objectives there and what we have actually done there. It is here that we find the essence of the credibility gap.

The most glowing example of the lack of credibility is to be found in the depressing record of the administration from time to time telling the American people that we would not perform a certain act, but then later initiating that very act. And in so doing on each occasion the administration has proclaimed that the performance of that particular action would solve the situation in Vietnam. But, in reality, as the American people have seen, the situation remains the same or grows worse. And as the administration's promises for a solution continue to flow, the public's faith that a solution will really be achieved continues to wane.

In 1964 President Johnson frequently and fervently proclaimed that our objectives in Vietnam would be achieved without the commitment of major American military forces and loss of American lives. Millions of American people voted for Mr. Johnson in November 1964, because they agreed with this declaration of policy. But our position in Vietnam today bears no resemblance to that of 1964 or to the President's declaration of what it would be. President Johnson said we would not commit American lives, and that we would not extend the war to North Vietnam, and that the major effort against the Communists in South Vietnam would have to be carried by the South Vietnamese themselves. But today we bomb North Vietnam around the clock and in recent weeks more Americans have died on the battlefield than South Vietnamese.

Our military commitment and effort in Vietnam has been increased in a series of graduated moves. Each step of the escalation has occurred after the administration had proclaimed that such steps would be unnecessary and undesirable. However, when the administration felt that conditions forced it to abandon its former position, it has stated, or at least implied, that each additional extension in the military commitment would solve the problem. The decision to bomb North Vietnam was at least implicitly justified on the basis that cutting supply lines would isolate the Vietcong and allow the South Vietnamese Army to defeat its adversary. But today more men and more equipment flow from North Vietnam into the south than ever before.

If the administration knew that the act they denied would take place would be performed, then it is an act of misrepresentation to the American people and a display of callous cynicism. If the administration thought that the performance of that given action would solve the problem in South Vietnam then the record can only show that the administration has continued to compound misjudgment with misjudgment.

Likewise, on the political scene each change in the Saigon government has been heralded by the administration as the one which would at last bring true stability to South Vietnam. But none of this has come to pass. And the present Government to which the President has given his personal endorsement has not only failed to achieve stability but has so acted to increase internal tensions and conflicts among the South Vietnamese. Mr. McNamara's statement that the present conflict between the Buddhists and the Ky regime is a healthy sign, is naive and ridiculous and an example of the fantastic contortions which the administration has had to go through to try to justify and explain the internal situation in Vietnam, which cannot be anything else but a severe indictment of our lack of vision and leadership in that troubled land.

In September of 1964 President Johnson proclaimed:

> We don't want our American boys to do the fighting for Asian boys . . . I want to be very cautious and careful and use it as a last resort when I start dropping bombs around that are likely to involve American boys in a war in Asia with 700 million Chinese . . . so we are not going north and we are not going south; we are going to continue to try to get them (the South Vietnamese) to save their own freedom with their own men.

Mr. President, the American people are mature and wise enough to recognize that in a complex situation like Vietnam things do not always happen as we would like them to, or as we expect them to. But constant repetition of proclamations to the effect that a particular action will not take place, followed by ringing declarations, when this very act occurs, that this, finally, is the action that will provide the solution is destroying the public faith and is feeding the growing belief that this administration neither knows what it wants in Vietnam nor how to achieve it.

The record of the past can only create anxiety and fear of the future.

Mr. President, one hears a great deal about the agony of Vietnam, and it is indeed America's most agonizingly difficult and complex foreign involvement of the 20th century.

One of the greatest tragedies of this experience is that although America's intentions there are basically honorable and our objectives truly limited, we have conducted ourselves in such a way that ever larger numbers of people, both at home and abroad, find it impossible to believe the sincerity of our actions there.

Throughout the non-Communist world there is a great reservoir of support for this country's dedicated opposition to the expansion of communism. Thus, although internal political conditions may make it impossible for many foreign leaders, particularly in Asia, to openly identify with the United States, most of them at least share in the general objective of containing communism in Asia.

At home the overwhelming majority of the American people support the containment policy, and most believe that a takeover by the Communists in South Vietnam would be a discouraging defeat for the United States and against the long-range interests of the free world. Thus, the American people, at heart, genuinely want to support the administration's policy in Vietnam.

Mr. President, no one of the numerous examples of mismatched words and deeds, which have been reviewed here, has been enough to destroy faith in the credibility of the administration's Vietnam policy. But the ever accumulating list of inconsistencies, contradictions, vague explanations, and persistent refusal to acknowledge even minor mistakes inevitably sows the seeds of doubt, disillusionment, and apathy. The result is that eventually even candid statements and forthright explanations become suspect.

Thus, Mr. President, even though the administration's basic intentions and goals may be sound and worthy, the policy which it pursues may fail, not because it is basically wrong, but because its conduct of that policy has been so shoddy that even those who believe in its ultimate rightness refuse the administration their positive and energetic support out of disillusionment and despair.

RECESS

Mr. PEARSON. Mr. President, I move that the Senate stand in recess subject to the call of the Chair.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Thereupon (at 10 o'clock and 43 minutes a.m.) the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 12:39 p.m., when called to order by the Presiding Officer (Mr. Hart in the chair).

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 13712) to amend the Fair Labor Standards Act of 1938 to extend its protection to additional employees, to raise the minimum wage, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 13712) to amend the Fair Labor Standards Act of 1938 to extend its protection to additional employees, to raise the minimum wage, and for other purposes, was read twice by its title, and referred to the Committee on Labor and Public Welfare.

PERSONAL STATEMENT

Mr. MORSE. Mr. President, it is a matter of regret to me that my duties as chairman of the mediation panel in the airline machinist dispute have occupied me all morning and have prevented my being here earlier to speak.

I very much appreciate the indulgence of the Senate and the Senate staff which enables me to speak at this time on several matters, which I am able to do through arrangement with the leadership of the Senate.

The leadership very graciously agreed to this course of action because it recognized, as one of a minority in the Senate who opposes the policies of the Johnson administration in respect to the matter I shall discuss, that the minority was entitled to present this point of view prior to the long weekend we are about to take.

I appreciate very much, as I always do, the courtesy the leadership always extends to me.

I would not have asked for this rather extraordinary procedure today if the Senate had convened at 12 o'clock noon, as I had anticipated, but it was my fault because of my duties downtown as Chairman of the Emergency Board that I did not know of the leadership's plan to convene at 10 o'clock this morning.

Mr. President, as a matter of fact, my work as Chairman of the President's Emergency Board seeking to find a fair and amicable solution to the threatened national airlines strike has kept me away from the Foreign Relations Committee markup sessions on the foreign aid bill, which I also regret, because I would like to be there to uphold the arm of Chairman Fulbright as he leads the committee in a badly needed reshaping of the aid program. But my vote has been cast by proxy for most of the changes made so far, many of which I have been struggling to bring about for some time, and I hope to be present next week to offer some more amendments on my own.

I am not at all moved by the charge already being leveled that these changes in the aid program discriminate against African countries. The changes will prove eventually to be in the interest of the African countries, for we are trying to correct the mistakes of past aid commitments that have brought disaster to South Vietnam and encouraged and made possible armed conflict among others. We are trying to apply to Africa, and to future aid everywhere, the lessons learned from the failures of the past, which include the arming of military juntas in Latin America, the giving of huge amounts of aid for political purposes that did nothing for the good of the people, and eventual American armed intervention in countries where we thought our face had to be saved because we were so heavily committed to a certain local faction through the aid program.

Aside from that, the first obligation of the committee, of Congress, and of the administration is not to any foreign country or bloc of countries. Our first obligation is to the American people and the good of the United States, and I hope that obligation will remain first in the consideration of this legislation.

A second subject that I want to mention briefly is the resolution expanding the Senate oversight committee of the Central Intelligence Agency. This issue is expected to be taken up in the Senate next week, and I want these observations to appear in the Record now.

NEED FOR EXPANDED CIA OVERSIGHT

In all the discussion about the form a Senate oversight of CIA should take, we have largely lost sight of the real issue. The issue is not whether CIA makes foreign policy. The issue is not whether it is controlled in its decisionmaking by the President and the Department of State and by a civilian group appointed by President Kennedy—and in my opinion it is.

The issue is whether it is sufficiently concerned and involved in international affairs to warrant the addition of Foreign Relations Committee representation in its oversight. It seems to be incontestable that it is so involved.

The chairman of the Armed Services Committee emphasizes that CIA does not make foreign policy. Yet I am sure he would agree that CIA does not make military policy, either. Does this mean the Armed Services Committee oversight should be abolished as unnecessary? That is the conclusion one would draw from the argument of the Senator from Georgia.

If anything, the Central Intelligence Agency is much more an operating arm of American foreign policy than it is of American military policy. It is on that basis that all logic should have put the Foreign Relations Committees of the House and Senate in charge of its surveillance in the first place, and not the Armed Service Committee. The Department of Defense has its own intelligence. The Department of State has its own intelligence. The CIA is separate from both, but it remains deeply involved in intelligence activities that are vital even more to foreign policy formulation than to military policy formulation. Moreover, its operations are almost entirely political. How can it be said that its activities which are operations rather than information-gathering are more military than diplomatic or political?

In 1954, CIA plotted and carried out the overthrow of the government of Guatemala. Was that a military operation or a foreign policy operation? In 1961, CIA organized the Cuban refugees and masterminded the Bay of Pigs. Was that a foreign policy program or a military program?

As I have said on many occasions in the Senate, in my capacity as chairman of the Subcommittee on American Republics Affairs of the Committee on Foreign Relations, and as chairman of the committee that conducted executive hearings by way of investigation of the CIA vis-a-vis the Bay of Pigs, the Bay of Pigs situation would not have occurred except for the foreign policy intervention of the CIA. Not even Congress was aware of what the CIA was up to, and certainly the American people were not aware of what the CIA was up to.

I repeat again: the CIA is a police state institution. We must see to it that every agency of the Federal Government is constantly under the surveillance of the representatives of the people of this country.

The fact that there are those in the Senate and in the executive departments who do not want the Foreign Relations Committee to be represented in the surveillance of the CIA, in connection with the CIA intervention in foreign policy, ought to be a warning signal to the people of the country.

The American people are entitled to have the Senate see to it that the Foreign Relations Committee is in a position of surveillance over the CIA.

In 1958, CIA helped organize opposition to Sukarno in Indonesia. Was that a foreign policy operation or a Defense Department operation? Throughout the fifties, CIA helped supply Nationalist Chinese within Burma. Was that a foreign policy program of the United States, or a Defense Department operation?

In 1956, the CIA did much through its broadcast facilities to encourage the Hungarian uprising, though when it came, we made no American military effort to help. Was that a foreign policy or a military policy effort on the part of the United States?

I think that in all these instances which have been described in books and articles, the CIA has carried out foreign policies rather than military policies for the U.S. Government. In none of the instances I have mentioned did the American Military Establishment involve itself directly. Only where events have become uncontrolled by other means, such as in the Dominican Republic and in Vietnam, has the Department of Defense taken an active role.

I do not think it is at all relevant to this resolution to argue whether CIA makes the decisions on the merits of these operations. The issue of the degree of Presidential control does not concern us here. What does concern us is whether the committees of Congress whose subject matter is most affected by the Central Intelligence Agency are part of the surveillance, and at the present time they are not.

Both the intelligence-gathering and the operation functions of CIA are at least as relevant to foreign policy formulation and execution as they are to military postures and activities. In most cases, they are much more relevant to foreign policy.

The present arrangement whereby the Armed Services Committee shares in this oversight and the Foreign Relations Committee does not is a gross intrusion of the Armed Services Committee into the subject matter of foreign policy.

We see that intrusion showing its head in another form in the movement within the Senate to have military aid separated from the foreign aid program and consigned to the Armed Services Committee.

Mr. President, the evidence is undeniable that military aid is constantly used by the Pentagon to meddle in foreign policy. In my opinion, the military aid that we are furnishing to many countries in the world constitutes one of the greatest threats to world peace. The Pentagon Building has much to answer for in connection with the military aid program.

I have said before, and repeat in this address today, that in my judgment, the military aid program of the Department of Defense, as represented by the Secretary of Defense, by the Joint Chiefs of Staff, and by other top-ranking military officers of our country, has created more Communists in the last 10 years than has any other one cause existing on the face of the earth.

It would be more appropriate to confine the CIA oversight role entirely to the Appropriations Committee than to extend the oversight of the Armed Services Committee over so important an ingredient of foreign policy as intelligence services.

I am not at all impressed with the argument made on the floor of the Senate that some of our colleagues do not want the Foreign Relations Committee to have jurisdiction over a subject matter that deals with foreign relations because they wish to cast reflections upon the members of the Foreign Relations Committee.

Such arguments are not befitting a U.S. Senator. I served on the Armed Services Committee for many years prior to going on the Foreign Relations Committee. I have served now on the Foreign Relations Committee since 1955.

There is not a scrap of evidence or justification in support of the reflections that some members of the Armed Services are casting indirectly, and sometimes not too indirectly, and frequently by innuendoes, upon the Foreign Relations Committee of the Senate.

As a member of those two committees during my period of service in the Senate, I have never seen a partisan vote cast in either committee. It has been my observation that Senators do not sit on the Foreign Relations Committee as Democrats or Republicans. Nor do they sit on the Armed Services Committee as Democrats or Republicans. They sit on those committees as U.S. Senators.

When differences of opinion develop on the committees, those differences are shown by the votes. The split is not reflected by Republican votes against Democratic votes. The split is a split of sincere men, Democrats and Republicans on one side, and Democrats and Republicans on the other side, of men who have come to an honest difference of opinion in regard to what the decision of the committee should be.

The argument that a larger committee would endanger secrets is a wholly false issue and it is to be regretted that it has been even mentioned on the floor of the Senate by the opposition of the McCarthy-Fulbright resolution. We are taking about three members from the Foreign Relations Committee. I am only sorry it is not possible to put into the CONGRESSIONAL RECORD the number of employees of CIA—who number in the thousands—the number of persons in the Budget Bureau, the number of persons on the White House staff, the number of persons in the House of Representatives, the number of persons in the State and Defense Departments, the number of persons in other Cabinet jobs who are part of the National Security Council, and the number of persons from private life who are not even in the Government, much less elected, all of whom have much knowledge and information about the activities of the CIA.

Apparently many of those people who oppose the McCarthy-Fulbright resolution think it is perfectly all right to have those hundreds of governmental personnel that never have faced a vote, as far as qualifications for office are concerned, have information which some colleagues of mine in the Senate think should be denied to the members of the Foreign Relations Committee of the Senate or the Foreign Affairs Committee of the House.

There are hundreds, and probably thousands, of foreigners in foreign governments who are well advised of CIA activities in their areas, and who presently know more than the Foreign Relations Committee knows about these matters.

I am especially intrigued by the argument against the resolution which holds that the appointment of a supervisory council of private citizens is a reasonable and presumably "secure" check on CIA but three Members of the U.S. Senate would not be. The senior Senator from Massachusetts [Mr. SALTONSTALL], mentions the group President Kennedy appointed after the Bay of Pigs to review CIA organization and activities. Who is on that board? James Killian, president of MIT, was one of the original members. He is an educator, and an outstanding citizen. I have great confidence in him, but no more than I have in 100 U.S. Senators, including the senior Senator from Massachusetts.

Another private citizen on the intelligence consulting group is Clark Clifford. He is another fine and trustworthy man, but no more trustworthy than the 100 men and women elected to the Senate.

Another member of this group is Dr. Edwin Land, an inventor with the Polaroid Corp. Are Senators prepared to say he is worthy of being privy to CIA secrets, but Senators are not? Professor William Langer is a historian of great renown in the academic world. Is he more worthy of confidence than Senators? I do not believe so.

Others in the consulting group are William Baker—about whom I have no information—Maxwell Taylor, Admiral Sides, and former high civilians in the Defense Department, Gordon Gray and Frank Pace.

All are presumed to be private citizens at the present time. Some of them have outstanding qualifications. But do they have better qualifications than U.S. Senators, or at least better than some Senators but not others?

I am amazed that anyone would point to these private citizens and contend that they are entitled to supervise the Central Intelligence Agency, but that three Members of the U.S. Senate Foreign Relations Committee are not.

If Congress is anxious to divest itself of more and more of its duties, and to invest more and more of them in the executive branch, the way to do it is to turn over CIA supervision to a group of private citizens appointed by the President and responsible only to him, and to deny all supervision to the Senate's committeee in charge of foreign policy matters.

I believe it is time that the Senate began to restore, to a very modest and moderate extent, at least, the normal role this body was intended to play in foreign policy. Least of all do I see anything desirable in turning over foreign policy supervision to the Armed Services Committee, as we do with the present system.

For 21 years, in this body, I have pleaded against the trend toward the development of Government by executive supremacy and secrecy; but I am deeply alarmed—yes, frightened—for the welfare of my country, to see the galloping speed with which the Johnson administration has sought to vest more and more unchecked power in the executive branch of this Government. I want to warn the American people that in my judgment, the Johnson administration must be checked, and checked now, if we are to retain our system of three coordinate and coequal branches of Government.

We cannot continue, Mr. President—under the various flag-waving slogans that are being used these days to whip up the people of this country into a war hysteria—granting more and more unchecked power into the hands of the President of the United States and his executive Cabinet members and their associates. A basic issue faces the American people, in my judgment—basic, when you can have, as we are having at the very hour that I now speak, Mr. President, American boys dying in South Vietnam in a Presidential war that has not even been declared by the Congress of the United States.

VIETNAM WAR

Oh, I know all the advice that I have received from dear friends here in the Senate, that I should not commit political suicide, that I should not burn my political bridges. Mr. President, it is more important that political bridges be burned in the United States in these critical hours than that steel bridges be bombed in North Vietnam.

It is more important that increasing numbers in the Senate and the House of Representatives be willing to commit political suicide—if that is the price one must pay to plead for peace in the world, and to bring to an end an immoral and shocking war that cannot be reconciled with Article I, section 8 of the Constitution—than that Members of Congress think only of their political hides.

Mr. President, it is a small sacrifice for any Member of Congress to pay—if that is the sacrifice he has to pay in order to try to bring this shocking war to a halt—to lose his office, in comparison with the supreme sacrifice, for which Members of Congress must bear the historic responsibility, because they have not stopped the President from conducting this immoral and shocking war.

I say it is a small sacrifice to pay for any Member of Congress to lose his position, if it comes to that, in comparison with the loss of American life in South Vietnam, in a war that never has been justified from the beginning.

As we approach Memorial Day, that we had better think of the great difference between the sacrifice that American soldiers have made during our glorious past, in justifiable wars, and the responsibility of the Johnson administration and of this Congress for causing now, already, more than 3,200 American boys to be killed in South Vietnam, and over 15,000 to be wounded, in a war we had no right to enter in the first place. The responsibility rests not only on the President, but also on the Members of Congress who have been supporting that war.

I know also, Mr. President, that when one votes as I vote, and as I shall continue to vote, short of a declaration of war—in opposition to all funds sought to be appropriated for this war—that the charge is to be expected that those of us who so vote are letting down the boys from South Vietnam. Well, let the record be clear again: Those who are letting down the boys in South Vietnam are those who are voting the funds to escalate this war and send them forward into more and more battlefields to die in increasing numbers.

They are the ones who are letting the boys down in South Vietnam, because they are walking out; they are abdicating a trust that they owe the American people, that our Founding Fathers wrote into the Constitution; namely, the check of the purse strings. If this Congress would stop voting President Johnson the funds to kill American boys in increasing numbers in South Vietnam, he would have to fall back on the sound advice of General Ridgway, of General Gavin, of George Kennan, and of the others, Mr. President, who are pointing out that we should stop escalating this war.

We should proceed to take our position at those points in South Vietnam that we can defend, without escalating the war, and that will stop the advance of the enemy, but will not involve our own advance. Then, let us put it squarely up to the other nations of the world: Do you want to assume your responsibilities to keep the peace? Do you other nations of the world want to decide, as you should have decided long ago, that there must be a cease-fire in Vietnam, and decree it?

We should then serve notice on all combatants that they must stop their fighting and pledge themselves as signatories to the United Nations Charter that they will send over whatever number of divisions of men are necessary to enforce a peace, as the United Nations has done in the Congo, is doing in the Gaza Strip, and Cyprus, and did in stopping the war between India and Pakistan.

My faith is such that in the due course of time the American people will come to understand the facts and realize that all the sacrifices we are making in American blood, plus the shocking killing of Asians, will win for us the hatred of Asians for years to come.

Mr. President, I make these remarks today in part because I think they are most appropriate before a Memorial Day. On a Memorial Day we ought to bow our heads as Americans, not only in tribute to our courageous soldiers that we have sent to South Vietnam—who are carrying out the orders of their Commander in Chief, which is their responsibility and duty—but we should bow our heads also with feelings of shame that as a people—may I say to the American people sitting in our places of security—we are not over there doing the dying. We ought to bow our heads in shame that as free men and women we have permitted this situation to develop to the shocking point at which we now find it.

Young American draftees, 18, 19, 20, and 21 years of age, are being sent into South Vietnam, increasing percentages of them to die in a war to which we should be no party whatsoever.

I hope that on this Memorial Day the voters of this Republic, as they bow their heads in tribute to those we have lost in the past in justifiable wars, and those we are losing in Vietnam in an immoral and sinful war, will come to a better realization of their responsibility to exercise their power as free men and women to check this administration.

Sometimes, as I meditate on this matter, I ask myself the question, What is happening to us as a people? As a religious man, I speak respectfully of the churches, but would raise in this speech, to the clergy of America, the question: What has happened to you? As Mark Twain warned—and I shall use his great statement before I finish this speech—as war hysteria starts to sweep the country, soon the clergy will begin to preach sermons about God being on our side.

Already those sermons are coming forth, when what should be happening is that the church bells of America should be tolling in grief, on behalf of the religious men and women across this land, that our Government should be following such an irreligious course of action.

Already the old, superpatriotic slogans are being dusted off. We are reading them in the daily press. "My country, right or wrong."

Oh, that is the way of a country to go into oblivion, when patriotic Americans should be saying "When I find my country to be wrong, I intend to insist upon its righting its course."

What is needed in America, during these dark hours, is for the Government to right its wrong course and stop its international outlawry and return not only to the framework of the Constitution, the framework of its treaty obligations, but also return to the framework of its spiritual beliefs and obligations.

If only the pews in the churches of America could speak out against the hyprocrisy of the people who occupy them by the millions each Sunday.

If only the clergy of America would live up to its responsibilities of spirtual leadership.

If only the men who speak from the pulpits of America would have the courage of the Great Master whom the Christian faith worships, or the belief in the one God whom the Jewish faith worships, or the dedication to the existence of an Almighty that all religious men and women say they believe in.

That is what is needed this Memorial Day weekend.

OREGON ELECTION AND THE WAR IN VIETNAM

Mr. President, much attention has been focused in the last few days on the primary election in Oregon and its bearing on public attitudes toward the war in Vietnam.

For myself, I am heartened by the results because I think they show that the American people are deeply suspicious of administration policy there, and I think they show that candidates who have nothing to offer except the administration's war policy are not going to be elected in November in very large numbers.

Democratic voters in Oregon nominated two "peace candidates" for Congress, Malcolm Cross in the First Congressional District, and Charles Porter in the Fourth District being vacated by Mr. DUNCAN. Both overcame primary opponents who were running on the administration war policy.

In the Senate race, Howard Morgan polled well over a third of the Democratic vote, his percentage being between 35 and 40 percent.

Those of us who know where Howard Morgan started from when he announced his candidacy in March on the war or peace issue, cannot feel anything but confidence that this issue is the dominant one with the people of my State and the Nation. We take confidence only in the wisdom of the voters in judging where the interests of the Nation lie as the issue becomes clear to them.

This will not be done overnight, and it was not done overnight in Oregon among Democratic voters, who were being asked to curb a President of their own party.

Nonetheless, more than a third of them did respond. I think a major reason they did is that they know a war candidate will have tough sledding this fall against Governor Hatfield. Governor Hatfield has long been identified as one of only two or three Governors who have not rubberstamped the administration's Vietnam policy. He has continued to urge a United Nations jurisdiction over the Vietnam issue. The Republican primary voters had a chance to repudiate him for that stance if they wanted to, but instead they nominated him for U.S. Senate by nearly 4 to 1, the one being the combined vote of three rivals.

Mr. President, in spite of the downgrading of his opponent by the press that wants to misinterpret and misrepresent what happened in Oregon, Governor Hatfield's opponent, who happens to be a very respectable and well-financed businessman in Oregon, ran on the war issue. The administration supporters of the war in Vietnam can add these Oregon results in any way they like, and they will never spell victory for Democratic candidates for Congress this fall.

That is why many of us are taking this issue into Democratic primaries. Our party has reneged on its campaign promises of 1964 in the field of foreign policy.

Millions upon millions of Republicans voted for Lyndon Johnson in 1964 because they believed he meant it when, in that campaign, he made it perfectly clear he held to the view that an Asian war was for Asian boys to fight and not American boys. They believed that he meant it when he made clear in that campaign that he would follow a course of action opposite to the proposals of a Barry Goldwater.

I, too, thought he meant it.

I shall never be able to understand why we have not had a single word of explanation from the President, and why almost immediately after that election he proceeded to follow the Goldwater line.

There is growing across this country a wave of disillusionment in the President. That is why I believe that more Democrats in Congress than political dopesters, writing for the administration, want to admit will be defeated in November, and should be—will be defeated in November, Mr. President, and should be.

As a Democrat, I wish to say that one of the great needs of my party is to have cleaned up the foreign policy of this country. The way to clean up that foreign policy is to clean out those who are supporting the immoral course of action that we are following in South Vietnam.

I have made it clear that if the Governor of my State continues to stand for the foreign policy that he has enunciated, I shall vote for him. I shall not be campaigning for him. I shall be campaigning across America for Democratic candidates to Congress who are seeking to change my party's foreign policy vis-a-vis the war in Asia.

Furthermore, I hope I am enough of a "pro" in American politics to know that, as a Democrat, I should not involve myself in the Republican campaign in my State. I have no right, in my judgment, to inject myself into that campaign. That is the Governor's responsibility. It is a campaign for him to run. As a Democrat, however, I have the responsibility to my party, as I see my trust, to come to the assistance of Democratic candidates in other States who will run in opposition to the foreign policy programs of the Johnson administration. I shall do what I can to help elect peace candidates as against war candidates. That means those both in and out of Congress.

The faith and confidence of the American people in the Democratic Party as the one best able to maintain peace must be restored if we are to win elective office in 1966. May I say that goes for 1968, too.

That is why I think the White House is making a grievous mistake in cranking up its public relations machinery to try to rally support for a bigger war in Vietnam. I do not doubt that between now and November, the avenue between Capitol Hill and the White House will be heavily traveled. But the traffic will not be for the purpose of seeking congressional advice: it will be for the purpose of telling Congress, not asking Congress.

FAILURE OF THE WAR POLICY

A leading congressional Democrat has begun the process by repeating what many of us have recognized as administration policy for a long time.

He said in the East Room of the White House that the United States is not going to get out of Vietnam, no matter what. The discussion of what to do if a government came to power that sought negotiations or asked us to leave is wholly unreal, because no such contingency will be allowed to happen. The American Armed Forces will not leave under any circumstances, according to present administration policy, because we have put too much emphasis upon saving our face and using southeast Asia as the testing ground for American containment of China.

I want to say to the Johnson administration that it had better start putting emphasis on saving lives of American boys, not face—saving the lives of the young draftees that we are sending over there to die, while we, safely at home, talk about face.

These justifications of the American presence in Vietnam do not leave any room for a South Vietnamese Government that does not lend itself to this American cause.

The evidence of the American takeover was highlighted by the reaction of American military commanders during the recent disturbances in Da Nang, when even General Ky's air force was warned that any more mistakes on their part that endangered American planes would bring retaliation. A Marine Corps spokesman announced that 40,000 U.S. marines in the northern part of South Vietnam were preparing to fight without any help at all from the South Vietnamese Army. The United States is making it clear to Vietnam and to the world that we will fight anyone in Vietnam who opposes the United States.

This policy can avoid no other interpretation than that our administration is on its way to taking over the war when the Vietnamese fight among themselves. What the President should have done at the first outbreak of the disturbances at Da Nang and Hue was order a cease-fire and notify the South Vietnamese that we are not going to kill American boys while they fight among themselves; that the theory of our administration has been that we are there to aid them in their war, not ours—I repeat, in their war, not ours.

In my judgment, the undeniable fact is that we are taking over the war and apparently we are going to fight in one part of Vietnam with 40,000 U.S. marines without any Vietnamese soldiers joining them.

When the American people come to understand those trends the American people will answer the administration's bullets in Vietnam with ballots in the United States.

If this is not making South Vietnam an American colony, what is? If this is not a territorial design upon Vietnam, what is? There can no longer be a pretense that we are in Vietnam at the invitation of a legitimate government. Of course, it never was legitimate. It was born out of the womb of illegality.

In open violation of the Geneva accord, the United States turned the 17th parallel from a military demarcation line into a political demarcation line. It was the United States, in open violation of the Geneva accord, that decided on two Vietnams. We created an illegal government in South Vietnam. Read the accords. I have read them on the floor of the Senate time and time again during the past 3 years. The 17th parallel was drawn as a military demarcation line, and the accords so indicate.

There was no provision for two separate governments. The French military forces—and there were thousands of French troops in Vietnam at the time—were to go to the south of the line. The Viet Minh, who had won a victory over the French, were to stay to the north.

During the next 2 years, under the direction of an international control commission composed of India, Canada, and Poland, negotiations and procedures were to be set up leading to a united Vietnam based upon elections. We stoppped those elections, although we Americans talked a good hypocritical line about self-determination. But we prohibited self-determination in Vietnam in 1956.

It will take more time for the American people to come to a realization that the statements of spokesmen for the U.S. Government that our government made a commitment to South Vietnam is itself completely fallacious.

They involved themselves in a civil war, and they should be allowed to settle their civil war without dictation from the United States. I think that history will prove me correct in my belief that the struggle within Vietnam will continue no matter how much we maintain our presence there over the decades, until at long last there will be one country and one government, and there should be.

The U.S. Government has been able to sell to the American people the false assumption that we are justified in insisting on two Vietnams—of our own illegal creation.

AMERICAN COURSE OF EMPIRE IN ASIA

Mr. President, the world will not overlook the contrast between our use of a weak, disorganized Asian country as an American battlefield, and our policy toward France and NATO.

It is generous to call what we are doing to Vietnam "arrogance of power." We are ruthlessly occupying South Vietnam to serve American security interests as we see them. More than that, we are building yet another huge air base in northeast Thailand, which will serve first to step up American air attacks upon Laos and North Vietnam, and which will serve secondly to enlarge the battlefield to include Thailand.

In Europe, we recognize and deal with De Gaulle as an equal. When he tells us to leave, we begin making plans to depart, despite our conviction that French soil is vital to our security.

But in a small Asiatic country we appoint a new set of national leaders when the existing ones do not do our bidding and do it effectively. General Ky is now doing what the American Embassy told him to do, and is putting down all opposition by force of the arms we gave him.

That will not end the opposition. Using arms against people who are without arms will not win them over to our side, but will cause them to dig deeper into their hate and to resolve more firmly that, no matter how many decades it takes, the white man will be thrown out of Vietnam and all of Asia.

That is why we are building a great race war. The color line is becoming an important factor in American foreign policy in Asia because it is unilateral American foreign policy. We do not pursue a strictly unilateral policy toward industrial nations, which are largely white, only toward backward ones which are largely nonwhite.

Today, General Ky is traveling around Vietnam in a U.S. military jet in an effort to consolidate his military forces and is killing his own people.

The Buddhist religion is an interesting religion. Those who are directing American foreign policy could well afford to spend some time analyzing the philosophy of the Buddhist religion, because, in my judgment, force will not conquer a Buddhist. I believe that we are creating a spirit of hatred and revenge against Americans that will rise to plague us for decades to come.

Many people do not like to face one facet of the war in Vietnam. But it must be discussed. South Vietnam has many of the overtones and undertones of a religious war between Buddhists and Christians, with the Christians in a small minority. But eventually, Mr. President, we shall learn, after we have expended untold quantities of American blood, that the Buddhists will prevail.

They will not prevail on the battlefield, but they will prevail with long-time public support.

Administration spokesmen have tried to ascribe racist motives to those of us who oppose the war. They suppose the world does not see that we respect France, Britain, Germany, and other white NATO countries—yes, Portugal, too—as equals, while we jerk General Ky and his fellow generals of Vietnam around like puppets on a string.

What the world does see is that the United States respects only power and regards weakness as a power vacuum that must be filled by the United States wherever any of the worldwide security interests of this country are thought to be affected.

The great innovation and contribution of the Senator from Arkansas [Mr. FULBRIGHT] has been to try to help the United States break away from the pattern of power that has seen all the empires of the world dissolve because they thought their material wealth and power could accomplish things it could not in fact accomplish. If he can succeed in modifying even to a small degree that dismal pattern of history, then he will have made a remarkable addition to human affairs.

He has to be a born optimist even to make the effort. Many more people believe that the United States can only go down the same fatal path that all other empires have trod before us, seeing everything they did not control as a potential threat, constructing outposts of empire, then lifelines of empire, then outposts to guard the lifelines, fighting wars to protect the outposts that guard the lifelines, setting up and subsidizing governments from which to wage the wars, through military and economic aid, ad infinitum, until the structure collapsed of its tremendous weight.

I do not want to leave that legacy to future generations of American boys and girls. What my Government does and what the people of this country do in the months immediately ahead will determine the destiny of this Republic from the standpoint of answering the question, "Will it survive?"

In my judgment, my country has no hope of surviving in history if it leads mankind into a massive war, as it is presently doing in Asia, only to end up in a third world war.

The colonial empires of Western Europe were centuries in the building and only decades in the collapse. Others, like Imperial Japan and Nazi Germany, were years in the building and only months in the collapse.

We are engaged in a major war in Vietnam today for these very same purposes of empire. We upset the Geneva agreements of 1954 because we feared that if we did not control South Vietnam, someone else would, and a hostile power might some day use it to threaten our "lifeline" through the Malacca Straits to the Indian Ocean. That is the reason for the present war, and all the window dressing about fighting for freedom and democracy is becoming more and more of a hollow mockery not only to the world, but also to the American people themselves.

Our trouble is that there is hardly a corner of the globe that we do not now regard as vital to our security. Our "lifelines" are everywhere; every continent is an outpost for some American security interest.

We maintain more troops on foreign soil than any other nation, and we maintain more military bases abroad than any other nation.

It is the United States that has become the great military occupier of many parts of the world and is frightening increasing millions of people, including many in France. We cannot eliminate from the NATO crisis in France the determination of many Frenchmen to see to it that the American military presence is taken out of France. And if I were a Frenchman, I would insist on it, too.

Why do we think that we can maintain these security interests by force of arms when no one has been able to do it before us? Why do we think we can occupy and use South Vietnam to serve American security interests without eternal war?

The fighting among the Buddhists and the government factions does not differ much from all the other disorders that have beset colonies or occupied territories in the last century and a half. The American forces and the South Vietnamese Army which has become little different from what it was under the French can continue to suppress revolts and uprisings throughout the portions of Vietnam we still control. But they will not end; they will not stop.

We may suppress the organized armies of the Vietcong, but it was not an organized army that dislodged all the other colonial powers from Africa and Asia. It was continuing, unceasing resistance that largely took the form of terrorism that finally caused them to give up these territories. The U.S. Government has decided its national security requires us to control South Vietnam. For home consumption, we said we were fighting for freedom, and when that became untrue on the face of it, we said we were fighting to save face because Americans have never backed down anywhere.

How many lives will it take to save our face? If we are lucky, North Vietnam at some point will not pour in more of her own forces, though we probably are far from that point as yet. But even if the opposition army does not grow, we have only a future of terrorism in South Vietnam.

CONTAINMENT IN ASIA

That is not the containment of communism which I have supported and voted for in the past. The Greek-Turkish issue was not one of Greeks and Turks against an American army of occupation and a puppet government of the United States. The Korean war was not fought to maintain South Korea as an American outpost—it was fought by the United Nations to repel an intrusion of one government against another. The Marshall plan was designed to help local governments rebuild their internal economies, not to buy American entree and occupation of the kind we have imposed upon South Vietnam.

How well do I remember the day of the enunciation of the Truman doctrine. When I returned from that historic joint session, I took the floor of the Senate on the other side of the aisle that afternoon, and I was the only Senator who did. I pledged my support to President Truman in support of the Truman doctrine. But the Truman doctrine has no analogous relationship whatsoever with South Vietnam.

The obsession with the concept of containment has led us into a frightening abuse of the concept in Vietnam. Containment must mean firm local governments, enjoying the confidence and support of their people. Where those conditions do not exist today, the United States cannot create them. Where we substitute ourselves for local forces, as we have in Vietnam, we create not containment, but a hemorrhage of proportions over which the other side and not the United States has control.

I would like to see us return to an effective and workable containment in Asia. I would like to see us recognize that an obsession with "winning" everything, everywhere to which someone once committed us 10 years ago is not containment, but paranoia. I say respectfully that in my judgment, I think our Government is suffering from paranoia in its foreign policy. Successful containment must recognize that where a local people cannot or will not help themselves, the United States jeopardizes itself and does not serve itself when we substitute American bodies for Asian bodies.

South Vietnam is becoming a hemorrhage of the American military, financial, and spiritual body. When we make the statements that have been coming out of the White House recently to the effect that because we have never backed down anywhere we will never back down in Vietnam, we are giving complete control over our hemorrhage to the Communists.

It is the administration, and the White House, who are sacrificing flexibility in Vietnam policy. It is they who have hardened the American position to one of not leaving no matter what happens in South Vietnam. By so doing, they have eliminated local responsibility for the war, for everyone in South Vietnam is put on notice that Americans will stay and take over whether South Vietnamese want to continue fighting or not.

If we shift the containment policy of the past, which originally featured viable local governments, into a containment around the fringes of China and Russia by American arms and American fighting men, we can expect only to be drawn into more and more of these conflicts.

This is not an issue of asking others to do our fighting for us. It is a question of whether Americans can do all the fighting for everyone in the world. Of course, we think we can now. We think we can keep over 300,000 men in Europe while Europeans decline to fulfill their subscriptions to NATO. We think we can send over 260,000 men into Vietnam, 15,000 into Thailand, and tens of thousands more into nearby areas of southeast Asia, plus thousands of others into the Dominican Republic, and keep all these balls in the air at one and the same time with little or no help.

This is not containment. It is not another case of "Munich" in Vietnam, when the foreign soldiers who have come from 8,000 miles away are ours.

The escalation and widening of the war by the United States has resulted only in similar measures by the other side. With each new step, we were assured that this was the one that would end the war, and each time our officials have been wrong. It is time to adopt a new approach. Therefore I recommend to the President again today that he study the offerings of General Gavin, General Ridgway, George Kennan, and the others who are urging that we stop escalating the war, that we call upon the other nations of the world for a ceasefire order, and that we make it perfectly clear that if the other nations of the world are not willing to enforce a peace in Vietnam, we then will get out. But we must stop making ourselves the unilateral policeman of the world, based upon our draftings of the law, our proposals, irrespective of who shares our views.

Militarily, the tactics advocated by Generals Gavin and Ridgway are sound, if adopted along with political steps I have mentioned. Those tactics call for maintaining the positions we now have, from which we cannot be dislodged by the Vietcong. Politically, I would have the President go not to Honolulu to meet with the military flunkies we put in charge in South Vietnam, but go to the United Nations and ask that body to exercise in South Vietnam its peacekeeping duties. He should ask the Security Council to order a cease-fire and to send into South Vietnam whatever U.N. troops are needed to enforce it. If that appeal is vetoed by some Security Council member, he should ask the General Assembly to take the action. The U.N. has done this effectively in the Middle East, in Cyprus, in the Congo, and more recently it obtained a ceasefire between India and Pakistan. A prevailing view at the U.N. now is that it cannot act against the United States without our good faith cooperation because we are too big and too powerful. A vast number of U.N. members take it for granted that when we enlarged the war to include North Vietnam we were not acting like a nation that wanted to end the war or to get the U.N. to help us end it.

South Vietnam is not ours, to decide her fate as we please. The United Nations is the only agency that has that right. We should turn the problem over to it in good faith. Other U.N. members should realize, too, that if they fail to discharge their peacekeeping duty, the U.N. will be destroyed, for it will not hold the confidence of anyone if it fails to act on the greatest threat to world peace since Korea.

Mr. President, as I close, I shall read from two letters, and then a brief quotation from Mark Twain. I wish to read portions of two letters from a very important and responsible newspaper correspondent, whose name I shall not reveal, but whose letters speak for themselves; and I shall read all parts of the letters that do not disclose his identity:

> DEAR SENATOR MORSE: I am an American foreign correspondent who has covered South Vietnam continuously for several years.

He then describes his duties since he has been there:

> I have lived here longer than any other American correspondent and longer than nearly any other American.
>
> I have not always agreed with your views over the years, but somehow I find myself increasingly drawn to your point of view with respect to the American involvement in this country. You have consistently shown the courage, furthermore, to keep fighting against enormous odds, for beliefs that deserve to be heard.
>
> The tragedy of Viet Nam, it seems to me, has been not so much the basic political defeat the United States has suffered here, but rather the reasons for that defeat. There have been many dedicated young Americans working in this country over the years for things they believed would match the challenge of Asian communism. They have been thwarted, I believe, by the kind of thinking that motivates the Pentagon, and by all those who find the police-state solution the most practical approach to foreign policy.
>
> Perhaps, after all, Americans as a nationality lack the political wisdom to be able to cope with the great issues of Asia. If that is true, Asia is surely best left to itself to decide its own fate.
>
> But apart from that, it seems that sometimes the entire Congress has been cowed by the Directorate. In recent votes, your voice has been one of the very few retaining the courage of dissent.
>
> Thank God there is still WAYNE MORSE in the Senate.

Thereafter, I wrote to him to ask permission to use the letter. I received permission to use it in full, but I am not using it in full, Mr. President. Although I respect his courage, nevertheless I shall use it only to the extent that I am using it today.

I received a reply to my letter from this great correspondent, as follows:

> DEAR SENATOR MORSE: Warm thanks for your very thoughtful letter of April 14. Of course, you may use my letter to you in any way you see fit. I would only ask that you not suggest that my views in any way reflect those—

And then I paraphrase, of his previous employees.

> I speak only for myself. Indeed, my views probably are not shared even by a majority of the press corps in Saigon.
>
> I feel the press corps in general must be shielded from the continuous charges of bias and malice and such that come from such of our critics as Senators. Privately, newsmen in Viet Nam are at bitter odds with each other and have strong views on every aspect of this problem. Most of them, I'm happy to say, discipline their personal feelings to such a degree that their news copy remains undistorted.
>
> But there are those who feel the press should be uniform in its support for official policy, and that its reporting should conform to this idea. There are those who delight in watching reporters beaten up, maligned and restricted. There are even those who take some pleasure in the fact that ten of us have been killed and about 30 wounded covering this war. Today we were treated once again to the spectacle of Vietnamese police assaulting foreign newsmen, and somehow I had the sensation that nothing changes here; that since 1963 there has not been the slightest vestige of progress, despite the billions of dollars and all the lives.
>
> Against this background, there are some of us who feel the survival of a free press is in grave danger. My own deepest hope is that I will not live to see the day when either our nation's Congress or its news media become obsolete.
>
> Respectfully,
>
> ——— ———.

Mr. President, I ask unanimous consent that following my remarks there be printed in the RECORD certain newspaper articles, telegrams, and correspondence which I have received dealing with the subject matter of my speech today.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, I spoke earlier in my speech today about Memorial Day. I suggested that on Memorial Day we should not only bow our heads in reverence to the brave soldiers of our country who have died in war under the direction of various Commanders in Chief, but that we should also pray that we bring to an end what I consider to be a war that constitutes a sin against humanity in Vietnam; that we stop killing American boys in South Vietnam in a war I consider to be immoral, unconstitutional, and unconscionable. I expressed the hope that on Memorial Day, from their pulpits, the clergy of America would give serious thought, as spiritual leaders, to the question: "Have I, as an individual and minister of God carried out my spiritual responsibility in connection with this war?"

I spoke earlier today about those of us who take the position that this issue is more important than politics; that this issue leaves no room for any consideration of partisan politics, for it pales all other issues into insignificance.

Those of us who take that position must expect that in a period of war hysteria, so-called superpatriotic, jingoistic forces in this country are going to urge that we be silenced; and certainly are going to misrepresent our position, as they have been doing now for quite some time.

But so long as we are in an undeclared war I shall continue to do what I can to urge the American people to defeat candidates for office who are supporting the war, because that is the only answer left to the free people to make the constitutional check that is their right as free men and women. That is why I have said we must stop this administration's bullets in Vietnam with ballots in the United States.

I close my speech today with this great quotation from Mark Twain in a great writing of his "The Mysterious Stranger," which I think is so apropos:

> There has never been a just one, never an honorable one—on the part of the instigator of the war. I can see a million years ahead, and this rule will never change in so many as half a dozen instances. The loud little handful—as usual—will shout for the war. The pulpit will—warily and cautiously—object—at first; the great, big, dull bulk of the nation will rub its sleepy eyes and try to make out why there should be a war, and will say, earnestly and indignantly, "It is unjust and dishonorable, and there is no necessity for it." Then the handful will shout louder. A few fair men on the other side will argue and reason against the war with speech and pen, and at first will have a hearing and be applauded; but it will not last long; those others will outshout them, and presently the anti-war audiences will thin out and lose popularity. Before long you will see this curious thing: the speakers stoned from the platform, and free speech strangled by hordes of furious men who in their secret hearts are still at one with those stoned speakers—as earlier—but do not dare to say so. And now the whole nation—pulpit and all—will take up the war-cry, and shout itself hoarse, and mob any honest man who ventures to open his mouth; and presently such mouths will cease to open. Next the statesmen will invent cheap lies, putting the blame upon the nation that is attacked, and every man will be glad of those conscience-soothing falsities, and will diligently study them, and refuse to examine any refutations of them; and thus he will by and by convince himself that the war is just, and will thank God for the better sleep he enjoys after this process of grotesque self-deception.

As we bow our heads in prayer this Memorial Day in the veterans' cemeteries across the country, it would be well if we also contemplate this great analysis of a war psychology that came from the pen of Mark Twain.

EXHIBIT 1

[From the Eugene (Oreg.) Register-Guard, May 6, 1966]

EXPERT SAYS NATURE OF THE VIETNAM WAR IS MISUNDERSTOOD

(By Marvin Tims)

American chances for a clear-cut military victory in Vietnam are "virtually nil," a distinguished author and award-winning journalist declared in Eugene Thursday.

Bernard Fall, professor of international relations at Howard University, who has had broad experience in southeast Asia, said in an interview that there is not "the slightest shred of evidence" that the war will be won next year or in the near future.

Winner of the 1966 George A. Polk Award for "outstanding interpretive journalism on Vietnam," Fall, 40, said the American public has been "overly optimistic" about the possibility of a quick military victory.

"This attitude is based largely on a misunderstanding of how a revolutionary movement operates" said Fall, considered to be one of the few experts on Vietnam in the United States.

"Many so-called experts are calling for the bombing of such North Vietnam targets as Haiphong, an industrial center. It is really almost meaningless to bomb these economic targets. . . . A guerrilla combat force doesn't use oil and petrol. It uses guns and rice. Sure, a lack of oil might slow up a few trucks inside North Vietnam, but it won't hamper the Viet Cong in South Vietnam."

Fall is an authority on guerrilla warfare. At the age of 15½ he was serving with the French underground, helping blow up German-held installations inside his native land. And from 1944 until 1946, he served in the infantry and pack artillery of the 4th Moroccan Mountain Division. A Fulbright scholar, he was in Indochina at the time French forces were losing their struggle with Communist forces.

A handsome man who keeps in fighting trim because he keeps going back to the battlefield to do "field studies" for books and magazine articles on Vietnam, Fall left his Howard University (Washington, D.C.) classroom at 4 p.m., Wednesday, boarded a jet and arrived in Eugene at 9 a.m., Thursday. After visiting the rhododendron gardens in Hendricks Park an hour later, he talked with students and faculty members at the University of Oregon Thursday afternoon.

He spoke at a university assembly Thursday evening—his purpose for coming to Eugene. He received a loud and lengthy ovation from an audience of about 250 persons after his 90-minute talk on "Vietnam—Background of War."

An hour later, about 10, p.m., he boarded another airplane which took him back to Howard University in time for a Friday afternoon lecture.

"I try not to miss any of my classes. I feel my main obligation is to my undergraduate students," he said.

A recipient of a 1966 Guggenheim Fellowship to do a sociopolitical field study of the Viet Cong (he didn't want to talk about this subject during the interview), Fall feels a major fault of America's Vietnam policy is that United States officials don't want to discuss possible negotiations with the Viet Cong.

"In all other similar wars where there were guerrillas and out-of-country backers (such as Red China), success lay in talking to both the outside backers and the guerrillas."

"The road to any successful stabilization of the Vietnam situation can only lie with a direct confrontation with the Viet Cong," the journalist said.

During the past year, the Viet Cong has matched the build up, man for man, of American military forces in South Vietnam, Fall said. "The Viet Cong recruited more than 160,000 men inside South Vietnam since last summer . . . . This means we (America) are still fighting mostly a South Vietnam Viet Cong force."

Fall said he isn't "peddling a far left or far right line" in opposing some of America's policies in South Vietnam. "Why, I'm an advisor to the Department of Defense."

He also told students Thursday evening that no one should be afraid of questioning government policies. "Without questions, there will be no answers or free discussion. Democracy withers from disuse—like muscles."

Commenting on the possibility of national elections in South Vietnam, the author said they will be meaningless and "add another layer of illusion" to the political situation unless the people have a wide choice of candidates and issues.

"I don't feel any good can come from the promised elections. The choices for the voter will be too narrow."

Fall said, too, that in South Vietnam "neutralism" is punishable with a sentence of up to five years in jail.

"If this law remains on the books at the time of the elections, the only choices will be to either keep the war going (for the liberals) or to bomb Peking (for the conservatives)," he said.

Here are some of the major contentions Fall made in his address:

The French said 16 years ago they would win the war in Vietnam by training an army, promoting effective native government, and winning over the peasants. "It is frightening that after 16 years of fighting no one has come up yet with a recipe that works."

Many village chiefs in the late 1950's were killed, primarily because they were not popular with the people. "If they had been popular, they would have been warned before the Viet Cong arrived."

Since January of this year, conditions within the areas already controlled by the American forces have worsened. The only area where headway has been made is in the Mekong Delta region near Saigon. The Viet Cong has lost ground in this area because the territory is controlled by the Buddhists. "This is the only area where there is a competitive ideology."

North Vietnamese leaders in Hanoi do not completely control the Viet Cong forces in the south. "The Viet Cong can not be turned off like water from a faucet—not even by Hanoi."

[From the Columbus (Ohio) State Lantern, May 23, 1966]

BRINKLEY CALLS WAR "POINTLESS, ENDLESS"

(By Phillip Long)

The war in Vietnam is an "endless, pointless, futureless exercise where we are not going to achieve anything substantial," David Brinkley, of the NBC Huntley-Brinkley news team, said yesterday.

Brinkley told about 800 persons at Mershon Auditorium it would be "no disaster" if the United States were to withdraw from Vietnam.

He said we have stuck to a commitment as long as we can.

"You can't support a government if there is no government to support," he said. "There are so many opposing factions fighting each other in Vietnam that they don't seem primarily concerned about fighting the enemy. And the United States is in the middle of it trying to fight a war where there is no front, no line of demarcation between friend and foe."

WAR IS INTERFERING

The war in Vietnam is interfering with everything else America is trying to do, he said.

"The war has become a leaden ball and chain interfering with the purpose of this country both here and abroad," Brinkley said. "It is clogging political communications between America and the Communist nations. The United States cannot get into a discussion with any Communist country without winding up in a conflict over each other's involvement in Vietnam," Brinkley said.

If the United States withdrew from Vietnam, Brinkley said he didn't think it would destroy the prestige of the western world.

"If I might add a word of optimism without being picketed or stoned," he said, "I would say the Communists are experiencing internal difficulties far greater than most people know."

He said Russia must buy wheat because its agricultural system doesn't work. It pays for the wheat with gold, he said, which is worth $35 an ounce. But it costs Russia $65 an ounce to mine the gold because of inefficiency, he said.

MAO EXPRESSES CONCERN

He said Mao Tse-tung expressed concern to a reporter that Chinese youth do not have their father's revolutionary zeal for conquering the world.

"They are thinking more about their own personal welfare," Brinkley said. "They even go so far as to hope they might own a car someday and a bicycle until that time.

"Capitalism has its faults but it works. Communism has its faults but it doesn't work."

He said the war is imposing some economic hardships on Americans. However, he said 90 per cent of all money being spent on the military is going to areas other than Vietnam.

DIVIDING THE COUNTRY

Most importantly, Brinkley said, the war is "dividing our country on a foreign policy issue like I have never seen it divided before. We should try to wind up the war and get out from under a tragic and costly burden."

He commented on the possibility of free elections in South Vietnam.

"Vietnam is disintegrating," he said. "Before a country can have free elections there must be order, stability and unity. In Vietnam there is none of this.

HANG ON BY FORCE

"We could hang on by sheer military force, not trying to win but just holding the Communists back. But Americans do not want to support the kind of a war that is costing $15 billion per year for nothing."

In the question period following his talk, Brinkley was asked if he agreed with a statement made recently by Gen. Earle G. Wheeler, chairman of the Joint Chiefs of Staff, that the U.S. might be involved in the war for 10 years.

"I suspect not," Brinkley replied. "No one will say this publicly, but the people who are in real authority doubt that the military can do what it originally said it could do in Vietnam."

'DOMINO EFFECT'

Brinkley was asked to comment on the "domino effect" and how he thought withdrawing from Vietnam would affect other countries of Southeast Asia. He said that retreating would not mean that we would go all the way back to San Francisco. He suggested that we retreat to a friendly country such as Thailand and maintain forces there and see what happens.

Another reason he said he felt getting out of Vietnam would be no disaster was because other countries such as Rhodesia and Indonesia have thrown out the Communists of their own volition, without the help of the United States.

[From Newsweek, May 30, 1966]

A VIEW OF VIETNAM

(By Emmet John Hughes)

I had been in Saigon but a few hours when an American friend told me a trivial incident shared a day earlier with an American officer. The two men had been idly strolling a quiet street near the city's center when the restless eye of the officer caught half-sight of a flashing arm, a few yards off to his side, and then an ominous missile hurtling toward them. He spun swiftly and poised his hands to try to catch the grenade and throw it a safe distance. It flew past him, softly struck a wall, and neatly bounced back to the Vietnamese youth who had thrown it. It was a dirty but innocent rubber ball. As the youth snared it, he smiled with knowing bemusement, then skipped down the street whistling softly, glancing back, and grinning enigmatically. And the Americans were left to blink in wonder over the meaning of his mirth: was he a carefree youth harmlessly laughing at the American's alarm, or a sullen Saigonese spitefully tricking them into panic? They would never know. And when I left Vietnam a week later to continue a journey through Asia and Europe, I could not help feeling that this most unhistoric incident somehow captured—more eloquently than all the military briefings and embassy conferences—the troubled spirit of the American presence, for all its awesome armor . . . its hazy elusiveness of purpose and its uneasy vision of the future.

I never left Vietnam, in the political sense, on all my travel around the world, for the conflict in Southeast Asia excites the concern of all capitals and foreign offices, from Manila and Singapore to Paris and London. And with absolute unanimity, all ministers and diplomats—Asian or European leftist or rightist—privately voiced a few unvarying sentiments. All regretted the extent of U.S. involvement in Vietnam. All spoke, however, with no hint of conventional anti-Americanism: they simply voiced grave sorrow over the American dilemma. All yearned for diplomatic negotiation and U.S. withdrawal, or politically decent terms. All insisted that such terms would have to accept a major Communist role in South Vietnam's politics. And all deeply feared that both Hanoi and Peking would spurn any negotiation for the foreseeable future. As one of the highest officials in the British Foreign Office stated the matter: "To the cool eye of Peking, you have been led to commit 300,000 men to a struggle that costs China exactly nothing. If *you* were Peking, why would *you* negotiate?"

Through Southeast Asia, there await ready retorts to an American's common question: why is not the grim continuance of the war blamed more upon Communist obstinacy than American militancy? In the first place, there recurs a refusal to equate the military interventions of Hanoi and of Washington. As one quite pro-Western statesman insisted to me: "The two actions look to us very different. *They* are not just Asian: they are *Vietnamese*. And you cannot contend that the military behavior of one half of a small country toward its other half resembles closely the intervention, from 10,000 miles away, of the world's greatest military power." And in the second place, there prevails a general skepticism about U.S. promises to accept a neutralist Vietnam. As one Foreign Minister argued: "Your ambassadors and your generals keep saying that you are waging war in the holy name of 'anti-Communism.' Yet Washington keeps saying it will gladly negotiate with the Communists and accept their popular election to a Saigon government. It is hard to understand how you can sincerely hold both views. In fact, it is hard to know just what your government imagines is going to be won out of all this."

It is no easier to know the answer after an intensive look at the Vietnam scene itself.

It is a scene of almost stunning disproportions and incongruities. "Your military expansion in a country of less than 15 million," a Saigon editor wryly remarked to me, "may mean that we have witnessed right here, this last year, the most sudden population explosion in the world." The size of U.S. forces is no more striking, moreover, than their élan: from the gifted Gen. William Westmoreland down, they display poise and verve. And yet this, too, seems to have its anomalous aspect. During a full day of helicopter-hopping with Westmoreland to a string of isolated Special Forces outposts near the Cambodian border, I found one memorable instant singularly sad. It came in the form of the happy retort of the local commanding officer in the green beret after Westmoreland had asked for any proof of Viet Cong weakness in the area: "Oh, yes, sir. In recent months, we had one villager inform on Viet Cong movements. And we welcomed one deserter: a 17-year-old girl. Sir, these are encouraging signs."

It is a scene clouded, too, with all the contradictions and confusions of judgment that often have baffled the U.S. public. In Saigon, the private forecasts of U.S. diplomats and U.S. generals concur perfectly on only one point: the public forecasts on Vietnam by Washington have been absurdly optimistic. But the authoritative witnesses agree on very little else. There is no more informed U.S. diplomat in Saigon than the man who assured me one day: "We have taken the military bounce out of the Viet Cong, and one more year will dramatically reduce our casualty lists." But there is no more informed U.S. general in Saigon than the realist who warned me the next day: "There is no significant turning in sight. Probably, the planned rate of Vietnam recruitment will have to be cut back: we have asked too much of them. Certainly, the American casualty rate will stay near the same ratio for a long time: the larger the forces, the more the casualties." And all informed guesses as to when a kind of success might crown the vast American effort fall in a sweeping time span: somewhere between five years and one generation hence.

And it is a scene that quickly betrays some critical deceptions attempted by some U.S. policymakers and their propagandists. To be specific . . .

It is not possible to respect a regime under Premier Nguyen Cao Ky as concerned with democracy or competent to govern. The Premier is immature and shallow, vastly pretentious and wildly mercurial. I found him thus, throughout one of his three-hour monologues, and any responsible American in Saigon knows him to be thus. Asked to contemplate a negotiated peace with Hanoi—at *any* time, or on *any* terms—he has a flat and final way of scorning the notion: "I would rather go out and shoot myself." As for political enemies within his own borders, he views them with a giddy contempt, and he enjoys intoning a rather lethal kind of litany: "If I wish, I could destroy them all." As for U.S. politicians and U.S. publicists who have hailed Ky as a serious hope for Vietnam's future—after the tinsel drama of the Honolulu conference—they have much to answer for.

It is no more believable for the U.S. to pretend that its Vietnam policy faithfully follows the free will of the people than to pretend that its Communist foes are mere "bandits" surviving solely by "terror." Despite their public pieties, the U.S. Embassy and the U.S. military privately dread the prospect of national elections. The fear is not quixotic: who can guess how a people so scarred by war, and so impoverished in leadership, will practice sovereignty? Throughout this spring's political crisis, therefore, the U.S. pressed Ky hard to put down the Buddhists and to put off the elections. Now the next American hope rests on a grudging constitutional formula: an assembly indirectly elected, only the President chosen by popular vote and the President empowered to rule in any crisis by emergency decree.

It is utterly untrue to blame the country's political ferment on the cryptic politics or ambitions of a cabal of Buddhist monks. As falsehood always begets falsehood, this fiction is essentially the invention of those U.S. propagandists who must explain away their earlier fabrication, namely: a South Vietnam that had "turned the corner" in military security and political progress. The Buddhist protesters did not wantonly wreck this political Camelot: it never existed. And the agitations of Buddhists or students or workers are most plainly symptoms, not causes, of a half-nation in half-agony. Nor are the causes mysterious or malevolent. There has to be some war fatigue in the people. There has to be some resentment of the economic shocks caused by a foreign army of a quarter-million men. And there has to be a nagging awareness and a wearying regret—among the urban educated as well as the rural illiterate—that their present war and their future destiny no longer seem *theirs* for the waging or the winning. As one Saigon professor gently asked me: "Do you realize how long it has been since *we* made a major decision about war or peace? And if I just meekly ask you where *you* are taking *us*—can you tell me?"

I could not.

The riddle must bring at least some anguish to all caught in it. And it seems rooted in a strange anomaly. For sometimes a great modern nation has been chastised for allowing its undaring politicians to disparage or to deter the power of its undaunted military: so it was said of France in its own Vietnam struggle. But it has remained for the United States to contrive the contrary blunder: to credit its military power with a gift for the most elaborate political achievement—the making of a new and free nation.

This stays—as it has always appeared—the fatal flaw. It is a debatable theory that the Vietnam conflict has perilously overextended U.S. power *militarily*, for some U.S. presence presumably could stay impregnable for decades. But it is a demonstrable fact that U.S. policy has overextended itself with reckless extravagance *politically*. This involvement is wholly without precedent in American policy. It bears no analogy at all to the defense of Germany or Korea or Greece. For the American undertaking here—and here alone—implies an intent profoundly different from defending free nationhood and repelling aggression. Behind the military shield, it means educating a whole people to govern themselves when they have never done so. It means discovering a corps of democratic leaders where it has never existed. It means writings laws and combating poverty. It means inventing new political institutions and fostering new political parties. And far from the simple defense of free nationhood, it means arousing a sturdy sense of nationality in a people who have never been a nation.

Such a nearly delirious design would require, among many remarkable things, one luxury above all: a vast amount of time. But time is running out in Vietnam. The five years—or the generation—coveted by U.S. planners cannot be wrested from the turbulent politics or the tired people. The people's clamor, always confused and often querulous, yet carries a simple appeal: if not pacification, at least participation. But the harshly ironic truth is that the self-government of Vietnam, so revered in official American oratory, only carries menace to official American policy. For must not the deepest impulses of any Vietnamese civilian assembly soon prove to be a collective desire to show independence of the Americans and a competitive desire to appear the man or the faction most ingenious in talking the foe toward peace? Just two days before Premier Ky agreed to hold elections, I asked this question of a most authoritative spokesman for U.S. policy in Saigon. And he answered bluntly: "If any elected assembly sits in Saigon, it will be on the phone negotiating with Hanoi within one week."

The choices that now are left to the United States would appear almost tormenting.

They suggest, both politically and militarily, a set of self-locking dilemmas. If national elections are stifled, the U.S. presence must shelter behind a succession of sometimes servile, sometimes surly, military regimes. If national elections are free, the U.S. presence—while by no means sure to be instantly denounced—nonetheless instantly becomes the creature of the vagaries of Saigonese politics. If U.S. military progress stalls, Hanoi or Peking need only relax and rejoice. If U.S. military progress quickens, Hanoi or Peking need only hint a desire to negotiate with Saigon or Washington—with the sure knowledge that the hint would suffice to set each capital at odds with itself and with the other.

All the bleak choices rather inexorably dissolve, however, toward one. As a wise and sympathetic statesman of Southeast Asia stated to me: "You are going to leave Vietnam. You are not going to be routed or humiliated: your armadas and your bombers make you the greatest power in the South Pacific. But you are going to leave because the earth-bound politics of Vietnam cannot be solved by the airborne cavalry of America.

"You now have probably a last decision to make. You may try to smother all forces in Vietnam seeking compromise and peace—thus pitting them all against you. Or you may try to work *with* the best of these forces in their confused attempts at negotiation, so that the very imperfect end of it all still will allow you to leave with dignity. Your last choice, then, is clear: either you will one day withdraw because you shrewdly appear to *want* to—or because it plainly appears you *have* to. Is this really so hard a choice?"

It may not seem a hard choice in abstract logic, but it is a stern choice in American politics. It would require of Washington almost a convulsion of candor and a revolution in courage. This means the courage to concede, after all, that the present hope of history for Vietnam has never been more, in truth, than a nation dueling with Peking much as Poland duels with Moscow. It means the resolve to ignore all zealots who still shout their preposterous prescription that a little more military medicine can cure political sickness. And it means the wisdom to sense that American repute in Asia is not dignified but diminished by untiring war for the unattainable victory . . . and American honor is not tarnished but brightened when so great a power can say, with quiet assurance: we have judged poorly, fought splendidly, and survived confidently.

I can think of no other way that the leaders of the United States might match the courage of the soldiers they have dispatched.

[From the St. Louis (Mo.) Post-Dispatch, May 12, 1966]

Choice in Vietnam

Washington decisions on the course of the war in Viet Nam are now in the making, and we earnestly hope the recommendations Ambassador Lodge and Administration leaders are preparing for President Johnson will lead to rational action. To this end the alternatives will have to be set forth realistically.

It was reported last Sunday by Marquis W. Childs that the Capital sees Mr. Johnson as facing a crisis of decision—basically between deploying 500,000 to 600,000 American troops in South Viet Nam, and directing the bombing of Hanoi and Haiphong and the access routes involving Laos, Cambodia and the China-North Viet Nam border, each course being risky and uncertain.

If these should be the alternatives (and we do not believe they are) the decision has been made to escalate the war and Mr. Johnson has to decide only how it should be done. In this view Mr. Johnson is depicted as choosing not between the hawks and the doves, but between two groups of hawks. The doves are not in the picture at all.

The argument is made that the President feels his critics should support his course of "moderation" to strengthen his hand against those who want an all-out war. There is something to this, but we would hold it more valid if Mr. Johnson took steps to strengthen his own hand. He knows something about the marshaling of public opinion, yet he has done little or nothing to bring public pressure against the hawks. Quite the contrary.

It is false and dangerous to see the choice as lying among various forms of escalation. The choice is clearly between escalation and a holding action leading to a negotiated peace. It is simply unthinkable that the mightiest nation has no control over its destiny. It may be true that, as Arthur Schlesinger Jr. suggests, the President lacks self-confidence in dealing with his foreign-policy advisers.

Yet there is a great deal that he could do to alter the terms of the decision-making process. He could send Mr. Lodge back to Saigon with instructions to make a vigorous and publicized effort to assure free Viet Namese elections promptly. He could sincerely, and repeatedly, commend such men as Senators FULBRIGHT, MORSE, GRUENING and MANSFIELD for trying to inform the American people of what really is at stake in Indochina and what the real alternatives are. He could encourage others to speak out.

If Mr. Johnson would do this, and we are confident he knows how to do it, we think he could bring about a change in atmosphere that would greatly fortify his position against the hawks, and greatly strengthen him in the pursuit of the objectives he enunciates but does not seek in practice.

He had a fine opportunity in the speech he delivered at Princeton University Wednesday. But he did not take advantage of it. He defended his Viet Namese policy as one of restraint, not arrogance, and in effect stated that his critics were guided by emotionalism and a lack of knowledge of the realities the President must deal with.

We do not see any vague intellectualism or fuzzy concepts in the views of Mr. FULBRIGHT, the chairman of the Senate Foreign Relations Committee. They are as practical as Arkansas from whence he comes. The policies he advocates would bring sanity to the whole Viet Nam situation; those the Administration is following lead toward disaster.

This is the real framework of the alternatives open to Mr. Johnson.

[From the St. Louis (Mo.) Post-Dispatch, May 9, 1966]

Ky Tips His Hand

If the United States has any hope of creating a stable government in South Viet Nam it ought to be mounting a strong offensive in behalf of free elections to choose a civilian regime. If anything is being done in this direction we do not know what it is. On the contrary, our man in Saigon, Premier Ky, is boasting he will stay in power another year, at least.

Premier Ky has become a dreadful liability and the United States ought to be helping the Viet Namese get rid of him. The press conference he held at Can Tho on Saturday was like a scene from Batman. He was wearing a bright yellow flying suit and swigging bourbon whisky out of a paper cup. It is incredible that the United States has embraced this person.

But that is not the worst of Premier Ky. When the Viet Namese dissidents had him on the ropes a few weeks ago he issued a decree promising national elections for within three to five months from last April 14; the general expectation was that the date would be in mid-August.

Now Ky says the time has been moved back to a period between Sept. 15 and Oct. 1 for balloting to choose an assembly charged with drafting a constitution. Then there will have to be another vote to elect a legislative assembly, which will appoint a civilian government, he asserts. And all this will take a year, during which Premier Ky will remain "in power."

Ky's statement produced the ludicrous spectacle of the Saigon government censoring his remarks to prevent the people from finding out what he said, and the American Secretary of State claiming he did not say it.

Whether the Buddhists and other opponents of the United States-backed military junta will consider this a breach of faith, remains to be seen. But what is worse is that Ky reveals he has no conception of what the election is all about. If the elected government is Communist or neutralist "I and my friends will fight it," he says.

This juvenile arrogance was displayed in the presence of the acting United States Ambassador, William J. Porter, who must have been embarrassed. It rang particularly false in that Ky's government is actually dead; the shell survives only because Ky was forced to agree to elections. And now he says he won't abide by the results if he doesn't like them.

"I expect to stay in power for at least another year, there is no doubt about that," Ky says. We believe he is a profound optimist. We do not think the Viet Namese will wait another year. The Americans cannot very well dump him but they can devote a great deal more energy to preparing for a vote. Isn't that part of the democracy we are supposed to be bringing to Viet Nam?

Let the voters take care of Gen. Ky—and soon.

[From the St. Louis (Mo.) Post-Dispatch, May 9, 1966]

Less Arrogance, Less Agony

President Johnson's estrangement from the intellectual community is not likely to be repaired by his address at Princeton University. It was among other things an appeal for sympathy with those who, like himself, must exercise power in the world. But sympathy has never been lacking. The President's critics in intellectual circles fully understand the agony of decision and all that; they do not question his motives. They do question some of the assumptions of our Government's foreign policy, some of the purposes for which our admittedly inescapable power are used, the growing divergence between what we do and what we say we are doing.

It was interesting that the President indirectly chided his academic critics for "strident emotionalism . . . disguised in the language of wisdom." Intellectuals, it should be agreed, sometimes get carried away by their feelings, like anybody else. When they depart from the path of reason, they deserve rebuke. Yet we know of no more conspicuous example of strident emotionalism than the President's own tendency, in common with Dean Rusk, to identify American intervention in an anti-colonial Asian revolution with the defense of Europe against Hitler's aggressions. This is bringing a "purist approach to a highly impure problem" with a venegeance.

Mr. Johnson appears to have persuaded himself that those who advocate a new policy in Asia somehow do not cherish freedom there as they cherish it in Europe. What will history say, he asks, if we shirk the "obligations of power" that have been thrust upon us now as they were in the '30s? Those who oppose an endlessly expanding war in Asia love freedom as much as he does. They just do not agree that it is freedom we are fighting for when we employ massive power, first economic and then military, for the purpose of destroying an internationally sanctioned settlement of an anti-colonial war.

They do not agree that we liberate South Viet Nam when under the sanctions of war we invite the people to "choose" any government so long as it is an anti-Communist government. Nor do they agree that it is a limited objective to establish an open-ended military position on the Asian mainland under the guise of protecting a "nation" of our own invention, which cannot survive except under permanent military protection from permanent bases we keep saying we do not want. As the thin crescent of the new moon looks quite different from the full moon, so it is possible to depict the Viet Nam war as a response to "aggression" by confining attention to the recent period of Hanoi's intervention. History will insist upon looking at the whole record—at the full moon instead of its minor phases. From that perspective the United States will be seen not as heroically rescuing a "small, striving nation" but as interposing its own power in a civil war for the purpose of the military containment of China. Hanoi's intervention will be seen as a response to ours, and the people of South Viet Nam as the tragic victims of alien national conflict.

If there were a true parallel between Viet Nam and the war against Hitler, the "aggression" against which the President summons us to war would be clearly defined as such by the court of world opinion, as it was in Europe 30 years ago. No such international verdict can be obtained, and it is an arrogance of power indeed to substitute our own *ex parte* judgment for the world's. The international community does not support the war we say we are fighting in its behalf; it would, however, support with unreserved enthusiasm an American decision to adopt new Asian objectives which would make a political settlement in Viet Nam possible. And so, we believe, would the American people.

Those new objectives would not represent a withdrawal of strength, which the President at Princeton indicated to be the only alternative to his present course. Rather they would represent a change in the way we exert our strength. Instead of seeking a national military lodgment on the mainland, we would seek a militarily neutral Southeast Asia as contemplated by the Geneva agreements. Instead of trying to contain China with our own military power at the end of a long supply line, we would rely on strengthening the indigenous forces of Asian nationalism. Instead of waging an ideological crusade against Communism, we would accept the necessity to live in a diverse world with Communism of all varieties. Instead of expending blood and treasure to establish mainland bases for a future war with China, we would renounce the very thought of such a war, relying for defense on our massive nuclear power and the panoply of positions which make the Pacific an American lake.

In such a policy, we would find not only less arrogance of power, but less agony.

[From the San Francisco (Calif.) Chronicle, May 22, 1966]

JOHNSON BLASTS 'NERVOUS NELLIES'

In his latest call to the American people to unite behind the Administration for the prosecution of the Vietnam war, President Johnson's apparent motive is to isolate and muffle criticism and thus to build a consensus of faith and trust in his leadership.

He asks people to ask themselves if every candidate in the elections now coming up "is helping the cause of his country" or his own cause. "Is he trying to draw us together and unite our land, or is he trying to pull us apart to promote himself?"

On its face, this is not a direct attack on Senators FULBRIGHT, MORSE, CHURCH, CLARK, and numerous other critics in the Senate who have been outspoken in their concern over the trend of Vietnam policy. But it leaves no other inference than that he meant to include these men among the "nervous Nellies" who, he says, are failing to put their country first.

Any who call in question the direction we are going, who raise doubts about the integrity of the South Vietnamese regime, who express concern about the pace at which we are stepping up air attacks on North Vietnam are, by the President's implication, turning on "their own leaders, their own country and their own fighting men."

By putting the crisis in these either/or terms, the President is, to say the least, asking for a great deal of loyal belief in his infallibility.

The same day Mr. Johnson was speaking in Chicago the Secretary of State stated in Washington that the situation in South Vietnam was causing "restiveness" among the American people (this mild word can only be called an understatement). Reading on in the day's news from Saigon, one learns that in the view of a U.S. official there we are "really hanging on the edge of a precipice" and that what Premier Ky has already done "may be irreparable" and that if it is, we are witnessing "the greatest possible disaster—a complete disintegration."

In the face of events of this magnitude, one could hope for a more candid and pragmatic discussion of where we are and where we may be headed than one finds in the optative appeal of President Johnson to join hands and trust ourselves to God's hands.

It isn't that he is to blame for the political brink of disaster to which all have been carried by the clique of headstrong generals who run Vietnam. It isn't that one doubts his earnest wish to get the job over with at the least cost in lives. President Johnson has a terrible and unsharable burden. But we do not think Senator FULBRIGHT or anyone else can justly be requested, in the national interest, to mute his criticism.

Every day's accounts of the Vietnam crisis cry out for the kind of debate and discussion they are getting in the Senate, if not in the White House. The President's disparagement of criticism and of the patriotism of those from whom it comes is utterly out of place.

[From the Kansas City Star, May 17, 1966]

UNITED STATES FINDS ITSELF BOXED INTO VIETNAM CRISIS

The helplessness of the United States either to guide or influence the course of events in South Vietnam once more has been demonstrated. The volatile Premier Nguyen Cao Ky apparently took his American associates entirely by surprise in ordering 2,500 of his best troops into action against dissident—but basically non-Communist—Buddhist elements in the central highlands district.

Ky struck at a time when the chief U.S. representative in Saigon, Ambassador Henry Cabot Lodge, was in Washington for consultations. Allowing for oversimplification, it was a case of the tough guy-premier taking matters unto himself when he figured that he was most likely to get away with it. Considering the resourcefulness of his Buddhist opponents, however, Ky may have overplayed his hand. A plunge into actual civil war between non-Communist Vietnamese is not inconceivable.

The strongman premier has the tanks, planes and weapons—all courtesy of his American supporters—to slaughter rebels in his own army and the civilians affiliated with them. But the Buddhists are capable of employing self-immolation and street agitation to bring down a regime even more firmly entrenched than Ky's. The political priests proved that by toppling the Diem government in the fall of 1963.

U.S. officials had hoped the disorder and bloodshed that accompanied Diem's downfall could be avoided during a scheduled transition from military to civilian rule. Until Ky's smash into the coastal city of Da Nang last weekend, a peaceful change of power appeared at least possible. Now it seems all but certain that Ky's power play will generate further violence and turmoil.

The explanation that a state of anarchy in the Da Nang-Hue area had to be suppressed is not convincing. But it is the official line of the 10-man Saigon junta which Ky serves as the trigger finger. Now Ky's crackdown on the country's second largest city may have thrown into disarray a timetable for shifting to popular rule. The schedule was to have produced a constituent assembly in September, followed by the drafting of a constitution and then a second election for a legislative assembly.

This latest in the long procession of Vietnamese crises is extremely unfortunate for several reasons. Ky himself has been generally effective as a national leader. His administration has permitted the greatest degree of free expression that Vietnam has known in modern times. Moreover, definite progress was observable both in fighting the enemy and in strengthening the nation's economy and social structure.

But now the hopes for advancing toward a measure of national unity have been severely diminished. The heightened unrest will likely undercut the over-all authority of the Saigon government. And the Communists will feed on the confusion, as they have done previously amid turbulence. For the United States there is the sharpened anguish from deep involvement of American interests and prestige but with virtually no direction over the tumult of large events in South Vietnam.

[From the Manchester Guardian, Apr. 28, 1966]

AMERICANS EDUCATE THEIR GOVERNMENT ON VIETNAM

North Vietnamese leaders have frequently been accused of overestimating the effectiveness of opposition in the United States to the American commitment in the war in Vietnam—and with justice, if we may believe the accounts of visitors to Hanoi like Mr. James Cameron. The latest Gallup poll suggests that 54 per cent of Americans still approve of the way in which President Johnson is handling the situation. But a more significant figure is that over 30 per cent disapprove, and the views of these dissenters can no longer, as they once could, be written off as politically insignificant among the numerous factors that go to mould American policy. The dissenters have gained a new respectability; it is no longer unpatriotic to oppose the war. Congressmen, during visits to their home territory over the Easter recess, are said to have been impressed by the lack of enthusiasm among those who they hope will be voting them back in November, although many doubters, it is true, want the war to be ended by still more vigorous prosecution of it.

Perhaps it is not surprising that the war should be the more opposed the better it becomes known. With nearly a quarter of a million American troops involved it can no longer be overlooked among other preoccupations; nor can its continual failure to run its course according to the plans of the Administration. If President Johnson, Mr. McNamara, and Mr. Rusk are always being shown by events to have got things wrong, it is inevitable that more attention will be paid to the analysis of their critics. And alongside the education provided by the news headlines day by day, the critics themselves have become more effective. A turning point came with the hearing this year of the Senate Foreign Relations Committee earlier this year, but it is fitting that Senator FULBRIGHT, the hero of those encounters, should have paid tribute last week to those who pioneered the struggle when nobody else was interested. "It is only when the Congress fails to challenge the executive," he said, "when politicians join in a spurious consensus behind controversial policies, that the campuses and streets and public squares of America are likely to become the forums of a direct and disorderly democracy."

And these protestors have had their successes—not only in opening up the subject for national debate but also, after all, in direct contributions to American policy. Consider how much has changed in just over a year. At the beginning of 1965 Washington deplored suggestions that it should end the war by negotiations; now it constantly proclaims its desire to do so. Then it made clear its dislike of the Geneva agreements; now it claims to support them. It will accept, it says, the verdict of the elections even if they result in a neutralist Government; it will talk with Vietcong representatives if they form part of a Hanoi delegation; now it even seems to be hinting that it would take part in talks in which they were independent "essential elements" from South Vietnam.

It is true that at the same time the war has been enlarged to a pitch of horror that was equally inconceivable then; it is true, too, that the United States domestic opposition cannot take sole credit for the more concilitary language that Administration spokesmen use. This language has been largely dictated by events, partly by the failure of foreign Governments to give the United States the support to which it feels it is entitled. (Partly also by Mr. Wilson's midnight telephone calls?) But the present state of public opinion in the United States does seem to provide fresh evidence that voices crying in the wilderness may eventually be heard, provided that events prove that they have been crying the right things.

[From the Eugene (Oreg.) Register-Guard, May 19, 1966]

A Pattern Begins To Emerge (An Analysis): Events in Vietnam Continually Mock U.S. Predictions

(By William S. Ryan)

How accurate have United States leaders been in assessing developments and prospects in embattled, tumultuous South Vietnam?

A recapitulation of some of their less lucky statements about a frustrating war in a frustrating country suggests that a pattern has been repeating itself over and over with deadly regularity.

Events mock the assessments, the predictions and the sometimes guarded optimism of harassed United States Administration leaders.

Absence of an ambassador from his post in Saigon can be almost a signal for some new and shocking development. A United States strategy conference in Honolulu can be transformed into an omen of Saigon turmoil to come.

Time after time Washington expresses surprise at a sudden stormy development in Saigon's politics. Now, once again, Washington is surprised as it looks at a new crisis, this one evoking echoes of the 1963 turmoil which brought down the regime of President Ngo Dinh Diem.

Only a week ago, Secretary of State Dean Rusk remarked to the Senate Foreign Relations Committee that "some interpretations may have been overdrawn" in the reporting of a statement by Premier Nguyen Cao Ky.

Ky, discussing prospective South Vietnam elections, said it would take at least a year to prepare orderly transition to civilian rule and he expected to remain in power that long. Rusk said Ky was "not going to try to stand in the way of the constitutional and electoral process."

A few days later Ky himself left little room for misinterpretation. Washington received another in a long series of Vietnam jolts when Ky sent Government troops into Da Nang to seize that strategic port city from his political foes.

Ky's action immediately ignited the anger of the politically powerful Buddhists—the same Buddhists who brought down the Diem regime in November, 1963. Fears were expressed of civil war in a nation already tormented by a frustrating war with Communist guerrillas.

The current upheaval came while Ambassador Henry Cabot Lodge was in Washington for consultations. This pattern is familiar, too.

In the summer of 1963, the fateful Buddhist crisis built up during the vacation of Ambassador Frederick Nolting.

The crisis was at a high temperature when he returned. Before his departure, with Lodge about to succeed him, Nolting made a prediction:

"Victory over the Viet Cong in my judgment is well on its way in Vietnam, provided only that unity of purpose and perseverance in action are not weakened by internal dissension."

The internal dissension was already there and burning furiously.

In his one year as ambassador, July 1964 to June 1965, Gen. Maxwell D. Taylor left Saigon for Washington four times. During three of those absences there were political upheavals in Saigon. Only once did Taylor return to find in office the same men who were there when he left.

Administration figures, such as Defense Secretary Robert S. McNamara and Rusk have been frequently unlucky with assessments and predictions regarding the Vietnam war. United States military men, too, frequently were confounded by the frustrating way events developed in Vietnam.

In 1962, military men in Vietnam were expressing the opinion that the way to win the war was to kill more and more Viet Cong. But they found that the more Viet Cong were killed, the more there were.

In 1962, the hard-core main force of guerrillas was estimated at 20,000. The main force is now estimated at 60,000 and overall Viet Cong strength at 203,000, exclusive of 30,000 North Vietnam regulars said to have poured into the South since early 1965. And there still is a big pool in the North.

Perhaps the least lucky with predictions and assessments has been McNamara.

In September, 1963, McNamara and Taylor visited Vietnam. They reported to President John F. Kennedy "their judgment that the major part of the United States military task can be completed by the end of 1965" and that the need for major United States involvement would end then.

Two months later a military coup brought down the Diem regime.

Rusk and McNamara went to Honolulu for a crisis conference, and total support was expressed for the new top man, Maj. Gen. Duong Van Minh.

At the end of 1963, McNamara expressed optimism about prospects for 1964, noting that the rate of Communist attacks had "declined dramatically." On Jan. 27, 1964, he noted that Minh's government "has considerably more popular support than its predecessor and the military revolutionary committee is beginning to take action to intensify military operations and improve civil administration."

Three days later, Minh was evicted by a coup and Maj. Gen. Nguyen Khanh was in. Minh had been going downhill all along.

And the fact of 1964 was that Communist attacks, rather than declining, increased in intensity.

A few days later McNamara said he and President Johnson were delighted with General Khanh's plans to step up the war. On Feb. 18 he said, "The United States will pull out most troops by 1965, even if the anti-Communist drive falters" in Vietnam. Keeping all American troops in South Vietnam, he said, "would be a waste of our personnel."

What if the South Vietnamese effort should cave in?

"I don't believe that pouring in hundreds of thousands of troops is the solution," said McNamara. He said the Administration had no plans to do so.

Today there are 255,000 United States troops in Vietnam.

After a visit to Saigon in March, 1964, McNamara remarked: "I think General Khanh has got it now. I was most impressed with their pacification program and now all we have to do is help administer it." The pacification program had difficulty getting off the ground.

McNamara, who had made many public demonstrations of support for Khanh in South Vietnam, was back there again in May, 1964, with Taylor, and the two reported "excellent progress."

The Secretary did say, however, it might be necessary to send more United States troops on training missions and to reconsider plans for withdrawal of most of the 15,000-man force by the end of 1965. Now he said it would be a "long, hard war." In less than three months, a major United States buildup was in progress.

In June, 1964, Administration representatives consulted in Honolulu on the Vietnam situation. Lodge left Saigon to campaign in Presidential primaries and Taylor took his place. And a storm was brewing.

Suddenly Khanh, under heavy political pressure, announced he was stepping out as premier. A civilian became premier, and Saigon floundered for a while under civilian rule sponsored by the military. Khanh remained in the background, feuding, incidentally, with Taylor.

This—August, 1964—was the month of "escalation." Communist gunboats attacked United States warships in the Tonkin Gulf, and the Americans retaliated with air strikes against the gunboats' bases in North Vietnam.

In July, 1965, McNamara was back in South Vietnam, now under Ky's rule after a bewildering series of coups and political maneuvers. He noted a deterioration in the situation since he had last been there 14 months before. But in November, 1965, ending yet another visit, he said his most dramatic impression was that "We have stopped losing the war."

Last week, McNamara conceded that political turmoil in South Vietnam cut United States military effectiveness, but he predicted "that will terminate shortly."

Then South Vietnam blew up again.

Early this year President Johnson traveled to Honolulu and gave his personal endorsement to Ky and the chief of state, Lieut. Gen. Nguyen Van Thieu, as young leaders determined that a social revolution should not wait until the guns went silent. He said, "The leaders of both governments are determined that we shall move forward."

There are some who say now that the Honolulu meeting was a mistake, indeed a political blunder. It foretokened new political trouble in South Vietnam.

Some commentators pointed out that the display of United States patronage for Ky offended feelings of national sovereignty and dignity in South Vietnam. And Ky appeared to be emboldened by the meeting to take a firm stand against a military rival in the 1st Corps area—the scene of the latest big explosion.

[From Diplomat, June 1966]

Our Vietnamese Commitment

(By Henry Steele Commager)

As the war in Vietnam has escalated, so too has the American commitment. The term commitment, almost unknown in earlier discussions or statement, emerged only with this administration, and it has swiftly taken on an almost mystical character. President Johnson has asserted that our commitment is a moral one, which deeply involves our "national honor," and Secretary Rusk has given us authoritative assurance that it is a binding legal commitment as well. Interestingly, "commitment" has escalated not only forwards but backwards. Though the term was not used during the Eisenhower administration, President Johnson has conferred upon it retroactive authority. "Our commitment," he said, "is just the same as the commitment made by President Eisenhower in 1954."

Let us then consider the nature and the obligation of this commitment. It is not a doctrinaire or an academic consideration, any more than questions of due process are doctrinaire in the search for justice. Furthermore, it is an issue which may determine the attitude of our seven associates in the SEATO Defense Treaty and, far more important, of the uncommitted members of the United Nations.

Now the odd thing about this commitment in South Vietnam is its elusiveness: it has a quicksilver character about it. Those who insist upon it are quite dogmatic, but one is never quite sure what it is. And no wonder, for it never seems to stay the same from one crisis to another—scarcely even from one speech to another. Originally it was President Eisenhower's letter to Diem of October 25, 1954; then it was Paragraph 2 of Chapter IV of the SEATO Defense Treaty; then it was the Tonkin Gulf Resolution of 1964. Most recently, under prodding from the Senate Foreign Relations Committee, Secretary Rusk has gone back to the SEATO Treaty, but has now jettisoned Paragraph 2, and substituted for it Paragraph 1—for all the world as if we had always relied upon that particular provision. It is worth noting during all this discussion of obligation and commitment that no one—no one in the State Department anyway—seems to have given any consideration to our obligations and commitments under the U.N. Charter.

Let us take a close look at some of these "commitments."

First, then, the Eisenhower letter of October 1954—the commitment upon which President Johnson so confidently relied in his speech of June 2, 1964. . . . What did it say? It said four things. First, that "we have been exploring ways and means to permit our aid to Vietnam to be more effective . . . I am instructing the American Ambassador . . . to examine . . . hold an intelligent program of American aid . . . can serve to assist." Second, it said that "the purpose of this offer is to assist the government of Vietnam in developing and maintaining a strong, viable state, capable of resisting attempted subversion or aggression through military means." Third, it pointed out that "the United States expects that this aid will be met by performance on the part of the government of Vietnam in undertaking needed reforms." And fourth, it hoped that "such aid . . . will contribute effectively towards an independent Vietnam endowed with a strong government."

Clearly this is not a commitment at all. It is a proposal for an "inquiry," for a "critical examination," into the possibilities of aid, and this only on certain conditions—conditions which, it is proper to add, were not met.

President Eisenhower himself did not regard his letter to Diem as a commitment. He did not permit the United States to get involved militarily with South Vietnam. Even his aid program was predominantly non-military, and as for military aid, the total American corps of "advisers"—and they were really advisers—was less than 1,000 when he left office. To this day Mr. Eisenhower refuses to admit that he made any "commitment" to send fighting forces to Vietnam, and it is out of respect for his position that the State Department has now decided to abandon this much-abused letter as the primary sanction for our current commitment.

It is proper to add here a marginal comment. Even had President Eisenhower intended his letter to be a kind of commitment, it would have had no binding force; the President cannot, by private letter, commit the United States to war or quasi-war.

The second basis for our commitment is the SEATO Defense Treaty of 1954. This, indeed, has now emerged as the preferred legal authority upon which Secretary Rusk is prepared to rest his case. It is a shaky authority.

What does it say?

Note that it begins by "reiterating . . . faith in the purposes and principles set forth in the Charter of the United Nations." And it adds that:

> *The parties undertake, as set forth in the Charter of the United Nations, to settle any international disputes in which they may be involved by peaceful means . . . and to refrain, in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations.*

But now we come to the heart of the matter, only to discover that there are two hearts and that they are, apparently, interchangeable. They are the two parts of Article IV. The first paragraph asserts that "aggression" against any of the parties to the treaty or against any territory which the parties designate, would endanger peace, and pledges the signatories "to meet the common danger in accordance with its constitutional processes." It also provides that whatever measures are taken "shall be immediately reported to the Security Council." The second paragraph addresses itself to the problem of "subversion." If the integrity of the territory which we undertake to protect "is threatened in any way other than by armed attack or is affected or threatened by any fact or situation which might endanger the peace" of the area, then the signatories of the treaty shall "consult" and agree on measures for the common defense.

Until recently, we have, in fact, sought to justify our intervention in Vietnam under this paragraph which deals with subversion rather than aggression. The difficulty here is that Paragraph 2 calls specifically for collective consultation, and that this was clearly understood at the time the treaty was adopted. So said Secretary Dulles, who ought to have known, as he drew it up. In reply to a question from Senator Green about the nature of the American obligation to put down subversion or insurrection, the Secretary explained that "if there is a revolutionary movement in Vietnam or Thailand, we (the SEATO members) would consult together as to what to do about it, because . . . a subversive movement that was in fact propagated by Communism would be a very great threat to us. But we have no understanding to put it down; all we have is an undertaking to consult together as to what to do about it." Senator George of the Foreign Relations Committee asserted succinctly that "The treaty does not call for automatic action; it calls for consultation. I cannot emphasize too strongly that we have no obligation . . . to take positive measures of any kind. All that we are obligated to do is consult together." The requirement of collective action was then slightly modified two years ago to permit one party to act if there was no dissenting vote. But, at the last two meetings of the SEATO Council, France threatened to veto any action by the United States, so we have not brought the matter up at all.

Now, however, Secretary Rusk has shifted his, and our, position to the first paragraph of the much disputed Article IV. It is asserted, we face not subversion but overt aggression, and are therefore authorized to act unilaterally. But this paragraph, too, is fraught with difficulties. There is first the problem of "aggression." As Vietnam is one nation, not two—that is specifically provided for in the Geneva Agreements and validated by eight hundred years of history—it is by no means clear that "infiltration" of anywhere from 20,000 to 30,000 Vietnamese into the South constitutes "aggression." This point was made by George Kennan in his testimony on our Vietnamese involvement to the Foreign Relations Committee of the Senate:

> *I think the use of the word "aggression" with what we are facing today in Vietnam is confusing . . . . The border between North and South Vietnam is of a curious quality. It was not meant originally to be the border between states. This is, of course, in part, the invasion of one country, if one wants to describe it that way, by forces of another country, although all of these things involve stretching of terms. But it is also a civil conflict within South Vietnam . . . . I do not think we can afford to delude ourselves that the Viet Cong are simply an external force . . . .*

Furthermore, there are seven other signatories to the SEATO Treaty. If what we face is clearly a case of aggression, why is it that of the seven signatories, only Australia has responded in any way, and that by what is merely a token force? If our "honor" is involved, as President Johnson and Secretary Rusk assert, why is not the honor of the other SEATO nations equally involved? The answer, of course, is that these other signatories do not, in fact, recognize the "aggression."

But we are not yet through with the SEATO Treaty, for it contains two other articles that are relevant to our inquiry. One (Article IV, 1) requires that "measures taken [to repel aggression] shall be immediately reported to the Security Council." This we have conspicuously failed to do; our belated action of January, 1966, is scarcely retroactive and it was, in any event, not a report on our own actions, but a complaint of Vietnamese aggression. A second provision of the treaty (Article VI) reads:

> *This treaty does not affect and shall not be interpreted as affecting in any way the rights and obligations of any of the parties under the Charter of the United Nations for the maintenance of international peace and security.*

It is the term "obligations" that commands our attention. The American Bar Association has now asserted that Article 52 of the United Nations Charter, which recognizes "regional agreements," authorizes our Vietnam intervention. Article 52 does indeed authorize "regional agreements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action." But there are two important qualifications. The first is that such activities be "consistent with the purposes and principles of the United Nations." The second, and more important, is set forth in Article 53. "The Security Council shall utilize such regional arrangements for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council." [Emphasis added.]

There is one more string to Secretary Rusk's bow: the Tonkin Gulf Resolution of August 10, 1964. This is another of those things which have escalated rapidly in the past two years; indeed this resolution has grown to such dimensions that some of its Congressional parents no longer recognize it.

The Tonkin Gulf Resolution was passed without debate, as a gesture of support to President Johnson, after the North Vietnamese had fired torpedoes (without effect) at two United States destroyers escorting South Vietnamese ships in the Tonkin Gulf. It pledged support to the President, as Commander-in-Chief, to "take all necessary measures to repel any armed attack against the forces of the United States, and to prevent further aggression."

Here, according to Secretary Rusk and his supporters, is the crux of the matter. By firing at our destroyers in the Tonkin Gulf, the North Vietnamese committed an act of aggression. But was it in fact an act of aggression? Were our destroyers in "international waters"? They were, apparently, within eleven miles of the shore, and Vietnam—like other nations—claimed that her waters extended twelve miles into the seas.

Was the fact that the American destroyers were escorting South Vietnamese ships which had engaged in shelling North Vietnamese islands immaterial? A colloquy between Senator Gaylord Nelson of Wisconsin and Senator J. William Fulbright of Arkansas on this matter is relevant:

> Senator Fulbright: It was testified that they went in at least eleven miles in order to show that we do not recognize a twelve-mile limit which I believe North Vietnam has asserted.
>
> Senator Nelson. *The patrolling was for the purpose of demonstrating to the North Vietnamese that we did not recognize a twelve-mile limit?*
>
> Senator Fulbright. *That was one reason given. . . .*
>
> Senator Nelson. *It would be mighty risky if Cuban PT boats were firing on Florida, for Russian armed ships or destroyers to be patrolling between us and Cuba, eleven miles out.*

The act of aggression was, in any event, determined to be such unilaterally by the United States, though when, a few months earlier, Britain had "retaliated" against Yemen by firing on a fort at Harib, Ambassador Stevenson had denounced the action and the General Assembly had passed a resolution condemning "reprisals as incompatible with the purposes and principles of the United Nations."

One might conclude that whatever "aggression" occurred in the Tonkin Gulf was mutual, and that to invoke that act of aggression against our destroyers as the legal basis for sending over 200,000 men to Vietnam and flying 300 sorties a day, is stretching things pretty far.

It is relevant, too, that when the Russians moved into Cuba with their missiles, we chose to regard that as an act of aggression and prepared to retaliate. Learned international lawyers such as Eustace Seligman have defended our position. But if Russian missile installations constituted, in themselves, and without any overt act, an act of aggression, what is to be said of the American intervention in Vietnam even before the Tonkin Gulf incident—the presence of the Seventh Fleet, the 20,000 combat troops, the massive military aid to the South Vietnamese? Aggression for aggression, surely a disinterested observer might conclude that the North Vietnamese had as strong a case against the United States as the United States had against North Vietnam.

Support for this view comes from the report of the International Control Commission of June 2, 1962—two full years before Tonkin Gulf. The report, which condemned North Vietnamese aggression against the South, condemned, at the same time, United States intervention in Vietnam:

> *Taking all the facts into consideration* [said the commission] *and basing itself on its own observation and authorized statements made in the United States of America and the Republic of Vietnam, the committee concludes that the Republic of Vietnam has violated Articles 16 and 17 of the Geneva Agreement in receiving the increased military aid from the United States. . . . The commission is also of the view that though there may not be any formal military alliance between the governments of the United States and the Republic of Vietnam, the establishment of a U.S. Military Assistance Command in South Vietnam as well as the introduction of military personnel beyond the stated strength of the Military Assistance Advisory Group, amounts to a factual military alliance which is prohibited under Article 19 of the Geneva Agreement.*

Note that this was not a Communist-inspired report, and that it was signed by the representatives of two "free" nations, Canada and India.

We are not quite through with the Tonkin Gulf Resolution: it is, after all, the "hawks" who force it on our attention. Section 2 of that resolution provided that:

> *Consonant with the Constitution of the United States and the Charter of the United Nations, and in accordance with the obligations under the SEATO Treaty, the United States is prepared . . . to take all necessary steps.*

If the Tonkin Gulf affair was a clear case of aggression, why is it that the other members of SEATO have not rallied to our support, as is required by the treaty? If it was a clear case of aggression, why is it that we did not choose to follow the procedure laid down by the charter and submit it to the United Nations?

"We must honor our commitments," said President Johnson, and that sentiment has been echoed and re-echoed in the debate over Vietnam. But we have commitments to the United Nations, commitments which legally and morally take precedence over any we may have to Vietnam. Let us contemplate these commitments.

First, the charter obligates the United States, and all signatories, "to settle their international disputes by peaceful means." "Parties to any dispute," so reads Article 33, "shall first of all seek a solution by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies, or any other peaceful means." That is, to be sure, what we are trying to do now, two years later. Second, the charter provides that "all members shall refrain, in their international relations, from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations." And Article 39 provides that "the Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression, and shall make recommendations, or decide what measures shall be taken . . . to maintain or restore international peace and security."

These words are simple and unambiguous. If their meaning needs to be clarified, we cannot do better than to recall President Eisenhower's denunciation of the military action taken against Egypt by Britain, France, and Israel at the time of the Suez crisis. Granted, said Eisenhower, that the provocations were "grave and repeated," nevertheless "the use of military force to solve international disputes could not be reconciled with the principles of the United Nations to which we had all subscribed." And Secretary Dulles in rejecting a Soviet proposal for a joint peace-keeping force in the Middle East as "unthinkable" pointed out that:

> *Any intervention by the United States or any other action except by a duly constituted United Nations peace force, would be counter to everything the . . . United Nations were charged by the charter to do.*

And President Eisenhower added, even more categorically, that "The United Nations *is alone* charged with the responsibility of securing the peace in the Middle East and throughout the world."

It is unnecessary to belabor the point that the Charter of the United Nations—like all treaties made under the authority of the United States—is the law of the land. Every President, every Congressman, is bound to observe that law. No President can set it aside by a letter; no Congress can set it aside by a joint resolution; and it will not be alleged that it was set aside by that SEATO treaty which explicitly recognizes its own subordination to the charter.

What, then, is our commitment to Vietnam?

We do not appear to be committed either by the Eisenhower letter of 1954, or by the SEATO Treaty, or by the Tonkin Gulf Resolution. Our commitment seems to consist of two things: first, there are repeated and ever more emphatic assertions by the President, and the Secretaries of State and Defense, assertions which have in themselves no binding authority. Second, there is the factual commitment. We are there, whether we like it or not, whether we should be there or not. This is not the kind of argument that can be entertained in a court of law, or in an international tribunal. If President Johnson, Secretary Rusk, and their supporters want to vindicate our presence in Vietnam on the ground of power, they are of course free to do so. But that has not been our position in the past.

[From the Auburn (Wash.) Citizen, Jan. 19, 1966]

AUBURN MAN TERMS VIETNAM WAR ORGANIZED MADNESS

(By Robert Johnson)

This past week a young Auburn man has returned from the fighting in Vietnam, bringing with him a tale that contradicts much of the official publicity and political pronouncements about our fighting there.

Perhaps no "war" in American history is fraught with so many contradictions as this one, which is still not a legally declared war, since the president is acting without the legal sanctions of Congress in sending 200,000 American men into action there.

"It's like organized madness," said Dave St. Pierre, 24, a returned Auburn man who drove a truck there for the U.S. Army. "There's so much politics involved over there, you just don't know what to believe."

Drafted in 1964, St. Pierre was stationed at Qui Nhon for five months, trucking supplies from where the landing barges dumped them on the beach to as much as 150 miles into the interior to the fighting areas.

The day St. Pierre arrived at Qui Nhon, three Vietnamese, perhaps from the North, perhaps from the South, were hanging from a tree where he was stationed. No one really knew who they were, for they were only suspects turned over to the South Vietnamese soldiers for execution without a trial. They were turned over to this fate by the American military authorities, perhaps as an exercise in Democratic justice.

Among the contradictions that St. Pierre noted were the following:

1) President Lyndon Johnson and Robert McNamara have set themselves up as dictators in Vietnam.

2) Puppet premier Nguyen Ky is regarded by American soldiers and the Vietnamese as "some kind of joke."

3) Though there is much talk about ending the war, authorities in Washington, D.C. have just released estimates that the war is going to cost American taxpayers $10.5 billion dollars in 1966, a considerable rise over the $4.7 billion spent the past year in Vietnam.

4) Though the reasons advanced for our fighting 6,000 miles from home where we have no territorial claims is that we are fighting Communism in Asia, the U.S. Supreme Court has ruled that it is legal to be a Communist at home.

5) American forces there are regarded by the South Vietnamese "as a meal ticket" doled out by corrupt functionaries in the South Vietnamese government.

"Why hasn't the United Nations come in and set up a board?" St. Pierre asked, "I don't know whether our President has this power. He's set himself up as a dictator over there. Never before in our history has a President sent 200,000 men to war without declaring war legally. I don't know that he has the right to send us over there.

"Over there the men ask themselves why they should have to fight these people, if only one man, like the President, decides we do without legally declaring war. It's all between President Johnson, McNamara and a few other people. They have too much control.

"The men don't know what they're doing over there. They tried to convince us that it was right and honorable, but I'm not convinced. They aren't accomplishing what they set out to do. They'd have done it by now if they knew what they were doing."

St. Pierre entered the Army January 6, 1964, and was discharged January 1, 1966. A graduate of Auburn High School, he comes from a well known Auburn family, being the son of Mr. and Mrs. Arthur St. Pierre, 1831 E. Main St., Auburn.

At Qui Nhon, the largest harbor in Vietnam, he helped transport supplies by truck to the front, if you could call it a front. There really is no front, for the enemy, according to St. Pierre, "Looks no different than any of the others. You can be walking down the street, and he's right amongst you, and you don't know it."

The major purpose and policy behind U.S. Forces being in Vietnam, fighting in an illegal war, is one of St. Pierre's chief beefs.

On the one hand, the men are told officially they are fighting Communism in Asia, but the U.S. Supreme Court has ruled that it is not illegal to be a Communist in the United States.

Somewhere in all this political rhetoric lies one of this century's big lies.

"Everybody talks about why we're over there," St. Pierre explains, "and that we have to make a stand against Communism. But we're not defeating them. We're going to have to change our policy over there. Maybe we're stopping them, but we aren't defeating them.

"I saw things and learned things over there I'll never forget. I can say that now, but I didn't think so then. It was just, 'Let me outta here' then.

"You wondered what was going on. The military people told us the Vietnamese had invited us over, but the men doing the fighting didn't believe it. They resented us. I saw enough to know that I don't ever want to go back again."

Among the things St. Pierre saw was "a lot of people are getting rich over this war."

Huge amounts of civilian construction going on, for instance, by American contractors, building, hauling, supplying. For a second or two, St. Pierre thought about going back after his discharge and taking a job there, but he added, "You couldn't get me back there for $40,000."

Caught in the web of this international struggle for control of Asia, trapped between the contending forces of Communism and Capitalism as represented there, are the common people.

"I wouldn't say a Vietnamese mother doesn't love her child," St. Pierre explained, "but she's more used to losing it than an American mother is. We have to understand that these people are desperate—they're hungry, and they see death and violence all the time. Children wave to you as you drive by, then automatically hold out their hands. We throw them C rations from the trucks. In my mind it's just not clear that this is a right and honorable war."

St. Pierre also scored the news reports about the fighting, most of which he branded as outright misrepresentations and lies.

"When they say in the newspapers you've been hit," he said, "it can be just a shot at your truck. Then they write it up in the paper and make it sound big. Sometimes there've been a lot more guys that got it than was released to the papers, but it is not as bad as the papers've built it up."

Queried about the current state of his relationship to this war, St. Pierre said, "I'm all right now, because I'm out of the Army. I couldn't say anything before. People are scared to say whether they're against this war. If they don't say so, what're you going to do? Who'll ever know?"

Here at home sentiment against LBJ's administration is growing, and people are asking pointed questions about why, when Lyndon Johnson ran on a peace platform, he now finds himself implementing the platform of Barry Goldwater.

The idea that China will remain quiescent is fading, for China has territorial claims that go back 13 centuries in Vietnam from the turn of this century. With a population of 750,000,000 which is increasing at the rate of 16,000,000 a year, and with Southeast Asia the rice bowl of that continent, it is foolhardy to expect China not to enter the war directly soon.

Most Americans realize that if the Chinese had established in Mexico the kind of occupation we have established in Vietnam, the United States government would be dropping A-bombs. China has the bomb, and to expect this Vietnamese fiasco not to lead to all-out war, involving millions of young Americans like Dave St. Pierre, is to not see the history taking place before our eyes.

Newberg, Oreg.,
May 14, 1966.

Senator Wayne Morse,
Washington, D.C.

Dear Sir: I have been glad to observe your courage of conviction re: our policies in Viet Nam. I am at a loss to know what to believe, but if our basic premise for intervention is the invitation of the people, I wish we could be more sure that the current Viet Namese leadership represents the best interests of the most people. I often think that our Nation has an over-blown evaluation of our international power and responsibility. I do not think that we should resign ourselves to the eventual success of communism, but I fear that the results of our intervention may bring as much suffering to the people of Viet Nam as would the immediate success of the enemy. I once thought that our action there was the best thing to do as Americans, but wrong as Christians. Now I am more inclined to believe that it is not even right for Americans. I will pray for wisdom for our leaders. I thank God for men of strength like you.

Sincerely,

LeRoy Benham.

Portland, Oreg.,
May 16, 1966.

Dear Sir, We are writing because we feel the Viet-Nam-Thailand situation is becoming increasingly grave and we feel guilty in our ineffectiveness to do anything about the problem in a positive manner. We want you to know we stand behind you 100% in your efforts to stop this senseless war. Senseless in that, except for those who gain a dollar profit from it, everybody on all sides loses ethically, morally and materially.

We would like to know if there is anything we can do or any function we can perform beyond writing President Johnson. We thought that you, in your position, might have some suggestions or advice on how best we could voice our dissent to this war policy of President Johnson.

Most respectfully,

Robert A. Washburn, Mrs. Robert A. Washburn, Mr. Kenneth A. Rutherford, Mr. and Mrs. Garry R. Singer, Mr. and Mrs. Fred DeWolfe, Mr. and Mrs. Roger Tracy, Mr. and Mrs. Helmuth Jung, Mr. Douglas Jung, Mr. and Mrs. Ward Searles, Mr. John Moses, Mr. and Mrs. William Clark, Mr. and Mrs. Garry Reuter, Mr. Roger Young.

May 6, 1966.

Dear Senator Morse: Thank God for a representative like you! Keep up the fight for us!

I have a boy, nineteen on March 13, who has a college deferment. Little did I think years ago, that we would have a draft law in 1966. If we did not have this law, then the Administration would have to declare war to get its manpower instead of having these boys available.

The former ambassador to Russia (Mr. Gavin, I believe) who testified before the Senate Foreign Rel. Comm., said in words to this effect, that a great nation could take a position and incur world-wide comment for weakness, but that in six months, this would be forgotten. I say *we are big enough* to pull completely out of Vietnam now—or would that discomfit some persons who are profiting from the war.

I hear now on the news that the elections in Vietnam might be postponed to October. I am ashamed for my country.

Continue to do what you can for our poor boys who are so gallantly trying to do what is expected of them.

Gratefully yours,

Mrs. James M. Wooten.

Cheshire, Oreg.

Medford, Oreg.,
May 12, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Sir: I am behind you all the way. I only wish there were more men like you.

Sincerely,

James J. Metz.

Bend, Oreg.,
May 17, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

I hope you will continue your efforts to get our men out of South Vietnam.

Sincerely,

Kenneth Oakley, M.D.

Medford, Oreg.,
April 22, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Thank you for your periodic news letter, which is certainly more informative than anything we can gather otherwise.

We wish to commend you on your stand in the situation in Viet Nam. We know it must take a lot of personal perserverance and determination on your part, in the face of so much opposition. Please be assured that your efforts are not being made in vain. Many, many of us are deeply appreciative and would like to know if there is any way to help you.

We are enclosing a copy of a letter which we are sending to President Johnson. We cannot be at all sure that it will reach him personally. Is there any way to insure this?

Can you suggest another person to whom we might send our thoughts on this situation and who might possibly have some influence in changing it?

Sincerely,

Nora Bottjer
Mrs. Charles Bottjer,
Jo Eichelberger
Mrs. Sharon Eichelberger.

Medford, Oreg.,
April 22, 1966.

Mr. Lyndon B. Johnson,
President of the United States,
The White House,
Washington, D.C.

Dear Mr. President: We are two distraught mothers. You might consider us to be the plain ordinary garden variety, like thousands of others in our land.

We have always seen to it that our little ones were well taken care of at any sacrifice. They had proper shoes, periodic physical examinations and innoculations when necessary. Sometimes we took them to the dentist for ordinary care when it was necessary for us and their fathers to postpone our own appointments.

We took them to Sunday school and church regularly when it would have been easier to sleep in. We did not have more children than we could care for. In the case of one of us, we deliberately allowed to conceive and gave birth to a child knowing full well that it may have meant the life of the mother.

Each hour, each day, each week, each month and each year, we gave our children loving care. We guided them into the right ways and taught them the basic verities. When they were ill, we were up night after night to nurse them back to health. We cannot possibly convey to you the costs in so many ways that we have borne to give them proper educations.

We and our husbands have never received help from the rest of society (except in the case of one of us whose child was born in an Army hospital while his father was in another war).

Sometimes it was difficult, but we used our own resources to give them proper nutrition to build strong bodies. In another war, we mothers grew fresh vegetables in city back yards to help to attain this end. Our hands will never be quite the same, but we did help to build strong bodies.

And now we wonder why. If we must send these fine young people to fight a war for we know not what, to be blown to eternity perhaps, what was the use of these years of effort and protection?

You are a father. How could you face each morning if you knew that your children would be sent to slaughter—perhaps by being disembowelled, or by being shot in the head allowing all those good intelligent brains to spew out; or far worse, to be sent home imbeciles or paraplegics?

Barbaric talk? Yes. But war is barbaric, no matter how you pursue it. Is it more civilized to run a bayonet through a young boy who is in battle through no choice of his own, than to bomb women and children? We think not.

The lists of the numbers of boys killed on each side given over the air like football scores sicken us. Perhaps any sacrifice would be worthwhile if we thought it were in positive protection of our own country—but from recent news, it seems that we are not even wanted in these far off lands. As far as we can determine, we are perhaps interfering in civil strife. Why have we not spoken softly and carried a big stick?

Please, Mr. President, could you give us one good reason why parents should go on raising fine children to send into battle whether they want to go or not?

Most sincerely,

Nora Bottjer

Mrs. Charles Bottjer.

Jo Eichelberger.

Mrs. Sharon Eichelberger.

Portland, Oreg.,
May 19, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: We recently moved to Oregon and for the first time had an opportunity to hear you speak at the recent China and United States Conference at Portland State College.

I appreciated very much the strong stand you are taking relative to our Viet Nam policy. Your position appeals to me strongly and I am writing to give you encouragement in your position. We trust that more and more people will come to this point of view.

Cordially yours,

Mark Rich,
Director.

Wantagh, N.Y.,
May 9, 1966.

Dear Senator Morse: I continue to support you 100% on your position in Vietnam. There are only a few brave men left to struggle against the *planned* war with China. Congratulations on your efforts.

Sincerely,

Noreen Shaw.

North Miami Beach, Fla.

Dear Senator: We feel you are one of the few fighting men left in this country. Men like you are becoming extinct.

Keep up your fight. Bring our boys home from Vietnam.

Sincerely,

G. Szircs.

Long Beach, Calif.,
May 9, 1966.

Senator Wayne D. Morse.

Dear Senator: This is the first letter that I have written to a politician, but I would feel remiss if I did not drop you a line to commend you for your courageous stand on the Vietnam fiasco, and I wish to say that I agree wholeheartedly with every thing you say.

South Vietnam appears to be torn internally by religious and political dissension and they apparently do not know what they want for us to stay there is waste of money and young men lives. Not to mention the thievery, black marketing and other skullduggery that is going on there. I also feel that the administration's "war on poverty" program could stand a little close scrutiny. Yours for sanity in government.

W. J. Farrell.

Baltimore, Md.,
May 12, 1966.

Dear Senator Morse: This is to let you know that millions of us are behind you. What the Communists are trying to do is to get us to defend nations all over the world, from all sides, to deplete our own man power and defenses here at home, and then strike at us.

We cannot stop communism. We cannot let young men, who have never had a chance to live, to die because of communism somewhere else. In my lifetime I have learned that charity creates beggary. That those whom we help most are usually the ones who crack us across the face. We are being used in black mail markets, used by other nations as a bickering pawn to get more out of us than supposedly can be chiseled from some other country.

We will become the poorest equipped, the weakest, the most vulnerable country in the universe if we go on the way we are doing. The voice of the people no longer counts with men like Johnson. He is doing exactly what he has accused the Chinese of doing: trying to "save face". This is murder of our young men. No humane, happy human being could bear to be the cause of another's death. Truman was an embittered old man, with his Bessie, and war is one means for the impotent outlet of embittered men. If I can help you in any way to carry out your principles and human compassions, I wish you would let me help. I have always wondered why you have never offered yourself for the Presidency. You would have millions behind you. You have clearly demonstrated your courage in speaking what you believe. Your down-to-earth honesty. You wouldn't need any political party behind you. Or any great sum of money. I have been a short story writer and novelist a great many years, and tried to write the speeches of some of the politicians down here, until I found out they didn't mean a single word they were saying.

President or not, keep up your honest statements. No one wants her son to die. I don't have any sons, but I don't want to see other young men die uselessly. This will not end communism. Or wars. No more than Truman's bomb did. All the luck in the world.

Dorothy Meyersburg.

Westmont, Ill.,
May 6, 1966.

Dear Senator Morse: In an era plagued by unreasoned thought and impulsive action on the part of many men in public office, it is indeed refreshing to realize that there are still men such as yourself and Senators Fulbright, Gruening, and Hartke in public office. I fully support your views concerning the war in Viet Nam and want to thank you for representing those of us who would otherwise have no one to present our views to the rest of the American public.

Sincerely yours,

Mrs. Mildred Dixon.

Bronx, N.Y.,
May 21, 1966.

Dear Mr. Senator: The situation in Viet Nam gets worse every day. It should be obvious, by now, that no matter how much President Johnson increases the forces, fighting there, it is no solution. The only solution is negotiations leading to a US withdrawal and the election that should have been held in 1956.

I certainly approve your efforts in this direction.

Sincerely yours,

Antonis L. Brown.

Dalles, Oreg.,
May 20, 1966.

Senator Wayne Morse,
U.S. Senator, Oregon.

Dear Senator Morse: I wanted very much to hear you speak this evening but I cannot get away from this business. I have only recently opened here in The Dalles and Friday evenings the businesses are open and I have to do the same.

I do want to tell you how much I admire your efforts in trying to bring some light on that very tragic, "trashy" Viet Nam fiasco.

I worked with the Foreign Aid thing there for four and a half years as a Chief Auditor. Now there is nothing that I can do about Viet Nam or Foreign Aid, I have found that out, but I don't have to be a party to it. I am out of it, thank God.

Please don't get discouraged. That disgrace can't stand strong sunlight and you certainly are letting them know that.

There are very few people in this country who will really express the courage of their convictions but thank the good Lord you are a very courageous exception.

One more year of that goofy Viet Nam and this country will be so demoralized that nothing will ever straighten it out.

The AID thing got us into that mess and unless it is stopped it will get us into more of them.

Sincerely,

Tom Echols.

Bellerose, N.Y.,
March 22, 1966.

Dear Mr. Morse: I am the mother of a drafted, heart-broken young boy who is on his way to Viet Nam. He does not know why he is being sent half way around the world to a hot stinking country to be slaughtered or maimed for life.

You are so right in all you say and I have been hanging on to your 'every spoken word' and if you are in the throes of taking on a more aggressive attitude, I am behind you 100%.

This war has been in the hands of war mongers and money hungry capitalists from the beginning and will never be settled until sensible men with good judgment take over the helm.

I am counting on you to keep up your good work in behalf of the little nobody who is always counted by the President as being on his side. You and your fellow constituents are the only ones who can stop these men who have guns and dollar signs reflecting in their eye balls.

Sincerely,
Mrs. W. Geiger.

Santa Monica, Calif.,
May 20, 1966.

Dear and Honored Senator Morse: May God walk at your side in your struggle against evil and corruption.

Washington begins to resemble a scene from Dante's Inferno as the war mania sweeps over our government.

There are millions (tho they are inarticulate) who believe as you do and silently support you & pray for you. God is not dead as the latest moronic slogan claims—He only bides His time—Be on your guard—constantly wary please. Get enough rest and sleep.

Faithfully,
Mrs. Rita Tully.

Chula Vista, Calif.,
May 22, 1966.

Hon. Senator Wayne Morse,
Senate Building,
Washington, D.C.

Dear Sir: I wish to let you know that I, along with many other San Diegans, were in complete accord with the views expressed by you in your talk on May 1st and hope that you can persuade many more of the necessity of a change in policy of the administration in regard to Vietnam.

I hope that you and the other courageous Senators expressing your views will be able to initiate a new policy less detrimental to the United States and the world. You realize that you have to come up with a workable solution now—you and all the brave Senators!

Sincerely,
Mrs. Marta H. Porter.

Medford Lakes, N.J.,
May 22, 1966.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Wayne: Thank you for sending me a copy of your speech, "Legal Issues of the U.S. Position in Vietnam." I am in agreement with the views expressed in it.

I am grateful to you and to the Committee of American lawyers who did the research and who prepared the letter and memorandum of law.

Our president has been ill-advised and has made a big mistake in sending troops to Vietnam. It is not too late, nor is it a sign of weakness to correct a mistake. I believe we should withdraw our troops *now*.

Recently I read an article which stated that you were working on a speech entitled, "The Crucifixion of the Teachings of Christ in South Vietnam."

If this speech is completed I would appreciate your sending me a copy of it and I shall be very willing to pay for it if you will let me know the cost.

Again, let me thank you for your bold stand in opposing the killing of American boys in an unconstitutional war.

I wish you also would oppose, on *Christian* and *moral* grounds the killing of *all* men, including the Asians.

On these grounds, the conscription of men for murder and all wars are illegal.

Respectfully yours,
Marie F. Merhh.

Hendersonville, N.C.,
May 21, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Mr. Senator: Please accept my sincerest thanks for copy of your speech on February 25, 1966, in the Senate of the United States.

I am fully aware under what terrific mental strain you must be in your battle against the sanctimonious head of our government and his henchmen. Not to mention the ignorance and lack of character of so many of our Congressmen and Senators. Given the facts, honestly and impartially, a referendum would definitely be against our involvement in civil war in South Viet Nam of which our government officials were the instigators.

Deep in my heart I wish and hope that you, as well as the very few honest and courageous Senators and Congressmen shall prevail, if not, I shudder to think of the end.

Very truly yours,
Chas. L. Sulzer.

May 21, 1966.

Dear Senator: Keep up your good work on Viet Nam. Just who is fighting who over there? I am a World War II Veteran and a life long Democrat. The killing of our boys in Viet Nam is the most disgusting thing I have ever known of. I fought for Pres. Johnson in the last election tooth and nail and contributed money to his campaign. Unless he changes his position on Viet Nam I shall campaign just as fiercely against him. I may be a "nervous nellie" as he says, but I am no Communist or war monger. Tell him so for me when you see him.

I do not believe our Gov. wants the Viet Nam war to end.

"Former" Johnson Man,
Oscar F. Nies.
Flint, Mich.

Geneva, N.Y.,
May 20, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Mr. Morse: In re. Legal Issues of U.S. Position in Vietnam!

I believe you have made your point!

Before any comment, my appreciation of your courage in taking your stand . . . usually for the right . . . in matters concerning The Senate and the people of the U.S.A.

It is my opinion, and growing conviction, that we have, not only no legal right to be in Vietnam, but other reasons:

We have no right to send our armed forces to Vietnam because of history. I realize that outside nations did meddle in our "war between the States." I wonder what would have happened if some outside nation had sent 250,000 armed men along with other implements of war into America at that time. Or perhaps had sent armed forces into America to settle our racial problems.

My earlier education and more recent areas of service have brought me into direct association with "orientals" in both their history and psychology. Apparently these whom the President has chosen to advise him know neither.

We are an old-time American family. We were here before the USA. was started. I am an idealist. I still think of what our "founding fathers" tried to accomplish when they founded a community governed by laws and not by men. While I regret the failure of law enforcement in our times, it is good that we respect the rights of all men. This ideal seems to be bypassed when some of us take our stand against the reigning persons. It seems that our newsmen who return after short stays in Vietnam, either do not see, or are intimidated in their report of the real situation.

The last, and best, information in my hands is a recent book by a Frenchman, Jean Lacoutre, "Vietnam: Between Two Truces" (Random House).

Quoting one of my younger and well educated friends (also a democrat): "History, I believe, will show that the USA has made a big mistake in the way we have misunderstood so-called 'communism' without discerning the deeper evils and hopes which are back of the movements among the awakening peoples of our times."

As a Christian and humanitarian, but not a pacifist, I feel for the innocent families and children hurt of any war, and in one which we do not understand.

Most sincerely,
Marshall E. Bartholomew.

Hemet, Calif.,
May 19, 1965.

Senator Wayne L. Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: This note is to express my deep thanks to you for your courageous and positive stand in regard to the war in Vietnam.

With men like you speaking out against our disastrous policy there, we citizens who love our country but feel she is on the wrong path take new faith and hope. Please stand firm, and let me know if there is anything one concerned citizen can do to help.

Sincerely,
Marion Howard,
Mrs. A. H. Howard.

East Orange, N.J.,
May 20, 1966.

Hon. Wayne Morse,
Senate of the United States,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I have previously read the materials contained in legal issues of the United States' position in Vietnam. I agree. I trust you know that in this section of the country you are frequently viewed as a maverick but your identification with Senator Fulbright in this particular position renders it a most respectful hearing.

Unfortunately, the Republican party by its position has made itself an impossible vehicle in which to express distaste for this southeastern venture, so that the thoughtful American who regrets the Vietnamese venture has no recourse other than to write sympathetic letters to gentlemen such as you.

Most respectfully yours,
Donald H. Mintz.

Gladwyne, Pa.,
May 19, 1966.

Hon. Senator Wayne Morse,
Washington, D.C.

Dear Senator: The anguish of our people in the mutilation and loss of their loved ones is multiplied by the realization that these sacrifices are being made to coerce a small nation to submit to a Hitler-loving public enemy like Ky.

Nor is their grief assauged by anti-Communist slogans. They recall that the banner of anti-communism was first unfurled by Hitler, Eichmann, Hydrick, Voerward and others famous for their crimes against humanity.

Respectfully,
William A. Shannon, M.D.

North Andover, Mass.,
May 20, 1966.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: Why does Congress go along giving the President billions of *our* tax money to slaughter *our* sons in Vietnam when the *people* voted *against* this war—61% of them—in the truest poll of all—the election of 1964?

The Democrats *won* in 1964 because they *promised* peace. The Republicans *lost* overwhelmingly because *they* promised war.

Do you realize that it is *human lives* that Congress is destroying—*forcing* our boys to die—*not asking for volunteers?* Our volunteers—the Reserves—*sit at home* while our sons are *forced* to *die* in *another* country's war—a war in which neither they nor their parents have any belief. At least the men in World War II believed in what they were dying for but these helpless pawns do not have even that to sustain them.

We are not stupid. We know that this crazy escalation of the war will surely plunge us into war not only with China but also with Russia.

All Europe watches with horror and disbelief as the country which tells *other* countries *not* to fight *refuses* to take *its own advice*.

The Democrats have already sent *over 28,000* American boys to their deaths in Vietnam. Now *our* casualty lists *top* those of the country *whose war it is*. The South Vietnamese soldiers are deserting by the tens of thousands and the South Vietnamese *people*, sick of having their homes destroyed and their children killed, wish we'd get out. Can you wonder that people all across *this* nation are fed-up, angry and revolted?

In the coming elections, Vietnam is the only issue that counts. We are not going to ask a candidate what his party is. That does not matter. We do not want handouts—financial, educational or social . . . if our sons are dead. We want these things for our sons . . . not for ourselves. We want a candidate who will get us out of this cruel, senseless unnecessary war—now. Nothing else matters.

Sincerely,

MRS. MARY OGDEN.

CARMICHAEL, CALIF.,
May 17, 1966.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR MORSE: Thank you for your courage and true patriotism. I thoroughly support your committee's investigation into our policy in Viet Nam, and only regret it didn't come much sooner. It seems incredible now that our government could have just drifted into such an impossible situation.

Cold practicality would seem to make it obvious to anyone that we should get out. For those blind souls who couldn't see that before this month, the daily headlines should make it obvious. Then to read tonight that Johnson called those who oppose this senseless slaughter "nervous nellies", was just appalling.

The real "nervous nellie" is the President who will not change his policy for fear of "losing face", and the over-draft-age individual who wants to fight to the last other man in some other country. How cynical, selfish, and hypocritical can a position be?

Sincerely,

MRS. MARGARET GOODRICH.

BERKELEY, CALIF.,
May 19, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Yesterday we sent the following telegram to President Johnson:

"Military commitment Vietnam equivalent $500 every Vietnamese. Urge economic and social reforms and withdrawal military."

We are deeply grateful for the courageous stand you are taking, for the constructive ideas you are putting forth, and for the breadth of your vision. Keep going! We would be proud to have our senators from California join your loyal opposition, and have told them as much.

We are behind you and would like to support you in any way we can.

With best wishes,

Sincerely,

MADELINE Y. STEPHENSON
E. P. STEPHENSON
Mr. and Mrs. E. P. Stephenson.

WAUWATOSA, WIS.,
May 22, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: My husband and I just want you to know how we admire your most difficult stand on foreign affairs etc. etc. ad inf. We as well as millions of Americans (I'M sure) back you.

Keep up the "Good fight."

Respectfully,

ALICE N. WALTERS.

ROCHESTER, MINN.,
May 19, 1966.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SIR: Even though the possibility of your succeeding is extremely remote, don't let up in your efforts to knock a little sense into official Washington. There are those of us who applaud your lonely, and surely disheartening, crusade.

More power to you! You are a Voice in the Wilderness.

Sincerely,

ORVIS ROSS.

CAMBRIDGE, MASS.,
May 22, 1966.

MY DEAR SENATOR MORSE: You may be interested to see the enclosed letter which I have just written to President Johnson.

I have no words in which to express my gratitude to you again for the superb battle you are putting up to save our country from the morass of horror into which the Administration has plunged us. If we are saved it will be in no small measure due to you.

Sincerely yours,

FLORENCE H. LUSCOMB.

DEAR SIR: I am very much interested in the Viet Nam war situation.

My only son (nineteen), enlisted in the Marines in Oct. and already fighting in Viet Nam.

I had the opportunity to watch the Dean Rusk testimony.

I agree with your statements whole heartedly. I give you credit for speaking up for the American people. I would be proud to live in Oregon, to be represented by you. It seems the United States is supporting a dictator. I cannot see my son and others fighting for people who do not want their help. Please bring him back to the people who love him.

Much good luck to you. I have written to the President and received a booklet on the *why* of Viet Nam. It is no clearer now than before.

I want my son back in a peaceful land for which his father fought four years for.

If you have any information how I can get him home please let me know. I would appreciate it. I haven't had a minutes' peace of mind since he left. Thank you very much.

Sincerely,

MRS. ACKERSON.

MIAMI, FLA.

ROCKVILLE, MD.,
May 23, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Thank you for the copy of your address concerning "Legal Issues of U.S. Position in Viet Nam". It is distressing that we have so ignored international law as to find ourselves in the position that we now are. Although you are in a minority position, it is good that someone is calling the attention of America to the fact that we are violating international law.

I thank God repeatedly that you, Senator FULBRIGHT, and several others are in our Congress.

Most sincerely yours,

G. CUSTER CROMWELL.

COFFEYVILLE, KANS.,
May 12, 1966.

Mr. WAYNE MORSE,
U.S. Senator (Oregon),
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I support your position in reference to Viet Nam 100 per cent. I feel it is illegal, immoral and we should get out of there immediately. Please continue your good work. I can only say I wish we had more men like you and Senator FULBRIGHT (D. Ark.) who can see where we are leading too. Possibly W.W. # 3.

Sincerely yours,

BASIL E. PALMER.

CAMBRIDGE, MASS.,
May 22, 1966.

President LYNDON B. JOHNSON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: You are constantly asserting that the only reason the United States is in Vietnam is to assure the "freedom" of the Vietnamese people. You have proclaimed this during nine outright dictatorships, kept in power only by billions of American dollars and hundreds of thousands of American soldiers. Events now taking place prove, for all the world to see, that it is not freedom but bloody oppression, hated by the Vietnamese people, that we are maintaining in power. That destroys every excuse for our being there.

Mr. President, get out of Vietnam! Cease all bombing and hostilities in both North and South Vietnam. Negotiate now with the National Liberation Front for (a) honest, free elections, internationally supervised, to enable all the Vietnamese people democratically to select their own preferred government (not the *phony*, rigged elections which are being proposed, in which only hand picked candidates favorable to our side will be allowed to run), and (b) for the withdrawal, immediately thereafter, of all our military forces and bases, as categorically specified in the Geneva Agreements to which you pay lip service.

The current wholesale uprising against the Ky dictatorship offers you a heaven sent opportunity to end the war without loss of face. You can now be honest in giving the Vietnamese people the freedom which you proclaimed at the very time you were burning alive babies and mothers with napalm, bombing villages, and turning a million peasants into homeless, starving refugees. You can stop adding endless tens of thousands to the 21,748 American boys you have already sent to death, wounds and mutilation in your war.

End the war now!

Sincerely yours,

FLORENCE H. LUSCOMB.

CALIFORNIA.

DEAR SIR: I am not one of your constituents but to me you are a voice calling out in the wilderness. I agree that Congress is supposed to be the voice of the people but that voice is very silent.

What disturbs me is my own personal feeling. In the 40's I left a good job in the medical field to enlist as a private because my country needed me but to-day I would be a draft dodger.

According to the State Dept. we have 40 commitments throughout the world but I never hear that the American people are included. I think the guys who are running the show have lost perspective and are paranoic about the entire situation. I would like to have an answer to a question—"Why are we there?" Are we still playing Dulles' domino game? I think we should stay home and take care of the store.

You have my utmost admiration. When you see Mr. Fulbright shake his hand for me. I agree whole heartly with you about your remark about Goldwater.

Being Irish I close—God bless.

Irene Hobson.

Los Angeles, Calif.,
May 11, 1966.

Senator Wayne Morse,
Senate Building,
Washington, D.C.

Honorable Senator Morse: I would like to commend you on the stand you have taken in regard to the United States' role in Vietnam.

We are proud to have you speak for so many of our citizens who believe this a complete waste of men and money.

Keep up the good work.

Sincerely,

Mrs. Ida Weinstein.

La Honda, Calif.,
May 11, 1966.

Hon. Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: Just a word to encourage you to keep up the fight against the Johnson Vietnam policy.

If this planet survives it will be due in large part to men, statesmen like yourself who have worked to awaken the citizenry to the danger of "stringing along" with a closed mouth.

I have written my Senators (Kuchel & Murphy) so they do know my opinion on the present policy of this administration.

Good health and good luck to you.

Yours truly,

Raymond E. Anderson.

Santa Paula, Calif.

Hon. Wayne Morse,
Congress of the United States,
Washington, D.C.

Dear Sir: We have written to you before, but again we say thank you for speaking out against our wicked aggression in Viet Nam.

We have now injured 15,000 of our best young men for life, and killed 3,000 besides thousands of Vietnamese. How can we so-called Christians justify this!

I hope you know how many thousands of loyal Americans are supporting you—not just young beatniks—but middle-aged sober minded thinkers who deplore this tragic waste of life in a senseless war!

Speak out loudly and often, dear Mr. Morse!

Sincerely,

Dorothy J. Tomblin.

San Francisco, Calif.,
May 11, 1966.

Senator Wayne Morse,
Washington, D.C.

Dear Senator: May I express my long-overdue appreciation for the stand you are taking on our involvement in Viet-Nam?

I am sure you must be getting lots of "anti" mail and lots of scurrilous abuse. Please believe that there are many who are with you.

Keep up the good fight—I am hopeful that eventually you shall prevail.

Most sincerely,

P. J. Bernheim.

Oakland, Calif.,
May 11, 1966.

Dear Senator Morse, As one of the many Americans concerned with, and opposed to our government's policy in Viet Nam, I would like to praise your excellent efforts in bringing the facts to the public.

I am a college student, and I, and many of my contemporaries, both students and non-students, find ourselves in an extremely frustrating position, with regard to our government's foreign policy. Although we are old enough to vote, we find that the voting population has never been asked for an opinion of this war. The only other alternative open to us seems to be social protests, and picketing; but these demonstrations are usually dismissed as either Communist inspired, or consisting only of beatniks and nonconformists. Also the men participating in these demonstrations are labeled as cowards and draft-dodgers. We are not pacifists nor are we pro-Communists, but we do believe that this war is both morally wrong, and unconstitutional.

I myself, would like to thank you for your thoughtful probing into this situation, and for your eloquent voicing of an opinion shared by a great many Americans.

Respectfully Yours,

Norma Kister.

Hagerstown, Ind.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator: We wish to let you know that we are with you 100% about the Vietnam war.

Every one who speaks of it are with you. We can not see where L.B.J. gets the idea the people are with him and his program.

Yours truly,

Mr. and Mrs. Omer F. Smith.

El Cerrito, Calif.,
May 11, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: I wish to add my support to your efforts to correct the mistaken position of our administration and military leaders in Vietnam. I should like to urge your continued inquiry and revelation of the errors associated with this venture.

Sincerely yours,

Demortheres Pappagianis,
M.D., Ph. D.

Saratoga, Calif.

Dear Senator: Thank you—we desperately need your direction and courage to prevent this administration from escalating further. We are *outraged* by what our boys are asked to do in Vietnam—to murder—to gas—spray poisons—it is too horrible to think our taxes are going to ruin the Nation and people of Vietnam.

Keep it up—we need you.

Sincerely,

Mrs. Grace W. Nameny.

Detroit, Mich.,
May 12, 1966.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: I want you to know that both my wife and myself agree with your views on Vietnam.

We believe that our Country is in Vietnam illegally, and that we are morally wrong in this case. Although the terrorism practiced by the VC is certainly to be condemned, I don't see where our presence is doing more good than harm.

The Administration has been busy trying to justify participation to the current extent. First, by reading into a letter of ex-President Eisenhower (since refuted), a promise of military help. Second, by freely interpreting the SEATO Treaty; and lastly just this past week, by Dean Rusk who is going to call in "International Lawyers" to prove our being in Vietnam is legal.

There are a lot of us out here across the Nation who are not taken-in by these frantic efforts to cover up the *real* reason for our presence there. I just can't reconcile the Humanitarian—we are saving them from themselves theory propounded by the Administration. I don't pretend to know what the President's Complete Plan for Victory is. However, from the news reports I suspect the Military Advisors have had a good deal to say about it. The Armed Forces have used this war as a proving ground for many new weapons, techniques of combat, and to season troops whose combat ranks have been thinned since Korea. From this and learning today that U.S. fighters have downed a Chinese plane over mainland China, it is not impossible to surmise that the Military might be trying to provoke China into war.

This downing of Chinese aircraft *over* China itself is an act of irresponsibility. This is the very action the civilian population fears *most*. How can we stop these incidents from starting World War III? The only recourse we have is the elected representatives like yourself. You, Senator Morse, must fight for us.

If the people of this great Country of ours would think out the consequences of escalation—a corresponding Nuclear War, first with tactical weapons in Vietnam, then with megatons over here, they would write as I am.

I am a salesman now, but during the Korean conflict was in the Marine Corps—a sergeant, so I can appreciate the military point of view. With twelve years (since Korea) wisdom I can no longer accept the Military point of view.

Stay with the fight. We citizens *MUST* be told the *REAL* intentions of this conflict!!

Thank you for being courageous enough to stick up for our rights.

Sincerely,

James W. Haron.

Bronx, N.Y.,
May 12, 1966.

My Dear Senator Morse: I heard you speak at the Senate hearings on TV yesterday, & began to feel proud that we have a man like you in America. Men like you, Senator Morse, who love our country, and are trying to help us to get back the respect & honor we once had all over the world. I'm ashamed of what our country is doing in Vietnam & above all our best men are paying with their lives. For what? For whom? in this unholy war. It takes a man like you, Senator, to give me hope for our country when you speak out whether Pres. Johnson likes it or not. If they did this in Germany there wouldn't have been so many thousands of people destroyed. Hitler couldn't have killed all those people by himself, & all those poor souls could have been spared.

God help you to continue for what you are doing.

Yours truly,

Maria T. Howard.

Rolling Hills Estates, Calif.,
May 11, 1966.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: I have listened to every session of the Foreign Relations Committee and have tended to agree with you. Today you were the most helpful in alternate suggestions for another approach to the terrible confusion regarding Viet Nam.

Judith Metz.

Lake Charles, La.,
May 10, 1966.

Senator W. Morse,
D-Oregon,
Washington, D.C.

Dear Sir: As a patriotic American mother with two (2) sons and a son-in-law in the military service of our great country I just had to write to you. Listening to you on TV in the recent committee reports with great interest, I want you to know I agree with you wholeheartedly.

My husband is a W.W. II veteran and that we understood, but *why* must our boys fight and perhaps die in Viet Nam? They're using us militarily and financially.

Sincerely,

Mrs. K. Yantis, Jr.

Parma, Ohio,
May 11, 1966.

Dear Sir: All glory to you for the stand you have taken on the war, I listen with great interest to your wise and just statements, and am happy when you have the courage and determination to talk down McNamara.

With all my heart, and in behalf of my Grand Children and my Great Grandchildren, "there are ten", I wish you were our President.

You talk as tho you were seeking truth and solutions, and not a place in the sun.

God bless you and keep you in good health so you can fight for the right.

Sincerely,

Mrs. Margaret Lillie.

Jackson, Mich.,
May 13, 1966.

Senator Wayne D. Morse,

Dear Sir: I was so pleased and so proud of you the other night as I watched you on T.V. I am sure there are others who think as you do but who lack courage to speak out. I suppose most of them are too busy playing politics and thinking of the next election to say how they *really* feel about this situation. I pray for you and the few like you that are right even though you may seem to be in the minority. Might doesn't always make right. We at home are counting on you and others like you to get us out of this dirty little political war that certainly is not worth the prime of life of our youth. God bless you and your courageous stand on this issue.

Mrs. F. Hashley.

Milwaukee, Wis.,
May 16, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: I wish I could be more articulate in expressing my thanks to you and the other senators who are making a tremendous effort to create an understanding of goodwill with our neighbors in the Orient.

It will take almost a miracle to bring peace in Vietnam but I do hope it can become a reality—the sooner it happens the sooner my conscience for the United States of America will improve. I love my country. I want to be proud of my country.

With best wishes,

Prescilla I. Berberich.

Ottawa, Canada.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Sir: The last time I voted, in the fall of 1962, it was my privilege to vote for you. A black and green (shape of Oregon) button is on the sunshade of my car. It reminds me that 1962 was the only time that I could vote *for* a candidate, not merely *against* some fool or knave.

The courage and sanity of all your pronouncements regarding Vietnam are splendid. I admire you, wish you health and strength, and hope you realize that there are many who you spoke for. I have long wanted to write you and tell you that you are doing good work. But I said to myself, "He knows it. He doesn't need your praise, at all." And you don't.

But you probably get many letters from nuts all the time. I have been away from the U.S. for three years and only dimly realize the extent of the pressures against common sense, against decency. They are much.

You know how much easier it is to write a critical letter. I write many, but I cannot remember when I wrote to anyone in a prominent place to say congratulations.

You deserve it.

Yours sincerely,

J. C. Cederstrom.

Elk River, Minn.,
May 10, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: This is the first time we have written to you, but we have watched all of the Senate Foreign Relations Committee meetings on television, have read many of your comments on the Vietnam situation in the newspapers, and have silently applauded your views for many months. Now we want to tell you how deeply we appreciate your struggle to bring to the American people the true facts of this terrible mistake in US foreign policy and to thank you sincerely for your opposition to it.

You may be sure that in the future we will watch and listen to you with growing thankfulness and hope that the voters of your home state will come to the same appreciation and also write and vote to show their gratitude for your greatness in this time of national distress.

With kind personal regards,

Mr. and Mrs. H. H. Anderson.

San Francisco, Calif.,
May 15, 1966.

Wayne Morse,
U.S. Senator, State of Oregon,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I have been following the Vietnam War with an alarming interest. I would just like to say, though I do not live in Oregon, that you are doing a splendid job for the American people. I only wish that more people would take note of your warning.

I am only 22, and have a wife and baby. A few years ago I was called up for the draft and refused because of a slight hearing defect, so I do not think that my views are for selfish motivations, since I will never see a uniform or a gun. But I still cannot help thinking that if the present situation is not curtailed very soon, that the war will spread into my backyard.

I have in front of me a word by word copy of the Senate hearings, which you participated in, and you made one statement that I would like to ask you about. This is regarding the very obvious lack of information from the Pentagon. Is there any chance that Defense Secretary McNamara will ever have to answer to us for his actions? It seems to me that the Secretary will go on unchecked if your committee does not call him. His reason for not appearing were, "It would not be in the best interest of national security." Sir, its not in the best interest of the nation to allow any high government official to have the right of secrecy. If I as a voter do not know what is going on in Washington, how can I be a qualified voter? My own Senators, Mssrs. Kuchel and Murphy, have yet to speak out on this grave issue. I am very disappointed in Senator Kuchel, who except for this issue, has served California in the way a Senator should serve his state.

Senator, please continue your valiant fight against this killing and please lead the fight against secrecy in the present administration. May I also add that someone in government must do something about Mr. Thant at the United Nations. I don't like to blame this most wonderful organization for their lack of initiative with the Vietnam affair, but I can't help blaming the leadership for not taking the reins. I could be wrong, but I think we need a new Secretary-General at the United Nations. Thant has already stated that he is not happy in his job, and he shows it. What can I do as a citizen to see that we have more effective leadership in the U.N.?

Sir, if there were 99 more Senators like you, "I would sleep better at night," to paraphrase a corny statement from a corny man.

With greatest respect, I am,

Yours truly,

M. Philip Gerstle.

San Bernardino, Calif.,
May 13, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Sir: I am as angered and embittered over this war as you are. We appear to be at fault, guilty of aggression, guilty of taking sides, and guilty of uncalled for and inhumane bombing attacks.

You have warned the administration consistently. You have spoken well. Many educated Americans have written letters asking our government to reconsider its position. It has reconsidered, but it has done nothing about it.

Has anything been said about a war crimes trial? I believe that one is in order, and I do not believe that the military men should be the ones to stand trial. The only laws that military men understand are the laws of authority and obedience. But Rusk, McNamara, and Johnson should know better.

The questions of aggression and the obliteration of innocent human beings in the name of the American will to win are going to make it necessary for a time of evaluation and judgement before an objective tribunal.

Threat of proceedings should begin immediately. Let us not wait for the end of the war. No one may be around for that anyway. Just because a country or a segment of a country invites us to fight their war for them does not mean we have the moral obligation to obey.

I believe that the precedents for the Nuremburg war trials should be the order of procedure. Perhaps U Thant should be the one to initiate the proceedings. I do not pretend to know how the final verdict will go. But I believe it is time for the proceedings to begin.

I hope that you will get other letters that agree with me in this matter. And I hope that the mighty forces of humane justice will intercede before this international farce proceeds any further.

If my point is correct, then I believe my second point of impeachment to follow on the heels of the war trials is also correct.

These Washington war hawks do not belong in the White House. They belong in the prison house. They have used might to make wrong, even after all the ethical voices spoke. Now it is too late.

I am sorry. The situation is disgraceful, but I will not put my economic energy into the obliteration of human beings whose only crime was to fight a civil war to determine their own government and to rid their country of a major foreign aggressor.

The Chinese troops have not marched in. The Russians have refrained from joining in.

If North Viet Nam is guilty of aggression, as Hubert Humphrey insisted to me in a two page personal letter I have yet to answer, then Abraham Lincoln was wrong to invade the South. At least they could agree on their own government. That is not true in South Viet Nam, and no election at this time can possibly resolve that situation, Ky or no Ky.

I confess that I do not know enough about legal procedure to know if a war trial can be held at this time, but perhaps it is a time for new precedents if old ones will not suffice.

The least we can do is warn our leaders of the possible consequences of their misdeeds.

Sincerely,

Kenton S. White.

Escondido, Calif.

Dear Senator Morse: I wrote Senator Fulbright some time back, and thank God we have a man like you in the Senate. I believe both of you will cause other Senators to think hard about the Vietnam war.

I am 71 years old and do not believe in war. I think the good old U.S. should be civilized enough to stop the killing by now. It seems non-students will be called for the war while students will be excused. That is horrible.

I believe communism is in the world to stay and if we make peace, and correct a lot of our ills, they will want to adopt our way of life.

With the weapons we have on both sides a full scale war will kill most of the people.

Elmer G. Moyer.

San Francisco, Calif.,
May 15, 1966.

Senator Wayne Morse,
United States Senate,
Washington, D.C.

Dear Mr. Senator: Let me begin to say, as a former Republican presently dissolutioned with both parties, that I daily look forward to reading the proposals and ideas coming from the sane legislature in Washington of which I consider you a member. I dare say that more and more fellow Democrats and Independents share my feelings and views. It becomes more evident each day that our present administration is courting economic and political catastrophe.

We sane Americans will continue to look forward to your leadership in furthering your efforts to bring about a solution to our present predicament in Vietnam. Many Americans await the day when we will have the choice of selecting our next president from your more enlightened group. I shall personally go out and campaign in your behalf when that day comes.

As a social studies instructor, I have decided that my course of study can only be effective by encouraging my youngsters to investigate and research our present involvement in Vietnam. We have started by reading all old periodicals on the subject and summarizing them. Later we hope to compile this information into a history of our involvement in Asia. We are also making a related study of communism. It is rewarding to see them working eagerly toward a goal that will help them formulate their own convictions and enable them to make objective appraisals of both systems and our position in Vietnam. Hopefully this training will lead them to handle all important issues in a similar manner.

Yours truly,

Augustus R. Caciotti.

Lindsborg, Kans., *May 16, 1966.*

Hon. Wayne Morse,
United States Senate,
Washington, D.C.

Dear Hon. Morse: I am writing to tell you that we are in full agreement with your policy towards the war in Viet Nam. We think the war should be ended. We should get out, right now! It is stupid for us to continue this waste of human life and money.

Please continue to keep up the great work. We are on your side and hope that you will continue to speak up and do what you can to end this silly war.

When the next election comes around, you can be sure that we will do what we can to defeat the present administration and its dumb policy.

If we can help in any way, and if you need any support, you can be sure that you have it out here.

Thanks for all you have done and keep up what you are doing. We appreciate your doing what you can.

Sincerely yours,

William Linder.

Scranton, Pa.,
May 15, 1966.

Hon. Wayne Morse,
The United States Senate,
Washington, D.C.

Dear Sir: You are a great man and a friend of the people to speak out about the truth in Viet Nam. If there were only more like you!

Why is a matter as important as war left to only a few—the President, Secretary McNamara and Secretary Rusk. It is our sons who are dying needlessly. We the people should be asked how we feel about the commitments our country makes. I surely will cast my vote for men like you.

There is a feeling of disrespect and hatred for our leaders in Washington and for the draft. Why is a stubborn and arrogant man like our President allowed to have so much power, and why does he continue to listen to incompetent advisors like McNamara and Rusk?

World War II Veteran.

Burgess, Va.,
May 14, 1966.

Dear Senator Morse: I want to thank you for what you are trying to do for the American people.

I don't know what has happened to us Americans to let a man like Johnson and Humphrey take over our country.

My husband and I travel a lot and I meet a lot of people. But I have not found one person that says he voted for Johnson or Humphrey. How did they get in office? I wish I could get all of these people that did not vote for him together. I think we could do something about getting him out. Every one says he will not be President again. By the end of the next three years we will not need a President because we will not have a country.

We thought Hitler was a dictator—what else do we have in Johnson?

What we need is a few more men like you and we could have a good old fashioned house cleaning. That is the only way we can save our country.

We surely have a corrupt bunch in Washington, D.C. All of our young boys being killed in Viet Nam, and Johnson has the gall to get up on TV to say he is going to put a stop to all the accidents and deaths on the highways. He should be ashamed to show his face with all the young boys' deaths he has on his conscience. I can't write and I can't spell but I pray to God to come to our rescue. Put the old fighting spirit back in the American and peace loving people. Let us have a victory march on Washington, D.C., and clean house, starting in the attic and going right through to the basement.

Thank you again for what you are and what you are trying to do for us.

May God bless you.

Your Friends,

Mr. and Mrs. Francis Shirley.

Harrison, N.Y.,
May 14, 1966.

Senator Wayne Morse,
United States Senate,
Washington, D.C.

Dear Senator Morse: I am writing this letter to express my appreciation to you for your efforts towards informing the United States population about Vietnam and China.

It is my fervent hope that you will succeed in helping to lead the way for our government to be "big enough" to admit the mistakes and to pull out of Vietnam immediately.

It appears to me that Mr. Rusk and Mr. McNamara are being given much too much power. How can this be stopped?

Furthermore, isn't there some way in which the United States could give the money which we are using in the war to the U.N. to spend on a "Peace Keeping Police Force" to be stationed in Vietnam? If we could implement this, we could hope to come to a settlement in the spirit of the Geneva accords.

I know that you are interested in the youth of the United States. If you have your "ear to the ground," you will hear rumblings of great doubt among them concerning the integrity of our country under these circumstances. It is extremely frightening that our "establishment" doesn't heed these symptoms.

Thanking you very much for your courageous work.

Sincerely,

Elsie H. Jaros.

Detroit, Mich.,
May 14, 1966.

Dear Senator Morse: Please carry on the fight. I speak for so many of my friends when I say that yours is the only voice of reason among the babble of outworn cliches.

What can we do to help end this insane war?

Very truly yours,

Mrs. Philip B. Frank.

Sunnyvale, Calif.

Re the war in Viet Nam.
Senator Wayne Morse,
The Senate Office Building,
Washington, D.C.

Dear Sir: Please continue your continued efforts towards working for a peaceful solution in Viet Nam.

I have three young school boys and I'm deeply concerned with our country's continued military solutions to "all" problems.

It's wonderful to see a man "emotional" over the killing of humans and I'm terribly concerned at the fact that so many of our leaders show no "impathy".

We need your voice desperately. Sir, please continue your efforts.

Sincerely,

Mrs. Grace Johnson.

Dallas, Tex.,
May 16, 1966.

Senator Wayne Morse,
Senate Chamber,
Washington, D.C.

Senator Morse: We hope you will continue to give us the wisdom, leadership, and courage which we need in our foreign affairs. The American public is an ignored entity today. The Senate Foreign Relations Committee investigations now need to be implemented into a full scale open discussion on our aims, involvements, and political directions in every phase of foreign affairs.

Sincerely yours,

Mr. and Mrs. Harry Garber.

Knoxville, Tenn.,
April 13, 1966.

The Honorable Wayne Morse,
The United States Senate,
Washington, D.C.

Dear Senator Morse: First, may I say how disappointed I was that you missed the Student Forum session here at the University of Tennessee. I and many other students were looking forward to your talk. I hope that you can arrange another visit at a later date.

For the last few years your stand on Viet Nam and American participation in the war there has been widely known, discussed, and debated. Even though at the present time I do not agree with you, I admire you for your consistent convictions on the situation. Actually I do not feel competent to voice a debatable opinion; I only know what I feel—that the fighting and dying of our G.I.'s is not in vain. As a young man faced with the responsibility of military service, I feel that the public should be fully informed on pressing questions. With commendable efforts, such as the recent Fulbright hearings, this vital information is being passed on by the Senate. I wish to express my thanks for these discussions and praise the participants. Now, I would like to ask you several questions pertaining to your stand on foreign policy and what it means to you; also I have some questions about a recent statement you made at a dinner in New York recently.

I believe you said that the administration supports an unconstitutional war in Viet Nam, and that it was time for the American people to take action by electing an administration that will end the "terrible war." Do you profess that in 1968 you will support a candidate other than President Johnson if the present policy continues? Also would you consider yourself as a potential candidate for the Democratic nomination on a ticket that favors an isolationist view? In my present political science class, we have just brought up Secretary of State Rusks' outline of the five goals of U.S. foreign policy. As we understand them, they are briefly to develop: 1) security through strength; 2) progress through partnership; 3) revolution of freedom; 4) a world community under international law; 5) peace through perseverance. Do you believe that these are just theoretical goals or that they are truly the aims of our foreign policy? What would you consider the ideal policy and relationship with the world for the United States to pursue?

As the editor of the newspaper and the chairman of the Young Republican Club in high school in Savannah, Tennessee, I requested some information about Senator Goldwater's position on TVA and other pertinent issues. What I received was a form letter and a note of thanks for my concern. Senator Morse, as an interested American *only*, I sincerely request a straightforward reply to as many of my questions as you feel you are at liberty to answer from either you or a member of your staff at your earliest convenience, if I may be so presumptuous to do so. I believe a sincere reply will speak well of your position and the U.S. Senate.

May I offer my congratulations for your past actions enligthtening the American public to the pressing situation. Sincere thanks for your participation and concern in various debates and discussions about the Viet Nam crisis. Your time and consideration in acknowledging my letter will be greatly appreciated.

Thank you.

Sincerely,

John Edward (Ed) Fariss.

Madison, Wis.,
April 6, 1966.

Dear Senator Morse: It looks to me as if the floor (of invitation to send troops to S. Vietnam) is collapsing under U.S. policy.

William Gorham Rice.

Timberlake, N.C.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Sir: Congratulations again, on your continued stand and work on the opposition of the present policy of the U.S. Government on Vietnam!

Keep up the good work!

Bring our boys home!

Sincerely,

Mrs. W. Reade Hall.

Seekonk, Mass.,
April 9, 1966.

Dear Senator Morse: I know that Senators do not insert in the Congressional Record articles about themselves. I am asking that you insert the enclosed clipping about Senator Gruening in the Record. He is a great man, a tribute to America, and a living proof that statesmanship is not dead.

You too have stood alone in the face of bitter hatred and abuse in opposing the war in Vietnam. God bless you for it. Now the other ninety-eight members of the Senate are seeing that you two were right all along; we are supporting dictatorship! As I have said for many years, we have no business in Vietnam; the *people* do not want our "help" in the form of napalm and bullets. Their military dictators and our puppets do certainly want our billions and our blood, but their people don't. As Eisenhower said a long time before this mess grew to its present levels, eighty per cent of the people want Ho Chi Minh. It is obvious that the people of DaNang, Hue, and even Saigon do *not* want Hitler-admiring Ky.

I say to President Johnson, "Mr. President, now is your chance to get us out. The people of South Vietnam are going to throw us out, despite their dictators, our Pentagon, and the CIA. Why in God's name don't we get out and throw the entire problem to the United Nations. Mr. President, bring home our *boys,* not our *pine boxes!*"

Sincerely,

W. Bruce Dean.

Ambler, Pa.,
March 8, 1966.

Senator Morse.

Dear Senator: I heard your speech in Philadelphia last Friday night. Today I put my petition in for the 13th Congression District (Montgomery County) of Pennsylvania.

I hope to live up to your principles.

If you have any suggestion for help—or any information I can use please let me know.

Keep working.

Frank R. Romano.

Jeffersonville, Ind.,
March 24, 1966.

Dear Sir: I followed, with interest, the recent publicized hearings on the Viet Nam war, and was pleased to note that so many of our lawmakers are opposed to the war and are trying to stop it.

Someone recently said that "Ignorance is in high places, and always will be," but I'm glad to see that not *all* in high places are ignorant.

I believe that all right thinking people support you and your colleagues in what you're doing. I feel we need more people in public life who are not afraid to speak out for what they believe to be right.

So please keep up the good work and I hope the war can soon be ended.

Now, although I think the war the most important issue at present, there are other matters that also need the scrutiny of our lawmakers. I will state my beliefs on these on the following pages.

Very truly yours,

Mrs. Zay Allen.

St. Petersburg, Fla.,
March 12, 1966.

Dear Senator Morse: Want you to know that I agree with your position on the recognition of Mainland China.

Respectfully,

H. R. Reaver.

New York, N.Y.,
May 10, 1966.

Mr. Senator Morse: I am following your speeches every day: Please excuse my poor English. You are wonderful, you are a statue that we need as a president. When I came to this country 1936 I was so proud and I love our country and even dare say, that I appreciate it more as a naturalized citizen. My son was in the 82nd Airborne, wounded, but thank God, he came home alive.

But what I try to bring out is, that I feel you are our only salvation, your points of views, your personality and if the others have their way and this included our president, for whom I voted and loved, but is the greatest disappointment to our country and the foreign policy, only you can save our country, can save our reputation and maybe prevent another horrible war! Please forgive me for taking such liberty to write to you, but please write me a little answer note because I like to have the handwriting of such a great man like you and maybe the next president of this great country and I can tell my grandchildren, I told you so, this is and was the man we needed.

Sincerely and fondly,

Margaret Nathanson.

Princeton, N.J.,
May 18, 1966.

The Honorable Wayne Morse,
Senator of State of Oregon,
U.S. Senate,
Washington, D.C.

Honorable Senator: Your outspoken criticisms of the Government politics in the Vietnamese crisis has impressed many people including myself.

America has for many generations been the symbol for Liberty. Men from other countries, being suppressed by their Government's control and restrictions have found the freedom they have been longing for in this country.

Respectfully yours,

Curt Rosenblad.

Tijeras, N. Mex.,
May 16, 1966.

Senator Wayne Morse,
U.S. Senate Office Building,
Washington, D.C.

Dear Sir: My wife and I have been following your efforts in the Senate Foreign Relations Committee investigations very closely, both on television and in the newspapers.

We sincerely believe that you have good reason, as does Senator Fulbright, to doubt that all is well; that the general public, and indeed the Congress, are being forced along a path that may well lead to self-destruction, by an obstinate leader, who, in our opinion, is displaying shocking dictatorial tendencies of late.

We feel that it is about time some of the responsibility for making or approving policy be returned to the people or, at least, to their delegated representatives in Congress. We find many of our Democrat friends around us are beginning to think in this same vein. We are getting tired of having things shoved down our throats by the Johnson family and their very select group, who seem to feel that they are the only people in the entire United States who know what is good for the people. It shocks us to feel that President Johnson evidently thinks the "people" are too stupid to govern themselves.

We need more Senators like you, to stand up and ask, "Why and What For!"

We admire the work you and a few other fighters are doing for our country.

Along with the pat on the back, we would like to air one more gripe with you, for we feel you will see our point.

Sincerely,

Elbert E. Ginn, Jr.
Mrs. Jessie L. Ginn.

Brooklyn, N.Y.,
May 19, 1966.

Hon. Wayne Morse,
U.S. Senator,
Washington, D.C.

Dear Senator: I have read your great speech on Vietnam in Congressional Record of May 16.

It is my understanding that the U.S. action in Vietnam is motivated by the desire to force a war upon China in order to prevent her dominance in Asia.

Sincerely,

H. Zuckerman.

West Chester, Pa.,
May 19, 1966.

Senator Wayne Morse: You are one person I like to hear talk and my views are about the same as yours in reference to this Viet Nam war. I am inclosing this article which speaks for itself. Smarty McNamara said they had everything they needed but this write up says not. If Ky and the Buddhists are to fight among themselves instead of the Communists why should our boys continue to suffer and die in combat against Red aggressors. In that speech the other night by Dictator Johnson any one not agreeing with him are not right and he gave it a name that I can't remember. I come from an old Democratic family but I would never vote for Johnson. I hope he will sit down and think along with that awful McNamara of the many boys they have had killed, wounded and taken prisoner. Nothing ever said if these prisoners of war are well treated and the wounded may come back some half a man or no man at all. Hope Senator Morse, you will not just think of me a fanatic in writing you but it does get me. Just a housewife, one who saw red when Dictator told us what we should buy and should not. I figure my husband earns the money and after the Government takes out taxes for the Great Society we have little enough to spend on the family and don't have to be told to be cautious in buying—we have to be.

Yours Truly.

Mrs. John Shay.

Rochester, Minn.,
May 13, 1966.

Senator Wayne Morse,
Senator of Oregon, Senate Building,
Washington, D.C.

Dear Senator Morse: Generally when I write to a legislator it's a letter of disapproval—but I want very much to tell you that I appreciate the stand that you are taking in regards to our foreign policy in Viet Nam, the Dominican Republic, the Near East.

Questioning the direction the U.S. seems to be going is truly important. Thank you for representing me in Washington. I can't vote for you but I praise you at every opportunity.

Will the upcoming changes in the State Department mean a change from the old Dulles missionary approach? Surely hope so. Historical immortality certainly has its negative values too.

Thank you again for waging a good fight.

Sincerely,

John Theye.

St. Petersburg, Fla.,
May 19, 1966.

Senator Wayne Morse.

Dear Friend: We thank you deeply for the many times you speak out and vote for freedom and the truth.

So often, too many in Congress fail toward the sterling ways for which our nation started and followed more faithfully than much of today's government leaders are doing. Keep up your good work, it will & already is bearing some fruit. The proposed plan, for alternation services for our youth, would be a wise & helpful move in the right direction.

To bring our men home from Vietnam is our urgent need.

Sincerely,

M. R. Briggs.

Bucyrus, Ohio,
May 17, 1966.

Senator Wayne Morse,
Washington, D.C.

Dear Senator: Bless you for standing up and voicing your sincere and candid opinion in these troubled times. If it were only possible to have many more of your caliber.

We admire you tremendously for your untiring effort for having the courage and fortitude to stand up for what we all would like a voice in. The Senate hearings have given the entire country a better insight into this situation and when we see and hear Congressmen such as Senator Morse and Senator Fulbright get to the heart of problems by asking the sincere questions which the public really wants to know, rather than the routine, parrot-like questions that oft times seem repetitious and of a non-offensive nature to the one being questioned. May you Senator Morse be given the continued strength and courage to fight for your beliefs.

It is comforting to know we still have congressmen who maintain their individuality despite their politics.

May the Good Lord bless and keep you.

Sincerely,

Mrs. Marvin Walters.

Philadelphia, Pa.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: Here is one who supports your stand in the Vietnam war.

People may complain that your language is sometimes over strong but not I.

I endorse your stand and admire your courage.

Bravo.

Truly Yours,

Robert Clayton.

Austin, Tex.,
May 18, 1966.

The Honorable Wayne Morse,
Foreign Relations Committee,
United States Senate
Washington, D.C.

Dear Mr. Morse: Thank God for men like you and the Senators on this committee, who have courage to oppose President Johnson's policy and a faith in God to believe in giving Americans the truth during a crisis.

These committee hearings have answered questions and prayers of Americans so with God's Help this committee could be the answer to America's deterioration. I want to take this opportunity to say we Americans appreciate the truth. Thank you.

Yours very sincerely,

Helen Machalicek.
Lorene Machu.
Patricia Rohlack.

Beaumont, Tex.,
May 18, 1966.

Dear Senator: Thank God for a man of your intelligence, bravery, and candor. My wife and I admire you greatly and wish only the very best for you. I am sick and tired of having the "Pacifists" labled as sick, sloppy, or uneducated. My father is a successful businessman, I was elected to "Who's Who in American Universities and Colleges," and am past president of my College's Young Democrats. How very disappointed all liberals are that President Johnson has forsaken those who worked the hardest for his election. Our prayers and pride are for you.

Thank you Senator.

Respectfully,

Lindley Orr.

State College, Pa.,
May 18, 1966.

Senator Wayne Morse,
United States Senate,
Washington, D.C.

Dear Senator: Since I am not a resident of your state I cannot, by voting, demonstrate my support for your courageous position with regard to the Viet Nam issue. I am writing this letter so that you may know that you have respect and admiration from many of us in central Pennsylvania.

I believe that it is harmful to the long run interests of our national security for us to remain in and escalate our commitment to South Viet Nam's military regime in their attempt to end an internal revolution. We are there without the approval of the United Nations and without the support or approval of our allies. We are earning the contempt and fear of all the uncommitted nations of the world. Our military strength elsewhere is being drained.

I am proud that your voice and others have been raised in opposition to the administration's policies. I urge you to stand firm against the President's attempts to brand critics as un-American.

Richard Rosenberg.

Palm Beach, Fla.,
May 20, 1966.

Senator Wayne Morse,
Capitol Hill,
Washington, D.C.

Dear Senator Morse: I received a copy of the Legal Issues of U.S. Position in Vietnam sent by your office. I thank you.

It is difficult for me to understand the reason that President Johnson has so little opposition in the Congress for waging a war so far away from the U.S.

In my letter dated April 26, 1966 I gave my view to my Senators and Congressman letting them know that I supported Senator Wayne Morse's belief that we had no business to be in S. Vietnam. Their answer were the same that they were supporting our President.

Sincerely yours,

Alexander Vuillemin.

Grosse Isle, Mich.,
May 18, 1966.

Dear Senator Morse: I have wanted to write a note to you ever since the administration began its escalation in Vietnam. I want to express my thanks. I agree so thoroughly with your position it is difficult to know why there aren't more senators and concerned people in the Government. When the predictions come true day by day and our involvement increases where can this lead us but more and more war.

I am very grateful to you and wish to thank you.

May God help and bless you in this difficult time.

Mrs. David M. Coakley.

Belmont, Mass.,
May 20, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: I am most grateful to you and a few other senators who dare to speak out against the Vietnam hysteria with the voice of reason. Having once fled from Hitler's Germany, I am now dismayed at seeing similar indications of the lust of total power arise in this country. Please keep up the fight.

Respectfully yours,
Helmut Heckscher.

Akron, Ohio,
May 19, 1966.

Dear Senator Morse: We received your publication concerning the legal issues involved in the U.S. position in Vietnam, our names being obtained, I believe through the Fellowship of Reconciliation. We support you in your lonely stand for honesty, and moral uprightness in U.S. foreign policy.

Thank God there are a few sane men like you, and Fulbright in our Government. Keep "running the good race."

Now, in the face of civil war in Vietnam, (our newspapers are even calling it that finally) might be an easier time for the U.S. to get out. I think you have a lot of unspoken support and I hope you will hear from more people as more issues are raised.

Sincerely,
Kenneth and Lydia Williams.

Brooklyn, N.Y.,
May 20, 1966.

Hon. Wayne Morse,
United States Senate,
Washington, D.C.

Dear Senator Morse: Thank you for sending me a copy of your recent address on the legal issues of the American position in Vietnam.

As important as that is, even more important is the fact that the people whom we are supposed to be defending against communism, are utterly indifferent to the battle which we are waging in their behalf. Instead of fighting the enemy, they are fighting amongst themselves, which makes our effort hopeless.

I hope that you and other senators will succeed in prevailing upon our president and his advisors to re-examine our Vietnam position, and to hasten the recall of American soldiers from that land.

Yours truly,
Theodore N. Lewis.

Richmond, Calif.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.:

Congratulations Senator for your remarks about notoriety seeker President Johnson.

Norman J. Bentley.

Thermal, Calif.,
May 13, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Your persistence in criticizing American foreign policy in Viet Nam is most gratifying. The United States should never have intervened in South Vietnam and I think now is the time to insist that our government seriously attempt to renew negotiations along the lines of those at Geneva in 1954. Only through negotiations and the eventual withdrawal of American troops from South Vietnam can we achieve a satisfactory agreement to end this war on honorable terms for our country.

Very truly yours,
C. William Ekhoff.

Sebastopol, Calif.,
May 16, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Just a line to thank you for the continuous and splendid effort you are making in behalf of a sane policy toward Vietnam. Also, to tell you that you are getting very good coverage on the various radio stations in the S.F. Bay Area. I do not watch T.V., but understand you get good coverage there to. Thanks a million and don't bother to acknowledge this note.

Sincerely,
Lloyd M. Allen.

Mill Valley, Calif.,
May 19, 1966.

Honorable Wayne Morse,
United States Senator from Oregon,
Washington, D.C.

Dear Senator Morse: I wish to commend you for your honest and forthright statements about our policy in Viet-nam.

It is a very bad situation over there and I also do not wish to see it escalated any further. I lend my support to any effort to bring about a realistic peaceful settlement.

Sincerely yours,
Roland Kohloff.

Arleta, Calif.,
May 23, 1966.

Dear Senator Morse: We think you are a wonderful person—a real man, courageous and rough thinking!

Please run for President! This is a very unpopular war! We are good citizens but this war is a nasty unnecessary one and we need a good President of U.S.A.

Could write pages but my hand is crippled with arthritis.

We love you.

Elizabeth Doyle (Mrs. E.)

May 14, 1966.

Senator Wayne Morse,
Senate of the United States, Foreign Relations Committee, Washington, D.C.

Dear Senator Morse: Regarding your views on the Viet Nam War Senator, I wish you to know that I, and many of like thought are with you. When the going gets rough and all sides seem to be belaboring you with accusations of disloyalty, being un-American (whatever that is) etc. think of us your supporters—you are speaking for us and we share the darts arrows and blows directed to you—I have 2 sons—one in the service and I have no willingness to lose either one because of Presidential enthusiasm for "Do Goodism."

Sincerely,
Robert W. Medland.

May 19, 1966.

To the Honorable Senator Morse: My husband and I wish to convey to you our wholehearted support of your position on the issue of Vietnam and to thank you for your fortitude and unflagging efforts. Please continue to persevere.

Respectfully yours,
Rea Knisbacher.

New York, N.Y.,
May 19, 1966.

Senator Wayne Morse,
The Senate,
Washington, D.C.

Dear Senator Morse: We're all the way with you—keep fighting for what's right, and we'll keep supporting you.

Sincerely,
Mr. and Mrs. Joel Weprin.

Santa Cruz, Calif.,
May 23, 1966.

Senator Wayne Morse,
Washington, D.C.

Dear Senator: Pleases do all you can to end this war. How can we help Vietnam when they don't seem to know themselves what they want???

Isn't there some way to get the boy's home?????

Thank you for all your hard work in this direction!

Marcia Holcomb.

East Lansing, Mich.

Thank you, Hon. Wayne Morse for the copy of your speech of 2-25-1966 "Legal Issues of the U.S. Position . . ." Many of us share the belief you voice so well. Please continue. Lust for power may miss the mark.

Sincerely,
Mrs. Bernard Coggan,
Supervisor.

Malibu, Calif.,
May 10, 1966.

Dear Senator Morse: Your voice against the madness & murder of U.S. actions in S.E. Asia is indispensable in these dark days.

Thank you for your courage—and for all our sakes don't be intimidated or silenced! You are performing a national service of utmost value!

Sincerely yours,
H. Arthur Klein.

May 19, 1966.

Senator Wayne Morse,
U.S. Senator from Oregon,
Senate Office Building,
Washington, D.C.

Dear Senator: Again, may I express my approval of your forthright and courageous statement concerning the Johnson policy, or should I say "fallacy" in Vietnam. I concur with your statement that the most dangerous threat to the peace of the world at this moment happens to be the American military. In my judgment you continue to verbalize the convictions of millions of thoughtful Americans who view with alarm the continued and deeper involvement of American soldiers and resources in this tragic and immoral affair. Would that more power could be generated by men such as you to divert control of our foreign policy in Vietnam from the military. You have our complete respect and encouragement.

I too have been outspoken in the criticism of our involvement in Vietnam—It is my impression that a growing number of people are losing confidence in the Johnson administration.

Sincerely yours,
Wm. G. Woolworth.

Albany, Calif.

May 20, 1966.

Dear Mr. Morse: Thank you Mr. Morse, keep up the good work. I have two boys and many young friends in the Armed Forces. I don't want them to die.

May God Bless You Always.

Mrs. John B. Arnold.

Rochester, N.Y.

Fairfield, Conn.,
May 20, 1966.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: We want to thank you for your forthright and courageous statements in recent weeks in the Foreign Relations Committee and elsewhere. We do not approve of the present American involvement in Viet Nam, the escalation of ground forces, the bombing, the killing or maiming of women and children, by accident, or because they happen to be in some area.

We hope that you will continue to seek a way for negotiations and eventual disengagement of United States' military forces. The situation in Viet Nam seems to have worsened this week, with Premier Ky's military move against the Buddhists.

I am writing Senator Fulbright and Senator Ribicoff also.

Thank you.

Sincerely yours,

Margaret W. Pickett.

Pasadena, Calif.,
May 17, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Sir: I am sure that the position you have taken over the Vietnam dispute has resulted in your receiving a considerable amount of noisy abuse. I want you to know that there is also a large number of quiet, frustrated Americans who wholeheartedly support you. Among them are myself and many, many of my friends.

Highest regards.

Very truly yours,

Dr. Albert R. Hibbs,
Senior Staff Scientist,
Jet Propulsion Laboratory.

Kansas State University,
Manhattan, Kans., May 20, 1966.

Dear Senator Morse: This is not directed only to you; I hope that other officials in our national government, including the President, will become aware of the dissent among the public concerning our present policy in South Viet Nam.

At first, I was in agreement with our economic and military aid to that country. But now, since the recent crises, it is increasingly apparent that the people are more concerned with political rivalry than in fighting a common enemy (Communism), and are leaving this task entirely to the U.S. military forces. Not only that, but the reports of actual attacks and demonstrations against the U.S. by the peoples of South Viet Nam are very disgusting and would seem enough reason for an honorable withdrawal of troops and aid.

Personally, I am not willing that our dollars and lives of our servicemen be wasted on people who, apparently, do not appreciate our aid, do not care for democratic freedom, or are not willing to stop bickering among themselves to fight for it. Moreover, this economic drain is removing necessary federal aid to education, research, the relief of poverty of *our own* people, as well as causing strain in the budgets of many Americans by inflation and increased taxes.

Please do what you can to get our troops out of that useless, senseless struggle and cease, at least most of our economic aid—use it where it is valued, appreciated and vindicated.

This is one voter who will not support any candidate, from mayor to President, who is in favor of our present Viet Nam policy.

Sincerely,

Phillip A. Nickel.

P.S.—Wish I were home to vote for Howard Morgan for U.S. Senate.

Edwardsville, Ill.

Dear Senator Morse: Your tireless work for peace is much appreciated. More than you know.

Just thought I'd bother you with this little note.

Sincerely,

Merrill Harmin.

May 20, 1966.

Oakland, Calif.,
May 17, 1966.

Dear Senator Morse: Thank you for your strong stand against the U.S. position in Viet Nam. I agree with you all the way. We should get our men out, and home as quickly as possible and make our peace with the Asians and help them build up their economy.

Sincerely,

Mrs. Margaret Horn.

May 19, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Honorable Sir: May I commend you for your courageous stand on the Vietnam crisis. I agree most heartily.

Sincerely,

Mrs. Lucille Filbeck.

Glendale, Calif.

Los Altos Hills, Calif.,
May 19, 1966.

Dear Sir: Once again may I respectfully commend you on your position and your frank and courageous statements regarding foreign affairs.

Your understanding, getting behind the chauvinistic superficialities, is refreshing and reassuring.

My respects,

A. A. Goetz, M.D.

San Francisco, Calif.,
May 19, 1966.

Senator Morse: Please keep up your fight against the stupidity of our Viet-Namese position.

You are gaining more support every day.

Eddie Rosenstiel.

Columbus, Ohio,
May 20, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator: Congratulations to you for your courage and stand on Vietnam. I only pray for more who share your convictions.

Keep up your good work and efforts.

Sincerely,

Earl G. Ross.

Stanford University,
Stanford, Calif., May 16, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator: I am writing to express the gratitude and support of my family and many of our friends for your long and difficult efforts to rescue the United States from its insane Asian policy. There is no doubt in my mind that, if this country ever adopts a realistic and honorable policy toward China and Southeast Asia, it will be largely due to you and to the recent efforts of Senator Fulbright and a few others.

At times, in the past few years, you must have felt that you were shouting in a desert; but some of us could always hear you, and it seems that more are listening every day. Please keep it up.

Thank you.

With all good wishes,

Hugo Maynard, Ph. D.
Research Associate.

Redwood City, Calif.,
May 17, 1966.

My Dear Senator Morse: The morning paper printed quite an excoriation by you anent Vietnam and our military, of whom it has been said, wisely, "generals die in bed."

All this recalls so vividly the valiant attempts of "Billy" Mitchell to promote our Air Corps and the unceasing battle he fought to prove his convictions. His death was untimely, but today we have the proof of his arguments.

Keep up your struggle, with Senator Fulbright along, so that, ultimately, these facts may percolate somewhat into public consciousness. I'm sure you know how hurtful the truth can be. Perseverance in the right is never wasted.

Public opinion may vary but it can be swayed by persistence of the sort and of oral force you are using. Be of stout heart.

Truly yours for peace, however, whenever and wherever it may be achieved to save our boys and "face."

Mary Ryder Erhard.

P.S.—With one of my family of 23 now in the Air Force "stateside," and another now in the hell-hole of Da Nang, need I say why I feel a frenzy of fear and shame?

Dear Senator Morse: It is my humble opinion that all loyal Americans should write to encourage you to continue to stand up and speak out, to help bring this terrible war in Vietnam to an end. You are an example of strength, in what is becoming an apathetic Society! You should propose that we withdraw now, with the valid excuse that we do not belong in the midst of strife and instability that has come to pass in recent weeks. It is obvious, conditions will worsen, with different factions fighting so among themselves, that we will lose any support of the people of Vietnam, that we might have had.

The whole thing is shocking. When we know we've made a mistake, we should try to correct it.

I wish it could be brought to a vote of the people—whether to stay or leave.

Keep on, only hit harder every chance you get, you are winning more and more admirers.

This is the only letter I have ever written to a government official.

Sincerely,

Joyce White.

Los Angeles, Calif.,
May 17, 1966.

Dear Senator: This is just a quick note to again thank you for your continued courageous stand against the Vietnam war.

Respectfully yours,

Bernard Hilberman.

May 17, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator: Congratulations on being one of the very few men in Washington who have the intestinal fortitude to stand up and be counted on this Viet Nam mess. Would that we had a few more so that we could do that which is the only manly thing to do, get out of it quickly, acknowledge that we made a mistake and act like men. We would earn the respect of the world instead of its scorn for our actions.

Of course, it takes a morally big person to say very frankly, "I made a mistake" and I do not think that our President is that type of a man. It will take some of you in the Senate to get things straightened out again.

Keep up the good work. There is hope for our country yet as long as we have men like yourself willing to fight for what is right instead of for that which is politically expedient.

Sincerely,

Roland C. Koehler.

May 18, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Although we are not constituents, we have felt the necessity to write to you and say THANKS. We thank you for the courage and integrity you have exemplified in your stand on the Viet Nam situation. We hope by my knowing there are people in the United States who believe in you and honor your stand that this discouragement can be alleviated somewhat.

People throughout the country are now taking a stand on the Viet Nam war and recently in Ann Arbor the Democratic Party passed a resolution stating our position against the present policy in Viet Nam. The Party received much advertised criticism of this stand and because it was passed just before city elections at least one of our candidates personally was hurt by this antiwar stand. We relate this to you in order that you may let others know that people within the party—people who *work* at the grass roots level are actively opposed to our policy. They should not be categorized as "beatniks" and therefore confidentially ignored.

We have written to the President and other elected officials to protest our policy in Viet Nam and have even suggested some alternatives, but needless to say we have received ambiguous answers.

Again we thank you and hope that your rationality will be listened to *soon*.

Sincerely,

Mr. and Mrs. Richard Robohm.

Ann Arbor, Mich.

San Antonio, Tex.,
May 13, 1966.

Senator Wayne Morse,
Senate Building,
Washington, D.C.

Dear Sir: Thank you for the battle you are waging against the U.S. policy in Viet Nam. Please continue the good work. I pray you will never weaken. I agree with what you are saying and doing. If you are wrong the Holy Bible should be discarded. God bless you.

Yours truly,

Victor W. Harrison.

Livermore, Calif.,
May 12, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Sir: Everything you did on the Senate Foreign Relations Committee was very, very fine. Let me congratulate you and thank you. I regret your Vietnam opinions appeared to be in a distinct minority. Some of your predictions seem on the verge of being fulfilled—and still the administration presses on toward our destruction.

I also regret that I am not one of your constituents, as I would feel very much better about voting for a man who agrees with my examination of the Vietnam situation than the people we are offered in California.

There seems no way of dissuading the administration from its present folly; but if a way can be found, you, Senator, and Senator Fulbright will find it.

Thank you for being so courageous and trying so hard to advance a saner course than is being pursued currently.

Sincerely yours,

Helen K. Bardsley
Mrs. R. E. Bardsley.

May 17, 1966.

Hon. Wayne Morse,
Senate of the United States,
Washington, D.C.

My Dear Senator Morse: I am one of those to whom a copy of the Congressional Record, covering the legal issues of the United States position in Vietnam was forwarded, for which I thank you.

This gave impetus to my writing to you although every time I have heard you speak I felt that I should. I imagine that your response to this mailing is important so that our feelings are known. I credit you with being one of the few in government today who speak truth.

Adlai Stevenson said, "The real patriots are those who love America as she is, but who want the beloved to be more lovable. This is not treachery. This as every parent, every teacher, every friend must know, is the truest and noblest affection." Your open criticism about Vietnam certainly indicates that you are a "real Patriot."

The pity in our great country today is that the general public uses only the press and general news media for their information. As a Quaker pacifist I consider it my duty to go further.

Thank you again for the copy. I shall use it well.

Very sincerely,

Ruth von Steen
Mrs. Max. von Steen.

Boston, Mass.,
May 17, 1966.

Dear Senator Morse: Thank you for the copy of your speech on Vietnam that you sent me recently, the more since it gives me the opportunity to tell you how much I appreciate what you and Senator Fulbright and a few others are doing. I only wish I could be sure that you are going to win, for I fear that the welfare of all of us must stand or fall with you.

There is nothing in Gilbert and Sullivan more fantastic than the way we are conducting ourselves. I am often reminded of Santayana's statement that people who think Dickens exaggerated have no eyes. It is all too true.

Yours sincerely,

——— ———,
Professor of English.

Passaic, N.J.,
May 12, 1966.

Senator Wayne Morse,
The Capitol,
Washington, D.C.

Dear Senator Morse: I was among those privileged to hear your speech for the Passaic annual Bond Dinner on May 10th. I wish to express appreciation for your forthright honesty in regard to so many aspects of our foreign policy. I am in full agreement with your criticism of our military aid program. It seems almost obvious that our military aid has in many instances served the cause of ambitious military tyrants. I am horrified by the daily escalation of the terror in Viet Nam and profoundly disappointed in the attitudes of the administration. I voted for President Johnson because his platform went on record against escalation in Viet Nam.

However, I am puzzled that there are so few voices raised in dissent in our government. I am convinced that the men running our government are reasonable men, and therefore cannot understand why they are pursuing what seems to be an unreasonable policy, a policy headed for disaster. I am tempted to conclude that there are facts unknown to the general public which influence the decisions of the State Department. I hope that I am mistaken.

May you continue your conscientious work as lawmaker and Representative of the people.

Respectfully,

Marcia Frank.

May 14, 1966.

Dear Senator Morse: For brevity's sake, just a few opinions:

The administration *knows* the military value of bombing N. Vietnam is minimal, the cost terrible.

Its main effect has been to increase the unity, fervor and indignation of N. Vietnamese, and lose for the U.S. what little trust and good will we still enjoyed in the world.

I believe it is continued in the hope of provoking an unthinkable "preventive war" with Red China.

It is my *personal* belief that the administration hopes it will also be a "unifying" war that will make dissent impossible, and, somehow, avoid the day when Americans will assess this war as willful, wanton murder.

A Nuremburg war trial would puncture the aplomb og Rusk, McNamara, Taylor, et al.

I look forward to the time when I can shake the hand of the very busy, very able senior Senator.

Mel Byers.

Johnstown, Pa.,
May 18, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator: Just two days ago I wrote you regarding your courageous fight in the Senate and elsewhere against this illegal and immoral war in Viet Nam. In my letter, I begged you to continue your fight for right, and to stop this man McNamara, who is developing into an American dictator.

The terrible turn of events of the past few days, which you predicted three months ago, and just today in our newscasts & radio & TV news, McNamara is now advocating and recommending two years' service for every young American male, in his dream phrase "Community of Effort." This man is unfit to serve our country in any capacity, in spite of Pres. Johnson's sarcasm of the *"Nervous Nellies"* who are opposing this ridiculous commitment & obligation in Viet Nam. I beg of you at this date to organize a committee to raise sufficient funds to purchase TV time to advise the American people of our real plight, and of the disaster ahead, unless McNamara is stopped—"and right now." I'll be glad to raise funds, and to organize a force in our State of Pennsylvania to assist you and your committee. It seems apparent to me that no-one at this time is capable of conducting a successful crusade against McNamara but you sir! Won't you please consider my suggestion, I am deeply concerned about our future, and I feel confident that the great majority of our people at this time will join you in this necessary effort to correct this hopeless situation in Viet Nam, and more important, to stop this man who will not admit in any way, that he has made terrible mistakes.

Please sir, I beg of you to carry on!

Respectfully,

D. Tom Evans.

Hoffman Estates, Ill.
May 17, 1966.

Senator Wayne Morse,
U.S. Senate,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Thank you for sending me the portion that you included in the Congressional Record on February 25 entitled, "Legal Issues of the United States Position in Viet Nam."

I also wish to take this opportunity to express my thanks to you for the forthright position you have taken on the Viet Nam question. Other senators have criticized in a mild manner, but your words have been clear and unequivocal. The whole nation is indebted to you for your moral leadership.

Sincerely,

Rabbi Hillel Gamoran.

May 18, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: It with a heavy heart this morning that I write to you. I am sad for three very important reasons. Number one—My twenty year old son is going into the army on June 6. Number two—Once again our great country finds itself at war. Number three—We are being ruled by a man who cannot accept even the smallest criticism. He does not even have the humility to wonder if he is wrong, and American lives are what he is playing with. I am tired of the present administration calling such names as "nervous Nellies" and "unpatriotic" anyone who dares disagree with its policies.

Sometime, somewhere in this world all peoples have to learn to live together around the conference table not at gun's point. Why is it mothers and wives know this is the only answer and men are so blind and intent upon war. Humanity must go forward. All our progress is in vain if we continue to have wars. Intelligent people can not have come this far without learning this fact. If man does not progress and grow mentally and emotionally, the world is lost. Wars are leading us to only one thing—total destruction. We must learn to live in peace, perhaps not harmony, but, at least peace. We must talk, not fight. If the present United Nations can not do this, find men who can and want to. Conference not war is the world's only salvation. How can anyone doubt this to be true. My family has been in three wars. I know war does not end war.

And so, as I did with his father and will with his brother, it is with heartbreak that I send my son off to a senseless war that will beget another war, and so on, endlessly.

Thank you Senator Morse, for your lonely campaign against fighting and destruction. It is difficult to be in your position and takes great courage to speak out before the whole world. If possible, keep on regardless of the relentless criticism. You are to be commended for your stand. Continue your committee hearings on television. The country needs this. I am sorry that the Senators from my own State of Illinois do not share your convictions and am sending them copies of this letter. I hope your colleague, Senator Fulbright, will not waver and fall by the wayside.

Thank you again—

Sincerely,

Doris K. Swan.
Mrs. Kenneth.

Libertyville, Ill.

New York, N.Y.,
May 19, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Hon. Wayne Morse: Please accept my appreciation for the receipt of a copy of your speech of February 25, 1966 on "Legal Issues of U.S. Position in Vietnam." I admire your wisdom, your courage, your intellectual integrity and your marvelous ability to express yourself, as well as your sticktoitiveness in spite of all contrary opinions. Would that we had more like you in our Government! I lose no opportunity to hear you or read what you have to say—and try to spread your message in my *very* small way.

Respectfully,

Edna E. Donnell.

May 14, 1966.

Hon. Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: Please keep up your work on Viet Nam. We're behind you 100%.

Thank you.

Kenneth Crane.

Edmonds, Wash.

Senator Wayne Morse,
Washington, D.C.

My Dear Senator: Both you and Senator Fulbright have been doing a wonderful job. Keep up the good work. We need men like you and Fulbright as never before. May God be with the both of you in this fight.

Yours truly,

Chas. A. Stewart.

Auburndale, Fla.

May 17, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Senator: We are 100% with you. We should immediately stop fighting and get out!

Registered Democrat.

Joe Hettinger.

Casa Blanca, Logan, N. Mex.

Lafayette, Ind.,
May 19, 1966.

Senator Wayne D. Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: Perhaps this morning I should be—as I have done in the past—gathering signatures of my colleagues who are disturbed or outraged by the latest developments of the war in Viet Nam. Certainly there is a large group of them at Purdue who support your valiant efforts to restrain and humanize the policy of the Administration.

But there have been so many outrageous turns in the past few months and there is so little close political organization here that finally it becomes difficult to show the solid sentiment of oppostion to each frightening new development.

Be assured that you have very much more support than is indicated by this single letter over my signature. (Perhaps others on the campus are writing this morning and I will hear about it later in the day.)

We were shocked beyond previous shocks by Ky's treacherous attack on DaNang. It takes very little reading between the lines to make out that it could not have taken place without the very active collusion of the American military. Can 2,500 airlifted troops pass through an American airbase without the knowledge of the commander of that base? Is he not in contact with military headquarters elsewhere in Viet Nam? And in Washington?

But worse than that—and a frightful omen for the future—was the tone of President Johnson's speech in Chicago. Just below the surface of what he said was the threat to turn the emotions of the American military against his critics here at home.

You know the history of France's involvement in recent colonial wars, and you remember that it culminated in the rebellion in Algiers and the near downfall of civilian government in France. Only DeGaulle stood between the generals of France and the Republic.

Are we moving toward a time when American generals will be turned against this Republic? Is what happened in DaNang on Sunday a preview of what may happen to San Francisco in a few years time?

Sincerely,

R. V. Cassill,
Writer in Residence.

Mishawaka Pure Milk Co., Inc.,
Mishawaka, Ind., May 19, 1966.

Hon. Wayne Morse,
Senator,
Washington, D.C.

Dear Sir: After listening to the Television broadcast of the Senate Foreign Relations Committee in their investigation of the Viet Nam War, I admired greatly your courage in standing for your convictions. Please continue in your frank evaluations, and in your criticism.

The Senate and the government has need of someone who will ask searching and pointed questions, and demand an answer, thus forcing some people to think through their opinions and evaluations. Perhaps if a little more thinking were done, we would be withdrawing from the Viet Nam war.

I am inclined to agree with your critical evaluation of our participation in this war, but even if I weren't I would admire your courage to stand for what you believe is right. Please continue.

Sincerely,

Mrs. H. I. Rudduck.

San Jose, Calif.,
May 17, 1966.

The Honorable Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Sir: While I have been very busy in the practice of law and therefore unable to be the citizen that I would like to be regarding the Vietnam situation, I have followed closely your undertakings in this regard and just want to send a brief note to let you know that I appreciate very much having a Senator of your caliber and insight along with the intestinal fortitude that it takes to stand up against the powers now presently active in this country.

I am a retired marine, retired at the age of twenty-two due to wounds received in the Korean situation while with the 7th Marines in the pull out of the Chosin Reservoir area in December, 1950.

While I am a most loyal American, I abhor complete disregard of the law on the part of the present administration in the Vietnam situation (as well as many other places) and, therefore, specifically give you permission to use my name, if it can be helpful in any way, in the battle that you are waging to stop the senseless slaughter and return our government to its rightful place in the world as a great power governed by the wishes of the people, under law.

Sincerely yours,

Harry W. Feldman.

May 16, 1966.

Dear Mr. Morse: I thought it my duty to write to inform you that I appreciate the stand you are taking on the Vietnam "war". You are fulfilling your obligation to the American people by taking this mess to the people. It must be a terrible experience to be a sole voice of dissension among so many "hawks". I feel you must know that a lot of people are with you in your struggle and in my daily conversations with people, more and more people are voicing their sheer resentment of this whole unnecessary mess.

We had to gain our freedom and independence without the aid of any nation and I feel that all people who wish to be free should fight and make their own sacrifices. This is the only way they will come to appreciate their country.

Our sons have the right to enjoy their lives free from the worry of fighting in a foreign land without even a declared war. If there was a declared war, then we could all make the sacrifice necessary to bring an end to this terrible conflict.

Sincerely,

A Nervous Nelly.

Anaheim, Calif.

May 19, 1966.

Hon. Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Thank you for being you.

Thank you for helping me think and express my thoughts.

Thank you for giving me a little hope that some solution to war may be found that will let my two sons look forward to life.

Thank you for being in there courageously pitching. If ever we're all stuck in some bomb shelter with debris, we can remember that at least a few people tried to think of another way.

Thank you for bolstering my own religious faith that the way to really protect ourselves is to understand the other fellows as ourselves.

I hope love is like sound waves—if it is I'm sending you some, along with Senators FULBRIGHT, CHURCH, and a few others.

On the other hand, I guess it's the hawks who need it.

Sincerely,

Mrs. J. F. McKIBBEN.

ATLANTA, GA.

MAY 17, 1966.

DEAR SENATOR MORSE: History may note that you and Senator FULBRIGHT could have saved our country and the world from calamity had you but raised your voices louder in 1966.

Don't falter; there is still hope.

Sincerely,

SHERMAN LEBO.

SEPULVEDA, CALIF.

SAN JOSE, CALIF.,
May 17, 1966.

WAYNE MORSE, U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Our family wishes to thank you for adhering to principle in the Vietnam situation. We agree with your policies all the way. Although we are Republicans our own Representatives in the Congress and Senate are apparently sheep following the war hawks in our Government regardless of the desires of their constituents. We have written them our views and have had replies in plain words that the President is to be followed blindly, right or wrong and the constituents desires did not matter. What do we do in a case like that?

We read all we can on this situation as our son is presently in Saigon, 8 months in the Army and over there already. In this morning's paper I read that you want the people to protest to stop an eventual war with China, for as sure as God made sun and moon this is what is going to happen. We have protested by written letter to the President, our Representatives etc., and all we get are replies as stated. Your voice may be crying in the wilderness but there are many of us "plain rank and file" people who are behind you and encourage you, in the name of God and humanity and the American family, to do what you can to stop this senseless slaughter of our sons. We have only one, his father fought in the last war, "for democracy." If our son is taken for this farce of a war I don't know how we will stand it. We feel this is Vietnam's own civil war, or religious war and they should be left to sink or swim as their people so desire.

God bless you and do what you can, it is sincerely appreciated.

Yours truly,

GEORGE and REBEKKA GOOKIN
and Daughter.

DEERFIELD BEACH, FLA.,
May 20, 1965.

SENATOR WAYNE MORSE: Please accept the thanks of one plain citizen for your courageous stand on the Viet Nam war.

DOROTHY J. BOSTWICK.

LA MESA, CALIF.,
May 19, 1966.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: As a retail merchant I talk with many customers regarding our unfortunate involvement in Vietnam and find that the big majority are in agreement with your position.

You are certainly to be complimented in having the guts to stand up against the administration.

Having been called a Nervous Nellie by a man who is himself so nervous he won't permit his prospective sons-in-law to get involved in this mess, I'm a little confused: a Confused Nellie.

Stay in there and pitch, Senator.

Respectfully,

J. M. MITCHELL.

Senator WAYNE MORSE,
Oregon.

How stupid does Washington think the American people are? U.S. knew nothing of Premier's Ky's crackdown on Buddist Insurgents. For my money it was planned by both together. How could Ky send 2500 Vietnamese troops in U.S. airstrips without our knowledge? Also their tanks, mortars machine guns and rifles? Phooey.

When Ky flew to Da Nang he headed straight for Lt. Gen. Lewis W. Walt conferring together several times. To me the Buddhists are similar to our Mormons. They represent Honest, Decent, Religious people, well thought of every where. Perhaps if they should take over the government of South Viet Nam there would be less of a blood bath. Every time some one has guts enough to stand up to the crumbs that are running things the crumbs yell Communists. I for one am sick of it.

You might tell Senator FULBRIGHT that a Montreal paper carried quite a story of where Premier Ky's explained his plan to have, shall we say "Fun Houses" for the boys returning from the front. How the girls would be examined by physicians and etc. I also think the Herald Tribune referred to it in a few words. Couldn't carry that story in the U.S. papers.

Johnson is really to blame for most of this when he embraces Ky in public in Honolulu. Ky became his blood brother according to Asian standard. Ky now has delusions of grandeur. He expects to become to Asia, what Johnson has forced onto the people of the United States. I am not saying anything against it. But all this education the country is getting is causing the young to think. Even the most stupid will begin to think for them selves when they rub shoulders with the bright students. They are more easily led.

I am not exactly stupid myself. My father a Government official died young, and the man he worked with took over my education. He hated dope and I cut my eye teeth on the criminal element. Mike Collins a one time Custom agent at headquarters in New York recommended me to the Fogarty Detective Agency on Beekman Street in New York City for a case and I worked over a year for them. Now I am tied up here in the North Country. My husband has hardening of the arteries and needs care; after all it's up to me to give it to him. He is member of the 16th Engineers of Detroit. We will be at their reunion over Labor Day I expect. I have been president of the S.P.C.A. and the Auxiliary of World War I here.

Mrs. Moberly, mother of I think, Senator or Congressman Moberly of Montana, comes East winters and with her sister here lives in one of my apartments. We have quite a few bull sessions. She has now returned to Sweet Grass, Montana her home for the summer.

Why not take Rusk, McNamara, HUMPHREY, and Johnson and send them up to the front lines in Viet Nam, especially when the U.S. is using Napalm Gas. If I was as good a liar as some people are instead of being comfortable I would have millions like say Johnson. By the way when is the U.S. going bankrupt? Can any country stand the spending we are doing. Of course Johnson has to take care of his friends and he hasn't an enemy in the World. We all know if this fighting would stop, the money would stop rolling into the ammunition, aeroplane and such factories. So our poor young men must shed their blood in far off Asia, where we have no business to be. I wonder that some of these people can sleep at night. I guess some don't they drink and dance or wiggle till morning nights. Nice example to set the coming generation.

Will Johnson fiddle while we burn as Caesar did when Rome was destroyed? Sorry to write a book, but I get carried away at times.

BETTY BENYOUL.

[From the Montreal Gazette, May 16, 1966]

CRISIS FLARES AFRESH

SAIGON.—A government military crackdown on Buddhist insurgents in South Viet Nam's defiant north has brought on a fresh civil crisis and new calls for a national uprising against Premier Nguyen Cao Ky's military regime.

Saigon braced for trouble in the streets and a possible general strike that could cut electrical power and water supplies.

In a special broadcast Lt. Gen. Nguyen Van Thieu, the chief of state, described the seizure by government troops of key installations in Da Nang as a move against Buddhist dissident groups infiltrated by Communists.

He called on "every citizen to be aware of the danger to the nation."

The war in the field fell into a lull.

Officials in Da Nang had been defying Ky's rule since March. In April, Ky declared the coastal city, 380 miles northeast of Saigon, in rebellion and in the hands of Communist elements. Da Nang officials denied his charges.

REBEL FORCES REGROUP

Ky sent 2,500 Vietnamese marines and airborne troops into Da Nang just after dawn. They had flown to the air base outside the city from Saigon and Quang Ngai, about 75 miles southeast of Da Nang.

Their tanks, mortars, machine-guns and rifles sent insurgents fleeing from city hall, the radio station, the docks and other strategic points. But rebel forces were reported regrouped in the central market and a Buddhist pagoda. Rebel pockets still held out at nightfall.

Huge U.S. marine and air force installations on Da Nang's outskirts were not involved. But Lt.-Gen. Lewis W. Walt, U.S. marine commander in Viet Nam, spent the day in the city and conferred several times with Ky, who flew to Da Nang at noon to order his troops to smash the dissidents and bring the northern dissidents back to Saigon's control.

But in Hue, the Buddhist center and old imperial capital north of Da Nang, Buddhist Radio broadcasts appealed "to all religions" to take to the streets. Rebellious troops were reported gathering there possibly to launch a campaign of armed resistance. There were unconfirmed reports that Gen. Nguyen Chanh Thi, whose ouster as commander of the Northern Zone in March led to political unrest, was in Hue organizing a rebel force.

ARE WE BECOMING A NATION OF PUPPETS?

(By Maggie Grant)

Thanks to the kindly old government, I'll be beating the family wash on a stone.

Very nice of the government, deciding that since we're too stupid to control our own spending, it will do it for us, via the income tax route. I'm sure we all feel very grateful for this fatherly concern. As for me, here are running accounts of my 1966 extravagances, and from such as these I will be saved in future.

ST. LOUIS, MO.,
May 18, 1966.

DEAR SENATOR MORSE: Thank you for having sent to me your speech on "Legal Issues of U.S. Policy in Vietnam." I have read it with interest, and am grateful that there are courageous men, like yourself, who take a strong stand against our continued involvement in S.E. Asia.

To many of us, our real position there, is to have a beach-head, a military springboard against China. Of course this reason cannot be publicized. It is a real danger that may trigger a larger war.

That American families are again faced with the loss of young men for whom they hoped better life than to die on battle fields, or have their whole moral concepts warped by war experiences is the source of much anguish to me, a minister. May men like you, and Senator Fulbright continue to labor to get our land extricated from its dangerous position.

Hopefully,

Elmer H. Hoefer.

Woodside, Calif.,
May 20, 1966.

Senator Wayne Morse,
Foreign Relations Committee,
Washington, D.C.

Dear Senator Morse: I feel that TV coverage of the Foreign Relations Committee debates on Viet Nam should be available to all Americans. If this country can afford to spend millions in Viet Nam, surely we can afford to pay for the broadcasting of discussions concerning this subject in order to inform the American people of the issues.

Thank you for caring enough about American lives and consciences to speak out when it has been so unpopular to do so.

Sincerely,

Carol H. Rose.

May 20, 1966.

Dear Senator Morse: We are residents of the state of Missouri and therefore cannot support you at the polls but we would like to let you know that we appreciate what you are trying to do for us as part of the country. The war in Vietnam seems like an impossible nightmare and it makes people who formerly believed that our beloved country could do no wrong more than a little doubtful.

Your strong stand against the war is regarded by many as the only hope for the future. Unfortunately, the cries for war are louder and much more popular than cries for peace.

We admire both you and Senator Fulbright for your courage and pray for your welfare and for a trend of events which will prove you right.

With our best wishes,

Mr. and Mrs. James M. Hay.

Jericho, N.Y.,
May 23, 1966.

The Honorable Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: The second Civil war in Vietnam only points out the fact that the people really do not support their Government. It seems to me we are in an untenable position. While we fight the North Vietnamese, the South Vietnamese fight each other.

Don't you think it is time now that we gracefully withdraw and let all of the Vietnamese work out their own problems? Our boys are dying and our money is being expended to no avail in that unhappy country. I truly do not believe that Communism will take over the world if we gracefully withdraw from Vietnam. This is not at all a situation similar to the time that Hitler invaded Europe. There we had to step in to stop the march of Nazism over Democracy.

I believe fervently that the whole area where the Vietnamese crisis is occurring will calm down once we remove our troops and the natives are allowed to determine their own destiny.

Sincerely yours,

Leonard Rapoport.

May 20, 1966.

Dear Senator Morse: Thanks for your unflinching courage and deep insight and understanding regarding our Viet policy. Keep it up.

Sincerely,

Robert J. Gaudette.

Marblehead, Mass.

Cortaro, Ariz.

The Honorable Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: Bless you for your open and courageous stand on the Viet Nam issue. Please keep being a statesman instead of a politician.

Yours truly,

Mrs. B. B. Ferrell.

Chicago, Ill.

Dear Senator Morse: After observing you and Senators Fulbright and Gruening on television at the congressional hearings I felt I must write to you and tell you that *you are right.* I can hardly deny that the democratic party's internal policies led by President Johnson has been both needed and beneficial. I find no words to describe his foreign policy. I agree with all I heard you say on television and the magazines. Keep it up! Yours is a sane voice in the Senate.

Since the Republican party offers no alternative (Except escalation) what is our recourse in 1968. I am a freshman at the University of Illinois and will be able to vote in 1968. While I would like to vote for Johnson on the basis of his domestic strides, the Viet Nam issue is so dynamic that it entirely overshadows other consideration. Could it be possible to stage an upset at the democratic convention and put in a peace lover (Kennedy perhaps).

Keep the pressure on the Hawks! You have 100% support from these quarters.

Gratefully yours,

Peter Andersen.

Interlaken, N.J.,
May 23, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator: I had hoped to find the opportunity to make a suggestion to you at the New Jersey SANE banquet Saturday night, but you had to catch a plane and there was never the chance.

The suggestion is simply this: the late President Kennedy, at the time he secretly raised our commitment in Vietnam by sending in more "advisers," drew a very explicit line about the extent of our commitment. I have a vivid memory of the televised press conference at which he made the statement, and you will find the exact quotes, I believe, in Schlesinger.

It went as I recall like this: Kennedy was asked about the increase in our forces, which had not yet been openly reported to Congress, and he said we were sending in more advisers, giving more aid. Then he said something like this: "We can help them. We can give them aid and military advice, but we cannot win the war for them. It is *their* war to win or lose."

The significance of this statement, of course, is that it negates everything Rusk and the administration now say. Everytime Rusk raises the phony issue of the SEATO treaty or pretends that the Johnson administration is simply carrying out Eisenhower and Kennedy policy, it seems to me that this quote could be and should be very effectively rammed down his throat. The film clips of that televised press conference must still be available, and I would think you might find occasion to make dramatic and convincing use of them.

Kennedy, obviously, did not consider this a holy war against aggression covered by the SEATO treaty and requiring us to fight; he clearly regarded it for what it was, a civil war in which we might help by giving aid to the boys on our side. Johnson—and Johnson only—abandoned this policy and made it *our* war, and I think the film clip of that press conference would be good and convincing evidence of the fact.

Hope this helps in some small way.

Yours truly,

Fred J. Cook.

Chicago, Ill.

Dear Senator Morse: Thank you so much for your stand against the president on the Viet Nam war. It is a comfort to know that you are in there fighting for us. Believe me, there are thousands and thousands of us on your side. I only wish I lived in Oregon so that I could vote for you.

Please don't ever give up your great work.

Yours truly,

Elizabeth Krohn.

Silver Bay, Minn.

The Honorable Wayne Morse,
Senator, The State of Oregon,
Washington, D.C.

Dear Senator: Thank you for the copy of the Congressional Record of your speech on the legal issues in our United States involvement in Viet Nam.

I have recently done considerable research on the situation myself, and we were, it would appear, by no means justified in going into Viet Nam in the beginning (setting up Diem), nor in furthering our military involvement since 1960, nor in escalating and bombing in the North.

But how can one change our foreign policy there? I have written to both of my senators. I have written, strongly urging the recession of our bombing there to the President himself. And all we keep hearing is reactions to the so-called "critics." I personally appreciate what you, Senator Fulbright, my own Senator McCarthy are doing. I just wish there were some way our State Dept. could be influenced to phase our involvement in Viet Nam out as rapidly as possible.

At any rate, thank you for your stand, and this issuing of your speech.

Cordially yours,

Richard J. Einerson.

Collingwood, N.J.,
May 18, 1966.

The Honorable Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Mr. Morse: I'm with you.

Sincerely yours,

Jean K. Maxwell.

Oceanside, L.I., N.Y.,
May 15, 1966.

Wayne Morse,
U.S. Senator from Oregon,
Capitol Hill,
Washington, D.C.

Dear Senator Morse: This is to commend your courageous humane and hard hitting stand on Viet Nam.

Your statements both within and outside the committee hearings are most illuminating and assuring.

It is hoped that if our Government can not extract itself it will at least exert all its influence in behalf of free and fair elections.

Good fortune and success to you.

Very truly yours,

Harry Pollach.

Truckee, Calif.,
May 16, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: It is very heartening to know that there are a few courageous and farsighted individuals such as yourself in the Senate. In your opposition to the way in which the Johnson administration is dragging the United States deeper and deeper into the civil war in Viet Nam you demonstrate your intelligence and courage.

Since I am not one of your constituents I cannot endorse your stand by voting for you but as one citizen I am free to let you know how much I admire you and support the view you present of the United States' despicable participation in the Viet Nam war.

It is a shame to see ones own country engage so bullheadedly in a war in which we are so obviously at fault as a consequence of our own actions.

Sincerely yours,
Charles Lowrie.

May 18, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Sir: I am thankful that you are in the Senate.

It takes courage to disagree when the crowd howls "lack of patriotism" in answer to logic.

We are fighting a questionable war by impossible methods. If we do not get out of Vietnam now, it will mean an endless drain of our manpower and our wealth for many years.

Our military power is so vast that we need no face-saving.

Continue to use your powerful voice to help us get out.

Respectfully yours,
Samuel Wilnin.

El Dorado Hills, Calif.,
May 16, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: As one who has long admired your part in our American system of government, I wish to add my support to your present stand on this issue of our commitment in Viet Nam.

I have followed the televised hearings and find that your statement in this dialogue is a clear definition of a sane policy which the nation could most profitably follow.

I have written, also, to the Senators from my State, hoping that one more letter might help in avoiding a further increase in military activities and an immediate and genuine, attempt be made to solve peacefully this ridiculously dangerous situation.

I surely agree with your idea of a "Yugoslavia" in South East Asia—interesting and beneficial in the light of present problems in that region.

Sincerely,
Liane L. Martin.

Kingston, Ontario,
May 16, 1966.

Senator Wayne Morse,
The U.S. Senate,
Washington, D.C., U.S.A.

Dear Senator Morse: As a Canadian who has lived for ten years in the United States, I wish to commend both you and Senator Fulbright and others for your courageous stand on the behalf of humanity against those who make a mockery of Western Civilization and the Christianity which they so vociferously profess.

I enjoyed my sojourn in the U.S.A. and found the American people friendly and democratic in all respects but in the realm of international politics very immature. I found the attitude of the majority of Americans difficult to understand in regard to their conduct towards Russia, Cuba, and many other areas of the world. For this reason I left the U.S.A. (deciding against taking out citizenship) to return to Canada. However I find little consolation in the attitude of many Canadians. Indeed, Canada is sharing in the prosperity of the War in Vietnam with all the privileges of the good satellite and no spillage of blood. For this reason your protest and the protests of many of your fellow Americans is refreshing and welcomed (and to me at least an unexpected development). I believe your words and actions will do much to restore the image of the America of Lincoln and will not be lost on all areas where freedom is either being sought or enjoyed.

Our mutual and esteemed friend Mrs. Luce once remarked in explaining your conduct "that you were kicked by a horse in your youth." It would be a great satisfaction to many of us in this world if Mrs. Luce, the American President, our Prime Minister and many others could locate and receive the same treatment from this horse's hoof. Their conduct is more that of another beast of burden.

With great appreciation for your actions and words which if they had happened in Germany of yesteryear would have made a one way trip for many of us unnecessary.

Yours very truly,
James W. Forbes.

Belle, W. Va.

The Honorable Wayne Morse,
Washington, D.C.

Dear Sir: I and my family support you in your effort to stop this senseless Viet Nam War and bring our boys back.

Sincerely,
(Mrs. Charles) Genevieve Sparacino.

Downers Grove, Ill.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator: Thank you for sending me your very fine speech that you gave in the Senate February 25, 1966 titled "Legal Issues of U.S. Position in Vietnam." You will go down in history as one of the greatest statesmen and millions of our rational people thank you greatly for all you have done to bring about peace to the world.

Yours truly,
Alberta Daniels.

Barre, Vt.,
May 11, 1966.

Senator Wayne Morse,
Washington, D.C.

Dear Sir: I have just finished listening to CBS reports coverage of the Senate hearings today. This has again brought forth to me the vital importance of your proposals. I wish to express my gratitude for your courage and perseverance in expressing an unpopular but singularly realistic appraisal of our actions in Viet Nam.

You have grasped what few in U.S. Government policy making positions today seem to understand; namely, that the day has gone when one nation can assume leadership of world problems and arrogate to itself the task of adjusting international relationships. Problems of conflict between nations can only be resolved by the combined intelligence and judgment of truly international institutions such as the United Nations or Geneva Conferences on Disarmament.

Senator Fulbright has been identifying much of the same weaknesses in our present foreign policy. It seems it must inevitably fail because it does assume such a preeminence of the United States, because it so unrealistically assumes all power to reside in the force of arms and threat of destruction through the use of those arms.

I hope you will continue to press for a more objective, ethical and politically realistic appraisal of our role in the Viet Nam conflict.

Very truly yours,
Thomas W. Dodge.

Madison Avenue, N.Y.,
May 19, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: Thank you for providing me and the rest of the American people with the nourishing grace that's a natural result of sense and truth, especially when a man of your vigorous eloquence speaks out.

I will not say if, but optimistically when, men of the future recall the hard beauty of the American experience in the twentieth century, your voice and actions will undoubtedly be remembered and revered as expressions of our true heritage.

Sincerely yours,
Maggie McNamara,
TV Producer.

Hatfield, Mass.,
May 19, 1966.

Hon. Wayne Morse,
U.S. Senate Building,
Washington, D.C.

Dear Senator: Thank you for sending "Legal Issues of U.S. Position in Viet Nam."

From the start of our involvement in Vietnam I have felt most strongly that our position was untenable except in an advisory or economically constructive capacity. I have been quite vocal in the local press; and have followed the Foreign Relations hearings intently. Every scrap of information on TV or in the press was eagerly seized on. For weeks on end I would wake at 3, and 4 o'clock—sometimes before that and been unable to sleep afterward. I have written to the President. I have preached from the pulpit my deep concern.

This thoroughly documented statement by the Lawyers Comm. on American Policy seems to me unanswerable, convincing and one that needs to be "shouted from the housetops" by others than yourself in the public hearings on TV. I have been amazed and disappointed that I, for one am practically the only one who has expressed his opinion in our local press. And now there seems to be a general muffling of dissenting voices that the President be not embarrassed any more than he is by late developments. I have ceased to talk.

It seems that the spoken or written word makes little or no effect on the nation. Only events now transpiring will convince the nation of the illegality, the immorality, the folly of its conduct in the world. And it must learn that lesson with unmitigated severity once and for all.

I do not blame the President. I have felt he was simply following advice, and that advice was one-sided and not the result of free debate. The dissent that has been allowed has only been a safety valve to let off steam. It has been easily counteracted by chauvinistic appeals to support our boys who are doing such a heroic work.

Admittedly their pacification program is praiseworthy. But even on that basis, the highest idealism may often (and I feel it has in this case) lead us to do harm under the guise of doing good. It is a most subtle form of paternalism, which is as much of an invasion of freedom as aggression. It leads to smug self-righteousness and defense of acts of outside interference which we would certainly resent if practiced on ourselves.

We cannot carry on two contradictory programs simultaneously—i.e. pacification *and* war. The idea that peace, unification, security can be attained by force has been disproved and must once and for all yield to rule by international law.

Again let me thank you for this copy from the Congressional Record and for the stand you have been taking. May God give you strength to continue.

Very sincerely yours,
Allen H. Gates.

New York, N.Y.,
May 14, 1966.

Senator Wayne Morse,
U.S. Senate Office Building,
Washington, D.C.

Honorable Sir: Your stand on Viet Nam and U.S. foreign policy is most commendable! Best wishes!

Sincerely,
Samuel D. Shrut, Ph. D.

May 14, 1966.

Dear Senator Morse: I am a California college student and attended a speech you delivered in Oakland, California in April. To say the least, you are my representative in Washington. I have no purpose here, other than to thank you as an American for the work you are doing regarding United States policy in Viet Nam. We have approximately the same views regarding the war and I feel that it is the only view justified by both fact, rationality, and morality. Please do not lose hope as you instruct the Senate and the nation, and question the bankrupt policy of our government. You are one of the few legislators who will shine in the history books when this chapter of United States history has been written.

Thank you.

Richard Steinberg.
Santa Barbara, Calif.

Flushing, N.Y.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: I agree with your views on Vietnam and I too am fearful of the threat of a third world war. I admire your courage in speaking out against most of your colleagues as well as the President and the Democratic party.

Thank you for doing what you feel is right.

Sincerely yours,
David Penchansky.

Paramus, N.J.,
May 17, 1966.

Senator Wayne Morse.

Dear Sir: I am writing to say that I admire and support your position on the Viet Nam situation.

I would like to take a more active part in implementing your feelings. Can you suggest what I can do.

I am a veteran, a democrat and the father of military age sons. I am not a pacifist or a communist.

Yours truly,
James Duffy.

P.S.—You may use this letter as you wish.

Chicago, Ill.,
May 17, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: You are absolutely right when you said that the American military was a threat to the peace of the world. I have felt this many times recently.

If more of our "spokesmen" were as outspoken and clear thinking as you and Senator Fulbright, peace might be a much more tangible thing.

Sincerely,
Eleanor Coen.

Central Valley, N.Y.,
May 18, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: The sticker on my car reads "Elect Morse President '68." I mean it. *You speak for me on Viet-Nam.* Tell Senators Gruening and Fulbright they're doing OK, too.

Sincerely,
Nadya Spassenko.

Takoma Park, Md.,
May 19, 1966.

Senator Wayne Morse,
Senate Building,
Washington, D.C.

Honorable Sir: I have just a moment to let you know that I appreciated receiving a copy of your Senate speech which I have received. The only thing that I regret is the fact that you left GOP and joined the Democrats. If it was not for a few farsighted men in each party, who are willing to speak their convictions, we all would be lost in the woods of despair.

While we do need the two party system, it does not make so much difference which party we belong to, if we are honest and serve our country unselfishly. Human nature is the same where ever you find it and I think it is very dangerous to have either one of our parties in power to long at a time. Personally I sincerely trust that you have been doing your own party a justice by being so frank in pointing out the evils of the Democratic party.

It is sickening to me to know that there is so much dishonesty among our public men. So many of them are taking advantage of their position to increase their own riches. I recognize that it would be even worse, if we did not have men like yourself in the party.

Please stay with us a long time, however I feel confident that you could do even a better service, if you would jump your party again and join with such outstanding men as Senator Dirksen. He is another man that thinks a bit straighter than many of your colleagues.

Please keep up the good work.

Sincerely,
Frank D. Wells.

Hilo, Hawaii,
May 18, 1966.

The Honorable Wayne Morse,
Senator,
U.S. Senate,
Senate Office Building,
Washington, D.C.

Dear Sir: I am not a constituent of yours, but I must write and tell you that I appreciate deeply the witness you are making in protest to our involvement in Viet Nam.

I am certain you have been the recipient of a great deal of abuse and criticism, and I feel you have borne this with dignity and respect. Indeed, you have borne it for all of us, and we are indebted to you for your courageous stand in the face of seemingly impossible odds.

Certainly this will be small comfort to you for the administration seems bent on our mutual destruction. But, I suspect that the distance between present national indifference and outright opposition is not very great. Perhaps we can hope that the swelling tide of protest will bring indifference to its side.

Our thanks again to you, sir, for your work at a hard and difficult and thankless task.

Sincerely yours,
Robert W. Fiske.

May 17, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Wayne Morse: I received in the mail yesterday a copy of your speech made in the Senate (Feb. 25, 1966) regarding the legality of the United States involvement in Vietnam and I want to reply.

Let me say first that, particularly in light of the recent activities in DaNang, it is most refreshing to know that people in positions of political influence (such as you and Senator Fulbright) are undertaking rational criticism of President Johnson's present policy. Until the open hearings of the Senate Foreign Relations Committee several months ago, we were much distressed by the lack of congressional opposition to Johnson, and especially the lack of many-sided advice to him.

Second, let me assure you that my family and I admire and appreciate your stand and the stand taken by all those who have carefully appraised our situation in that country. It appears that Johnson's speech last night in Chicago underscores, once again, the quick-sand-nature of the basis of his decision-making in Vietnam. He stated that his decisions were based on the consideration of what's best for the United States, whereas formerly they were based on our "commitment" to the Vietnamese people. (Perhaps last night he was merely being frank.) What is most distressing is that those in positions of power seem to ignore the honest appraisals of eminently better qualified people than those in the State Department. Sadly the present actions of the United States seems to be based on a myth which is transparently unrelated to reality—even with the mass media as one's only source of information.

Thirdly, the alternatives to Johnson's present course as proposed by the Lawyers Committee on World Peace Through World Law offer a positive approach which I feel it dishonest of him not to acknowledge or to consider. (Not to mention many other alternative proposals.)

I have written to both Senators Douglas and Dirksen regarding this matter, but they feel it necessary to defend our present actions; as you must know. I am sending copies of this letter to Senator Fulbright and President Johnson.

With sincerest regards, I am
Nan Koehler Allen.
Mrs. Nan Koehler Allen.
Chicago, Ill.

Stevens Point, Wis.

The Honorable Wayne Morse,
U.S. Senate,
Washington, D.C.

Sir: I agree wholeheartedly with the stand you have taken against our action in the war in Vietnam. I think you were right when you told Secretary McNamara that Vietnam might well be another Jugoslavia if we had not interfered and aided in continuing the terrible bloodbath.

Sincerely yours,
Mrs. Lee A. Burress, Jr.
Maxine Burress,

Pasadena, Calif.,
May 15, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Only a brief note to say thanks for the courageous stand you are taking in behalf of truth. Perhaps you feel as I often do—That we are like a small boy crawling through a dark pipe and in panicky doubt as to whether to go forward or back.

If the United States is to avoid a *sure collision* in the near future the nation should follow the ideas you bring to their attention.

Most sincerely,
Lynn Thompson.

Minden, Nebr.,
May 17, 1966.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: Thank you so much for the copy of the Congressional Record telling of the findings of the Lawyers Committee on American Policy Toward Vietnam. This is most helpful and we are grateful for this definite information. So often what we get in the newspapers is so fragmentary or slanted that we are not sure of what we are reading. Furthermore, in this part of the country our largest State newspaper does not often print anything that would suggest that we might be on the wrong track with our foreign policy. Our own Senator CURTIS (from our town) gives no help along this line either.

We appreciate what you are doing in the Government and pray for more men and women like you who will bring to light "unfavorable" facts which we all need to know.

We hope that our Nation can do the right thing about Vietnam and regain her position as a Christian nation truly helping other nations and peoples to a full and free life. We feel that we have no right to be in Vietnam militarily and that we can help to eliminate communism by acts of love only. Our being in Vietnam as aggressors is only going to cause more people to become communist.

Thank you again for sending your speech. May God bless you.

Sincerely,

CHARLES and RUTH MOORER.

CLINTON, N.Y.

HON. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: My husband and I both want to express our appreciation for the stand you took on the Vietnam war at the recent questioning of Mr. Rusk and Mr. McNamara by the Foreign Relations Committee. We both feel very strongly we have no moral or legal right to take the stand our country has.

Respectfully yours,

MRS. HAZEL G. WEIL.

MIAMI BEACH, FLA.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I just want to send along this note registering my wholehearted support for your dissent from administration policies in S. Vietnam.

Thank you for your insight and courage.

Sincerely,

ELLEN RUDT.

WHEELING, W. VA.,
May 17, 1966.

DEAR SENATOR MORSE: Am in receipt of your speech in the CONGRESSIONAL RECORD, pertaining to "Legal Issues of U.S. Position in Vietnam."

I have taken time to read it over carefully. I agree with the memorandum and thank you for showing your great concern to arouse even larger numbers of Americans to the serious threat that faces us in Vietnam.

I tell all my neighbors and friends that the American people are more fortunate than the Germans before Hitler and during his rise as they had no Senator MORSE, FULBRIGHT, GRUENING, and others to break from the "Status Quo" and forewarn that nation to the dangers of that era.

The service you and the colleagues mentioned render are truly in the interest of the American people. I have and will continue to press forward in my area to get increasing numbers of local people to also accept the challenge facing them and work in the interest of world peace through law.

Ever hopeful,

GENNE KUHN.

PHOENIX, ARIZ.

DEAR SENATOR MORSE: The American people seem to be like Lemmings running headlong to destruction.

We talk about education but don't take the advice of intellectuals when they speak. Why is that? Don't tell me—the answer is greed.

I don't pray any more—there just *can't* be a benign someone anywhere—but I send love and admiration to you. I hope to attend the United World Federalists meeting in Washington and indeed it would be an honor to meet a man like you.

In "Thoughts for a Good Life" it says "A man is rich in proportion to the number of things he can afford to let alone." (like Vietnam.) and "The way of this world is to praise dead saints and persecute living ones" so be assured you will get your rewards after death like Albert Schweitzer has and Bertrand Russell will.

With deepest appreciation,

RUTH GLESPEN YEAGER.

LOS ALAMOS, N. MEX.

The Honorable WAYNE MORSE,
U.S. Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I want to register my vote of support for your courageous stand in advocating and pursuing full and open discussion of American foreign policy. I feel that you, Senator FULBRIGHT, and the other members of the Senate Foreign Relations Committee are doing the American people a great and much needed service.

Sincerely,

DENNIS L. ORPHAL.

MAY 17, 1966.

DEAR SENATOR MORSE: I am writing to express my opinion on the Vietnam War, or Johnson's War. After seeing you on TV last night, I agree with you and Senator FULBRIGHT. I cannot imagine why our boys are being slaughtered over there. I have a son there so am very concerned about the whole mess. Keep up the good work.

Best wishes,

MRS. RICHARD GLADDEN.

TURTLE CREEK, PA.

RIPON, WIS.,
May 17, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: This note needs no acknowledgment. I just want to express appreciation for the stand you take on Vietnam and other related matters. It takes courage and conviction on your part, and we realize how difficult it is—also how valuable it is.

I am in the process of reading the reprint from the CONGRESSIONAL RECORD: Legal issues of U.S. position in Vietnam. But this envelope was addressed before I received the reprint, as I wanted to express my appreciation.

Gratefully yours,

ETHEL L. BRYAN.

WILSON, N.Y.,
May 18, 1966.

Hon. Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SIR: This letter is simply a vote of thanks for your stand on Viet Nam. I'm glad someone dares to stand up to the truth. I have followed the situation quite closely for several years and I too concluded the U.S. is meddling in a civil war.

The latest casualty figures are a crime. We are sending our boys to the front to get killed while the ARVN takes it easy in safety. The latest civil disturbances surely support your calling Ky a tyrant.

Yours truly,

MRS. JAMES SCHOTZ.

SEATTLE, WASH.,
March 5, 1966.

DEAR SIR: Having heard over local TV the Portland man who is collecting signatures for the recall of Senator MORSE several of us in Seattle would appreciate the reaction of your office to a 50-state canvas of friends and admirers of Senator MORSE, using the enclosed statement (still in a tentative form) with which to collect signatures.

It is our feeling that quite possibly Oregon groups have already started such a campaign. Because we feel this is important and to avoid spinning our wheels with several groups acting in an uncoordinated (and inefficient) way, we would welcome your counsel in this matter.

Above and beyond the wider implications of what Senator MORSE has been doing for his fellow citizens, it seems to us that he and his family should not have to wait until he is gone from us for a generous and widespread expression of support and thanks.

Please convey to the senator my appreciation of his letter and enclosure of Oct. 26, 1965, sent to me in Rome.

Sincerely,

RICHARD J. CARBRAY.

We, the undersigned, citizens of the United States of America, hereby associate ourselves with the courageous efforts of Senator WAYNE MORSE, Oregon's senior senator, in his continuing attempts to be heard in the vital area of foreign policy. Senator MORSE, in speaking out for what he believes to be right, is fulfilling one of the noblest traditions of our democratic heritage in the face of constant and powerful opposition.

We salute him as a loyal and patriotic American.

SAN FRANCISCO, CALIF.,
May 16, 1966.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SIR: If America had stayed out of Europe we would not today be in Vietnam.

World War I destroyed the unity, leadership and power of Europe in world affairs by the defeat of Germany. The victors were false to Western Christian civilization. They were lawless men who by their own corruption and violence, and by collaboration with the tyranny of old Czarist Russia and her heirs, the Bolshevisks, split civilization wide open from Berlin to Vietnam, down the middle, in a gulf of lawlessness and godlessness, into which they now are trying to push the other, or, having both fallen into this abyss of hate and selfishness which they made by World War I against Germany, they are now trying to escape their own errors and bridge the gap. See what Germany is doing for Europe today.

Yours truly,

J. M. WARD.

NEW YORK, N.Y.,
May 23, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR MR. SENATOR: This letter is written for the purpose of expressing my sympathy for the stand you have been taking in public and in the Senate for legitimate procedures for ending the war in Viet Nam and for the assumption by the United States of a posture in world affairs more in keeping with our historic role as a proponent of liberty and a defender of the rights of man.

I write not as a "nervous Nellie" but as one who earned the right to wear the Combat Infantry Badge for facing the enemies of our country in World War II, and I do not relish the image of the United States, a military Goliath among the nations of the world, on the center of the world stage, punishing with mighty thrusts a small nation of peasants . . . the very ones for whom our hearts should reach out in charity. Nor do I like the ambiguity and double-talk that comes from the administrators of our democracy in explaining the reasons why they have catapulted our country into this role. The smell of wheeler-dealing assaults my nostrils and, I believe, those of most sensitive and thinking Americans.

The hints from Washington that the declaration of national emergency, and even of war, might quiet the public discussion of foreign affairs intimates that our so-called leaders think of themselves more as the trainers of animals than as the responsible leaders of a people and the inspiration of its youth. What morale can we ever have in such a situation?

The American people must thank you and the handful of Senators and Congressmen who have succeeded in "leaking" whatever intelligence the American people have gleaned from this debate.

Very truly yours,

William T. Baker.

Philadelphia, Pa.,
May 24, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I can only say thanks and congratulations. You have said publicly what many of us have thought but been afraid to utter—besides who would listen to me if I did say it. This is about what I have heard from Vietnamese friends here in the United States. They too would be afraid to say this except to sympathetic friends, and besides the opposition would shout them down.

Keep up the good work, and your support is gaining, as even the Philadelphia Bulletin seems to be giving a little more footage to the opposition to war in Viet Nam.

Very truly yours,

Miss A. M. Bridges.

Hyannis, Mass.

The Honorable Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Here is how I feel: Wayne Morse, Yes; Administration's present Viet Nam policy, No.

Yours truly,

Richard O. Staff.

May 21, 1966.

P.S.—My thanks to you for your continuing strenuous efforts.

R.O.S.

Philadelphia, Pa.

Senator Wayne Morse.

Dear Senator: I don't agree at times with the things you say, however on Vietnam I must say I agree wholeheartedly.

I don't pretend to be too smart but neither am I too stupid.

I am going to say something that perhaps I should not say.

It is my opinion that the President after all his preaching of peace in his campaign speeches then got the most votes of any President in the history of our country.

Then all of a sudden he starts bragging about how powerfull this Nation is and begins to act like a drunken sailor.

We are involved very deeply, our boys are being killed for what?

I have listened and read, watched TV. Our cabinet members say everything is OK. No black market, no bawdy houses and then some stupid reporter sends tapes back and they are shown on TV.

The amount of money our fighting men are dropping in Saigon, the new taprooms opening up.

I can see why they asked for our help and boy are we dishing it out.

Secretary McNamara telling Senator Gore about thousands of cans of hair spray. What are we sending anything to Vietnam for, I am stupid and confused.

There are so many things that have happened in Washington it makes one wonder what next.

Sincerely yours,

John McGrath.

New York, N.Y.,
May 24, 1966.

Dear Senator: How lucky Oregon is to have you for its Senator. You make sense.

God bless you—let's get out of Vietnam and stop the bloodshed.

Yours truly,

I. Klebanoff, D.D.S.

Chelmsford, Mass.,
May 21, 1966.

Dear Senator Morse: I recently received a copy of your speech in the Congressional Record titled "Legal Issues of U.S. Position in Vietnam", probably due to my being on the mailing list.

I would like to express my sincere appreciation for your position taken in Congress and I hope you are successful in changing some of the policies our Executive Branch.

Yours truly,

Walter Ray Millen.

Daly City, Calif.,
May 19, 1966.

Senator Morse,
Washington, D.C.

Dear Sir: Keep trying to get us out of Vietnam. Southeast Asia can't be worse off than it already is.

Reg. Demo.

Edward Arrigom.

Chambersburg, Pa.,
May 23, 1966.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: A copy of your speech made in the Senate of the United States on February 25, 1966, has been received, and I appreciate having this copy.

I agree with you whole-heartedly in the stand you have taken regarding the war in Vietnam, and I know that there are many other people who agree also.

We all feel very helpless and ineffective when it comes to doing anything, or even expressing ourselves on this issue, because we can be misconstrued as either unpatriotic or softening up toward communism, neither of which is true.

The saddest part about the whole thing is that we have demonstrated, in deed, the inadequacy of the United Nations in dealing with world problems. Up until this time, it seemed, there was some hope.

Since you and your colleagues have demonstrated clearly the illegality of the United States' position in Vietnam, have we also shown the world that we no longer respect World Law? It would seem that we have never been is such a disturbing and precarious situation.

Keep speaking out on these matters, Senator Morse, for many of us are back of you.

Respectfully yours,

(Mrs. J. E.) Florence M. Kempter.

Albany, N.Y.,
May 23, 1966.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: My wife and I were among those who heard you speak in Page Hall at Albany, N.Y., yesterday afternoon.

I know you do not look for accolades, but I do want to tell you that I think you did a marvelous job and inspired a great many people. In all my experience in Albany I never saw such enthusiasm or such response to a speaker as I witnessed yesterday.

To my mind, this demonstrates two things. The first is that you presented your views in very excellent fashion. But the other point, and the one I consider even more important, is that there is finally developing among the people an awareness of the terrible situation we are in. I am particularly impressed by the fact that this awareness is being evidenced among the young people, such as those in your audience yesterday. I think this gives us reason to hope that our country may still find its way out of this terrible mess.

I want to thank you for your very valiant efforts in bringing this message to the people of Albany, and indeed to the whole country.

Sincerely yours,

Max S. Weinstein.

Akron, Ohio,
May 24, 1966.

Senator Wayne Morse.

Dear Sir: You have no doubt seen the figures shown in this Gallup Poll, but I thought you might be interested to know that a poll of this area also bore out the fact that this "Civil War" in Viet-Nam is not for us.

Your courage in holding the line is much admired by folks like me who think we should not try to play God to the whole of our planet.

Sincerely yours,

Beatrice V. Orr.

Playa del Rey, Calif.,
May 19, 1966.

Hon. Senator Wayne Morse,
U.S. Senator,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: I want you to know I agree with your views regarding the war in Viet Nam. I am discouraged that your opinions to halt this war are not heeded. I think it takes a very "big person," to admit they are wrong and I don't think President Johnson is a "big person."

No one has ever explained to my satisfaction any real justification for our involvement in Viet Nam or any reasonable solution.

Thank you for standing up for your convictions and I will pray for your continued courage.

Sincerely,

Mrs. Virginia Runyon.

Berkeley, Calif.,
May 23, 1966.

Hon. Wayne Morse,
U.S. Senator,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: As an expression of support of your position regarding the American involvement in Vietnam, I am sending you a copy of a letter sent to President Johnson. I am sure you are aware that for every letter like this sent, there are dozens of people who are sympathetic with this point of view, who do not send letters. Your courage and determination in taking a strong stand against the Administration's policies are a source of hope and inspiration to us in a time when reason and principles seem to be largely ignored or abused. For all of us who feel so helpless to change our country's direction, please continue your valiant fight.

Yours truly,

Molly Brown.

Westport, Conn.,
May 22, 1966.

Dear Senator Morse: As one "Nervous Nellie" to another, I wish to commend you on your continuing efforts to alter the irrationality of our present policy in Southeast Asia.

The increasing military intervention in Vietnam is not only fraught with peril; it is such a colossal waste of men and resources.

I am in complete agreement with Senator Fulbright that to work for what one considers correct national policy is the highest form of patriotism, whether or not the viewpoint coincides with that of the Administration. It is in the interest of the very boys we are sending to fight in Vietnam that a large segment of the American population is working to prevent further escalation of the war. The attitude that this somehow constitutes disloyalty and betrayal is not worthy of comment.

With very best wishes, and with hope that the day is not far off when our President will lead us in showing the true greatness of the United States to the emerging world.

Sincerely,

HARRY P. BAILEY.

NEW YORK, N.Y.,
May 23, 1966.

Hon. W. MORSE,
U.S. Senator,
Washington, D.C.

DEAR SENATOR MORSE: I am an American, a Democrat, a businessman and father of two American boys.

I wish to thank you for your intelligent stand in the tragic Viet Nam matter. I also wish to ask you to try everything within your power to convince other members of House and Senate to join you in your opposition to the actual conduct of American foreign affairs at this moment. It is unfortunate that definite limitations of imagination seem to produce an attitude which makes it almost impossible to change anything. Either we go on fighting or we withdraw—there is nothing else—according to many. What we seem to need is clear thinking—as painful the results might be—and able diplomacy. Compromises are not only necessary in national politics also in international affairs. The economy of America is in danger—not just because people are buying too much. Our relationship to many important friendly nations is in danger and our whole position in the world is in danger. We can not, we must not commit the mistake to consider an enemy anybody who does not subscribe to everything we are doing—as we considered officially everybody in the country unpatriotic until recently, who was against the war in Viet-Nam.

We are in my eyes the best country in the world—which does not mean anything to an Englishman or a Frenchman or a Russian and if we make mistakes and insist upon making them we must oppose them.

Thank you for doing just that!

I remain,

Respectfully yours

ROBERT W. ALFREDSON.

SCHENECTADY, N.Y.,
May 21, 1966.

Senator W. MORSE,
Washington, D.C.:

The only thing better than one WAYNE MORSE of Oregon is Howard Morgan also of Oregon for Senator.

They will get us straightened out. It's a hard, hard task!

Please help them!

FORT WORTH, TEX.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Please know of my appreciation of your courageous opposition to the Administration's policy in Southeast Asia and for your contention for a negotiated settlement.

With all best wishes I am.

Sincerely

EDWIN A. ELLIOTT.

MAY 17, 1966.

FRESNO, CALIF.,
May 17, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SIR: In regards to you speech on May 16, 1966 you called on the American people to put a end to the Viet Nam war. There is no other way to go about it except through you the men we elect to office and still stay a United Country. Our hopes lays with you—an men like you to stop these men from sending Our Son's to their death for a cause that is not Ours. This war is not of the American people choise—it is not even for our country. Whatever our reason is for being there, the American people haven't been told the true cause. the marjorty of us ask why, why do you draft Our son's to send them to Viet Nam to fight communist. When we allow it on Our Universities and men to be set free from Our courts that are known communist.

Our hope lies with men like you to guard our country and youth from this. May there be enough of you to keep this trust.

Sincerely yours,

GENEVA CLABORN.

ROGUE RIVER,
May 18, 1966.

To Senator MORSE.

DEAR SIR: Mr. McNamara stated that if we got out of Viet Nam now, there would be a "blood bath"—making this a line, why we should stay in Viet Nam—Well we the people, want to know, how come we don't mind a "blood bath" of our young men?

Dear God—Someone has to stop this horror—I wish the Vietnamese Catholics would put on a demonstration, "Yankee's Go Home."

I've talked to many mothers of boys over there & they tell me of the letters they've recieved—saying, "they don't know what they are doing over there, & that the Vietnamese do not want them,"??

Sincerely

EMILY S. BELTRAM.

ASHEVILLE, N.C.,
May 18, 1966.

Hon. WAYNE MORSE,
U.S. Senate
Washington, D.C.

DEAR SENATOR MORSE: I have no intention of wanting to burden a busy man with unnecessary correspondence, but I do want to thank your office for sending me a copy of your Senate Speech of February 25, 1966: "Legal Issues of U.S. Position in Vietnam."

There are many of us in this Country, Senator MORSE, who are, like you, deeply concerned about the role of the United States in world affairs. We feel that men like you and Senator FULBRIGHT have been consistently mis-interpreted and, until recently, largely ignored in the press media that we depend upon for our news. It is good to have in my own hands a copy of something you actually said rather than a résumé of one of your speeches on page 29 of section 2.

For some time I believe that the voices of dissent re: Vietnam have been regarded as "troublers of Israel" who would, hopefully, go away quietly. I think it is much to your credit, as well as a service to this country, that you have not gone away. I think it is also a service to people like me that you have not become quiet, either.

I believe that those in the Congress opposing our position in Vietnam should know that the President's support is largely on the basis loyalty in time of danger. I think that this support is wearing thin. Admittedly, I am no expert and have access to no real sources of information. However, as a pastor, I am a person to whom other people talk a great deal. Press releases of "light to moderate casualties" have resulted in rather grim night time calls to my residence or office because some of those casualties have been human beings whom people of my acquaintance have known very well, often in the most intimate ways as sons and husbands.

The people I know do not regard Congressional opponents of our Vietnam involvement as traitors. Many of us think it is tragic that we are there at all. We think it is dangerous beyond description that, by drift or design, such things can happen. We feel that such action's going unchallenged threatens to make this country something less than what it is. We aren't communists; we believe there is more to a man than a full belly. It's a tragic thing that at the time we are beginning to export our people around the world in creative roles like the Peace Corps we now have to export them in the role of marine and green beret.

Please keep up what you are doing.

Sincerely,

JOHN N. MCALLISTER,
Assistant Rector.

SAN MATEO, CALIF.,
May 16, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: As long as we have you and Senator FULBRIGHT around, the country is not lost. We intend to vote only for those candidates in the coming elections who are against our Viet Nam policy—if we can get any of them to indicate where they do stand. I only pray that we won't be too late.

Thank you for all you are doing. We appreciate it.

Sincerely,

EILEEN LARSEN.

COFFEYVILLE, KANS.,
May 18, 1966.

Hon. WAYNE MORSE,
U.S. Senator from Oregon,
Washington, D.C.

DEAR SENATOR: I heard President Johnson's threat to his critics as he delivered it at the Democratic Party Dinner, May 17, 1966. He sounded more like a Dictator trying by threats to suppress his critics of his actions in the Vietnam affair.

I hope the Senate Foreign Relations Committee goes ahead with its investigation of the legality of the U.S. action and of Johnson's actions in Vietnam. I have written a similar letter to Senator FULBRIGHT.

Sincerely,

A. A. BAKER.

BALLANTINE, MONT.,
May 15, 1966.

Hon. WAYNE MORSE,
U.S. Senate
Washington, D.C.

DEAR SIR: I have been following the televised Foreign Aid hearings and wish to commend you for your beliefs. It is indeed encouraging to see one man stand by his convictions.

Sincerely,

FRANCES V. SHAULES.

COALGOOD, KY.,
May 18, 1966.

Hon. WAYNE MORSE,
Senate Office Building
Washington, D.C.

DEAR MR. MORSE: We appreciate very much the privilege of reading your presentation of the Viet Nam situation of the Senate floor.

We have felt from the beginning that President Johnson was wrong in his foreign policy toward Viet Nam. Just this morning the news reports him calling his critic a bunch of "Nervous Nellies." He has begun to lash back at us but we wonder if he has been calm through all of this.

We voted for him for we believed him to be the better of the two candidates who were running. But we doubt very much if we would vote for him again.

Your presentation is logical in all of its aspects. We wish that you would have this situation presented from the Foreign Relations Committee on the air as you told Secretary Rusk last week.

You may be in a minority but always remember that Majorities have not always been right. We are also on Senator FULBRIGHT's side. We have just finished reading his book which is very good.

We are a Methodist minister down in the hills of Kentucky. Let me say there are many of these hill people who are with you in your endeavors.

Sincerely yours,

A. L. OSBORNE.

P.S.—We wish that every American voter could receive a copy of your presentation.

MINNEAPOLIS, MINN.,
May 18, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: I am sorry that I have not written you before to show my support of your position of honest dissent to our policy in Viet Nam. The President's attack yesterday has put me into action.

Meanwhile I want you to know how heart warming it is to have an articulate and intelligent minority willing to stand up for their dissenting views. I hope you and the rest will continue to question, to be as firm and fair as possible.

Every best wish.

Sincerely yours,

MRS. CECILL LARSON.

SAN FRANCISCO, CALIF.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: May I congratulate you on your stand in the recent discussions over the dire situation in Viet Nam. Without your very able and balanced thinking and statements we, the public would wonder indeed where are the honest and wise men in this administration. At this time, when the world situation is so desperately critical it is heartening indeed to know that the voices of a very few are heard in the political field.

Please continue with your wonderful frankness Senator MORSE, you may have powerful enemies but you also have friends behind you and your friends also have voices and the power of speech as you know can be mighty enough to help avoid the greatest catastrophe that has ever befallen mankind.

Yours in admiration,

LISA BAILEY.

EAST LANSING, MICH.,
May 18, 1966.

Senator WAYNE MORSE,
U.S. Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: At t'mes I am tempted to move to another state so that I might have the opportunity to vote for someone like you or Senator FULBRIGHT. I want to thank you for the magnificent job you are doing in fighting the war hysteria in our government, and in the country as a whole. Some day I believe you will be recognized as the true patriots.

I think the Administration would like to get off the hook if it could do so without losing too much face. If, as seems likely, a further civil war develops in Viet Nam, it would seem that this would present them with a perfect opportunity to throw up their hands in disgust and get out. We can expect a dictatorial type of government there regardless of who takes over so long as the supply of arms and ammunition is sufficient to hold the unarmed people in subjection, but even so I believe fewer Vietnamese will lose their lives than at present.

I spent the year 1958–9 as a Smith-Mundt professor at the University of Saigon. While we were there my wife and I had opportunities to travel quite extensively in the country. So far as I could see, at that time the ruling clique were practically all from the North, a few people were becoming very rich off American aid, and the majority of South Vietnamese were peasants who were much more concerned with getting enough to eat than they were with democracy, communism, or any other political ideology. From the papers I would judge that it is these little people who are the cannon fodder for both sides.

The Vietnamese whom I knew were very kind and friendly people. If I thought that we could be of any real assistance to them, I would plead strongly for keeping our forces in the country. Despite the fact that I am sure that much of it would be misused, I would support a massive nonmilitary aid program for South Viet Nam, because some of it would be bound to trickle down to those who most need it. They badly need roads, electrification, communication systems, and many other things which we could help them acquire, and which would provide jobs for some of them.

As things are at present, I can see no possibility of free elections there. I doubt that any single group would be willing to allow opposition candidates to appear on the ballot. The best that could be hoped for would be a temporary coalition of two or three major groups.

Again, thanks for your fine work.

Most sincerely,

V. E. LEICHTY.

ALVA, OKLA.,
May 17, 1966.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SIR: I just want you to know that we in my family firmly believe that you are right in your stand on the Viet Nam situation. Of course since all we know about it is what we get on TV, radio and through the newspapers we may be wrong in our thinking. We don't have but one son to lose in deal but we sure do think a lot of him. It might look different to us if this would have been a war declared by the Congress instead of one man. I can't see why we have to be sending military aid to these countries for them to be setting up military regimes instead of governments supported by the people. We may be a world power but see what has happened to the other nations that have tried to run the world. I think that if we would look at ourselves a little closer we could do a little cleaning up here at home before we go abroad. If every state would do the same I think we would have a better country to live in than what ours is getting to be. Set an example of good before we go abroad.

Thank you for taking the time to read this letter.

Sincerely,

CLARENCE GRAY.

MIAMI, FLA.,
May 18, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: I would like you to know that I have appreciated your hard-fought stand to show some light on the Viet Nam situation. I note that President Johnson, in a speech in Washington last night said that we had to honor our commitment and keep forty other commitments to other nations. This appears to me to be an impossible situation, as we cannot police the world, and I do not believe that any president has the right to declare war without a vote of Congress.

May I say at this point that I have been a member for more than 50 years of the Bar of the District of Columbia, as well as of Florida, and that I was, at one time after the first world war, an attorney for the government myself.

It further seems fair to me that if everyone else's son and son-in-law should fight these various wars, that the prospective son-in-law of President Johnson should also be involved on the active front in any of the 40 odd wars that he expects to have.

Thanking you for giving this your personal attention, I am

Respectfully,

HERBERT A. SIMON.

SAN FRANCISCO, CALIF.,
May 18, 1966.

DEAR SENATOR MORSE: Thank God for you and FULBRIGHT. I hope the President's new call for an end to criticism will only renew you in your brave efforts to save us from World War III. Thank you for your magnificent stand against our illegal and immoral war in Vietnam.

MRS. GEORGE B. LEONARD.

FOREST HILLS, N.Y.,
May 17, 1966.

Senator WAYNE MORSE,
Senate Foreign Relations Committee,
Washington, D.C.

DEAR SENATOR MORSE: My deepest gratitude to you for your continued brave and honest stand on the Vietnam war. I am deeply distressed by the Administration's policy on what appears to be a hopeless and unnecessary struggle which is only leading to greater bloodshed. May your opinions prevail.

Respectfully yours,

MRS. E. F. LYON.

BLOOMINGTON, IND.,
May 18, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I have just read about President Johnson's speech given last evening at a fund-raising dinner in Chicago. I am writing to you mainly because the President's remarks somehow had the effect of inducing in me a sense of terror. Perhaps my training as a historian is responsible in that I am led to see parallels, and to draw conclusions that are unwarrantable. I hope so. But so far my reason has been unsuccessful in dispelling a feeling that tells me our situation is critical.

I mention these things to you because it seems that our best hopes lie with men like yourself. For if sanity is to prevail it will depend precisely on your continued efforts, on your willingness to speak out and to take whatever risks are necessary. Even this may not be enough, but I urge you to re-double your efforts and to do whatever must be done, public opinion and executive coercion notwithstanding. Let me assure you that there are many like myself—some, unfortunately, afraid to speak out—who will support you and other pacifically inclined members of the Senate to the hilt. I am sure that you are fully aware of your tremendous responsibilities, nor is it my intention to remind you of them. Rather it is my wish to encourage you, and to ask that you let me know what, if anything, I can do to help. With all best wishes,

Sincerely,

PHILLIP L. THOMPSON.

MCMINNVILLE, OREG.,
May 18, 1966.

Senator WAYNE MORSE,
209 Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Just a note to say that I appreciate and support your vigorous and courageous efforts to keep citizens informed on international affairs. Thank you also for your continuing efforts on behalf of the State of Oregon and for "Senator MORSE Reports." In teaching Freshman Composition and upper division literature courses, I occasionally use your good name as an example of the kind of responsible involvement and dedication that I consider makes an educated man. I (and I hope many others) count on you to confront, observe, learn, speak, and act for me. The Salem *Statesman* informs me this morning that I am a "Nervous Nellie." I am not, however, turning my back on my government and country (a World War II veteran, I'm sitting in my office wearing the shoes and khaki pants from my Naval Reserve officer period). This letter is my feeble but sincere protest and offer to help.

Sincerely,

Arthur G. Kimball.

South Pomfret, Vt.,
May 18, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: My family thanks you for mailing us the "Legal Issues of U.S. Position in Vietnam."

I am glad to have the facts to study as I am behind you and Senator Fulbright 100 percent.

Thank God for people such as you.

Very sincerely,

Doris Brettell.

Walnut Creek, Calif.,
May 18, 1966.

Dear Senator Morse: Please keep your voice loud and clear. Our country needs men like you.

It takes more courage for a President to admit his judgment has been wrong than it does to call those people "Nervous Nellies" who disagree with him.

Let us not make a human scrap-pile of our young men and destroy the economy of our country for no purpose.

Sincerely,

Anne Haisen.

Evanston, Ill.,
May 18, 1966.

Hon. Wayne Morse,
Senator of Oregon,
Washington, D.C.

Dear Senator Morse: Thank you very much for sending me the copy of the Congressional Record "Legal Issues of U.S. Position in Vietnam." I appreciate it very much. I am writing, too, to thank you again for your courage in speaking out against the Administration's policy in Viet Nam—and for speaking out against the Administration's foreign policy in general. I read all of your public statements and privately applaud them. As a private citizen and the mother of three small boys (5½, 4, and 2 years), I am so grateful to you for speaking out against Rusk and President Johnson's policies in the Dominican Republic, Viet Nam, and as regards Prime Minister Ky. You speak for *me*, too. And you speak for me, too, and many other mothers when you say that it is the *American military* that is the greatest threat to world peace.

I signed and mailed in to Washington the recently circulated voter's pledge—pledging support to all congressional candidates who will work for peace. I hope that my signature and other signatures throughout the country will give you and the handful of courageous Senators who will speak out against administration policy in Viet Nam and against present Administration foreign policy in general some support.

I hope, too, that the bill will be passed which will help to curb C.I.A. activities by having some members of the Foreign Relations Committee on a committee to watch over its activities.

Again, many thanks for your courage in speaking out against Administration Foreign Policy—particularly as regarding Viet Nam.

Most sincerely,

Marsda Conner.

San Jose, Calif.,
May 16, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: For some time now I have been writing my California Senators expressing my view that I was greatly concerned over the increasing dominance of the military over foreign policy, they didn't seem to pay too much attention to my personal views, perhaps now that you have "laid it on the line" in such a manner as your recent press remarks on the subject, perhaps now the Senators from California will begin to "see the light"!

Thank you for bringing to the American public this grave danger.

Sincerely,

Jack Fields.

New York., N.Y.,
May 18, 1966.

Senator Wayne Morse,
The Senate,
Washington, D.C.

Dear Senator Morse: Thank you for the reprint you have sent me: and thank you above all for your courage in speaking more directly and honestly the truth of this barbaric adventure in Viet Nam of the Johnson leadership. I think there are only 3 honest and brave men in official posts today: yourself, Senator Fulbright and Senator Robert Kennedy: if only the Congress representatives would speak for the American people, we would hear an almost unanimous appeal—even a command—to stop this useless murder of Americans and Southeast Asians alike.

Very sincerely yours,

Ermine Kahn.

Hermosa Beach, Calif,
May 16, 1966.

Dear Senator Morse: I would like to ask you to try and keep your voice heard in your argument against the unlawful conflict in Vietnam. I hope you don't feel alone because you are not. Many Americans are beginning to question. So keep the discussion open!

Sincerely,

Mrs. Gordon Evans.

Los Angeles, Calif.,
May 18, 1966.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

My Dear Senator Morse: I am in full support of your views and proposed actions in this atrocious war that this country is waging in Vietnam. I congratulate you on your tremendous insight and courage to pursue the course you have taken.

Yours very truly,

Sylvia D. Lopez.

St. Paul, Minn.
May 18, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: We commend and support you for your strong stand on the Vietnam situation and for your untiring efforts in the Senate Foreign Relations Committee. You are a breath of hope to us who at times see little future in the direction our country is going in Southeast Asia. We hope you will continue to stand firm in your position of not supporting the killing of our boys and denying appropriations for such purposes.

As fellow Democrats we are increasingly concerned about our nation's objectives and role in Vietnam. How can any honest American youth look at the present Premier Nguyen Ky regime (supported by American money and energy) suppressing Buddhist dissent in the Hue and Da Nang area and say he is willing to die for this?

Keep up the good work! It gives the average citizen of the United States a challenge and comfort to know we have men like you in leadership willing to speak the truth.

Sincerely yours,

Dr. and Mrs. Robert C. Lucas.

Cairo, Egypt,
May 10, 1966.

Dear Senator: I cannot vote for you, but I am with you 100%. Do not give up the ship there must be many who feel as we do.

Thank you for your sincerity and tenacity.

Yours with great admiration.

Helene La Porte.

Worthington, Ohio,
May 14, 1966.

Hon. Wayne Morse,
Washington, D.C.

Dear Senator Morse: We want to let you know that we greatly appreciate your courageous statements on the Viet Nam situation. You express very well our deep concern regarding the direction of further escalation. We fear that our government may be closing doors to any alternatives or to possible negotiations by increasing bomb attacks or use of gas of any kind.

Many people to whom we have talked feel the same way. We thank you for your articulation of our feeling.

Sincerely yours,

Dean and Meredith Farmer.

San Clemente, Calif.,
May 18, 1966.

Dear Senator: You & Walter Lippmann seem me to be the only sane & courageous men in the public eye today.

I hope the country will understand your warning before it is too late.

It is a pity that the late Henry Wallace's warning was not heeded, when the Truman Administration turned away from the late President Franklin D. Roosevelt's Good Neighbor Foreign Policy.

Your suggestion that the Vietnam problem be taken to the United Nations is sound.

We hope you can convince President Johnson of the wisdom of such a move.

Sincerely,

Mrs. Josephine P. Shirely.

Brooklyn, N.Y.,
May 16, 1966.

Dear Senator Morse: Your opposition to the administration's Vietnam policy is relevant and valid for a dual reason; not only are you, I feel completely correct in your well-taken criticism, but the criticism itself is in keeping with the high purpose of the political body of which you are a member.

As a lifelong democrat I feel particularly hurt, in having helped to elect a president who pursues the "wrong" policy; this is of course an executive prerogative with which I disagree. Mr. Johnson's quest for unanimity is what really bothers me, as it apparently does you.

Keep it up!

Arnold Reifer.

Rockaway, N.Y.,
May 15, 1966.

Senator Wayne Morse,
Washington, D.C.:

We support your courageous stand to bring about a realistic and humane foreign policy.

Mr. and Mrs. Sidney and Sonya Rosen.

Mount Vernon, N.Y.,
May 16, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

I am in complete agreement with your Viet Nam policy. Good luck.

Dr. Bernice Bauman.

NEW YORK, N.Y.,
May 17, 1966.

Senator WAYNE MORSE:
U.S. Senate,
Washington, D.C.

Our thanks and appreciation for your every valiant effort to enlighten this administration in its policy on Viet Nam. If only you could prevail.

HERBERT and MERCEDES MATTER.

NEW YORK, N.Y.,
May 17, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Please continue your efforts to bring sanity to the Vietnamese situation.

JOHN LIZARS.

NEW YORK, N.Y.,
May 16, 1966.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.:

We watched you on television. You are speaking very clearly on the Vietnam and our foreign policy. Our wholehearted support. May God bless you.

Mr. and Mrs. BARNEY SCHULTE.

SAN DIEGO, CALIF.,
May 13, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Strongly object provocation of war with China.

JAMES EASTON.

NEW YORK, N.Y.,
May 14, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Belated thanks for your speech to Democratic voters to end the war in Vietnam and your subsequent remarks at Senate hearings. Wish I had a chance to vote for you.

MARY HEATHCOTE.

NEW YORK, N.Y.,
May 14, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

I appreciate your continued questioning about why we are in South Viet Nam. Please don't stop. My family and I want to understand.

JANICE MARS BERENBERG.

KENSINGTON, CALIF.,
May 13, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

We urge you demand immediate halt to shaping of foreign policy by Strategic Air Command.

WOMEN FOR PEACE OF EL CERRITO, RICHMOND CITY, STANFORD, KENSINGTON, CALIF.

INDIANA, PA.,
May 13, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

I admire your fortitude.

FRED MUSSER, Sr.

REDWOOD CITY, CALIF.,
May 18, 1966.

Senator WAYNE MORSE,
Washington, D.C.:

To display unity behind an erroneous and failing policy is to misuse the great freedoms of our constitution. Already we tempt China to war. Inevitably this policy will bring it. There are better places than the Vietnamese graves for our young men. The policy is not liked in America. Lack of protest thru lethargy, feeling of lack of envelopment and inability to influence policy and safety in distance are not to be confused with support for the war. Let's get out.

Keep up the opposition.

ROBERT J. DELL'ERGO.

NEW YORK, N.Y.,
May 13, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

You are a voice of reason in the midst of hopeless confusion. Please persist.

Dr. M. KLEINMAN.

BERKELEY, CALIF.,
May 12, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

I strongly support your Vietnam policy do everything in your power for cease-fire and negotiations.

JOHN K. DERMAL.

YONKERS, N.Y.
May 12, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

We fervently back your stand on Viet-Nam may your fellow Senators follow.

STEVEN and SUSAN KANOR.

LOS GATOS, CALIF.,
May 13, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Keep up your courageous protests against this unjust war. Millions of people are with you.

Dr. and Mrs. ALAN CLARKE.

KEW GARDENS, N.Y.,
May 13, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Your voice in Congress gives the rest of us courage. Congratulations.

Dr. and Mrs. HENRY LEONARD.

NEW YORK, N.Y.,
May 19, 1966.

Senator WAYNE MORSE,
Schotts Court NE.,
Washington, D.C.

DEAR SENATOR MORSE: Please accept sincere appreciation for standing strong against administration policy in Viet Nam. Senate—May 16th.

MICHAEL ROSENBAUM, PATRICIA KESSLER, KENNETH ALBERT, LINDA FALK, LOIS PILSON, STEVE SCHNAPP, MELVIN ALLEN, SUSAN PERRY.

COLORADO SPRINGS, COLO.,
May 19, 1966.

Senator MORSE,
Senate Office Building,
Washington, D.C.:

Viet Nam: In complete agreement with you. More power to you.

JANE B. BROWN.

LOS ANGELES, CALIF.,
May 23, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

Senator MORSE: I agree with your program wholeheartedly and I think you are one of the few men in Government that really represents American people. I think if we had more people like you we'd have less rioting and fighting. I don't know what else to say. I think you are a grand gentleman. I just want you to know that this is another American citizen that believes in you. Thank you very much for your wonderful efforts on behalf of the public.

SAM BONNIFIELD.

SAN FRANCISCO, CALIF.,
May 18, 1966.

Senator WAYNE MORSE,
Washington, D.C.:

Am in complete accord with your Vietnam policy and am grateful to have men with the courage of their convictions as you and Senator FULBRIGHT have so ably shown.

Mrs. T. E. M. OSORIO.

MEDIA, PA.,
May 19, 1966.

Senator MORSE,
Senate Office Building,
Washington, D.C.:

Thank you so much for your continuing efforts for peace and justice.

EDITH W. COPE.

BEVERLY HILLS, CALIF.,
May 23, 1966.

FOREIGN RELATIONS COMMITTEE,
Attention Senators MORSE and FULBRIGHT.
Washington, D.C.:

Please keep up the great work and emphasize United Nations coming in. Many of us are behind you. Thanks.

FLORA CLAR MOCK.

CLEVELAND, OHIO,
May 16, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SIR: This is to congratulate you for your courage and wisdom shown in your public utterances on the question of Vietnam, with which I have been able to agree only after long and careful consideration. I only wish that you would appear on the national ticket so I can vote for you.

Sincerely,

RAYMOND S. BIEBER.

MAY 16, 1966.

Hon. WAYNE MORSE.

DEAR SIR: Again "Thank God for Men like You." We read in our Ka'zoo., Gazette of Sunday May 15, where "Three LBJ Critics Call for Congress To Join In Action". A headline such as this truly lifts our morale, and as we read into it there is much more encouragement, and I'm writing to the Honorable CLIFFORD P. CASE, and to the Honorable JOSEPH S. CLARK. You by now know my views, therefore I'll be as brief as possible, mainly to wish you the very best in all of your endeavors, and God be with you in finding more men in our Congress who will see things as you see them, work as diligently as you have and are, and as speedily as possible bring our boys out of that mire! In honor of the thousands we have now lost all for nothing, seems that we've learned our lesson the hard way. All of you, please bring them home!

Thanks for listening, and all good wishes!

Sincerely,

Mrs. I. E. FORWORD.

ARLINGTON, VA.,
May 17, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: I am writing to tell you how much I appreciate your courage and statesmanship in your work on the Committee of Foreign Affairs. I am sure there are moments of great discouragement but it should be good for you to know that there are millions in this country standing behind you, Senator FULBRIGHT and the other gallant fighters on that committee.

Thank you for your leadership.

Very truly yours,

JEANETTE G. GLASSBERG.

DETROIT, MICH.,
May 17, 1966.

DEAR SENATOR MORSE: Thank God for a man like you. You are the only one in Washington that has the guts to tell the truth about the mess Johnson has got our country in. You speak the minds of the people. I am disgusted. Our boys should be brought home. I wouldn't trade one drop of American blood for all the Communist in the world. Keep up your good work. I wish I could vote for you.

My sincere best regards,

MELVIN TURNER.

FAR ROCKAWAY, N.Y.,
May 17, 1966.

Senator WAYNE MORSE,
U.S. Senate.

HONORABLE SENATOR MORSE: As concerned Americans we wish to honor you for your honorable and courageous fight to halt the war in Viet Nam.

We urge that you continue to keep this most important matter before Congress and the American people.

It is immoral and heartbreaking that more and more American boys are killing and dying to maintain in Viet Nam such a corrupt military government as the Ky government.

Pray, sir, fight ever harder to extricate us as soon as possible from the morass into which we are sinking.

The events of the last few days again prove how alien to American principles and ideals is this wretched Ky government.

Respectfully,

SOPHIE and MAX NOWAK.

ATLANTA, GA.,
May 16, 1966.

Hon. WAYNE MORSE,
Senator from Oregon,
Senate Office Building,
Washington, D.C.

DEAR SIR: The attack by the Ky regime in Da Nang makes it quite apparent that this government does not want our advice, but merely seeks our assistance in money and the precious lives of our young Americans.

Even though we are allegedly committed by the word of three Presidents to assist this nation, I feel that the action on the part of Ky in Da Nang in the past few days relieves us of any further obligation.

I respectfully submit that a nation as powerful as ours certainly can cope with the advance of Communism, if it be a fact, and if we should be faced with that situation in the future.

It is quite apparent from the activities of all the factions in South Viet Nam that no particular faction actually wants our presence there, for the Buddhists certainly don't want us there, the Catholics have indicated that they do not want us there, and it appears that we are intefering with a situation which is purely internal. The situation is one which is analogous with one interfering in an argument between husband and wife.

I respectfully submit that we should pull out of Viet Nam completely with a warning to those nations which advocate the Communistic form of government that unless they let the people of Viet Nam handle their own affairs, then in that event, we will take steps to see that the rights of Viet Nam are protected.

It is crystal clear that at this point we do not know what the Vietnamese people want, and we, as a great nation and respecters of rights of individuals, certainly should not interfere.

It is interesting to note that we have been living in peaceful coexistence with a vast Communist nation, the Soviet Union, and certainly, we can tolerate another little nation of that political philosophy if that is what the people of that little nation might want.

It is also interesting to note that our great leaders have indicated that if an election were held, the Vietnamese people would choose the Democratic form of government, and if that is a fact, we need not worry about the elections properly conducted, and further, with a warning that they should be properly conducted.

I respectfully urge that we get out of Viet Nam completely and let them rangle over their own differences without interference by us, with the strong warning, however, that if their differences cannot be settled legally and according to the will of the majority of the people of Viet Nam, then in that event, we will take steps to secure the proper exercise of the will of these people.

We must understand, of course, that after all is said and done, that we cannot stand over these people with bayonets in hand and tell them what form of government they should choose, and also, warn the adversaries that they cannot do this either.

Under the circumstances, because the action of the Ky government has relieved us of any obligations which we may have, and further, because he indicated that he does not need our advice and need not consult with us, I respectfully submit that we should immediately leave the country of Viet Nam.

Further, last week, Premier Ky stated that he would not abide by the results of the elections and that if a majority of the Vietnamese wanted a Communistic form of government, he would fight that result.

The big question appears to be, are we to support an individual with such a capricious attitude by giving him money, materials, and supplies, and most of all, the lives of young Americans.

I firmly believe that we should get out of Viet Nam immediately and not be parties to this internal squabble.

Respectfully yours,

LUCIO L. RUSSO.

BLAIRSTOWN, N.J.,
May 16, 1966.

DEAR SENATOR MORSE: Thank you very much for "Legal Issues of U.S. Position in Vietnam." It is a most powerful argument against the outrages being committed there.

I should like to take this opportunity of thanking you again for your forthright courage and clear thinking.

Sincerely yours,

CAROLINE BABCOCK.

SAN CARLOS, CALIF.,
May 12, 1966.

Senator MORSE,
Washington, D.C.

DEAR SENATOR MORSE: I would like to commend you for your very courageous and inspiring stand against this terrible war in Vietnam.

I hope the American people will soon awaken and realize what a self-defeating and disastrous course the Johnson policy is leading them into. I am certain that future historians will deal very harshly with this benighted Administration and will acclaim you as one of the few enlightened voices of reason and true patriotism in our country today.

My best wishes for your continued success.

Yours very truly,

DOROTHY FELDMAN.

BROOKLYN, N.Y.,
May 16, 1966.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: Thank you for the copy of your speech on the legal issues of our position in Vietnam.

Please remember that there are many Americans who oppose our bungling involvement in the affairs of that unhappy country. Unfortunately, too few of your fellow senators possess your courage and honesty, so you are one of the few to whom we look for leadership. I can imagine the pressures and arm-twisting you have to endure and the petty little blackmailing that might have been tried to stifle your heroic voice.

The leaders of the nations of Europe criminally allowed themselves to become enmeshed in the first World War without realizing what they were doing. This time the world can not afford this kind of mistake.

Stand fast and keep refuting those phoney issues the supporters of this dirty war try to hand us. Right now a few brave men like you are the hope of those of us who don't accept the propaganda being handed us about why we are there and how we are serving humanity by bombing and escalation.

God bless you.

IRVING SMITH.

NEW YORK, N.Y.,
May 17, 1966.

DEAR SENATOR MORSE: A resounding bravo for the position you've stated regarding Viet Nam.

Mr. Rusk's apologies and justifications were pathetic and embarrassing. I dislike being in opposition to my gov't., but I can find no morality in supporting Ky.

Sincerely,

H. WIERUM.

PONTALA VALLEY, CALIF.,
March 8, 1966.

DEAR SENATOR MORSE: As a citizen who is sickened by seeing my government behaving in Viet Nam in ways not very different from the Nazis, I deeply appreciate that you at least are one voice, in government, that clearly condemns the immorality and illegality of our official actions.

I don't know how many people write to say so, but I say thank God for you, Senator MORSE.

FRANCES BENVENISTE.

SIOUX CITY, IOWA.

Senator WAYNE MORSE,
Oregon.

" 'The time has come,' the Walrus said,
'to talk of many things:
Of shoes—and ships—and sealing wax—
Of cabbage—and kings—
And why the sea is boiling hot—
And whether pigs have wings'."

Lewis Carroll.

While watching the Senate Hearings I'm constantly reminded of these nonsensical lines—probably because this war makes as much sense to me as the words do. The "talks" are late—but, "better late than never." We are a Democracy—the people do have the right to know the facts—to question our Government's actions and our Government's intentions. We certainly cannot say to our young men—"Yours is not to reason why—your's is but to do or die"—For the right to "reason why" is the greatness of America to me—Please keep up the good work.

HUMBLE HOUSEWIFE IN
SIOUX CITY, IOWA.

P.S.—No disrespect intended—the "Walrus" in this current situation is very wise.

Mrs. ROGER H. LAMBERT.

DES PLAINES, ILL.,
March 11, 1966.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I want to take a few moments to commend you on your stand on the Viet Nam issue. I do regret that I have been so remiss in writing this letter because I am certain that we share a reasonably unpopular opinion, one in which you need as much popular support as possible. This evening I intend to write to the two Senators from Illinois and to President Johnson informing them of my beliefs. I hope that thereby, in some small way, I can influence the President to change a senseless policy of slaughter and ravaging of a people who are for the most part in rebellion against the tyrannical and unstable oligarchy in Saigon, or at least to change an attitude toward negotiation with the Viet Cong, and not with Hanoi.

It is lamentable that the word Communism conjures up such fear in the American people that they defend a national policy that refutes all the ideas that our nation has stood for. For the first time in my lifetime I feel that my country is wrong. I know that the influence of the late Senator McCarthy of Wisconsin has left a hideous scar across the breast of the country, a scar that manifests itself in the present situation. Somehow it has become proper to support immorality as long as the fight is against Communism. Right now we are in the exact position the Russians were in ten years ago in Hungary, and we are defending our actions under the subterfuge of anti-Communism.

There is another point I would like to make. Many people fear China, I among them. However, isn't it necessary to recognize and talk to this country? A frightened little dog barks much, precisely because it is frightened. At the present time China is a frightened country and it is making much noise. Unfortunately, it is also a nation of great potential and a nation which will be of great danger to our own United States within a very short period of time, antagonized deeply by our refusal even to admit that it exists. Perhaps in ten years it will be too late; our conferring and negotiating with China must begin immediately. Co-existence is a worldwide necessity, not a manifestation of weakness or sympathy toward the ideals of Communism.

Sincerely yours,

Don D. Smith.

Seattle, Wash.,
March 20, 1966.

Hon. Wayne Morse,
U.S. Senate, Washington, D.C.

Dear Mr. Morse: I wish to express my sincere appreciation for your firm and consistent effort on behalf of world peace. I fully agree with your remarks and action, (voting record) as chief critic of the administration's war escalation policy in Viet Nam.

It is amazing how our war psychology has grown to the extent that one man stands almost alone in the U.S. Senate in vigorous opposition. Yet, I am confident a great many Americans share your view and appreciate a senator who understands and respects international law; who is concerned about the drift toward nuclear holocaust; who puts national interest ahead of "party loyalty", and disregards political expedience.

Best wishes to you and all the people in the great State of Oregon who consistently return Wayne Morse to the United States Senate.

Respectfully yours,

Neal Snyder.

Salem, Oreg.,
March 13, 1966.

Hon. Wayne Morse,
U.S. Senator from Oregon,
Washington, D.C.

Dear Senator Morse: Please be informed that I support your stand on the war in Vietnam. I have read your senate speech of January 19th, and congratulate you for standing firm, as always, on your convictions. Our nation needs more of your type of leadership.

With the initiation of medicare, I trust that a break through may come in the long-restricted research on cancer by use of chemotherapy. It will take someone of your caliber to get the job done. Your attention to this tragedy of our times will be personally appreciated by me and my family.

Very truly yours,

Gerald J. Bowerly.

Modesto, Calif.,
March 24, 1966.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

My Dear Senator Morse: I read on March 22nd that you and Senator Ernest Gruening stood alone and voted "No" on the $13.1 appropriation bill, most of which will go to finance the war in Viet Nam.

It takes a brave man, indeed, to do a thing like that. Your names will go down in history as men of great courage.

I suggest you run for President, because I refuse to vote for or support in any way men who are in favor of this war in Viet Nam or any war.

Yours very truly,

Mrs. Leora Chastain.

Flint, Mich.,
March 11, 1966.

Hon. Wayne Morse,
Oregon.

Dear Senator: I wish to congratulate you on the aggressive stand you have taken in opposition to the "Idiotic War in Vietnam."

I'm sure you have millions of secret admirers in America. And it is a shame that they fail to openly express their support of you and also Senator Fulbright of Arkansas.

Sincerely yours,

John E. DeLay.

Los Angeles, Calif.,
May 13, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: You are magnificent! Last Sunday night, at midnight, we stood discussing the Vietnam situation at O'Hare Airport in Chicago and the next morning you were at the Senate hearing spelling out the truth to Secretary Rusk.

I know how little sleep you had during the night because I boarded the plane with you in Portland at 5:20 p.m. You must have arrived in Washington around 3 a.m., and only a few hours later you were on television; sharp and incisive. If we had 100 senators of your dedication, sir, I am sure this nation would not be in its present precarious and embarrassing position.

As I told you in Chicago, I have a son who reports to the Army this week. I only hope that you and Senator Fulbright and the small band of dedicated legislators can bring this nation to its senses before this wonderful boy and his contemporaries become Vietnam casualties.

Keep up the fight, Senator Morse, and if I can do anything toward influencing our California Senators or Congressmen, please let me know the approach to take.

Sincerely,

John I. Ingle,
Dean.

La Verne, Calif.,
May 18, 1966.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: This note is to thank you for a copy of your address to the Senate as of February 25, 1966, entitled: Legal Issues of the U.S. Position in Vietnam.

It is a real service to voters to have conveniently at hand the detail of the legal aspects of this most complicated situation as assembled and presented by the Lawyers Committee on American Policy Towards Vietnam.

May I assure you of the appreciation of many of us here at the grass roots level. We thank God for a Senator who is not afraid to speak out as a United States senator should.

We in the sticks are not as dumb, nor as completely brain-washed as some in power appear to think. For example, I speak as one who survived the traumas of two hot world wars, then cold wars, and now these times of ignorance of the lessons of history as exhibited by so many in positions of power.

So do keep on saying the things which need to be said if America is not to destroy herself.

Yours respectfully,

Harry A. Brandt.

Detroit, Mich.,
May 20, 1966.

Dear Senator Morse: Keep up the good work about Viet Nam. Yours is like a voice crying in the wilderness.

Many here seem to disagree but I am 100 percent behind your arguments.

Viet Nam is an expensive mess and I don't think we have any business keeping our troops in action there.

Sincerely,

George W. Tobias.

Chicago, Ill.,
May 17, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I want to thank you for the position you have taken against escalation of the war in Vietnam.

The internal conflict in Vietnam is not being solved by the presence of American troops. Rather, we are sapping the resources of Vietnam, killing many innocent people, alienating our international allies, and risking the onslaught of nuclear war.

I would be much more confident of our future if more senators were to face the Vietnamese situation as you have done—with honesty, objectivity, and the realization that morality overrides the selfish interests of the United States.

Sincerely,

Mrs. Elaine Haynes.

(Copies to Senator Everett Dirksen, Senator Paul Douglas.)

Evanston, Ill.,
May 9, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: I would like to just agree with you that your statement concerning Viet Nam being an illegal war has much validity. This is a civil war that has to be settled by both the North Viet Namese and the South Viet Namese. I have always compared it to our Civil War. We are a power that is aiding and abetting a temporary government that no longer has the active support of its citizens.

We must permit a free election as soon as possible so as to determine who the people wish to represent them, and if they wish our forces to leave, we must honor the request and leave.

Respectfully yours,

Henry Adamowicz.

Topeka, Kans.,
March 25, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Mr. Morse: I want to thank you for the courage you display by standing firm for what you believe is right. It is time that more of our elected officials had this courage rather than bend to the political winds of self-righteousness. I sympathize with you and hope that you will continue your forthright stand.

I served a year in Viet Nam and I cannot agree with you more. War is wrong no matter what country is waging it. We are guilty of a policy of "might makes right". If we really believe in democracy, then let us have the faith to trust in free elections and be willing to abide by the results. Prolonging our war in Viet Nam is only going to add to the total cost, not change the results; for we are building our policy on sand.

Thank you for your consideration. I support you in your endeavors. It is comforting to know that a few are trying to stand against the forces of totalitarianism that are engulfing us. The greatest danger that faces America is from within, not from without.

Yours truly,

ROBERT E. BARRIE.

HOLLYWOOD, CALIF.,
March 14, 1966.

Hon. WAYNE MORSE,
U.S. Senate Building,
Washington, D.C.

DEAR SIR: Like most thinking and conscientious citizens of this great country, I have been viewing President Johnson's involvement in Vietnam with grave concern and misgiving. I have also been reading and listening to every one of your statements as well as those of your few colleagues and your many opponents.

I must say that you have earned my deepest admiration and my highest respect for your patriotism, your courage and your integrity in speaking out so boldly and so sincerely in defense of justice and against wanton and unnecessary bloodshed.

Keep up the fight of the minority. Majorities have been wrong in the past; they can be wrong now. May God bless you!

Sincerely yours,

DAVID RAPPOPORT.

PLATTEVILLE, WIS.,
March 25, 1966.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: We have too long delayed expressing to you our deepfelt admiration and gratitude for your leadership in providing "loyal dissent" from U.S. policies in Viet Nam and toward mainland China. In fact, it was admiration for your leadership and that of others which led to the formulation of the attached resolution (passed unanimously by the entire Midwest Council of United World Federalists). We congratulate you.

Personally, Mrs. Short and I feel that American policy toward China is unrealistic and without vision while the involvement and escalation of the Viet Nam war is tragic and foolhardy.

Where could we choose a more unfortunate place to have a showdown with Communism than this land war with the Asian masses 9,000 miles from our shores? Mao must be grinning triumphantly at our lack of wisdom, for we are in precisely the kind of war we are least prepared to fight successfully—but the kind the Reds are best at.

Indeed, we feel that even an unlikely military victory would be of no real worth, for the present government could not survive a free election and the Vietcong would win at the ballot what we are killing and destroying to prevent their doing by force. It just makes no sense to us, and to most people we know. We, too, question the opinion polls.

So please do not grow weary of performing what must at times be a lonely, difficult—though highly valuable—service to our nation and the world's people. We have been greatly impressed by the quiet, confident, informed manner you displayed on television. Yours is a real "profile of courage" and we are indeed grateful.

Meanwhile, please keep pressing for things like a non-proliferation treaty, total disarmament under world law in a strengthened U.N., and other long-range programs which can avert future Viet Nams and settle disputes through world courts rather than bloody battlefields. God bless you.

Cordially and sincerely,

Dr. and Mrs. RAY E. SHORT,
Head, Sociology Department.

BELMONT, MASS.,
March 24, 1966.

Hon. WAYNE MORSE,
U.S. Senate, Washington, D.C.

DEAR SENATOR: Benjamin Franklin once said, "Justice is as strictly due between neighbor nations as between neighbor citizens . . . and a nation that makes an unjust war, is only a great gang . . ." I want you to know that there are many Americans who are proud to say that WAYNE MORSE is not a member of the "great gang" which conducts the foreign policy of the United States.

For the sake of mankind, please continue your present efforts to change Vietnam policy.

Sincerely,

EUGENE F. HAGERTY, Jr.

MILWAUKEE, WIS.

SENATOR WAYNE MORSE: Keep up the fight. We oppose the U.S. Foreign Policy.

WALTER POLACHECK, M.D.

WHITE PLAINS, N.Y.,
March 14, 1966.

SENATOR WAYNE MORSE,
Washington, D.C.

DEAR SIR: Thank you for your unsurpassed courage in opposing the administration's drive to escalate the Viet Nam War into a world conflagration.

Keep up your wonderful work.

Sincerely,

MRS. NAOMI H. BILLOW.

MARCH 15, 1966.

Senator WAYNE MORSE,
Senate Building,
Washington, D.C.

DEAR SENATOR: We commend you in your position against our government's policy on the war on Viet Nam.

It is encouraging to know that there are a few people in our Congress who have the courage to speak up against policies which are a threat to humanity throughout the entire world.

We hope you continue in bringing these issues before the people.

Sincerely yours,

MRS. SARAH GOLDBERG.

CHICAGO, ILL.

CLEVELAND, OHIO,
March 14, 1966.

Senator WAYNE MORSE.

DEAR SENATOR: I salute you.

May God bless you and give you strength to carry on, as you have been.

Sincerely,

STANLEY MAYMARK.

P.S. I have been in 122 countries throughout the world which includes a trip around the world last September visiting a number of nations in Asia and a stop in Saigon.

SOUTH SAN FRANCISCO, CALIF.,
February 23, 1966.

Senator WAYNE MORSE,
Senate,
Washington, D.C.

DEAR SIR: I want to express my thanks and gratitude for the stand you have taken in the Vietnam war. I have always admired your courage and integrity, but your current contributions to peace are invaluable.

Please continue the good work and, believe me, your type of legislator is what restores my belief in the American system of government.

Yours truly,

DANIEL C. PIXA.

EVANSTON, ILL., *March 23, 1966.*

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: An increasing number of us who are paying the bills note with interest and satisfaction your policy of resisting the avalanche-policy of "managing" national affairs from the White House.

A visit to the war scene leaves one completely disillusioned for we note that our "allies" Great Britain and Sweden—to mention only two—are continuing to supply our enemies with war materials thus leaving us with no other conclusion but that we are "at war" with them.

So, added to months of accumulated evidence that this is a war to benefit big business and without other justification, we must ask those responsible for serving as our representatives how rational is the thinking which permits its continuation.

Manipulation of international affairs has long been one of the skills of the State Department, the Pentagon and Congress. The press releases exactly what is in the interest of this great program of "control." A voice lifted against anything planned in Washington immediately calls out the hounds whose baying intends to mark the individual as traitor.

And let us add that Congress, since Johnson is little more than an echo of the Texas voice.

Again, Senator, we welcome your willingness to stand alone where necessary in opposing this landslide experience which surely can lead only to bankruptcy and increasing international trouble.

Sincerely,

HAROLD S. DYER.

HELENA, MONT.,
March 17, 1966.

DEAR SENATOR MORSE: This letter is to let you know I think you are a Senator and a man to be proud of. I read every word you say. It is nice to know there are two Senators, "WAYNE MORSE and ERNEST GRUENING" who are trying to do everything in your power to save the lives of American Boys and to end this "Operation kill and be killed" in Vietnam. I feel so sorry for those poor people and our boys forced to destroy their country and take their lives.

There are many here in our city who think you are in the right and all we are doing over there is wrong.

Sincerely

MRS. BESSIE DUNN.

BARRINGTON, ILL.,
March 22, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: I have observed with great interest the recently televised meetings of the Senate Foreign Relations Committee. Your performance as a member of that committee has given me new hope and reassurance that this country has a dedicated interest in the preservation of our great moral heritage. Today when so many Americans cannot see beyond their own selfish interest it is refreshing to find men who represent our government with respect, and who feel responsible for the morality of our actions with and against others who live on this planet with us. I heartily agree with you that if we seek to fight a war we ought to declare it as provided for in our constitution. I also concur with you that we are not recognizing our responsibilities under the charter of the United Nations.

Twelve years ago this month I was on an aircraft carrier piloting attack aircraft in Tonkin Bay, presumably ready to give even greater aid to the dying colonial interest of France. From that time we have pursued an irrational policy of aggression against those war weary people.

The China Policy of our country has also been an interest which I have pursued academically and I do appreciate your untiring efforts to bring a more realistic view of this situation before the public.

Thank you again for the very great service you have performed, and are performing in behalf of all concerned Americans who love and wish their country to live up to its great heritage.

Respectfully,

John A. Papadakis.

The City College of the
City University of New York,
New York, N.Y., March 23, 1966.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I am writing to express to you my profound gratitude for your courageous, independent, and intelligent opposition to the Johnson program in Vietnam. That a few of our dedicated public leaders have been willing to attempt to attain a clear understanding of what is occurring in Vietnam and have dared to speak their minds on this most critical of matters is heartening. I trust that it may be encouraging to you to learn the amount of public support that you enjoy.

Sincerely yours,

Brayton Polka,
Assistant Professor of History.

Seattle, Wash.

Dear Senator Morse: I have always been an admirer of your forthright positions on domestic and foreign issues.

I have followed your remarks regarding Vietnam for the last six months and appreciate the courageous stand you have taken particularly when you were all alone. I am pleased to see more and more people are now joining you to vindicate your position. I entirely agree with your statement that if Goldwater had been elected the Democrats would not have been so anxious to vote the money to support this war.

I have written numerous letters to President Johnson expressing my abhorrence for the Vietnam war. I have just written him again telling him I am sorry I ever voted for him and that I shall never do so again.

In the coming elections I hope the "true Democrats" that have had the courage to stand by their convictions will be able to poll a tremendous victory.

Sincerely,

Jeanne Smith.

Kew Gardens, N.Y.,
May 19, 1966.

Dear Senator Morse: I would like you to know that I and many others believe you are right and courageous in speaking out on the situation (mess is a better word) in Viet Nam.

You are the only one I believe who really has called the turn in the happenings connected with Viet Nam.

I urge you to keep it up.

Sincerely yours,

Ralph Newman.

Laramie, Wyo.,
May 17, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Sir: We thank you very much for your kindness in sending us a copy of the Congressional Record "Legal Issues of U.S. Position on Vietnam." It is especially valuable in that it provides, with legal commentary, the exact provisions of such international agreements as the 1954 Geneva Accords and the Southeast Asia Collective Defense Treaty, documents not at once accessible to the average layman working in nonlegal or governmental fields. We shall study it with care and hope to be able to use it in doing our part to bring about a more educated citizenry on the issues represented in Vietnam.

We support you wholeheartedly in your courageous and difficult stand against what Senator Fulbright has so incisively called our "arrogance of power." We are profoundly ashamed that a nation with the tremendous intellectual resources of the United States, and such dedication to the principles of human liberty and the sanctity of human life, should choose to employ its enormous military power in a simplistic attempt to cut the Gordian Knot of Vietnam's internal problems. We understand that ten Vietnamese civilians die for every military casualty ("enemy"). And this horrifying toll shall, we suspect, leave the country of Vietnam no better off than that of South Korea, after the abortive war there which cost more than 2 million Koreans, 150,000 American, casualties. We are not allowing the Vietnamese the rights of political self-determination we so self-righteously announce; instead we are seeking to play the role of a "benevolent despotism," seeking to impose our own political system and theories. We shall first devastate the country militarily and then try to rebuild it overnight, oblivious to the suffering and bereavement of millions in Vietnam and thousands in this country—experiences not to be obviated by the gift of a new technology. Our administration is sacrificing lives by the thousands at the behest of its own self-righteousness.

So we fervently give thanks that there are men such as yourself and Senator Fulbright in our government, who make it possible to retain some vestige of one's pride in the fact that one is an American citizen.

Respectfully yours,

Juergen and Meredith Schrour.

May 18, 1966.

Dear Senator Morse: For myself, my 3 children, and my possible grandchildren I wish to express my thanks for your courage, sanity, and statesmanship in a terrible time in our history. Please continue your task, and I pray God spare you until this country's leaders return to sanity.

Sincerely,

Charlotte Plashlaberg.

Detroit Mich.

May 16, 1966.

Hon. Wayne Morse

Dear Senator: We admire the stand you are taking against the Johnson war in Vietnam. We believe that we should not only get out of Vietnam but also we should get out of the United Nations the *so called* peace keepers of the world. Since its beginning we have had no peace. You know we are spread out all over the world and have no friends any where. Let's regain the respect of the world and restore our Independence.

May God bless you and guide you in the work you are doing.

Mr. and Mrs. W. O. Mouery.

Sioux Falls, S. Dak.,
May 18, 1966.

Dear Senator Morse: We agree with your stand on the Viet Nam situation and want you to know how much we admire the courage you are displaying.

We believe that our government has already fulfilled its promises to help Viet Nam. Now that the problem has been shown to be beyond our ability to solve, we believe that by withdrawing we will gain the respect of other nations.

It simply is not right or fair to sacrifice any more American lives or to have Americans killing Asians of any creed.

Respectfully yours,

Dr. and Mrs. D. J. Peik.

May 9, 1966.

Dear Senator Morse: Thank God for your voice saying so much of what has to be said!

I am a mother of three young children, and the wife of a doctor completing his residency training as a specialist in Neurology. We look carefully each day to see if our mail contains his draft notice. But before our personal concern about the war in Vietnam, we have a grave concern about the direction and power-seeking role our country is assuming in Asia, and elsewhere.

Without a declaration of war by Congress, we are asserting ourselves into a civil war in a country in which we have no legal, or moral, right to be. We, as a nation, are providing a testing ground for our new weapons, and in the process we are conducting an obscene war on a people who are victims of our power-struggle with Communism. It is difficult to understand how President Johnson and his State Department can perpetrate such moral reasons as our "commitment to South Vietnam and the SEATO countries," or "the domino theory" or any other untruths on the people—and get away with it so very easily. The dead and the wounded are weapons of our nation, which is becoming greedy and immoral in its quest as a sovereign nation to show its power.

Senator Morse, with your voice and those of the others who are speaking out against this insanity, perhaps there is still hope for our great nation to assume its proper place in the sun, by allowing other nations to do so, too.

May you continue to have the strength and fortitude to speak out for a return to sanity in these United States. Thank you.

Sincerely,

Ruth Greenbaum,
Dr. and Mrs. Howard Greenbaum.

Bronx, N.Y.

Washington, D.C.,
May 20, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Mr. Morse: I want to commend you for your sensible and courageous stand on the war in Vietnam. I appreciate your courage and sincerity in the face of many hostile remarks in the press.

Sincerely,

Arthur R. Upgren, Jr

Minneapolis, Minn.

Senator Morse: My heartfelt support goes out to you in your efforts to stop this most stupid war. I hope you will never tire in your courage and determination.

Paul Kundgins.

Tacoma, Wash.,
May 9, 1966.

Senator Morse: As one who is greatly concerned with the war in Viet Nam I am taking this opportunity to commend you for being such an 'outspoken' critic of the present Administration's foreign policy, and I am also seeking some information. Although I am completely adverse to this war for a great number of *reasons*, one aspect of it has me completely puzzled; that is SEATO. In listening to Mr. Rusk speak before the Senate Foreign Relations Committee I heard him, and yourself, make a great number of references to SEATO; I believe the conclusion was the that the U.S. would probably be in Viet Nam regardless of SEATO, yet it is a factor for our present involvement (according to Mr. Rusk). What disturbs me is that I can find no connection between SEATO and South Viet Nam, other than S. Viet Nam being a nation in southeast Asia; South Viet Nam doesn't appear to be a member of this organization, nor has it ever been.

I had previously supposed that our connecting SEATO with Viet Nam was due to the French (both the U.S. and France being members of SEATO), and with their defeat at Dienbeinphu we moved in to protect French interests there, or at least to carry on for them. But now I am led to understand that SEATO didn't come into existence until *after* the French defeat at Dienbeinphu; and South Viet Nam itself was never a party to this organization. It is with this in mind that I continue to wonder what LBJ and the State Dept. are talking about when they constantly refer to our commitments to South Viet Nam as manifested through SEATO. If South Viet Nam is not a member of this organization how in the world can we claim commitments to them as outlined by SEATO? I am hoping that you can solve this problem of 'comprehension' for me.

It gives me a great deal of pleasure, as a Republican, to see you do battle against our present policies and I wish more Republicans would follow suit. I must add, in all sincerity, that if I lived in Oregon *you* would receive my 'Republican' vote. Please keep up the terrific work!

Yours truly,

MICHAEL D. BICK.

GREENVILLE, VA.,
May 14, 1966.

Hon. WAYNE MORSE,

HONORABLE SIR: In the news tonight we hear one of our marine units was wiped out!

After all the hearings and talks, how much nearer are we to ending this holocaust?

If the elections were to be this fall, any *decent* candidate who was for *peace* would be elected.

The tragedy of the whole awful mess!

Isn't there anything that can be done?

Yours truly,

MRS. EMMA HANSON.

Expect no reply.

HANCOCK, MICH.,
May 14, 1966.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR: Watching the hearings on television, I noticed that when the senators were asked what they think should be done about the mess we are in, in Viet Nam—not one said that we should pull out lock stock and barrel, but tried explaining that we should hold on to what we have and wait. I believe that it would be better to take a shameful retreat now, than wait until it turns out into a third world war and atomic destruction of the world. To me it seems that the senators see the bigness and might in big battle ships, big bombers, and large stock piles of hydrogen bombs, they do not see the—biggest, bigness which is the same among nations as with individuals—the bigness of admitting that you were wrong, and simply just pulling out of the whole mess.

Johnson-Rusk-McNamara are typical examples of seeing bigness—in might. Big battle ships, big bombers and big stock piles of hydrogen bombs. The government claims that the majority of the people are behind the Viet Nam war in the United States, but at least in my neighborhood everyone seems to be against it, and I am sure the elections will prove it. It seems to me that, if the senators cannot decide whether we should pull out or stay in, I would suggest that let the people decide in the next election.

With best wishes,

RUDOLPH KEMPPA.

CHICAGO, ILL.,
May 12, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: The opinions you express are enlightened and sensible. Your opponents belong in the caves of 100,000 years ago.

Respectfully yours,

MRS. NELL SEARLE.

MAY 9.

DEAR SENATOR MORSE: I'm hoarse—from cheering you in front of my T.V. set!

Please—keep up the great work!!

Thank you, thank you, from us who hope for a saner world.

Sincerely,

MRS. LILA SUSSMAN.

ENGLEWOOD, N.J.

MAY 11, 1966.

SENATOR MORSE: I have never written to any member of Congress before but I feel compelled by my conscience to do it now. I feel you are so right about the Viet Nam war and the administration is so wrong, I wish we had 99 more senators like you to convince LBJ, Rusk and McNamara of their folly. Keep trying. There are penty of Americans who agree with you.

JOSEPH E. PETKASH.

MAY 16, 1966.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I have spent all night writing letters to congressmen and senators, so yours will be brief. Please just accept my moral support for your position in condemnation of our misguided adventure in Viet Nam.

Thank you.

EUGENE BLINICK.

MADISON, WIS.

SANTA CRUZ, CALIF.,
May 19, 1966.

Hon. WAYNE MORSE,
Office of the Senate,
Washington, D.C.

SIR: Thank you for having had a copy of Legal Issues of U.S. Position in Vietnam from the CONGRESSIONAL RECORD sent to me.

The reading of it has given me a much wider understanding of the unfortunate Vietnam affair. No other publication has so clarified it for me.

I would that your influence as well as that of Senators FULBRIGHT and GRUENING might bring our country out of that War. This for the sake of the people of Vietnam and for our military personnel.

Very respectfully yours,

MISS EDITH COLD.

CHARLOTTE, N.C.,
May 19, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Just wanted to let you know we're still behind you one hundred percent! Keep up the good work. You're performing a unique (with Sen. FULBRIGHT) and very vital service (!) to their country.

Sincerely yours,

Mr. and Mrs. SANFORD ROSENTHAL.

EVANSVILLE, WIS.,
May 17, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: I wish to thank you for a recent copy of the CONGRESSIONAL RECORD pertaining to the Legal Issues of the United States position in Viet Nam. I pray that you will continue to make your voice heard in defence of a soul program in Southeast Asia. Furthermore, will you please continue your efforts of criticism of our programs of foreign aid. I am not opposed to foreign aid, but I certainly feel that it should not be tied to our military assistance programs.

In concerning foreign aid, it is my understanding that the United States offers foreign aid in the amount of .33 (one-third of one percent) of her gross national product. France averages 1.5 of her gross national product, and the Netherlands 1%. I would urge you to support greater outlays for foreign aid, if these programs can be offered to any and all countries, and not made be contingent upon their political situation. It is greater economic aid most countries in the world need and not military involvement.

In admiration of your labors, I remain.

Respectfully,

ALAN J. KROMHOLZ.

HONOMU, HAWAII,
May 17, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: May I express my appreciation for your willingness to speak out against overwhelming odds and to suffer ridicule and scorn. It is gratifying to know that you have not been swept by the popular and passionate appeal of this war.

The man of integrity, the man who stands on his conviction must often live a lonely existence. There are so few that do. But thank God for the few!

I am sure that your concerns spring out of a deep and abiding love for our country; and that this is a mature love which extends itself beyond our own shores to a love of humanity. We need men of vision in high places. May you continue to keep this vision in focus.

Sincerely,

STEPHEN K. HANASHIRO,
Minister, Hilo Coast United Church of Christ.

CHICAGO, ILL.,
May 18/66.

Senator MORSE,
Washington, D.C.:

Keep up the good work! We, the American people are with you in your fight against Pres. Johnson's war in Viet Nam.

T. V. TEEL.

CHICAGO, ILL.,
May 19, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR MR. MORSE: In my opinion, our government's action in Vietnam will be recorded as one of the most brutal interventions ever to have taken place. It is in complete violation of international law and the charter of the United Nations. How can the American people sanction the killing, maiming and burning of men, women and children in Vietnam? How can they tolerate the loss of their young men to satisfy the power hungry ambitions of those who profit from war?

Let us not forget how the extermination of six million Jews during World War II shocked the peoples of the world. The German citizen excused himself by claiming ignorance of what was taking place. Today, the American people know full well what our government is doing in North and South Vietnam for reports are brought into our homes daily by television, radio and the press. We see a pilot wiping out a whole village by dropping bombs, gases and napalm. We hear him say how wonderful it is to see his bombs hit the target and to see the people running for their lives. We are told that the mass killing of a Viet Cong unit was just like a turkey shoot in Tennessee. We see our soldiers torturing Viet Cong prisoners, marines burning a village, schools and hospitals demolished, crops killed by chemicals and stores of food destroyed.

Why is our government ordering these unhuman acts? We are told that it is to prevent the spread of communism, that it is to preserve freedom and that it is the best interests of the United States. These statements are disturbingly similar to those made by German leaders to justify their genocidal acts and their attempts to achieve world domination.

I respectfully, urge you to ask the President to stop hostilities so that negotiations can be started for a peaceful settlement of the war in Vietnam. I believe that a continuation of the conflict will almost inevitably lead to a nuclear confrontation between the great powers.

Yours sincerely,

Richard G. Morgan.

Milan, Ga.,
May 19, 1966.

Hon. Wayne Morse,
Washington, D.C.

Dear Senator Morse: I received Congressional Record sent to me from your office, Legal Issues of U.S. Position in Vietnam.

I wish to say that I am in full agreement with your position concerning the Vietnam War. I do not have not one member of our Church who likes our policy or, our being in Vietnam. We believe if it was left up to the voters of America, we would be out of Vietnam.

We do not believe that the President has the right without the vote of Senate and Congress to send our Army to wage an undeclared war.

We do not believe we should send our Army to other countries every time a few communists start shooting.

I will be glad to vote against some of our leaders if I every have a chance.

Blessing on you and all members of your tribe. Stick to your guns. I do not know of one in our county who oppose your view on Vietnam. I am

Fraternally Yours,

B. L. Caldwell.

Palo Alto, Calif.,
May 18, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

My Dear Senator: You, Sir, are a great and courageous man, a man of honor. I am proud that you represent my native state.

I applaud your valiant and persistent opposition to the frighteningly immoral, destructive policies of the Johnson Administration regarding Viet Nam. Please continue your fight for peace and for decent government. You represent hope for our country and, indeed, for the world.

Respectfully yours,

Penny Hicks Brommer
Mrs. James Brommer, Jr.

Los Angeles, Calif.,
May 4, 1966.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: When are we going to end this horrible war in Vietnam, and stop slaughtering our boys by the thousands, as we did in Korea? Why hasn't it been ended and peace brought to the poor Vietnamese people?

We can win this war. We could have won it a long time ago, and stopped the long blood bath and torture that the free people of Asia have suffered at the hands of the communists. We can have a total victory, without appeasement the further advance of communism of the mistake of allowing them to break any future treaties, such as they did the Geneva Treaty. Make a treaty to protect the safety of these poor people, and end their misery, hunger and perpetual fear.

Respectfully yours,

Irene Dunkly
Mrs. Irene Dunkly.

Washington, D.C.,
May 20, 1966.

Dear Senator Morse: I thank you for sending me "Legal Issues of U.S. Position in Vietnam."

It seems to me excellent.

May God bless your leadership for justice and peace!

Sincerely,

L. H. R. Hass.

May 17, 1966.

Senator Morse,
Washington, D.C.

Honorable Senator Morse: My wife and I want to express our admiration for you and your courageous and gallant fight against this war in Viet Nam. We fully understand this is only bringing shame and disgrace to our country.

I heard you speak here in Gary a few years back, and might also add that I worked in your beautiful state once in Salem. Bricklaying is my trade.

We are writing the President and our Senators. Hope it will do some good for the cause of peace.

With great respect for you and the ones that are fighting with you.

Yours truly,

John Sundman.
Greta Sundman.

Colorado Springs, Colo.,
May 19, 1966.

Senator Wayne Morse,
Washington, D.C.

Honorable Senator Morse: You certainly are a fine, courageous person to continue—almost alone—to speak up for peace.

I feel as you do regarding America's involvement in Viet Nam. In fact, I would go even further. I feel we should withdraw from another country's civil war. The South Vietnamese don't want us there, either; and we don't belong there. Let's get out!

Sincerely yours,

Mrs. Dorothy Balows.

Minneapolis, Minn.,
May 20, 1966.

Hon. Wayne Morse: The American Legion has asked its members to express their opinion on the Viet Nam war to government officials in Washington.

As a veteran of World War I, I wish to say that in my judgment the Viet Nam situation is one of the blackest periods in American history and is inexcusable.

Yours truly,

Kenneth E. Goit.

May 19, 1966.

Senator Wayne Morse,
Senate Foreign Relations Committee,
Washington, D.C.

Dear Senator Morse: Thank you for being able to "see" beyond the mass of *statistics* supplied by the Defense Department, beyond the "we *have* made overtures towards peace with Hanoi" of the State Department, and beyond the President's "we must support our brave men in Viet Nam", and bless you for bringing out into the open the fact that we have no business in Viet Nam and no right to do what we are doing!

Your plan for the United Nation Forces to be utilized to bring about the peace is the best plan yet and actually should "naturally—by reason of parliamentary procedure" been applied a long time ago. Don't ever apologize for having the courage of your convictions; don't ever feel like an isolated voice crying out alone * * * you are not * * * it is just that we who feel as you do have no way of reaching the men who make the decisions.

It is indeed sad to see our fine domestic programs being scuttled or maimed by the very representatives who launched them (borrowing from these programs or eliminating or postponing them because of war needs) just to finance the Viet Nam War!

It is as though a fever has taken over their minds and bodies and all they can think of is sending more men over to die and to come home crippled beyond human belief.

When the Viet Cong attacks one of our bases, possessions or an army of occupation lands on the shores of our mainland, then let us go all out with our fantastic statistics of men, weapons and strategy, but until then let us not lose our reason!

Is there not some *legal* way that this question of "to be or not to be in Viet Nam" can be referred to the people (such as in fall elections?) so the pulse of the people can be taken? What is more indicative of the desires of the American people than at election time? I don't mean by just being wise in our voting privileges choices this fall, but could it not be put on a Yes or No basis (like the national polls of which I know you are not fond). If such a referendum to the people is possible, I believe the results would be an "eye opener"!

In closing, I wish to assure you that I am not a "radical", a member of any leftist or rightist group or any subversive group. I am an American who enlisted in World War II because I loved my country and felt it my duty. I am just a plain, forward speaking and sincere Democrat who doesn't want to see our wonderful country broken (or even dented) by those who cannot "see" the lack of integrity and wisdom in our decisions in this Senseless War.

Hoping that my letter brings you comfort and will help bolster your stand which is so rational, honest and truthful, and urging you to keep up the good work, I am,

Sincerely yours,

Mrs. Dorothy Backus.

Flint, Mich.

New Orleans, La.,
May 23, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Sir: The majority of our Congressmen have stated repeatedly that they were loking for a means to "honorably withdraw" from Viet Nam. Well, the events of the past two weeks surely offer that escape. Premier Ky took it upon himself (ignoring our Military) to send marines into De Nang to beat the Buddhists into submission. Ky later said he is under no obligation to notify us of his intentions. The Buddhist leader sent a cable to President Johnson requesting removal of Ky's men to prevent civil strife. Washington denied receiving such a cable but a couple of days ago a reply was reportedly received by the Buddhist in which President Johnson stated he could not withdraw support of Ky. Eleven thousand Americans filed past the White House in protest of Viet Nam.

Senator Ellender in a TV address yesterday, concluded that a revaluation of our commitment in Viet Nam should be made . . . and quickly. The recent happenings simply prove that which has been said before by men knowledgeable, that America alone will never be able to establish stable states in Asia. General Douglas MacArthur said, and both Presidents Eisenhower and Kennedy agreed, that it would be a tragic mistake for America to place foot soldiers on Asian soil in a contest with China. Then, there's always France's defeat in Indochina.

Yet, our President continues in his attempt to singly disprove the facts. Time is overdue for Congress to put a sudden halt to this hopeless waste of our Life's blood and the staggering expenditures which we can't afford in the first place.

We say we are fighting to prevent a "Communist take-over"; that we want to 'guarantee' free elections . . . even tho the People may choose Communist rule. Does that make sense? Down thru the centuries these Peoples have lived in fear of China and have always successfully resisted the enemy . . . but we are now going to drive them into the camp of Red China by our tactics. France tried to prevent free elections and suffered a decisive defeat. Diem came along and refused, in 1956, to permit free elections guaranteed under the 1954 Geneva Agreements . . . and we supported him. Premier Ky sprung into power, also determined to prevent free elections and we turned our support to him. How can we speak out of both sides of our mouth at the same time? Is there any wonder why we are not trusted? Can there be any doubt that we ARE the agressor? Is there any reason for allied support in this venture?

President Johnson said we will continue the war "until peace comes." What opportunity is he looking for? He has had an offer last month from the Hanoi government and he deliberately ignored it. "Many opportunities have been missed to settle the Viet Nam crisis" said Mr U Thant in London on April 29th. Mr. McGeorge Bundy, former Presidential Advisor, in Tokyo on May 10th offered a choice reason for our present predicament. Congressman HÉBERT bared records from the Joint Chiefs of Staff showing their disagreement with Mr. McNamara's cancellation of the B52 bombers and he charged the Defense Chief with deceiving the public and defying Congress. It has been estimated that we have More men in Southeast Asia than is admitted by the Defense Department. Are we Trying to provoke a war with Red China?

It's time for Congress to call a halt and bring back our troops. For the third time this spring, American casualties have exceeded those of the Vietnamese. This needless bloodshed is a crime. There is NO evidence to support our presence in this rat hole. If we are "committed" there, to Whom are we committed? To the People—who don't want us there? To Premier Ky—who doesn't have the support of is own People? What 'Victory' can we possibly achieve? To kill and plunder for the obligation to rebuild their country? The right to maintain possibly 100,000 troops there "to keep the peace"? Provided we are not confronted by Red China and Russia?

While our Allies supply North Viet Nam and build a steel mill for Peking, we send our boys there to fight Communism? Let's not be duped into a continuance of this War by any momentary gains Premier Ky may have in quelling the Buddhists. Get out of Viet Nam now.

Respectfully,

ERWIN ENGERT, Sr.

PALO ALTO, CALIF.,
May 18, 1966.

DEAR SENATOR MORSE: Please continue to enjoy "the luxury of fighting each other back home." Please continue to expose that rampant ego I helped install in the White House. Please continue to question our Cabinet officers.

I have written my first letters to the President, my Senators, Senator FULBRIGHT, and Senator MANSFIELD. I am proud of my country when I know it can produce men of your fibre.

Thank you,

ROBT D. POULSON.

INDIANAPOLIS, IND.,
May 23, 1966.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: I appreciated receiving a copy of your speech in the Senate, on Legal Issues of U.S. Position in Vietnam.

A great number of my friends and myself have a very high regard for your continued fight against the Administration for being involved in Vietnam and elsewhere, where we have no moral right to interfere.

It seems that the Administration has a great Lust for Interference without any concern for the lives of "our boys" in struggles which are not any of our business.

LBJ and his inept Advisors should have enough of American Guts left within themselves, to admit their wrongs—and order a halt their immoral Orgy—not to save their own face, but to save what is left of the Image of the United States.

Respectfully yours,

JOHN G. C. SOHN.

MIDWEST CITY, OKLA.,
May 22, 1966.

Senator WAYNE MORSE,
U.S. Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I'm still rooting for you and your efforts to call a halt to our involvement in Vietnam. I'm hoping that this past week of "dog eat dog" in that miserable country may have brought a lot of people to their senses. How can they see what's going on over there and still approve the senseless slaughter of our boys? The sooner we get out and stay out, the happier I'll be—and the better off the U.S. will be.

* * * * *

Thanks for your time. Keep up your fine work.

Sincerely,

Mrs. ALINE T. CALEDINE.

MAY 23, 1966.

DEAR MR. SENATOR: Just a few lines to applaud your stand on the Viet Nam issue. Regardless of how the President tries to justify it, the war is a disgrace and a shame to all right thinking Americans.

Our boys are dying and suffering for nothing in that Asian stinkhole, if anyone had the whole of Viet Nam they would have nothing but a vast relief project. We want America and our sons out of Viet Nam, it is all for nothing.

McNamara and Rusk, a pair of proven liars must go, elections coming up in Nov. will really show how many (nervous Nellies) there are, it will not be a day of rejoicing for any democrat that stands out for this disgraceful war, and I say that altho I am a lifelong democrat.

Keeping on pounding away and educating the people, you will be proven right in the end, even as our distinguished Mr. Keating was when he called the turn on the Cuban situation.

Cordially yours

A. G. BARWOOD.

BEAVERTON, OREG.,
May 20, 1966.

Senator WAYNE MORSE.

DEAR SIR: Be assured that we share your concern regarding making and use of foreign policy, particularly in southeast Asia. It would seem that our position in Viet Nam is becoming increasing untenable.

It is fortunate that the Foreign Relations Committee hearings were opened to the public. Surely many of our people are strongly influenced, and they should make themselves heard.

The people have the right to determine their own destinies through their representatives, and all who work for that and discover the highest praise.

Yours truly,

GUY and MAY DODSON.

P.S.—I am continuing my study of problems of the aging, and currently am working on a Committee of the American Association of Retired Persons, seeking ways to reactivate the State council on aging.

MAY 20, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR MR. MORSE: I am writing to express my admiration and gratitude for your courageous stand on the Vietnam war. I realize there are few things more difficult than to stand up for one's beliefs, especially in these times when to do so results in being called a Communist, unpatriotic, or at best, a "muddled thinker."

As a college student I want to thank you for your demonstration of integrity and perseverance. Believe me, most of the people I speak to do not really know why we are in Vietnam, and want more than anything else to find a way to end this situation.

Please do not give up your fight, Senator. I respect you and encourage you in your thoughtful criticism of U.S. policy in Vietnam. Please remember the people of Oregon have great confidence and faith in you.

Sincerely,

MAY LYNN MORRISON.

PHOENIX, OREG.

LOS ANGELES, CALIF.,
May 21, 1966.

DEAR SENATOR MORSE: This is the first time I have written to you. I am a firm supporter of your viewpoint. In my opinion we have made a major blunder in Vietnam, and I applaud your courageous stand against the administration's policy. I fully support your efforts.

Respectfully yours,

DAVID A. BERMAN.

FIRST CONGREGATIONAL CHURCH,
Saginaw, Mich., May 22, 1966.

Hon. WAYNE MORSE,
Washington, D.C.

DEAR SENATOR MORSE: Permit me to congratulate you most heartily on your position on Vietnam from both the legal and moral standpoint. I count myself among those who feel that we have made tragic mistakes the past five years.

I make many calls in this parish. I have found only one person who would defend our involvement there in any way. All the others are extremely critical of this Administration's policy.

It is clear that thoughtful, knowledgeable and patriotic Americans would like to find another way—and soon. Surely the elections this fall will register the doubt of the American people about our present course.

May I venture to suggest that a movement be started to get Senator FULBRIGHT nominated by the Democrats for the presidency in 1968. He is fearless, honest, and utterly without guile.

Keep up the good work. Sooner or later it must bear fruit.

Sincerely,

ANTHONY A. NELSON.

EASTWOOD BAPTIST CHURCH,
Syracuse, N.Y., May 23, 1966.

Senator WAYNE MORSE.

DEAR SIR: I wish to thank you for the reprint from CONGRESSIONAL RECORD regarding the legality (or lack thereof) of our position in Viet Nam.

The names of MORSE and FULBRIGHT will go down in history as men who stood in the way of the complete sell-out of the nation to dangerous, unilateral, and immoral action. I am saying this from my pulpit, and there are a few others like me, at least.

I'm sure you get many damning letters, but I should like to be recorded on the side of those who express deep appreciation.

Sincerely,

Hugh F. Miller,
Pastor.

Montrose, Mich.,
May 22, 1966.

Senator W. Morse,
Washington, D.C.

Dear Senator: The commendable work you are doing on the war issue is greatly appreciated.

Eighty Five per cent of our community feel we have no justification for being in the present conflict.

Thank you,

C. K. Dettman, M.D.

May 21, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: After viewing you on television I find myself in sympathy with your views about the government's involvement in Viet Nam. I would very much appreciate receiving a letter stating what your general views are about this also would like to know if there is anything a private citizen can do to help change the foreign policy over Viet Nam.

Most Respectfully,

Paul W. Lee.

Long Beach, Calif.

Newcastle, Calif.,
May 20, 1966.

Senator Wayne Morse,
U.S. Senate.

Dear Senator Morse: Almost to a person everyone I know feels horror and indignation over our participation in the Vietnamese War. These feelings are usually timidly and fearfully expressed—by self-effacing citizens whose taxes are paying the bill and whose sons have been herded into a conflict the justice of which they do not perceive.

The one bright star on the horizon was the probe into the Asian conflict by the Senate Foreign Relations Committee and our congratulations to members like yourself. This probe is one of the most encouraging political actions of our times. Please do not stop at merely making Americans "discriminating" about a "local war"—as if servicemen were not paying constantly with their lives for our lack of action. *Please* fire up this opposition; it could be the start of a method for ending war altogether.

Sincerely,

Mrs. Lucile Jorgenson.

Carmichael, Calif.,
May 22, 1966.

Hon. Senator Wayne Morse,
Senate Foreign Relations Committee,
Washington, D.C.

Dear Senate Morse: My only regret after listening in on all the T.V. foreign relations hearing—pro. & con—is that I am not a resident of Oregon & could therefore vote for you. Please continue your efforts in the American people's behalf. Yours may be a minority stand in the house & senate, but I'll wager it is *not* across the country. To think otherwise (from you & Sen. Fulbright) is an insult to the American voters' intelligence or is it a fight, between idealism & practicability.

Please tell the American people at the next hearing what we (millions I am sure) can do to voice en masse our disapproval & also give your group the much needed support. Your stand is indeed a chapter for "profiles in courage" & the American people congratulate you. It will not harm your career. I'll continue to clip the many "letters from the people" in our local Sacramento Bee newspaper.

Very truly yours,

Mrs. J. H. Swedberg.

Different Crystal Ball

Editor of the Bee: Sir: If Mr. Niles used a crystal ball to see the future of Wayne Morse, it does not agree with mine.

In my crystal ball I see Wayne Morse in the White House, L.B.J. back on his ranch and our boys out of Viet Nam, God being willing.

In our system of electing a president we, the people, have little choice. Too many times we are given a choice between two people, neither of whom we want. Correction of this situation should be high on the agenda of our representatives in Washington.

G. M. M.

Sacramento.

May 22, 1966.

Dear Senator Morse: For many years I have been a Wayne Morse fan, but unfortunately not a voter. We don't have the likes in North Carolina. I feel so disturbed about this tragic war in Viet Nam I just don't know how to effectively oppose it, so I write expressing my support. I'll say just one thing. If the Chinese were over here burning alive my grandchildren, I don't think I'd ever tire of killing them, only death or practical considerations would stop me. This is the kind of fury our sons must face on the other side of the world. Let's bring them home alive.

If it is convenient, I would like to have a copy of the disputed resolution Pres. Johnson used to get America into this war.

Sincerely,

S. B. Rickett.

Hendersonville, N.C.

Dallas, Tex.,
May 23, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Sir: Sir, we have a nineteen year old son fighting in the war in Viet Nam. Sir, He is our only child. Perhaps we are "nervous nellies," but we are concerned about him and all of the others over there who are caught in this "war within a war." We stand behind you 100 percent, Sir, in that we should get our sons out of Viet Nam now. Please do all you can to get our sons out of Viet Nam, Sir. We want our son back safe and well the same as other parents do. People have begged and pled with the President to get our sons out of Viet Nam only to be ignored, not even a reply.

Sir, the government is "of the People, for the People and by the People," and we, the People, *do not* want this war. We do not have any business there as long as it is not our war and war has not been declared. Do they appreciate our being there, spending tax payer's money and sacrificing tax payer's sons? They do not. There is no way of knowing how many of our sons have been slain by those we are supposed to be helping. They pretend to be farmers in the day time and are Viet Cong at night. Sir, is it right to throw our youth in the fire of the foe while there is such turmoil among the Vietnamese people? We expect our son to come home safe and well, Sir, can't the People sue Mr. Johnson for murdering our sons in his illegal undeclared war?

Mrs. R. B. Blake.

Stockton, Calif.,
May 23, 1966.

Dear Senator Morse: My wife and I wish to thank you for keeping the Vietnam escapade under review and we are hopeful you can stimulate any action for termination.

We both feel that the Congress has been & is remiss in not standing firm in their right and duty to be the agency responsible for the declaration of war.

Sincerely,

John and Marjorie Phillips.

May 22, 1966.

Dear Senator Wayne Morse: You are speaking my feelings about Vietnam. Please continue to represent me since I have no representation from my State.

Sincerely,

Harriet Joslyn.

San Diego, Calif.

Imlay City, Mich.,
May 20, 1966.

Senator Wayne Morse.

Dear Senator: I'm very proud of you. It's good for the American people to know there are a few men in high office position who have the stamina to speak out their beliefs. It's time for the people of this country to wake up before it's too late. And you, as one of our representatives, has been doing your share towards this. Most of our public officials are afraid they will jeopardize their position and prestige, and when one like yourself speaks out the truth, it's good to hear. We're all tired of lies and tired of wars. President Johnson may be surprised some day to find the people of this country are not as dumb as he thinks.

I am supporting you 100% in your efforts to stop the war in Vietnam.

More power to you.

Respectfully,

Mrs. Marjorie Cirss.

Hopkins, Minn.,
May 23, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: Your speech, *Legal Issues of United States Position in Viet Nam,* has been carefully read.

There was just a faint, fleeting sense of security when one realized that even *one* Senator would find voice to condemn our action in South East Asia.

Can we ever have respect for or confidence in the Senate again?

Years ago a book appeared on our markets titled "It Can't Happen Here." In our lifetime we have seen it happen here—the capitulation of elected officers to overpowering arrogance (a dirty word) of an Executive who has flouted international agreements and led us into untenable circumstances.

The Senate Foreign Relations discussions were greatly appreciated.

Respectfully,

Dorothy Bren.

May 23, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator: I received your document entitled "Legal Issues of U.S. Position in Vietnam" printed in the Congressional Record under date of Friday, February 25, 1966, for which I thank you.

I support your position whole-heartedly and urge you to continue your efforts.

Sincerely yours,

Albert B. Dawkins.

May 22, 1966.

Senator Philip Hart,
Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Sir: I have consistently opposed United States action in Viet Nam and will continue to do so under present conditions. At one point I could see a reason for holding certain defensive perimeters and encouraging the South Vietnamese to resistance, but now I must go along with complete withdrawal. I had hoped that the president's foreign policy and military advisers would be prudent in the use of force, but they have not been. In fact they are constantly expanding it. In this light the only solution is complete withdrawal where the temptation to use force is minimized.

The latest evidence of United States irresponsibility is the destruction of about 98,000 acres of crop producing land in South Viet Nam, according to an A.P. article. I know they say "war is hell" but this is going a little too far. We are waging herbicidal war against the farmer, and the present (and incidently, the State Dept. says, against some Viet Cong, who in most cases are also farmers, and peasants). We are destroying a crop base that Asia needs very bady. We are adding the chance of famine to a long list of United States instigated miseries. It is action like this that convinces me that we are morally wrong in just about everything we do in Viet Nam.

Sincerely,

Edwin R. Carlson.

Grand Rapids, Mich.

cc—Representative Gerald Ford, editor of the Press (Grand Rapids, Mich.)

South Viet Nam Crop Killing Is Expanded

Washington.—The area of crops destroyed in South Viet Nam to deny them to the Communist Viet Cong has been significantly expanded in recent months, according to figures made available by official sources Saturday.

As of about two months ago—the latest figure available—the area covered by crop-killing herbicides was listed at slightly above 98,000 acres.

The previous total on this, as issued by the State Department on March 9, was around 20,000 acres. That was said to have been the total as of last fall. Data arriving here run behind the program, which officials said has been under way since 1962.

The 98,000 acres was estimated to be roughly 1½ percent of the total area under cultivation in South Viet Nam. Authorities said the affected lands are only in certain areas, like parts of the central highlands, long under Red control.

New York, N.Y.,
May 22, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: Do use your influence to withdraw from Vietnam, where our presence is not wanted, and our position doubtfully legal.

Economically, I feel we should do what is required, but I am very much against our boys being sent there, where even the South Vietnamese are turning against us.

Very truly yours,

Mrs. Benno Rubel.

Bluffton, Ohio,
May 22, 1966.

Hon. Senator Wayne Morse,
U.S. Senate Office Building,
Washington, D.C.

Dear Sir: I wish to commend you for your outspoken criticism of the administration for the military action in Vietnam. Thank God! There is a statesman, like you, in Washington who is willing to put country before party.

It is an insult to the intelligence of the American people for the administration to continue telling them that American boys are in Vietnam saving the world from communism. The patriotism of the American people is being sorely tried.

I am a general practitioner in a rural area. My patients are good average Americans. They are confused, disgusted, discouraged and very much opposed to the senseless sacrifices being made in Vietnam.

During World War II I served as medical officer with the Chinese troops. I was with the first group of the Chinese army that entered Haiphong after VJ day. I have some idea of the sacrifices of American life and material that was made for China during WW II. Now, look at the result.

If an armistice is signed it will only be another Korea. We will have to enforce it with American troops for the next decade.

Once you have lost face in the Orient as we have you are finished. We should pull out as quickly as possible. The responsibility for the future of Vietnam should be placed in the hands of the United Nations. If they fail it will be upon their shoulders. The common people of Vietnam cannot suffer much more than they have under this terrible civil war.

I debated with myself some time before writing this letter. It is of the rights of democracy for which we are supposed to be fighting for in Vietnam.

Please continue your criticisms of the Administration *loud* and *clear*. You are in position to be heard.

Respectfully,

F. F. Rodabaugh, M.D.,
Former Major, U.S. Medical Corp, Recipient Legion of Merit.

First Congregational Church,
St. Petersburg, Fla., May 23, 1966.

My Dear Senator: Your predictions about chaos and confusion in Viet Nam have certainly been fulfilled. Now I hope you will continue to work for an end to this tragic war and a return home of our American boys.

Gratefully,

Aaron N. Meckel.

May 20, 1966.

Dear Senator Morse: As an informed American I urgently request that you continue to lead the fight against present U.S. policy in Vietnam.

I hope you will continue and increase your efforts toward withdrawal of U.S. troops from that country. Millions of Americans violently protest our immoral involvement in that country and we will be heard in November.

Thank you for your efforts on my behalf.

Sincerely,

Mrs. W. B. Mitchell.

Delray Beach, Fla.,
May 23, 1966.

Hon. Wayne Morse,
Washington, D.C.

Dear Senator: I just wish to add my name to those who appreciate the great work you are endeavoring to do in connection with this terrible mess in Viet Nam. I agree your attitude is 100% correct. We don't belong there and what possible justification is there for this terrible slaughter of American youth. May God help you and others with your courage. Help get us out of this inexcusable commitment.

Respectfully,

Layton Rogers Colburn.

Grand Rapids, Mich.,
May 23, 1966.

Re speech on legal issues of U.S. position in Vietnam.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Mr. Morse: First, I wish to express my profound respect and admiration for you, who have had the moral fortitude, integrity and persistency in Senate speeches and hearings to expose and defy an overwhelming majority of our Government leadership who are selling us, the citizen of U.S., down the road. A leadership that is legalizing the steal of our tax maney to pay for wars such as in Vietnam, in which U.S. Servicemen, Vietnamese and Vietcong, both civilians and Servicemen, are being killed and maimed, and property destroyed.

Fortunately, by one means or another I received a copy of you February 1966 speech before the Senate titled "Legal Issues of U.S. Position in Vietnam." It appears as though the title might have read "Illegal Issues". I was happy to receive this article because its complete detail answered many of the questions I have had in mind concerning our involvement. It was concise and thorough. I have some further questions to ask you later in this letter.

As I discuss our participation in this affair with many friends and acquaintances, the majority are opposed to our participation. I am wondering if my experience in this respect may be representative of the citizens throughout the country. If such is the case, it is deeply regrettable that neither the Democratic nor Republican party chooses to take a God-like and legal stand in such policies.

If nearly half of the United States citizens are opposed to this war, couldn't a third party formed on the platform of abolishing it and still fostering individual initiative and free enterprise, possibly win out against a divided half (the other two parties)?

This letter is being dictated a day before your Oregon Primary. I should fervently hope that your candidate is nominated, although I feel that he would have had a considerably better chance of winning had he been willing to do some campaigning. Many people may feel that he won't produce if he won't campaign. Perhaps the results for this reason will not be truly representative of what they might have been otherwise.

And now to a few questions to which I would appreciate your frank answers.

To where does the man turn, like myself, who refuses to vote for any nominee who has not demonstrated his definite desire to terminate this war and similar interferences throughout the world, in his desire to vote for such a man? Isn't the time ripe for a national push in this direction?

Why did Eisenhower and Dulles refuse to permit free elections in Vietnam in 1956, according to the Geneva accords? Was it because they refused to be willing to accept the apparent results of such an election, which would have undoubtedly given the Communists a definite majority?

Why has our Government continued for ten additional years from the date of such proposed election, to refuse to permit free elections in Vietnam?

What is the Administration's true reason for the Vietnam engagement? Is it really to protect United States capital invested in Vietnam?

I will sincerely appreciate your answers.

With every good wish, I am

Most sincerely,

Spencer Berg.

P.S.—Would it be possible for you to please supply me with 25 additional copies of your Senate speech referred to herein?

Floral Park, N.Y.,
May 23, 1966.

Senator Wayne Morse,
Senate Building,
Washington, D.C.

Dear Senator Morse: Keep speaking out for sanity and decency. You are on the side of Truth and Humanity.

End the shameful, criminal war in Vietnam! We want our boys back home! Recent events in Vietnam make me very sick and ashamed. How much longer?

Gratefully,

Mrs. Hilia Elan.

Brooklyn, N.Y.,
May 25, 1966.

Most Distinguished Senator: I am a Catholic Priest; with these following few words, I wish to tell You that I am completely agree with You and entirely support your honest and noble opinion which You are preaching now to the American public. The Motto of this Country is: "For God and for Country". How can we (Christians) say again for God, since we are killing God's people every day in Viet-Nam? Only Americans are God's people? God said to us (Whoever believes in Him) Thou shall not kill "well, as you know, we do kill people every day with a well planned project (not a treaty nor contract). How can we justify our actions before God and before Men (of good will)? As for Country: I say we are not fighting to defend our country; Vietnam is not our country our kind of people; we have nothing in common with those people: physically, geographically, historically, socially, morally, customary physiognomically or traditionally etc. They are Asians, not Americans nor Europeans. Why don't we let them settle their own differences? Why our young Americans must die for their country, not for our U.S.A? If America, for instance: Alaska or Hawaii being attacked, I will be fully supporting and fighting against our enemies, but this is not the case. This is their civil war, (I don't say: we are intervening) but Johnson-Lodge-Rusk-McNamara and Taylor are pouring gas and oil in that fire, and give no sign to seek for an alternative, yet every day our naive young soldiers (thinking perhaps they are patriots) and Vietnamese (as innocent, as ignorant they are) died by hundreds or (thousands in the near future) . . . For what reason they died? For what cause? I think, for no other reason or commitment (unilateral as it is) but yankee determination or stubbornness. Namely they are wrong, they will keep going to do wrong until the end and they will listen to no one. This attitude will lead U.S.A. into most disastrous consequences etc.

I say it again: How do we justify our actions in Vietnam? *before God and before our Countrymen?* What the historian will put into the book of history? I think, we getting more aggressives than anybody else in the free world today! A democratic system with a aggressive form. I suppose, if we are getting deeper into the war with China, some day with Russia, *Are we save and secure from Russia an Atomic Bombs and rockets?* How about Cuba? Do you think that Castro has no atomic weapons in his Island? Only crazy people think so. *If we are not save, why then we are continuing to play with the fire?* I am so worry about the war going on in Vietnam, I pray and I hope that Almighty God deign to show His merciful intervention. Dear Senator, I wish you will continue your activities to explain to the naive americans about the involvement in Vietnam and I will support you with my intensified prayers every day in my Masses. May the Holy Spirit enlighten our leaders to see that they are doing something wrong to ourselves—to our free world and to the poor—ignorant Vietnamese people; May the Holy Spirit deign to inspire them a good and sound policy to follow. As a Catholic Clergy, I say again: *It is unpatriotic to fight not for one's own country (Vietnam is not our country)* and It is not wise and prudent to violate the Commandment of God (yet we say: in God we trust). I know and I feel that When God's Punishment comes, no one can stop Him, then that would be too late, if we began to beg for His mercy ! ! ! Well, I *predict* now, if Mr. Johnson and his colleagues refuse to change their policy, *no one of them will die in peace* (I wish, you remember that Dear Senator) Finally, I wish and I hope that You and Mr. FULBRIGHT will sustain with energy your sound judgment against unsound policy. May God bless you and your colleagues and co-workers for the peace in Vietnam. God keep you well! Your useless servant in Christ. (Excuse to disclose my name) if you wish. You might read to or quote my writing to the public.

BATON ROUGE, LA.,
May 23, 1966.

Re: Peace in Vietnam.
President LYNDON B. JOHNSON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Please get us out of Vietnam now.

Vietnam is not important to the security of the United States.

Your administration's actions in Vietnam hinder the United States from building a society of freedom and equality of opportunity, the Great Society that I believe you wish to advance.

Your administration's actions in Vietnam hinder efforts to move the world away from the brink of nuclear war to a peaceful world under the rule of law.

Please get us out of Vietnam now.

Yours truly,

BENJAMIN M. SHIEBER.

cc.: Vice President HUMPHREY, and Senators FULBRIGHT, MANSFIELD, MORSE, LONG, and RUSSELL.

FAIR PACKAGING AND LABELING ACT

Mr. MORSE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1151, S. 985, and that it be laid before the Senate and made the pending business.

The PRESIDING OFFICER (Mr. MAGNUSON in the chair). The bill will be read by title.

The LEGISLATIVE CLERK. A bill (S. 985) to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment to strike out all after the enacting clause and insert:

That this Act may be cited as the "Fair Packaging and Labeling Act".

DECLARATION OF POLICY

SEC. 2. Informed consumers are essential to the fair and efficient functioning of a free market economy. Packages and their labels should enable consumers to obtain accurate information as to the quantity of the contents and should facilitate price comparisons. Therefore, it is hereby declared to be the policy of the Congress to assist consumers and manufacturers in reaching these goals in the marketing of consumer goods.

PROHIBITION OF UNFAIR AND DECEPTIVE PACKAGING AND LABELING

SEC. 3. (a) It shall be unlawful for any person engaged in the packaging or labeling of any consumer commodity (as defined in this Act) for distribution in commerce, or for any person (other than a common carrier for hire, a contract carrier for hire, or a freight forwarder for hire) engaged in the distribution in commerce of any packaged or labeled consumer commodity, to distribute or to cause to be distributed in commerce any such commodity if such commodity is contained in a package, or if there is affixed to that commodity a label, which does not conform to the provisions of this Act and of regulations promulgated under the authority of this Act.

(b) The prohibition contained in subsection (a) shall not apply to persons engaged in business as wholesale or retail distributors of consumer commodities except to the extent that such persons (1) are engaged in the packaging or labeling of such commodities, or (2) prescribe or specify by any means the manner in which such commodities are packaged or labeled.

REQUIREMENTS AND PROHIBITIONS

SEC. 4. (a) No person subject to the prohibition contained in section 3 shall distribute or cause to be distributed in commerce any packaged consumer commodity unless in conformity with regulations which shall be established by the promulgating authority pursuant to section 6 of this Act and which shall provide that:

(1) The commodity shall bear a label specifying the identity of the commodity and the name and place of business of the manufacturer, packer, or distributor; and

(2) The net quantity of contents (in terms of weight, measure, or numerical count) shall be separately and accurately stated in a uniform location upon the principal display panel of that label; and

(3) The separate label statement of net quantity of contents appearing upon or affixed to any package—

(A) if expressed in terms of weight or fluid volume, on any package of a consumer commodity containing less than four pounds or one gallon, shall be expressed in ounces or in whole units of pounds, pints, or quarts (avoirdupois or liquid, whichever may be appropriate);

(B) shall appear in conspicuous and easily legible type in distinct contrast (by typography, layout, color, embossing, or molding) with other matter on the package;

(C) shall contain letters or numerals in a type size which shall be (i) established in relationship to the area of the principal display panel of the package, and (ii) uniform for all packages of substantially the same size; and

(D) shall be so placed that the lines of printed matter included in that statement are generally parallel to the base on which the package rests as it is designed to be displayed.

(b) No person subject to the prohibition contained in section 3 shall distribute or cause to be distributed in commerce any packaged consumer commodity if any qualifying words or phrases appear in conjunction with the separate statement of the net quantity of contents required by subsection (a), but nothing in this subsection or in paragraph (2) of subsection (a) shall prohibit supplemental statements, at other places on the package, describing in nondeceptive terms the net quantity of contents: *Provided,* That such supplemental statements of net quantity of contents shall not include any term qualifying a unit of weight, measure, or count that tends to exaggerate the amount of the commodity contained in the package.

ADDITIONAL REGULATIONS

SEC. 5. (a) The authority to promulgate regulations under this Act is vested in (A) the Secretary of Health, Education, and Welfare (referred to hereinafter as the "Secretary") with respect to any consumer commodity which is a food, drug, device, or cosmetic, as each such term is defined by section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321); and (B) the Federal Trade Commission (referred to hereinafter as the "Commission") with respect to any other consumer commodity.

(b) If the promulgating authority specified in this section finds that, because of the nature, form, or quantity of a particular consumer commodity, or for other good and sufficient reasons, full compliance with all the requirements otherwise applicable under section 4 of this Act is impracticable or is not necessary for the adequate protection of consumers, the Secretary or the Commission (whichever the case may be) shall promulgate regulations exempting such commodity from those requirements to the extent and under such conditions as the promulgating authority determines to be consistent with section 2 of this Act.

(c) Whenever the promulgating authority determines that regulations containing prohibitions or requirements other than those prescribed by section 4 are necessary to prevent the deception of consumers or to facilitate price comparisons as to any consumer commodity, such authority shall promulgate with respect to that commodity regulations effective to—

(1) establish and define standards for characterizing the size of a package enclosing any consumer commodity, which may be used to supplement the label statement of net quantity of contents of packages containing such commodity, but this paragraph shall not be construed as authorizing any limitation on the size, shape, weight, dimensions, or number of packages which may be used to enclose any commodity;

(2) establish and define the net quantity of any commodity (in terms of weight, measure, or count) which shall constitute a serving, if that commodity is distributed to retail purchasers in a package or with a label which bears a representation as to the number of servings provided by the net quantity of contents contained in that package or to which that label is affixed;

(3) regulate the placement upon any package containing any commodity, or upon any label affixed to such commodity, of any printed matter stating or representing by implication that such commodity is offered for retail sale at a price lower than the ordinary and customary retail sale price or that a retail sale price advantage is accorded to purchasers thereof by reason of the size of that package or the quantity of its contents; and

(4) require (consistent with requirements imposed by or pursuant to the Federal Food, Drug and Cosmetic Act, as amended) that information with respect to the ingredients and composition of any consumer commodity (other than information concerning proprietary trade secrets) be placed upon packages containing that commodity.

(d) Whenever the promulgating authority determines, after a hearing conducted in compliance with section 7 of the Administrative Procedure Act, that the weights or quantities in which any consumer commodity is being distributed for retail sale are likely to impair the ability of consumers to make price per unit comparisons such authority shall—

(1) publish such determination in the Federal Register; and

(2) promulgate, subject to the provisions of subsections (e), (f), and (g), regulations effective to establish reasonable weights or quantities, and fractions or multiple thereof, in which any such consumer commodity shall be distributed for retail sale.

(e) At any time within sixty days after the publication of any determination pursuant to subsection (d)(1) as to any consumer commodity, any producer or distributor affected may request the Secretary of Commerce to participate in the development of a voluntary product standard for such commodity under the procedures for the development of voluntary product standards established by the Secretary pursuant to section 2 of the Act of March 3, 1901 (31 Stat. 1449, as amended; 15 U.S.C. 272). Such procedures shall provide adequate manufacturer, distributor, and consumer representation. Upon the filing of any such request the Secretary of Commerce shall transmit notice thereof to the authority which has caused notice of such determination to be published.

(f) No regulation promulgated pursuant to subsection (d)(2) with respect to any consumer commodity may—

(1) vary from any voluntary product standard in effect with respect to that consumer commodity which was published—

(A) before the publication of any determination with respect to that consumer commodity pursuant to subsection (d)(1);

(B) within one year after the filing pursuant to this section of a request for the development of a voluntary product standard with respect to that consumer commodity; or

(C) within such period of time (not exceeding eighteen months after the filing of such request) as the promulgating authority may deem proper upon a certification by the Secretary of Commerce that such a voluntary product standard with respect to that consumer commodity is under active consideration and that there are presently grounds for belief that such a standard for that commodity will be published within a reasonable period of time;

(2) establish any weight or measure in any amount less than two ounces;

(3) preclude the use of any package of particular dimensions or capacity customarily used for the distribution of related commodities of varying densities, except to the extent that it is determined that the continued use of such package for such purpose is likely to deceive consumers; or

(4) preclude the continued use of particular dimensions or capacities of returnable or reusable glass containers for beverages in use as of the effective date of the Act.

(g) In the promulgation of regulations under subsection (d)(2) of this section, due regard shall be given to the probable effect of such regulations upon—

(1) the cost of the packaging of the commodities affected;

(2) the availability of any commodity in a reasonable range of package sizes to serve consumer convenience;

(3) the materials used for the packaging of the affected commodities;

(4) the weights and measures customarily used in the packaging of the affected commodities;

(5) competition between containers made of different types of packaging material.

PROCEDURE FOR PROMULGATION OF REGULATIONS

SEC. 6. (a) Regulations promulgated by the Secretary under section 4 or section 5 of this Act shall be promulgated, and shall be subject to judicial review, pursuant to the provisions of subsections (e), (f), and (g) of section 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 371 (e), (f), and (g)). Hearings authorized or required for the promulgation of any such regulations by the Secretary shall be conducted by the Secretary or by such officer or employee of the Department of Health, Education, and Welfare as he may designate for that purpose.

(b) Regulations promulgated by the Commission under section 4 or section 5 of this Act shall be promulgated, and shall be subject to judicial review, by proceedings taken in conformity with the provisions of subsections (e), (f), and (g) of section 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 371 (e), (f), and (g)) in the same manner, and with the same effect, as if such proceedings were taken by the Secretary pursuant to subsection (a) of this section. Hearings authorized or required for the promulgation of any such regulations by the Commission shall be conducted by the Commission or by such officer or employee of the Commission as the Commission may designate for that purpose.

(c) In carrying into effect the provisions of this Act, the Secretary and the Commission are authorized to cooperate with any department or agency of the United States, with any State, Commonwealth, or possession of the United States, and with any department, agency, or political subdivision of any such State, Commonwealth, or possession.

(d) No regulation adopted under this Act shall preclude the continued use of returnable or reusable glass containers for beverages in inventory or with the trade as of the effective date of this Act.

ENFORCEMENT

SEC. 7. (a) Any consumer commodity which is a food, drug, device, or cosmetic, as each such term is defined by section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321), and which is introduced or delivered for introduction into commerce in violation of any of the provisions of this Act, or the regulations issued pursuant to this Act, shall be deemed to be misbranded within the meaning of chapter III of the Federal Food, Drug, and Cosmetic Act, but the provisions of section 303 of that Act (21 U.S.C. 333) shall have no application to any violation of section 3 of this Act.

(b) Any violation of any of the provisions of this Act, or the regulations issued pursuant to this Act, with respect to any consumer commodity which is not a food, drug, device, or cosmetic, shall constitute an unfair or deceptive act or practice in commerce in violation of section 5(a) of the Federal Trade Commission Act and shall be subject to enforcement under section 5(b) of the Federal Trade Commission Act.

(c) In the case of any imports into the United States of any consumer commodity covered by this Act, the provisions of sections 4 and 5 of this Act shall be enforced by the Secretary of the Treasury pursuant to section 801 (a) and (b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381).

REPORTS TO THE CONGRESS

SEC. 8. Each officer or agency required or authorized by this Act to promulgate regulations for the packaging or labeling of any consumer commodity, or to participate in the development of voluntary product standards with respect to any consumer commodity under procedures referred to in section 5(e) of this Act, shall transmit to the Congress in January of each year a report containing a full and complete description of the activities of that officer or agency for the administration and enforcement of this Act during the preceding fiscal year.

COOPERATION WITH STATE AUTHORITIES

SEC. 9. (a) A copy of each regulation promulgated under this Act shall be transmitted promptly to the Secretary of Commerce, who shall (1) transmit copies thereof to all appropriate State officers and agencies, and (2) furnish to such State officers and agencies information and assistance to promote to the greatest practicable extent uniformity in State and Federal regulation of the labeling of consumer commodities.

(b) Nothing contained in this section shall be construed to impair or otherwise interfere with any program carried into effect by the Secretary of Health, Education, and Welfare under the provisions of law in cooperation with State governments or agencies, instrumentalities, or political subdivisions thereof.

DEFINITIONS

SEC. 10. For the purpose of this Act—

(a) The term "consumer commodity", except as otherwise specifically provided by this subsection, means any food, drug, device, or cosmetic (as those terms are defined by the Federal Food, Drug, and Cosmetic Act), and any other article, product, or commodity of any kind or class which is customarily produced or distributed for sale through retail sales agencies or instrumentalities for consumption by individuals, or use by individuals for purposes of personal care or in the performance of services ordinarily rendered within the household, and which usually is consumed or expended in the course of such consumption or use. Such term does not include—

(1) any meat or meat product, poultry or poultry product, or tobacco or tobacco product;

(2) any commodity subject to packaging or labeling requirements imposed by the Secretary of Agriculture pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, or the provisions of the eighth paragraph under the heading "Bureau of Animal Industry" of the Act of March 4, 1913 (37 Stat. 832–833; 21 U.S.C. 151–157), commonly known as the Virus-Serum-Toxin Act;

(3) any drug subject to the provisions of sections 503(b) (1) or 506 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b) (1), 355, 356, 357);

(4) any beverage subject to or complying with packaging or labeling requirements imposed under the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.); or

(5) any commodity subject to the provisions of the Federal Seed Act (7 U.S.C. 1551–1610).

(b) The term "package" means any container or wrapping in which any consumer commodity is enclosed for use in the delivery or display of that consumer commodity to retail purchasers, but does not include—

(1) shipping containers or wrappings used solely for the transportation of any consumer commodity in bulk or in quantity to manufacturers, packers, or processors, or to wholesale or retail distributors thereof;

(2) shipping containers or outer wrappings used by retailers to ship or deliver any commodity to retail customers if such containers and wrappings bear no printed matter pertaining to any particular commodity; or

(3) containers subject to the provisions of the Act of August 3, 1912 (37 Stat. 250, as amended; 15 U.S.C. 231–233), the Act of March 4, 1915 (38 Stat. 1186, as amended; 15 U.S.C. 234–236), the Act of August 31, 1916 (39 Stat. 673, as amended; 15 U.S.C. 251–256), or the Act of May 21, 1928 (45 Stat. 685, as amended; 15 U.S.C. 257–2571).

(c) The term "label" means any written, printed, or graphic matter affixed to any consumer commodity or affixed to or appearing upon a package containing any consumer commodity;

(d) The term "person" includes any firm, corporation, or association;

(e) The term "commerce" means (1) commerce between any State, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States, or territory and any place outside thereof, and (2) commerce within the District of Columbia or within any territory or possession of the United States not organized with a legislative body, but shall not include exports to foreign countries; and

(f) The term "principal display panel" means that part of a label that is most likely to be displayed, presented, shown, or examined under normal and customary conditions of display for retail sale.

SAVING PROVISION

SEC. 11. Nothing contained in this Act shall be construed to repeal, invalidate, or supersede—

(a) the Federal Trade Commission Act or any statute defined therein as an antitrust Act;

(b) the Federal Food, Drug, and Cosmetic Act; or

(c) the Hazardous Substances Labeling Act.

EFFECT UPON STATE LAW

SEC. 12. It is hereby expressly declared that it is the intent of the Congress to supersede any and all laws of the States and political subdivisions thereof insofar as they may now or hereafter provide for the labeling of the net quantity of contents of the package of any consumer commodity covered by this Act which differs from the requirements of section 4 of this Act or regulations promulgated pursuant thereto.

EFFECTIVE DATE

SEC. 13. This Act shall take effect on the first day of the sixth month beginning after the date of its enactment: *Provided*, That the Secretary (with respect to any consumer commodity which is a food, drug, device, or cosmetic), and the Commission (with respect to any other consumer commodity) may by regulation postpone, for an additional twelve-month period, the effective date of this Act with respect to any class of type of consumer commodity on the basis of a finding that such a postponement would be in the public interest.

Mr. MORSE. Mr. President, I will leave to the Presiding Officer, when he takes the chair, the second responsibility that was given to me: That of adjourning the Senate in accordance with the agreement previously entered into.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MORSE in the chair). Without objection, it is so ordered.

U.S. FOREIGN POLICY—ADDRESS BY SENATOR SPARKMAN BEFORE HOME BUILDERS ASSOCIATION OF METROPOLITAN PITTSBURGH, PA.

Mr. HOLLAND. Mr. President, on Tuesday, May 24, 1966, the junior Senator from Alabama [Mr. SPARKMAN] spoke to the Home Builders Association of Metropolitan Pittsburgh, Pa. The subject of his talk was "U.S. Foreign Policy." While I may not necessarily agree with everything the Senator from Alabama said in his talk, I believe it is an excellent discussion of our foreign policy and so that others may have the opportunity to read his remarks, I ask unanimous consent to have the Alabama Senator's speech printed in the RECORD in full.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

U.S. FOREIGN POLICY

(Statement prepared for delivery by JOHN SPARKMAN, U.S. Senator from Alabama, at the General Membership Meeting of the Home Builders Association of Metropolitan Pittsburgh Pick-Roosevelt Hotel, Pittsburgh, Pa., 7:00 p.m., May 24, 1966)

I am pleased to have this opportunity to speak to the Home Builders of Metropolitan Pittsburgh.

When I was invited to come here, it was suggested that I might talk on any subject I felt would be of interest to you. And, furthermore, it was left to my discretion just how long my remarks should be. Let me warn you now that this is a dangerous invitation to extend to a Senator, especially a Southern Senator. We have been known to speak at length in the Senate! I promise you, however, that I will not filibuster here today.

My subject today regards U.S. Foreign Policy. But before going into that matter I have a few comments to make with respect to housing, mortgage credit and pending 1966 housing legislation.

I would be fooling you if I did not say that the housing picture for the immediate future looks a little bleak. Our national economy has "heated up" much more rapidly than anyone had predicted. The Vietnam situation is causing continued concern and the indices of inflation are continuing to move up.

Many economists claim that we are in a critical situation and the President must take action now to curb inflation, either through new taxes or by cutting back government spending, or both.

I am sure you are aware of the divergent views taken by some of those who suggest the economic patterns the nation should follow. I refer mainly to such men as the Chairman of the Federal Reserve Board and the Secretary of Treasury. On the one hand Chairman Martin of the Board is advocating immediate restraints on inflation in the form of a tax increase while on the other hand, Secretary Fowler of the Treasury is of the opinion that no drastic tax or wage-price controls are needed at present.

The Administration, as well as the Congress, is watching all economic signs very carefully, and I can assure you that if these signs do not show a stabilizing trend for the future, some action will have to be taken.

Nevertheless, partly spurred by the action of the Federal Reserve Board last December, interest rates on mortgage loans and other investments are at a 30-year high. This, of course, bodes no good for housing and unless things change for the better very shortly now, I believe we can count on housing starts dropping off this year.

This is not the first time we have been plagued with a shortage of mortgage credit. In fact, we experienced such a shortage twice in the decade of the 50's. During that period we tried certain methods to ease the flow of mortgage money. It is an old pet peeve of mine that whenever money gets tight, housing gets squeezed out. The strong borrowers, that is, those industries who have access to the supply of funds and can afford to pay the price, will get the money.

As I said, in other periods of tight money we have tried certain methods to ease the flow of mortgage capital and to some degree we found temporary solutions. On the other hand, I have on numerous occasions sought a permanent remedy for the so-called spasmodic flow of mortgage credit, but to be very honest I must admit that all suggestions made thus far are like trying to cure a stomach ulcer with an aspirin. We really have never found a permanent solution to the problem.

As one who is vitally interested in housing and mortgage credit I would certainly welcome any suggestions you may have that would bring a permanent solution to this problem.

I, for one, believe that a healthy, strong and vigorous homebuilding industry helps to make a healthy, strong and vigorous national economy and certainly we need a strong national economy in this particular period of our history.

Let me turn now for a moment to 1966 housing legislation.

To be very candid, I was a little surprised when the President sent his housing message to the Congress this year and followed it with not one, but *three* bills.

Only a few short months ago we passed a 4-year omnibus housing bill, that is, the Housing and Urban Development Act of 1965, which authorized a host of new and complex—if not controversial—housing programs. Indeed it was only a short time ago that a brand new Housing Department was established. I thought with last year's Act and the creation of a new Department the Administration would be busy for sometime to come.

The President apparently thought otherwise and submitted for Congressional approval a program which, in his words, would represent "an effort larger in scope, more comprehensive, more concentrated, than any that has gone before."

I will not go into the details of the three Administration bills for they deal more with urbanization and city development than they deal with housing per se, and are, therefore, measures in which, I believe, you would have only casual interest.

The Housing Subcommittee of the Senate, of which I am Chairman, has just completed hearings on the three Administration bills and some 30-odd other measures including mass transportation matters as well as amendments to the National Housing Act—the FHA programs.

At this point in time we have not scheduled further action on any of these matters because it does not appear to me, at least, that opinions have jelled to the point where we are ready to act on 1966 housing legislation.

This is not to say that we will not have a 1966 Housing Act. In fact, not having an act would be the exception rather than the rule these days. It is to say that we in the Senate, at least, are not ready to decide what a 1966 Housing Act should contain.

Let me turn now to the main subject of my talk—United States foreign policy.

I do so with an apology. It is that these remarks were prepared several days ago and for that reason they are general in nature. We may like to think our foreign policy is as positive and immutable as the Ten Commandments. This is not the case.

It is for that reason that speeches such as this must be couched in general terms.

Perhaps it would be helpful to think for a moment about foreign policy not within a framework of international society, but within a framework of domestic society. Let us suppose that the United States is a powerful individual living in a great enclosure with 120 to 150 individuals. Each individual has his own background and language and customs. They raise different products, have their own standards of morality and religion, have different means of transportation, and each pursues what seems to him to be his own best interests without much regard to the interests of the other hundred odd individuals. These individuals have a few things in common—such as their main physical attributes of hands and legs and hearts and lungs. But they are not of the same color, the same size, or of the same degree of wealth.

Within this framework it is possible to conceive in a small way some of the vicissitudes under which Uncle Sam must operate. He may want to sell cotton to Mr. Kawasaki, but not buy the shirts Mr. Kawasaki wants to sell. He may want to use the nearby lake for his powerboats, but his neighbors may wish to use the lake for fishing. Uncle Sam may wish to develop a body of a law so the community may live in peace, but he finds that his conception of law and order is not acceptable to the other members.

The point is that this microcosm of international society suggests some of the problems of real life among nations. Even the biggest guy—and we are—can't always have his own way. If Uncle Sam pushes the little fellows around, they may gang up on him. If Uncle sam is a nice fellow and an easy touch, the little fellows may still gang up. And just to make things difficult, there are a couple of other residents in this world community who are out to do their best to organize it against Uncle Sam.

I need labor this parallel no more. In real life, just as in this imaginary community, there is little that can go on in this world which does not in some way affect the United States. I recall the remark of an American Ambassador who said that he wished the day might come when the American President could answer a press inquiry about trouble in some part of the world by remarking: "The United States doesn't really care what happens or who wins!" The fact is, of course, that is not the case now and probably will never be again.

The United States is a super power and there are few events which can occur anywhere that do not in some way involve the interests of the United States. And I might add, if the President ever does deny a United States interest in virtually any event abroad, his very lack of interest *is significant*.

For years to come the American people must expect that their power and prominence and world wide interests will condemn them to abuse. We'll be damned if we do, and damned if we don't.

The United States must pay this heavy price for its power because, in words written in the 17th century by John Tillotson: "They who are in highest places, and have the most power, have the least liberty, because they are most observed."

American power with its blessings and its burdens, is relatively new to Americans and will take some getting used to. Our history on this continent has given us spirit and drive and self-confidence. What we as a people have wanted we have been able to get. Sometimes we have gotten results by law, sometimes by hard work, sometimes because of our abundant resources—usually by a combination of all three.

But as C. B. Marshall has written, the writ of the United States does not run to all the world. One result is that things which we might get *within* the United States cannot be gotten in the world at large by law, or hard work, or abundant resources—or at least it may take a little time.

Let me be specific. It is easier to enact the Great Society into law, than to win the war in Vietnam or even to get negotiations under way; it is easier to balance the U.S. budget than to get delinquent States to pay their obligations to the United Nations; it it easier to settle a steel strike than to arrange a summit conference.

Perhaps these things are self-evident, but they bear some thought on our part. Failure to understand the complexities of international relationships can lead to national frustration and irrational reactions which may not serve our national interest. We can't get rid of De Gaulle by being bitterly frustrated with his tactics in NATO and stating that France is no longer a key link in NATO; we can't expect our frustrations with government in Vietnam to be satisfied by precipitate withdrawal of American forces, or by imposing American military government on South Vietnam; we can't let our frustrations with instability in underdeveloped countries inspire us to make stability the price of foreign aid.

A great and powerful nation like the United States must be able to withstand provocation and not lash out like the child who strikes the hornet's nest because he doesn't like the buzzing. Our reactions must be conditioned by more thoughtful responses than those frequently elicited by the morning paper's provocative headline, or the evening columnist's rage.

Patience, of which Americans have notoriously little, and historical perspective are important to the conduct of foreign policy. For example, it should give the thoughtful citizen pause to contemplate some aspects of recent history. It was only twenty-one years ago that Germany, Italy and Japan were at war with the United States and the United States was allied in war with the Soviet Union and China. Today Germany, Italy, and Japan are among our staunchest friends and the Soviet Union and Mainland China our most violent antagonists. Five years ago the United States was arming Pakistan to help defend it from communism; today Pakistan is a close ally with Communist China. Ten years ago the United States spent hundreds of millions of dollars to create facilities in France to make her one of the mainstays of the NATO alliance, today, we are in the process of moving out. The fact that today's friends were yesterday's enemies suggests that today's enemies may be tomorrow's friends.

The world of nations and their relationship to each other is one of constant change, sometimes violent and tragic, but more often the change is gradual and imperceptible.

I suppose I could make headlines tonight by violent language and peremptory dogmatic statements. I could call on President Johnson to propose a summit conference to settle the outstanding problems between ourselves and the Russians, or between ourselves and the Chinese. I could call for recognition of the Vietcong, or the bombing of Hanoi, or the destruction of China's nuclear capacity, or the use of nuclear weapons to win the war.

But my prescription for the conduct of American foreign policy is less spectacular and less newsworthy. It is harder of achievement but more likely to assure the survival of this nation in peace and in freedom.

The basic purpose of our foreign policy is to promote conditions by which our relations with other nations will enable this nation to live at peace and in freedom. This can best be done, it seems to me, by choosing courses of action which will keep open the widest spectrum of options for peaceful change. Let me explain and illustrate.

As an Association of Home Builders you certainly know what it means to keep options open. You want to keep open options to purchase supplies; and I suppose you want to close off the competing options of potential purchasers.

In the field of foreign policy we must keep open as long as possible a wide spectrum of options to achieve the peaceful settlement of disputes and to promote peaceful change. I believe this is what President Johnson has been doing in Vietnam. If the President were to escalate the war in such a precipitate fashion as to compel the Chinese to intervene with their land armies, or in such a fashion as to bring the Russians in to honor their treaty commitments with China, he would foreclose options to settle the war in Vietnam short of all out war.

By the same token and looking for a moment in the opposite direction, if the President were to order the withdrawal of American forces from Vietnam he would foreclose a variety of options for a settlement there which could range from independence and neutralization, to complete domination of the South by the Communist forces of the North and the possible abandonment of one field of conflict only to find that such action would be a step toward a later and more bloody conflict.

To come back to an earlier point, and perhaps to oversimplify, frustrated hawks might demand escalation in Vietnam, and frustrated doves might advocate withdrawal. I believe either course would be unwise because either act would destroy existing options for a more rational settlement of the situation.

It is a gross oversimplification of our problem in Vietnam to demand, as some have, that we "win or get out." This slogan is the cry of anguished frustration; it is a demand for total victory or total surrender, neither of which will serve the best interests of the United States.

American foreign policy is the policy of the most powerful nation on earth. It is a policy that is rooted in one of the most diverse societies on earth—a society which has drawn its citizens of every color, of every religion, from all parts of this earth. It must be characterized by patience and perseverance, by measured response and magnanimity.

This is a hard prescription for an impatient people, but it is the only course which in the long run gives mankind the promise that the United States can wield its great power without corrupting it.

SOVIET SALMON FISHING IN AMERICAN COASTAL WATERS

Mr. MAGNUSON. Mr. President, first of all, I deeply appreciate the taking of the Chair by the Senator from Oregon because the matter I wish to discuss today is one in which he has long taken an interest. It affects our particular area in many respects, although it affects the whole world relationship in the field of fisheries.

Mr. President, yesterday, I advised the Secretary of State that unconfirmed reports of fishermen of my State—and let me say also the State of Oregon—were charging the Soviet Union with the taking of salmon from the coastal waters of both States, but in particular, off the Grays Harbor area, which is north of the mouth of the Columbia River, that these reports were increasing, and tension and concern among the citizens and fishermen are becoming explosive.

For some 2 or 3 weeks, the distinguished occupant of the chair and I have asked the State Department about this matter, not on one, but on several occasions. Thus, today it is with somewhat of shock and remorse that I must report that information received late last night and early this morning has positively convinced me that Soviet fishing vessels off the coast of the State of Washington are specifically geared to take salmon, and the numerous reports of our fishermen over the past few days are now confirmed to me beyond further doubt. It is a conservation tragedy that I must report to the Senate today.

Congress has long been acutely aware of the herculean effort to keep this priceless species at a level of proper yield. The inroads of civilization have cut deeply into the salmon's requirements for escapement and seeding. This great commercial and recreational species must, by natural instinct, seek its procreation in the upper stretches of our fresh water streams and lakes, past every conceivable barrier of sophisticated land and water use—the power dam, the irrigation and reclamation project, and the sins of civilizations' waste, both industrial and domestic. To the end that this great, fighting species might continue as a part of our Pacific heritage, Congress has regularly appropriated huge sums of money that this highly prized table delicacy and unequaled sportsman's challenge might have the opportunity for survival.

The Senate will remember the numerous occasions when I have risen on this floor to condemn the Japanese for what I considered to be an improper interpretation of the North Pacific Fisheries Convention, and their continued harvest of American stocks of salmon by net fishing on the high seas, a practice banned to American fishermen by conservation law.

Mr. President, I have spoken often of the continued attitude of the Soviet Union joining with the United States in support of the principle that the high seas fishing by nets for salmon—as practiced by Japan—was a mounting danger to the species' very survival. The record is complete with numerous statements by the Soviets, not only condemning such fishing practice by the Japanese, but also regularly assuring the United States that such a fishery would not be in the Soviet interest.

Knowing these facts—and I have talked with Soviet scientists on this matter on numerous occasions—it was very difficult for me to accept the early, somewhat sketchy reports which came to my attention concerning that nation's fishery conservation posture. Up until this moment, I would have been readily prepared to state quite sincerely that the conservation record and attitude on most fishery questions by the Soviet Union was far superior to that of the Japanese. My judgment would have been based on the record rather than on any personal conclusion on my part, for her cooperation of long standing on fur seal conservation, and more recently, her attitude on king crab has been there for all to see. Up until today, I might have said that her position on salmon was in agreement—at least in principle—with that of the United States.

Earlier this week, I was advised by telephone that an affidavit was being forwarded to me purporting to the taking of salmon at night by a Soviet fishing vessel off the Washington coast.

That affidavit has arrived, and I ask unanimous consent to have it printed in the RECORD.

There being no objection, the affidavit was ordered to be printed in the RECORD, as follows:

MAY 20, 1966.

To Whom It May Concern:

On May 14th, 1966 about five-thirty A.M. I observed a Russian Vessel in operation approximately thirteen miles south of Destruction Island thirty fathoms off Willaby Rock.

I had just picked my anchor up and was preparing to lay my troll gear out, when I saw this Russian Vessel was taking aboard a Gill Net, a crew of five or six men were shaking fish from the net, which was operated from a large reel on the stern of the vessel.

As soon as the net was all aboard the reel disappeared below deck and conventional drag gear put into operation and the vessel moved off in a northerly direction.

I was quite close to the vessel and was positive they were taking salmon from the net.

Several days prior to this incident the Troll Fleet had been taking thirty to forty fish per boat which dropped off to nothing that day.

I feel that if this operation is not stopped immediately our salmon resources will be depleted to a point of no return.

Ernie Christian.
ERNEST CHRISTIAN.
430 Ave. North Tumwater, Wash.
Troller—"Little Mike."

MARTIN R. THURMAN,
Notary.

For State of Washington, Grays Harbor County residing in Westport.

Mr. MAGNUSON. Mr. President, I have also heard of several other observations of the Soviet fleet's taking salmon by other American commercial fishing as well as sports-charter vessels, such as the *Flamingo* and the *Moduc*.

Yesterday, I was advised of another incident involving Capt. Don Nichols, of the Oregon trawler *Lynda Dawn*. The message, as reported to me by telephone, is as follows:

The fishing vessel, *Lynda Dawn*, out of Warrenton, Oreg., was anchored in 30 fathoms off Willapa Harbor. The captain picked up moving blips on his radar—he then pulled his anchor—and ran down to where these vessels were. There were several Russian fishing vessels running without lights, gillnetting salmon. He went to the middle of the fleet to observe these vessels.

Don Nichols is the name of the owner and his home port is Warrenton, Oreg. As soon as he gets ashore, he will notarize an affidavit and ship it air mail.

Mr. President, this information was second hand, the necessary affidavit has not arrived, but I felt the matter urgent enough to be reported to the U.S. State Department Fishery Advisory Committee which was meeting in Washington, D.C., yesterday to discuss, among other things, the Soviet threat to our coastal groundfish resources. A member of my staff has reported to me that the reaction of the fishery leaders to the information was sharp and bitter.

I still have difficulty understanding the Soviet position, however, as it did not appear to me to be in their national fishery interest to violate this longstanding conservation principle. Since that time, however, I have carefully reviewed the recent record of Soviet fishing on all coasts of the United States, and I find that a new judgment must be made as to their fishery posture. I shall detail my findings later in this statement.

Last night, Mr. President, I received the final, convincing world of evidence that shattered all doubt and dispelled all shadows from the truth. Unimpeachable sources advised me that the longsought photograph is available—an enlargement is now being made for transmission to me—and it will show a Soviet SRT trawler, taken off the Washington coast, completely equipped with a gillnet reel for the taking of salmon by nets on the high seas. Even the trawl boom has been slung down for easier gillnet operation.

It is now crystal clear why the Soviet Union vessels are operating at night without lights, in flagrant violation of international rules of the road. It is still another step in what is now developing as a systematic desecration of America's once-rich offshore fishery resources.

In addition to the information I received last night on the salmon invasion by the Soviets, I received additional reports which were equally shocking. This week 15 Soviet trawlers were fishing by daylight off Willapa Harbor on the Washington coast for Pacific hake. I suspect that these same vessels are operating under the cover of darkness on our salmon resource, but by day they are beginning the systematic depletion of one of the great latent standing stocks of fish in the Pacific area. They are fishing at about 50 fathom curve, approximately 15 miles offshore. It would appear they are the advance flotilla for an even larger number of Soviet trawlers which are now finishing up the final plunder of what remains of the Oregon perch populations, a fishery which, for the first 5 months of 1966, equaled only 27 percent of the 1965 Oregon landings for the same period. As soon as that resource is fished to the point where the return is uneconomic, even for the reduced Soviet fleet, we can expect the full effort to go on to the Pacific hake. And I might add that this perch is a slow growing species. Biologists estimate it would take nearly 12 years to rebuild a depleted stock. This is a tragic situation.

Mr. President, let me trace for a moment the pattern of the Soviet fisheries on the west coast of the United States. Beginning up north in the Bering Sea off the U.S. coast the Soviet Union, joined by the Japanese, have reduced the stocks of yellowfin sole, the major species in the area to a level from which it will take years to recover.

The rise and fall of the fishery can be seen from the following figures. The Soviets entered the fishery in 1955, and the total combined catch was 366 million pounds. In 1960, 966 million pounds; in 1961, 1,174 million pounds; 1962, 834 million pounds; 1963, 224 million pounds; and, finally, the low figure in 1964 of 165 million pounds. From nothing to the largest flounder-type fishery in the world—1,174 million pounds—and virtually depleted in less than 10 years to a mere 165 million pounds.

The 1958 Geneva Convention on Fisheries and Conservation states that the coastal nation has a "special interest" in the resources off its coast, and I should say that we have been derelict in our responsibility to the world in allowing this tragic desecration, without regard for the future.

In the offshore Alaska area, from the Aleutian Islands to Dixon Entrance, the same depredations have occurred, primarily on the part of the Russians. They first entered into the area in force in 1962 with a huge fleet of vessels fishing mainly for ocean perch. We do not have the needed catch statistics for the area, but the rapid decline in vessels and deployment to more distant grounds is evidence that the Bering Sea pattern is again being followed.

While the vast fishery resources off the State of Alaska now stand on the brink of depletion and the Soviet trawl fleet is busy writing the final chapter on the once-valuable Oregon perch fishery, a segment is already engaged in the beginning of a similar pattern on the Pacific hake. It might be well to note that numerous exploratory vessels have been working off the State of California, should there be doubt as to where this sinister armada may strike next.

I am sickened with the thought of the Soviet fleets in plunder of our Pacific hake. A new fishmeal plant is nearly ready at Aberdeen, and a large American fleet is preparing to depart for the fishing ground to harvest this resource. The Pacific hake, in my opinion, embodies one of the greatest hopes we have, as a nation, to properly participate in the alleviation of world hunger. I do not believe we can stand idly by and watch still another resource go down the drain to unrestricted foreign exploitation.

Mr. President, this is a crisis. As I said earlier, the situation in my State is explosive. There is no longer time for meditation; it is time for decision and action, and I proposed to move immediately.

One of the problems we have been faced with, in making our determination as to the proper course of action, has been the confusion over surveillance results. There have been times when it has been difficult to determine even the number of vessels off our coast. I am convinced that this information is available, however, but there has been a distinct breakdown in providing the information rapidly enough for us to act properly and intelligently. I am asking for some factual determinations on a 24-hour basis through the Bureau of Commercial Fisheries and the U.S. Coast Guard. I want this information, at a minimum, on a daily basis.

I will ask the President to help us in this matter. I expect to talk to the President personally either on today or tomorrow.

I will ask that the President immediately contact the Soviet Ambassador and advise him that the United States is convinced that the conservation of these coastal fishery stocks is in jeopardy as a result of the Soviet fishing. I am going to ask President Johnson to declare this immediate conservation moratorium on foreign fishing in the stocks of salmon and Pacific hake, until such time as we can determine the conservation requirements of these stocks.

Our responsibilities as a coastal State dictate that we do this as a signator to the Geneva agreement.

If we do not act immediately to do something about our fish being depleted in this way, what might happen off the coasts of other nations which signed the Geneva Agreement in good faith and who are living by it?

Our responsibilities to maintain our coastal resources for the hungry of the world dictate that we do this.

There must be no delay.

I fully recognize, Mr. President, that this is a unilateral and unusual approach, but it is my contention that the path of foreign fishing plunder of our ocean resources must come to a halt, before it is too late. It is perhaps already too late for the yellowfin sole of Bering Sea; the halibut of Eastern Bering Sea; the perch off the State of Oregon; and untold species in the Gulf of Alaska.

We must see that it is not too late for the Pacific salmon and the Pacific hake.

In all fairness, I must say the State Department today, after a meeting of yesterday, had a long morning meeting with the Soviet Embassy and urged that there be an expedition of the facts to be sent to Moscow, and that there be immediate talks upon this whole matter.

Naturally, there could have been no conclusion reached this morning, and the meeting was not completed until 12:30 or 1 o'clock.

We are hopeful that in the near future, maybe over the weekend, or perhaps in the next 3, 4, or 5 days, we shall receive word on this matter.

I cannot conceive of any official in the Soviet Union, looking at this matter somewhat objectively, even in the interests of the Soviet Union, who is interested in conservation of fish in the high seas, would want this to continue.

The Senator from Oregon [Mr. MORSE] and myself, some 2 or 3 weeks ago, in relation to the perch problem, came to the conclusion that steps should be taken to call together a world committee within the United Nations, or under the aegis of the United Nations, under which the maritime nations could meet and arrive at some practical guidelines for conservation of fisheries on the high seas. If we do not do it in the very near future, there will not be any fish for anybody, including the Soviet Union and the Japanese.

The Soviet Union has not signed the Geneva agreement, but it has expressed sympathy with the problems involved, and Soviet officials have stated that they went along with the agreement in principle, even though it had not been signed by the Soviet Union. Japan, as usual, has said nothing and has refused to do anything.

We are proceeding with suggestions that the State Department proceed to try to set up machinery for a world conference, so there may be some fish left for future generations, in the interest of the world economy and the problems of world food.

Something must be done about the tuna situation in the Pacific. There is not a fish scientist in the world who will not tell us that unless something is done in that respect, no tuna will be left. The tuna in the Pacific will be fished out, just as the tuna disappeared in the Atlantic.

The greatest fishery that existed in the 1800's and into the beginning of this century was the Atlantic tuna. Commercial fisheries have disappeared because of a lack of conservation.

I am sure that the President of the United States is in sympathy with our views in this matter. I am sure he will inform the State Department that it has his unqualified approval to move swiftly in this matter, to see what can be done as quickly as possible, before something untoward happens.

I am aware of the deep feeling that people in the fishing industry have about this matter. If conditions continue in this manner, I would not be surprised if incidents occurred about which we would be sorry later on.

In addition, we have been trying for years to effect conservation practices with Japan. Canada, Japan, and the United States are a part of a treaty in connection with the rich red salmon run in the North Pacific. Under the international treaty, a provisional abstention line was set at 175 degrees west longitude. That line was set about 13 years ago, and the Japanese agreed to it at that time. At least, they made pious statements to that effect. They said they wanted to conserve the red salmon run, because they are participants in it—as are Russia and Canada; that they believed in conservation; and that they did not want to take North American stock.

Over the years, we have discovered that the larger salmon move west of that line and intermingle with the Asian salmon. We have found that the Japanese practice no conservation and just go out and fish. This, in turn, will deplete that rich resource.

We have made many attempts to remedy this situation. This is now the fourth round of conferences in 2 years, in which we have attempted to work out a solution.

Russia makes an agreement with Japan every year, in which Russia allows Japan to take a certain number of Asian stock. I am confused as to why the Russians wish to fish for salmon off our coast. I cannot quite understand it, because there is plenty of their own salmon, the Asian stock, on the west side of the Pacific.

This situation seems to me to be similar to one in which a fellow who has a well-stocked trout stream invites his neighbors over to fish. He has plenty for himself and his neighbors. But after inviting his neighbors over, he gets into his car and drives 100 miles to poach on somebody else's stream. It does not make sense, particularly when this species has to be conserved, because it spawns, as the distinguished Senator from Oregon knows, in lakes and fresh water streams in the country from which it comes.

So, in the midst of trying to work out some conservation in this matter, we received the latest news from Japan.

This year, of course, we had an unusual situation, one which presents serious problems not only to the American fishermen in Bristol Bay, but also to the future of all fish resources.

Our scientists estimate that in 1965, based on the smaller fish returning to Bristol Bay for spawning, the Japanese high seas net fishing fleets had access to about 20 percent of the run. Even then, the escapement to many of the Bristol Bay river systems was dangerously low, and the resultant salmon cycles will certainly suffer.

But this year, Mr. President, we have a crisis in regard to the kind of salmon available on the high seas. The runs this year will be made up primarily of large fish, and our scientists have determined that these salmon range farther West than the smaller ones, such as occurred in 1965, and thus are more available to the Japanese net fishery.

Japanese net fishery is a wonder to behold. The nets stretch from 5 to 12 miles and catch everything in sight. Then, when part of the net breaks off, it just drifts around the ocean and keeps catching fish until it rots and quits. That could happen for years and years, with nylon nets. So they are fishing immature salmon. It is not just a matter of what they catch and put in their boats. It is also a matter of the damage they do to the run. Our fishermen are not allowed to do that, because they have tightened their belts and wish to conform to the principles of conservation.

Considering what we spend to conserve our salmon, I wonder whether it might be cheaper to buy salmon and give it to the Japanese, and thus get them out of these waters.

With this prospect facing us, a message came from the Japanese Ambassador yesterday, in addition to the problem of the Russians fishing off our coasts, indicating that the Japanese are now on their way to the line. They left on May 4, to start fishing immediately. They do not intend to limit their catch, but are going to catch as many fish as possible. This has occurred in spite of the negotiations.

It is interesting to note that these runs have been built up and are available in their present state as a result of the sacrifices of American fishermen and industry. This country can readily show the inequitable situation that exists. We are equitable and just in our dealings with other nations in conservation matter.

It is interesting to note that Japan has asked for a revision of the North Pacific Treaty. As I pointed out earlier, we have had three rounds of renegotiation with Canada and Japan, and the fourth round is ahead. It seems to me that the Japanese have a responsibility to this agreement which precludes their wholesale taking of salmon west of the line during this interim period. Japan is prepared, as I said—by the appearance of the situation and the word we have received from the embassy in Tokyo—to take every fish she can west of the line. There is no conservation sacrifice for her, but the American fishermen will have to tighten his belt unjustly in order that the runs may continue and that Japan may have salmon to harvest in the years ahead.

This situation is grossly unfair to our fishermen. I feel that the Japanese Government and industry should take a good hard look at its conservation image in this respect. Certainly, when a nation makes the necessary conservation sacrifice over many years; when another nation has no historic right to the fishery, because it had never fished prior to World War II in this area at all; when that second nation is even now fishing only under a highly disputed interpretation of the line which we felt was provisional—under circumstances such as these, there can be little doubt that objective judgment will hold that the American fisherman is totally just in his violent reaction—and I do not blame him one iota.

I am glad to announce that the House is cognizant of both these matters. Time is of the essence. Today, the State Department met with Russian representatives for about 2½ hours. I hope that something will be resolved, so that we can preserve not only for ourselves but also for the world the priceless fisheries resources of the high seas.

(At this point Mr. MAGNUSON assumed the chair as Presiding Officer.)

Mr. MORSE. Mr. President, I thank the Senator from Washington for his speech. I associate myself with every word the Senator has spoken.

I join the Senator in every request that he has made in an effort to try to see that relief is afforded not only for the fisheries of the country but also for the conservation needs of the American people and of the people of the world.

(At this point Mr. MORSE assumed the chair as Presiding Officer.)

Mr. MAGNUSON. Mr. President, I pointed out as long as 8 years ago the seriousness of our coastal water problem as it pertains to the conservation of fish. I cannot see what these people have in their minds when they do not want to sit down in an effort to try to preserve something that in the long run would benefit them far more than would their present course of action.

If the Russians are just trying to provoke someone, our fishermen are provoked rather easily when they are unjustly pushed around. That is what is happening on this occasion.

There is a realization for the first time on the part of those people dealing with this matter in the State Department that this is what is happening.

We received little or no help from them for a long time. We finally received help on the policy level last week, when a man of the rank of ambassador reported on this matter to the President and to the Department of State. This is a step forward. This is the time for immediate action.

I thank the Senator for his comment. I know that the Senator from Oregon is interested in this matter from what he has said on many other occasions.

Exactly what I have said would happen will happen unless prompt action is taken.

ADJOURNMENT TO 10 A.M. TUESDAY

Mr. MAGNUSON. Mr. President, I move, pursuant to the order of May 26, 1966, that the Senate adjourn until 10 o'clock Tuesday morning.

The motion was agreed to; and (at 2 o'clock and 51 minutes p.m.) the Senate adjourned until Tuesday, May 31, 1966 at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate May 27, 1966:

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

Alfred M. Gruenther, of the District of Columbia, to be a member of the General Advisory Committee of the U.S. Arms Control and Disarmament Agency.

Troy V. Post, of Texas, to be a member of the General Advisory Committee of the U.S. Arms Control and Disarmament Agency.

Stephen J. Wright, of Tennessee, to be a member of the General Advisory Committee of the U.S. Arms Control and Disarmament Agency.

DIPLOMATIC AND FOREIGN SERVICE

The following-named person for appointment as a Foreign Service officer of class 1, a consular officer, and a secretary in the Diplomatic Service of the United States of America:

Allen S. Whiting, of the District of Columbia.

Now a Foreign Service officer of class 2 and a secretary in the Diplomatic Service, to be also a consular officer of the United States of America:

Robert I. Owen, of New Jersey.

For appointment as a Foreign Service officer of class 2, a consular officer, and a secretary in the Diplomatic Service of the United States of America:

Vincent Baker, of Texas.

For appointment as a Foreign Service officer of class 4, a consular officer, and a secretary in the Diplomatic Service of the United States of America:

Samuel M. Pinckney, Jr., of Connecticut.

For promotion from Foreign Service officers of class 7 to class 6 and to be also consular officers of the United States of America:

G. Paul Balabanis, of California.
Frank B. Crump, of North Carolina.
Michael A. Davila, of Texas.
Don J. Donchi, of New Jersey.
Robert W. DuBose, Jr., of California.
Richard A. Gardiner, of Utah.
James J. Gormley, of New York.
Allen S. Greenberg, of the District of Columbia.
Coleman J. Nee, of Massachusetts.
Arnold P. Schifferdecker, of Missouri.
William Seth Shepard, of New Hampshire.
Nathaniel Wilson, Jr., of Virginia.

For promotion from Foreign Service officers of class 8 to class 7 and to be also consular officers of the United States of America:

James A. Allitto, of California.
Miss Elizabeth A. Bean, of Connecticut.
Joseph F. Becelia, of New York.
David G. Brown, of Pennsylvania.
James W. Carter, of Texas.
Stephen J. Hayden, of Oregon.
H. Kenneth Hill, of California.
James E. McGee, of California.
James Hamilton McNaughton, of New York.
Wilson A. Riley, Jr., of Connecticut.
Peter G. Smith, of Michigan.
Robert F. Starzel, of Vermont.
James Tarrant, of California.

For appointment as Foreign Service officers of class 7, consular officers, and secretaries in the Diplomatic Service of the United States of America:

Michael R. Anzivina, of New York.
James L. Barnes, of Florida.
Alfred R. Barr, of Virginia.
Gilbert R. Callaway, of Arkansas.
Richard Castrodale, of Pennsylvania.
Charles O. Cecil, of California.
Francis S. M. Hodsoll, of the District of Columbia.
William L. Jacobsen, Jr., of Washington.
Robert R. Little, of New York.
Nicholas C. H. MacNeil, of New Jersey.
Doyce R. McNaughton, of Texas.
Roger Morris, of Missouri.
Denman T. Snow II, of Georgia.
Richard A. Virden, of Minnesota.
Joel M. Woldman, of Ohio.
Murray B. Woldman, of Ohio.
John J. Youle, of New York.

For appointment as Foreign Service officers of class 8, consular officers, and secretaries in the Diplomatic Service of the United States of America:

Peter J. Antico, of New York.
Armand Arriaza, of Virginia.
Miss Linda M. Beehler, of California.
Harvey Parke Clark, Jr., of California.
David B. Dawson, of the District of Columbia.
Rust M. Deming, of the District of Columbia.
Jerry L. Dodson, of California.
Stephen M. Ecton, of New York.
Chris Kunz, of Missouri.
Donald B. Kursch, of New York.
Anthony vE. Miller, of New Jersey.
Robert David Plotkin, of California.
David Phillip Rehfuss, of Oregon.
John R. Savage, of California.
Daniel Scherr, of New York.
Carl D. Schultz III, of Maryland.
Raymond G. H. Sietz, of Texas.
Keith L. Wauchope, of Virginia.
David J. Zimmerman, of New York.

Foreign Service Reserve officers to be consular officers of the United States of America:

Raymond H. Close, of Virginia.
Earl Norbert Garrett III, of Kansas.
Kenneth Y. Millien, of the District of Columbia.

Foreign Service Reserve officers to be consular officers and secretaries in the Diplomatic Service of the United States of America:

Robert M. Allen, of Nevada.
William K. Braun, of Ohio.
Robert H. Carlson, of Virginia.
Miss Eleanor M. De Selms, of the District of Columbia.
Henry A. Dunlap, of Maryland.
William H. Durham, of North Carolina.
John J. Ewing, of the District of Columbia.
Frederic A. Fisher, of Michigan.
Robert K. Geis, of Texas.
David D. Gries, of the District of Columbia.
Paul J. Haines, of Virginia.
Lawrence J. Hall, of Texas.
Robert C. Haney, of California.
Maurice Levy Hawes, of New York.
Robert H. Heron, of Florida.
Donald C. Horan, of Maine.
Bruce D. Hutchins, of Virginia.
James A. Jensen, of Illinois.
Edward N. Korn-Patterson, of Virginia.
Robert R. LaGamma, of New York.
Robert B. Lane, of North Carolina.
John H. Leavitt, of Virginia.
Robert A. Lincoln, of the District of Columbia.
Earl H. Link, of Pennsylvania.
Joseph L. Marek, Jr., of Texas.
C. Burdell Merrell, of Utah.
Dale A. Morrison, of Illinois.
James P. Mullen, of Minnesota.
Milton E. Pelikan, of Wisconsin.
Seymour Russell, of Connecticut.
Conrad C. Schubert, of New Jersey.
Theodore G. Shackley, Jr., of Florida.
George H. Sheeks, of Virginia.
Thomas R. Smith, of Indiana.
Robert S. Snow, of California.
B. Franklin Steiner, of California.
Wayde C. Stoker, of Utah.
William S. Stratton, of Tennessee.
Robert W. Tolf, of Illinois.
Mrs. Patricia G. van Delden, of California.
David M. Wilson, of Massachusetts.
Jack Guy Wood, of the District of Columbia.
Hugh W. Young, of Michigan.
Stanley A. Zuckerman, of Wisconsin.

Foreign Service staff officers to be consular officers of the United States of America:

Leon J. Bajek, of Virginia.
Douglass E. Bjorn, of Connecticut.
Charles R. Bone, of California.
Michael A. Cramer, Jr., of Colorado.
Norman D. Del Gigante, of Rhode Island.
George C. Del Valle, of Colorado.
Quetzal Doty, of Illinois.
Miss Leish J. Eastwood, of California.
Richard W. Elam, of California.
Flavio A. Esposito, of New York.
Miss Lorraine L. Forbes, of Mississippi.
Miss Sue E. Harlow, of Washington.
Harry M. Hutson, Jr., of the District of Columbia.
Harry E. Jones, of the District of Columbia.
James W. McGunnigle, of New York.
Murrow B. Morris, of Georgia.
Wilbur N. Nadel, of New Jersey.
Miss Mary Ann Newman, of Washington.
William M. Nikolin, of Indiana.
Miss Nancy E. Pearl, of California.
Miss Anne Preston, of Ohio.
James W. Reardon, of Illinois.
Miss Virginia M. Simpson, of New Jersey.
Miss M. Dora Trujillo, of Colorado.
Miss Jane Whitney, of Illinois.

WITHDRAWAL

Executive nomination withdrawn from the Senate, May 28, 1966:

The nomination sent to the Senate on April 20, 1966, of Kenneth L. Payne to be postmaster at Leadwood, in the State of Missouri.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 27, 1966;

DEPARTMENT OF STATE

Jacob D. Beam, of New Jersey, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Czechoslovak Socialist Republic.

John W. Tuthill, of Illinois, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Brazil.

Eugene M. Locke, of Texas, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Pakistan.

Elliott P. Skinner, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Upper Volta.

EXTENSIONS OF REMARKS

Teachers Corps in Disguise

EXTENSION OF REMARKS

OF

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 27, 1966

Mr. BERRY. Mr. Speaker, it is with great alarm that I received a press release from the Office of Economic Opportunity which all but announced that they are setting up a teachers corps in disguise.

The announcement said the OEO has concluded a contract with the National Education Association to enable teachers and counselors to work in Job Corps centers and then spend a year introducing new teaching methods in their local public schools. This is the same type of program which was rejected by Congress only last month when both the House and Senate refused to appropriate funds for the Teacher Corps program.

This is a deliberate and intentional violation of the wishes of the American people and the intent of Congress.

The OEO's own press release announced that the new program "will make it possible to spread the methods used in the Job Corps centers through local communities." It went on to quote OEO Director Sargent Shriver as saying:

> The new contracts would make it possible to start feeding the educational innovations

of the Job Corps program into the public school system.

The new OEO venture smacks of Federal indoctrination and Federal control with identical "internships" and work-study programs only rejected a few weeks ago.

This dangerous and deliberate thwarting of the intent of Congres must be exposed to the American people and must be directly stopped by special legislation if necessary.

George Washington Had Lesson for Today

EXTENSION OF REMARKS

OF

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 27, 1966

Mr. JACOBS. Mr. Speaker, the complexities of today's life frequently mask some of the basic concepts on which this Nation was founded and has thrived.

George Washington recognized one of these concepts nearly 200 years ago when he referred to the "invisible hand which conducts the affairs of men."

An eloquent reminder of the importance of this principle was delivered May 20, 1966, when my distinguished colleague, the Honorable BILLIE S. FARNUM, journed to Indianapolis to address the prayer breakfast at the annual meeting of the Indiana Junior Chamber of Commerce.

Under unanimous consent I place Mr. FARNUM's remarks on that occasion in the RECORD at this point:

MAY 20, 1966.

"Be not forgetful of prayer. Every time you pray, if your prayer is sincere, there will be new feeling and new meaning in it which will give you fresh courage, and you will understand that prayer is an education."

This passage struck me when I read it, not only because it says so very much to us in these troubled times, but because I found its source so interesting. It appeared in some very non-religious reading I was doing, coming from the pages of a book written, not by a minister, or even a man of the church, but by Dostoyevsky, the Russian writer, in his novel about brotherhood, the Brothers Karamazov.

Dostoyevsky was a man who spoke passionately for the brotherhood of man all of his life. He saw Christian brotherhood as the only factor that could possibly save the world from the destruction that he saw thundering toward him and his countrymen. This was in 1880, some thirty-five years before the hammer and sickle fell across the backs of the people he had written for. His vision of brotherhood, the brotherhood of which he dreamt, was one that could only be reached by prayer and charity, and, as history has tragically shown, was not reached at all.

Now I am not telling you anything when I say that prayer, in the complex world of the 20th century, has come to be regarded as an archaic pattern of thought, something not quite socially correct, an anachronism hardly acceptable to the enlightened space-age man.

Yet, it is easy to remember, as children we thought nothing of casting eyes heavenward at the least suggestion or thought of a divine favor. We cajoled, pleaded, bribed and begged the Heavenly Throne for all manner of things. Yet somehow we feel that "putting away the things of a child" should include prayer and its frequent use. How can brotherhood grow into the body of strength needed if we turn our back toward the very source of the bond?

George Washington acknowledged the answer.

In his first inaugural address, Washington, with no blushing, no social embarrassment, made "fervent supplication" to the "Almighty Being who, presides in the Councils of Nations." He prayed that the "Great Author of every public and private good would consecrate the liberties and happiness of the people of the United States."

"No people", he continued, "can be bound to acknowledge and adore the invisible hand, which conducts the affairs of men, more than the people of the United States. Every step, by which they have advanced to the character of an independent nation, seems to have been disinguished by some token of providential agency."

Washington knew his words to be accurate. He had seen, in his lifetime, the "providential agency" in action. He had seen the odds at Concord but he had seen the colonies' first success there, too. He had seen 1,000 British casualties fall before a handful of Americans fighting together on Bunker Hill. and had seen the British twice driven from that hill. He had seen the overwhelming problems of waging war of independence, and still he saw the sword of victory placed in his hands by the defeated Cornwallis at Yorktown.

So Washington spoke easily and at first hand of the memories he had of Divine Providence in the affairs of this new country. He could not see, nor could he have dared to hope that the same good fortune would be America's deep into our century, to the present day.

We can see the hand of Divine Providence in nearly every decade as we continue to bathe in the beneficence of the Creator.

Just over a hundred years ago we were torn and wracked in a civil strife that could have been the dissolution of our fraternal spirit, but from the pain of the final battle came an improved state, with the brotherhood of man more powerful than it had ever been before, for we built on the agony and despair that had torn us apart. We built, until the next conflict loomed fierce on the horizon. This time a global conflict, for us, on foreign soil. But our willing nation, without conquering or possessing, again claimed a righteous victory. And in our own times, against a two-headed aggressor, in Europe and Asia, we fought, vanquished and reconstructed until the world could again resume the sanity of a peaceful life. Today, up to this very morning, we continue to keep the spirit of democracy alive around the globe. Our banner, "In God We Trust" has never dipped to an alien power, never been scarred or bloodied by a force more powerful than we, and the "invisible hand", as Washington chose to call it, "which conducts the affairs of men", has never deserted us.

Now, at a time of maximum danger, as we face tasks and challenges never before shouldered by man, now, at this crucial time, can we afford to let prayer, our only communication with the agency that has made us great, go out of our lives? Can we afford to cut the life lines by assuming that prayer is not really worthy of expression by a clear-thinking, hard-hitting modern man?

We are now burdened by the responsibility of leadership, burdened by the necessity of exemplary conduct wherever we go in the world, simply because we are Americans. For America is something more than just a country to our friends around the world. We are expected to set a good example because we are something special.

We can do this, and do it with no problem. We are 190 million strong. And the great majority of that 190 million are pulling their own weight, and more. This is the example we have set for the world. We have shown the world that looking out for oneself is not enough. 20th century America calls for more communal efforts.

This is evident in all fields.

Our sports are characteristically team-oriented: baseball, football, basketball. In the motion picture industry an enormous team effort is necessary to produce a single film. It takes teams, scores of teams, to prepare our Gemini shots. Individuals must work together.

With the prodigious increase in the body of knowledge necessary to produce 20th century products, the group effort is a prerequisite for progress. It is curious that America, the melting pot, should give rise to "group effort." Men of widely different backgrounds, of tremendous philosophic differences, of unique racial variants, came together and somehow their differences were woven into a new strength. Their variations contributed to a new kind of understanding, a new power, a new use of the resources of manhood that made all the combined empires of history seem pale and hollow in comparison.

They listened to Psalms: "Except the Lord build the House, they labour in vain that build it."

This nation of immigrants learned to work together because they had learned to pray together. This prayer was, for the pioneers of our country, an education. An education in the belief, in the trust, in the confidence of their colleagues, their campanions, their co-workers. So they heeded Washington's decree to "acknowledge and adore." And this nation took shape.

They listened to Psalms. Psalms leaves no doubt about the direction that they needed to take, that we must take, to keep America the world's envy, the world's hope. Nor does the Bible leave us any room to ignore the importance of the rest of our fellow-citizens in their drive for advancement. In the sixth chapter of Galatians, we read: "Bear ye one anothers burdens, and so fulfill the law of Christ."

Helping others to help themselves to help make a nation great, is, in itself, an act of nobility. It came home to me with special force the other day as I walked in under the magnificent gold and white dome of the Library of Congress, near my office on Capitol Hill. There way up in a corner, too far away really, were these especially moving words: "As one lamp lights another, *nor grows less*, so nobleness enkindles nobleness."

We cannot lose. Each step we take to help our brother is a step toward enlightenment. We cannot falter. Each day we spend to increase our tolerance is a day closer to complete Christian understanding. We cannot fail. For each time "two or three are gathered together" in His name, there is He, in the midst of them.

BILLIE S. FARNUM.

Import Curbs Needed Now

EXTENSION OF REMARKS

OF

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 27, 1966

Mr. BERRY. Mr. Speaker, the spirit of the 1964 import agreement is being violated by the Secretary of Agriculture and the Secretary of Commerce in their refusal to impose import controls on the increasing flow of beef and veal from foreign sources.

The American cattlemen must brace themselves for another bust in prices and break in the market if the present tide continues. Beef and veal imports for the first quarter of 1966 are up more than 20 percent over the first quarter of last year. All red meat imports are up more than 34 percent for the first 3 months of this year.

The 1964 quota established by law will not be triggered in 1966 until imports reach 110 percent of the base figure which is 890 million pounds. This means the quota would not be imposed unless imports reached 980 million pounds. Essentially, this means our quota has been set too high for effective control. It is incumbent upon Congress that we legislate specific relief for the American cattlemen by lowering the present quota formula.

Tribute to Harvey S. Firestone, Jr.

EXTENSION OF REMARKS

OF

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 27, 1966

Mr. AYRES. Mr. Speaker, I have read in the Nation's press that Mr. Harvey S. Firestone, Jr., having attained the age of 68, was automatically relinquishing his duties as chairman of the board of the Firestone Tire & Rubber Co., the post he has held since 1948.

I would like to pay tribute to Mr. Firestone as one of America's outstanding leaders in business and public service. The long career of Mr. Firestone has been exceptionally notable. While still in his twenties, he went to Liberia and leased the land for the Firestone rubber plantations which became an important asset to the company and which were extremely valuable to the United States as the only source of natural rubber available to the West during World War II.

Mr. Firestone, eldest son of Mr. Harvey S. Firestone, founder of the Firestone Tire & Rubber Co., became actively associated with the company in 1920, having been elected a director the previous year. In 1922 he was made vice president and manager of the Firestone Steel Products Co., a position he held until 1926.

Meanwhile, Mr. Firestone was elected a director and vice president of the newly organized Firestone Plantations Co. and placed in charge of its activities. In 1926 he made a tour of the Far East and Liberia to study the growing of rubber and to ascertain the most suitable region for its production. As a result of his investigations, Liberia was selected as the country in which an American rubber plantation could be established to best advantage. In the fall of 1926, Mr. Firestone completed negotiations in Liberia for a 99-year lease of up to 1 million acres of land from the Liberian Government. He became president of the Firestone Plantations Co. in 1932 and chairman in 1956; and has visited the plantations in Liberia numerous times to direct their rapid development.

He was elected a vice president of the parent Firestone company in 1929; president in 1941; and chairman in 1948. In 1953 sales of the company exceeded $1 billion for the first time. In 1951 Mr. Firestone was awarded the distinction of being adjudged one of the 12 most outstanding business leaders in America, as the result of a nationwide survey conducted by Forbes Magazine of Business. In 1960, the Firestone Tire & Rubber Co. was named one of the top 10 best managed companies by a special panel of 171 U.S. corporation presidents.

In addition to the Liberian plantations, Mr. Firestone has been particularly active in other foreign projects of the Firestone company interests, starting with the establishment of the manufacturing plant of the Firestone Tyre & Rubber Co., Ltd., in Brentford, England, in 1928. Since then he has opened numerous foreign plants and has made frequent inspection trips of foreign operations.

During World War II 58 Firestone factories turned out a continual flood of war materials. Hundreds of products of the plants—from lifebelts and gas masks to airplane wings and gliders—saw service in every theater of war from Oran to Okinawa, in defense of our country.

Today, in addition to tires and tubes for automobiles, trucks, airplanes, farm tractors and implements, earthmoving equipment and industrial trucks, the company has widely diversified interests and operates in the fields of rubber, metals, plastics, synthetics, textiles and chemicals, with 93 plants in 26 countries.

While directing the affairs of the expanding Firestone company, Mr. Firestone has given generous support, both in time and funds, to a tremendous number of civic, governmental, welfare and cultural activities.

His special feeling for the men and women of our Armed Forces has been manifested for many years through his valuable work with the United Service Organizations, Inc. Active as a volunteer for USO since its founding in 1941, he was recently elected to his 16th consecutive term as national chairman. Mr. Firestone also was accorded the highest honor which can be given to civilians outside of Government by the Department of Defense. He received the "Department of Defense Medal for Distinguished Public Service," an award which can be conferred only by the Secretary of Defense and since 1947, when it was originated, has been awarded to only approximately 50 persons.

The award was given to Mr. Firestone "for exceptionally meritorious civilian service to the Armed Forces of the United States while serving as national chairman of United Service Organizations." The citation called Mr. Firestone "an extremely gifted and resourceful leader" who has "served at considerable personal sacrifice and inconvenience as the senior volunteer official under four honorary chairmen: Presidents, Truman, Eisenhower, Kennedy, and Johnson."

Mr. Firestone served as member of the International Development Advisory Board from 1950 to 1959. He has been an adviser for the International Rubber Study Group, and a member of the National Security Policy Committee of the Rubber Manufacturers Association, the Industries Advisory Committee of The Advertising Council, the board of trustees of the U.S. Council of the International Chamber of Commerce.

He was national chairman of the United Community Campaigns of America for 1954 and vice chairman for 1955, 1962, 1963, and 1964. He is a member of the National Citizens Committee for the United Community Campaigns. He is also a member of the International Committee of the Young Men's Christian Association and the board of directors of the American Society of the French Legion of Honor, Inc., and is a trustee of the Thomas Alva Edison Foundation, Inc.

Mr. Firestone has always been active in religious affairs, having served as a member of the Presiding Bishop's Committee on Laymen's Work for the Episcopal Church, trustee of the Episcopal Diocese of Ohio, member of the National Committee for the Washington Cathedral, director the Episcopal Church Foundation, member of the Business and Finance Committee of the National Council of the Churches of Christ in the U.S.A., and vice president of the American Bible Society. In 1956 he was national chairman for Brotherhood Week sponsored by the National Conference of Christians and Jews, for which he had been cochairman in 1951 and 1952.

Mr. Firestone has a special interest in the education of young people, giving strong support to the university where he prepared for his own career, Princeton University, and to numerous other schools and educational foundations at all levels.

While he is stepping down from the chairmanship of the Firestone company, Mr. Firestone will continue to be active in the business as a director and a member of the executive committee. It is certain that he also will continue to give the benefit of his experience and interest to many fields of public service, as he has in the past.

Mr. Firestone was my constituent. I do know that his interest was always for the greatest good for all of our citizens.

His Nation and his Community are better places because of his dedicated work. I am most pleased to know that we shall still be able to turn to him for guidance in national and international affairs.

As the Akron Beacon Journal expressed it in an editorial on May 18, 1966:

> We hope that he may have many years to continue to enjoy wide opportunity for travel and for service to the many organizations which value his counsel.

VFW Asks Hard Questions and Makes Sound Request

EXTENSION OF REMARKS
OF
HON. JAMES H. (JIMMY) QUILLEN
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Friday, May 27, 1966

Mr. QUILLEN. Mr. Speaker, the VFW commander in chief, Andy Borg, has furnished me with a copy of his letter to the President of the United States, together with a copy of the President's reply, in regard to his request that a thorough restudy of U.S. foreign policy be made by a panel of distinguished citizens.

The President reports that steps are being undertaken in this direction, and it is my hope that the preliminary steps will be followed through, as the events of the past few months indicate the great necessity of such a reevaluation. I would like to urge further that this group be nonpartisan and that its report be made available to the Congress and to the people.

The President also answers succinctly Commander Borg's questions on Vietnam, and it would be helpful if the dissenters, who would have us pull out of Vietnam without reaching an honorable conclusion, would study these comments.

Commander Borg also asked about our military preparedness, and I regret that the President did not go into more detail here. The contradictory statistics in this area that have been revealed in recent weeks cannot help but cause concern. I quote the words of the mother of one of the boys from my district, who was killed in Vietnam earlier this month:

> Please see that our boys have the very best of everything to fight this war with.

This we must do.

I include here the VFW news release and the complete correspondence on this matter:

[From Veterans of Foreign Wars of the United States News Release]

WASHINGTON, D.C., May 18.—A thorough re-study of U.S. foreign policy by a panel of distinguished citizens has been suggested to President Johnson in a letter made public today by the Commander-in-Chief of the Veterans of Foreign Wars, Andy Borg, of Superior, Wis.

"The American people are daily becoming more baffled and confused," Borg wrote. "With contradictory statements being made by individuals in authority, a paralysis of the will is spreading and I don't think it is overstating the case to say that people are slipping into a national neurosis about our foreign policy."

The veterans' leader said four basic questions should be answered:

1. Are we at war with North Vietnam and Red China or with the Communist ideology?

2. Can the U.S. economy sustain our fighting forces and our other world-wide commitments?

3. Is our military establishment adequate to achieve our goals or are we overextended?

4. Has our system of world-wide alliances become outmoded?

Borg's letter to the President dismissed recent suggestions for a citizens' committee review of our Red China policy as "worse than futile." He said it would only increase national confusion by isolating one part of a larger problem. "How can we know what our policy should be toward China when we are not even certain of our national goals?" he asked.

Public confusion about U.S. foreign policy has been brought about by "a small but vocal minority of influential citizens," according to the V.F.W. Commander-in-Chief. "The American people have offered up themselves and their sons over and over again, risking death to defeat their country's enemies. They are doing so now, but as they go into battle they are hearing men in high places reiterate that they are shooting at the wrong foe. Our own military leaders are being compared with war criminals of the past."

Borg's letter said the people have built a mighty military force and "they have the right to know if it is sufficient to preserve their nation's security, what it is to be used for and whom it is to be used against." He concluded by stating, "Nothing here should be construed to mean that we have in any way altered our policy calling for total victory in Vietnam."

TEXT OF A LETTER DATED MAY 17, 1966, FROM COMMANDER-IN-CHIEF ANDY BORG TO PRESIDENT LYNDON B. JOHNSON

DEAR MR. PRESIDENT: I write to you today out of a sense of obligation and a deep feeling that our nation is entering one of its most critical periods in history. You are known to be receptive to the observations and recommendations of your fellow citizens and it is out of my sincere desire to offer service that I humbly make the suggestions that follow.

In my capacity as Commander-in-Chief of the Veterans of Foreign Wars of the United States, I have had the opportunity this year to travel hundreds of thousands of miles and speak with thousands of American citizens from all walks of life. It is my observation, Mr. President, that the American people are daily becoming more baffled and confused. With contradictory statements being made by individuals in authority, a paralysis of the will is spreading and I don't think it is overstating the case to say that the people are slipping into a national neurosis about our foreign policy. The two questions uppermost in their minds are: (1) Who is the real enemy of the United States and freedom loving people everywhere? and: (2) Is our military establishment powerful enough to defeat all of our enemies, whomsoever?

The reason that these questions are being raised, as I am certain you understand, is that a small but vocal minority of influential citizens is using its influence to sow discord and confusion. Under our system of government I recognize the right of that group to speak, although it is my personal belief and the belief of the Veterans of Foreign Wars that when American soldiers are being killed, it is too late for academic policy discussions.

I know that you are keenly aware, Mr. President, that the American people have offered up themselves and their sons over and over again, risking death to defeat their country's enemies. They are doing so now, but as they go into battle they are hearing men in high places reiterate that they are shooting at the wrong foe. Our own military and governmental leaders are being compared with war criminals of the past.

Considering their record of sacrifice, I believe the American people deserve to be told who the enemy is and what is required to defeat him. They have built this mighty military force and they have the right to know if it is sufficient to preserve their nation's security, what it is to be used for and whom it is to be used against.

I suggest, Mr. President, that you impanel a blue ribbon committee of distinguished American citizens to study our foreign policy. Give them access to all documents, classified and unclassified, that they may require to make a thorough analysis. This must be a searching review that is both non-partisan and non-political and must concern the present political, economic and military posture. More specifically, some of the questions they should answer are:

1. Are we at war with North Vietnam and Red China, or are we at war with Communism? This answer must be clearly defined. If Vietnam is merely the powder keg in the overall struggle against Communism, I am certain the people of this country will understand the need to carry on. On the other hand, if our government now feels that the central struggle has now been reduced to Red China, then the American people should also be told this. There is an urgent need that the people of the United States be told exactly what the national goals are.

2. Are the economic conditions in the United States such that we can continue to sustain our fighting forces in the field and our other economic commitments around the world?

3. Having answered these questions, is our military establishment adequate to achieve our goals or are we overextended? What modifications or extensions should be made to insure that it is fully adequate?

4. Finally, has our system of world alliances become outmoded?

It has been suggested recently that a distinguished citizens' committee be appointed to investigate our policy in Red China. In my view this would be worse than futile. Such discussions would only confound the national confusion by an artificial isolation of one part of a larger problem. How can we know what our policy should be toward China when we are not even certain of our national goals?

In closing, Mr. President, let me assure you that you have the full support of the Veterans of Foreign Wars of the United States during these trying days. Nothing here should be construed to mean we have in any way altered our policy calling for total victory in Vietnam. We shall continue to lend our full support to those proud men wearing the uniform of our nation, but we sincerely believe that if you are to maintain the confidence of so many of our citizens here at home, the time has come for a redefinition of our national goals and policy, and of our state of readiness in meeting the challenges of present and future.

ANDY BORG,
Commander-in-Chief, Veterans of Foreign Wars of the United States.

TEXT OF A LETTER FROM PRESIDENT JOHNSON TO VFW COMMANDER IN CHIEF ANDY BORG (DATED MAY 24, 1966) IN REPLY TO THE VFW CHIEF'S LETTER TO THE PRESIDENT, DATED MAY 17, 1966

DEAR COMMANDER BORG: I have received many letters since becoming President. Few have been as clear, thoughtful and helpful as yours of May 17.

Through every line I could feel the depth of the patriotism which led you to write me.

I understand well that the conflict in South Viet Nam is confusing for many of our people. There are two reasons.

First, the external aggression does not take the form of organized divisions marching across frontiers, as was the case in Korea. It takes the form of men and equipment coming down on foot or on trucks through the jungle trails of Laos and by other routes. The aggression is just as real and just as dangerous for the freedom and independence of the people of South Viet Nam as was the attack on South Korea in June of 1950. But what our people see—and the citizens of other countries around the world—looks, on the surface much more like a civil war than external aggression.

There is a second source of confusion. The people of South Viet Nam are now at a stage in their history where they are trying to form, for the first time, a constitutional and representative government. The country has deep in its history strong regional feelings as well as religious groupings which have sometimes been in conflict. As they seek to set up a constitutional system, these differences come to the fore and create turbulence.

These two sources of confusion are, of course, systematically exploited in their propaganda by the communists.

You ask two earnest and proper questions: Who is our real enemy? Is our military establishment powerful enough to defeat all our enemies?

Our enemies in Southeast Asia and elsewhere, are those who use the method of aggression to try to expand their power and influence. If aggression can be deterred or defeated I am confident that the methods of freedom will triumph peacefully over the methods of communism.

Right now our enemy is the aggression organized and supplied from Hanoi backed and encouraged by others. A few years ago it was the aggressive attempt to throttle West Berlin and place missiles in Cuba.

As for our military establishment, I am sure it is powerful enough to defeat our enemies, whomever they may be. The danger now is not, strictly speaking, a military danger, so long as our military strength and the cohesion of our alliances are maintained.

I know of no time in our history when our military men have performed with greater skill and courage than our forces fighting in Viet Nam. They entered combat in a difficult climate, against a thoroughly professional enemy, in an unfamiliar kind of war. From the first days of combat they demonstrated their superiority.

Elsewhere in the world also our military forces are capable of dealing with aggression, should it be undertaken.

Our problem in Viet Nam is a problem of understanding what the aggressors are trying to do and having the subborn persistence and patience to see it through. They know that they cannot defeat our forces in the field, fighting alongside the Vietnamese, Koreans, Australians, and New Zealanders.

Their hope is that our people will not be able to stand the strains of this difficult engagement and that at some stage we will give up and withdraw.

It will be essential, of course, that the Vietnamese keep their own differences within bounds as they take their first steps toward constitutional government.

I have noted and I shall consider further your suggestions about bringing to bear distinguished men from outside the government to examine and make recommendations about our foreign policy. We are undertaking steps in this direction which, I trust, will commend themselves to you when they are announced.

Again let me thank you for taking the trouble to share your thoughts with me in these difficult times.

LYNDON B. JOHNSON.

Pornographic Controls Nearer

EXTENSION OF REMARKS

OF

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 27, 1966

Mr. BERRY. Mr. Speaker, the unprecedented volume of mail reaching my office urging effective, immediate curbs on the flow of pornographic literature and films through the U.S. mails, makes it necessary that Congress act soon on legislation to establish a Commission on Obscene and Noxious Materials.

Hearings have been completed on the bills before the Committee on Education and Labor, and hopefully the committee can place this item next on their schedule.

The peddlers of smut and obscene literature have come out into the open as never before simply because they know there are no effective Federal laws against this traffic. It is interstate commerce and it must be controlled by Federal legislation.

The legislation which I have sponsored would create a Commission with members of the press, clergy, motion picture industry, Members of Congress, and other professional and public leaders to study the current problem and come up with concrete measures for combating this social menace.

SENATE

TUESDAY, MAY 31, 1966

The Senate met at 10 o'clock a.m., and was called to order by Hon. ROBERT C. BYRD, a Senator from the State of West Virginia.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., May 31, 1966.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. ROBERT C. BYRD, a Senator from the State of West Virginia, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. BYRD of West Virginia thereupon took the chair as Acting President pro tempore.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now adjourn until 12 o'clock meridian tomorrow.

ADJOURNMENT TO WEDNESDAY

Thereupon (at 10 o'clock and 26 seconds a.m.), the Senate adjourned, under the order of Thursday, May 26, 1966, until tomorrow, Wednesday, June 1, 1966, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 31, 1966

The House met at 12 o'clock noon.

Rabbi Herman Eisner, Congregation Ezrath Israel, Ellenville, N.Y., offered the following prayer:

Father of all mankind: Thou hast taught us in Thy Psalms: *The Lord standeth in the congregation of the godly.*

We seek Thy guidance and inspiration for Thy servants who have been chosen to direct the affairs of our Nation. Do Thou, O gracious Guardian, ever guide them in their deliberations that their vision and wisdom may strengthen the national foundations of our beloved Republic.

May Thy spirit dwell richly within them as they manifest abiding courage and sincere faith, in the cherished traditions of our Founding Fathers, to work for freedom, justice, and peace.

Bless Thou our glorious land of liberty, our leaders, and Representatives. Endow them with insight and foresight. May the United States of America under God remain a citadel of freedom and a watchtower from which rays of light and hope shall beam to those who are now living in darkness and despair. Hasten the day when the millennial hope of universal peace will prevail throughout the world with justice and freedom for all people. Amen.

THE JOURNAL

The *Journal of the proceedings of* Friday, May 27, 1966, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on May 26, 1966, the President approved and signed a bill of the House of the following title:

H.R. 8376. An act to amend title I of the Tariff Act of 1930 to make permanent the existing duty-free treatment for certain corkboard insulation.

COAST GUARD CRACKS DOWN ON UNSAFE FOREIGN CRUISE SHIPS

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, the Coast Guard has cracked down on the 350-passenger Italian liner *Franca C*, refusing to let her sail from Fort Lauderdale, Fla., because she was guilty of fire hazards.

Empty of passengers, the vessel sailed Saturday morning bound for Italy and repairs.

The American traveling public certainly owes the U.S. Coast Guard a debt of thanks for this commendable action. I am advised that the *Franca C* posed many of the same fire hazards as those suspected of the ill-fated *Viking Princess* which caught fire at sea earlier this year.

The Coast Guard suspects that many foreign-flag cruise ship operators in south Florida and elsewhere in the United States will take the hint and begin upgrading any potential floating firetraps.

And I urge the Congress to adopt legislation that will provide the traveling public with the safeguards it deserves. H.R. 13126 is one such measure which I have introduced to require foreign-flag cruise ships to state in their advertising that their safety standards do not match those imposed on U.S. passenger vessels. This truth-in-advertising legislation is just one step which must be taken this session to make passenger cruises first class as far as safety at sea is concerned. The House Merchant Marine Committee has a number of bills on this subject, and I hope Chairman GARMATZ will begin hearings as soon as possible. We cannot afford another *Yarmouth Castle* or *Viking Princess* disaster before action is taken.

AMERICA NEEDS BOTH SHIPS AND SHIPYARDS

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, last week Maritime Administrator Nicholas Johnson was quoted in the Baltimore Sun as having said that the United States may very well wake up to find itself in the position of a nation that has sunk its fleet in the name of preserving its shipyards.

More properly, it seems to me, Mr. Speaker, it can be said that policies advocated by Nicholas Johnson would sink both our shipyards and our merchant marine.

Meanwhile, contrary to the views of the Maritime Administrator, I believe the American merchant marine and American shipyards need each other. Even more important, in the interest of national security, the Nation needs both of them.

As a member of the minority party, Mr. Speaker, perhaps I should hope that Nicholas Johnson would continue to create antagonism against the Democratic administration, but, as an American, I must say that the national interest would better be served by his resignation.

ANNOUNCEMENT

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ERLENBORN. Mr. Speaker, I was called back to my home State of Illinois last Thursday for the funeral of one of my good friends and, hence, was unable to vote on H.R. 13712, the minimum wage bill.

On rollcall No. 113, I was paired in favor of the so-called Anderson amendment.

Had I been here, I would have voted "yea" on rollcall No. 114, the Ayres-Morris amendment.

Had I been here, I would have voted "yea" on rollcall No. 115, the motion to recommit.

Had I been here, I would have voted "yea" on rollcall No. 116, when the question was passage of H.R. 13712, the minimum wage bill.

ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 447)

The **SPEAKER** laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Public Works and ordered to be printed with illustrations:

To the Congress of the United States:

Pursuant to the provisions of section 10 of Public Law 358, 83d Congress, I transmit herewith for the information of the Congress the annual report of the St. Lawrence Seaway Development Corporation, covering its activities for the year ended December 31, 1965.

LYNDON B. JOHNSON.

THE WHITE HOUSE, May 31, 1966.

NARCOTIC ADDICT REHABILITATION

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 858 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 858

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9167) to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CALL OF THE HOUSE

Mr. PELLY. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER.** Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 117]

Andrews, George W.
Andrews, Glenn
Ashley
Baring
Berry
Bolling
Bolton
Brock
Brown, Calif.
Callaway
Carey
Chamberlain
Clark
Clawson, Del
Cohelan
Colmer
Conyers
Corbett
Curtin
Curtis
Davis, Wis.
Dent
Donohue
Dowdy
Dyal
Edwards, Ala.
Ellsworth
Evins, Tenn.
Farnum
Flood
Flynt
Fogarty
Frelinghuysen
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gilbert
Gilligan
Goodell
Grabowski
Gurney
Hagan, Ga.
Halleck
Hanna
Hansen, Idaho
Hardy
Harsha
Hawkins
Hébert
Henderson
Herlong
Holifield
Hutchinson
Ichord
Irwin
Johnson, Okla.
Jones, Mo.
Karth
Keogh
King, N.Y.
Kluczynski
Kornegay
Krebs
Landrum
Lennon
Long, La.
Macdonald
MacGregor
Mailliard
Martin, Mass.
Martin, Nebr.
May
Michel
Miller
Mills
Minish
Minshall
Moeller
Morgan
Morrison
Morse
Moss
Multer
Murphy, N.Y.
Murray
Nix
O'Brien
O'Konski
O'Neill, Mass.
Passman
Philbin
Powell
Randall
Reinecke
Rhodes, Ariz.
Rivers, S.C.
Roberts
Roncalio
Rooney, N.Y.
Rostenkowski
Roudebush
St Germain
Saylor
Scott
Selden
Shipley
Shriver
Sickles
Sisk
Slack
Springer
Stafford
Staggers
Sullivan
Teague, Tex.
Thompson, N.J.
Toll
Trimble
Tuck
Udall
Ullman
Vanik
Walker, Miss.
Whalley
White, Idaho
Whitten
Widnall
Williams
Willis
Wilson, Charles H.

Mr. SPEAKER. On this rollcall, 301 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

The **SPEAKER.** The gentleman from Indiana is recognized for 1 hour.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH], and reserve the balance of my time.

Mr. Speaker, House Resolution 858 provides for an open rule with 3 hours of debate. The purpose of H.R. 9167 is to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic drug addiction, and for other purposes.

This legislation, as amended, seeks to provide for the treatment and rehabilitation of narcotic addicts when they are charged with or convicted of offenses against the United States. The bill provides for pretrial civil commitment of eligible addicts or persons afflicted to the custody of the Surgeon General for treatment and the alternate of postconviction commitment of eligible offenders to the Attorney General for treatment.

The bill would authorize the courts to consider whether narcotic and marihuana offenders between the ages of 22 and 26 are eligible for treatment under the provisions of the young adult offenders section of title 18, United States

Code, and would allow general provisions of law governing parole to apply to marihuana offenders.

The Judiciary Committee is to be commended for holding hearings and presenting this legislation in an effort to give our Government the tools to curb the unfortunate spread of the narcotic habit among the youth of our Nation. The problem of drug addiction involves medical, psychological, and sociological factors, as well as the aspect of criminality.

Our Government, over the years, has been negligent in not creating a special governmental department of considerable magnitude to make an extensive study and establish more constructive curbs on the influences that eventually bring about the using of drugs and narcotics among our young people.

I firmly believe that there should be a special investigating committee with ample power for hearings connected with a number of so-called harmless liquids and pill medicines so widely advertised to relieve minor pains, headaches, and so forth. There should be an investigation of the unrestricted television, radio, and newspaper and magazine advertising some of myriads of special patent medicine concoctions which if used constantly and over a period of time will not ruin the health of a large segment of our youth and older folks but will lead on to habitual addiction.

It is my thought that thousands in this country could have been saved from use of narcotics if a number of years ago our Government had investigated and restricted the sale of fake patent medicine, liquid pill, sleeping pills, and so forth, which eventually lead to the more serious use of drugs and narcotics.

The medical profession is to be commended for their effort to combat addiction and improve methods of treatment so that thousands now who are afflicted with the drug habit can be saved and their health restored.

The Judiciary Committee has accumulated pages and pages of testimony and information which is highly constructive for future study, investigation, and recommendations for the Government to establish a more effective control of the spread and use of habit forming liquids and drugs.

H.R. 9167 was introduced in accordance with the recommendations of the Department of Justice and the Treasury Department. The bill was drafted to provide for the rehabilitation of narcotic addicts and includes provisions to protect the general public.

Mr. Speaker, I ask for the adoption of House Resolution 858 in order that H.R. 9167 may be considered.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as stated by the distinguished gentleman from Indiana [Mr. MADDEN] House Resolution 858 provides an open rule of 3 hours of general debate for the consideration of H.R. 9167, entitled "Narcotic Addict Rehabilitation."

One of the most serious problems that continues to face us is that of the narcotic addict and the peddler. When I was in the California State Legislature, I chaired a committee in connection with narcotics, and the continuous problem we were faced with always was, "What are we going to do with the addict?"

We had a mandatory law in California which required every addict to serve 90 days in the county jail upon conviction. The purpose of serving time in the county jail is to remove the narcotics from the individual's body.

We found that in 90 days we could do that, but we had difficulty trying to eliminate the desire from the individual's mind to return to the habit after being released from the jail. In fact, I understand about 95 percent of them in those days would go back to the drug.

After extensive hearings we came to the conclusion that some type of hospitalization would be a better approach. It took a number of years to work it out because of the fact that there was lack of space available in the various State institutions. However, in 1961 a State civil commitment program was started which stresses treatment instead of punishment for narcotic addicts. It involves a minimum of 6 months compulsory inpatient treatment at the California Rehabilitation Center, Corona, Calif., followed by at least 3 years' successful outpatient experience in the community.

The outpatient phase involves intensive supervision by field agents with small caseloads, halfway house residence, required group counseling and frequent chemical testing to detect possible renewed drug use.

There are now about 450 former addicts who have been back in the community for periods of 1 to more than 3 years without using drugs or committing crimes, including 46 who have completed the required 3 years as successful outpatients before final discharge.

Those persons who are returned to the center for added treatment are nearly always sent back before a new addiction pattern is firmly established and before new crimes are committed to support a drug habit.

Nearly 40 percent of those returned for more treatment have not used drugs, but have had other emotional, personal or behavior problems. Less than 10 percent have been convicted of new misdemeanor or felony crimes.

It is reported that one of every three addicts treated and released at Corona have remained drug and crime free for a year. One of every five has been drug and crime free for 2 years. Statistics before the program started indicated that up to 95 percent of those released from jail went back to drugs or crime within 6 months.

This California program would indicate that this large-scale treatment program for narcotic addicts is disproving the old belief that addicts cannot be helped or controlled. In the bill H.R. 9167, it would appear to me that title II is quite similar to the California law. Title I seems to go quite a bit further in extending this treatment to the seller with certain conditions in there as to seller-users, that is, sellers who would have sold the narcotics in order to obtain narcotics for their own use.

I anticipate here there would be some dissenting views and discussion on title I, as to whether or not it should extend to the seller and whether or not it should be before conviction or after conviction, because the way it is written, if the individual is cured in an institution by treatment for up to 3 years, as I understand it the crime will not be charged against him, or he will not be prosecuted for the crime. There are certain provisions in there, leaving it to the court to determine, and the addict will have 5 days in which to make his selection. I should like to review the bill and the various dissenting views.

The purpose of the bill—H.R. 9167—is to provide for the treatment and rehabilitation of narcotic addicts when they are charged with or convicted of offenses against the United States. It provides for pretrial civil commitment of eligible persons to the custody of the Surgeon General for treatment, and the alternative of postconviction commitment of eligible offenders to the Attorney General for treatment. The bill authorizes the courts to consider whether narcotics and marihuana offenders below 26 are eligible for treatment under the Young Adult Offenders Act and allows the law governing parole to apply to marihuana offenders.

Title I of the act provides a new method of handling drug addicts who are arrested on another criminal charge. This is civil commitment, avoiding the criminal prosecution altogether. To be eligible for civil commitment, an addict charged with another crime must not have committed any crime of violence in the past or stand accused of one. Sellers of narcotics are barred from such treatment unless the court finds he sold them solely to enable himself to obtain drugs for his own use. Persons with two or more felony convictions or two or more previous civil commitments are not eligible. If eligible, the addict has a 5-day period to elect to stand trial on the criminal charge or accept civil commitment, covering a period of treatment of up to 3 years in an institution. Upon successfully completing the treatment period, the criminal charge pending will be dropped. If the addict elects civil commitment, he is examined to determine the possibilities of success, and the court then determines if the addict appears to be one who will benefit from treatment; if so, he is committed for treatment. The criminal charge pending can be activated if the addict does not successfully complete the treatment course or if the Surgeon General certifies to the court that the addict cannot be further treated as a medical problem. The court will then terminate the civil commitment, and the pending criminal charge will be activated and the addict tried.

Title II authorizes an indeterminate sentence for treatment for up to 10 years for addicts convicted of any Federal offense. This is an alternative to title I civil commitment provisions. This provides for treatment for addicts who do not choose civil commitment, or who are not chosen by the court and are subsequently tried and convicted of criminal charge. Additionally, an addict who has not successfully completed the treatment program under a civil commitment could be considered for further treatment.

Title III provides for the extension of existing law concerning young offenders below 26 in two respects to certain marihuana and narcotic offenders. Under the proposed amendments to the Youth Corrections Act, if selected by the court for such treatment, a young drug offender can be treated as are other young criminal offenders. Currently drug offenders are denied the same treatment as other youthful criminals. They may be placed on parole as are all others. Title III extends the indeterminate sentencing provisions of the Youth Corrections Act to narcotic and marihuana offenders under 26. The committee believes that removing these restrictions will enable treatable addicts to be helped by tailoring confinement and sentence to the individual.

There are dissenting views, variously signed by 10 members. Congressmen McCulloch, MacGregor and McClory generally support titles I and II, recognizing addicts to be sick people. They draw the line at assisting any sellers by relaxing the criminal penalties currently applicable. They support entirely the bill reported by the subcommittee, including civil commitment, but oppose sections 2901(g)(2), 4251(f)(2), 301 and 302 which relax criminal penalties on peddlers and sellers of narcotics. They want no seller to be eligible for civil commitment, and oppose placing narcotic addicts under the provisions of the Youth Corrections Act.

Amendments by the full committee permit civil commitment for a seller if the sale was for the "sole" purpose of obtaining drugs to support his own addiction. These members question: How can a judge possibly make such a determination objectively? No matter why a seller sells, he is corrupting others and should receive the full penalties available, not civil commitment.

These members also oppose removing the bar to narcotic offenders receiving the benefits of the Youth Corrections Act. Sections 301 and 302 affect the nonaddict convicted of narcotic crimes—sellers. Addicts are protected and helped by titles I and II; a seller, no matter what his age, must be punished.

Congressmen Poff, Cramer, Moore, King, Hutchinson, and Smith of New York take objection to title I; they object to giving a criminal addict an election between a civil commitment and prosecution; if civil commitment is elected and the course of treatment successfully completed, the criminal charge will be dropped. This means that if treatment is not successful, several years can pass before the criminal charge is tried. Witnesses may disappear.

Title I is a basic departure from our system of justice; by being an addict, a criminal avoids prosecution in accordance with his status. Under title I as written, the critical time to be an addict is not when the crime was committed but when the accused stands before the court which is to determine if he is an addict eligible for civil commitment.

As to sellers, how can a court fairly determine if he sold merely to obtain drugs for himself? Title I, as presently drafted, relaxes the penalties for sellers, as they feel it is wrong in this respect and should be amended.

Mr. Speaker, I know of no objection to the rule and urge adoption of the rule.

I have no further requests for time.

Mr. MADDEN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. ASHMORE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9167) to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 9167, with Mr. Burke in the chair.

IN THE COMMITTEE OF THE WHOLE

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from South Carolina [Mr. Ashmore] will be recognized for 1½ hours; the gentleman from Ohio [Mr. McCulloch] will be recognized for 1½ hours, and the Chair now recognizes the gentleman from South Carolina [Mr. Ashmore].

Mr. ASHMORE. Mr. Chairman, I yield myself 25 minutes.

The provisions of H.R. 9167 have been recommended by both the Department of Justice and the Treasury Department and would enable the courts and Federal authorities to deal more effectively with narcotic addiction and related problems. The subcommittee, of which I am the chairman, carefully considered the provisions of this bill. Hearings were held in July and August of last year and in January shortly after the beginning of the present session. The Attorney General, the Surgeon General, representatives of the Treasury Department, Members of Congress, State officials, and others presented their views concerning the legislation.

The bill provides a framework for positive action. While the bill concerns persons before the Federal courts, it also represents a positive step forward in dealing with the problem of narcotics addiction in the United States. The hearings on the bill, and I am sure the remarks made on the floor today, will serve to illustrate the magnitude and seriousness of this problem. The President in his March 9, 1966, message on crime and law enforcement referred to the fact that the fight against narcotic addiction is related to the fight against crime when he stated:

> Drug addiction is a double curse. It saps life from the afflicted. It drives its victims to commit untold crimes to secure the means to support their addiction.

In the same message, the President urged the enactment of this bill to curtail addiction and prevent crime. He stated:

> But our continued insistence on treating drug addicts, once apprehended, as criminals, is neither humane nor effective. It has neither curtailed addiction nor prevented crime.
>
> Recognizing this, we have proposed legislation to authorize the civil commitment of certain addicts, while retaining the full criminal sanctions against those who peddle and sell narcotics.
>
> This measure can reclaim lives. It can begin to eliminate the driving hunger for drugs that leads so many into lives of crime and degradation.

In providing the means to combat addiction, the bill strikes at the root of the problem. The addict himself is a source of crime and serves to spread addiction. In many ways he is both the victim and a contributing cause of the narcotics problem. Provision for medical treatment and rehabilitation of selected addicts will provide the courts with a real weapon to combat the incidence of crime in this country. The Department of Justice and law enforcement officials throughout the land have found that narcotics addicts in their desperation to obtain drugs often turn to crime to obtain money to feed their addiction.

Civil commitment of narcotic addicts and the alternative of sentencing addicts to treatment following conviction will provide a badly needed flexibility to the courts when dealing with narcotic addicts. These provisions provide a practical reorientation of legal procedures in order to combat addiction. At the subcommittee hearings, the Attorney General of the United States stated that for too long the law stressed punitive solutions and had neglected medical and rehabilitative measures. One of the great advantages of pretrial civil commitment lies in its provisions for swift medical and rehabilitative treatment. In the absence of such authority in the law, the addict charged with a Federal crime has two unsatisfactory alternatives pending trial. He can remain in prison, usually without treatment, or be released to return to the community on bail. This is unfair and illogical as to the addict and presents a continuing threat to society. This legislation offers the addict a means for early medical treatment and a real chance for rehabilitation. Further, civil commitment offers the selected individual an opportunity to avoid the stigma of a criminal trial and conviction.

There has been much discussion as to the technical implications of pretrial civil commitment. A realistic appraisal of experience in the treatment of narcotic addicts demonstrates that this is a very important aspect of this bill. It is provided that the individual must elect to undergo an examination in order to be considered for civil commitment. This means he must voluntarily submit himself for civil commitment. Simply stated, the addict must have the desire to help himself. Further, the bill makes it possible to assure that individual that he will have the aid and assistance of the Government in his treatment and in his efforts to rehabilitate himself. I think that it is fair to say that it is extremely difficult to help one who does not desire to be helped. Motivation and the desire of the addict to throw off his addiction is a prime factor in the treatment process. The fact that a successful completion of the rehabilitation program will result in a dismissal of the criminal charge gives the addict an additional incentive to lend his efforts toward rehabilitation. All too often this resolve has been sadly lacking in the lives of narcotic addicts. I need only to refer to the experience of our Federal narcotic hospitals to illustrate this fact. A recent Public Health Service survey of patients discharged from the Narcotics Hospital at Lexington, Ky., disclosed that of some 1,900 addicts who were discharged from the hospital, only 10 percent had not returned to the use of drugs. Most of them relapsed within 6 months of their discharge. Most of these patients were voluntary patients who were free to leave the hospital at any time and were not subject to any continuing treatment or aftercare following their discharge. Under this bill, the deficiency is corrected, for the civilly committed individual must remain in an institution until medical authorities feel that he has gained a maximum benefit from institutional care, and then he is released to supervisory aftercare under which he will still be assured of support and assistance in completing his treatment. This legislation would enable the United States to exert the resources at its command in the medical treatment and rehabilitation of addicted persons who appear before the Federal courts and give promise of rehabilitation.

It is in the interest of society to provide for the treatment of the addict and his rehabilitation so that he can become a functioning member of society and a responsible citizen. Civil commitment is based on this recognition for a controlled rehabilitation of selected addicts with a possibility of a dismissal of a criminal charge as the alternative to immediate trial for the criminal offense results in a more lasting and important benefit to society. The definition of "eligible individual" as contained in the bill insures that the persons considered as candidates for civil commitment will not include criminals charged with violent crimes or be those whose records disclose a history of serious crimes. Persons charged with selling or importing narcotic drugs or conspiring to import or sell a narcotic drug are similarly barred. The only exception as contained in a committee amendment is in the case of where an individual is charged with an illegal sale and the court finds that it was sold for the sole purpose of enabling the individual to obtain a drug to support his own addiction. This exception is to make it possible to remove this person, actually a victim of the narcotic traffic, from a dreary cycle of crime, addiction, and degradation. Individuals with two or more felony convictions or two or more previous civil commitments are not eligible. Finally, a person against whom there is pending a prior felony charge is not eligible nor is one who is on probation or parole without fully serving a sentence imposed after a felony conviction.

The bill in title II authorizes an indeterminate sentence for treatment for a period not to exceed 10 years for selected addicts convicted of any Federal offense. I feel that this is a separate and important alternative to civic commitment. There are distinct advantages to providing the court with authority to grant pretrial civil commitment or defer such action in appropriate cases until after trial and conviction. It therefore remains within the power of the courts to provide for treatment and rehabilitation of addicts who do not choose civil commitment or were not chosen for civil commitment by the court prior to trial.

It is also possible that persons who do not successfully complete a civil commitment program can still be considered for sentencing to treatment. The fact that this individual was unsuccessful in the course of treatment should not be taken as a conclusive indication that he is not capable of rehabilitation following conviction. The maximum 10-year period provided in section 4253 as contained in the bill allows correctional and medical authorities a desirable flexibility in treating individual addicts. It provides a sufficiently long period of sentence for those recalcitrant offenders who do not respond to treatment. It should also be noted that the court takes this action on the basis of an examination, but the offender is not asked to elect whether he will select this course of action. It is a matter within the discretion of the court.

The committee has carefully considered the function of the court in these procedures. I think that it is significant that Mr. Myrl Alexander in his testimony before the subcommittee stated that as a prison administrator, he was impressed that one of the crucial points in the correction process is the criminal court itself. It is here that the early distinctions are made between offenders. Upon conviction the court determines on the basis of the various dispositions available to it what numbers, what kinds, and for what purposes offenders will enter the various components of the Federal correctional system. He then observed that the time has arrived when we must recognize the issues and the problems involved in dealing with narcotic addicts and try a different approach. This is the purpose of H.R. 9167. The approaches it embodies are the result of the best efforts and knowledge of the Departments of Justice and Treasury, and the Public Health Service. I am convinced that these procedures are the best available procedures which can be evolved to give the courts and the Government authorities the wherewithal to fight addiction.

I have already referred to aftercare. This is one of the most important aspects of the procedures of this bill for in providing for supervisory aftercare following institutional treatment of an addict, there is provision for treatment and support which does not exist in the present law. A 5-year study by the National Institute of Mental Health completed in 1962 demonstrates the need for constructive aftercare. This treatment has to be individualized for there is no universal course of treatment which will be effective for all persons. As to civil commitment, supervisory authority is vested in the Surgeon General, and as to sentencing to commitment under title II, supervisory authority is in the Attorney General. The addict must be given the support he needs in order to aid him to withstand the problems of his environment. He must be given assistance and support so that he can become a person who can cope with the problem of drug addiction. The bill insures that the supervisory authority will exercise its control over the individual for a sufficient period of time to give reasonable hope for his true rehabilitation.

Justice and logic require that the courts be given the authority provided in title III. This title concerns the possible application of the provisions of the young adult offenders section to narcotic and marihuana offenders. Other than providing the courts with authority to exercise the discretion granted by the Congress over young adult offenders, this bill does not change existing law concerning the penalties for narcotic and marihuana offenses. It should be understood that the authority of the courts to consider offenders for sentencing in accordance with the young adult offenders section is now applicable to other Federal offenses. This authority has been used very carefully by the courts and we are satisfied that with the safeguards contained in the bill, the same authority will only be used as to those narcotic and marihuana offenders whose records and prospects for rehabilitation merit this treatment. To give an idea of the relatively limited scope these provisions would have, as of June 30, 1965, Federal penal institutions contained 641 persons between the ages of 22 and 25 who could not have been considered by the courts as candidates for sentencing under the Federal Youth Corrections Act because they had violated a narcotic or marihuana law.

The testimony at the hearings and the information supplied to the committee establish that selected persons in this age group are more likely to be rehabilitated if they can be given sentence tailored to their personal need rather than mandatory confinement in each and every case. Our correctional institutions endeavor to break the patterns of criminal activity in the lives of offenders. The automatic and completely impersonal exclusion of young men from consideration under the Youth Corrections Act serves to defeat the basic purpose of Congress in enacting that act, in that it frustrates the possibility of rehabilitation of young men in the young adult offenders age group. The exclusion of this particular group of offenders in the face of the fact that the provisions of the act apply to the overwhelming majority of Federal offenders is illogical. I can only conclude that emotion and fear have implanted this inequity in the law. The Department of Justice and the Treasury Department support the enactment of sections 301 and 302 of title III, along with the other provisions in the bill. The support of the Treasury Department which is concerned with the enforcement of the narcotic laws should be sufficient assurance that these provisions will have a salutory effect upon law enforcement.

Section 303 of the bill removes a restriction so as to make marihuana offenders eligible for consideration for parole. The removal of this bar to consideration is also consistent with the rehabilitation emphasis of the bill. This merely means that such an offender after serving the requisite minimum period can be considered for a parole. The possibility that he might be granted parole will give him an incentive for rehabilitation. Currently, without any hope for a parole, persons in this group often have not been amenable to rehabilitation procedures within the criminal institutions. The mere removal of the present bar does not guarantee parole and, of course, the man must merit it just as do other offenders who presently are granted consideration by the parole board.

This bill, as amended by the committee, offers a considered and logical means to provide for the treatment of narcotic addicts charged with Federal offenses by providing selected persons when granted this option by the courts with the choice of civil commitment for medical treatment prior to and instead of a criminal trial. Addicts who give promise of rehabilitation can be given a real opportunity to rehabilitate themselves. The authority granted the courts to sentence convicted addicts to a treatment and rehabilitation program another alternative is provided the court in the case of criminal offenders. The bill further provides a much needed flexibility in making parole available to marihuana offenders and providing that marihuana or narcotic offenders under the age of 26 eligible for consideration under the young adult offenders provisions and the Federal Youth Corrections Act. I urge the bill's approval.

Mr. DOWDY. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman from Texas [Mr. DOWDY], a member of the committee.

Mr. DOWDY. Mr. Chairman, I have one question. The gentleman described eloquently that an individual does not include under this bill an individual against whom there is pending a prior charge of felony which has not been finally determined. In another place, an individual who has been convicted of a felony on two or more counts is not eligible. Why, if you have just a charge against him, would he not be eligible, but if you have a conviction against him he will be eligible as long as it is not two convictions?

Mr. ASHMORE. It is a charge. He has not been tried yet.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman.

Mr. CELLER. Mr. Chairman, I believe this is the charge which is different and apart from the arrest from which the civil commitment can flow.

Mr. DOWDY. If that is true, then these two felonies he had already been convicted of ought to be separate and apart.

Mr. CELLER. True, but he would be eligible under both.

Mr. DOWDY. I am not saying this is wrong. I am wondering why on one felony he had not been convicted of, he would be excluded, but it would take two convictions to exclude him.

Mr. GRIDER. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman.

Mr. GRIDER. Mr. Chairman, it was the thinking of the committee, as I understand it, that the possibility would always be open to the individual to get civil commitment if it were possible for him to go to the other jurisdiction under which this felony was pending, and persuade them in the light of the possibility of his being available for civil commitment to dismiss the indictment. This would give him the opportunity that the man with two felony convictions would not have.

Mr. ASHMORE. I might also say to my friend from Texas that this would also prevent an interference with a case pending against the same defendant in a State court. That is one purpose for it.

Mr. DOWDY. I think that would be true. That was not the question I had. But would this bill apply to prosecutions in State courts as well as Federal courts?

Mr. ASHMORE. Only in the Federal. The Federal courts would have no authority over offenses in the State.

Mr. DOWDY. The gentleman knows that he and I are in agreement, but sometimes we get a mixed thinking in our own minds. I was wondering about that.

Mr. McCULLOCH. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. MCCLORY].

Mr. McCLORY. Mr. Chairman, Members of the Committee, first of all, in discussing this measure, I want to pay tribute to the distinguished gentleman from South Carolina, the chairman of the subcommittee [Mr. ASHMORE], who presided throughout the lengthy hearings which our subcommittee conducted in connection with this important measure.

I would also like to compliment the gentleman from New York, the chairman of the full committee, a sponsor of this measure. At least, he sponsored a bill in a form similar to the bill which we are considering here today. I have no doubt but that the gentleman from New York had in mind a similar piece of legislation in the State of New York which was enacted several years ago but the utility of which has not as yet been demonstrated. Notwithstanding this shortcoming in the New York legislation, the witnesses who appeared before this subcommittee all attested to the desirability and usefulness of that statute as well as a similar and earlier measure passed by the California State Legislature which provided definite benefits in the rehabilitation of narcotic addicts in that State.

I feel particularly privileged, Mr. Chairman, to have served on the subcommittee which heard the testimony relating to this legislation. In many respects the witnesses were not unlike those who appeared before me when I served as a member of the Committee on the Judiciary of the Illinois General Assembly in the early fifties in connection with the strengthening of the enforcement provisions and the penalties affecting peddlers of narcotics.

Before discussing further the merits of this legislation and the broad purposes that it is designed to serve, and which I support, I want to make mention of the defects in the bill as reported to the House which I hope will be corrected before final passage.

As I mentioned, the penalties provided for peddlers were increased in Illinois in 1952 and, as a matter of fact, increased by this Congress in 1951 and again in 1956. Mandatory minimum sentences were substituted for the indeterminate and wholly ineffective penalties which existed heretofore. One reason for eliminating the flexibility of indeterminate sentences was to prevent the courts from being soft with the peddlers of narcotics. As we learned at that time, many of the soft penalties in Illinois were meted out to narcotic peddlers who were corrupting young people and inducing school-age boys and girls to become victims of this habit in the city of Chicago. In my opinion, these sellers of narcotics, whether they are narcotic addicts themselves or not, are entitled to no mercy and certainly no opportunity to return any sooner than possible to resume their insidious business of selling narcotic drugs. The subcommittee which heard the witnesses and considered this bill in executive session decided a civil commitment privilege granted in this legislation should not be available to any who have been guilty of selling or importing or conspiring to sell or import narcotic drugs, even though a judge might be disposed to find such an offender had been selling, importing, or conspiring to sell or import narcotic drugs for the sole purpose of enabling him to obtain narcotic drugs which he requires for his personal use because of his addiction.

Under the bill as introduced and recommended by the subcommittee, a civil commitment privilege is not accorded to a person who is charged with a crime of violence or has pending against him a prior charge of a felony, or is on probation for conviction of such a crime, as the gentleman from North Carolina earlier stated. Why, then, should an individual who is contributing to the spread of narcotic addiction or who may be adding to the population of narcotic addicts be able to avoid all mandatory penalties which Congress provided by amendments adopted in 1951 and 1956? There was clear evidence presented to the subcommittee that the effect of mandatory penalties imposed against the sellers of narcotics has been to reduce narcotic addiction and the traffic in narcotic drugs.

According to the Federal Bureau of Narcotics, the number of new narcotic addicts dropped immediately after the enactment of the 1956 act. In fact, we had before our committee at the time of the hearing these charts produced by the Bureau of Narcotics, which showed the effect of the sharp drop in narcotic addicts after the year 1956 to and including the year 1962. The decrease in new narcotic addicts was more than 50 percent, from more than 9,000 in 1956 to less than 6,000 in 1959. What this means is that imposing stiff penalties against sellers of narcotics, whether they are engaged in this business as peddlers or simply to provide themselves with funds to feed their own habit, enabled thousands of persons, mostly young people, to avoid becoming hooked with this tragic and virtually fatal habit.

It is true that the number of new narcotic addicts has risen in the last several years, but this may be attributed to other causes than the mandatory penalties. For one thing, we have a greatly increased population. In addition, we have had a great influx of Puerto Ricans who represented only 7 percent of the addicts in 1956 and account for more than 14 percent today. The effect of the so-called Boggs Act enacted in 1956, which provided stiffer Federal penalties, has been to steadily decrease the percentage of narcotic addicts to our total population.

Another significant fact which appears from the reports of the Bureau of Narcotics is the age of the narcotic addict—particularly the new addicts who are being discovered each year. Of the 10,000 new narcotic addict cases reported in 1964, over 7,300 or more than 70 percent were in the under-30 age group. Again, this indicates that young people are becoming the victims of the sellers of narcotics whether these sellers are themselves addicts or not.

Accordingly, Mr. Chairman, I shall offer at the appropriate times amendments to exclude sellers of narcotics from obtaining the benefits of this legislation. Just as we would not permit various other types of criminals to have the benefit of this legislation, neither should we accord that right to those who commit the criminal offenses of selling, importing, or conspiring to import narcotic drugs.

Mr. Chairman, this brings me to the second and perhaps more serious defect in the legislation as recommended by the committee, and, again let me say that I am supporting this bill in the form as recommended by the subcommittee—the group which heard the witnesses and then rendered their judgment. The defect to which I make reference is embodied in title III of the bill and would have the effect of repealing the requirement for mandatory penalties against any and all narcotic offenders under 26 years of age. As I just mentioned a few moments ago, the number of narcotic addicts in this age group is very high. Although the Bureau of Narcotics does not break down the ages of such persons in exactly that category, it appears that more than 50 percent of all narcotic addicts are 30 years of age or younger and I would judge that at least 40 percent of such addicts are 26 years of age or younger.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield for a moment?

Mr. McCLORY. Yes; I yield to the gentleman from New York.

Mr. FARBSTEIN. What provision are you making, if any, for narcotic vendors who are also users?

As the gentleman knows, very often a man is a user, but in order to obtain narcotics with which to feed his illness, it becomes necessary for him to become a pusher and then a seller.

Actually, it is all based upon the physical and mental deficiency of his system; and that is the use of drugs.

How do you cover that situation?

Mr. McCLORY. Well, my amendment, about which the gentleman is inquiring, would exclude from the provisions for such civil commitment those who are pushers of narcotics, those who are sellers of narcotics.

This legislation is intended to affect those who are charged with minor Federal offenses and who are also narcotic addicts.

In other words, the person sought to be benefited is a narcotics addict and, secondarily, he has committed some criminal offense.

Testimony given by a district attorney from New York State was to the effect that most of the larcenies that are committed in that area are committed by persons who are trying to secure enough funds with which to feed their addiction.

The **CHAIRMAN.** The time of the gentleman from Illinois has expired.

Mr. McCULLOCH. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. McCLORY. And, so, it is to permit these persons who are, first of all, narcotics addicts, and, secondarily, guilty of some minor offense which is not among the excluded group, to permit them to be treated as sick people and to give them the benefit of this civil commitment procedure.

Mr. FARBSTEIN. Mr. Chairman, if the gentleman will yield further, I agree with the gentleman except that he has given no answer to the problem that I have posed. In other words, you get a young kid, who, for one reason or another, starts smoking marihuana and then he goes to heroin, and he reaches a stage where he cannot get any heroin, unless he becomes a pusher.

The demand of his body becomes so great that he will do anything in order to obtain it. Then, as I said, he becomes a pusher and eventually goes on to a seller. This, for him, is the end of the line.

What are you doing under this legislation with reference to a kid who has never been previously convicted of any crime?

Are you going to deny him the right of rehabilitation, when he needs rehabilitation more than any other?

Mr. McCLORY. We are not going to deny the individual the right of rehabilitation if he can get it in jail, but we should not grant to sellers of narcotics the privilege of civil commitment in lieu of serving the penalties which are imposed pursuant to the penal code.

In the instance to which the gentleman from New York refers, he refers to a person who pushes or sells narcotics in order to obtain enough funds for his own addiction. What if this one person sells narcotics to teenagers? We have imposed stiff penalties for such offenders. If we relax those penalties and if we say that this person who victimizes the teenagers is going to be given the privilege of civil commitment, then it seems to me we are losing the entire benefit of the mandatory penalties. Mandatory penalties have been very effective. They have reduced narcotic addiction particularly among young people. The record in Illinois is very good. The record in Illinois shows that the number of addicts has gone steadily down. Yet, if we relax the penalties which, of course, we would be doing, then of course we are going to lose the entire benefit of this.

I think a part of the motivation for this legislation emanates from a report of an advisory committee which report was given to the President in November 1963, in which civil commitment was recommended.

That report also stated that the mandatory penalties were not effective because as the report says—narcotics addiction continues. Of course, it continues. But narcotics addiction has gone down and the stiff penalties have been very effective. The Boggs Act of 1951-56 has had good results and we do not want to change that, when we are providing a new method and a new system which is largely untried as yet, and when we are trying to provide a system to rehabilitate narcotic addicts. We do not want to let down on the penalties and we do not want to see narcotics addiction increase.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield for one more question?

Mr. McCLORY. I yield to the gentleman.

Mr. FARBSTEIN. Does not the gentleman believe in permitting the judge who is to sentence the individual who has committed this crime to determine within his own discretion as to the treatment that should be given to that pusher—especially a pusher who may be a teenager and who has gradually grown into a pusher.

Mr. McCLORY. Let me say further, the reason Congress and the State legislatures have provided mandatory penalties is because when the seller of narcotics gets before the judge and the judge has the power to avoid the imposition of such penalties the offender frequently receives a minimum penalty—or avoids a prison sentence completely. I do not want to take that risk with this legislation. We do not want to repose that arbitrary flexibility in the court. We want to retain mandatory penalties at the same time that we permit this new method of treatment to the narcotics addict who is not corrupting the country by spreading narcotic addiction.

Mr. POFF. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. I am happy to yield to the gentleman.

Mr. POFF. In regard to the comment by my colleague, the point the gentleman is making so well I believe can be stated in this one sentence; namely, that the first two titles of the bill apply to addicts. Title III applies as well to nonaddicts. So the net effect of this title is to repeal mandatory sentences in marihuana and narcotics cases where the offender happens to be over 22 years of age and under 26 years of age.

Mr. McCLORY. The gentleman is entirely correct.

Mr. SENNER. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. I yield to the gentleman.

Mr. SENNER. In regard to the statement made by my distinguished colleague, the gentleman from Virginia [Mr. Poff], when he mentioned nonaddicts, he was referring solely, was he not, to drug addicts and marihuana users?

Mr. McCLORY. Title III would relax and virtually eliminate the mandatory penalties with regard to all narcotic cases of those between the ages of 22 and 26.

Mr. SENNER. I would still like to ask my good friend and colleague on the subcommittee, the gentleman from Illinois [Mr. McClory], whether he would answer my question as to whether or not the statement made by the gentleman from Virginia [Mr. Poff] and the gentleman mentioned nonaddicts as well, that he referred solely to narcotic addicts and marihuana users. I think the gentleman from Virginia is nodding his head in the affirmative and the gentleman from Illinois has not answered my question as yet.

Mr. McCLORY. The Youth Corrections Act applies to all offenses except narcotic cases under the present law with regard to those cases between the ages of 22 and 26. What this would do would make the Youth Corrections Act applicable to individuals from 22 to 26 years of age in narcotics cases whereas the Congress has deliberately decided that it should not apply to such cases—and that was in 1958.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ASHMORE. Mr. Chairman, I yield 15 minutes to the distinguished gentleman from New York [Mr. Celler], chairman of the Committee on the Judiciary.

Mr. CELLER. Mr. Chairman and Members of the Committee, I wish to pay tribute, as did one of the previous speakers, to the chairman of the subcommittee, the distinguished gentleman from South Carolina, as well as the members of the subcommittee who worked very arduously to develop this very important legislation.

The gentleman who just addressed us indicated that he favors the general import of the bill but finds some fault with some of the provisions of the bill. He made reference to the situation that exists in the State of New York. I think the gentleman from Illinois probably did not know that only a few days ago the State of New York passed a bill, now signed by the Governor, which provides that drug addicts may be picked up and given rehabilitative treatment in an institution supported by the State or in a private institution authorized by the State. The commission of a crime is not a condition precedent. He may be held for a period as long as 3 years. That gives you some idea of what the situation is in New York.

The problem has become so aggravated, and addicts have increased in such great number, the State had to take some drastic measures. Our present processes and techniques in this situation had proved baffling and most ineffective. Mandatory sentencing has not helped in the State of New York. Therefore, some other method had to be devised, and the legislature of the State of New York, in its wisdom, and the Governor felt that rehabilitation was the watchword. They felt as I do and as the general proponents of this bill do, that the drug addict shall not be deemed essentially as a criminal.

Mr. ASHMORE. Mr. Chairman, I yield 15 minutes to the distinguished gentleman from New York [Mr. Celler], chairman of the Committee on the Judiciary.

The drug addict is a diseased person, like an alcoholic or a diabetic. He must be treated as such.

Likewise, the gentleman from Illinois would exclude from the benefits of the rehabilitative features of this act and civil commitment the sellers, even pushers, of narcotics, regardless of the purpose for which they make sales. The seller might sell solely for funds to buy drugs to satisfy his diseased craving.

We are told by the experts—the criminologists, doctors, psychiatrists—that the withdrawal symptoms are most excruciating. That is, when an addict seeks to save himself, if he has will power and the discipline to do it, he goes through the pangs of hell. There is nothing that is more severe than the pain that he suffers, and the demands inwardly made upon him to get into euphoria, as it were, to get into the sense of high emotion, being taken out of himself, is of such magnitude that the addict will do almost anything to get the drug. He will commit a crime, and he does not regard the consequences.

But most often he will make deals with the purveyors of the drug so that he in turn can get sufficient funds to buy drugs to satisfy his own craving.

That situation prevails usually amongst the poor and the indigent addict. The rich man's son can always get the dope. He has the wherewithal to get it.

To deprive the individual of whom I am speaking of this right of civil commitment to my mind is wrong. So I refer to the use of the word "unmerciful" by the gentleman from Illinois. The gentleman has said that such an individual deserves no mercy. On second thought, I do not think he means that. I do not think in this day and age we can say that people of this character deserve no mercy. We are told that the mercy of the Lord endureth forever, and I think we must keep that in mind. This is a merciful piece of legislation. This is an act of righteousness on the part of the Government.

In this bill we would not change any of our present laws concerning the sanctions with reference to the use of drugs and the sale of drugs. There is provided primarily civil commitment. The President of the United States in his message to Congress urged upon us passage of the bill. In his 1965 message he said:

> The return of narcotic and marihuana users to useful, productive lives is of obvious benefit to them and to society at large. But at the same time, it is essential to assure adequate protection of the general public.

The President, in his 1966 message on crime and law enforcement, again emphasized the relationship of narcotic addiction to crime. He stated:

> Drug addiction is a double curse. It saps life from the afflicted. It drives its victims to commit untold crimes to secure the means to support their addiction.

The President in his 1966 message urged enactment of the remedies that are embodied in this bill. He said:

> But our continued insistence on treating drug addicts, once apprehended, as criminals, is neither humane nor effective. It has neither curtailed addiction nor prevented crime.
>
> Recognizing this, we have proposed legislation to authorize the civil commitment of certain addicts, while retaining the full criminal sanctions against those who peddle and sell narcotics.
>
> This measure can reclaim lives. It can begin to eliminate the driving hunger for drugs that leads so many into lives of crime and degradation.

This bill has the approval of the Surgeon General of the United States, the Attorney General, the head of the Bureau of Prisons, Commissioner of the Bureau of Narcotics, and the Judicial Conference of the United States.

I see the gentleman from Iowa arising. I am sure he is going to ask me a question for which I have the answer, and I am going to give it without being asked the question.

How much will it cost? I have checked on that, and I find that as far as title I is concerned the cost in 1967 will be $2.75 million. As to title II, the cost will be absorbed by the Bureau of Prisons, so that the cost will be $2,750,000 for the first year. It may go up, depending upon the numbers of those who will take advantage of the civil commitment within the next few years. He will not go above, I will say, $5 million a year. But the cost of nearly $5 million a year is a very small cost when you correlate that with the lives that may be saved, with the crime that may be reduced, with the fact that we are rehabilitating human beings and making them responsible members of society.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Iowa.

Mr. GROSS. Is it true, or is it not true—and I thank the gentleman for yielding—that the number of narcotics cases is going up, is steadily increasing?

Mr. CELLER. Yes. The number of narcotics cases has gone up, which means, of course, that something is wrong with our present system, which means that there are some flaws in our present system. We feel, according to the advice of the experts, that we have too often given emphasis to the function of improvement. The addict is guilty of a narcotics violation, and he goes to prison. He comes out of prison and is released and starts his crimes all over again. In other words, going in and out of prison is like going in and out of a taxicab. It avails naught as far as society is concerned, as to whether this individual is being helped or whether society is being helped. The individual is not helped and society is not helped. Therefore we have to change our attitude toward the situation.

Mr. GROSS. If a user is sent to an institution, he is in effect, going into prison, is he not?

Mr. CELLER. No, sir. That is not a prison. He is going to a hospital.

At the present time, for example, the U.S. Government has a narcotics hospital at Lexington, Ky., and I think another one in Texas, and by no means can we deem those institutions as prisons. They are not prisons at all.

Mr. GROSS. Is he free to come and go, if he elects so to do?

Mr. CELLER. No, he cannot come and go in that sense. In that sense, while he is not incarcerated as a prisoner, he is under surveillance constantly. I would take it that he could go outdoors, he can do some farming, he can do outdoor chores and he can do indoor chores, but he is always under the control and watchful eye of somebody who sees to it that he does not go astray. But we cannot say that that is a prison.

In addition, this bill provides that not only can these individuals, who are thus afflicted with the disease of addiction, go to the Federal institutions, but there are State institutions. There are State clinics. There are private institutions. The arrangements under this bill can be made whereby these private institutions will open their doors to the drug addict in accordance with the rules that would be laid down by the Surgeon General.

Mr. McCLORY. Mr. Chairman, will the gentleman yield to me?

Mr. CELLER. I yield to the gentleman.

Mr. McCLORY. I think it should also be pointed out, as the gentleman knows, the subcommittee added an amendment, and the committee will also add one, which will provide that an escapee under the civil commitment provisions will be subject to the same penalties as a person who escapes from a penal institution.

Mr. CELLER. Yes. Thank you very much. In other words, if he escapes and violates the conditions under which he is given his civil commitment and treatment, then he is guilty of a crime. He is yanked back and must stand not only for the original crime that he committed but also for this additional crime in which he may be violating his parole.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Iowa.

Mr. GROSS. The question of mercifulness came into the discussion a few minutes ago. How merciful is it for a narcotic addict to sell to a teenager and make of him an addict in order to get the money to continue his own drug addiction? How much more merciful is that? I want to help the drug addict but not at the expense of his ability to sell narcotics which will make other addicts.

Mr. CELLER. Of course, this bill does not provide ipso facto that that kind of rascal will go scot free. This is all a matter within the discretion of the judge. The judge need or need not provide for civil commitment either before the man has been found guilty or after he has been found guilty. It is all a matter within the discretion of the judge. It does not say that he, the judge, must discharge him or must give him civil commitment or must place him under surveillance or must sentence him to an institution. Not at all. The judge can automatically say, "No. We are not going to give you the advantages of this bill, because when we survey the entire circumstances and the record, your character, your previous jobs, your family ties, and your history in general, we find that you are not entitled to this benefit."

The CHAIRMAN. The time of the gentleman has expired.

Mr. ASHMORE. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. CELLER. Therefore the court will say, "No, we are not going to allow civil commitment in your case." We must never lose sight of that fact. However, if the case is one where the judge feels that this person before him is a diseased person, probably through no fault of his own this situation was brought about, and he did not deliberately bring about this situation and he is only making these petty sales in order to satisfy this dreadful craving I spoke about, then why should he not be merciful under circumstances of that sort? I cannot conceive how you, as a judge, if you were a judge, in Iowa, if this person came before you and these facts were related to you, if I know you well enough, I cannot see how you would not be the first to be merciful.

Mr. GROSS. I would not be at all merciful toward a narcotic addict who peddled and made an addict out of a teenager or an adult. I would not be at all merciful toward him.

Mr. CELLER. I did not say that.

Mr. GROSS. If the gentleman will yield for just a second more, I voted to strengthen the penalties under previous legislation. I am not interested in the cost. I voted for the previous bill to strengthen and to increase the penalties. I think what you are doing here today is sabotaging the laws I voted for. That is my opinion of it as of now. I am going to listen to the debate. I hope you can persuade me otherwise, but right now I think you are sabotaging the laws that I voted for and other Members of the House voted for to provide more drastic penalties for the possession and sale of narcotics.

Mr. CELLER. I think from what we have heard from the gentleman from Iowa up to now that his mind is fully made up.

It is like the man who said, "There are always two sides to everything; the wrong side and my side." I do not think the gentleman is susceptible to any kind of argument in view of the bitterness of his remarks, his remarks concerning the sabotaging of the previous bill. I cannot conceive how the Member will even listen to us under the circumstances.

Mr. McCLORY. Mr. Chairman, will the gentleman yield to me?

Mr. CELLER. Yes. I yield to the gentleman.

Mr. McCLORY. I thank the gentleman for yielding. As the gentleman knows, I supported the principle of this legislation. Except for making eligible those who sell narcotics, I would support titles I and II, but the question I want to ask is what relationship, if any, does title III have to this business of civil commitment? It seems to me what we are doing is bringing in another category. We are bringing in another element into the legislation which is detached from the subject of civil commitment. I just do not feel it belongs in this legislation.

Mr. CELLER. Of course, I must differ with the gentleman. It does belong in it, I feel, because those who are between the ages of 22 and 26 are most susceptible or would be most susceptible to civil commitment.

Mr. McCLORY. If the gentleman will yield further, the people of all ages are eligible for civil commitment under titles I and II.

Mr. CELLER. Yes, but under the previous act we provide that between those ages there must be mandatory sentences. There can be no parole or suspended sentences.

Mr. McCLORY. I have reference to the mandatory penalties for all ages.

Mr. CELLER. The gentleman is so impatient, he does not let me finish my answer.

In other words, there could be no civil commitment under those circumstances. We want to cover those who are between those ages and guilty of selling narcotics and marihuana. That is the important thing about it.

Mr. McCLORY. Mr. Chairman, if the gentleman will yield further, but it would apply to persons who are selling narcotics who get all of the benefits of their selling narcotics and also their importing of narcotics or whether they are large operators of any kind. If they were guilty of any kind of narcotics offense, they would be eligible for this youth corrections sentence and soft penalty provision, if title III remains in the bill.

Mr. CELLER. Yes; but under the present law, and if we pass this bill without title III, everyone would be subject to civil commitment except those between the ages of 22 and 26. Therefore, that would be inconsistent with the intent of the legislation.

Mr. McCLORY. Mr. Chairman, if the gentleman will yield further, all offenders are eligible to civil commitment in titles I and II, no matter what their age is, and all that title III does is to relieve the penalty with respect to your narcotics offenders in addition to those who are already taken care of in titles I and II.

Mr. CELLER. I am certain I am correct in that.

Mr. Chairman, at long last we are to wage a real war on narcotics. Any war to be successful must be vigorously pursued. No weapon that can help win this war can be disregarded. Rehabilitation—restoration to normalcy—of the victim of addiction is a weapon that must be tried. That is what this bill will do—inject sense into the victim and make him realize the injury he inflicts upon himself and upon society.

Many experts feel that the incarceration method will not work, and that it may even be a deterrent to cure. We have always made the mistake of branding the addict a criminal, whereas he is more as one diseased, like an alcoholic, or a diabetic. Addiction has not been curbed or even reduced by placing the addict in prison.

What is really needed is a remedy that enlists the patient's cooperation in effecting his own cure—a system such as the British have, whereby drugs are dispensed under strict medical control from centers at which physicians and psychiatrists can help addicts rehabilitate themselves without acquiring the stigma of having been arrested and locked up.

Many new ideas are unfolded in this quest for the cause and cure of drug addiction. We must abandon the old method of clapping the addict in jail and allowing him freedom after serving his sentence only to have him continue with greater dosage. In other words, as I said before, going in and out of prison, as though it were a taxicab has not worked. The poor and indigent addict, when released, makes deals to sell the stuff to other victims to enable him to earn money to buy his own supply to satisfy his craving. They then spread sales of the drug, whereas if they were under some sort of surveillance for cure, there would be no compulsion to sell.

The swift pace of present-day life with its frustrations, fears and disillusions, sordid environmental conditions, possible marital or family friction, tensions in our complex society, resistance to discipline, failure to communicate with others, may be major contributions to the breaking down of opposition to taking drugs. Society is not blameless. Society, Government must help solve the problem.

Congress cannot remain insensible to new scientific approaches. Doctors, criminologists, psychologists, penologists, and other experts recommend the suggestions contained in the pending bill.

Congress must keep abreast of the advance of science. Witness new legislation with regard to space and astronautics, missiles, and thermonuclear weapons. Automation and cybernetics have changed many old legislative concepts. See the changes Congress has wrought concerning the danger to health inherent in the use of tobacco and in many lethal drugs. We have adopted, at the suggestion of science, legislative changes concerning air and stream pollution. All these innovations have set the pace for us in this war on narcotics.

Here is a chance to do a great good. As George Bernard Shaw said:

> Never lose a chance. It does not come every day.

Also, in my humble opinion, this bill involves an act of righteousness. It involves saving and rescue of people from degradation and ruin. Are we not told in Proverbs 14: 34:

> An Act of righteousness exalts a nation?

Here is a great challenge for Congress—a call to battle against narcotics on a field of righteousness.

Just as a poisoned weed can cause a blight upon a whole field, one drug addict can corrupt many others to join him in his evil. It is estimated that in large cities 50 percent of crime is linked to the drug habit. Is it not better to take the addict in hand, to take him off the streets, especially of the metropolitan areas?

New York recently passed a law for compulsory treatment. A victim can be picked up and confined in a hospital or clinic for a period of 3 years or less if cured. Commission of a crime is not a condition precedent. He has no defense. The health and welfare of the State of New York requires that he—in a way—be quarantined as though he had a contagion, like smallpox or leprosy. Society sets up a wall of safety and places the drug addict on the other side of the wall.

Those of you in rural areas may not as yet be aware of the dangers lurking in our failure to address ourselves to this vexatious problem. But remember, the rivers do not always remain at low ebb. The water can rise and destroy.

Be aware that heroin is a poison more deadly than "a mad dog's tooth."

Bills of the character of the one before us can prevent the coming of addicts into your community. Offer, then, cure and prevention, now, to those outside your bailiwick. Otherwise, sooner or later these addicts will press into your towns and villages.

We cannot maintain the status quo and do nothing. That were cowardly. Let us forget our past mistakes. There is a Russian proverb:

> A man's eyes should be torn out if he can only see the past.

Large cities, like, New York City, Chicago, Philadelphia, Los Angeles all wear the albatross of drug affliction around their necks. We, in these cities ask your help to stamp out this nefarious traffic and use.

You may shrug your shoulders and say, "it is none of my business." Well, it is; because, just as you cannot confine a strong odor, just as you cannot black out a streak of lightning, just as you cannot hold the floodtide with a broom, you cannot cabin and circumscribe to drug addiction. It will pervade your area as well as mine—unless a cure is found.

We must act now.

Cervantes said:

> By the street of by and by you come to the House of Never.

We cannot longer tarry.

It is later than you think.

This bill is only on the threshold of a program for the cause and cure of the disease. It is only a beginning.

Only one step is required to commence a long journey.

I repeat, our plan is one of rehabilitation. We say to the addict, "Come now, son, consent to a civil commitment in order that a cure may be had. We cannot compel your consent. We urge it, however. You can refuse and stand trial for your offense. But after examination of all surrounding facts, including your character, family ties, history and the nature of the crime for which you are charged, if there is indicated a spark of rehabilitation and expiation and cure and that spark can be rekindled, then with your consent you can be assigned to a hospital or clinic for treatment. Will you cooperate? If so, the judge will place you in the custody of the Surgeon General or the Attorney General, as the case may be, for treatment and cure."

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. YATES. Has the gentleman stated what the attitude of the Commissioner of Narcotics is with respect to this bill?

Mr. CELLER. I said that the Commissioner of Narcotics is in favor of this bill.

Mr. YATES. I thank the gentleman.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. JOELSON. Mr. Chairman, I want to compliment the House Judiciary Committee and its distinguished chairman, the gentleman from New York [Mr. CELLER], for reporting this bill. It certainly has my own complete support.

My experience as a deputy attorney general of New Jersey in charge of criminal investigation and as a prosecutor of a county have convinced me that it is inhumane as well as futile to punish drug addicts as criminals.

I deem it essential that apprehended addicts who are not peddlers be treated for their addiction.

I have introduced legislation calling for greater emphasis on the treatment of addicts in the past several sessions of Congress, and I urge my colleagues to pass this Narcotics Addicts Rehabilitation Act decisively.

Mr. YATES. I asked the gentleman to take the additional time in order to suggest that the gentleman from Iowa, in his statement that the bill tends to sabotage his votes on previous bills, is overlooking the fact that the Commissioner of Narcotics approved previously nondiscretionary powers in the court with respect to offenders. If in fact the Commissioner approves this bill, as the gentleman has indicated, he has recommended that the nondiscretionary aspects of the previous bills be changed in accordance with the recommendations of the gentleman's committee. Is that correct?

Mr. CELLER. That is correct.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Illinois.

Mr. McCLORY. I would just like to point out that in a report of the Advisory Committee appointed by the President, which recommends civil commitment, the Commission recommends this legislation and debunks the effectiveness of the mandatory penalty provisions. The report states as follows:

> The Bureau of Narcotics maintains that the present severe penalties act as a powerful deterrent. The Commission—

That is, the Presidential Commission—

does not agree.

Then they go on to say:

> The weakness of the deterrence position is proved every day by the fact that the illicit traffic in narcotics and marihuana continues.

In other words, the Bureau of Narcotics does support the continuance of the stiff mandatory penalties with regard to narcotic offenders, and the President's Advisory Commission disagrees with that view of the Bureau of Narcotics. So I think there is a discrepancy between this bill and what the Bureau of Narcotics supports.

Mr. McCULLOCH. Mr. Chairman, I yield 10 minutes to the gentleman from Virginia [Mr. POFF].

The **CHAIRMAN.** The gentleman from Virginia is recognized for 10 minutes.

Mr. POFF. Mr. Chairman, we who signed the minority views are not opposed to the concept of civil commitment for narcotics addicts. On the contrary, we applaud the concept and we are prepared to promote this new experiment with the earnest hope that it will be successful. What we oppose is preconviction civil commitment, that is, commitment before trial. What we support is postconviction civil commitment. The timing of the beginning of the experiment is what is at issue.

Title I of the bill would begin the experiment between the time the criminal charge is made and the time the trial commences. We propose that the experiment begin between the time the jury has returned the verdict—or the accused has pled guilty—and the time the judge imposes the sentence.

Under title I, if civil commitment is granted, the accused can escape both the criminal penalty and the criminal trial. Under the amendment which will be proposed for us by the gentleman from Michigan [Mr. HUTCHINSON] the accused may escape the criminal penalty and the criminal record which goes with it, but he cannot escape the criminal trial.

In our Anglo-Saxon jurisprudence, the right of society to create criminal laws and impose penalties for their infraction is nothing more or less than society's right to protect, preserve, and perpetuate itself. In order to be perfectly fair and wholly effective, those laws must be applied with an even hand to every member of society. Once a charge of a violation of one of these laws is lodged, it is important that the truth of falsity of that charge and the guilt or innocence of the accused be established. It is important to the accused; it is important to the well-being of a well-ordered society.

Inferentially, the committee bill recognizes this fact. Title II gives the judge the right after the jury has returned a guilty verdict to commit the convicted person to an institution for treatment in lieu of imposing a jail sentence. The Hutchinson amendment supports and reinforces title II. After the accused has pled guilty or after the jury has returned a jury verdict, the judge proceeds to make three findings. If he finds that the convicted person is a narcotics addict, that the crime he committed was related to his addiction and that he is likely to be rehabilitated through treatment, then he withholds pronouncement of judgment and imposition of the criminal penalty and commits the addict to a treatment institution for a period up to 10 years but not longer than the maximum penalty fixed by the statute under which he has been convicted. Thereafter, he is entitled to all of the other benefits and procedures of title II and if he is cured, judgment on the verdict is never imposed and no criminal record is ever registered.

It will be seen that the Hutchinson amendment requires the judge to find that the crime of which the accused was convicted was related to his addiction. Title I of the committee bill has no such requirement. Indeed, there need be no causal connection whatever. The judge is not even required to find that the accused was an addict when he committed the crime. All the judge need find is that at the moment the eligible accused appears before the bench he is an addict who is likely to be cured of his addiction by treatment. On this point, the position of the Judicial Conference was clearly stated in the hearings:

> It is the opinion of the Conference that an addict charged with an offense against the United States, other than one related to his addiction, should not be relieved of the obligation to answer the charge merely because he is an addict. The availability of such relief would place a premium on the drug addiction and would result in an inequality in the administration of criminal justice.

Title I makes two other dramatic departures from established precepts of our criminal law. First, it creates a new excuse for commission of crime. Second, it excuses the accused from the trial of his charge. Excuses for crime are rare. Mental incompetence is one. Even it is unavailable unless a casual connection between the mental condition and the criminal act is established. And it is available only after the accused is brought to trial.

There is yet another reason why the Hutchinson amendment, which brings the accused to trial, should be adopted. Title I raises a question of due process. Clearly, the accused could not make a sixth amendment objection for the want of a speedy trial, because he waived that right when he chose civil commitment rather than a prompt trial. However, if the treatment fails after 3 years and he is returned to court to stand trial, he might very well make a due process objection based on his loss of an effective defense resulting from the Government's negligence and malpractice in the treatment process. Under title II as modified by the Hutchinson amendment, the trial is held while the evidence is still fresh and the witnesses are available and there is no occasion for such a due process challenge.

I must also subscribe to the objections raised by my colleagues in their separate views. A peddler of narcotics is the chief link in the addiction chain. He is the one who causes the very problem we are trying to solve. His crime is the creation of other criminals. Surely, his crime should not be excused, his penalty forgiven and his trial suspended simply because he has addicted himself. Neither do I think this Congress should repeal the mandatory minimum sentences for narcotic and marihuana offenses the Congress wrote into the Boggs-Daniel Act just because the accused happens to be in the 22 to 26 year age bracket. Title III extends the provisions of the Federal Youth Corrections Act to such offenses so that the offenders can receive indeterminate rehabilitation sentences in lieu of criminal penalties. Manifestly, since titles I and II would give similar relief to all age groups if the accused is an addict, title III must be intended to cover young narcotics violators who are not themselves addicts. Wisely, the Federal Youth Corrections Act excluded these offenses because of the gravity of their consequences on society. We should maintain that exclusion and enforce mandatory sentences which all authorities testify have been a successful deterrent.

The amendment which will be offered by the gentleman from Michigan [Mr. HUTCHINSON] is not frivolous, vexatious, or dilatory. The controversy out of which it grows cannot properly be labeled "Democrat versus Republican" or "conservative versus liberal." Indeed, we who favor the amendment support the enlightened concept of civil commitment. We want only to conserve what we regard as a fundamental tenet of Anglo-Saxon jurisprudence. That tenet is that one who stands charged with a violation of a criminal statute shall answer the charge and stand trial.

In summary, what we opposed is preconviction civil commitment; what we support is postconviction civil commitment.

Mr. DOLE. Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield to the gentleman from Kansas.

Mr. DOLE. What happens in a case where a man is arrested, pleads addiction, and is then civilly committed? Let us say he is not satisfactorily rehabilitated. Can he be brought to trial at some later date for the crime he committed initially?

Mr. POFF. If he is civilly committed and the treatment is a failure, he can be returned to the court and tried on the charge as long as 3 years later.

Mr. DOLE. Does he get into the problem of a speedy trial or due process of law?

The **CHAIRMAN.** The time of the gentleman has expired.

Mr. McCULLOCH. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. DOLE. If the gentleman will yield further, in other words, can he raise that as a defense?

Mr. POFF. Having voluntarily chosen the civil commitment route, he would likely be held to have waived his right to make a sixth amendment objection on account of lack of speedy trial, but he might raise a due process objection for the loss of an effective defense because the Government bungled the job of treatment and he no longer has available the witnesses and the evidence which he otherwise might have had.

Mr. DOLE. How many times can he go through this process before he is finally brought to trial and is either convicted or acquitted of the charge?

Mr. POFF. It is possible for an accused to be committed under title I, undergo the entire 3 years of treatment and then, the treatment having failed, be returned to the court, stand trial, be convicted, and then be committed again for an indeterminate period under title II.

Mr. DOLE. As I understand title I of this act, it was primarily patterned after the so-called Metcalf-Volker Act in the State of New York. The Metcalf-Volker Act has at least two features which, as far as I can tell, are not in title I. Under the New York law, if an otherwise eligible addict is admitted to bail between the arrest and trial, he becomes ineligible for civil commitment. It allows the authorities to observe closely what additional symptoms appears, which is the only accurate way to tell if he is addicted. This does not appear in the act before us now.

Mr. POFF. We contend, if title I is retained in the bill in its present form, that at least these two essential safeguards currently in the New York statute should be included in title II.

Mr. DOLE. In other words, then, under the law we are considering now, if he is arrested and is bailable, then he could be out on bail for months and months and months before trial and possible commitment?

Mr. POFF. The gentleman has stated the proposition correctly. Might I add that after the passage of the bail bond bill now pending and ready for floor action, it will be possible for such a person to be admitted to bail upon his own recognizance only.

Mr. DOLE. I understand that we are taking up the bond bill later on this week, and may be defeating the purpose of what may be done here now.

One other question. What about a man who is addicted to the use of alcoholic liquors who may be charged with embezzlement? Does he have any relief under this act, or is he treated differently than the drug addict?

Mr. POFF. The law applies only to drug addicts and not to alcoholics. Most people agree that alcoholics are victims of a disease just as well as drug addicts are. Nor does it apply to the compulsive gambler. Many people think that a compulsive gambler is a victim of a disease, also.

Mr. DOLE. In other words, they are tried and sentenced and not civilly committed. Is that it?

Mr. POFF. Exactly.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McCULLOCH. Mr. Chairman, pursuant to agreement, I am now pleased to yield to the gentleman from New York [Mr. FARBSTEIN] 3 minutes.

Mr. FARBSTEIN. Mr. Chairman, I thank the gentleman.

Mr. Chairman, I am very much in favor of this bill. I believe that this will be the beginning of a new era in the treatment of these poor unfortunates.

However, I believe the bill falls a little bit short of being satisfactory.

Mr. Chairman, the bill contemplates a treatment and rehabilitation program, but it does not contain a provision for Federal assistance in order to make sure that adequate facilities and services are available.

Mr. Chairman, the figures are somewhat confused, but I understand that there are about 27,000 addicts in New York State, but that there is only one so-called hospital as I understand it in which to treat them, which hospital has about 120 beds.

Now, Mr. Chairman, how in God's name are we ever going to give rehabilitative treatment to this great number of addicts if we do not make some provision whereby they can be treated?

Mr. Chairman, because of this oversight, I intend to introduce an amendment which, if adopted, would authorize Federal assistance on a matching basis to expand and improve rehabilitation facilities.

Mr. Chairman, my amendment would authorize for this purpose the sum of $7 million annually for 3 consecutive years.

Now, Mr. Chairman, I understand that this is wholly inadequate. I believe this should be doubled and even tripled. But I suppose it would be extremely difficult to obtain any such appropriation.

However, Mr. Chairman, how can we ever hope to be successful with this program unless we make some provision whereby these men can be rehabilitated?

The chairman of the Committee on the Judiciary said a moment ago that it would cost about $5 million merely for additional penal assistance and nothing at all is done for the very purpose for which this bill has been presented to us.

How can we ever hope to overcome this serious illness in human beings unless we make some provision whereby they can be rehabilitated in hospitals?

How can we ever hope, with 120 beds in New York State, with about almost 30,000 addicts, I believe, to be really serious about doing something for these poor unfortunates, unless the House will accept my amendment when offered at the proper time? We will at least open the door for some money to be appropriated so that there can be matching assistance by the Federal Government to the State governments in order that some effective work can be done in this field.

Mr. Chairman, I would like to take this opportunity to commend the distinguished Judiciary Committee for reporting out a bill providing civil commitment for drug addicts in lieu of criminal punishment for certain criminal offenses. We all know that America is faced with a growing drug problem and that constructive Federal action is necessary. We are told that New York City alone has half of the total drug addicts in the United States. This is a frightening and distressing realization. All too often in visits to my district, I see the human suffering and personal hopelessness of young and old addicted to drugs. I intend to support this measure not only for these people but for drug addicts throughout the Nation.

Mr. Chairman, I am concerned that the bill before us falls short of being satisfactory. The bill contemplates a treatment rehabilitation program but does not contain a provision for Federal assistance to make sure that adequate facilities and services are available.

I intend to introduce an amendment which authorizes Federal assistance to States on a matched basis to expand and improve rehabilitation facilities. My amendment would authorize for this purpose $7 million annually for 3 consecutive years.

I am aware of the many social and military obligations to which this Congress is committed. I am equally aware that all these programs have a cost which ultimately bears on our fiscal position. However, Mr. Chairman, in this bill Congress has an opportunity to take an important step in dealing with this great problem.

All existing data and information indicates that the limited number of facilities throughout the country are already filled to the point of being overtaxed. Without some provision to expand these facilities, I seriously question whether the civil commitment program can be effective and meaningful. I urge my colleagues to support this amendment.

Frankly, were it not for the serious fiscal drain as a result of the Vietnam situation, I would recommend additional funds for construction of new facilities. This would not be prudent or desirable at this time. Congress, however, must take steps to provide some minimum facilities to rehabilitate people who have become slaves to narcotics. The hard-core drug addict must receive direct aid aimed at correcting underlying emotional disorders if he is to achieve any freedom from the drug habit and return to the ranks of useful, productive citizens. We have before us today a bill which with this modest amendment can move America along this line.

Mr. McCULLOCH. Mr. Chairman, the gentleman from New York [Mr. OTTINGER] has requested of me 5 minutes. I now yield that amount of time to the gentleman from New York [Mr. OTTINGER].

Mr. OTTINGER. Mr. Chairman, I want to congratulate the chairman of the full committee and subcommittee for the excellent and thorough job they have done on this legislation.

The problem of narcotics addiction is a matter of particular concern to me and to my constituents in Westchester and Putnam Counties. Living as we do on the borders of New York City, with the largest concentration of addicts in the Nation, we know at first hand of the dreadful contagion of the disease and the misery and crime that it brings upon communities and families as it spreads. It is important to note that the incidence of this dread disease is not restricted to slum areas—it has spread to the most affluent of suburbs.

Over the 10 years preceding 1965, arrests for narcotics violations in Westchester County alone jumped almost 1,300 percent, from 23 to 323.

In 1964, the most recent year for which I have complete statistics, 12 persons in Westchester died as a result of addiction, a number equal to the total of such deaths in the entire preceding 5 years. The fact that 10 of those 12 who died were under 21 years of age reveals the true nature of this tragedy. What more compelling argument could there be for the need to act?

No one pretends that there is any single answer to this challenge. It must be attacked on many fronts.

We need new and expanded programs of research to determine the true causes and to perfect cures.

We must improve enforcement and provide stiffer penalties and surer justice for the criminals who profit from the addict's misery.

We must initiate modern up-to-date education campaigns to arm our youth with information to resist the contagion.

We must expand our treatment and aftercare facilities.

These are urgently needed programs, but none is more important than reforming our antiquated legal system to take account of the fact that addiction itself is an illness, not a crime. Such a reform will allow us to apply new medical techniques, to cure the disease, and halt the contagion, not spread it as we do now in a hopeless cycle of imprisonment and crime.

The Narcotic Addict Rehabilitation Act of 1966—H.R. 9167—before the House today is such a step. When I first introduced this bill on June 16, 1965, as H.R. 9159, I called it "the first new legislative approach to the problem of addiction since the Harrison Act of 1914." This judgment is more than borne out by the voluminous testimony before the House Judiciary Committee, but nowhere is it more dramatically supported than in the charges of the small minority who would modify key sections of this bill.

Briefly, this measure would make three changes in existing law. It would permit the courts to commit certain addicts charged with minor—and I stress, minor—Federal crimes to treatment without the stigma of criminal conviction. It would permit the courts to sentence certain convicted addicts to treatment, rather than to unproductive punishment. And it would correct inequities in the law that bar some youths from rehabilitation.

The primary concern of those who oppose this bill is the fear that title I, which provides for civil commitment, will weaken our enforcement and punishment of criminals.

Let us test their fears against the facts. The civil commitment provision marks a significant advance in our legal procedure, but it does not in any way change the fundamental authority being exercised by our Federal law enforcement officers or our Federal courts. What we are going to do is not change the basic law, but to expand it by opening up a new alternative for treating the very small number of addicted individuals whose principal offense is that they are sick.

The alternative of civil commitment proposed in title I is not open to addicts charged with crimes of violence, to habitual offenders or to nonaddict dope peddlers. In fact, no addict may claim this option as a right. It is a privilege to be granted by the Federal judge and the Federal attorney acting with the advice and consent of the Surgeon General. Under the terms of this act is to be a privilege that must be earned and the addict who fails or misbehaves returns to face the original charge.

I suspect that some fears may be rooted in a vision of a sweeping reform that will swamp our courts and create confusion.

To be sure there are a large number of addicts in America—between 150,000 and 200,000 we are told. Only a very few of these, however, come before the Federal courts covered by this act, and even fewer would be affected by the bill. The Director of the Bureau of Prisons testified that between 1,200 and 1,500 drug users are committed to Federal institutions each year.

Obviously only a very small fraction of the total could conceivably be eligible for civil commitment, or for the sentencing for treatment provided in title II, for that matter.

Probably the most important consequence of this bill will be the leadership it provides for emulation by State legislatures for State courts and enforcement agencies that handle the vast majority of narcotics prosecutions. New York and California have recently passed laws, taking an approach similar to that established in this legislation.

With the enlightened leadership of the distinguished chairman and members of the Judiciary Committee, we have fashioned an important new tool with which to try new approaches to the solution of our mounting addiction problem. I urge my colleagues to reject the timidity that would dilute this measure or blunt its effectiveness. Now is the time and this is the proper way to bring our legal structure up to the high standard of modern American medical knowledge and ability.

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. OTTINGER. I would be glad to yield to my colleague, the gentleman from New York [Mr. Reid].

Mr. REID of New York. Mr. Chairman, I would just compliment the gentleman from New York [Mr. Ottinger] upon his concern for the prevention and treatment of narcotic addiction and for providing the necessary facilities with which to accomplish it as well as for his support, bipartisan support, for this legislation which is so badly needed.

Mr. OTTINGER. Mr. Chairman, I thank the gentleman from New York.

Mr. TENZER. Mr. Chairman, will the gentleman yield?

Mr. OTTINGER. I am glad to yield to the gentleman.

Mr. TENZER. Mr. Chairman, I commend the gentleman from New York for bringing to the attention of our colleagues the fact that drug addiction knows no geographical boundaries and is not confined to the big cities. I come from Nassau County, just as the gentleman in the well comes from Westchester County in the State of New York. We have recently had disclosures in our county of drug addiction amongst high school students, who under this bill, would be able to voluntarily commit himself for a 3-year period for a cure from his addiction in lieu of standing trial for a minor Federal offense.

Mr. Chairman, I commend the gentleman for his initiative in this field.

Mr. McCULLOCH. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. Kupferman].

Mr. KUPFERMAN. Mr. Chairman, I am pleased to support this most significant piece of legislation introduced by the distinguished gentleman from New York [Mr. Celler] which I believe will go a long way toward combating and controlling the increasingly shocking problem of drug addiction and narcotics.

It was my privilege, as one of my first legislative acts, to continue in the Lindsay tradition and to join with Senator Javits in introducing a series of four bills designed to deal with the problem of narcotics and drug addiction.

I welcome the opportunity to support title I of this bill, which is substantially the same as my bill, H.R. 13762, because I firmly believe that only through civil commitment in lieu of criminal punishment can we realistically and effectively deal with the problem of narcotics addiction from a rehabilitative rather than a punitive point of view.

I also support titles II and III of this bill, the major provisions of which are in my bill H.R. 13765. It is extremely important that legislative attention is paid to the proper supervisory aftercare following the institutional treatment of the narcotic addict.

It is my view that the present mandatory sentences imposed upon addicts should be modified to permit Federal courts greater discretion in the employment of probation and sentence suspension and programs of parole. My position is that there should be an end to the existing 5-year minimum sentence imposed upon narcotics addicts. I refer only to the addict and not to a "pusher."

I favor title III of this bill because it will permit greater flexibility and discretion to be exercised by Federal parole authorities which I believe is necessary in order to accomplish eventual rehabilitation of the addict, and particularly the young first time offender.

Mr. Chairman, this bill represents a needed step forward in the increasingly difficult fight against narcotics addiction.

We must not, however, stop here. Adequate facilities are not now available to treat the narcotics addicts. If we are to take a rehabilitative approach toward the addict, we obviously must be prepared with adequate facilities.

I have introduced legislation which would authorize Federal grants to the States on a matching two-thirds–one-third basis to construct treatment and rehabilitation facilities for drug abusers (H.R. 13763). In addition, I have introduced legislation (H.R. 13764) which would establish a $7,500,000 annual program to support the existing programs of the States in providing job training, family counseling, psychiatric care and a wide range of other services.

Hopefully legislation along the lines of these two bills will also be enacted in order to carry forward a full and comprehensive program on combating the narcotics problem.

In the meantime, I fully support this bill before us as a significant advance in the fight against the vast problem of narcotics and for the treatment of the drug user.

Mr. McCULLOCH. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. CAHILL].

Mr. CAHILL. Mr. Chairman, I rise in support of this legislation.

As a member of the committee, I am delighted to see that it is receiving bipartisan support.

In my judgment, this is very, very necessary legislation. While in some respects it does leave a great deal to be desired, I think it is a very important step in what I hope will be a more intelligent approach to law enforcement in this country.

There is one thing I want to point out, however. In my humble opinion at least, dope addiction or drug addiction is not always the disease. Sometimes it is merely the symptom of what is the real serious disease. As the gentleman from Kansas pointed out, what can be said of drug addiction can also be said of alcoholism and many of the other diseases which in many instances are the cause of crime in this country.

I think what this legislation will do, however, is to give our knowledgeable scientists an opportunity to find out what motivates those who are drug addicts and it will give us a chance to make a study in depth as to why youngsters coming from wonderful homes—so-called—with every advantage in life, are using drugs.

I think we are going to find some very interesting things. We are going to find emotionally disturbed youngsters who through no fault of their own—perhaps there is some environmental problem going back perhaps to their childhood, are showing the symptoms of their emotional disturbance through the escape hatch of drug addiction.

My hope is that after a couple of years of experience in this field, perhaps we will come to a realization that we must do more in the early formative days and years and perhaps take some important steps in the Congress of the United States to relieve what are really the basic causes.

Mr. McCULLOCH. Mr. Chairman, I yield to the gentleman from New York [Mr. REID] such time as he may desire.

Mr. REID of New York. Mr. Chairman, I rise in strong support of the bill, H.R. 9167, the Narcotics Addict Rehabilitation Act of 1966.

As the distinguished minority member of the Committee on the Judiciary knows, I introduced a series of four bills in the House of Representatives and was joined by my colleague, the gentleman from Ohio [Mr. McCULLOCH], the gentleman from Illinois [Mr. SPRINGER], the gentleman from New York, Mr. Lindsay, the gentleman from California [Mr. BELL] and the gentleman from Maryland [Mr. MATHIAS].

These bills we cosponsored would—

First. Authorize the pretrial civil commitment of selected addicts charged with narcotics offenses.

Second. Modify the now mandatory prison sentences imposed on narcotic addicts to allow Federal courts more latitude in the use of parole, probation, and sentence suspension. These revisions would be of particular benefit in rehabilitating young, first-time offenders.

Third. Establish a Federal-State two-thirds to one-third matching grant program to provide a wide range of services, job training, family counseling, and psychiatric treatment to drug abusers.

Fourth. Create a Federal-State two-thirds to one-third matching grant plan for the construction or acquisition of needed facilities for medical treatment and rehabilitation programs for drug users.

Identical legislation was introduced in the Senate by Senators JACOB K. JAVITS and ROBERT F. KENNEDY. In addition, a number of other Congressmen in both the House and the Senate have joined this bipartisan effort. Today part of this legislation, somewhat changed, is reaching the floor of the House.

As a sponsor of similar legislation, I strongly urge the House to act on H.R. 9167. It will authorize civil commitment before trial of selected addicts who, in the opinion of the Surgeon General and the court, are likely to be rehabilitated through treatment. The legislation would also provide for the treatment of selected addicts after conviction.

In my judgment, one of the most significant elements of the legislation is the supervised aftercare that will be available to the addict. This includes a wide range of services such as medical, educational, psychological, vocational training, and corrective guidance.

Our experience with narcotic addiction in the Federal hospitals at Lexington, Ky., and Fort Worth, Tex., has not been encouraging. Most experts agree that an important factor in our failure to cure addiction is that the addict returns to his old environment and easily succumbs to the various social and emotional pressures that probably helped to cause his addiction in the first place.

With this legislation we are attempting to get at the basic causes of addiction and to equip the addict with the medical treatment and rehabilitative training he needs to help him become a useful member of society.

Mr. Chairman, it is unfortunate, however, that the committee did not include in this legislation a Federal-State matching grant program for the construction of facilities for the treatment of these addicts. The civil commitment procedure that we are adopting, I hope here today, is just a beginning. What is to happen to the addict if there are no facilities? What is to happen to the addict who might be committed under this law? As I understand it, the answer is that he will not be committed even if otherwise eligible because the Surgeon General may have to certify that adequate facilities or personnel for treatment are unavailable.

So I hope that the House at an early date will consider legislation providing for the construction of facilities. This is clearly and drastically needed in New York and in Westchester County. While what we are doing today is an important beginning, I believe it is only a beginning, and we must take the other additional steps.

Mr. McCULLOCH. Mr. Chairman, I now yield to the gentleman from Michigan [Mr. HUTCHINSON] 10 minutes.

The CHAIRMAN. The gentleman from Michigan is recognized for 10 minutes.

Mr. HUTCHINSON. Mr. Chairman, the committee, in its report on this bill, describes it as "a fundamental reorientation toward the problem of addiction." Indeed, it is. Under title I of this bill, a man is taken into custody and charged with a Federal offense. The offense can be either a misdemeanor or a felony, but the crime must have been nonviolent and it must be an offense under Federal law. A man charged with violation of a State law will not come under this bill.

Charged with a Federal nonviolent crime, the defendant is taken before a U.S. commissioner for preliminary hearing and bail is set. It is important to remember that under this bill the U.S. commissioner has no power to initiate its beneficent procedures. The defendant standing before him may very obviously be a narcotics addict, but the commissioner may do nothing differently under this bill than he has always done—because section 2902 states that it must be the U.S. district court who believes the defendant to be an addict—and the committee intends that to mean the Federal judge, not the commissioner. So, the civil commitment procedures of title I will not begin to operate until a man is arraigned under the indictment of a grand jury or an information. This event may not occur until several weeks after the man is first picked up and taken into custody. In the meantime, he remains under the criminal charge, out on bail or—if the new bail legislation becomes law—out on his own recognizance. He is back on the street. The proponents of this procedure, however, plead for it as a way to get the addict off the streets quickly. It just will not work that way as the bill is drawn.

Under title I of this bill, a man charged with a Federal nonviolent crime who is determined to be an addict may never answer for his offense. But a defendant nonaddict will be tried and convicted if he is guilty. Suppose two men before the bar of justice charged with embezzling from a national bank. One of them is an addict, the other is a compulsive gambler. Title I of this bill will excuse the addict of his crime. The compulsive gambler, victim of an addiction of a different kind, will be tried and have a criminal record. Is this equal justice?

The people, society as a whole, are entitled to a determination of guilt for the violation of their criminal laws. The addict defendant, just as the nonaddict defendant, is a man charged with crime. His guilt or innocence of that charge should be tried and determined, as a matter of public policy.

Excuse of liability for crime is rare in our system of jurisprudence. When it does occur, it is based on a lack of mental competence. But even then, the criminal is in most cases tried and society's right to a vindication of violation of its laws is upheld. The bill before you does not bring the culprit to trial at all, or so very tardily as to amount to a denial of justice through delay. The U.S. district attorney, armed with all the evidence necessary to convict the defendant accused of the crime, is thwarted in his duty by reason of a physical fact wholly unrelated to the offense—the fact of narcotics addiction. The accused cannot be tried, because he is an addict—not because of a lack of evidence, not because of mental incapacity—but because he is an addict. Now, very few people would concern themselves about any frustration the district attorney might feel because of this circumstance—but the frustrated party is not the district attorney and his office so much as it is the people. The right of society to have guilt for crime determined is being frustrated by title I of this bill. And when the committee in its report talks of a "fundamental reorientation" it does not overstate its case.

Pursuant to title I as it stands, the Federal judge may commit the accused civilly to the treatment of the Surgeon General, and the criminal charge is held in abeyance. Let us suppose the whole 36 months for treatment expires and the Surgeon General cannot even then certify the man to be cured. This is a likely situation, since the most favorable statistics indicate there is not more than a 50–50 chance of cure. The man is then returned to court for a resumption of the criminal charge against him. The case is stale. The accused, having voluntarily agreed to take the cure in lieu of a speedy trial, of course, cannot plead a denial of his right to a speedy trial. But what of the right of the people. The case, let us assume, does not involve any violation of the Federal narcotics laws. The case of the people against the accused does not rest on the testimony of a Federal narcotics agent who is readily available even after 3 years but upon the testimony of private citizens, who have in the meantime died or disappeared, or whose memory fails after so long a time. The district attorney finds a stale case on his hands.

Or, let us assume the Government's case can still be made. What of the rights of the defendant? After 3 years his witnesses, real or imagined, have most certainly disappeared. How is justice served under those circumstances? Let us assume another situation. The accused was under the treatment of the Surgeon General for 3 years, returned to court uncured. The accused claims he was curable, that the treatment given him by the Surgeon General was inadequate, or negligent, and that if proper treatment had been given he would have been cured. In the meantime, his defense witnesses have disappeared, he cannot establish his alibi, and he would not have been required to stand trial if the Government had properly treated him. What then? We have added due process problems presented, all as a result of delay in determining the guilt of this man for this crime. Justice delayed is justice denied, not only for the accused but for the people.

Proponents of title I put great stock in the absolute discretion vested in the Federal judge as to whether a particular addict-defendant shall be granted the course of civil commitment and treatment in lieu of trial. Once civil commitment is offered, the addict-defendant is examined by the Surgeon General to determine the fact and extent of addiction and also to determine the likelihood of rehabilitation through treatment. The judgment of the Surgeon General as to the likelihood of cure is added to that of the judge, and so, it is said, only those with a prognosis of cure will actually be diverted from the regular course of criminal procedure. The percentages under these conditions should be much more optimistic than statistics of the past show forth. The inference is that the courts will use the course of civil commitment before trial quite sparingly.

But examine the procedure carefully. The judge, believing a defendant before him to be an addict, offers him civil commitment and treatment in lieu of trial. Having made the offer, the absolute discretion of the court is at an end. From that point onward the accused addict-defendant acquires at least due process rights under the provisions of title I. While he is at the outset given only 5 days in which to elect the offer, that time for election may be extended on a showing that a timely election could not for some reason be made. Then he submits to incarceration for 30 to 60 days in the custody of the Surgeon General for examination. The Surgeon General's report and recommendation as to whether the accused should be granted civil commitment must be made available to the accused, and therefore to his lawyer—and for what purpose? Obviously to accord the accused his due process rights to attack the report and recommendations. Here, then, are just a couple of pretrial issues added to the caseload of the court, created by title I of this bill, and there are undoubtedly others.

Further, it is altogether possible that the so-called absolute discretion of the judge as to whether he shall offer an accused the opportunity to establish himself as an addict eligible to civil commitment in lieu of a criminal record may not be so absolute after all. Requirements of due process may demand that all defendants who say they are addicted be examined to determine their eligibility under title I. I envision that such will be the practice. Such a development in the law will supplant the so-called absolute discretion of the district court with a full-fledged appellate procedure on the question of eligibility for civil commitment in lieu of criminal trial.

Debate on this bill repeatedly reminds us that narcotic addicts are sick people, just as alcoholics are sick. They need cure, not punishment. The Attorney General in his testimony stated that for too long the law has stressed punitive solutions and neglected medical and rehabilitative measures. This bill, it is said, represents a bold new approach.

That argument confuses the issue in this bill. Title I does not propose to forgive a crime of drug addiction in exchange for a cure. Drug addiction is not itself a crime. A drug addict may be a sick person, physically or psychiatrically, but he has committed a crime—any nonviolent Federal crime. There may be many persons accused of crime who are sick people—perhaps all of them are in a sense—but the fact of their physical or psychiatric illness does not divert them from the course of criminal justice. The addict who stands before a Federal judge, charged with a Federal crime, is in no different situation than other accused—or least we do not think he should be. Those of us in the minority on this bill—there are six of us—believe the sick addict should stand trial, just as the sick alcoholic or the sick compulsive gambler, or the sick incurable who steals or embezzles under the delusion that he can in that way provide a competence for his family after his decease.

For that reason, we oppose title I of this bill, which provides for civil commitment of an addict-defendant without trial for the crime of which he stands charged.

But we are not opposed to the treatment of narcotic addicts and we hope for their successful cure. We see in title II of this bill a sound, forward-looking approach to the problem. Under title II a man is tried for his crime and convicted. Then, as an alternative to sentence, the court may commit him to the Attorney General for treatment and aftercare seeking a cure for his addiction. Title II accords to the people—to society—their right to have the guilt for crime determined. We believe title I should be stricken. An amendment will be offered to strike it and to provide for a so-called civil commitment after a finding of guilt. We agree with the position of Mr. McCLORY, Mr. McCULLOCH, and Mr. MACGREGOR.

Mr. SENNER. Mr. Chairman, will the gentleman yield?

Mr. HUTCHINSON. I yield to the gentleman from Arizona [Mr. SENNER].

Mr. SENNER. Does the gentleman recommend that an amendment be added here to include alcoholics and compulsive gamblers?

Mr. HUTCHINSON. No, I do not; because it is my position that people who are charged with crimes should be tried and their guilt be determined.

Mr. SENNER. I thank the gentleman.

Mr. DOLE. Mr. Chairman, will the gentleman yield?

Mr. HUTCHINSON. I yield to the gentleman from Kansas.

Mr. DOLE. Is there any limit on how long a person might be out on bail after his arrest and before the trial or before the commitment under title I?

Mr. HUTCHINSON. There is no such limit in the bill.

Mr. DOLE. Sometimes it is months or even years.

Mr. HUTCHINSON. Quite a long time. Yes.

Mr. DOLE. So actually you are not really getting at the problem to be dealt with on bail under the Federal proposal. As I understand the so-called Metcalf-Voelker Act of New York, once he makes bail he is not eligible for civil commitment, which seems to be a reasonable provision.

Mr. HUTCHINSON. The gentleman's understanding and mine coincide on that point.

Mr. ASHMORE. Mr. Chairman, will the gentleman yield?

Mr. HUTCHINSON. I yield to the gentleman from South Carolina.

Mr. ASHMORE. If I understand the question correctly of the gentleman who just spoke to the gentleman from Michigan, I think there is some misunderstanding or confusion as to what the situation is. If a person comes up for commitment and he is admitted for examination by the judge to determine whether or not he is an eligible person for commitment in the medical authorities' opinion, he is not then to be released on bail or upon his own recognizance. This is expressly provided in subsection (d) of the second section of the civil commitment title, title I of the bill.

Mr. DOLE. Mr. Chairman, if the gentleman will yield further, I understand that, but concede for the purpose of argument that he is charged with robbery and then he makes bail and he is released, as I understand it.

Mr. HUTCHINSON. Yes.

Mr. ASHMORE. He is not eligible anyway, if he is charged with robbery.

Mr. DOLE. Well, we will say that he is charged with embezzlement, not a crime of violence.

Mr. ASHMORE. Well, if it is a crime of violence, he is not eligible for consideration.

Mr. DOLE. Mr. Chairman, if the gentleman will yield further, if it is a crime of nonviolence and the accused is properly before the commissioner and makes bail, he could be out on bail for months or years, as I understand the laws in Kansas and in some other States, but this is not the case under the Metcalf-Voelker Act.

Mr. ASHMORE. Of course we are not dealing with the law of Kansas.

Mr. DOLE. I understand that and am thankful we are not.

Mr. ASHMORE. Mr. Chairman, I yield 4 minutes to the gentleman from Oklahoma [Mr. Steed].

Mr. SENNER. Mr. Chairman, will the gentleman yield before he proceeds with his statement?

Mr. STEED. I yield to the gentleman.

Mr. SENNER. I am sure, Mr. Chairman, that the subcommittee will extend more time to the gentleman from Oklahoma if he desires it, but in response to the gentleman from Kansas who has kept asking questions about bail, I would refer the gentleman to page 5, section 2902—wherein there is stated:

> If the United States District Court believes that an eligible individual is an addict, the court may advise him at his first appearance or thereafter at the sole discretion of the court—

Then, the individual has 5 days after he has been advised of various conditions of the civil case in which he has the opportunity to make an election. If he makes an election, there is no bail. He is then turned over to the trustee of the Surgeon General or the Attorney General.

Mr. STEED. Mr. Chairman, not being an attorney, I am not in a position to debate the legal phases of the bill now pending before us, but as chairman of the Subcommittee on Appropriations which handles the budget for the Bureau of Narcotics, it has been my privilege for the last 2 years to learn something about the work of this agency and to learn something about this problem. That is why I have come here today to add my voice in support of the purposes, as I understand this bill to have contained in it.

Mr. Chairman, I believe we have the most effective narcotics enforcement program going on now at the Federal level, both in the international and the national fields. We have had some remarkable improvements at the State and local levels in recent years with the enactment of new State laws.

Mr. Chairman, we have had a volunteer hospital program going on for some time.

It seems to me that we are now in a position to know that we have done about the maximum we can hope for in terms of cutting out smuggling and enforcing the laws of that area.

However, Mr. Chairman, the one thing I believe that we have some hope for is that we can make progress in the area of reducing the demand for these drugs by helping to cure those who have become victims of them.

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. STEED. Permit me just to finish a very brief statement.

Mr. Chairman, we know from experience that an addict does not have the will that is required to bring about his own cure. For that reason, I feel if we hope to cope with this problem of the curing of addicts, we will have to have some form of compulsion in order to make it possible.

Mr. Chairman, some things have been said here about the nature of this problem in this country. I would recommend that those who want to know more about it can find in the hearings of our subcommittee the statistics on the known addicts in the country, the known addicts by States, the known new addicts in the last year, the known new addicts as to the type drugs of which they are victims and the known addicts in other fields.

Mr. Chairman, I believe when one knows these statistics and studies the problem as it does affect all people in all walks of life and in all races and ethnic groups, I believe it is a situation that calls for a serious consideration of this type action on the part of all who know what the problem is.

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. STEED. I am happy now to yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Chairman, I would like to obtain some information on this subject.

I spent about 10 years working on this problem, and I have as much interest in this problem as any Member in the House of Representatives.

What is the statistic on how many addicts there are?

Mr. STEED. If my memory serves me right, when we speak of addicts, I am talking about heavy narcotics so-called.

Mr. BOGGS. I understand that.

Mr. STEED. We have, I believe—and I am citing this from memory—about 60,000 known addicts and most of them are located in three metropolitan areas.

Mr. BOGGS. How many did we have 20 years ago?

Mr. STEED. I do not recall from memory but it was considerably more than that.

Mr. BOGGS. All right, but we have less now than we had then?

Mr. STEED. That is correct.

The CHAIRMAN. The time for the gentleman from Oklahoma has expired.

Mr. McCULLOCH. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma.

Mr. BOGGS. How much has the population increased in the last 50 years? The population has been going up tremendously while the number of addicts has been going down.

Mr. STEED. That is what the record shows, yes.

Mr. BOGGS. And that indicates to me that we are doing a pretty good job.

Mr. STEED. I think we are doing an excellent job. I think we are doing all that anybody has a right to expect so far as the courts and the law enforcement people are concerned.

Mr. BOGGS. Then why are we trying to change this mandatory sentence provision that is in the existing law?

Mr. STEED. I think the two hospitals that we have been using prove that a lot of people who go there voluntarily are really not interested in being cured but are going there to reduce their addiction to drugs.

Mr. BOGGS. The gentleman is talking about something different from what I am talking about. If you want to send an addict to a hospital, that is one thing, but this law or this proposal goes way beyond that.

Mr. STEED. As I said before, not being an attorney I am not in a position to debate these technicalities.

Mr. BOGGS. What do you mean—technicalities? These are not technicalities—this is the guts of the thing.

Mr. STEED. I believe this—if you do not authorize this and give this power to require people to take this treatment, you are not going to do a substantial job in reducing the number of drug addicts.

Mr. BOGGS. There is much more in this bill than just that.

Mr. STEED. I am aware of that.

Mr. BOGGS. Of course, I support that provision in the bill. But what about the section here that abolishes the mandatory provisions in existing law which took us years to put into the law.

Mr. STEED. To be honest with the gentleman, I am not an attorney and I cannot debate that.

Mr. BOGGS. Then I will have to ask someone who is informed on the subject.

Mr. STEED. I have confidence in the gentlemen who prepared this legislation. I know there is very serious need to do something along this line and I am going to support the bill.

Mr. BOGGS. I agree with the gentleman that something is needed in the case of treatment of addicts after the commitment, and that leads me to ask another question of someone who is informed.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. BOGGS. Mr. Chairman, may I have some more time—this is a very important bill.

Mr. McCULLOCH. Mr. Chairman, I yield 1 minute to the gentleman.

Mr. BOGGS. After the court commits an addict—and let us say after he spends 6 months at Lexington or in Texas—at one of the hospitals—what happens after he gets out?

Mr. ASHMORE. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I am happy to yield to the gentleman.

Mr. ASHMORE. The gentleman from Louisiana is asking a question as to what happens at the present time? Ninety percent of them go back to the old environment and pick up their drug addiction habit.

Mr. BOGGS. My question is—what do you provide in this bill to change that?

Mr. ASHMORE. We provide aftercare and treatment—and he is not going to get out in a short period of time—he is sent to the institution for 3 years and he is going to be treated and given every possible advantage of the opportunity to be cured.

Mr. BOGGS. Where? Do you mean in the hospital?

Mr. ASHMORE. He is going to be under strict after-care and supervision of the authorities so that he will not, if we can possibly prevent it, go back to his drug addiction. That is one of the main reasons for the bill—that he will not return to his old environment of drug addiction.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McCULLOCH. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois [Mr. McClory].

Mr. McCLORY. I think in response to the question asked by the gentleman from Louisiana, the idea for the relaxation of penalties against narcotics offenders comes from this report of the President's Advisory Commission which was issued in November 1963, in which the Commission expressed definite disagreement with the Bureau of Narcotics as to the effectiveness of mandatory penalties. The Commission charged that mandatory penalties are not effective because there still continues to be narcotic addiction. Well, of course, there continues to be narcotic addiction. But the record shows that the effect of the mandatory penalties has been to reduce the incidence of addiction. Notwithstanding the increase in the population, as the gentleman pointed out, in a number of these serious areas such as Chicago, the number of new addicts has gone down.

The subcommittee did not recommend this provision in title III which gives the soft penalties to those between the ages of 22 and 26 who are narcotics offenders. The subcommittee eliminated those provisions and the full committee in putting those provisions back in, it seems to me, has taken the recommendation of this Advisory Committee which is in complete disagreement with the Bureau of Narcotics and in complete disagreement with the record insofar as the effectiveness of the Boggs-Daniels Act and the various State mandatory penalty provisions.

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. Mr. Chairman, I am happy to yield to the gentleman.

Mr. BOGGS. I do not want to take up the gentleman's time, but I can assure the members of this Committee that I am as much interested in the curing of drug addicts as anyone in this Chamber. But the evidence was overwhelming, as brought out in the subcommittee, on which I served as chairman for many years, that the only way to cure an addict was to follow through after he got out of the hospital and to have these social service and welfare people and employment agencies and these people who interest themselves in the welfare of other human beings to see that he does not return to his former habits and to his former addiction.

Mr. McCLORY. May I say in response to the gentleman's statement that these provisions are in titles I and II of the bill. Those provisions are adequate for the rehabilitation of narcotics addicts who are secondarily guilty of some minor criminal offense.

Mr. BOGGS. The gentleman is right. For years I have urged that the Public Health Service or whatever agency of the Government is involved which needs or may need additional funds or additional personnel to do this should be provided with the additional funds. But at the same time, for us to weaken this act which is designed, as I understand it, to help an addict—and I am sure all of us want to help the addict—as I say, at the same time for us to weaken the mandatory penalties, then we are just going to defeat what we are trying to do.

In our country we have had clinics that gave narcotics to people almost indiscriminately on prescription. We had one in my State, in Shreveport. At the turn of the century we had three times as many addicts in this country as we have today. The British system has been held up as a model, but as everyone knows, that system has been a dismal failure, particularly in recent years when some of the socialized legislation we now have in this country was developed there. To me it looks like that in an effort to help the addict, whom we ought to help, we are about to weaken one of our fundamental laws.

Mr. McCLORY. The gentleman is eminently correct. At an appropriate time I will offer an amendment to delete from the bill the provisions that would weaken the mandatory penalty. I will offer amendments that will make this program unavailable to those who are sellers of narcotics, no matter what excuse they may give for selling such narcotic drugs.

Mr. ASHMORE. Mr. Chairman, I yield 5 minutes to the chairman of the Judiciary Committee, the gentleman from New York.

Mr. CELLER. I want to say to the gentleman from Louisiana that the mandatory minimum sentence has not been as effective as the sponsors originally claimed it would be. I am now reading from the President's Advisory Commission Report on Narcotics and Drug Abuse. That Commission worked very closely with the Departments of State; Treasury; Defense; Justice; Health, Education, and Welfare. With reference to statutory penalties the report on page 39 states as follows:

> Present federal narcotics and marihuana laws set forth a complex pattern of offenses. For the present bewildering variety of offenses the present federal narcotics and marihuana laws prescribe a range of mandatory minimum sentences: They impose a minimum sentence of two years for a first offense of possession of narcotics of marihuana, and a minimum of five years for a second offense, and a minimum of ten years for any subsequent offense. They impose a minimum sentence of five years for a first offense of smuggling, selling, or otherwise transferring narcotics or marihuana, and a minimum of ten years for a second or subsequent offense. These laws forbid the probation or parole of any offender except a first offender whose crime is the possession of narcotic drugs or marihuana.
>
> These sentencing provisions have deprived the federal courts of almost all discretion in sentencing and have had discernible adverse effects. They have made rehabilitation of the convicted narcotics offender virtually impossible. Those who have dealt with narcotic offenders in the federal prisons agree that there is little incentive for rehabilitation where there is no hope of parole. Moreover, parole would provide for extensive supervision of the narcotic abuser following his release from prison.
>
> The Bureau of Narcotics maintains that the present severe penalties act as a powerful deterrent. The Commission does not agree. As the Commission pointed out in its introduction, it is difficult to believe that a narcotic addict who is physically and psychologically dependent on a drug will forego satisfaction of this craving for fear of a long prison sentence, or that a marihuana user obsessed by the "high" sensation of marihuana will think of the penalty that awaits him if he is caught possessing it. The weakness of the deterrence position is proved every day by the fact that the illicit traffic in narcotics and marihuana continues.

I think that is a complete answer to the argument of the gentlemen from Illinois, who is going to offer an amendment which might drastically change the bill.

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Louisiana.

Mr. BOGGS. In the first place, the gentleman knows that I have profound respect for his appreciation of the administration of justice in our country which he has demonstrated in this Chamber.

I would point out to the gentleman that the very language that he is reading from that report substantiates the point that I am making. The significant word in that paragraph or series of paragraphs that the gentleman read is the word "possession." There is the term "user." There is a tremendous difference between a drug seller and a trafficker in these narcotics.

I have no complaint about an effort to help the addict. I know that this is a most difficult addiction. Medical science shows very few people recover. So I say that anything I can do to help these people I am for. But at the same time to deny that those who traffic in drugs commit a crime, and the fact that once an addict is an addict and they can have the drug if they sell it is completely wrong.

There is nothing in our bill that would say that a smuggler or anyone who sells or is an avowed dealer in drugs or a wholesale dealer can go scot free and get a civil commitment.

We are not talking about smugglers.

Mr. CELLER. This whole thing lies within the discretion of the judge. He must take into consideration all the surrounding circumstances. He is not going to let go anyone who is a foul offender in this situation.

Mr. ASHMORE. Mr. Chairman, I yield 5 minutes to the gentleman from Arizona [Mr. SENNER], who is on our committee.

Mr. SENNER. Mr. Chairman, I rise in support of H.R. 9167.

Mr. Chairman, although I served as a member of the Judiciary Subcommittee which conducted the hearings into the problems of narcotic addiction, I claim no expertise in the field. Indeed, many of the knowledgeable witnesses who appeared before us freely conceded the vast complexities involved.

Narcotic addiction is, in the final analysis, a virulent disease unlike any other that besets man. It destroys the body and cripples the mind. Once it gains a foothold, the victim will go to any lengths—commit any crime—to feed this criminal hunger.

To a considerable extent, H.R. 9167 represents a breaking of new ground in the field of Federal legislation. It acknowledges and deals with the fact that drug addiction involves medical, psychological, and sociological factors as well as acts of criminality.

Surgeon General Luther L. Terry, testifying in behalf of H.R. 9167 on July 14, 1965, declared:

> I believe the programs it proposes for the treatment and rehabilitation of narcotic addicts are compassionate and constructive. They recognize that addiction is both a health problem and a law enforcement problem.

Attorney General Nicholas deB. Katzenbach also informed the subcommittee:

> While it provides a new and more open approach to addiction, it contains adequate safeguards. H.R. 9167 represents not a large step, nor a dangerous step, but a progressive step. It allows us to treat criminals as criminals but allows us to treat addicts when they can be rehabilitated. It provides an excellent process by which those who can be helped are selected from those who cannot or those who may be dangerous.

Without undertaking a detailed analysis of this legislation, which has already been provided, I would instead present a brief overview.

The purpose of H.R. 9167 is to provide for the treatment and rehabilitation of narcotic addicts when they are charged with, or convicted of, offenses against the United States. The bill provides for pretrial civil commitment of eligible persons to the custody of the Surgeon General for treatment and the alternative of postconviction commitment of eligible offenders to the Attorney General for treatment.

Further, H.R. 9167 would authorize the courts to consider whether narcotic and marihuana offenders between the ages of 22 and 26 are eligible for treatment under the provisions of the young adult offenders section of the United States Code, and would allow general provisions of law governing parole to apply to marihuana offenders.

Many minds have gone into the development of this legislation. Its specific provisions were largely formulated after extensive study by the Departments of Justice, Treasury, and Health, Education, and Welfare. It has extracted some elements from similar laws enacted by the States of California and New York. It reflects the influence of our great and distinguished committee chairman EMANUEL CELLER, of New York, who has devoted years of study to the problem of narcotics addiction. And finally, I want to commend my chairman of the subcommittee—ROBERT ASHMORE, of South Carolina—and my colleagues of the subcommittee and full committee for their dedicated and worthwhile contributions.

Let us clearly understand that H.R. 9167 is not an ultimate solution. It is a step forward—possibly even a faltering step, but a vital one nonetheless. I urge my colleagues to take this step.

The heart of H.R. 9167, Mr. Chairman, is housed in titles I and II which deal essentially with civil commitment and postconviction treatment. There are those who argue that title I permits trading of a crime for a cure regardless of whether the defendant's addiction had anything to do with his criminal act. Let me emphasize here, that no serious disagreement exists as to the broad aims of this legislation, but rather with the implementation.

Under title I, an individual charged with any offense against the United States is offered the choice of civil commitment instead of criminal prosecution, if the court believes him to be a narcotic addict. The choice must be made within 5 days after the individual's first appearance in district court, except when compelling reasons are shown to the court.

The court informs the individual that if he chooses civil committment, he will be examined and may then be held in custody for treatment for up to 36 months. If the necessary treatment is completed satisfactorily, the criminal charge against him is dropped. If the person cannot be treated satisfactorily, prosecution is resumed.

Civil commitment is barred to criminals charged with violent crimes. Others similarly excluded are those with two or more felony convictions, those against whom a prior felony charge is pending, individuals charged with selling or importing narcotic drugs, unless the court finds that it was the sole purpose of enabling the individual to obtain a drug to support his own addiction.

Controversy centers around the title I provision which permits civil commitment for addicts who do not commit a narcotic offense. Yet, the close relationship between addiction and crime is indisputable. Attorney General Katzenbach pointed out:

> Between 1960 and 1963, 43 percent of all convicted addicts in Federal institutions violated laws other than narcotics and marihuana statutes.

It is critical to keep in mind that, like Typhus Mary, the drug addict is a disease carrier. During the hearings, Mr. Richard A. McGee, administrator of the Youth and Adults Correction Agency for the State of California, declared:

> The active addict is the chief source of the spread of addiction—one addict on the streets will make several new ones in his career. He is the vector of the "disease."

To limit application of civil commitment only to those who commit specific narcotic violations might well defeat a vital purpose of this legislation which is to provide a pragmatic solution to breaking the pattern of addiction and criminality.

A final word as to the compelling need for the passage of H.R. 9167 is this:

Evidence extracted by the subcommittee would indicate that there are addicts who have the willpower necessary to voluntarily finish treatment such as that given at Lexington. Most, however, will leave after "drying out" or overcoming the "tortures of the damned," and less than 10 percent of those treated at Lexington are able to stay off the drug for a period of 2 years.

Therefore, I believe that addicts must be compelled to continue treatment for their addiction so that experts may have the opportunity to get at the root of each addict's problem, which can be either psychological or sociological. We must do all within our power to see that the drug addict is removed from the street and given an opportunity, with humane treatment, to overcome a disease that destroys everything that is good and decent within him and to prevent the contagious possibilities of this disease from spreading to others who, in turn, could take the same path of no return.

I also point out to my colleagues here that in my opinion there have been many red flags waved concerning this bill. Some of them are not factual, as far as I can determine. One is, we do not change the minimum mandatory sentencing provisions of the Boggs-Daniels Act except as it relates to such sentences.

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. SENNER. Yes, I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Chairman, that just is not so. This changes the applicability of the Federal Youth Corrections Act from 22 to 26 years of age. That act has an entirely different set of penalties from that contained in the so-called Boggs-Daniels Act. The statistics show that some of the worst offenders—and I am not talking about addicts, but about people who live off addicts—are in that age category. One is not so young when one is 26 years of age. One can be a Member of this body when one is 25 years of age.

Mr. SENNER. I think if the gentleman will look at title III of the Youth Corrections Act, that provides for rehabilitative procedures for dealing with persons from 16 to 21 years of age. The 85th Congress extended the benefits of the act to adults 22 to 25 years of age.

The significant group of persons convicted of crimes are in the 22- to 26-year age group. To exclude these young people from the benefits of the legislation and thus deprive them of these benefits would be shortsighted indeed.

What we are saying is that if we have a drug addict, by this legislation we will permit him—subject to the parole board, because he is in prison now—to go back through his record and find out whether or not he is subject to rehabilitation. If he is, we provide that rehabilitation under parole.

This rehabilitation is not provided in the Boggs-Daniel's legislation. If we did not correct that in this legislation, then those people who are now in our prisons would not be eligible for rehabilitation even though they are eligible under the existing bill we are trying to pass today.

Mr. BOGGS. The trouble with that is that the gentleman does not limit this application to an addict. He has it applied across the board, even—to use the chairman's big word—to smugglers. It would apply to anyone.

Mr. SENNER. I refuse to yield further, Mr. Chairman.

Mr. BOGGS. What about the peddler who encourages these people?

Mr. SENNER. I have only a limited amount of time.

Mr. BOGGS. I know the gentleman's time is limited.

Mr. SENNER. In our legislation and what the gentleman has reference to, we are not tampering with the mandatory minimum sentence. It is those people who are in prison now. Is this not correct?

If it is true, then should we take a look at those individuals who are incarcerated in our prisons and say whether or not they should be eligible for rehabilitation?

Mr. BOGGS. Under the supervision of parole. I am not a bit sure the act would be retroactive in its application. Would it?

Mr. SENNER. Title III so states, if you look into it very closely. That is where we get into the other sentence. If you want to say we are minimizing the mandatory minimum, we are under the civil commitment to the extent of providing 36 months for cure and treatment. We do it because we realize this is a disease and not just a criminal act. We say in 36 months, in that period of time he must successfully complete this rehabilitation period through the advice and counsel either of the Attorney General or the Surgeon General. Now, if he completes the treatment successfully, fine; he is exonerated and his criminal record is expunged from the record. However, if he does not complete this cure and it is so certified, he is subject to the original charge and to Boggs-Daniel's legislation and to the same mandatory minimum sentencing.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ASHMORE. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. SENNER. Mr. Chairman, I would like to say also much has been said about title I of this legislation. I understand there is going to be an amendment offered to knock this out.

Mr. McCLORY. Mr. Chairman, will the gentleman yield? I will be able to give you additional time.

Mr. SENNER. Yes. I yield to the gentleman from Illinois.

Mr. McCLORY. I did want to straighten this out as far as parole after conviction is concerned. The way the bill came out of the subcommittee, this matter of granting parole after conviction related only to marihuana cases whereas under the bill as reported the authority to grant parole after conviction would also be with regard to narcotics cases. It is my view and the amendment which I will propose will deprive the court of granting parole privileges to the young adult offenders who have been found guilty of narcotic offenses but not those who have been guilty of marihuana offenses.

Mr. SENNER. I understand the gentleman's amendment, and I am opposed to it. It is my understanding this is what the amendment will accomplish. I think it should apply both to the narcotic convicted felons and also to the marihuana convicted felons and, where there is a chance of rehabilitation and where parole and supervision can be granted. However, getting back to title I, much opposition has been raised to it because it is exciting, it is new, it is a new step forward to constructive legislation to deal with the most serious and most dreadful problem facing us. It offers an incentive to an addict accused of a crime to operate fully in his treatment program. It removes him from his community immediately yet does not mollycoddle him for he may be confined for as long as 36 months.

Now, here is a point that we must remember. The average sentence imposed on a defendant in our Federal courts in the fiscal year ending June 30, 1965, resulted in serving only 33.5 months.

Mr. Chairman, I therefore recommend to my colleagues the passage of H.R. 9167.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ASHMORE. Mr. Chairman, I yield 5 minutes to the gentleman from Tennessee [Mr. GRIDER], a member of the committee.

Mr. GRIDER. Mr. Chairman, I rise in support of H.R. 9167. In my opinion, it is a good bill and it has come about as a result of long and sober deliberation by one of the great committees and one of the great subcommittees of this House. Serving on the Committee on the Judiciary under the able chairmanship of our chairman has been a great experience for me. I want to compliment every member of the subcommittee who reported this bill out. Mr. Chairman, we have disagreed, but our disagreement has been based upon conviction and upon differences of philosophy and not upon partisan considerations.

Mr. Chairman, I would like to address myself principally to the mandatory penalty aspect of this bill and examine, if I may, the real importance of that provision to the degree it is changed in this legislation. I will immediately concede, Mr. Chairman, after the passage of the Boggs-Daniels Act in 1955 there was a leveling off and indeed some reduction in the number of reported addicts. I believe at the same time, however, there was an increase in enforcement and an increase in State and local enforcement.

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. GRIDER. I will yield to the distinguished gentleman.

Mr. BOGGS. I think the figures will show there are fewer now than there were then.

Mr. GRIDER. I do not disagree that there has been a reduction.

Mr. BOGGS. And the population is greater now by how many millions?

Mr. GRIDER. Quite a number of millions. I will concede the percentage or the number per thousand has reduced materially.

Mr. BOGGS. No. Not the percentage. If you took it percentagewise, you would have an increase. If the percentage stayed what it is or what it was, you would have had an increase in the number of addicts. The percentage has come down, because the number itself has come down despite the increase in the population.

Mr. GRIDER. I agree with the gentlemen from Louisiana.

Mr. ADDABBO. Mr. Chairman, will the gentleman yield?

Mr. GRIDER. I yield to the gentleman.

Mr. ADDABBO. Mr. Chairman, I must agree with our distinguished majority whip. The figures belie that fact.

Mr. Chairman, as a member of the Subcommittee on Post Office and Treasury, in this year's hearings the following figures show up. The reported increase in known addicts since 1953 reflected a decline. However, in 1953 there were 8,756. This is the increase over the previous years. In 1959 the figure was 6,000. In 1964 there was an increase of reported addicts of 10,000. In 1964 the known addicts were 55,899. In 1965, as of December 31, 1965, the reported known addicts in the United States were 57,199.

So, Mr. Chairman, there has not been a decrease in known addicts. There has been an increase.

Mr. GRIDER. Mr. Chairman, I must decline respectfully to yield further at this point. However, I shall concede for the purpose of my argument that there has been a reduction, I say that to the gentleman from Louisiana.

However, Mr. Chairman, it seems to me that this is in some sense not altogether material, because I believe we will all concede that the problem of narcotics addiction is still with us.

Now, Mr. Chairman, title I proposes a new approach to the solution of this problem. I believe if the mandatory penalty has worked and reduced the number of addicts, it certainly has not shown that it is going to eliminate them. It has not broken the cycle. It has not broken the chain. Some other new approach is needed.

Mr. Chairman, I believe in this title I we propose to take the first step in a new approach that might solve the problem.

Mr. Chairman, it seems to me that, given the offender who has been guilty of a minor crime or even the crime of selling, providing it was done solely and essentially for the purpose of supporting his addiction——

Mr. BOGGS. Mr. Chairman, will the gentlemen yield? I would like some information on this subject, because I might very well support title I of this bill.

Mr. GRIDER. I am sorry, but I am going to have to decline to yield, because I am very short of time.

Mr. BOGGS. I want to know what is contained in this bill. I want to know what title I proposes to do.

Mr. GRIDER. It provides for voluntary commitment of certain minor offenders, under the court's discretion.

Mr. BOGGS. What does the gentleman mean by "minor offenders"?

Mr. GRIDER. Those who are charged or are guilty of nonviolent crimes.

Mr. BOGGS. Well, for instance?

Mr. GRIDER. For instance, embezzlement, taking a Government check and forging it, selling narcotics to another for the sole purpose of supporting his addiction.

Mr. McCULLOCH. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. SCHEUER].

Mr. SCHEUER. Mr. Chairman, I would like to rise in support of H.R. 9167, the Narcotics Addict Rehabilitation Act of 1966.

We have had a great deal of debate on the question of whether narcotics addiction and usage is rising or declining.

I am not sure in my own mind what the situation is, going back over the past decades, but based on the statistics of the Federal Bureau of Narcotics, there is no question whatsoever that there has been an enormous increase in usage recently. From December 31, 1963, to December 31, 1964, the known addicts across the country increased from 48,000 to 55,000, an increase of about 15 percent in only 1 year. The increase in New York State alone was 5,000, more than the number of the total known addicts in any of the 47 States apart from New York State, Illinois, and California. Two-thirds of the increase of 7,500 in national addiction during that 1-year period took place in New York State. Approximately 90 percent of that increase, I am informed, took place in New York City, where one-half of all criminal activity reportedly stems from narcotics addiction.

Mr. Chairman, for anyone who is concerned with the total urban problem of our great metropolises, particularly New York City, the problem of narcotics addiction must be at the top of our priority list.

Unfortunately, Mr. Chairman, we cannot say that "we must be doing something right," because the depressingly fact is that the rate of recidivism is well over 90 percent. We are not doing very much right at all.

Mr. Chairman, this bill provides nothing more than a modest demonstration program operating with less than 1,000 addicts across the country over a 3-year period during which each addict will receive comprehensive, concentrated, interdisciplinary treatment by highly skilled professionals. Hopefully this demonstration program will provide the research laboratory to give us some new answers on how to cure the alienation, the disillusionment and the frustration that leads to narcotics addiction; it could prove to be a significant step forward in developing a new approach to the treatment and cure of narcotics addiction.

Mr. ASHMORE. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. ROSENTHAL].

Mr. ROSENTHAL. Mr. Chairman, I intend to vote for this bill. It is humane and decent legislation—which makes it quite unique in the history of this country's narcotics laws.

For years we have treated addiction as crime and addicts as outlaws. Finally, after years of advice by authoritative experts in the country, we are beginning to treat this problem as essentially medical. We no longer imprison the insane. The same realism can now begin to characterize our treatment of addicts.

To have reached this point is more an occasion for relief than for self-congratulation. It represents the precondition for any enlightened attack on narcotics addiction. Without the principle of civil commitment embraced by this measure, we have no chance to reduce addiction. With it, we can begin to think of creative remedies.

To begin with, we are affording addicts the opportunity to exercise some degree of control over their own predicament. Merciless prosecution of addicts as criminals has always proven an unlikely course for rehabilitation. Too often, such prosecution has symbolized the same form of coercion from which the addict, through his addiction, has chosen to flee. There is little cause for hope. The opportunity for civil commitment, however, changes that picture. The addict's view of society is given room to change; and the chance for rehabilitation of the body begins to carry hope for rehabilitation of the spirit.

This is perhaps the most important byproduct of civil commitment—its symbolic promise of alternatives for the addict. Without any vivid sense of incentive, most addicts have found it difficult to persevere in the trying process of medical cure. Civil commitment is at its foundations a program of incentive. So the principle we are endorsing in this most progressive piece of legislation represents a basic reorientation of policy. We ought to be aware of this, regardless of whether we all choose to accept it.

I do accept it, because it seems to me the only way we can break the vicious circle of addiction. I am convinced by the overwhelming testimony to that conclusion. I am persuaded by the effective civil commitment programs in California and my own State of New York. And I believe that the approach commends itself to commonsense. If we do not send a petty thief to a sanatorium, so we ought not to send a sick man to the penitentiary.

I find it disappointing, on the other hand, that the principle of civil commitment in this measure is not given greater means for implementation. How can we endorse civil commitment and yet provide for so little new construction of facilities to treat addicts who elect rehabilitation? Why do we preclude from such procedures persons charged with certain crimes of violence, or individuals with two or more felony convictions, or with a prior pending felony charge? Are such addicts any the less sick? Is their condition somehow qualitatively different from that of other addicts? Why does the committee report take pains to stress the connection between crime and addiction, only to recommend that certain addicts, guilty of a certain arbitrary degree of crime, be treated only as criminals?

We are, in short, a long way away from making the procedures of an enlightened narcotics program fully consistent with its principles. We need more facilities. We need more research. We need more personnel. And for that we need to spend more money, more intelligently, more courageously.

I believe the mood in which this bill is being considered is productive and enlightened. By having rid ourselves of reactionary myths about addiction, perhaps we can begin to ask ourselves more basic questions. For a society also can understand itself by understanding its casualties. I believe it is proper to identify addiction as an illness. But to do so is inevitably to ask questions about the causes of illness. Why do thousands of our citizens choose to reject everyday reality? Why do they seek escape rather than participation? Why is our national narcotics rate so much higher than most of the other industrial countries of the West? I find it difficult to avoid questions like these. Yet they seem to follow naturally from a decision to discuss addiction as we are doing in this measure. And if the questions seem unfamiliar and broad, we can at least feel grateful that we are beginning to discuss a social problem at its very foundation. In this sense, the passage of this legislation should be celebrated as much for what it promises as for what it provides.

Mr. ASHMORE. Mr. Chairman, I yield 2 minutes to the gentleman from *New York [Mr. RYAN].*

Mr. RYAN. Mr. Chairman, this legislation is certainly an important milestone in the consideration of the narcotics problem.

For the first time, it is a recognition on the part of the Federal Government that narcotic addiction is essentially a medical, psychological, and psychiatric problem and is not basically a criminal problem.

I think this is important because it represents an enlightened move; it is a turning point in the Federal treatment of narcotic offenses. Certainly, there is no more pressing problem than the question of narcotic addiction and its relationship to crime and the depressing conditions which confront us in our major urban centers.

I also believe in addition to this bill which is now before us, we should be moving in the direction of providing rehabilitation clinics and facilities which are so important if the approach represented in this bill is going to be fully implemented.

I have introduced legislation which would help meet the need for treatment facilities since my election to Congress. The distinguished chairman of the Committee on the Judiciary [Mr. CELLER] has also in the past sponsored such legislation. Our purpose was, as I said in 1961, "to treat addiction medically rather than punitively." My bill, H.R. 4654, would make available to the States funds to build necessary facilities for hospitalization and for aftercare which is such an important part of any program dealing with narcotics addiction.

I view this bill to provide civil commitment in certain cases an important step in the proper direction and firmly support it.

Nevertheless, I have reservations about some aspects, especially the exclusions from eligibility. Secondly, to be effective this legislation should be accompanied by legislation to provide treatment facilities. Thirdly, New York State's experience indicates that civil commitment is not an adequate solution to the problem of addiction.

I think it is unrealistic to exclude the crimes of burglary and housebreaking from treatment under titles I and II. Certainly no crimes are more frequently committed by narcotic addicts in an effort to get the funds to satisfy their habit than those crimes. And they are crimes against property, not persons.

Under the terms of the bill, civil commitment is not available for addicts who have been convicted of two prior felonies.

Mr. Chairman, I am afraid that this provision may exclude from coverage precisely those addicts who most need medical treatment and rehabilitation services.

This is an area in which I am something of an expert. More than one-half of the known addicts in the country live in New York City. As assistant district attorney of New York County, I had to deal with this problem day in and day out for 7 years. I found out first-hand a fact which statistics can only suggest. A large proportion of the crimes committed in New York City are committed by narcotics addicts. According to the testimony of Richard H. Kuh on page 329 of the hearings, 49 percent of those arrested for misdemeanors and 13 percent of those arrested for felonies in New York City admit using narcotic drugs.

When one remembers that drug addicts are responsible for so much of the crime in the Nation's largest city, it becomes dramatically clear that many, many addicts—if not most addicts—are also criminals. The reason is perfectly obvious. They steal to get money to buy drugs.

According to Richard A. McGee, who administers California's civil commitment program, this exclusion "will eliminate practically all the addicts in the country." He points out that "narcotics addicts are arrested and convicted of both petty and felony offenses numerous times in the first few years of addiction."

Does it, then, make any sense to pass a law to provide medical treatment for addicts, and then to deny that treatment to those addicts who have been convicted of committing felonies? I think that that is like building a sanatorium to treat tuberculosis, and then refusing admittance to patients with a contagious disease.

I also disagree with the exclusion of a person who has been civilly committed on two or more occasions. This determination should be left to the court's discretion. It may well be that an addict will respond to treatment in his later years, whereas he did not when he was younger.

Mr. Chairman, there is a second concern which I have about this bill. Unless we soon accompany it with legislation to build treatment facilities, it may not help.

Section 101(b) provides that "no individual shall be committed under this title if the Surgeon General certifies that adequate facilities or personnel for treatment are unavailable."

To make this legislation meaningful, I think it is imperative that this session of Congress pass legislation to build new facilities—legislation of the kind I have fought for since 1961.

Finally, Mr. Chairman, I think that this House should recognize that civil commitment—while an important step in itself—will not provide an adequate or final solution to the medical problem of drug addiction.

The experience of New York City makes this clear. Since 1962 New York has had a program of civil commitment under the State's Metcalf-Volker Act. Under it—as under H.R. 9167—an addict may volunteer before his trial for civil commitment to a hospital. Yet in 1963 less than one-third of those eligible for civil commitment sought it; and less than one-fourth did so in 1964.

One plausible explanation for this failure came from a New York City narcotics official who said:

> In practice, what happens is that most addicts won't commit themselves because they know they can be out of jail in a couple of months on a first offense narcotics possession charge and less than six months on a second offense. So they take jail instead of treatment. They figure if they have to dry out they may as well do it in jail and come out in a few months, free of the annoyance of three years of doctors snooping around them.

Furthermore, the commitment program was far from fully successful for those addicts who did choose it. Seventy-five percent of the first addicts to be released disappeared from aftercare programs to which they had been assigned under the New York program.

From these statistics, I think that it is clear that a civil commitment program—while important in itself—is not the complete answer to the problem of drug addiction. Part of the answer, I believe, lies in a system of outpatient clinics and halfway houses which I advocated in the mayoralty campaign last year and which was proposed in the New York State Legislature by Senator Ohrenstein and Assemblyman Kretchmer.

Mr. Chairman, neither jail nor quarantine will overcome the deep-seated problems which lead to addiction. The eventual solution, I believe, must be to provide treatment for drug addicts as a part of our contemporary society.

Mr. McCULLOCH. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, the beginning of consideration of this legislation on narcotic addict control by the House Committee on the Judiciary was a giant step in the effort to immediately check and hopefully finally free the Nation from a dread disease. Addiction to narcotics now holds many of our citizens in its toils and threatens, if unchecked, to sap the energies of countless thousands of others. The scourge of narcotic drug addiction, fed by illegal traffic from sources outside the continental United States, presents a challenge not only continuing to develop remedies to control it, but to help those poor unfortunates who find themselves helpless in its grasp.

More than a year ago, I introduced, along with several of my colleagues, a series of bills which included an approach to the problem of the addicted criminal similar to the approach taken in the administration bill you have before you today. As I have indicated in the separate views which I signed together with the gentleman from Minnesota [Mr. MACGREGOR] and the gentleman from Illinois [Mr. McCLORY], I am in general accord with most of the provisions of the committee version, although, at a later appropriate time, I will take exceptions to certain provisions of the bill.

It might serve a useful purpose briefly to note the recent history of the narcotics problem in the United States and the concern of Congress with it. It has been estimated that at the turn of the 20th century, 1 out of every 400 people in our country was addicted to narcotic drugs. This figure assumes more significance when the present estimates are considered: today only 1 person in 4,000 is addicted.

The first major Federal narcotic law was passed in 1909, the Opium Exclusion Act. The Harrison Act, which followed in 1914, is still the backbone of Federal criminal narcotic laws. Succeeding Congresses added to the Federal arsenal of controls and penalties in 1924, 1937, 1942, 1946, 1951, 1956, and 1960. Very clearly then, the legislation before us in this year 1966 is but a logical progression of the evolving pattern of our laws as developed by earlier Congresses.

Among the most important laws in this area in recent years, in reducing the incidence of addiction in the country, was the Boggs-Daniel Act of 1956. This act perfected mandatory minimum sentences with no possibility of parole or probation for convicted peddlers and smokers. There is testimony of record to indicate that the strict mandatory sentencing provisions were largely responsible for a marked reduction in large, wholesale drug operations and abandonment of such activities by organized crime. Witnesses before the subcommittee continually stress the importance of maintaining strict penalties to hold in check the incidence of drug addiction.

It is well to note that this Federal experience is but repetitious of the experience of several of the States, including my own State of Ohio. At one time, Ohio had the problem of drug addiction and drug traffic of as serious proportion as almost any State in the Union. Federal concern with the situation was well expressed by the fact that the Treasury Department, Bureau of Narcotics, required some 20 men in Ohio alone. The Honorable C. William O'Neill, Governor of Ohio in the 1950's, recommended and the Ohio Legislature enacted laws requiring service of not less than 2 years for the offense of selling narcotics, and the problem was substantially solved. The Federal complement of narcotic agents in Ohio presently is 3 men; the latest statistics indicate that there are considerably less than 500 addicts in the whole State.

The problem of narcotic drugs is not exclusively a Federal problem. It is safe to say that the starting point of Federal involvement is in an enforcement interest to maintain the barrier against importation of narcotic drugs and marihuana. This interest follows the interstate traffic in the drugs that are smuggled into the country.

The State interest, on the other hand, begins with the police and welfare concerns for the citizens of the State. This interest, of course, is inconclusive of the intrastate trafficker. It is indeed salutary that—in responding to this responsibility—most of the States have programs for the treatment of narcotic addicts before they are charged with crime. At least two States—California and New York—have provisions for compulsory commitment of and treatment of persons who are determined to be addicts.

The Federal laws thus seek to constitute a protective wall around all the States, a dike, if you will, protecting our borders against a noxious flood of drugs. It is little wonder that the Congress has insisted on strict mandatory sentences to insure the maximum deterrent against such commerce. It is the continued maintenance of these strict penalties in the present law that concerns those of us who have filed additional views.

The severe Federal laws together with increasingly effective work by the Treasury's Bureau of Narcotics, have, in my judgment, proved highly successful in reducing the quantity of drugs smuggled into the United States and restricting their circulation once they are in the country. Progress in this aspect of the problem only brings into sharper focus other facets of the overall narcotics problem which command our attention in the legislation proposed and now before us.

In contemplation of the law, the state of addiction is a state of illness. As the Supreme Court held in the Robinson case, the law can no more punish a man solely for being an addict than it can punish him for being a leper. However, the overwhelming number of authorities agree that it is the addict—not alone the pusher—who creates new addicts. The disease is therefore contagious, since every addict is a carrier. Criminal laws appropriately operate to control the spread of the infection. But stiff jail sentences rarely cure an addict of his dependence on drugs.

It should be obvious then, that without medical and psychiatric rehabilitation, the released narcotic offender returning to his old environment will almost immediately return to the use of drugs. Dwindling supply makes his life in quest of drugs more difficult. The crimes he may commit to satisfy an insatiable craving become more numerous and more desperate. In the meantime, to satisfy his hunger for the so-called mainline addictive drugs such as heroin or opium he may resort to marihuana or barbituates, and other dangerous drugs either to boost the effect of mainline drugs available to him or to ease his discomfort from their deprivation.

Thus, simply to lock up the addict for long periods, if he is otherwise susceptible to rehabilitation, is to throw away his life, to perpetuate the additional waste that will result from his recurrent antisocial activity.

What is required is not only treatment to cure his physical dependence on drugs, but an adequate remedy for psychological dependence. Of overriding importance to this legislation are the adequate provisions for closely supervised aftercare to insure effective rehabilitation by a controlled reentry into a normal, drug-free existence.

It must be recognized, however, that there are presently no sure solutions to the problem of narcotics addiction. This fact is documented by the record of our hearings. Narcotics addiction is an unbelieveably complex problem involving the combined fields of medicine, psychiatry, sociology, and—the one most directly affected by the bill—penology. It would be a false hope to suggest that any bill—or any form of this bill—would be a complete solution to these problems. What we all hope is that this is a considered step in the right direction. I believe that this view is both explicitly and implicitly shared by all members of the Committee on the Judiciary, regardless of their views on the particular provisions of the bill.

It must be kept firmly in mind, however, that the problem of treating the addict citizen is primarily a State concern. As the President's Advisory Commission on Narcotic and Drug Abuse concluded in their final report in 1965:

> The Federal government has a definite role to play, but the initiative and final judgment as to courses of action must come from the States and municipalities themselves. * * * (T)he treatment of the drug abuser must be primarily with State and local governments since an effective program of rehabilitation must, of necessity, rest upon services in the community.

The thrust of this legislation, then is to add to our present Federal law the means whereby the addict who runs afoul of Federal criminal laws and who can be cured of his addiction and rehabilitated to allow him to take an active part in our society, will be identified and treated for the underlying cause of his lawlessness. In so doing, however, and as I shall later urge in amendments to the bill, the stringent prohibitions against the import and sale of drugs must not be weakened.

In conclusion, Mr. Chairman, the immediate Federal interest in law enforcement will well be served by flexible and enlightened machinery for the rehabilitation of addicts who stand charged with or convicted of Federal crimes, and can be restored to effective and useful citizenship. Such a program as is proposed by the administration bill, with the amendments that we will propose, will hopefully speed the refinement and full implementation of similar programs already existent, and encourages the States to adopt comprehensive means for rehabilitation of narcotic addicts.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from Illinois.

Mr. McCLORY. I thank the gentleman for his complimentary remarks and also for his wisdom in supporting the amendments which will be offered later in the course of this debate.

I would like, if the gentleman will yield further, to clarify some subjects which I think are beclouded here a little at this time. For one thing, the prior speaker mentioned that he thought burglary cases and other criminal offenses, which do include violence, should be included within the category of cases for which civil commitment is permitted.

I would like to point out that there are, of course, many narcotic addicts who are vicious criminals. A high percentage of those who are narcotic addicts and who are in Federal prison were guilty of criminal offenses before they were ever found to be narcotic addicts.

In other words, narcotic addiction frequently is found among the criminal element. They are first of all criminals; secondarily, they are narcotic addicts.

Under this legislation what we are aiming to get at is the narcotic addict who is secondarily guilty of some sort of minor or nonviolent offense. When the judge feels that such an offender can be rehabilitated and his addiction treated as a disease, he will be given the advantage of civil commitment procedure under title I and title II.

I would like to point out further that while it is true that narcotic addiction has increased and the number of new addicts in the last few years has gone up, the incidence of narcotic addiction is going down steadily. That is, the ratio is going down steadily, and for a long period following the enactment of the Boggs-Daniels act and the imposition of stiff penalties, the total number of narcotic addicts did go down. The down trend has continued steadily.

It is true that in New York, primarily in the city of New York, there is an increase in narcotic addiction. But as I pointed out earlier in my discussion, this is primarily among the young offenders and also in the Puerto Rican community in the city of New York.

So the total today is higher.

The benefits from the mandatory penalties is unquestioned by anyone who views the situation objectively.

I did want to point those things out. If the gentleman would permit further, I would like to clarify the provisions of title III. If we look at the first paragraph of title III we will see that the act does not apply to any offenses for which a mandatory penalty is provided except those cases which relate to young adult offenders, as they call them, those between 22 and 26, and with regard to those offenders who are guilty of narcotic offenses this section of the act would apply.

In other words, the Youth Corrections Act would apply to the young adult offenders of this age group between 22 and 26, even though they are guilty of narcotics offenses, and even though they are not narcotics addicts.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from Massachusetts.

Mr. CONTE. I wish to compliment my friend from Ohio. I have been listening to my good friend from Louisiana. I concur with him wholeheartedly. I have been privileged to serve on the Treasury-Post Office Appropriations Subcommittee for 8 years. Each year, during our hearings, the Bureau of Narcotics comes before our committee. I think they have done a stupendous job, one of the finest jobs of any agency in the Government, both here and abroad. Time and time again, year after year, they would come up to our committee and show that the States having mandatory penalties show a decline in addiction. Time and time again the pattern was there. Of course, New York has had a tremendous increase in addiction. This was due to many and varied factors.

One of those factors was the leniency of the sentences given to the narcotics peddler. I have no qualms about the narcotic addict. I think something must be done for the addict. I think we have to have rehabilitation houses, halfway houses for them. But I am worried about that section of the law which would give judges certain discretion in sentencing an individual convicted of violating Federal narcotic laws. In the past in many cases, in New York, offenders would be tried under State law rather than Federal law.

In fact, I remember that former Chairman J. Vaughan Gary took the matter in hand and criticized a Federal judge in New York City for reducing the bonds of several violators of narcotic laws. He complained that too many violators were being let off, and were not being given the sentences that they should have received. We felt, and the Bureau of Narcotics officials that appeared before our committee felt, that the reason there was so much addiction in New York City was because of the leniency of the judges of that city.

Therefore I support this amendment to strike out section 3, and I go along with the Democratic whip on his statement.

Mr. ASHMORE. Mr. Chairman, I yield 6 minutes to the gentleman from Missouri [Mr. HUNGATE], a member of the committee.

Mr. HUNGATE. Mr. Chairman, members of the Committee, first I would like to pay tribute to the patience and long-suffering efforts of the chairman of our subcommittee, the distinguished and long-suffering gentleman from South Carolina, and to the other members of our subcommittee, particularly those on the minority side, for the constructive efforts and conscientious attention they have given throughout to this rather thorny problem.

I for one, when we have a cotton bill in here, like to hear the gentlemen from the cotton States. When we have a tobacco bill I like to hear tobacco area gentleman. When we have a narcotics bill it is interesting to listen to the delegation from New York, where they deal with a great amount of that problem, quite a bit more than from Missouri, where we have about 450 cases as compared to their some 60,000 addicts in New York.

Let us look at this bill and what it does and does not do. We are willing to give great credit to the agencies that fight the narcotics problem with the tools they have. No one wants to say a kind word on behalf of the pushers and the people who spread the poison of addiction.

On the other hand, I do not believe there is anyone who is truly satisfied with the job we are doing on narcotics, or who thinks there is no room for improvement by passing this bill.

We seek to find legislation that has a forward thrust; that will move us forward. This is really only a pilot project, if you will. The evidence before this committee indicated some 800 to 1,000 people might come under the bill. No one would say that 1,500 people could possibly come under the bill.

When they come under it, how do they come under it? They come under it after a finding by the Attorney General, and by the Surgeon General, and findings by the courts.

This is an attempt to move forward in this field. It is not a broad, sweeping measure.

The people who will not be included, who are they? And these are only the Federal offenders. We will not include people who violate State laws or who commit Federal crimes of violence which include "voluntary manslaughter, murder, rape, mayhem, kidnaping, robbery, burglary, housebreaking, extortion accompanied by threats of violence, assault with a dangerous weapon or assault with intent to commit any offense punishable by imprisonment for more than 1 year, arson punishable as a felony, or an attempt or conspiracy to commit any of the foregoing offenses."

These offenders we have eliminated.

We have eliminated practically everybody. I think this is a chance to experiment on a very limited scale, under careful court and medical supervision, on a plan and program recommended not only by the American Medical Association, but by the American Bar Association as well.

I should like to speak just briefly from some of the evidence we had before our committee:

> In two respects the administration proposal, H.R. 9167, would make a significant step forward along the lines of the pioneering California and New York laws, by authorizing civil commitment for medical treatment and rehabilitation in lieu of criminal prosecuton for narcotics addicts, and by easing existing rigid restrictions on postconviction sentencing so that addict convicts can be medically treated and rehabilitated.

Are we just going to hold them for their full sentence and then let them out? It is a question of whether they will be paroled, not under probation, and not under suspended sentence. Do we want to let them out under close care and jerk them back if they violate? Or do we want them to serve their sentence and let them just go free—without aftercare supervision?

There is another sentence I would like to quote:

> Second. There must be legislation authorizing Federal civil commitment for the treatment of narcotics users as an alternative to criminal prosecution and imprisonment and there must be some amelioration of the rigid restrictions on the postconviction sentencing in the Federal courts of defendants who are narcotics addicts.

This is a very fine statement on this subject in my judgment, which was made by the distinguished gentleman from New York, Senator JAVITS. He supported the same approach to the problem as did Senator KENNEDY of New York.

This matter rises above partisan considerations, and we should attempt to take some forward steps in this field.

Mr. RIVERS of Alaska. Mr. Chairman, I rise in support of this legislation, with particular reference to H.R. 9167. I am convinced that the narcotic drug problem is a national one. Whatever the causes of proneness to addiction, I believe they are to be found throughout the country. Of course, the unfortunate people who become addicted gravitate toward the big cities which have become principal distribution centers for the illicit drug traffic, in order to be close to the supply of their drug. But they don't all start out in those cities; and it seems to me that we must approach the problem of addiction as if it were something that might happen in each and every family within our constituencies.

Certainly, if any Member of this House can afford to take a complacent view with respect to his district, I can. If we are to accept the statistics reported to the Federal Bureau of Narcotics, the State of Alaska has had only one case of known addiction since admission to the Union. It has had no reported cases since 1960.

Nevertheless I think I should use a broad perspective in looking at this matter, and am sure the majority of my colleagues will agree with me, and that they themselves will do likewise.

Mr. Chairman, the emphasis of this bill—in all its aspects—is on rehabilitation. The administration and the House Judiciary Committee are saying—and I heartily agree—that whenever we believe a man can be saved from the curse of drug addiction, we should make every effort to help him.

Of course, this subject has many complexities. Obviously, there are many violators—such as those who have committed crimes of violence—who could not be permitted to take advantage of the civil commitment provision, and these instances are spelled out in the bill. There are also other restrictions and exceptions in relation to most of the bill's innovations.

The essential point, however, about this measure—and about other similar measures introduced on the subject—is that through it the Federal Government would be recognizing the fact that addicts are more sick than criminal. And this is important not only because of those Federal law violators who will be directly affected by such a law but also because of the inevitable impact upon the States of such a Federal approach.

I believe, Mr. Chairman, that narcotic drug addiction is an insidious thing, very apt to spread—like a contagious disease. In order to contain it, we have to strive not only to prevent but also to treat and rehabilitate. At this point, we in the Congress have an opportunity to make a great contribution to that desirable end. I urge that we pass this bill.

Mr. HELSTOSKI. Mr. Chairman, I rise in support of H.R. 9167, which would enable the courts to deal more effectively with the problem of narcotic addiction and the problem of rehabilitation of these narcotic addicts.

President Johnson, in his message to the Congress on law enforcement and the administration of justice, stated:

> The return of narcotic and marihuana users to useful, productive lives is of obvious benefit to them and to society at large.

We have, for far too long, stressed punitive action and we have neglected the medical and rehabilitation factors which can bring some of these narcotic addicts back into society. Our present youth is subject to open indulgence in narcotic derivatives and several types of hallucination drugs, which, in the long run, can establish them as confirmed narcotic addicts.

Drug addiction is the beginning of a criminal. His craving for drug stimulation can become of such magnitude that he will perform many types of crime which will provide him with the means of obtaining funds to purchase the narcotics he must have to alleviate his craving.

Under the legislation we are proposing today, we are providing an alternative to the strict punishment which our courts mete out to criminals. We are giving the courts a choice as to whether we shall confine a criminal to a life behind bars or to take him under a civil confinement for rehabilitation. Under the proposed legislation, people are the product, rehabilitation is the job.

Under present law, the hands of the courts are tied and we should provide for more flexibility so that we can return many of the narcotic addicts to a useful life in society. The voluntary program of rehabilitation of drug users, through the use of facilities of the Federal hospitals at Lexington, Ky., and Fort Worth, Tex., has not reached the effectiveness which we desire in this area of drug users.

As a voluntary patient of these hospitals, a narcotic addict cannot be held until a full and complete treatment is performed. Such a patient is free to leave the facility at any time he so desires and there is nothing that we can do about it. And, in this matter, there is no chance for a periodic checkup by any agency as to whether this or that addict is continuing upon the prescribed and recommended treatment.

Only through civil commitment can we have control over these addicts and, once they have made their choice and seem a likely prospect for rehabilitation can we finish his treatment. The addict, if he assumes this responsibility for his treatment, can face the rewards of success, or punishment for failure. Under civil commitment the failure can be punished by the resumption of any criminal action which may be pending in each case.

Our approach to this problem lies in the passage of the pending legislation. The close connection between addiction and crime is a well-known pattern, and in noting this pattern we are using that as a basic reason for this legislation.

Like a carrier of a communicable disease, one addict can spread this addiction among hundreds, even thousands of new addicts. The cure of one carrier of a communicable disease can stop the spread of the disease. The rehabilitation of one addict can also stop the spread of addiction among many weak-willed individuals who fall prey to the drug abuser or addict.

Under this legislation, our courts would be empowered to make such civil commitments on a selective basis. Each individual standing trial in any Federal court would be judged on his own merit as to the feasibility of his being cured of narcotic addiction. As set forth in the bill, no criminals who have a case history of a hardened criminal would be eligible for consideration of treatment under civil commitment. Thus we protect society from these criminals for whom there is no hope that they will become useful members of our society. Our courts have the necessary means, under this legislation, to be selective in their commitments and this new law will go a long way in restoring some human being into a cured personality.

I believe that in this bill we have an effective weapon whereby we can control the addict until such time as he is found to be no longer in need of treatment. We cannot do so under the present voluntary system.

An addict must be given the support and assistance which will enable him to cope with the problem of addiction and this legislation is the means of providing such assistance.

I urge passage of this bill and can see no reason why it should not command a unanimous vote of this honorable body, since it provides a means of restoring some of our disturbed people back into the channels of a normal society.

Mr. SPRINGER. Mr. Chairman, the subject of narcotics and those addicted to narcotics has been a difficult subject upon which to legislate over the years. Too little was known about the proper approach, particularly in regard to treatment of addiction. The Harrison Act tried to make it extremely difficult for those who would traffic in drugs to obtain them. The severe restriction placed upon the distribution of hard narcotics with its great inconvenience to legitimate sources such as pharmacists and doctors has been effective enough to justify its existence and the inconvenience which it causes.

As you know, a new and equally menacing problem has grown from the use of stimulant and depressant drugs. These have been so easy to manufacture and distribute that the country was about to become flooded with these dangerous substances. H.R. 2, which passed the House last year and became law, was considered by the Committee on Interstate and Foreign Commerce of which I am a member. It provided for recordkeeping by those who manufacture and distribute stimulants and depressants. It tightened up the machinery to stop the counterfeiting of goof balls and pep pills. It is as necessary as the Harrison Act, and I am confident that it will keep millions of dangerous pills from the hands of our young people and other potential drug abusers.

Over the last few years a new philosophy for medical treatment for certain conditions has emerged. The tendency to hide mental affliction and mental retardation from public view and consideration is now giving way to a newer and thoroughly sound idea. The treatment for mental health conditions and also for mental retardation can best be accomplished if done at the local level when possible. At the suggestion of the medical fraternity we have passed laws providing for community mental health facilities and also community mental retardation centers. These will make it possible to attack the problems where they arise. Obviously this calls for new skills to be available at the local level, and that problem is also being met through medical and health professions educational assistance.

Despite all this excellent progress, we have still neglected one vital area. Still with us from the dim past are the laws which treat a victim of narcotic addiction or drug abuse as a criminal per se. We have tried to decrease excessive use of drugs by the enforcement of harsh and unbending laws, leaving no room for judgment or discretion to those charged with enforcement. The provisions for rehabilitation or treatment have been meager and have not been in line with today's medical thinking and the philosophy of treatment which I have earlier described.

To correct this a series of bills were introduced by several Members providing, as did my bill, H.R. 8900, for civil commitment of addicts; for discretionary powers in the courts and parole machinery; for rehabilitation services similar to those provided at State and local levels by present public health entities; and for construction or rehabilitation facilities. Taken together these various proposals make a package to implement what I think is the modern, the proper, and the most effective philosophy for handling narcotic addicts and drug abusers.

The bill before us today is a part of this package, and it is properly the first part. It is quite necessary to untie the hands of the courts in the handling of narcotic addicts.

It will be equally necessary to follow through and make sure that additional and better facilities for the rehabilitation of these people are created. That is the subject matter of a series of bills before the Interstate and Foreign Commerce Committee, and I am hopeful that we will find it possible to consider them very soon.

The basic idea behind a civil commitment measure is to keep the unfortunate victims of drug addiction in the mainstream of society as far as that is possible. I am sure that despite our harsh laws, the courts and enforcement officials are trying to make the best use of present facilities for rehabilitation and treatment. I would not be surprised to find that charges are dropped in some cases where the subject requests voluntary commitment.

I think it should be pointed out that H.R. 9167 is not a bleeding heart measure which would result in releasing people into society who are dangerous to others or themselves. Neither is it a measure which could be used to make excuses and provide a cover for vicious criminals. With all due sympathy for the unfortunate people who are addicted to the use of narcotics and other drugs, the purpose of this bill is the same as the purposes of the present laws and that is to protect society. It has been demonstrated too amply that present laws do not accomplish desired objectives, and this bill should make it possible to protect society adequately and still rehabilitate those people who are deserving of it and capable of it.

Experience has demonstrated only too well that completely voluntary commitment does not work. There is not enough incentive to keep the addict under treatment. He will usually give up the idea long before he is really ready for release. This results in no appreciable gain to society and a total loss for the individual. These bills which provide for civil commitment provide a handle by which the enforcement authorities may keep a firm hold on the patient and give him a strong incentive to keep up treatment and to be truly rehabilitated as well as also providing for aftercare. It does not suddenly put him on his own, with all the terrible temptations which seem to afflict such persons.

To make it as clear as possible I would like to outline the basic things which H.R. 9167 does:

First. It gives the court the right to give to one charged with violation of a penal law relating to narcotics an election. He may ask for rehabilitation and treatment. This does not mean that he can automatically receive it and the bill outlines conditions which would bar him.

Second. The court having jurisdiction of the case will decide whether or not the person is eligible, and if the court so determines, it may commit the prisoner to the Surgeon General for treatment and rehabilitation.

Third. The bill provides for treatment as long as 36 months, but if the prisoner goofs up during this time, he goes back to court.

Fourth. If the prisoner makes it through treatment, he then may receive 2 years of aftercare on a probationary basis. If, during this time, he goofs up, he goes back to court.

Fifth. If the patient makes it through treatment and aftercare and is judged to be rehabilitated, the charges against him are dismissed.

Sixth. The bill also specifically removes the criminal stigma from one who has subjected himself to this process although it has been necessary to find that he was in fact a narcotic addict.

Seventh. In case an eligible defendant does not choose civil commitment or the court does not feel that this course of action is proper, it would be possible for the court after conviction to commit the defendant for treatment.

I am convinced that this bill is a forward looking change in our criminal law and one which is overdue. I heartily endorse its objectives and the means provided in the bill by which those objectives can be reached. I hope that the House will see fit to accept the provisions of H.R. 9167 as presented to it and help make it a part of the law of the land.

Mr. RODINO. Mr. Chairman, I am greatly pleased to see the narcotic addict rehabilitation bill, a very necessary and important legislative matter of which I am a sponsor, come to the floor of the House. In the Judiciary Committee we held extensive and thorough hearings during 1965 and 1966, and H.R. 9167 embodies, in my judgment, a successful effort to recognize and overcome the rigidities of the law that previously have not taken into account varying sources of crime, such as drug addiction.

Mr. Chairman, we are breaking new ground today by finally recognizing that narcotic addiction is a sickness that cannot be cured by prison bars; and even more importantly, we are offering positive procedures that will place the law on the side of those suffering victims of narcotics who are willing and determined to shake the habit, rebuild their self-respect, and renew their position in our society as successful and productive citizens.

This bill is a classic case of progressive and enlightened legislation. It recognizes an obvious evil that continually threatens the lives of especially the youth of our Nation. It suggests how the law should be amended in order to better solve the evil, rather than punitively deal with the addict who literally is no longer in control of himself. And it will benefit everyone, the unfortunate addict as well as society as a whole, for as our distinguished and beloved chairman of the Judiciary Committee has stated in supporting testimony:

> . . . addicts breed other addicts. If we can cure an addict, it is the same thing as isolating and curing a carrier of a communicable disease.

Mr. Chairman, no one really believes that this bill will wipe out the scourge of narcotic addiction. It will, however, greatly strengthen the position of the courts, and offer hope to those addicts who, with the help of treatment, really want rehabilitation. It will help those addicts who want to help themselves. This in itself is a giant step forward in the struggle to halt the spread of addiction, and to deal positively with one of the greatest sources of personal tragedy and one of the gravest social ills confronting our Nation.

Mr. HALPERN. Mr. Chairman, the legislation presently under debate is of major importance.

H.R. 9167 represents a breakthrough in providing for Federal efforts toward rehabilitating narcotic addicts.

Historically speaking, weak implementation of diverse State laws, as well as disappointing experiences of the voluntary Federal institutions at Lexington, Ky., and Fort Worth, Tex., point to the necessity for clearly defined and realistic rehabilitation processes in our overall approach to curing addiction. Without such provisioning, we can never expect to stem the tide of this contagious threat to the health and safety of American society.

H.R. 9167 imbues the law with a controlled degree of flexibility which is imperative. Eligible offenders are granted the option of treatment and rehabilitation, under the custody of the Surgeon General, for a period of up to 36 months, during which time the criminal charge shall be held in abeyance.

Barred from such an election are those charged with violent or otherwise serious crimes, or those apprehended for selling and importing drugs, or conspiring to do so. Persons with two or more felony convictions are similarly ineligible for civil commitment.

These prescriptions are similar to the substance of H.R. 2979, legislation I introduced in January 1965 and based upon many years of collective effort with other colleagues in this field.

Significantly, H.R. 9167 authorizes an effective posthospital supervisory program. This is another essential tool in rehabilitating addicts toward a normal and productive life. Records at the two Federal hospitals indicate that without an aftercare mechanism, the rate of relapse is bound to be discouragingly high. When the addict returns to his home community, after a lengthy period of withdrawal under controlled conditions, the impulse and temptation to go back on the drug is inevitably acute.

To deal with this problem, H.R. 9167 grants the necessary authority to require continued supervision and treatment following the addict's release, to be directed by either the Surgeon General or the Attorney General, as the case may be. The Public Health Service will keep records of each patient's progress. Individual addicts will be given a wide range of assistance, including counseling, home visits, psychiatric care, and vocational guidance.

Title II authorizes the commitment process for those who did not initially make such an election, or otherwise for those who did not complete the civil commitment period. Up to 10 years of treatment is provided under authority of the Attorney General. In effect, the procedures under this title do not vary essentially from the approach under title I.

In my judgment, H.R. 9167 provides the vital legal framework through which the courts, law-enforcement officers, and the medical profession can realistically attack narcotics addiction and its resultant ill effects. It will supplement and also stimulate efforts on the State and local levels. Foremost of all, it recognizes that our society cannot begin to cure addiction and prevent its spread by sanction of force and imprisonment alone.

To complete the work begun here, and implement the many additional recommendations made by the President's Advisory Committee, further legislation will be needed to help equip our cities and localities with adequate facilities, including treatment centers, staff, and posthosptial services, all of which are envisaged under title I of H.R. 9167. Certain urban areas of the Nation are most acutely affected by narcotics addiction, and they need to be assisted in carrying out the forward-looking provisions of the bill.

The number of Federal enforcement officers must be substantially increased, as emphasized in the report of the President's Advisory Committee. This prompted the introduction of H.R. 2978, legislation I drafted to raise the number of narcotics agents at the Bureau of Customs and the Bureau of Narcotics. All available information points to the conclusion that the existing level of enforcement agents is woefully insufficient to police our harbors, airports, and city streets where trafficking and addiction are most prevalent.

What we must reach in dealing with the addiction problem is a proper mix of curative instruments. Treatment centers by themselves will not solve the dilemma; the courts alone cannot abate the spread of addiction; Federal agents are but part of the overall network. H.R. 9167 is an essential first step in allowing the law the needed flexibility to deal with addicts not on an indiscriminately harsh basis, but with variable alternatives to fit the contingencies of each individual case.

I urge that the House act favorably on H.R. 9167. The Federal responsibility in this area is real and self-evident.

Mr. MULTER. Mr. Chairman, we are considering today one of the most progressive pieces of legislation to come before this body since we enacted the medicare bill.

For a long time narcotic addiction among our young people has continued to grow until today it is one of the most serious health problems facing us.

I would like to emphasize, Mr. Chairman, that this is a health problem and not only a criminal problem. This bill is the first real step toward providing the medical solution on the Federal level.

This bill provides civil commitment for treatment instead of criminal prosecution for those arrested as addicts. Those who sell drugs would still be subject to criminal prosecution.

I have urged that this kind of legislation be enacted for many years, and I am delighted that today I have the opportunity to add my voice to those supporting it.

Mr. GALLAGHER. Mr. Chairman, I am gratified that at least part of an overall, planned approach to the problem of narcotic and drug addiction is finally being considered, and I hope approved, by this body. I have been proposing and advocating this modern approach since early 1961.

In that year I introduced three bills dealing with various aspects of addiction: First a bill to establish a narcotics clinic in New Jersey; second, a bill to urge the President to set up a President's commission on narcotics, which I might add here was finally brought into being and made some very realistic and searching studies of the problem; and, third, a bill to aid the several States in establishing hospital and aftercare facilities to help in the treatment of narcotic addicts.

In general the legislation before us today presents a very realistic and modernized updating of American thinking on the problem of drug addiction. For many years we have been laboring under an impression of drug addiction akin to that held by the puritans of the 17th century on witchcraft.

We must realize that a sickness, such as drug addiction, cannot be treated and successfully cured by punitive measures. We have ample expert testimony from every quarter of medical science to bear out this fact. Addiction is a physical craving and can be relieved only by scientific and medical treatment. I am in complete support of this bill today.

However, there is one problem that I think remains overlooked. An addict does not overcome his sickness in 1 day, not in 1 month and sometimes not for many years. He desperately needs help, assurance, guidance and, in general, continued treatment to successfully recover from the effects of any prolonged addiction. And there remains, of course, the possibility of falling back under the spell of drugs.

For these reasons we must assure that there are to be sufficient and adequate facilities for treatment of addicts—complete treatment—as called for in part by the Narcotic Rehabilitation Act of 1966. This bill, in fact, specifically denies civil commitment, if adequate facilities for treatment are lacking. "Adequate facilities" consist of expert first stage hospital care and treatment by persons familiar with and trained in combating the problem. This is the most difficult and sometimes painful time for the addict. But after the initial period of treatment—the first breaking of the habit—there remain many months during which the former addict needs additional outpatient care. This time can be the most critical and most mentally trying for the person trying to break the habit. In most States, and I might add in New Jersey, these facilities are deficient.

In 1961, I first introduced a bill to provide some Federal financial aid to help States to establish hospitals and programs of posthospital care, treatment and rehabilitation of narcotics addicts. I am reintroducing that bill today because I feel that when the legislation presently before us is passed and signed into law, the needs for these facilities will increase manifold. There is very little utility in passing a bill allowing civil commitment, rather than criminal prosecution, when it is doomed from the beginning because of inadequate treatment facilities.

Mr. Chairman, we live in an age of missiles, moonshots, and deepsea probes. We are conquering and explaining the mysteries that faced those who lived in the ages before us. Today, we have a chance to strike a blow at a problem that has been with us since man began to think. Perhaps to us not as dramatic as a shot to Mars, perhaps not as daring as a trip below the waves, but to the addict on the streets of New York or Chicago, freedom from drugs is just as dramatic and daring, if not more so, than any other feat yet achieved by man.

I urge my colleagues to vote favorably on this bill today and then to follow up by assuring that adequate treatment facilities are made available.

Mr. McCULLOCH. Mr. Chairman, I have no further requests for time.

Mr. ASHMORE. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That titles I and II of this Act may be cited as the "Narcotic Addict Rehabilitation Act of 1965".

The CHAIRMAN. The Clerk will read the first committee amendment.

The Clerk read as follows:

Page 1, line 4, strike "1965" and insert "1966".

The CHAIRMAN. Without objection, the amendment is agreed to.

There was no objection.

The CHAIRMAN. The Clerk will read.

Mr. ASHMORE (interrupting the reading). Mr. Chairman, I ask unanimous consent to dispense with further reading of the bill, and consider it open for amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

Mr. McCLORY. Mr. Chairman, reserving the right to object, is it proposed, in offering the committee amendments, that they be offered section by section? I will have an amendment.

Mr. ASHMORE. Yes, that is intended.

Mr. McCLORY. Mr. Chairman, I withdraw my reservation of objection.

The **CHAIRMAN.** Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read as follows:

Declaration of Policy

SEC. 2. It is the policy of the Congress that certain individuals charged with, or convicted of, violating Federal laws should be afforded an opportunity for treatment if it is determined that they are narcotic addicts and such treatment is likely to result in their rehabilitation and return to society as useful members. It is the further policy of the Congress that alternative procedures should be afforded for use in sentencing certain individuals convicted of violating Federal laws relating to narcotic drugs or marihuana.

TITLE I—CIVIL COMMITMENT IN LIEU OF PROSECUTION

Definitions

SEC. 101. As used in this title—

(a) "Addict" means any individual who habitually uses any narcotic drug as defined by section 4731 of the Internal Revenue Code of 1954, as amended, so as to endanger the public morals, health, safety, or welfare, or who is so far addicted to the use of such narcotic drugs as to have lost the power of self-control with reference to his addiction.

(b) "Surgeon General" means the Surgeon General of the Public Health Service.

(c) "Crime of violence" includes voluntary manslaughter, murder, rape, mayhem, kidnaping, robbery, burglary, housebreaking, extortion accompanied by threats of violence, assault with a dangerous weapon or with intent to commit any offense punishable by imprisonment for more than one year, arson punishable as a felony, or an attempt to commit any of the foregoing offenses.

(d) "Treatment" includes treatment in an institution and under supervised aftercare in the community and includes, but is not limited to, medical, educational, social, psychological, and vocational services, corrective and preventive guidance and training, and other rehabilitative services designed to protect the public and benefit the addict by correcting his antisocial tendencies and ending his dependence on addicting drugs and his susceptibility to addiction.

(e) "Felony" includes any offense in violation of a law of the United States, any State, any possession or territory of the United States, the District of Columbia, the Canal Zone, or the Commonwealth of Puerto Rico, which at the time of the offense was punishable by death or imprisonment for a term exceeding one year.

(f) "Conviction" and "convicted" mean the final judgment on a verdict or finding of guilty, a plea of guilty, or a plea of nolo contendere, but do not include a final judgment which has been expunged by pardon, reversed, set aside or otherwise rendered nugatory.

(g) "Eligible individual" means any individual who is charged with an offense against the United States, but does not include—

(1) An individual charged with a crime of violence.

(2) An individual charged with selling a narcotic drug, unless the court determines that such sale was for the primary purpose of enabling the individual to obtain a narcotic drug which he requires for his personal use because of his addiction to such drug.

(3) An individual against whom there is pending a prior charge of a felony which has not been finally determined or who is on probation or whose sentence following conviction on such a charge, including any time on parole or mandatory release, has not been fully served: *Provided*, That an individual on probation, parole, or mandatory release shall be included if the authority authorized to require his return to custody consents to his commitment.

(4) An individual who has been convicted of a felony on two or more occasions.

(5) An individual who has been civilly committed under this Act, or any State proceeding because of narcotic addiction on two or more occasions.

Proceedings Before Court

SEC. 102. (a) If the United States district court believes that an eligible individual is an addict, the court may advise him at his first appearance that the prosecution of the criminal charge will be held in abeyance if he elects to submit to an immediate examination to determine whether he is an addict and is likely to be rehabilitated through treatment. In offering an individual an election, the court shall advise him that if he elects to be examined, he will be confined during the examination for a period not to exceed sixty days; that if he is determined to be an addict who is likely to be rehabilitated, he will be civilly committed to the Surgeon General for treatment; that he may not voluntarily withdraw from the examination or any treatment which may follow; that the treatment may last for thirty-six months; that during treatment, he will be confined in an institution and, at the discretion of the Surgeon General, he may be conditionally released for supervised aftercare treatment in the community; and that if he successfully completes treatment the charge will be dismissed, but if he does not, prosecution on the charge will be resumed. An individual shall be permitted a maximum of five days after his appearance in which to elect, and he shall be so advised. Except on a showing that a timely election could not have been made, an individual shall be barred from an election after the prescribed period. An individual who elects civil commitment shall be placed in the custody of the Attorney General or the Surgeon General, as the court directs, for an examination by the Surgeon General during a period not to exceed thirty days. This period may, upon notice to the court and the appropriate United States attorney, be extended by the Surgeon General for an additional thirty days.

(b) The Surgeon General shall report to the court the results of the examination and recommend whether the individual should be civilly committed. A copy of the report shall be made available to the individual and the United States attorney. If the court, acting on the report and other information coming to its attention, determines that the individual is not an addict or is an addict not likely to be rehabilitated through treatment, the individual shall be held to answer the abeyant charge. If the court determines that the individual is an addict and is likely to be rehabilitated through treatment, the court shall commit him to the custody of the Surgeon General for treatment. No individual is committed under this title if the Surgeon General certifies that adequate facilities or personnel for treatment are unavailable.

(c) Whenever an individual is committed to the custody of the Surgeon General for treatment under this title, the criminal charge against him shall be continued without final disposition and shall be dismissed if the Surgeon General certifies to the court that the individual has successfully completed the treatment program. On receipt of such certification, the court shall discharge the individual from custody. If prior to such certification the Surgeon General determines that the individual cannot be further treated as a medical problem, he shall advise the court. The court shall thereupon terminate the commitment, and the pending criminal proceeding shall be resumed.

(d) An individual committed for examination or treatment shall not be released on bail or on his own recognizance.

Commitment

SEC. 103. (a) An individual who is committed to the custody of the Surgeon General for treatment under this title shall not be conditionally released from institutional custody until the Surgeon General determines that he has made sufficient progress to warrant release to a supervisory aftercare authority. If the Surgeon General is unable to make such a determination at the expiration of twenty-four months after the commencement of institutional custody, he shall advise the court and the appropriate United States attorney whether treatment should be continued. The court may affirm the commitment or terminate it and resume the pending criminal proceeding.

(b) An individual who is conditionally released from institutional custody shall, while on release, remain in the legal custody of the Surgeon General and shall report for such supervised aftercare treatment as the Surgeon General directs. He shall be subject to home visits and to such physical examination and reasonable regulation of his conduct as the supervisory aftercare authority establishes, subject to the approval of the Surgeon General. The Surgeon General may, at any time, order a conditionally released individual to return for institutional treatment. The Surgeon General's order shall be a sufficient warrant for the supervisory aftercare authority, a United States marshal, a probation officer, or an agent of the Attorney General, to apprehend and return the individual to institutional custody as directed. If it is determined that an individual has returned to the use of narcotics, the Surgeon General shall inform the court of the conditions under which the return occurred and make a recommendation as to whether treatment should be continued. The court may affirm the commitment or terminate it and resume the pending criminal proceeding.

(c) The total period of treatment for any individual committed to the custody of the Surgeon General shall not exceed thirty-six months. If, at the expiration of such maximum period, the Surgeon General is unable to certify that the individual has successfully completed his treatment program the pending criminal proceeding shall be resumed.

(d) Whenever a pending criminal proceeding against an individual is resumed under this title he shall receive full credit toward the service of any sentence which may be imposed for any time spent in the institutional custody of the Surgeon General or the Attorney General or any other time spent in institutional custody in connection with the matter for which sentence is imposed.

Civil Commitment Not To Be a Conviction

SEC. 104. The determination of narcotic addiction and the subsequent civil commitment under this title shall not be deemed a criminal conviction. The results of any tests or procedures conducted by the Surgeon General or the supervisory aftercare authority to determine narcotic addiction may only be used in a further proceeding under this title. They shall not be used against the examined individual in any criminal proceeding except that the fact that he as a narcotic addict may be elicited on his cross-examination as bearing on his credibility as a witness.

Use of Federal, State, and Private Facilities

SEC. 105. (a) The Surgeon General may from time to time make such provision as he deems appropriate authorizing the performance of any of his functions under this title by any other officer or employee of the Public Health Service, or with the consent of the head of the Department or Agency concerned, by any Federal or other public or private agency or officer or employee thereof.

(b) The Surgeon General is authorized to enter into arrangements with any public or private agency or any person under which appropriate facilities or services of such agency or person will be made available, on a reimbursable basis or otherwise, for the examination or treatment of individuals who elect civil commitment under this title.

TITLE II—SENTENCING TO COMMITMENT FOR TREATMENT

SEC. 201. Title 18 of the United States Code is amended by adding after chapter 313 thereof the following new chapter:

"Chapter 314—Narcotic addicts

"Sec.
"4251. Definitions.
"4252. Examination.
"4253. Commitment.
"4254. Conditional Release.
"4255. Supervision in the Community.

"§ 4251. DEFINITIONS

"As used in this chapter—

"(a) 'Addict' means any individual who habitually uses any narcotic drug as defined in section 4731 of the Internal Revenue Code of 1954, as amended, so as to endanger the public morals, health, safety, or welfare, or who is or has been so far addicted to the use of such narcotic drugs as to have lost the power of self-control with reference to his addiction.

"(b) 'Crime of violence' includes voluntary manslaughter, murder, rape, mayhem, kidnaping, robbery, burglary, housebreaking, extortion accompanied by threats of violence, assault with a dangerous weapons or with intent to commit any offense punishable by imprisonment for more than one year, arson punishable as a felony, or an attempt to commit any of the foregoing offenses.

"(c) 'Treatment' includes treatment in an institution and under supervised aftercare in the community and includes, but is not limited to, medical, educational, social, psychological, and vocational services, corrective and preventive guidance and training, and other rehabilitative services designed to protect the public and benefit the addict by correcting his antisocial tendencies and ending his dependence on addicting drugs and his susceptibility to addiction.

"(d) 'Felony' includes any offense in violation of a law of the United States, any State, any possession or territory of the United States, the District of Columbia, the Canal Zone, or the Commonwealth of Puerto Rico, which at the time of the offense was punishable by death or imprisonment for a term exceeding one year.

"(e) 'Conviction' and 'convicted' means the final judgment on a verdict or finding of guilty, a plea of guilty, or a plea of nolo contendere, and do not include a final judgment which has been expunged by pardon, reversed, set aside, or otherwise rendered nugatory.

"(f) 'Eligible offender' means any individual who is convicted of an offense against the United States, but does not include—

"(1) An offender who is convicted of a crime of violence.

"(2) An offender who is convicted of selling a narcotic drug, unless the court determines that such sale was for the primary purpose of enabling the offender to obtain a narcotic drug which he requires for his personal use because of his addiction to such drug.

"(3) An offender against whom there is pending a prior charge of a felony which has not been finally determined or who is on probation or whose sentence following conviction on such a charge, including any time on parole or mandatory release, has not been fully served: *Provided*, That an offender on probation, parole, or mandatory release shall be included if the authority authorized to require his return to custody consents to his commitment.

"(4) An offender who has been convicted of a felony on two or more prior occasions.

"(5) An offender who has been committed under title I of the Narcotic Addict Rehabilitation Act of 1965, under this chapter, or under any State proceeding because of narcotic addiction on two or more occasions.

"§ 4252. EXAMINATION

"If the court believes that an eligible offender is an addict, it may place him in the custody of the Attorney General for an examination to determine whether he is an addict and is likely to be rehabilitated through treatment. The Attorney General shall report to the court within thirty days; or any additional period granted by the court, the results of such examination and make any recommendations he deems desirable. No offender shall be committed under this chapter if the Attorney General certifies that adequate facilities or personnel for treatment are unavailable. An offender shall receive full credit toward the service of his sentence for any time spent in custody for an examination.

"§ 4253. COMMITMENT

"(a) If the court determines that an eligible offender is an addict and is likely to be rehabilitated through treatment, it shall commit him to the custody of the Attorney General for treatment under this chapter. Such commitment shall be for an indeterminate period of time not to exceed ten years, but in no event shall it exceed the maximum sentence that could otherwise have been imposed.

"(b) If, the court determines that an eligible offender is not an addict, or is an addict not likely to be rehabilitated through treatment, it shall impose such other sentence as may be authorized or required by law.

"§ 4254. CONDITIONAL RELEASE

"An offender committed under section 4253(a) may not be conditionally released until he has been treated for six months in an institution maintained or approved by the Attorney General for treatment. The Attorney General may then or at any time thereafter report to the Board of Parole whether the offender should be conditionally released under supervision. After receipt of the Attorney General's report, and certification from the Surgeon General of the Public Health Service that the offender has made sufficient progress to warrant his conditional release under supervision, the Board may in its discretion order such a release. In determining suitability for release, the Board may make any investigation it deems necessary. If the Board does not conditionally release the offender, or if a conditional release is revoked, the Board may thereafter grant a release on receipt of a further report from the Attorney General.

"§ 4255. SUPERVISION IN THE COMMUNITY

"An offender who has been conditionally released shall be under the jurisdiction of the Board as if on parole under the established rules of the Board and shall remain, while conditionally released, in the legal custody of the Attorney General. The Attorney General may contract with any appropriate public or private agency or any person for supervisory aftercare of a conditionally released offender. Upon receiving information that such an offender has violated his conditional release, the Board, or a member thereof, may issue and cause to be executed a warrant for his apprehension and return to custody. Upon return to custody, the offender shall be given an opportunity to appear before the Board, a member thereof, or an examiner designated by the Board, after which the Board may revoke the order of conditional release."

TITLE III—SENTENCING AFTER CONVICTION FOR VIOLATION OF LAW RELATING TO NARCOTIC DRUGS OR MARIHUANA

SEC. 301. Section 7 of the joint resolution of August 25, 1958 (72 Stat. 845) is amended to read as follows:

"SEC. 7. This Act does not apply to any offense for which a mandatory penalty is provided; except that section 4209 of title 18, as amended, shall apply to any offense enumerated in section 7237(d) of the Internal Revenue Code of 1954, as amended."

SEC. 302. Section 4209 of title 18, United States Code, is amended by (1) inserting immediately before the first sentence thereof "(a)" and (2) adding at the end thereof the following new subsections:

"(b) A defendant described in subsection (a) of this section who is convicted of a violation of any offense enumerated in section 7237(d) of the Internal Revenue Code of 1954, as amended, shall, if the court is considering sentencing him to the custody of the Attorney General pursuant to the provisions of the Federal Youth Corrections Act, be committed to the custody of the Attorney General for observation and study in accordance with the provisions of section 5010(e) of this title. Before sentencing such a defendant to the custody of the Attorney General for treatment and supervision pursuant to the Federal Youth Corrections Act, the court must affirmatively find, in writing, that there is reasonable ground to believe that the defendant will benefit from the treatment provided thereunder."

"(c) Section 5010(a) of this title shall not be applicable to a defendant described in subsection (a) of this section who is convicted of a violation of any offense enumerated in section 7237(d) of the Internal Revenue Code of 1954, as amended."

SEC. 303. Section 7237(d) of the Internal Revenue Code of 1954, as amended, is amended to read as follows:

"(d) NO SUSPENSION OF SENTENCE; NO PROBATION; ETC.—Upon conviction—

"(1) of any offense the penalty for which is provided in subsection (b) of this section, subsection (c), (h), or (i) of section 2 of the Narcotic Drugs Import and Export Act, as amended, or such Act of July 11, 1941, as amended, or

"(2) of any offense the penalty for which is provided in subsection (a) of this section, if it is the offender's second or subsequent offense,

the imposition or execution of sentence shall not be suspended, probation shall not be granted, and in the case of a violation of a law relating to narcotic drugs, section 4202 of title 18, United States Code, and the Act of July 15, 1932 (47 Stat. 696; D.C. Code 24–201 and following), as amended, shall not apply."

SEC. 304. The Board of Parole is hereby directed to review the sentence of any prisoner who, before the enactment of this Act, was made ineligible for parole by section 7237 (d) of the Internal Revenue Code of 1954, as amended, and (1) who was convicted of a violation of a law relating to marihuana or (2) who was convicted of a violation of a law relating to narcotic drugs and had not attained his twenty-sixth birthday prior to such conviction. After conducting such review the Board of Parole may authorize the release of such prisoner on parole pursuant to section 4202 of title 18, United States Code. If the Board of Parole finds that there are reasonable grounds to believe that such prisoner may benefit from the treatment provided under the Federal Youth Corrections Act (18 U.S.C., ch. 402), it may place such prisoner in the custody of the Youth Corrections Division of the Board of Parole for treatment and supervision pursuant to the provisions of the Federal Youth Corrections Act. Action taken by the Board of Parole under this section shall not cause any prisoner to serve a longer term than would be served under his original sentence.

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. Section 341 of the Public Health Service Act, as amended (58 Stat. 698; 68 Stat. 80; 70 Stat. 622; 42 U.S.C. 257), is amended to read as follows:

"SEC. 341. (a) The Surgeon General is authorized to provide for the confinement, care, protection, treatment, and discipline of persons addicted to the use of habit-forming narcotic drugs who are civilly committed to treatment or convicted of offenses against the United States and sentenced to treatment under the Narcotic Addict Rehabilitation Act of 1965, addicts who are committed to the custody of the Attorney General pursuant to the provisions of the Federal Youth Corrections Act, addicts who voluntarily submit themselves for treatment, and addicts convicted of offenses against the United States and who are not sentenced to treatment under the Narcotic Addict Rehabilitation Act of 1965, including persons convicted by general courts-martial and consular courts. Such care and treatment shall be provided at hospitals of the Service especially equipped for the accommodation of such patients or elsewhere where authorized under other provisions of law, and shall be designed to rehabilitate such persons, to restore them to health, and, where necessary, to train them to be self-supporting and self-reliant, but nothing in this section or in this part shall be construed to limit the authority of the Surgeon General under other provisions of law to provide for the conditional release of patients and aftercare under supervision.

"(b) Upon the admittance to, and departure from, a hospital of the service of a person who voluntarily submitted himself for treatment pursuant to the provisions of this section, and who at the time of his admittance to such hospital was a resident of the District of Columbia, the Surgeon General shall furnish to the Commissioners of the District of Columbia or their designated agent, the name, address, and such other pertinent information as may be useful in the rehabilitation to society of such person."

SEC. 42. The Surgeon General and the Attorney General are authorized to give representatives of States and local subdivisions thereof the benefit of their experience in the care, treatment, and rehabilitation of narcotic addicts so that each State may be encouraged to provide adequate facilities and personnel for the care and treatment of narcotic addicts in its jurisdiction.

SEC. 403. The table of contents to "Part III.—PRISONS AND PRISONERS" of title 18, United States Code, is amended by inserting after

"313. Mental defectives.................. 4241"
a new chapter reference as follows:
"314. Narcotic addicts.................. 4251".

SEC. 404. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of the Act and the application of such provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

SEC. 405. Title I of this Act shall take effect three months after the date of its enactment and shall apply to any case pending in a district court of the United States in which an appearance has not been made prior to such effective date. Titles II and III of this Act shall take effect on the date of its enactment and shall apply to any case pending in any court of the United States in which sentence has not yet been imposed as of the date of enactment.

SEC. 406. There are authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Page 2, line 7, strike "Definition".

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Page 2, line 8, strike "As used in this title—" and insert:

"Title 28 of the United States Code is amended by adding after chapter 173 thereof the following new chapter:

"Chapter 175. Civil commitment and rehabilitation of narcotic addicts.

"Sec.
"2901. Definitions.
"2902. Discretionary authority of Court; Examination, report, and determination by court; Termination of civil commitment.
"2903. Authority and responsibilities of the Surgeon General, Institutional Custody; Aftercare; Maximum period of civil commitment; Credit toward sentence.
"2904. Civil commitment not a conviction; Use of test results.
"2905. Delegation of functions by Surgeon General; Use of Federal, State, and private facilities.
"2906. Absence of offer by the court to a defendant of an election under section 2902(a) or any determination as to civil commitment, not reviewable on appeal or otherwise."

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Page 2, line 20, after "or" insert "assault".

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Page 3, line 9, after "attempt" insert "or conspiracy".

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Page 3, line 10, after "includes" insert "confinement and".

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Page 3, line 20, strike "States," and insert:

"States classified as a felony under section 1 of title 18 of the United States Code, and further includes any offense in violation of a law of".

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Page 4, lines 1, 2, and 3, strike: "punishable by death or imprisonment for a term exceeding one year." and insert "classified as a felony by the law of the place where that offense was committed.".

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Page 4, line 14, after "with" insert "unlawfully importing or".

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Page 4, lines 15 through 19, strike: ", unless the court determines that such sale was for the primary purpose of enabling the individual to obtain a narcotic drug which he requires for his personal use because of his addiction to such drug." and insert "or conspiring to unlawfully import or sell a narcotic drug, unless the court determines that such sale was for the sole purpose of enabling the individual to obtain a narcotic drug which he requires for his personal use because of his addiction to such drug."

SUBSTITUTE AMENDMENT OFFERED BY MR. M'CLORY

Mr. McCLORY. Mr. Chairman, I offer a substitute amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MCCLORY: Page 4, strike out lines 14 through 23, inclusive, and insert in lieu thereof the following:

"2. An individual charged with unlawfully importing, selling, or conspiring to import or sell a narcotic drug."

The CHAIRMAN. Does the gentleman offer that as a substitute for the committee amendment?

Mr. McCLORY. Yes.

Mr. Chairman and Members, the purpose of this amendment is to exclude from the authority for civil commitment those who are charged with selling narcotic drugs. The subcommittee considered this subject very carefully. We debated it in the subcommittee. The recommendation of the subcommittee was that sellers of narcotics, whether they were selling to provide funds to satisfy their own addiction, or for whatever purpose, should not be eligible to receive the advantages of civil commitment.

It appeared to us, and it appears to me now, that there was too much latitude and too much flexibility granted to the court in such a situation. As I said earlier during general debate, it was my experience in the Illinois General Assembly in supporting stiffer penalties for narcotic offenders that it was necessary to remove from the court the discretion to impose lighter sentences if we were going to do anything effective in order to stamp out or to reduce narcotics traffic.

I know that the Congress in the Boggs-Daniel bill also had that same thing in mind; namely, in order to reduce the amount of narcotics traffic, it was necessary to get rid of the seller. Frequently, of course, the narcotics addict was the seller. Now it is contended a person who is a seller of narcotics may be doing this solely in order to provide funds for himself and cannot help himself.

The testimony we have heard is not to that effect. As a matter of fact, narcotics addicts generally know what they are doing, but they commit crimes in order to provide themselves with funds. Unfortunately the crime of selling narcotics, for instance, to a young person or to anyone else who was not on the drug or to someone who is trying to get off the drug is committing about as serious an offense as it is possible to commit.

And, in any event, we should not accord to them this privilege of having civil commitment.

Mr. Chairman, that is the substance of this suggestion. In general, what we are going to be doing, if we adopt this amendment, is to protect the young people, because if you will note, the new cases of addiction, the new addicts, are primarily among the young people and that is the group of people which is being preyed upon by the existing narcotic addicts who are the distributors, the peddlers, and who are the pushers, because that is the way narcotics are being distributed.

Mr. Chairman, if we want to continue this program which has been effective—and it seems to me we do—then we do not want to provide this great area of the sellers of narcotics with a way out of their crime.

Mr. Chairman, it was suggested earlier that this was a program to supplant an existing program. I say this is not a bill aimed at supplanting in any way the existing program. It is legislation aimed at maintaining what we have and supplementing what we now have.

We will be supporting in every way the good and desirable provisions in titles I and II of the bill if we exclude the seller. But if we grant to these sellers of narcotics the opportunity to avoid these criminal penalties, I do not believe that is what we ought to do. That is not what the subcommittee wanted to do.

Mr. Chairman, therefore, I urge the committee to support this amendment and to support, in effect, the work of the subcommittee, which heard the witnesses, which heard the testimony, and then rendered its decision.

Mr. CELLER. Mr. Chairman, I rise in opposition to the substitute amendment.

Mr. Chairman, the amendment of the gentleman from Illinois [Mr. McCLORY] would strip, I believe, this bill of all its strength.

The gentleman offers his amendment now to exclude certain users of a drug. The gentleman would eliminate title I and he would eliminate title III. Then we will only have the barebones, as it were, of the narcotics bill. We would have a mere skeleton as it were. The whole purpose of what the Judiciary Committee is sponsoring would be aborted.

Mr. Chairman, I feel that we must be very careful before we espouse the substitute amendment offered by the gentleman from Illinois.

First, Mr. Chairman, we must take into consideration the fact that this is a very mild bill. It excludes, for example, manslaughter, murder, rape, mayhem, kidnapping, robbery, burglary, housebreaking, assaults accompanied by threats of violence, assault with a dangerous weapon, and many other felonies. It excludes all violence described by Federal statute, but ascribed by State statutes.

Mr. Chairman, that is only a minute number of crimes involved, and not too horrendous, and they are not so highly important. Yet, we are now going to have amendment after amendment which will emasculate this bill.

Mr. Chairman, I hope the members of the Committee keep that in mind and vote down these amendments, because our work would have been hardly worthwhile.

Mr. McCLORY. Mr. Chairman, will the gentleman yield to me?

Mr. CELLER. I only have 5 minutes, and I think the gentleman from Illinois has used considerably more time than that.

Mr. McCLORY. The gentleman from New York mentioned the fact that I wanted to strike title I out of the bill, but I do not want to strike title I.

Mr. CELLER. Just let me finish, please, sir, and I will yield then to the gentleman. Then you must also consider, third, the fact that this does not automatically permit civil commitment in all cases. That is ridiculous. Anyone who makes that kind of charge—but the implication is there—that we are just going to open the doors because of crooks and thieves and what have you and all kinds of narcotics dope peddlers, others who smuggle the dope, and the pushers and those who are dealing in narcotics, that we are going to give them a clean bill of health, that is ridiculous. That is not this bill at all.

Mr. Chairman, this bill provides that they cannot have civil commitment unless and until the judge, in whom we must have some confidence in his discretion, feels that civil commitment should be permitted. And, then, he can only do it; that is, provide for civil commitment, upon examination, as to all of the surrounding circumstances, the man's history, whether he has been convicted before, whether there were any other outstanding charges against him, his family record, and so forth.

Reports must be had from all and sundry before the judge will issue an edict that he shall be civilly committed.

For that reason I do hope that you will vote the substitute amendment down.

Now as to the particular substitute amendment, I tried to explain before—and a good many of you were here—as I said before I tried to explain in my opening statement, a man who becomes a drug addict sometimes feels that he wants to withdraw from the drug. But when he goes back he is under a dreadful strain. The withdrawal pains are excruciating. Sometimes these drug addicts will do anything, or will commit any conceivable crime to get the money with which to buy the drug to satisfy that craving.

They want a sort of euphoria—they want to get into the heights as it were—they want to penetrate the skies seemingly—and they use the drug. They are diseased—they are not criminals, in a great many instances. If they are criminals, and they continue to sell, the judge will find that out and will refuse the civil commitment.

But a young man, especially one who is poor and indigent and does not have the money with which to buy the drug, sometimes he will make a deal to sell the drug; and he will sell the drug so that he can get the wherewithal to purchase a small portion of the drug to satisfy that dreadful craving and to relieve the symptoms of that dreadful disease.

What are we going to do? Are we going to say, we shall not give any help to that man—not even a little help? Are we not going to say "Here is our hand, we want to pull you out of this depravity"? Are we going to say "We are not going to let you try to help yourself"?

These are the persons that we can help and we should help.

I know this situation. I come from New York City where we have the greatest difficulty in handling these problems. We must take these drug addicts off the streets because they contaminate and help to create more drug addicts. If you are going to refuse civil commitment for these poor devils, then the whole act is just made useless. For that reason, I do hope and pray—and I know what I am talking about because of our experience in New York—that this substitute amendment will be voted down decisively.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. FARBSTEIN. What is the stand of the Attorney General on this?

Mr. CELLER. The Attorney General is very anxious to have this bill as we have written it. He would ask you to vote down the gentleman's amendment. He stated:

> It would be unfortunate if a blanket denial of civil commitment is applied to those who sell narcotics.

As stated in the separate views of the gentleman from New Jersey [Mr. CAHILL]:

> The truly helpless addict who sells in small amounts for the sole purpose of satisfying his own addiction should be eligible for this enlightened treatment approach.

Those are the words of the Attorney General.

I again repeat that we should vote down this amendment.

Mr. SENNER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am opposed to the amendment offered by my colleague, the gentleman from Illinois and I certainly echo the words of the distinguished chairman of the Committee on the Judiciary.

Not only does the Justice Department favor the bill as written, but also the Department of Health, Education, and Welfare and the Treasury Department.

But going back to the hearings on this bill. On Wednesday, January 19, 1966, the Honorable David C. Acheson, special assistant to the Secretary of the Treasury, and Hon. Henry L. Giordano, Commissioner of the Bureau of Narcotics, also of the Treasury Department, appeared before our committee, and Mr. Giordano testified as follows—reading from the transcript on page 423—the following colloquy took place, and I quote:

> Mr. SENNER. Mr. Giordano, in response to Congressman Gilbert's question to you about the addicts out of the 1,500 you arrested, I think you gave a figure of 450 to 500, how many of these addicts are arrested for selling narcotics, as defined by the act, who are addicts? In other words, out of the 450

what figure do we have, in talking about this instance of selling to support the habit?

Mr. GIORDANO. Well, I would say that the majority of our cases are made against the important traffickers and they are sale cases, by and large. We do have some that involve only possession, but the majority of the cases are sale cases. And the majority of the cases are cases that I question whether they would be able to make a showing of sale only to support their own habit.

In other words, the Narcotics Bureau is telling us in effect that this is but a minute number of people who will be treated. But as the chairman of the Judiciary Committee said here—let us take a hypothetical case. His substitute amendment would prohibit this boy from getting the same kind of treatment under the bill as it is presently written. Suppose we have boy X, aged 16, who has an addiction to narcotics. He is a drug addict. To satisfy that craving, that inner body feeling for that drug, he finally ends up selling narcotics. He sells narcotics to another addict who is 20 years of age—to boy Y. Under the substitute amendment, boy X could not receive any rehabilitation treatment or any training or any cure for his mental and medical problem. Therefore, when we originally took up this bill, the words "primary purpose" were written in the bill. But if you will look at line 21 on page 4, to satisfy the other members of the committee, we struck out the words "primary purpose" and inserted the words "sole purpose."

So what we are saying in effect is that any drug addict who is selling narcotics solely for the purpose of satisfying his habit can be eligible if the court determines among all the other things—the family, the environment, the sociological, the economic, and medical factors—that he is a proper subject, to receive a civil commitment. This is all our bill does, and if this substitute amendment is adopted, then you are discriminating against one addict for the other addict.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. SENNER. I am more than happy to yield to the gentleman from Massachusetts.

Mr. CONTE. I think this is a lawyer's dream if I ever saw one. Can you tell me of one drug peddler in the United States that would go into the courts and say that he was selling drugs for a profit rather than to sustain his habit? This is about the most ridiculous thing I ever heard.

Mr. SENNER. In answer to the statement of the distinguished gentleman from Massachusetts, I would like to say that it is a lawyer's dream——

Mr. CONTE. Of course it is.

Mr. SENNER. For it trusts in the ability of our judicial system and in the ability of our Federal judges to determine whether or not a man is telling the truth; and if he is telling the truth, that the sale was for the sole purpose of satisfying the habit, then he would be qualified as a potential subject for civil commitment.

If a person is selling narcotics for a profit—certainly he would not be eligible for civil commitment under this legislation. The selling of narcotics for a profit or to support a habit, is a question of fact, and I believe our Federal judges are quite capable of determining this fact, particularly when the courts have available to them the facilities of probation officers, the Bureau of Narcotics, and other law enforcement agencies.

Mr. POFF. Mr. Chairman, I move to strike the last two words.

The CHAIRMAN. The gentleman from Virginia is recognized for 2 minutes.

Mr. POFF. Mr. Chairman, I take this time to propound some questions to the chairman of the committee or the chairman of the subcommittee. The language to which the amendment is addressed is on page 4, beginning at line 19, and continuing through line 23. It reads as follows: "or conspiring to unlawfully import or sell a narcotic drug, unless the court determines that such sale was for the sole purpose of enabling the individual to obtain a narcotic drug which he requires for his personal use because of his addiction to such drug."

As I understand that language, it requires the court to make a determination of fact. He must decide, first, that the sale was for the sole purpose of enabling the individual to obtain the narcotic drug which he requires for his personal use because of his addiction. Is that correct?

Mr. ASHMORE. That is correct.

Mr. POFF. May I ask this question: As a matter of procedure, how would a judge go about reaching his determination? Would he call witnesses to give evidence on the question?

Mr. ASHMORE. He may do so. He may have the man examined by a doctor that he designates. He can determine to what extent he has been an addict. He can send him to the Surgeon General of the United States for examination and anywhere else he likes. He can take into consideration his entire past record. He can question the law-enforcement officers and determine whether or not he has ever been reported as having done anything like this before or whether he has been apprehended before, and get the entire facts and circumstances surrounding this individual. He is required to do that.

Mr. POFF. I do not believe the gentleman has responded to my question. How do all of those acts assist the judge in making a determination that the sale was made for the sole purpose of enabling the individual to obtain the narcotic drug, to obtain money to satisfy his own addiction? I suggest that in order to make such a determination, the judge would require of the accused a statement of whether he had performed the act, and if he did so, would he not then deny the accused of the right to refuse to testify against himself? Understand that the accused stands before the court presumed to be innocent of the charge that has been made against him. Yet for the court to give him the benefit of the civil commitment, the court must determine that the sale was made for the sole purpose. Does that not assume, then, that the sale was made, and if the sale was made, then the defendant is guilty?

Mr. ASHMORE. The entire civil commitment is based on whether or not the accused wants it. If he elects to make such statements and says, "I want a civil commitment," then he is depriving himself of saying that he will not testify.

Mr. POFF. The gentleman is absolutely correct with respect to all others except the person who is accused of making the sale of a narcotic. In that case, in order to get the benefits of civil commitment, the court must determine that the sale was made solely to satisfy his own addiction.

Mr. ASHMORE. He does not have to answer. He can stand mute if he wants to. He can go to court and say "I want civil commitment, Your Honor."

Mr. POFF. But the judge cannot grant him civil commitment unless the judge determines the sale was made only to satisfy his own addiction.

Mr. ASHMORE. That is true. All the man has to say is "I want civil commitment." Then it is up to the judge.

Mr. POFF. How will the judge make that determination?

Mr. ASHMORE. He will go about it by making an investigation from a legal standpoint, from a law enforcement standpoint, from a medical standpoint, or psychological, or physical. The court has wide discretion and can use a variety of methods to determine eligibility. He does not have to make this man say "I am guilty" or "I am not guilty."

Mr. POFF. I suggest in order to do so the court will find it necessary, in determining whether it was the sole cause, to examine the accused. With the failure to do so he cannot possibly reach such a conclusion.

Mr. WHITENER. Mr. Chairman, I rise in opposition to the substitute amendment.

Mr. Chairman, I am sure all of us agree that there is no more despicable enterprise than that of peddling or trafficking in narcotics. But I suppose there is nothing any more pitiable than some individual who has fallen victim to the narcotics habit and, in order to feed that habit and for that purpose alone, engages in this despicable conduct of selling narcotics.

As I view this legislation, we are trying to get at the root of the problem. We are doing that by providing a voluntary—as far as the defendant is concerned—proposition of treatment of this addict.

The committee amended the bill, as the language appears on line 21 of page 4, to provide that the court must find that "the sole purpose" of the defendant's selling the narcotics was to enable him to obtain a narcotic drug which he required for his own personal use.

So the court must find that the accused is a helpless narcotics addict, who had no will to resist the habit, who has sold narcotics to some other person solely in order to get money to feed his own habit.

There is nothing in the bill that says a prisoner must participate in a civil commitment program. But, if we want to look at it that way, according to the information we get from the Justice Department, it still is a good deal for the public. This is true because the average Federal prisoner committed to the Federal prisons receives a 33.5 months average sentence. If an individual is committed under the civil commitment procedures he may be kept in confinement for 36 months while they undertake to cure him of this troubling habit.

So where has the public been hurt? Where has there been any reduction of punishment?

If we follow the lead of the gentleman from Illinois [Mr. McCLORY], we are going to say that in the Federal prisons, one-half of those prisoners now in Federal prisons who are addicted would be denied the opportunity in the future of treatment, if they are addicts and commit a crime solely to feed that habit—50 percent of the prisoners in our Federal prisons system today according to the Prisons Department, who are narcotic addicts, are there because they were caught peddling narcotics to get money to feed their habit or under conditions which would make them eligible for civil commitment under the provision of the bill we are now considering.

Now, my friends, it is not a question of whether we are for or against harsh punishment. It is a question of whether or not we are willing to go along with the demonstrated need to try to do something for these unfortunate people who are victims of the habit. Many of you gentlemen who will criticize what the committee has done will in the next breath defend what the courts are doing about alcoholism over the country where they are turning out known drunks to roam the streets. You say they are diseased people and should not be subject to punishment. I agree these people are diseased, but I suppose the drunkenness disease is nothing to compare with the narcotics disease.

Mr. Chairman, I hope that the amendment will be defeated and the salutary purposes sought by this legislation can be accomplished here in the House of Representatives.

Mr. HUTCHINSON. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, as has previously been pointed out, the bill as it originally comes out of the subcommittee struck this privilege of sale entirely, and the bill as originally introduced was so broad as to permit treatment of anyone accused of selling so long as it was for the primary purpose of his own habit. That original form of primary purpose was indeed broad. The committee did go so far as to limit the proposition to a sole-purpose situation. However, I submit that the question of whether it is a sole purpose or not is almost as difficult a one for the court to determine as would have been the determination of primary purpose. I feel this is still a loophole, a loophole through which are going to pass several or a good many sellers.

As has been pointed out by the gentleman from Virginia [Mr. POFF] and others, the burden you are putting on the court in a pretrial situation is something where you are just building this up here and making it extremely difficult so far as caseloads are concerned.

Mr. McCLORY. Mr. Chairman, will the gentleman yield to me?

Mr. HUTCHINSON. Yes. I yield to the gentleman from Illinois.

Mr. McCLORY. I thank the gentleman for yielding.

I do want to say this: I am in general support of titles I and II of the bill, and I do not want any misunderstanding on that. I think title I would be a much better section if it is amended as I have suggested. The mere fact that the Department of Justice says they want the bill in this form does not convince me that that is what the Congress must do. We must not resign our lawmaking function to any executive branch or any other branch of the Government. Yet that seems to be what we frequently do.

We had pointed out here that the Department of Justice recommended this bill in a different form than that which it now appears in. I suggest that we have the right and we have the privilege of putting it in the form that we want. Congress enacted the Boggs-Daniel Act, and we decided then that we wanted stiffer penalties with regard to sellers of narcotics. May I suggest that I believe the minimum penalty is 5 years, and that is mandatory. So Federal prisons do not have an average sentence of 33 months, as the gentleman from South Carolina suggests, but they are there for a narcotics offense for 5 years. This would apply not only to the poor devil who sells a small amount but to the man who sells a large amount as well.

Mr. POFF. Mr. Chairman, will the gentleman yield?

Mr. HUTCHINSON. Yes. I yield to the gentleman from Virginia.

Mr. POFF. I will pose a rhetorical question and ask for the gentleman's opinion. Suppose that the defendant has been brought before the court and the court held all of the extensive inquiries that the gentleman from South Carolina indicated would be appropriate to the question. The judge, based on those inquiries, has decided that the defendant should be submitted to the Surgeon General for an examination; and then suppose the Surgeon General decides that the accused was not an addict or subject to rehabilitation. Under those circumstances, would not the accused have been prejudged to be guilty of the sale of which he stands charged?

Mr. HUTCHINSON. It would appear he would be, because the question of sale would in effect have been determined in the pretrial proceedings.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. HUTCHINSON. I yield to the gentleman from Massachusetts.

Mr. CONTE. The gentleman from North Carolina who recently had the floor said that the fellow who sells a little bit of drug in order to sustain this habit should be committed to a civil institution. Is there anything in this bill which sets a limit or a minimum as to the amount of the drug he could sell to satisfy his habit, or could he sell 10 kilos or 15 kilos or 20 kilos of heroin?

Mr. HUTCHINSON. There is nothing in the bill.

Mr. CONTE. I am not on the Committee on the Judiciary, unfortunately. However, I have not been able to find this. The other question I wanted to ask is: Is there anything in this bill that says this fellow who sells drugs in order to feed his habit, if he sells to teenagers or kids in high school around the country—is there anything here that will send this fellow to prison, or will he get off in order to keep satisfying his habit?

Mr. GRIDER. Mr. Chairman, I rise in opposition to the amendment to the amendment.

Mr. Chairman, it seems to me that we are losing sight here of our main objective. There is not any disagreement about that on either side of the aisle.

Mr. Chairman, the main objective here is to stop or to slow down the use and the sale of narcotics.

Now, Mr. Chairman, one would think, based upon some of the remarks that have been made, that some Members are in favor of punishment for the sake of punishment of those peddlers who sell narcotics to others. But, of course, that is not so. That cannot be so.

Mr. Chairman, our objective here is to cut down on the sale of narcotics.

The amendment which has been proposed would put outside the pale every person who has sold, even if he sold once for the sole purpose of sustaining his own habit. It has been said that this places an intolerable burden upon the court, first, because I think we should all recognize the fact that the court's decision in this matter is not subject to review. That is provided for in section 2906 and printed on page 12 at line 1 thereof.

Mr. Chairman, this relieves the court of the burden of being technically careful about it. It puts the court in the same position in regard to this, as in granting suspended sentences. I believe with the reports of the officers of the court he will find it not difficult to take into consideration the size and the amount of narcotics that were in the possession of the defendant and whether or not he is a victim and how bad he is, and that sort of thing.

Second, if this peddler is removed from any possibility of commitment, he is almost certain to go back onto the streets because he will be able to make bond. As we know, pretty soon, he will be able to make bond, and be permitted to go out on his own recognizance.

He can perhaps stay out for a year pending trial. The peddler who is doing it in order to sustain himself and who wants to be rehabilitated will have the opportunity, as the bill clearly states. It does not mean simply getting him off the stuff. Rehabilitation, as we have defined it, means, "likely to result in the rehabilitation and return to society as useful members of society," so that he will not be a peddler after he is rehabilitated. Furthermore, if he elects civil commitment he will be immediately taken off the street and his threat as a purveyor of narcotics will disappear.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. GRIDER. I yield to the gentleman from Illinois.

Mr. McCLORY. I am surprised at the remarks of the gentleman to the effect that this would apply at all to the peddler. I was of the opinion that the intent was to make it only apply to a user who made an incidental sale.

Mr. GRIDER. I believe that is the intent.

Mr. McCLORY. Mr. Chairman, if the gentleman will yield further, I would hope that no judge would apply it in that way, but I believe there is a justifiable feeling among many—and there certainly is that feeling on my part—that a judge would exercise most prudent judgment along that line in favor of the peddler.

But, let me ask the gentleman this question: The bill as written, and the amendment which the committee wants adopted, would exclude those who conspire to unlawfully import or sell, but it includes those who sell.

It seems to me that there is quite an anomaly in that situation, where you would exclude from the effects of the act any person who was involved in a conspiracy to import or sell.

Mr. GRIDER. The point is that I would not want to exclude those who sold to sustain their own addiction.

Mr. McCLORY. Yes, but what the gentleman says and what the amendment provides and what the bill provides are two different things. The amendment which the committee is seeking to have adopted is improperly written in that it includes a more serious offense and excludes a less serious offense.

Mr. GRIDER. In a charge of conspiracy you usually have to prove those things which eliminate the single or small sale for the purpose of supporting an addict.

Mr. ADAMS. Mr. Chairman, will the gentleman yield?

Mr. GRIDER. I yield to the gentleman.

Mr. ADAMS. I would like to ask the gentleman if there were presented to the committee any statistics as to the number of first-time pushers this would eliminate?

Based upon a considerable amount of experience with narcotics cases, we find that the spread of these cases occurs from one individual to another feeding their habit, which is something I think the bill is attempting to attack.

But I would like to know the statistics. Statistically, I can assure the gentleman that in the Seattle area this is a major factor.

Mr. BOGGS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent to speak for 5 additional minutes.

The **CHAIRMAN.** Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Chairman and Members of the Committee, let me say I support fully the objectives of this legislation. I think the committee has done a commendable and outstanding job in facing up to one of the really grave problems that confront our country, particularly in the great metropolitan centers.

I do have some reservations about the bill as it is presented, and the reservations deal mainly with title III, having to do with the so-called extension of the Youth Corrections Act from age 22 up to 26 years of age.

In connection with the present title, in a moment I would like to ask just one or two questions of the subcommittee chairman to clear up my own thinking about it.

At the beginning, let me say that my Committee on Narcotics spent about 4 or 5 years making a thorough investigation into depth of this whole problem. Most of you know the history of narcotics in our country. For many years we have had no controls at all. Narcotics moved freely in our society. As a matter of fact, it was the end of the last century that many of the so-called patent medicines in our country contained a great amount of narcotics or had some narcotics in them.

In many places in our country, the counties and other public agencies, such as health centers, maintained clinics where narcotics were freely dispensed without any limitations whatsoever. After a time, particularly about the beginning of World War I, narcotics addiction became a real problem in our country and the first stringent act was the Harrison Act which dealt with the importation of narcotics and imposed a tax. That is why the Bureau of Narcotics ended up in the Treasury Department rather than in some other department of our Government.

About 10 or 15 years ago I received a complaint in the mail from a citizen saying he had recently served on a Federal grand jury. He said that about half the cases before the grand jury involved narcotic indictments and some of them involved fourth, fifth, sixth, and seventh offenders.

We took a look at the thing and started off with an act which was in effect for several years. Then the former Senator from Texas, Mr. Daniel, headed up a committee and we drafted what is now known as the Narcotics Act of 1956.

In all of this, there was a fundamental recognition of the problem of the addict; the fundamental recognition of the fact that all addiction—and this includes alcoholism, to which reference was made here a minute ago by the distinguished gentleman from North Carolina—brings suffering. But there is no more difficult medical problem than heavy narcotics addiction.

As a matter of fact, as all of you know, there has been a great deal in the press recently about these new heavy type drugs that have an effect on the mental processes—LSD or whatever it is called. Only recently, you may recall, in this very Congress we passed a control act involving so-called light narcotics—the amphetamines and the barbiturates, something that our subcommittee also looked into.

It took a long time before the Congress acted on that problem and we have only now acted on it in this, the 89th Congress. We finally concluded that we had to have Federal regulations in this field despite the fact that it was resisted for many years.

Now in the case of addiction, I do not claim to know any more about it than any other Member of this House, but I visited the Public Health Service hospital in Lexington about a dozen times. I spent a lot of time there. I talked to a lot of people and a lot of doctors and patients. It is a well known fact that narcotic addiction is very difficult to cure. This does not mean that we should not try, and I am hopeful that somewhere along the line the halfway houses and the social services and the followup procedures will be instituted by the appropriate agencies of the Government. I say that this bill is certainly a step in the right direction.

I do have reservations about these mandatory penalties as applied to people who engage in this traffic to make a profit. You know there are such people. This is an awfully easy way to make a mighty big profit, because just a small quantity of these narcotics brings a fantastic price.

The other day in my home city—and I represent a great metropolitan area that has many of the same problems that the gentlemen who represent other metropolitan areas have—the other day a small quantity of heroin was picked off the person of a seaman and it was estimated that it was worth something like $200,000. It was just a very small quantity. So the amount of money to be made by those who are willing to traffic in narcotics is really a very substantial amount of money. Once you have addicted and corrupted a young person, you have really done about the greatest disservice to this young person and his parents and family that you can conceivably do to a human being. The problem of saving and making this person well and whole again is so tremendous that the chances of success are very remote.

That is why I support the objectives of the bill.

I would like to ask a couple of questions about title I and title II. I think I understand title III, which I oppose.

As I understand it, title I would do the following: If addict Y commits a crime other than the ones that are excepted, without a trial, he can be committed to a hospital where he will be rehabilitated. Is that correct?

Mr. ASHMORE. That is correct. It would be within the judge's discretion.

Mr. BOGGS. That provision in itself is a unique procedure in the law, is it not?

Mr. ASHMORE. Yes, it is unique, and I might say to the gentleman that we have tried for I do not know how many hundreds of years to perfect a treatment for these people.

Mr. BOGGS. Do not misunderstand me. I am agreeing with you. I think what you have done is a good procedure. However, as I understand the amendment offered by the gentleman from Illinois, all his amendment would do would be to exclude from the list the seller. Is that not correct?

Mr. ASHMORE. It is not quite that simple. That covers a large territory. It is the seller who sells solely to support his addiction.

Mr. BOGGS. The seller who sells solely to support his addiction.

Mr. ASHMORE. Solely for that and no other reason.

Mr. BOGGS. Let me get this straight in my own mind as well as in the minds of the members of this committee. Someone has said this is not a partisan matter. This is a matter that affects everyone in this country, regardless of what his political affiliation may be. What you are talking about is not the selling of narcotics or even addiction. You are talking about an addict who has committed a crime. Is that not correct?

Mr. ASHMORE. That is correct.

Mr. BOGGS. Of course, the mere selling of the drug is a crime in itself. Is that correct?

Mr. ASHMORE. That is correct.

Mr. BOGGS. What you are really saying is that an addict who commits a crime of nonviolence, as the gentleman from Tennessee has said, can, at the discretion of the judge, be sent, upon the making of certain findings under the law, to a health institution to be cured. All the gentleman's amendment would do would be to exclude from that list a seller, although he sells it only for his personal addiction, which, incidentally, could be subject to a great deal of definition, as the gentleman knows. Is that correct?

Mr. ASHMORE. I think you are looking at that from the wrong end. It excludes all the sellers except the ones who sell to satisfy their own addiction. They are the only ones who could take advantage of this provision.

Mr. BOGGS. Let me ask another question. You have a title II, do you not?

Mr. ASHMORE. That is correct.

Mr. BOGGS. The difference between title I and title II is that in title I, without trial for the crime committed, the addict could be committed to an institution.

Mr. ASHMORE. Before you leave that, let me interrupt. Let us not forget the fact that his case has not been dismissed, disposed of, or nol prossed; he still could be tried if he did not continue the treatment successfully.

The **CHAIRMAN.** The time of the gentleman from Louisiana has expired.

Mr. BOGGS. Mr. Chairman, I ask unanimous consent that I may be permitted to proceed for an additional 1 minute.

The **CHAIRMAN.** Without objection, it is so ordered.

There was no objection.

Mr. BOGGS. My other question involves the fact that under title II—assuming the same set of facts—in the case of any crime committed, including the crime of selling, the addict can be committed to an institution. In this case, however, he is tried for his crimes.

Mr. ASHMORE. He is tried, and then, rather than having a report just from the Surgeon General as to the physical requirements and his recommendations on the subject, the judge must have a report from the Attorney General.

Mr. BOGGS. But in any event, assuming out of an abundance of caution the amendment offered by the gentleman from Illinois is adopted, then the court would have another alternative in the case of the seller under title II of this bill, would he not? He is to be tried. He is tried, and then he is committed to an institution.

Mr. ASHMORE. If in his discretion the judge finds that that is the proper procedure.

Mr. BOGGS. The notion that the amendment would prohibit this remedy even in the case of a seller is not true?

The **CHAIRMAN.** The time of the gentleman from Louisiana has expired.

Mr. McCULLOCH. Mr. Chairman, I move to strike the requisite number of words.

The **CHAIRMAN.** The gentleman from Ohio is recognized.

Mr. McCULLOCH. Mr. Chairman and Members of the Committee, when I spoke to the Committee before, I cited the remarkable record of Ohio in cutting down, if I may use the phrase of my good colleague from Tennessee, the development and the bringing about of conditions which we so much deplore. In this connection I should like to read a resolution which was unanimously adopted, I am advised, by the Ohio Association of Chiefs of Police. This is the resolution:

RESOLUTION

Whereas the Ohio Association of Chiefs of Police has made a detailed review of the Final Report of the President's Advisory Commission on Narcotic and Drug Abuse, and the twenty some odd recommendations adopted by that Commission.

Recognizing the meritorious contribution of the entire Commission in the completeness and exactness of their study.

Whereas this Association accepts and endorses the basic philosophy of the Commission as it relates to the abuse of drugs:

(1) Attacking the illegal traffic with the full power of the Federal Government.

(2) the causes of drug abuse must be found and eradicated;

(3) drug users who violate the law should be made to recognize what society demands of them.

Noting the need for the expansion of addict treatment and rehabilitation programs and complimenting this state's public and private institutions for their contribution in that area.

Whereas the Bureau of Narcotics has, for over a quarter of a century, maintained a record of effective enforcement of the narcotic laws.

Recognizing and commending the titanic contribution of both the former Commissioner of Narcotics, Harry J. Anslinger and his able Assistant and present Commissioner, Henry L. Giordano in directing the Bureau in its successful attack against foreign as well as domestic violators.

Realizing the effectiveness of the mandatory penalty provisions for narcotic traffickers as evidenced in this state by the resultant 85 per cent decrease in the illicit narcotic traffic following enactment and application of state mandatory penalties in the Fall of 1955 and Federal Statutory mandatory penalties in late 1956.

Noting the role of the Federal Bureau of Narcotics in the specialized training of local and state officers in narcotic investigations via the Federal Bureau of Narcotics Training School, plus the Agents of that Bureau regularly participating in our local and state training programs.

Whereas here in Ohio, our various departments have, at all times, received the utmost in effective, unstinting cooperation and assistance from the Bureau of Narcotics of the United States Treasury Department.

Whereas this cooperation by the Bureau in our joint efforts in this particular field of enforcement has brought the incidence of narcotic addiction and the illicit narcotic trafficking to an all-time low in Ohio: Be it therefore

Resolved, That this Association wishes to go on record as very strongly opposed to any relegating of the Bureau of Narcotics' functions to any other agency or department of Government.

Resolved further, That the Ohio Association of Chiefs of Police voices its adherance to, and supports the present and proven policy of the Federal Bureau of Narcotics in the retention and application of the mandatory penalty provisions for narcotic traffickers, particularly where those violators have any prior felony conviction or convictions.

Resolved further, That copies of this resolution, with evidence of its unanimous acceptance by this Association, be forwarded to the President of the United States, the President pro-tem of the Senate of the United States, the Speaker of the House of Representatives of the United States, the Secretary of the Treasury, the Attorney General of the United States, and the Honorable Henry L. Giordano, Commissioner of the Federal Bureau of Narcotics.

These were included in the Boggs-Daniel Act.

Pursuant to the Ohio law and the Federal law, there are substantially less than 500 addicts in Ohio at this time. That is in the record of the hearings of this case. In New York there are more than 29,000. In Texas there are almost 2,000. There are many in other States I could name. I am very pleased to say to the House that in the State of Louisiana there are less than 300 known addicts.

Members of the Committee, I urge the adoption of this amendment.

In this connection, Mr. Chairman, the following table was furnished from the Federal Bureau of Narcotics by the Acting Assistant Secretary of the Treasury, the Honorable James P. Hendrick.

TABLE 3.—*Active narcotic addicts recorded by the Federal Bureau of Narcotics as of Dec. 31, 1964, by State*

Alabama	168
Alaska	------
Arizona	219
Arkansas	32
California	6, 624
Colorado	317
Connecticut	310
Delaware	36
District of Columbia	1, 076
Florida	348
Georgia	66
Hawaii	56
Idaho	7
Illinois	7, 404
Indiana	444
Iowa	26
Kansas	39
Kentucky	90
Louisiana	210
Maine	5
Maryland	625
Massachusetts	455
Michigan	1, 833
Minnesota	134
Mississippi	55
Missouri	417
Montana	24
Nebraska	19
Nevada	23
New Hampshire	4
New Jersey	1, 466
New Mexico	338
New York	29, 063
North Carolina	73
North Dakota	4

TABLE 3.—*Active narcotic addicts recorded by the Federal Bureau of Narcotics as of Dec. 31, 1964, by State*—Continued

Ohio	442
Oklahoma	92
Oregon	113
Pennsylvania	1,332
Rhode Island	88
South Carolina	45
South Dakota	6
Tennessee	104
Texas	1,127
Utah	3
Vermont	------
Virginia	180
Washington	210
West Virginia	7
Wisconsin	132
Wyoming	8
Grand total	55,899

Mr. WRIGHT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to congratulate the committee and particularly the gentleman from South Carolina, the chairman of the subcommittee, on the drafting of what I regard to be a very significant step forward in the control and treatment of this growing and most grievous problem.

Inasmuch as one of the two U.S. Public Health Service hospitals attempting to cope with this growing problem is in my district, I have gained some familiarity with the difficulties attendant to attempting to provide sufficient continuous treatment to those who voluntarily commit themselves, they being free under the circumstances to leave on their own recognizance whether or not the prescribed period of treatment has been completed.

Therefore I hail as a significant step forward the proposal that comes to us in this bill, whereby these people might be civilly committed and thus required to remain in the hospital until the entire treatment has been administered. Surely, the ratio of lasting cures should be improved by this device. And certainly it bodes far better for eventual cure and rehabilitation than continuing to send these hapless victims to jail when what they need is competent medical treatment.

This, however, introduces an entirely different question which I think we must attempt to consider in connection with this legislation. That relates to the availability of facilities to provide this treatment. Obviously if we are going to be committing more people, and if these people are going to be committed for a relatively longer period of time in order that their rehabilitation might be more nearly assured, an even greater strain than at present is going to be imposed upon the existing facilities. They are already overburdened, and it frequently is difficult today for a person to gain admission.

I should like to ask the gentleman from South Carolina if there are provisions planned for the expansion of the existing facilities at the U.S. Public Health Service hospitals at Lexington and Fort Worth?

Basically my concern is whether or not we are going to have enough facilities. Obviously, as a very minimum, the two facilities we have are going to be continued without any curtailment or abatement. I should think that this legislation will make it necessary to expand the facilities at Fort Worth and Lexington.

Mr. ASHMORE. Mr. Chairman, will the gentleman yield to me?

Mr. WRIGHT. I will be glad to yield to the gentleman.

Mr. ASHMORE. I will be glad to answer him. There is absolutely no question but what these two facilities, the Lexington and Fort Worth facilities, will be continued and utilized and probably to a greater extent, if possible, than they have been in the past. I am talking about the operation of these facilities. The subcommittee considered this question at length. We questioned a number of people who are in a position to know about the facilities in this country as to whether or not additional facilities would be needed. In fact, there was one bill which was before the committee which provided, I believe, for several million dollars, or perhaps $15 million, to construct new facilities. The testimony we had from people such as the Surgeon General, Dr. Terry, and Mr. Alexander in charge of the Bureau of Prisons, and the people from the Public Health Service was that they advised us they were of the opinion it would not be necessary now, to construct new facilities, because they felt by using the two that we now have at Fort Worth and Lexington plus such facilities as numerous States now have and private institutions with whom the Federal Government can make contracts for the care and treatment of these people.

Mr. TENZER. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. Yes. I yield to the gentleman from New York.

Mr. TENZER. I would like to inform the gentleman from Texas that I echo his sentiments about the lack of facilities. Later on in the debate I propose to offer an amendment on behalf of the gentleman from New York [Mr. GILBERT] and myself to title IV which will provide an appropriation for additional facilities on a sharing basis with the States and political subdivisions thereof.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Illinois.

Mr. McCLORY. On page 7 of the bill it provides the civil commitment will not occur unless the Surgeon General certifies that there are facilities available. If there are no facilities available, this civil commitment procedure will not be available no matter whether the judge finds the defendant is entitled to it or not.

Mr. WRIGHT. That is one of the things that troubles me.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. WRIGHT. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WRIGHT. Mr. Chairman, I ask for this additional time for the purpose of yielding to the distinguished chairman of the committee, the gentleman from New York [Mr. CELLER].

However, let me say that this troubles me to some extent in that there might not be adequate facilities. While that is no reason to vote against the bill but, rather, is something that testifies to its need, we might consider as a concommitant to this legislation the need for additional facilities, or expanded facilities at our two existing Federal hospitals at Lexington and Fort Worth.

Mr. CELLER. The Surgeon General testified before the committee to the following effect: Grants to the States for construction of facilities are now provided for comprehensive community mental health centers under the Community Mental Health Centers Act. He said he would prefer to have grants made for the establishment of additional facilities if they are needed under that act rather than this bill. However, I call your attention to the fact that there are over 100 hospitals and clinics that provide service for narcotics users. That can be found in the President's Advisory Commission on Narcotics and Drug Abuse report on pages 109 and following. There are over 100 of these hospitals, halfway houses, and clinics provided for in Alabama, California, Colorado, Connecticut, Delaware, the District of Columbia, Florida, Georgia, Hawaii, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Montana, Nebraska, New Hampshire, New Jersey, New York, New Mexico, North Carolina, Ohio, Oregon, and so forth. Almost every State of the Union. There are at least 100. This bill provides in several places that the Surgeon General is authorized to enter into arrangements with any public or private agency or person under which appropriate facilities or services of such agency or person may be available on a reimbursable basis or otherwise for these addicts.

Mr. WRIGHT. I thank the gentleman. I think this is fundamentally a good bill. I anticipate a continuing growth in the need for competent treatment facilities. I am glad to have the assurances of the gentleman from South Carolina [Mr. ASHMORE] that our existing facilities at Fort Worth and Lexington will be fully utilized, and the further elucidation by the gentleman from New York [Mr. CELLER].

Mr. O'HARA of Illinois. Mr. Chairman, I move to strike the last word.

Mr. Chairman, listening to the debate, it has occurred to me that it is about time that somebody said something about the quality of mercy. Today I have seen the quality of mercy torn into a thousand shreds. Why? What is wrong with doing a kindly deed for someone who is down and needs a helping hand? What is wrong with leaving it with the judge to be merciful with a prisoner if the judge finds that his is a case where mercy will result in redemption?

To deny the court the right to act when he finds the facts, the circumstances, and the probabilities so overwhelmingly on the side of mercy is to shut the door on simple justice. Respect for the law is not advanced when law is made the excuse for cruel and hardened hearts.

Not every seller of narcotics should be helped because he is himself a user of the drug. I doubt that many could qualify, probably only a very few. But if there were but one case in all the land, where the terrible drug appetite was the sole and only cause of the sale, and all the circumstances indicated beyond a reasonable doubt that hospital treatment would surely work the miracle of redemption, I say it would be cruel and brutally unreasonable to take from the court its power to act. I cannot agree with those who hold that no matter how meritorious the case, no matter how wise the judge, the door must be slammed shut, the judge silenced, and the quality of mercy strained out as a hideous poison.

Mr. Chairman, that is all I have to say. I yield back the remainder of my time.

Mr. REID of New York. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to ask the distinguished chairman of the Judiciary Committee just a question with regard to availability.

First, I would call the chairman's attention to page 119 of the hearings where I believe Dr. Luther L. Terry, the then Surgeon General, testified with regard to the two Federal facilities, Fort Worth and Lexington, and there he pointed out:

> Our constructed bed capacity at the Fort Worth hospital is 775 beds, whereas last year our average daily patient census was 778, or 3 more patients on the average, running a little above 100 percent occupancy. . . .
>
> On the other hand, with regard to Lexington, the constructed bed capacity of Lexington is 994 beds; and during 1964 we had an average daily patient load of 1,035, or about 100 more patients than the facility was constructed to accommodate. . . .
>
> So, from the standpoint of the utilization of beds, we are utilizing them to an almost phenomenal degree inasmuch as we in essence are running at 100 percent capacity, and this is above the initial constructed capacity at all times.

I further checked today with the Surgeon General's office and Mr. Stewart indicates that there is still overcrowding, that there are beds in the hallways, and that these two facilities are in excess of 100-percent constructed capacity now.

I would ask the gentleman from New York [Mr. CELLER] if he is aware of that situation with regard to these two hospitals?

Mr. CELLER. Mr. Chairman, if the gentleman will yield, I did not hear the last part of the question.

Mr. REID of New York. I would ask the distinguished chairman whether he is aware of the fact that these two hospitals are presently at over 100-percent capacity?

Mr. CELLER. Yes, we are aware of that.

In the testimony by the Surgeon General, to be found on pages 130 and 131 of the hearings, he says, among other things:

> Since drug abuse is basically related to mental health problems we believe that assistance to the States in dealing with drug abuse should be accomplished within the framework of Federal aid to community mental health services rather than through a separate program.

When he says "appropriate program," he meant the bill that is now pending before us.

I direct the gentleman's attention to the fact that the community mental health centers act has ample provision for the setting up of all kinds of facilities in which to treat drug addicts, and, also, the same could be said with reference to the Hill-Burton Act.

But beyond that, there are many facilities presently existing in the States.

I do not know whether there are beds available in those facilities or not, but if the gentleman will turn to page 109 of the President's Advisory Commission Report on narcotics and drug abuse, the gentleman will find over 100 of these clinics and halfway houses and hospitals where rehabilitation can be provided for.

Now, I have not checked upon whether or not these facilities are adequate or are not adequate. But I notice that insofar as our own State is concerned there is Central Islip, and oh, there must be at least 50 establishments where the addict could be taken.

Again, I do not know whether there are any beds available. I would have to check on that.

But I believe that there must be some beds available in all of those institutions.

Mr. REID of New York. Mr. Chairman, I took the liberty a moment ago of checking with the office of Dr. Ephraim Ramirez who is heading the task force on narcotics for the city of New York. The city informs me that at the present time they need a minimum—and they underline the word "minimum"—of 3,000 new beds for the treatment of narcotic addicts.

So while I would note with the greatest respect the reference of the chairman to the Surgeon General's prepared testimony and the Community Mental Health Centers Act, and the list to which you refer in the report of the President's Advisory Commission on Narcotic and Drug Abuse, I suspect the facts are that there is a serious existing shortage now of facilities both in New York City and elsewhere.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. McCLORY], as a substitute for the committee amendment.

The question was taken; and on a division (demanded by Mr. McCLORY), there were—ayes 51, noes 70.

Mr. McCLORY. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. McCLORY and Mr. SENNER.

The Committee again divided, and the tellers reported that there were—ayes 70, noes 71.

So the substitute amendment was rejected.

Mr. McCLORY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. McCLORY. What was the result of the vote?

The CHAIRMAN. 70 yeas and 71 nays.

The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

> Page 5, line 11: After "Act" insert ", under the District of Columbia Code,".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

> Page 5, line 14: strike "Proceedings Before Court" and insert:
>
> "§ 2902. Discretionary authority of court; Examination, report, and determination by court; Termination of civil commitment."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

> Page 5, line 18: Strike "Sec. 102."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

> Page 5, line 20: After "appearance" insert "or thereafter at the sole discretion of the court."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

> Page 6, line 14, strike: "An individual shall be permitted a maximum of five days after his appearance in which to elect, and he shall be so advised." and insert "An individual upon being advised that he may elect to submit to an examination shall be permitted a maximum of five days within which to make his election."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

> Page 7, line 15: Strike "treatment, No" and insert "treatment, except that no".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

> Page 7, line 16: Strike "title" and insert "chapter".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

> Page 7, line 20: Strike "title" and insert "chapter".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 8, line 1: Strike "custody." and insert "custody and dismiss the charge against him."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 8, following line 8, insert the following subsection:

"(e) Whoever escapes or attempts to escape while committed to institutional custody for examination or treatment, or whoever rescues or attempts to rescue, or instigates, aids, or assists the escape or attempt to escape of such a person, shall be subject to the penalties provided in sections 751 and 752 of title 18, United States Code."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 8, line 15, strike "commitment" and insert:

"§ 2903. Authority and responsibilities of the Surgeon General; Institutional Custody; Aftercare; Maximum period of civil commitment; Credit toward sentence"

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 8, line 20: Strike "Sec. 103."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 8, line 22: Strike "title" and insert "chapter".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 9, line 18: Strike "a United States marshal,".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 9, line 19: Strike "or an agent of the Attorney General," and insert "or any Federal officer authorized to serve criminal process within the United States".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 10, line 12: Strike "title" and insert "chapter".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 10, line 18: Strike "civil commitment not to be a conviction" and insert:

"§ 2904. Civil commitment not a conviction; Use of test results"

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 10, line 21: Strike "Sec. 104."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 10, line 22: Strike "title" and insert "chapter".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 11, line 2: Strike "title" and insert "chapter".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 11, line 6, Strike "use of Federal, State, and private facilities" and insert:

"§ 2905. Delegation of functions by Surgeon General; Use of Federal, State, and private facilities"

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 11, line 9, Strike "Sec. 105."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 11, line 11: Strike "title" and insert "chapter".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 11, line 21: Strike "title" and insert "chapter."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 11, following line 21, insert the following section:

"§ 2906. Absence of offer by the court to a defendant of an election under section 2902(a) or any determination as to civil commitment, not reviewable on appeal or otherwise"

The Clerk read as follows:

Page 13, line 2, after "or" insert "assault".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 13, line 4, after "attempt" insert "or conspiracy".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 13, line 6, after "includes" insert "confinement and".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 13, line 15, strike "States", and insert "States classified as a felony under Section 1 of Title 18 of the United States Code, and further includes any offense in violation of a law of".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 13, line 20, strike "punishable by death or imprisonment for a term exceeding one year." and insert "classified as a felony by the law of the place where the offense was committed."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 14, line 10, strike "selling" and insert "unlawfully importing or selling or conspiring to import or sell".

SUBSTITUTE AMENDMENT OFFERED BY MR. M'CLORY

Mr. McCLORY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. Is the amendment an amendment to the committee amendment?

Mr. McCLORY. The amendment is a substitute to the committee amendment.

The Clerk read as follows:

Substitute amendment to the committee amendment offered by Mr. McClory: Page 14, strike out lines 10 through 15, inclusive, and insert in lieu thereof the following:

"(2) An offender who is convicted of unlawfully importing, selling, or conspiring to import or sell, a narcotic drug."

Mr. CELLER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Burke, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 9167) to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE TO EXTEND REMARKS

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill now pending.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

WE CANNOT SOLVE OUR VIETNAM PROBLEMS BY GIMMICKS

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, one of the more appalling practices that has developed here in this House in recent months is the practice of Members releasing to the press the texts of speeches "prepared for delivery," as the saying goes, some 24 to 48 hours after the press release date. As a result the speech gets press coverage 12 to 24 hours before any Member can even hear it, let alone read it. And by the time he might wish to comment, the matter is already old hat and the press could not care less.

Such a pre-prepared address was released to the press yesterday by the gentleman from New York [Mr. Goodell] on the highly sensitive issue of internal politics in Vietnam. It appeared on page 1 of the Washington Post last night, 13 hours before this House was even scheduled to convene. It probably would not be delivered here for another 3 or 4 hours. Obviously, Mr. Speaker, unless other Members can comment on these undelivered speeches well before they finally get delivered, we will never have an effective chance to comment on them at all.

The speech I am referring to made the seemingly plausible suggestion that the United States should push at once for a plebiscite, conducted by some supposedly neutral third party, to determine whether the people of South Vietnam want the Vietcong to assume full political power in their country. Such a suggestion may get banner headlines, but as anyone at all familiar with Vietnam will quickly recognize, it contains four fatal flaws.

Mr. LAIRD. Mr. Speaker, will the gentleman from New York yield?

Mr. STRATTON. First, it just does not make sense to talk as though Madison Avenue polling techniques can be translated in any meaningful way to Vietnam in its present condition. This is not the kind of blase, sophisticated, literate country where the roving reporter can expect to feel the public pulse. We would save a lot of wasted breath here if commentators would learn this elemental fact about Vietnam.

Second, it ought to be obvious, especially on Memorial Day, that in the middle of a war you are not helping by proposing a vote on whether you ought to surrender. It would be difficult to imagine any question more explosively loaded against ourselves.

Mr. LAIRD. Mr. Speaker, will the gentleman from New York yield?

Mr. STRATTON. No, I cannot yield at this moment.

Third, the current political turmoil in Vietnam should have made it clear by now that the real question is not whether we surrender to the Vietcong, but how do we get the various non-Communist groups in Vietnam together into a peacetime, civilian government. Nobody has burned himself up yet to urge that the Vietcong be placed in power.

Fourth and finally, the formula for a successful civilian government cannot be found by overnight gimmicks transplanted from our own high-powered marketing research organizations, but by applying ourselves to the tough but vital task of helping the Vietnamese people develop a meaningful election machinery of their own.

Mr. Speaker, if we in this House really want to be helpful in these difficult days, I suggest we forget about racking our brains for some new, unusual, ingenious, and catchy gimmick. We won't win in Vietnam by gimmicks. But we can win, Mr. Speaker, and we are in fact winning, by continuing to devote our energies to finishing off the military aggression, and by helping the Vietnamese people get on with the even more complex task, already moving forward under the leadership of Ambassador Lodge and General Westmoreland, of building a stable and orderly society of their own.

A REMINDER OF OUR OBLIGATIONS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include an address.

The **SPEAKER.** Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, our colleague, Representative James A. Haley, of Florida, is rounding out his 12th year as Chairman of our Subcommittee on Indian Affairs. Chairman Haley is widely recognized and respected by Indians and non-Indians alike for his patience, wisdom, and understanding of Indian problems. I know of no one who is more concerned over the plight of our first Americans than our able colleague, Mr. Haley. The list of significant Indian legislation bearing his name or stamp of approval encompasses names of tribes in nearly every State having reservations. I was particularly pleased that on May 21, 1966, the Seneca Nation of Indians recognized his outstanding leadership by naming its new community center at Salamanca, N.Y., in his honor. It was the Seneca Indians that lost much of their land due to the construction of the Kinzua Dam and Reservoir a few years ago. Largely through the efforts of Chairman Haley and other members of our Committee on Interior and Insular Affairs, the Seneca Indians received a fair and equitable award for the loss of their property. The James A. Haley Community Center in Salamanca was constructed from funds allocated for rehabilitation and community purposes.

A second community center, this one on the Cattaragus Reservation, also belonging to the Seneca Nation, will be dedicated on June 25. This center will be named in honor of the ranking minority member of the Committee on Interior and Insular Affairs, Representative John P. Saylor, of Pennsylvania.

The dedication address delivered by Chairman Haley at Salamanca follows:

A Reminder of Our Obligations

My friends and fellow members of the Seneca Tribe. A few years ago, I received the high honor of being made a chief of the Seneca Tribe while I was visiting this reservation. Today you honor me further by calling upon me to say a few words at the dedication of this fine community building.

Whenever it is my privilege to participate in a ceremony of this kind, I like to remind the people that the building—no matter how beautiful it may be—is only a physical structure. What is truly important is not its beauty nor the facilities it contains—but the use that is made of the building and the facilities.

Hence today, we should dedicate your new building to the service that will be rendered through it to the people of the Seneca Nation—service that will contribute to the further advancement of a great and proud people.

I am told that in the days gone by the Seneca, along with the other tribes of the Six Nations held their councils in the Long House. Here the great questions of the day were threshed out and the elders of the tribe gave counsel. The Long House meant security and survival for the tribe, the place which served the tribe as the capital of a modern nation serves its people.

Today we see before us a fine new community building which will serve the Seneca of the Space Age as the Long House served the ancestors in the past. Here in this new building there is a council chamber where the elders of the tribe may again give counsel as in days gone by. There is secondly a fine new cafeteria and kitchen which recall the feasts of long ago when the hunters returned laden with the spoils of the chase and the women brought the vegetable foods—corn, beans and squash—for the festival observances. Thirdly, there is an arts and crafts room where the traditional folk art of the Seneca craftsmen will be on display to remind the present generation of visitors and friends of the skills and genius of the tribe in making objects which honor the tribal achievement and its great chiefs.

The terms of Public Law 88-533 of the 88th Congress (78 Stat. 738) included the authorization of payment by the United States for certain interests in lands within the Allegany Indian Reservation in New York required by the United States for the Allegheny (Kinzua Dam) project, to provide for the relocation, rehabilitation, social and economic development of the members of the Seneca Nation. This new community house is the first fruit of the financial recompense which the Seneca Nation so rightfully receives under the terms of this Act. This $600,000 building is a symbol of the steadfast adherence to principle of the Seneca Indians.

One of the most impressive of the ancient rituals of the Seneca involved the rites of thanksgiving and rejoicing for the many benefits received by the Indians from the Great Spirit. In the spirit of thanksgiving almost all public festivals were conducted.

Let us today approach the new community house which has been built here in the same spirit of thanksgiving and rejoicing in the good gifts which have been showered upon mankind by the Creator. The road to the good life is a rough one but it leads to the right place. Here in this place we commemorate the great chiefs of the Seneca Nation, Cornplanter and the rest, who did so much to keep the heritage of the Indian intact during the difficult years of readjustment to the new ways of life introduced by the white man.

Many years have passed since you had the guidance of Chiefs Cornplanter, Half Town, Farmer's Brother, Little Billie, and Great

Tree, but the time of adjustment continues. You are taking steps today that can lead you into the mainstream of our economic life. This is not true of many of our Tribes who have not fared as well as you.

As some of you know, for the twelve years that I have served as Chairman of the Indian Affairs Committee in the House of Representatives, I have been calling to the attention of my colleagues the sad plight of our Indian friends—reminding them of the broken promises, the inadequate programs and even the neglect that has too often characterized our relationship with its first citizens. Now people in high places have taken heed of our problems. Let us hope a new and bright day is dawning for our first Americans—that they all now will have the opportunity to enjoy a good life.

I believe that day has dawned for the Seneca Nation.

Mr. Arthur Lazarus, Attorney for the Seneca Tribe informs me that the current economic prospect of the Seneca Indians is very promising. A recent agreement with the U.S. Pillow Corporation involves four individual stockholders of that company and the First Seneca Corporation a new company formed specifically for the purpose of doing business with the Senecas on a Seneca reservation.

Under the agreement, the Seneca Nation subscribes $200,000 for a 25 percent equity interest in the business and will pay up to $400,000 in construction costs for the building (which will be paid back in rent over a period of forty years), and loans the corporation an additional $200,000, with the repayment guaranteed by the U.S. Pillow Corporation and the individuals. It is anticipated that in full production the First Seneca Corporation will employ over 125 Senecas and that the payroll will be in excess of $300,000. The Senecas, as a result of efforts and concern on the part of our House Indian Sub-Committee have been declared eligible for the on-the-job training benefits from the Bureau of Indian Affairs.

The First Seneca Corporation factory is intended to be the first facility in a larger industrial park. The Seneca Nation has applied to Economic Development Administration for a grant of $285,000, with the Nation's contribution being $122,000, for the construction of a water system, access roads, a railroad siding and sewerage for the industrial park.

The Seneca Nation-First Seneca Corporation Agreement already has been approved by the Secretary of the Interior subject to certain conditions, and these conditions have already been fulfilled. In the Interior Department, therefore, nothing further stands in the way of a final decision except approval of the conditions and formal release of Section 4 funds. The architect has already prepared plans and specifications for the building, which must be approved by the Bureau of Indian Affairs.

You are to be commended for the work that is being done through the Seneca Nation Educational Foundation. The investment of $1.8 million you have made in this fund will reap substantial benefits for you in the education of your young people. The fact that you are now contributing directly to the college education of 62 Seneca students—40 attending colleges in New York State and 22 attending out of state schools—speaks well for this program. In addition to the college program, you have employed two part-time Guidance Counselors and sponsored a neighborhood youth program. You are wise to devote such attention to the education of your youth—preparing them well for the positions of leadership they hold tomorrow.

These are some of the many things you are doing for the further advancement of your people.

Let us not forget, however, the promise made by the Father of our country, General and later President George Washington, to the Seneca Indians that they would be secure in their lands and homes as long as they desired. This promise has been violated, and, although the Senecas have given up their lands they will remember the words of Arthur Morgan, the well-known authority on engineering matters, in hearings before the House Committee on Interior and Insular Affairs at which I presided—he stated that there was a very feasible alternative to the Kinzua Project. This alternative, of course, was not approved and the Kinzua Project did flood the Allegany Reservation and deprive the Senecas of their homes. The end result, however, has been this new community, with this building as its center.

Let this new community building serve, then to remind the Senecas of their obligations to the cause of their forefathers, the security and maintenance of their homes and firesides for all future generations. We have in this structure a splendid opportunity to pass on to the younger generation the feelings of pride and thankfulness in being members of the Seneca tribe. As we look forward to the future days we have a task half begun, the task of rebuilding the lives of those members of the tribe who were uprooted from their homes by the building of the Kinzua Dam and the subsequent flooding of their hereditary homelands. May the Senecas be endowed with all the wisdom and good counsel needed to carry on from this time forward.

I have been highly honored by the Senecas in being made a chief of the Tribe. I shall always keep in my memory this fine token of esteem from the great Seneca Nation of Indians.

This is a proud day in my life—one that I shall always cherish.

RESPONSIBILITY WE FACE AS LEADER OF FREE NATIONS

Mr. POOL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POOL. Mr. Speaker, I should like to share with my colleagues a very fine editorial from the May 17 issue of the Dallas Morning News. This article very aptly pinpoints the responsibility we face as the leader of the free nations of the world. It is sometimes difficult for us to comprehend the ways of the Vietnamese people, as our national heritage is for the most part European; but regardless of the differences of the cultures of East and West, all peoples deserve the right to the basic freedoms of the individual. To insure these freedoms is our responsibility as the leading nation of the world, and we must never lose sight of the fact that this is our ultimate goal.

STEADY DOES IT

The current situation in South Vietnam is but another step in our education as leader of the free world. The only school in world leadership, unfortunately, is the school of hard knocks.

We did not ask to be the nation with the responsibility for helping the weak and the small nations to stay on their feet despite the attacks of communism, the political disasters caused by their own immaturity, or both. But we have it and we must fulfill it. Amid the spiteful bickering of South Vietnamese leaders how easy it is for us to play that futile, wishful game of "if only."

If only the South Vietnamese leaders had the vision to see that defeating the invader must be the first task of all free men and the experience to recognize that first things must be done first.

If only all the South Vietnamese peasants had the deep loyalty to their nation that characterizes Western peoples.

If only the concepts of reasoned debate and compromise were as fundamental to South Vietnamese politics as they are to our own.

If only the South Vietnamese had a European culture so that we could more readily understand each other.

If only we could retire behind our fleets and wash our hands of the whole discouraging business of defending small nations on the Asian continent.

These and other variations of "if only" will be heard frequently in the months to come. They are wistful nostalgia for the days when we had no painful responsibilities beyond our shores. Those were the days when we went off to fight tyranny only when it attacked us directly. And when we stepped onto the world stage, we did so expecting to do our bit for the cause of freedom as quickly as possible and then return to isolation.

Those days are gone forever. In this era of the ICBM, we could not hide if we wanted to. To stop the spread of international communism, the most powerful free nation must act.

If South Vietnam had had a well-established governing system and the unanimous dedication of the people to uphold and support it, the Communists would not have chosen it as their target. The Chinese Communist plan for "national liberation wars" is aimed at the new and emerging nations precisely because these are the nations most likely to be weak, divided and inexperienced at orderly self-government.

We undertook to help South Vietnam so that its people could build their country, without having the communist grand design forced upon them.

That remains a valid aim, despite our view that in the process some of the young leaders are demonstrating selfishness and irresponsibility while national survival is at stake.

As other new nations' experiences have shown, South Vietnam would have had difficulty building a viable state even had it been left in peace. As it is, the country has now fought on its own soil a war that has lasted longer than our fighting in World War II and it has suffered far greater casualties, proportionally, than America suffered then.

We have staked thousands of lives—and the South Vietnamese have staked hundreds of thousands of lives—on preserving South Vietnam's independence. We must ensure that it remains our goal now.

AMENDMENT TO MAKE THEFT OF OIL AND GAS FROM PIPELINE A FEDERAL OFFENSE

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROGERS of Colorado. Mr. Speaker, the proposed amendment to title 18, United States Code, section 659, is designed to give interstate oil pipelines the same protection now afforded other interstate carriers, by making it a Federal offense to stead crude oil, gasoline, and other products from a pipeline.

Briefly, the Nation's interstate oil pipeline network consists of 210,000 miles of crude and petroleum products lines, serving every State in the Union except Hawaii. This system has two principal classes: Crude lines, which transport oil from the oil wells to the refineries; and products lines, which transport light petroleum products, such as gasoline, jet fuel, diesel fuel, and heating oil, from the refineries to distribution terminals.

The physical plant of the oil pipeline systems consists of varying diameter pipe buried in the ground, pump stations situated 50 to 100 miles apart along the system to provide the force to move the oil through the pipe, and delivery terminals at refineries or distribution centers along the system.

For all practical purposes, the most likely point on a pipeline system for a theft to occur is a pump station, where the system is above ground. In the past, pump stations were attended around-the-clock by pipeline personnel who usually lived within a few hundred yards of the station. This meant that the station was under constant surveillance and a thief could not operate without being detected.

Today, because of advanced technology, many pump stations are remotely controlled and operated from other stations many miles away. Most of the remotely controlled stations are located in isolated areas protected only by a fenced enclosure with locked gates. Pipeline personnel inspect these stations at regular intervals and make special inspections when automatic signaling devices indicate an equipment failure at the station.

Since these stations are in remote areas, they are easy prey to thieves who break into the pump stations and tap the pipeline to steal gasoline. Generally, this thief is not the petty thief who steals only a few gallons of gasoline. The thieves are professional, organized gangs that steal 5,000 and 10,000 gallons of gasoline at one time. They use lookouts equipped with walkie-talkie radios to warn of anyone approaching the pump station and transport the stolen gasoline away from the pump station in large tank trucks.

A number of thefts of large amounts of gasoline have already occurred. It is expected that this problem will get increasingly worse as many of the older pipeline systems are updated by the installation of remotely controlled stations.

The expert services of the Federal Bureau of Investigation would be a powerful factor in discouraging these thefts. However the Department of Justice has advised that, under the present provisions of 18 U.S.C. 659, the FBI does not have jurisdiction to investigate them. Therefore an amendment to 18 U.S.C. 659 is necessary to give interstate pipelines the same protection now enjoyed by the railroads, motor carriers, water carriers, and air carriers. The grant of this authority to the FBI would by itself be a great deterrent to this type of theft.

THE FARM PROGRAM

Mr. NELSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a newspaper article.

The **SPEAKER.** Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. NELSEN. Mr. Speaker, I have asked that I be provided with copies of a series of farm program fact sheets reported in a recent newswire story as being sent by the Administrator of the Agricultural Stabilization and Conservation Service, Mr. Horace D. Godfrey, to State ASCS officials throughout the country.

Since farm programs are established by the Congress and their administration is a matter of proper interest to Members of Congress, I would appreciate being provided with copies of the review material sent to State officials.

Past actions during the first few months of this year on the part of the administration to "hold the line" on farm prices now seem to have the Secretary of Agriculture and his Department on the defensive. This latest propaganda effort on the part of the administration will be looked upon as just another smokescreen by the American farmer for he knows that all this "explaining and reviewing" will not return to his pocket the money he has lost as a result of grain dumping, increased cheese imports, limitations on the exports of hides, and cutbacks in the purchases of pork by the Defense Department.

Our repeated criticisms of these price-depressing actions by the administration seem to have made the Secretary of Agriculture aware that he should be the spokesman for agriculture, but he is going to find it difficult to convince the farmer of his sincerity after the sorry record which his Department and the administration have written in the past few months.

I submit for the Record, the article which appeared in Minneapolis Tribune, May 26:

Agriculture Aide Asks State Agents To Defend Policy

(By William Blair)

Washington, D.C.—In a private memorandum, a high Department of Agriculture official has appealed to federal farm representatives in the 50 states to defend the administration against political attack.

Horace D. Godfrey, administrator of the department's agency that deals with federal controls and price supports, dispatched the memorandum May 5. It appeared to be another administration effort to quiet farmer unrest over efforts to hold prices down.

Saying that he was "dumbfounded" by the attacks on President Johnson and Agriculture Secretary Orville L. Freeman, Godfrey disclosed that the state leaders soon would receive "a series of fact sheets reviewing the record" of the administration.

"This material," he wrote, "should help you and others who need to answer questions about our farm program operations and results."

Godfrey wrote that he found "a bit unreal" accusations that the President or Freeman had a "lack of concern for agriculture."

"Sure—politics is politics, but this is ridiculous," the official said.

A series of administration actions aimed at heading off inflation touched off the controversy over farm prices. These actions included a reduction in pork purchases by the Defense Department, export controls on hides and sales of government-owned grains.

Farm organization leaders protested bitterly and Democratic congressmen privately voiced fears to the President, Vice-President Hubert H. Humphrey and Freeman that the issue could cost the Democrats important farm votes in the fall congressional elections.

Republicans have kept up a drumfire against the administration's farm policies, accusing the President of making the farmer the "whipping boy" in the fight against inflation.

Godfrey is administrator of the Agricultural Stabilization and Conservation Service (ASCS). It administers the vital action programs of the Agriculture Department, from buying and selling commodities to measuring wheat fields for compliance with federal controls. It deals directly with thousands of producers through state and county offices.

Godfrey's memorandum went to state committeemen and state executive directors. The state directors are farmers appointed by the secretary to administer the programs at the state level. The state committees usually number three persons with two from one political party.

Currently, most committees are made up of a Democratic majority. The committeemen are paid for time spent on the job. If they worked full time, they would be paid $12,510 to $14,680, but, in practice, they receive per diem pay.

The executive directors are full-time federal employes, usually under civil service. Most of them are graded GS–14 which has a starting salary of $14,680.

Asked about the memorandum, Freeman said that he had not seen it but expressed full faith in the "judgment and opinion" of his administrators.

ONE BILLION FOR APPALACHIA

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, $1 billion will be spent by Duke Power Co. of Appalachia if granted permission by the Federal Government. Last year we authorized approximately $1 billion of taxpayers' money to be expended in Appalachia to develop this largely undeveloped region. Why Duke has been denied, under our free enterprise system, the opportunity to help develop this undeveloped region in one of the most unbelievable and incredible stories, not only in the history of our country but in the history of the world.

Since 1961 Duke has sought congressional authorization to build the world's largest generating plant at Middleton Shoals in Anderson County in my congressional district. Anderson County is in Appalachia. The House unanimously passed a bill in 1962 which would give Duke permission to build this gigantic steamplant. However, this bill never became law. On January 4, 1965, Duke applied for a license before the Federal Power Commission to begin a huge $700 million power generating complex at Keowee-Toxaway in Pickens and Oconee Counties in my congressional district. These counties too are in Appalachia. Last year I reintroduced the bill which would permit Duke to build at Middleton Shoals; therefore, Mr. Speaker, Duke is seeking to develop the Keowee-Toxaway area of Appalachia and the Middleton Shoals area of Anderson County, all in Appalachia, with a total investment of private capital of approximately $1 billion.

Shortly after Duke applied in January 1965, with the Federal Power Commission for a license which would permit them to begin the Keowee-Toxaway project, Secretary of the Interior Udall filed an intervention. The Secretary finally withdrew the intervention under great pressure from the people of South Carolina, but other parties have continued to conduct obstructionist and delaying tactics—the latest being another attempt by the so-called Bistate Power Committee representing a few REA cooperatives in Georgia and North Carolina. The FPC granted this committee a hearing on July 12. Now this Bistate Committee is requesting the Commission for more time to prepare its testimony and asking them to postpone the hearing date until the latter part of August. This is the latest, Mr. Speaker, in a series of shocking, incredible, preposterous, organized, and calculated delays first by the Department of the Interior and now by this so-called Bistate Committee with which it is closely allied.

Mr. Speaker, I am sending the following telegram today to the Honorable Lee White, Chairman of the Federal Power Commission:

MAY 31, 1966.

Hon. LEE WHITE,
Chairman, Federal Power Commission,
Washington, D.C.:

Respectfully request the privilege to make a statement at the beginning of the hearing on July 12 to the presiding examiner in behalf of Duke's Keowee-Toxaway Project No. 2503 which is in my congressional district.

Shocked to learn a moment ago that Bi-State Power Committee composed of a few Georgia and North Carolina Rural Electric Cooperatives are requesting still further delay in hearing and consideration of this project. To supply power needs of this area, which will become critical in 1971, it is absolutely necessary that Duke place order for machinery this year for its Keowee-Toxaway project. Further delay and obstructionist tactics by these parties far removed from Keowee-Toxaway area are incredible and could kill this great project for my district and for the people of Appalachia.

I respectfully urge Commission to reject request for further delay.

Sincerely,
WM. JENNINGS BRYAN DORN,
Member of Congress.

The SPEAKER. The time of the gentleman has expired.

STEELWORKERS OBSERVE ANNIVERSARY OF MEMORIAL DAY MASSACRE

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, Local 65 of the United Steelworkers of America, AFL–CIO, is housed in a magnificent building at 9350 South Chicago Avenue in the district that I have the honor to represent, and this temple of labor fittingly is named in memory of Hilding Anderson, who at the age of 29 fell a martyr to the cause of labor in the infamous Memorial Day massacre of May 30, 1937.

The 29th anniversary of the massacre of May 30, 1937, was observed this year with memorial services in the large hall at the Hilding Anderson Building attended by a capacity audience of steelworkers with their wives and children and other friends of labor. Moving pictures were shown of the massacre, with flashes of the brutal clubbing of the strikers both before and after the volley of bullets that took the lives of 10 of the strikers, including that of Hilding Anderson.

Luther Hall was the able chairman of the memorial services that, aside from the showing of the movie, included addresses by Subdistrict Director Joseph La Morte, the Reverend Robert A. Reicher, chaplain of the Catholic Council on Working Life, and the Congressman from the Second District.

In the course of my remarks I read from Senate Report No. 46, part 2, of the Committee on Education and Labor of the 75th Congress, 1st session, which made an exhaustive investigation of the massacre as a violation of the right of free speech and assembly and interference with the rights of labor to organize and bargain collectively. The report was issued on July 22, 1937, less than 2 months after the massacre.

It is interesting to note that our distinguished, able, and admired colleague from Florida [Mr. PEPPER], was a member of the Committee on Education and Labor of the other body under the jurisdiction of which which the investigation of the massacre was conducted. The Honorable Hugo L. Black, now an associate Justice of the Supreme Court of the United States, was chairman of the full committee and the Honorable Robert M. La Follette, Jr., chairman of the subcommittee.

Report No. 26, part 2, as above identified, contains the fullest version available of the tragic incidents of Memorial Day of 1937 and the findings stated therein have been universally accepted as official, resulting as they did from an investigation by a committee of the other body within days after the tragic events and a searching examination of all the participants.

In all, 10 people received fatal injuries when the police dispersed striking steelworkers and their friends who were marching in the direction of the plant of the Republic Steel Corp. near Burley Avenue and 116th Street. Ninety others were injured, 30 by gunfire.

The congressional investigation established that none of the slain strikers was hit by bullets in the front of the body as would have been the case were the strikers advancing to attack the police. Most were hit by bullets squarely in the back, a few on the side.

For further information on the Memorial Day massacre, I respectfully refer to the CONGRESSIONAL RECORD of June 21, 1965, in which beginning on page A3202 I extended my remarks to include the illuminating article by Ed Sadlowski, president of local 65, and the recollections of the tragic event by a number of survivors.

Mr. Speaker, there is no more dedicated soldier and leader in labor's noble cause than Joseph La Monte. He spoke, not from notes, but eloquently and convincingly from the heart, urging the younger men and women not to forget the trials and tribulations, the sacrifices, the dangers, and the martyrdoms of the long hard years when labor was fighting against overwhelming odds for the wages, the benefits, the acceptance of the equal dignity of the workers that many now take for granted.

Mr. Speaker, by unanimous consent I am extending my remarks to include the address by the Reverend Father Robert A. Reicher, as follows:

ADDRESS OF FATHER REICHER

This evening, both as a priest and as a student of the labor movement, I consider it a great privilege to be here. This local, with its rich tradition as part of the United Steelworkers of America, has left an indelible mark on the history of the labor movement and on the history of the United States. As a result of the strike in 1937 and its consequent tragedy, the course of the American labor movement was changed.

The book which the Congressman holds in his hands this evening, the Senate hearings on the Memorial Day massacre, helped prepare the way for the acceptance of the Wagner Labor Relations Act.

For the first time in our American history, the right of a man to organize into a union of his own choosing was protected by federal law, the right to bargain collectively over wages, hours, and working conditions was protected by federal law, the right of a man to protect his honor and dignity as a working man was protected by federal law. This local helped bring the Wagner Labor Relations Act as a viable part of our legal codes in the United States.

In a certain sense, I feel privileged to be here, since I believe that essentially I as a priest and you as members of a labor union are about the same business. In my responsibilities as a priest, a clergyman, I write, I preach, I speak about social justice and charity, the rights and duties of persons in society, the right to secure a job without discrimination, the right to security in catastrophe, ill health, and the declining years of life. And here before me are those men of the labor movement who have done so much to make an order of justice, social justice, a reality in American society.

LABOR'S VICTORIES HARD WON

A few years ago, it was my privilege to give the invocation at the Silver Anniversary dinner of the founding of your district. The badge I wore on that occasion is still one of my proud mementoes of a long interest in the labor movement. The dinner took place in elegant surroundings in the old Morrison Hotel, and the meal was one no one could have dreamed of a quarter century ago. Throughout the evening, one speaker after another reminded the union members present that it wasn't always like this in the history of American labor.

I couldn't help but think of the progress in which you shared as we viewed the films of the 1937 incident this evening. Who could have believed that a forty hour week would become standard in American industry? Who could have believed that such things as overtime pay, supplementary unemployment benefits, non-contributory pension funds, health and welfare insurance, social security and other benefits would become standard in American society. I even heard recently of an experimental union program in the field of mental health care and preventative treatment for potential victims of mental disorders.

The gains made by the steel industry have not been restricted to that industry alone. In your efforts to improve your own conditions, you have notably helped others to make progress.

The union is an influence on the national and international scenes, and your leaders are listened to in the highest halls of the land.

Therefore, this evening, as we celebrate this memorial we look back not only to the anniversary of an American tragedy, but also to a day when the history of the nation was changed.

REFLECTION ON PAST IS GOOD

There are those who suggest that we should not have such a memorial service. Some object that because the Memorial Day Massacre took place almost thirty years ago and is such a terrible blot on American history that it serves to open up old wounds and old struggles unnecessarily. Others suggest that a new generation of labor union leaders and members have grown up and that the incident of almost thirty years ago is past history. Others simply suggest that we can do better things with our time than reflect upon the past.

Steel management, for example, has made great progress since 1937, not only in attitudes toward unions, but in an awareness of the needs of workingmen. I would dare to say that no one in management wishes to return to the pre-union days of 1937. New men need information about the past to build for the future, and time in reflecting for a moment on the past is always good.

Therefore, I think that this Memorial Service is beneficial. The International Typographical Workers' Union here in Chicago has a memorial service yearly as you do. Both these services and meetings then are not meant to be a time of sharpening class distinction between labor and management, nor a time of bitterness, nor an occasion of recrimination. This meeting is meant to be a time of rededication to the principles upon which this union was built, and the principles for which the ten men died twenty-nine years ago. It reminds us all of justice and charity in economic life, of strength and intelligence used for constructive purposes, of democracy and freedom exercised according to the requirements of human dignity, and for these reasons it is good for us to remember and to see once again those films famous and revered in our labor history.

STILL A LONG WAY TO GO

But in spite of our celebration here this evening, there are clouds that hover over our heads. I am not referring here to the clouds of war, nor the problems of the world at large, but the clouds which hover over the labor movement today. Just a few weeks ago, I gave an address on a college campus on the history of the labor movement. Not only was I surprised at the ignorance of American labor history by this group, but also the hostility which these young men and women showed in their sharp questioning—their hostility toward a movement which you and I appreciate so much. Within the past few months, the Missouri Teamsters newspaper has published a series of articles on the state of the American labor movement today, and the author presented a discouraging picture. Even in the midwest edition of Steel Labor and Local 65 news we find that all is not well in the labor movement. Or can we say that much remains to be done.

The percentage of workers covered by union membership is declining in American society. Here and there temporary gains are made, but as we switch from a blue collar economy to a white collar economy and from a producing economy to a service economy, the labor movement has not been able to make the gains it needs. The white collar workers have not been attracted to the labor movement. Gains have been made by the teachers' union, the retail clerks, and the railway clerks, but by and large white collar workers have not yet benefited from collective bargaining. The labor movement has not made much of an impact among the lowest paid workers of American society the agricultural workers, probably the most difficult group of all to protect with union benefits.

Not all unions have the proud record of equality and justice in removing the barriers of discrimination in the civil rights movement, which the steelworkers have since their inception.

Recently, a Chicago newspaper pointed out what we all know that labor has not achieved the repeal of 14–B, nor has it succeeded in obtaining a revision of the situs picketing statute, nor has the minimum wage law been passed. Congressman O'Hara informs me that he will fly back this evening to cast his vote on this crucial bill in Congress. Whatever one thinks of current legislation in Congress, the thinking labor union member realizes that we still have a long way to go.

GOING WHERE THE ACTION IS

However, in a recent editorial of Steel Labor, I see that there is not a sense of complete self-satisfaction and that the stirrings of the social conscience is still alive in the minds of many labor union members. The severest criticism which the college students had of the labor movement when I spoke to them a few weeks ago was that the labor movement had grown soft, that it had lost its zeal for social reform, that it was not interested in changing American society anymore.

Now I am not saying that I agree with this criticism, but in their own language, as far as social reform was concerned, they believed that the labor movement just wasn't "where the action is." I repeat I am not agreeing with this position, but it was the one they expressed most forcefully.

As I speak in areas outside the labor movement, the criticism that the labor movement has dulled and become tarnished is certainly made. Therefore, this evening I would like to point out one area of concern which I would like to see this union local involved in over the next few years. If the labor movement is to retain its zeal and its desire for social reform, it must be concerned with workers who are not part of the labor movement. I would like to call to your attention the problems of the agricultural migrant workers, those workers who are still unprotected in large measure by state and federal legislation. These workers can be found within a few miles of us this evening.

MINIMUM WAGE FOR AGRICULTURE

I am hoping that as I speak these words to you that your union consciences will be moved to join in the struggles of another group as unprotected and unhelped as you were more than twenty-five years ago. As I am here this evening, I know that in the Rio Grande Valley, contingents of agricultural workers have already prepared themselves for their annual trek to the north. They are workers, almost exclusively Americans of Mexican descent, who will average less than $2000.00 a year when they work in Illinois for the season. In the southern part of the United States, other workers, mostly Negroes will come north. None of these workers will enjoy the benefits of workmen's compensation, health and welfare benefits, supplementary unemployment benefits, and especially the right to form a union and bargain collectively by federal law.

The great secretary of labor, James Mitchell, called them the "excluded Americans" because they were and are excluded from most of the benefits and protective legislation of American society. We will see what the minimum wage law does tomorrow since I find it hard to believe that at long last a minimum wage law will be effected in agriculture.

I am recommending that our union locals in this area make common cause with the agricultural workers who are now coming into our district. I am certain that you must see them on your way to work every morning. Joe Orr Road, Chicago Heights, are the areas in which they can be found. I am recommending that as you drive home that you look at the fields and see men, women, and children working in the fields, and that you remember that they sorely need your help as you needed help a quarter century ago.

They need your help, your assistance, and your encouragement.

There is some sign of hope. For the first time in modern labor history, a group of agricultural workers has won the right to bargain collectively with a major American corporation in California. There is no reason why workers in Illinois, with your help, should not receive these same benefits, or that with your help, public and private programs could be applied to agricultural workers to assist them in acquiring a marketable skill in the American economy.

LONG HOURS OF TOIL FOR CHILDREN

In my long association with the problems of agricultural workers, I have seen children work long hours in the fields, because even the labor of a nine or ten year old is of value to the family. I have seen men, women and children live in buildings not even designed for human use, but designed for animals or tools or transportation of materials. I have seen migrants living in abandoned buses and stripped down box cars. I have seen migrant workers work through a rainy season and not have enough money to get back to Texas. I have seen statistics which show that the average adult migrant in Illinois has less than three years of formal education.

I also know that automation is taking place in agriculture much more rapidly and quickly than in any other segment of the American economy. These workers will not have the benefits of a job retraining program nor the protection of a union to insure the intelligent introduction of automated equipment. Therefore, I hope that the members of the union would seek legislative relief for farm workers, and speaking for myself and not for the church, I would like to see the full benefits of the Fair Labor Standards Act applied to agriculture, minimum wage, child labor laws, social security, health and welfare benefits, and above all the right to bargain collectively in a union.

I would hope that the steelworkers would engage themselves in the various community programs of organizations like the South Cook County Council for Migrants and the O.E.O. of Chicago Heights so that these migrants would find a welcome in our state. I would also hope that your cooperation would enable these migrants to acquire skills to exercise a free choice in American society.

IN NOBLEST TRADITIONS OF LABOR

This dedication and devotion is important to them, but it is also important to you as union members. If the steelworkers and other unions extend themselves in assisting the agricultural migrants, they are in the noblest traditions of the American labor movement.

This evening, then I willingly share your celebration of an important event—the 29th anniversary of the first total dedication to union activity made by members of your local. I congratulate you for the gains which you have made for all the workers of our country. But I also come to you with an appeal, an appeal to renew your sense of dedication and interest to the labor movement. I also come to you with an appeal from the many workers who need your help, your concern, your strength—the agricultural workers in Illinois.

Thank you.

REPUBLIC OF SOUTH AFRICA'S BIRTHDAY

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, today the Republic of South Africa celebrates its fifth birthday, and for my colleagues and the American people I as chairman of the Subcommittee on Africa of the Committee on Foreign Affairs am happy to extend congratulations on the good accomplishments of the past and warm wishes for a future of abundance from the Republic of South Africa with full participation therein by all her people of all races, of all creeds, of all stations.

Fifty-six years ago, on the same date, the Union of South Africa officially came into being following the conclusion of the conflict between the British and the Boers in 1899. The only significant change in the Government of the Republic from that of the Union, after a white referendum, was the replacement of the new office of State President in place of the Governor General, who had represented the British crown. It was the culmination of a long-felt desire by the Afrikaners, putting them clearly in control and expediting South Africa's unfortunate racial policies.

The people of the United States and the people of South Africa have much in common interest and have participated as self-abnegating partners in many noble tasks. We have sensed that in many times of pending crisis South Africa has looked to the United States for leadership in world affairs.

Our nations in many matters have been bound in common causes and in happy unison. South African forces fought with the Allies in World War II and South Africa participated in the Berlin airlift in 1948. In the Korean conflict one South African air squadron served under the United Nations command from September of 1950 until after the armistice in 1953. These were not merely gestures, they were manifestations of a real and binding friendship that we cannot forget.

In this spirit of comrades in noble undertakings, although separated in our present versions of what is right and what is wrong, we give salute to South Africa on her natal day. It is our prayer and our hope that the people of South Africa, generous and fine by nature, eventually will come into agreement with the people of the United States, also generous and fine by nature, that the God in whom South Africans and Americans alike have faith makes no distinction among men and their abilities and responsibilities in the affairs of state solely on the color of their skin.

The United States is unalterably opposed to the racial, or apartheid policies of the South African Government. Her present course we think can lead only to disaster for all her people. Our spokesmen at the United Nations have repeatedly denounced the policy of apartheid. Our representatives in the Republic of South Africa use all appropriate occasions to express American views on this problem in the hope that we can modify South Africa's racial policies. We are firmly committed to use our best efforts to encourage South Africa to change these policies and live up to its obligations under the U.N. Charter.

The racial problem pervades every aspect of South African life and has serious repercussions on the Republic's foreign relations with the racial ratio about four to one against them, almost all white South Africans subscribe to some degree of white supremacy. The governing National Party leadership has made clear its determination to pursue the present policy of "separate development" of the various races—apartheid. The Government's political opposition, representing nearly one-half of the white electorate, believe that concessions should be made to the nonwhites but is sharply divided on the extent of such concessions.

The African occupies an important position in the country's labor force. While barred from skilled work through custom and white trade union pressure, and in some instances by law, the African has nevertheless become skilled in varying degree and constitutes an essential factor in the nation's growing economy. Although wage levels have improved somewhat in recent years, there has been a corresponding increase in the cost of living. African trade unions are not recognized by law and strikes by such organizations are considered illegal.

Over half the eligible African children attend segregated schools run by the Government. This figure is high compared with most other African countries. Attendance for Africans is not compulsory. Nonwhite students, with certain exceptions, are no longer allowed to attend white universities. A number of separate colleges have been established for nonwhite students, including separate colleges for the Zulu and the Sotho, the existing College of Fort Hare to be used by the Xhosa, a college for the coloreds at Athlone, Cape Province, and a college for the Indians at Durban. At present about 4,500 nonwhites are studying at universities in South Africa.

Some two-thirds of the African population is rural, living either on farms owned by whites or in the tribal reserves which comprise about 13 percent of the country's land area. Although the Government's apartheid program envisages in theory extensive development of the backward reserves, little progress has been made to date except in land utilization. Several of the major recommendations of a commission of experts—Tomlinson Commission—appointed to draw up concrete plans for developing the reserves were rejected by the Government. Border industries are being developed to use the labor supply in the reserves.

The first partially self-governing Bantustan, Transkei—a large area near Port Elizabeth—was established in December 1963 with the election of an African assembly and a chief minister. A "Bantustan" is a Bantu homeland. Transkei, the first of about a half dozen of these to be established eventually, covers about 16,500 square miles and has a population of 1.5 million. The announced goal of the Government is the granting of eventual self-government and even independence to such areas. The Bantustan policy has been subject to sharp criticism inside and outside South Africa. New difficulties have arisen over the plan through the opposition of popular leaders in the Transkei and the resistance of the powerful Zulu tribe.

Over 3 million Africans are estimated to be living in urban areas, principally in locations, that is, special areas set aside on the outskirts of all major cities and towns. These urban dwellers are becoming thoroughly integrated with the country's cash or exchange economy and, through contact with Western ideas politically conscious. They constitute the most serious part of the overall racial problem. Restrictions on this group in implementation of the Government's apartheid policy are aggravating race relations to a degree which is causing grave concern in many quarters. On the other hand, the Government and several city administrations—notably Johannesburg—have reportedly made enormous strides in overcoming critical housing shortages and in providing public health and other facilities.

As chairman of the African Subcommittee, Committee on Foreign Affairs, I extend my sincere greeting on this anniversary to all the peoples of that troubled country with the fervent hope that in the not too distant future, the present Government of South Africa will recognize that her best interests will be served only by policies which will give all racial groups grounds for hope that their legitimate aspirations are attainable and by peaceful means.

I send special greetings to Chief Albert Lutuli, the Nobel Prize winner, who rather than foresake his people for the outside world, returned to South Africa and is now living in detention with the firm belief that the just cause will eventually triumph.

I send special greetings to Helen Susman, that great "minority of one," in the South African Parliament who determinedly and bravely opposes the present Government's obnoxious policies.

I send special greetings to the noted South African author, Alan Paton, who virtually alone in defiance of the laws that could condemn him to a prison life or worse stresses multiracial membership and advocates full and equal rights for all adult men and women, irrespective of race or color.

I send special greetings to that brave little lady, Mary Benson, forced to foresake her country, because of her feeling that she needs to tell the world that South Africa can have another future besides the grim racial Götterdämmerung generally forecast by black and white alike.

And lastly, I send felicitations to the Embassy of South Africa in the United States whose representatives have diligently and quietly sat day after day in our subcommittee hearings on United States-South African relations listening to the forces of religion, labor, education, and government appeal for reasoning and commonsense. Even though the views of the Government they loyally and ably represent are not the views of the Government of the United States, and certainly are not in conformance with my own views, I hold the members of the Embassy of South Africa in deep respect and warm esteem.

It is my earnest hope that South Africa will shortly reach the day when she will have happier birthdays and truly a cause for celebration in a modern world, a modern world that at last has come forth, a world in which men and women will be judged solely by their worth and not by race, color, or station.

South Africa and the United States stood loyally together in the cause of freedom in World War II, in the crisis of the Berlin airlift, and in the Korean conflict. It is my hope and prayer that soon in the good conscience of the people of South Africa the system of apartheid that in the conscience of the American people is intolerable and immoral will be erased and again South Africa and the United States can march forward together as comrades and crusaders for freedom in a modern world.

GENERAL LEAVE TO EXTEND REMARKS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to extend their remarks on the anniversary of the Republic of South Africa.

The SPEAKER pro tempore (Mr. PUCINSKI). Is there objection to the request of the gentleman from Illinois?

There was no objection.

NEGOTIABLE CERTIFICATES OF DEPOSIT CAUSE DRAIN OF BADLY NEEDED FUNDS TO THE LARGE MONEY CENTERS

Mr. DOW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DOW. Mr. Speaker, today I am introducing a bill to put an end to the destructive and senseless rate war now in progress between our commercial banks and our thrift institutions. Last December 6, the Federal Reserve Board took drastic action when it raised to 5.5 percent the maximum interest allowed to be paid on time deposits, including negotiable certificates of deposit with maturities as short as 30 days. This has caused a tremendous drain of funds out of local thrift institutions and small banks as well into the large money market banks which can easily afford to pay such an exorbitant rate. As a result, this money—instead of staying at home to finance local homebuilding, construction, and small business needs—is finding its way into the stock market and corporation loans to expand plant and inventories.

Mr. Larry Blackmon, president of the National Association of Home Builders, just this morning testified on Chairman PATMAN's bill before your Banking and Currency Committee, pointing out that all over the country many thrift institutions are completely out of the home mortgage market as financing has all been dried up.

Mr. Speaker, my bill would eliminate unsound competition for funds and bring a halt to this senseless rate war which our bank supervisors have permitted to develop. My bill would provide a minimum 6-month maturity on time deposits, a 4.5 rate ceiling on time deposits, and a reserve requirement of up to 12 percent, instead of the present maximum of 6 percent. My bill would apply these requirements to both member banks as well as nonmember insured banks and further provides that the Federal Reserve System take such action as appropriate to enable the large money market banks—which have so extended themselves—to be fully prepared to meet their obligations as existing liabilities come due.

Mr. Speaker, I am particularly concerned with this problem because of the serious outlook for homebuilding in my own district of New York State.

I represent the two remaining counties of the metropolitan area that are not largely built up, where there is still room for building development. These are the counties of Orange and Rockland. They are among the very fastest growing counties in the Nation.

And yet, today, I have received very dismal news from those counties. The president of a prominent savings and loan association in Orange County advises me as follows:

> This Association is now operating on the basis of no more than thirty per cent (30%) of the commitments made last year. Our Loan Committee is operating on a week-to-week basis, and, frankly, we are only taking what practically amount to emergency loans, and in checking around, I find this to be the general condition with other financial institutions which were contacted.

The president of a builders association in Rockland County writes to me as follows:

> Relative to tight monies, I foresee a 60% decrease in business, with no new commitments forthcoming from banks.

Not only in the interest of the savings and loan associations and the builders, but also in the interest of the construction workers, the subcontractors, the small bankers, and all those who depend on the great building-development industry, we must turn back this manmade stoppage to our national economy. That is the purpose of my bill.

EXPLANATION OF THE FARM PROGRAM

Mr. POAGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POAGE. Mr. Speaker, I have asked for consent to speak tomorrow and next Tuesday in order that I may lay out a little bit about our farm program, which I think is so generally misunderstood. I hope that I will be followed by others who will discuss our present farm program and try to give a better understanding than we have of what is being done and what we are trying to do in behalf of American agriculture.

Thank you.

FURTHER VIEWS ON H.R. 9167, THE NARCOTIC ADDICT REHABILITATION ACT OF 1966

Mr. HALPERN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HALPERN. Mr. Speaker, I rise at this time to again express my enthusiastic support for the bill we had under debate this afternoon, the Narcotic Addict Rehabilitation Act of 1966. I do hope overnight the Members of this House will give serious thought to a strengthening amendment to authorize adequate funds for the improvement and expansion of existing facilities, such amendment to be offered tomorrow at the appropriate place in the bill.

In general, H.R. 9167 is not only direly needed but should mark a first step in a comprehensive assault on the narcotics addiction problem in this country.

The major purpose of H.R. 9167 as was brought out this afternoon, is to provide civil commitment to those charged with narcotics offenses. This was wisely and expertly recommended by the President's Advisory Committee on Narcotics and Drug Abuses. But even earlier than 1963, when this committee made these recommendations, a Federal civil commitment alternative has been a constant goal of many of us who recognize that the many complex facets of addiction could never be properly met by rigid criminal penalties alone.

To be truly effective, Mr. Speaker, it is vital that this program be implemented with adequate funds to equip our cities and localities with the necessary facilities, including treatment centers, staffs, and posthospital services. That is the purpose of the amendment which will be offered by the distinguished gentleman from New York [Mr. Tenzer] to another amendment to include authorization for matching funds for facilities in this bill. Together with our able colleague, the gentleman from New York [Mr. Gilbert], I am privileged to join Mr. Tenzer in the sponsorship of this amendment.

Since the Committee of the Whole has risen and will reconvene tomorrow to continue consideration of amendments, I trust that the Members will use this period as an opportunity to reflect the importance of adequate matching funds in order to do the full job envisioned by this legislation. I hope that when the amendment to which I refer is offered, it will be overwhelmingly approved.

Mr. TENZER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include an amendment.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TENZER. Mr. Speaker, following is a proposed amendment to the amendment to H.R. 9167, to be offered by Mr. Farbstein, as offered by Mr. Tenzer, also on behalf of Mr. Gilbert, of New York, and Mr. Halpern, of New York:

On page 22, after line 13, insert the following:

Sec. 402. Part E of title III of the Public Health Service Act is amended by adding at the end thereof the following new section:

"'Facilities for Care and Treatment of Narcotic Addicts

"'Sec. 348. There are hereby authorized to be appropriated $15,000,000 each for the fiscal year ending June 30, 1967, and two succeeding fiscal years, to enable the Surgeon General to make grants to the several States and political subdivisions of the several States of up to one-half of the cost of the expansion, remodeling, and alteration (including the cost of acquiring initial equipment) of facilities for the care and treatment of narcotic addicts. Such grants shall be made on the basis of need, as determined by the Surgeon General. No grant shall be made under this section unless an application therefor is submitted by a State or a political subdivision of a State. Each such application shall set forth—

"'(1) a description of the site of such facility;

"'(2) plans and specifications for the expansion, remodeling, or alteration of such facility;

"'(3) reasonable assurance that title to such site is or will be vested in the entity filing the application or in a public or other nonprofit agency which is to operate the facility;

"'(4) reasonable assurance that adequate financial support will be available for the completion of the facility and for its maintenance and operation as a facility for the care and treatment of narcotic addicts when completed;

"'(5) reasonable assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of work on the facility with funds received under this section will be paid wages at rates not less than those prevailing on similar work in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c); and

"'(6) a certification of the share of the cost of such expansion, remodeling, or alteration which will be met with funds from non-Federal sources.'"

And redesignate the following sections accordingly.

AMERICANS HAVE A GREAT COMMANDER IN VIETNAM, GEN. WILLIAM C. WESTMORELAND

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, last month when the subcommittee of which I had the honor to serve as chairman returned from an inspection trip to Vietnam, we reported to the House two vital facts: First, that we are now winning the military war in Vietnam, although it is sometimes difficult to determine this from some of the press reports we have gotten back from the war fronts; and second, that we can be mighty glad that we have in command of our forces in Vietnam an outstanding officer, one who clearly ranks with such topnotch American field commanders as Eisenhower and MacArthur, Gen. William C. Westmoreland.

I was delighted to read an article in the Washington Daily News today that reports from Saigon not only that we are indeed winning the war, as our subcommittee reported but also that a great share of the credit for this developing victory belongs to General Westmoreland.

I am sure my colleagues will find it of great interest.

The article follows:

[From the Washington Daily News, May 31, 1966]

U.S. Doing Well Militarily—For "Westy," a Protracted War

(By Walt Friedenberg)

Saigon, May 31.—It's about time somebody spoke up about it:

In William C. Westmoreland, the United States *has a great general in this tough spot*.

Viet Nam is the kind of war that favors the enemy, who fights as a terrorist, a guerrilla and a regular soldier, has sanctuary in neighboring countries. This enemy is a very good fighter.

In contrast, our allies, the South Vietnamese, because of the lack of leadership, motivation and unity, are doubtless the weakest allies we've ever fought alongside.

THE MAN

Yet this most complicated war is going well militarily. And the man who shoulders the major burden for devising and handling the buildup, planning the strategy, guiding operations, blending the roles of the U.S. Army, Air Forces, Marines and Navy with each other and with the Vietnamese and other allies, is Gen. Westmoreland.

A little over two years ago when he arrived, there were 18,000 American advisers and troops here. A year ago, before the first Marines and Paratroopers landed, the Viet Cong were on the road to victory.

Today, Gen. Westmoreland commands the equivalent of three American Corps, plus supporting commands, an Air Force and half a fleet; he oversees all allied operations. The enemy's strategy of dominating the highlands, then cutting the country in two, has been thwarted.

Instead of losing, we are winning.

NO ACCIDENT

With Gen. Westmoreland, success is not just an accident. It's a habit born of circumspect examination of the problem, and a straightforward, earnest pursuit of the solution—enhanced by gentlemanly, good-natured bearing that inspires those who watch him, work with him or take his orders.

"Westy," son of a South Carolina manufacturer, was First Captain of Cadets at West Point. He was an outstanding artillery and airborne commander in World War II and Korea.

A few weeks ago, on the kind of dawn-to-dusk field trip he tries to make three times a week, the General spotted Sgt. Maj. William Furguson, a now crusty old soldier he served with for five years in North Africa and Europe. There were spontaneous handshakes and matching wide smiles of unexpected pleasure.

THE SAME

Later Sgt. Maj. Furguson was asked how Gen. Westmoreland had changed in 20 years. "He's the same as ever," the sergeant said. "Nicest guy in the world, and a go-getter."

Gen. Westmoreland has an impressive "no" list: No dandy boots and uniforms, no swagger stick, no press agentry, no four-star willfulness or whimsy, no gift of gab. He's proud to be a soldier, but he doesn't glory in it.

He is a big man, six feet, 180 pounds, erect and soldierly. At 52, there's a fringe of gray hair showing under his GI baseball cap. The chin juts out, but it's anatomy, not arrogance. Beneath bushy black eyebrows are his brown eyes.

He likes to greet incoming troops.

ASKS ADVICE

He talks with Division commanders, company officers, special forces sergeants—and with the Vietnamese: generals, province chiefs, company commanders. More than once I've seen him seek out a low-ranking but key Vietnamese officer and respectfully ask for information and advice.

Time and again, to troops and commanders, Gen. Westmoreland preaches the political and military nature of the war, and urges them to protect innocent civilians as best they can, and to regard civic action as an important part of their mission. He reminds them also, especially within earshot of Vietnamese commanders, that the Viet Cong taken captive are to be treated humanely as prisoners of war.

To Gen. Westmoreland there is no timetable, from him no predictions over how soon the war will be won. "I look for a protracted war," he says. "But I am highly optimistic," with the chin nodding up and down.

AMENDMENT DOES NOT "PUNISH THE HUNGRY"

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINDLEY. Mr. Speaker, I am grateful to the Washington Sunday Star for publishing my letter in which I attempted to correct a very misleading impression left by an editorial published by the Star on May 25.

In the editorial the Star left the entirely erroneous impression that an amendment to the food-for-freedom bill accepted by the House Committee on Agriculture would have the effect of punishing hungry people.

Because this bill will soon come to the House floor, and further because of the frantic effort the State Department is making to kill or modify the amendment, I am placing here the text of the editorial and my comment on it:

PUNISHING THE HUNGRY

It's election year and everybody is anxious to get on the record in a militant anti-communist pose. At least that seems to be the explanation for the recent action by the House Agriculture Committee regarding the Food for Freedom program.

The panel has tacked on a clause withholding food from any nation that does any trade with Cuba or North Viet Nam. There is no qualifying phrase about non-strategic goods or medicine to Cuban invalids. It's a flat ban, the type so satisfying to those who would like this to be a simple world with simple decisions.

Unfortunately, the measure threatens to punish our friends more than our enemies. It would cut off food to an India wracked by famine simply because that country exports a mere $600,000 worth of jute for for making Cuban sugar bags. It would dry up the flow of American food to other distressed countries for similar minor trade in non-military items. Ironically, even the United States could not qualify for food aid under its own program, since we send medicines to Cuba ourselves.

There is an easy way for either the full House or the Senate to repair this bill. Ideally, of course, the clause should be stricken. But in lieu of that, a line or two leaving such aid to the discretion of the President will satisfy two goals. It will leave the House committee members on record as vigorous champions of democracy, and it will leave the program precisely where it was before.

It's a complicated way to enact a bill. But it's better than punishing a lot of hungry children abroad for an offense they never committed.

MAY 26, 1966.

EDITOR,
Washington Evening Star,
Washington, D.C.

DEAR SIR: Your "Punishing the Hungry" editorial of May 25 implied that an amendment placed in the Food for Freedom legislation by the House Committee on Agriculture would cut off food to hungry children in food-short countries like India. Such is not the case, and I am confident you will wish to correct the false impression left by the editorial.

It stated, "It (the amendment) would cut off food to an India wracked by famine simply because that country exports a mere $600,000 worth of jute for making Cuban sugar bags." Actually, food donations could continue no matter what commerce India maintains with Cuba—or any other country.

The amendment applies only to "concessional sales," that is, sales for "soft currencies" or long-term dollar sales at nominal interest rates. It would deny the advantage of these deals to any country that trades with North Vietnam or Cuba. As such it would indeed have impact, but hardly the cruel impact your editorial suggested.

It would force India, for example, to choose between a relatively small volume of jute trade with Cuba and the massive grain shipments it gets from the U.S. under "soft currency" agreements. This grain is virtually donated by the American people, but all of it is sold by India through local markets.

The Indian government prefers these "soft currency" deals to straight-out donations for obvious reasons. It gets the grain virtually free but sells it for rupees at home. None of it goes without charge to destitute people—young or old.

In the past five years, India has received over $2 billion worth of grain under this attractive arrangement, and certainly would not pass up a bargain like this to protect Cuba trade worth only a tiny fraction.

Obviously India would choose to shut off the jute trade in order to continue the much bigger advantage it gets under "soft currency" deals. Thus the grain shipments to India would continue but Castro would acquire a new economic problem.

The restrictive principle embodied in this amendment is nothing new. A Democrat, Rep. PAUL ROGERS of Florida, authored a similar amendment two years ago which applies only to Cuba and only to shipping. This new amendment is broadened to include North Vietnam and to cover selling as well as shipping. When I offered it as an amendment to the agricultural appropriations bill recently it received strong bipartisan support, carrying 290 to 98.

The new bill, like the old, contains similar restrictions to apply if a recipient government expropriates U.S. property without due process of law or pursues policies inimical to our foreign policy.

To the extent that we can shut off supplies of all kinds to North Vietnam we mercifully shorten the conflict and improve the position of our boys fighting in that distant jungle. At latest report our government was still trying to cause trouble for Castro through economic sanctions.

This amendment will be an aid to achieving both of these high-priority foreign-policy goals without limiting in any way the authority of the President to meet, with food donations, any emergencies that may develop in Cuba or North Vietnam.

Sincerely yours,

PAUL FINDLEY,
Representative in Congress.

CANCEL GERMAN GUN CONTRACT

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINDLEY. Mr. Speaker, information that has come to my attention from firsthand sources impells me to urge the cancellation of the $73.3 million contract with the Rheinmetal firm of Dusseldorf, West Germany, for the purchase of HS 820, 20-millimeter machineguns, and the inauguration of a crash program to develop a satisfactory weapon of similar range and power.

The United States has already wasted 5 precious years and $6.3 million in futile efforts to bring the oft-rejected HS 820 up to minimum performance standards. No time should be lost in putting our Nation's best talent to work developing and producing a weapon that will measure up.

Cancellation of the procurement contract for the HS 820 may cause additional loss to taxpayers, but whatever the cost in dollars this strange and unproductive gamble on a weapon rejected 5 years ago by the West German Army must be terminated.

A review of Department of Defense files will reveal this startling information:

The Department of the Army's Scientific and Technical Intelligence Bulletin dated last September records that 5 years ago, after a 2-year test period, the weapon was withdrawn as the standard vehicular machinegun of the West German Army because it was not reliable, gave poor performance, would not feed properly and had extraction and air-contamination problems. Because of this the guns were returned to the manufacturer. The HS 820 was never returned to service by West Germany, nor has it been used by any other nation. The Rheinmetal company and its associate, Hispano Suiza of Switzerland, have tried to peddle it around the world since then but—except for the United States—without success.

In 1961 military potential tests were conducted by the U.S. Department of Defense on the HS 820 and two other weapons. The other two were eliminated for various reasons and, although the HS 820 did not function well, development work on it was ordered.

Two years later a second series of tests was run at Aberdeen Proving Ground with very negative results. The report was suppressed. This suppression is believed to be the first such in our history.

Since 1961 the United States has spent $6.3 million trying to improve the weapon. Although somewhat improved it still falls far short of normal Army standards for small arms.

For some unexplained reason the development work was conducted at Aberdeen—probably the first time in American history that small arms development was not done at the Springfield, Mass., Armory.

The most recent Aberdeen tests showed these shortcomings:

First. It would not fire at minus 65° as required by Army standards. The gun failed the abuse test. It fouled up quickly. It failed to function in dust conditions. These were believed to be related to its use of lubricated ammunition. No other nation currently uses lubricated ammunition in small arms. It was used in some Italian and Japanese guns during World War II but with unsatisfactory results.

Second. The gun was excessively sensitive to mounting conditions. Moderate movement of the weapon caused malfunction.

Third. The high-explosive ammunition did not function properly. The fuse was too insensitive to pass the graze test. Earlier tests showed the first ammunition too sensitive. Rounds would explode when they hit raindrops.

The most recent report by Aberdeen curiously contained no recommendation. It simply stated test results including the deficiencies listed above.

The Infantry Board at Fort Benning, Ga., which tests and rates small arms, tested the HS 820 on at least two different occasions and has never rated it up to standard. The weapon failed Army tests in desert conditions.

Despite all this, the Department of Defense has announced a $73.3 million contract awarded to Rheinmetal.

Many aspects of this weapon procurement trouble me. Why did the United States spend $6.3 million in development in view of West Germany's sad experience with the gun? Why was the development effort undertaken at Aberdeen, which had never done this type work, instead of at Springfield, Mass., where the world's finest team of small-arms specialists is now being dismantled? Why was not the T220 E-1 gun developed? Preliminary reports showed it could be produced at one-third the cost of the HS 820, would have comparable firepower and range and was not subject to the handicap of lubricated ammunition. Why was the Aberdeen report suppressed?

But what troubles me most of all is that this unsatisfactory weapon is now under production contract, with deliveries intended as replacement for our 50-caliber machineguns—which, of course, are smaller but dependable. I cannot believe that in the final showdown our military leaders will permit undependable guns to be placed into use; but how much more delay can the United States afford in the development of a gun with comparable power and range? In November 1960 the Department of Defense determined that the need for a weapon of this type was so critical it decided to buy the best available "off the shelf" gun.

Military experts believe the need is even more critical today than in 1960 but we continue to waste time and money on a gun that never has measured up to standards and gives no promise of ever being satisfactory.

For the sake of our fighting men, I hope Secretary McNamara will cancel the contract and order the Springfield Armory to develop a gun that will work.

FELON FURLOUGH FOR SAVING FOOD

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TALCOTT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TALCOTT. Mr. Speaker, last week Governor Brown, of California, was compelled to furlough hundreds of felons from State prisons to help salvage crops from spoilage.

This kicked up a little fuss. The "felon furlough for saving food" dramatizes the failure of the Federal farmers in the bureaus of Washington to solve the problem of providing adequate, competent farm labor during temporary peak harvest seasons.

Labor union bosses, who have done little to help recruit farm labor, have complained to the Governor that the wages paid to the felons is too small—although 10 cents an hour above the minimum wages set by Labor Secretary Wirtz last year.

Crops are spoiling. Workers cannot be recruited. New family housing is vacant. American families are rebelling against the nomadic, migrant life being forced upon them by the Federal planners and regulators in the Department of Labor.

I insert the Governor's press release for May 25, 1966: He has complied with the Federal dictates right down the line. Now let him explain his present predicament in his own written words:

PRESS RELEASE—JB—No. 584, GOVERNOR EDMUND G. BROWN, MAY 25, 1966

Governor Edmund G. Brown today issued the following statement.

"Mr. Pitts has been misinformed about the entire matter of men doing farm labor on work-furlough in the Stockton area. In the first place, the project was discussed with and approved by labor officials from Mr. Pitt's own union in the Stockton area.

"The inmates on those farms are guaranteed $1.50 an hour, which is ten cents above the minimum $1.40 wage set by Secretary of Labor Willard Wirtz. I am told that competent farm workers in the area are actually making $2 an hour.

"The inmates were sent to the fields only after an exhaustive search in California and in other states failed to produce enough American farm workers.

"Recruiting efforts in other states produced exactly seven workers this week.

"The shift from a farm work force based on foreign labor to a force based on American labor is not and will not be an easy one. The growers are not happy with it. Mr. Pitts makes it clear he is not happy with it.

"I intend to continue to help build a stable force of American farm labor in California. At the same time, I will do anything within my power to make sure that growers who are willing to pay the going wages have enough workers to harvest their crops."

HORTON BILL EXTENDS EDUCATIONAL POSTAL RATES TO AMATEUR PHOTOGRAPHERS AND PHOTOGRAPH EXHIBITORS

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HORTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, I have today submitted a proposal that would eliminate a significant inequity in our postal rate structure as it applies to hobbies and to educational materials.

At present, fourth-class, or educational materials mailing privileges are afforded to record clubs, book clubs, and similar organizations. At the same time, amateur photographers must pay higher rates for mailing their prints for nonprofit purposes. My bill would afford fourth-class mailing privileges to amateur photographers who mail photographic prints to a nonprofit exhibition, and would allow the same rate for return of the prints to those submitting them. While this measure will not affect a very large segment of our population, those who will benefit from it deserve to enjoy an equal status under postal rate laws to that of hobbyists in other media. They deserve at least equal postal treatment to mail-order merchandisers of books and records which operate for profit.

I am hopeful that my colleagues, keeping these factors in mind, will give serious consideration and prompt approval to this measure.

RESULTS OF SCHNEEBELI QUESTIONNAIRE

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SCHNEEBELI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SCHNEEBELI. Mr. Speaker, the results of my seventh annual questionnaire have just been announced. This survey was mailed to all registered voters of both parties, about 200,000 in number. The voting registration is approximately 58 percent Republican, and 42 percent Democrat. To date we have received more than 10,000 replies. My congressional district is composed mostly of farming and small-town industry in north-central Pennsylvania, and to give one an idea of the environment, there is an annual deer kill of about 20,000 in the congressional district of 10 counties.

The questions were originally submitted to the editors of six of the largest daily newspapers in the district for review and recommended change to avoid any "slant." There are 8 colleges in my district with about 35,000 college students, so that it represents an area of substantial educational background.

The results are noted below:

1966 questionnaire results

	Percent		
	Yes	No	No opinion
Foreign affairs:			
1. In the light of our current position in South Vietnam, do you favor—			
(a) Gradual, complete withdrawal?	18	36	46
(b) Maintaining our present position, hoping to outlast our opposition?	23	27	50
(c) Escalating our effort, if our peace offers are rejected?	52	9	39
(d) Blockading North Vietnam ports?	53	8	39
2. Do you approve continued U.S. opposition to the admission of Red China to the U.N.?	61	25	14
3. Do you favor taking steps to expand our commercial trade with the Soviet and other European Communist nations?	33	52	15
4. Our present commitment of $600,000,000 yearly to the Alliance for Progress to extend aid to Central and South America expires June 30 this year. Should this authorization be—			
(a) Increased	3	24	73
(b) Decreased	30	17	53
(c) Continued	47	9	56
(d) Eliminated	21	20	59
5. Should we spend our time and money trying to introduce some birth control methods in rapidly growing foreign countries such as India and Brazil?	45	42	13
6. Do you favor the export of our Great Society programs covering health, education, welfare, etc.?	26	59	15
Social:			
1. Do you favor most of the Great Society objectives and legislation on the scale proposed?	19	61	20
2. Do you favor the proposed administration bill for Federal registration of firearms?	42	50	8
3. Do you favor a program of rental supplements to low-income families unable to obtain standard housing with their own incomes?	30	58	12
4. Do you favor the continuance of the broad scale of the Federal urban redevelopment program?	30	55	15
5. Do you favor health insurance under social security for our total population, as well as for those over 65?	17	76	7
Education:			
1. There is a new manor program of Federal aid to elementary and secondary schools. Do you favor its—			
(a) Continuation	50	14	36
(b) Expansion	15	22	63
(c) Elimination	25	22	53
2. Do you favor a National Teachers Corps to augment school facilities in impoverished areas?	49	35	16
Fiscal:			
1. Do you believe the Federal Government should provide money to large cities to help modernize their mass transit systems?	20	70	10
2. Do you favor a broad increase in "user charges"—the transportation excise taxes levied on facilities that use the Nation's airways, waterways, and highways?	36	41	23
3. In order to help improve our balance-of-payments problem, should we—			
(a) Cut down on our troop commitments in Europe?	42	26	32
(b) Cut down on some of our foreign aid costs?	85	4	11
(c) Enact stronger controls on direct corporate investments abroad?	56	12	32
(d) Eliminate entirely any allowances to tourists?	43	27	30
4. Do you favor greater executive and congressional control over the Federal Reserve Board activities than is now in effect?	24	44	32
5. Do you favor a program of returning to the States a percentage of the Federal taxes collected therefrom?	70	17	13
Labor:			
1. Should the Federal Government set standards for State compliance with the length and amount of benefit payments in unemployment compensation?	29	57	14
2. Should we repeal sec. 14(b) of the Taft-Hartley Act which gives each State the authority to determine its own position on "right-to-work" law?	19	69	12
3. Do you favor an increase in the minimum wage of $1.25 per hour to—			
(a) $1.50 an hour	38	22	40
(b) $1.75 an hour	14	25	61
(c) $2 an hour	7	26	67
(d) No increase	27	20	53
4. Do you favor making it legal for a union to throw a picket line around a construction site if the picket line keeps nonstriking workers off the job?	12	80	8
5. Do you favor extending a minimum wage to farm labor?	49	39	12
6. Do you favor a new Federal law to curb strikes against the public interest?	82	12	6
General:			
1. Do you favor the continuation of the House Un-American Activities Committee?	71	13	16
2. Do you favor the Federal Government taking steps to withdraw gradually from farm price support programs?	79	9	12
3. Should the space program be slowed down during periods of large budget deficits?	60	28	12
4. Do you favor a cold war GI bill providing "readjustment benefits" for education to veterans of U.S. military operations since the Korean war?	71	18	11
5. Should we legislate further at this time in the civil rights field?	21	62	17
6. If you favor a proposed term of 4 years for Congressmen, do you prefer that they all be elected—			
(a) For the presidential term?	21	25	54
(b) ½ be elected each 2 years?	58	6	36
7. Do you favor legislation allowing a State the right to apportion 1 house of its legislature on factors other than population?	44	30	26

DEPARTMENT OF TRANSPORTATION

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. YOUNGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. YOUNGER. Mr. Speaker, Congress has before it at the present time a recommendation by the administration to create a Department of Transportation. Mr. Morris Forgash, president of the United States Freight Co., delivered an address before the Motor Carrier Advisory Council Conference in Chicago on May 12 covering his reaction to this recommendation. His views certainly should be taken into consideration in connection with this legislation because of Mr. Forgash's widespread experience in the transportation field.

His address follows:

COORDINATED TRANSPORTATION HIGHWAY, RAIL, MARINE AND AIR

(Address by Morris Forgash, president, United States Freight Co., before the Motor Carrier Advisory Council Conference, Chicago, Ill., May 12, 1966)

It is a pleasure and a privilege for me to be here and to talk to you, formally and informally. We are all business men and we are all in the same business—moving freight. You were kind enough to invite me here to talk about certain phases of transportation. I intend to do so in plain language, with the hope that if what I have to say is not helpful to you it will at least be challenging. It is a principle with me that I had rather express a view and be proved wrong in the forum of debate than to remain silent and let history bring in a verdict in the distant future when time may have rendered the issue moot.

While we have had our differences, there has always been a strong bond between your segment of the motor trucking industry and freight forwarders of the kind that I represent. That is because our industries have many things in common. It is to our mutual interest to work together and to understand each other's problems. We must rely on each other and, therefore, it is important to my industry that your industry remain strong and efficient. Conversely, it is important to you that the common carrier freight forwarding industry remain healthy and vigorous.

We are an ingenious people, noted for our practicality. I once heard it said that if you ask a knowledgable citizen of one of the Eastern countries how to fix a knock in the motor of your automobile he will write you a book on the functioning of the internal combustion engine. Ask almost any citizen of the United States the same thing and he will raise the hood of your car and fix it.

But in the matter of transportation we have developed a strange national complex. Psychiatrists might call it a "problem psychosis." The innumerable studies of the transportation "Problem" that we have caused to be made in recent years are measurable in pounds instead of pages. Scholars, experts, and committees have presented us with conclusions so complex that few have understood them and no one has undertaken to implement them.

We have a transportation problem right enough. But we have been too busy writing books about it. All we need to do is lift the hood of the automobile, roll up our sleeves, and tackle the trouble.

There are only two basic things wrong in the transportation system today, ond only two possible cures. The two things can't be ranked in importance because both are vital. I will tell you what the two things are that must be corrected, and how I would correct them. If you agree with me and we can get the message to enough people, quickly, we will have the transportation problem solved before it becames the plot of another best seller on the nonfiction list.

One thing that is wrong in transportation is that we are applying strict Federal regulation to 30 percent of the industry while 70 percent avoids regulation. This cancels out the high purpose of national transportation policy because it is impossible to fairly and impartially regulate 30 percent of the national transportation system.

If we cure the cancer of transportation represented by the devastatingly rapid growth of unregulated carriage, then there will remain only one deficiency in the transportation system to which we must find a key—effective coordination.

STANDARDIZATION AND COORDINATION

Coordination is a fundamental goal of our transportation policy. We know that without coordination we will never achieve a transportation system, but will continue to have duplicative, wasteful, parallel, competing, segmentized units of transportation. And yet with all our fine policy and pious talk, coordination in the 20th Century transportation is about as effective as it was in mid-19th Century railroading when every line was built to its own specifications.

There are keys to both of these vital problems, and we do not need to make a study to find them. I am going to talk about the last one first because what I have to suggest is really a continuation of a program on which NDTA has already embarked.

The key to effective coordination of transportation is standardization!

Without standardization we cannot have interchangeability of equipment, and without interchangeability we will never achieve coordination. The economics are against it. Physical transfers from one vehicle to another, not once but several times in the course of each through movement, cost too much in terms of wages, time, and cargo loss and damage to make that kind of coordination attractive. If that fact has not been made clear to us in the thirty years or more that we have been talking about coordinating rail and truck service it will never be any clearer, and time is running out.

I believe every thoughtful person now accepts the fact that standardization of transportation equipment is the cardinal prerequisite to a coordinated and fully adequate transportation system. The crash program which resulted in recommendations for basic dimensional standards for containers in the Fall of 1959 by a Special NDTA Subcommittee on Containerization and Standardization jarred the Nation out of its lethargy. It was my great honor to head that Subcommittee—as important an assignment as I ever expect to have.

The NDTA recommendations for standard container dimensions of 8 feet in width and depth and maximum length of 40 feet, with shorter multiples, have been widely accepted. The American Standards Association, after much study, has endorsed these dimensions. Containers conforming to such standards are being tested by the Army.

An important incentive for the construction of standard sizes of containers in the service of subsidized steamship lines is embodied in Public Law 87–271, effective September 21, 1961. This law provides tremendous tax advantages to subsidized lines by permitting them to utilize their reserve funds in the purchase and construction of containers of standard sizes. It is interesting to note that the sizes prescribed are identical to those embraced by our recommendations.

But agreement upon standard sizes of containers, important as the first step is, will remain a mirage unless it is fully implemented. It took a crash program to obtain the agreement—I now suggest we mount a crash program for its implementation.

THE "CRASH" PROGRAM FOR STANDARDIZED EQUIPMENT

What I propose is exceedingly simple and irresistibly logical. But the simple and logical solutions sometimes are the hardest to sell and this will require concerted, concentrated, and sustained effort.

What we need and must have at the earliest possible moment is not just a standardized *pattern* for transportation equipment, but standardized equipment *in being*. We also must have standardization of method and device for loading and unloading containers, and securing them on the various media of transport.

To obtain these ends we must provide an incentive, not just to build up a fleet of standardized equipment over the long pull, but to build it now. The Maritime Commission has created such an incentive for the maritime trade by saying: "If you want subsidy or government-insured mortgages, standardize your equipment."

I propose an even more powerful incentive—fast tax writeoffs for all types of new equipment that need prescribed standards. I propose that the revenue laws be amended so that all types of transportation property constructed according to specified standards could be depreciated, for tax purposes, in a much shorter time than is now permitted.

How short a time do I propose? I recommend the following program—three years depreciation on trailers and containers, and ten years on flat cars built specifically for the transportation of demountable truck bodies and/or trailers.

Now, before someone condemns this as a massive raid on the Treasury, let me point out that it will be better for the country to have an accelerated depreciation program on a new transportation plant than to continue the present unrealistic program with regard to a plant that is almost over the hill.

The time is ripe for such a proposal. The railroad boxcar fleet is in a sad and dangerous state. The former President of the Association of American Railroads, Mr. William T. Faricy, in a letter to Secretary of Commerce Hodges dated September 14, 1961, said:

"The outbreak of war now would find this country with 144,000 fewer serviceable freight cars than it had at Pearl Harbor. The supply would be 129,000 fewer cars than when hostilities started in Korea, and the writer can say from personal experience that the worry at that time over the adequacy of the fleet was deepseated and well-founded. Less than two months after the Korean war started, car shortages were averaging nearly 40,000 per day."

What music that must be to the ears of the men in the Kremlin. But what a tragic commentary on the state of the Nation that has prided itself on having the greatest transportation system in the world.

The trucking industry, too, has felt the pinch of the cost-price squeeze which has gripped the Nation in recent times, and if the industry is to fulfill its destiny, it is at the verge of vast expansion in equipment. If it continues to replace, in kind, equipment that it now has, obsolescence will overtake the industry long before the equipment has served its useful life.

But if the rail and trucking industries—and the maritime industry as well—are given the tax incentives I suggest, we will see an immediate scramble for equipment that will keep the mills and factories working overtime for months to come. It will provide the greatest shot in the arm our economy has had in years.

A RESERVE FLEET FOR NATIONAL EMERGENCY

Most significant, however, from the standpoint of both the economy and the national defense, will be the fact that we will acquire not only a modernized, but a far more efficient transportation plant, and a reserve fleet of versatile transportation equipment that will be adequate to meet any emergency. It will be a reserve fleet not in mothballs but in practical use. This fleet will contain equipment that can be pressed into service at a moment's notice, and dispatched by any mode of surface transportation, or any combination of modes, to any point in the world. For I would not limit the plan to standardized containers, but would extend it to all basic transportation equipment the standardization of which is essential to complete interchangeability.

The statute should spell out the standards to be complied with, and they must be carefully considered. I will not attempt to go into detail here. But certainly the standards must include such requirements as that all qualifying truck-trailers be demountable, so that they will be completely interchangeable, and that corner posts be provided on all containers of whatever kind so that they may readily be transferred to and from seagoing vessels.

Standardization of tie-downs is terribly important and a way should be found to induce or require manufacturers to pool their resources, and their patents, if necessary, to bridge this vital gap.

A virtual confluence of circumstances and events make this the ideal time to launch such an incentive program. Overshadowing all else, of course, is the present conflict in Viet Nam and the danger of it spreading to other parts of the world. This presents a sinister and strident challenge to the adequacy of our transportation system to meet unprecedented and unheralded demands. Then there is the deplorable condition of the railroad rolling stock fleet, as described by Mr. Faricy.

THE TIMING HAS NEVER BEEN MORE FAVORABLE

On the brighter side, economic conditions will never be better for a bold plan of action in the field of standardization. Transportation, as a whole, is emerging into the sunshine of more favorable earnings climate. All of the carriers, and particularly the railroads and motor carriers, are faced with the absolute necessity to replace aging equipment in great volume. This is the floodtide of opportunity to both modernize and standardize the transportation fleet.

Now I realize, of course, that the standardization of transportation equipment will not automatically result in a fully coordinated transportation system. But it will remove the physical stumbling blocks and provide the greatest incentive to true coordination that we have had since the present transportation complex developed.

THE TRUE MEANING OF COORDINATION

I have used the words "true coordination." Perhaps I should tell you what I mean by that. I have found, in discussing this matter around the country, that there is a good deal of confusion about the word "coordination." It means different things to different people. Unless we dispel that confusion we will not achieve our purpose because our goals will be obscured.

I find that some of the most vocal advocates of coordination—the long-haul truckmen, who incidentally, compose but a small fraction of the trucking industry—when they speak of coordination are not talking about coordination at all but about substituted service.

The only kind of coordination that serves any useful purpose is a combination of services of different modes of transportation on a conjunctive basis that will give the shipper the maximum benefits of each mode—in terms of economy, speed, and convenience. Substitution of one form of carriage for another is not coordination because it is not conjunctive. Nevertheless, I find that substituted service, in the form of Plan I piggybacking, is what the long-haul trucker is talking about when he speaks of coordination.

Coordination must be founded on sound economics. And it is an irrefutable economic fact that for terminal-to-terminal hauls by land for any appreciable distance the most efficient mass haulers on the scene today are the railroads. Conversely, the flexibility and maneuverability of the truck makes motor carriage superior and, indeed, indispensable for the ancillary or shorter hauls.

Thus the short haul motor carrier—and I embrace by that term at least 90 percent of the trucking industry on the basis of average length of haul within an operating radius of 500 miles—is the principal key to any comprehensive system of nationwide coordination. Why is it then that this important segment of the industry has not been heard from in connection with developments, such as piggybacking, which holds so much promise for its expansion and development?

Of course, I am not talking about just a gathering service for the railroads. The short-haul motor carrier can be a vital factor by coordinating its operations with that of the railroads for longer distances to and from the railhead, providing the shipper with an improved, through service. Here is a neglected area in the contemplation of a coordinated transportation system, and it is time someone gave it a little thought.

The potentialities for coordination are ripe and waiting to be exploited. My plan for encouraging standardization of equipment and quick build-up of an interchangeable fleet can trigger that coordination and bring about, for the first time, a transportation *system* in the United States.

The welfare and destiny of the people of the United States may depend to a far greater degree on how quickly we acquire such a completely mobile and fully diversified transportation system than on when we plant the Stars and Stripes on the barren wastes of the moon. For only when we achieve such a coordinated system will transportation be "adequate to meet the needs of the national defense."

THE EROSION OF COMMON CARRIAGE MUST BE STOPPED

Of course, it is not possible to coordinate something that is not there, and unless we take immediate and drastic steps to stop that erosion of the tonnage of regulated carriers to unregulated channels, transportation is in grave danger of passing from private hands. If that occurs, the free enterprise system will, itself, be in great peril.

Earlier, I said that about 70 percent of intercity transportation in this country completely escapes Federal regulation. The figure is only an estimate. But if I am wrong, I am in distinguished company. During the course of hearings on S. 1197, Chairman Magnuson of the Senate Commerce Committee said: "The whole common carrier system has a problem here to keep it alive. The tonnage of the United States is roughly divided about one-third to the common carrier and one-third to private carriers and about one-third exempt, roughly."

Chairman Hutchinson of the ICC, speaking to the Board of Governors of the Common Carrier Conference, American Trucking Associations, on February 17, 1961, said: "Leaning on regulation as a scapegoat for the ills of public carriage is not going to reduce the inter-city tonnage, which some estimates place as high as 70% that is now moving without economic regulation."

Despite the unavoidable logic of Chairman Hutchinson's remark, people are more and more leaning on regulation as a scapegoat for the ills of public carriage. The Interstate Commerce Commission is being accused of destroying traditional concepts and patterns of ratemaking; of sinking American coastal shipping; of virtually destroying certain segments of motor trucking and posing a grave threat to the entire industry. These charges are not true. They were proven to be without substance or support by documented testimony before the Senate Commerce Committee on a number of occasions.

Another manifest symptom of the hopeless battle which the regulated segment of the transportation industry is waging to retain its dwindling share of the total tonnage being generated in the country is the competitive strife which is resulting in increasing commotion and confusion. In resisting the raids of the gray area operators on their traffic, the regulated carriers are forced to fix prices which not only have repercussions within the respective industries but which cut across lines and affect other modes. This results in retaliatory moves, anguished cries, litigation, and harsh words.

All the talk in the past about revising the ratemaking rule, as a palliative for this condition, relates to competition between modes of carriage—rail, motor, and water. But it should be remembered that the competition between carriers of the same mode is just as fierce, and it stems oftentimes, but not always, from the same basic evil—unregulated carriage. In the trucking industry, the common carrier is pitted against the contract carrier or other specialist. Both face the competition of the "maverick" or nonconformer. This competition, of course, is beyond the reach of intermodal rate controls, such as Section 15a(3) of the Act.

And all the while, the real "culprit," the architect of a great deal of the strife within the regulated industry, sits immune from regulation and the consequences of regulation alike. Ratemaking is a joke to a high percentage of the gray area operators. Most of them are not in the transportation business to make a profit, or at least they do not have a profit motive in the raids which they make on regulated carriage.

The truck that has hauled goods in legitimate private or exempt carriage from "A" to "B" has to return to "A". If it obtains a payload, or half a payload, or a loan at half pay, at least it earns something to defray expenses. And in doing so it takes traffic out of regulated channels—or starts a rate-war in the regulated industry, or both.

How can we obtain sanity or justice in regulation with a defective law? How can we expect the ICC to apply fair and impartial regulation to 30 percent of the transportation industry? How can we prevent destructive competitive practices when the real "competitor" is able to laugh at the law?

The trouble is that transportation law does not implement transportation policy. When Congress formalized a statement of national transportation policy in 1940, it declared its intent to fairly and impartially regulate all modes of carriage. And the Act does reach all of the railroads! But in regulating motor carriers, and water carriers, and freight forwarders, Congress left escape hatches in the law through which large and increasing numbers of carriers escape the burdens and responsibilities of regulation.

We will never stop the tidal wave of unregulated carriage with papier-mache dikes—little props in the law like taking a few commodities off the exempt list. We will never cure the cancer of transportation with nostrums or panaceas.

We simply have to come right to grips with fundamentals, and eradicate gray area transportation. We can do that, in my opinion, by redefining private carriage so that the vehicles used in private carriage cannot, directly or indirectly or by any means whatsoever, be used in conjunction with or in furtherance of commercial, for hire carriage. The same restrictions should be applied to vehicles used in exempt transportation. I think that is what Congress originally intended, or would have desired, if it could have foreseen the sorry state to which the defects in the law have reduced our common carrier system.

I am acquainted with the political facts of life. I know that what I suggest is not easy. I know that it will require the highest order of moral courage and political statesmanship to carve out of our economy root and branch the vast unregulated segment of the transportation industry.

But expediency is not a part of justice. We cannot permit the public interest to be sacrificed on the altar of private gain. The stakes are very high and the time for action is at sunrise, if we do not wish the sun to set on a once magnificent transportation system—in bankruptcy.

CONCLUSION

I hope what I have said makes some sense to you. If it does, you can help to do something about it. We cannot continue forever in our pursuit of some elusive, complicated, poorly-identified, will-o-the-wisp transportation problem. We must at some point come to grips with the real trouble or we will wake up one morning and find that regulated transportation has lost its war of attrition while we were fighting the battle of strategy.

Everyone agrees with my thesis that the number one enemy of regulated carriers is unregulated competition, and that we must find a way to achieve coordination before we can implement transportation policy. But so far no one has done anything about it.

I have outlined a course of action. It is tough, provocative, challenging. I have suggested a crash program for the immediate creation of a fleet of standardized, interchangeable equipment. Are you with me?

A MISTAKE IN THE SOCIAL SECURITY AMENDMENTS OF 1965—FULL MEDICAL DEDUCTIONS FOR THOSE OVER 65 SHOULD BE RESTORED

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Gubser] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GUBSER. Mr. Speaker, today I have introduced legislation to restore the right of persons over 65 to deduct all medical care expenses when calculating income tax.

When the Congress passed the medicare program, it provided that for income tax purposes medical costs could only be deducted in an amount which exceeded 3 percent of adjusted gross income. Previously those over 65 years of age had the privilege of deducting all such expenses.

This is unfair and a retrogression from well-established benefits which have been accorded our older citizens.

The theory behind the congressional action in passing the Social Security Amendments of 1965 was that, with medicare, a heavy financial burden for older people would be relieved and the reasons for the special medical care expense provisions in the tax law were no longer present.

Mr. Speaker, this is a blanket conclusion which is not necessarily valid. There are thousands of senior citizens who will not be covered by medicare. In fact, we have recently been forced to extend the signup period to give those not included another chance to enroll. These thousands of persons will receive no help from medicare. Yet, the 3-percent rule will deprive them of a right they previously enjoyed. It is imposing a hardship and it is unfair.

Furthermore, Mr. Speaker, with the tremendous shortage of hospital beds, trained doctors, nurses, and other medical personnel which is already confronting us and which will assume crisis proportions when medicare becomes effective, it is not at all certain that we will be able to provide the medical care which the 1965 law promised. Though it certainly was not and is not the intention of any agency of this Government to renege on a promise, the fact will still remain that this promise, which was given in exchange for increased tax liability to senior citizens, may not be completely fulfilled and certainly will be delayed.

In the committee report which accompanied the Social Security Amendments of 1965, it is frankly stated that depriving senior citizens of their additional medical-care expense deductions will "provide an increase in revenue." Mr. Speaker, I do not believe that most Members of Congress intended that the medicare benefits should be paid for by an increase in tax liability for medical expenses.

This new feature will hit only those with enough retired income to have acquired a tax liability. This means that once again the tax laws will discriminate against the man who has worked and saved for his old age.

I believe strongly that when a person reaches 65 he has a right to be considered in a different tax category. First of all, his earning capacity has stopped or materially lessened. Secondly, what he has saved through the fruits of his lifetime of labor has been partially denied him by inflation caused by past and current governmental spending. Thirdly, it goes without saying that his susceptibility to illness and his need for medical care are vastly increased.

Mr. Speaker, when Congress passed the Social Security Amendments of 1965, amendments were not allowed and it was necessary to vote for or against the bill, on balance. Had the membership been given the opportunity to vote on an amendment to delete the provision which limited the deduction of medical expenses, it certainly would have prevailed. My bill will correct this wrong and truly reflect the will of Congress.

SOYBEAN "LEAK" TO SPECULATOR UNDER PROBE

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. NELSEN. Mr. Speaker, the Washington Star reported last Thursday that an unnamed speculator made "a pile of money" early this year as a result of receiving confidential information from the Department of Agriculture in regard to future increases in soybean acreage. According to this report, the USDA Inspector General has received complaints that a speculator obtained advance notification of the administration's plans which enabled him to contract to sell soybeans for future delivery at a set price when he knew that the prices would go down due to expanded production later.

While it is regrettable that the Department has not revealed the details of this breach in security, I want to commend the Inspector General for pursuing this investigation. In the light of previous rumors concerning the procedures surrounding the belated public disclosure of the cutbacks in the purchase of pork products by the Department of Defense earlier this year, it is evident that such an investigation is in order. I would hope that full public announcement of the results of the investigation will be forthcoming shortly.

Mr. Speaker, with permission I will include the report by Mr. Ovid A. Martin, an Associated Press staff writer, which appeared in the May 26 Washington Star:

[From the Evening Star, Washington, D.C., Thursday, May 26, 1966]

SOYBEAN "LEAK" TO SPECULATOR UNDER PROBE

(By Ovid A. Martin)

The Agriculture Department is investigating a complaint that an unauthorized and premature disclosure of President Johnson's plans to increase soybean acreage this year permitted a speculator to make "a pile of money."

This became known yesterday after an investigator from the department's Office of Inspector General—an agency set up after the Billie Sol Estes scandals—questioned newsmen regarding their handling of the President's announcement.

Department officials would not disclose the exact nature of the complaint, nor who made it. Nor would they identify the speculator reportedly involved.

EARLY RELEASE PROBED

Johnson told Congress in a special message Feb. 10 that he had instructed Secretary of Agriculture Orville L. Freeman to encourage production of soybeans on land formerly planted to surplus grains. The plan was part of the President's Food for Peace program outlined that day.

A spokesman for the inspector general's office, while withholding details of the complaint, said the agency had been informed that a report of the presidential plan had been published well ahead of the 12 noon release time.

Newsmen assigned to the Agriculture Department were asked by the investigator to tell how they handled the story, where and when they received their information and other details. Those questioned told the investigator they regarded such information as confidential and declined to cooperate.

Lester P. Condon, the inspector general, told a reporter later that his agency fully respected the decision of the newsmen to keep their sources of information confidential. He said his unit was checking all possible sources to ascertain whether a department worker had made the soybean information available ahead of the release of the President's message.

Advance information on a possible increase in soybean production could be used by a speculative trader to sell soybeans for future delivery at a potentially large profit. The trader would be confident that soybeans could be obtained at a future delivery date at a much lower price because of the prospect of larger supplies.

Soybeans are an important source of vegetable oil used for food and of high protein livestock feed supplement. Large quantities of American soybeans and soybean oils have been used to upgrade diets in hungry areas abroad.

MEDICARE AND THE SHORTAGE OF HEALTH PERSONNEL AND FACILITIES

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mrs. DWYER. Mr. Speaker, in its current issue—June 6—U.S. News & World Report contributes additional important information on the problems Congress and the executive branch must anticipate as the onset of medicare and other expanded health care programs test the already limited capacity of our Nation's health facilities and personnel.

The combination of an existing serious shortage of nurses, doctors, and hospitals with a substantially increased demand for space and services beginning on July 1 presents a challenge we cannot ignore.

Under leave to extend my remarks in the RECORD, I include the article and an accompanying interview with Dr. Edward Henderson of the American Geriatrics Association:

[From the U.S. News & World Report, June 6, 1966]

HOSPITALS ARE WORRIED AS MEDICARE NEARS

(NOTE.—When medicare starts paying hospital bills for 19 million elderly Americans, will there be enough beds? Nurses? Doctors? Technicians? These are questions now worrying many officials as the deadline nears. A survey by "U.S. News & World Report" of hospitals in three cities shows some problems the hospitals expect to face, and how they are planning to handle the rush.)

Medicare's arrival is now just a few weeks away. On July 1, more than 19 million Americans 65 years of age or older will become eligible for free—or almost free—hospital care.

What will happen then? How many old people will be waiting on hospital doorsteps to take advantage of this new bargain?

Will hospitals be jammed beyond their capacity? Will some people have to be turned away for lack of facilities?

The official forecast, made May 23 by Secretary of Health, Education, and Welfare John W. Gardner, is that nationwide demand on hospitals will go up no more than 5 per cent.

Other forecasts are much higher than that. Some experts predict an increase of as much as 50 per cent in the demand for hospital services.

Even the Government forecast notes that "there is already overcrowding of hospital facilities in some areas" and says "a problem of crowding can arise" in some hospitals.

A RACIAL WARNING

Complicating the problem, federal officials warn that 1,000 or more hospitals may not qualify for the medicare program because of racial discrimination. This would reduce the number of available beds by about 15 per cent, according to estimates of the officials.

These reports from three cities in widely separated parts of the country show why there are worries as medicare nears.

ANN ARBOR, MICH.

Like most big hospitals in the U.S., University Hospital already is operating at or near capacity.

"For at least three years we have not been able to meet the demand for services as people would like to have us do," says Dr. Roger B. Nelson, senior associate director of the hospital.

"Right now, for what we call an 'elective procedure,' such as a hernia operation, you might have to wait one to two months to get admitted."

When medicare begins, about 11 per cent of this hospital's 936 beds already will be occupied by persons eligible for health-insurance benefits.

A date to watch

How many more elderly patients will be waiting at the door on July 1?

"We really don't know what will happen," says Dr. Nelson. "We don't know how many patients to expect or how long they will stay."

"But," says Richard Hinds, assistant director in charge of outpatient services, "we assume that people who will be eligible for medicare are keeping a close eye on the calendar.

"And if they aren't, maybe their children are saying something like: 'Mom, it's only a month or so till medicare. Can't you wait for this treatment?'"

Already the outpatient services are receiving requests for initial appointment dates after July 1.

To Ernest Laetz, associate director in charge of finance for this hospital:

"Medicare looms up like an iceberg. We can see part of it. But what lies below the surface makes me apprehensive."

The biggest demands

Dr. Nelson believes this hospital will feel the greatest impact of medicare on outpatient diagnostic services and emergency wards. While regular patients need a doctor's recommendation for admittance, a person can present himself at an emergency ward without a doctor's recommendation.

"Aunt Susie may wake up in the middle of the night, decide her arm has been hurting long enough, and just come over here," says Mr. Hinds.

This hospital has 37 specialized outpatient clinics. Among the most crowded are the ones expected to be most in demand among medicare patients, such as the clinics for ophthalmology, neurology, gynecology, arthritis and otology.

Staffing University Hospital already is a problem. The hospital has 129 unfilled jobs on its total roster of 2,600. "Our biggest needs are for registered nurses, technical assistants, maids, janitors and clerical help," says Dr. Nelson.

Outpatient clinics will lose at least six physicians to military service soon.

While the hospital administrators attempt to anticipate their problems and seek the answers in advance of July 1, they are also concerned about the understanding—or lack of it—that the elderly patients may have about the medicare program.

"I'm afraid that many are going to be surprised at the things medicare does not cover," says Dr. Nelson.

Dr. Nelson says University Hospital will be as ready as possible for medicare, then do this:

"We will approach the situation on the basis of compassion and common sense. We intend to furnish medical attention to people who are sick. The red tape will just have to unravel itself as best it can. We will judge each case on the basis of medical need whether the patient is 40 years old—or 67."

WASHINGTON, D.C.

George Washington University Hospital is a little less busy than usual right now.

"This probably indicates that patients over 65 with ailments that can wait are putting off surgery until after July 1," says Victor F. Ludewig, hospital administrator.

"Other hospitals in this area report a similar lag and suspect the same cause."

Add to those deferring surgery the uncountable others who may be putting off hospitalization for nonsurgical treatment, and you begin to get an idea of what medicare's arrival may mean.

Authorities at this hospital are worried—though not despairing. They have met with staff members to seek ways of handling the expected rush. But there is not much a doctor can do when a patient asks him: "Can I put this operation or treatment off until July 1?"

This hospital has 430 beds. Its outpatient department handles 35,000 patients a year, and 20,000 yearly come to the emergency service.

About 10 per cent of its patient population is 65 or older. Average hospital stay is now about 8.5 days. Mr. Ludewig points out that if the percentage of elderly patients goes up, the average stay will go up too, because old people usually stay longer than others.

The main shortages

George Washington Hospital already is short 40 nurses—with 160 to fill 200 places. It also needs more pharmacists, practical nurses, nurse's aides, dietitians—even porters. These shortages are expected to grow as hospitals in this area expand and nursing homes increase.

But this hospital is luckier than many. It has enough doctors.

Officials here expect that—after medicare starts paying the bills—this and other nonpublic hospitals will get many patients who, as "charity" cases, formerly went to public hospitals.

It is also expected that many people now in nursing homes who actually need hospital care will feel able to transfer to hospitals, under medicare.

Dr. Clayton B. Ethridge, medical director of George Washington Hospital, says he doesn't think the rush on this hospital after medicare will be "catastrophic."

Mr. Ludewig ventures no prediction. But he points out that if normal occupancy of a hospital is 95 per cent of capacity—as in many hospitals—"if you have an increase of 5 per cent or more in demand, you're in trouble."

SAN FRANCISCO

Federal medicare is coming to California almost as an anticlimax.

This State has been a medicare test case for the nation since March 1, when it began a medical-assistance program that covers all needy, young or old.

This State program is authorized by the federal medicare law and gets financial assistance from the Federal Government. It could benefit some 2 million Californians.

First impact of the State program has been a shift of patients from public to nonpublic hospitals.

County hospitals report drops ranging from 3 to 20 per cent in their patient loads. There has been some increase in loads at private hospitals.

But so far, California has gotten by without any huge increase in hospital demands. Mainly, officials say, this is because many Californians are not yet aware of all the benefits that the State program offers. Greater use is expected of the federal medicare program, which has been better publicized.

Washington's official estimate of a 5 per cent increase in demand on hospitals is considered conservative here.

A 10 per cent increase in the first six months of medicare is the estimate of Mark Berke, president of the California Hospital Association. After the first rush of elderly patients, he expects the load to stabilize—but at a higher level than before medicare.

In the next few years, he says, "The amount of medical care going to the entire population is going to increase; people who formerly died without medical help will be attended to."

Mr. Berke commented further:

"It is also true that some people, who have taken the best of medical care for granted, are going to have to get used to a somewhat less personalized approach to their health problems."

Mr. Berke is also executive director of Mount Zion Hospital, a 433-bed private institution in San Francisco. Mount Zion, he says, will fight the "dehumanizing" of medical care.

"We just won't be panicked by medicare," says Mr. Berke. "We think with planning we can overcome some of the obstacles facing us.

"If we have to, we can do more surgery in afternoons or even on week-ends. We can send out physicians, nurses and therapists to homes. We even install hospital beds in homes, if needed."

To meet shortages of help, authorities at Mount Zion plan to start training their own workers.

"With medicare, we gave the public a promissory note," says Mr. Berke.

"On July 1 it comes due. How well it can be paid off depends on many things. A lot depends on whether Congress will provide the money for training all the people who are needed to make the medicare program work."

When Millions Demand Hospital Care All at Once

(Interview with Dr. Edward Henderson, executive director, American Geriatrics Society)

(Note.—Little has been done to get set for medicare, in the opinion of Dr. Edward Henderson, noted physician and authority on medical problems of the aged. In this exclusive interview with editors of "U.S. News & World Report," Dr. Henderson tells why he expects "an overwhelming rush" for hospitals, and "much worse" shortages.)

Question. Dr. Henderson, what do you see as the first impact of medicare when it starts on July 1?

Answer. An overwhelming rush on hospitals. I think there is no doubt about that. The great number of older people who come under medicare on July 1 of this year are going to seek—and deservedly so—the services that are offered under this law.

Question. Government officials say the demand for hospital care will go up about 5 per cent. Is that a good estimate?

Answer. I have no idea where they got that figure. I would say the demand would be a great deal more than that. An educated guess would be 50 per cent or more.

Question. Why do you say that?

Answer. History shows that, when something is free, people are going to take advantage of it. Furthermore, as people get older, they do have physical disturbances. They have pains and other conditions that cause them concern.

In the past, with the stoicism so commonly found in older people, they have said, "Oh, well, I'm just getting old and I'll go along with it." But now that they have the privilege and the right to go to a hospital and have a complete physical examination, if they suspect something is wrong, they're going to do it. It just makes common sense that you're going to have a great many more—millions more—applying to hospitals for attention.

Question. So you expect millions of additional patients at hospitals—

Answer. Millions. We have, I would say, perhaps a million men and women over age 65 who already are incapacitated or in hospitals. But there are another 16 to 17 million over age 65 who are ambulatory and entitled to this service under medicare.

Question. Why have they not sought medical care up to now?

Answer. There are many reasons. One, I think, is that they didn't have the money—or, if they did have it, they didn't want to spend it for what they thought would be the treatment of some superficial pain.

Now that old people have the right to a complete examination by qualified physicians under medicare, they're going to be more interested to know whether or not what they thought was a simple little pain might not be something that could lead to a more serious condition and which can be corrected at its start.

Question. But, by law, medicare will not pay for a routine physical examination—

Answer. Well, I don't think any of the older people will appear at hospitals and simply say, "I want to be examined." They will go because something is really worrying them, such as a pain. They will present themselves for that reason, and will be legitimately examined to find the cause of their trouble.

They won't simply flock to the hospitals because they want a general physical examination.

Question. Can an old person just go to a hospital and demand care under medicare?

Answer. Yes. We have reached a point where everybody who comes to the door of the hospital has got to be admitted for out-patient care.

But there simply are not enough beds, doctors and nurses to furnish bed care for the flood of new patients who are going to come to the hospital under medicare.

Of course, in order to get into a hospital bed, a patient must still be referred by a physician on the staff of the hospital. But that may well be a doctor on the out-patient service. And that is where there is now a pinch—a tremendous, tragic shortage of hospital beds today even before medicare.

Many hospitals with bed facilities for 500 patients today are housing 700 patients. The beds are in the corridors, and they're in storerooms and every spot that can be found that will support the weight of the patient and the bed.

After medicare it will be much worse.

Question. Will there be any room for younger people with acute conditions—appendicitis, for instance?

Answer. Yes. There's always room for one more.

"A LACK OF PLANNING"

Question. Is anything being done to overcome these shortages?

Answer. There has been, it seems to me, a lack of proper planning to implement the law. It has been perfectly obvious for the past 10 years that we need more doctors, we need to graduate more medical students, we need more nurses and hospital beds. But very little has been done.

Question. How does the hospital-bed shortage affect the average person?

Answer. As an example of the shortage of hospital beds in New York City today—

A patient known to me—a physician himself, over 65 years old—found that he had an alarming symptom. He was disturbed. He went to a specialist in this field who was a professor at one of our great medical schools. And the professor suggested—in fact, urged—that the patient come in for a complete examination. This patient waited for 2½ months before he could get a bed to spend only the night for the examination the following day.

Question. This was just for an examination—not surgery?

Answer. It was an elective examination, but it might well have been emergency surgery.

Question. Are doctors postponing sending old patients to hospitals until after medicare?

Answer. Yes, I think so—and justifiably so. If there is no urgency about an operation or treatment, I think that, if it's going to be free on July 1, the doctor is not going to urge the patient to have it done on June 30. And I'm sure, too, that thousands of patients themselves are postponing an elective operation so that they can come under medicare.

HOW TO PICK A HOSPITAL

Question. If there is a rush to hospitals under medicare, what kind of hospital should a patient try to get into—a public hospital or a private one?

Answer. As I understand the law, any given hospital must subscribe voluntarily to the medicare plan. They are not required to do so. So the patient in any given locality must learn first which hospital in his neighborhood is operating under medicare. There may be private hospitals where they won't have anything to do with medicare, because you've got to be well-to-do to get in now.

I would say primarily the first overload will be on government-supported hospitals—city, county, State and federal—and on so-called "voluntary" nonprofit hospitals, rather than on the purely private hospital supported by private funds.

Question. Where will the pinch be tightest—in small-town hospitals or in big-city hospitals?

Answer. In a small town, where they have a good hospital and good facilities, they may not be so crowded as a big-city hospital. City hospitals are crowded at all times. It's conceivable that in a rural community, for example, where they have a very fine county hospital, they may have beds available at all times.

Question. Doctor, is the general quality of medical service likely to suffer as a result of crowding in hospitals?

Answer. No. The physician will always do the very best he knows how to do for every patient. But present shortages in every field of medicine may hamper him.

Question. In what way?

Answer. When a patient goes to a hospital, it's the doctor's prime responsibility to examine the patient and determine what next needs to be done. If it's X-ray or if it's blood studies or other laboratory studies, he will make a note of what he feels needs to be done for this patient.

But the most conscientious and painstaking doctor can see only a limited number of patients per day. And the same is true in the laboratory. So the overload begins first with the doctor and then passes on down the line to the laboratories where tests are run, the nurses, and all the other medical, technical and service personnel.

As presently constituted, they can do only a certain number of laboratory studies or operations per day, because they haven't got the facilities, the instruments or the personnel to do more than a limited number. So we have to increase the number of doctors, of nurses, hospital facilities, including beds and laboratory facilities. All of this will need to be doubled in the next few years to cope with the demands of medicare.

Question. Medicare also provides payment for nursing-home care. Are nursing homes now adequate to take care of foreseeable demands?

Answer. Oh, no. There's a shortage of nursing homes today, the same as the shortage of doctors and nurses and hospital beds.

Question. Are there old people now in nursing homes who will want to get into hospitals after July 1?

Answer. Yes. I'm sure of that.

Question. Why would they want to?

Answer. They may feel that they need a more thorough examination, a different doctor's opinion. In the case of these older people who have been in nursing homes for years, they get medical attention, but it's the same doctor, generally, and many of them will feel, "Well, I'd like to have the opinion of another doctor." And they're quite right in that. So I think many of these residents in nursing homes are now going to present themselves to an accepted hospital for a thorough examination.

Question. Will "shopping around" among doctors by older people become a problem?

Answer. I think that's a very real possibility. Under the voluntary part of medicare, the patients do not have to go to a hospital. They can go to a physician. He may give this patent a thorough physical examination and advise him either, "You're fine, go home and forget about it," or prescribe whatever medicine seems to be indicated. Or he may say, "I think you'd better go in the hospital for a day or two." The burden is not all on the hospital.

Suppose that the doctor tells the patient, "I think you're fine," and the patient thinks, "I am not fine." It is likely then that he will go to another doctor, who says, "You're sick—you ought to go to a hospital." That could increase the burden on both doctors and hospitals.

Question. Will medicare do much to help in the problem of so-called terminal cases?

Answer. Well, we have those people with us, and we have that problem today. It will be compounded as time goes on by the mere fact that more people are going to reach age 65 or 70 than ever before. So we're going to have more of these people who are completely incompetent and unable to take care of themselves.

Medicare views this is one of the major problems, and that's why we need more nursing homes.

WHAT'S NEEDED MOST

Question. Is there any one thing you would single out as the most needed to meet the challenge of medicare?

Answer. A crash program of building more hospital beds and other hospital facilities.

Question. How would you staff those beds and facilities?

Answer. No one knows his capacity for work until he's faced with it. I say a doctor sees 10 patients properly a day. He might see 20 patients a day and, in a crash program like this, he might have to see 50.

Question. Could you put all hospital facilities—labs and operating rooms—on a seven-day week?

Answer. That would be one way to utilize the present facilities—that is, to use them 24 hours a day, seven days a week. That simply means putting on extra staffs of scientists and technicians.

Question. Where would you find them?

Answer. More need to be trained. There are not enough to go around now.

Question. Would you say we're headed for a crisis?

Answer. I would rather say it's a serious problem, but it can be solved.

Let's put it this way, in the form of a parable: We have agreed to give a banquet, or a picnic, or a barbecue for 100,000 people, and we've provided food for only 1,000. That's bad planning.

FUTURE POSSIBILITIES FOR THE COUNCIL OF EUROPE

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MORSE. Mr. Speaker, the meetings of the Consultative Assembly of the Council of Europe held in Strasbourg early this month provided a useful opportunity for the parliamentarians of Europe to air their views in an atmosphere of freedom and cordiality. The United States was asked to send a group of observers chosen from our own Congress and I was honored to be included in that group. The chairman of the U.S. delegation was the gentleman from Ohio [Mr. HAYS], who gave the major address for the U.S. group. I inserted his address in the RECORD a few days ago. Also included in the delegation was the distinguished gentlewoman from Ohio [Mrs. BOLTON], the ranking minority member of the House Committee on Foreign Affairs.

Just prior to the departure of the U.S. group the President of the Assembly extended a special invitation to Mrs. BOLTON to address the Assembly briefly. In her remarks she referred to the exciting future possibilities for the Council of Europe operating within the humanistic values and principles we share in common with our friends in Western Europe. By unanimous consent, I include the text of her remarks in the RECORD:

Mrs. BOLTON. Mr. President, I thank you very much not only for the opportunity to be here, but to say a word before I have to leave. Knowing about the Council of Europe when it first began was one of the most exciting things in my experience in Congress. It is a happy moment for me to be here, particularly so when the Council has gone so far, because to me the one thing that matters in the world if we are ever to have peace is mutual understanding.

It is very difficult for me to understand the brainwaves of Communists, but it is not at all difficult for me to understand differences of opinion between people of different nationalities, races and languages. But I would beg of this Council to try, during the rest of the time you are meeting this year to put things on the basis of how we can best serve God's world, not our world. It is His. We are His channels of information and it would seem to me that the meetings you have are an absolutely unbelievable opportunity to learn what it means to understand the other side.

We do not all agree, of course, but does that matter too much? If we are looking towards an end, a rather sublime end of peace and understanding, does that matter? As a woman, I am particularly interested in the possibilities of the future of the Council of Europe. We women give life. You men seem to like to take it. I am hoping that as more and more women take part in the Council, and as more and more people learn to judge each other by different views, but all of them based on the view that we are the family of the Infinite, not our own—and even our national families do not really matter as much as His matters—there will come a greater understanding.

I thank you again for the opportunity to be here and especially for being permitted to speak to you for a moment from my heart.

A FOOT IN THE DOOR

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the New York Times today carried a very interesting account of the Department of Health, Education, and Welfare's new guidelines regarding doctor's fees and payments under the medicare program which will shortly go into effect. Although HEW denies that the guidelines will "alter a doctor's relationship with his patients," this disclaimer has too frequently in the past been a cloak for bureaucratic intentions to the contrary. In a way it is like saying the medical profession will not be affected in the least even though the hospitals, the primary dispensers of medical service, may be bound and gagged with Government controls.

I include the item, "Medicare Rules Issued to Guard Traditional Ties," in the RECORD at this point:

MEDICARE RULES ISSUED TO GUARD TRADITIONAL TIES—U.S. GUIDELINES ON FEES AND PAYMENTS SEEK TO PROTECT LINK OF DOCTOR TO PATIENT

(By Robert H. Phelps)

WASHINGTON, May 30.—The Government is issuing rules for Medicare that it says preserve the traditional doctor-patient relationship.

The instructions, which the Social Security Administration is sending to the 230,000 medical doctors and 4,000 osteopaths in the country, set guidelines for determining "reasonable" fees and outline two methods of receiving payments.

On the sensitive subject of fees the guidelines permit a doctor to vary his fee for a medical service and allow some doctors to charge more than others for the same service.

Doctors who fought the adoption of Medicare have expressed fear that the Federal Government would insist on regulations that would interpose bureaucrats between the physician and his patients.

But Dr. Philip R. Lee, Assistant Secretary for Health and Scientific Affairs of the Department of Health, Education, and Welfare, said in an interview that he saw nothing in the rules that would "alter a doctor's relationship with his patients."

The two principal benefits of the Medicare program, payment of hospital and doctor bills, begin July 1. Hospital coverage is automatically given to almost all of the 19.1 million persons 65 years of age or older, but coverage for physicians' services is voluntary.

LAST DAY TO REGISTER

Tomorrow is the last day to sign up for the doctor-bill insurance before the next enrollment period, which begins on October 1, 1967. Social Security offices remained open today to give the elderly an 11th hour chance to sign up for this insurance. More than 17 million have decided to pay $3 a month for the medical insurance.

Dr. Lee noted that there had been "rumors" that some doctors were raising fees in anticipation of Medicare, but he emphasized that there had been no "documentary" evidence to support such reports.

He said some increases in fees could be expected because "it is clear that the cost of medical care is rising."

Under the regulations, which Dr. Lee helped draft, neither the doctors nor the patients will deal directly with the Government.

Seventy intermediaries—many of them Blue Cross and Blue Shield plans—will set regional scales of fees on which payments to doctors will be based.

If the doctor wants to, he can submit his bills for Medicare patients directly to the intermediary, which will send him a check. If the doctor does not want to deal with an intermediary he can send the bill to the patient, who then pays the doctor and is reimbursed when he submits the bill to the intermediary.

In either case a one-page form must be submitted to the intermediary. The patient fills in part of the form. The part to be filled in by the doctors asks fewer questions than forms for some Blue Shield plans.

Dr. Lee predicted that most doctors would work with the intermediaries because of the ease of collecting bills. Doctors who choose this plan must agree, however, to charge no more than the "reasonable" fees set by the intermediaries.

The doctor who bills the patient directly can charge whatever he wants, but the patient will be reimbursed only on the basis of the "reasonable" fee.

Under the Government guidelines, intermediaries must consider two factors in establishing "reasonable" fees. One factor is the customary charge that the doctor makes for the particular medical service.

The other factor is the prevailing range of charges in the locality—the charges most frequently used by doctors. The reasonable fee cannot exceed either the customary or prevailing charges.

Medicare will pay for 80 percent of the reasonable charges, except for the first $50, which the patient must pay.

The regulations permit a wide variety of prevailing—and thus reasonable—charges for the same medical service.

Specialists are permitted a higher range of charges than are general practitioners offering the same treatment. Thus a bone specialist could charge a higher fee than a family doctor for setting a broken arm.

Doctors in big cities can charge more than those in small towns, on the basis of the fact that their costs are higher. Medical complications and extensive travel time by doctors can also cause fees to rise.

A BATTLE IS WON ON LAKE FEES

The SPEAKER pro tempore (Mr. PUCINSKI). Under previous order of the House, the gentleman from Oklahoma [Mr. EDMONDSON] is recognized for 20 minutes.

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, a major battle for the American people and their right to outdoor recreation on our Nation's waters was won on May 26, when the Army Engineers announced a drastic reduction in the number of recreation areas on Engineer reservoirs subject to entrance fees.

By reducing the number of reservoirs affected by fees from 95 to 59, and by cutting the number of designated areas where fees are charged from 955 to 163, the Army Engineers have assured opportunity for outdoor recreation to hundreds of thousands who might have lost it.

By revising their basic criteria for the designation of fee areas, the Engineers have also reestablished the clear right of access to water at all reservoirs, which had been in jeopardy; under initial regulations authorizing fees at "entire projects, less overlook and outgranted areas."

Conceivably, this initial policy could have denied ready and convenient access to waters at many reservoirs, and thereby made meaningless the guarantee in the Land and Water Conservation Fund Act that no charge of any kind would be made for the use of waters.

I am sure that many colleagues in the House, who joined with me in the introduction of bills to block the originally announced fee system on Army Engineer reservoirs, share with me today a keen sense of appreciation to the White House and Army officials who joined in working out the modifications announced on May 26.

H.R. 13313 STATUS

Since the announcement of the drastic reduction in fee areas, there has been general agreement among the many sponsors of legislation on this subject that H.R. 13313 should not be brought up in this session. The major objectives of that bill—assurance of availability of recreation areas not subject to fee on all our lakes and reservoirs controlled by the Army Engineers, and the assurance of free access and use of the waters therein—have been won under the May 26 announcement by the Engineers.

Under the compromise worked out by the Engineers and the White House, there will be an opportunity during the summer months of 1966 to measure both the practicality and the desirability of entrance and user fees at the 163 sites which have been designated as fee areas.

Both the Army Engineers and the Bureau of Outdoor Recreation and conservationist groups which appeared before the House Committee on Public Works during hearings on H.R. 13313, were in agreement that initial results under the present fee program have been disappointing on a national basis, and further changes in that program are reported to be under consideration.

It is not inaccurate to state that serious doubt exists among many champions of the land and water conservation fund as to the effectiveness and desirability of the existing fee schedules and administration of the fee system in general. Nineteen hundred and sixty-six will be a year of testing and decision in this area.

FEE SYSTEM DUE REVIEW

The desirability of the land and water conservation fund is not in question. The desirability of the existing fees and the adequacy of a user-fee program as a major source of financing for the land and water conservation fund are, without doubt, in question.

H.R. 13313 dealt only with the lakes and reservoirs of the Corps of Engineers, but many of our colleagues have disputed both the need and desirability of fees on wildlife refuges and other areas not within the jurisdiction of the Committee on Public Works.

I sincerely hope that the President of the United States and other administration officials with direct responsibility for the land and water conservation fund will examine carefully and critically the results of the fee program during 1966. I hope there will also be a serious review of the record made during hearings of the Committee on Public Works.

No one can examine that record, noting both the protests of spokesmen for organizations representing many thousands of Americans, and the admissions of land and water conservation fund defenders, without concluding that a most serious review of the entrance fee program in outdoor recreation is in order.

IN APPRECIATION

In conclusion, Mr. Speaker, I want to thank the leadership of this body, and especially our distinguished Speaker and Majority Leader CARL ALBERT for their speedy programing and able assistance on this matter.

Thanks are also due the able chairman of the Committee on Public Works, the Honorable GEORGE FALLON, and Subcommittee Chairman BOB JONES for their recognition of the urgent nature of this question, and their expeditious handling of the matter in committee.

Finally, thanks are due to my colleagues, in the Oklahoma delegation especially, but also from many other States—and to the entire membership of the House Committee on Public Works—for their strong and effective cooperation in pressing for action on H.R. 13313.

While we have not passed the bill, we have nonetheless won a major battle on behalf of the people. The waters of our lakes remain free, and outdoor recreation on our lakes remains within the reach of all Americans.

Mr. Speaker, I ask unanimous consent to include at the conclusion of my remarks the text of the Army Engineers' release on May 26, announcing the program to be followed in connection with the reduction of fees, the text of the letter in which the Special Assistant to the Secretary of the Army, Mr. Alfred B. Fitt, sent to the Honorable ROBERT E. JONES on this subject on May 25, and the changing of the criteria, with designated areas that were supplied to the Committee on Public Works, as a part of the new decision by the Army Engineers.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The material referred to follows:

ARMY ENGINEERS REDUCE NUMBER OF RECREATION FEE AREAS

DEPARTMENT OF THE ARMY, OFFICE
OF THE CHIEF OF ENGINEERS,
TECHNICAL LIAISON OFFICE,
Gravelly Point, Washington, D.C.

New criteria governing the implementation of the Land and Water Conservation Fund Act of 1965 at Army Engineer reservoirs, which will have the effect of greatly reducing the number of points at which recreation fees will be charged, have been announced by the Army's Corps of Engineers.

Previously the Corps had designated 955 areas at 95 projects where the fees would be required. Under the new criteria, fees will be charged only at about 163 areas at 59 different projects.

The new criteria allow some leeway for Army Engineer District offices to exercise discretion in designating areas. Exact lists of the areas and projects where fees will continue to be charged will be announced by the District offices.

The recreation fees in question are those imposed under the "Golden Eagle" program at various kinds of Federal facilities, including national parks and forests, wildlife areas, water resource projects, and the like. A $7 stamp entitles entrance to any such Federal area anywhere in the nation for a full year. Lesser fees are provided for 30-day use, and for single-day use at single areas.

Under the revised regulations, recreation fees will be charged at certain designated areas at Army Engineer projects where:

The total Federal investment in recreational facilities for the entire project is greater than $50,000; and

The recreation pool is greater than 100 acres.

At such projects, recreation fees will be collected at designated access areas where:

At least $25,000 has been spent by the Federal Government on recreational facilities, apart from roads;

There are at least 25 acres of usable land available above the conservation pool;

There is an annual recreational attendance of at least 50,000 per year; and

The area has potential for further sophisticated development.

District Engineers will also consider such factors as to whether there are other access areas on the same project with minimum recreation facilities at which no fee is imposed. In general, there should be at least one such no-charge area at each project.

Generally speaking, the new regulations will have least effect at areas and projects where recreational attendance in the past has been large, with consequently large Federal investment in recreational facilities.

Department of the Army,
Washington, D.C., May 25, 1966.

Hon. Robert E. Jones, Jr.,
House of Representatives.

Dear Mr. Jones: I am sure that the Secretary of the Army and the Administration are grateful to you and to the members of the Subcommittee on Flood Control of the House Committee on Public Works for your interest and helpful suggestions in arriving at supplemental criteria for the implementation of the Land and Water Conservation Fund Act of 1965 at projects administered by the Corps of Engineers.

As a result of further investigation and study, criteria supplemental to those adopted last January will be applied at the 95 projects originally designated as warranting the imposition of entrance fees. These added criteria will provide that, to qualify for the imposition of entrance fees, each individual access point must be developed with recreational facilities at a Federal expenditure of at least $25,000, exclusive of roads; that there be at least 25 acres of usable land available above the conservation pool; that there have been an attendance of at least 50,000 per year; and that each access area have the potential for further sophisticated development. Appropriate consideration will also be given to other pertinent factors, including access, whenever the application of the above criteria results in anomalies which should be corrected. For example, it is intended that there will be at least one, and under certain conditions of project size and orientation two or more, access areas which will have been developed with minimum recreational facilities at which no entrance fees will be imposed.

The application of these supplemental criteria results in a reduction from 955 areas at 95 projects at which a significant Federal expenditure has been made for recreational development to 163 access areas at 59 different projects. There is inclosed herewith a tabulation of the above 95 projects, listing the numbers of such areas before and after the application of the supplemental criteria. Each of the 95 projects originally posted for the collection of entrance fees will have one or more areas developed with minimum recreational facilities at Federal expense at which no entrance fees will be imposed.

Instructions are being issued to each pertinent District Engineer to eliminate the requirement for entrance fees at these areas which do not meet the supplemental criteria. The District Engineers are also being requested to advise each Senator and Congressman in whose District the 95 projects are located as to the specific access areas for which entrance fees will be required.

A public announcement covering the above reduction in areas at which entrance fees will be imposed will be made by the District Engineers concerned at noon, May 26, 1966.

Recognizing that these modifications in the implementation of the Land and Water Conservation Fund Act of 1965 at Corps of Engineers projects represent a very significant improvement, I would be most grateful if you would extend my appreciation to all of the Members who have been of assistance.

Sincerely yours,

Alfred B. Fitt,
Special Assistant (Civil Functions).

Criteria for Designation of Project Areas for Entrance Fees

ORIGINAL

1. Total federal investment in recreation facilities for entire project must exceed $50,000.

2. The conservation or recreation pool must exceed 100 acres in area.

3. Designated area would include entire project less overlook and outgranted areas.

SUPPLEMENTAL

4. Designated areas would be limited to areas having a single means of general approach or a geographical unity rather than an entire residual project as defined in 3 above.

5. At each such limited area, the following would be required:

A. Federal expenditure of at least $25,000 for recreation facilities (exclusive of roads) with minimum facilities provided to include picnic tables, fireplaces, trash collection; paved boat launching ramp; parking area; potable water; sanitary facilities; and camping area.

B. At least 25 acres of usable land above conservation pool.

C. Attendance of at least 50,000 per year.

D. Potential for further sophisticated development.

6. Appropriate consideration will also be given to other pertinent factors, including access. In the accompanying table, at least one free access area with minimum basic recreation facilities has been provided; and one or two free access points have been provided on each side of reservoirs where geography or location of users indicate the need. Further latitude in the implementation of this criterion will be exercised by District Engineers, with discretion, to correct anomalies resulting from the other preceding criteria. For example, it is expected that areas will be excluded from designation if access road or internal area patterns are such as to make enforcement unreasonably difficult; or if the use area is so interspersed with outgranted areas, including concessionaires, as to make enforcement impracticable.

Evaluation of Corps of Engineers reservoir projects under criteria of May 1966 for selection of designated areas (Land and Water Conservation Fund Act of 1965)

State and project	Areas having federally provided recreation facilities	Areas at which entrance charges will be imposed
ALABAMA		
Demopolis lock and dam	3	0
Jackson lock and dam	11	0
Warrior lock and dam	4	0
ARKANSAS		
Beaver Reservoir	11	3
Blue Mountain Reservoir	4	2
Bull Shoals Reservoir	12	5
Dardanelle Reservoir	14	3
Greers Ferry Reservoir	12	6
Lake Greeson (Narrows)	13	3
Lake Ouachita (Blakely Mountain)	17	6
Nimrod Reservoir	6	2
Norfork Reservoir	18	3
CALIFORNIA		
Black Butte Reservoir	3	1
Coyote Valley Reservoir (Lake Mendocino)	2	1
Harry L. Englebright (debris basin)	1	0
Isabella Reservoir	6	2
New Hogan Reservoir	2	1
Pine Flat Reservoir	4	2

Evaluation of Corps of Engineers reservoir projects under criteria of May 1966 for selection of designated areas (Land and Water Conservation Fund Act of 1965)—Con.

State and project	Areas having federally provided recreation facilities	Areas at which entrance charges will be imposed
FLORIDA		
Lake Seminole (Jim Woodruff)	20	0
GEORGIA		
Allatoona Reservoir	26	0
Columbia lock and dam [1]	6	0
Hartwell Reservoir	70	1
Lake Sidney Lanier (Buford)	36	0
Walter F. George	22	0
IDAHO		
Albeni Falls	4	0
IOWA		
Coralville Reservoir	5	0
KANSAS		
Council Grove Reservoir	4	2
John Redmond Reservoir	6	0
Kanapolis Reservoir	2	1
Pomona Reservoir	6	1
Tuttle Creek Reservoir	6	0
Wilson Reservoir	4	0
KENTUCKY		
Barkley lock and dam [1]	40	0
Barren River Reservoir	6	0
Buckhorn Reservoir	4	0
Lake Cumberland (Wolf Creek Dam)	8	0
Nolin River Reservoir	5	1
Rough River Reservoir	6	2
Markland lock and dam	3	0
MISSISSIPPI		
Arkabutla Reservoir	9	0
Enid Reservoir	9	1
Grenada Reservoir	12	2
Sardis Reservoir	17	0
MISSOURI		
Clearwater Reservoir	5	3
Pomme de Terre Reservoir	8	4
Table Rock Reservoir	14	6
Wappapello Reservoir	10	3
MONTANA		
Fort Peck Reservoir	4	1
NEBRASKA		
Harlan County Reservoir	11	3
NORTH CAROLINA		
W. Kerr Scott Reservoir	7	2
NORTH DAKOTA		
Garrison Reservoir	8	1
OKLAHOMA		
Canton Reservoir	3	1
Eufaula Reservoir	17	5
Fort Gibson Reservoir	15	4
Fort Supply Reservoir	3	0
Heyburn Reservoir	3	0
Hulah Reservoir	5	1
Keystone Reservoir	10	2
Lake Texoma (Denison Dam)	47	8
Oologah Reservoir	2	0
Tenkiller Ferry Reservoir	13	4
OREGON		
Cottage Grove Reservoir	3	0
The Dalles lock and dam	1	0
SOUTH CAROLINA		
Clark Hill Reservoir	50	2
SOUTH DAKOTA		
Big Bend Reservoir	10	1
Fort Randall Reservoir	4	2

***Evaluation of Corps of Engineers reservoir projects under criteria of May 1966 for selection of designated areas (Land and Water Conservation Fund Act of 1965)*—Con.**

State and project	Areas having federally provided recreation facilities	Areas at which entrance charges will be imposed
SOUTH DAKOTA—continued		
Lewis and Clark Lake (Gavins Point)	2	1
Oahe Reservoir	9	1
TENNESSEE		
Center Hill Reservoir	14	0
Cheatham lock and dam	6	1
Dale Hollow Reservoir	34	3
Old Hickory lock and dam	8	1
TEXAS		
Bardwell Reservoir [1]	0	0
Belton Reservoir	9	5
Benbrook Reservoir	2	1
Canyon Reservoir [1]	0	0
Dam B Reservoir	4	2
Garza-Little Elm Reservoir (Lewisville)	12	5
Grapevine Reservoir	7	3
Hords Creek Reservoir:	3	1
Lake O' the Pines (Ferrells Branch)	14	11
Lavon Reservoir	9	5
Navarro Mills Reservoir	3	1
Proctor Reservoir	4	2
San Angelo Reservoir	3	1
Sam Rayburn Reservoir [1]	0	0
Texarkana Reservoir	24	3
Waco Reservoir	2	0
Whitney Reservoir	15	11
VIRGINIA		
John H. Kerr Reservoir	15	2
Philpott Reservoir	11	0
J. W. Flannagan [1]	4	0
WASHINGTON		
Chief Joseph Dam (Rufus Woods Lake)	2	0
Ice Harbor lock and dam	3	0
WEST VIRGINIA		
Sutton Reservoir	4	0
Total	955	163

[1] Project not completed nor water level reached.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I would be very happy to yield to my good friend the gentleman from Missouri [Mr. HALL], whom I believe from the very first has been one of the most vigorous champions of a revision in the fee schedule that have been announced by the Army Engineers.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman.

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding, and certainly, his comments, as well as his leadership in submitting the bill as he has mentioned.

As he has well said, there was some 19 or 20 additional of us who submitted similar legislation almost immediately. Many of us have seen very unusual phenomena in our own districts arise. For example, unsolicited I had over 28,000 signatures finally, including one separate petition with signatures, to prevent admission fees being charged to the fish hatchery of the Department of the Interior at Neosho, Mo., frequented only by children and school groups wanting to see the propagation of small fry and trout in that area.

When spread before the committee table or the witness table at the hearings of the Committee on Public Works, on which committee the gentleman from Oklahoma [Mr. EDMONDSON] serves, these petitions, all spontaneous and bona fide, were certainly startling. I would simply comment that this was primarily a reaction of the people under the leadership such as of the gentleman; our distinguished Speaker and majority leader; the gentleman from Ohio [Mr. HARSHA]; and certainly the chairman of the subcommittee on public works, the gentleman from California [Mr. DON H. CLAUSEN], whom I see on the floor; and many others.

I think it is most important that we keep the gentleman's bill and similar legislation on the front burners and in the Committee on Rules because there are still many inequities outside of other areas such as the parks and monuments, some of which should charge users fees and special privilege fees. There has never been any question about that. This is simply a question of ingress or entrance fees into the waters belonging to the peoples of the Nation, as to which they not only have riparian rights and users rights according to the law of 1780 and so forth under the Frontier Act; but it was also important that they not be doubly taxed, having paid for the impoundments. Certainly, those who even favor the land and water conservation use fund, as I did, and it is a matter of record, felt that the returns as stated so well today by the gentleman from Oklahoma now addressing us were much less than they were expected to be.

It requires an assessment after its first year of use, that double taxation for ingress, with the untenable way of collection of the golden eagle or the 3-month passport or the daily admission fee where Federal highways pass through, thereby bringing in another area of taxation was completely out of order.

The statement was frequently made that the water was not being charged for but only access to it.

Thereby coming in by helicopter or floating down some tributary, shows how impracticable this was.

I must say that I associate myself with the words of the gentleman from Oklahoma and I commend him on what he has done about this; but that the Corps of Engineers feasibility studies early last year, after the passage of this act, and the request of the Secretary of the Interior to impose such fees in order to build up the land and water conservation fund at an early time, showed it would be impracticable.

I would only point out one thing in closing and in commending the gentleman on what he has said; namely, that the reason for keeping this in the Committee on Rules if necessary or bringing it to the floor of the House for discussion is because, with the inserts he has placed in the RECORD today, including the criteria by the Corps of Engineers, that there will undoubtedly either evolve at one end of the stick unfairness, and almost we might say in this day and age, discrimination against those who are still being lugged for admission into their areas. Or at the other end of the stick there will be a failure to use these areas in favor of the now already established free areas. So I think great personal damage may be done to the investors on the lake even though the criteria states if we are going to make an ingress to the impoundments for usage by a private operator that then the fee will not be collected.

Once again I commend the gentleman for what he has said and for his action in this entire area.

Mr. EDMONDSON. I thank the gentleman.

Mr. STEED. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I yield to my colleague, the gentleman from Oklahoma.

Mr. STEED. Mr. Speaker, I want to associate myself with the very fine presentation being made by the gentleman from Oklahoma on this subject and also to take this opportunity to commend him for the very outstanding and very successful fight he has made on this subject.

I do not believe any Member of the House of Representatives has been interested in this matter longer than my colleague, the gentleman from Oklahoma, and certainly few Members have put as much effort into trying to cope with this problem as he has.

I, myself, feel very personally grateful to him for the assistance he has given to me in trying to keep abreast of this problem.

I have probably had more reaction from my own constituency on this whole thing than any single thing that has come up in the last 10 or 15 years. There has been a widespread public reaction and I am sure that what is typical in my own district is similar to the reaction that has come in from many other areas.

One thing I think ought to be emphasized over and over again about this whole thing and that is the fact that while some support this program with the idea that it is going to create a vast sum of money through which funds can be made available to build new facilities in areas not currently having them, when you check the experience to date to the amount of revenue obtained and the cost of getting the revenue, I think you are going to find these dreams are going to be a long time being realized under any circumstances. I think it is going to be more true that it is going to cost just about as much to collect the fees at these type facilities as will be collected in fees, and that what we really are going to be doing if we persist in this sort of approach is to be swapping dollars so to speak, and at the same time imposing general harassment upon the American taxpayers.

I think some progress has been made in getting this condition abated. I believe no one is more entitled to the credit for this reconstruction than my colleague, the gentleman from Oklahoma [Mr. EDMONDSON]. I want, on behalf of the folks down in our State where I come from, to express their gratitude to him for the very fine job he has been doing.

Mr. EDMONDSON. I thank my colleague from Oklahoma. I thank him, too, for the stouthearted support he gave this legislation from the very first and for the insight which he, as a member of the Appropriations Committee, which oversees the construction of these reservoirs, brought to the overall question. I think he was of tremendous help to all of us in connection with it.

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Do I correctly understand from your comments that you do not intend to pursue the matter any further? You feel the action of the Corps of Engineers and the executive branch of our Government is adequate for your purposes, or could you elaborate briefly on that question for my information?

Mr. EDMONDSON. I thank the gentleman for renewing that question, because I do think it should be made as clear as possible that there is no intention that I know of on the part of any of the backers of this legislation to press for action on it in this session of Congress.

On the other hand, there is a general feeling that the Corps of Engineers and the administration have worked out a reasonably acceptable approach to this question of fees, and that they also are going into it with a testing philosophy in connection with it, and they have so advised us. They have advised us that the fee system itself is undergoing a review at this time and is going to have a very thorough review at the end of this 1966 season.

I think with those assurances from the administration and the adjustments that have been made that assure free use of the waters and access to recreational opportunities at all of these reservoirs for all people, the major objectives of the sponsors of the legislation have been accomplished at this time.

Mr. DON H. CLAUSEN. As a member of the committee I also wish to join in commending the gentleman in the well for his leadership in bringing to the attention of our committee something that I think we are inclined to overlook.

I also wish to express appreciation for the very diligent efforts on the part of our colleague from Missouri, our good friend, Dr. HALL. He has pointed out something that we over on the Pacific coast are not fully aware of. I think I made this point during some of the hearings. We on the Pacific coast have access to the waters of the great Pacific and sort of take for granted that they are available to everyone, and yet we sort of forget about the fact that some of you people in the inland areas do not have access to these vast expanses of water that we have there. It was certainly a revelation to me to observe the degree to which we had taken away some of the inherent rights of the people who had had access to rivers and that, through action of the Corps of Engineers and the Federal Government, we were in effect taking away the opportunity of people in that area to have access to those waters.

Certainly the leadership of the gentleman from Oklahoma and the gentleman from Missouri is worthy of our attention and the commendation of all Members of the Congress.

Mr. EDMONDSON. I deeply appreciate the remarks of the gentleman from California, and I appreciate the understanding and sympathetic heart which the gentleman brings to all of his actions in the Committee on Public Works.

Mr. DON H. CLAUSEN. If the gentleman will yield further, I am quite frank to say that, having discovered as much as I did, I was one of those who changed their minds about the entire matter.

Mr. BURLESON. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I yield.

Mr. BURLESON. I wish to join my colleagues who have expressed appreciation to the gentleman from Oklahoma for his leadership in this matter and particularly his taking the initiative in introducing legislation in which a number of us joined to free certain recreational areas from fee charges. Some of us proposed legislation which applied to a particular reservoir in our own congressional district to call attention to special circumstances but the overall approach with relation to the administration of the fee requirement was proper and preferable.

I believe the response of the gentleman from Oklahoma [Mr. EDMONDSON] to the inquiry of the gentleman from California as to further adjustment or the elimination of fee charges in certain areas was based on the criteria which has now been given us, resulting in the elimination of quite a few of these areas at a number of the reservoirs, and that there will be a period of trial to see whether or not this is practical.

Mr. EDMONDSON. That is my understanding of the intention of the Army Engineers and the Bureau of Outdoor Recreation.

Mr. BURLESON. For further clarification let me ask the gentleman this. I am wondering if now, in a case where it appears to be impractical, and particularly for the reasons that our colleague from Oklahoma [Mr. STEED] just pointed out, there is a chance for further relaxing the requirement for fee charges? For example, I have a reservoir in my district with two recreational areas qualifying for fee charges under the criteria announced by the Corps of Engineers. I doubt that fees collected would pay for personnel and all the other administrative expenses. Yet, people will be harassed and inconvenienced because of it. It is not a place where people are likely to spent long periods camping and fishing but rather a day-to-day outing. I have no objections and I know of no one who does, for charges to people who spend long periods in an area and who use public facilities paid for by taxes, but places such as the one described which is Proctor Reservoir in Comanche County, Tex., is not such an area and its benefits from the recreational standpoint should be free.

Comparatively there will not be a great number of people involved, but yet it may meet the criteria laid down by the Corps of Engineers. Specifically, if the gentleman will comment; do the local people have a case before the regional office of the engineers and will they have opportunity to place before them what they feel the circumstances warrant, and discuss it with them, to see if there is any leeway, without imposing this regulation on them, before it becomes an after-the-fact thing?

As the gentleman well knows, once something is in operation it is pretty difficult to undo it. It seems to me it would be much better if they can decide now that it is impractical and they should not impose these fees on an area, such as this one I have described?

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to proceed for 2 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, I wonder if the distinguished chairman of the Committee on House Administration will not agree with me that in the course of this trial test period that it would seem to be reasonable for the Army Engineers to free any reservoir where the figures did show they were not getting a good return on their effort, and that it was not proving to be a paying proposition for the Government to carry on a collection of fees?

Would the gentleman not agree with me further, that if we have an effect from fees of discouraging the use of the reservoir and reducing the public participation in outdoor recreation at that reservoir due to the operation of fees, that here again there should be a basis for discontinuation of fees?

I might say some of the leading spokesmen of conservation groups who appeared before the Committee on Public Works said they felt any showing that there had been a material reduction in use of a recreation area because of fees should lead to the elimination of fees in that area.

Mr. BURLESON. Of course, the principal point is that once it is imposed and the operation begins, it has been my experience that it is much more difficult to change than to try to prevent it beforehand. That is the point I make.

Again I express my appreciation to the gentleman for bringing up this discussion, for the very fine services he has rendered in bringing this so forcefully to our attention.

As the House is aware the gentleman is a ranking member of the Public Works Committee which handles these matters and is certainly well informed on the subject. I hope that unless we can have further relaxation of these charges for recreation in these areas where it is clearly impractical, we will return to our original purpose of pressing for legislation to eliminate the unfairness of it.

Mr. EDMONDSON. I thank the gentleman very much. I thank him for his support and help in connection with the legislation.

SAM HOUSTON, HERO OF THE GREAT SOUTHWEST: AN OUTSTANDING MEMORIALIZATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. THOMPSON] is recognized for 30 minutes.

Mr. THOMPSON of Texas. Mr. Speaker, one of the finest compensations for service in the Congress is an occasional opportunity to participate, directly or indirectly, in memorable civic programs. One such experience in the Nation's Capital City was the memorialization on May 19, 1966, of Gen. Sam Houston. It was uniquely fitting that my able and distinguished colleague from Texas, Representative GRAHAM PURCELL, who is president of the Texas State Society, took part.

The exercises were held at a parish dinner at the All Souls Episcopal Memorial Church with Vice Adm. John F. Shafroth, U.S. Navy, retired, presiding. The pastor of the historic church is the Reverend Frank W. Blackwelder.

DISTINGUISHED GUESTS

The distinguished guests included: Rear Adm. Elmer E. Duvall, Jr.; Mrs. Roy L. Erb, author and lecturer; Dr. David J. Guy; Mr. and Mrs. Henry V. Hoagland; Hon. and Mrs. Graham Purcell; Vice Adm. and Mrs. T. G. W. Settle; Capt. and Mrs. George A. Taylor; Hon. Maurice H. Thatcher; and Rev. Joseph F. Thorning, pastor of St. Joseph's-on-Carrolton Manor Church, Frederick, Md., author and educator.

ORGANIZATIONS REPRESENTED

Cultural and other organizations represented included: American Legion, Columbia Historical Society, Daughters of the American Revolution, Jamestowne Society, Society of Mayflower Descendants, Texas State Society, and the Virginia Historical Society.

SAM HOUSTON: ONE OF VIRGINIA'S GREATEST SONS

Because Sam Houston was the greatest single leader in Texas history and one of the greatest in the westward expansion of the United States to the Pacific, I shall, for the sake of emphasis, mention some of the highlights of his career.

Born in Rockbridge County, Va., he moved to Tennessee in early life, and became a Representative in the Congress from that State, 1823–27, and Governor, 1827–29. Eventually moving to Texas, he was appointed as the commander in chief of the Texas army in the war for its liberation from Mexico and was the outstanding hero of the decisive Battle of San Jacinto, 1836, which sealed Texan independence. He was the first elected President of Texas, 1836–38, its third President, 1841–44, and a Senator in the Congress from Texas, 1846–59; and, finally, Governor of Texas from 1859 until he was deposed in 1861 because of his opposition to the secession of Texas from the Union.

Though he left Virginia at an early age, he was always proud of his Virginia heritage and also a great admirer of George Washington. The Old Dominion today honors his memory by means of an impressively mounted bust among some of Virginia's greatest sons in the old House of Delegates Hall in the State Capitol in Richmond.

MEMORIALIZATION HIGHLIGHTS

The proceedings were characterized by grace and dignity. Called to order by Vice Admiral Shafroth, the program was opened with an invocation by the rector of the church, Rev. Mr. Blackwelder.

The principal speaker was Capt. Miles P. DuVal, Jr., distinguished naval officer, historian of the Panama Canal, and a leading authority in interoceanic canal problems. His well-known writings and other notable contributions in this field have been of the highest importance to the United States, the Congress, the Panama Canal, and, indeed, the world at large.

The preparation of Captain DuVal's address required a long period of the most intensive study and verification. He obviously recognized the opportunity afforded by making the address on Houston and set out to perform a greatly needed and important public service of evaluating and vitalizing his life and achievements.

That he succeeded in clarifying and emphasizing the key points of Houston's career is shown by the prolog of his address. Its factual appraisal and interpretation will be invaluable for those who wish to honor this great figure in the history of Texas and the United States.

Mr. Speaker, in order that the entire proceedings may be suitably recorded in the permanent annals of the Congress and thus be made available for the libraries of the Nation, I now quote the roles and remarks of the participants:

REMARKS OF VICE ADM. JOHN F. SHAFROTH, INTRODUCING CONGRESSMAN GRAHAM PURCELL

Members of All Souls Episcopal Memorial Church, Distinguished guests, ladies and gentlemen:

Because of the nature of our program tonight, the matter next in importance to the choice of the principal speaker is the selection of the one to introduce him. We are, indeed, fortunate in having secured for this service a distinguished member of the Congress from Texas who is also the President of the Texas State Society of Washington, D.C.

Elected as a Representative from the 13th Congressional District in a special election on January 27, 1962, he is now on his third consecutive term. Assigned to the important committee on Agriculture, he has served with distinction and was appointed on July 20, 1964, by the Speaker as a member of the National Commission on Food Marketing.

Representing an area in northern Texas extending along the Red River opposite Oklahoma, which is rich in history, he has been, in addition to his formal training in agriculture and the law, a keen student of history, especially of Texas and the great South West.

It is my honor to call upon Congressman GRAHAM PURCELL of Texas, who will introduce the speaker.

REMARKS OF CONGRESSMAN GRAHAM PURCELL INTRODUCING MILES P. DUVAL, JR.

Mr. Chairman, members of All Souls Episcopal Memorial Church, honored guests, ladies and gentlemen:

Two years ago, the gentleman who will speak to us tonight addressed this body on the life of Matthew Fontaine Maury. Since Maury had been appointed as a midshipman in the Navy by the great American whom we honor tonight and our speaker has studied the careers of both men, his choice is a natural one for this occasion.

Let us look at our speaker's career to see what qualified him to speak on this occasion.

He has served at sea on various types of vessels in waters washing four continents—on the three coasts of the United States, in the Caribbean and Central American regions, in Alaska and Hawaii, in Europe and South America, and, during World War II, with the Panama Canal as officer in charge of marine operations in the Pacific section of the Canal. He has also served in the Southwest Pacific and the Far East. He has served on various types of warships and has had command of several naval vessels. He has participated in various peacetime exercises with the U.S. Fleet, in combat operations during World War II, and in the occupation of the Japanese Empire and China. He has observed firsthand the devastation and dislocation of war and the excitement of two Latin-American revolutions.

Ashore, he has held responsible positions in the Navy Department and in the Canal Zone government. He had post graduate training at the Naval War College, Naval Post Graduate School, and Georgetown University.

In addition to his regular duties in the Canal Zone, he made extensive studies of the problems of marine operations of the Panama Canal. Out of these studies he developed the first comprehensive plan for its operational improvement—a plan that has attracted world wide attention.

Our speaker is an author of distinction. He has written two important books on the Panama Canal. He has spoken in many places and written many articles, including one for the Encyclopedia Britannica, on the subject.

Our speaker is a man with a broad and varied background. He is eminently qualified to address us tonight on an important chapter in American history. He wishes to stress, however, that he is not here in an official capacity, and that the statements and opinions that he will express are not to be construed as official or as necessarily reflecting the views of the Navy Department or any other agency of our government.

It is my real privilege to introduce Captain Miles P. Duval, Jr., of the U.S. Navy, retired, who will speak to us on "Sam Houston: The Washington of the Vast Southwest."

SAM HOUSTON: THE WASHINGTON OF THE VAST SOUTHWEST

(Address by Miles P. DuVal, Jr., Captain, U.S. Navy, retired)

PROLOGUE—SAM HOUSTON: CAREER EVALUATION

Born March 2, 1793; Died July 26, 1863.

U.S. Army

Private and sergeant, March 24 to August 1813.

Ensign, July 29, 1813; 3rd Lieutenant, December 21, 1813.

2d Lieutenant, May 20, 1814; 1st Lieutenant, May 1817 resigned, March 1, 1818.

Served under General Jackson in the Creek War, 1813–14.

Hero of Battle of Horseshoe Bend, March 26, 1814.

Subagent to Cherokee Nation, 1817–18.

Defender of Indian Rights.

Subsequent

Studied Law in Nashville, Tennessee, and Admitted to Bar, 1818.

District Attorney, Davidson County, Tennessee, 1819.

Colonel and Adjutant General of Tennessee, 1820.

Major General, Tennessee Militia, 1821.

Representative from Tennessee, 1823–27.

Appointed Matthew Fontaine Maury as Midshipman in U.S. Navy, 1825.

Governor of Tennessee, 1827 until Resignation on April 16, 1829.

Moved to Territory of Cherokee Nation, 1829.

Made Cherokee Citizen, October 21, 1829.

Crossed the Red River for Texas, December 2, 1832.

Member, Texas Convention for Statehood in Mexico, April 1833.

Delegate, Texas Consultation, November 1835.

Member, Texas General Convention for Independence, March 1836.

Commander-in-Chief, Texas Army, March 5, 1836.

Victor of San Jacinto, April 21, 1836.

Liberator of Texas.

First President of Texas, 1836–38.

Organizer of Texas Rangers, 1837.

Member, Texas House of Representatives 1838–40.

Third President of Texas, 1841–44.

Architect of Annexation of Texas, 1836–45.

United States Senator from Texas, 1846–59.

Champion for a Greater United States.

Defender of Matthew Fontaine Maury.

Expounder of the Constitution.

Governor of Texas, 1859–61.

Opponent of Secession.

Refused to Take Oath of Allegiance to Confederacy.

Deposed, March 18, 1861.

INTRODUCTION

Mr. Chairman, Distinguished Guests, Ladies and Gentlemen: On February 1, 1861, a convention of the people of Texas, against the determined opposition of the Governor, voted overwhelmingly to secede from the United States, subject to a popular referendum on February 23. The Governor, a strong unionist, feeling that the citizens of his state had been misled, "took the stump" to prevent what he thought would be a major disaster.

Ending his campaign in Galveston with a speech from the balcony of the Tremont House despite threats of violence, he subdued a hostile mob by his presence into respectful silence. In measured words, he exclaimed: "Some of you laugh to scorn the idea of bloodshed as the result of secession, and jocularly propose to drink all the blood that will ever flow in consequence of it. But let me tell you what is coming on the heels of secession. The time will come when your fathers and husbands, your sons and brothers, will be herded together like sheep and cattle at the point of the bayonet. . . . You may, after the sacrifice of countless millions of treasure and hundreds of thousands of precious lives, as a bare possibility, win Southern independence . . ., but I doubt it. I tell you that, while I believe with you in the doctrine of states rights, the North is determined to preserve this Union. They are not a fiery, impulsive people as you are, for they live in colder climates. But when they begin to move in a given direction, . . . they move with the steady momentum and perseverance of a mighty avalanche; and what I fear is, they will overwhelm the South with ignoble defeat . . ."[1]

Despite this eloquent and courageous governor's direful warning and utmost endeavors, the voters of Texas ratified the ordinance of secession. Called before the convention on March 16 to take an oath to support the government of the newly formed Confederate States, he remained silent and, two days later, the Lieutenant Governor was declared as successor to the "vacant" office.

The governor so quickly deposed was General Sam Houston. Who was he and what is the story behind his clear vision and determined opposition to secession?

EARLY YEARS, 1793–1813

Born on a plantation in Rockbridge County, Virginia, seven miles from Lexington, on March 2, 1793, he was of Scotch ancestry with lines tracing back through colonial times and the minor nobility of Scotland to Scotish archers fighting in France for Jeanne d' Arc. From his father, Major Samuel Houston, a captain in Morgan's Rifle Brigade in the War of American Independence and later, a brigade inspector of the Virginia Militia, he inherited a passion for adventure and a penetrating vision; from his mother, Elizabeth Paxton Houston, he derived a stern fortitude; from both, a fine physique, great energy, intelligence and ambition.

Sam was ten years old when the Louisiana Purchase of 1803 stimulated the movement for westward expansion of the United States. Thus, it was natural that he found reading classics in his father's library far more attractive than attending classes at school.

In his 14th year, following the death of his father, his mother moved her family to a new farm in Baker's Creek Valley in Blount County, Tennessee, near Marysville.

Attending school there was no more attractive for Sam than it had been in Virginia but he developed a taste for good literature, and was especially fond of Homer's Iliad. Put to work in the family store, he found that equally distasteful. Seeking peace and quiet to study Homer, he ran away from home and joined a nearby tribe of Cherokees. The chief, Oo-loo-teka, seeing some of his own characteristics in young Sam, "adopted" him as his own son with the tribal name of "Colonneh," meaning the Raven. This, in Cherokee mythology, signified good fortune.

In the forest with the Indians, Sam learned trapping, water sports, and an old Indian game now known as la crosse; hunting and fishing; Indian sign language and tersely cogent speech. He joined in their councils and won their friendship, which was to mean much in the future.

After three years' residence with the Indians, nineteen year old Sam returned home and, despite his lack of formal education, started an academy and taught school for one year. He had read every book in his father's library was one of the best spellers in Blount County, could recite from memory a great part of all twenty-four books of the Iliad, and knew Indian life. No wonder his Academy was a success!

After President Madison called upon the West to take up arms against the British in the Second War of American Independence, Sam, then twenty, in March 1813, enlisted in the United States Army and was assigned to the 7th Infantry. Within a few weeks, he was promoted to sergeant. After the consolidation of his regiment with 39th Infantry, he was commissioned on July 29, 1813, as an ensign in the Army.

Why the rapid promotion? The Lieutenant Colonel of this regiment and the first field officer to whom young Houston had reported, Thomas Hart Benton, later Senator from Missouri, wrote: "I then marked in him soldierly and gentlemanly qualities . . . frank, generous, brave; ready to do, or to suffer, whatever the obligation . . . imposed; and always prompt to answer the call of honor, patriotism and friendship."[2]

HOUSTON ATTRACTS THE ATTENTION OF ANDREW JACKSON, MARCH 27,1814

Long before Houston joined the Army, he became convinced that for him the deepest satisfaction in life depended upon winning "distinction". Under the inspiration of Homer, he decided to cast his life in heroic mold. His opportunity came earlier than expected. On March 26, 1814, during the campaign against the Creek Indians in Alabama on the Tallapoosa River at a sharp curve known as Horseshoe Bend, United States forces under Andrew Jackson surrounded the improvised Creek fort. The advance started the next afternoon and Houston's regiment was the first to reach the ramparts.

When his major, standing in front of him, fell dead, Houston stepped forward, waved his sword and called upon his platoon to follow. Vaulting the barricade, he fought off a ring of Indians with his sword while his platoon dropped down beside him. Wounded by an arrow deep in his thigh, he kept fighting until the enemy left the redoubt.

Unable to remove the arrow himself, he called upon a nearby lieutenant who, not pulling hard enough for fear of making the wound worse, urged getting a surgeon to remove it.

"Try again", directed Houston, "and this time, Lieutenant, out with it or by (Heaven) I'll knock you flat."[3]

General Jackson, who passed by as the arrow was extracted with a gush of blood, saw Houston and told him to stay out of the fight for the rest of the day. But the young officer, lying on the ground after treatment by a surgeon heard Jackson's call for volunteers to put the fortification out of action. Rising, Houston led some soldiers from his own platoon down the steep side of a ravine. When five yards from a loophole, two rifle balls hit his right arm, and shoulder, effectively disabling him. A surgeon removed one from the shoulder but Houston had to be transported sixty miles to Fort Williams, where he was left as a hopeless case.

Two months later, still weak and haggard, he was assisted to his home where he was hardly recognized. The second ball was not removed from his arm until the following year.

Horseshoe Bend was one of the important turning points in Houston's career. On May 20, 1814, he was promoted to second lieutenant and gained some time for extensive reading. More important than anything else, General Jackson, who, like the Indian chief, had recognized his own character in Houston, entered the young man's life. From Jackson, he learned about handling troops in the field, the way to maintain morale, the care of arms, and the control of untrained militia troops by the example of disciplined regulars.

REBUKE BY SECRETARY OF WAR INSPIRES HOUSTON'S RESIGNATION, MARCH 1, 1881

While on convalescent leave in 1814, Houston visited Washington for medical treatment and viewed the ashes of the capital city that had been burned in August by the British. The treatment proving ineffective, he visited relatives in Virginia, gaining back some of his strength on the way to Tennessee.

Transferred in May to the First Infantry at New Orleans for special medical attention to prevent the loss of use of his right arm, he had an Army surgeon remove the second bullet at a time when the only anesthesia was a heavy drink of whiskey. Recuperating at an old French barracks near the Mississippi River, he resumed reading his favorite books, among them Shakespeare.

After a furlough to visit his family in Tennessee, he was assigned light duty in the Adjutant's General office in the Southern Division of the U.S. Army at Nashville, of which Andrew Jackson was the Commanding General. Thus, he had opportunities to discuss with General Jackson the battles of Horseshoe Bend and New Orleans.

In late 1816, Cherokee Indians, betrayed by some of their minor chiefs in approving a treaty ceding some of their choice lands and calling for their removal to Arkansas, threatened war. At General Jackson's request and on recommendation of Governor

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[1] Williams, Alfred M., p. 354.

[2] Wisehart, p. 16.

[3] Wisehart, p. 18.

McMinn of Tennessee, Houston, on October 28, 1817, was appointed subagent of the United States to the Cherokees.

Saddened by the nature of his task, Lieutenant Houston put on his Indian clothes, called upon his adopted Indian father and talked with young warriors. Emphasizing that the whites would insist upon carrying out the "treacherous treaty", he explained that the choice was for the better of two evils: to remain where they were in defiance of the treaty and face ceaseless warfare or to go peacefully. The Indians accepted his advice and agreed to move but a group of Cherokees wished to send a delegation to Washington to see Secretary of War John C. Calhoun. Governor McMinn requested Houston to put on his Indian clothing and to accompany them.

Received by Secretary Calhoun on February 5, 1818, with punctillious courtesy, the delegation did not succeed in changing the decision. On the groups' departure from the room, Calhoun, detained Houston and demanded to know why he was out of military uniform. Astonished by the reprimand for an action that he thought merited praise, he explained that he was an Indian agent and had worn the clothing best fitted for the occasion. Not satisfied, Calhoun later charged Houston with complicity in slave running and smuggling, and of abuse of power—allegations originated in reports from the guilty promoters of such activities as a reprisal against Houston who had always protected Indians against exploitation.

Houston promptly requested the Secretary to make an investigation and secured permission to present the case to President Monroe; and he was exonerated. Although the Secretary was favorably impressed by the forthrightness of Houston, the young officer received no apology or thanks from anyone and this set him to wondering whether the Army was a suitable career for him.

On March 1, 1818, fully realizing that his Army career was seriously jeopardized, he wrote to the War Department: "You will please accept this as my resignation to take effect from this date." [4] Thus, the unexpected castigation by Secretary Calhoun became another important turning point in Houston's career.

EARLY SUCCESSES, 1818–23

After acceptance of his resignation and following a period of uncertainty as to what occupation to chose that would win "distinction" and give him enough income to marry, the former lieutenant decided upon the law. Fortunately, he had a distant relative in Nashville, Tennessee, Judge James Trimble, who became his sponsor and mentor.

Applying the same power that had enabled him to memorize large portions of the Iliad to the study of the legal classics *Blackstone's Commentaries, Coke on Littleton,* and the *Constitution of the United States,* Houston delighted Judge Trimble with his quick grasp and comprehensive understanding of basic principles. On the judge's recommendation, he took the bar examination in 1818 after only six months' study instead of the customary eighteen, winning the praise of his examiners.

After a period of practice in Lebanon, Tennessee, Houston, in 1819, on Jackson's endorsement, was elected district attorney of Davidson County in which Nashville was located. In 1820, he was appointed Adjutant General of Tennessee with the rank of colonel, and in 1821 was promoted to major general. He was then twenty-eight.

During those years, Houston was a frequent visitor at the Hermitage, the home of Jackson. Though the number and importance of his friends continued to grow, he never forsook old ones unless he saw a disinclination on their part to be friendly. Even then, as he expressed it, he parted with them "as a Miser does his treasure with anguish and regret," [5] thus showing a marked capacity for friendship.

Supported by General Jackson and Governor McMinn, Major General Houston was elected to the Congress in 1823 from the Nashville district. No wonder the thirty year old Representative-elect, when reviewing his steady rise during the five years since resigning from the Army, was satisfied with his progress.

On his trip to Washington in 1823, he carried in his saddle bags a letter of introduction to Thomas Jefferson from Jackson, who wrote: "I have known General Houston many years, and, entertaining for him the highest feelings of regard and confidence, recommend him to you with great safety. He has attained his present standing without the intrinsic advantages of fortune or education, and has sustained, in his various promotions from the common soldier to the Major-General, the character of a high-minded and honorable man." [6]

MEMBER OF CONGRESS, 1823–27

The House of Representatives in the Eighteenth Congress (1823–25) was dominated by three men—Henry Clay, John Randolph and Daniel Webster. Realizing the value of learning from experienced legislators, Houston studied these leaders closely, patterned himself after Webster, and was thus greatly influenced in his maturing views on public issues. An assiduous student of Constitutional government, he listened carefully to speeches in the House. Industrious and perceptive in the selection of evidence, he assembled facts on difficult subjects and drew logical conclusions. A natural orator, Houston was able to make many addresses in the House featured by well-reasoned conclusions.

Kept busy doing tasks for General Jackson then in Tennessee, Houston became involved in a quarrel with General William White and fought a duel with him. Houston escaped from the ordeal without injury and White was wounded but recovered, for which Houston was most thankful.

During his second term in Congress (1825–27), some criticism by Secretary of the Navy Southard of Jackson's conduct in the Battle of New Orleans almost reached the point where a duel was in order between Southard and Jackson at the time the latter's election as President was approaching. Houston avoided this crisis by tactful diplomacy, displaying a capacity for handling Jackson.

Of all of Representative Houston's actions in the Congress, one of the most significant was his appointing in 1825 of an ambitious young man from Tennessee, also like Houston a Virginian by birth whose early struggles resembled his own, as a midshipman in the Navy.[7]

The subsequent mighty achievements and scientific impulses of this youth were destined to become universal in their influence. This dedicated appointee was Matthew Fontaine Maury.

DOMESTIC TRAGEDY DIVERTS COURSE OF HOUSTON'S LIFE, APRIL 1829

Before the close of his second term in the Congress, Houston, on urgings from home, decided to run for Governor of Tennessee as a Jackson Democrat and, after a tough campaign, won. Benefitted by his experience in the Congress, the popular bachelor governor, then 34, exuded confidence. In his inaugural address, he stressed the importance of supporting the Constitution and opposed usurpations by Federal agencies. Recommending public improvements as proper activities for the state, he urged a canal around Muscle Shoals, Alabama, in the Tennessee River to provide Tennessee with an outlet for its products. Later, in administering the state government, he was "sensible and practical" and his popularity steadily increased.

During the campaign of General Jackson for President in 1828, Houston supported him vigorously and his victory made Tennessee the most important state in the Union. Selected by Jackson as the man to keep Tennessee in line for his administration, Governor Houston was a national figure.

Meanwhile, Houston became enamored with Eliza Allen, gifted 20 year old daughter of Colonel John Allen of Sumner County, Tennessee, who encouraged him.

When Governor Houston saw President-Elect Jackson off at the dock at Nashville on the Cumberland on January 18, 1829, for the first part of his long trip to Washington, he proudly told his mentor of his engagement to be married four days later.

"My blessings on you and your bride, Governor," said General Jackson who knew the bride's family well, "I pray God grant you a happy marriage and a long, prosperous life." [8]

After a brilliant wedding in the Allen mansion, the newlyweds became the most popular couple in the State. Confident in his future, Houston, six days after his marriage, announced his candidacy for re-election as Governor.

Entering upon another vigorous campaign, Houston was well on his way to another election victory, with many predicting that he and his bride would some day grace the White House.

Then, a storm broke. On April 16, when one of Houston's supporters in Nashville, after an absence of a few days entered an inn where the Houstons had lived, the clerk asked, "Have you heard the news?"

"What news?"

"General Houston and his wife have separated and she has gone home to her father." [9]

As the young wife had left while her husband was away, Nashville had learned of it before Houston did. Thus, on return that day, he found the city in an uproar.

Unable to effect a reconciliation, Houston was completely crushed. Wounded by scandal mongers and even threatened with assassination, he regarded his brilliant career in Tennessee as shattered.

In his office on the same evening, he wrote his resignation as Governor of Tennessee.[10] Soon after, he left Nashville for a self-imposed exile by the packet *Red Rover.* As he walked the decks of the steamer that evening pondering the disappointment that he knew General Jackson and other friends would experience and the hurt to his wife, he was despondent to the point of contemplating suicide. Then, as he described it, an eagle swooped down near his head, soared aloft with wild screams, and was lost in the setting sun. Seized upon by this sensitive man as an omen of his future, he later recorded his feelings: "I knew then that a great destiny waited for me in the West." [11]

Historical judgment is to the effect that Houston was not primarily at fault in the tragic separation. Although he never explained, he always defended his wife's reputation. Nevertheless, his sad experience in 1829, by changing the course of his life, had consequences suggestive of those of the tragic romance in 1806 of Nicolai Petrovich Resanov, able representative of the Czar in Russian America, with Maria de la Concepcion Arguello, the daughter of the Spanish Commandant at San Francisco.[12] The earlier affair affected the course of Russian southward expansion in California and served to prevent a clash between the Spanish and Russian Empires. The tragedy of Houston had a chain of consequences that culminated in the extension of the southwest United States to the Pacific.

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[4] Wisehart, p. 24.

[5] Wisehart, p. 28.

[6] Wisehart, p. 29.

[7] Williams, Frances Leigh, p. 33.

[8] Wisehart, p. 37.

[9] Wisehart, p. 42.

[10] James, p. 78.

[11] James, p. 85.

[12] Chevigny.

HOUSTON CROSSES HIS "MUDDY RUBICON,"

DECEMBER 2, 1832

Continuing his travels until he reached the land of the Cherokees, then relocated in Arkansas Territory, his old friend, Chief Oo-loo-teka, gave Houston a moving welcome: "My son, eleven winters have passed since we met. . . . I have heard you were a great chief, among your people. . . . I have heard that a dark cloud has fallen on the white path you were walking. . . . I am glad of it—it was done by the Great Spirit. . . . We are in trouble and the Great Spirit has sent you to us to give us counsel. . . . My wigwam is yours—my home is yours—my people are yours—rest with us." [13]

On lying down to sleep that night "after the gloom and sorrows of the past few weeks," Houston felt "like a weary wonderer returned at last to his father's house." [14]

Dressing himself according to tribal customs with a white beaded, doeskin shirt; yellow, leather leggings, and a headdress of feathers, and plaiting his hair in a queue, he was accepted and, on October 21, 1829, was made a citizen of the Cherokee Nation "forever".

In June of that summer President Jackson, heartsick for his friend, wrote Houston sympathetically but warned him against attempting an "illegal enterprise" for conquest with Cherokee Indians.[15]

In the spring of 1830, Houston made a trip to Washington to complain against corrupt Indian agents and secured the removal of some. Returning via Tennessee, he was greeted by small crowds, indicating a change in attitude in his favor. After return to the Cherokee Nation, where he was not subject to United States marriage laws, he married an Indian widow with high tribal connections and set up a home near the Neosho River.

But this was not enough to make him happy and he drank heavily, showing signs of deterioration and becoming known among certain Indians as "Big Drunk". Then came another blow. In August of 1831, he received word that his mother was seriously ill and rushed home in time to receive her blessing before she died. After return to Neosho, he began to change. Giving up his Indian wife, he again left for Washington with a delegation of Indians seeking protection against dishonest agents.

Soon after arriving in Washington, Houston read in the April 3, 1832, issue of the *National Intelligencer* of a speech on the floor of the House of Representatives by Congressman William Stanberry of Ohio accusing Houston of fraud in Indian contracts and challenging the honor of the Jackson administration. Houston wrote Stanberry for an explanation which the latter refused, infuriating Houston. A few days later, in the evening of April 13, he unexpectedly met Stanberry on Pennsylvania Avenue and thrashed him with his walking stick.

Under a resolution of the House calling for the arrest and punishment of Houston, he was apprehended and brought before the House for trial. After a poor effort by his own counsel, Houston undertook his own defense and attacked the authority of the House to exercise the powers of "grand jury; prosecutor, jury and judge." "That man Stanberry," said Houston, "has slandered me through the columns of a newspaper, and refused even to answer a polite note, and I chastised him as I would a dog, and I will visit the same on the shoulders of anyone who insults me, even though it be one of you who now sit in judgment on my conduct." [16]

After four days of debate, the House, by a vote of 106 to 89, found him guilty and sentenced him to a reprimand by the Speaker, which included a commendation as well. Then followed an anticlimactic trial in the District of Columbia Civil Court, which convicted him of criminal assault and fined him $500, later remitted by President Jackson. These experiences shocked Houston into rehabilitating himself and gave him his first sensation of victory since 1829, with the press of the country acclaiming him as a hero.

Obtaining a passport at the direction of President Jackson in August, he returned to Arkansas to plan his trip southward. Finally, on December 2, 1832, on the Red River near Fort Towson, fully conscious of possible destinies in Texas, he crossed his "muddy Rubicon."

TEXAS DECLARES ITS INDEPENDENCE

MARCH 2, 1836

Long before Houston entered Texas events there and in Mexico were shaping up for an eventual clash. In Texas, under the leadership of Stephan F. Austin, North American settlers sought to separate from the State of Coahuila and form a new state within the Mexican Republic. In Mexico, a "brilliant and precocious" youth was forging his way toward the Presidency of that country—Antonio López de Santa Anna, later to be known as the "Napoleon of the West." Inevitably, with different cultures and races competing for dominance in the same area was a long series of incidents in Texas, with growing convictions that the wounds of spasmodic civil war had become too deep ever to heal and with demands since 1829 to secure the services of Houston.

Thus, on his long ride southward in December 1832 to San Felipe to see Austin, Houston was able to appraise the situation and confirmed his feeling that his destiny was in Texas.

What were the characteristics of these two leaders? Born in Virginia in the same year as Houston (1793), Austin was a well educated man of wide culture devoted to Texas, medium height and light build, better fitted for refined society than for a turbulent life on a frontier in the midst of crisis. In contrast, "Houston stood six feet two inches in his socks, was of fine contour, a remarkably well proportioned man, and of commanding and gallant bearing; had a large, long head and face and his fine features were lit up by large eagle-looking eyes; possessed of a wonderful recollection of persons and names, a fine address and courtly manners and a magnetism approaching that of Andrew Jackson. He enjoyed unbounded popularity among men and was a great favorite with the ladies." [17] Intelligent, energetic, absolutely fearless, and capable of great physical and mental endurance indispensable for leadership, he was a natural choice.

Despite their dissimilarities these two leaders, Austin and Houston, got along well with each other, for they had one great common purpose—the liberation of the Texas colonies.

Promptly starting the practice of law and becoming a land owner, Houston, as a newcomer, remained quiet but observed developments closely. By the spring of 1834, he concluded that war between Texas and Mexico was a "definite probability" in which Texans would have to protect their own interests without assistance. In Mexico, Presidente Santa Anna assumed that the war had already started and, in October 1835 began to mobilize for the invasion of Texas and to develop his strategy.

Following the pattern of their forefathers in the War of North American Independence, Texans organized committees of vigilance and safety, and at a convention in November 1835, formed a state government with Henry Smith as Governor and Houston as Commander in Chief of all the armed forces—recognition that war would follow after separation from the Mexican State of Coahuila. Unfortunately, while Houston was engaged in forming an Army, in January 1836 intrigue in the Texas government led to the deposition of the Governor and the removal of Houston as commander-in-chief—actions that impaired preparations and invited disaster. Desiring to avoid responsibility for the chaos that could ensue, to maintain respect for civilian authority, and to avoid civil strife, Houston decided to accept his removal. With suppressed feelings, he addressed his troops:

"If you believe that the Council has deposed the governor and withdrawn command of the volunteers from the Commander in Chief illegally then you are justified in concluding that your new commanders have no authority over you. As volunteers you might consider yourselves privileged to go home. If you do, I suggest that you keep your rifles in good shape and practice marksmanship if you can spare the ammunition. Equip yourselves with good boots that will stand hard wear, and enjoy a comfortable furlough. Soon after the March 1 convention I promise you plenty of fighting. Our cause will be just and a noble one and well understood by all. Till March, then, I bid you farewell, and God bless you." [18]

In the interim, Houston, who had been appointed by Governor Smith to negotiate a treaty of peace and neutrality with the Cherokees and other Indian tribes, undertook and accomplished that task, thus protecting the Texas flank and rear from attack.

In the early days of the convention in Washington, Texas, on February 28, 1836, a courier on horse back arrived with the following message dated February 24 from Colonel William B. Travis, commanding officer at the Alamo at San Antonio:

"Fellow citizens & compatriots—I am besieged, by a thousand or more of the Mexicans under Santa Anna—I have sustained a continual Bombardment & cannonade for 24 hours & have not lost a man—The enemy has demanded a surrender at discretion, otherwise, the garrison are to be put to the sword, if the fort is taken—I have answered the demand with a cannon shot, & our flag still waves proudly from the walls—*I shall never surrender or retreat*. Then, . . . come to our aid, with all dispatch. . . . If this call is neglected, I am determined to sustain myself as long as possible & die like a soldier. . . . Victory or Death." [19]

The next day, February 28, Houston arrived at the convention. Alarmed by the news from the Alamo, and inspired by the presence of Houston as a member, this body, on March 2, 1836, adopted the Texas Declaration of Independence embodying many of his ideas.

Two days later, the convention appointed him as "Commander in Chief of all the land forces of the Texian army" with authority to establish a headquarters and to organize the army.

When a resolution calling for the convention to adjourn so that its members could rush to the aid of Texas forces in the Alamo was offered, Houston rose in strong protest. "This proposal," he stated, "is mad. We have declared ourselves independent but we have no organization. There must be a government. It must have organic form. Without it we would be nothing but outlaws, and can hope neither for sympathy nor the respect of mankind. The country is in peril.

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[13] James, p. 92.

[14] Wisehart, p. 53.

[15] Wisehart, p. 56.

[16] Wisehart, p. 76.

[17] James, p. 68.

[18] Wisehart, p. 157.

[19] Wisehart, p. 162.

I advise you to sit calmly and firmly and cooly pursue your deliberations. Be wise. Be patriotic. Feel no alarm. I pledge myself to proceed at once to Gonzales where we hear that a small corps of militia have rallied.

"I will interpose them between this convention and the enemy. While you choose to sit in convention I promise you the Mexicans will never approach unless they march over my dead body. If mortal power can avail I will relieve the brave men in the Alamo."[20]

Without waiting for the convention to form a provisional government, Houston left for the front.

HOUSTON DIRECTS TEXAN DEFENSE AGAINST INVASION

By early February 1836, the Mexican Army was set to invade. Santa Anna's plan, brilliant in conception, provided for three separate forces to sweep across Texas in three zones roughly paralleling the coast line. The intention was the subjugation of the North American settlers by means of systematic burning, plunder and executions.

Informed as to the Mexican plan and movements, Houston recognized the peril and decided against defending isolated points that could be easily taken by overwhelming strength in favor of "quick flexible movements". His plan, suggestive of that of Czar Alexander[21] in meeting Napoleon's invasion of Russia in 1812, was to retreat across the vast distances of Texas drawing Santa Anna far away from his bases and to keep his small forces concentrated ready to attack should favorable conditions develop.

On the day that Houston left the Convention to organize to relieve the Alamo, that citadel had already fallen, after a final assault in which Colonel Travis and all his defenders were slaughtered, including James Bowie and David Crockett.

After the battle, a young attractive widow of an Alamo defender and her daughter were taken to the apartment of the Mexican President. He placed a horse and his personal servant at her disposal and requested her "to convey the compliments of General Santa Anna to Senor Houston, and to assure him that the story of the Alamo would be the story of all who were found in arms against Mexican authority."[22]

Three weeks later, on March 27, 1836, a Palm Sunday, the defenders of another isolated post to the south eastward at Goliad, who had surrendered, were massacred.

Meanwhile, the Texas Navy, under Commodore Charles E. Hawkins, was cruising up and down the coast between Tampico and Galveston, preventing reinforcements and supplies reaching the advancing Mexican forces—a most significant factor in the final outcome.[23]

As the retreat continued criticism mounted. Provisional President David G. Burnet, about April 2, 1836, wrote Houston: "The enemy are laughing you to scorn. You must fight them. You must retreat no farther. The country expects you to fight."[24] But this had no influence on the cautious and experienced solider.

Threatened with a mutiny to depose him as Commander in Chief, Houston had two graves dug and posted a notice that the first man to seek volunteers for this purpose would be executed.[25]

VICTOR OF SAN JACINTO, APRIL 21, 1836

Intoxicated by Mexican successes at the Alamo, Goliad and other places, Santa Anna became overconfident and determined to capture President Burnet and the entire Texas government in a sudden raid on Harrisburg. Texas officials, warned in time, fled to nearby Galveston, which, protected by marshes, afforded a safe haven.

Separated from his main forces and denied reinforcements by the sea, Santa Anna pushed on toward Morgan's Point on San Jacinto Bay evidently with the idea of carrying his campaign of fire across the San Jacinto River at Vince's Bridge. Houston saw the opportunity and became the pursuer rather than the pursued.

On April 19, 1836, he issued this communique: "We view ourselves on the eve of battle. We are nerved for the contest, and must conquer or perish. It is vain to look for present aid; none is at hand. We must now act or abandon all hope! Rally to the standard, and be no longer the scoff of mercenary tongues; Be men, be freemen, that your children may bless their fathers' names!"[26]

That evening he addressed his troops, telling them that a collision was imminent with Mexican forces under the one man most responsible for their troubles, Santa Anna, who, Houston said, was cut off from support. Then, with Napoleonic spirit, he exclaimed: "This is our battle cry. Remember the Alamo! Remember the Alamo!"

The next day, April 20, the opposing forces were in position but Houston decided not to attack. As a precaution against possible escape of the enemy, he burned Vince's Bridge.

On the morning of April 21, after his first sleep of more than three hours in six crucial weeks, Houston awoke later than usual, sprang to his feet and exclaimed: "The sun of Austerlitz has risen again."[27]

The question was when to attack and he chose the Mexican siesta hour. At 3:30 P.M., April 21, 1836, Houston gave his signal. Yelling their battle cry, "Remember the Alamo," the Texans charged, taking the enemy by complete surprise.

In the ensuing confusion, Santa Anna fled from the scene. Unable to escape over Vince's Bridge, he was captured the next day and brought to Houston then lying seriously wounded on a blanket under an oak.

"I am General Antonio López de Santa Anna, President of Mexico, Commander-in-Chief of the Army of Operations. I place myself at the disposal of General Houston," said Santa Anna.[28]

"General Santa Anna!—Ah, indeed!—Take a seat, General, I am glad to see you, take a seat!", replied Houston.

"That man may consider himself born to no common destiny who has conquered the Napoleon of the West; and it now remains for him to be generous to the vanquished," said Santa Anna.

"You should have remembered that at the Alamo," Houston remarked.

Opposing strong demands for Santa Anna's summary execution, Houston protected his prisoner, for he realized that Santa Anna alive was of far greater value than dead. This moderation enabled the provisional government to negotiate the Treaty of Velasco, signed on May 14, in which Santa Anna recognized the independence of the Republic of Texas with the Rio Grande as the boundary. Moreover, the victory of San Jacinto won the admiration of General Jackson, ranked Houston among the great men of the earth, and, as a result of the Mexican War to which it led, decided the destiny of all the area between the southwestern United States and the Pacific, making Houston the liberator of Texas, and the idol of its people.

PRESIDENT OF TEXAS AND MEMBER OF ITS CONGRESS, 1836–44

In a special election on September 5, 1836, the people of Texas voted overwhelmingly for Houston as their first Constitutionally elected President and for annexation to the United States. Provisional President Burnet called for the First Congress of the new republic to convene on October 3, and on October 22, resigned.

In his inaugural address that afternoon, Houston in a dramatic gesture to symbolize civilian authority as superior to military took off his sword and laid it on a table, called for annexation to the United States, and expressed his confidence in the establishment of Constitutional liberty. He appointed Stephen F. Austin as his first Secretary of State and these two leaders made annexation the "keystone of Texas foreign policy."

The reaction in the United States to this proposal was violent, with leaders from Southern states supporting it and abolitionists from the North threatening secession. Thus, General Jackson was not able to realize his long cherished dream of Texas annexation. He did, however, make the next best move in that direction and, on March 3, 1837, recognized the independence of Texas—the last official act of his administration.

Among the early achievements of President Houston was placing the Texas Rangers, originated in 1823 by Stephen Austin, on a permanent basis. Authorized by a December 1836 law, Houston was given permission by the first Texas Congress to leave the capital for 30 days to "organize" this celebrated "corps of mounted men." This was the first state wide law enforcement agency in North America.

Meantime, Houston undertook to organize the Texas government on an operating basis, form a diplomatic service, encourage the building of railroads and roads, and above all, to prevent irresponsible and reckless adventurers from involving Texas in another war with Mexico.

Initially unsuccessful in bringing about prompt annexation, Houston, on May 19, 1838, withdrew the proposal unconditionally and sought recognition by England and France. Thus, when his first term expired on December 1, 1838, he had laid the ground work for the future, emphasized by his presiding over the inauguration of his successor in attire of the time of George Washington.

On return from a visit with General Jackson in Tennessee, Houston found that he had been elected as a member of the Texas House of Representatives. In that body, he continued his defense of Indian rights, opposed the provocative policies of his successor toward Mexico, and emphasized the necessity for tranquillity in Texas as indispensable for progress.

Having secured a divorce from his wife during his first term as President, he had cleared up his marital status and on May 8, 1840, he married Margaret Moffat Lea of Alabama.

Re-elected to the Fifth Texas Congress on September 7, 1840, Houston was able to block a move by the Texas Executive to secure a declaration of war against Mexico. A year later, he was elected President of Texas a second time and, on December 13, 1841, was inaugurated. Launching upon a program for industry and economy, he corrected abuses, kept his country out of war, and established close relations with England and France.

When he retired from the Presidency on December 9, 1844, Houston had done the work that resulted in the admission of Texas on December 29, 1845, into the Union, making him the architect of the annexation of Texas.

CHAMPION FOR A GREATER AMERICA, 1846–59

Among the collaborators of Houston for the annexation of Texas none had been more helpful than Andrew Jackson who, in 1845, was failing in health. Learning of his illness, Houston and his family hurried to his bedside with the hope that Jackson could meet his wife and give his blessing to his son. But they were too late. Jackson died at 6 P.M. on June 8, 1845, a short time before Houston's arrival.

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[20] Wisehart, p. 168.

[21] Caulincourt.

[22] James, p. 230.

[23] Hill, pp. 42–66.

[24] Wisehart, p. 204.

[25] James, p. 241.

[26] Wisehart, p. 220.

[27] James, p. 248.

[28] James, p. 254.

Kneeling beside Jackson's still warm body, Houston drew his two-year-old son to his side and said, "My son, try to remember that you have looked on the face of this great man."[29]

Elected by the Texas Legislature to the United States Senate, Houston became a member of that body on February 21, 1846, and found himself associated with such eminent Senators as Thomas H. Benton, John C. Calhoun, Henry Clay, and Daniel Webster. Equipped by a vast background of experience as a member of Congress, Governor of Tennessee, responsible positions in war and President of Texas, he proved himself within a few weeks the equal of any member of the Senate.

Understanding what was at stake in the war with Mexico, he strongly supported President Polk and was a major influence in extending the southwest United States to the Pacific.

When the issue of sectionalism became acute, Houston came into direct conflict with Calhoun and appealed for all to stand by the Union. In a notable address on February 8, 1850, aimed at reconciling the differences between the North and South that later may have inspired Lincoln, Houston, deplored threats of secession and closed with these words: ". . . a nation divided against itself cannot stand. I wish, if this Union must be dissolved, that its ruins may be the monument of my grave, and the graves of my family. I wish no epitaph to be written to tell that I survive the ruin of this glorious Union."[30]

Despite the grave issues that he was called upon to study and debate, he found time to handle other matters. In 1855, when, for political considerations, an attempt was made to end the illustrious career of his protege, Lieutenant Matthew Fontaine Maury, Houston assumed a leading role in his defense,[31] aiding in restoring him to the active list of the Navy in the rank of Commander.

Houston's strong stand for the Union alienated many of his supporters in Texas, with the result that the Legislature in November 1858 failed to reelect him to the Senate. Despite this, in has last major address in 1859, before a crowded chamber, including members of the House, he urged construction of the first railroad to the Pacific via the southern route, again warned against disunion, condemned secession as "rebellion", and predicted that doom awaited the South unless it changed its course.

His final appeal, thrilling many spectators, was: ". . . as a Union man, I have ever maintained my position, and I ever shall, I wish no prouder epitaph to mark the board or slab that may lie on my tomb than this: 'He loved his country, he was a patriot; he was devoted to the Union.' "[32]

GOVERNOR OF TEXAS, 1859–61

When Houston, now sixty-six, returned home he was looking forward to enjoying a well-earned retirement. Alarmed by demands of a strong minority in a political convention for a plank favoring reopening the African slave trade and the nomination of a strong secessionist for Governor, Houston, feeling that the people were opposed to both, changed his mind and ran for the governorship.

Without a party organization or campaign fund, Houston made only one address on July 9, 1859. In this he condemned the political convention for discussing the reopening of the slave trade, charging that the purpose of those advocating its illegal resumption was to bait the South into dissolving the Union.

In ringing words he warned: ". . . If we depart from the Constitution . . . we will have civil war without end. Make a Southern Confederacy, and there would be a Northern one. These men who have shown a disregard for the struggles of our fathers, will care but little for the Union, when their chief end is attained. . . . The scenes that would ensue, I will not shock you by relating. God when he intends to destroy men first makes them mad. . . . He has maddened these men. Mark me, the day that produces a dissolution of this (Union) will be written in history in the blood of humanity. All that is horrible in war will characterize the future of this people. Preserve Union and you preserve Liberty. They are one and the same, indivisible and perfect."[33]

In a powerful appeal, he concluded: "Let me exhort you, then, to stand by the Constitution and the Union. Confide in one another in the hour of danger. Rely upon yourselves when demagogues would mislead you. Maintain those reserved powers which are essential to preserve your liberties against centralization, and they will withstand the shock of centuries."

His victory, which followed, was a severe defeat for the champions of slavery and secession. After assuming office events thronged upon him. In meeting them his one great purpose was preservation of the Union. So effective was he that in May 1860, Houston came close to being nominated for President of the United States on the first ballot by the National Union Party in Baltimore, which finally nominated John Bell, a moderate Union man from Kentucky. In the perspective now possible it is tragic that he was not, for under his proven leadership it is conceivable that the Civil War might have been averted.

When Lincoln was nominated, Houston took the view that this had been done constitutionally and that *his* election would be no excuse for secession. Addressing a Union mass meeting in late September, he declared: "The error has been that the South has met sectionalism with sectionalism. . . . Because a minority at the North are inimical to us, shall be cut loose from the majority, or shall we not encourage the majority to unite and aid us?"

Asserting that division among those opposing Lincoln was no excuse for leaving the Union, he followed up in these words: "The Union is worth more than Mr. Lincoln, and if the battle is to be fought for the Constitution, let us fight it in the Union and for the sake of the Union. With a majority of the people in favor of the Constitution, shall we desert the Government and leave it in the hands of the minority?" * * *.[34]

All his efforts were in vain. Texas passed its ordinance of secession and Houston, refusing to take the oath of office to the Confederate States government, was deposed on March 18, 1861. He retired to his farm near Huntsville, and had the miserable unhappiness of seeing most of his direful predictions come true.

He died on July 26, 1863 and was buried in a small cemetery in Huntsville, marked by a granite shaft inscribed with these words of Jackson: "The world will take care of Houston's fame."[35]

HIGHLIGHTS OF CAREER

What are the principal points in Houston's career that form the basis for his fame?

He was a hero at the Battle of Horseshoe Bend in 1814, attracting the attention of Andrew Jackson.

He resigned his commission as an officer of the Army, studied law and entered politics in Tennessee, becoming Adjutant General of the State in 1820 and a major general in 1821.

He was a member of the United States Congress (1823–27), and patterned himself after Daniel Webster, becoming a great Constitutionalist and orator.

He appointed Matthew Fontaine Maury as a midshipman in the Navy, thereby giving that talented youth his start on the road to fame.

He was Governor of Tennessee (1827–29) and was one of the earliest advocates for the improvement of the Tennessee River.

He went to Texas in 1832 and assumed leadership in its struggle for independence, declared on March 2, 1836, and was commander in chief of the Texas Army.

He planned the strategy for meeting the invasion of Mexican forces and was victor at the Battle of San Jacinto, April 21, 1836, over President General Santa Anna, thus becoming the liberator of Texas and setting in motion a chain of events that did not end until after the Southwestern United States spanned the continent.

He prevented the execution of Santa Anna, thus enabling the negotiation by the Texas Government of the Treaty of Velasco with his captive, recognizing the independence of Texas and providing for the withdrawal of Mexican forces.

He was the first elected President of Texas (1836–38) and had a leading role in the formation of its government.

He organized the Texas Rangers on a permanent basis—the first law enforcement agency in North America with state wide jurisdiction.

He served as a member of the Texas Congress (1838–40) and prevented another war against Mexico.

He was the third elected President of Texas (1841–44) and completed the work resulting in its admission as a state on December 25, 1845, making Houston the architect of Texas annexation.

He was one of the first Senators from Texas in the United States Congress (1846–59), becoming a champion for a greater United States and transcontinental railroads, a powerful expounder of the Constitution and opponent of disunion.

He was a valiant defender of Matthew Fontaine Maury (1855–57) in the Congress when an effort was made to end the career of that illustrious naval officer.

He was Governor of Texas (1859–61) and made a heroic effort to avert secession and the Civil War.

No wonder the name of Houston is revered above all others in Texas.

IN THE LIGHT OF HISTORY

Were it possible for Houston to return to earth today, he would discover that he was more far-visioned than he realized.

In Tennessee, he would see his proposal for a canal around Muscle Shoals in Alabama expanded into vast flood control, navigation and power projects serving seven states in the Tennessee River Valley.

In Texas, he would find the largest contiguous state with a government that he, in large measure, created and a tremendous network of railroads and highways for which he did so much as President of Texas and a member of the U.S. Senate to encourage; also a world famous force of Texas Rangers that he had organized still functioning as an important part of the Texas Department of Public Safety.

In the Far West, he would see the southwestern United States extended to the Pacific Coast—a vast area of more than a million square miles consisting of six states and parts of four others, the acquisition of which traces back to the Battle of San Jacinto.

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[29] Wisehart, p. 484.

[30] Wisehart, p. 535.

[31] Williams, Frances Leigh, p. 289–293.

[32] Wisehart, p. 575.

[33] Wisehart, p. 582.

[34] Wisehart, 590.

[35] Wisehart, p. 650.

In the city of Houston, named in his honor, he would view the greatest metropolis in the South.

In the city of Austin, the capital of Texas, named for Stephen F. Austin, the able Secretary of State of the Republic of Texas, he would learn that the University of Texas had published his papers in a monumental eight volume work—*The Writings of Sam Houston*.

In the capital of the United States, Washington, he would take pride in what has grown out of the magnificent scientific impulses and achievements of his protege, Matthew Fontaine Maury, at the Naval Observatory, the Naval Oceanographic Office and the U.S. Weather Bureau.

On the battlefield of San Jacinto, he would see a state park, with a commemorative museum and a massive monument comparable to that of Washington.

In the states that seceded from the Union and formed the ill-fated Confederacy, he would learn that his dreadful predictions and forebodings as to the consequences of the Civil War had been verified by actual events during that sanguinary struggle and in the tragic era that followed its close.

In the United States, which he had defended so earnesly, he would see that it had survived its first great Constitutional crisis (1861–65) and had become a reunited nation grown to greatness and power unprecedented in history.

In the libraries of the Nation, he would find the first comprehensive biography of his life by M. K. Wisehart published in 1962 under the title of *Sam Houston: American Giant*.

Now, that the emotions aroused by the Civil War have subsided, the significance of Houston's enormous contributions can be evaluated objectively. They transcend Tennessee and Texas. Indeed, they place him in company with the greatest American immortals as the Washington of the vast South West.

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RESPONSE OF ADMIRAL SHAFROTH, CALLING UPON THE REVEREND MR. BLACKWELDER

Ladies and Gentlemen: I know that you will join with me in commending Captain Duval for his magnificent address. In miniature, he has brought into clearer focus the life, character and achievements of one of the greatest builders of our nation. Captain Duval, we are deeply appreciative of your splendid contribution.

It is appropriate that this program be concluded with the rendition of a poetical tribute to Sam Houston from the gifted pen of Maurice H. Thatcher, former Governor of the Canal Zone, former Member of the Congress from the Louisville District of Kentucky, and the sole surviving member of the Isthmian Canal Commission under which the Panama Canal was constructed.

I do not think that there has ever been written a finer eulogy in verse to the great American whom we honor than that by Governor Thatcher, who has always been a great admirer of Sam Houston and who has read and commended Captain Duval's splendid address.

I now call on Dr. Blackwelder to read the poem.

SAM HOUSTON

(By Maurice H. Thatcher)

"Of giant mould, and fated from his birth
  For deeds heroic and undying fame,
He walked with lonely sorrows thru the earth,
  And bore the scars of sacrificial flame.
In peace and war he played a shining role;
  Loving freedom, he made an empire free;
Gave it the spirit of his dauntless soul,
  And set its star in skies of destiny.
Periled adventure was his constant round,
  The primal struggle his vital food and air;
And San Jacinto's triumph, time-renowned,
  The glories of a valiant age must share.
Soldier, statesman, he served his country well—
  Better than pen hath writ, or tongue may tell!"

(Anniversary of the Battle of San Jacinto, April 21, 1966.)

VALEDICTORY

Mr. THOMPSON of Texas. Mr. Speaker, the United States is, indeed, a great and powerful country and its history is great and greatly inspirational. Emerson well said that the history of any era is usually the lengthened shadow of a great man—a truth that may well be applied to Sam Houston as regards the vast Southwest.

It is fortunate that one of Captain Duval's caliber, experience, and historical insight has, in his fine address, summarized the history of this American hero, and with wise and just interpretation of Houston's life and career. Every citizen of our country and every student in our schools should have the opportunity to read and study this important contribution to the biographical lore of Houston—a vivid and vital story of the greatest character of our vast Southwest.

REPORT ON THE SIXTH "KENNEDY" ROUND OF TRADE NEGOTIATIONS UNDER THE GENERAL AGREEMENT ON TARIFFS AND TRADE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. CURTIS] is recognized for 60 minutes.

Mr. CURTIS. Mr. Speaker, during much of the year since my report to Congress on the Kennedy round on June 2, 1965, the trade negotiations under the Geneva Agreement on Tariffs and Trade—GATT—have languished. Pessimism about their outcome has been expressed on all sides. At best U.S. and foreign officials are "guardedly optimistic."

I went to Geneva on May 2–5 to discuss with the U.S. negotiating team, heads of foreign delegations, and the Director General of the General Agreement on Tariffs and Trade, the progress of the round and its complex negotiating problems. These talks have convinced me that the prospect for the current round is more balanced than it has often been presented to be. I found an increasing pace of negotiation, in which many subjects are being simultaneously explored, and in which there is reason for hope. In this sense the timing of my visit was very appropriate: discussions on steel, aluminum, chemicals and antidumping were opening, while long awaited European Economic Community—EEC—decisions on key issues were anticipated during the same week.

In the following report, which I have intended to make as comprehensive as possible within the limits of such a presentation, I explain many of the problems the United States and foreign nations are engaged in discussing in these extraordinarily inclusive trade negotiations whose effect will be felt not only by U.S. farmers, laborers, and industrialists but by all industrial and most developing nations.

I would make clear at the outset that the reason for this report is my continuing obligation fully and accurately to inform this body about the trade negotiations as a member of the congressional delegation for trade negotiations, appointed by Speaker MCCORMACK under section 243 of the 1962 Trade Expansion Act. This is consistent with my philosophy that all national issues should be openly and publicly explored in full.

THE TRADE NEGOTIATIONS AND THE EUROPEAN ECONOMIC COMMUNITY

The trade negotiations in GATT are an important part of U.S. relations both with the Atlantic community and Japan, and the developing countries. Thus the current round of trade negotiations was conceived first as a vital link in forging what has been termed the "Atlantic partnership," as a way of helping developing countries to grow through increased exports, and as a means of strengthening free world nations in relation to Communist nations.

Today the web of interrelationships surrounding the Kennedy round is more tangled than in 1962. Due largely to French differences with her partners, the North Atlantic Treaty Organization—NATO—is in disarray and the goal of Atlantic partnership is endangered. The challenge of providing really effective help to the developing countries remains; their problems have not been solved by financial aid and technical assistance programs. The present GATT negotiations hold out hope that the poorer nations can develop their own economies through expanding old and finding new export markets. Recognition of the interrelationships between the Kennedy round trade negotiations and world political problems is also a recognition of the importance to world peace of world commercial relationships of all kinds.

Within this broad setting, the most immediate barrier to concluding the trade negotiations successfully is the European Economic Community's difficulty in solving its internal problems. The people of the United States still stand to benefit if the EEC emerges as a unified economic bloc—outward looking and competitive in its commercial relations. The trade negotiations have been useful in this respect. Though impatience with the EEC is expressed by many, we must acknowledge the difficulty of the tasks the Six have undertaken in creating economic and political union.

NEW FRENCH WILLINGNESS TO NEGOTIATE

I believe that General de Gaulle is, especially after the national elections of 1965, much more responsive to the sentiment of the French people than has been reported by the American press. There are indications that the French favor De Gaulle's position on NATO, stemming from a feeling that more independence from the United States in defense matters is desirable. On the other hand, there are strong indications from French public opinion polls that the French favor the European Community. The result is that NATO problems may be more difficult to solve, while there is hope for progressive French action in solving Community problems.

For example, a February 1966 poll by the Institut Francais d'Opinion Publique showed that those polled believed that the European Economic Community "was the most important problem facing France" at that time. In response to the question, "Would you be in favor or opposed to France becoming a part of a European union in which certain important political decisions were the responsibility of a central authority rather than of each member country?" Fifty-five percent of Frenchmen polled responded affirmatively. This percentage rose from 42 percent in October 1964, and 32 percent in June 1962.

Another factor revealing popular support for integration is the position of the Patronat Francais—the powerful French business and industrial association—which, though it has asked that French industry be given time to adjust to tariff reductions, has nonetheless urged continued French participation in EEC. French agricultural organizations have also issued statements urging continued EEC participation, in part because the French agriculture sector, the most efficient in the community, will benefit from completion of a common agriculture market.

The strong domestic consensus, and General de Gaulle's resultant very close victory over his opponent in the December 1965 national elections, Mitterand, allow one to conclude that French Prime Minister Pompidou was sincere when he said on April 13 in the National Assembly that:

> Not envisaging the Community as an entity withdrawn within itself under the protection of the external tariff, France is prepared to encourage the progress of the so-called "Kennedy Round" and, through a generalized reduction in customs duties, to promote the development of international trade from which it expects a strengthening of the ties between the participating countries and general economic progress. However, everything is tied to and depends on the establishment of the agricultural Common Market, hence, the completion of the financial regulations. I am happy that the most recent conversations at Brussels make it possible to contemplate the future, from every aspect, with reasonable, measured optimism.

Other factors lending credibility to this position are the assumption that the elections for the National Assembly to be held next year will be close, the fact that a majority of the electorate voted against General de Gaulle in the presidential elections, and the failure of De Gaulle to gain the concessions he sought through France's 8-month boycott of the Community last year. The credibility of the French threat to "torpedo" the Community has certainly been reduced.

A series of very important EEC Council of Ministers—the highest decision-making body of EEC—meetings on May 5–6, and 9–11, have proven a decisive step for the Community. These, some of the most important of the EEC talks, resulted in a decision on agriculture financing and on the date—July 1, 1968—for concluding the intra-EEC Customs Union. The tone of these EEC meetings is reported to augur well for continued constructive French positions on the decisions yet to be made through difficult negotiation.

The May 11 agriculture financing decision will not be followed, however, by the immediate beginning of agriculture negotiations in the Kennedy round. It will instead be kept in "cold storage" until the Council of Ministers can decide other matters such as the fusion of the three Community executives—European Economic Community, European Coal and Steel Community, and European Atomic Energy Agency—agriculture prices and regulations, and various Kennedy round problems. When all these decisions have been made, the Community hopes to be able to remove them from storage and proceed to act on them.

Thus the recent May Council meetings and the meetings that will follow during the next several weeks will be devoted to completing the package of decisions. It is my hope and that of U.S. negotiators that, impelled by favorable public sentiment, the French will continue to cooperate, the package can be brought out of cold storage and effectuated by early July, and the Geneva negotiations can be pursued intensively on the broadest possible front—agricultural, industrial, nontariff, and underdeveloped nations—with a view to beginning the concluding overall bargains in November.

TRADE EXPANSION ACT RENEWAL?

I wish to emphasize several matters of U.S. policy in the Kennedy round which are of deep concern to the Congress.

First, the Trade Expansion Act will undoubtedly not be renewed in its present form even if it is given an extension. I believe I express the feeling of the House Ways and Means Committee, which has originating authority to set tariffs, in saying that a 5-year delegation of authority is a very long one. In terms of the House of Representatives it covers three Congresses.

The Ways and Means Committee and Members of the House will be impatient to reexamine any new delegation of authority to the President to negotiate U.S. tariff and trade treaties. This new legislation will be examined in the light of economic and political conditions as they exist whenever a new trade bill is considered—whether in 1967 or later—including inflation in the domestic economy or the after-effects of that inflation and, importantly, the heavy U.S. deficit in its balance of international payments. These conditions are quite different from those in 1962. Another factor is that redistricting and the coming congressional elections may substantially change the composition of Congress and, therefore, affect its response to new trade legislation.

These are some of the reasons why it will likely not be possible to renew the Trade Expansion Act in its present form. The act is unique, the result of the peculiar conditions extant in 1962. Clearly these conditions are not in force today. The European Community and other preferential trade blocs are showing that they can create economic—as well as political—difficulties; a new trade act may have to provide more ample authority to deal with them. At the same time the international economy has become more competitive; the U.S. balance of international payments reflects not only the strains of government programs abroad but of foreign industry's ability to compete. It will also be necessary in a new trade act to provide much broader authority to attack in earnest new trade problems. We should put aside our obsession with tariff barriers to trade. The "lost" trade problems——among them international antitrust, patent, and commodity problems—must be dealt with.

These changed circumstances will be considered by the members of the Ways and Means Committee when they plan beyond June 30, 1967, the date when the Trade Expansion Act's negotiating authority will expire. In conjunction with Ambassador Michael Blumenthal, Deputy Special Representative for Trade Negotiations at Geneva, I made every effort to point out to European and other delegations the realities of this situation, particularly in light of some rather politically naive, although well intentioned, remarks by some of my congressional colleagues who do not have the task of developing and shepherding trade legislation through the House.

The second principle of U.S. "Kennedy round" policy that I want to stress is that industrial bargains cannot be made without agriculture bargains. A final package must include both. This has been and remains an inviolable U.S. policy objective. Foreign trade is as important to U.S. farmers as it is to industrialists and workers. They have as much to gain or lose by the success or failure of the present negotiations.

AMERICANS' STAKE IN INTERNATIONAL TRADE—THE FLORENCE AGREEMENT

The importance of international trade for many Americans is at best remote, the subject of extended negotiation in a foreign country for unknown stakes. Discussions of foreign trade are couched in difficult language which suffers in translation. To explain that generalized removal of barriers to trade among nations results in more efficient use of the world's material and human resources is meaningless. It helps to say that successful trade negotiations will benefit consumers by making sweaters, cheese and nails less expensive. Missourians will respond when I say that Boone County will sell more of its famous ham if other countries lower their trade barriers against pork products.

One area where the benefits of trade can readily be demonstrated is books and magazines, films and videotapes, paintings and prints, scientific instruments for use in teaching college and university students the most advanced ideas and technology, and articles for display in museums in cities and towns throughout the United States: in short, cultural materials of all kinds. The more easily Americans have access to such materials the better informed, the better entertained, the better taught, the more aware of the tides of world events and the cultures of foreign people we will be. Americans thirst for such awareness. The tremendous upsurge in American travel abroad—both in Europe and in less-developed Asia and Africa—proves it.

The need for freer access to all of these good things has been recognized by the United States—at least since 1950—when U.S. representatives helped draft a treaty known as the Florence agreement. Nations who implement the Florence agreement agree to allow all the above cultural materials and more to be bought by their people free of import taxes. Forty-nine other nations have implemented the agreement. The United States has not implemented it in spite of the fact that we signed the agreement in 1959 and the Senate "ratified" it in 1960. There is no expressed opposition to the agreement's implementation. It has only required Executive initiative—CONGRESSIONAL RECORD, May 25, 1966, pages 11419–11421.

Sixteen years from the creation of the Florence agreement the United States is still denying to our people the benefits that implementation of the agreement would bring. Americans can benefit in the best sense from duty-free imports of these materials. It is in all our interests—our personal interests and especially the national interest—to implement the Florence agreement. How can other nations have any faith in the United States when even in small matters it cannot match its promises and pronouncements with deeds?

As former Democratic Senator William Benton, of Connecticut, one of my former colleagues on the House-Senate Joint Economic Committee and now U.S. Ambassador to the U.N. Educational, Scientific, and Cultural Organization—UNESCO—in Paris, has said:

> My fellow-members of the UNESCO Executive Board keep pointing out to me the fact that full U.S. participation in these agreements is not only in line with U.S. doctrine on the free flow of information among nations; they point out to me that U.S. membership in these agreements is strictly in line with the national interest of the United States as the principal exporter of educational and cultural materials.

The Florence agreement has no direct relation to the Kennedy round. It stands as a separate measure to promote intellectual and cultural commerce and better understanding among peoples. It recognizes that such misunderstandings are often the root causes of war, just as we know that in the trade negotiations we have an unequaled chance to erase some of the economic dislocations that can cause war.

INDUSTRIAL NEGOTIATIONS

In comparison with agriculture negotiations the industrial negotiations at GATT have made progress. But many problems remain: problems not only of negotiating ground rules and strategy, such as the "exceptions" lists and the "disparities" issues, but problems also in certain very important industrial sectors that have been set aside for separate negotiations. In the context of the overall negotiations, however, the principal need is to balance the industrial and agricultural bargaining.

EXCEPTIONS AND THE OFFERS TABLING PROCESS

From their beginning the negotiations have been based on the concept that the maximum number of items, both agricultural and industrial, would be included with a minimum number of exceptions in tariff-cutting negotiations. This concept was formally adopted as a ground rule for the negotiations in the ministerial meetings of May 1963 and 1964. In November 1964, all nations tabled their industrial offers lists, and in the months that followed a confrontation and justification process was undertaken among all negotiating countries to attack each other's "exceptions lists." I described this process in detail in my June 2, 1965, report—CONGRESSIONAL RECORD, volume 111, part 9, pages 12360–12365. I would only note that the U.S. exceptions list included fewer items covering less trade than the EEC list. Not only are U.S. offers on a 50-percent linear basis large and our exceptions list quite small but about 40 percent of U.S. imports were duty free according to 1961 statistics.

Since June 1965, negotiators have engaged in extensive bilateral discussions, the purpose of which was to discover concretely and finally exactly what cuts are being offered. The U.S. insisted that the EEC specify its offers in order to know how much our major bargaining partner is willing to give in return for what we have offered. This process is now largely complete: the EEC offers, and those of other nations, are known except in the sectors of pulp and paper, and aluminum. The objective is now to enlarge those offers.

THE PERSISTENT PROBLEM OF "DISPARITIES" BETWEEN TARIFF RATES

In my June 1965 report on the trade negotiations I discussed at length the problem of disparities. At that time I warned that the European Economic Community had allowed disparities as an issue to become quiescent, but said that this extraordinarily complex issue, which kept U.S. and EEC negotiators at work without agreement for a least a year, could yet "raise its ugly head." If it did, I said the possibility loomed that negotiators might once again become embroiled in a wasteful and perhaps fatal discussion. The threat remains. GATT Director General Eric Wyndham-White has indicated that the problem of disparities might have to be reopened in several areas.

Essentially, a disparity is this: when one country has a high rate on a particular item and another country has a low rate on the same item, and the spread between the two is significant, the EEC claims that a disparity exists and that the country with the low rate should be allowed to reduce tariffs less than 50 percent, while the high-rate country applies a full 50-percent cut. Negotiators have never been able to agree on rules for defining and acting on disparities.

U.S. negotiators have consistently taken the position that at best the disparities "rule" should only apply to cases where the spread between high and low tariff rates on the same item has a significant trade effect. This is also the sense of the GATT ministerial resolution of May 1963 on the subject.

U.S. negotiators should continue vigorously to make clear the arguments against acceptance of any disparities rule which ignores the criterion of significant trade effect. At the same time we should prepare, in instances where we feel disparities may become a justified trade issue, to work out the terms on which we and other affected countries, such as the United Kingdom, will negotiate. The United States is by no means alone in having a few high rates.

The United States must continue its effort to expose the fallacies of disparities as a mathematical concept and stress its pragmatic effect in part because of the interest of third countries, such as Switzerland or Norway. Should a mathematical disparities rule be adopted regardless of whether a significant trade effect exists, many EEC tariffs will not be cut by the full 50 percent. This would have the effect of preventing third countries from obtaining access to EEC markets commensurate with the access they offer to their own markets, just because another country's rate is high and, therefore, a mathematical disparities rule is applied. The obvious effect would be to cause third countries to retract their offers. The application of a mathematical disparities rule would in this way limit quite effectively the tariff-cutting success of these multilateral negotiations.

I am convinced that the problems posed by the lengthy exceptions lists of other countries vis a vis those of the United States, and the identification and treatment of disparities can be overcome. My observations throughout the current round of negotiations, buttressed once again by my recent visit to Geneva, have given me great confidence in the knowledge and ability of the U.S. negotiating team. Never before has the United States been as well represented at any trade negotiation. In some part this is because procedures which were originated by the Trade Expansion Act as rewritten by the House Ways and Means Committee have been operating to encourage U.S. industry to make available to our negotiators the wealth of knowledge of products and markets that industry alone can provide. I have continuously urged the closest cooperation between Government and industry in these negotiations, having sought to assure that mutually confident relations are established, and that valuable business information provided the negotiators is held securely—CONGRESSIONAL RECORD, April 27, 1966, page 9162.

The time may now have come, moreover, when such industry advice should be used at Geneva. The President's Special Representative for Trade Negotiations, Governor Herter, has established a roster of about 300 technical specialists—people who know about tuna, citrus, steel, chemicals, and so forth—to provide information to negotiators in specific products. I suggest a wider use of such industry specialists at Geneva at all times when they can be helpful, to supplement their present usefulness to the trade negotiator's Washington office.

NEGOTIATIONS ON STEEL, PULP AND PAPER, COTTON TEXTILES, ALUMINUM AND CHEMICALS

In recognition of their special problems, GATT Director General Wyndham-White suggested in early 1965 that discussions begin in each of the above five "sectors." Preparations for these detailed negotiations have necessitated extensive use of industry advisers by U.S. negotiators in Washington, teams of private advisers having been formed to contribute data on the products and problems within each sector.

I have concluded that the sector approach is a logical one and has been very useful indeed in the present negotiations. The danger has always existed that such an approach to negotiations could result merely in special market arrangements, and this was suggested by the press when the sector technique was adopted. The threat has not yet materialized.

I will discuss below what I believe to be the important negotiating problems and policy issues in each sector.

STEEL

On May 4 the steel sector talks opened in Geneva with very difficult problems to resolve. The parties to the steel sector discussions are the United States, United Kingdom, Japan, Sweden, Austria, and the six European community nations, who are represented by delegates both from the European Coal and Steel Community—ECSC—and the European Economic Community itself. Benelux members—Belgium, Netherlands, and Luxembourg—have a common tariff, therefore, essentially four, rather than six, ECSC/EEC rates are being negotiated in the steel sector. ECSC and EEC negotiate as a team in steel sector negotiations, negotiating authority being divided between them on the basis of steel products. ECSC has jurisdiction over unmanufactured products—the bulk of the steel products traded—while EEC has jurisdiction over mostly highly manufactured products.

One ECSC/EEC objective is eventually to establish a common external tariff—CXT—thereby fixing uniform Community rates for each steel product. ECSC/EEC has taken the position that the rates of each of the four for all products must be negotiated separately in the current round, then a CXT for each item fixed at some future time. The United States and third countries insist that a bargain be made in the present round on the basis of average rates which will become the ECSC's CXT.

The ECSC/EEC strategy has been to choose as the base from which to bargain an average level of tariff rates of about 14 percent, and to offer a cut in this average rate, which could at best be about 7 percent. The 14 percent average rate chosen by ECSC/EEC was legally in effect in January 1964, but its actual effective average rate was about 7 percent. In February 1964, however, the EEC unilaterally and "temporarily" increased the effective rate from 7 to 9 percent, where it remains. The United States and others insist on the January 1964 actual rate of 7 percent as the proper average rate from which to cut by 50 percent, because the trade negotiations were well under way by January 1964. Other sector partners take the same position.

The EEC is, therefore, offering at best a questionable concession, in effect a cut from a 14-percent average level of rates. This concession, if held to, can yield little trade benefit to the United States because it would cut the present effective 9 percent ECSC/EEC average rate to at best 7 percent, the previously existing rate. The United States has rejected this reasoning, as have the other negotiating countries. We have accordingly treated ECSC/EEC's "offers" as part of EEC's exceptions list.

The U.S. interest in obtaining truly substantial offers from foreign nations is partly demonstrated by U.S. production and export-import data. In 1964 U.S. shipments of steel products were 84.9 million short tons. Exports that year were $622 million and imports were $749 million, 7.3 percent of estimated U.S. consumption. In 1965 U.S. shipments of steel products were 92.7 million short tons. Exports were $508 million and imports were $1,177 million, 10.3 percent of estimated U.S. consumption. Thus U.S. shipments of steel products were higher in both 1964 and 1965 than ever before, as was U.S. production of ingots for both years. Imports in 1965 reached a new high, adding emphasis to the shifting balance to larger imports than exports, a reversal from the favorable U.S. steel trade balance existing in 1958, when U.S. exports were $564 million and imports were $192 million. In 1959, a year of prolonged steel strike, the balance shifted.

U.S. steel manufacturers argue in brief that imports are cutting deeper into the U.S. market, partly as a result of foreign overcapacity and cutrate pricing, and partly because of increased U.S. costs, including wage and other employee benefit costs.

Importers of steel products contend on the other hand that the large increase in imports in 1965 was due largely to temporary factors such as strike hedge buying and increased U.S. demand resulting from continuing economic expansion. The argument continues. I would only observe that the U.S. industry is operating at an estimated 95 percent of capacity—New York Times, April 17, 1966—and that imports are a traditional and important way of dampering inflation by satisfying demand, in spite of their effect on a balance of payments already strained by U.S. international commitments and short-sighted administration investment restraint policies. The industry has backed Senate Resolution 149 requesting a Commerce Department study of the import situation. To decide the argument I recommend that a study of the role of imports in the domestic market be made by the competent agency, the U.S. Tariff Commission, which could do so under authority provided in section 221 of the Trade Expansion Act or pursuant to request by the President or Congress under section 332 of the 1930 Tariff Act. Such study could determine whether steel imports are entering the United States in greater quantity because of unfair foreign practices, and whether in fact there is serious impairment of U.S. competitive ability in steel.

Austria, Japan and the United Kingdom also have a high stake in obtaining and/or maintaining increased access to ECSC/EEC markets. Austrian exports of steel to West Germany in 1964 were 40 percent of Austria's total 1964 steel exports, and about 40 percent of West Germany's steel imports from markets outside the EEC. When averaged into the ECSC/EEC common external tariff, the present low German average tariff rate would rise, thus effectively decreasing Australian access to its traditional German market. This is an important example why steel sector participants should negotiate an ECSC/EEC average rate now.

Japan has offered a very substantial linear tariff cut, insisting that as a condition for steel bargains some change in U.S. antidumping practices be made, and at the same time suggesting it would consider an even more liberal offer if this were done. Japanese steel exports were 9.9 million metric tons in 1965, 44 percent of which, worth $551.5 million, was exported to the United States in 1965. By contrast the U.S. exports very little steel to Japan, only 1,000 tons in 1964. Thus, opening EEC markets to Japan's exports in the Kennedy round is important for the United States as well as Japan. If Japan's access to markets of the six can be widened, the amount of Japanese exports to the United States might lessen. In 1964 Japan exported 288,000 metric tons of steel to the six, only 4 percent of its total steel exports. Japan is the world's largest steel exporter and the largest foreign steel supplier of the United States.

The United Kingdom has become somewhat ambivalent about the negotiations, though it has a clear incentive to maintain its substantial export markets. Its position is complicated by a bilateral deal with the ECSC made in 1958, when ECSC and the United Kingdom negotiated a "Council of Association" agreement. Part of the agreement was a duty reduction by both, with the provision that an increase in agreed duties by either party would take place only after consultation. When ECSC raised its effective rate to 9 percent in February 1964, it claims it fulfilled the consultation requirements of its Council of Negotiation Agreement with the United Kingdom. The United Kingdom on the other hand claims that ECSC did not do so, and that the United Kingdom has already paid for the present ECSC offer in the sector talks by the February 1964 ECSC "unilateral" duty increase for steel imports. This may be a hard position for the United Kingdom to sustain, because its present average effective duty rate is 15 percent, higher even than ECSC's 14 percent negotiating rate, and because its exports to ECSC have been substantial: 438,000 tons in 1964 or 12.6 percent of its total exports. The years 1964 and 1965 were both record years for United Kingdom steel exports.

Another complication of the British position is the possibility that the British steel industry might be nationalized, making the United Kingdom cautious about lowering its tariff rates until this situation is resolved. All these factors combine to make the United Kingdom less aggressive in seeking ECSC concessions in the sector negotiations than the United States might like.

The effect of U.S. and EEC customs valuation methods on steel negotiations: Another factor that must be considered in the steel sector negotiations is the effect on steel mill products trade of the different U.S. and ECSC/EEC customs valuation methods. The United States uses as the base on which to assess duties on most imports the price in the country of manufacture for which a product is freely offered for sale as an export to the United States. Technically this valuation method is called "export value," and is provided for in section 402 of the Tariff Act of 1930. Popularly, however, it is considered that the United States uses the free-on-board valuation method, and thus the U.S. customs valuation system is usually referred to as an f.o.b. system.

The EEC, and most other countries, uses as the basis of customs valuation the price of an import plus the cost of insurance and freight—the C.I.F. method. The C.I.F. method is roughly analogous to the so-called Brussels definition of value for customs purposes which was formulated in 1950 and has become a general standard for most nations, even though as formulated it has certain deficiencies.

The result is that an EEC rate of duty of 20 percent yields a higher amount of duty than a U.S. rate of duty of 20 percent on the same product. The differential between the two customs valuation systems is commonly estimated at 10 percent, the percentage used by the International Monetary Fund in its statistical reports, even though its accuracy is often contested. The Tariff Commission's present study of U.S. and foreign valuation systems will, I hope, throw needed light on this dispute.

For most steel products the cost of insurance and freight in ocean shipping is substantially higher than that for other products—possibly 25 percent above the f.o.b. price of the product. Thus the ECSC/EEC rates of duty likely have a much greater trade effect than ordinarily because they are assessed on a higher base. This added effect of the C.I.F. valuation method on steel products must be taken into account in the steel sector negotiations as U.S. representatives seek to obtain meaningful foreign offers.

The U.S. strategy at the steel sector talks in May was to specify rates in the tariff schedules of the ECSC/EEC which should be substantially cut and to pinpoint such rates as negotiating targets for improving all sector participants' offers on steel mill products. ECSC/EEC is, therefore, now in the defensive position of having to justify why it should not offer cuts to the target rates we have suggested.

U.S. negotiators should perhaps seek in conjunction with the other members of the steel sector group to make a concession in another area of the overall negotiations as an incentive to the ECSC/EEC to become more flexible. But this should be done only in the context of a balanced package of total concessions. This means that some type of EEC offer would have to be made in order to balance the U.S. "incentive" concession.

The EEC has not tabled a meaningful offer and at present has not indicated a willingness to offer greater concessions. It must do so if it expects the United States to maintain its substantial offer of access to the U.S. market.

PULP AND PAPER

The United States has a growing export interest in the pulp and paper area. But the countries with greatest export interest are Canada and the Scandinavian countries. The EEC has stipulated that a bilateral agreement with its major suppliers, the Scandinavians, is necessary before multilateral discussion within the sector can begin. Thus negotiations in the pulp and paper sector have been prevented.

The EEC wishes to modify the present Scandinavian practice regarding exports of pulp as opposed to exports of paper products. The ECC obtains about two-thirds of its pulp from Scandinavia and, therefore, is strongly dependent on this nearby source of supply. Scandinavians maintain artificially high pulp prices, however, in order to ensure that foreign paper products manufacturers will not be able to compete strongly with Scandinavian paper products exports. In short, the Scandinavians, capitalizing on their position as dominant European supplier, maintain a situation whereby their paper products processing industries, which are large employers, will maintain their large foreign markets.

To date the Scandinavian countries have refused EEC's offer for a bilateral deal, preferring to negotiate in a multilateral forum. EEC will have to decide to accept multilateral negotiations before the talks in this sector can get underway.

COTTON TEXTILES

In what form to extend the long-term arrangement—LTA—regarding trade in cotton textiles dominates the cotton textile sector negotiations.

As provided by section 8 of the arrangement a meeting must be held before September 30, 1966, to consider whether to renew, revise, or discontinue it. The U.S. objective is to renew the LTA, under the authority and provisions of which the United States has negotiated 17 bilateral agreements with other countries, each controlling the amounts of cotton textiles these 17 countries can import into the United States. Bilateral discussions with two other exporters are now in progress.

Shorn of its trimmings the LTA is simply a worldwide market control scheme by which the importing—mostly advanced industrial—countries have imposed on the exporting—mostly developing—countries quotas which limit their exports of cotton textiles. The major condition of LTA is that the importing countries should expand their imports by 5 percent every LTA year. In the past LTA year the United States has allowed imports to expand sufficiently to meet the 5 percent growth requirement, and in aggregate has lived up to its growth commitment. Other advanced nations have not done so. Producing countries have pointed out that the rate of growth for imports of cotton textiles into industrial markets was higher in the years preceding the operation of the arrangement than during the period of its operation.

LTA has had two principal results. First, the underdeveloped countries—LDC's—are denied what they consider to be justified hard currency earnings from exports of one of the few things they can manufacture. Cotton textiles represent almost half of the total exports of manufactured products from the LDC's. Second, U.S. wool and manmade fiber producers are pressing to share in a protective quota scheme such as that available to cotton textile manufacturers. Wool and manmade fiber producers are sharing in the current textile boom—however, their argument for special protective import measures for their industries refers to future rather than to present needs.

The United States has taken the position in the cotton textile talks that: First, the LTA should be extended without change, with the proviso that, second, it will be more liberally administered, and that, third, the maximum possible cuts in industrial nations' cotton textile tariffs will take place.

The EEC has made its cotton textile offers on many items conditional on renewal of LTA. Other consuming countries have also insisted on LTA renewal as a price for tariff concessions.

Because cotton textiles are so clearly a matter of interest to less-developed countries, and, therefore, to the stature of the GATT and the credibility of its position on its new special LDC trade initiatives, LDC's must receive special consideration in this sector. The outcome of negotiations depends simply on what price the exporting countries will require in order once again to submit to quotas imposed under the LTA. I urge that every possible consideration be given to removing all barriers—tariff and nontariff—which restrict LDC exports and therefore their ability to earn development capital, and recommend that the importing countries allow substantial liberalization and eventual elimination of import quotas under the LTA. I reject the "ordering" of international or domestic markets so as to control supply or demand factors in any way. It is in this context that the objective "trade not aid" can be more than a slogan.

Liberalization of LTA by allowing gradually larger imports and phasing out the arrangement should be economically acceptable to U.S. industry under present circumstances. The U.S. cotton textile industry is in a period of boom. Order backlogs are higher than ever, and some firms are not accepting orders for some products. Sales and profits of firms making cotton—and other—textiles have risen faster than any other product group on the stock exchange. The industry's rate of capital spending is as high as any major industry, and return on equity is very near the national average. In a speech to the American Textile Manufacturer's Institute on March 26, Commerce Secretary Connor spoke of the export potential of U.S. cotton textiles, urging the industry to sell more in foreign markets. The U.S. industry is back on its feet after several years of spoonfeeding by means of special depreciation allowances and other devices, including the LTA's quota system. As I said in a letter published in the New York Journal of Commerce on September 9, 1965, now is the time to remove the artificial barriers to increased imports in order to absorb U.S. demand and prevent the development of overcapacity that could contribute to recession when the current boom ends.

ALUMINUM

Among major aluminum producing and consuming countries having relatively high tariffs on ingots, Japan is largely self-sufficient in aluminum, and the EEC is now, and in the future is likely to be, the major world market where actual and potential production will fall short of consumption. The only other deficit market of note is the United Kingdom, which has a zero duty on unalloyed primary aluminum.

We do not yet know what the extent of the EEC offer on primary aluminum will be. Its present aluminum tariff is 9 percent, almost double that of the U.S. tariff on primary aluminum. The Japanese rate is 13 percent. I would ask those who seem so alert to denigrate the United States to take note of this. Indeed the United States has its peccadilloes but overall we are by far the most free trading nation in the world, which is as it should be. This is merely enlightened self-interest.

The U.S. position should be one of continuing to seek full 50-percent duty reductions, or bindings on existing duty-free rates, on primary and wrought aluminum by all major producers and consumers of aluminum. The Canadians and Norwegians should play the principal role in confronting the high EEC and Japanese tariffs, since the former are the only producers with actual and potential primary aluminum exportable quantities of real magnitude.

It is expected that the EEC eventually will offer as a concession some type of tariff quota. They now have such a quota—5-percent rate applies to in-quota amount—but it is unbound in the GATT, and we have no idea of the size of the quota the EEC might offer. The facts of the present quota and the potential trade do not lead me to believe that any tariff quota proposal the EEC may offer will be an acceptable substitute for a reduction in the 9-percent CXT on aluminum. Since the Japanese cannot make a sound case for continuance of their high rate on primary aluminum imports, every effort must be made to seek a full 50-percent reduction in the Japanese tariff.

Canada has always presented a special problem to the United States in the aluminum area. Its extraordinarily flexible antidumping "laws" have been used to exclude American primary aluminum exports, once again revealing the importance to the United States of reaching an international code on antidumping, an important item in the nontariff barriers area of the present negotiations. Canadian antidumping policy is administered at ports of entry by customs officials who are allowed unusual discretion in applying a dumping duty without first having to determine whether the "dumped" items are injurious to Canadian industry. Thus, Canadian practice does not conform to GATT article VI, which requires, in brief, findings first of sales at less than the price in the home market, then injury to domestic industry in the importing country. But most important, Canadian practice prevents effective U.S. price competition with Canadian producers. The United States does comply with the GATT requirement for determination of injury. It would be of great benefit to the United States and other nations to bring Canadian practice as well as the practices of other countries up to a high standard through an international antidumping agreement. I will discuss antidumping further below.

CHEMICALS

I recognize the importance of the American selling price—ASP—system of customs valuation as a problem in the Kennedy round negotiations but I strongly deplore both its exaggeration by Europeans and others, and any attempt to include it as a proper subject for determinable negotiation under the Trade Expansion Act.

No authority was given the President by the 1962 Trade Expansion Act to negotiate removal of the ASP method of valuation. Any change in this system of valuation, or any other system, must be made by Congress, and Congress cannot be committed ahead of time. This is true of other nontariff trade barriers such as revision of the U.S. antidumping law.

Undoubtedly other countries share this problem in respect to negotiating some of their nontariff trade barriers, be they patent laws, internal taxes, quotas, licenses, cartel and state trading arrangements, subsidies hidden or open, monetary exchange arrangements or whatever. However, we must not lose sight of the fact that many nontariff trade barriers which either are not subject to political restriction or which in effect may be extralegal if not illegal practices, the curbing of which can be done in the negotiations without political approval. Certainly any country can agree that no tariff concessions will be binding if there are not agreements against substituting nontariff barriers by legislation or administrative discretion which would make the tariff concessions meaningless.

Furthermore, there is no reason why the United States and other countries cannot begin on a conditional basis nontariff trade barriers negotiations which require congressional action, as long as everyone understands that the offers are tentative and conditional upon future action by Congress, and as long as the tentative negotiation is public knowledge so that the U.S. Congress—or the legislative organ of another nation—is free to exercise its honest judgment on the issue and not be put in the position of either acquiescing or having its country accused of welching on a deal.

American selling price is one among the many trade problems under discussion in the round under these guidelines. I was surprised, in light of the fact that it has been made such a point of discussion, that Ambassador Blumenthal and I should have had to explain to European and other negotiators in Geneva some of the most essential aspects of ASP: not just its technical meaning, but especially its political significance.

U.S. customs valuation methods and American selling price: ASP is one of nine U.S. customs valuation methods provided by U.S. law; four under section 402 and five under 402(a) of the Tariff Act of 1930 as amended.

Since the enactment of the Customs Simplification Act of 1956, section 402 of the Tariff Act of 1930 has provided four methods of customs valuation for purposes of computing ad valorem rates of duty. Three alternative methods are used to compute ad valorem rates on most imported products. Of these the first and preferred method of valuation is known as "export value," or the wholesale price of the imported product offered in arm's-length transactions in the country of origin. If "export value" cannot be determined, the second method of valuation is "U.S. value," or the wholesale price of the imported product in the United States, less such elements as profit, duty, and transportation costs in order to approximate export value. If "U.S. value" cannot be determined, the third normal method of valuation is "constructed value" or an estimate of what export value would be based upon the costs of production in the country of origin.

The three normal methods of valuation provided by section 402 of the Tariff Act of 1930 do not apply as a matter of law to four groups of imported products: certain benzenoid chemicals, rubber-soled footwear, certain canned clams, and woolen knit gloves. For these classes of goods a special method of valuation known as American selling price applies.

For benzenoid chemicals, the law provides that any imported benzenoid chemical which is competitive with a similar domestic product shall be valued on the basis of the American selling price of the domestic product—or its wholesale price. If the imported benzenoid chemical is not competitive, it is to be valued, first, on the basis of U.S. value and, if this cannot be determined, then export value or constructed value. Most noncompetitive benzenoids are valued on U.S. value.

For rubber-soled footwear, canned clams, and woolen knit gloves, the law provides that any imported product which is similar to such a domestic product shall be valued on the basis of the American selling price of the domestic product. If the imported product is not similar to any domestic product, it is to be valued on the basis of the normal methods of valuation: export value, U.S. value, or constructed value.

In accordance with the Customs Simplification Act of 1956, section 402 of the Tariff Act of 1930 largely superseded earlier valuation provisions and contains the current definitions not only of the three normal methods of valuation but also of ASP as it applies to most of the products falling into the four groups noted above. Certain of these products, however, are included in the so-called final list of imported products established pursuant to the Customs Simplification Act of 1956.

With respect to products on the final list section 402(a) of the Tariff Act of 1930 provides for the continued application of the old methods of valuation. These methods are five: foreign value, export value, U.S. value, constructed value, and American selling price. Thus, depending upon whether a product is on the final list, either the current—section 402—or old—section 402(a)—definitions of customs value may apply.

The five valuation methods provided by section 402(a) of the 1930 Tariff Act are a vestigial remain of the attempt in the 1956 Customs Simplification Act newly to define four methods to take their place and in so doing to eliminate foreign value as a valuation method. This was done in the bill as it passed the House of Representatives. However, in the Senate, the provision was added to the bill that whenever the foreign value of an item provided 5 percent more duty, it should be listed by the Treasury Department on a "final list." Thus when an import enters the United States, if it is on the final list it is valued for customs purposes first on its foreign value, and if foreign value cannot be determined, then export value, U.S. value, and finally constructed value. If an import is on the final list and is also subject to ASP, then the ASP method is used.

Tariff Commission study of U.S. and foreign valuation methods: Pursuant to a resolution of the Senate Committee on Finance of February 9, 1966, the U.S. Tariff Commission has begun a study of the customs valuation methods of and by the principal trading nations. By June 30, 1966, the Commission must submit to the committee a preliminary report describing the methods used and comparing the basic differences between such valuation methods. By February 28, 1966, the Commission must submit a report recommending improvement in U.S. customs valuation laws, including the advisability of adopting the Brussels definition of customs value.

I have urged a review of U.S. customs valuation methods and strongly support the Finance Committee resolution. Such a study is long overdue. I recommend, however, that the United States not make any change in its overall valuation methods at a time when such change could endanger the trade negotiations, which will draw to a close only 5 months after the Tariff Commission's recommendations are due.

It has been argued that the conversion from the ASP method to conventional customs valuation methods should await the completion of the Tariff Commission valuation study. I have argued instead that ASP is an identifiable separate issue which can be discussed in the Kennedy round.

History of ASP: ASP was first conceived as a means of permitting the existence and growth of the U.S. "infant" chemical industry. During World War I the United States found itself cut off from supplies of coal-tar—benzenoid—chemicals, for which we relied on Germany. Thus during and after the war the United States began to build its own chemical industry, only to find that by 1920 its traditional, cartelized, German suppliers had begun once again to sell, at cutrate prices, in the U.S. market. Such exports were aided by foreign currency depreciation, which made them cheaper. Depreciation was accompanied by rapid price fluctuations which made it difficult to determine a meaningful value for customs purposes. These factors led to ASP, which was convenient because it was based on relatively easily determined U.S. prices, and because it concealed the actual amount of tariff "protection" afforded by the ad valorem rate listed in the schedules. Congress has traditionally been reluctant to fix rates higher than 50 percent ad valorem, and the ASP method avoided doing so.

Congress acted first in 1921 to provide a differential between foreign and U.S. prices by enacting the Dye and Chemical Control Act of 1921. It was followed by the Tariff Act of 1922, which established the American selling price system for benzenoid chemicals. In the 1930's ASP was extended by Presidential Proclamation under section 336 of the Tariff Act of 1930 to certain rubber footwear, certain canned clams, and certain wool knit gloves. Section 336 was effectively obviated by the Reciprocal Trade Act of 1934, which provided that no section 336 action could take place on an item on which there was a duty reduction under the act. This provision of the 1934 act has been carried forward in successive reciprocal trade acts. Therefore a section 336 determination can only be made on the approximately 400—out of about 6,000—U.S. tariff items on which there has never been negotiated reduction.

How ASP is applied: When an import is dutiable under the American selling price method of valuation, the amount of the duty is determined thusly: when an item competitive with a similar U.S. product is imported, the ad valorem rate listed in the U.S. Tariff Schedules—TSUS—is taken as a percentage of the price of the similar U.S. product. This, plus any specific duty which may apply, then yields the amount of the duty on the import. The value of the import is of no relevance in determining the duty. The ASP duty is derived simply from the U.S. price, and the amount of the duty will rise or fall as the U.S. price rises and falls, thus providing a constantly effective differential between the U.S. and foreign goods. If no similar competitive article is manufactured or produced in the United States, then the ad valorem rate on the import is based on U.S. value or constructed value.

An import is considered by U.S. Customs similar to and competitive with a U.S. product when it accomplishes results substantially equal to those accomplished by the domestic product when used in substantially the same manner. In the case of chemicals, laboratory analysis is used by customs to determine similarity. Competitiveness is determined by customs officials, one reason for the administrative complications which make ASP in chemicals a barrier to trade. A similar problem exists in determining the competitiveness of certain rubber footwear, a problem to be discussed below.

Conversion from ASP to conventional valuation methods: In my report to Congress last June, I recommended that whatever if anything was done about ASP, a study should be made to convert ASP-determined rates to ad valorem rates based on the conventional valuation systems specified by section 402 and 402(a) of the 1930 Tariff Act: this would help us evaluate the real significance of ASP as an economic differential. I have also advocated a study of all the different methods used by the United States and other nations to which tariff rates are applied.

On December 23, 1965, Governor Herter at the direction of the President requested the U.S. Tariff Commission to make such a study and report to him a new schedule containing tentative converted rates for benzenoid chemicals subject to ASP, rubber-soled footwear, certain canned clams, and wool knit gloves. This tentative converted schedule of rates was made public on May 2, 1966. Hearings at which all interested parties including foreign governments may be represented will begin on June 8 at the Commission. The Commission will then publish a recommended list of converted rates later in the summer. These rates can become effective only if enacted by Congress.

The conversion study was requested by Governor Herter at the direction of the President for reasons largely relating to Kennedy round chemical sector discussions which will be discussed below. In recommending tentative converted ad valorem rates for benzenoids the Tariff Commission also published a list of "ad valorem equivalents"—AVE's—of the compound rates now in the schedules. A compound rate is both a specific rate of duty on quantity—*x* cents per pound—plus a percentage rate on the value of the import. The AVE's, expressed in percentage terms, were caculated for the present—uncoverted—schedule based on the export value of 1964 imports of benzenoids. This is the first time that the actual duty on benzenoids has been exposed as a percentage of the value of the import. Many expected this tentative conversion list to show many rates well over 100 percent of the value of the import. In fact, there are only 6 rates over 100 percent and only 27 rates over 50 percent, out of the 92 TSUS items for which AVE's were calculated. The highest AVE is 170 percent, which results largely because of technical problems existing in the conversion process. If no imports of a TSUS item occurred in 1964 no AVE was calculated. U.S. rates based on ASP were shown by the list of AVE's to be much lower than many had anticipated, therefore less of a trade barrier.

The calculation of AVE's on benzenoids was necessary in order to determine comparability of U.S. rates of duty with foreign rates of duty. If negotiations take place on items with compound rates, such as these, the bargains will be made by cutting the specific rate by a certain amount, and the ad valorem rate by a certain amount. The result will then be calculated as an AVE in order to determine the actual meaning of the cut in terms of a percentage. One effect of the few high AVE's has been to reactivate the European claim of disparities in the chemical sector. However, the public hearings on the tentative schedule of converted rates may well end up with few if any of the rates being above 50 percent, so the disparities problem may well be minimized. In any case the few high rates are exceptions and should not be used for political purposes by the EEC.

In the conversion from ASF rates to conventional rates certain problems have arisen peculiar to the item being discussed. Conversion problems in the benzenoid and rubber footwear fields deserve separate mention. Thus the four categories of products subject to ASP will be discussed separately below.

ASP and benzenoid chemicals: Imported benzenoid chemicals subject to ASP had an invoice value in 1964 of about $53 million and accounted for about 1.5 percent of domestic benzenoid sales totaling $3.4 billion. In 1964 about 700 manufacturing companies, employing at least 116,000 persons, made benzenoids among other products. About five U.S. firms produce benzenoid chemicals alone. These firms would understandably be most sensitive to change in the present system. Indeed to grant a concession could badly damage them. Most firms that would be affected, however, are large and diversified. U.S. negotiators have made it plain that tentative negotiations on prospective conversion of ASP by the Congress will have to contain some trade concessions on the part of Europeans in the chemical area in order to bring about congressional approval.

In calculating the converted rates, the Tariff Commission chose 1964 data on which to base the conversion. The key statistic in such conversion is the actual export value of the imported benzenoid chemical. The immediate guide to finding such export value is the price on the actual invoice slip which must accompany each import when it enters U.S. Customs at any port—most benzenoids are entered at New York. Invoice prices for benzenoid imports are often inaccurate, however. This is because many benzenoids are only infrequently traded, perhaps only once every several years. When traded, they may come in varying quantities, and in varying "strengths," from different countries, and from different companies. Rather frequently they are traded between parts of the same company. For these reasons invoice prices often do not reflect true sale values.

There is another important reason for invoice price inaccuracy. Benzenoid invoice prices are not normally scrutinized for accuracy by U.S. Customs, because the invoice prices are not used as the base on which to assess duty. They are therefore unimportant except to the U.S. buyer, who might be paying quite a different price from that shown on the invoice.

For all of these reasons the invoice prices for 1964 that were available to the Tariff Commission had to be reevaluated to reflect realistic import values.

Thus, for 1964, the Tariff Commission selected a sample of about 1,000 invoices out of the approximately 15,000 available to it. In selecting its sample, the Commission considered: the frequency of importation of each compound; the size of individual shipments; unit values; whether duty was based on ASP or another valuation method; names of importers, exporters, and makers; and whether the entries represented transactions between affiliated firms.

What emerged from this exercise, undertaken in conjunction with the Customs Bureau, was a list of more accurate dutiable values—usually export value—for about 1,000 imported benzenoids. These values were then used in computing a converted rate. For example, the benzenoid product phenol—TSUS 403.40—has a present ad valorem rate of 17 percent and an American selling price of $.10 as determined by the Tariff Commission. If the export value as determined by the reevaluated invoice values for phenol in 1964 were an average of $.065, then the converted ad valorem rate for phenol would be 26 percent.

This is determined by using the following formula:

$$\frac{.10\ \text{(ASP)}}{.065\ \text{(export value)}} \times 17\%\ \text{(present TSUS ad val. rate)} = 26\%\ \text{(tentative converted rate)}$$

Chemical industry's conversion problems: The object of the conversion exercise is to insure equity of conversion from the ASP valuation method to conventional valuation methods for imported benzenoids. Both methods should provide the same amount of duty. Various uses might be made of the converted rates in the trade negotiations, under certain circumstances to be explored below.

The U.S. industry is aware that if the reconstructed invoice values are incorrect, the rate conversion could result in a rate that is too low. Importers are also afraid that the rates could be too high. Both parties will have an opportunity at hearings beginning June 8 to express their viewpoints and to contest the converted rates based on information available to them. I would hope that in this process the Tariff Commission will make use of any data not previously available to it, in order to arrive at the most equitable possible list of final recommended rates for benzenoids as well as for rubber-soled footwear and certain canned clams. I would expect the hearing process to produce sound decisions insuring the best possible tentative rate conversion.

Thus both U.S. industry and importers are now attempting to determine average world market prices for those benzenoid chemicals subject to the tentative converted schedules. In order to do so they can call on their network of market information using subsidiaries and affiliates and other trade channels, networks that are often worldwide. The U.S. chemical industry in this instance acts much as a group through the Synthetic Organic Chemical Manufacturers Association—SOCMA—and the Manufacturing Chemists Association.

It would be helpful to the U.S. industry to have access to the invoice information used by the Tariff Commission in arriving at the converted rates, but the Tariff Commission has deemed such information confidential business information on the ground that, except in the form of totals for groups of products, the release of invoice values would reveal certain operations of individual concerns. There are comparatively few foreign manufacturers and U.S. importers involved in the import trade in benzenoid chemicals and names of the traders in particular products are well known. Even if not accompanied by names of traders, release of invoice values would reveal traders' commercial secrets. The Tariff Commission has a reputation as a keeper of the business secrets of both U.S. industry and importers which it must maintain. I have not yet heard an argument that would convince me that the invoice values could be revealed without damage to their confidentiality and the Tariff Commission's reputation.

The U.S. industry believes that the month first allowed by the Tariff Commission and Special Representative for Trade Negotiations to prepare for the June 8 Tariff Commission hearings was too short. I am in sympathy with this argument. I urged and was pleased that the Commission and Special Representative decided to allow an additional week for industry and importers' preparation for hearings. I believe also that the scheduling of a second hearing for early fall on the economic impact of conversion should also allow industry more time, because industry need prepare and present only its case on conversion at the Tariff Commission hearing beginning June 8. Arguments on the economic impact of conversion can be withheld for presentation at the second hearing, which I think might appropriately be held either by the Tariff Commission or the Trade Information Committee of the Special Trade Representative's Office.

The U.S. industry is also concerned that the new benzenoid schedules not group too many items, resulting in an averaging of rates that could mean converted rates too high for some items and too low for others. The Tariff Commission intended that the groupings be made so that only minor changes in duties would result in most cases, especially on important items of trade. Effort was made to arrange the groupings so that the effects on the domestic producers and the importers would be kept to a minimum and so that the disadvantages that might accrue to the U.S. industry or to the importers would be offset by approximately equal advantages to the same groups.

For example, in the proposed TSUS basket item 403.60 G—"other"—there are grouped 980 items at an average tentative converted rate of 36 percent ad valorem and specific rate of 3.5 cents per pound. An item like 2 Napthol-6-sulfonic acid of which 366,000 pounds were produced in the U.S. in 1964, could perhaps be dutiable at a converted rate of 64 percent based on its export value, instead of 36 percent, if listed separate from the basket. Is this an equitable converted rate for this benzenoid? These are the types of questions the Tariff Commission must address itself to. It may be that such basket categories should be further broken down if the information presented at the coming hearings proves it necessary.

Another conversion problem is that of "standards of strength." As noted above, the duties on most benzenoids subject to ASP are compound—contain both a rate of duty per pound and a percentage ad valorem rate. The specific part of the duty on all imports of colors, dyes, and stains which exceed standards of strength established by the Secretary of the Treasury is computed on the weight which the article would have if it were diluted to the standard strength. This is the so-called Treasury list, which contains only three chemicals.

Another list applies to other ASP benzenoids. For all products assessed on ASP value which are imported in a different strength from the similar competitive U.S. article, the value of the imported article is adjusted in the proportion which strength of the imported article bears to that of the domestic article. Industry is concerned that were the ASP-required test of competitiveness and similarity to be deleted from the law, the standards of strength provisions will no longer be applied to imports.

ASP conversion for benzenoid chemicals and international trade negotiations: By themselves the tentative converted rates, and even the final Tariff Commission recommended rates, are meaningless except as they help us to understand its impact on imports and U.S. industry. If the President so decides, they may become an item for preliminary negotiation in the Kennedy round. I have been formally assured that before such decision a second hearing on the economic impact of conversion will be held.

Several uses could be made of the recommended converted rates in the negotiations, all of them subject to congressional approval.

One outcome of international negotiation on ASP could be simply to adopt the converted rates per se, without any lowering, and therefore to remove the ASP valuation method for benzenoids. This would have two effects: first, it would be an advantage to foreign benzenoid exporters because the administrative delay occasioned by the process of determination of similarity and competitiveness with a U.S. benzenoid would be removed. Also eliminated would be the administrative discretion entailed by the system, which we like to think of as a fault only of foreign nations' customs administration. What U.S. industry is most essentially losing, however, is the automatic protection afforded it whenever it chooses to begin to manufacture a product similar to and competitive with an import. Adoption of converted rates would freeze those imports that are at this time competitive and similar at a higher rate of duty than noncompetitive unsimilar imports. This flexibility of the ASP system, which helps make it such a unique valuation device, would be lost.

By adopting the converted rates, without lowering those rates, the U.S. would be making a concession in the nontariff barrier area, and should require a compensating foreign nontariff or other concession.

Another outcome of negotiation could be both conversion and reduction of converted rates, a truly "meaningful" U.S. offer which would require additional foreign concessions in the form of substantial offers in items in the three chapters of the Brussels tariff nomenclature that EEC has excepted from negotiations, as well as concessions in the nontariff barriers and perhaps other areas.

Yet another outcome of the negotiations could simply be a reduction of the present, unconverted, U.S. ad valorem rates—even when subject to ASP—if substantial enough concessions are made by the EEC and others.

Geneva chemical sector discussions open: During my visit to Geneva, United States and foreign negotiators opened discussions in the chemical sector based on the EEC's decision to table its remaining offers in chemicals.

The United States made clear at the meeting that it is prepared to explore the possibility of modifying the effect of the ASP system of valuation as it applies to benzenoid chemicals. As a working hypothesis, the United States is ready to discuss the possibility of conversion of rates as they might be reduced in the current round to a new set of rates based on standard methods of valuation, designed to yield duties substantially equivalent to those now collected. But the United States is not now offering such a conversion, only proposing to explore what is feasible. The United States could make a formal offer only in the framework of a separate package including additional and comparable offers by others, and such an agreement would require enactment of implementing legislation by Congress.

The United States has made very substantial offers on the bulk of chemicals traded today. These offers would open the U.S. chemical market to increased foreign competition. Ignoring these very attractive and meaningful offers, the EEC has chosen to insist on negotiations on ASP as a price for removing the conditions that it has placed its offers in major areas of U.S. trade interest. It would be a shame if the EEC were not to proceed with negotiations on the trade offers on which the President presently has full authority to conclude agreements.

Concessions on ASP can only be included in the final agreement if in return the United States receives a fully reciprocal quid pro quo, in part provided in the chemical sector, and in part provided by concessions by others in the nontariff barriers field. Such concessions have not been forthcoming from the EEC and Japan and until they do the United States cannot and will not continue to offer concessions and will withdraw them if necessary to achieve a balanced package of reciprocal concessions.

Patents are of particular concern to the chemical industry. I have long considered that U.S. chemical concerns should not fear international competition because of their diversity, research orientation, marketing and distribution ability, and size. If an adequate international patent system could be devised, it could prevent foreign firms from selling products newly developed by U.S. firms in the U.S. market at highly competitive prices. I have no indication how much such international competition exists. I do believe, however, in the right of companies everywhere to have, as a means of recouping their expenditures, exclusive use of the fruits of their own research and development for specific periods and I believe this should extend into international trade. In the chemical and other sectors I think it a perfectly reasonable goal to seek foreign concessions in terms of better patent practices as part of a bargaining package.

In summary, the chemical sector talks have been complicated by the ASP problem. It has been claimed that European and other nations have chosen to select out ASP as a delaying device, without knowing its economic effects and political implications. The United States has now disclosed its willingness to discuss ASP, and in doing so has put the Europeans and others on the defensive. It is now up to our negotiating partners to decide whether to "fish or cut bait," to return to the table ready to bargain with improved offers or not.

ASP and rubber-soled footwear: Section 336 of the Tariff Act of 1930 provides for Tariff Commission investigations of the differences in the cost of production of domestic articles and of like or similar foreign articles and the equalization of such differences. It provides that if a 50-percent increase in the statutory rate of duty is insufficient to equalize such difference, the Commission shall so state in a report to the President and shall specify an ad valorem rate of duty, based on the American selling price of the domestic article, necessary to equalize such difference.

After due investigation under section 336 of foreign imports of certain rubber footwear, the Tariff Commission recommended to the President a rate of 35 percent ad valorem on the ASP value, and the President proclaimed such rates on

March 3, 1933. The 35 percent ad valorem rate was reduced after tariff negotiations under GATT in 1955 to 20 percent.

The items subject to the 1933 proclamation are provided for in item 700.60 of the TSUS at a rate of 20 percent. These items are footwear having uppers of fabric and soles of rubber or plastics, items commonly referred to as "sneakers" and variants thereof.

Fifty-one U.S. firms produce rubber-soled fabric-upper footwear among other products. Thirty-six such firms are in the Northeast United States. Production according to Tariff Commission statistics was: 71 million pairs in 1958; 103 million pairs in 1961; and 166 million pairs in 1965, a steadily rising rate of production. Imports were: 4 million pairs in 1958; 28 million pairs in 1961; and 33.4 million pairs in 1965. United States exports were 69,000 pairs in 1960 and and 225,000 pairs in 1964. In 1964, 21 million pairs or 73 percent of total imports under TSUS item 700.60 were dutiable under ASP. In 1965 this figure fell to 18 million pairs or 53 percent, a significant change in trade, the reason for which industry and importers claim they do not understand. To try to determine the reason the industry and importers alike have asked the Tariff Commission for data on the 47 percent of imports defined by U.S. Customs as outside the ASP provision.

In 1965 a major change in the administration of the ASP provision was made by the Treasury Department after a lengthy decision-making process. Prior to 1963 the practice of the Customs Bureau in the appraisement of such footwear was to assess the duty on the value of the highest priced like or similar domestic article. Early in 1963, the Bureau suspended appraisement of footwear found to be subject to the ASP provision, pending a possible change in the method of determining ASP.

In the Federal Register of August 19, 1965, the Bureau announced proposed new guidelines providing that the appraisement of such footwear should be made on the value of the closest priced like or similar domestic article: "the product which is closest in price to the price of the imported article shall be selected as the most similar." This provision was finally adopted in February 1966.

The new guidelines have the effect that less duty has to be paid on imports because the American selling price on which the duty is assessed is lower than previously. The new guidelines are retroactive to early 1963—date of suspended appraisement—on all imports of such footwear, which had been entered in bond pending Treasury decision.

The industry claims that the Treasury decision was improper and perhaps an illegal use of the Treasury's authority. Whether or not the Treasury decision was a correct one, the industry on paper has taken a very substantial tariff cut, because the new guidelines have resulted in considerably lower rates of duty on imported rubber-soled canvas-upper footwear. A bill—H.R. 12983—to rescind the new guidelines and reinstate the old has been introduced.

Under the new Treasury guidelines a weighted average converted rate for the four basic types of footwear imports is 59.5 percent rounded off at 60 percent. Under the old Treasury guidelines the weighted average ad valorem rate of duty for the same types of footwear would have been 96.1 percent. The difference between the two is 36.6 percent, a significant loss of duty.

This is the United States industry's case for claiming that it has suffered a unilateral reduction of duty and that tariffs on its products, either in their present or in converted form, should not be negotiated in the Kennedy round. It is a strong case. The case is contested by importers who claim that since the suspension of appraisement in 1963 and the bonding of imports pending a decision, importers have calculated and taken into account of an average duty on the four types of footwear in question of about 60 percent. Imports, they argue, have actually been priced in U.S. markets for the past 3 years at prices reflecting the duties resulting from the new guidelines. They point to statistics showing that imports entering the United States at this level of duty have remained at a plateau during this time. In essence, they argue that the 60-percent rate has been in effect throughout the past 3 years without any damage to the domestic industry in terms, at least, of increased imports.

These complex problems are complicated by the difficulty of obtaining statistics regarding production, imports, and employment that can be agreed by both sides. For such reasons the Tariff Commission was established as an adjunct of Congress. Congress must rely on the Commission for impartial and scholarly study of technical matters such as these. Once again I express the hope that the June 8 Tariff Commission hearings, and the later hearings on the economic impact of ASP conversion, will help to complete the picture and produce truly equitable decisions. In spite of my confidence in the Tariff Commission, it cannot supplant the need for careful determinations by the House Ways and Means and Senate Finance Committees, and continuing thorough scholarship by their members and staffs.

In converting rates for these footwear, the Tariff Commission used data covering nearly half of the total imports of footwear for 1965, collected at the four major ports of entry. They calculated the rate of duty for these invoice values on the basis of the new guidelines, and arrived at a weighted average converted rate of 60 percent, as noted above. In the new proposed schedule a subclass A would cover types of footwear not subject to ASP valuation at a rate of 20 percent, and subclass B would set a tentative converted rate of 60 percent, as noted above. In the new proposed schedule a subclass A would cover types of footwear not subject to ASP valuation at a rate of 20 percent, and subclass B would set a tentative converted rate of 60 percent covering types of footwear now dutiable under ASP.

Both industry and importers have certain problems with the conversion of rates that should be considered. First, there is the question of trade data on which the tentative conversion is based. As noted above, there was an unusual drop in the amount of imports entered under ASP in 1965. In this circumstance, was the choice of 1965 data alone for conversion purposes a wise one? The industry asks whether it would have been more appropriate to take data from 1962, the year prior to the suspension of appraisement and the eventual adoption of new guidelines. The industry now asks to have sufficient data to be able to construct weighted average converted rates under both new and old guidelines for 1962, 1963, and 1964, in order to be able to determine the fairness of the 60-percent converted average rates. Importers argue on the other hand that the trade data used should be as current as possible to reflect present competitive trends.

Another problem is the fairness of the price of footwear used as the comparable price by Customs. In the first 3 months of this year data was gathered for the first time to show that canvas for making the uppers of rubber-soled footwear was being imported in large quantity, a projected 15 million pairs of uppers for 1966. Uppers made of such imported canvas are of unmarked origin and therefore, industry claims, difficult to trace as they emerge in a final product. But they would contribute to making a cheaper sneaker. If the imported canvas uppers are in fact used in large enough quantity the industry argues that they could lower the price of the shoe against which the import is being in fact compared for purposes of its ASP valuation.

Finally, the industry is wary of the use of the converted rates on rubber-soled footwear in the trade negotiations. As in the case of chemicals, there are really two principal ways of negotiating ASP. First is to simply remove ASP as a valuation method, offering a conversion of rates in return for some foreign quid pro quo. Second is not only to convert ASP rates but to reduce them in negotiations. Given the unilateral reduction of duties effectuated by the new Treasury guidelines for which we get no concessions it would seem unfair to further reduce the converted rates even by reciprocal concession.

The rubber footwear industry argues that, just as the chemical industry has been assured some element of quid pro quo in terms of export interest in the same sector, so the rubber footwear industry should receive a quid pro quo. The industry argues, however, that it has no export potential, pointing to 1965 exports of only 225,000 pairs of rubber-soled shoes, and concludes that no negotiations are possible on the condition of industry reciprocity. They ask what they could possibly get in return for a concession on ASP.

The answer is obvious. Just as in the case of the chemical industry, only a small number of firms produce only rubber-soled footwear, and could therefore obtain no reciprocal benefit from negotiations. Some very large rubber footwear manufacturers like U.S. Rubber and B. F.

Goodrich could benefit strongly from successful trade negotiations. One healthy outcome of negotiations would be to achieve liberalization of EEC markets to imports of Japanese rubber-soled footwear which would reduce pressure on the U.S. market.

Further, I would like to stress that the concept of reciprocity within sectors, especially such a narrow sector as rubber footwear, has not and should not be adopted in the current trade negotiations. We have been very careful to circumscribe this theory in the chemical sector, making clear first that reciprocal chemical concessions are only one of the needed quid pro quos, and that such concessions would apply to the broad range of chemicals in which the United States has an export interest.

ASP and canned clams: Canned boiled baby clams are the only article in TSUS item 114.05 which the Customs Bureau finds like or similar to a domestic product. On May 31, 1934, the duty of 35 percent ad valorem on ASP basis was proclaimed by the President after a section 335 investigation and recommendation by the Tariff Commission.

In 1965 boiled baby canned clams were 73 percent of imports of clams in the relevant TSUS item, or 1,025,000 pounds. U.S. production of similar clams in 1965 was 460,000 pounds. Such clams are packed in three plants in Maine, two in the State of Washington and one each in Delaware, New York, and Alaska.

The Tariff Commission in its conversion effort determined that in view of the stability of the ASP and the relatively uniform unit foreign export value, the best conversion rate for canned boiled baby clams appears to be a specific rate of 12.5 cents per pound. This rate is set for clams valued at not over $0.40 per pound, a value bracket which would include all imports now dutiable on the ASP basis, and would exclude virtually all imports not dutiable on such basis. Canned clams valued over $0.40 per pound would continue to be dutiable at 20 percent ad valorem based on export value.

ASP and wool knit gloves and mittens: A Presidential proclamation on March 22, 1936, set a tariff of 35 percent ad valorem based on ASP valuation for gloves and mittens, finished or unfinished, wholly or in chief value of wool, valued at not more than $1.75 per dozen pairs. Imports of such gloves virtually ceased in the late 1930's because the value limitation—less than $0.15 per pair—precluded any imports under that item. Future imports of such low-cost gloves are unlikely. The National Association of Glove Manufacturers has suggested that the rate of duty now applicable to the gloves in item 704.35 be retained with the deletion of the ASP headnote, and this suggestion has been followed, resulting in a "converted" rate of $.40 per pound plus 35 percent ad valorem.

SUMMARY

One danger of the sector approach, a danger shared by bilateral negotiation, is that concentration on the problems of a single group of products tends to limit the available alternatives for use in bargaining. One of the truly useful innovations of the current round of negotiations is the linear cut approach and the agreement that balancing should be achieved in the negotiated package as a whole rather than in each of its sectors. This very flexible approach may be compromised to some extent by the sector talks. On the other hand, the sector discussions have been very useful in identifying the key problems in these difficult areas, and bringing to bear on them the combined resources of the majority of negotiating countries who want meaningful negotiations to be concluded.

Many difficult problems must be resolved before the industrial negotiations can be successful. Hopefully the EEC, faced by negotiating partners anxious to make trade-stimulating concessions, will now recede from the very tough and inflexible bargaining positions it has taken on many matters. It is the natural inclination of any hard bargainer to hold on to a hard position up to the wire. There is time for the EEC and others to make meaningful offers and to conclude an important package of bargains in all sectors.

If the EEC is unwilling to make meaningful concessions, the United States and other nations should so adjust their packages of offers as to achieve a balanced negotiation, even though this could mean the Kennedy round might not achieve its original objectives. Under no circumstances should the United States conclude a hasty negotiation in order not to have to admit that the Kennedy round was unsuccessful.

AGRICULTURE

The decision to negotiate agriculture problems in the Kennedy round was itself ground breaking. Agriculture is of great political importance to all nations, and national agriculture policies are expressed in special measures both for promotion and control of agricultural production. The effort to grapple with the various national subsidy, state trading, license and quota, and embargo programs in an international trade negotiation is a great step forward.

The goal of the United States in the agriculture negotiations is to achieve acceptable conditions of access to world markets for agricultural products in furtherance of a significant development and expansion of world trade in such products. Thus the main thrust of the negotiations is the U.S. effort to maintain "acceptable conditions" of access to traditional European markets. The United States exported a record $4.7 billion in 1965, compared to the previous record of $4.6 billion in 1964. These sales represented over 25 percent in value of U.S. merchandise exports. This is why the United States is determined to obtain in the Kennedy round improved access to world markets for its agricultural exports. How to define and achieve "acceptable conditions" of access is therefore the major problem of the negotiations.

Because the United States has such a deep export interest to maintain, the United States could offer little in the way of reciprocal concessions in agriculture. This is one reason why the rules established for the negotiations by ministerial resolutions in May 1963 and May 1964, and agreement at lower levels, have provided that the final package of concessions should not be balanced sector by sector but across the board on all items, including those in the industrial and nontariff barrier sectors. To some extent the EEC agriculture bargains will be tied in with U.S. industrial and nontariff offers. Thus a key element of U.S. policy has been that industrial bargains cannot be concluded without agriculture bargains.

Progress has been slow in the agriculture sector because of the EEC's inability to forge an internal agriculture policy, which includes two principal problems. First, a common pricing system must be established. This means creating a uniform community target price, a price at which support would be maintained—"target price"—and a price at which imports would be allowed to enter—"sluicegate" or "threshold" price. The latter is often referred to as the variable levy system. The variable levy is actually the difference between the world price and the threshold price, and constitutes an import tax which raises the price of the import to a high enough price to provide protection in all EEC domestic markets.

The second element of the pricing system is the financing of the price support program and agricultural export subsidies, and certain Community technical services to agriculture. Some of the funds for this support are supplied by variable levies and other import taxes. The remainder was contributed by member nations in varying proportions. It was the requirement that the final arrangements for agriculture financing, plus the French concern that some aspects of its sovereignty might be impaired by the gradual accretion of powers by the Community, that led to France's boycott on June 30, 1965, for the most part resolved in Luxemburg in February this year.

This in bare outline is the problem the United States faces in trying to achieve "acceptable conditions of access" to European markets. In a sense it may be too late to try to achieve such modification. So many political decisions have been built into the agreed pricing system that it may be difficult to alter. The United States might have moved earlier to try to prevent the establishment of such a system, inasmuch as the EEC agriculture proposals now being put into action were a long time being conceived.

The negotiating problems in agriculture vis-a-vis the EEC divide into two major areas, grains and "other" farm products.

Grains: The discussions of GATT's "Cereals Group" have moved ahead faster than any other agricultural area. Major negotiating participants are the United States, Canada, Australia, Argentina, EEC, United Kingdom, Japan and Switzerland. On May 17, 1965, all negotiating countries tabled offers in this category of farm product. Generally the grains negotiations are proceding on the official assumption that a world grains arrangement is the best means whereby the goals of the agriculture negotiations, which include sharing the supply of food to the LDC's, can be achieved. Without such agreements, the United States argues, it would lose its foreign markets. The United States objective is to utilize as much of the market place mechanism as possible and to avoid an agreement that would fix trading prices and likely lead to market allocation, but at the same time, through a Kennedy round grains agreement, remove the barriers to United States agriculture exports.

Much work had been done by the date of the French boycott of the Community beginning June 30, 1965, but further negotiation by the Cereals Group must await EEC Council decision in three key areas:

1. Access to traditional markets. To help achieve the major objective of gaining acceptable conditions of access to markets efforts must be made to allow market forces to adjust commercial market suppliers to effective demand. The EEC under its present artificial pricing practices will probably increase grain production much more rapidly than consumption. This would increase the problem of grain exporters, such as the United States, maintaining access to the EEC market.

The United States has taken the position that a world agreement on access arrangements is necessary and can be obtained through the current negotiations. But the former United States position that control of production on a world basis was necessary has been weakened by the recent entering into production of new United States acreage. On May 5, 1966, Secretary of Agriculture Freeman announced an increase of 15 percent in the national acreage allotment for wheat for the 1967 crop. One reason for the increase was explained by the Secretary to be that "strong demand for wheat exports both for dollars and for food assistance programs has reduced our stocks sharply." Previously the United States had supplied food aid from its surplus stocks. Official policy is stated to be to shift from supplying food aid from stocks to supplying it from current production.

2. An international pricing system including minimum and maximum prices. It is considered that efficient producers of grains, such as the United States, should find such prices remunerative. The United States has rejected the EEC "montant de soutien," or "margin of support," scheme for establishing such prices.

The margin of support proposal would, essentially, freeze the amount of the difference between the domestic support price or target price, and the minimum threshold price. This would amount only to an EEC guarantee that the import price—against which foreign sellers have to compete—would move up or down only when the domestic support price fluctuated. It would not provide for a freeing of trade by reduction of levies and modification of the present import price levy system, and is unacceptable to the United States.

The EEC should realize that the United States cannot accept such a scheme, and modify its proposal accordingly by providing acceptable access arrangements. This must be done soon so that Cereals Group discussions can begin again by July at the latest. There is now indication that the EEC Commission is willing to do so.

3. Joint sharing by all developed countries of the program of food aid. United States officials insist that other producing nations should share the U.S. program of supplying food to less-developed countries on an other than direct sales plan. Very little attention has been given this problem in previous Cereals Group discussions. The U.S. position is that as other countries such as the EEC become substantial commercial grain exporters they will be able to take part in this supply program. Shipments under U.S. food programs totaled about $1.5 billion in 1965 compared with $1.8 billion in 1964. It is estimated that the United States sends about one-fourth of its food wheat to India alone.

"Other" farm products: Under a timetable agreed in March 1965, all participating nations were to have tabled their offers for products other than grains by September 16, 1965. The EEC crisis beginning June 30, 1965, made it obvious that the EEC would not be able to table, being prevented by the French boycott from making the necessary decisions regarding the price system for many of the products to be negotiated. The United States continued to use the September 16 deadline to exert pressure on the EEC, but to no avail; the EEC notified its partners of its inability to table on the agreed date. The President then made the decision, in order to try to prevent the negotiations from "losing momentum," to table the U.S. offers, excluding those of major interest to the EEC. This allowed some exploration of third-country offers to proceed. The negotiations remain at a standstill. There is hope that the EEC can move ahead with tabling soon, but this must be done by July at the latest, in order that progress might be made before the traditional European August recess.

The United States has made clear that in the broad area of processed foods, tariffs are still the traditional form of protection and that negotiation should be concluded on the basis of reduction in fixed tariffs.

U.S. "section 22" quotas: At the March 24, 1961, meeting of the Contracting Parties of the General Agreement on Tariffs and Trade member nations discussed U.S. import quotas on certain agricultural commodities, called "section 22 quotas" because they are fixed under authority of section 22 of the Agricultural Adjustment Act, effective August 1935. The purpose of the quotas is to prevent imports from undercutting U.S. agricultural commodity prices held above world market levels. The United States has a permanent waiver under GATT, and reports annually on its quota program. Many GATT members maintain restrictions on agricultural imports. Scandinavian countries, for example, maintain quotas against imports of U.S. horticultural products such as citrus fruits, contrary to GATT obligations. The United Kingdom maintains very restrictive quotas on citrus fruits exported from the United States, that are illegal under GATT. Section 22 quotas include 20 TSUS items covering milk in various forms, cheese, wheat and wheat products, peanuts, and cotton in various forms. Other U.S. quotas are imposed under the Sugar Act of 1948, the Philippine Trade Agreement Revision Act of 1955, and other quotas and embargoes as provided in the TSUS. These are quotas on furs imported from the U.S.S.R. or Communist China, impure tea, bird feathers, skins and eggs, crude petroleum and petroleum products, cattle and beef, tuna, potatoes, brooms, and brushes of broom corn. Some of these quotas are imposed for health and conservation reasons.

In the discussions at the March meeting nations with export interest called for increase in U.S. quotas on products such as butter where U.S. surplus stocks have been greatly reduced. Many of those taking part in the discussion questioned whether the maintenance of the waiver was still justifiable in view of the drastic changes in the U.S. dairy products situation. Others expressed their concern that the United States felt able to make only a minor improvement in the quota for cheddar cheese in April this year. (CONGRESSIONAL RECORD, April 6, 1966, p. 7787.)

Section 22 quotas are allowed by the GATT under permission given in 1955 as a measure necessary to achieve a broader economic objective. In this light and in light of the extraordinary "variable levy" protection scheme devised by the European Community, and the protection devices of other countries, section 22 quotas seem to be a minor matter indeed.

NONTARIFF BARRIERS

I have frequently stressed the importance of other-than-tariff barriers to international trade. My colleagues on the House-Senate Joint Economic Committee and I stated last February in our unanimous Republican views on the 1966 Economic Report of the President that a new emphasis on nontariff barriers is needed:

> * * * were the Kennedy Round to be successfully completed, tariffs on the whole would cease to become a major trade barrier. Unfortunately, as tariff barriers have diminished other barriers to international trade, more pernicious and often hidden, have arisen. These "non-tariff barriers" can take many forms. * * * They can have a highly protective effect. * * *
>
> We believe the future trade negotiations must concentrate not only on tariff but on non-tariff barriers. These far more knotty international problems should be the subject of consistent effort by the Special Representative for Trade Negotiations, during and between formal GATT negotiating rounds. Fetters on international trade cannot be removed so long as there is a preoccupation with tariffs and a neglect of non-tariff barriers.

The United States has several nontariff barriers about which we are frequently reminded not only by foreign nations but our own press. I have admitted that these problems exist, and have urged U.S. negotiators with some success to consider changing them. At the same time

I have insisted, however, that the United States look equally hard at the nontariff practices of other nations, which far exceed those of the United States.

Among the most important of the nontariff barriers the United States seeks to modify are high European road taxes, which effectively discriminate against American automobiles, border tax adjustments, coal quotas and tobacco monopolies, and restrictions against showing of American films and videotapes. Buying practices of foreign governments often discriminate against foreign goods and are not publicly administered or even known, while the same nations criticize U.S. buying practices which are fully known.

Foreign nations have concentrated in the Kennedy round on several U.S. nontariff barriers, chief among them U.S. antidumping practices and "Buy American" practices, and American selling price has been discussed above in the context of the chemical sector.

An antidumping code: Antidumping has been of special interest to me because I believe that the United States and other nations have much to gain from an international agreement on antidumping measures. To that end I introduced on June 1, 1965, House Resolution 405, directing the President to pursue the negotiation of an international antidumping harmonization code—CONGRESSIONAL RECORD, volume 111, part 9, pages 12075–12077, and March 8, 1966, pages 5333–5336.

Since that time, due in part to the prodding of the United Kingdom and other nations, and the new willingness of the U.S. Treasury to consider modifying its present antidumping administrative regulations, the possibility exists that an agreement may be reached which might require some change—after congressional approval—in the U.S. Antidumping Act of 1921 and changes also in Treasury's administrative regulations. Chief among other nations' complaints is the U.S. system of withholding of appraisement, whereby U.S. Customs suspends appraisement of an import for duty purposes when a dumping investigation is initiated by Treasury, pending completion of the dumping investigation.

In return for modifying U.S. practice, the United States must require our negotiating partners to modify their own practices in order most importantly to assure fair and open antidumping proceedings in which notice at least of dumping investigation and publication of reasons for findings is required. We must also require such procedures to be consistent with article VI of the GATT, which sets forth the two determinations that must under GATT precede imposition of a penalty dumping duty: first, finding of sales at less than home market price in the exporting country; second, finding of injury from the dumped goods to industry in the importing country. The Canadian practices described under the aluminum sector above are an example of the capricious administration of antidumping provisions, as well as the provisions of article VI.

Other nations also apply antidumping in a manner which I regard as a serious harassment to international trade, and as harmful to U.S. exporters. A recent British antidumping action provides a case in point. On March 24, 1966, the British Board of Trade announced that a dumping duty would be imposed the following day on diphenyl ether and diphenyl exported by the Dow Chemical Corp. A like product is made in Britain by the giant firm, Imperial Chemical Industries. In imposing the dumping duty the United Kingdom provided no notice of investigation either of "sales at less than fair value" or "injury." It did not give the U.S. industry opportunity to learn the substance of the dumping charge, or to rebut the charge. The penalty duty was imposed literally by fiat after determination of dumping and injury by administrative officers without benefit of public exposure of the charges and facts of the case. This is in contrast with U.S. procedure which requires detailed public investigation with full opportunity for both sides to be heard in both stages of the investigation of the dumping complaint.

In the Geneva antidumping group discussions on May 9 and 10 the United States for the first time expressed its willingness to reconsider its practices in light of the criticism of foreign nations if those nations agree to consider modifying their practices. The meeting was therefore constructive because it succeeded in shifting to foreign nations the responsibility for proposing the next step in negotiations. As in the question of ASP the United States has shown its willingness to discuss and consider modifying reciprocally practices that Europeans and others have used to belabor the United States. In both instances we have succeeded in putting those nations on the defensive.

In taking a position in favor of internationally agreed antidumping practices, I disagree with those Congressmen and Senators who would rather make the U.S. antidumping law an effective barrier to international trade before seeking to reach international agreement, at the same time agreeing that dumping is an unfair trade practice and that antidumping measures are necessary. Instead, I suggest that if their proposals for change in the present system have merit, they should be adopted internationally and applied uniformly by trading nations.

I will confess to a certain puzzlement about the need for tightening amendments in the present U.S. antidumping law and procedures. It is accepted that industries of all nations dump. Do foreign industries dump in the United States more than U.S. industries dump in foreign markets? Does injury from such dumping occur more frequently than the Tariff Commission's investigations have found? I have looked briefly into the economics of a major industry which has strongly supported the effort to amend the antidumping law, the U.S. cement industry. My examination has not been intensive but I would be led to the following conclusion: imports of cement have a negligible effect on total U.S. industry, and dumped cement is not a problem.

Record production and shipment of cement was reported in 1965 for the third consecutive year. Domestic production reached 385 million barrels at the end of 1965. Imports of cement reached 5.6 million barrels in 1965, less than 2 percent of domestic shipments. Bahamas is a large exporter to the United States, but exports are produced by a plant of the Universal Atlas Co., a division of United States Steel. Imported cement may be a problem in some markets on the eastern coast, where most of the imported cement is sold, but it is less likely to be strongly competitive in midland areas because of high transportation costs.

It is estimated that the U.S. cement industry is in better condition than in previous years, with continued high production, increased capital spending, more efficient ways of transporting and storing cement, and the pruning out of old manufacturing units. Nonetheless, I have asked for and would be pleased to discuss any data proving the contrary.

Buy American: U.S. Buy American policies are by no means as onerous as the government purchasing practices of foreign nations. The United States is the only nation to publish fully its administrative procedures on government buying. A certain confusion does exist, however, due to the action of the Defense Department to increase the amount of defense dollars spent in the United States and minimize the effect of foreign spending on the U.S. balance of payments. The Defense Department's new policy of buying U.S. goods unless the foreign goods are 50 percent cheaper means that its practices differ widely from those of all other Government agencies, who buy foreign goods when they are 6 percent cheaper. The House-Senate Joint Economic Committee's Subcommittee on Federal Procurement and Regulation has in recent hearings broached this subject and will pursue it.

The effects of the Defense Department's new policies, which are somewhat flexible besides, need examination to determine exactly what their economic effects are. A uniform procedure should be established by the Budget Bureau governing buying practices of all agencies, because the present differential will encourage firms to sell only to the agency providing the highest differential. Under these circumstances it is possible that an industry could become entirely dependent on the Defense Department, always assured of sales in spite of a wide differential between its costs and those of foreign makers.

The Defense Department's Buy American guidelines are only another example of the palliative measures undertaken to try to control basic balance-of-payments maladjustments.

As a step toward improvement of national buying practices, emphasis should be put behind the Organization for Economic Cooperation and Development—OECD—to begin to develop a code of policies and practices related to government purchasing, and this OECD effort should be coordinated with the present GATT negotiations, if possible.

CONCLUSION

This has been a review of the major problems of the present negotiations. Only one of its major aspects has not been discussed, that is the role of the negotiations in removing barriers to exports from developing countries. This, and other problems such as fisheries and the role of patents, antitrust, and restrictive business practices in international trade will be discussed in a second section to this report. The U.S. Government's organization for conducting foreign economic policy will also be discussed. This second section will soon be forthcoming.

As the above report witnesses, the trade negotiations at Geneva are proceeding intensively on many fronts. There is a new air of optimism resulting from the EEC's recent decisions on financing its agriculture program and its anticipated decisions in other areas. The progress of the next 2 months preceding the August vacation period in Europe will in large part determine whether satisfactory bargains can be outlined in general form by November. In my view there is time to make an important package of trade expanding bargains that will substantially increase U.S. exports and promote the world economy.

TRANSFER OF SPECIAL ORDERS

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the special order for the gentleman from Illinois [Mr. PUCINSKI] for today, be transferred until tomorrow, June 1.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

MEDICARE SHOULD COVER DISABLED WORKERS UNDER 65

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, because I believe it is vital that medicare coverage include disabled persons under 65, I have introduced legislation which would make such persons eligible for health insurance benefits provided in the Social Security Amendments of 1965.

Under my bill, persons who have already qualified for social security benefits as disabled workers would be entitled to the same hospital and medical insurance coverage now available to the elderly, regardless of age.

It is only logical that we extend the same benefits to the disabled that we are offering to the aged; both groups, in most cases, have low or no income, high medical costs and the inability to obtain adequate health insurance.

The Advisory Council on Social Security, in its report of 1965, which included recommendations written into the medicare measure, said that the program should cover some 975,000 disabled workers under 65. The Council also said:

> Disability insurance is the newest part of the social security program, having been established by amendments enacted in 1954 and 1956. Since then, this part of the program has been improved by providing benefits for the dependents of disabled workers and by extending disability protection—as the original provisions did not—to workers at all ages. As a result it has played a growing role in meeting the needs of the disabled. The Council believes that this development should continue as experience with the program grows, and recommends that two improvements be made at this time.
>
> The Council recognizes that there is ground for considering still other changes in the program, since there are many totally disabled people who face the prospect of having their resources depleted during periods when they are not eligible to receive benefits under either private plans or the social security system. The Council is aware that such consideration will be enhanced by several studies now in progress or being planned by the Social Security Administration which will produce additional information on, for example, the characteristics of applicants who are denied social security disability benefits, the income and other financial resources of severely disabled people, and the extent to which social security disability beneficiaries are dependent upon public assistance. The Council believes that these studies may point up the need for further consideration of proposals to eliminate gaps in the protection now afforded totally disabled people.

Mr. Speaker, I believe it is time to close these gaps. My bill would specifically provide that individuals entitled to disability insurance benefits—or child's benefits based on disability—under title II of the Social Security Act; and individuals entitled to permanent disability annuities—or child's annuities based on disability—under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act.

In this way, Mr. Speaker, we would be alleviating the financial burdens of nearly a million disabled persons, just as we have with the aged and their relatives. And we would be extending to them the same peace of mind that comes with financial independence.

Thank you, Mr. Speaker.

MINIMUM WAGE BILL

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. CORMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CORMAN. Mr. Speaker, last week the House approved legislation to broaden the Federal minimum wage and overtime protection and to increase the minimum wage.

This bill was the product of great study and consideration by the Education and Labor Committee. Its passage was a tribute to the outstanding leadership and competence of our colleague, the gentleman from Pennsylvania, Congressman JOHN DENT.

I was unable to be present on the floor last week. However, I wish the RECORD to show that the minimum wage bill has my wholehearted support."

THE GOVERNMENT AND LABOR-MANAGEMENT RELATIONS

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ASHLEY. Mr. Speaker, I have today introduced legislation (H.R. 15347) to advance labor-management relations in the Federal Government. This legislation will give Executive Order No. 10988, signed by our late President Kennedy 4 years ago, the legislative teeth it needs to insure its intent—the social welfare of our Federal employees.

The proposed legislation among other things will take the responsibility for handling Government employee grievances out of the hands of the Civil Service Commission and place it where it belongs—in the Department of Labor.

My bill, Mr. Speaker, makes recognition of organizations which are recognized by Executive order No. 10988 mandatory by law at the local and unit levels, as well as at the national level.

It sets out an orderly program of administrative procedures and appeals which will be conducted under the Secretary of Labor—where such procedures should be conducted.

It provides for an orderly settlement of grievances at the local regional and national levels which will correct the inequities which exist in the Federal Establishment today.

Additionally, my bill provides appropriate penalties for those who deliberately violate the law whether they be employees or members of management.

This legislation would not in any way interfere with the existing prohibitions against strike, or other collective action of a similar sort, against the Federal Government. The fact that Federal employees have no right to strike is all the more reason why their rights in other areas should have the status and the force of law—rights enjoyed as a matter of course for 30 years by their counterparts in private industry.

My bill seeks recognition of the aims, needs, and aspirations of the rank and file Federal employee by improving ordinary, everyday management-employee relations in the Federal service. Such legislation is long overdue and I urge prompt consideration and enactment.

THOMAS P. QUINN

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. PEPPER. Mr. Speaker, not only North Miami, where he lived, but Florida and the country lost a distinguished citizen and a noble gentleman in the recent passing of Thomas P. Quinn.

For 40 years Tom Quinn had been a devotee of and a distinguished participant in politics. Before coming to Florida he was ward leader in Jersey City for many years while the Honorable Frank Hague was mayor. Tom Quinn loved politics. He never made anything out of his activities but he recently said: "I just like to tinker with it."

Tom Quinn always tried to support for public office the candidates he thought were honorable and capable of rendering meaningful public service. He was careful in giving his commitment to a candidate but when he was committed he was indefatigable in his zeal in his candidate's behalf and especially knowledgeable in how to help his candidate.

Tom Quinn had an exceptional capacity for friendship. He did not give his friendship lightly but when he became a friend his loyalty was unexcelled.

Tom Quinn loved North Miami and for many years, in many different ways, promoted the growth and development of that significant city which I am proud to say is a part of my congressional district.

Tom Quinn went about doing good. He was ever ready to respond to the cause of either public or private need. His friendly manner, his warm personality, his gentle manners, and the noble warmth of his heart will be immeasurably missed by the city, county, and State he loved so much and by a host of friends in whose hearts his memory will ever be warm.

I am proud to pay tribute to my friend, Tom Quinn.

DISTRICT OF COLUMBIA TEACHERS PAY RAISE

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Sickles] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SICKLES. Mr. Speaker, by legislative action in the 88th and 89th Congresses, we have expressed the belief of the American people that improved education is essential, not only to the strength of our Nation, but to the full opportunity of every individual in this Nation, regardless of his race, creed, or place of residence. Those of us who have been privileged to serve on the House Education and Labor Committee have been deeply gratified at the support the Congress has given, financial and otherwise, to the educational legislative proposals the committee has advanced. We are also keenly aware, however, and have discussed at length both in committee and on the floor of the House, that the promise this legislation holds forth for the children and youth of this land will fall short of achievement if we do not take the necessary steps to insure the recruitment and retention of competent, dedicated teachers to staff the classrooms and the laboratories of our schools and colleges.

We have provided Federal funds for books and equipment under the Elementary and Secondary Education Act and the National Defense Education Act. In these same acts, we have provided funds for institutes for teachers to improve their knowledge and skills. We have provided, most recently, under the Higher Education Act of 1965, fellowships for teachers and we have established a National Teacher Corps in an effort to recruit young people into service in those schools with large numbers of disadvantaged children. We have turned back attempts to reduce the impact aid program, and I trust we will continue to do so. And most of all, we have provided substantial assistance to the schools for educating educationally deprived children and to encourage innovation in education.

We have not, however, taken the basic step which is essential if these programs are to be fully implemented and their potential value fully achieved. We have not provided assistance to the States for teachers salaries, so that school boards can compete with industry, other professions, and Government service for a fair share of talented college graduates to staff the schools. The tax resources of most States and thousands of local communities are not, have not been, and never will be adequate to meet this need without help from the Federal Government.

Because of the military commitments which are currently presenting such a drain on our national budget, and which do not appear to be subject to reduction in the immediate future, it is unrealistic to propose massive Federal funds for teachers' salaries at this time. However, one group of teachers is a particular responsibility of this Congress, for their salary schedule is established by action of the Congress. I refer to the 6,800 educators employed by the District of Columbia public schools.

As a member of the Committee on the District of Columbia as well as of the Education and Labor Committee, I have a twofold concern that we provide the schools of the Nation's Capital with authority and wherewithal not only to purchase equipment and construct classrooms, but, even more importantly, to pay salaries to educational personnel, both teachers and administrative staff, that will enable them to retain the fine corps of teachers they now have, and to recruit the additional professionally superior teacher they need each year in ever-increasing numbers.

The bill I am introducing today will provide the District of Columbia school board with authority to pay their teachers at a salary rate competitive with those of the suburban areas of Washington. At the present time, the salary schedule for District of Columbia teachers ranks from third to seventh in comparison with the other six school districts which border the District. This is disgraceful. My bill would amend the District of Columbia teachers salary schedule to provide a base salary, for beginning teachers with an A.B. degree, of $6,000 as compared with the present base salary of $5,350. It provides a base salary for beginning master's degree teachers of $6,500, for those with the masters, plus 30 semester hours, $7,000 and for those with the masters plus 60 semester hours—equivalent to the doctorate—$7,500. The other service steps in the salary schedule are proportionately increased over a period of 19 years to a maximum for the bachelor's degree of $12,000; the master's, $12,500; the master's plus 30 semester hours, $13,000; and the master's plus 60 semester hours, $13,500. The great bulk of public school professional employees will fall in this class 15—and very few will be at the top salaries which are based on the longevity factor. The salary schedule for other categories of professional employees is proportionately adjusted upward from this base. In my view this salary schedule is a modest one when compared with the salaries of Government employees including policemen and firemen—who also deserve better pay than they receive—and I have already introduced legislation to that effect—but who are not required to have 4 years of college as are our beginning teachers.

I am aware that this proposed salary schedule exceeds the 3.6-percent pay increase for District of Columbia teachers as recommended by the Bureau of the Budget based on the guideposts cited in the 1965 report of the President's Council of Economic Advisors. However, the same report states:

> Some exceptions to these guideposts are necessary to promote an efficient allocation of resources and a high rate of growth, and to redress inequities which have kept certain workers at the bottom of the wage scale. Wage increases above the guidepost level may be necessary where an industry is unable to attract sufficient labor to meet the demands for its products.

Mr. Speaker, the products of the public schools of the District of Columbia are the citizens of tomorrow. The labor, that is, the teachers, required to develop these products cannot be recruited and retained in service unless they are reimbursed at a rate attractive enough to encourage them to make a career of teaching the children of the Nation's Capital.

PANAMA CANAL AND THE WAR IN VIETNAM

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Flood] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FLOOD. Mr. Speaker, hitherto in presenting my views concerning the Panama Canal and what is needed for its adequate protection, I have made many predictions which time has proven to be correct. Also, I have pointed out and earnestly urged the steps which our Government should take for such protection.

One of the dangers involved, as I have been able to view it, has been the employment of non-U.S. citizens on the Canal Zone Police Force. Certainly in time of war every possible means should be employed to assure complete security of the canal and its operation. For the same reason that U.S. troops have always been used for the military defense of the canal, I have believed, and yet believe, that the employment of U.S. citizens on the Canal Zone Police Force should be of an exclusive character, and especially so when our country is engaged in actual war in any quarter of the globe.

The gravity of the situation now obtaining in the Canal Zone and the peril to the canal itself have become so striking on the isthmus that certain U.S. citizen employees of the canal enterprise have been moved to issue a statement of facts concerning these matters but, for fear of official reprisals, have signed it as "concerned families in Latin America and Canal Zone." The statement was issued from Balboa, Canal Zone, bearing the date of May 1966 and is addressed to "American families in the United States and overseas: Re Red shipping in the Panama Canal and other treasonous policies betraying our boys in Vietnam."

I must assume that the charge in the statement that the cargoes of ships transiting the canal are immune from inspection is accurate. Such a practice may be all right in times of peace but certainly not in times of war or grave emergency. Call it by any name you please but we are at war in Vietnam and, being thus involved, we have the right and the duty to make the required inspections of vessels that pass through the canal and to determine whether or not military supplies and munitions of war, including nuclear missiles, are being carried to those who are our enemies in the Vietnam struggle.

Not only should such transportation of military cargoes be stopped because they are designed for use by our enemies in southeast Asia but also for the added reason that if a Communist influence may prevail some of this military material may be left on the Isthmus of Panama to be used to destroy the canal itself and to exterminate U.S. citizens there employed and their families. Such an event would be one of guerrilla character in which our Communist enemies are very well trained and also ruthless in its execution.

In this connection, Mr. Speaker, it is a fact that about 5 months prior to Pearl Harbor—December 7, 1941—our Government denied transit of the Panama Canal to Japanese merchant vessels. Despite such denial, they continued to call at the terminal ports, some of them bringing materials for constructing canal defense installations. That precautionary measure was long before the advent of nuclear weapons.

Why in the present situation of extreme danger should we continue a policy of timidity and fear? Such supineness in dealing with the most dangerous and far-reaching force in world history that has for its objective the destruction of freedom everywhere on earth is, indeed, truly pitiable.

Mr. Speaker, I would emphasize the thought that I have expressed before this House on previous occasions that only by strong and courageous action within the scope of our just and indispensable rights can the canal be protected and the Nation and the free world be effectively served.

The indicated statement, which speaks for itself, follows:

BALBOA, CANAL ZONE,
May, 1966.

Re Red shipping in the Panama Canal and other treasonous policies betraying our boys in Viet Nam.

To American Families in the United States and Overseas.

DEAR FRIENDS: The following information comes from a trustworthy American authority in the Canal Zone, in daily position to know. Congress should investigate the situation.

Cargoes of ships transiting the Canal are not subject to inspection unless false manifest is suspected.

U.S. Marines no longer board Russian ships as they did formerly! (Why not *now* when Russians are openly boasting they are helping North Viet Nam?)

"Security" guards are posted on Cuban and Polish ships, only—and they are *not authorized* to inspect or search the *cargo.* (December 1965, publicity was given reports that: All Cuban-registered ships are under Cuban Government orders to carry military supplies to North Viet Nam; and Poland is a Russian Satellite.)

Canal Zone Customs officials are not permitted to stop and search ships for war material, guns, ammunitions, etc. They could, only by order of the C.Z. Governor; he would not give such an order unless commanded from higher up.

In short, there is no real security in the Canal Zone. Any ships can carry cargo to help kill our boys in Viet Nam via the Panama Canal, constructed, operated, maintained by United States money and American citizens!

The International Control Commission in Viet Nam is "in" on policy decisions. Poland, India and Canada are members of the International Control Commission. Dec., 1965, W. A. Harriman, LBJ's "roving ambassador," flew to Warsaw, visited with his "old friend", Poland's top communist leader, U. Gomulka, for two hours; then "talked to Polish Foreign Minister Rapacki about Poland's role on the International supervisory commission in Viet Nam, a subject of continuing friction between Poland and the U.S. (Assoc. Press dispatch, 12/30/65.)

Feb., 1966, Maritime Unions, meeting in Florida, telegraphed LBJ, advocating a boycott against ships trading with North Viet Nam. They stated: "Our boys are fighting and dying along with loyal South Vietnamese forces and our other allies. Trade with North Viet Nam puts blood money in pockets of ship owners and other profiteers of so-called allied nations." The Unions plan refusal to load such ships, begged Washington cooperation, but an I.L.S. official said: "The State Dept. does not want to offend Great Britain, France, Norway, Italy, Greece, United Arab Republic and other countries which have been making a pretty penny dealing with North Viet Nam. They have delivered hundreds of tons of cargo to North Viet Nam and they have the gall to come to U.S. ports." And—Americans in the Canal Zone are, their daily work, forced to help those very ships transit the Panama Canal day after day!

The Panama Canal Review published by Panama Canal Company, Information Office, Balboa Heights, Canal Zone in the quarterly issue of February, 1966, lists: 25 Soviet ships passing through the canal during the 2nd quarter of the *fiscal* year, 11 in 1965 and thus far 14 in 1966.

How unspeakable that men in responsible positions dare send our boys into a war in which the enemy shares deciding policy! No wonder the Vietcong "fade into the jungle", evade traps, or are able to surround and ambush our troops and bases! No wonder tons of bombs are dropped, but little damage done to vital enemy installations!

No wonder the port of Haiphong is not mined and enemy ships are permitted to transit the American-owned Panama Canal, carrying supplies and war material for use against our troops in Vietnam!

January 31, 1966, President Johnson promised troops in Viet Nam "full support of American strength and American determination."

Let us demand that he fulfill that promise. As long as treasonous shipping goes through the Panama Canal, and other treasonous policies are continued, his words are hollow, hypocritical, meaningless—and our boys die in vain!

This coming election—let every responsible adult demand of Senators and Representatives that they put a stop to such treasonous policies. Stop giving aid to the enemy! Stop risking the lives of our sons in a tragic U.N.-controlled war they are not permitted to win!

Sorrowfully yours,
CONCERNED FAMILIES IN LATIN AMERICA AND THE CANAL ZONE.

PANAMA CANAL: "WHY OPEN PANDORA'S BOX?"

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FLOOD. Mr. Speaker, in an address to the House in the CONGRESSIONAL RECORD of March 9, 1964, I discussed at some length the vital questions of sovereignty and ownership of the Canal Zone and Panama Canal and our treaty obligations with respect to them. In a subsequent statement to this body on April 7, 1964, I described the Canal Zone as "an extension of the territory of the United States subject to the laws of one country." It is, in fact, a part of the "coastline" of the United States.

In the second of these statements were listed the major territorial purchases and acquisitions of the United States, as follows:

Date, territory, and cost

1803, Louisiana Purchase	$15,000,000
1821, Florida Purchase	6,674,057
1848, Mexican cession, including California	15,000,000
1853, Gadsden Purchase	10,000,000
1867, Alaska Purchase	7,200,000
1904, Canal Zone, up to Mar. 31, 1964	144,568,571

Since the date of acquisition of all of these areas, there have been vast developments in each of them, making the original costs seem relatively inconsequential in the light of present prices. The value of our investments in the Canal Zone, which is a U.S. Government reservation populated only by canal employees, members of the Armed Forces, and their dependents, now total billions.

In view of these facts, I read with the greatest interest a thoughtful editorial in the May-June 1966 issue of Pan American Headlines, a bimonthly bulletin published by the Committee on Pan American Policy of New York, in which were stressed the political dangers involved in the proposed surrender of our sovereignty over the Canal Zone to Panama.

In this connection, Mr. Speaker, I would point out that it is significant that not since Secretary Dulles in 1956 took a strong stand against equating the Panama Canal situation with that of the Suez Canal and gave diplomatic instructions to that effect, no Secretary of State of our Government has, so far as I can ascertain, made any announcement in defense of our sovereignty over the Canal Zone and canal as provided for in the treaty of 1903, and without which we would never have built nor maintained and operated the canal. Thus, through the subsequent years radical leaders at Panama have, with ever-increasing boldness, made their extreme demands and have put our State Department on the defensive. This acquiescence on our part has led the world at large to believe that the charges made by Panama of U.S. "imperialism and colonialism" in respect to the canal are true and the formal announcements of our Government more recently tend to confirm in world estimation the Panamanian claims. Such are the fruits of abject and unjustified appeasement. No country is stronger than its foreign policies.

Because of the pertinence of the indicated editorial to current treaty negotiations with Panama, I quote it as part of my remarks:

[From Pan American Headlines, published by the Committee on Pan American Policy, 60 East 42d St., New York 17, N.Y., May–June 1966]

Why Open Pandora's Box?—Panama Decision Could Lead to Nullification of All Treaties

Those who think that there is no stinger in the Johnson offer to renegotiate the Hay-Bunau-Varilla Treaty with Panama, and to surrender sovereignty over the Canal Zone, had better take a second look, before they leap.

If the new proposed treaty is ratified by the United States Senate, we will have established a precedent which may return to bedevil us. We will have given grounds to bring into question the legality of every preceding treaty, with other countries, under which we acquired our national domain.

If some mischievous body, such as the United Nations, at the behest of Communism, raises the question of America's right to sovereignty over these territories, our action in admitting wrong in the case of the Hay-Bunau-Varilla Treaty of 1903 with Panama, will strip us of any moral or legal defense of such previous treaties.

Other nations, emboldened by American surrender to Panama, can challenge:

(1) *Our right to Alaska*. In 1867, we purchased Alaska from Imperial Russia at a bargain price aggregating only 2 cents an acre. Soviet Russia, following the Panama precedent, can repudiate this sale and demand a new Alaska treaty.

(2) *The Gadsden Treaty* with Mexico, signed in 1853. This treaty added, by purchase, 29,640 square miles, to our present States of Arizona and New Mexico. Mexico could claim that we took advantage of her then weakness and ask for a huge indemnification for this purchase.

(3) *The Treaty of Guadelupe-Hidalgo*, of 1848 which followed the Mexican War. Under the terms of this treaty, the United States acquired the States of California, Nevada, Utah, Colorado, Arizona and New Mexico. Under the Panama Canal Zone precedent, Mexico could demand a reopening of this treaty and return of all these States to Mexico. Similarly, Mexico, which has never recognized the legality of Texas's 1836 declaration of independence, could challenge our right to Texas.

(4) *Our right to Florida*. We acquired Florida from Spain by the Treaty of 1819. Spain, which is now sharply questioning the treaty by which it granted Gibralter to Great Britain in the 19th Century could, with equal vehemence, question our sovereignty over Florida.

(5) *The Louisiana Purchase*. This 1803 agreement with Napoleon's France gave us all the States west of the Mississippi, except the Northwest, and the former Mexican areas. But Napoleon's government, in the eyes of many Frenchmen of his era, was illegal. The thought may seem far-fetched, but suppose some romantic-minded French leader like De Gaulle, wanting an excuse to make trouble for us, demanded a conference to "renegotiate"? Having yielded to Panama's demands for renegotiation of a treaty "in perpetuity," how could we refuse France?

Our 1903 treaty with Panama specifies that we hold sovereignty over the Canal Zone "in perpetuity," unless we discontinue operation of the Canal. Neither does it contain a clause providing for renegotiation. Disregarding these facts, President Johnson, in an unfortunate moment, agreed to renegotiate.

As Mr. Fred G. Sherrill has recently warned: "To resist any of these moves will require that someone in the United States stand up, and stand firm, but Gulliver is down, wrapped in the minute strands of sophistication."

THIRD ANNIVERSARY OF ORGANIZATION OF AFRICAN UNITY—REMARKS OF THE PRESIDENT

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Fraser] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FRASER. Mr. Speaker, I wish to call attention to an important speech given by the President last Thursday. The President spoke at a White House reception celebrating the third anniversary of the organization of African unity.

The President's speech is an indication that our concern with the war in Vietnam will not cause the United States to neglect the important struggle that is taking place in Rhodesia and other parts of the African continent. This struggle concerns the right of the African people to choose their own governments. In the words of the President:

> As a basic part of our national tradition, we have supported self-determination and an orderly transition to majority rule in every quarter of the globe. These principles have guided our policy from India to the Philippines and from Vietnam to Pakistan. They guide our policy toward Rhodesia.
>
> We are giving every encouragement and support to the efforts of the United Kingdom and the United Nations to restore legitimate government in Rhodesia. Only when this is accomplished can steps be taken to open the full power and responsibility of nationhood to all the people of Rhodesia—not just six percent of them.

This excellent statement by the President in support of majority rule in Africa should point the way toward those specific policies and programs in southern Africa which will insure progress toward majority rule. Moreover, the speech demonstrates that U.S. policies are not just reactions to cold war exigencies, but are aimed at the more positive goal of securing for people everywhere their right to make their own choices about government.

By unanimous consent I include the full speech of the President in the Record for the benefit of the Members:

Remarks of the President at White House Reception Celebrating the Third Anniversary of the Organization of African Unity, May 26, 1966

Mr. Ambassadors, Ladies, and Gentlemen, 3 years ago yesterday the heads of your governments signed the Charter of the Organization of African Unity. It was a memorable day for your continent and for the modern world into which Africa has emerged as an indispensable partner.

The Charter signed on that day declares that "It is the inalienable right of all people to control their destiny," that "freedom, equality, justice and dignity are essential objectives * * * of the African peoples." It pledged to harness the natural and human resources of Africa for the total advancement of your peoples.

My country knows what those words mean. To us, as to you, they are not abstractions.

They are a living part of our experience as men and Nations.

They sum up the basic aspirations which your people and mine share in common: to secure the right of self-government; to build strong democratic institutions; and to improve the level of every citizen's well-being.

We have learned that these aspirations are indivisible. If it takes self-determination to become a free nation, it also takes a climate of regular growth to remain one. And that means the wise development of human and natural resources.

Whether nations are five years old or 190 years old, the striving for these goals never ends. No nation ever completes the task of combining freedom with responsibility, liberty with order—and applying these principles, day after day, to new problems.

Because these principles are imbedded in the hearts of Africans and Americans alike, I have asked you to join me today in commemorating the founding of the Organization of African Unity.

It is a good occasion to reaffirm a unity of purpose that transcends two continents.

I

As your Charter and our Declaration of Independence set forth, we believe that governments must derive their just powers from the consent of the governed.

This is the core of political freedom and the first principle of nation-building.

In the past fifteen years, belief in self-determination has fired the swift momentum of Africa toward full participation in the community of nations. It has been a truly remarkable era in which more than thirty nations have emerged from colonialism to independence.

The road has not been traveled without difficulty. Its end is not even yet in sight. There have been ups and downs—and there will be more. But as one of your distinguished ambassadors has pointed out, "What matters most about new nations is not that they have growing pains but that they are in fact growing."

There is in Africa today an increasing awareness that government must represent the true will of its citizens. Across the continent the majority of people prefer self-government with peril to subservience with serenity.

This makes all the more repugnant the narrow and outmoded policy which in some parts of Africa permits the few to rule at the expense of the many.

The United States has learned from lamentable personal experience the waste and injustice that result from the domination of one race by another. Just as we are determined to remove the remnants of inequality from our own midst, we are also with you—heart and soul—as you try to do the same.

We believe, as you do, that denial of a whole people's right to shape their national future is morally wrong.

We also know it is politically and socially costly. A nation in the Twentieh Century cannot expect to achieve order and sustain growth unless it moves—not just steadily but rapidly—in the direction of full political rights for all its people.

It has taken us time to learn this lesson. But having learned it, we do not intend to forget it.

The government of the United States cannot, therefore, condone the perpetuation of racial or political injustice anywhere in the world. We shall continue to provide our full share of assistance to refugees from social and political oppression.

As a basic part of our national tradition, we have supported self-determination and an orderly transition to majority rule in every quarter of the globe. These principles have guided our policy from India to the Philippines and from Vietnam to Pakistan. They guide our policy today toward Rhodesia.

We are giving every encouragement and support to the efforts of the United Kingdom and the United Nations to restore legitimate government in Rhodesia. Only when this is accomplished can steps be taken to open the full power and responsibility of nationhood to all the people of Rhodesia—not just six percent of them.

The disruptive effects of current sanctions fall heavily upon Zambia, adding a difficult burden to that young republic's efforts to strengthen its national life. I have informed President Kenneth Kaunda that we will work with him in trying to meet the economic pressures to which his country is being subjected.

The foreign policy of the United States is rooted in its life at home. We will not permit human rights to be restricted in our own country. And we will not support policies abroad which are based on the rule of minorities or the discredited notion that men are unequal before the law.

We will not live by a double standard—professing abroad what we do not practice at home, or venerating at home what we ignore abroad.

II

Our dreams and our vision are of a time when men of all races will live as members of the same community, working with one another not only because their security is inseparable but also because it is right and just.

This vision requires ever increasing economic and social opportunity.

I know the enormous tasks Africa faces in fulfilling its aspirations. I know how compelling is her need to apply modern science and technology to enrich the life of her people.

Much has been accomplished in the years since independence came to many members of your organization. You are proving what can be done when freedom and determination are joined with self-help and external assistance.

We have been particularly heartened by the impetus toward regional cooperation in Africa.

The world has reached a stage where some of the most effective means of economic growth can best be achieved in large units commanding large resources and large markets. We have learned in this generation that most nation-states are too small, acting alone, to assure the welfare of all their people.

This does not mean the loss of hard-earned national independence.

It does mean that the accidents of national boundaries do not have to lead to hostility and conflict or serve as impossible obstacles to progress.

You have built new institutions to express a new sense of unity. Even as you grapple with the problems of early nationhood, you have sought out new possibilities of joint action—the OAU itself, the Economic Commission for Africa, the African Development Bank, and sub-regional groupings such as the Economic Community of Eastern Africa.

Growth in Africa must follow the inspiration of African peoples. It must stem from the leadership of African governments. Assistance from others, however, can provide the extra resources to speed growth.

Such assistance is already under way. In the last five years, aid from all external sources has amounted to over $8 billion—of which the United States has extended approximately $2 billion.

But none of us can be content when we measure what is being done against what could be done.

We are anxious to work with you to fulfill your ambitions.

Working with others, we are prepared to help you build a modern Africa.

I can think of many missions on which we can all work together.

First, to strengthen the regional economic activities you have already begun.

My country has offered the African Development Bank technical assistance for its organization and staffing, funds to finance surveys of project possibilities, and loan funds for capital projects. We are ready to assist the regional economic communities in East Africa and other parts of the continent through technical assistance and financing of capital projects which will help to integrate the various economic regions.

Second, to increase the number of trained Africans.

We have been devoting a large part of our aid funds for Africa to education. This proportion will increase.

This year we are assisting in the development and staffing of 24 colleges and universities. We are financing graduate and undergraduate training for over 2,000 African students in the United States. Altogether, almost 7,000 African students are studying with us now. We are helping some 40 secondary and vocational training institutions in Africa. And we are aiding 21 teacher training institutions while also providing thousands of teachers, mostly through the Peace Corps.

But these efforts are not enough. One of the greatest needs is to overcome the frustration of many qualified students who are unable to obtain a higher education.

To help meet that problem, we propose to assist your effort to make certain African universities regional centers of training and professional excellence; to explore with your governments an African Student Program for deserving students to attend African universities.

Third, to develop effective communications systems for Africa.

Africa is an immense continent embracing 37 independent states with still more to emerge. Their communications links were formed in colonial times and tie them more to the outside world than to each other.

Africa's continental development needs a modern communications system to meet the regional requirements.

The United States has already financed several capital projects for communications links and facilities. We have provided technical assistance to communication services in a number of countries, and I have authorized new surveys looking to the widening of existing telecommunications.

Communication satellites offer a striking opportunity to make even greater advances. To use these satellites effectively, ground stations must be built to bridge the continent. They would provide the essential links between the satellite and the conventional networks.

This Nation is prepared to assist in the establishment of these stations. We will examine the need for additional ground links to enable Africa to secure greater benefits from these satellites.

These immediate actions illustrate some of the opportunties for cooperative effort. Other possibilities deserve early study.

Africa's great distances require more modern road, rail, and air links. The continent's great lakes and rivers could provide an enormous internal transport network.

Development of regional power grids, utilizing existing and growing generating capacity, offers an exciting possibility for regional cooperation and national growth.

Opportunities for investment are still largely untapped despite the fact that African countries have welcomed private enterprises.

Africa's farm production does not meet the nutritional needs of its fast growing population.

African territories may need special help in training their people and in strengthening their institutions as they move toward self-government.

We want to explore these and other ways to respond to African needs. I have instructed the Secretary of State and other American officials to review our own development policies and programs in Africa. We will be seeking new ideas and advice from American scholars, businessmen, and experts concerned with Africa's problems. Our Ambassador to Ethiopia Ed Korry, will be working full-time in the weeks ahead to follow through these initiatives. We wish to discuss new cooperative approaches and ideas with African governments, as well as with other governments and international groups.

In short, the United States wants to respond in any way that will be genuinely helpful—from the private American citizen to a combination of many nations, from a bilateral effort with a single African country to regional programs.

Above all, we wish to respond in ways that will be guided by the vision of Africa itself, so that the principles we share—the principles which underlies the OAU Charter—come to life in conformity with the culture and aspirations of the African peoples.

III

It once was said of Americans that "With nothing are we so generous as advice . . . We prefer being with people we do things for to being with people who do things for us." But it is no longer a case of what we can do for or even with the people of Africa. We have come to recognize how much we have to learn from you.

As one of the great Africans—Dr. James Aggrey—wrote: "If you go to Africa expecting something from us, and give us a chance to do something for you, we will give you a surprise."

As we have deepened our relationship with you, we have learned that Africa has never been as dark as our ignorance of it; that Africa is not one place and one people but a mosaic of places and peoples with different values and different traditions; that they want to decide for themselves the kind of nations they wish to build.

We have learned not only about you but about ourselves: about our debt to Africa and the roots of so many of our American cultural values and traditions.

The human enterprise of which we are all a part has grown through contacts between men of different tribes, different states, and different nations. Through those contacts we have learned new ideas, new insights into ourselves, new ways of looking at the universe of nature and—most importantly—new understanding of man's relation to his brothers.

It is this knowledge that endures.

It is this deepening appreciation and respect for the diversity of the world—each man and nation in it—that increases the possibilities for peace and order.

Your Excellencies, I hope that during your stay in our country you will look in on the African programs at our universities, foundations and institutes. These programs are contributing to the mutual understanding we both seek.

In this connection, American publishers have produced hundreds of books about Africa in recent years. One of the most recent is this handsome volume on African art in American museums and private collections.

This book was prepared for U.S. Information Services in Africa and will help increase the understanding and appreciation of your rich cultural heritage.

I would like you to accept a personal copy of this book as a memento of our meeting today.

The Organization of African Unity has become an important organ for building that peace and order. On this third anniversary my countrymen join me in saluting you.

WAR OF NERVES

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. FALLON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FALLON. Mr. Speaker, President Johnson has once again stated clearly our purpose and our concern in Vietnam.

We are not there to dictate a form of government for the Vietnamese people, the President said at his news conference last Saturday.

We want to see the Vietnamese increasingly able to manage their own affairs. And as the President said:

> We regret any diversion from that task and from efforts to defeat the Communist attempt to take over South Vietnam.

The Baltimore Sun refers to the President's statements after making note of the belief held by some that demonstrations in South Vietnam amount to a war of nerves against the United States. The newspaper suggests in an editorial that those who attempt to keep Vietnam in turmoil will pay attention to the U.S. attitude as expressed by the President.

The Sun, in its editorial, commends the President for voicing his concern. Both we and the South Vietnamese are engaged in "a hard and frustrating job." I include the editorial in the RECORD at this point:

[From the Baltimore Sun, May 23, 1966]

WAR OF NERVES

Some of our officials in Washington believe the Buddhist leaders in South Vietnam are aiming their demonstrations, at least in part, at public opinion in the United States. As Philip Potter reported in *The Sun* two days ago, the Buddhists who seek a greater voice in the South Vietnamese Government apparently "are trying to bring down the Ky regime by a war of nerves waged against the United States." Let us hope that the Buddhists and others who are keeping South Vietnam in turmoil will give equally close attention to the United States' attitude toward their action, as expressed Saturday by President Johnson.

"We are not in Vietnam to dictate what form of government they should have," the President said. "We have made it abundantly clear that it is our wish to see them increasingly able to manage their own affairs with the participation of an ever broader share of the population. We regret any diversion from that task and from efforts to defeat the Communist attempt to take over South Vietnam."

The President's expression of regret was an understatement, but his meaning should be clear in South Vietnam. So, too, should be his remarks later in his press conference about the American public's attitude, and his own, toward the war in Vietnam.

"The longer we are there," he said, "the more sacrifices we make. The more we spend, the more discontent there will be, the more dissatisfaction there will be; the more wish and desire there will be to get out. Leading that parade is the President. If you want to feel that it troubles you 100 percent, just double that for the President and make that 200 per cent. Say his concern doubles yours."

Mr. Johnson should be commended by Americans—and, we believe, by the people of South Vietnam as well—for showing his concern in this way. As he said, South Vietnam is engaged in "a hard and frustrating job" in trying to build a nation in the teeth of the Communist efforts to take over the country by force. He might well have added that Americans are also engaged in a hard and frustrating job in trying to help the people of South Vietnam.

REMARKS OF PRESIDENT LYNDON B. JOHNSON AT WHITE HOUSE RECEPTION CELEBRATING THE THIRD ANNIVERSARY OF THE ORGANIZATION OF AFRICAN UNITY, MAY 26, 1966

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, last week, on May 26, 1966, President Lyndon B. Johnson delivered what may well be the most significant statement on U.S. policy toward Africa ever delivered by an American President.

The President spoke at a reception at the White House before African ambassadors and others concerned with African affairs on the occasion of the third anniversary of the Organization of African Unity.

The text of the President's eloquent address on this occasion follows:

REMARKS OF PRESIDENT LYNDON B. JOHNSON AT WHITE HOUSE RECEPTION CELEBRATING THE THIRD ANNIVERSARY OF THE ORGANIZATION OF AFRICAN UNITY, MAY 26, 1966

Mr. Ambassadors, Ladies and Gentlemen:

Three years ago yesterday the heads of your governments signed the Charter of the Organization of African Unity. It was a memorable day for your continent and for the modern world into which Africa has emerged as an indispensable partner.

The Charter signed on that day declares that "It is the inalienable right of all people to control their destiny," that "freedom, equality, justice and dignity are essential objectives * * * of the African peoples." It pledged to harness the natural and human resources of Africa for the total advancement of your peoples.

My country knows what those words mean. To us, as to you, they are not abstractions.

They are a living part of our experience as men and Nations.

They sum up the basic aspirations which your people and mine share in common: to secure the right of self-government; to build strong democratic institutions; and to improve the level of every citizen's well-being.

We have learned that these aspirations are indivisible. If it takes self-determination to become a free nation, it also takes a climate of regular growth to remain one. And that means the wise development of human and natural resources.

Whether nations are five years old or 190 years old, the striving for these goals never ends. No nation ever completes the task of combining freedom with responsibility, liberty with order—and applying these principles, day after day, to new problems.

Because these principles are imbedded in the hearts of Africans and Americans alike, I have asked you to join me today in commemorating the founding of the Organization of African Unity.

It is a good occasion to re-affirm a unity of purpose that transcends two continents.

I. THE CORE OF POLITICAL FREEDOM

As your Charter and our Declaration of Independence set forth, we believe that governments must derive their just powers from the consent of the governed.

This is the core of political freedom and the first principle of nation-building.

In the past fifteen years, belief in self-determination has fired the swift momentum of Africa toward full participation in the community of nations. It has been a truly remarkable era in which more than thirty nations have emerged from colonialism to independence.

The road has not been traveled without difficulty. Its end is not even yet in sight. There have been ups and downs—and there will be more. But as one of your distinguished ambassadors has pointed out, "What matters most about new nations is not that they have growing pains but that they are in fact growing."

There is in Africa today an increasing awareness that government must represent the true will of its citizens. Across the continent the majority of people prefer self-government with peril to subservience with serenity.

This makes all the more repugnant the narrow and outmoded policy which in some parts of Africa permits the few to rule at the expense of the many.

The United States has learned from lamentable personal experience the waste and injustice that result from the domination of one race by another. Just as we are determined to remove the remnants of inequality from our own midst, we are also with you—heart and soul—as you try to do the same.

We believe, as you do, that denial of a whole people's right to shape their national future is morally wrong.

We also know it is politically and socially costly. A nation in the Twentieth Century cannot expect to achieve order and sustain growth unless it moves—not just steadily but rapidly—in the direction of full political rights for all its people.

It has taken us time to learn this lesson. But having learned it, we do not intend to forget it.

The government of the United States cannot, therefore, condone the perpetuation of racial or political injustice anywhere in the world. We shall continue to provide our full share of assistance to refugees from social and political oppression.

As a basic part of our national tradition, we have supported self-determination and an orderly transition to majority rule in every quarter of the globe. These principles have guided our policy from India to the Philippines and from Vietnam to Pakistan. They guide our policy today toward Rhodesia.

We are giving every encouragement and support to the efforts of the United Kingdom and the United Nations to restore legitimate government in Rhodesia. Only when this is accomplished can steps be taken to open the full power and responsibility of nationhood to all the people of Rhodesia—not just six percent of them.

The disruptive effects of current sanctions fall heavily upon Zambia, adding a difficult burden to that young republic's efforts to strengthen its national life. I have informed President Kenneth Kaunda that we will work with him in trying to meet the economic pressures to which his country is being subjected.

The foreign policy of the United States is rooted in its life at home. We will not permit human rights to be restricted in our own country. And we will not support policies abroad which are based on the rule of minorities or the discredited notion that men are unequal before the law.

We will not live by a double standard—professing abroad what we do not practice at home, or venerating at home what we ignore abroad.

II. OUR DREAMS AND OUR VISION

Our dreams and our vision are of a time when men of all races will live as members of the same community, working with one another not only because their security is inseparable but also because it is right and just.

This vision requires ever increasing economic and social opportunity.

I know the enormous tasks Africa faces in fulfilling its aspirations. I know how compelling is her need to apply modern science and technology to enrich the life of her people.

Much has been accomplished in the years since independence came to many members of your organization. You are proving what can be done when freedom and determination are joined with self-help and external assistance.

We have been particularly heartened by the impetus toward regional cooperation in Africa.

The world has reached a stage where some of the most effective means of economic growth can best be achieved in large units commanding large resources and large markets. We have learned in this generation that most nation-states are too small, acting alone, to assure the welfare of all their people.

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It does mean that the accidents of national boundaries do not have to lead to hostility and conflict or serve as impossible obstacles to progress.

You have built new institutions to express a new sense of unity. Even as you grapple with the problem of early nationhood, you have sought out new possibilities of joint action—the OAU itself, the Economic Commission for Africa, the African Development Bank, and sub-regional groupings such as the Economic Community of Eastern Africa.

Growth in Africa must follow the inspiration of African peoples. It must stem from the leadership of African governments. Assistance from others, however, can provide the extra resources to speed growth.

Such assistance is already under way. In the last five years, aid from all external sources has amounted to over $8 billion—of which the United States has extended approximately $2 billion.

But none of us can be content when we measure what is being done against what could be done.

We are anxious to work with you to fulfill your ambitions.

Working with others, we are prepared to help you build a modern Africa.

I can think of many missions on which we can all work together.

First, to strengthen the regional economic activities you have already begun.

My country has offered the African Development Bank technical assistance for its organization and staffing, funds to finance surveys of project possibilities, and loan funds for capital projects. We are ready to assist the regional economic communities in East Africa and other parts of the continent through technical assistance and financing of capital projects which will help to integrate the various economic regions.

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We have been devoting a large part of our aid funds for Africa to education. This proportion will increase.

This year we are assisting in the development and staffing of 24 colleges and universities. We are financing graduate and undergraduate training for over 2,000 African students in the United States. Altogether, almost 7,000 African students are studying with us now. We are helping some 40 secondary and vocational training institutions in Africa. And we are aiding 21 teacher training institutions while also providing thousands of teachers, mostly through the Peace Corps.

But these efforts are not enough. One of the greatest needs is to overcome the frustration of many qualified students who are unable to obtain a higher education.

To help meet that problem, we propose:

—to assist your effort to make certain African universities regional centers of training and professional excellence;

—to explore with your governments an African Student Program for deserving students to attend African universities.

Third, to develop effective communications systems for Africa.

Africa is an immense continent embracing 37 independent states with still more to emerge. Their communications links were formed in colonial times and tie them more to the outside world than to each other.

Africa's continental development needs a modern communications system to meet the regional requirements.

The United States has already financed several capital projects for communications links and facilities. We have provided technical assistance to communication services in a number of countries, and I have authorized new surveys looking to the widening of existing telecommunications.

Communication satellites offer a striking opportunity to make even greater advances. To use these satellites effectively, ground stations must be built to bridge the continent. They would provide the essential links between the satellite and the conventional networks.

This Nation is prepared to assist in the establishment of these stations. We will examine the need for additional ground links to enable Africa to secure greater benefits from these satellites.

These immediate actions illustrate some of the opportunities for cooperative effort. Other possibilities deserve early study.

Africa's great distances require more modern road, rail, and air links. The continent's great lakes and rivers could provide an enormous internal transport network.

Development of regional power grids, utilizing existing and growing generating capacity, offers an exciting possibility for regional cooperation and national growth.

Opportunities for investment are still largely untapped despite the fact that African countries have welcomed private enterprises.

Africa's farm production does not meet the nutritional needs of its fast growing population.

African territories may need special help in training their people and in strengthening their institutions as they move toward self-government.

We want to explore these and other ways to respond to African needs. I have instructed the Secretary of State and other American officials to review our own development policies and programs in Africa. We will be seeking new ideas and advice from American scholars, businessmen, and experts concerned with Africa's problems. Our Ambassador to Ethiopia Ed Korry, will be working full-time in the weeks ahead to follow through these intiatives. We wish to discuss new cooperative approaches and ideas with African governments, as well as with other governments and international groups.

In short, the United States wants to respond in any way that will be genuinely helpful—from the private American citizen to a combination of many nations, from a bilateral effort with a single African country to regional programs.

Above all, we wish to respond in ways that will be guided by the vision of Africa itself, so that the principles we share—the principles which underlie the OAU Charter—come to life in conformity with the culture and aspirations of the African peoples.

III. AMERICANS CAN LEARN FROM AFRICANS

It once was said of Americans that "With nothing are we so generous as advice . . . . We prefer being with people we do things for to being with people who do things for us." But it is no longer a case of what we can do for or even with the people of Africa. We have come to recognize how much we have to learn from you.

As one of the great Africans—Dr. James Aggrey—wrote: "If you go to Africa expecting something from us, and give us a chance to do something for you, we will give you a surprise."

As we have deepened our relationship with you, we have learned that Africa has never been as dark as our ignorance of it; that Africa is not one place and one people but a mosaic of places and peoples with different values and different traditions; that they want to decide for themselves the kind of nations they wish to build.

We have learned not only about you but about ourselves: about our debt to Africa and the roots of so many of our American cultural values and traditions.

The human enterprise of which we are all a part has grown through contacts between men of different tribes, different states, and different nations. Through those contacts we have learned new ideas, new insights into ourselves, new ways of looking at the universe of nature and—most importantly—new understanding of man's relation to his brothers.

It is this knowledge that endures.

It is this deepening appreciation and respect for the diversity of the world—each man and nation in it—that increases the possibilities for peace and order.

Your Excellencies, I hope that during your stay in our country you will look in on the African programs at our universities, foundations and institutes. These programs are contributing to the mutual understanding we both seek.

In this connection, American publishers have produced hundreds of books about Africa in recent years. One of the most recent is this handsome volume on African art in American museums and private collections.

This book was prepared for U.S. Information Services in Africa and will help increase the understanding and appreciation of your rich cultural heritage.

I would like you to accept a personal copy of this book as a memento of our meeting today.

The Organization of African Unity has become an important organ for building that peace and order. On this third anniversary my countrymen join me in saluting you.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Garmatz (at the request of Mr. Friedel), for Wednesday, June 1, 1966, on account of official business.

Mr. Carey (at the request of Mr. Patten), for week of May 30, 1966, on account of official business.

Mr. Gilbert (at the request of Mr. Ottinger), for Tuesday, May 31, 1966, on account of illness.

Mr. O'Brien (at the request of Mr. Wolff), for Tuesday, May 31, through June 3, on account of official business.

Mr. Martin of Nebraska (at the request of Mr. Gerald R. Ford), through June 8, on account of official business as U.S. delegate to ILO.

Mr. Farnum (at the request of Mr. Albert), for May 31–June 2, on account of official business.

Mr. Krebs (at the request of Mr. Albert), for today, May 31, 1966, on account of official business.

Mr. Roberts (at the request of Mr. Albert), for the remainder of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Edmondson, for 20 minutes, today.

Mr. Thompson of Texas, for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Pucinski, for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. Poage, for 30 minutes, on June 1; to revise and extend his remarks and include extraneous matter.

Mr. Poage, for 30 minutes, on Tuesday, June 7; to revise and extend his remarks, and include extraneous matter.

Mr. Goodell (at the request of Mr. Grover), for 30 minutes, on June 1; to revise and extend his remarks and include extraneous matter.

Mr. Curtis (at the request of Mr. Grover), for 1 hour, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Pucinski.

Mr. Stanton.

Mr. Edmondson and to include extraneous matter.

(The following Member (at the request of Mr. Grover) and to include extraneous matter:)

Mr. Pelly.

(The following Members (at the request of Mr. Clevenger) and to include extraneous matter:)

Mr. Roncalio.

Mr. Fisher.

Mr. Fascell.

Mr. Dingell.

Mr. Jones of North Carolina in two instances.

Mr. Brown of California.

SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 85. Concurring resolution congratulating Astronauts Neil Armstrong and David R. Scott; to the Committee on the Judiciary.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2471. An act to improve and clarify certain laws of the Coast Guard.

ADJOURNMENT

Mr. CLEVENGER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 54 minutes p.m.) the House adjourned until tomorrow, June 1, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2444. A letter from the Comptroller General of the United States, transmitting a report of recovery of needed parts from excess aircraft engines, Department of the Air Force; to the Committee on Government Operations.

2445. Communication from the President of the United States, transmitting an amendment to the request for appropriations for the Peace Corps, for fiscal year 1967 (H. Doc. No. 448); to the Committee on Appropriations and ordered to be printed.

2446. A letter from the Secretary of the Treasury, transmitting a report on the activities of the National Advisory Council on International Monetary and Financial Problems, during the period January 1–June 30, 1965, pursuant to the provisions of section 4(b)(5) of the Bretton Woods Agreements Act (H. Doc. No. 449); to the Committee on Banking and Currency and ordered to be printed.

2447. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated February 7, 1966, submitting a report, together with accompanying papers and illustrations, on an interim hurricane survey of Narragansett Bay Area, Rhode Island and Massachusetts, authorized by Public Law 71, 84th Congress, approved June 15, 1955 (H. Doc. No. 450); to the Committee on Public Works and ordered to be printed with illustrations.

2448. A letter from the Administrator, Veterans' Administration, transmitting a report of a violation consisting of an overobligation of the amount permitted by agency regulations, pursuant to the provisions of 31 U.S.C. 665 (1)(2); to the Committee on Appropriations.

2449. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to enable the District of Columbia to participate in the health and medical assistance benefits made available by the Social Security Amendments of 1965, and for other purposes; to the Committee on the District of Columbia.

2450. A letter from the Chairman, National Labor Relations Board, transmitting the 30th Annual Report of the National Labor Relations Board, pursuant to the provisions of section 3(c) of the Labor Management Relations Act of 1947; to the Committee on Education and Labor.

2451. A letter from the Secretary of State, transmitting a draft of proposed legislation to enable the United States to organize and hold an International Conference on Water for Peace in the United States in 1967 and authorize an appropriation therefor; to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JONES of Alabama: Committee on Public Works. H.R. 15225. A bill to amend section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority; without amendment (Rept. No. 1559). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROGERS of Texas: Committee on Interior and Insular Affairs. H.R. 14312. A bill to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior; with an amendment (Rept. No. 1506). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROGERS of Texas: Committee on Interior and Insular Affairs. S. 2999. An act to repeal section 6 of the Southern Nevada Project Act (act of October 22, 1965 (79 Stat. 1068)); with amendments (Rept. No. 1561). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of Alaska: Committee on Interior and Insular Affairs. H.R. 9599. A bill to authorize the Secretary of the Interior to accept the donation of the State of Indiana of the George Rogers Clark Memorial for maintenance by the United States as a national historic site; with amendments (Rept. No. 1562). Referred to the Committee of the Whole House on the State of the Union.

Mr. PRICE: Committee on Armed Services. S. 2421. An act to authorize the adjustment of the legislative jurisdiction exercised by the United States over lands within the Columbia River at the mouth project in the State of Washington and Oregon; without amendment (Rept. No. 1563). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ROGERS of Colorado:

H.R. 15346. A bill to amend section 659 of title 18—Criminal Code and Criminal Procedure—of the United States Code, 1952 edition, to include thefts from pipelines or pipeline facilities; to the Committee on the Judiciary.

By Mr. ASHLEY:

H.R. 15347. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ASPINALL:

H.R. 15348. A bill to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Va., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CELLER:

H.R. 15349. A bill to amend section 212(a)(14) of the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. CLEVENGER:

H.R. 15350. A bill to amend the Federal-Aid Highway Act to permit the participation of interstate funds in retiring bonds on toll bridges, tunnels, or roads on the Interstate System; to the Committee on Public Works.

By Mr. GUBSER:

H.R. 15351. A bill to amend the Internal Revenue Code of 1954 to restore the provisions permitting the deduction, without regard to the 3-percent and 1-percent floors, of medical expenses incurred for the care of individuals 65 years of age or older; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 15352. A bill to extend the fourth-class mail rate for books and educational materials to photographic prints mailed to and from amateur photographers and nonprofit photographic exhibitions, photographic societies, and photographic print study groups; to the Committee on Post Office and Civil Service.

By Mr. PEPPER:

H.R. 15353. A bill authorizing the sale of standard silver dollars held by the Treasury; to the Committee on Banking and Currency.

By Mr. PUCINSKI:

H.R. 15354. A bill to enlarge the boundaries of Grand Canyon National Park in the State of Arizona, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SICKLES:

H.R. 15355. A bill to amend the District of Columbia Teachers' Salary Act of 1955 to provide a new schedule of salaries, and for other purposes; to the Committee on the District of Columbia.

By Mr. SIKES:

H.R. 15356. A bill to determine the desirability of dredging a channel from the head of the cutoff on the Apalachicola River near Wewahitchka, Fla., westerly to the Gulf Intracoastal Canal, near the junction of Wetappo Creek; to the Committee on Public Works.

By Mr. TEAGUE of California:

H.R. 15357. A bill to amend the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas (by request):

H.R. 15358. A bill to amend the act incorporating the Disabled American Veterans so as to provide for an annual audit of their accounts; to the Committee on Veterans' Affairs.

H.R. 15359. A bill to authorize the use by policyholders of the cash surrender value or the proceeds of a matured endowment policy of U.S. Government or national service life insurance to purchase annuities; to the Committee on Veterans' Affairs.

By Mr. THOMPSON of New Jersey:

H.R. 15360. A bill to provide additional authority to the Secretary of the Interior for land acquisition in the Delaware Water Gap National Recreation Area; to the Committee on Interior and Insular Affairs.

By Mr. TUPPER:

H.R. 15361. A bill to amend the joint resolution designating June 14 of each year as Flag Day (37 U.S.C. 157) to provide appropriate recognition of the Pledge of Allegiance to the Flag and its author, Francis Bellamy; to the Committee on the Judiciary.

By Mr. VAN DEERLIN:

H.R. 15362. A bill to amend the act of August 27, 1954, relating to the seizure of vessels of the United States by foreign countries; to the Committee on Merchant Marine and Fisheries.

By Mr. BOB WILSON:

H.R. 15363. A bill to amend section 331 of title 46 of the United States Code; to the Committee on Merchant Marine and Fisheries.

By Mr. DOW:

H.R. 15364. A bill to eliminate unsound competition for funds and to provide for the liquidity of the commercial banking system; to the Committee on Banking and Currency.

By Mr. HELSTOSKI:

H.R. 15365. A bill to establish a Board of Higher Education to plan, establish, organize, and operate a public community college and a public college of arts and sciences in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 15366. A bill creating a Commission to be known as the Commission on Obscenity and Pornography; to the Committee on Education and Labor.

H.R. 15367. A bill to amend title 18 of the United States Code to prescribe criminal penalties for the illegal importation of depressant and stimulant drugs, and for other purposes; to the Committee on the Judiciary.

H.R. 15368. A bill to promote and foster the development of a modern merchant marine by encouraging the orderly replacement and modernization of merchant vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. IRWIN:

H.R. 15369. A bill to revise the Federal elections law; and for other purposes; to the Committee on House Administration.

By Mr. KARTH:

H.R. 15370. A bill to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MORGAN:

H.R. 15371. A bill to amend the Peace Corps Act (75 Stat. 612), as amended, and for other purposes; to the Committee on Foreign Affairs.

By Mr. PATMAN:

H.R. 15372. A bill to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury; to the Committee on Banking and Currency.

H.R. 15373. A bill to establish a Small Tax Division within the Tax Court of the United States; to the Committee on Ways and Means.

By Mr. ST. ONGE:

H.R. 15374. A bill to amend the Tariff Schedules of the United States with respect to the determination of American selling price in the case of certain footwear of rubber or plastics; to the Committee on Ways and Means.

By Mr. O'NEILL of Massachusetts:

H.R. 15375. A bill to incorporate the Town Affiliation Association of the United States; to the Committee on the Judiciary.

By Mr. PRICE:

H.R. 15376. A bill to establish a nationwide system of trails, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 15377. A bill relating to the deduction for Federal income tax purposes of contributions to certain organizations for revision of the revenue provisions of State constitutions; to the Committee on Ways and Means.

By Mr. BOB WILSON:

H.R. 15378. A bill to amend the Foreign Assistance Act of 1961 to provide for a method of reimbursing owners of certain fishing vessels which are subjected to harassment by officials of countries of South and Central America; to the Committee on Foreign Affairs.

By Mr. BARING:

H.J. Res. 1153. Joint resolution proposing an amendment to the Constitution of the United States to permit voluntary participation in prayer in public schools; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

482. By the SPEAKER: Memorial of the Legislature of the State of California, relative to the commercial fishery resources of the State of California; to the Committee on Merchant Marine and Fisheries.

483. Also, memorial of the Legislature of the State of Maryland, relative to ratification of the proposed amendment to the Constitution providing for succession to the Presidency and Vice-Presidency; to the Committee on the Judiciary.

484. Also, memorial of the Legislature of the State of Michigan, relative to tolls and charges on the St. Lawrence Seaway; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 15379. A bill for the relief of David Anthony De Beauville; to the Committee on the Judiciary.

H.R. 15380. A bill for the relief of Maria Lozza; to the Committee on the Judiciary.

By Mr. JONES of Alabama:

H.R. 15381. A bill for the relief of Aaron Bailey; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 15382. A bill for the relief of Francisco Petrungaro; to the Committee on the Judiciary.

By Mr. TUPPER:

H.R. 15383. A bill for the relief of Herman Boxer; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

393. The SPEAKER presented a petition of the National Rivers and Harbors Congress, Washington, D.C., relative to the use and conservation of water, which was referred to the Committee on Public Works.

EXTENSIONS OF REMARKS

Postmaster General O'Brien Speaks at McAlester Post Office Dedication

EXTENSION OF REMARKS

OF

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 31, 1966

Mr. EDMONDSON. Mr. Speaker, Oklahoma was pleased to welcome a distinguished guest last weekend in the person of Postmaster General Lawrence F. O'Brien, and even more pleased that he made his first post office dedication address at the new post office in McAlester.

The Postmaster General's eloquent remarks appropriately began with a tribute to McAlester's able and effective Representative in these Halls, the Honorable CARL ALBERT, who is serving all of us with great distinction as majority leader. All Oklahomans were pleased by Postmaster General O'Brien's public salute to our State's most distinguished legislator.

The people of our State were also pleased by the Postmaster General's pledge to do all in one man's power to carry out President Johnson's mandate "to provide this country with the finest mail service it has ever known, while managing the Post Office Department efficiently and prudently."

I am sure that most Members of this body will agree with me that Larry O'Brien is admirably equipped, with talent, temperament, and experience in public service, to carry out that mandate.

As an expression of his views on the role of the Post Office Department today, the address which Postmaster General O'Brien delivered at McAlester is well worth reading. As a word picture of the philosophy and dedication of a great American, it is even more noteworthy.

The complete text follows:

ADDRESS BY POSTMASTER GENERAL LAWRENCE F. O'BRIEN AT THE DEDICATION OF THE MCALESTER POST OFFICE, MCALESTER, OKLAHOMA, MAY 27, 1966—10:00 A.M.

It is a pleasure for me to be here in McAlester for the dedication of this fine new post office. And I want to thank you for your hospitality and for making this occasion a memorable one.

This is the first new Post Office that I have dedicated since I became Postmaster General. It is a task I like so well, that I'm going to dedicate another one in about four hours. I think it appropriate that both Post Offices are in the State of Oklahoma . . . for this State is one of the most dynamic in our nation. You have a perfect mixture of the old frontier, new frontier—the kind of mixture that makes for a truly great state and great society.

States don't prosper and post offices don't sprout by accident. It takes leadership. And let me say here that Oklahoma is well endowed with leadership. You've got outstanding representation in the United States Senate with MIKE MONRONEY and FRED HARRIS . . . and certainly the voice of Oklahoma and this Congressional District is heard clearly, and forceful, and with great respect in the House of Representatives. For in CARL ALBERT you are blessed not only with a man who represents the interests of his constituents with extraordinary skill and effectiveness—but also one who is more than a local or regional figure. For CARL's ability and integrity have brought him to national prominence. His powers of persuasion and persistence in pursuit of what he believes to be right have again and again served to draw together men of differing interests and viewpoints so that all could work more effectively for the common interest. I have seen him in action many times, and have never ceased to marvel at his skill.

I hope it won't sound unduly personal if I tell you here in McAlester what is certainly no secret back in Washington—that CARL and I have been warm friends for many years. It is a friendship founded on our mutual concern for public service. In my mind there is no better way to tell the quality of a man than by what is important to him. Well, CARL has left no doubt that *people* are important to him. When it comes to questions of the public interest, CARL's answer is like that of another Carl, Carl Sandburg, who entitled one of his books on Abraham Lincoln—"The People, *Yes*."

This country was made great not by men who were concerned about their own private interests, not by men who were concerned with someone else's special interest, but by men concerned with translating into action the philosophy of the people—*yes*.

I have always admired CARL's unusual talent for giving life to this philosophy through creative, democratic, progressive, beneficial, needed legislation. That's why there have been so many great new programs created since he has been Majority Whip and now House Majority Leader.

And, of course, he knows postal problems well from his past service on the House Post Office and Civil Service Committee. So it should be no news to McAlester that the man who won your oratorical championships back in 1926 and 1927 is still effectively raising his voice in behalf of his home town. The people, yes—that's CARL ALBERT all the way.

Today many speakers seem under a compulsion to try to characterize our age. Perhaps the confusion of the times in which we live summons forth a clarifying effort. Or, perhaps it is just the challenge of trying to summarize in a few minutes the problems besetting three billion people. I am not going to yield fully to this compulsion by giving you an exclusive summary, for I think our times are so interesting that they fit many descriptions . . . and produce, I might add, many prescriptions.

From my office in the Post Office Department in Washington I am certainly impressed by one aspect of our age. It is an aspect that practically leaps at me every time I study a new batch of postal statistics. These statistics give me good reason to believe that this is the age of the information explosion.

Right now 90 per cent of all the scientists who ever lived . . . are alive and producing new knowledge. The sum of human knowledge is doubling every ten years. The combination of growing population, growing education, and growing affluence is continuously producing more schools and more laboratories, more people learning, more books, more ink, more studies and findings, more journals and abstracts, more decisions, more appeals, more facts, facts, facts. And, of course, all this means more paper. A London newspaper recently contained a frightening picture of the rising tide of paper. "The waves of interchanging paper will surge endlessly back and forth, filling the cabinets, the desks, the floors, yes, the very egg-box skyscrapers themselves. The streets will slowly fill with seventh copies of seventh copies, tornadoes of paper will build up and blow around the Earth. Paper snow will cover all, paper-drifts and paper-avalanches will take their toll."

Exaggerated? Well, perhaps.

But I do know that much of this paper is moving through the mails. And the mail statistics are almost amazing.

Right now—this year—we are moving about 75 billion pieces of mail. This past Christmas Holiday period alone the Post Office Department delivered some 8 billion pieces. And the numbers show no sign of leveling off.

How do we keep from being smothered by this deluge of mail?

How do we reduce to the absolute minimum the direct and indirect cost of mail service to our society?

The answer lies not alone in hiring more postal employees . . . though our postal force grows each year.

The answer does lie in giving these dedicated employees the finest tools available so that they achieve their full productivity . . . and so that you can get your mail faster.

The President has given me a mandate to achieve this end. He told me last January:

"I have said in the past, and I repeat now, that I want you to provide this country with the finest mail service it has ever known, while managing the Post Office Department efficiently and prudently. I want you to explore all the techniques available to modernize our postal service and make certain that they are being used to provide the American people with the best postal system in the world at the lowest possible cost to the taxpayers."

This is the President's order to me, and I want you people here in Oklahoma to know that I intend to carry that order out.

I have already taken steps to meet the challenge through improving our instruments of planning, our instruments of information-gathering, and our instruments of speeding the mail on its way.

We are now involved in the most intense effort at research and mechanization in the history of the Post Office. We have already unveiled a machine that can read ZIP Code numbers and can move mail more rapidly than any human being. We are coating all our stamps and postal cards with a special nontoxic luminescent ink that will serve as silent signals to our high-speed machines.

But this is only the beginning and only one example of what we are doing. The age of the modern postal service is just arriving. The United States Post Office Department is only now entering the industrial revolution—and that postal industrial revolution will have but one aim—to see that you and all Americans get their mail in good condition and on time.

Not only will this kind of new emphasis on machines, and on better postal facilities such as the building we dedicate here today, mean better service—it should also help us to perform our service more economically.

The Post Office Department is a precious instrument of education and democracy. It is the most public and the most private form of communication known to man. It is the most public because any man, woman, or child can mail a letter. It is the most private because first-class mail is as safe from prying eyes as your own homes. It takes a court order to open a letter—and the courts have to be given a mighty good reason. This Post Office of ours is something we should be proud of. It has bound together a diverse and enormous nation with chains of paper.

I must tell you, however, I find people who still think the Postal Service was created with a saddle on its back so they could have a free ride . . . and a free ride at your expense.

I have particular reference to the law governing parcel post. The present law, enacted back in the early 1950's, took away from most Americans parcel post service they had come to accept as traditional. And it was done just to provide a privileged sanctuary to one company. The result is that you are paying more for less parcel post service. Unless we reform this law, costs and rates will continue to rise. The Post Office Department is trying to take affirmative action. And I think we will be successful—if concerned and responsible Americans get their views across to the Congress. The special interests are very effective in telling *their* side of the story . . . and unless the voice of the people is heard . . . these interests may well turn back this effort to get private privilege out of the postal service.

It took action to get this building authorized and constructed.

And it will take action to assure that the postal service is responsive to the needs of the people.

Your postal service needs that action now.

Finally, let me add that a building, no matter how well designed and constructed, is simply a beginning—it is an inert thing of brick and mortar. For it takes people, good people, to turn that beginning into achievement.

I know that we both are fortunate in the caliber of postal employees who will assure that achievement. In Postmaster Youvon Martin and his staff, you have outstanding, dedicated public servants. You know without my reminding you how hard and how well these good people work to move your mail.

Postmaster Martin, it is a pleasure to turn this structure over to you, and to repose in you the heavy responsibility for assuring that McAlester continues to receive superlative mail service.

Disclosures of the Week—Part V

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 31, 1966

Mr. PELLY. Mr. Speaker, I take the floor again to point out certain disclosures which reflect the discouraging trend of events under the policies of the Johnson-Humphrey administration.

CASE NO. 1

According to the U.S. News & World Report, an informed source had this to say:

> This is the first war in American history in which Americans have been financing both sides. It would be comic opera if it were not so tragic, the way our money and arms find their way into the hands of the Communist Viet Cong.

CASE NO. 2

The Associated Press reports 33,464 persons added to the Federal payrolls during April, to push the total to 2,644,244. This was the seventh consecutive monthly increase.

CASE NO. 3

In Dos Palos, Calif., poverty-program funds permit boys to take their dates to the town's best restaurant, in tuxedoes, to provide cultural development.

CASE NO. 4

In Boston, Mass., the FBI investigated a scandal involving falsified and padded payrolls and mismanagement of the administration's poverty program. Among the charges are reported forged identity cards and forged checks, political favoritism, sloppy administration, controversy, and bitterness.

CASE NO. 5

Charles de Gaulle, a year ago, established a joint nuclear research program between French scientists and those of the Soviet Union.

Suspicion now grows that Moscow will use the French to do above-ground testing, which the Russians, under the test-ban treaty, have agreed to discontinue.

CASE NO. 6

A Congressman wants a Hoover-type commission to help lead the Government out of its paper jungle. About 30 percent of the Federal employees are spending their time on paperwork, the cost of which is estimated to be about $7 billion per year.

CASE NO. 7

The Omaha World-Herald recently traced the history of atomic weaponry and concluded that the United States underestimated the nuclear progress of Soviet Russia, France, and Red China. In the latter case, Japanese scientists report fallout on the last explosion to be 33 times that which occurred following previous blasts. The explosion appeared to be equivalent to 130 tons of TNT, instead of 20 tons.

Illinois Broadcasters and Newscasters Support Freedom of Information Legislation

EXTENSION OF REMARKS

OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 31, 1966

Mr. PUCINSKI. Mr. Speaker, last week the Illinois Broadcasters Association and the Illinois News Broadcasters Association met in convention and adopted two resolutions which I believe should receive the attention of Congress.

The first resolution unanimously endorses Senate bill 1160 frequently referred to as the freedom of information resolution. Under its provisions, information about Federal agencies, now too frequently withheld from the public, would become more readily available.

It has always been my strong belief that a well-informed American populace need never engage in reckless and irresponsible speculations. By making information about Government affairs readily available to the American people, we strengthen their trust and respect for our institutions of government.

The other resolution urges the televising and radio broadcasting coverage of the U.S. House of Representatives proceedings.

I believe both of these resolutions are important and should be enacted.

Memorial Day Address by Basil L. Whitener

EXTENSION OF REMARKS

OF

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 31, 1966

Mr. JONES of North Carolina. Mr. Speaker, our colleague, Hon. BASIL L. WHITENER, of the 10th Congressional District of North Carolina, delivered a very splendid Memorial Day address at the Edgewood Cemetery, Lowell, N.C., on Sunday, May 29.

Under unanimous consent I include Congressman WHITENER's address as a part of the RECORD:

MEMORIAL DAY ADDRESS BY BASIL L. WHITENER, MEMBER OF CONGRESS, AT EDGEWOOD CEMETERY, LOWELL, N.C., SUNDAY, MAY 29, 1966

I am greatly honored to be in Lowell today and to have the privilege of taking part in your Memorial Day ceremony.

Memorial Day is a time of great significance to every American. It is a day on which Americans pause to pay respect to those who have served in the armed forces in time of war in defense of our liberties and our cherished way of life.

It is a day on which we decorate the graves of those departed heroes, who, as the poet has so beautifully said: "No more on life's parade shall meet." Yes,

"The muffled drums sad roll has beat
  The soldiers' last tattoo;
No more on life's parade shall meet
  The brave and fallen few.
On fame's eternal camping ground
  Their silent tents are spread;
And glory guards with solemn round
  The bivouac of the dead."

There are very few of us here today who do not recall a loved one, a kinsman, or a neighbor who has made the supreme sacrifice in defense of his country. This Memorial Day is a time for us to give thanks for the courage, loyalty, devotion, and patriotism which their service to God and country so well exemplified.

Since the beginning of history, civilized man has acknowledged the debt of gratitude he owes to those who have borne arms in defense of his liberties. The ancient Chinese and Japanese had a day set aside known as "Lantern Day." Lanterns and candles were lit in memory of those who had fallen in battle.

In Italy homage is paid to Italians who have given their lives for their country on All Souls' Day. And throughout the civilized world days have been set aside by numerous other countries as the time to mourn their military heroes.

In the United States Memorial Day had its origin in the tragic years immediately following the War Between the States. Section had fought section, and even brothers, fathers, and sons had opposed each other in that terrible conflict. Thousands of young Americans in both the North and the South had given their lives and lay in crudely marked graves in countless military cemeteries.

We Southerners can be proud of the fact that the first expression of love and care for those who had given their lives in the War Between the States had its origin in the South. At about the same time, in 1866, a group of ladies at Columbus, Georgia, and Columbus, Mississippi, held memorial services in their military cemeteries and decorated the graves of the departed Confederate and Northern soldiers with flowers and flags.

The unselfish devotion of these ladies inspired an awakening throughout the Nation of the debt that both North and South owed to their war heroes. And so it was on May 5, 1868, that General John A. Logan, commander-in-chief of the Grand Army of the Republic, issued an order setting aside May 30 of that year as a day to honor those who had died in the War Between the States.

He said that he selected May 30 because it was a day when flowers would be readily available to place on the graves of our war heroes. Later, Decoration Day was to become Memorial Day and a fixed part of our history.

Since the American Revolution the youth of our Nation has been called upon in many instances to defend the liberties bequeathed to them by our forefathers. The preservation of liberty has been as sacred to every generation of Americans as it was to those gallant men of 1776.

In the War of 1812, the Mexican War of 1845, the War Between the States in 1861-1865, the Spanish-American War, World Wars I and II, the Korean Conflict, countless other campaigns and military expeditions, and our present struggle in Viet Nam, the Americans we honor today, regardless of military rank, race, color, or creed, have successfully fought for the survival of our form of government—the principles of liberty, freedom, justice, and democracy.

The finest tribute that we can pay to those who sleep within the bosom of the land they gave their all to defend, is to appreciate and be worthy of their trust and of the heritage which they bequeathed to us.

General Eisenhower said in 1953: "We must be ready to dare all for our country. History does not long entrust the care of freedom to the weak or timid. We must acquire proficiency in defense and display stamina in purpose. We must be willing, individually and as a nation, to accept whatever sacrifices may be required of us. A people that values its privileges above its principles soon loses both. Whatever America hopes to bring to pass in the world must first come to pass in the heart of America."

In his inaugural of January 20, 1961, President Kennedy reminded us that: "Since this country was founded, each generation of Americans has been summoned to give testimony on its national loyalty. The graves of young Americans who answered the call to that service surround the globe."

The courage and gallantry of the soldiers of yesterday, whom we honor today, rekindle in us a new love of country and a new concept of patriotism. War and the effect of war has reached nearly every family and every home in our Nation.

We have only to examine our military records to realize the high price that freedom has cost. Nearly 1 million Americans have given their lives down through the years in order that our free institutions might survive. We have with us today over 21½ million living war veterans.

14,960,000 of these veterans served in World War II. 5,700,000 served in the Korean War, 2.1 million served in World War I. Over 30 million Americans have served in the United States armed forces since the Revolutionary War.

The demand upon the youth of our Nation for military service since World War II has required that 1 out of every 5 young men, aged 18 years or more, served in the armed forces. In fact, more than 40% of all United States males at least 25 years old are war veterans.

The men and women who have worn the uniform of our great country form the patriotic bedrock upon which our free society rests. They are the leaders of our government, industry, and the learned professions.

The President of the United States is a veteran; and so are 53 of our Senators and 282 members of our national House of Representatives. Four out of every 10 workers in our land are veterans. We see, therefore, the impact that military service has had in the past, and will have in the future, on our Nation.

It is for us the living veterans of today to show our gratitude for the sacrifices made by those who sleep in honored glory. In paying our respect to the dead we should also pause to give our thanks and to show our appreciation to the young men and women who are now serving in our armed forces. In the tradition of those who have gone before them they are manning the bulwarks of freedom in every part of the world.

As Disraeli said many years ago: "The youth of a nation are the trustees of its posterity." The young men and women now serving their country are truly the trustees, not only of our great land, but of the security of the free world.

It is well for us to remember on this Memorial Day that there is a great struggle going on in the world for the minds of men. This communistic struggle will last for the unforeseen future and will require the strongest virtues of our national character.

Our community of free nations must not fall under the control of ideologies dedicated to the destruction of liberty. The dream of world domination by any one power must be shattered.

As the leader in the cause of freedom, it is mandatory, therefore, that our great country have a strong national defense. It will require the spending of untold billions of dollars and the sacrifice and inconvenience of military service on the part of our young people.

We cannot afford inadequate military preparedness. Whatever challenge confronts our free society must be met. To surrender our leadership in the free world is to deliver the world to communism. We must realize that an attack on any part of the free world is sooner or later likely to be an attack on the United States.

Those in our land who would talk of a soft approach to communism, who would advocate appeasement of the communist leaders, and who would engage in unwise acts of pacifism only weaken the unity of our land and strengthen the hand of communism.

In our desire to have unity of purpose in combating communism, however, we should maintain our tolerance of those who disagree with us and who exercise their legal and constitutional right to voice their objections to the policies of their government.

In an effort to protect freedom abroad we cannot destroy fundamental freedoms at home. The grave situation existing in the world and American military involvement in many lands require, however, as much unity as possible on the part of the American people. Our honored dead deserve the very deepest devotion and unswerving loyalty on our part to the cause they served. Their admonition to us is as the poet said:

> "Take up your quarrel with the foe;
> To you from failing hands we throw the torch;
> Be yours to hold it high.
> If you break faith with us who die
> We shall not sleep, though poppies grow
> In Flanders Field."

Let us not break faith with the dead we honor this afternoon. Let us renew our pride in our national institutions, rekindle out faith in those wholesome and fundamental American virtues, and rededicate our lives to God and country.

In his Farewell Address 82-year-old General Douglas MacArthur said: "Duty, honor, country: those three hallowed words reverently dictate what you ought to be, what you can be, what you will be. They are your rallying point to build courage when courage seems to fail, to regain faith when there seems to be little cause for faith, to create hope when hope becomes forlorn."

My friends, duty, honor, and country should again become the watchwords of our Nation. If we honor these virtues, those who have so gallantly served our Nation and who rest in honored glory today shall not have died in vain.

Untimely Death of Walter B. Phelan, Wyoming Speaker of the House

EXTENSION OF REMARKS

OF

HON. TENO RONCALIO

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 31, 1966

Mr. RONCALIO. Mr. Speaker, it grieves me to bring news to my colleagues of the untimely death of my friend and longtime associate, Walter B. Phelan, who passed away in his sleep on Sunday morning at his home in Cheyenne, Wyo.

Walter B. Phelan and I were associated together in the practice of law as prosecuting attorneys. He was my helper and main source of strength during my years as Democratic State chairman from 1957 to June 1961, when I was pleased and proud to turn over the leadership of the Democratic Party to him. He was State chairman until last year, when he resigned upon election as speaker of the Wyoming House of Representatives.

Walter B. Phelan was an active civic leader and he directed the fortunes of the Democratic Party with articulate and able leadership. Phelan ruled the house in the 1965 legislature with a strong hand. He had long been an outspoken critic of Wyoming's right-to-work and led the house in seeking its repeal—repeal passed the Wyoming House, but failed in the senate by one vote. Walt also pledged that Wyoming's ignominious ban of acceptance of Federal aid to education would be repealed—and under his leadership this was done.

Walter B. Phelan was a model of a man, an exemplary human being, Mr. Speaker, and few men were more devoted to family and friends. Few lawyers were as learned and responsive to the often difficult requirements of doing justice. His death is a serious loss to the State of Wyoming and the people he served so well.

Mr. Speaker, it was my pleasure to introduce the late Mr. Phelan to the Speaker of this House a little over a year ago and I know that his passing leaves a personal loss to us all and certainly reduces the ranks of the Democratic leaders of national stature in America today.

A recitation of the rosary will be held at 7:30 p.m., tomorrow, Wednesday, at St. Mary's Cathedral, Cheyenne, Wyo.

Requiem Mass will be said at 11 a.m. on Thursday, June 2, at St. Mary's Cathedral in Cheyenne, Wyo.

Safety Requires Use of More Nonflammable Wool and Mohair Fibers in Automobile, Airplane, Home, and Ship Upholsteries

EXTENSION OF REMARKS

OF

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 31, 1966

Mr. FISHER. Mr. Speaker, with so much slaughter on our highways, disasters in plane crashes, and losses resulting from fires on ships at sea, this would seem to be a good time to examine the fire hazard so often associated with these tragedies.

The National Fire Protection Association assembled figures on automobile accidents, and found that about 400,000 vehicles had fires in 1964, with a loss of $37 million in property damage largely attributable to the ignition of flames following the wrecks.

It seems that almost every time we read of a plane crash, where there is a chance to escape following impact, the one big hazard is fire which so often sweeps through the passenger sections.

With respect to both cars and planes, what is being done to avoid or reduce the incidences of fire? In the case of auto accidents, we are told by the National Safety Council that 90.6 percent are caused by improper driving. But after these accidents occur, even those that are preventable, what can be done to minimize the losses that are traceable to the outbreak of fires?

The answer is: equip cars, planes, and ships with more nonflammable upholsteries, carpets, draperies, and other fabrics. Natural wool and mohair are universally recognized as the fibers which are the most nonflammable of any others used for these purposes. The use of more of these fibers would undoubtedly save thousands of lives every year. It is just that simple.

Only a few years ago most of these fabrics were composed of blends which included substantial amounts of nonflammable fibers of wool and mohair. But more recently the manufacturers, with an eye on higher profits, have turned to the manmade flammable fabrics.

Evidences of the cost of this switchover, in terms of human lives and property losses, have mounted. The Metropolitan Life Insurance Co. recently estimated that 13 percent of fire fatalities among its insurers were traceable to fires caused by ignition of bedding, upholsteries, curtains, and draperies. This includes homes as well as vehicles, planes, and ships.

In a recent plane crash, it was discovered that fire and noxious smoke and the burning of inside furnishings was a major cause of the resulting deaths. This resulted in the CAB recommending to the FAA that revised standards be imposed for inside furnishings of commercial aircraft. That study is now in progress. I have been assured by FAA that an accelerated research program to improve those standards is now receiving a thorough analysis. This includes a study of: First, "Flammability and Smoke Characteristics of Interior Aircraft Materials;" second, "Thermal Criteria for Interior Materials;" and third, "Hazardous Combustible Characteristics of Cabin Interior Material."

This alertness on the part of FAA is most commendable. Let us hope that automobile and ship manufacturers will do the same.

Mr. Felix J. Colangelo, president of the Wood Bureau, recently stated:

> A flame applied to wool will cause it to burn, but when the flame is removed wool does not support combustion nor does it melt like synthetic fibers which can cause serious skin burns.

The same principle applies to mohair.

This same authority concluded that no fiber possesses greater natural resistance than wool to flaming, melting, and the emission of noxious smoke.

While it is true that certain flame resistance treatments may be applied to the cellulosic fibers, they are quite expensive and many of them require renewal after each washing or dry cleaning.

The publication, Consumer Reports described wool as "a fiber which is difficult to ignite and will not support a flame."

Consumer Bulletin reported in October of 1965 that the melting of synthetic fibers and sticking to the skin "can be more dangerous than the flame itself because the resulting burns can be so difficult to treat," and cited the National Safety Council for authority.

Many other authorities could be cited confirming the fact that both wool and mohair are nonflammable. A more universal use of these fibers, even when blended with a lesser content of synthetics, would undoubtedly provide the greatest answer to the fire hazard problem than any other single action that can be taken.

Mr. Speaker, the loss of 49,000 lives on our highways last year has served to arouse the American people to the need for more safety devices in the construction of cars, planes, and ships. In both the House and Senate extensive hearings have recently been concluded on this subject. Legislation has been drafted which would give the Secretary of Commerce discretionary authority to set Federal safety standards for new cars. Let us hope legislation along this line will be promptly enacted, and that the Secretary will then give appropriate attention to the prevention of fires as a safety factor.

The matter of reducing the incidences of fire in our homes and in transportation has been neglected too long. It has been firmly established that the only real answer to this hazard is the use of nonflammable fibers in the interiors of our homes, offices, automobiles, airplanes, and ships. The employment of this simple solution will save literally thousands of American lives every year.

To Secure a Negotiated Peace in Vietnam

EXTENSION OF REMARKS

OF

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 31, 1966

Mr. BROWN of California. Mr. Speaker, among the numerous speeches and statements I have made on Vietnam, I believe that one I made on November 27, 1965, on the grounds of the Washington Monument, bears repeating at this time. The speech follows:

TO SECURE A NEGOTIATED PEACE IN VIETNAM

Mr. Chairman, friends and all of you who seek peace in Vietnam and throughout the world.

Most of you have no doubt asked yourselves the question—as I have asked myself—why am I here today participating in this rally before this monument of our first President? What hopes, what strategy, what line of reason or drive of emotion has brought us to this place from our homes and families throughout this great land?

There are a few critics who have said that we are seeking to undermine or subvert our country—to give aid and comfort to an enemy—to force the President into a course he might feel is wrong.

How mistaken they are.

We are gathered here today in the highest tradition of the American Constitutional process, exercising that oldest of American democratic rights—the right of citizens to peaceably assembly and petition their government.

And we are joined for the purpose of seeking that most sought after goal of mankind through the ages—peace on earth, good will toward men.

We know that the President seeks that goal as earnestly as any man. We know that he is committed to unconditional discussions with those we fight. We know that representatives of our government are seeking to open the door to negotiations in a multitude of ways.

Our purpose here is to show by our presence the strength of our commitment to that goal of peace through negotiations. Our purpose here is to pledge our dedicated efforts to creating understanding and support among the American people for all reasonable efforts by the President to achieve these negotiations at the earliest possible date.

The scourge of war has been man's greatest enemy through all ages. And in every war, whether of the Medes and the Persians, or the Greeks and the Romans, the kings and the emperors of the Middle Ages, or the Czars and Kaisers of more recent times—all sides have felt that they struggled for a just and noble cause.

Such is the case today. We fight under the banner of peace and freedom for Vietnam and resistance to the evils of an expanding Chinese Communist dictatorship. They, whom we oppose, likewise fight under the banner of peace and freedom for Vietnam and resistance to an expanding U.S. imperialism. The growing emotionalism that comes with all wars grips us and causes us to forget the path that led us to the present crisis, and makes us less able to understand that our enemies might feel that their cause is also just and noble.

Even those "pragmatists" who are willing to admit to errors of policy or tactics by the United States in its past action in Vietnam contend that we cannot now remedy these errors but must accept our present level of involvement and deal with the military situation by the increased use of force. How tragic this will sound when we stand on the verge of total nuclear war.

For this Administration, and the American people, to accept the thesis that we are engaged in a holy war against Communism which demands complete victory and unconditional surrender by our enemies—is to commit ourselves to the road to World War III!

The President has rejected this course. I believe that members of Congress would reject this course if it were presented to them today. And I hope that the American people in their wisdom will reject this course and will support the President in the efforts he is making to end the fighting in Vietnam.

What is required for the success of the President's efforts? To this question many different answers have been given. There are some, no doubt, who feel in all sincerity that increased bombing of North Vietnam is the answer—that this will produce an attitude of reason and compromise—that this will convince the North Vietnamese that we are eager for peace on honorable terms for both sides.

I do not agree with this answer. I reject the continued escalation of force by both sides as the path to peace. I see no evidence that either side responds to added force with any answer but more force on its own side.

To achieve peace in Vietnam, or any place in the world, requires more than a calculus of terror. It requires reason, objectivity, a dispassionate analysis—not only of military tactics but of the emotions and motivations of the other side. If we cannot step aside from the slogans and emotions of conflict and see ourselves, and the entire situation, through the eyes of all the other participants, then the chances of a reasoned solution—one in which all sides will yield up some part of the goals they seek—are indeed slight. And the tragedy of this conflict for the people of Vietnam, now being sacrificed to the global struggle between Communism and Democracy, is that on both sides they have the same humble goals. They want only freedom and peace and the opportunity to provide a little more of the good life for their children than they have had for themselves.

What steps would reasonable men—realistically seeking an end to this war—propose for both sides to take?

I suggest the following—most of which are supported by the sponsors of this March:

First, the United States should call for a cease fire throughout Vietnam, whenever the other side is ready to accept it, and announce that it is halting the bombing of North Vietnam for an indefinite period of time as evidence of its desire for a cease fire.

Second, the United States should halt the introduction of additional men and material, and ask the other side to do the same.

Third, the United States should reiterate its support for a peaceful settlement in Vietnam based on the principles of the Geneva Accords of 1954—including the eventual withdrawal of all foreign military forces, a prohibition against alliances, the peaceful reunification of Vietnam, and self-determination for the Vietnamese people—and the North Vietnam and the National Liberation Front should do the same.

Fourth, the United States should declare its willingness to negotiate with all concerned parties, including the Vietcong—a primary combatant.

Fifth, the United States should declare its willingness to accept as part of the settlement a representative new government in South Vietnam, selected through a free and fair election supervised by the United Nations, and North Vietnam and the National Liberation Front should do the same.

Sixth, the United States should declare its support for a United Nations Peace Force to supervise the cease fire, provide for peaceful establishment of a new government in South Vietnam, protect the rights of all citizens and protect the neutrality of North and South Vietnam. North Vietnam and the National Liberation Front should do the same.

We believe that these steps would bring the opposing sides to the negotiating table. We urge them upon the President and upon all of his subordinates charged with a responsibility for the American cause in Vietnam. And we urge them upon the Government of North Vietnam and upon the National Liberation Front.

It may be said that our proposals are naive and unrealistic—the product of fuzzy thinking by idealistic dreamers not charged with the hard responsibility of day to day decisions. I can only say to you that the realists—the hard-nosed, practical decision-makers—have yet to make a single correct decision or prediction in Vietnam. And all the resources of men and material of this country are being poured into South Vietnam in a futile effort to cover up their mistakes.

I can offer a simple explanation of these mistakes. The enemy we are fighting—the illiterate, fanatic little peasants of Vietnam—has been successfully imbued by their Communist leaders with a lot of fuzzy, unrealistic, idealistic notions which they are willing to die for (notions like freedom from white colonialism and a desire for democracy, self-determination and equality), and the government we are supporting—the Generals of Saigon—has failed completely, despite all of our help, in instilling any of these fuzzy, unrealistic, idealistic notions in the people they are supposed to represent.

We have been told from the beginning that this is a South Vietnamese war—one which must be won by the South Vietnamese. Now that is forgotten.

We have been told from all sides that this should not and would not become an American war—fought with American troops. Today, it is.

We have been assured that American air and sea power would bring victory—that the bombing of North Vietnam would reduce the flow of their troops and shatter their morale. Just the reverse has occurred.

We have been told that we could not negotiate from a position of military weakness. Yet, when a flood of American forces produces military strength, we are advised by some that victory, rather than negotiation, is our goal.

It may well be that the North Vietnamese, and the National Liberation Front, discouraged and frustrated by their failure to defeat the world's most powerful nation but having little to lose after the destruction wrought in their country, may pursue the full logic of the policy of escalation we have followed. They may seek, therefore, to fully involve the land forces of Communist China and the missile forces of the U.S.S.R. in a last desperate effort to cause us the death and destruction we have caused them. This is the ultimate result of escalation. What more do they have to lose?

I have faith that the American people and the leaders of this country will choose a different path. I have faith that the President, who has announced his willingness to support the principles of the Geneva Conference, will find a way to convince the other side that he means what he says.

In conclusion, I would like to offer one more proposal which I think would add strength to the President's efforts and would receive the enthusiastic support of most of the people of the world. It is a proposal that would not merely end the fighting in Vietnam but would put us solidly on the path to a more peaceful world. I suggest that the United States propose and aggressively support a new Southeast Asia organization, composed initially of all of Vietnam—North and South—of Cambodia, Laos, Thailand, Burma and Malaysia and open to other Asiatic nations who might later seek to join. I suggest that this organization be formed on the basis of neutrality in the cold war, with each member completely free to select its own form of government without interference from its neighbors of any great power. I suggest that each member of this organization renounce military force in its relations with all its neighbors, and that each member, and the organization, receive in return the protection of a U. N. Peace Force and the guarantee of its security by all the Great Powers. As a last step, I suggest that the United States agree to channel its economic assistance to these states through a Southeast Asian Development Bank, and that it make a ten-year pledge of support which would be at least equal to what it has expended in this area in the last ten years. Other nations would be urged to do the same.

The benefits of this action to each of the member states, and to the United States, would be enormous. A tremendous cloud of fear would be lifted from this part of the world. Enormous military savings would be channeled into economic development. Governmental systems and ideologies could develop in free competition for the loyalty of the people—providing us the opportunity to demonstrate in peaceful ways the superiority of Democracy.

I firmly believe that the United States would vastly enhance its stature in Asia and throughout the world by a proposal of this sort. I believe it would give great strength to the President in the difficult task he faces in bringing about a negotiated peace. I know that the successful accomplishment of this proposal would bring new hope to a fearful world.

Mr. President, we who are assembled here on behalf of peace pray for your success in achieving this most noble goal of mankind.

Memorial Day Address by Basil L. Whitener

EXTENSION OF REMARKS

OF

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 31, 1966

Mr. JONES of North Carolina. Mr. Speaker, on Sunday, May 29, 1966, Memorial Day exercises were held in Kings Mountain, N.C., under the auspices of the veterans organizations and the city of Kings Mountain.

On this occasion our colleague, Hon. Basil L. Whitener, was the speaker at the ceremony. His remarks are so fitting that I request that they be made a part of the Congressional Record today.

Memorial Day Address by Basil L. Whitener, Member of Congress, at Kings Mountain, N.C., Sunday, May 29, 1966

I am greatly honored to be here this afternoon and to have the privilege of taking part in your Memorial Day ceremony.

We gather this afternoon in this historic community to pay in our humble way our respect and our deep sense of gratitude to those patriotic Americans who have taken their place on the immortal rolls of the nation's military heroes. I know of no more fitting place to honor our military dead than in the shadow of Kings Mountain. The stirring military victory which took place here on October 7, 1780, broke the chains of British tyranny in America and paved the way for American freedom and ultimate leadership of the free world.

The poet Longfellow said,

> "Whene'er a noble deed is wrought,
> Whene'er is spoken a noble thought,
> Our hearts, in glad surprise,
> To higher levels rise."

The noble deed wrought here at Kings Mountain lifted the hearts of the American people and kindled the spark that ignited the torch of eternal liberty in our land. The sons of Cleveland County and of this area of North Carolina have always worn the uniform of their nation with pride, valor, and distinction. Sevier, Campbell, Shelby, Cleveland and other patriots passed to us a legacy of freedom which has been preserved with distinction throughout the ages.

On this day when we honor the dead of all wars, I think we should pay special tribute to the patriots of Kings Mountain and the founding fathers. If they had failed in their noble endeavor, the course of American liberty would have been profoundly altered.

Emerson said,

> "Not gold, but only men can make
> A nation, great and strong;
> Men who, for truth and honor's sake
> Stand fast and suffer long."

The love of liberty, independence and the respect for virtue is as old as our Republic. Our forefathers dared to wrestle with tyranny and Providence blessed their efforts. It took men of great courage to declare at Philadelphia on July 6, 1775, these noble words:

"With hearts fortified with these animating reflections, we most solemnly, before God and the world, declare, that, exerting the utmost energy of those powers, which our beneficent Creator hath graciously bestowed upon us, the arms we have been compelled by our enemies to assume, we will, in defiance of every hazard, with unabating firmness and perseverance, employ for the preservation of our liberties; being with one mind resolved to die free men rather than to live slaves."

Americans have never fought for the sake of fighting. Americans have never, however, shirked the responsibility of fighting whenever their liberties have been threatened. The attainment of American liberty and the vigilance that has been required through the generations for the protection of our freedom has demanded sacrifices on the part of every American. The protection of our national integrity has not been cheap.

How well we all know the story of the suffering and privation endured by our forefathers to secure our independence from Great Britain. From the bloody foot prints left in the snow by hungry patriots at Valley Forge to the agony being endured by our boys in the steaming jungles of Vietnam, there is an unbroken pattern of heroic sacrifices on the part of American service men to maintain our freedom.

We assemble here today to honor the dead who have worn the uniform of their country and who sleep in the bosom of the earth and in the waters of the deep. In so doing, we highly resolve to survive in a world that is still searching for peace and order.

Yes, wars have been costly. In the American Revolution from 1775 to 1793, 395,000 Americans participated and over 4,000 lost their lives. Over 536,000 of our countrymen fought in the War of 1812 with 2,000 deaths. In the Mexican War of 1846, over 130,000 Americans responded to the colors and over 4,000 of them failed to return to their hearth sides.

Memorial Day originated in 1866 out of the desire of Americans immediately following the most tragic of all of our wars to honor their loved ones who had fallen for the cause they believed was right. For actual numbers of men in uniform and the great loss of life, no war in our history equals the War Between the States. On the Union side alone, 2,213,000 young Americans were in uniform. Over 364,000 of them failed to march home. On the Southern side, in proportion to population, the numbers lost were even more staggering.

In the often overlooked Indian wars which secured the West for our pioneers, over 106,000 soldiers participated and hundreds perished. 392,000 of our young men answered the call of their country in the Spanish-American War.

World War I brought 4,744,000 of our finest young men and women to the colors and before the sad notes of the last bugle faded away on November 11, 1918, approximately 131,000 had made the supreme sacrifice.

World War II put 16,535,000 Americans in uniform. 409,000 of these fine young men failed to survive. In the Korean conflict, 6,807,000 young men and women were mobilized and across the land today, 54,000 homes mourn the loss of a loved one.

We meet today at a time when our nation is engaged in another war. Although the struggle is taking place 8,000 miles from our shores, the prestige of the United States and our national security and safety are at stake. The war in Vietnam is very real to the 300,000 fine young men we have in Southeast Asia. The struggle occupies the minds and hearts of the loved ones of our soldiers, sailors, airmen, and marines and, indeed, every American.

Since 1961 up to May 21, 1966, over 3,466 young men have given their lives in the struggle to halt communism in Southeast Asia. Of these 3,466 deaths, 786 have been the result of other than combat action. 19,000 young men have been wounded and their battle scars attest to their valor and their devotion to the cause of their country. 202 of our fighting men are missing and presumed lost. Another 36 are detained in communist prison camps.

The price that we are paying in Southeast Asia is heavy. The United States faces today the most serious threat to its existence ever experienced in our history. We are confronted with an enemy whose brutal philosophy of materialism is dedicated to dominating the world. We live in an age of continuous threats to our security and the liberty of free men everywhere.

I have no doubt but that every American is fully conscious of the gravity of the communist challenge to the free world. Our people have always stood firm in the face of adversity and have surmounted all obstacles in their path to victory. As we pay homage to those who have gone on to a greater and a richer reward, it is well for us to remember that the only force in the world today that stands between Soviet and Chinese domination of every human being is the economic and military power of the United States of America and the courage of our men in uniform.

The communists are not afraid of our allies, however important the contribution they are making to world peace. The Kremlin's policy of subjugating the free world is held in abeyance at this very moment by the realization of the communist leaders in Moscow and Peking that the United States is too formidable an opponent to challenge in full scale war.

The trying days that lie ahead will test the patience and the devotion of the American people to the great institutions which have been bequeathed to us by our forefathers. It has been said that the war in Vietnam is not a popular war. I might add that no war has been popular with the American people, and I hope that wars will not become popular with our people. By tradition and by heritage, we have only fought when we have felt that our liberty and our national institutions were threatened. We Americans can proudly say that we have not fought to gain territory or to subjugate nations.

As Daniel Webster said,

"We are justly proud of being descended from men who have set the world an example of founding civil institutions on the great and united principles of human freedom and human knowledge. To us, their children, the story of their labors and sufferings can never be without interest."

Let us in our prayers this day offer our heart-felt thanks to all of those who have marched on countless battle fields and who have answered the last, long roll call. Let us support all of our young men now in uniform as they take their place in the long line of Americans who have stood on the ramparts of freedom. It is my hope that on this Memorial Day the people of this great land will rededicate themselves to the customs, traditions and Christian virtues which have made us respected among nations of good will and despised by those countries dedicated to tyranny.

In spite of all of our wealth and all of our great educational and scientific achievements, we would stand in the face of communism as a frail reed in the wind were it not for the courage and devotion to duty of the American soldier.

Let us stand behind him and give him our support. In many nations of the world, the soldier is the symbol of oppression and revolution. In the United States, the man in uniform is the symbol of freedom.

In paying our deep, humble and prayerful respect to the soldiers who have gone before, there is no finer nor a more beautiful way to express our sentiment than in the words of that great American who standing on a hillside at Gettysburg on November 19, 1863, said,

"It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—that this nation under God shall have a new birth of freedom—and that government of the people, by the people, for the people shall not perish from the earth."

The Small Business Administration: An Important Federal Agency

EXTENSION OF REMARKS

OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 31, 1966

Mr. DINGELL. Mr. Speaker, the May issue of the ASTA Travel News, published by the American Society of Travel Agents, contains an illuminating article by the Honorable Joe L. Evins, chairman of the House Small Business Committee. Chairman Evins analyzes many of the problems confronting small travel agents and the way in which Small Business Administration programs can be instrumental in solving them. Chairman Evins' article contains much helpful information concerning SBA activities, and will, I am sure, be of interest to all Members of the House:

THE SMALL BUSINESS ADMINISTRATION: AN IMPORTANT FEDERAL AGENCY

Small travel agencies, like thousands of other independently-owned small concerns in the rapidly expanding field of service industries, are eligible to call upon the Small Business Administration for long-term loans and other types of assistance.

There has been unprecedented growth in the service industries in recent years, and this trend is almost certain to continue. With higher personal incomes, and more leisure time, more and more people turn to those businesses which provide the services and recreation facilities they desire.

FOR MORE ENJOYABLE TRAVEL

Americans have always been great travelers—and more and more they are turning to Travel Agencies whose expert assistance can make their travels more enjoyable.

Because of widespread public interest in Travel Agencies and the services they provide—and the opportunity that exists for a person to operate his own small Travel Agency—the SBA has recently prepared an informative leaflet explaining how Travel Agencies operate and what services they perform.

Small business is confronted by the threat of economic concentration, a shortage of capital, management difficulties, intensive competition with big business for government procurement contracts and subcontracts, and the scourge of poverty that often permits only bare subsistence in urban slums and rural areas.

The Small Business Committees in the House and Senate are constantly analyzing these problems and recommending solutions to the President, to the leadership of the Congress, and to the Small Business Administration.

FINANCIAL ASSISTANCE

As a result of this cooperative effort, new programs have been initiated and existing programs strengthened. Financial assistance programs, for example, have been broadened to assist the very small businessman. A stronger procurement assistance program has been established and a management assistance program helps the small businessman over the bumps.

The Community Development program has been expanded to aid small businessmen in rural areas and the Small Business Investment Company program has made equity and long-term capital available to more than 10,000 small businesses.

In addition, our Committee has supported a policy of economic expansion and reduced taxes to stimulate small business growth. But even so, the small businessman must get even more attention as his problems grow more complex in this highly competitive age of big business merchandising.

THREE MAJOR AIDS

In broad terms, SBA provides three major types of service to this industry and other small businesses: (1) financial assistance, (2) counseling and assistance with management problems, and (3) help in obtaining Government contracts and subcontracts in Federal procurement.

Although the Agency's over-all plans and policies are developed by a small staff in Washington, all SBA services are readily available across the country through a nationwide network of 68 field offices. This helps to speed service, and makes it unnecessary for the independent businessman to spend time and money traveling to Washington for information and needed assistance.

Perhaps the best known of SBA's programs is its business loan assistance. Because of a temporary shortage of funds, SBA currently is accepting loan applications only under its loan guaranty plan. These loans are made by banks, with SBA guaranteeing up to 90 per cent of the loan.

This program is part of an effort on the part of the Government to encourage banks to help finance the needs of small local firms with SBA serving as guarantor of most of the funds advanced. These loans are becoming increasingly popular with all types of small businessmen across the country.

Under the law, SBA is authorized to make loans of up to $350,000 for as long as 10 years to small firms unable to obtain a bank loan. Most of SBA's business loans are made with bank participation, but when this is unobtainable, SBA is authorized to make direct loans. SBA's interest rate is generally 5½ per cent and the loans are repayable in monthly installments. The temporary moratorium on all SBA business loans other than guaranteed bank loans is expected to be relaxed soon, and direct SBA loans will again be available.

According to a report provided my Committee, the SBA last fiscal year loaned a total of $418 million to 13,500 individual small businesses. About one-fifth of these firms were small service industries.

In cases of natural catastrophes, such as floods, tornadoes, hurricanes, and earthquakes, where small businesses are damaged or destroyed, the SBA moves quickly to help victims restore or replace property with loans at the low interest rate of 3 per cent annually.

SBA also makes loans to local development companies for building industry and for relending to specific small businesses in the area. SBA will advance $8 for every $2 raised locally for such projects, with a maximum of $350,000 for each small firm assisted.

Another financial assistance program of SBA is the Small Business Investment Company program. The SBIC's are privately owned, but licensed and regulated by SBA. They, in turn, provide small firms with equity type financing and long-term capital loans.

RELOCATION PROBLEMS

Small businesses which have been forced to relocate because of Federally financed urban renewal, highway or other construction projects, are also eligible to apply to SBA for low interest loans.

SBA has an important role in the War on Poverty. In locations where Small Business Development Centers have been approved by the Office of Economic Opportunity, SBA can make direct loans of up to $15,000 at 5½ per cent interest to existing small firms to expand their business and to persons who wish to start their own business. These loans can run for 15 years.

As management practices have long been the principal single causes of business failures, SBA has developed a number of practical programs in the field of management assistance.

BUSINESS MANAGEMENT COURSES

The most popular of these consists of courses in business management. These are generally evening courses designed specifically for small businessmen, and are cosponsored with private educational institutions, trade associations and similar groups. The courses are usually held for a period of 6 to 8 weeks in designated areas. Those attending are charged only a nominal registration fee.

Another type of management assistance that has been well received is the one day workshop for prospective business owners. These workshops cover basic management problems, and highlight those areas which frequently present pitfalls to the beginner in business.

The newest of SBA's management assistance programs is known as Service Corps of Retired Executives—(SCORE). This activity utilizes the knowledge and skills of retired executives in counseling small businessmen. There are already about 3,000 active volunteers in this program. SCORE provides a man-to-man relationship, with emphasis on the owner or manager himself rather than technical problems. There are no complicated computer procedures, just management help on a level the businessman can understand.

In addition, SBA provides management assistance services through an extensive series of booklets and pamphlets on management topics. Most of them are prepared by well known experts in their special fields of business. Many of these publications are made available without charge; others are sold at nominal cost by the Government Printing Office. A number of these informational manuals are available on travel and related subjects.

VITAL ROLE DESCRIBED

This brief description of SBA's major services underlines the vital role the Agency is playing in helping small business maintain its traditional position as the cornerstone of our American free enterprise system. Congress carved this role for SBA when it passed the Small Business Act of 1958, which provided that: "It is the declared policy of the Congress that the Government should aid, counsel, assist and protect, insofar as possible, the interests of small business concerns in order to preserve free competitive enterprise. . . ."

Radio—America's Sound Habit

EXTENSION OF REMARKS
OF
HON. DANTE B. FASCELL
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 31, 1966

Mr. FASCELL. Mr. Speaker, it is indeed appropriate that May has been designated National Radio Month. The sound of radio is everywhere, yet paradoxically radio is seldom discussed and rarely acclaimed. Shoved from the national spotlight by its younger brother, television, radio no longer holds court in our living rooms. It is television which entertains us and has our favorite programs. Yet, far from disappearing, radio has without fanfare assumed manifold roles in our lives and, indeed, has become a national habit. And, like most habits, it is taken for granted.

If radio cannot match television as an entertainer—and it has come to recognize this limitation—it does have other advantages. In the first place, it is easily transported from one locale to another. And, secondly, it often does not require the listener's full attention. Consequently, radio is not restricted to nighttime family listening. It is directed to the individual, wherever he is, whatever the time of day. Although some programs may draw our undivided attention, we may perform our daily household activities with radio music as our background. The time spent driving to work is not completely wasted, when a car radio brings the latest news and local developments. As of January 1 there were 60 million automobile radios in use, not only informing our busy commuters of traffic jams, weather, and news bulletins, but also breaking the boredom of long trips. With the small, handy transistors, the sound of radio can accompany us almost anywhere—to the beach, on the street, at a mountain lake. From our awakening by a clock radio to the time we turn off the late evening music, radio is our dependable companion.

What is the appeal of radio, if it no longer presents our favorite entertainers or adventure programs? The appeal of radio is in its variety. Nationally produced programs are replaced by broadcasts geared to the locality and to the listener. The teenager likes radio because there is a station featuring his type of music, the latest sound, the "top 40." His parents tune their set to the old standards, the middle-of-the-road music. Or if they are classical music lovers, they enjoy hearing their favorite artists and orchestras on FM. There are stations featuring country and western music, jazz, folk songs. Recently the radio talk show has become popular with listeners, often those who are alone during the day, calling in their opinions on a variety of subjects.

Indeed, radio is a soundboard for opinion, for analysis, for the news. Radio not only keeps the listener informed of developments throughout the world, but also in his own community. Radio announces local events, presents local advertising, and discusses local issues.

The varied role of radio is illustrated in my district, Miami. In a 1964 survey by Broadcasting magazine, radio stations throughout the Nation commented on their programing. One Miami station described its programing as "quality album music with no personality DJ's, and in-depth news with personality newsmen." A "modern format," "English-language religious and Spanish language," and "concert, classical, and semiclassical" were the formats of three other stations in this market. Miami stations are noted not only for their format variety, but also for their regular special programing for different ethnic groups. Recently, a Miami station drew public attention to the unfair provisions of two local ordinances, ordinances which were subsequently amended. Whether it is covering the primary election or providing hurricane bulletins, public service is the byword of Miami radio.

In fact, throughout the country radio is playing this most vital role. Radio '66 has indeed become "America's Sound Habit."

Reasons for Buying Savings Bonds?

EXTENSION OF REMARKS

OF

HON. J. WILLIAM STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 31, 1966

Mr. STANTON. Mr. Speaker, sometimes an individual is able, in a few words, to explain and express in simple direct terms the inconsistencies of present administration policy. One of my constituents, a most intelligent and astute gentleman, recently wrote to me commenting on a letter which he had received from the Vice President requesting cooperation in the program to increase U.S. savings bond buying.

Both Commissioner William B. Klee and I agree that investing in America is a most admirable and prudent way to handle one's money. However, we both disagree with the reasons the Vice President cites for buying these bonds. Commissioner Klee has stated the illogic of the situation so well that I place his letter along with that of the Vice President's in the Congressional Record:

Trumbull County,
Warren, Ohio, May 20, 1966.

Hon. J. William Stanton,
Congressman, 11th District,
House of Representatives,
Washington, D.C.

Dear Bill: Enclosed is copy of letter addressed to the Chairman of the County Commissioners from Vice President Humphrey.

I think this warrants a few observations. There is no objection to any sensible means used to increase the sale of Government Bonds to individuals and I applaud the Vice-President for supporting this activity.

On the other hand, there is something extremely unhealthy when a Government asks individuals to divert cash from normal expenses to Government Bonds for the specific purpose of reducing the threat to inflation, when the danger of inflation is caused by Governmental policy and action. There are many schools of thought as to what forces create inflation; but all economists agree that no Government is ever free of responsibility for some, if not all, of a specific inflationary period.

In any event, I thought you might want this for whatever purpose it may serve.

Sincerely yours,

William B. Klee,
County Commissioner.

The Vice President,
Washington, April 25, 1966.

Dear Sir: In recent meetings with State Governors, city officials, business and labor leaders, the President has expressed his deep concern over the growing threat of inflation and has appealed to these groups to join with the Administration in fighting this trend by exercising restraint in spending and capital investment.

In furtherance of this appeal, I would like to suggest that county officials can assist in another very important way by using their influence to persuade more local citizens to buy United States Savings Bonds.

I know that many county officials are already taking an active role in the Savings Bond program in their respective communities but, if you have not done so, I urge you to join in their effort now. The attached sheet lists some specific actions you can take and I commend them to your earnest consideration. In particular, I hope you will make a special effort to increase participation in the Payroll Savings Plan by your own county employees and that you will actively encourage the businessmen of your community to undertake similar campaigns to enroll more of their employees in this program.

If you will sign the enclosed card indicating your desire to cooperate, I will see that a Savings Bond representative in your State gets in touch with you to furnish the necessary materials to get underway.

I am sure you appreciate the urgency of the present situation and the need for concerted national action now, and I will look forward to receiving your assurance that we can count on your help. Further, I would appreciate your writing me sixty days hence, advising me of what you have been able to accomplish in your county.

Sincerely,

Hubert H. Humphrey.

HOUSE OF REPRESENTATIVES

Wednesday, June 1, 1966

The House met at 12 o'clock noon.

The Chaplain, Dr. Edward G. Latch, D.D., offered the following prayer:

Psalm 1: 1, 2: *Blessed is the man that walketh not in the counsel of the ungodly, nor standeth in the way of sinners, nor sitteth in the seat of the scornful. But his delight is in the law of the Lord; and in his law doth he meditate day and night.*

Write Thy law upon our hearts, our Father, and Thy words upon our minds, as we lift our souls to Thee. We believe in Thee, O God, and we pray that Thy spirit may so dwell in us that Thy peace and Thy power may be ours this day. Guide us in the decisions we make, give us support in our efforts to be true to Thee, and grant us courage to do what we firmly believe to be right. Just as we are now, strong and free, to be the best that we can be for truth and righteousness and Thee, Lord of our lives, we come. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

SUBCOMMITTEES ON HIGHWAYS AND ROADS OF THE COMMITTEE ON PUBLIC WORKS

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that the Subcommittees on Highways and Roads of the Committee on Public Works may be permitted to sit while the House is in session today and tomorrow during general debate.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

JUNE, DAIRY MONTH

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, June, Dairy Month, begins today. It is an excellent time to turn our attention to the forgotten man in the dairy picture—the dairy farmer.

For one thing, there have been indications that the Secretary of Agriculture, in an effort to placate the dairy farmer, will announce another increase in the support level for manufacturing milk later this summer or fall.

I would like to suggest that what the dairy farmer needs is not an essentially meaningless increase in the support level for milk but some indication that the Johnson administration is for him instead of against him.

If increased milk production is the need, we will not obtain it by government actions which have caused some dairy farmers in Wisconsin, for example, to auction off their herds.

More than an increase in the support level, the dairy farmer, if he is to be persuaded to stay in business, needs assurance that:

First, the Johnson administration will not try to drastically reduce the school lunch and milk programs,

Second, the Johnson administration will not cut back purchases of dairy products for the Armed Forces,

Third, the President himself will not urge less consumption of dairy products, and most important, that

Fourth, the Johnson administration will call off its campaign to bring more foreign cheese into the United States to compete with the American product.

If the Johnson administration continues to kill markets for dairy products, it is going to drive the dairy farmer out of business, and a sop in the form of an increase in support level is not going to help. What will help is concrete evidence of a reversal of the current anti-dairy-farmer attitude of the Johnson administration. Dairy Month should be an excellent time to start producing that evidence.

SUBCOMMITTEE ON HOUSING OF THE COMMITTEE ON BANKING AND CURRENCY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Housing of the Committee on Banking and Currency may be permitted to sit during general debate today. I understand this has been cleared with the gentleman from New Jersey [Mr. WIDNALL].

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

FARMERS WANT FACTS, NOT PROPAGANDA

Mr. DOLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DOLE. Mr. Speaker, it was not surprising to read last week that Horace D. Godfrey, Administrator of the Agricultural Stabilization and Conservation Service, was undertaking a project at taxpayers' expense to defend this administration's farm record.

I would suggest that if Mr. Godfrey feels it necessary to send classified memorandums to State ASCS committeemen and State ASCS executive directors, that the memo should include:

First, the reason Gardner Ackley, Chairman of the Council of Economic Advisers, blames inflation and higher costs on the American farmer;

Second, that he explain why this administration urged cuts in the school milk, school lunch, REA, land grant colleges, and conservation programs:

Third, why Secretary Freeman stated in New York recently that he was "pleased to report" farm prices had moderated;

Fourth, why this administration imposed export quotas on hides;

Fifth, why dairy supports are less than the prevailing market price, while at the same time more foreign cheese is imported and margarine is substituted for butter in the Army and Air Force;

Sixth, why cuts were attempted in farm research funds at the very time we face a world food shortage;

Seventh, why an administration order cut armed services pork servings in half and why such order was kept secret while hog prices dropped abruptly; and,

Eighth, why the USDA has dumped millions of tons of grain on the domestic market to depress wheat and feed grain prices.

In my opinion, the State ASCS committeemen and directors should have this information, particularly in view of a wire story yesterday which indicated that prices farmers receive for crops and livestock fell three-fourths of 1 percent during the month ending May 15 and that prices received by farmers last month were only 79 percent of parity.

If Mr. Godfrey is surprised at the reaction among farmers, it would indicate that he has had very little contact with the American farmer in his Washington office.

CALL OF THE HOUSE

Mr. ASHMORE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 118]

Ashley
Bandstra
Berry
Bolling
Bolton
Brown, Calif.
Broyhill, N.C.
Burton, Calif.
Burton, Utah
Carey
Clawson, Del
Cohelan
Colmer
Dickinson
Dorn
Dyal
Edwards, Ala.
Ellsworth
Evins, Tenn.
Fallon
Farnum
Flynt
Fulton, Tenn.
Garmatz
Gilbert
Gonzalez
Gray
Greigg
Hagan, Ga.
Hanna
Hansen, Idaho
Hardy
Hawkins
Henderson
Irwin
Keogh
Landrum
Leggett
McVicker
Macdonald
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Miller
Mills
Morrison
Moss
Murray
Nix
O'Brien
O'Konski
Olson, Minn.
Passman
Powell
Purcell
Reinecke
Rhodes, Pa.
Rivers, S.C.
Roberts
Roncalio
Rooney, N.Y.
Scott
Shriver
Sikes
Stafford
Teague, Tex.
Thompson, N.J.
Toll
Trimble
Watson
White, Idaho
Whitten
Williams
Willis
Wilson, Charles H.
Zablocki

The SPEAKER. On this rollcall 354 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERSONAL ANNOUNCEMENT

Mr. HANSEN of Iowa. Mr. Speaker, last week it was necessary for me to be in my district on business and I was not present for the votes on H.R. 13712, the minimum wage bill. Had I been present I would have voted "nay" on rollcall No. 113, "yea" on rollcall No. 114, "nay" on rollcall No. 115, and "yea" on rollcall No. 116.

COMMITTEE ON EDUCATION AND LABOR

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor may be permitted to sit during general debate this afternoon, after the vote on the bill before the House.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

TENTH ANNIVERSARY OF TUNISIAN INDEPENDENCE

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, today, June 1, the Republic of Tunisia celebrates the 10th anniversary of its independence. On this memorable occasion, I convey to the President of Tunisia, Habib Bourguiba, to the Tunisian people, and to their Ambassador in Washington, Rachid Driss, the cordial and hearty congratulations of the people of the United States.

During these 10 years as a free and independent country, Tunisia has made commendable progress in its economic development, and toward the lofty goal it set for itself in the 10-year plan. We can understand why Foreign Minister Bourguiba, the President's son who was formerly Tunisia's Ambassador to the United States, proudly refers to his country as the African showcase window on the Mediterranean. The United States is indeed pleased to have been associated with and to have contributed to this development.

There is a long and friendly history of our relations with Tunisia. Among the American consuls in the early 19th century was J. Howard Payne, the composer of "Home Sweet Home" who died in Tunis. Tunis was liberated by Allied troops on May 7, 1943, and, after the liberation, General Eisenhower maintained his headquarters there briefly.

The independence of Tunisia is a tribute to the strength, faith, courage, and vision of Tunisian leaders like President Bourguiba who was in the forefront of the struggle for freedom. To him, to other distinguished Tunisian personalities, and, above all, to the industrious and friendly Tunisian people, I would like to say that we want to share with you your joy and happiness and friendship. May your 10th anniversary be the steppingstone to a greater and ever more prosperous Tunisia.

Mr. CONYERS. Mr. Speaker, it is a pleasure to join my colleagues in extending hearty greetings to the modern and flourishing Republic of Tunisia which celebrated a decade of independence on Wednesday, June 1. Under the courageous leadership of its President, Mr. Habib Bourguiba, and through the industry of its people, Tunisia has emerged as one of the most vital and progressive nations in Africa. In fact, few new nations in the world can claim such rapid growth in a short span of time. I join with the many friends of Tunisia to express my sincere congratulations and best wishes to the people of Tunisia on this supremely proud occasion. To His Excellency the President of the Republic of Tunisia, Habib Bourguiba; His Excellency the Tunisian Ambassador to the United States, Rachid Driss, I extend warm felicitations and greetings.

The people of the United States are proud of their long association of friendship with the people and Government of Tunisia and are confident that it will continue to be a close and harmonious one. The country of Tunisia has brought a great measure of understanding and good sense to the oft sensitive area of foreign relations in this part of the world. Tunisia has also made a real contribution to the continent through her constant efforts to bring aid and cooperation to many of the newly emerging nations.

Ever since the 1930's, national leader Habib Bourguiba has exemplified the kind of pragmatic leadership that first brought achievement of independence and today promises the fulfillment of national goals. President Bourguiba recently restated his dedication to his countrymen when he said:

> Tunisia will be a prosperous and modern country. She will raise herself up to the level of the developed countries and ensure for all her inhabitants a livelihood, housing, health, education and culture. Once these great objectives have been achieved, we shall have the satisfaction of having accomplished our duty toward the Tunisian people, the fatherland and God.

The Neo-Destour Party, founded by President Bourguiba, represents Tunisian people from all levels of life. Renamed the Destourian Socialist Party, it has extended greater participation to the populace, bringing them closed to decision-making in their Government. Eight years ago, the Tunisian Government launched a broad, far-reaching program for economic and social improvements. A marvelous example of the Government's progress has been demonstrated in the highly accelerated education program. The literacy rate has more than doubled and it is anticipated that universal primary education is less than 5 years away. Also, the Government has placed special stress on programs established to increase employment and stimulate the economy.

The people of the United States salute the great strides of advancement continually being made by the Tunisian people. We also pay tribute to the maturity, enlightenment, and restraint of her President, Habib Bourguiba. May the next decade of independence be as bright, and bring even greater progress and prosperity to this young, industrious nation.

GENERAL LEAVE TO EXTEND

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent that all of my colleagues who so desire may have 5 legislative days in which to join with me in congratulations and best wishes to this fine Republic of Tunisia.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

NARCOTIC ADDICT REHABILITATION ACT

Mr. ASHMORE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 9167) to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 9167, with Mr. Burke in the chair.

IN THE COMMITTEE OF THE WHOLE

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday there was pending a substitute amendment of the gentleman from Illinois [Mr. McClory] to the first committee amendment on page 14 of the bill. Without objection, the Clerk will again report the substitute amendment of the gentleman from Illinois.

The Clerk read as follows:

> Substitute amendment to the committee amendment offered by Mr. McClory: Page 14, strike out lines 10 through 15, inclusive, and insert in lieu thereof the following:
>
> "(2) An offender who is convicted of unlawfully importing, selling, or conspiring to import or sell, a narcotic drug."

Mr. McCLORY. Mr. Chairman, this amendment would make civil commitment unavailable to sellers of narcotics who have been convicted of that crime.

Now penalties for selling of narcotics—for whatever reason—range from 2 to 10 years for the first offense. Penalties for sales to minors are more severe. And they should be. Experience has shown the salutary effect of these mandatory penalties.

Let me point out, for instance, that in Cook County, the county in which Chicago is located, the total number of new narcotic cases dropped from 981 in 1961 to 504 in 1965—an almost 50 percent decrease.

Now, yesterday on a teller vote, with an additional "yea" vote heading for the aisle, the amendment to preclude sellers from preconviction civil commitment lost by the narrow margin of 71 to 70.

Let me say this: the measure before the House now has substantial, even overwhelming, support—with the exception of a few provisions that we should consider rationally. There are those who question that civil commitment should be offered before conviction. And there is a valid basis for this view.

But there is a more serious question as to granting the privilege of civil commitment to sellers of narcotics. The effect of mandatory penalties against sellers of narcotics—I say—has been proved. The program of civil commitment is, at best, experimental.

Now, the question I raise is this: Should we substitute an experimental program for one of proven value?

I say, again, the program of civil commitment—particularly for those who have been convicted of Federal crimes—should supplement, and not supplant, existing programs.

Accordingly, by adopting the amendment which I now propose, sellers of narcotics would continue to be subject to mandatory penalties. Indeed, no mandatory penalties affecting narcotics cases would be relaxed. But penalties imposed for other criminal offenses could be reduced—or entirely omitted. And I have no argument with that.

But to find a person guilty of a narcotics offense and then abolish the penalty while purporting to provide a program to rehabilitate narcotics addicts distorts the purposes of this legislation, and jeopardizes its efficacy.

And what about those who have already been convicted of selling narcotic drugs? Does anyone suppose that they will be content to remain in jail? Not on your life. They will be applying for this special consideration—for hospitalization in lieu of the prison cell.

And unless this amendment is adopted, these offenders should be treated compassionately—mercifully. But, any who have had experience with the narcotics traffic will not be swayed by soupy emotionalism—appeals to mercy. The seller of narcotics cannot be handled with kid gloves, or with easy penalties, or else he will be back on the streets poisoning the youth of America.

These sellers of narcotics—those selling narcotic drugs to provide funds to feed their own addiction—are corrupting the youth of America. Who are the new addicts to whom these users—sellers—are peddling their wares? I will tell you: They are teenagers and those in their early twenties. This is not an emotional or dramatic statement. This is a cold, hard fact supported by data from the Bureau of Narcotics. The fact is that of the 10,012 new narcotic addicts reported in 1964, 7,443 were 30 years of age or under, and 1,358 were under 21. Here is the group where the "poor devil" seller is peddling his dope—among the young people, not the oldtimers. Here is where reason should lead us to protect the innocent victims, the clean young boys and girls and their families. If we want to display true mercy and at the same time sound reason, we should prevent the sellers of narcotics from escaping the mandatory penalties which would keep them from corrupting these young people.

Presumably, a seller of narcotics who has been convicted has refused the opportunity to have civil commitment before trial. He is one who hoped to "beat the rap"—he declined the chance to "come clean"—and admit that he sold narcotics. No, he put the State to the expense of a trial first, and only after he lost and was found guilty does he come forward seeking to escape the penalties which this Congress had made it mandatory upon the judge to impose.

Ladies and gentlemen, do not give the seller a chance for a second trial. Do not jeopardize boys and girls across the land with any lapse of reason.

Mr. CELLER. Mr. Chairman, I rise in opposition to the substitute amendment.

Mr. Chairman, I want to say at the inception of my remarks, the present program has not been adequate and has not proven of real value and, therefore, we must seek other means to curb this nefarious traffic.

We believe the bill we now have, in all its parts, will undoubtedly in great measure reduce the traffic in drugs and take the addicts off the streets—I cannot repeat that phrase too often—take the addicts off the streets—so they will not pollute all the other members of the community who have a tendency to fall into the trap of narcotics use.

The same amendment that the gentleman has now offered was offered to title I which prescribes a civil commitment before trial. That substitute amendment of the gentleman from Illinois was voted down on yesterday.

The gentleman from Illinois now again offers the same amendment which was voted down yesterday and he now offers it as being applicable to title II—after trial. There is a big difference before conviction and after conviction. If sound reason caused the so-called McClory amendment to fail as to title I—before conviction—then there is all the greater reason for the amendment to fail as applicable to after trial—that is after conviction.

After trial and conviction, all the facts are in and all the circumstances are known and all doubts are resolved. Then the judge in his discretion and in the exercise of his honest discretion makes the determination as to whether or not civil commitment shall ensue—again after commitment.

Now we are not letting the sellers off—that is sellers as such. Sellers come within the sanctions of all our acts and we do not touch sellers as such. All we do is to say in the language of this bill that there shall be excluded from the operation of the bill an individual charged with unlawfully importing or selling of narcotic drugs or conspiring to unlawfully import or sell a narcotic drug—unless, and the sting is in the tail, as it were, of that paragraph, the court determines that such a sale was for the sole purpose of enabling the individual to obtain a narcotic drug which he requires for his personal use because of his affliction to that drug.

Note the words "sale." The judge has no discretion unless he finds that the only, the sole reason for the sale of the drug was for the purpose of enabling the narcotic addict to obtain a narcotic drug for his own personal use, to prevent that terrible craving that comes from withdrawals.

Mr. SENNER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. SENNER. I would like to ask the distinguished chairman of the Committee on the Judiciary whether or not this is after conviction of the individual—and the amendment would affect those people who heretofore had been convicted in a court of law and have been subject to sentence being imposed, however, because it is a case of an addict having sold solely to satisfy his own craving and not to make a profit, then the court has the discretion, if this amendment is approved, to make a determination as to whether or not this person is subject to rehabilitation and to exercise that discretion.

Mr. CELLER. That is correct.

I quote from a statement made by my distinguished colleague, the gentleman from New Jersey [Mr. CAHILL], a member of the committee. He said:

> It would be unfortunate if a blanket denial of civil commitment is applied to those who sell narcotics.

As stated in his separate views, we have this statement:

> The truly helpless addict who sells in small amounts for the sole purpose of satisfying his own addiction should be eligible for this enlightened treatment approach.

What the gentleman from New Jersey, a member of the committee, said is eminently sound. I endorse it fully, and for that reason the amendment should be rejected.

Mr. HUTCHINSON. Mr. Chairman, I rise in support of the amendment.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. HUTCHINSON. Mr. Chairman, as the chairman of the full committee just stated, a similar amendment was defeated on the floor of the Committee yesterday, but it was by an extremely close vote. Only by a single vote was this very important amendment defeated, and it is certainly proper that the House should have an opportunity to express itself again upon it in a proper parliamentary way. And this is a proper parliamentary fashion to bring it again before the House.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. HUTCHINSON. I yield to the gentleman from Illinois.

Mr. McCLORY. I thank the gentleman for yielding. The reason for offering this amendment to title II is that there is a difference between granting civil commitment under title I and granting it under title II. In the first instance, under title I, the seller of narcotics would have to come clean with the court. He would have admitted that he was selling narcotics, and he would have described the purpose for which the sale was being made. He would have said that he was making the sale for the sole purpose of satisfying his own addiction.

In the second instance, under title II, he would not have admitted that he was selling narcotics. He would have put the State to the expense and trouble of bringing the case to trial. He would have been found guilty by the court, and then after he had been proven guilty of the sale of narcotics, he would seek a second chance. As I have said, it is quite different from the situation under title I. I do not see any basis whatever why that person should be accorded the opportunity to avoid the penalties the Congress has imposed and has directed that the court shall impose at that stage.

With regard to the statement made by the distinguished chairman that the existing narcotic laws have been effective, the Commissioner of Narcotics in a speech which he delivered a few months ago in Miami which appears on pages 460 to 464 of the record, and which was introduced in the RECORD at the request of the gentleman from Arizona [Mr. SENNER], pointed out specifically the great progress which the Department and the Bureau of Narcotics have made. He calls attention to the fact that with regard to withdrawal—and the chairman made a very dramatic statement here with regard to withdrawal—the Commissioner of the Bureau of Narcotics points out that with the present treatment the prisoner receives in prison as a result of being charged with a crime, the only apparent result from the withdrawal is a runny nose. That is quite different from the statement which the chairman made as to the very excruciating experience which he claims that such a person undergoes.

May I say further that in that statement by the Commissioner of the Bureau of Narcotics it was pointed out that, instead of the 43 percent, to which I made reference yesterday, 75 percent of the narcotic addicts are persons who have had criminal records before they were ever charged with the narcotics offense.

You are not dealing with poor devils, as the chairman said. In 75 percent of the cases you are dealing with criminals, and where those offenders commit the crime of selling narcotics—and I contend that it would be primarily to youngsters—there is no reason why we should give them this soft, easy penalty of civil commitment.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. HUTCHINSON. I would like to complete my thought on this subject and then I will be happy to yield to the distinguished chairman of the committee.

The chairman has said that we are not dealing in this amendment with sellers as such. I disagree with the chairman at that point. We are dealing specifically with the seller, a man who is charged with the sale of narcotics drugs. He is a seller. He is one who made the sale, and it could very likely have been to an innocent teenager. It may have been only for the sole purpose of supporting this man's habit. But it was a crime, the crime of selling, and it was sold to spread the habit to another.

We do not think that should be excused.

Mr. GRIDER. Mr. Chairman, I rise in opposition to the amendment, and move to strike the requisite number of words.

Mr. Chairman, we are again putting ourselves here in the same dangerous position that we got into yesterday in conjuring up all these evil visions of a narcotics vendor selling to an innocent child. In raising our anger against that individual, we are losing sight of the purposes of this act. Let me repeat: There is no disagreement whatever on what we are trying to do. We are trying to cut down on the use and sale and traffic in narcotics. That we are agreed to on both sides of the aisle.

But, it is said, because the mandatory penalty has in some degree lessened the sale of narcotics, it ought not to be softened. However, Mr. Chairman, what we are talking about here today is the mandatory penalty as applied to that hapless man, to that sick man who has sold narcotics—and we are agreed he is sick—solely for the purpose of supporting his addiction.

In the testimony and in some of the arguments here it has been conceded that the man is so desperate that there is nothing which will stop him from satisfying this craving.

Therefore, Mr. Chairman, I suggest that this man will not be stopped, will not be touched, will not be delayed at all by a mandatory penalty. In some cases he will commit murder to get a "fix," as he puts it. Therefore, I do not believe that retaining a mandatory penalty against this individual will have any effect at all.

Yes, the mandatory penalty will be effective against the professional, the man who can choose between peddling narcotics and stealing cars or getting into some other racket. He will be deterred by the mandatory penalty, and for him there is no change.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. GRIDER. I yield to the distinguished chairman of the committee.

Mr. CELLER. Mr. Chairman, the other side seems to imply that we are excessively lenient in title II, and therefore we are in some way off base and sort of mollycoddling these addicts. We read on page 16, line 5:

> Such commitment shall be for an indeterminate period of time not to exceed ten years, but in no event shall it exceed the maximum sentence that could otherwise have been imposed.

If we put a man under surveillance for a possible 10 years, or for a period that might equal the period of the maximum sentence, would you say that is being excessively lenient or mollycoddling these people?

Mr. GRIDER. I would not. I thank the chairman for adding to the discussion.

Let us look at the addict who sells solely to support his addiction and who has spent 5 years in prison, in the jail cell, under the mandatory penalty. Let us ask ourselves what likelihood there is of this man being reformed. We know, Mr. Chairman, that, of course, the minute he gets back on the street he is going to embrace the habit again, and once again will become a seller. So we will have thrown away the opportunity to remove at least one seller from the street.

Mr. POFF. Mr. Chairman, will the gentleman yield?

Mr. GRIDER. I yield to the gentleman from Virginia.

Mr. POFF. Mr. Chairman, with respect to the last statement the gentleman has made, I would call his particular attention to the language which appears in a title which so far has not been mentioned in this discussion, that is title IV which reads in part as follows:

> The Surgeon General is authorized to provide for the confinement, care, protection, treatment, and discipline of persons addicted to the use of habit-forming narcotic drugs who are * * * addicts convicted of offenses against the United States and who are not sentenced to treatment under the Narcotic Addict Rehabilitation Act of 1965.

I ask the gentleman if he does not agree that this language means that if the seller is imprisoned and serves a period of time in jail, he could, under that language, still be committed by the Surgeon General and treated?

Mr. GRIDER. I will concede he could. I must say I am surprised to hear this sentiment come from that side of the aisle, because of what has emanated from there with regard to a man guilty of selling. Even so, that would be, it seems to me, mollycoddling under the definition used by the gentleman from Illinois.

Mr. POFF. I hope the gentleman does not intend to imply that this has suddenly and dramatically become a partisan issue. It has not up to now.

Mr. FARBSTEIN. Mr. Chairman, I rise in opposition to the amendment and move to strike the requisite number of words.

There is one phase of this I should like to call to the attention of the Members.

On conviction today the judge has discretion to determine what the sentence, if any, is going to be. The general practice is if a man is a first offender he will be given a suspended sentence.

Under the bill as it stands, instead of the defendant getting a suspended sentence the judge could give him civil commitment. Where is the difference?

The only instance, as I said, when a man gets a suspended sentence is when the court determines that the individual can be rehabilitated. Under the bill as submitted without the amendment the court would say that this rehabilitative process can be attained without the individual having the conviction next to his name, because the court could recognize the fact that the man sold solely for the purpose of obtaining funds in order to satisfy a debilitating habit.

The question then arises: How do we know whether this is the only purpose for which he sold the narcotics? Anyone who has had experience in the criminal courts knows that before sentence there is a probation report and examination. They go back to the very birth of the defendant. They go to the place where he lives. They go to his relatives. They go to his friends. They know more about the man than he does himself, in effect.

It would seem to me, under these circumstances, there should be discretion in the court, if it finds that the man is entitled to rehabilitative recognition rather than a suspended sentence. This should remain in the law.

Under no circumstances, as a matter of practice, does a second offender ever get a suspended sentence, or could he ever get the benefit of this rehabilitative law. Generally it would work out only with first offenders that this would take effect. I therefore suggest the amendment should be defeated.

The CHAIRMAN. The question is on the substitute amendment to the committee amendment on page 14 of the bill offered by the gentleman from Illinois [Mr. McCLORY].

The substitute amendment was rejected.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

> Page 14, line 13, strike "primary" and insert "sole".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

> Page 15, line 4, strike "1965" and insert "1966".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

> Page 15, line 5, after "chapter," insert "under the District of Columbia Code,".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

> Page 15, line 16, strike "no offender shall be committed under this chapter if the Attorney General certifies that adequate facilities or personnel for treatment are unavailable."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

> Page 15, line 22, strike "If" and insert "Following the examination provided for in section 4252, if".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 16, line 2, strike "chapter." and insert "chapter, except that no offender shall be committed under this chapter if the Attorney General certifies that adequate facilities or personnel for treatment are unavailable."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 16, line 9, after "If" insert "following the examination provided for in section 4252,".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 16, line 17, after "months" insert "following such commitment".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Page 23, line 5, insert: "and the table of contents to 'Part VI.—Particular Proceedings' of title 28, United States Code, is amended by inserting after

" '173. Attachment in Postal Suits.. 2710'

a new chapter reference as follows:

" '175. Civil Commitment and Rehabilitation of Narcotic Addicts.......... 2901' "

Mr. McCLORY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. McCLORY. I have an amendment to title III. Is it the purpose to continue to finish with the committee amendments to title III?

The CHAIRMAN. It is the intention to finish up with the committee amendments and then you can offer your amendment to title III.

Mr. HUTCHINSON. Mr. Chairman, a parliamentary inquiry.

Have all of the committee amendments been adopted?

The CHAIRMAN. As I understand it, this is the last committee amendment.

Mr. HUTCHINSON. The last committee amendment has been adopted?

The CHAIRMAN. Not yet. It has not been adopted.

Without objection, the committee amendment is adopted.

There was no objection.

AMENDMENTS OFFERED BY MR. ASHMORE

Mr. ASHMORE. Mr. Chairman, I have some additional technical amendments which I offer.

The Clerk read as follows:

Committee amendments offered by Mr. Ashmore: Page 21, line 11, strike out "1965" and insert "1966".

Page 21, line 16, strike out "1965" and insert "1966".

Page 22, line 14, strike "42" and insert "402".

The committee amendments were agreed to.

AMENDMENTS OFFERED BY MR. HUTCHINSON

Mr. HUTCHINSON. Mr. Chairman, I offer amendments.

The CHAIRMAN. The Clerk will read the amendments.

Mr. HUTCHINSON (during the reading of the amendments). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and be considered en bloc.

Mr. SENNER. Mr. Chairman, reserving the right to object, and I am not sure I will object, has the gentleman furnished us with copies of the amendments he is asking unanimous consent to dispense with the reading of?

Mr. HUTCHINSON. I have, and your counsel has it.

Mr. SENNER. We do not seem to have it.

Mr. HUTCHINSON. It was offered to you yesterday.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. HUTCHINSON. Yes. I yield.

Mr. CELLER. Is the import of the amendments to strike out title I or to strike out title II?

Mr. HUTCHINSON. No. To strike out title I.

Mr. CELLER. And it leaves title II as is?

Mr. HUTCHINSON. It amends title II. Strike out title I, and it makes amendments to title II.

Mr. CELLER. We have never seen those amendments to title II. I am afraid we will have to object.

Mr. HUTCHINSON. We did submit them yesterday.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Amendments offered by Mr. Hutchinson: Page 1, line 3, strike "Titles I and II" and insert "Title I"

Page 1, line 7, strike ", or convicted of,"

Page 2, line 5, strike the entire line, the remainder of page 2, pages 3 to 11, and lines 1 through 4 on page 12.

Page 12, line 5, strike "II" and insert "I".

Page 12, line 5, strike "SENTENCING TO" and insert "CIVIL".

Page 12, line 6, after "TREATMENT" insert "IN LIEU OF CRIMINAL PUNISHMENT."

Page 14, lines 5 and 6, strike "is convicted" and insert "has pleaded nolo contendere or guilty to, or been found guilty."

Page 14, line 8, strike "is convicted" and insert "has pleaded nolo contendere or guilty to, or been found guilty".

Page 14, line 10, strike "is convicted" and insert "has pleaded nolo contendere or guilty to, or been found guilty".

Page 15, lines 4 and 5, strike "under title I of the Narcotic Rehabilitation Act of 1956,".

Page 15, after line 7, insert the new subsection: "(b) An offender who was not an addict at the time of the offense, or whose addiction was not a substantial contributing factor to the offense."

Page 16, line 1, after "shall" insert "suspend entry of judgment and".

Page 16, after line 8, insert the following new subsection:

"(b) If, following commitment under subsection (a), the eligible offender fails or refuses to comply with the directions and orders of the Attorney General in connection with such offender's cure and rehabilitation or if the Attorney General determines that the eligible offender is not cured and would not benefit further from the program, the Attorney General may return him to the committing court. Upon his return, the court may sentence the offender to the penalty otherwise provided by law for the violation for which he was tried. The court shall credit against any sentence so imposed the time spent by such offender in institutional custody pursuant to section 4252 and this section."

Page 16, line 9, strike "(b)" and insert "(c)".

Page 17, after line 23, insert the following new section:

"4256. Unconditional Release From Commitment for Treatment

"Whenever an individual has been committed to the custody of the Attorney General under provisions of section 4258, and has been conditionally released under supervision of the parole board under section 4254 for not less than three years, he may be unconditionally discharged from the custody of the Attorney General if the Board and the Surgeon General certify to the court that the individual has successfully completed the treatment program. The court may then dismiss the pending criminal charge without entry of judgment."

Page 18, line 1, strike "III" and insert "II".

Page 21, line 1, strike "IV" and insert "III".

Page 21, lines 8, 9, and 10, strike "or convicted of offenses against the United States and sentenced to treatment".

Page 23, line 14, through page 24, line 2, strike "Title I of this Act shall take effect three months after the date of its enactment and shall apply to any case pending in a district court of the United States in which an appearance has not been made prior to such effective date."

Page 24, line 2, strike "II and III" and insert "I and II."

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Evidently a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 119]

Andrews, George W.
Berry
Bolling
Bolton
Brown, Calif.
Burton, Calif.
Cameron
Carey
Clawson, Del
Cohelan
Colmer
Diggs
Dingell
Dorn
Duncan, Oreg.
Dyal
Edwards, Ala.
Ellsworth
Evins, Tenn.
Farnum
Flynt
Fulton, Tenn.
Garmatz
Gilbert
Gonzalez
Goodell
Hanna
Hansen, Idaho
Hansen, Iowa
Hardy
Harsha
Hawkins
Henderson
Huot
Irwin
Jonas
Keogh
Landrum
Leggett
Long, Md.
McEwen
McVicker
Macdonald
Martin, Mass.
Martin, Nebr.
Miller
Mills
Moss
Murray
Nix
O'Brien
O'Hara, Mich.
O'Konski
Passman
Powell
Randall
Reid, N.Y.
Reinecke
Rhodes, Pa.
Rivers, S.C.
Roberts
Roncalio
Rooney, N.Y.
Scott
Shriver
Sickles
Sikes
Stafford
Thompson, N.J.
Toll
Trimble
Tupper
Watson
White, Idaho
Whitten
Williams
Willis
Wilson, Charles H.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Burke, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 9167 and finding itself without a quorum, he had directed the roll to be called, when 353 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. HUTCHINSON. Mr. Chairman, as this bill now stands, a man charged with any Federal nonviolent crime and found to be a narcotic addict need not ever be brought to trial. At that point he can be shunted off into the course of civil commitment and there treated for his addiction. If he is cured, successfully cured, then he will never be tried for the crime which he is charged with having committed. We believe that the proper considerations of public policy require that when a man is charged with a crime he should be tried for it.

Particularly so, when there is a good deal of evidence against him and the district attorney is ready to try him, and but for his addiction, he would be tried.

Mr. Chairman, we do not oppose civil commitment as such. However, we disagree with the bill when it provides treatment before trial and we believe that the accused should be tried.

Now, Mr. Chairman, the purpose and effect of these amendments is not to do away with civil commitment.

Our proposal as contained in these amendments is to shift the availability of civil commitment to a later time in the judicial process. Instead of pretrial commitment, we propose that commitment can be available only after the issue of guilt or innocence is resolved.

In order to accomplish this these amendments propose to strike title I from the bill, and the substantially identical provisions of title II are retained.

Mr. Chairman, once the defendant has pleaded guilty or has been found guilty, the case is then suspended under these proposed amendments and the civil commitment can at that point be resolved, at the discretion, of course, of the judge.

Mr. Chairman, these amendments add a requirement that in order to qualify for a civil commitment the defendant must be addicted to narcotics at the time of the trial and found that the addiction was a significant factor leading to the commission of the crime.

Then, Mr. Chairman, we add a new section which we believe was an oversight in the original bill. A new section is added to the present title II which will allow the Attorney General to return to court a committed defendant, if he is not amenable to cure. The court then can impose the sentence for the crime. Of course, the time that the man has already spent in an institution would be deducted from that sentence.

Should the civil commitment prove successful, under the amended bill, a man may be unconditionally released after 3 years of successful treatment and aftercare. Upon successful completion, the suspended charge would be dropped and the judgment for criminal conviction having never been imposed.

Now, Mr. Chairman, what this does is this. We do not take away the concept of civil commitment here. We simply postpone this procedure until after a man has been tried, because we believe that public policy requires that guilt be determined for a crime and, certainly, if, as is quite likely to be the case, in view of the experience with narcotics in the cases where the man civilly committed is not cured—and there is only a 50–50 chance that he will be, then as the bill now stands he comes to trial after 3 years. The case is stale. In all likelihood the evidence has disappeared. We propose that the accused be tried at the time the evidence is available and that his guilt be first determined. Then we will go about curing him.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. LATTA. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan [Mr. HUTCHINSON] may proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LATTA. Mr. Chairman, will the gentleman yield?

Mr. HUTCHINSON. I yield to the gentleman.

Mr. LATTA. I want to commend the gentleman for the very able statement he has made but I want to stress one point more emphatically.

As I understand it, the way this bill now stands, a person charged with a crime can throw up the defense that he is a narcotics addict and if this is proven, he can be carted off for treatment under a civil commitment. Following this treatment, he will not have to answer for the crime he has committed against society. Is this a true statement?

Mr. HUTCHINSON. That is a true statement.

Mr. LATTA. And he will never be brought to trial for the crime that he was charged with?

Mr. HUTCHINSON. That is assuming that he is cured, of course, by the treatment. If he is not cured, he can later be brought to trial, but I submit at that point the case will be so stale that as a practical matter he will never be tried.

Mr. LATTA. In other words, the amendment that the gentleman has offered will cause the person to be first brought to the bar of justice before he is given an opportunity to avail himself of this civil commitment.

Mr. HUTCHINSON. That is what these amendments will accomplish.

Mr. LATTA. I thank the gentleman.

Mr. HUTCHINSON. Mr. Chairman, I yield back the balance of my time.

Mr. ASHMORE. Mr. Chairman, I rise in opposition to the amendments.

Mr. Chairman and Members of the Committee, I hope we will all give serious consideration to what the proposed series of amendments would really do to this bill. They would take the guts out of the bill, as a matter of fact, to express it in a few words.

One of the primary purposes for the legislation, as recommended by the Attorney General, as recommended by the President, as recommended by the Surgeon General, and as recommended by the U.S. Public Health Service and by Mr. Alexander, the Director of the Bureau of Prisons, is to have a provision in the law—yes—this is something new—but we have to try something new because we have failed by the methods that we have been using for these many, many years—yea these many, many centuries.

So we are offering this opportunity to the person who has been selling because of his own addiction and for no other purpose, to come into court and say to the judge, "I want civil commitment. I want the Government of the United States to put me in a Federal institution"—so that he may go into a Federal institution or an institution that is operated and directed under Federal regulations. We give such a person the opportunity to say, "Cure me of my addiction." Then that person will have the law explained to him by the court. He will realize—and he has a lawyer at this time too, I would remind my colleagues, and if he accepts this civil commitment he will be sentenced to this institution for a term of 36 months to receive this treatment to try to make him a good citizen again.

If title I is stricken out of the bill, as the gentleman from Michigan is making an effort to do, then you will be destroying the incentive for these addicts to come into court and ask for this treatment. Then one of the primary objectives of this bill will be out the window if these amendments are adopted.

Under the provisions of the bill, as written, you get the addict off the streets. He comes in within a few days after he has been charged and then the court gives him 5 days to determine in his own mind, and for his lawyer to determine, whether or not he wants to accept civil commitment.

In the meantime the court has an investigation of this addict to determine whether or not he is a fit subject for civil commitment and rehabilitation. The court does not have to commit him under this civil commitment section of the law unless the court finds after a report from the Surgeon General that he is a fit subject for rehabilitation and for civil commitment. So he comes in within a short time after he has been arrested and you get the addict off the street, which is one of the main reasons in trying to help these addicts so they are not going to be circulating among their old friends and having the opportunity to continue in the same environment and under the same circumstances that might have led to their addiction.

Mr. Chairman, another reason why we think title I should remain in the bill and must remain in the bill, if it is going to be effective is that when a man has gone through a trial, which he would have to do unless he pleaded guilty, without his voluntary request for civil commitment, he has faced a large part of the consequences of his criminal activity.

The promise of a dismissal of the charges would no longer be present. If the addict comes in, gets civil commitment, is treated and cured, then the criminal offense charged against him would be removed and he would never be tried. Such action would save him from having the stigma of a conviction and a criminal record, whereas if he had to plead guilty or be tried and convicted, he would have a criminal record that could not be removed. So the addict would have great reason and incentive to go in under title I and request civil commitment.

Mr. MOORE. Mr. Chairman, I rise in support of the amendment. I listened very carefully to my distinguished friend from South Carolina when he made the point that we would discourage the addict from coming in and confessing his addiction if we made him stand trial, or made him stand accused and then found guilty of his crime.

It seems to me that if we let the committee bill go through in its present form, we would invite every addict to confess for the express purpose of getting a lesser sentence than that which might otherwise be coming to him under indictment of violating certain criminal statutes. If he were charged with a crime before any of the forums in our country, would he not prefer to come in and confess his addiction so that his incarceration or confinement would be limited to a 36-month period of time? Whereas if he were to stand trial and be found guilty of the crime with which he is charged, it is conceivable that his confinement could go to as much as 10 years or even more.

So when we talk about destroying incentive, we must remember that the incentive is always there for the addict to confess his addiction. That is especially so under the amendment offered by the gentleman from Michigan.

What actually happens is that a man has committed a crime. Granted he is an addict, and we want to help him in every way we possibly can. But under the committee bill as it has been drafted, that man would be forgiven his initial crime if he confessed his addiction and then requested rehabilitation. In order for society to touch that man again in the event that he did not lead a good life after his period of rehabilitation—if he went back to his old ways, before society could get their hands on him, he must have committed another crime, perhaps even greater proportion, before he could again be brought before the court to be tried whereas under the proposed amendment he could be picked up in violation of probation from his original commission.

There is another point that is involved. It seems to me that the committee bill would totally encourage the confession of addiction not with the hope of total future cure but for the express purpose of dulling the effect of a statutory penalty.

As I understand title I and title II of the bill, what the gentleman from Michigan seeks to do is simply to merge the two. He is saying, "We are going to keep the historical procedures of jurisprudence we have had over the years. If a man who is today a first offender comes before the court and the court seeks to treat him leniently, a finding of guilty is made, the sentence is suspended, and the offender is put on probation. What the gentleman from Michigan seeks to do here, I believe, is to have the record show that there has been a finding of guilty and the sentencing of the addict. The sentence would then be suspended, provided he goes into rehabilitation.

If, after completing rehabilitation, he goes back to his old habits, to his old ways, rather than waiting for him to commit a second crime the court cite the addict for violation of the probation or suspension of the sentence which had heretofore been imposed.

It seems to me entirely compatible with what we do in so many instances with our young people, who commit crimes that are far beyond what they themselves fully understand their crimes to have been. We give them a second chance, but we control them during that period of their probation. It seems to me this law would be more effective, and none of what the chairman and subcommittee chairman seek to do here would be destroyed, which is the creation of the opportunity to rehabilitate oneself and to rid oneself of drug addiction. At the same time there is the full recognition that if they do not continue to make a good contribution to society, the crimes with which they are charged would be reinstated.

I urge adoption of the amendment.

Mr. WHITENER. Mr. Chairman, I move to strike the last word.

There is no more conscientious or valuable member of the Judiciary Committee than the gentleman who offered this amendment. I have no quarrel with him about his philosophy. He has a right to that philosophy. It happens that I have a different one on this particular issue.

When we look at the total approach of title I, we find that the proposal of the gentleman from Michigan [Mr. HUTCHINSON], would destroy it completely.

Let me reiterate what I said before, that this is a voluntary commitment procedure.

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I am happy to yield to the gentleman.

Mr. BOGGS. Mr. Chairman, I appreciate the gentleman's yielding.

I believe to strike all of title I is a mistake. It has a procedure which would be very helpful. Yesterday I was very hopeful that we would adopt the amendment offered by the gentleman from Illinois. But I believe to go this way will destroy what we are trying to do in this bill. I oppose this amendment. I am very hopeful that an amendment will be adopted to title III, which has to do with the mandatory penalties.

Mr. WHITENER. I thank the gentleman.

Mr. Chairman, under the title I, the defendant himself must submit himself for voluntary commitment. The court cannot commit him unless the court has the consent of the defendant.

Once he is committed, he must stay in custoday for treatment up to 3 years. Under later provisions in the bill that we have before us, if this individual who has been committed escapes from custody, he subjects himself to the criminal penalties for escape which are in the present criminal law.

We are not recommending pats on the back for crimes, or relieving criminals of the punishment to which they deserve. We are trading a cure for the punishment provision that we would have with title I, were it knocked out.

When we look again at the figures and realize that the average Federal sentence, taking the entire record of the Federal courts, is 33.5 months, and then we look at this civil commitment for a period of 36 months, we see here is no pantywaist treatment of criminals.

Under the provisions of this bill, even if the defendant is willing to be committed as an addict, he still must satisfy the court that the crime for which he is then charged was committed solely—for no other purpose—of getting funds with which to get narcotic drugs to feed his habit, or his addiction.

It seems to me, if we are going to rehabilitate, we must keep title I. If we should do what my friend from Michigan would do, first we would try the prisoner, then give him a sentence, and then tell him, "If you come along and take treatment we will wipe out everything you have done on the record."

Why not do it in the first instance, and give society the protection which might be had if we can effectuate a cure of some of those folks who are laboring under a horrible habit, to wit, the use of narcotics?

Mr. HUTCHINSON. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Michigan.

Mr. HUTCHINSON. Under the amendments as proposed, the man would be tried, but he would not be convicted or sentenced at that point. After there has been a determination of guilt, before the conviction and sentence, the punishment would be forgiven him if he would take the civil commitment and succesfully complete it.

Mr. WHITENER. How could a man be tried for a criminal offense, without being convicted, unless he were acquitted?

Mr. HUTCHINSON. The jury would find him guilty.

Mr. WHITENER. Then he would be convicted.

Mr. HUTCHINSON. But there would be no sentence.

Mr. WHITENER. That would be a different matter. No judgment would be pronounced.

Mr. CELLER. Mr. Chairman, I move to strike the requisite number of words.

We must make progress in the treatment of drug addiction, and progress means change. Without change there is no progress. Without change there would be retrogression.

Then gentleman from Michigan [Mr. HUTCHINSON], and the gentleman from West Virginia [Mr. MOORE], apparently are just looking backward. They are not looking forward.

We who are sponsoring this bill embrace new concepts, new techniques. We believe in rehabilitation.

Apparently the proponents of this amendment do not believe in rehabilitation; or, if they do, they tear rehabilitation to tatters, and it is hardly recognizable.

The gentleman from Michigan would destroy title I and he would unduly weaken title II.

Another amendment will be offered from the other side of the aisle which would blot out title III.

What would be left then? Nothing would be left—only a wraith, a mirage, a hoax, a deception. There would be no substance, only a mere shadow.

The bill then would be about as useless as trying to write on water, as meaningless as a 2-foot yardstick. There would be no merit whatsoever in the bill.

Title I, in my opinion, is a new and exciting effort to reduce narcotics addiction. It would give tremendous incentives to the addict accused of crime—and it must be less than a felony—to cooperate fully in his treatment and in the program of treatment as involved here. But, most important of all, the addict would be institutionalized. He would be removed from the community immediately. Thus we would cut down and destroy a poisoned weed which might destroy the whole field. We would take out of the community that which might poison the community.

I will say—in answer to certain charges—that our bill, in title I, does not "mother" or pamper the addict, for the addict may be confined as long as 36 months under title I; 36 months is 3 years.

I want to emphasize what the gentleman from North Carolina indicated. The average sentence imposed on defendants in Federal courts in the fiscal year ending June 30 was only 33½ months, less than the 36 months possible confinement under this title I.

Thus the confinement may be more than the average confinement meted out to Federal prisoners. Procedural and substantive due process are accorded addicts offered title I commitment by the district court judge. They are represented by counsel in making their decision to submit to civil commitment and may at any time change their minds and elect to stand trial.

It is well to point out that civil commitment cannot be had unless the addict himself gives consent. It is that consent that removes any kind of charge that there is not due process involved in title I.

Therefore, Mr. Chairman, I do hope that this amendment will be decisively voted down.

Mr. SENNER. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Michigan.

Mr. Chairman, for 1 whole day now practically every member of the Committee on the Judiciary has been telling members of this Committee of the Whole that narcotic addiction is a disease. However, right now, at this very moment, in this House, we are moving from a criminal disease, a contagious one, and putting the emphasis on criminality under the guise of the old, long tradition of punishment. This is the way it was in the 1700's and 1800's; this is the way it ought to be in 1966. What we are saying here is that we, in title I, and by virtue of that title, are trying to get the addict off the street and into the hospital to rehabilitate. We realize that he has a psychological problem, a sociological problem, a mental problem, if you please, and certainly a medical problem without exception.

I would like to read now what Mr. Richard A. McGee, Administrator of the Youth and Adult Corrections Agency of the State of California, had to say:

> The active addict is the chief hope of spreading addiction—one addict on the streets will make several new ones in his career. He is the vector of the disease.

Our honorable distinguished chairman of the committee [Mr. CELLER] said:

> Addicts breed other addicts. If we can cure an addict, it is the same thing as isolating and curing a carrier of a communicable disease.

If we adopt the amendment of the gentleman from Michigan, we are going through the usual routine which was followed before we ever brought this bill before this committee. We are saying he is subject to bail and we are going to keep him on the streets. If the only inducement to get him into this hospital for treatment is for him to be found guilty and then he may avail himself of this, it is no inducement for that addict to leave the streets and get into the hospital. I submit to you he will be out on the streets continuing to spread contagion and sell his venom. I think we should keep title I and, as we pointed out here, title I actually imposes upon the drug addict a greater incentive to take the treatment because it provides 36 months of confinement under the jurisdiction and the guidance of the Surgeon General or the Attorney General. In addition to that fact, if he does not successfully complete his treatment, he is subject to the original crime with the full mandatory minimum sentence as prescribed in the Boggs-Daniel Act.

Mr. Chairman, I cannot emphasize too strongly the need to get the addict off the street. I hope that we do not take a step backwards and that we do afford the addict an opportunity to come before that court and to say, "I am sick. I would like to get in there." Then, if the court, after an examination finds that he is subject to rehabilitation, then and only then may the court provide this treatment to him.

Mr. Chairman, I would like to ask the chairman of the Committee on the Judiciary a couple of questions if I may.

Mr. CELLER, is it my understanding that the Bureau of Narcotics, which has the control and the obligation of enforcing the narcotics laws of the United States, are in favor of title I as it is now in the bill?

Mr. CELLER. The Commissioner of Narcotics and the Bureau of Narcotics support the administration bill which has been before us.

Mr. SENNER. What about the law enforcement agencies such as the Department of Justice which are obligated by law to try these cases?

Mr. CELLER. They are in favor of the bill.

Mr. SENNER. Does the gentleman know of any agency of Government that is in favor of the amendment which has been offered by the gentleman from Michigan?

Mr. CELLER. I do not.

Mr. SENNER. I thank the chairman.

Mr. Chairman, I urge defeat of the amendment.

Mr. POFF. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we are impressed, and rightfully so, with the citations of support which my distinguished colleague has just made.

However, Mr. Chairman, I feel that the members of the Committee will also be impressed with the words of the President's Advisory Commission on Narcotics and Drug Abuse, as those words are found in the final report dated November 1963, and I quote:

> The Commission does not believe, however, that the New York Plan should be adopted as the Federal pattern. . . . It would be best to avoid these problems by proceeding immediately to have guilt or innocence judicially determined at the outset as under the California law.

Mr. Chairman, the bill pending before the Committee essentially follows the pattern of the New York State law.

The amendment that has been offered by the distinguished gentleman from Michigan [Mr. HUTCHINSON] would adapt the legislation to confrom to the pattern laid down by the California law.

It is not, I submit, quite fair or precise to urge that this amendment would destroy incentive on the part of an addict to confess his addiction.

Mr. Chairman, I feel that it must be understood first of all that if the addict, once convicted of the crime with which he stands charged, is civilly committed, no judgment by the court is then pronounced and no sentence is imposed; no criminal record is erected. If the convicted offender pursues the course of treatment and is successfully rehabilitated, no sentence will ever be imposed, no penalty will ever be exacted, and no criminal record will ever be erected.

Second, on the same point of incentive, I think it must be emphasized that the addict who appears before the bench under the amendment offered by the gentleman from Michigan [Mr. HUTCHINSON] would have two bites at the apple.

First of all, he could proceed to trial with the hope that he, while his evidence is still fresh, might win an acquittal. If he did so, that would be the end of the matter. If he failed to win an acquittal, he would still have his ace in the hole. The judge could commit him civilly for treatment. If the treatment were successful, he would enjoy all of the perquisites and benefits of title II.

So, Mr. Chairman, I suggest that it is not quite precise to argue that there would be no incentive. Quite the contrary. I would think that the incentive would be double.

Mr. Chairman, I feel that we must recall that under the criminal laws of this country, there are very few excuses for criminal conduct.

Title I would seek to create another excuse. One excuse in the law today is mental incompetence. But I want to call your attention to the fact that mental incompetence is no excuse for criminal conduct—unless there is a causal connection between the mental incompetence and the criminal act of which the accused stands charged.

Similarly, I call your attention to the fact that mental incompetence is no excuse until and unless the accused is brought to trial and the question of the truth or falsity of the charge has been established and the question of the guilt or innocence of the man who is charged has been established.

So as a matter of prudence, Mr. Chairman, in beginning what I concede to be an exciting new experiment, one which enthralls me and one I think we should embark upon—let us do the wise and cautious thing as outlined in the Hutchinson amendment and then if future experience so indicates, it will still be possible in the years to come to expand upon this experiment and do what is suggested be done now by title I.

Mr. Chairman, I yield back the balance of my time.

Mr. HUNGATE. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, before the pioneering spirit sort of overwhelms us, I think we should observe that the two States that have over 60 percent of narcotics addicts registered or recorded in the United States, and they would be New York and California, have laws quite similar to the one we propose to adopt today.

The rate of cure as reported in the present hospital facilities we have at Lexington and Fort Worth is 10 percent. According to the evidence we had concerning the experience in the State of California, the rate of cure ranges as high as 45 percent with 20 percent of the people remaining cured for 2 years. That does not seem like much, but it is 2 to 4½ times as many as are being cured under our present Federal system.

We are all concerned with our historic legal procedures. We are concerned with a situation that produces 10,000 new narcotic addicts a year and we are not afraid to experiment and try to improve the situation.

We are all concerned, of course, with law enforcement.

We had before the committee Mr. Giordano, Commissioner of the Bureau of Narcotics, charged with enforcement of these laws. In the course of the hearings, and this appears on page 404 of the committee hearings, the gentleman from Michigan [Mr. Hutchinson] inquired:

> Mr. Hutchinson. Can you, Mr. Giordano, give us your real assessment as to whether civil commitment is going to throw any obstacles in the way of narcotics law enforcement or is it going to assist it in any way?
>
> Mr. Giordano. Mr. Congressman, I don't think it would interfere at all with our enforcement. We have supported civil commitment of the addict for many, many years. We feel this is just another feature of attacking the problem.
>
> Our job is to reduce the availability of the drug. But there is also a responsibility, I think, on our part, to see that the addict is treated. We aim our approach at the Federal level toward the important traffickers, interstate, international traffickers. Some of them are addicts, but we feel also that you are not going to solve the problem unless you also do something to try to rehabilitate the addict. So we have supported commitment of the addict.
>
> I, of course, have supported it for a long time and actually feel that more emphasis should be put on the commitment before they get involved in law violations. However, if they are involved in the type of violation, the type of individual is one that would benefit from treatment, we feel he should have treatment.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield?

Mr. HUNGATE. I yield to the gentleman.

Mr. BINGHAM. Mr. Chairman, I thank the gentleman from Missouri for yielding to me. I did not speak on this bill yesterday during general debate and I would, therefore, now like to commend the committee, the subcommittee chairman and the chairman of the full committee for bringing to this House a most constructive piece of legislation.

Last year, I cosponsored with Senator Robert F. Kennedy, and others, a package of four bills designed to deal comprehensively with the narcotics problem on the fundamental premise that rehabilitation of the addict is the answer, not punishment. The bill before us, H.R. 9167, also proceeds on that premise and indeed incorporates many of the essential elements of two of the bills I introduced.

In spite of all the work that has been done on this problem, we still do not know how to cure addiction. But we do know that the punitive approach does not succeed. When the addict is desperate to satisfy his body's craving, he cannot be deterred by the prospect of possible punishment.

The best experts in the field seem to be agreed that the best chance to effectuate a cure for the individual addict is an extended course of rehabilitation and treatment within an institution, coupled with aftercare under strict supervision. This bill in both title I and title II will provide the opportunity for such treatment and aftercare for addicts, and will indeed provide an incentive for addicts to take advantage of the opportunity.

I oppose the pending amendment offered by the gentleman from Michigan [Mr. Hutchinson] because it would deny the application of this rehabilitative process to those addicts who have been charged with a crime but have not yet been convicted. In other words, there would be no opportunity to persuade the addict facing trial to undergo the civil commitment process. If he were tried and acquitted, the process of rehabilitation and aftercare that would be best for him and for society would not even be available to him.

I am concerned that the bill before us does not provide for additional facilities for the treatment and rehabilitation of addicts. I hope amendments to be offered later to provide for such additional facilities will be adopted, and I will support those amendments.

I should like to compliment the gentleman from Missouri [Mr. Hungate] for his comment yesterday that it is the people from cities such as New York who are most directly affected by this problem and that their views should be heeded. I know from a recent questionnaire that I sent out to my constituents in Bronx County, New York City, that they are overwhelmingly in favor of trying new techniques in the treatment of narcotics addiction. Of 9,000 replies received, 74 percent answered the following question in the affirmative, and only 15 percent were opposed:

> A proposal has been made to make drugs or drug substitutes available to addicts under supervision of hospitals or doctors as a way of permitting them to lead useful lives and to prevent the narcotics sellers from preying further upon them. Do you think this is a good idea?

Of course, the bill before us does not provide for such a procedure. But this bill is not going to end the problem of narcotics addiction. And I believe that, in due course, for some of the so far incurable cases of narcotics addiction the use of drug substitutes under medical supervision may be the only answer.

In any case, the important point I want to make here is that the people in New York City are becoming increasingly convinced that for the narcotics addict the punitive approach will not succeed. Severe punishments are in order for the evil man who sells narcotics in cold blood and with intent to profit from the human misery he causes, but for the addict rendered helpless by his vicious habit, cure, not punishment, is what is needed.

Again I thank the gentleman from Missouri for yielding.

Mr. HUNGATE. Mr. Chairman, I yield back the balance of my time.

Mr. FARBSTEIN. Mr. Chairman, I move to strike out the requisite number of words.

If we were to cast aside brushwood and narrow down the issue, as I see it, it would come to this. Only a first offender would get the benefit of this rehabilitative process. A second offender would be denied the benefits under this law. The choice to be made is then as follows: Are we going to insist upon a suspended sentence or are we going to apply rehabilitative treatment? It is as simple as that. With that in mind, in my opinion, the amendment should be defeated. Why should a first offender from a good family be denied a chance for rehabilitation?

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. Hutchinson].

The question was taken; and on a division (demanded by Mr. Hutchinson) there were—ayes 43, noes 77.

So the amendment was rejected.

AMENDMENTS OFFERED BY MR. M'CLORY

Mr. McCLORY. Mr. Chairman, I offer amendments.

The Clerk read as follows:

> Amendments offered by Mr. McClory: Page 18, strike out lines 4 through 10, inclusive.

Page 18, strike out line 11 and all that follows down through and including line 8 on page 19.

Page 19, line 9, strike out "Sec. 303" and insert "Sec. 301".

Page 20, line 3, strike out "Sec. 304" and insert in lieu thereof "Sec. 302".

Page 20, strike out lines 7 through 10, inclusive, and insert in lieu thereof "and who was convicted of a violation of a law relating to marihuana. After con-".

Page 20, beginning in line 13, strike out "If the Board of Parole finds" and all that follows down through "Federal Youth Correction Act." in line 20.

Mr. McCLORY (interrupting the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered en bloc, since they all apply to title III, that the reading of the amendments be dispensed with, and that they be printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McCLORY. Mr. Chairman, I ask unanimous consent that I may proceed for an additional 5 minutes.

The CHAIRMAN. Without objection, it is so ordered. The gentleman from Illinois is recognized for 10 minutes.

Mr. McCLORY. Mr. Chairman, the series of amendments to title III would have the effect of depriving narcotic law offenders who are between the ages of 22 and 26 from any special consideration beyond that granted to them in titles I and II. These amendments have nothing whatever to do with the provisions of titles I and II respecting civil commitment. Those who qualify for civil commitment under either of those titles would be eligible for the benefits of civil commitment regardless of their age.

What title III would do, as presently presented to this committee, would be to permit any and all narcotics offenders—whether peddlers, importers, exporters, sellers to juveniles or who are guilty of any other offense against the narcotics laws of the United States—to be eligible for treatment under the Federal Youth Corrections Act as young adult offenders.

Now let me point out, first of all, what penalties offenders in this age category might be able to escape if you reject the amendments which I have offered here. Under section 7237 of the Internal Revenue Code, a seller of narcotics is required to be imprisoned not less than 5 nor more than 40 years. And, in addition, under section 176b of title 21, being the Narcotic Drug Import and Export Act—referred to by reference in section 7237—such an offender could be punished by death "if the jury in its discretion shall so direct."

In the ordinary cases of sales of narcotics, the minimum sentence for the first offense would be not less than 2 nor more than 10 years, and for a second offense not less than 5 nor more than 20 years, with a third offense to be not less than 10 nor more than 40 years. It is provided specifically in section 7237d that, upon conviction of any of the offenses enumerated, "The imposition or execution of sentence shall not be suspended, probation shall not be granted," the authority of the Board of Indeterminate Sentence and Parole of the District of Columbia shall not apply, and the authority for paroling prisoners after serving one-third of their term (as authorized in section 4202 of title 18) has no application.

Now, the Youth Correction Act which applies to youth offenders under the age of 22 contains this provision with respect to sentencing of such youthful offenders. "If the court is of the opinion that the youth offender does not need commitment, it may suspend the imposition or execution of sentence and place the youth offender on probation."

Such offenders may be, of course, held under maximum security or they may be sent to training schools, farms, camps or other agencies as the Attorney General might decide. However, this could result in a complete nullification of the mandatory penalties in narcotics cases for young criminals 21 years of age and under.

This authority with regard to the punishment of teenagers and all of those under 21 was extended in 1958 by action of the Congress to persons between the ages of 22 and 26. However, as noted earlier, this authority was not extended to include narcotics violations. But unless my amendment is adopted, all narcotic offenders—no matter how serious their offense, no matter how much they may corrupt society, whether importers, peddlers, or however else engaged in the narcotics traffic—would be eligible to avoid the penalties of their offenses and would be entitled to the provisions of the Youth Corrections Act.

Again, let me repeat, this title III has nothing whatever to do with civil commitment of narcotics addicts. The narcotics offenses covered by title III might involve offenders who are not themselves addicts—and undoubtedly it would seem to refer exclusively to them, since the opportunity for a noncriminal penalty is already covered in titles I and II.

May I say further that my amendments have nothing whatever to do with the paroling of persons convicted of violation of the laws relating to marihuana.

Ladies and gentlemen, this is certainly a time for sound reason and for careful soul searching to determine what is best for the citizens of this Nation—primarily the boys and girls who are the primary victims of the sellers of narcotic drugs. If we want to provide the maximum protection for the young people of America, particularly in the crowded urban centers, we should have no hesitancy in deleting from this bill the authority to treat criminals charged with narcotic violations who happen to be between the ages of 22 and 26—undoubtedly the largest segment of such violators—with anything less than the just penalties which the Congress has already provided.

I urge the adoption of these amendments by an overwhelming vote.

I might say further to the Committee that the amendments which I have offered, including the pending amendments, were recommended by the subcommittee.

I do not want this Committee to be confused by the fact that the gentleman from Michigan [Mr. HUTCHINSON] and I are supporting this amendment and assume this to mean that there was no support from the minority members of the subcommittee for the position which we are maintaining. Members from the other side of the aisle dominate the committee and there was support in the subcommittee from the majority for this proposal and for the other amendments which I am offering.

Of course, the work which takes place in executive session is secret, and we do not disclose how we vote on amendments. However, I want this Committee to know that the subcommittee action was taken on a bipartisan basis, and this issue should be considered on a bipartisan basis now.

To come to the Committee of the Whole House at this time and to renounce what the subcommittee action was, it seems to me, is a disservice to the subcommittee procedure itself.

This was considered carefully, line by line and word by word, and the final version was the sincere and honest recommendation of those who heard the testimony and wrote the bill and recommended it to the full committee.

If my amendments are adopted the bill will be restored to the form as recommended by the subcommittee.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. I yield to the gentleman from Ohio.

Mr. McCULLOCH. To make the assurance doubly sure that we have a clear understanding, I should like to ask the gentleman from Illinois a question. Is it not a fact that the amendments which are now before the Committee were part of the bill which was approved by the subcommittee which heard all the witnesses and which was reported favorably to the full Committee on the Judiciary?

Mr. McCLORY. The gentleman is entirely correct.

Mr. SENNER. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. I yield to the gentleman from Arizona.

Mr. SENNER. In order to find out exactly what is encompassed by the amendments of my good friend, the gentleman from Illionis, would the gentleman explain this again to me? Does this exclude narcotics offenders between the ages of 22 and 26 from receiving parole? Does it include them?

Mr. McCLORY. Title III would grant to persons in the age group between 22 and 26, who are described in section 4209 as young adult offenders, the same privilege as is given to those 21 and under, the benefits of the Federal Youth Corrections Act.

At the present time, narcotics cases are excluded from those which may benefit from the Federal Youth Corrections Act, in the age category of 22 to 26.

Unless my amendments are adopted, persons 22 to 26 would be eligible for the benefits of the Federal Youth Corrections Act—that is, to escape commitment, to escape a prison sentence, and to have substituted treatment which is accorded to young adult offenders, such as sentencing to a training school or a camp.

Mr. McCULLOCH. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to support the amendment of the gentleman from Illinois [Mr. McCLORY]. I think it has been adequately debated. The RECORD is accurate. The amendment which he offered had the approval of the subcommittee and it was so reported to the full Committee on the Judiciary.

The amendment is the second of two amendments required to implement the additional views to the committee report on the bill. The question presented by the amendment is whether the present penalties of the law should apply to the 22- through 26-year-old age group. Apparently the justification for preferred handling for this age-group is that they represent better prospects for rehabilitation than do older offenders. Unfortunately, proponents of the bill have not made available the figures indicating the number of narcotic offenders who would be benefited by this relaxation in the present law.

The present young adult offender program allows an indeterminate sentence for 22- to 26-year-olds under the Youth Correction Act. The Youth Correction Act was designed to afford 18- to 21-year-olds who were amenable to rehabilitation. It offers the opportunity for indeterminate sentence with final expunging of their convictions should they satisfactorily complete the program. When the young adult offender program was enacted into law, young adults charged with narcotic violations were specifically excluded from its provisions.

It would seem to me if this exclusion in the law is to be changed, the proponents of that change ought to bear a reasonable burden of proof to establish a desirability of broadening the coverage of the young adult offender law, which is a weakening of the present Federal penalty structure. In my judgment that burden of proof has not been met. I do not believe that this age group should be dealt with less strictly than other groups.

Under the bill in its present form, if the young adult offenders are addicted to narcotics, they may receive the benefits of title I or title II if they are eligible. If they are not eligible or if they are not addicted, then I can see no justification for suggesting that they are to be excused from the rigors of present law for their offenses. Of course, as the separate views point out, a marihuana offender has received a boon from the bill since he can get parole under the new provisions. By no means can I approve the principle of mixing these young adults and the more youthful offenders committed under the Youth Correction Act.

Mr. Chairman, in an area of the criminal law which seeks to contain so great a peril to such a large number of our citizens, I believe it is the better practice to legislate by offenses and not by classes of offenders. I will vote to remove sections 301 and 302 from title III because I believe those two sections represent an unfortunate weakening in our approach to the enforcement of the narcotics laws. I believe our duty to countless thousands of potential narcotic addicts requires that no appeasement in the war on narcotic drugs be countenanced at this time.

Mr. ASHMORE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman and ladies and gentlemen of the Committee, there have been a lot of remarks and speeches made concerning title III. I think there may be a good deal of confusion and misunderstanding as to what title III does. In fact, the subcommittee had some problems with it when it was first considered. As a member of the subcommittee and and one who heard the evidence and the witnesses, I would remind my colleagues that not one single witness appeared before the subcommittee and gave testimony to support the contentions of my friend who has moved to strike out title III. No witness gave testimony in support of striking any portion of title III. All the evidence is in favor of keeping title III.

Now, Mr. Chairman, extending the narcotic addict sentencing provisions of the Federal Youth Corrections Act to narcotics and marihuana offenders under 26 years of age simply does this: It recognizes that there are young men and women in this age group who might properly be subject to rehabilitation.

It does not say that all offenders of the narcotics law between the ages of 22 and 26 would be good subjects for rehabilitation. It just says that there might be some and that the court, the presiding judge, should have and would have under title III the authority to investigate and to pick out those who would be good subjects for rehabilitation and give them the same rights, the same just treatment, the same sort of sentence as other offenders of other Federal laws are given.

That is about as simple as I can make it. It gives the court identically the same authority to handle these people whom he finds to be good subjects for rehabilitation, just as he has in sentencing other Federal offenders to a sentence under the rehabilitation provisions of the law.

Mr. SENNER. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield to my colleague.

Mr. SENNER. I thank the chairman of the subcommittee, the gentleman from South Carolina [Mr. ASHMORE], my good friend, for yielding to me at this time.

Mr. Chairman, I would like to call the attention of the Members of the Committee to the report of the committee on page 15 in the second paragraph and would like to read this statement to the Committee:

> This committee is convinced that justice and logic require that the courts be given the authority provided in title III, authority which they now exercise over individuals who are convicted of other Federal offenses. With reference to young adult offenders it should be noted that in the fiscal year ending June 30, 1965, Federal penal institutions contained 641 persons between the ages of 22 through 25 who at the time of conviction, were not eligible for consideration by the courts as candidates for sentencing under the Federal Youth Corrections Act because they had violated a narcotic or marihuana law.

What we are talking about at this moment, now, is 641 individuals that this law would provide an opportunity for the parole board to review the sentences of and to determine whether or not they are subject to rehabilitation. Out of those 641, if they find out that 20 are subject to rehabilitation, then it would only affect those 20. Is that correct?

Mr. ASHMORE. That is correct. In addition to that, it would give the judge that authority in future cases.

Mr. SENNER. That is right. I thank the chairman.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Chairman, actually, in titles I and II we provide for rehabilitation of narcotics addicts of all ages, do we not?

So that the only effect of title III is to benefit nonaddict narcotics violators who are in this age group of between the ages of 22 to 26?

Mr. ASHMORE. This weakens the procedures provided for in this bill.

Mr. McCLORY. In other words, what I said is true. Title III would apply only to the nonaddict narcotics violators because the addicts are taken care of under titles I and II?

Mr. ASHMORE. It is just providing for court consideration of the group between the ages of 21 and 26 which are not taken care of now.

Mr. McCLORY. In other words, titles I and II will take care of all ages? All persons are taken care of under titles I and II? You do not have to be over the age of 21 to gain the benefits of those titles?

The **CHAIRMAN.** The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Illinois [Mr. McCLORY].

The question was taken; and on a division (demanded by Mr. McCLORY) there were—ayes 39, noes 69.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. FARBSTEIN

Mr. FARBSTEIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. FARBSTEIN: On page 22, after line 13, insert the following:
>
> "SEC. 402. Part E of title III of the Public Health Service Act is amended by adding at the end thereof the following new section:
>
> " 'FACILITIES FOR CARE AND TREATMENT OF NARCOTIC ADDICTS
>
> " 'SEC. 348. There are hereby authorized to be appropriated $7,000,000 each for the fiscal year ending June 30, 1967, and two succeeding fiscal years, to enable the Surgeon General to make grants to the several States and political subdivisions of the several States of up to one-half of the cost of the expansion, remodeling, and alteration (including the cost of acquiring initial equipment) of facilities for the care and treatment of narcotic addicts. Such grants shall be made on the basis of need, as determined by the Surgeon General. No grant shall be

made under this section unless an application therefor is submitted by a State or a political subdivision of a State. Each such application shall set forth—

"'(1) a description of the site of such facility;

"'(2) plans and specifications for the expansion, remodeling, or alteration of such facility;

"'(3) reasonable assurance that title to such site is or will be vested in the entity filing the application or in a public or other nonprofit agency which is to operate the facility;

"'(4) reasonable assurance that adequate financial support will be available for the completion of the facility and for its maintenance and operation as a facility for the care and treatment of narcotic addicts when completed;

"'(5) reasonable assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of work on the facility with funds received under this section will be paid wages at rates not less than those prevailing on similar work in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a–5); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c); and

"'(6) a certification of the share of the cost of such expansion, remodeling, or alteration which will be met with funds from non-Federal sources.'"

And redesignate the following sections accordingly.

Mr. FARBSTEIN (during reading of amendment). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and I shall explain it.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FARBSTEIN. Mr. Chairman, the purpose of this amendment is to make provision for expansion, remodeling and alterations, including the cost of acquiring initial equipment for facilities for the treatment, the rehabilitative treatment, of those unfortunates who are being given the benefit of this section.

Now, Mr. Chairman, what point is there in making provision to give medical treatment or rehabilitative treatment to young people, and in my opinion to first offenders, those who have never been in trouble before, if you do not have the facilities in which to place them? Mr. Chairman, if you have no hospital, if you have no means of giving these unfortunates treatment, how are we to go about accomplishing our stated purpose?

So, under this amendment I call for an appropriation of $7 million each year, for the fiscal year ending June 30, 1967, and the 2 succeeding fiscal years, to enable the Surgeon General to make grants to the several States and political subdivisions, up to one-half of the cost of expansion, remodeling and alteration of initial equipment.

Now, Mr. Chairman, I realize that this is wholly insufficient. I realize that we certainly need more than $7 million throughout these United States for these purposes.

But unfortunately I do not suppose I could get any more money, if I could get this much. I hope the chairman of the committee will accept this amendment, but if he does not, I ask you, ladies and gentlemen, to please consider the effect of my amendment.

In New York State I belive there are somewhere between 27,000 and 30,000 addicts. I also understand we only have about 140 beds in a hospital in New York.

It has been suggested that the Department of Health, Education, and Welfare under the provisions for mental assistance can build these hospitals. Let us admit that, but you know very well there are so many demands made upon the Department of Health, Education, and Welfare that unless we can have an appropriation under this bill, we are not going to get it.

I do not ask for new buildings in my amendment. All I ask for is for the expansion and remodeling and alteration and possibly new equipment.

I think this is a modest request. I think it is only a fair request. I do hope my colleagues will go along with me.

Mr. Chairman, I would like to commend the distinguished members of the Judiciary Committee on submitting to us today a bill which significantly improves the government's approach to narcotics addiction. In providing for civil commitment in lieu of imprisonment in some cases, it marks a far more realistic outlook to the narcotics problem. Narcotics addiction is less a crime than it is an illness. We must treat narcotics addicts as ill persons. This does not mean that I am unaware of the crime associated with addiction. Far from it. As a New Yorker, I have no reason to contest the figures which indicate that in our city reside one-half of all addicts in the United States. That is a frightening and distressing statistic. But all too often I see the human suffering that it implies, in the personal suffering of the young and old addicted to drugs. I intend to support this measure, for my constituents and for those ill with the addiction of drugs throughout the Nation.

But we must not persuade ourselves, Mr. Chairman, that this bill is adequate. Changing the law to permit civil commitment is one thing. It is entirely another to have facilities to treat those who are civilly committed. It is useless to change the law without providing for treatment facilities. New York State has on its books a model commitment law. It fails to achieve its objective, however, because the State is grievously lacking in the hospitals, the beds, and all the other accouterments necessary for restoring the health of an addict. This bill, as submitted to us, provides in jurisprudence for a rehabilitation program. I wish to offer an amendment to provide for such a program in reality.

My amendment, I concede, is a modest one. It would authorize but $7 million a year for 3 consecutive years for assistance to the States for the expansion and improvement of rehabilitation facilities. States would be required to match the Federal contribution. I understand that some of my colleagues will offer an amendment to authorize more than $7 million annually. I announce now that I will support my colleagues in the attempt to get more money. But in the event that the higher figure is not approved by the House, I will call for a vote on the $7 million. I regard it as imperative that Congress enact into law the means for a real, not a jurisprudential and fictional, rehabilitation program.

We must make this commitment now. We must not delay it longer. I hope that the budgetary pressures in future years will be such that we can make the figure in future years genuinely commensurate with the need. We all have an obligation to cure narcotics addiction, if it is possible to do so, as we have an obligation to cure cancer or heart disease. We cannot stand by indifferently while increasing numbers of our young people are taken away from us by this scourge. I urge my colleagues to support a real rehabilitation program to achieve the excellent objectives of this measure.

AMENDMENT OFFERED BY MR. TENZER

Mr. TENZER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Tenzer to the amendment offered by the gentleman from New York [Mr. Farbstein]: Strike out "$7,000,000" and insert in lieu thereof "$15,000,000".

Mr. HECHLER. Mr. Chairman, will the gentleman yield?

Mr. TENZER. I yield to the gentleman.

Mr. HECHLER. Mr. Chairman, I am interested in the gentleman's amendment, because narcotics addiction is one of the most serious problems confronting the Nation. I am strongly in favor of all necessary steps to reduce this nefarious traffic, as well as to rehabilitate those who become infected with this vice. Adequate rehabilitation requires adequate facilities, and I trust that more emphasis will be placed on providing sufficient facilities for treatment.

Now as to the basic issues at stake in this bill, Mr. Chairman, I feel somewhat torn between the positions taken on both sides. The weight of the evidence seems to be on the side of the majority of the Judiciary Committee, and the witnesses who have testified before that committee in support of adequate rehabilitation of narcotics addicts. I believe that is the only sure means of reducing this menace over the years. On the other hand, I am disturbed by the fact that the nonaddicted seller of narcotics might be tempted to become an addict as a route to the hospital rather than prison, if he is caught. It seems to me that this argument has not been fully answered. On the other hand, if we may rely more fully on the judge sitting in the cases under consideration, perhaps justice may be rendered in each individual case. With some reluctance, I will go along with the committee majority on this issue.

Meanwhile, I hope that more serious thought and attention can be given to providing facilities for rehabilitation. And in the cases of those hardened criminals who engage in this vicious narcotics traffic, the law must continue to provide the penalties to meet the crimes.

Mr. TENZER. Mr. Chairman, I wholeheartedly support the amendment offered by my colleague, the gentleman from New York [Mr. FARBSTEIN], but I feel that the amount provided for altering, remodeling, and expansion of facilities is totally inadequate for the needs of our State of New York and other States similarly situated.

In behalf of my colleague, the gentleman from New York [Mr. GILBERT] and and the gentleman from New York [Mr. HALPERN], I offer the amendment to provide the sum of $15 million a year for 3 years. The gentleman from New York [Mr. GILBERT] would offer the amendment himself if he were able to be here today.

Mr. Chairman, I recognize the difficulties at this time in securing these additional funds, nevertheless it is our belief that the sum as provided by my amendment is the minimum amount needed.

Experience has shown tht 95 out of 100 addicts revert back to the use of drugs. How can we have an effective civil commitment program to cure addicts when a willing addict cannot because of a lack of facilities be admitted to an institution.

If the addict is fortunate enough to be admitted, what does it serve him and the community if the treatment he receives is inadequate, or if he goes back on the street before he is ready, and if the means are lacking to assist him during the important transitional period between addiction and a normal productive life?

This amendment would help our States and political subdivisions, and would create the facilities so badly needed to implement and to make this legislation meaningful.

The March of Dimes was designed to fight the disease of infantile paralysis. We are asking less than 10 cents per each American to fight the disease of narcotic addiction.

Mr. HALPERN. Mr. Chairman, will the gentleman yield?

Mr. TENZER. I yield to the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Chairman, I want to commend the gentleman for offering this amendment. While I fully concur with the principle of the amendment offered by the able gentleman from New York [Mr. FARBSTEIN], I would like to see the sum increased to a more realistic amount such as provided by this amendment offered by the distinguished gentleman from New York [Mr. TENZER], and with which I am privileged to be identified with another outstanding colleague, the gentleman from New York [Mr. GILBERT].

The amendment before us would authorize $15 million in funds, as a minimum, toward improvement and expansion of existing facilities. This amendment is desperately needed to make H.R. 9167 truly effective and if we are to expect any concrete results. The funds provided, I should point out, will be on a matching basis. This $15 million is a small enough sum compared with the untold hundreds of millions annually the narcotic scourge costs the taxpayers of the United States.

For an all-out and comprehensive approach to the many-faceted evils of narcotic drugs, it is crucial that facilities for care and treatment of addicts be made part of the civil commitment provisioning. I know of nothing more germane to this problem.

In the one case, we must insure that the localities and States which grapple with this problem are given the means to expand treatment centers. I know that in my own State of New York, the facility shortage is acute; funds are lacking to initiate the kind of meaningful rehabilitative plan which is going to be necessary and which, I might add, is envisioned under title I of H.R. 9167. I compliment the gentleman from New York [Mr. FARBSTEIN] for recognizing this need and for offering his amendment. But I feel the larger sum authorized by the amendment to his amendment is absolutely the minimum that is needed to get this program on the right track.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. TENZER. I yield to the gentleman from New Jersey.

Mr. JOELSON. As I understand the amendment, there is no provision in the amendment for staffing.

Mr. TENZER. No, because when there is an expansion of an existing facility, it is presumed that there will be adequate staff in the existing facility, in any event the State or other political subdivision would provide the staff.

Mr. JOELSON. You assume that the present funds would be sufficient to staff the facility?

Mr. TENZER. I assume that there would be an adequate staff in an institution that would apply for expansion of its facilities, or that the institution is prepared to provide the staff.

Mr. CELLER. Mr. Chairman and Members of the Committee, I have naught but commendation for the three gentlemen from New York who are apparently in unison on this question of providing additional facilities. But I am from New York, too, and I feel that this amendment has no place in this bill.

We are striking out on a new path. We are only on the threshold of the attempt to cure drug addiction, finding the causes and cure of this plague that is on the country. I do not think we are ready for any kind of appropriations like either $7 or $16 million, as the amendment, or the amendment to the amendment, provides. We do not know how many of these addicts will be committed. To adopt these amendments would be like buying a pig in the poke. We just do not know. We must wait.

These men are from New York, and they ought to be apprised of the fact that in New York alone, according to the report of the President's Advisory Commission on Narcotic and Drug Abuse, there are over 58 hospitals and clinics and facilities in New York State that can provide for rehabilitation of the addict.

That being the case, I do not see the need for appropriating any of these large sums at this moment, at this juncture.

Beyond that, New York State has just passed a new act with reference to drug addiction, which provides for compulsory treatment of drug addicts. I believe my figure is correct, that there is an appropriation of $91 million by New York State. Most of the trouble stems from New York State, which is plagued by drug addiction.

We should wait and see what happens as far as New York State is concerned. Let us not rush in now and appropriate this money. We do not know what is going to happen.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New York.

Mr. FARBSTEIN. Mr. Chairman, in the first place I bow to the great wisdom of the gentleman from New York, but unfortunately there are narcotic addicts throughout the entire country, not only in New York and in California. There are addicts in Washington also.

Mr. CELLER. I will also cover that by a statement made by the Surgeon General, Dr. Terry. In answer to questions propounded to him as to whether we should have appropriations in this bill, he said, as follows:

> The Department supports the principle of increased financial and technical assistance to State and local agencies for the establishment, maintenance, and expansion of comprehensive treatment and rehabilitation programs to deal with the problems of drug abuse in the broad sense thus defined, rather than in the narrower field of narcotic addiction alone. Grants to the States for construction of facilities are now provided for comprehensive community mental health centers under the Community Mental Health Centers Act and for hospital and medical facilities in accordance with State plans under the Hill-Burton Act. Since drug abuse is basically related to mental health problems we believe that assistance to the States in dealing with drug abuse should be accomplished within the framework of Federal aid to community mental health services rather than through a separate program. Further study is necessary, however, before the magnitude of the drug abuse problem can be realistically assessed in terms of the facilities, resources, and personnel which would be required.
>
> This does not negate the desirability of more intensive effort, with more Federal assistance to the States, in meeting the challenge of drug abuse.

Finally, the Surgeon General says:

> The Community Mental Health Centers program offers the best means of dealing with the overall drug abuse problem.

That being the case, and having that expertise, I cannot see the efficacy of the amendment of the gentleman from New York, or of the amendment to the amendment of the gentleman from New York, supported by the gentleman from New York, that is, the gentleman from Long Island.

I have great respect and regard for these men. They are very dear friends of mine, but I must reluctantly differ with them and reluctantly turn down the amendment to the amendment, and the amendment.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New York.

Mr. FARBSTEIN. Mr. Chairman, does the gentleman suggest there are sufficient facilities throughout the country to take care of the present number of addicts?

Mr. CELLER. Yes. There are hundreds of them. There are hundreds of them. If the gentleman wants to take the time, he might look at the President's Advisory Commission report, and he will see.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it has taken a long time and a considerable number of years; as a matter of fact it was not until 3 o'clock on this afternon of June 1 that the gentleman from Iowa found it possible, in the role of the lamb, to lie down with the lion from New York.

I join with him in opposing this amendment. The gentleman from New York has well stated that the State of New York is capable of handling any increased load at this time that may be imposed by the terms of this bill upon the institutions and other facilities in the State of New York with respect to narcotics addiction. I want to join the gentleman from New York [Mr. CELLER], in saving the taxpayers of all the Nation a sizable amount of money, as is proposed to be expended under the terms of the pending amendments.

Mr. ADDABBO. Mr. Chairman, I rise in support of the amendment, and move to strike the requisite number of words.

It is indeed with reluctance that I must oppose the chairman of the full committee, the dean of our New York delegation and of the House, but this plague of drug addiction which has come upon New York is a serious plague.

The hearings before the Subcommittee on Appropriations for the Post Office-Treasury Departments have also shown that this plague is not limited to New York, but is constantly spreading. Today we have an opportunity possibly to stop this plague which is spreading throughout the United States.

We have had a law on civil commitment in New York State since 1963. It has been successful to a certain extent, but one of its shortcomings has been the inability of the State, solely for financial reasons, to follow up with necessary supervision after care and rehabilitation.

The distinguished chairman of the committee has stated that New York has given $91 million to this problem. We say this afternoon that the entire country needs help. Fifteen million dollars is only a drop in the bucket compared to what is needed to stop this scourge, and the States must provide matching funds. If they do not need the funds or do not need the facilities, they need not request them.

Mr. Chairman H.R. 9167 which is before this body today deals with a mounting problem in which I have long been vitally interested.

I support this measure which seeks to rehabilitate narcotic addicts charged with Federal offenses other than those of violence.

I do not feel, however, that it provides a wholly adequate answer to the problem. Nevertheless, it is a step forward in the treatment of these unfortunates as sick people.

Under provisions of H.R. 9167, and under H.R. 10762 which I introduced last year, an addict charged with a Federal offense other than that of violence could be civilly committed by the court to the custody of the U.S. Surgeon General for treatment, supervised aftercare and rehabilitation.

The charge against him would be held in abeyance until such time as the Surgeon General certifies that the addict has successfully completed the entire program and fully cooperated. The charges then would be dismissed.

Even under the legislation, now up for consideration by the House, a Federal court could not commit an addict for treatment if the Surgeon General certifies that adequate facilities or personnel for such treatment are unavailable.

The amendment before us, as in my bill H.R. 10762, provides for an appropriation to the States the first year for construction, expansion and/or alteration of necessary hospitals for treatment and rehabilitation of drug addicts. It also would provide appropriations for such purposes in the two succeeding years, for it is important and necessary that adequate facilities and personnel be available to the addict when he elects to undergo civil commitment.

In the course of the committee's hearings on the various bills dealing with rehabilitation it was repeatedly noted that the present voluntary treatment program carried on at the Federal hospital at Lexington, Ky., and at the Federal hospital at Fort Worth, Tex., was not effective in the majority of cases.

In the 1963 report of the President's Advisory Commission on Narcotics and Drug Abuse it was observed that since the Federal Government could not keep these addicts against their will, voluntary patients are able to leave the hospital whenever they desire without completing the recommended course of treatment.

Further there is no follow up care, supervision and help that the Public Health Service can provide in the individual communities in such cases.

The report further noted that most voluntary patients do not remain for the period required for treatment and after leaving relapse to their former pattern of addiction.

Under the procedure of civil commitment provided in the bill before us today, and in my bill, H.R. 10762, after an addict is civilly committed he must finish out the program of treatment and rehabilitation. Otherwise the court case against him, which had been held in abeyance, will be resumed.

That is why it is so important that adequate facilities and personnel be available to him when the court determines that he is an addict who is likely to be rehabilitated through treatment.

Under H.R. 9167 the Surgeon General would be authorized to enter into arrangements with any public or private agency under which appropriate facilities would be available but again the facilities must be available.

Of course we all know that as people move away from farms and rural areas and the cities grow, so shall also spread many problems of the big cities.

It is my hope that this great problem of drug addiction does not spread further. But why wait? Why not destroy the scourge now before it has spread. This can be done through proper aftercare and rehabilitation of addicts civilly committed instead of prosecuted for the commission of a Federal offense.

But we need the funds to do this. We have the opportunity to provide them in this legislation by adding a provision for grants and aid to the States for this specific purpose—construction, expansion and/or alteration of necessary hospitals or hospital-type buildings—thus insuring available facilities for these unfortunates who are willing to undergo treatment.

After all, we spend millions, and rightfully so, to help our farmers stamp out different blights to our farms. I believe we also must now look to a means of reclaiming the lives of thousands within our States who have become victims of narcotic drugs. We can do this by providing a crash program of rehabilitation.

Recently President Johnson, in a message on crime and law enforcement, told Congress:

> Drug addiction is a double curse. It saps life from the afflicted. It drives its victims to commit untold crimes to secure the means to support their addiction.

Last year, in a plea to the Congress for enactment of a program to provide for rehabilitation of narcotic addicts, the President said at one point:

> The return of narcotic and marihuana users to useful productive lives is of obvious benefit to them and to society at large.

Perhaps the problem of drug addiction may not now seem an important one to many of my colleagues because their areas are not beset by this plague to humanity.

The spread has been true in many areas and at every economic and social level—those with low incomes, those in the middle-income class and those in the higher brackets. It transcends color line, and transcends sexes. It is an evil which must be stamped out. I urge my colleagues to support this amendment and this legislation.

Mr. ASHMORE. Mr. Chairman, I ask unanimous consent that all debate on this amendment now cease.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

Mr. RYAN. Mr. Chairman, I object.

Mr. ASHMORE. Mr. Chairman, I move that all debate on this amendment and all amendments thereto cease in 10 minutes.

The CHAIRMAN. The question is on the motion of the gentleman from South Carolina.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Chairman, I rise at this time to again express my enthusiastic support for this amendment. I would feel remiss if I did not relate some of my personal experiences with this problem which is very pertinent to the need for this amendment.

I believe I know something about this problem, Mr. Chairman. For many years, I served as chairman of the board of Riverside Hospital of the city of New York. This hospital, located on North Brothers Island, in New York City's East River, was the only institution of its kind in the world—the only hope the youthful addict had. I say youthful addict because the only occupants of this hospital were teenage narcotics addicts. Yes, Mr. Chairman, they were mainliners—slaves to heroin at 13 and 14 years of age.

Tragically, the hospital was closed by the city about 2 years ago. Too costly, the city said. It needed help; the cost per cure was too prohibitive, it contended. There was inadequate aftercare; there was no assistance.

This is not just a city or State problem, Mr. Chairman. It is a national one. The flow of narcotic drugs does not know State lines; the curse of addiction is not confined by State boundaries. If ever there was an interstate problem, it is the narcotics scourge.

To get back to the hospital I mentioned, the intent of New York's Riverside Hospital was superb. Its goal was to take these youthful victims of narcotics off the drug and to do so without a criminal stigma which would haunt them the rest of their lives. It was established by the city as a result of my legislation 12 years ago while I served as a State senator in New York. We required the civil commitment of the preadult narcotics offender. We used this deserted city hospital on the East River as the locale for the initial step—taking the users off the drugs and thereby embark them on a course for complete cure. But, after the youngster was successfully taken off the drug and released, there was no procedural followup, although the program called for it.

And do you know, Mr. Chairman, how many cures we actually know were successful? You can count them on your hand. What scanty check we could make with our limited personnel—told us the horrendous story of case after case reverting back to the use of the drug. Why? I will tell you why, Mr. Chairman. There were no aftercare facilities. There were no properly trained personnel to provide the vital followup and there were no meaningful rehabilitation programs. There was, however, the same old story. No funds, no facilities.

As board chairman of Riverside, I saw over 4,000 patients—pathetic teenagers, all hardened addicts, pass through this hospital. I got to know many of them by their first names. I have heard hundreds of tape recordings telling the saddest and most incredible tales you have ever heard.

I wish each of you could hear them, my colleagues. They call out for help. And the only way we can give this help is to go all the way and not only pass the bill before the House today to provide the flexibility in the law that is so essential, but we must also make available the material means of enforcing it by approving this authorization.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, I rise in support of the amendment to the amendment. I might point out, although I am from New York, that I do not regard this as a strictly New York State problem. It is a national problem. The extent of addiction is increasing. According to the Federal Bureau of Narcotics, there were 55,899 active addicts as of December 31, 1964, and New York State had 29,063 or 52 percent of them. This is a problem that extends across the whole United States.

On the question as to whether or not there is a need for additional facilities, I refer members of the committee to the statement in the hearings on page 119 by Dr. Luther Terry, the Surgeon General, at which point he said that the Fort Worth hospital was a little above 100 percent capacity. He went on to say that the hospital at Lexington was well over 100 percent capacity. So there is a need throughout the country for more facilities to deal with this very pressing problem.

Mr. Chairman, I would also add that the pending legislation itself provides in title I that civil commitment will not be approved where the Surgeon General certifies that adequate facilities or personnel for treatment are unavailable. And under title II, commitment for treatment will not be approved if the Attorney General certifies that adequate facilities are unavailable.

Mr. Chairman, I believe it is urgent that we move forward not only with the new approach embodied in this bill, but that we have the facilities with which to handle the cases which will come as a result of the enactment of this legislation.

Also, Mr. Chairman, I should point out that one of the most serious aspects of this problem is the question of aftercare. We must provide posthospital care—counseling and guidance, therapy, vocational training, and other followup programs if this is going to be successful. Neither the amendment nor the amendment to the amendment emphasizes aftercare, which is one of the principal purposes of my bill, H.R. 4654, which is pending before the Interstate and Foreign Commerce Committee.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. REID] for 2 minutes.

Mr. REID of New York. Mr. Chairman, I believe that the administration is derelict in not asking for a Federal-State matching program for the construction of facilities.

I believe further that the evidence, which has been presented before this House is clear. The Federal facilities—the two hospitals that we presently have—are operating at over 100 percent of capacity.

And I might say with regard to the State of New York that both the Governor, Governor Rockefeller, and the mayor, Mayor Lindsay, feel strongly that there is a major need for a Federal-State program of matching grants.

The facts are that in the city of New York, based upon the current study by the task force on narcotics, there is a shortage right now of 3,000 beds for the treatment of narcotic addicts.

In my judgment, and with all due deference to the distinguished chairman of the Committee on the Judiciary—this is not a time to wait. I feel this is a time to act.

I would ask the chairman of the Judiciary Committee if I might have his attention for a moment—Mr. Chairman, might I ask you just one question? The question is this: I rise in support of the amendment to the amendment, but in the event that it does not carry this time, could the chairman of the Committee on the Judiciary give us his personal assurance and interest that the Congress should consider acting at this session with regard to a bill that both he and I and others have introduced to provide for the construction of facilities?

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. REID of New York. I yield to the gentleman from New York.

Mr. CELLER. Yes, I am emphatically in accord with the gentleman's statement.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. KUPFERMAN] for 2 minutes.

Mr. KUPFERMAN. Mr. Chairman, for the reasons just stated by the gentlemen from New York [Mr. HALPERN and Mr. REID], and also for the reasons I stated during the course of the discussion yesterday, page 11804 of the CONGRESSIONAL RECORD, I rise in support of the amendment.

Mr. Chairman, yesterday I stated that I would support the presentation which was made by the gentleman from New York [Mr. CELLER] in behalf of the bill itself, the basic bill. However, I feel that in order to carry it into effect, we must also support the amendments that are being offered right now, and, failing those, I look to the chairman of the Committee on the Judiciary [Mr. CELLER] for his assistance and guidance, which I know will be forthcoming, for the attainment of these facilities.

The CHAIRMAN. The time of the gentleman from New York has expired.

The Chair recognizes the gentleman from South Carolina [Mr. ASHMORE].

Mr. ASHMORE. Mr. Chairman, I rise in opposition to the amendment. I base my reasons for my opposition to the amendment upon the testimony which was presented before the subcommittee by numerous witnesses.

Mr. Chairman, the chairman of this committee, the gentleman from New York [Mr. CELLER], has read or related some of the reasons that Dr. Terry, the Surgeon General of the United States, gave for not requesting funds for facilities.

In addition to the testimony of Dr. Terry, the Surgeon General, we had testimony from Mr. Myrl Alexander of the Bureau of Prisons, as well as the Public Health representatives, and representatives of the Treasury Department, all of whom said they did not feel it was necessary now to provide a grant-in-aid program for new facilities.

If it becomes necessary in the future, we all recognize it is the duty of our committee to consider this thoroughly. If we need the money in the future to take care of these patients, we will come back to the Congress and ask for it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. Tenzer] to the amendment offered by the gentleman from New York [Mr. Farbstein].

The amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. Farbstein].

The amendment was rejected.

Mr. STRATTON. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. Gilbert] may extend his remarks at this point in the Record and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GILBERT. Mr. Chairman, the purpose of H.R. 9167, the Narcotic Addict Rehabilitation Act, is to provide for the treatment and rehabilitation of narcotic addicts charged with or convicted of offenses against the United States.

The bill offers narcotic addicts accused of Federal offenses the choice of civil commitment for treatment prior to and instead of criminal trial and authorizes Federal courts to grant indeterminate sentencing of narcotic addicts to treatment following their conviction for a Federal crime. It further authorizes the courts to consider whether narcotic and marihuana offenders between the ages of 22 and 26 are eligible for treatment under the provisions of the young adult offenders section of title 18 of the United States Code, and would allow general provisions of law governing parole to apply to marihuana offenders.

Mr. Chairman, I rise in support of this bill. I sponsored these provisions in my own bill, H.R. 9886; however, my bill, in addition, proposed $15 million a year for 3 years, for grant programs to the States for the construction of treatment facilities, with the Federal Government providing two-thirds of the cost of such facilities.

My bill had also proposed $7.5 million a year for the next 3 years, dispensed on the same two-thirds to one-third ratio, or developing and maintaining programs for the treatment of addicts.

While the bill before us presents an ambitious approach—a step in the right direction—to a serious problem, I regret it does not contain my provision for construction of treatment facilities.

We must recognize that narcotics addiction is a sickness, and we must, accordingly, concentrate on the prevention of addiction, on its cure, rehabilitation, and the reduction of relapses.

The bill before us states that no individual shall be committed unless adequate facilities and personnel for treatment are available. Hospital facilities must be provided and aftercare clinics must be constructed and adequately staffed in the communities where the addict lives and where he returns upon release from confinement.

Experience has shown that 95 out of 100 addicts revert back to the use of drugs. Almost 5,000 narcotics addicts are at present in Federal prisons and cost us $10 million a year. Most of them will return to drugs on release unless we have a program designed to deter them, by giving them the opportunity to become self-respecting and self-reliant citizens of the community through hospital treatment and rehabilitation.

Statistics show that about half of all the narcotic addicts in the country are in New York City, and our statistics tell us that narcotics addicts are responsible for one-half of the crimes committed in New York City. But addiction is no longer a problem confined to the cities or to the poor; it has spread to the suburbs and more and more of our youth are being afflicted daily. Fifty percent of the Nation's addicts are under the age of 30.

I am concerned about the problem of narcotics addiction no matter where it exists. However, I am particularly concerned about the situation in my State of New York. It is no secret that New York's programs for dealing with narcotics addicts are inadequate. New York has on its statute books progressive narcotics legislation—the Metcalf-Volker law—but it has not proved sufficient. It has not made the facilities available for treating the addict who is charged with a crime. When it has attracted an addict into a voluntary commitment program, it has lacked the facilities for following him up after his release. The crime statistics alone testify to this. The broken lives of every young man or woman who has become an addict reveal in melancholy how miserably we have failed. How can we have an effective civil commitment program to cure addicts when a willing addict cannot, because there is no bed for him, even be admitted? If he is fortunate enough to be admitted, what does it serve him and the community if the treatment he receives is inadequate, if he goes back on the street before he is ready and if the means are lacking to assist him during the important transitional period between addiction and a normal, productive life?

Attorney General Katzenbach said in his testimony before the committee:

> The great advantage of pretrial civil commitment lies in its emphasis on swift medical and rehabilitative treatment. Addiction is spread by the addicts themselves. Keeping them off the streets in itself represents an important obstacle to the further spread of addiction.

Mr. Chairman, I regret that my amendment—offered for me by my colleague, the gentleman from New York [Mr. Tenzer], earlier in the debate when I was unable to be on the floor due to illness—was not adopted. My amendment would have provided $15 million a year for 3 years for a program of grants to States for remodeling, expansion, and alteration of facilities. I felt even this amount was too small, and that we needed new construction, as well as expansion and alteration of existing facilities; however, realizing at this point it was difficult to secure approval of my proposals, I wanted to make every effort to at least provide the program for expansion of existing facilities. It is unfortunate that the House has failed to adopt my amendment.

AMENDMENT OFFERED BY MR. DOLE

Mr. DOLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Dole: Page 5, after line 13, add the following:
>
> "(6) An individual who has been released on recognizance or bond following arrest for the crime charged."

Mr. DOLE. Mr. Chairman, this amendment would simply add one more category of eligibility.

I refer the Members to page 4 of the bill. An " 'eligible individual' means any individual who is charged with an offense against the United States, but does not include—"

Following that there is a list of five categories wherein a person is ineligible for civil commitment.

My amendment simply states that an "eligible individual" means any individual who is charged with an offense against the United States but does not include an individual who has been released on recognizance or bond following arrest for the crime charged.

I would state at the outset, I have learned a lot about a very serious problem in the past 2 days. Many statements have been made by the distinguished chairman and other members of the committee who have said time after time after time—the purpose of this legislation is to get the addict off the street.

But what does this bill do? All I seek is to have the addict make the decision at the time of arrest and not at the time of trial. What the bill does in effect is to force the addict, after arrest and bail—to continue his addiction until the time of the trial. It would also compel the addict to continue a life of crime until the time of the trial.

Let me read, as the gentleman from Arizona read a while ago, from page 11 of the committee report.

Mr. McGee, administrator of the Youth and Adult Corrections Agency, said this:

> The active addict is the chief source of the spread of addiction—one addict on the streets will make several new ones in his career. He is the vector of the "disease."

The chairman, the gentleman from New York [Mr. Celler] says in the report:

> And addicts breed other addicts. If we can cure an addict, it is the same thing as isolating and curing a carrier of a communicable disease.

I would remind the House that a provision, similar to my amendment, is a part of the Metcalf-Volker Act in the State of New York. If this amendment is adopted, it would simply conform the bill that we are now considering to the Metcalf-Volker Act.

Mr. Chairman, I am convinced after listening to the debate and reading testimony of the experts that the addict in most cases, is not a criminal. He is a sick man. He deserves immediate medical attention.

Why is it we permit the man to make bail, go back on the streets and to continue in his addiction and to carry on a life of crime so that he can carry on his addiction? We are doing the man an injustice by not saying at the time of his arrest, if you make bail, you are no longer eligible for civil commitment.

There was much discussion yesterday and many statements were made today about taking addicts off the street. I share the views of those who made such statements. But if the person who is arrested is permitted to make bail before electing to receive treatment, then the thrust of this program will be completely frustrated.

I would call your attention to the testimony of the former administrative assistant to the district attorney of New York, Mr. Richard Kuh, which appears on page 307 and page 329 of the committee hearings. He said:

> He is a person both infected by and carrying a highly contagious disease—contagious in the sense that addicts use drugs socially, bringing their "infection" to others in their communities who are prone to addiction. As one who is infected, the addict should be treated medically, humanely, in an effort to cure him. As a disease carrier, however, he must be quarantined in order to protect others. And as one who is both diseased and communicating infection to others, he must be treated promptly. This I underscore as one of the differences between our law and that of California. His treatment should not be delayed until a variety of pretrial motions have been processed and other adjournments and delays have been tolerated, but should start as soon as is feasible after his arrest.

And he also says:

> If you are going to treat the addict as a public health problem of some kind, it makes no sense in effect to pat him nicely on the shoulders and say, "Continue your habit for 6 months or 8 months or a year until after we finally have convicted you and are able to do something about it."

I yield to the gentleman from Arizona.

Mr. SENNER. I thank the gentleman for yielding.

Mr. Chairman, I certainly have great respect for the gentleman's ability. I have read his amendment and agree with the purposes behind the amendment. However, it raises some constitutional questions which I have discussed with the gentleman, not in the debate on the amendment, but during the general debate. If I knew how we could correct that problem, I would certainly be willing to accept the gentleman's amendment. However, there are some constitutional questions that I do not think we can get around, and which would arise particularly in jurisdictions where the court is not in session. The defendant would be arraigned before a commissioner, who in many cases is a layman and the provisions of the law could not be adequately explained to the victim.

I am afraid we might jeopardize that man's cure so that he might not be rehabilitated, simply because of the bail bond provision.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. SENNER. Mr. Chairman, I ask unanimous consent that the gentleman have 3 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

Mr. DOLE. I might say to the gentleman from Arizona that I appreciate his comments. It is not my purpose to deprive a man who has been arrested of any constitutional or statutory right. It is simply my purpose to see that the individual gets treatment at the earliest possible date. If a man is sick, you do not turn him away from the hospital. I agree with what the gentleman from Arizona said a minute ago. This man is not a criminal in the strict sense of the word. He is a sick man. He is entitled to immediate treatment.

But what would we do? We would say, "That is fine. You are a sick man. But you are eligible for bail." He may then be out for 6 months, 8 months, or a year, continuing to live a life of addiction, a life of crime to feed the habit, before he is brought to trial. I do not believe that is fair to the man or society.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. DOLE. I yield to the gentleman from New Jersey.

Mr. JOELSON. I want to be sure I understand the gentleman's statement. Suppose the man denies that he is a user. In that case would you deny him bail?

Mr. DOLE. No, he would make application. In other words, he would decide whether he wants the civil commitment.

Mr. JOELSON. Suppose he would say, "I don't need a civil commitment. I am not a user. I plead not guilty."?

Mr. DOLE. He could do that later on. If he says, "I want the treatment now," the treatment would start today instead of 6 months from today.

Mr. JOELSON. But you would deny him bail.

Mr. DOLE. No, I would not deny him bail. He has a perfect right to bail. All I say is, "The man is sick. He needs immediate attention. Don't turn him back on the street." Why turn him back toward addiction if he can be helped today?

Mr. JOELSON. Do you mind briefly stating the purpose of your amendment?

Mr. DOLE. Yes. On page 4 it would simply add one other provision to eligibility: An individual who has been released on recognizance or bond following arrest for a crime charged. In other words, if the man is arrested and if he is released on bond, then he would be ineligible for civil commitment. But he would have a perfect right to make bond and a perfect right to be released on his recognizance. I feel it is a humane and very proper amendment.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. DOLE. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman's yielding. I think this is a most worthwhile amendment. I believe it should be given serious consideration, both from the standpoint of jurisprudence and the legislation we are considering, but particularly from the medical aspect of narcoticism. I have had considerable experience with this. I have listened carefully to every word of the debate. I think this is one of the most essential amendments we could have, because we need to treat the addicts where they lie or are first apprehended. I strongly recommended that this first-aid principle be applied in our legislation, as fuzzy as some of the rest of it might be. I commend the gentleman for submitting it. I hope that the amendment will be agreed to.

Mr. SENNER. Mr. Chairman, I rise in opposition to the amendment. It is with some reluctance because I am sympathetic with the purpose of the gentleman from Kansas, as I have heretofore stated. However, let us take a look at the legislation and the practical aspects of it. The addict would be apprehended by some peace officer—Federal usually—and would be brought immediately before a U.S. commissioner or a justice of the peace, who may or may not be a lawyer.

He is then bound over, if there is reasonable ground to believe that a crime was committed and he is the guilty party. His bail is set at that stage.

We might or we might not know at that point of the arrest whether or not he is an addict. However, if he is unable to make bail he is incarcerated, and then within a few hours the withdrawal symptoms will indicate to us whether or not he is an addict.

We have it in this legislation that as soon as he is brought before the Federal district judge, the competent person to make this decision of whether or not this addict is eligible for rehabilitation, that judge is required at that moment to advise the addict that he can make an election to take medical treatment and civil commitment in lieu of the criminal plea. Usually at arraignment they plead guilty or not guilty.

I say we should turn down this amendment, because there are instances when the court is in recess for a period of maybe a month or 2 months, and this individual at that time would not have an opportunity to be arraigned.

Mr. Chairman, I wish there were some way that we could hold him. Certainly as soon as we can apprehend and catch up with a drug addict, everybody in this House wants to be sure we treat this disease to keep the contagion from being spread in the community. But I know of no way—the committee has worked on this problem—of denying a person bail and at the same time as we deny him bail to say he is not eligible for the benefits of the act.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. SENNER. I am pleased to yield to the gentleman.

Mr. HALL. Mr. Chairman, sometimes fools step in where angels fear to tread. Certainly I am no lawyer, and I claim no legal mind, but I am interested in getting medical help for the man who needs it, when he is first apprehended or requests such help. We should exercise every circumlocution in order to try to meet with the Constitution. Actually, I do not believe the Constitution is involved. I say this with some temerity. We are not denying the man bail. I have in my hand H.R. 785, which has to do with Federal hospital commitment of mental incompetents, assuredly an allied situation. After 18 months of research, this provides there shall be prior judicial determination. I would ask the gentleman if we could not have prior judicial determination, without delaying the right to trial, or due process, or the right of habeus corpus, or indeed, the right to call an attorney, or any other of the devices assured under the Constitution under a judicial determination. With the election of the right to bond, or bail, to make this immediately available to the man as we do in the case of mental incompetents under section 4244 of title 18 of the United States Code, would be a step forward. It would seem, we have perhaps already tampered with these constitutional privileges.

Mr. SENNER. I say to my good friend and outstanding doctor that the addict, at the moment he is arraigned before the Commissioner, can elect to take this course of action. This is good. However, in the event the addict is in no condition to do this, and somebody raises bail for him, I would not want that addict to be excluded. This would be the results of the gentleman from Kansas' amendment.

Mr. HALL. If the gentleman yields further, the man would not be excluded from that right and that due process, because he would not make a determination in that case.

Mr. SENNER. But somebody else would make the election, maybe his immediate family. Somebody would post bail.

Mr. HALL. The question is then one of validity rather than of nonconstitutionality. I submit to my good friend, if this is the only basis for opposing this amendment we ought to pass it in the interest of prior treatment for somebody who is sick, and does have the very cells of his body eaten away with narcotism.

Mr. SENNER. I thank the gentleman. I certainly agree with him.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. DOLE].

The question was taken; and on a division (demanded by Mr. DOLE) there were—ayes 31, noes 53.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. WOLFF

Mr. WOLFF. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WOLFF: On page 20, after line 23, insert the following new section:

"SEC. 305. (a) Notwithstanding any other provision of law of the United States, any person who is convicted under section 2 of the Narcotic Drugs Import and Export Act of section 4704, 4705, 4724 of the Internal Revenue Code of 1954, of illegally selling narcotic drugs, and who the court determines is not an addict, shall, in lieu of the term of imprisonment provided in the law under which he was convicted, be sentenced to imprisonment for a term of at least 50 years, except that if such person furnishes to the court information which the Attorney General or the Commissioner of Narcotics determines will be useful in the apprehension or conviction of violators of laws of the United States restricting the sale or use of narcotic drugs, the court may reduce the term of imprisonment to not less than 10 years.

"(b) For the purpose of this section—

"(1) the term 'addict' means any individual who habitually uses any narcotic drug (as defined by section 4731(a) of the Internal Revenue Code of 1954) so as to endanger the public morals, health, safety, or welfare, or who is so far addicted to the use of such narcotic drugs as to have lost the power of self-control with reference to his addiction.

"(2) the term 'narcotic drug' shall have the same meaning as such term is given by section 4731(a) of the Internal Revenue Code of 1954."

Mr. WOLFF. Mr. Chairman, I support the legislation we have before us, because I believe drug addiction can be a disease which requires treatment. However, the legislation we have before us leaves one important vacuum, the nonaddicted "pusher."

Mr. Chairman, the problem before us today is as serious as any facing our Nation. Were casualty lists issued by police and health departments, with each addict considered a casualty, the extent of this problem would be brought to mind daily.

But a "junkie" who is found dead in a hallway, or a baby born dead to an addicted mother, or a young girl forced into prostitution to maintain a $40 a day narcotic habit appear on no casualty list—but casualties they are. There is no community, wealthy or poor, educated or uneducated, urban, suburban, or rural that can be considered immune from the problem of narcotics today. The time for complacency has long since passed.

A few weeks ago, within blocks of my district office, a 19-year-old boy was found in possession of a varied assortment of "pep pills," barbiturates, and LSD. Under interrogation, I am informed, he admitted to being a user of heroin.

Another young man was inducted into the Army and while in basic training was discovered with a supply of marihuana cigarettes. He now faces an undesirable discharge.

I received a letter from a doctor 2 weeks ago concerning a boy in my hometown who was awaiting induction, notifying me that this boy was a habitual user of marihuana. And mind you, my district is the "gold coast" of the Nation, not the poor, underprivileged; if anything, the overprivileged. This same problem is present in every corner of this Nation.

I have formed within my district, an advisory committee on narcotics, and we have held meetings and seminars in an effort to expose and explore this problem and hundreds of examples could be set forth, one more horrible than the other.

Even the jargon of the narcotics trade is common in the conversation of our youth.

The problem we face is nationwide and must be fought on every level from the Federal law enforcement agencies to the local village police officer. From our great universities to our local public school. From the U.S. Public Health Service to the smallest village clinic.

However, the problem is twofold. The user, the addict, the victim, whatever term you use, is in need of our help. We must stand ready to assist but even more important, we must act to prevent our citizens from falling into the horrors of addiction.

The real enemy and the one who deserves our unceasing vigilance is the nonaddicted distributor or pusher who preys on the unfortunate addict, reaping untold profits on misery and degradation. He is as great a menace as any enemy engaged against the United States this minute. The casualties he inflicts exceeds a hundredfold those of any Vietcong terrorist. The grief he causes is as lasting and as terrible as if he had put a bullet in the heart of his victim. He is an enemy whose only cause is the acquisition of money. He profits from abused bodies, tortured minds and wrecked homes. He thrives on a mother's tears, a family's shame, a wife's despondency.

He is engaged in a traffic directed from Hell.

Therefore, I call for a 50-year mandatory jail sentence for such nonaddicted distributors. Let us let the punishment fit the crime.

However, this proposal is not merely vindictiveness. It can become one of the greatest aids in our war against the narcotic evil.

I propose that the sentencing judge, upon the recommendation of the Attorney General and the Bureau of Narcotics of the Treasury Department be authorized at any time thereafter, to reduce that sentence to a minimum of 10 years when the convicted and sentenced narcotics distributor has furnished information leading to the arrest and conviction of others similarly engaged in the narcotics traffic.

Let us turn these vultures one against the other. Let us sow the seed of righteous terror. Let us invoke fear among them, distrust of each other and above all constant awareness that an aroused public is ready to put them away long enough to prevent their return, ever, to the narcotics trade.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. WOLFF. I yield to the gentleman.

Mr. McCLORY. Mr. Chairman, I commend the gentleman for his statement and his amendment. However, I would like to point out to him that under title III not only are penalties not increased but they will be reduced by narcotics peddlers who are not addicts, between the ages of 22 and 26. This is a mighty big group. In fact, the largest number of peddlers is in that age group of 26 and under. Therefore, I urge the gentleman on the motion to recommit, which I assume will be made later, to take advantage of the opportunity to vote in favor of that amendment because it will eliminate that part of the bill which is so offensive. The motion to recommit will be consistent with the amendment that the gentleman is offering.

Mr. WOLFF. I thank the gentleman.

Mr. PUCINSKI. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I rise in support of the legislation. I believe it is landmark legislation and should go a long way toward reducing the incidence of drug addiction in America.

There can be no question that drug addiction is one of our Nation's most serious problems because it destroys the human being and reduces him or her to complete slavery to a drug.

Mr. Chairman, the problem has plagued our country much too long. We have passed strong legislation dealing with narcotics peddlers and I have supported this legislation because I believe there is only one place for a drug peddler and that is in jail. I would even be willing to support legislation which would make narcotics peddling so serious an offense that peddlers could be sentenced to the death penalty for a second offense. I can think of no crime more evil than to knowingly make a drug addict of a person.

But, Mr. Chairman, hideous as is the crime of drug peddling, I believe we should understand that the victim of drug addiction is a sick person and must be treated if he is to be rehabilitated.

This legislation makes such treatment possible and I am happy to support it. I understand an amendment will be offered to exclude from treatment those who are peddlers for the sole purpose of satisfying their own addiction. I respect the gentlemen offering the amendment and I am sure they are motivated by the same strong desire that I have to get peddlers off the street. But I believe the bill as reported by the committee gives a judge more discretion in deciding if the peddler is really a sick man himself and should first be treated or if he is just a peddler for profit.

My own feeling is a narcotics addict should be removed from the streets as quickly as possible and treated for his illness. Our jails are full of dope addicts who after serving their time in prison, go right back to their addiction and too often, their road of crime. I believe this legislation provides the means for helping a dope addict who, above all, is a sick man and must be treated.

It would be my opinion that we must get all dope addicts off the streets and into an appropriate institution for treatment as quickly as possible. It would further be my judgment that where you have a peddler who sells only to satisfy his own addiction, a court of proper jurisdiction should be permitted to decide whether commitment for treatment will better serve the community or whether incarceration for peddling will better serve the cause of justice.

It appears to me there is an honest difference of opinion between those who advocate exclusion from treatment those who peddle to serve their own addiction and those who claim a peddler-user should just be treated before he is convicted.

We now have such a system in dealing with crimes committed by people who are mentally deranged. If a court of competent jurisdiction finds a person was insane at the time of the crime, such person is first committed for treatment and then is committed for the crime.

I believe this legislation goes a long way toward rehabilitating dope addicts and saving our citizens from crimes committed by dope addicts. I hope we can support the program carefully worked out by the committee. But whether the motion to recommit carries or not, I hope we do not lose track of the main thrust of this legislation which I believe will do much to help reduce dope addiction in this country.

My own strong feeling is that dope addicts first of all are sick people—desperately sick people and should be treated as such. Merely to throw them into prison without adequate treatment for a cure, is to invite them to go right back to their habit of crime from which they can go right back to their drug addiction.

I sincerely hope the legislation will be overwhelmingly approved.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. WOLFF].

The amendment was rejected.

Mr. HUTCHINSON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I take this time only to explain to the House the substance of the motion to recommit. The motion to recommit will be with instructions to report back the two so-called McClory amendments. In substance, those amendments would amend the bill to make the seller of narcotics ineligible for civil commitment so that the addict pusher cannot escape the responsibility for his crime. The other McClory amendment has to do with amendments to title III. This amendment, if it were inserted in the bill, would retain in the law the present limitations in the Youth Corrections Act so that non-addict violators of the narcotics laws cannot avoid criminal penalties under the so-called Youth Corrections Act.

Mr. CONTE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I believe that the extended and thoughtful debate on H.R. 9167 in which this body has been engaged yesterday and today is particularly significant. Our deliberation has served to underscore the concern we all share for a problem that is both distressing and frustrating. It is difficult to understand the steps that are taken by an individual leading him down the pathway to the physical and moral degradations of narcotic addiction. It is even more difficult for that individual to retrace those steps, to rid himself of this dreadful disease and return to a useful existence, to live a life without the crutch of drugs.

At the very heart of this problem is the continued availability of narcotics and the pusher or seller who lives off the weaknesses of others—whose daily existence is dependent upon the recruitment of new addicts and the perpetuation of the habits of addicted persons.

We are working to alleviate drug addiction in this country. We are seeking to put out a helping hand to the addict to return him to a drug-free existence by treatment and rehabilitation. We cannot and must not do anything at the same time that will make life easier for the pusher or seller responsible for the growing addiction rates in our cities, large or small.

We are, in effect, offering an umbrella of protection for the seller in the definition of the eligible individual in title I of this bill—providing preconviction civil commitment for an individual charged with selling a narcotic drug where it is determined by the court that such sale was for the sole purpose of supporting the seller's own habit. We have not turned our back on the seller-addict in this bill. You need look no further than title II to see that provisions have been made for his rehabilitation and treatment, under the supervision of the Attorney General. The remedy is not denied, but neither does the remedy serve as an "out" nor dilute the conviction and sentencing provisions of those laws now in force which deal with the sale of narcotics. We should not protect the seller from trial and conviction for the crime he has committed. We should not say to the seller—in any degree—that it is all right if he destroys the lives of our teenagers or our young adults by getting them on the needle, so long as he does not make a profit at it, but plows his profits back into junk to pump into his own arm.

Perhaps I am emphasizing a fine line between the provisions for dealing with the seller under title II, as opposed to title I. However, I do not feel that there is a fine line at all between the addict and the addict who is a seller. I will give no quarter to the individual who is bent on self-destruction and wants to take a few others with him. In doing so he compounds the very problem with which we are concerned. I want to be no part of holding out an easier road to the seller, while I will go along all the way with attempts to rehabilitate that seller once he has been convicted of the crime of which he is guilty. There is no more heinous crime in my book as a lawyer than that committed by the individual who preys upon the weaknesses of others to perpetuate his own habit.

If we are to treat and rehabilitate our narcotic addicts, let us not, at the same time, help the recruiters of addicts.

Let us not hold up a sign to the seller, saying, if you are on the needle yourself you can come in under title I for a civil commitment of 36 months rather than the stiffer penalty for traffickers in narcotics which is, I believe, a minimum of 5 years in our Federal prisons.

I hope there will be a motion to recommit this bill this afternoon containing the language of the amendment offered yesterday by the gentleman from Illinois and that that motion will receive the support of this body.

Mr. McCLORY's amendment reads as follows:

Page 4, strike out lines 14 through 23, inclusive, and insert in lieu thereof the following: "2. An individual charged with unlawfully importing, selling, or conspiring to import or sell a narcotic drug."

The CHAIRMAN. There being no further amendments, the Committee will rise.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. BURKE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H.R. 9167, pursuant to House Resolution 858, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. HUTCHINSON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. HUTCHINSON. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HUTCHINSON moves to recommit the bill, H.R. 9167 to the Committee on the Judiciary, with instructions to report the same back to the House forthwith, with the following amendments:

Page 4, strike out lines 14 through 23, inclusive, and insert in lieu thereof the following:

"(2) An individual charged with unlawfully importing, selling, or conspiring to import or sell, a narcotic drug."

Page 18, strike out lines 4 through 10, inclusive.

Page 18, strike out line 11 and all that follows down through and including line 8 on page 19.

Page 19, line 9, strike out "Sec. 303" and insert "Sec. 301".

Page 20, line 3, strike out "Sec. 304" and insert in lieu thereof "Sec. 302".

Page 20, strike out lines 7 through 10, inclusive, and insert in lieu thereof "and who was convicted of a violation of a law relating to marihuana. After con-".

Page 20, beginning in line 13, strike out "If the Board of Parole finds" and all that follows down through "Federal Youth Corrections Act." in line 20.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the "noes" appeared to have it.

Mr. HUTCHINSON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, and the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 198, nays 168, not voting 66, as follows:

[Roll No. 120]

YEAS—198

Abbitt
Abernethy
Adair
Adams
Anderson, Ill.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Baring
Bates
Battin
Beckworth
Belcher
Bell
Betts
Boggs
Boland
Bow
Bray
Brock
Broomfield
Brown, Clarence J., Jr.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Burton, Utah
Byrnes, Wis.
Cahill
Callan
Callaway
Carter
Casey
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Cleveland
Collier
Conable
Conte
Corbett
Craley
Cramer
Cunningham
Curtin
Curtis
Dague
Daniels
Davis, Wis.
de la Garza
Derwinski
Devine
Dickinson
Dole
Dowdy
Downing
Dulski
Duncan, Tenn.
Dwyer
Edmondson
Edwards, La.
Erlenborn
Everett
Fallon
Findley
Fino
Fisher
Foley
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Pa.
Gathings
Gettys
Goodell
Greigg
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Harsha
Harvey, Ind.
Harvey, Mich.
Hébert
Herlong
Hicks
Horton
Hosmer
Huot
Hutchinson
Jennings
Johnson, Pa.
Jones, Mo.
Keith
King, N.Y.
King, Utah
Kornegay
Kunkel
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McCarthy
McClory
McCulloch
McDade
McEwen
MacGregor
Mackay
Mahon
Mailliard
Marsh
Mathias
May
Michel
Minshall
Mize
Moeller
Monagan
Moore
Morrison
Morse
Morton
Mosher
Nelsen
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Pelly
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pool
Quie
Quillen
Randall
Redlin
Reid, Ill.
Reifel
Rhodes, Ariz.
Robison
Rogers, Tex.
Rostenkowski
Roudebush
Rumsfeld
Satterfield
Saylor
Schisler
Schmidhauser
Schneebeli
Schweiker
Secrest
Selden
Shipley
Skubitz
Slack
Smith, Calif.
Smith, Va.
Springer
Stalbaum
Stanton
Stratton
Stubblefield
Sullivan
Sweeney
Talcott
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Tupper
Utt
Waggonner
Walker, Miss.
Walker, N. Mex.
Watkins
Watts
Weltner
Whalley
White, Tex.
Widnall
Wilson, Bob
Wyatt
Wydler
Yates
Younger

NAYS—168

Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Ashmore
Aspinall
Bandstra
Barrett
Bennett
Bingham
Blatnik
Brademas
Brooks
Byrne, Pa.
Cabell
Celler
Chelf
Clark
Clevenger
Conyers
Cooley
Corman
Culver
Daddario
Davis, Ga.
Dawson
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dorn
Dow
Duncan, Oreg.
Edwards, Calif.
Evans, Colo.
Farbstein
Farnsley
Fascell
Feighan
Flood
Fogarty
Ford, William D.
Fraser
Friedel
Fuqua
Gallagher
Giaimo
Gibbons
Gilbert
Gilligan
Grabowski
Gray
Green, Oreg.
Green, Pa.
Grider
Griffiths
Hagen, Calif.
Halpern
Hamilton
Hanley
Hansen, Iowa
Hansen, Wash.
Hathaway
Hays
Hechler
Helstoski
Holifield
Holland
Howard
Hull
Hungate
Ichord
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Okla.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
Kelly
Keogh
King, Calif.
Kirwan
Kluczynski
Krebs
Kupferman
Long, Md.
Love
McDowell
McFall
McGrath
McMillan
Macdonald
Machen
Mackie
Madden
Matsunaga
Matthews
Meeds
Minish
Mink
Moorhead
Morgan
Morris
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Ottinger
Patman
Patten
Pepper
Perkins
Powell
Price
Pucinski
Purcell
Race
Rees
Reid, N.Y.
Resnick
Reuss
Rivers, Alaska
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, Pa.
Rosenthal
Roush
Roybal
Ryan
St Germain
St. Onge
Scheuer
Senner
Sickles
Sisk
Smith, Iowa
Staggers
Steed
Taylor
Tenzer
Thomas
Thompson, Tex.
Todd
Tunney
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Whitener
Wolff
Wright
Zablocki

NOT VOTING—66

Andrews, George W.
Ayres
Berry
Bolling
Bolton
Brown, Calif.
Burton, Calif.
Cameron
Carey
Clawson, Del
Cohelan
Colmer
Dyal
Edwards, Ala.
Ellsworth
Evins, Tenn.
Farnum
Flynt
Fulton, Tenn.
Garmatz
Gonzalez
Hanna
Hansen, Idaho
Hardy
Hawkins
Henderson
Irwin
Jonas
Jones, N.C.
Landrum
Leggett
McVicker
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Miller
Mills
Moss
Murray
Nix
O'Brien
O'Konski
Passman
Reinecke
Rhodes, Pa.
Rivers, S.C.
Roberts
Roncalio
Rooney, N.Y.
Scott
Shriver
Sikes
Smith, N.Y.
Stafford
Stephens
Thompson, N.J.
Toll
Trimble
Watson
White, Idaho
Whitten
Williams
Willis
Wilson, Charles H.
Young

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

Mr. Miller with Mrs. Bolton.

Mr. Rooney of New York with Mr. Stafford.

Mr. Brown of California with Mr. Del Clawson.

Mr. Mills with Mr. Berry.

Mr. McVicker with Mr. O'Konski.

Mr. Scott with Mr. Martin of Alabama.

Mr. Hanna with Mr. Reinecke.

Mr. Burton of California with Mr. Smith of New York.

Mr. Moss with Mr. Ayres.

Mr. Cohelan with Mr. Martin of Nebraska.

Mr. Sikes with Mr. Martin of Massachusetts.

Mr. Hardy with Mr. Shriver.

Mr. Garmatz with Mr. Jonas.

Mr. Dyal with Mr. Hansen of Idaho.

Mr. Leggett with Mr. Edwards of Alabama.

Mr. George W. Andrews with Mr. Watson.

Mr. Charles H. Wilson with Mr. Ellsworth.

Mr. White of Idaho with Mr. Toll.

Mr. Thompson of New Jersey with Mr. Trimble.

Mr. Henderson with Mr. Irwin.

Mr. Carey with Mr. Colmer.

Mr. Evins with Mr. O'Brien.

Mr. Flynt with Mr. Roncalio.

Mr. Gonzalez with Mr. Hawkins.

Mr. Williams with Mr. Passman.

Mr. Rivers of South Carolina with Mr. Fulton of Tennessee.

Mr. Cameron with Mr. Nix.

Mr. Jones of North Carolina with Mr. Stephens.

Mr. Landrum with Mr. Roberts.

Mr. Rhodes of Pennsylvania with Mr. Willis.

Mr. Whitten with Mr. Jarman.

Mr. Young with Mr. Murray.

Messrs. TUCK, ABBITT and EVERETT changed their vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina [Mr. ASHMORE].

Mr. ASHMORE. Mr. Speaker, acting under the instructions of the House and on behalf of the Committee on the Judiciary, I report back to the House the bill (H.R. 9167) to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes, with certain amendments.

The Clerk will report the amendments.

The Clerk read as follows:

Page 4, strike out lines 14 through 23, inclusive, and insert in lieu thereof the following:

"(2) An individual charged with unlawfully importing, selling or conspiring to import or sell, a narcotic drug."

Page 18, strike out lines 4 through 10, inclusive.

Page 18, strike out line 11 and all that follows down through and including line 8 on page 19.

Page 19, line 9, strike out "Sec. 303" and insert "Sec. 301".

Page 20, line 3, strike out "Sec. 304" and insert in lieu thereof "Sec. 302".

Page 20, strike out lines 7 through 10, inclusive, and insert in lieu thereof "and who was convicted of a violation of a law relating to marihuana. After con-".

Page 20, beginning in line 13, strike out "If the Board of Parole finds" and all that follows down through "Federal Youth Corrections Act." in line 20.

The SPEAKER. The question is on the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the passage of the bill.

Mr. CELLER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 367, nays 1, not voting 64, as follows:

[Roll No. 121]

YEAS—367

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Glenn
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Bandstra
Baring
Barrett
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Betts
Bingham
Blatnik
Boggs
Boland
Bow
Brademas
Bray
Brock
Brooks
Broomfield
Brown, Clarence J., Jr.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Callaway
Carter
Casey
Cederberg
Celler
Chamberlain
Chelf
Clancy
Clark
Clausen, Don H.
Cleveland
Clevenger
Collier
Conable
Conte
Conyers
Cooley
Corbett
Corman
Craley
Cramer
Culver
Cunningham
Curtin
Curtis
Daddario
Dague
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dent
Denton
Derwinski
Devine
Dickinson
Diggs
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan, Oreg.
Duncan, Tenn.
Dwyer
Edmondson
Edwards, Calif.
Edwards, La.
Erlenborn
Evans, Colo.
Everett
Fallon
Farbstein
Farnsley
Fascell
Feighan
Findley
Fino
Fisher
Flood
Fogarty
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fuqua
Gallagher
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Goodell
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Halpern
Hamilton
Hanley
Hansen, Iowa
Hansen, Wash.
Harsha
Harvey, Ind.
Harvey, Mich.
Hathaway
Hays
Hébert
Hechler
Helstoski
Herlong
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Hungate
Huot
Hutchinson
Ichord
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Keith
Kelly
Keogh
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kluczynski
Kornegay
Krebs
Kunkel
Kupferman
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
Long, Md.
Love
McCarthy
McClory
McCulloch
McDade
McDowell
McEwen
McFall
McGrath
McMillan
Macdonald
MacGregor
Machen
Mackay
Mackie
Madden
Mahon
Mailliard
Marsh
Mathias
Matsunaga
Matthews
May
Meeds
Michel
Minish
Mink
Minshall
Mize
Moeller
Monagan
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Morton
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nelsen
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pool
Powell
Price
Pucinski
Purcell
Quie
Quillen
Race
Randall
Redlin
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Resnick
Reuss
Rhodes, Ariz.
Rivers, Alaska
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Rooney, Pa.
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Rumsfeld
Ryan
Satterfield
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Secrest
Selden
Senner
Shipley
Sickles
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Va.
Springer
Staggers
Stalbaum
Stanton
Steed
Stratton
Stubblefield
Sullivan
Sweeney
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thomas
Thompson, Tex.
Thomson, Wis.
Todd
Tuck
Tunney
Tupper
Tuten
Udall
Ullman
Utt
Van Deerlin
Vanik
Vigorito
Vivian
Waggonner
Walker, Miss.
Walker, N. Mex.
Watkins
Watts
Weltner
Whalley
White, Tex.
Whitener
Widnall
Wilson, Bob
Wolff
Wright
Wyatt
Wydler
Yates
Younger
Zablocki

NAYS—1

Griffiths

NOT VOTING—64

Andrews, George W.
Ayres
Berry
Bolling
Bolton
Brown, Calif.
Burton, Calif.
Cameron
Carey
Clawson, Del
Cohelan
Colmer
Dyal
Edwards, Ala.
Ellsworth
Evins, Tenn.
Farnum
Flynt
Fulton, Tenn.
Garmatz
Gonzalez
Hanna
Hansen, Idaho
Hardy
Hawkins
Henderson
Irwin
Jonas
Jones, N.C.
Landrum
Leggett
McVicker
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Miller
Mills
Moss
Nix
O'Brien
O'Konski
Passman
Reinecke
Rhodes, Pa.
Rivers, S.C.
Roberts
Roncalio
Rooney, N.Y.
Scott
Shriver
Sikes
Stafford
Stephens
Thompson, N.J.
Toll
Trimble
Watson
White, Idaho
Whitten
Williams
Willis
Wilson, Charles H.
Young

So the bill was passed.

The Clerk announced the following pairs:

Mr. Miller with Mrs. Bolton.

Mr. Rooney of New York with Mr. Stafford.

Mr. Brown of California with Mr. Del Clawson.

Mr. Mills with Mr. Berry.

Mr. McVicker with Mr. O'Konski.

Mr. Scott with Mr. Martin of Alabama.

Mr. Hanna with Mr. Reinecke.

Mr. Moss with Mr. Ayres.

Mr. Cohelan with Mr. Martin of Nebraska.

Mr. Sikes with Mr. Martin of Massachusetts.

Mr. Hardy with Mr. Shriver.

Mr. Garmatz with Mr. Jonas.

Mr. Dyal with Mr. Hansen of Idaho.

Mr. Leggett with Mr. Edwards of Alabama.

Mr. George W. Andrews with Mr. Watson.

Mr. Charles H. Wilson with Mr. Ellsworth.

Mr. White of Idaho with Mr. Toll.

Mr. Thompson of New Jersey with Mr. Trimble.

Mr. Henderson with Mr. Irwin.

Mr. Carey with Mr. Colmer.

Mr. Evins with Mr. O'Brien.

Mr. Flynt with Mr. Roncalio.

Mr. Gonzalez with Mr. Hawkins.

Mr. Williams with Mr. Passman.

Mr. Rivers of South Carolina with Mr. Fulton of Tennessee.

Mr. Cameron with Mr. Nix.

Mr. Jones of North Carolina with Mr. Stephens.

Mr. Landrum with Mr. Roberts.

Mr. Rhodes of Pennsylvania with Mr. Willis.

Mr. Whitten with Mr. Jarman.

Mr. Young with Mr. Burton of California.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SESQUICENTENNIAL YEAR OF THE BROOKLYN SUNDAY SCHOOL UNION

Mr. MULTER. Mr. Speaker, I offer a resolution (H. Res. 864) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 864

Resolved, That the United States House of Representatives recognizes the historic importance of the Brooklyn Sunday School Union, which was founded on April 8, 1816, and which is now celebrating its sesquicentennial; and it is further

Resolved, That this body joins with the citizens of Brooklyn and New York in sending greetings to America's oldest Sunday school union.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, ecumenism has long been the order of the day in the House of Representatives.

The adoption of House Resolution 864 is but one more evidence thereof.

Our distinguished Speaker, a good and devout Catholic, recognizes a member of the Jewish faith to present a resolution honoring the Protestants of our country.

We thus take note of the 150th anniversary of the founding of the Brooklyn Sunday School Union.

For many years the Brooklyn Sunday School Union has celebrated their anniversary with a parade of the Sunday school children through Brooklyn. This year the parade will take place on Thursday, June 9, 1966.

The Brooklyn Sunday School Union is made up of all the Protestant sects of the Borough of Brooklyn and every Protestant church sends a fine contingent of their Sunday school children, teachers, and ministers to participate.

The union contributes to the spiritual welfare, religious education, and moral training of the youth of our community and Brooklyn takes pride in the fact that this is the oldest Sunday school union in the entire United States.

We thus give public recognition of the service to the youth of our area so generously and unselfishly given for the past century and a half by the Brooklyn Sunday School Union.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HIGHWAY SPOILERS

Mr. VANIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, last evening as I drove to Washington from Cleveland I traveled over Interstate Highway 70 between Breezewood and Hancock and found this new interstate highway to be one of the most beautiful highways in the United States. North and south lanes have an extremely attractive median strip. As the highway crosses over several Allegheny mountain ridges, the motorist can view some of the most beautiful landscape in the entire country. The Bureau of Highways of the State of Pennsylvania and the State of Maryland as well as the Federal Bureau of Public Roads deserve credit for the extremely fine design and development of this roadway.

Although this beautiful highway has only recently been opened to the public, within the past year, it is already cluttered with ugly, lighted billboard signs, most of which advertise Washington hotels and motels. Among the highway spoilers are the following Washington area hotels whose signs serve to destroy so much of what public dollars have built.

The Ambassador Hotel, Washington, D.C.

The Howard Johnson's Motor Lodge, Washington, D.C.

The Shoreham Hotel, Washington, D.C.

The Harrington Hotel, Washington, D.C.

The International Inn, Washington, D.C.

The Washington Hotel, Washington, D.C.

The Executive House of Washington.

The Linden Hill Hotel and Motor Inn of Bethesda, Md.

The Wax Museum, Washington, D.C.

The Venice Motel of Hagerstown, Md.

The Holiday Inn of Hagerstown, Md.

The Hancock Motel of Hancock, Md.

I am particularly shocked that fine Washington hotels and motels should find it necessary to use this type of advertising which serves to ruin an otherwise fine roadway. Perhaps they should organize and establish a single tourist accommodation facility which would provide reservation service and list availability for all hotels in the Washington area. If this kind of a facility were established it could eliminate the necessity for unsightly billboards and provide the tourist with an adequate reservation service on the approach to the Metropolitan area of Washington. This would benefit the touring public as well as the hotel and motel industry.

It is my hope that the hotels and motels of the Washington area which benefit so much from the millions of tax dollars that are spent to make Washington a beautiful, attractive city, will reconsider the cheap and unsightly highway advertising which detracts so much from highway values and highway resources paid for by the taxpayers of America.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 763. A joint resolution authorizing the President to proclaim the week in which June 14 occurs as National Flag Week.

CHARLES W. HOWARD, DEAN OF SANTA CLAUSES

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, Charles W. Howard, a colorful personality who was known to thousands of children simply as Santa Claus, died recently. Regarded as the dean of Santa Clauses, he institutionalized the role. Over a period of 30 years he conducted his Santa Claus School at Albion, N.Y., where he trained hundreds of Santa Clauses for leading department stores all over the Nation. Year after year he was a familiar figure, waving to the delight of young and old from atop his sleigh in Macy's annual Thanksgiving Day parade.

Mr. Speaker, I know of no one who brought more joy to the hearts of the children of America than Charlie Howard, our Nation's No. 1 Santa Claus. I was privileged to know him from childhood. I enjoyed watching him in his workshop in his barn, where he made excellent toys by hand; I remember him dressed in his Santa's outfit, with flowing beard, holding forth in a department store chuckling at the boys and girls who whispered Christmas wishes in his ears; in later years I sat in front of Macy's with my children who waved to him as he ho-ho-ho-ed from his sleigh. I will watch next year's Macy's parade with a sad heart.

Mr. Speaker, I include at this point in the RECORD articles about Charles W. Howard from the Orleans Republic-American of Albion, N.Y., dated May 5, and from the New York Times of May 3:

[From the Orleans Republic-American, May 5, 1966]

CHARLES W. HOWARD, 69, SUCCUMBS

Charles W. (Charlie) Howard, 69, founder of the nationally known Charles W. Howard Santa Claus School, died May 1, at Newfane Inter-Community Memorial Hospital, Newfane, following a heart attack.

He had been a patient at the hospital for several weeks earlier this year, after returning from his annual Santa Claus job at Nieman-Marcus Department Store in Dallas. About a week ago he returned to the hospital suffering pneumonia.

Founded in 1937, the Santa Claus School trained hundreds of Santas for leading stores, clubs, theaters and institutions in all parts of the nation. Many of them came back year after year for refresher courses.

He claimed it to be the only school of its kind in the world, "dedicated to the training and equipping of men and women to play the role of Santa and Mrs. Claus."

He appeared annually in Macy's Thanksgiving Day Parade in New York City, and has been the host to hundreds of toy sales conventions from New York to Los Angeles.

The owner of the Myers Stores chain took Mr. Howard and his wife Ruth, to Australia a few years ago to conduct a school there. The Howards were planning a return trip next Christmas.

Mr. Howard designed Christmas Park a few years ago, complete with reindeer and other amusements including a miniature railroad. The park was financed by local businessmen and incorporated, but failed to be self-sustaining and was sold to a group of lawyers and tavern owners last year at a bankruptcy sale.

Mr. Howard was secretary of the Orleans County Fair for several years and sponsored a pageant entitled "The History of Orleans County." During his term as secretary, he had the largest apple pie baked in the nation, which was the subject of a "Believe-It-Or-Not" cartoon by Robert Ripley.

Mr. Howard directed plays in Western New York before he founded the Santa Claus School. In demand as a public speaker, he was given a standing ovation for his stirring message at the Kansas City Rotary Club, the first such honor given a speaker there.

Active in the Albion First Methodist Church in the past, he was a Sunday School teacher, the organizing Sunday School teacher of the "Hustler Class", a soloist in the choir, a trustee and a lay speaker.

Mr. Howard was born at the family home on Route 31, Albion, June 15, 1896. He was a *1916 graduate of the Albion Central School.* He owned and operated the Howard farm and was a member of the Medina Toy Factory until its closing.

In addition to his widow, Ruth G. (Webster) Howard, Mr. Howard leaves a son, William J. of Warren, Mich.; a daughter, Mrs. Everett D. Bergeman of Buffalo, four grandchildren.

[From the New York Times, May 3, 1966]

CHARLES HOWARD, NO. 1 SANTA CLAUS—ONE-MAN FACULTY OF SCHOOL FOR KRIS KRINGLES DIES

ALBION, N.Y., May 1.—Charles W. Howard, the "dean of Santa Clauses," is dead.

Mr. Howard, who operated a school for department store Kris Kringles on his apple farm here, died Sunday in a hospital at the age of 69.

FITTED THE PART

The jovial No. 1 St. Nick first became a Santa while a grade school pupil "because I was short and fat and had a big grin." His school days over, Mr. Howard went on the road as a toy salesman and frowned at the unkempt costumes and lack of child psychology displayed by many department store Santas.

Later he was secretary of the Orleans County (N.Y.) Fair Association and managed an amateur theatrical group, but his thoughts kept reverting to sleighbells and rooftop chimneys. In 1937, Mr. Howard opened his school and advertised for students.

His classes dealt with psychology, costuming, make-up, whisker grooming, voice modulation and ho-ho-ho-ing. The courses started off with orientation in the origin of Santa Claus, a popularization of the original St. Nicholas.

Mr. Howard told undergraduates that in the fourth century of the Christian era St. Nicholas, who lived in Asia Minor, gained fame for many acts of generosity. One of his best-known deeds, the combination dean and faculty of the school told his undergraduates, concerned an impoverished nobleman who couldn't marry off his three daughters because they had no dowries. He decided to send them forth into a "life of shame."

St. Nicholas heard about this, Mr. Howard related, and, one dark night, he tossed a bag of gold through a window into the nobleman's house. The father used the gold as dowries, and in short order found husbands for his daughters. Thus, St. Nick's name became associated with the giving of gifts in secret, and the legend grew.

In 1938, Mr. Howard gave his growing fame a spurt by conducting classes at Santa Claus, Ind. In addition to his tutoring duties, he played the lead in Santa roles for many years at Macy's department store in New York and, last year he performed at Nieman-Marcus stores in Dallas.

Mr. Howard conducted classes in the 100-year-old farmhouse of his 400-acre farm, about 10 miles from Lake Ontario. He insisted that his pupils take notes during his lectures.

In emphasizing the legendary background of his subject, he declared:

"You've got to know the character you're playing. It's so real to me sometimes that I can feel the reindeer breathing on my cheek."

Surviving Mr. Howard are his widow, a son and a daughter.

THE NEW GI BILL IS UNFAIR TO MANY

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks *at this point in the* RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, this Congress recently enacted the Veterans' Readjustment *Assistance Act of 1966.* I supported this measure, both in committee and on the floor of this House. My support, however, did not mean that I was completely satisfied with the bill in its final form. Rather, it indicated an awareness of the fact that the more we perfected the bill, the more it would cost. The more it cost, the greater the possibility of a Presidential veto.

Members will recall that the administration had given the green light to a veterans education bill with a first-year cost of approximately $100 million. The bill that was finally sent to the White House for approval had a first-year cost in excess of $350 million. So, the fact that the bill is more restrictive than the World War II or the Korean GI bills is understandable.

Today, June 1, the educational provisions of the new GI bill become effective. In this period of time since March 3, the date the bill was approved, correspondence I have received has reflected some of the shortcomings and inequities of the new law.

One serious inequity was created as the result of the retroactive entitlement date selected, January 31, 1955. Many of the young men who earned eligibility for educational allowances under the GI bill could not delay their career plans until the Congress decided to pass a GI bill. So, they obtained their education with borrowed money. Now, they are paying for their education, while others are being financed by the Federal Government. One letter I have received illustrates the plight of this group. It follows:

LLOYDELL, PA.

DEAR CONGRESSMAN SAYLOR: I am a veteran who served from 1955 to 1959 in the United States Air Force. If I were just now beginning college, I would be able to do so with the aid provided by the government in the recently passed G.I. Education and Housing Bill.

However, when I was discharged from the Air Force in 1959 I knew I wanted a college education and decided to try to work my way through Clarion State College. I was 26 years old and could not postpone college until a new G.I. Bill was passed. I had no financial assistance whatsoever, but worked nights and went to classes during the day. In my last year it was necessary for me to make a loan which has to be repaid in full with interest. I graduated in 1964 with a B.S. Degree in Education. I did not go into teaching the first year, but worked in a factory. On a teacher's beginning salary I would have been unable to pay my debts. I am now teaching and, on $4,500 a year, am *still* paying on the loan I made for my last year of college.

I feel it is a gross injustice that there is to be no reimbursement or bonus of any kind for veterans in my situation. Rep. PAUL FINO is quoted as saying, "the government owes its fighting men much more than we are giving them here," and you are quoted as calling the amount "a disgrace." If it is a disgrace to give so little, is it not more of a disgrace to give nothing to veterans such as myself? It looks as if we are to be overlooked merely because we have already footed our education bills ourselves.

Certainly reimbursement for our education would cost money, but the government will undoubtedly spend thousands of dollars on men who will begin college and drop out after 6 months, a year, or perhaps 2 years.

I firmly believe there should be some sort of reimbursement for veterans who are eligible but have already paid for their own education.

Sincerely,

JOSEPH P. BUKOSKY.

The recently enacted GI bill contains other inequities, Mr. Speaker. The monthly educational allowances under this law for a veteran with no dependents are $100 for full-time schooling; $75 for three-quarter time attendance and $50 for half time. Now, the War Orphans' Educational Assistance Act also provides monthly allowances for children of deceased or permanently and totally disabled service-connected veterans pursuing a program of education. Just last year, on June 14, 1965, this same House of Representatives decided that $110 full time; $80 for three-quarter time and $50 half time was not enough money for these students. So, in Public Law 89-222, the monthly allowances for war orphans were increased to $130; $95 and $75 respectively. Thus, we find the war orphan receiving $30 monthly more than the veteran, with both pursuing the same courses on a full-time basis. The war orphan attending school three-quarter time receives only $5 per month less than the veteran attending school full time. The war orphan attending school half time receives the same allowance, $75 per month, as the veteran attending school three-quarter time. Now, if anyone can tell me why a 25-year-old veteran needs less money while going to college than an 18-year-old high school graduate, I would be happy to be enlightened.

Other shortcomings of the new law pointed out in my correspondence was the failure to include either on-the-job training or flight training. Both of these programs were included in the World War II and the Korean GI bills. I share the concern of my colleagues about authorizing training under this law that could be classed as avocational or hobby training. In limiting flight training to courses for credit toward a college degree, we have barred the door to those who are interested in obtaining a commercial pilot's license.

As we embark upon this far-reaching program, I urge my colleagues to study its shortcomings. I, for one, intend to introduce legislation to correct them.

LOCAL POLICE IN COLUMBUS, GA., RAISE MONEY FOR DESERVING COUPLE

Mr. CALLAWAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CALLAWAY. Mr. Speaker, I want to praise the Columbus, Ga., police department for their recent show of good will and outstanding community leadership. Hans D. Desch, the son of Sgt. and Mrs. James B. Bryson, drowned in Columbus, Ga., last week.

Sergeant Bryson is stationed at Fort Benning, but since Hans was not an American citizen, he could not be buried on the post. Therefore, his parents arranged for the burial of Hans in the State of Washington. But Sergeant and Mrs. Bryson could not afford to attend the funeral. The police department heard of the incident and enlisted the help of private citizens and raised over $1,000 so that the Brysons could attend the funeral.

Mr. Speaker, Columbus, Ga., has always been known as a good army town. We are proud of the close relationships that have long existed between the military at Fort Benning, the free world's largest infantry center, and the civilian community. This warm display of concern and affection by the members of the police department and the citizens of Columbus is just another example of this spirit of cooperation.

Mr. Speaker, I ask unanimous consent to insert the full account of this incident as reported by the Columbus Ledger in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The article is as follows:

LOCAL POLICE RAISE MONEY FOR COUPLE

Because Columbus policemen cared, a sorrowing couple will board an airplane today to travel to the state of Washington, where they will attend the burial of their 11-year-old son.

Before members of the police department became interested in the case, there was little hope that Sgt. James B. Bryson and his wife would be able to attend the funeral.

The boy, Hans D. Desch, drowned last Monday when he stepped off in water over his head while wading in Cooper Creek.

The Brysons, of 3526 Dale Dr., originally had little hope of attending the funeral. The sergeant was broke and in debt.

However, Sunday, the Columbus Police Dept. turned over $586 that the policemen themselves had collected within the department and from outside donors.

"As soon as the personnel of the police department learned of the problem the whole department got busy," said D. C. Koon, assistant police chief.

The word got around, and citizens not knowing where else to go, brought their donations to the police who turned over the money to the Brysons.

Most of the money came from private citizens, according to Det. Lt. Jack Coulter.

He said Bryson said that he had received $500 in other contributions from citizens who wanted to help.

The problem arose when Sgt. Bryson, the boy's stepfather and his wife, Helen, had to arrange to have the boy buried in the Bryson family plot in Pullman.

Since he was not an American citizen, the boy, Hans D. Desch, was not eligible for burial on post at Fort Benning.

The Army, however, under dependent regulations, arranged to take the body to Pullman.

Sgt. Bryson today said, "I'm at a loss for words. I want to thank everyone for helping us."

MEMORANDUM—ADDITIONAL AIRBORNE TELECASTING CAPABILITIES

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. CHAMBERLAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, tomorrow, June 2, the House is scheduled to consider S. 2950, the 1967 Defense procurement authorization. As Members are aware from reading the bill and the accompanying report, the House Armed Services Committee added a number of amendments which will be of special interest in the forthcoming debate.

I intend to discuss on the floor tomorrow the committee amendment relating to additional airborne telecasting capabilities, and for the convenience of my colleagues, under unanimous consent I insert in today's RECORD a memorandum on this proposal so that it may be available for easy reference during tomorrow's debate.

MEMORANDUM—ADDITIONAL AIRBORNE TELECASTING CAPABILITIES

Re House Armed Services Committee amendment to S. 2950, the Defense Procurement Authorization Bill, as reported on May 16, 1966, to provide under title I, Sec. 101 (page 4, beginning on line 8) aircraft * * * for the Navy and Marine Corps, $1,442,200,000 of which amount $20,000,000 is authorized only for additional aircraft and electronic equipment to be used for expanded airborne television transmission capabilities.

PURPOSE

Procurement of additional aircraft with radio-television and other broadcasting capabilities for deployment in South Vietnam, or wherever else required, to provide optimum flexibility in operations, maximum transmission coverage and length of broadcast time, and a higher degree of security.

BACKGROUND

The creation of airborne broadcasting capabilities through "Project Jenny" was initiated by the Department of Defense under conditions demanding operational readiness in minimum time. Presently this project makes possible a Vietnamese television network considered by military and political leaders of South Vietnam and the United States to be of great importance to the success of efforts to achieve a stable, unified, secure and free nation.

A Vietnamese television network through American assistance was approved by the U.S. Mission in Saigon in late August of 1965. On February 7th of this year, following a formal agreement signed by Premier Ky and Ambassador Lodge on January 3rd, regularly scheduled telecasts began solely by means of airborne facilities which simultaneously transmit on two channels; one for the Vietnamese (with program assistance furnished by the U.S.I.A.) and the other for U.S. military personnel (operated by Armed Forces Radio-Television Service).

The urgent nature of the origination of an airborne broadcasting facility necessitated the utilization of available resources. A vehicle was needed large enough to house television transmitting and programing devices for two channels, AM and FM broadcast facilities, equipment for single or multichannel teletypewriter operations and other capabilities of a classified nature. The aircraft which was available and selected was the C–121 super-constellation.

However, although the two C–121 aircraft, which bear the designation "Blue Eagle", now on station have performed satisfactorily, due in part to some ingenious make-shift modifications, other restrictions imposed by this airframe tend to down-grade the ability to exploit fully the potential of television in South Vietnam. What is required for optimum performance is an airframe that is not severely weight-limited, that possesses the speed and altitude capabilities for flexibility in operation, and sufficient range to allow basing in an area of known security.

In order to provide a minimum of 14 hours of telecasting daily to substantially all of South Vietnam as well as having the capability to operate from a remote area (for example in the Philippines) four aircraft of a type comparable to that of the P3A Orion would be required. Furthermore, turbojet engines would greatly reduce the vibration and noise which are concommitant with the C–121 reciprocating type, and which have necessitated special modifications to secure acceptable broadcast quality. An aircraft that can operate at altitudes in the neighborhood of 30,000 feet, as opposed to the C–121 maximum of 16,000 feet, would increase the effective area of broadcast by a factor of 3 or 4.

CURRENT OPERATIONS

Presently two C–121 aircraft, the absolute minimum number that can provide continuous daily broadcasts (although this does not allow for proper maintenance of the aircraft), are on station. A third C–121 is scheduled to arrive on July 1, which will permit one of the other Blue Eagles to undergo a long overdue overhaul. Broadcasting at an altitude between 10 and 12 thousand feet, daily telecasts of one hour in length on the Vietnamese channel and 3 hours in length on the Armed Forces channel are now received in an area with a radius of up to 150 miles from Saigon.

FUTURE OPERATIONS

Plans currently call for the ultimate replacement of airborne transmitters with ground installations. On October 15, 1966, the Saigon area is to be served from a ground facility, with the standard transmission coverage of a maximum of 40 to 50 miles. Three substations are to be constructed at three-month intervals thereafter so that the Vietnamese channel will by June 15, 1967, be available to approximately 60% of the population. Supplementary transmitters for the Armed Forces' channel are to be housed separately in mobile vans in different locations close to troop concentrations.

PROBLEM OF SECURITY

The Viet Cong mortar attack in April of this year on Tan Son Nhut Air Base, resulted in damage to both and the near total destruction of one Blue Eagle aircraft causing a curtailment in broadcasting from a 7 to a 5 day week schedule for several weeks. Ground transmitting facilities, whenever they become ready, will in all probability be faced with the same danger.

SUMMARY

A. The Vietnamese television network recently inaugurated is considered by military and political leaders of South Vietnam and the United States to be of great potential importance to the success of efforts to achieve a stable, unified, secure and free nation. Additional airborne telecasting facilities of the type here recommended would offer greater assurance that this potential is fully exploited.

B. Two airborne transmitters of the type recommended here flying simultaneously 300 miles apart, at altitudes in the neighborhood of 30,000 feet, are capable of beaming signals receivable throughout virtually all of South Vietnam. To provide daily transmissions of 14 hours would require four such aircraft.

C. The ground installations now planned will not be fully operational (with a potential audience of only 60% of the population) until at least June, 1967. When these are operational, airborne transmitters can be used to extend the signal to areas not covered by the ground signal.

D. The three ground substations will not be "relay" stations, but will be for the most part rebroadcasting material first shown by the Saigon facility. Airborne transmitters are fully capable of providing instantaneous "live" coverage throughout the country, which in critical situations may be of great importance.

E. Ground stations will always be open to destruction by the Viet Cong or "capture" by dissident elements. The capability of being based outside South Vietnam and the fact that the aircraft are at all times under the control of U.S. personnel will insure that control over communications will not be lost to unfriendly hands. It is imperative that there should be no disruption in broadcasting schedules and that coverage and programing time be greatly extended. The psychological implications of a failure to maintain broadcasting schedules might well contribute to a demoralization of the support of efforts to defeat the Viet Cong.

F. This additional airborne broadcasting capability would furthermore be available for service wherever needed throughout the world, with the added potential of worldwide "live" transmissions, in connection with communications satellites, of important current events.

G. A possible choice for the airframe here recommended might be the P3A Orion, currently used for anti-submarine warfare operations. The total cost for the purchase and outfitting of 4 such aircraft would be estimated $20,000,000.

MEMORIAL DAY ADDRESS DELIVERED BY THE HONORABLE ODIN LANGEN IN KITTSON COUNTY, MINN.

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. QUIE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. QUIE. Mr. Speaker, on Monday, May 30, 1966, my colleague, the gentleman from Minnesota, ODIN LANGEN, delivered the Memorial Day address at Hallock, the county seat community in his native Kittson County in Minnesota.

As our Nation paused to honor the dead of many wars and to consider the implications of the present war, Mr. LANGEN provided much food for thought as we cast an uneasy eye on the uncharted future.

I commend his remarks to the attention of my colleagues:

MEMORIAL DAY SPEECH, HALLOCK, MINN., MAY 30, 1966, BY HON. ODIN LANGEN, MEMBER OF CONGRESS

Memorial Day has become many things to many people. To this fine audience gathered here this morning, it signifies our desire to remember, honor, respect and pay deserving tribute to the brave fighting men of many wars who have made the supreme sacrifice. This is as it should be, and I should commend all of you as participants in this impressive and memorable display of patriotic devotion to the great human sacrifices of this Nation on the field of battle in defense of a government and way of life to which we are dedicated.

Possibly it would be more correct to say we are gathered to give thanks for the privilege on this day to be Americans, free to serve our God and our country.

This is a great day. But it could be an even greater day, if all men and all nations could share with us the comforts, benefits, and luxuries of freedom that surround us in generous quantity, with the knowledge that they were achieved by a sacrificing dedication to freedom and peace throughout the world. There are no words or phrases within my reach, acts or deeds that we on this day could perform, that could possibly express just compensation for the great benefits and rewards that are ours on this day to enjoy as a heritage from those we are today honoring.

Oh, if we could but bring to the world of free and enslaved men the knowledge of our riches and more important, an identity of the price at which they were achieved. For the cost of existence without freedom and peace in the world goes on, as a grim reminder that the cause for which the sacrifices were made has not yet been accomplished.

There is no place in this Nation, to my knowledge, that brings one as close to the reality of the cost of our heritage as does Washington, D.C., and the surrounding area.

To visit Arlington National Cemetery, as many of you have done, and witness the sea of markers that expands before you with the vigil of the continuous guard at the tomb of the unknown soldier, gives magnitude to the price of our luxuries. What an impression it leaves at the Easter Morning Sunrise Service, with each of the branches of the Armed Forces participating in this notable worship attended by thousands. People from all sections of the country, from all walks of life, from every creed and faith, each one an emissary of his own church and faith, exemplifying freedom to worship at its best. . . . All of this, performed in an amphitheatre that is surrounded by the thousands of monuments for those who fought and died to preserve the privilege to do so.

Arlington National Cemetery is a 420-acre park-like sanctuary where there rests an army of more than 133,000 men. Many acres of additional markers and crosses have been added in just the short time since Mrs. Langen and I first came to Washington. As each day goes by, to the muffled beat of drums, 30 or more enlistments are accepted in this army of our honored dead.

Their story is told in the weathered letters on white marble, for it was written at Antietam . . . on San Juan Hill . . . in the tangled thickets of Belleau Wood . . . on Iwo Jima . . . in Korea . . . and now in Viet Nam.

I have had occasion to visit a few of the many battlefields that surround our Nation's Capital, that so impressively tell the story of the determination of our forefathers that freedom must prevail.

I recall driving through the well-marked, historically recorded, battlefield at Yorktown, where the final struggle for our independence took place. The many plaques along the drive tell the story of that final struggle in the birth of a new and independent Nation. From this victory, an infant nation, there has developed the greatest system of government, controlled by the people, known in human history.

Today we know that Nation as the world's leader of free men and hope for peace in the world. Like Arlington, this battlefield bears the scars of great human sacrifice, not only of *our* men, for in a well-wooded section, and back from the trail, I saw several white crosses with a plaque along the road, to remind us that fifty French soldiers of Lafayette's Army are buried there. They died in support of our desire to be a free and independent nation. I recall the irony, or the oddities of history also recorded on that plaque, which says that many of the French soldiers that survived the struggle in this Nation returned to France later to die in the French Revolution by way of the guillotine.

Yes, our freedoms didn't come without a price, paid in part by the help and lives from other nations.

In another era of our history, it is difficult to even imagine the struggle at Antietam when one views the historic "Bloody Lane" where more than 2 thousand men were killed in hand to hand battle in less than twenty minutes, with the total losses for that day being the greatest of any in the history of our Nation—or the fierce struggle at Gettysburg, where Minnesota's First Regiment fought so brilliantly that the plaque on the Minnesota Monument reads as follows: "In self-sacrificing desperate valor, this charge has no parallel in any war."

It was in these battles where father was pitted against son, and brother against brother, so that America should not be only half free.

These struggles have continued through the years of our history as evidenced by Flanders Field, the monument to the flag-raising at Iwo Jima, in the cemeteries of Korea—and now in Viet Nam.

And so as we pause on this Memorial Day to honor these men at Arlington and in cemeteries around the world, we need to give thanks and pray that we may gain strength from the knowledge that these men rest here, not for fame or reward, not for place or rank, not lured by ambition or goaded by necessity, but in simple obedience to duty as they understood it.

For these men and women suffered all, sacrificed all, and died for our life's fortunes. And so in our generation, after America has experienced the agony of fighting many wars, Memorial Day has taken on a military flavor, while actually its greatest significance is during times of peace when we reflect on the sacrifices made by our fighting men and remember the reasons why they fought.

To refresh our memory as to why they fought, I think it is best stated in the Preamble to our Constitution: "We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

Yes, these are the impelling motives that have required the common defense, as the Preamble states, by our fighting men, that justice, domestic tranquility, welfare and the blessings of liberty might be preserved for the generations to follow.

But even today, as we honor those efforts and our dead, we find this Nation again at war, because there are those who would destroy these principles and prevent others from developing the blessings of liberty. And the long list of those who lie in "some corner of a foreign field" grows daily. The end of the bitter conflict in Viet Nam is not in sight. For mothers, fathers, wives and sweethearts, families of those who are fighting, this is a sad and anxious time, and for those who have lost loved ones, this is a time to remember and honor, and perhaps even wait fearfully for the news of a possible new grief.

Nor is the war in Viet Nam our only concern. There are many other trouble spots and potential trouble spots around the world that could erupt into open hostility at any moment. The United States has pledged to help around forty other nations if aggressive actions should threaten their welfare, commitments such as we now have in Viet Nam. It's a burden that is already heavy, and could become so great that we eventually cannot carry it. The problem becomes even more critical when you consider the burdens of other foreign aids that we Americans carry on our shoulders.

Unfortunately, too many of these foreign nations, after receiving our financial and military help year after year, now sit back and criticize as we, almost alone, carry the burden of battle in Viet Nam. Too many of these so-called friends not only fail to give us moral support or troops to assist our G.I.'s, but they actually betray our trust by actively trading with the common enemy.

Our gallant troops are fighting today in the jungles of Viet Nam for the very same purpose that they have fought in other wars, to protect those individuals and nations that want to live in freedom. Many Americans question, and perhaps rightfully so, why our sacrifices still go on and why the burdens of warfare remain ours to carry, too often all alone.

The perplexing relations between nations have then placed us at the cross-roads today, fighting a war that to many seems useless. The success of our efforts in building a nation of great economic and social strength has made us a world leader, bound by the principles of our founding fathers to find peace, not war.

In search of this objective, we have displayed our willingness to fight limited battles in the hope of avoiding major battles. But the ways of a peacemaker are often suspect, and are always frustrating. . . . Perhaps Aristotle stated the problems of peace best when he said, "It is more difficult to organize peace than to win a war, but the fruits of victory will be lost if the peace is not well-organized."

The wisdom of his statement history has engraved throughout the battlefields of many lands, reminding us that peace comes not by changing maps, but by changing the hearts of men.

Abraham Lincoln seemed to understand that principle . . . the principle that no peace is won until and unless the foe is won over as a friend. For being kind to the enemy and not using his power to destroy, he was many times reprimanded. However, his reply was: "Don't I destroy my enemy when I make him my friend?" Lincoln, of course, understood the needed use of force in situations that were otherwise unsolveable, but when the battle was won, he forgave his enemies and bound up the Nation's wounds.

America has had some success in following this principle. Our decision to help rebuild Japan and to allow West Germany again to become an industrial power in the world are notable examples. Whether these decisions were right or wrong, only history can tell us, but the point is that America was attempting to export ideas, not subjugation.

It has not been our purpose or policy to dominate a vanquished foe, as is practiced by the communist world—for to do so is but to create an eternal enemy.

Unfortunately, we have too often failed to convince other nations that we truly are friends. Somewhere we have failed in our efforts to even convince our friends of our sincerity and sober determination to bring peace to a troubled world. All we have to do is pick up a newspaper or turn on our radio and television sets to realize that we are indeed not loved around the world . . . our flag is being desecrated, our embassies stoned and burned, our actions everywhere subjected to cruel ridicule. While our purpose is noble and our goal of the highest order, we have failed to develop a sense of loyalty among our friends and have failed to convince our enemies that we stand united as a people in our quest for peace. Somewhere along the line we must get the message across to our allies that it is *their* freedom as well as ours that is threatened by the communist conspiracy today.

These are obligations and objectives that I am sure the fighting men of yesteryear would have wanted us to uphold.

In fighting the great battle for peace in the world, we as a Nation cannot expect to be loved by everyone, but neither do we expect to be hated. And above all, we must at least be respected.

Segments of our own population, right here in the United States, are not without blame in this respect either, although I suspect that the same set of circumstances that causes disrespect abroad also perpetrates it here at home. I refer to the regrettable displays of anti-Americanism represented by groups of our young people who burn their draft cards and make other manifestations of unpatriotic behavior. I am sure it makes good reading in the newspapers of other nations around the world, but it is a sad testimony to the fighting men and women of America who we honor today. I cannot believe that our veterans made the supreme sacrifice just so a bunch of disgruntled kids could have the right to set a match to a card that symbolizes our historic desire to protect freedom at all cost.

Some of these people need a lesson in patriotism, so elegantly on display here today that gives cause for our reflection for a moment or two of the need for a full understanding of patriotism's components.

For patriotism is not just marching behind a band and puffing out our chest. It isn't just a flash of fire-works on the Fourth of July or the playing of taps on Memorial Day, and then submerging our emotions for the rest of the year. It isn't just expressing delight with a three-day holiday during which we can schedule a host of activities, few that are connected with the observance of remembering our honored dead. It is rather for all Americans to stop and remember those who made this holiday possible.

Patriotism is the sum of the three cardinal virtues: Faith, Hope and Charity. Faith in the principles of our government; Hope in the future of our country; Charity toward all and malice toward none.

It is that spirit that makes us help our neighbors when they are in distress, and extend sympathy when they are stricken.

Patriotism is the emotion that makes a lump rise in the throat when one of our fellow men strives to achieve something that no human being ever before achieved . . . to be unashamed at the tears in your eyes when some great soul passes on . . . a soul who unselfishly devoted his life to the cause of mankind.

Patriotism is loving one's country, respecting its traditions, and honoring its people, high or low, rich or poor . . . standing firm and unselfish for the right, for the common good, for the peace and well-being of all; sacrificing self, if need be, and standing tall and unafraid against all opposition.

Patriotism is also giving thanks to Divine Powers and Providence for the blessings that are ours in this generation. We might do well to recall on this day the words in the Gospel of St. Matthew: "Blessed are the peacemakers, for they shall be called the children of God."

Truly we as American citizens have been blessed with all of Nature's generosities, but have we responded with prayerful thanks or displayed a faith and sought Divine guidance in our quest for peace? Memorial Day is truly a day of prayer and thanksgiving for the blessings we share in this day of world history. For no nation and no generation has greater cause to count their blessings and rejoice . . . even in time of grief and recollection of sacrifices.

Those who gave their all, did so in the belief that they were preserving a Nation that would grow to be the envy of the world. And our Nation did just that, with an abundance of food, an abundance of luxuries . . . a great way of life, with opportunity for all. But, somehow I feel that those who sacrificed all so that we might have these benefits, did so in the belief that we would manage our great estate in such a way as to make their sacrifice worthwhile.

In some ways we have succeeded. In far too many ways we leave much to be desired. With all of our material wealth, and with all of our technological excellence, we have not learned to live with our neighbor and fellow man. We have within our grasp and ability to send a rocket to the moon, but we haven't learned how to stop killing more than 40,000 of our neighbors on our highways every year. A free American farmer developed the greatest food production unit in the world, but we have botched things so badly that he can't make a decent living except in time of war, even with two-thirds of the world under-fed. Our American housewives step into the best-equipped kitchens known to Man * * * but they rightfully fear to step out on most of the streets of the Nation where terror and disrespect run rampant. Our Nation has developed freedom of religion to a far greater degree than anywhere else in the world, but those who built our beautiful houses of worship should be alarmed at the atmosphere that enables us to pick up a popular magazine and be told that God is dead.

Even with Americans constituting but six per cent of the world's population, we earn over one-half of the world's income * * * but we as a Nation have not found a way to pay the Federal bills as we go along.

Those who died for the preservation of the American way of life would, of course, be proud of many of our achievements. But they would also reprimand us for not running our affairs in a better way. We expected them to give their all in defense of our freedoms. And they did. Now we must, as their living heirs, pay our debt of gratitude by showing the world that we were worth the price.

And so today here in Hallock, as in communities throughout the Nation, we gather to honor our dead, those who gave their lives in the military service of our country, and those who gave their lives to protect the principles that forged this great Nation. Many will travel to the cemetery to lay a wreath or a bouquet of flowers on the graves of special loved ones.

May we also give thanks and offer sincere prayers for the strength, the knowledge and the guidance to live our lives and manage this Nation as a world leader to the true fulfillment of the objectives of those we today have honored.

May we pledge to rededicate our lives to the principles of understanding instead of distrust. So that our monuments of the future may be built to the more noble purposes of service to mankind instead of the battles that represent man's inability to live together.

Let us hasten to the day when we can indeed call this Memorial Day, because the deeds for which we honor our dead will be just that, memories. Until we do so, they will most certainly have died in vain.

THE HEADS OF THE 2 LARGEST CITIZEN FEDERATIONS WITH A TOTAL MEMBERSHIP OF NEARLY 50,000 URGE THE PRESIDENT TO ESTABLISH PRIORITIES FOR FEDERAL AND FEDERALLY ASSISTED PROGRAMS TO CARRY OUT THE INTENT OF THE CONGRESS IN THE NATION'S CAPITAL

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WIDNALL. Mr. Speaker, home rule for the citizens of the District of Columbia, for some inexplicable reason, is not on the agenda of the White House Conference on Civil Rights which is meeting today and tomorrow in the Nation's Capital.

It is clear, however, that, short of home rule, there are many things which the President could do, and which he is not doing, to lighten the heavy burden which the District's voteless citizens have to bear at this time. In this connection, I have been requested to bring to the attention of this administration, the Members of the Congress, and the Commissioners of the District of Columbia, a joint plea to the President by the heads of the two largest citizen groups in the District of Columbia. Together, the 2 grassroots groups they head have a membership of nearly 50,000 citizens organized voluntarily into nearly 100 chapters. Their joint plea, in the form of a letter to President Johnson, calls on the President to establish by Executive order a rational system of priorities for Federal and federally assisted programs in the Nation's Capital. At the present time, programs for commercial urban renewal, highways, luxury housing, and parking for cars have a very much higher priority than program for low- and moderate-income housing, housing code enforcement, education, recreation, and culture. Recently Vice President HUMPHREY had to call for public donations to light playgrounds in the Nation's Capital at the very same time that a massive program calling for 26 lanes of expressway into the District of Columbia costing tens of millions of dollars was launched along with a massive parking program, which will destroy many District homes, in the face of a housing crisis of major proportions.

In the housing message to Congress on March 2, 1965, President Johnson declared that:

> We must extend the range of choices available to all our people so that all, not just the fortunate, can have access to decent homes, and schools, to recreation, and to culture.

The administration has been careful not to consult District citizens on this matter of commercial urban renewal, highways, luxury housing, and parking for cars, and no poll or vote of the citizens has been sought. The evidence is overwhelming that the citizens would oppose them almost to a man if they had a chance to express their views. There is no evidence that the words of the President which I have quoted have been, or will be, heeded by those in charge. Officials of this administration have ignored both the words of the President and the admonition by Vice President HUMPHREY that slums "breed disorder, demagoguery, and hate." This is the background on this plea and I include it together with a related item reporting the position of the Committee of 100 on the Federal City in the CONGRESSIONAL RECORD:

JUNE 1, 1966.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: It is highly significant, we believe, that nowhere or at any time have you called on the Congress, or the Board of Commissioners of the District of Columbia, to put commercial urban renewal, highways, and parking facilities ahead of efforts to end slums, or to provide housing, education, and recreation for the citizens of the District of Columbia. Yet, here in the District of Columbia, Federal funds are being made available in such a way as to give all the priorities to commercial urban renewal, highways, and parking facilities. The 26-lanes of expressway into and through the District, with its resultant displacement of thousands of homes and businesses, is an example of the wrong kind of priorities.

We believe, therefore, that the following steps are essential are in line with your home rule proposals, and can be effectuated immediately by means of an Executive Order. These steps would provide the proper priorities, and would halt the displacement of families and the destruction of homes at a time when the District is faced with housing crisis of major proportions:

1. Give the priorities to housing, education, recreation, and culture, since this would be in line with your own housing, education, and recreation and cultural Messages to the Congress, and the Acts of Congress in these fields.

2. Give the policy making power over highways, urban renewal, education, and recreation to the two civilian Commissioners of the District of Columbia. The present arrangement, whereby the Engineer Commissioner makes policy is an anachronism in the Nation's Capital. If the Engineer Commissioner makes decisions which are unpopular, under the present arrangement, with powerful lobbies his career is jeopardized and he may not be promoted. It is manifestly unfair to District citizens to require that the civilian Commissioners reside in the District for 3 years prior to appointment but make no similar requirements for the Engineer Commissioner, whose tour of duty is only three years in the District of Columbia.

3. Broaden the Policy Advisory Committee (PAC) by adding an equal or larger number of citizen representatives, such as is provided in the case of all other advisory and policy making committees, commission, etc., etc., of the District of Columbia.

We look forward to hearing from you on these matters with deep appreciation for your leadership in this difficult period. We believe these steps will encourage free men everywhere, and will meet with an overwheming response in the Nation's Capital.

Respectfully yours,

NELSON C. ROOTS,
President, District of Columbia Federation of Civic Associations.

JOHN R. IMMER,
President, Federation of Citizens Associations.

[From the Washington (D.C.) Evening Star, June 1, 1966]

PROTEST SET ON FREEWAY DECISION

The Committee of 100 on the Federal City plans to send letters of protest to the White House, the Interior Department and the National Capital Planning Commission over the decision of the President's policy advisory committee to go ahead with Washington's freeway program.

The committee's decision to protest last week's vote for freeways followed a heated discussion yesterday during which Park Service Director George B. Hartzog Jr. was accused of a "sellout" to freeway interests.

Hartzog, who long held out against road and bridge projects, switched his vote and went along with four other advisory committee members to go on with the highway program.

Committee members speculated that Hartzog had changed his mind so that District and federal highway officials would help carry out rejuvenation plans for Pennsylvania Avenue and the Mall.

The advisory committee, at its May 25 meeting, approved the controversial Three Sisters Island Bridge, the North Central Freeway and several other bitterly opposed highway projects.

The Committee of 100 also sent a letter to Mrs. Elizabeth Rowe, chairman of the National Capital Planning Commission, and the one PAC member still opposing the highway projects, supporting her in efforts to get public hearings held before the projects go through.

OMINOUS NATO DEVELOPMENT

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINDLEY. Mr. Speaker, in making these remarks I am authorized to speak for these Congressmen as well as for myself:

E. ROSS ADAIR, of Indiana; JACKSON E. BETTS, of Ohio; WILLIAM E. BROCK, of Tennessee; CLARENCE J. BROWN, JR., of Ohio; DON H. CLAUSEN, of California; THOMAS B. CURTIS, of Missouri; EDWARD J. DERWINSKI, of Illinois; ROBERT F. ELLSWORTH, of Kansas; JOHN ERLENBORN, of Illinois; JAMES R. GROVER, JR., of New York; CHARLES GUBSER, of California; RALPH HARVEY, of Indiana; ROBERT MCCLORY, of Illinois; ROBERT MCEWEN, of New York; CHESTER MIZE, of Kansas; ALBERT H. QUIE, of Minnesota; HOWARD W. ROBISON, of New York; HERMAN T. SCHNEEBELI, of Pennsylvania; WENDELL WYATT, of Oregon, and J. ARTHUR YOUNGER, of California.

News reports which were forced last week to inside pages by Vietnam headlines told of shocking European developments which could wreck NATO completely unless the United States acts quickly.

This was the news: for the past year France and the Soviet Union have been working together in nuclear research, and joint ventures in space are now being negotiated.

The world's largest accelerator, being completed near Moscow, will be open to French scientists. For their part the

French will provide the world's largest "bubble chamber" for the observation of high-energy particles.

The French team will be the largest group of foreigners to work with Soviet researchers.

What are the implications?

Most obvious, France will press forward with nuclear weapons development. From research to weapons development is only a step. This should surprise no one, as it is entirely natural for any nation to develop the best possible weapons for its own national security. It was unrealistic for anyone to expect France, Germany or any nation with a tradition of scientific and aeronautic achievement, to refrain indefinitely from nuclear and space development.

France's nuclear research will be done in close collaboration with the Soviet Union. Both have much to gain. France gains access to advanced nuclear technology long denied it by United States policy. The Soviets get the use of unique French scientific achievements but more important may gain a way to circumvent the test-ban treaty.

France did not sign the test-ban treaty and has islands in the Pacific where nuclear devices will soon be tested. The Soviet Union did, of course, sign the treaty, but a working relationship with France would enable the Russians to get their nuclear devices tested above ground without themselves openly violating the treaty.

The Soviets have more to gain than just technological development.

The collaboration gives them an effective new way to pursue their obvious objective of fomenting trouble within the Atlantic alliance.

It will further encourage the separation of France from NATO, already far advanced.

It will establish a new European partnership interested partly in keeping the Germans forever from acquiring nuclear weapons, and thus it will feed new fires of discontent within Germany.

Is it realistic to expect a nation like Germany whose scientists pioneered in rocketry and atomic fission to forgo permanently the most effective military weapons? Have the Germans not accepted with patience and grace a second-class status for an entire generation after the war?

As the memory of Hitler fades it would be natural for the Germans like the French to rebel against a policy which treats them as untrustworthy and irresponsible. That day will be hastened by the new French-Soviet arrangement. Germany will be impelled to make its own deal—with the Soviets or others—to advance what appear to be its own national interests.

All this could have been prevented.

Three years ago the House Republican committee on NATO warned that U.S. policy on nuclear weapons was outmoded and bound to cause trouble within the alliance. That shortsighted policy denied to our allies weapons we knew the Soviet Union possessed. At that time our committee recommended that tactical nuclear weapons be made available to NATO nations.

The factfinding mission to Paris sponsored last June by the House Republican Conference proposed that the United States recognize the fact that France, like it or not, had become a nuclear power and we should start cooperating to the end that the nuclear capabilities of the two nations be fully coordinated. This could have been done without amending the Atomic Energy Act. The mission also proposed that steps be taken to create a true partnership within NATO in nuclear technology and weapons control.

Why did France turn to the Soviet Union? Was it because the United States has actively resisted all French efforts to develop nuclear weapons? Was it because we turned a deaf ear to French complaints about the NATO military structure? To a shocking extent U.S. policies have driven France into the arms of the Soviet Union. The latest in a long series of affronts was our administration's refusal to export computer equipment France wanted for its weapons technology.

Curiously, the United States has acted as if the best allies are those which are individually weak, disarmed and dependent. Never let them have any big weapons of their own. Goodness, no. They can't be trusted. Be lord high protector for them all, and everybody will live happily ever after. Nationalism is wrong for everybody but ourselves.

This policy was doomed to failure. It ignored the natural needs and pride of every progressive nation.

Our commitment to NATO was based principally on nuclear deterrence—that is massive and immediate atomic retaliation. While this is officially the NATO doctrine and still theoretically in effect, it has actually been abandoned by the Supreme Command in favor of the concept of flexible response. Never approved by the NATO Council, flexible response became the de facto NATO doctrine when it was propounded by Secretary McNamara in a speech at the University of Michigan. The result of this was to seriously undermine the credibility of our NATO commitment. Today, how many people really believe President Johnson would press the nuclear button—thus risking destruction of U.S. cities—in order to protect Europe? Even if he would, has he convinced our allies?

The automatic character of our commitment to defend other NATO nations further came into question recently in the disclosure of correspondence in 1964 between our President and the Prime Minister of Turkey. In it, President Johnson warned that the United States might have to review its defense commitment if Turkey's planned action in Cyprus provoked Soviet attack. The language he used was curiously similar to De Gaulle's recent use of the words "unprovoked attack" in describing his interpretation of the alliance's automatic commitment.

Recognizing the key importance of France in the Atlantic alliance, the Republican committee more than a year ago urged President Johnson to go to Paris for the single purpose of visiting the French President.

At this late hour, can anything be done to save the alliance from further fragmentation?

A personal trip to Paris by President Johnson still might salvage NATO, if he were prepared to discuss specific proposals which would assure NATO-wide cooperation in technology of all sorts—including nuclear matters, as well as a partnership system for making alliance policy and carrying it out, and a joint arrangement for handling worldwide matters like Vietnam.

President Johnson is the ex officio leader of the alliance because present circumstances center all of its real authority in his hands. He alone controls the nuclear weapons on which all NATO nations depend. He personally selects the supreme commanders of the alliance. Therefore, he alone is in a position to bring about effective reforms quickly. He must act, or nothing of consequence will happen.

President de Gaulle is an astute diplomat, and this current scientific venture with the Soviet Union may actually be a move intended to bring forth a revamped NATO. If President Johnson goes to Paris with specific proposals to discuss, the mad rush toward fragmentation of the alliance could be reversed.

Even if President de Gaulle does not react favorably, much could be gained. Reform of NATO is essential no matter what course France may pursue.

In any case, does the clear responsibility of alliance leadership give the U.S. President any choice but to go? Our pride must not be permitted to stand in the way. The stakes are high, and a touch of humility might be helpful.

At the least the trip and the proposals would reestablish a basic but long neglected principle: our NATO allies should be as militarily strong and self-reliant as possible.

Until a better arrangement can be devised, we must aid our allies, individually and collectively, in acquiring the weapons and technology they feel are essential to their security.

HUMANE TREATMENT FOR LABORATORY ANIMALS

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, in recent days, additional important editorial support has been expressed for legislation that would provide humane standards of care for animals used in scientific research.

The Washington Evening Star and the Washington Post have each endorsed proposals now being argued in the Senate Commerce Committee to broaden the legislation recently enacted by the House so as to take it past the laboratory door, where the protection was left by the bill as approved in the House.

Both newspapers, I want to point, have long championed this principle which is embodied in legislation—H.R. 5647—I am sponsoring. The Star in particular directs its opposition to the proposal offered by Senator Hill of Alabama by which the scientific community would privately police the care of animals in the laboratory. In my opinion, this would be worse than no bill at all because it would likely end all further chance of meaningful legislation while providing no real protection.

There is overwhelming evidence of mistreatment of animals before, during and after the experiments performed on them. The Post correctly notes that "Scientific research is not advanced in the slightest degree by such callous cruelty." This is absolutely true. Furthermore, passage of my bill or similar legislation would in no way impair the legitimate use of animals in scientific research. Every responsible person knows that animals must be used in the search for new ways to fight disease. Every responsible person should also recognize the moral obligation to treat these animals humanely.

I place the two editorials—the Star's appearing on May 26 and the Post's on June 1—in the Record at this point.

[From the Washington (D.C.) Evening Star, May 26, 1966]

The Animal Cruelty Bills

Congress at last is headed toward enactment of a law to require humane treatment of animals used in laboratory research and to halt thefts of pets by dealers supplying this market.

At the eleventh hour, however, a snag has been encountered in the Senate Commerce Committee. Medical researchers, hostile to government supervision (but not government grants, it should be added), are attempting a switch play. A bill introduced by Senator Hill of Alabama would head off federal inspection of how laboratories treat animals awaiting experiments. Instead this authority would be given to a private group.

The medical men, in fact, have such a group all ready and waiting. Set up last year, it is called the American Association for Accreditation of Laboratory Animal Care. Its members are of the establishment; all are staff members of medical schools and research institutions. And, as the association's brochure suggests, the "inspections" would be rather friendly affairs.

There would be no surprise audits, such as those routinely carried out now in the banking industry, for example. Instead a visit would be scheduled by "mutual convenience." It would not come distressingly often—no more than once every five years. The inspectors, according to the brochure, would charge fees ranging up to $1,000 for their trouble.

If the laboratories are in fact treating their animals humanely, they should have nothing to fear from a proposal by Senator Magnuson of Washington that such inspections be made by the Department of Agriculture after standards have been published. His bill has nothing to do with the anti-vivisectionists; the government would not interfere with any laboratory tests or operations.

Certainly the public should not be deluded into thinking the Hill proposal represents any kind of adequate substitute for impartial inspection of such institutions.

[From the Washington (D.C.) Post, June 1, 1966]

Obligation of Humanity

Anyone with a modicum of imagination and a modest reservoir of the milk of human kindness in his makeup must feel distress if not indignation at current disclosures of the treatment sometimes accorded animals used in scientific research. Sometimes family pets are stolen for sale to laboratories; sometimes animals are kept in cramped cages too small for them to stand in; sometimes they are denied adequate food or water while awaiting experimentation. Scientific research is not advanced in the slightest degree by such callous cruelty. Human decency and dignity are affronted by it.

The Senate Commerce Committee is now considering legislation to forbid this kind of savagery. It should be stronger legislation than that passed by the House, which limits its protection to animal dealers—and to dogs and cats. Cruelty ought to be prevented in laboratories as well—and it ought to be prevented in connection with all living creatures. The welfare of humanity is debased, not advanced, by purposeless brutality springing from callousness or neglect or niggardly penny-pinching. Humane treatment of dumb animals is a hallmark of humanity.

THE BIG SPENDER

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, an item in a national news magazine this week describes a sweeping program to provide jobs and a guaranteed annual income for every American which will shortly be presented to the President for his consideration. Among the recommendations, according to the report, are: First, new public works projects to provide employment for all at their existing levels of skills, and for those still unemployed, a guaranteed level of income under uniform Federal standards; second, Federal purchase, lease, and sale of land to assure that its development will provide housing, facilities, and services for persons of all races and incomes; third, a national minimum of welfare assistance to set up a standard of living compatible with health and decency.

While the goal of adequate incomes and housing for all is certainly a meritorious one which any fairminded citizen will support, our experience with Government-sponsored programs in the past should make us distrust such programs as a remedy.

The Federal urban renewal program is an excellent example. Started in 1949, its primary purpose was to remove blighted urban areas and provide low- and moderate-cost housing for citizens in the lower income brackets. The abuses caused by this program over the years and the protests from the intended beneficiaries are now a matter of record. And we are still in search of reasonable-cost housing for our less fortunate citizens.

And now, if the above-mentioned report is any indication, we might possibly embark on more Federal spending schemes, conveniently forgetting past mistakes, let alone correcting them.

For the average citizen who cannot rely on deficit spending for any length of time without a day of reckoning, there is a long-range solution to this financial idiocy: he must relate the value of his dwindling dollar to Government spending programs in nondefense areas. As stated in the following article, the best way to curb inflation is to reduce Government expenditures. Secondly, the citizen must file for reference on election day the various nonessential, nondefense spending proposals and who among his Representatives in national elective offices are responsible for them. Thirdly, return such Representatives to private life in November to learn anew the realities of deficit spending.

The following article, "Slash the Spending," should be read by every citizen concerned about the present inflationary trend. Its author, Henry Hazlitt, is certainly qualified to speak on this subject. Both an editor and author, he began his journalistic career back in 1913, and since that time has served as financial and literary editor and as editorial writer for various newspapers and magazines in the New York area. He has authored a number of books on economics, and since 1946 has written the column, "Business Tides" for Newsweek magazine.

For a realistic approach to our problem inflation I recommend the above-mentioned column, "Slash the Spending," and insert it in the Record at this point.

Slash the Spending

(By Henry Hazlitt)

For the last five years the "new economists" have denied that their policies led to more inflation. Now that they are at last forced to recognize this, they are proposing one of two cures, or both. The first is price and wage controls; the second is another tax increase. The first is not a cure at all but merely an additional disease. The second is harmful and unnecessary.

The simple cure for inflation is to stop inflating. The direct cause of inflation is the increase in the quantity of money and bank credit; the direct cure is to stop this increase. In order to make this possible we must stop the budget deficits. There are two ways to do this. One is to increase taxes; the other to cut expenditures.

But a further tax increase, on top of the $5 billion annual increase in social-security taxes that went into effect Jan. 1, and on top of the $6 billion increase just enacted, i.e., on top of the unparalleled tax burden of $145 billion that the American people already carry for 1967, would discourage production and constrict the economy. No one has been more insistent on this result in the last few years than the new economists themselves. They supported a tax reduction when we could not afford it. As we already had an inflationary deficit, the tax cut simply made it greater. It was therefore a sham tax cut. It merely substituted inflation, which President Johnson has called "the most unjust and capricious form of taxation," for other taxes.

HUGE NONDEFENSE COST

And it was the wrong kind of tax cut, both politically and economically. If everyone's taxes had simply been cut by an equal percentage, it would now be politically easy to restore them by a corresponding percentage. But proportionately the tax cuts were greatest on the low-bracket incomes, making income-tax rates even more steeply progressive than they already were. The Administration and Congress would therefore not dare now to restore personal income tax rates to their previous levels because they would be accused of making the increase greatest on the lower incomes.

Yet with the clear threat of further inflation, it is imperative that we reduce or eliminate the "inflationary gap," i.e., the excess of expenditures over revenues. The best way to do that is to reduce expenditures.

We are being told that this cannot be done, because the present huge spending is necessary to pay for the war in Vietnam. But this is not so. In the cash budget for the fiscal year 1967 total national defense expenditures are estimated at $60.5 billion. *Non*defense spending comes to $83.6 billion. If we compare the 1967 budget with 1956, we find that defense costs in this eleven-year period have risen only $20.5 billion while nondefense spending has increased by $52 billion. The way to prevent further inflation is to start slashing this enormous nondefense total.

SAVING $10 BILLION

How many billions need to be slashed off? Technically, the 1967 cash budget is already estimated to be in balance. But if (allowing for the dubious accounting gimmicks and the probable underestimate of expenditures) we assume that the real deficit will be at least $5 billion to $10 billion, then this is the amount that expenditures should be cut.

Anyone who thinks there is anything unreasonable or impossible about a cut of these dimensions need merely look at the increase in nondefense spending in the last few years. For 1967 it is $12 billion more than in 1965, $23 billion more than in 1963 and $32 billion more than in 1961. All we have to do to cut out even $10 billion is to cut out the new spending programs added since 1965 alone. If we don't want to do it that way, we might do it by slashing one or two of the more dubious categories of spending such as the $4 billion for foreign aid, the $3 billion for farm subsidies, the $4 billion for the most expensive road-building program in history, the $4 billion for putting a man on the moon or part of the $46 billion of welfare spending.

But don't let anyone tell you that we need to levy $5 billion or so of increased taxes (on top of $145 billion already there) to "prevent inflation" or to pay for the Vietnam war. The money is "needed" only to pay for the extravagant Great Society programs of the last few years.

WHAT IS OUR "FARM PROGRAM"?

The SPEAKER. Under previous order of the House, the gentleman from Texas is recognized for 30 minutes.

Mr. POAGE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POAGE. Mr. Speaker, last night and this morning the Washington papers carried headlines stating that the cost of food had advanced almost 7 percent within the last 14 months.

This is very naturally disconcerting to the consumer and we are all consumers. It is a very common and natural reaction to blame the farmers for this increase. "Didn't he raise the prices?" "Didn't he pocket exorbitant profits?" Let us see just how "exorbitant" have been the profits of American farmers. Let us read a little more of the record—those facts which the newspapers did not print. Let us see, if we can, just what prices have gone up and just who got the increases.

We are all vaguely familiar with what we call parity. Parity is simply a measuring stick. It is that price for the things which farmers sell—wheat, cattle, cotton, corn, and so forth—which will purchase the same amount of the things farmers buy—tractors, gasoline, clothes, carpets, television, and so forth—as this same volume of production did in the base period, with certain technical adjustments. It is a pretty fair measure of the real income of farmers—expressed in buying power. In 1952 the parity index stood at 100 percent. It dropped for 8 out of the next 9 years. Recently, this drop has been stopped if not reversed. It now stands at 79 percent. Still a long way from a fair level when compared with other segments of our society.

But let us look at some specific farm prices.

In 1952 farmers received $4.85 per hundredweight for milk. Milk then retailed for 24.2 cents per quart. Today farmers are receiving $4.33 per hundredweight for milk and milk is retailing for 27.2 cents per quart. Farmers can hardly be charged with this increase in consumer costs while their own returns have been reduced.

Eighteen years ago farmers received 32 cents per pound for cotton. Today it sells for 24 cents per pound. Eighteen years ago farmers sold wheat for $2.15 per bushel. Today wheat sells for $1.44. Now I recognize that both wheat and cotton carry a subsidy which adds to the farmers income but the figures I am quoting are the prices consumers pay. If you include the subsidy the cotton farmer is still averaging 3 cents less than he was in 1948 and the wheat farmer is getting 36 cents less.

Is any industrial worker getting less than he earned for the same work in 1948?

Now let us look at beef, for it is actually the product which has enjoyed the most spectacular increase in price recently. In 1948 feeder calves—the kind farmers sell—brought 28 cents per pound. Today they are quoted at exactly the same—28 cents. That can hardly be responsible for an increase in the price of beef.

Remember, farmers do not sell beefsteaks. They sell cattle and there has been no increase in the price of cattle over 18 years. If consumers have any legitimate complaint about food prices it seems clear that their protests should be directed to someone other than to the producer. As I will point out later the American consumer is getting more and better food, right now, for a smaller percent of his spendable income than have the people of any other major nation at any time in history.

Now, Mr. Speaker, I would like to try to describe our farm program. In the hope that I will not be too boresome I will proceed for not more than half an hour today and then on Tuesday next I will use additional time.

We are often asked: "What is our farm program?" "What does it cost?" "Who does it help?" "Why should city people support it?"

If one can answer the first question, I believe the other questions will answer themselves. I shall shortly attempt to explain the general value of our farm program. I hope that I can do this with sufficient clarity that you will be able to follow the more specific and more detailed discussion of various facets of this problem which will over the next several weeks be presented by a number of my colleagues.

Finally, while these discussions will of necessity be political in their overtones, because in recent weeks the farm program has itself been the subject of political attacks, today I intend to confine myself to a factual recital of the historical basis and the mechanics of our farm program.

I have studied the needs of agriculture all my life. I was reared way out in the country—30 miles from the nearest railroad. The first school I attended was taught in a church house. Practically everyone in the community was dependent directly on agriculture for his livelihood. That meant that we were dependent on the vagrancies of the weather, the insects, and the markets.

Summer after summer I watched for a cloud in the west, not simply to break the searing heat but to save our wilting crops and to supply water for our thirsty livestock.

Along with the other boys of the community, I drove a team of mules pulling a long pan of water with kerosene oil on top to catch and kill the grasshoppers which could and did destroy our crops in 1 day, just as they have through the Middle East for thousands of years.

And when we made a crop we never knew what we could get for it. I lived in a country which was moving out of cattle into cotton. Today we are reversing the process. Fifty to sixty years ago cotton often sold for 15 cents per pound—in May and June—when the farmers had no cotton. My father and his neighbors all talked of getting 15 cents for their cotton. They never did because as cotton began to open, the price always went down. By September or October, when we had cotton to sell, it often sold for 8 or 9 cents. The same thing was true of other commodities. I am sure that those who lived in wheat- or corn-producing areas had a similar experience.

We have not yet discovered anything we can do about the weather. In my country we still look hopefully at the western sky each summer night, but the Soil Conservation Service has helped us to conserve and more efficiently use the moisture we do get and in some places the Reclamation Service has helped farmers to irrigate their land.

Scientific research, both Government and private, has gone a long way toward helping us control the insects. The grasshopper is no longer our No. 1 pest. We have insecticides without number. Most of them are good and accomplish the specific objective for which they were developed, but they are expensive and their application is even more expensive. Just last week I was talking to a cotton farmer who grew about 2 bales per acre—an excellent crop—but he told me he sprayed his crop 30 times. Each spraying cost about $3 per acre. You can see that he had to make a mighty good crop to break even. Both Government and private industry has helped in our struggle with insects, weeds, and plant disease, but we still have a lot to do.

Probably our greatest governmental help has come in the field of marketing. Today, not only cotton but most storable crops enjoy a large degree of price stability. Except for the cost of storage and carrying charges there is little difference between the price available to the producer at harvest and the price 10 months after harvest. Indeed, our modern younger farmer never realizes just what the Government has done to help him stabilize his price.

How has the Government moved to help farmers?

First, it began in the Wilson administration to help farmers secure credit on usable terms. The land bank system was enacted in 1914. Under it the Government advanced the first capital for the land banks, which helped and still help so many farmers to own their land. This system required that the very people who borrowed from the bank should use at least 5 percent of the loan to buy the stock of the system. Today there is not a dollar of Government money in the land banks. They are wholly farmer owned.

In 1923 we established the intermediate credit banks on the same pattern. In 1933 we added the banks for cooperatives. Both of these systems are now well along toward farmer ownership. This spring I introduced H.R. 14000, which would apply the same principle of cooperative credit to the REA, but that is a separate story. The point is that farmers have proven that, given an opportunity, they can and will reimburse the Government and provide their own credit. So far few urban programs have repaid so much of the aid extended. More recently, the Farmers Home Administration has provided credit to the lower income brackets of farm people. It has made direct loans, but it has also guaranteed private loans. It has charged the borrowers a fee for this guarantee and it has actually made a profit from its guarantee business.

The next field of Government aid comes under the head of research and development of crops and methods of cultivation. For many years the Department of Agriculture and the land-grant colleges had been developing new and better systems of producing crops and livestock, but it was not until the Second World War brought farm prices up toward parity that most farmers could afford to use these devices. With wheat selling at 75 cents per bushel and cotton at 12 cents per pound, our farmers throughout the 1930's simply did not have the means of using the knowledge that our research institutions had developed and our extension service had so neatly cataloged. But when prices moved up our farmers immediately availed themselves of this scientific knowledge and used it to very rapidly double and in many cases triple our agricultural output. Had they not had this accumulation of research, or had they been denied the price increase necessary to use this information, we could not have fed ourselves during the war, much less feed the needy people in allied and later in conquered countries.

Probably never has the importance of a fair price been more clearly evidenced, and the most important point is that the payment of a fair price—that is, a price close to parity, which allowed the farmer to continue to sell his products for enough to buy his historic needs for the same amount of this production—clearly saved the American consumer from utterly unbearable prices for food and fiber and at the same time made it possible to contribute mightily to the recovery of Western Europe.

This has nothing to do with the wishes of our farmers or their willingness to produce abundantly. It is just a matter of economics. Had the price of cotton remained at 12 cents, how could any farmer invest $90 per acre in the destruction of insects? Had the price of wheat remained at 75 cents, how could any farmer have put out enough fertilizer to double our average yield. And had our farmers not increased the yield both per acre and per man engaged in agriculture, what do you think wartime America would have paid for food and fiber?

I, therefore, come to my first conclusion. The people of our cities have just as much at stake in fair farm prices as do the producers themselves. Indeed, without this farmer efficiency there could be no big cities. At the time of the adoption of the American Constitution it took three men working on the farm to feed themselves and one man in the city. In Russia it still takes at least one man on the farm for every two in town, but in the United States we need but 1 man on the farm to supply 36 in our cities. I think the greatest mistake any of us can make is to assume that by depressing the price of farm products we can, in the long run, improve the lot of the urban citizen.

Farming, today, is a tremendously expensive business. Impossible as it will sound to many Representatives, the investment in plant and machinery is actually 50 percent greater on the American farms than in our factories—actually $30,500 per farmworker and only $19,600 per industrial worker. This investment simply cannot be made or maintained without a reasonable price for farm products—and when this investment is not made, many evil consequences are certain to follow. First, farm production must drop because men working with hoes and rakes simply cannot produce as much as men with modern tractors and tillage instruments, and men—or as in Europe, women—hauling barnyard manure cannot get the yields produced from modern chemical fertilizers.

As total production drops, the cost to the consumer must go up and as the efficiency of the agricultural worker goes down, his returns must go down even though the unit price is increased. Thus, at the very time the industrial worker finds his own cost of living going up, he is very likely to find the market for his products contracting because agriculture still provides the largest single market for so many of our basic industrial products.

Nor can the Nation afford to devote any larger share of our national labor force to the production of food and fiber. To do so will not help consumers. The larger the percent of the labor force devoted to agriculture, the larger share of the industrial worker's income which must be used to buy food.

I invite you to ponder the following statistics:

In the United States only 1 worker out of 15.7 is engaged in agriculture. At the same time our industrial workers use but 18 percent of their net spendable income on food.

In France 1 worker out of 5 is engaged in agriculture, and the industrial worker of France spends 30.5 percent of his net spendable income on food.

In the U.S.S.R. 1 worker out of every 3 is engaged in agriculture. There industrial workers have to spend 47 percent of their spendable income for food.

In India and Red China there are no exact figures, but about 75 percent of the people work in agriculture and the others spend about 75 percent of their income for a very inadequate diet.

In the face of these figures who can complacently pass over the farm problem as one with only local implications. No, my friends, the farm problem is everybody's problem.

I feel that it is a mistake to belabor the matter in one discussion. Tomorrow I shall try to follow the development of our policies and programs since the close of the Korean war. A little later other Members will cover some of the many features of special interest to various groups and regions.

Now I shall be glad to attempt to clarify any of the subject matter I have covered today, but in the interest of reasonable coherence I would ask that you defer questions on points I have not yet covered in these discussions until I have an opportunity to reach those points.

Mr. CALLAN. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I am glad to yield to my friend from Nebraska.

Mr. CALLAN. First I wish to compliment the gentleman now in the well. He is the vice chairman of the Committee on Agriculture. I have the pleasure of serving on two subcommittees of which he is the chairman.

I am sure there is no other man in the United States any more knowledgeable in the matter of farm policy than the gentleman from Texas.

In my opinion, the statement the gentleman has made today should have widespread coverage all over the United States, equally as widespread as the newspaper articles he mentioned today. I believe if we could have this information given out to the American people we could come to a better understanding of what actually are the problems in American agriculture. For this I compliment the gentleman from Texas for his fine statement.

Mr. POAGE. I thank the gentleman from Nebraska. I hope the gentleman from Nebraska will, at a later date, discuss some of those phases himself.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I thank the gentleman for yielding.

I wish to join my good friend from Nebraska in expressing appreciation to the gentleman from Texas for a most statesmanlike and constructive speech.

I hope the Democratic National Committee will undertake to reprint this speech and to circulate it across the country, because I believe it will enlighten the people in our country as to the basic and fundamental facts of life about our farm program and the role which American agriculture is playing today in keeping the United States No. 1 in the free world.

I do not think any other segment of our society contributes so much to the preeminent position which our Nation occupies in the world today as does the American farmer. The gentleman from Texas [Mr. POAGE], who has been one of the principal architects of our farm policy for a number of years here in Washington can certainly claim a great deal of credit for the enlightened policies which we have followed, which have made possible the position our Nation occupies today.

Mr. POAGE. Mr. Speaker, I appreciate the kind words of the gentleman from Oklahoma, who has himself been so interested in the welfare of our farmers and all of our people during his long years of service here.

Mr. Speaker, I now yield to the gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. Mr. Speaker, I also want to commend the gentleman from Texas for taking this time and indicating here that in the future he will take some more time at which time I will be glad to participate in the debate on this subject.

I also want especially to commend the gentleman from Texas for pointing out the tremendous progress that has been made in the United States of America in agriculture in the past 30 years, especially pointing to the fact that except for this great progress in productivity we today would have lines waiting to get enough meat or enough food instead of having what is called a problem, because we have a surplus.

This is the only country in the whole world where, when you refer to a farm problem, you are referring to the problem of managing a surplus instead of the problem of trying to find enough food to fill the stomachs of hungry people.

Mr. Speaker, I want to commend the gentleman for taking this time and indicating that he will take some more time next week.

Mr. POAGE. Mr. Speaker, as he always does, the gentleman from Iowa [Mr. SMITH] has shed some light on some of the deep problems involved here. I think he is generally recognized as one of the deep thinkers in regard to agriculture in the House. I very much appreciate his kind remarks and hope that he, too, will avail himself of the opportunity of discussing at least some of the specialized phases of our agricultural problems during the coming weeks.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I am glad to yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the gentleman from Texas yielding to me. I certainly want to commend my colleagues in congratulating the gentleman from Texas, the vice chairman of the Committee on Agriculture, for the discussion that he has brought to us today.

Certainly any emphasis we can give across the length and breadth of the Nation with reference to agriculture and to the increase in the cost to the consumers, which includes the producer, one of the greatest consumers in the field of farm implements, equipment, and so forth, is of great benefit. While he has gained relatively little in the cost of producing foods and fibers, and so forth, for this Nation, his costs have gone up. This is a most worthwhile discussion.

I commend the gentleman on what he has done. I think he will agree with me that with the attitude of the American farmer and producer perhaps we have not yet scratched the surface, because, based on our greatest resource, the God-given soil, with modern hydroponics coming on, we can even increase this yield as necessity demands and perhaps carry out some of the great things which we now plan to do here and around the world. In this way we can support our own population explosion.

Now, Mr. Speaker, let me say I was particularly glad to hear what the gentleman from Texas had to say about the cropland restoration. As he knows, I am vitally interested in restoring to the soil what we take out of it as long as we can, at least in a time of overproduction. I have worked hard on this matter. I, too, look forward to his next stanza and verse on this Tuesday following. I shall plan to be here and hope that I can help further with something similar to the more involved cropland restoration.

Mr. Speaker, I appreciate what the gentleman has said about the producer of American foodstuffs.

Mr. POAGE. Mr. Speaker, I appreciate the gentleman from Missouri, who has always been deeply interested in the restoration of our land and the maintenance of our soils, making this statement. I certainly agree with him that we are going to see vast increases in our production. I am not one who accepts the Malthusian theory or the idea that we are soon going to be starving, because I believe scientific research and farmer ingenuity is going to move forward just as rapidly in the future as it has in the past.

And for the past 100 years it has certainly moved more rapidly than population, and I believe it will in the next 100 years.

Mr. REDLIN. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from North Dakota.

Mr. REDLIN. Mr. Speaker, I thank the gentleman from Texas for yielding.

Mr. Speaker, it is a privilege to have been here this afternoon to hear the vice chairman of the Committee on Agriculture on which I have the privilege to serve give this fine exposé of agriculture in the past and as we face the future.

Mr. Speaker, having been born and reared on a farm myself in similar circumstances to what the gentleman from Texas [Mr. POAGE], our vice chairman, has described, I can appreciate very, very readily what they are referring to, both as to the strengthening of the price of commodities that farmers have to sell through the use of farm programs aimed in that direction and our ability to increase production.

Mr. Speaker, it certainly is significant that the American farm economy now finds itself in the position to meet the challenge that will be made, worldwide, in helping to defend and feed persons in other areas, in helping to send food to people all over the world.

Mr. Speaker, I have heard the gentleman in the well say many times that freedom from starvation is the first freedom. We have to carry that freedom to other peoples of the world.

Mr. Speaker, I know that the gentleman from Texas will lend real leadership to the bill that is going to come before this body, the bill to provide food for peace and freedom.

Mr. Speaker, perhaps the gentleman from Texas would comment upon the relationship as to the need for having a sound program.

What has been the relationship, I will ask the gentleman from Texas, between the price support program and the returns to the farmer as to the price which he has received during the great number of years in the past?

Mr. POAGE. I certainly appreciate the comments of my friend, the gentlefrom North Dakota [Mr. REDLIN], whom I know is a practical, operating farmer, living on his ability to produce, produce and sell his products in the market.

However, Mr. Speaker, I would be reluctant to get into a discussion of the price programs at this time, because they are invloved in what I hope to discuss the next time under a special order. However, Mr. Speaker, I consider it vitally important.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Texas be permitted to proceed for 1 additional minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DE LA GARZA. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Texas.

Mr. DE LA GARZA. Certainly, Mr. Speaker, while I am very happy to be a freshman Member from Texas and a very freshman member of the Committee on Agriculture, I wish to commend the gentleman from Texas for his work here this evening in behalf of the farmers of Texas who have so long relied upon the gentleman in his leadership on the farm problems of the country.

Again, Mr. Speaker, I congratulate the gentleman from Texas for coming to the forefront and for letting the other people of this country, this great country of ours, know of the plight of the farmers that all of us are trying to help and that the gentleman has helped for so many years in this country.

Mr. POAGE. Mr. Speaker, I thank my colleague, the gentleman from Texas [Mr. DE LA GARZA], and I appreciate his kind words.

Mr. Speaker, I would congratulate, not him, but the people of his district, which is probably the greatest agricultural district in the State of Texas, producing about one-tenth of all the products in our State, and I congratulate them on their fine representation on the Committee on Agriculture.

VIETNAM: ELECTION HAZARDS

The SPEAKER pro tempore (Mr. FRIEDEL). Under previous order of the House, the gentleman from New York [Mr. GOODELL] is recognized for 30 minutes.

Mr. GOODELL. Mr. Speaker, to prophesy events in Vietnam is to rush in where angels fear to tread. There is, however, ground for hope for a respite in the civil strife which has wracked that nation and which has forced the United States to assume the major part of the war against the Vietcong and the North Vietnamese troops while the South Vietnamese fought each other.

The recent turbulence in Da Nang, Hue, and Saigon has had a disturbing effect on public opinion in the United States. Americans who support resistance to Communist aggression began to think for the first time of the possibility of the withdrawal of American military power from Vietnam. Realism compels recognition of this possibility. If, because of war weariness or internal divisions, the South Vietnamese themselves withdraw from the military conflict against the Communists and if civil order disintegrates in chaos and anarchy, the United States may have no alternative but to withdraw.

Let no one think, however, that withdrawal by the United States in such circumstances would be anything but a catastrophic defeat for our Nation and the greatest triumph that communism has ever achieved. Let no one think that withdrawal would bring peace and an end to American casualties. It would, on the contrary, whet the appetite of our foes for further conquest. It would be, not the end of war, but a prelude to a larger, bloodier, more costly war.

To prevent this outcome in Vietnam, the administration should now move ahead with the urgent political and military tasks that need attention. Above all, unity and stability are needed.

Whether wisely or not, both the Ky government and the United States committed themselves at the Honolulu Conference to seeking unity and stability through free elections in South Vietnam. Thus, it is hoped a government with a mandate will emerge—a government which will command the allegiance of all the major factions of South Vietnamese society, a government that belongs to the people of South Vietnam, a government that will satisfy the legitimate demands of South Vietnamese for political and social justice.

PAST ELECTIONS IN SOUTH VIETNAM

On five occasions since South Vietnam came into being in 1954, nationwide elections have been held. These elections have not been fair and free according to generally accepted standards in advanced democratic nations. Nor, with one exception, have they been significantly successful in promoting stability and unity.

On October 23, 1955, the question of who was to rule South Vietnam was settled by a plebiscite between President Diem and the former French puppet emperor, Bao Dai. The final election results showed 5,721,735 votes for Diem; 63,017 for Bao Dai.

This election helped to dispose finally of Bao Dai and to end French efforts to depose Diem.

It was, however, a corrupt election. Although, as Prof. Bernard Fall writes, Diem's American advisers assured him that a 60-percent success was more than sufficient, Diem insisted on a 98-percent mandate and set about to secure it. The election itself was run, according to a British Embassy official, with a "cynical disregard for decency and democratic principles." In Saigon, which had only 450,000 registered voters, Diem received more than 600,000 votes, a pattern repeated in several other areas.

Fortified by this victory at the polls, Diem announced in January 1956, general elections for a constitutional assembly. The Assembly was elected to ratify a constitution drafted by Diem. If it failed to do so within 45 days, the constitutional assembly was to be dissolved, and the proposed document would then be submitted to the people in a referendum. According to the election law, all citizens over 18 were eligible to vote. Candidates had to be over 25, to have lived in South Vietnam for over 6 months prior to the election, and had to produce a judicial certificate establishing that they were not Communists or otherwise antigovernment.

Prior to the election itself, a number of steps were taken to suppress suspected opponents of the regime. On January 11, it was announced that a leading nationalist opposition group, the Revolutionary Committee, had been dissolved. When its president, M. Nguyen Bao Toan, vigorously denied this assertion, troops were dispatched to occupy the party's headquarters. Indeed, the Revolutionary Committee had been dissolved.

The next step was to arrest Dr. Pham Quang Dan, leader of another nationalist faction, the Republican Party, for distributing leaflets protesting the election law. Then, 8,000 Communists were swept up and followed Dr. Dan into prison. Numerous independent candidates "reconsidered" their candidacy and withdrew.

Although press censorship was temporarily lifted during the election campaign, all publication of news or commentary favorable to "Communist or antinational activities" remained punishable by jail sentence up to 5 years. It was not surprising, therefore, that most opposition leaders boycotted the election, nor that the pro-Government parties dominated the new Assembly.

The two opposition parties, the Social Democrats and the Dai Viet, received two and one seats, respectively. Representatives of pro-Government parties won 101 seats, and independents won 19.

The next election in South Vietnam, held in August 1959, was for the purpose of selecting members of the legislative assembly. Election was by plurality vote in single member constituencies of roughly equal population, with the exception of Saigon, which was heavily underrepresented. Although candidates were permitted to run either as independents or under party labels, the fact that all political parties required approval of the Department of Interior either to form or continue in existence dramatically reduced the ability of any opposition to conduct an organized campaign. The election laws proclaimed as their central feature "full democratic expression" on the part of voters and "absolute equality in campaigning" among the candidates. This latter element involved an interesting program.

An electoral propaganda committee was formed in each district and charged with electoral preparations for the candidates on the basis of absolute equality among all candidates. The committees were comprised of a representative of each party-nominated candidate and one for all independent candidates. They undertook all arrangements for public meetings, radio talks, the use of radio and sound trucks, and space in the press. The committees' powers extended even to deciding the size, color, and kind of paper to be used for handbills and posters, the dates and places for their posting and distribution. The committees' approval for the working of all campaign literature was imperative.

Since the committees were composed almost entirely of representatives of party—that is, Government—approved candidates, the degree to which the Government controlled the preelection machinery can be easily imagined.

The Government defrayed all campaign expenses. In fact, the candidates and their supporters were expressedly forbidden to spend money on their own or to engage in activities such as public meetings outside the framework approved by the election committees.

The campaign period itself lasted 2 weeks.

The most noticeable evidence of the campaign was the great number of banners, posters, and similar pieces of electoral propaganda. It was interesting to note that posters exhorting participation in the election outnumbered those for the candidates by a margin of 15 to 1.

Contrasting the 1956 polling, when the Communists were able to disrupt a number of local elections, the Government was able to report in 1959 that "the elections took place in perfect order without any security incidents." About 6,300,000 of South Vietnam's 7,300,000 voters exercised their option, a participation rate of 86 percent.

Once again the election results surprised few astute local observers. Only in Saigon where the foreign press scrutinized the election closely did candidates win who were opposed by the ruling apparatus and these unwelcome individuals, Dr. Phan Quang Dan and M. Nguyen Tran, were speedily dispatched on charges of election law violation. Neither was able to take his seat.

Robert G. Scigliano described the election methods employed:

> The Government's tactics * * * ranged from scrupulous fairness in observing the letter of the election laws to behind the scenes manipulations to violate their spirit. In general, it appears that the voting was carried on in fairness and secrecy and that ballots generally were honestly counted, although improprieties could have been carried out in the provinces.

One newspaper reported that a person was arrested in a rural district because she protested against an election official's demand that she vote for a certain candidate and stories of ballot boxes which disappeared circulated throughout the Provinces—Times of Vietnam, September 4, 1959.

Though ballots may have been counted honestly, every other stage of the election process was carefully directed. First, the Government controlled the participation of political parties in the election and it employed this power to prevent any organization of potential opposition. Second, it screened the candidates, and outside of Saigon, "persuaded" a number to withdraw from the election. One hundred and sixty-five candidates out of a total of 460 "decided" to drop from the list of office-seekers. As one Province chief—himself a Government appointee—explained to a foreign visitor, the Government was concerned that the candidates be "sincere" and not run simply to cause trouble. Certain candidates were given special help during the campaign. The majority leader of the National Assembly, for example, sent out a mailing to his constituents, an illegal action under the "equality" provisions of the election law, based on name and address records furnished him by the police. Although all candidates appeared to receive roughly equal treatment in the placement of posters, special posters were put up around a number of the polling places in Saigon for certain Government candidates on the eve of the election. Further, small bombs were set off outside some Saigon printing houses to discourage them from printing posters and handbills for opposition candidates. Hecklers, presumably under Government instruction, operated against various candidates.

The final elections of the Diem era in September of 1963 followed a similar pattern. Among the successful candidates for the National Assembly were the secret police chief and his wife, M. and Mme. Ngo Dihn Nhu, who swept their constituencies with 99.9 and 99.8 percent majorities respectively. Later Ngo Dinh Nhu was voted president of the Assembly. In the 1963 elections of 6,809,078 total registered voters, 6,329,831 were listed as having exercised their option to vote.

On May 30, 1965, a municipal and provincial election was conducted under the aegis of the short-term civilian Premier Phan Huy Quat. It is difficult to assess the legitimacy of this particular polling. Published estimates indicate that roughly 4.5 million were eligible to vote in Government-held territory and of these about 70 percent or 3.3 million were declared to have voted.

CURRENT OBSTACLES TO GENUINE ELECTIONS

This recital of the experience of South Vietnam with elections does not give ground for confidence that genuinely free and meaningful elections will be held in that unhappy land in 1966. Though significantly different from the elections in Communist nations, past elections have been controlled so as to limit closely the choice available to the voter.

In addition to the tradition of controlled elections, there are at present staggering obstacles to meaningful balloting in South Vietnam. A substantial part of the population lives in territory controlled by Communist forces. This situation was reflected in the drop of 3 million votes—almost 50 percent of the total—when the election of 1965 is compared with that of 1963. Many other voters will be subject to the threat of violence by the Communists.

Free elections require free debate and open channels of communication between candidates and the electorate. In great parts of South Vietnam, because of the war and inadequate methods of communication, these are likely to be lacking.

Free and meaningful elections are difficult without political parties. Parties are needed for the conduct of a campaign that will make clear the choice before the voters in the election. They are needed to inform the electorate, to unify like-minded voters, and to motivate people to cast ballots. There are no real political parties in Vietnam. The rudimentary kind of political organization that exists is probably not adequate for the task.

Finally, free and meaningful elections require acceptance of the results and a willingness to cooperate on the part of winners and losers after the election is over. There is room for doubt that this spirit exists among all factions in South Vietnam today.

Ten years ago Hans Morgenthau said:

> Free elections are very subtle instruments which require a dedication to certain moral values and the existence of certain moral conditions which are by no means prevalent throughout the world, and certainly not prevalent in either North or South Vietnam.

There is grave doubt that these conditions exist in South Vietnam today.

A POLICY FOR THE UNITED STATES

For all these reasons it is hard to conceive of free and meaningful elections in South Vietnam under present conditions. Elections of some kind are, nevertheless, in prospect, and it is too late to debate whether or not they should be held.

The United States should not attempt to determine the outcome of any elections held in Vietnam. Yet the United States cannot be a completely uninterested bystander in forthcoming Vietnamese elections because it has committed itself to abide by the results of free elections in that nation. The United States influenced the Ky government in making its promise of elections. The United States cannot be indifferent to the fact that the elections may have profound effects on its future policy. Consequently, the administration should now clarify its policy toward the elections.

The administration should be concerned about three pitfalls that may lie ahead. One is the danger of elections rigged to ensure an outcome desired by the Ky government. A second pitfall is the danger of elections disrupted by violence, terrorism, and disorder on the part of Communists or anti-Ky elements or both. A third pitfall is the danger of elections that will intensify disorder and confusion and settle nothing.

To avert these dangers, the administration should attempt to bring about the conditions needed for genuinely free and meaningful elections in South Vietnam. At least, let it make clear what the United States means by free elections.

In my judgment, elections worthy of the description as free and meaningful are possible only if three minimal conditions are met.

First, a preelection agreement is required among responsible representatives of all major groups offering candidates to accept the outcome of the balloting. Although it may be difficult to enforce such an agreement, a public commitment in advance that the principal interest groups will not attempt to nullify the results of a fair election by force should have some moral effect. If nothing else, this should help to dispel some of the suspicion and moderate some of the antagonism that now threaten to make elections in South Vietnam an empty exercise.

Second, supervision of the political campaign, and the election process by an international commission of disinterested third-party states with a tradition of free elections is required. Neither the United States nor any Communist state should be a member of such a commission. The rules governing the conduct of the campaign should be formulated and enforced by a truly neutral and independent commission. To do its work, it must have unrestricted access to all areas within South Vietnam in which balloting takes place. Certification by this commission that the election was fair and free would be required before the vote on any question submitted to the voters could be considered valid. Before any candidate assumes any office as a result of the election, his election should be certified by the commission as free from fraud or terrorism.

To use the International Control Commission set up under the Geneva agreement of 1954 as the supervisory agency would be to destroy any prospect of a free election. It is enough to observe that Poland is a member of that commission. The kind of elections held in Poland, in pursuance of the promise of free elections in the Yalta agreement, is not what Vietnam needs today.

In view of past experience, the United Nations offers a dubious expedient as a supervisory agency. The United Nations has ducked every question relating to Vietnam. A more important consideration is that any supervisory agency appointed by the United Nations would probably include representation for the Communist world where free elections are neither understood nor practiced.

Third, a meaningful election requires a direct vote on the basic issue of the war in Vietnam. For this reason, there should be a plebiscite on the demand made by Hanoi that the National Liberation Front assume full political power in South Vietnam. It is important that those who draft the South Vietnamese Constitution and those who hold public office know the sentiments of the voters on this issue.

I would expect that a plebiscite on this question would result in an overwhelming defeat for the Communist forces. It would demonstrate conclusively to the world the falsity of the widely accepted charge that the United States is seeking to suppress by force a national movement that enjoys the support of the majority of the people of South Vietnam. It would thereby strengthen the moral position of the Government of South Vietnam and of the United States among fairminded people throughout the world.

In South Vietnam itself, the submission of this issue to a vote would help to shift the attention of the contending factions from the secondary question involved in their scramble for power to the primary issue on which they are agreed. All responsible leaders in South Vietnam have declared their opposition to Communist rule. The plebiscite, then, could be a step toward putting first things first and achieving national unity.

Some have proposed a truce in Vietnam in connection with the elections. The main objection to such a proposal is the strong likelihood that any truce would in fact be unilateral, as was the truce proclaimed in Laos in 1961 and 1962 at the time of the Geneva negotiations.

A genuine truce—an absolute cessation of all fighting and of all terrorism, a halt to the movement of troops and military supplies into, and within, South Vietnam—would be conducive to a freer and more meaningful election. A truce that is not strictly observed would be a snare and a delusion.

The administration has taken a stand for free elections in South Vietnam. It cannot condone a rigged election even if the rigging is done by its friends. To do so would weaken further its credibility throughout the world. And a rigged election would not advance the cause of freedom, independence, and unity in South Vietnam. The result would be deepened division, not unity—heightened antagonism, not reconciliation. Such an election would not satisfy the losers nor would it strengthen the victors.

On the other hand, an election marked by fraud and terrorism which resulted in strengthening the position of elements that are ready to accept Communist rule in South Vietnam could make the position of the United States there untenable.

From its postwar experience with Eastern Europe, this Nation should have learned by now that the consequences of perverted and distorted so-called free elections are grave, if not disastrous.

It will be too late to cry foul after the fact if fraudulent elections produce results unfavorable to the independence and freedom of South Vietnam.

A pledge by participants to accept the election results, careful impartial electoral supervision, and a direct plebiscite on the issue of the war are indispensable, minimal requisites for free and meaningful elections.

The United States should foster the cause of popular government in South Vietnam in every possible way. Honest and meaningful elections are not the only way to this goal, and in the present situation they may not be the best way. But, since elections are to be held, we can start there.

Mr. STRATTON. Mr. Speaker, I wonder if the gentleman from New York will yield to me.

Mr. GOODELL. I yield with pleasure.

Mr. STRATTON. Mr. Speaker, first, I want to commend the gentleman for having presented his remarks on the floor of the House. Since I had occasion to comment on them when they were released to the press before they were delivered here, I think I ought perhaps just to comment on my impressions of the speech as given. I think that the gentleman has certainly covered an interesting historical discussion of the subject of elections and has made one of the points that I have been trying to make for some time; namely, that any kind of election in Vietnam at this time, in the circumstances that exist there, is bound to be a difficult procedure. As the gentleman has pointed out, it would be difficult to know when such election could really be representative of the sentiment of the Vietnamese people.

I am somewhat at a loss to understand exactly why the gentleman dwelt on these circumstances as extensively as he did and suggested conditions which are almost certainly not going to exist in that war-troubled country for some time to come. I certainly hope that the gentleman's ideal conditions are not being set forth today so that if the practical situation that exists does not measure up in every respect to that ideal the gentleman might be able to say it was the fault of the administration.

Mr. GOODELL. If I may interrupt at this point—and I will yield to the gentleman further—I do not suggest that the conditions that I have elucidated here are ideal conditions. I have pointed out that this country is now committed, for better or for worse, apparently, to elections in South Vietnam, and that the country of South Vietnam is committed to this.

Mr. Speaker, under those circumstances, ideal conditions are not available, if they ever could be. I have talked about minimal requisites to a meaningful election, an election that can avoid perhaps a total disaster from the viewpoint of those South Vietnamese who wish independence and from the viewpoint of the U.S. commitment in southeast Asia. They are minimal. They are not ideal.

Mr. STRATTON. Mr. Speaker, if the gentleman will yield further——

Mr. GOODELL. I yield further to the gentleman from New York.

Mr. STRATTON. The only suggestion in his remarks that is at all unusual, other than the historic review, is the proposal that we ought to have a national plebiscite on whether to let the Vietcong take over the country or, in other words, whether the country wants to surrender to the Vietcong.

Mr. Speaker, this would be a little bit like the suggestion of a Member of the other body from our State who suggested some time ago that we would have to admit the Vietcong into a coalition government.

Mr. GOODELL. If the suggestion I make sounds like that, then the gentleman has not listened very carefully or has not seen the context in which I propose it.

I have very clearly stated my belief; I would not support our commitment in southeast Asia against Communist terrorism and aggression if I did not believe this from the depths of my being, that the South Vietnamese people in overwhelming numbers would reject the proposal from Hanoi. It is important if we are going to have elections that may be extremely confusing in an underdeveloped country, without a tradition of free elections, that we have a clear mandate on this point, because if the elections are not held in a proper manner and if these minimal conditions are not met, our position could be untenable.

Mr. STRATTON. Mr. Speaker, if the gentleman would let me comment on his remarks—and I do not know whether we have any time left, but perhaps the gentleman from Illinois [Mr. PUCINSKI] would give me some time during the next special order—I realize that the gentleman has indicated that he thinks the Vietcong would not win such an election and I would certainly agree with him overwhelmingly.

I notice, however, that there has been some change in the release of the gentleman's speech as prepared for delivery today and the original release that went out earlier and which got into the press on Monday of this week.

Mr. GOODELL. I am glad that the gentleman had the release, because he has made a point of saying that he did not know what I said in advance when I did make this available as of Friday of last week.

Mr. STRATTON. Mr. Speaker, if the gentleman will yield further, I just got the release from the Press Gallery, because the gentleman's release that was sent to my office obviously had some changes made. But the point I think that the gentleman overlooks is, first of all, that elections, as was already indicated, are going to be very difficult in Vietnam.

Then this would apply to any such plebiscite as such?

Mr. GOODELL. What does the gentleman suggest as to elections? We have got to have elections at this point apparently under the commitment of the Ky government and this administration.

Mr. STRATTON. If the gentleman will let me make my point, otherwise there is no point in discussing his remarks——

Mr. GOODELL. I would be glad to yield to the gentleman for a dialog or a colloquy, but I do not want him to have a soliloquy here. I believe we ought to have some discussion.

Mr. STRATTON. I thank the gentleman for his courtesy.

I was going to say that it would be a major mistake if we followed the suggestion which the gentleman makes that we hold a plebiscite on what he says he considers to be the major issue of the war, which is whether the country ought to surrender to the Vietcong. That certainly is not the major issue of the war. I do not believe the Vietnamese people have any concern about this at all, but the major issue is how to get a coalition government that will bring about the support of the majority of the people.

The SPEAKER pro tempore (Mr. FRIEDEL). The time of the gentleman from New York has expired.

A TIME TO RALLY BEHIND PRESIDENT JOHNSON AS VICTORY NEARS IN VIETNAM

The SPEAKER pro tempore (Mr. FRIEDEL). Under previous order of the House, the gentleman from Illinois [Mr. PUCINSKI] is recognized for 10 minutes.

Mr. PUCINSKI. Mr. Speaker, we undoubtedly are now on the threshold of historical events in Vietnam. Our military forces have now taken virtually complete command of the military situation. We have disrupted totally the lines of communication of the enemy. We have isolated most of the large cities in North Vietnam to the point where there is practically nothing moving in or out of Hanoi. Our American soldiers and our allies; the Australians, the South Koreans, and the others, have indeed written a fantastic chapter of gallantry on the battlefield under the most severe conditions. The entire free world has a right to be proud of them.

President Johnson has quite properly pointed out in his Memorial Day speech that the big problem in Vietnam today is to a great extent political. So it appears to me at this very critical crossroad in history, when the future of world peace is being decided in Vietnam, the cause of peace and justice can best be served by the American people rallying around President Johnson and rallying around the leaders of South Vietnam and trying to keep our colloquys and our criticisms to a minimum.

This is not to suggest that we should cut off debate or criticism, but I think that the next few weeks will call for extremely responsible conduct on the part of all concerned. There is no question that the vast majority of Buddhists in South Vietnam are trying to work out some sort of accommodation with General Ky so that they can proceed to hold elections. There is no question that some of the political forces in South Vietnam now are struggling for political position so that they can have a voice in the elections and in the government which will emerge after the elections.

I would hate to see a single American life lost in Vietnam because the Communists have again miscalculated our intentions. I respect the gentleman who preceded me and I think he has made an eloquent statement here in suggesting that every step be taken to guarantee that the elections are properly conducted. But I am sure the gentleman is not living in a dream world. The situation in Vietnam today is chaotic. They cannot have in war-torn Vietnam the kind of elections that we have in most of the communities in America in peacetime. The important thing is to give these people an opportunity, under the most difficult conditions, to carve their own destiny in a free election. That is our pledge in Vietnam; that is our promise and that is the hope of the South Vietnamese.

There is every reason to believe today, as we improve with every hour our military situation, that the political problems of South Vietnam can be resolved and that the elections commission will be representative of all factions defending freedom and that indeed it is going to set down ground rules for the elections acceptable to all sides so that the elections can be conducted on September 11 and then the people of South Vietnam can through their elected representatives, decide the future course for their nation.

We have reason to believe today despite the apparent chaos that is now going on in South Vietnam that we can restore some order there.

It would be my hope that we can call upon those who want to participate in this dialog in America and in the rest of the world to be cautious and careful that their remarks do not prolong this conflict or the disorders in South Vietnam.

We know from surveys that have been conducted in South Vietnam by our own agencies; by the South Vietnamese and, yes, by various religious groups including the Quakers that more than 80 percent of the people in South Vietnam today are prepared to vote against any Communist representation in the future Government of South Vietnam.

Now with these facts and these figures, it appears to me we can all make a great contribution toward bringing this war to an early end by remaining resolute on the battlefield as we have and trusting in the integrity and in the intentions of those who are trying to put together this winning package both on the battlefield and in the political field in South Vietnam and, indeed, staying with President Johnson. I know of no man in this country—yes, and as a matter of fact in this entire world, who is more desirous of bringing this conflict in Vietnam to a victorious conclusion than President Johnson. I think the President has done extremely well up to now. He has weathered great criticism and great debate by formidable forces both in this chamber and in the other body, but President Johnson has not wavered once in his determination to hold the line against Communist aggression in South Vietnam.

The President has remained resolute. He has constantly reminded us that we learned our lesson well from World War II: to yield to aggression merely whets the appetite of the aggressor and leads to greater conflict. We are winning this war in Vietnam. There are imperfections. Of course we know there are imperfections. And there shall be setbacks. But the fact remains that generally and on a broad scale, the forces of freedom in Vietnam today are on the winning side.

So it is my hope, Mr. Speaker, that as we go into these crucial weeks when great things are happening—and, indeed, victory and freedom can be ours in South Vietnam—that we will not permit ourselves to get divided on details. Let us not lose track of the forest for the trees. Certainly we want to take every possible step to guarantee that these elections are free, that they are honest, and that they reflect the will of the people in that country. But for us now to tie ourselves up in the many details and the conditions that my colleague from New York has attempted to spell out here today would mean an unnecessary prolonging of this war. I think the American people have been magnificent in their attitude. They have supported and continue to support their President and their Government. But I do not think there is an American anywhere who wants to prolong this war a day longer than it has to be.

I think if we see the work of this election commission and see the ground rules they spell out very shortly, we will be satisfied that we can have a meaningful election in South Vietnam. And we can have it by September 11—yes under very difficult conditions—but, with the help of our Lord and the heroic determination of our soldiers, we will keep our pledge to give the people of South Vietnam the elections they are entitled to.

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from New York.

Mr. GOODELL. In the first place much of what the gentleman has said, it seems to me, is irrelevant to the proposal I have made. Certainly I found nothing in my remarks—and I worked very carefully to see to it that there was nothing in my remarks—that implied any particular viewpoint on why we are where we are today in Vietnam. I made the specific, positive, and I think constructive suggestions to meet the problem of so-called free elections in South Vietnam. The gentleman has said that we are going to go ahead and have these elections. The gentleman must well recognize that these are hazardous operations and activities in a country such as Vietnam, and we should exercise our influence to see to it that the elections are, first of all, free and, second of all, meaningful, and that is what my proposals were aimed to accomplish.

I am sure the gentleman would not recommend that we withdraw from Vietnam at this time.

Mr. PUCINSKI. On the contrary, let us not read anything like that into it. I am one of those who have stood in this well time and again and have urged and supported our position in Vietnam. I have stated repeatedly that we cannot retreat from Communist aggression. I suggest to the gentleman from New York that perhaps it is he who is unwittingly suggesting that some of the conditions he is setting up, well meaning as they may be, would unnecessarily prolong the war when we see victory in Vietnam now and perhaps lead to our withdrawal before victory is finalized for the people of South Vietnam.

The gentleman must keep in mind that every time a speech is presented here which is critical of our postion, the Vietcong take on false hope that maybe our will to resist is failing and they continue the war thinking we will cave in. We do not want any American boys killed because the Communists miscalculated these speeches.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent that I may proceed for an additional 10 minutes, and I will share the time with the gentleman from New York.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois? The Chair hears none; the gentleman is recognized for 10 minutes.

Mr. PUCINSKI. I yield to the gentleman from New York.

Mr. GOODELL. The gentleman made reference to the divisions within our country, encouraging miscalculation of Communists themselves. I would say to the gentleman that I have not in my prepared address, or in any of my comments, made any reference to those in our midst who sincerely but in my opinion ill-advisedly are encouraging the Communists to miscalculation. They have a right to raise these questions.

But I would say to the gentleman in the well the people who are raising the questions that could cause miscalculation among the Communists are primarily members of his own party.

He is addressing his remarks to the wrong individual when he addresses them to the gentleman from New York on this point.

Mr. PUCINSKI. The gentleman from New York suggests some plebiscite to decide whether or not the Vietcong which is dedicated to the overthrow of the present Government of South Vietnam by force and violence and terrorism and subversion should be admitted to the government. The gentleman is suggesting some sort of plebiscite to further determine whether or not the Vietcong should be admitted. I say he is suggesting delays that are unnecessary. Furthermore, he is suggesting we postpone the real elections in Vietnam when he suggests such a plebiscite.

Mr. GOODELL. The gentleman in the well has said that the result of such a plebiscite, we are confident, would be overwhelming, and would clear the air and give guidance. But the gentleman wants to have elections now in very confusing circumstances.

Mr. PUCINSKI. I trust the gentleman would not recommend a plebiscite in this country to recognize a party that is determined to overthrow this Government by force and violence.

Mr. GOODELL. We in this country have regular elections, and are proud we do.

Mr. STRATTON. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from New York.

Mr. STRATTON. I believe the gentleman from Illinois has made his point on this. We are all in favor of free elections, and are all concerned about the problem. The proposal of whether there should be a plebiscite or whether we should surrender to the Vietcong is something, as the gentleman from Illinois has indicated, that could only complicate and delay the delicate and extremely essential job that is now going forward very successfully to establish meaningful elections, to get a free, representative, non-Communist government established in South Vietnam.

The idea that we ought to stop all of this and to hold some kind of plebiscite under conditions that the gentleman from New York admits are extremely difficult and hazardous anyway would be to play entirely into the Communist hands.

Nobody thinks this is the central issue of the war except the Vietcong themselves. Yet the gentleman in his remarks says this is the central issue. The central issue is how are we going to get the Buddhists and the Cao Dais and the Cao Haos and the military and the Catholics all to pull together to establish a solid government, to back up the great military victory that General Westmoreland is winning, as the gentleman pointed out.

I am sure the gentleman from New York was well meaning in his suggestion. But the proposal he is making is like asking one whether he has stopped beating his wife. No matter what the answer is, he is in trouble.

Why should we play the game on the Communist terms?

Mr. PUCINSKI. The gentleman has made a very significant contribution. Again I renew my plea that these Monday morning quarterbacks, sitting back here in Washington, who have been trying to second guess this war and second guess our determination to win this war, take a little respite and let the legitimate forces in Vietnam, and our own generals, and our own President—the people who are dedicated to the destruction of communism in Vietnam—have a chance to work.

Every time there is some major statement in this country critical of how the war is being conducted, it gives unwarranted and misleading confidence to the enemy that maybe our will to win is waning. I am not against criticism of the war, but perhaps a brief moratorium on irresponsible talk would help us bring it to a successful conclusion.

We have facts. We have figures. We know that Hanoi is counting on the fact that the will to resist communism is going to be broken here in Washington, the way it was in Paris. I never have been more proud of my President than when Mr. Johnson said that the war in Vietnam is not going to be lost in Washington the way it was lost in Paris.

Dienbienphu was not the reason for the French pullout. The reason for the French pullout was because the same kind of forces that have been trying to torpedo the war effort in this country were at play in Paris, and they created a political situation over there which made it mandatory for the French Government to seek the smallest excuse to get out of Vietnam. Dienbienphu came along as a convenient excuse, and they pulled their forces out. We would not be in Vietnam today if the French had not pulled out prematurely.

We ought to take a respite and get behind this war effort; get behind General Westmoreland; get behind our American soldiers who are fighting the toughest war in Vietnam; get behind the Government of South Vietnam and yes, get behind President Johnson, and give all these men a chance to pull together, as the gentleman from New York says, and get this war over with.

We are not going to get it over with by suggesting a time-consuming plebiscite; by suggesting that the elections are not going to be honest before we even know the ground rules; by shattering confidence in these elections before they are held.

I suggest that for someone to come before this House, before we even know what the ground rules will be for these elections, and to say that these elections are going to be dishonest and this and that, only gives aid and comfort to the enemy. How do you expect to gather all the forces in Vietnam behind an election when a responsible Member of the American Congress says they will be dishonest before they have even been fully agreed to?

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I say we cannot have elections in Vietnam under such an aura of doubts planted here in the United States. All of these suggestions make me wonder how sincerely do all of these self-styled experts in Vietnam really want the war to end and how sincerely do they want an honorable peace which will end the needless slaughter of our boys in Vietnam. I say all of these innocent concerns about the validity of the elections are a smoke screen to needlessly prolong the war when our forces have victory virtually in their grasp.

Mr. STRATTON. Mr. Speaker, will the gentleman yield?

Mr. GOODELL. I suggest that the gentleman read my speech. He is paraphrasing it inaccurately.

Mr. PUCINSKI. I yield to my colleague, the gentleman from New York [Mr. STRATTON].

Mr. STRATTON. The gentleman had a distinguished career in the newspaper profession. The gentleman has talked about a respite from Monday morning or Tuesday morning quarterbacks, as the case may be.

I wonder if the gentleman would agree with me that another thing we ought to do is to try to avoid the temptation of coming up with "gimmicks" as solutions. Would not the gentleman agree that the job is a difficult, a tough, and a sensitive job? Does not the gentleman agree that Ambassador Lodge and General Westmoreland are doing a tremendous job in moving us in the right direction?

Mr. PUCINSKI. That is correct.

Mr. STRATTON. Does not the gentleman feel that we ought to avoid coming up with "catchy" things, which might get an occasional newspaper headline, and get behind our President and our representatives in Vietnam?

Mr. PUCINSKI. I agree with the gentleman on one point. It seems to me that every time we are on the threshold of moving forward, every time we have big victories—and we have had some victories over there—the claque comes "claqueing" around here in the United States, bringing up all sorts of smoke screens to hide it.

The President quite properly said in his press conference today that it is high time we started to tell the story of our successes in Vietnam. Those successes do not draw the headlines.

There has been some great reporting out of Vietnam. I commend those men who have come forward and told the real stories of Vietnam. But I agree with the gentleman from New York, the less-experienced reporters have been looking for gimmicks; sensationalism instead of hard-core, in-depth reporting.

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to my colleague from New York, Mr. GOODELL.

Mr. GOODELL. I would tell the gentleman that a great Member in his party in the other body today said that "eventual withdrawal, painful though that may be, is called for in Vietnam." He went on to say:

> Let us hope our Administration leaders will be guided by the wisdom of U Thant, Secretary General of the United Nations, and will earnestly seek a ceasefire and withdrawal altogether from what has become an American war.

I say to the gentleman, those are not my words. Those are not my sentiments. I carefully prepared a speech that was constructive, in which I made positive suggestions and in which I was very careful to be responsible and nonpartisan.

The gentleman has chosen to take the well, and, as has my colleague from New York, to interpret this as a partisan attack, and to turn on me the accusations which they should turn on Members of their own party, for dividing this Nation in time of crisis.

Mr. PUCINSKI. If the gentleman will read the RECORD, I have no quarrel with his remarks, except that I believe they suggest unnecessary and further delays in bringing the war to a conclusion.

Mr. GOODELL. The gentleman paraphrased them incorrectly. That is the difficulty.

Mr. PUCINSKI. I do not know whom the gentleman quotes, but I must say whoever he is, he belongs to that category of quarterbacks who would do better to sit this out and find out where we are going.

Mr. GOODELL. Members of the gentleman's party are in that category.

Mr. PUCINSKI. I have complete confidence in the military. I have complete confidence in Secretary McNamara. I have complete confidence in Secretary Rusk, and I have unequivocal confidence in President Johnson. I believe these men are all dedicated to victory. I resent the idea when some people get up to say, "We do not have a blueprint. We do not have a program. We do not have a plan for victory in Vietnam." These are all smokescreens.

Mr. GOODELL. Could the gentleman find a single reference to any of the points he has made in my prepared address? Did the gentleman find a single reference to any points just made? It is only a straw man the gentleman has raised up, to knock down. He is not talking about my speech and my suggestions.

Mr. PUCINSKI. I do not know why my colleague from New York is objecting, because I have not objected to his speech. I had a special order of my own today to discuss Vietnam. All of my remarks during this time were not directed at my colleague from New York whom I respect very highly. I do not understand why you feel my remarks are directed at you. You raised some questions and I told you I didn't agree with your point—as long as you raised the questions.

The main thrust of my remarks today is to suggest a moratorium on irresponsible criticism of our efforts in Vietnam so the Communists do not think our determination is wavering and a further appeal to get behind President Johnson when we are beginning to see victory in Vietnam. That is all I wanted to say here today.

Mr. GOODELL. That is a concession which I will keep in the record, that the gentleman is not objecting to my speech. I hope he means he is in complete agreement.

Mr. PUCINSKI. I will let the record speak for itself.

THE PERCENTAGE DEPLETION ALLOWANCE ON NATIONAL RESOURCES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, recent proposals for changing the tax structure have neglected an important area in which reform is needed; namely, the percentage depletion allowance on natural resources. The high allowance on gross income ranging from an allowance of 5 percent on brick and sand all the way up to 27½ percent on oil and gas—has been and continues to be a blatant form of tax favoritism. The depletion allowance represents an unjustifiable loss of revenue to the Government—a loss which other taxpayers have to make up.

The bill I am introducing will increase tax revenues by repealing the allowances. The increased revenues, according to a 1964 report of the U.S. Joint Economic Committee, may total up to $1.5 billion annually. The additional revenue realized by this reform will hopefully open up the way toward tax relief for those who really need it—our taxpayers in the lower and middle income brackets, the bulk of America's purchasing power. Furthermore, the repeal will ease the inflationary pressures of excessive investment spending in the extractive industries by bringing profits down to a more reasonable level.

The depletion allowance was originally introduced to encourage the small operator who usually assumed a heavy risk. Existing tax treatment, however, often results in the greatest tax benefit for large corporations which usually assume the least risk. Already in 1961, 89 percent of the $3.6 billion in depletion claimed by corporations was claimed on returns from firms with assets of $10 million or more.

For large corporations, the depletion allowance is in effect a subsidy which promotes excess capacity, overinvestment, and misallocation of resources. It has these serious defects because it permits complete investment costs to be recovered many times over. Corporations can recover tax free the full amount of their investment in the year it is made, and then in coming years claim additional depletion allowances on those same resources, allowances which bear no relationship to the amount of investment. In other words, the percentage depletion allowances bear no relation to actual development costs; they are deductions which are unwarranted and inequitable. My bill, by repealing the percentage depletion allowances, will correct these inequities.

GRAVE IMPLICATIONS OF FEDERAL ELECTRIC BANK LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. BOW] is recognized for 30 minutes.

Mr. BOW. Mr. Speaker, with almost no fanfare, the House Committee on Agriculture yesterday opened hearings on two bills that could turn the rural electrification system of this country into a giant public utility almost entirely free from congressional or any other control, with up to $20 billion available for expansion over the next 15 years.

To illustrate the size of this proposed operation, let me say that the total capitalization of the entire electric power industry in the United States is about $46 billion.

My purpose today is to alert Members and the public to the grave implications of the proposed Federal Electric Bank legislation, H.R. 14000, H.R. 14387 and related bills. These bills provide additional sources of financing for the rural electrification program.

Over the last 30 years, as a result of the REA program, the farms of the Nation have been electrified and abundant and cheap central-station electric service has been furnished to persons in rural areas. As this program has reached its fulfillment, there has been a growing and justified clamor for the transfer of the financing of this exceptionally successful endeavor from the Federal Government to the private money market. Let no one detract from the marvelous achievements that have been accomplished as a result of the low-cost, long-term Federal loans for construction of electric facilities to serve the farms and rural areas of the Nation. Also, in recognizing the great progress that has been made, let no one detract from the fact that in reaching this advanced stage of service many rural electric cooperatives have, themselves, simultaneously reached full-blown maturity with a degree of independence, efficiency, financial stability, and self-reliance, which compares favorably with corresponding elements in our free enterprise system. This is one of the inherent objectives of development programs. Success in providing a service can only be achieved when the entities created to provide the service concurrently become successful and self-reliant in themselves.

In my remarks today, however, I do not wish to dwell on the philosophy of development programs. REA has demonstrated that they serve a useful purpose. Rather, I shall try to point out to my colleagues certain provisions of the bills which will be considered by the Agriculture Committee to provide supplemental financing for the rural electrification program which would change the scope of its responsibilities from a rural development program into a group of Government subsidized, large public utility systems largely without limit or control as to the type of loads they would serve, to the location of such loads or to the rates to be charged for power and energy. It would also create a number of budgetary and fiscal problems in the appropriations process.

First, the administration bill, H.R. 14837, would continue the present 2-percent loan program through the creation of a rural electrification account. Into this account would be placed all the assets and liabilities of the present program. The existing obligations to the Treasury would be transferred to the new account and provision would be made for use of the funds in the account for payment of interest and principal when due on loans that had been made to the Administrator by the Secretary of the Treasury for electrification purposes. The account would also be available for new 2-percent loans and for purchase of capital stock in a Federal bank which would be established by another title of the bill. Because of these other commitments for use of funds in the account, however, there will never be any money available for the foreseeable future for repayments on the Administrator's debt to Treasury. Whether such funds will ever be available in the type of operation proposed is doubtful and the taxpayers may never get their money back.

Another questionable feature of the electrification account sections of the bill is the absence of any provision for placing new loan authorizations in the rural electrification account. Section 301(4) of the bill provides that "appropriations" for electrification loans made under authority of section 3 of the basic act shall become part of the account, but there is no mention of any new loan authorizations that may be needed to finance any 2-percent loans that may be made under the plan of operation proposed by the Secretary of Agriculture. As you know, the REA loan program has, with minor exceptions, been financed over the years through borrowing from the Treasury, rather than through appropriations. Is this procedure now to be changed to provide that all new financing of 2-percent loans is to be made without any requirements for repayment of such amounts to the Treasury? Furthermore, in the section 302(b)(1), authorizing use of assets of the account for loans under sections 4 and 5 of the basic act, and for advances in connection therewith, there is language which says that no loans can be made in any year in excess of amounts "available pursuant to section 3 of the act." What does this mean? All of the nearly $6 billion in money that has been provided to date for the REA program has been made available under the provisions of section 3 of the REA Act. This raises questions as to whether the limit is to encompass all loan authorizations and appropriations made over the years. Is it intended that the limitation would be of that scope? If so, it is no limitation at all, and Congress would never have to act on the amounts available for loans. If it does not mean that, what does it mean? The language should be perfectly clear, so as to avoid any possible circumvention of the appropriation process in the future.

Now, moving to the Federal bank for rural electric systems, a Government corporation would be created which could be of a magnitude of capitalization reaching into many billions of dollars. If the borrowers should purchase stock in the bank to the extent of $15 million per year, as estimated by NRECA, and stock is purchased by the United States and consumers, and debentures sold, all as contemplated in the bill, loans by borrowers could exceed $15 billion by 1981. The bank would be the biggest organization of this character ever created. Moreover, when added to the $4.5 billion of 2-percent loans expected to be made from the rural electrification account over the 15-year period, the total new capital involved will be more than 2½ times the $8 billion, which the Secretary of Agriculture said would be required. Yet, the purposes for which the loans would be made by this bank are not defined. To the contrary, the scope and breadth of the types of facilities which could be undertaken with funds obtained from this source are practically limitless. Furthermore, with this enormous undertaking, the bill has no provisions for making the bank's operation self-supporting. Section 410 (b)(2) authorizes two types of loans. The first, called intermediate loans, would have a limit on interest of 4 percent. There is nothing in the bill which assures that these loans will be self-liquidating or amortized over their life. The administrative costs and reserves for losses would not be borne by the bank. They would be subsidized entirely by REA.

The legislation also provides for another type of loan which will bear interest at a rate which reflects the current average rate payable by the electric bank on its debentures plus administrative expenses and estimated losses. Again, however, there is no provision assuring that these loans will be amortized. Furthermore, the material attached to the Secretary's transmission of the bill to the Congress fails to indicate that this type of loan would be amortized. The bill also would authorize the adjustment of payments not only of principal but of interest. There would be no guarantee that either would necessarily ever be paid. Furthermore, the bill authorizes and directs the Secretary of the Treasury to purchase notes issued by the bank if it has insufficient funds in the assets of the electric bank available for paying interest and principal on its debentures. This borrowing is without limitation as to time or amount. Even payments of interest on such notes could be deferred. Such borrowing could be for indefinite periods and would be completely beyond the control of the Congress. This is a perfect example of backdoor financing and the general looseness of the provisions of the administration bill is an outright invitation to use this method of covering operating losses.

Under the proposed legislation we would have three types of loans, or three separate programs, as well as two sources from which money could be obtained. In the absence of any rigid standards for categorizing and classifying the types of facilities proposed, the character of the borrower, and the special conditions involved, it would be most difficult to make any fair and intelligent decision as to which interest rate would apply to the facilities for which the loans would be made. One loan applicant would be played against another, and there would be little the Congress could do about it.

Obviously, the confusion and conflict surrounding the REA Program has reached a point where the country can no longer turn its back on the problem. The legislation which is now being proposed cannot do other than greatly aggravate the difficulties that we have been experiencing. With the two financing sources it will make congressional consideration of the annual program more difficult. It will indefinitely defer the day when the burden can be removed from the Federal Government and the program transferred to true private financing. There is a great need to determine what is to be the proposed future role of the REA co-ops in our pluralistic electric power system. Once this is determined, the ways and means of best accomplishing these ends for the benefit of all concerned can be more easily found and implemented.

The Congress should look carefully into the ramifications of the legislation. Without restrictions and criteria for granting loans by the bank, the funds could be used to serve urban as well as rural areas. And there is more than this involved.

Eight years ago, at their annual meeting, electric cooperatives were handed a so-called blueprint for action. Two of the points in this plan were:

First:

> To set up machinery for cooperatives, municipally owned electric systems and power districts to federate more easily for the construction and operation of their own generation and transmission systems . . .

Such systems could be financed under this legislation.

Second:

> To establish backbone, common carrier federal transmission grids, or to require others to build them throughout the country . . .

This, too, could be financed under this legislation. I need to point out to no one that with financing by the Federal Electric Bank the plan would create a nationwide, government subsidized power system, wastefully duplicating the facilities of existing suppliers.

The action of the House in appropriating $365 million for the REA program for fiscal year 1967 will, together with the $72 million carryover estimated in the budget, provide for one of the highest annual levels of activity ever experienced by this agency. This sum will be more than adequate to take care of needs pending resolution on the many policy issues that need to be answered before embarking on an entirely new program which is so nebulous in character, need and size as to be beyond comprehension. It is incumbent on the Congress to see that Federal appropriations are made wisely and only for the highest priority purposes. There is no urgency for this legislation. Congress should thoroughly study all of its ramifications before embarking on a new program of this magnitude.

NARCOTICS BILL HAS LOOPHOLE

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. Ashbrook], is recognized for 5 minutes.

Mr. ASHBROOK. Mr. Speaker, it is a rare thing to find a legislative enactment by this body that one can agree with 100 percent or oppose 100 percent. The bill we just passed today, the Narcotics Addict Rehabilitation Act, is a good case in point. I think that its provisions are, on the whole, salutory and represent needed emphasis on a critical field in law enforcement.

On the other hand, there is one serious flaw. I believe that it is poor judgment to establish a class of offenders who can escape trial on any theory. If a crime has been committed, the narcotic addict should be brought to trial. If his case warrants rehabilitation in nonpenal surroundings, the judge should have the authority to deal with the case in this manner. I supported all efforts to strengthen this bill and am sorry that the amendment of the gentleman from Virginia [Mr. Poff] did not pass. His amendment would have removed this one serious defect in this bill.

I supported this legislation because it is my firm belief that it will accomplish much good. On the other hand, this defect should be noted and it is my hope that the Senate will act favorably on these provisions so we will not shunt a group of defendants into a new and different track, forgiving them their crimes without trial. The group so preferred under title I of this bill will be determined not by the process of criminal justice but by the fact of a physical condition—drug addiction—and without any showing whatsoever of connection between the physical condition and the commission of the crime.

NICK KOTZ RECEIVES CLAPPER AWARD

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Quie] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. QUIE. Mr. Speaker, it has been a pleasure to see that this year's so-called youth opportunity campaign, especially in the Post Office Department, is being set up on a merit basis. The merit approach replaces the vast patronage system that marked last year's first attempt at the program in the Post Office Department.

I worked hard in the Congress to see that this program, which the President had announced as being designed to provide jobs for needy young people, was improved. At the same time that I was working toward this end in Congress, an outstanding member of the Washington press corps was working for the same goal through the public media.

It is my pleasure to report that this correspondent, Nick Kotz of the Cowles Publications, has received two major American journalism awards as the result of his outstanding work. He has become the recipient of the Sigma Delta Chi award for distinguished Washington reporting and the Raymond Clapper Memorial Award.

During the course of the investigation of impropriety of handling distribution of youth opportunity campaign jobs through the Post Office Department, I had ample opportunity to observe the dedication to his profession, to the truth and to the peoples' right to know which Mr. Kotz displayed. I am honored to join his journalistic colleagues in recognition of his achievement on behalf of the public interest.

Mr. Speaker, following is a copy of the release which the Standing Committee of Correspondents of the Capitol Press Gallery issued following Mr. Kotz' selection as recipient of the Clapper Award.

Montreal, May 19.—Nathan K. (Nick) Kotz of the Des Moines Register and the Minneapolis Tribune tonight won the 22nd annual Raymond Clapper Memorial Award for his disclosure in a series of Washington dispatches that summertime anti-poverty jobs were being filled on a patronage basis.

A panel of five prominent newspapermen unanimously selected Kotz "for his comprehensive and discerning reporting" in the best tradition of the late Scripps-Howard columnist, Raymond Clapper.

The award, announced here at the annual banquet of the American Society of Newspaper Editors, carries a cash prize of $1,000.

From a field of 24 entries the judges also singled out for first honorable mention Dom Bonafede of the New York Herald Tribune, for a series on conflicts of interest among congressmen; and for second honorable mention Bem Price of the Associated Press, for dispatches on government waste, water pollution and the war on poverty.

His citation and check were presented to Kotz by Benjamin R. Cole of the Indianapolis Star, representing the Standing Committee of Correspondents which administers the U.S. congressional press galleries and acts as executive committee of the Raymond Clapper Memorial Association.

The Association makes the award annually to honor Clapper and to foster the kind of Washington reporting that brought him fame as a reporter for United Press, the Washington Post and finally Scripps-Howard. Clapper died in a South Pacific plane crash in World War II.

Kotz, 33, is a native of San Antonio and an honor graduate of Dartmouth College. He has represented the Des Moines Register and the Minneapolis Tribune in Washington since June, 1964.

The award judges said it was a series of Kotz exclusives that broke the story of what they called "subverting" of last summer's youth opportunity program "into a massive handout of congressional patronage."

Others jumped on the story with resulting further disclosures. Congressmen's sons were among those hired. Eventually the White House ordered patronage stopped and the Post Office said future youth hiring would be based solely on merit.

Judges for the award were Glen A. Boissonneault, Editor, the Saginaw News; Grant Dillman, News Editor, Washington Bureau, United Press International; William A. Dyer, Jr., Vice President and General Manager, Indianapolis Newspapers, Inc.; Richard Hollander, Editor, the Washington Daily News; and John C. O'Brien, Washington Bureau Chief, the Philadelphia Inquirer.

Kotz lives in Washington with his wife Mary Lynn and 5-year-old son Jack Mitchell. He attended St. Albans school in Washington and later majored in international relations at Dartmouth, where he was elected to Phi Beta Kappa and was graduated magna cum laude. He then attended the London School of Economics on a Reynolds Scholarship.

He served in the Marine Corps 1956–58 in the U.S., Japan and the Philippines.. In 1958 he went to work for the Des Moines Register as a reporter covering police, city, county and state governments.

Kotz's dispatches on the summer job program also won the 1965 Sigma Delta Chi award for Washington correspondence. His other awards include the 1963 Community Service Award from the Jewish Chatauqua Society, for stories about Negro employment; and the 1961 Iowa Associated Press Newswriting Contest.

OUR POSITION IN VIETNAM

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from New York [Mr. Stratton] is recognized for 10 minutes.

Mr. STRATTON. Mr. Speaker, I want to commend the gentleman from Illinois for his remarks. I think he has certainly served to focus attention on what is really the central issue in this situation in Vietnam. I think we in this House have been reasonably free of some of the suggestions and gimmicks that have been offered in another body. There have been Members in another body of both political parties who have come up with gimmicks of one kind or another designed to catch the headlines. But I was deeply troubled when one of the leading and outstanding Members on the minority side came up with one of these gimmicks himself, one that is playing exactly into the hands of the Vietcong; namely, the idea that we should stop all of our efforts toward free election procedures in September and interfere with the great work being done by Ambassador Lodge and General Westmoreland in Vietnam to bring together these various competing groups in South Vietnam so that we can have the beginning of a meaningful election procedure in September and instead should go to all the trouble of holding a national election on the very issue that the Communists themselves want. Why, we would be asking ourselves, when did we stop beating our wives? Why indeed should we bother to ask the people of Vietnam whether they want to surrender to the Vietcong? Nobody has been burning himself up in Da Nang or Hue in order that the Vietcong might take over. They have been protesting instead so as to get a basis for establishing a free coalition civilian government. And that is precisely what Ambassador Lodge is moving toward. I agree wholeheartedly with the gentleman from Illinois that now that we are winning the war, let us continue in this great House of ours, whatever they may do in another body, to support that war and support our men out there and not try to come up with catchy gimmicks that play directly into the hands of the enemy, however well meaning they may have been in the first place.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. STRATTON. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Is it not a fact that while we read about the immolations and various other incidents occurring in Vietnam, behind these sensational events there is actually a tremendously successful effort now being waged at the diplomatic level in conferences between the Catholics, the Buddhists, General Ky, and the other generals? Are they not working very hard over there to try to reach some agreement, and is it not proper to raise some very high hopes that these agreements will indeed be reached and that these elections can be held there, we hope, by September 11 or shortly thereafter, or perhaps even before then?

Mr. STRATTON. That is it exactly. The gentleman is absolutely right. I know he attended with me this morning an extremely helpful, optimistic, and informative briefing by the Assistant Secretary of State for Far Eastern Affairs, Mr. Bundy, in which the Members of the House who were there—and I am sorry my colleague, the gentleman from New York [Mr. GOODELL] was not there, because I think he would have been encouraged, too—in which Mr. Bundy outlined for us the steps that have been taken to make these elections possible. As a matter of fact, he suggested to us that he hoped the military junta would be enlarged to take in civilian members. And even before he finished speaking the announcement that that development had actually occurred in Vietnam was on the radio. Let us not rock the boat. Our subcommittee which went to Vietnam during the Easter recess came back as a man and stated to this House that we are indeed winning the military war. And the very fact that we are winning the military war has now led these civilian groups to try to jockey for position in the postwar government that will be formed. Fortunately we are carrying on this delicate political job that the gentleman points out in spite of these demonstrations and immolations by a people which has never had much background in democratic procedures, that never had the opportunity to express their political sentiments in other less violent ways. We are working this out, so let us stick with that effort and not rock the boat in this body, regardless of what may be done in another body.

Mr. PUCINSKI. Will the gentleman yield further?

Mr. STRATTON. I am happy to yield to the gentleman.

Mr. PUCINSKI. I can say that I was happy to have been there this morning at that session. I believe that the gentleman is on the Armed Services Committee. Is there any question in the gentleman's mind that we now have taken complete command of the military situation in Vietnam?

Mr. STRATTON. I do not think there is any doubt about it and I would certainly say that victory in a military sense is entirely likely to come over there a lot earlier than we have been led to believe is possible. I have been surprised, frankly, that the reporting from Vietnam has not reflected this encouraging fact more clearly.

We have focused, as the gentleman said, on the trees instead of the forests in Vietnam, but the word is finally coming through.

Mr. Speaker, I put into the RECORD yesterday an article from the Washington Daily News that not only praised General Westmoreland, and his leadership, but pointed out that under his leadership we are winning the war in Vietnam.

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. STRATTON. I yield to the gentleman from New York.

Mr. GOODELL. I would suggest that the gentleman should withdraw from the RECORD his reference to people in Vietnam. I think this is not calculated to serve our purposes or the purposes of free elections of the people in southeast Asia.

Secondly, I would say to the gentleman that he has raised a whole group of straw men but has refused to discuss the specific proposal which I made which is that we should have free, supervised elections, with people who are supervising them whom we can trust, and who have experience and practice and understanding of free elections.

Is the gentleman opposed to this?

Mr. STRATTON. The gentleman knows perfectly well that the real key to victory in Vietnam is to get Vietnam on its own two feet as an independent country.

Mr. GOODELL. But are we not going to have elections?

Mr. STRATTON. Mr. Speaker, I decline to yield further to the gentleman until I can make my point.

The SPEAKER. The gentleman declines to yield further.

Mr. GOODELL. You do not want a colloquy; you want a soliloquy.

Mr. STRATTON. Mr. Speaker, regular order.

Mr. GOODELL. Mr. Speaker, I shall object to further time being granted to the gentleman from New York [Mr. STRATTON] should he request it.

Mr. STRATTON. Mr. Speaker, the gentleman would not yield further to me when he had the time. I am certainly going to try to answer the questions which the gentleman has raised, and then I shall be glad to yield to the gentleman if I have any time left.

Mr. Speaker, the whole purpose of our mission in Vietnam is to establish a free, independent country there, one that can stand on its own two feet, so that we can withdraw our forces from out there when the military victory has been achieved and when the stability of the country has been assured.

Certainly you cannot do that by having some outside force, some foreign country that the gentleman cannot even name, come in there and conduct elections for the Government of Vietnam.

Mr. Speaker, what is the essence of the integrity of any country, except its own election procedure? And what the gentleman suggested is that the election should be held upon the very issue which the Communists would like to have us think is a big issue, but which our committee overwhelmingly found is not at all a matter of concern for the Vietnamese people.

Mr. Speaker, the Vietcong are today the enemy. They are the terrorists in the mountains. They are cutting off the heads of villagers. The people of Vietnam do not want them running their country. They want the people who are supporting the government and who have tried to defend the countryside, to have a voice in running the country. The gentleman's suggestion would interrupt that whole process, and would have a very bad effect on all the fine progress we are making.

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. STRATTON. I yield to the gentleman from New York.

Mr. GOODELL. The gentleman chooses to characterize my proposal in a very, very unfavorable and unfair way.

What I am suggesting is that members of the gentleman's own party have raised serious doubts in the minds of the people of the world and of the American people about the will of the Vietnamese people and about the desires for an election or determination on the part of the South Vietnamese people to resist aggression.

I think a very clear mandate could be written in an election procedure. I am not suggesting that the election is for this purpose alone. Our Government has committed us. The South Vietnamese Government under Mr. Ky has committed itself to an election, to choose a constituent assembly sometime this year and at the moment it appears to be September.

Mr. STRATTON. It is going to be September.

Mr. GOODELL. This is a very confusing situation.

Mr. STRATTON. It is going to be September 11, unless the gentleman's suggestion confuses the issue too much.

Mr. GOODELL. If the gentleman wants the answer to some of his questions——

Mr. STRATTON. I cannot yield any further as I want to comment upon the gentleman's remarks.

Mr. Speaker, I do not think the South Vietnamese people need have any concern about the determination of our President or about the determination of this House or for that matter about the determination of this country. The only difficulty I am afraid—and I would be the last one to give recommendations to the gentleman—the only difficulty, I think, is that in making his suggestion about a referendum on the Vietcong the gentleman may have been trying to sit on both sides of the fence at the same time.

PRODUCTION OF MILK AND DAIRY PRODUCTS

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RESNICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RESNICK. Mr. Speaker, we are so accustomed to agricultural abundance in the United States, that it is almost impossible to believe that food of any kind—particularly a vital and basic commodity like milk—could actually be in short supply. Yet, this is precisely what is happening in this country today. Because I believe that this situation has reached crisis proportions, I have today written the following letter to the Secretary of Agriculture:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 1, 1966.

HON. ORVILLE L. FREEMAN,
Secretary of Agriculture,
Department of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: Steps must be taken to increase the production of milk and dairy products in the United States. It may be difficult for most Americans to accept the fact that a shortage of these essential commodities does indeed exist. But this fact is a grim reality.

The evidence is clear and abundant. Milk production in the United States has been sliding down hill for more than a dozen years. In recent months, this slide has become a plunge. March milk production was 7% below the March of one year ago. April production was 4% below last year's. As a matter of fact, last month production reached its lowest level since 1953—a depressing and ominous statistic I am sure you are well aware of. Equally disturbing are the mounting statistics on the mortality of dairy farms, farms which are being disposed of because their owners can no longer afford to keep them.

Strangely, the dairy industry has reached these crossroads of crisis at a time when our population is growing and personal income expenditures, and food consumption have reached record highs. The reason, however, is not hard to figure out. If dairy farmers could make money they would not only remain in business, but would be increasing their production to meet the increasing demand for their product. Somehow the machinery of our farm economy has slipped its gears and—by failing to assure our dairy producers of a proper return on their investment and labor—has caused milk production to fall to the point where we now face serious shortages. The consumer is now paying for this in the form of higher prices for milk, butter, cheese, and other dairy products. For, we see that in the absence of a satisfactory policy in this vital segment of agriculture, both the farmer and the consumer are now being made to suffer.

I call upon the Department of Agriculture, Mr. Secretary, to take immediate steps to turn this dangerous situation around. We can keep our dairy farmers producing. We can prevent them from selling their milk cows for beef. We can get them to expand their herds and increase production to meet the pressing needs of our growing population, as well as export demands. We can once again make the dairy industry a healthy industry. But we can only do these things by establishing and pursuing policies which will guarantee the dairy farmer a decent living. I would suggest that the Department consider giving direct "production payments" to farmers. I think this might be the fastest way of achieving the desired result. This would protect the interest of the farmer by assuring him of enough of a satisfactory return to encourage him to increase his herds and production, and also protect the interests of the consumer by guaranteeing him continued abundance of dairy products at reasonable prices.

I urge immediate steps along these lines to prevent the present shortage from developing into what could become a dairy famine in the United States.

With my very best wishes.

Cordially yours,

JOSEPH Y. RESNICK,
Member of Congress.

CAMILLUS CUTLERY CO.

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HANLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HANLEY. Mr. Speaker, a few weeks ago, it was my distinct pleasure to tour the facilities of one of the oldest establishments in my congressional district, the Camillus Cutlery Co. Today I would like to relate to my colleagues some of the interesting background and activities of this firm.

Founded in 1876 by Adolph Kastor, the Camillus Cutlery Co. has soared to a preeminence in the manufacture of knives of every variety. When I visited the plant, the employees were engaged in the production of knives and bayonets for our boys in Vietnam and throughout the world. Thousands of GIs in World War II and Korea came to rely on the fighting knives, pocketknives, and bayonets produced at the cutlery. Corpsmen the world over for years have been familiar with Camillus scalpels.

During World War II alone, Camillus Cutlery produced and delivered over 15 million knives for the war effort. For its contribution, the cutlery was the recipient of four Army-Navy "E" awards.

Today the Camillus Cutlery Co. is the sole producer of the Navy and Marine fighting knife.

As Camillus Cutlery makes substantial contributions to our national defense, so also it plays a significant role in our domestic life. Millions of housewives use Camillus products around the house every day, and sportsmen of every variety rely on Camillus knives for hunting, fishing, and recreational purposes.

The president of the cutlery, Nilo Miori, literally grew up with the company. He knows every one of his employees on a personal basis, and his interest in his employees is reflected in the tenure which many of them have achieved. About 45 percent of the employees have been with the company 10 years or more; 23 percent, 20 years or more; 8 percent, 30 years; and several have worked there over 40 years. This solid relationship between employer and employee, between labor and management could well serve as a model for all manufacturing operations.

Mr. Speaker, I commend the Camillus Cutlery Co. for its solid record of achievement.

EXCLUSION FROM INCOME OF CERTAIN REIMBURSED MOVING EXPENSES

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. McGRATH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. McGRATH. Mr. Speaker, I wish to join with Congressman BURKE in support of his bill, H.R. 13070, which would exclude from income certain reimbursed moving expenses.

In New Jersey's Second District, which I have the honor to represent, the largest employer is the Federal Aviation Agency, which operates the vast National Aviation Facilities Experimental Center in Pomona, near Atlantic City. Among the thousands of Federal employees assigned to this facility, many are called upon to move into our district on a permanent or semipermanent basis from other FAA facilities, and others are reassigned to FAA installations in all corners of the country. While travel expenses in such cases are reimbursed, these Federal employees are considered for income tax purposes as any privately employed persons, and the current practice of the Bureau of Internal Revenue is to consider this reimbursement of travel expenses as income.

In the cases of these Federal employees, as in the cases of the many privately employed persons in our district and elsewhere in the United States, this works a financial hardship which I feel should be reversed and can be reversed through the terms of H.R. 13070.

Further, Mr. Speaker, I feel it is highly desirable that H.R. 13070's provisions concerning items of expense in addition to the actual cost of moving the employee, his family and household goods to a new place of work, which are clearly nontaxable under present law, be included among the tax exemptions this bill seeks.

Among these are the costs of house-hunting trips of both employee and spouse when both the old and new job locations are within the United States; temporary living expenses at the new employment location while awaiting occupancy of permanent quarters; selling commissions and other expenses incident to the sale of the employee's old residence or to settlement of an unexpired lease on the old residence; out-of-pocket expenses incident to the purchase of a new residence at the new job location, and other miscellaneous expenses directly attributable to the transfer.

Mr. Speaker, I wholeheartedly agree with Representative BURKE that enactment of this legislation is essential if years of litigation, confusion, and hardship affecting many thousands of employees are to be avoided.

To emphasize my support for this legislation, I am submitting a bill identical to H.R. 13070, and I will work for its passage in the House of Representatives.

AUTO SAFETY AND THE TIRES ON AUTOS

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. TODD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TODD. Mr. Speaker, I have previously discussed before the House the awful toll of traffic fatalities and injuries and the need for prudent and responsible action to cope with this national problem. Basically, there are three factors involved in auto safety: The automobile itself; the driver; and the tires on the automobile.

I believe that the hearings recently held on the subject of auto safety, together with the automobile industry's decision to support a workable auto safety bill, will result in the passage of appropriate legislation this session. With respect to the driver, I believe that State and local governments have become much more aware of the importance of strict licensing, driver education, and tight law enforcement, particularly on drunk drivers. I do not see any need for Federal activity in this area at present. Today, I wish to discuss the third factor—tires on our cars.

At present, there are over 300 million passenger tires in use in the United States. With advances in automobile engineering and the development of our high-speed Interstate Highway System, these tires are subjected to punishment levels virtually unknown 20 years ago. As car owners and drivers, we expect our tires to perform safely under normal load and use conditions, just as we expect to be able to select, on an informed basis, those tires which we wish to buy.

Recent hearings conducted in the House and Senate together with other published evidence suggest that neither of these requirements is at present being fulfilled.

When possible, I prefer to get direct evidence about problems under consideration by Congress. I can report that I have received many letters from constituents in Michigan's Third District complaining about tire safety. Some people reported that their new tires blew out after normal driving and under normal loads, even after a few thousand miles of use. Others reported that even under light load conditions, the two-ply tires sometimes furnished on new cars failed entirely. One man wrote, complaining that he knows of cars leaving the factory equipped with tires whose load capacity is already exceeded by the unloaded curb weight of the car. Another man wrote, noting that he was concerned about the safety of his tires, yet finding that he was completely unable to understand the grading systems used by tire manufacturers.

These reports led me to ask a question about tire safety on my recent congressional questionnaire sent to the citizens of the Third District. The question read:

Do you favor a bill setting minimum safety and performance standards for automobile tires?

	Percent
Yes	74
No	15
Undecided	11

Clearly, the people of my district want action on tire safety.

There appear to be two main problems in the tire field: first, some tires simply are not safe; second, grading systems are confusing and meaningless.

There is strong evidence to show that some tires put on cars are not safe. There are a number of "grooved" tires sold today, in which the tread has been worn down, and a new tread pattern cut into the rubber; such tires are generally recognized to be very unsafe. Another unsafe type of tire is the "cheapie," a low-priced replacement tire usually sold under an unfamiliar brand name. The Senate Commerce Committee, which held extensive hearings on tire safety, concluded that "significant numbers of these tires were of poor quality often evidencing, upon close inspection, fatal defects and incapable of performing safely under normal conditions of use." Around 20 percent of all tires in service are retreads. Many of these are safe and conscientious products, but some are inferior and unsafe.

It appears that the statements in letters written by my constituents are clearly backed up. Perhaps the most startling piece of evidence regarding tire safety came out recently in testimony given in the superior court of San Francisco, in which a tiremaker was sued for damages in connection with a blowout. One tire expert, chosen by the tire manufacturer, testified that some tires which his company supplies for a leading popular car would be "expected to rupture" if the car were driven with a normal full load. Another expert testified that with as little as a 10-percent overload—and proper loading figures are difficult to find for the average motorist—a tire would be vulnerable to fabric separation, which could take place when a car runs over a chuckhole or a railroad crossing.

The fact that there are unsafe tires on the market, in itself, is no necessary cause for Government action. After all, there are many products of varying degrees of safety in the market, and the consumer should be expected to use proper prudence in making his selection and in maintaining the purchased product. But the situation in the tire market does not allow the consumer to make an informed choice. This is because tire grading standards are either meaningless or so ambiguous as to make informed judgment impossible.

There are, at present, some 950 different tire names currently being marketed, representing approximately 120 private-label marketers and 14 tire manufacturers. The Senate Commerce Committee concluded that there is "no consumer commodity more sharply characterized by confused and misleading nomenclature than the tire." No uniform grading system presently exists. Most tires are sold on the basis of an illusory grading system. Terms such as "premium," "first line," "second line," and "100 level" seem to imply that an objective grading system does exist. In fact, it does not. These designations have no uniform meaning or definite value. One maker's "premium" may be inferior to another's "third line" tire. The so-called "ply ratings" have no fixed meaning. And, according to the Senate committee, the price of a tire has no discernible relation to its grade or safety level.

In this morass of confusing terms, how can the consumer make an informed choice? Should not he be given the facts on which to make his own buying decision, so that he can insure the safety of himself and his family? I think he should. If there are no minimum performance standards for tire safety, such as exist for drug or food purity, how can we insure that lives are not unnecessarily lost? Should not the public have some protection against clearly unsafe tires? I believe it should.

Constructive action is needed, and to this end I am today introducing a bill dealing with the subject of tire safety. It is similar to that recently passed by the Senate, but it has certain modifications designed to reduce unnecessary interference of the Government in the activities of the consumer and of the marketplace.

Briefly, the bill would direct the Secretary of Commerce to develop minimum safety standards for tires. These standards would be worked out by the National Bureau of Standards, recognized testing authorities, and the automobile and tire industries. These standards would be promulgated on or before January 31, 1969. Interim standards would be prepared by January 31, 1967. The bill also sets up provisions requiring accurate and clear grading standards, with which all tires will be clearly labeled.

The bill would:

First. Eliminate entirely the clearly unsafe tires which constitute such a hazard for the unwary buyer.

Second. Give the buyer reliable facts about size and load-carrying capacity of his tires, so he can buy a tire to suit his particular needs and know clearly what loads are safe to carry in his car.

Third. Set up a uniform quality grading system for tires, so that the buyer can make his tire selection on an informed basis.

My bill differs from the bill which passed the Senate in two minor respects. First, I have modified section 7 to make sure that the standards which may be set by Federal, State, or local governments for their own procurement of tires are not less stringent than the general standards set up by the bill. It seems absurd to set up minimum safety standards, and then allow Government units to turn around and purchase tires that violate these same standards.

Second, I have removed the inspection provisions of the Senate bill, which would have allowed Government agents to enter plants and warehouses of tiremakers and automobile assembly plants where tires are put on cars. It seems to me that the purpose of this bill is to set minimum tire standards, together with grading and labeling provisions.

The bill is not designed as an inspection bill, nor should it contain such detailed inspection provisions. For the business of the Government is to set standards, not to certify all manufacturing procedures. The Government can just as easily buy, on an unannounced basis, tires from various manufacturers at various places around the country to insure compliance with the law. If the Government finds noncompliance, it has recourse to the civil action provisions of the law.

I believe that this bill represents a constructive and reasonable approach to a serious problem. It sets minimum standards, with which manufacturers can surely comply and which will protect the driver. Most of all, it gives the buyer the information, which is presently lacking, to make an informed purchase of tires, and thereby protect his life and the lives of his family.

PROMOTE COMPETITION IN RETAIL DRUG SALES

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. VIVIAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. VIVIAN. Mr. Speaker, today I have introduced a bill in the House of Representatives which will promote competition in retail drug sales. In recent years, a few physicians in this Nation have found that they can increase their income by purchasing part interest in a local retail or wholesale drug business, or drug repackaging company, and steering their patients who need medicines to this captive outlet. Individual druggists across the Nation and their association, the National Association of Retail Druggists, strongly object to this unfair and irresponsible restraint on trade. A number of medical doctors have spoken out in opposition, also.

An article in a recent issue of the respected periodical, Consumer Reports, outlines the scope of the problem. Mr. Speaker, I ask unanimous consent that the article be printed at this point in the RECORD.

[From Consumer Reports, May 1966]

PROFIT FROM PRESCRIPTIONS—THOUSANDS OF PHYSICIANS MAKE CLEAR THAT MEDICINE IS AT AN ETHICAL CROSSROADS

Again, the California investigation feeds such suspicions. A drugstore manager named Edward Berger told the state board of this proposal made to him by one of the doctor-owners of the Beverly Hills Medical Clinic:

". . . they offered to pay me $15,000 a year base salary, and then this same doctor that I was talking salary with, he says, 'You know, I have never been too interested in the pharmacy before, but I will, since we are going to have a percentage, too, of the gross' and . . . he told me, 'You know, I can write two prescriptions instead of one for these people.' He says 'I can write them bigger. . . .' "

Conflict of interest between a doctor's medical judgment and his involvement with selling drugs was made painfully clear in the Hart subcommittee's finding about doctor-owned drug repackagers. The problem was already known to the American Medical Association. Dr. James H. Sammons, a Texas physician who was disturbed about it, warned the AMA in 1962 of the "net effect on the image of medicine and on the integrity of the individual when he is subjected to the constant temptations and pressures commensurate with this type of financial investment."

THE PEN PUSHERS

The subcommittee fleshed out the picture with exhibits subpenaed from the files of doctor-owned repackaging houses. One was Carrtone Laboratories in New Orleans, with 1,200 doctors among its 3,000 stockholders. Its business is the mixing, tableting, and bottling of drugs under its own trade names for sale mainly in the South. These products are well-known pharmaceuticals no longer protected by patent, and Carrtone is only one of many companies now marketing them under private labels or simply under their generic names.

For most of its existence, Carrtone's business has not seemed to prosper. In 1961 the company complained to its stockholders: "Sales generated per Doctor Stockholder were only $1.03 per day. . . This represents approximately 1 Carrtone 'script' per day. (Many doctors see 40 to 50 patients a day.) Just imagine if—Each Doctor Stockholder would have written 3 'scripts' each day—Sales would have been a walloping $168,000—Profits for November over $65,000."

One of the biggest Carrtone boosters at this time was Dr. Boyce P. Griggs of Lincolnton, N.C. Although not in the management of the company, he was a stockholder who, as he declared, looked upon Carrtone "as a rosebud about to bloom, stockwise." Dr. Griggs closed a letter to his fellow investors with this exhortation: "Let's push the pen for Carrtone together and make it grow!"

In 1964 the company had not yet bloomed. It was in the throes of reorganization, and the president was Dr. William W. Frye, dean of the medical school at Louisiana State University. Dr. Frye's appeal to stockholders was only a trifle more subtle than Dr. Griggs': "If each individual stockholder would make up his mind to do just a little bit more for his company, the company would start making a sizable profit immediately."

The company file contained several enthusiastic replies to this appeal. Here are some examples:

"When I was a practitioner in Malvern, Ark., I wrote all Carrtone prescriptions. If we have more physicians with stock in Carrtone who will write prescriptions for the company, it will immediately go into the black. I believe a check of my previous orders . . . will verify my previous help to the company."

". . . I will continue to . . . prescribe as many Carrtone products as I possibly can for the benefit of my patients. Good luck. Good business."

". . . like you I feel that it is up to us shareholders to make our company go and grow."

Carrtone was not an isolated case of a drug repackaging company using its doctor-stockholders as promoters. Merit Pharmaceutical Co. of Houston provides another unsettling example. This fairly typical repackaging operation, with 266 doctors among its 444 stockholders, actually paid indirect commission to some of these doctors for promoting the company products until the Texas Medical Association finally managed to put an end to the practice in 1962.

Defenders of the integrity of doctors in general point out that doctors have the same right as anyone else to seek profitable investments and that, except for a very few bad apples, doctor-investors' professional integrity will remain paramount when it comes to prescribing drugs. No ethical principle will be violated if a doctor prescribes the drug of a company in which he has a financial interest, these people say, provided that the drug is the right one for the patient.

How well do doctors keep their financial interests from interfering with their prescribing? A doctoral candidate at the University of Wisconsin did some research into the question in 1963 and 1964. He monitored 7,600 prescriptions written by two groups of 30 physicians; 15 were known to own stock in local pharmaceutical companies; and the other 15 were not stockholders. In other respects the two groups were carefully matched as to their age and the type and location of their practice.

Analysis of these groups' prescriptions showed, first, that the stock-owning physicians indeed tended to prescribe their companies' brands—19% of the time in 1963 and 13% of the time in 1964. More than coincidentally, their patients paid an average of 33% more for drugs than patients of the other physicians did in 1963, and an average of 20% more in 1964.

But the researcher, now a faculty member at the Philadelphia College of Pharmacy and Science, reached an even more disconcerting conclusion: The physician-owners prescribed antibiotics or sulfas 25 percent more often than did the other physicians in the study. Moreover, the study indicated that "physician-owners of companies which marketed penicillin preparations prescribed penicillin at a rate approximately eight times higher than did control physicians."

Thus it was apparent, from the prescriptions written by these two groups of physicians at least that decisions about medication did not depend entirely on medical judgments or on those judgments combined with a sympathy for the patient's pocketbook.

FREEDOM OF PRICE

Although the medical implications of the Hart subcommittee findings were plain enough to its members and staff, the subcommittee's jurisdiction lay not in medical ethics but in questions of monopoly and restraint of trade. The 1962 Kefauver-Harris Amendments to the Federal Food, Drug and Cosmetic Act had attempted to encourage generic-name prescribing by requiring all prescription-drug labels, advertising, and other promotional material to state the generic name in letters at least half as large as the trade name and by instructing FDA to review all existing generic names and to establish new simpler ones when necessary.

Now here were scores of doctor-owned drug repackagers making a business of buying up generic drugs and reselling them under new brand names at prices that, by and large, were either higher or only a shade lower than those of the major advertised brands. For example, reserpine, a drug occasionally used for severe emotional disorders, was selling to druggists in 1964 at between $9 and $39 per 1000 tablets under its three major brand names. Doctor-owned repackagers were buying the same tablets, however, from generic-name suppliers for 75 cents to $2.75 per 1000, then selling them, under their own labels, to druggists at $10 to $30 or more per 1000.

Other drugs followed a similar wholesale pattern. Triple sulfa pills were $16 to $23.50 per 1000 from large brand-name drug houses, $28.42 from the one doctor-owned firm quoting a price per 1000, and only $9.65 to $11 from two generic companies. The stimulant dextroamphetamine sulfate/amobarbital was 7.2 cents per capsule from Smith, Kline & French, 5.4 cents to 6 cents from doctor-owned companies, and about 1 cent to 2 cents from generic companies.

If there was any justification for the markups of the doctor-owned company's drugs, the subcommittee failed to detect it. Its final report pointed out repackaging companies had little or no research and development costs and hence could provide opportunities for savings which could be transformed into lower prices instead of the higher prices they charge. As for selling and advertising costs, the subcommittee report noted, "this kind of promotion is hardly necessary to convince a doctor to write a prescription which profits his own company."

The subcommittee could see little prospect, either, of doctors prescribing by generic name if the same doctors had a financial interest in the drug store that was going to fill the prescription. After all, the profit on an expensive drug is higher than on an inexpensive one, even though the percentage of retail mark-up may be the same. Furthermore, the subcommittee suggested, if the particular drug is not controlled by patents, it can be purchased under its low-priced generic name, prescribed generically, and sold to the unaware consumer at the higher prices of the major company brands. In other words, a doctor can go into the repacking business for himself merely by owning a drugstore.

Independent druggists and opticians did not hestitate to charge that doctor-merchants were resorting to just such methods of reaping excess gain. A spokesman for the National Association of Retail Druggists said that in a Midwestern state prescriptions filled in doctor-owned pharmacies "are priced as much as $1.50 to $2 higher than when dispensed by independent pharmacies." An optician in Los Angeles claimed that he had found, in his own survey of eyeglass prices, that ophthalmologists there were charging $7.50 to $15.10 more for eyeglasses than local opticians charged.

Spokesmen for the druggists and opticians made much of the fact that doctors can turn their patients into captive customers. Philip Jehle, of the National Association of Retail Druggists, reported that doctor-owners of drugstores steer patients to their stores by writing prescriptions in code, telephoning prescriptions directly to their pharmacy, recommending their pharmacy and disparaging those of competitors, prescribing dosage forms or brands stocked only by their own stores, and printing the name of their stores on prescription blanks. Spokesmen for the opticians said that eyeglass-dispensing ophthalmologists resort to many of these same devices.

ETHICS AND ECONOMICS

Denials poured into the subcommittee from doctors, and from the witness stand. Robert B. Throckmorton, then the general counsel of the AMA, stated organized medicine's position. ". . . actually, it is not a question of ethics at all, but a matter of raw economic competition," he said. Independent druggists and opticians were simply fighting for survival, and Mr. Throckmorton implied that the fight was a fair one.

Fair or foul, it is a fight that the doctors have been winning. "M.D.-owned pharmacies are steadily increasing at a rate which portends disaster for the nation's independent druggist," said Mr. Jehle. Paul A. Pumpian, at that time secretary of the Wisconsin State Board of Pharmacy, produced supporting data to show that independent druggists were being wiped out. Wisconsin had only 24 physician-owned pharmacies in 1964, he said, but half had been established since 1960. Three of them, in communities of less than 5000 people, competed with four independent druggists; yet the doctor-owned pharmacies were already filling 80 percent of all prescriptions for these communities. Eight of the doctor-owned pharmacies were in towns of 5,000 to 20,000 people and competed with 28 other pharmacies; yet the doctors were doing almost half the total prescription business for those towns.

Opticians were faring even worse than druggists. Witnesses said they had to compete with 16 of the 17 opthalmologists in Charlotte, N.C., for the sale of glasses, with 17 of the 19 eye specialists in Tucson, Ariz., with all 20 eye specialists in Reading, Pa., and with 30 of the 40 opthalmologists in Anaheim, Calif.

ETHICS AND POLITICS

The American Medical Association has not always shrugged off doctor-ownership of drugstores and optical shops as a question of "raw economics." In 1954 its Principles of Medical Ethics stated: "It is unethical for a physician to participate in the ownership of a drugstore in his medical practice area unless adequate drugstore facilities are otherwise unavailable." This pronouncement was in keeping with a principle dating back at least to the 15th century. The Genoa Legal Code of 1407 made all pharmacists swear once a year that they would not keep shop in partnership or agreement with any physician, lest they have "temptation or reason for sinning" and lest prices might then be "raised higher than is becoming."

But, in 1955, the AMA left the straight and narrow Italian path. "It is not unethical," the Principles were amended to read, "for a physician to prescribe or supply drugs, remedies, or appliances as long as there is no exploitation of the patient." It was clear by then that the merchant-physician forces were in the ascendancy.

Nevertheless, the AMA's Judicial Council, which has jurisdiction on all matters of medical ethics, took the question of drugstores under intensive study again in 1961 and a year later recommended a new revision making it unethical for a physician to own a drugstore "in many situations." The recommendation was referred to the reference committee of the House of Delegates, policy-making body of the AMA, and the fat was in the fire. Doctors opposing a strict ethic descended en masse on the reference committee hearing. So did officials of clinics that derive large profits from resident pharmacies.

It was a painful day for the members of the Judicial Council. Mrs. Dorothy D. Goodwin, assistant counsel of the Hart subcommittee, elicited as much from Dr. George A. Woodhouse, then chairman of the Judicial Council:

"Mrs. GOODWIN. Isn't it true that there were other physicians there who spoke against your proposal who do in fact own pharmacies themselves?

"Dr. WOODHOUSE. I presume that there were because they really ground me up pretty fine. I looked like I had come out of a meat grinder."

The upshot, as reprinted from the trade paper *F-D-C Reports* in the subcommittee hearing record, was that "the reference committee not only slapped down the proposed ban, but it also spanked the Judicial Council publicly for the manner in which it presented the issue."

THE FLABBY RULES

It is doubtful that physicians would have been dissuaded from owning drugstores even if the Council had succeeded in reinstating the strict ethical rule. Other such AMA rules seem to carry little weight. For instance, the Judicial Council still advises doctors who run pharmacies to respect the patient's right to choose his own pharmacy when having prescriptions filled. It frowns on direct telephone lines between a doctor's office and a drugstore and on prescription blanks advertising the name of a pharmacy. Yet local medical societies seldom have been known to reprimand or punish doctors for going against the Council's advice.

Indeed, since 1963 the AMA has held it "unethical for a physician to have a financial interest in a drug repackaging company" or to "own stock in a pharmaceutical company which he can control or does control while actively engaged in the practice of medicine." Yet a year later, when the Hart subcommittee conducted hearings, the AMA had done virtually nothing about enforcing this rule either. Mr. Throckmorton, the general counsel apologized:

"It always takes time for new rulings . . . to be widely understood by individual physicians," he said. "The activities of this subcommittee will undoubtedly do much to hasten these developments. The subcommittee can expect that within a reasonable time, physician ownership of drug repackaging companies will, in the main, disappear."

Before Mr. Throckmorton testified, the subcommittee had in August given him a list of 30 such companies and their doctor stockholders. A year later, it sent the AMA a new list of 150 companies. Early this year, however, after a spot check of some of these firms to see what, if anything, had happened to them, Senator Hart told the Senate, "The best I can ascertain today is that the companies are all still flourishing—with their doctor-owners."

The subcommittee staff believes that this industry may in fact be growing faster than anyone suspects. One such firm, Deseret Pharmaceutical Co. of Salt Lake City, is said to be the largest regional drug distributor in the Rocky Mountain States. Other such firms are known to be operating in such populous places as Chicago, San Antonio, Baltimore, Denver, St. Louis, Memphis, Kansas City, Mo., Nutley, N.J. (a New York City suburb), Sacramento, Jacksonville, Dallas, Portland, Oreg., Atlanta, Knoxville, Philadelphia, and Vienna, Va. (a Washington suburb).

DR. JUDD'S SPECTER

Last March the AMA made one more stab at putting its house in order. It called together its first National Congress on Medical Ethics. According to the *Washington Post*, Dr. Walter H. Judd, former Congressman from Minnesota, warned the gathering rather bluntly that if the profession does not act it will be haunted by some continuing, unsavory examples of exploitation of the patient. But the Congress did nothing to exorcise Dr. Judd's specter.

A much more promising source of hope for the future integrity of American medicine is Senate Bill S. 2568 sponsored by Senator Hart, titled the Medical Restraint of Trade Act. It would simply forbid a doctor to make a profit, directly or indirectly, from the sale to his patients of drugs or medical devices, including eyeglasses. Hearings are expected to be held sometime in June.

Right now the prospects for S. 2568 are, at best, uncertain. Independent druggists and opticians favor it. The AMA is opposed, and the eyeglass-dispensing ophthalmologists are building a $250,000 war chest with which to fight it. As for the big drug manufacturers, at this writing they had yet to take a stand. For once, however, it appears that their interest might just lie with, instead of against, their old nemesis, Hart's Senate Antitrust and Monopoly Subcommittee. The disappearance of the independent drugstore, that citadel of brand-name merchandising, would not be pleasant for this industry to contemplate. Moreover, the drug industry is bound to awaken sooner or later to the serious threat of repackaged brands hawked fervently by their doctor-investors to the exclusion, whenever possible, of the big name brands.

The one interest that should override all these special interests, however, is each citizen's indispensable need to be able to trust his doctor's judgment. In CU's opinion, S. 2568 needs and deserves every bit of public support that can be mustered if American medicine is to be saved from its doctor-merchants.

WHAT TO DO AS A PATIENT

How does a patient, knowing that many physicians profit from the sale of the drugs and eyeglasses they prescribe, assure himself of getting the medicine or glasses he needs at a reasonable price? There is no way to be absolutely sure. The patient can request or even insist on receiving a copy of each prescription in writing and have it filled at the pharmacy or by the optician of his choice.

Any physician who balks at writing out a prescription for drugs or eyeglasses and giving it to you should be immediately suspect. He is violating the ethics of the American Medical Association. So is the physician whose prescription blanks have a pharmacist's name on them, or who has a direct telephone line or a pneumatic tube connecting him with a pharmacy, or who writes his prescription in a code or dosage that only a particular pharmacy can decipher or supply. If the doctor practices in a medical building with its own drugstore, he should not pick up his telephone and call in a prescription or have his nurse deliver it. Any time such rules are broken, a patient can help all ethical physicians in his community, as well as all patients, by informing the local medical society. If your doctor, however, asks for the name of your pharmacy and offers to call in the prescription for you, it may save you time—unless you prefer to have a copy of the prescription with which to price shop.

Another way to guard against prescriptions that may have been influenced by a physician's investment is to request the use of generic-name drugs. Many of the most widely used prescription compounds, including the antibiotics penicillin and tetracycline, corticosteroids such as prednisone, tranquilizers such as meprobamate, sulfonamides such as sulfisoxazole and trisulfapyrimidines, and cardiovascular agents such as digitoxin, can be prescribed generically, which usually means the drug will cost less than if prescribed by brand name. Despite drug company claims to the contrary, CU's medical consultants have found no clinical evidence that a brand-name drug is more effective than its generic equivalent. And they feel that, with the Food and Drug Administration now keeping close watch on factory conditions and quality controls, all drugs can with confidence be prescribed generically.

But if your physician says a brand-name drug and not a generic-name drug is called for, his advice must and should be the persuading factor.

Prescribing a drug generically does not always result in saving; it doesn't, for instance, when the drug is still protected by patents. And even when the prescription is written with your pocketbook in mind, you cannot be sure of realizing the saving. Some pharmacies may not stock the generic drug; drug companies have only too zealously implanted in many pharmacists a belief in the superiority of brand-name preparations. So the best advice is that it may pay you to shop around whenever possible, particularly in those cases of chronic illness where long periods of medication may be required.

In the long run, the most effective way to preserve the right to obtain needed prescriptions from the drugstore or optician of your choice is to write your U.S. Senators and Senator Hart in support of his bill (S. 2568) to stop a physician from profiting on the prescriptions he writes.

RECENT LEGISLATION AFFECTING EXCEPTIONAL CHILDREN

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. Fogarty] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FOGARTY. Mr. Speaker, on October 29, 1965, I addressed the Rhode Island Chapter of the Council for Exceptional Children, Ladd School, Exeter, R.I. Under leave to extend my remarks, I include the address:

I am very pleased, as always, to be here at this meeting of the Rhode Island Chapter of the Council for Exceptional Children, and the Association for Teachers of Mentally Retarded Children.

It seems especially fitting that you should be meeting here at Ladd School, an institution that has long been in the forefront in the war on mental retardation.

Today I would like to tell you about some of the recently enacted laws that can, if properly implemented, affect the lives of exceptional children and their families, not only here in this State but throughout this great country of ours.

Let me re-emphasize the words "if properly implemented." This is an important and urgent point to me. To effectively help our handicapped citizens, there must be effective coordination, guidance, and leadership displayed by officials at the State, county, and local levels. This is the area I am worried about here in the State of Rhode Island, and all across the Nation.

Those in positions of leadership must not be allowed to forget the availability of Federal support and the intense need for rapid implementation of a meaningful program to ease the burden of mental retardation on the community. New hope for the retarded and for their families is now within our grasp. But we must not delay in going about the business of equipping those who adjust and learn more slowly to assume a meaningful place in our society.

Legislation enacted prior to this year authorized Federal funds for State planning to supply better services to the mentally retarded and mentally ill. It also provided funds to aid in the construction of facilities to care for these children and provided a means of giving teacher training for special education. It is my sincere hope that Rhode Island's State officials will soon act to take full advantage of these financial aid programs.

Programs to aid the mentally retarded and mentally ill have increased tremendously since 1963. In fact, I think legislation such as "The Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963," were major landmarks in the struggle to mount a national attack on mental retardation and mental illness.

The slowness of many state authorities in gearing up their resources to take full advantage of these existing Federal programs has been disappointing. Implementation of these programs by a dynamic leadership is vital.

As pointed out by the State's comprehensive mental health plan, Rhode Island's small size and the relatively easy geographical access to mental health services are definite assets. Specialized units to provide centralized services throughout Rhode Island can be set up, while at the same time basic mental health services, required by the Federal program, can also be supported without any problems.

A comprehensive mental health plan for practical action that would qualify this State for Federal assistance to construct community mental health centers should now receive our diligent attention. This is an important health area where Rhode Island has the potential for leadership in the national movement for better mental health.

Seven other States, including California and New York, have mental health center plans that have been approved; and four more States have pending plans for approval by Federal authorities. My strong feeling is that when States with huge populations such as California and New York can come up with a workable mental health plan, then Rhode Island should surely be able to do so, and quickly.

Our citizens must be made aware of the 1960 figure of 86,000 persons in Rhode Island that needed psychiatric care. And, that according to the Governor's council, this number may increase to 94,200 by 1970. Even more important is the need for an awareness among us that last year only 32,800 of more than 86,000 persons needing help were treated in Rhode Island. We need to keep before us the obligation to provide more and better services, fast, to care for these people. The Governor's council has recommended expansion of State mental health facilities and construction of new ones where needed. Implementation of this program must move forward with all possible speed.

During my years in Congress, I have always promoted national health, incorporating the sound principle that mental health is public health. Good mental health programs must include both the preventive and rehabilitative services. I have urged before, and say again, Rhode Island State officials should take a hard look at this principle and then exert the strong leadership needed to insure the mental health of our citizens.

I know most of you here are particularly concerned with mental retardation. Well, fortunately, programs in this area are moving along in a reassuring fashion.

Progress made to date is encouraging, though the job yet before us is great. The State's mental retardation facilities plan calls for 13 new facilities to care for the mentally retarded in four State Regions. Region 1, includes Providence, Cranston, and East Providence; it will get five new facilities. Region 2, comprised of Burrillville, Pawtucket, and Woonsocket, will have three facilities. Exeter, Warwick, and Westerly make up Region 3; it will have three facilities; Region 4, Newport, will get two.

This planning shows positive action by State officials, but still more needs to be accomplished to see that our people receive full benefit from opportunities presented by Federal programs. With State programs already in existence and new Federal ones, a firm opportunity exists to give the fullest possible help to the mentally retarded and mentally ill of Rhode Island. Our State's citizens deserve and must receive all the help we can give them. The State's leaders can show the way for Rhode Island, through effective leadership, to make this State a model of what must be done for handicapped citizens everywhere. The funds to provide the tools of victory over mental retardation and mental illness are available, and they must be used effectively.

This year of 1965 has been a most significant one when you look at the legislation enacted.

The 89th Congress passed, and President Johnson signed into law, legislation authorizing a multitude of programs to benefit this Nation.

We have a new law to provide health care for the aged, and another setting up an administration to guide the study of all the problems peculiar to our older population. We have a law to help those living in poverty to better themselves through retraining and education. Nor have the needs of the rest of our population been neglected. Laws passed this year will help Americans of all ages to achieve a much fuller, happier, and healthier life in the future.

Three new laws, in particular, will have a profound affect on the lives of exceptional children. They are: "The Mental Retardation Facilities and Community Mental Health Centers Construction Act Amendments of 1965"; "The Elementary and Secondary Education Act of 1965"; and, "The Social Security Amendments of 1965".

I will now describe some benefits of each of these laws to show their special significance.

"The Mental Retardation Facilities and Community Mental Health Centers Construction Act Amendments of 1965" provides continuation of existing programs for the training of teachers and for research and demonstration projects related to special education. It also contains provisions to aid in staffing community mental health centers.

This law strengthens and expands programs begun earlier, and it accelerates national efforts to give the best possible training to those charged with the education of exceptional children. You all know, I am sure, that some 6 million handicapped children and young adults in our society are in need of special education. Included in this group are the mentally retarded, seriously emotionally disturbed, deaf and hard of hearing, crippled persons, and those with various other handicapping conditions. Approximately 1½ million retarded children in the country who need special education are not receiving it at this time. And, while some progress is being made in training the teachers needed to educate handicapped children, there are still only between 60,000 and 70,000, or one-sixth of the total 300,000 educators needed in the field.

"The Mental Retardation Facilities Amendments" also authorizes extension and expansion of programs for research and demonstration to acquire new and better methods of teaching the handicapped. Under this portion of the law, the U.S. Commissioner of Education is authorized to grant funds to an institution of higher learning to construct, equip, and operate a special facility to conduct research and demonstration projects to seek better ways of educating the handicapped. The center envisaged here will concentrate all of its resources into bringing the best researchers, teachers, and research trainees together to develop practical and forward looking teaching methods for special education. Information collected from research in this center will then be made available to teachers in the field.

Another new law, "The Elementary and Secondary Education Act of 1965", is also significant. This law recognizes that every child should be given the chance, through education, for adequate preparation for adult life. This goal is particularly pertinent in the case of the handicapped child. The value of education in our society has long been recognized, but many persons have not recognized its special importance in helping the handicapped child or adult achieve his fullest possible potential. In any case, research has shown that handicapped children, including the mentally retarded, can benefit greatly from well-conceived, vigorously pursued special education programs.

As I mentioned earlier, I know all of us here recognize the necessity of expanding the educational opportunities of the retarded and other handicapped children.

"The Elementary and Secondary Education Act," authorizes starting a number of projects aimed at supplying special education teachers, who are competent and well-trained, to educate this country's handicapped children. I would like to mention some features of this law that are particularly important.

First, this act calls for a 3-year effort to encourage and support the creation, expansion, and/or improvement of existing special education programs. This includes construction of facilities to meet the educational needs of culturally deprived children, many of whom are now diagnosed as mentally retarded, but may only be lacking in needed educational experiences. Services under this section could include identification of mentally retarded children. Such early identification would then lead to early help for the retarded. This would also help identify those who are not actually retarded, who could then be helped back into the mainstream of the educational system.

Second, this law provides funds to help the retarded, through special classes and supplementary, interesting teaching methods, to make the best of their sensory and mental capacities. Projects here could include the use of special games, educational toys, picture books, and the like to stimulate the interest of the child.

Third, this act authorizes aid for the retraining of special educators. Such retraining could be done through inservice training using consultants and mobile teams of university specialists. These teams would examine teachers' problems on the spot and offer constructive suggestions to aid teachers right in their own classrooms.

A fourth important part of "The Elementary and Secondary Education Act," provides for assistance in hiring additional teachers to give intensive instruction to mentally retarded students. The ultimate goal of this portion of the law is an eventual teacher-student ratio of 1 to 13 in special education classes.

A fifth benefit under this act will aid school districts to set up special summer educational camps, or all-day summer schools for educational purposes among other beneficial activities for handicapped children. It is even possible that under such programs, pupil exchanges could be made between camps or schools, thus giving the retarded a wider range of experiences with other children and teachers.

Still another law of tremendous significance is "The Social Security Act Amendments of 1965." A critical area in the war on mental retardation is the need to provide the best care and treatment to those who are already retarded. Despite an increase in the number of clinics during the last several years, a long waiting list of children needing clinical help remains. For example, in 1964 only 29,000 handicapped children were served in 94 hard-pressed clinics throughout the United States. This represents only a small fraction of those children needing care and treatment. Also, large numbers of these children have physical handicaps requiring special attention.

In addition, new programs for handicapped children and construction of university-affiliated centers to care for these children are making ever-increasing demands on the supply of well-trained professionals.

Under provisions of "The Social Security Amendments", funds will be available to train personnel to work in programs for handicapped children and in the university centers.

Beginning in Fiscal Year 1967, programs under this law will continue for an unspecified number of years to provide grants for training of personnel such as physicians, psychologists, nurses, dentists, and social workers. Though some of this type of training assistance was available previously, the new law greatly increases and expands such programs.

Yet another benefit of "The Social Security Amendments" is a provision to give comprehensive medical care to children of low-income families. Services such as screening, diagnosis, preventive care, treatment, and aftercare—both medical and dental—will be provided through this program. It can easily be seen that such a program will also benefit those mentally retarded children who live in areas having high concentrations of low-income families.

These amendments also authorize funds to expand and implement State planning to combat mental retardation. This program, begun under laws enacted in 1963, has so far resulted in a majority of States coming up with workable plans, and many States have discovered new areas which need attention. Some areas the States will explore with funds authorized under the new law include: lack of adequate statistics regarding the extent of retardation and the distribution of the retarded in each State; special needs of retarded persons in certain ethnic groups; and, community planning and integration of such planning into a dynamic State program.

It is in this area of planning that Rhode Island's leadership must improve if we are to have effective statewide programs to combat mental retardation.

The preceding statements have only highlighted these three very important laws, but I think we can all see the tremendous impact such laws can have on the welfare of exceptional children. These laws will aid in the training of teachers that should help to narrow the gap between the numbers of educators needed and those actually available. They will also provide funds to increase efforts aimed at seeking newer and better methods of teaching the retarded child so he may reach for a fuller part in community life. And, finally, these laws authorize programs for training the many personnel who are in increasing demand to care for and treat the mentally retarded.

While there are still many areas of mental retardation yet to be explored, legislation passed this year is yet another giant step in the march to conquer mental retardation.

You as parents, teachers, and citizens of Rhode Island are doing a tremendous job in improving the chances for the mentally retarded. I am proud of your previous efforts and feel confident that you will continue to work for the final victory over mental retardation. I urge you to raise your voices to make sure that our State leaders are unmistakably aware of your support toward that final victory.

LIVING CARE: SALVATION FOR FORGOTTEN MILLIONS

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FOGARTY. Mr. Speaker, it was my privilege to speak at the dedicatory exercises, Hall Manor, Cranston, R.I. By permission heretofore granted, I include the remarks made on that occasion:

Mr. Dailey, distinguished guests, I consider it a great honor to have been invited here for the dedication of Hall Manor, Cranston's first low-rent housing development for the elderly.

As many of you know, during the course of my quarter-century of service in the United States Congress, I have continually worked for legislation to help make projects such as Hall Manor possible—projects and programs aimed at enabling aged Americans to live in comfort, health, and dignity.

The city of Cranston has long been a leader in providing and sustaining health and welfare activities. The Cranston Child Welfare Committee, the Cranston District Nursing Association, and the Scandinavian Home for the Aged—where, incidentally, I had the pleasure to help dedicate a new wing five years ago this month—these are all fine examples of the social awareness of this outstanding Rhode Island community.

Today, Cranston marks a further advance in its social progress. With the aid of a loan of over one million dollars from the United States government, the Cranston Housing Authority has built Hall Manor as part of its long range program to eliminate slums and blight.

But, as we dedicate these eighty modern homes, especially designed and equipped for the needs of the elderly persons of this community, let us not forget the other aged Americans all across our nation—18,000,000 of them—many of whom are forced to live in emptiness, poverty, and without dignity.

Many of these people, though still capable of working and managing their own affairs, have been forced to subsist on low incomes because of a lack of work opportunities for people over 65. Housing developments such as Hall Manor do not exist in most sections of our country.

Though hundreds of studies have been made—each one confirming the sad plight of our elder citizens—and though substantial Federal funds have been made available, there has been comparatively little effort on a national scale directed toward actually getting projects for the aging planned and operating.

Some of this lethargy has been the result of a lack of coordination between the many Federal agencies involved in the aging problem. One of the first things we did to stir the lethargy and move toward more coordination was by organizing a White House Conference in 1961. This conference, and the regional meetings it stimulated, resulted in a number of legislative proposals. And finally this year, the Congress passed the Older Americans Act, which established an independent Aging Administration in the Department of Health, Education, and Welfare. I am particularly proud to have had a part in organizing the White House Conference, to have introduced the Older Americans legislation in the House, and finally, to see the creation of the Aging Administration.

The Aging Administration will help give a new thrust to the various and scattered Federal programs. It will encourage new thinking and set up the machinery to act on new ideas. By working directly with the States, the Aging Administration will serve to encourage the establishment of State agencies on aging.

I have long pointed to the need for such centralized action and have introduced and actively supported many bills to bring such action about. The Older Americans Act is the culmination of all these efforts. The Act provides $13 million in grants to the States to establish State agencies on aging. Grants to public and private agencies totaling $4,500,000 for planning and demonstration projects and for the training of personnel are also authorized.

But the Older Americans Act—though a significant step forward—must not mark the end of our efforts to eliminate the waste and indignities now associated with old age. We have made a good beginning, but there are greater tasks before us.

I wonder, for instance, how many Americans realize that there now exist over 2,500,000 elderly people who will actually *not* benefit from most of our national programs for the aged.

These elderly cannot secure low-rent housing, cannot participate in recreational programs or in vocational rehabilitation projects, will hardly, in fact, benefit at all from the new Medicare provisions.

Who are these forgotten millions? They are the elderly who are not physically or mentally capable of taking advantage of these opportunities. These persons are the completely disabled, the chronically ill, the senile and the mentally disturbed who cannot exist independent of full-time care and attention.

These then are people who cannot profit from mere financial assistance. They require much more than that. Yet, what are we doing for this special group of elderly persons? I'm afraid the answer is: not very much at all.

It is ironic that too many of us speak of older Americans as if they were all a group of people—aged 65—who mysteriously remain at that age until they die.

We know better, of course, but for some reason we do not seem to want to admit the unfortunate truth that the elderly too, are aging. It is very well for us to build modern housing facilities, encourage employers to hire elderly persons, and to develop exciting new programs for the benefit of the hale 65-year-old. But what are we doing for the frail 75-year-old?

What of these elderly who cannot enjoy handicrafts, who cannot go downtown with friends to a movie, who cannot indeed do much of anything but lie hopelessly in bed, requiring constant nursing care and frequent medical attention.

Approximately one-third of the nation's elder population is over 75 years of age. Over 10,000 Americans are aged 100 years or more. The tragic side to these statistics—which at a glance indicate that we all are living longer—is that 83 per cent of this 75 plus group are suffering from one or more chronic diseases and nearly one quarter of these are totally or almost totally disabled.

Included in these figures are an especially unfortunate group of elderly persons who—because of mental retardation or other problems—were never able to adequately adjust to adult life. The difficulties of these people are sadly multiplied in old age.

How are the disabled elderly living, now? Some of them, of course, are in nursing homes. It has been estimated that some 600,000 are resident in 25,000 nursing homes—homes which I might add, represent varying degrees of quality and which maintain a wide range of standards. It is another irony that not all elderly persons in nursing homes need to be there, while many others on the outside desperately need the full-time care only these facilities can provide.

These others live at home, completely dependent on family and friends. Many of them, afraid of what they have heard about nursing home conditions, actually prefer to live at home. But here, they are often viewed not as unfortunate loved ones, but as nagging burdens. They receive resentment instead of love; indifference instead of care. Many younger people who are obligated to support dependent older relatives can barely afford to support themselves and their own families.

The elderly person who must live off his children or other relatives thus often suffers psychologically as well as physically, because he knows he is not wanted. He often receives no more care than necessary food, clothing and shelter. It is known that many general hospitals often retain chronically ill, elderly patients long beyond the period actually necessary for hospital care, rather than return them to poor home environments.

There is, therefore, an urgent need for long-term comprehensive care for the elderly who cannot take care of themselves. I do not just mean medical care, but an entire program of services to provide for all of the needs of life—in short, living care.

There is a need for pre- and post-hospital facilities in which living care can be best provided—facilities which will assure the continuity of social and medical services. Such homes for the aged require paid continuous medical supervision under a responsible medical director, who has ready access to special consultants. Regular medical examinations need to be made and arrangements established for ready transfer to a hospital when more difficult treatment is required and for rapid return when treatment is completed.

In addition to providing care for the maintenance of the disabled patient, comprehensive nursing facilities would be able to prevent further deterioration of the patient which is fostered by being bedridden. Prevention of bedsores, bone atrophy, and physical depreciation through non-use of the muscles is possible if precautions are taken. It is not too much to hope that under these ideal conditions many patients could benefit from rehabilitation techniques which might possibly return them to some lesser degree of dependence. Studies by the U.S. Office of Vocational Rehabilitation bear this out.

Nursing homes providing comprehensive living care will require—in addition to a well-trained medical staff—specially trained nurses, familiar with the particular problems and needs of the disabled elderly patient.

This then is what we need, but what do we now have? Homes for the aged have historically provided little more than food and shelter for old people who, though poor and without family, were for the most part in fair physical and mental health and able to care for their own needs. Pneumonia and other acute diseases, which we are now able to control, usually brought a swift death.

Today such homes are finding that residents are living to greater ages, yet at the same time encountering chronic illnesses which result in bedfastness, physical dependency, and the need for full-time nursing care. The older nursing home is finding itself pitifully ill-equipped and ill-staffed to meet these new demands.

Some efforts have been made to meet the increased need for livingcare. Voluntary associations, religious and fraternal organizations, and labor unions operate non-profit organizations, and labor unions operate non-profit nursing homes. But financing of such homes is difficult to obtain. Encouraged by loans from the Small Business Administration, several private nursing homes have been built in recent years which provide comprehensive care programs of varying quality. However, many, many more high quality homes of both types are greatly needed.

There is a provision in the Hill-Burton Hospital Construction and Survey Act to provide public agencies with partial funds for the construction of nursing homes. According to the Public Health Service, about 40 per cent of the approximately 500,000 nursing home beds are not fit for use. At least 500,000 more nursing home beds will be needed in the next few years to replace the unacceptable ones and provide for increasing needs.

Because of certain limitations in the Act, and the inability of the States to provide their share, Hill-Burton has been only limitedly successful in meeting this need. What is obviously needed is a system of low-interest, Federal loans especially for the construction of public and non-profit private nursing facilities.

There is ample precedent for loans, or even direct grants, to the States for nursing home construction would not constitute much of a problem. But much more drastic measures are needed.

For, assuming that enough well-trained personnel were available, the cost to the elderly patient or his family of long-term nursing care would still be too great to be borne by any but the wealthy few.

I therefore am preparing a proposal for the second session of the 89th Congress to provide a system of federal support of long-term comprehensive medical and social care—livingcare—for elderly persons judged medically and socially in need of such services.

I am well aware that such a proposal calls for the acceptance of a whole new concept of medical care in this country. Yet the conditions which have fostered such a proposal are deplorable. If experience shows that others fail to act to change these conditions—and in this case they have—then it is the responsibility of the Federal Government to act in their stead.

I am aware that much more information on this subject needs to be accumulated. Because of the large number of incapacitated elderly persons living at home only pieces of the total problem are now known.

Before any detailed plan is drafted I would suggest that preliminary study of this segment of our elderly population by a committee of the Surgeon General of the United States Public Health Service to report back to Congress in twelve to eighteen months. I would expect that the committee would provide a solid body of facts on this presently neglected area of health care and suggest guidelines for a plan to assist the forgotten disabled elderly. I would then recommend speedy action to draft and implement such a plan.

So that I am not misunderstood, may I again emphasize that I am *not* speaking now of the many elderly persons who can well take care of themselves if given half a chance. There is already much being done for their benefit, and much more could be accomplished if only those in authority would look around them and get moving.

But for maintaining the lives of forgotten disabled millions—the elderly person who is a helpless burden on his family—the elderly person whom our society is morally committed to support—there is no provision.

According to reports of the Social Security Administration, 1,900,000 retired couples and 5,700,000 retired single persons do not have an adequate standard of living. The income of half of all persons aged 65 and older in this country is less than $1,000 a year.

It is ridiculous to even pose the question: how can such people afford the long-term costs of nursing care?

Nothing less than the proposal I make here today can make this care possible. We need nothing less than full federal responsibility for maintaining these neglected lives.

I know well that, hearing this proposal, many voices will cry out—cry out as they did against Medicare, and as they did against the heart disease, cancer, and stroke program, and as they cried out against most of the other far-sighted public health bills passed by the 89th Congress.

But I say to them, as I said in Congress this year when asked where this "kind of business" will end; that I, for one, intend to keep going and going until we take adequate care of as many people as we possibly can who so badly need better health services—no matter how long it takes, no matter how much we need to spend.

While the nation spends its billions on needless luxuries and extravagances, I only ask for enough to insure our health, and to insure that old age be not a time for misery and despair, but a time of at least minimal comfort as a small regard for a life well spent.

We owe ourselves nothing less than this. We have made some important strides in this direction, but there are many who still cry out in distress. And there are many such as the forgotten, disabled elderly who cannot cry out at all. Surely to these millions we owe salvation and care, surely to them we owe, not resentment and contempt, but the dignity and honor that is rightfully theirs.

RESOLUTION ON THE FAIR LABOR STANDARDS ACT

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Dent] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DENT. Mr. Speaker, I wish to present to the House a resolution adopted by the Amalgamated Clothing Workers of America in support of the recent amendments to the Fair Labor Standards Act sponsored by myself and passed by the House of Representatives.

The resolution is indicative of the great need for this humanitarian legislation:

Resolution on the Fair Labor Standards Act

The Fair Labor Standards Act has been a basic safeguard for American workers and a major source of stability for our economy. Since 1938, the Act, which sets a floor under wages and a penalty for overtime, has benefited millions of workers and their families and curbed unfair competition based on substandard wages.

To accomplish its purpose, however, the provisions of the Act must keep pace with our advancing economy. The need for prompt revision is particularly urgent since wage and hours standards are key elements in the "war on poverty."

At present, 17,500,000 workers are excluded from coverage of the Fair Labor Standards Act by unduly narrow definitions and special exemptions. These exclusions are particularly tragic for, among them, are the most poorly paid—sales clerks, workers in laundries and dry cleaning plants, hotels and restaurants, hospitals and nursing homes, and farm laborers.

The present minimum rate of $1.25 is outdated and clearly inadequate. At a time when the federal government has declared that family incomes of less than $3,000 constitute poverty, it is inconsistent for federal law to provide for a minimum wage which results in annual earnings of only $2,600. A federal minimum rate of $2.00 an hour is needed.

Despite changes in our economy, there has been no change in the basic workweek set forth in the Fair Labor Standards Act since 1938. There are already significant areas in our economy in which workweeks shorter than 40 hours prevail. Between 10 and 15 percent of workers in manufacturing are estimated to be on shorter workweeks. In this era of rapid technological advance, reduction of the workweek to 35 hours, without a reduction in earnings, is necessary to reduce unemployment and maintain a full employment economy.

Hand in hand with a shorter workweek, there should be a revision in the overtime penalty, which has also remained unchanged for almost 30 years. In 1938, a penalty of time-and-a-half for work over 40 hours a week was a powerful incentive for employers to hire additional workers. This is not the case today. Since fringe benefits now amount to about one-fifth the hourly wage, employers prefer to pay overtime rather than employ more workers. As a consequence, overtime work has been rising steadily. According to the United States Department of Labor, 1,500,000 additional full-time jobs would have been created if not for overtime work. Premium pay of double-time is in order.

The law also needs improvement in its provisions for Puerto Rico, the Virgin Islands, and American Samoa. Increases equivalent to mainland increases should be applied automatically to these areas without exception, so that minimum rates there will reach the minimum wages on the mainland as rapidly as possible.

The Fair Labor Standards Act cannot be any more effective than its enforcement. Evasions of its provisions are mounting and deprive workers of their rightful earnings. Government investigators found a 25 percent increase in underpayments in 1965 over the previous year and have forecast even greater violations for this year, totaling some $85,000,000. They have also uncovered violations of the child labor and equal pay provisions. Yet, lack of funds has forced the Department of Labor to cut back its investigations. It has been estimated that full investigation would show violations of about $300,000,000 a year.

H.R. 13712, sponsored by Representative John H. Dent, proposes substantial improvements in the Fair Labor Standards Act. It extends coverage to 7,000,000 more workers; provides for a minimum wage of $1.40 an hour in February 1967 and $1.60 an hour in February 1968; provides for automatic equivalent increases, without exception, for Puerto Rico, the Virgin Islands, and American Samoa; and extends to three years the statute of limitations for willful violations of the law. While these amendments do not meet all our current need, its enactment would be a definite improvement. The proposed changes would bolster purchasing power, strengthen our economy, increase employment, and make a significant contribution to the "war on poverty".

Resolved, That the 25th Biennial Convention of the Amalgamated Clothing Workers of America, AFL–CIO, CLC—

1. Urges Congress to enact promptly H.R. 13712, the Dent Bill, to make some of the long-needed improvements in the Fair Labor Standards Act;

2. Calls upon Congress to appropriate sufficient funds to make possible an expanded program of enforcement of the Fair Labor Standards Act by the United States Department of Labor;

3. Recommends that the Department of Labor enforce vigorously all provisions of the Act; and

4. Pledges to continue the Union's efforts to achieve further amendments to the Fair Labor Standards Act to provide for a federal minimum wage of $2.00 an hour, further expanded coverage, a 35-hour workweek, and double time for overtime.

ADDRESS BY THE HONORABLE HORACE R. KORNEGAY AT COMMENCEMENT EXERCISE, GREENSBORO COLLEGE, GREENSBORO, N.C.

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. WHITENER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WHITENER. Mr. Speaker, Greensboro College, located in Greensboro, N.C., is one of the truly great educational institutions of the South. Under the able and dynamic leadership of Dr. J. Ralph Jolly this splendid Methodist college is making an invaluable contribution to the Nation.

On Sunday, May 29, 1966, the commencement exercise of Greensboro College were held and 120 young men and women were awarded degrees. The principal speaker at the ceremony was our distinguished colleague, Congressman HORACE R. KORNEGAY, of the Sixth North Carolina District. The message of Congressman KORNEGAY is of such excellence that I commend it to all of our people. The great story of America and the opportunities available under our system for young people is always exciting. Congressman KORNEGAY has well stated it again and I know that it will be of inestimable value to all of us to read his fine message.

I ask that the address of our colleague be made a part of my remarks at this point in the body of the RECORD.

America and You—The Individual

(Address by HORACE R. KORNEGAY, Member of Congress of the Sixth District, North Carolina, at Greensboro College Commencement Exercises, Greensboro, N. C., May 29, 1966)

Mr. Cowan, Dr. Jolly, Members of the Faculty, Members of the Class of 1966 and Ladies and Gentlemen, Mr. Cowan, I am extremely grateful to you for that most generous introduction. It is undeserved but very much appreciated.

I want to congratulate each of the graduates for selecting Greensboro College for his college training. It is a venerable and outstanding institution which has made a great contribution to our community, our State and our Nation for well over a century.

I also want to congratulate each of you graduates for reaching this milestone in your life, although for some of you this may not be as much of a milestone as it is a cloverleaf in the highway of life and you may not have a map outlining which way you want to travel in the future.

I want to talk to you today about what I think has made America the greatest nation on earth—the individual.

For centuries, mankind has been engaged in three great struggles: First, the struggle for political freedom and against tyranny; second, the struggle for economic freedom and against poverty; and third, the struggle for intellectual freedom and against ignorance.

History is the story of man's effort to gain these three freedoms which liberate humanity from tyranny, poverty and ignorance. In vast areas of the world plodding generations have followed a slow and painful—and sometimes vain—road in pursuit of these freedoms.

There has never been any question in this nation of our determination to achieve these objectives. Speaking of man and of what should be included in the Declaration of Independence, John Adams said, "Let us hear the dignity of his nature and the noble rank he holds among the works of God." This impressive philosophy held high the dignity of the individual. With the adoption of the Constitution and the Bill of Rights, defining the right of free men to govern themselves, the struggle for political freedom for the individual made a monumental gain.

The American people then began to make those significant contributions to economic, educational and intellectual progress that were to become the envy of the world. They were determined to eliminate ignorance so that every man could have intellectual freedom.

Early Americans crossed the nation from East to West by the tens of thousands to conquer a wild continent. They made highways of rivers, fertile fields of prairies, cities of hamlets. They cleared forests, built roads and staked out a new nation which reached from ocean to ocean. They began the process of binding the East and West with stagecoaches and railroads.

They developed the iron plow and the reaper to take their reward from the soil. They invented the sewing machine and the telegraph, they laid foundations for vast new industries. The economic pendulum began its upswing.

But, there were booms and depressions, the tragedy of a disastrous Civil War, crop failures and crises that shook the nation to its yet-weak foundations. Life was hard. Child labor was common. Hours of labor were long. There was as yet no large well-to-do middle class.

Still, the gifted people of all lands and races were attracted to this nation. It was a period rich in achievement, crowded with the heights and depths of living. Those Americans believed almost anything possible, if a man was willing to try.

Consider the dramatic changes in this nation since 1900. Then, our population was 76 million; today it is over 192 million. In 1900, an American worker earned between $400 and $500 a year. The standard wage for an unskilled worker was $1.50 a day. Under a new Federal minimum wage bill we discussed in the House this past week, every worker could get that much in one hour. The average work week in 1900 was 60 hours—10 hours a day, six days a week. For some it was 70 hours. Today, the standard work week is 40 hours and there are pressures to reduce it further. Personal income per capita is now over $2,550 annually, and the average income per family is estimated at $7,900 per year.

In 1900, one out of every four children between the ages of 10 and 15 was employed, in mills and factories. Less than one boy and girl out of ten of high school age was actually in high school. In that year we graduated about 27,000 from college—or one college graduate for every 3,500 of our population. Today, we have 4½ million students in our more than 2000 colleges and universities. Over 500,000 Americans a year now receive college degrees, or one for every 390 of our people. The struggle against ignorance is being won.

Take a look at our transportation!

In the first part of this century, there were no traffic policemen, no taxicabs, no airports, no parking meters, no filling stations, no women voters. There was no income tax, no inheritance tax, no sales tax, no movies, no radio, no telephones, no television. In some ways you could say, it wasn't so bad. And, April 15 was just the day after April 14.

This brings up the story of the class studying the history of the United States. "What two documents," the teacher asked, "have contributed most to our government?"

One student, the son of an accountant, raised his hand and said: "Forms 1040 and 1040A."

Economic freedom for the human individual means his right to speak, to create, and to experiment. It means his right to save and to risk his savings. The right to be in business, to own and manage, to earn and hold, to succeed—and even to fail—is freedom. It is independence. It is individualism. It is America.

Only a century ago, 50 percent of our workers had to toil on farms to produce the food and fiber we needed. Today, less than 7 percent are required to do the same job, and 93 percent are free to produce medical, educational, recreational and other services and goods to raise the standards of living of our people.

Spurred by our technological and educational advances, in just the past 20 years, we have gone from radio to color television, from propeller to jet to satellities that can orbit the globe in 90 minutes, and from the first nuclear reaction to bombs that can destroy entire nations.

Today, our machines supply 98 per cent of all power for industry, and men have been set free from the hardest physical labor. Despite the dire predictions about automation, there are 8 million more persons with jobs than there were only 10 years ago, and real wage rates and per capita income have increased. The American worker receives better wages, has shorter hours and more leisure and recreation time, produces more goods and has more plant, equipment and energy working for him than any worker in the world. Nowhere else has there been such progress in surmounting the age-old obstacles of poverty and ignorance. We have become the finest illustration in history of how a people enrich life and raise their whole level of economic well-being when the individual is given justice, freedom and the incentive to do.

* * * * *

The changes in our economy have been of tremendous magnitude and they reflect, and are a result of, the far-reaching achievements of individual men—free men.

The increasing role of government in the nation's life has had a major influence upon the role of the individual. Historically, the government has played three roles. From 1790 to 1860, the functions of government were confined largely to national defense, foreign affairs, law enforcement, tax collection, tariff administration, the postal service, minting of currency, banking regulation, patents, land grants, veterans' pensions and

Indian affairs. The total Federal budget in 1790 was approximately $1.4 million—less than the modern-day cost of a moderate-sized sewage treatment facility for a town the size of Greensboro.

In the second period, from 1860 to 1940, the Federal government became more and more the regulator of business. The major reason that government interfered very little in business almost up to 1900 is to be found in the social and economic environment in which this nation was established and in which it grew. The early colonists were ambitious, liberty-loving, energetic persons who came here determined to improve their individual welfare. Tremendous areas of rich land, combined with an industrial revolution, gave them opportunity and they asked only to be left alone to use this opportunity fully. Most of them lived on farms. In 1860, agriculture was by far the leading industry. The isolation of the rural community raised very few of the difficult problems that came later with the growth of congested and industralized urban areas. But conditions were changing. By 1900, 60 per cent of all workers were in nonagricultural pursuits, and the nation was facing the new problems of industrialization.

From 1896 to 1940, the Federal government established approximately 100 new agencies, including such now well-known major agencies, as the Bureau of the Budget, Federal Bureau of Investigation, Rural Electrification Administration, Federal Trade Commission, Federal Power Commission, Veterans Administration, Social Security Board and many others. With the increase in the number of new government agencies, there was also an expansion in the older agencies. This was the major period for the development of regulation by government.

With the coming of the 1940's and American's entry into World War II, the Federal government took on a new role. It became the nation's largest purchaser of goods and services. The Federal government is now the most important economic and financial power in the nation and government revenues and expenditures have far-reaching effects on the economy and the individual.

Another major development, which significantly affects the life of every individual is the fairly recent assumption of world leadership by the United States. The great colonial empires of the world have been shattered. We have witnessed the rise of dozens of new nations struggling to maintain political stability as they face poverty and insolvency. Many of these countries have inexperienced leadership, inadequate savings and capital and illiterate hungry masses unprepared for the responsibilities of self-government.

There are over 2 billion persons in the under-developed nations. In only 18 years, the United States has poured more than $100 billion into these nations in the hope that there might be some assurance of economic progress, stability and peace. Part of the problem is that the population growth of the under-developed nations is the most rapid in the world.

With all our help and all our good will, we cannot accomplish the economic and intellectual development of all men and women everywhere—as much as we would want to do so. We can assist them to the best of our ability, but they themselves must take the steps which are imperative to progress by providing a satisfactory political and economic environment.

In order to stimulate healthy and steady development for the widespread benefit of the people, an underdeveloped nation should take steps to stimulate the investment of private capital, both domestic and foreign, and above all, it should protect the liberties of the individual citizen.

With the large number of new nations now unprepared for self-government, it seems inevitable that we shall face for many years a turbulent and politically unstable world. This sweeping change may well be the most explosive development of our time and may vitally influence the direction of our own lives. This clearly means that as individuals and as a nation we must be economically, intellectually, socially and spiritually strong.

With this background of our own dramatic development, with the gradual expansion of the role of government, and with the complete reorganization of the world's political structure in our time, what is the responsibility and place of the *individual* in our nation?

Government is now the regulator of countless segments of our lives. The historical record indicates that the role of government will grow larger, not smaller, as our economy becomes more complex. But, we can accept this as a challenge, which we can meet, as we have others. We need not turn over the management of the entire society to an all-powerful state. We need constantly to examine the role of government. We need to examine our own relationship to government.

We need to show some restraint in running to government with problems we ought to solve locally and individually. If we become less willing to assume responsibilities, it is certain that government will feel impelled to make decisions that belong to us as individuals. It is then that we begin to undermine the basic doctrine of our national life. That doctrine holds that the ultimate goal of this nation is to guard the *individual's* rights, insure the maximum development of his abilities and talents, expand his opportunities for self-expression and choice, and enhance his dignity.

In an age of science, technology and automation and well-trained manpower, it is not government, but modern, private industry with its massive power-driven equipment producing a continuous flow of goods, which is the major instrument for the social and economic enrichment of man and for his personal emancipation from drudgery, poverty and insecurity. It is not government, but private business which produces the goods and services that we demand, and pay for, and which in essence keeps the wheel of progress turning. The real revolutionists of our time are individual businessmen creating wealth for the masses. Therefore, while some functions and services of government may expand, it is still within our power as individuals to have the relative role of government decline, if we continue our amazing record of raising the standard of living for our people—and if we as individuals ask less of our government, not more. As we know, more government controls come only when there is citizen demand or in absence of self-discipline.

We are engaged in a war against human want. In the great outpouring of wealth by automated and power-driven industry, we are giving the individual the highest standard of living in history. Even more, we are producing the wealth necessary for a further major advancement of mankind. The increasing wealth created by individual initiative foreshadows an extension of education and a new cultural release for art and literature and music. It prophesies also even more leisure for the common man. The greatest social, educational and economic advance for the individual in the years ahead will come as a result of the progress of industry as it makes increasingly available to the masses the comforts, conveniences and cultural advantages that once were the privilege of the few.

Critics have said that with challenging new technological changes and automation, we will produce an over-abundance of goods. It may be possible to saturate a market with specific products, but not with all products and services. Moreover, new and improved products and new wants are constantly being created. An official of a major corporation said recently that 50 per cent of the sales of that company now consist of products they did not even produce five years ago. There is no evidence that all the wants and needs of our people have been satisfied. There are also critics who suggest that you cannot have massive power-driven machinery without quantity production and that, as such quality is sacrificed. These critics have not reckoned with the genius of the businessman of today nor with the appetite of the American consumer for more and better products. Nor have they reckoned with the creative and imaginative minds our colleges are now training.

To discharge his responsibilities competently in our time, an individual must possess far greater knowledge than at any period in our history. The training you have received here will stand you in good stead, for men have never lived in a time of such great economic, political and social changes. We live in a world of tangled economics and treacherous world politics.

An industrialist revisited his university for a class reunion and while on campus, he went to see his old economics professor. He found the professor grading examination papers. The businessman picked up one and looked it over.

"Professor," he exclaimed, "do you know that these are the same questions you asked my class 25 years ago? Don't you know that the students keep copies of these examinations of yours and pass them on to succeeding classes?"

"Of course," replied the professor blandly, "but when it comes to economics, the answers are constantly changing!"

And, so they are.

Less than a generation ago, the balance of payments was an unfamiliar term, even to sophisticated businessmen. Today, most businessmen must understand the vital relationship of the balance of payments to his own economic well-being and to the life of his country. Imports, exports, interest rates, credit, and the monetary and fiscal policy of this nation are all involved in the complexities of this one problem.

Vast changes are taking place in our daily lives, particularly in our business segment. Businessmen in small communities find that automobiles and improved highways make it easy for customers to shop in larger cities further away. Businessmen in the larger cities face the erosion of their own business by outlying shopping centers and traffic congestion. Businessmen contemplating mergers to diversify their products, balance their seasonal production and serve their customers better must be certain now that the regulatory agencies of government are in agreement. Businessmen know that a profitable product today may go to the scrap heap tomorrow by a competitor's research.

These are the problems that you must face and cope with. These are the challenges that are your contemporaries, just as were those confronting our forebearers in the wilderness and the problems of that time.

As you retrace the pathway of American history, you quickly discover the reason for the greatness of this nation. It is the genius of the individual. It is the genius of the competent businessman who combines labor, capital and raw materials to produce a vast outpouring of goods to enrich the lives of the masses. It is the genius of the working man, whose labor, self-discipline and thrift are vital to the creation and operation of modern industry. It is the genius of the great doctor who frees children from crippling disease. It is the genius of the talented architect who creates magnificent buildings. It is the genius of the dedicated public servant who enables good government to survive. It is the genius of the devoted teacher who inspires youth to greatness.

A teacher noted on a report card: "Your son excels in initiative, group integration, responsiveness, and activity participation. Now, if he'd only learn to read and write."

The individual can take just pride in the truck and the tractor, the jet plane, the computer, the healing drug and the modern hospital. He can take pride in the soaring skyscraper and the power-driven factory, the public library and the university, and he can truthfully say, "All these I have created."

Those who built this nation to its present greatness believed in the invincibility of individual intelligence, economy and hard work. Guided by Providence, they entered a wildnerness with vision, industry and courage. They took the forked stick and made a steel plow. They took the crude sickle and made a reaper. They took the wagon and made an engine, an automobile, an airplane, a tractor. They made an iron thread into an ocean cable, rough type into great color printing presses, and steel beams into soaring skyscrapers. They made forest trails into magnificent highways.

From a wilderness, they created a dynamic nation.

America is great because individual men have freedom and equality, because individual men have been given the incentive to create, to produce, and to save, because individual men have been rewarded for their labor with a generous share of the goods they helped to produce. America has taken its place among the great civilizations of history because the cornerstone upon which the Republic rests is the social, educational, economic and spiritual betterment of individual men.

We must protect and defend this individualism and the individual freedoms that are threatened—at home and abroad. In spite of attacks upon these rich inheritances, there is genius enough in the individuals in this nation to give us in material wellbeing and political and social and spiritual enrichment a future that will exceed even the amazing progress of the past.

But we shall need to bring to the difficult problems of our time those heroic qualities of character, industry and self-discipline which have made our people strong and this nation great. We shall need to constantly reaffirm our deep faith in the dignity of the individual and in his creation by Almighty God. Our success depends upon you as an individual. May God bless you and speed you—in all that you do.

Thank you.

BILL REQUIRING 5-YEAR COST ESTIMATES ON PROGRAMS

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. BENNETT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BENNETT. Mr. Speaker, I have today introduced a bill which would amend the rules of the House to require committee reports on bills to include an estimate for the first 5 fiscal years of specific costs of a proposed program. I feel this bill will put "teeth" in Public Law 801 of 1956 and which still today requires the executive branch to give such estimates; but this has been complied with only on a limited scale. My bill would allow any Member of Congress to object to the consideration of the pending measure unless the report complies with this rule.

We have a duty to work toward human progress, and I feel that this requires us to maintain sound fiscal policies, for otherwise we put unnecessary burdens on our generation and those that follow.

Expanding social and other programs to infinite limits or unnecesary proportions without any logical planning or perspective on the total freedom on responsibility aspects will harm the people the programs seek to help. The fiscal problems we face today are the responsibilities of the Congress, not just the executive branch; for it is the Congress which authorizes these programs and appropriates the necessary funds. It is not all the fault of the executive branch, as many would have us believe. It is largely the failure of the Congress to cut out what is not needed and substitute funds for items necessary for the war in Vietnam, our defense, and existent welfare programs; or in some cases to forgo, postpone, or reduce new programs.

My bill will not provide the entire answer to the problem of how to maintain fiscal responsibility, but it will help. If it is coupled with a computerized analytical capability that would be provided the Congress in my bill, H.R. 13445, which would establish a congressional comptrollership, I feel that the pendulum of power which has slipped away from the Congress to the executive will again return to its intended place.

A copy of the bill follows:

(A resolution amending the Rules of the House of Representatives to require the inclusion of additional information in committee reports on certain bills and joint resolutions)

Resolved, That Rule XIII of the Rules of the House of Representatives is amended by adding at the end thereof the following:

"7. Whenever a committee reports a bill or joint resolution which, as reported, will entail an estimated annual expenditure of appropriated funds in excess of $1,000,000 and which proposes the creation or expansion of any function, activity, or authority of any department, agency, independent establishment, or instrumentality of the executive branch, or judicial branch, of the Government, in addition to those functions, activities, and authorities existing at the time such bill or joint resolution is reported, it shall include in its report or in an accompanying document a statement, for each of the first five fiscal years during which such additional or expanded function, activity, or authority is proposed to be in effect, disclosing the estimated maximum additional—

"(1) man-years of civilian employment, by general categories of positions,

"(2) expenditures for personal services, and

"(3) expenditures for all purposes other than personal services, which are attributable to such function, activity, or authority and which will be required to be effected by such department, agency, independent establishment, or instrumentality in connection with the performance of such function, activity, or authority."

RESOURCE CONSERVATION PROTECTS NATION'S WEALTH

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. DE LA GARZA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DE LA GARZA. Mr. Speaker, I am most concerned about the lack of public interest and support in resource conservation and development. The true wealth of this Nation has always been measured in its soil and water resources.

This was the source of our strength when we were an emerging nation. It has sustained us well ever since. But our future is in doubt if we do not today husband these resources more diligently than we have in the past.

Our own burgeoning population is putting unprecedented demands on both soil and water resources. In addition, hungry people throughout the free world look to us for food and fiber until they can develop their own natural resources and become self-sustaining.

To meet these commitments, we must plan our land uses wisely. The small band of dedicated conservationists working toward this end have my full support and appreciation.

In the 15th Congressional District of Texas, we know the importance of resource management. Farmers and ranchers in this relatively small section of the State produce about 10 percent of all the cash crops in Texas. Most of the citrus fruits and vegetables grown in the State come from this congressional district.

The 13 counties included are completely blanketed by locally governed soil and water conservation districts. Their progress in soil and water conservation on individual farms has been exceptionally good. Their interest in watershed development continues to outstrip planning assistance funds.

Two watershed projects under Public Law 566 are currently under construction and 12 more are among the 63 throughout the State competing for planning priority recommendations.

In Cameron County, the sponsors of three watershed projects decided to move ahead on their own. The local people, through the Cameron County Commissioners Court, are paying all costs of engineering surveys, project evaluation, and preparation of watershed work plans.

I am proud of these people and what they are doing. And I pledge my continued support of their efforts in conserving and developing our rich heritage of renewable natural resources. All of us benefit by it.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. REINECKE (at the request of Mr. GERALD R. FORD), for today, on account of official business.

Mr. WYATT, for June 3, 1963–June 20, 1966, inclusive, on account of official business as official adviser to World Forestry Congress, Madrid, Spain, appointed by Hon. JOHN W. MCCORMACK.

Mr. MORTON (at the request of Mr. GERALD R. FORD), beginning June 2 through June 7, 1966, on account of official business.

Mr. MATSUNAGA, for period June 2 through June 13, 1966, on account of business in State.

Mrs. MINK, for June 2, June 3, June 6, on account of official business.

Mr. RONCALIO, for Tuesday, Wednesday, Thursday, and Friday, May 31, June 1, June 2, and June 3, 1966, on account of the funeral of the Honorable Walter B. Phelan, Speaker of the Wyoming House of Representatives, at which he will be a pallbearer.

Mr. PELLY, for June 2 through June 9, on account of official business.

Mr. FLYNT (at the request of Mr. STEPHENS), from May 31 through June 2, on account of business in district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. SMITH of California, for Monday, June 6, 1966, for 30 minutes; to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. GROVER) to revise and extend their remarks and to include extraneous material:)

Mr. HALPERN, for 10 minutes, today.

Mr. KUPFERMAN, for 30 minutes, on Thursday, June 2.

Mr. BOW, for 30 minutes, today.

Mr. PIRNIE, for 60 minutes, on June 6.

Mr. ASHBROOK, for 5 minutes, today.

Mr. SMITH of Iowa (at the request of Mr. STRATTON), for 30 minutes, on June 7; and to revise and extend his remarks and include extraneous matter.

Mr. STRATTON, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. MOELLER.

(The following Members (at the request of Mr. STRATTON) and to include extraneous matter:)

Mr. VIVIAN.

Mr. FOGARTY in three instances.

Mr. HOWARD.

Mr. RONCALIO.

ENROLLED JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 763. Joint resolution authorizing the President to proclaim the week in which June 14 occurs as National Flag Week.

ADJOURNMENT

Mr. STRATTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 16 minutes p.m.) the House adjourned until tomorrow, Thursday, June 2, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2452. A letter from the Chief Justice, Supreme Court of the United States, transmitting the report of the proceedings of a special meeting of the Judicial Conference of the United States, pursuant to the provisions of 28 U.S.C. 331 (H. Doc. No. 451); to the Committee on the Judiciary and ordered to be printed.

2453. A letter from the Secretary of the Army, transmitting reports of the number of officers on duty with Headquarters, Department of the Army, and the Army General Staff on March 31, 1966, pursuant to the provisions of section 3031(c) of title 10, United States Code; to the Committee on Armed Services.

2454. A letter from the chairman, Legal Aid Agency for the District of Columbia, transmitting the annual report of the agency's work, financial condition, and expenses for the period from June 1, 1965, to May 31, 1966, pursuant to the provisions of 74 Stat. 229, D.C. Code 1961; to the Committee on the District of Columbia.

2455. A letter from the Comptroller General of the United States, transmitting a report of preferential allowances paid to certain contractor employees at the Hanford Works, Richland, Wash., Atomic Energy Commission; to the Committee on Government Operations.

2456. A letter from the Comptroller General of the United States, transmitting a report of review of prices charged for meals served to employees and visitors at penal institutions, Bureau of Prisons, Department of Justice; to the Committee on Government Operations.

2457. A letter from the Comptroller General of the United States, transmitting a report of review of accelerated business collection and delivery program at Baltimore, Boston, and Washington, D.C., Post Offices, Post Office Department; to the Committee on Government Operations.

2458. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting reports concerning visa petitions approved, according the beneficiaries third preference and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FASCELL: Committee on Foreign Affairs. Report on the United Nations financial situation, article 19, controversy over the financing of U.N. peacekeeping operations; without amendment (Rept. No. 1564). Referred to the Committee of the Whole House on the State of the Union.

Mr. DIGGS: Committee on Foreign Affairs. Report of the special study mission to Africa, November 27–December 14, 1965; without amendment (Rept. No. 1565). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of Alaska: Committee on Interior and Insular Affairs. H.R. 698. A bill to provide for the establishment of the Guadalupe Mountains National Park in the State of Texas, and for other purposes; with amendments (Rept. No. 1566). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of Alaska: Committee on Interior and Insular Affairs. H.R. 12389. A bill to increase the amount authorized to be appropriated for the development of the Arkansas Post National Memorial; without amendment (Rept. No. 1567). Referred to the Committee of the Whole House on the State of the Union.

Mr. POWELL: Committee on Education and Labor. H.R. 15111. A bill to provide for continued progress in the Nation's war on poverty; without amendment (Rept. No. 1568). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BANDSTRA:

H.R. 15384. A bill to amend the Packers and Stockyards Act of 1921, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. BLATNIK:

H.R. 15385. A bill relating to the reduction of the public debt; to the Committee on Armed Services.

By Mr. FINO:

H.R. 15386. A bill to provide compensation to survivors of local law enforcement officers killed while apprehending persons for committing Federal crimes; to the Committee on the Judiciary.

By Mr. FISHER:

H.R. 15387. A bill to amend title 38 of the United States Code to provide a monthly pension of $50 to any person awarded the Distinguished Service Cross or the Navy Cross; to the Committee on Veterans' Affairs.

By Mr. GALLAGHER:

H.R. 15388. A bill to amend the Peace Corps Act (75 Stat. 612), as amended, and for other purposes; to the Committee on Foreign Affairs.

By Mr. McGRATH:

H.R. 15389. A bill to extend the benefits of the Consolidated Farmers Home Administration Act to oyster planters; to the Committee on Agriculture.

H.R. 15390. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. O'NEILL of Massachusetts:

H.R. 15391. A bill authorizing the sale of standard silver dollars held by the Treasury; to the Committee on Banking and Currency.

By Mr. PERKINS:

H.R. 15392. A bill to increase the investment credit allowable with respect to facilities to control water and air pollution; to the Committee on Ways and Means.

By Mr. RHODES of Pennsylvania:

H.R. 15393. A bill to convey certain lands to the Borough of Shamokin, Pa.; to the Committee on Public Works.

By Mr. ROBISON:

H.R. 15394. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for contributions to candidates for elective Federal office or to political parties; to the Committee on Ways and Means.

By Mr. VIVIAN:

H.R. 15395. A bill to amend the Mental Retardation Facilities Construction Act in order to permit the construction of classrooms under that act; to the Committee on Interstate and Foreign Commerce.

H.R. 15396. A bill to strengthen the antitrust laws by prohibiting the payment to or receipt by persons licensed to engage in the practice of medicine, of profit, rebates, refunds, commissions, discounts, rentals, or other valuable considerations in connection with the supplying to patients drugs, devices, or other products prescribed by such licensees; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 15397. A bill to amend title 38 of the United States Code, to increase the rate of pension to certain veterans of World War I, World War II, and the Korean conflict, their widows and children, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 15398. A bill to amend section 521 of title 38, United States Code, to exclude from consideration as income, for the purpose of determining eligibility for pension, all payments of any kind or from any source, including salary, retirement or annuity payments, endowments or similar income, which a veteran receives or is entitled to receive after attaining age 72; to the Committee on Veterans' Affairs.

H.R. 15399. A bill to increase the rate of pension payable to certain veterans of World War I, World War II, and the Korean conflict, their widows, and certain other dependents, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GALLAGHER:

H.R. 15400. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RESNICK:

H.R. 15401. A bill to amend title II of Public Law 874, 81st Congress, to require the Commissioner of Education to use the most recent data available in making allotments among the States thereunder; to the Committee on Education and Labor.

By Mr. TODD:

H.R. 15402. A bill to establish safety standards for motor vehicle tires sold or shipped in interstate commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WATTS:

H.R. 15403. A bill to amend the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. CHELF:

H.R. 15404. A bill to provide for exemptions from the antitrust laws to encourage automobile manufacturers in the joint development of safety devices, facilities, and procedures; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 15405. A bill to amend the Internal Revenue Code of 1954 to eliminate the percentage depletion method of determining the deduction for depletion of natural resources; to the Committee on Ways and Means.

By Mr. ROYBAL:

H.J. Res. 1154. Joint resolution authorizing and requesting the President to set aside and proclaim the first Sunday in June 1966 as Teacher Remembrance Day; to the Committee on the Judiciary.

By Mr. BENNETT:

H. Res. 874. Resolution amending the Rules of the House of Representatives to require the inclusion of additional information in committee reports on certain bills and joint resolutions; to the Committee on Rules.

By Mr. MORRISON:

H. Res. 875. Resolution providing for the consideration of the bill H.R. 14904, to revise postal rates on certain fourth-class mail, and for other purposes; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATES:

H.R. 15406. A bill for the relief of Giuseppe Tocco; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN:

H.R. 15407. A bill for the relief of John Dennis Chambers, Vicki Jill Chambers, Philip Michael Chambers, Peter Gregory Chambers, and Kathleen Anne Chambers; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.R. 15408. A bill for the relief of Mrs. Hania M. Warfield; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 15409. A bill for the relief of Mario Cutolo; to the Committee on the Judiciary.

H.R. 15410. A bill for the relief of Felice Boffice; to the Committee on the Judiciary.

H.R. 15411. A bill for the relief of Jose Jesus Villalobos; to the Committee on the Judiciary.

H.R. 15412. A bill for the relief of Rosa Binetti; to the Committee on the Judiciary.

H.R. 15413. A bill for the relief of Antonino Ruffino; to the Committee on the Judiciary.

By Mr. REES:

H.R. 15414. A bill for the relief of Rosario Rodriguez and her minor son, Federico Rodriguez; to the Committee on the Judiciary.

By Mr SCHEUER:

H.R. 15415. A bill for the relief of Sidney Gibson and Umilta Gibson; to the Committee on the Judiciary.

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SENATE

WEDNESDAY, JUNE 1, 1966

The Senate met at 12 o'clock meridian, and was called to order by Hon. HOWARD W. CANNON, a Senator from the State of Nevada.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God of the nations, in this forum of government we come to Thee in sure confidence that the way of the Republic is down no fatal slope but up to freer light and air.

Again, in the cycle of the years, a grateful nation founded on spiritual verities has remembered its yesterdays and its stirring past.

O valiant hearts, who to your glory came through dust of conflict and thro' battle flame; your memory hallowed in the land you loved:

Proudly you gathered, rank on rank to war, as you heard God's message from afar; all you had hoped for, all you had, you gave to save mankind—yourselves you scorned to save.

In the assurance of that faith which overcometh the world, strengthen us to give the best that is in us against the wrong that needs resistance, for the right that needs assistance, and for the future in the distance and the good that we may do.

We ask it in the name of the Master of all good workmen. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., June 1, 1966.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. HOWARD W. CANNON, a Senator from the State of Nevada, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. CANNON thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday. May 27, 1966, and Tuesday, May 31, 1966, was dispensed with.

REPORTS OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Pursuant to the order of the Senate of May 26, 1966,

The following reports of a committee were submitted on May 31, 1966:

By Mr. MONRONEY, from the Committee on Commerce, without amendment:

S. 2267. A bill to extend the provisions of title XIII of the Federal Aviation Act of 1958, relating to war risk insurance (Rept. No. 1195).

By Mr. PASTORE, from the Committee on Commerce, with an amendment:

S. 1015. A bill to amend the Communications Act of 1934, as amended, to give the Federal Communications Commission authority to prescribe regulations for the manufacture, import, sale, shipment, or use of devices which cause harmful interference to radio reception (Rept. No. 1194).

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

REPORT OF ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 447)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

Pursuant to the provisions of section 10 of Public Law 358, 83d Congress, I transmit herewith for the information of the Congress the annual report of the St. Lawrence Seaway Development Corporation, covering its activities for the year ended December 31, 1965.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 31, 1966.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawing the nomination of Edward N. D. Fitzgerald to be postmaster at Jemez Springs, N. Mex., which nominating messages were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 2471) to improve and clarify certain laws of the Coast Guard, and it was signed by the Vice President.

PETITION

The ACTING PRESIDENT pro tempore laid before the Senate a resolution adopted by the Borough of Bound Brook, N.J., praying for the enactment of legislation to set aside May 29 of each year, the birthday of John F. Kennedy, as a national holiday, which was referred to the Committee on the Judiciary.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with an amendment:

S. 2338. A bill to authorize the erection of a memorial in the District of Columbia to Gen. John J. Pershing (Rept. No. 1196); and

H.R. 7402. An act to provide for the establishment of the Chamizal Treaty National Memorial in the city of El Paso, Tex., and for other purposes (Rept. No. 1197).

By Mr. CHURCH, from the Committee on Interior and Insular Affairs, without amendment:

S. 822. A bill to authorize the Secretary of the Interior to convey certain public land in Wyoming to Clara Dozier Wire (Rept. No. 1199); and

S. 2602. A bill to remove a cloud on the title to certain real property in the State of Oregon owned by John Johnson (Rept. No. 1200).

AMENDMENT OF SECTION 502 OF MERCHANT MARINE ACT, 1936, RELATING TO CONSTRUCTION DIFFERENTIAL SUBSIDIES—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 1198)

Mr. BARTLETT. Mr. President, from the Committee on Commerce, I report favorably, with an amendment, the bill S. 2858, to amend section 502 of the Merchant Marine Act, 1936, relating to construction differential subsidies, and I submit a report thereon. I ask unanimous consent that the report be printed, together with the individual views of the Senator from Ohio [Mr. Lausche].

The ACTING PRESIDENT pro tempore. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Alaska.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THURMOND:

S. 3429. A bill to amend the River and Harbor Act of 1965 to prohibit certain fees being charged in connection with projects for navigation, flood control, and other purposes; to the Committee on Public Works.

S. 3430. A bill to amend the Veterans' Readjustment Assistance Act of 1966 in order to authorize the approval of courses in flight training under such act; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Thurmond when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 3431. A bill to increase the amount of real and personal property which may be held by the American Academy in Rome; to the Committee on the Judiciary.

By Mr. RIBICOFF:

S. 3432. A bill to amend the Social Security Act to provide for expansion and development of social work manpower training; to the Committee on Finance.

By Mr. MONRONEY:

S. 3433. A bill to make it a criminal offense to steal, embezzle, or otherwise unlawfully take property from a pipeline; to the Committee on Commerce.

(See the remarks of Mr. Monroney when he introduced the above bill, which appear under a separate heading.)

By Mr. MONRONEY (by request):

S. 3434. A bill to amend the Federal Aviation Act of 1958 in order to limit the liability of trip insurance sold within the confines of an airport; to the Committee on Commerce.

(See the remarks of Mr. Monroney when he introduced the above bill, which appear under a separate heading.)

By Mr. CLARK (for himself, Mr. Cooper, Mr. Javits, Mr. Kuchel, Mrs. Neuberger, Mr. Morse, and Mr. Hart):

S. 3435. A bill to revise the Federal election laws, and for other purposes; to the Committee on Rules and Administration.

(See the remarks of Mr. Clark when he introduced the above bill, which appear under a separate heading.)

By Mr. MOSS (for himself, Mr. Kennedy of Massachusetts, Mr. Williams of New Jersey, and Mr. Young of Ohio):

S. 3436. A bill to amend title XIX of the Social Security Act to assist in assuring the availability of both nursing home and alternative noninstitutional services for recipients of assistance thereunder, to encourage the use whenever professionally determined to be appropriate of noninstitutional services for such recipients, to establish basic standards of quality for nursing home and home health services provided to such recipients, and to provide for fair and equitable reimbursement for those providing health care services to such recipients; to the Committee on Finance.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

By Mr. McGEE:

S. 3437. A bill for the relief of Jack L. Philippot; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 3438. A bill to amend section 6(i) of the Universal Military Training and Service Act, as amended, relating to the deferment of students under such act; to the Committee on Armed Services.

(See the remarks of Mr. Smathers when he introduced the above bill, which appear under a separate heading.)

By Mr. ANDERSON:

S. 3439. A bill for the relief of Dr. Carlos Artur Neves Nunes Almeida and his wife, Alice Ceu Monteiro Alves Almeida; to the Committee on the Judiciary.

By Mr. BREWSTER:

S. 3440. A bill to grant court leave to employees of the United States when appearing as witnesses on behalf of a State in any judicial proceeding; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Brewster when he introduced the above bill, which appear under a separate heading.)

By Mr. BENNETT:

S. 3441. A bill to provide for the free entry of one Weissenberg rheogoniometer for the use of the University of Utah; to the Committee on Finance.

By Mr. KENNEDY of New York:

S. 3442. A bill to amend title XIX of the Social Security Act to permit the States to exercise a wider discretion in determining which functions and activities will be assigned to particular agencies of the State in administering State programs designed to carry out the purposes of such title; to the Committee on Finance.

(See the remarks of Mr. Kennedy of New York when he introduced the above bill, which appear under a separate heading.)

RESOLUTION

DISCHARGE OF COMMITTEE ON THE JUDICIARY FROM CONSIDERATION OF HOUSE JOINT RESOLUTION 763

Mr. DIRKSEN submitted a resolution (S. Res. 269) to discharge the Committee on the Judiciary from the further consideration of House Joint Resolution 763, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. Dirksen, which appears under a separate heading.)

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

AMENDMENT OF RIVER AND HARBOR ACT OF 1965

Mr. THURMOND. Mr. President, I send to the desk, for appropriate reference, a bill to amend the River and Harbor Act of 1965. This bill would prohibit the imposition of fees for the use and enjoyment of waters and other facilities constructed by the Government on projects for navigation or flood control. I ask that the text of this bill be printed in the Congressional Record at the conclusion of my remarks.

Mr. President, this bill is identical to the amended bill which has been reported by the Public Works Committee of the House of Representatives and is intended as a clarification of the provisions of the Land and Water Conservation Fund Act of 1965 as it relates to the collection of entrance, admission, and user fees in connection with Corps of Engineers projects having reservoirs, pools, or other water areas. In my judgment, it is necessary that Congress proceed with expedition to consider and enact this bill, even though the announcement by the Secretary of the Army of March 4, 1966, relating to the charges for outdoor recreational areas at 95 different lakes and reservoirs throughout the country, has been modified to reduce substantially the areas for which fees are to be collected. Nevertheless, the legislative authority is still intact; and at some future date, the fees may be imposed and collected at all 95 locations, and even more, unless Congress takes action to prevent it.

These lakes and reservoirs are constructed with tax funds collected from the people of the United States and were built primarily for some major governmental purpose completely aside and apart from recreation. The people have already paid for these facilities and should not be charged for an occasional, or even a frequent use of them. When the dams which have created the sources of water were constructed, in virtually all cases the Congress guaranteed the people that their use would remain free of charge in the following language which is contained in the Flood Control Act of 1944:

> The water areas of all such reservoirs shall be open to public use generally, without charge, for boating, swimming, bathing, fishing, and other recreational purposes, and ready access to and exit from such water areas along the shores of such reservoirs shall be maintained for general public use. * * *

Congress is obligated to honor this guarantee and insure for all future generations that the use and enjoyment of these facilities will not have to be paid for twice—once by their tax dollars and then again by a fee which has come to be known as the Federal fishing license.

On May 13, 1965, more than a year ago I joined in introducing legislation which would have prevented the imposition and collection of these fees. Now that the Public Works Committee of the House of Representatives has reported an amended bill, I think it would expedite matters considerably to have the House bill introduced in the Senate. The prompt enactment of this proposal will keep the use and enjoyment of these waters and facilities free of charge, as they were intended to be and as they ought to be.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3429) to amend the River and Harbor Act of 1965 to prohibit certain fees being charged in connection with projects for navigation, flood control, and other purposes, introduced by Mr. THURMOND, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the River and Harbor Act of 1965 is amended by redesignating section 315 as section 316 and adding immediately following section 314 the following new section:
>
> "SEC. 315. No fee or charge shall be collected or received under authority of the Land and Water Conservation Fund Act of 1965 for entrance, admission, or access to the project area (including the waters), or for the use of minimum recreational facilities as determined by the Secretary of the Army, at such project area, of any project administered by the Secretary of the Army acting through the Chief of Engineers."

UNLAWFUL TAKING OF PROPERTY FROM A PIPELINE

Mr. MONRONEY. Mr. President, I introduce, for appropriate reference, a bill to make it a criminal offense to steal, embezzle, or otherwise unlawfully take property from a pipeline. This bill amends section 659 of title 18, United States Code, and is designed to give interstate pipelines the same protection now afforded other interstate carriers.

Most pipeline thefts occur at pump stations which are situated 50 to 100 miles apart along the Nation's interstate pipeline system. Formerly pump stations were attended around the clock by pipeline personnel who usually lived within a few hundred yards of the station. Today, because of advanced technology, many pump stations are remotely controlled and operated from other stations many miles away. Most of the remotely controlled stations are located in isolated areas and protected only by a fenced enclosure. These stations in remote areas are easy prey to thieves who break into the pump stations and tap the pipeline. Generally, this thief is not the petty thief who steals only a few gallons of gasoline but professional, organized gangs that steal five and ten thousand gallons of gasoline at one time.

A number of thefts of large amounts of gasoline have already occurred and it is expected that the problem will get increasingly worse as many of the older pipeline systems are updated by the installation of remotely controlled stations.

The FBI presently has no jurisdiction over these thefts. This amendment to 18 U.S.C. 659 is needed to give interstate pipelines the protection now enjoyed by the railroads, motor carriers, water carriers, and air carriers.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3433) to make it a criminal offense to steal, embezzle, or otherwise unlawfully take property from a pipeline, introduced by Mr. MONRONEY, was received, read twice by its title, and referred to the Committee on Commerce.

LIMITATION ON LIABILITY OF TRIP INSURANCE SOLD WITHIN THE CONFINES OF AN AIRPORT

Mr. MONRONEY. Mr. President, I introduce by request, and for appropriate reference, a bill to amend title XI of the Federal Aviation Act of 1958 to prohibit the sale of air trip insurance at airports, either by vending machine or over the counter, in excess of $50,000.

The bill would apply only to airport sales of trip insurance and would not prohibit the sale of general travel insurance by agents or insurance companies directly.

The purpose of the bill is to remove what the commercial airline pilots of this country believe is the primary incentive for aircraft sabotage, financial motivation. These pilots, represented by the Air Line Pilots Association, claim that there have been 19 incidents of known or suspected sabotage of aircraft since 1933. Of these, 6 have occurred in the United States with a resulting loss of 210 lives.

The problem of aircraft sabotage has been one of the main concerns of commercial pilots in this country and for a number of years they have sought relief in the Congress through bills to reduce or eliminate air trip insurance.

I am introducing this bill today for the purpose of stimulating public discussion about air trip insurance. I hope that from this discussion more factual information can be obtained on whether air trip insurance is a prime incentive for aircraft sabotage and whether its reduction to the figure of $50,000, or some other amount, will significantly decrease the likelihood of aircraft sabotage.

This bill should also provoke discussion about whether the reduction in the amount of air trip insurance will deter aircraft sabotage enough to override the benefits which accrue to air travelers from having air trip insurance available in such amounts as they desire to purchase and insurance companies desire to sell.

The bill that I have introduced is supported by the Air Line Pilots Association and has the approval of the Air Transport Association, which represents the commercial airlines of this country.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3434) to amend the Federal Aviation Act of 1958 in order to limit the liability of trip insurance sold within the confines of an airport, introduced by Mr. MONRONEY, by request, was received, read twice by its title, and referred to the Committee on Commerce.

IMPROVED NURSING HOME CARE FOR PUBLIC ASSISTANCE PATIENTS

Mr. MOSS. Mr. President, I introduce for appropriate reference, on behalf of myself, the Senator from Massachusetts [Mr. KENNEDY], the Senator from New Jersey [Mr. WILLIAMS], and the Senator from Ohio [Mr. YOUNG], a bill to require States participating in Federal-State matching programs of medical assistance under title XIX of the Social Security Act to make certain provisions with respect to standards in nursing homes and reimbursement for nursing home care, and to include in their State plans payment for home health services designed to reduce the need for long-term institutionalization of patients. I ask that the bill be printed in the Record at the conclusion of my remarks and be held at the desk for 10 days for other Senators who may wish to cosponsor.

Mr. President, the Federal Government is the largest purchaser of nursing home services in the Nation. Approximately 60 percent of the patients in nursing homes today are recipients of care under old-age assistance or the medical-assistance-for-the-aged program. In fiscal year 1965, a total of about $440 million was paid to nursing homes for the care of public assistance patients. More than half of this amount was appropriated Federal funds. As States develop new programs under title XIX, which was added to the Social Security Act in the Social Security Amendments of 1965, public assistance expenditures for nursing home care will increase sharply and the proportion paid by Federal funds will be still greater because of the more liberal matching formula in the new title.

The hearings and studies of the Subcommittee on Long-Term Care, of which I am chairman, conducted in the past year have pointed up a number of problem areas in which legislative action is needed. Since public assistance under title XIX will, by 1970, represent the major mechanism for providing long-term care to the aged, the Congress has a responsibility to assure that the program will provide the appropriate type of care, care of high quality, and care rendered in suitable and safe surroundings. Briefly, this bill would make the following major additions to title XIX.

States would be called upon to include as part of the State plans for medical assistance payment for home health services where such services are available and are deemed by the patient's physician to meet his needs. Under present law, a variety of services including home health services are authorized for inclusion in the State plans. Five types of services are mandatory and these heavily emphasize institutional care. Federal programs have been criticized, and I think with some justice, for emphasizing institutional services to the extent that an imbalance is produced in the medical care assistance available to public assistance clientele with a resulting tendency to promote the institutional confinement of public assistance patients. This is an unfortunate result both from the point of view of medical care and economics.

The Subcommittee on Long-Term Care heard considerable testimony to the effect that many patients are being sent to nursing homes who need not be sent there, while many others could have their nursing home stays shortened, if home health services were available. The value of home health service programs has been recognized and accepted for many years. The growth of these programs on the other hand has been slow and such services still are not widely available. This has been true largely because there has been no mechanism of assured payment for services. The medicare program with its home health service benefits will do much to stimulate the growth of home health agencies. The inclusion of these services in public assistance medical care will strengthen still further the economic foundation of home health care services throughout the country, and will provide an alternative wherever these services become available to institutional care for patients who are still able to live independently.

The bill also would call upon States to assure a periodic review by medical and other appropriate professional personnel of the utilization of nursing home care by public assistance patients. Too often patients entering nursing homes are simply left to live there for the rest of their days. There is no evaluation of potential for rehabilitation and discharge and no program of care directed to that end. Months and years pass without thorough revaluation of a patient's condition to determine if the services of the home are still appropriate and needed.

For patients who do require nursing home care, federally sponsored medical assistance programs should assure that the care provided is adequate, professionally supervised, and rendered in safe facilities. Mr. President, it is very clear from my subcommittee's hearings that this is not now the case. A great many public assistance patients for whom care is now being purchased under medical care vendor payment programs are actually receiving little more than boarding home or custodial care. According to the most recent figures we have seen almost half of the nursing homes in the United States have no registered nurse associated with the institution. The typical nursing home has virtually nothing in the way of rehabilitation or restorative services and no arrangements to provide such services. The typical nursing home has no regular medical supervision, and one of the most common complaints heard from nursing home operators and State health authorities is that the attendance of the patients' private physicians is infrequent and perfunctory.

Nor can we say that the beneficiaries of Federal public assitance programs are even safely housed. Every few months the Nation is shocked by the news of a disasterous fire in a nursing home. I would like to say at this point that the distinguished junior Senator from Ohio, who is a member of my subcommittee, was the first to introduce legislation to require that Federal funds be withheld from payments to nursing homes which do not meet appropriate standards of fire safety and protection. This was contained in his proposed Senate Joint Resolution 50 which he introduced over a year ago. The objectives sought by that resolution are embodied in provisions relating to nursing home standards in the *bill which I am introducing today.*

Mr. President, in fairness to the nursing home field we must acknowledge that the rates of reimbursement to nursing homes in most States have been inadequate. This fact has been one of the major barriers to the proper enforcement of licensing standards and to upgrading the quality of care and the quality of facilities available to nursing home patients. This bill provides that payments to nursing homes and home health agencies be on the basis of reasonable cost of the services rendered.

Mr. President, Federal funds must not be used to pay for services not actually rendered. Federal funds must not be used to buy services of poor quality, and Federal funds must not be used to maintain aging citizens in surroundings that endanger their very lives. But if we demand modern facilities and high quality services we must pay their cost. The principle is well established in the medicare program for all services, and is now provided in title XIX for hospitals. However, only hospitals are entitled to reasonable cost reimbursement under present law for public assistance patients.

I have some questions in my mind about the soundness of the principles for determining reasonable cost which the Department of Health, Education, and Welfare has recently developed for application to the medicare program. It is my understanding that the Committee on Finance is currently reviewing these principles and I am very willing to leave these questions to their expertise. However, I might comment at this point that the great majority of nursing homes in this country have been developed by private enterprise and that in recognition of this fact, when I use the term "reasonable cost" in reference to nursing home services, I have in mind as one element of that cost a reasonable return on the owner's investment in the facilities.

Mr. President, the last major item in this bill would make the professional advisory service of the National Medical Review Committee available to the administrators of the public assistance medical care program. The National Medical Review Committee was established in title XVIII as a professional advisory body for the medicare program. Although potentially a larger and more extensive medical care program than medicare, title XIX at present provides no such professional advisory group to periodically review and evaluate its effectiveness in meeting the national objectives.

I ask unanimous consent that a copy of the bill be included in the Record at this point and that it lie at the desk for 10 days so that Senators who wish to cosponsor the bill may do so.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, will be printed in the Record and lie at the desk as requested by the Senator from Utah.

The bill (S. 3436) to amend title XIX of the Social Security Act to assist in assuring the availability of both nursing home and alternative noninstitutional services for recipients of assistance thereunder, to encourage the use whenever professionally determined to be appropriate of noninstitutional services for such recipients, to establish basic standards of quality for nursing home and home health services provided to such recipients, and to provide for fair and equitable reimbursement for those providing health care services to such recipients, introduced by Mr. Moss (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Public Assistance Long-Term Care Amendments of 1966".

DECLARATION OF FINDINGS

SEC. 2. The Congress hereby finds and declares that there is a substantial Federal interest and responsibility in assuring the quality of nursing home services rendered to patients under public assistance programs and the adequacy and safety of the facilities in which such services are rendered; that the national interest is served by fostering professional surveillance of and responsibility for care rendered in such institutions and by promoting the development of services designed to maintain and continue the independence of aged infirm persons and providing suitable alternatives to institutional care; and that to these ends certain additional requirements upon the States for the development and administration of plans under title XIX of the Social Security Act should be made.

AMENDMENTS TO TITLE XIX OF THE SOCIAL SECURITY ACT

SEC. 3. (a) (1) Section 1902(a)(13) of the Social Security Act is amended to read as follows:

"(13) provide for the inclusion of some institutional and some noninstitutional care and services, and, effective July 1, 1967, provide (A) for inclusion of at least the care and services listed in clauses (1), (2), (3), (4), (5), and (7) of section 1905(a), and (B) for payment of the reasonable cost (as determined in accordance with section 1905 (c) and with standards approved by the Secretary and included in the plan) of (i) inpatient hospital services provided under the plan, (ii) skilled nursing home services provided under the plan and (iii) home health care services provided under the plan;".

(2) Section 1902 of such Act is further amended by (A) striking out "and" at the end of paragraph (21), (B) by striking out the period at the end of paragraph (22) and inserting in lieu of such period a semicolon followed by "and", and (C) by adding at the end of such section the following new paragraph:

"(23) provide for a regular program of medical review including (A) periodic inspections to be made of all qualified nursing homes within the State by one or more medical review teams (composed of physicians and other appropriate health personnel) of the care being provided in such nursing homes to persons receiving assistance under the State plan and, with respect to each of the patients receiving such care, the necessity and desirability of the continued placement of such patients in such nursing homes and the feasibility of meeting their health care needs through alternative noninstitutional services; and (B) for the making by such team or teams of full and complete reports of the findings resulting from such inspections together with any recommendations to the State agency administering or supervising the administration of the State plan."

(b)(1) Section 1905(a)(4) of such Act is amended to read as follows:

"(4) skilled nursing home services provided by a qualified nursing home (as defined in subsection (d)) for individuals (other than individuals who are in an institution for tuberculosis or mental diseases) who are 21 years of age or older;".

(2) Section 1905(a)(7) of such Act is amended to read as follows:

"(7) home health care services provided by a qualified home health agency (as defined in subsection (f));".

(c) Section 1905 of such Act is amended by adding at the end thereof the following new subsections:

"(c) For purposes of section 1902(13)(B), the term 'reasonable cost' of inpatient hospital services, skilled nursing home services, or of home health care services, includes costs incurred by the hospital, qualified nursing home, or the qualified home health agency, attributable to services of residents-in-training, medical students, student nurses, or other trainees in medical technology, who participate in the provision of such services if their participation therein is a formal part of the educational program of a hospital, school of medicine, or school of nursing. Such term does not include costs attributable to the payment of that part of interest on loans which is payable by reason of a rate of interest thereon which is in excess (as determined under regulations prescribed by the Secretary) of the rates prevailing in the locality for similar loans made during the same period.

"(d) (1) Subject to paragraph (2), the term 'qualified nursing home' means a nursing home licensed as such by the State in which it is located pursuant to State laws which provide that all nursing homes operated within the State must be licensed as such and require, among the conditions of obtaining or retaining a State license, that each nursing home within the State—

"(A) supply to the licensing agency of the State full and complete information as to the identity (i) of each person having (directly or indirectly) a proprietary interest of 10 per centum or more in such nursing home, (ii) in case each nursing home is organized as a corporation, the name of each officer and director of the corporation, and (iii) in case such nursing home is organized as a partnership, the name of each partner, and to promptly report any changes in the information required to be reported under this paragraph;

"(B) keep the State licensing agency fully informed currently as to all outstanding loans made for the purpose of financing the construction, acquisition, renovation, or operation of such nursing home, as well as to the amounts of such loans, and the terms and conditions upon which they were made;

"(C) have a medical consultant who does not, or a medical committee none of the members of which has, a proprietary or other financial interest (other than the salary to which he is entitled as such a consultant or member) in such nursing home, which consultant or committee is charged with responsibility for—

"(i) developing for such nursing home policies relating to medical, nursing, rehabilitative and other professional health care, including requirements for clinical records to be maintained on each patient of the nursing home;

"(ii) regular review by such consultant or committee with a view to assuring that such policies are properly being carried out, that proper utilization is being made of convalescent and rehabilitative services, and that there is continued necessity for placement in such nursing home of each patient thereof;

"(iii) assuring that each patient in such nursing home is under the care of a personal physician who makes periodic visits to such patient consistent with the health care needs of such patient; and

"(iv) assuring that adequate provision is made for the provision of needed medical attention to any patient of the nursing home during emergencies when such patient's personal physician is not available to provide such attention;

"(D) have and maintain an organized nursing service for its patients, which is under the direction of a professional registered nurse who is employed full-time by such nursing home, and which is composed of sufficient nursing and auxiliary personnel to provide adequate and properly supervised nursing services for such patients during all hours of each day and all days of each week; and

"(E) have arrangements with one or more general hospitals under which such hospital or hospitals will provide needed diagnostic services to patients of such nursing home, and under which such hospital or hospitals agree to accept immediately as patients thereof acutely ill patients of such nursing home who are in need of hospital care.

"(2) The term 'qualified nursing home' does not include any nursing home which does not meet standards of fire safety and protection and other conditions relating to the health and safety of individuals who are furnished services in nursing homes found necessary by the Secretary and set forth under regulations prescribed by him.

"(e) On and after July 1, 1967 no Federal funds shall be paid to any State as Federal matching under Titles I, XVI, or XIX of this Act for payments made to nursing homes not fully and currently meeting all requirements for licensure in such State.

"(f) The term 'qualified home health agency' means a public or private nonprofit agency or organization, or a subdivision of such an agency or organization (including a subdivision of a public or private nonprofit hospital) which—

"(1) is primarily engaged in the provision of medical evaluation and surveillance and skilled nursing or other therapeutic services under medical supervision in the residence of the patient;

"(2) has policies, established by a group of professional personnel, including one or more physicians and one or more registered professional nurses, to govern the services (referred to in paragraph (1) which it provides, and provides for supervision of such services by a physician or registered professional nurse;

"(3) maintains clinical records on all patients; and

"(4) meets such other conditions as the Secretary finds necessary to assure the adequacy of the services provided by such agency and to protect the health and safety of the recipients of such services.

"(g) The term 'home health care services' includes such services provided on an outpatient basis in a hospital, nursing home, clinic, or other health care institution if such services are provided under arrangements between a qualified home health agency and such hospital, nursing home, clinic, or other institution, and if such services can be provided in such a manner more effectively or more economically than they could be provided in the patient's residence."

SEC. 4. (a) The amendments made to title XIX of the Social Security Act by the preceding provisions of this Act shall take effect—

(1) in the case of any State (as defined in section 1101(a)(1) of such Act) which has a State plan for medical assistance approved (prior to the date of enactment of this Act) under such title, on the first day of the second calendar quarter (commencing January 1, April 1, July 1, or October 1) which commences after the close of the first regular session of the legislature of such State which begins after the date of enactment of this Act, and

(2) in the case of any other State, on the date of enactment of this Act.

(b) For purposes of subsection (a), the Congress of the United States shall be regarded as the State legislature of the District of Columbia.

SEC. 5. Title XIX of the Social Security Act is further amended by adding at the end thereof a new section as follows:

"SEC. 1906. (a) The National Medical Review Committee established pursuant to Section 1858 of this Act is authorized and directed (in addition to its functions provided in Section 1868(c)) to review the utilization of care and services provided under State plans pursuant to this title and to make such other studies as may be necessary to—

"(1) advise the Secretary with respect to the provisions of State programs for medical assistance under this title, policies dealing with the broadening and liberalizing of medical assistance as provided in Section 1903(e), and coordination of the policies and programs administered under Title XVIII and this title.

"(2) make such recommendations as may seem desirable for changes in regulations, guidelines or procedures affecting the scope of services and manner in which services are made available, and for changes in programs established under this title or in this title.

"(b) The Committee shall make an annual report to the Secretary on its work and recommendations pursuant to subsection (a) and such report shall be transmitted promptly by the Secretary to the Congress."

AMENDMENT OF UNIVERSAL MILITARY TRAINING AND SERVICE ACT, RELATING TO DEFERMENT OF STUDENTS

Mr. SMATHERS. Mr. President, I introduce, for appropriate reference, a bill to amend section 6(i) of the Universal Military Training and Service Act as amended, relating to the deferment of students under such act.

The amendment would revise the second sentence of section 6(i) of the Universal Military Training and Service Act to read as follows:

> Nothing in this Act shall be construed as authorizing the President to provide for the deferment from training and service in the Armed Forces or training in the National Security Training Corps of any student or any category or categories of students except as specifically authorized by this subsection or subsection (h) of this section.

In brief, Mr. President, the amendment proposes to eliminate the carte blanche deferment of college undergraduates and high school graduates about to enter college from the provisions of the Universal Military Training and Service Act. The amendment would not remove the President's authority to make deferments in the national interest, but would limit those deferments to the categories spelled out in subsection (h) of this section.

Thus, the President would have the authority to provide for deferment of anyone "whose activity in study, research or medical, dental, veterinary, optometric, osteopathic, scientific, pharmaceutical, chiropractic, chiropodial, or other endeavors is found to be necessary to the maintenance of the national health, safety and interest."

The President would still have broad discretionary power to grant exemptions and deferments, but on a far more equitable basis than we now have in regard to students.

The recent series of national tests and the system of granting deferment to those of high academic standing, regardless of essentiality, has evolved widespread criticism that, in my opinion, is justifiable.

Such scholastic exemptions, I fear, tend to breed the kind of glaring inequity that prompted some unfortunate moments in American history.

We will recall that the slogan of the New York draft rioters in July 1863 was: "A rich man's war and a poor man's fight."

Such slogans were prompted by the fact that a palpably unfair and undemocratic draft law allowed an exemption to anyone on the Union side able to pay $300 for a substitute.

Mr. President, in my opinion, the current student draft position is one which breeds similar inequity, favoring as it does the youth who is able for one reason or another to extend his academic training virtually indefinitely. The rich man's son is thus theoretically free to stay in school, while the poor man's son—for the most part—must report for active duty.

It is an unflattering commentary on the times when, as the Journal of the Armed Forces puts it:

> Universities of the nation obviously are providing hiding places for some youngsters who seek and enjoy the best of American life but shy away from the responsibilities which citizenship entails.

Mr. President, the amendment would simply state that nothing in the Universal Military Training and Service Act authorizes the President to provide for the deferment of students, except as provided for in section 6(h) of the act.

I sincerely believe this amendment will correct an inequitable situation, and, therefore, hope the measure will be given early and favorable consideration by the Congress.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3438) to amend section 6(i) of the Universal Military Training and Service Act, as amended, relating to the deferment of students under such act, introduced by Mr. SMATHERS, was received, read twice by its title, and referred to the Committee on Armed Services.

GRANTS OF COURT LEAVE TO CERTAIN EMPLOYEES OF THE UNITED STATES

Mr. BREWSTER. Mr. President, the administration's concern with the rising rate of crime and its war against such growth is leading to close scrutiny of our judicial proceedings and methods of coping with the subsequent problems.

We are trying to encourage every citizen to do his part in combating this problem and to overcome his natural reluctance to participate in criminal prosecutions. However, we are also throwing roadblocks in the paths of many of our conscientious citizens who are Federal employees and who wish to assist their State in arresting the growth of crime.

Mr. President, I am today introducing legislation which would grant court leave to employees of the United States when appearing as witnesses on behalf of a State in any judicial proceeding. My bill will make comparable the circumstances involving Federal employees called as witnesses for the State and those involving such employees serving as witnesses for the Federal Government.

Under existing law, Federal employees are allowed to testify on behalf of Federal and District of Columbia proceedings without being penalized by having the time away from work charged against annual leave. Yet, Federal employees appearing for the State in criminal prosecutions are unfairly discriminated against because they must take either annual leave or leave without pay.

The problem is particularly acute in suburban Maryland courts which summon Federal employees to testify for the prosecution. An employee's reluctance to testify because of the annual leave or leave without pay penalties is understandable; certainly, we should not levy a fine against those who must do their civic duty just because they are on the public payroll. It is imperative that we make court leave available so that witnesses will volunteer to enlist in the war against crime, and so that the civic-minded citizen will not be thwarted in his attempts to do the public a service.

Mr. President, court appearances are a civic and social responsibility that must be assumed by all members of our society if we are to make any headway in our efforts to quell the increasing crime trend. We should encourage good citizenship—not penalize it. Increased police protection amounts to little if, after an arrest, State witnesses do not come forward and confront the accused in a court of law.

My bill will alleviate the existing penalty against Federal employees when serving for the benefit of the State, and, therefore, is equally important to combating crime and to encouraging good citizenship and cooperative attitudes toward our judicial system.

I respectfully urge my colleagues to give this legislation their support.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3440) to grant court leave to employees of the United States when appearing as witnesses on behalf of a State in any judicial proceeding, introduced by Mr. BREWSTER, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

AMENDMENT OF TITLE XIX OF THE SOCIAL SECURITY ACT

Mr. KENNEDY of New York. Mr. President, on behalf of the Senator from Illinois [Mr. DOUGLAS] and myself, I introduce for appropriate reference a bill to amend title XIX of the Social Security Act to permit the States to exercise wider discretion in their administration of the medical care programs authorized by that title.

When title XIX was passed by the House last year, the bill that was sent over to the Senate required that the State agency administering the new program would have to be the same as that which administered the preexisting old-age assistance program: that is, the State welfare agency.

The Senate disagreed. The Senate Finance Committee reported a bill which gave the States "the opportunity to select the agency they wish to administer the program. The committee bill leaves this decision wholly to the States with the sole requirement that the determination of eligibility for medical assistance be made by the State or local agency administering State plans approved under title I or XVI"—Senate Report No. 404, page 76, 89th Congress, 1st session.

The Senate acted as it did because "a number of witnesses appearing before the committee expressed the belief that the State health agency should be given the primary responsibility under this program"—ibidem. The provision actually adopted by the Senate was a compromise allowing any State agency—that is, either health or welfare—to administer the program.

As the Senate Finance Committee said elsewhere in its report:

> Under the House bill, the State agency administering the new program would have to be the same as that administering the old-age assistance program [i.e., the welfare agency]. The committee, believing the States should be given more latitude in this matter, provided that any State agency may be designated to administer the program, as long as the determination of eligibility is accomplished by the agency administering the old-age assistance program. (S. Rept. No. 404, p. 10, 89th Cong., 1st sess.)

When the States began enacting enabling legislation for title XIX this year, it became apparent that there were certain practical limits on each State's latitude of choice. Although Welfare Commissioner Ellen Winston made clear in a letter to me that "title XIX of the Social Security Act permits a State public health agency to be the single State agency responsible for the administration of a medical assistance plan," later correspondence revealed the Department's view that whatever State agency is designated must have "ultimate responsibility and accountability for all aspects of the State plan."

This interpretation of the law has had and will have practical significance in discouraging the States from choosing to designate their public health agencies as the State agency to administer title XIX. This is inconsistent with the congressional intent, as quoted above, to leave the decision wholly up to the States.

Let me explain. There is, for better or worse, a pre-existing welfare orientation to title XIX. The Kerr-Mills program which preceded it was administered by the welfare agencies in the States, and title XIX itself is administered by the Welfare Administration in the Department of Health, Education, and Welfare here in Washington. In State after State, the Department's ruling, as quoted above, will cause welfare officials and welfare-oriented community agencies to argue that the health agency should not be given primary responsibility for the program because to do so would be to give the health agency ultimate responsibility, or, in effect, a veto power, over all activities which are contracted out to be performed by the State welfare agency. In some States the existence of such a veto power may be a source of legitimate concern.

Given the inherent identification of title XIX with welfare agencies and interests, this kind of argument will be decisive in many States to assure that the State welfare agency will be chosen to administer title XIX. And when it is decisive the result will be that the State welfare agency as the single State agency will retain a veto power over whatever health functions it delegates to the State public health agency. That, too, may turn out to be undesirable.

My colleagues who cosponsor this legislation with me today believe last year that they were giving the States a full freedom of choice. The fact is that this will turn out to be substantially limited in practice, and this is unfortunate. Title XIX is a program which has both health and welfare aspects, a program in which both the State health and State welfare agencies have legitimate responsibilities to perform. Sound public policy dicates that a State should be able to choose a manner of administration for title XIX which places health functions in the State health agency and welfare function in the State welfare agency with neither having a veto power over the other.

As Senator SMATHERS wrote to Secretary Gardner on April 20, 1966, regarding his understanding of the congressional intent in 1965:

> It is up to the judgment of each State to decide whether two heads are conceivably better than one. * * * Each State should be free to develop an administrative structure which it believes suitable to its needs.

Although that was our understanding of the congressional intent in enacting title XIX, the Department disagreed, and the legislation which we introduce today is designed to permit exactly the discretion that the Senator from Florida referred to in his letter to the Secretary. Our judgment is that this proposal is in the nature of a perfecting amendment to require the Department of Health, Education, and Welfare to conform to what we regard as the intent of the 1965 legislation.

As Senator ANDERSON said in a letter on April 19, 1966, to Secretary Gardner:

> As I recall the situation which prompted the Senate amendment, we wanted to assure the States maximum flexibility in working out effective arrangements for the new programs.

That is what we want to assure once and for all with the legislation that we introduce today.

We do this by adding a new section 1906(a) to title XIX, which provides, in effect, that the single State agency requirement of section 1902(a)(5) will not be violated by the delegation of the full authority or responsibility for a particular function or activity to another agency of the State government.

It will, no doubt, be argued that it will be an impossible task administratively for the Department of Health, Education, and Welfare to have to look to two State agencies instead of one when it has difficulty with the administration of a State program. I believe it is self-evident that it will not be significantly more difficult to look to two heads rather than one. There is no possibility here of a proliferation of responsibilities among a variety of State agencies. We are talking only about a logical division of health and welfare responsibilities between two State agencies.

I do not believe that we should allow the congressional intent of State autonomy in the choice of means of administration of title XIX to be frustrated. But that appears to be happening and since the States are in the process of enacting their enabling legislation, an institutional pattern will soon be established if we do not act expeditiously. I urge the Senate to act as quickly as possible on this matter.

The bill we submit today will do two other things as well. First, it would amend section 1902(a)(11) of the Social Security Act to provide that the cooperative arrangements which that subsection contemplates may involve any or all of the State agencies administering health services, welfare services, and vocational rehabilitation services, depending on which State agency is chosen to administer the program. This is merely a technical amendment to make section 1902(a)(11) conform with the intent of Congress to allow completely free choice to the States in deciding which State agency will administer title XIX.

Second, the bill would correct an anomalous situation which has arisen under section 1903(a)(2) of the law. That subsection allows 75 percent reimbursement, instead of the usual 50 percent for "compensation or training of skilled professional medical personnel, and staff directly supporting such personnel, of the State agency."

Suppose, for example, that the State welfare agency is chosen to administer title XIX. If the State chooses to delegate the performance of health functions to the State health agency, the present language of section 1903(a)(2) would appear to bar 75 percent reimbursement of the medical personnel of the health agency, since those personnel would not be employees of the single State agency itself. We understand that the Department of Health, Education, and Welfare plans to submit legislation to correct this situation, and in fact another bill has been introduced in the Senate on this point. However, since the problem raised by section 1903(a)(2) is part and parcel of the overall problem—that the law as administered interferes with the intended free play of discretion on the part of the States—we have included this provision in the legislation that we submit today.

Mr. President, I ask unanimous consent that the bill be printed in full at the close of my remarks.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3442) to amend title XIX of the Social Security Act to permit the States to exercise a wider discretion in determining which functions and activities will be assigned to particular agencies of the State in administering State programs designed to carry out the purposes of such title, introduced by Mr. KENNEDY of New York (for himself and Mr. DOUGLAS), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1902(a)(11) is amended by striking out "health services" and inserting in lieu thereof "health services, welfare services,".

(b) Title XIX of the Social Security Act is amended by adding at the end thereof the following:

"DELEGATION OF FUNCTION BY STATE AGENCY

"Sec. 1906 (a) The delegation, by a State or by the agency designated or established by the State as the single State agency to administer or supervise the administration of the State plan of such State under this title, of any function or activity related to the administration of such plan to any other State agency of such State (whether such delegation is made administratively, pursuant to requirements of State law, or by contract, and without regard to whether such delegation includes conferral upon such other State agency of full authority and responsibility for the function or activity so delegated) shall not be construed, for purposes of this title, to be violative of that portion of section 1902(a)(5) which requires that the State plan must either provide for the establishment or designation of a single State agency to administer the State plan or provide for the establishment or designation of a single State agency to supervise the administration of the plan.

"(b) For purposes of this title, if any function or activity related to the administration of the State plan of any State is delegated to an agency of the State (other than the State agency designated or established by the State as the single State agency to administer or supervise the administration of the State plan of such State), the expenditures incurred by such agency of the State for the purpose of carrying on the functions or activities so delegated shall be treated as expenditures incurred for such purpose by such State agency."

Mr. LONG of Louisiana subsequently said: Mr. President, I ask unanimous consent that the bill to amend the Social Security Act, introduced by the junior Senator from New York [Mr. KENNEDY], remain at the desk for 5 days for additional cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN ASSISTANCE ACT OF 1966—AMENDMENT

AMENDMENT NO. 573

Mr. MILLER submitted an amendment, intended to be proposed by him, to the bill (S. 2859) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, which was referred to the Committee on Foreign Relations and ordered to be printed.

THE MILITARY ASSISTANCE AND SALES ACT OF 1966—AMENDMENT

AMENDMENT NO. 574

Mr. MILLER submitted an amendment, intended to be proposed by him, to the bill (S. 2861) to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world in their efforts toward internal and external security, which was referred to the Committee on Foreign Relations and ordered to be printed.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the name of the junior Senator from Kansas [Mr. PEARSON] be added to S. 3273, the Dairy Import Act of 1966, as a cosponsor at the next printing of the bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that on the next printing of Senate Joint Resolution 148, the name of the junior Senator from Michigan [Mr. GRIFFIN] be added as a cosponsor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the next printing of the bill, S. 3107, to provide for a comprehensive review of national water resource problems and programs, and for other purposes, the names of Senators CHURCH and NELSON be added as cosponsors.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NOTICE OF HEARINGS ON CIVIL RIGHTS

Mr. BAYH. Mr. President, due to a viral infection recently suffered by the chairman of the Subcommittee on Constitutional Rights, hearings originally scheduled to commence June 2, 1966, on S. 3296, the administration's Civil Rights Act of 1966, six other civil rights bills, and an amendment to S. 3296, have been postponed for 4 days. Hearings have been rescheduled to begin June 6, 1966, at 10:30 a.m., in room 2228, New Senate Office Building. Arrangements made for the receipt of testimony are expected to remain the same.

NATIONAL FLAG WEEK

Mr. DIRKSEN. Mr. President, at the request of the chairman of the Committee on the Judiciary, the Senator from Mississippi [Mr. EASTLAND], I submit a resolution, and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. Is there objection?

There being no objection, the resolution (S. Res. 269) was read, considered, and agreed to as follows:

Resolved, That the Committee on the Judiciary be, and hereby is, discharged from further consideration of the House joint resolution (H.J. Res. 763), authorizing the President to proclaim the week in which June 14 occurs as "National Flag Week."

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House Joint Resolution 763.

The ACTING PRESIDENT pro tempore. The joint resolution will be stated by title for the informtion of the Senate.

The LEGISLATIVE CLERK. A joint resolution (H.J. Res. 763) authorizing the President to proclaim the week in which June 14 occurs as National Flag Week.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. DIRKSEN. Mr. President, although June 14 is the date usually observed as Flag Day, it is observed in some States at different times. It has been suggested by a great many patriotic organizations that instead of fixing the date, we accept the week in which June 14 falls as the week in which to observe Flag Day; and this resolution calls on the President to make such a proclamation.

The ACTING PRESIDENT pro tempore. The joint resolution is before the Senate and open to amendment. If there be no amendment to be offered, the question is on the third reading and passage of the joint resolution.

The joint resolution (H.J. Res. 763) was ordered to a third reading, was read the third time, and passed.

UNPOPULAR WAR

Mr. YOUNG of Ohio. Mr. President, in June 1965, 10 South Vietnamese generals spearheaded a military coup, overturned the civilian government and then selected flamboyant Air Marshal Ky as Prime Minister. Unfortunately, as further evidence that the United States has become involved in a miserable civil war in Vietnam, the fact is that Ky was born and reared near Hanoi considerably north of the 17th parallel. Throughout the last 12 months that militarist regime, although supported by our Armed Forces and the CIA, has never won control over the major part of the area south of the 17th parallel and termed "South Vietnam" in the Geneva agreement. The facts are at the present time this militarist regime has only questionable control of one-fourth of the area of South Vietnam. Lacking the support of our Armed Forces and the CIA, Ky could not have maintained himself as Prime Minister. Ky very definitely is on his way out as Prime Minister.

At the Honolulu conference he was embraced by our President. Then he announced he was going to bring democracy to South Vietnam and hold elections in August. Despite the fact that our leaders tried to make a sweet-smelling geranium of Ky, throughout the entire period from the time of the military coup, he had never made any effort nor taken any steps whatever toward civilian rule to displace the militarists who seized power. In retrospect, the Honolulu conference, about which so much has been said by administration leaders, was an unfortunate episode in the recent history of our country.

With revolt and unrest growing daily in South Vietnam, it is evident Ky could not last as Prime Minister for even a few days except for our support. It is obvious that his time as Prime Minister is rapidly drawing to a close.

It is evident that this administration has involved our Nation in an unpopular war in Vietnam. There is no viable government in South Vietnam. Sallust, the Roman philosopher said:

> It is always easy to begin a war, but very difficult to stop one, since its beginning and end are not under the control of the same man.

A recent editorial in the St. Louis Post Dispatch quoted Walter Lippmann's statement that it is becoming plainer every day that "The American intervention in South Vietnam is the most unpopular war within the memory of living Americans."

I ask unanimous consent that this editorial, entitled "Unpopular War," be printed in the RECORD at this point as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

UNPOPULAR WAR

In his column the other day Walter Lippmann said what is becoming plainer every hour, that "The American intervention in South Vietnam is the most unpopular war within the memory of living Americans." Indicators such as academic demonstrations amply support this judgment; the Gallup poll shows public approval of the way President Johnson is handling the Vietnam situation continues to slip.

The basic reason for the American attitude is simply that the people are not persuaded the effort is either wise or necessary. They are not convinced a few Asian guerrillas 10,000 miles away constitute a genuine threat to the security of the United States. Should the United States be attacked, or genuinely threatened, by an adversary worthy of its steel, we are sure the people would rally just as they did after the attack on Pearl Harbor.

The unrealistic arguments of Administration spokesmen, and President Johnson's continued sniping at his critics, seem to us to be having the effect of increasing popular discontent. Mr. Johnson's speech to a Democratic fund-raising dinner in Chicago is a case in point. The President said the American effort would continue "until the gallant people of South Vietnam have their own choice of their own government." He spoke of aiding "this young nation."

Everyone who reads the newspapers knows this does not reflect the real situation. Even as Mr. Johnson spoke "the gallant people of South Viet Nam" were engaging in fratricidal strife. What began as a civil war between the Saigon regime and Communist-led guerrillas, with the United States supporting Saigon and North Viet Nam the guerrillas, was turning into a second civil war between the crumbling Saigon regime and dissident military, student and Buddhist factions in central Viet Nam.

In his Chicago address Mr. Johnson challenged "those who speak and write about Viet Nam to say clearly what other policy they would pursue," as though his critics had offered no constructive counsel. On the contrary, as the public knows, Mr. Johnson's critics have urged that the escalation of the war be stopped, that the bombing of North Viet Nam be halted, that the buildup of American troops and bases be stopped, and that a credible effort be made to secure negotiations.

If this advice had been followed months ago perhaps the present upheaval could have been avoided; after all, fighters on all sides are using American weapons. At least it should be clear that South Viet Nam is no more a nation now than it ever was, and that the United States has been supporting a transitory coalition of warlords who have a personal stake in keeping the military struggle alive and who are incapable of governing.

Washington cannot very well interfere in a fight between two factions of its "allies." But it can count on a still more rapid decline of American support for the war if the "allies" do not stop killing each other. The United States supposedly is in Viet Nam at the request of a duly-constituted government; what if there is no government?

We do not believe Mr. Johnson can ever make the war popular, but he could increase his own stature, and perhaps begin to pave the way for an honorable withdrawal, by convincing the people that he is honestly and clearly facing the facts as they are, not as he would like them to be. We do not know of any morale in Saigon that now could be damaged by such a frank appraisal.

Secretary of Defense McNamara made a remark in his Montreal speech that seems particularly apropos. "The realistic mind," he said, "is a restlessly creative mind—free of naive delusions, but full of practical alternatives." We hope Mr. Johnson was listening.

Mr. YOUNG of Ohio. The great English statesman Edmund Burke stated:

> War never leaves where it found a nation.

In Vietnam, with our tremendous firepower and napalm bombing we are engaged in defoliating and depopulating a nation of approximately 32 million men, women, and children living in an area about 2⅓ times the area of the State of Ohio where we have some 10 million people. In Vietnam in the north-central area and in the northwest there are vast mountain ranges and in other areas huge rivers, swamps, rice paddies, and uninhabitable jungles.

Secretary of State Rusk continually talks of aggression from the north as if North Vietnam were a foreign aggressor nation. Very definitely it is not. The Geneva agreement which Secretary of State John Foster Dulles approved, specifically stated:

> The military demarcation line at the 17th parallel is provisional and should not in any way be considered as constituting a political or territorial boundary.

Historically, there is no North Vietnam nor South Vietnam. The Vietnamese are one people.

In 1954 the French forces numbering 200,000 were supplemented by thousands of Vietnamese, the Tories of that time who fought against the nationalist forces, then termed Vietminh, fighting for freedom from French Colonialists, and then returned to civilian life. Many from the north migrated to the south as they were despised by some of their neighbors who fought for liberation. On the other hand, many from South Vietnam whose sympathies were with the Vietminh or who had actually fought with the Vietminh migrated to the north.

President Diem, who was installed as President of the Saigon Government, refused to permit the elections called for by the Geneva agreement, which our Government approved. General Eisenhower, in his reminiscences, stated it was well understood that Ho Chi Minh, regarded as the George Washington of Vietnam who had led the fight for the nation's freedom from French colonialism, would have received 80 percent of the vote in both North and South Vietnam had the elections been held, and the question of reunification of all of Vietnam would have been resolved. Without a doubt, the sinister hand of the CIA participated not only in installing Diem as President, but in directing his policies.

Many years ago Martin Luther, in a sermon, stated:

> War is the greatest plague that can afflict humanity. It destroys religion, it destroys states, it destroys families. Any scourge is preferable to it.

He said this centuries before warplanes, heavy artillery and napalm bombing.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. YOUNG of Ohio. The primary reason for our being in Vietnam today is our stubborn refusal to admit a mistake in our attempt to make Vietnam a pro-American and an anti-Chinese state. More than anything else, we are fighting to avoid admitting failure. We lost face by messing into a miserable civil war in Vietnam in the first place. We would not lose face were we to withdraw our forces to our coastal bases. As Walter Lippmann bluntly put it:

> We are fighting to save face.

We would save face and win respect by withdrawing our forces from Vietnam.

Let it not be written by future historians that American boys died needlessly in far distant jungles because of weakness of diplomats and indifference of politicans. I wish I had as much confidence in the skill and intelligence of our diplomats in trying to settle this war as I do in the bravery and high competence of our soldiers fighting the war.

I was in southeast Asia most of the time from last September 28 to October 19. In South Vietnam I was in the field at every airbase, was at Camranh Bay and on a carrier off the coast. In addition, I made observations in Thailand from whence our bombers have been striking targets in North Vietnam. My conclusions, based on my observations and conferences with Generals Westmoreland, Stilwell, Prime Minister Ky, and others, changed from my views before making this on-the-spot survey. I had been led to believe that the Vietcong fighting us were Communist infiltrators from the north. Instead, I was informed by General Stilwell that 80 percent of the Vietcong fighting us in the Mekong Delta were born and reared in the Mekong Delta in what is called South Vietnam. General Westmoreland stated that the bulk of the Vietcong fighting the Americans and other Vietnamese were born and reared in South Vietnam.

Of course, there can be no armistice or cease-fire unless representatives of the Vietcong or National Liberation Front are seated as delegates along with delegates of the Saigon government, either the present regime or the one that will probably be succeeding the Ky regime. Also, delegates from Hanoi, as well as delegates representing the United States. Let us hope that administration leaders will be guided by the wisdom of U Thant, Secretary General of the United Nations, and will earnestly seek a cease-fire and withdraw our forces to coastal bases in South Vietnam and then withdraw altogether from what has become an American war.

Mr. President, every possible effort should be made to extricate ourselves from this miserable civil war in a land which is of no strategic importance whatever to the defense of the United States. We must not only explore alternatives to winning what is, in reality, an impossible war to win. Administration leaders must also give more serious consideration to the alternatives for deescalation of the war and eventual withdrawal—painful though that may be.

ELECTION REFORM ACT OF 1966

Mr. CLARK. Mr. President, on behalf of myself and Senators NEUBERGER, MORSE, HART, COOPER, PROXMIRE, and KUCHEL, I introduce President Johnson's proposed Election Reform Act of 1966.

I ask unanimous consent that it lie at the desk for 1 week to permit additional Senators to join as cosponsors; and I further ask that the text of the bill and the text of the President's message of May 26, 1966, accompanying the bill, be printed in the RECORD at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be held at the desk, as requested by the Senator from Pennsylvania; and, without objection, the text of the bill and the text of the President's message will be printed in the RECORD.

(See exhibit 1.)

Mr. CLARK. Mr. President, without describing at length the various provisions of this bill, I should like to call to the attention of Senators three key features which I find particularly commendable:

First. It would close the existing loophole under which State political committees are exempt from reporting requirements.

Second. It would bring primary campaigns under the law for the first time.

Third. It would require Senators and Representatives to make an annual public disclosure of gifts in excess of $100 received by themselves, their wives and children, and of all income from personal services.

As one who has long championed the cause of stronger and more effective election laws and strict financial disclosure by Members of Congress, I commend the President for taking leadership in this field. The provision relating to disclosure is particularly praiseworthy. So far as I know, it marks the first time the executive branch has lent a hand in the campaign to erect safeguards against conflict-of-interest problems in the Congress.

By asserting that this is a good bill, I do not mean to suggest that it is perfect. It can and I hope it will be improved and strengthened. There are at least three aspects in which the bill, in my judgment, can be made significantly more effective.

First. Enforcement: Last year I introduced a bill, S. 1913, amending the Corrupt Practices Act to require that campaign statements be filed not with the Clerk of the House and the Secretary of the Senate, but with the Comptroller General of the United States. In addition, it authorized the Comptroller General to establish within the General Accounting Office an automatic information retrieval system utilizing modern automatic data processing techniques to make possible the ready availability of all filed information on an indefinite basis. The Comptroller General would also have the duty to report to the Department of Justice the failure to file of any persons or organizations under a duty to file, or the filing of misstatements. In order to perform this duty, he would have the power to investigate, either on complaint or on his own initiative, alleged violations of the act. I ask unanimous consent that the text of S. 1913 be printed in the RECORD at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 2.)

Mr. CLARK. In my judgment this enforcement scheme has much to recommend it. It is certainly consistent with the President's proposed reforms, and if added to them would, in my judgment, greatly enhance their effectiveness.

Second. Disclosure: Although the President's proposals relating to disclosure by Members of Congress are significant as an administration "first," they are far less comprehensive than various proposals which have been made from time to time by myself and others. Although no disclosure rule can be absolutely airtight, the one which I have been introducing over the past several years is probably as cheat-proof as any.

Mr. President, I ask unanimous consent that the rule—XLVII—just referred to may be printed in the RECORD at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 3.)

Mr. CLARK. Mr. President, while I appreciate that the Congress is not yet ready to accept a rule as strict as mine, some of its elements might be integrated into the administration bill.

The ACTING PRESIDENT pro tempore. The 3 minutes of the Senator have expired.

Mr. CLARK. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CLARK. Third. Tax incentives: In 1962, the Heard Commission on Campaign Costs, appointed by President Kennedy, recommended two kinds of tax incentives: a tax credit of one-half of political contributions up to a total of $10 a year, and deduction of contributions up to $1,000. Legislation generally implementing these proposals was subsequently recommended by President Kennedy.

The approach taken in the present bill is to provide a tax deduction in an amount up to $100, which would be allowed in addition to the standard deduction and hence would be available to taxpayers who do not itemize their deductions. This is a novel technique and one which merits careful study. At the same time, however, the Heard Commission proposal should also be reexamined, with the object of providing the most equitable form of tax incentive.

I hope that the Committee on Rules and Administration will act promptly in setting dates for hearings on this bill, so that these and other questions can be given the consideration they deserve. It is already late in the 2d session of the 89th Congress. Yet there is still time to consider, to perfect, to report out and to pass President Johnson's election reform bill if the Congress sincerely desires to do so.

I am happy to be joined in this bill by my good friend, the Senator from Kentucky [Mr. COOPER]. I am grateful to the President of the United States for having given me the honor of asking me to be a sponsor of this bill.

The bill (S. 3435) to revise the Federal election laws, and for other purposes, introduced by Mr. CLARK (for himself and other Senators), was received, read twice by its title, referred to the Committee on Rules and Administration, and ordered to be printed in the RECORD, as follows:

EXHIBIT 1

S. 3435

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—AMENDMENTS TO CRIMINAL CODE

SEC. 101. Section 591 of title 18 of the United States Code is amended to read as follows:

"SEC. 591. DEFINITIONS.

"When used in sections 597, 599, 602, 608, and 610 of this title—

"(a) The term 'election' includes a general, special, or primary election;

"(b) The term 'candidate' means an individual who seeks nomination or election as President or Vice President of the United States, Senator or Representative in, or Resident Commissioner to, the Congress of the United States, whether or not such individual is elected;

"(c) The term 'political committee' includes any candidate, committee, association, or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of a candidate, or presidential and vice-presidential electors;

"(d) The term 'contribution' includes a gift, donation, payment, or loan of money, or anything of value, made for the purpose of influencing or attempting to influence the election of a candidate, or presidential and vice-presidential electors, and includes a transfer of funds between political committees;

"(e) The term 'expenditure' includes a purchase, payment, or loan of money, or anything of value, made for the purpose of influencing or attempting to influence the election of a candidate, or presidential and vice-presidential electors, and includes a transfer of funds between political committees."

Sec. 102. Section 608 of title 18 of the United States Code is amended to read as follows:

"Sec. 608. Limitations on Political Contributions and Purchases.

"(a) Whoever, other than a political committee, directly or indirectly, makes contributions in an aggregate amount in excess of $5,000 during any calendar year, or in connection with any campaign for nomination or election to any candidate or to any political committee supporting such candidate, or presidential and vice-presidential electors, or to any national political committees, shall be fined not more than $5,000 or imprisoned not more than five years, or both;

"(b) Whoever, being a candidate, political committee or national political committee sells to anyone other than a candidate, political committee or national political committee, any goods, commodities, advertising or articles of any kind or any services, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"(c) Whoever, other than a candidate, political committee or national political committee buys from a candidate, political committee or national political committee any goods, commodities, advertising or articles of any kind or any services, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"(d) Subsections (b) and (c) shall not apply to the sale or purchase of political campaign pins, buttons, badges, flags, emblems, hats, banners, and similar campaign souvenirs for prices not exceeding five dollars each. Such purchases shall be deemed contributions under subsection (a). Subsections (b) and (c) shall not interfere with the usual and known business, trade or profession of any candidate.

"(e) In all cases of violations of this section by a partnership, committee, association, corporation, or other organization or group of persons, the officers, directors, or managing heads thereof who knowingly and willfully participate in such violation shall be punished as herein provided."

Sec. 103. Section 609 of title 18 of the United States Code is repealed.

Sec. 104. Section 611 of title 18 of the United States Code is amended to read as follows:

"Sec. 611. Contributions by corporations, firms or individuals contracting with the United States.

"Whoever, including a corporation, enters into any contract with the United States or any department or agency thereof, either for the rendition of personal services or furnishing any material, supplies, or equipment to the United States or any department or agency thereof, or selling any land or building to the United States or any department or agency thereof, if payment for the performance of such contract or payment for such material, supplies, equipment, land, or building is to be made in whole or in part from funds appropriated by the Congress, during the period of negotiation for, or performance under such contract or furnishing of material, supplies, equipment, land, or buildings, directly or indirectly makes any contribution of money or any other thing of value, or promises expressly or impliedly to make any such contribution, to any political party, committee, or candidate for public office or to any person for any political purpose or use; or

"Whoever knowingly solicits any such contribution from any such person, for any such purpose during any such period—

"Shall be fined not more than $5,000 or imprisoned not more than five years, or both."

Sec. 105. So much of the sectional analysis at the beginning of Chapter 29 of Title 18 of the United States Code as relates to sections 609 and 611 is amended to read:

"609. Repealed.

"611. Contributions by corporations, firms or individuals contracting with the United States."

TITLE II—DISCLOSURE OF FEDERAL CAMPAIGN FUNDS

Sec. 201. Definitions.

When used in this title—

(a) The term "election" includes a general, special or primary election;

(b) The term "candidate" means an individual who seeks nomination or election as President or Vice President of the United States, Senator or Representative in, or Resident Commissioner to, the Congress of the United States, whether or not such individual is elected;

(c) The term "political committee" includes any candidate, committee, association, or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of a candidate, or presidential and vice-presidential electors;

(d) The term "contribution" includes a gift, donation, payment, or loan of money, or anything of value, made for the purpose of influencing or attempting to influence the election of a candidate, or presidential and vice-presidential electors, and includes a transfer of funds between political committees;

(e) The term "expenditure" includes a purchase, payment, or loan of money, or anything of value, made for the purpose of influencing or attempting to influence the election of a candidate, or presidential and vice-presidential electors, and includes a transfer of funds between political committees.

(f) The term "Clerk" means the Clerk of the House of Representatives of the United States.

(g) The term "Secretary" means the Secretary of the Senate of the United States.

Sec 202. Treasurer of Political Committee; Duties of Treasurer.

(a) Every political committee shall have a treasurer. No contribution shall be accepted, and no expenditure made, by or on behalf of a political committee for the purpose of influencing an election until such treasurer has been chosen. It shall be the duty of the treasurer to keep the contributions received by or for a committee in a special account separate from any personal or other funds.

(b) It shall be the duty of the treasurer of a political committee to keep a detailed and exact account of—

(1) All contributions made to or for such committee;

(2) The name and address of every person making any such contribution, and the date thereof;

(3) All expenditures made by or on behalf of such committee, including the name and address of every person to whom any such expenditure is made, and the date thereof.

(c) It shall be the duty of the treasurer to obtain and keep a receipted bill, stating the particulars, for every expenditure by or on behalf of a political committee exceeding $100 in amount. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for a period of at least two years from the date of the filing of the statement containing such items.

Sec. 203. Accounts of Contributions Received.

Every person who receives a contribution for a political committee shall, on demand of the treasurer, and in any event within five days after the receipt of such contribution, render to the treasurer a detailed account thereof, including the name and address of the person making such contribution, and the date on which received.

Sec. 204. Statements Filed With the Clerk and the Secretary.

(a) The treasurer of a political committee supporting a candidate or candidates for nomination or election as President or Vice President of the United States or Senator shall file with the Secretary, and the treasurer of a political committee supporting a candidate or candidates for nomination or election as Representative in, or Resident Commissioner to, the Congress of the United States shall file with the Clerk between the 1st and 10th days of March, June, and September, in each year, and also between the 10th and 15th days, and on the 5th day, next preceding the date on which an election is to be held, and also by the 31st day of January, a statement, upon forms prescribed by the Clerk and the Secretary, containing, complete as of the day next preceding the date of filing.

(1) The name and address of each person who has made a contribution to or for such committee in one or more items of the aggregate amount or value, within the calendar year, or $100 or more, together with the amount and date of such contribution;

(2) The total sum of the contributions made to or for such committee during the calendar year and not stated under paragraph (1);

(3) The total sum of all contributions made to or for such committee during the calendar year;

(4) The name and address of each person to whom an expenditure in one or more items of the aggregate amount or value, within the calendar year, of $100 or more has been made by or on behalf of such committee, and the amount, date, and purpose of such expenditure;

(5) The total sum of all expenditures made by or on behalf of such committee during the calendar year and not stated under paragraph (4);

(6) The total sum of all expenditures made by or on behalf of such committee during the calendar year.

(b) The treasurer of a political committee which supports a candidate for President or Vice President of the United States or the Senate and a candidate for the House of Representatives shall file a statement, as required by subsection (a) of this section, with both the Clerk and the Secretary.

(c) The statements required to be filed by subsections (a) and (b) of this section shall be cumulative during the calendar year to which they relate; but where there has been no change in an item reported in a previous statement, only the amount need be carried forward.

Sec. 205. Statements by Other Than Political Committee Filed With the Clerk or the Secretary.

Every person (other than a political committee) who makes an expenditure in one or more items, other than by contribution to a political committee, aggregating $100 or more within a calendar year for the purpose of influencing the election of a candidate, shall file with the Clerk or the Secretary, as the case may be, an itemized detailed statement of such expenditure in the same manner as required of the treasurer of a political committee by section 204 of this title.

SEC. 206. DUTIES OF THE CLERK AND SECRETARY.

The Clerk and the Secretary shall—

(a) Prescribe standard forms for all statements required to be filed by this title;

(b) Receive all such statements;

(c) Maintain all such statements in such manner that they shall be available for public inspection and copying during regular business hours;

(d) Make copies of all such statements available on request at the cost of reproduction;

(e) Review all such statements at the time they are filed to determine whether they are timely filed and appear to be complete and consistent with prior statements filed with him by the same committees or other persons pursuant to this title;

(f) Compile and maintain a list of all statements or parts of statements pertaining to each candidate;

(g) Preserve for public inspection the statements required to be filed by sections 204 and 205 of this title for a period of two years from the actual date of filing, except that all statements pertaining to a candidate who has been elected shall be preserved during such candidate's continuance in the office to which he has been elected and for two years thereafter.

SEC. 207. STATEMENTS; VERIFICATION; FILING.

Statements required to be filed with the Clerk or the Secretary.

(a) Shall be verified by the oath or affirmation of the person filing such a statement, taken before any officer authorized to administer oaths;

(b) Shall be deemed properly filed when deposited in an established post office within the prescribed time, duly stamped, registered, and directed to the Clerk or Secretary, as the case may be, at Washington, District of Columbia; but in the event it is not received, a duplicate of such statement shall be promptly filed.

SEC. 208. PENALTY FOR VIOLATIONS.

Any person who violates any of the provisions of this title shall be fined not more than $1,000 or imprisoned not more than one year, or both.

SEC. 209. STATE LAWS NOT AFFECTED.

This title shall not be construed to annul the laws of any State relating to the nomination or election of candidates, unless directly inconsistent with the provisions of this title, or to exempt any candidate from complying with such State laws.

SEC. 210. PARTIAL INVALIDITY.

If any provision of this title, or the application thereof, to any person or circumstance is held invalid, the validity of the remainder of said title and the application of such provision to other persons and circumstances shall not be affected thereby.

SEC. 211. REPEALING CLAUSE.

The Federal Corrupt Practices Act, 1925, and all other acts or parts of acts inconsistent herewith are repealed.

SEC. 212. CITATION.

This title may be cited as the "Campaign Funds Disclosure Act".

TITLE III—DISCLOSURE OF GIFTS AND CERTAIN COMPENSATION

SEC. 301. DEFINITIONS.

When used in this title—

(a) The term "income" shall mean all compensation for personal services, including (but not limited to) salary, bonuses, fees, commissions, honorariums and expenses paid or reimbursed, whether in the form of money or any thing of value, from any source other than the Government of the United States.

(b) The term "Representative" shall mean each Representative in, or Resident Commissioner to, the Congress of the United States.

(c) The term "Clerk" shall mean the Clerk of the House of Representatives of the United States.

(d) The term "Secretary" shall mean the Secretary of the Senate of the United States.

SEC. 302. STATEMENT OF GIFTS TO BE FILED BY SENATORS AND REPRESENTATIVES.

Each United States Senator shall file with the Secretary and each Representative shall file with the Clerk by the 31st day of January a statement disclosing gifts of money or things of value, except contributions as defined in Sec. 201(d) of Title II of this act, received by him, his wife or minor children, or on his or their behalf during the preceding calendar year or portion thereof during which he held office, containing—

(a) The name and address of each donor from whom he, his wife or minor children received, or from whom there was received on his or their behalf, one or more gifts of money of an aggregate amount of $100 within the calendar year, together with the amount and date of such gifts;

(b) The name and address of each donor from whom he, his wife or minor children received, or from whom there was received on his or their behalf, one or more gifts other than money of an aggregate value estimated by the donee of $100 or more within the calendar year, together with the date and identity of such gifts;

(c) The total sum of gifts of money received by him, his wife or minor children, or on his or their behalf, during the calendar year and not stated under paragraph (a).

Gifts from a spouse, child, parent, grandparent, brother or sister need not be disclosed under this section.

SEC. 303. STATEMENT OF COMPENSATION TO BE FILED BY SENATORS AND REPRESENTATIVES.

Each United States Senator shall file with the Secretary and each Representative shall file with the Clerk by the 31st day of January a statement disclosing income received by him or on his behalf during the preceding calendar year or portion thereof during which he held office, containing—

(a) The name and address of each person from whom he or anyone on his behalf received any such income; the amount or, if not money, the identity and value thereof; and the name and address of each person for whom such service was performed;

(b) A description of the service performed.

SEC. 304. DUTIES OF THE CLERK AND THE SECRETARY.

The Clerk and the Secretary shall—

(a) Prescribe standard forms which must be used for the statements required to be filed by this title;

(b) Receive all such statements;

(c) Maintain all such statements in such manner that they shall be available for public inspection and copying during regular business hours;

(d) Make copies of all such statements available on request at the cost of reproduction;

(e) Preserve for public inspection the statements required to be filed by sections 302 and 303 of this title during the term or terms of office of the Senator or Representative filing the same and for two years thereafter.

SEC. 305. STATEMENTS; VERIFICATION; FILING.

Statements required to be filed with the Clerk and the Secretary—

(a) Shall be verified by the oath or affirmation of the person filing such statement, taken before any officer authorized to administer oaths;

(b) Shall be deemed properly filed when deposited in an established post office within the prescribed time, duly stamped, registered, and directed to the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, at Washington, District of Columbia; but in the event it is not received, a duplicate of such statement shall be promptly filed.

SEC. 306. PENALTY FOR VIOLATION.

Whoever, being a United States Senator or Representative to the Congress of the United States, violates any of the provisions of this title shall be fined not more than $1,000 or imprisoned not more than one year, or both.

SEC. 307. CITATION.

This title may be cited as the "Disclosure of Gifts and Certain Compensation Act".

TITLE IV—AMENDMENT TO INTERNAL REVENUE CODE OF 1954

SEC. 401. INCOME TAX DEDUCTION.

(a) Part VII of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to additional itemized deductions for individuals) is amended by renumbering section 218 as 219, and by inserting after section 217 the following new section:

"SEC. 218. Political contributions—

"(a) ALLOWANCE OF DEDUCTION.—In the case of an individual, there shall be allowed as a deduction an amount equal to so much of the political contributions as does not exceed $100, payment of which is made by the taxpayer within the taxable year, except that in the case of a joint return of a husband and wife under section 6013 the deductions shall not exceed $100, and in the case of a separate return by a married individual the deduction shall not exceed $50.

"(b) VERIFICATION.—The deduction under subsection (a) shall be allowed, with respect to any political contribution, only if such political contribution is verified in such manner as the Secretary or his delegate shall prescribe by regulations.

"(c) DEFINITION OF POLITICAL CONTRIBUTION.—For purposes of this section the term 'political contribution' means a gift or donation to—

"(1) any committee, association, or organization (whether incorporated or not) organized and operated exclusively for the purpose of influencing or attempting to influence the election of one or more individuals to any public office; or

"(2) an individual who is a candidate for any Federal, State or local elective public office in any general, special, or primary election, or in any convention of an organization described in subparagraph (1), for use by such individual to further his candidacy.

"(d) Cross Reference.—For disallowance of deduction to estates and trusts, see section 642(i)."

(b) The table of sections for such part VII is amended by striking out the last item and inserting in lieu thereof the following:

"SEC. 218. Political contributions.

"SEC. 219. Cross references."

(c) Section 62 of the Internal Revenue Code of 1954 (relating to definition of adjusted gross income) is amended by inserting after paragraph (8) the following paragraph:

"(9) Political Contributions.—The deduction allowed by section 218."

(d) Section 276(a) of the Internal Revenue Code of 1954 (relating to certain indirect contributions to political parties) is amended by striking out "No deduction otherwise allowable under this chapter" and inserting in lieu thereof "Except as provided in section 218, no deduction otherwise allowable under this chapter."

(e) Section 642 of the Internal Revenue Code of 1954 (relating to special rules for credits and deductions for estates and trusts) is amended by redesignating subsection (i) as (j), and by inserting after subsection (h) the following new subsection:

"(i) Political Contributions.—An estate or trust shall not be allowed the deduction for political contributions provided by section 218."

TITLE V—EFFECTIVE DATE

SEC. 501. This Act shall take effect January 2, 1967, except that the amendments made by title IV shall apply to taxable years ending after December 31, 1966, but only with respect to political contributions payment of which is made after December 31, 1966.

The text of the President's message, presented by Mr. CLARK, is as follows:

MAY 26, 1966.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.
Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives
Washington, D.C.

DEAR MR. PRESIDENT: (DEAR MR. SPEAKER:) Public confidence in the elective process is the foundation of public confidence in government. There is no higher duty of a democratic government than to insure that confidence.

Public participation in the political process is the foundation of that process. There is no clearer responsibility of a democratic government than to advance that participation.

Yet for decades we have tolerated the growth of seeds of cynicism from the underbrush surrounding our present method of financing political campaigns.

Despite regular rhetoric about citizen involvement, we have done nothing in fact to encourage public support for the nomination and election of public officials.

And despite the soaring expense of political campaigns, we have done nothing to insure that able men of modest means can undertake elective service unencumbered by debts of loyalty to wealthy supporters.

We have laws dealing with campaign financing. But they have failed. Too narrow in their scope when passed, now they are obsolete. Too narrow in their purpose then, now they are inadequate. They are more loophole than law. They invite evasion and circumvention. They must be revised.

In my State of the Union Message I said: "As the process of election becomes more complex and costly, we must make it possible for those without personal wealth to enter public life without being obligated to a few large contributors.

"Therefore, I will submit legislation to revise the present unrealistic restrictions on contributions—to prohibit the endless proliferation of committees, bringing local and state committees under the act—to attach strong teeth and severe penalties to the requirement of full disclosure of contributions—and to broaden the participation of the people, through added tax incentives, to stimulate small contributions to the party and to the candidate of their choice."

I enclose for your consideration the proposed Election Reform Act of 1966.

This measure is designed to achieve four broad purposes:

First, it would for the first time make effective past efforts to achieve complete public disclosure of campaign funds. The bill would require all candidates and all committees supporting them for federal office to report, clearly and promptly, the sources of all their funds and how these funds are spent.

Second, it would also require disclosure by members of Congress of gifts and income.

Third, it would revise existing law and for the first time make effective the ceilings on the size of contributions.

Fourth, this proposal seeks a goal not even contemplated by earlier laws—the active encouragement of widespread public participation in the financing of political campaigns through tax deductions.

I

Campaigns are not merely a periodic political pageant. They are an unparalleled instrument of public education in the issues of the nation and of the community.

The need for such campaigns, and the need to finance them, are hardly evils. The more people reached by a campaign, the closer we approach the democratic ideal of full participation in the decisions of government.

Yet the more people reached, the more funds required. It is here that there is a potential for danger—the possibility that great wealth can be used to achieve undue political influence.

It is that danger to which Congress responded with the Federal Corrupt Practices Act 41 years ago and with the Hatch Act 26 years ago. These measures sought to insure that tide of funds from the few did not engulf the interests of the many;

—By limiting the total amount a candidate or political committee could spend;

—By limiting the total amount an individual could contribute to a campaign;

—By requiring public disclosure of campaign funds.

These are surely valid aims. But they have not been achieved. Under present law, for example, national political committees can raise and spend no more than $3,000,000 in any year. But the law does not limit the number of national political committees, nor does it apply at all to committees active in only one state.

Similarly, while present law limits Senatorial candidates to expenditures of $25,000 and House candidates to $5,000, it does not limit the number of committees that can raise and spend money on behalf of those candidates.

In the light of the accelerating cost of political campaigns, it is hardly surprising that such supporting committees have proliferated. Legal ceilings on expenditures enacted when the possibilities of radio were only faintly glimpsed—and when there was no television—can have small relevance today.

The loophole through which committees have streamed, is matched by the loophole in the limitation on individual contributions.

The Hatch Act limits contributions to $5,000 to a single federal candidate or to any single political committee supporting that candidate. But it does not limit the number of $5,000 contributions an individual or single interest can make—to each national committee established for a candidate or party—and there is no limit to the number of such committees.

Neither does present law limit spending by state committees for federal candidates. And it does not require these committees to submit any reports, thwarting the aim of full disclosure at the outset.

Even in the case of national committees and candidates who do report, the disclosure may not be sufficient to identify the giver or the particular candidate benefiting from a contribution.

A further, major defect in present law is that it specifically excepts primaries. In many cases primary contests are decisive. In most cases, they are financially burdensome. They remain, however, entirely outside the law.

II

The proposed Election Reform Act of 1966 seeks, completely and systematically, to correct these omissions, loopholes and shortcomings. It would do so through eight provisions, both corrective and positive.

Complete public disclosure

1. Not only every candidate, but also every committee—state, interstate, or national—that supports a candidate for federal office would be required to report in detail on every contribution and expense item over $100.

The treasurer of every political committee would be required to submit complete reports, on standardized forms, four times during the year and on the fifteenth, tenth, and fifth days before an election.

For the first time, candidates for President and Vice President would be included under this disclosure provision.

2. The present unrealistic exclusion of primaries from the coverage of the law would be ended. This Act would bring primary campaigns and convention nomination contests under the disclosure law.

There is a similar omission concerning primaries in connection with criminal laws against vote-buying and vote-selling. These offenses are adequately dealt with when they occur in general or special federal elections. But they are not covered in federal primaries. There is no reason for this distinction and the Election Reform Act would make these laws fully applicable to primaries as well.

3. The Election Reform Act would require all gifts of over $100 received by members of the legislative branch of the Government for themselves, their wives and minor children, and all income from personal services received by such member or on his behalf to be reported annually. Appropriate criminal sanctions would be provided for failure to comply.

In the executive branch, the acceptance of gifts of more than nominal value is already strictly forbidden by Executive Order 11222 of May 8, 1965.

For such reports to be made by members of the legislative branch can do much to demonstrate that wealthy interests are not permitted to affect—or even appear to affect—the conduct of government through their largesse.

Effective and realistic limitations on campaign financing

1. Beyond making political financing public lies the equally demanding task of making it democratic. The Act thus would limit to $5,000 the total amount that could come from any single source to the campaign of any candidate. The present $5,000 limit could no longer be evaded by putting the maximum amount into different pockets in the same suit.

2. At the same time, the Act would repeal present ceilings on total expenditures by candidates for federal offices. As we have learned from experience, artificial limits breed artificial disclosures. And as we have learned, the present limits on total campaign expenses are decidedy artificial.

The cost of campaigning varies from year to year and from state to state, depending on the size of the district and the heat of the campaign. More important, spending limitations defeat the essential purpose of disclosure: to allow public opinion to exert the controlling influence on how much a candidate spends.

3. The Act also would extend the present prohibition against political contributions by government contractors to fully cover corporate contractors.

Under present law, all government contractors other than corporations are barred from making political contributions at any level of government. But corporations with government contracts are barred only from contributing to federal candidates.

Consistency and good sense require that corporations also should be forbidden to make contributions at the state and local level—where finances are, inevitably, related by party to national political campaign finances.

Encouraging widespread citizen participation

These first six steps are essentially corrective, altering or refining present inadequacies.

The parallel goal never before established by federal law is to enlarge the base of widespread financial support for political campaigns.

This is a necessary goal for a practical reason—to meet the financial burdens of modern political campaigning without inviting the undue influence of large contributors.

But widespread support is a worthy goal for a still more important reason—the infusion and involvement of large numbers of citizens into the election process. We propose two steps to expand participation by the great majority of American citizens.

1. We recommend a special tax deduction, in an amount up to $100, for contributions to any candidate or to any organizations supporting a candidate, in any election campaign or primary, federal, state or local.

This deduction would be allowed in addition to the standard deduction and would not be limited to those who itemize their deductions.

There would be a separate line on every tax return for this deduction.

2. As another means of expanding participation, the Act would permit the sale of campaign souvenirs at prices not exceeding $5. These would become the only items of any kind—including advertising—that any candidate or committee would be allowed to sell.

Broadened financial support is sound for all candidates. For candidates who are not themselves wealthy, it can mean the difference between running and not running.

Finally, one area not covered by the legislation I forward today is the solicitation of political contributions from federal employees by other federal employees.

This is not a matter from which legislation is needed. Congress has already passed the laws. I am asking the Attorney General, in consultation with the Chairman of the Civil Service Commission, to conduct a thorough review of all the regulations and memoranda issued pursuant to those laws to make certain that those regulations are sufficiently comprehensive to carry out not only the letter, but the spirit of the laws passed by Congress.

III

There is far more at stake in the proposals I submit today than who wins and who loses a particular campaign. The essence of our democratic system is the clash of ideas between differing men and differing parties.

If lack of funds results in an abridged campaign, the public is deprived of the opportunity to hear all viewpoints fully expounded.

If lack of freedom from ties to wealthy interests discourages able men from seeking elective service, both they and the public are deprived of necessary leadership.

If lack of clear disclosure results in skepticism about the entire political process, the public loses the benefit of its own involvement in and respect for that process.

This Election Reform Act of 1966 seeks to avert those dangers.

It seeks honest, straightforward disclosure.

It seeks fair restriction on the exercise of mighty influence by the rich.

It seeks to promote the exercise of widespread influence by the many.

It seeks, in short, to enlarge democracy, and I urge its prompt enactment.

Sincerely,

LYNDON B. JOHNSON.

EXHIBIT 2

S. 1913

A bill to amend the Federal Corrupt Practices Act, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act may be cited as the "Federal Corrupt Practices Amendments of 1965".

DEFINITIONS

SEC. 2. (a) Section 302(a) of the Federal Corrupt Practices Act (2 U.S.C. 241(a)) is amended by striking out the words "primary election or".

(b) Subsections (c) and (d) of section 302 of that Act (2 U.S.C. 241 (c) and (d)) are amended to read as follows:

"(c) The term 'political committee' includes—

"(1) any political party, committee, association, organization, group of individuals, or other entity, or any branch or subdivision thereof, which accepts contributions, or makes expenditures, in an aggregate amount of $250 or more in any calendar year for the purpose of influencing or attempting to influence the election of any candidate or presidential or vice-presidential elector, without regard to whether such entity or subdivision (A) is of a temporary or permanent character, or (B) has been organized or exists primarily for purposes other than the acceptance of such contributions or the making of such expenditures; and

"(2) any organization, association, group of individuals, or other entity organized for or engaged in the preparation or distribution of any campaign book or other publication containing or intended to contain advertising matter which has been or may be prepared chiefly for the purpose of influencing or attempting to influence the election of any candidate or the election of one or more presidential or vice-presidential electors.

"(d) The term 'contribution' includes—

"(1) a gift, subscription, loan, advance, or deposit of money or anything of value;

"(2) a contract, promise, or agreement, whether or not legally enforceable, to make a contribution; and

"(3) a payment made to or on behalf of any entity of a kind described in paragraph (2) of subsection (c) for or on account of any advertisement contained in or solicited for any publication of a kind described in that paragraph."

(c) The second paragraph of section 591, title 18, United States Code, is amended by striking out the words "primary election or".

(d) The fourth and fifth paragraphs of section 591, title 18, United States Code (defining the terms "political committee" and "contribution"), are amended to read as follows:

"The term 'political committee' includes—

"(1) any political party, committee, association, organization, group of individuals, or other entity, or any branch or subdivision thereof, which accepts contributions, or makes expenditures, in an aggregate amount of $250 or more in any calendar year for the purpose of influencing or attempting to influence the election of any candidate or presidential or vice-presidential elector, without regard to whether such entity or subdivision (A) is of a temporary or permanent character, or (B) has been organized or exists primarily for purposes other than the acceptance of such contributions or the making of such expenditures; and

"(2) any organization, association, group of individuals, or other entity organized for or engaged in the preparation or distribution of any campaign book or other publication containing or intended to contain advertising matter which has been or may be prepared chiefly for the purpose of influencing or attempting to influence the election of any candidate or the election of one or more presidential or vice-presidential electors.

"The term 'contribution' includes—

"(1) a gift, subscription, loan, advance, or deposit of money or anything of value;

"(2) a contract, promise, or agreement, whether or not legally enforceable, to make a contribution; and

"(3) a payment made to or on behalf of any entity of a kind prescribed in subparagraph (2) of the preceding paragraph for or on account of any advertisement contained in or solicited for any publication of a kind described in that subparagraph."

FILING OF STATEMENTS

SEC. 3. (a) Subsection (g) of section 302 of the Federal Corrupt Practices Act (2 U.S.C. 241(g)) is amended to read as follows:

"(g) The term 'Comptroller General' means the Comptroller General of the United States;".

(b) Subsection (h) of that section is repealed.

(c) Sections 303, 305, 306, 307, and 308 of that Act (2 U.S.C. 242, 244, 245, 246, and 247) are amended by striking out the words "Clerk", "Clerk of House of Representatives", "Secretary", "Secretary of Senate", "Secretary of Senate and Clerk of House of Representatives", "Clerk or Secretary", and "Clerk or Secretary, as the case may be", wherever they appear therein, and inserting in lieu thereof in each such instance the words "Comptroller General".

PRESERVATION, INSPECTION, AND VERIFICATION OF STATEMENTS

SEC. 4. (a) Subparagraph (c) of section 308 of the Federal Corrupt Practices Act (2 U.S.C. 247) is amended to read as follows:

"(c) Shall be preserved as a permanent part of the public records of his office, shall be available for inspection by any Member of the Congress at any time, and shall be open to public inspection at any time within a period of eight years after the filing thereof."

(b) Section 308 of that Act (2 U.S.C. 247) is amended by adding at the end thereof the following new paragraphs:

"The Comptroller General shall establish within the General Accounting Office an automatic information retrieval system through the use of automatic data processing equipment to provide permanently for prompt access to all information contained in all statements filed under this title or information of any kind contained in any or all of such statements.

"The Comptroller General is authorized and directed upon receipt of a complaint alleging a violation of this Act, or in the absence of such a complaint, upon his own initiative, to conduct such investigations as he shall deem necessary to ascertain (1) whether statements filed under this title are complete and correct and (2) whether all statements required under this title to be filed in fact have been filed. Whenever the report of any such investigation discloses information which in the opinion of the Comptroller General may evidence any violation of any provision of this title for which any criminal penalty is prescribed, he shall promptly transmit such report to the Attorney General, who shall institute such criminal action as he may determine to be warranted."

PURCHASE OF ADVERTISING IN CAMPAIGN PUBLICATIONS BY CERTAIN ORGANIZATIONS

SEC. 5. Section 610 of title 18, United States Code (relating to election contributions or expenditures by national banks, corporations, and labor organizations), is amended by adding at the end thereof the following new paragraph:

"For the purposes of this section, the term 'expenditure' includes any payment made for the purchase of advertising or advertising space in any campaign book or other publication prepared or to be prepared for use chiefly in connection with (1) the election of any person to political office, or (2) a primary election or political caucus held to select candidates for political office."

EXHIBIT 3

RULE XLVII

DISCLOSURE OF FINANCIAL INTERESTS

1. Each individual who at any time during any calendar year serves as a Member of the Senate, or as an officer or employee of the Senate compensated at a gross rate in excess of $10,000 per annum, shall file with the Secretary of the Senate, for that calendar year a written report containing the following information:

(a) The fair market value of each asset having a fair market value of $5,000 or more held by him or by his spouse or by him and his spouse jointly, exclusive of any dwelling occupied as a residence by him or by members of his immediate family, at the end of that calendar year.

(b) The amount of each liability in excess of $5,000 owed by him or by his spouse, or by him and his spouse jointly at the end of that calendar year;

(c) The total amount of all capital gains realized, and the source and amount of each capital gain realized in any amount exceeding $5,000, during that calendar year by him or by his spouse, by him and his spouse jointly, or by any person acting on behalf or pursuant to the direction of him or his spouse, or him and his spouse jointly, as a result of any transaction or series of related transactions in securities or commodities, or any purchase or sale of real property or any interest therein other than a dwelling occupied as a residence by him or by members of his immediate family.

(d) The source and amount of each item of income, each item of reimbursement for any expenditure, and each gift or aggregate of gifts from one source (other than gifts received from any relative or his spouse) received by or accruing to him, his spouse, or from him and his spouse jointly from any source other than the United States during that calendar year, which exceeds $100 in amount or value; including any fee or other honorarium received by him for or in connection with the preparation or delivery of any speech or address, attendance at any convention or other assembly of individuals, or the preparation of any article or other composition for publication, and the monetary value of subsistence, entertainment, travel, or other facilities received by him in kind;

(e) The name and address of any professional firm which engages in practice before any department, agency, or instrumentality of the United States in which he has a financial interest; and the name, address, and a brief description of the principal business of any client of such firm for whom any services involving representation before any department, agency, or instrumentality of the United States which were performed during that calendar year, together with a brief description of the services performed, and the total fees received or receivable by the firm as compensation for such services;

(f) The name, address, and nature of the principal business or activity of each business or financial entity or enterprise with which he was associated at any time during that calendar year as an officer, director, or partner, or in any other managerial capacity.

2. Each asset consisting of an interest in a business or financial entity or enterprise which is subject to disclosure under paragraph 1 shall be identified in each report made pursuant to that paragraph by a statement of the name of such entity or enterprise, the location of its principal office, and the nature of the business or activity in which it is principally engaged or with which it is principally concerned, except that an asset which is a security traded on any securities exchange subject to supervision by the Securities and Exchange Commission of the United States may be identified by a full and complete description of the security and the name of the issuer thereof. Each liability which is subject to disclosure under paragraph 1 shall be identified in each report made pursuant to that paragraph by a statement of the name and the address of the creditor to whom the obligation of such liability is owed.

3. Except as otherwise hereinafter provided, each individual who is required by paragraph 1 to file a report for any calendar year shall file such report with the Secretary of the Senate not later than January 31 of the next following calendar year. No such report shall be required to be made for any calendar year beginning before January 1, 1964. The requirements of this rule shall apply only with respect to individuals who are Members of the Senate or officers or employees of the Senate on or after the date of adoption of this rule. Any individual who ceases to serve as a Member of the Senate or as an officer or employee of the Senate, before the close of any calendar year shall file such report on the last day of such service, or on such date not more than three months thereafter as the Secretary of the Senate may prescribe, and the report so made shall be made for that portion of that calendar year during which such individual so served. Whenever there is on file with the Secretary of the Senate a report made by any individual in compliance with paragraph 1 for any calendar year, the Secretary may accept from that individual for any succeeding calendar year, in lieu of the report required by paragraph 1, a certificate containing an accurate recitation of the changes in such report which are required for compliance with the provisions of paragraph 1 for that succeeding calendar year, or a statement to the effect that no change in such report is required for compliance with the provisions of paragraph 1 for that succeeding calendar year.

4. Reports and certificates filed under this rule shall be made upon forms which shall be prepared and provided by the Secretary of the Senate, and shall be made in such manner and detail as he shall prescribe. The Secretary may provide for the grouping within such reports and certificate of items which are required by paragraph 1 to be disclosed whenever he determines that separate itemization thereof is not feasible or is not required for accurate disclosure with respect to such items. Reports and certificates filed under this rule shall be retained by the Secretary as public records for not less than six years after the close of the calendar year for which they are made, and while so retained shall be available for inspection by members of the public under such reasonable regulations as the Secretary shall prescribe.

5. As used in this rule—

(a) The term "asset" includes any beneficial interest held or possessed directly or indirectly in any business or financial entity or enterprise, or in any security or evidence of indebtedness, but does not include any interest in any organization described in section 501(c)(3) of the Internal Revenue Code of 1954 which is exempt from taxation under section 501(a) of such Code;

(b) The term "liability" includes any liability of any trust in which a beneficial interest is held or possessed directly or indirectly;

(c) The term "income" means gross income as defined by section 61 of the Internal Revenue Code of 1954.

(d) The term "security" means any security as defined by section 2 of the Securities Act of 1933, as amended (15 U.S.C. 77b).

(e) The term "commodity" means any commodity as defined by section 2 of the Commodity Exchange Act, as amended (7 U.S.C. 2).

(f) The term "dealing in securities or commodities" means any acquisition, transfer, disposition, or other transaction involving any security or commodity.

(g) The term "officer or employee of the Senate" means (1) an elected officer of the Senate who is not a Member of the Senate, (2) an employee of the Senate or any committee or subcommittee of the Senate, (3) the Legislative Counsel of the Senate and employees of his office, (4) an Official Reporter of Debates of the Senate and any person employed by the Official Reporters of Debates of the Senate in connection with the performance of their official duties, (5) a member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate, (6) an employee of the Vice President if such employee's compensation is disbursed by the Secretary of the Senate, (7) an employee of a Member of the Senate if such employee's compensation is disbursed by the Secretary of the Senate, and (8) an employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate.

Mr. CLARK. Mr. President, I ask unanimous consent that the Senator from Kentucky [Mr. COOPER] may be recognized for 3 minutes in connection with this legislation.

The ACTING PRESIDENT pro tempore. The Senator from Kentucky [Mr. COOPER] is recognized.

Mr. COOPER. Mr. President, I thank the Senator from Pennsylvania. I am very happy to join with him in the introduction of this bill. I know of his long labors in this field.

The proposed bill, as the Senator from Pennsylvania has said, would revise the Federal election laws and establish statutory rules requiring the disclosure of certain gifts and compensation by Members of Congress.

The bill is entitled the Election Reform Act of 1966. In past years, as a member of the Committee on Rules and Administration, I voted to report to the Senate bills revising Federal election laws which had been introduced by the late Senator Thomas Hennings, of Missouri, and the Senator from Tennessee [Mr. GORE].

Unfortunately, neither of these bills was enacted, although each had strong support. I agree in the main with the provisions of the bill proposed by the President and introduced by the Senator from Pennsylvania [Mr. CLARK].

I believe that it provides a good framework for the consideration of the committee and it is possible that it can be improved and strengthened.

I invite the attention of the Senate to one area of campaign expenditures which has radically increased the cost of elections and which this bill does not take into account. It is the cost of television programs. The cost of television makes it increasingly difficult for an individual, except those with large means, to be a candidate for public office.

This subject deserves the attention of Congress and the executive branch.

The bill we are introducing would provide many needed revisions in the Federal election law. As I have stated, I believe that it can be improved and enacted if Congress is willing to act.

Mr. JAVITS. Mr. President, will the Senator from Pennsylvania yield to me along that same subject. I should like to join the Senator in sponsoring the bill.

Mr. CLARK. Mr. President, I ask unanimous consent that the name of the Senator from New York [Mr. Javits] may be added as a cosponsor of the bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, will the Senator from Pennsylvania yield me half a minute?

Mr. CLARK. I am glad to yield to the Senator from New York.

Mr. JAVITS. I worked with the late Senator Hennings in the Rules Committee, when I was a member, for just exactly this kind of reform. It is high time that it came to us at the highest level from the President.

Like the Senator from Kentucky [Mr. Cooper], I feel that it is an effective working draft which may need changes but which certainly would put us on the right track.

I am honored and pleased to join my colleague, the Senator from Pennsylvania [Mr. Clark], as a cosponsor of the bill.

THE COPPER SITUATION

Mr. MANSFIELD. Mr. President, yesterday, I issued a press release relative to the copper situation, and I ask unanimous consent that a copy of that press release, a letter from the Attorney General, Nicholas Katzenbach, also one from the President of the United States, Lyndon B. Johnson, and an American Metal Market copper prices statement, dated Friday, May 27, 1966, be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

[Press release of Senator Mike Mansfield, Democrat, of Montana]

The Copper Situation

I am in receipt of letters from the President and the Attorney General relative to my proposal for a world conference on copper.

I am informed by the Attorney General that his views are in accord with those of his predecessor, former Attorney General Robert F. Kennedy, that international conferences participated in by American copper producers and designed to allocate production and stabilize prices would be in violation of the antitrust laws. I had understood that this was the case, and therefore had in mind a meeting of governments for the purpose of seeking solutions to the problems of wide-ranging disparities between available supplies and demand, to the end that a stable price structure could result.

I am pleased with the letter from the President, who has already directed the U.S. Government to make immediate and long-range studies of copper under the direction of the Economic Advisers. I am also happy to note that on the basis of the President's letter that arrangements are being made under the auspices of the U.N. to call an international conference on copper in December of this year. As the President has stated, "This may be the best forum for governments to explore the problems of copper and any feasible steps that might be taken to deal with these problems."

It would be my hope that out of the U.N. Meeting would come the creation of a copper study group for the purpose of stabilizing production, price and employment so that in that way the copper industry would not be subject to the ups and downs, the booms and busts, which have plagued it over the past several decades.

It is my intention to discuss this matter further with the State Department, and to seek the advice of the copper industry on ways and means to bring about if possible a steady stabilization of the industry on a world-wide basis. As the largest consumer of copper and copper products it is imperative that we face up to this problem of the gap between supplies and demand, and the need for corrective action, to not only bring stability to the industry but to see that its proper markets are maintained and not taken over by substitutes if the price gets too high.

Only last Sunday, copper was selling for 75¢ per pound in small lots in Chile, and according to my information, it is above that price in London and also in certain other areas as well.

This is a situation well worth the creation of a copper study group under U.N. auspices.

Office of the Attorney General,
Washington, D.C., May 17, 1966.

Hon. Mike Mansfield,
U.S. Senate,
Washington, D.C.

Dear Senator Mansfield: I have considered carefully your letter of May 10, 1966, in which you describe the need for an international stabilization of the world copper market and suggest that the United States take the initiative in calling a world copper conference. I have particularly focused upon the problem to which you advert—namely, that of international cartels in violation of antitrust laws.

If a meeting of producers is contemplated, I can only express my concurrence with the views of my predecessor, Attorney General Kennedy, given in a letter to you dated November 30, 1961, that participation by American copper producers in international conferences designed to allocate production and stabilize prices would be in violation of the antitrust laws.

It may be your proposal did not contemplate such a meeting of producers, but rather a governmental conference for the purpose of seeking solutions to the problems of wide-ranging disparities between available supplies and demand. Governmental conferences to study this problem and international agreements, which duly ratified become the law of the land, of course would not of themselves violate the antitrust laws.

In this connection I should note that since the question of the feasibility of any international governmental effort at diminishing the disequilibriums between supply and demand is a complex one, it would require substantial additional study.

Sincerely,

Nicholas deB. Katzenbach,
Attorney General.

The White House,
Washington, D.C., May 16, 1966.

Hon. Michael J. Mansfield,
U.S. Senate,
Washington, D.C.

Dear Mike: I appreciate your letter of May 10 expressing your views on a world conference on copper. As you know from our many discussions, I am concerned about the copper problems faced by this country and the world. In this connection, I have already directed the U.S. Government to make both immediate and long-range studies of copper under the direction of the Council of Economic Advisers.

I have discussed your proposal with Secretary Rusk and Attorney General Katzenbach. Secretary Rusk informs me that arrangements are being made under the auspices of the U.N. to call an international conference on copper in December of this year. This may be the best forum for governments to explore the problems of copper and any feasible steps that might be taken to deal with these problems. I have asked Secretary Rusk to get in touch with you to go over what the United States might see as emerging from these discussions, as well as explore other possibilities.

As far as the anti-trust situation is concerned, I have asked the Attorney General to get in touch with you directly on the problems associated with any private international agreements to stabilize the price of copper.

Sincerely,

Lyndon B. Johnson.

American Metal Market copper prices, May 26, 1966

	Cents per pound
Domestic producers, delivered U.S. destinations:	
Electrolytic	36.00
Lake	36.00
Foreign electrolytic[1]:	
Chilean, delivered U.S. destination	36.00
Outside United States	62.00
Canadian, delivered U.S. destination	[2] 42.00
Overseas	[2] 65.00
Zambian, outside United States	[3] 75.88
Katangan, c.i.f. New York	[4] 72.75
London Metal Exchange, electrolytic wirebar:	
Cash (bid) (£645)	80.63
3 months (bid) (£607½)	75.88
Commodity exchange, standard copper:	
July	72.30
September	69.35
October	67.55
New York merchant market:	
June (nom.)	76.50
July (nom.)	75.50
August (nom.)	74.50
Refiners' No. 2 copper: Scrap (nom.)	57.00

[1] On sales in United States buyer pays 1.7 cents import duty.

[2] Noranda Mines, Ltd.

[3] Anglo American Corp. and Roan Selection Trust.

[4] Union Miniere.

Source: American Metal Market, Friday, May 27, 1966.

EX-ADMIRAL RADFORD IS WRONG

Mr. YOUNG of Ohio. Mr. President, retired Adm. William Radford is not only a rightwing extremist but apparently he is endowed with a vivid imagination. There is no basis in fact for his quoted statement published today in the Washington Post:

> It's easy for these Venerables, these Thichs to convince a 17-year-old girl to burn herself up.

Characteristic of the thinking of rightwing extremists, he evidently lacks vision and understanding of the fight for liberation made by the Vietnamese against their French colonial oppressors who, following World War II, violated their word and sought to reestablish their Indochinese empire and to continue to treat the Vietnamese as an inferior subject people. The Vietnamese nationals, led by Ho Chi Minh, fought for liberation and on May 7, 1954, their forces overran the supposedly offensive French colonial outpost at Dienbienphu and that victory led to the withdrawal of 200,000 French soldiers from Vietnam.

Ex-Admiral Radford unfortunately had a position of influence in the then administration of President Eisenhower as Chairman of the Joint Chiefs of Staff from 1953 to 1957. It was he who urged that we use our airpower and paratroopers to relieve Dienbienphu. Fortunately, strong views expressed to President Eisenhower by knowledgeable Senators in very strong terms prevented that grave mistake. Also, Britain's Anthony Eden expressed his dismay and astonishment that President Eisenhower would seriously consider such unilateral action. The United States largely by reason of Admiral Radford's influence at that time spent approximately $3 billion in military aid to the French Government, whose generals at that time were giving out optimistic statements, "We are winning the war," just as defense Secretary McNamara and other of our leaders in 1963 and 1964 and our generals from their air-conditioned offices in Saigon have proclaimed, "We are winning the war." Now, fortunately, retired Admiral Radford lacks influence in government, so he announces the creation of another rightwing extremist fringe organization, World Youth Crusade for Freedom, Inc. He hopes to send 12 American students "with impeccable academic backgrounds," as he says, to 6 Asian countries to fight Communist political activity this summer; in other words, to seek to interfere in the internal affairs of some 6 Asian countries.

Radford would do his country a greater service if he would refrain from making irresponsible statements lacking basis in fact and from encouraging additional extremist rightwing activities and propaganda.

INCREASE OF TOLL RATES ON ST. LAWRENCE SEAWAY

Mr. LAUSCHE. Mr. President, the St. Lawrence Seaway Corporation is holding public hearings to consider a 10-percent increase in seaway tolls.

I am opposed to any increase in tolls on the St. Lawrence Seaway. Existing seaway legislation requires that tolls be collected at rates which are fair and equitable, with due consideration to encouraging increased use of the waterway. Any increase in tolls will certainly discourage, not encourage, increased tonnage with a resultant reduction in total revenues. Instead of increasing the tolls charged, it would be more prudent to extend the time within which the debt must be paid to the U.S. Government.

An effective method of increasing the tolls collected under present rates would be for the Federal Government to make greater use of the seaway in the transportation of products, grains, and materials from the interior of the United States to the foreign port destination. The Federal Government has a very real obligation both to utilize the seaway and to promote its use as well.

Instead, however, we find that this is far from the case. The Department of Defense is the world's largest shipper. Yet, despite our best efforts, only very small tonnages of military cargo have moved via the St. Lawrence Seaway. Little American-flag service exists on the Great Lakes, and last year U.S. ships carried only 4 percent of the total lake's cargo. Furthermore, the Seaway Corporation, instead of being able to carry on an intensive promotion program to insure full utilization of the seaway and early retirement of the debt, has been unable to utilize funds for effective promotion. Ohio ports—and the opponents of the seaway as well—are fully aware that toll increases will further hamper development of the seaway which is just beginning to be known throughout the world.

Until such time as the Federal Government gives full recognition of the seaway and takes a realistic approach designed to insure its success, I am unalterably opposed to any toll increase.

Mr. President, on September 13 a report was submitted to the Commerce Committee by a special subcommittee that studied the operations of the St. Lawrence Seaway. I was chairman of that subcommittee. I read the specific recommendation that relates to this statement:

OBSERVATIONS

The subcommittee noted:

1. There is an apparently growing awareness of the advantages of the seaway, as illustrated by—

(*a*) regular and successive annual increases in tonnage, shipments, and revenues through the seaway;

(*b*) numerous port improvements undertaken by lake ports since 1959, completed and in the process of construction and planning; and

(*c*) greatly increased activity by local lake ports in promotion of port traffic and trade.

2. There are indications that the seaway may become self-liquidating in 1 or 2 years and will maintain a level of activity which will enable it to repay its indebtedness within its original 50-year time limitation.

3. It is widely believed that toll increases might depress rather than increase revenues.

Problems were recognized in the areas of—

1. Channel and harbor depths;

2. Unavailability of American bottoms at Great Lakes ports;

3. Administration of cargo preference law; and

4. Section 22 of the Interstate Commerce Act.

RECOMMENDATIONS

In relation to the problems which appear to be serious and which are outlined above, this subcommittee believes that the following action should be encouraged:

1. Money should be appropriated to enable the Army Corps of Engineers to complete its program for deepening and clearing Great Lakes channels and harbors to a 27-foot depth. Full utilization of the seaway cannot be expected until this step has been accomplished.

2. There should be a program to utilize American ships for seaway trade.

A transportation axiom, "Ships will go where the cargo is," appears to be untrue on the seaway. After 6 years of operation and a history of increasing cargo each year, the seaway has proven itself as a rich and stable source of traffic and trade. However there is an obvious scarcity of American ships at Great Lakes ports. It must be recognized that the development of inland cargo is not the only answer to the development of American shipping on the Great Lakes. Artificial barrier must be removed. Foremost among these are necessary changes in the administration of the cargo preference laws. The Great Lakes ports should not be combined with the North Atlantic coast ports to determine availability of American bottoms for Government and foreign aid shipments. This is not logical in terms of geography or economy. It has encouraged the shipowners to rely on the railroads to grant section 22 rates for transportation of cargo to North Atlantic ports, which in turn enables the shipowners to obtain their cargoes at the coastal ports rather than at the Great Lakes ports.

A coordinated effort should be made to establish one authority to administer the cargo preference laws on the Great Lakes-St. Lawrence Seaway. It appears that the St. Lawrence Seaway Development Corporation should perform this function, which could be implemented with other recordkeeping tasks involving ships and cargoes that transit the seaway.

When traffic has become sufficiently developed, a separate essential trade route should be established to provide direct service between Great Lakes ports and ports in specific overseas foreign areas.

3. Section 22 itself should be examined objectively and changed. It appears to be grossly uncoordinated for the Government to claim that section 22 saves the taxpayers $50 million per year when it also results in a default to the Government on the seaway's obligation of $2 million or more annually. Simultaneously it creates uneconomic rates for the railroads which presumably must be made up by private shippers. There was some justification for section 22 when the railroads enjoyed a dominant status in the national transportation picture. Presently, however, they must compete for cargo with other types of transportation and this competition should be on a fair and economic basis. Legislation should be considered to change section 22, to eliminate the preferential treatment accorded to Government traffic. Of course, the Government should retain section 22 privileges in times of national emergency.

4. It appears desirable to lengthen the shipping season on the seaway. The navigation season for the Great Lakes in deepwater areas could easily be extended. In shallow-water areas it would depend entirely upon the severity of the season. In the shallow-water areas additional equipment is necessary to keep the water running faster and to maintain a higher temperature in order to provide for open navigation. This is possible but the cost has not been established. Additional equipment and manpower is necessary at the locks in freezing weather. Presently, steam hoses are used on gates and some flow is maintained to minimize freezing. Cost is involved here also, but the problem can be solved. An all-year-open seaway is not now contemplated. Eventually this may be possible but it is presently unrealistic. Perhaps the seaway season may be extended another 30 days, by opening earlier and closing later, and this appears desirable. Such an improvement would provide a more usable facility and should produce increased revenues.

Promotion is necessary for this venture. The aid of the Canadian Government must be requested and obtained.

5. Studies for future development of the seaway should be undertaken for improved lock facilities. Combination of other waterways, such as the Champlain Waterway,

which would provide for a much shorter and more direct ocean passage, should be included in the forward programing of the seaway administration. Many persons, including shippers, shipowners, pilots, and underwriters must be consulted and a program projected under the leadership of the Department of Commerce.

The subcommittee recommends that funds be appropriated to begin the engineering studies.

6. Evidence before the subcommittee has indicated that the growth of the St. Lawrence Seaway will overtax its present facilities in the early to middle 1970's. This year tonnage is expected to be between 42 and 45 million, which means the waterway is approaching its predicted capacity of 50 million tons. Even assuming the seaway has an actual capacity of 60 million tons, it is necessary to begin planning the expansion of locks and other facilities before the optimum tonnage point is reached.

7. It has been suggested that the amortization period be extended from 50 years to 100 years and that the interest rate be established at 2 percent. It does not appear, in view of the increasing traffic over the seaway in 1964, that this would be necessary, but if relief of this nature were contemplated, it might be more feasible to delay the beginning of the amortization period until a 27-foot depth had been established in all the major lake ports and channels as projected in 1954, when full utilization of the seaway can be accomplished. This in itself should assure sufficient leeway in the amortization schedule to assure proper liquidation of the indebtedness in 50 years.

8. The subcommittee believes that an expanded program of information and promotion should be commenced immediately; the proper organization to facilitate these activities is the St. Lawrence Seaway Development Corporation; the proper person to coordinate and direct these activities is the Administrator of the St. Lawrence Seaway Development Corporation.

9. The subcommittee believes that the St. Lawrence Seaway will not serve the Great Lakes community and the cities contained within its confines in the most advantageous way until greater promotional efforts are undertaken to inform business interests in this country and abroad of the seaway's value. It has been pointed out that promotional activities are a normal, necessary, and an important function in the development of ports and waterways.

These promotional functions of the Seaway Corporation should be encouraged by the Department of Commerce and be included as part of the Seaway Corporation's annual budget, so that the funds expended come from tolls alone and not from appropriated moneys.

FEDERAL CIVILIAN EMPLOYMENT

Mr. WILLIAMS of Delaware. Mr. President, last month I called the attention of the Senate to the fact that President Johnson on December 1, 1965, announced that he was issuing instructions to all Government agencies to reduce Federal civilian employment by at least 25,000 personnel before the end of this fiscal year. At that time I pointed out that in the 4 months following this public endorsement of economy, the administration, instead of reducing employment, had actually added 62,857 more employees.

On Monday, May 30, the Joint Committee on Nonessential Federal Expenditures issued its monthly report, which shows that during the month of April the administration has added another 33,464 employees. This now brings the grand total of extra employees added in the 5 months following the President's December 1, 1965 announcement to 96,321.

Figuring the Government on a 40-hour workweek this is the equivalent of an average of 875 extra employees being added every day, or an average of 110 per hour—nearly 2 a minute—since he made the grandstand announcement that he was going to reduce Federal employment.

This week the Senate will be acting upon the President's proposal for legislation dealing with truth in packaging, and later it will be considering the administration's suggestion for truth in lending. Along these same lines, I strongly recommend that the Johnson administration give the American people a little more truth in Government.

THE GREAT SALT LAKE NATIONAL MONUMENT

Mr. MOSS. Mr. President, on the 15th of June the Subcommittee on Parks and Recreation will hold a hearing at Salt Lake City on my bill, S. 25, to establish the Great Salt Lake National Monument.

I ask unanimous consent that an editorial printed in the Ogden Standard-Examiner of May 29 be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Ogden (Utah) Standard-Examiner, May 29, 1966]

UNIFIED NORTHERN UTAH SUPPORT FOR GREAT SALT LAKE PARK PLAN

Unified Northern Utah support is needed when a U.S. Senate subcommittee conducts hearings next month on Sen. FRANK E. MOSS' bill to establish the Great Salt Lake National Monument.

The subcommittee, headed by Democratic Sen. ALAN BIBLE of Nevada, will hold a one-day session June 15 in the State Office Building in Salt Lake City.

If the visiting senators get the idea that there is a drastic division of opinion among Utahans, the chances of federal participation in development of Great Salt Lake's tremendous recreational potential will be dimmed.

There's no question but that everyone who has any knowledge of the lake and its attraction for visitors wants this development done—and quickly.

The differences that have existed are over methods. The biggest divergence of opinion has come on whether the state government, in cooperation with counties, should do the work or whether it should be done by Uncle Sam.

Fortunately, as we read it, the Moss Bill—S. 25—provides for an efficient compromise.

Under its terms, the federal government would, when Congress provides the money, take over all of Antelope Island as the Great Salt Lake National Monument.

The highly professional U.S. National Parks Service would provide interpretive and educational facilities to depict the scientific history of Great Salt Lake and its environs.

Necessary roadways would be built on the island.

However, the Secretary of the Interior would be authorized to work out an agreement with the State of Utah for state operation and management of recreational facilities.

These would include boating, bathing, horseback riding, motel accommodations, camping sites, picnic areas, restaurants and other related services.

The state operation of these facilities would continue so long as they met the standards of the Park Service.

This is an excellent provision.

National parks, particularly under the impetus of the highly successful Mission 66 program, are uniformly developed to meet the critical demands of tourists.

Utah, the last state in the nation to have its own state parks program, is a comparative amateur at this exacting business. By working in cooperation with the federal agency, the recreational sites on Antelope would be fixed up in a way that would be certain to please the traveling public.

As a National Monument, Antelope Island could be featured in the promotion program of the National Parks Service—a status it would not acquire under strictly state ownership.

The Utah Travel Council, now embarked on an expanded program of advertising our state, would be given an additional "tool"—through the monument status—to use in encouraging visitors to come our way in greater numbers and to stay longer.

None of this would detract from the tremendous pioneering efforts already done by the Davis County Commission and the Great Salt Lake Authority.

The Davis County commissioners and the GSLA began construction nearly three years ago of a road from Syracuse toward Antelope Island.

Without this effort, none of the attention now focused on Antelope Island—in fact upon the entire lake—would have come about. Utahans had been talking about Great Salt Lake's potential for years but little had been done previous to this effort.

However, legal complications have bogged down completion of the road until there is now a large question mark over its future.

Even if these legal problems were solved, there would be nothing in the Moss Bill to preclude a joint federal-state program of development.

Sure, there is the matter of pride of "going it alone" on a state and county program. But we also have to be practical.

The professional approach of the Park Service would be a prestige builder. The state and Davis County will still play major roles in the future development.

It will be a real partnership.

It should be profitable, too.

While the bulk of the actual work will be done on Antelope Island, much of the support will come from adjacent communities.

Syracuse could be to the Great Salt Lake National Monument what Springdale is to Zion National Park in southwestern Utah. Springdale has many service stations, motels and cafes that attract thousands of park-bound patrons each year.

Some Utahans are worried that a road planned eventually to connect Antelope Island to U.S. 40 and Interstate 80 near Saltair and Black Rock will "hurt" our area.

This is narrow thinking.

Tourists don't like "dead end" routes. They prefer loop highways. A good road from Syracuse to Antelope to the south shore of the lake would provide such a loop—and the resultant extra revenue for our shores.

There may be a few differences in the exact wording of the Moss Bill. These, we feel, can easily be discussed and worked out to mutual satisfaction.

Federal development will take time. State programs have already taken several years—and would take many more years, plus millions of dollars from state and county budgets.

A cooperative approach would hasten the time when we can use the Antelope Island beaches, instead of just talking or dreaming about them.

If there is unified support for the Moss Bill at next month's hearings, the day will be closer when tourists by the hundreds (and natives, too) will be driving across the Davis County-built Syracuse road, swimming in clear salt water off the island and sunning on the sandy beaches.

We can just see those pictures we've all wanted to take for ourselves and our visitors: "Look at me—floating like a cork!"

This can only be done in OUR Great Salt Lake. But we need Uncle Sam's help to get it done.

STATUS REPORT ON THE GREEK-TURKISH PROJECT OF THE NATO PARLIAMENTARIANS' CONFERENCE

Mr. JAVITS. Mr. President, the Special Committee on Less Developed NATO Countries of the NATO Parliamentarians' Conference, of which I am chairman, held a series of meetings from Wednesday, May 11 through Friday, May 13, to discuss the progress that has been made in the committee's efforts to encourage closer economic cooperation between Greece and Turkey.

While there is great public attention focused on Greek-Turkish tensions over Cyprus, we must keep in sight the all-important area where Greece and Turkey cooperate most effectively and profitably with what could be a most healthy effect on the political climate of the whole region. The fact that Greece and Turkey have announced the forthcoming meeting of their Foreign Ministers to negotiate a "peaceful and agreed settlement" on Cyprus has added an important impetus to this project.

Progress on the project for Greek-Turkish economic cooperation has been most encouraging, with substantial progress being made both in the general development of the project and in its organizational arrangements, and on specific aspects of the project. Developments with respect to the individual feasibility studies undertaken pursuant to the project give promise of tangible attainments in the areas under study: the Maritza-Evros River basin, tourism, agriculture, and fisheries. It is similar to our TVA.

Additionally, and importantly, the working arrangements which have been established, the contacts and consultations which have taken place, and the meetings both on the specific and more general aspects of the project indicate a spirit of cooperation and of desire to work toward the objective of economic cooperation and development in both Greece and Turkey, which is, for those of us who have been deeply engaged in this work, a source of great satisfaction.

In view of the great importance of this project to the United States, to NATO, and to peace and stability in southeastern Europe, I ask unanimous consent that a report I presented to the Special Committee on Less Developed NATO Countries on May 12 on the status of the Greek-Turkish project, be printed in the Record at this point.

There being no objection, the report was ordered to be printed in the Record, as follows:

[International Secretariat, Paris, May 1966]

NATO Parliamentarians' Conference—Special Committee on the Less Developed NATO Countries

STATUS OF THE PROJECT FOR GREEK-TURKISH ECONOMIC COOPERATION

(Working paper presented by Senator Jacob K. Javits, for the consideration of the Special Committee on Less Developed NATO Countries)

This report supplements the two previous reports presented by me to the NATO Parliamentarians' Conference, the one having been presented in November 1964 and the second at the New York meeting of October 1965.

Preliminarily, I may say that progress on the Project for Greek-Turkish Economic Co-operation has been most encouraging. Progress, both in the general development of the Project and in its organizational arrangements, and on specific aspects of the Project, has been substantial. Developments with respect to the individual feasibility studies undertaken pursuant to the Project give promise of tangible attainments in the areas under study: the Maritza-Evros River Basin, tourism, agriculture and fisheries. Additionally, and importantly, the working arrangements which have been established, the contacts and consultations which have taken place, and the numerous meetings both on the specific and the more general aspects of the Project indicate a spirit of co-operation and of desire to work toward the objective of economic co-operation and development in both Turkey and Greece which is, for those of us who have been deeply engaged in this work, a source of great satisfaction.

I come now to a detailed accounting of progress to date.

I. I attach hereto, as Annex 1, [not included in the Record] a detailed memorandum which was addressed with my approval to the members of the Executive Committee of the Project for Greek-Turkish Economic Co-operation under date of December 1965, by Mr. Seymour J. Rubin, Executive Director of the Project. This memorandum is attached both for the extensive report that is contained therein, which describes in considerable detail the work done until the date of the memorandum and the prospects for the future, and also as an illustration of the kind of reporting which has been done on a frequent basis to those members of the private business communities who have constituted the Executive Committee of the Project. Subsequent detailed reports have also been filed by Mr. Rubin and by the European Director, Mr. Albert Zumbiehl, in the months which have intervened between December and the present time. Since I propose to summarise the substance of these latter reports, I do not attach them hereto.

A summary of developments may be divided into two major portions, one dealing with the specific projects which have been undertaken, the other dealing with the organisational and on-going aspects of the Project.

A. So far as the individual projects are concerned, the prospects, like the work which has already been done, are very encouraging.

1. Maritsa-Evros River project

The Project for Greek-Turkish Economic Co-operation has been fortunate in obtaining the strong support of two leading German foundations, the Thyssen and Volkswagen Stiftungen, in connection with the scientific work which is to be done in regard to the Maritsa-Evros. Following extensive communications and personal discussions, a meeting was held in Munich on January 28th, 1966 at which were present Professor Hans Wilbrandt; Professor K. Ozal, the Turkish expert; and which was to have been attended by Mr. John Broumis, the Greek expert, who unfortunately was taken ill immediately after arriving in Munich. The meeting was also attended by Drs. Coenen and Kroenig of the Thyssen and Volkswagen Stiftungen respectively, and by Dr. Seidel, a German member of our Executive Committee, as well as by Messrs. Rubin and Zumbiehl. The meeting took place under the kind auspices of the Institut für Ausländische Landwirtschaft, lasted all day, and proved to be an extremely important base for future work on the Maritsa-Evros project.

On the basis both of this meeting and of the preliminary work done prior to it, the accumulation of data has begun on the Greek and the Turkish sides, a programme for the preparation of a feasibility study has been drawn up, and arrangements have been made at a subsequent meeting of the three experts—German, Greek and Turkish—who are guiding the Project, for further study and research, both in the field and on the basis of engineering and hydrographic information already accumulated. It is anticipated that the bulk of the field work will be completed by the end of the summer of 1966, and that a feasibility study, with specific recommendations, will be completed and available for review by the International Advisory Commission of the Project by January of 1967.

It is clear that a full-scale and detailed feasibility study, complete with engineering data, would require substantially more time than that permitted under the above schedule and more resources. Nevertheless, discussion at the Munich meeting and subsequently has indicated that it will be possible in the time allocated to complete a valuable and rather detailed report, corresponding to a feasibility study or reconnaissance survey suitable for submission to a financing institution.

This result is expected to be achieved largely because of the co-operative attitudes which have been taken by not only the individuals involved, but by the authorities of the governments primarily concerned, that is, Greece and Turkey, in making available the extensive data already in the files of both countries.

It is confidently expected that a valuable report, with specific recommendations, will emerge from this intensive and co-operative scientific effort. It may be noted in this regard that such a report would have been beyond the financial resources of the Project, and has been made possible only by the willingness of the two German foundations to finance, in the interest of beneficial scientific research, a body of work which can be described accurately as being both extensive, intensive and also of great practical and scientific interest to the economic development of the Maritsa-Evros River Basin. It should further be noted that without the co-operation of the Turkish and Greek Governments in a number of ways, such a result could not be expected. In addition to the provision of research materials and data, both sides will be called upon to provide such facilities as multiple entry visas for the scientific team which will carry out the field work, to provide entry for the vehicles and instruments of the scientific team, etc. That these facilities will be provided is clear, in view of the attitude of the highest authorities of both Governments, in encouraging the preparation of the studies undertaken by the Project and in demonstrating by the provision of information and facilities as needed until this date, their evident desire to encourage the on-going work. It should be said, of course, that neither Government, nor for that matter, any financing institution, has committed itself in advance to implementation of the recommendations which will emerge. Nor has any request for such a commitment been made, since until the recommendations are available and can be studied, any such commitment would be premature.

In summary, the Maritsa-Evros project has proceeded well and rapidly, despite the evident difficulties imposed by the nature of the problem, the work schedules of the three experts who are guiding the scientific aspects of the study, etc.

B. Tourism

As is indicated in Mr. Rubin's report of December 1965 (Annex 1 hereto), a distinguished Italian firm, Italconsult, has undertaken a series of studies in the field of tourism with specific reference to projects in the Aegean which would mutually benefit Greece and Turkey. There has been frequent discussions with Italconsult by the Executive and European Directors, together with the Greek and Turkish consultants. Preliminary documentation has been gone over several times and a series of reports is now available as of the date of the writing of this report—some days prior to the May 1966 meeting of the Special Committee—and it is contemplated that the Italconsult reports will be available for preliminary discussion during the course of the meetings of the Special Committee and of the International Advisory Commission of the Project in May 1966.

The reports of Italconsult will of course speak for themselves. I may here very briefly summarise what seemed to me to be several of the most important conclusions contained in those reports.

The first of those conclusions is that cooperation between Greece and Turkey in the development of the tourist resources of the two countries in the Eastern Mediterranean will prove to be of very great benefit to both of the countries. This conclusion, which has always seemed a likely one to those of us who know tourism mainly from the point of view of the visitor to one place or another, is now confirmed by the expert study of the consulting firm.

Secondly, the Italconsult reports suggest specific areas in which a tourist effort might concentrate. One of these is the improvement of facilities for travel by automobile, particularly along the coast lying between Salonika and Istanbul. A second is the establishment of a pilot zone for a regional tourism project based roughly on the points of Athens and Rhodes on the Greek side and Bodrum and Marmaris on the Turkish side. Details here, both with respect to proposals and possibilities for their implementation, can be found in the Italconsult documents.

It is salutary to recall that numerous studies of tourism have been made, both in Greece and Turkey, and that implementation, or the carrying out of recommendations, is of primary importance. *From the outset, it has been our concern that recommendations emerging from the Project be developed simultaneously with appropriate mechanisms for ensuring that those recommendations would be carried out.* Obviously, the nature of these mechanisms will vary from project to project. It will be different in the case of a project like that of the Maritsa-Evros, which will undoubtedly require public funds, and that of a project like tourism, where a combination of public and private funds will be required for the full development of the tourist resources available to the two countries. With these requirements in mind, and particularly being cognisant of the extreme importance of the private sector in the development of an adequate tourist industry, we have made every effort to arrange for almost continual discussion with private business and banking interest, both by our Executive and European Directors and by our consultants. We have thus arranged for a series of meetings not only with Italconsult but with other firms interested in tourism, the most recent of these meetings being two of extreme significance and importance. One of these was held in Athens on April 13–14; a second was held in Rome on May 3, 1966.

It is useful to mention these meetings not only because of the close examination which was given to the documentation which had been prepared in advance and to all of the other aspects of the tourism project, but because they illustrate the possibilities for cooperative work within the framework of the Project for Greek-Turkish Economic Co-operation.

Thus the Athens meeting of April 13–14, held at the invitation of our Greek associates, was attended by Turkish members of the Executive Committee and by the official consultant to the Turkish Ministry of Information and Tourism, and resulted in an extremely frank productive discussion. It is significant far beyond the limitations of the tourism project that, at a moment of history as difficult as this, it was possible to hold such a meeting, to have frank and friendly discussion, and to make the progress which is evident. The second meeting, in Rome, on May 3, will involve an important discussion of the provisional documentation prepared by Italconsult, and will result in relating that documentation more closely and more explicitly to the achievement of demonstrable results.

C. Fisheries

At the meeting of the Executive Committee held in Paris on November 12, 1965, it was decided that a research project in the field of fisheries would be initiated. Discussions were therefore begun with the Fisheries Division of the Food and Agriculture Organisation—an organisation with which the relations of the Project have been close and extremely helpful—and a prospectus for the study of the fisheries problem was prepared in consultation with and largely as the result of FAO. The advice of FAO was also sought with respect to personnel who might carry out the recommended studies. A consultant—an expert who is a native of Malta, highly recommended by the FAO, has been engaged to make a preliminary survey; permission on both the Greek and the Turkish sides for a visit to those countries have been obtained; and it is expected that at the meeting at which this report will be presented, a preliminary survey by that expert will also be available.

It would be premature to anticipate that report. It seems clear, however, from the discussion already held both with our consultant and with the FAO that fruitful inquiry into the fish resources of the Eastern Mediterranean has been initiated, and that a considerable amount in the way of specific results can be expected from a co-operative effort which might well begin in the field of scientific research and training.

D. Agriculture

Here activity has been undertaken again in close consultation with the Food and Agriculture Organisation, as well as with the Organisation for Economic Co-operation and Development. A programme of work has been outlined through the helpful assistance of the FAO, and it is anticipated that a consultant will be retained to carry out a research project, concentrating largely on the problems of marketing and transportation. Discussions have also been undertaken with several private companies interested in the field of transportation, and it is likely that several privately-financed feasibility studies will be undertaken. Here again, it is necessary to recall the close interweaving of the efforts of governments and of the private sector. Establishment, for example, of such facilities as joint marketing boards would require a considerable measure of governmental encouragement, while the problems of refrigerated transport would seem to be very largely in the hands of the private sector.

Anticipation of recommendations is, again, not desirable; but the importance of agriculture in the economies of both Greece and Turkey, the obvious benefits to be derived from the pooling of experience and from the availability of resources for transport which would be available to exporters of both countries, are such as to suggest the likelihood of important results.

* * * * *

II. Progress thus with respect to specific projects—the Maritsa-Evros, tourism, agriculture and fisheries—has been considerable and encouraging. Importantly, it should be noted that progress along the more general or functional lines of the Project has equally been encouraging.

A. In the first place, one must note the increasing liaison and co-operation between the Project for Greek-Turkish Economic Co-operation and the international institutions which are involved in the more general field of economic and social development. Without burdening this report unduly, it would be impossible to list, even in brief summary, the discussions and contacts which have been had, mainly between our Executive and European Directors and the operating heads of the interested international organisations. Among these organisations are the Food and Agriculture Organisation, which has already been mentioned several times, particularly in connection with the agricultural and fisheries project; the Organisation for Economic Co-operation and Development, which is deeply involved in the economies of Greece and Turkey and whose personnel have been of immeasurable assistance, with respect to tourism, with respect to agriculture and fisheries; the World Bank family of institutions, including not only the Bank itself, but also the International Finance Corporation; the United Nations, and most particularly the Special Fund headed by Mr. Paul Hoffman; and the European Economic Community and the European Investment Bank, which institutions have expressed a strong and helpful interest in the Project. Mention must be made also of the Greek and Turkish Consortia which are centered in the OECD. Other institutions, some of an official and some of a semi-official nature, such as the International Association of Official Travel Agencies, have responded freely and graciously to requests for information, assistance and participation in meetings. And finally, the response of the private sector, in furnishing advice and assistance of all sorts to the Project has been little short of spectacular.

In this same context, I must stress the importance which I attach to the trip which I was able to make in November of 1965 to Turkey and to Greece, immediately after the meeting of the Executive Committee of the Project which was held in Paris in November of that year. I was able during that trip to meet with the highest officials of both countries, to describe to them both the progress which we had made, the problems we had met and overcome, and the prospects for the future. I was able at that time to obtain renewed assurances of the strong interest and support of the highest authorities of the two governments—assurances which I may point out were again reiterated to Mr. Rubin during his visit to Greece and to Turkey in March 1966. That these were and are meaningful assurances is I think demonstrated by the progress which has been made. And this fact is of the utmost importance since the completion of our work depends upon a continuing attitude of co-operation in a multitude of details as well as within the broad context of our study.

B. One of the subjects which has been increasingly discussed among the participants in the work of the Project has been the desirability of providing institutional arrangements of a character more permanent than that of the Project for Greek-Turkish Economic Co-operation. It will be recalled that the Project itself has been projected for operation over a two-year period; and present plans call for a final conference in March or April of 1967, at which time recommendations would be assessed and the entirety of the work of the Project would be reviewed. It is clear, however, that institutional arrangements of an on-going nature must be provided with two objectives in mind:

1. In order to ensure that useful recommendations made in any one of the fields of study will in fact be carried out and will not remain merely as paper recommendations; and

2. In order to make possible a continuing co-operative effort with mutually desirable economic consequences for Greece and Turkey.

The nature of these arrangements may vary from case to case. It had been envisaged, for example, that task forces might be set up in the various individual fields of work, which could be the forerunners of bi-national commissions which might carry out projects in the fields of the river basin development, tourism, etc. For a number of reasons, mainly because of the widely scattered nature of the persons interested in these various problems, the task forces have been largely replaced by what might be described as *ad hoc special groups*, organised from time to time by the Executive and European Directors to deal with individual problems. Thus, for example, Messrs. Rubin and Zumbiehl have made several trips to both Greece and Turkey and have talked both with governmental officials and with business and banking institutions, have convened several meetings in Rome on the subject of tourism, agriculture and fisheries, have participated in and organised several meetings on the Maritsa-Evros project and have arranged for and participated in such meetings as the April 13–14 meeting on tourism in Athens. It is evident that some formalisation of these *ad hoc* arrangements, successful though they have been, will be necessary when specific recommendations emerge as a result of our feasibility studies. To take a few of the more obvious examples, it is clear that recommendations relating to the Maritsa-Evros complex would have to be followed by a *bi-national commission*, in which there might participate representatives of the Project or of institutions deriving from the Project.

In the case of tourism, a regional development scheme would require for its co-ordination and effective implementation a somewhat similar though not identical, *commission with strong representation from the private sector* in perhaps a parallel development company—particularly those interested in the accommodation aspects of tourism, in the transport aspects of tourism and in the promotional aspects of tourism.

These institutional arrangements may be expected to be developed and proposed during the course of the next several months, since it is during that period when the work which has been done until now will begin to bear fruit in the form of specific recommendations; and the recommendations will themselves have a large effect on the nature of these institutional arrangements. More generally, however, it seems appropriate to initiate discussion of a formal institution, as desired, it must be emphasized by the Greek and Turkish sides, to carry on the task of ensuring implementation of recommendations and of broadening and expanding of the scope of the co-operation in the economic field which has so usefully been begun. There has already been some discussion, initiated largely in Greece and Turkey, of institutions of this sort. At least two kinds of proposals have emerged from that discussion which warrant, even at this preliminary date, consideration and examination.

One of these institutions could, for purposes of identification, be called an *Institute for Greek-Turkish Economic Co-operation.* This would be an organisation roughly similar to the present Project for Greek-Turkish Economic Co-operation, but established with the financial assistance of foundations and of private companies and individuals, on a semi-permanent basis. Its function would be to follow work being done in the specific fields which have been under investigation, to investigate new opportunities for co-operation, and perhaps more generally, to act as a catalyst of co-operation between the private sector in the developed countries of the Free World and the private sectors in Greece and Turkey, with particular stress on development projects of a co-operative nature. Whether this institution would be an organisation with an extensive membership or, at least initially, an institution of more limited membership is the kind of question which is raised at this point only to be noted. The form of this institution will be important but what is essential is that decision be taken at an early date, and taken only with the concurrence and at the desire of the Greek and Turkish communities, with regard to the principle of such an institution. If the decision that such an institution be created is taken, then drafting of a tentative charter and description of its activities and purposes can then be carried forward, under the direction of the Special Committee and of the Executive Committee of the Project.

Another form of institution which has been extensively discussed is one with the more specific objective of assisting in the financing of economic development in Greece and Turkey. Here again, a number of variants are available and ought to be discussed. It is possible, for example, at this stage to initiate *meetings on a regular basis* of a representative group which would include strong representation from the Greek and Turkish business and financial communities, which would direct its attention specifically to the problems of financing appropriate for the private sector. Such a liaison committee would bring together for regular discussion, for example, the development bankers and the development banking institutions of both countries; and with them the authorities of such institutions as the European Investment Bank and the International Finance Corporation, to name but a few. It is possible to envisage, as developing from this kind of liaison committee, a more formal kind of organisation—in effect, *a new regional investment institution*, directing its attention both to relationships between capital and technology outside of the area with that inside of Greece and Turkey and possibly to the provision itself of funds for economic development. *Conceivably, the creation of this kind of institution should await experience both with the more generalised institution*—the Institute for Greek-Turkish Economic Co-operation—*and the results of the various feasibility studies which are now underway.* In any case, the issue is one of first importance and deserves the consideration and discussion both of the Special Committee and of the International Advisory Commission of the Project for Greek-Turkish Economic Co-operation.

It is my recommendation that the Special Committee, after appropriate consideration of these matters, express its approval of further work to be done by the Executive staff of the Project on institutional arrangements as above described, and that the Chairman be requested to bring to the attention of the International Advisory Commission, its Executive Committee, and the Special Committee on Developing NATO Countries specific recommendations for the creation of these institutional arrangements.

III. In conclusion, I can repeat what has been stated or implied in the above, that the work initiated by the Special Committee has already proved to be of high importance and utility, and that it is expected that the results, both with regard to specific projects and with respect to over-all mechanisms for implementation of recommendations and for the continuation of co-operation will be extremely fruitful. The persons who are responsible for these substantial successes, and the institutions which have assisted in them are many, and to some extent have already been mentioned in this report. I would be remiss, indeed, were I not to pay tribute to the work done by the Vice-Chairmen, Messrs. Gülek and Spanorrigas; and to the extremely valuable assistance given by our Rapporteur, Mr. Westerterp.

One final matter remains to be mentioned, which can perhaps best be presented in the form of an Annex to this report; that is, the statement of financial condition, and in that connection, I append hereto a statement as of March 31, 1966. In this connection, it must be mentioned that the report appended hereto deals only with funds which have been made available to the Governmental Affairs Institute in Washington which is the administrator in the United States for the funds contributed by the Ford Foundation and by private American companies or individuals. In addition, the two German foundations have undertaken to finance the scientific exploration of the Maritsa-Evros problems at a cost which will probably run between $100,000 and $120,000. American companies such as Socony Mobil have contributed greatly in services, in facilities and in consultative advice. The French company, Pechiney, has made available the enormously valuable services of Mr. Albert Zumbiehl, to whom much credit for accomplishment is due, as well as providing administrative services of great value.

In the United States and elsewhere such companies as American Express, United States Freight Company, Central National Corporation, Massey-Ferguson, First National City Bank, Trans-World Airlines and others, as well as the Gottesman Foundation have made available to the Executive and European Directors their expert knowledge and analytical abilities. The Deutsche Bank in Germany has similarly given us extremely useful facilities and services without charge to the Project. Finally, but by no means least, the business and banking communities of Greece and Turkey have each undertaken to provide an amount equivalent to $50,000 in local currency, to meet expenses of the Project in those two countries. All of this, and particularly the last item mentioned, gives convincing evidence of the importance which is widely attached to the work of this Project.

REPORT ON WORLD HEALTH ORGANIZATION AND INTERGOVERNMENTAL COMMITTEE FOR EUROPEAN MIGRATION MEETINGS, GENEVA, 1966

Mr. JAVITS. Mr. President, in respect to my work as Senate adviser to the U.S. delegation working with the World Health Organization, and the Intergovernmental Committee for European Migration in Geneva, I wish to make a report to the Senate on these subjects.

Mr. President, on May 13 and 14, I was privileged to attend meetings of the World Health Conference and of the Intergovernmental Committee for European Migration in Geneva. These are but 2 of the 71 international organizations and programs to many associated with the United Nations—to which the United States contributes. Our contributions are considerable and, I must add, considerably selfless. The combined budgets of all these organizations and programs are over $550 million, and including the voluntary contributions by our Government, the United States accounts for about 45 percent of the total.

Despite the size of our effort in these areas, the United States has only one vote in each of these agencies. We have not and do not intend to institute any weighted vote procedures. To the extent that these organizations and programs are technical and humanitarian, we do all in our power to resist the interjection of political issues. Our concern and our contributions are testimony to the fact that we as a Nation have accepted the global social, economic, and humanitarian obligations and responsibilities of our great productivity and power.

Two responsibilities arise from the fact that we contribute much and yet have only one vote. On our part, we have a real responsibility to make up in staff work and proposals what we lack in votes. On the part of other nations, they have the responsibility to understand that the American people have a right to expect successful, efficient, and economical operation, fairness and justice, and the honest evaluation of programs and policies which are proposed. This demands the highest interest and conscience of the individual member to avoid partisan voting in fixed ideological blocs.

The WHO is a specialized agency of the United Nations. Its purpose is "the attainment by all peoples of the highest possible level of health," and to this end, the agency provides training and technical advice. The U.S. assessment is approximately 31 percent of the total WHO budget. The next largest contributor is the Soviet Union, which pays about 13 percent of the total. France, the United Kingdom, and the Federal Republic of Germany combined provide together about 17 percent of the total.

The U.S. effort in the world health field, it must be added, does not end with WHO; we provide about $100 million in direct bilateral health aid.

The organization does good work, and I am in favor of it. We must be careful, however, that it does not become embroiled in political debates and therefore become disruptive. For example, India has submitted a resolution calling for a nuclear moratorium in the World Health Organization; a number of other states have urged a debate on South Vietnam; and so on.

Our delegation should be supported in resisting what are not improper debates in an international organization such as this, but which would be harmful to the WHO.

Under the leadership of Dr. M. G. Candau, of Brazil, WHO is doing very significant work in a wide variety of health problems all over the world. In some cases, however, political issues have been raised in the organization. There have been proposals to withdraw membership from the Union of South Africa and Portugal; India has offered a resolution for a nuclear moratorium; and a number of states have urged a debate on Vietnam.

The ICEM is an independent international organization established with the purpose "to facilitate and increase the movement of indigenous migrants and refugees out of Europe and simultaneously to meet the requirements for manpower of the developing economics of immigration countries." Its present Director is Mr. Bastian W. Haveman of the Netherlands. The United States contributes approximately 30 percent of the ICEM budget. Australia, the next largest contributor and the biggest beneficiary of the program, pays approximately 17 percent.

The primary function of ICEM is the transportation of refugees and migrants. In this role it does not conflict, but rather complements the role of the United Nations High Commissioner for Refugees, who is responsible for the political and social protection of the refugees and migrants. The present and very successful U.N. High Commissioner is Prince Sadruddin Aga Khan.

Since its inception in 1952, ICEM has moved about one and a half million persons overseas, of whom 639,539 were refugees mostly from Eastern Europe. Many of these persons possessed skills that are highly valued and needed in the underdeveloped areas, and they were able to make significant contributions to economic growth. There has been a problem in this regard in recent years, however, because of the gap between the workers' situation in Europe and in the underdeveloped areas. Less people are willing to leave Europe today for new countries marked by political instability, poorer wage levels, and few social and retirement benefits. This gap will make it increasingly difficult for the underdeveloped nations to maintain the immigration of refugees.

There is one matter to which I wish to alert the Senate. In the last few years, ICEM has increasingly been turning its attention away from overseas migration and to Europe itself. More and more of its funds are being used to help transport European workers, particularly from Greece and Turkey, to other European countries. To the extent that ICEM becomes European oriented, the United States should proportionately decrease its share of the budget. There is no reason why the people of the United States should pay to help France and West Germany, who are able to handle their own migration of workers, to obtain a cheaper supply of labor. There is, however, support for worker migration to Latin American countries, and this supports the U.S. policy of Latin American economic development.

In summation, let me say that international organizations like WHO and ICEM face two immediate problems: First, the potentially disruptive problems of political issues being debated in technical and humanitarian enterprises; and, second, the ever increasing budgetary demands in order to fulfill their purposes. The former can be alleviated by the wisdom of self-restraint. The latter problem is really the problem of meeting needs, and all we can do is to be watchful that budgetary increases go to meet expanding needs and not bureaucratic and administrative expenses.

ICEM and WHO are doing important jobs and deserve the continuing support of the American people, while Congress should constantly review their activities.

For the information of the Senate, I wish to include the following as part of my report: budget charts for WHO and ICEM along with a series of charts showing U.S. contributions to international organizations and programs over a period of years.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE MIGRATION AND REFUGEE ASSISTANCE

Intergovernmental Committee for European Migration—Total member governments contributions, 1965

Argentina	$52,054
Australia	2,841,068
Austria	58,071
Belgium	173,067
Bolivia	2,957
Brazil	76,268
Canada	159,725
Chile	19,480
Colombia	24,290
Costa Rica	4,257
Denmark	36,437
Equador	4,237
France	199,341
Federal Republic of Germany	699,341
Greece	582,056
Israel	1,125,595
Italy	773,571
Luxembourg	5,957
Malta	1,282,128
Netherlands	989,408
New Zealand	126,359
Norway	30,756
Panama	3,807
Paraguay	2,957
South Africa, Republic of	792,521
Spain	244,417
Sweden	76,055
Switzerland	93,329
United Kingdom	255,341
Uruguay	2,957
United States of America	4,553,578
Venezuela	63,901
Total	15,355,306

ORM: March 16, 1966.

World Health Organization—Scale of assessments

Members	Calendar year 1963		Calendar year 1964		Calendar year 1965	
	Percent	Amount	Percent	Amount	Percent	Amount
Afghanistan	0.05	$15,440	0.05	$17,340	0.05	$19,700
Albania	.04	12,350	.04	13,870	.04	15,760
Algeria			.04	13,870	.09	35,460
Argentina	.92	284,140	.92	319,080	.92	362,450
Australia	1.52	469,450	1.50	520,230	1.50	590,940
Austria	.41	126,630	.41	142,200	.41	161,520
Belgium	1.10	339,730	1.09	378,040	1.09	429,420
Bolivia	.04	12,350	.04	13,870	.04	15,760
Brazil	.94	290,320	.93	322,550	.93	366,380
Bulgaria	.18	55,600	.18	62,430	.18	70,910
Burma	.06	18,530	.06	20,810	.06	23,640
Burundi	.01	3,090	.04	13,870	.04	15,760
Byelorussian S.S.R.[1]	.47	145,160	.47	163,010	.47	185,160
Cambodia	.04	12,350	.04	13,870	.04	15,760
Cameroon	.04	12,350	.04	13,870	.04	15,760
Canada	2.85	880,210	2.83	981,510	2.83	1,114,920
Central African Republic	.04	12,350	.04	13,870	.04	15,760
Ceylon	.08	24,710	.08	27,750	.08	31,520
Chad	.04	12,350	.04	13,870	.04	15,760
Chile	.24	74,130	.24	83,240	.24	94,550
China	4.17	1,287,890	4.14	1,435,840	4.14	1,631,010
Colombia	.24	74,130	.24	83,240	.24	94,550
Congo (Brazzaville)	.04	12,350	.04	13,870	.04	15,760
Congo (Léopoldville)	.06	18,530	.06	20,810	.06	23,640
Costa Rica	.04	12,350	.04	13,870	.04	15,760
Cuba	.20	61,770	.20	69,370	.20	78,790
Cyprus	.04	12,350	.04	13,870	.04	15,760
Czechoslovakia	1.07	330,470	1.06	367,630	.94	370,320
Dahomey	.04	12,350	.04	13,870	.04	15,760
Denmark	.53	163,690	.53	183,820	.53	208,800
Dominican Republic	.05	15,440	.05	17,340	.05	19,700
Ecuador	.05	15,440	.05	17,340	.05	19,700
El Salvador	.04	12,350	.04	13,870	.04	15,760
Ethiopia	.05	15,440	.05	17,340	.05	19,700
Finland	.34	105,010	.33	114,450	.33	130,010
France	5.43	1,677,030	5.39	1,869,370	5.38	2,119,520
Gabon	.04	12,350	.04	13,870	.04	15,760
Germany, Federal Republic of	5.21	1,609,090	5.17	1,793,070	5.17	2,036,790
Ghana	.08	24,710	.08	27,750	.08	31,520
Greece	.21	64,860	.21	72,830	.21	82,730
Guatemala	.05	15,440	.05	17,340	.05	19,700
Guinea	.04	12,350	.04	13,870	.04	15,760
Haiti	.04	12,350	.04	13,870	.04	15,760
Honduras	.04	12,350	.04	13,870	.04	15,760
Hungary	.51	157,510	.51	176,880	.46	181,220
Iceland	.04	12,350	.04	13,870	.04	15,760
India	1.85	571,370	1.84	638,150	1.84	724,890
Indonesia	.41	126,630	.41	142,200	.41	161,520
Iran	.18	55,600	.18	62,430	.18	70,910
Iraq	.08	24,710	.08	27,750	.08	31,520
Ireland	.13	40,150	.13	45,090	.13	51,210
Israel	.14	43,240	.14	48,560	.14	55,150
Italy	2.05	633,140	2.03	740,050	2.03	799,740
Ivory Coast	.04	12,350	.04	13,870	.04	15,760
Jamaica			.04	13,870	.05	19,700
Japan	2.07	639,310	2.06	714,450	2.06	811,560
Jordan	.04	12,350	.04	13,870	.04	15,760
Kenya			.02	6,940	.04	15,760
Korea	.17	52,510	.17	58,960	.17	66,970
Kuwait	.04	12,350	.04	13,870	.04	15,760
Laos	.04	12,350	.04	13,870	.04	15,760
Lebanon	.05	15,440	.05	17,340	.05	19,700
Liberia	.04	12,350	.04	13,870	.04	15,760
Libya	.04	12,350	.04	13,870	.04	15,760
Luxembourg	.05	15,440	.05	17,340	.05	19,700
Madagascar	.04	12,350	.04	13,870	.04	15,760
Malawi					.02	7,880
Malaysia	.12	37,060	.12	41,620	.12	47,270
Mali	.04	12,350	.04	13,870	.04	15,760
Malta					.02	7,880
Mauritania [2]	.04	12,350	.04	13,870	.04	15,760
Mexico	.68	210,020	.67	232,370	.67	263,950
Monaco	.04	12,350	.04	13,870	.04	15,760
Mongolia	.04	12,350	.04	13,870	.04	15,760
Morocco	.13	40,150	.13	45,090	.13	51,210
Nepal	.04	12,350	.04	13,870	.04	15,760
Netherlands	.92	284,140	.92	319,080	.92	362,450
New Zealand	.37	114,280	.37	128,330	.37	145,770
Nicaragua	.04	12,350	.04	13,870	.04	15,760
Niger	.04	12,350	.04	13,870	.04	15,760
Nigeria	.19	58,680	.19	65,900	.19	74,850
Norway	.41	126,630	.41	142,200	.41	161,520
Pakistan	.38	117,360	.38	131,790	.38	149,700
Panama	.04	12,350	.04	13,870	.04	15,760
Paraguay	.04	12,350	.04	13,870	.04	15,760
Peru	.09	27,800	.09	31,220	.09	35,460
Philippines	.37	114,280	.36	124,860	.36	141,830
Poland	1.17	361,350	1.16	402,310	1.16	457,000
Portugal	.15	46,330	.14	48,560	.14	55,150
Qatar [2]					.02	7,880
Rhodesia and Nyasaland, Republic of	.02	6,180				
Rumania	.29	89,570	.29	100,580	.29	114,250
Rwanda	.01	3,090	.04	13,870	.04	15,760
Saudi Arabia	.06	18,530	.06	20,810	.06	23,640
Senegal	.05	15,440	.05	17,340	.05	19,700
Sierra Leone	.04	12,350	.04	13,870	.04	15,760
Somalia	.04	12,350	.04	13,870	.04	15,760
South Africa	.48	148,250	.48	166,480	.48	189,100
Southern Rhodesia [2]			.02	6,940	.02	7,880
Spain	.78	240,900	.78	270,520	.78	307,290
Sudan	.06	18,530	.06	20,810	.06	23,640
Sweden	1.19	367,530	1.18	409,250	1.18	464,880
Switzerland	.87	268,700	.86	298,270	.86	338,810
Syria			.05	17,340	.05	19,700
Tanganyika	.04	12,350	.04	13,870	.04	15,760
Thailand	.15	46,330	.14	48,560	.14	55,150

See footnotes at end of table.

World Health Organization—Scale of assessments—Continued

Members	Calendar year 1963		Calendar year 1964		Calendar year 1965	
	Percent	Amount	Percent	Amount	Percent	Amount
Togo	0.04	$12,350	0.04	$13,870	0.04	$15,760
Trinidad and Tobago			.04	13,870	.04	15,760
Tunisia	.05	15,440	.05	17,340	.05	19,700
Turkey	.37	114,280	.36	124,860	.36	141,830
Uganda			.04	13,870	.04	15,760
Ukrainian S.S.R.[1]	1.81	559,010	1.80	624,280	1.79	705,200
U.S.S.R	13.67	4,221,920	13.58	4,709,830	13.57	5,346,090
United Arab Republic	.27	83,390	.22	76,300	.23	90,610
United Kingdom	6.92	2,137,210	6.88	2,386,130	6.87	2,706,530
United Kingdom territories, Mauritius			.02	6,940	.02	7,880
United States	31.12	9,611,280	31.29	10,852,040	31.29	12,327,120
Upper Volta	.04	12,350	.04	13,870	.04	15,760
Uruguay	.10	30,890	.10	34,680	.10	39,390
Venezuela	.47	145,160	.47	163,010	.47	185,160
Vietnam	.15	46,330	.14	48,560	.14	55,150
Western Samoa			.04	13,870	.04	15,760
Yemen	.04	12,350	.04	13,870	.04	15,760
Yugoslavia	.35	108,100	.34	117,920	.34	133,950
Zambia					.02	7,880
Zanzibar					.04	[3] 15,760
Total	100.00	30,884,570	100.00	34,682,140	100.00	39,396,370
Total number of members	111		124		124	

[1] Inactive members.

[2] Associate members.

[3] 1965 assessments were levied before Tanganyika and Zanzibar became the United Republic of Tanzania.

Estimated U.S. contributions to international organizations, fiscal years 1965 and 1966

[Dollar amounts in thousands]

	Fiscal year 1965		Fiscal year 1966	
	Amount	Percent	Amount	Percent
United Nations and specialized agencies (assessed budgets):				
United Nations [1]	$29,315	32.02	$32,867	31.91
Food and Agriculture Organization	4,102	32.02	5,688	32.02
Intergovernmental Maritime Consultative Organization	87	14.26	122	13.78
International Civil Aviation Organization	1,456	31.80	1,552	31.80
Joint financing program	1,151	34.94	1,273	34.00
International Labor Organization	4,097	25.00	4,671	25.00
International Telecommunication Union	425	9.99	490	10.00
U.N. Educational, Scientific, and Cultural Organization	5,806	30.56	6,882	30.00
Universal Postal Union	44	4.30	49	4.30
World Health Organization	10,852	31.29	12,327	31.29
World Meteorological Organization	343	24.01	408	23.99
U.N. and specialized agencies	57,678	31.03	66,329	30.89
Peacekeeping (assessed and voluntary):				
United Nations Emergency Force:				
Assessed	5,665		5,485	
Voluntary	850		835	
Total	6,515	36.83	6,320	36.83
United Nations Force in Cyprus (voluntary)	[2] 6,300	41.23		
United Nations peacekeeping forces	12,815	38.99	6,320	36.83
Inter-American organizations:				
Organization of American States [3]	9,869	66.00	10,376	66.00
Pan American Health Organization	4,263	66.00	4,679	66.00
Inter-American Indian Institute	62	65.65	62	65.65
Inter-American Institute of Agricultural Sciences	1,324	66.00	1,548	66.00
Inter-American Tropical Tuna Commission	294	93.30	476	92.00
Pan American Institute of Geography and History	50	60.62	50	60.62
Pan American Railway Congress Association	5	41.97	5	41.97
Postal Union of the Americas and Spain	5	8.16	5	8.16
Inter-American organizations	15,872	66.46	17,201	66.68
Regional organizations:				
NATO, civilian headquarters	2,984	24.20	3,157	24.20
NATO, Parliamentary Conference	35	24.20	49	24.20
Asian Productivity Organization	340	42.00		
Central Treaty Organization	100	20.00	100	20.00
Colombo Plan Council	6	4.55	7	4.55
International Control Commission for Laos	[4] 1,366	17.60	683	17.60
Organization for Economic Cooperation and Development	4,419	25.00	4,451	25.00
Southeast Asia Treaty Organization	182	25.00	525	25.00
South Pacific Commission	140	20.00	150	20.00
Regional organizations	9,572	24.16	9,122	24.01
Other international organizations:				
International Atomic Energy Agency	2,238	31.93	2,238	31.84
Hague Conference on Private International Law	8	7.22	7	7.22
International Bureau of Education	2	2.19	2	2.19
Other international organizations—Continued				
International Bureau Permanent Court of Arbitration	$1	3.49	$1	3.49
International Bureau for Protection of Industrial Property	11	5.00	11	5.00
International Bureau for Publication of Customs Tariffs	9	4.91	9	4.84
International Bureau Weights and Measures	30	9.78	83	10.00
International Coffee Organization	139	20.00	150	20.00
International Commission Northwest Atlantic Fisheries	6	7.80	8	8.10
International Cotton Advisory Committee	23	14.00	23	14.00
International Council of Scientific Unions	65	14.98	65	14.98
International Criminal Police Organization	21	6.70	21	6.70
International Hydrographic Bureau	10	7.20	10	7.20
International Institute, Unification of Private Law	1	2.47	2	2.47
International Lead and Zinc Study Group	7	11.70	7	11.70
International North Pacific Fisheries Commission	25	33.33	25	33.33
International Rubber Study Group	6	10.67	6	10.67
International Seed Testing Association	1	5.35	1	5.28
International Sugar Council	16	12.25	16	12.25
International Union of Official Travel Organization	3	4.58	3	4.58
International Whaling Commission	1	5.90	1	5.90
International Wheat Council	23	14.50	23	14.50
Interparliamentary Union	23	14.12	23	13.90
North Pacific Fur Seal Commission	2	25.00	2	25.00
Permanent International Association of Navigation Congresses	2	15.11	2	15.11
Other international organizations	2,673	29.25	2,739	28.75
Special voluntary programs:				
Indus Basin development	[5] 80,434	[6] 53.80	[5] 99,577	[6] 53.80
Intergovernmental Committee European Migration	4,750	30.20	5,000	30.20
IAEA, operational program	1,100	50.00	1,000	45.00
International Secretariat for Volunteer Services	22	15.00	120	15.00
OAS program for social development	4,600	100.00	4,500	100.00
PAHO community water supply program	318	100.00	300	100.00
PAHO malaria eradication program	1,800	100.00	1,800	100.00
U.N. Children's Fund	12,000	40.00	12,000	40.00
U.N. economic assistance to the Congo	5,000	[6] 56.00	5,000	[6] 56.00
UNESCO Egyptian monuments program	12,000	[7] 33.33		
U.N. expanded program of technical assistance and Special Fund	60,000	40.00	65,000	40.00
U.N./FAO world food program	[8] 1,362	40.00	[8] 2,000	40.00
U.N. High Commissioner for Refugees program	600	33.33	600	33.33
U.N. Relief and Works Agency for Palestine Refugees	[9] 24,700	70.00	[9] 23,700	70.00
U.N. Training and Research Institute			400	20.00
WHO medical research program			100	20.00
Special voluntary programs	208,686	50.61	221,007	51.31
Total	307,296	46.26	322,808	46.09

[1] Does not reflect repayment on U.N. bonds.

[2] Covers 6 months only.

[3] Includes $6,000 payment to the OAS for radio frequency notifications.

[4] Covers contributions for 1964 and 1965.

[5] Excludes loans.

[6] Percentage overall for duration of program.

[7] Total contributions by other governments not complete, therefore the U.S. percentage is estimated.

[8] Reflects cash contribution only and does not include Public Law 480 commodities or shipping costs.

[9] Reflects both cash and Public Law 480 commodities.

U.S. contributions to international organizations,[1] fiscal years 1946–65

[In thousands of dollars]

	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	Total
U.N. AND SPECIALIZED AGENCIES (ASSESSED BUDGETS)																					
United Nations	6,153	9,495	10,950	13,841	16,601	13,576	16,394	15,441	15,167	13,407	13,212	16,775	16,361	16,562	20,302	19,269	22,333	23,617	33,380	29,315	342,151
Food and Agriculture Organization [2]	625	1,250	1,250	1,250	1,250	[8] 1,421	1,335	1,674	1,554	1,650	1,640	1,995	2,035	3,000	2,997	2,999	3,000	4,669	4,592	4,102	44,308
Intergovernmental Maritime Consultative Organization															56	41	33	78	50	87	345
International Civil Aviation Organization [3]	107	287	458	461	452	453	699	807	772	808	865	930	1,072	1,282	1,444	1,395	1,424	1,175	800	1,456	17,147
Joint financing program			613	1,103	548	650	676	654	657	557	538	839	840	735	755	659	672	1,105	1,344	1,151	14,096
International Labor Organization	533	488	522	1,092	848	1,270	1,467	1,539	1,421	1,527	1,634	1,639	1,750	1,928	2,132	1,975	2,449	2,772	3,502	4,097	34,585
International Telecommunication Union	8	59	7	58	147	458	109	113	138	118	130	117	146	230	225	298	297	367	362	425	3,812
U.N. Educational, Scientific, and Cultural Organization			3,500	3,601	2,887	2,814	2,785	2,856	2,846	3,154	2,747	3,152	3,383	3,401	3,790	3,833	4,677	4,704	5,384	5,806	65,320
Universal Postal Union	5	6	7	9	12	12	14	18	18	18	18	18	20	18	25	26	27	30	30	44	375
World Health Organization				1,861	1,918	3,071	2,481	2,867	2,994	2,988	3,350	3,410	3,868	4,666	4,744	5,335	6,070	7,657	9,611	10,852	77,763
World Meteorological Organization [4]	1	2	3	4	4	4	25	36	36	36	36	60	63	66	71	126	118	130	169	343	1,333
U.N. and specialized agencies	7,432	11,587	17,310	23,280	24,667	23,729	28,005	26,005	25,603	24,263	24,170	28,915	29,538	31,888	36,541	35,976	41,100	46,304	59,224	57,678	601,235
PEACEKEEPING (ASSESSED AND VOLUNTARY) [5]																					
United Nations Emergency Force:																					
Assessed												3,333	9,691	4,943	6,497		6,116	3,122	3,037	5,665	42,404
Voluntary												4,362	9,750		3,500	3,200	1,800	1,322	1,243	850	26,027
Subtotal, UNEF												7,695	19,441	4,943	9,997	3,200	7,916	4,444	4,280	6,515	68,431
United Nations operation in the Congo:																					
Assessed																47,949	25,616		15,337		88,902
Voluntary																20,668	20,256		2,473		43,397
Subtotal, UNOC																68,617	45,872		17,810		132,299
United Nations Force in Cyprus																			5,296	6,300	11,596
UN Peacekeeping Forces												7,695	19,441	4,943	9,997	71,817	53,788	4,444	27,386	12,815	212,326
INTER-AMERICAN ORGANIZATIONS																					
Organization of American States [6]	301	378	379	1,536	1,247	1,606	1,670	1,888	2,086	2,086	2,333	2,594	2,830	3,733	4,781	5,499	6,457	8,688	9,665	9,869	69,626
Pan American Health Organization	62	63	112	145	1,153	1,247	1,355	1,319	1,320	1,320	1,320	1,386	1,518	1,914	2,310	2,640	3,102	3,392	3,887	4,263	33,828
Inter-American Children's Institute	2	2	2	2	2	34	10	10	10	10	10	10	22	25	25	32	32	32	16		288
Inter-American Indian Institute	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	62	62	214
Inter-American Institute of Agricultural Sciences	156	159	160	145	149	152	154	157	160	163	207	210	214	218	221	225	228	636	1,131	1,324	6,169
Inter-American Tropical Tuna Commission									110	115	197	353	353	353	373	373	373	354	392	294	3,640
Pan American Institute of Geography and History	10	10	10	10	10	10	10	10	10	10	43	49	49	49	49	49	45	49	49	50	581
Pan American Railway Congress Association				3	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	83
Postal Union of the Americas and Spain	2	1	2	2	2	2	2	3	2	2	3	2	2	1	1	3	4	3	3	5	47
Inactive Inter-American organizations [11]	105	114	79	35	36	6						34	2								411
Inter-American Organizations	643	732	749	1,883	2,609	3,067	3,211	3,397	3,708	3,716	4,123	4,648	5,000	6,303	7,770	8,831	10,251	13,164	15,210	15,872	114,887
REGIONAL ORGANIZATIONS																					
NATO, Civilian Headquarters [7]							449	912	738	700	678	780	920	885	1,212	1,130	1,305	1,492	2,608	2,984	16,798
NATO, Parliamentary Conference												6	[8] 12	27	27	27	27	27	33	35	221
Asian Productivity Organization																165	211	240	200	340	1,156
Central Treaty Organization												76	74	91	65	89	66	71	77	100	709
Colombo Plan Council														2	6	6	5	5	5	6	35
International Control Commission for Laos																	300	815		[8] 1,366	2,481
Organization for Economic Cooperation and Development																		2,160	3,028	4,419	9,607
Southeast Asia Treaty Organization											15	19	84	173	178	147	170	187	175	182	1,330
South Pacific Commission			20	18	20	49	34	55	58	59	61	70	69	69	70	70	77	84	88	140	1,111
Inactive Regional Organizations		104	112	118	122	112	127	133	132	131	2,668	135	1,638	140	142	112					5,926
Regional Organizations		104	132	136	142	161	610	1,100	928	890	3,422	1,086	2,797	1,387	1,700	1,746	2,161	5,081	6,214	9,572	39,369
OTHER REGIONAL ORGANIZATIONS																					
International Atomic Energy Agency														2,029	1,682	1,900	1,942	1,775	2,157	2,238	13,723
Central Commission for Navigation of the Rhine	7	3	6	8	9	9	9	12	11	11	11	13	13	12	13	14	14	17	19		211
Hague Conference on Private International Law																				8	8
International Bureau of Education														3	3	3	3	3	2	2	19
International Bureau Permanent Court of Arbitration	8	1	2	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	29
International Bureau Protection of Industrial Property	1	1	2	2	2	2	2	2	2	2	2	2	2	2	2	7	[8] 18	7	10	11	

U.S. contributions to international organizations,[1] *fiscal years 1946–65*—Continued

[In thousands of dollars]

	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	Total
OTHER REGIONAL ORGANIZATIONS—Continued																					
International Bureau Publication of Customs Tariffs		16	2	2	2	2	2	2	2	2	2	2	9	[3] 53	9	9	9	9	9	9	152
International Bureau of Weights and Measures	44	7	9	8	9	4	7	9	10	15	15	15	15	14	15	14	59	59	30	30	388
International Coffee Organization															14	14	24	24	131	139	346
International Commission Northwest Atlantic Fisheries							7	3	4	3	4	4	4	5	6	6	6	5	5	6	68
International Cotton Advisory Committee	3	12	12	12	12	12	12	12	12	12	12	8	12	13	17	18	23	25	23	23	285
International Council of Scientific Unions	5	5	7	7	7	9	8	8	8	8	8	9	9	9	24	26	45	49	61	65	377
International Criminal Police Organization [8]	2	1	1	3	3	3								5	11	11	11	21	21	21	114
International Hydrographic Bureau	7	7	7	9	9	9	9	9	11	10	10	10	10	10	10	10	10	10	10	10	187
International Institute, Unification of Private Law																			2	1	3
International Lead and Zinc Study Group																6	7	7	7	7	34
International North Pacific Fisheries Commission										11	12	13	14	17	17	17	19	19	23	25	187
International Rubber Study Group			15	1	6	1	2	2	6	4	4	3	2	5	4	6	6	5	5	6	83
International Seed Testing Association																1	1	1	1	1	5
International Sugar Council	4	4	4	8	7	8	7	7	10	10	13	14	17	17	16	16	17	16		16	211
International Union of Official Travel Organizations				1	2				1	3	2	2	2	2	2	2	2	2	3	3	29
International Whaling Commission																		1	1	1	3
International Wheat Council					19	23	18	18	27	26	27	25	24	24	19	23	26	22	23	23	367
Interparliamentary Union	10	10	15	15	15	15	15	15	15	15	18	18	18	18	21	21	21	21	21	23	340
North Pacific Fur Seal Commission														1	2	2	2	2	2	2	13
Permanent International Association of Navigation Congresses		1	1	1	1	2	2	2	1	2	2	2	2	2	2	2	2	2	2	2	33
Inactive other organizations [11]	437	804	278	263	229	148	75	36	5	5	5	19									2,304
Other international organizations	528	872	361	342	333	248	176	138	126	140	148	160	154	2,242	1,890	2,129	2,268	2,103	2,569	2,673	19,600
SPECIAL VOLUNTARY PROGRAMS																					
CENTO—Multilateral Technical Cooperative Program														50	50	50		50	50		250
Indus Basin Development																27,849	66,681	70,469	26,031	80,434	271,464
Intergovernmental Com. European Migration							8,950	6,789	11,024	9,609	11,606	15,569	8,562	9,749	9,816	6,950	3,200	6,744	4,700	4,750	118,018
IAEA Operational Program													65	592	500	631	650	1,223	1,188	1,100	5,949
International Secretariat for Volunteer Services																		40		22	62
OAS Technical Cooperation Program						882	840	841	852	1,136	1,200	1,251	1,212	1,314	1,409	1,473	1,471	2,500	2,300		18,681
OAS Program for Social Development																	6,000	1,600	4,000	4,600	16,200
PAHO Community Water Supply Program															200	125	300	300	300	318	1,543
PAHO Malaria Eradication Program												1,500	2,000	3,000	2,000	1,500	2,000	2,000	2,000	1,800	17,800
United Nations Children's Fund [9]			32,796	25,492	15,356	7,106		6,667	9,814	12,500	14,500	10,000	11,000	11,000	12,000	12,000	12,000	12,000	11,809	12,000	228,040
UN Economic Assistance to the Congo																27,950	43,000	39,400	5,000	5,000	120,350
UNESCO Egyptian Monuments Program																	2,500			12,000	14,500
UN Expanded Program of Tech. Asst. & Special Fund						12,008	11,400	8,171	8,500	16,457	22,915	15,270	14,088	22,188	30,480	36,950	45,000	50,000	60,772	60,000	414,199
UN/FAO World Food Program [9]																		1,638	2,000	1,362	5,000
UN High Commissioner for Refugees Program														1,200	1,100	1,300	1,200	900	700	600	7,000
UN Relief and Works Agency for Palestine Refugees [10]				8,000	10,000	25,450	50,000	16,000	15,000	16,700	16,700	19,872	22,996	23,000	23,000	23,500	24,700	24,700	24,700	24,700	369,018
WHO—Medical Research Program														300	500	500	500	500	500		2,800
Inactive Special Voluntary Program [11]	1,863		71,025	70,644	70,448	25,000	10,000	40,750	23,153	19,000	1,200	7,625	8,658	4,378	6,616	7,390	6,211	1,556			375,517
Special voluntary programs	1,863		103,821	104,136	95,804	70,446	81,190	79,218	68,343	74,502	68,121	71,087	68,581	76,771	87,671	148,168	215,413	215,620	146,050	208,686	1,986,391
Total U.S. contributions	10,466	13,295	122,373	129,777	123,555	97,651	111,192	109,858	98,708	104,411	99,984	113,611	125,511	123,534	145,569	268,667	324,981	286,716	256,653	307,296	2,973,808

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[1] Contributions are paid from funds appropriated or allocated to the Department of State with the exception of Universal Postal Union and the Postal Union of the Americas and Spain (Post Office Department), International Bureau of Education (Department of Health, Education and Welfare), International Criminal Police Organization (Department of the Treasury), International Union of Official Travel Organizations (Department of Commerce). Permanent International Association of Navigation Congresses (Department of Defense).

The amounts reported include the annual contribution and, where applicable, advances to the organization's working capital fund and credits due the United States. This table does not include: (a) The General Agreement on Tariffs and Trade (GATT) which is part of the cost of U.S. participation in international conferences; (b) loans or repayments such as the loan to the UN for construction of its headquarters building, the purchase of UN bonds and loans under the Indus Basin Agreement; (c) surplus commodities donated under the provisions of Public Law 480 unless a contribution was pledged in kind; (d) contracts and/or grants by U.S. Government agencies for services or research performed by an international organization; and (e) contributions of less than $500 made to: the Central Bureau of the Map of the World (1946–1948), the International Seed Testing Association (1947–1960), the International Whaling Commission (1950–62), and the International Union of Official Travel Organization (1951–53).

[2] Contributions to FAO, ICAO and the Caribbean Commission are paid on a split-year basis, i.e., the amount contributed during a given fiscal year pays about half of the assessments for the previous and the current calendar years.

[3] The amount shown includes the annual contribution plus arrears which could not be paid until authorizing legislation was enacted, or the statutory limitation contained in existing authorizing legislation was increased by the Congress.

[4] The amounts shown for 1946–51 were contributed to the International Meteorological Organization predecessor of the WMO.

[5] The initial year's contribution includes airlift services provided without charge to the UN of $1,191,581 in the case of UNEF, $10,317,622 in the case of UNOC, and $996,450 in the case of UNFICYP.

[6] Beginning with the fiscal year 1958 the amounts shown include $6,000 per year paid to the OAS for the exchange of radio frequency notifications previously performed by the Inter-American Radio Office.

[7] The amounts shown exclude military expenditures by NATO.

[8] U.S. membership withdrawn in 1950 and resumed in 1959.

[9] Reflects cash contribution only and does not include commodities and/or shipping thereon.

[10] Reflects contributions to UN Palastine refugees in the Near East (1949–50). Includes both cash and commodities.

[11] For individual listing see schedule I.

U.S. contributions to international organizations, fiscal years 1946–66

SCHEDULE I.—INACTIVE ORGANIZATIONS OR PROGRAMS TO WHICH UNITED STATES NO LONGER CONTRIBUTES

[In thousands of dollars]

	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	Total
Emergency Advisory Committee Political Defense	29	29																				58
Inter-American Coffee Board	8	8	2																			18
Inter-American Commission for Women	2	2	2																			6
Inter-American Conference on Social Security		14	14																			28
Inter-American Economic and Social Council	22	23	23																			68
Inter-American Radio Office	6	6	6	6	6	6						[1]34	2									72
Inter-American Statistical Institute	31	32	32	29	30																	154
Inter-American Trade Mark Bureau	7																					7
Inter-American organizations	105	114	79	35	36	6						34	2									411
NATO headquarters building											2,542		1,500									4,042
Caribbean Commission		104	112	118	122	112	127	133	132	131	126	135	138	140	142	112						1,884
Regional organizations		104	112	118	122	112	127	133	132	131	2,668	135	1,638	140	142	112						5,926
European Coal Organization	49	46																				95
European Central Inland Transportation Organization	262	252																				514
Inter-Allied Reparations Agency	98	128	263	200	120	51																860
International Authority for the Ruhr				40	98	86	69	31														324
International Bodies for Narcotics Control	14	14																				28
International Com. of the Cape Spartel Light	1	1	1	2	1	2	3	2	2	2	2	2										21
International Institute of Agriculture		347																				347
International Office of Public Health	10	5																				15
International Penal and Penit. Commission	2	5	5	5	5	6																28
International Statistical Bureau		3	2	2																		7
International Tech. Com. of Aerial Legal Experts	1	3																				4
International Tin Study Group			7	5	5	3	3	3	3	3	3	4										39
Suez Canal Users Association												13										13
Other organizations	437	804	278	263	229	148	75	36	5	5	5	19										2,304
Afro Malagasy Union																	200	10				210
Com. for Tech. Cooperation in Africa																12	1,500	290				1,802
IAIAS—Building												500										500
Intergovernmental Com. on Refugees	1,863																					1,863
IAEA—Laboratory facilities														600								600
UNESCO—Aid to Africa																1,000						1,000
NATO—Science program													100	500	1,192	1,328	1,386	1,247				5,753
OAS—Atoms for Peace														78	66							144
OAS—Symposium for nuclear energy																	8	9				17
OAS—Aid to China															478							478
PAHO—Land for headquarters building																875	217					1,092
International Refugee Organization		71,025	70,644	70,448	25,000																	237,117
UNHCR—Special projects												225	100	200	1,580							2,105
UN—Hungarian refugees												5,000	1,225									6,225
UN—Korean Reconstruction Agency							10,000	40,750	23,153	19,000												92,903
UN—Refugee fund											1,200	1,900	2,233									5,333
WHO—Community water supply program															300	175	400					875
WHO—Malaria eradication program													5,000	3,000	3,000	4,000	2,500					17,500
Special programs	1,863	71,025	70,644	70,448	25,000		10,000	40,750	23,153	19,000	1,200	7,625	8,658	4,378	6,616	7,390	6,211	1,556				375,517
Total [2]	2,405	72,047	71,113	70,864	25,387	266	10,202	40,919	23,290	19,136	3,873	7,813	10,298	4,518	6,758	7,502	6,211	1,556				384,158

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[1] The amount shown covered assessments for the years 1952–57.

[2] In addition the United States contributed about $50 per year to the Central Bureau of the Map of the World in 1946, 1947, and 1948.

U.S. contributions to the United Nations, specialized agencies, and special programs

	Calendar year 1963			Calendar year 1964 (estimated)			Calendar year 1965 (estimated)		
	U.S. contribution	Percent	Per capita cost	U.S. contribution	Percent	Per capita cost	U.S. contribution	Percent	Per capita cost
United Nations [1]	$33,379,925	32.02	$0.176	$29,314,890	32.02	$0.154	$32,867,300	31.91	$0.168
Food and Agriculture Organization	4,591,668	32.02	.024	5,702,604	32.02	.030	5,688,353	32.02	.029
Intergovernmental Maritime Consultative Organization	50,445	14.14	.001	84,475	14.26	.001	113,216	13.78	.001
International Civil Aviation Organization	1,452,373	31.80	.007	1,445,638	31.80	.007	1,551,935	31.80	.008
International Civil Aviation Organization joint financing program	1,117,686	33.18	.006	1,260,388	34.94	.006	1,150,799	34.94	.006
International Labor Organization	3,501,709	25.00	.019	4,097,199	25.00	.021	4,671,087	25.00	.024
International Telecommunication Union	366,859	10.09	.002	362,035	10.01	.002	406,646	9.99	.002
United Nations Educational, Scientific, and Cultural Organization	5,383,500	30.56	.028	5,806,400	30.56	.030	6,881,980	30.00	.035
Universal Postal Union	30,864	4.21		43,574	4.30		48,745	4.30	.001
World Health Organization	9,611,280	31.12	.051	10,852,040	31.29	.057	12,327,120	31.29	.063
World Meteorological Organization	169,118	18.91	.001	342,605	24.01	.002	407,952	23.99	.002
United Nations and specialized agencies	59,655,427	31.15	.315	59,311,848	31.09	.310	66,115,133	30.93	.339
United Nations Emergency Force:									
Assessed	3,037,040			5,664,856			5,485,000		
Voluntary	371,546			871,905			850,000		
UNEF total	[2] 3,408,486	35.88	.018	6,536,761	36.82	.034	6,335,000	36.82	.032
United Nations operation in the Congo:									
Assessed	10,549,720			4,787,202					
Voluntary	1,768,479			704,111					
UNOC total	[3] 12,318,199	37.33	.065	[2] 5,491,313	30.17	.029			
United Nation Force in Cyprus, voluntary				[3] 7,596,450	46.06	.040	[2] 4,000,000	34.40	.021
United Nations peacekeeping	15,726,785	37.02	.083	19,624,524	38.34	.103	10,335,000	35.88	.053
United Nations Children's Fund	12,000,000	42.00	.064	11,809,417	40.00	.062	12,000,000	40.00	.061
United Nations economic assistance to the Congo	29,400,000	56.00	.156	5,000,000	56.00	.026	5,000,000	56.00	.026
United Nations Educational, Scientific, and Cultural Organization, Egyptian monuments program				12,000,000	33.33	.063			
United Nations expanded program of technical assistance	21,619,891	40.00	.114	22,508,500	40.00	.118	22,500,000	40.00	.115
United Nations Special Fund	30,798,784	40.00	.162	36,491,500	40.00	.191	37,500,000	40.00	.192
United Nations/Food and Agriculture Organization: World food program	1,200,000	40.00	.006	2,438,096	40.00	.013	1,361,904	40.00	.007
United Nations High Commissioner for Refugees program	700,000	24.30	.004	600,000	33.33	.003	600,000	33.33	.003
United Nations Relief and Works Agency for Palestine Refugees in the Near East	24,700,000	70.00	.131	24,700,000	70.00	.129	24,700,000	70.00	.127
World Health Organization, medical research program	500,000	100.00	.003				100,000	20.00	.001
United Nations special programs	120,918,675	50.37	.640	115,547,513	46.38	.605	103,761,904	47.85	.532
Total	196,300,887	43.46	1.039	194,483,885	40.02	1.018	180,212,037	40.96	.924

[1] Does not reflect repayment received on U.N. bonds.

[3] Covers 6 months of the year.

[2] The amount shown includes the airlift services of $996,450 and cash contributions for 9 months of the year.

A LETTER FROM A SERVICEMAN IN VIETNAM

Mr. JAVITS. Mr. President, it has always been my belief, buttressed by my trip to South Vietnam last January, that despite divisions of opinion here in the United States, our men in Vietnam clearly understand and support U.S. policies toward Vietnam and that their morale is high. This kind of support from our fighting men in Vietnam gives the necessary encouragement to those in high places who are responsible for making the difficult choices between war and peace.

I am particularly pleased to have received a letter from Raymond Alger, a member of the Coast Guard serving in the Republic of South Vietnam. He writes:

> I'm merely an American doing what must be done—and I believe in what I am doing.

Mr. Alger's very eloquent letter is testimony to the fact that those who are on the scene in Vietnam recognize the vital purposes for which we all struggle. I ask unanimous consent to have his letter printed in the CONGRESSIONAL RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 24, 1966.

MR. SENATOR: I'm presently serving with the United States Coast Guard in the Republic of Vietnam. My home lies several thousand miles away in the small town of Middleburgh, New York and, upon my return, I would consider it a pleasure to personally thank you for your recent stand on the President's policy in Vietnam.

Since my arrival in Vietnam, it has ostensibly been shown to me the American serviceman's willingness to aid the Vietnamese in every conceivable way imaginable. Will fight for him but even more so, will try to better him and thusly, better his country.

I fully realize that public opinion within the States will invariably dictate the actions our government must take over here. Label these individuals "armchair generals" and hear them out, but also, hear out one of those so-called "unfortunates who has literally been thrown into the caldron." Such a hyperbolic title. I'm merely an American doing what must be done—and I believe in what I'm doing.

As you well know, the Vietnamese people have been suppressed for years by the omnipotent powers which have ruled their country, intimidated by the VC and now, confronted with true freedom, they're confused and anxious in their obtaining it.

First and foremost, the various sects must be united by the people themselves. Once this unity is achieved, a nationalistic spirit will prevail and the VC will be driven from the country by our joint offensive. Until these personal differences are overcome however, we must and will be patient.

True, we're fighting a war in which good American men are paying with their lives, but even more-so, we're winning the hearts and minds of the people by social economic and political reform efforts.

If I were to be one of those who was chosen to follow my predecessors in "Glory Hall," at least I would go believing in our course as do so *many* of the servicemen over here. After all ". . . resistance to tryranny is obedience to God." We must not withdraw and leave these people to the ultimate destruction the VC will impose on them!

Thank you again Mr. Senator for backing our President and the boys over here in Vietnam. Your views on U.S. policy prove you to be appreciative of the American ideals and you will always supersede those who, with statements containing allegations and vituperations tend to do us all a shameful injustice.

Respectfully yours,

RAYMOND ALGER, GM 2, USCG.

INDEPENDENCE FOR GUYANA

Mr. JAVITS. Mr. President, I wish to take this opportunity to extend welcome and congratulations to the new state of Guyana. After 152 years of colonial life under the name of British Guiana, Guyana has attained independence.

Notwithstanding a number of political and economic problems, the 650,000 people of this new nation have proceeded along the road to independence with moderation and good sense. Most heartening, in particular, has been the fact that the overwhelming majority of the people have rejected the Communist alternative. Much of this success is due to the fair minded leadership of Guyana's Prime Minister, Mr. Forbes Burnham, who is doing much to ease the tensions between the Negro and Indian sectors of Guyana.

In honoring this new nation I ask unanimous consent to have printed in the Record two editorials, one published in the Washington Post and the other in the New York Times on May 26, 1966.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, May 26, 1966]

Welcome to Guyana

A mere two years ago British Guiana seemed among the least promising of the recent multitude of candidates for independence. A strike abetted by the Marxist Prime Minister, Dr. Cheddi Jagan, was paralyzing the country. Racism was rampant, with frightening clashes between the urban Africans and the East Indians who now constitute a majority of the 640,000 people. The United States was fearful of a new Castroite stronghold and had impressed its concern on Britain.

That Guyana has nevertheless qualified as an independent commonwealth nation today is a remarkable success story. In part it is due to a firm but enlightened British Governor, Sir Richard Luyt, who stays on by Guyanese request as the first Governor General. In part it is due to the system of proportional representation devised by Britain that permitted the present coalition to break Dr. Jagan's hold. In part it is due to substantial economic aid. But mostly it is due to the emergence of a fair-minded African Prime Minister, Forbes Burnham, who has been trying hard to heal the past racial cleavages and win the confidence of all segments of the population.

Some caveats remain. Guyana is highly literate and is potentially rich in resources, but unemployment and renewed racial friction could mar the prospect. The country is still fragile, and much depends upon restraint. But the augury today is good. Dr. Jagan has ended his boycott to lead the opposition, Mr. Burnham has coupled action with forbearance, and an opportunity exists for Guyana to play a leading part in forming a regional market with other former British territories in the Caribbean. A salute to independent Guyana is in order.

[From the New York Times, May 26, 1966]

Guyana at Independence

British Guiana has achieved independence as Guyana with two major problems threatening an otherwise hopeful future. They are the danger of racial strife between the country's 200,000 Negroes and the 320,000 Guyanese of East Indian origin, and the threat posed by the Marxist leader of the opposition People's Progressive party, Dr. Cheddi B. Jagan.

Guyana starts out on its own with more assets than many former colonies achieving statehood. Its literacy rate—more than 80 percent—is probably the highest of any underdeveloped country in the world, and provides the material from which to fashion the skilled work force required for economic viability and stability. Its numbers of doctors, engineers, architects, accountants and other professional people are not large in absolute terms for a country of 650,000, but large enough to give Guyana much better prospects than many new nations of Asia and Africa.

Guyana has had a small foreign trade surplus in recent years and its national debt is less than $150 million. The coalition Government of Prime Minister Forbes Burnham has done much to clean up the financial mess left in 1964 by the Jagan regime. Mr. Burnham's Government has adopted liberal tax policies aimed at attracting private foreign investments.

But the facts remain that most Guyanese of East Indian extraction, who make up half the population, continue to support Dr. Jagan and that his party controls the biggest bloc of seats in the Assembly.

Unless Mr. Burnham's party is able over the long run to add substantial East Indian elements to its Negro base, it will be very difficult even under present election arrangements to keep Dr. Jagan on the sidelines indefinitely. The possibility of another Castro-type regime in the Western Hemisphere thus will continue to haunt the United States and other American countries for some time.

VIETNAM REPORT BY A DIRECTOR OF THE INTERNATIONAL RESCUE COMMITTEE

Mr. JAVITS. Mr. President, Mr. William J. Casey, a director of the International Rescue Committee and a member of its Vietnam subcommittee, has recently returned from Vietnam and has written a well-balanced and provocative account of his observations.

Mr. Casey's observations and proposals are in many ways in accord with my own views of the Vietnam situation. Mr. Casey confirms the judgments I made during my trip to Vietnam several months ago on a number of counts: First, that the majority of the Vietnamese people clearly oppose a Communist takeover; second, that no political faction in South Vietnam really desires the withdrawal of the U.S. presence; and third, that not nearly enough is being done by either the Saigon government or our own Government to meet the requirements of social and economic reconstruction of this country. Mr. Casey writes:

> The primary battle in Vietnam is to help a people brought up under colonialism establish a working independent government and to help them meet their basic needs.

I ask unanimous consent to have Mr. Casey's report printed in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

Notes on a Trip to Vietnam and a Proposal

(By William J. Casey)

I have just had the privilege of visiting Vietnam as a director of the International Rescue Committee, as a member of its Executive Committee and as a member of its Vietnam subcommittee. I visited refugee camps, orphanages, hospitals and dispensaries all over the country. I received briefings from our military and civilian advisers in several provinces. It has been inspiring to see the great humanitarian work of IRC and other American voluntary agencies working in Vietnam. Our military and USAID officials there are similarly dedicated.

I traveled by helicopter over most of the Delta of the Mekong River, I traveled over most of the coastal area as far north as Quang Ngai, in Military Zone I, I traveled over most of the central highlands, from Dak To down through Kontum and Pleiku. I talked to our military leaders, our economic and civilian leaders, leading figures in the government of South Vietnam.

It is easy to get alarmed about the situation in Vietnam as you sit here in New York and read the papers, listen to the radio, see the TV and talk to all the grandstand quarterbacks. I return from Vietnam greatly encouraged. We have big problems, we may experience setbacks. We can question the wisdom which got us where we are. But we are there and we must face it. And we can take heart from these encouraging elements:

1. There is no political leader of any importance at all who shows any sympathy for the Viet Cong.
2. No political faction wants a government in which the Viet Cong would play any important role.
3. No political faction wants us out.
4. No one believes that the National Liberation Front, representing the Viet Cong and its sympathizers (the Viet Cong being controlled by the Communist organism of North Vietnam) would pull more than 10% of the vote in a national election in South Vietnam.
5. No important city in South Vietnam has ever been held by the Viet Cong. They have dominated and terrorized much of the countryside, but they have no influence where the great bulk of the people live.
6. The refugees, whether they flee a Viet Cong attack, or an attack by force of the South Vietnamese government or by U.S. forces, come only one way—toward us and away from the Viet Cong.
7. 2,000 of the Viet Cong accept the open arms or amnesty invitation of the South Vietnam government and defect every month.

I was in Vietnam to study the problem of helping the refugees and the victims of war. And this war is primarily a contest to win the allegiance of these people, in showing them that we can help them to a better life.

Although lives are being lost, we are primarily engaged in helping a people enter the 20th century. To do this, we have to help the government of South Vietnam fight off an armed insurrection, aided and abetted by other countries, which is seeking to disrupt economic and social progress and take over the country. Sometimes we do this directly. Perhaps we get a better perspective when we realize that we are helping a nation of 16 million people and, to do so, we must fend off a force of some 200,000 outlaws—some 80,000 regular hard core Viet Cong who fight and disrupt, and some 120,000 sympathizers who do militia and guard duty.

We went into Vietnam to help the South Vietnamese people develop their economy, create a government and build a nation. That is still our primary purpose. To carry it out, we have had to help the South Vietnamese government police their country and protect their civil and social and economic affairs from violent disruption and intrusion by armed dissidents, supported and directed from outside their country. These armed bandits have spread terror throughout the countryside, taxed the country people illegally, blasted over 500,000 people out of their homes, created mass movements of refugees and orphans throughout the country, assassinated some 15,000 village officials, teachers and other leaders in the 16,000 villages which make up South Vietnam.

I believe we are doing well in Vietnam. There will be trials and setbacks. But it is inspiring to see young Americans, 25 and 30, teaching and leading the Vietnamese into the 20th century. Their eyes and their efforts are focused on conquering, not the Viet Cong, but hunger and disease and ignorance. The Viet Cong is a nuisance which must be fended off, somewhat like the malaria-bearing mosquito, in order to get the job done.

In the United States, we have one doctor for every 800 people. In Vietnam, there is one doctor for every 50,000 civilians, one dentist for every 250,000 people, one fully trained nurse for every 80,000 people. Our military men and their civilian running mates, serving the Vietnam government, are overcoming this appalling shortage. Doctors from the free world, and refugee doctors from Cuba are coming in to provide medical services at hospitals and dispensaries located at provincial capitals and other cities. Vietnamese girls are being trained to visit schools and families and refugee camps, to give injections, to spot cases that need the attention of the doctors at the nearest dispensary or hospital. The Vietnam people are beginning to realize that their government is acting to give their children and themselves a healthier future.

Let me repeat this. The primary battle in Vietnam is to help a people brought up under colonialism establish a working independent government and to help them meet their basic needs. The secondary battle is to protect this peaceful work of nation building from disruption by violent insurrection carried on by less than 2% of the population. With all the news of military battle, it is difficult to grasp this relationship. It is not easy to tell the people that the work of arms is secondary while men are being shot at. But if we are to succeed in Vietnam, if we are to avoid a bigger war, it is essential to grasp this relationship. On this score, two things are encouraging:

1. The record shows that the work of pacification is one of our most effective military weapons. Each month, some 2,000 of the Viet Cong lay down their arms and come over to our side. This comes partly from our show of strength, partly from the demonstration that the South Vietnam government can do more to help these men and their families than the Viet Cong can.

2. That the civilian front is primary is firmly believed by the thousands of Americans, military and civilian, who are helping refugees, training civil servants, training nurses and teachers, resettling refugees on new land and training them in mechanics and woodworking and construction.

At the moment, American and Vietnam forces command the military situation. We are able to move almost anywhere in South Vietnam with relatively small forces. In one populous province in the north, considered to be hot and strong in Viet Cong, the senior American military adviser believes that we can go anywhere and take any town in the province with two companies, or 300 men. In the central highlands, some 4,000 men cleared out a 60 mile front in 18 days. In the Delta, with some 2,500 Special Forces troops, we are securing 100 miles of the Cambodian border.

We have the mobility, the fire power and the fighting power to substantially clear the country, unless Ho Chi Minh or the Chinese put in more regular troops. What we need and don't have is the force to hold the territory we take. This creates a seesawing back and forth. The Marines clear out a pocket of Viet Cong and go back to their base and, then, the Viet Cong come back in. This is costly in lives and disruption of civilian life. We should use our military superiority to clear the country while we have it and we should get the forces to hold the territory we clear. This will accelerate the nation-building process and bring many Viet Cong, with their families, over to our side as it becomes clearer that we can offer them more security, food, education and health care.

To continue with too little and too late at this stage will be too costly.

As to what to do about involving the Vietnamese at this juncture, I recommend the following:

1. Put top priority on extending the portion of South Vietnam which the government holds securely. The government presently holds well under half the country side, but those areas in which well over half the population resides. We can and should hold the entire Delta, the entire coastal area and all the cities and farming areas in the central highlands. Only when we have done this can we successfully and securely build a government and an economy which can satisfy the Vietnamese people. When we have done this, we will have successfully repulsed this Communist inspired war of national liberation and will, hopefully, have dealt a death blow to the war of liberation technique with which the Chinese and the Russians threaten to undermine us throughout Asia, Latin-America and Africa.

2. Don't extend and escalate the war. Continue to bomb supply depots and supply lines in order to reduce the flow of supplies which can be used against our men, but do not send ships in or mine Haiphong harbor or bomb the population of Hanoi. To escalate the war in this way could involve us in a major land war in Asia. It could force the North Vietnamese to send against our men the 300,000 trained troops they now have in North Vietnam. The advantages of shutting off Haiphong harbor are not enough to justify the risk of involving us in a much greater war. Any supplies which come in to Haiphong harbor can be brought in over land if Haiphong harbor is out of commission. Thus, the advantages of disrupting international shipping in Haiphong harbor are temporary and illusory. Supplies are coming into South Vietnam on bicycles. We can only cut that off by bombing or otherwise interdicting jungle trails. If supplies don't come in through Haiphong harbor, they would come down from Hong Kong or Shanghai or overland from Manchuria and Russia. It is irresponsible for anyone, who is not in a position to weigh the benefits against the risk and exposure of bombing, mining or blockading Haiphong harbor, to urge that we take any of these drastic steps.

3. Get additional holding forces in Vietnam so that our present ability to defeat the Viet Cong in the field, root them out of the towns and chase them into the hills can be converted into additional securely held territory in which the process of helping the Vietnamese people in building the nation can be prosecuted. The Australians have just tripled their commitment of troops. The Philippines are taking legislative action to send holding forces. We should accelerate diplomatic initiative to get other nations to contribute holding forces. In Europe, we should offer technological assistance to induce our allies there to either send troops or civilian personnel to aid in the process of developing the Vietnamese nation. Above all, we should urge the government of South Vietnam to develop a more effective method of allocating manpower to the military and essential civilian functions, and we should exert very great pressure to get them to put the young men, now riding bicycles on the streets of Saigon and the other cities, into uniform so that the American capacity to clear out the Viet Cong can be followed up by holding operations in which these new Vietnamese troops can be trained and converted into a fighting force.

4. Get more young men from the United States and other free nations involved in the process of helping Vietnamese refugees, and fighting ignorance, poverty and hunger in Vietnam. Much of this vital work is now being done by ex-Peace Corps men. We have made a policy decision not to use the Peace Corps in Vietnam. Apparently, there's concern that helping the civilian population in South Vietnam would impair the image of the Peace Corps as a force for peace. This is a weak and self-conscious posture and we should reverse it to use Peace Corps personnel in the process of nation building in South Vietnam. Failing that, we should recruit men from the Peace Corps and young volunteers from America, who would otherwise go into the Peace Corps, to accelerate our efforts on a civilian front in South Vietnam.

5. We should support our troops in South Vietnam but we should not permit political decisions which would or could involve extension of the war to military commanders. These decisions should continue to be made only by our duly elected political leaders.

6. Don't permit the military pressures or the harassment of the Viet Cong to hold us back from our essential task in Vietnam, which is to help build the nation, create a viable Vietnamese government and help the long-suffering people of that land. That's the only way we will, in the final analysis, win the war and show the Communist powers that the technique of national wars of liberation, on which they count to destroy our influence throughout the world, does not work.

7. Continue to make every possible diplomatic initiative to work out a peaceful settlement. There can be no peaceful settlement on South Vietnam unless the Viet Cong participate. The Viet Cong organization is directed from North Vietnam. But many of its members could be persuaded to join in the government and society of South Vietnam. This is evident from the fact that presently some 2,000 of the Viet Cong accept the open arms invitation of the government of South Vietnam and defect every month. The elections scheduled for September offer a great opportunity to accelerate this process.

A PROPOSAL

I propose that the U.S. Government urge the South Vietnamese to challenge the Viet Cong with a new double-barrelled military-political drive. This initiative should be dramatically focused on the upcoming elections in Vietnam. The military aspect of this double-barrelled policy cannot be divorced from diplomatic aspects.

The first half is military:

We now have the mobility and the military capacity and control of the air necessary to take almost any portion of South Vietnam. But we are not able to substantially increase the land area and the number of villages that the South Vietnamese hold because there are not sufficient local troops to hold the areas liberated by our effective mobile forces. The South Vietnamese must substantially up their draft and put more of their eligible males into armed service. These new South Vietnamese troops can be deployed to hold newly liberated territory and while there can receive additional training and begin to learn the more intricate offensive maneuvers of jungle warfare. This added South Vietnamese troop deployment would help eliminate the frustrating experience American forces now have to endure when they liberate a village only to know that, when they return to their base the Viet Cong will come back and capture the village. It would also protect the civilian people and refugees from being caught in a seesawing of territory between the South Vietnamese forces aided by Americans and the Viet Cong.

The second half of this double-barrelled policy is diplomatic and political:

The upcoming election should be the basis of a major peace initiative which, even if it fails to terminate hostility, should reduce the numbers and the effectiveness of the Viet Cong.

The Americans and South Vietnamese Government should offer to the Viet Cong an opportunity to participate as a political party in the forthcoming elections providing they cease their aggression and violence. This should be backed up by a strong offer of amnesty to the Viet Cong people insuring them, as individuals, the right to participate in the elections in return for their coming over to the South Vietnamese side. I believe this will substantially increase the number of defections from the Viet Cong which is already running over 2,000 per month.

In summary, I believe that we and the South Vietnamese must show the Viet Cong that they are in for a tougher time, yet hold the door open for them as a party to negotiate for a role in the elections should they renounce force, and as individuals to participate in the new elections if they choose to join the free Vietnamese. This kind of initiative offers the only present hope of producing an early peaceful settlement. The diplomatic effort would show the world our peaceful purposes while the military effort would not permit our peace seeking efforts to be misinterpreted as weakness. It should, as a minimum, step up the rate of defections from the Viet Cong. It would offer added protection to the people of South Vietnam and accelerate the basic nation building program which is necessary for a durable peace in Southeast Asia.

UNFAIR FEDERAL AID

Mr. JAVITS. Mr. President, on March 5 I issued a study, which appears in the Congressional Record for March 8, of the distribution of Federal grants-in-aid among the States. My conclusion from that study was that the distribution of such funds to States, local governments, and private institutions is "grossly unfair to large urban States."

It has come to my attention that an excellent editorial supporting the study was published in the Syracuse Herald-Journal on March 19, 1966. I ask unanimous consent that it be printed in the Record at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Unfair Federal Aid

Sen. Jacob Javits has rolled up his congressional sleeves and has picked a fight with the federal aid formulas which he labeled as being "out of date, arbitrary and grossly unfair to large urban states."

He speaks so true when he calls these times the "age of the cities", for there have been enormous shifts of population into major urban centers. The self-taxing efforts of these cities cannot meet the vastly-rising demands for services and sharply increased costs. But not enough Federal money has come along in wake of these population waves of pressure.

Listen to Sen. Javits:

"The huge concentrations of population in major urban centers have created conditions entirely beyond the proportions ever experienced before. These are conditions which threaten the basic livability of the dwelling place of almost 75 per cent of our nation's people.

"And they are conditions which the cities and the states in which they are located are incapable of handling with their available resources. Only the federal government can help do this job; without the federal government, the cities are strangling."

Much of this injustice is apparent through the whole panorama of the hundred or so aid grants to states—the allocations for hospital and medical facilities construction aid, vocational rehabilitation, roads, economic development, pollution, education, health services and so on.

What makes it so unfair is that, for every dollar in federal income tax paid by New Yorkers, only 54 cents is returned. This state contains 9.4 per cent of the national population. It receives only seven per cent of all federal aid distributed to the states.

Javits wants Washington to keep up with the changing face of the nation but, instead, he laments, "we have perpetuated a benefit for the less-populated states without considering whether it still is relevant."

Let's hope Javits' fellow senators listen to him and understand the terrible financial strain today on cities . . . and move to divide federal aid to reflect urban needs.

THE 12TH ANNUAL REPORT OF DELINQUENT TAXES

Mr. WILLIAMS of Delaware. Mr. President, today I am filing the 12th annual report of delinquent taxes.

The 1965 report shows an increase in delinquent employment taxes from $217,365,000 to $222,296,000, representing a 2.3-percent increase. The total amount of all delinquent taxes—employment, income, corporation, et cetera—have increased 7.9 percent or from $1,173,911,000 to $1,267,183,000.

In addition to the delinquent taxes as carried on the books at the end of 1965 the report shows that during the calendar year 1965 the Government wrote off as uncollectible, delinquent accounts totaling $328,275,000. This writeoff represents a 61-percent increase over the $203,821,000 written off as uncollectible in 1964. In addition, the amount of taxes abated in 1964 jumped 68.5 percent, from $177,772,000 to $299,629,000 in 1965.

A statistical breakdown showing the valuations in delinquent accounts, write-offs, and abatements for each of the various collection districts will be incorporated in the Record as a part of my remarks. I shall cite but a few of the more glaring examples.

The Brooklyn, N.Y., office shows a 45.4-percent increase in delinquent employment taxes and a 29.8 percent increase in total tax delinquencies. In addition, the report for the Brooklyn office shows a substantial increase in the amount of delinquent accounts written off as uncollectible and that this writeoff jumped from $12,917,000 in 1964 to $18,094,000 in 1965. During the same year taxes abated jumped from $6,958,000 in 1964 to $20,585,000.

The Manhattan office shows an increase in total tax delinquencies of 11.1 percent or an increase from $132,398,000 to $147,058,000, but this tells only a small part of the story. The Manhattan office wrote off an additional $97,916,000 as uncollectible accounts. This represents almost a 275-percent increase from the $26,418,000 written off in 1964. During this same year the amount of taxes abated in the Manhattan office jumped 74.5 percent, from $12,049,000 in 1964 to $21,025,000 in 1965.

Unquestionably both the Brooklyn and the Manhattan offices need attention. The unusually large amounts being written off need further explanation.

The Baltimore, Md., office reports a drop in total tax delinquencies from $23,541,000 to $21,938,000, but apparently this drop is partly accounted for by a substantial increase in the total amount of delinquent taxes written off as uncollectible. The Baltimore office in 1965 wrote off as uncollectible $10,804,000, an increase of 204.8 percent from the $3,545,000 written off in 1964. During the same period taxes in the amount of $5,409,000 were abated as compared with $4,609,000 abated in 1964.

Newark, N.J., reported $59,407,000 in total tax delinquencies, representing a 6-percent increase over 1964. Again the amount of delinquent accounts written off as uncollectible jumped from $7,327,000 in 1964 to $18,273,000 in 1965, an increase of 150 percent. During this same year the amount of taxes abated jumped from $10,934,000 in 1964 to $19,344,000 in 1965.

The Philadelphia office reported the total amount of delinquent taxes as being $38,316,000, an increase of 4.3 percent over 1964, but delinquent accounts written off as uncollectible in the Philadelphia office totaled $17,126,000 as compared to $14,354,000 in 1964. Taxes abated in the Philadelphia office dropped from $12,768,000 in 1964 to $7,552,000 in 1965.

Wilmington, Del., reported a 102.0 percent increase in delinquent employment taxes, a jump from $294,000 in 1964 to $594,000 in 1965, but it had a 16.2 percent decrease in total delinquent accounts as compared to 1964, a reduction from $5,163,000 to $4,326,000. Delinquent accounts written off as uncollectible, however, jumped from $405,000 in 1964 to $1,044,000 in 1965. Taxes abated during this same year declined from $2,450,000 to $1,437,000.

In Jacksonville, Fla., delinquent employment taxes rose 6.9 percent, from $9,743,000 to $10,412,000, while the total amount of all tax delinquencies in this office jumped 95.2 percent, from $50,334,000 in 1964 to $98,275,000 in 1965. During the same period the Jacksonville office wrote off delinquent accounts as uncollectible totaling $11,529,000 as compared to $10,708,000 in 1964. Taxes abated in the Jacksonville office in 1965 totaled $5,766,000 as compared with abatements in 1964 of $8,526,000.

Chicago, Ill., reports a 12.1-percent increase in delinquent employment taxes, or $10,073,000 in 1965 as compared to $8,985,000 in 1964. During the same period the total tax delinquencies in the Chicago office jumped 18.2 percent, or from $43,164,000 to $51,012,000 in 1965. During the same year delinquent accounts written off as uncollectible in the Chicago office totaled $20,733,000 in 1965, an increase of 68.9 percent, or from $12,277,000 written off in 1964. In 1965 taxes abated in this office totaled $6,583,000 as compared to $6,866,000 in 1964.

Milwaukee, Wis., reported a 7-percent reduction in delinquent employment taxes and a 21.8 percent increase in total tax delinquencies, or an increase in total delinquent taxes from $8,836,000 to $10,758,000 in 1965. During the same year, however, the Milwaukee office wrote off $3,588,000 in delinquent accounts as uncollectible, representing an increase of 193.1 percent over the $1,224,000 written off as uncollectible in 1964. Taxes abated in this office were $2,149,000 in 1965 as compared to $2,016,000 in 1964.

Dallas, Tex., reported that it had reduced its total tax delinquencies by 13.3 percent, or from $23,588,000 to $20,446,000; however, delinquent accounts written off as uncollectible in the Dallas office totaled $8,294,000 in 1965 as compared to only $3,487,000 in 1964, or an increase of 137.8 percent. Taxes abated in the Dallas office dropped from $5,048,000 in 1964 to $2,692,000 in 1965.

Los Angeles, Calif., reported a reduction in its total tax delinquencies of 3.6 percent, or a reduction from $100,825,000 in 1964 to $97,186,000 in 1965. Delinquent accounts written off and abated, however, jumped substantially. Delinquent accounts written off as uncollectible in the Los Angeles office in 1965 totaled $31,415,000, which is nearly double the $17,798,000 written off in 1964. During the same year taxes abated jumped from $1,415,000 to $8,012,000 in 1965, an increase of over 400 percent.

Reno, Nev., reported a 6.4-percent increase in total tax delinquencies, or a rise from $7,849,000 to $8,348,000. During the same year delinquent taxes written off as uncollectible jumped from $1,095,000 to $1,916,000 in 1965. The taxes abated for the same period rose from $593,000 in 1964 to $891,000 in 1965.

Salt Lake City, Utah, had a similar record. The total amount of delinquent accounts as reported in this office were $3,790,000, an increase of 4.1 percent over the $3,640,000 reported in 1964, but delinquent accounts written off as uncollectible in the Salt Lake City office have risen from $575,000 to $1,307,000 in 1965. Taxes abated during this same year dropped from $526,000 in 1964 to $243,000 in 1965.

San Francisco, Calif., is another office whose report needs further examination. Its report on delinquent accounts shows a 10.1-percent reduction in delinquent employment taxes and a 56.8-percent reduction in total tax delinquencies. The report claims that it has reduced its total tax delinquencies from $104,014,000 in 1964 to $44,915,000 by the end of 1965. On the surface this represents a spectacular achievement; however, the record shows that this remarkable record is largely the result of writing off, or abating, its delinquent accounts as uncollectible. For example delinquent accounts written off as uncollectible in the San Francisco office rose from $5,999,000 in 1964 to $8,475,000 in 1965, an increase of around $2.5 million, and during the same period taxes abated in that office jumped to $70,745,000 from $11,491,000, or an increase of over $59 million. Thus, here we find that taxes written off and abated more than offset the reduction in delinquent accounts as reported.

Other offices show interesting comparisons in the total amount of delinquent accounts in 1965 as compared to 1965. For example, Puerto Rico reports an increase of 34.4 percent in delinquent employment taxes and a 28.4-percent increase in total tax delinquencies.

Seattle, Wash., reports a 13.4-percent reduction in employment tax delinquencies but a 40.1-percent increase in total tax delinquencies.

Portland, Oreg., reports an 8-percent reduction in employment tax delinquencies but an 89.1-percent increase in total tax delinquencies.

Phoenix, Ariz., reports a 25.5-percent reduction in employment taxes and a 7.4-percent increase in total tax delinquencies.

Honolulu, Hawaii, shows a 22.3-percent increase in employment tax delinquencies and a 13.7-percent increase in total tax delinquencies.

Helena, Mont., has a better record, reporting a 25.9-percent reduction in employment tax delinquencies and a 15.6-percent reduction in total delinquencies.

Boise, Idaho, reports a 10.4-percent increase in employment tax delinquencies and a 41.4-percent increase in total delinquencies.

Anchorage, Alaska, shows a 24.5-percent decrease in employment tax delinquencies against a 4.7-percent decrease in total tax delinquencies.

Wichita, Kans., reports a 61.5-percent increase in total tax delinquencies.

Little Rock, Ark., reports a 26.1-percent increase in employment tax delinquencies against a 3.1-percent increase in total tax delinquencies.

Denver, Colo., reports a 5.2-percent reduction in employment tax delinquencies but a 120.7-percent increase in total tax delinquencies.

Cheyenne, Wyo., and Albuquerque, N. Mex., reported a reduction in employment tax delinquencies of 23.1 and 37.2 percent, respectively, against slight increases in total tax delinquencies.

Springfield, Ill., reported a 14.4-percent increase in employment tax delinquencies and a 128.7-percent increase in total tax delinquencies.

Des Moines, Iowa, reports a 12.9-percent reduction in employment tax delinquencies against an increase in total tax delinquencies of 45.8 percent; however, taxes written off and abated in the Des Moines office did drop in 1965.

Indianapolis, Ind., reported a 38.7-percent reduction in total tax delinquencies while Cleveland, Ohio, reported an increase of 74.3 percent in its delinquent accounts.

Columbia, S.C., reports an increase in employment tax delinquencies of 29.6 percent and an increase in total tax delinquencies of 11 percent.

Atlanta, Ga., reports an increase of 18.2 percent in delinquent employment taxes and 38.5-percent increase in its total tax delinquencies.

Total tax delinquencies in the Pittsburgh, Pa., office and in the Richmond, Va., office increased 46.7 and 41.3 percent, respectively.

Providence, R.I., reported a 28.6-percent reduction in employment tax delinquencies and a 10.5-percent reduction in total delinquencies.

Portsmouth, N.H.; Hartford, Conn.; and Buffalo, NY.; report increases in their total delinquent accounts of 118.2, 65.8, and 38.1 percent, respectively.

Boston, Mass., reported a 35.9-percent reduction in delinquent employment taxes and a 13.3-percent increase in total tax delinquencies. During the same year delinquent accounts written off as uncollectible in the Boston office for 1965 were $6,840,000 as compared to $9,504,000 in 1964.

Augusta, Maine, reported a 24.7-percent increase in employment tax delinquencies and a 99.2-percent increase in total tax delinquencies.

Albany, N.Y., reported an 11.7-percent reduction in employment taxes and an increase of 36.2 percent in total tax delinquencies.

I ask unanimous consent that the letter dated March 8, 1966, signed by Commissioner Sheldon Cohen, along with the two attachments thereto, be printed at this point in the RECORD. These two charts include the details concerning all of the various collection districts.

There being no objection, the letter and tabulations were ordered to be printed in the RECORD:

U.S. TREASURY DEPARTMENT,
INTERNAL REVENUE SERVICE,
Washington, D.C., March 8, 1966.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: This is in further reference to your letter of February 14, 1966, asking for a report on our delinquent tax accounts and for a breakdown of the accounts abated or written-off as uncollectible during the calendar year 1965.

In response to your request, a tabulation is attached showing our delinquent account inventory broken down by the various tax groups, the inactive accounts being shown in the columns to the right. As in previous years, the figures in the inactive category are also included in the figures appearing in the columns under the various tax groups. All offices were current in their issuances as of December 31, which means that the tabulation include all accounts that were in a delinquent status as of that date.

The table which follows summarizes as of December 31, 1964 and 1965, the taxpayer delinquent accounts broken down as to active and inactive status. Accounts in the inactive category are those on which collection has been deferred pending the outcome of audit examinations, court cases, or other contingent actions. Since these accounts are not subject to closure action, there is little the Service can do about accounts in the inactive category.

TDA inventory

	Active	Inactive	Total
Dec. 31, 1964	$607,186	$566,725	$1,173,911
Dec. 31, 1965	693,192	573,991	1,267,183
Change from Dec. 31, 1964, to 1965	+86,006	+7,266	+93,272
Percent of change	+12.41	+1.27	+7.37
Dec. 31, 1964	708,841	130,384	839,225
Dec. 31, 1965	877,146	138,928	1,016,074
Change from Dec. 31, 1964, to 1965	+168,305	+8,544	+176,849
Percent of change	+19.19	+6.15	+17.41

Although our year-end inventory of delinquent accounts was up in both number of accounts and dollars represented, we think this is a temporary situation attributable to the following factors.

The Service tried to mitigate the effect of underwithholding on taxpayers who were unaware of the underwithholding effect of the Revenue Act of 1964 and therefore were unprepared to make up the difference when filing their income tax returns for 1964. To do this, we deferred efforts to enforce collection of delinquent accounts attributable to underwithholding until September 1965 so that the taxpayers affected would have additional time to raise the additional amount needed for full payment of their 1964 liability. We also instituted a follow-up notice procedure under which our Service Centers mail a follow-up to those who do not respond to the notice and demand for payment on underpaid returns. This procedure is very productive in obtaining payments without having to use our higher-paid enforcement officers on personal contact with the delinquent taxpayer. However, it also has had the effect of delaying by several weeks the issuance of the delinquent accounts and those that remained were those requiring additional effort and time to collect. The above factors, namely the impact of the follow-up notice and the moratorium on the enforcement activity have altered historical issuance and closure patterns affecting our collection and yield data. Thus, comparisons of inventory for the year just past with the prior year are not entirely valid. It is anticipated that the increase appearing in the 1965 year-end inventory will be eliminated and further inventory reductions made during the calendar year 1966.

There has been no letup in our efforts to conduct a vigorous and firm collection program. We continue to stress taxpayer education and other measures designed to obtain and improve the voluntary compliance of the taxpaying public, followed by prompt enforcement action in the case of those who do not repsond. Because of the "trust fund" nature of the withheld taxes involved, we are continuing our accelerated collection program in the case of employers who file their employment tax returns without the required payment.

We are attaching, as requested, a district-by-district tabulation of uncollectible accounts and abatements for 1965. The same information for 1964 is included for convenient comparison. We are unable to give you a district-by-district breakdown by class of tax but on the basis of the best information available, we estimate that 62% of the dollar value of 1965 uncollectibles were income tax, 15% were employment taxes, and 23% other classes of tax. We do not have any reliable basis for estimating what the breakdown of abatements would be by class of tax.

As explained in last year's report with respect to the uncollectible accounts, many accounts are assessed, even though it is known at the time that the prospects for collection are extremely poor. Nevertheless, the assessments must be made in order that the liabilities may be established and the interests of the Government fully protected. I might add, however, that the decision to classify these accounts, or any others, as uncollectible is not made until all reasonable efforts have been exerted to locate the delinquent taxpayer and any income or assets from which collection may be enforced. In other words, delinquent accounts are classified as uncollectible only after it becomes clear that the accounts truly qualify as uncollectible. Furthermore, even after a decision has been made that one or more delinquent accounts are uncollectible, collection action is merely suspended until such time as collection prospects are improved or the period of limitations has expired. Many such accounts are reactivated on the basis of improvement in the taxpayer's financial situation and subjected to collection action before expiration of the statute of limitations. Separate records on such reactivated accounts are not maintained and adjustments to the amount reported as uncollectible cannot be made so as to reflect the amount that is unlikely written-off as uncollectible.

Abatements are, of course, entirely different from uncollectibles. Except in the case of offers in compromise, an assessment is abated only if it is in excess of the tax amount actually due owing at the time. The following types of assessment qualify for abatement:

1. Assessments in excess of the amount legally due as determined by audit examination.

2. Assessments in excess of the amount accepted on an offer in compromise.

3. Jeopardy assessments later determined by court ruling to be excessive.

4. Jeopardy assessments where it is administratively determined that jeopardy does not exist.

5. Transferee assessments in excess of the basic transferor assessment.

6. 100 percent penalty assessments in excess of the basic corporate assessment.

Assessments made in transferee cases always duplicate an amount already assessed against the transferor, and in cases involving the 100 percent penalty, assessments made against officers or employees of the taxpayer always constitute a duplication of an amount already assessed against the taxpayer himself. In fact, transferee assessments, all representing the same basic transferor liability, may be made against several transferees, and the 100 percent penalty may be assessed against more than one person in respect of the same offense. However, no more is actually collected than is actually due, of course, and all assessments over and above the basic one must ultimately be abated.

In jeopardy cases, the situation differs in that the assessments made are usually against the taxpayer and the taxpayer only. However, the amounts involved are determined on the basis of such information, sometimes rather limited, as is immediately available to the Service. Jeopardy assessments may, therefore, be in excess of the true liability as subsequently determined when all the facts are disclosed. In such cases, the amount of the jeopardy assessment is adjusted to the true liability.

We appreciate your interest and are pleased to furnish the information requested. I should add that we have other requests for this data which we are honoring now that this report has been sent to you.

With kind regards.

Sincerely,

Sheldon S. Cohen,
Commissioner.

Inventory of taxpayer delinquent accounts, December 1965 and 1964

	Tax groups																Inactive			
	Income				Employment				Other				Total							
	Number		Amount (in thousands)		Number		Amount (in thousands)		Number		Amount (in thousands)		Number		Amount (in thousands)		Number		Amount (in thousands)	
	1965	1964	1965	1964	1965	1964	1965	1964	1965	1964	1965	1964	1965	1964	1965	1964	1965	1964	1965	1964
Total	767,611	584,474	$901,852	$771,906	212,006	217,283	$222,296	$217,365	36,457	37,468	$143,035	$184,640	1,016,074	839,225	$1,267,183	$1,173,911	138,928	130,384	$573,991	$566,72
North Atlantic	144,301	116,325	216,795	173,654	44,449	47,429	72,294	67,792	6,390	5,611	37,136	29,066	195,140	169,365	326,226	270,512	29,828	28,664	135,188	96,175
Mid-Atlantic	156,847	103,797	107,315	86,520	31,940	32,626	33,480	34,032	5,083	5,543	19,868	26,252	193,870	141,966	160,662	146,804	26,366	23,635	74,317	69,465
Southeast	111,960	92,046	148,270	89,473	36,411	33,937	22,973	20,378	6,790	6,250	12,801	15,319	155,161	132,233	184,043	125,170	22,579	25,067	109,365	65,290
Central	88,022	62,173	75,106	72,041	23,116	20,908	19,032	18,557	4,779	4,865	20,698	15,261	115,917	87,946	114,838	105,858	16,449	13,202	47,673	55,670
Midwest	66,717	51,177	76,850	62,426	17,261	21,560	18,985	17,462	3,458	4,183	12,279	10,717	87,436	76,920	108,113	90,605	12,612	11,972	48,668	31,348
Southwest	66,021	54,307	83,046	76,923	23,701	22,758	17,694	20,826	3,750	3,956	14,648	8,197	93,472	81,021	115,388	105,946	11,099	9,118	62,514	57,947
Western	128,337	97,430	132,962	130,089	31,581	34,142	35,857	36,469	6,038	6,934	23,411	77,705	165,956	138,506	192,229	244,264	18,143	17,055	69,672	145,602
International operations	5,406	7,219	61,508	80,780	3,547	3,923	1,981	1,849	169	126	2,194	2,123	9,122	11,268	65,684	84,752	1,852	1,671	26,594	45,227
North Atlantic region:																				
Albany	8,491	4,749	3,316	2,478	1,519	1,538	1,533	1,737	300	260	1,613	529	10,310	6,547	6,462	4,744	1,643	1,131	1,905	1,624
Augusta	1,105	1,262	1,149	450	326	495	318	255	36	125	50	57	1,467	1,882	1,518	762	260	219	966	246
Boston	20,002	16,078	22,988	15,698	5,625	7,448	4,966	7,750	743	832	1,460	2,506	26,370	24,358	29,414	25,954	5,005	3,992	13,136	13,560
Brooklyn	40,840	29,020	64,722	53,180	11,765	10,704	26,713	18,366	2,026	1,240	17,050	12,012	54,631	40,964	108,485	83,558	6,644	5,230	38,833	16,533
Buffalo	9,205	8,902	10,226	5,829	3,061	4,184	3,387	3,796	463	767	2,416	1,983	12,729	13,853	16,029	11,607	1,394	2,134	5,650	3,068
Burlington	533	512	441	362	217	333	98	134	47	43	38	40	797	888	576	536	189	183	389	349
Hartford	9,433	5,367	9,774	4,449	1,959	2,509	1,666	2,360	363	374	1,776	1,160	11,755	8,250	13,215	7,969	1,123	1,334	3,039	2,679
Manhattan	52,098	48,225	101,897	89,794	18,889	18,650	32,527	32,027	2,273	1,752	12,633	10,577	73,260	68,627	147,058	132,398	12,828	13,676	60,743	56,824
Portsmouth	1,089	899	1,011	294	296	344	338	321	22	21	4	5	1,407	1,264	1,353	620	244	226	822	344
Providence	1,505	1,311	1,271	1,119	792	1,224	748	1,047	117	197	97	198	2,414	2,732	2,116	2,363	498	539	705	949
Mid-Atlantic region:																				
Baltimore	35,373	20,983	14,446	11,059	4,263	4,109	5,271	4,935	500	690	2,222	7,547	40,136	25,782	21,938	23,541	4,063	3,644	5,736	5,236
Newark	43,775	34,855	38,751	34,410	11,784	12,907	13,268	13,856	1,951	1,965	7,389	7,762	57,510	49,727	59,407	56,027	7,856	7,995	32,805	26,820
Philadelphia	38,433	22,985	23,956	20,246	7,282	7,298	8,133	8,309	1,104	1,184	6,227	8,167	46,819	31,467	38,316	36,723	7,643	6,481	17,372	23,160
Pittsburgh	14,434	11,191	19,182	10,666	4,098	4,466	3,542	4,181	891	1,111	623	1,068	19,423	16,768	23,346	15,915	4,062	3,309	10,027	7,342
Richmond	21,744	11,307	9,764	6,160	3,750	3,190	2,672	2,458	390	412	892	817	25,893	14,909	13,328	9,435	2,048	1,730	6,336	3,875
Wilmington	3,088	2,476	1,216	3,979	763	656	594	294	238	181	2,516	890	4,089	3,313	4,326	5,163	694	476	2,039	3,032

Inventory of taxpayer delinquent accounts, December 1965 and 1964—Continued

	Tax groups																Inactive			
	Income				Employment				Other				Total							
	Number		Amount (in thousands)		Number		Amount (in thousands)		Number		Amount (in thousands)		Number		Amount (in thousands)		Number		Amount (in thousands)	
	1965	1964	1965	1964	1965	1964	1965	1964	1965	1964	1965	1964	1965	1964	1695	1964	1965	1964	1965	1964
Southeast region:																				
Atlanta	18,570	14,954	$12,574	$7,671	6,013	5,167	$2,943	$2,490	1,198	1,267	$2,979	$3,193	25,781	21,388	$18,497	$13,354	3,322	3,657	$6,203	$4,462
Birmingham	12,848	13,901	5,534	6,028	4,554	4,299	2,579	2,185	1,024	814	1,263	1,211	18,426	19,014	9,375	9,424	3,104	3,618	3,708	3,427
Columbia	8,710	7,291	23,303	21,117	2,021	2,444	1,283	990	611	666	1,143	1,073	11,342	10,401	25,729	23,180	2,134	1,960	21,502	19,763
Greensboro	18,692	14,620	11,943	10,852	4,264	4,315	2,206	2,168	1,024	794	1,051	746	23,980	19,729	15,199	13,765	3,506	3,270	7,685	7,188
Jackson	7,745	5,228	3,417	2,985	2,402	2,283	1,218	1,019	361	422	410	496	10,508	7,933	5,045	4,500	1,618	1,610	2,153	2,445
Jacksonville	30,557	26,203	83,569	33,918	13,201	12,074	10,412	9,743	1,669	1,462	4,294	6,675	45,427	39,739	98,275	50,334	6,247	8,094	63,405	23,247
Nashville	14,838	9,849	7,930	6,903	3,956	3,355	2,332	1,784	903	825	1,061	1,927	19,697	14,029	11,923	10,615	2,648	2,858	4,709	4,758
Central region:																				
Cincinnati	16,655	12,389	9,298	10,036	3,982	3,156	3,002	2,670	576	697	2,689	1,917	21,213	16,242	14,623	14,623	2,578	1,805	6,154	5,085
Cleveland	22,549	14,546	27,548	14,017	5,002	3,619	3,288	2,954	1,221	1,104	3,953	2,992	28,772	19,269	34,790	19,962	4,535	2,762	11,968	8,321
Detroit	22,373	14,877	18,258	15,715	6,562	8,227	7,452	8,057	1,640	1,704	6,368	3,775	30,575	24,808	32,078	27,548	3,586	3,296	12,688	11,744
Indianapolis	12,991	8,457	12,143	24,575	3,641	2,840	2,908	2,675	518	528	3,161	2,468	17,150	11,825	18,213	29,717	3,521	3,070	9,501	24.356
Louisville	9,485	8,679	5,873	5,496	2,703	1,917	1,528	1,375	655	612	4,393	3,833	12,843	11,208	11,795	10,704	1,645	1,687	6,361	5,093
Parkersburg	3,969	3,225	1,986	2,202	1,226	1,149	854	826	160	220	133	276	5,364	4,594	2,974	3,304	584	582	981	1,071
Midwest region:																				
Aberdeen	801	964	699	879	278	323	151	176	58	102	364	404	1,137	1,389	1,214	1,459	139	203	685	905
Chicago	30,219	18,845	37,606	31,007	7,324	8,640	10,073	8,985	1,264	1,164	3,333	3,172	38,807	28,649	51,012	43,164	4,905	4,353	22,501	9,672
Des Moines	4,218	3,025	2,086	1,885	1,081	1,219	861	988	448	217	2,165	633	5,747	4,461	5,112	3,506	1,333	764	1,830	1,462
Fargo	644	638	331	431	249	278	97	115	65	59	89	91	958	975	517	637	148	111	294	271
Milwaukee	5,637	4,659	8,114	5,952	1,850	2,274	1,733	1,863	271	569	911	1,022	7,758	7,502	10,758	8,836	1,075	1,186	5.378	3,315
Omaha	1,393	1,475	5,019	3,705	497	700	426	543	83	125	498	240	1,973	2,300	5,943	4,488	589	492	4,770	700
St. Louis	12,661	13,438	8,498	9,949	3,304	4,363	2,792	2,401	676	996	3,823	3,713	16,641	18,797	15,114	16,062	2,552	3,071	6,528	9,093
St. Paul	5,688	4,623	6,695	6,071	1,597	2,462	2,049	1,689	361	740	588	711	7,646	7,825	9,332	8,471	1,086	1,119	5,084	4.927
Springfield	5,456	3,510	7,802	2,549	1,081	1,301	803	702	232	211	507	732	6,769	5,022	9,112	3,984	805	673	1,598	1,003
Southwest region:																				
Albuquerque	2,181	1,899	2,893	2,007	1,142	1,254	658	1,048	212	291	450	736	3,535	3,444	41,000	3,701	500	676	1,451	1,637
Austin	18,678	14,408	34,891	32,769	5,460	5,027	4,368	5,073	991	941	2,125	2,476	25,129	20,376	41,385	40,319	1,956	1,463	27,630	26,726
Cheyenne	1,101	982	695	653	443	614	279	363	79	78	124	41	1,623	1,674	1,098	1,057	231	221	267	287
Dallas	14,921	12,450	15,390	16,675	5,178	5,068	4,051	5,971	696	771	1,006	942	20,795	18,289	20,446	23,588	2,225	1,826	10,957	10,994
Denver	6,191	5,334	7,473	4,609	1,900	2,106	2,004	2,115	371	291	6,548	536	8,542	7,731	16,025	7,261	1,546	1,000	4,737	3,630
Little Rock	2,680	2,576	9,252	9,014	1,360	1,073	594	471	179	190	134	201	4,219	3,839	9,981	9,685	921	682	8,387	8,215
New Oreleans	8,542	7,226	6,520	5,244	3,553	3,119	2,752	2,849	491	643	1,153	1,730	12,586	10,988	10,425	9,823	1,717	1,509	5,359	3,532
Oklahoma City	6,597	5,642	3,381	3,835	3,273	3,132	1,979	1,935	460	587	1,254	1,300	10,330	9,361	6,614	7,069	1,064	1,062	900	1,817
Wichita	5,130	3,790	2,551	2,117	1,312	1,365	1,009	1,000	271	164	1,854	236	6,713	5,319	5,414	3,353	939	679	2,826	1,109
Western region:																				
Anchorage	1,763	995	947	842	870	505	520	689	56	56	33	44	2,689	1,556	1,500	1,574	137	173	267	563
Boise	1,759	1,809	1,463	978	620	761	637	577	253	132	221	85	2,632	2,702	2,321	1,641	384	458	802	821
Helena	2,060	2,197	984	1,060	787	1,021	424	572	299	283	247	329	3,146	3,501	1,655	1,961	468	280	612	400
Honolulu	1,546	1,043	3,357	2,950	410	506	471	385	83	75	87	108	2,039	1,624	3,915	3,443	484	257	2,798	2,559
Los Angeles	53,600	41,557	63,257	71,749	13,158	13,852	19,003	17,506	2,155	2,272	14,927	11,570	68,913	57,681	97,186	100,825	7,746	7,155	41,920	50,569
Phoenix	4,884	3,543	4,649	3,594	1,266	1,071	1,156	1,552	195	223	567	790	6,345	4,837	6,372	5,935	778	598	1,887	1,466
Portland	9,920	6,353	11,385	5,010	2,119	2,280	1,420	1,544	472	490	619	546	12,511	9,123	13,424	7,099	1,249	1,198	2,436	2,249
Reno	3,400	3,154	4,925	3,426	1,162	1,204	2,480	2,808	133	156	942	1,615	4,695	4,514	8,348	7,849	469	578	2,805	2,882
Salt Lake City	2,906	2,366	2,327	2,135	1,141	1,351	1,023	1,072	201	200	440	434	4,248	3,917	3,790	3,640	367	354	1,434	1,328
San Francisco	37,275	27,932	32,894	34,149	7,913	9,104	7,349	8,179	1,807	2,665	4,672	61,686	46,995	39,701	44,915	104,014	4,594	4,678	12,015	80,643
Seattle	9,224	6,481	6,774	4,197	2,135	2,487	1,374	1,586	384	382	655	499	11,743	9,350	8,803	6,282	1,467	1,346	2,696	2,122
International operations:																				
Puerto Rico	1,178	1,415	260	256	3,183	3,495	1,470	1,094	7	4	41	31	4,368	4,914	1,772	1,380	772	459	443	331
All other	4,228	5,804	61,248	80,524	364	428	511	755	162	122	2,152	2,092	4,754	6,354	63,911	83,371	1,060	1,212	26,151	44,896

NOTE.—Rounded figures may not add to the totals which are based on unrounded figures.

Taxpayer delinquent accounts written off as uncollectible and abated, calendar years 1965 and 1964

[Dollar amounts in thousands]

Region and district	Uncollectible				Abated			
	Number		Amount		Number		Amount	
	1965	1964	1965	1964	1965	1964	1965	1964
Total	274,892	341,228	$328,275	$203,821	146,334	203,036	$299,629	$177,772
North Atlantic	49,321	65,678	130,014	58,230	32,121	35,431	54,201	29,747
Mid-Atlantic	46,221	60,538	50,906	31,014	22,838	34,354	47,407	38,248
Southeast	39,031	52,037	24,774	24,102	19,773	41,517	18,338	27,884
Central	25,142	36,107	15,933	9,528	17,959	23,060	21,672	15,900
Midwest	33,206	34,790	33,525	24,954	19,521	20,166	17,351	20,701
Southwest	31,426	35,763	20,713	16,802	16,284	23,036	13,530	18,087
Western	47,651	53,594	49,058	33,175	15,733	23,004	86,429	20,879
International operations	2,894	2,721	3,350	6,019	2,105	2,468	40,693	6,265
North Atlantic region:								
Albany	1,556	1,833	1,374	1,221	1,499	1,913	766	849
Augusta	813	982	218	343	390	556	124	329
Boston	7,993	12,504	6,840	9,504	6,222	7,353	6,695	3,393
Brooklyn	12,810	16,410	18,094	12,917	6,854	7,887	20,585	6,958
Buffalo	5,470	6,406	3,444	4,363	2,973	3,817	2,425	3,411
Burlington	331	369	74	119	303	460	140	157
Hartford	2,556	4,722	887	1,856	2,258	3,561	1,732	1,857
Manhattan	15,854	19,958	97,916	26,418	10,505	8,433	21,025	12,049
Portsmouth	927	1,031	253	648	332	586	323	237
Providence	1,011	1,463	916	843	785	865	384	504
Mid-Atlantic region:								
Baltimore	11,084	14,322	10,804	3,545	3,999	6,758	5,409	4,609
Newark	12,958	14,357	18,273	7,327	8,131	8,942	19,344	10,934
Philadelphia	12,213	17,628	17,126	14,354	5,228	9,542	7,552	12,768
Pittsburgh	3,787	5,659	1,891	2,565	3,104	5,032	8,902	6,206
Richmond	5,349	7,265	1,766	2,817	1,953	3,286	4,765	1,280
Wilmington	830	1,316	1,044	405	423	794	1,437	2,450
Southeast region:								
Atlanta	7,152	8,940	4,342	4,102	3,204	6,871	3,520	4,018
Birmingham	4,450	5,102	1,943	1,599	2,572	5,053	1,848	5,506
Columbia	2,593	4,278	1,142	1,053	1,017	3,252	932	1,481
Greensboro	6,947	9,892	2,415	3,794	3,369	7,890	2,851	3,856
Jackson	1,964	2,529	1,982	1,056	1,745	2,920	1,144	1,126
Jacksonville	12,315	13,982	11,529	10,708	5,793	9,661	5,766	8,526
Nashville	3,610	7,314	1,422	1,790	1,983	5,870	2,278	3,370
Central region:								
Cincinnati	5,293	7,608	4,017	6,354	1,873	3,163	5,328	1,581
Cleveland	5,389	8,176	2,926	4,182	4,763	5,172	4,703	5,865
Detroit	6,398	10,132	3,637	3,662	4,685	6,165	3,891	3,708
Indianapolis	3,434	5,044	1,983	[1] −6,669	3,708	4,696	4,419	2,629
Louisville	3,118	3,127	1,368	1,315	2,147	2,689	2,925	1,150
Parkersburg	1,510	2,020	1,002	684	783	1,175	404	969
Midwest region:								
Aberdeen	597	589	539	184	271	274	362	340
Chicago	12,508	16,633	20,733	12,277	7,233	7,654	6,583	6,866
Des Moines	1,826	1,730	685	1,144	1,228	1,367	969	1,091
Fargo	340	418	98	220	312	408	203	179
Milwaukee	3,735	3,175	3,588	1,224	2,096	2,656	2,149	2,016
Omaha	1,139	954	435	449	894	865	455	558
St. Louis	7,682	5,579	3,020	2,401	4,623	3,267	4,924	7,366
St. Paul	3,595	3,479	2,038	1,209	1,694	2,282	700	1,146
Springfield	1,784	2,233	2,389	5,846	1,170	1,393	1,005	1,198
Southwest region:								
Albuquerque	1,291	1,753	787	731	814	1,222	1,582	1,919
Austin	6,066	7,353	4,938	5,968	3,972	5,911	2,972	4,248
Cheyenne	615	610	326	160	232	302	147	74
Dallas	10,279	10,231	8,294	3,487	3,425	4,788	2,692	5,048
Denver	2,157	3,026	1,069	2,015	1,377	1,988	1,331	1,339
Little Rock	1,887	1,895	483	504	1,286	1,514	907	1,239
New Orleans	3,849	4,444	2,457	1,386	1,675	2,896	1,211	2,224
Oklahoma City	3,528	4,295	1,833	1,727	2,426	2,750	2,032	1,204
Wichita	1,754	2,156	527	824	1,077	1,665	655	793
Western region:								
Anchorage	455	682	876	377	254	268	362	180
Boise	550	742	195	224	480	574	368	189
Helena	974	972	322	360	527	817	204	289
Honolulu	524	647	330	434	500	627	415	167
Los Angeles	20,830	23,321	31,415	17,798	963	3,630	8,012	1,415
Phoenix	2,606	3,444	1,781	2,899	1,302	1,657	1,415	1,460
Portland	3,049	4,376	1,444	1,981	2,206	2,620	2,055	3,207
Reno	1,649	1,321	1,916	1,095	791	755	891	593
Salt Lake City	1,416	1,553	1,307	575	708	1,166	243	526
San Francisco	12,809	12,645	8,475	5,999	6,368	8,677	70,745	11,491
Seattle	2,789	3,891	999	1,435	1,634	2,213	1,730	1,363
International operations:								
Puerto Rico	917	655	209	116	783	686	447	418
All other	1,977	2,066	3,142	5,902	1,322	1,782	40,246	5,847

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[1] Reversal of 1 account erroneously reported as uncollectible.

THE CALENDAR

Mr. LONG of Louisiana. Mr. President, a number of bills are on the calendar to which I do not believe there will be any objection. They have been cleared on both sides of the aisle.

I ask unanimous consent that the Senate proceed to consider calendar orders Nos. 1154 through 1159, inclusive.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered.

TRANSFER OF CERTAIN LANDS IN COLORADO TO DEPARTMENT OF AGRICULTURE

The bill (H.R. 10451) to authorize the Secretary of the Interior to transfer certain lands in the State of Colorado to the Department of Agriculture for recreation development, and for other purposes was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

DILLON RESERVOIR

Mr. ALLOTT. Mr. President, I appreciate the opportunity to make this

statement in support of H.R. 10451 which I was pleased to report favorably from the Senate Committee on Interior and Insular Affairs. The purpose of this measure is to provide for the transfer of 3,380 acres of land in Summit County, Colo., now administered by the Bureau of Land Management to the administration of the Forest Service, and to revise the boundaries of Arapaho National Forest to include these and some other lands. Also, it would authorize the Forest Service to enter into cooperative arrangements with the Denver Board of Water Commissioners for the management and development of recreational facilities around the Dillon Reservoir.

The Dillon Reservoir is owned by the city and county of Denver and is administered by the Denver Board of Water Commissioners, and is an important part of the municipal water system. The dam is located just downstream from the confluence of Ten Mile Creek and the Upper Blue River, which are tributaries of the Colorado River. Because of its location it required the removal of the town of Dillon to a new site, since the old site is now covered by about 150 to 160 feet of water. There are two other small communities near the lake; Frisco located upstream on Ten Mile Creek, and Silverthorne which is just below the new townsite of Dillon. In addition, Breckenridge, which is upstream from Dillon on the Blue River, is developing into a fine winter sports area. All of these communities are essentially resort communities at the present time.

I have had occasion to be in Dillon earlier this year. It has a magnificent setting with some of the Nation's highest mountain peaks surrounding it. The water is clear and pure, and the 26 miles of shorelines are well forested. The reservoir was quite full, and I am informed that it has been necessary to spill some of the water because of the excellent moisture harvest of last year.

The Dillon Reservoir offers one of the finest recreation development opportunities in the United States. It is within a 2-hour drive for more than 1 million people, and the development proposal of the Forest Service will furnish outstanding opportunities for camping, hiking, and boating. However, since the reservoir waters are destined for domestic use in the Denver metropolitan area, swimming will not be allowed.

Under the provisions of this bill, the Arapaho National Forest will be expanded by some 14,585 acres, of which approximately 3,880 acres are public domain and about 2,780 acres are owned by the Denver Water Board. The remainder is privately owned or included in the Dillon small tract area. The Dillon small tract area is an area of about 275 acres that has been subdivided and disposed of by the Bureau of Land Management for cabin sites. This tract is excluded from the provisions of the bill.

As I have indicated, both the Bureau of Land Management and the Forest Service are administering the land within this area. This dual administration and operation is not desirable. Because of the extensive jurisdiction of the Forest Service within the area, and because the Forest Service and the Denver Water Board have formulated a development proposal, it was deemed administratively wise to transfer the Bureau of Land Management lands to the single administrative management of the Forest Service.

Of the many communications I have received relative to this legislation, only one was in opposition. This gentleman from Denver expressed his opposition to water skiers. I would assume that the exclusion of swimming will resolve this one objection. With this one exception, support for this measure appears to be both vigorous and universal, and I have received strong endorsements from the mayor of Dillon, the president of the Dillon Chamber of Commerce, and the Denver Board of Water Commissioners.

It is my understanding that both the Department of the Interior and the Department of Agriculture are favorably disposed toward this legislation. It is my hope and belief that Forest Service administration of the area will provide an effective and amicable relationship between the private enterprise segment and the Government-owned segment which will together develop this excellent recreation area to its finest and fullest potential.

Mr. DOMINICK. Mr. President, I am happy to support the remarks just made by my distinguished senior colleague [Mr. Allott] regarding H.R. 10451 and I join in urging the expeditious passage of this bill and I congratulate my colleague for having successfully brought this matter to the floor of the Senate at a rapid rate.

The Dillon Reservoir, which is surrounded by forest land and the magnificent Colorado mountains, comprises one of the most beautiful settings imaginable. This area is within easy driving distance of our State's largest metropolitan area and is in an area which attracts thousands of tourists from all parts of the country. This area unquestionably offers one of the greatest recreational development opportunities in the country.

The transfer of the administration of this land to the Forest Service makes good sense from an administrative point of view, and I am hopeful that this bill will lead to the harmonious and beneficial development of this potentially great recreational area.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1188), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

H.R. 10451 will transfer 3,880 acres of public land in Summit County, Colo., from administration by the Bureau of Land Management to administration of the Forest Service. The boundaries of the Arapaho National Forest would be revised to include these and certain other lands, and the bill would authorize the Forest Service to enter into cooperative arrangements with the Board of Water Commissioners of the City and County of Denver for the management and development for recreational purposes of the Forest Service land in this area and of adjacent lands owned by the Board of Water Commissioners.

NEED

Dillon Reservoir, at the junction of Blue River and Ten-Mile Creek, has been constructed by the Denver Board of Water Commissioners to increase municipal water supplies. The reservoir, with a 3,300-acre surface and a 26-mile lakeshore, offers an excellent opportunity for recreation development, which would be carried out by the Forest Service in accordance with its existing authority and with such funds as may be appropriated in due course by the Congress. Through enactment of H.R. 10451, one Federal agency will administer adjacent lands which are now administered by two agencies.

Located within a 2-hour drive for more than 1 million people, the reservoir will offer opportunities for hiking, camping, and boating. Because of its intended use, swimming in the reservoir will not be allowed.

Some of the lands to be transferred to Forest Service administration lie in a long narrow band along the Blue River downstream from Dillon Reservoir; others are immediately around the reservoir and lie between it and the present boundaries of the Arapaho National Forest. The national forest borders these lands on three sides. There are no plans for acquisition of, or for Federal developments which might encroach on, private lands within the new boundaries of the national forest, but it is possible, the committee was advised, that some exchanges of land may be found desirable by private landowners and officials of the Forest Service. If this turns out to be the case, the Forest Service has authority to carry them out. The bill excepts from the transfer to the Forest Service about 275 acres of Bureau of Land Management land within the revised boundaries of the forest since this area has already been subdivided and is to be disposed of by the Bureau of Land Management under the Small Tracts Act.

COST

H.R. 10451 will entail no cost to the Government.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

WIND RIVER INDIAN RESERVATION, WYO.

The bill (S. 2595) to place in trust status certain lands on the Wind River Indian Reservation in Wyoming was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2595

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right, title, and interest of the United States in and to the following described tracts of land and the improvements thereon on the Wind River Indian Reservation in Wyoming, shall hereafter be held by the United States in trust for the benefit of the Shoshone Indian Tribe and the Arapahoe Indian Tribe of the Wind River Indian Reservation, Wyoming.

Township 1 north, range 1 east, Wind River meridian, Wyoming

Tract number 1, section 28, southwest quarter southwest quarter southeast quarter southwest quarter, 2.50 acres;

Tract number 2, section 31, south half southeast quarter northeast quarter northwest quarter, 5.00 acres;

Tract number 3, section 36, west half southwest quarter northwest quarter southwest quarter, southwest quarter northwest quarter northwest quarter southwest quarter, 7.50 acres. Comprising a total of 15.00 acres.

Sec. 2. This conveyance is subject to all valid existing rights-of-way of record.

Sec. 3. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1189), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of S. 2595, introduced by Senator McGee (for himself and Senator Simpson), is to place in trust status 15 acres on the Wind River Indian Reservation in Wyoming.

NEED

The land with which S. 2595 is concerned was acquired by the United States in the 1920's for administrative, irrigation, and other Indian Bureau needs at a cost of $812.50. The land is no longer needed by the Bureau of Indian Affairs, and the Wind River Tribes have requested the conveyance.

The land is divided into three parcels located in one of the more heavily populated areas of the reservation. The tribes plan to use the land and improvements as a student study hall, residences for tribal, fish and game, or law and order employees, and for other administrative purposes. The tribes also are considering using the land for a home for their elderly members and as homesites for tribal members.

The estimated present value of the land is $3,150, and the estimated value of the buildings now located on the land is $12,550.

The bill directs the Indian Claims Commission to determine the extent to which the value of the conveyance made by S. 2595 should be offset against any award against the United States. The bill also protects all valid existing rights-of-way of record.

TRUST LANDS FOR THE APACHE TRIBE OF THE MESCALERO RESERVATION

The bill (H.R. 12264) to declare that 99.84 acres of Government-owned land acquired for Indian administration purposes is held by the United States in trust for the Apache Tribe of the Mescalero Reservation was considered, ordered to a third reading, read the third time, and passed.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1190), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of H.R. 12264 is to transfer the beneficial title to a 99.84 acre tract of land and the improvements thereon now owned by the United States to the Apache Tribe of the Mescalero Indian Reservation in New Mexico. A companion bill, S. 2735, introduced by Senator Anderson was also considered by the committee.

NEED

The 99.84 acre tract was included within the boundaries of the Mescalero Indian Reservation as created by the Executive Order in 1873. The property, however, had been settled prior to that time by a non-Indian. The Government purchased the non-Indian's interest in the land in 1918 for $10,000, and title was taken in the name of the United States.

The land was used as an agency and Indian school until 13 years ago. The land is presently being used by the tribe for agricultural purposes on a permit basis. The tribe wishes to construct low-rent housing on this land, but before an agreement can be reached with the Public Housing Administration, title to the land must be in the tribe.

The fair market value of the land is approximately $20,000 and the value of the improvements of the land is estimated to be $15,000. The bill provides that, in the event of a judgment favorable to the Mescalero Apache Tribe by the Indian Claims Commission, the Commission shall determine the extent to which the value of the conveyance made by H.R. 12264 should be offset against the award.

LAND FOR INDIANS OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES, FLATHEAD RESERVATION, MONT.

The Senate proceeded to consider the bill (S. 2948) to set aside certain lands in Montana for the Indians of the Confederation of Salish and Kootenai Tribes of the Flathead Reservation in Montana which had been reported from the Committee on Interior and Insular Affairs, with an amendment to strike out all after the enacting clause and insert:

That all of the right, title, and interest of the United States in the 487 acres, more or less, described below are hereby declared to be held in trust for the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana.

PRINCIPAL MERIDIAN, MONTANA

Township 18 north, range 21 west, section 8, lot 7; section 17, lot 2.

The areas described aggregate 66.54 acres.

Township 19 north, range 23 west, section 31, northeast quarter southwest quarter.

The area described contains 40 acres.

Beginning at the southwest corner of southeast quarter southeast quarter section 14, township 18 north, range 20 west, principal meridian, from the initial point—

north 0 degrees 01 minutes west, 660 feet, east 330 feet,

north 0 degrees 01 minutes west, 1,320 feet, east 990 feet,

south 0 degrees 01 minutes east, 275.9 feet,

south 59 degrees 0 minutes west, 849.6 feet,

south 45 degrees 33 minutes east, 43.1 feet,

south 58 degrees 50 minutes west, 96 feet,

south 31 degrees 10 minutes east, 130 feet,

south 56 degrees 37 minutes east, 298 feet,

south 0 degrees 22 minutes east, 72.7 feet,

north 56 degrees 37 minutes west, 377.6 feet,

south 0 degrees 22 minutes east, 462.8 feet,

north 89 degrees 35 minutes east, 314.3 feet,

south 0 degrees 22 minutes east, 589.5 feet,

west 858 feet to the point of beginning.

The tract as described contains 28.66 acres, more or less.

Township 21 north, range 20 west, section 36, southeast quarter southeast quarter, east half east half east half northeast quarter southwest quarter southwest quarter southeast quarter, north half southeast quarter southwest quarter southeast quarter, east half east half southwest quarter southeast quarter southwest quarter southeast quarter, southeast quarter southeast quarter southwest quarter southeast quarter, northeast quarter southwest quarter southeast quarter.

The areas described aggregate 58.4375 acres.

Beginning at the northwest corner of section 1, township 20 north, range 20 west, principal meridian, Montana.

Thence from the initial point, east along north line of said section 1,660 feet, south 0 degrees 01 minutes east, 396 feet, west 660 feet, north 0 degrees 01 minutes west, 396 feet, to the point of beginning.

The area described contains 6 acres, more or less.

Township 22 north, range 24 west, section 33, southeast quarter southeast quarter.

The area described contains 40 acres.

Township 21 north, range 20 west, section 11, east half southeast quarter northeast quarter, section 12, northeast quarter northwest quarter, southwest quarter northwest quarter, south half northwest quarter northwest quarter, northeast quarter northwest quarter northwest quarter, south half northwest quarter northwest quarter northwest quarter, northeast quarter northwest quarter northwest quarter northwest quarter.

The areas described aggregate 137.5 acres.

Township 16 north, range 19 west, section 16, west half east half southwest quarter, northwest quarter southwest quarter.

The area described contains 80 acres.

Beginning at the southwest corner of section 16, township 16 north, range 19 west, from the initial point—

north 0 degrees 02 minutes west 1,320 feet, east 1,317.36 feet, south 0 degrees 02 minutes east 528 feet, west 462 feet, south 0 degrees 22 minutes east, 792 feet, west 857.34 feet, along section line to point of beginning, excepting east half northwest quarter, northeast quarter southwest quarter southwest quarter and west half west half northeast quarter northeast quarter southwest quarter southwest quarter section 16, township 16 north, range 19 west.

The area described contains 29.725 acres, more or less.

The areas of the tracts listed above aggregate 526.8625 acres, more or less.

Sec. 2. This Act shall become effective when the Tribal Council of the Confederated Salish and Kootenai Tribes by resolution accepts the transfer of the property involved.

Sec. 3. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission. The Court of Claims is directed to make the same determination in connection with any claim against the United States adjudicated by it.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1191), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of S. 2948 as amended is to set aside 487 acres in Montana for the Indians of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont. The land is within the boundaries of the reservation and is surplus to the needs of the Bureau of Indian Affairs. Some of the tracts involved are adjacent to trust land and some of them are adjacent to unrestricted land.

NEED

The 487 acres with which S. 2948 is concerned were part of 577 acres bought from the tribes in 1904, by the Indian Bureau for administrative needs at a cost of $658.75. Four hundred and eighty-seven acres are now excess to the needs of the Bureau of Indian Affairs. Although the Bureau of Indian Affairs does not know the details of the tribe's intended use of the land, the Bureau understands that the tribe wishes to use the land for exchange, assignments, and leases to tribal members.

The bill as amended provides that, in the event of a judgment favorable to the tribes by the Indian Claims Commission or the Court of Claims, the Indian Claims Commission shall determine the extent to which the value of the conveyance made by S. 2948 should be offset against the award.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

RETROCESSION TO STATE OF KANSAS OF CONCURRENT JURISDICTION OVER HASKELL INSTITUTE

The bill (H.R. 10476) to retrocede to the State of Kansas concurrent jurisdiction over Haskell Institute was considered, ordered to a third reading, read the third time, and passed.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1192), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of H.R. 10476 is to retrocede to the State of Kansas concurrent jurisdiction over the site of Haskell Institute at Lawrence, Kans., in order to provide adequate police and fire protection for the school. A companion bill, S. 2410, introduced by Senator Pearson was also considered by the committee.

NEED

Haskell Institute is located on land, some of which was donated to, and some of which was purchased by, the United States. From its founding in 1884 until recently, Haskell was thought of as being part of Lawrence with respect to criminal and civil jurisdiction. The interest of the Federal Government was assumed to be that of a proprietor.

The Department of Justice in 1965 advised the State of Kansas and Haskell Institute that the campus and its inhabitants were under exclusive Federal jurisdiction. Therefore, the State and local authorities had no jurisdiction over crimes or offenses committed on the campus.

In order that the students, faculty members, and visitors to Haskell Institute may enjoy police and fire protection, historically provided by the State of Kansas and the city of Lawrence, the enactment of H.R. 10476, is necessary.

TRUST LAND FOR THE MINNESOTA CHIPPEWA TRIBE

The Senate proceeded to consider the bill (S. 2912) to declare that certain federally owned land is held by the United States in trust for the Minnesota Chippewa Tribe which had been reported from the Committee on Interior and Insular Affairs, with an amendment, at the top of page 2, to insert a new section, as follows:

Sec. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right, title, and interest of the United States in land heretofore used in connection with the White Earth Indian Boarding School described as the southwest quarter northeast quarter section 23, township 142 north, range 41 west, fifth principal meridian, Becker County, Minnesota, comprising 40 acres, excepting all improvements thereon that are the property of individual tribal members, are hereby declared to be held by the United States in trust for the Minnesota Chippewa Tribe.

Sec. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1193), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record as follows:

PURPOSE

The purpose of S. 2912 is to declare that the United States holds in trust for the Minnesota Chippewa Tribe 40 acres of land which was acquired for administrative use by the Government but is no longer needed for this purpose. A companion bill, H.R. 10431, which was passed by the House of Representatives on February 21, 1966, was also considered by the committee.

NEED

The land with which S. 2912 is concerned was acquired by the Bureau of Indian Affairs on January 22, 1904, for $400. The land was acquired for agricultural purposes in connection with the White Earth Indian Boarding School, which was closed in 1919, and the land is excess to the needs of the Bureau of Indian Affairs.

An appraisal indicated that the land is potential agricultural land, but it is not considered an economic agricultural unit and does not abut land likely to be used for agriculture. At the present time, there are seven Indian homesites on the land, owned and occupied by enrolled members of the tribe. The 40-acre area is surrounded on the north, south, and west by tribal land.

The Bureau of Indian Affairs, in a formal appraisal report, estimated the market value of the tract in question to be $500.

The amendment provides that, in the event of a judgment favorable to the Chippewa Tribe by the Indian Claims Commission, the Commission shall determine the extent to which the value of the conveyance made by S. 2912 should be offset against the award.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD subsequently said: Mr. President, I ask unanimous consent that the passage of S. 2912 on today be reconsidered, that the Committee on Interior and Insular Affairs be discharged from further consideration of H.R. 10431, and that the Senate proceed to its consideration.

The PRESIDING OFFICER. Is there objection? The Chair hears none and it is so ordered. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 10431) to declare that certain Federally owned land is held by the United States in trust for the Minnesota Chippewa tribe.

The Senate proceeded to consider the House bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all after the enacting clause in the House bill be stricken out and that the language of S. 2912, as passed, be substituted therefor.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. KUCHEL. Mr. President, let the record be clear that both the pending bill and the Senate bill came from the Committee on Interior and Insular Affairs—so the staff has refreshed the recollection of the minority—and are identical bills, one of which contains an error, and the other of which does not; that we are proceeding with the bill which is free from error.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 10431) was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that S. 2912 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, that concludes the call of the calendar.

SENATOR MAGNUSON LOOKS TO THE FUTURE

Mr. BARTLETT. Mr. President, men who go down to the sea in ships, whether for exploration, or for harvesting or for the chance to challenge nature, are a special breed. Like the man in the crow's nest surveying the horizon, these men are ever looking to the future, seeking battle with nature, new discoveries, new crops, and new markets.

While the space race gets the headlines and perhaps captures the imagination of some of those who in former years would look to the sea, there are still men of vision who see the oceans as a great frontier to be cultivated today to build a better tomorrow.

One of the most persuasive, most effective of these men is the senior Senator from Washington [Mr. MAGNUSON], Capitol Hill's leading advocate of making the United States the world's ranking seapower.

On April 25, 1966, Senator MAGNUSON once again demonstrated that his eyes were focused on the horizon of the future. In a speech at Aberdeen, Wash., where he conducted hearings on a bill authorizing construction of experimental plants to manufacture fish protein concentrate—FPC—the Senator made clear the prime importance of manufacturing FPC was to nourish the ever growing number of hungry people in the world.

He noted:

> The real benefits of the fish protein concentrate program will come in its broad national context, in its needed contribution toward feeding the hungry of the world, and thus eliminating one of the prime causes of war. * * * America is today the leader in the struggle toward world peace, and a prime foundation segment of that effort structure is our continuing aid programs to the underdeveloped nations of the world. A failure on our part to meet this assistance challenge could only produce additional breeding grounds for the infestation and eventual domination of these countries in the world plan for communist control.

Because of the importance of Senator MAGNUSON'S address, I ask unanimous consent that it be printed in the RECORD as it was reported in a recent edition of the Fishermen's News.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

GREAT FPC FUTURE FORECAST BY SENATOR IN ABERDEEN SPEECH

The creation of a successful commercial fishery is not an easy task as those of you associated with that industry will readily attest. There are many necessary facets, but certainly at the top of the requirement list must certainly be adequate raw resource and commensurate market. Just as important are harvesting and processing techniques, and then the energy, ability and courage of individuals willing to enthusiastically pursue the often difficult path of the pioneer. And these men who will finance and operate the fine new plant now under construction in Aberdeen, and the fishermen who are building new vessels or converting old ones to participate in the sea harvest are pioneers no less so than Captain Robert Gray or Samuel Benn who are identified and honored by history for their contribution to the founding and development of this region.

The heritage of this entire area is founded on the spirit of courage and resourcefulness and rugged determination in carving communities out of what was once a forest wilderness. I would pay homage to these contemporary pioneers today, for from their comparatively small beginnings in this business of utilizing America's adjacent fishery resources, I envision an industry of great consequence in the years ahead. For this new industry to grow to the kind of proportions we speak of, there is need for a great raw resource. What then, is available?

To me, there is no question of resource abundance. The presence of the huge fishing fleets of the Soviet Union, thousands of miles from home, serves as daily testimony of the rich wealth which abounds off the West Coast of the United States. The estimates are still uncertain, but with each revision, the new figure is greater than the last. Indeed, the last preliminary estimates as to the total harvestable fishery resource off the United States Coast by the Bureau of Commercial Fisheries was a figure of 22 billion pounds. When we consider that the domestic U.S. fleets take about 4.5 billion pounds and our total fishery use, from what we catch and what we import, is about 12 billion pounds, it is quite obvious that we may rest assured that we have raw product for this new industry.

This does not mean, however, that we can stand idly by, or allow ourselves the luxury of reflection on these quantities of marine resources which we so often refer to as "ours." The truth of the matter is, that by present international standards of ocean practice they are not ours, but belong to that nation that can reduce them to harvest. Here on the Pacific Coast we have watched the progressive southward movement of two foreign nations—Japan and the Soviet Union—as they have extended their operations into the once virgin fishery stocks offshore, and today the latter nation is vigorously exploiting resources off both the Washington and the Oregon coast.

In a sense we have been engaged in a race for fish, and America has not done very well, having slipped from second to fifth place in the world production record. I have heard criticism of the fishermen and the processor for America's poor showing in this race, but the record will clearly show that the fishing industry has not had an even competitive chance in this contest. Agriculture has enjoyed elaborate aids here in the United States, it has been protected from foreign competition by a variety of quotas, tariffs and other controls, few of which have been available to those who harvest the sea.

NEW FRONTIERS OFF OUR SHORES

There are new fishery frontiers remaining for the American fishermen off our coasts, and one of the most promising of these is the Pacific hake resource, which will provide the initial and prime raw resource for the new Grays Harbor fish meal operation. The harvesting techniques—the midwater trawl in particular—as developed by the Bureau of Commercial Fisheries is a prime factor in our present ability to proceed with this project. There are other unutilized offshore species, some perhaps in greater abundance than the Pacific hake, and I am confident that harvesting methods can be developed for these so that the supply to the shore processor may be more consistent and the fishing season may be extended. I am pressing in this session of the Congress for the inclusion of a $100,000 item that the work of the Bureau's Seattle Exploratory Fishing and Gear Research Base may be continued and considerably enhanced.

The second factor for consideration in the development of a new fishing industry is the matter of market, for without someplace to sell the fish, the resource would continue as valueless. There is good market at present for fish meal, and this will be the prime production product of the new Grays Harbor plant. The use of fish meal in the diet of poultry and livestock has had a fantastic effect on the harvest of those species which are so used. Under the pressure of increased demand, world production of fish meals and solubles, mostly for poultry and animal feeding, increased from about 590,000 metric tons in 1948 to 3,500,000 metric tons in 1964, and the market appears to be stable and growing. We have come a long way from the days when we thought of fish meal only as fertilizer, and we are literally one step away from direct human consumption. This final step has been a long time in coming and will constitute a major breakthrough in fishery processing and marketing history. I refer, of course, to Fish Protein Concentrate.

WHY FISH PROTEINS EXCEL

What are some of the properties of this revolutionary product that have made it such an exciting subject in world nutritional circles:

1. Fish proteins contain all the amino-acids required by the human today in proportions well adjusted to keeping the body in vigorous health. In addition, there are plus factors, vitamins, calcium, trace minerals, polyunsaturated animal oils, etc.

2. The proteins of all fish are substantially the same. Thus a fully dehydrated and defatted product, made of a considerable variety of ocean run fish together, is as valuable nutritionally as that made from selected high-priced fish.

3. Fish proteins can be dehydrated cheaply and the proteins not damaged in the process if reasonable care is used.

4. Dehydrated fish proteins can be packaged economically so that they can be shipped and stored for long periods of time cheaply and in stable form.

This brings us then to the final ingredient for success of the creation of the new industry; the human factor. Though this is perhaps the most important of all, it is here that I have the least concern, for I have an unswerving faith in the ability of the American fishermen to go forth and compete with the best fishermen in the world, provided the competition is on reasonably equal terms. I have equal faith in the imagination and ingenuity of American industrial technology, and here again, we have consistently proven our superiority.

Certainly the proper development of this Fish Protein Concentrate program is of vital interest to the citizens of Grays Harbor, for the creation of new industry and the resultant economic benefits is not easy to come by. It is of great personal importance to me also, not only for the benefits which it can provide to the economy of this and other areas of the State of Washington, but because it represents some goals in sight on an effort which dates back a good many years to a time when the discussion of fish flour or Fish Protein Concentrate was quite foreign to the average citizen.

But the real benefits of the Fish Protein Concentrate program will come in its broad national context, in its needed contribution toward feeding the hungry of the world and thus alleviating one of the prime causes of war.

It is difficult for many of us in well fed America to realize that we live in a world filled with hunger. Scientists tell us that about 60% of the present world population is suffering from what they term animal protein malnutrition. History tells us that the inevitable companion of hunger is political unrest, the forerunner of war. One of history's oldest lessons is found in the fact that there must be a reasonable balance of food and advantage if peace is to be maintained. President Johnson clearly pointed this out last September when he noted that one-fourth of the people of the world cannot long maintain their ability to have everything they want against three-quarters suffering from want in every form.

America is today the leader in the struggle toward world peace, and a prime foundation segment of that effort structure is our continuing aid programs to the underdeveloped nations of the world. A failure on our part to meet this assistance challenge could only produce additional breeding grounds for the infestation and eventual domination of these countries in the world plan for communist control.

This problem of world hunger is lessening. Every 24 hours, world population is increasing by about 170,000 people and every year by about 65 million, or about the number of people who populate France.

One of the nations regularly visited with famine and death from hunger during our generation is India. Madame Ghandi, that nation's prime minister, was in Washington recently conferring with the President on the food needs of that nation. Since independence, India has made great strides, increasing her food production by about 75 percent, but the failure of the monsoon last year has made her the victim of merciless natural disaster. This terrible agricultural tragedy is compared to our own "dust bowl" years of the 1930's.

In answer to India's desperate request for assistance, President Johnson has asked that we increase our planned six millions tons of food grain destined for India. But man does not live by bread alone, and scientists are consistently reminding us of this literal truth.

Dr. Roger Revelle, Director of the Center for Population Studies at Harvard University, and a native of our own State of Washington recently emphasized the problems of India when he said:

> "The future of mankind is now being ground out in India. If there is no solution, all the world will live like India does now. A livable world cannot long exist where two-thirds don't have enough to eat and one-third are overfed—and that is the present world."

Dr. Revelle recommends an attack on the food crisis on four fronts, and one of these is in the need for increasing the quality of diets, with particular emphasis on protein. One of Dr. Revelle's solutions toward the increment of high quality protein is found in the development of low-cost protein extract from fish.

If Fish Protein Concentrate were available today in sufficient quantities, the addition of just a small percentage in that six million tons of wheat which the President has promised to India, would mean the difference in merely keeping people alive, and making them able to perform the functions necessary to make this product a world reality.

Our path thus far toward such reality has not been an easy one. An opinion some *years ago in which the Federal Food and* Drug Administration rejected Fish Protein Concentrate because it was made from whole fish has made progress slow and difficult. The present application from the Department of Interior for approval of Fish Protein Concentrate is not only achieving sympathetic consideration, but there is considerable optimism that it will be granted. The approval if granted, however, will be for only one process and for only one type of fish. There is need for rapid and broadened research and process development, and the legislation which we have considered in hearing today is intended to assist such accomplishment.

One of the distinct advantages of Fish Protein Concentrate is its low cost. Scientists estimate that just a teaspoonful of this tasteless, odorless product can produce noticeable good result in a child suffering from protein malnutrition disease in less than ten days, and the cost is estimated to be about twenty-five cents per month.

Many food scientists are looking to the ocean resources today as the greatest hope for the survival of mankind. The challenge which we face is to duplicate in terms of food production within the next 35 years everything that mankind has learned and achieved since the beginning of time, and the key word to the challenge is the word "time". We are in a race against time. Those who suggest an agricultural solution to world hunger have suggested the reclamation of new lands. But their cost estimates reach the staggering figure of nearly half a trillion dollars.

WORLD FISHERY CONSERVATION IMPERATIVE

In terms of time and cost it is little wonder that nations are turning to the sea. In 1850 the world catch was less than two million tons; in 1900 it had more than doubled to 4 million tons, by 1930 it was 10 million tons; in 1950, 20.2; 1960, 38.2 and in 1964 we had passed the 50 million ton fishery production mark. Though this is far short of what we consider the ultimate ocean potential, there are many formerly rich fishing areas which today are in a serious state of depletion. No longer can we consider the ocean resources as inexhaustible.

Recognizing the great potential need for food from the sea and looking with concern the unrestricted exploitation of the fishery resources, I submitted a resolution to the United States Senate three years ago, calling attention to the need for world fishery conservation and the responsibility for the coastal and fishing nations to join in conference on the questions of conservation requirements. Had the United States State Department followed through on this unanimously adopted resolution, I feel certain that we would be in a far better position today to deal with the menacing fishing fleets of the Soviet Union which have so recently appeared off the Washington and Oregon coasts. In the absence of the earlier implementation of that proposed world fishery conference, I have asked the President to join with Secretary of State Rusk in an immediate diplomatic confrontation with the Russians that we may discuss a proper conservation regime for the adjecent fishery stocks.

Further, I am asking Secretary Rusk and his Department to speed the implementation of the 1958 Geneva Convention on Fishing which provides some special rights and interests to the coastal state including the enforcement of conservation of resources being fished in the high seas off its coasts by itself or others, or only by others. There are conditions whereby the coastal state can even enforce conservation measures on the fishermen of other nations on the high seas unilaterally. I do not know whether this Convention, which now enjoys twenty-two ratifications, can provide an answer to the conservation problems with which we are con*cerned, but I do know that it must be our* dedicated responsibility to press every avenue that harvest shall be within the requirements of maximum sustainable yield.

As Chairman of the Senate Commerce Committee I have called for immediate hearings on Senator BARTLETT's 12-mile-limit bill. These are now scheduled for May 18 and 19. It is my hope that the hearings on the 12-mile proposal will produce the kind of testimony necessary to enable a proper decision of just what is in our long-range national interest.

The United States fisheries have been in an area of despondency, and the future has appeared as dark and univiting. We have stumbled from adversity of crisis and there has been little economic surplus for renewal of harvest or processing tools. We have been visited by the curse of unfair competition in the market place, and our international dealings have been regularly marked by the sacrifice of the commercial fisherman and his industry on varying altars for what has been glibly referred to as the broad national interest.

I wish that I could say today that all of these storms are safely over the horizon, that smooth seas and fair winds were promising only good harvest. This is not so, and your need for courage and resourcefulness will be ever present.

But I can say today that the handful of us in the Congress and in Government who have long regarded the fruits of your harvest as of great value is growing, and when we speak of the broad national interest today there are many more in the number who would include fishermen and the fishing industry as a segment of the economy above that level of national or international sacrifice.

I would leave you with this final thought. There is no greater threat to that peace than the millions of fathers who go to bed hungry and awaken to the whimper of their children, weak with that same hunger and unable to cry. What greater challenge, what more satisfying reward than the harvest and production of food that the cause of peace may be better served.

GOP SHAPES PRUDENT POLICY ON VIETNAM

Mr. SCOTT. Mr. President, I am proud of the fact that Republicans in Congress have been acting responsibly in their comments and statements on the situation in Vietnam. Roscoe Drummond calls attention to this in his column which appeared in the Philadelphia Inquirer of May 31. I ask unanimous consent that Mr. Drummond's column be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GOP SHAPES PRUDENT POLICY ON VIETNAM

(By Roscoe Drummond)

WASHINGTON.—In the wake of the Oregon Democratic primary's indorsement of President Johnson's course in Vietnam, Republican leaders in Congress are taking a new look at how they ought to handle the Vietnam issue in the coming elections.

They are becoming aware that, if they attack the President indiscriminately, they are more likely to hurt themselves. They can't afford to throw away their advantage of being more united behind the defense of Vietnam than the Democrats by heckling the President and thus helping to disunite the country.

The Republicans have two campaign issues affecting Vietnam on which they can rightly capitalize.

*A good case can be made that the Gov*ernment would be strengthened for whatever tests lie ahead by correcting the egregious imbalance the two parties in both the House and the Senate. The Johnson Administration needs an effective watchdog opposition in Congress and the Republicans need more seats to fill that need.

Secondly, if the country wants Congress to back President Johnson's course in Vietnam and to give him the support he needs to exert both patience and firmness, he is more likely to get it by increasing the Republican members than by giving any encouragement to the Democratic liberal dissidents.

The latest evidence is that the emergent Republican position on Vietnam is both prudent and constructive.

A good example is the speech which Rep. CHARLES E. GOODELL of New York, chairman of the GOP Committee on Planning and Research, prepared for delivery in the House. It was previewed without objection by other top Republicans. In tone and substance it is in keeping with everything Sen. EVERETT DIRKSEN has been saying.

GOODELL helps the Administration by delivering a warning which undoubtedly reflects the attitude of the President. It is that, if the South Vietnamese themselves withdraw from the conflict or if civil disorders force such withdrawal, "the United States may have no alternative but to withdraw."

But GOODELL does not leave the Republicans simply in the position of just supporting the President. He urgently counsels the White House to quit pretending it can play no positive part in furthering the conditions needed for "free and meaningful elections in South Vietnam."

GOODELL proposes these steps:

That a pre-election agreement be prompted among responsible representatives of all major Vietnamese groups to abide by the outcome of the balloting.

That supervision of the election be undertaken by an international commission of disinterested third-party states, not the U.S. or any Communist Power.

That as part of the election there be a direct vote on the war itself.

This is the kind of thoughtful advocacy which can put Republicans in the best possible position to go before the voters on the Vietnam issues this fall.

NEED FOR RESEARCH ON NATION'S ESTUARIES

Mr. TYDINGS. Mr. President, on Sunday, May 1, 1966, a feature article appeared in the Outlook section of the Washington Post stressing the danger of pollution in our Nation's estuaries. The article, written by Mr. Eric Wentworth points out that " 'estuarine pollution' is far more difficult to study and control than pollution in individual rivers or lakes." Mr. Wentworth goes on to say that "there's growing awareness that estuaries are valuable biological resources and that they're being lost to us bit by bit."

The article states that my bill (S. 3240), calling on the Interior Department to make a 3-year, $3 million comprehensive study of estuaries and their problem, is a concrete step that would "focus attention on estuaries as a special problem." The article stressed the importance of our Nation's estuaries as areas for recreation as well as important sources of food and a livelihood for many people. The article urges that we find a way of stopping the further pollution *of these areas.*

I ask unanimous consent that this article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, May 1, 1966]

Dirty Rivers Are Clean Compared to Estuaries

(By Eric Wentworth)

Pollute a river, and there's only one way for the stuff to go—downstream. But it's different, and much more complicated, in harbors, bays, and other estuaries where tides ebb and flow and fresh water meets salt water.

The sweep to the sea is delayed and the tides slosh polluted water back and forth and sometimes sideways like a miner panning for gold—and when dirty river water encounters salt water peculiar physical and chemical changes cause some pollutants to mix with clay particles and fall in little lumps to the bottom where they form noxious "sludge banks."

These complexities combined with the vast variety of filth spilling into, say, the Chesapeake Bay directly, and through numerous streams and rivers, show why so-called "estuarine pollution" is far more difficult to study and control than pollution in individual rivers or lakes.

WADING INTO THE PROBLEM

Lawmakers and policymakers have begun wading into this long-neglected problem with proposals to give the estuaries something approaching national attention.

"There's growing awareness that estuaries are valuable biological resources and that they're being lost to us bit by bit," says one Government planner.

By one reckoning, one-fourth of the American populace lives within 50 miles of the seacoast. They and countless others use the estuaries for swimming, sailing, fishing and other recreation. The estuaries are an important source of food and also provide a livelihood for many people.

In the face of these growing demands, the days are gone when people could blithely assume that anything dumped into an estuary from factory or shipboard would do no harm before being whisked out to sea by the tides, even if it took quite a while.

Estuaries have "taken severe punishment" from human use in the past, John S. Gottschalk, director of the Interior Department's Bureau of Sport Fisheries and Wildlife, charged in a speech last fall. Secretary of Interior Stewart L. Udall told a Senate subcommittee recently that estuaries have been "sort of a garbage dump."

THE IMPACT OF SEWAGE

The environmental Pollution Panel of the President's Science Advisory Committee dealt with the special problem of estuarine pollution in its report last November on "Restoring the Quality of Our Environment."

The Panel cited dramatic case histories, including the impact of sewage and industrial waste on New Jersey's Raritan Bay where swimmers, fishermen and clammers once disported.

"Its once clean waters which contained large numbers of harvestable shellfishes and many other species of invertebrates," the Panel concluded, "were transformed by the pressures of industrialization and the resulting population expansion into a septic, despoiled environment, murky with domestic and industrial wastes and * * * peculiar, undesirable flora."

Another case: Long Island's Great South Bay and Moriches Bay, where pollution, first from nearby duck farms and more recently from human sewage, ruined a once-prosperous shellfish industry and has hampered recreational use—producing among other things "unpleasant gases" that discolored the paint on waterside houses.

Aside from such disastrous incidents, and the occasional, sudden "kills" of fish or fowl caused by one-shot dumping of poisonous matter, there are many more situations where estuarine pollution is a creeping, insidious and sometimes mysterious malignancy undermining the habitat.

Conservation-minded Government officials figure the pollution problem is serious in many areas where they lack the facts at this point to prove it.

"We know so little now about what makes estuaries tick," one says.

FANTASTICALLY FERTILE

In their unspoiled state, estuaries and the salt marshes that often border them are fantastically fertile. The Sapelo marshes of Georgia, for example, are said to produce in a given area nearly seven times as much organic matter as a comparable area in the waters of the Continental Shelf, and six times as much as a same-sized area in the average wheat field.

Oysters, clams and crabs are among the permanent residents of estuaries. Such important commercial or sport fish as menhaden, bluefish, croaker and prawns spend their early life in these waters. Others, including salmon, shad, herring and striped bass, pass through on their way to spawning grounds. And many offshore fish, such as the mackerel, which may not visit the estuaries, depend for food on creatures that do.

Then there are the birds, some hunted with guns and others with field glasses. Some are year-round residents; many are seasonal visitors.

Pollution, be it caused by pulp mills, chemical plants, municipal sewers or yacht toilets, isn't the only man-caused hazard. Conservationists frequently frown at channel-dredging, which can upset the underwater balance of nature in estuaries, and the dumping of dredged-up mud or other spoil on marshes.

Countless thousands of marsh, or "wetland," acres have been filled to provide dry land for factories, farms or housing developments. Other marshes have been drained to control mosquitoes, quarried for gravel or used for trash dumps. Dams built far upstream affect river flows and thus can harm estuary life by allowing salt water on occasion to intrude further inland.

TYDINGS PROPOSAL

As one step toward protection, Sen. Joseph D. Tydings (D-Md.) recently introduced a bill calling on the Interior Department for a three-year, $3 million "comprehensive study" of estuaries and their problems, with a report to include recommendations for a national follow-up program.

The Public Health Service has gotten involved in estuarine problems to some extent. As part of 10 major river basin studies, it has undertaken to identify pollution sources and recommend abatement methods. These studies, whose subjects include the Delaware River, and the Susquehanna River plus Chesapeake Bay, have become responsibilities of the new Water Pollution Control Administration scheduled to move to the Interior Department soon.

The Tydings study would be complementary, but broader. Some Government analysts, eyeing the intricacies of estuaries, believe the Senator's proposal would barely scratch the surface of needed research. They note that a thorough British study of the Thames Estuary alone took between six and seven years. Still, the Tydings approach would focus attention on estuaries as a special problem.

Rep. John D. Dingell (D-Mich.), taking another tack, has proposed establishing a "National System" of estuarine areas—to be designated by the Secretary of Interior—that are either relatively unspoiled or could be restored. The Government could acquire land or water in these areas and regulate their public use.

Rep. Herbert Tenzer (D-N.Y.), and more recently Sen. Robert F. Kennedy (D-N.Y.), have proposed creating a Long Island National Wetlands Recreation Area to protect some 16,000 acres of marsh on Hempstead and Oyster Bays through Federal acquisition or management. This measure, if approved, could set a pattern for other areas.

These and other possible proposals are being studied by Administration policymakers who hope to send their own legislative entry to Capitol Hill later this year.

While substantial controls of pollution sources are either on the books or before Congress in the President's "Clean Rivers Restoration" bill, Government officials are concerned about research and planning needs and such related problems as control of harmful dredging and indiscriminate land use in estuary areas. As yet, they aren't ready to discuss specific legislation.

Meanwhile, several states, among them Massachusetts, New York, Rhode Island and California, have taken steps to protect their estuaries through planning financial and technical aid, zoning or controls on dredging.

Still, public apathy and the opposition of commercial interests promise the conservationists a long, tough battle.

"As a visitor here," Interior's Gottschalk remarked to the Gulf States Marine Fisheries Commission at Biloxi, Miss., in March, "I detect or suspect a regional lack of regard for the balanced picture of natural resource conservation, and a preoccupation with 'economic progress' in exploiting natural resources.

"At the same time," he added, "I note hopeful if belated stirrings of public recognition that unlimited exploration may lead to disaster, that critical estuarine habitats must be protected and preserved."

Such stirrings can be noted these days in Washington as well.

HELP FOR THE HOUSEWIFE IN BUYING MEAT

Mr. LONG of Missouri. Mr. President, meat is a big part of any housewife's food budget. On average, we spend about 30 percent of our food dollar for meat and poultry.

Aid in getting a good buy, then, is important to all of us. It is available in most food stores in the form of the USDA—U.S. Department of Agriculture—grade mark.

The familiar shield-shaped grade mark appears on about 85 percent of the beef cuts sold in grocery stores. Shoppers who understand its meaning and are guided by it can be sure of getting the quality they want and pay for.

If you want the best, you can probably find a store that sells the top grade, U.S. Prime. Most cuts of this grade are very tender, juicy, and flavorful.

U.S. Choice is the most popular grade of beef with most consumers and more of it is sold than any other grade. You can depend on Choice roasts and steaks to be consistently tender and juicy and have a well-developed flavor.

Thrifty shoppers often favor U.S. Good or U.S. Standard beef, because it has less fat than the higher grades. Beef of these grades is not as juicy or flavorful as Choice or Prime, but is just as nutritious.

Shoppers can depend on these USDA guides to qualify in buying beef because beef is graded by impartial Government graders who are experts in judging the quality. Quality of beef is almost impossible to judge in the retail cut. Graders, therefore, look at the whole carcass or large wholesale cuts. Grade is determined on the basis of U.S. standards which detail the requirements for each quality grade. The factors which determine the quality grade are those which experience, and research, have shown to be related to eating quality.

Some 450 graders, employed by the USDA's Consumer and Marketing Service, provide meat grading service throughout the country to those who request it. It is provided on a fee-for-service basis.

The Consumer and Marketing Service, which administers all USDA grading programs, makes sure that the grader in California is interpreting the nationally uniform U.S. beef standards in the same fashion as is the grader in New York.

Thus consumers in all parts of this country can rely on the USDA grades for beef to mean the same thing no matter where they live or where they shop.

A NATURAL DISASTER WARNING SYSTEM

Mr. PEARSON. Mr. President, the Commerce Department, through its Environmental Science Services Administration, has proposed a nationwide Natural Disaster Warning System. The system would encompass all types of natural disasters from tornadoes to blizzards. The proposal, I believe, is a sound one and should be implemented.

Of particular interest to me is the section dealing with the flow of severe weather data from the source of the report to the public. The proposal notes there is no single system for mass dissemination of the information—that in many cases alert procedures have been improvised.

In my own State of Kansas, the broadcasters have worked out a system, which I feel deserves commendation. The Kansas Association of Radio Broadcasters, working with what is now the Environmental Science Services Administration, developed an expanded weather information teletype circuit.

Stations subscribing to the circuit receive not only the regular weather information from Government forecasters and meteorological stations across the State, but information from two State law enforcement agencies as well.

When severe weather threatens or strikes, the subscribers can receive, in a matter of minutes, information from Kansas highway patrolmen or Kansas Turnpike Authority officers at or near the scene of the storm. This has enabled broadcast stations on the circuit to provide the public with continually updated and fresh information about a specific storm. They are alerting, without alarming. The viewers and listeners know where the storm is at a given moment without having to wait and see.

The system has proved invaluable throughout the year whether an ice storm, blizzard, or severe thunderstorm was on the way.

It is important to note this system was the product of initiative and a feeling of public service on the part of the Kansas Association of Radio Broadcasters who took it upon themselves to better serve their public.

Unfortunately the service costs more money than the usual weather information teletype circuit, and some stations cannot, financially, budget the extra expense. They make their own arrangements, which, I might add, have met the need.

Nevertheless, I am sure broadcasters across the country would welcome an improved system of natural disaster warning—a coordinated effort to permit them to better provide their listeners and viewers with the necessary data in time of emergency. Obviously not every group of broadcasters can, within itself, make the type of arrangement successfully implemented by Kansas broadcasters.

Obviously not every area or regional group of broadcasters can establish the same type of arrangement which is present in Kansas. For that reason I feel the proposed NADWARN system is of vital importance to the welfare of the people.

Mr. President, I urge all of my colleagues to study the proposal and support it.

RETIRED HURT BY INFLATION

Mr. SYMINGTON. Mr. President, the value of the American dollar, both here and abroad, has always been a matter of prime concern.

In this connection, the rising cost of living could soon give serious problems to all those elderly Americans who depend almost entirely on social security benefit checks.

The dollar saved one year ago is now worth only about 97¢.

This statistic, plus other observations worthy of thought, are presented in a recent column by Sylvia Porter.

Noting that the brunt of inflation is borne by those living on fixed or slow rising pensions, Miss Porter points out the need to strive for savings and investments with which to supplement pension benefits.

I ask unanimous consent that this article be inserted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Evening Star, May 24, 1966]

YOUR MONEY'S WORTH—RETIRED HURT BY INFLATION

(By Sylvia Porter)

The elderly American couple who retired in 1950 and qualified for the then $120 maximum monthly benefit is now receiving $168.60—reflecting the increases in benefit levels over the years. But because of the relentless climb in living costs in these 16 years, this couple's "real" income has been raised, not $48.60, but only $6.67 a month. In actual comparative buying power today the $168.60 benefit check shrinks to $126.67.

The very elderly couple who retired as far back as 1940 and drew that year's top $68.40 in monthly social security benefits is now receiving $152.50—or more than double the benefit a quarter-century ago. But because of rising living costs, this couple's benefit check will actually buy $1.32 less than in 1940.

Before social security benefits were raised 7 percent across the board last year, the maximum being received by retired couples was the equivalent of just 3 cents more in buying power than the maximum received in 1950.

NEW STATISTICS

These statistics, compiled and to be released soon, by the Diversified Investment Fund, Inc., in Elizabeth, N.J., illustrate the position of these who depend primarily on social security benefits and underline the importance of savings and investments to supplement retirement income. In fact, the elderly who depend entirely on social security benefit checks are just barely keeping up with the rising cost of living. For them there is no financial leeway for any rise in living standards or any way to share in the Nation's prosperity.

Since 1950 per capita personal income has nearly doubled to today's $2,872—far outpacing the 34 percent cost of living rise. Even assuming a living cost rise in the 2½-3 percent range this year, the pay of the vast majority of workers will rise enough to keep them ahead.

In contrast, by the end of 1966 well over half of 1965's Social Security benefit increase will have been swallowed by inflation. The dollar put away at the end of last year already has dwindled in value to less than 99¢; the dollar saved one year ago is now worth only about 97¢.

MEANING OUTLINED

This erosion may still be imperceptible to the young worker. But it is beginning to dig deeply into the budget of the retired individual. The brunt of inflation always is borne by those living on fixed or slow-rising pensions and by those in lowest-paid jobs.

What does this mean?

It means that there will be mounting pressure against any higher Social Security benefits and for increased liberalization of the Social Security "amendment test" allowing only those in earnings before Social Security benefits are reduced.

It means that we who are now working and paying tax will be faced with the prospect of steeper taxes to cover benefits going to those already out of work force.

It means that we are now even closer to the point at which the working public will balk at paying ever-higher Social Security taxes to finance that ever-broadening, ever-rising benefits.

It means there will be more and more pressure on corporations to expand and extend pension plans for retired employees, to design pensions to keep pace with price rises and to loosen mandatory retirement policies.

It certainly is a message to strive for savings, investments, insurance, etc. to supplement pension benefits.

REDIRECTED SCHOOL MILK PROGRAM WILL NOT REALLY AID POOR CHILDREN

Mr. PROXMIRE. Mr. President, the proposed Child Nutrition Act, which would result in an 80-percent cut in funds for the special milk program for schoolchildren, is primarily intended to reach needy children and those in schools without a lunch program. However, I am convinced that the program, far from meeting the needs of the Nation's poor children, would result in a reduction in milk consumption among these children.

The Department of Agriculture estimates that the program will bring free milk to 1 million needy children as well as 2 million children in schools without a lunch program. The needy would get the milk free. The children in schools without a lunch program would pay anywhere from 3 to 5 cents for the milk with the Federal Government contributing an additional 3 cents.

But how many needy children are there in the United States? The answer is found in a booklet put out by the Office of Economic Opportunity entitled "Dimensions of Poverty in 1964." The booklet was revised in December of 1965.

This study defines the poor as those spending one-third or more of their income for food and having to spend their entire income for the necessities of life. This is an especially important definition, for it is quite evident that such families would find it almost impossible to take on the added burden created by a slash in the school milk program unless, as the Department of Agriculture indicates, such a slash were to be accompanied by a redirection of the program that would supply the children of these families with free milk.

According to the Office of Economic Opportunity there are 8.1 million children between the ages of 6 and 15 in the poverty class. Of this number, the Department of Agriculture proposes to reach 1 million through the revised school milk program. The other 7.1 million, unless they attend a school without a lunch program, will have to pay the full cost of each half pint of milk they want to drink at a midmorning or midafternoon recess.

In other words, to provide free milk to 12 percent of the poor children in this Nation, many of whom are receiving free milk now through local contributions to the milk program, the Department proposes to make the remaining 88 percent of the poor children pay twice what they have been paying heretofore if they were receiving milk under the school milk program. Can anyone doubt that this will result in fewer poor children drinking milk in midmorning or midafternoon? To believe otherwise is simply to ignore the facts.

THE FAA AND JET AIRCRAFT AT NATIONAL AIRPORT

Mr. BREWSTER. Mr. President, recently three major newspapers have carried editorials relating to the Federal Aviation Agency and the current situation existing at Washington National Airport as a result of the decision to permit jets to use it.

Baltimore's Evening Sun, in an editorial entitled "Policy, Not Pleas" points out "the ridiculous spectacle of the FAA pleading with the airlines to use restraint in scheduling further flights into and out of National—asking the operators not to do what the Agency has said as a matter of principle they could do."

The Evening Sun's editorial strikes right at the heart of one of the major problems of the Federal Aviation Agency—"a supposedly impartial regulatory agency has no business running any particular airports." My bill, S. 3265, would alleviate this problem by creating a separate airport board to operate both National and Dulles, independent of the FAA's control. This step, in my opinion, would go far toward resolving the conflicting interests which the FAA currently has as an airport operator and a safety regulator.

Washington's Daily News also commented on the "Escalation at National." An article by Julian Morrison points out that the FAA's promise of short haul jets had a loophole. National Airport is now handling one-stop transcontinental flights. Before jets landed at National, we were informed that the airport could accommodate the jets. We were told that because each jet carries more passengers than the prop planes currently in service, there would be fewer total flights. This obviously is not the case—not only do the figures show an amazing increase in passengers, but they show, to coin a phrase, "a near-stampede" of newly scheduled flights to the seriously overcrowded airport.

The same paper carried an editorial urging that the long-range flights be moved out of National.

The Washington Post, which was a stanch advocate of the original decision to open National to jets has also criticized the timidity of the FAA in permitting direct flights to destinations well beyond the established 650 mile radius.

It is time for the Federal Aviation Agency to take some corrective action. This should include, as a minimum, a plugging of the existing loophole; a return of the prime flights that have been removed from Dulles; a ceiling on the number of commercial flights to be handled at National so as to maintain high standards of air and ground safety; and immediate efforts to encourage more satisfactory air service from Friendship and Dulles.

Mr. President, I ask unanimous consent to place these pertinent comments in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Baltimore Evening Sun, May 24, 1966]

POLICY, NOT PLEAS

The original decision to allow medium-range, jet planes at National Airport was, we think, wrong in principle. National was crowded by any standards. Friendship Airport, despite the gratifying increase in both scheduled flights and passengers, is still underutilized. Dulles International Airport, constructed at immense cost, remains an empty, echoing expanse of terminal building and unused runways. Moreover, both Friendship and Dulles were specifically designed for jet traffic.

If the decision was wrong in principle it now seems to be equally dubious in practice. Since the introduction of medium-range jet traffic on April 24, there has been a "near stampede" (the Federal Aviation Agency's own words) of airlines seeking to cut themselves in on National's jet traffic. Overcrowding has become even worse. So now we have the ridiculous spectacle of the FAA pleading with the airlines to use restraint in scheduling further flights into and out of National—asking the operators not to do what the agency has said as a matter of principle they could do.

We need policy, not pleas. Specifically, if the FAA cannot bring itself to reverse its original decision, it can at least put a flat limit on the number of jet flights to and from National, based not only on considerations of safety but on the capacity of the ground terminal to handle passengers conveniently and efficiently. For the longer term, the FAA ought to be divorced from it proprietary role as the operator of both National and Dulles airports. As a supposedly impartial regulatory agency, it has no business running any particular airports. The sooner it is divested of direct responsibility for National and Dulles, the more freedom it will have to make objective, disinterested decisions on such vital matters as how much jet traffic should be allowed where.

[From the Daily News, May 27, 1966]

ESCALATION AT NATIONAL

The Federal Aviation Agency, we think, is on sound ground in urging the airlines now flying jets into National Airport in increasing numbers, to exercise "restraint and statesmanship" and switch their transcontinental flights to either Dulles or Friendship.

The decision to open National to jets was predicated on its close-in convenience, the fact that the small jets are designed for relatively "short-haul" flights, and the fact that in a decade or less few commercial airliners will be powered by piston engines.

But in their eagerness to serve the public from National, the airlines may soon reach the point of diminishing returns.

National is badly overcrowded, its ground facilities for handling passengers woefully obsolete. It's quite the reverse at Friendship and Dulles.

True, it takes longer to reach either outlying airport from downtown, but on long-distance flights this disadvantage is largely offset.

The airlines might well bear in mind that in the past the Government has warned other industries to correct a situation in their houses or have it done for them.

[From the Daily News, May 27, 1966]

THE PROSPECT IS FRIGHTENING—JETS HAVE NATIONAL TERMINAL BULGING

(By Julian Morrison)

National Airport is starting to look like a refuge center since jets are using it.

The jets were supposed to be strictly short haul, the Federal Aviation Agency promised, but, as is rapidly becoming evident, there was a loophole in the deal.

LONG HAULS TOO

Transcontinental jets are using National by scheduling brief stops in Chicago or St. Louis—cities qualifying under the "short-haul" definition.

How much traffic at National increased since jets first landed there on April 24 is shown in the schedules filed by the airlines with the Civil Aeronautics Board.

On that April Sunday, airlines made a total of 102 jet and 528 propeller-driven flights in and out of National.

As of last week, they had added eight propeller-driven flights and on June 1 they plan to have 10 more jet flights and 14 more prop trips.

On July 1, jet flights will have jumped to 132 a day and prop flights will be up by four over the April figures.

By August, jet traffic will go up to 138 flights a day while prop trips will remain four higher than in April.

PASSENGERS SQUEEZED

Passenger traffic at National was up 36 per cent in April over the figure for April of 1965, even with only one week of jet operations.

Since the small jets have much greater capacity than most prop airliners, passenger traffic is expected to increase tremendously.

The FAA is attempting to persuade airlines to switch their one-stop transcontinental trips to either Dulles or Friendship and has asked them "to use restraint and statesmanship" to avoid further crowding at National.

[May 31, 1966]

THE GOLDEN GOOSE

For the airlines that service Washington, each jet crammed with passengers that lands or takes off represents a golden goose. Washington is a boom market for airline travelers, with the monthly increase in passengers running well ahead of the national percentage. The trouble is that all the geese seem to want to use the same pond, National Airport.

Before the Federal Aviation Agency, the landlord of both National and Dulles, opened the former to two- and three-engine jet traffic on April 24, it received solemn assurances from the airlines that they would not decrease service to Dulles. The airlines have not violated the letter of the law, but they lost no time in switching to National prime time jet flights to major markets such as Chicago or, in the case of one line, advertising one-stop jet flights to the West Coast from National.

The airlines are eager to use National and reluctant to use Dulles because, they claim, there is no passenger demand at Dulles. On the other hand, until a desirable choice of flights and destinations is made available by the airlines, how many people will *want* to use Dulles? FAA statistics show an increase in passengers, airmail and cargo at the Virginia field, but it is more impressive in percentages than in actual figures.

The concept of National as a close-in, short haul airport and Dulles as the location for long distance flights is valid. Nor should the argument over National evolve around jets or props; the decision to allow jets was justified from the point of view of safety, noise level and passenger capacity. As a small-jet airport, National ideally should handle north-south traffic east of the Allegheny Mountains. The FAA showed timidity in permitting direct flights to St. Louis, Chicago and other western cities to continue operating from National. And the greedy airlines are courting public wrath in filling the Washington skies with planes waiting to land on its crowded runways.

Speeding the development of Dulles and keeping a sensible ceiling on the traffic at National is to the long run benefit of the airlines and the community. If the airlines cannot agree to this among themselves, the FAA will eventually be forced to order changes.

WHY REVISE STATE CONSTITUTIONS?

Mr. MUNDT. Mr. President, many of us are concerned about the continued drift of governmental powers and responsibilities away from State and local governments and toward the Federal Government. We believe this trend to be dangerous to the future balance of power in our Federal system. At the same time, we must concede that one of the reasons that States are hard pressed today to maintain their proper place in our Federal system is the jungle of restrictions and archaic prohibitions contained in too many of our State constitutions. These holdovers from an earlier day frustrate efforts by conscientious State and local officials to meet the legitimate public service needs of their citizens, and thereby provide a ready excuse for those who prefer to see most governmental activities handled by Washington.

I ask unanimous consent to have printed in the RECORD an excellent article that effectively speaks to the problem by Mr. C. Emerson Murry, director of the North Dakota Legislative Research Committee, titled "Why Revise State Constitutions?" contained in the May 1966 Bulletin of the North Dakota League of Municipalities.

I would also like to commend to the attention of other Members of the Senate who may not be familiar with it the 1966 State legislative program of the Advisory Commission on Intergovernmental Relations. I have been a member of this commission since its inception, along with the Senator from North Carolina [Mr. ERVIN] and the Senator from Maine [Mr. MUSKIE]. This publication, available on request from the commission, contains a compilation of all its State legislative proposals with draft bills to carry out commission recommendations. A number of the model constitutional and statutory provisions contained in the State legislative program deal specifically with those barriers to modernizing the structure, functions, and powers of State and local governments which are described by Mr. Murry.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHY REVISE STATE CONSTITUTIONS?

(By C. Emerson Murry, director, North Dakota Legislative Research Committee)

(NOTE.—Mr. Murry, who holds degrees in business administration and law, has been director of the North Dakota Legislative Research Committee, the integrated legislative service agency of the state, for 15 years. He is a former member of the executive committee of the National Legislative Conference, a member of the Model Laws Committee of the Council of State Governments, and has served on a number of interstate and national committees.)

Instead of being documents to secure basic rights, needs and freedoms, state constitutions have become such a jungle of restrictions and delegations, statutory directives and administrative detail that they chronically frustrate effective state and local government.

As the policy-making branch, the legislature is the basic instrument of responsible state and local government. Although legislatures are the key to the vitality and strength of the states as a part of the American federal system, it is principally upon this branch that the self-imposed restrictions of state constitutions operate most effectively to throttle vital decisions affecting state and local government.

It is basic that Congress is clothed only with such powers as are specifically delegated to it by the United States constitution. State legislatures were intended to have all governmental power not delegated to the national government or specifically denied them by their own constitutions.

In practice, however, the limitations and restrictions in states' constitutions are almost without number. In addition, most constitutions contain specific delegations of power or duties which become restrictions because, when a constitution says a given matter *may* be handled by the legislature in a certain way, it has usually been construed by the courts to mean it *must* be handled in that way. Thus, rather than serving as authority for the legislature to act on new problems the constitution has become a device which too often prevents an effective legislative response to growing and expanding needs and demands of citizens and local government.

The people have denied themselves their strongest instrument for effective state government, the only agency that could exercise this residual power effectively, the legislatures. A no-man's-land results which the state and its political subdivisions may not enter. The states themselves have created a vacuum they refuse to permit themselves to fill. The political or governmental world is no more tolerant of a vacuum than is the physical world and this self-denial on the part of the states has become one of the clear causes of the increase in the power of the federal government. Yet, while the states loudly lament this increase in federal power, they have largely failed to put their own houses in order so as to make federal action unnecessary.

How did all this come about? During the early part of the nineteenth century popular confidence in state legislatures was shaken by land scandals, improper issuance of special privilege corporate and banking charters, reckless spending, borrowing and investment of public funds in internal improvements, and the passage of laws for special interests and particular localities. The strong governor idea was unpopular, too, a carry-over of the distaste still felt against the king's governors of colonial days. The carpetbagger legislatures of reconstruction days contributed to the loss of prestige—a loss from which legislatures never fully recovered.

Restrictions and inhibitions reached their height in 1889 when four new states—North Dakota, South Dakota, Montana and Washington—were admitted to the union. Their constitutions were similar in that they adopted not only the most restrictive provisions of legislative power found in the constitutions of older states but went even farther in including extensive legislation and administrative detail. Consequently, these states are locked in chain step to the fears, procedures and solutions to problems of 1889. The framers seemed to have thought that state government would always be in the hands of scoundrels and that it was necessary to compel them to follow the detailed course laid out by their opinions. They failed to recognize that a constitution should be a statement of principles for the protection of the people from their government and not to protect people from one another, which is the purpose of statutes. They also failed to recognize that the constitution should provide only the solid framework to hang the provisions for state and local government upon and not to completely create and forever govern them in detail.

In practice, state constitutional conventions have not been all-wise. The delegates did not see far into the future and their judgment was not better than that of the citizens who came after them. Restrictions they imposed have not prevented state legislatures from occasionally finding ways of repeating mistakes of earlier days and there is ample evidence that any good accomplished has been far outweighed by the harm done. With today's highly literate citizenry, rapid communication, and alert radio, television and newspapers, we need not rely only upon the constitution to save us from bad officials. The early constitution-makers have prevented good legislators and other state and local officials from meeting today's challenges.

Fortunately, there is now a tendency to place proper power and responsibility in the legislatures and to confine constitutions to the establishment of principles. This trend can be seen in the new constitutions of Georgia, Missouri, New Jersey, Michigan, Alaska and Hawaii.

The need today is for state government capable of exercising all powers reserved to it, able to act promptly and decisively in the face of new and critical public problems. The legislature and state and local government generally must be unshackled from unreasonable constitutional restrictions to make them capable of meeting this need. State government cannot be expected to cope with the problems of this day with a constitution that ties one arm behind its back. The placing of greater authority and responsibility in state government will in itself create greater public interest in it, resulting in a greater challenge to a greater number of strong and able men to seek public offices, and begin the process of revitalization of state and local governments. If we give ourselves the capacity to govern, we might develop the will to govern.

Unless we have the desire and the will to do so, we are confessing the failure of our American dream of the American state-federal system.

INDIANA SESQUICENTENNIAL

Mr. BAYH. Mr. President, this week I received a tribute honoring Indiana's sesquicentennial year which would make any Hoosier proud. Eighth-grade members of the Holy Family Civics Club in Bronx, N.Y., sent me a collection of 10 poems praising the heritage and beauty of Hoosierland.

The Civics Club moderator, Sister Joan of Arc, CSA, is a friend of mine who formerly taught in Decatur, Ind., for 7 years. She has carried her love for the State with her and has shared it with these young people in New York. This year her Holy Family Civics Club won the Good Citizenship Award, the highest honor which can be achieved by the 5,000 Catholic civic clubs throughout the Nation.

Accompanying the poems were several letters written by the students. Mr. President, I ask unanimous consent that the collection of poems and the introductory letter from Bernadette Kassler be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAY 25, 1966.

Hon. BIRCH BAYH,
Senate Office Building,
Washington, D.C.

DEAR SIR: The members of the Holy Family Civics Club want to offer you and the people of your state their deepest congratulations. How proud you must be on Indiana's 150th anniversary as a state!

We felt that such an important occasion as this deserved more recognition than just a letter. Sister Joan of Arc, our club moderator, suggested that we write poems. You will find with this letter the results of our poetic efforts. They may not be the best, but if you could read between the lines you would find the proud and sincere wishes of New York City children for all Hoosiers.

Best wishes,

BERNADETTE KASSLER.

Indiana's Longevity

(By Richard Spevak)

In 1816 it became a state
One hundred fifty years great
So let's all join in memorial
For Indiana's Sesquicentennial.

One hundred fifty prosperous years
Many more it will also share
The Hoosier State of Indiana
The "Crossroads of America".

From East to West
Will come congratulations
And this the greatest
Comes from East NOT West.

Indiana's Firsts

(By Thomas O'Gara)

Indiana has many Firsts
Like the International auto race
Indianapolis is its home
Of the International Auto Dome.

Indiana has many great men
Like Henreicks and Fairbanks
And Colfax—all Hoosier residents
Indiana's known as "Mother of the Vice Presidents".

Hundred Fifty Prosperous Years

(By Robert Klein)

There was a great race
That began in 1909
'Twas a fifty-mile hour race
A great speed at that time.

Its flag has golden stars
And a field of deep blue
Its colors show wide and far
The state is loyal and true.

Cardinals are there galore
Red for the blood Hoosiers shed
In all the nation's wars
To preserve America, let it be said.

Three cheers then
To this progressive State
Indiana, Indiana
To you from New York State.

Indiana Hoosier State

(By Jeannine Barone)

A word for this particular state
Its son of Lincoln-Douglas debate
Indiana honors its greatest son
Abe Lincoln, the election he won.

The HOOSIER state, I might imply
A funny name! You'll wonder why
Corn, a product very well known
Indiana's churches made of limestone.
Special daughter of our Nation
To you congratulations
May God's grace be yours
For 150 years more.

Son of Indiana

(By Linda Bruni)

Pot on head and seeds in hand
Johnny Appleseed trod Indiana land
To plant apple seeds one by one
But that's not all he has done.

He watered the seed 'till all grew tall
From Fort Wayne to God knows where
They blossomed and fruited all
To the delight of Hoosiers everywhere.

Dear Indiana

(By Ellen Rogers)

Nineteen gold stars
And a gold torch too,
Stand in a lovely
Field of blue.

What do these mean?
Where are they from?
This I will tell you
So listen, and come.

They are the signs
Of a state that is true
They stand for liberty
And enlightment too.

The state—its name?
Indiana it is
It deserves all the fame
That anyone can give.

Indiana Wealth

(By Judy Cervone)

I is for industry of which its steel is tops
N is for nature's leading corn crops
D for development of gas and coal mines
I is for iron and mineral refines
A is for Agriculture, where lies its wealth
N is for Notre Dame—education's wealth
A is for the Anniversary—150 Hoosier's score
Congratulations, All Indianaers
From New York Cityers.

A Nation's Might

(By Paul Raiti)

A land once wild, happy and free
This was the place which was meant to be
A contributor to our nation's freedom
A man called Abraham Lincoln.

Covered bridges span boulder strewn streams
This is a land promising untold dreams,
Sprawling steel mills belch flame smoke night
This is a land representing America's might.

This is a land which has earned its name
It is a place which deserves great fame
This 1966 'tis celebrating its sequicentennial
Indiana-land once wild now happy and special

Glorious Indiana

(By Bernadette Kassler)

Land of celebration on its 150th year
Land of friendliness and cheer you'll find there
Land of sports and all important races
Land of parks and farms and glaciers
Land of Indiana

Land of beautiful shrubs and tulip trees
Land of singing cardinals and peonies
Land of important authors and presidents
Land of love and beauty so evident
Land of Indiana

Land rich in liberty and freedom for all
Land without hate and communist walls
Land which God has so abundantly blest
Land of greatness all Hoosiers love best
Land of Indiana

INDIANA PRIDE

(By Barbara Celentano)

The state tree is a Tulip Tree
Its flower is a peony
The Cardinal is this state's bird
Of this you probably have heard.

This state's flag has a golden torch
A field of blue holds thirteen stars
To represent the colonies anew.
The uppermost star stands for Indiana so true.

The Memorial Day Race at Indianapolis Speedway
Takes place near the end of the month of May
Racing cars circle the track
To travel 500 miles back.

THE PLIGHT OF CUBAN REFUGEES

Mr. HART. Mr. President, on April 27, I commented in the Senate on the plight of Cuban refugees in third countries—primarily Mexico and Spain—who were unable to join members of their immediate families in the United States because of the labor clearance requirement of the Immigration and Nationality Act Amendments of 1965.

At that time I inserted in the RECORD a letter from the Department of State indicating that possible avenues of relief for these refugees were being explored.

I was delighted to learn yesterday that the Departments of State and Justice have agreed upon new procedures whereby the labor clearance requirement will be waived for Cuban refugees in third countries who are the parents, spouses, or minor children of refugees in the United States. Certainly this new policy is consistent with the principal purpose—the reunion of families—of both the Immigration Act Amendments and the Cuban refugee program.

Mr. President, I ask unanimous consent that the joint press release of the Departments of State and Justice of May 31, 1966, be printed in the RECORD.

There being no objection, the joint release was ordered to be printed in the RECORD, as follows:

JOINT PRESS RELEASE, DEPARTMENTS OF STATE AND JUSTICE, MAY 31, 1966

Under new procedures, Cuban refugees in Spain, Mexico and other countries who are the parents, spouses or minor children of Cuban refugees in the United States will be granted admission to this country without the Labor certificate required for a visa.

The Departments of State and Justice agreed upon the procedures in carrying out the President's pledge of October 3, 1965, to the people of Cuba "that those who seek refuge here will find it."

The new procedures will use the Attorney General's authority under Section 212(d) (5) of the Immigration and Nationality Act to parole into the United States people without visas. Up to now, the authority has been limited to refugees coming directly from Cuba to the United States.

A number of Cuban refugees have fled and are continuing to flee to third countries although members of their immediate family are in the United States in parole or indefinite voluntary departure status. Thereafter family reunion within the United States in some cases has been prevented by the requirement of Section 212(a) (14) of the new law that they obtain a Labor certification. The result has been that many of the parents, spouses or minor children of Cubans who have been paroled into the United States for an indefinite stay have been separated from their closest relatives.

This situation will be remedied by an extension of the present "parole" procedures to permit the reunion of all such families just as the Immigration and Nationality Act now makes special provision for the immediate families of citizens and resident aliens.

BUILDING PRACTICAL POLITICIANS

Mr. BREWSTER. Mr. President, the State of Maryland and the city of Baltimore are proud of their institutions of higher learning. In particular, Morgan State College stands as a beacon light of educational pursuit because of the diversity in its academic programs.

Paramount among these programs is the Institute for Political Education. The institute, under the direction of its founder, Dr. G. James Fleming, and the capable leadership of Augustus A. Adair, has fostered the development of political education in Baltimore City, the State of Maryland, and many other parts of the United States.

PURPOSE

The goal of the Institute for Political Education is to develop practical politicians and to develop an interest on the part of students and the community in the work of government. The institute in pursuing its goal has developed a unique program, not only in Maryland, but in the United States.

PROGRAMS

The multifaceted program of the institute includes:

First. Weekly workshops. Morgan students and visiting scholars take part in weekly workshops where political issues, candidates, and current news topics are discussed. Guest speakers frequently attend giving their view and insights on important topics.

Second. Visiting scholars. Five students are brought to the Morgan campus from other colleges around the country to participate in the institute's program with the Morgan scholars.

Third. Summer internships. Selected students are placed in the offices of Maryland legislators and those of other States for a summer on Capitol Hill.

Fourth. Faculty teacher collegium. Members of high school and college faculties are brought to the campus to meet and discuss politics, people, and problems.

Fifth. Politician in residence. An important person in national politics spends a week on the campus involving himself with the students in discussions, speeches, and informal group meetings.

PUBLICATIONS

The institute is often called on to do research work and projects for individuals, civic groups, and governmental organizations. Its most recent publication was "Maryland: A Political Profile." This work, an independent study carried on by Vivian O. Pierson, presented a county-by-county breakdown—including Baltimore City—of the State, outlining pertinent facts concerning its population, political makeup, and its political leaders. The demand for this publication has been so great that a second printing has been ordered.

POTENTIAL

The Ford Foundation has sponsored this program since 1959, and has seen fit to contribute more than $250,000 to it since its inception.

The progress of the institute and the quality of the students it produces have certainly warranted the funds thus spent. The services which it performs and the success of its efforts deserve commendation by all those interested in better government and a healthy, constructive political process.

I should like to salute those connected with the institute, and the president and board of trustees of Morgan State College for their insight and direction in developing responsible political leaders.

TYONEK MAKES AN OFFER

Mr. BARTLETT. Mr. President, the New York Stock Exchange is moving and so far communities in 46 States and Canada have made a bid for the Big Board. Of all the offers the exchange has received undoubtedly the most interesting has come from the Alaska Indian village of Tyonek, across Cook Inlet from Anchorage.

Tyonek is a thriving community with spirit and initiative. Its village council, under the leadership of my friend Alfred S. Kaloa, Jr., can well be pround of the progress which has been made. Over the last year and a half the town has been rebuilt with healthful, comfortable houses for all. The airstrip is in good shape. The community center is well equipped. I have no doubt the stock exchange would be able to operate efficiently at Tyonek and that, after business hours, its members would enjoy the hunting and fishing—which is more than New York can offer.

Mr. President, I congratulate Tyonek on its initiative and I urge the stock exchange to examine carefully the merits of the Tyonek proposal.

I ask unanimous consent that an article by John F. Lyons in yesterday's Wall Street Journal on this subject may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"DEAR MR. FUNSTON": HOMER PANKEY, OTHERS OFFER TO AID EXCHANGE—THEY PROFFER SOME ODD SITES AS GIFTS; TYONEK, ALASKA: "CROSSROADS OF THE WORLD"

(By John F. Lyons)

NEW YORK.—A 311-pound knight on a motorized hobbyhorse offered to rescue the grand old lady of Wall Street from the grip of the big city. The name of the modern-day Galahad is Homer Pankey. ("Some people call me Hanky Pankey.") The grand old lady, of course, is the tax-harried New York Stock Exchange.

Mr. Pankey, pictured below on what he terms a "fast West Virgina horse," last week wrote his proposal to Keith Funston, president of the Big Board. The hand-written letter reads as follows:

DEAR MR. FUNSTON: My brother and I will let you locate your stock exchange on the Franklin Gold Mine in Fauquier County, Va. We will give the exchange 191 acres of land free. It is near Warrenton, Va., near a post office called Goldvein, Va.

Advantages of this site: Near New Salem Dam and the new 70,000-acre lake to be built on the Rappahannock and Rapidan Rivers. Building could be built over the old gold mine shaft, which is 325 feet deep and will give you a bomb-proof shelter. And it is estimated this 191 acres carries gold values in excess of $4,000,000,000 in gold at depth. So your exchange would be back on the gold standard once again.

There is an anti-magnetic field where the building would be built. So if you put up a 170-story high building and any of the brokers during a bad "Johnson" market tried to jump out of the windows they would float gently to earth. . . .

There is plenty of water on the location and you and I know that like a beautiful flower nothing helps a fast-rising market like plenty of watered stock.

Well I hope you see fit to accept this offer.

Yours,

Homer N. Pankey.

The 61-year-old Mr. Pankey, who lives in Martinsburg, W. Va., says he and his 70-year-old brother are serious about the offer. "But we'll probably just get a form letter back from Funston," says the younger Mr. Pankey.

Actually, the Pankey brothers, probably won't get a form letter, but rather a polite—and pretty witty—reply from Mr. Funston to the effect that several areas are under consideration and the Big Board surely appreciates the kindness of the Pankeys. It won't be an outright rejection of the spot, though it certainly won't be an acceptance, either.

That at least, is the tone of the replies the exchange has sent out so far to the roughly 600 offers it has received since March, when New York Mayor John Lindsay proposed a 50% increase in the stock transfer tax and the Big Board responded with a threat to leave town.

Mr. Pankey's letter is perhaps the most colorful offer to date, but it's a close race. An Indian tribe in Alaska, for instance, has offered to build a new exchange on its reservation at no cost to the Big Board. A former sailor has suggested the exchange buy a used aircraft carrier for a trading floor, enabling the exchange to dock at any port and simply raise anchor if a transfer tax were imposed.

The chief of the Indian tribe mentioned to Mr. Funston that Indians once owned the island of Manhattan, and he referred to the sale for a handful of beads as "a painful memory." He still has "a few of the beads," the chief said. In reply, Mr. Funston said: "As one chief to another, I am a little concerned by your statement that you still have some of those 17th Century beads. This suggests a degree of financial acumen which makes me wonder who actually got skinned in the Manhattan real estate deal of 1626."

In answer to a proposal that the Big Board move to South Dakota, Mr. Funston said he would refer the matter to his real estate consultants, but he added: "I spent my boyhood in Sioux Falls and I have to admit that I am biased in favor of South Dakota. . . . In the midst of a hectic situation here in New York, your letter conjured up many happy memories for me."

Some replies also offer enlightenment to the correspondents. A man in Ink, Ark., for instance, was told that the stock exchange isn't a place to buy and sell cattle, and he was sent several pamphlets on the function of the exchange. (He had written that the wide-open spaces of Ink would make a better place than New York for cattle trading.)

Most letters to the exchange, of course, are from public officials bent on convincing the Big Board to select their town. Though the letters have come from 46 states and Canada, the biggest share are from New Jersey and Connecticut, which Mr. Funston has said are "the obvious two places" for the exchange to move.

Other people think other places are just as obvious, however. The mayor of Billings, Mont., called his city "the center of the universe," and the Alaska Indians pointed out that "the area of Anchorage is truly the crossroads of the world . . . centrally located to all important financial centers of the free world." Chief Albert S. Kaloa, Jr., added: "We also point out that in the jet age of tomorrow it will take less time to fly from New York City to Tyonek, Alaska, than to drive through the heavy traffic of New York to its residential suburbs."

Some people believe that the exchange already has made up its mind and that Ink, Tyonek and Billings don't have a chance. They say that the exchange plans to set up a trading floor in Jersey City or nearby for large blocks of stock. If successful, the facility eventually would be enlarged to handle progressively smaller transactions, these people say.

There apparently is little doubt left that the exchange is serious in its threats to move at least part of its operation out of the city. The threats, taken merely as sword rattling at first, were given more credence when the exchange announced it was dropping its plan for a new $50 million headquarters at the southern tip of Manhattan. And many skeptics were swayed when the exchange announced it had begun planning for a "pilot program" for the out-of-state execution of large orders.

Some New York City politicians in favor of an increase in the transfer tax have seized on the remoteness of some of the offers to downgrade the Big Board's tactics. Mario A. Procaccino, the city comptroller, testified to the city council that he couldn't "imagine a broker in New York leaving his Cadillac and high hat and going to Arkansas to ride a donkey and wear a sombrero." (At the same time, he mixed his metaphor and asked: "Why must we always milk the public goat and never touch the sacred cow?"

BIG BROTHER

Mr. LONG of Missouri. Mr. President, during a recent hearing into charges that General Motors had investigated the private life of Mr. Ralph Nader, Senator Ribicoff, my distinguished colleague from Connectciut, said "There's too much snooping going on in this country." As chairman of the Senate Subcommittee on Administrative Practice and Procedure, I certainly agree with this statement.

Snooping here in the United States takes many forms. There is electronic eavesdropping, using wiretaps and hidden microphones to obtain information; there are cases in which Government agencies authorized its employees to break and enter to obtain information. And more recently, it was reported that the Government plans to set up a central data file on all of our citizens—sort of a Federal dozier bank.

An editorial entitled "Stop the Snooping" appeared in the recent issue of Trial, a bimonthly magazine of the American Trial Lawyers Association. I ask unanimous consent to insert, at this point in the Record, the editorial from the April/May issue of this magazine.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Stop the Snooping

"There's too much snooping going on in this country."

No sophisticated person can deny the timeliness or the truth of this statement. It was made by U.S. Senator Abraham Ribicoff while presiding at an inquiry into charges that General Motors, the world's largest corporation, had attempted to intimidate a Senate committee witness. The witness had dared to reveal how untold thousands of people are killed or injured because automobile manufacturers stress sales instead of safety.

The hawkshaw hounds, turned loose by GM, had concentrated on everything other than the witness' automotive knowledge. They tried to smell out his private life, his political beliefs, his religious attitudes, even his sex habits. The resulting indignation caused GM to attempt to waft away some of the stench created by its reprehensible corporate conduct through personal apology from its president.

No civil right is more basic to the liberty of Americans than the right to be left alone.

Unfortunately, this episode is not unique. The august United States Senate cannot often take the time to give such vigorous and prompt protection to everyone victimized by invasions of his right to privacy.

The same newspaper editions that reported the GM case also told us of industrial spying in the drug industry. Still other pages revealed State Department officials being taken to task for using our overseas embassies for the surveillance of American citizens, traveling abroad on valid passports, simply because of differing political beliefs. To our dismay we have learned this has been going on for thirty years.

All this follows hotly upon charges of the use of concealed microphones, clandestine wiretapping and other forms of eavesdropping by the Internal Revenue Service, the Post Office Dept. and other governmental agencies.

The unparalleled refinement of electronic gear is making it constantly easier and cheaper for private detectives, amateur sleuths and even plain blackmailers to pry into the affairs of others, while exposing themselves less and less to any chance of detection. On top of that, the government's own resort to such methods is a further corrupting condonation of such conduct.

No wonder Attorney-General Nicholas deB. Katzenbach has just called for an outright ban on wiretapping. For years his office had demanded tightening of the presently archaic and inadequate law. But it had also insisted that police officials be allowed to wiretap with court permission. This proposed exception had stalled the necessary legislation since guardians of privacy feared that law enforcement officials would abuse such a license. The Attorney-General is now accepting an unlimited bill rather than having the issue further stymied in Congress. This rightly puts first things first.

Beyond that, laws which merely reach the mechanics of interception are no longer enough. They may have been adequate when "bugging" methods were elementary. Today with science having spawned miniature and even invisible snooping devices, it is the end result of their use which must be unearthed and destroyed. Above all, the people must outlaw such methods by an active, conscious unanimous abhorrence of them.

Not even the dragnet warrants, abolished by the Revolution, posed the threat we face today. At stake are the privacy of our thoughts, our words, our right to personal communication, the very sanctity of our homes and of our offices.

Most disturbing has been our collective complacency. Each of us would be outraged if he were the personal target of such intrusion. He would regard surreptitious listening directed at him as a tactic of totalitarianism, signaling that Orwell's "1984" indeed had come to pass. It is high time we understand that to tolerate such abuses of the rights of others is surely to surrender our opposition to them for ourselves.

—JACOB D. FUCHSBERG.

PROPOSED 4-YEAR TERMS FOR MEMBERS OF THE HOUSE OF REPRESENTATIVES

Mr. TYDINGS. Mr. President, an interesting article in the March issue of the Johns Hopkins magazine discusses the proposed constitutional amendment to extend the terms of Congressmen from 2 to 4 years.

The author, Prof. Robert L. Peabody, of Johns Hopkins University, reviews the constitutional and political history of the 2-year term and carefully weighs the arguments for extending the term to 4 years.

Professor Peabody has a marginal preference for retention of the present system, but his review of all the arguments is clear and cogent, and will be valuable even to those who do not share the author's conclusion.

Mr. President, I ask unanimous consent that the article "Rebuild the House," by Robert L. Peabody, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

REBUILD THE HOUSE?

(By Robert L. Peabody)

(Note.—*Robert L. Peabody is an associate professor of political science at Johns Hopkins. He is the author of "Organizational Authority" and co-editor and contributor to "New Perspectives on the House of Representatives." Under a Social Science Research Council grant, Dr. Peabody spent a leave of absence last year in close study of congressional bargaining, hierarchy, and legislative outcome. He is currently the acting director of the American Political Science Association's Study of Congress.*)

> *The present two-year term requires most Members of Congress to divert enormous energies to an almost constant process of campaigning—depriving the nation of the fullest measure of both their skills and their wisdom. Today, too, the work of government is far more complex than in our early years, requiring more time to learn and more time to master the technical tasks of legislation. And a longer term will serve to attract more men of the highest quality to political life. The nation, the principle of democracy, and I think, each Congressional district, will all be better served by a four-year term for Members of the House. And I urge your swift action.*
>
> PRESIDENT LYNDON B. JOHNSON
> State of the Union Message
> January 12, 1966

Should Congress pass a constitutional amendment extending the term of members of the House of Representatives from two to four years?

If so, should the terms of office be staggered? Or should they run concurrently with the term of office of the President?

What would happen, under either version, to executive-legislative relationships and the system of checks and balances upon which our government is based?

If the questions are perplexing, we can take comfort in the knowledge that debate over the length of the House term is as old as the Constitution itself. The present two-year term was a compromise between those who favored annual elections, and others, including James Madison, who advocated three-year terms. Madison later defended the compromise version in *The Federalist Papers:*

> As it is essential to liberty that the government in general should have a common interest with the people; so it is particularly essential that the branch of it under consideration [the House] should have an immediate dependence on, and an intimate sympathy with the people. Frequent elections are unquestionably the only policy by which this dependency and sympathy can be effectively secured.

The question then, as now, was how frequent House elections must be in order for one branch of the government to maintain "an intimate sympathy with the people."

Senators, on the other hand, were granted relative independence from the short-term changing moods of the country. Each Senator was to be elected for six years, with one-third of the Senate up for reelection every two years. The resulting check and balance of the two Houses upon each other, and of Congress upon the executive branch and the courts, has effectively prevented usurpation of power by any one institution of our national government.

Sporadically since 1787 the issue of longer terms for House members has made its appearance. In 1950, the American Political Science Association's Committee on Political Parties issued a report, *Toward a More Responsible Two-Party System,* which advocated four-year terms for House members running concurrently with the President as a means of promoting legislative-executive party solidarity. This recommendation, by no means uniformly endorsed by political scientists, was but one of a series of proposals designed to bring about more centralized political parties in this country.

Fortunately, like most proposals drafted without the participation of the people to be affected, almost nothing came of them.

The passion for reform and the particular fondess of some political scientists for political parties modeled after the more disciplined parties of Great Britain has never completely died out. James McGregor Burns gave these themes their most eloquent recent restatement in his book, *Deadlock of Democracy.* For Burns and other political scientists who are executive-branch oriented, four-year terms running concurrent with the President would tend to reduce what they perceive as a "deadlock" between the two branches.

Ironically, the election of 1964 and the subsequent legislative successes of the 89th Congress took away much of the pressure behind congressional reform at the same time that heavy Democratic majorities in Congress increased the probabilities that major changes could be implemented.

The issue of four-year terms for House members had generated considerable interest in the 89th Congress even before President Johnson endorsed the idea in his State of the Union message early this year. Representative FRANK CHELF (D., Kentucky), third-ranking member of the House Committee on Judiciary, had waged a vigorous letter-writing campaign to secure support among his colleagues for his own resolution. His version, introduced in March of 1965, called for staggered four-year terms, with one-half of the 435 members of the House to be elected every two years.

A Joint Committee on the Organization of the Congress had been created at the beginning of the 89th Congress, and it added further impetus to the drive for four-year terms. Last year eighteen House members and several Senators testified before the Committee in favor of four-year terms. Senate supporters included BIRCH BAYH (D., Indiana), the chairman of the Senate Judiciary subcommittee on constitutional amendments, under whose jurisdictions such resolutions would come. Several of the House Democratic members of the Joint Committee on Organization, including one of its two co-chairmen, Representative RAY MADDEN (D., Indiana), were pushing strongly for four-year term as part of the Committee's recommendations.

What moved this particular constitutional amendment beyond the realm of congressional dreams and academic speculations was President Johnson's strong endorsement in his January speech.

Why did he make this recommendation? The President is not a reformer of political institutions by inclination. He has made the existing system well for him. As Democratic floor leader in the Senate from 1953 through 1960, he was by general agreement the most skillful and successful floor leader in recent memory. His record as President during the epic first session of the 89th Congress had already established him as one of the most effective presidential coordinators of legislation in all history.

Perhaps uppermost in President Johnson's decision to endorse four-year terms for House members were three factors. First, the amendment appeared to be popular with many House members. A 1965 poll conducted by Representative Chelf showed 251 members for, 41 against, and 65 in doubt, of 357 replies received. Sentiment in the Senate, the traditional source of opposition to such proposals, seemed favorable. Of fifty responses, 31 were for Chelf's staggered-term proposal, 7 against, and 12 doubtful. And indeed, Johnson's endorsement of four-year terms drew more applause from Congress than almost any proposal put forth in his State of the Union message.

Furthermore, it generated a great deal of positive publicity in many national newspapers and magazines.

Finally, and most important, this proposal would add nothing to the mounting costs of carrying on the Great Society programs and the war in Vietnam.

In a special message sent to Congress on January 20, accompanying a draft of his proposed amendment, President Johnson set forth in detail three arguments in favor of four-year terms for House members. These arguments, all quite sound, can be reduced to the following essential points:

a. The United States of America has undergone tremendous expansion. The legislative process has increased in scope and complexity. Demands upon congressman are ever more time-consuming.

b. The costs of campaigning every two years are becoming more and more burdensome, if not prohibitive.

c. Four-year terms would attract more and better-qualified candidates.

Before turning to a fourth and, in my judgment, the crucial argument, each of these points needs brief development.

There is no question but that the United States and its political institutions have undergone great change since the Constitution was ratified. In 1789, America was a very small country. Most of its people lived in relative isolation. Of its four million population, only about 200,000 lived in cities and towns of over 2,500 persons. New York City, then the capital, had a population of 33,000. Washington, D.C., was only a swamp.

The First Congress was composed of but twenty-six Senators and sixty-four Representatives. A member of the House represented but 30,000 inhabitants. Only 144 bills were introduced in the First Congress, 108 of which became laws.

Today, the population of the United States numbers more than 190,000,000 people. Almost two-thirds of the people live in urban areas. Social mobility, ease of travel, television, and newspapers have brought more and more people into communication and contact with one another. As the federal Government has grown and the role of government in the economy has increased, the demands on Congress have multiplied. Each

House member now represents, on the average, 430,000 constituents. The workload of Congress has increased in volume and complexity; over 14,000 bills were introduced in the first session of the 89th Congress alone, and of these, 349 became public laws. Congressional sessions increasingly run for ten months or more of the calendar year.

In his first two or three terms, a House member's effectiveness as a legislator is reduced by his need to build a firm base of district support. As he gains in experience, of course, his ability to check upon and ameliorate the impersonal impact of the federal bureaucracy on his constituents is increased. As he begins to master the skills of serving his campaign and his constituency, a congressman can afford to devote more and more of his time to committee work and influencing the outcome of legislation.

He must still face the hazards of mounting campaign costs. Federal and state expenditure ceilings are ineffective and totally unrealistic. While campaign costs vary considerably from "safe" to competitive districts and from rural to urban districts, expenditures of $50,000 to $60,000 per campaign are not uncommon. Attempts to unseat incumbents can send these costs much higher. For example, a freshman Democrat from New York filed campaign expenditures of almost $200,000 in a successful bid to defeat a Republican incumbent in 1964.

As another freshman Democratic member argued: "Four-year terms would prevent congressional offices from being 80 per cent campaign headquarters and only 20 per cent offices for legislative activities. As it is now, I am constantly involved in fund-raising."

The most direct approach to these problems, however, would be sensible revision of laws governing campaign expenditures and contributions.

Third, it is argued, four-year terms would probably attract more and better-qualified candidates for public office. By reducing the frequency of elections and the costs of continual campaigning, presumably more people would consider running for public office. The caliber of congressmen, already quite high, would no doubt be improved.

Sound as this argument may be, from a political standpoint it may be self-defeating. For this argument, unlike the others, can cut two ways in terms of mobilizing support for this constitutional amendment.

A fourth and crucial argument, used by many advocates of four-year terms for House members, is that it would enhance the influence of the President by centralizing party organization and making members more responsive to presidential programs. Members running with or against the President would be forced to campaign on national issues. "Coattail effects," or the tendency for congressional candidates of the same party to benefit from the size of the vote for strong presidential candidates, would be magnified.

President Johnson did not make use of this argument in his presidential message. However, Attorney General Nicholas Katzenbach, in testimony before the House Judiciary Committee, did emphasize the impact of concurrent terms on executive-legislative party unity. Under this proposed amendment the President and Congress would be more likely "to be able to carry out a program without unreasonable deadlocks."

The rationale for closer harmony between the President and Congress is given its more positive statement in Senator Joseph S. Clark's book, *Congress: The Sapless Branch*. If a House member, Clark argues,

> . . . comes from a competitive district, he will be more of a statesman and less of an errand boy if he runs always at the same time and on the same ticket as the presidential candidate of his party. The strengthening of the national interest in terms of the effective dialogue on issues which such a procedural change would bring about is substantial. The strengthening of the national parties is even more so. The strengthening of the hand of the President, who alone speaks for all Americans, is the most substantial of all.

There rests the case, a strong one, for longer terms for House members. The first three arguments are especially appealing. A much stronger case, however, can be made for maintaining the present system of two-year terms.

The argument turns on commitment to the principle of coordinate branches of government. The practice of "separate institutions sharing power" is insured by multiple checks and balances built into our Constitution. Variation in the lengths of terms among our political leaders is one of the most fundamental safeguards against any single leader or institution dominating all the others to the detriment of democratic freedoms.

In our government, the House, Senate, and President frequently represent quite different political interests. These different interests deserve a hearing and need to be reconciled if public policy is to reflect the will of substantial majorities. Members of the House act as spokesmen for local, sometimes even parochial, interests. At the same time, they are called upon to legislate in the national interest.

Which interest should House members represent? Edmund Burke, in his "Speech to the Electors of Bristol" in 1774, presented what has become the classic argument in favor of representation of the national interest over local concerns. As Burke said: "Parliament is not a congress of ambassadors from different and hostile interests; which interests each must maintain, as an agent and advocate, against other agents and advocates; but Parliament is a deliberative assembly of one nation, with one interest, that of the whole; where, not local purposes, not local prejudices ought to guide, but the general good, resulting from the general reason of the whole."

What is sometimes overlooked is that hostility among the electors of Bristol to Burke's national views later forced him to withdraw as a candidate from this constituency.

In our country, a Representative must remain sensitive to the wishes of his constituents. He recognizes that they can turn him out if he does not vote in their best interests. If a legislator decides, as he not infrequently does, that national interests outweigh local considerations, then he does so at some risk.

It is this sensitivity to the will of the people which two-year terms of office help to preserve. This continuing tension between local and national interests is a strength, not a weakness, of the representative process. Many factors in our political system are at work to reinforce the impact of national interests; two-year terms assure that local needs will not be overlooked in an era increasingly characterized by expanding federal powers.

Furthermore, the elections of House members that occur between presidential elections perform several basic functions which add to the stability of our political system and strengthen our two-party system. Off-year elections provide an opportunity for a review of presidential policies. The results can either extend the presidential mandate, as the election results of 1934 and 1962 were largely interpreted, or dampen it, as in the elections of 1918, 1946, 1954, and 1958. The election of 1966 may well turn on the success or failure of President Johnson's policies in Vietnam.

Midterm elections also provide the "out" party an opportunity to increase its strength in Congress. Since 1900, the party which does not control the White House has averaged a net gain of thirty-eight seats in off-year elections. In only one midterm election, 1934, was the party in power able to make a net gain of House seats. When the same party controls the White House for eight, twelve, or a longer period of years, midterm contests may become crucial for preserving a minority that can successfully criticize and provide alternatives to the majority.

A third and related point is that two-year terms provide a fundamental check on the powers of the Presidency. As the federal government has grown, the power of the President has increased. Four-year terms running concurrently with the President would weaken Congress at the same time that it would enhance the powers of the President. Some Democratic congressmen clearly owe their seats to the length of the President's "coattails" in the election of 1964. Yet few of these congressmen would welcome the idea of becoming more dependent upon presidential favor and national party, as distinct from congressional campaign committee contributions.

Supporters of four-year terms may argue that these would give Representatives greater independence from interest-group and constituency pressures. But they can hardly argue that it would make them less susceptible to White House pressure at the same time that they say that it would lead to greater executive-legislative party solidarity. Four-year terms would remove one of the most effective shields now used by congressmen to withstand pressure. Almost every congressman has, at one time or another, found it convenient to take refuge from executive "arm-twisting" by the simple but almost irrefutable argument: "My people back home are opposed to this measure, and I am up for re-election next year."

Thus, it is for the very reasons that Burns, Senator Clark, and others support four-year terms running concurrently with the President, that this constitutional amendment should be opposed. Such a change would drastically alter the separation of powers and checks and balances upon which our governmental system is based. Congress needs to maintain its independence from the Presidency. Re-election every two years furthers this independence, helps to maintain a viable minority party, and thus promotes the balance of power within the Government.

The staggered-term proposal advocated by Congressman Chelf would counter this danger, but impose further problems of its own. Each state delegation would be divided by lot into two classes as equal as possible. One-half of the members would run with the President and the other half would run in midterm elections. Such a proposal runs the risk of splitting the House of Representatives into two classes of congressmen: those disposed to support the President, and those members elected in the off year who would likely oppose presidential programs. This might well lead to greater "deadlock" and prevent the occasional extraordinary Congress, such as the 89th, where legislation comes of age and productivity is exceptionally high.

In short, four-year terms concurrent with the President would promote a Congress overly responsive to the President. Staggered terms, on the other hand, would create a class of half the members who quite likely would be unresponsive. Reapportionment and redistricting would create still further problems.

One possible way out of this dilemma has been suggested by Representative Donald Rumsfeld (R., Illinois). His proposal calls for alternating two- and four-year terms for each member. Over a twelve-year period a member would run four times, as compared with the present six elections: twice during presidential years, and twice in non-presidential years. This would seem to mitigate a division of the House into two classes, one overly responsive and the other unresponsive.

Such a proposal seems preferable to still a fourth variation: three-year terms for House members with one-third of the members up for re-election every year. Yet, both run the risk of further confusing a relatively uninformed, if responsible, electorate.

What are the chances that any of these variations will end up a constitutional amendment? In passing, let us note that constitutional amendments are difficult to create. More than twenty thousand have been proposed in the history of the country and only twenty-four have become the law of the land. The founding fathers provided for change but they did not intend for change to come about easily. Hence the requirement that constitutional amendments receive two-thirds of the votes of both Houses, followed by ratification of three-fourths of the state legislatures.

For the current proposals to tamper with the two-year terms for House members, the probabilities of adoption are becoming increasingly slim. Hearings held before the House Committee on Judiciary in February, 1966, have, if anything, dampened some of the early enthusiasm for either the Presidents' or Representative Chelf's proposal. A January poll by the *Congressional Quarterly* revealed a stiffening opposition. Of those members who replied, the vote was 105 to 90 in favor in the House and 19 to 20 opposed in the Senate.

Among key Democrats who oppose four-year terms are Emanuel Celler of New York, chairman of the House Committee on Judiciary; Frank Thompson of New Jersey, an influential House liberal; and, predictably, a number of Southern conservatives, including Howard W. Smith of Virginia. The two most influential House Republicans, minority leader Gerald Ford of Michigan and Republican Conference chairman Melvin Laird of Wisconsin, have both issued statements warning of the inherent dangers in the four-year term proposals.

Most of what support remains for four-year terms comes from the younger members of the House, particularly those associated with the Democratic Study Group (of which Frank Thompson is chairman), an informal grouping of some 175 Northern and Western Democratic moderates and liberals.

Behind the growing opposition are practical considerations as well as the constitutional arguments. A major stumbling block, heretofore, has been opposition from United States Senators. Without built-in restrictions against running for other statewide offices, a four-year term would be virtual invitation for sitting House members to take on incumbent Senators or governors up for re-election in the off years. Presently a House member almost always is forced to give up his own seat in order to campaign against a Senator or governor. These public officials would prefer to keep it that way. A similar argument has been used against three-year House terms; this arrangement would allow state legislators with two- or four-year terms a free crack at incumbent House members.

The President's proposal has done away with most Senate opposition on these grounds by including a section which prohibits members of Congress from running for the other house unless the member resigns thirty days prior to such an election. The Chelf resolution goes even further. It would prohibit a House member from seeking nomination or election to any office, other than a vacancy, unless he resigns in advance.

A final argument from the standpoint of practical politics is that four-year terms may lead to greater, not less, turnover among House members. There is virtual unanimity among successful congressmen that elections are really won in the odd years. Non-election year activities provide them with opportunities to make non-political speeches and emphasize their role as spokesman for all their district's interests. Incumbent congressmen have many advantages, including franking (free mailing) privileges, the assistance of a trained staff of up to ten members, and multiple chances to build good will and develop favorable publicity. So great is this advantage that, over the years, more than seven out of eight incumbents who run for reelection are victorious.

At first glance, four-year terms would seem to improve an incumbent's chances of being re-elected. He would, after all, have three non-election years to solidify his position. But this view may be misleading. If a member were not up for re-election every two years, the pressures on him to return to his district would be lessened. Polls reveal that, even now, as few as one-third of the electorate can name their congressman. Elections every two years provide a congressman with an opportunity to get his name before the public.

The existence of off-year elections are particularly valuable, since they allow congressmen to establish their independence from the national ticket. This independence is especially important in areas where the national party or its presidential candidate is not popular. Thus, a number of Southern liberal Democrats were able to withstand the Goldwater tide in their states because they had developed name-familiarity and independence from the national ticket. Similarly, a number of Northeastern liberal Republicans, most notably John Lindsay, were able successfully to divorce their 1964 campaigns from a losing national cause.

Four-year terms would probably lure additional candidates from private and public life into competition for House seats. District-wide races would almost inevitably be lower in cost than state-wide Senate campaigns. Young lawyers, labor leaders, businessmen, and other professionals might find running for the House almost as attractive as a Senate seat. Present incumbents will undoubtedly think twice before they vote for an amendment which poses the threat of increased competition and the danger of potentially greater turnover among House members.

Congressmen are overworked. Given their high responsibilities, heavy expenses, and the burden of frequent trips to and from their districts, annual salaries of $30,000 make congressmen, if anything, underpaid. Many must start fund-raising, if not campaigning, almost as soon as the last election is over.

Yet, as the *Washington Post* recently commented in an unusually sympathetic editorial, "no one compels these men to run for Congress. Presumably they seek election to Congress because they like it, because they want the salary or because they see opportunity to render a national service, and we surmise that they will continue to do so regardless of how long the term is."

The Constitution requires that all members of the House of Representatives be elected every two years. Every four years they must run with the President of the United States, thus providing an opportunity for a strong presidential candidate to bring members along with him who will be sympathetic to his programs. Every four years, at midterm elections, House members have their own contests. For the most part, these are relatively insulated from the forces which shape the outcomes of national presidential elections. From time to time they provide a mechanism for endorsing or rejecting administration policies.

It is a relatively simple and uncomplicated election system which has withstood the test of time. Occasionaly the House responds slowly, or not at all, to the demands placed upon it by the President and the executive branch. On other occasions, its members may overreact to crisis. But the House continues to come closer to reflecting the will of the diverse local interests of our country than any branch of our national government.

On the whole, the House of Representatives has proven its worth as a viable and responsive legislative assembly. Two-year terms of office have been basic to the maintenance of this responsiveness to the will of the people.

POLITICAL UNREST IN SOUTH VIETNAM

Mr. McGEE. Mr. President, in a recent column carried in the Washington Post and other newspapers, Rowland Evans and Robert Novak put their finger on what I, too, have come to consider the underlying reasons for the political unrest in South Vietnam at present. As Evans and Novak put it, the turmoil resulted not from machinations of the other side, but from the "mad rush by Vietnamese politicians to position themselves for free elections." And all evidence indicates this maneuvering began as long ago as last January.

I know, Mr. President, that the impression I gained in Vietnam scarcely a month ago was largely the same. Indeed, I learned, our military efforts there were bearing such promise for future success that, for the first time, the local politicians and various pressure groups, as we could call them, were seeing the advantages to be had from control of the Government—or at least a share in that control. They all wanted a piece of the political pie, once it looked like it was worth having. A year ago, Mr. President, it did not look that way. Now it does. That is a hopeful sign. I ask unanimous consent that the column by Evans and Novak be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Politics, Saigon-Style

(By Rowland Evans and Robert Novak)

The turmoil that brought South Vietnam to the brink of civil war and endangered the war against the Communists resulted, ironically, from a mad rush by Vietnamese politicians to position themselves for free elections.

Indeed, secret information available to U.S. officials shows that the origin of the turmoil can be traced with precision to Jan. 15, 1966, when Prime Minister Nguyen Cao Ky first began to talk seriously about a constitutional assembly and eventual elections.

Thus, the root cause of the growing chaos in South Vietnam is not—as the U.S. peace bloc would have it—rising neutralism and a desire to make peace with the Communists. What is happening today can be traced back to Air Marshal Ky's Jan. 15 statement. It is a story worth telling.

Less than a month after Ky's statement pointed the way toward genuine political and governmental changes within South Vietnam, the militant Buddhists headed by mystical, enigmatic Thich Tri Quang began secretly to plan for future elections.

Tri Quang's plan was somewhat similar to the political organizing of, say, a democratic big-city boss in preparation for a presidential election in the U.S.A. If an election were really going to be held in South-Vietnam, the agile, ambitious Tri Quang wanted his agents to be ready for it.

This meant many things had to be done. It was necessary, for example, to set up an organization—nothing so precise as the political organization in the precincts of an American city, but a political organization in rudimentary form. Militant Buddhists who follow Tri Quang had to be assigned *specific political chores, taught how to promote* candidates and conduct a campaign.

A blueprint complete to the last detail, drawn up in January has been studied by U.S. officials and conclusively demonstrates that Tri Quang's political agitation predated President Johnson's celebrated meeting with Ky at Honolulu Feb. 6.

This should partially lay to rest the myth that President Johnson is personally responsible for the political crisis because he put his arm around Ky at Honolulu.

But if Tri Quang was organizing a disciplined core of student-politicians as long ago as January, Ky's conduct after the Honolulu conference unquestionably added fuel to the political agitation.

The Johnson Administration had hoped that when Ky returned to Saigon after Honolulu, and later, pushed by the Buddhists, announced a specific date for the election of a constitutional assembly, he would close his eyes to pressure tactics by the Buddhist militants in central Vietnam, centered in Danang and Hue.

The hope was that General Ky would concentrate on the war, on reconstruction and most important on talking up the election—and let the militant Buddhists stir up a little trouble without retaliation.

Instead, buoyed by his meeting with the President and alarmed at Buddhist agitation in the northern First Corps area, Ky fired Buddhist-backed Gen. Thi, First Corps commander. Ever since, the political battle has steadily escalated.

The discovery of electioneering plans drawn up in January illustrates one hard fact: feuding political forces in South Vietnam are preparing in dead seriousness for an election this September. The activities of Tri Quang should be judged more in that light than as an effort either to bring down the Ky government or undermine the U.S. military effort.

The political zeal, despite its hazards, poses opportunities for the long-term U.S. interest. Each of the hostile, feuding factions in South Vietnam—the Buddhists, split into many groupings, the Catholics, the religious sects, the military—are worried about getting left at the gate when the election is held. They all want a piece of the political pie that will result from that election.

It was an understanding of this fact that led President Johnson to murmur to Ambassador Henry Cabot Lodge, just before Lodge returned to Saigon:

"I've been in public life for 30 years and I've learned that the proper role of politics is to include and not to exclude."

The basic reason for all the agitation in South Vietnam is that every one wants to be included.

NEW HAVEN'S VOICE IN HARTFORD STILL ROARING AFTER 50 YEARS

Mr. RIBICOFF. Mr. President, the above headline appeared in the May 28 issue of the Hartford Courant, Hartford, Conn. The article then goes on to tell about an unusual man. For 50 years Abe White has given information to thousands upon thousands of travelers who came to the big central information desk at the Union Station in Hartford. Abe knew them all—the high and the mighty and the hesitant and the confused. During all this time, his friendliness and good humor was a joy to all. *He has a host of friends.* Personally, it was always a pleasure to stop and chat with an old friend during the many *times I have had occasion to use Union* Station. His commonsense and wisdom makes him a real down-to-earth philosopher. I join his many friends in wishing him many more years of happiness and service to his fellow men.

I ask unanimous consent that the article from the Hartford Courant be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

New Haven's Voice in Hartford Still Roaring After 50 Years

(By Malcolm L. Johnson)

About 30 years ago or more—Abe White can't recall the year exactly—The Courant sent a photographer down to Union Station to take a picture of the great Irish tenor John McCormack when he rolled into town.

"They wanted to black me out of the picture," says Abe White, then, as now, at the information desk at the station.

McCormack interceded (and White does a nice brogue to mimic him): "If you don't take his picture, you don't take mine."

Friday The Courant sent a photographer to the station to get a picture of a man who's been 50 years in railroading. And White didn't have any trouble getting in the picture as Trainmaster Joseph F. Daly wrote on the information board:

"50 Years!!! Still on Time!!!" in tribute to White's punctuality.

During a half century in the business of portering mail and "grabbing numbers" in the baggage room, working in the branch engine house and—for 42 of the 50 years—bawling out the time of arrival and departure of engines, he has always—unlike the trains—always been on time.

White, now a youthful, still stentorian 64, recalls his first shout from the information desk 42 years ago.

There was no public address system, at the desk, then at the far north end of the station.

LET IT ROAR

"That first train came in and I let out a shout . . . there were 500 or 600 in the waiting room in them days . . . I just opened my mouth and let it roar out; and the boss said 'You don't have to get mad at the train.'"

John McCormack, who stood up for White's right to be in a photograph long before the New Haven Railroad decided to give him a diamond pin and a gold pass card for 50 years in railroading, is the man White thinks of first when he turns his mind back to the people he's seen passing through the station and talked to.

But as he gets talking he also recalls Bebe Daniels and Ben Lyons coming into town to play at the old Parsons, Rudy Vallee, Henry Agard Wallace, Al Smith and Harry S. Truman—"It was his second trip through and as he came down the steps, two FBI men shoved like they were the president."

RECALLS BETTER DAYS

Abe White has seen a lot of years of railroading from the information desk and recalls the days when the New Haven line thrived.

"For a Yale-Harvard Game," he says, "we'd have 24 sections stringing back behind Flower Street."

Now there are only 25. But, White says, 90 to 95 per cent of them are on time.

Only when the New Haven's management "let the equipment go to hell" were there breakdowns and delays of two or three hours that gave the local line its now undeserved reputation for tardiness.

Forty-two years at an information desk have meant that Abe White has had to take a lot of wisecracks. "What time does the 3:21 get in?" is his unfavorite. He has as he says, also had to "take a lot of people by the hand."

Some people, he doesn't mind helping, he says. "My specialty has been trying to help any individual who is handicapped or can't speak English."

HANGOUT

And in the old days, all kinds of people used to stop by at the Information Desk to talk.

Lou Gehrig used to hang around the desk when he played with the Hartford Chiefs, Morgan B. Brainard, then president of the Aetna Life Insurance Co., used to say: "When I want to meet my friends I come down to the information desk," according to White.

When he thinks back on it all, White says: "The information Desk was actually the crossroads of the country."

I. W. ABEL AND THE UNITED STEELWORKERS

Mr. NELSON. Mr. President, I should like to call to the attention of the Senate an article in the Business Week of May 28 concerning the splendid leadership of Mr. I. W. Abel, president of the United Steelworkers. I think it is very significant that this respected business publication would carry such a laudatory article on this exceptional labor leader, Mr. Abel.

I am also pleased with this fine article because a key member of Mr. Abel's leadership team in the Steelworkers is Mr. Walter Burke, a distinguished leader of the labor movement in Wisconsin who was for many years director of District No. 32 of the Steelworkers at Milwaukee. Walter Burke was elected secretary-treasurer of the Steelworkers Union at the same time Mr. Abel was elected president.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Abel Finds a Broader Role for the USW—He Works With Reuther, and Serves as a Unifying Factor in AFL–CIO

The new attitudes that I. W. Abel brought to the leadership of the United Steelworkers only a year ago are having far-reaching effects on the labor movement.

Abel's friendship with Walter Reuther, president of the United Auto Workers, and the closer ties between the two largest industrial unions have altered the power structure of AFL–CIO. With the solid backing of the 1.1-million-member Steelworkers, "Walter is relatively stronger within AFL–CIO than he has been for a long time," says a federation official.

Many unionists think Abel's influence extends even beyond the industrial unions. Abel has been cementing relations with other segments of labor, even while his appearances at UAW and United Packinghouse Workers conventions were being hailed as signs of a new solidarity among AFL–CIO's industrial unions.

CATALYST

An Israeli bond drive dinner honoring Abel in Pittsburgh last month drew 16 international officers of other unions; many building trades officials were there, though their crafts have long been cool to the Steelworkers. Said a USW official, looking over a large gathering: "Abel is the catalytic agent that can bring unity to the labor movement across the nation."

Abel, a pleasant, rumbling former millhand, has an aura of "fundamental trade unionism" that appeals to the old-line AFL. Yet his concept of labor's role as "the squeaky wheel in our Cadillac society" is close to Reuther's brand of social unionism.

Abel isn't the only one stirring new interest in USW. He is just one of the triumvirate that runs the union; Vice-President Joseph P. Molony and Secretary-Treasurer Walter J. Burke also spread the union's influence, though less visibly and at lower levels than Abel.

These three are remaking USW into the socially and politically active union that it was under Philip Murray. Within the Steelworkers, worry over the Abel team's policies and bargaining effectiveness still lingers, but in wider labor circles there is little doubt of the impact.

MORE PARTICIPATION

An AFL–CIO spokesman says the best way to describe the changed role of the union in federation activities is that "the United Steelworkers is now an active participant, not just a dues-paying member of AFL–CIO."

The change springs as much from a difference in attitudes and personality between Abel and his predecessor, David J. McDonald, as from any difference in basic union philosophy. Abel is a hard-working team player, a committee man, who believes strongly in identifying USW's interests with those of the whole labor movement and society.

McDonald pursued a more independent course; he tried to create a separate identity for his union. Working in bursts of energy, making his main effort in bargaining, he often neglected the old Murray and CIO tradition of broad political and social involvement.

"In terms of politics," says a USW staff man, "Abe is more liberal than Dave. In terms of organization, he's more effective—not because he's an organizational genius, but because he works harder."

AND MORE COMMITMENT

It wasn't that McDonald lacked belief in AFL–CIO (he helped set up the 1955 merger), or in social causes such as civil rights (his 1962 steel contract contained significant seniority improvements for minorities). But many unionists felt McDonald didn't push hard enough in these and other areas. "Dave's approach to civil rights," says a USW man, "was something between great enthusiasm and complete neglect."

McDonald's inability to get along with Reuther lessened his interest in joint projects sponsored by the federation's Industrial Union Dept., of which Reuther is head. And in later years, McDonald seemed to lose much of his interest in AFL–CIO affairs. "McDonald would spend about an hour and a half in executive council meetings, and then disappear," says a federation spokesman. "Abel is there on time, stays throughout, and takes part."

CLOSE TIES

Abel's closeness to Reuther, says an IUD official, has led to "more participation in IUD by more people, and by more USW locals." Under Abel, the union has thrown in with other IUD unions for joint bargaining and organizing efforts, more than it did in McDonald's day.

Abel shares Reuther's economic and political beliefs so closely that in government circles he is already being treated as Reuther's alter ego. Recently, with Reuther busy with the Auto Workers convention, Abel was named—along with federation President George Meany—to a subcommittee to draft a position paper on wage guideposts for President Johnson's Labor-Management Advisory Committee.

Not long ago, Reuther boasted: "When USW and UAW are marching arm in arm, there is no power in America that can halt the American labor movement." Whether the alliance will gallop as fast as Reuther's rhetoric remains to be seen. But officials of both unions point to practical effects of the improved relationship. USW is helping the Auto Workers to organize a new General Motors plant at Lordstown, Ohio. A new feeling of good faith is going into the solution of jurisdictional squabbles.

Pat Greathouse, Auto Workers vice-president, points out that there was cooperation before Abel came to power. But he adds that Abel is "much more available on matters of day-to-day operations—the problem with McDonald was that he wasn't there."

A Steelworkers staff man says there are indications that Abel's interest in avoiding jurisdictional fights with building trades unions is having some effect. Abel, he says, gives "personal testimony" to understandings reached at staff level. "McDonald," he adds, "couldn't be bothered."

RANK-AND-FILE

Whether the new ideas being pushed by Abel, Molony, and Burke are seeping down to the rank-and-file is questionable. To the locals, what Abel says to Reuther at an IUD meeting in Washington is pretty remote; local and plant matters are more important.

There is some rank-and-file restiveness over the "washing out" of many local grievances at the end of the contract negotiations that Abel led last year. In some steel companies, the backlog of unsettled grievances has been growing, although the trend is not industry-wide. In 1968, Abel will be under pressure, but no over-all membership revolt is in sight.

There is also no sign of a power struggle being initiated by the union's middle management—where the pro-Abel movement began in 1964. Abel is giving his 30 district directors more say, and is keeping them on their toes. And his entrenched position in the federation leadership helps protect him from the sort of attack that he successfully launched to unseat McDonald.

BARGAINING

Still to come, though, is a union-wide debate on bargaining procedures. Abel has opened the door to increased local participation in negotiations; now he must find a way to make this more meaningful to the locals, without drowning talks in a deluge of local issues.

A top-level committee headed by Molony may soon unveil recommendations for changes in bargaining; hints dropped by Abel suggest the changes may be in unexpected areas. The committee discussed the old policy of bargaining jointly with a group of major companies, but insiders doubt there will be substantial changes here, since separate talks at individual companies might raise more problems than they solve.

It is known that the committee is considering disbanding the 163-member wage-policy committee, which ratifies steel contracts. Abel recently told a press conference that he prefers the ratification method used in aluminum contracts, where a majority of locals must vote approval, and where locals are free to strike on their own issues.

This would be a radical departure, and the industry is worried lest it lead to more strikes. Already the industry and some union officials are worried over a possible return to crisis bargaining in 1968, with eventual government intervention. Says a union man: "When I consider the level of this so-called debate on bargaining in the union, I shudder. And this inability of our union officers to see the danger of government intervention is frightening."

QUEST FOR EFFICIENCY

It's a long time to 1968, and meanwhile the Abel team can point to internal changes that they say make for a more efficient union.

Most of these moves sought to shore up an organizational structure unresponsive to central direction, and thus to Abel's stronger social and political efforts. For example, a civil rights committee was reorganized after 15 years, and for the first time was put under an international officer, Molony. A Negro unionist, Alex Fuller, was brought in as director, and the committee is pressing locals, particularly in the Birmingham area, to give up discriminatory seniority agreements—now under fire from the National Assn. for the Advancement of Colored People, which threatens demonstrations this summer.

In the political area, Abel is urging officers at all levels to take a personal interest in labor legislation; he himself went to Washington a few months ago and "hit the Senate lobby."

EDUCATION

Abel has also set up a broad educational program for staff and district and international officers, very similar to a Reuther-UAW program.

The international's fiscal controls over a sprawling, unwieldy union are being tightened by Abel. Reorganization of the union's legal department, under a new general counsel, will save $250,000 a year. The union's monthly paper, Steel Labor, will save $80,000 a year by switching to offset printing Economies in Abel's own office include cutting the number of New York Times subscriptions from five to one.

Abel runs executive board meetings with a touch of formality—only board members are admitted. In McDonald's day, department heads, technicians, and "a whole congregation of people" might be packed in the meeting room. Where McDonald used to travel "in an entourage of bodyguards and flunkies," with Cadillacs awaiting him at airports, Abel as often as not travels alone.

OTHER GOALS

The Abel team hasn't done everything it wanted to.

In many ways, the past year has been one of "evaluation and review." Some changes have been put off until after the convention in September when a reading can be gotten on rank-and-file reaction to the changes already made.

REVISION OF PROCEDURES REGARDING ADMISSION OF CUBAN REFUGEES TO THE UNITED STATES

Mr. KENNEDY of Massachusetts. Mr. President, for some time I have been concerned over the hardships caused by the labor clearance provisions of the Immigration Act of 1965 to Cuban refugees in Spain, Mexico, and other countries who are relatives of Cuban refugees in the United States. The problem was graphically outlined for Members of the Senate in recent hearings before the Subcommittee on Refugees of which I am chairman.

Under current provisions of the Immigration Act, aliens desiring to enter this country must receive individual labor clearances before they are allowed in. This is a long and tedious process, and I pointed out in the Senate on May 25 the inequities it is causing. Among those most seriously affected are Cubans who have fled their homeland for other countries. In many cases members of their immediate families have been admitted to the United States in parole or indefinite voluntary departure status. But the Cuban refugees who have gone to other countries are being denied entry to the United States, and reunion with their families, because of this labor clearance provision.

I have followed this situation very closely, and I have talked with officials of the Department of State and the Department of Justice in a continuing effort to have these Cuban families reunited in the United States. Now I am happy to announce that I have received a letter from Philip B. Heymann, the Administrator of the Bureau of Security and Consular Affairs of the Department of State, informing me that the situation has been corrected. I ask unanimous consent that this letter be included in the RECORD.

Under the provisions worked out by the Departments of State and Justice, Cuban refugees in Spain, Mexico, and other countries who are the parents, spouses, or minor children of Cuban refugees in the United States will now be granted admission to this country without the labor certificate required for a visa. The new procedures will use the Attorney General's authority, under section 212(d)(5) of the Immigration and Nationality Act to parole into the United States people without visas. Up to now, this authority has been limited to refugees coming directly from Cuba to the United States.

I am very happy that this revision has been made, for it will permit the reunion of many Cuban families which have been kept apart for years. And I think the Departments of State and Justice, and the President are to be congratulated for taking this important step toward fulfillment of President Johnson's pledge of October 3, 1965, to the people of Cuba "that those who seek refuge here will find it."

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE, BUREAU OF SECURITY AND CONSULAR AFFAIRS,
Washington, May 31, 1966.

Hon. EDWARD M. KENNEDY,
U.S. Senate.

DEAR SENATOR KENNEDY: I am happy to be able to inform you that the Department of State and the Department of Justice have agreed upon the necessary procedures for admitting into the United States in parole status parents, spouses and minor children of Cuban refugees already here. These new procedures will eliminate the bar which the Labor certificate provision of the new Immigration Act has presented to reunion of the immediate families of Cuban refugees.

Knowing of your continuing concern about this problem of family reunion, we are sure that you will welcome this development as much as we do.

Sincerely yours,

PHILIP B. HEYMANN,
Administrator.

AN ELOQUENT SPEECH ON THE IMPORTANCE OF CONSERVATION

Mr. CHURCH. Mr. President, I would like to call to the attention of my colleagues a recent speech by D. S. Williams, Administrator of the U.S. Soil Conservation Service.

It is an eloquent presentation of why worldwide conservation is vital to all men and how it should be implemented.

Mr. Williams gave his speech April 18 at São Paulo, Brazil, during the First Pan American Soil Conservation Congress.

The force of Mr. Williams' message and the directness of his language can be noted in his statements that:

> Soil conservation means working out land use and treatment in full recognition of the essential relationships between soil, water, plants, animals and—yes—man himself.
>
> To be fully effective, conservation decisions must always be made by the people who will be responsible for carrying them out. Conservation will never be accomplished by edict. Government can and must be an active partner, but should do for people only what they cannot do for themselves.
>
> It will go forward if city people are made partners, if they are helped to see their stake in soil and water resources, and if they are invited to work with rural people in soil and water conservation endeavors.

I ask unanimous consent that Mr. Williams' speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

CONSERVATION CHALLENGES IN A CHANGING WORLD

(Address by D. A. Williams, Administrator, Soil Conservation Service, U.S. Department of Agriculture at the First Pan American Soil Conservation Congress, Sao Paulo, Brazil, 9:00 a.m., April 18, 1966.)

Mr. Chairman, honored guests, delegates to the Pan American Soil Conservation Congress, fellow conservationists, in casting about for the right words to use in suggesting the significance and timeliness of this Congress, I came upon a paper by Dr. F. Fraser Darling, a distinguished British conservationist known by many of us here. Dr. Darling has written:

"Conservation is reaching forth to a larger concept than caring in an earnest but rather hazy way for animal species, for forests, soils or fresh waters; it is becoming the care of the human habitat, which is the whole planet."

Let me repeat the key words of that passage: "Conservation is reaching forth to a larger concept . . . it is becoming the care of the human habitat, which is the whole planet."

That indeed is why we are here—or why we should be here.

Not because poor soils yield crops but because poor soil makes poor people.

Not because of what soil erosion does to land but because of what it does to men, women and children, in our crowded cities as well as in our developing rural areas.

Not because of what fire or flood can do to the beauty and productivity of the forest or valley but because of what they can do to hope and dignity of human beings who live and work there.

Not because we need a vanishing species of wildlife for its meat or feathers but because we have no right to deprive future generations of any of the fullness of the world as God created it.

Not because we seek some ethereal harmony between man and Nature but because we seek peace between man and man—a peace that rests in large measure upon the conservation and development of soil and water resources from which people draw their sustenance in every part of the world.

So, let us make this Congress an historic one by reaching forth, as Dr. Darling has said, to the larger concept of conservation, which is the building of a better world for all nations and all people.

Let us thoughtfully explore the impacts of a rapidly changing world upon our soil and water resources.

Let us resolve to bring to bear upon these problems the greatest skills and the wisest planning that men's minds can produce.

This is an era of great skills and advancing technology. And yet of all the many skills required of the modern conservationist, none is more essential today than the ability to relate resource conservation and development to the new situations and forces swiftly developing all about us. The impact upon resources, throughout the world, falls into at least three broad categories: population growth, rising living standards, the trend toward urbanism. Let us look at each of these briefly.

We have heard the term population explosion so often that it has become a cliche. But if we could stand on a high tower and look down upon the amount of land required to feed and otherwise serve the needs of one and one-third million people, and if we could see in a single great amount the food and fiber products required by that number, and then be reminded that *every week of the year* we must provide that much *more* than in the previous week—then, perhaps, we could begin to comprehend the world-wide impact of population growth upon resources.

I recently spent a month in India, trying to help the leaders of that vast nation take steps to better marshal their land and water resources to meet an almost overwhelming population problem. Theirs is a grave situation, with a population already in excess of 484 million and increasing at a rate that could carry them well past the billion mark by the year 2000.

But what is India's problem today may be ours, in this hemisphere, tomorrow. Latin America is the fastest growing major area in the world today. Fifteen years ago the United States and Latin America each had a population of about 150 million. That figure is expected to double in the United States by the year 2000. But present growth rates indicate the possibility of a population of more than 750 million in Latin America by the end of the century.

Nations in this hemisphere, thankfully, still have ample resources and space. But will they so develop and husband that space and those resources that a doubled, or a quadrupled, population can live decently and with hope? That is a responsibility that rides heavily upon the shoulders of those of us who are responsible for soil and water conservation.

The trend toward urban concentration, in some countries and in some parts of all countries, is another phenomenon that has significant impact upon soil and water use and conservation.

The trend comes about largely as a result of advancing agricultural technology which it makes possible for smaller and smaller numbers of farm workers to supply the needs of their fellow men. In the United States, in 1940, we had a farm population of 30.5 million people and one farm worker supported 10.7 others.

Today the farm population has dropped to about 15 million, with each farm worker providing food and fiber for about 33 of his fellow citizens.

A consequence of this trend, of course, is the conversion of large amounts of land to nonagricultural uses. Again referring to the United States, we are seeing a million or more acres per year, of our better cultivatable rural land, going into homes, airports, industrial sites and many other non-farm uses.

Some loss of good cultivatable land is inevitable, as cities and populations expand. But conservationists today have a great responsibility to help avoid irreversible decisions about the uses to which we put land.

Another consequence of the urbanization of our populations is found in the growing detachment of people from the land.

Just a generation ago, most of our people in the United States either lived on a farm, had once lived on a farm, or had a parent or grandparent who lived on a farm. By 1960 some 70 percent of our population was living in urban areas.

Today, with about 90 percent of our people classified as non-farm residents, we are finding that farm animals in city zoos are often greater attraction than the exotic species. A sign of the times!

This same trend has added meaning for conservation, obviously in the greater difficulty of gaining understanding and support for conservation programs from city people who, by their numbers, can exert life-or-death influence on policies concerning natural resources. To offset this, conservation education, throughout our school systems, is an urgent and growing need.

On top of the increased pressures on land resources caused by population growth and urban concentration comes the impact of a rising standard of living.

As people throughout the world get better housing, better food, more labor-saving devices and more leisure time, they consume more of the products of both renewable and non-renewable resources.

Unfortunately, there are still vast differences between nations in the ability of people to enjoy these fruits of scientific advancement. But the trend is upward, throughout the world, and must be taken into account in planning resource use and conservation.

While advancing technology, which creates new appetities and new demands, places additional demands on resources, we take comfort in the fact that technology is also making possible greater advances in soil and water conservation.

Countless examples could be given. In watershed protection work, modern computers are speeding up the processes of water impoundment, site selection and structure design. Electronic devices enable us to monitor the moisture content of snow packs in high, inaccessible mountain areas, and thus expedite and improve the accuracy of our water supply forecasting. Electronic devices monitor changes in water quality in streams where polution control measures are underway.

Indeed, it is the prospect of continuing advances like these in the technology of resource use and development that gives us reason to believe that people around the world can successfully draw upon their soil and water resources to cope with the problems of growing demands. Acceleration of conservation work is our best hope for improving the welfare of millions of rural people. Conservation is, at the same time, an imperative step in the protection of water supplies which spell life or death to cities and industrial areas. It is an important means of increasing foreign exchange, of promoting economic growth and of otherwise contributing to political stability and world peace.

Yes, we must keep abreast of new methods and alert to new ways of doing old jobs. But at the same time, we must not forget the hard-learned fundamentals that determine the success or failure of soil and water conservation.

The term "soil conservation" has come to signify those combinations of skills and practices needed to develop and sustain the productivity of each kind of soil for whatever purpose it is used—whether that use is for crops, for forest, for recreation or for housing.

Soil conservation means choosing the appropriate use for each piece of land as well as protecting and improving the land after the use has been chosen.

Soil conservation means the careful planning and treatment of entire operating units be they farms or ranches or entire watersheds.

Soil conservation means working out land use and treatment in full recognition of the essential relationships between soil, water, plants, animals and—yes—man himself.

The greatest danger, as conservation technology advances, is that we may fail to involve the human element. (Remember Dr. Darling's allusion to the "*human* habitat.") Conservation must be *people*-centered. It must not only be carried out *for* people. It must be carried out *by* people.

To be fully effective, conservation decisions must always be made by the people who will be responsible for carrying them out. Conservation will never be accomplished by edict. Government can and must be an active partner, but should do for people only what they cannot do for themselves.

Conservation *will* move forward if it is viewed and accepted by land owners and operators as a means of making more efficient use of their soils, and better management of water with higher yields per acre or hectare, with lower costs per kilo or ton, with better net income for the farmer or rancher.

It *will* go forward if city people are made partners, if they are helped to see their stake in soil and water resources, and if they are invited to work with rural people in soil and water conservation endeavors.

Rural and urban people both benefit from accelerated soil and water conservation programs. With better income, farmers can not only afford better education and medical care, but also can purchase more of the products and services offered by urban people. Urban water supplies are improved, flood threats diminished, and the entire community, and thus the nation, benefits and prospers.

It seems to me that two great challenges emerge to conservationists in this changing world:

To seek out diligently and utilize the best and most advanced technology available to adjust resource use to the mounting demands of population growth and rising living standards.

To educate our people—all our people—in the principles of resource conservation so that they can and will act and exert leadership as informed citizens.

Let us hope that out of this Congress will come other challenges and specific proposals for action within and between our nations.

Is it too much to expect that we might, for example, look forward to a greatly accelerated flow of information between our countries through publications and through conferences between technicians and scientists in specific subject matter fields?

Is it possible that we may find opportunities for further exchanges of technicians and scientists, so that we share to the maximum the experiences of each country?

Could we look forward to the formation of international councils or panels that would carry forward, on a permanent basis, the continuing review of hemispheric conservation needs and problems which we have begun to explore at this Congress?

Could there come from this Congress a non-political manifesto that would assert the resolve of our nations to work together with new determination in the development of the science and art of good land use for the benefit of all people, here in this hemisphere and throughout the world?

I know that my fellow conservationists from the United States join me in expressing our deep appreciation to the sponsors and planners of this great Congress. We pledge to you all the cooperation that lies within our power to achieve our mutual goals.

It is in your hands and mine to carry forward action that could spell survival or destruction of the human race.

It is *that* important!

NEEDED, AT ONCE: ADEQUATE PRICE INFORMATION

Mr. PROXMIRE. Mr. President, the Nation cannot afford to be without better, more adequate economic statistics. Though we have better information on prices and price changes than any nation in the world, it is not adequate for the burden of public and private policy formulation that it must carry. Our price data must guide monetary, fiscal, and employment policies; and they must measure the welfare of the American people. This is in addition to the many private uses of the data; for example, in collective bargaining, in pension planning, and in countless marketing and investment decisions. Price indexes do not represent mere numbers or idle conversation pieces of economists, government bureaucrats, or newspaper media. The quality and coverage of these indexes have a direct bearing on the steering of our multibillion-dollar economy.

The Joint Economic Committee's Subcommittee on Economic Statistics, of which I am chairman, has just completed hearings on Government price statistics, investigating the outcome of its recommendations of 1962. Among the experts that we heard, there was unanimous opinion that judicious expenditure for improved price information would be the wisest business outlay we could make.

The witnesses before the subcommittee stressed time and again that price statistics are important. Because this is not commonly or fully understood, I think Members will be interested in a few excerpts from the testimony emphasizing the critical nature of price information.

Commissioner of Labor Statistics, Dr. Arthur Ross, emphasized that our price data are reasonably good and may have been adequate at one time, but they are no longer adequate today.

> My first conclusion is that the price measurements available in the United States are good, especially for the traditional uses of price measurements in the past. They are carefully constructed, they do not reflect any systematic bias upward or downward. For what this is worth, they are the best in the world, although I think that statement is very faint praise when you look at price measurements in other countries. They are certainly sufficiently good that the government and management and labor can have confidence that they do give us an approximation of actual movements in prices and that until something more accurate and more complete is available, they are well worth following or well worth paying attention to in the making of private and public decisions.
>
> The second conclusion which I have reached is that our price measurements are no longer adequate for the tasks. This is primarily because of the more demanding requirements which we place upon statistics these days. Our requirements of public policy for maintaining high employment and reasonable price stability and the other ob-

> jectives which have concerned the Joint Economic Committee since its very inception do place demands upon the price statistics which they are not fully capable of satisfying.
>
> Likewise, in the private sector, business planning of inventories, of marketing programs, of production programs, the needs, the informational needs of labor organizations in collective bargaining, call for price measures and analysis with a degree of completeness and precision which we do not now have.
>
> Thirdly and finally, the developments in economic theory and the analytical possibilities of the computer now throw light upon the inadequacies of the statistics more harshly than would have been the case ten or fifteen years ago.
>
> All of these developments—the requirements of public policy, the closer types of business planning, and the more complex contents of collective bargaining agreements and the possibilities of economic analysis and computer analysis—call for several major improvements in the price measurements of the Federal Government. Specifically, they must be more complete, they must be more precise, they must be more timely, and they must be compatible with other economic measures. We feel that these are the four principal requirements which must be satisfied more fully.

One purpose of the hearings on Government price statistics was to review the progress that has been made in recent years by the statistical producing agencies, especially in the light of the standards and recommendations of the distinguished group of scholars and experts organized as the Price Statistics Review Committee.

In a colloquy in which I had raised the problem of appropriations and cost needed to bring our price statistics up to these standards, Prof. Jules Backman, research professor for economics, New York University, and Dr. Solomon Fabricant, director of research at the National Bureau of Economic Research, emphasized that failure in this area would be penny wise, pound foolish:

> Dr. Backman. We have today a public policy decision which is being debated on a wide scale. If we are experiencing an inflation situation, say some, we should do something about taxes at once. A 6-percent increase in taxes is worth about $5 billion. I want to convert this from million dollars to billion dollars to show what mistakes we can make if we do not spend a couple of million dollars.
>
> If—as the New York Times frequently says—the wholesale price index, is the best index of inflation, we should do absolutely nothing about taxes, because inflation is behind us rather before us. If the implicit price index is the best overall indicator, index of inflation, as the Council of Economic Advisers says, or if the consumer price index, as the rest of us are saying, is the best index of inflation, then we ought to be running pretty scared because a 5 percent increase is a rate that is intolerable.
>
> If we are making a public policy decision and we do not have these indexes to the point where we can really determine which is the one we are going to look at or the combination in which we are going to look at them, we can make mistakes that run into billions and billions of dollars as against this couple of million dollars that Dr. Bowman talked about in cost. I think that is the framework within which the appeal for additional funds must be made, the cost of the mistakes that you make if you fail to spend the preventive dollars, as we may call them.
>
> Dr. Fabricant. Very obviously, price data are essential in dealing effectively with matters of public policy. We talk a great deal, or were until perhaps very recently talking a great deal about the price and wage guideposts. Without reasonably adequate price data, and also, productivity data, we cannot apply these policies with any degree of effectiveness or get the collaboration of the public as long as there are serious differences of opinion as to what is happening to prices.

The following colloquy between Prof. Irving Kravis of the Wharton School of Finance and myself illustrates my own and the subcommittee's cognizance of the need for economy in government and our reluctant recognition that more resources must be allocated to this area:

> Senator Proxmire. How comprehensive a study do you envision? One that would cost a great deal of money?
>
> Mr. Kravis. Look, Mr. Chairman, I would say that money in price work would be a bargain for this country.
>
> Senator Proxmire. I think so too, but you know——
>
> Mr. Kravis. Let me tell why. I think the issues separating different positions on this business of expansion or holding line on prices and monetary policy is something like the difference between 2 percent inflation a year and 4 percent inflation a year. That is, when the price indexes began to show 4 percent increase on an annual basis, people really got alarmed and there began to be more talk. So every one percent change in our annual measure of prices is significant for policy purposes. There is not $100,000 involved, there are billions of dollars of gross national product. When we cut taxes a couple of years ago, I do not know how many billions of dollars—I have not looked up the numbers—but was it 20, $40 billion, which by now our gross national product is larger.
>
> Senator Proxmire. Every witness who has come before us here has said, how can you talk about money? This is so important. All that is involved is $100,000 or 2 or 3 million. And this is all true, and I am inclined to agree with these witnesses. I think statistics are the greatest bargain we have and the most important kind of service we can get if we are going to have any wisdom in our economic policy.
>
> Mr. Kravis. It would take additional resources over what they have now. That is, they would either have to stop doing what they are doing now and start doing this or they would have to have additional resources. My own knowledge of the Bureau does not lead me to believe that these people sit around idly and if you could just put them to work, they could produce this additional information. I think they are a hard working, dedicated bunch. I disagree with them on many technical issues, but I do not think it would be possible to squeeze important additional work out of the present staff of the Bureau.

The cost issue was also raised with Dr. Raymond T. Bowman, the Assistant Director for Statistical Standards of the Bureau of the Budget.

> Senator Proxmire. Can you give us an idea of how much additional funds per year would be needed to enable the Bureau of Labor Statistics and other agencies to make rapid progress in the Stigler (Price Statistics Review Committee's) recommendations?
>
> Dr. Bowman. I have made estimates . . . It is in the neighborhood of a couple of million dollars.
>
> Senator Proxmire. How much is the United States Government currently spending for the collection, processing and dissemination of price statistics?
>
> Dr. Bowman. Our statistical budget shows that all of our price statistics programs . . . are now running about $6—$5.7 million . . .

Mr. President, what I think this country is interested in and the Joint Economic Committee is interested in and what I am interested in, is how we can improve our price statistics so that they can be as helpful as possible in determining the optimum economic policy. It seems to me that, in view of the enormous importance of the price index in so many ways, both private and public, $2 million in additional funds would be an excellent investment. Budget obligations for prices and price indexes were stationary at $5.7 million from 1965 to 1966, and $5.9 has been requested for fiscal 1967. Our resources devoted to price information must surely rise much faster than this if economic policy is to remain meaningful and to become even more effective.

THE GOOD WORK OF VISTA VOLUNTEERS

Mr. WILLIAMS of New Jersey. Mr. President, during the past year, I have followed the VISTA program with a very personal interest. As many of you undoubtedly know, I have been a stanch supporter from its inception. Today, after reviewing its substantial achievements and steady growth in every area, I am even more convinced that it represents a very special and very substantial weapon in the war on poverty.

The concept from which VISTA evolved was both exciting and sound. The execution of that concept has matched in every way that high early level of expectation.

I must say I was pleased, but not surprised, to read not too long ago that United Press International, after an extensive, nationwide, evaluation of the entire war on poverty, singled out VISTA for special praise. Nor was I surprised to find that our colleagues on the House Education and Labor Committee—Republicans and Democrats alike—after a painstaking look at the Office of Economic Opportunity voted not only to confirm—but to expand—the VISTA program. I was delighted to learn that their action would make it possible for an expanded number of these dedicated volunteers to take their places in the war against want now underway in our Nation today.

In view of my enthusiasm for the program, it will come as no surprise to any of you that I take particular pride in the fact that my own State of New Jersey is among the leaders in those States whose citizens have volunteered to fight the war against want by joining VISTA. There are now 57 New Jersey residents serving their fellow citizens throughout the country as Volunteers In Service To America. New Jersey ranks 10th among all States in the number of persons who have sent applications to Washington expressing an interest in joining VISTA. At last count, earlier this month, the organization had received 1,403 applications from New Jersey citizens.

Some volunteers have interrupted their college educations to devote a year of their lives to the task of helping lift their fellow citizens out of poverty's grip. One such volunteer is Pattison Fulton of Far Hills, N.J., who left Yale to work with the poor in a Pittsburgh slum called Homewood-Bruston.

After 2 years at Yale, Mr. Fulton said:

> I wanted to find out what I could do on my own.

He plans to return to the university after his year in VISTA is up, but right now he describes his work as "an intriguing experience in the psychology of poverty."

He works in a predominantly Negro neighborhood with youths between 16 and 21 who have dropped out of school. His task is to motivate them to seek employment and to help them to take advantage of the job training programs that are available in their areas.

His very presence brings a hope for the future and a conviction that the rest of America really does care, to those whose lives he touches.

Mr. Fulton is 20 years old and lives in an apartment in the neighborhood of the people he tries to help. He has been involved in organizing and administering the local Headstart preschool program and has also helped to establish an employment committee for the 16- to 21-year-old high school dropouts. He has said that once a youngster has met with the committee, he becomes aware that the community organizations are not remote, ominous structures to be feared and distrusted, but rather that they have been created to serve the city's youth.

Fulton has said that his primary goal is to "help disadvantaged youths attain a perspective of their own situation—to help them realize that they can move in the 'other America' which they see now only on television."

Pattison Fulton left Yale to help his fellow Americans who have not only dropped out of school, but who threaten to drop out of life itself. He left comfortable surroundings to give his most precious asset—his time—to his country and to his fellow citizens.

As one of the original proponents of the National Service Corps, which has so successfully emerged as VISTA, it has long been my contention that there is a vast reservoir of Americans such as Pat Fulton who are ready and willing to commit themselves to the sometimes thankless task of helping other people to help themselves.

I believe that VISTA is one very effective answer to the question: what can we do to help the poor? For the volunteers in VISTA help the economically and socially deprived immediately, not at some far distant date. Their very presence in a community or neighborhood is living and very personal testimony that somebody cares—and that it is somebody who cares enough to act and to serve.

VISTA volunteers do not go into a city slum or an Appalachian community armed with a blank checkbook or the plans for a new factory in their briefcase. They arrive equipped only with their own personal motivation and the desire, and even need, to help those who thus far have been unable to help themselves.

The goals that the volunteers set for themselves are limited. They do not intend to transform a bankrupt rural community into a thriving town in the space of 1 year. But they can give that town a bridge to the outside. Even more important, they can give hope to the people of that town. It would seem to me that the most important thing that the VISTA volunteers do are the tasks that no one else has done before.

The volunteers have many enemies who go by many names. They must fight and overcome apathy, frustration, hopelessness, suspicion, and despair. These are poverty's constant companions.

But the volunteers, collectively and individually, have made significant gains against their enemies. At Fort Defiance, on the Navaho reservation in Arizona, VISTA volunteer Dr. Jane Skillen has launched a major tuberculosis control program that has surveyed and skin-tested more than 6,000 Indian children. For many years a highly successful physician with a lucrative private practice, Dr. Skillen is another example of a VISTA volunteer who decided not to quit after retirement.

In another instance, communities and citizens in Florida have offered the use of 35 buildings for volunteer activities. In addition, certified teachers and specialists in industrial arts are now volunteering their time to work alongside the volunteers from VISTA.

Pattison Fulton, the New Jersey VISTA volunteer I mentioned earlier who now works in Pittsburgh, has personally recruited more than a hundred part-time volunteer helpers in that city; and down in Hobson City, Ala., five volunteers have launched a junior VISTA volunteer program which serves as an informal youth club in the all-Negro community.

These are the accomplishments that are the day-to-day experiences of the nearly 3,500 VISTA volunteers who are spread from Alaska to the Virgin Islands. Accomplishments such as these and countless more, gained by an almost unmatched display of patience and compassion, are sometimes the first step out of poverty.

There are 12 VISTA projects, both rural and urban, within the borders of my own State of New Jersey. There are some 37 volunteers working with both our urban and rural low-income families. New Jersey has requested 21 VISTA projects which would require 220 volunteers.

My own State's request for VISTA volunteers is typical of the needs of the rest of the Nation. So far, there have been requests for a total of 8,807 volunteers by 711 present and potential local sponsors. This demand is not diminishing; it is growing month by month.

I have learned that VISTA intends to devote 15 percent of its manpower to the problems of our migrant farm laborers. As chairman of the Senate Subcommittee on Migratory Labor, I have paid keen attention to the efforts of the VISTA volunteers among our migrant farmworkers. And several months ago I visited with a group of VISTA volunteers working with migrant families in the State of Oregon. I am personally convinced that by living and working with our migrant families, VISTA volunteers provide the badly needed link between the migrants and the Federal Government. I remain equally convinced that VISTA's approach to the plight of the migrants is the key to any lasting solution of the problems that they face.

There are now 344 VISTA volunteers working, serving, and living among the migrants of 12 States. They are assigned to 19 specific projects from Oregon to Florida.

In Florida alone there are close to 100,000 hired farmworkers who comprise part of what is called the eastern migrant stream. Living and working in 6 areas of the greatest migrant concentration in Florida, some 113 VISTA volunteers are creating new programs and stimulating community awareness of the needs of migrants and their families.

More than 2,000 migrant children have been enrolled in educational programs that have been initiated and operated by VISTA volunteers. In addition, the volunteers have begun tutorial programs, day-care centers, recreation activities, adult literacy classes, and a wide variety of preschool cultural enrichment programs. Another group of volunteers in Florida has developed a community health improvement campaign that involves inspecting and repairing substandard properties. Landlords are now complying with the volunteers' recommendations. One landlord is adding 80 bathrooms to his buildings at a cost of $600 each.

The VISTA volunteers' efforts with the migrant farm families is only one example of their efforts. They can be found on Indian reservations, in Appalachian hollows, in the worst sections of our metropolitan ghettoes, and in caring institutions for the mentally ill and retarded.

When a volunteer leaves VISTA after his year is up, poverty is no mere nodding acquaintance. It is by then an old companion who is familiar, but who is neither to be trusted nor admired. The volunteers have learned what poverty can do to an individual and to a family. They have seen firsthand the grasp that it has on this generation and they can predict with accuracy what members of the next will be entrapped.

I can think of no substitute for the experience and knowledge that VISTA volunteers gain through their year in service to America. If they had not known frustration, they have learned it. If they had not known despair, they have experienced it. And if they had not previously known the exhilaration of accomplishment, this, too, they have come to know and to treasure.

Regardless of the volunteers' age or previous experience, I believe that they will return to their communities with a new sense of purpose as citizens. I find myself envying the communities where they will live, because they will be more exciting places.

As VISTA volunteers, they have learned their civics well. They know what makes a community operate. They know that a power structure exists, and that a power structure can be used to serve all citizens. They have learned, in essence, the art of practical service which cuts across political lines, for they have learned how to get things done.

It is almost 4 years now since a handful of us proposed that this country form a National Service Corps to render real and immediate aid to those trapped by the cycle of poverty. In its 18 months of operation, VISTA has proved that such an idea was not only feasible, but that it was extremely practical.

An increase in the gross national product from $700 billion to $715 billion means nothing to the man who cannot read, cannot find a job, and cannot support his family. The economy can soar to dizzying new heights, but he lives less well than he did last year and the year before. He is desperate and defeated. For him, hope is a long forgotten word.

It is into such homes as this that VISTA volunteers go, equipped with nothing except their compassion and their desire to help. There are ways such a man can be helped—providing somebody has the time and the motivation to do so. He can learn to read. He can, perhaps, be taught a new trade. He can use the existing facilities of the community and the State and the Federal Government to help spring open the poverty trap. He can do this if he has a guide—someone to show him the way. VISTA volunteers serve as guides. The full impact of their efforts will be reflected in years to come. I believe it would make a most interesting study.

To me, the volunteers in VISTA exemplify the best in the American tradition of voluntarism. They have chosen to spend a year of their lives in service to their country and to their fellow citizens, working at a community and neighborhood level on a personal basis with those in need. They share the discomforts and drabness of poverty; they experience its attendant heartbreak and frustration. They learn its touch and taste and sound.

They also learn to respect it as an enemy and to defeat it on its own grounds. When the war on poverty is won, I believe that VISTA volunteers will be able to claim their full share of victories. These may appear minor in the history books, but they will be major in the memories of those who received their help and encouragement.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

PROPOSED PLANTING OF ALTERNATE CROPS ON UNPLANTED ACREAGE

Mr. BASS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1152, H.R. 15151.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 15151) to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BASS. Mr. President, during the past few months many farmers in the south-central part of the United States have been subjected to severe weather conditions that have prevented them from planting their normal crops, particularly cotton. Extremely heavy rainfall has caused flooding in several States, including Arkansas, Missouri, Tennessee, Kentucky, Mississippi, Louisiana, and Texas. Longtime residents in some sections have described conditions as the worst within their recollection. Throughout the area rainfall has generally been at least twice as heavy as normal. In parts of southeast Missouri and west Tennessee the rain has been 230 percent greater than normal. In Vicksburg, Mississippi, the normal rainfall is 7.1 inches, and they have received 18.5 inches or 260 percent above normal rainfall over a 6-week span. Galveston, Tex., got 324 percent above normal rainfall. Several weather stations reported 10 to 12 inches of rain within 48 hours.

Mr. President, there is no doubt that many farmers face a grave emergency as a result of this natural disaster. They have done everything in their power to make a crop this year, but without favorable weather conditions there is little hope for success. Some farmers have been fortunate enough to plant their cotton, but a large number of them have simply been unable to get into the fields due to the heavy rainfall that has continued to plague their areas for an extended period of time. Earlier, these farmers had prepared their land for planting, purchased seed, fertilizer, and equipment, if necessary, and placed employees on stand-by alert. While they have gone through the necessary preparatory steps to planting, the rains have continued to fall.

After weeks of waiting and hoping for a break in the weather, several farmers obtained pumps and attempted to transfer the water from the fields to drainage ditches. This effort has been unsuccessful because most drainage systems are saturated and, in many cases, overflowing throughout the disaster area.

The weather has been a devastating enemy of the cotton farmers in the Mid-south area thus far this year. And now they must also contend with another formidable foe—time. Normally cotton is planted prior to May 15 in the mid-south area. Delays beyond that date may reduce the yield considerably. If conditions prevent planting prior to June 1, the farmer faces difficult odds in making a crop. Since today is June 1, time has run out, and we are dealing with an emergency situation. Immediate assistance should receive the highest priority.

Under provisions of the Food and Agriculture Act of 1965, farmers who have signed up to participate in the wheat, feed grain, or cotton program and have planted their allotted acreage only to have it destroyed by flood, drought, or other natural disaster, are eligible to receive land-diversion and price support payments they would have received had the crop not been destroyed. They may also use the land to grow any other crop except those for which there is a production adjustment program.

I feel sure everyone concurs in the equity of these provisions in the Food and Agriculture Act of 1965. Undoubtedly, similarly fair treatment was inadvertently withheld from farmers participating in the wheat, feed grain, and cotton programs when they were prevented by flood or natural disaster from planting their crops. The current crisis affecting cotton farmers dramatically illustrates the need for corrective action. Unless legislation is enacted promptly to protect farmers enrolled in regulated crop programs from natural disaster, economic chaos of the highest order will be thrust on many farm families in several States.

The House Agriculture Committee has held hearings, which were necessarily brief due to the time factor, on proposals to grant relief from natural disasters that prevent the planting of designated crops. Department of Agriculture officials testified in support of the proposed emergency assistance. In addition, Secretary Freeman has emphasized the urgency of prompt action to minimize the losses farmers will suffer due to the natural disaster.

The House Agriculture Committee unanimously reported H.R. 15151 and the House passed it without undue delay. The bill gives farmers who are prevented from planting wheat, feed grains, or cotton by flood or other natural disasters the same opportunity to plant alternative crops that the law now accords farmers whose crops have been destroyed by such disaster after planting. Briefly, the two primary purposes of the bill are first, to make farmers eligible for price support payments even though they are unable to plant the crop; and second, to authorize them to utilize their permitted cotton, feed grain, and wheat allotment or base acres for other crops that can be planted later in the year and require less time to reach maturity. As an example, soybeans may be a desirable substitute crop in some areas. The legislation specifically prohibits these acreages from being planted to any other crop for which there is in effect a production adjustment program such as wheat, feed grains, tobacco, peanuts, rice, sugarcane, and sugarbeets.

There should not be any additional cost to the Government as a result of this legislation. Due to a shortage of soybeans this year and an excess of cotton, this emergency proposal should result in lower costs to the Government. As Senator ELLENDER pointed out last week, every additional bale of cotton not produced this year may save the Government about $105.

Payments made to farmers under these disaster provisions should only be a small portion of the total costs of the affected program; however, the benefits to the individuals involved will be extremely important. A precise estimate of the total acres affected by the current disaster is not available, but it will be quite small in relation to national production.

Mr. STENNIS. Mr. President, will the Senator yield to me at that point for a question?

Mr. BASS. I am happy to yield to the Senator from Mississippi.

Mr. STENNIS. First, I wish to commend the Senator from Tennessee for making a very fine statement in support of this bill. The statement is certainly timely, and in support of legislation that is urgently needed and necessary, in the opinion of the Senator from Mississippi.

I ask the Senator this question: Is it not true that the bill does not add any acreage to any allotment which any cotton farmer or other farmer might otherwise have under the operation of general law?

Mr. BASS. That is true.

Mr. STENNIS. There is no additional benefit that the farmer receives from it, and no additional price support or anything like that?

Mr. BASS. The Senator is accurately informed. The bill merely permits the producer to use the cotton land which the disaster prevented him from planting to cotton.

Mr. STENNIS. Is not the sole purpose for this legislation to try to meet a natural calamity? That is, it was calamitous so far as the cotton acreage or other acreage for this year was concerned when it was destroyed by a flood; and is not that the only purpose?

Mr. BASS. The Senator is certainly correct.

Mr. STENNIS. I certainly hope the Senator's argument prevails, and I commend him highly for his statement.

Mr. BASS. I thank the Senator from Mississippi.

Mr. SYMINGTON. Mr. President, will the Senator yield for a short statement?

Mr. BASS. I yield to the distinguished Senator from Missouri.

H.R. 15151 NEEDED TO MEET EMERGENCY

Mr. SYMINGTON. Mr. President, I join the distinguished Senator from Mississippi in commending the distinguished Senator from Tennessee for bringing this matter to the floor of the Senate.

Mr. President, cotton producers of Missouri have an immediate and pressing need for the passage of H.R. 15151. This bill will mean everything to those who have been unable to get their cotton planted because of heavy rains. It will not entail any additional cost to the Federal Government, or result in the production of any additional crops, now in surplus or expected to be in surplus.

In the last few weeks, flooding in the cotton counties of Missouri, as well as in other Lower Mississippi Valley cotton-producing States, has prevented the planting of many thousands of allotted cotton acres. In Missouri, some 30 percent of this land has not been planted.

The same heavy rainfall has also affected some 25 percent of our cotton acreage which was planted prior to those rains. Much of that cotton is not growing, and time is running out for replanting.

Under the Food and Agriculture Act of 1965, these farmers who had signed up to participate in the cotton program and had planted their permitted acreage, only to lose it by natural disaster, in this case flooding, will be eligible for the land diversion and price-support payments they would have received had the crop not been destroyed. They will also be permitted to use this planted but destroyed acreage for the production of any other nonregulated crop, such as soybeans.

By an apparent oversight, however, the man who prepared his land but did not get it planted does not have the right to plant such a nonregulated crop.

It is for those farmers with the 30 percent unplanted land that we ask approval of H.R. 15151 on an emergency basis. This legislation would give these producers the same right to plant alternate crops as already enjoyed by those who got their crops planted but then lost them.

This is an emergency situation. Time is running out. Soybeans, a crop now in short supply, is the logical nonregulated crop. In Missouri, it must be planted within the next few days.

This bill would also correct the oversight as far as feed grains and wheat are concerned; but it is cotton that presents the immediate emergency this year, and I urge the Senate pass this bill today, without amendment, and send it to the White House for signature.

Mr. President, I thank the able Senator from Tennessee, whose farmers in his State, for whom he has worked so long and so hard, are in the same position as the farmers of Missouri.

Mr. COOPER. Mr. President, I am very glad to join with the Senator from Tennessee who, as I understand, has returned to Washington to present H.R. 15151 to the Senate today. The bill affects Kentucky as well as Tennessee and parts of Arkansas, Missouri, and Mississippi. As a member of the Senate Committee on Agriculture, I was glad to join with the Senator in introducing the companion Senate bill S. 3382 to provide relief for these cotton farmers along the Mississippi River who have been hit by unusually heavy rains.

I would like to describe the situation which has been reported in Kentucky, and which supports the need for prompt action on this measure. It is true that Kentucky is not a large cotton-producing State. But cotton is important to the several hundred farmers in western Kentucky who have cotton allotments. In fact, there are about 25,000 acres of "delta" land in Fulton and Hickman Counties, part of it Mississippi River bottom land protected by Corps of Engineers levees, where cotton and some pecans are grown.

In Kentucky, the date to begin planting cotton is normally about April 20. This year, a few farmers in Fulton and Hickman Counties began to plant cotton on Monday morning, April 18—but by noon it was pouring rain. Since that time, the area had the heaviest rains of any April on record. These rains continued through May. The Mississippi River was up—reaching 44 feet on the Cairo gage—so that the bottom lands could not drain. Except for 2 or 3 days in which some cotton was planted, the ground never dried out and remained too wet and soggy for planting.

This was the situation 2 weeks ago when Congressman STUBBLEFIELD, of Kentucky, and others introduced their bill in the House, and S. 3382, in which I joined, was introduced in the Senate. And, even on the Monday following introduction of these bills, this area of western Kentucky suffered another rain of 1½ to 3 inches.

It is now too late to plant cotton with any assurance of getting a crop.

In this situation, those farmers in Kentucky and the other States who planted cotton, but had the seed washed out of the ground by the torrential downpours, are planning instead to plant soybeans. But their neighbors who have not been able to plant cotton, while protected in some respects by the disaster provision of the act we passed in 1965, are not now allowed to put in any other income-producing crop.

The bill before the Senate would correct this inequity. The House has amended the bill as originally introduced, so that it will apply equally to the feed grain and wheat programs—where farmers who have agreed to come under these voluntary programs are struck by a natural disaster, such as flood or drought.

I have been in touch with officials in Kentucky who have informed me that in many cases it has been impossible to plant those cotton allotments located along the river bottoms in Fulton and Hickman Counties. Some farmers got seed in the ground only to have it washed out. Others began to plant but did not finish. I understand that more than half the farmers who signed up for the cotton program have been affected by weather in one of these ways.

Under the natural disaster provision of the Food and Agriculture Act of 1965, those cotton farmers who signed up for the program, who intended to plant cotton but have been unable to do so during this emergency, will receive their cotton diversion payments and cotton price support payments. But in order to raise and sell a crop of soybeans—as their neighbors are doing who planted cotton but had it washed out—under existing law they would have to go through the futile exercise of planting cotton, even though it is too late to be successful.

Mr. President, I have been glad to join in sponsoring a Senate bill to correct this situation. The House of Representatives has already acted, amending and in some ways extending the bill as originally introduced. I hope the Senate will now proceed to consider the bill—and will act today on any amendments which may be offered, and on the bill itself.

Prompt action on this bill will demonstrate that the Congress can act effectively when it is presented with an opportunity to help farmers who have been struck by a natural disaster. I would like to mention also that Mrs. John S. Bacon, Miss Frances Johnson, Mr. R. B.

Goalder, and other friends in Hickman have always been good in keeping me informed as to the cotton problems there, and I was very glad to receive information from them and from the manager of the Fulton County farm office, Mr. George E. Holly, which has been helpful in this situation.

Mr. BASS. Mr. President, I appreciate the support and the statement of the Senators from Missouri and Kentucky. I point out also that the distinguished Senators from Missouri and Kentucky are cosponsors of S. 3382, introduced by Senator EASTLAND, for himself, and Senators SYMINGTON, LONG of Missouri, COOPER, MCCLELLAN, and myself.

Although this bill was originally designed to alleviate the emergency conditions affecting cotton this year, it now appears desirable to extend these equitable provisions to include wheat and feed grains as well. H.R. 15151 contains the necessary provisions to insure fair treatment to farmers in regulated programs who are victims of natural disasters. I urge all my colleagues to join in promptly approving this vitally needed measure.

Mr. President, since the earliest days of our Nation, farmers have played an important role in the development and growth of our society. No group has worked harder or paid a greater price for success than the American farmer. On many occasions farmers have had to fight long and hard against the ravages of weather. For the most part, they have stood alone. Now we have a chance to help them through this vitally needed disaster assistance, and I take pride in being a part of this effort.

I hope that the bill will pass without objection at a very early date.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. BASS. I am happy to yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. This bill is presented as an emergency or disaster measure for cotton. I understand that the hearings held in the House prior to the introduction of the bill all dealt with cotton.

However, is it not a fact that this is not a disaster bill as such, but is more or less permanent legislation designed to extend over the entire life of the farm program, some 4 years or more, and that in addition it amends the law as it relates not only to cotton but also to wheat, corn, and all other price-supported commodities? Is that not true?

Mr. BASS. The Senator is correct in his statment and in his assumption. As I explained, the original bill that I introduced, or had introduced for me in the Senate, would only have taken care of the emergency that now exists, as far as cotton is concerned. However, this disaster and this emergency actually pointed up a need for a change in the basic law to take care of disasters in the future not only for cotton but for feed grains and wheat as well.

Here is basically all that it does: It makes available to the American farmer who has not had an opportunity to plant his crop because of a disaster, the same benefits that are now afforded those farmers who have already planted their crops and had them destroyed by a disaster. In other words, all it actually does is make the conditions the same as far as the time of the disaster is concerned, because whether it is before the seeds go in the ground or after the seeds have been placed in the ground, if a disaster destroys a crop or a potential crop, the farmer still suffers the same amount of injury as far as his income and ability to produce are concerned.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. BASS. I am happy to yield to the Senator from North Dakota.

Mr. YOUNG of North Dakota. Of what income is the Senator speaking? Loss of payments of some kind?

Mr. BASS. No, only as to his ability to plant another crop on allotted acres for cotton, wheat, or feed grains: the same treatment as now accorded—as I am sure the distinguished Senator, who is an able member of the Agriculture Committee, realizes—to farmers who have a crop destroyed, after it is in the ground, because of a disaster.

Mr. WILLIAMS of Delaware. Mr. President, what confuses me somewhat is that this is being urged as an emergency piece of legislation on the basis that there is a disaster. In fact, it was introduced in the House of Representatives on Tuesday of last week and was passed by the House the same day that the bill was introduced. This bill has never been before any committee, either in the House or the Senate; it was stopped here at the Senate calendar and was brought directly to the floor of the Senate, again without any hearings. Yet it projects this disaster 4 years. I wonder if the Senator has not overlooked the fact that there is going to be an election in 1968 and that some of us are going to try to cure the disaster that happened in 1964.

Mr. BASS. Well, the bill was actually designed, disregarding any political implications, to take care of emergencies. However, in many cases, emergencies and disasters point up the need for change, not only in the legislative forum but in many other phases of our lives, perhaps. This emergency merely caused us to scrutinize the fallacy in the present law, and attempt to pass legislation now that will prevent the necessity of a legislative emergency arising in the near future, to take care of a real need caused by a natural disaster.

Mr. WILLIAMS of Delaware. Since we have had no committee hearings perhaps we can develop here on the floor exactly what this bill does by questions. I think it would have been better, as I pointed out earlier, to have had committee hearings. I would like to ask a question.

What does the farmer get under existing law? We will assume, for example, that Farmer X has an allotment of cotton and that his average yield is two bales of cotton per acre, or 1,000 pounds per acre. Under existing law, what would he get?

My next question will be: What would he get under this bill, assuming that this farmer has an allotment of 100 acres of cotton, and his average yield has been two bales per acre, which he does not plant? He is cutting back 35 percent of his acres, we will assume, and plants 65 percent, or 65 acres. Assuming that this farmer plants his crop, and it is destroyed, what would he get?

Mr. BASS. Very well. I am reading from the copy of the House report.

As the Senator knows, from legislation passed last year, the national average loan rate for cotton is 21 cents per pound based on Middling 1-inch. In other words, the farmer now gets a loan rate of 21 cents per pound.

Mr. WILLIAMS of Delaware. That was not the question. I am assuming he plants his allotment but raises no cotton.

Is it not a fact that under existing law this farmer——

Mr. BASS. I would like to quote——

Mr. WILLIAMS of Delaware. The farmer would collect, if he has two bales of cotton per acre, about $105 per acre, or let us say, about $100 per acre, from the Federal Government in the event his crop fails. Under those assumptions, is that not correct?

Mr. BASS. I would like to quote from the chairman of the Committee on Agriculture.

Mr. WILLIAMS of Delaware. Well, the Senator handling the bill knows the answer, does he not?

Mr. BASS. The answer is that the Government will possibly save $105 from every bale of cotton that is not planted and produced this year.

Mr. WILLIAMS of Delaware. That is because of the cockeyed cotton program which was passed last year. That is the law whether we like it or not. Let us get back to the bill. What is the answer to my question?

I come from a farming area, and I have as much interest in protecting the farmers as does the Senator from Tennessee; but the Senate can act more intelligently if we know what they get under existing law.

Under existing law the farmer with 100 acres plants 65 acres in cotton and puts 35 acres under the reserve program. Under the reserve program he would collect about $100 per acre if his average yield were 2 bales an acre, or $105 to be exact.

On the 65 acres which he planted, through no fault of his own but through storm, drought, or disaster, he produced no cotton. Does he not still collect around $100 per acre?

Mr. BASS. The farmer the Senator describes will be paid $105 an acre for his diverted acres. But he is not allowed to plant anything else on this land. He will also receive $94.30 an acre for his permitted acres.

Under this bill he will be allowed to plant soybeans on his permitted acres even though he had not first planted cotton.

Mr. WILLIAMS of Delaware. I shall ask the question once again. Let us get straight what he can get under the existing law.

He can collect $105 an acre for the diverted acres under the existing law. If this bill is enacted the answer is—at least the department thinks—that he can still collect that amount.

I was trying to determine if the Senator managing the bill really understands just how generous the existing law really is. Perhaps this lack of understanding is the reason it is being rammed through.

This bill should go back to the committee, and let them find out what the bill really does.

Mr. BASS. Under present legislation, if the farmer does not want to plant anything on either his diverted acres or his allotted acres, I understand he can draw $105 an acre on his diverted acres, and $94.30 on his permitted acres.

Mr. WILLIAMS of Delaware. That is correct.

Mr. BASS. Under this bill, if he is allowed to plant beans on the 65 acres that the Senator was talking about, he will draw the price support payment for that 65 acres even though he had not first planted cotton on it.

Mr. WILLIAMS of Delaware. In other words, under the existing law the cotton farmer is producing two bales of cotton—some have more and some have less, but that is a good figure—this farmer who planted his cotton on 65 acres, and lost it through storm damage can under existing law collect close to $105 per acre from the Federal Government and still grow a crop of soybeans. There is no question about that.

Mr. BASS. He could plant soybeans on his permitted acres and still receive price support payments on his permitted acres, since, as the Senator points out, he had actually planted cotton on those acres.

Mr. WILLIAMS of Delaware. I am speaking of the 65 permitted acres.

That example covered the case where the producer had planted his permitted acres to cotton. Now, if he had not planted it to cotton but intended to plant it to cotton he can under existing law still collect price-support payments on those permitted acres, but he cannot plant them to any income-producing crop.

This bill would allow him to plant to soybeans or some other noncontrol crop that portion of his permitted acreage which he intended to plant to cotton but which was not planted to cotton, and still collect $105 per acre from the Federal Government. The soybeans would be eligible for price support; at least a letter I have received, signed by Mr. Godfrey, so states. Perhaps events are moving so fast that even the Department does not know what it is doing. I am only trying to get information as to what is intended. I understand that the Senator from Kentucky has the answer.

Mr. BASS. If the Senator from Delaware will yield, I will try to explain the situation in this way: Under the bill, the farmer would draw absolutely no more money in price support payments than he would draw if he were not allowed to plant beans on those acres. He would be allowed to draw $105, or whatever the rate per acre would be in the case you assumed, so long as he either plants cotton or does not plant beans. Under the bill, whether he planted beans or did not plant beans, he would draw that payment if the cotton crop had either been destroyed or prevented from being planted by disaster.

All we seek to do is to say to the farmer that he may plant a crop on the land, if he did not plant any cotton, just as he could have done, had his crop been planted and then been destroyed, and the cost would be nothing additional. He would be allowed to produce a crop that is now in deficit. More beans are needed. In his message on agricultural policy this year, the President called for an increase in the production of soybeans.

The bill will do two things. First, it will prevent the cotton farmer, who is faced with the possibility of being deprived of a crop, from possibly becoming a ward of the local and Federal Governments. At the same time, it will allow him to produce a crop that is needed, sell it on the market, and receive income for it, and thus take care of his responsibilities as a citizen.

Mr. COOPER. Mr. President, if the Senator will yield, perhaps I can help explain the purpose of the bill, at least with respect to the situation in Kentucky. Let me say first that I am a cosponsor of the Senate bill with the Senator from Tennessee [Mr. BASS]. My State does not produce a great deal of cotton, but we do have five counties which produce cotton—they say very good cotton.

This colloquy has been helpful in bringing out the facts. I believe that the Senator from Delaware is correct, as the Senator from Tennessee has accepted it, that if by reason of drought or flood or other natural disaster a crop such as cotton is not planted, the farmowner who has already signed up for the program can go on to "draw," as we say, his payments, both for diversion and for price support, but he cannot plant his land to any other income-producing crop.

Going further, if he had planted his land in cotton and a drought or flood came along and he lost his crop, then, under existing law, he would be permitted to plant his acreage to another income-producing crop and still receive payments. Is that not correct?

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. COOPER. But, if he had not yet planted his cotton, then he would not be permitted to plant the nondiverted areas in an income-producing crop and still remain eligible for payments. The purpose of the bill is to correct an inequity between those who had planted their crop, and those who had been unable to do so.

Two farmers may be in exactly the same position. If both lost their crop, due to unusual rains or drought at planting time, the man who had not yet got seed in the ground—although he may have plowed his ground, had his seed bed prepared, bought his seed and fertilizer, and done all the work preparatory to planting the crop—would not be accorded the same privilege, of raising some other income crop, as the man who happened to get the seed in the ground as well.

All this bill would do is to say that the cotton producer, who because of a natural disaster had been prevented from planting his cotton, would be permitted to plant on the nondiverted acreage an income-producing crop, if it is not a controlled crop. Is that not correct?

Mr. BASS. Yes, it will treat those alike that were damaged on the day of the rain, whether a farmer had planted before or after the rain. If the damage was caused by rain, one farmer planting today, and one prevented from planting tomorrow, they would be treated the same way.

(At this point Mr. LONG of Louisiana took the chair as Presiding Officer.)

Mr. WILLIAMS of Delaware. Mr. President, I want to thank the Senator from Kentucky. He has made an accurate analysis both of the existing law and of the pending bill as I understood it. His analysis is in accord with the letter which I received from the Department.

When a farmer who has as yet not planted his crop but can establish that he intends to do so—perhaps he has not even plowed his ground—under those circumstances and under existing law that farmer would be eligible for payments of around $100 per acre, assuming an average of two bales per acre.

Under this bill, he can draw the approximate $105 an acre and then raise a soybean crop under price supports. He gets two crops on that same acreage. One argument is made that the farmer who has not planted his crop is entitled to the same consideration as the farmer who has planted his crop and then lost it. But there is a difference, as anyone who has ever been connected with a farm knows. We know that the farmer who has planted his crop has already made an investment in fertilizer and seed plus labor in getting his land ready. The biggest part of his expenditure for the crop is made in its initial stages, and he has made all these expenditures already. In the second example the farmer has not even planted; yet he gets the same payment and can still raise a soybean crop.

The farmer who has planted nothing and has not put his seed into the ground and therefore has not as yet lost any cash, starts out with this advantage: He can still plant a crop of soybeans in Missouri, Tennessee, or some other State and get a Government payment of $105 an acre to start with and then raise a soybean crop. How can this be justified?

Does that deal fairly with the independent soybean grower, the man who planned to raise a soybean crop in the beginning? This farmer starts out with a handicap of a $105 subsidy payment made to his neighbor.

Suppose, further, that this second farmer loses the soybean crop. What does he get? Nothing.

I am wondering whether we are not inviting everyone to go on record as intending to grow cotton. Surely this bill needs a little further study.

We are not necessarily dealing with cotton. We are dealing with wheat and corn farmers also. What happens to the wheat farmer? Under this bill any wheat farmer who has put the maximum under the acreage reserve, which is 65 percent, will under existing law, collect $16.50 an acre if his crop is destroyed. Under this bill if he intends to plant and does not, he can still collect $16.50 an acre. And then plant soybeans, barley, or any other noncontrolled crop. The farmer in North Dakota may be raising soybeans or barley with a $16.50-per-acre subsidy, while the other farmer would be raising the same crop with no subsidy. In my opinion that is an inequity.

Under this bill any farmer can go to the county official and say, "I planned on planting cotton, corn, or wheat but it is too dry or too wet, and I am going to raise soybeans." He then gets the special subsidy. If he has had an average yield of 100 bushels of corn per acre and is complying with the program this farmer can collect as high as $30 per acre and still plant soybeans. Suppose he has 100 acres in corn allotment; his extra payment would be about $3,250 on this acreage.

Therefore, by saying, "I intend to do something," the farmer can collect $3,000 extra from the Federal Government and still plant soybeans. Is that what the Senator wishes to do?

Mr. BASS. No, let me say to my friend. His remarks draw a rather formidable picture of opposition to the bill, but he is overlooking the fact that this must all be caused by a natural disaster. This will not permit a farmer to decide on his own that he does not want to plant corn, or wheat, or feed grains. There has to be cause. There has to be a declared disaster—a natural disaster.

Mr. WILLIAMS of Delaware. Just a moment. We are assuming he has convinced the county officials, first, that he qualifies under the program which would be a matter of record, and second, that it was too wet or too dry on his farm to plant corn. Having passed that hurdle to the satisfaction of the county committee he will get the extra payments under the pending bill.

Mr. BASS. But he must prove that it was a natural disaster which caused this unusual condition. The entire area must have been declared a disaster area.

Mr. WILLIAMS of Delaware. Will the Senator from Tennessee read to us where those steps are outlined.

Mr. BASS. I do not have that particular part in front of me on the Agricultural Act. If the Senator will——

Mr. WILLIAMS of Delaware. If the Senator will read from the pending bill he will see that this procedure is a new departure.

Mr. BASS. I will read that part of the Agricultural Act that deals with natural disasters, if the Senator will wait just a moment.

Mr. WILLIAMS of Delaware. Let us look at a copy of the bill now pending in the Senate. Copies of the bill are on desks of Senators.

Mr. BASS. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BASS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. BASS. I should like to reply to the distinguished Senator from Delaware by saying that under Public Law 98-321, which was passed on November 3, 1965, the Secretary may find that cotton was not planted because of drought, flood, or other natural disaster. This is a determination which is to be made by the Secretary of Agriculture.

In other legislation, which deals with major disaster areas, the Governor participates in the decision. But in this particular case the decision is made by the Secretary himself.

Mr. WILLIAMS of Delaware. We are dealing with H.R. 15151. I ask again, where is there anything in this bill which restricts this to the Secretary of Agriculture's determination with respect to any drought or wet area?

Mr. BASS. The bill we are dealing with is an amendment to the basic law which I have just read.

Mr. WILLIAMS of Delaware. To clear up this point I ask unanimous consent to have a letter from the Department of Agriculture printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE,
AGRICULTURAL STABILIZATION AND
CONSERVATION SERVICE,
Washington, D.C.

Hon. JOHN J. WILLIAMS,
U.S. Senate.

DEAR SENATOR WILLIAMS: This refers to your telephone conversation with Mr. Cox concerning pending legislation which would affect eligibility for program benefits when a farmer is prevented from planting cotton, feed grains or wheat because of flood, drought or other natural disaster.

The diversion programs for cotton, feed grains and wheat provide price support payments and wheat certificates for participating farmers. The maximum acreages on which such payments and certificates are made are 65 percent of the farm cotton allotment, 45 percent of the farm wheat allotment and 50 percent of the farm feed grain base.

Under the rules there are two conditions under which the price support payments and certificates may be earned even though the crop is not harvested. These conditions are as follows:

1. *Crop planted in workmanlike manner:*

Any acreage which is planted to a crop in a workmanlike manner is considered for purposes of price support and certificate payments as an acreage of such crop, even though the crop may later be destroyed by natural disaster such as flood or drought. In this case the farmer may subsequently use the land for other crops without jeopardizing his right to price support payments.

2. *Farmer prevented from planting by natural disaster.*

Any acreage which the farmer is prevented from planting to cotton, feed grains or wheat because of flood, drought, or other natural causes, may be considered an acreage of such crop for price support payment purposes provided such acreage is not subsequently devoted to other income-producing crops. This is quite restrictive and in implementing this provision, the Department has ruled that any crop harvested for sale or feed is an income-producing crop. There is one exception to this. If a farmer is prevented from planting feed grains he may plant soybeans, an income-producing crop, and still earn full feed grain payments.

The two situations above described result in serious inequities between farms. The extent of such inequities is shown by the enclosed table showing a comparison of payments earned under both situations.

If we can furnish further information on this matter, please let us know.

Sincerely yours,
H. D. GODFREY,
Administrator.

Enclosure.

Comparison of price-support payments earned under 1966 disaster conditions

Crop	Allotment or base (acres)	Maximum acreage for price-support payment	Maximum payment [1]	Payment earned if planted crop is destroyed by natural causes irrespective of later use of land	Payment earned if farmer is prevented from planting by natural causes and—: Land is later devoted to an income-producing crop	Payment earned if farmer is prevented from planting by natural causes and—: Land is not later devoted to an income-producing crop
Cotton	10	6.5	$306.15	$306.15	None	$306.15
Wheat	10	4.5	175.50	175.50	None	175.50
Corn (feed grain)	10	5.0	150.00	150.00	[2] None	150.00

[1] Assuming per acre yields of 500 pounds for cotton, 30 bushels for wheat, and 100 bushels for corn.

[2] Soybeans, an income-producing crop, are authorized on permitted feed grain acreage. Thus, soybeans could be grown without loss of payments.

Mr. WILLIAMS of Delaware. The restrictive measure to which they refer is what they are trying to eliminate under the pending bill. Congress would be leaving it to the Secretary to determine whether or not the weather has been dry or wet in the various areas.

I would rather have the people in the local areas make that determination. Just because it happens to rain in Tennessee one day does not mean that it rained in the State of Washington or in some other State.

This invites political considerations rather than a realistic appraisal of weather conditions.

Surely, no man in Washington, D.C., is so knowledgeable that he is the only one who can make such a determination.

The letter from Mr. Godfrey from which I have just read and which I have put in the RECORD, states that if a farmer suffers, through no fault of his own, from a drought or otherwise he can collect these payments and then plant another crop. The payment price per acre on corn is $30, $16.50 on wheat, $52.50 on cotton. He can get that money solely by establishing to the committee responsible that he had intended to plant that acreage but that because of an act of nature—drought or heavy rains—he was unable to do so. Under those circumstances he can collect this money and still raise a soybean crop.

What are we going to do about the thousands and thousands of independent soybean growers who want to operate without Government subsidies?

Mr. BASS. Let me point out that soybeans are in shortage now.

Mr. WILLIAMS of Delaware. Oh, yes. The Secretary of Agriculture bemoans the fact that perhaps for the first time in recent years the farmers are getting a good price for soybeans. The Secretary does not like to see farmers getting a decent price for any of their products in a free market. He does not like the idea of farmers making money independent of Government subsidies.

Mr. BASS. Let me point out that the Secretary has raised the support price on soybeans from $2.25 to $2.50, so that does not indicate he is not sympathetic to them. Even if he felt that way, he would not speak for the Senator from Tennessee.

The congressional district affected by this legislation in Tennessee happens to be in one of the four lowest individual median income areas in the Nation. I would rather see help given there to raise their income and enable the farmers to put their products on the market than have them in a soup line applying for aid from the Government.

Mr. WILLIAMS of Delaware. How many farmers are in the soup line——

Mr. BASS. No, I did not say that. There are none in the soup line, and we do not want to put them in the soup line.

Mr. WILLIAMS of Delaware. Any Tennessee farmer receiving $100 per acre for not growing cotton is not a soup line farmer in my part of the country. So before we start passing the hat around to take up a collection for their relief let us get down to the true facts.

Mr. BASS. The Senator from Delaware is going far off base as far as the intent of the bill is concerned. It permits the farmer who did not have the opportunity to get seeds in the ground to receive the same treatment as the farmer who got his seeds in the ground before the floods came. The first farmer may have prepared the land and put in fertilizer and performed all of the other work necessary to produce a crop, but he still would not be eligible unless the bill passes.

All we are asking in the bill is that a farmer who did not plant because of disaster be treated the same way as the farmer who was fortunate enough to plant his seed. For example, a farmer who had not planted on June 4 because a rain came the night before should be treated the same as any other, and not differently just because he was not able to get his seed planted in the ground. That is all we are asking for.

Mr. WILLIAMS of Delaware. Another question: Will the Senator tell us what will happen, if this bill passes, to the farmer down the road growing soybeans? What is going to happen to him when his crop fails?

Mr. BASS. If the market were not available to him at higher than the support price, then the Senator from Tennessee would not be on this floor arguing for this legislation.

Mr. WILLIAMS of Delaware. The Senator from Tennessee did not answer my question. It is sometimes embarrassing to answer questions. The support price on soybeans is $2.50 a bushel. A farmer can raise soybeans and gets the full support price after collecting a subsidy of from $30 to $100 per acre under the pending bill.

A neighbor who happens to have cotton acreage can collect $105 from the Federal Government and still plant soybeans. So one farmer gets $105 per acre, and the other gets nothing.

Mr. BASS. The Senator is not taking into consideration the cost of producing the crops. I am sure the Senator does not want to pick on the cottonpickers down in my part of the country.

Mr. WILLIAMS of Delaware. No indeed. I want to keep them in the position of picking cotton and not picking money out of the Federal Treasury. In other words, I want to see that they keep their cotton-picking fingers out of the Federal Treasury.

Mr. BASS. In view of the money that goes into the State of the distinguished Senator from Delaware, if we include the Government contracts that bring in jobs and money, I believe the cottonpickers there are doing fairly well.

Mr. WILLIAMS of Delaware. They are working for their money. They do not get paid twice.

Mr. BASS. Our farmers are working for their money, too. I want them to work. Let them grow something. Do not hand them something.

Mr. WILLIAMS of Delaware. Perhaps I misunderstand. Do I understand correctly that the Senator only wants his farmers to grow soybeans on the acreage and do away with the $105 payments?

Mr. BASS. I am not proposing to change the basic legislation. I propose to treat all the farmers alike.

Mr. WILLIAMS of Delaware. If all the Senator wants to do is let them grow soybeans I will join him as a sponsor of the bill. I only object to paying farmers $105 an acre to grow soybeans.

Mr. BASS. All we are attempting to do by the bill is to treat alike one farmer on one side of the road, who planted yesterday, and one farmer on the other side of the road, who cannot plant tomorrow.

Mr. WILLIAMS of Delaware. But the Senator does not care about the independent farmer down the road who is raising soybeans or who is not under the Government umbrella.

Mr. BASS. If that farmer were to be injured under the provisions of the bill, the people of my State would not be so unfair as to ask their Senators to plead here for this type of legislation.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. BASS. I yield.

Mr. COOPER. I would like to see the bill finally come to a vote. I do not think it will come to a vote very soon if the distinguished Senator from Delaware continues to interrupt and prod the Senator from Tennessee, and they enter into a cotton-picking discussion, whether about Delaware or Tennessee.

We must advert to the original cotton act for a moment. I am referring to the present cotton program, enacted last year as title IV of the Food and Agriculture Act of 1965. I did not vote for the Talmadge bill, offered as a substitute for the cotton program recommended by our Committee on Agriculture. I did not like all its provisions.

But, with some changes worked out in conference, it is the law.

The statement is correct that under that program whether a cotton farmer plants within his allotment, or because of natural disaster does not plant it, he can receive his payments for it. Of course, the result is the same; cotton is withdrawn from production.

If Senators believe that that kind of program is all right, it would be better if the farmer did not plant his crop. The cotton would be withdrawn from production, and he would be paid for it. That is the reason he is paid for it, whether it is planted or whether in the event of a natural disaster, it is not planted.

If a natural disaster prevents the cotton from being harvested, the farmer still receives his payments. If he has planted the cotton before the disaster, he can go ahead and grow another crop. The reason for that situation is that the other crop will help him to make up some of the loss—providing income in place of that he hoped to receive from selling cotton.

The curious inequity in the law is that if a man has not planted his cotton, although he has taken over the steps to plant it, and a natural disaster occurs which prevents planting, he may not then devote his nondiverted acreage to some other crop.

Early in the discussion, the Senator from Delaware drew upon such a situation as an argument against the bill. The Senator from Delaware stated that a farmer who had planted his nondiverted acreage had spent money and expended labor in doing so. However, other farmers may have taken all the steps up to the point of putting in the seed. I admit there are differences, but we must assume that those who had not planted had taken some steps toward planting and had incurred some expense. But whether they did or not, we revert to the original proposition that it makes no difference whether they planted or not, because the purpose of the program is to keep the cotton from being produced. That is the main purpose.

This bill is designed to put all farmers on the same basis. If the Senator from Delaware does not agree with the price support program, I am sure he will not like any part of this bill.

I know the Senator from Delaware does not agree with the farm price support programs, and at times he has used effective methods of attacking them. However, I do not think there is any substance in the argument the Senator has made against the bill. It is already the law that another crop may be grown with respect to one group of planters—those who by chance happened to put the seed into the ground. The fellow next door, who intended to put it in the next day, does not stand on the same basis. This bill would put him on the same basis.

I want to answer one other argument of the Senator from Delaware, as to who will decide whether a disaster has occurred which would bring the provisions of the bill into play.

The law provides that the Secretary of Agriculture shall determine whether a disaster has occurred which I assume would be done upon the recommendation of the county and State committees.

The most recent determination was with respect to this very situation, because in May the Secretary of Agriculture did declare the following counties to be disaster areas, therefore making them eligible to receive assistance under the cotton act: Arkansas, 14; Louisiana, 15; Missouri, 8; Illinois, 2; Tennessee, 5; Mississippi, 12; and Kentucky, 2.

The determination as to whether individual farm allotments were not planted because of that disaster would, of course, be made by the county agricultural stabilization and conservation committees; but they would not have a chance to make such determinations until the Secretary had declared the counties to be disaster areas. Does the Senator from Delaware agree?

Mr. WILLIAMS of Delaware. The Senator from Kentucky has stated the situation correctly. He is one of the few Members of the Senate who has explained the bill in language we can understand. The Senator from Kentucky has done his homework. Will not the Senator agree, that although certain counties may be declared disaster areas rain does not stop at a county line. Perhaps county X can very well be established as a disaster area, but perhaps only a small portion of county B, even three or four farms in that county, may be affected. Is it not just as important to those few farmers to receive benefits as it is to all the farmers in county X.

Mr. COOPER. I have no doubt that only a portion of a county can be declared a disaster area, and that that situation could be taken care of.

Mr. WILLIAMS of Delaware. When we speak of declaring a portion of a county a disaster area we are back to the position I took before, of making such declarations on a selective basis.

Mr. COOPER. In what way?

Mr. WILLIAMS of Delaware. If we could go to a county and declare a portion which would take in 2 or 3 farms as eligible then he could declare a portion which would take in only one farm.

Mr. COOPER. That is an argument that could be made against any farm program.

Mr. WILLIAMS of Delaware. I am not making that statement as an argument for or against the measure. I am only stating facts.

The only reason I pointed this out was that the Senator from Tennessee seemed to feel that this could not be done, that there was no such discretionary power to approve an individual farm.

It is my understanding that there is such discretionary authority. If not it would be a gross injustice.

Mr. COOPER. After the Secretary has declared an area to be a disaster area, it is correct that the individual farm determination would be made by the county ASCS committee. The Senator is correct.

I hope we can simplify this debate and reduce the points at issue to their smallest common denominator. When we talk about cotton payments, the cotton planter may receive $50 or $94 or $105 an acre—whether he plants his allotment or not. But the logic behind the procedure is that cotton is retired from production. That is the purpose of the cotton program.

If one does not agree with this type of legislation, he may talk about the $105 payment. But we know the reason behind it is that cotton is withdrawn from production. That provision is already contained in the law and is part of the cotton program.

All that the pending legislation would do would be to put every farmer who is participating in the cotton program on the same basis. If he cannot plant his cotton crop, he can plant some other income-producing crop on those acres which are not diverted—but he may not plant a government controlled crop for which he could secure diversion or other payments.

I believe that is all there is to the bill, and I think that we should pass the bill.

Mr. MILLER. Mr. President, I have listened to the arguments from both opponents and proponents of the pending litigation. I am not at all satisfied that this measure would treat all farmers alike.

The Senator from Kentucky has said that the only object of the bill is to treat cotton farmers in the program alike. However, it has been pointed out that those farmers who have cultivated and planted their crops are now covered. Those who have not planted at all would not be covered under the pending bill. There is an inequity in treating them in the same way.

As the Senator from Delaware has pointed out, costs would be incurred by those who had cultivated and planted, whereas those farmers who had not cultivated or planted would have no costs at all.

Mr. COOPER. The farmers have prepared the land.

Mr. MILLER. I am using as an example the case of a farmer who has not prepared his land because flood or some other disaster has not permitted him to do so. There is a tremendous cost that he has not been obligated to incur.

Mr. COOPER. Every farm would not be the same. There would be differences. Some farmers would incur greater expenses than others. Other farmers may not have incurred any expenses. However, nearly all farmers would have incurred some expense.

A certain amount of inequity could be involved, it is true; I know of no disaster provision which compensates for every difference. This is not an insurance program. We must be practical about this legislation. When would a flood prohibit a farmer from planting his cotton?

Mr. MILLER. I think that can be determined locally.

Mr. COOPER. It would be at the latest possible time that he could plant the crop. If a flood had occurred weeks before, the man would probably wait to see if he would be able to plant his crop.

So there is a very narrow area in which there might be inequity. However, a larger inequity now exists. Two classes of farmers are involved. One class is able to plant another crop. The other class is not able to do so.

The Senator has served on the Committee on Agriculture and Forestry and knows that there is a disaster provision in the act of 1965 for feed grains, and for wheat, identical to the disaster provision for cotton. The farmers in the State of Iowa, if they have not planted their corn crop because of some disaster, can draw the feed grain payment just the same.

Mr. MILLER. Why is the Senator from Kentucky not satisfied to treat the cotton farmers in the same way?

The Senator will remember that, at the time this matter was informally discussed in the Committee on Agriculture and Forestry, the distinguished chairman of the Committee on Agriculture and Forestry stated that he thought they ought to be treated alike, and that he certainly could not support a measure that would treat them differently. The pending bill would treat them differently.

Mr. BASS. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. BASS. Mr. President, the distinguished chairman of the Committee on Agriculture and Forestry asked me to state on the floor of the Senate that he fully supports the pending measure.

Mr. MILLER. I am glad that the Senator has that information. However, I find it difficult to understand why the Senator from Louisiana would fully support the pending measure in view of the inequities that the Senator from Delaware has developed during the few moments of colloquy here.

Mr. BASS. A committee staff member informed me that the Senator from Louisiana wanted to make it very clear that he fully supports the pending measure.

Mr. MILLER. I am pleased to hear that. However, at the same time I would feel a lot better about it if the Senator from Louisiana had had an opportunity to listen to the colloquy which has occurred here, during which colloquy the Senator from Delaware has pointed out some things which might not have been apparent to the Senator from Louisiana at the time he gave his blessing to the measure.

Mr. President, for that reason I send to the desk a motion by the Senator from Delaware and myself and ask that it be stated.

The **PRESIDING OFFICER**. The motion will be stated.

The legislative clerk read as follows:

Motion by Senators MILLER and WILLIAMS of Delaware:

"Mr. President, we move that the bill (H.R. 15151) be referred to the Senate Committee on Agriculture and Forestry."

Mr. **MILLER**. Mr. President, I ask for the yeas and nays on the motion.

The yeas and nays were not ordered.

Mr. **STENNIS**. Mr. President, I strongly support the pending bill which is designed to give relief to those farmers who have been prevented by natural disaster from planting cotton, wheat, and feed grains. Although my State is not particularly affected insofar as wheat and feed grains are concerned, we do have a considerable interest with reference to this bill as it affects cotton acreage.

During the early part of the planting season this year, many parts of the mid-South experienced bad drought conditions which prevented many farmers from planting their full cotton acreage. Once relief came, the rains were so heavy that the farmers were still not able to plant their cotton. In addition to the heavy rains, the weather was unseasonably cold and these cold, wet conditions are not favorable to proper germination. Therefore, many farmers will be prevented by these natural disasters from harvesting a normal crop.

This situation is particularly prevalent in north Mississippi, and I am advised that extreme conditions have also existed in Missouri, Arkansas, Louisiana, and west Tennessee.

Mr. President, the enactment of this bill is necessary to remove the inequity which exists between those farmers whose supported crops have been destroyed by natural disaster and those who have been prevented by natural disaster from even planting their crops. Congress established the policy of assisting those in the former category when it enacted the Food and Agriculture Act of 1965. Every member in this body had the opportunity of voting on that measure, and a majority of the membership approved. It is only right and just that we now give to those farmers who were unable to plant a crop at all the same alternative given those whose crop has been planted but subsequently destroyed by natural disaster.

There is no segment of our economy which finds itself in a more difficult position today than that of our farmers. The ever-increasing level of prices and cost of living has again caught the farmer in a price-cost squeeze that is almost unbearable, particularly for the small marginal farmers. I believe it is imperative that we give them some form of relief, and this proposal now before the Senate is designed to do just that. It would at least enable them to plant a substitute crop, such as soybeans, so that they would have an income from the land which they have been prevented from planting because of an act of God. I therefore strongly support this bill and urge all Members to vote for its passage.

FAIR PACKAGING AND LABELING ACT

The **PRESIDING OFFICER**. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which the clerk will state by title.

The LEGISLATIVE CLERK. A bill (S. 985) to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes.

Mr. **BASS**. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate continue with the consideration of H.R. 15151.

The **PRESIDING OFFICER**. Is there objection?

Mr. **MILLER**. Mr. President, reserving the right to object, am I to infer that the reason for the Senator's request is to proceed on the cotton bill we have been talking about?

Mr. **BASS**. The Senator is correct.

Mr. **MILLER**. Mr. President, I wonder why the Senator could not let the unfinished business continue, and then try to take the cotton bill up a little later in the day.

Mr. **BASS**. I say to my distinguished friend that we are dealing with an emergency situation. We introduced this legislation only because of a disaster that occurred, which necessitated the action we are taking here today. The Senator has his motion ready to present to the Senate, and I hope that he would allow us to go ahead and proceed with the bill now under discussion, offer his motion, and dispose of it one way or the other. If his motion carries, that will be the end of the legislation today. If it does not carry, then we can go on to some conclusion on this bill.

The **PRESIDING OFFICER**. Is there objection to the request of the Senator from Tennessee?

Mr. **MILLER**. Mr. President, reserving the right to object, in response to the Senator from Tennessee, let me say the thing that concerns me is that this bill has been called up very suddenly. It has not been referred to our Agriculture Committee. It was called up very abruptly over in the House the other day on a unanimous-consent request. It is my understanding that there were very few Members on the floor of the House at the time.

Granted that there may be some kind of emergency, it would seem to me that in the areas we have been talking about, namely, Tennessee and some of the other Southern States, they are not nearly as much in a state of emergency, as far as getting a crop planted, as we might think. In my own State of Iowa, which is much farther north than Tennessee, there are many farmers who do not have their crops in yet because of extremely wet conditions. If the Senator thinks there is an emergency in Tennessee, I would say there is, a fortiori, an emergency in Iowa. I do not see why we have to be in so much of a big rush, rather than delay the matter 2 or 3 days to give it adequate consideration. I cannot see why we do not do that, instead of rushing it through the Senate.

Mr. **BASS**. I say to my friend that I have just returned from Tennessee. I was in the area affected by this legislation yesterday. I flew over the areas involved. I know what the conditions are, and they are serious.

I also have been informed by professionals that if this legislation is not passed immediately, then it will be too late to plant soybeans that will bring income to the affected farmers there.

For that reason, I would have to insist that we proceed with the measure.

Mr. **MILLER**. May I say to my friend from Tennessee, I do not know who these soybean experts are, but there is plenty of time yet to get a soybean crop in the ground in Tennessee.

Mr. **BASS**. I do consider my friend an expert on farm measures in Iowa, but I would not wish to take his advice on planting time and conditions in the State of Tennessee. I would much rather take the advice of some of our distinguished farmers down there, who have been in the business a long time. They tell me it is an emergency, and the time is imminent.

Mr. **MILLER**. I can understand why the Senator would prefer to do that, as long as they are asking him to get the bill passed without any delay up here. My point to the Senator is that farther north, where I come from, there are still a good many farmers who do not have their crops in, and yet they are banking on getting a crop. I do not understand all of the rush, because Tennessee has a much longer growing season than we have up north. I assume they will be growing the same kind of soybeans, if the measure passes.

Mr. **BASS**. In the long years I have been in Congress, I have seen emergencies arise in the Senator's area, and I have always supported measures to deal with such emergencies as being in the interests of the farmers in his area. I hope my distinguished friend will not delay this legislation because it happens to affect an area in Tennessee and the Midsouth, and not to be of immediate urgency in his own area.

Mr. **MILLER**. Mr. President, all I am pointing out to the Senator from Tennessee is that all of this business of a rush to get this bill passed right now, without any consideration by our Committee on Agriculture, after it has been called up on a unanimous-consent basis over in the House, with very few people on the floor, is not conducive to proper legislation.

The Senator from Iowa appreciates any support that the Senator from Tennessee has given to emergency farm legislation. The point I am making is that I would not be on my feet talking now it this legislation treated all the farmers alike. But the Senator from Delaware has pointed out that it does not do that.

Mr. BASS. Let me say to the Senator, as far as rushing this thing through is concerned, the Senator from Delaware objected last week and had it laid over until today. This measure has been lying on the desk now for a week and everyone has had a full opportunity to study the bill, as the Senator from Delaware has done.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. BASS. So there is no question of rushing this through. It has had a week's delay.

Mr. MILLER. It has not even been before the Committee on Agriculture and Forestry.

Mr. BASS. Yes; it was in the committee on the 24th of May.

Mr. MILLER. What was the action of the Senate Agriculture Committee?

Mr. BASS. The committee was polled by the chairman, as I understand, and the majority of them said they had no objection to the bill.

Mr. MILLER. The Senator from Iowa has never been polled on the issue.

Mr. BASS. Then I stand corrected, because I have been out of town. But it was my understanding that when the bill was called up, there was only one objection, and that was that of the Senator from Delaware. The Senator from Delaware said at the time—and I have just read the RECORD—that he would have no objection to the bill being taken up immediately after the recess for the holiday.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. BASS. I am happy to yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. To get the RECORD straight, the bill was introduced in the House of Representatives last Tuesday, 1 week ago yesterday, and was passed the same afternoon, before there was more than one copy of the bill available. When the bill came over to the Senate it was stopped at the desk, laid before the Senate, and made the pending business. There was then but one copy of the bill in the Senate. I objected and said that that was not the way to legislate and that by all means the bill should go over until this week and be printed.

I have tried to familiarize myself with the legislation, and as far as I am concerned, I am perfectly willing to proceed today; but I do think there is merit in what the Senator from Iowa has said, that this matter should have some committee consideration. I have talked to several members of the Agriculture Committee who did not know, for example, that it would affect the feed grains program, that the bill covered wheat, or that it covered corn.

The Senator from Tennessee keeps referring to this situation as an emergency or a disaster, two words which have a tendency to get immediate consideration. But if this is an emergency or a disaster why did not somebody know about it and introduce a bill before last Tuesday?

Mr. BASS. Will the Senator yield to me?

Mr. WILLIAMS of Delaware. Just a moment. I have not finished.

Mr. BASS. I introduced a bill myself, or the Senator from Mississippi [Mr. EASTLAND] introduced a bill for me, on behalf of himself and myself, on May 19, 1966. Here is a copy of the bill, right here.

Mr. WILLIAMS of Delaware. But were there any committee hearings on the Senator's bill? The answer is "No." Why not, if it was a disaster?

Mr. BASS. Because the bill was taken up in the House of Representatives. The House of Representatives on the recommendation of the Committee on Agriculture amended the bill. The identical bill was introduced in the House, the bill was amended, and then, on the 24th of May, some 5 days later, the House of Representatives passed the bill. It came to the Senate, the chairman moved to take the House bill off the table and proceed to its immediate consideration, and the Senator from Delaware objected. So the bill has been before the Senate since May 19.

Mr. WILLIAMS of Delaware. No; it has not, Mr. President.

Mr. BASS. Here is a copy of the bill.

Mr. WILLIAMS of Delaware. Of this same bill?

Mr. BASS. It was the identical bill as originally introduced in the House of Representatives. That was amended by the House committee after that time to include feed grains and wheat.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the text of both S. 3382 and the pending bill, H.R. 15151, be printed in the RECORD at this point, and the RECORD will show they are not the same bill.

There being no objection, the bills were ordered to be printed in the RECORD, as follows:

S. 3382

A bill to amend the Agriculture Act of 1949, as amended, to permit the planting of soybeans in lieu of cotton in certain disaster areas in 1966

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 103(d) of the Agricultural Act of 1949, as amended, is amended by adding before the period at the end of paragraph (3) thereof the following: ": *Provided,* That for the 1966 crop any such acreage in areas designated by the Secretary as disaster areas may be devoted to soybeans."

H.R. 15151

An act to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 103(d) of the Agricultural Act of 1949, as amended, is amended by striking out of the last sentence in paragraph (3) thereof the words "income producing crop in such year." and inserting "crop for which there are marketing quotas or voluntary adjustment programs in effect."

SEC. 2. Section 105(e) of the Agricultural Act of 1949, as amended, is amended by striking out the sentence "an acreage on the farm which the Secretary finds was not planted to feed grains because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of feed grains planted for harvest for purposes of such payments provided such acreage is not subsequently planted to any other income-producing crop during such year." and inserting in lieu thereof the sentence "an acreage on the farm which the Secretary finds was not planted to feed grains because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of feed grains planted for harvest for purposes of such payments provided such acreage is not subsequently planted to any other crop for which there are marketing quotas or voluntary adjustment programs in effect."

SEC. 3. Section 379c(a) of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the sentence reading "an acreage on the farm not planted to wheat because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of wheat planted for harvest for purposes of this subsection provided such acreage is not subsequently planted to any other income-producing crops during such year." and inserting in lieu thereof the sentence "an acreage on the farm not planted to wheat because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of wheat planted for harvest for purposes of this subsection provided such acreage is not subsequently plant d to any crop for which there are marketing quotas or voluntary adjustment programs in effect."

Mr. BASS. I said the bill was amended by the committee in the House. If the Senator will get a copy of the House report, which is available, he will see the bill was amended.

Mr. President, I call for the regular order.

The **PRESIDING OFFICER.** Is there objection to the request of the Senator from Tennessee?

Mr. MILLER. Mr. President, I object.

The **PRESIDING OFFICER.** Objection is heard.

Mr. BASS. Mr. President, I move that the Senate proceed to the consideration of H.R. 15151.

Mr. MILLER. Mr. President, I ask for the yeas and nays.

The **PRESIDING OFFICER** (Mr. CHURCH in the chair). The question is on agreeing to the motion to proceed to the consideration of H.R. 15151.

Mr. YOUNG of North Dakota. Mr. President, I believe the sponsors of this bill would have saved time if they had permitted the bill to go to the committee in the first place. I was never consulted about it at any time. However, there is an emergency as far as wheat is concerned.

The Red River Valley in North Dakota has been drowned out, that is a part of it, both last year and this year. It is almost too late now to plant wheat. They could plant soybeans or flax up until about 2 or 3 weeks from now.

After that it is too late to plant any crop that I know of.

If this bill is to help the wheat farmers of my State, and some of them have been drowned out and need it badly, the bill should pass immediately.

I regret that the bill did not go to committee in the first place. At least we who come from wheat States should have been contacted.

I support the motion to pass the bill.

Mr. BASS. I appreciate the support of the Senator.

Mr. COOPER. I joined the Senator from Tennessee [Mr. BASS] and the Senator from Missouri [Mr. SYMINGTON], the Senator from Mississippi [Mr. EASTLAND], and the Senator from Arkansas [Mr. MCCLELLAN], in introducing S. 3382, which would deal only with cotton and with the emergency during this crop year.

I have read the hearings held by the Committee on Agriculture of the House of Representatives. In the House of Representatives, members of the committee raised questions about other crops—as has the Senator from North Dakota [Mr. YOUNG], who has brought up the question of wheat. Out of that discussion, this bill was amended by the House committee to include feed grains and wheat.

I agree that it would have been better if the House bill had been referred to the Senate Committee on Agriculture, and we could have held hearings, secured all the facts, and presented a report to the Senate on it.

Mr. BASS. I agree with the Senator.

Mr. COOPER. We would not then have had this argument made against it. But on the merits, there is nothing new about this bill. Actually, the provision that we are talking about today was discussed in the Senate Committee on Agriculture last year, in considering the natural disaster provisions that were included in the wheat, feed grains and cotton programs contained in the Food and Agriculture Act of 1965.

There is nothing in this bill which is difficult to understand. As I see it—and I believe I am being fair to my friend from Delaware and my friend from Iowa—I think the Senator himself knows everything about the bill. Other than the fact that he does not like price support bills, I do not think that he sees much wrong with this bill.

Mr. WILLIAMS of Delaware. The Senator is very charitable in his analysis of my knowledge of the bill, but I am seeking information from the manager of the bill.

Where is this emergency that has developed. I repeat again, this bill was not introduced in the House of Representatives until one week ago yesterday, and it was passed by the House the same day that it was introduced.

When the bill was brought to the Senate it was stopped at the desk. The bill is now before the Senate and has never been considered by any committee.

The Senator from Tennessee is correct when he said that last week I asked that the bill go over; I objected to the unanimous-consent request to consider it then because there was not even a printed copy of the bill for our use.

Let us get the RECORD straight. Without this bill these farmers that the Senator from Tennessee is shedding so many crocodile tears for, will under existing law be collecting $105 per acre for a crop they have never planted. This payment is made even without this bill.

Mr. BASS. This bill does not change that.

Mr. WILLIAMS of Delaware. No, it still gives them around $105 per acre, assuming a 2-bale cotton production record, but he wants them to go on and raise a crop of soybeans in competition with the soybean farmers and still get this subsidy payment. They will be in competition with independent farmers raising soybeans without a subsidy. This creates an inequity. That is clear. But how can it be justified?

Such an important amendment to the major agriculture act should have some committee consideration. The Senator from Tennessee said that there is a great catastrophe in his area. But will there be a catastrophe next year, and the year after, and for 4 years in succession because this bill proposes a 4-year program. It is not dealing with the situation as it may exist in Tennessee today. Let us face it; this is another of the Great Society's giveaway programs. This is another step toward the Secretary's control of our agriculture markets. Price manipulation is one of the goals of this administration, and they care not how they get the power or what the cost may be. This is a 4-year program.

Mr. BASS. I agree that it is a 4-year provision. I remember something that was said in Tennessee by an oldtimer:

> It does not help to lock the barn after the mule is already out.

Let us understand this legislation. I do not predict a disaster and am not hoping for one. But if one arises I hope that we in the Senate have had sufficient vision and wisdom to take care of those who will have been subjected to such a hazard.

With respect to the introduction of the bill, here is a copy of H.R. 15151, introduced by Mr. Jones of Missouri on May 18, 1966. I show it to my distinguished friend.

Mr. WILLIAMS of Delaware. Mr. President, I have a copy of the bill that is before us, and I have a copy of the bill introduced May 18. They are different.

Mr. BASS. The bill was amended, but this was the original H.R. 15151.

Mr. WILLIAMS of Delaware. H.R. 15151, which the Senator referred to as being introduced on May 18, and the bill introduced on May 26 which is before the Senate now are not the same text.

Mr. BASS. They have the same number.

Mr. WILLIAMS of Delaware. It has the same number but this is not a numbers racket.

Mr. BASS. This is the only way we have to identify identical bills. This is done in the Senate and in the House of Representatives.

Mr. WILLIAMS of Delaware. One has about one paragraph; the other, three pages.

Mr. BASS. That is the bill as——

Mr. WILLIAMS of Delaware. This is the first bill as introduced. This second bill was introduced on the 24th.

Mr. BASS. This bill was introduced on the 18th. It has the same number.

Mr. WILLIAMS of Delaware. Once again I suggest the Senator is dealing with the numbers racket.

Mr. BASS. Does the Senator know any way to identify the bill in the House of Representatives or in the Senate other than by number?

Mr. WILLIAMS of Delaware. Yes, send these bills to the committee and handle them in the normal manner. I suggest the absence of a quorum so that I may get a copy of the RECORD of last Tuesday for the Senator.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, I have the daily RECORD of May 24, and I refer to page D451, outlining the procedure for the House of Representatives. At the top of the page there appears the title "House of Representatives," and beneath that "Chamber Action." Under "Bills Introduced" it lists H.R. 15151 as being introduced that day and also that the bill passed the same day. That is the official record.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BASS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CHURCH in the chair). Without objection, it is so ordered. The question is on the motion to proceed to the consideration of H.R. 15151.

The motion was agreed to, and the Senate proceeded to consider the bill.

Mr. MILLER. Mr. President, I ask for the yeas and nays on the pending motion, to refer the bill to the Committee on Agriculture and Forestry.

The yeas and nays were ordered.

Mr. MILLER. Mr. President, I wish to say merely that the reason for the motion is so that the Agriculture and Forestry Committee can consider this question because there has been no polling, to my knowledge. If there was any, I am sure that my office would have known about it, as well as myself. There has been no polling of the members of the committee. At the time this was mentioned by the Senator from Tennessee in the Committee on Agriculture and Forestry, there was some question about it, and there was anything but unanimity of opinion on it.

I want to point out that the bill is defective. It does not treat farmers alike. If the Senator from Tennessee and the Senator from Iowa were neighbor farmers, and I had been subjected to a flood which had prevented me from cultivating and planting on my land, I would be treated exactly the same as the Senator from Tennessee if he had a farm which he had already cultivated and planted but because of the flood would not be able to grow a crop.

Certainly, as between the two of us, equity would demand that my payments be reduced by the amount of the savings I had from not having to cultivate and plant my crop. Yet I believe that the Senator from Delaware has made it clear also that with respect to the soybean farmer who is not protected and is not in any program at all, this is also inequitable. If we had an opportunity to sit down and discuss this question, I would be happy to spend as much time as would be necessary to work this out with the Senator from Tennessee so that we could come up with a modification of the bill which would make it equitable and I believe that we could act promptly. I am not suggesting that this be referred to the Committee on Agriculture and Forestry for the purpose of burying it. I am suggesting that it be referred to the committee so that we can work out a piece of legislation which will be on the books for another 4 years so that the Senator from Tennessee's problem can be satisfied and at the same time we can do equity to our farmers.

When I talk about equity to our farmers, I am referring to equity among the farmers in the State of Tennessee. The example I gave could pertain just as well to neighboring farmers in Tennessee as to neighboring farmers in Iowa, but of course being from Iowa I am concerned about the bill because now the bill has been modified in the House to include feed grains which was not in the Senator's original bill at the time we discussed it in the committee.

Thus, that is the purpose of my motion and I hope that it will be supported, with the understanding that I will do all I can to work with the Senator from Tennessee to mold this into an equitable piece of legislation.

Mr. BASS. I should like to respond to the Senator from Iowa by saying that I would have to oppose the motion to refer to committee. I should like to refer to the Record on this, that this bill has been on the table since before May 26. If Senators will look at page 11001 of the Record for May 26, they will find the statement by the chairman of the Committee on Agriculture and Forestry, the Senator from Louisiana [Mr. Ellender], in which he stated:

> I have consulted with the majority leader and the minority leader and those who are interested in the bill. There was no objection to taking it up today.
>
> However, I have learned that in the last few minutes that there is objection. There will be objection urged by the Senator from Delaware [Mr. Williams].
>
> A Senate bill similar to this bill—H.R. 15151, which has been enacted by the House of Representatives—is before the Committee on Agriculture and Forestry.
>
> I have consulted many members of the committee, and there is no objection to it.

Mr. President, I am committed to the bill as it passed the House, and which is now the pending business of the Senate. It is an emergency situation. I should like to say to my friend from Iowa that I would certainly like to do everything I can to work out with him any differences that there might be, but this bill is going to take care of an emergency situation. If there is something else in the bill that might be effective for next year, the Senator is on the Committee on Agriculture and Forestry and we will have enough time to consider revisions of the legislation. If it seems that it will be punitive to anyone—and I do not believe that it will—we can change it. However, because of the emergency nature of the legislation, I will have to oppose a motion to refer to the committee and delay action on the bill.

Mr. WILLIAMS of Delaware. I shall not delay the vote, but I again read from the House proceedings as appearing in the daily Congressional Record of May 24, page D451:

> H.R. 15151, to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster, amended (H. Rept. 1549);

Continuing on the same page it states:

> *Soybeans:* The House passed H.R. 15151, to permit the planting of soybeans in lieu of cotton in certain disaster areas in 1966, amended.
>
> Pages 10727–10728

This bill was passed the same day it was reported in the House of Representatives, and it has never seen committee action. This should go to the committee.

Tomorrow the Committee on Agriculture and Forestry meets, and they could give this bill the careful examination it needs.

The bill does not deal with only this year. This is a bill which projects a new subsidy for 4 years. As I pointed out before, there are many of us who think that one phase of our national disaster will be solved by the 1968 election.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Iowa and the Senator from Delaware. On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Nevada [Mr. Bible], the Senator from Tennessee [Mr. Gore], the Senator from Arizona [Mr. Hayden], the Senator from Hawaii [Mr. Inouye], the Senator from New York [Mr. Kennedy], the Senator from Washington [Mr. Magnuson], the Senator from Arkansas [Mr. McClellan], the Senator from South Dakota [Mr. McGovern], the Senator from Rhode Island [Mr. Pastore], and the Senator from Connecticut [Mr. Ribicoff] are absent on official business.

I also announce that the Senator from North Dakota [Mr. Burdick], the Senator from Connecticut [Mr. Dodd], the Senator from Louisiana [Mr. Ellender], the Senator from Oklahoma [Mr. Harris], the Senator from North Carolina [Mr. Jordan], the Senator from Ohio [Mr. Lausche], the Senator from Montana [Mr. Metcalf], the Senator from Minnesota [Mr. Mondale], the Senator from New Mexico [Mr. Montoya], the Senator from West Virginia [Mr. Randolph], the Senator from South Carolina [Mr. Russell], the Senator from Alabama [Mr. Sparkman], the Senator from Georgia [Mr. Talmadge], and the Senator from Texas [Mr. Yarborough], are necessarily absent.

I further announce that the Senator from North Carolina [Mr. Ervin], is absent because of illness.

I further announce that, if present and voting, the Senator from Connecticut [Mr. Dodd], the Senator from Oklahoma [Mr. Harris], the Senator from New York [Mr. Kennedy], the Senator from Ohio [Mr. Lausche], the Senator from Washington [Mr. Magnuson], the Senator from Arkansas [Mr. McClellan], the Senator from South Dakota [Mr. McGovern], the Senator from Minnesota [Mr. Mondale], the Senator from Rhode Island [Mr. Pastore], the Senator from West Virginia [Mr. Randolph], the Senator from Georgia [Mr. Talmadge], and the Senator from Texas [Mr. Yarborough], would each vote "nay."

On this vote, the Senator from Louisiana [Mr. Ellender] is paired with the Senator from North Carolina [Mr. Ervin]. If present and voting, the Senator from Louisiana would vote "nay" and the Senator from North Carolina would vote "yea."

Mr. KUCHEL. I announce that the Senator from Hawaii [Mr. Fong] is absent on official business.

The Senator from Vermont [Mr. Aiken], the Senator from Delaware [Mr. Boggs], the Senator from Kansas [Mr. Carlson], the Senator from Michigan [Mr. Griffin], and the Senator from Wyoming [Mr. Simpson] are necessarily absent.

The Senator from New Jersey [Mr. Case] is absent on official business.

If present and voting, the Senator from Wyoming [Mr. Simpson] would vote "yea."

On this, vote the Senator from Delaware [Mr. Boggs] is paired with the Senator from Kansas [Mr. Carlson]. If present and voting, the Senator from Delaware would vote "yea" and the Senator from Kansas would vote "nay."

The result was announced—yeas 16, nays 52, as follows:

[No. 79 Leg.]

YEAS—16

Bennett
Cotton
Curtis
Dirksen
Hickenlooper
Hruska
Javits
Jordan, Idaho
Kuchel
Miller
Murphy
Prouty
Saltonstall
Scott
Smith
Williams, Del.

NAYS—52

Allott
Anderson
Bartlett
Bass
Bayh
Brewster
Byrd, Va.
Byrd, W. Va.
Cannon
Church
Clark
Cooper
Dominick
Douglas
Eastland
Fannin
Fulbright
Gruening
Hart
Hartke
Hill

Holland
Jackson
Kennedy, Mass.
Long, Mo.
Long, La.
Mansfield
McCarthy
McGee
McIntyre
Monroney
Morse
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pearson
Pell
Proxmire
Robertson
Russell, Ga.
Smathers
Stennis
Symington
Thurmond
Tower
Tydings
Williams, N.J.
Young, N. Dak.
Young, Ohio

NOT VOTING—32

Aiken
Bible
Boggs
Burdick
Carlson
Case
Dodd
Ellender
Ervin
Fong
Gore
Griffin
Harris
Hayden
Inouye
Jordan, N.C.
Kennedy, N.Y.
Lausche
Magnuson
McClellan
McGovern
Metcalf
Mondale
Montoya
Pastore
Randolph
Ribicoff
Russell, S.C.
Simpson
Sparkman
Talmadge
Yarborough

So the motion of Mr. Williams of Delaware for himself and Mr. Miller, to refer the bill to committee, was rejected.

Mr. LONG of Missouri. Mr. President, this spring, southeast Missouri cotton counties have been seriously affected by spring floods. As of this time, even, many farmers have been unable to get into their fields to plant.

I have been contacted in the past 2 weeks by many cotton farmers of the State and by the Missouri cotton producers, stating the desperate need of some means to relieve their situation. Some private institutions in the State have withdrawn from accepting applications for farm loans.

Relief would be granted by the enactment of H.R. 15151. While it would not permit these farmers to recoup their entire loss, it would prevent the financial disaster resulting from a complete loss of this income.

I hope the Senate will approve this most important bill which will, incidentally, not adversely affect Federal marketing programs.

Mr. WILLIAMS of Delaware. Mr. President, on behalf of the Senator from Iowa [Mr. Miller] and myself, I offer the amendment I send to the desk, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

At the end of the bill, insert the following new section:

"Sec. 4. The amendments made by this Act shall be effective for the 1966 crop only."

Mr. WILLIAMS of Delaware. Mr. President, the bill before us is being presented as an emergency measure. Yet, significantly, it does not contain a time limit; it runs for 4 years concurrently with the regular Agricultural Act. Certainly no one can foresee a 4-year emergency. By all means, if the bill is to pass it should be limited just to taking care of the situation described here.

I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. Church in the chair). The question is on agreeing to the amendment of the Senator from Delaware [Mr. Williams] and the Senator from Iowa [Mr. Miller]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Nevada [Mr. Bible], the Senator from Tennessee [Mr. Gore], the Senator from Arizona [Mr. Hayden], the Senator from Hawaii [Mr. Inouye], the Senator from New York [Mr. Kennedy], the Senator from Washington [Mr. Magnuson], the Senator from Arkansas [Mr. McClellan], the Senator from South Dakota [Mr. McGovern], the Senator from Rhode Island [Mr. Pastore], and the Senator from Connecticut [Mr. Ribicoff], are absent on official business.

I also announce that the Senator from Connecticut [Mr. Dodd], the Senator from North Dakota [Mr. Burdick], the Senator from Louisiana [Mr. Ellender], the Senator from Oklahoma [Mr. Harris], the Senator from North Carolina [Mr. Jordan], the Senator from Ohio [Mr. Lausche], the Senator from Montana [Mr. Metcalf], the Senator from Minnesota [Mr. Mondale], the Senator from New Mexico [Mr. Montoya], the Senator from West Virginia [Mr. Randolph], the Senator from South Carolina [Mr. Russell], the Senator from Alabama [Mr. Sparkman], the Senator from Georgia [Mr. Talmadge], and the Senator from Texas [Mr. Yarborough], are necessarily absent.

I further announce that the Senator from North Carolina [Mr. Ervin] is absent because of illness.

I further announce that, if present and voting the Senator from Connecticut [Mr. Dodd], the Senator from Louisiana [Mr. Ellender], the Senator from Tennessee [Mr. Gore], the Senator from Oklahoma [Mr. Harris], the Senator from New York [Mr. Kennedy], the Senator from Ohio [Mr. Lausche], the Senator from Washington [Mr. Magnuson], the Senator from Arkansas [Mr. McClellan], the Senator from South Dakota [Mr. McGovern], the Senator from Minnesota [Mr. Mondale], the Senator from Rhode Island [Mr. Pastore], the Senator from West Virginia [Mr. Randolph], the Senator from Georgia [Mr. Talmadge], and the Senator from Texas [Mr. Yarborough], would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Hawaii [Mr. Fong] is absent on official business.

The Senator from Vermont [Mr. Aiken], the Senator from Delaware [Mr. Boggs], the Senator from Kansas [Mr. Carlson], the Senator from Michigan [Mr. Griffin] and the Senator from Wyoming [Mr. Simpson] are necessarily absent.

The Senator from New Jersey [Mr. Case] is absent on official business.

If present and voting, the Senator from Wyoming [Mr. Simpson] would vote "yea."

On this vote, the Senator from Delaware [Mr. Boggs] is paired with the Senator from Kansas [Mr. Carlson]. If present and voting, the Senator from Delaware would vote "yea" and the Senator from Kansas would vote "nay."

The result was announced—yeas 20, nays 48, as follows:

[No. 80 Leg.]

YEAS—20

Allott
Bennett
Cooper
Cotton
Curtis
Dirksen
Dominick
Hickenlooper
Hruska
Javits
Jordan, Idaho
Kuchel
Miller
Morton
Murphy
Pearson
Prouty
Saltonstall
Scott
Williams, Del.

NAYS—48

Anderson
Bartlett
Bass
Bayh
Brewster
Byrd, Va.
Byrd, W. Va.
Cannon
Church
Clark
Douglas
Eastland
Fannin
Fulbright
Gruening
Hart
Hartke
Hill
Holland
Jackson
Kennedy, Mass.
Long, Mo.
Long, La.
Mansfield
McCarthy
McGee
McIntyre
Monroney
Morse
Moss
Mundt
Muskie
Nelson
Neuberger
Pell
Proxmire
Robertson
Russell, Ga.
Smathers
Smith
Stennis
Symington
Thurmond
Tower
Tydings
Williams, N.J.
Young, N. Dak.
Young, Ohio

NOT VOTING—32

Aiken
Bible
Boggs
Burdick
Carlson
Case
Dodd
Ellender
Ervin
Fong
Gore
Griffin
Harris
Hayden
Inouye
Jordan, N.C.
Kennedy, N.Y.
Lausche
Magnuson
McClellan
McGovern
Metcalf
Mondale
Montoya
Pastore
Randolph
Ribicoff
Russell, S.C.
Simpson
Sparkman
Talmadge
Yarborough

So the amendment of Mr. Williams of Delaware was rejected.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. MILLER. Mr. President, I send to the desk an amendment on behalf of myself and the Senator from Delaware [Mr. Williams] and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to state the amendment.

Mr. MILLER. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment will be printed in the Record at this point.

The amendment is as follows:

Strike "Sec. 1" and insert in lieu thereof the following:

"That section 103(d) of the Agricultural Act of 1949, as amended, is amended by striking the period at the end of subparagraph (3) and adding thereto the following: 'or shall be deemed to be planted to cotton for purposes of one-half of payments under this subsection if such acreage is not subsequently devoted to any other crop for which there are marketing quotas or voluntary adjustment programs in effect.'"

On page 1, line 9, strike the words "striking out" and insert in lieu thereof the words "adding after".

On page 2, lines 4 and 5, strike the words "and inserting in lieu thereof the" and insert in lieu thereof the words "the following new".

On page 2, line 2, after the word "of" insert the words "one-half of".

On page 2, line 14, strike the words "striking out" and insert in lieu thereof the words "adding after".

On page 2, lines 20 and 21, strike the words "and inserting in lieu thereof the" and insert in lieu thereof the words "the following new".

On page 2, line 23, after the word "be" insert the words "one-half of".

Mr. MILLER. Mr. President, I should like to have the attention of the Senate for a moment. I believe that we can dispose of this amendment in a short time.

Mr. President, I ask for the yeas and nays.

Mr. BASS. Mr. President, will the Senator yield to me first?

Mr. MILLER. I yield.

Mr. BASS. Mr. President, many statements have been made on the floor this afternoon concerning the figure of $105 premium payment. Based on the national average yield of 531 pounds per acre, and a price support payment of 9.43 cents per pound, instead of a premium payment of $105 an acre, the average premium payment for cotton is $50.07. I wanted to make the RECORD clear on that figure.

Mr. MILLER. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. MILLER. Mr. President, my amendment would merely try to correct an inequity which exists in the pending bill.

If the pending bill were enacted into law, the farmer who does not get his crop planted would be treated exactly the same as would the farmer who does get his crop planted.

For example, if we take two farmers, possibly neighbors, one of them might incur a cost of $1,000 in cultivating and planting his land and the other farmer might not incur any cost. If each were to receive $3,000 in payments, as between the farmer who has gone to the expense of cultivating and planting his land, he would be $1,000 behind the farmer who, due to disaster or something over which he has no control, was not able to cultivate or plant his crop.

Under my amendment the second farmer who could not plant his crop would have a choice. He could receive one-half of the payment and then try to grow some other crop, or he could receive the full payment and not grow another crop.

I suggest that this would give him a choice, and at the same time it would remove the inequity which exists between him and the farmer who has already gone to the expense of cultivating and planting his crop.

I wish I had had more time in which to perfect this amendment. That is the reason that I wanted to have the bill referred to the Committee on Agriculture and Forestry. However, under the circumstances I do believe that my amendment, if agreed to, would go a long way toward clearing up inequities which exist.

These inequities can exist in Tennessee with regard to cotton farmers, in Iowa with regard to feed grain farmers, and in Kansas with regard to wheat farmers.

I do not believe that we ought to legislate inequitably between farmers.

My amendment, if agreed to, would clear up this inequity by giving to the farmer who had not gone to the expense of cultivating and planting his crop only one-half of the payment. Then if he wanted to grow other crops, he could do so.

The first farmer, who has the expense of cultivating and planting, will get all of his payments and can grow his crop. So there is a cost differential here which the bill does not take into account; and my amendment, I think, will clear it up.

Mr. BASS. Mr. President, I wish to oppose the amendment with one very brief statement. First of all, when a farmer is prevented from planting because of a disaster, it can occur at a time when his expense has already been incurred in preparing the land for planting, buying seed, fertilizer, and everything else. So the cost involved is not important enough to justify the Senator's amendment. I oppose the amendment, and ask for a vote.

Mr. WILLIAMS of Delaware. Mr. President, this amendment does not affect, one iota, the farmer who has planted his crop and loses it through a drought or excessive rain. Under the existing law that farmer can already collect these payments and plant a crop of soybeans if he wishes.

This amendment deals only with that farmer who has not planted his crop at all. He has not invested money for fertilizer or seed. This is the man we are dealing with. Even under existing law, if this farmer has an average production record of 2 bales of cotton per acre—which is not an unreasonable production—he will collect around $100 per acre on this land which he has never planted. Under this bill he can collect this payment and still raise a crop of soybeans.

Mr. BASS. Will the Senator yield to me?

Mr. WILLIAMS of Delaware. I yield.

Mr. BASS. The Senator has been using a figure of $105. While he was away from the Chamber a moment ago, it was brought out that the national average on cotton production is 531 pounds per acre, which results in an average price support payment for cotton of $50.07 per acre.

Mr. WILLIAMS of Delaware. The Senator is speaking now of approximately 1 bale of cotton. I am speaking of 2 bales per acre.

Mr. BASS. The national average production is about 531 pounds. That is what I am speaking of.

Mr. WILLIAMS of Delaware. But we are dealing here with all acreage; and I said the man who has 2 bales could well draw around $100. To go a step further, if a man has an average of 3 bales he could draw close to $150 per acre. Yet he has made no investment whatsoever. He has not plowed his ground, and has used no seed, no fertilizer; he just collects the payment. If he has 100 acres of cotton allotment he collects $10,000 from the Government and under this bill can plant a soybean crop on the same acreage. If he has a thousand acres he can collect $100,000 from the Federal Government, still grow 1,000 acres of soybeans, and get price supports on his soybeans. He can collect both amounts under the bill before us now.

The Senator from Tennessee argues that this is a great unexpected emergency, but the Senate has rejected an amendment which would limit it to 1 year, so therefore this emergency is being projected for the next 4-year period. In other words, it is permanent legislation. If we are going to adopt this principle we could just as well say that the man who is drawing unemployment insurance can also get a job somewhere else and put both amounts in his pocket.

We do not permit the laboring man to do this; and as one coming from a farming area, one who was raised on a farm, I say, why should we permit the farmer to do it?

It is interesting to note that we do not have testimony here from a single farm organization advocating any such measure as this as being necessary. Those who are advocating this measure are those who would benefit from the political aspects of the agriculture program, because it is nice to be able to go out and say what is being gotten for someone.

But I point out again that without the passage of this bill cotton farmers are receiving around $100 an acre in subsidy if they have a production record of two bales of cotton. This is paid even though they do not plant anything. This bill would give them the full payments and allow them to plant the soybean crop on the same acreage. All the amendment of the Senator from Iowa would do is equalize the payments and pay a lesser payment to that farmer who has not gone to the expense of planting his seed and buying his fertilizer and cultivating that crop to some extent. There is a difference, and that difference should be adjusted here.

The **PRESIDING OFFICER** (Mr. McINTYRE in the chair). The question is on agreeing to the amendment of the Senator from Iowa. On this question, the yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ANDERSON. Mr. President, is a parliamentary inquiry in order?

The **PRESIDING OFFICER.** A parliamentary inquiry is not in order at this time, a yea and nay vote being in progress.

Mr. ANDERSON. There are no copies of the bill. We cannot tell what we are voting on.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Tennessee [Mr. GORE], the Senator from Arizona, [Mr. HAYDEN], the Senator from Hawaii [Mr. INOUYE], the Senator from New York

[Mr. Kennedy], the Senator from Washington [Mr. Magnuson], the Senator from Arkansas [Mr. McClellan], the Senator from South Dakota [Mr. McGovern], the Senator from Rhode Island [Mr. Pastore], and the Senator from Connecticut [Mr. Ribicoff], are absent on official business.

I also announce that the Senator from North Dakota [Mr. Burdick], the Senator from Connecticut [Mr. Dodd], the Senator from Louisiana [Mr. Ellender], the Senator from Oklahoma [Mr. Harris], the Senator from North Carolina [Mr. Jordan], the Senator from Ohio [Mr. Lausche], the Senator from Montana [Mr. Metcalf], the Senator from Minnesota [Mr. Mondale], the Senator from New Mexico [Montoya], the Senator from West Virginia [Mr. Randolph], the Senator from South Carolina [Mr. Russell], the Senator from Alabama [Mr. Sparkman], the Senator from Georgia [Mr. Talmadge], the Senator from Texas [Mr. Yarborough], are necessarily absent.

I further announce that the Senator from North Carolina [Mr. Ervin], is absent because of illness.

I further announce that, if present and voting, the Senator from Connecticut [Mr. Dodd], the Senator from Louisiana [Mr. Ellender], the Senator from Tennessee [Mr. Gore], the Senator from Oklahoma [Mr. Harris], the Senator from New York [Mr. Kennedy], the Senator from Ohio [Mr. Lausche], the Senator from Washington [Mr. Magnuson], the Senator from Arkansas [Mr. McClellan], the Senator from South Dakota [Mr. McGovern], the Senator from Minnesota [Mr. Mondale], the Senator from Georgia [Mr. Talmadge], the Senator from Texas [Mr. Yarborough], would each vote "nay."

On this vote, the Senator from Rhode Island [Mr. Pastore] is paired with the Senator from West Virginia [Mr. Randolph].

If present and voting, the Senator from Rhode Island would vote "nay" and the Senator from West Virginia would vote "yea."

Mr. KUCHEL. I announce that the Senator from Hawaii [Mr. Fong], is absent on official business.

The Senator from Vermont [Mr. Aiken], the Senator from Delaware [Mr. Boggs], the Senator from Kansas [Mr. Carlson], the Senator from Michigan [Mr. Griffin], the Senator from Pennsylvania [Mr. Scott], and the Senator from Wyoming [Mr. Simpson], are necessarily absent.

The Senator from New Jersey [Mr. Case] is absent on official business.

If present and voting, the Senator from Pennsylvania [Mr. Scott], and the Senator from Wyoming [Mr. Simpson], would each vote "yea."

On this vote, the Senator from Delaware [Mr. Boggs], is paired with the Senator from Kansas [Mr. Carlson]. If present and voting, the Senator from Delaware would vote "yea" and the Senator from Kansas would vote "nay."

The result was announced—yeas 21, nays 46, as follows:

[No. 81 Leg.]

YEAS—21

Allott
Anderson
Bennett
Byrd, W. Va.
Cotton
Curtis
Dirksen
Dominick
Fannin
Hickenlooper
Hruska
Javits
Jordan, Idaho
Miller
Murphy
Nelson
Pearson
Prouty
Saltonstall
Williams, N.J.
Williams, Del.

NAYS—46

Bartlett
Bass
Bayh
Brewster
Byrd, Va.
Cannon
Church
Clark
Cooper
Douglas
Eastland
Fulbright
Gruening
Hart
Hartke
Hill
Holland
Jackson
Kennedy, Mass.
Kuchel
Long, Mo.
Long, La.
Mansfield
McCarthy
McGee
McIntyre
Monroney
Morse
Morton
Moss
Mundt
Muskie
Neuberger
Pell
Proxmire
Robertson
Russell, Ga.
Smathers
Smith
Stennis
Symington
Thurmond
Tower
Tydings
Young, N. Dak.
Young, Ohio

NOT VOTING—33

Aiken
Bible
Boggs
Burdick
Carlson
Case
Dodd
Ellender
Ervin
Fong
Gore
Griffin
Harris
Hayden
Inouye
Jordan, N.C.
Kennedy, N.Y.
Lausche
Magnuson
McClellan
McGovern
Metcalf
Mondale
Montoya
Pastore
Randolph
Ribicoff
Russell, S.C.
Scott
Simpson
Sparkman
Talmadge
Yarborough

So Mr. Miller's amendment was rejected.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. WILLIAMS of Delaware. Mr. President, I have another amendment, which I send to the desk and ask to have stated.

I do not think it will take many minutes because I am confident that the manager of the bill will accept the amendment. Certainly even he will agree that this amendment has merit.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

At the end of the bill insert the following new section:

"Section —. Payments made pursuant to this Act shall not exceed $5,000 to any one producer."

Mr. WILLIAMS of Delaware. Much has been said about this being an emergency piece of legislation to take care of the little farmer who as the result of rains cannot plant his crop. My amendment would allow payments under this act up to $5,000 per producer.

This amendment does not affect payments under the price support program as provided under the existing law or the amount of payments which this same farmer could collect under diversion payments. For example, Farmer X has 100 acres allotment and puts one-half of his acreage under the reserve program intending to plant one-half of his acreage in cotton. Under the amendment he can collect all of his acreage reserve payments and then collect up to $5,000 on those acres affected by this bill.

When a man hits this $5,000 ceiling he will in most instances have crossed the $10,000 figure in total payments from the Government.

Surely subsidy payments in the amount of $10,000 are sufficient to take care of all of the so-called little farmers who have been mentioned here so frequently in connection with this measure.

I think that we can dispose of this amendment very quickly by voice vote because I cannot see why there would be any objection to it. I now ask the manager of the bill if he will accept this amendment which would limit the bill to payments up to $5,000 to any one farmer. That is a $5,000 payment under this act. In effect the man who collects this $5,000 will still be collecting his payments on reserved acreage. My proposed amendment only limits payments under this particular act to $5,000.

Mr. BASS. I would have to say to my distinguished friend that I cannot accept his amendment.

In the first place this legislation does not deal with payments at all. All that this measure deals with is the problem of allowing someone to plant something on acres on which he was not allowed to plant because of disaster. I oppose the amendment.

Mr. WILLIAMS of Delaware. And on which he is collecting these payments approaching $100 per acre.

Mr. BASS. I have not mentioned little farmers today, according to my memory. I have mentioned only farmers who were penalized because of natural disaster. We are trying to help the farmers, big and little, young and old.

Mr. WILLIAMS of Delaware. Under the existing law the farmers who have not planted their crops at all but can establish that they intend to plant, can collect these payments anyway.

In the case of the man who has an average yield of 2 bales an acre, under existing law he would collect around $105 an acre, without ever having put a plow in the ground.

The only restriction under existing law is that after collecting these payments he cannot produce an income-producing crop on this same acreage.

The legislation that is before us would allow the same farmer to collect these payments and in addition to produce an income-producing crop, which might be soybeans, barley, or some other crop not under acreage control.

The amendment would provide that in those cases $5,000 would be the maximum that he could collect from the Government on cotton, corn, or wheat land which he has never planted but on which he proceeds to produce a crop of soybeans under the support program. Certainly, this is a fair proposal.

Why pay any farmer $100 an acre on his soybean acreage?

Mr. ANDERSON and Mr. BASS addressed the Chair.

Mr. WILLIAMS of Delaware. Mr. President, I yield to the Senator from New Mexico, first.

Mr. ANDERSON. Does the Senator from Delaware regard this more favorable treatment than on crops produced during the war? In wartime, if a man had cotton acreage and diverted it and planted soybeans he was able to do so. Does this not provide, if a man planted cotton and it is washed away, that he would receive $100 and some odd an acre and he could still plant soybeans?

Mr. WILLIAMS of Delaware. Under existing law he can do that if he has planted the crop. But, under existing law there is another section which states that the farmer who has not planted his crop but who through drought or heavy rains is not able to plant it and the Secretary of Agriculture so certifies, can collect these same payments. If he has had two bales production record he can under existing law collect approximately $100 an acre, but he cannot collect these payments and then plant an income-producing crop. However, the pending legislation would allow him to collect these payments just the same. Even though he had never plowed his ground he would collect these payments and then in addition raise on the same acreage a soybean crop for which he would get price support.

Mr. ANDERSON. This provides, then, also, that a farmer who has a thousand acres of cotton can draw $105 an acre in payment and still plant another crop?

Mr. WILLIAMS of Delaware. That is right. If this farmer has a thousand-acre allotment and it is a 2-bale average production, if it is raining in that area or if there is a drought and the Secretary and his committee recognize it as such, that farmer can collect $100,000 from the Federal Government. In addition to that, he can grow on that same land another income-producing crop and get price supports on it; yes, sir.

Mr. ANDERSON. Farmers in the San Fernando Valley in California get a 4-bale average. Would they therefore receive the $200-odd an acre?

Mr. WILLIAMS of Delaware. They would, based on the record given to me. If they have a 4-bale average, they would collect $200-odd per acre. One bale would be $52.50 per acre.

Mr. ANDERSON. And they can still plant another crop?

Mr. WILLIAMS of Delaware. They can still plant another crop and get price supports on it, if the pending bill should pass.

Mr. ANDERSON. I am curious to know whether this bill was considered carefully by the Committee on Agriculture and Forestry.

Mr. WILLIAMS of Delaware. It has never been considered by the Committee on Agriculture and Forestry in either House or Senate. The RECORD shows that. A few moments ago I quoted the CONGRESSIONAL RECORD for last Tuesday as to the proceedings in the House of Representatives which show that on that date H.R. 15151, which is the pending bill, was introduced in the House of Representatives. The CONGRESSIONAL RECORD also shows that on that same day the bill passed the House of Representatives. It was stopped when it came to the Senate, and it has never been sent to a committee for consideration.

Mr. ANDERSON. Let me say to the Senator from Delaware that I have had some interest in trying to preserve good farm programs, but I certainly do not understand whether this is a good farm program.

Mr. WILLIAMS of Delaware. I believe that the pending bill would create many more inequities. For example, one farmer plans to grow soybeans and his crop is destroyed. He gets nothing under the existing law or the bill, but here is his neighbor who has a cotton, corn, or wheat allotment. This farmer can collect from $50 up to as high as the Senator from New Mexico has indicated, $200 an acre.

Mr. DOUGLAS. Mr. President, have the yeas and nays been ordered?

Mr. WILLIAMS of Delaware. They will be. I am wondering whether the Senator from Tennessee would not recognize the merits of the proposal and be willing to accept the $5,000 limit on these payments?

Mr. BASS. I could not accept the amendment even if I thought it had merit, for reasons which I have been explaining all afternoon; namely, that this is an emergency measure. The farmers have had a disaster——

Mr. ANDERSON. Where?

Mr. BASS. If they do not get this pending legislation and get the privilege of planting this crop within the next 5 days, the time will be gone. Thus, what the Senator from Delaware is trying to do is to enter this as a delaying tactic.

This business of putting a ceiling on the amount of payments to farmers has been going on in Congress since the early days of the triple A, as to who can draw how much, when, and what. This is no time to make arguments in some places that the ceiling is a compensatory or a premium payment on a commodity. The proposed legislation does not change the amount of the payment in any degree. The only thing it would do, ladies and gentlemen, would be this: It would allow the farmer who is prevented from planting a crop because of a disaster, equal treatment with the farmer who had his crop destroyed immediately after planting because of a disaster.

This is equitable legislation. It is fair legislation. It does not change the basic agricultural law so far as payments are concerned. It does not change the amount of payments to any degree. Just to accept an amendment like this, with which I do not agree initially—and also which would send it back to the House of Representatives and then it would have to come back again to the Senate and perhaps require a conference—would absolutely eliminate the purpose of the bill, there being an emergency such as this.

Mr. WILLIAMS of Delaware. I am not trying to delay Senate action on the bill. I would be willing to enter into a unanimous-consent agreement now that we vote, say, at 4 o'clock, on final passage of the bill, or, so far as I am concerned, to vote on it in 10 minutes after we accept the amendment.

Mr. BASS. The Senator from Tennessee is opposed to the amendment.

Mr. WILLIAMS of Delaware. The Senator from Tennessee will surely——

Mr. BASS. The Senator from Tennessee will not accept it.

Mr. WILLIAMS of Delaware. No?

Mr. BASS. No, I will not.

Mr. WILLIAMS of Delaware. Would the Senator accept a limit of $25,000?

Mr. BASS. No. The Senator from Tennessee would not accept it if it were $5, or $500 million.

Mr. MILLER. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I am glad to yield to the Senator from Iowa.

Mr. MILLER. I should like to point out to my friend from Tennessee that the emergency here is a shibboleth. If it was not a shibboleth, the Senator from Tennessee would have supported the Williams amendment which would have limited this to 1 year. I do not recall that the Senator from Tennessee did that.

Mr. BASS. I have made the statement initially that we have taken up the House bill today, to take care of the current emergency. If it had not been an emergency, the chairman of the Committee on Agriculture and Forestry would have called for hearings before. That is the colloquy he had with the Senator from Delaware last week, that it would be delayed for another week so that Senators could have an opportunity to look it over.

Today we bring in these amendments which are nothing more than delaying tactics. I am not in a position to accept any amendments regardless of how much I might like them, because I want to get the bill to the President. It is an emergency measure to help the farmers of America, to try to do something to permit them to take care of their own affairs.

Mr. SYMINGTON. Will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from Missouri.

Mr. SYMINGTON. Let me say to my friend, the Senator from Iowa [Mr. MILLER], who calls this catastrophic emergency a shibboleth so far as the emergency is concerned, 55 percent of the cotton land in southeast Missouri either cannot be planted today, or is flooded out because of the heavy rains.

So far as Missouri is concerned, a neighboring State to Iowa, this is a very serious emergency indeed. It has been caused by unprecedented rains.

Mr. MILLER. Let me say to the Senator from Missouri that I am ready and willing to accept the fact that there is a serious situation in Missouri, as well as in other States, in cotton. But another 3 or 4 days is not going to make that much difference. The fact is, I know some areas presently in a flood situation. Even if the pending bill were passed right now, it would be another week before farmers could even start to get into the fields to grow another crop.

My point is that even with such an emergency, the Senator from Tennessee could have accepted the amendment for

1 year, which would allow us to get it over to the House where I am sure it would be acted on promptly.

Mr. SYMINGTON. The facts are that the distinguished Chairman of the Senate Committee on Agriculture and Forestry, the senior Senator from Louisiana [Mr. Ellender], because of the nature of this emergency, it having been passed by the House on the basis of said emergency, asked that the bill be passed before the just finished long weekend began. This was objected to at that time by my friend, the senior Senator from Delaware [Mr. Williams]. It was hoped that perhaps we could take it up the next day, but that was also objected to. So the Senate is debating it today, there being only a pro forma session yesterday. Thus, we have already lost 4 or 5 days, which in itself will be disastrous to some of the farmers in my State. I would hope the Senator from Iowa would not believe there is any "monkey business," any shibboleths about the nature of this very serious emergency.

Mr. WILLIAMS of Delaware. Mr. President——

Mr. HOLLAND. Mr. President, I should like to ask if the Senator from Delaware would permit me to suggest the absence of a quorum. I should like to get the lawyer for the Committee on Agriculture and Foresty and find out what his interpretation of this bill is.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. If the Senator from Delaware yields for that purpose, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. McIntyre in the chair). Without objection, it is so ordered.

Mr. HOLLAND. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. HOLLAND. Mr. President, I am disturbed about the proposed bill, principally because it has not been referred to committee. However, I have talked to counsel for our committee, and have just finished reading the statement made by the chairman of the Committee on Agriculture and Forestry [Mr. Ellender] on May 26, relative to the proposed legislation. Senators will find it on pages 11560–11561 of the Record of May 26, 1966.

A reading of that statement will clearly indicate that the distinguished chairman of the Senate committee has made a study of the proposed bill, that he favors its enactment, and that he strongly supports it. Solely on the strength of that, although I do not favor proceeding with a bill of this importance without a hearing, I shall support the bill.

Mr. WILLIAMS of Delaware. Mr. President, that does not alter the situations. Let us consider a cotton farmer who has an average yield of 2 bales per acre. Suppose he has not planted his crop, but he had intended to plant it. That is all that is necessary if the Secretary of Agriculture so recognizes. Suppose because of drought or excessive rainfall the farmer was unable to prepare his field for planting. Under existing law he will collect around $105 per acre; but after collecting the money, he cannot put the same acreage into another income-producing crop. The proposed legislation would give him the right to collect that money and then to produce an income-producing crop, which primarily will be soybeans. This production would be in competition with the soybean farmer who is producing his crops without the benefit of such subsidy.

The proposed amendment merely limits to $5,000 the amount of payments that a farmer can collect under the act.

Mr. ANDERSON. Mr. President, does the Senator not think that his figure is a little too low? I should like to see some limitation. However, I believe that a limitation of $5,000 is not realistic. A figure of $25,000 might be, but $5,000 is rather low.

Mr. WILLIAMS of Delaware. I point out to the Senator from New Mexico that I want to be reasonable. However, in addition to the $5,000 limitation imposed by the amendment the farmer could also collect about the same amount on diverted acres. The payments made to him under the price support program itself would not be affected. When we speak of $5,000, we are in reality speaking of $10,000 as a minimum.

Mr. ANDERSON. A great many people have 100 acres of cotton. It is not unusual for people to have 400 or 500 acres of cotton. I believe that a figure of $25,000 would be realistic.

Mr. WILLIAMS of Delaware. I would be willing, if the Senator from Tennessee will accept a modification, to modify the amendment to a $10,000 limit.

Mr. ANDERSON. If the Senator desires to amend the pending measure in this manner, he ought to include in his amendment a reasonable figure and not a figure that is too small.

Mr. WILLIAMS of Delaware. Would the Senator from New Mexico think that $10,000 would be reasonable? With a figure of $10,000, a man could collect a total $20,000. He could collect $10,000, under diversion payments and $10,000 under the payments included in the pending legislation. Personally I prefer the lower figure.

If we increase the figure to $10,000 an individual could still collect as high as $20,000. He could collect $10,000 under the diversion payments, which would not be affected by the amendment, and $10,000 under the provisions of this bill.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MURPHY. Do I correctly understand that the pending measure provides that a farmer who has not prepared his ground or gone to any expense or trouble in preparing his crop and the farmer next door to him who may have prepared his ground and had his crop in would receive exactly the same payments in the event of a disaster?

Mr. WILLIAMS of Delaware. The Senator is correct. One farmer may have spent a considerable amount of money for seed and fertilizer, or perhaps even cultivated the land for 2 or 3 weeks.

Mr. MURPHY. Would the provision presently included in the pending legislation encourage a farmer to consider not planting if it looked like a bad spring?

Mr. WILLIAMS of Delaware. The Senator is correct. If there were any indication that the land might get too wet, instead of getting in the field the farmer might sit in the house and pray for more rain. Then he could collect dual payments.

Mr. MURPHY. Is that not a considerably different situation than that which we are talking about in which one man already has a crop in the ground, having prepared, plowed, and fertilized the land and has considerable time and money invested? That man would certainly be entitled to consideration in an emergency.

On the other hand, we would have a man who has done nothing with his land. Would these two men be entitled to the same consideration? Should not the man who has done his preparation and work be entitled to more than the man who has decided that he would not prepare his crop?

Would not the pending legislation make it possible for a man who has not prepared his ground to collect his money in a situation of emergency, such as rain or drought? As I understand it, a figure of $100 an acre has been mentioned with regard to cotton. That would be 10-percent income on $1,000 if my mathematics is correct. In some areas the figure might be double that amount because the acreage is cheaper. However, the man could go ahead and farm another crop and collect the price support from the second crop without any penalty being exacted for the receipt of the price support paid to him for not planting the first crop?

Mr. WILLIAMS of Delaware. The Senator is correct. The man would receive price support on his second crop, such as soybeans.

The point that the Senator from California makes in connection with the two farmers was considered by the Committee on Agriculture and Forestry last year when it acted on the 1965 Agricultural Act. Significantly this same proposal was rejected then. The matter was rejected then because at that time they decided that it was inequitable. Furthermore, this is not an emergency situation, as evidenced by the fact that the Senate rejected overwhelmingly this afternoon an effort to limit the bill to the 1966 crop.

In addition to that, the bill would allow up to $39 an acre extra subsidy to the wheat farmer who has an average production of wheat of 30 bushels. That farmer could receive up to $39 an acre for wheat that he never planted. After collecting this money he could plant another crop, barley or soybeans. A corn farmer in Nebraska, Iowa, Delaware, or in any other State can, if he has signed under the program, collect as high as $30 an acre for a crop that he has never planted and then plant the same acreage in soybeans.

There are thousands of American farmers who grow nothing but soybeans. They are not protected either under the existing law or under the pending bill. If they are washed out they just go bankrupt.

Mr. MURPHY. If they are not washed out, they are penalized in their operation to the extent that the other farmers who have been washed out collected from the Government before planting the soybeans.

Mr. WILLIAMS of Delaware. The independent farmer would be penalized in two ways. As a taxpayer he must contribute to the payment of $105 per acre that the cotton farmer will be receiving when the cotton is not planted. In addition to that, the soybeans that would be produced on diverted acreage would be sold in the market in competition next fall with the crop of the independent soybean grower. So, he would be caught both ways.

Mr. MURPHY. The inequity is against the American taxpayer who must pay the bill.

Mr. WILLIAMS of Delaware. There is no question about that. As was pointed out in the example a moment ago, one individual was cited as having over 1,000 acres of cotton with an average yield of 4 bales of cotton per acre. That particular individual could collect up to $200 per acre from the Federal Government on land that he has never plowed or planted. After he collects the $200,000 from the Federal Government, he can then raise 1,000 acres of soybeans under the price-support program, and the taxpayers will support that endeavor.

I will modify my amendment along the lines of the suggestion of the Senator from New Mexico in order to get support. I really believe that $5,000 is very reasonable, but I shall modify my amendment to $10,000. The amendment, as modified, would then give to each individual farmer as high as $20,000 because after he collects his $10,000 on his acreage which was not planted he can also collect a comparable amount on his diverted acreage. Certainly a $20,000 payment to an individual farmer for a crop that he does not intend to produce is equitable enough when we consider that in addition to that he can use the same acreage to produce another crop.

In order to make some progress, I modify my amendment to change the "$5,000" to "$10,000".

The PRESIDING OFFICER. The amendment is modified accordingly.

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, of the Senator from Delaware. On this question the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Tennessee [Mr. GORE], the Senator from Arizona [Mr. HAYDEN], the Senator from Hawaii [Mr. INOUYE], the Senator from Washington [Mr. MAGNUSON], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Rhode Island [Mr. PASTORE], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Maryland [Mr. TYDINGS], and the Senator from Oregon [Mr. MORSE] are absent on official business.

I also announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. DODD], the Senator from Louisiana [Mr. ELLENDER], the Senator from Oklahoma [Mr. HARRIS], the Senator from North Carolina [Mr. JORDAN], the Senator from Ohio [Mr. LAUSCHE], the Senator from Montana [Mr. METCALF], the Senator from Minnesota [Mr. MONDALE], the Senator from New Mexico [Mr. MONTOYA], the Senator from South Carolina [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Georgia [Mr. TALMADGE] are necessarily absent.

I further announce that the Senator from North Carolina [Mr. ERVIN] is absent because of illness.

I further announce that, if present and voting, the Senator from Connecticut [Mr. DODD], the Senator from Tennessee [Mr. GORE], the Senator from Oklahoma [Mr. HARRIS], the Senator from Ohio [Mr. LAUSCHE], the Senator from Washington [Mr. MAGNUSON], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Minnesota [Mr. MONDALE], the Senator from Florida [Mr. SMATHERS], and the Senator from Georgia [Mr. TALMADGE] would each vote "nay."

On this vote, the Senator from Louisiana [Mr. ELLENDER] is paired with the Senator from Rhode Island [Mr. PASTORE]. If present and voting, the Senator from Louisiana would vote "nay" and the Senator from Rhode Island would vote "yea."

Mr. KUCHEL. I announce that the Senator from Hawaii [Mr. FONG] is absent on official business.

The Senator from Vermont [Mr. AIKEN], the Senator from Delaware [Mr. BOGGS], the Senator from Kansas [Mr. CARLSON], the Senator from Michigan [Mr. GRIFFIN], the Senator from Pennsylvania [Mr. SCOTT] and the Senator from Wyoming [Mr. SIMPSON] are necessarily absent.

If present and voting, the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Wyoming [Mr. SIMPSON] would each vote "yea."

On this vote, the Senator from Delaware [Mr. BOGGS] is paired with the Senator from Kansas [Mr. CARLSON]. If present and voting, the Senator from Delaware would vote "yea" and the Senator from Kansas would vote "nay."

The result was announced—yeas 42, nays 27, as follows:

[No. 82 Leg.]

YEAS—42

Allott
Anderson
Bartlett
Bayh
Bennett
Brewster
Byrd, Va.
Cannon
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dominick
Douglas
Gruening
Hartke
Hickenlooper
Hruska
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
McIntyre
Miller
Morton
Mundt
Murphy
Muskie
Nelson
Pearson
Pell
Prouty
Robertson
Saltonstall
Smith
Williams, N.J.
Williams, Del.
Young, Ohio

NAYS—27

Bass
Byrd, W. Va.
Eastland
Fannin
Fulbright
Hart
Hill
Holland
Kuchel
Long, Mo.
Long, La.
Mansfield
McCarthy
McClellan
McGee
Monroney
Moss
Neuberger
Proxmire
Randolph
Russell, Ga.
Stennis
Symington
Thurmond
Tower
Yarborough
Young, N. Dak.

NOT VOTING—31

Aiken
Bible
Boggs
Burdick
Carlson
Dodd
Ellender
Ervin
Fong
Gore
Griffin
Harris
Hayden
Inouye
Jordan, N.C.
Lausche
Magnuson
McGovern
Metcalf
Mondale
Montoya
Morse
Pastore
Ribicoff
Russell, S.C.
Scott
Simpson
Smathers
Sparkman
Talmadge
Tydings

So the modified amendment of Mr. WILLIAMS of Delaware was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. MORTON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BASS. Mr. President, since there are no more amendments pending on the legislation presently under consideration, I wonder if we could get an agreement on a time to vote on final passage of the bill.

Mr. WILLIAMS of Delaware. Surely. I will agree to a vote after we get through with the discussion.

Mr. BASS. Would the Senator agree to a vote on final passage at 4:30?

Mr. WILLIAMS of Delaware. I have no intention of delaying the bill and I have not been delaying it. I am only trying to educate the Senate on what the bill really does. I believe we are making progress.

Since the preceding votes several Senators have indicated that they misunderstood one of the votes and now agree that this proposal should be limited to 1 year.

I wonder if the Senator from Tennessee would agree to our resubmitting the amendment for a 1-year limit on this measure or to the emergency described?

Mr. BASS. No; the Senator is committed to the bill in its present form and would not be in a position to enter into any such agreement.

Mr. WILLIAMS of Delaware. Then I would say that the Senator answered his own question as to agreement.

Mr. President, I send to the desk an amendment which would limit the bill to 2 years.

I really think it should be limited to 1 year for certainly no man can foresee an emergency 4 years in advance.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

At the end of the bill insert the following new section:

"SEC. —. The amendments made by this Act shall be effective for the 1966 and 1967 crops only."

FAIR PACKAGING AND LABELING ACT

Mr. COTTON. Mr. President, will the Senator yield to me for a moment?

Mr. WILLIAMS of Delaware. I yield.

Mr. COTTON. Mr. President, when we convened today, the pending business before the Senate was the so-called truth in packaging bill, S. 985, reported by the Committee on Commerce.

Now, some of the members of our committee and others, anticipating that that measure would be reached today—at least debated, and a vote had on a rather important amendment either today or the first thing tomorrow—had made their plans accordingly.

The Senator from New Hampshire was not present when the Senate came to order and was not aware of the fact that this was going to be set aside for this argument about the cotton-soybean problem.

The result has been that this day has been eaten up, and clearly the rest of it is going to be eaten up, on this cotton-soybean measure. We are not going to have any opportunity for debate or votes on the packaging bill. Some of those who had expected to be present and have an opportunity to vote on a rather important amendment to the packaging bill, will no longer be present. Some Senators have already had to leave the Chamber to keep appointments and they will not be back this week.

I am sure that the majority leader understands the Senator from New Hampshire rarely causes trouble in the matter of the calendar and never for the purpose of being obstructive. But the truth in packaging measure was attacked in the Committee on Commerce—and I think Senators on both sides of the committee will bear me out—in a spirit of cooperation and not antagonism.

We all felt there were merits in the bill. Most of us feel there are merits in the bill. Certain elements were justified and should be strengthened, and that should be done.

While we were in strong disagreement with respect to some provisions of the bill, we helped strengthen the bill in other particulars.

Then we found that the proponents of the bill were absolutely adamant in yielding an inch on some parts of the bill that we considered extremely dangerous legislation.

Now, having consumed today, when we expected to consider what I predict will be a highly controversial measure, I can foresee that when evening comes, and this foray on cotton and soybeans is ended, that as a matter of course the leadership is going to call up the truth-in-packaging measure, make it the pending business, and we will be reaching a vote on the important amendments when Senators who had anticipated being here will not be present.

I think it is only fair to say that if unanimous consent is desired to make the truth-in-packaging measure the pending business that the Senator from New Hampshire will be constrained to object, unless we can have some agreement so that we have our people present. Otherwise, the Senator from New Hampshire may have some rather extended comments to make on the wisdom and the equity of putting this back as the pending business of the Senate after it has been thrown aside and an entire day consumed on another measure.

I felt it only fair to say this at this time, before the debate is resumed.

I thank the Senator from Delaware for yielding to me.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. COTTON. I do not have the floor, but I yield.

Mr. WILLIAMS of Delaware. I yield.

Mr. MANSFIELD. Mr. President, it was anticipated that the truth-in-packaging bill would be taken up at the conclusion of the morning business today.

Unfortunately, the distinguished Senator from Washington [Mr. Magnuson] had to be in New York, I understand, where his wife is ill. He had to look after her, and he was not due back until late this afternoon.

After discussion of the matter with the distinguished minority leader, it was agreed that instead of taking the matter up today it would be advisable, in view of the development relative to the Senator from Washington [Mr. Magnuson], that it be taken up tomorrow. That is all that I can offer in explanation at this time.

Mr. COTTON. The Senator from New Hampshire understands the situation in regard to the distinguished chairman of the Committee on Commerce. I would be the last person to object to any consideration being given to him. We most certainly could not take up a bill and have a vote, even on the amendments, without the chairman present, and that is thoroughly understood.

There will be some rather extended debate before we get to a vote on the first amendment.

Even though the distinguished Senator from Washington [Mr. Magnuson] were not present we could at least have gotten much of the debate disposed of so that we could have voted tomorrow and those who are leaving would have been present.

Having failed to do that, I should say there would be little prospect of coming to a vote tomorrow at least on the most important amendment. Unless the voting goes over until next week, the Senator from New Hampshire will have to persist in discussing rather deeply the situation with which we are confronted, when the question comes to putting the measure back before the Senate. I am sorry, but I felt that in fairness I should call this matter to the attention of the majority leader.

Mr. MANSFIELD. I appreciate the statement of the distinguished Senator from New Hampshire. I feel certain that he appreciates the delicate position in which the chairman of the committee [Mr. Magnuson] found himself.

After discussing the situation with the distinguished minority leader—in fact, it was the minority leader's suggestion—it was agreed that because of those circumstances, we would not attempt to take up the bill this afternoon.

Would it be agreeable to the Senator from New Hampshire to have the Senate convene at 10 o'clock tomorrow morning? Would that help any?

Mr. COTTON. No. The members of the committee who came to the Senate today either have left or will leave tonight. That will make it extremely difficult to take action tomorrow.

Mr. HRUSKA. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. HRUSKA. I might also suggest to the majority leader that if the amendment to be proposed is that of the Senator from New Hampshire, as I presume it will be, there will be quite a bit of discussion. That amendment is at the center, at the core, of the matter. If it is adopted, I have one idea as to the future course of the legislation. If it is rejected, there will be additional discussion, including a motion to recommit the bill to the Committee on the Judiciary for a consideration of the antitrust aspects. I would not hold out any hope for a vote to come tomorrow, whether the session of the Senate began at 10 o'clock or 12 o'clock, for the subject will be an amendment to be proposed by the Senator from New Hampshire.

Mr. MANSFIELD. I can read the handwriting on the wall.

Mr. COTTON. I would add, for the benefit of the distinguished majority leader, that the attitude of the Senator from New Hampshire is, frankly, animated by the fact that we could have had a bill. The entire committee could have supported it if we could have had a meeting of the minds. We were expected to make all the concessions; the other side would not move an inch. Therefore, we intend to fight for this amendment to the bitter end.

If it is adopted, there will be no question about the passage of the bill. It is an amendment that I am sure—not sure, no one could be—that I would predict the House would accept. If it is not accepted, the bill will very well pass the Senate, but whether it will become law is another matter. I do not want to get into the merits.

In view of the fact that through long hours and days the committee worked hard to come in with a kind of bill which would be constructive and which would take care of the problem that has to be taken care of, and which would not put any Member of this body on the spot and being pointed at with the finger of scorn because he did not have due regard for the consumers and housewives of America. But, it is insisted that we have a "going" issue instead of a bill. If that is what the insistence is, then that is what we are going to have, and I am going to start when the motion comes to put this bill before the Senate.

Mr. HART. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I do not have the floor.

Mr. HART. Before the Senator from New Hampshire leaves——

Mr. COTTON. I am not leaving.

Mr. HART. I wonder whether the Senator from New Hampshire would permit me to suggest that it might not be completely fair to say that the adamancy was on one side only.

One need only review the bill as it was worked on by the committee to recognize not only the correctness of the statement of the Senator from New Hampshire that there is a conscientious effort to give on one side, but there was also, in fact, a giving on the other side as well.

Mr. COTTON. Let me say to the Senator that nothing in my remarks was intended or should be construed as reflecting upon the distinguished Senator from Michigan, or those with whom he is associated.

I admire the Senator from Michigan for the dedication which he has demonstrated to his bill during several sessions of Congress. I was not even suggesting that he was not thoroughly conscientious and inspired by his deepest convictions. The fact remains that this is a matter to be discussed, and it is a matter which will be discussed at some length. The fact also remains that we went just as far as we could go—a long, long way—and then we prepared to go into the matter of the amendment.

The way it is going to work out is that we are going into the matter with our troops absent. That is something I do not intend to have happen. However, nothing I have said could possibly be intended or construed as reflecting on the distinguished Senator from Michigan.

Mr. HART. We do not want to have the Senator from New Hampshire going into the matter without troops either. My point was that twice the Senator commented on the adamancy of one side, his willingness to give, and the fact that he had given. Both sides have given on this bill, and I believe that the record should be straight on it so far as each side felt that it could go.

Mr. COTTON. Let me say, in reply to that statement, that no church or other charitable institution could exist very long on the givings of the Senator's side of the committee, even though it is inspired by deepest convictions.

Mr. MANSFIELD. I would hope that the Senator would not push his promise to talk on just taking up this bill. The Senator will recall that when it was laid aside today, a unanimous consent was made by the distinguished Senator from Tennessee [Mr. Bass] which was objected to by the Senator from Iowa [Mr. Miller]. The Senator from Tennessee moved that it be laid aside, and that motion was agreed to, which automatically displaced the truth-in-packaging bill as the pending business.

The reason I am asking the Senator from New Hampshire to reconsider his position is on the basis of the fact that both the minority leader and I thought we were doing the Senator from Washington, not a favor, but at least giving him consideration to a private problem he had relative to getting his wife down from New York in order to undergo surgery.

It would be the same if after we did this we were faced with a proposal that we could not even put down as the pending business what I would have put down as the pending business at the time the move was made.

Mr. COTTON. If the Senator from Montana will permit me, let me say that although the Senator from New Hampshire had no knowledge of all this, he had every expectation, and hastened back from New Hampshire, to be in the Senate for discussion of the bill today.

Of course, the distinguished majority leader and the distinguished minority leader would show consideration to the chairman of the committee, whose wife will undergo surgery. We would all want them to do that. We cannot object to that, of course. But, that having occurred, and the situation coming as it does, if the vote comes on this amendment before the termination of this week, we are not going to feel that we have had our day in court.

If we can debate the bill and vote on it promptly next Monday, that is all right; but if we are going to be forced to a vote on it when everyone is leaving Thursday or Friday, that is something which the Senator from New Hampshire does not wish to have happen. Even though it was done because of consideration for the distinguished chairman of the committee, that is something which I intend to prevent.

Mr. DIRKSEN. Mr. President, will the Senator from New Hampshire yield?

Mr. COTTON. I am glad to yield.

Mr. DIRKSEN. I understand that there are 10, perhaps 11 amendments which will be offered, many of them clarifying and not all of major consequence. But one amendment is. Would the distinguished Senator be willing to agree to have a vote come on that one amendment on Monday next, and to dispose of, insofar as possible, the other amendments by that time?

I may say that sometime before third reading, I propose to ask the Senate to agree to refer the bill back to the Committee on the Judiciary. I am prepared to speak at some length, not overly long, on that matter, because I think the very amendment the Senator refers to now, raises monopoly features in the nonprice field that dictate in the Judiciary Committee that we should not only have a further look at it, but I think that we should also hear some testimony from the Chairman of the Federal Trade Commission, from the Attorney General, and perhaps a few other select witnesses. That is the reason for the motion to refer.

Mr. COTTON. The only observation I wish to make about the suggestion of the distinguished minority leader is this: These so-called amendments that are of a clarifying or corrective nature, and which he suggests we take up the rest of this week are, all of them, to that portion of the bill which, should the principal amendment, my own amendment, be adopted, would be deleted from the bill.

If we proceed on the assumption—which I suppose perhaps we can—that the majority side has the votes, and that when the trumpet is blown they will flock in and win, I suppose we can go ahead. But I would hate to start an honest fight, having a deep conviction, on the principle that I am going to lose because I am going to spend a couple of days sewing up and healing up the cuts before I receive them. None of these amendments would be necessary if the principal amendment were adopted.

Mr. DIRKSEN. How much time does the Senator anticipate taking in the discussion of the bill?

Mr. COTTON. There will be plenty of general discussion on the bill. I am not trying to put out any bait, but should my amendment be adopted, I think the bill would proceed to passage as if it were on slick grease, and that is all there would be to it. But if my amendment is not adopted, I do not know what may happen. I do know one thing. If it is not adopted, there are several other vital amendments to be offered. I am sure there will be rather prolonged discussion.

Mr. DIRKSEN. If we proceeded on a normal basis, starting at noon, having the usual morning hour, Thursday and Friday could well be expended by general discussion of other amendments; so that, by logic, that amendment would go over until Monday, anyway.

Mr. COTTON. And then we will have a situation where we have a half hour to present a vital amendment, having argued for hours on it before an empty chamber.

It is important to get the matter before the entire Senate. It is not a minor matter. There is a rather deep principle involved. The Senator from New Hampshire feels very deeply we are marching into a situation where we are not going to have an opportunity to be heard on this matter.

If we are going to indulge in merely useless debate, we may as well close the debate on the bill. If debate we must have, debate we can have the rest of this week.

PROPOSED PLANTING OF ALTERNATE CROPS ON UNPLANTED ACREAGE

The Senate resumed the consideration of the bill (H.R. 15151) to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster.

Mr. WILLIAMS of Delaware. Mr. President, for the information of the

Senate, I announce that so far as the Senator from Delaware is concerned the Senate can vote in 3 minutes. The issue of a time limit was debated earlier today when a one-year proposal was rejected. The bill we are now considering will last for the duration of the Agricultural Act, which is 4 years. I offered an amendment earlier which would have limited it to 1 year. Unfortunately that amendment was rejected. I understand there were several Senators who misunderstood that proposal and will now vote for a 2-year limitation.

Under the parliamentary situation, I can now only offer an amendment limiting the period to 2 years. Therefore, this amendment would place a 2-year limit on this bill.

Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Nevada [Mr. Bible], the Senator from Tennessee [Mr. Gore], the Senator from Alaska [Mr. Gruening], the Senator from Arizona [Mr. Hayden], the Senator from Hawaii [Mr. Inouye], the Senator from Washington [Mr. Magnuson], the Senator from South Dakota [Mr. McGovern], the Senator from Rhode Island [Mr. Pastore], and the Senator from Connecticut [Mr. Ribicoff], are absent on official business.

I also announce that the Senator from North Dakota [Mr. Burdick], the Senator from Connecticut [Mr. Dodd], the Senator from Louisiana [Mr. Ellender], the Senator from Oklahoma [Mr. Harris], the Senator from North Carolina [Mr. Jordan], the Senator from Ohio [Mr. Lausche], the Senator from Montana [Mr. Metcalf], the Senator from Minnesota [Mr. Mondale], the Senator from New Mexico [Mr. Montoya], the Senator from Virginia [Mr. Robertson], the Senator from South Carolina [Mr. Russell], the Senator from Alabama [Mr. Sparkman], and the Senator from Georgia [Mr. Talmadge], are necessarily absent.

I further announce that the Senator from North Carolina [Mr. Ervin], is absent because of illness.

I further announce that, if present and voting, the Senator from Connecticut [Mr. Dodd], the Senator from Louisiana [Mr. Ellender], the Senator from Tennessee [Mr. Gore], the Senator from Oklahoma [Mr. Harris], the Senator from Ohio [Mr. Lausche], the Senator from Washington [Mr. Magnuson], the Senator from South Dakota [Mr. McGovern], the Senator from Minnesota [Mr. Mondale], the Senator from Rhode Island [Mr. Pastore], the Senator from Virginia [Mr. Robertson], and the Senator from Georgia [Mr. Talmadge], would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Hawaii [Mr. Fong] is absent on official business.

The Senator from Vermont [Mr. Aiken], the Senator from Delaware [Mr. Boggs], the Senator from Kansas [Mr. Carlson], the Senator from Michigan [Mr. Griffin], the Senator from Pennsylvania [Mr. Scott], and the Senator from Wyoming [Mr. Simpson] are necessarily absent.

The Senator from New York [Mr. Javits] is detained on official business.

If present and voting, the Senator from New York [Mr. Javits], the Senator from Pennsylvania [Mr. Scott], and the Senator from Wyoming [Mr. Simpson] would each vote "yea."

On this vote, the Senator from Delaware [Mr. Boggs] is paired with the Senator from Kansas [Mr. Carlson]. If present and voting, the Senator from Delaware would vote "yea" and the Senator from Kansas would vote "nay."

The result was announced—yeas 33, nays 36, as follows:

[No. 83 Leg.]

YEAS—33

Allott
Bennett
Brewster
Byrd, W. Va.
Cannon
Case
Cooper
Cotton
Curtis
Dirksen
Dominick
Fannin
Hartke
Hickenlooper
Hruska
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
McIntyre
Miller
Morse
Morton
Mundt
Murphy
Muskie
Pearson
Prouty
Saltonstall
Smith
Thurmond
Tower
Williams, Del.

NAYS—36

Anderson
Bartlett
Bass
Bayh
Byrd, Va.
Church
Clark
Douglas
Eastland
Fulbright
Hart
Hill
Holland
Jackson
Long, Mo.
Long, La.
Mansfield
McCarthy
McClellan
McGee
Monroney
Moss
Nelson
Neuberger
Pell
Proxmire
Randolph
Russell, Ga.
Smathers
Stennis
Symington
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—31

Aiken
Bible
Boggs
Burdick
Carlson
Dodd
Ellender
Ervin
Fong
Gore
Griffin
Gruening
Harris
Hayden
Inouye
Javits
Jordan, N.C.
Lausche
Magnuson
McGovern
Metcalf
Mondale
Montoya
Pastore
Ribicoff
Robertson
Russell, S.C.
Scott
Simpson
Sparkman
Talmadge

So the amendment of Mr. Williams of Delaware was rejected.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. WILLIAMS of Delaware. On the passage of the bill, I ask for the yeas and the nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Nevada [Mr. Bible], the Senator from Tennessee, [Mr Gore], the Senator from Alaska [Mr. Gruening], the Senator from Arizona [Mr. Hayden], the Senator from Hawaii [Mr. Inouye], the Senator from Washington [Mr. Magnuson], the Senator from South Dakota [Mr. McGovern], the Senator from Rhode Island [Mr. Pastore], the Senator from Connecticut [Mr. Ribicoff], and the Senator from Georgia [Mr. Russell], are absent on official business.

I also announce that the Senator from North Dakota [Mr. Burdick], the Senator from Connecticut [Mr. Dodd], the Senator from Louisiana [Mr. Ellender], the Senator from Oklahoma [Mr. Harris], the Senator from North Carolina [Mr. Jordan], the Senator from Ohio [Mr. Lausche], the Senator from Montana [Mr. Metcalf], the Senator from Minnesota [Mr. Mondale], the Senator from New Mexico [Mr. Montoya], the Senator from Oregon [Mrs. Neuberger], the Senator from Virginia [Mr. Robertson], the Senator from South Carolina [Mr. Russell], the Senator from Alabama [Mr. Sparkman], and the Senator from Georgia [Mr. Talmadge], are necessarily absent.

I further announce that the Senator from North Carolina [Mr. Ervin], is absent because of illness.

On this vote, the Senator from Tennessee [Mr. Gore], is paired with the Senator from Nebraska [Mr. Hruska].

If present and voting, the Senator from Tennessee would vote "Yea" and the Senator from Nebraska would vote "nay."

I further announce that, if present and voting the Senator from Connecticut [Mr. Dodd], the Senator from Louisiana [Mr. Ellender], the Senator from North Carolina [Mr. Ervin], the Senator from Oklahoma [Mr. Harris], the Senator from North Carolina [Mr. Jordan], the Senator from Ohio [Mr. Lausche], the Senator from Washington [Mr. Magnuson], the Senator from South Dakota [Mr. McGovern], the Senator from Montana [Mr. Metcalf], the Senator from Minnesota [Mr. Mondale], the Senator from New Mexico [Mr. Montoya], the Senator from Oregon [Mrs. Neuberger], the Senator from Rhode Island [Mr. Pastore], the Senator from Virginia [Mr. Robertson], the Senator from South Carolina [Mr. Russell], the Senator from Georgia [Mr. Russell], the Senator from Alabama [Mr. Sparkman], and the Senator from Georgia [Mr. Talmadge], would each vote "Yea."

Mr. KUCHEL. I announce that the Senator from Hawaii [Mr. Fong] is absent on official business.

The Senator from Vermont [Mr. Aiken], the Senator from Delaware [Mr. Boggs], the Senator from Kansas [Mr. Carlson], the Senator from Michigan [Mr. Griffin] the Senator from Pennsylvania [Mr. Scott], and the Senator from Wyoming [Mr. Simpson] are necessarily absent.

The Senator from Nebraska [Mr. Hruska] and the Senator from New York [Mr. Javits] are detained on official business.

If present and voting, the Senator from New York [Mr. JAVITS], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Wyoming [Mr. SIMPSON] would each vote "nay."

On this vote, the Senator from Kansas [Mr. CARLSON] is paired with the Senator from Delaware [Mr. BOGGS]. If present and voting, the Senator from Kansas would vote "yea" and the Senator from Delaware would vote "nay."

On this vote, the Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from Tennessee [Mr. GORE]. If present and voting, the Senator from Nebraska would vote "nay" and the Senator from Tennessee would vote "yea."

The result was announced—yeas 56, nays 10, as follows:

[No. 84 Leg.]

YEAS—56

Allott
Anderson
Bartlett
Bass
Bayh
Brewster
Byrd, Va.
Byrd, W. Va.
Cannon
Church
Clark
Cooper
Curtis
Dirksen
Dominick
Douglas
Eastland
Fannin
Fulbright

Hart
Hartke
Hill
Holland
Jackson
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Mansfield
McCarthy
McClellan
McGee
Monroney
Morse
Morton
Moss
Mundt

Murphy
Muskie
Nelson
Pearson
Pell
Proxmire
Randolph
Smathers
Smith
Stennis
Symington
Thurmond
Tower
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—10

Bennett
Case
Cotton
Hickenlooper

Jordan, Idaho
McIntyre
Miller
Prouty

Saltonstall
Williams, Del.

NOT VOTING—34

Aiken
Bible
Boggs
Burdick
Carlson
Dodd
Ellender
Ervin
Fong
Gore
Griffin
Gruening

Harris
Hayden
Hruska
Inouye
Javits
Jordan, N.C.
Lausche
Magnuson
McGovern
Metcalf
Mondale
Montoya

Neuberger
Pastore
Ribicoff
Robertson
Russell, S.C.
Russell, Ga.
Scott
Simpson
Sparkman
Talmadge

So the bill (H.R. 15151) was passed.

Mr. BASS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BASS. Mr. President, I move that the Senate insist on its amendments and request a conference with the House on the disagreeing votes thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ELLENDER, Mr. HOLLAND, Mr. EASTLAND, Mr. TALMADGE, Mr. AIKEN, Mr. YOUNG of North Dakota, and Mr. COOPER conferees on the part of the Senate.

Mr. WILLIAMS of Delaware. Mr. President, my position on the legislation is very clear. I regret that the bill has been passed. Nevertheless, the Senate did adopt one very important amendment which would provide limitations on such subsidy payments. To the Senator from Delaware this is a very important amendment, and as far as I can recall, this establishes an important precedent.

Therefore, may I have assurance that I shall be notified when the conference report is returned to the Senate?

Mr. BASS. I should have to inform the Senator that he would have to receive that assurance from the majority leader. I am not one of the conferees.

Mr. WILLIAMS of Delaware. Then, may I have it understood with the leadership that when the conference report is returned to the Senate I shall be notified in advance?

Mr. MANSFIELD. Certainly.

Mr. BASS. Although I am not on the conference committee, as I have stated here many times today this is an emergency piece of legislation. I hope that the Senator will be advised. If possible, I hope that the conference committee can meet on tomorrow so that the legislation can be speedily enacted into law.

Mr. WILLIAMS of Delaware. If the conferees should decide to reduce the $10,000 to $5,000 I shall support the conference report because it would be a step in the right direction. However, those who are interested in the legislation may be well advised to see that the amendment is retained.

Mr. BASS. I have no advice to give to the Senator from Delaware on that.

FAIR PACKAGING AND LABELING ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1151, S. 985, that it be laid before the Senate and again made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. *A bill (S. 985) to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes.*

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Commerce with an amendment to strike out all after the enacting clause and insert:

That this Act may be cited as the "Fair Packaging and Labeling Act".

DECLARATION OF POLICY

SEC. 2. Informed consumers are essential to the fair and efficient functioning of a free market economy. Packages and their labels should enable consumers to obtain accurate information as to the quantity of the contents and should facilitate price comparisons. Therefore, it is hereby declared to be the policy of the Congress to assist consumers and manufacturers in reaching these goals in the marketing of consumer goods.

PROHIBITION OF UNFAIR AND DECEPTIVE PACKAGING AND LABELING

SEC. 3. (a) It shall be unlawful for any person engaged in the packaging or labeling of any consumer commodity (as defined in this Act) for distribution in commerce, or for any persons (other than a common carrier for hire, a contract carrier for hire, or a freight forwarder for hire) engaged in the distribution in commerce of any packaged or labeled consumer commodity, to distribute or to cause to be distributed in commerce any such commodity if such commodity is contained in a package, or if there is affixed to that commodity a label, which does not conform to the provisions of this Act and of regulations promulgated under the authority of this Act.

(b) The prohibition contained in subsection (a) shall not apply to persons engaged in business as wholesale or retail distributors of consumer commodities except to the extent that such persons (1) are engaged in the packaging or labeling of such commodities, or (2) prescribe or specify by any means the manner in which such commodities are packaged or labeled.

REQUIREMENTS AND PROHIBITIONS

SEC. 4. (a) No person subject to the prohibition contained in section 3 shall distribute or cause to be distributed in commerce any packaged consumer commodity unless in conformity with regulations which shall be established by the promulgating authority pursuant to section 6 of this Act and which shall provide that:

(1) The commodity shall bear a label specifying the identity of the commodity and the name and place of business of the manufacturer, packer, or distributor; and

(2) The net quantity of contents (in terms of weight, measure, or numerical count) shall be separately and accurately stated in a uniform location upon the principal display panel of that label; and

(3) The separate label statement of net quantity of contents appearing upon or affixed to any package—

(A) if expressed in terms of weight or fluid volume, on any package of a consumer commodity containing less than four pounds or one gallon, shall be expressed in ounces or *in whole units of pounds, pints, or quarts* (avoirdupois or liquid, whichever may be appropriate);

(B) shall appear in conspicuous and easily legible type in distinct contrast (by typography, layout, color, embossing, or molding) with other matter on the package;

(C) shall contain letters or numerals in a type size which shall be (i) established in relationship to the area of the principal display panel of the package, and (ii) uniform for all packages of substantially the same size; and

(D) shall be so placed that the lines of printed matter included in that statement are generally parallel to the base on which the package rests as it is designed to be displayed.

(b) No person subject to the prohibition contained in section 3 shall distribute or cause to be distributed in commerce any packaged consumer commodity if any qualifying words or phrases appear in conjunction with the separate statement of the net quantity of contents required by subsection (a), but nothing in this subsection or in paragraph (2) of subsection (a) shall prohibit supplemental statements, at other places on the package, describing in nondeceptive terms the net quantity of contents: *Provided*, That such supplemental statements of net quantity of contents shall not include any term qualifying a unit of weight, measure, or count that tends to exaggerate the amount of the commodity contained in the package.

ADDITIONAL REGULATIONS

SEC. 5. (a) The authority to promulgate regulations under this Act is vested in (A) the Secretary of Health, Education, and Welfare (referred to hereinafter as the "Secretary") with respect to any consumer commodity which is a food, drug, device, or cosmetic, as each such term is defined by section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321); and (B) the Federal Trade Commission (referred to hereinafter as the "Commission") with respect to any other consumer commodity.

(b) If the promulgating authority specified in this section finds that, because of the nature, form, or quantity of a particular consumer commodity, or for other good and sufficient reasons, full compliance with all the requirements otherwise applicable under section 4 of this Act is impracticable or is not necessary for the adequate protection of consumers, the Secretary or the Commission (whichever the case may be) shall promulgate regulations exempting such commodity from those requirements to the extent and under such conditions as the promulgating authority determines to be consistent with section 2 of this Act.

(c) Whenever the promulgating authority determines that regulations containing prohibitions or requirements other than those prescribed by section 4 are necessary to prevent the deception of consumers or to facilitate price comparisons as to any consumer commodity, such authority shall promulgate with respect to that commodity regulations effective to—

(1) establish and define standards for characterizing the size of a package enclosing any consumer commodity, which may be used to supplement the label statement of net quantity of contents of packages containing such commodity, but this paragraph shall not be construed as authorizing any limitation on the size, shape, weight, dimensions, or number of packages which may be used to enclose any commodity;

(2) establish and define the net quantity of any commodity (in terms of weight, measure, or count) which shall constitute a serving, if that commodity is distributed to retail purchasers in a package or with a label which bears a representation as to the number of servings provided by the net quantity of contents contained in that package or to which that label is affixed;

(3) regulate the placement upon any package containing any commodity, or upon any label affixed to such commodity, of any printed matter stating or representing by implication that such commodity is offered for retail sale at a price lower than the ordinary and customary retail sale price or that a retail sale price advantage is accorded to purchasers thereof by reason of the size of that package or the quantity of its contents; and

(4) require (consistent with requirements imposed by or pursuant to the Federal Food, Drug and Cosmetic Act, as amended) that information with respect to the ingredients and composition of any consumer commodity (other than information concerning proprietary trade secrets) be placed upon packages containing that commodity.

(d) Whenever the promulgating authority determines, after a hearing conducted in compliance with section 7 of the Administrative Procedure Act, that the weights or quantities in which any consumer commodity is being distributed for retail sale are likely to impair the ability of consumers to make price per unit comparisons such authority shall—

(1) publish such determination in the Federal Register; and

(2) promulgate, subject to the provisions of subsections (e), (f), and (g), regulations effective to establish reasonable weights or quantities, and fractions or multiple thereof, in which any such consumer commodity shall be distributed for retail sale.

(e) At any time within sixty days after the publication of any determination pursuant to subsection (d)(1) as to any consumer commodity, any producer or distributor affected may request the Secretary of Commerce to participate in the development of a voluntary product standard for such commodity under the procedures for the development of voluntary product standards established by the Secretary pursuant to section 2 of the Act of March 3, 1901 (31 Stat. 1449, as amended; 15 U.S.C. 272). Such procedures shall provide adequate manufacturer, distributor, and consumer representation. Upon the filing of any such request the Secretary of Commerce shall transmit notice thereof to the authority which has caused notice of such determination to be published.

(f) No regulation promulgated pursuant to subsection (d)(2) with respect to any consumer commodity may—

(1) vary from any voluntary product standard in effect with respect to that consumer commodity which was published—

(A) before the publication of any determination with respect to that consumer commodity pursuant to subsection (d)(1);

(B) within one year after the filing pursuant to this section of a request for the development of a voluntary product standard with respect to that consumer commodity; or

(C) within such period of time (not exceeding eighteen months after the filing of such request) as the promulgating authority may deem proper upon a certification by the Secretary of Commerce that such a voluntary product standard with respect to that consumer commodity is under active consideration and that there are presently grounds for belief that such a standard for that commodity will be published within a reasonable period of time;

(2) establish any weight or measure in any amount less than two ounces;

(3) preclude the use of any package of particular dimensions or capacity customarily used for the distribution of related commodities of varying densities, except to the extent that it is determined that the continued use of such package for such purpose is likely to deceive consumers; or

(4) preclude the continued use of particular dimensions or capacities of returnable or reusable glass containers for beverages in use as to the effective date of the Act.

(g) In the promulgation of regulations under subsection (d)(2) of this section, due regard shall be given to the probable effect of such regulations upon—

(1) the cost of the packaging of the commodities affected;

(2) the availability of any commodity in a reasonable range of package sizes to serve consumer convenience;

(3) the materials used for the packaging of the affected commodities;

(4) the weights and measures customarily used in the packaging of the affected commodities;

(5) competition between containers made of different types of packaging material.

PROCEDURE FOR PROMULGATION OF REGULATIONS

SEC. 6. (a) Regulations promulgated by the Secretary under section 4 or section 5 of this Act shall be promulgated, and shall be subject to judicial review, pursuant to the provisions of subsections (e), (f), and (g) of section 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 371 (e), (f), and (g)). Hearings authorized or required for the promulgation of any such regulations by the Secretary shall be conducted by the Secretary or by such officer or employee of the Department of Health, Education, and Welfare as he may designate for that purpose.

(b) Regulations promulgated by the Commission under section 4 or section 5 of this Act shall be promulgated, and shall be subject to judicial review, by proceedings taken in conformity with the provisions of subsections (e), (f), and (g) of section 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 371 (e), (f), and (g)) in the same manner, and with the same effect, as if such proceedings were taken by the Secretary pursuant to subsection (a) of this section. Hearings authorized or required for the promulgation of any such regulations by the Commission shall be conducted by the Commission or by such officer or employee of the Commission as the Commission may designate for that purpose.

(c) In carrying into effect the provisions of this Act, the Secretary and the Commission are authorized to cooperate with any department or agency of the United States, with any State, Commonwealth, or possession of the United States, and with any department, agency, or political subdivision of any such State, Commonwealth, or possession.

(d) No regulation adopted under this Act shall preclude the continued use of returnable or reusable glass containers for beverages in inventory or with the trade as of the effective date of this Act.

ENFORCEMENT

SEC. 7. (a) Any consumer commodity which is a food, drug, device, or cosmetic, as each such term is defined by section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321), and which is introduced or delivered for introduction into commerce in violation of any of the provisions of this Act, or the regulations issued pursuant to this Act, shall be deemed to be misbranded within the meaning of chapter III of the Federal Food, Drug, and Cosmetic Act, but the provisions of section 303 of that Act (21 U.S.C. 333) shall have no application to any violation of section 3 of this Act.

(b) Any violation of any of the provisions of this Act, or the regulations issued pursuant to this Act, with respect to any consumer commodity which is not a food, drug, device, or cosmetic, shall constitute an unfair or deceptive act or practice in commerce in violation of section 5(a) of the Federal Trade Commission Act and shall be subject to enforcement under section 5(b) of the Federal Trade Commission Act.

(c) In the case of any imports into the United States of any consumer commodity covered by this Act, the provisions of sections 4 and 5 of this Act shall be enforced by the Secretary of the Treasury pursuant to section 801 (a) and (b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381).

REPORTS TO THE CONGRESS

SEC. 8. Each officer or agency required or authorized by this Act to promulgate regulations for the packaging or labeling of any consumer commodity, or to participate in the development of voluntary product standards with respect to any consumer commodity under procedures referred to in section 5(e) of this Act, shall transmit to the Congress in January of each year a report containing a full and complete description of the activities of that officer or agency for the administration and enforcement of this Act during the preceding fiscal year.

COOPERATION WITH STATE AUTHORITIES

SEC. 9. (a) A copy of each regulation promulgated under this Act shall be transmitted promptly to the Secretary of Commerce, who shall (1) transmit copies thereof to all appropriate State officers and agencies, and (2) furnish to such State officers and agencies information and assistance to promote to the greatest practicable extent uniformity in State and Federal regulation of the labeling of consumer commodities.

(b) Nothing contained in this section shall be construed to impair or otherwise interfere with any program carried into effect by the

Secretary of Health, Education, and Welfare under the provisions of law in cooperation with State governments or agencies, instrumentalities, or political subdivisions thereof.

DEFINITIONS

SEC. 10. For the purpose of this Act—

(a) The term "consumer commodity", except as otherwise specifically provided by this subsection, means any food, drug, device, or cosmetic (as those terms are defined by the Federal Food, Drug, and Cosmetic Act), and any other article, product, or commodity of any kind or class which is customarily produced or distributed for sale through retail sales agencies or instrumentalities for consumption by individuals, or use by individuals for purposes of personal care or in the performance of services ordinarily rendered within the household, and which usually is consumed or expended in the course of such consumption or use. Such term does not include—

(1) any meat or meat product, poultry or poultry product, or tobacco or tobacco product;

(2) any commodity subject to packaging or labeling requirements imposed by the Secretary of Agriculture pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, or the provisions of the eighth paragraph under the heading "Bureau of Animal Industry" of the Act of March 4, 1913 (37 Stat. 832–833; 21 U.S.C. 151–157), commonly known as the Virus-Serum-Toxin Act;

(3) any drug subject to the provisions of sections 503(b) (1) or 506 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b) (1), 355, 356, 357);

(4) any beverage subject to or complying with packaging or labeling requirements imposed under the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.); or

(5) any commodity subject to the provisions of the Federal Seed Act (7 U.S.C. 1551–1610).

(b) The term "package" means any container or wrapping in which any consumer commodity is enclosed for use in the delivery or display of that consumer commodity to retail purchasers, but does not include—

(1) shipping containers or wrappings used solely for the transportation of any consumer commodity in bulk or in quantity to manufacturers, packers, or processors, or to wholesale or retail distributors thereof;

(2) shipping containers or outer wrappings used by retailers to ship or deliver any commodity to retail customers if such containers and wrappings bear no printed matter pertaining to any particular commodity; or

(3) containers subject to the provisions of the Act of August 3, 1912 (37 Stat. 250, as amended; 15 U.S.C. 231–233), the Act of March 4, 1915 (38 Stat. 1186, as amended; 15 U.S.C. 234–236), the Act of August 31, 1916 (39 Stat. 673, as amended; 15 U.S.C. 251–256), or the Act of May 21, 1928 (45 Stat. 685, as amended; 15 U.S.C. 257–257i).

(c) The term "label" means any written, printed, or graphic matter affixed to any consumer commodity or affixed to or appearing upon a package containing any consumer commodity;

(d) The term "person" includes any firm, corporation, or association;

(e) The term "commerce" means (1) commerce between any State, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States, or territory and any place outside thereof, and (2) commerce within the District of Columbia or within any territory or possession of the United States not organized with a legislative body, but shall not include exports to foreign countries; and

(f) The term "principal display panel" means that part of a label that is most likely to be displayed, presented, shown, or examined under normal and customary conditions of display for retail sale.

SAVING PROVISION

SEC. 11. Nothing contained in this Act shall be construed to repeal, invalidate, or supersede—

(a) the Federal Trade Commission Act or any statute defined therein as an antitrust Act;

(b) the Federal Food, Drug, and Cosmetic Act; or

(c) the Hazardous Substances Labeling Act.

EFFECT UPON STATE LAW

SEC. 12. It is hereby expressly declared that it is the intent of the Congress to supersede any and all laws of the States and political subdivisions thereof insofar as they may now or hereafter provide for the labeling of the net quantity of contents of the package of any consumer commodity covered by this Act which differs from the requirements of section 4 of this Act or regulations promulgated pursuant thereto.

EFFECTIVE DATE

SEC. 13. This Act shall take effect on the first day of the sixth month beginning after the date of its enactment: *Provided*, That the Secretary (with respect to any consumer commodity which is a food, drug, device, or cosmetic), and the Commission (with respect to any other consumer commodity) may by regulation postpone for an additional twelve-month period, the effective date of this Act with respect to any class or type of consumer commodity on the basis of a finding that such a postponement would be in the public interest.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that amendment No. 572 to be offered by the distinguished senior Senator from New Hampshire [Mr. COTTON] be voted on at 4 o'clock on Monday afternoon next.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That on Monday, June 6, 1966, the Senate will proceed to vote at 4 o'clock p.m. on the amendment offered by the Senator from New Hampshire [Mr. COTTON], No. 572 to S. 985, a bill to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes.

Mr. COTTON. Mr. President, I should like to inquire from the majority leader if my understanding is correct that he intends to ask that we will convene at 12 o'clock on Monday and that there will be no morning hour on Monday?

Mr. MANSFIELD. The Senator is correct.

Mr. COTTON. Mr. President, I desire to call up my amendment so that it may be made the pending business.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

Beginning on page 20, line 8, strike out all of subsections (d), (e), (f), and (g) of section 5, down to and including line 6 on page 23.

Mr. COTTON. Mr. President, in view of the agreement that the vote on my amendment will be had at 4 o'clock on Monday I desire to call up my amendment now and have it made the pending business. However, if on tomorrow or at any other intervening time, any Senator has an amendment that he desires to offer, I should be very happy to consent that my amendment be temporarily laid aside while the other business is taken care of.

TUALATIN FEDERAL RECLAMATION PROJECT, OREGON

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 254) to authorize the Secretary of the Interior to construct, operate, and maintain the Tualatin Federal reclamation project, Oregon, and for other purposes, which was, to strike out all after the enacting clause and insert:

That in order to supply irrigation water to approximately seventeen thousand acres of land in the Tualatin River Valley, Oregon, to develop municipal and industrial water supplies, to provide facilities for river regulation and control of floods, to enhance recreation opportunities, to provide for the conservation and development of fish and wildlife resources, and for other purposes, the Secretary of the Interior is authorized to construct, operate, and maintain the Tualatin Federal reclamation project in accordance with the Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof and supplementary thereto). The principal features of said project shall be a dam and reservoir on Scoggin Creek, canals, pumping plants and water distribution facilities.

SEC. 2. Irrigation repayment contracts shall provide, with respect to any contract unit, for repayment of the irrigation construction costs assigned for repayment to the irrigators over a period of not more than fifty years exclusive of any development period authorized by law. Construction costs allocated to irrigation beyond the ability of the irrigators to repay during the repayment period shall be returned to the reclamation fund within said repayment period from revenues derived by the Secretary from the disposition of power marketed through the Bonneville Power Administration. Power and energy required for irrigation water pumping for the Tualatin project shall be made available by the Secretary from the Federal Columbia River power system at charges determined by him.

SEC. 3. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the Tualatin project shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213).

SEC. 4. (a) Costs of the project allocated to municipal water supply shall be repayable, with interest, by the municipal water users over a period of not more than fifty years from the date that water is first delivered for that purpose, pursuant to contracts with municipal corporations, or other organizations, as defined in section 2(g) of the Reclamation Project Act of 1939 (53 Stat. 1187). Contracts may be entered into with water users' organizations pursuant to the provisions of this Act without regard to the last sentence of subsection 9(c) of the Reclamation Project Act of 1939, supra.

(b) The interest rate used for computing interest during construction and interest on the unpaid balance of the costs of the project allocated to municipal water supply shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which construction is commenced, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations which are neither due nor callable for redemption for fifteen years from date of issue, and by adjusting such interest rate to the nearest multiple of one-eighth of 1 per centum if the computed average interest rate is not a multiple of one-eighth of 1 per centum.

(c) Costs of the project allocated to highway transportation shall be nonreimbursable in accordance with section 208 of the Flood Control Act of 1962 (76 Stat. 1196).

Sec. 5. For a period of ten years from the date of enactment of this Act, no water shall be delivered to any water user on the Tualatin project for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b) (10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

Sec. 6. There is hereby authorized to be appropriated for the construction of the Tualatin project the sum of $20,900,000 (January 1965 prices) plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved therein, and, in addition thereto, such sums as may be required to operate and maintain said project.

Mr. JACKSON. Mr. President, I move that the Senate disagree with the House amendment and request a conference with the House of Representatives on the disagreeing votes thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Jackson, Mr. Anderson, Mr. Church, Mr. Kuchel, and Mr. Jordan of Idaho conferees on the part of the Senate.

MARITIME ADMINISTRATION

Mr. BARTLETT. Mr. President, on May 18 Paul Hall, president of the Seafarers International Union of North America, appeared before the Senate Government Operations Committee on legislation to create a Department of Transportation. He presented the position of the joint AFL–CIO maritime unions in urging that the Maritime Administration be made an independent agency.

Mr. Hall spoke for a large segment of the American merchant marine, and his ideas merit careful consideration by everyone interested in the preservation of our fourth arm of defense. I ask unanimous consent that his statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

My name is Paul Hall. I am the president of the Seafarers International Union of North America but the views I am about to express today, with respect to the proposed Department of Transportation, represent the views of all AFL–CIO maritime unions affiliated with the AFL–CIO Maritime Trades Department, the AFL–CIO Metal Trades Department and the AFL–CIO Maritime Committee.

I am therefore here today as a spokesman for virtually all of American maritime labor—both licensed and unlicensed.

Moreover, I might add that other AFL–CIO transportation unions in the airline, railroad and highway carrier fields have endorsed the views I am about to present, and have pledged us their support, just as we in turn have pledged our support to their respective positions regarding the Department of Transportation.

I might also add that certain of our views, as I will note later in this presentation, have been endorsed by the full AFL–CIO, so that with respect to these views we carry into these hearings the support of the entire organized American labor movement.

Now with respect to the Department of Transportation, I shall not attempt here to discuss all of the proposals made by the President in the Transportation Message which he sent to the Congress last March 2nd.

Discussions of those proposals which relate to other modes of transportation—air, rail and highway—I shall leave to the appropriate persons in those fields, and I shall confine my discussion to those proposals which relate directly to the maritime industry.

To begin with, I might note that the President's Transportation Message, while calling for the inclusion of the Maritime Administration in the Department of Transportation, and while setting forth a number of general proposals for improving water transportation, leaves unanswered many basic questions regarding maritime's position in the proposed department.

I might also note that the identical legislation which has been introduced in the Senate and House to implement the President's recommendations—S. 3010 by Senator Magnuson and H.R. 13200 by Congressman Holifield—similarly leave unanswered the same basic questions.

Neither the Transportation Message, in fact, nor the legislation which is now being considered by this committee, is specific about maritime's position in the new department, about the functions and duties of the Maritime Administration within the department, or about what future Federal maritime policy will be—a matter with which maritime labor is extremely concerned.

In fact, if one studies the proposed structure of the Department of Transportation, as reported by the *Congressional Quarterly* of March 25, 1966, and appended here as *Exhibit No. 1*, one will note that all we really have here is a brief sketch of a new and mammoth Federal department within which the present Maritime Administration could very easily become lost in a bureaucratic maze.

The chart indicates, for example, that the proposed department will have a Secretary, an Undersecretary, four Assistant Secretaries (one of whom will be an Assistant Secretary for Administration) and a General Counsel. But the functions of these officers are not delineated, nor are the lines of communication and responsibility between them and maritime clearly drawn.

What, in other words, is the channel of communication between maritime, at the bottom of this structure, and the Assistant Secretaries, Undersecretary, Secretary, and finally the President himself, at the top? Neither the chart, the Transportation Message nor the proposed legislation makes this clear.

Nor do either the Transportation Message or proposed legislation make clear a number of other matters. The President stated in his Transportation Message that the proposed department would embrace the Maritime Administration, but there is no clear indication in either the message or the legislation as to how the Maritime Administration will be constituted, what policies it will promote, or how much independence it will have in the promotion of these policies.

Certainly, with regard to policy, all of our past experience has taught us that whenever jurisdiction over maritime affairs has been delegated to Federal departments or agencies whose primary concern has *not* been the merchant marine, the merchant marine has suffered, and with it the nation which should be the beneficiary of the contributions which the merchant marine can make to its commerce and security.

This has been true whenever maritime affairs have been in the hands of the Department of Agriculture, the Department of Defense, the Department of State or other Federal Departments and agencies. It is true in the present instance, in which the Maritime Administration occupies a subordinate position within the Department of Commerce, and there is every reason to believe it would be true in the Department of Transportation, particularly since the role of the Maritime Administration is not clearly defined, nor are the lines of responsibility clearly drawn.

In light of this we feel very strongly that maritime would be completely swallowed up within the mammoth, complex structure of the proposed department, that maritime concerns would be shunted aside or pigeonholed in a bureaucratic web, and that no proper representation would be given to maritime's interests which in many respects are far different from those of other forms of transportation.

The merchant marine, it must always be remembered, differs from other modes of transportation—except possibly the airlines—in that its operations are international in scope. In a sense, it is a political instrument, as well as an economic instrument and an instrument of our national defense, and each of these roles must be given its full share of consideration in the determination of maritime policy and the administration of maritime affairs.

In the proposed Department of Transportation, we strongly feel, none of these roles of the merchant marine would be given their full and proper consideration, and neither the best interests of the merchant marine nor the nation would be served.

The merchant marine, we believe, would have a far better chance for survival and growth if its affairs were under the jurisdiction of a Federal agency whose sole concern was maritime.

For this reason, we strongly oppose inclusion of the Maritime Administration in the Department of Transportation and urge that the Maritime Administration be removed from the Department of Commerce and reestablishment as an entirely independent and autonomous agency. And in this position, I might note, we are not only being supported by other AFL–CIO transportation unions, but by the entire AFL–CIO which endorsed the concept of an independent Maritime Administration in Resolution No. 217 unanimously adopted at the AFL–CIO convention in San Francisco in December of last year, and appended as *Exhibit No. 2*.

Our reasons for favoring an independent and autonomous Maritime Administration are as follows:

1. The Maritime Administration now has no independent power and must compete with other programs administered by the Department of Commerce. Thus, the Merchant Marine Act of 1936 has not been properly administered and the inevitable result has been the decline of the American merchant marine. Putting Marad in a Department of Transportation would not alter this situation.

2. The creation of an independent agency to administer this country's maritime laws would focus greater attention on our decay-

ing fleet, and the ultimate objective of revitalizing the industry and enabling the United States to meet its foreign commerce needs and defense commitments pursuant to the policy set forth in the Merchant Marine Act of 1936.

3. The present structure of the agency constitutes an inconsistency in government organization since, whereas the Federal Aviation Act of 1958 created the Federal Aviation Agency, thus giving independent status to aviation, the promotional activities of the merchant marine—as well as administration of the subsidy program—were buried within the Department of Commerce by Reorganization Plan No. 7 of 1961. Also, subsidy functions of the Civil Aeronautics Board are *not* to be included in the new Department of Transportation but the maritime subsidy functions *will* be included.

4. The Merchant Marine Act of 1936 provided for a five-man independent Maritime Commission, to be appointed by the President with the consent of the Senate. The Commission functioned independently and conducted a survey which resulted in a long-range program of shipbuilding designed to provide some 500 new ships over a ten-year period. It was during this time that the "C" type vessel was designed for the carriage of cargo, and the passenger liner *S.S. America* was built. During the Commission's existence, between 1936 and 1950, an unprecedented strengthening of our merchant marine took place.

5. The Maritime Subsidy Board cannot now function independently as intended by the Act of 1936 since its decisions are subject to review and veto by the Secretary of Commerce. An independent maritime agency, with a stronger and more independent Maritime Subsidy Board, would serve to cure these ills.

We are aware, of course, that some 11 different bills have already been introduced to make the Maritime Administration an independent agency, but while we favor the intent of these bills, we do not feel that any of them would provide us with the type of independent Maritime Administration which we really need. This is particularly true because none of the bills separate the quasi-judicial subsidy functions of the Maritime Administration from purely promotional and administrative functions and it is our strong feeling that the interests of the maritime industry would best be served by giving independence to the Maritime Subsidy Board.

The value of separating subsidy functions from other functions has already been recognized in other areas—as in the case of the CAB which we have just cited—and it is our strong feeling that subsidy determinations are so important to the maritime industry that those charged with the responsibility for these determinations should be absolutely free to reach their decisions on the basis of the merits of the case, without regard to other considerations and without the overriding of their decisions by some other person who may be influenced by other considerations.

For this reason, we have drafted our own proposed legislation calling for the establishment of an independent Federal Maritime Agency, and a copy of this proposed bill is appended as *Exhibit No. 3*.

The manner in which our proposed bill would alter existing legislation is shown in *Exhibit No. 4*.

As can be seen from a study of these two exhibits, our proposed bill would not only establish an independent and autonomous Federal Maritime Agency, but within that agency the Maritime Subsidy Board would be a relatively independent body composed of the Maritime Administrator and two other members appointed by the President with the advice and consent of the Senate.

The Board would have complete and final authority to pass upon all matters related to construction and operating subsidies, and the affirmative votes of any two members of the Board would be sufficient for the disposition of any matter which comes before it. No single Board member, including the Maritime Administrator, in other words, would have the power to override the decisions of the other two Board members, nor would any other official.

The Maritime Administrator would also be appointed by the President with the advice and consent of the Senate, and he would be appointed with due regard for his fitness for the efficient discharge of the powers and duties vested in and imposed upon him by the bill. Previous employment by or previous pecuniary interest in any business or union associated with the maritime industry would not constitute a bar to appointment as Administrator. A Deputy Maritime Administrator, appointed by the Administrator under the classified civil service, is also provided for by our bill. The Deputy Administrator would at no time sit as a member or acting member of the Maritime Subsidy Board.

Thus, our bill would solve four of the most pressing problems now confronting the present Maritime Administration within the Department of Commerce:

1. It would establish a completely independent and autonomous Federal Maritime Administration.

2. It would establish a strong and independent Maritime Subsidy Board within the Maritime Administration, whose rulings would not be subject to veto by another agency or higher official.

3. By establishing such a Maritime Subsidy Board, it would separate within the Maritime Administration quasi-judicial subsidy matters from purely administrative and promotional matters. Yet a close liaison between the two functions would be maintained because the Maritime Administrator would be Chairman of the Board.

4. It would provide for the appointment of a strong Maritime Administrator who could devote a good portion of his time to promoting the merchant marine. Previous experience in the industry, either management or business experience, would not be a bar to his appointment as Administrator, and such experience could be considered as an asset.

EXHIBIT No. 1

PRESENT STRUCTURE OF EXECUTIVE TRANSPORT AGENCIES

President:
- Interior Department.
  - Alaska Railroad.
- Commerce Department.
- U.S. Travel Service.
- St. Lawrence Seaway Development Corporation.
- Undersecretary for Transportation.
  - Great Lakes Pilotage.
  - Maritime Administration.
  - Bureau of Public Roads.
  - Emergency Transportation.
- General Services Administration.
- State Department.
- Housing and Urban Development Department.
- Treasury Department.
  - Coast Guard.
- Federal Aviation Agency.
- Defense Department.
  - MAC.
  - MSTS.
  - MTMTS.
  - Corps of Engineers.

PROPOSED DEPARTMENT OF TRANSPORTATION

President:
- Secretary, Undersecretary.
  - Staff Offices.
  - National Transportation Safety Board.
  - General Counsel.
  - Assistant Secretary.
  - Assistant Secretary.
  - Assistant Secretary.
  - Assistant Secretary.
  - Assistant Secretary for Administration.
  - St. Lawrence Seaway Functions.
  - Rail Functions.
  - Highway Functions.
  - Maritime Functions.
  - Coast Guard Functions.
  - Aviation Functions.

EXHIBIT No. 2

AMERICAN MERCHANT MARINE AND MARITIME POLICY: RESOLUTION NO. 217

(Text of American Merchant Marine & Maritime policy adopted by AFL-CIO convention)

Whereas, The Merchant Marine Act of 1936 sets forth the intent of Congress that the United States shall have an American-flag merchant fleet capable of carrying a substantial portion of our waterborne commerce and of serving as a naval or military auxiliary in time of war or national emergency.

Whereas, Despite the intent of the 1936 Act, our American-flag merchant marine has continued to decline in terms of the number of ships, in terms of the percentage of our cargoes carried by these vessels, and in terms of job opportunities for merchant seamen, shipbuilders and other workers in the maritime industry. As a result, the American merchant marine today cannot meet the criteria of the Merchant Marine Act; it is not adequate to fulfill its responsibilities as an arm of our national defense, a factor in our economy or as a productive symbol of America's position of world leadership.

Whereas, This is being most strikingly demonstrated in the current Viet Nam emergency in which, as a result of increased shipping needs, our Government has turned to foreign flag ships, not only to fulfill its commercial commitments, but to carry military cargoes as well.

Whereas, The decline of the American flag fleet has taken place largely because the executive departments and agencies of the Federal Government have failed to implement the Congressional mandate set forth in the 1936 Act, and because budgetary expediencies, rather than national need, have been allowed to dominate maritime programs.

Whereas, The Soviet Union meanwhile—recognizing the importance of a strong merchant marine to its economic, political and strategic objectives—has been moving rapidly to control the oceans and trade routes of the world, and within a few years is expected to surpass the United States as a maritime power in all areas—passenger liners, freighters, dry bulk carriers and tankers.

Whereas, To meet this crisis in U.S. maritime, and to assure that this nation will have an adequate merchant marine, the President's Maritime Advisory Committee—consisting of representatives of labor, management and the public—has proposed a significant expansion of our merchant marine. Meanwhile, however, a so-called Interagency Maritime Task Force report, prepared by representatives of the same Federal departments and agencies which have been largely responsible for the decline of our fleet is being circulated.

Whereas, The Task Force Report outlines a program which is based primarily on budgetary considerations, calls for a restriction of our merchant marine, and the elimination of major existing safeguards of American flag shipping and shipbuilding. Proponents of the report have given strong evidence that they will attempt to have their views adopted by the President and the Congress as the new national maritime program which the President has indicated he will announce, probably some time early next year.

Resolved, the AFL–CIO reaffirms its support of a strong U.S. flag merchant marine, citizen-owned, citizen-manned and American-built, adequate to the needs of our country in peace and in defense emergencies and, therefore:

1. Endorses the report of the President's Maritime Advisory Committee, calling for a significant expansion of the American flag merchant fleet.

2. Condemns the report of the Interagency Maritime Task Force as dictated only by shortsighted budgetary considerations and inadequate to the national need.

3. Calls for a Congressional investigation to determine the actual state of readiness of the U.S. naval and merchant fleets.

4. Calls for continued efforts to alert Congress to the Soviet maritime menace and to obtain revitalization of the American-flag fleet as rapidly as possible to meet this threat.

5. Calls upon the State Department to reevaluate its position and support legislation to bar from U.S. commerce foreign-flag vessels which have been trading with North Viet Nam.

6. Calls upon the President and the Congress to resist and reject pressures to eliminate the requirement that at least 50% of the wheat and other grains sold to the Soviet nations be carried in American-flag ships and to assure strict enforcement of all cargo preference requirements.

7. Calls upon the President and the Congress to reject any "Built Abroad" philosophy regarding the building of American-flag merchant vessels and to preserve and strengthen regulations designed to safeguard American-flag, American-built shipping.

8. Supports a naval construction program in U.S. shipyards to assure our continued superiority as the world's leading naval power.

9. Calls for legislation to extend the jurisdiction of the NLRB to cover the crews of runaway-flag vessels in American commerce.

10. Calls for continued efforts to alert Congress and the public to the need for protecting the passengers and crews from hazardous conditions such as existed on the ill-fated *Yarmouth Castle* and calls on Congress to enact pending legislation to reserve cruise operations out of U.S. ports to American-flag vessels, unless unavailable, and to regulate any participation of foreign-flag vessels in these trades by requiring them to comply with U.S. safety standards.

11. Calls upon Congress and the appropriate Federal departments and agencies to enact and implement such measures as will restore the domestic merchant fleet, including those vessels in the coastwise and intercoastal trades, on the Great Lakes, and on our rivers and inland waterways and reaffirm our opposition to any attempt to destroy the protection afforded to domestic shipping by the Jones Act.

12. Supports legislation presently pending in Congress to protect our fishing industry, by extending our present territorial limits from the present three miles to twelve miles.

13. Urges the Government to exert its efforts to bring about early ratification by such nations as are necessary to put into full force and effect the Convention on Fishing and Conserving the Living Resources of the High Seas, as adopted by the United Nations Conference on the Law of the Sea, held at Geneva, Switzerland, February 4, to April 27, 1958.

14. Calls for introduction in Congress of legislation to increase U.S. carriage of our waterborne foreign commerce to the level called for by the Maritime Advisory Committee and support the building in U.S. yards of an adequate number of vessels to achieve this purpose.

15. Affirms our opposition to runaway flag operations and calls for the complete scrapping of the so-called "effective control" concept, and any policies placing reliance on foreign flag ships for the vessel strength essential to U.S. defense and economic requirements.

16. Supports moves to re-establish the Maritime Administration as an independent agency, outside of the Department of Commerce, and to centralize the administration of the cargo preference laws in the Maritime Administration.

17. Supports members of Congress who favor a stronger merchant marine and calls upon the Committee on Political Education of the AFL–CIO to cooperate in this endeavor by including votes on maritime issues in their standards for determining support or opposition to Congressional candidates, and to urge the cooperation of local, central, and state bodies, as well as the various AFL–CIO departments, in order to achieve this objective.

Exhibit No. 3

A bill to amend title II of the Merchant Marine Act, 1936, to create the Federal Maritime Administration, Maritime Subsidy Board, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The Federal Maritime Act of 1966".

Sec. 2. Section 201 of title II of the Merchant Marine Act, 1936, is amended to read as follows:

"Sec. 201. (a) There is hereby established an agency to be known as the Federal Maritime Administration, hereafter in this chapter referred to as the 'Administration', which shall be an independent agency not under any other department, agency, or instrumentality of the executive branch of the Government or under the authority of the head of any such department, agency, or instrumentality.

(b) (1) There shall be at the head of the Administration a Federal Maritime Administrator who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall receive compensation at the rate of $28,500 per annum. The Administrator shall be responsible for the exercise of all powers and the discharge of all duties of the Agency, with the single exception described in Section (3) of this Act. In the exercise of his duties and the discharge of his responsibilities the Administrator shall not submit his decisions for the approval of, nor be bound by the decisions or recommendations by any committee, board or other organization created by Executive order.

(2) The Administrator shall be a citizen of the United States, and shall be appointed with due regard for his fitness for the efficient discharge of the powers and duties vested in and imposed upon him by this chapter. Previous employment by or previous pecuniary interest in any business or union associated with the maritime industry shall not constitute a bar to appointment as Administrator.

"(c) There are hereby transferred to the Administration—

"(1) all functions of the Secretary of Commerce conferred upon him by Reorganization Plan Numbered 21 of 1950 and confirmed as being vested in him by section 202(a) of Reorganization Plan Numbered 7 of 1961.

"(2) all functions of the Secretary of Commerce transferred to him by section 202 (b) of Reorganization Plan Numbered 7 of 1961, except as hereunder provided.

(3) There shall be in the Administration a Deputy Maritime Administrator, who shall be appointed by the Administrator under the classified civil service and who shall perform such duties as the Administrator shall prescribe. The Deputy Maritime Administrator shall be Acting Maritime Administrator during the absence or disability of the Administrator. Such Deputy Administrator shall at no time sit as a member or acting member of the Maritime Subsidy Board.

Sec. 3. (a) There is hereby established the Maritime Subsidy Board, referred to in this chapter as the Board. The Board shall have complete and final authority to pass upon all matters related to construction differential and operating differential subsidy.

(b) There are hereby transferred to the Board—

"(1) all functions of the Secretary of Commerce transferred to him under section 105 (1) (2) (3) (4) (5) by Reorganization Plan Numbered 21 of 1950 and confirmed as being vested in him by section 202(b) of Reorganization Plan Numbered 7 of 1961.

(c) The Board shall be composed of: (1) the Federal Maritime Administrator, who shall serve as chairman; (2) two members appointed by the President with the advice and consent of the Senate for a term of five years, who shall receive compensation at the rate of $28,000 per annum. Of the members appointed under (2), one shall be appointed for a term expiring on June 30, 1970, and one for a term expiring on June 30, 1971. Their successors shall be appointed for terms of five years except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the member of the Board whom he succeeds.

(d) A vacancy in the Board, so long as there shall be two members in office, shall not impair the power of the Board to execute its functions. Any two of the members of the Board shall constitute a quorum for the transaction of the business of the Board and affirmative votes of any two members of the Board shall be sufficient for the disposition of any matter which may come before the Board.

Sec. 4. So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, used, held, available, or to be made available, in connection with the functions transferred to the Federal Maritime Administration and Maritime Subsidy Board by the provisions of this Act as the Director of the Bureau of the Budget determines necessary, shall be transferred to the Federal Maritime Administration and Maritime Subsidy Board.

Sec. 5. Sections 201, 203, and 204 of part II of Reorganization Plan Numbered 21 of 1950, and part II and section 303(c) of Reorganization Plan Numbered 7 of 1961, are hereby superseded by this Act and the amendments made by this Act.

Sec. 6. Nothing in this Act or any of the amendments made by this Act shall be deemed to affect (1) the Federal Maritime Commission established by part I of Reorganization Plan Numbered 7 of 1961, or (2) any of the functions of such commission.

Sec. 7. This Act, and the amendments made by this Act shall take effect sixty days after enactment.

EXHIBIT NO. 4

COMPARISON OF PROPOSED AND PRESENT LEGISLATION: RE STATUS OF MARITIME ADMINISTRATION

BILL PROPOSED BY UNIONS	PRESENT LEGISLATION
1. *Federal Maritime Administration*	1. *Maritime Administration*
A. Autonomous agency (Sec. 2(a))	A. Agency within the Department of Commerce (1950 Reorganization Plan #21, Part II, Sec. 201)
B. Not under outside jurisdiction (Sec. 2(a))	B. Under the jurisdiction of Dept. of Commerce (#21, Sec. 201)
2. *Federal Maritime Administrator*	2. *Maritime Administrator*
A. Head of Federal Maritime Administration (Sec. 2(b) (1))	A. Head of the Maritime Administration (1961 Reorganization Plan #7, Part II, Sec. 201)
B. Appointed by President, by and with advice and consent of the Senate	B. Same (#7, Sec. 201)
C. Salary—$28,500 per annum (Sec. 2(b) (1))	C. Salary—$26,000 per annum (5 U.S.C.A. 2211(e) (89))
D. Responsible for exercise of all powers (Sec. 2(b) (1)) and discharge of all duties of the Administration except those conferred on the Maritime Subsidy Board (Sec. 2(b) (1))	D. Perform those duties prescribed by the Secretary of Commerce (#7, Sec. 201)
E. Final judgment—not bound by the decisions or recommendations of any other group. (Sec. 2(b) (1))	E. Final judgment vested in Secretary of Commerce (#7, Sec. 202)
F. U.S. citizen (Sec. 2(2))	F. No citizenship provision
G. Previous employment by or pecuniary interest in the maritime industry shall not bar appointment (Sec. 2(2))	G. Previous pecuniary interest in, or official relationship with water carrier, shipbuilder, contractor, or other firm, association, or corporation with whom the Maritime Administration may have business relations bar appointment (46 U.S.C.A. 1111(b))
3. *Functions of the F.M. Administrator*	3. *Functions of the Secretary of Commerce*
A. All functions of the Maritime Administration now under the Department of Commerce are transferred to the F.M. Administrator, i.e., making reports and filing accounts, making recommendations to Congress (Sec. 2(c) (1))	A. Same (#7, Sec. 202(a))
B. Maritime Administrator will have ultimate authority over all administrative functions related to the assembling of facts and statistics necessary to enable the Maritime Subsidy Board to consider and act upon applications for construction and operating differential subsidy (Sec. 2(c) (2))	B. Same (#7, Sec. 202(b))
4. *Deputy Maritime Administrator*	4. *Deputy Maritime Administrator*
A. Appointed by the Administrator under the classified civil service (Sec. 2(3))	A. Appointed by the Secretary of Commerce, after consultation with the Maritime Administrator, under the classified civil service (#21, Sec. 203)
B. Performs duties prescribed by the Administrator (Sec. 2(3))	B. Same (#21, Sec. 203)
C. Acting Administrator during absence or disability of Administrator (Sec. 2(3))	C. Same (#21, Sec. 203)
D. May at no time sit as member or acting member of Maritime Subsidy Board (Sec. 2(3))	D. Permanent member of the Maritime Subsidy Board (U.S. Dept. of Commerce, D.O. 117, Sec. 2(.02), April 9, 1962)
5. *Maritime Subsidy Board*	5. *Maritime Subsidy Board*
A. Final authority to act on all construction and operational differential subsidy applications (Sec. 3(a))	A. Final decision and review of Maritime Subsidy Board's actions vested in Undersecretary of Commerce for Transportation (D.O. 117, Amendment 2, Sec. 7, Nov. 5, 1965)
1. Administers all phases of subsidy program now under control of Secretary of Commerce (Sec. 3(b) (1))	1. Administers all phases of subsidy program subject to above—does not have final decision (D.O. 117, Sec. 4)
B. Three member board	B. Three member board
1. F.M. Administrator-Chairman. Two other members appointed by the President, with the advice and consent of Senate (Sec. 3(c))	1. Maritime Administrator-Chairman, Deputy Administrator and General Counsel (D.O. 117, Amendment 1, Sec. 2(.02), June 25, 1962)
a. One member with term expiring June 30, 1970; second member's term expiring June 30, 1971 (Sec. 3(c))	a. No provision for length of term
b. Thereafter appointments shall be made for a five (5) year term. Vacancies will be filled only for the length of unexpired term. (Sec. 3 (c) & (d))	b. Vacancy, absence or disability of member filled by Comptroller, as acting member (D.O. 117, Amendment 1, Sec. 2(.02))
2. Two members needed for quorum (Sec. 3(d))	2. Same.
3. Salary—$28,000 per annum (Sec. 3(c))	3. Salary—not specified—have G.S. civil service ratings
4. Concurring votes of two members shall be sufficient for disposition of any matter which may come before the Board (Sec. 3(d))	4. Same (D.O. 117, Sec. 2(.02))
6. *Federal Maritime Administration*	6. *Maritime Administration*
A. Ultimate control over funds allocated for its operations (Sec. 4)	A. Ultimate control over funds vested in Sec. of Commerce, who may transfer such funds to the Dept. of Commerce (#7, Sec. 303(c))

THE MOHAWK FH-227—NEW AIRPLANE FOR LOCAL AIR SERVICE LINES

Mr. TYDINGS. Mr. President, on March 31, 1966, Mr. Charles S. Murphy, Chairman of the Civil Aeronautics Board, spoke at the rollout of the Mohawk FH-227 at Fairchild-Hiller, Hagerstown, Md. The Mohawk FH-227 is a new plane which can more economically serve regional areas over short routes with low traffic density.

As every air traveler knows, service to small cities and towns is often poor. It can take longer to get from New York to Hagerstown, Md., by air than from Los Angeles to New York.

Mr. Murphy justifiably lauds this new plane as a benefit to local air service lines. He states that the "principal objective is to provide the best possible airline service to the public at the most reasonable cost possible." I ask unanimous consent that his remarks be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF CHARLES S. MURPHY, CHAIRMAN OF THE CIVIL AERONAUTICS BOARD, ROLL OUT OF MOHAWK FH-227 AT FAIRCHILD-HILLER, HAGERSTOWN, MD., MARCH 31, 1966

We are here to mark a significant event in the development of air transportation. This is the advent of an improved aircraft especially well suited to providing airline service to some of our medium size and smaller cities.

This aircraft—an FH-227—manufactured by the Fairchild-Hiller Company here at Hagerstown, will soon be placed in service by Mohawk Airlines. Mohawk is one of 13 regional or local service air lines, each of which provides service in a particular region of the United States. Among them, their systems cover almost all of the 48 contiguous states.

These airlines were started in the 1940's as an experiment. It has been a highly successful experiment. These carriers are now well established and provide a service of great public importance. The volume and quality of the service they provide are increasing steadily and rapidly.

The progress in this industry is due to a combination of factors including good general economic conditions to sustain air traffic growth, technological improvements—particularly in respect of flight equipment, capable and energetic management within the carriers, consistent support and policy guidance by the Congress, and major administrative efforts by the C.A.B.

The local air service industry is currently undergoing such rapid and substantial changes that they tax the best efforts of all of us to keep up with them. Fortunately, these changes are the kind that come with rapid growth and larger opportunities.

To appreciate the problems and the achievements of these carriers we must have in mind the nature of their route structure. Their systems are characterized by extremely short stage length, short passenger hauls, and low traffic density. On this kind of system, the costs of providing the service exceed the revenues. This is true despite the fact that these carriers are specialists in the field and have developed the know-how to operate their services economically and efficiently. It has been necessary for the Government to pay these carriers for providing service on their routes which are not self-sustaining. We should think of this as a subsidy of the service provided to the cities and the traveling public, rather than in terms of a subsidy primarily for the benefit of the carriers.

As the industry has developed, it has made substantial progress toward putting its service on a self-sustaining basis. In per unit terms, the drop in subsidy is dramatic. For the industry as a whole, subsidy per passenger has dropped from $9.79 in 1960 to $5.92 in 1965, and subsidy per passenger mile has dropped from 4.7 cents to 2.8 cents over the same period.

For Mohawk Airlines in 1965, the subsidy per passenger was only $2.29, and per passenger mile only 1.25 cents. Mohawk has made very substantial progress toward self-sufficiency. We hope and expect that this will continue, although Mohawk has some special problems because of the extent it must compete with trunkline carriers.

There are a number of reasons to expect continued improvement in the local air service industry and a number of ways we can help to bring it about.

First, of course, is air carrier management. In short, management in this industry is good and is getting better. I am confident the carriers will continue to improve the efficiency of their operations. There are countless ways this can be done, but only the carriers themselves can do it. One of the beauties of our private enterprise system is that it provides the incentive to seek out the ways toward greater efficiency. We at the CAB will undertake to see that the subsidy is administered so as not to impair this incentive.

I wish to mention particularly one element of efficient operations—this is the one that brings us here today—getting the right kind of aircraft for the job at hand. The local service carriers generally are moving toward the acquisition of jets that are faster and larger than the planes they replace. I believe these jets can improve the economy of operations on the carriers' better routes. However, there will continue to be some low density routes for which these larger planes are entirely unsuited. The carriers will continue to have an obligation to serve these routes and they must have suitable flight equipment. The success of the local carriers will depend to a very considerable degree upon their skill in selecting the various types of flight equipment best adapted to the various types of routes they have to serve. We all hope, of course, that the FH-227 will prove to be exactly right for the service to which it is assigned by Mohawk.

A second reason to expect improvement in the lot of local service carriers is a continued rapid growth in air traffic. This is due to several factors—improved service by the carriers which attracts new traffic, increasing public awareness of the availability and advantages of air transportation, and continued growth of the economy as a whole. I am among those who believe we might reasonably expect traffic growth—separate and apart from any that might result from route improvements—in the range of 15% a year. I will not dwell on this pleasant prospect, but I must say that it provides a very happy backdrop for our efforts to improve the industry's condition.

For us at the CAB, the reduction of subsidy is a major goal. I'm happy to say that this goal is shared by the carriers themselves, the factors I have mentioned—improved efficiency and traffic growth—will move us toward a lower subsidy cost per passenger mile. However, the number of passenger miles will grow so much that even though we would be getting far more public service per subsidy dollar, the total subsidy bill will not automatically decrease.

We have to look for additional measures to reduce subsidy—and here we come to the subject of route changes. These can be of two kinds—one, elimination of routes where losses are bad; and two, addition of routes where profit opportunities are good. I hope that in the future we will need to put less emphasis on the elimination of service to loss points because it is always a matter of great regret to have to deprive any town or city of airline service. Nevertheless, there will be some cities where the subsidy cost is so high in relation to the use made of the service that the continued expenditure of public funds for subsidy cannot be justified.

I had far rather put the major emphasis on the affirmative side of route improvement—that is the grant of new or improved operating authority where profit opportunities are good. To the extent the carriers have some routes on which they can earn good profits, they believe, and we believe, it is proper to devote some of these profits to help provide the services on poorer routes and thereby reduce subsidy. I believe that we can provide such opportunities for the local service carriers—that we can improve air service to many of our cities in the process—and that we can do this without seriously cutting into the markets of the trunkline air carriers.

The total revenues of our local service carriers are only 9% as great as those of our domestic trunks. The trunks' rate of return on investment is good and their earnings are increasing. The growth of air traffic is very rapid.

All this makes a situation where it should be possible to strengthen the local service carriers substantially by a relatively modest increase of their share in the total growth in air traffic.

Each local service carrier has an obligation under its certificate of public convenience and necessity to provide short-haul air transportation of a local or feeder-service nature.

We expect and will insist that those carriers meet this obligation fully. However, I see no inherent incompatibility between providing this kind of service and operating more profitable routes at the same time. The new flight equipment that is becoming available increases the ability of a carrier to operate successfully somewhat longer hauls along with the short haul local service. I see no reason to draw a hard and fast line that says a particular type of route cannot be awarded to a local service carrier regardless of the carrier's ability to provide the service. We all must take some of the lean along with the fat, and it seems to me only fair that the carriers who have most of the lean should now have a chance at a little more of the fat.

I believe the CAB will be inclined to look with favor upon grants of improved operating authority for local service carriers. I cannot tell you at this point how rapidly we will be able to move in this direction. That depends on a number of things.

The Aviation Subcommittee of the Senate Committee on Commerce held hearings about four weeks ago to provide a comprehensive review of developments in and policies for local air service. These hearings provided an extremely useful forum for the expression of views by interested parties—including the airlines, the cities, and Government officials. It is very helpful to the CAB to have the benefit of the statements made at those hearings. I was much impressed by some of the suggestions put forward by the carriers themselves as to how their routes might be improved.

One theme which ran strongly through these hearings was dissatisfaction with the long time the CAB proceedings take. They do take a long time. I'm as impatient about this as anyone I know, and I'm going to do what I can to expedite Board proceedings. But to be quite candid, it seems to me the carriers bring much of the delay upon themselves by contesting so many questions every inch of the way. It's a very rare case indeed where we can grant improved operating authority to any airline without objections from other airlines. The objectors are entitled to elaborate procedural safeguards to make sure their rights are fully protected, and they usually seem disposed to insist on all of them. All of this takes time. I don't know who all this litigation helps in the long run, but I do know it takes a lot of time.

Before we can make any major breakthrough in granting improved routes and operating authority to the local service carriers, it will be necessary for us to revise the subsidy class rate formula so that improved carrier earnings from the new operating authority will be reflected more directly in subsidy reductions. This revision will be a difficult and complicated task, but I believe it is possible.

In the meantime, the carriers have asked us to establish an interim class rate to be effective while the new long-range class rate is being worked out. I have thought several times in the past month that we were on the verge of agreement as to the interim rate. However, problems have arisen to cause delay. In my judgment, this delay is not the fault of the Board or its staff. I think we will be ready to move ahead promptly with the interim class rate if we can achieve an arrangement that adequately protects the public interest.

After that, we will turn to the new long-range class rate as a matter of high priority. That new class rate will in turn, I hope, give much better guidelines for improving the route systems of the local service carriers.

Finally, let me say that the Board and the carriers must constantly remember that our principal objective is to provide the best possible airline service to the public at the most reasonable cost possible. I'm sure Mohawk shares this objective with us, and that, in a nut shell, is the purpose for which it is acquiring these fine new FH-227's.

We wish them Godspeed.

PROPOSAL TO CLOSE THE ARMORY AT SPRINGFIELD, MASS.

Mr. KENNEDY of Massachusetts. Mr. President, during the past 18 months, the Massachusetts congressional delegation and concerned citizens have contested a Defense Department decision to close the Springfield Armory.

When this decision was originally made in November 1964, the Department of Defense indicated that the Springfield Armory operation was uneconomical and must be discontinued. Immediately, members of the Springfield community organized the Springfield Technical Committee to investigate the facts. This committee of armory employees knew from personal experience that the armory operated efficiently. The objective of this committee, therefore, was to provide the concrete analysis and solid argument to prove this fact. The Springfield Technical Committee, led by Mr. Henry T. Downey, a local certified public accountant, compiled and analyzed data obtained from Department of Defense sources, and questioned the Defense Department's assumptions on which the decision to close the armory had been based. The Massachusetts congressional delegation and the Springfield Technical Committee met personally with Secretary McNamara on February 27, 1965, to present this report. After hearing the arguments of Mr. Downey, Secretary McNamara stated:

> I have never received a more thorough and comprehensive and more thoughtful presentation. . . .

Because of this impressive presentation, Secretary McNamara subsequently ordered a private consulting firm to conduct a comprehensive study of the Springfield Armory operation to determine the feasibility of its continuation. In its report in November 1965, even this firm concluded that closure of the armory would result in definitely marginal cost savings. However, because of other policy consideration, this firm also recommended closing the armory.

The Massachusetts congressional delegation and the Springfield Technical Committee again challenged this decision and carried the case to the Senate Preparedness Subcommittee. During intensive hearings on March 22, 1966, the Springfield Technical Committee and Mr. Downey presented their costs analyses and arguments. As a result, the chairman recommended that the Secretary of Defense review the closure decision in light of the impressive data put forth by the Springfield Technical Committee and Mr. Downey.

The Defense Department in the reply of Deputy Secretary of Defense Cyrus Vance confirmed the Department's original decision stating:

> None of the cost charts displayed by the Technical Committee at the 22 March hearing were (sic) accurate.

It was further indicated that the people who had prepared the cost charts had not acted objectively.

Mr. President, I feel the Department of Defense has, by this reply, questioned the character and integrity of Mr. Downey and the Springfield Technical Committee. These men have given long hours of their private time to present, in the words of Secretary McNamara, a thorough and thoughtful case to the American people. Their only aim was to demonstrate that the closure of the Springfield Armory was not in our Nation's interest.

Because the Defense Department has maintained its position, the Massachusetts congressional delegation, the Springfield Technical Committee, and the people of Springfield have agreed that the wisest course of action now is to plan for the future private use of this facility.

Consequently, Mr. Downey and the members of the Springfield Technical Committee will be working with Defense Department officials, civic leaders, and officers from private industry to bring about conversion of the Springfield Armory facilities to private production. It is essential that there be no doubt regarding the ability and integrity of Mr. Downey and the members of the Springfield Technical Committee.

These men and women have given selflessly of their time for 18 months to serve our Nation's welfare. These men and women deserve our admiration and esteem. I think the Defense Department should correct the impression it has so unfortunately made.

PEACE CAN YIELD FATTER PROFITS THAN WAR

Mr. CHURCH. Mr. President, does war help the economy? In a recent survey, 54 percent of Americans said "Yes," and there can be no doubt that many intelligent people elsewhere in the world suspect this to be our outlook, and find it cause for mistrusting us.

The truth is just the opposite: war, and the Vietnam war in particular, hurt the modern economy which depends upon stability, not the overtaxation of wartime demands. In an interview with Look magazine's senior editor, T. George Harris, Dr. Pierre Rinfret, economic advisor to business, lays out the facts which prove the point. Rinfret points out:

> In practical terms, wealth invested in war goods might as well be sunk in the ocean. Tanks and fighters do not produce new wealth. Teachers and factories do. Peace is the environment in which the flower of free enterprise grows, flourishes and bears fruit.

Rinfret expects the Vietnam war to result in a recession in 1967 if war-created expansion levels off. Without the war, he says, the economy would reach greater heights in 1968 than those the war now makes likely.

Whether Rinfret's predictions come true again, as they have in the past, only time will tell, but the article "Peace Can Yield Fatter Profits Than War" from the May 31 edition of Look should help lay to rest the popular myth that war "makes for good times." The "good times" are like an all-night binge: they must be paid for the next morning.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VIETNAM'S ECONOMIC LESSON: PEACE CAN YIELD FATTER PROFITS THAN WAR

(By T. George Harris, Look senior editor)

On a hot night in Saigon not long ago, reporters in combat boots held a martini seminar to consider the war's cost in goods and lives. One U.S. correspondent, just back from a tank attack in the hills, doubted that "this kind of thing can be paid for forever." He was hooted down. "All it's doing is taking the slack out of the American economy," said an English writer. He shares the European dogma that Yankee business needs to feed on the blood of war to stay healthy.

Back in the States, innocent millions hold roughly the same thought. University of Michigan pollsters have asked people in key U.S. counties how Vietnam will affect business conditions, and them. A majority—54 percent—expect their family budgets to benefit from a war-stimulated boom. It will, our adults feel, "make for good times."

If you belong to that majority, you need a visit with my tough-minded friend, Dr. Pierre Rinfret, 42, economic adviser to a blue-chip stack of corporations. He has been betting his hefty reputation, plus $4 billion worth of pension and other investment funds he manages, on a simple premise: "Vietnam doesn't mean boom. It means trouble."

Rinfret believes we have come quietly to an economic pivot point as important to the history of war as the first atom bomb. Though men and women still talk "wartime prosperity," we have at last broken, he insists, the ancient bond between war and prosperity. Already on the Vietnam casualty list, little noticed, is the tradition that arms spending fattens the bulls of the upswing and the "threat of peace" brings out the bears of the downswing. From here on, the old war bulls and peace bears will scramble to swap places.

"War is bearish," Rinfret bellows, or coos, at startled company chiefs. "Peace is bullish."

Why? Because, he says, "of a major revolution in capitalism." In the New Economics—pop label for national policy today—the home office of capitalism has gained the skill to guide its growth rate, plus the political will to do nothing less. The Federal Government can, and has to, keep the economy running in peacetime at its most productive rate. Result: War, once a shot in the arm to lagging business, now throws a shock into a smoothly functioning system set for peak long-term growth. To compound the shock, war also wastes resources, human and material, that would otherwise flow back each year to expand the economy and, through it, better the lives of men.

"In practical terms, wealth invested in war goods might as well be sunk in the ocean," says bullnecked Rinfret. "Tanks and fighters do not produce new wealth. Teachers and factories do. Peace is the environment in which the flower of free enterprise grows, flourishes and bears fruit. Peace is now the stable ground of prosperity."

This economist, one of the freethinkers of big business, speaks with more passion than a Vietnik at a peace rally. He earned his doctorate on a Fulbright grant in France, once grew a beard to bug the Brooks Bros. types. Expert in Marxian economics, he is, however, a robust Republican who supports the Johnson Administration's Viet policy because "the Communists gave us no choice." For hawk and dove alike, he feels, the crisis revises ideas about war, wealth and nations.

"Capitalism has stolen the march on communism," he says with delight. "Marx taught that capitalism is chaos, and has to keep itself alive on war. Communism, Marx argued, would use central authority to order the planned development of economic mankind. A curious thing has now happened. Capitalism has bought the case against chaos, but rejected Marx's system. We aren't stuck with a single master plan. We have thousands of different plans, not all of which will be wrong at one time. In our steady growth and flexibility, we now have far greater stability than communism."

Rinfret's opinions on basic trends would be less compelling if he didn't make such a fat living *(he's 5' 10½'', 202 lbs.)* out of them. More than any other private citizen, he gets his views tested every workday by the precise gauges of the marketplace. He is board chairman and boss thinker of Lionel D. Edie & Company, a top firm of economic consultants with 134 corporate customers. So he tells business chiefs what's ahead in their businesses, and they, investing billions, don't tolerate mistakes.

Most economic forecasters sell cagey doubletalk. This rowdy near-genius revels in taking an unpopular stand on hard numbers and watching events confirm him. "We don't equivocate," he says. "We lay it on the line."

In early '57, when many businessmen thought they were taking off toward the "Soaring 'Sixties," he sneered that they would instead wade painfully toward the "Soggy 'Sixties." On existing policies and population trends, he forecast the '57 recession, more frequent waverings to follow and a slower growth rate well into the 'Sixties.

And that's the way we went until 1963, when John F. Kennedy proposed to "get the country moving" with a whopping tax cut. (See *Mr. Tax Cut*, Look, June 18, 1963.) Businessmen balked, spooked by the thought of a deliberate deficit. Rinfret understood the deeper issue, and badgered his conservative clients to back the Democratic President's bill. It treated sales and profits as the sources of economic growth and proposed to expand total demand through private buying, not bigger Federal programs. "It's based," he said then, "on purely capitalistic principles." The President's advisers borrowed Rinfret's technical charts to help sell the tax cut to Congress.

The tax cut came through better than the Pony Express. Up charged the economy into the longest growth period ever known. The ghost of John Maynard Keynes, father of modern economic thought, came vividly alive in the New Economics—which was old hat to economists, brave new stuff to politicians. Men were using the dismal science to drive the snakes of uncertainty out of business.

The banishing of uncertainty brings confidence, and confidence brings basic changes in the economy. Consumers become less afraid to live it up. Not many months after the big tax cut, with Medicare already in the air, one Edie & Co. customer reported an unexpected surge in its car sales, mostly to people over 40. Many other buying habits began to shift, upward. Why? "Prolonged prosperity and the conviction that it's here to stay," noted Rinfret, "has a snowball effect.'" He also knew that, in addition to the two-stage tax cut's lasting help, the economy would get a boost from population trends. Not only was the postwar baby crop growing to the family-making age, but for the first time in years, we were to have a net increase in the age bracket, 40-to-44, that earns and spends the most money. "The middle-aged," Rinfret saw, "are making up for their youth."

"Hell, we're going to have a boom on top of a boom, he told me late in '64. He forecast a bigger jump in the Gross National Product than any other big-name pro. Chomping his Corona, he huffed at others for predicting a mid-'65 slump. Rinfret had it right. By last September, his survey of corporate plans to expand showed a boom so big that many pros could not believe the figures.

The argument over the future growth rate led to disagreement over the economics of peace and war. When U.S. spending on Vietnam rose sharply last fall, war became the easy dodge for those who had not seen the peaceful pressures for boom. A best-selling academic explained business optimism in one sentence: "The new deciding factor is the escalation of war in Vietnam." His statement comforted all who think our economy still feeds on war. In Moscow, *Pravda* used it to headline a story: "Death Merchants Count Profits."

Rinfret saw it the other way around. Certain that the system was already straining toward the limits of its capacity, he feared the overload of weapons orders. "We're tight as a drum, and this will blow off the top." He also found out that the rise in war spending would be at least $8 billion, much of it hidden by accounting tricks and some of it to be admitted later in special appropriations.

"We'll have a salami budget—one slice at a time," he said in December. "The stock market will soon figure out that the Government has to slap down on inflation, but nobody knows how hard. That means uncertainty."

He turned around and sold hundreds of millions worth of high-priced stock well in advance of the market's February plunge. Setting cash aside, he resolved to go on a buying spree when the war is stabilized—or peace breaks out.

He feared, however, that Vietnam would destroy the U.S. hope for steady, long-term growth into the late 'Sixties and early 'Seventies. " 'Sixty-six is dangerous," he said. "If we don't have the guts to face it, the economy will crack apart and get sicker than it was in the middle 'Fifties. Right now, we'll make or break the next five-year trend."

Heckling both business and Government, he worked over clients eager for price boosts. "You're greedy," he told one basic manufacturer, who soon ended up in a price battle, losers with the White House. "You'll bring on big wage demands, maybe direct controls. You'd better live with the verbal, jawbone controls the President is using now."

Then he tangled with the President himself. The issue: How much was industry actually going to spend on new plants? Edie & Co.'s survey of big companies, having spotted the makings of a peaceful boom last September, indicated by February that our Viet buildup had piled on a dangerous extra. It showed manufacturers raising plant construction by 32 percent, half again as much as the Government was expecting. President Johnson, who had previously cited Rinfret data as gospel, took a public swipe at this embarrassing new evidence of economic overload. "One does not debate with the President," retorted the forecaster. "Nevertheless, we'll stand by our figures." The President soon backed away, in effect, by jawboning for restraint in factory building.

The danger has now become clear. If the war causes industry to create too much capacity, a leveling off in war demand will shut hundreds of factories and cut off further plant building. The result will be an "overcapacity" recession far rougher than those brought on in the 'Fifties by nothing worse than inflated inventories. "We can't sustain this growth rate in the long haul," says Rinfret. "We'll pay for it later, in a dead economy. By this fall, you'll hear a lot of yelling about recession. The war makes us unstable."

The Johnson Administration can, with businessmen's help, keep the crisis in bounds. All of us feel Johnson's pressure right now in the bigger tax withholdings from our paychecks. LBJ has plenty more muscle. In addition to tax bites, tight money and a hammerlock on the budget, he knows dozens of sneaky pressure points: slow processing of FHA mortgage applications, delay in paying bills and a deliberate squeeze in every area where bureaucracy reaches the private sector. But most politicians doubt that Democrats will do this unpopular job joyfully in an election year.

Worse yet, the political split over Vietnam policy makes for fudging on the economic front. Conservatives, all-out for action in Vietnam, are slow to admit its cost at home. Liberals, eager to pass more Great Society programs—now!—have been dismally slow to admit how badly the economy is strained. And both sides seem uneasy in this strange new world in which war itself, no longer a practical stimulant, produces neither hidden benefits nor the chance to cry against war profits. Perhaps too many of us are silenced by the knowledge that we have been accidental beneficiaries of past wars. Even Negroes, left out of most breaks, got their first fair chance at factory jobs in World War II.

There is, happily, one irresistible force pushing in the right direction: Lyndon Johnson's ego. He is not running this year, but he will be up in '68. If he lets the economy blow the roof off now, it will fall back too hard in '67 to be raised by November '68. But if he holds the lid down for the rest of this year, he can keep the '67 recession shallow, and we will be back on the healthy, peaceful growth curve by voters' day, '68. The President's advisers, I find, have explained the arithmetic to him.

To show what's ahead, forecaster Rinfret has projected the President's alternatives for Look (see chart below). [Chart not printed in Record.] We've been riding the top line into danger. But what is good for the country in this situation is just as good for LBJ, and he's begun to look like a strong man, with both the jawbone *and* the hold-down powers of his office.

The power to control economic growth, or to fail to, is, in a quiet way, as shocking as the power to command nuclear weapons. Both give fallible men the capacity—and with it, the necessity—to make deliberate decisions that nobody may be wise enough to make. Yet, for Lyndon Johnson, the promise is as great as the menace. He has the chance, with luck, to turn the New Economics into a practical equivalent of war.

A NATIONAL EDUCATIONAL TELEVISION VIEW ON VENEZUELA

Mr. **WILLIAMS** of New Jersey. Mr. President, National Educational Television has given its audience many valuable insights into major issues of our times. One recent production—"Venezuela, Last Chance for Democracy"—was especially timely and helpful to anyone who wishes to understand the deep-rooted challenges confronting the Alliance for Progress and other efforts to strengthen democracy in South America by improving the lives of its people.

NET and its series on the "Changing World" are to be commended for this latest production. I ask unanimous consent to have the transcript of the production printed in the Record.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

A Complete Transcript of National Educational Television's Changing World #12: Venezuela—Last Chance for Democracy

From: National Educational Television, 10 Columbus Circle, New York, New York 10019.

This documentary report from Venezuela—the richest country in Latin America and the number one target for communist activity—is the story of people, described by a Latin American journalist as "the faceless ones"—the people who will decide ultimately whether democracy in Venezuela is to survive. N.E.T. reporter Arthur Zegart and his film crew follow the story from Venezuela's capital, Caracas, to a region far to the south, Guayana on the Orinoco River, where the government has made its major commitment to urgently needed economic and social reforms in this new industrial city. A Catholic priest, a young man from the "barrios," a farmer, a social worker—the faceless people caught up in an attempt to build a new city—tell a story that has meaning ultimately in every city, new or old, in the American hemisphere.

For Release: After 7:30 P.M., Wednesday, April 27, 1966.

Broadcast Time: New York City, WNDT/Channel 13, Thursday, April 28, 1966, 8:30 p.m.

Producer/Writer/Director: Arthur Zegart.

Associate Producer: Peter S. McGhee.

Film Editor: Sidney Meyers.

Narrator: Oscar Rose.

"Changing World #12: Venezuela—Last Stand for Democracy" is a production of National Educational Television.

Voice of a Venezuelan. You see the big, the fundamental problem between America—North America and Latin America is uncomprehension . . . they do not know each other very well. What is the image you have of us? The image of a picture of Ricardo Montalban . . . a big guitar and a gentleman and senorita serenading with a full moon and a big mustache and leave everything for manana . . . that's not true . . . two hundred and forty million people live south of the Rio Grande, and they are struggling to find their way to stable, democratic, just institutions . . . Listen . . . Democracy must be made possible in Latin America . . . the future of occidental civilization is not in the Middle East or in Vietnam or India, it's here! Now, is it possible for democracy to establish itself in Latin America? Of course it's possible. Democracy is not built in one day. It is not built in one week . . . it's very difficult to build democracy . . .

Announcer. National Educational Television Network's Changing World presents . . . Venezuela . . . last chance for Democracy . . .

Narrator. Venezuelans call him Juan Bimba . . . the obscure, struggling Mr. Average Man.

For 150 years . . . through times of tyranny and revolution . . . the image of the ineffectual toiler . . . Juan Bimba . . . has remained the same.

Today that image is changing . . . not only here in Venezuela but all over Latin America Juan Bimba is emerging with a face and a purpose . . .

On this Mr. Everyman rests the future of democracy in Latin America . . .

In Venezuela . . . where democracy's chances are best . . . Juan Bimba is challenging democracy to make good on its promises.

Campesino (in Spanish). I want, I want a plot like this, one that is my own, at least like this one here, or somewhere else, but one that is mine with papers, but it hasn't been possible to find: it isn't found; they offer it to us but they haven't comply.

McGinn. He doesn't have title to his land yet and he is eager to get that title.

Campesino (in Spanish). One lives, day by day, struggling . . . but they haven't delivered.

McGinn. It's a constant struggle, you know, the government people come by, they see the problem, they make promises, but they don't deliver. And he lives in this state of anxiety about whether or not he is going to get help, whether or not he is going to get his title, and nothing, they don't come through. How does one help himself, you know. He does everything he can. You can see the problem, it's immense. He's got all these mouths, all these kids to feed. He works as hard as he can, but the land only yields so much. What he would really like from the government is a well and machinery to irrigate . . . because then he could grow all year long and he could produce three, four, five times as much as he is producing now—and he could feed his children and have money left over.

Campesino (in Spanish). Because what happens is that the government helps those who have something, [but] who doesn't have anything the government doesn't help.

McGinn. He says the government helps those who have.

Zegart. What's that?

McGinn. The government helps those who have, and if they don't have, they don't help.

Paul Molinas. We have to prove on the level of local government that democracy here in Venezuela works. We have to prove it to the people, not to anybody else, we have to prove it to the people by the means, by the ways of actual progress . . . because we're trying . . . the greatest possibility for the Communists to take advantage of with their propaganda is the people's frustration and lack of confidence in us and the government, and this type of democratic regime. We have to convince them that—as I said before—that democracy with a full stomach is possible . . . the people now want their problems to be solved. They . . .

Zegart. They expect it?

Molinas. That's the big problem, people don't want—as I said before—to wait until tomorrow or the next day . . . and I remember that some American friends of mine used to have an attitude of Latin America—the land of tomorrow—everything is done tomorrow . . . I think that land of tomorrow, from the people's point of view, is the land of today . . . they want their problems to be solved today . . . but the problem is that in that time, in the short to the long period, politically, we can't wait . . . because the people can't wait. You can see, for instance—internationally—that Latin America—all Latin America—I think, is holding this same attitude, I don't think it's only here in my city, I think it's all over Latin America.

McGinn. Men now know, or believe anyway, that they can control their own destiny. That we now have the capacity of making this world really something. We didn't have it before. We didn't have the technology. And everybody knows this, even the guy down at the bottom. He knows he can't do it by himself, but he can see the things that are happening in the society. So that if you don't deliver, you don't come through, then he's going to go to some system which does say that he—that they can deliver. He's going to choose some other way of government, for example. Some other political philosophy . . .

Narrator. Noel McGinn, specialist in Latin American development, talks to N.E.T. reporter Arthur Zegart.

McGinn. This is the thing. You either deliver, you either pay off, or you get out of the game . . . this is the risk that any democratic society, any open society takes. Any society that is interested in offering its people a better way of life, or developing its own human resources.

President Kennedy. Unless the great mass of Americans share in increasing prosperity, then our Alliance, our revolution, our dream, and our freedom will fail. But we call for social change by free men, change in the spirit of Washington and Jefferson, of Bolivar and San Martin and Marti: not change . . .

Narrator. With these words . . . five years ago . . . the Alliance for Progress was born . . .

President Kennedy. A century and a half ago. Our motto is what it has always been: progress yes, tyranny no.

Ladies and Gentleman, Mr. President, one of the Kennedys does not need an interpreter, so I'd like to have my wife say just a word to you . . .

Jacqueline Kennedy (in Spanish). (Sound on film.)

Narrator. Five years ago a new American President captured the imagination and hearts of the people of Venezuela and all Latin America . . . memories of the bitter years of doubt were beginning to fade . . . through President Kennedy, the great Democracy to the North was linked once again to the aspirations of the common man in Latin America.

150 years separated the dream of the liberator . . . Simon Bolivar . . . from the realization of democracy in Venezuela . . . in the last national elections communists threatened violence to anyone who voted. But 90% of the people went to the polls . . .

They elected Raul Leoni to succeed Romulo Betancourt . . . the first president in Venezuelan history to hand over a constitutionally elected government to a successor . . . an election that affirmed the people's confidence in democracy as the way to urgently needed economic and social reforms . . . Venezulean politicians reject any suggestions that their democracy should imitate any other democracy . . .

CARACAS

Doctor Ramon Yllarramendy and Congressman Nicomedes Zuluaga.

Zuluaga. I believe that the American government in the last ten or twelve years has worried themselves only with the . . . you know . . . what I call the general aspects of democracy, a formal democracy . . . but nothing inside.

Zegart. You don't believe that we practice it?

Zuluaga. No, you do practice it at home, but you don't sell it to us south of the border.

Yllarramendy. Perhaps the problem is if you can say or not . . . Democracy is an exportable item . . . . Something you can send to other people . . . perhaps it is something that every people has to find by themselves . . . to go after it and to pass through all the experiences, revolutionary experiences, you have passed through in the United States, but each one in their own fashion. I think there is a point there, that you cannot bring democracy just as you practice in the United States, and send it, no matter with how many millions or billions of dollars, down and say well, gentlemen, Venezuelans or Dominicans or whatever you are, this is what you have, this is the blueprint for your new life, you are going to be happy . . . you are going to have iceboxes, you are going to have TV sets, big automobile industry . . . as we do have here in the States. You can't do that any more.

Narrator. Above Caracas, in the clouds around Mount Avila, stands a reminder of the grandiose dreams and catastrophic regime of the dictator . . . Perez Jimenez.

For eight years, while the real needs of the country were ignored, General Jimenez squandered the great oil riches of Venezuela on the building of such white elephants as this empty, almost inaccessible multi-million dollar hotel, with a kickback on every brick.

Now it is just a diversion for the curious . . . a place to take the kids on Sunday . . . the Latins call it "Fachadismo" . . . the big front . . . this era of pyramid building came to an end when the dictator was finally overthrown in 1958. He fled the country with an astronomical fortune and the Legion of Merit awarded him by the United States . . . his legacy was a bankrupt country . . . some of the most costly monuments in Latin

America . . . and some of the worst slums in the world . . . "El Lujo de la Miseria" they say . . . the luxury of misery.

The Rancho slums of Caracas are not confined to one quarter . . . they are spread over the entire city . . .

In these ranchos live one-third of the city's million and a half souls . . . an exploding population of have nots . . . doubling in size every twenty years . . . half its number are under twenty years of age . . . a third are illiterate . . . a fifth of its men are out of work . . .

This is what democracy inherited . . . a legacy of massive neglect . . . of children unschooled . . . of needs unmet . . . of human resources wasted . . . they were drawn from the farms and villages of Venezuela . . . by the magnet of opportunity.

A quarter century of oil money and a growing middle class have created a spectacular appearance of prosperity and conspicuous consumption in the capital . . . Caracas has more automobiles per capita than New York City . . . it has seven television stations . . . all the good things of life are here . . . for those who can pay the price . . . and in Venezuela . . . with one of the highest cost of living rates in the world . . . the prices are very high . . . Venzuela's prosperity . . . reflected in the highest average income in Latin America . . . offers a diet high in appeal and high in nutrition for those with high incomes . . .

In the barrios, the low income diet sustains life and not much more . . .

The gap between the haves and the have nots is growing wider . . . population pressure in the barrios has brought the shacks of the poor down to the heart of the better residential areas . . . for every slum family that has lifted itself out of the barrios, a new one has come to take its place . . .

This ex-farmer traded rural poverty for city poverty five years ago, when democracy's hopes seemed within reach . . .

Today these men are still part of the city's unemployed . . . with all the luxury building going on around them, they can get no jobs . . . they have no skills or training . . . their wives may find work as servants, but they have no place as providers for their families, and their children must grow up as best they can . . .

For most of the rancho people, democracy so far has not made much difference in their lives . . .

CARACAS UNIVERSITY

Venezuelan dictatorship built University Centrale in Caracas with a nine story library empty of books and a campus almost empty of students.

Venezuelan democracy filled the library with books and the classrooms with students. It also guaranteed them freedom from interference. In the Latin tradition, the university is a protected community of learning.

There are over twenty thousand students at Centrale University. They study everything from archeology to agronomy. Most of the country's urgently needed professionals come from here. But there is a lot more going on than just studying for degrees. When democracy educates people, it starts the pot boiling. The government is getting a great deal more than it bargained for—and much that it doesn't like but can't do anything about.

The university has become a sanctuary for all brands of political agitation and dissent.

Zegart (V.O.) Why is the university such an important center for Communist agitation?

First Student. There is a tradition between the youth of Venezuela to be on the left, to be for the revolution, to be for a change in the government, and the minority of activists of the communist party try to move all the students behind them. The student is not communist but he finds that communist is the better solution, but not the best.

Third Student. We don't want to make political in the university, but the communists go in the university to be political, and we have to go in the university with the same ideas.

Second Student. They have arms we can't use, that's another thing. They have violence, they have lots of arms we can't use because we have—I am an independent—and they have ideas we can't sustain.

First Student. They don't use only democracy for to destroy democracy. They use cruel violence, civil war . . . they want to take the government. They can't take the government by democracy . . . in the beginning of the revolution, all Latin American people were with Castro . . . in 1960.

Second Student. 1958 . . . when he came here . . . lots of people went to see him.

Zegart. What's happened since then?

Second Student. Well, people just knew what he was, knew what he went for, and knew that they didn't want him. He was a communist and he couldn't get the solutions that people wanted. He had other solutions. He sold himself.

First Student. I think that the United States have some guilt . . . are guilty about the communists in Cuba.

Zegart. Excuse me, I want to get that straight, you say that the United States has some guilt, or some responsibility in creating communism in Cuba.

First Student. Oh yes.

Zegart. What do you think about Santo Domingo? Do you think that we're—that the United States is mistaken there?

First Student. Yes.

Zegart. Why?

Third Student. A big mistake.

First Student. I think there was not a revolution communist . . .

Third Student. What would the people of the United States say if the Venezuelan army goes into Little Rock and say that they want to protect the Venezuelan people that live in Little Rock because they are hating all the black people. What would they say? They don't like that. They don't want that other country goes in there to protect the Venezuelan people that are in the United States. Is the same thing with Santo Domingo. Why the United States have to go into Santo Domingo to protect the American people?

Zegart. Well, is it your feeling that the United States is basically . . . makes some basic misinterpretation about Latin America?

First Student. Americans are too afraid of communism in Latin America . . . when they hear "revolution" . . . they think "communists."

We think we need a revolution in Venezuela. But a revolution without violence, without executions, without blood . . . not a Marxist revolution but a Christian revolution . . .

Zegart. What is the nature of that revolution? What does that revolution do for Venezuela and the people?

Student. For the first time the revolution will be done, with liberty . . .

Zegart. With liberty?

First Student. Yes, in democracy, with elections, and if the people is not happy with our revolution, the people can put us out with elections.

Second Student. Our problem is to be a democracy and to give the people a good way of living not the communists is not the first problem that we have. Sometimes the United States think that in Latin America the first problem is the communists. We don't think that. We think that in Latin America the first problem is to give work, is to give education, to give hospitals to the people, and after that the communists will go, like in the United States, go out.

Narrator. But the Communists are very much a problem to democratic government in Venezuela, and the university is very much a part of that problem . . . the slogans of Havana, Moscow, and Peking are prominent on the campus . . . the university is a rallying ground for the militant left and a recruitment center for the communists' open war of terror, violence, and sabotage against the democratic government, which they call a captive of foreign business interests and Yankee imperialism . . .

The communists have failed to win support in the cities . . . today armed bands of the communist underground are active in the sparsely populated, mountainous interior . . . chiefly in the states of Falcon, Lara, Barinas, and Bolivar . . .

The striking force of the communists in Venezuela calls itself the National Liberation Front—The F.A.L.N. . . . its guerrillas style themselves after Fidel Castro and their tactics after the teachings of Mao Tse Tung.

These films, showing guerrilla band activities, were made for F.A.L.N. propaganda use abroad.

The government of democratic Venezuela . . . which communism has named its number one target in Latin America . . . calls the guerrillas bandits and terrorists . . . they call themselves heroes and liberators, bringing the revolution that they say democracy promised but didn't deliver . . .

Facts are hard to get about F.A.L.N. strength. The government minimizes—the F.A.L.N. exaggerates—the number of guerrillas in the hills . . . by their own estimates there are over five thousand . . . according to the government less than five hundred . . .

But guerrilla activities do succeed in tying up units of the armed forces and the national police . . .

The guerrillas are active chiefly in the interior, where they try to win support among poor, isolated, and politically unsophisticated peasants of the region.

F.A.L.N. strategy involves the Venezuelan army. The F.A.L.N. hopes to create enough disorder and sense of insecurity through terror and violence to provoke the armed forces into taking over the government in the name of order and public safety. The communists hope that the people's reaction to another military take over would carry them finally to power . . .

156 revolutions, uprisings, and mutinies marked Venezuela's turbulent first century and a half of independence . . . behind every "Golpe" . . . Venezuelan slang for violent change of government . . . were the generals and their armies . . .

For eight years now, the army has resisted the provocations of the left and the enticements of the right. It has remained loyal to the democratic government. . . .

These cadets were selected from all over Venezuela. They are being trained to take their places in an officer corps once restricted to a wealthy elite. This may reduce the danger of the army turning against the government, but the tradition of the army as the guardian of law and order is deeply rooted. No one can say that the officers, faced with public disorders, would not . . . as they have so many times in the past . . . yield to the temptations of power . . .

So far the army has been unswerving in its support of democratic government . . .

But the army's loyalty depends on democracy's performance . . . democratic government to survive must deliver on its pledge to take the country out of the past . . . into the future . . .

GUAYANA

The Venezuelan democracy has staked its future far to the south, in the state of Bolivar, where two great rivers meet at a place called Guayana.

Where centuries before the conquistadores sought the legendary golden city of El Dorado, Venezuela today is building a new city.

A city not of gold and diamonds but of work and promise for the people of today and tomorrow.

These Venezuelans have found the new El Dorado . . . they have work and a future in Guayana . . . they are part of the government's bold attempt . . . to take the almost unlimited natural resources of the region . . . and join them with the human resources of Venezuela . . . and to combine all of this in the creation of a huge new industrial city called Ciudad Guayana . . .

Here they've started a modern industrial society . . . at the heart of the project is a government owned steel plant . . . one of the few in existence in Latin America . . . one of the richest, most extensive iron ore deposits in the world . . . and one of the world's great waterways . . . the Orinoco River.

A few years ago Ciudad Guayana was just a frontier town . . . today ten thousand people have good new homes here, and their children go to school. In Venezuela the scheme is called "sowing the oil" . . . creating with oil revenues opportunities that would not otherwise exist . . . to those Venezuelans, democracy has kept its promise.

This experiment in Ciudad Guayana is Venezuela's big gamble with its future. All Latin America is watching this attempt to solve social and economic problems through industrial development.

McGinn. These are the cheapest houses that we've been able to build here in the area and even so they are out of the range of about thirty percent of the population right now.

Narrator. N. E. T. reporter Arthur Zegart talks to Noel McGinn, Harvard University consultant to the government planning agency.

McGinn. I don't think it's a question of—maybe it is—a question of the plan going wrong, so much as everything ends up costing more than anybody had anticipated. They're all kinds of unexpected bottlenecks which occur . . . the steel mill isn't producing as much money as the government had hoped it would—in fact, it's still running in the red. As a consequence the plan had included that the steel mill would begin to pay for some of the social development costs—in terms of the kinds of amenities that we think should be here. But this hasn't happened, the steel mill hasn't produced the kinds of funds which would be necessary to make the city or the plans self-sustaining. So all the social development projects get cut back because the economic development projects are considered more basic. They're considered most important.

Narrator. Ciudad Guayana is really two cities . . . one of light, and the other of darkness—a shadow city, unplanned for, unanticipated.

Eighty-five percent of the city's seventy thousand people live here . . . "Parachudistas" they are called . . . Parachutists . . . the people who descended with their families on Ciudad Guayana looking for opportunities which do not yet exist . . .

This is what most of them find in the new El Dorado . . .

This is a place of bad news and grim statistics about families and their children . . .

One-third of the families have no regular means of support . . .

Fifty percent live in homes built of cardboard, tin, or raw mud adobe . . .

Fifty percent of these homes have at least eight people living under the same roof . . .

In the shadow city men out of work lack the training to meet the requirements of modern industry . . .

More than half the adults never went beyond the third grade . . . they know the only chance for their children is education . . .

There was no school in the barrio until the people themselves built this tin school which was intended for two hundred children . . . now they are trying to accommodate six hundred in three shifts . . . the government school projects are behind schedule . . . in other barrios there are children and no schools at all.

Education in Latin America is the special concern of Russell Davis, Associate Director of the Harvard Center for Education and Development, and his colleague Noel McGinn.

Davis. Yeh . . . one out house . . . Oh, is there another one . . . well two is still not enough . . . to say nothing of having it an outhouse in the first place . . . No, when I first came here the whole back wall had been blown out . . . they said they were going to build a new one first . . . there's no point in doing much repair . . .

Narrator. As consultants of the Venezuelan government, they know that in the priorities of Guayana's industrial development, education has lagged seriously, despite the government's concern . . . they see an urgent need to revise the priorities before irrevocable harm is done to the children's education.

Davis. Boy . . . this is a big day . . . That's the problem with those damn things . . . I mean that won't hold up . . . one good wind storm and down it goes . . . he's a live one that one there . . . he may carry his books but he's no book worm . . .

With the odds that are against them in every way from health to education . . . the kid can very well become discouraged and be the drop out of which . . . what's the survival rate in these schools here?

McGinn. Less than thirty percent . . . on the other hand it isn't sufficient just to tell these kids, you know, that this is a democracy and the teacher is great for them . . . because in the day to day situation, when they have to go to school hungry or when there isn't any school or when they don't have the money to buy books . . . these long range goals just fade out of sight.

Davis. They have to get the minimum of comforts, standard nutrition and health, and economic opportunities . . . but if this doesn't come, a bunch of verbiage about any democracy is just exactly that . . . words . . .

Narrator. You get what you can out of life day by day, but nineteen-year-old Ramon Leon has his mind on tomorrow . .

Everywhere he looks he sees evidence of promises made but rarely kept. Ramon sees life here for what it is . . .

Ramon came to the barrios as a child—he has seen what it has done to the people around him.

Some feel they have to speak out: in the barrios Ramon Leon is looked up to as a leader. His friends and neighbors come to him for help. He writes for the mimeographed barrio newspaper. He doesn't pull any punches.

Zegart. He's pretty young to talk that way, isn't he?

McGinn (in Spanish). You are young to be talking this way.

Leon: (in Spanish). Many times one learns because of contact with other people.

McGinn. Yes, but one learns something living in this kind of atmosphere, living in this kind of environment.

Leon (speaking in Spanish)—McGinn (translation over Spanish). But here, for example something is missing . . . many people would like to have something, to possess anything, to be able to help others—even if it is only a crust of bread—but that it be something . . . however, not having anything then they come to feel a sense of despair . . . for when they start to eat and they see the many other people who aren't able to do the same because they don't have anything to eat and the people eating can't give them anything because there isn't enough left over . . . and in a country like this where one can see and feel the richness and the resources and yet we're not able to take advantage of this because we don't have the training . . . and as a result we have to turn to other countries . . . and then these people come in and they take jobs that a Venezuelan could do . . . not that it is their fault because we're not ready yet to do those jobs.

We don't have the training yet . . . what all this . . . what we're looking for then is a better future . . . one in which we can begin to have some of the things that you have in the United States or in countries like Germany and Italy.

McGinn. He says one of the fundamental differences between Venezuela or the life he lives, anyway, and that of the United States is that at least there the people have something they can give each other. Here the poverty is such that they don't even have a piece of bread that they can give to their neighbor. And what he wants to happen is that the people become trained enough and educated enough so that they can work enough to make such a standard or living where they can help each other.

Zegart. Does he feel . . . that a lot of this is unfair? It's not too much distant, only across the river—where there is a different life.

Mr. McGinn (in Spanish). Do you think that the situation here is unjust? On the other side there is plenty of wealth, plenty of money, whereas here there is poverty. Do you think that is unjust?

Leon (speaking in Spanish). One has to get used to not saying anything because . . . what can you do about it . . . how can you go about changing the situation . . . one gets used to being quiet because it often appears impossible to do anything.

McGinn. It is unjust, he gets angry, he gets frustrated, but one has to learn to put up with it.

Narratok. The rows of ranchitos are growing longer . . .

The squatters are getting no closer to having something of value that is theirs . . .

The land they've settled on is not theirs . . . the government has long range plans for it . . .

The simplest tools of existence . . . are beyond the means of many.

This is a place of bad yesterdays . . . precarious todays . . . and uncertain tomorrows for almost everyone in the barrios . . . discouragement touches even the chief of social work for the government planning agency in Ciudad Guayana.

McGinn. These are the kinds of things she is concerned about, that of providing the basic necessities that people have to have in order to be able to raise themselves up. And she feels that at the present time they are not being provided, or at such a slow rate that they are moving backwards.

(In Spanish): And what are the consequences when the people are not satisfied?

Social Worker (in Spanish). The confidence that the person has in other people dies . . . and his own image of himself is slowly destroyed.

McGinn. What happens if their hopes aren't satisfied is that people lose confidence in other people and also in themselves, they lost trust in others, trust in themselves, and it takes an awfully long time in any future attempt to rebuild this confidence to build it up to a point again where people really function.

Social Worker (in Spanish). I'm a pessimist because the optimism I brought with me is now diminishing.

McGinn. She says she is a pessimist because the optimism she brought here to the zone is diminishing. . .

Narrator. In the midst of the darker, ominous other world in Ciudad Buayana . . . lives a Catholic priest . . . Monsignor Zabalata . . . who knows the sorrows of the people of his parish . . . the reality which denies so many of them the opportunity to earn a living for their families . . .

McGinn. And the chief consequences of frustration, of poverty, of misery is immorality . . . in his terms . . degradation of the human spirit . . . they have a one way ticket to here, they have no return ticket . . .

Monsignor Zabalata (in Spanish).—McGinn (translation over Spanish). There's a family I've known for some years . . . Pedro's family . . . a very decent family . . . interested in educating their children. Their oldest daughter is very bright . . . I noticed she had stopped going to school, so one day I stopped by the rancho to ask her father why . . . I explained to him that she had been getting very good grades in school and had a chance for an excellent job and could improve the fortunes of the whole family . . .

McGinn. It finally came out that the father of the family had been out of work for some time . . . he couldn't find work, he could neither, in his words, "neither steal nor rob," so he took the only course that was open to him to give his family some means of eating: his daughter had to become a prostitute.

Zegart. Is that very common?

McGinn (in Spanish). Does this occur frequently?

Monsignor Zabalata (in Spanish). There are enough cases, too many cases . . .

McGinn. Plenty of cases.

Monsignor Zabalata (in Spanish) . . . and even more shameful, cases where men sell their own wives.

McGinn. And sometimes even the women have to turn to prostitution as a means of . . . the mothers . . .

Monsignor Zabalata. It is a desperate situation, that's clear. They can't rob or kill, so they prefer to sell their own wives or daughters . . . they have to eat . . . they have to live . . . so they harden their hearts . . .

McGinn. What happens is that they have to cut off all their feelings, they have to remove all the sentiment from this . . . this is the only way they can handle the situation . . . to become hard-hearted, is what we would say in English . . .

Monsignor Zabalata (in Spanish). They are destroyed.

McGinn. Without that they get torn to pieces.

Narrator. The blind man and his son must wait.

Paul Molinas, town counselor in Ciudad Guayana, is pressed on all sides for answers to problems as urgent as theirs . . .

Who can say which must come first . . .

The whole city is the office of a politician in Ciudad Guayana.

Paul Molinas is a young man with a lot on his mind.

Molinas. We have to prove on the level of local government that democracy here in Venezuela works. We have to prove it to the people, not to anybody else . . . we have to prove it to the people by the means, by the ways of actual progress . . . because the greatest possibility for the communists to take advantage of with their propaganda is the people's frustration and lack of confidence in us and the government, and this type of democratic regime. We have to convince them that as I said before, that democracy with a full stomach is possible . . . the people now want their problems to be solved.

Zegart. They expect it.

Molinas. Exactly, exactly . . . that puts us in a place . . . all the levels of government, local government, or regional or national government, puts us on quite a spot. We need time and money, and the big problem is that we have little money and little time, that's the big problem, people don't want—as I said before—to wait until tomorrow or the next day . . . and I remember that some American friends of mine used to have an attitude of Latin America—the land of tomorrow, everything is done tomorrow—I think that land of tomorrow, from the people's point of view, is the land of today . . . they want their problems to be solved today . . . but the problem is that in that time, in the short to a long period, politically, we can't wait.

Narrator. For want of a well the farmer must buy water from the city water truck.

For want of machinery, he must clear his land with a machete, and he can barely grow enough for his own needs.

Campesino (in Spanish). That's right, they deny it to me. They won't give it to me. So I have to take the kids out of school because I don't have the money to buy school books for them . . . the kids can't keep studying because I don't have the money to buy books, books cost 20 bolivares. I can't find the money anywhere, they won't give it to me . . . what can I do?

McGinn. He says he gave his vote to this government because he had the belief that they really were going to help the campesino. But they haven't delivered, they haven't come through, and the campesino is the one who is getting the least help. He says when he asks for help they give him not nearly enough. He has to pull his kids out of school because he doesn't have enough money to keep them there, not even to buy books or clothing for them to go to school . . . they don't give him the minimal things that he needs to be able to really help himself.

Zegart. And he doesn't have any sense at all that they want to, that they try, that they care about him?

McGinn. He doesn't really understand why. He says that . . . he doesn't know why they don't help the people who really have needs. Instead they help the people who don't have need.

Campesino (in Spanish). Some like it.

McGinn. He says some people like the government.

Zegart. Is he concerned about us? Strangers coming like this?

McGinn (in Spanish). And what do you think of foreigners who come around asking questions . . . and what do you think we are doing here?

Campesino (in Spanish). I know what they are doing.

McGinn. (in Spanish). Tell me.

Campesino (in Spanish)—McGinn (translating over). Well tomorrow, when the picture comes out . . . and I'm in it and I'm talking and people are hearing . . . whether I talk in favor of or against the government . . . I have to talk in favor of the government because it's legitimate . . . it's correct . . . and besides there are so many of my companions and I who fought together . . . who struggled for so long . . . I'd be a quitter.

Zegart. Is he afraid? Would he be afraid to talk against the government?

McGinn (in Spanish) Would you be afraid to talk against the government?

Campesino (in Spanish). No, I'm not afraid of talking, why should I be? But I'm not going to talk against the government either.

McGinn. He is not afraid, but he's not going to talk against the government.

Zegart. He has a hard life now, but what does he expect for his children, what does he think he can get for them?

McGinn (in Spanish). What do you think the democratic government is going to give your children? Do you think they will have a better future due to this democracy?

Campesino (in Spanish). That's a good point . . . what the democracy does offer is a chance for my children to become something tomorrow . . . maybe the day after . . . to learn anything . . . to become a doctor, or a mechanic, anything that they want. . . . if they struggle . . . and . . don't stop struggling . . . if they fight and fight to the end and don't quit.

McGinn. He says one has to keep fighting, without fighting you are a coward, fighting to the end so that his children can study, so that they can learn. And with this learning, one can become a doctor, another one can become a mechanic, but they'll all have a chance to be something better. To defend themselves better in life than he has been able to, and suffering or not, the struggle has to keep up.

Campesino (in Spanish). Well, I think, you know tomorrow or after that, with the struggle, struggling it can be found.

McGinn (in Spanish). What form is it going to take?

Campesino (in Spanish). Ah, well, that . . .

McGinn. He says, yeah, they'll have a better future. I'm trying to get some idea of what form he thinks this future will take. It won't come tomorrow, it will come the day after tomorrow.

Zegart. He's sure it will come but he's used to waiting?

McGinn. Yeah, he's had to wait a lot.

Let me say one thing. It's all too easy in all the things that you've seen, all the inequities that there are, the shacks across the river, these houses that are being built, the nice houses up on the hill, the lack of schools, the lack of amenities in this area—it's all too easy to say that somebody's screwing up somewhere. My experience in all the Venezuelans I've talked to is that they're serious, dedicated people. They've got tremendous ideas. And you see it even more clearly here because of the fact that the Venezuelans are so eager now that they have a chance, now that they have a free government, to do something, you know, to really show what a democratic government can do, and in all the speeches—from all levels—from the lowest guy all the way up to the president—you get this tremendous mystique that we have a chance to do something great here in this country. You find it here in Ciudad Guayana, that people are aware that they are into something which is really new, you know, a chance to form a new community, and then the frustration comes because they can't bring it off. The frustration comes at the top and at the bottom because somehow it doesn't get moving.

Zegart. It's a tough thing to understand. There is an immense reservoir and resources.

McGinn. What they don't have are people. They're talent poor, you know. They're poor in education, they're paying for the errors or the injustices committed by the dictators before them who didn't provide that group of people in the society who are doers, you know? Who permitted the class distinctions to remain. Who educated the elite but didn't educate the people down below and now there's a growing middle class but it's still a middle class which are lawyers and doctors and economists and people like that instead of people who are going out into society and making things happen. You know, somehow, you've got to train a group of people—and fast—a group of people who know how to take the ideas and transform them into reality and then sell this reality to everybody in the system. So that the thing gets done.

If you show people how they could live better, you take a risk: because if you can't continue this development, if they can't continue to live better and better, and better, then they become more frustrated and more angry than if you had never shown them how they could live better, you know? It's like offering a child a large lollipop and giving him a small one, or showing him a great thing that he can achieve and then he can really only achieve a very small one. Or letting him achieve something and saying that he can't achieve any more. This is what produces the frustration. The people who've never gotten anything think that's the way they're supposed to live.

When they do get something, then they see they can have something much better than that, even. Better for themselves—more especially, and everybody has told us this—for their children. This is what counts for them. Now they have these hopes because they've been created by seeing what could happen, what could be done—now if these hopes aren't satisfied, if they aren't realized, then your problem starts.

And this is the risk—this is the risk that probably any democratic—any open—society takes. Any society that's really interested in making, offering everybody a better life. You risk failure. And if you do fail, the consequences are more serious than if you had never tried anything.

The way I like to express the problem is that we're up against the tide of increasing numbers of human beings. This is the tide that we have to all swim against, and if we all, if we are able to teach everybody how to swim against this thing, then nobody will get drowned. We will be able to lick the problem. But if we aren't able to, then some people are going to get swept away and probably most people are or everyone. Because the thing has now achieved such proportion and the problem is so great that everybody is going to be involved in the things that are going to happen if we aren't able to resolve the problem. We've already seen how some people here have lost, they've drowned you might say. They don't have any more fight left, but they at least have the hope that somebody else is going to make it. And this is what happens.

NARRATOR. The key need in Latin America today is "Growth" and "Development" . . . of its greatest resource . . . people.

A steel plant may be built in a few years, but the regeneration of human beings is a long, slow, a difficult process.

For without motivation and capacity, people cannot share the promise of their country.

Venezuela demonstrates that the fundamental idea of the Alliance for Progress . . . the vision of free men achieving in a free society . . . can nourish and sustain a people struggling to find their way to dignity and justice . . .

THE 50TH ANNIVERSARY OF THE NATIONAL JEWISH WELFARE BOARD

Mr. KENNEDY of New York. Mr. President, I am pleased to have the opportunity to pay tribute to the National Jewish Welfare Board on the occasion of their 50th anniversary. The National Jewish Welfare Board, universally known as JWB, began a year-long celebration of its 50th anniversary at its 1966 biennial convention at the Americana Hotel, New York, April 27 to May 1. The three major speakers were Ambassador Arthur J. Goldberg, U.S. Ambassador to the United Nations; Philip M. Klutznick, former deputy to the late Adlai Stevenson at the U.N.; and Chaplain Charles E. Brown, Jr., chief of the Armed Forces Chaplains Board.

JWB, founded in 1917, has a twofold objective: It is the national association of more than 300 Jewish Community Centers and YM-YWHA's serving 750,000 people throughout the country, and the Government-accredited agency for meeting the religious, welfare, and cultural needs of Jews in the U.S. Armed Forces and their dependents, and of hospitalized patients in VA hospitals.

I ask unanimous consent to include a chronology of the Jewish Welfare Board compiled by Mr. Bernard Postal that describes more fully the activities of Jewish Welfare Board over the past 50 years, and a letter of commendation from President Johnson in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FIFTY YEARS OF JWB—A CHRONOLOGY

(Compiled by Bernard Postal)

1917

JWB Organized in New York City, April 9, to Serve Religious and Welfare Needs of Jewish Military Personnel in World War I: Conference Convened by National Council of YMHAs and Kindred Societies Names Dr. Cyrus Adler President and Samuel Goldsmith Secretary.

U.S. Government Commission on Training Camp Activities Names JWB As Jewish Community's Instrument for Serving Military: JWB Begins Recruiting Rabbis as Chaplains and Hundreds of Field Workers.

Commissioning of Jewish Chaplains Authorized by Congress at JWB's Behest.

Col. Harry Cutler Succeeds Dr. Adler As JWB President (July 1).

Chester J. Teller Named Executive Director (Nov. 1).

1918

JWB Opens Servicemen's Centers for Jewish Soldiers at Domestic and Overseas Posts, Making Extensive Use of YM–YWHA Buildings.

JWB Becomes Part of United War Work Campaign.

200 Jewish Communities Organized for War Service.

National Association of Jewish Center Workers Founded, with Aaron Robison as First President.

1919

Registration and Identification of Jewish War Graves Overseas Undertaken by JWB.

Welfare Needs of Demobilized Servicemen Handled by JWB.

Harry L. Glucksman Appointed Executive Director.

1920

War Departments Asks JWB to Continue Morale Services for Peacetime Military.

1921

Merger with National Council of YMHAs and Kindred Societies, Founded in 1913 Makes JWB National Association of Ys and Centers and Agency for Serving Jews in Military as of July 1.

New England, New Jersey, New York State and Pennsylvania Federations of YM-YWHAs and Metropolitan N.Y. League of Jewish Community Associations, All Antedating JWB, Become Part of New Organization.

Judge Irving Lehman Elected President.

Community Studies and Building Fund Campaigns Undertaken for New Centers.

First Training Course for Center Workers Established.

1922

JWB Begins Intensive Programming Services to Centers: Lecture Bureau Organized and Jewish Center Quarterly Launched.

Building Bureau Established for Centers.

1923

Jewish Welfare Trust Created from Surplus of World War I Funds.

Field Service to Centers Initiated.

1924

JWB Servicemen's Club Opened in Hawaii.

Welfare and Religious Services Extended to Canal Zone.

JWB Helps Create Graduate School for Jewish Social Work.

1925

President Coolidge Joins JWB Leaders in Laying Cornerstone of Washington, D.C. Center.

Veterans Administration Recognizes JWB as Agency to Present Claims of Jewish Veterans.

Report 47 New Center Buildings Opened Since End of War, Bringing Total to 120.

1926

Religious and Welfare Services Extended to Citizens Military Training Camps.

JWB Cooperates with American Battle Monuments Commission in Marking Jewish War Graves.

1927

Convene First Training Institute for Center Workers.

1928

JWB Joins A.A.U. and U.S. Olympic Committee as Representative of Jewish Community in Amateur Sports.

JWB Reports Centers Employ 125 Full-Time Professional Workers.

1929

Centers Become Rallying Points for Protests Against Arab Riots in Palestine.

Stock Market Crash Brings to Halt Decade of New Center Building Construction.

1930

National JWB Conference Maps Emergency Economies in Center Operations.

JWB Helps Form National Conference on Jewish Employment.

1931

Centers Turn to JWB for Guidance in Coping with Depression Problems.

JWB Salon in Pershing World War I Memorial Hall in Paris Dedicated.

1932

Day Camp Programming for Centers Launched by JWB.

First National Center Basketball Tournament and Air Mail Track Meet Held.

JWB Joins President Hoover's Welfare and Relief Mobilization.

JWB Organizes American Team for first Maccabiad in Palestine.

1933

JWB Helps Launch Mobilization for Human Needs Under NRA.

Religious and Welfare Services Extended to Jewish Youth in CCC Camps.

National Recreation Programs for Unemployed Backed by JWB.

1934

Department of Health Education and Camping Established; JWB Holds First Camp Counselors Training Course.

Nationwide Regional Jewish Youth Rallies Conducted by Centers and JWB for Leadership Training.

1935

JWB and Centers Organize American Team for Palestine Maccabiad.

1936

JWB Leads Fights to Keep U.S. Out of Nazi-Controlled Berlin Olympic Games.

Personnel Department is Organized.

Pacific Coast Centers Organize JWB Western Association.

1937

Expanding Center Movement Pays Tribute to JWB on 20th Anniversary at Annual Convention.

1938

JWB Spurs Centers to Aid in Adjustment of Refugees from Hitlerism.

JWB Helps Organize National Jewish Committee on Scouting.

1939

Louis Kraft Named Executive Director.

Adoption of Mobilization Day Plan Prepares JWB for Wartime Role.

Midwest Section of JWB Founded.

1940

War Department Reaffirms JWB Role as Official Representative of Jewish Community in Serving Military.

Expanded Committee on Army and Navy Religious Activities Begins Recruiting Jewish Chaplains to Meet Mounting Needs of Armed Forces.

JWB Armed Services Workers Begin Organizing Local Communities.

Jewish Community Center Program Aids is Launched.

Frank L. Weil Elected President.

1941

JWB Becomes Founder Member of USO.

Hundreds of Jewish Communities Mobilize for War Service Under JWB Banner.

JWB Given Responsibility for Compiling Record of Jewish Military Participation.

Public Relations Program Undertaken to Interpret American Jewry's War Role.

1942

Organization of Jewish Community Center Division Spurs Service to Center Field.

President Roosevelt Lauds JWB on 25th Anniversary for Service to Nation and Communities.

Women's Organizations' Division Created for War Service.

JWB Begins Overseas Operations for Armed Forces.

JWB Helps Establish Associated Youth Serving Organizations, Alliance of 6 National Agencies, to Map Joint Action on Youth Needs.

1943

JWB Serves Military on 5 Continents Thru munity Groups.

Chaplains, Field Workers, USO and Com-

JWB Becomes Constituent of Greater New York United Jewish Appeal.

1944

Jewish Chaplains at Side of GIs as European Invasion Begins.

Overseas Army and Navy Committees Established.

JWB Becomes Sponsor of Jewish Book Council of America.

Southern Section of JWB Is Organized.

USO–JWB Programs for Military Help Generate Jewish Activities In Small Jewish Communities.

1945

War's End Finds JWB Serving in 588 Communities and at 203 USO Operations; 311 Jewish Chaplains on Duty.

JWB Organizes National Jewish Music Council and Launches Jewish Music Festival.

Independent Survey of JWB to Guide Postwar Programing and Service Gets Under Way, with Dr. Salo W. Baron as Head of Survey Commission and Dr. Oscar I. Janowsky as Survey Director.

Jewish Chaplains Aid Liberated Concentration Camp Survivors.

1946

President Truman Pays Tribute to JWB's War-Time Services.

JWB Takes Initiative in Creating World Federation of YMHAs.

Women's Organizations' Division Launches Serve-a-Hospital Program.

JWB Circle Is Born as Jewish Center Quarterly Suspends Publication.

Part-time Jewish Chaplaincy Service is Organized.

1947

"Janowsky Report" Calls for Stressing Jewish Goals and Programs of Centers; Adoption of JWB Survey Recommendations Ushers in New Era for Center Movement.

"Americans in World War II," Story of Jewish War-Time Heroism, by Dr. Samuel C. Kohs and I. Kaufman, Published by JWB.

JWB Joins in Creating Training Bureau for Jewish Communal Service.

Adopt Agreement on Mutual Objectives of Center Work and Jewish Education.

Jewish Music Council Sponsors International Competition for New Compositions.

S. D. Gershovitz Named Executive Director as Kraft Retires.

1948

Statement of Principles on Jewish Community Center Purposes Adopted.

Beginning of Postwar Center Building Boom Calls for Expanded JWB Services.

JWB Becomes Sponsor of American Jewish Historical Society.

Kraft Goes to Israel During Arab Siege to Set up Jerusalem YMHA.

JWB Takes Place in Reconstituted USO as New Selective Service Act Becomes Law.

National Jewish Youth Conference Founded Under JWB Auspices.

Centers Become Focal Points of Community Celebrations Hailing Birth of State of Israel.

1949

Center and Synagogue Relationships Explored by JWB and Synagogue Council of America.

First Jewish History Week is Observed.

69 Communities Engaged in New Center Building Program Get JWB Aid.

JWB Joins Veterans Administration Voluntary Service Program.

1950

Korean War Finds JWB Ready as Truman Proclaims National Emergency.

Rabbis Vote Self-Imposed Draft to Recruit Military Chaplains.

JWB Helps Form Associated Services for Armed Forces as USO Deactivates.

Jerusalem YM–YWHA Opened as First Center in Israel.

Irving Edison Elected President as Frank L. Weil Retires.

JWB Creates Frank L. Weil Awards In Its Three Areas of Service.

1951

President Truman Tells JWB "Morale is Your Job, Keep It Up!"

USO Called Back Into Service With JWB Representing Jewish Community.

Center Programs For Aged Expand Under JWB Impetus.

1952

Jewish Chaplains Serve Heroically in Korea.

Spirit of JWB Survey Recommendations Held Carried Out 5 Years After Adoption.

First JWB Year Book Is Issued.

New GI Haggadah Published by Chaplaincy Commission.

JWB Helps Create Council on Social Work Education.

American Jewish Historical Society Becomes Independent Society.

1953

JWB Sponsors Observance of Jewish Community Center Centennial.

Nationwide Drive to Recruit Center Workers Launched by JWB.

JWB Servicemen's Club Opens in Tokyo.

Ford Foundation Grant Helps Train European Center Workers in U.S.

1954

JWB Program Resources Used in American Jewish Tercentenary Celebration.

President Eisenhower Urges JWB to Maintain Morale Services to Military.

First Book on Center Practice Published by NAJCW and JWB.

Create Commission on Center-Federation Relationships.

Charles Aaron Elected President.

1955

Religious School Curriculum for GIs' Children Published by Chaplaincy Commission.

JWB Center Presidents' Club Is Organized.

First JCC in Paris Headed by JWB-Trained Worker.

1956

18 Community Studies on New Center Needs Completed, Initiated or Planned, A Similar Number Having Been Made Each Year Since End of World War II.

President Eisenhower Hails JWB Role in Building Good Citizenship.

JWB Associates Is Launched.

1957

Personnel at Newly-Opened Missile Bases Get JWB Morale Services.

Expand Scholarship Program for Qualified Young People Seeking Careers in Center Work.

National Jewish Writers Conference Sponsored by Jewish Book Council.

Public Affairs Activity in Centers Spurred by JWB National Institute on Citizenship Participation.

1958

Sabbath Programming Policy for Centers Is Adopted.

Jewish Chaplains on Scene as Middle East Crisis Erupts.

First Public Affairs Resolutions Approved by JWB.

Hold Family Programming Institute for Centers.

Approve Code to Promote Center-Federation Ties.

Lloyd W. Dinkelspiel Elected President.

1959

Jewish Values in Center Programming Appraised at JWB Conference.

Chaplaincy Commission Prepares Jewish Section in Tri-Faith Hymnal.

First National Training Institute Held for Center Women Leaders.

Solomon Litt Elected President on Death of Lloyd W. Dinkelspiel.

Broadened Scope of Center Day Camping Recorded at JWB Consultation.

1960

Centers Assume Role in JWB Financing With Adoption of Fair Share Plan at JWB Biennial.

JWB Joins Council of Cultural Agencies.

Sanford Solender Named Executive Vice-President On Death of S. D. Gershovitz.

JWB Takes Active Role in White House Conference on Children and Youth.

1961

Launch Broad Reappraisal of JWB Structure and Services.

Findings of JWB Study on Teenagers Is Published.

Chaplaincy Commission Conducts Leadership Training Projects at Military Bases.

New Military Buildup Spurs Call for More Jewish Chaplains and JWB Service.

National Public Affairs Committee Established.

JWB Participates in White House Conference on Aging.

83 New Centers Erected Since End of War Cost $80,000,000, JWB Year Book Reports.

S. D. Gershovitz Memorial Young Adult Research Project Started.

1962

Major JWB Structural and Service Changes Begin as Reappraisal Report is Adopted.

Mark Centennial of Jewish Military Chaplaincy.

Cuban Crisis Brings Swift JWB Mobilization.

JWB Aids Canadian Ys to Form National Council.

Convene National Conference on Center Programming in the Arts.

1963

JWB co-sponsors with NAJCW Historic Lakewood Conference on New Directions in American and Jewish Life and Their Impact on Center Work.

JWB Research Center Established in Cooperation With NAJCW.

Domestic Peace Corps and U.S. Cultural Arts Program Endorsed by JWB.

Dedicate Air Force Academy Jewish Chapel Equipped Thru JWB Efforts.

JWB Enunciates Supportive Position on Civil Rights and Urges Center to Follow Suit.

Legacy and Endowment Fund Created by JWB.

Consolidation of Regional Center and Armed Service Work Begins.

JWB Joins in Observance of 20th Anniversary of Warsaw Ghetto Revolt.

1964

Soviet Anti-Semitism Protested by JWB.

Crash Program for Recruiting Center Workers Gets Under Way.

Findings of JWB Young Adult Study Made Public.

JWB Canal Zone Center Aids Refugees From Panama Riots.

Foundation Grants Back JWB Recruiting and Scholarship Programs.

Jewish Chaplain and JWB Supplies Reach Vietnam.

President Johnson Says JWB and Centers Enrich American Life.

Ground Broken for Jerusalem YM-YWHA.

Florence G. Heller Elected First Woman President of JWB.

1965

5-Year Research Project Set Up by JWB and Brandeis University.

JWB, Hillel and CJFWF Join Forces in Conference on Jewish Young Adults.

Launch Two-Way Exchange Program Between U.S. and Israeli Social Workers as 23 American JCC Workers Attend Training Seminar in Israel and Israeli Workers Are Placed in American Centers.

Jewish Chaplain Aids Wounded as Crisis Erupts in Dominican Republic.

JWB Leaders Participate in Meetings With European Center Leaders.

Two More Jewish Chaplains Reach Vietnam as JWB Takes Steps to Meet Increased Needs of Military Personnel Resulting from Growing Vietnam Crisis.

First National Teenage Training Institute Convened by JWB.

1966

Louis Stern Elected President on Death of Mrs. Florence G. Heller.

Adopt New Program to Make Jewish Chaplaincy a Career Service.

Lavanburg-Corner House Renews Grant to Spur Recruitment of Center Workers.

Year-Long Celebration of JWB's 50th Anniversary Begins.

THE WHITE HOUSE,
Washington, March 23, 1966.

Fifty years of exceptional public service have earned for the membership of the National Jewish Welfare Board the admiration of a grateful country.

Through your many affiliated Jewish Community Centers and Young Men's and Young Women's Hebrew Associations, you have helped people of all ages achieve creative fulfillment through the constructive use of leisure time.

You have successfully administered the needs of Jewish military personnel, hospitalized veterans and their families.

Your expanding program of public affairs, your concern to prepare our youth for responsible citizenship and your commitment to human dignity vividly reflect your dedication to the kind of society for which we are all striving.

By enhancing the quality of Jewish life in America you contribute to the general progress and vitality of this nation.

I am happy to extend my congratulations upon your Golden Anniversary of conspicuous accomplishments.

LYNDON B. JOHNSON.

SCHOOL MILK AND SCHOOL LUNCH PROGRAMS

Mr. TYDINGS. Mr. President, I have received a letter from Mr. Robert H. Nicholson, director of school cafeterias in the city of Baltimore, which again stresses the great need for the restoration and continuation of the national school lunch program and the special milk program. Mr. Nicholson clearly states the great importance of this program in Baltimore City where "many hundreds of children depend upon the school lunch for their only sound and nutritional sustenance each day."

He also expressed the belief that "of all of the Federal monies that are spent, the Federal Government gets more out of each and every dollar spent in these programs than any other program twice their magnitude."

Mr. President, I ask unanimous consent that Mr. Nicholson's letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

BALTIMORE PUBLIC SCHOOLS,
Baltimore Md., March 31, 1966.

Hon. JOSEPH D. TYDINGS,
Havre de Grace, Md.

DEAR SENATOR TYDINGS: There has been much information in the papers and from other sources concerning the President's proposal to reduce the federal assistance for the National School Lunch Program, and Special Milk Program.

At the outset, this is a very serious and unsatisfactory turn of events for these excellent and well-conducted programs. Of all of the federal monies that are spent, it is my belief that the Federal Government gets more out of each and every dollar spent in these programs than from any other programs twice their magnitude.

Feeding school children on the vast scale that has been attempted through the National School Lunch Program is relatively new. The first program was founded in 1853 by the Children's Aid Society in New York. Since then, and until 1946, the program was sporadic, badly organized, and in only a few instances was it very effective. In 1946, the Federal Government moved in and organized one of the finest programs in its history. The progress of the program has been phenomenal. The general health of the children certainly has shown this in many, many instances. In Baltimore City, many hundreds of children depend upon the School Lunch for their only sound and nutritional subsistence each day. The participation in the Type A Lunch in Baltimore City within the last eight years has increased over 100%. Approximately, 30,000 children purchase the Type A Lunch each day.

If the financial and the excellent commodity assistance granted by the Government are disturbed, many children are not going to be able to afford the lunches and milk that will necessarily have to be served in the schools charging prices that must recover the cost. Therefore, your interest and backing in promoting the continuance of this very fine Lunch and Milk Program carried on under the National School Lunch Act would be most appreciated by thousands of children in the city of Baltimore.

Your interest in this plea will be most appreciated.

Sincerely yours,

ROBERT H. NICHOLSON,
Director, School Cafeterias.

THE CONTAINMENT OF IDEAS

Mr. CHURCH. Mr. President, the 1965 Pulitzer Prize for distinguished editorial writing was awarded to Mr. Robert Lasch, of the St. Louis Post-Dispatch. Mr. Lasch has long been a leading editorial writer on the staff of one of the country's finest newspapers, and he justly deserves the public recognition of the Pulitzer Prize. In the award, three editorials were cited: from the January 17, November 26, and December 19 editions of the Post-Dispatch. These are indeed exceptional editorials, and I would like to draw the attention of my colleagues to them. Entitled respectively "The Containment of Ideas," "A Question of Aims in Vietnam," and "All Over Again With China," they speak with extraordinary cogency.

I ask unanimous consent that the three editorials be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the St. Louis (Mo.) Post-Dispatch, Jan. 17, 1965]

THE CONTAINMENT OF IDEAS

Coming events in South Viet Nam promise for many Americans a profound psychological shock, which a foresighted Administration would be prepared to offset. When the day comes for American forces to leave Viet Nam after 10 years of vain effort to build an anti-Communist bastion there, not only will our national pride be hurt, but some basic assumptions of our postwar foreign policy will be called into question. As fresh thinking is always more painful than mouthing shibboleths, this is going to cause a certain degree of anguish.

Unpleasant as it may be, the time for reappraisal has come, and thoughtful Americans should resolve to be realistic about it. The first step is to cast off the illusion of omnipotence, under the spell of which many of us have for years assumed that our mission in the world is to contain, roll back, destroy or otherwise combat Communism.

After World War II, the Soviet Union sought to expand its national power wherever possible. The United States, as the leader of the free world, was thoroughly justified in undertaking to contain that thrust, and it was contained. Only where the Red Army stood on land taken from the Nazis—which is to say, only in Eastern Europe—were the Russians able to impose their national will on other peoples; and the passage of time has indicated that even there, subjugation is most likely temporary. National identities have survived and are persistently asserting themselves. There could be no better evidence that the Communists are not going to rule the world, and neither are we. Aspirations for independence, self-respect and self-government are too universal and too powerful to be subdued by any ideology.

In the meantime, however, American policy increasingly has tended to confuse the containment of Russian (and later Chinese) national power with the containment of Communism. We undertook to apply the methods appropriate to a national power struggle—the methods of diplomatic maneuver, armed confrontation and in some cases war itself—in a realm where they are totally ineffective. Communism as an idea cannot be contained by such methods, but only by a better idea.

It is not the American function to combat revolution everywhere—to stand as the universal, all-embracing guardian of the status quo. This is an odd role, by the way, to be thrust upon a nation that was itself born of revolution less than two centuries ago. More important, it is a role that lies beyond the capabilities of any nation. Change is the law of life. Social change will sometimes take revolutionary forms in some countries, no matter what the United States or any other nation thinks about it. A wise foreign policy begins with recognition of this fact.

American foreign policy is in deep trouble in Africa, in Asia, in Latin America precisely because we have let ourselves be pushed into a counter-revolutionary posture. Wherever oppressed masses struggle toward a better life millions of persons look upon the United States as their natural enemy, which means that they inevitably look elsewhere for friends.

Ours is not a revolutionary society, and we should not try to behave as if it were. But we can behave like a mature nation which knows that it has no right and no power to decide for the people of Cuba, Viet Nam or central Africa what form of revolution they should have. We can behave like a nation which is prepared to accept change, even in forms unpalatable to it, and is ready to work with peoples of any political faith for a peaceful world of diversity.

It is often said that we must hang on in Viet Nam, even to the point of an escalated war, because the effects of defeat there would be so damaging elsewhere in Asia and Africa.

Unfortunately it is true that if we got thrown out of Viet Nam, millions of people would be delighted. That is one reason why our Government would be wise to encourage a political settlement through negotiation before we are thrown out—unless it is already too late. Whatever happens in Saigon, however, the American cause will not be damaged thereby half so much as it is already being damaged by the growing conviction that our power and influence are dedicated to the suppression of social revolution and political change wherever they occur.

We shall improve our position with the developing nations and the world at large not by proving that we can wage endless war in Viet Nam, but by showing, through actual conduct, that the CIA is not enfranchised to swagger around the world setting up governments and knocking them down; that we do not undertake to dictate the form and pace of political change anywhere; that we are prepared to accept revolutions even when we do not approve of them; and that we have enough faith in the ideas of freedom to entrust to them, rather than to arms, the task of containing the ideas of Communism.

[From the St. Louis (Mo.) Post-Dispatch, Nov. 26, 1965]

A QUESTION OF AIMS IN VIET NAM

It is now four months since President Johnson announced to the country a great buildup of ground troops in Viet Nam.

Major engagements have been fought, vast tonnages of bombs dropped, thousands of enemy casualties reported, yet we are told the Viet Cong and North Viet Namese are more numerous than ever. Inevitably, pressure is mounting for even more American troops and even more bombs; the military and its claque are straining at the leash to attack Hanoi itself.

Before yet one more fatal step is taken, a review of the national objectives would be in order. In July the President defined the military objective as a limited one: "to convince the Communists that we cannot be defeated by force of arms." How long does it take to establish that postulate? We would say that if it has not been established by now then another stage of escalation will not do it. The Viet Cong's monsoon offensive has been stopped and some limited gains reported from Saigon. A further expansion of the war can be justified only by abandoning the stated objective and adopting another. If that is going to be done, the President has a solemn duty to tell the people why.

In July the President declared our second objective to be a peaceful solution of the conflict; we stood ready, he said, "to begin unconditional discussions with any government at any place at any time." But as our military position has strengthened, the outlines of the settlement we would be willing to accept have hardened to the point where there is little visible incentive for the adversary to negotiate. Washington policy makers now insist that a settlement must bar any political status or territorial base for the National Liberation Front, which means simply that the Viet Cong must accept total defeat and melt away.

Under these conditions it is surely no mystery that the Communists show little present disposition to "come to the table."

President Johnson in July spoke vaguely of a settlement carrying out the purposes of the 1954 Geneva agreements, which were based upon the concept of a militarily neutral Southeast Asia allied to neither the Communists nor the West. But at other times he seems to be pursuing a quite different objective—the unilateral establishment of a puppet state of South Viet Nam under American military protection if not outright occupation.

The nature of the long-term American objective in Viet Nam thus is the key to peace or war. If it is to set up a neutral buffer zone in Southeast Asia—which in our opinion would best serve the national interest, improve our relations with the ex-colonial world, comply with international agreements and offer the best barrier to Chinese national expansion—then a peaceful solution should be possible. If the objective is, instead, to maintain a military base on the mainland of Southeast Asia, to set up a forward position intended to contain China not through the forces of indigenous nationalism but by our own military power, then we are not likely to gain our ends by negotiation.

The attempt to gain them by force, furthermore, means a commitment to years of armed struggle, with the outcome in doubt even if a major war with China or Russia is avoided. It means acceptance of a neocolonial status that will damage the American cause everywhere in the underdeveloped world. It means continued violation of the United Nations Charter, the continued substitution of our own national will for the rule of law.

President Johnson owes it to the country to ponder very deeply before sliding further into this morass. The assumption that nothing can be done except what has been done is nonsense. Once the basic decision were made that a policy of deepening military commitment does not serve our best interests then a dozen ways of advancing the President's stated desire for a peaceful solution would open up.

To mention only one way, the United Nations could unquestionably play an active role in advancing a peaceful solution if the United States objective were one which other nations could support in compliance with their treaty obligations. The President has called on members of the UN and the Secretary General to help arrange peace, but he has never done what the Charter plainly obligates him to do—permit the whole issue to come before the Security Council. If he is willing to talk peace "with any government any place," why not with the members of the Security Council at UN headquarters?

The Charter says: *"All members shall refrain in their international relations from the threat or use of force."* It says *"The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression, and shall make recommendations or shall decide what measures shall be taken . . . to maintain or restore international peace and security."* It says *"No enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council."*

When Britain and France undertook armed intervention in the Arab-Israeli conflict, the United States insisted that they give way to the UN. President Eisenhower stated: "The United Nations is alone charged with the responsibility of securing the peace." When India and Pakistan went to war over Kashmir, President Johnson insisted upon intervention by the UN. How can there be one rule for other nations, and a different one for the United States?

The question is our aims in Viet Nam. If our aims were in harmony with the UN Charter and the 1954 Geneva pacts, the UN could act, and its first act undoubtedly would be to call for a cease-fire.

[From the St. Louis (Mo.) Post-Dispatch, Dec. 19, 1965]

ALL OVER AGAIN WITH CHINA?

Having gone through a 20-year cold war and arms race with the Soviet Union at great cost and danger, must the United States now face an equally irrational cold war and arms race with Communist China? Secretaries Rusk and McNamara sounded as if they thought so when, in Paris recently, they undertook to scare the NATO powers with visions of a (some day) nuclear-armed China embarked on a course of world conquest.

The fright treatment will not work, we think, in Europe. The important question is whether it will work in the United States. Sober reflection on the history of the cold war to date ought to convince Americans that it would be greatly to our advantage if we avoided making with China the same mistakes we made with Russia.

There is little doubt that the cold war had its origins in the long effort of the United States and other powers, beginning in 1918-19, to throttle or isolate Soviet Russia.

At the end of World War I the United States, Britain, France and Poland sent troops into Russia on a mission that could only be interpreted, inside Russia, as an attempt to overthrow the Communist revolution. When armed intervention failed, the United States for 16 years refused to recognize Red Russia, treating the new regime as an outcast from the world community and declining to enter into meaningful diplomatic or economic relations with it. (Interesting note: For just 16 years now we have been declining to recognize Communist China, treating that government as an outcast from the world community and declining to enter into meaningful diplomatic or economic relations with it.)

The Russians, of course, never forgot the Western world's hostility to their revolution. They were further embittered when the West at Munich sacrified Czechoslovakia to Hitler, in the hope of directing Nazi aggression against Russia to save itself. Hitler wound up fighting both the West and Russia, and their wartime alliance gave birth to hopes of a new era of co-operation.

It was not to be. Almost overnight, President Truman reversed the Roosevelt policy and set out to "contain" Communism by interposing American influence and military power in Eastern Europe, the Balkans and the Middle East. Then, as now with China, the assumption was that Russia was bent on world conquest. What Russia was bent on, it has become clear, was protecting her borders while she rapidly developed her own society. In general, Russia succeeded. And it is now also clear that the strongest barrier to Russian national expansion is the national identity of neighboring states which, even under Communist governments, resist absorption and seek peaceful relations with both East and West.

One frequently hears that the United States is doing in Viet Nam what it did in Greece under the Truman Doctrine—building a barrier of armed power against a Communist tide rolling on toward world conquest; and it is assumed that our stand in Greece triumphed. The truth is we might be engaged there yet had not Tito closed the Communist supply route after falling out with Stalin. In other words, what saved Greece was not primarily our military and economic power but the indigenous nationalism of Communist Yugoslavia.

The one great lesson of the cold war with Russia is that national interests, and not Communist ideology, are controlling on both sides. The Russians, like the Chinese, have talked a lot about their revolution some day embracing the world, but at the critical points they have invariably acted in behalf of Russian interests rather than of Marxist dogma.

National interests can be accommodated, when the will to reconcile them exists on both sides. By and large, the United States and Russia have learned after 20 years of cold war that their conflicts must be reconciled—that in the nuclear age neither can undertake an ideological war against the other. Only the Viet Nam issue stands in the way of a steady improvement in relations that would, in effect, end the cold war with Russia.

Can we not apply these lessons of the past to our future with China? Must we go through another period of ideological conflict in which vast portions of our national energies are devoted to military power at the expense of our social and cultural development?

We must now possess, many times over, the military power necessary to defend ourselves and to deter overt aggression anywhere. It would be a national tragedy if, nevertheless, we embarked on a new nuclear arms race and a series of peripheral wars designed to "contain" Chinese Communism by military encirclement. Ideas cannot be so contained. Revolutions cannot be permanently suppressed with guns. Not all revolutions are against our national interest. We cannot impose our will everywhere, and we defeat our purposes by trying. The way to meet Communist boasts of coming world revolution is not to believe them, but to help free peoples create the conditions that make Communism impossible.

Just as we have learned at great cost and hazard to live at peace with Russia, we shall some day have to make up our minds to accept Red China's existence, to respect her legitimate interests, to meet her challenge by other means than military containment. It would be the part of wisdom to make this decision before, rather than after, another 20 years of cold war and arms race. Mankind may not get a second chance to avoid nuclear suicide.

FISHERY CONSERVATION NEEDS OF THE WORLD

Mr. MAGNUSON. Mr. President, I have spoken often on this floor on the subject of the fishery conservation needs of the world. I feel very deeply about this and am constantly heartened by growing world opinion and concern that the high seas operations of many of the coastal and fishing nations are not being operated with enough regard for the future.

Today, off the coast of my State, as well as off Oregon and Alaska, huge Soviet fleets are harvesting the fishery resources above the Continental Shelf; and it is my conviction that the conservation consideration is inadequate. The very fact that this huge fleet has spread down from the Bering Sea, first to the Gulf of Alaska, then to British Columbia, then Washington, and finally Oregon, is ample evidence that depletion is being left in its wake. There are now explorations by Soviet vessels off the coast of California, and it is quite obvious that a fleet will soon be working in those waters as well.

Mr. President, we cannot afford to glibly cast off the fishermen's complaints of fishery depletion by these foreign fleets on the assumption that we do not know the conservation requirements of our coastal stocks. The Soviet and Japanese fleets have been operating for more than 5 years in the Gulf of Alaska, and the fact that they would now journey so much further to fish off Oregon is ample demonstration that the yield has seriously declined. It is my feeling that we must move to protect our special interest as a coastal State and accept our responsibilities toward the conservation of the fishery resources.

We should learn by experience, and we have such experience in this area of fishery conservation. There is a recent example for our consideration.

The leading nation in world fishery production on the basis of the most recent Food and Agricultural Organization statistics is our South American neighbor Peru. In 1958, the fabulous offshore fishery for anchoveta was close to 1 million tons, and 3 years later it had reached the unbelievable total of 5½ million tons with some 840,000 tons of meal entering the world market. In 1964, that nation exported a total of 1.426 million tons.

But today, Mr. President, Peru's grasp of the No. 1 production position in world fisheries is faltering, and I would suggest that recent declines may be the result of overfishing. More important, perhaps, is the uncertainty of the situation; we really do not know whether the fishery off Peru has merely reached a sort of production plateau at around 8 million tons, or whether the production may decline and evaporate as with the California sardine.

It is increasingly obvious to me that the coastal and fishery nations of the world must hasten to the conference table, not to further selfish individual desires by garnering more fishery stocks for themselves, but to take a long, hard, and practical look at the ocean resources as we know them and to come forward with some conservation rationale in the interest of mankind.

Mr. President, I pray for the day when America's fishery industry may take its rightful place in this question of world production. But I do not wish for the United States to do so at the sacrifice of a resource.

We have a responsibility to the entire world in this question of fishery conservation, and I am convinced that others will be prepared to meet their responsibilities in this regard when we can sit down at the conference table. As you know, the State Department is now proceeding with plans for a World Fisheries Conference, as suggested unanimously in resolution by this body more than 3 years ago. The State Department action is long overdue, but that department of government should reassess its timetable, with a determination to bring the conference about even sooner than present plans dictate. There is no time for delay.

Mr. President, as I mentioned earlier in my remarks, others are becoming concerned about this conservation problem. The British fishery trade journal, Fishing News International, has regularly called attention to such world needs.

I ask unanimous consent to have printed in the RECORD the text of that publication's recent editorial on the problems in Peru.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PERU, FISH MEAL AND THE END OF AN ERA

In the Peruvian fish meal industry the end of an era may have been reached. With this observation the US Embassy in Lima rounded off a review written in September last year of the short- and long-term outlook for the industry. Events since then have tended to confirm that the soaring rocket that has been the Peruvian fish meal industry since the middle 1950's has levelled off in its flight. In future the strongest influence on it may well be the gravitational pull of a pelagic shoal fish resource exploited very near to or perhaps even beyond safe limits.

A fishing world conditioned almost to planned developments, restrains in the interests of conservation and other such influences stared agog at the fishery explosion that took place in Peru. Growth is too mild a word to describe what happened there. It was a rampant, joyous surge of free enterprise. Suddenly the small anchoveta, which had contributed only about 30 per cent of a yearly catch around 130,000 tons, became the most exciting of all fish pulled out of the oceans.

By 1958 Peru's catch was touching one million tons; three years later a 5½ million ton catch had pushed 840,000 tons of fish meal into world markets. In those three years the amount of meal in international trade rose from 657,000 tons to 1,350,000 tons. Prices tumbled and one major exporting country alone dropped £1 million in earnings from a higher catch.

While this alarmed meal exporting countries, its long-term effect was to open up a vast new market. The lower prices encouraged previous importers to use more meal in their growing output of fortified feeds; new buyers appeared and by 1964, even with exports at 2.4 million tons and total world production at 3.8 million tons, the price was reaching its pre-1961 level. By then 30 per cent of the world's catch was being fed into reduction plants, compared with 15 per cent ten years before. Other fishing nations—Norway, Iceland, Chile and South and South West Africa—were all contributing to the rise in production. But Peru, with exports in 1964 of 1.426 million tons, was the colossus in markets which were already taking all the meal available.

Now the halt appears to have come. During the last three months of 1965 there was the expected drop in the Peru catch and this may level off at around eight million tons a year. The question which is not easy to answer is: Where will the fish meal be found to meet a demand which has not stopped growing with the fish catch?

This is a world fish meal problem which will, no doubt, be anxiously discussed when manufacturers gather in Cape Town in April for the yearly conference of the International Association of Fish Meal Manufacturers.

In the meantime what of Peru and the still callow giant of an industry nourished by the anchoveta? Many of the country's 150 or so fish meal factories and some 1,700 boats supplying them must be feeling the effects of the 1965 decline. Even in record 1964 Peruvian plants overall were working at only about 65 per cent of capacity.

As any fish meal plant owner or operator will explain, factories of the type operating in the major fish meal countries are expensive to set up and carry high fixed costs. They are geared to large-scale production of abundant raw material and, unless the factory owner has accumulated reserve funds, a drop in the catch quickly sends up the danger signs. For Peru, therefore, the next few years may be a period of factory closings far more rapid than have been taking place since an earlier period of consolidation in 1962 and 1963.

Unfortunately for Peru the boom in anchoveta has not extended to other fish species. Writing in the *Yearbook* of the Peruvian fishing magazine *Pesca,* marine biologist Isaac Vasquez points out that 98 per cent of total landings in 1964 consisted of anchoveta. In recent years an effort has been made with the assistance of FAO to develop other fishing activities along the South American west coast. But there is no apparent substitute for the little fish which gave us the most astonishing of all fishing booms and which now seems to have no more surprises to offer.

SOME PERTINENT COMMENTS ON VIETNAM

Mr. GRUENING. Mr. President, as confusion becomes compounded in South Vietnam and the folly of our military involvement there grows more evident with the steady growth of that involvement, it is pertinent and useful to include some diverse comments which point up some of the unfortunate concomitants of our misguided entry into a civil war which did not jeopardize or involve our security or national interest.

Three recently published articles deserve to be read. They are first, "Another Turn of the Screw," by Walter Lippmann; second, "The Costs of War in Civilian Skills," by Marquis Childs; and third, "No Exit Government," by Joseph Kraft, all from recent issues of the Washington Post.

I ask unanimous consent that they be printed in the RECORD, and urge their reading by both my colleagues and others.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 31, 1966]

TODAY AND TOMORROW—ANOTHER TURN OF THE SCREW

(By Walter Lippmann)

Now even the semblance of American aloofness and impartiality in the internal affairs of South Vietnam has disappeared and the United States is giving General Ky military and moral support in fighting his opponents at home. In Washington at least, though perhaps not in Saigon, the Administration would have preferred to keep its hands off the internal conflict, and to be regarded as waiting dispassionately for the verdict of the South Vietnamese voters in the promised elections. But the Administration in Washington has not controlled what happens in Saigon. Against its will, contrary to its hopes, perhaps contrary even to its own orders, it has become inextricably entangled with the actions of the Ky government.

The development is not surprising. Indeed it was bound to occur, and no one not the victim of the official illusions could ever have supposed that there could be an independent government in Saigon or free elections in South Vietnam while the preponderant military and economic power in the country is foreign. It does not follow that General Ky is a United States puppet, and that Ambassador Lodge pulls the strings. It can easily be, and indeed it is, that General Ky is pulling the strings and that Ambassador Lodge has now to respond.

For the situation in South Vietnam is becoming more uncontrolled as it becomes more tangled, and it is increasingly doubtful whether the Administration can exercise any decisive influence in Vietnam beyond the reach of the guns of its troops. Increasingly it is true that the United States controls only the ground on which its soldiers stand. There can be little question that in supporting General Ky we have opened up a widening gulf between ourselves and the Buddhists. It will not be easy to close it. For General Ky has identified himself with an interminable war for victory and with a regime of corruption and privilege and inefficiency while the interminable war goes on. Yet we cannot replace him. It is impossible to see our forces doing almost all the fighting and at the same time providing good government in the thousands of villages of Vietnam.

Although the situation is bad and our entanglement is deep and dangerous, it would not be impossible, even now, to regain control of our intervention to shape events for a rational solution. But this cannot be done by a President who thinks that any course of action different from the one he is taking is "abject surrender." In the realm of statesmanship, to believe that is to be a defeatist.

Losing control of the war can lead to an irresistible demand in this country to go all out by using airpower to destroy North Vietnam and the Vietcong territory in South Vietnam. Or, if the President rejects this catastrophic solution, losing control of the war can mean that South Vietnam will come apart at the seams and will become unravelled as a state capable of waging war.

To regain control of the American intervention the President will have to set limits on our purposes and on the power we are willing to commit to them. Now any serious setting of limits is tantamount to adopting the holding strategy which General Gavin and General Ridgway have advised us to use. With a limitation of forces there must necessarily be a limitation of our objectives. Even if we fix the military commitment at the high level of 400 thousand men, we must reduce our present objectives which are to reconquer the whole territory so completely that General Ky's junta is able to govern it.

Such a limitation on our means and ends would not be abject surrender. It would be honorable in that it would provide asylum for the Vietnamese who need it or want it, and it would be enormously significant in that it would without fail set in motion the negotiations which we profess to desire.

For if we take the position that we will not use unlimited American forces to conquer and occupy the whole of South Vietnam, and at the same time we say that we will not evacuate Vietnam without a political agreement, the Vietnamese themselves will soon be compelled to negotiate their own arrangements.

[From the Washington (D.C.) Post, May 30, 1966]

THE COSTS OF WAR IN CIVILIAN SKILLS

(By Marquis Childs)

Part of the cost of the spreading conflict in Vietnam can be lumped under the heading of the brain drain. The military to one side, the concentration of brains, skill, ability in Southeast Asia has put a strain on a half-dozen civilian agencies.

Roughly one-tenth of the total American staff of the United States Information Agency is there. The State Department, the Central Intelligence Agency and other branches of government are feeling the pinch. More often than not the ablest and most dedicated men are singled out for service in Vietnam.

Agencies such as Agriculture and Health, Education and Welfare, charged with a share in the program of rehabilitation, must assign experts to the difficult task of trying to rebuild the countryside and win the allegiance of the peasantry as the war continues. The inroads of disease—with a new virulent form of malaria that defies normally effective drugs and viral hepatitis—are taxing medical resources in Vietnam, both civilian and military. As the President's economy drive pinches the budgets of most agencies the demands growing out of the Vietnam commitment cut deeper into normal functions and the responsibilities of government at home and abroad.

It is in foreign policy that the consequences are felt most acutely. The number of hours spent on Vietnam by the President's principal advisers add up to an overwhelming total. This means, along with the drain of skilled and able manpower, the neglect of other vital areas of American involvement.

Certain of the President's advisers are aware of how costly this can be. With government resources and public attention concentrated on Southeast Asia the slippage in other areas goes almost unnoticed. There are signs that the Soviet Union is taking advantage of this country's absorbtion in a war that will shortly see 400,000 American troops on the ground in Asia.

The Middle East is a prime example. A blowup can come this summer. The degree to which Premier Aleksei Kosygin backed President Gamal Abdel Nasser during Kosygin's recent visit to Cairo is not clear. But the Soviet Union has provided Egypt with massive arms aid and has made loans available up to a half-billion dollars for the Aswan dam.

Nasser continues to keep more than 50,000 troops in Yemen. Knowledgeable observers here fear that he may launch a direct attack on Saudi Arabia over control of the primitive desert state belatedly moving out of the remote past. This could involve Jordan, since King Hussein has aligned his nation with Saudi Arabia.

In 1958 President Eisenhower ordered 10,000 Marines into Lebanon at the request of the Lebanese government. The area was in an uproar with leftists in Iraq violently overthrowing a Western-oriented government. Lebanon today is said to be far more stable. Yet if a request should come from, say, Jordan or Saudi Arabia for help in the face of an Egyptian attack, with the threat of the whole area going up in flames, American resources would be strained in view of the ever-widening Vietnam commitment.

Africa is another area in which the drift of events can present Washington with grim, if not impossible, choices. Increasingly the militancy of black Africa is directed at the remaining enclaves of white supremacy, notably South Africa and Rhodesia. The President's initiative in his address to the ambassadors representing the Organization of African Unity was a recognition of the need for a new approach.

The growing tension throughout black Africa is related to the drift in the United Nations. Control in the U.N. is passing to peoples of color under the one-nation, one-vote rule. With the prospect of the admission of Red China in the not-too-distant future the domination by Asian and African nations aimed at the little plateau of white superiority, as gauged by the economic indices, is an ominous portent for the U.N.

This has been Ambassador Arthur Goldberg's increasing concern. But he finds it difficult to get attention focused in Washington on what can happen to the U.N. Goldberg has scarcely concealed his unhappiness over certain administration policies.

The plain fact is that resources of trained and able civilians, as well as the supply of money, are limited. The more they are drawn into the vortex of Vietnam the fewer there are for other urgent needs.

[From the Washington (D.C.) Post, May 30, 1966]

Insight and Outlook—No Exit Government

(By Joseph Kraft)

Marshal Ky's show of force in Danang and Hue has been hailed by his admirers in the Saigon Embassy, the State Department and the press as a great success. But for whom?

Not, certainly for the United States. For the chief result of the recent events is to identify the American stake even more closely to the fate of the Ky regime. But whatever its immediate ups and downs, the Ky government is a no-exit government—a government without a future.

It cannot fight a war. Still less can it pacify the country in the wake of American military success. Least of all can it work out an agreement with the other side.

The basic weakness of the Ky regime is that it is not a government so much as a ramshackle collection of opportunists who have risen to the top through a crazy succession of military coups. Far from working together on government business accordingly, the chief military figures in the regime tend to pursue their own private and local interests. And nothing shows it better than the basic military command built around the four Army Corps.

The III Corps around Saigon, because of its proximity to the capital, has in general been responsive to central direction. But the I Corps has been mainly taken up, one way or another, with the Buddhists. The IV Corps in the rich delta region has been largely a fief for the accumulation of personal fortunes. The II Corps, embracing the highland district, the scene of most of the American military activity, has been much the same.

In these circumstances, morale in the Vietnamese army has steadily sunk. Desertions, which are mainly cases of men going home, have been running at the rate of at least 7500 per month. The capacity and interest of the Vietnamese army in fighting the war have dropped accordingly. And thus it happens that Americans are doing most of the fighting and now absorbing most of the casualties.

The weaknesses that debar the Ky regime from waging the war effectively are even more critical when it comes to pacification. For pacification involves chiefly winning the confidence of local people through civil police actions and social reforms.

But the Ky regime, after the fashion of most military regimes, has only contempt for the civil police function; the police remain among the poorest paid and worst trained officials in South Vietnam. As to social reforms, they are constantly being obstructed and diluted by the corruption endemic in the regime. Even absent corruption, the true condition of social reform is the one thing the Ky regime seems unable to admit—that is a feely elected civil government with popular support.

Lastly, with respect to wrapping the war up through negotiations, the Ky regime is doing so poorly in fighting and in pacification, that the insurgents are bound to believe that time is working on their side. The transparent ineptitude of the regime, in other words, can only encourage the rebels to step up their activities—the more so as they must now see the prospect of enlisting some of the Buddhists.

Moreover, even if the time came when the other side was ready to negotiate, the Ky regime would constitute an insuperable obstacle to talks. Most of its leading members, including Marshal Ky himself, fail to pass the acid test of nationalism. In the Indochinese struggle for independence, they fought with the French against their own people. It is not thinkable that the Vietcong, or Hanoi, or Peking would deal with such men.

In these circumstances, it is sheer folly for American officials to celebrate Marshal Ky's victories and to imagine that some glowing future presents itself. The fact is that Marshal Ky's victories are American defeats. The American interest at this juncture is to take distances from Marshal Ky, while searching for occasions to promote a shuffle in the Saigon government. The truth is that so long as the Ky regime stays in power, for so long, the United States will be obliged to intensify its own war effort.

FEDERAL DOSSIER

Mr. LONG of Missouri. Mr. President, recently I commented on a Federal Data Center that is being considered, into which all Government-held information about individual citizens would be fed. Such a center would take from Americans any chance they might have for individualism. The citizen would become merely a number and much of his life's history could be retrieved from the computer.

Last Sunday's Outlook section of the Washington Post contained a most interesting article entitled "There's a Dossier on You," written by Richard Harwood. Mr. Harwood points out that an enormous industry has been created in the United States for the purpose of compiling dossiers on our innocent citizens.

Mr. Harwood suggests Government "security" reports on private citizens often end up in the hands of private employers and vice versa.

Mr. President, the Subcommittee on Administrative Practice and Procedure is presently investigating this so-called Federal Data Center, and we intend to hold hearings on this "dossier concept" in the near future.

I ask unanimous consent to have printed at this point in the Record the article published in the Washington Post of May 29, 1966.

There being no objection, the article was ordered to be printed in the Record, as follows:

There's a Dossier on You—It Might Not Be in CIA or FBI Files; It Might Only Be FHA's Check on Marital Stability

(By Richard Harwood)

On an ordinary working day, the Federal Housing Administration puts away in its files "confidential" reports on the marital stability of approximately 4,000 prospective home buyers. More than a million of these reports were collected for the Government last year by private investigating agencies whose assignment is to spot people likely to wind up in a divorce court.

Their snooping is done so discreetly (and often so superficially) that few if any FHA loan applicants are aware that their domestic problems are the subject of public interest. If one asks what interest the Government has in, say, the indiscretions of an Arlington suburbanite, he is given an answer worthy of the counting house:

"The reputation and marital amicability of an applicant for a mortgage loan . . . are a vital part of our risk determination. One of the leading causes of foreclosure is divorce."

The same sort of logic is used to justify snooping of every description into the personal affairs of American citizens by both public and private institutions in our society.

"The ideal," as a security official at the Defense Department has put it, "is to eliminate risk in advance."

A SIX-MONTH BAG

In pursuit of this ideal, Defense has created an elaborate investigative apparatus which in a recent six-month period turned up 22 sexual perverts, three alcoholics and ten "psychiatric cases." They were all private citizens who required "security clearances" because their companies held defense contracts.

The military, of course, is not alone in this business. The Civil Service Commission spends more than half its budget probing into the lives of present and prospective jobholders. In the past five years it has discovered a dozen Communists and several thousand homosexuals, excessive drinkers and otherwise "immoral" people.

The National Aeronautics and Space Administration inquires into every facet of the lives of its astronauts and their families and weighs the findings against the model "public image" it seeks. (The process broke down last year when an astronaut unpredictably was sued for divorce.)

The Passport Office demands detailed personal histories from all passport applicants who have been married more than twice. It also engages in a curious political surveillance program which, in theory at least, could deprive a Senator like J. William Fulbright or Wayne Morse of the right to travel abroad.

The Immigration and Naturalization Service snoops on an international scale. It has dossiers on "sex-deviates," prostitutes, rapists and criminals in countries all over the world.

To harvest and handle information of this kind, an enormous industry has been created in the United States in the past 30 years. It spends hundreds of millions of dollars and engages the talents and inquisitive instincts of thousands. The Federal Government alone employs far more investigators than doctors—40,000-plus—although they are not all compiling personal dossiers.

The Retail Credit Co., largest of the private investigating concerns, grosses more than $100 million a year from activities that have little to do with "retail credit." The Federal Civil Service Commision spends $17 million a year on personnel investigations.

For the same purpose, Defense spent $45 million last year, the Internal Revenue Service spent $10.3 million, the Atomic Energy Commission spent $5.6 million. The $170 million FBI budget included about $145 million for "security" and criminal investigations.

The fruit of these investments is tangible. The names and numbers of virtually all of us can be found in somebody's filing cabinet and for millions of us there are extensive life histories with intimate details of our sexual habits, friendships, financial affairs, oddities and political and religious beliefs.

NO FBI MONOPOLY

One automatically thinks, in this connection, of the FBI with 175¼ million sets of fingerprints, its bulky dossiers on 11,000 Communist Party members and 100,000 Communist "sympathizers" and its supersecret list of people to be arrested immediately in the event of war. But the FBI has no monopoly in these affairs.

The Retail Credit Co.'s 7000 investigators maintain dossiers on 42 million people at any given time. Some of them contain such incriminating information that they are kept under lock and key in the offices of the company's top personnel.

The Defense Department has a central index of 21.5 million name cards plus 14 million life histories compiled in the course of its security investigations. The disclosure of information in its possession could wreck the lives and careers of thousands of men and women.

The Civil Service Commission has the same power. Its files include eight million secret dossiers on people investigated for Federal employment. They contain thousands of allegations (and in many cases proof) of "criminal conduct," "immoral conduct," "dishonest conduct" and "notoriously disgraceful and infamous conduct."

The Credit Bureau, Inc., the largest of Washington's credit-rating companies, has records on 2.5 million past and present residents and has access to millions of similar records in cities all over the United States. Its regular reports to the FBI and other Government agencies often are sufficiently damaging to cost a man his job. The FBI, for example, on the basis of Credit Bureau reports, weeded out a large number of people chosen to work for Sargent Shriver's Office of Economic Opportunity.

AN ADMITTED THREAT

The Government's chief personnel investigator, Kimbell Johnson of the Civil Service Commission, is conscious of the power he and other investigators could wield.

"Whenever a bureaucracy amasses files about its citizens," he says, "an inherent threat to liberty exists."

Yale Prof. Staughton Lynd experienced this "threat" a few months ago when the State Department revoked his passport, in part, because of "anti-American statements" in his dossier. They had been collected by State Department investigators who trailed him to public meetings in this country and monitored his speeches for criticisms of American policy in Vietnam. These criticisms then became factors in the decision of the Passport Office to deny Lynd the liberty to travel abroad.

Another case involved Harvard Prof. H. Stuart Hughes, whose plans to visit Europe next fall were known months in advance to the FBI. Drawing on Hughes' political dossier, the FBI asked the State Department and United States agents overseas to place the professor under surveillance when he reached Europe.

These incidents suggest, if nothing else, that the sweep of the Government's investigative interests is far broader than a citizen might assume in a free society.

SECURITY "OBLIGATION"

In both the public and private sectors of American life, investigations are defended in terms of the search for security and certitude. An institution, it is argued, has an obligation to know who it is hiring, who it is lending money to and who may threaten its existence.

The inherent dangers in the process are everywhere recognized. Retail Credit, for example, acknowledges that some of its dossiers would be a gold mine for blackmailers; hence, they are handled even within the agency like top-secret documents. Washington's Credit Bureau, Inc., uses a complicated code system to prevent the information it holds from falling into the wrong hands. The FBI, Defense and the Civil Service Commission make a fetish of protecting their "raw files."

Thus, the investigators claim, dangers to the citizenry from snooping are minimal.

"No one need worry," one is told, "about the unauthorized use of his file."

The record, however, does not support this claim. What a man reveals about himself in an application for department store credit may later prove the crucial factor in the loss of a Government job. A "confidential" report discrediting a reporter for The Washington Post—which later proved to be totally false—went all the way from the State Department to the White House, the CIA, the Defense Department and, ultimately, to the managers of the newspaper.

Government "security" reports on private citizens often end up in the hands of private employers, and the reverse is true. The Civil Service Commission, the FBI and credit-rating agencies work hand in glove. The "confidential" FHA reports on applicants for housing loans are available to mortgage lenders for $1.50.

IN HIGH PLACES

Nor are disclosures of this kind always accidental. A President of the United States—holding office in the 1960s—has discussed at an "off-the-record" meeting with journalists the contents of a secret report on the sexual indiscretions of a Senator.

The governor of a Mid-South state has, within the past five years, tried to peddle to newsmen the Federal income tax returns of a political opponent. The same thing has happened with politicians in other states, notably Florida and Ohio.

If a visitor stumbles onto the right private detective in Washington, he may be shown photographs of a prominent political figure in bed with the wife of a prominent socialite. Getting information out of the "closed files" of the House Un-American Activities Committee is about as difficult as getting a weather report.

Just a couple of years ago, a foreign lobbyist obtained an HUAC report on the lobbying activities of a Senate staff member. The report was taken to the White House in an effort to discredit the staffer.

Whenever things of this sort occur, men of good will in Government or private industry respond with new suggestions for protecting the "sanctity" of the files. But it is obvious, as they concede, that so long as dossiers exist, they will be abused to one extent or another.

A trusted secretary in Johnson's office in the Civil Service Commission divulged a great deal of information about Government personnel to the late Sen. Joseph R. McCarthy (R-Wis.). She acted out of patriotic motives and she was finally fired. But the damage was done.

The more difficult question is whether the millions of dossiers piling up in Government and private offices are really necessary. How much does one need to know before hiring a man or lending him money? Not even the investigators have those answers.

The retail credit agencies, for example, acknowledge that even though credit is freer and easier today than at any other time in history, the loss rate from deadbeats remains infinitesimal. The FHA justifies its questions about marital stability in terms of the foreclosure problem. But it has no figures to support the claim that "one of the leading causes of foreclosure is divorce."

The CIA and the National Security Agency compel job applicants to take an offensive lie detector test that include such questions as: "Have you engaged in homosexual acts since the age of 16?" But there is great controversy over the value of these tests. The Civil Service Commission's Johnson has a low opinion of the polygraph. Even CIA people concede that it is useless when the subject is a congenital liar.

A CRIPPLING PARADOX

To Johnson and Deputy Assistant Secretary of Defense Walter Skallerup, the whole process of personnel investigation is distorted by the preoccupation with turning up "dirt." They urge a system aimed at discovering talent rather than spotless mediocrity.

Finally, there is a paradox in the present system that makes absolute "security" unattainable even if it were desirable in a free society. The people privy to the highest secrets of the Government and the men on whose judgment and emotional stability the world's fate may hang are exempt from the screenings of the investigators.

"Who," asked a CIA man not long ago, "is going to give Lyndon Johnson a polygraph test or a psychological examination?"

The members of Congress who deal with these matters are never checked out by the FBI. Psychologists do not probe the mind of the Secretary of Defense the way they probe the minds of some of his underlings.

A DALLAS AFTERMATH

In the aftermath of President Kennedy's assassination, there was intense concern with the problem of presidential security. There were suggestions that thousands of potential security risks be arrested or at least confined to their homes whenever the President was traveling.

"That," J. Edgar Hoover replied, "is what you would call totalitarian security. I don't think you can have that kind of security in this country without having a great wave of criticism against it."

There are signs that a similar reaction is setting in against snooping. General Motors has promised that there will be no more Ralph Nader investigations. Secretary of State Dean Rusk has promised to curtail the surveillance of American citizens traveling abroad. The Civil Service Commission is having second thoughts about psychological testing. The President has ordered a curtailment of electronic eavesdropping.

Meanwhile, however, the dossiers continue to pile up in the offices of Government and industry. What will become of them, nobody knows.

DEATH IN VIETNAM—CAPT. JOSEPH J. POLONKO, JR., OF PLUCKEMIN, N.J.

Mr. WILLIAMS of New Jersey. Mr. President, a constitutent of mine, Capt. Joseph J. Polonko, Jr., of Pluckemin, N.J., recently lost his life while serving on active duty in South Vietnam. A close friend of his has brought to my attention a letter he wrote, describing the life and work of Captain Polonko, to the Somerville Messenger-Gazette. This eloquent letter describes Captain Polonko's courageous service to his Nation and the outstanding job he did as a member of our Armed Forces presently assisting the Vietnamese people. I know that this letter will be of interest to my colleagues, and I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ARLINGTON, VA., *May 7, 1966.*

EDITOR, SOMERVILLE MESSENGER-GAZETTE,
Somerville, N.J.

DEAR SIR: On Friday, the sixth of May, 1966, Joseph J. Polonko, Jr., of Pluckemin, New Jersey, Somerville High School, Rutgers University, the United States Army, and Kien Hoa Province, Republic of Viet Nam, was laid to rest in Arlington National Cemetery, Virginia, near America's Unknown Soldiers and our late President John F. Kennedy. He was 26 years old.

Captain Polonko was carried to his final resting place by a horse-drawn caisson, and was escorted by a platoon of our nation's finest soldiers. His final journey was accompanied by solemn, yet strangely triumphant music, and the mournful rhythm of a muffled drum. Soldiers along the way stood at attention and rendered long salutes which mingled respect, pride, and tribute. At graveside services, a chaplain invoked the blessing of God on a man who had lived and died by all that is best and most noble in the traditions of Christianity, America, and our Armed Forces. A rifle squad fired three volleys, and a bugler proclaimed that for yet another American hero, day is done.

The American flag which had draped Captain Polonko's casket was presented to his parents, Mr. and Mrs. Joseph J. Polonko of Pluckemin, by "a grateful nation." This thought sustains those of us who knew him, or knew of him. Though grieve we must, we know that a nation joining us in gratitude and dedication, rather than in grief, will truly honor him.

In the midst of the public confusion over Viet Nam, all America might do well to stop and ponder who this man was, what he did, and why.

Captain Polonko grew up in rural New Jersey, where he was widely known as "Joey," and widely liked for his friendliness, his humor, and his easy-going manner. He never seemed to take life very seriously, and when he was commissioned an Army Lieutenant, many of his friends must have thought it something of a lark. But at some time in his life, perhaps when he was confronted with the ugliness of the Berlin Wall and all it stood for, the sensitivity which Joey always took pains to conceal transformed him into a dedicated man. He became a professional officer, and volunteered for duty in Viet Nam.

Captain Polonko accepted assignment as advisor to a Vietnamese District Chief in the village of Ba Tri, about 60 miles south of Saigon, in Kien Hoa Province. Kien Hoa is one of the thirteen provinces in the Mekong Delta, and the scene of frequent Vietcong terrorist activity. It was isolated, dangerous duty. Captain Polonko was fully aware that local terrorism was politically inspired, and that officials who won the confidence of the people became prime targets. He well knew that some of the people he was trying to help might be marking him for assassination. Yet he considered it worth the risk. He took pleasure in seeing relief and appreciation on the faces of peasants who had previously shown few emotions other than fear. He delighted especially in the children, and loved to distribute clothing and gifts to them. He felt a particular concern for those children living outside the town, whose families were subject to continual Vietcong harassment. He was sustained by the belief that partly because of him, these children might know a better life than had their parents.

His letters home were always cheerful. When he mentioned Viet Nam, it was to discuss the hope being brought to the countryside, and the humorous incidents in his daily life. His parents were told little about the risks that he, and men like him, had consciously assumed. In one of his last letters, he reported that he had volunteered to extend his tour of duty.

Captain Polonko's death on April 29th in a land mine explosion was not heroic in the orthodox sense. He was charging no machine gun nest; he was turning back no armored attack. It is quite probable that he was simply delivering some gifts to a few of his favorite children.

And yet what are we to call the quality that prompts a man to leave home and voluntarily remain among a supposedly alien people, simply to be of service, when he knows that sudden death may come at any time?

We honor as heroes those who, in battle, take instinctive action to save a comrade. What of this man, who made a calm, reasoned choice to risk his own life over a sustained period of time in order to bring peace to an embattled people? If he is not a hero in the finest sense of the word, then the words "heroism" and "courage" no longer have meaning.

Now Captain Joseph J. Polonko Jr. belongs to the ages, and belongs alike to the people of Pluckemin, Somerville, and Ba Tri. For we are one people, and Joey Polonko was one of the few among us who truly understood this.

Although the wisdom of our national commitment to the Republic of Viet Nam may be open to debate, the sincerity and depth of Captain Polonko's personal commitment to the American and Vietnamese people is not. He offered us his young life, and it is our tragedy that the offer was accepted.

We must always realize that Joey Polonko's life was not taken, and it was not lost; it was given. And when we pray, we should pray not for this man, who has no need of prayers, but for ourselves and our children, that we may be worthy of his gift.

Yours truly,

PAUL W. WILLIHNGANZ,
Lieutenant, U.S. Navy.

WORLD PREMIERE OF MOTION PICTURE "AND NOW MIGUEL"

Mr. ANDERSON. Mr. President, tomorrow, in Albuquerque, the motion picture, "And Now Miguel," will have its world premier. This heart-warming and inspiring story about a young boy yearning to grow up was filmed in New Mexico. The magnificent scenery of northern New Mexico is the backdrop to the poignant story. The 23,000 acre Ghost Ranch Conference Center of the United Presbyterian Church in the U.S.A. in Rio Arriba County, the St. Thomas Catholic Church and Elementary School in the village of Abiquiu, and the San Ildefonso Pueblo were the "sets" for "And Now Miguel."

In making this picture, Robert B. Radnitz, the producer, defined his purpose:

> If the motion picture is to grow, its audience must grow with it. We should give the children and families of our country and the world, films that will not merely surfacely entertain, but will stimulate the imagination creatively. Films—that the entire family can see and see together.

The following letters, including one by my colleague, the Senator from New Mexico [Mr. MONTOYA], attest to the warmth and worth of this film. I ask unanimous consent that the letters be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON
GOVERNMENT OPERATIONS,
Washington, D.C., May 2, 1966.

Mr. DAVID POLLAND,
Universal Pictures,
Washington, D.C.

DEAR MR. POLLAND: Just a note to thank you for a most enjoyable evening last Wednesday, April 27.

My wife, Della, and I were born and raised in New Mexico, and I can tell you that "And Now Miguel" brought back many memories to both of us.

The photography captured the beauty and grandeur of the northern highlands region with remarkable fidelity, and I was deeply appreciative of the intelligent and sympathetic manner in which the story developed the relationships among the Indians, the Spanish-Americans and the "Anglos".

Perhaps most important was the depiction of a way of life which is known to few Americans, and which is rapidly disappearing. It is refreshing to be reminded that at least a few of our fellow citizens are still deeply involved with the simple daily values of sun, wind, rain, grass, birth and death.

In summary, a delightful picture, Mr. Polland, that can be enjoyed by every member of the family.

With kind personal regards, I am,

Sincerely,

JOSEPH M. MONTOYA,
U.S. Senator.

MAY 10, 1966.

Mr. DAVID POLLAND,
Universal Pictures, Inc.,
Washington, D.C.

DEAR MR. POLLAND: I am writing to share with you the good news that a National Education Association panel has selected the new Universal motion picture "And Now Miguel" as a "production of unusual merit."

We appreciated the opportunity for representatives of several NEA units and departments to preview this film in Hollywood and at the headquarters of the Motion Picture Association in Washington, D.C.

Serving on the panel which extended the special recognition to "And Now Miguel" were representatives of Educational Services, Information Services, Department of Classroom Teachers and the Elementary-Kindergarten-Nursery Education Department.

The beauty of the natural scenery which has been photographed in color, the remarkable portrayal of Miguel by Pat Cardi, and the sense of reality with which Robert B. Radnitz has produced this film we believe will win the enthusiasm of teachers and students throughout the nation.

Cordially,

ROY K. WILSON,
Director, Division of Press, Radio and Television Relations.

U.S. DEPARTMENT OF AGRICULTURE,
FEDERAL EXTENSION SERVICE,
Washington, D.C., May 16, 1966.

Mr. DAVID POLLAND,
Universal Pictures,
Washington, D.C.

DEAR MR. POLLAND: Members of our 4-H staff were among the many persons recently honored with invitations to a special showing of the Universal Pictures' "And Now, Miguel," here in the U.S. Department of Agriculture.

We felt this was a superior quality film of unusual warmth, human interest, and wholesomeness. Surely it has great entertainment value for old and young alike, as it depicts the love of a sheepherding people for their flocks and their way of life.

We would certainly recommend, "And Now, Miguel," to our 2¼ million 4-H members in all 50 States. We trust thousands of our head-heart-hands-health youth everywhere will see it, and share our high regard for its appealing story, the livestock-raising theme, and its technical excellence.

Our congratulations to the producer, Robert B. Radnitz, for bringing this fine all-family type film to the motion picture screens of the United States.

Sincerely,

MYLO S. DOWNEY,
Director, 4-H and Youth Development.

THE TRANSPORTATION CRISIS

Mr. TYDINGS. Mr. President, Young Democratic Clubs of America recently held their national committee meeting in the District of Columbia.

One of the outstanding features of this meeting was the excellent review of issues and legislation with which this Congress and Nation must deal.

I am particularly proud that Maryland was represented on the Young Dem Issues Committee by their energetic and outspoken national committeeman, Walter S. Orlinsky. Mr. Orlinsky as the chairman of the Subcommittee on Transportation and Communication has written an excellent article on the transportation crisis in our country today, which I believe we would all do well to ponder.

Mr. Orlinsky has long grappled with the problems of mass transit in urban areas. Along with members of the Mount Royal Democratic Club in Baltimore, a group dedicated to the issues, he has brought into public scrutiny the challenge which urban transit presents. He has written another excellent article on transit along with another close friend of mine, Edgar Feingold.

Mr. President, I ask unanimous consent that both of these articles be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

BALTIMORE NEEDS A RAPID TRANSIT SYSTEM

(By Walter S. Orlinsky and Edgar L. Feingold)

Henry Barnes slowly got up from his chair in his office on Pratt Street. He clamped on his battered fedora, sipped a puff on his favorite corn cob and started around the desk toward the door.

As he passed by the window, he glanced out over the city he had served as traffic director and then traffic and transit director for more than eight years. "You can move just so much traffic," he sighed as he looked down on the heavy stream of vehicles clogging the city streets. Then, as he walked out ready to take on the traffic headaches of New York City, he quietly declared: "What Baltimore needs is a rapid transit system."

Mr. Barnes might as well have been talking to the empty walls of the office he was leaving because in the two years he has been gone, traffic is still being moved and Baltimore still needs a rapid transit system.

In this age of advanced technology, with men being rocketed into outer space, it would be ludicrous if it were not so lamentable that people cannot be moved with any sort of dispatch on earth.

There is no excuse for the automobile to be the dominant mover of people in the city of Baltimore. And, as transit service continues to deteriorate, dependency on the automobile only intensifies. Not only are the commuter and shopper slaves to their automobile, but also the government seems to feed on this attachment as well.

Government's answer to the monstrous transportation mess is to give the menace more room to mushroom by building extensive road systems to handle increased traffic. To paraphrase an old cliche, if we give the automobile enough roads, maybe it will wreck itself.

But, in the process, the plethora of road planning and road building will wreck the city.

On the basis of a proposed $816 million expressway system for Baltimore, Lake Drive is destined to be replaced by a beltway connector link. Leakin Park on the west and O'Donnell Heights on the east of the city line stand in the way of the projected East-West Expressway. Picturesque Tyson Street and part of antique row at Read and Howard Streets may be the victims of a connector link between the East-West and Jones Falls Expressways.

And Bolton Hill is soon to be cut off from its direct access to the Lyric Theatre and the downtown section by a new six-lane high speed Mount Royal Avenue.

The price tag for this kind of progress is staggering. The East-West Expressway will cost $12.9 million a mile. The Southeast Expressway and the eastern leg of the East-West Expressway will cost $12 million a mile. The Orchard-Biddle Streets connector linking the Jones Falls with the East-West will cost $14 million a mile. The final 1.2 miles of the Jones Falls Expressway will cost $28 million.

Not only do urban highways eat into public funds at a fantastic rate, but also the road networks cut into the tax base by eliminating revenue producing properties situated in their way. Even after construction outlays, the burden on the tax-paying public is maintained by maintenance and service costs for the expressways.

In-town roadways have a debilitating impact on adjacent or nearby neighborhoods as vehicular noise and noxious fumes combine to make living irksome and increase danger to health and limb.

There is a brighter side to this dimly painted picture. The detrimental aspects of highways are said to be offset somewhat by the development of commercial, industrial and housing complexes with convenient access to the expressways. The Department of Transit and Traffic points to the newly emerging Cross Keys community on a huge stretch of acreage off the Jones Falls Expressway.

However, the real menace of the expressway is that the means are made available to escape the sound, the sights and the smells of urban life. This is what accounts for the hugh influx and outflow of vehicular traffic as the city is invigorated with signs of activity during the day only to have it drawn into its inert stage on the heels of the movement out at nights and on weekends.

As suburbia developed in its helter-skelter fashion, the only expedient way to connect the patchwork of dwellings and businesses together was with roads. Transit systems of every sort were unable to serve the sprawl with any efficiency and as passengers dwindled, bus service was cut back and commuter trains were discontinued.

The only alternative was the automobile and with the Federal Government's encouragement, road building became the only feasible and acceptable solution. With the government providing 90 percent of the costs in the interstate system, the subdivisions focused solitary attention on roads to the exclusion of all other transit considerations.

Anguished cries of protest from small bands of mass transit advocates fell upon deaf ears. Planning for roads went unchecked (if the money was available, why not plan to spend it?), while mass transit was either the responsibility of private operators with limited funds for reinvestment or expansion or it fell on governmental units reluctant to expend 100 percent of the costs. No comparable federal program is available even though a bill has passed the Senate providing for planning grants for mass transit.

Bottled up in the House of Representatives, the bill introduced by Senator HARRISON WILLIAMS of New Jersey would provide between $375 million and $500 million in grants to cities and suburban areas over a three-year period.

But the bill lacks the push of the more substantial roads lobbies and it is languishing in committee as the situation worsens across the country.

In Baltimore, the suburban areas are relatively close to the inner city and on the average, barring any major tieups, the trip can be made in about 30 minutes. This situation fosters reliance on the automobile because the comparable journey by bus, at best, is twice as long. By the same token, this short-distance factor also lends itself to the development of a coordinated and convenient mass transit system incorporating the automobile, the bus, the train, the subway, the shuttle and any other mode of travel to speed up the movement of people.

As it now stands, more and more highways are being built or are being planned to slice in and out of the downtown and in-town areas, cutting up the heart of the city and cutting out the vitality and variety of the neighborhoods.

The highways beget more cars and the cars beget more parking problems. No parking signs abound on city streets and the only spaces free from ticketing or towing are the expensive parking lots which all too often are filled before noon.

Not only does the automobile impose a burden on the streets and provide a problem of parking, but it also is a wholly inefficient mover of people. For example, the Congress Street Expressway in Chicago is a four-lane highway with a passenger rail line down the middle. The highway is jammed during the day with automobile traffic, but the rail line operating at just 25 percent of capacity carries more passengers to and from work in only one-half the space.

In Baltimore, if just 3,000 passengers of the Baltimore Transit Company shifted from bus service to private automobiles eight miles more of bumper-to-bumper traffic would be created on a single lane. Granted there are deficiencies in the BTC service, but imagine the problems of coping with 3,000 more cars on clogged streets and in packed parking lots.

The city has invested and is continuing to invest millions in its renewal operations. Large portions of the downtown have been cleared and rebuilding is now underway to put shape and form on the spectacular Charles Center plan. Planning is now underway to redo the inner harbor and to create a new municipal center. Apartment houses and town houses are planned to enhance living downtown.

Urban renewal has plans for the Bolton Hill area and the Mount Vernon area. Private developers are capitalizing on the Charles Center plan with new construction on fringes of the area and in other sections of the inner city.

Downtown and in-town Baltimore is slowly being transformed into a new city and with the transformation it is hoped there will be a rejuvenation of the spirit of Baltimore and a revitalization of the physical and financial face of Baltimore.

All of the funds invested and the work expended in the future of Baltimore will be dissipated into the Patapsco unless there is a greater recognition of the needs of the people. Downtown Baltimore is no place for a series of clover leafs, overpasses, underpasses or elevated *Chinese Walls*.

Continued reliance on roads, and roads alone, will merely force-feed the inner city with more and more automobiles. Implementation of the $816 million road building program will simply dehumanize the city as well as ravage its innards. Our downtown will become little more than a series of Baltimore Life Buildings—a solitary structure almost engulfed by a sea of cars parked nearby during the day and a vast wasteland of asphalt during the evening.

Meanwhile, the BTC limps along with an inadequate system to properly serve the city and its environs. The Metropolitan Transit Authority has yet to exercise is prerogative to take over the BTC and operate it as a publicly subsidized system. It is this kind of timidity which leads to frustration on the part of the commuter and the shopper and to despair on the part of the city.

Philadelphia, with a coordinated system of mass transit involving subways, elevated trains, buses, trackless trolleys and commuter trains, has advanced its public transportation operation to the point where only 26 percent of the commuters who work in its downtown use their cars. Public transit facilities are used by the large majority. Philadelphia has invested $250 million in extending and modernizing its transit system with some $60 million spent since 1955.

As a result of wide patronage, $50 million of that $60 million has been returned in fares, making the system virtually self-sustaining.

A forceful proponent of mass transit, Councilman Thomas Ward, observed that the city's share of the East-West Expressway could easily reach $50 million and he wondered why that money could not be diverted into a public transportation system for Baltimore. As a result of his urgings, plans to get underway with the East-West Expressway were halted temporarily until it could be determined whether some form of mass transportation could be incorporated in the roadway.

Preliminary data, pushed out of findings by a consultative firm for the MTA, confirmed the advisability of mass transit lines in the East-West Expressway.

For the first time in recent years the vagaries of Baltimore transit are being reviewed with an aim at solution of the entire transportation mess. The inflexible approach of expressway-oriented planners and administrators and legislators no longer is dominating the Baltimore problem.

Reports keep flowing in about Cleveland with 50 percent of its commuters on efficient and highspeed trains and buses; about Toronto with expansion of its highly successful train and subway system, and about San Francisco with a billion dollar subway system involving 75 miles of tracks and 37 passenger stations. "Passenger Transportation," a trade magazine in the field, also reported and cited some 44 different transit companies which have started to regain customers by investing in new equipment and better service.

The City of Baltimore is on the threshold of a new and vital community. Its progress in renewal and rehabilitation can only be measured against the availability of public transportation to get people in and out of the city or to entice them to stay.

There will be an estimated expenditure of $51 billion from 1956 to 1969 under the Federal roads program. Yet the authorization for mass transit is a mere pittance and that is simply for studies and surveys.

Baltimore, along with every other major metropolitan area, must attain the level reached in Philadelphia for mass transit. Subsidies comparable to the 90–10 roads formula should be considered and other inducements must be made to bring a coordinated, convenient, extensive and rapid transit system into being in the city.

President Johnson Calls for Creation of Department of Transportation

With the President's call for the establishment of a Department of Transportation with cabinet status, many Americans have come to focus on the myriad of problems involved in transportation in America. Cars, buses, boats, planes, and trains, all compete in helter-skelter, unreasonable fashion. The free market theories so useful in making many economic choices have little or no value in this area. Long ago this nation decided that the major modes of transportation were so affected with the public interest as to make them virtually public utilities and proceeded to regulate them as such.

The problem with our regulations today is that they offer little or no coordination, and at no level is the total problem of providing balanced transportation for America really carefully thought out. This problem not only affects our internal economic structure but severely affects our ability as a trading nation to provide competitive international transportation.

This report does not attempt to discuss this very large problem. At this time we can only push for early hearings on the President's bill with a very strong plea that the hearings focus on the entire problem and develop a kind of comprehensive compilation of the problems and their possible solution. Young Democrats should support an agency strong enough effectively to regulate the transportation industries. No one form of transportation should find sanction and privilege, and all forms of public subsidization of any sort must be reviewed with an eye toward rationalization of the process.

A small part of this problem begs for immediate action and where the Young Democratic Clubs of America can perhaps effectively make an immediate contribution. This is the problem of urban mass transportation. Suffice it to say that those of you here for this National Committee meeting are aware that cars, roads, cars, and more roads are not the solution to the problem of moving people in an urban situation.

Each city in America is facing the problem of decreasing taxable base combined with dramatic increases in cost of social welfare problems. This is part of the natural, evolutary process from an agrarian society to an urban society. With the mass exodus of higher-income groups into the suburbs, urban America suddenly faces a crisis of how best to move people in and out of the center cities in a reasonably quick and efficient manner. To date the answer has been by cars, roads, more cars, and more roads. Center cities lie prostrate in ribbons of concrete and vast wastelands of parking lots. Viable urban neighborhoods become dual lane, high-speed expressways and parks become twenty-acre cloverleaf ramps. All of this only increases the social dislocation in our cities and reinforces the trend away from the city and into the suburbs. Urban American has chosen roads and cars not because it is the best way, the only way, or even really the cheapest way to move about. Roads and cars are being chosen because they are subsidized as part of the National Highway System on a 90 percent Federal, 10 percent state basis.

U.S. Senator Joseph D. Tydings of Maryland and Congressman Jonathan B. Bingham of New York have introduced legislation which can really go a long way to help solve urban transit problems. Their bills, S. 2399 and H. 10126, would simply give the states the option as to how they wish to use their highway trust funds.

Assume Chicago was to receive $100,000,000 of highway trust funds for the years 1967–68. Today it could only spend this money on highways. Under the Tydings-Bingham bill, Chicago would be able to allocate the money in the best fashion as it sees to improve transportation. The bill rationalizes the use of public funds for urban transportation.

All over America this legislation would have a vital and salutary impact. As state representatives of Young Democrats throughout America, the message of hope this bill brings should be brought back to local governments.

WHY PEKING CASTS US AS THE VILLAIN

Mr. CHURCH. Mr. President, Prof. John K. Fairbank, of Harvard University is well known to my colleagues as one of our foremost "China hands." His numerous articles and his testimony before the Foreign Relations Committee have played a singular role in our current review of American policy toward China. Indeed, many of those who joined him in appearing before the committee were, at one time or another, his students. Last Sunday the New York Times Magazine published an article of his entitled "Why Peking Casts Us as the Villain." Fairbank points out that there is a form of historical inevitability in the present confrontation between the United States and China, and he concludes that "Without going soft and bugging out, we can meet Peking's challenge best by downgrading it."

I ask unanimous consent that this article be printed in its entirety at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Why Peking Casts Us as the Villain

(By John K. Fairbank)

(Note.—John K. Fairbank is Francis Lee Higginson Professor of History at Harvard and director of the executive committee of the East Asia Research Center there.)

A growing number of U.S. Senators, headed by Edward M. Kennedy and George McGovern, have been suggesting the appointment of a panel to review American policy toward China. Reviving this discussion is certainly desirable and indeed long overdue. Yet it has its dangers—things taken out of the deep freeze deteriorate if nothing further is done to them. Any attempt to resume our traditionally generous attitude toward the Chinese people, for example, will encounter disheartening hostility. The Chinese Communist revolution has created an assertive nation that confronts us with new problems.

Underlying today's Sino-American confrontation in power politics and Peking's vituperation against us are certain historical sources of enmity of which we have been largely unaware. Yet we have contributed to the impasse, and we cannot hope to end it until we see ourselves and the Chinese in perspective and realize the width of the gap between us.

To be sure, China and the United States are both of continental size and prone to consensus and selfrighteousness. Each assumes that a country so big must be correct. Each likes to think it has a message for mankind. Both remained outside the Europocentric power politics of the 19th century, isolated and suspicious of it, and both today find great-power status a new experience. But such similarities are far outweighed by the differences in our historical development.

The basic impediment to Sino-American understanding comes from our contrasting experiences in modern times. The expansion of Europe over the globe and the subsequent worldwide process of "modernization," in effect, created America. But at the same time and by the same means it destroyed the old China. We Americans came out of the European expansion. In our new land, we helped invent the modern world; the Chinese had it thrust upon them and rammed down their throats.

For us, the railway, for example, a century ago opened the West and built the nation. For the Chinese, with their ancient transport networks dependent upon manpower and waterways, railroads were an unnecessary foreign device used mainly by imperialist powers of the eighteen-nineties to consolidate their spheres of influence in the threatened dismemberment of the empire.

So it went with the other material aspects of modernization. Firearms, gunboats and then a navy; kerosene lamps and then gas and electric lighting; horsecars, electric tramcars, and then buses and automobiles; modern medicine, hospitals and public health; steam-powered factories and big industrial cities; even great social changes like the emancipation of women, beginning with the education of girls—all these things that we saw in the West as merely "new" or "modern" products of evolution and progress came to China as "foreign" (*yang*, "from overseas") or "Western" (*hsi-yang*). Even the humble friction match was to China *yang-huo*, "foreign fire." Thus the revolutionary changes of modern times burst into China suddenly from outside. They did not evolve gradually from within, as they did with us.

Since America arose on top of the revolution of modern times, while traditional China was caught underneath it, overwhelmed and destroyed, the American experience, opening a new continent, was exhilarating; the Chinese experience, clinging to a dying civilization, was shattering.

This contrast persists today, a subtle influence in our respective attitudes. Americans can be more relaxed about the mysteries of modern technology because they have evolved from our own past. If the modern mathematics baffles us, at least it is ours, not 'theirs." Even the weird new world of space is populated by our very human astronauts, crew-cut like the boy who used to live next door. All in all, we have not really suffered in the modern revolution. Indeed, we Americans are curiously inexperienced in public suffering. Unlike most other peoples, we have never been invaded, never been defeated, never been occupied, never even been bombed.

The very word "revolution" here and in China has meanings a world apart. The American revolution of 1776 saw a change of political institutions within one part, the newer part, of an English-speaking community. The revolution's social, economic and cultural effects were (with apologies to American historians) no more harrowing than most of American history. The Chinese revolution of 1911, in contrast, brought almost 40 years of continual civil war and political frustration, but war and politics were only the smaller part of the experience. The cataclysms in economic life, the social order, thought and culture were even more dire and drastic.

Put the two experiences side by side in *personal terms and one might say that the* 18th-century Americans chilled their feet at Valley Forge, but the 20th-century Chinese fell into a blast furnace. Take almost any yardstick of change. American youth have progressed from chaperoned dating on the front porch to going steady in the family car. Compare this with the change in China. A bride of the early nineteen-hundreds went to her arranged marriage sealed inside a sedan chair and after the ceremony first raised her eyes to see what she had got for a husband, whereas today a would-be labor heroine picks out her own male co-worker to aid her in socialist production.

China's modern disaster was both caused and intensified by her having been the ancient source of East Asian civilization and the massive center of it throughout 3,000 years of well-recorded history. Two things resulted from this long development. The Chinese naturally felt superior to all the other peoples round about, and they tended to stay at home in their own vast empire—*t'ien-hsia*, "all-under-heaven." Once they had incorporated South China in the empire, they had a self-sufficient realm stretching from Siberia to the tropics. This great continental bureaucratic state lived off the farming villages and the licensed domestic trade. Overseas trade remained peripheral.

For strategic defense against the nomadic huntsmen-warriors of Mongolia, the Chinese usually tried to control Central Asia, where China's retreat or expansion on the frontiers followed the fall or rise of central power. But China from very early times was the world's largest and most populous state. By A.D. 1000 it was ahead of Europe in size as well as in many aspects of technology, culture, government and social order. It seemed to contain all things, and so the Chinese were a stay-at-home people. No one wanted to go abroad and be exiled from civilization or conquer foreign lands of lesser value. Foreigners who came were expected to bring tribute, or else they could stay away in their backwardness and obscurity.

Chinese history contains plenty of warfare but it was mainly domestic warfare to control the empire, or on the borders to chastise the barbarians. No Chinese Alexander ever set out from the Middle Kingdom to conquer the farther reaches of the world. Chinggis (Genghis) Khan was a Mongol, and it was the Mongols, not the Chinese, who tried to conquer Japan in 1274 and 1281 and who first invaded Southeast Asia in force. After the Ming Dynasty in the early fourteen-hundreds had sent seven big fleets into Southeast Asia and the Indian Ocean, even across to Africa, the Chinese gave up exploration. They had the capability to discover Europe a century before the first Portuguese explorers discovered the route to China, but they were not interested in overseas expansion.

As a consequence, China's self-image today is one of victimization at the hands of a great historical and evil force invading China from the West. This makes for self-pity, resentment and the need for an explanation of history in terms of evil and injustice.

This Western invasion is what Mao Tse-tung really means by "imperialism." Behind all the dated Leninist theorizing about economic exploitation lies the great fact of the modern world's dynamic expansion. Mao has to broaden Lenin's picture of "finance capitalism" to include the Christian missionary invasion as "cultural imperialism." In the end, nearly all of China's foreign contact in modern times, the whole tragedy, turns out to have been a struggle against "imperialism." The "thought of Mao Tse-tung" explains what happened to China as the victim of "imperialism" and tells how to beat the imperialists—who still exist—by national modernization, Maoist-style. "American imperialism" thus has an essential role in Mao's cosmology.

In defense of the American self-image, on the other side of the gap, it will avail us little to argue the rights and wrongs of history with an innocent, injured "Who, me?" attitude. We are stuck with the facts: China was an ancient center of high culture, self-sufficient and isolated. The expanding West and its modern nations (including Japan) invaded China aggressively, undermined the old order and left it a shambles. The Chinese culture-empire was forced to remake itself. Now that it has created a modern nationalism, its antiforeign hostility is focused on us, China's modern history is rewritten to stereotype us as evil, and there is little we can do to change it.

Since we evidently have to do the understanding for both sides, we might well begin by seeing ourselves as the heirs of the early Portuguese, Spanish, Dutch, English and French expansionists who first invaded East Asia by sea. No one has ever been more hardy, resourceful and aggressive than these European seafarers. Their expansion was naval, commercial and evangelical all at once, a self-confident and formidable combination that used gunfire, greed and spiritual conversion to undermine and break down all resistance. Native leaders were shot, bought or converted in the first instance; only gradually could modern patriots arise to lead new nations. Small or disorganized countries became European colonies. By the mid-19th century even China and Japan finally had to give the Westerners special privileges enforceable by gunboat.

This movement of Europeans abroad contributed vitally to the enlightenment and the rise of the modern great powers. Geographic knowledge, naval technology, export industries, national rivalries, study of other cultures, the scientific view of man and society—all developed along with it. In school we learn of this vast process as the rise of modern civilization. It was what hit China.

We Americans have not liked to acknowledge all aspects of this tradition of European expansion as our own inheritance. After the Opium War of 1840, we tended to agree with our envoy to China, that doughty Kentuckian Humphrey Marshall, that "Great Britain has exhibited in her Eastern conquests neither fear of heaven nor love of justice among men." Yet we, of course, demanded and got most-favored-nation privileges from China, the same as the British.

In the Chinese view of history, centuries are shorter, since there are so many more of them. The cannon of the Opium War actually boom louder in the minds of newly politicized peasants today than they did in the consciousness of China's populace at the time. Far more indignation is being voiced about it now than was expressed in 1840. And Chairman Mao's historians (like Tung Chi-ming) describe how the United States Government "early in 1842 sent a squadron as a gesture of support to the British aggressors." Actually, Commodore Kearny, suspicious of British imperialism like any good Yankee, was then seeking only to get equal opportunities for American merchants. But we got them, and now, in retrospect, we are blamed for it.

As beneficiaries—but not perpetrators—of imperialism, we claimed to be morally above it. Our policies stressed benevolence. John Hay's Open Door notes of 1899 set forth a free-trade, me-too claim, but those of 1900 upheld also the integrity of China, China's chance to become a modern nation. After Dewey's victory in Manila Bay in 1898 it took us three years to suppress Aguinaldo's Philippine Republic, but to us the Philippines were always a temporary public trust, never a "colony." In our hearts we knew we were not imperialists.

To an observer in Peking, however, the colonial wars of the last century in East and Southeast Asia can easily be recalled as forerunners of Vietnam today. Each modernizing colonial power had a vigorous ideological justification. Rutherford Alcock, the British consul who built Shanghai, saw trade as "the true herald of civilization . . . the human agency appointed under a Divine dispensation to work out man's emancipation from the thralldom and evils of a savage isolation." France had a *mission civilisatrice* to support and extend the blessings of Catholic Christianity. Russia felt it a sacred duty to "liberate" the oppressed peoples of the Orient. By the time the Japanese generals of 1940 set out to spread "co-prosperity," they had many precedents to go by.

In theory, each expanding power wanted to let others less advanced share in the realization of its own ideals. It would be merely factual to note that our Honolulu Declaration of Feb. 8, 1966, contains a catalogue of American ideals of peace and plenty, justice and freedom. After all, the biggest empires of the old days were built by Western democracies, Britain and France, precisely because they were the most advanced, and therefore expansive, modern nations.

Of course, our Vietnam war today is different from the old imperialistic wars in several basic ways: We are not after territory. We support nationalist self-determination. Most important of all, we are reacting to a dynamic Maoist-type political-social revolution that has an alternative program of change. The Vietcong movement in its own eyes is the latest phase of "modernization," for it incorporates sentiments of nationalism, doctrines of "scientific" Marxism-Leninism and modern technology with elements of traditional peasant rebellion. The result is something new—both a local "resistance" and a rival "imperialism" of an ideological type.

In this novel situation we feel we cannot pull out, but must try to help the South Vietnamese avoid the agonies of the Communists' meat-grinder type of social revolution. We think the Vietnamese can develop less grievously with the help of trade and aid from the international world. Where the old imperialists were acquisitive, we Americans are unprecedentedly generous. Yet there is little question that our mid-20th-century generosity is a force even more expansive, in its economic, technological and social impact, than 19th-century imperialism ever was. Americans out to help you join the Great Society can be far more disruptive than the would-be imperialist exploiters of generations gone by.

All these echoes and continuities of an imperialist past that we associate with others, not with ourselves, do not make Dean Rusk a Palmerston. Nor do they invalidate, in my view, our making an unavoidable effort in Vietnam. But there is some historical resonance between our current expansion, in support of self-determination and due process in power politics, and the long-term Western seaborne expansion into Southeast and East Asia since 1500. It can give us a useful perspective on ourselves and some insight into Chinese attitudes.

All in all, the contrasting experiences of Chinese and Americans at the hands of modern history would make any Chinese patriot resentful, either at fate or at us specifically. Even if Communism had never been invented, we would probably face today a good deal of Chinese hostility. The origin of the Peking-Washington impasse cannot be blamed wholly on Marx and Lenin. Yet it is plain that Maoism cherishes a special hatred for "American imperialism," the constant menace of which keeps the revolution charged with fear and belligerence.

Ideologically, Maoism explains the cosmos in systematic terms that require a heavy villain, and our "capitalism" is it. China's modern history is therefore rewritten with selected evidence to show the iniquitous propensities of American capitalists. Thus we joined in the opium trade and coolie trade, the China Coast successor to the slave trade. We collaborated with Japanese aggression when Americans "advised" Japan's expedition to Taiwan in 1874. Since American imperialism had to grow through the three stages of commercial capitalism, industrial capitalism and finance (or monopoly) capitalism, it follows that our comparatively minor role in the opening of China a century ago does us no credit. Our aggressive imperialism was not yet fully grown. The beast had not yet got its claws and fangs.

When we did come of age in 1898, we were like bandits arriving late at the holdup. Our Open Door policy sought two things. It demanded our cut in the exploitation of the Chinese people. It also tried to preserve their country as a unit so that we might exploit it more easily later. If one objects that our China trade was unimportant to us, Mao's pamphleteers need only quote the purple rhetoric of American expansionism from W. H. Seward to J. F. Dulles. In a China where all policy pronouncements come from authority, the fire-eating prose of retired American admirals and ex- or would-be officeholders is enough to make the flesh creep and the hair rise. The list of our aggressions becomes steadily more substantial after 1900, until we become the full-scale backers of Chiang Kai-shek's counter-revolution in the nineteen-forties and finally the outright aggressors in Korea, Taiwan and Vietnam. Q.E.D.

This distortion of history could be switched off at any time by Mao's totalitarian apparatus, but the hard fact is that it is logically indispensable to Marx-Lenin-Maoism. Behind this lies a second hard political fact—that government in China requires a heavy stress on doctrine. The Confucian teachings of social order, with each man fulfilling his proper role, long helped a small bureaucracy control an enormous empire.

The collapse of Confucianism and the abolition of the monarchy as a result of the 1911 revolution led to a prolonged search for a new orthodoxy. The Nationalist Government on Taiwan is still teaching in its schools the Three Principles of the People put forward by Sun Yat-sen as a new ideology in the early nineteen-twenties. Sun Yatsenism, though less rigorous and less universal than Maoism, clearly depicts China's victimization in modern times. We must expect that any Chinese state in the present or foreseeable future would promote a doctrinaire view of history and give us our "just" desserts.

An added ingredient in Maoist anti-Americanism is its fanatic faith in the power of the human will to transform the social scene. This we can hardly ascribe to China's past. The Maoist faith in science and progress, looking forward to a future utopia, seems to be a Western contribution to China's transformation, yet it also echoes Chinese tradition—in particular, the minority rebel tradition of dynastic founders who rise from the countryside as leaders of peasant rebellion, animated by faith in a religious cult. In this spirit Mao has repeatedly pushed to meet domestic challenges by all-out efforts—fighting to defeat Chiang in the late nineteen-forties when Stalin evidently would have waited; pressing to complete collectivization after 1953 faster than most people thought possible; finally, challenging the limits of possibility in the industrial Great Leap of 1958, which proved to be a failure. This record of extreme efforts has now been capped by Mao's challenge to Soviet Russia. One can only conclude that Mao tends to welcome an American challenge rather than Sino-American friendship.

Our relations with China are a long-term, semipermanent problem, not amenable to any quick, easy or single solution. From our point of view, China is out of tune with the international order in which nearly all mankind, including ourselves and the Russians, participates more or less according to the rules of multistate intercourse.

Without going soft and bugging out, we can still meet Peking's challenge best by downgrading it. We should not accept, for instance, Chou En-lai's claim that Vietnam is a battle for the world—that the "people's war of liberation," winning there, will win everywhere. On the contrary, Vietnam is the most favorable spot for him, the least favorable for us. A stalemate will be our "victory." We should not seek more.

Second, now that we are trying again to look objectively at our China policy we can make it plain that it is Peking, not Washington, that mainly keeps China out of the international scene. Our recent offers to permit movement back and forth of journalists, medical and public-health specialists and "scholars" have been in the right direction. We should go on to permit general tourist travel, just as to the Soviet Union. Our ineffective trade embargo might as well follow suit, on the model of our trade with the Soviets. Actually, such exchanges are likely to be held up pending Sino-American recognition, and recognition is likely to be held up pending a Taiwan "settlement," but we have everything to gain by letting it be seen that Peking, not Washington is preventing the normalization of our relations.

The great stumbling block, for both recognition and Peking's entrance into the U.N., is Taiwan. On this issue we can only hold to our principle of self-determination, honoring our defense treaty, keeping our fleet in the Taiwan Straits, and leaving it up to the two Chinese Governments in Peking and Taipei to deal directly with the U.N. and the world at large. Taipei is not our puppet. We cannot underwrite the ethnocentric claims of either Government to rule both sides of the Taiwan Straits. On this issue, too, we should relax, leaving our fleet where it is, and waiting for Chinese thinking on both sides to catch up with international reality.

This effort to get the United States out of the role of free-world protagonist against Peking will not be given much help from any non-American quarter. Both our enemies and our allies seem to favor our standing forth as the container of China's revolution. But it is not in our interest to do so all alone. We should let third parties, particularly through the U.N., participate in the arduous and long-continuing task of dealing with China. Indeed, they can bridge the gap sooner than we can.

MORE INTERSTATE MILEAGE AND AUGMENTED PROGRAM FOR HIGH SPOT IMPROVEMENTS NEEDED

Mr. HARTKE. Mr. President, we are within a few days of the beginning of fiscal year 1967. Almost half of calendar year 1966 is gone; 1966, unfortunately, will end with more than 50,000 Americans dead and more than one and a half million people maimed in traffic accidents on the Nation's highways.

Just this past Memorial Day weekend 529 persons were killed in traffic accidents across the country from 6 p.m., Friday, May 27, to midnight, May 30.

How many more times are we going to see the ominous predictions of a new record in highway deaths be realized so tragically?

How much are we going to do to step up Interstate Highway construction so that this carnage is lessened?

How long will we wait to launch an ample program to clear up high accident areas in our primary and secondary highway system?

These are some of the questions for safer highways which I will answer in my remarks today.

Of these 529 Memorial Day deaths, 22—or 4 percent—occurred on the Interstate Highway System. In my own State of Indiana with 16 traffic deaths only 1 occurred on an interstate highway.

The results of a special survey run for me by the Bureau of Roads for the Memorial Day weekend on traffic deaths per 100 million vehicle-miles on all types of roadways show us that travel on interstate highways is far safer. There were only 2.64 deaths per 100 million vehicle-miles on the Interstate System while the figure for primary and secondary roads is 6.03 and a figure of 5.73 deaths per 100 million vehicle-miles for the overall total, adding gravel and dirt roads to the 2-lane primary and secondary routes.

Officials estimate that for every 5 miles of interstate highway one person is saved from death each year.

Yet H.R. 14359, the Federal-Aid Highway Act of 1966 has no new authorization for additional interstate mileage. As a matter of fact, section 8 of that bill authorizes $160 million for fiscal years 1968–69 for control of outdoor advertising, $48 million for 1968–69 for the control of junkyards and $285 million for landscaping and scenic enhancement along the highways. All of this money is to come from the highway trust fund, not the General Treasury.

Although I am a strong advocate of scenic highways and beautification, because we have sorely neglected our national resources and also access routes to our scenic wonders for so many decades, I would prefer that we keep the highway trust fund for actual road construction.

With the $493 million for outdoor advertising control, junkyard control and landscaping, at a cost of $1.4 million a mile, we could build almost 352 additional miles of four-lane divided interstate highways and save 70 more lives each year.

Instead of completing only 41,000 interstate miles by June 30, 1972, we should be working on 60,000 miles for more of the 3.7 million miles of all roads in the United States. More of the traffic would be carried by the safer Interstate System.

I call your attention, Mr. President, to my bill S. 1272 which would authorize construction of 60,000 miles of interstate highways and to my proposal S. 1976 which would repeal the pay-before-you-go clause and allow us to anticipate the amount of revenue in the highway trust fund for a pay-as-you-go policy and thus speed up interstate highway construction fund's apportionment.

Another important step we can take to insure that more Americans are alive to enjoy holidays in 1967 is to increase the authorization for highway spot improvements—the removal of high-incidence accident locations along our primary and secondary roads by the installation of left-turn lanes, traffic lights at dangerous intersections, or straightening a treacherous curve. To augment this program my bill, S. 1633, would increase the Federal funds for these projects by authorizing $100 million from the General Treasury and allow the Bureau of Public Roads to increase substantially the program already underway.

Rex Whitten, Federal Highway Administrator, reports that from January 1966 through March we increased the work on these high-accident spots by 62 percent over those projects scheduled in December 1965 and increased 139 percent those projects scheduled a year ago. Over the 2-year period the program has been in effect over 1,013 projects have been programed by the States with $83 million in Federal aid.

I ask unanimous consent, Mr. President, to include in the RECORD a State-by-State total of the improvements and the January, February, and March description of improvements made in primary and secondary roads in my own State of Indiana.

President Johnson has expressed his concern over the need for highway safety. He, too, is alarmed and is working toward stopping the highway carnage. The best way I know to do this is increase immediately the construction of interstate highways by lifting the limitation and augment dramatically the highway spot improvements across the country. If we take these steps, we in the Congress can say proudly to the people who want to be alive next year that we have helped significantly in the campaign to stop highway deaths. The 89th Congress 2d session would then become the "safety" Congress.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Highway safety improvement projects—Actions during and status at end of quarter, Jan. 1 to Mar. 31, 1966, by State

[Dollar amounts in thousands]

State	Program changes from Jan. 1, 1966, to Mar. 31, 1966 [1]				Program as of Mar. 31, 1966			
	Number of projects added	Federal funds	Percent of A-B-C apportionments during period	Total cost	Number of projects	Federal funds	Percent of A-B-C apportionments during period	Total cost
Alabama	9	$1,269	26.8	$2,168	24	$1,516	4.1	$3,267
Alaska	(7)	(7,410)		(7,798)	7	1,722	2.2	1,813
Arizona	5	957	30.6	2,242	16	2,624	10.7	5,042
Arkansas	3	565	17.2	1,390	5	1,725	6.7	3,332
California								
Colorado	2	119	3.2	192	38	2,741	9.4	5,047
Connecticut					1	98	.6	199
Delaware	2	205	19.2	408	12	302	3.6	603
Florida	3	158	2.8	317	6	285	.6	571
Georgia	32	300	1.8	477	45	781	1.8	1,435
Hawaii	1	9	.8	17	5	743	8.1	1,486
Idaho					1	1	.1	1
Illinois	19	3,009	28.8	4,668	65	9,369	11.4	26,963
Indiana	21	2,712	48.1	5,808	40	3,492	7.9	7,829
Iowa	5	161	3.1	274	14	580	1.4	1,177
Kansas	32	690	14.1	1,436	74	4,507	11.8	9,371
Kentucky	1	3	.1	4	5	125	.4	249
Louisiana					9	1,316	4.3	2,647
Maine	8	873	52.5	1,746	16	1,671	12.8	3,342
Maryland	1	863	20.9	2,213	2	1,350	6.0	2,700
Massachusetts	10	306	7.5	567	27	1,157	3.6	2,294
Michigan	4	17	.2	72	25	1,025	1.6	2,003
Minnesota	58	3,623	60.9	11,415	65	4,576	9.8	13,311
Mississippi	17	1,234	33.0	2,285	31	2,826	9.6	5,440
Missouri	(1)	(77)		(86)	52	3,826	7.4	7,949
Montana	5	158	4.4	278	7	284	1.0	500
Nebraska	12	371	9.7	616	52	1,791	5.9	3,134
Nevada	2	161	7.4	175	12	1,317	7.7	1,494
New Hampshire		267	24.5	728	16	1,268	14.8	10,412
New Jersey	3	44	.9	87	3	44	.1	87
New Mexico	1	283	9.0	430	15	475	1.9	726
New York	4	44	.3	2,031	10	692	.6	3,668
North Carolina	5	1,123	19.2	2,178	19	1,319	2.9	2,557
North Dakota	7	464	17.5	927	14	871	4.2	1,753
Ohio	14	150	1.6	4,081	16	223	.3	4,547
Oklahoma	37	2,559	55.9	9,309	39	2,654	7.4	9,491
Oregon	1	78	2.3	128	6	258	1.0	419
Pennsylvania								
Rhode Island					2	126	1.2	282
South Carolina	15	2,019	63.5	3,956	43	3,618	14.5	6,949
South Dakota	11	619	21.9	1,996	23	856	3.9	2,952

See footnote at end of table.

Highway safety improvement projects—Actions during and status at end of quarter, Jan. 1 to Mar. 31, 1966, by State—Continued

[Dollar amounts in thousands]

State	Program changes from Jan. 1, 1966, to Mar. 31, 1966 [1]				Program as of Mar. 31, 1966			
	Number of projects added	Federal funds	Percent of A-B-C apportionments during period	Total cost	Number of projects	Federal funds	Percent of A-B-C apportionments during period	Total cost
Tennessee	17	$1,677	33.2	$3,163	43	$5,346	13.5	$10,491
Texas	1	(9)		(30)	28	8,095	7.0	15,183
Utah	1	51	2.2	63	5	456	2.6	594
Vermont	3			30	16	511	6.6	1,167
Virginia	1	186	3.8	371	1	186	.5	371
Washington	5	(794)		(1,484)	14	1,115	3.7	2,105
West Virginia	3	1,213	49.1	2,002	7	1,689	8.7	2,934
Wisconsin	10	220	3.9	872	21	600	1.4	1,755
Wyoming	2	170	7.8	257	5	265	1.6	401
District of Columbia	2	(9)		(40)	8	95	.9	221
Puerto Rico	2	370	22.4	770	3	587	4.5	1,204
Total	389	20,999	8.5	62,697	1,013	83,097	4.3	193,406

[1] The dollar figures shown for the quarter reflect new projects and also changes in older projects, so they cannot be used to determine the cost of the 389 projects programed during the quarter.

NOTE.—Figures in parentheses indicate a decrease.

U.S. DEPARTMENT OF COMMERCE, BUREAU OF PUBLIC ROADS

Highway safety improvement projects—Status report as of Mar. 31, 1966

	Previously reported (Apr. 15, 1964, to Dec. 31, 1965)	Changes during last quarter (Jan. 1 to Mar. 31, 1966)	Total to date (Apr. 15, 1964, to Mar. 31, 1966)
Number of States	[1] 46	(2)	[1] 48
Number of projects	624	+389	1,013
Federal funds	$62,098,000	+$20,999,000	$83,097,000
Approximate percent of ABC apportionments for period	3.7	8.5	4.3
Total cost	$130,709,000	+$62,697,000	$193,406,000

[1] Plus the District of Columbia and Puerto Rico.

[2] 2 States added.

NOTE.—The 2 States not reporting Federal-aid projects (California and Pennsylvania) are conducting substantial programs of a similar nature using State funds only.

INDIANA

(January)

Clinton County: State Route 28 at Monon Railroad in Frankfort; urban; installation of modern flashing light signals. Total $10,300, Federal share $9,270.

Marion County: State Route 67, bridge .03 miles west of Arlington Avenue, Indianapolis; project length .12 miles; urban; relocation of stream. Total $160,000, Federal share $80,000.

Vermillion County: State Route 63, from 1.27 miles north of Cayuga, northerly; project length 4.356 miles; primary system; widening of narrow bridge. Total $797,800, Federal share $398,900.

Delaware County: State Routes 3 and 67, railroad crossing one mile south of Muncie; primary system; installation of modern automatic flashing light signals. Total $16,000, Federal share $16,000.

Greene and Owen Counties: State Route 67, Washington to Spencer; 16.25 miles; primary system; widen pavement and correct sight distance; widen bridge. Total $2,450,000, Federal share $1,225,000.

(February)

Madison County: State Route 109, bridge 1.3 miles north of U.S. Route 36; project length 226 miles; secondary; preliminary engineering for replacing inadequate bridge. Total $3,500, Federal share $1,750.

Henry County: County road, bridge 3.75 miles south of Middleton; project length .310 miles; secondary; replace inadequate bridge. Total $65,000.

Delaware County: County road, bridge 1.25 miles west of Selma; project length .3 miles; secondary; grade, drainage, and widen structure over railroad. Total $100,000.

(March)

Greene County: State Route 59, from 3 miles northwest of Linton, north; widen and resurface pavement; length of project 6.892 miles. Total $800,000, Federal share $400,000.

Accident experience: Not available.

Vanderburgh County: County Road, bridge on St. George Road, north of Evansville; resurface road and reconstruct bridge to roadway width; length of project .284 miles. Total $153,000, Federal share $76,500.

Accident experience: Not available.

Vanderburgh County: County Road, bridge on Oak Hill Road in Evansville; Preliminary engineering for bridge construction to change alignment; length of project .2 mile. Total $525,000, Federal share $262,500.

Accident experience: Not available.

Clinton and Boone Counties: State Route 38, bridges 2.4 miles and 4.8 miles southeast of U.S. 421 in Kirklin; preliminary engineering for construction of two bridges. Total $10,000, Federal share $5,000.

Accident experience: Not available.

Dekalb County: County road to B & O Railroad crossing two miles south of Auburn; installation of automatic flashing lights and short arm gates. Total $1,000, Federal share $500.

Henry County: State Route 236 at Pennsylvania Railroad, 1.5 miles west of Middletown; installation of modern flashing light signals. Total $10,000, Federal share $9,000.

Adams County: County road, bridge over Wabash River at Linn Grove; replacement of substandard bridge. Total $150,000.

Clinton County: County road, bridge over Prairie Creek one mile south of State Route 28; replacement of narrow bridge. Total $40,000.

Jackson County: State Route 235 at bridge over east fork of White River; preliminary engineering for replacement of narrow bridge. Total $28,000, Federal share $14,000.

Huntington County: State Route 37 from 2 miles southwest of Huntington north; updating of signs. Total $30,500, Federal share $15,250.

Huntington County: State Route 37 from .5 mile southwest of Etna north; updating of signs. Total $12,200, Federal share $6,100.

Huntington County: U.S. 24 from one mile west of Huntington, northeast; updating of signs. Total $71,000, Federal share $35,500.

SOVIET FISHING VESSELS OFF THE COAST OF WASHINGTON AND OREGON

Mr. JACKSON. Mr. President, for almost 2 months now Soviet fishing vessels, perhaps as many as 48 of them, have been actively engaged in high seas fishing off the Oregon and Washington coasts. It is clear they are taking perch, sole, hake, and halibut, but, although the Russians deny it, it appears they may also be fishing salmon at night. It is, of course, also probable that the Russians have interests other than catching fish.

Soviet fishing boats in waters near the United States are not new. They have been in the Gulf of Alaska for several years, as well as off the New England coast. But the resources now being fished by the Russians are stocks upon which our fishermen have long depended. The size of the Russian fleet and the modern techniques and equipment they are employing indicate the seriousness of the problem.

The danger is, as my senior colleague has so well emphasized, that the Soviet fishing boats may be depleting one of our most valuable resources. At this point we do not know the precise effects, but they may be serious indeed. We must waste no more time in taking steps to learn all we can about the Russian fishing activity, the extent of our Pacific fishery resources, and the need for new arrangements to protect those resources. I join Senator MAGNUSON in urging the Departments of the Interior and State to adopt measures fully adequate for the wise conservation and utilization of the North Pacific fisheries.

For the information of my colleagues I ask unanimous consent that an article from the May 1966 issue of the Pacific Fisherman and newspaper reports from the Everett Herald of May 28, 1966, be printed.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Pacific Fisherman, May 1966]

Big Soviet Bottomfish Fleet Fishes Off Coast of Washington and Oregon

"200-boat Russ fishing flotilla invades coast," said the front-page head line in the *San Pedro News Pilot* on April 11. On the same day, *The Daily Astorian* ran an eight-column head across the front page which read: "Big Russ Fleet Sweeps Bottom Fish Grounds * * * Drives U.S. Fisherman Back to Port."

The Soviet bottomfish fleet which has been fishing in the Gulf of Alaska for the past several years caused the above outbreaks when it moved south to the coasts of Washington and Oregon early in April. Although severe weather during the first few days the fleet was operating off the Oregon coast caused some exaggerated estimates of its size, the final analysis was that it was composed of from 59 to 67 vessels fishing from California to Vancouver Island.

Samuel Hutchinson of the Bureau of Commercial Fisheries in Seattle estimated the catch at between 50 and 100 tons of bottomfish per vessel per day. Mr. Hutchinson said the Soviet vessels appeared to be fishing a 100-fathom contour line between 12 and 20 miles off the U.S. coast, well outside the three-mile territorial limit.

The Soviet fleet seemed to be taking mostly Pacific Ocean perch and sole, although they may have taken a few halibut as well. U.S. commercial fishermen from Oregon were upset over the appearance of the Russian vessels, and claimed that the larger Soviet vessels were forcing them off the grounds.

Ward and Don Nichols, owners and operators of the 65′ trawler *Linda Don* of Astoria, said that they were forced to pick up their gear and leave an area about 30 miles west of Newport, Ore., on April 7, because of the pressure of Soviet vessels.

"The Russian boats averaged about 150′ long and when you have a 65-footer, you just don't fish with those big boys or you are liable to lose your gear," Don Nichols explained.

Ward Nichols said that they then moved the *Linda Don* to another spot, only to be chased off the grounds after only two drags which were both productive and observed closely by the Soviet fishermen.

Other Oregon fishermen voiced similar complaints, and one claimed that a Soviet trawler had come within four feet of his vessel as he lay stationary trying to free his gear which had become tangled on the bottom.

Concern for the bottomfish stocks off the coast of Oregon was voiced by fisheries organizations, the US BCF and several representatives from the Pacific Coast states.

The directors of the Congress of American Fishermen urged that the United States establish a fishery zone extending from appropriate base lines to a distance of 200 miles offshore or to the extent of the continental shelf, whichever is greater, and that historic fishing rights be given consideration for a period of not less than ten years.

The CAF directors made the statement at a meeting held in Seattle April 21.

CAF president, Bill Saletic, said: "We are asking that our traditional fishery interests be protected to 200 miles. We are not asking at this time for a change in the three-mile territorial sea limits."

Senator Warren G. Magnuson, of Washington, and chairman of the Senate Commerce Committee issued a release from Washington, D.C., in which he said, "The United States must move firmly and swiftly to achieve control of its coast fishery resources, not only in the interest of conservation, but because of now-recognized 'special interests' of the coastal nation."

The Senator outlined a three-point program, prompted by the arrival of the Soviet fleet.

"I am calling for immediate hearings on S–2218 which would give the United States jurisdiction of twelve miles on fishery resources. It is very clear to me that this measure does not offer adequate control of our fishery resources, and I would hope that this hearing will offer an opportunity for testimony from fishermen and industry leaders on America's interest in areas beyond."

Though no specific date was set for the hearings on S–2218 which was introduced by Alaska Sen. E. L. Bartlett, Sen. Magnuson said that a date would be announced soon.

The Senator's second point calls for an immediate diplomatic confrontation with the Soviet Union concerning the present activities of the Russian fleet.

In telegrams to President Johnson and Secretary of State Rusk, Sen. Magnuson noted that "the kind of Soviet fleet now operating off the west coast could not only quickly destroy the fisheries upon which our coast fleets have historically operated, but could obliterate our future harvest and make a folly of the conservation principles which have maintained the resources."

The third point in the program calls for an immediate effort by the US State Department toward implementation of the 1958 Geneva Fishery Convention.

"Three years ago, the US Senate unanimously adopted a resolution calling for a world fishery conference to discuss problems such as this one with other nations. The State Department is now moving toward such a conference, but it is probably several years away, and we must move now toward getting the needed benefits provided in this convention for the coastal nation."

In California, Governor Brown called for a conference of US and state officials and leaders of California sport and commercial fishery activities to discuss the threat of the Soviet fleet.

Assemblyman Vincent Thomas of San Pedro planned to introduce a resolution asking the State Department to intercede. Mr. Thomas said private fishing leaders fear the Russians will move their fleet to California waters to remove huge stocks of market and game fish. Governor Brown was to invite William Herrington of the State Department and Donald McKernan of the US BCF to the conference.

Roy Katnic, manager of the San Pedro Fishermen's Cooperative Association reminded Californians that his group had been warning of the potential Soviet threat to California fisheries for two years or more.

[From the Everett (Wash.) Herald, May 28, 1966]

Russ Roulette: Fishing at Stake

(By Alan Dawson, Jr.)

Westport.—The 2,000 residents of this community are playing a game of Russian roulette.

The Russians are real.

The game is fixed. And deadly.

A 40-ship Russian flotilla is scooping up fish about 10 miles off Westport.

The Russians have claimed over and over again they are not taking salmon.

A Herald-Western Sun reporter-photographer team was along Friday when local commercial fishermen apparently proved this statement untrue.

Seven persons aboard the 55-foot charter yacht Tahoe, including the Herald-Western Sun team, saw fish reported to be salmon, air-drying on a "small" 150-foot Russian dragger.

Commercial fishermen on the yacht, as well as the charter captain, swore the fish were silver salmon.

Earlier, fish were spotted hanging from the rail on another Russian ship, and were first thought to be salmon.

But a closer inspection led the Americans to admit that the fish were not salmon, but bass.

The vessel that apparently had the salmon on board was the "Heabck," and the Tahoe pulled to within 50 feet of it. The five fishermen on board all looked through powerful binoculars and each in turn said the fish were definitely salmon.

The type of net the boat was using could not be seen.

As the Tahoe pulled up to the Heabck, Russian deck hands scrambled around covering up all equipment with tarpaulins.

Fishermen here have claimed that the Russians have been using gillnets to catch the salmon.

American fishermen are subject to fine and imprisonment for using gillnets in this area.

The Russian ships—and ships is the right word, since they range in length from 150 feet to over 400 feet—are playing it cagey when approached by any American vessel.

On at least five occasions Friday, Tahoe skipper Jack Davis approached Russian trollers reeling in their nets.

Every time, the Russians dropped their nets back in rather than have their equipment and catch be observed by anyone.

On another occasion, the Tahoe hove to for an hour and nine minutes beside the Churkin, thought to be the flotilla's flag ship, waiting for a smaller ship to unload its cargo.

The Russians sat passively and watched.

When the Tahoe finally pulled away to a distance of two or three miles, the cargo transfer began.

Watching the Russina fleet fish here is especially painful for residents of Westport, although every person who makes his living from fishing for silver and king salmon can also see the money being pulled from deep in his pocket.

Elmer Johnson, local spearhead behind the "Russians Go Home" movement, says his boat was not for sale at any price two weeks ago. Now it is, and at a pretty low price that is getting lower.

Tom Cook of Forks, manager of the West Coast Tollers' Association, estimates it will take only 30 days for the Russians to clean out all the salmon on the Grays Harbor beds.

And, he adds, they've already been there for eight days.

Men like Davis and Don Rockey, who runs Sunrise Charter Service, see their sport-fishing business going down the drain.

In Les and Pearl's Cafe, where the fishermen gather before dawn to eat breakfast, talk and play pool, there are three commonly-heard words above the chatter.

"Russians, gillnet, salmon."

The Russinas are fishing in a circle with about a six-mile radius, as close as 10 miles to shore.

They have at least 10 boats in the 300–400 foot range. The rest are trollers, 150 feet long.

All are metal ships. The 40-foot American boats are wooden.

If the Russians are using gillnets, kiss Westport salmon fishing good-bye, is the feeling locally.

The Russian boats pull a net at 10 knots, faster than the salmon can swim. Pulling a net, the Russians can outstrip any American troller running wide open with no net down.

A good deal of the Russian fishing is done at night, a time when gillnetting is especially effective.

Wednesday night, American boats picked up the Russians on radar. They were running without lights, presumably pulling a net.

Running without lights is against the laws that govern international waters.

One of the main troubles faced by the American fishermen is making public officials realize the magnitude of the situation—the size of the Russian fleet.

Says Johnson, who led a 70-man delegation to a talk with Governor Dan Evans Wednesday:

"The people on land don't believe us. In fact, the people in Olympia have more or less called us prevaricators."

Well, they're not liars.

But it is hard to realize just how many salmon can fit into the ships that are here.

THE U.S. ROLE IN THE CONTINUED STRUGGLE TO INSURE PEACE AND STABILITY THROUGHOUT THE FREE WORLD

Mr. McINTYRE. Mr. President, today the United States has hundreds of thousands of troops stationed in many parts of the world—in South Vietnam, in Europe, in the Dominican Republic, in Korea, and in small, isolated outposts from Guam to the Aleutians.

The commitments of the United States to the other nations of the free world will not be discarded, but, as the years go by, the United States will no longer be able to carry this burden by itself.

The United States must, in the next few years, decide how its resources can be most effectively employed in the continued struggle to insure peace and stability throughout the free world.

More of the burden of world leadership must fall on the affluent nations of Western Europe which are now content to let our Nation police the world while they prosper under an American nuclear shield.

Our commitment of 215,000 men to NATO and our huge expenditures for weapons and materiel are based, I believe, on an outdated estimate of Europe's ability to pay for her own defense. Europe has dramatically recovered from its great economic collapse in the early postwar years and is now financially able to carry more of the burden of her own defense.

The Common Market has brought new prosperity to Western Europe—most Europeans are now able to afford the luxury of an automobile, a new refrigerator, and the many other material benefits of an affluent society.

But, in order to preserve her new affluence, Europe must be prepared to assume a greater share of the burdens of her own defense. She must be expected to devote a greater share of her gross national product to defense expenditures, she must devote time and energy to uplifting the quality of her armed forces and she must be prepared to make some sacrifices in consumer expenditures so that her forces are equipped with the latest arms and equipment.

Europe has the manpower to put more of her own men in uniform and has the ability to train these men into crack front-line troops rather than emergency reserves.

The question has arisen as to whether the United States is overcommitted throughout the world. I do not mean to suggest that the United States should consider relaxing its strength, but I sometimes wonder, Mr. President, if the United States has not overextended its commitments to the other nations of the world when some of these nations are entirely able to assume a greater share of the commitment.

The United States has a million men in uniform overseas; it has serious problems of gold outflow from this country, much of it a direct result of troop commitments overseas; and our Nation is spending billions of dollars every year to keep its European forces at the peak of readiness.

If this expenditure is necessary, if this huge deployment of men and equipment is vital, then I entirely agree that this commitment should be met by the United States. But, if other nations can take over part of this burden, if we can take advantage of new developments which reduce the need for large ground forces on permanent station at overseas bases, then I suggest that we begin to find ways to reduce this burden without reducing the free world's ability to withstand aggression from the Soviet bloc.

We do not intend to neglect our responsibilities to the nations of the free world, nor do we intend to relax our barriers to Communist aggression. But the nations of Western Europe must begin to realize that, only by a more fully integrated effort—in all parts of the world—will our superior military strength continue to be effective in containing the expansionist tendencies of the Communist world.

Mr. President, Secretary of State Dean Rusk recently listed what he considers to be the three prime objectives of the NATO Alliance. They are:

> To provide an effective defense of the Atlantic Area; to maintain a powerful deterrent against aggression; and, finally, to preserve that unity of action necessary to the settlement of the great problems that still divide East and West.

I wholeheartedly agree with this statement of American policy, Mr. President, and believe that the pursuit of these objectives should be our Nation's overriding concern.

At the same time, I find nothing inconsistent between our Nation's stated policy and my proposal that the United States begin to consider new ways to implement these objectives.

If we can accomplish our objectives in Western Europe and provide a credible deterrent against Communist aggression with the use of fewer American ground forces—or with increased European ground forces—then I urge our Government to begin to study this possibility at the earliest opportunity.

Mr. President, I believe that our NATO alliance has been very successful and has substantially reduced the Soviet threat to Western Europe. But I also believe that increased participation by Europe in its own defense remains the key to continued peace and security on the European Continent.

Europe must rise to the challenge of world leadership; it must become an active participant in the search for peace; and it must look outwardly to the common goal which unites us, and not inwardly to its own selfish interests.

Europe can no longer give only vocal support to this common goal of world peace, but must devote its full energies, talents, and resources to the search for viable ways to strengthen and enrich the alliance we have built together.

Europe has a strong moral commitment and, for its own peace and security, a strong practical commitment, to involve itself in a world that is beset by strife and aggression.

For, what John Donne wrote in the late 1500's is no less true today:

> No man is an island, entire of itself; every man is a piece of the continent, a part of the main; if a clod be washed away by the sea, Europe is the less.

But the Western Europe of today is neglecting the words of John Donne, it is weakening the strong, united front we have built against aggression.

Today, Mr. President, our Nation faces a serious crisis in Western Europe. Our NATO alliance, a strong defense against the threat of aggression from the Warsaw Pact nations, is in turn threatened by Gen. Charles de Gaulle's announced intention of withdrawing troops from the Alliance's integrated command structure.

De Gaulle, reverting to outdated nationalist concepts, advocates what he calls a "European Europe," a Europe free from entangling alliances with the United States, a Europe "existing by itself for itself."

While De Gaulle promotes his "independent" Europe, he still appears willing to continue his nation's reliance on the American nuclear umbrella. Because he believes that the United States would be compelled to protect him in the event of "unprovoked aggression," he feels that he can do or say what he pleases without incurring any permanent hostility from the United States.

The Atlantic alliance can, of course, survive without De Gaulle. The other partners appear more than willing to fill the gap left by French withdrawal of troops and logistical support. But there is no responsible body of opinion in the free world today which feels that this alliance would be better off without France.

De Gaulle's plan to withdraw troops from the alliance and his lack of definite word about his future intentions will force the United States to revamp its strategy.

Further uncertainty results from the possibility that De Gaulle will shut off oil pipelines running through French territory, that he will deny the use of French territory for supply depots or that he will prohibit the use of French airspace for NATO overflights.

French withdrawal of logistical support to NATO, denial of the use of French airspace to NATO aircraft and the general lack of mobility caused by the inability to use French ground space would make it much more difficult to carry out the defense of Europe on the ground.

The size, shape, and terrain of the European Continent leaves little room for maneuvering large numbers of troops. The distance from the East German border to Paris, for example, is only 300 miles; and the whole continent is hemmed in on the south by high mountains and difficult terrain.

Europe is not easy to defend; and, without France, the job is made that much harder.

De Gaulle's overt hostility toward NATO is paralleled by an undertone of lethargy which pervades the whole Atlantic community. Europe is not pulling its own weight in a troubled world and is diminishing the effectiveness of the alliance by not fulfilling its obligations to the non-European powers.

West Germany, for example, has agreed to purchase $1.3 billion in military goods and services in the United States as part of its NATO commitment. This is what the United States plans to spend in West Germany during the next year or so; and the German purchases are supposed to offset what we spend in that nation. But Germany is falling short of her pledge and has informed the United States that the total shortage may well be as high as several hundred million dollars.

Germany's plan to join with other European nations in selling a $176 million steel rolling mill to Red China is a direct affront to our efforts to bring peace and stability to southeast Asia. And I have learned that a large West German steel combine is quietly working, behind the scenes, to sell Peking a plant for the fabrication of large-diameter steel pipe.

De Gaulle's threatened pullout from NATO, Germany's inability to comprehend that we must present a unified political front, as well as a unified military front, to the Communist world and the general lack of support for our efforts in South Vietnam, are all emotional issues which lead many in this Nation to call for a complete reexamination of our future role in the NATO Alliance.

The emotional issue is a strong one, but it is firmly buttressed by the hard, cold, practical realities of military strategy.

Some of us are calling for a good hard look at the NATO Alliance—not with the attitude that the Europeans "aren't playing the game the way we want to play it, so we're going to pick up our marbles and go home"—but purely and simply because a close look at the NATO situation may very well reveal that large numbers of American troops are no longer needed on the European Continent.

De Gaulle's intransigence has brought on the NATO crisis, but, in seeking solutions to our present difficulties with the alliance, we should reappraise our NATO strategy—we should make certain that it is not based on outdated principles, incompatible with advances our Nation has made in the fields of technology and modern-day nuclear strategy.

Secretary of Defense Robert S. McNamara puts it this way:

> Throughout the next decade advancing technology will reduce the requirement for bases and staging rights at particular locations abroad, and the whole pattern of forward deployment will gradually change.

Many military strategists now believe that the key to the defense of Europe lies in the air and under the sea—and not with large masses of ground troops permanently stationed on the continent.

It is important to note that the United States would have some advance knowledge of any land attack on Western Europe. U.S. intelligence sources have excellent means of determining any large-scale movement of troops toward Western Europe from within the Soviet Union.

The United States is currently developing the C–5A jet airplane, capable of airlifting hundreds of troops and tons of equipment to any world trouble spot on short notice. Any warning of imminent Soviet attack on Western Europe could be met with an immediate airlift of troops to the scene of potential trouble.

This dramatic development in technology leads many military strategists to wonder if it would still be necessary to have large numbers of American troops on permanent duty in Western Europe after these aircraft are put into service.

Secretary of Defense McNamara made this fact crystal clear in recent testimony before the Senate Armed Services Committee:

> I believe it is apparent from my discussion of the limited war problem and our General Purpose Force requirements that an adequate airlift-sealift capability is essential to our global strategy in the collective defense of the Free World. As I have pointed out in previous years, there are at least four ways in which a quick-reaction capability can be achieved:
>
> 1. Military forces can be deployed, in advance, to potential trouble areas.
>
> 2. Equipment and supplies can be prepositioned in those areas and military personnel airlifted in as required.
>
> 3. Equipment and supplies can be stored aboard ships deployed near potential trouble spots, again with the men airlifted in as needed.
>
> 4. Both men and equipment can be held in a central reserve in the United States and deployed by airlift and sealift as required.
>
> Each of these methods has its own advantages and disadvantages. For example, while the prepositioning of our forces overseas probably provides the fastest response capability and reduces the need for airlift and sealift, it also introduces a greater degree of rigidity into our military posture by committing forces in advance. Moreover, this approach increases our overall requirement for men, materiel and foreign bases and involves the operational uncertainties and diplomatic difficulties which often arise from such semi-permanent overseas deployment; it also increases defense expenditures abroad.
>
> In contrast, a central reserve of mobile General Purpose Forces in the United States, ready for immediate deployment provides considerably more operational flexibility and does not require as big an overseas military establishment as does a strategy which relies on such geographically dispersed forces. However, timely deployment from a central reserve requires very large strategic airlift and sealift forces readily available at all times.

The United States, however, is rapidly developing the airlift capacity needed to bring large numbers of troops to any potential trouble spot within a very short time.

Lt. Gen. Thomas P. Gerrity, Air Force Deputy Chief of Staff for Systems and Logistics, calls the new C–5A, which will give our Nation this capability, "one of the most dramatic developments in airlift."

C–5A aircraft will be able to deliver 250,000 pounds of cargo over 3,000 miles—or 100,000 pounds of cargo nonstop across the Pacific.

Secretary McNamara has told the Senate Armed Services Committee that the new aircraft will "have a rapid loading and unloading drive-through feature plus the ability to operate from short, low-strength airfields." The last is of considerable importance because it will permit routine delivery of troops and equipment well forward into the theater of operations.

Secretary McNamara has said that "one C–5A should be able to do the work of four to five C–141's in deploying typical Army units. Indeed, 12 C–5A's could have handled the entire Berlin Airlift which required more than 300 C–54's; and in 13 hours 42 C–5A's could have handled the 15,000 troops moved to Europe in Exercise Big Lift by 243 aircraft in 63 hours."

Our Nation must devote its full energies and resources to find better ways—and more economical ways—to support its continuing commitments to the free world.

And many of our best military minds are convinced that fast airlift capability, supplied by the giant C–5A aircraft, will make it possible to remove large numbers of ground forces from permanent duty in Europe and still provide a strong deterrent to armed aggression from the Soviet bloc.

The withdrawal of France from the unified NATO command structure will seriously hamper the alliance's strategy of defending Europe on the ground. One needs only to look at a map of France—one needs only to see its strategic location on the continent of Europe—to realize what French withdrawal could mean to the alliance. Denial of the use of this territory could require that the air and the sea become the alliance's first line of defense against attack.

Another factor which will require NATO to revamp its strategy is the Soviet Union's plans for a large fleet of nuclear submarines. Our early strategy was geared to a large land attack from behind the Iron Curtain. Our present strategy must take into account the deployment of large numbers of Soviet submarines off the Atlantic coast of Europe. This new menace would require the United States to seriously consider the counterstrategy of deploying Polaris submarines and nuclear attack submarines in large numbers off the European Continent.

The Soviet Union's submarine fleet is the world's largest, numbering some 400 conventional submarines and about 12 to 14 nuclear-powered vessels. The Institute of Strategic Studies in London believes that the Soviet Union now has about 120 submarine nuclear missiles. If only a small percentage of these were used against urban population centers, as many as 15 million casualties could result.

These submarines could be expected to be deployed off the coast of Europe, ready to isolate Western Europe and give cover to its ground forces.

There can be no doubt that the Soviet Union's advances in submarine technology represent a new, direct threat to the NATO Alliance.

Control of the sealanes and coastal shipping ports of Europe are vital to the defense of NATO. Our vast superiority in Europe has been tied directly to superior nuclear weapons and control of the sea through deployment of Polaris submarines.

The Soviet Union has larger ground forces than we do; and, if the Soviet Union is able to deploy large numbers of submarines off the coast of Europe, armed with nuclear warheads, the problem of defending Europe becomes astronomically difficult.

This new development in Soviet strategic capability completely upsets our earlier strategy of preparing to defend Europe on the ground. No longer can we base our strategic planning on a large invasion of Soviet-bloc troops from behind the Iron Curtain. No longer can we be certain that our lifeline, the sea, will be safe from Soviet harassment.

This development, in itself, calls for a complete reassessment of our NATO strategy. We must make certain that our Nation has all the Polaris and nuclear attack submarines it needs to counter the Soviet submarine threat.

The Polaris submarine is our Nation's most effective deterrent to nuclear aggression. Our submarines are considered much more advanced than their Soviet counterparts and are ready to bring the full striking force of our Nation to bear if Europe were attacked. But the Soviets are making great strides in submarine technology and it is not unrealistic to assume that, before long, they will have a force of nuclear submarines similar, if not equal, to ours.

Development of the Poseidon missile will give a great boost to our Polaris program, but we must give careful consideration to the possibility that Soviet advances will require our Nation to build more—and even better—nuclear submarines to counter this new threat.

And we must be certain that we do not commit all our resources to ground troops when we need to commit a greater portion of those resources to defending Europe in the air and under the sea.

The NATO alliance is not a static, inflexible partnership, geared to withstand any type of aggression. It must be continually reexamined and, if circumstances warrant it, revamped to fit the requirements of advanced technological and strategic developments.

The United States, as leader of the free world, must stimulate continued reappraisal of the alliance and must bring the best minds of the Nation to bear on the challenges of an expanding, ever-changing technology.

This would remain true regardless of whether or not De Gaulle planned to withdraw support from NATO.

The outcome of the struggle to insure peace and stability throughout the free world depends, in part, on increased participation by Western Europe in international peacekeeping responsibilities.

It should be the policy of the United States to encourage our allies to become full partners, and not sideline spectators, in the search for peace.

The outcome of this struggle also depends on the ability of our military strategists to bring bold new solutions to the practical problems of keeping this alliance poised and ready to meet any form of aggression—from whatever the source.

WEST VIRGINIA DEVELOPS ECONOMICALLY

Mr. BYRD of West Virginia. Mr. President, the Washington Merry-Go-Round carried in the Washington Post on Monday, May 30, reported on some of the encouraging manifestations of economic comeback in the State of West Virginia, and quotes the sparkplug editor emeritus of the Morgantown Dominion News, Mr. Walter Hart, as predicting bigger things for the future of his hometown and his home State of West Virginia.

I am proud to say that I have long been a friend and associate of Editor Bill Hart and have labored alongside him in many, many projects to lift the economic level of the citizens of our State. I am glad that I can echo his enthusiastic estimate of future development in the Morgantown area and within the Mountain State.

I ask unanimous consent that the May 30 newspaper column, "Mrs. Roosevelt's Pet Project Revisited," be printed in the RECORD at this point.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, May 30, 1966]

THE WASHINGTON MERRY-GO-ROUND—MRS. ROOSEVELT'S PET PROJECT REVISITED

(By Drew Pearson)

MORGANTOWN, W. VA.—Only those who lived through the heartaches of the great depression will remember it, but the first stab at building the Great Society took place on the bleak and scrawny hills of West Virginia, where the late Eleanor Roosevelt and Prof. Rexford Guy Tugwell of the Rural Resettlement Administration attempted to resettle destitute and unemployed coal miners.

The Arthurdale Experiment became famous chiefly because it was Mrs. Roosevelt's pet. She made trips to Arthurdale, visited coal miners' homes, encouraged them to cultivate gardens and work in the Hoover vacuum cleaner plant, which she helped locate nearby.

The experiment was praised by some, excoriated by others as a socialistic colony.

I recently visited Arthurdale and the neighboring West Virginia countryside. There have been amazing changes. The coal miners' homes are still there, well-kept attractive homes. But the garden plots around them didn't really work. Men who had spent their lives below ground somehow couldn't adjust to gardening in the sunshine.

And the Hoover vacuum cleaner plant never did get off the ground. It was switched to an assembly plant for cotton picking machinery, but that didn't work either.

Today, however, there is prosperity in Arthurdale and the surrounding neighborhood, thanks in part to the initiative of West Virginians and especially to the leadership of one man. Instead of a handful of coal miners employed in a vacuum cleaner plant, 650 men and women are employed in a plant producing high-pressure valves; while, on the hills around Arthurdale, turkey and chicken farms will produce 10 million chickens and 800,000 turkeys this year alone.

PRIVATE ENTERPRISE PAID

Spark plug for this development is not the Government but J. W. Ruby, head of the Sterling Faucet Co., a man who came to Morgantown from Ohio in the 1940s with paper in his shoes and patches on his pants.

Ruby spent his first few nights in the Morgan Hotel's cheapest room, over the coal-burning heating plant. When he opened the window he was suffocated from the smoke; when he closed the window, he suffocated from hot air.

He resolved that if he ever made any money he would buy and revamp the Morgan Hotel. He has now done so.

This, however, is only a small part of the change that has come over north central West Virginia. This area, where coal was once king, suffered a terrible economic blow when King Coal was toppled off the throne.

But coal has now come back, not as king but as a vital part of an economic republic. The mines have been mechanized, transportation has been streamlined, and today I saw a train so long I couldn't see the caboose or the engine rolling down the tracks of the Baltimore and Ohio.

Unit trains are one reason for the comeback of coal. A mine which can load the entire 100 cars of a unit train within eight hours saves money for the railroad and the mine. But this means the old days of small mines and mule-drawn coal cars inside the mines are over.

Diversification, strip mining and mechanized farming have contributed to the West Virginia revolution.

CHICKENS IN CAVES

Ruby, who has done considerable strip mining, has filled in the ugly pits and replanted the scars, using chicken and turkey manure to grow new pasturage.

Ruby flies his turkey eggs from San Bernardino, Calif., a million per season. Some of his chickens are housed in the Manheim Caves, where the Alpha Portland Cement Co., once dug out limestone, leaving huge tunnels under the mountain. The advantage of raising chickens underground is the evenness of the climate.

At Oakland, Md., to the north, Ruby operates a poultry packing plant, processing 80 chickens a minute, 4,800 chickens an hour.

Gilman Sylvester, the plant manager, doesn't waste anything except the hens' cackle.

Chicken feet are sent to Hong Kong for part of the standard Chinese diet. The feathers are ground up in chicken blood for a feed used in Italy and Japan for chickens, hogs, and cattle.

Chicken necks and backs are usually sold to mink farms. The American housewife has become so choosy that necks and chicken backs now go begging on the American market.

Walter Hart, editor emeritus of the Morgantown Dominion News and the town's biggest booster, points with pride to the fact that Morgantown now has 34 millionaires, 268 Cadillacs not over three years old, 51 Lincolns and 25,000 people. He predicts bigger things for the future, especially as a result of such revolutionary innovations as brick and cinder blocks manufactured from fly ash—the minute ashes emitted from factory smokestacks, which hitherto have polluted the atmosphere but in the future will be collected and turned into building materials.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

GOVERNMENT EMPLOYMENT

Mr. LONG of Louisiana. Mr. President, yesterday, on the floor of the Senate, some rather harsh statements were made about the increase in Federal civilian employment. In effect, the administration was accused of misleading the American people about the trend in the number of Government employees. The actual facts in this case were fully set forth last January in the President's budget. Moreover, those who are now pointing an accusing finger have failed to analyze the raw statistics they cite and thereby are themselves guilty of misleading the public—the very thing they accuse the administration of doing.

What are the facts about Federal civilian employment? Total employment in the executive branch at the end of April 1966 was 166,724 above the level at the end of April last year. Over 90 percent of this increase was concentrated in three departments.

The Department of Defense, up by 78,282 employees, accounted for almost half of the total increase, due mostly to the military buildup in Vietnam and also to a shift from the use of military personnel to the use of civilians for certain jobs.

The Post Office Department had 58,024 more employees than a year ago as a result of a substantial increase in mail volume being handled, and some shift from expensive overtime work to additional regular-time employment.

Department of Health, Education, and Welfare employment is up by 13,915 employees, needed to handle new programs enacted by the Congress last year such as medicare and expanded aid to education. This increase has occurred despite the significant savings achieved by the Social Security Administration through automation.

Would the critics of the administration have us fail to fulfill our military requirements for manpower? Would they favor inferior mail service? Do they want the new Health, Education, and Welfare programs to founder for lack of personnel to administer them?

Other agencies have experienced small increases in order to handle rising workloads, despite advances in employee productivity. For example, a significant part of the rise in employment of the Departments of Agriculture and Interior is for the new and expanding Job Corps program. In the Treasury Department, the increase has been mostly in the Internal Revenue Service to process the large increase in tax returns.

Some misinformed people would have us believe that the only way to promote greater economy in government is to cry out about the number of Federal employees. However, true economy cannot be achieved simply by crying out or by wringing hands or by pointing with alarm. To achieve real economy requires, first, acquiring knowledge of all the facts; second, analyzing the facts; and, third, being willing to come to grips with the real issues that are reflected in those facts.

In this connection, let up keep in mind that some of the increases in Federal employment have been designed, not to spend money unnecessarily, but actually to save money as well as provide better services.

For example:

Converting positions from military to civilian personnel in the Defense Department reduces costs and, in addition, frees military resources to be used for our needs in Vietnam and other military requirements.

The additional employees in the Post Office have helped cut back the large amount of costly overtime many postal employees have had to work in the face of an ever-increasing volume of mail.

Another charge that has been made is that the administration is concealing the truth about employment and misleading the public into thinking that employment will be reduced. The plain truth is that the facts were fully set forth in the President's budget last January without any attempts at concealing.

One has only to look at page 397 of the 1967 budget document. There it is clearly stated that following 3 successive years of relatively stable Federal civilian employment, an increase is expected in fiscal years 1966 and 1967. This increase and the factors involved are explained on this and the following eight pages of the document.

I shall not put all of these pages of the document in the Record, Mr. President, but I ask unanimous consent that the four paragraphs which fall under the title "Full-Time Permanent Civilian Employment" from the budget message be printed in the Record at this point.

The PRESIDING OFFICER (Mr. Dominick in the chair). Without objection, it is so ordered.

The excerpt ordered to be printed in the Record, is as follows:

Full-Time Permanent Civilian Employment

Vigorous action by agency managers to carry out the frugality and manpower control directives of the President has resulted in maintaining the same level of permanent full-time civilian employment for the past 3 years—approximately 2,230,000.

The 1967 budget estimates that by June 1966 civilian employment in full-time permanent positions will be 2,365,000. Since the 1966 budget was originally submitted last January, two major factors have led to an increase in end-of-year civilan employment estimates:

First, the increased Defense and foreign assistance activities associated with the heightened conflict in Vietnam, requiring a rise of 79 thousand civilian employees;

Second, a series of management improvements which reduce Government costs—chiefly a reduction in Post Office overtime and the conversion of a number of Defense Department positions from military to civilian occupancy. These cost reduction actions will save money but require, in 1966, the substitution of 66 thousand civilian employees for other higher-cost employment services.

Aside from employment increases for these two purposes, civilian employment at the end of June 1966 is estimated to be 20 thousand lower than projected in last January's budget.

Approximately 56% of all Federal civilian full-time permanent employment for June 1967, other than for Defense military activities, will be in three agencies: Post Office, Veterans' Administration, and Health, Education, and Welfare. Another 22% is found in Agriculture, Treasury, Interior, Commerce, and the General Services Administration. The remaining 22% is accounted for by more than 60 smaller agencies of the Government. Estimated civilian employment for the military activities of the Department of Defense, including military assistance, is 44% of the total full-time permanent employment for June 1967.

The most significant changes for 1967 compared with 1966 are shown in table C–1. Of the total increase of 45,100 for the civilian activities of the Government, 18,750 or 42% is for the Post Office, and 6,510 or 14% is for the Department of Health, Education, and Welfare.

Most of the added Post Office employment is to reduce still further the large amount of overtime which many postal employees have often been working, in some cases making their total workweek as much as 70 hours. An estimated 4.5% increase in mail volume, offset by a continued advance in productivity, accounts for the remaining increase in postal employment.

Almost 60% of the 1967 increase in employment for the Department of Health, Education, and Welfare is attributable to recently enacted legislation for hospital insurance for the elderly, and aid to elementary, secondary, and higher education. The remaining 40% is principally for water pollution control, direct medical care in Public Health and Indian hospitals, and increased surveillance over dangerous drugs and other toxic substances. The Social Security Administration is achieving a productivity improvement of 2.5% per year, principally by automating the recomputation of benefits, with a saving of 1,742 man-years in fiscal year 1967. In addition—

The increase in the Veterans Administration is principally to provide for the 82% rise in nursing home beds, the initiation and expansion of the use of new medical techniques in hospitals for veterans, and an improved quality of medical care for veterans.

The growth in the Department of the Interior is chiefly to take care of education of Indians on Government reservations; support to the Office of Economic Opportunity for the Job Corps; new power facilities; the Northwest-Southwest intertie; and anticipated increase of about 7% in visitors to the national parks.

The increase in the Department of Agriculture is mainly to provide for uncontrollable workload in meat and poultry inspections, expanded loan activities, and more visitors to the national forests; it also provides for support to the Office of Economic opportunity, and for expansion of resource development projects.

The increase in Treasury is primarily for rising workloads in Internal Revenue operations due to an increase in the number of tax returns of 1.3%, and the accelerated efforts in the Bureau of the Mint to expand coin production, which will result in an increase in the number of coins minted by 35% over 1966. Were it not for anticipated improvements in productivity a substantially larger number of employees would be required. The Bureau of Customs will handle a 5% increase in inspectional workload with a 1.6% increase in inspectors, an increase in productivity of 3.4%.

Other increases are in the General Services Administration to meet greater workloads in the operation of additional public buildings, and supply support activities; in the Tennessee Valley Authority to provide for the operation of power units being completed and for construction for new water resource facilities; and in other agencies to meet requirements for expanded services.

A decrease in employment for the Federal Aviation Agency will result from an increased productivity of 5% for airways facilities operation and maintenance and other economy measures.

The following summary breakdown of changes in civilian employment during 1967 indicates the major factors at work:

[In thousands]

Cost reduction—conversion of military to civilian positions and reductions in Post Office overtime	31.1
Increase in Post Office workloads	7.8
Increases in major Great Society Programs—health, labor, education, housing and community development, economic opportunity program, and aid to the needy	8.7
Veterans Administration, for improved medical services	5.2
All other	—1.7

Table C–1.—*Summary of full-time permanent employment in the executive branch*

Agency	As of June				Increase, 1967 over 1966
	1965 actual	1966 estimate		1967 estimate	
		In 1966 budget	Current		
Post Office Department	461,211	458,134	481,250	500,000	18,750
Department of Health, Education, and Welfare	81,741	88,094	92,500	99,010	6,510
Veterans' Administration	147,007	149,331	145,700	150,850	5,150
Department of the Interior	56,716	58,000	57,540	59,500	1,960
Department of Agriculture	80,103	82,214	81,070	82,850	1,780
Department of Commerce	29,162	30,400	30,360	31,840	1,480
Treasury Department	83,494	89,400	85,000	86,200	1,200
Department of Housing and Urban Development	13,427	14,458	14,300	15,350	1,050
General Services Administration	35,370	38,450	35,750	36,750	1,000
Agency for International Development	14,713	15,528	14,900	15,750	850
Employment in other civilian agencies	255,141	264,805	258,130	260,600	2,470
Allowance for contingencies	----------	2,030	1,900	4,800	2,900
Subtotal	1,258,085	1,290,844	1,298,400	1,343,500	45,100
Department of Defense, military and military assistance	974,668	950,287	1,067,000	1,073,000	6,000
Total	2,232,753	2,241,131	2,365,400	2,416,500	51,100

Mr. LONG of Louisiana. Actually, the employment level at the end of April is still below the employment estimated for the end of the current year. This is in line with the President's instruction that every agency head keep the work force at minimum levels by eliminating functions, consolidating operations, closing unnecessary offices and installations, and abolishing vacancies.

The Congress can do its part by cooperating in these efforts.

SUMMER EMPLOYMENT OF STUDENTS

Mr. ALLOTT. Mr. President, on May 23, Pasquale Marranzino, an editorialist for the Rocky Mountain News, had published in that newspaper an editorial entitled "Attitude Put Him on the Payroll."

I think all of us have been concerned from time to time about some of the activities of our younger people; but many of us believe that this is a part of the enthusiasm of young people as such.

Even though this might have been called, in the old times, square or something of that sort, this editorial, and the advice stated therein, could very well be considered by all young people, and particularly our students. I commend it very much to the reading of my fellow Senators, and ask unanimous consent to have printed in the Record the editorial entitled "Attitude Put Him on the Payroll," written by Pasquale Marranzino, and published in the Rocky Mountain News of May 23, 1966.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Attitude Put Him on Payroll

(By Pasquale Marranzino)

In the next few days the schools will open their floodgates and spill out thousands of youngsters looking for jobs.

Some will be serious. Some will make a pass at it. They should know it will be tough because of the competition—from drop-outs to vacation-outs.

I ran across an item in an old Home Builder Magazine that is worth relaying to some of the young job seekers. It is simple and straight talk and contains a common sense message, a letter to "kid" from somebody named "employer."

"Dear Kid: Today you asked me for a job. From the look of your shoulders as you walked out the door I suspect you have been turned down before and maybe believe by now that kids out of high school can't find work.

"But I hired a teenager today. You saw him. He was the one with the polished shoes and the necktie. What was so special about him? Not experience. Neither of you had any.

"It was his attitude that put him on the payroll and not you. He wanted the job bad enough to shuck the leather jacket, get a haircut and look in the phone book to find out what the company makes. He did his best to impress me. That's where he edged you out.

"You see, kid, the people who hire people aren't 'with' a lot of things. We know more about Bingo than Ringo and we have some Stone Age ideas about who owes whom a living.

"Maybe that makes us prehistoric, but there's nothing wrong with the checks we sign and if you want one you better tune in our wave length.

"Ever hear of 'empathy'? That's the trick of seeing the other fellow's side of things. I couldn't have cared less that you are behind in your car payments. That's your problem and President Johnson's.

"What I needed was someone who would go out in the plant, keep his eyes open, and work for me like he would work for himself.

"If you have the vaguest idea of what I'm trying to say let it show the next time you try for a job. You'll be head and shoulders over the rest."

That sounds like awful good advice and applicable to other avenues of a teenage approach to independence.

Why shouldn't the same formula apply to young people who are going to college. There they will go to work in an effort to earn an education. His has to be on the same honest basis of acknowledging that the college administrator has the check book and it's as good as the earner makes it.

The student should show "empathy" in his approach to things like college ground rules, professional attitudes, dignity, personal behavior, courtesy to fellow students as well as professors and to the community which supports his chosen institution.

They should get calluses on their think bones from work and not on their behinds from sit-ins. Higher education has so much to offer in preparing for a fuller, better later life.

How much we all regret the time we frittered away, on monkeyshines, that could have stood us better in what's called maturity.

It's an ages old lecture and I know you've heard it before. But stand up. Don't take it sitting down.

(Mr. ALLOTT assumed the chair at this point.)

THE MURDER OF NEWCOMB MOTT

Mr. DOMINICK. Mr. President, some time ago I brought to the attention of the Senate some of the problems that the State Department and the U.S. Government had had in connection with the death of Newcomb Mott at the hands of the Soviets.

Just recently, a very interesting report has been issued on this subject by the American Security Council. It is dated May 23, 1966, and it brings the question of Newcomb Mott up to date.

For example, it says that on April 25, a reply was delivered by the U.S. Embassy in Moscow to the Soviet Ministry of Foreign Affairs. It quotes from this reply as follows:

> . . . certain physical evidence which would have permitted an objective evaluation on the Soviet report was not made available, such as the instrument with which Mr. Mott is said to have accomplished his alleged suicide and the clothing he wore when he died . . . the report was silent on the following key elements: It does not tell why Mr. Mott was being transported to the place where he was to serve his sentence when, so far as the United States Government is informed, his appeal for clemency had not

been decided on . . . there is no description of his alleged act of inflicting wounds on his arms, body, and neck prior to the discovery of the guards that Mr. Mott had blood on his body . . . The obscurities and omissions of the Soviet report were called to the attention of the Ministry . . . with the request that the missing items of information be supplied . . . (along with) the photographs which were confiscated from Captain James W. Bizzell, the Embassy doctor, at the time of the autopsy. . . The Soviet Government's refusal to provide those vital elements of information . . . is scarcely responsive to the Ambassador's request. . .

The report goes on to comment on the fact that there was an opportunity on this country's part to make an exchange, and that apparently the Soviet Union was trying to force such an exchange at the time the strange and very unusual circumstances of Mr. Newcomb Mott's death occurred. I would say at this point that it seems self-evident, from reading the report, that the true facts surrounding his death have not been brought to light; that the Soviet Union was much more deeply implicated than has been publicly suggested; and that perhaps there was more that the State Department could have done to obtain his release. Perhaps we ought to do as I have suggested once before: to reestablish a policy of protection of American citizens throughout the world and insure that this is going to be carried forward. This is one of the prerogatives of the American passport and it strikes me that we should fulfill it to the best of our ability. Because I think this is of such tremendous interest and of vital importance to our relationship with the Soviet Union, I ask unanimous consent that the report be printed in the Record at this point.

There being no objection, the report was ordered to be printed in the Record, as follows:

[From the Washington Report, May 23, 1966]

The Murder of Newcomb Mott

(By DeWitt S. Copp, Managing Editor)

On January 20, 1966, 27-year-old American citizen Newcomb Mott died while in the custody of Soviet prison authorities. According to the Soviets, Mott committed suicide on a prison train while enroute to a Siberian labor camp. He had been sentenced on November 24, 1965 to serve 18 months; his crime: mistakenly crossing the Soviet frontier on September 4th at a poorly defined border crossing between Skafferhullet, Norway and Boris Gleb, U.S.S.R.

As the Soviet government explained it to our State Department on March 10, 1966: "The convicted Mott, traveling in solitary compartment No. 9 of the special railroad car . . . (on) January 20th, 1966, began to show signs of abnormal behavior: having placed on the shelf a picture post card of the Madonna, he spread out playing cards before it, began to talk to himself, wrung his hands, loudly shouted some words, and then with a sudden movement gathered up the cards and tore them . . . Having noticed blood on N. Mott's body, the guards tried to enter his compartment, but N. Mott being in a state of very nervous agitation, prevented access to the compartment . . . In spite of this, the convoy personnel entered the compartment and gave N. Mott first aid treatment, which he resisted. Then N. Mott became weak from the great loss of blood and . . . died soon thereafter . . . An inquest in Moscow on January 24, 1966 . . . established that the death of N. Mott, who ended his life by suicide . . . (was) caused by a deep cut in his throat made by a safety razor blade . . ."

On April 25th, a reply was delivered by the U.S. Embassy in Moscow to the Soviet Ministry of Foreign Affairs. It said in part: ". . . certain physical evidence which would have permitted an objective evaluation on the Soviet report was not made available, such as the instrument with which Mr. Mott is said to have accomplished his alleged suicide and the clothing he wore when he died . . . the report was silent on the following key elements: It does not tell why Mr. Mott was being transported to the place where he was to serve his sentence when, so far as the United States Government is informed, his appeal for clemency had not been decided on . . . there is no description of his alleged act of inflicting wounds on his arms, body, and neck prior to the discovery of the guards that Mr. Mott had blood on his body . . . The obscurities and omissions of the Soviet report were called to the attention of the Ministry . . . with the request that the missing items of information be supplied . . . (along with) the photographs which were confiscated from Captain James W. Bizzell, the Embassy doctor, at the time of the autopsy . . . The Soviet Government's refusal to provide those vital elements of information . . . is scarcely responsive to the Ambassador's request . . ."

Concurrent with the State Department protest to the Soviet Government, Mr. Francis W. H. Adams, former New York City Police Commissioner and counsel for the Mott family, issued a statement concerning the death of Newcomb Mott. He said that an independent examination of the evidence by Dr. E. J. Felderman "demonstrated beyond question that Newcomb Mott was murdered and that his death could not have been suicide." Dr. Felderman, presently Director of Laboratories at two New York hospitals, medically demonstrated that it would have been impossible for Mott to have made the fatal wound in his throat as described by the Soviets. Moreover, Mr. Adams declared that there were over 65 separate wounds on Mott's body that had not been explained.

Three additional points about Mott's death went either unnoticed, unreported or unanalyzed. 1) on January 26th, Valeriy Balakhnin, Moscow Radio commentator, declared that Mott "was traveling in a double berth compartment." The Soviet Ministry of Foreign Affairs said he was traveling in a "solitary compartment." 2) As to the Soviet description of Mott's strange behavior, his mother wrote: "The part about the Madonna and the playing cards is quite a touch. Newcomb had no Madonna. Prisoners were not allowed cards. Asking anyone to believe that anyone could resist first aid with the wound Newcomb had is ludicrous. They (Soviets) treat the world as though it were a fool and apparently get away with it." 3) When Newcomb Mott's body arrived in the United States, it was found that Soviet doctors had tampered with the fatal wound in an attempt to destroy any chance of determining how it has been inflicted. Also, statements that there were no bruises on the body before death were incorrect.

The technique of murder made to look like suicide is a well-known and well-used Communist terror tactic. This tactic is believed by Marxists to have a broad phychological impact, creating doubt, fear and a subtle threat of more to come. In Newcomb Mott's case, its purpose was to impress upon our government that it is better to make a deal when one is offered and, also, to impress on the American public how little real meaning there is in President Johnson's statement: "Where American citizens go, that flag goes with them to protect them."

There is no doubt that the Soviets did try to make a deal first. Between the time of his arrest on September 4, 1965 and his trial which began on November 22, Newcomb Mott wrote three letters to the U.S. Embassy in Moscow—only one was delivered. The significant paragraph of that letter is set down here exactly as written: "The only other alternative, as I understand it, is the American Embassy negotiation of my release. It is *this* that I ask you and the United States government for. I hope somehow to be released so that I can go home soon. I know that the U.S. has successfully negotiated the release of other American tourists, and even of Americans accused of serious crimes, like Barghoorn of Yale. Since under Russian law I have committed a crime, I imagine (I don't know), that something tangible would have to be given or promised in return for my release. If the only way I could be released from prison was by U.S. exchange of a Russian prisoner of some sort, I hope the United States would do it." *The entire content of the paragraph was the suggestion of KGB interpreter Nina Kulikova.* Mott later told his parents he had no idea that there were any Russian prisoners in the U.S.

At the time there was one, Igor A. Ivanov, who was sentenced in 1964 to a 20-year prison term for espionage against the U.S. Ivanov is presently free on $100,000 bail posted by the Soviet Embassy. From an unimpeachable source, it can be said that the KGB was extremely anxious to retrieve Ivanov. In early October Mott was informed by the KGB that he would be tried secretly and convicted. On the 15th, he reported this to a U.S. embassy official. On the 23rd, the U.S. Chargé d'Affairs in Moscow made a strong protest to the Soviet Foreign Ministry and declared that under no circumstances would the U.S. exchange Ivanov for Mott. A month later Mott was tried openly and found guilty of "illegally and willfully crossing the Soviet frontier." Two months later the convicted American was dead.

On his broadcast of January 26th, Commentator Balakhnin had this to say: "Was there any possibility of Newcomb Mott's avoiding being sentenced? I believe there was. The question of release on bail and of an *exchange* were still open. Neither Mott's parents nor official American quarters made any attempt to have him released. They apparently did not want to establish official contact with the Soviet authorities." Aside from the fact that the Motts and the U.S. Embassy had tried unceasingly to have him released—including a request for bail which was denied—it is significant that an official Soviet broadcaster would mention the matter of exchange.

The only government agency involved in attempting to bring about Newcomb Mott's release was the State Department. William T. Shinn, Jr., a U.S. consular officer in Moscow, worked tirelessly on young Mott's behalf. It was he who learned that the Soviets had tried to convince Mott that neither his parents nor his government were able or anxious to help him and it was he who believed, momentarily, that he had found a way to obtain Mott's freedom. It concerned a somewhat parallel case:

On the morning of August 7, 1965, a waterlogged skin boat came ashore at Wales, Alaska. In it were two Russians, Peter Kalitenko and Gregorky Sarapushkin. They said they had gotten lost in the fog while looking for mushrooms near their Siberian home across the Bering Strait. It was determined that they had not *intentionally* violated U.S. law regarding illegal entry. The State Department informed the Soviet Embassy and prepared to send them home. Suddenly, the two decided they preferred to remain in the U.S. After an encounter with Soviet Embassy personnel had not changed their minds, their wish was granted. However, on November 22, the day Newcomb Mott's trial began, Sarapushkin went to the Soviet Embassy and said he wanted to go home. On the 24th, the day Mott was sentenced, the Soviet Embassy informed the State Department of Sarapushkin's change of mind; they claimed he was being held against his will. As Mr. Mott later wrote: "Mr. Shinn was elated over the news . . . Had Washington seen fit to notify Mr. Shinn of Mr. Sarapushkin's sudden desire to go home, I feel confident that he would have urged a period of questioning in order to arrange either an exchange or a sharp lessening of Newcomb's sentence."

There was no period of questioning. On November 30, a meeting took place between U.S. officials, Soviet Embassy representatives and Sarapushkin. The following day he was back in the Soviet Union. The State Department's reason for refusing to hold Sarapushkin to exchange him for Mott was that to do so would have been illegal and, according to an Assistant Secretary of State, "even though the end might have been worthwhile, it could not justify such actions on our part, therefore an exchange was not justfied." Mr. and Mrs. Mott, who attended their son's trial, have declared, with legal counsel, that according to U.S. law, Sarapushkin could have been held at least until the offer of an exchange was discussed. Others close to the case feel a golden opportunity was stupidly and incredibly cast aside and that State Department explanations are both contradictory and inept.

After Newcomb Mott's first appeal was turned down, this reporter asked a State Department official if there wasn't some pressure that could be brought to bear to bring Mott's release. The reply was: "I do not know of any avenue of pressure open to us." Is there not Executive pressure? Both Presidents Kennedy and Eisenhower utilized the power of their office in somewhat similar cases. In answer to their plea, Mr. and Mrs. Mott received a letter of regret from White House Press Secretary Bill Moyers. Is the Soviet Union not working to encourage American tourism to Russia? On February 11, 1966, an 11-page color feature was published in the *New York Times* by the Soviets entitled "Welcome to the U.S.S.R." It cost approximately $50,000. Could not the State Department have used the Soviet drive for tourism as a bargaining card in obtaining Mott's release? Since the Soviet Union is seeking broader trade and credit opportunities with the United States, could this not have been a trump in discussing the return of a U.S. citizen whose only crime was that he got lost? In fact, if resolve instead of placation were dominant, could not the entire future of U.S.-Soviet relations have been placed on the table to bring Newcomb Mott home?—If not, why not?

In Newcomb Mott's memory, a history scholarship has been set up at his alma mater, Antioch College, through efforts of his parents and friends and interested parties. If this scholarship is to have real meaning, then the words of Senator PETER DOMINICK, Republican, of Colorado, must apply: "While it is too late to save Newcomb Mott, it is not too late to prevent similar incidents in the future, and I join with those who insist that our government re-establish a policy of protection of all American citizens throughout the world."

COMMITTEE MEETING DURING SENATE SESSION TOMORROW

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE—ENROLLED JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled joint resolution (H.J. Res. 763) authorizing the President to proclaim the week in which June 14 occurs as National Flag Week, and it was signed by the Vice President.

ADJOURNMENT

Mr. LONG of Louisiana. Mr. President, if there is no further business, in accordance with the order previously entered, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 11 minutes p.m.) the Senate adjourned until tomorrow, Thursday, June 2, 1966, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 1, 1966:

U.S. MARSHALS

Marion Mathias Hale, of Texas, to be U.S. marshal for the southern district of Texas for the term of 4 years. (Reappointment.)

Robert I. Nash, of Texas, to be U.S. marshal for the northern district of Texas for the term of 4 years. (Reappointment.)

Tully Reynolds, of Texas, to be U.S. marshal for the eastern district of Texas for the term of 4 years. (Reappointment.)

WITHDRAWAL

Executive nomination withdrawn from the Senate June 1, 1966:

POSTMASTER

Edward N. D. Fitzgerald to be postmaster at Jemez Springs, in the State of New Mexico.

EXTENSIONS OF REMARKS

The Rhode Island Jaycees and Mental Health

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 1, 1966

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks, I include the following speech:

THE RHODE ISLAND JAYCEES AND MENTAL HEALTH

(By Congressman JOHN E. FOGARTY, Glocester Junior Chamber of Commerce, Harmony, R.I., Nov. 20, 1965)

It is always a pleasure to be back in Harmony, and I am happy indeed to be here for this charter night banquet. As most of you know, I grew up on a farm just outside Harmony and I have a special feeling for these mill towns; these woods; these lakes and ponds.

This is the first opportunity I have had to speak before a Junior Chamber of Commerce group. I especially welcome it, because I am afraid that too many of our fellow citizens have a mistaken notion about the Jaycees. I think too many of our fellow citizens identify you with Junior Miss Pageants and golf and tennis tournaments and other light, social activities. Now, there is nothing wrong with any of those activities—but the Jaycees have a more serious side, which has yet to receive the recognition it justly deserves.

What people fail to realize is that in the 45 years since the first Junior Chamber of Commerce was founded, the Jaycees have made an enormous and continuing contribution to community betterment all across this Nation.

The Jaycees say that their primary purpose is to promote the welfare of the community by supporting active, constructive projects. The Jaycees say they provide the young men of this Nation's communities with training in leadership and awaken civic consciousness to better the usefulness of this country's citizens. These are not empty platitudes.

Because of our common interests in one health area—and tonight I will speak about it, and not about other Jaycee activities, such as physical fitness and environmental pollution, simply because there is not time to discuss all these things—I want to salute the Jaycees of Rhode Island for their activities in support of mental health.

There is no more vital area—no more pressing need—in the health field than mental health. Our citizens must be made aware of the fact that some 86,000 persons in Rhode Island need psychiatric care. Even more important is the need for an awareness among us that last year only 32,000 of these more than 86,000 persons needing help were *treated*, in Rhode Island. We need to keep before us the obligation to provide more and better services, fast, to care for these people.

I am proud that we Rhode Islanders have one of the oldest mental health associations in the United States. Last Spring I had the pleasure of addressing the New England States Citizens Action Conference on Mental Health in Providence, where I had an opportunity to pay tribute to the Rhode Island Association for Mental Health as it began its fiftieth year of service to the people of this State.

At that time I pointed out that for a number of years now I have watched the community mental health movement prosper and grow. I have had a front-row seat when budget proposals for Federal expenditures in the health field came before my subcommittee for review. During 18 years of service on the House Appropriations Subcommittee I have also become aware of many pressing needs which have still not been met, and which must be met before we will have fulfilled our obligation to the mentally ill.

I am proud that the Rhode Island Junior Chamber of Commerce—through its various chapters—joined in this collective effort to meet these pressing needs. It did not stand idly by, waiting for the Association for Mental Health and related groups—working with the Federal government—to do the job. It joined forces with us in the best tradition of Rhode Island—and New England—cooperating to achieve social goals desired by all our citizens.

The South County chapter of the Jaycees has built a center for mental health rehabilitation. The Chariho chapter, located—as all of you may know—in a rural farm district, has cleared the land donated by a private citizen and is now in the process of laying the foundation for a rehabilitation facility to be called "Camp Hope."

The Barrington chapter has sponsored fund drives resulting in a considerable amount of financial support. And the chapter in Providence is working with Father Robert Blair at the State Mental Hospital on the problem of the rehabilitation of institutionalized persons.

Further, the State Chairman for Mental Health and Retardation—Mr. William Marsland—has organized a series of orientation meetings to acquaint local Jaycee chapters on problems and projects in the mental health area.

This, of course, is Glocester Chapter Charter Night—the occasion being—I believe—the extension of charter to Glocester by the Burrillville chapter of the Jaycees. This is a special occasion—a social occasion—a time for celebration—but it is also a time for stock taking—for asking yourselves what projects you will undertake, as a chapter of the Jaycees.

I can think of no single area where citizen action has greater opportunity for rich rewards—no area of health which is more challenging—than the mental health field. The passage of the historic mental health and mental retardation legislation in 1963 by the Congress marked the beginning of a new era—but that era is slow in coming to birth. Citizen action is more important than ever before—and I want to tell you why.

I am proud to have participated in the activities of the 88th Congress which led to the passage of the Mental Retardation and Community Mental Health Centers Construction Act of 1963, and Mental Retardation Planning Amendments of 1963. As part of this package the Congress approved funds for the construction of community centers for the care and treatment of mentally ill and retarded persons. However, at that time funds for staffing the centers were dropped from the bill. This year the 89th Congress approved $73.5 million over 3 years for initial grants, and additional sums for continuing grants. This year, too—and a year late—funds were also provided to meet initial staffing costs of technical and professional personnel in community mental health centers.

We estimate that the centers will receive more than $225 million over the next 7 years for staffing assistance. More than $100 million over the next 3 years will be available to train teachers of mentally retarded and handicapped children.

What I have said with these statistics is that the Congress has enacted laws that—if properly implemented—can do much to assist the mentally ill and retarded—and their families—all across this Nation.

Let me repeat the words—"if properly implemented." This is an important and urgent point, and one that I made just a couple of weeks ago before the Rhode Island Chapter of the Council for Exceptional Children at the Ladd School in Exeter. It is a matter of great concern to me.

If Federal programs of assistance are to be used effectively in any State, there must be elaborate planning at the State level. We cannot do it from Washington. Here in Rhode Island, such groups as yours—working with the State Mental Health Association—can do much to clear up questions of priorities and needs in localities within the State. The 1963 legislation specifically called for citizen participation in mental health planning, and while the Mental Health Association has the main burden of this charge, the assistance you can provide—as young people with plenty of know-how at the local level—should be an invaluable resource for the Association to draw upon.

Those in positions of leadership must not be allowed to forget the availability of Federal support and the intense need for rapidly getting under way a meaningful program to ease the burden of mental ill-health on the community. New hope for the retarded and for their families is within Rhode Islanders' grasp. We Rhode Islanders must not delay in using every means to equip and assist those who are mentally ill to assume a productive role in society.

Legislation enacted before 1965 authorized Federal funds for State planning to supply better services to the mentally ill and mentally retarded. It also provided funds to aid in the construction of facilities to care for exceptional children and provided a means of giving teacher training for special education. It is my sincere hope that Rhode Island's State officials will soon act to take full advantage of these financial aid programs.

In the problem of financing, you here tonight can help raise matching funds from foundations, other civic groups, State and local funds, and other sources. When funds are short, it may be necessary to support new legislation to finance mental health programs. The times have changed, and so the traditional role of supporting mental health legislation must broaden to include support of the financial means for these programs.

In this connection I cannot refrain from quoting a recent editorial in the Providence Journal, which pointed out that Governor Chafee's administration can get by without new taxes, but at the sacrifice of falling short of the expectations of a modern and progressive society. The editorial was called "Adequate Government Cannot be Cheap," and I hope that all of you—and the Governor—read it carefully.

Of course money is not the sole solution to this complex problem of bringing the best possible health services to all of our citizens.

At the President's recent White House Conference on Health, called to deal with the most pressing health needs of the Nation, the opening discussions of the conference centered on health manpower. For health manpower—or the lack of it—is going to shape and limit the health care we can provide and the health protection that we can offer the American people in the years ahead.

You do not have to be psychiatrists to make a worthwhile contribution here. You can, for example, help see to it that the people in your communities know of and use available facilities, and you may be able to help recruit mental health manpower.

There is another thing that you can do for Rhode Island. Most—or at least many—of you young people are parents. Now, we need to develop our psychiatric services for children, and launch new programs of primary prevention along the lines being followed by the Department of Social Welfare and the Newport School Department—this is a pilot project involving evaluation of children showing problems in adjustment in kindergarten through the third grade.

You, as parents, are in constant contact with the children of Glocester. By virtue of this contact you will be able to identify children in your community who have developing emotional problems. You can work through your Parent-Teachers Association to seek out and put into practice programs designed to prevent these emotional difficulties before they occur.

Many such programs, attempted in various school systems, have met with good success. Often a crisis may arise when a child does poorly in school because of language difficulties. The employment of a speech therapist by the school system to work on speech difficulties has forestalled many problems and improved school achievement. Conferences scheduled with frequency between the teacher and parents to discuss the child's academic progress and general adjustment have been helpful in coordinating the efforts of parents and teachers, and in alerting teachers to possible stress situations in the home—such as the birth of a new brother or sister.

Other schools have found that visits by the school nurse to the home of children who are frequently ill, often give school officials insight into problems the child might be facing in the home that produce emotional stress.

Various orientation meetings for new parents, open-door policies on the part of principals to parents, and group discussion between parents, teachers, psychologists and mental health workers, are all helpful in eliminating the causes of emotional problems in children.

Today, of the more than half a million mentally ill patients *in institutions* in the United States, the numbers of patients in the 10-to-24 age group is increasing rapidly, in contrast to the number of patients in all other age groups. It is estimated that there are in America a total of some four million emotionally disturbed children.

Because one fourth of all Americans are in our Nations' classrooms and because there is a fundamental relationship between intellectual and emotional development, the schools—through strengthened mental health programs—are our best hope for reversing the waste of a considerable part of our youth.

There is at this time no health area that is crying so loudly for the attention of our citizens. Not only is the challenge of helping the next generation open to all—the mentally ill and the mentally retarded of all age groups are waiting for assistance.

This assistance is—in part, at least—being hampered by lack of forceful efforts on the part of the more fortunate of our citizens—such as those of you here tonight.

This we can—and must—do something about. In the tradition of New England—and, of course, of Rhode Island—we must assist our less fortunate neighbors who have been struck by mental disease, just as our ancestors assisted their neighbors when they were victims of Indian attack.

If we fight this fight and win it, the day will come when—just as the Indian names are preserved (on our maps)—the names of the kinds of mental illness will be preserved in books for the curious to read—and will hold no terror for anyone, anymore.

Fair Labor Standards Amendments of 1966

EXTENSION OF REMARKS

OF

HON. WALTER H. MOELLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 1, 1966

Mr. MOELLER. Mr. Speaker, I rise at this time to express my wholehearted support and the support of the working people of the 10th Congressional District of Ohio of the new minimum wage law which was approved by this House on last Thursday.

Although district business kept me from voicing my approval in person, I paired for it and I express the feeling of thousands of Ohio citizens who, by virtue of this bill, will be better able to provide themselves and their families with more necessities of life—and a better way of life.

I look with favor on the broadened coverage of this new minimum wage bill because it enables persons, who by no fault of their own in many cases, have found themselves obliged to work for 55 and 65 cents an hour in order to provide their families with food and shelter—as inadequate as it may have been.

This bill shows the way for adequate wages for work performed in keeping with the costs of living.

The 10th District in Ohio and its citizens will benefit greatly from this legislation. We do not feel that it will adversely affect our industries; to the contrary, the better wages will enable our citizens to buy more of the necessities of life.

I am, by the same token, in favor of the stretch-out amendments. I think that the smaller businesses will need time to adjust to the new regulations—to the new wages and I think it right that they should be given an adjustment period.

The new Minimum Wage Act as passed here last Thursday, is hailed in Ohio as economic justice. We look forward to a new era of fair pay and economic equality.

Protection of Animals

EXTENSION OF REMARKS

OF

HON. TENO RONCALIO

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 1, 1966

Mr. RONCALIO. Mr. Speaker, the issue of animal protection generally has been a subject of some concern for many years, but this year, more than most, the public has been stirred by stories of unnecessary cruelty to laboratory research animals and illegal means of procuring these lab animals.

In our eagerness to insure that laboratory animals are humanely treated, we must bear in mind as well the necessity of having an adequate supply of animals, so that in our haste to eliminate a wrong, we do not eliminate the means of achieving valuable scientific findings helpful to all life.

The legislation introduced by Senator HILL (S. 3332) hopes to assure both humane care and a sufficient quantity of high-quality animals in a manner that seems most satisfactory.

Essentially the legislation will authorize special assistance to research institutions using laboratory animals, thus providing for renovation of equipment that will do away with whatever distasteful practices still exist. Scientific progress continues to depend on constantly improving means of discovery. By providing laboratories with the means to improve their methods of inquiry, we will pursue a realistic approach to problems of animal mistreatment, instead of merely placing restrictions on this inquiry.

To insure that funds provided will be used to alleviate any unnecessary suffering to laboratory animals, S. 3332 provides standards that facilities must comply with in order to receive funds.

The legislation specifies that those facilities applying for a grant or loan must be accredited by a recognized body or bodies approved by the Secretary of Health, Education, and Welfare.

Provision is made for a review of policies and procedures governing the care and treatment of laboratory animals to assure that these animals are used only for legitimate scientific or educational purposes and that sound and reasonable steps are taken to protect animals from unnecessary pain and suffering.

There are some signs of agreement and compromise, and it may well be that a measure will be introduced corresponding to these general aims. However, at the present time it appears that the Hill legislation offers the wisest course open to us.

By continuing to improve research facilities to eliminate any outdated procedures, and to limit receipt of funds to those institutions which will maintain reasonable standards of humane care, Congress can protect scientific advance without inflicting needless suffering on the research animals that serve this humanitarian end.

Partnership for Human Progress

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 1, 1966

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

PARTNERSHIP FOR HUMAN PROGRESS

(By Congressman JOHN E. FOGARTY, National Convention of National Society for Crippled Children and Adults, Chicago, Ill., November 21, 1965)

To attend your National Convention is both a pleasant and stimulating experience. To receive this special award from the National Society for Crippled Children and Adults and to be invited to join in your meeting in a personal way is a singular compliment, indeed, and I would like to open my remarks this evening by telling you that I am deeply conscious of the honor you have accorded me.

As a Federal legislator, I welcome this opportunity to reaffirm the partnership that exists between your Government and the voluntary agencies of this country. America can be proud of what such groups as yours have accomplished through support of research, public and professional education, and community service.

We are entering upon a new era in American history. In the belief that those Americans who have tasted the fulfillment of this great Nation's promises have an obligation to help bring their less fortunate fellowmen out of their despair and deprivation and into the mainsteam of American life, the first session of the 89th Congress amassed an impressive box score on national social legislation.

Some of these measures extend and expand existing programs; other break new ground. In the democratic process, when human aspirations cannot be satisfied by individual effort or within existing private resources, your Government has an obligation to provide other means for their realization.

Thus, the Medicare Program, the Community Mental Health Program, the Appalachian Regional Program, the Community Action Program, the regional programs to combat heart disease, cancer and stroke, and the Vocational Rehabilitation Amendments—all are significant and important steps to that goal. All of them allow for innovations in organizing and delivering health services through purposeful, vigorous community action. All of them are tailormade for participation by voluntary agencies.

I cannot stress too often that we in Washington can authorize programs to help our citizens—but in the last analysis it is these citizens who must help themselves. If any of the programs authorized by this Congress fail—it will be because of lack of initiative at the local and regional levels.

I welcome this opportunity to share in this general session and to address representatives of a Society that is combatting such a lack of initiative through State and local societies in the 50 States, the District of Columbia and Puerto Rico. Those of you in voluntary associations such as this will do much to assure the newly-enacted, long-range National programs to renew American democracy do not fail.

I welcome this opportunity to salute the National Society as one of this nation's top-flight voluntary associations, now in its 45th year of service to our country's handicapped people.

Your Society is to be commended for having chosen as its theme for this convention, "Impact for Tomorrow," aimed at emphasizing the effect of voluntary effort on the American scene.

That effect has been a resounding and significant one, you may be sure.

I have a wealth of personal knowledge about your Society and its many accomplishments. In my own city of Providence, the State Society's Meeting Street School, Children's Rehabilitation Center is marking its 20th year of service to Rhode Island and the adjacent region. During those two decades, it has compiled an outstanding record in filling previously unmet needs of all types of handicapped children. In addition, it has engaged in public and professional education, research, provided a clearinghouse of information on services to the handicapped and served as an approved training center for student therapists, child development, social work, and psychology students.

And I have also had occasion to observe the work of your organization in the national capital area. There, four Easter Seal Centers provide pre-school education, psychological and medical evaluation, clinics, and rehabilitation services to children and adult victims of crippling diseases and accidents.

But these are only two examples and there is not a representative from any of your local societies here tonight who could not provide us with a similar list of accomplishments.

In one of his works titled *Health and Education: The Science of Health*, the English clergyman, Charles Kingsley, advised us that "to be discontented with the divine discontent, and to be ashamed with the noble shame, is the very germ and first upgrowth of all virtue."

It occurs to me that the National Society for Crippled Children and Adults came into existence because of the discontent of one man, Mr. Edgar F. Allen, and his shame for the state of our nation's crippled in the 1920's. Personally involved by the tragic death of his own son, Mr. Allen was shocked and distressed by the inadequacy of our prevailing knowledge of and facilities for the care of crippled children. His personal dedication brought into being a general hospital and a special hospital to serve his own town of Elyria, Ohio. That dedication then expanded to seek and obtain similar care for other handicapped children throughout Ohio and, like a torrent let loose, spilled over State borders and led to the establishment of the National Society.

A rugged pioneer in the field, your Society was the only national voluntary agency speaking for and acting on behalf of the crippled. It assumed the lead in attacking the formidable problem of providing both voluntary and tax-supported rehabilitation services for the handicapped.

It would not be entirely just to say that—until the National Society was founded in 1921—nobody cared about the future of our handicapped and disabled people. But it is not an exaggeration to state that only *after* the establishment of your Society were major efforts initiated to study and understand the serious problems posed by the situation, and to analyze and interpret these problems for the American public. It was your Society that first spelled out the difficulties over which even the best efforts could stumble, and then helped to formulate plans for the kind of national cooperation and concerted attack that could avoid these pitfalls and move toward its goal.

Your Society initially sought public recognition of the needs and potentialities of the crippled and worked vigorously to bring about legislation to provide basic medical and educational services. More recently it has focused on the development and operation of rehabilitation facilities and services. And because your Society specializes in providing direct help to the disabled, it serves as a resource in depth for other voluntary agencies, which refer cases for rehabilitative assistance in communities where your Easter Seal facilities are recognized as superior.

Just as your Society works side by side with dozens of other voluntary organizations, the combined voluntaries work side by side with government at local, State, and Federal level. This combination of diverse forces—working together for a common purpose—again characterizes the practical type of partnership that I consider a key to better health.

Strangely enough, although there has been some latterday abatement, loud and determined voices have for many years sounded a death knell for voluntary agencies in America, pointing to the increasing activity of the Federal government in health matters. Yet, I recall that in the spring of 1963, when the National Health Council held its Forum in Washington, D.C., its delegates refused to take counsel of these fears and visualized these voluntary groups as a most essential component of a partnership of public and private effort.

And one of their major conclusions was that "despite the phenomenal expansion of government activity in the health field, voluntary agencies still have a leading role to play in developing the nation's resources."

Their judgment makes sense to me. The truth of the matter is that through the combined efforts of voluntary agencies and government, we have mounted an attack on killing and crippling diseases that is without precedent in history. Any dispassionate examination of the nature of the roles each side plays in the continuing fight only substantiates my firm belief that their respective efforts, as in the case of any true partnership, are complementary.

Carping and captious critics delight in asserting that the Federal government's research activities are elbowing the voluntary organizations out of the research field. But is this the case? I do not believe so, and I point to your own research efforts to prove my point. For some 12 years the National Society has operated a modest but purposeful research program through its Easter Seal Foundation. Your main support, as one would expect, has been given to investigations of the cause of crippling, the prevention of physical disabilities, methods for improving the function of impaired limbs, and measures for increasing the overall effectiveness of various rehabilitation processes.

But your broad interests have also included projects designed to improve the educational, emotional, psychological, social and vocational adjustment of crippled persons. Problems in these areas may influence the treatment of physical disabilities, and any assistance afforded the physically disabled to overcome these associated problems cannot but facilitate their eventual entry into productive living.

Our critics note the extent to which the Government supports research in the same areas. This is true. It is also true that—no matter how much research is sponsored by government in these areas—the National Society is in no danger in being crowded from the research scene. There will never be too much research done to combat killing and crippling diseases, and there is plenty of room in the field for both public and private research. And the results of research sponsored by Government and that sponsored by your Society are of mutual benefit to these "partners" in research and—much more to the point—are of benefit to the American people.

Now, while I have been specific in speaking to your representatives and have related my remarks to the National Society, I hope you will indulge me if I address some remarks to all voluntary agencies and to all their members who selflessly invest their time, talent, and service in volunteer work. I would be unforgivably remiss if I did not single out these individuals who form the hard core of voluntaryism.

I believe we have reached the point in our Nation's history where gross speculation as to the continued life of voluntaryism will soon fade away. The voluntary agency is here to stay. It does a necessary job and does it extremely well. If not badgered by needless intrusion on the part of would-be overlords and the inevitable "we-can-do-it-better-than-you" brigades, the voluntary agency can devote its considerable energy to the strengthening of its essential components—voluntary work and voluntary giving—while providing the public with the type of creative leadership and vital services that have distinguished voluntaryism from its very beginnings.

Of the vast amount of work that remains ahead for public and private instrumentalities, several essential tasks are tailor-made for voluntary agencies. First, they have the unique capability of creating the demand and presenting the case for meaningful research to their legislators in Washington. They have done yeoman work in this area in the past, but it is a continuing requirement.

They can help to promote the development of the hospital as a health service center in the community and assist in providing the necessary leadership for judicious area planning for optimum use of area medical resources.

In this regard, the recently-enacted Heart Disease, Cancer, and Stroke Amendments of 1965 (PL 89–239), in establishing regional medical programs, offer further opportunities for agency participation. The voluntaries can now join or sponsor members of the local advisory groups that will help advise prospective applicants in formulating and carrying out plans for establishing regional medical programs.

I believe it is imperative that our voluntary agencies continue to support selective research. Their makeup is flexible; they can follow new leads with dispatch; they can award grants at the psychological moment to assist or to encourage potential breakthroughs; and they have the capability of adjusting their direction or emphasis rapidly. These are advantages voluntary agencies enjoy in research that their government partners do not.

And, finally, they must continue their outstanding work in organizing and financing health services in local communities.

I hasten to note that I am *not* implying that voluntary agencies are not already deeply involved in all the task-areas I have outlined. But there will never be enough committed partisans in these areas, and only continuing and continual commitment can get the job done. These organizations have demonstrated over the years those two inseparable prerequisites of achievement: imagination and courage. It takes a limitless imagination to conceive, to define, and to investigate unmet needs; and it takes great courage to strike out in new directions, abandoning customary activities and laboring in the now dim, now uncertain, and always controversial no-man's land that stands between what we are doing and what needs to be done.

Your Government needs and welcomes the assistance of all voluntary groups and their acknowledged expertise in the national effort to protect and improve our people's health. These programs will move ahead in any event, but they will move with greater purpose if backed by the kind of community and national investment of knowledgeable people's time and effort and humanitarianism that voluntary associations can provide so well.

Voluntary agencies have immeasuraby enriched the partnership for progress in health that this country has made in recent years. They have raised to the highest degree our American tradition of concern and respect for the individual, and have dramatized and sharpened the edge of our moral sensitivity. In a display of interpersonal relationship at its very best, such groups as yours have given warm hearts and zealous hands to the cause of human betterment and rekindled hope and faith in the minds and hearts of countless persons.

In his book, *The Future as History,* Robert Heilbroner wrote: ". . . every event in history has a Januslike quality—one face which regards the past, and one which looks ahead; one aspect which is the culmination of what has gone before and another which is the point of departure of what is to follow."

The National Society for Crippled Children and Adults is deeply embedded in the past that shaped the initially vague outlines of voluntaryism into a major force in our society. While others were as swift to move in meeting a social need, none charted a course more purposefully to benefit succeeding generations.

The National Society is equally committed to the future. It is meeting here to look into that future, a future it will share with other voluntary agencies and with Government at various levels.

In our common excursion into that future, and in meeting the host of challenges that awaits us there, I am confident that the partnership of the Government and the voluntaries will continue to flourish and provide this Nation with the key to greater health and happiness for all of our citizens.

Classrooms for the Mentally Retarded

EXTENSION OF REMARKS

OF

HON. WESTON E. VIVIAN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 1, 1966

Mr. VIVIAN. Mr. Speaker, today I am introducing an amendment to Public Law 88–164, the Mental Retardation Facilities Construction Act of 1963, in order to permit funds appropriated for this program to be used for the construction of classrooms for the education of mentally retarded children. Title I, part C of this act provides for matching grants to be made to the States for the construction of facilities for the mentally retarded.

The regulations governing the expenditure of these funds specify that these grants are to be made for facilities which include all types of services for prevention, care, and treatment. Grants are not made, under the present regulations, to State or local public school systems to assist in the construction of classrooms for the retarded in a regular or a special school. The only way in which Federal money can now assist the education of mentally retarded children is through classrooms to be built in an institution for the retarded.

I feel that this restriction is a serious one, and one which can and should be corrected. It is estimated that there are today about 5½ million mentally retarded persons in our country. But recent studies of the problem of retardation show that only about 1 in 10 of this total are seriously retarded. The rest are generally termed the educable retarded. For the most part, these persons do not require institutionalization, and will probably live in their own homes and communities all of their lives.

Their primary need is for an opportunity for education and training, to enable them to develop their full potential. When properly trained, this group can learn skills leading to gainful employment; they can then become productive members of society. Without such training and the opportunity for employment, they may very well become welfare recipients and a burden on their families and communities.

Many States have recognized their responsibility to provide public education to handicapped children. Data for 1963 show that 393,000 retarded children were receiving educational services in the public schools in that year. Another 39,000 were enrolled in classes in residential institutions for the retarded. This is a noteworthy beginning; but it does not solve the problem. The Office of Education has estimated that more than 1 million retarded children of school age needed special education in 1963. Fewer than 450,000 were enrolled in classes. Thus it appears that more than half of the total were not being provided the opportunity for education.

Mr. Speaker, public awareness of the complex and long-ignored problem of mental retardation is growing. Many local school districts may wish to provide classes for the retarded; but they face a classroom shortage, and a growing school population. I have been contacted by school officials in my district who are building new schools and would like to include classrooms for the retarded. However, when funds are limited, there is a tendency to fill the needs of the regular school population first.

My amendment would allow funds appropriated under title I, part C to be used to construct new schools and classrooms, or to expand and remodel classrooms in existing buildings, for use by the mentally retarded. The original legislation can be effective in alleviating the overcrowded conditions in our residential institutions and can take an important step forward in providing many services to mentally retarded persons throughout the country. This proposal will respond to another need, one which can be best met by the schools.

Most educators feel that the best place for the retarded child to receive his education is in the local neighborhood school, not in a special facility serving only retardates. The similarities shared by those of normal mentality and those with a mental deficiency are far greater than the differences. The aim should be to integrate those with disabilities into the mainstream of American life, insofar as is possible.

I urge that serious consideration be given to this amendment. Only when we know that each retarded child is being afforded the opportunity to develop to his full potential will we be able to feel confident that we are doing our best to overcome this problem.

Blatnik Continues Crusade for Clean Water

EXTENSION OF REMARKS
OF

HON. JAMES J. HOWARD

OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 1, 1966

Mr. HOWARD. Mr. Speaker, this Nation owes an outstanding debt to the distinguished gentleman from Minnesota, Representative JOHN A. BLATNIK. No one in this country has worked harder or accomplished more in the field of water pollution control than JOHN BLATNIK.

We here in the House work tirelessly on behalf of our constituents and in this respect the citizens in northern Minnesota are more than fortunate in having JOHN BLATNIK as their elected Representative. JOHN BLATNIK has done more than serve his constituents well; he has undertaken the job of fighting water pollution throughout the United States and in this respect every person in this country is fortunate that the distinguished gentleman from Minnesota is serving in the House of Representatives.

Recently Mr. BLATNIK delivered a talk before the Paperboard Group of the American Paper Institute, Inc. at the Greenbrier in West Virginia. Because of the importance of this speech, I urge all of my colleagues in the House to take a few minutes to read it through. Mr. BLATNIK's speech follows.

BLATNIK CONTINUES CRUSADE FOR CLEAN WATER

Considering the hectic pace in Washington of late, it is a distinct pleasure to escape to such a perfect setting here in West Virginia at the Greenbrier and to be with my good friends in the paperboard section of the American Paper Institute.

The beautiful countryside here is not unlike my native Minnesota except that, as you know, my district is the one that you frequently hear about as being the coldest spot in the United States. Frequently, in the great iron range and in our Canadian border towns temperatures drop to 40° and 45° below zero.

In my 20 years in Congress, no subject has caught the public's imagination to a greater extent than the subject assigned to me today. Certainly, water is the most discussed subject in Washington and it is the principal domestic issue of this generation. I am honored to have had a role to play in the development relating to water legislation that has now become the public law of the land.

Before I go further I want to pay a special thanks to my good and dear friend, the President of your fine organization, Ben Cancell. Certainly, paperboard, forest and natural resources are synonymous with the name of Ben Cancell. As a former president of the National Clean Stream Association and as one having vast experience in forest products both in the United States and in Canada, Ben has accumulated a vast knowledge that I both envy and respect. It is easy to talk to a man like Ben Cancell. He can draw on experience having served with distinction in the Government on the War Production Board and as both laborer and executive in leading forest products industries. His views and experience have been tempered with first hand exposure to both sides of the fence. Believe me this type of exposure goes a long way in affording us a real understanding of the problems that confront both Government and industry in our mutual concern to clean up the Nation's streams.

All of us here today have a significant role to play in this partnership for clean water crusade. Certainly, yours is an industry that is wedded to the use of water. Your paper and pulp companies number some 3,000 in the United States and you employ over 600,000 people. It is under your leadership that the products of paper and paperboard have more than doubled in the last decade and is now about 4 million tons a year.

I have a very strong example of the increase in paperboard packaging right in my own district. I am proud to claim as a close friend, Jeno Paulucci, a first-generation Italian, who borrowed some money from the Government some 20 years ago and has now parlayed that money into the world's largest producer of American-oriental food. As the owner of Chun King, this man, Jeno Paulucci, uses over a million containers daily in packaging his oriental food. This is a first hand example of the fantastic growth of the packaging and paperboard industry which you men represent.

This economic growth and fantastic expansion has brought many *benefits* to all of us but like our population explosion and the enormous technological advances of our industries, our *affluent* society now must face the corresponding *burdens* which is the *effluent* that threatens the extinction of clean water.

I talk to you today like I have to countless other organizations on varying occasions to try and promote as much understanding and cooperation for our mutually challenging partnership tasks of cleaning up our Nation's streams. I am not going to point the finger of guilt at you, as an industry, because in doing so, I know that I am pointing the rest of the four fingers on my hand at myself and I am not so sure that we in the Government have a clean enough house to point an accusing finger at any one group.

The main point that I want to drive home to you leaders in industry today is the fact that the cleaning up of our rivers is such an enormous task that it is going to take the all-out efforts, the full participation, and the 100% cooperation of all segments of our economy. We have a lot going for us now in that public awareness of the need for clean water is at an all-time high. It is too late, and none of us would be so foolish in 1966, as to try and sweep the water pollution problem under the rug. Believe me, I know your corporate budget problems. I know what it is like to get chopped back in our own appropriations committee. Both Government and industry, however, must accept the fact that a clean up job is a costly undertaking.

Your parent organization, the American Paper Institute, has long sponsored research centers in an attempt to abate water pollution. Last year this cost you a million dollars; I congratulate you! Your industry has also sponsored seminars and other fact-finding studies to ferret out answers to the water pollution problem. We in Government, last year in passing the historic "Water Quality Act of 1965", added $20 million every year for the next four years for research and studies in hope of strengthening this partnership that probes for a solution to the problems of pollution. It is my firm belief, after 10 years of constant battling to establish a realistic water pollution program, that it is going to take a marshalling of the talent and the money of both Government and industry if we are going to make a dent in this problem that to date has completely over-powered us.

It is especially easy to talk to industrial leaders like yourselves because you above all people are already oriented to the dependency that you, as an industry, have on clean water. I realize that there is a close inseparable relationship between industry such as yours and the problem of water resources which is the principle function of the House Public Works Committee on which I serve as a ranking member.

As many of you know, I grew up in the lake country of northeastern Minnesota and I have long been involved in issues relating to water and water resources. I have spent more than a considerable portion of my time in the Congress on the subject and was sponsor in the House of the first bill to authorize a permanent comprehensive national program for water pollution control. This was back in 1956 during the 84th Congress and though legislation was introduced to strengthen this law, it subsequently received a presidential veto and finally in 1961, my amendment greatly strengthened this comprehensive act of 1956. Then, as you know, last session we were successful in unanimously passing our "Water Quality Act of 1965".

In all this activity in the Congress, there has been feeling of constructive progress to a kind of step by step building that holds together. This progress has been made amid the background of—until the present time—disinterest, disillusion, and despair. It was said at the beginning as it was said in the highway program and as it was said in the housing program and as it was said in the social security and minimum wage laws, that it couldn't be done. But finally it was done and now in 1966, you have the State of New York who on a State-wide vote agreed to tax themselves for a billion dollars commitment so that they could have clean water. This is a far cry from the unbelievable struggle just 10 years ago when the first program passed the Congress. New York should be a red flag to get the rest of us going on a realistic program.

Statisticians tell us that by the turn of the century, we will be using a billion gallons of water a day. Your industry is already gearing itself to the necessary reuse of water. Certainly, industry has the most to gain from an effective program that produces useable water. As I have mentioned previously, your industry only last year spent a million dollars in its five research centers. This is one example of what industry is doing. I know one of your research projects is being undertaken at the University of Michigan in the very important area of stream analysis.

These studies will forecast various requirements in areas where the water runoff is highly seasonal and where your mill affluent will be impounded for long periods of time. This is but one example of the industrial pollution prevention studies that are going on about the country. It has been estimated that since 1963, the entire manufacturing industries have spent 4% of its annual $14 billion capital investment on pollution control. It is particularly heartwarming to witness the noteworthy trend toward cooperation between municipalities and private industries.

Right here in West Virginia, where the companies are larger than towns, the municipal sewerage may be accommodated by the companies' waste disposal system. Thus, the three small towns of Lake and Westernport, Maryland, and Piedmont, West Virginia, on the upper Potomac send their raw sewerage into the pollution control system of your industry's West Virginia Pulp and Paper Company.

In St. Joseph, Missouri, recently, with the help of the State legislature, five industries on the Missouri River band together to form a sanitary district and therefore became eligible for an HEW construction grant for waste treatment facilities. This plant also treats part of the municipal sewerage of this river town.

Another example of partnership of industry with State authorities is in the activities of Orsanco which is, as you know, the Ohio River Valley Sanitation Commission. West Virginia is a member of that pact and at the time this State joined, the Ohio River had the most foul odor in the land. At that time, sewerage treatment of any kind was available only to 1% of the population. Today, treating facilities serve 97%.

We must do more to foster this partnership between industry and Government. High on the list, of course, is the tax relief. Another possibility is the faster writeoff for investment in pollution abatement equipment.

We can no longer expect unilateral action in the field of water pollution since pollution has infested every phase of our lives. We can no longer afford the untidy haphazard way of running a planet occupied by three billion human beings whose demands for clean water are constant. If we are to assure clean usable water for our enormous population growth, we must think big. We have reached the time when it is imperative that we not take clean water for granted and that we, like New York, must make a firm commitment to enter a partnership agreement that will meet the pollution problem head-on.

Certainly, much has transpired in this century since Mark Twain referred to the 4,000-mile Mississippi as being magnificent. Today, pollution experts call this once proud river "The Colon of Mid-America." Unfortunately, this sad commentary applies to most of our waterways and it's going to take a strong partnership working in a cooperative climate to overcome this condition.

Any plan to overcome the outrageous dimension in which pollution is allowed and accepted is going to call for both money and action.

The true cost of this job is indicated by the fact that about ¼ of our towns and cities have no sewerage treatment plants of any kind, and ½ of existing plants are outdated and are still relying on primitive primary treatment which really settles out the heavier solids and in no way purifies the outflow.

For these municipalities to modernize and just to build the new plants to catch up will cost $20 billion. To separate storm sewerage will cost another $20 billion. This combined with what our industries must face in handling its own waste adds up to a staggering figure indeed. So unless we join hands in a partnership effort, the terrible task at hand cannot be accomplished.

We in Government, as I said, must do better. Though we fought hard to increase the authority of the "Water Quality Act of 1965" to $150 million a year, this is still a fraction of the multi-billion given to farmers for acreage contract or to States for road bills. Just imagine 10 years ago when we were drafting the Highway Act if we had said the annual appropriation for highway construction will be $150 million. Imagine where we would be with highways today if this were the case.

We have an unrealistic 30% ceiling grants which is ridiculous when you think of the southern city like Atlanta that it needs a $100 million worth of facilities just to catch up with its growth.

I hope we can convince our colleagues that this artificial ceiling should be more in keeping with the task at hand. We have a tremendous amount of up-dating to do in the technical department too in learning how to clean up modern civilization messes effectively and economically. Pollution control has long been a step-child in the engineering family. Sanitation engineers now receive some 15 million a year of Federal money to study new and better pollution control processes which is peanuts compared to the money going into the space research for example. The national water labs should start furnishing much of this long sought after scientific data. I am proud to say that the national fresh water lab in Duluth is the only one of its kind in the world and it is already staffing up for the herculean task ahead.

A glaring example of a river comparatively free of industry and one that all our National Legislators either cross or drive by every day is the Potomac in the Nation's Capital. Certainly, the Potomac river is not a huge water body, but its sickness receives national limelight. Because it is interwoven with our nation's history, its embarrassing position today is the result of generations' neglect and abuse.

From the Potomac we see great horizons of glass skyscrapers as well as enormous spans of bridges as well as complex freeways, but yet upstream towns along the Potomac are still using primary treatment common to frontier handling of waste treatment.

In closing I merely want to point out that we live in an era when 95% of all of the scientists who have lived in the history of the world are alive today and yet we have let water pollution overpower us. We live in an era when 75% of the prescriptions a doctor prescribes for us were not in existence 20 years ago! Yet we live in an era when the most elemental of our basic needs—water—is not available in usable form. We need your help, your understanding and most of all your cooperation.

A great architect once said: "Think not in little plans; only big dreams will stir the blood such as yours."

Thank you.

Are Wives Killing Their Husbands?

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 1, 1966

Mr. FOGARTY. Mr. Speaker, under unanimous consent to extend my remarks in the RECORD, I include the following speech:

ARE WIVES KILLING THEIR HUSBANDS?

(By Congressman JOHN E. FOGARTY, Husband's Night Dinner, Fruit Hill Junior Women's Club, Providence, R.I., November 15, 1965)

Ladies and gentlemen, fellow Rhode Islanders:

It is a great pleasure for me to be here this evening to talk with you at this Annual Husband's Night Meeting. As you know, I'm a husband myself—so I feel very much at home.

I am also—as many of you know—a legislator who has long concerned himself with the problems of this country's health. As chairman for sixteen years of the House subcommittee which recommends appropriations for health, education, and welfare, I have had the honor to help shape many of our Federal health programs. Some of these programs have been aimed at increasing our store of medical knowledge through research and training. Lately, however, we have concentrated on programs which will help apply the knowledge we already have—to bring the benefits of research out of the laboratory and to the patient's bedside.

Tonight I'd like to discuss with you a subject which is not strictly within the scope of public health programs. It is concerned with an area of preventive medicine which can only be practiced in the home, for it hinges on a question—often asked in jest, but really quite serious: are wives killing their husbands?

This question is more than just supposed retaliation from brow-beaten, henpecked husbands. It is a serious reflection on the fact that each year, close to 100,000 men die between their 30th and 50th birthdays. The death rate for women of comparable age is little more than half as high.

I do not intend tonight to build a case for the contention that wives are *deliberately* shortening the years of their spouses. If for no other reason, this idea is ridiculous because, in almost every case, such an act would be against the wife's own best interests.

But, I do say that some wives *unknowingly* contribute to their husband's early demise. And a great many other wives, while not themselves contributing factors, do little or nothing to relieve situations which are bad influences on their husband's health.

Therefore, tonight, I would like to point up some ways in which wives can avoid killing their husbands and, better still, how they can actually help their husbands live much longer.

Throughout history there have been many expressions, pro and con, on the value of marriage—usually from the husband's point of view.

In the Bible we find "who so findeth a wife findeth a good thing." But Shakespeare said that "A young man married is a man that's marr'd."

It has been said that "marriage is a noose", but also that it is like "a pair of shears, so joined that they cannot be separated; often moving in opposite directions, yet always punishing anyone who comes in between."

And so they go. But at least one poetic observation, that "a woman's always younger than a man at equal years" hit close to statistical truth.

It is a fact that men die sooner than women. Men suffer one-third more fatal heart attacks. Approximately 26,000 more men died of cancer last year than women. A man of 30 today can expect to reach age 71, while a woman the same age can expect to live to 76.

Many of the factors involved in these differences in disease patterns between the sexes are still a mystery to medical science. Some causes are strictly biological—many of them inherited and far beyond the present capabilities of medicine to alter. But other factors—some psychological, some physical—are well within every man's control—every man that is, who has the sense and the will power to exercise such control.

The fact that in practice every man does not attempt to eliminate or moderate these factors clearly indicates the important role a wife can play. According to one prominent physician writing in a national woman's magazine, "a woman can be the dominating force in controlling the longevity of her husband." A wife, this doctor says, does not have to wait for her husband to have a heart attack to begin to help him, but rather should start when they are both young in thinking about his health. A couple should plan for life as early as they plan for death. While many young wives traditionally spur their husbands ahead without considering a man's physical limitations, shrewd modern wives would do well to make a careful assessment of their husbands' capabilities and try not to dig the spurs too deep.

Heart disease is today the leading cause of death in the United States. In New England alone over 48,000 people die each year of the various diseases affecting the heart and blood vessels. A few decades ago tuberculosis, pneumonia, and influenza were the greatest menaces to American health. Now these diseases account for a relatively small percentage of annual deaths.

We are all living longer and better today than we ever have before—and it is apparently just these conditions which have fostered the rise of the three modern killer diseases: heart disease, cancer, and stroke. Still, it is known that many deaths from these diseases—especially those of younger people—could have been prevented if simple precautions had been taken, either before onset of disease or at least in its early stages.

What are these controllable factors? They vary, of course, depending upon which disease we are speaking of preventing. But let us consider, as an example, heart disease.

Tension is a factor in bringing on heart trouble. There seems to be some connection between heart disease—especially conditions associated with high blood pressure—and the tensions of modern living. Men who work under constant strain, who worry too much about unsolved problems, are the common victims of high blood pressure. It is known that if the person with high blood pressure will follow a few simple rules for moderate living, he can probably continue to work and enjoy life and in many cases live as long or even longer than a neighbor with normal blood pressure.

Therefore, helping to relieve the tension in a man's life can be an important responsibility for his wife. A wife can help her husband enjoy his work by being a human sounding board for his office problems. She herself can be serene and natural and curb any tendency to use a sharp or nagging tongue. She can create a restful home atmosphere that is a refuge from the clamor and pressure of his work.

If her husband is dissatisfied with his job, his wife might encourage him to find another one even though it might mean financial sacrifice. Although she might like a house in the suburbs, she might consider the strain on her husband in driving back and forth through heavy city traffic each day.

Sleep is important to relieving tension. A wife can see to it that her husband gets eight or nine hours of sleep a night. Tensions also lead men into habits and vices which themselves add to the risk of heart disease. When a man's home offers no relief from daily pressures, he often turns to excessive smoking, drinking, and eating for solace.

Diet is another of the major controllable factors for two reasons. The first one is obvious—overeating leads to overweight. Excess weight increases the burden on the heart. This is particularly true of a person who already has had a heart attack. Providing a substantial but sensible diet for a healthy younger man, or a controlled physician-supervised diet for the husband with a known heart condition, is an important responsibility for a wife.

The second reason for dietary control is the influence of cholesterol. Cholesterol is a chemical which makes up a large part of the fatty deposit which forms on the walls of the blood vessels as we grow older. In some people this deposit causes hardening of the arteries, which in turn often leads to a heart attack. Most medical scientists agree that the amount of cholesterol circulating in the blood is related to the formation of these fatty deposits and that cholesterol levels can be controlled by a diet with restricted saturated fats—those found in solid animal fat and dairy products. A doctor can determine if a man's blood cholesterol level warrants such a diet. At any rate it is agreed that no one should go overboard in eating high cholesterol-producing foods.

A wife should also encourage her healthy husband to take regular exercise. In a recent study, men of 50 who got no exercise died at almost three times the rate of those who exercised moderately.

I am sure that the relationship of smoking to heart disease as well as other ailments is well known to most of you. Yet millions of Americans continue to smoke excessively. Over the past twenty years, numerous clinical experiments and population studies have shown that there is a relationship between cigarette smoking and the increased death rate from coronary heart disease, particularly among men in their middle years. A cigarette smoker has about twice the risk of a nonsmoker in dying from a heart attack.

A wife can insist on her husband getting a physical checkup every year and—just as important—should insist on knowing the results. Often a man will try—thinking he is being merciful—to keep some bad news from his wife. Many wives have not been aware that their husbands were suffering from heart disease until a major attack occurred, although the husband had known for years his heart was under strain. There is no mercy involved in such secrecy, unless it is merciful to leave a young widow.

These then are some of the ways a wife can help her husband prolong his life. At the same time, by making herself a good example of what she urges her husband to do, a wife safeguards her own health. Women do live longer than men, as a rule, but they are not yet entirely indestructible.

An important consideration, however, should be that many men, even though fully aware of the dangers of pursuing the recklessness of youth into their middle years, will still disregard the call for moderation—even though it comes from a trusted physician, not to mention a loving wife.

The reason for this is that men often consider their health problem a weakness. They feel they are not fulfilling their duty as a husband if they do not drive themselves as hard as they can at work. They feel they are less of a man if they cannot down three or four martinis at a cocktail party and a big steak dinner afterward.

It is then a wife's equally important duty to make her husband secure in his masculinity—to let him know by her actions and attitudes that even though he is living a more moderate life, her husband is still head of the household, still the provider, still the father. If this assurance is not given, all other efforts will fail.

In closing, let me remind you of one more statistic. Earlier I mentioned the death rate for men in their middle years—now let us look at the other side of the coin. Today there are almost 900,000 American widows less than 50 years of age. Many of these women, with a little more attention to their husband's needs, a little more concern for his health, would not be living alone. They could be enjoying the final decades of their lives along with their husbands, rather than merely measuring out lonely days by themselves.

There are many ways to work toward better health on a national basis. Especially in recent years, the Federal government has been most active in working to provide essential health services for all Americans. It has developed programs to train persons in the health professions. It has supported and continues to support broad investigations into the expanding frontiers of medical science. Yet, with all of these, if we as individuals are not concerned about our own health, and the health of our families—concerned enough to listen ot our physicians—to practice good health in the home—then millions of dollars for research, for training, for health services go in vain.

Each of us has a primary responsibility to our own families—to our children, to our husbands and wives. For if we are not concerned about our own loved ones, who then will be?

Let us then show our concern—and practice it. Let these efforts be so successful that when the question is raised "Are wives killing their husbands?" it can be answered: no, they are saving them.

SENATE

THURSDAY, JUNE 2, 1966

The Senate met at 12 o'clock meridian, and was called to order by Hon. FRED R. HARRIS, a Senator from the State of Oklahoma.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God of all grace and glory, as in reverence we hallow Thy name, so may we hallow our own as we keep our honor bright, our hearts pure and our ideals clear.

In these trying days help us to rise above all that is base and small to work in glad and eager harmony for all the peoples of this stricken earth who will unite in mutual good will to open the gates of a new life for all mankind.

So may the benediction of Thy peace fall upon our restless lives. Along the road of this day, and of every day, may we walk with Thee in the bright fellowship of those who are able to say at the last—I have fought a good fight, I have kept the faith.

So, make our bodies Thy temples, and our hearts Thy altars, where the sacred flame is ever burning.

We ask it in the name of all good workmen. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., June 2, 1966.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. FRED R. HARRIS, a Senator from the State of Oklahoma, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. HARRIS thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, June 1, 1966, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

TREATY RELATING TO EMPLOYMENT POLICY, ADOPTED BY THE INTERNATIONAL LABOR CONFERENCE—REMOVAL OF INJUNCTION OF SECRECY

Mr. GORE. Mr. President, as in executive session, I ask unanimous consent that the Senate remove the injunction of secrecy from Executive G, 89th Congress, 2d session, the convention (No. 122) concerning employment policy, adopted by the International Labor Conference at its 48th session, at Geneva, on July 9, 1964, and that the convention, together with the President's message, be referred to the Committee on Foreign Relations, and that the President's message be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification of the convention (No. 122) concerning employment policy, adopted by the International Labor Conference at its 48th session, at Geneva, on July 9, 1964, I transmit herewith a certified copy of that convention. I transmit also a certified copy of the recommendation (No. 122) on the same subject adopted by the International Labor Conference, which suggests measures for carrying out the employment policy enunciated in the convention. No action is called for on the recommendation. The report of the Secretary of State and a letter from the Secretary of Labor concerning both instruments are enclosed.

I heartily endorse the general principles and objectives of a full employment policy as set forth in this convention. The United States is engaged in a mighty effort to eradicate poverty. To achieve this goal we are pursuing an active manpower policy aimed at promoting full, productive and freely chosen employment. We are striving to afford the fullest possible opportunity to every worker to use his skills in a job for which he is well suited, without discrimination based on race, color, sex, religion, or national extraction. These are the stated objectives of the ILO convention on employment policy.

Our country has, in a sense, anticipated the ILO Convention by such legislation as the Employment Act of 1946, the Manpower Development and Training Act of 1962, as amended, the Economic Opportunity Act of 1964, as amended, the Civil Rights Act of 1964, and the Public Works and Economic Development Act of 1965. Under existing legislation and institutional arrangements we are already in full compliance with the obligations of the convention.

I urge that we demonstrate to the remainder of the world our support for the principles of this convention and the international advancement of human rights to which it contributes. I therefore recommend that the Senate of the United States advise and consent to its ratification.

LYNDON B. JOHNSON.

Enclosures:

1. Report of the Secretary of State.
2. Letter from the Secretary of Labor, with enclosure.
3. Certified copy of Convention No. 122.
4. Certified copy of Recommendation No. 122.

THE WHITE HOUSE, *June 2, 1966.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 9167) to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 10451. An act to authorize the Secretary of the Interior to transfer certain lands in the State of Colorado to the Department of Agriculture for recreation development, and for other purposes;

H.R. 10476. An act to retrocede to the State of Kansas concurrent jurisdiction over Haskell Institute; and

H.R. 12264. An act to declare that 99.84 acres of Government-owned land acquired for Indian administrative purposes is held by the United States in trust for the Apache Tribe of the Mescalero Reservation.

HOUSE BILL REFERRED

The bill (H.R. 9167) to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes, was read twice by its title and referred to the Committee on the Judiciary.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Overobligation of an Appropriation

A letter from the Administrator of Veterans' Affairs, Veterans' Administration, Washington, D.C., reporting, pursuant to law, on the overobligation of an appropriation in that administration; to the Committee on Appropriations.

Reports on Officers on Duty With Headquarters, Department of the Army and Army General Staff

A letter from the Secretary of the Army, transmitting, pursuant to law, reports on the number of officers on duty with Headquarters, Department of the Army and Army General Staff, as of March 31, 1966 (with accompanying reports); to the Committee on Armed Services.

Report of Legal Aid Agency for the District of Columbia

A letter from the Chairman, Legal Aid Agency for the District of Columbia, Washington, D.C., transmitting, pursuant to law, a report of that agency, for the fiscal year ended May 31, 1966 (with an accompanying report); to the Committee on the District of Columbia.

Proposed Legislation Relating to District of Columbia

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to enable the District of Columbia to participate in the health and medical assistance benefits made available by the Social Security Amendments of 1965, and for other purposes (with an accompanying paper); to the Committee on the District of Columbia.

Report of National Advisory Council on International Monetary and Financial Problems

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report of the National Advisory Council on International Monetary and Financial Problems, for the 6-month period ended June 30, 1965 (with an accompanying report); to the Committee on Foreign Relations.

International Conference on Water for Peace

A letter from the Secretary of State, transmitting a draft of proposed legislation to enable the United States to organize and hold an International Conference on Water for Peace in the United States in 1967 and authorize an appropriation therefor (with an accompanying paper); to the Committee on Foreign Relations.

Report on Grants for Basic Scientific Research

A letter from the Assistant Secretary of Defense, transmitting, pursuant to law, a report on grants for basic scientific research made by that Department to non-profit institutions, during the calendar year 1965 (with an accompanying report); to the Committee on Government Operations.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on recovery of needed parts from excess aircraft engines, Department of the Air Force, dated May 1966 (with an acccompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of prices charged for meals served to employees and visitors at penal institutions, Bureau of Prisons, Department of Justice, dated May 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of accelerated business collection and delivery program at Baltimore, Boston, and Washington, D.C., Post Offices, Post Office Department, dated May 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on preferential allowances paid to certain contractor employees at the Hanford Works, Richland, Washington, Atomic Energy Commission, dated May 1966 (with an accompanying report; to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of efforts to have borrowers refinance their government loans when private or cooperative credit becomes available, Farmers Home Administration, Department of Agriculture, dated May 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on compilation of General Accounting Office findings and recommendations for improving government operations, fiscal year 1965, dated May 1966 (with an accompanying report); to the Committee on Government Operations.

Reply to Comptroller General

A letter from the Director, Congressional Liaison, Agency for International Development, Department of State, transmitting, for the information of the Senate, a copy of that Agency's reply to a report of the Comptroller General on the effect of foreign currency sales on commercial sales of wheat to the United Arab Republic, title I of the Agricultural Trade Development and Assistance Act of 1954 (with an accompanying paper); to the Committee on Government Operations.

Report Relating to Desalting of Sea and Brackish Water

A letter from the Secretary of the Interior, reporting, pursuant to law, on the desalting of sea and brackish water, for the year 1965; to the Committee on Interior and Insular Affairs.

Establishment of Wolf Trap Farm Park, Fairfax County, Va.

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Va., and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Report of Proceedings of the Judicial Conference of the United States

A letter from the Chief Justice, Supreme Court of the United States, Washington, D.C., transmitting, pursuant to law, a report on the proceedings of the Judicial Conference of the United States, held at Washington, D.C., March 10–11, 1966 (with an accompanying report); to the Committee on the Judiciary.

Reports Relating to Visa Petitions According Third and Sixth Preference Classification

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, Washington, D.C., transmitting, pursuant to law, reports concerning visa petitions approved according the beneficiaries of such petitions third preference and sixth preference classification (with accompanying papers); to the Committee on the Judiciary.

Report of National Labor Relations Board

A letter from the Chairman, National Labor Relations Board, Washington, D.C., transmitting, pursuant to law, a report of that Board, for the fiscal year ended June 30, 1965 (with an accompanying report); to the Committee on Labor and Public Welfare.

Report of Railroad Retirement Board

A letter from the Chairman, Railroad Retirement Board, Chicago, Ill., transmitting pursuant to law, a report of that Board, for the fiscal year ended June 30, 1965 (with an accompanying report); to the Committee on Labor and Public Welfare.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MORSE, from the Committee on Labor and Public Welfare, without amendment:

H.R. 706. An act to amend the Railway Labor Act in order to provide for establishment of special adjustment boards upon the request either of representatives of employees or of carriers to resolve disputes otherwise referable to the National Railroad Adjustment Board, and to make all awards of such Board final; (Rept. No. 1201).

By Mr. MAGNUSON, from the Committee on Commerce, with amendments:

S.J. Res. 29. Joint resolution to authorize and direct the Bureau of Commercial Fisheries to conduct a survey of the marine and fresh-water commercial fishery resources of the United States, its territories, and possessions; (Rept. No. 1202).

By Mr. GRUENING, from the Committee on Interior and Insular Affairs, with an amendment:

S. 2412. A bill to terminate use restrictions on certain real property previously conveyed to the city of Kodiak, Alaska, by the United States (Rept. No. 1203).

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare:

Stanley H. Ruttenberg, of Maryland, to be an Assistant Secretary of Labor; and

Bertrand M. Harding, of Virginia, to be Deputy Director of the Office of Economic Opportunity.

Mr. HILL. Mr. President, as in executive session, from the Committee on Labor and Public Welfare, I report favorably sundry nominations in the Public Health Service. Since these names have previously appeared in the Congressional Record, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations are as follows:

J. Carter Wright, and sundry other persons, for personnel action in the Public Health Service.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SALTONSTALL (for himself and Mr. Hill):

S. 3443. A bill to offer means for coordinating State health and welfare services at the community level by providing common facilities and encouraging their administration as elements of a comprehensive whole; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Saltonstall when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE:

S. 3444. A bill to require that medicine cabinets used in federally assisted housing be equipped with latches designed to prevent young children from gaining access to the contents of such cabinets; to the Committee on Banking and Currency.

(See the remarks of Mr. Case when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE (for himself and Mr. Randolph):

S. 3445. A bill to amend the Davis-Bacon Act in order to require compliance with the provisions thereof in the performance of certain agreements; to the Committee on Labor and Public Welfare.

By Mr. MAGNUSON:

S. 3446. A bill to consolidate and reenact certain of the shipping laws of the United States, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. BASS:

S. 3447. A bill for the relief of Sui Kam Sin; to the Committee on the Judiciary.

By Mr. JACKSON:

S. 3448. A bill for the relief of Capt. Robert C. Crisp, U.S. Air Force; to the Committee on the Judiciary.

By Mr. MAGNUSON:

S. 3449. A bill to amend the Public Health Service Act so as to authorize a 5-year program of grants and scholarships for collegiate education in the field of nursing, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. CLARK (for himself and Mr. Scott):

S. 3450. A bill to provide for the preservation and extension of Independence National Historical Park, Philadelphia, Pa.; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Clark when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S.J. Res. 166. Joint resolution to provide for legislative recommendations for a program of universal national service to take the place of the program presently in effect under the Universal Military Training and Service Act; to the Committee on Armed Services.

(See the remarks of Mr. Javits when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTION

INVESTIGATION OF PREMATURE DISCLOSURE OF INFORMATION RELATING TO CERTAIN AGRICULTURAL COMMODITIES

Mr. WILLIAMS of Delaware submitted a resolution (S. Res. 270) authorizing an investigation of premature disclosure of information relating to increased production of soybeans or other agricultural commodities, which was referred to the Committee on Agriculture and Forestry.

(See the above resolution printed in full when submitted by Mr. Williams of Delaware, which appears under a separate heading.)

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Monroney, and by unanimous consent, the Committee on Labor and Public Welfare and the Subcommittee on Antitrust and Monopoly Legislation of the Committee on the Judiciary were authorized to meet during the session of the Senate today.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

COMMUNITY SERVICES ACT OF 1966

Mr. SALTONSTALL. Mr. President, on behalf of myself and the chairman of the Senate Committee on Labor and Public Welfare [Mr. Hill], I am introducing today a proposal, entitled "The Community Services Act of 1966," whose purpose is to coordinate programs of social and health services at the community level.

In recent years Congress has enacted a number of new programs to help communities provide social and health assistance to those in need. At the present time these are administered by a variety of agencies and local bodies with varying degrees of success across the country. Because of the lack of coordination among the different programs, however, it appears that these services are developing completely independently of one another, thus resulting in overlap, gaps in service, and increasing confusion for the people who are seeking help.

The Community Services Act would attack this problem by providing Federal support to the States for planning and operating comprehensive community service programs and centers, drawing on citizen participation and enlisting the cooperation of voluntary agencies working in this area. The community service center would bring together all the services available to the citizenry of the community: public welfare, public health, mental health, vocational rehabilitation, and other related social services. Community service programs would be coordinated through State coordinating councils consisting of representatives from private and public agencies responsible for such services.

This legislation was drafted by Elliot L. Richardson, presently the Lieutenant Governor of Massachusetts, who has long been active in the health and welfare field. He served as Assistant Secretary for Legislation in the Department of Health, Education, and Welfare under President Eisenhower, and has had the responsibility for coordinating health, education, and welfare programs in the State of Massachusetts for the past 2 years.

I think the intent of this proposal is laudable and deserves the careful study of the Congress. I would hope that efforts in this area would lead to improved community services for all our citizens.

I wish to have printed in the Record at this point, as part of my remarks, a summary and explanation of the bill, along with a few representative letters of the more than 400 which Lieutenant Governor Richardson received in support of this attempt to meet the challenge for coordinated community services.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the summary and explanation and letters will be printed in the Record.

The bill (S. 3443) to offer means for coordinating State health and welfare services at the community level by providing common facilities and encouraging their administration as elements of a comprehensive whole, introduced by Mr. Saltonstall (for himself and Mr. Hill), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The summary and explanation, and letters, presented by Mr. Saltonstall, are as follows:

SUMMARY AND EXPLANATION OF THE COMMUNITY SERVICES ACT OF 1966

THE PROBLEM

Our society is today girding itself for an unprecedented attack on age-old causes of suffering and deprivation. We are beginning to forge a whole new arsenal of weapons for the conquest of educational, emotional, economic and physical handicaps. And in the process we are discovering that the most serious barriers to the effective use of these weapons are barriers of communication, or jurisdictional jealousy and of structural rigidity.

The needs of people are seldom adequately met by any single one of the narrow categorical programs through which help has traditionally been channeled. The existing sources of help, moreover, are too numerous, too scattered, and too isolated from each other. Their administration tends to be both cumbersome and impersonal. The result is greatly to impair the effectiveness as well as the efficiency with which we are able to bring to bear on human needs our available resources of funds and manpower.

In an effort to overcome these deficiencies, many of our established agencies are experimenting with community-based programs offering a broad spectrum of services. Community-centered mental health programs, neighborhood service centers for the poor and the aged, community service centers for welfare recipients, and networks of community health services are all at various stages of development of consideration.

But these developments are only a partial answer. Each is evolving independently of the rest, yet all are converging on the same client population. The inevitable result will be overlap, discontinuity, confusion, and—in consequence—disappointment of the very expectations to which they gave rise. Instead of community mental health centers, community welfare centers, and community public health centers competing side by side for scarce dollars and scarcer personnel, we need comprehensive centers, coordinated programs, and a planning process capable of focusing on the total needs of the individual and the family.

PURPOSE OF THE ACT

The development of better community services must be accompanied by a concerted effort to stimulate better coordination and communication among them. This is a task primarily for state and local agencies, public and voluntary, working together. But there is also an urgent need for national leadership. Having contributed to creating the problem, the Federal government should now assist in solving it by encouraging means of welding categorical programs into a more unified whole.

The Community Services Act of 1966 is designed to stimulate progress in this direction. It would do so by providing Federal support to the States for planning and operating comprehensive community service programs and centers, drawing on citizen participation and enlisting the cooperation of voluntary agencies. Such programs and centers, launched on an experimental basis in many kinds of communities and in a variety of governmental settings could, while providing better services to people, build bridges between the "helping professions" and reduce the fragmentation of our total response to human needs.

DEFINITIONS

Basic to the Community Services Act are several key definitions:

"Community Service Center"—a facility or adjacent or neighboring facilities in which are brought together community services to people living within a community service area.

"Community Services"—public welfare services, public health services, mental health services, vocational rehabilitation services, and other related social services.

"Community Service Area"—a geographical area within which, in the light of such factors as population distribution, governmental boundaries, transportation accessibility, and incidence of health, welfare, and social service needs, community services can be efficiently provided and administered.

"State Coordinating Council"—a body created for the purpose of the joint planning and coordinated administration of community services which is representative of private agencies providing such services and of each of the state agencies responsible for such service and which is supported by a staff adequate to assure that it can efficiently fulfill its planning and coordinating function.

"Community Service Programs"—means activities essential to the coordinated planning, administration, and provision of community services within a community service area making such services elements of a comprehensive and integrated whole.

"Eligible Program Costs"—means (A) overhead and administrative costs, including rental costs, which are necessary for a community service program and (B) costs of services, such as referral, counselling, and diagnostic services which serve the general purpose of this Act and which were not previously provided within the community service area.

PLANNING GRANTS

Title I of the Act authorizes appropriations of $2,750,000 to enable grants of up to $50,000 to be made to the States to assist in planning for the development of community service programs and centers.

The grants are to be made upon the application of and directly to the State Coordinating Councils which are to be established to administer the program.

PROGRAM GRANTS

Title II of the Act authorizes appropriations of $40,000,000 for fiscal 1967, $60,000,000 for fiscal 1968, and $80,000,000 for fiscal 1969 to be allotted to the States on the basis of population, extent of need for community service programs and financial need of the State. Grants will be made to meet 75% of the administrative and overhead costs of community service programs and 75% of new services such as joint diagnostic and referral services which stem from the development of a program and were not previously available within the community service area.

Each participating State would develop a state plan setting forth the development of a statewide system of community service programs based upon a survey of needs and resources and including a schedule for implementation.

Grants for programs to the State Coordinating Council would be made upon certification by the Council that the program meets the standards set by the Secretary of Health, Education, and Welfare and the approved state plan. Certification will assure that programs will be administered and services rendered as elements of a comprehensive and integrated whole. Provision must be made for interagency cooperative and contractual arrangements toward this end.

CONSTRUCTION GRANTS

Under Title III of the Act appropriations of $50,000,000 for fiscal 1967, $75,000,000 for fiscal 1968, and $100,000,000 for fiscal 1969 are authorized to assist in the cost of construction of community service centers. A construction project would be eligible for such support only if consistent with a state plan approved under Title II.

The Federal share for construction of community service centers would range from one-third to two-thirds of the cost, the proportion to be determined by the State Coordinating Council. This would provide the State with considerable flexibility in the allocation of its State allotment to assure the most effective distribution of the available resources.

Regulations issued by the Secretary of Health, Education, and Welfare would prescribe the specific kinds of services required to be provided by a community service center.

OTHER PROVISIONS

Other provisions of Titles II and III are similar to those contained in other comparable Federal grant-in-aid programs such as the Community Mental Health Centers Act of 1963 and the Mental Retardation Facilities and Community Mental Health Centers Construction Act Amendments of 1965.

Title IV contains the definitions set forth above together with other general provisions governing the administration of both grant titles.

THE FORD FOUNDATION,
New York, N.Y., March 18, 1966.

HON. ELLIOTT L. RICHARDSON,
Lieutenant Governor, The Commonwealth of Massachusetts, Statehouse, Boston, Mass.

DEAR MR. RICHARDSON: Thank you for your letter of February 23rd and the draft of legislation of the Community Service Centers Act of 1966.

I read the document with interest and found it to be an imaginative and thoughtful contribution. A better coordination of state health and welfare services is a worthy objective indeed, and hopefully, this legislation will cause the problem to gain needed recognition.

Sincerely yours,
MARSHALL A. ROBINSON.

STATE OF MAINE,
DEPARTMENT OF HEALTH AND WELFARE,
Augusta, Maine, March 11, 1966.

HON. ELLIOTT L. RICHARDSON,
Lieutenant Governor, Executive Department, Statehouse, Boston, Mass.

DEAR LIEUTENANT GOVERNOR: As I am sure you know, there are appearing many expressions of interest in the problem of bringing together the great variety of health and related activities within the geographic areas which are being served, with the expectation that such a process might be expected to result in better services, more integrated services, and services more readily available to the people needing them.

The proposed Community Service Centers Act would approach this problem quite directly and make provisions for solving many of the problems which are associated with this process of integration. It seems to me that the purposes of this act are highly desirable and the provisions of the act are sufficiently broad in scope to give a considerable degree of assurance that the purposes of the act can be met. I have no real comments or suggestions to make on the details of the act.

Sincerely yours,
DEAN FISHER, M.D.,
Commissioner.

UNITED MINE WORKERS OF AMERICA,
WELFARE AND RETIREMENT FUND,
Washington, D.C., March 14, 1966.

HON. ELLIOT L. RICHARDSON,
Lieutenant Governor,
Commonwealth of Massachusetts,
Executive Department,
State House,
Boston, Mass.

DEAR SIR: This will acknowledge your letter of February 23, 1966 with enclosed materials pertaining to the Community Services Act of 1966.

Segmented health and welfare services, with categorical coverage, have characterized public programs since the passage of the Social Security Act over thirty years ago. Politics being what it is, the art of the possible, it is quite unlikely that any other approach would have worked in that period. In the process, it was inevitable that the barriers you refer to (communication, jurisdictional jealousy, and structural rigidity) would arise and serve to bar the effective use of much of what we know to be effective tools in getting at the health and welfare needs of so many of our citizens.

The concepts developed in your summary and in the proposed Community Centers Act of 1966 are particularly timely in view of the Social Security Amendments enacted into law this past year.

There is also a greater awareness, within Congress and among many informed citizens, of the need for bringing some order out of the chaos that has characterized so much of the piece-meal legislative measures of the past decade. Whether such legislation can develop the support needed (not only within Congress but within the state and local areas where such services might be expected to fill a great need) is another question. Certainly, it is worth a try.

Sincerely yours,
KENNETH E. POHLMANN.

NATIONAL ASSOCIATION
OF SOCIAL WORKERS, INC.,
Washington, D.C., March 22, 1966.
Mr. ELLIOT L. RICHARDSON,
Lieutenant Governor,
Executive Department,
State House,
Boston, Mass.

DEAR ELLIOT: Joseph P. Anderson who is Executive Director of our Association recently sent me a copy of a draft for community service facilities.

It is obvious to me that some sort of a coordinating device is needed for bringing together the wide range of comprehensive service proposals that have been made in the areas of public health, mental health, vocational rehabilitation, and public welfare.

I am not sure that housing these programs under one roof is necessarily going to produce anything else other than joint housing, which has important values. I would suspect that the key instrument for seeing the person as a whole could be the state coordinating council and the staff attached to it.

Without presuming to speak for the National Association of Social Workers, I nevertheless think it is possible for me to say that your plan is innovative and deserves serious consideration and discussion and would hope that it will be introduced in legislative form.

Sincerely yours,
RUDOLPH T. DANSTEDT, ACSW,
Director.

GREATER BOSTON RED CROSS,
April 4, 1966.
Hon. ELLIOT L. RICHARDSON,
Lieutenant Governor, The Commonwealth of Massachusetts, Statehouse, Boston, Mass.

DEAR LIEUTENANT GOVERNOR RICHARDSON: You were quite right—I was very much interested in the draft of the "Community Service Centers Act of 1966." The experience you have had with effective centralization of united appeals and my comparable experience in Red Cross efforts to depart from "traditionalism" when change dictates that better service to more people requires better business seems to be directly related to the problem.

I am equally concerned that what I have termed "human renewal" is not keeping pace with "physical renewal" of our nation. I am sure that we are agreed that "whether we like it or not," both the affluent and depressed societies live regionally, rather than in neighborhoods, home towns, counties, or even states. An added validity to the approach of this Act would seem to be the obvious success of suburban shopping centers. If, for profit, these have proven to be effective, it would be equally logical to believe that for people they could be productive.

In spite of the fact that history seems to prove that you cannot "legislate attitudes," legislation that gives leadership would seem to be the only alternative to assure progress. Our coordinated efforts to master science and manage the universe have obviously met a need. It would seem that some comparable effort is now in order if we are to manage ourselves. The principles of this Act would seem to be at least a constructive step in the right direction. There are a few modest examples of current Red Cross efforts in Greater Boston, both in organization and in physical facilities, that are being explored that have something of the same objective—underlying community interests.

If on any occasion I can be of assistance in developing or fostering such an idea, I hope you will accord me that privilege. I appreciate the opportunity that you have given me to philosophize a little, and trust that in some small measure you may find my observations helpful.

Sincerely yours,
C. LEO WILHELM,
Manager.

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF HEALTH,
Harrisburg, March 21, 1966.
Hon. ELLIOT L. RICHARDSON,
Lieutenant Governor of Massachusetts,
Executive Department,
State House, Boston, Mass.

DEAR GOVERNOR RICHARDSON: I have reviewed the draft of legislation for a proposed Community Service Centers Act. This is of particular interest to me at this time as we are attempting to establish this type of facility in southwestern Pennsylvania by using Appalachia Act funds as the major source of monies to construct such a unit. This concept in Pennsylvania state government evolved from a series of meetings between the Pennsylvania Departments of Health and Public Welfare during the past couple of years.

Although we are experiencing some difficulty clarifying some unforeseen legal and other complications, it is believed these will be resolved soon so that our demonstration unit project can be a reality. Comprehensive centers with coordinated health, welfare, rehabilitation and all other programs essential for the provision of total needs of the individual and the family should be explored as a means of making the most efficient and effective use of available resources.

I certainly would encourage the development of the proposed Community Service Centers Act of 1966 on a demonstration basis. I commend you for your visionary approach to an administrative problem that needs resolution.

It was indeed a privilege to have the opportunity to review the material and I greatly appreciate its referral to me. If I can be of further assistance to you in the development of this concept, please let me know.

Sincerely yours,
C. L. WILBAR, Jr.,

STATE OF ALASKA,
DEPARTMENT OF HEALTH AND WELFARE,
Juneau, April 11, 1966.
Hon. ELLIOT L. RICHARDSON,
Lieutenant Governor the State of Massachusetts, Statehouse, Boston, Mass.

DEAR GOVERNOR RICHARDSON: Thank you for sending me the summary and explanation of the Community Service Centers Act of 1966 with your letter of February 23, 1966. The provisions of this Act are of interest to us in Alaska. One of our continuing problems is that the large area of this State makes coordination and communication difficult, and we are thus interested in any plan which will assist us in unifying services.

Many of the provisions of the Act would be of definite benefit to our people, and we shall follow through with appropriate efforts to assist in realizing the goals of this Act.

Again, I appreciate your interest and I shall welcome any further comments from you.

Very truly yours,
THOMAS R. MCGOWAN, M.D., Dr. P.H.,
Director.

REQUIREMENT OF SAFETY LATCHES ON MEDICINE CABINETS INSTALLED IN FEDERALLY ASSISTED HOUSING

Mr. CASE. Mr. President, I introduce, for appropriate reference, a bill to require that medicine cabinets used in federally assisted housing be equipped with latches designed to prevent young children from gaining access to the contents of such cabinets.

In 1964, the most recent year for which the Department of Health, Education, and Welfare has figures, there were 143,826 reported cases of accidental poisonings among children under 5 years of age in this country. Of these, 388 cases resulted in death.

The New Jersey Pharmaceutical Association recently observed that this year there may be 500,000 such cases in the Nation, and 50,000 in my State of New Jersey alone.

In 1959, more children were victims of accidental poisoning than of diptheria, scarlet fever, hepatitis and polio combined.

The President of the New Jersey Pharmaceutical Association has been quoted as saying:

> Some drug poisoning is a result of mistaken overdosing. But a great deal of it is like any other household poisoning—the child simply swallows something he has found.

Other Senators have introduced bills to require safety caps on medicine bottles so that it would be difficult for children to open them. This would indeed be worthwhile.

But pharmacists recommend that we take the further step of requiring all medicine be kept in a locked closet out of children's reach. Most homes do not have such cabinets, although at least five companies manufacture them under a Government-owned patent which is available to all who want to use it.

There are two types of devices currently available—one for a sliding door cabinet and one for a swing door cabinet. Both were developed from a prototype invented by Dr. Elbert L. Chapman, a retired chief of the Public Health Service's Division of Accident Control, who turned the patent over to the Government.

For the swing door cabinet, there is a three-button device with the buttons spaced far enough apart so they can be controlled only by an adult hand. For the sliding door cabinet, there is a knob device with finger tabs on either side which must be squeezed together while the knob is pushed in and revolved.

The legislation I am introducing amends eight different laws and applies the same standard to family housing constructed by the Department of Defense. The agencies which administer these programs already have adopted various standards which must be met but none of them deal with safety latches on medicine cabinets.

In order to obtain a uniform standard for all of the programs, I felt this legislation should be submitted to Congress in the form of legislation because Congress has a broader responsibility than any individual agency.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3444) to require that medicine cabinets used in federally assisted housing be equipped with latches designed to prevent young children from gaining access to the contents of such cabinets introduced by Mr. CASE, was received, read twice by its title, and referred to the Committee on Banking and Currency.

MERCHANT MARINE ACT OF 1966

Mr. MAGNUSON. Mr. President, I introduce, for appropriate reference, a bill to consolidate and reenact certain of the shipping laws of the United States.

For a number of years many of us who are interested in promoting the future of our American merchant marine have been conscious of the need to organize rationally and reenact the multitude of statutes affecting the U.S. shipping and maritime programs. During the last session, the Senate adopted a resolution authorizing funds to the Senate Commerce Committee for a compilation and revision of the maritime statutes. The Commerce Committee, under this authorization, contracted with a private consultant to prepare the initial draft of the revision. This work was accomplished and made available to the committee on December of last year. The draft was printed, after careful review by the committee staff, and distributed on February 1 of this year. Numerous comments have been received by the committee from all segments of the merchant marine and from all agencies that have an interest and responsibility for our merchant marine policy. On the basis of these comments, legislation has been prepared and the bill that I introduce today reflects this splendid work that has been accomplished.

Many substantive changes are needed to promote an effective merchant marine; however, the committee will await the decision of the administration as to what direction these changes might take. In the meantime, it would be extremely helpful if this legislation, which reorganizes and reenacts all of our merchant marine statutes, can be enacted so any citizen interested in the merchant marine can have available a comprehensive and understandable body of unified law. The committee has followed the policy that no amendment to the substantive law should be made unless required by recent organizational changes or similar requirements.

It is my hope that hearings can be held on this bill and favorable action taken in the future to permit time for the House of Representatives to consider carefully the proposal before the close of this Congress.

The **ACTING PRESIDENT** pro tempore. The bill will be received and appropriately referred.

The bill (S. 3446) to consolidate and reenact certain of the shipping laws of the United States, and for other purposes, introduced by Mr. MAGNUSON, was received, read twice by its title, and referred to the Committee on Commerce.

GRANTS AND SCHOLARSHIPS FOR COLLEGIATE EDUCATION IN THE FIELD OF NURSING

Mr. MAGNUSON. Mr. President, I introduce, for appropriate reference, a bill to authorize a 5-year program of grants and scholarships for collegiate education in the field of nursing.

The bill provides for a 5-year grant in aid program for the costs of instruction of collegiate schools of nursing; a 2-year program to aid in meeting the cost of planning new, expanded, or improved programs of collegiate nursing education, including a survey of construction needs; and a 5-year program to provide scholarships.

This is a modest bill. This bill is based on the recommendations of the American Nurses' Association, and covers only the question of collegiate training of professional nurses. The Congress considered and passed comprehensive medical legislation last year. The provisions that are in this bill, however, were omitted in that legislation. Ironically, the laws passed last year make the need for this legislation even greater. With the new Medicare law going into effect, the critical necessity for having additional nurses becomes even more critical. As the need for more doctors increases, the need for more trained nurses also increases. One finds nurses doing today many things that doctors have done in years past.

This is a modest bill, but my concern is great. There are many reasons for my concern, but basically, they can be reduced to two: national interest, and concern for affected individuals. It is in the national interest to have an expanding health program, not a contracting one, and not a static one. Evidence of why it is in the national interest is easy to document.

The war in Vietnam highlights one reason why an expanding health program is in the national interest. We are involved in a bitter and protracted struggle, the results of which will have worldwide and historical ramifications. The war is also producing many immediate effects in this country. The operation of our Selective Service System gives graphic evidence of a national health problem. The state of an individual's health is intimately connected with our national defense posture as expressed through the Selective Service System. Since 1948, nearly 25 percent of the total number of Selective Service registrants have been found to be not qualified for medical reasons to serve in the defense of the Nation. A review of the medical causes of these millions of disqualifications leads to the inescapable conclusion that a high percentage of the diseases or defects were avoidable or are correctable. This represents a serious and unnecessary drain on our national defense manpower, as well as a dilution or total waste of our youth's ability to contribute to normal peacetime progress. The raw materials of industry which we so carefully try to conserve are not as important as our youth. The increasing military commitment is inconsistent with any slackening of efforts to our Nation's health programs.

There are over 18 million people 65 years or older in the Nation. By 1980, this number will increase by one-third. The aged have two and one-half times the number of restricted activities days resulting from health conditions as do people under 65. People over 65 are hospitalized nearly twice as often as younger people. The aged stay nearly three times as many days in the hospital as do younger people. Older people are twice as likely to have chronic conditions as younger people.

These statistical summaries tend to sound coldly abstract, but the problem is not abstract. The people who are and will be experiencing restricted activity and will by lying in the hospital beds in 1970 or 1980 are alive today. They rightly demand that full attention be given to and adequate financing be provided for an expanding national health program.

At the other end of the age spectrum are the very young. Were he capable of understanding, the newborn child could see evidence of a health problem. Ten countries in the world have a lower infant death rate. Several countries in the world have a longer life expectancy. From another perspective, which is too often overlooked, in 1963, the fetal death ratio for the nonwhite population was twice that of the white population; the infant mortality rate was twice as great; and the maternal mortality rate for the nonwhite population was 4 times that of the white population. The life expectancy of the white population is 7 years longer than that of the nonwhite population. From either a short-term or long-term economic point of view, it does not pay to restrict the national health program. From a humane point of view, no justification exists for anything but an expanding program.

It is both a refreshing and a hopeful sign to hear of action toward national beautification. In many aspects, these programs involve a restoration or protection of our rural natural beauty. Such programs should be supported and encouraged. The beauty of some of these rural areas, however, should not obscure the fact that these beautiful areas have unique medical problems. I do not necessarily limit the application of this statement to areas of rural poverty. The cities are receiving needed attention today. They need even more attention, but rural areas must not be forgotten. Thirty percent of our population resides in rural areas, according to the 1960 census. Studies show that maternity and newborn child care is at a disadvantage in smaller communities, for a variety of reasons. A 1963 report indicated that the infant mortality rates during the postneonatal and preschool periods are 50 percent higher in nonmetropolitan counties than in metropolitan counties. Children in isolated counties receive up to one-third less medical care than those near cities. The accident death rate in agriculture is third highest of all of the major industries. The farm population includes many older persons. A slackening of our national health program would be detrimental in two ways: First, it would prevent effective action which would help alleviate existing rural health problems; and secondly, it would deny to rural areas the opportunity to develop new approaches and programs.

A part of the rural problem consists of the uneven distribution of competent medical facilities and services, but the problem of the distribution of medical facilities and services is broader than that. It is a rural problem, an urban problem, a countywide, and even a statewide problem. The distribution of medical services across the Nation is very uneven. The total physician-patient ratio per 100,000 population varies between the

States from 73 to 207. The total dentist-population ratio per 100,000 population between the States varies from 23 to 79. The nurse-population ratio per 100,000 population varies between the States from 120 to 502. Shortages in a limited locality might even be worse. There is still an occasional story of an isolated community that has no doctor at all. Some of the causes of this problem obviously go beyond remedies available through Federal action, but any reduction in effort would only compound existing problems.

Part of the reason for the unequal distribution of facilities lies in the shortage of existing facilities and personnel. The American Medical Association has testified before the Senate that 20 percent of the positions for professional nurses in hospitals in the United States are now vacant; that 1 out of 10 nursing homes has no full-time professional or practical nurses; that 7 out of 8 of the 13,000 facilities offering "personal care" or "residential care" have no nursing staff; that the States have repeated a need for 133,000 more general hospital beds and for 532,000 long-term beds; that the cost of modernizing and expanding existing hospitals is estimated at $3.6 billion; and that there will need to be a 50-percent expansion in the number of physicians in training and a 100-percent expansion in dental school enrollments by 1975 merely to keep pace with the population growth. The problem is not solely one of money. It takes at least 1½ years to construct a new hospital and 9 years to train a physician.

It has been recommended that 850,000 professional nurses will be needed by 1970 to provide services that are safe, therapeutically effective, and efficient. While that is the need, the feasible goal is estimated to be 680,000 nurses. To meet even this goal, schools of nursing must produce a 75-percent increase over the 1961 graduation total. This is an enormous burden for the schools. Of the nurses engaged in teaching, 25 percent lack an academic degree and of those engaged in public health services, 66 percent lack a degree. In 1962, only about 10 percent of all employed professional nurses held college degrees. The need for increased numbers of professional nursing schools is obvious. There is a need for 30 new baccalaureate programs. The needs for additional practical nurses, and aids are also great. Having competent people available to train them will constitute an additional strain on the system.

We often and justly pride ourselves on being the healthiest nation in the world. Light was cast on this cliche in the "National Health Test" broadcast by CBS. The overall conclusion of the survey was stated as revealing, "that 50 percent of Americans have poor understanding of good health practices." One-third of all Americans cannot name one of cancer's seven warning signs; one-third do not know the normal body temperature; and one-half do not know their blood type. These figures reveal a continuing need for an expanding national health program. Individuals, our Nation, and the world will be better off if we do not now slacken the pace.

The problems I have outlined will not all be solved by this bill. Their scope is broad, and the bill is narrow. No solution is possible, however, without considering this bill.

In the overall picture, this bill may seem modest, but it is a step in the direction of recognizing the problems and seeking the solutions. We must do both.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3449) to amend the Public Health Service Act so as to authorize a 5-year program of grants and scholarships for collegiate education in the field of nursing, and for other purposes, introduced by Mr. MAGNUSON, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

UNIVERSAL NATIONAL SERVICE TO OVERCOME "CRAZY QUILT" DRAFT REGULATIONS, INEQUITIES

Mr. JAVITS. Mr. President, I send to the desk for appropriate reference a joint resolution to provide legislative recommendation for a program of universal national service to take the place of the program presently in effect under the Universal Military Training and Service Act.

This subject has been explored and debated for years. It is time to act, instead of asking for a study commission as a number of Senators have done. However, short of anything else, I am in favor of this proposal. I believe that we should give the President guidelines and request all the manpower and machinery which he has to submit recommendations to this Congress for legislation to carry out these principles.

The principles of the sense-of-Congress resolution which I submit today are as follows:

First. All men under the age of 35 should be required to perform some form of service to the Nation, either in the military or a civilian capacity. First priority, however, would be given to the needs of Armed Forces.

Second. The nonmilitary service to be considered as fulfilling the requirements of national service should be determined by the President. They should require definite terms of service to achieve equity with men serving in the Armed Forces.

Third. Any deferment to college and graduate students should be with the understanding that they will be required to serve—in their field of specialization, if possible—upon completion of their studies.

I might point out that this is an effort to correct one of the most serious inequities in the present draft system.

Fourth. A National Service Board would be created to replace the Selective Service System. The new national board should establish uniform standards and procedures for selection and assignment to insure, to the greatest degree possible, equitable distribution of draft calls. The board would also be empowered to establish an automated data processing and communications system to cut the present inequities due to inefficient administration.

There is one further point, and it is emphasized by General Hershey's interview this morning and reported in the New York Times. Mr. President, I ask unanimous consent that the interview may be printed in the RECORD following my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. JAVITS. The joint resolution also provides, where practicable, for the habilitation of those presently unable to pass mental and physical examinations for military service, but who would probably be able to qualify for some form of national service with minimal additional schooling, or medical assistance.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JAVITS. There should no longer be any doubt that reform of our draft laws is required. It is widely recognized that these laws discriminate against young men who are unable to afford or are unable to cope with a full-time college education, and that they fail to make the best possible use of our national resources.

The deficiences and inequities of the present system have been well and thoroughly explained by spokesmen for a group of 30 of my colleagues in the House. In six separate, but coordinated statements, Republican Members of the House cited examples of the discriminatory features of the draft, inefficient administration, and outmoded procedures which cause delays in processing.

Since this subject has been explored and studied and debated for years, I have chosen to introduce a joint resolution calling on the President to recommend, as soon as possible, legislation establishing the requirement of Universal National Service for all young men.

It is not going to be easy to draft legislation to make this system work. There is a wide gulf between the concept of universal national service and the nuts and bolts of legislation that have to be designed to make it fair to the individuals concerned and fair to the Nation as well. But it can be done.

The President as Commander in Chief of the Armed Forces and as Chief Executive of the Nation, has the resources and the manpower to draft such legislation in the shortest possible time. He also is in the best position to judge, after consultation with members of his Cabinet, the manpower needs of the Nation.

Two weeks ago, Secretary McNamara proposed establishment of some form of national service for our young people, and his statement was greeted with enthusiasm throughout the country. But the reaction from the administration was disappointing, to say the least. It is time the administration abandoned reliance on the crazy quilt of deferment regulations and fragmented administration under selective service and came to Congress with a new system which would assure all young men of the opportunity and the privilege of serving the Nation.

Privilege is the working word, and I am convinced that the vast majority of Americans agree that it is a fundamental privilege and responsibility of a citizen to serve the national interest in a form best suited to the individual's capability, skills, and training.

Under the present system, the deferment preference for the college student over the gas station attendant—without a definite criterion of national service—is definitely discriminatory.

There is widespread protest that the college student is preferred over the gas station attendant. This is not the American way. That is why Secretary McNamara's proposal for some form of national service for our young people was greeted with such enthusiasm in this country.

It is for this reason that I oppose the use of class standings and deferment tests for college students, and why I am in favor of national service for all who can possibly qualify.

Under current procedure, married men and fathers are called after bachelors. Within the latter category, we defer to the nationally honored pursuit of higher education. For purposes of efficiency and discipline, the Defense Department places limits on physical and criminal record acceptability. I concur in the wisdom of all this policy as far as it goes.

As one might expect, there are—and I suppose always will be—some who will marry, go to college, and even, I suppose, commit crimes primarily to evade the draft. We are now informed that some Americans have gone to Canada to escape their U.S. military obligation. But, if this priority system is unfair to those who are not married, or fathers, or who cannot afford to go to college, we certainly cannot repudiate marriage, parenthood, or education. We can only extend our concept of service to remove these inequities and hopefully achieve a more equitable distribution of the privilege of national service.

This resolution would call for legislation that would allow the deferment of college and graduate students, without examination of class standing. The difference would be that these young men would know that such a deferment was really just a "deferment" and that they would have to serve their country in an approved manner once they graduated or completed work on a postgraduate degree. Under the present system, these deferments many times become the means through which young men bypass their military obligation, especially if they are married while in school or immediately after leaving school.

Further, this resolution gives the President, after consultation with the National Service Board, the determination of what Federal, State, or local agencies should be designated as being in the national service. I suggest that the following should be considered: the Peace Corps; VISTA, the domestic peace corps; the Public Health Service; the Agency for International Development; spcialized and specifically designated community social welfare agencies; and certain designated areas of science and technology. This, of course, would be in addition to traditional service in the Armed Forces, which must have priority when necessitated by manpower requirements. Service in the nonmilitary activities, of course, should be open to all those who are qualified.

To make such a system work in the most equitable manner and for the greatest benefit to the Nation, I have suggested the establishment of a National Service Board to replace the present Selective Service System. This new board would be equipped with automated data processing equipment to eliminate many of the administrative bottlenecks inherent in the Selective Service System. It would have direct access to all Federal agencies to be in a position to gage national manpower needs, and would establish direct links with the States to determine their needs and the needs of their municipalities.

Finally, this resolution would set the stage—by announcing the policy of Congress—for the establishment of programs to help many young men not now eligible for military or nonmilitary national service because of mental or physical deficiencies. Under the present system, more than 50 percent of all young men examined are unable to meet these requirements. In 1965, for example, 50.5 percent—294,134—of the 581,716 young men examined were found unqualified for service. It is estimated, however, that a large percentage of these men would be able to qualify with a minimum of tutoring in certain subjects, or a minimum of medical care.

The House last August approved such a program of rehabilitation to allow many more men to serve, but the appropriation was cut in this body. I voted for the Nelson amendment to restore the cut, but the attempt was defeated 67 to 27. It is my hope that passage of a resolution such as the one introduced today would set the stage for reintroduction of similar legislation.

I feel that the national service concept will be of great assistance in meeting the needs of the Nation in its humanitarian programs at home and abroad, as well as meeting the need to maintain our military strength. I also feel that, if properly drafted, such legislation would eliminate many of the inequities in the present system.

Traditionally, the concept of compulsory service has been limited to the bearing of arms in defense of freedom. As a practical matter, all of us simply cannot serve in a military capacity nor is it necessarily desirable that we do so. But, it has long been my conviction that almost every American has both the capacity and desire for meaningful national service. What is needed is to identify the national interest, show how it is to be served, and finally provide the opportunity for such service.

It is my hope that a well-drafted program of universal national service—such as this resolution calls on the President to produce—would accomplish this, that it would enable our young men to make better use of their talents for the benefit of their country in a more equitable way, and that the entire Nation would be the beneficiary.

I hope very much that we may have legislation considered on the action level rather than with a new commission, and that these principles incorporated in this sense-of-Congress resolution may form a request to the President to submit to us necessary legislation to implement the concept of national service for all young Americans.

I ask unanimous consent that the joint resolution be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 166) to provide for legislative recommendations for a program of universal national service to take the place of the program presently in effect under the Universal Military Training and Service Act, introduced by Mr. JAVITS, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

S. J. RES. 166

Whereas the Nation's responsibilities in domestic and world affairs is rapidly increasing in magnitude, diversity, and complexity, and the administrative, technological and scientific burdens inherent within the Nation's domestic responsibilities and role in world leadership will continue to challenge our collective talents and resources; and

Whereas it is in the Nation's best interest to fully develop and employ its resources to optimum productivity, and that the youth of America are the Nation's greatest resource upon whom ultimately will fall the challenge of world peace, national security and prosperity; and

Whereas the time for study and debate of the existing Selective Service System has long expired; and

Whereas selective service should be succeeded by a plan of national service; and

Whereas the President, as Commander in Chief and Chief Executive of the Nation's total resources, is in the position to best define the national interest in the context of talents required and work to be performed: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the sense of the Congress that the President should recommend to the Congress, at the earliest practicable date, comprehensive legislation which would:

(1) Require universal national service for all males before age thirty-five, in either a military or nonmilitary function of the national enterprise, with first priority accorded to military requirements, and all nonmilitary service, during periods of hostility, to be of such extended time periods as to achieve equity of service.

(2) Identify all of the nonmilitary job and position assignments within the Federal and State Governments which should be classified national service, and which may be performed by youths who can qualify for

such jobs or positions and except for national emergency, in lieu of military service.

(3) By deferment, encourage the timely pursuit of higher education in the national interest by those qualified, with the ultimate requirement of either military or nonmilitary national service, preferably in their field of specialization (when nonmilitary), marriage or dependents notwithstanding.

(4) Optionally provide, where practicable, for the habilitation of those youths whose mental and physical faculties presently render them unqualified for military service. Such habilitation is to be offered prior to consideration for national service, and by an institution, not the Department of Defense, whose composite skills and competence is designed for social development.

(5) Provide for the establishment of a National Service Board which would supplant the Selective Service System, with responsibility for (a) the formulation and administration of uniform standards and efficient procedures relating to the national service selection and assignment process, (b) insuring the equitable distribution of draft calls and nonmilitary assignments throughout the national population, (c) the identification and allocation of national service assignments throughout the Federal and State Government administration, and (d) provision of a fully automated data and communications network throughout the national service administrative complex.

The article, presented by Mr. JAVITS, is as follows:

EXHIBIT 1

[From the New York (N.Y.) Times, June 2, 1966]

GENERAL HERSHEY ASSAILS PROPOSALS FOR LOTTERY DRAFT

(By Robert B. Semple, Jr.)

WASHINGTON, June 1.—The director of the Selective Service System sharply criticized today proposals advanced in recent weeks for abandoning the present draft method and substituting some other system, but conceded that changes could be made to make the draft more useful to the nation.

In an interview, Lieut. Gen. Lewis B. Hershey, for more than 25 years the Selective Service chief, was particularly critical of the idea of substituting a lottery for the present system.

Under this idea—which is said to be gaining popularity in Pentagon circles—a man's name and number would be drawn out of a hat, or an electronic equivalent, in the same way that the draft process was initiated in World Wars I and II. Young men would learn immediately whether they were likely to be called or whether they were scot-free.

General Hershey said that the main trouble with such a system was that it did not allow for individual hardship or for protecting important domestic skills in the nation.

He posed the following questions:

"What if a young man whose name is drawn provides much of his family's support? And what if the lottery suddenly starts calling a disproportionate number of doctors or space scientists?"

"Sooner or later we would have to re-introduce distinctions," the general predicted.

POSSIBLE ALTERNATIVE

Some experts on the draft have suggested that a lottery could be restricted to the 1.8 million men coming of draft age—that is, 18 and 19—every year. This would be designed to meet General Hershey's criticisms by making certain that those who had families or were well along in their education or possessed well-developed critical skills would not be drafted.

However, General Hershey contended that even this version of the lottery would cause problems because it would mean that the armed services could not draft a man whose number had not come up when he was 18 or 19.

"Such men would be exempt forever," he said, "and this would severely limit our flexibility in a time of major crisis."

The difference between the present Selective Service System and a lottery, the general said, is "at bottom the difference between a human being and a machine."

"The people of local boards have more compassion than a machine," he went on. "The machine cannot tell whether a man is more valuable as a father or student or scientist or doctor than as a soldier."

He also criticized the suggestion to transform Selective Service into universal service, which might give draftees the option of serving in the Peace Corps, in the poverty program, in hospitals, and so on.

"The trouble with this plan is that it is difficult to draw the line between legitimate substitutes for military service and those that are not," he said. "If we gave credit for poverty work, why not work on our space program, companies that have defense contracts, or any form of Government activity? You just don't know where to stop."

The idea that young men might be given options to perform other non-military duties was raised two weeks ago in a speech in Montreal by Defense Secretary Robert S. McNamara. The speech, which followed weeks of protests against the draft by some students and educators touched off a Congressional debate on the subject.

A number of Congressmen have since called for a high-level review of the Selective Service System, either by a joint Congressional Committee or by a special commission appointed by the President.

General Hershey acknowledged that changes might be made in the present system. One improvement, he said, would be to allow the armed forces to perform broader rehabilitative functions.

This, he said, might reduce the number of men rejected every year for minor physical ailments or mental reasons. For example, many of those who fail the armed services aptitude tests would be drafted and would receive special schooling once they were in the Army.

Mr. JAVITS subsequently said: Mr. President, I ask unanimous consent that the joint resolution I introduced today in connection with Selective Service may lie on the table for cosponsors up to and including June 10, 1966.

The PRESIDING OFFICER. Without objection, it is so ordered.

INVESTIGATION OF PREMATURE DISCLOSURE OF AGRICULTURAL INFORMATION

Mr. WILLIAMS of Delaware. Mr. President, I submit for appropriate reference a resolution authorizing the Committee on Agriculture and Forestry to investigate the premature disclosure of information relating to increased production of soybeans or other agricultural commodities.

I ask unanimous consent that the resolution be printed in the RECORD.

I also ask unanimous consent to have printed in the RECORD an article entitled "Soybean 'Leak' to Speculator Under Probe," which appeared in the Evening Star of May 26, 1966.

The ACTING PRESIDENT pro tempore. The resolution will be received and appropriately referred; and, without objection, the resolution and the article will be printed in the RECORD.

The resolution (S. Res. 270) was referred to the Committee on Agriculture and Forestry, as follows:

S. RES. 270

Resolved, That the Committee on Agriculture and Forestry, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study and investigation for the purpose of determining whether or not (1) there was an unauthorized and premature release or disclosure of information with respect to the decision of the President to call for an increase in the production of soybeans or other agricultural commodities during 1966, (2) any such release or disclosure enabled any person or persons trading in soybeans or other commodities to make substantial profits, (3) subsequent decisions of the Department of Agriculture or any officer or agency thereof have been influenced or affected as a result of such release or disclosure, and (4) there has been any illegal or improper activity on the part of any officer or employee of the United States or any other person in connection with such release or disclosure or the use of such information prior or subsequent to its official release.

SEC. 2. The Committee shall report to the Senate at the earliest practicable date the results of its study and investigation together with its recommendations for any necessary legislation.

The article, presented by Mr. WILLIAMS of Delaware, is as follows:

[From the Evening Star, May 26, 1966]

SOYBEAN "LEAK" TO SPECULATOR UNDER PROBE

(By David A. Martin)

The Agriculture Department is investigating a complaint that an unauthorized and premature disclosure of President Johnson's plans to increase soybean acreage this year permitted a speculator to make "a pile of money."

This became known yesterday after an investigator from the department's Office of Inspector General—an agency set up after the Billie Sol Estes scandals—questioned newsmen regarding their handling of the President's announcement.

Department officials would not disclose the exact nature of the complaint, nor who made it. Nor would they identify the speculator reportedly involved.

EARLY RELEASE PROBED

Johnson told Congress in a special message Feb. 10 that he had instructed Secretary of Agriculture Orville L. Freeman to encourage production of soybeans on land formerly planted to surplus grains. The plan was part of the President's Food for Peace program outlined that day.

A spokesman for the inspector general's office, while withholding details of the complaint, said the agency had been informed that a report of the presidential plan had been published well ahead of the 12 noon release time.

Newsmen assigned to the Agriculture Department were asked by the investigator to tell how they handled the story, where and when they received their information and other details. Those questioned told the investigator they regarded such information as confidential and declined to cooperate.

Lester P. Condon, the inspector general, told a reporter later that his agency fully respected the decision of the newsmen to keep their sources of information confidential. He said his unit was checking all possible sources to ascertain whether a department worker had made the soybean information available ahead of the release of the President's message.

Advance information on a possible increase in soybean production could be used by a speculative trader to sell soybeans for future delivery at a potentially large profit. The trader would be confident that soybeans could be obtained at a future delivery date at a much lower price because of the prospect of larger supplies.

Soybeans are an important source of vegetable oil used for food and of high protein livestock feed supplement. Large quantities of American soybeans and soybean oils have been used to upgrade diets in hungry areas abroad.

FAIR PACKAGING AND LABELING ACT—AMENDMENTS

AMENDMENT NO. 575

Mr. COTTON submitted an amendment, intended to be proposed by him, to the bill (S. 985) to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 576

Mr. MORTON submitted an amendment, intended to be proposed by him, to Senate bill 985, supra, which was ordered to lie on the table and to be printed.

AMENDMENT OF FEDERAL WATER POLLUTION CONTROL ACT—AMENDMENT

AMENDMENT NO. 577

Mr. MAGNUSON. Mr. President, I submit an amendment to S. 2947, the bill to amend the Federal Water Pollution Control Act.

The amendment would add a new section to S. 2947 and would amend that section of the act which defines "treatment works" so that the term would encompass any construction necessary to control discharge of sewage into any waters from combined sewage systems.

The overflow of untreated waste or sewage from combined sewer systems is an exceedingly widespread source of pollution for our Nation's rivers, bays, lakes, and streams. At the present time, about one-half of the country's urban areas including most of the Nation's largest industrial complexes are served by combined sewage systems.

The danger of the combined sewage system is that when sufficient storm water has entered the system the resultant overflow made up of both untreated sewage and storm water bypasses the city's treatment works and flows into whatever watercourse is available. Much of the Potomac River's present filth can be attributed to this very factor. Unfortunately, it does not take much storm water to cause this kind of pollution. For example, it has been estimated that in Boston a storm intensity of only 0.1 inch per hour results in a bypass of approximately 82 percent of the sewage during that period. A rainfall of 0.5 inch per hour in Boston increases that percentage to 97 percent. Los Angeles, Chicago, New York, Seattle, and Spokane are a few of the other cities that have similar problems. In fact, throughout the country, some 64 billion gallons of untreated waste flow into our watercourses every single year via the bypass route.

The existing act and S. 2947 recognize the problem but provide for only minimal Federal assistance and that assistance is only for studies and demonstrations of new techniques. Meanwhile, cities that are now in the process of changing over to separated storm water and sewage systems have little chance of obtaining Federal help. The effect of the amendment that I submit today would be that those cities that have already started and other cities which are eager to get underway immediately with the difficult and expensive project of separation will be made eligible for Federal aid. It will provide for the more direct Federal assistance which the facts clearly demonstrate is needed.

The ACTING PRESIDENT pro tempore. The amendment will be received and printed.

The amendment (No. 577) was referred to the Committee on Public Works.

ADDITIONAL COSPONSORS OF BILL

Mr. JACKSON. Mr. President, I ask unanimous consent that the names of the distinguished junior Senator from Massachusetts [Mr. Kennedy], and the distinguished junior Senator from Maryland [Mr. Tydings] may be added as cosponsors of the bill (S. 3177) to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of community programs for patients with kidney disease and for conduct of training related to such programs, and for other purposes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of May 10, 1966:

S. 3337. A bill to amend the Rural Electrification Act of 1936, as amended, to facilitate the extension and improvement of rural electric and telephone service, and to strengthen and stabilize rural electrification and telephone systems by supplementation of the existing sources of Federal financing as provided by titles I and II of the Rural Electrification Act, to furnish additional sources of capital funds, and for other purposes: Mr. Bartlett, Mr. Bayh, Mr. Cannon, Mr. Church, Mr. Clark, Mr. Curtis, Mr. Douglas, Mr. Gruening, Mr. Harris, Mr. Hart, Mr. Hartke, Mr. Inouye, Mr. Jackson, Mr. Kennedy of Massachusetts, Mr. Long of Missouri, Mr. Magnuson, Mr. McCarthy, Mr. McGee, Mr. Miller, Mr. Mondale, Mr. Monroney, Mr. Montoya, Mr. Moss, Mr. Muskie, Mr. Nelson, Mr. Russell of South Carolina, Mr. Symington, and Mr. Yarborough.

Authority of May 12, 1966:

S. 3344. A bill to establish a Small Tax Division within the Tax Court of the United States: Mr. Allott, Mr. Bartlett, Mr. Bass, Mr. Bennett, Mr. Bible, Mr. Brewster, Mr. Cannon, Mr. Church, Mr. Clark, Mr. Cooper, Mr. Cotton, Mr. Dodd, Mr. Dominick, Mr. Douglas, Mr. Ervin, Mr. Fong, Mr. Gruening, Mr. Harris, Mr. Hart, Mr. Hruska, Mr. Inouye, Mr. Jackson, Mr. Jordan of Idaho, Mr. Kennedy of Massachusetts, Mr. Kennedy of New York, Mr. Kuchel, Mr. McCarthy, Mr. McGee, Mr. McGovern, Mr. McIntyre, Mr. Mondale, Mr. Montoya, Mr. Morse, Mr. Moss, Mr. Nelson, Mrs. Neuberger, Mr. Pastore, Mr. Pell, Mr. Prouty, Mr. Saltonstall, Mr. Scott, Mr. Smathers, Mr. Sparkman, Mr. Thurmond, Mr. Tydings, Mr. Williams of New Jersey, and Mr. Yarborough.

ADDITIONAL COSPONSOR OF AMENDMENT

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that the name of the senior Senator from New Jersey [Mr. Case] be added as a cosponsor of amendment No. 565 to the bill (S. 3102), the Allied Health Professions Personnel Training Act, at the next printing of the amendment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXTENSION OF TIME FOR BILL TO LIE ON THE DESK

Mr. HART. Mr. President, last Wednesday, May 25, the junior Senator from Maine [Mr. Muskie] introduced S. 3408, the Intergovernmental Personnel Act of 1966, and requested unanimous consent that it lie on the table for 10 days so that other Senators might join in cosponsoring it. Since then, a number of Senators have expressed an interest in this measure, but intervening holiday commitments have called many of them out of town and disrupted their schedules.

Accordingly, on behalf of the Senator from Maine [Mr. Muskie] I now ask unanimous consent that S. 3408 be permitted to lie on the desk for an additional 10 days—until June 14—to allow other Senators sufficient time to study the measure and join in cosponsoring it.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ANNOUNCEMENT OF HEARINGS ON NATO AND RELATED SUBJECTS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I wish to announce that the committee will begin hearings on U.S. policy toward NATO and related subjects on June 20. The first witness will be the Honorable McGeorge Bundy, president of the Ford Foundation and former Special Assistant to the President for National Security.

The committee expects to have a total of six hearings during the last 2 weeks in June. The names of other witnesses will be announced later.

The hearings will take place in the caucus room, room 318 in the Senate Office Building. The hearing on June 20 will begin at 10 a.m.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 2, 1966, he presented to the President of the United States the enrolled bill (S. 2471) to improve and clarify certain laws of the Coast Guard.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar in sequence, beginning with calendar No. 1160, S. 2267, to and including calendar No. 1165.

The ACTING PRESIDENT pro tempore. Without objection it is so ordered.

EXTENSION OF PROVISIONS OF TITLE XIII, FEDERAL AVIATION ACT OF 1958, RELATING TO WAR RISK INSURANCE

The bill (S. 2267) to extend the provisions of title XIII of the Federal Aviation Act of 1958, relating to war risk insurance, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1312 of title XIII of the Federal Aviation Act of 1958 (49 U.S.C. 1542) is hereby amended by striking out "June 13, 1966" and inserting "September 7, 1970" in lieu thereof.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1195), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE AND NEED FOR THE BILL

S. 2267 would amend section 1312 of title XIII of the Federal Aviation Act of 1958 (49 U.S.C. 1542) so as to extend war risk insurance authority until September 7, 1970. Absent passage of this bill, war risk insurance authority would expire June 13, 1966. Title XIII authorizes the Secretary of Commerce to provide war risk insurance for the protection of aircraft and persons together with other liabilities pertaining to aircraft when commercial insurance cannot be obtained on reasonable terms and conditions. Commercial policies covering aviation war risk are subject to automatic termination clauses in the event of the outbreak of war between any of the four great powers (the United States, Great Britain, France, and the Soviet Union). Consequently, without war risk insurance authority, U.S. aircraft would be without protection against loss by risks of war, even though the United States might not be immediately involved.

A general order on aviation war risk insurance, issued November 1, 1956, established an interim binder program for war risk insurance; war risk liability insurance, exclusive of cargo liability; and war risk carriers' liability to cargo insurance. As a result of a recent revision of this general order, war risk insurance is now being provided, without premium, to the Defense Department for participants in the Civil Reserve Air Fleet and for certain civil air carriers serving Department of Defense needs such as emergency airlift requirements. This insurance is also available to the Department of State on behalf of U.S. carriers entering into certain agreements with that Department. The Secretaries of both the Defense and State Departments have agreed to indemnify the Secretary of Commerce against all losses covered by such insurance.

The Department of Commerce states that "prompt mobilization of the air transport facilities of the United States would be jeopardized" without war risk insurance authority. The Department states further that it is anticipated binder fees to be collected would more than cover expenses chargeable to the war risk insurance fund under peacetime operations.

The Departments of State, Defense, Commerce, the Federal Aviation Agency, and the Civil Aeronautics Board recommend enactment of S. 2267. The committee has received no objections to this bill.

AMENDMENT OF COMMUNICATIONS ACT OF 1934

The Senate proceeded to consider the bill (S. 1015) to amend the Communications Act of 1934, as amended, to give the Federal Communications Commission authority to prescribe regulations for the manufacture, import, sale, shipment, or use of devices which cause harmful interference to radio reception, which had been reported from the Committee on Commerce, with an amendment on page 2, line 13, after the word "export", to insert "to the manufacture, assembly, or installation of devices for its own use by a public utility engaged in providing electric service,"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Communications Act of 1934, as amended, is further amended by adding thereto a new section 302 to read as follows:

"DEVICES WHICH INTERFERE WITH RADIO RECEPTION

"Sec. 302. (a) The Commission may, consistent with the public interest, convenience, and necessity, make reasonable regulations governing the interference potential of devices which in their operation are capable of emitting radio frequency energy by radiation, conduction, or other means in sufficient degree to cause harmful interference to radio communications. Such regulations shall be applicable to the manufacture, import, sale, offer for sale, shipment, or use of such devices.

"(b) No person shall manufacture, import, sell, offer for sale, ship, or use devices which fail to comply with regulations promulgated pursuant to this section.

"(c) The provisions of this section shall not be applicable to carriers transporting such devices without trading in them, to devices manufactured solely for export, to the manufacture, assembly, or installation of devices for its own use by a public utility engaged in providing electric service, or to devices for use by the Government of the United States or any agency thereof. Devices for use by the Government of the United States or any agency thereof shall be developed, procured, or otherwise acquired, including offshore procurement, under United States Government criteria, standards, or specifications designed to achieve the common objective of reducing interference to radio reception, taking into account the unique needs of national defense and security."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1194), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE AND SUMMARY OF LEGISLATION

The purpose of this legislation is to give the Federal Communications Commission adequate authority to deal with increasingly acute interference problems arising from the expanding usage of electrical and electronic devices which cause, or are capable of causing, harmful interference to radio reception. It is designed to empower the Commission to deal with the interference problem at its root source—the sale by some manufacturers of equipment and apparatus which do not comply with the Commission's rules.

As reported, the bill, S. 1015, would—

1. Give the Federal Communications Commission authority to prescribe rules applicable to the "manufacture, import, sale, offer for sale, shipment or use" of devices which in their operation are capable of emitting radiofrequency energy by radiation, conduction, or other means in sufficient degree to produce harmful interference to radio communications.

2. Prohibit the use, import, shipment, manufacture, or offering for sale of devices which fail to comply with regulations duly promulgated by the Commission under the authority given it by the bill.

3. Except from its provisions (i) carriers which merely transport interfering devices without trading in them; (ii) the manufacture of such devices intended solely for export; (iii) the manufacture, assembly, or installation of devices for its own use by a public utility engaged in providing electric service; and (iv) the use of such devices by agencies of the Government.

This final exemption is consistent with the provision in section 305 of the Communications Act that the Commission has no regulatory jurisdiction over stations owned and operated by the United States. It provides, however, that such devices shall be developed or procured by the Government under standards or specifications designed to achieve the common objective of reducing interference to radio reception, taking into account the unique needs of national defense and security. Government agencies are fully aware of the need for suppressing objectionable interference and, in many cases, standards adopted by individual agencies are more stringent than those which the Commission would impose. Moreover, the Director of Telecommunications Management has advised your committee by letter dated June 2, 1965 (appears in full in agency comments), that it is his intent should S. 1015 become law, to issue standards to insure that Government equipment meets as a minimum any criteria or standards laid down by the Federal Communications Commission for non-Government equipment.

NEED FOR LEGISLATION

The Federal Communications Commission presently has authority under section 301 of the Communications Act to prohibit the use of equipment or apparatus which causes interference to radio communications and, under section 303(f), to prescribe regulations to prevent interference between stations. Pursuant to this authority the Commission has established technical standards applicable to the *use* of various radiation devices. At the outset it should be emphasized, therefore, that this legislation is not primarily designed to empower the Commission to promulgate stricter technical standards with respect to radiation devices but rather to enable it to make these standards applicable to the manufacturers of such devices. And, even in those few cases where it would implement its new authority with new or additional technical standards, the Commission has assured your committee that such standards would be developed in close cooperation with industry.

Under the present statute the Federal Communications Commission has no specific rulemaking authority to require that before equipment or apparatus having an interference potential is put on the market, it meet the Commission's required technical standards which are designed to assure that the electromagnetic energy emitted by these devices does not cause harmful interference to radio reception.

This gap in the Commission's authority has undesirable results. Since the prohibition presently falls only on the *use* of offending equipment, the Commission, in trying to eliminate interference, is confined largely to controlling the use of equipment which interferes with radio communications. In most instances the users have purchased the equipment on the assumption that its operation would be legal. To the extent that any added cost is involved, it seems more equitable to include it as part of the manufacturing cost rather than have the user bear the expense of modifying equipment in order to use it for its intended purpose.

Thus the Commission is presently reduced to an "after-the-fact" approach to controlling interference. There is no basis for proceeding against an offender until the Commission has discovered the interference, either through its Field Engineering Bureau or on the complaint of some user of radio equipment.

The enforcement problem in this "after-the-fact" approach is tremendous. For example, the Federal Communications Commission received some 38,000 interference complaints during fiscal 1964. Many thousands of these complaints involved devices which could be easily controlled by Commission rules adopted to implement this legislation. The FCC notes that the investigation, detection and suppression of interfering devices has been accomplished at the expense of other important enforcement duties.

One example, supplied by the Federal Aviation Agency gives some indication of what can be involved. A serious amount of interference was noted on 243 megacycles, the frequency used for emergency communications, and on 282 megacycles, the homer frequency for the Los Alamitos Naval Air Station. A task force consisting of Navy, FAA and FCC components undertook to locate the offending devices and to take action to eliminate their effects. This team, using ground vans, automobiles, and a helicopter located 58 garage door openers emitting interfering signals. Those 58 devices were only a small percentage of the total offenders and it took a week to locate that number. The cost of this operation to the Government was about $100 per garage door opener closed down. This example illustrates the cumbersome, costly, and only partially effective measures that must be utilized to get at and eliminate interfering devices under current law. Enactment of S. 1015 will provide a much more effective and less expensive means of eliminating or controlling interference by attacking it at the manufacturing level.

Many manufacturers have cooperated generously in assuming the responsibility to minimize interference problems. However, the responsible manufacturer who cooperates in holding down excessive radiation is at a competitive disadvantage vis-a-vis the marginal manufacturer who prefers to ignore the Commission's rules.

In recent years there has been a marked increase in the number and type of devices capable of causing harmful interference to radio reception. In many instances, radiating devices lie outside the area conventionally associated with radio transmission and reception. They include such devices as high-powered electronic heaters, diathermy machines, and welders which radiate energy either purposely or incidentally to carrying out their primary functions. They also include low power devices such as electronic garage door openers which, because of poor design or otherwise, emit radio frequency energy beyond that needed for their functions. Even radio and television receivers may also emit some radio energy.

The cumulative effect of all this undesired radiation is most apparent in large metropolitan areas. Especially in peak periods of operation of radiating devices, such areas are blanketed by a "radiation smog" which makes it increasingly difficult for many users of radio communications to obtain interference-free reception.

This radiation problem is most serious in vital areas where radio is used for safety purposes, such as in air navigation control. In a number of instances, the Federal Aviation Agency has issued notices informing pilots that certain radio navigation devices are not usable in particular quadrants because the interference caused by industrial equipment makes these "navaids" unreliable. Problems in this area pose a genuine threat to safety of life, and as the volume of air traffic increases, this threat will become more acute.

An important recent example of interference to radio communications occurred in December 1965 at the time of the Gemini 7 space flight. The U.S. Government went into court and received a temporary restraining order against a manufacturing company in Corpus Christi, Tex., on the grounds that certain equipment at the plant, including the ignition system of a winch truck used for lifting steel, was interfering with communications between a tracking station at Corpus Christi and the Gemini 7 spacecraft.

To police and fire departments and others using radio for safety purposes, interference could cause errors or delays affecting the preservation of life and property.

To radio listeners and television viewers, such excessive radiation also means the reception of distorted and garbled signals, or fluttering images, or pictures of a technical quality less than that possible when interference is under effective control.

To those who use radio for industrial communications services, the cumulative effect of undesired radiation means increased disruption of communications services.

And, finally, to those users of radio whose operations must be conducted under conditions of relatively low background interference (i.e., for the Commission's monitoring activities, the operation of military communications systems, or radio astronomy observations), high levels of undesired radiation force the abandonment of geographic areas of high interference, or require special efforts to detect radiating devices which are causing harmful interference. Both of these alternatives impose additional costs of operation on the Government itself.

Committee hearings

This bill was introduced by Senator WARREN G. MAGNUSON, chairman of the committee, at the request of the Federal Communications Commission. The Subcommittee on Communications held hearings on this legislation on June 23, 1965. Federal Communications Commission Chairman E. William Henry testified in support of the proposal.

The Associate Administrator for Programs, Federal Aviation Agency, strongly urged enactment of the bill, noting areas in which radiofrequency interference can affect aircraft navigation and communications, and the resultant unfavorable impact on air safety. Mentioned particularly were radio navigation aids, instrument landing systems used in adverse weather conditions, and communication between air traffic controllers and pilots. It was pointed out that the FAA also operates numerous other types of air navigation facilities which are susceptible to radiofrequency interference. They include short-range and long-range radar, distance-measuring equipment, TACAN bearing and distance equipment and direction-finding equipment. The FAA in its agency comments has supported the bill as does the Office of Emergency Planning. The Federal Power Commission offered no objection to the bill.

Testimony in suport of the bill was also presented by the American Radio Relay League, an organization including more than 85,000 U.S. amateur radio operators. Counsel to the National Small Business Association relinquished the time granted for his appearance on behalf of the association's members engaged in the manufacture of radio controls for door operators, but submitted a letter stating that the responsible manufacturers in that industry have no objections to S. 1015.

A statement supporting the bill was filed by Robert M. McIntosh, president, Hallett Manufacturing Co., Los Angeles, Calif., designers, developers, and manufacturers of interference suppression and shielding systems for a variety of engine, electrical, and industrial equipment.

Additionally, letters supporting the bill were received from the National Marine Electronics Association (concerned with radiofrequency interference effects upon safety of lives at sea), and from Mr. G. W. Swenson, Jr., professor of electrical engineering and research at the University of Illinois, Urbana, and staff scientist at the National Radio Astronomy Observatory in Green Bank, W. Va., giving his personal views and the consensus of a group of about 20 radio astronomers and radio engineers representing research institutions from all parts of the Nation, who discussed the matter in Washington on June 18, 1965.

Professor Swenson notes the radiofrequency spectrum is a natural resource of enormous economic and cultural value and that it is imperative, in view of the great demands for its use, that it be used with the greatest economy. He states every effort must be made to eliminate contamination of the spectrum by manmade radio emanations which serve no useful purpose but which arise incidentally from other activities and devices which cause troublesome incidental radiation because of poor design, construction, or adjustment. He points out that there exists such a cacophony of "noise" from many different sources that individual causes often cannot be isolated. He states that manmade radionoise is so prevalent that a radio communication system invariably uses many times the amount of meter power indicated by the natural requirements of the system to insure reception above the noisy background and that this is highly inefficient, economically, and contributes materially to the overcrowding of the radio spectrum.

Additionally, Electronic Industries, a trade journal, editorially supported S. 1015 in its July 1965 issue. It said:

"In 1960 Electronic Industries was first to call attention to the growing problems in RFI (radio frequency interference). The 10 feature articles we published on RFI in that year formed the basis for a special military training course at the Armour Research Foundation. Since then the scope of this subject has broadened considerably. RFI has grown to EMC (electromagnetic compatibility). It has become a topic for special courses at the University of Pennsylvania as well as Massachusetts Institute of Technology. The National Symposium on Electromagnetic Compatibility, held in New York

City last month, attests to the growing interest and concern in this area."

* * * * *

"Electrical/electronic devices such as heating pads, motors, razors, radios, tape recorders, and SCR's for control devices, etc., are creating unwanted radiation. Steps have been taken with some TV receivers under the 'Good neighbor' policy to reduce spurious radiation. All devices should be under some effective control. * * * Let's look at electromagnetic radiation as a national resource that should be nurtured and conserved in every possible way. Senate bill, S. 1015, now before Congress would grant broad power to the FCC to regulate unwanted radiation. We believe this is a constructive step in the right direction."

Electronic Industries Association, a trade group representing, among others, manufacturers of radio and television receivers, submitted a letter dated July 8, 1965, indicating that while EIA is acutely aware of the need for appropriate controls of spurious radiation in order to obtain maximum efficiency from the limited radio spectrum and is sympathetic with the FCC's efforts to limit interference with services licensed to operate within the spectrum, there is no emergency situation requiring immediate action and recommended further conferences between industry and the FCC. Further conferences were held and EIA by a letter of March 17, 1966, indicated it approved enactment of S. 1015. Correspondence exchanged between the FCC and EIA on matters discussed are included in the appendix to this report.

The Codes and Standards Committee of the National Electrical Manufacturers Association (NEMA), by letter of June 22, 1965, expressed the belief that there was no basic conflict with the FCC's intent and reasons for establishing reasonable control over some types of radio interference devices and suggested clarifying amendments. By letter of June 22, 1965, the FCC commented on these suggestions and stated among other things, the following:

"The phrase 'formulated in consultation with the affected industry representatives' is objectionable for two reasons. First, it may be interpreted as sharing or diluting the Commission's sole authority to make rules under the Communications Act. Second, even if it is not so interpreted, it is unnecessary and, we believe, inappropriate as a statutory requirement. Any rules promulgated in accordance with the statutory authority which S. 1015 would grant would be in accordance with the requirements of the Administrative Procedure Act of 1946 and would be adopted only after public rulemaking proceedings in which all interested parties would have opportunity to comment and submit views. Additionally, the Commission has expressed its willingness to cooperate, as it has in the past, in such industry committees and conferences as may be helpful in achieving the aims of legislation.

"The suggested limitation to devices which cause harmful interference to 'commercial, aircraft, and public safety' radio communications is felt to be too restrictive. The Commission feels that the authority given to it by section 302 should be sufficiently broad to permit it to formulate rules relating to any service where interference from these devices is a serious problem. In this regard, it is believed that the language of S. 1015, 'reasonable regulations' * * * 'consistent with the public interest, convenience, and necessity' is a proper standard.

AMENDMENT

The Southern California Edison Co. and the Edison Electric Institute expressed concern principally as to the effect of the bill on the electric power industry.

Subsequent to the public hearings on S. 1015 held by your committee, representatives of the electric utility industry requested a conference with officials of the Federal Communications Commission to clarify certain portions of the proposal and to elaborate upon testimony that was submitted to the subcommittee relating to the possible effect of the legislation upon electric utilities. Concern was expressed by the electric utility representatives that they were perhaps inadvertently included within S. 1015 and they sought assurances that they would not be considered as manufacturers within the meaning of the bill by virtue of assembling from component parts a power system for their own use. They repeated their contention, included in testimony to the subcommittee, that the language was too broad and would permit the FCC to impose a requirement that they obtain a permit, certification, or authorization prior to constructing such power systems.

After an initial conference, an exchange of letters between the Commission and representatives of the electric utility industry followed. Those letters have been supplied for the record and are included in the appendix of this report. The FCC has indicated that S. 1015 is not aimed at the electric utility industry and that cooperation from that group in alleviating interference problems has been generally excellent. The Commission has indicated it would not consider the assembly of a power system from component parts by an electric power company for its own use to be manufacturing within the meaning of S. 1015. Moreover, it stated that it is not the Commission's intention to require any advance approval, permit, certification, etc., before an electric utility undertakes to assemble a power system from component parts or to assemble any of the component parts for its own use.

The FCC emphasized, however, and the utility representatives agreed, that any change in language to clarify the above matters would not alter any existing authority of the FCC under section 301 of the Communications Act, or the authority granted by new section 302, to proceed against the user of equipment causing interference to radio communications.

In view of the above, your committee has adopted the following clarifying amendment:

"At page 2, line 13, after the word 'export,' insert the following: 'to the manufacture, assembly, or installation of devices for its own use by a public utility engaged in providing electric services,'.

CONCLUSION

Your committee believes that passage of this bill will improve quality of radio and television reception, especially in those metropolitan areas where there is now excessive radiation. The efficiency of communications service in the industrial radio band will be enhanced. And, most important, some potentially serious threats to safe air navigation and control will be alleviated. Finally, the Federal Communications Commission's efforts in detecting and eliminating harmful interference will be made more efficient. All this will benefit the public, the users of devices which radiate electromagnetic energy, the great majority of manufacturers who presently attempt to avoid harmful interference problems, and the users of radio communications in general.

AUTHORIZING THE ERECTION OF A MEMORIAL IN THE DISTRICT OF COLUMBIA TO GEN. JOHN J. PERSHING

The Senate proceeded to consider the bill (S. 2338) to authorize the erection of a memorial in the District of Columbia to General John J. Pershing, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 1, line 11, after "(2)", to strike out "on a parcel of federally owned land in the northwest section of the District of Columbia or in Arlington County, State of Virginia" and insert "on that parcel of land in the northwest section of the District of Columbia, bounded on the north by Pennsylvania Avenue, on the south side by E Street, on the west by Fifteenth Street, and on the east by Fourteenth Street"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to provide for the erection of a memorial to the late John J. Pershing, General of the Armies of the United States, such memorial to be erected—

(1) in accordance with the plans and design submitted by the American Battle Monuments Commission to the Congress pursuant to Public Law 461, Eighty-fourth Congress (70 Stat. 84); and

(2) on that parcel of land in the northwest section of the District of Columbia, bounded on the north by Pennsylvania Avenue, on the south side by E Street, on the west by Fifteenth Street, and on the east by Fourteenth Street.

SEC. 2. The maintenance and care of the memorial herein authorized to be erected shall, upon completion, be the responsibility of the Secretary of the Interior.

SEC. 3. There is hereby authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1196), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

When the Congress approved the act of April 2, 1956, it recognized that a memorial to Gen. John J. Pershing constructed in the District of Columbia, would be an appropriate memorial to one of the greatest of our military leaders. The act authorized the American Battle Monument Commission to prepare for submission to the Congress plans and estimates for the erection of a suitable memorial, together with recommendations respecting site, design, and materials. In accordance with the 1956 act, the design of, and materials used for the memorial must be approved by the Commission of Fine Arts before the American Battle Monuments Commission would submit its plans to the Congress. All of these requirements have been accomplished. The authorization legislation is now before the Congress.

General Pershing's contributions to this country are well known. He was the Commander in Chief of the American Expeditionary Force during World War I. From 1921 until his retirement from active duty in 1924, he was Chief of Staff of the U.S. Army. General Pershing was awarded the Pulitzer History Prize in 1932 for his book "My Experience in the World War." Clearly his is one of the more distinguished careers in the annals of the American Armed Forces.

At the hearings before the Parks and Recreation Subcommittee on S. 2338, the Honorable CARL HAYDEN, a member of the committee, submitted a statement that the committee considers to be of such unusual interest that it is included in the report on the bill.

"STATEMENT OF HON. CARL HAYDEN, A U.S. SENATOR FROM THE STATE OF ARIZONA

"Gen. John J. Pershing was one of the great soldiers of all time. In Southwestern United States and my home State of Arizona he holds a special place in the annals of history for it was there his active duty as a career officer was launched during the final years of the Indian wars before the turn of the century. He returned to the Southwest in 1916, during the troublesome times of the Mexican Revolution and Civil War, and led the punitive expedition against the notorious Pancho Villa.

"I well recall both of these epochs for I was a boy when Gen. Nelson A. Miles subdued Geronimo at Skeleton Canyon, near the Arizona-Mexico-New Mexico border in 1886, and I remember also that the aftermath of the Geronimo campaign was the chase of Magas, another Apache chief who did not surrender with Geronimo. It was during the Magas chase that General Pershing, then a young second lieutenant, distinguished himself as an able and strong leader.

"I am particularly fond of an opinion of Pershing, written by one of his 6th Cavalry superior officers, appraising his service in the Apache country. It reads, 'In those days, when a youngster joined a regiment, he was not expected to express himself on military matters until he had had some little experience. But there was a certain something in Pershing's appearance and manner which made him an exception to the rule. Within a very short time after he came to the post a senior officer would turn to him and say: "Pershing, what do you think of this?" And his opinion was such that we always listened to it. He was quiet, unobtrusive in his opinions. But when asked, he always went to the meat of a question in a few words.'

"In 1889, Pershing was transferred from the Southwest, but his experience there was primarily responsible for his return in 1916 to lead the Punitive Expedition against Villa.

"I was in the House of Representatives then and was greatly concerned about Villa's murderous raids across the Mexican border into Arizona.

"President Wilson had grown weary of the Mexican troubles, but rumblings of war on the European Continent made it imperative that the United States not get involved in a conflict with the Mexican Government. So in 1915 he had officially recognized the Carranza government. Pancho Villa then showed his resentment by becoming a virulent anti-American. He made several border raids and Arizona had requested Federal troops be sent into the State for protection.

"Finally, a Villa raid on Columbus, N. Mex., in March of 1916, made action imperative. Newton Baker was sworn in as Wilson's new Secretary of War on March 9, and his first official act was to send a telegram to the commanding general at Fort Sam Houston, Tex., ordering the organization of the Mexican Punitive Expedition, with the sole objective of capturing Villa and preventing any further raids by his band.

"Maj. Gen. Frederick Funston was in command of the Army's Southern Department and it was his job to select a commander for the expedition. He chose Pershing, who by that time had risen to the rank of brigadier general, and it was a logical choice in view of his previous experience in the Southwest. Douglas, Ariz., and Fort Huachuca, Ariz., were points of troop dispatch as this campaign organized. In fact, the job of putting the clinches on the Villistas once they were found was entrusted to Pershing's favorite regiment, the 10th Cavalry, stationed at Fort Huachuca under the command of William Carey Brown.

"Mr. Chairman, there is little need of my going into a narrative about the Mexican campaign and its conclusion. General Pershing brilliantly directed it as a military tactician, and diplomatically maneuvered his troops in an effort to avoid an all-out war with Mexico. It was, therefore, no surprise to me when he was named by President Wilson to command the American Expeditionary Force in Europe after we declared war on Germany on April 6, 1917. His willingness to accept directives of the Government and never to yield to glory hunting temptation characterized his conduct during all his career and I know this was appreciated by the President and many Members of Congress.

"General Pershing never retired from the Army. He was never placed on the retired list and at the age of 81 offered his services to President Roosevelt when the Japanese bombed Pearl Harbor. Such was his mettle.

"He did, however, during the thirties and until the time of his death, frequently visit the Southwest and particularly Arizona. He liked to spend the midwinter months in the desert atmosphere and he did so annually at Tucson.

"It was in Tucson on July 15, 1948, that he was fatally stricken with a heart attack.

"Mr. Chairman, General Pershing was the greatest soldier I have ever known. By all means I urge favorable action on this authorization for a memorial to him. And I am confident I am expressing the wishes of my fellow Arizonans."

ESTABLISHING THE CHAMIZAL TREATY NATIONAL MEMORIAL, TEXAS

The bill (H.R. 7402) to provide for the establishment of the Chamizal Treaty National Memorial in the city of El Paso, Tex., and for other purposes, was announced as next in order.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. TOWER. Mr. President, I am certainly pleased to be a cosponsor of this legislation to create a national memorial in the city of El Paso, Tex. The subject bill would authorize the Secretary of the Interior to set aside a portion of the Chamizal territory for erection of a memorial and visitor center to commemorate the peaceful and cordial settlement in 1964 of the long-standing Chamizal dispute.

The enactment of the 1964 Chamizal Treaty between the United States and Mexico was a signal accomplishment and a credit to the two nations. I believe that it is fitting that this achievement be celebrated in this proposed manner, and I urge my colleagues in the Senate to support this legislation.

Mr. President, the establishment of a monument at the Chamizal site in the heart of one of this Nation's most colorful and charming cities will even further enhance its beauty, and will further cement the existing bonds of goodwill within this bicultural area.

Chamizal is the name given the plant which used to cover the approximately 600 acres comprising this region. The plants have long been gone but the Spanish name still designates the area along the banks of the Rio Grande River.

I do not believe that the funds requested in this legislation are excessive, but rather are adequate to establish a suitable Chamizal Treaty National Memorial.

As a cosponsor of S. 3007, along with my distinguished colleague, the senior Senator from Texas, I urge my colleagues to approve this measure.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1197), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

NEED

On August 29, 1963, a treaty between the United Mexican States and the United States of America was signed which solved a problem that had plagued the two Governments for a century, more or less (TIAS 5515, 15 U.S.T. 22). The problem was that of sovereignty over a small tract of land which, due to the vagaries of the Rio Grande, formed north of that river in the years following 1853. In effect the treaty provided that a short stretch of the Rio Grande should be rerouted, that the international boundary should follow the centerline of the rerouted stream, and that each of the two signatories should have sovereignty over the land on its side of the new line. Article 4 of the treaty more particularly provided that "the lands that, upon relocation of the international boundary, pass from one country to the other shall pass to the respective Governments in absolute ownership, free of any private titles or encumbrances of any kind."

As a result of the foregoing, the United States has acquired or will acquire approximately 193 acres on Cordova Island. A part of this land will be used by the Government as the site of a new port of entry, another part is proposed for development by the city of El Paso or the El Paso Independent School District for educational purposes, and a third (about 55 acres) is the subject of the present bill.

What is proposed in H.R. 7402 is the utilization of these 55 acres for the development of a memorial to United States-Mexico amity and, particularly, to the peaceful settlement of the boundary line dispute between the two nations. This commends itself to the committee as a desirable and worthwhile use of the land.

Although final plans have not been drawn for the memorial, the committee has seen renderings and maps showing in general what is proposed. In addition to the memorial proper, which will face the international boundary, the tentative plans call for a visitor center, an auditorium, a reflecting pool, a parking area, and open grassy spaces. Final plans, it has been agreed, will be submitted to the committee before construction is started.

The need to assure a harmonious treatment of the tract to be developed by the National Park Service and the adjacent tracts to be developed by other agencies of the Federal and State Governments (the General Services Administration, the city of El Paso, the El Paso Independent School District) has led to the inclusion of section 2 in the amendment to the bill. This section authorizes the Secretary of the Interior to defer establishment of the national memorial until he has seen and approved the plans for these latter tracts.

The Chamizal National Memorial will be administered by the National Park Service under the laws pertaining to that agency. So administered it will, the committee believes, serve to remind the thousands of visitors coming from and going to Mexico across the international bridge between El Paso and Ciudad Juarez of the fact that neighboring nations can solve their problems peacefully and justly.

COST

No appropriations will be required for land acquisition. Development costs are estimated at $2,060,000 and operating and maintenance costs at about $173,000 at present wage and salary scales.

The ACTING PRESIDENT pro tempore. The question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

The title was amended, so as to read: "An act to provide for the establishment of the Chamizal National Memorial in the city of El Paso, Tex., and for other purposes."

Mr. YARBOROUGH. Mr. President, I am very happy that the Senate has just passed H.R. 7402, providing for the establishment of a Chamizal Treaty National Memorial in the city of El Paso, Tex. This memorial will commemorate the historic 1964 treaty ending 100 years of disagreement with our neighbor to the south.

Under that treaty, 630 acres of land was allocated to Mexico and 193 acres to the United States. The legislation sets aside 55 of the 193 acres allocated to the United States for erection of a monument and a museum-information center. Also to be located on the 193 acres, all a part of the former Cordova Island, will be a new port of entry. The El Paso Independent School District will develop another portion of the area for educational purposes. These other portions will be developed in a manner harmonious with the national memorial.

Tentative plans for the area of the memorial call for the memorial proper, facing the international boundary, a visitor center, an auditorium, a reflecting pool, as well as open grassy spaces and a parking area.

As a result of the Chamizal Treaty, extensive changes have been and will be required in El Paso. The Rio Grande River is to be moved to a new river bed to reflect the new boundary established by the treaty, and businesses and families are relocating. The program to carry out the relocation is proceeding under legislation passed in 1964. A border highway along the new riverbank is another part of the overall plan for development of the area involved in the treaty, and S. 2630 now pending, which I sponsored, would authorize that highway. Still another part of the plan is covered by S. 3335, which I introduced last month, to authorize construction of extensions of the American Canal at El Paso. The legislation we have passed today is thus a vital link in a series of actions stemming from the treaty ratification in 1964.

The Chamizal Treaty has been a signal accomplishment in proving the ability of nations to solve their differences by peaceful negotiation, no matter how longstanding the dispute or how easy to maintain an unyielding position in defense of an historical claim. The Chamizal Treaty is a noble example of the fine relations we enjoy with the Republic of Mexico. There can be nothing more fitting than a monument to that relationship, and the Chamizal Treaty National Memorial will be a lasting reminder of our friendship with Mexico, and a constant stimulus to preserve it.

BILL PASSED OVER

The bill (S. 2858) to amend section 502 of the Merchant Marine Act of 1936, relative to construction differential subsidies, was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

AUTHORIZING THE SECRETARY OF THE INTERIOR TO CONVEY CERTAIN PUBLIC LAND IN WYOMING

The bill (S. 822) to authorize the Secretary of the Interior to convey certain public land in Wyoming to Clara Dozier Wire, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to issue a patent under the Small Tract Act (52 Stat. 609) as amended (43 U.S.C. 682a–682e), to Clara Dozier Wire for the public land described as lot 19, section 22, township 19 north, range 105 west, sixth principal meridian, Wyoming, containing approximately 3.67 acres.

SEC. 2. Such patent shall be issued only if, within one year after the date Clara Dozier Wire is notified by the Secretary of the amount of payment required, she pays to the Secretary the sum of (a) the fair market value of the land as of August 16, 1955, exclusive of any value resulting from the development or improvement of the land by Clara Dozier Wire or her family, and (b) the administrative costs of making the conveyance, as determined by the Secretary.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1199), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

This bill authorizes the Secretary of the Interior to issue a patent under the Small Tract Act, 52 Stat. 609 (1938), as amended, 43 U.S.C. 682a–682e (1958), to Mrs. Clara Dozier Wire for approximately 3.67 acres of public land in Wyoming. A patent is to be issued only if, within 1 year, after the date Mrs. Wire is notified by the Secretary of the Interior of the amount of payment required, she pays to the Secretary the sum of (*a*) the fair market value of the land as of August 16, 1955, exclusive of any value resulting from the improvement of the land by her or her family, and (*b*) the administrative costs of making the conveyance, both as determined by the Secretary. Mrs. Wire is the wife of Frederick L. Wire, an employee of the Rock Springs, Wyo., office of the Bureau of Land Management.

BACKGROUND

Mrs. Wire filed a small tract application in April 1954 and was issued a lease to the property with option to purchase which expired in 1957, by its own terms, after her application to purchase was denied because of the prohibition against Department of Interior officers, employees, and their spouses acquiring an interest in lands administered by the Bureau of Land Management. Mrs. Wire's husband was employed by the BLM under temporary appointment as operator general when she filed a small tract application in 1954, and when the lease was issued her in 1954. The area had been used as a city dumping ground for many years, and immediately after receiving the lease with option to purchase, the Wire family started improving the land. They removed 29 truckloads of garbage and leveled the ground; moved a four-room house on the site and made many other improvements. They moved into the house in 1955 and it has been their home since that date. The Wires have made an estimated $5,000 improvements to the land, and their presence on the tract has afforded protection against fire, theft, and vandalism to an adjacent BLM storage yard and garage. There is no public need for the tract.

COMMITTEE POSITION

The committee favorably reports S. 822, and urges approval by the Senate.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar.

UNTRUTHFUL ATTACKS ON THE CENTRAL INTELLIGENCE AGENCY

Mr. SYMINGTON. Mr. President, a favorite "sport" now current among various groups, which appears to be growing in volume, is to attack the Central Intelligence Agency.

These charges are made by many people, including enemy aliens in defense of their activities, and those who have been charged with illegal activities. From the standpoint of sport, at times it would appear comparable to shooting fish in a barrel, because the nature of the work of the CIA means it cannot defend itself.

In this connection I present to the Senate this morning three examples.

THE CHRISTENSEN CASE

After Col. James R. Christensen retired from the Marine Corps, he was considered for employment by the Central Intelligence Agency; and a normal security investigation resulted in security approval last January.

All prospective employees, however, must also go through a physical examination. This examination does not involve the administering of any drugs.

When Colonel Christensen received this routine physical examination last January 10, it was determined that his high blood pressure would probably prevent employment. His condition was discussed with him on January 18 by two staff physicians. At that time it was suggested he seek medical treatment. Christensen had been evaluated by the psychiatric staff January 12, and found suitable for employment.

On January 20, based on the preemployment medical evaluation of high blood pressure, Colonel Christensen was not qualified for employment for medical reasons. At no time was he given any drugs of any sort by the Agency.

On January 26 police officers in Virginia Beach, Va., determined that Colonel Christensen had committed suicide.

Colonel Christensen's wife has now brought suit against the Central Intelligence Agency for negligence, alleging that Colonel Christensen had been given drugs by the Agency; and that the reaction from the drugs had led to his suicide.

The U.S. Government will, of course, be represented in this action by the Department of Justice.

THE CASTRO CASE

According to a newspaper story of June 1 last, Castro is charging that Cuban exiles who tried to slip into Havana Sunday night were sent by the Central Intelligence Agency to assassinate Premier Castro. The story identified one Antonio de la Cuesta Valle as the military commander of a group called Commandos L. The Cuban announcement charged that Commandos L is a front for CIA.

This charge has been carefully explored. The facts are that Commandos L has received no support or guidance whatever from the CIA; and is in no way a front for the Agency. Furthermore, Antonio de la Cuesta Valle has no connection with the CIA. Whatever his activities in this enterprise, they were not carried out at the instigation or direction of the Agency.

Castro has been pretty much out of the news. He is anxious to get back in the news. The CIA and Guantanamo are his favorite subjects to that end.

It is time for the press and the public to realize that it suits the convenience of Castro and other Communist agents and criminals to accuse the CIA when they get in trouble. The featuring of said charges without effort to check their accuracy reduces the security of the United States.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator may be permitted to proceed for 3 additional minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SYMINGTON. I thank the majority leader.

THE HAWKE CASE

Mr. President, an ex-RAF pilot, one John R. Hawke, is currently under indictment in the United States for illegally exporting B-26 planes to Portugal.

As early as November 1965, British newspapers carried the story that Hawke was actually acting for the Central Intelligence Agency in piloting these planes; and again, on May 9, 1966, a national magazine in the United States carried a story which quoted Hawke as saying he was a special project airman for the CIA; that his defense will center on that claim.

This assertion on the part of Hawke is not true. There is no information of any sort which can connect Hawke's activities with the CIA.

What this all comes down to was well stated by a United States attorney when he said that Hawke plans to make what soon will be the standard defense in all such criminal cases—that it was part of a plot of the CIA.

I will shortly present more illustrations of such charges against this agency before the Senate.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to my able and distinguished friend, the senior Senator from Massachusetts [Mr. SALTONSTALL].

Mr. SALTONSTALL. I commend the Senator for bringing out these instances. I know that under the rules and regulations it is impossible for the CIA to answer any of these charges and, therefore, the charges, which are incorrect, and in many instances are falsehoods, are carried through and given publicity without any opportunity for the CIA to reply.

Mr. SYMINGTON. The senior Senator from Massachusetts [Mr. SALTONSTALL] is one of three Members of this body who know more about the structure and functioning of the Central Intelligence Agency than any other Member. Therefore, I particularly appreciate his support with respect to this problem.

It is most unfortunate that charges of this character are given the publicity with little or no effort to check their accuracy.

THE COMING CHALLENGES OF THE RIVER BASINS

Mr. MONRONEY. Mr. President, on May 16 my colleague, the junior Senator from Oklahoma [Mr. HARRIS], addressed the 13th National Watershed Congress in Oklahoma City on "The Coming Challenges of the River Basins." His remarks contain much of value to those wishing to keep abreast of our progress in the protection and conservation use of our vast river basin resources. I ask unanimous consent to have printed in the RECORD the keynote address of the Watershed Congress given by Senator HARRIS.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE COMING CHALLENGES OF THE RIVER BASINS

(Keynote address by Senator FRED R. HARRIS, of Oklahoma, before the 13th National Watershed Congress, Oklahoma City, Okla., May 16, 1966, Sheraton Hotel)

I am honored to be invited this morning to sound a keynote for your 13th meeting. We are proud you are here in Oklahoma, and we are proud of our state, which next November will have been a state for 59 years.

We are proud of our Oklahoma scenery; it ranges from the wooded hills in the east to the grassy plains of the west.

Oklahoma is rich, too, in water resources. We have been forging ahead for two decades now in the prevention of flood damage and in the full development of our basin and other water resources.

All Oklahomans are conscious more and more these days of the great contribution my distinguished predecessor the late Senator Robert S. Kerr, made in water conservation. No one has matched over the years the concern Senator Kerr felt as he served so capably as chairman of the Select Committee on National Water Resources of the U.S. Senate.

A few years ago the Encyclopedia Britannica published a report on the nation's water situation. It introduced the subject with the account of a river boat making its way precariously up the Missouri during a time of low water. The pilot of the boat in the early morning saw a settler dipping a bucket of water at the river's edge, and the pilot yelled, "Hey you, put that back." The article made the point—a timely one—that the nation had arrived at the "put-that-back" position in the use of its water resources.

It was the purpose of the Select Committee on National Water Resources to determine just where the nation stood in relation to its future water needs. Its report stated in part:

"The impending deterioration of our streams and rivers is perhaps the most striking of our findings . . . And while the country is in no imminent danger of running out of water, no longer is it in the enviable position of having enough water at all times for all conceivable uses. In other words, water is quickly moving into the realm of economic goods."

When the Committee had finished its work, Senator Kerr published a book which he called "Land, Wood and Water," and in which he set down his early interest in soil and water and related resources. In it he wrote:

"We began to make real progress in Oklahoma with varied projects and improvements, but a broader effort was required. Rivers spill across State lines. This necessitates leadership from Washington, and federal assistance. Focusing in this direction, I won election to the U.S. Senate in 1948 on the slogan of 'Land, Wood and Water.' As my first objective, I sponsored a new plan to develop the Arkansas and Red River Basins. The Inter-Agency Committee created to make the Comprehensive Survey has been retained to carry it out.

"The success in our region is pointing the way for a national program of conservation, basin by basin. The need for such an effort has been written in the dusty soil of our denuded acres, our silted watercourses, our barren hills and mountains . . . We are shaping a national program with the river basin as the unit of development, both upstream and downstream. This approach is essential if our farms, homes and factories are to get enough water in the next 20 years."

If I were seeking a text for my message to you this morning, those two final sentences would, I think suffice. I'll repeat them: "We are shaping a national program with the river basin as the unit of development, *both upstream and downstream*. This approach is essential . . . if we are to get enough water in the next 20 years."

A paragraph or so later in his book Senator Kerr warned:

"The mobilization will require the participation of all levels of government, guided and aided by an alert, informed citizenry. The people in each locality must work together to fit their own projects into the broader pattern."

The Senator and so many of you had seen the distress of the drought years, and in 1943 he had witnessed, as had many others of us, the tragedy of a mighty disaster on the Arkansas River. He had watched the repeated floods on the two branches of the Canadian River, and he was thoroughly abreast of the long and determined fight by the people in the Washita River watershed to control the frequent flooding and to develop that rich resource into an obedient and useful servant.

So, it was a natural consequence that, as Governor of Oklahoma, he would come to have an unyielding determination to lead the people of his state into a program which would lessen the harm of drought and flood and produce continuing benefits through conservation and development of basin and watershed values.

Only a few months ago, the President of the United States, addressing the International Symposium of Desalination, pointed out that fresh water has been one of humanity's most precious needs. Wars have been fought for it throughout history, he said, and without it whole civilizations have vanished from the earth; and he added that over various areas of the world today water is the key to man's prosperity or poverty.

As a member of our State Senate in Oklahoma for eight years, it was my privilege to have a part in the conservation progress we have made in this state, to the work of our soil conservation districts and the landowners who are cooperating with them toward the conservation, use, and development of our land, water, plant and wildlife resources. And I'm proud to have an opportunity to continue that interest and effort as a member of the Senate of the United States, its Committee on Public Works and its Subcommittees on Air and Water Pollution and Rivers and Harbors and Flood Control.

You will find our people here in Oklahoma heartily in accord with the programs we have under way, a majority thoroughly conversant with the problems that we have faced and the things we must do and are doing to correct them. It has been an effort of teamwork, not only throughout the levels of government, but, more importantly, among the many groups and interests of our citizens.

Earlier, I mentioned the Washita project. This was one of 11 authorized by the Congress in 1944 for the Department of Agriculture, under the leadership of the Soil Conservation Service and with the help of the Forest Service and other federal and state agencies, to carry on a special program of flood prevention and accelerated land treatment, with cost-sharing and technical assistance to help the local people with their flood problems.

Many of you know the story of the Washita, how the people over the years had struggled for some kind of control program, hoping at first for a system of big reservoirs to contain the floodwaters. Then when they had heard the new proposal and had studied it carefully, they agreed that it offered a most practical solution for their dilemma.

And so it has been. That day near Cordell, when the first of the floodwater retarding dams in the Washita project was dedicated—my distinguished senior colleague, Senator MIKE MONRONEY, took part in that ceremony—was an important day for Oklahoma, and for the nation.

The story of Sandstone Creek farther up the watershed in western Oklahoma has become widely known also. It was the first of the small, creek-size watersheds in the Washita to be given full-dress treatment for the reduction of flooding, through a system of floodwater dams and conservation treatment of the drainage area.

Most of you know this story—how the flooding was reduced so that it has been of little consequence, how the creek that once stayed dry most months of the year has been flowing a steady, sparkling stream, how the people in that area now enjoy the recreational advantages this development affords, and how the well-being of an entire community has enjoyed a tremendous uplift as a result of this joint investment by the people and their government. This is a story that my friend L. L. (Red) Males, long a supervisor of the Upper Washita Soil Conservation District, has told hundreds of times throughout the nation. It is a story that grows more in significance as the years pass.

On the national level we are engaged now in a unique program on the Potomac River Basin. The President on February 8, 1965, directed the Secretary of the Interior to prepare a plan to make the Potomac "a model of conservation." That is being done in cooperation with other federal, local and state agencies.

In the Potomac, a river which should be a demonstration project for all those Americans and those from foreign lands who visit our nation's capitol, we have an example of what has happened to many of our beautiful streams and of what is now happening to many others in this country. Year by year, decade by decade, it has been going on—the ruining of a river through an amazing shortsightedness and the complete absence of any thought to planning. It would have cost us in taxes and in interest on bonds, perhaps, to have prevented this spoilage of a fine resource; but this cost would have been a small percentage of the billions it will cost now to correct the mistakes we have made on this one river alone.

We can have a Potomac River you can swim in if you like, as clean as it is beautiful, but it will take time, money, and a great deal of desire and effort. Not one of us doubts that such an investment will have great value. Our regret should be that we are so late with our recognition of the symptoms and with our diagnosis and remedies.

But what is it that has made America's rivers unclean and unclear? We have long been aware of the garbage, the sewage and the industrial wastes which are going into our rivers. We have not, as a nation of resource stewards, been so conscious of another costly source of pollution. For example, did you know that 50 million tons of soil are eroded annually in the Potomac Basin and that 2½ million tons of sediment from the skinned-off real estate developments, the unprotected fields, the cuts and fills for roadways, the denuded construction sites and parking areas are discharged into the Potomac estuary each year. This sediment fouls the river, adding to the cost of making the water suitable for use, and damaging the aquatic life we would like it to sustain in abundance.

My purpose is to emphasize that the development of a plan for a river basin, with all its varied interests, its needs and its opportunities, is a vital, demanding thing. It can't be done in a week or two, nor can it be done alone by one group or another. It is a job that requires careful investigation, the collection and analysis of pertinent data, the patient study of possibilities, searching looks into the distant future, and the involvement of many people representing all the interests in the basin.

Planning may involve—as the Potomac interim report indicates—the postponement of certain steps, just as it may urge the taking of another step much sooner than anyone had imagined. It may advise the building (as the Potomac report does) of certain small impoundments for supply purposes and the delay of a much larger one that had been thought to be urgently needed soon.

But the gathering of a group of interested citizens around a conference table for the purpose of determining the needs of their basin, the opportunities for the protection of its many values for the future and the development of others for the next few years—this is the way a basin must be planned, with all its values in mind and with all its citizens having a voice in the decisions that are to be made.

In recent years, we have seen a remarkable and fortunate change in our national attitude toward water resources. A generation ago, because of a spectacular kind of disaster that focused attention on what was happening to our soil resources, we launched a broad program of action for their protection. As an outgrowth of this new concern the states passed legislation providing local citizens the means of organizing to carry out their own programs of soil, water, plant and wildlife conservation. I would like to note here that Oklahoma and its neighboring state, Arkansas, were the first to pass state enabling legislation for this purpose.

But back to this new attitude of ours toward water resources. Drought during the past four years in the Northeast—an area where you normally don't hear much about drought—obviously has helped to stimulate American thinking along this line. Also, there has been developing a more sensitive national conscience, an awareness of what we had been doing, through neglect and abuse, to these vital resources.

In New York City the "well was running dry," and when the average citizen had to ask for a glass of water before he could get it, and the cafe owner was subject to a $25 fine if he permitted his employees to serve water without a request, he began to realize how important this resource was to him as an individual. The city was alarmed and reaching out for a supply, when at the city's doorstep millions of gallons of water a day were flowing seaward, too filthy for any use by man or animal.

Our awakening, overdue as we may now regard it, has been marked by a series of recent and forthright actions designed to set our water resource house in order.

First, based on a recommendation of the Senate Select Committee on National Water Resources, comprehensive framework studies are in process on five of our major water resource regions in America, and the 1967 budget provides for initiation of three more such studies—California, the Upper Colorado and the Lower Colorado. Detailed surveys also are under way in 16 other river basin areas.

So, we are on our way, although perhaps as yet we have not begun to catch up.

The Water Resources Research Act of 1964 provides for cooperation by the Secretary of the Interior with the Land Grant Colleges of the several states in establishing and carrying on water resources research institutes.

One aspect of the Appalachian Regional Development Act is a survey of the water and related resources of the area to learn the extent to which their development—with an investment of public funds—may contribute to the local economy. These studies will draw on and add to information available from other basin surveys in progress in portions of the area. Experience in these programs will have value, too, as we move into the Ozarks, Upper Great Lakes, and the New England Economic Development programs.

The Federal Water Projects Recreation Act of 1965 is designed to give full consideration to outdoor recreation and to fish and wildlife enhancement in connection with federal water resource projects.

An amendment, also in 1965, to Public Law 566, the Watershed Protection and Flood Prevention Act, increases the authorized floodwater detention capacity of reservoirs built under this upstream watershed program from 5,000 to 12,500 acre-feet. This increase enables communities, in developing the resources of their watersheds, to utilize storage sites more in keeping with their potential, without reducing the level of flood protection provided.

The Water Quality Act of 1965 amends the Water Pollution Control Act of 1956 to give it added strength and to create the Federal Water Pollution Control Administration. This Administration has now been transferred from the Department of Health, Education and Welfare to the Department of Interior.

There are two interesting proposals now before Congress which fit into our overall interests. These are, first, the Clean Rivers Restoration Bills (S. 2987 and H.R. 13104), which would provide for the cleaning of entire river basins, with maximum cooperation by all levels of government. This program would have for its ultimate objective the restoration of selected rivers to an adequate standard of water quality for future health, welfare and resource needs.

The other is the Wild Rivers Bill, which would provide for retaining in perpetuity certain, still-unspoiled stretches of our more scenic and inspiring streams.

Chronologically, the Water Resources Planning Act (Public Law 89–80) should be higher in the list I have read, but I purposely saved it to last. This act bears the date July 22, 1965, and it establishes a Water Resources Council, made up of the Secretaries of Agriculture, Army, Interior, Health-Education-Welfare and the chairman of the Federal Power Commission. (The Secretary of the Interior has been designated by the President as Council chairman.)

This law provides for the establishment, by the President, of River Basin Commissions on request by the Council, or by a concerned state in a basin, with concurrence by the Council, if at least half of the concerned states wholly or partly in the basin concur. It provides for the appropriation of federal funds to be allotted to states to finance increased participation by the states in water and related land resources planning.

The River Basin Commissions will be made up of representatives of the concerned states and of the federal agencies involved, with the chairman (who will not be an employee of a federal agency) to be named by the President.

Requests for the establishment of commissions under this act have been received from the governors of the New England States and from the governors of the Great Lakes States. Similar requests are in process by other groups of states.

The budgets of the various agencies involved in comprehensive river basin investigation and planning were coordinated for several years by the ad hoc Water Resources Council is continuing this necessary procedure for assuring that all concerned agencies participate in an adequate and timely manner in such studies.

So, our strides out of the maze of difficulties, which we have as a nation created for ourselves, have been long and swift; but we have made only a beginning. We have far to go.

The challenges we face as we go forward toward our objective in river basin work are by no means beyond our successful response.

One of them, as I see it, is to overcome the apathy, the human inertia, we encounter as we consider basin development needs and potentials. We find still those who do not yet see the need for our efforts and expenditures to protect, preserve and develop our basin resources for the America of 1980 and the year 2000. Understanding by the people in these basins, now and in the future, of the benefits that will accrue from wise planning of our water and related land resources and from installation of needed improvements will clear the way for the teamwork we must have.

We face the challenge to engage the entire cross-section of interests in a basin in the development of a plan. Local participation and cooperation are essential. The plan must represent the concern, the vision and the imagination of many people, and it must be a product of the democratic process in its preparation and its final form. As I suggested at the recent Oklahoma SCS convention in Tulsa, the soil conservation district may well be the vehicle which can bring about this participation by local interests, watershed by watershed, and district by district, down to the last acre, the last home or factory site, or playground, the last creek and rivulet.

We face the challenge of bringing together the interests far upstream with those far downstream and of making sure that, in the upstream planning, we are not focusing our attention on a single purpose, such as flood prevention, when there are many other values to be considered. We face an unending challenge in making sure that in all our work in river basin planning and development we do not lose sight of the basic purpose of our efforts—to accomplish these things, in basin and watershed, for the *total* good.

Senate Document No. 97 (May 29, 1962) states it this way:

"The basic objective in this planning is to provide the best use, or combination of uses, of water and related land use resources to meet all foreseeable short and long-term needs."

John Graves, described in the Interim Report on the Potomac as "one of the fine river historians of our country," writes in his own appraisal of the river's plight in these words:

"The Potomac Basin, well-watered and reasonably rich and agreeably varied, has few problems aside from modern man; one might almost say aside from modernized man . . . By hard concerted thinking and effort and desire and the expenditure of money, the Basin can be cleaned up and protected for a while. In a country that can muster the brain and cash to shoot for the moon, it will be a dark shame if this is not done, along the Potomac and everywhere else there is a good piece of country to save for people's decent living and wholeness."

"Yet finally and again it is necessary to note that anything we do for the Potomac Basin or any other place, at whatever effort and whatever expense, will be temporary if we keep trotting down our present casual road toward numbers and nothingness. No river or piece of country is going to be able to stand the kind of pressure *that* will generate, and it is fairly certain that we won't be able to stand it ourselves."

This, too, is one of our challenges in our concept of the cleaning, the repairing and the improvement of our nation's basin resources—to keep our work in place, our achievement sufficiently appreciated by our children and their children—and the generations beyond—so that our basins can remain safe, beautiful and fully usable.

Everyone in this audience this morning realizes very well that we can no longer afford to be complacent regarding the resources of our basins, for these are the values upon which our very existence as a nation depends. Our living standard is the marvel of the world, and our fabulous natural resources have been its foundation. We have too often been heedless and wanton in our use of these resources, but now our eyes are open. It is late, but not too late. Demands upon our resources will increase, but we have the know-how and the advances in technology and science to come to grips with our basin problems.

Oliver Wendell Holmes pointed out that it is not so much where we stand that is important. It is where we are going.

I am confident that our nation's natural resources are in safe hands. We are going to meet the challenges of the 1960's in the use and development of our basin resources with intelligence and confidence.

There will come a day when we will be able to look down from the air upon any watershed, no matter where we may be, and see a countryside secure and beautiful. Trees will be where they should be, and grass will be where it should be. Cropland will be protected by all the needed conservation measures. Streams will be clean and clear, their flow steady and abundant. Recreation areas will be where our people can enjoy them. And, most important, the people who dwell in these places will be healthy, strong, keen of mind and happy—because man and nature will be in harmony.

This organization, and the organizations you represent here in this Congress, have made vast contributions to our progress in dealing with the problems of our basin resources. No one realizes more than you the importance of it, and the challenges we face. I congratulate you on what you have done in stimulating our thought and lending us guidance, and I wish you continued success in your vital efforts.

MORE AMERICAN STEEL IN VIETNAM

Mr. SYMINGTON. Mr. President, last March 10, the distinguished Senator from Indiana [Mr. BAYH] submitted an amendment to H.R. 12169, the supplemental appropriation act for Vietnam, which was adopted by the Senate, but eliminated in conference.

The amendment proposed to correct existing AID practices which resulted in the purchase of Japanese steel, galvanized in Korea, at a cost considerably higher but with lower quality than comparable steel could be purchased in the United States.

At that time, I stated my support of the position of the Senator from Indiana and urged the unanimous approval of that amendment.

It has come to my attention that the Iron Age magazine has printed an article in the April 28, 1966, issue which describes the continuing efforts of the Senator from Indiana to assure an appropriate change in AID policy.

I ask unanimous consent to have printed in the RECORD the article entitled "Senator BAYH Urges Use of More American Steel in Vietnam."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SENATOR BAYH URGES USE OF MORE AMERICAN STEEL IN VIETNAM

Sen. BIRCH BAYH (D., Ind.) continues to exert pressure for a diversion of Vietnam steel production from foreign to U.S. mills.

Steel products purchased by Vietnam with U.S. aid dollars should contain 90% U.S.-made components, BAYH demands. He urges the Agency for International Development to change its present policy. This policy now allows the Vietnam government to buy foreign galvanized steel sheet from foreign suppliers and pay for it with AID funds.

INFLATED PRICES

BAYH has released the results of two independent studies supporting his charges that steel purchased by Vietnam with American aid is of inferior quality and overpriced. He claims that Vietnam, using American aid, paid inflated prices for inferior steel manufactured in Japan and galvanized with insufficient zinc in Korea.

A study conducted by the General Accounting Office, at BAYH's request shows that prices for steel purchased by Vietnam "included certain improper costs ultimately paid for by the Agency for International Development." BAYH says the "improper costs" amounted to $90 a ton.

The second study, conducted by the Societe De Surveillance, a Geneva-based organization, shows that Korean galvanizing mills use Japanese steel which "is processed chiefly from salvaged scrap." The study says the Koreans added to the steel sheets a "defectuous coating which is quickly weatherworn."

As a result of these findings, BAYH reports, AID has taken steps to assure quality control and deal with the problem of inflated prices. But BAYH is not satisfied.

BUY AMERICAN

He thinks steel purchased by Vietnam with foreign aid dollars should be manufactured by American companies. Good quality products would be assured without incurring the expense of imposing and policing quality control standards. American aid dollars would flow directly back to the U.S. in the form of taxes, wages and additional man-hours of work. No improper costs would creep into the prices paid for these products.

Bayh says AID is now considering a policy change. However, if the change does not incorporate his 90% American-made component plan, Bayh intends to seek "appropriate legislation."

The Senate earlier adopted Bayh's proposal as an amendment to a supplemental foreign aid bill. But House-Senate conferees removed the amendment.

Mr. SYMINGTON. Putting it mildly, Mr. President, this article points out how right was the position taken by the able Senator from Indiana.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SYMINGTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

UNTRUTHFUL ATTACKS ON THE CIA

Mr. LAUSCHE. Mr. President, earlier today, the Senator from Missouri [Mr. Symington] made a statement dealing with attacks that are now currently being made upon the Central Intelligence Agency.

He stated:

> A favorite "sport" now current among various groups, which appears to be growing in volume, is to attack the Central Intelligence Agency.

He further stated:

> These charges are made by many people, including enemy aliens in defense of their activities, and those who have been charged with illegal activities. From the standpoint of sport, at times it would appear comparable to shooting fish in a barrel, because the nature of the work of the CIA means it cannot defend itself.

Mr. President, I want to use this statement of the Senator from Missouri as a premise for what I shall now have to say.

I concur with him completely that because the CIA cannot defend itself and of necessity, by reason of its work, must remain silent, inducement has been provided by those who bear ill will toward certain individuals in the Agency to make attacks upon it.

The most recent attacks have dealt with the cases of James R. Christensen, with a Cuban exile, who was captured in Cuba and charged by Castro with having been hired by the Central Intelligence Agency to assassinate Castro, and in the third case, in relation to John R. Hawke. These attacks have been made with great bitterness. The Central Intelligence Agency has not been able to answer.

The claims that have been made against the agency are false.

I take the floor today to emphasize the fact that the interests of the United States are not being served by the attacks which are being made upon this Agency.

The ACTING PRESIDENT pro tempore. The time of the Senator from Ohio has expired.

Mr. SYMINGTON. Mr. President, I ask unanimous consent that the able Senator from Ohio be allowed to proceed for 5 additional minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LAUSCHE. The office of the Central Intelligence Agency is headed by Adm. W. F. Raborn. His assistant is Richard Helms. He has a legislative counsel and the staff of the Central Intelligence Agency.

The important aspect of the services rendered by this Agency, which are not being considered by those within our own ranks who are attacking the Agency, is the fact that the Agency works directly under the President. The Agency is subject to the supervision and direction of the National Security Council.

Who are the members of the National Security Council?

Lyndon B. Johnson, the President of the United States. Hubert H. Humphrey, the Vice President. Dean Rusk, the Secretary of State. Robert S. McNamara, the Secretary of Defense. Buford Ellington, the Director of the Office of Emergency Planning. Then there is the Special Assistant to the President for National Security Affairs, McGeorge Bundy, and Executive Secretary Bromley Smith.

Mr. President, I submit to all Senators that whatever attacks are being made upon that Agency are an implied attack upon the President, the Vice President, the Secretary of State, the Secretary of Defense, and the Chief of Emergency Planning.

For the past 20 years especially, it has been the objective of the Communists in the cold war to blacken the character of the Intelligence Agency of the United States. One of their principal techniques has been to lay at the doorstep of the Intelligence Agency the charges that it is indulging in practices common and inherent to the Communists of the world.

With the Communists making the attacks, when support is given to those attacks by men on the Senate floor and by persons in our own Nation, it provides a great instrumentality for the Communists to publicize throughout the world that, within the Chambers of the U.S. Senate, these remarks have been made by officials of the U.S. Government, condemning the activity of this Agency.

It is with great hesitancy that I enter upon the discussion of the subject that I shall now undertake. One statement was made several months ago that the Central Intelligence Agency dressed its agents in the garb of Vietcong Communists and sent them among the innocent South Vietnamese to rape women and kill old men and children, and then to place the blame on the Vietcong.

That charge was denied most emphatically.

I want to repeat that charge—that the Agency, operating under the President, Vice President, Secretary of State, and Secretary of Defense, dressed its agents in the uniform of the Vietcong Communists and that they raped women and killed old men and children, solely to place the blame on the Vietcong.

When that statement was made, naturally Peking and Moscow picked it up and publicized it throughout all the world. Peking and Moscow quoted what was said, and stated:

> United States official confirms the charges we have been making about the activities of the agents of the Central Intelligence Agency.

Mr. President, I think the time has come to quit blackening the character of the United States and whitening that of the Communists, unless it can be established and proved that the charges we are making are true. Tragically, that is not the situation now.

The attacks are frequent. The attacks have been in some instances denied and labeled as false. But they still go on.

I cannot bring myself to believe for one moment that the members of the National Security Council would tolerate for one second the retention of Admiral Raborn and his assistants if there were one semblance of truth to the indictment that has been heaped upon them.

I have remained silent on this issue. I have said nothing about it. But I have seethed with agony and indignation in the knowledge of what has been going on.

The ACTING PRESIDENT pro tempore. The time of the Senator from Ohio has expired.

Mr. SYMINGTON. Mr. President, I ask unanimous consent that the Senator from Ohio may proceed for 3 additional minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LAUSCHE. I join fully and wholeheartedly in the statement made by the senior Senator from Missouri [Mr. Symington] this morning.

My hopes are that the people of the United States will understand what a well-organized technique has been adopted by the Communists to discredit the Central Intelligence Agency and how unfortunate we are that additional strength has been given to that attack by the conduct and words of officials of the U.S. Government.

I yield the floor.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield to the Senator from Missouri.

Mr. SYMINGTON. I thank the able senior Senator from Ohio for commenting on the remarks I made this morning.

The thrust of my statement was that before such charges are given such wide and continued publicity, a reasonable effort should be made to have them checked.

I was interested in what the distinguished Senator said about reactions of the foreign press to such charges made in this country.

I have recently read about 100 press stories, articles, and comments from the foreign press, free world and Iron Curtain countries, about recent articles concerning the structure and functioning of the CIA. The distortion of those articles in their presentation by the foreign press, in most cases out of context, furnishes a sad story for those to read who are interested in the security and prosperity of the United States.

Mr. LAUSCHE. Mr. President, may I have 2 additional minutes, by unanimous consent?

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, my discussion this morning will be about the irresponsibility of making statements. One which was quoted, relating to the charge that Central Intelligence agents raped women and killed innocent men and women, was later repudiated and recalled by the person who had made it. But the damage was done.

On my desk I have a copy of a press release out of Moscow, sent throughout the world, stating that the statement was made by a public official of the United States that the atrocities I have just described were being perpetrated by agents of the United States Central Intelligence Agency.

There is irresponsibility in the making of such statements. How damaging they can be, and how widely they are used by the Communists, is not fully comprehended. All the world knows that when a condemnation is made about this country, it is used by the Communists. Yet we continue to hear Americans repeating these charges announced and made against the Central Intelligence Agency.

MARINE RESOURCES AND ENGINEERING DEVELOPMENT ACT OF 1966—CONFERENCE REPORT

Mr. MAGNUSON. Mr. President, it is my pleasure to report that the Senate and House conferees have agreed to a conference report on S. 944, and have favorably reported the conference report.

Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 944) to provide for expanded research and development in the marine environment of the United States, to establish a National Council on Marine Resources and Engineering Development, and a Commission on Marine Science, Engineering, and Resources, and for other purposes. I ask unanimous consent for the presesnt consideration of the report.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of May 26, 1966, pp. 11599–11602, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MAGNUSON. Mr. President, this bill is commonly known as the broad oceanographic bill, in the field of marine science and resource development, which the Senator from New Hampshire and I, and some of the rest of us, have been working on for many, many months—as a matter of fact, for some three or four sessions of the Congress.

In the field of marine science and resource development the United States has been late but not, I believe, too late. Time is in the final analysis our most precious asset and time has not been on our side in the knowledge and use of the oceans. S. 944 is a major step in changing this. S. 944 as agreed upon by the Senate and House managers will lay the groundwork for a coordinated, cooperative, and comprehensive marine science and resource development program.

The bill does the following three things:

First. Sets a statutory base of policy and objectives to guide and promote oceanographic programs in the coming period of essential expansion;

Second. Establishes a National Council on Marine Resources and Engineering Development to coordinate and encourage these programs until a longer-range governmental organization is effected; and

Third. Creates an Independent Commission on Marine Science, Engineering, and Resources to recommend appropriate programs and propose the Federal structure that will best implement such programs.

The major difference between the two bills that made the conference necessary was that the House measure did not provide for a Council. The managers for the House were concerned about the Council on two grounds: First, that it prejudged the structure that would finally be recommended by the Commission by appearing to be a congressionally preferred structure and second, based upon testimony before the House and Senate Committees by certain witnesses from the administration, the President might veto the bill. The first issue was clarified by limiting the Council to a life of 120 days after the submission of the final report by the Commission. This makes it clear that the purpose of the Council is a short-range one—that is, to coordinate current marine activities until a final Federal framework is achieved, so that we will not lose time in this important field. In the event that a Federal reorganization in this activity is not effective by the expiration time of the Council, then the President may, by Executive order or requesting legislation, if he so wishes, extend its life until it is replaced by other mechanisms for developing and implementing marine science and resource programs.

The answer to the second matter of concern is that the President himself, when he was a Senator, very wisely laid the groundwork for our present space program in the National Aeronautics and Space Act which created in the Executive offices the National Aeronautics and Space Council. His wisdom then will be matched by similar wisdom as we meet our responsibilities in knowing and using that 70 percent of the earth's surface that is covered by water.

Before describing the bill in detail let me pay deep and sincere tribute to the House Members who worked on the measure, and particularly to their chairman, ALTON LENNON. Under his wise leadership they have mastered the field of marine science and resource development both in its essential principles as well as in its precise details. This country is fortunate indeed to have men of this caliber and commitment working in a field that is yet to develop the necessary overwhelming public concern and focus. The time will come when their foresight will be recognized widely; until then, they are continuing to promote this vital work.

NATIONAL COUNCIL ON MARINE RESOURCES AND ENGINEERING DEVELOPMENT

The Senate bill establishes in the Executive Office of the President a National Council on Marine Resources and Engineering Development, composed of the Vice President as Chairman, the Secretaries of State, Navy, Interior, Commerce, Health, Education, and Welfare, and the Chairman of the Atomic Energy Commission, and Director of the National Science Foundation.

The Council will assist and advise the President in connection with a number of his enumerated responsibilities which include a survey of all significant marine science activities, development of a coordinated marine science program, and designation of responsibility for the conduct of such activities by Federal departments and agencies.

Included also in the program will be marine engineering, studies of air-sea interaction, transmission of energy and communications, and exploitation and conservation of the resources of the marine environment.

The Council would further assist the President in studies of legal problems arising out of the management, development, and use of marine resources, and in long-range studies of benefits to be gained from marine science and resources in the interest of the Nation's economy, security, health, and welfare.

The Council may employ a staff to be headed by a civilian executive secretary appointed by the President, and this staff may include professionals of whom not more than seven may be compensated at not to exceed the highest rate of grade 18.

Many of us, Mr. President, consider the employment of a proficient staff one of the significant provisions of the bill.

Section 3 of the bill before us, establishing a National Council on Marine Resources and Engineering Development, is patterned very closely on the provisions of the National Aeronautics and Space Act establishing a National Aeronautics and Space Council.

The Vice President is designated the Chairman of both councils.

Council members are the appropriate Secretaries of Departments and top administrators of the appropriate independent agencies.

In addition, the President may appoint, in addition to the statutory members, such other officers and officials as he deems advisable.

Under the bill now before us, the National Council on Marine Resources and Engineering Development continued during the life of a Commission on Marine

Science, Engineering, and Resources and for 120 days after the Commission has made a final report, which it shall do not later than 18 months after it is established.

Although in the Senate bill, the Council was to continue for 5 years, and in the House amendment the Council was omitted, conferees agreed on its establishment for the shorter period indicated above. It is my expectation that during this period the Council amply prove its value, as has the Aeronautics and Space Council from legislation enacted in 1958, under the able leadership of the then chairman of the Senate Committee on Aeronautical and Space Sciences, Senator Lyndon B. Johnson.

COMMISSION ON MARINE SCIENCE, ENGINEERING, AND RESOURCES

Both the Senate bill and the House amendment provided for the Commission on Marine Science, Engineering, and Resources to consist of 15 members appointed by the President, and which would conduct a study and report within 18 months. Among other responsibilities the Commission would recommend a governmental organization plan.

Under the Senate bill, establishment of the Commission was authorized at the discretion of the President. The House amendment, which made creation of the Commission mandatory, was accepted by the conferees.

The Senate bill provided that the Commission, if established, be composed of five representatives each from Government, industry, and academic institutions. The House amendment did not specify membership numerically, but stated the Commission should include individuals drawn from Federal and State governments, industry, and from various academic institutions.

Conferees agreed to limiting the number of Government representatives to five, but provided latitude in the selection of non-Government members.

The conferees agreed also that four advisory members should be appointed by the President from the Senate and House of Representatives as ex officio members of the Commission. Such members would not participate in the formulation of findings and recommendations except in an advisory capacity.

The Commission would terminate 30 days after submitting its final report.

Both the Senate and House versions provided that the President transmit to the Congress in January of each year a report which shall include a comprehensive description of the activities and accomplishments of all agencies and departments of the Federal Government in the field of marine science activities during the preceding year, an evaluation of these activities in terms of attainment of the objectives of the act, and such legislative recommendations as the President may have. These provisions were agreed to by the conferees.

Conferees agreed on authorizing $1.5 million each year to carry out the purposes of the act, the amount recommended in the House amendment, which was $500,000 in excess of that recommended in the original Senate bill.

Mr. President, both the House and Senate have worked for many years to provide a sound legislative base for our national oceanographic and Great Lakes marine science program.

Numerous hearings have been held in which industry representatives and scientists testified. Industry is particularly eager for legislation which will provide stability to a strong and expanding national program.

Educational leaders throughout the country have expressed the same hope.

DECLARATION OF POLICY AND OBJECTIVES

The declaration of policy states that the marine science activities of the United States should be conducted so as to contribute to these objectives:

First. Accelerated development of marine resources.

Second. Expansion of human knowledge in the marine environment.

Third. Advancement of education and training in marine science.

Fourth. Encouragement of private investment enterprise in technological development, marine commerce, and economic utilization of marine resources.

Fifth. Development and improvement of efficient vehicles, equipment and instruments for use in research, recovery of resources, and the transmission of energy in the marine environment.

Sixth. Effective utilization of the scientific and engineering resources of the Nation, with close cooperation among all interested agencies, public and private.

Seventh. Cooperation with other nations in marine science activities when in the national interest.

This declaration calls for the preservation of the role of the United States as a leader in marine science and resource development.

Such leadership is vital to our national welfare.

It is vital to our security.

It could be vital to our survival.

This Nation has developed the highest industrial capabilities on land of any nation in the history of the world.

It is the undisputed leader in the air.

With our scientific and technological skills we can develop and maintain superior capabilities in the marine environment just as we have done on land and in the space above us.

The national oceanographic program that this bill envisions will help us do that.

And the signing of this bill will mark a high point in the record of this Congress and administration.

In addition, Mr. President, the members of the committee of which I am chairman, particularly the distinguished Senator from New Hampshire [Mr. COTTON]—who has often joined with the chairman regarding other matters in this field—believe that such legislation is long overdue.

Mr. COTTON. Mr. President, I support the conference report and urge its swift approval by the Senate.

While it does not in every respect represent the oceanography bill that I would write, if I had a free hand and the same statement can, I am sure, be made of the chairman—nevertheless, it is a fair and effective compromise of the divergent and conflicting views on oceanography. I believe it will be an effective measure—one that will greatly enhance and strengthen our burgeoning programs in oceanography.

Frankly, Mr. President, I believe this act is long overdue. It is high time that we wrote into the law of the land an expression of our national intrest in oceanography.

It is a particular necessity that we do so now because oceanography is a stepchild in this administration. I told the Senate last year when the bill was initially before us:

> I am astonished and dismayed that the administration, while chasing so many rainbows in so many skies, seems indifferent to the practical and pressing advantages of exploiting the ocean's bottom.

I know of no reason to revise that statement today. The administration still has little interest in oceanography, despite its enormous potentials.

In the main, the administration is still opposed to this bill, I regret to say, but I hope that a solid expression of the Senate's support and interest will be persuasive to the President.

In this connection, I wish to pay special tribute to the senior Senator from Washington [Mr. MAGNUSON], chairman of the Committee on Commerce. His interest in oceanography, his vision as to its potential, and his energy and initiative are responsible for much of the progress which this Nation has made in oceanography. I believe his interest will be convincingly communicated to the President with respect to this bill.

One aspect of the bill deserves special mention, in my view. That is the 15-member Commission on Marine Science, Engineering, and Resources. The aim of this group is to undertake a panoramic view of oceanography and marine sciences in order to make recommendations leading toward an overall national oceanographic program adequate to the needs of the Nation. Truly this is a tall order, but it is a vital one, and one that will offer a stimulating challenge to those chosen by the President to serve on the Commission. In this connection, it should be noted that the conferees all agreed that the Commission's membership should be well balanced as to the fields of endeavor from which the members are chosen, well balanced as to academic, industrial, and Government viewpoint, and well balanced as to geographical interests so that the Commission as a whole will have the depth of experience and breadth of vision necessary to its crucial responsibilities.

The Commission, if its work is skillfully and well done, can provide the Nation with a real blueprint for oceanography. It can chart a future course that will enable us to apply the vast resources of hydrospace to the benefit of the entire Nation.

I hope this conference report will be agreed to, so that we can stop drifting and really move ahead to meet the remarkable challenges of oceanography

Mr. MAGNUSON. I thank the Senator from New Hampshire.

Mr. COTTON. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement on the conference report by the Senator from Hawaii [Mr. FONG], who is necessarily absent.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR FONG

I am pleased that the Senate is acting on the conference report on S. 944, known as the Marine Resources and Engineering Development Act of 1966. Enactment of S. 944 will place this country, at long last, on the threshold of a new era in oceanography.

As a cosponsor of the measure, I am delighted that this Congress has had the opportunity of approving far-reaching legislation in the largely unexplored frontier in the seas around us.

S. 944 calls for a comprehensive, coordinated, and long-range national program in marine science and technology. It climaxes years of effort to write and pass a law committing our Nation to the exploration and proper exploitation of the resources in our oceans. It clearly sets forth our national policy and objectives in oceanography; it creates the mechanism for developing the national program.

S. 944 provides for two new organizations: (1) a National Council on Marine Resources and Engineering Development, and (2) a Commission on Marine Science, Engineering and Resources.

The National Council will be composed of the Vice President, who will be its Chairman; six Cabinet Members; the Chairman of the Atomic Energy Commission; the Director of the National Science Foundation; and any additional members the President may name.

The Commission will be composed of 15 members to be appointed by the President from Federal and State Governments, industry, universities, and others engaged in marine science activities. In addition, the Commission will have four advisory members appointed by the President from the House and the Senate.

Their respective duties and responsibilities are fully and carefully spelled out in S. 944. Their task will be to give this Nation the most effective program of oceanography ever developed—one that draws upon the best talents, knowledge and experience of individuals and groups in and out of the Government.

The net result will be to upgrade oceanography, to give it the national stature and status it has not received so far. More than any other piece of legislation, S. 944 will open new vistas in marine science and technology; it will furnish the thrust into hydrospace as surely as similar legislation opened up outer space exploration—but S. 944 will do this at much less cost and with much more immediate and greater practical benefits to the American people.

The State of Hawaii is especially pleased with S. 944. As the only island State of the Union, Hawaii has embarked energetically on promoting and expanding its oceanic potentials. We see a great future in oceanography, and S. 944 will help Hawaii and many other States to realize tremendous gains from marine science and technology.

I wish to compliment the Chairman of the Committee on Commerce (Mr. MAGNUSON) for his long and dedicated concern for oceanography and all it holds for our country. His leadership in bringing this important bipartisan legislation to fruition is eloquent testimony to his deep understanding and resolute faith in the vast potentials envisioned by S. 944.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. SMATHERS. Mr. President, the conference report on S. 944 that was agreed to, paves the way toward an expanded and more efficient national effort to explore and exploit the marine environment that covers some 70 percent of the earth's surface.

Senate adoption of this report completes congressional action on a measure which first passed the Senate on August 5 of last year. It sends to the President for his signature legislation that is composed of the best of the original Senate version and the subsequent House amendments to that bill.

For instance, S. 944 now contains a declaration of policy and objectives, which declares a national policy "to develop, encourage, and maintain a coordinated, comprehensive, and long-range national program in marine science for the benefit of mankind to assist in protection of health and property, enhancement of commerce, transportation, and national security, rehabilitation of our commercial fisheries, and increased utilization of these and other resources."

Coupled with this policy are eight objectives that lay stress on both resource development and pure scientific inquiry. Included in these objectives are the "advancement of education and training in marine science," an end to duplication and waste in Federal oceanographic projects, and the encouragement of private interest and investment in all aspects of oceanography.

By incorporating the statements of policy and objectives in S. 944, Congress has given direction and a sense of unified purpose to the presently diffuse activities of the six departments, and the more than 20 agencies, offices and bureaus that have a direct interest in marine science.

Furthermore, S. 944, through the creation of the National Council on Marine Resources and Engineering Development and the Commission on Marine Science, Engineering and Resources, provides the machinery to streamline and expedite research and development in the seas and lakes and to formulate a long-range oceanographic program for the future.

It is a soundly conceived legislative package that will put this Nation on course in its voyage toward mastery of inner space. It will for the first time give proper emphasis to the ocean sciences and commit the United States to pursuing vigorous and intelligent policies in relation to discovering and tapping the vast riches of the seas.

Mr. President, S. 944 is designed to end at last the longstanding neglect of the marine environment by a nation which has concentrated far more of its scientific effort on the exploration of outer space. This measure offers the promise that many of man's oldest hopes will finally be realized; that ocean harvests can one day eliminate starvation; that dwindling supplies of vital minerals can be replenished from gigantic deposits on the Continental Shelf; that weather patterns can be more accurately predicted and perhaps controlled; and that more efficient methods of seagoing transportation can be perfected.

The benefits to be derived from expanded research and practical application in these areas are nearly limitless. It has been estimated, for just one example, that 490 billion tons of fish could be netted each year without threatening extinction of the "flocks." Yet, in 1963, the world's fishing fleets caught approximately only 45 million tons. With improved technology, the catches would have been spectacularly greater.

In the field of national defense, S. 944 will help to spur research in antisubmarine warfare techniques. At a time when there has been increased talk of the possibility of enemy attacks launched from outer space, it will remind us that there is much to be done if we are to be prepared to deter the same sort of surprise attack from undersea.

S. 944 also underscores the urgent need for action if the United States is to remain ahead of Soviet Russia in the "inner space race." Currently, we are considered to be more advanced than the Soviets in basic oceanographic research, but they may well be ahead of us in applied research, and they certainly lead this Nation in the emphasis placed on marine science. Russia has more than twice the number of marine scientists that we have, and nearly three times the number of oceanographic research vessels.

Mr. President, America too long waded on the shores of an all-out effort to conquer the seas. Passage of S. 944 gives proof that we are at last ready to take the plunge and become truly the masters of mankind's richest remaining frontier.

ADDRESS BY VICE PRESIDENT HUMPHREY AT FBI NATIONAL ACADEMY GRADUATION EXERCISES

Mr. DODD. Mr. President, a graduation exercise at the FBI National Academy is always an important and memorable occasion. And for this reason, the list of guest speakers at these ceremonies reads like a "who's who" in the United States.

Last month our very able and articulate Vice President HUBERT H. HUMPHREY, gave the main address before the graduates of the 77th session of the Academy.

> Courageous, efficient law enforcement is one of the many blessings which we Americans have come to take for granted. It is achieved only at great personal sacrifice by men of selfless devotion to duty—men of valor and virtue too seldom recognized and too seldom extolled.

These are the words of the Vice President, who then went on to say that "in a democracy such as ours, the preservation of law and order begins with the individual. Within the limit of his capabilities, every American has an obligation not only to uphold the law, but to support it with all reasonable means at his command."

In other words, each of us must give our full support and encouragement, on a continuing basis, to our law enforcement officials.

Without this, the best training and the highest dedication to duty will not meet and master the serious crime and enforcement problems we face today.

I ask unanimous consent that this inspiring address by our distinguished Vice President be printed in the RECORD so that my colleagues will have a chance to read it.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY AT THE GRADUATION EXERCISES OF THE FBI NATIONAL ACADEMY, WASHINGTON, D.C., MAY 25, 1966

It is indeed a pleasure to participate in this graduation ceremony of the FBI National Academy—a professional training school which has had a profound effect upon law enforcement.

When Director Hoover founded this Academy in 1935, the skeptics far outnumbered those who thought that such an advanced, formal training program for law enforcement officers could succeed.

Today, as evidenced by the graduates of this 77th Session, the FBI National Academy enjoys a position not only of *national*, but of *international* respect and prestige.

This is but one of the many achievements of J. Edgar Hoover and the FBI.

During his 42 years as head of the Bureau, J. Edgar Hoover has made a truly outstanding record of public service.

More than any other American, he is responsible for creating a new image of the law enforcement officer—an image well expressed by the motto of this Academy: "Knowledge, Courage, Integrity."

I am delighted to see a friend of long standing, Inspector Donald Dwyer of Minneapolis Police Department, among the 100 outstanding men receiving diplomas today.

I am delighted also to see representatives from Chile, Argentina, Japan, Malaysia, the Philippines, Thailand and the United Arab Republic—as well as the Virgin Islands—in this graduating class. Director Hoover has told me how much these officers have contributed to the success of the 77th Session.

I can think of no greater reward for their efforts over the past 12 weeks than the accurate impression of American law enforcement—not only its equipment, procedures and techniques, but also its forthright principles and the high caliber of leadership—which these visiting officers have obtained from the National Academy program and from their association with the other outstanding men, representing 39 states, on the roster of this class.

Courageous, efficient law enforcement is one of the many blessings which we Americans have come to take for granted. It is achieved only at great personal sacrifice by men of selfless devotion to duty—men of valor and virtue too seldom recognized and too seldom extolled.

Since I first came to Washington as a Senator, I have had occasion to travel extensively as an official representative of the United States.

In country after country, I have found that one of the most reliable barometers of the true national atmosphere is the attitude of the people toward their law enforcement agencies.

Are they looked upon as public servants, or as instruments to suppress the public will?

Here in America we have found that it is not enough for the law enforcement agency to win the respect of the people. That respect has to be maintained and strengthened. It is here that the special police units for human relations or community relations—the titles vary—have such a timely and essential job to do. The officers who head them, and the policemen who man them, have a difficult and highly responsible assignment, and they must be carefully selected and trained.

We do confront a very serious problem in the enforcement of the law, and we shall need the widest possible public support to meet and master it.

Since 1958, crime has risen six times as fast as our national population.

Last year alone, more than 2,700,000 serious crimes were reported to police departments throughout the United States. That is an all-time record. It means not only that more crimes are being committed, but that the *victims* of crime are mounting at a greater rate than ever before.

I do not have to tell the members of this National Academy class that a disproportionate number of victims come from the ranks of law enforcement—particularly the local police.

Last year alone, more than 80 law enforcement officers gave their lives in line of duty—53 of them killed by dangerous felons and gunmen.

Only last week an FBI agent was tragically slain—the 20th to give his life in the service of the Bureau.

Thousands of other law enforcement officers came to physical harm last year. Statistics compiled by the FBI clearly show that, year after year, about one of every 10 police officers is the victim of violent assault. Too often, this assault is carried out before the eyes of impassive bystanders who are otherwise responsible citizens.

This is deeply disturbing. For, in a democracy such as ours, the preservation of law and order begins with the individual. Within the limit of his capabilities, every American has an obligation not only to uphold the law, but to support it with all reasonable means at his command.

What specifically does this mean? It means taking a genuine interest in the problems of crime and in the obstacles—legal, budgetary or otherwise—confronting honest, impartial, effective crime control.

It means responding to the call of jury duty; willingly appearing as a witness in criminal proceedings; promptly reporting the facts concerning violations of law; and, most fundamental of all, conscientiously observing both the letter and the spirit of the law.

Every American does have a very important stake in the proper enforcement of law. At times this personal interest is more obvious than at others—for example, when a particularly atrocious murder or beating sends a shock wave of fear throughout a community and captures local headlines.

However, indignation has a tendency to be short-lived. All but those most personally affected tend to quickly forget. The principle that every act of crime is a public wrong, a menace to the body politic, soon slips from view.

Many years ago, a wise man of Athens was asked when he believed injustice would be abolished. Let me quote for you his apt reply. It will be abolished, he said, "when those who are not wronged wax as indignant as those who are."

I assure you that this Administration fully recognizes its responsibility for urgent and effective action against crime. In a special message to Congress last year, President Johnson outlined a three-pronged attack upon crime and lawlessness.

This message constituted a call to action—and action did follow, including the passage and the signing into law of measures such as the Law Enforcement Assistance Act of 1965, through which millions of dollars of federal funds are being channeled into worthwhile state and local police uses, and the appointment of a President's Commission on Law Enforcement and the Administration of Justice.

In March of this year, the President submitted a second message to Congress on the topic of crime and law enforcement.

I was delighted to observe, Director Hoover, that the FBI National Academy occupies a position of prominence in that message. The President reported to Congress that a six-fold expansion of the National Academy is currently being planned. Following construction of your new Academy building at Quantico, Virginia, 1,200 law enforcement officers—rather than the present maximum of 200—will be able to participate each year in this outstanding training course.

The Administration has also taken measures to prevent crime—an aspect of law enforcement which progressive police departments have been stressing for many years.

The war on poverty which the President launched two years ago is being planned and administered to eradicate the stagnant pools of bitterness and frustration which breed much of our present-day crime.

The historic measures enacted last year to support elementary and secondary education have, as their principal objective, helping to make our schools useful, meaningful and worthwhile to poor and educationally-handicapped children—so that fewer of them will join the ranks of the "drop-outs" from which so many juvenile delinquents are recruited.

Some of you may have heard about crime in Washington. I think that you will be pleased to hear that the incidence of serious crime in this city has been falling, in comparison with last year's levels, ever since November.

I congratulate Chief Layton and his men for their effective work. But I think some of the credit also belongs to the anti-poverty programs which began to take hold last summer, to the reduction of over-crowding in our schools, and the less restrictive administration of our public welfare system.

Action against the conditions which lead to crime does help.

But law enforcement officers are still, as President Johnson has said, our "frontline soldiers in the war against crime."

They deserve the full support of the community—moral and material.

I don't merely preach this. As Mayor of Minneapolis two decades ago I practiced it.

When I took office, underworld influence was strong in the city. I called the church, business, and other civic leaders together, and I said:

"I want your backing. I can't clean up this city alone. I want to be able to pay the best policemen the best salaries we can, because we simply can't afford anything less than the best."

They did in fact back me up. And we did get a clean police force and a clean city.

I want to see our law enforcement officers paid at a professional level, and with professional health and retirement benefits. I want to see them backed up with the most modern equipment and facilities—and here let me put in a special word about precinct stations. Many are a shame and a disgrace. Policemen have to spend a lot of their working lives in these stations—and they should spend it in comfort and dignity.

I want Americans young and old, to trust and respect the man with the badge—not merely because he wears it, but because he wears it with honor.

Men of the National Academy, as you return home to resume rightful places of leadership and service in your communities, I ask that you carry proudly the torch of understanding earned during your 12 weeks of intensive study with the FBI. In the tradition of those who have preceded you across this graduation platform, use that torch to light beacons of knowledge and enlightenment and insight and truth—beacons of greater service to humanity.

PROPOSED UNIVERSAL GOVERNMENT SERVICE FOR YOUNG AMERICANS

Mr. TOWER. Mr. President, within the last few weeks, Secretary McNamara proposed that all young Americans give 2 years of their life to the Federal Government. Two Texas radio stations, KHOU of Houston, and KMHT of Marshall, have responded with editorials most quickly and most perceptively to this unfeasible proposal. These two editorials point out with awareness the consequences and the dissatisfaction that this unwise program would incur.

I ask unanimous consent that these two radio editorials be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[An editorial from Houston, Tex., KHOU, May 23, 1966]

THIS IS A SOLUTION?

The latest brainstorm from Washington is simply unbelievable.

It's the proposal by the Secretary of Defense for all young Americans to give two years of their time to the federal government.

Proposed to answer complaints that college draft exemptions are unfair, it is a strange solution of surrender.

Beyond that, it is difficult to believe it is a serious suggestion.

In solving the college draft exemption problem, it would . . . for its first two years of operation, totally eliminate new college enrollments.

Basesd on Job Corps and Poverty Program experience, where it costs $10,000 a year to take care of each youngster involved . . . and based on the statistics that more than 7 million youngsters reach the age of 18 every two years . . . it would cost more than $70-billion a year to handle such a program—two-thirds of our present federal budget.

And the only answer to either problem would be to set up a system of exemptions . . . which would put us right back where we are now.

[An editorial from Marshall, Tex., radio station KMHT]

Robert McNamara, the U.S. Secretary of Defense, has come up with another typical jewel of his political philosophy. McNamara says he believes that every American youngster should be required to spend two years in service to the government, either in military service or a civilian job. This idea is about as well thought out as the decision to manufacture the Edsel.

A military draft we can understand, even though we all regret the necessity of calling young men to military service, but to force our youngsters to give up two years of their lives to work in some federal program that probably shouldn't exist in the first place does not make sense.

In time of war it is necessary to build up our armed forces quickly, and the draft is the only immediately apparent way to accomplish this end, but if there are not enough volunteers to staff the pet programs of our politicians, the programs should be curtailed or abolished.

The draft of youngsters into civilian governmental service will only be another step toward the regimentation of our young people.

This program deserves the whole-hearted, unqualified opposition of every loyal American.

ECONOMIC AID TO VIETNAM

Mr. BAYH. Mr. President, during recent months I have brought to the attention of the Senate what appears to be an unwise use of U.S. AID funds for economic assistance to Vietnam. As I have indicated previously, we have been purchasing Japanese made, Korean galvanized steel sheeting for Vietnam which has been of inferior quality at an inflated price.

If an article which appeared in the June 6, 1966, edition of U. S. News & World Report is correct, this is only one example of the misuse of economic aid which may have occurred. It is extremely difficult, Mr. President, to assist in developing the resources of a nation while its soil is being ravaged by war. It is even more difficult to do so when black marketeering, theft and corruption apparently take place on the scale which has been reported.

I ask unanimous consent, Mr. President, that this article from the U.S. News & World Report, together with an editorial commenting on the purchase of galvanized sheet steel for Vietnam, which appeared in the Richmond, Va., Palladium-Item on May 23, be printed in the RECORD.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the U.S. News & World Report, June 6, 1966]

A WAR WHERE U.S. SUPPLIES ARE GETTING TO BOTH SIDES

(Reported from Saigon and Washington)

It's another strange aspect of a frustrating war. Vast amounts of U.S. supplies are winding up in Communist hands.

A stepped-up effort to curb the flow is under way. But widespread corruption in South Vietnam makes it a tough job.

Corruption on a huge scale is turning out to be a vital ally of the Communists in Vietnam.

Graft, theft, black-marketing are common to every war. But what makes this war different is that corruption is channeling to the enemy enormous amounts of materials paid for by U.S. taxpayers and needed in the fight against the Viet Cong.

Meanwhile, Vietnamese who find it profitable to trade with the enemy are getting richer and richer at the expense of the U.S.

What is described as a "sizzling" report on misuse of the U.S. economic aid program in Vietnam is expected from a subcommittee of the House Government Operations Committee.

BONANZA FOR VIET CONG

The subcommittee—convinced that "hundreds of millions of dollars' worth" of supplies financed by the U.S. Agency for International Development have been diverted to the Viet Cong—went to South Vietnam during May for an on-the-spot investigation.

On their return to Washington, some members of the subcommittee were outspoken in charging laxity of controls over the AID's commodity-import program. That program accounts for 370 million dollars of the 641 million in U.S. economic aid going to Vietnam in the year to end June 30, 1966. Cost of the commodity-import program for the year beginning July 1 is estimated at 420 million. Combined military and economic assistance will be running at a billion dollars or more.

WHAT'S BEING STOLEN

In Vietnam such examples of costly "leakage" as these are cited:

Cement, steel, drainage tiles and aluminum roofing paid for by the U.S. are diverted to the Viet Cong and wind up in Communist fortifications, field hospitals and camps.

Steel pipe, shipped from the U.S., is acquired by the Communists who use it for mortar barrels or for the outer shells of terrorist bombs.

U.S.-made radios, parts and tubes assist Red communications networks. American-financed medicines or drugs save the lives of wounded Viet Cong.

How do the Communists get these and other items?

The answer is: In a variety of ways. Material is stolen from docks by Viet Cong agents or by thieves who sell it to Viet Cong representatives operating under cover. Goods going into regular channels of trade are sold to the Viet Cong—knowingly or unknowingly. Vietnamese guards at docks or warehouses often can be bribed.

Viet Cong agents in Saigon mastermind smuggling operations in which materials are transported to the Reds via the river and canal system that radiates from the capital into the delta.

IF VILLAGE CHIEF SAYS "NO"

Diversion of construction materials, such as cement, generally takes place on the district level. An example of one way it is done: A project to build a school, marketplace or village well is approved. When construction supplies arrive, the Viet Cong underground demands that 5 per cent or 10 per cent of them be diverted to the Communist guerrillas. If the district of village chief refuses, he or his family is killed.

What is being done to curb this costly flow of U.S.-financed materials to the Viet Cong? The answer you get in Saigon is that attempts to tighten controls are bringing some efficiency, but that much more needs to be done.

Take the problem of pharmaceuticals. There are 3,000 outlets in Saigon alone. In theory, drugs are sold only in limited quantities—such as 200 penicillin tablets—and only upon presentation of identity cards. But most stores have ignored the regulations. Now police in plain clothes spot-check stores at intervals. Storekeepers found violating the regulations are jailed.

Vigilence at road checkpoints is increasing. Almost daily, individuals are nabbed carrying contraband items or too much currency. In a recent interception on the outskirts of Saigon, mobile police seized a truck carrying 250 rolls of electric wire, 200 shovels, 15 sheets of brass, a carton of antibiotics, a case of printing materials and two tape recorders.

Canals and rivers now are being patrolled by South Vietnam's first squadron of river police, operating small, fast U.S.-made boats. Day by day, the number of suspected smugglers' junks searched is increasing and the haul of intercepted contraband is rising.

For the first time, there is evidence of cooperation and hard work by the U.S. and South Vietnamese Governments in efforts that cut across the entire spectrum of corruption that has grown to enormous proportions since the massive build-up of U.S. power began more than a year ago.

An economic-warfare committee, set up by the U.S. to advise the Vietnamese Government, became operational in March. When all authorized posts are filled, more than 200 American experts will be working exclusively on the economic war. Serving in this force are former FBI agents, U.S. customs officers on loan, Treasury Department men, Government auditors and controllers.

So far, the committee has had two major successes. It started investigations that halted shipments of Unicel-100 and silver nitrate that could have aided the Viet Cong.

Unicel-100, a chemical compound developed by an American firm, is mixed with rubber to make a pliable substance used in manufacturing sandals. Ten tons had been imported—enough to make 500,000 slippers, the maximum capacity of Vietnamese plants working full time for 18 months. Several times as much tonnage was aboard ships bound for Saigon when an AID official, suspicious of the large quantities ordered, demanded a check on the chemical qualities of the material.

The check disclosed that Unicel-100 in its pure state had an explosive power equal to that of TNT.

The economic-warfare committee became suspicious of the large quantities of silver nitrate being imported for "film processing." Committee officials who speak Chinese visited Chinese firms in Saigon that had bought the compound. They discovered that the Chinese were "cooking" the silver nitrate and extracting 5.8 pounds of pure silver from 10 pounds of the compound.

This was extremely profitable for the Chinese—but there was another, and grimmer, disclosure. The nitrate left over from the cooking could easily be converted to explosives for making bombs and the Claymore mines used by Viet Cong terrorists in Saigon. As a result of the investigation, shipments of silver nitrate valued at more than a million dollars were halted.

Now, the economic-warfare group is combing the entire list of commodity imports, searching for items that might help the Communists.

PROFITEERING ON U.S. FUNDS

The committee's primary function is to deprive the Viet Cong of things they need to keep going. But it also is involved in actions to prevent misuse of AID funds, waste of American aid goods, black-market profiteering and illegal currency transactions.

Stealing from U.S. stockpiles has been cut down by more extensive use of armed guards. American military officials say that the black market in goods stolen or otherwise improperly obtained from post exchanges is dwindling as a result of a sharp crackdown.

The crackdown on the black market in U.S. dollars is more difficult. Although American servicemen now are paid in scrip, not cash, soldiers who go to Hong Kong, Bangkok or Singapore on leave can get dollars there. In the Saigon black market run by Chinese and Indian currency dealers, servicemen can get 160 to 170 Vietnamese piastres for a dollar bill, but only 118 for scrip exchanged for piastres on their bases.

Just recently, a U.S. soldier was caught smuggling in $7,000 in greenbacks. Since November, 1964, a total of 148 Americans—military men and civilians—faced investigation in connection with illegal currency manipulations. The U.S. Internal Revenue Service has dispatched agents to Saigon to look into tax aspects of black-market dealings.

Defense Department files show that a number of American civilians, including some employes of defense contractors, have left Vietnam with unexplained sums ranging from $11,000 to $42,000. The IRS is investigating tax returns of these people.

It's admitted in Saigon that profiteering and black-marketing by the Vietnamese themselves and by importers of various other nationalities are almost impossible to control.

Importers make tremendous profits, because goods are imported at rates varying from 40 to 118 piastres to the dollar and sold at fantastically inflated prices. Imported goods are supposed to be price-controlled, but machinery for effective control is lacking.

The economic-warfare committee says that it is curbing another aspect of corruption—misuse of AID funds in payment of exorbitant prices for items purchased in Taiwan, Korea and Hong Kong. Those governments are prosecuting sellers of lathes, bulldozers and other equipment that did not pass quality and price checks in Saigon. Importers in Saigon are being questioned about "kickbacks."

On a related matter, Senator BIRCH BAYH, Democrat, of Indiana, declared in Washington:

"The prices paid by Vietnam with AID financing for inferior products were outrageously exorbitant. * * *

"While Korea was selling a galvanized ton of 32-gauge sheet steel to Vietnam for $260 plus shipping and handling, it was buying black plate from Japan for $140 a ton.

"Thus, Korea was adding about $120 a ton for galvanizing and handling. Now most American companies—using twice the amount of zinc per square foot and paying their labor many times what Korean laborers are paid—charge approximately $60 to $70 a ton for galvanizing sheet steel.

"The reason for this odd circumstance is ensconced in documents currently classified as secret. Suffice it to say, however, that a system of kickbacks, collusion and corruption is at the root of the problem."

American officials concede that, at best, profiteering by Vietnamese Government personnel, even some Army officers, can only be curtailed, not ended.

For one thing, in Vietnam as in the rest of Asia, the "squeeze" is a way of life, more so than ever when men on relatively low pay are trapped in a highly inflationary economy.

It's easy to bribe a policeman to overlook possession of black-market items. It's easy to bribe an official to issue an import license.

Big, French-owned import firms and Vietnamese-Chinese companies know how much "squeeze" to pay for high priority in getting ships unloaded and getting goods through customs.

GRAFT IN THE PROVINCES

Corruption is traditional in district governments. A Vietnamese district chief can pad payrolls and pocket the pay of phantom workers. Province chiefs can do the same on a bigger scale—and also extract kickbacks from district bosses.

Charges are made that Vietnamese Army officers use their troops and AID materials to build houses which they then rent at high rates to Americans.

In Vietnam, family relationships are so intricate and loyalties so interwoven that few Vietnamese Government officials or military officers will move to expose corrupt associates.

There is no tradition that the law transcends personal relationships.

It is inflation that is largely blamed for the breakdown of morality and the rapid increase in corruption that is proving to be a valuable ally of the Communists in Vietnam.

In the years since 1960 the South Vietnamese Government's expenditures on the civilian side have doubled, while in the same period military expenditures have increased sixfold. The Government's deficit, 16.4 billion piastres in 1964, jumped to 26.7 billion piastres last year. The deficit was covered by printing-press money.

This year, Government income from the U.S. AID program will exceed the total of other national revenues. Pressure is added by the U.S. military-construction program which this year, in cumulative total, will pass the billion-dollar mark. The average GI in Vietnam spends about $40 on goods and services each month. That adds to the inflationary pressure.

U.S. HOPE: CUT IN CORRUPTION

As U.S. officials see it, as long as a program of such size continues, not much can be done about small-scale corruption.

What the U. S. hopes is that efforts now being pressed in a big way can halt the major corruption that plays into the hands of the enemy—and slow down appreciably dispersal of U. S. AID material to the Viet Cong.

[From the Richmond, (Ind.) Palladium-Item, May 23, 1966]

BAYH'S CHARGES UPHELD

After two and a half months the Agency for International Development (AID) has finally admitted that Senator BIRCH BAYH was correct in his charge that it was buying interior Japanese-made and Korean-galvanized steel sheeting.

The sheeting was purchased for use in Viet Nam and BAYH had charged in late February that it "has been rotting out in less than a year" whereas American steel "lasts about 12 years."

AID Deputy Administrator William S. Guad admitted also that "with respect to prices, we found indications of possible collusion and kickbacks by suppliers to Vietnamese buyers."

A release from the office of Indiana's junior Democratic senator said, "This was AID's first public acknowledgement of the accuracy of BAYH's charges." It earlier denied any collusion.

Gaud said future purchases of steel sheeting will have to meet U.S. commercial standards and that half of it must be purchased in the United States. "We also will set reasonable price ceilings above which awards will not be made," Gaud promised.

Formerly 90 per cent of American foreign aid funds for such products as galvanized steel had to be spent in the U.S. but on Jan. 31, AID waived this rule for galvanized steel.

BAYH wants all pregalvanized steel to be purchased in this country. He plans to push an amendment to the 1967 foreign aid bill for that purpose.

He is willing as a reward for Seoul's active support in the war in Viet Nam to let Korean firms continue to galvanize the sheeting if they upgrade to American standards.

BAYH was alert in being concerned when AID-financed purchases of inferior steel were affecting the jobs of 80,000 Indian steel workers whose taxes help support AID.

AID bungled when it agreed to buy foreign sheeting without first checking its quality. Even if the foreign sheeting were equal to American steel, its purchase, as BAYH pointed out, aggravates the unfavorable U.S. balance of trade.

The profiteering on foreign galvanized steel is another example of American tax money dispensed without adequate controls or supervision. AID is funneling $370 million into South Viet Nam this year but has only two persons checking to see how the money is spent.

While AID officials are finally moving to prevent the waste now that Senator BAYH has made it hot for them, there is no excuse for previous lack of concern. American and South Vietnamese troops have been dying while AID has allowed U.S. funds to be squandered and siphoned off by profiteers.

THE ROLE OF PACKAGING IN THE ECONOMY

Mr. COTTON. Mr. President, a most interesting, and timely study of the role of packaging in the U.S. economy has recently been published. Undertaken by Arthur D. Little, Inc. for the American Foundation for Management Research, the study sheds new light on the value of packaging to the total economy and its place in our consumer-oriented market

The study shows that the value of packaging to consumers is increasing, despite the relative decline in industry spending for packaging. It indicates that packaging has a long-term salutary effect on general economic health because it reduces production and marketing costs, increases consumer demand for products, and accelerates the rate of market penetration.

These conclusions derived from the work of one of the Nation's most respected research organizations, should be especially interesting to the Senate as it considers the so-called truth in packaging bill, some parts of which are based on the philosophy that packaging is a dark-hued villain intent on robbing the defenseless housewife. This survey may help to set the record straight. Unfortunately it is too lengthy, 113 pages, to include in the CONGRESSIONAL RECORD, but the magazine Modern Packaging has published a useful summation of the report's major findings and conclusions, which I ask unanimous consent to have inserted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Modern Packaging, May 1966]

PACKAGING: A GIANT MATURES

Impartial report gives statistical proof of packaging's contributions to the nation's economic growth and to corporate profits and shows how it is increasing value of the consumer's food dollar.

A long-awaited "white paper" on packaging's contributions to the U.S. economy has just been released. Some of its findings may surprise; others reinforce the validity of profit philosophies that have been translated into action by many of the nation's leading packagers and suppliers. Among the report's major conclusions:

The value of packaging to consumers is increasing—despite claims to the contrary by proponents of tighter Federal controls over packaging and labeling. Packaging is, in fact, reducing consumer purchase and consumption risk to "an historic low."

Packaging is not growing quite as fast as the U.S. economy as a whole, indicating that it has become a mature service vital to general economic health.

The over-all value of packaging, currently pegged at $22 billion, should grow to $29 billion by 1975.

The level of packaging prices corresponds closely with the general wholesale-price index.

So vital an influence is packaging on corporate profits that the packaging function must be considered as a centralized management-level responsibility.

Despite the onrush of plastics, most traditional materials are maintaining a steady share of market.

These data are contained in an impartial statistical survey by Arthur D. Little, Inc., titled "The Role of Packaging in the U.S. Economy," made by the research firm for the American Foundation for Management Research, a non-profit affiliate of the American Management Assn. Covering the decade from 1954 to 1963, it is the end product of broad-scope interviews among suppliers, package users, industry associations and Government agencies. Detailed analyses of economic aspects of the report will appear in forthcoming issues of MODERN PACKAGING.

It remains to be seen what effect this economic report will have on such pending legislation as the Hart Bill, which is predicated on the assumption that much of packaging does a disservice to American consumers. Little's study makes a contrary case. It reveals that consumers spent an average of $5.01 for packaging-materials per $100 of food-product purchases in 1963, compared with $5.14 per $100 in 1954. During the same decade, consumer earning power rose sharply.

The report concludes, therefore, that "the combined effect of this rise in consumer earnings and a continued stability in packaging-material prices has meant that the consumer received nearly 25% more value for his packaging dollar in 1963 than he did in 1954, and nearly 30% more in 1963 than in 1958."

A further caution against applying checkreins to packaging is implied in the survey finding that packaging has a long-term salutary effect on general economic health because it reduces production and marketing costs, increases consumer demand for products and accelerates the rate of market penetration.

The fact that packaging is not growing quite as fast as Gross National Product (4.2% annually for the former, 5.6% for the latter during the period 1958–63) is proof that packaging has matured as a service in the U.S. economy, according to the report. The reasons given for the slower growth rate of packaging are (1) distribution of packaging materials over major market segments has remained relatively constant over the past decade; (2) unexploited opportunities for packaging are fewer today, and (3) as the economy becomes more geared to mass consumption, spending for services increases and the portion of total spending for packaged products declines.

An interesting note on the distribution of packaging materials is that such old standbys as metal, glass, paper and paperboard did not lose ground in the decade between 1954 and 1963—even though plastic materials doubled in volume, from 2.7% to 5.8% of the total packaging market.

Packaging's role in fostering corporate success gets a big boost from the survey. It urges that management recognize the need to centralize the packaging function in corporate strategy and decision-making, rather than delegate responsibility to one sector or another of the corporation—each with it own biases. Only by broad-spectrum management control, the report concludes, can the potential of packaging be realized fully.

Copies of the full report, at $2.75, are available from the American Foundation for Management Research, Inc., 135 W. 50 St., New York 10020.

GIANT RESEARCH TOOL

Mr. LONG of Missouri. Mr. President, it is with great pleasure that I bring to the attention of the Senate the dedication last Saturday, May 28, in Columbia, Mo., of the most powerful university research reactor in the country.

The completion of this reactor is a great step forward for the development of high level research in Missouri. It is clear evidence that Missouri is willing and able to shoulder the responsibilities of the nation's major research needs.

Five times more powerful than the second ranking reactor—which is at Massachusetts Institute of Technology—the new reactor at Columbia represents a new design concept. With an output of 10 megawatts-thermal, it is more powerful than several industrial testing reactors, and more powerful than several of the Atomic Energy Commission's own research reactors.

The policy of the University concerning use of the reactor is that:

> The research reactor facility shall be available for research utilization by any member of the faculty of the University of Missouri and of the Universities comprising the Mid-America Association of State Universities. Priorities for the use by faculty members of any specialized facilities shall be established by the simple technique of "who asked first." In the event that questions arise as to the advisability of such a priority assignment, these questions will be negotiated with the Reactor Advisory Committee and their findings shall be final."

With respect to faculty, graduate students, other educational institutions and industry, the priority of use shall be as follows:

First. Faculty and graduate students of the University of Missouri and other universities in the Mid-American Association of State Universities.

Second. Faculty and graduate students of other educational institutions.

Third. Faculty and graduate students from out-of-State educational institutions.

Fourth. Industrial contract research.

I would like to point out that the university policy also says that wherever possible the research reactor and its facilities will be available to industrial users, where the industrial research will further teaching and academic programs. I find it an interesting and progressive step that the University is ready to consider participation by industry to the extent it is compatible with educational research activities. The blending of industrial and academic research in many ways can open the way to fruitful new combinations of ideas, new insights that can bring both scientific and technological progress.

The university is fortunate to have as Director of the Research Reactor Facility, Dr. Ardath H. Emmons, who is also a professor of nuclear engineering and a professor of radiology. He was born in Albert Lea, Minn., on March 12, 1924. He took his bachelor of science in chemistry at Dubuque in 1948, his master's in chemistry at the University of Michigan in 1954 and his Ph. D. there in 1960. On February 1, 1960, he was appointed to the faculty of the university. Since then he has been a pivotal figure in bringing this reactor project into reality.

Many companies from Missouri have had an important part in bringing the reactor into being. The Internuclear Co. of St. Louis did the preliminary design study, the design and the specification writing. It also prepared the studies and reports required by the Atomic Energy Commission to justify the AEC's issuing construction permit No. CPRR–68. The reactor itself was made by the atomic power equipment department of the General Electric Co., and the nuclear core was fabricated by SYLCORP of Hicksville, Long Island. The laboratory and reactor buildings were designed by C. L. T. Gabler Associates of Detroit, Mich., and were built by the B. O. Simon Construction Co. of Columbia, Mo. Mechanical work was by the Natkin Co. of Kansas City, Mo., and electrical work by C. J. Hervey Co. of St. Louis.

It speaks well for the industrial development of the State, and for future industrial interest in uses of nuclear energy within Missouri, that so much of this new research facility could be the product of Missouri scientists, engineers, and workers.

The general assembly of the State also deserves special recognition for its farsighted decisions during the summer of 1959 to appropriate $1,250,000 for construction of the reactor provided that these funds could be matched. Final funding was completed in July 1963 and represents a great and generous effort both by the State and by its citizens and industry. In this age of multibillion-dollar Federal budgets, an item of this size may seem small. But I can assure you that in terms of relative effort, this concerted accomplishment of the university, the State government and the citizens of Missouri deserves special recognition and praise.

Work with nuclear reactors is nothing new at the university. With the assistance of a grant of $111,900 from the Atomic Energy Commission in 1957 for equipment, and another grant of $186,858 for a pool type reactor in 1958, the university started up in 1961 a 10 kilowatt-thermal research reactor at Rolla, where it has been put to good use by the university's excellent nuclear faculty. This excellence is recognized by graduate students for there are now two AEC fellows in nuclear science and engineering enrolled at Rolla, bringing the total number of AEC fellows who have selected the university for their training in nuclear science since 1951 to seven. This is important because AEC fellows are free to go to the university of their choice. We are proud that these fellows should choose Missouri. Also during the fiscal year 1966, the AEC has financed four traineeships in nuclear engineering at Rolla.

All of these facts combine to indicate one thing. The University of Missouri is a growing center of excellence in nuclear science and engineering. Under the leadership of President Elmer Ellis, the students and scientists of Missouri, including those in industry, have a new and important base camp from which to investigate the many still unexplored possibilities of peaceful uses of nuclear energy. Missouri is now meeting the challenge of equipping and educating the scientists and engineers who will be needed to translate scientific theories and engineering *principles into* new products, new processes, and new installations for the benefit of our State and Nation.

Mr. President, I ask unanimous consent that at this point in the RECORD there be printed a copy of an article, titled "Giant Research Tool," which appeared in a recent edition of the Missouri Alumnus magazine.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GIANT RESEARCH TOOL

(By Ron Powers)

The university's 3.25 million dollar Nuclear Research Reactor, five times more powerful than any facility of its kind on American campuses, has risen in the Hinkson Creek Valley as a monument to scientific inquiry.

This concrete "Gulliver," standing against the low limestone ridge sprawling over the meadow that was a Mizzou polo field in bygone days, already directs national attention to the University as a source of leadership in the harnessing of the atom.

The facility has a potency and potential that will have beneficial reverberations in research and industry throughout Missouri and, indeed, across the United States.

Among 10 nuclear reactors of major capabilities on college campuses in the country, and another 30 or so with low-power teaching and training capacities, the Missouri reactor has relatively mammoth powers.

The men who run it will cheerfully answer any question except the one that seeks to pinpoint what the facility will do and how far it can go in doing it. At that point, on the faces of these men, a certain wistfulness appears. To a society conditioned to measure value in dollars and cents, in feet and yards, in cost per thousand, they must answer: "We don't know the limits of what it can do. That's why we built it—to find out."

The men who will find out are Dr. Ardath H. Emmons, the director; Dr. George W. Leddicotte, laboratory supervisor; and Duane G. Fitzgerald, reactor supervisor.

The ability of the reactor in many research functions is comparable to that of the X-ray machine in that each examines minute particles of matter. However, where the X-ray machine deals with electronic particles, the reactor deals with radioactive particles.

Perhaps "isotope" is the key word in understanding what the reactor is for.

The isotope is the basic unit of elements. It may be defined as a group of atoms with the same chemical element, or atomic number, but with different atomic weights.

In the reactor the experimenter can make radioactive materials, that is, radioactive isotopes. These are extremely useful research tools.

"We are interested in utilizing the short-lived isotope in research," said Emmons. "We want to know what we can do with them; what they are applicable to. Another category of interest is, what are the properties of the short-lived isotope?

"In a sense, we don't really know. Someday a man might walk through the front door from the field of medicine. He might have an idea that he could use a short-lived isotope in a treatment of such-and-such a disease.

"He then brings his 'specialty' to the reactor and the application of the isotope into his specialty.

"The very location of Missouri University is important to the reactor in terms of research. If you put a reactor out in the middle of a desert with only a group of people to operate it, then one could hardly call it a *research* reactor. I don't think a research reactor is too meaningful unless it is an environment conducive to research.

"Here within our own campus, we have that environment. We have medicine, agriculture, and all of the sciences—nearly within walking distance of the reactor.

"People must realize that what we have is not just a big piece of hardware, but a very sophisticated research tool—one which, even after years of use, we still might not have any idea of the extent of the research that can be performed on it.

"Some of the best ideas come from graduate students. A man walks in and drops a hint about something that he wants to do. Frequently somebody has forgotten to tell him that it can't be done. So he goes ahead and tries, and discovers that it can be done."

Emmons, who has been described by President Elmer Ellis as "a genius," is a thin, blue-eyed man of 41, who came to the University as director of the facility on February 1, 1960. He had been a nuclear scientist with the University of Michigan, where he supervised the operations of the Phoenix Laboratory and the Ford Nuclear Reactor.

"When I heard of the project at Missouri," he said, "it intrigued me on two counts. First, I could see a great potential for a surge of research activity at the University.

"The second thing that was very attractive to me was the existence of many disciplines on a single campus. There is a very broad spectrum of research capability here."

To make that research possible, a diesel truck began moving toward Columbia from Hicksville, N. Y., in the middle of March. In these trucks was the fuel that would make the reactor "go critical," or become operative—uranium 235.

Reactor Supervisor Fitzgerald, who is an instructor of electrical engineering, explained the arrangement:

The fuel arrived in eight identical assemblies. Each unit was a wedge about thirty inches long, filled with enriched uranium. The wedges would be placed in a moderator—water—in a wheelspoke arrangement inside the pressure vessel of the reactor.

The core, said Fitzgerald, operates at 10 megawatts of power with a heat output of 17 million British Thermal Units per hour.

As a comparison, the average home furnace produces 100,000 BTUs per hour, so the heat output of the core is equal to 170 Columbia home furnaces.

"Our full capacity will be 10 megawatts," said Fitzgerald. "But we will load the fuel gradually over a four-month period for safety reasons. In fact, we won't go the full 10 megawatts for a couple of years. For a while, before we finish installing all our equipment, our maximum will be five megawatts.

"At that, we'll still be higher than any other university. The next highest right now is two megawatts, at the Massachusetts Institute of Technology and at the University of Michigan."

What sort of safety devices does the building have?

"The building itself is a safety device," said Fitzgerald. "It alone cost about $400,000. There are air locks to separate the reactor area from the laboratories and there are shields of all sorts."

In addition, on the giant panel in the glassed-in control room near the reactor, are several warning signs marked "SCRAM." When the "SCRAM" sign lights up, one scrams.

Have there been any accidents so far?

"Yes, there have," Fitzgerald said. "We had a women's Sunday school class touring the building last fall. One of the ladies strayed off down the corridor. Suddenly we heard a scream from the direction of the air lock.

"It seems a couple of hamsters had gotten out of their cages. It took us part of the morning to round them up."

The reactor site itself was changed because of safety regulations. The area had been planned close to the University Medical Center. But an Atomic Energy Commission regulation stipulates that no reactor may be located within 500 feet of classrooms or dormitories.

The attraction to the Missouri reactor, as expressed by Emmons, was also felt by Dr. Leddicotte. The laboratory supervisor has been around reactors and laboratories handling radioactivity for at least 20 years. He is best known for his work in radiochemistry and radioisotope methodology, especially in employing a reactor as a source of neutrons for the production of various radionuclides for use in a highly sensitive and specific method of analysis, known as "activation analysis." Leddicotte is often referred to as the "Father" of activation analysis in the United States. As early as 1949, he saw the potentials of this unique analytical tool for trace element research; he was able to assist the United States Atomic Energy Commission to put these ideas into use in a strong research and development effort that has achieved world-wide recognition. He has published many papers on this subject. In 1965 he received the American Nuclear Society Award for Special Achievements in the use of Nuclear Energy.

When Emmons contacted Leddicotte early in 1964, telling him about the possibilities at Missouri, Leddicotte says he realized that the potentials for extending his own scientific interests were far greater with the Missouri reactor than with any other similar reactor site.

Here is an anatomy of the concrete Gulliver:

It sits on a 500-ton block of concrete, 14 feet high and 35 feet across. The building, with its grey brick walls, has a 142-foot front and a 233-foot length. Inside, the walls are of blue ceramic panels, and the doors are orange—the same colors, by the way, as the uniform of the New York Mets.

"And that's the *only* similarity," Emmons insisted.

There are 17 laboratories in the five-story building, with equipment for 30 to 40 experimenters. The tower, which houses the reactor, is 60 feet square and rises 44 feet above the rest of the building. From Route K, its top seems to graze the crest of the low, rolling limestone cliff that separates the Research Park from the Gustin golf course.

The fuel area of the reactor and 17 feet of the 31-foot high tank are below ground level.

The eight uranium fuel elements, immersed in their water moderator, initiate the fission process.

"Our reactor differs from most others in two respects," Emmons said. "It is a 'flux-trap' type, and it is designed as a high-leakage unit.

"To understand flux, think of raindrops falling through a square inch of space per second. Our flux is the number of neutrons passing through a square centimeter per second. The higher the flux, the more useful the reactor.

"We will have the highest neutron flux of any university reactor in the country.

"The high leakage refers to the number of neutrons which 'leak' away from the core. There are six openings around the core, through which these leakage neutrons are brought to experiments. The flux will flow through these ports."

Professors, instructors, and graduate students will represent most of the University population interested in the reactor.

Dr. Louis Holroyd, chairman of the physics department, hopes to develop a program to bring in research associates, and possibly to arrange for an international conference based on the use of the reactor.

"I'm interested in producing radiation damage," said Holroyd. "I hope to study optically the radiation damage produced in crystals.

"Our department has three people interested in neutron diffraction and two more in nuclear physics.

"In diffraction, we are using neutrons as probes to study the structure of materials. Neutrons don't interact with electrons, they interact with atoms, so we can probe where X-rays can't."

Dr. David E. Troutner, of the chemistry department, came to the University as a direct result of the reactor. He has started a program in radiochemistry.

"I study the nuclear fission process itself," said Troutner. "I am measuring the yields and the half-lives of the short-lived fission products. I've been able to identify products with half-lives of only 10 seconds."

Troutner said that Robert Kuntz, a Ph.D. from Carnegie Tech, was at the University to study radiation chemistry. "He'll use the Cobalt 60 source," Troutner said. "He'll study the effect of Gamma rays on matter."

Like the members of the physics department, the chemistry men also hope to work in neutron diffraction. "We wish to study the structure of chemicals," said Troutner, "and learn of the spacing of atoms, especially in the lighter elements."

His reason is simple: "Any one who is concerned with solid substances—a geologist, for example—needs to know their composition."

A strange form of "pigeon banding" is one of the projects the University's School of Medicine will pursue with help of the reactor.

"The human body stores materials that are stored selectively," said Dean Vernon E. Wilson, M.D. "If we can manufacture short-lived isotopes we can get a trace reading without damaging the human system.

"We can trace these metabolic processes the way you would band a pigeon. We will band a carbohydrate, say, by tagging it with a radioactive element, and follow it through the system."

Dean Wilson followed up on the importance of the reactor to medicine. "The distribution of the laboratory space gives some idea of the importance of the device to health research," he said. "About half the lab space was financed by the National Institute of Health Research. They provided that support on the assumption that at least that much of the total research would be health-related.

"The reactor's value to human experimentation is tremendous. It will range from pure research to very specific research. The reactor can, and some time will, be modified to safely expose a human body."

Dr. Elmer Ellis, President of the University, saw in the development and completion of the reactor a signal of growing cooperation between the University and the state of Missouri.

"We have here a tremendous potential for research in chemistry, physics, engineering and many other fields," President Ellis said. "Not only for the University, but for the whole state.

"I believe this shows a growing realization on the part of the state government that research is a key factor in economic growth and development.

"Universities and industry are places where you can get this. I'm sure that other schools, as well as industries, will take advantage of the research opportunities provided by our reactor."

If the concept of the reactor could be traced to one man on the University of Missouri campus, it would be Engineering Dean Emeritus Huber O. Croft, according to the University's vice-president for research, Raymond E. Peck.

"Dean Croft was dean of engineering in 1958," said Dr. Peck. "He provided the original incentive. But the project was successful because of the changing viewpoint of the state government. We needed its cooperation, and we got it."

The target date for completion of the reactor was February of 1965. But the process was held back, sometimes because of the need to allocate more funds; other times because of controversies regarding the liability of the University in case of an accident.

But these questions were answered, and now the only questions left are the questions of science.

"It is an extraordinary research instrument," said Dr. John W. Schwada, Chancellor of the University. "It will have the effect that any fine piece of research equipment will have on our campus.

"It will help us attract scholars. It will provide opportunities for graduate students to participate in learning experiences with their instructors.

"And it will have practical benefits. It will aid in the fineness of measurement; the discovery of disease. It will bring the University closer to research-oriented industry.

"Most important, perhaps, will be the opportunity to bridge the gap between the scientist and the, shall we say, constituency. I'm fearful of a situation in which we have nothing but experts at one end of a pole, and the public on the other—just as, in athletics, there are the finely trained professionals at one level and the not-so-fit public at another.

"These scientists are young people. Perhaps they will be able to help the people of the state to participate in the awareness of the reactor; to help dispel the concept that this University ends at the city limits of Columbia. It does not. It involves the whole state. And so can this reactor, if the public will take an active interest in it."

Emmons, for one, agrees. "We feel we are working in a creative way," he said. "And I certainly believe one can be creative in technology. Anyone who does anything new is being creative. With 100 words, there are so many combinations of meaning. The same thing holds for a research tool."

THE CRISIS IN FEDERALISM

Mr. BOGGS. Mr. President, the junior Senator from Maine [Mr. Muskie] spoke in Wilmington, Del., last week at the annual awards dinner of the Committee of 39.

The Committee of 39 is a bipartisan group of interested, active citizens. It promotes better government in the State of Delaware and has been a considerable force for progress.

Senator Muskie's address outlined the three challenges to creative federalism; namely, management, manpower, and money.

Senator Muskie's astute summation of the crisis in federalism deserves wide attention, and for this reason I ask unanimous consent that his speech be printed at this point in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Management, Manpower, and Money: Three Challenges to Creative Federalism

(Address by Senator Edmund S. Muskie at the Committee of 39 annual awards dinner, Wilmington, Del., May 26, 1966)

For 177 years our federal system has provided a favorable climate, unmatched by any other devised by man, for the free growth, free expression, and opportunity of its people. Its strength springs from its adaptability to change and from a tradition of cooperation among all levels of government.

We frequently take this strength for granted. But the unparalleled changes of our era have brought about a crisis in our federal system. It is a crisis we must solve, at all levels of government.

As I see it, today's basic intergovernmental relations problems might well be tagged the "Three M's"—management, manpower, and money. These three problems have reached crisis proportions in the period since World War II. We have added 53 million people to our population. We have more than tripled our gross national product. We have crowded into urban centers. We have come to enjoy higher living standards and the benefits of modern science and technology. And we have demanded more from our governments in education and public welfare, job opportunities, transportation, housing, pollution control, equal rights, and the elimination of poverty.

As a city official, as a governor, and more recently as chairman of the Senate Subcommittee on Intergovernmental Relations, I have had an opportunity to observe this crisis in federalism at all three levels. The Subcommittee has surveyed various aspects of the "Three M's"—management, manpower, and money. And from our surveys we have gained new insights into the crisis in our federal system.

THE MANAGEMENT MUDDLE

Many people are not aware of the extent to which our society has turned to the grant-in-aid device to achieve the goals of a better America. Today we have 170-odd grant programs with a fiscal 1967 budget total of some $14.6 billion.

The most striking feature in the whole grant-in-aid picture is not in the size of Federal outlays, but in their diversity, and in the wide range of governments eligible for their program funds. The problem of sheer numbers is serious. I am sure you can appreciate the difficulty of managing 170 grant-in-aid programs in the 21 different Federal departments and agencies and in over 92,000 units of government throughout our 50 States—counties, municipalities, townships, metropolitan areas, independent school districts, and other special-purpose districts.

Dean Stephen K. Bailey of the Maxwell School recently summarized the administrative problems of the Great Society program in a recent *Reporter* magazine article:

"Probably no series of legislative enactments in U.S. history has created more complex administrative problems than those recently passed under Lyndon Johnson's leadership. They have three things in common: their implementation cuts across existing departmental and agency lines within the Federal Government; they demand heroic responses from State and local governments if they are to succeed; they require a combination of technical and administrative skills that are critically scarce in the society at large. Despite the demands of the war in Vietnam, the critical shortage is not money but people to carry out the programs and effective administrative machinery. Neither Medicare nor aid to education nor the poverty program has either of these at the moment."

These findings support those of a recently completed survey of Federal-State-local officials conducted by the Senate Subcommittee on Intergovernmental Relations; in our study we found substantial competing and overlapping of programs at all levels, sometimes as a direct result of legislation and sometimes as a result of bureaucratic "empire building." We found a lack of interest—even hostility—among many middle-management Federal officials in coordinating programs within and between departments. We found them reluctant to encourage coordination and planning among their State and local counterparts. We also found that State and local administration, in many cases, is understaffed, lacking in quality and experience, unimaginative, and too subject to negative political and bureaucratic pressures. We found archaic State constitutional restrictions blocking effective application of Federal aid programs, and hamstringing State and local administrators in developing their own programs. In short, we found too much tension and conflict, and too little cooperation, in contemporary Federal relations.

To overcome these problems we need several management innovations.

First, we need to enact the proposed Intergovernmental Cooperation Act of 1966, which passed the Senate unanimously last year and is now pending before the House. This measure, which I introduced and which Senator BOGGS and others co-sponsored, would establish a coordinated Federal urban assistance policy and provide greater focus for, and coordination of, Federal urban development efforts.

Second, there is a need for a full-time special assistant to the President for intergovernmental relations; at present this responsibility is shared by four or five assistants responsible for the various program areas.

Third, there is a need for additional staff in the Bureau of the Budget to give more continuing attention to intergovernmental problems, to perform management surveys, and to recommend administrative reforms.

Fourth, there is a need at the departmental and agency level for assigning full-time responsibility for coordinating Federal grant programs to an assistant, or preferably a deputy undersecretary or his equivalent.

Finally, there is a need for a new executive unit for coordinating domestic programs at the White House—a National Council for Intergovernmental Affairs. The President needs a new and continuing source of constructive ideas regarding intergovernmental finances, for improving economic and social development programs, and for upgrading public administration all along the line—from Washington to the local scene. He needs a staff unit to help develop new policies for program coordination and to check on their implementation. Next week I shall introduce legislation in the Senate to implement this proposal.

A MATTER OF MANPOWER

Sound management is more than a matter of organization. It involves improved manpower. At the Federal level, the personnel problem has received almost continuous attention since President Kennedy's appointment of the Randall Commission in 1961. At the State and local levels, however, it is not yet recognized as a topic for national concern.

State and local employment has now reached the 8-million mark, or 4.7 million more than in 1946. Total Federal employment was 2.6 million in 1965, or 100,000 less than in 1946. These comparisons document the expansion in State and local government employment in the past 20 years to meet the demand for more and better public services.

Present estimates indicate that State and local governmental employment will rise by more than 38 percent between now and 1975. By the end of the present decade, the overall demand for professional and technical personnel at the local level will have increased by 40 percent. There already exists a shortage of well-trained and highly-qualified personnel in these categories at all levels, and this gap will grow. State and local governments generally—not just a few of these jurisdictions—are having difficulty in attracting and holding such personnel.

Unfortunately, too many decision-makers at all levels of government are not yet aware of the critical nature of this manpower gap. Long-range planning in this area is in its infancy.

There is another dimension to the personnel problem. In our survey of 109 Federal administrators of grant-in-aid programs we learned that excessive turnover, relatively low pay, ineffective merit systems, and inadequate on-the-job training have frustrated State and local governments in their attempts to meet government manpower needs.

The Federal Government has a direct stake in meeting the State and local manpower crisis. Economy and efficiency make such concern necessary. Success of our Federal aid programs makes it essential. Improved intergovernmental relations make it desirable. And the scope of the problem makes Federal assistance to State and local governments imperative.

Yesterday I introduced in the Senate the proposed Intergovernmental Personnel Act of 1966. Its main purpose is to encourage State and local governments to improve the quality of their own public service. It does this by focusing on three basic problems in the personnel area: merit system, personnel administration, and in-service training programs.

To stimulate expended State merit systems, the bill authorizes the President to extend merit system requirements to more grant-in-aid programs;

To encourage better personnel management, the bill would authorize a program of grants to enable States to strengthen their personnel administration, to provide State personnel services to smaller jurisdictions of local government, and to stimulate projects for the improvement of personnel administration in larger cities. It would also authorize the Civil Service Commission to join on a shared-cost basis with States and local governments in cooperative recruitment and examination programs;

Closely linked to the merit system and personnel management problems is the need for more and better training opportunities. The proposed legislation attacks this problem in four ways. First, it would authorize Federal departments and agencies conducting training programs for their own employees to open them up to State and local personnel in counterpart agencies. Second, it would authorize Federal departments and agencies administering grant-in-aid programs to initiate training programs for counterpart State and local personnel in short-supply categories. Third, it would establish a grant-in-aid program for in-service training of State and local employees. Fourth, it would give Congressional consent to interstate compacts or other agreements for cooperative efforts relating to the administration of State and local personnel training programs.

Improved merit systems, improved State and local personnel management, and improved in-service training programs—these are the three basic concerns of this legislation. They must become national concerns if the States and their localities are to be vigorous members in the great partnership that was established in 1789.

A QUESTION OF MONEY

Related to the problems of management and manpower is the question of money. And in terms of public concern and debate, this is the major problem in contemporary Federal-State-local relations.

The Federal budget holds the center of the stage in governmental finances. Only rarely has much attention been given State and local budgets; in the fiscal area, most Americans draw a sharp line between governments. But if we consider the total cost of government—Federal, State, and local—over the past twenty years, some dramatic fiscal facts are highlighted.

When it comes to providing the public services demanded by our growing and heavily-urban population, it is the State and local governments—not the Federal government—which have shouldered the burden. This is documented in the shifting balance of government finances over the past two decades.

*Of total revenues raised by all levels of government in 1946, State and local governments accounted for only 23 percent; by 1965, their share was 43 percent.

*Of total government expenditures in 1946, State and local governments accounted for only 15 percent; in 1964, this percentage had increased to 42.

*State and local governments accounted for only 5 percent of the total public debt in 1946; today their share has increased to 23 percent.

State and local governments are under great pressure to increase outlays for public services, and this will continue.

They have made Herculean efforts in the past two decades to meet their rising needs. Property taxes have increased more than 350 percent in the post World War II period, and still provide 87 percent of all local revenues.

In the 1946–1964 period, State sales taxes rose 427 percent; individual and corporate income tax collections by State and local governments rose by 800 and 280 percent, respectively.

We have reached the point where 42 States have a general sales tax and 36 have some form of tax on individual incomes.

For all their efforts at raising revenues, State and local governments find it difficult to keep pace with mounting needs. The primary reason is that most of their basic revenues still come from levies imposed on property owners and consumers. Unlike Federal revenues, they tend to grow at a slower rate than the gross national product. Some recent estimates, based on this fact, project a $15-billion deficit in State and local budgets five years from now. A number of proposals have been offered to strengthen State and local capacities to meet their needs.

Several alternatives have been suggested through which Federal action might provide the additional funds. Most of them assume further rapid growth in State-local expenditures, and the availability of Federal surpluses. These are the recent proposals: (1) reduce Federal tax rates; (2) relinquish specific Federal taxes to the States; (3) allow tax credits against Federal income taxes for certain State-local taxes; (4) return to the States a portion of Federal collections originating in each State; and (5) adopt a new Federal program of general assistance to the States, in the form of block grants, with few or no Federal restrictions on how the money is to be used.

None of these plans have been explained in detail. None have been examined by Congressional committees. None, as I understand them, give adequate recognition to the economic inequalities among the States. None consider the disproportionate economic advantage that high-income States now enjoy under the present distribution of total Federal funds, especially Defense and Defense-related expenditures. And finally, all assume a Federal budget surplus and present levels of spending for existing grant-in-aid programs. Neither assumption provides a solid foundation on which to build fiscal policy.

What are the prospects for resolving the fiscal dilemma of State and local governments? I believe that within our Federal system of cooperation among all levels of government there are indeed answers, and that we should pursue them vigorously.

First, States and localities should mount a combined attack to improve the administration of the property tax.

Second, Congress and the Administration should review the inequities of existing grants. The present system does not give adequate recognition to States' relative fiscal capabilities to support these programs. More than half of existing grant-in-aid programs favor the wealthier States in spite of the fact that the poorer States and localities are already taxing their citizens far more vigorously on the whole.

Finally, Federal policymakers should look beyond Federal grants to the impact of the broad range of Federal expenditures on State and local government. For example, we have found that high per capita income States enjoy a proportionately higher advantage under Defense, NASA, and related disbursements than the less affluent States. Since this is the lion's share of Federal outlays, no discussion of equalization of tax sharing is complete if this category of spending is ignored.

These are fiscal responsibilities the Federal Government should assume now. The Advisory Commission on Intergovernmental Relations is surveying the long-term question of a more equitable financing of the Nation's public needs. I called for this study last February. I am sure the Commission will produce a thorough, balanced, and constructive report.

Management, manpower, and money—these are the real challenges to creative federalism. These are the major hurdles to be surmounted if the goals of the Great Society are to be realized. And these are top-priority items on the administrative agenda of the President, on down to that of a First Selectman.

All levels of government, then, not just one, must pool their resources in a concerted effort to perfect our federal system.

A LESSON FROM ROME

Mr. TOWER. Mr. President, a most succinct and powerful item from a recent Retail Merchants Association newsletter has come to my attention. Believing that there is a lesson for our Nation in this item, I ask unanimous consent that it be printed in the Record for the information of other Senators.

There being no objection, the article was ordered to be printed in the Record, as follows:

A Lesson From Rome

The great people, along with their glorious culture, perished—not all at once, not noticeably, but over many years—slowly, methodically.

There were many reasons for the fall of this great people. These are the major ones:

Moral decay among the citizens.

Stifling taxes.

Too many government employees.

Constant warfare and preparations for war.

Depreciation in money and debasement of coins.

Erosion, deforestation and water shortage.

Abandonment of farms for life in the city.

Too many handouts that weakened the poor; too many luxuries that weakened the rich.

Few children among the well-to-do and educated; many children among the poor and ignorant.

Constant drain of precious metals.

Rising cost of public works.

Too much leisure time spent at games and amusements.

A yearly rise in crime rates.

A decrease in patriotism.

NEEDED DISASTER LEGISLATION

Mr. BAYH. Mr. President, the Senate last year on July 22 adopted S. 1861, a bill to provide additional assistance for areas suffering a major disaster, which I had introduced with the cosponsorship of nearly 40 other Senators. In a statement made in the Senate on April 1 of this year, I reviewed the various provisions of this measure and urged that prompt consideration be given to the companion bill which has been introduced in the House of Representatives by Representatives Brademas, Roush, and others.

It has come to my attention that the South Bend Tribune printed an editorial on this important matter on April 6. Because it illustrates what I believe to be a common opinion held by the people of my State that such legislation is vitally needed, I ask unanimous consent that this brief editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the South Bend (Ind.) Tribune, Apr. 6, 1966]

Let's Go

Shortly after last spring's Palm Sunday tornadoes in the Midwest, Indiana's Senator Birch Bayh introduced in the Senate an omnibus disaster relief bill designed to set up machinery for aiding victims of such storms.

The Senate duly passed the measure on July 22.

The House of Representatives, however, got no farther on a companion bill offered by South Bend's Representative John Brademas than completion of committee hearings by adjournment time last fall.

In is now 4 months into the 1966 session of Congress. The tornado season has already opened with a vicious string of twisters that smashed across the waist of Florida early this week. But the House has got no farther with an omnibus disaster relief bill.

Until such a bill is passed, Congress must act on a case-by-case basis to give relief to the victims of natural disasters. The Bayh-Brademas proposals would provide basic authority for relief programs and procedures, eliminating the need for individual disaster bills.

The omnibus proposals will provide Federal loan adjustments, grants to States to aid homeowners and businesses, assistance to public facilities, schools and Federal-aid highways damaged by storms, and post-disaster shelter funds.

Such legislation is sensible and necessary. It should have been made law before the 1966 spring storm season arrived.

Let the House delay no longer.

ADMINISTRATION'S NEW SCHOOL MILK PROGRAM WOULD BYPASS NEEDY IN MOST SCHOOLS

Mr. PROXMIRE. Mr. President, I have pointed out in the past days the extent to which the administration's proposal to provide the benefits of the special milk program for schoolchildren to only the needy and those in schools without a lunch program would bypass the overwhelming majority of our needy youngsters.

The administration would cut the program from $103 to $21 million and restrict it to 1 million needy children and 2 million children in schools without lunch programs. Yet there are over 8 million needy children in the United States.

Furthermore, testimony before the Agriculture Subcommittee of the Senate Appropriations Committee brought out the fact that schools which contained a relatively small percentage of needy children would be unlikely to utilize the school milk program in the future because of the administrative burden involved. I would like to refer to that testimony today.

Mr. Howard P. Davis, deputy administrator of consumer food programs, put it this way:

We are saying, however, from past experience, that we would expect that the free milk would be concentrated primarily in these very needy schools.

I then asked the following question:

Now you are going to have some schools, however, that choose not to take part in this program, especially in view of the new problems that are involved, as I see it, and which might have needy children, but they would choose not to take part in the program, and the needy child would be left out.

Mr. Davis. I think our past experience might show this might well happen.

This indicates to me, Mr. President, that the administration's new proposal might well have the effect of ghettoizing the school milk program by confining it to areas with high concentrations of needy children—in other words, slum areas. This, to me is just as bad as requiring program participants to undergo a demeaning means test. Yet it is an aspect of the problem which has received all too little attention.

DEAN PYE'S CONTRIBUTION TO THE DISTRICT OF COLUMBIA

Mr. TYDINGS. Mr. President, the Washington Post has performed a real service to the community by bringing to the attention of Washingtonians the many contributions made to the administration of justice in the District of Columbia by A. Kenneth Pye, associate dean of the Georgetown Law Center. Dean Pye will be leaving shortly for India where he will be engaged in the teaching of law at Banaras Hindu University for a year. Upon return to the United States in 1967 he will continue his career in legal education at Duke University.

North Carolina's gain will be the District of Columbia's loss. No man has worked more diligently to improve the performance of the legal system in the District of Columbia than Dean Pye. He has been an astute practitioner in the District courts, a moving force in the development of the Georgetown legal internship program, and a leader in the activities of the local bar association. But my colleagues and I know him best as an articulate and forceful adviser to and witness before various committees of the Senate. Whenever Dean Pye offers an opinion, one can be sure that it is carefully reasoned and well adapted to meet the problem to which it is addressed.

Just a few months ago, the dean appeared before the Subcommittee on Improvements in Judicial Machinery and gave enlightening testimony on the operation of the U.S. Commissioner system. It was clear that his fine reputation is well earned.

To accurately portray Dean Pye's contribution to the law, I ask unanimous consent to place the Washington Post article in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, June 2, 1966]

Professor Pye Leaves Post, Justice His Career—He Reformed District of Columbia Laws From Chair at GU

(By Gail Bensinger)

In the lobby of the Georgetown University Law Center, students were arguing about their exams.

Beyond them, in the deans' complex, a heavy-set man with dark curly hair sat in his office. A wall of shelves had been stripped almost bare of books.

A. Kenneth Pye has spent nearly half of his 35 years associated with the red brick building on E Street—since 1961 as associate dean, since 1955 as a professor of law, and before that as a student, whose L.L.B. and an L.L.M. degrees bear the Georgetown seal.

Ken Pye's career at Georgetown is over. Right now he's at Rehoboth Beach, grading exams and finishing some leftover administrative chores. On June 15, he leaves for India, where he will teach at Banaras Hindu University for a year. When he returns to the United States in the fall of 1967, he'll begin teaching at Duke University.

Before he left, Pye spent an hour reflecting on the city whose law system he has been instrumental in altering—especially for the benefit of Washington's poor.

"The striking change in the last five years has been in the attitude of the community and the Bar toward the necessity for reform in administering the court system and participating in criminal justice," he said.

Since 1960, Pye said, "Washington has been clearly in the lead of other communities." He called the Bail Project and the Legal Aid Agency "the best in the country, in my estimation." The Neighborhood Legal Services Project, he added, "is young and has a long way to go, but it's probably better than the rest of them."

Georgetown's Internship Program, which pays a recent law school graduate to go to graduate school at night while representing poor clients during the day under faculty supervision, is a model for similar projects across the country, he said. It now deals only with criminal cases but the directors hope to take on civil cases soon to demonstrate how the two fields can be coordinated.

The various projects and the Bar itself have emphasized "the necessity of changes in conditions which have continued for years," Pye said. Without hesitation he ticked off problem areas—administration of justice in the Court of General Sessions, the jail, pretrial confinement of those unable to post bail.

There is, he continued, "understanding of the tremendous importance of Juvenile Court and the need to reconsider techniques and facilities available for correction.

"All these have come about in the last five years."

Pye has headed numerous committees which have done much to bring about legal assistance for the city's poor.

He was also the first director of Georgetown's Legal Internship Program, which he helped develop in 1960. He has served the D.C. bar as president of the Board of Trustees from 1962 to 1964; as chairman of its Programs Committee, 1964–1965, and a member of the executive Council of the Junior Bar Association, 1962–1964.

Pye refuses to boast about his role in Washton's legal world, but many of the people with whom he has worked don't share his modesty.

"Few people can articulate so provocatively and with such force," said Daniel J. Freed, acting director of the Justice Department's Office of Criminal Justice: "Very few people in the city of Washington have played such a central role in so many different projects designed to make justice equally accessible to people without money."

Pye's departure was termed a "great loss" by Chief Judge David L. Bazelon of the U.S. Court of Appeals. "He really got into the heart of the law and the judicial system."

Judge Bazelon, who has worked with Pye on many legal reform programs, called his friend "a very effective exponent of the view that the school should be part of what goes on in the world."

The judge added, "He's left some people behind. He's trained people. That's the mark of a real leader."

PRESIDENTIAL DIRECT ELECTION AMENDMENT

Mr. HARTKE. Mr. President, this morning the Washington Post printed an editorial entitled "Direct Presidential Election," discussing the constitutional amendment proposed by my colleague, the junior Senator from Indiana [Mr. Bayh]. I ask unanimous consent that this editorial may be printed in the Congressional Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Direct Presidential Election

Senator Birch Bayh is offering a new and yet old approach to the problem of electoral reform. After again reviewing all the devices that have been recommended to patch up or abolish the Electoral College, he has come to the conclusion that best reform would be direct election of the President and Vice President by vote of the people. It is true that constitutional amendments for this purpose have been offered at various times in the past, but Senator Bayh has put his proposal in a new context that may give it a special appeal.

Even in the days of the Founding Fathers, Madison saw that election of the President by "the people at large . . . was the fittest in itself." The Fathers did not approve this method because the states had widely differing qualifications for voters; there was no means of mass communications, and since political parties had not emerged there was no way of centering attention upon two or three dominant candidates.

All of the special conditions that led to creation of the anomalous Electoral College have now changed. In effect the President is chosen today by popular vote, but the clumsy Electoral College still stands in the way and threatens to thwart the will of the people. Three Presidents—John Quincy Adams, Hayes and Harrison—have actually been elected by fewer votes than their opponents received. Every election these days finds some presidential electors uncommitted or in an equivocal position so that voters in some states cannot know what the effect of their votes for President will be. It is a shocking thing for a great power to cling to so precarious a method of choosing its chief executive.

The natural evolution of the Constitution, moreover, has been consistently in the direction of more reliance on the people. Senator Bayh notes the abolition of property qualifications for voters, the popular election of Senators, woman suffrage, the granting of voting rights to Negroes, elimination of the poll tax, and the recent requirement for equal representation of voters in Congress and the state legislatures. Over the years there has been a consistent march toward more reliance upon the voice of the people.

Direct election of the President would be a further fulfillment of this trend. It is true that some small states in the past have clung to the special advantage that the present system gives them in the form of electoral votes equal to the number of their Senators and Representatives. But this is offset in very large measure by the disregard of the small states and the one-party states in presidential contests. Under a system of direct voting for the presidential team of each party every vote would count.

We think Senator Bayh is right, therefore, in concluding that popular election of the President would not be a break with tradition. Rather, it would be, as he says, "a logical, realistic and proper continuation of this Nation's tradition and history—a tradition of continuous expansion of the franchise and equality in voting." It is by no means improbable today that the sweep of this sentiment may carry his proposed amendment into the Constitution. It is worthy of being made a major plank in the national party platforms and a popular cause among all the groups striving for good government.

WASHINGTON POST INACCURACIES

Mr. BYRD of West Virginia. Mr. President, an editorial in the Washington, D.C., Post of May 30 stated that Washington has 84 investigators in the District Department of Welfare. It is typical of the Post, in writing on the subject of welfare, to present inaccuracies which could have been avoided simply by making a careful study of the public hearings record or by propounding an inquiry to the Welfare Department. In the past, upon several occasions when the Post has misrepresented the facts, I have set the record straight, and I shall do so again today. The number of authorized investigator positions in the District of Columbia Department of Welfare is 77. The number of investigators on board today is 60, not 84, as the Post stated.

As of today, the actual vacancies numbered 17, but 6 investigators have been selected and will be on duty within the next few days, at which time the vacancies will be reduced to 11.

There are other obvious distortions and misrepresentations in the Post editorial, but most people are aware by now of that newspaper's unjustified and irresponsible attacks upon me personally, so I shall ignore these unfair perversions.

Mr. President, I ask unanimous consent to insert in the Record at this point a copy of the Post editorial, and I also ask unanimous consent that that editorial might be followed by an insertion in the Record of two responsibly written and well reasoned editorials pertinent to this subject which appeared in the May 30 Washington Star and the June 1 Washington Daily News.

There being no objection, the three editorials were ordered to be printed in the Record as follows:

[From the Washington Post, May 30, 1966]

On Harassment

The public resentment of the Welfare Department's investigators and their tactics is authentic and legitimate. Washington has 84 investigators, five or six times as many as other American cities of its size. These men regularly resort to the methods of oppressive surveillance usually associated in this country with criminal investigations by the police. The investigators are, in fact, the political commissars put in the city's Welfare Department by Senator Byrd of West Virginia during his memorable (and finally unsuccessful) attempt to cut the cost of relief. Now Senator Byrd complains that the picketing at the investigators' office is causing "harassment, intimidation and interruption of work."

The Senator objects to harassment, intimidation and interruption of work in the Welfare Department by anyone but himself. He claims an exclusive franchise in the field. Whether his investigators practice harassment, intimidation and interruption of work on relief recipients is, of course, irrelevant to him.

The pickets were exercising their constitutional right of petition. The investigators, by photographing the picket line, strengthened the general impression that they inadequately comprehend the Bill of Rights. The chief issue for the District Government is not whether the pickets were led by settlement house workers paid through the United Planning Organization. The issue is whether the pickets' grievance is justified. There are enlightened mayors in this country who are deliberately using poverty funds to bring the discontents of the slums into public view. These mayors have decided that they would prefer to know of these grievances sooner rather than later. The District Building, in contrast, has repeatedly made it clear that it would prefer not to know at all.

[From the Washington Star, May 30, 1966]

The Investigators

The furor during the past few days of picketing by District welfare recipients has developed several important issues. This whole affair began as a protest against the Welfare Department's "investigation tactics"—and the ballooning controversy has produced some incredible points of view.

One statement by the picketers demands, for example, that investigations by welfare inspectors cease "completely" because they cause "fear, nervousness and anxiety" among people on the public assistance rolls.

Their fear of surveillance, says Gary Bellow, the No. 2 man in the local poverty war's United Planning Organization, is based on a concern that if recipients are found doing something wrong they might lose their relief checks.

Well, why not? The fact is that such investigations are not only proper; they are indispensable to any orderly, realistic administration of the welfare program. How else than through investigation, of which surveillance is a crucial element, can cheating on the welfare rolls be curbed, and the legal eligibility of aid recipients be established?

No one suggests it is proper for investigators to crash into anyone's home at 3 o'clock in the morning—or to "investigate" under any other such outlandish circumstances. But the Welfare Department rules do not permit such practices, and there is no indication that they occur.

If there are specific instances of impropriety, Welfare Director Brewer has promised to consider them. The goals of the demonstrations, however, obviously go far beyond this. They amount to an attack on the entire investigative program as an improper "invasion of privacy." It is no less clear, moreover, that this attack is being actively encouraged by UPO officials who are personally antagonistic to the established welfare policies.

Mr. Brewer's criticism of such UPO activities is entirely justified. Mr. Bellow, for his part, says the UPO should support "any group that wants to express demands that are legitimate," and that "this protest is legitimate."

We think Mr. Bellow's position is dead wrong. And the UPO board had better step into the controversy before it gets further out of hand.

[From the Washington Daily News, June 1, 1966]

Whose Welfare?

Who is hurt by cheating in the welfare program?

The city government? The taxpayers?

Yes, somewhat. But those who are hurt the most are the poor and helpless—everyone who, legally and morally, deserves public support.

When welfare funds are siphoned off by cheaters, there's that much less to go around. Families that should be helped are cruelly short-changed. Doubt and suspicion are cast on a vital, wholesome program.

Sensible investigation is the only way to insure against outrageous fakery and a loss of public faith. Those who knock the Public Health Department's investigate function should bear this in mind.

This doesn't mean that those who receive public aid should not be treated with dignity and respect, or that they should have to quietly submit to Gestapo tactics, midnight snooping and gross invasions of privacy. Nor does it mean that they are somehow immune to fair and honest investigation of their circumstances and their need.

J. EDGAR HOOVER AND "POLICE BRUTALITY"

Mr. BYRD of West Virginia. Mr. President, all fair-minded persons shudder at the thought of law enforcement officials who may engage in unethical conduct. But how fair and justified is the growing cry of police brutality? This is a question that should concern all people who wish to see good law enforcement and the protection of our rights.

Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation, and who has had ample experience in law enforcement, should be a proper authority to analyze the growing complaint of police brutality.

His comments are contained in the June edition of the FBI Law Enforcement Bulletin. I believe they are worthy of our study. I, therefore, ask unanimous consent that they be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the FBI Law Enforcement Bulletin, June 1, 1966]

Message From the Director

(By John Edgar Hoover, Director)

Law enforcement today is being degraded, purposely in many instances, by the widespread and indiscriminate use of the term "police brutality."

This practice is called a guilt-by-language process by some individuals. They may be right. For example, the word "juvenile" has been associated with "delinquency" so often and so long that now, when used alone, it has a disagreeable connotation to much of the public.

"Police brutality" conjures up visions of hulking men in uniform clubbing and beating innocent people. Rarely, however, does the term fit the circumstances to which it is applied. It is used in wild accounts of enforcement officers' lifting limp demonstrators who block busy thoroughfares, in references to oral commands by policemen who disperse potential troublemakers, in depicting efforts by officers to halt violations of the law, and in describing any number of other sworn duties performed by policemen.

We know there is a calculated and deliberate attempt by some groups to inflame hostility against law enforcement by charging "police brutality" without cause. To a large degree they have succeeded. The term is bandied about in all media of communication without serious consideration as to its true meaning or its harmful effect on a profession which is charged with enforcing the basic rules of civilized living.

I agree with a growing number of responsible news editors, public officials, and law-abiding citizens that it is high time to get this "pet slogan" into a better perspective. We do not deny there have been instances of misuse of force by enforcement officers, but such incidents are not as prevalent as the public has been led to believe. A general and accepted principle of the law has been that an officer may use such force as is necessary to make lawful arrests, protect his life, and perform other specific duties. Frequently, however, the choice is not his to make; he has to use force or be maimed or killed and have the rights of all the people trampled by those who have no respect for law or due process. Even then, his best efforts often are not enough, as evidenced by the appalling number of officers assaulted and killed each year.

Policemen have the same basic rights as others. There is no reason why they should be singled out for ridicule by invalid blanket accusations. The public, the press, and law enforcement itself should launch a concerted drive to stop the semantic indictment of police. Allegations and incidents should be reported and described in realistic, impartial, and truthful terms. If an officer is assaulted while making an arrest and uses undue force to subdue the person, then call it "undue force." If an officer uses profane language to a citizen, then describe it as profane language. If an officer is thought to be biased or prejudiced in his treatment of groups or individuals, then the complaint should so state. But the constant cry of "police brutality" as a catch phrase, exploited and used as camouflage for illegal conduct, is dead wrong. It is a stigmatization of police by rote.

REMARKS TO HIGH SCHOOL GRADUATES

Mr. BYRD of West Virginia. Mr. President, each year I endeavor to speak to various groups of West Virginia's high school graduates. It is my personally accepted task to encourage as many of these young men and women as possible to realize the value of continuing their formal education and the importance of establishing a firm basis for future careers and future service as productive citizens of our Republic.

It is not possible, however, to speak at more than a few of the commencement exercises each year, so I recently prepared a radio program to be broadcast over various radio stations in West Virginia, in the hope of reaching a wider range of listening high school graduates.

I ask unanimous consent that a transcript of my June 1, 1966, remarks be printed in the RECORD at this point.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

RADIO SCRIPT, JUNE 1, 1966

My fellow West Virginians, this is United States Senator ROBERT C. BYRD speaking to you from the Nation's Capitol.

My message today is a personal one for the young men and women graduating this year from the high schools in West Virginia. I appeal to you, as individuals, to accept as your first task the continuation of your education. Knowledge, secured from a continuing education and constantly disciplined self effort, is the weapon that will enable you, and our nation, to best survive and prosper in this space age.

If you have financial problems which complicate your attending college, investigate the benefits of the Higher Education Act passed by the Congress to assist capable high school graduates in need of financial help for college attendance. Your local school authorities can guide you in securing more detailed information on the opportunities offered.

But, in any event, if you are unable immediately to continue your education at a higher level, persevere in your efforts, for there is a high correlation between investment in education and the prosperity of individuals and nations.

It is a matter of statistical record that countries which have citizens who spend a lot on education have a higher per capita gross national product. And the monetary returns on a college education today for the average individual American are estimated as running much higher, in terms of income earned during the first 25 years after age 21, than the earnings of the average 8th grade or high school graduate.

Importantly, too, you need early to recognize that education is a lifelong process. In today's world—with its many problems—all of us must constantly endeavor to extend our education to remain abreast of developments. But hand-in-hand with your education efforts must go an adherence to the principles of Christian living upon which our society was founded—those principles which enabled the United States to develop as a stable, industrious, moral, and great Republic. A respect for the law, obedience to its tenets, and an acceptance of the responsibility to uphold the law and to preserve order—all of these are basic to your character development, and they are a vital element in forming a sound foundation for future success.

It has been said that knowledge is power; but more than mere intellectual resources must be developed by each individual. Moral and spiritual resources must be tapped to preserve our American beliefs in human dignity and freedom. You will need more and better education to prepare yourselves for the diversity, the complexity, and the rapid change of your unknown future, for you cannot predict with certainty what your needs will be. Only by deep morality and steadfast judgment may you apply with wisdom the knowledge which you gain.

And as you build your career, you will need to recognize and value the dignity of hard work, both because of the concrete material results which it will bring to you and for the personal satisfaction that comes with having fully committed your mental and physical capabilities toward accomplishing progressively demanding tasks.

Benjamin Franklin's father held up to his son this proverb: "Seest thou a man diligent in his business. He shall stand before kings."

I have great faith in you young West Virginians, as I do in the ability of our society to master the challenges of the future. I believe you will work and study and grow and that your lives will be successful and meaningful and will sustain our republic, our ideals, and our American freedom.

This is United States Senator, ROBERT C. BYRD saying thank you for listening today.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

FAIR PACKAGING AND LABELING ACT

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business, which is S. 985.

The Senate resumed the consideration of the bill (S. 985) to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes.

Mr. MAGNUSON. Mr. President, the pending bill is the Fair Packaging and Labeling Act (S. 985). As chairman of the Commerce Committee and one of the authors of the pending measure, I expect to take an active part in the debate on many features of the bill. This is probably one of the most important consumer bills to come before the Senate at this session of Congress, if not the most important. Because the bill is complex and involves a broad field, it may be of assistance to Senators, before we proceed with the amendments and debate next Monday, Tuesday, or Wednesday, to make a formal statement setting forth my views on some features and sections of the bill.

Mr. President, I am convinced that the fair packaging and labeling bill, which the Committee on Commerce has reported to the Senate, will serve the compelling needs of the consumer, while preserving the basic freedoms of the American marketplace.

The Commerce Committee takes just pride in this legislation. It represents painstaking and extended effort by the committee, and I am hopeful that the product of that effort will be legislation which marks the 89th Congress as history's Consumer Congress.

S. 985 represents a significant step beyond the traditional policing of intentionally deceptive or fraudulent acts. It is a reflection of the changing relationship between manufacturer and consumer which has marked the technological upheaval in food processing, packaging, and distribution of recent decades.

More than 8,000 promotionally designed packages now compete for the consumer's dollar, where 20 years ago only 1,500 confronted him. In the interim the package on the supermarket shelf has acquired, by default, the informational functions formerly performed by the friendly—or at least familiar—retail clerk. But this informational function has come into increasing conflict with the package's role as its own most enthusiastic advertisement and promotional device. And information has too often suffered at the expense of promotion.

If the consumer is to be capable of making informed choices in today's supermarket, then it is necessary not only to protect him from deliberate frauds and deceits but to require affirmatively that the relevant information be presented on the package in a coherent and meaningful form and with reasonable uniformity. Moreover, if the consumer is to be able to perform his primary market function of rewarding the efficient producer, then competing commodities must be packaged in such a way as to facilitate clear and easily computed price comparisons. The committee has no desire to superimpose its judgment as to the quality of competing products upon the judgment of the marketplace but, before the consumer can make a meaningful judgment with respect to value, he must first have the opportunity to compare prices.

The Commerce Committee held 10 days of hearings on S. 985, and has before it five volumes of testimony taken in 1961, 1962, 1963, and 1964 by the Antitrust and Monopoly Subcommittee, on packaging and labeling practices in the marketing of consumer commodities.

Out of all these hearings there has emerged a pattern of marketing practices which the committee believes have substantially impaired the fair and efficient functioning of consumer commodity marketing. In particular, the hearings identified certain undesirable conditions and practices to which this legislation is principally directed. They include:

First. Confusing, inconspicuous, incomplete or nonexistent quantity of contents statements on labels.

Second. Lack of uniformity in the designation of units of weight or fluid volume. Thus, a package may be labeled "1 quart 1 ounce" or "33 ounces"; "1 pint," "16 ounces," or "1 half-quart."

Third. The use of qualifying adjectives to exaggerate the quantity of contents; such as "giant" or "jumbo" quart.

Fourth. The use of size characterizations; such as "small," "medium," and "large," and "servings" designations, without meaningful standards of reference.

Fifth. The imprinting on the package by the manufacturer of purported price information implying retail bargains such as "cents off" or "economy size" representations. In placing such representations on his package, the manufacturer is promising the consumer a price advantage which he cannot fulfill, for it is the retailer and not the manufacturer who determines the price which the consumer pays.

Sixth. Insufficient or nonexistent ingredient information, such as the failure to disclose the percentages of costly and inexpensive ingredients or active and inert ingredients.

And seventh, the proliferation of awkward and fractional weights and quantities, in which many consumer commodities are being marketed. For example, potato chips have recently been marketed in 71 different quantities under 3½ pounds. And instant coffee is presently being sold in 2, 2½, 4, 5, 6, 7, 8, 9, 10 ounces, and so forth, jars. The consumer is thus compelled to divide the retail price by the number of ounces in each package to arrive at the unit costs by which the packages can be compared.

Testimony before the committee established that present law is inadequate or imprecise to a degree that permits these practices and conditions to flourish unabated. Present law deals primarily with deceptive or fraudulent practices, which are generally subject to correction only through laborious case-by-case prosecution.

The committee was much impressed with the opportunities for cooperative voluntary standardization inherent in the voluntary standards procedures of the Department of Commerce. The Department's voluntary standardization program was established by former President Herbert Hoover in 1926 in his then capacity as Secretary of Commerce and the Department has since participated in the establishment, through industry cooperation, of some 500 standards. The voluntary standardization of can sizes through the Department's procedures is probably the outstanding instance of such successful cooperative effort involving consumer commodities.

The uniform marketing of liquor in pints, fifths, and quarts also supplied the committee with a concrete example of weight standardization which has apparently not inhibited innovation in the design of attractive and imaginative bottles of widely varying shapes, sizes, and dimensions.

The committee held seven executive sessions to consider S. 985. During the course of committee deliberations, the bill passed through five formal revisions represented by committee prints. Each provision of the proposed bill was subjected to the closest scrutiny in order that the committee might formulate procedures adequate to protect the consumer, with minimal interference in the marketing process. The committee was particularly concerned that legislation not unduly hamper innovation and progress in the marketing of consumer goods. Procedural protection, substantive guidelines, and necessary exceptions were all adopted to meet the fears and concerns expressed by the affected industries.

REGULATORY FRAMEWORK

The legislation seeks to provide a regulatory framework within which ground rules can be established, in the tradition of the latter day labeling laws, such as the Fur Products Labeling Act, the Flammable Fabrics Act, and the Textile Fiber Products Identification Act.

The principal regulatory features of the bill are those generally referred to as the "mandatory" provisions—designed to apply across-the-board to all packaged consumer commodities—and the "discretionary" provisions, authorizing regulations to be promulgated on a commodity-by-commodity basis only after the necessity for regulation has been established.

The regulatory responsibility is divided between the Secretary of Health, Education, and Welfare and the Federal Trade Commission, preserving the historical division of responsibility between the Food and Drug Administration of Health, Education, and Welfare and the Federal Trade Commission. The Department of Health, Education, and Welfare is thus given jurisdiction over the packaging and labeling of all consumer commodities which are food, drugs, devices, or cosmetics within the scope of the Federal Food, Drug, and Cosmetic Act, while the FTC is granted jurisdiction over all other consumer commodities.

A food, drug, device or cosmetic which violates any regulation promulgated under the act is to be deemed "misbranded" within the meaning of the Federal Food, Drug, and Cosmetic Act, and is made subject to the enforcement provisions of that act, other than the criminal penalties. Any such commodity would thus be subject to injunction or seizure. Other consumer commodities violations would constitute "unfair or deceptive acts or practices in commerce" in violation of the Federal Trade Commission Act. Such violations would be subject to the Commission's authority to issue cease and desist orders.

In encouraging the voluntary development of weights and quantities standards, the bill also utilizes the voluntary product standards procedures of the Department of Commerce and, in regulating imports, grants authority to the Secretary of the Treasury.

With respect to all regulations to be issued, the bill incorporates the procedural safeguards of the Federal Food, Drug, and Cosmetic Act, which provide assurance of adequate notice, ample opportunity for hearing, and recourse to judicial review.

It is, of course, intended that no regulation under the mandatory or discretionary sections of the bill should take effect until the manufacturers involved have had full opportunity to effect any necessary packaging or labeling changes, and to allow reasonable time for the disposal of existing stocks and inventories. The bill also provides that no regulation adopted under the act shall preclude the continued use of returnable or reusable glass containers for beverages which were in inventory or circulating "with the trade" as of the effective date of the act. This would insure that returnable bottles actually in circulation on the effective date of the act could continue in circulation throughout their life cycle.

DEFINITION OF "CONSUMER COMMODITY"

The bill is generally concerned with those items customarily found in the supermarket. These include food, drugs, devices and cosmetics as defined by the Federal Food, Drug and Cosmetic Act, but not prescription drugs.

Also included are those expendable commodities used for personal care and household services.

The bill is not intended to cover durable articles or commodities; textiles or items of apparel; any household appliance, equipment or furnishings, including feather and down-filled products, synthetic-filled bed pillows, mattress pads and patchwork quilts, comforters and decorative curtains; bottled gas for heating or cooking purposes; paints and kindred products; flowers, fertilizer and fertilizer materials, plants or shrubs, garden and lawn supplies; pet care supplies; stationery and writing supplies, gift wraps, fountain pens, mechanical pencils, and kindred products.

The bill also excludes such commodities as meat, poultry; tobacco; pesticides; alcoholic beverages, prescription drugs and seeds, which are already subject to Federal regulation.

PERSONS AFFECTED

The legislation is intended to affect only those persons who package products and distribute such packages in commerce. Wholesalers and retailers are exempt except to the extent that they either: First, engage in the packaging or labeling of commodities themselves; or second, prescribe or specify the manner in which such commodities are to be packaged or labeled.

MANDATORY PROVISIONS

The mandatory provisions are found in section 4. The first 3—subsections (a)(1), (a)(2), and (a)(3)—direct the promulgating authorities to establish net quantity of contents labeling regulations effective to insure:

That the label identify the commodity and the name and place of business of the manufacturer, packer, or distributor—(a)(1).

That the net quantity of contents, in terms of weight, measure, or numerical count, be separately and accurately stated in a uniform location upon the principal display panel of the label. The "principal display panel" is defined as that part of the label that is most likely to be displayed, presented, shown, or examined under normal and customary conditions—(a)(2).

That the net quantity of contents of any packaged consumer commodity which contains less than 4 pounds or 1 gallon shall be expressed in ounces, or fractions thereof, or in whole units of pounds, pints, or quarts. This requirement would supersede any Federal or State regulation requiring the net quantity of contents to be stated in any different form; but would not preclude the manufacturer from expressing the net quantity in alternate form in a supplemental statement elsewhere on the label—(a)(3)(A).

That the net quantity of contents statement appear in conspicuous and easily legible type in distinct contrast by typography, layout, color, embossing or molding with other matter on the package—(a)(3)(B).

That the net quantity of contents statement contain letters or numerals in a type size, established by the promulgating authority in relationship to the area of the principal display panel of the package, which shall be uniform for all packages of substantially the same size—(a)(3)(C).

That the separate net quantity of contents statement be so placed that the lines of printed matter included in that statement are generally parallel to the base on which the package rests as it is designed to be displayed—(a)(3)(D).

Subsection 4(b) prohibits the qualification of the separate net quantity statement by any modifying words or phrases. However, a supplemental statement of the net quantity of contents set apart from the separate net quantity statement, required by the bill, may be modified by nondeceptive words or phrases, so long as such words or phrases do not tend to exaggerate the amount of the commodity contained in the package. For example, where a package contains a separate net quantity statement in conformity with promulgated regulations; such as "6 ounces net weight," the package could also contain in a supplemental statement, apart from the required net quantity statement, the phrase "6 ounce of fast acting X detergent" but could not contain the statement "6 jumbo ounces of X detergent" at any place on the package.

Subsection 5(b) authorizes exceptions to the mandatory requirements upon a finding by the promulgating authority, with respect to any consumer commodity, that full compliance with the requirements is either impracticable or unnecessary for the adequate protection of consumers. A small commodity, for example, may of necessity be so packaged as to render impracticable principal display panel net quantity of contents designation.

DISCRETIONARY SECTIONS

Subsection 5(c) authorizes the promulgating authorities to issue commodity-by-commodity regulations, governing four categories of labeling practice, where necessary to prevent the deception of consumers or to facilitate price comparisons.

Subsection 5(c)(1) authorizes the establishment of standards for label characterizations of size, such as "small," "medium," and "large." For example, where the promulgating authority found that there was significant variation in the use of such characterizations among competing products, the authority could establish uniform standards for "small," "medium," and "large" packages in that commodity line.

Subsection 5(c)(2) authorizes the establishment of standards for "servings." Thus, where the promulgating authority determined that one manufacturer's "2-servings" package was the equivalent of another's "3-servings" or "4-servings" package, the authority could set standards for servings in that commodity line, assuring a meaningful standard of comparison.

Subsection 5(c)(3) authorizes the regulation of printed label representations that a consumer commodity is being offered for retail sale at a price lower than the ordinary and customary retail sale price or that a retail sale price advantage is accorded to purchasers by reason of the size of the package or the quantity of its contents. This provision is primarily directed at "cents off" label representation placed on the package by the manufacturer and at such label designations as "economy" size. While the committee was of the opinion that these practices should be prohibited where abused, the agencies are granted a measure of flexibility in establishing regulations for the utilization of such promotional techniques in a nondeceptive manner. Nothing in this subsection would inhibit the retailer's right to set retail prices or to make sale offers.

Subsection 5(c)(4) authorizes the agencies to require that information with respect to the ingredients and composition of any consumer commodity be placed on packages containing that commodity. Here the committee is primarily concerned with the ability of consumers to make price comparisons among competing products with varying proportions of active or costly ingredients.

Thus the agencies may determine that in a given commodity line, it is necessary for the package to list those ingredients, including proportions or percentages, which may be material to the consumer's price comparisons among competing products. Regulations promulgated under this section must be consistent with the requirements of the Federal Food, Drug, and Cosmetic Act and may not require the disclosure of information concerning proprietary trade secrets.

Subsections 5(d), (e), (f), and (g) establish procedures for the development of standards of weights or quantities for the retail distribution of consumer commodities, placing primary emphasis upon the voluntary product standards procedures of the Department of Commerce.

A weights or quantities standard proceeding is triggered by the determination of the promulgating authority—Department of Health, Education, and Welfare or Federal Trade Commission—after hearing, that the weights or quantities in which any consumer commodity is being distributed for retail sale are likely to impair the ability of the consumer to make price per unit comparisons.

Within 60 days of the publication of such determination in the Federal Register, any affected producer or distributor may request the Secretary of Commerce to participate in the development of a voluntary product standard for such commodity, in accordance with the voluntary product standards procedures established by the Secretary of Commerce.

The current voluntary product standards procedures, reproduced in an appendix to this report, provide for the establishment of a standard review committee made up of qualified representatives of producers, distributors and consumers or users, of the product for which the standard is sought and any other appropriate general interest groups.

The bill expressly requires that the voluntary product standards procedures provide "adequate manufacturer, distributor and consumer representation," as is presently required under these procedures. In selecting consumer representation, the Secretary may utilize the President's Committee on Consumer Interests and the Consumer Advisory Council, the Food and Drug Administration and the Federal Trade Commission, labor and consumer organizations, and also distinguished private citizens not affiliated with any affected industry.

The committee reviews proposed standards and, upon a vote of three-fourths of all its members, may recommend acceptance of the standard. The Department thereupon distributes the proposed standard to a list of acceptors compiled by the Department, representative of producers, distributors, users, consumer, appropriate testing laboratories, and interested State and Federal agencies, and to any others upon request.

The Department analyzes responses from the list of acceptors and if such an analysis indicates that the recommended standard is supported by a consensus, then it will be published as a product standard by the Department. For the purpose of these procedures, consensus means general concurrence with no substantive objection deemed valid by the Department.

The procedures also provide for continuing review and for revision or amendment of any standard if "the standard or any part of it is being used to mislead consumers or is found to be against the best interest of consumers."

Where industry is unable to develop a voluntary product standard within 12 months from the filing of a request with the Secretary of Commerce for the development of such standard—or within 18 months, at the discretion of the promulgating authority, where the Secretary of Commerce certifies to the promulgating authority that there are grounds for belief that a voluntary product standard will be published within a reasonable time—the promulgating authority may, without redetermination of need, establish a standard of reasonable weights or quantities, and fractions or multiples thereof, in which the commodity shall be distributed for retail sale.

Where a voluntary product standard promulgated by the Secretary of Commerce pursuant to subsections 5(d) and 5(e) is in effect but is not being complied with, the promulgating authority may, again without redetermination of need, initiate a proceeding for the establishment of a mandatory standard. However, such standard may not vary, in substance, from the voluntary standard.

Subsection 5(f)(2) precludes the establishment of any weight or measure in any amount less than 2 ounces and subsection 5(f)(3) prohibits the establishment of any weight or quantity standard which would preclude the use of any package of particular dimensions or capacity customarily used for the distribution of related products of varying densities, such as baby foods, except to the extent it is determined that the continued use of such package for such purpose is likely to deceive consumers.

Subsection 5(f)(d) provides that no weight or quantity standard established under the act shall have the effect of precluding the continued use of particular dimensions or capacities of returnable or reusable glass containers for beverages in use as of the effective date of the act. A large proportion of reusable bottles are designed for use in vending machines and the committee included this provision to assure the soft drink industry that nothing in the act could require the redesign of all vending machines.

Subsection 5(g) also requires that the promulgating authorities give due regard to the probable effect of regulations imposing weight or quantity standards upon:

First. The cost of the packaging of the products affected.

Second. The availability of any product in a reasonable range of package sizes to serve consumer convenience.

Third. The materials used for the packaging of the affected products.

Fourth. The weights and measures customarily used in the packaging of the affected products.

And fifth, competition between containers made of different types of packaging material.

STATE-FEDERAL RELATIONS

Section 9 authorizes the continued cooperation among States and Federal agencies in packaging and labeling regulation and specifically requires the Secretary of Commerce to submit regulations issued under this provision to the appropriate State officers and agencies. This section further requires that the Secretary of Commerce furnish to State officers and agencies information and assistance to promote to the greatest extent practicable uniformity in State and Federal regulation.

The services of the Secretary of Commerce are invoked here in order to further the cooperative program which has been successively coordinated by the Weights and Measures Division of the National Bureau of Standards and the National Conference on Weights and Measures, which has resulted in the passage of uniform weights and measures laws in many States.

Section 12 provides that regulations promulgated under the act shall supersede State law only to the extent that the States impose net quantity of contents labeling requirements which differ from requirements imposed under the terms of the act. The bill is not intended to limit the authority of the States to establish such packaging and labeling standards as they deem necessary in response to State and local needs.

COSTS

The Department of Health, Education, and Welfare estimates that the bill will require $1.5 million in additional funds for the first year's administration, while the Federal Trade Commission estimates that its responsibilities under the bill will entail an additional $250,000 per year. The Department of Commerce indicated that it was unable to forecast how many voluntary product standards procedures would be initiated as a result of the stimulus provided by the bill but informed the committee that the average cost per voluntary product standard proceeding was approximately $20,000.

Mr. President, the Fair Packaging and Labeling Act is necessary and prudent legislation. I believe that no single piece of legislation in recent years has so engaged the interest and support of the American homemaker. And it is to the American homemaker and the needless harassments and confusions which she meets in trying to shop for her family needs that this legislation is directed.

Mr. COTTON. Mr. President, most Americans like the variety in today's supermarkets. American housewives are the envy of the world for the range of choices available at reasonable prices in the neighborhood supermarkets of our cities and towns.

Yet the Hart bill, S. 985, is deliberately designed to restrict some of those choices. It is based on the belief that there is too much variety. It would cure excessive variety with excessive Federal controls. These "denial of choice" provisions, found in subsections 5 (d), (e), (f), and (g), must be stripped from the bill, as they would be by adoption of amendment No. 572, which I intend to call up.

However, before discussing the amendment and its impact, I want to make a few comments about the truth in labeling parts of this legislation. And I say "truth in labeling" deliberately and carefully.

Legislation requiring truth in packaging is not necessary. Clarity in labeling is what is actually needed.

New legislation is not required to guard against deception. There are laws on the statute books to accomplish this. The Federal Trade Commission and the Food and Drug Administration have ample authority to proceed against any practice either in advertising, packaging, or labeling that is deceptive or misleading. The large package only partly filled, misleading matter on the label are already provided against and hedged about with penalties.

Not only is there extensive Federal law, in the Food, Drug, and Cosmetic Act, the Federal Trade Commission Act, the Meat Inspection Act, and the Poultry Inspection Act, to prevent misleading and deceptive packaging practices, but there is also a vast body of related State laws.

All 50 States have acts which outlaw the mislabeling and misbranding of foods and cosmetics. While these laws vary in many respects, it is worth noting that 50 of them outlaw labels which are false or misleading; 35 of them have uniform, carefully worked out provisions against containers which are "so formed or filled as to be misleading." More than 30 States have adopted uniform provisions of law relating to the conspicuous placement of the required label information—and that information must include the name and address of the producer and the net contents of the package in clear and legible print.

It is also important to note that the States have been making important strides toward strengthening both their laws and their enforcement procedures. The National Conference on Weights and Measures, composed mainly of State officials charged with administering and enforcing State weights, measures, and labeling laws, is sponsored by the National Bureau of Standards. Through an effective spirit of cooperation, the National Conference has developed a comprehensive model State law on packaging and labeling and model State regulations for the implementation of the law. The model law has been adopted, at least in part, by nearly 40 States, and the model regulations have been adopted by a number of States. Both the model law and regulations have been annually reviewed and updated, so that new problems can be met as they emerge.

I mention these points in some detail because some of the discussion of the truth in packaging bill has tended to portray the housewife as a helpless, defenseless damsel who is totally at the mercy of the rapacious corporate packager. Nothing could be further from the truth, as the plethora of State and Federal laws amply demonstrates.

Furthermore, deceptive packaging is rare because the housewife has a big stick of her own—she can withhold her patronage. Businessmen know that a housewife who is fooled once, will not buy his product twice. And no business in today's highly competitive consumer market can survive just on first-time sales. Satisfied customers who come back to a product time after time are the only sure means of success for a business today. That is why, for instance, that in 1962 when the Food and Drug Administration checked 15,000 items, it found only 23 on which it thought the required information was inconspicuous.

The authors and proponents of the bill have indicated that their aim is to save the customer from confusion.

There is clear evidence that most consumers, most housewives, are not at all confused in the supermarket. A comprehensive study of buying habits in supermarkets showed that the average shopper sweeps past the 8,000 products found in the store and buys 32 items in 15 to 18 minutes—hardly the pace of a confused shopper.

Nevertheless, if confusion is the target of the bill, this goal can be readily achieved.

What is actually needed to avoid confusion is a clear statement of the quantity of merchandise in each package or bottle in large type at the same location on the principal panel and using the same form of measurement.

Packages should be labeled so the busy housewife can determine their contents without juggling the package six different ways, without having to convert from pint and pounds into ounces, and without the need for a magnifying glass.

I offered amendments in the committee aimed at clear and conspicuous disclosure of the nature and amount in every package of consumer commodities. Once the shopper has that information, she does not need help from the Government in determining which product to buy.

These amendments were adopted by the committee.

The specific provisions they added to the bill include the following requirements:

First, labels bear the name and place of business of the manufacturer, packer, or distributor;

Second, the net content be separately stated and appear in a uniform location on the package;

Third, the net content of packages of less than 4 pounds or 1 gallon be expressed in whole or fractional ounces, rather than in mixed units of pounds and ounces or pints and ounces.

Fourth, the net content statement be generally parallel to the bottom of the package; and

Fifth, the statement of net contents be unadorned by any qualifying words or phrases.

These amendments, along with the other labeling provisions of section 4 of the bill, will virtually eliminate the confusion in the supermarket—at least to the extent that laws can deal with confusion. These provisions are the real gist of the bill, and accomplish its fundamental purposes.

Its proponents insist, however, on attacking variety. They demand that power be given officials in the executive branch downtown to ultimately determine the sizes and weights in which commodities shall be packaged or bottled. This puts it in the power of a bureaucrat to standardize packaging. Such a step will limit, if not stifle, competition. It will make it more difficult for new and small producers to secure a place in the market by presenting their merchandise in new and distinctive sizes. It will compel manufacturers to spend millions of dollars in changing their machinery to conform to the edict of a Federal official. Every one of these results will add cost to the consumer—whom this bill is supposed to protect.

I regard this as a vicious bill if sections 5 (d), (e), (f), and (g) are permitted to remain in it. These sections make a Federal agency a czar to dictate all forms of packaging—to the detriment of the consumer, as well as the producer and manufacturer.

True, this authority is presented under the guise of a voluntary, willing undertaking by the industry, placing primary emphasis upon the voluntary product standards procedures of the Department of Commerce.

These procedures have worked well in many instances to produce genuine agreement on a voluntary basis on more than 500 products. They have also resulted in disagreement in other areas where truly voluntary agreement was not possible.

But, under the terms of this bill, the voluntary nature of the Commerce Department procedures are followed by compulsory Federal regulations. The industry affected will be negotiating with a gun at its head under the bill.

Furthermore, it must be understood that the Commerce Department procedures are based only on a general grant of congressional authority to the National Bureau of Standards. The current procedures were adopted by administrative action, and can be changed just by administrative action within the executive branch of Government. In addition, those procedures provide a built-in veto for any interested segment of the economy—be it producer, distributor and retailer, or consumer. For instance, the Secretary of Commerce who selects the group whose task it is to reach agreement on a voluntary standard, could readily choose consumer representatives who believed that compulsory Federal standards would be best. These consumer representatives could then thwart the voluntary procedures because an affirmative three-fourths vote of the group is required. Simply by voting "No," the consumer representatives—who apparently would constitute one-third of the group—could defeat any voluntary standard and leave the agencies free to push ahead with compulsory standards.

Clearly visible through the sugar-coating are tough, arbitrary, and far-reaching Federal powers to prescribe by regulation the sizes and weights in which consumer products can be produced and packaged. These unique powers can be invoked against the law-abiding, conscientious producer whenever a Government agency determines that a product is being distributed in such different sizes that they are likely to impair the ability of consumers to make price-per-unit comparisons.

Even if the baffling ambiguities in these subsections were eliminated, even if the administration of the law were a model of justice and restraint, even if its voluntary aspects were not in fact ultimately compulsory, the effects would still be so appallingly harmful to consumers that the public would rebel in disgust.

One example will illustrate the baleful potential. We have carefully chosen as reasonable and realistic an example as we could. Company A produces potato chips. It has a good product. It is reasonably priced. It is honestly and fairly marketed. Its big seller is a 12-ounce package, a size chosen after unhappy experiences with other sizes, and on the basis of extensive research in its marketing area. The package has found a good market. It has loyal customers. Many prefer it because they like the 12-ounce size. It provides enough so the housewife is not always running out, but not so much they get stale.

Now comes a Federal agency, in this case the Food and Drug Administration, intent on rescuing the American housewife from a sea of confusion. It determines, under section 5(d), that potato chips are being marketed by all producers in so many different sizes that they are likely to impair the ability of consumers to make price-per-unit comparisons. Thus, it invokes the procedures of section 5(e), (f), and (g). The "voluntary" nature of some of these procedures—the product standard procedures of the Department of Commerce—is illusory for they can be readily converted into mandatory Federal regulations. The clearly possible result of the agency's efforts could be a regulation requiring potato chips to be packaged in 4-, 8-, 16-, and 24-ounce sizes—and in no other sizes. The 12-ounce package would then be banned.

In this "voluntary" way, company A would have to discontinue its successful 12-ounce package and switch to an 8- or 16-ounce package. It would have to convert its packaging line and machinery to the new sizes—at an appreciable cost (one witness testified that a new packaging line could cost up to $400,000). And the cost inevitably would be reflected, in some measure, in the price of the product. Furthermore, the firm would now have to compete against the 8- and 16-ounce packages of other producers who have been building markets and customer loyalty at these weights for years. Thus, is must seek sales on terms chosen by its competitors, but with the added handicap of higher costs and higher prices imposed by Federal regulation. It is not hard to foresee that company A could be severely, if not fatally, damaged, through no fault of its owners, managers, or employees. This is the potential harm which the language of the bill can inflict on producers in many fields.

The consumer who preferred the 12-ounce package of potato chips—because it contained the right amount, or because the package fit conveniently on her kitchen shelf, or for whatever rational or irrational reason—is out in the cold. She must forgo her desires. She must accept the size her Government thinks is best.

And yet, even despite such problems, the bill will not assure any improvement in the consumer's ability to make price comparisons. This is so because the price is set, not by the producer, but by the retailer—and set wholly outside the scope of this bill. Nothing in the bill requires even the posting of a price.

Consider, for illustrative purposes, two Government-standardized 8-ounce packages of different brands of potato chips. The retailer can price the first of these brands at two for 17 cents, and the second at three for 25 cents. The consumer's ability to make a price comparison would still be impaired unless she has the arithmetic ability to calculate that the price difference is one-sixth cent per package. It is, of course, a fundamental tenet of the advocates of the measure that such computations exceed the housewife's competence.

These provisions of the bill are a fuzzy, foolish, and futile attempt to help the housewife, who does not need the Government to decide for her what size package she can buy. This aspect of the bill will have myriad harmful effects. It will reduce competition, infringe on the consumer's freedom of choice, increase costs and prices, and confer on Federal officials virtually unrestrained power over critical aspects of trade.

These provisions of the bill reflect one of two views—both profoundly distasteful—that our citizens are gullible, incompetent, uncomprehending, and irresponsible, or else that the American businessman is deceitful, exploitative, or corrupt. It is an approach that regards our people, particularly the housewife-consumer, as childlike and helpless; so confused that she requires the benevolent but firm guidance of a wise government in Washington. This approach is demeaning, and in relation to business, morbid.

The American people, most of all the sensible, prudent, economical housewife of 1966, is not and never will be ready for "1984." I agree with the man who declared, "The consumer is no idiot, she's your wife." I also believe that deliberate malfeasance in the marketplace is very much the exception, not the rule. These provisions conveying extraordinary and excessive powers must be stripped from the bill.

That is the purpose of my amendment No. 572.

If it is adopted, I shall consider the bill, with its strengthened labeling provisions, a good bill and shall support it. If the amendment is defeated, I believe that the bill is a bad bill, the effect of which would be to enable bureaucracy to flex its muscles and to establish autocratic power of a Federal agency in the marketplace. I shall oppose it unless I am convinced that the House of Representatives either will remove these provisions or defeat the bill.

Mr. GORE. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. GORE. Will the Senator inform me by what committee vote the bill was reported?

Mr. MAGNUSON. The bill was reported by a vote of 14 to 4. There were some amendments to the bill. The most important amendment was the amendment offered by the Senator from New Hampshire. The Senate will vote on that amendment next week. The amendment applies to one section of the bill. I believe that the vote was very close on that amendment. However, when the bill was reported, the vote was 14 to 4.

Mr. COTTON. Will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. COTTON. I observe to the Senator from Tennessee that the crucial vote was not had on reporting the bill, but on the amendment to which the distinguished senior Senator from Washington referred. That vote was 11 to 7.

Mr. GORE. It is fair to conclude then, I take it, that the matters of contention with reference to the consideration of the bill will likely be on amendments rather than on passage of the bill.

Mr. MAGNUSON. That would be a fair statement. As I have pointed out before, this is a very important and complex bill. It deals with a great segment of our economy. It is probably the most important consumer bill that Congress has ever considered. It is good that there are some differences of opinion. However, I say to my friend, the Senator from New Hampshire, that the question mainly concerns the problem of which would be the most practical approach to a solution of this problem.

We desire to enact a law which can be administered simply and still achieve the basic goals of the Fair Packaging and Labeling Act, so that a housewife can easily make comparisons and know what she is buying and that she is receiving what she pays for.

There was very little disagreement in the committee about the objectives of the bill. The disagreement concerned the best practical solution to the problem.

Mr. PROUTY. Mr. President, the bill, S. 985, has been reported only after the most serious and lengthy consideration by the Committee on Commerce. Such a bill deserves no less than that.

The bill contains much that is good. I voted to report it to the Senate but with reservations, however, about some of its provisions, particularly portions of section 5. I voted to delete those provisions and, failing that, voted to modify them. I shall continue my opposition to them on the floor.

There is no member of the Senate committee who does not agree with the policy statement in section 2 of the bill, which reads, in part: "to assist consumers and manufacturers in reaching these goals in the marketing of consumer goods."

"These goals," of course, meaning "efficient functioning of a free economy" and "enabling consumers to obtain accurate information as to the quantity of the contents of packages" and "facilitating price comparisons."

These are worthy objectives. Without reservation I support them. With reservation, I think the committee has met them.

The hearings on S. 985 were thorough and revealing. They contain references to some pet peeves and personal irritants which anyone can find with any function of life, including supermarket shopping. Unfortunately, many of these little irritants have been used as justification for the proliferation-of-agencies provisions of this bill. By and large, however, the hearings did develop certain characteristics of present marketing practices which need correction or at least attention by both the Congress and industry.

For example, testimony was replete with concern over inadequate labeling; certain uses of "cents off" promotions; "giant quart" designations; fractional ounces and "economy" sizes which are not so in fact. Practically without exception, consumer groups and independent witnesses and, I expect, the wives and female constituents of every Member of the Congress had complaints and, in my view, justifiable ones about certain of these practices.

Our committee was, therefore, confronted with clear problems. We possessed our policy statement as a guide with which to seek a remedy. We had, then, only to employ a remedy with which to solve these problems within the framework of the policy statement. With S. 985 as it is reported, we are halfway toward that goal; floor amendment of the bill can complete our work.

Since I have differed with the committee majority on part of this bill, I shall discuss briefly its main provisions.

Section 3 limits the application of the provisions of this bill to certain links in the chain from producer to consumer. The retailer and his pricing of his wares is not intended to be the subject of the bill. He is properly removed from it in this section. The problems developed at the hearings went to manufacturing and distributing practices—labeling and packaging—and it is to these elements of marketing to which section 3 is properly directed.

Section 4 is designed to provide the shopper with a label which will identify the product for her clearly and which will provide an unmistakable identification of the package and its contents. This provision, it seems to me, is the single feature of this bill which will be of the greatest benefit to all concerned, and it does not, I am sure, run counter to the maintenance of efficient manufacturing sales and merchandising practices of industry.

Section 5 of the bill cannot be considered as a single entity in a discussion of the merits of this legislation. It contains at one and the same time, the essence of good legislative practice and the curse of Adam inherent in Great Society legislation; proliferation and escalation—a geometric progression and extension of Executive power.

Subsection (a) of section 5 designates the agencies which will, quite properly, administer the matters contained in the bill.

Subsection (b), again quite properly, permits the "promulgating authority" to make certain exemptions from the requirements which it may determine to be necessary under the terms of the legislation. This is simply a recognition that circumstances and situations do change.

Subsection (c) of section 5 of the bill is, with the labeling requirements of section 4 of paramount importance in the effort to satisfy the problems raised at our hearings. It does, and I think effectively, provide for regulation of those marketing practices which the hearings demonstrated to need most urgent attention: relative size designations—small, medium, and large comparisons—the size and number of servings contained in some food packages, the "economy size" designation when in some instances savings may be negligible or even nonexistent.

Subsection (c) also permits regulation of the "cents off" promotion practice with which the witnesses as well as members of the committee seem to have had a great amount of difficulty.

Had the substantive bill stopped there, it would have been a highly commendable piece of legislation. It would have served the needs of the consuming public as evidenced by the hearings. It would have been a bill of which our committee could have been quite proud.

Subsections (d), (e), (f), and (g) of section 5 contain the matter which causes my differences with the majority of the committee to be very real and pronounced. Simply stated, these sections provide for standardization of packaging throughout the American marketing system. It is obviously of no significance to deny this import of the bill by saying that the words "package size" do not appear in the power granted under these subsections. The promulgating authority does, under these sections, possess the power to standardize and control the number of types of packages which may be used by the manufacturer and distributor. And, this power is his all to no good purpose, for the entire effort to regulate package sizes can immediately be nullified when those exempt from this act exercise their perfectly proper pricing functions.

Those subsections might possess some redeeming factor if they would accomplish any legitimate purpose at all. Of course, they will provide jobs for a certain few. So do many other Federal programs. But, in light of the policy statement in this bill and the reasons for the legislation, job creation is not a legitimate exercise of the legislative process in this instance.

I can think of nothing less imaginative or more dull than the results of the close regimentation of commercial packaging as these sections of S. 985 contemplate. I hold no particular brief for the esthetic qualities of packages of dry cereal or soap powder.

At the same time, I do not look forward to the day when Washington decides, however, sincerely, that my wife and I can buy potato chips only in a bag big enough for a family of 10 healthy children simply because there were prior to that decision, too many sizes available on the market.

This, indeed, is precisely the reason offered in defense of these subsections of section 5 of the bill—too many different sizes of bags of potato chips. The very best that can be said about these subsections is that they are frivolous. The very least that can be said in their favor is that they represent the continuous thread in Great Society legislation: That each bill must contain proliferation of jobs and agencies and power or it is not worth reporting for floor action.

Mr. President, the most unfortunate aspect of this legislation is the certain contribution which these provisions in section 5 of the bill will make to the destruction of competition in the American marketplace. The ultimate victim of a lessening of competition will not be American industry or American commerce. Indeed, it will be the consumer who will suffer from regimentation of our commerce.

These parts of section 5 contribute significantly to a recognizable pattern of control of the marketplace.

They should not be permitted to remain in this bill.

GULF OF TONKIN RESOLUTION

Mr. SIMPSON. Mr. President, I should like a few moments this afternoon to address myself to a subject which concerns the credibility of the administration and the administration's spokesmen on the question of the war in Vietnam.

I ask unanimous consent that materials relevant to the subject to which I shall allude be printed in the RECORD at the conclusion of my remarks. These include a copy of Public Law 88-408, the text of a press briefing by Defense Secretary McNamara dated August 5, 1964, and the text of the Defense Secretary's news conference of the same date.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SIMPSON. Mr. President, without opening a discussion into the legality of the American involvement in Vietnam, it can be stated that the so-called Gulf of Tonkin resolution (H.J. Res. 1145) signed into law by the President on August 10, 1964, is an important element of our position there.

As will be recalled, this resolution was introduced, considered in committee, and passed by the Senate and the House with the greatest of speed during the last presidential election year, and its tenets have been invoked countless times in the continuing discussion of the war in southeast Asia.

As is equally self-evident, the resolution is predicated upon the premise that there were unprovoked attacks upon American ships on the high seas on August 2 and 4, 1964. Repeated statements have been made by numerous administration spokesmen to the effect that these attacks were, in fact, unprovoked and occurred somewhere between 15 and 60 miles from North Vietnamese territorial waters and were a "serious threat to international peace."

I was surprised to read in the transcript of the May 9 hearings before Senator FULBRIGHT's Foreign Relations Committee, during which Secretary of State Rusk was under questioning, that there is apparently some question in the mind of the chairman as to the validity of these major premises.

According to the transcript, which is borne out by a tape recording I have of the proceedings, the junior Senator from Arkansas said, after recounting briefly the history of the Tonkin Gulf resolution, that since the hearings on the resolution, "there has come to my attention suggestions that the whole affair was very questionable as to the character of the attack upon our ships on the high seas."

The Senator then went on to deliver what I would construe to be an assertion that the resolution was intended "to inflame everybody" in the middle of a campaign for the Presidency.

Senator FULBRIGHT continued in his delivery by alluding to the "allegation" by the administration that "this was a deliberate and unprovoked attack on our ships upon the high seas."

So that there will be no question of the context in this matter, I read now from pages 923 and 924 of a committee print of the hearings. Senator FULBRIGHT is speaking:

> The whole thrust, I think you will admit, of the Tonkin Gulf resolution was there had been an attack on the high seas on our ships, and the language you insist now as being of great significance was more or less like a whereas to any other resolution. It was a statement of general principles. It was not then considered, I do not believe by anyone, and it certainly was not for me, and I have already publicly apologized for my negligence in not having much more thorough hearings on that resolution, because since that time there has come to my attention suggestions that the whole affair was very questionable as to the character of the attack upon our ships on the high seas.
>
> It is very easy to inflame anybody, particularly in the middle of a campaign for a Presidential election by stating that there has been an attack on the high seas on one of our ships. That was the whole purpose of that resolution. Certainly everyone agrees we ought to repel an unprovoked, deliberate attack upon our ships on the high seas where they had a right to be.
>
> Any suggestion at the time that this might have been a deliberate provocation on our part to invite the incident or that we had been inside the territorial waters of North Vietnam in connection with some boats of South Vietnam, and all of that was brushed aside in the emotions that naturally arose from an *allegation* by the Administration that this was a deliberate and unprovoked attack upon our ships upon the high seas, and I think you have to admit that was the main thrust.

Now, Mr. President, in my view, this is a most serious matter because the chairman of one of the Senate's most powerful and influential committees, a committee which is playing a great role in shaping public opinion in regard to the war in Vietnam, would seem to have suggested that there was chicanery on the part of the Democratic administration during an election year and in regard to a matter of the gravest international import.

I have taken the liberty of reading some of the past Senate debate on these matters and I would like at this point to read into the RECORD a brief chronology of events.

Mr. President, as I have said, the attacks upon our ships occurred on the 2d and the 4th of August 1964. Upon that point there is no dispute. On the 4th of August, the President went on national television during prime time to announce that "renewed hostile actions against U.S. ships on the high seas in the Gulf of Tonkin have today required me to order the military forces of the United States to take action in reply."

At about midnight that night, Secretary McNamara held a press conference in which he announced that "our destroyers have undergone two deliberate attacks in international waters."

That same day at a press briefing, Secretary McNamara again asserted that "North Vietnamese surface vessels attacked U.S. destroyers operating on routine patrol in international waters in the Gulf of Tonkin."

On August 5 the President requested the resolution on which hearings were held in executive session the following day.

On that day, August 6, the measure was reported out by the joint Senate committee. It passed the Senate 82–8 on August 7, on which date it also passed the House. It was signed into law on August 10 to become Public Law 88–408.

The resolution says, in part:

> Naval units of the communist regime in Vietnam . . . have deliberately and repeatedly attacked United States naval vessels lawfully present in international waters.

A report submitted by the junior Senator from Arkansas to accompany Senate Joint Resolution 189—the Senate version of the resolution—referred to the unprovoked attacks by North Vietnam on United States forces in international waters.

The Senator from Arkansas, in Senate debate on this resolution August 6, defended the American response to the attacks and the points of fact in regard to them in a forceful and eloquent manner. He told the Senate that he recommended "the prompt and overwhelming endorsement of the resolution now before the Senate"—the Tonkin Gulf resolution—and he went on to assert that "the facts on the immediate situation are clear."

In recounting the attacks of August 2 and 4, the Senator noted that both attacks occurred without provocation and that they occurred in international waters. He went on to say that "the action taken by the United States was appropriate as policy as well as justifiable in law."

But later, doubt enters the record.

During Senate debate on March 1 of this year in the context of discussions of the supplementary military and procurement authorization, the junior Senator from Arkansas is quoted, on page 4201, as saying in regard to the Tonkin Gulf incident:

> We were told it was an unprovoked attack. In other words, we had not done anything which could properly be considered as provocation. . . . I had no reason to doubt the factual situation.

Further on in that debate, on page 4207, Senator MORSE is quoted as saying:

> I judge from the way the Senator from Arkansas has expressed himself that he is not too sure just exactly what happened at Tonkin Bay.

In any event, Mr. President, it is, in my view, a most serious business when doubt is cast upon the basic facts of an international incident which triggered a Senate resolution giving the President of the United States carte blanche authority in dealing with a war situation.

If I have read correctly the comments of the Senator from Arkansas, sometime prior to the hearings of May 9, the Senator has come into possession of what he considers to be evidence that events in the Gulf of Tonkin did not occur quite as the administration has stated.

Let me stress here that I do not know from firsthand knowledge precisely what happened at the Gulf of Tonkin, but official reports and statements, which are, to the best of my knowledge, the only credible account of the events, suggest that our ships were attacked in international waters. The question of provocation would, I suppose, depend upon who is on the receiving end, but I have neither seen nor heard—and I have been a party to briefings by the Secretaries of State and Defense on this matter at the White House—any evidence which would obviate the commonly held premise that our ships were attacked in international waters without provocation.

Let me make crystal clear at this point that on the basis of my past experience with the administration, I am certainly not wedded to the idea that everything the administration says is to be accepted at face value. Although I am inclined to accept the White House version of Tonkin Gulf, I will certainly acknowledge that utter candor is not a hallmark of this administration.

On the basis of the Senator's statement of May 9 and the already well-known position of the administration, it would seem that there is a fundamental conflict of views. This conflict is in the facts of an international incident from which came an extremely important document that is the basis for many of the administration's prerogatives in Vietnam.

If the Senator from Arkansas has unearthed evidence or has found a body of fact contrary to the official version of the Tonkin Gulf attacks, then this is a matter which is extremely important to a nation which is struggling to fully comprehend the history, the implications, and the extent of our commitment in Vietnam.

In all respect to the Senator's high position as chairman of the Committee on Foreign Relations, I call upon him to explain fully the nature of his statement during the hearings of May 9. If the Senator has or can acquire the evidence to substantiate his statement, then it would, in my judgment, be in the national interest to fully pursue this matter with hearings, investigations, or public disclosures so that light can be cast into an area in which darkness may now prevail.

Mr. President, as I was preparing to speak I received a letter from the distinguished Senator from Arkansas [Mr. FULBRIGHT] in which he tells me the subject was examined in detail with representatives of the Department of Defense in executive session on May 24, 1966, and "I would be delighted to have you examine the transcript of that meeting." I shall examine that record and I shall ask that the relevant portions of it be made public in answer to the questions I have raised.

EXHIBIT 1

H. J. RES. 1145

[Public Law 88–408, 88th Cong. Aug. 10, 1964]

Joint resolution to promote the maintenance of international peace and security in southeast Asia

Whereas naval units of the Communist regime in Vietnam, in violation of the principles of the Charter of the United Nations and of international law, have deliberately and repeatedly attacked United States naval vessels lawfully present in international waters, and have thereby created a serious threat to international peace; and

Whereas these attacks are part of a deliberate and systematic campaign of aggression that the Communist regime in North Vietnam has been waging against its neighbors and the nations joined with them in the collective defense of their freedom; and

Whereas the United States is assisting the peoples of southeast Asia to protect their freedom and has no territorial, military or political ambitions in that area, but desires only that these peoples should be left in peace to work out their own destinies in their own way: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

SEC. 2. The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

SEC. 3. This resolution shall expire when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, except that it may be terminated earlier by concurrent resolution of the Congress.

Approved August 10, 1964.

LEGISLATIVE HISTORY

House Report No. 1708 (Committee on Foreign Affairs).

Senate Report No. 1329 accompanying S.J. Res. 189 (Committee on Foreign Relations).

CONGRESSIONAL RECORD, volume 110 (1964):

August 6: Considered in Senate.

August 7: Considered and passed Senate, in lieu of S.J. Res. 189.

August 7: Considered and passed House.

NEWS CONFERENCE OF HON. ROBERT S. MCNAMARA, SECRETARY OF DEFENSE, THE PENTAGON, WEDNESDAY, AUGUST 5, 1964

Secretary MCNAMARA. Earlier tonight the President told the nation the United States would take appropriate action to respond to the unprovoked attacks on U.S. naval vessels by torpedo boats of North Vietnam. I can tell you that some of that action has already taken place. U.S. naval aircraft from the carriers *Ticonderoga* and *Constellation*, these carriers operating in the Gulf of Tonkin where our destroyers had undergone two deliberate attacks in international waters, have already conducted air strikes against the North Vietnamese bases from which these PT boats have operated. Our naval aircraft have also conducted strikes against certain other targets which have directly supported the operation of the PT boats. Furthermore, in view of the unprovoked attacks the deliberate attacks in international waters on U.S. naval forces, the United States has taken the precaution of moving substantial military reinforcements to Southeast Asia from our Pacific bases.

In addition we are also sending reinforcements to the Western Pacific from bases in the United States. I think you can understand it is not wise at the present time for me to identify these forces or to list the detailed strength of these movements, but I can assure you that the movements are appropriate to the provocation.

Now I would like to review briefly in chronological order of the unprovoked attacks which took place today, August 4th, on our vessels operating in international waters in the Gulf of Tonkin.

You will recall that the destroyer *Maddox* operating in those waters on Sunday, was attacked by three PT boats. The President instructed us to add the destroyer *Turner Joy* to the patrol being carried out by the *Maddox*, and since that time the two vessels have operated on patrol in those waters. You'll see their course on this map.

Here is the southern portion of China, the coast of North Vietnam, down to the 17th parallel, below which, of course, is South Vietnam. This is Hainan Island, possessed by Communist China. The course of our destroyers is here, operating 30, 40 to 60 miles off the coast of North Vietnam in international water, moving southward.

At 7:40 P.M., August 4th, 7:40 P.M. local time, Vietnamese time, August 4th, the *Maddox* at about this position (indicating) reported radar contact with unidentified surface vessels who were paralleling its course, paralleling the track of both the *Turner Joy* and the *Maddox*.

At 8:36 P.M., by which time it was about in this position (indicating) the *Maddox* established two new radar contacts with two unidentified surface vessels and three unidentified aircraft. At this time U.S. fighter aircraft were launched from the carrier *Ticonderoga*, which was also operating in the Gulf of Tonkin. These fighter aircraft were launched to rendezvous with the *Maddox* and *Turner Joy*, and provide air cover to them.

At 9:08, by which time the *Maddox* and *Joy* had advanced south to approximately this point (indicating), the unidentified aircraft had disappeared from the destroyers' radar screens and the surface vessels were remaining at a distance. By that time, the aircraft from the USS *Ticonderoga* had arrived over the destroyers and they commenced defensive patrol over them.

By 9:30, the destroyers were at this point (indicating) and at this time the initial attack occurred. Additional vessels had by now appeared on the *Maddox*'s radar screen, and these vessels were observed to close very rapidly on the destroyers at speeds in excess of 40 knots. The attacking surface vessels continued to close rapidly from both the west and the south.

By 9:52, the *Maddox* and the *Turner Joy* had continued south to approximately this point (indicating), and they reported they were under continuous torpedo attack and were engaged in defensive counterfire.

By 10:15 they had advanced approximately to here (indicating). They were reporting they were avoiding torpedoes and that they had sunk one of the attacking patrol craft.

At 10:42, the destroyers reported they had evaded additional torpedoes and had sunk a second of the attacking patrol craft. Other aircraft from the *Ticonderoga* had arrived overhead and joined the defensive patrol.

At 10:52 the *Maddox* reported the destroyers were again under attack. At midnight, by which time the vessels were in this position (indicating), the destroyers reported they had suffered no hits, no casualties, and that the defense aircraft from the *Ticonderoga* were illuminating the area and attacking the enemy surface craft.

At 12:32, at which time they were at this point (indicating) the patrol reported that an additional enemy craft was believed to have been sunk, and that low ceilings, poor weather, was beginning to hamper the aircraft operations.

At 12:54, the *Turner Joy*, one of the two destroyers, reported that during the engagement, in addition to the torpedo attacks, the destroyer had been fired upon by automatic weapons while being illuminated by search lights.

At 1:30 a.m., by which time the destroyers were in this position (indicating) they reported the attacking craft had apparently broken off the engagement. The *Maddox* and *Turner Joy* were directed to resume their normal and routine patrol operations, and they are continuing them at the present time.

Now, I will endeavor to answer your questions.

Question. Sir, was there anything else ever seen or heard from the unidentified aircraft?

Secretary McNamara. No. The unidentified aircraft did not participate in the attack and at this moment, we have no further information regarding them.

Question. In which direction did they disappear?

Secretary McNamara. I can't tell you. There was no further information on them.

Question. Can you name the bases in North Viet Nam that were attacked?

Secretary McNamara. No. I cannot.

Question. Will you name them before the Communists do?

Secretary McNamara. We will name them at a time appropriate to the safety of our forces. It would be inappropriate to name them at this time. The attack is continuing at present.

Question. Can you tell us how many bases?

Secretary McNamara. No. Until such time as the attack is completed, it would be unwise to comment further or to identify the areas being attacked.

Question. Can you tell us if the attack is currently underway?

Secretary McNamara. It is currently underway.

Question. You made a distinction between North Viet Nam and certain other support facilities?

Secretary McNamara. I simply wanted to distinguish between patrol craft bases themselves and certain supporting installations which might be separated geographically from the mooring points of the craft but in North Viet Nam.

Question. There is no question that we attacked any other place but North Viet Nam?

Secretary McNamara. None whatsoever.

Question. Can you say if we are attacking Hanoi?

Secretary McNamara. We are not attacking Hanoi. We are attacking only the patrol craft bases and certain associated logistical facilities.

Question. In that area?

Secretary McNamara. Not in the area of Hanoi. But in North Viet Nam.

Question. The same area as the patrol craft?

Secretary McNamara. In the same area as the patrol craft are moored but separated physically from the mooring point.

Question. Mr. Secretary, can you tell us when the attack has been completed, what orders the entire group has in this area?

Secretary McNamara. We will only be able to tell you such information as will not reveal future plans or in any way jeopardize our future operations.

Question. What I mean is, will they go back to the standing orders which they had?

Secretary McNamara. It will depend on circumstances at the time.

Question. Mr. Secretary, has the alert status of the United States forces around the world been increased?

Secretary McNamara. Only such units are being alerted for reinforcing moves.

Question. Has there been any long range alerts to any portion of defense industrial base at all?

Secretary McNamara. No, none.

Question. Sir, were all the attacks from the two carriers?

Secretary McNamara. Yes. The only aircraft participating in the strikes are aircraft from the *Ticonderoga* and the *Constellation*.

Question. You, I think, said that the carriers were in the Gulf of Tonkin?

Secretary McNamara. Yes.

Question. They have moved up. They are shown as being outside.

Secretary McNamara. The *Ticonderoga* is essentially in the Gulf area and the *Constellation* has been moving in this direction.

Question. Sir, will this be one strike or several strikes?

Secretary McNamara. There are obviously more than one aircraft from each carrier participating in it, but it is basically one strike, unless there are further unprovoked attacks on our vessels.

Question. This is just a retaliatory strike, then?

Secretary McNamara. I simply want to leave it as I said it.

Question. Can you describe the weapons or type of aircraft being used?

Secretary McNamara. No, they are typical aircraft from attack carriers.

Question. Do you know whether the strike has been successful at all?

Secretary McNamara. I am sure it will be successful.

Question. Can you tell us whether they have encountered any aircraft opposition or any interdiction by air?

Secretary McNamara. The strikes are continuing so I can't give you any progress report on it.

Question. How many aircraft are involved on our part?

Secretary McNamara. The aircraft from two attack carriers.

Question. No numbers?

Secretary McNamara. I can't give you any more information.

Question. The presumption is conventional weapons.

Secretary McNamara. Yes. Not only presumption, but that is the fact.

Question. What did CIC radar show the course of the three unidentified aircraft to be from? Hainan?

Secretary McNamara. We don't have any report on the course of the aircraft.

Question. How many casualty reports on the strikes?

Secretary McNamara. There have been none so far. There have been no casualties so far.

Question. What time was the strike launched?

Secretary McNamara. I prefer not to give you the exact time of launch.

Question. Were the aircraft from the *Constellation* involved in the operation of the *Maddox* and *Joy*?

Secretary McNamara. Yes. This is a question I should clarify for you. I may not have made it clear. The question is were aircraft from the *Constellation* involved in the protective cover during the attacks on the two destroyers August 4th, and the answer is yes. The *Constellation* and the *Ticonderoga* alternated in providing air cap for the destroyers on the 4th.

Question. Mr. Secretary, I am sure there is no doubt in your mind that these PT boats came from, in fact, North Vietnam?

Secretary McNamara. There is none. The radar made it quite clear that they were coming from North Vietnamese bases.

Question. Mr. Secretary, can you tell us the distance over which this engagement occurred? Is it about 60 or 65 miles?

Secretary McNamara. These are about 60 miles square (indicating) so you can see during this period of time from 7:40 when there was an indication that an attack was imminent, until some time around midnight, to 1:30, when it terminated, they covered a distance of something on the order of 80 miles.

Question. Mr. Secretary, can you give us the basic reasons for the Gulf of Tonkin patrol?

Secretary McNamara. It is a routine patrol of the type we carry out in international waters all over the world.

Question. Does it have anything to do with movements of junks or whatever it is back and forth?

Secretary McNamara. No. It has no special relationship to any operations in that area. We are carrying routine patrols of this kind on all over the world all the time.

Question. Mr. Secretary, do you have any idea why the North Vietnamese may have done this?

Secretary McNamara. None.

Question. Mr. Secretary, you mentioned that the destroyer at one point was under attack by automatic weapons. Does that mean both destroyers, or just the *Maddox*?

Secretary McNamara. The report was, I believe, that both destroyers had been attacked by automatic weapons.

Question. Mr. Secretary, have we picked up any survivors?

Secretary McNamara. No, we have picked up no survivors on either the second or the fourth.

Question. Mr. Secretary, the reinforcements moving from the Western Pacific and the Coast, are they of all services?

Secretary McNamara. Yes.

Question. Mr. Secretary, has SAC and Air Defense Command been placed on an increased alert?

Secretary McNamara. No, it has not.

Question. Mr. Secretary, can you tell us when this attack, this strike, may be over, or when we may expect further details?

Secretary McNamara. I would think that you might expect some further details tomorrow morning.

Question. Have there been any casualties, any damage, anything whatsoever with American Forces?

Secretary McNamara. There have been no casualties to American forces, either sea or air, and no damage to American forces to date, either sea or air.

Question. That includes the current air strike?

Secretary McNamara. Yes, but as I point out, the current air strikes are not completed yet.

Question. Has there been opposition?

Secretary McNamara. I cannot report on that until we get the full mission report which we don't have at the present time.

Question. What is the closest, roughly, that the attacking craft have come to the *Maddox* and *Joy*?

Secretary McNamara. We have had reports of torpedoes 100 and 200 yards off the beam of the ships. I can't tell you how close the attacking craft came to the vessels, although if they were firing automatic weapons they must have been closer than 800 yards at a minimum.

Question. Who opened fire first?

Secretary McNamara. It was quite clear that the PT boats initiated the attack.

Question. When was the last time that there were destroyers up there in the Tonkin Gulf?

Secretary McNamara. I prefer not to answer the question other than to say that we have been carrying on routine patrols in that area for months.

Question. How far up do you go, Mr. Secretary, before they turn back?

Secretary McNamara. I prefer not to answer that, either. We don't wish to identify the course of our operations in the area.

Question. Can you tell us what order the strike aircraft have, if they encounter interceptor aircraft in North Vietnam?

Secretary McNamara. They are to destroy any aircraft that are in a position to attack them.

Question. Do we have——

Question. On the ground?

Secretary McNamara. In the air.

Question. We have troops from the Far East Asia to—well, does that mean ground forces are being put into South Vietnam?

Secretary McNamara. No, it means we are reinforcing our forces with such additional forces we believe to be required and have placed on alert such forces as we believe to be necessary.

I don't wish to identify the types or numbers or names or locations of those forces.

Question. Can you repeat that first part about no troops in Vietnam?

Secretary McNamara. The question was: Have additional troops been moved into North Vietnam, meaning have combat units been moved into North Vietnam—I meant South Vietnam—and the answer is no.

Question. Are we hitting only shore installations, or do we move inland?

Secretary McNamara. I referred to patrol craft bases and supporting logistical installations in close proximity to but geographically separate from.

Question. Mr. Secretary, have there been any similar aggressive actions on the part of the North Vietnamese navy short of the torpedoing that we didn't bother to report before?

Secretary McNamara. No.

Question. This was the first time?

Secretary McNamara. That is right. I want to emphasize that these attacks both on Sunday and today, both on the second of August and the fourth of August, occurred in international waters. These destroyers were operating between 30 and 60 miles off the North Vietnamese coast.

Question. Can you tell us what towns, cities, or whatever on the Vietnamese coast are roughly closest or parallel to the area of attack?

Secretary McNamara. No.

Question. Not our attack but theirs on us.

Secretary McNamara. No.

Question. How far off was the 7:40 P.M.? Was that 60 miles?

Secretary McNamara. These squares are 60 miles, so this point is on the order of 65 miles, perhaps. As you can see down here, it is something a little less than that.

Question. Mr. Secretary, some of our readers will find it difficult to understand how the two destroyers were chased, and apparently from this maneuver they made, they ran from these PT boats and yet they were sufficiently—

Secretary McNamara. No, this is their course of patrol (indicating).

Question. While under attack?

Secretary McNamara. Yes, they were proceeding south.

Question. Once they were engaged they didn't turn?

Secretary McNamara. No. This is the approximate direction they moved in (indicating). Of course, they were taking evasive action during that period of time to avoid the torpedoes which were launched against them.

Question. But if they were sufficiently close to be illuminated by the PT boats, the question a reader will have is how come the destroyers weren't able to nullify the PT boats.

Secretary McNamara. They did. They sank at least two.

Question. Two out of how many, sir?

Secretary McNamara. We can't be sure. It was a night attack. We can't be certain of the total number of boats that were engaged. I will give you an estimate, just for your own information, although I can't be absolutely certain of these numbers. I would say between three and six boats were engaged in the attack, of which at least two were sunk.

Question. How did you know that?

Question. And in which they were engaged for a period of, I believe, two hours?

Secretary McNamara. Yes.

Question. How did you know they were sunk, those two?

Question. Were these sunk by destroyer fire or aircraft fire?

Secretary McNamara. I can't identify the source of the sinking.

Question. Did you use the five inch and three inch batteries? Is that all?

Secretary McNamara. The five inch batteries plus certain automatic weapons available on the destroyers were used.

Question. Mr. Secretary, the earlier statement put out said they were believed to have been sunk. Is this later information they have been sunk?

Secretary McNamara. It has been reported to us that they were sunk. This, let me emphasize, was a night action. You must expect certain restrictions in the amount of information available under night conditions. But the report to us from sources that we believe are reliable indicates that at least two vessels were sunk.

Question. Sir, are you confident that one PT boat was sunk on Sunday?

Secretary McNamara. Yes, that is correct.

Question. But is this later information that makes it more likely that they were sunk?

Secretary McNamara. Just five minutes before I came down, I received a report that they were sunk.

Question. In other words, the later information is flat?

Secretary McNamara. I just want to repeat what I said, that the report was that two PT boats at least were sunk, and a possible third. That is right.

Question. Can you tell us at all whether any of the damage was inflicted by five inch guns?

Secretary McNamara. No. This was night time. I can't identify the type of shell that caused the damage, or even the source of the damage as between destroyers on the one hand, and our aircraft on the other.

Question. Mr. Secretary, could you give us a rundown on the remaining portion of the North Vietnamese Navy? Jane's Fighting Ships says they have a total of 16 PT boats, of which I figure you have sunk now one fifth.

Secretary McNamara. I don't wish to give you our estimate of the number of North Vietnamese boats by type, for obvious reasons, but I will tell you there are two different types. One type we identify as the PT–4's. This is a patrol craft with a speed of approximately 50 knots. The other type we identify as the Swatow type, a patrol craft with a lesser speed, approximating 40 knots. We believe that both types of patrol craft were engaged in today's operation.

Question. How do you spell Swatow?

Secretary McNamara. S-w-a-t-o-w.

Question. Mr. Secretary, approximately how many hostile torpedoes were fired at our ships?

Secretary McNamara. It is very difficult to estimate. I don't wish to make a guess at them.

Question. How many do they carry, sir?

Secretary McNamara. I don't wish to approximate that, either.

Question. Has your government been in touch during today or since Sunday with the Government of the Soviet Union on those incidents?

Secretary McNamara. I would rather not discuss that.

Question. Mr. Secretary——

Secretary McNamara. One more question.

Question. I have three sunk in my notes.

Secretary McNamara. One sunk on Sunday, at least two sunk today, possibly a third sunk today, for a total of possibly four, as a possible.

Question. And the last one is a possible.

Secretary McNamara. The possible third one today which would make a four possible in total.

Question. Did you say the nearest torpedoes were about 200 yards away?

Secretary McNamara. Torpedoes were reported as passing between 100 and 200 yards abeam of the ships. One more question.

Question. Can you set something up for tomorrow?

Secretary McNamara. I will see that you are provided with whatever news we can properly release. I will either do it myself or arrange for others to do it.

Question. How about tonight?

Secretary McNamara. I don't believe there will be anything tonight. I will be receiving reports. I am going to stay in the building tonight and receive reports every half hour from CINCPAC. But I doubt that there will be anything to release tonight.

The Press. Thank you, sir.

End, 12:30 a.m.

Department of Defense Press Briefing by Hon. Robert S. McNamara, Secretary of Defense, 9 a.m., Wednesday, August 5, 1964

Secretary McNamara. As you know, on August 2nd, and again on August 4th, North Vietnamese surface vessels attacked U.S. destroyers operating on routine patrol in international waters in the Gulf of Tonkin.

In retaliation for this unprovoked attack on the high seas, our forces have struck the bases used by the North Vietnamese patrol craft. During the night, 64 attack sorties were launched from the U.S. carriers *Ticonderoga* and *Constellation* against the four North Vietnamese patrol bases and certain support facilities associated with those bases.

The points are located on this map showing the Gulf of Tonkin, South China, North Viet Nam. The first base is at Hon Gay in North Viet Nam; the second at Loc Chao; the third at Phucloi; the fourth at Quang Khe; and the fifth strike was against the Vinh oil storage depot, which is associated with the Swatow torpedo base.

The oil storage depot, which contains 14 tanks, approximately 10 percent of the total petroleum storage capacity of North Viet Nam, was 90 percent destroyed. Smoke was observed rising to 14,000 feet. In addition to the damage to the torpedo boat bases and their support facilities, approximately 25 of the boats were damaged or destroyed.

Two of our aircraft were lost, two of our aircraft were damaged, all others have been recovered safely on the carriers. The destroyers *Maddox* and *Turner Joy*, which have been operating on routine patrol in the Gulf of Tonkin, have resumed their patrol operations in international waters.

Last night I announced that moves were underway to reinforce our forces in the Pacific area. These moves include the following actions: First, an attack carrier group has been transferred from the First Fleet on the Pacific Coast to the Western Pacific. Secondly, interceptor and fighter bomber aircraft have been moved into South Viet Nam. Thirdly, fighter bomber aircraft have been moved into Thailand. Fourthly, interceptor and fighter bomber squadrons have been transferred from the United States into advance bases in the Pacific. Fifthly, antisubmarine task force group has been moved into the South China Sea. And finally, selected Army and Marine forces have been alerted and readied for movement.

I want to emphasize that the damage report which I gave to you is based on preliminary reports received shortly after the completion of operations.

Now I will take your questions and endeavor to answer them.

Question. Mr. Secretary, were the planes that we lost, the two planes, downed by ground fire, and also, was there any air action from North Viet Nam?

Secretary McNamara. The two planes we lost were downed by antiaircraft fire. There was no enemy air reaction.

Question. Mr. Secretary, can you tell us the height of the attack? How low did they come?

Secretary McNamara. Generally, the strikes were at low level.

Question. And the local times, Mr. Secretary?

Secretary McNamara. The local times ranged from on the order of Noon to 4:00 or 5:00 o'clock in the afternoon.

Question. Can you tell us, sir, how long the attack——

Secretary McNamara. These are local Vietnamese times.

Question. Can you tell us how long the entire strike lasted?

Secretary McNamara. Roughly four to five hours.

Question. How was the weather?

Secretary McNamara. Bad.

Question. Rainy?

Secretary McNamara. Low ceiling.

Question. What types of antiaircraft fire?

Secretary McNamara. There was heavy antiaircraft fire over several of the targets.

Question. Missiles?

Secretary McNamara. Guns rather than missiles.

Question. Small caliber or big caliber?

Secretary McNamara. I can't tell you the caliber other than it was heavy antiaircraft bases.

Question. Can you tell us at which of these places the planes were downed?

Secretary McNamara. No, I can't.

Question. What was the question?

Secretary McNamara. The question was at which point were the two aircraft lost. I can simply say that the heaviest antiaircraft fire was received at Hon Gay, the most northerly of the bases attacked.

Question. Is that also the largest?

Secretary McNamara. It is the largest; yes.

Question. At the torpedo bases themselves, can you describe the damage itself as light or heavy?

Secretary McNamara. It is too early to say. We will have to wait until the pilots' reports have been assessed.

Question. And the number of American casualties?

Secretary McNamara. Two. Two pilots were lost, one in each of the two downed aircraft.

Question. Are you giving out their names?

Secretary McNamara. Not until their nearest of kin have been notified.

Question. That will be sometime today?

Secretary McNamara. Yes, it will.

Question. Were they picked up?

Secretary McNamara. We believe they were lost.

Question. At sea or land?

Secretary McNamara. At sea.

Question. Will we take reconnaissance missions over there?

Secretary McNamara. We will take such action as is necessary to determine the results of our operations.

Question. How much of the petroleum supply did you say?

Secretary McNamara. Approximately 10 percent of the petroleum capacity of North Viet Nam is located at Vinh, the point that was struck. Approximately 90 percent of that 10 percent was destroyed.

Question. Are these the only four torpedo boat bases?

Secretary McNamara. These four are the main bases. With a coastline such as this, of course, the boats occasionally use other areas for staging areas.

Question. Can you tell us what percentage it is of their total fleet?

Secretary McNamara. No, I can't, except that it is a very substantial percentage.

Question. Mr. Secretary, how do you explain these attacks?

Secretary McNamara. I can't explain them. They were unprovoked. As I told you last night, our vessels were clearly in international waters. Our vessels, when attacked, were operating in this area, roughly 60 miles off of the North Vietnamese coast.

Question. There have been reports that South Vietnamese vessels were showing or taking some sort of action against North Viet Nam approximately at this time.

Secretary McNamara. No, to the best of my knowledge, there were no operations during the period I was describing last night.

Question. Mr. Secretary, what orders now for either the Seventh Fleet or for these particular units of the Seventh Fleet?

Secretary McNamara. Our orders to the commanders are to continue their patrols, to protect themselves against aggression on the high seas with whatever force is necessary.

Question. Has there been any word——

Question. Mr. Secretary, would you say this will be all that will be necessary, that the attack has met its objectives?

Secretary McNamara. Whether this is all that is necessary depends entirely on the North Vietnamese.

Question. Do you think the air strike accomplished its objectives?

Secretary McNamara. The air strike very clearly made clear to the North Vietnamese our intention to maintain our right to operate on the high seas. That was the objective. I think that has been accomplished.

Question. Wasn't the objective to wipe out the PT boat fleet?

Secretary McNamara. Our objective was to deter the PT boat fleet from further attacks on our vessels. I believe we have accomplished that.

Question. Were any attempts made, Mr. Secretary, to go after the antiaircraft batteries?

Secretary McNamara. There were no actions against the antiaircraft batteries. The attack was against the patrol boat bases and the associated facilities.

Question. Mr. Secretary, last night there were three bogies reported, three unidentified aircraft. Did we ever find out in which direction they came from?

Secretary McNamara. We have no identification on those aircraft. They did not participate in the attacks on our vessels.

Question. Sir, are there villages or towns adjacent to or linked up with these bases?

Secretary McNamara. There were no civilian centers close to the bases which were attacked last night.

Question. Mr. Secretary, could you give us the estimate of how many percent of the North Vietnamese patrol boat fleet has been destroyed or damaged?

Secretary McNamara. No, I can't estimate for you the exact percent destroyed or damaged, other than to say that it was a very substantial percentage of their fleet.

One more question.

Question. From what you say, there are no further actions of this kind going on at the moment, or planned. Is that correct?

Secretary McNamara. No operations are being carried on by our forces at the present time, other than the continuation of the routine patrol activities of the *Turner Joy* and the *Maddox*, the two destroyers which have been operating in international waters in the Gulf of Tonkin.

Thank you very much.

The Press. Thank you, Mr. Secretary.

Mr. SIMPSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

(At this point Mr. Harris, the Acting President pro tempore, assumed the chair.)

Mr. MORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FAIR PACKAGING AND LABELING ACT

The Senate resumed the consideration of the bill (S. 985) to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes.

AMENDMENT NO. 576

Mr. MORTON. Mr. President, I offer an amendment to the pending legislation which I ask to have printed.

I assure all Senators that I will not call it up until after the disposition of the Cotton amendment, which I understand is set for 4 o'clock on Monday next; but I ask that this amendment be printed, and give my colleagues notice that I may call it up subsequent to the vote on the Cotton amendment.

The ACTING PRESIDENT pro tempore. The amendment will be received and printed, and will lie on the table.

SOUTH VIETNAM REQUESTS UNITED NATIONS OBSERVERS AT ELECTIONS

Mr. RIBICOFF. Mr. President, on May 12, 1966, I introduced a resolution which reads as follows:

Resolution

Whereas the Republic of South Vietnam is actively engaged in making preparations for elections to choose a constituent assembly in a constructive effort to bring about a more representative government, and

Whereas the United States is dedicated to the principle, in the conduct of its foreign affairs, that peoples everywhere have the right to determine their own destinies through free participation in elected governments; and

Whereas the success of the promised elections in South Vietnam will depend on the assurance that they will be free, fair, and open; and

Whereas the United States has committed its resources and the lives of its men to the cause of freedom for the South Vietnamese people; and

Whereas an objective and international presence would make a significant contribution to assuring that the promised elections in South Vietnam are free, fair, and open, and thus help substantially in bringing about political stability and the establishment of effective political institutions: Therefore be it

Resolved, That it is the sense of the Senate that the President should encourage the Government of South Vietnam to seek United Nations observers for its forthcoming elections; and

That the President should call upon the United Nations to assign United Nations observers to the forthcoming elections in South Vietnam.

I am pleased to announce that United Press International reported a few minutes ago from the United Nations that South Vietnam today formally requested United Nations observers for its elections of a constituent assembly in September.

The dispatch reads as follows:

United Nations.—South Vietnam today formally requested U.N. observers for its elections of a constituent assembly in September.

The request was put verbally to Secretary General Thant by Ambassador Nguyen Duy Lien, South Vietnamese observer to the United Nations.

It was not immediately clear whether the Saigon Government wanted the world organization immediately to send observers or whether it envisaged a supervisory role for the U.N. in the elections.

A U.S. spokesman said Lien "informed the Secretary General that the Government of South Vietnam intends to hold elections for a constituent assembly in September and requested the United Nations to send observers."

He said South Vietnam would make its request in writing later.

Only last weekend, before the request was made, Thant said in Windsor, Ont., he could not see the use of U.N. supervision of Vietnamese elections "at this time."

On his return from Europe on May 5, Thant also said he saw no possibility of a U.N. supervisory role in Vietnamese elections because it would run into Soviet opposition in the Security Council.

Mr. President, I am satisfied that the President had a distinct role in urging the South Vietnam Government to make this request of the United Nations. I think this is a most important breakthrough, and very important for the future of the entire Vietnam problem.

Mr. RIBICOFF subsequently said: Mr. President, I have just talked with the President of the United States and our Ambassador to the United Nations, Arthur Goldberg, concerning the request of Saigon to the United Nations to send observers for the elections which are to take place in South Vietnam in September.

Both the President and Ambassador Goldberg told me that the proposal from Saigon for United Nations participation has their wholehearted support. It is the hope of the President that the United Nations will act on the request of the Saigon government and send observers to South Vietnam to observe these most important elections.

When the suggestion that the U.N. play a role in the South Vietnamese elections was first made by me on May 5, it was welcomed by the President. But the President was dealing with an independent government, and it was necessary for Saigon itself to make the request.

Now the request has been made. And now, of course, the problem is whether the United Nations will accede to the request of the Saigon government. In the final analysis, U Thant, Secretary General, has no power independent of the power given to him by the General Assembly and the Security Council.

The decision as to whether the United Nations will play a role in the Saigon elections will depend in large part upon the Soviet Union and France. In the forthcoming discussions, those two Nations will play the critical roles.

The Soviet Union and France have a duty not to block the request which was made by Saigon for observers at their elections.

Our Ambassador to the United Nations will have something more to say at the White House, within a few minutes, and he will also make his position known before the United Nations. But it is very encouraging that both the President and Ambassador Goldberg support wholeheartedly the request for United Nations participation in the upcoming South Vietnam elections.

It is my hope that the Secretary General will use all his influence, all his persuasive abilities, and also the prestige of his office, to prevail upon the other members of the United Nations to accede to the request of Saigon, to the end that these elections will be fair; and to the end that these elections will be of a nature which, once held, will merit the confidence not only of the people of South Vietnam but also of the people of the entire world.

For the forthcoming election of a constituent assembly affords a great opportunity. The process will have been begun which can lead to the election of a government which will truly represent the people of South Vietnam.

I noticed that the distinguished Senator from Oregon [Mr. Morse], who has been making such clear statements on this subject, whose position is so well known throughout the country and who, time and time again, has asked for United Nations participation—has just come into the Chamber.

For the benefit of the Senator from Oregon, let me repeat that the Government of South Vietnam has asked for United Nations supervision of the September election. This can be a great step forward—one which I have been urging for some time and one called for in the Senate resolution I introduced last month.

An international presence is essential if the contending groups in South Vietnam and the nations of the world are to have full confidence in the outcome of the elections. Only free and honest elections can lead to a resolution of the problems that plague South Vietnam.

I talked today with President Johnson and Ambassador Arthur Goldberg. The South Vietnamese request has the enthusiastic and strong support of the President. Ambassador Goldberg will carry the proposal to the United Nations with vigor and conviction.

Now the matter rests with Russia and France. With their support, the United Nations can play a vital role in South Vietnam. Without their support, it will be difficult. I hope that Russia responds affirmatively to South Vietnam's request and that U Thant will lend his great influence and prestige to this effort.

The opportunity is there. It is time for men of goodwill everywhere to lend their support to this endeavor.

Mr. MORSE. Mr. President, will the Senator from Connecticut yield?

Mr. RIBICOFF. I am pleased to yield to the Senator from Oregon.

Mr. MORSE. Mr. President, I had not planned on making any comment. I shall withhold my comments on certain subsequent issues until later. I comment now only because the Senator from Connecticut made reference to me.

I applaud, as he knows, his proposal for United Nations supervisions of any elections held in South Vietnam. The Senator from Alaska [Mr. GRUENING] and I have for a long time past been urging United Nations intervention into the situation in southeast Asia, and whatever elections are held there should certainly be held under United Nations supervision. I will not argue this matter now other than to file this caveat. I do not think much of whatever elections are going to be held. I think they are on their way to being a shocking fraud. I do not think they are going to be universal, and that they will be meaningless, because they will be held only in the metropolitan areas controlled by a dictator we are supporting there.

Moreover, what the Government calls "neutralism" is a criminal offense. The candidates allowed to run will have to pass a political test on this score that can only amount to a screening of candidates by the Government.

I am not impressed with Ambassador Goldberg's efforts in trying to bring the United Nations into this matter. He ought to have been making efforts to have the United Nations enforce peace there. We should be making clear to the Security Council that we are not going to wait any longer for it to enforce peace, but we are going to have to bring before the General Assembly a proposal to take over, unless the Security Council assumes its responsibility. Ambassador Goldberg has shared with the President the responsibility for not following our clear duty under the charter.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield to the Senator from New York.

Mr. JAVITS. I hail the Senator's suggestion. It is very hard for a Senator to pat himself on the back, so I would like to pat the Senator on the back for his very constructive suggestion.

I hope the President follows it up. I hope U Thant follows it up. It is true that there has been fighting there, but there was fighting in the Congo when the United Nations intervened. There have been observers on the line between Israel and Syria. We know of the heroism of the colonel who served the U.N. in Israel, who was killed. We remember that Hammarskjold was killed during a mission to the Congo.

I think, in order to complete the package, we should have an additional condition, and I hope we can get support for it from the President and others concerned, that there be an offer of a cease-fire during the election. I do not think we have too much to worry about a few Vietcong getting out of their Vietcong pajamas in which they fight into their other pajamas in order to vote. I think that such a cease-fire might be a good exercise in the direction of what we seek to achieve in Vietnam.

I hope the administration will give considerable thought to that suggestion in order to complete the package. The elections should be supervised by a disinterested international organization. I hope the United Nations will accept that responsibility, and that there will be a reasonable cease-fire. There was a cease-fire in Vietnam for a religious holiday. I think an election is a very reasonable time for a cease-fire as well.

In that way there could be a good framework for a fair election. The election is not going to be perfect. Whether good, bad, or indifferent, it will give an opportunity to let the South Vietnamese express themselves as to what they want done with their own country. The cease-fire could be unilateral. If it were so, we could suspend our operations contingent upon security considerations even if the other side did not agree, and it is quite possible that it might.

I congratulate the Senator from Connecticut on his far-sighted suggestion on the opportunity for the people to have a real chance to give expression as to what they want done with their own affairs. This is, after all, the main reason we are in Vietnam.

Mr. RIBICOFF. May I first thank the distinguished Senator for his gracious comments. I may also point out that last February I had made suggestions on Vietnam which included the President's calling for a convening of a preliminary conference on Vietnam of the parties to the Geneva accords and all those involved in Vietnam. It was my view that a cease-fire would play an important role in working toward a solution. I proposed that there should be a supervised withdrawal by both sides, with a token number of troops involved, and that every effort should be made to arrange an exchange of prisoners through the International Red Cross.

At that time the President and I had a long conversation. He pointed out that seeking this conference unilaterally would not be appropriate, since the Soviet Union and Great Britain were cochairmen under the Geneva accords and when Prime Minister Wilson the following week was to visit Moscow.

At that time the President thought he would be willing to go along with a token withdrawal of troops while we were trying to straighten out the situation. He said at that time we would be willing to discuss the problems of Vietnam with representatives of all those involved in Vietnam, and that there was a role for an international organization to take.

So I can understand the disappointment expressed by the Senator from Oregon. The truth is that the Senator from Oregon has from the beginning urged that there should be a role for the United Nations. I think many people have joined the Senator from Oregon in their disappointment that the United Nations has not participated.

But the fact that the United Nations has not participated in the past does not mean that we should not do everything we can to get it to participate in the future.

I am pleased that Saigon has requested the United Nations to start taking a role, because this is a beginning. I am also pleased that the President gives his wholehearted support to the request.

We all know that Ambassador Goldberg does not make policy by himself. The policy of the U.S. Ambassador to the United Nations is a policy made by our Government. His duty is to carry out that policy. I think we must make sure that it is known who made the first move. Saigon is now asking for a United Nations role. The whole world must look now to the Soviet Union and France, because the Soviet Union and France have an obligation in the days ahead. If they are sincere in wanting a proper and just solution to the South Vietnamese crisis, they, as members of the Security Council, will not use their influence to defeat a proposal for United Nations participation in the elections to be held. Because if the elections held are fair elections, I think we will be in a position to start making real progress in the entire South Vietnamese conflict.

Now I think the world's attention should be centered on the Soviet Union. The Soviet Union has an obligation to answer to the entire world as a member of the United Nations. There is no question that if the Soviet Union backed up the President of the United States and recognized that there is a role for the United Nations to play in South Vietnam, we could begin to move more quickly toward a resolution of the conflict in South Vietnam that has greatly concerned the world.

So I am pleased the President is backing the proposal. I am pleased Ambassador Goldberg will bring it before the United Nations. I hope U Thant will agree that there is a United Nations role involved, and I pray that France and the Soviet Union will agree.

Mr. JAVITS. I gather that the Senator agrees that there should be a cease-fire during the election period.

Mr. RIBICOFF. It will be difficult to hold fair and impartial elections with a war in process. With a cease-fire in effect, all candidates and all parties could conduct a fair campaign, and there would be an opportunity for all candidates and parties to present their case. And I might add that I am sure if all parties and all candidates were able to present their case to the people of South Vietnam, the United States would abide by the results of the elections.

Mr. JAVITS. I was going to make the suggestion that any cease-fire should be tied in with whatever security requirements were necessary.

Mr. RIBICOFF. That is an absolutely necessary condition. We may hope that once the United Nations gets involved, we can have a cease-fire, and that there will be fair and proper elections. Perhaps then the cease-fire could be extended, while we were trying to work out a resolution of the situation in Vietnam.

Mr. JAVITS. From our point of view, it is best to let the people decide. When the people have decided, then our mission, for all practical purposes, will have been accomplished—so long, of course, as they are permitted to implement their decision in peace. We may have to fight for the purpose of implementation afterward, but that ground is sounder than the ground on which we now stand.

Mr. RIBICOFF. The Senator from New York and I are in agreement.

Mr. JAVITS. I agree with the Senator from Connecticut that the Soviet Union is involved in this situation up to its armpits, and the world has not recognized that. We know that detente should be their first priority, as it was with Khrushchev. It is not now their first priority. Now their first priority is beating the Communist Chinese for the leadership of the Communist world.

I join the Senator from Connecticut in the hope that the Soviet Union will be made to see the light by the impact of world opinion. As we have seen many times, world opinion has an effect upon the Soviet Union.

DIVERSION OF WELFARE FUNDS OF LABOR UNIONS IN NEW YORK

Mr. McCLELLAN. Mr. President, the Senate Permanent Subcommittee on Investigations last year held hearings on the diversion of approximately $4 million from the welfare funds of two labor unions in New York, the Allied Trades Council and Teamsters Local 815. The hearings disclosed that the funds had been diverted to so-called research foundations—one in Liberia and the other in Puerto Rico, completely controlled by the dominant figure in the unions, George Barasch.

Federal officials testified that the law was inadequate to prevent the diversion of the welfare funds. As a result of the hearings, I introduced a bill, S. 2627, which was cosponsored by seven other members of the subcommittee, to prevent such occurrences.

Immediately following the hearings, the general counsel of the subcommittee initiated a series of conferences with the attorneys for George Barasch and his associates seeking the return of the diverted funds to the joint welfare fund of the unions.

Federal agencies with jurisdiction in this matter, including the Labor, Justice, and Treasury Departments, were consulted, as were representatives of the State of New Jersey and the New York State Insurance Department. In late July of 1965, the attorneys for George Barasch and his associates expressed their willingness to return the $4 million forthwith.

At this juncture, however, the New York State Insurance Department, whose representatives had been invited to join the conferences, asked for a delay in the restoration of the funds in order to review the record of the case to determine whether any New York State statutes had been violated. They indicated that an acceptance of a settlement might compromise any possible prosecution.

Mr. President, that was about 10 months ago. During the interim we have patiently awaited the result of the reexamination of this matter by the New York State officials. Within the past week we learned that their work was finally completed; that apparently no violations of New York State statutes had been disclosed; nor had any new information been added to supplement the subcommittee's voluminous record.

It had been agreed between the subcommittee's general counsel, Jerome S. Adlerman, and counsel for the New York State insurance department, George Bernstein, that the subcommittee would be advised of the return of the funds and that the New York State officials would join this subcommittee in a simultaneous public announcement of the restoration of the money.

Instead, yesterday, in New York, Gov. Nelson Rockefeller publicly released information implying that the New York State insurance department was solely responsible for the recovery of the welfare funds. The subcommittee was informed of this news release sometime after it had been made.

I regret that the disclosure of the return of this money was made in disregard of the agreement and understanding previously entered into.

However, the record speaks for itself. The New York State insurance department awoke to the fact that a matter in its jurisdiction warranted intensive investigation only after our committee hearings had disclosed the misuse of the money. I think the State and the Federal Government should cooperate in the protection of the rights and interests of American workingmen, and that is exactly what we have sought to do.

Mr. President, I have prepared a factual account of these matters for the use and information of the press, and it has now been released. I ask unanimous consent that the statement I prepared for the press be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Senator John L. McClellan (D., Ark.) today announced that approximately $4,200,000 which had been diverted from the Welfare Funds of two New York area unions, as disclosed during 1965 hearings of the Senate Permanent Subcommittee on Investigations, has been returned to the Allied Welfare Fund on behalf of about 10,000 members of the Allied Trades Council and Teamsters Local 815.

Testimony in the Subcommittee hearings last year showed that the money had been diverted from dormant Welfare Funds of the unions to overseas "research" foundations, one in Monrovia, Liberia, and the other in Puerto Rico.

The restoration of the $4,200,000 to the Allied Welfare Fund, which provides health and welfare benefits to the membership of the two unions, is the direct result of negotiations initiated by the Subcommittee in the summer of 1965, immediately after the hearings relating to the diversion of the funds. The General Counsel of the Subcommittee entered negotiations at that time with attorneys for George Barasch and his associates seeking the return of all of the funds. Barasch was formerly the principal officer of the two unions and the dominant figure in control of the funds and the foundations.

After Barasch had expressed through his attorneys his agreement to return the funds, the New York State Insurance Department, which exercises jurisdiction over Welfare Funds in New York State, asked the Senate Permanent Subcommittee on Investigations to delay action for the return of these funds pending the Department's review of the matters disclosed by the Subcommittee hearings. The New York State authorities sought to determine whether there had been any violation of State laws in this case.

In August of 1965, Senator McClellan acceded to the New York State request. The State proceeded with its investigation and apparently finally determined that New York State statutes did not provide penalties for the diversion of the welfare funds. The $4,200,000 was returned to the Welfare Funds under the supervision of the New York State Insurance Department.

George Barasch has resigned from his positions as lifetime trustee for each of the several employee welfare and pension benefit plans of the two unions, including the two major plans, the Allied Welfare Fund and the Union Mutual Fund. New employee trustees have been selected for the funds, as required by the provisions of the Taft-Hartley Act that govern joint trust funds.

The trust agreements of the two unions have been reviewed and revised in order to establish proper safeguards for the rights and interests of the rank-and-file members of the unions who are their participants.

Senator McClellan stated that the total sum of $4,200,000 represents all of the holdings of the Cromwell Research Foundation of Puerto Rico, the Chemical Research Foundation of Liberia, and the Caribbean Educational Association of Puerto Rico. The agreement between Mr. Barasch and certain associates, who are the officials of the overseas foundations, and the new trustees of the Allied Welfare Fund provides that the money that has been returned will be utilized for charitable and education purposes that will benefit the almost 10,000 members of the Allied Trades Council and Teamsters Local #815, and that New York State authorities will supervise the administration of the funds by the trustees.

Additionally, the overseas foundations in Liberia and Puerto Rico will be dissolved.

The Subcommittee's report to the Senate on the investigation into the diversion of the welfare funds has not yet been filed. Filing was withheld until New York authorities acted upon the agreement made last summer by attorneys for Mr. Barasch to return the diverted funds. Senator McClellan stated that the report will be filed in the near future.

As a result of the Subcommittee's hearing on these welfare funds, Senator McClellan introduced S. 2627, a bill to amend the Welfare and Pension Plan Disclosure Act for the purpose of providing additional safeguards for the rights and interests of participants and beneficiaries of employee benefit plans. The bill, which has been referred to the Senate Committee on Labor and Public Welfare, has as co-sponsor seven of the other members of the Subcommittee.

Senator McClellan stated his hope that the Subcommittee's hearings also have served to alert American workers who are participants in employee benefit plans to the dangers inherent in lack of interest and in failure to participate actively in union affairs.

The Subcommittee will continue to examine the administration and disbursement of welfare and pension funds, and may hold hearings in the future after additional investigations in the field.

Mr. McCLELLAN. In addition, Mr. President, I also have a letter addressed to the general counsel of the subcommittee, which he received today from the attorneys for Mr. Barasch and his associates. This letter states clearly that General Counsel Adlerman had obtained an understanding, after the hearings almost 10 months ago, that the funds held by these two overseas foundations would be returned to the Allied Welfare Fund.

Mr. President, I do not necessarily endorse all of the comments in the letter. I refer particularly to the attorneys' request that the subcommittee's report reflect "the cooperation given by our clients and that no evidence of wrongdoing on their part was shown by the testimony." I understand that the attorneys for Mr. Barasch and his associates cooperated very well with the subcommittee. However, their clients did not cooperate freely with the subcommittee's staff once they understood the purpose of our investigation. They exercised, without exception, their constitutional privilege under the fifth amendment.

Further, while Barasch and his associates may not have violated any existing Federal statutes in diverting the welfare funds, it is questionable whether they were faithful to the responsibility and obligation imposed upon any person acting in a fiduciary capacity. With this comment upon the letter, I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Law Offices of
Martin J. McNamara, Jr.,
Washington, D.C., June 1, 1966.

Hon. Jerome S. Adlerman,
General Counsel, Senate Permanent Subcommittee on Investigations, Old Senate Office Building, Washington, D.C.

My Dear Mr. Adlerman: The undersigned have appeared as attorneys for respective clients, Cromwell Research Foundation, Inc., Chemical Research Foundation, Inc., Local 815 (IBT), Allied Trades Council (AFL–CIO) George Barasch and others, in the course of an investigation conducted by the Senate Permanent Subcommittee on Investigations.

Upon completion of the public hearings last summer you gave graciously of your time, and joined us in a cooperative endeavor to meet some of the objections to the foundations, which had been the subject matters of your inquiry.

As a result of these efforts we arrived at an understanding whereby the directors of the Chemical Research Foundation, Inc., and the Cromwell Research Foundation, Inc., would transfer approximately $4,000,000 by grant to the Allied Welfare Fund.

At this point the New York State Department of Insurance, which had participated in the foregoing discussions, indicated a desire to negotiate separately and directly with the parties due to certain differences in views and objectives. Thus it became necessary to renegotiate, and, with your acquiescence, to consummate an understanding with that Department.

We are now pleased to advise you that we have concluded our negotiations; executed copies of the respective instruments and grants will be forwarded to you promptly.

The directors of these foundations, as well as Mr. George Barasch and the other individuals involved, were completely cooperative in arriving at the above disposition; however, it should be emphasized that the cooperation received from you and your staff was indispensable in laying the groundwork for the final result.

We respectfully request that in the event there is to be a report rendered by your committee relative to the investigation, it should reflect the cooperation given by our clients, and that no evidence of wrongdoing on their part was shown by the testimony.

Kindly accept our thanks for the time you expended in assisting us with this matter, as well as the appreciation of our clients.

Respectfully,
Krieger, Chodash & Politan,
By Harold Krieger.
Kostelanetz & Ritholz,
By Jules Ritholz,
Martin J. McNamara, Jr.

Mr. McCLELLAN. Mr. President, there is no doubt that had not the subcommittee investigated this matter and exposed the wrongful diversion of these welfare funds, the money never would have been recovered, and the workingmen for whom the funds were established would have been robbed of the benefits and never would have received the benefits to which they are entitled.

We are happy that the funds have been recovered. Although there may not have been a technical violation of law, we are of the opinion that there was a violation of a moral obligation and a fiduciary responsibility on the part of the officials who took the welfare funds and established charitable foundations in foreign countries and transferred all the funds to those countries. Not only did they do that, but also they made themselves trustees of the funds, and perpetuated themselves for life, together with their children or grandchildren and future generations from now into eternity.

ELECTIONS IN VIETNAM

Mr. MORSE. Mr. President, I had not expected to speak today on the subject of Vietnam. I had expected to speak tomorrow.

I have a high regard for the Senator from Connecticut [Mr. Ribicoff], to whom I extend my sincere compliments for the position that he has taken on the Vietnam issue, with respect to the proposal for supervised elections. When I entered in the Chamber and heard the Senator from Connecticut speaking, I decided that I owed it to my record to make a few comments on the subject, particularly in light of the colloquy that has occurred between the Senator from Connecticut and the Senator from New York [Mr. Javits].

It is interesting to note that the President of the United States and the U.S. Ambassador to the United Nations, Mr. Goldberg, will announce or have announced that they urge U.S. supervision of any elections to be held in South Vietnam, and that the Saigon Government—a reprehensible government—is asking the United Nations, so the Senator from Connecticut [Mr. Ribicoff] said on the floor of the Senate, to participate in some supervisory capacity in connection with such elections as are held in Vietnam.

My reaction to this announcement is that it is a diversionary tactic away from the basic issues that confront the world. The views of the Senator from New York [Mr. Javits], shared by the Senator from Connecticut [Mr. Ribicoff], would direct attention to the position taken by France and Russia.

I have directed attention to that position for some 3 years on the floor of the Senate, as I have urged my Government to put France and Russia on the spot in the United Nations and take our own country off the spot by urging that the signatories to the United Nations—including, of course, all members of the Security Council, permanent and nonpermanent, and all members of the General Assembly—carry out their treaty obligation.

It is rather difficult for an outlaw country to ask other countries to enforce the law, but that is what our country should have done as an outlaw for the past 3 years. Unpleasant as it is to the ears of many Americans, the sad fact is that the United States is a shocking outlaw in southeast Asia and has been from the very beginning of the intervention for all the reasons that I have stated and restated in this historic debate for some 3 years in the Senate.

I shall continue to restate the reasons because more and more people are going to the record and more and more people, as the President loses more and more support across the land—which he deserves to lose—are beginning to recognize the sordid and sad record of the United States in southeast Asia.

If there are going to be elections in Vietnam, as I said earlier this afternoon, they will be characterized by fraud and by meaninglessness, for they will be conducted in those areas in which that shocking little tyrant by the name of Ky, whom we have been supporting, will be in pistol control.

I am at a loss to understand what makes anyone think that there will be any free elections in a situation supported by an American puppet military junta which is what the government of South Vietnam is.

It will be interesting to see the position that the United Nations takes in regard to the forthcoming request that has been announced on the floor of the Senate this afternoon.

It will be interesting to see whether the United Nations, is allowed to supervise the selection of the candidates, or merely the balloting procedures.

It will be interesting to see whether the United Nations will exercise some supervisory mission in connection with the elections—and I happen to think that they should—but not take jurisdiction over the entire threat to the peace of the world. What the United Nations should do is to call all the parties to an accounting.

Before the ink was dry on the Geneva accords, which we refused to sign, but which our President and Secretary of State in 1954 said we would respect as tenets of international law, we began violating them.

Starting with those violations, the United Nations has hesitated and failed to call the United States to the accounting that it should have been called to for violation of not only the Geneva accords, but also of the United Nations Charter.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD those provisions of the statement of policy of July 1954, adopted by the signatories to the Geneva accords, of which the United States on the very face of the accords stands in violation.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

12. FINAL DECLARATION OF GENEVA CONFERENCE, JULY 21, 1954[1]

Final declaration, dated July 21, 1954, of the Geneva Conference on the problem of restoring peace in Indo-China, in which the representatives of Cambodia, the Democratic Republic of Viet-Nam, France, Laos, the People's Republic of China, the State of Viet-Nam, the Union of Soviet Socialist Republics, the United Kingdom, and the United States of America took part.

1. The Conference takes note of the agreements ending hostilities in Cambodia, Laos and Viet-Nam and organizing international control and the supervision of the execution of the provisions of these agreements.

2. The Conference expresses satisfaction at the ending of hostilities in Cambodia, Laos and Viet-Nam; the Conference expresses its conviction that the execution of the provisions set out in the present declaration and in the agreements on the cessation of hostilities will permit Cambodia, Laos and Viet-Nam henceforth to play their part, in full independence and sovereignty, in the peaceful community of nations.

3. The Conference takes note of the declarations made by the Governments of Cambodia and of Laos of their intention to adopt measures permitting all citizens to take their place in the national community, in particular by participating in the next general elections, which, in conformity with the constitution of each of these countries, shall take place in the course of the year 1955, by secret ballot and in conditions of respect for fundamental freedoms.

4. The Conference takes note of the clauses in the agreement on the cessation of hostilities in Viet-Nam prohibiting the introduction into Viet-Nam of foreign troops and military personnel as well as of all kinds of arms and munitions. The Conference also takes note of the declarations made by the Governments of Cambodia and Laos of their resolution not to request foreign aid, whether in war material, in personnel or in instructors except for the purpose of the effective defence of their territory and, in the case of Laos, to the extent defined by the agreements on the cessation of hostilities in Laos.

5. The Conference takes note of the clauses in the agreement on the cessation of hostilities in Viet-Nam to the effect that no military base under the control of a foreign State may be established in the regrouping zones of the two parties, the latter having the obligation to see that the zones allotted to them shall not constitute part of any military alliance and shall not be utilized for the resumption of hostilities or in the service of an aggressive policy. The Conference also takes note of the declarations of the Governments of Cambodia and Laos to the effect that they will not join in any agreement with other States if this agreement includes the obligation to participate in a military alliance not in conformity with the principles of the Charter of the United Nations or, in the case of Laos, with the principles of the agreement on the cessation of hostilities in Laos or, so long as their security is not threatened, the obligation to establish bases on Cambodian or Laotian territory for the military forces of foreign Powers.

6. The Conference recognizes that the essential purpose of the agreement relating to Viet-Nam is to settle military questions with a view to ending hostilities and that the military demarcation line is provisional and should not in any way be interpreted as constituting a political or territorial boundary. The Conference expresses its conviction that the execution of the provisions set out in the present declaration and in the agreement on the cessation of hostilities creates the necessary basis for the achievement in the near future of a political settlement in Viet-Nam.

7. The Conference declares that, so far as Viet-Nam is concerned, the settlement of political problems, effected on the basis of respect for the principles of independence, unity and territorial integrity, shall permit the Viet-Namese people to enjoy the fundamental freedoms, guaranteed by democratic institutions established as a result of free general elections by secret ballot. In order to ensure that sufficient progress in the restoration of peace has been made, and that all the necessary conditions obtain for free expression of the national will, general elections shall be held in July 1956, under the supervision of an international commission composed of representatives of the Member States of the International Supervisory Commission, referred to in the agreement on the cessation of hostilities. Consultations will be held on this subject between the competent representative authorities of the two zones from 20 July 1955 onwards.

8. The provisions of the agreements on the cessation of hostilities intended to ensure the protection of individuals and of property must be most strictly applied and must, in particular, allow everyone in Viet-Nam to decide freely in which zone he wishes to live.

9. The competent representative authorities of the Northern and Southern zones of Viet-Nam, as well as the authorities of Laos and Cambodia, must not permit any individual or collective reprisals against persons who have collaborated in any way with one of the parties during the war or against members of such persons' families.

10. The Conference takes note of the declaration of the Government of the French Republic to the effect that it is ready to withdraw its troops from the territory of Cambodia, Laos, and Viet-Nam, at the request of the governments concerned and within periods which shall be fixed by agreement between the parties except in the cases where, by agreement between the two parties, a certain number of French troops shall remain at specified points and for a specified time.

11. The Conference takes note of the declaration of the French Government to the effect that for the settlement of all the problems connected with the re-establishment and consolidation of peace in Cambodia, Laos and Viet-Nam, the French Government will proceed from the principle of respect for the independence and sovereignty, unity and territorial integrity of Cambodia, Laos and Viet-Nam.

12. In their relations with Cambodia, Laos and Viet-Nam, each member of the Geneva Conference undertakes to respect the sovereignty, the independence, the unity and the territorial integrity of the above-mentioned states, and to refrain from any interference in their internal affairs.

13. The members of the Conference agree to consult one another on any question which may be referred to them by the International Supervisory Commission in order to study such measures as may prove necessary to ensure that the agreements on the cessation of hostilities in Cambodia, Laos and Viet-Nam are respected.

Mr. MORSE. Mr. President, the material which I have just had printed in the RECORD shows that the Geneva accords prohibit—and that is the language—the sending into Vietnam of any military supplies, of any military aid, or of any military personnel.

From the very beginning, after we took this American puppet, who was a South Vietnamese exile, out of New York City and Washington, D.C.—a man who had never fought the French—and sent him over there and financed him and set him up as a puppet government of the United States, we violated the statement of policy signed by the signatories to the accords.

First, let the United Nations take note of its dereliction in not calling us to an accounting for our violations. Let the Secretary General of the United Nations face up to the fact that he has followed a very ineffective role and has failed in his responsibilities of leadership as Secretary-General by not insisting that either the United Nations or the members of the United Nations live up to the treaty obligations, or else submit his resignation.

I know the argument. "Why, Senator," people say to me, "what can such people do? They cannot control the United Nations." Well, they can resign, instead of being used as pawns—in this case, as Secretary-General, or, I may say, as U.S. Ambassador to the United Nations—in aiding and abetting by keeping their jobs, a course that cannot be justified under international law or under any set of principles of morality that we owe to mankind.

Anyone who reads the speeches and takes note of the material I have just placed in the RECORD will also observe that the statement of policy of the Geneva accords makes it very clear that the 17th parallel is not a political line of demarcation, but is a military line. Who turned it into a political line of demarcation? The United States. We are the ones who are responsible for setting up, in violation of the Geneva accords, a South Vietnamese Government. It has been an illegal government from the very beginning, and the responsibility for it lies on the United States.

The Geneva accords make crystal clear—the language is irrefutable—that the 17th parallel was to be a line of military demarcation, to the south of which thousands upon thousands of French troops that were in Vietnam at the time should repair; while to the north of it, the Vietminh Army, that fought and defeated the French, should stay until, during the next 2-year period, the Vietnamese people—not the United States—should solve the problem aimed at a united Vietnam.

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[1] IC/43/Rev. 2, 21 July 1954; Original: French.

The United States, more than any other cause, is responsible for splitting Vietnam into two governments, North and South.

Mr. President, many people do not wish to face up to it yet, but this contest, this war, this strife will go on for however many decades it takes for the Vietnamese people to unite their country. Tens of thousands of American boys will be sacrificed unjustifiably and unwarrantedly in that civil strife, if we do not stop it.

Mr. President, the Geneva accords made perfectly clear that no bases were to be allowed to be established by a foreign government. We established bases, we maintain them, we are responsible for them. We are guilty of illegal conduct in constructing those bases and in the military aid we sent to South Vietnam as early as 1955.

Mr. President, the accords, as will be seen from the material I have introduced, also made perfectly clear that from July 1954 to July 1956 plans were to be made for the holding of elections in Vietnam—all of Vietnam—to the end of selecting their officers and working out the procedure for a unified Vietnam.

And why should it not be unified? These are one people, engaged in a civil war. Within South Vietnam itself, there is a civil war. The State Department does not like to have that phrase used; but it is interesting that more and more editors are using it now. The senior Senator from Oregon and the Senator from Alaska [Mr. GRUENING] have been criticized emphatically and in many instances viciously, in the last 3 years, because we have pointed out the undeniable fact that it is a civil war, with overtones and undertones of a religious war also, in which we are unjustifiably killing American boys.

Mr. President, the United Nations will have to face up to the fact that the United States stopped those elections that were planned for July 1956 because our intelligence reports were that if they were held, Ho Chi Minh would be elected president. And of course we have set ourselves up unilaterally to tell the world that we are going to determine the internal affairs of countries that we think are threatened with a Communist takeover, irrespective of what the wishes of the people may be.

That policy is getting us into greater and greater trouble. In my judgment, it is creating great internal stresses in this country, which will become worse, until eventually the American people, in my judgment, will repudiate any government that continues to sacrifice American boys by increasing thousands, as will come to pass if we do not stop our participation in the war. We have already killed over 3,200 of them—young American men who never should have been sent there in the first place. The Pentagon admits that we have wounded over 15,000 of them—more to be wounded and more to die as our President keeps indicating further and further escalation of this war.

Mr. President, these so-called elections in the metropolitan areas of South Vietnam controlled by this military junta are not fundamental to the problems that exist in southeast Asia. What is fundamental is that we obtain a cease-fire. The Senator from New York [Mr. JAVITS] talked about a cease-fire for the elections. Let me say, Mr. President, what we need is a cease-fire, period. What we need is a stopping of the killing, and a serving of notice to the world that we intend to stop the killing of American boys and of Asians, too.

That is why I have been urging—and it is more important now, may I say to my President, after he has announced today his support of some United Nations supervision of elections—that my President go to New York and ask the United Nations to take over the threat completely.

That is the obligation of the United Nations. If the Security Council does not wish to do it, then let my President, as I have said so many times, make a plea to the General Assembly for a cease-fire order, with the pledge of the members of the General Assembly—and that is the responsibility the Charter places upon them—to send over whatever number of men are necessary to enforce a cease-fire. That is quite a different thing from making war, as the United States is making it, in South Vietnam. That is what the President of the United States ought to be asking the United Nations to do—not asking them to supervise the "election" of the government's candidates.

Oh, that will get public attention, and create the false impression in the minds of many that the United States is seeking United Nations intervention. But the test of whether or not the United States is seeking United Nations intervention is whether or not my President and yours will say to the United Nations, "Take over this threat to the peace of the world in southeast Asia." And nothing less than that carries out my President's responsibilities under the Charter.

Therefore, Mr. President, I ask unanimous consent that there be printed in the RECORD at this point a series of the articles in the United Nations Charter of which, in my judgment, the United States has violated by its intervention.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). Without objection, it is so ordered.

The portions of the United Nations Charter ordered to be printed in the RECORD are as follows:

CHAPTER I. PURPOSE AND PRINCIPLES

Article 1

The Purposes of the United Nations are:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;

2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;

3. To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and

4. To be a center for harmonizing the actions of nations in the attainment of these common ends.

Article 2

The Organization and its Members, in pursuit of the Purposes stated in Article 1, shall act in accordance with the following Principles.

1. The Organization is based on the principle of the sovereign equality of all its Members.

2. All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfill in good faith the obligations assumed by them in accordance with the present Charter.

3. All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.

4. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

5. All Members shall give the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving assistance to any state against which the United Nations is taking preventive or enforcement action.

6. The Organization shall ensure that states which are not Members of the United Nations act in accordance with these Principles so far as may be necessary for the maintenance of international peace and security.

7. Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.

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CHAPTER VI. PACIFIC SETTLEMENT OF DISPUTES

Article 33

1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.

Article 34

The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.

Article 35

1. Any Member of the United Nations may bring any dispute, or any situation of the nature referred to in Article 34, to the atten-

tion of the Security Council or of the General Assembly.

2. A state which is not a Member of the United Nations may bring to the attention of the Security Council or of the General Assembly any dispute to which it is a party if it accepts in advance, for the purposes of the dispute, the obligations of pacific settlement provided in the present Charter.

3. The proceedings of the General Assembly in respect of matters brought to its attention under this Article will be subject to the provisions of Articles 11 and 12.

Article 36

1. The Security Council may, at any stage of a dispute of the nature referred to in Article 33 or of a situation of like nature, recommend appropriate procedures or methods of adjustment.

2. The Security Council should take into consideration any procedures for the settlement of the dispute which have already been adopted by the parties.

3. In making recommendations under this Article the Security Council should also take into consideration that legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court.

Article 37

1. Should the parties to a dispute of the nature referred to in Article 33 fail to settle it by the means indicated in that Article, they shall refer it to the Security Council.

2. If the Security Council deems that the continuance of the dispute is in fact likely to endanger the maintenance of international peace and security, it shall decide whether to take action under Article 36 or to recommend such terms of settlement as it may consider appropriate.

Article 38

Without prejudice to the provisions of Articles 33 to 37, the Security Council may, if all the parties to any dispute so request, make recommendations to the parties with a view to a pacific settlement of the dispute.

CHAPTER VII. ACTION WITH RESPECT TO THREATS TO THE PEACE, BREACHES OF THE PEACE, AND ACTS OF AGGRESSION

Article 39

The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.

Article 40

In order to prevent an aggravation of the situation, the Security Council may, before making the recommendations or deciding upon the measures provided for in Article 39, call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable. Such provisional measures shall be without prejudice to the rights, claims, or position of the parties concerned. The Security Council shall duly take account of failure to comply with such provisional measures.

Article 41

The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.

Article 42

Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.

* * * *

Article 50

If preventive or enforcement measures against any state are taken by the Security Council, any other state, whether a Member of the United Nations or not, which finds itself confronted with special economic problems arising from the carrying out of those measures shall have the right to consult the Security Council with regard to a solution of those problems.

Article 51

Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

CHAPTER VIII. REGIONAL ARRANGEMENTS

Article 52

1. Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.

2. The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.

3. The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council.

4. This Article in no way impairs the application of Articles 34 and 35.

Article 53

1. The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, with the exception of measures against any enemy state, as defined in paragraph 2 of this Article, provided for pursuant to Article 107 or in regional arrangements directed against renewal of aggressive policy on the part of any such state, until such time as the Organization may, on request of the Governments concerned, be charged with the responsibility for preventing further aggression by such a state.

2. The term enemy state as used in paragraph 1 of this Article applies to any state which during the Second World War has been an enemy of any signatory of the present Charter.

Article 54

The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.

Mr. MORSE. Mr. President, the Senator from New York [Mr. JAVITS], in his colloquy with the Senator from Connecticut [Mr. RIBICOFF], mentioned the supervisory role the United Nations has played in the Congo, and in the dispute between Israel and other countries of the Middle East.

I do not know what he means by a supervisory role. The United Nations took over in the Congo. I was one of the representatives of this Government as a delegate in the United Nations when it did. But we had a Secretary-General of the United Nations at that time by the name of Dag Hammarskjold, who did not engage in evasions with regard to his responsibilities. That courageous Secretary-General, Dag Hammarskjold, left no room for doubt as to where he thought the United Nations should stand in regard to maintaining the peace of the world in the Congo. But Mr. U Thant has. In my judgment, in so doing he has failed in his responsibilities and obligations as Secretary-General of the United Nations. All his supporters are saying Russia, France, the United States, Great Britain, and the other great powers wish him to remain as Secretary-General. If that be true, I suspect that his over-all do-nothing policy is probably why they want him to remain.

What we must have, if we are to stop this killing in southeast Asia, and the danger of a massive war and more massive killing spreading through Asia and throughout the world, is for the United Nations to proceed to act. Our country ought to put the United Nations on the spot now, by asking them to declare the cease-fire and take action. Anything short of that, may I say, on the part of our President and our Ambassador to the United Nations is failing to carry out what is our clear obligation, in order to preserve peace in the world.

Mr. President, there is such a growing insistence across this country that we change our course of action in southeast Asia that I am greatly encouraged from the reaction of the people of this country. That gives cause for renewed hope because as increasing millions make clearer and clearer to our President that they want this policy changed, I think there is some hope that we will stop slaughtering these American boys and also slaughtering Asians by the course of action we are following in southeast Asia.

But, Mr. President, we can redeem ourselves. We can redeem ourselves by changing our course of action in relationship to the United Nations itself. We can redeem ourselves by our President announcing, as he should be announcing, a cease-fire as far as U.S. operations in South Vietnam are concerned.

When there is this internal turmoil going on in South Vietnam, when there is the situation of South Vietnamese fighting themselves, when the South Vietnamese troops of the junta government devote so much time and effort to suppressing opposition and insurrection in the areas not even controlled by the Vietcong, it is about time that the President gave the assurance to the American people that he is going to stop ordering the killing of American boys in South Vietnam in that inexcusable, immoral, and sinful war.

That is what the American people should demand from the President, because the President can stop the killing of American boys in South Vietnam by issuing an order of cease-fire as far as American troops are concerned. The President can stop the killing of American boys in an escalating war by adopting the recommendation of General Ridgway, General Gavin, George Kennan, and others, who point out that we must adopt the enclave strategy in South Vietnam in order to stop increasing hour by hour the serious danger of an all-out massive war in Asia with both China and Russia.

I was interested in the comments of the Senator from New York [Mr. Javits] and the Senator from Connecticut [Mr. Ribicoff] about the responsibilities and obligations of Russia and Japan. They do have responsibilities and obligations. Both of them have been derelict. But there is another side to that coin, too.

How fortunate the United States and mankind are that Russia has not joined the United States in outlawry in southeast Asia. How fortunate the people of the United States and the people of the world are that Russia thus far has exercised the restraint of not constructing Soviet bases in North Vietnam, not sending Soviet troops in to the assistance of the Vietnamese, not sending in her air power, which we all know would mean world war III if she should start doing it.

If one looks at that side of the coin the sad fact is that Russia has to be given credit for not starting world war III yet. Although she has made very clear her complete disaproval of our policy in Vietnam, although she has given some military aid to the North Vietnamese and to the Vietcong, the fact remains that the restraint of Russia in regard to the Vietnamese situation has prevented the beginning of world war III. How long she will restrain herself I think only God knows. So, it is increasingly important that our country stop risking world war III.

It is saddening to listen to spokesmen of our Government give reassurances to the American people day in and day out that things are looking better in South Vietnam because we are making military progress. We are killing more. We are devastating more. We are despoiling more. We have some of our war hawks, such as Admiral Radford, advocating the mining of Haiphong Harbor and bombing Hanoi, or any point that these militarists suggest. The American militarists are the greatest threat to the peace of the world because it happens to be the American militarists in the service, and some of those retired, such as Admiral Radford or General LeMay, who are advocating our following an even more accelerated course of American outlawry in Asia without a declaration of war and proceeding on an aggressive course of action that, in my judgment, would be bound to bring in Russia.

But these militarists have to be answered and I would like to hear my President answer them for once. Just once.

He spends a lot of time and uses many occasions to answer those who want the war deescalated. But he has no answer, no rebuke, for those in his official family or in his own party, who want the war enlarged. Nor does he care to take issue with the military officers who want to use the situation to exercise their military muscles.

The reason for this distribution of Presidential attention is simple: It is limiting and ending the war that has the most appeal to the American public.

I should like to hear the President repudiate the war hawks. In fact, I should like to have my President face up to his obligation under article I, section 8, of the Constitution, and stop making war without a declaration of war. That is a clear obligation of this President of ours to the American people. Let the American people have this war issue clearly drawn. Let the President send a war message to Congress, and let Congress decide whether we want a legal war in the sense that a legal war can be conducted only under a declaration of war. Our constitutional fathers taught us that lesson in the constitutional debates, when they wrote article I, section 8, of the Constitution. They denied to the President the power to wage war without a declaration of war.

The great statesmen from that time on have made that perfectly clear, as have great constitutional scholars. I placed in the Record last Friday an article published in the June issue of the Diplomat, an article written by a man considered by many as the greatest living American historian, but I should say he is among the first three—Henry Commager, of Amherst University.

He not only devastatingly answers the argument of those who claim that the President can make war without a declaration of war, but he devastatingly answers the chain of non sequiturs and policies of Dean Rusk, who tries to justify the killing in Vietnam under SEATO.

Let my President face up to his constitutional duty. Let my President take to the American people a proposal for a declaration of war, as Woodrow Wilson did on the night of April 2, 1917, as I have said in my speeches on the floor of the Senate at least 20 times in the last 3 years, and shall continue to say it, because by repetition, repetition, and repetition, more and more people are beginning to understand.

Woodrow Wilson, on that historic night of April 2, 1917, personally appeared before a joint session of Congress and recommended a declaration of war against the German Imperialist Government. In the first paragraph of that Great War message, President Wilson said there were decisions to be made that it was neither right nor constitutional that he make. He meant the decision of war or peace.

President Wilson did not seek to justify making war against Germany on the basis of the fallacious argument of many Senators, and at the White House, that the President, as Commander in Chief, has the power to respond to the self-defense of the Nation.

Of course he does, but for a very, very limited period of time, and only in order to meet that emergency and get his recommendations and reasons prepared for a declaration of war, and then come before a joint session of Congress and recommend it. That is the limit of the President's so-called power as Commander in Chief to respond to the self-defense needs of the Republic.

No, Mr. President, it is meaningless for the President today to tell the American people that he is for United Nations supervision of elections in South Vietnam, when those elections will allow no choice among policies and will not cover the whole of the population of Vietnam, because it will eliminate completely one side to the war; namely, the Vietcong.

What kind of elections will they be?

Stacked, controlled, and rigged. It is one thing for the President to ask for supervision of those elections by the United Nations, but I ask the President again, "Why do you not call upon the United Nations to declare a cease-fire and declare that we will support a cease-fire?"

That is the President's responsibility under the United Nations Charter, as it is the President's responsibility under the Constitution, either to propose a declaration of war or to stop being responsible for the killing of increasing numbers of American boys in South Vietnam.

That is the issue.

Eventually, the American people will determine it.

Mr. President, I made these comments today, not expecting to make them until I heard the Senator from Connecticut and the Senator from New York, and until I heard about the announcement which is coming out of the White House from our President and our Ambassador to the United Nations.

I say to the American people that the President and Ambassador Goldberg deal with a very superficial phase of this problem. They do not go to the heart of the problem, nor do they carry out the clear responsibility of our President and our Ambassador in the United Nations concerning our obligations to mankind to stop the butchery in South Vietnam.

Mr. President, I ask unanimous consent to have printed in the Record certain materials, letters, and telegrams which I have received in support of the position I have taken in opposition to the President's war in South Vietnam.

There being no objection, the material was ordered to be printed in the Record, as follows:

Dayton, Va.,
May 31, 1966.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: May I add my thank you to those that are pouring in upon you concerning your courageous stand against the administration's position in Southeast Asia and Vietnam. Please continue your efforts for world peace.

I believe some members of the present administration would do well to remember these words of President Kennedy: "We are not afraid to entrust the American people with unpleasant facts, foreign ideas, alien philosophies and competitive values. For a nation that is afraid to let its people judge the truth and falsehood in an open market is a nation that is afraid of its people."

Yours sincerely,

Ellen V. Swope

Miss Ellen V. Swope.

San Diego, Calif.,
May 23, 1966.

Dear Senator Morse: I want to express my admiration for your courageous stand on the Vietnam war. As a former "colonial" resident of what used to be French Indochina, I feel better qualified than many of our top decision-makers. I wonder often at the nature of their motivation. What drives these people to ignore the facts of the situation? Is it selfish economic interest: there is a perhaps apocryphal story to the effect that when approached at some recent governors' conference about the possibility of seriously trying to end the Vietnam war, Mr. Johnson asked: "Do you want an economic crisis or continued prosperity?". Is it a short-sighted view of our interest in Asia from a military stand-point? Is it because the military are more and more ruling this country, therefore imposing their views on the necessity of war? Is it just pure ignorance, or arrogance as Senator Fulbright put it, or self-delusion in imagining ourselves the rightful, legitimate policemen of the world? If you have no time to answer these questions, can you answer at least this one: how can I, as a responsible (or shall I say too-timorous-to-jump-on-the-barricades) citizen, best help the peace movement? Not being a wild-eyed radical ready to make a lot of noise, or a famous personality who might command a modicum of respect, I feel quite helpless and yet categorically impelled TO DO SOMETHING to help steer this country away from the hysterical, jingoist path to senseless destruction?

A very worried American,

Jean-Paul de Chezet.

Bronx, N.Y.,
May 27, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: I am writing to you with my view on the war against Viet Nam because you have taken a consistent and unequivocal stand in opposition to the war.

During the past few months I have read many newspaper and magazine articles referring to tortures and atrocities committed against prisoners of war and even civilians. I have seen color photographs of prisoners being tortured in magazines such as Life. And on May 23, the New York Times printed a photograph on page 1 of a soldier who had surrendered and was holding his hands above his head, but who was nevertheless shot a few seconds later by one of his captors. Are there no laws of morality left in this country?

Furthermore, I believe that the use of noxious gases by the United States is a violation of the Geneva Protocol of 1925. I believe that it is a crime to use chemical defoliants on the peoples' crops. I think the dropping of napalm bombs will bring unending shame to this country.

I strongly suspect that what the administration describes as the bombing of strategic military targets is, in fact, in many cases the bombing of innocent civilians. I view with horror the photographs I have seen of our soldiers burning whole villages and leaving only desolation for the impoverished peasants. As a citizen I must speak out against what I believe is wrong and what I have seen of this war convinces me that my country is wrong.

The situation is not entirely hopeless as long as there are men with your courage to remind the administration that what it is doing is immoral and evil. I want to tell you how much I appreciate the show of bravery you have made in speaking out against a president who does not welcome opposing views. I hope you will continue your necessary work until we see some indication that our leaders are more concerned with the practice of democracy than with the winning of military victories. History will record that at least one brave man was heard in the Congress at a time when the United States made a terrible mistake.

Very sincerely yours,

George W. Cooke.

El Cerrito, Calif.,
May 23, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: I cannot tell you what it means to me to have a spokesman in the Senate who keeps pounding away at the injustice of the Vietnam conflict. Today we are fighting the Buddhists, the Viet Cong, and the North Vietnamese. One wonders who is with us.

In addition to my horror at our participation in this war as a country, I have the problem of two sons who oppose our action there. The older, aged twenty, is a junior at the University of California at Berkeley. He has affiliated with groups opposing the war, but does not believe in militant opposition, sit-ins, or support of communistic organizations which oppose the war. Like me, the boys believe that if we had the support of the people in that country and could really stop communist aggression in the Far East, the war would make some sense.

We are almost overwhelmed with the futility of protest. We are disheartened at the punishment dealt out to young men who refuse to serve in the armed services while such a war is in progress.

This older son, Richard, will not return to College next semester. He cannot sign up as a conscientious objector as he is not a pacifist and would fight to protect his country or to protect other countries where the people support our participation.

He will not join the armed services under the non-combat provision as he will not promote an unjust war in any way. He would allow himself to be drafted and trained if not made to serve where the conflict is unjust, but we understand that draftees have no choice.

We have read of other young men who have tried to act with integrity under the same circumstances. One is serving a four year prison term and was fined $10,000. In our own city, a fine young man has been sent to jail more than once for refusing to serve. This seems like double jeopardy.

Richard is convinced that he will be jailed in defense of his principles. He is discouraged of course. I told him that there might be a possibility that he would not be jailed and that he should make some plans. He replied that he could not do so as his plans might become so appealing to him and imprisonment so hard to take in comparison that he would sacrifice his ideals.

It is a heartbreaking decision and he has made it. The younger boy graduates from high school now and will be in college and able to avoid the issue for a while. The thought of our older son in jail is almost too much to bear. If I had my children to raise over again, I think that I might raise them to be tough and unfeeling. They were taught ethics and kindliness from the start. Logical thought and sensitivity seem out of place in modern society. Do you have any suggestions?

Whether you answer or not, once again, my heartfelt appreciation for your courageous stand.

Sincerely,

Mrs. R. C. Wilkins.

Hillsboro, Kans.,
May 26, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I have watched your courageous and noble service in the Senate for some time. Your firm position and that of a few others has challenged and encouraged me to stand up to the apathy, ignorance, and prejudice surrounding a small minority in Kansas.

I have read your "Legal Issues of U.S. Position in Vietnam." It is so clear that we are violating Constitutional and international laws by being in Vietnam. It's such a let-down to know that decency and intelligence and justice have been replaced by the craven and mean. That makes your leadership in Washington all the more important. I hope God spares you until the light of truth breaks over the American people.

The defeat of your Oregon candidate was deeply disappointing.

I thank you sincerely for your untiring fight in trying to save our nation. I hope we have not gone too far at this point and that our "cup is full".

Very Sincerely,

Mrs. D. P. Ewert.

Los Angeles, Calif.,
May 24, 1966.

Dear Sir: Just these few words to thank you for your splendid efforts in the cause of peace. Almost without exception everyone that I know and talk to is behind your courageous crusade. If ever there is a sequel to President Kennedy's Profiles in Courage you are sure to head the list.

Respectfully,

Don Devlin.

Toledo, Ohio,
May 28, 1966.

Dear Senator Morse: I am writing this on my way to Columbus to hear Senator Gruening and to take part in a march on the State House.

I think every democrat should contribute to Gov. Hatfield's campaign and thus follow your lead in supporting him. My son is returning from Somalia after serving two years in the Peace Corps. He graduated from the University of Oregon and is an Oregon voter. He is very enthused by your leadership and sees the real work of the present generation as educating, helping & succoring rather than in destroying.

Our movement is growing. There was no Toledo Committee for a Reasonable Settlement last November. There are 300 members with hundreds of others we have not "been involved positively" yet. We are very much encouraged but we have no hope that the President will listen until forced to politically.

Sincerely yours,

E. Jane Johnson.

Fullerton, Calif.,
May 25, 1965.

Senator Wayne Morse.

Sir: Excuse the pencil please, since I feel it is no time to hunt for a pen. I support your position on Vietnam. And feel that the Administration is totally wrong. Which is beside the point I am about to make. And that is that—We should call for a constitutional amendment which would put a *moratorium* on all profits—in regards to war appropriations, or defense spending by the Government. I am aware that the implications of this constitutional amendment are far reaching. However I believe that to call for such an amendment at this time in history, will have far reaching repercussions and get at the root of the contradictions of the administration. They profess to seek no wider war—so let them put their profits where there mouth is.

Sincerely yours,

GEORGE S. DEMILT.

Hooray for Peace!

DETROIT LAKES, MINN.,
May 27, 1966.

DEAR SENATOR MORSE: Please continue your efforts to get us out of Viet Nam.

Many thanks for your efforts.

Sincerely,

DON LYNCH.

BELLEVUE, WASH.,
May 24, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: I wish merely to express my appreciation for your continued courageous efforts to critically assess our role and policies in Viet-Nam. In wishing you success I am not only expressing my hope that an erroneous and immoral foreign policy may be terminated, but also that the reasonable expression of disagreement and dissatisfaction with handling of specific affairs by the administration may retain an honored place in our society.

Sincerely yours,

GERALD J. OPPENHEIMER.

EL CERRITO, CALIF.,
May 25, 1966.

Hon. WAYNE MORSE,
The U.S. Senate,
Washington, D.C.

DEAR SIR: As a Californian I cannot cast my ballot for you and thereby express my faith and belief in your stand against the Vietnam war which you are taking. Therefore, as a citizen of the United States, I would like to offer you my utmost gratitude and sincere support of your policies and of your work in which you are now engaged. I am convinced that we need more leaders such as you in our Senate and whole-heartedly wish you every success. It is my fervent hope that more and more persons will adhere to your concepts.

Yours truly,

PHYLLIS KANTER
(Mrs. Joseph Kanter).

PALO ALTO, CALIF.,
May 26, 1966.

Senator WAYNE MORSE,
U.S. Senate Building,
Washington, D.C.

DEAR SENATOR MORSE: I have recently read with great care your statement to the Senate in the Congressional Record of March 17, 1966 which was kindly forwarded to me by Mr. Sig Rosenblum of New York City. Since the statement was made, the situation in Vietnam has only deteriorated further. I thoroughly agree that in respect to foreign policy our President and politicians have betrayed and failed us.

What seems to me to be equally frustrating is that even through the ballot there appears to be so little the public can do to alter the situation. The candidates for public office, on the whole, seem to prefer to vie with one another in display of their "patriotism" and support of administration policies rather than to take a position based on morality and, in this case, common sense. The sad truth that the administration has failed to realize is that dishonesty and immorality in national policy abroad is generating similar degeneracy here at home. For this, I fear, history will judge the present administration harshly. I am proud of your stand and outspoken criticism and wish to express my support of your position.

Sincerely yours,

SEYMOUR KESSLER.

DAYTONA BEACH, FLA.,
May 27, 1696.

Hon. WAYNE MORSE,
Senator From Oregon,
Washington, D.C.

MY DEAR SENATOR MORSE: Having watched the Senate hearings on television and the positive position you and Senator FULBRIGHT have taken on the Vietnam fiasco, even though not popular with the executive branch of our government—I wish to congratulate you and ask that you continue to press for a complete withdrawal of the flower of our nation from this rathole which is draining the manpower of our nation.

It is about time that the legislative branch of government recognize their responsibilities to the electorate and withhold from the President the privilege of sending abroad our youth to die on foreign soil without our nation being wantonly attacked beforehand.

Here, we send 250,000 men and billions of dollars to fight a war we cannot win, just as we did in Korea and yet a Communist pipsqueak—Fidel Castro defies us successfully just 80 miles off our shoreline.

My wife and I are the parents of 5 boys and girls (now parents themselves) who were involved in two previous wars and we are sick and tired of American involvement in the political wars of other nations. Every one of us would defend our shoreline with every drop of blood we possess but not one drop to defend foreign religious and political factions, in their internal disputes.

I believe our views are those of the majority of Americans who have felt the pangs of war and see nothing but tragedy ahead in the present policy of U.S.A. involvement in every part of the world.

We have a responsibility to those unborn to leave to them a nation—free from bankruptcy and a national debt they cannot possibly pay off. If Congress would enact taxation to cover the cost of wars as they are being waged—there would be such a clamor from the American people to end the conflict immediately—the administration would be forced to act accordingly.

Keep up the good work—you are truly a patriotic Senator—despite the opinion of the opposition.

Sincerely yours,

ARTHUR R. ROBINSON.

KERRVILLE, TEX.,
May 25, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: I want to thank you for your efforts to get our boys out of Viet Nam. I wish we had 98 more Senators like you and Senator Fulbright.

We have nothing to gain in Viet Nam, and much to lose. It is one of the most useless, idiotic, and brutal wars in the history of the world.

I value the life of just one American boy far more than all Viet Nam. And think of the billions of dollars of taxpayers' money that is being wasted!

More power to you. Keep up the good work.

Sincerely,

RAYMOND ORR,
A Grassroot Taxpayer.

SAN MATEO, CALIF.,
May 22, 1966.

Mr. L. B. JOHNSON,
President of the United States,
Washington, D.C.

DEAR MR. PRESIDENT: I want you to know you have lost two ardent supporters and two votes in the next election. We have great sympathy for the Buddhists and great disdain for your clumsy Vietnam involvement. You can be sure we will vote against any public official who supports this bloodthirsty and highly dangerous "policy".

Sincerely,

LOURENE M. BOYER.
RONALD S. BOYER

(Copy to: J. W. FULBRIGHT, WAYNE MORSE.)

Keep up the good work!

BALTIMORE, MD.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: Thank you for your courageous stand on Vietnam. It is only through a very limited number of voices that the public at large becomes aware of many issues that might otherwise be unknown to them by miasma of silence.

Respectfully yours,

Dr. JOSEPH BAYLUS.

MANHATTAN BEACH, CALIF.,
May 23, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: As a fellow lawyer I feel proud that you are a member of that profession.

To hear the A.B.A. speak of "Rule of Law" and to see what our government is doing to it with our action in Vietnam is a travesty.

Keep up the hard work.

Sincerely,

DARBY N. SILVERBERG.

cc: President Johnson.

WILTON MONTHLY MEETING OF THE
RELIGIOUS SOCIETY OF FRIENDS,
Wilton, Conn., May 23, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: We would like to call your attention to the enclosed copy of an advertisement placed recently by the Wilton Friends Meeting to express support of the traditional Quaker stand against violence of any kind.

Though this is a well-known statement of the position of Quakers, we feel there is a particular necessity for its re-emphasis today.

We appreciate the courageous stand you have taken in this matter.

Sincerely yours,

Miss MARGARET A. PICKETT,
Chairman, Peace and Service Committee.

[From the Wilton monthly meeting of the Religious Society of Friends]

A QUAKER STATEMENT ABOUT WAR

Today, in these troubled times, we would like to share the following messages with our neighbors:

A declaration from the harmless and innocent people of God, called Quakers, presented to Charles II, 1660.

We utterly deny all outward wars and strife, and fightings with outward weapons, for any end, or under any pretense whatsoever; this is our testimony to the whole world. The Spirit of Christ, by which we are guided, is not changeable, so as once to command us from a thing as evil, and again to move unto it; and we certainly know, and testify to the world, that Spirit of Christ, which leads us into all truth, will never move us to fight and war against any man with outward weapons, neither for the Kingdom of Christ, nor for the kingdoms of the world . . . Therefore, we cannot learn war any more.

The Wilton Peace Minute, from Wilton monthly meeting to Friends everywhere, 1960.

It is now 300 years since Friends first declared "we cannot learn war any more." Now as then, the spirit of Jesus Christ can never move us to violence, neither in personal conflict nor in public life. His way leads only to peace with all men. His way is opened by that of God in every man; and by the helping hand of God available to all. Today, His way can save the world. Though every individual owes loyalty to the state, he owes higher loyalty to the inner light that is of God. And so with special urgency we invite all who hear to utterly renounce war—now the real and final enemy of man—and daily to seek ways to practice the life that knows no occasion for war, and to learn the ways of peace without which all men perish.

Friends, like so many others, believe that war brings only misery. War does not—and never has—led to permanent achievement of freedom, justice and security. Even when the issue is righteous and conflict seems justified there are higher and more effective ways than violence to oppose evil. War begets only war.

Friends have found, by long experiment, that suspicion, distrust, fear, and violence itself, are healed only by the reconciling power of love.

We urge all men and women whose hearts are sickened by the suffering of war victims to join us in prayer and constructive work for peace.

(Wilton Friends Meeting, 317 New Canaan Avenue, Wilton, Conn., by George S. Hastings, clerk.)

READING, PA.,
May 26, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR MORSE: Thank you for waging such a vigorous and dynamic campaign in the furtherance of the interest of peace in this world. It is encouraging indeed to see men of such original American independence and such courageous undaunted faith "stand up" and proclaim the truth to the American people.

There are, indeed, many things of questionable character in the conduct of the war in Viet Nam—about this there seems to be little question indeed in the minds of most all of your fellow Americans. There is undoubtedly great restiveness pervading the American people at the present time, and Viet Nam and the many undesirable things occurring there are one of the greatest topics of discussion of the present time and the American people are crying out in anguish against the present conduct of affairs relating to the Viet Nam situation.

All these distorted views, etc., presented by the advocates of further involvement and further advocates of carnage and radicalism, bespeak not of a free structure—but invariably are closely synonymous with the very dictatorial ideals against which we free people in America have so long been in opposition.

You have presented a true challenge to the entire problem and have truthfully attempted to expose that which needs exposure, and your attempt at truthfulness is most certainly deeply appreciated both by your constituents as well as by grave men everywhere.

Kindest regards.

Sincerely yours,

EARL L. DEININGER.

ARLINGTON, VA.,
May 28, 1966.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I have just finished reading excerpts from your speech on The President and Vietnam, from the CONGRESSIONAL RECORD of May 16, 1966 and I want to extend my congratulations.

I feel that the American people are extremely fortunate to have a Senator, like yourself, who is courageous enough to speak out against the President and this Administration who listen only to the voices of the Hawks, constantly tells us how hard they are working for Peace yet continues to escalate our troops in Vietnam, and gives whole-hearted support to General Ky.

I worked hard to get President Johnson elected because Mr. Goldwater continually talked war during the campaign, while Mr. Johnson assured us that if he were elected there would be no war. Since the President was not honest during his campaign, I don't believe him now when I hear him say he is working day and night for a peaceful solution to end the war. I agree fully with you when you say "the President must be stopped with ballots, for it is the only way left to stop his bullets".

Already, I am being urged to vote for this man and that man in the coming State elections. I have resolved to find out from each candidate whom I might be interested in, how he stands on the Vietnam issue. If he supports the President and the Administration, he loses my support. For the first time in the many years that I have been voting the Democratic ticket, the coming elections might prove the exception, and it is even possible that for the first time I will have to forego my vote if there is no difference in the candidates positions. I can assure you that my vote will not send to Congress any man or women who will rubber-stamp the President in carrying on this Vietnamese disaster.

Thank you for again speaking out and sharing your feelings and your ideas with the American people.

Sincerely yours,

DOROTHY E. MARBLE.

OAKLAND, CALIF.,
May 26, 1966.

Senator WAYNE MORSE,
Senate of the United States,
Washington, D.C.

DEAR SENATOR MORSE: We support your opposition to President Johnson's disastrous Vietnam policies.

Note the attached letter to President Johnson.

Sincerely,

Mr. and Mrs. JOHN B. DYKSTRA.

OAKLAND, CALIF.,
May 26, 1966.

President of the United States,
Washington, D.C.
Mr. LYNDON B. JOHNSON,

DEAR PRESIDENT JOHNSON: You may feel that the Oregon primary was a victory for you and an endorsement of your policies. However in California, among my friends (most of whom voted for you in opposition to Goldwater in 1964), I know of none who will vote for you again in view of your disastrous Vietnam policies.

Sincerely,

JOHN B. DYKSTRA.

cc: Senator FULBRIGHT, Senator MORSE.

WORTHINGTON, OHIO,
May 28, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I should have written much sooner about this, but I heard you on the open debate with Rusk concerning the American policy in Vietnam. I want to commend you on your stand. I am sure you made at least a few listeners have second thoughts about our position there.

Thank you for all you have done to challenge the administration's policies. Keep up the good work—I am behind you all the way.

Sincerely,

SUE ROBINSON.

EL CERRITO, CALIF.,
May 25, 1966.

Hon. WAYNE MORSE,
The U.S. Senate,
Washington, D.C.

DEAR SIR: Let me offer you my praise and support of your stand in the Senate on Vietnam and other issues our country is floundering with.

I admire the courage it must take to take the stand you have in the face of such opposition with which you are meeting. I say this as a former Oregonian and as a staunch and loyal citizen of our country.

Yours truly,

JOSEPH KANTER, D.M.D.

Senator WAYNE MORSE,
Salem, Oreg.

DEAR SENATOR MORSE: Keep up the good fight to get our boys out of Viet Nam. We are with you and your views 100 percent.

This can be accomplished and be done gracefully without losing face and our boys.

Mrs. MARGARET NESBIT.

ST. CLOUD, FLA.

SACRAMENTO, CALIF.,
May 11, 1966.

DEAR SENATOR MORSE: Enclosed is a copy of a letter from 60 Junior College Instructors and Administrators of Sacramento to President Johnson. We want you to know that the example you are setting in Washington is being followed in Sacramento and that people here are voicing their disapproval of the administration's policies in Vietnam.

We praise you for your forthright stand on this controversial issue and we urge you to continue voicing your opposition to the administration's policies in Vietnam.

Charles Myers, Stanley Jerome, Robert Bester, Philip Onstott, Clifton Gordon, Larry Welden, Marvin W. Cragun, Norman Thornburg, Albert Byrd, Clifford Curtice, Dorka Bohr, Sam Kipp, Darrel Forney, Robert J. Bader, Fred Ittner, Duncan Courvoisier, Jack Fiedler, Tom Schmidt, Harry Cole, Will Solomon.

Richard Miller, Lloyd Bruno, Ray Harker, Charles Nadler, Patricia McHugh, Ritchie Thomas, Richard Shimasaki, Al Kwolek, Edgar Meyer, Maria Brugge, Gene Tarr, Charles Slater, Muriel Follansbee, John Miller, Eugene Volz, William McCrory, Betty Robinson, Hal McMurrough, Guilbert DuMont, Steve Stremmel.

Walter Kaufmann, Nona M. Anderson, Larry Malmgren, Margaret Harrison, Fred Schmid, Fred Milstein, John Valone, Paul Gould, Frank E. Bush, George Anastasiow, William Mariano, Willard L. Melton, Allan Bravitz, Clive Mefford, Albert Wuesthoff, Paul Lorch, Donald Jewell, Leo McCauley, Byron Patterson, Joseph F. Martin, Junior College Instructors & Administrators of Sacramento.

SACRAMENTO, CALIF.,
March 22, 1966.

PRESIDENT JOHNSON: For nearly twelve years the United States has been pursuing a course of improvised disaster in Vietnam. The time has now come for concerned citizens to protest the apparent hypocrisy of their government.

We claim to be in Vietnam at the invitation of a beleaguered government, but that government, like its sixteen predecessors since 1954, is our creature, and could not have been established, nor could it long survive without American force.

We claim to desire self-determination for the Vietnamese people, but this claim hardly has the ring of truth, since the war is a result of our refusal to allow the elections stipulated by the Geneva Accords of 1954.

We claim to desire no bases in Vietnam, but the bases are being built.

We claim to desire a negotiated peace, but we have steadfastly refused to negotiate with the people whom we are fighting—the National Liberation Front.

We claim to fear Chinese aggressiveness, when the presence of 235,000 American soldiers in Vietnam would suggest that we might more reasonably fear our own.

We claim to be in Vietnam to protect the Vietnamese from aggression, but our use of toxic chemicals, napalm and torture, and the large numbers of non-combatant dead indicate that the South Vietnamese need protection from their friends rather than their "enemies."

It is, thus, abundantly clear that American acts in Vietnam are totally inconsistent with the lofty aims which we claim to pursue. We, therefore, vehemently urge that the government take such steps as are necessary to extricate the United States from what can only become an increasingly cynical and increasingly hazardous attempt to pursue American interests at the expense of the suffering people of Vietnam.

PHOENIX, OREG.,
May 22, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: The enclosed clippings were printed in today's Oregonian. They reflect the growing concern of Oregonians and of the whole nation about the Vietnam war. Most of them express their confidence in you that you so richly deserve.

I hope that in reading these you will find renewed faith in the voting public and renewed vigor in your battle to present the facts about the other side of the Vietnam war.

I am a college student who opposes a war that is unconstitutional, to begin with, but is also stupid, cruel and wasteful of lives and educational (etc.) monies.

Most of the people I talk to at college are in support of you, Senator MORSE. Though we are silent, shy to write letters and reluctant to start calling names. I am sure you realize that we admire and respect what you are doing. The Senators KENNEDY and FULBRIGHT, Dr. Benjamin Spock, and the countless educators, clergymen and citizens who agree with you about Vietnam think of you as an honest and most courageous man.

In short, continue your fight. As these clippings show, there is a growing number of citizens who support you to the hilt.

Sincerely,

MAY LYNN MORRISON.

To the EDITOR:

My Voter's Pamphlet states that Robert Duncan "firmly supports our nation's policy of resisting Communist aggression without becoming involved in a nuclear third world war."

Political hogwash. Who of us wants nuclear war? But, we are heading in that direction faster than most of us realize. Our nation's policy? If the United States has a defensible policy for Americans killing Asians (on their own soil) and vice versa, I have yet to hear of it.

Can Mr. Rusk or Mr. Duncan tell us how American fighting men can distinguish a Viet Cong man from a South Vietnamese? Press pictures show both to be undernourished and childish looking.

Two warring factions never filled anybody's empty belly. If these people feel a Viet Cong victory will benefit their wretched condition, can we blame them for fighting the opposition? No matter which faction wins the poor will be as wretched as before.

JEWELL ETHEL RICE.

TILLAMOOK.

To the EDITOR:

Why do you depict Senators MORSE and FULBRIGHT as hooded Klansmen? Why do you belittle these men?

It is not they whom you are trying to silence, it is the millions of people in the United States who dare to question our overbearing, militaristic foreign policy.

You are shutting off debate by making Viet Nam opposition unpatriotic (unpopular). Only those with independent financial means can afford to speak out in opposition. We used to refer to these tactics as "dirty pool".

Why must good men like Senators MORSE and FULBRIGHT be persecuted? They are the best Americans of all.

GEORGE JOHNSON.

EUGENE.

To the EDITOR:

Johnson's claim that the use of power involves agony reminds one of the parent who insists to his child, "This hurts me worse than it hurts you," and then proceeds to lay on the club. Such an excuse for violence is disgusting in a parent and it is equally disgusting in a President.

Of course, it could be that the agony results from his conscience. If that is the case, let him make some genuine effort to end this brutal war against the Asian people and to bring home the brave and innocent young Americans whose lives are being wasted on a cause that is not only hopeless but unjust.

BYRON L. HAINES.

To the EDITOR:

Your calling the Foreign Relations Committee's hearings a "sickening show" proves that there is none so blind as those that will not see. Correct your myopic *vision and take a good look at Viet Nam if you are to see a real sick and insane drama being enacted.* Our only hope in getting the curtain down on this sad and infamous *spectacle is by honorable and courageous men such as Senators* MORSE *and* FULBRIGHT.

I sincerely feel sorry for Secretary Rusk as he hopelessly tries to justify this comedy of errors by repetitiously parroting these words: "We are in Viet Nam at the request of the South Vietnamese government." *My greatest concern though is for the 250,000 of our young men over there who cannot help but wonder which, if any, government they are jeopardizing their lives for.*

I believe the people of Oregon are the most intelligent electorate in the nation and will never send a senator or representative to Washington again who will permit such a small group in government to precipitate such a crisis as Viet Nam without questioning every ramification that it may create. *We are fortunate to have such choices in men such as Howard Morgan, Mark Hatfield and Charles Porter.*

EDWARD H. GEISSLER.

SPRINGFIELD.

To the EDITOR:

As I hear the reports and see the pictures of the people being killed in Viet Nam it just doesn't seem to make sense to me. It does not somehow seem right that the most powerful nation on earth should be sending the mightiest sea, air and artillery power against such small, desperately poor people, many of whom are utterly illiterate and ignorant of the so-called civilized world.

Why shouldn't we let them alone, or let them all vote—north and south—as planned in the Geneva Convention of 1954? We say they are Communist, but the Japanese photographer who interviewed the second in command, who some say is more powerful than Ho Chi Minh, says he is not Communist at all but "economic socialist."

But supposing he is Communist. We are not shooting and killing the 40 per cent in Italy who voted Communist, nor the Communists or economic socialists in France, in the Scandinavian countries, nor in India, China, Russia, Albania, etc. The slaughter of these wretched Orientals seems especially wrong to me, as a Christian.

To love a child—and as I see these people they are as ignorant little children—we must not spoil them, no. But to bomb their bridges, highways, power plants, railways, to kill them in such numbers with the greatest air and sea power, napalm, mortar fire of the most advanced nation on earth, just does not feel to me to be in accord with the will of God. There must be a better way.

GERALD G. EMERSON,
Pastor.

Newberg First Presbyterian Church.
Newberg.

PEACE WITH HONOR

To the EDITOR:

ROBERT DUNCAN's position is firm support of Mr. Johnson's present Viet policy, *including the refusal to negotiate with the Viet Cong. But this refusal rules out meaningful negotiations and makes our present policy, with its repeated escalations of the war, a policy which in fact seeks a military solution of the problem in Viet Nam.* Pursuit of this policy of military victory will require increasing commitments of U.S. troops due to the stepped-up infiltration of regular Viet troops from the north and to the steady deterioration of the South Viet army as an effective fighting force (it had 100,000 desertions last year). It is hard to believe that China will not be forced eventually to enter this conflict. (Imagine our reaction if the Chinese were fighting a war in Mexico or Guatemala, 250,000 troops on the ground, Chinese planes occasionally straying across the U.S. border.)

One could agree with Mr. DUNCAN's desire to contain Chinese power and influence, and yet insist that U.S. involvement in a massive land war in Asia will defeat that purpose. Howard Morgan has made clear his opposition to the present policy of seeking a military solution to what is essentially a political problem. He insists that both U.S. and Vietnamese interests will best be served by establishment of a politically independent Viet Nam government. To promote a climate conducive to political reconstruction, Morgan would de-escalate both the air and ground war, and agree to include all belligerents in negotiations. *To this reader, Morgan's Viet policies offer the best chance for the U.S. disengaging itself honorably from a hopeless military conflict in Asia.*

JOHN L. HAMMOND.

RICHMOND, VA.,
May 26, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: This is to tell you that I am back of you in all you are saying and doing to try to stop this sacrifice of young Americans in that sea of human corruption that is Viet Nam.

One of the things I have to teach my class is the psychology of leadership. They study that there are three types of leadership:

Authoritarian
Laissez-faire
Democratic

We are now testing which type we, indeed, have in the United States. Surely if it is democratic, as we hope and pray it is, voices like mine all over the country will be heard.

I am a patriotic American whose family has been in all of the wars in which the United States has taken part, and one member lies buried in Arlington. I am a conservative,—not a pacifist, and it goes without saying—not a Communist. This war in Viet Nam is, to my mind, aiding the Communists for it is capable of wearing us out (as one of the steps of Lenin foretold). The corruption on ALL sides there makes our participation a form of mass insanity.

May your efforts succeed in awakening the American people and arousing them to action that will be listened to by those in high places.

Sincerely yours,

Dr. Portia Hamilton.

Dear Senator Morse: Hurrah for the courage you show. I could say many things but you know it all and would be a waste of time for both of us. My children know of no young men who have any desire to fight in Viet-Nam. One young man we know has served in Santo Domingo as a Para-trooper. He would have stayed in the service and made it his career, but he did not wish to risk being sent to another hole such as Viet-Nam. It isn't a lack of patriotism as they are willing to defend and fight for our country but to go where we're despised and not wanted.

Every war we fight, the common man hears it rumored that we are fighting for the rich business men who have holdings of some kind in these countries, but of course will never sure as patriotism as the lack of it is always pushed down our throats. I've often heard it said if these 40 to 50 year old men had to go to fight the wars there wouldn't be any.

Thank you.

Sincerely

Mrs. Don McLachlan.

Ottawa, Ill.

May 9, 1966.

Senator Wayne Morse,
Washington, D.C.

Dear Sir: I have been listening to your speeches and hope you keep up the good work. I just can't think that anything in southeast Asia is worth one of our boys' lives. I believe we should help the people in our own country to vote, to get jobs and decent wages and houses to live in. There are more people than you realize that agree with your views. Most mothers of boys sure do and I hope that we get out of this terrible war.

Sincerely

Mrs. H. J. Frahm.

Senator Morse: I thought I'd take time out from studies to applaud your stand on our Vietnam policy. I'm sorry to hear that they don't heed yours and Senator Fulbright's *warnings* (recent boost in our troop commitment). Perhaps history will remember that there were a few sane "peaceniks" attempting to stop the flow of world blood. However, history has been kindest to the war mongers, both "good and bad" if such a significance is possible.

I have found that those pepole who support the war, support it for the wrong reasons. I've never had the privilege of carrying a sign—frankly I've been too busy with studies—however, I'd rather be labeled a "beatnik" than a "warnik." A revolution or insurgency must have the support of the people and after twenty years it would seem logical that we might get the hint. The ugly American is on stage again, taking another bow. Please, sir, make yourself heard.

With sincere appreciation,

Timothy B. McGrath.

Seattle, Wash.,
May 19, 1966.

Dear Senator Morse: What a great service to all the people, you are in the Senate. To the American people, world's people and the people of Viet Nam. For it is upon your success rests their fragile fate.

I often wonder how the Nazis would have fared if someone had taken them on the way you have. I can understand why they call you the "Tiger of the Senate."

I am doing what I can on my level to help get us out of the war.

It is a pleasure to be living in your generation. Please send me any facts or speeches which would be helpful in the fight.

Sincerely,

George Dobbins.

Toronto, Ontario,
May 24, 1966.

Senator Wayne Morse,
The Senate, Washington, D.C., United States.

Dear Sir: I am an American voter living in Canada. I am a student and a teaching fellow at the University of Toronto. I would like to add my voice to yours in protest of President Johnson's policy in Vietnam. Alone I feel helpless in the face of the President's arrogant refusal to recognize criticism. My first letter to the President went unacknowledged. My second letter was forwarded to the American Consulate in Toronto. The Consul sent me a letter explaining that he appreciated my concern and that the President was also concerned.

I am more than concerned. I am angry. I feel betrayed by the President's actions. His actions are inconsistent with his campaign promises. I feel frightened that one man can possess so much power in a democracy. I think that Mr. Johnson has transgressed his legal power as Commander-in-Chief of the Armed Forces. His refusal to recognize criticism is an arrogant misuse of power. His name calling is beneath the dignity of the office of the Presidency. I am not a "nervous nellie" and I hope you point this out to the President of "all the people."

Sincerely yours,

Hal Burnham.

Colorado Springs, Colo.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: Thank you very much for sending me the material concerning the U.S. position in Vietnam. I sincerely agree with the lawyers' Committee and am passing around the record among friends. I shall certainly refuse to vote for anyone who will not promise to work for speedy withdrawal from Vietnam and cessation of this immoral and illegal war. Keep up the good work!

Esther Vance.

McHenry, Ill.,
May 24, 1966.

Hon. Wayne Morse,
Senate Office Building, Washington, D.C.

Dear Mr. Morse: Please continue in your efforts to halt this mess in Viet Nam. Are we going to be fighting the Viet Cong, the North Vietnamese, *and* the South Vietnamese? Who is going to be left in that poor mutilated country to help us win their(?) war for freedom (and ours for their natural resources)?!!?

From a grateful American family who deeply appreciate your convictions and pray for your continuing strength to fight for them.

Sincerely,

Bruno C. and Margaret Karas.

Hon. Wayne Morse,
Senator, Eugene, Oreg.

Dear Senator: Keep up the good work and get our boys out of Viet Nam. Don't give up the fight, we're with you.

Mrs. Margaret Nesbit.

St. Cloud, Fla.

Park Forest, Ill.,
May 25, 1966.

Hon. Wayne Morse,
The U.S. Senate,
Washington, D.C.

Dear Sir: I thank you for your fine television appearances. I appreciate more than words can say your views on the Vietnam War. Your words, "We have the right to dissent" made me feel America still has some of the real spirit left of its original founders. I have one son in the service and another of the draft age. Should this war be furthered who knows about another son who will be a freshman this fall. Thank you for all of your efforts to end this war. You say so eloquently all the words I think and feel to be true.

Yours truly,

Mrs. Donald H. Aleshire.

Greenville, Ohio,
May 24, 1966.

Mr. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Sir: I wish to compliment you for the conscience and fortitude you displayed during the Senate Committee hearing (televised the evening of May 11) when Mr. McNamara was interrogated. I deeply appreciate the disturbance that you, Mr. Fulbright and others are making at this time.

There are "computer men" who walk among us as humans. (Are they reproducing? Heaven forbid!)

Mr. McNamara's case is one of mistaken identity. He thought he could charge through like a knight of old, armed with a computer, and the war would be won by precision. Now he continues to face his adversary because he is afraid to turn his back and run.

A "simple-minded" solution for the war is this: retreat and make "enclaves" and then evacuate all who wish to leave. This would be more soulful than war, and certainly more economical of everything, even if it took more than a year to accomplish it.

Here is a quote I think pertinent in this situation: "* * * it is not America but Russia, holding vast lands once belonging to the Middle Kingdom, who has most to fear a clash with an aggressive China."

Sincerely,

Mrs. T. K. Wenrick.

Newburgh, N.Y.,
May 25, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: I am writing you to thank you for your criticism of our administration's stand in Viet Nam.

So many of us feel strongly that we do not have the moral right to be there but it is like a voice crying in the wilderness. Our objections do not seem to be listened to and with each passing day, more of our young men are being killed. How very tragic for the families involved. How can people bear the loss of loved ones for a reason in which they cannot believe.

I pray that you will continue voicing your opposition.

Sincerely,

Marion W. Rider
Mrs. M. J. Rider.

Palo Alto, Calif.,
May 23, 1966.

Dear Sir: I'm not a pacifist but I'm shocked to the Vietnam situation. How could we get so involved? I can't believe it. It's a nightmare to most of us.

It must be worse than a nightmare to the average Vietnamese. No wonder we're unpopular. The only people who seem to want us to stay are the profiteers and the Ky government.

Thank you for having the courage to express your opinions. I'm sure most Americans agree with you.

Sincerely,

Mrs. Ethel I. Eding.

Council Bluffs, Iowa,
May 24, 1966.

My Dear Senator: I wish to express my disapproval of the war in Viet Nam. Our boys are being killed a few at a time and this war could go on for years and years. Most of the people don't feel this war unless they have boys in the service. I have two sons in the service and it seems to me that Robert S. McNamara is trying to prolong this war at the expense of the lives of our boys.

I have read in our paper where our boys have been cut short on materials, and weapons. We seem to be short of planes and bombs.

What is our committment to this country? They have no form of government. Are our boys dying for nothing? If our boys die one at a time what will this solve in this country?

This war is not ours, this is needless bloodshed and loss of our boys lives. Each and every boy is precious to their families. They deserve the chance to live and have families of their own.

I have heard your views on Viet Nam and I hope you know that most of the people that I know share your views. Help us to stop this needless slaughter of our boys. Surely there is another way to help these people without the needless death of our boys. If this war is necessary then we should not hold back on the bombs. Bomb the strategic places like Hanoi.

Sincerely

Mrs. Helen L. Greene.

Flushing, N.Y., *May 26, 1966.*

Senator Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: Attached is a letter we wrote to President Johnson protesting our involvement in the War in Vietnam. We would like you to know we support your courageous stand against the War in the Senate and on the Foreign Relations Committee. We believe you are helping democracy to survive in this country at a time when it is being seriously challenged by the actions of the President and his Administration.

We urge you to continue to bring the truth about the War to the American people in the face of all opposition from the White House because we believe that the people are beginning to realize the illegality, brutality, and shamefulness of this destructive policy which has not advanced our country's ideals at all in Vietnam or the rest of the world.

Very truly yours,

Larry Fantl.
Susan Fantl.

"Flushing, N.Y., *May 24, 1966.*

"President Johnson,
"*White House,*
"*Washington, D.C.*

"Dear President Johnson: We would like to register our opposition as citizens of the United States and as human beings, to this country's role in the present conflicts in Viet Nam. We oppose our open support of the military, anti-constitutional government of General Ky against the National Liberation Front, and our tacit, indirect support of Ky against the Buddhists who are seeking constitutional government. (Ky could not combat the Buddhists so successfully without the military equipment provided him by the U.S. Government.)

"The brutal war we are waging against the National Liberation Front (NLF) and North Viet Nam (we make a distinction) are morally and legally wrong, and diplomatically and tactically damaging this country's domestic programs and international bargaining position and prestige.

"1. More Americans are now being killed than Vietnamese. We have been fighting for at least two years with no concrete military victories ever being achieved and maintained. Obviously a military victory in Viet Nam is impossible. Obviously the bulk of the Vietnamese population is either positively supporting the NLF, or else not enough opposed to it to actively work for the Ky government. In any case, we have created a situation in which Ky's government is as much hated as the NLF by anti-communists like the Buddhists, which comprise a majority of the nation's population.

"2. We are provoking Communist China by repeated bombings of North Viet Nam, closer and closer to the Chinese border. This does not even take into account the fact that these bombings have not brought us military victory. We must consider also the crudity and illegality of bombing North Vietnam, Laos, and Cambodia, which have never been proven indispensible and sole sustainers of the NLF in South Vietnam.

"3. We are retarding relations with Russia and with France, a potential friend and a former one, by persisting in these aggressive actions in S.E. Asia.

"4. The war has retarded social progress domestically, holding back the two primary programs of your administration, the Poverty Program and the Civil Rights Program.

"5. By escalating the war and by bombing North Vietnam, you have betrayed the voters who elected you instead of Barry Goldwater because you supposedly stood for fair-minded political action and a minimum of military action in South Vietnam.

"6. You have betrayed the voters who favored your liberal and humanitarian program of social legislation at home. To us, it is the nation's disgrace that Medicare and the Civil Rights Act, and the War on Poverty, should be accompanied by a war on Vietnam which obliterates human rights, increases poverty and suffering. The acts at home are constructive and laudable, and will give your administration an honored place in this nation's history for generations. But the acts of war abroad have already made your name and administration infamous to many, and the damage done to our national reputation, to the U.N., to international diplomatic relations in Europe as well as Asia, and to the Vietnamese people will take as many generations to rectify.

"We support the statements of Senators Fulbright, Morse, and Kennedy, and all others who have spoken out against the War. We ask:

"1. That you cease immediately the bombing of North Vietnam.

"2. That you initiate no more attacks on the NLF in the South.

"3. That you hinge your military support of Ky on his guarantees of elections September 12, and his promise not to destroy the Buddhist movement which opposes him. (CONTROL KY, DON'T LET HIM CONTROL OUR FOREIGN POLICY.)

"4. That you reconvene the Geneva Conference and reinvite the U.N, to provide suggestions whenever it feels it can.

"5. That you offer to negotiate immediately and unconditionally with NLF as a major party of all discussions.

"6. That you campaign for peace, not as you did last January with accompanying escalations of the number of troops in Vietnam, etc., but honorably and sincerely, and for as long as it takes to reach a peaceful, satisfactory political settlement.

"As things stand, Mr. President, we have discovered that it is possible to be ashamed of being an American, and that our fears of world conflict and nuclear holocaust are not focused on Moscow or Peking, but on Washington, D.C.

"We ask you to remove the shame and enable this country to return to the much more compelling, honorable struggle of defeating poverty, disease, ignorance, and fear within our own boundaries, and anywhere else these forces prevail.

"Very sincerely yours,

"Larry Fantl,
"Susan Fantl."

Alameda, Calif., *May 6, 1966.*

Dear Senator: This senseless war in Viet Nam is the most terrible thing that has ever happened to our country. It is none of our business what the countries of Asia do.

The power to send troops to foreign lands and to get us into war, should be taken away from the President and restored to Congress, where our Constitution placed it.

The people of Viet Nam have their own ideas of how to live and cannot understand anything different. Of course they all want the money we so lavishly pour in.

I am seventy years old and am more worried about the fate of our country than ever before.

I thank you for trying to get us out of this mess. I am a native of Oregon and am proud to think that the representative of that state is making such a good fight.

All of the hand-outs the President can make does not compensate for the loss of our wonderful young men. They are like sheep led to be slaughtered.

Sincerely,

Lillean H. Henderson.

Manhasset, Long Island, N.Y.,
May 25, 1966.

Dear Senator Morse: We are so grateful for your courageous leadership in opposing U.S. official policy in Vietnam.

Thank you.

Francine Barkan.

Philadelphia, Pa., *May 25, 1966.*

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator: I would like to express my support of the position you have taken concerning United States foreign policy, especially in Vietnam. Your courageous determination in speaking out against whatever you believe to be wrong will, I hope, continue. Thank you for putting your country's future ahead of your own political future.

And thank you, thank you for your recent observation that were John F. Kennedy our president today, he most probably would not have us in this unholy mess! I became annoyed when editorialists claim that there is no difference between the Johnson and what would have been the Kennedy policy. In fact, I see grounds for the impeachment of President Johnson for his total disregard of the Constitution concerning declaration of war. Also, his claim that we are preserving freedom for the people of Asia (by burning and bombing them and their villages and supporting a military dictator whose hero is Hitler) sickens me.

Again, I urge you to continue your opposition to our presence in Vietnam.

Very truly yours,

Joan Leiby.

New York, N.Y.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: I endorse your stand on our position in the Vietnam war and think it is wonderful that the United States Senate has such an able spokesman for liberalism.

The American people welcome the debate and investigation of the awesome issues of this terrible dilemma.

Sincerely yours,

Maurice Schaded.

Bayside, N.Y., *May 20, 1966.*

Dear Senator Morse: We wish to thank you for everything you have done and said about Vietnam. We are very lucky to have had the opportunity of hearing your views presented at the Senate Foreign Relations hearings on television.

We are not organization people, we never marched, nor sat in; or were we ever strongly committed to any cause. This letter is the beginning of our commitment. We thank you for your leadership and inspiration.

As much as you need us, Senator, we need you more. Our strength and our hope lies in you.

Sincerely yours,

Gloria & Paul Littman.

New York, N.Y.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: May I respectfully commend you on your firm stand against our involvement in Vietnam and express my complete agreement with your views.

Yours sincerely,

Dorothy Blass.

Mesquite, Tex., *May 11, 1966.*

Senator W. Morse,
U.S. Senate,
Washington, D.C.

Dear Sir: Please let me once again assure you of my support in your fight against our involvement in Viet Nam. Please continue to do all you can to inform the country about this senseless and dangerous war. I keep hoping that finally good sense and not ill inspired emotions will prevail and result in our disengagement.

Very truly yours,

H. H. Behner.

Albany, N.Y., *May 23, 1966.*

Dear Sir: Such strength of mind and character is an inspiration to all of us.

God bless you.

A Teenager.

Houston, Tex., *May 25, 1966.*

Senator Wayne Morse: I heard you on Tel. & I think we need a few more talkers like you that will speak out against this terrible slaughter of our men in Viet Nam. Surely with all the brains & educated people there should be better means of ending a war, that seems to be dragging us in further.

Please write me & tell me what we women can do in our small way.

I know you are a Democrat but I'm hoping a Republican will be our next Pres. for the main reason, that all the wars, I can remember of have been under Democratic Pres.

I'm just now hearing reports on radio telling what effect the war is having on this country & that war with China is unavoidable. That makes us shudder.

Why can't you be instrumental in doing something about this useless killing. I'd say pull out & settle with talks, negotiations policing or anything. I think if we stop the aggression they will stop.

Go to them & make some sacrificing before our country goes bankrupt. We have too many irons in the fire.

Mrs. Henry Krebs.

Berkeley, Calif., *May 25, 1966.*

Senator Wayne Morse,
Washington, D.C.

Dear Sir: I wish to inform you of my complete support of your opposition to the President's Vietnam policy. I beg you to continue it, and prevent the disastrous consequences which the President has chosen to weigh his country.

Sincerely,

Robert H. Mandel.

Littleton, Colo., *May 26, 1966.*

Senator Wayne Morse,
Washington, D.C.

Dear Mr. Morse: I am in complete agreement with your views on the war in Viet Nam. I am thankful that there are still men, like you, around who can view situations of this nature, realistically, placing the security of our own nation in first place.

I find, however, that my own objections are a little bit different than yours. So I am sending you this letter that I am also sending to the Denver Post, in the hopes that you may find in it a germ of an idea that can be used to defend your position.

These are not only my views, but represent the views of my 23 year old son, and his friends, who have fought in that war in Viet Nam. They know what those people are like, from their own experiences with them. They believe the cause to be hopeless and feel deeply discouraged with our commitment to defend all of Asia. From their point of view, this could involve the rest of their lives and the lives of their children, as well—if Americans could last that long.

I wish, with all of my heart, that you, or someone like you, could be our president.

Thank you.

Mrs. Bernice R. Howe.

"Littleton, Colo., *May 26, 1966.*

"Aren't we kidding ourselves about the war in Viet Nam?

"While President Johnson states and restates with monotonous regularity that we must stop the Communists in Viet Nam to prevent them from taking over all of Asia, Raul Castro, Cuban Armed Forces Minister, determines to redouble Cuba's aid to Communists revolutions in the belief that these revolutions are the Achilles heel of the United States. (Rocky Mountain News article, page 3, May 24, 1966)

"Mr. Johnson seems to be under the impression that when and if the Communists realize that they cannot take over South Viet Nam by force, they will somehow or other be intimidated or discouraged from further aggression in other countries. I wonder why it has not occurred to Mr. Johnson that we have already forced the Communists to realize that they could not win in Korea, Berlin, and . . . we did show them that they could not bring those missiles into Cuba. They were not intimidated by these experiences with our determination, yet, Mr. Johnson asks us to forget the past and believe that this time it is going to be different. This time the Communists are going to learn their lesson, once and for all.

"But, if we stop to view this situation from Maj. Castro's point of view, it does seem that it might be much more profitable for the Communist world powers to involve the Americans in a series of small wars rather than risk their own manpower, their own economic resources, and especially their own reputations in one Big War.

"If this were their intention, they could instigate little wars in all of these 39 other countries that we are now obligated to defend. If they could keep a war going in each of these countries for as short a time as three years per country, they could keep us pretty busy for the next 117 years. While we were expending our strengths in these wars, the Communists would have more than sufficient time to develop their home projects, especially their space projects, and we could wake up one morning to discover that we were being controlled by a "Man in the Moon" and that man would not be an American.

"It seems to me that we must stop, somewhere along the line, take a clear, hard, cold look at our 'enemy' and wonder if we are not playing this game just exactly the way he wants it played.

"It seems to me, that we must stop, somewhere along the line, and evaluate this situation from different points of view, considering other methods of dealing with this problem or we could wake up one morning and discover ourselves to be so weakened from a long series of little wars that the Communists have won by default.

"I, personally, do not believe that the Communists plan to stop when the war in Viet Nam is over, I personally, do not believe that the Communists care whether or not they win or lose the war. I believe that their purpose was served when the first American dollar was spent and the First American boy died over there.

"Even as we sit here wondering about it all, I suspect that the Communists are already planning their next adventure. Where will it be? They have a pretty wide choice. We may have Thailand and Malaysia well protected, but that leaves India, Egypt, Israel, Cuba, South America.

"Let's face the hard, cold, revolting facts. If we are going to commit our military and our economy to every Communist-instigated revolution that comes along, the Communists are going to have us dancing. Just like the old-time Western bully could keep the town drunk dancing by shooting bullets around his feet, the Communists could keep us dancing by instigating revolutions.

"And, just as that town drunk would be considered a fool if he felt victorious for having avoided all of the bullets, I think we are kidding ourselves if we believe, for one moment, that a victory in Viet Nam is a real victory over Communism.

"Bernice R. Howe."

Youngstown, Ohio, *May 25, 1966.*

Hon. Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Thank you for speaking out so strongly on our policy in Vietnam during the hearings that were televised two weeks ago. Please continue to pressure for a change in our policy. I find more and more people who think that it is imperative that we stop this military action.

Sincerely yours,

Elizabeth Sterenberg.

Senator Wayne Morse,
Washington, D.C.

We love you.

Keep working for peace in Vietnam.

The Marrows.

Mt. Vernon, N.Y.

South Bend, Ind, *May 24, 1966.*

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: As a long-time conservative Republican I feel compelled to write to voice my support for your stand on Vietnam. We have put ourselves in the position of saving these people from themselves even if it means killing them all off to do so.

The entire Vietnam situation has been a series of errors in judgment (misjudgment is human) but instead of rectifying these errors the administration has bulled its way along trying to cover them up by applying more force. Unfortunately this force means heavy loss of life on all sides. Like it or not we are the hand that is manipulating the military puppet ruling Vietnam.

Keep up the fight.

Very truly yours,

Don J. Barth.

THE REYNOLDSBURG METHODIST CHURCH,
Reynoldsburg, Ohio, May 23, 1966.
Senator WAYNE MORSE,
U.S. Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Thank you very much for the section of a recent CONGRESSIONAL RECORD discussing our involvement in Vietnam.

Many of us agree with you wholeheartedly and want to encourage you as you become the conscience of the Nation in regard to our involvement in Southeast Asia. We greatly admire your courage in taking this very unpopular stand and want you to know that many of us share with you the deep concern about our commitments there and the treatment of the Vietnamese people. Keep up the good work and let me assure you of the gratitude of the many persons who share your concerns.

Sincerely,

CHARLES D. KIRSCH.

MAY 23, 1966.

DEAR SENATOR MORSE: I wish to let you know of my gratitude to you for your courageous labors in trying to bring sanity to our country's headlong drive in a war of hate and terror.

I also wish to tell you that all of my family, all of my friends and acquaintances have been against this war from the first—(Where does this "consensus" come from? It can only be from those people who do not read except superficially, and from the hatemongers and reactionaries.)

In deepest gratitude,

IRENE DONNELLY.

PHILADELPHIA, PA.

BRYAN, TEX., *May 18, 1966.*
Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: I wish to express my deep appreciation and gratefulness to you for the stands you have been and are taking before our present Administration regarding their foreign policy programs—namely Viet Nam. Because of this you have taken criticism but, nevertheless, have been constant and untiring in your effort—the sign of a great man.

It is my hope that our President will soon take more advice from people such as yourself than he seems to be taking at this particular time.

May God bless you and work with you in your efforts to bring peace to this troubled world.

Respectfully yours,

MARY E. PARRETT.

MAY 20, 1966.
Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

SENATOR: When you feel like running for the Presidency—count on my vote. I refer to your Viet Nam position.

I am recommending it to the President and my other elected representatives. Thank you for a kind of patriotism that appeals to the national and honest mind.

J. A. CREEDON.

HUNTINGTON PARK, CALIF.

MONTOURSVILLE, PA., *May 24, 1966.*
Senator WAYNE MORSE,
U.S. Senate Building,
Washington, D.C.

DEAR SIR: I'm writing you this letter in regards to my views on the Viet Nam War.

To me this is one of the worst wars ever fought between mankind. I've watched you and listened to you and Senator DIRKSEN and FULBRIGHT as you plead and present your views on this horrible war to stop it. And you are being greatly admired for your actions you have taken especially when you questioned the Defense Secretary, McNamara, in those hearings in the Senate, and we didn't get it from the press, your views. It came live by television. And that we dare to believe.

I'm sending you a clipping from our daily newspaper, and I also listened to him on television and watched him, U Thant, as he spoke from Atlantic City.

Senator MORSE, I have three sons (all the children we have). The oldest was drafted and he served a portion of his two years in Germany. Just as he got home the other son left for the service (drafted) and he was sent to Korea during the conflict there. The youngest son was drafted after he was married a year. He has been in the service six months. He is home on furlough from Camp Gordon, Georgia. When his leave has ended, he is being sent to Viet Nam. I have had an exceptionally hard life as a mother. My husband is not well. He works at a light job, all he can stand. And sometimes hardly able to go to work. I wrote President Johnson just explaining to him that I've been through so much and since we did share our (2) sons in foreign duty just asking him if the third son could not be stationed in the States to complete his duty to his country. He is commander-in-chief of the Army. He could have said Yes, and had him stationed here. I had a letter from Julian Wilson saying he was asked to answer it for President Johnson. And the letter contained conditions that could not be met as I will not go out to exaggerate the conditions and that was "only the presence of the son would eliminate the problems with which I'm faced. And that would just be telling a falsehood. And I would not go out to embarrass my son to fill out papers to that effect. I have had many problems which works a hardship on me. But this is the worst problem I've had to try to get through with. Senator MORSE, mothers' hearts are aching and bleeding all over the world tonight because of this war in Viet Nam. When I sat before my television, and watched a film of the bloody riot in Da Nang tonight reported by Ron Nessin, our reporter there, and saw and heard mothers screaming and crying over their little children who had been shot to death, plus many more heartbreaking scenes. God help us and help us quickly to get out of Viet Nam. You would be surprised to hear that in such a small community where I live, people are talking of demonstrations in Washington. I would never think of coming to Washington as a demonstrator. But I'm appealing to you, if you have any influence in the White House, to ask President Johnson not to send my son to Viet Nam. And to bring those boys who are already there home. God has been so good to us as a nation, but so help me, if we go over there to kill and plunder like is going on over there, destroying life, and their homes, some day we will suffer because God promised it. And it will come to our homeland. Just what is happening over there. Let us stop it before it is too late. I would be glad for an answer.

Sincerely,

Mrs. HAROLD BIGGER.

P.S.—We shall pray daily for your guidance as a Senator who means so much to our country, and we shall be influenced as we go to the polls by those who let the American people know what's going on and will plead for the wrong things to be made right.

God bless you and direct you in all you do.

Julian Wilson is Personnel in the Dept. of the Army in which I think you surely would know. He is not to be blamed for the answer to my request. He has his duty to perform and he did the best he could.

FEDERATION OF SLOVENIAN PENSIONERS OF METROPOLITAN CLEVELAND,
Cleveland, Ohio, May 25, 1966.
Hon. WAYNE MORSE,
Washington, D.C.

HONORABLE SENATOR: This Petition is just to let you know that 1200 members of the Federation of Slovenian Pensioners of Cleveland, Ohio, fully agree with your peace policy to stop the war in South Viet Nam, and we appreciate your efforts and courage to bring this brutal war to an end.

We further wish you all the success in your work for this human cause.

We remain sincerely yours,

KURT STOKEL,
President.
JOHN TAVIAR,
Secretary.
ANDREW BOZICH,
Treasurer.

UNITED STATES CONSTRUCTION CORP.,
Sarasota, Fla., May 25, 1966.
Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR MORSE: If the great Americans of yesteryear could come back, they would recognize, as I do, your constant and dedicated contribution to keep these wonderful United States free and strong.

Sincerely yours,

SANDE ROCKE.

PALM DESERT, CALIF.,
May 26, 1966.
Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR: Inclosed is a copy of some of the paragraphs from the letters I received from a friend who was drafted and fighting in Vietnam. We correspond regularly and I received a letter from him twice a week. Now I have had no letter for over a month. I trust and pray he is not another casualty in Vietnam's stupid religious war. Outside of protecting our oil interests, what reason have we for mixing in this civil strife? If you know of any other reason I would like to know.

You deserve great credit for your tireless work in the televised Senate Foreign Relations Committee hearings. Please carry on for a helpless American public.

You have my humble thanks and good wishes,

BARBARA KNAPP.

"I'll really be crazy when I get back to the States. I don't think I'll be able to live with myself."

"When I die I'll go to heaven because I've spent my time in hell (Vietnam)."

"One reason we haven't won this conflict yet is because you can't see the V.C. It's like fighting a ghost. Nearly all the tunnels they have are eight stories deep."

"We only lost one man on this last operation—but that was one too many."

"We find villagers and figure they aren't V.C. and let them go, but if it were up to me, I would kill them all (women, children and old men). They're all helping the V.C. one way or another. Every village we go into there are women, children and old men, but no young men from the ages of 17 to 45 and they're out fighting us. That's why I would kill them all. You would understand if you were over here in my place—most everybody would, but they aren't over here. Really, I can't put it in writing how I feel, all I can say is that it's a silly and stupid damn war. The V.C. don't even know what they're fighting for."

"This next operation we go on I'm going to kill anything I see, women or children.

You probably think I'm nuts, but if you've ever been next to one of your best buddies and he gets shot through the stomach and you see his guts hanging out and he dies right beside you, would have the same feeling I do about any V.C."

"They only have two seasons over here—hot and dry and hot and wet. It has been kind of hot the last week—around 120°."

"It's Hell over here, Pure Hell, no one knows how it is over here unless they've been here."

Fulton, Mo., *May 25, 1966.*

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Thanks very much for the Congressional Record "Legal Issues Of U.S. Position In Vietnam". I shall study it diligently. There is a bountiful flow of propaganda through this section of the country, and I am certainly grateful for something that can be depended upon to be the truth. I appreciate Your effort to get the truth to the people of America.

Senator Morse words would fail me to express my appreciation of You in your struggle for the Nation's welfare. I wish I could be of more help, at least be able to send more encouragement Your way. Many of us do look to You to bring out the truth. We have great admiration for You, and esteem You very highly as one of America's great statesmen. And I might add a great force in our hope for our Nation.

Our prayers will be directed your way, and we do pray that God will continue to bless you with health and wisdom to carry on the good work, as you have in the past.

Cordially,

E. J. Miller.

Pawtucket, R.I.,
May 31, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I want to let you know that I approve of your efforts and position on the Viet Nam issue.

I hope you will continue your efforts and wish you every success.

Sincerely yours,

Ross Dagata.

San Jose, Calif.,
May 24, 1966.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: Enclosed copy of a letter I have just sent President Johnson regarding the Draft and Viet Nam. When I lived in Beaverton, Oregon I supported you, not because I completely agreed with you but because I felt you did have the courage of your convictions and were and are by modern standards a Most Honest Man—I still feel the same.

I'm a salesman, contacting and conversing with people at many levels and degrees of thinking and intelligence, you could say the mass or group who are the heart of our country. You are right this great mass are rapidly changing their attitude on Viet Nam, the Draft, Poverty Program, Great Society, etc. and if national elections could be held right now the Administration would be in for a shock. Unless it's done by a Master, people will only be sheep for so long and I think that's happening now, the sheep are returning to people, glib words won't do. Last Week, House Furnishing Daily, a Fairchilds Publication published a story on A.I.D. to Viet Nam. The reporter really laid it out and we are apparently grossly undermanned and mismanaged and supporting the Viet Cong along with everyone else in food, drugs, and clothing.

I listened and read President Johnson, Mr. Rusk, Mr. McNamara and quite a few more but they're not reaching me with the old platitudes and worn out phrases. I'm not against military service, strong defense or help for anyone who needs it but watching the newscasts from Viet Nam and the action of the various factions I'd like someone in Government to explain in language we could understand, why we're over there and why we're staying over there—I don't think those people would know or care in the majority if they were Communist or a Democracy. Is it possible we are getting so many highly educated men in government they're developing fat between their ears. Certainly hope Senator Morse you keep at it.

Sincerely,

Harold H. Levora.

"The President of the United States
"L. B. Johnson

"Dear Mr. President: Sunday nite May 15 I watched my only son Jim and 120 others in his Co. come thru San Francisco Airport in full combat equipment headed for Da Nang. I witnessed their debarkation from the plane with mixed emotions and as Jim and his group approached the ramp I turned and looked down to see an 18 or 19 year old Sailor coming up the ramp on crutches—one leg gone below the knee. Not even thinking of past casualties—or future—I wondered if this whole Viet affair was worth that boy's leg.

"Jim like many others has been in and out of college and while in an interim period between work and college he was drafted May 9, 1965. At the time he was under the care of our family physician as result of an accident that closed one side of his nose. Our Dr. referred him to a Specialist and the Draft Board postponed induction to allow an operation. Three weeks after the surgery when he wasn't even permitted to blow his nose to avoid puncturing the membrane and with an allergy to dust, he was inducted into the Armed Services. At Ft. Leonard Wood, where he took basic, the Medics discovered he was also allergic to grass but he made it thru with his unit because of personal pride and self determination. His induction under these circumstances was hard to understand altho we had at that time considerable adverse publicity from groups at Cal. and San Jose State on how to avoid the draft.

"After basic he was to go to Ft. Knox but was held and then assigned to Ft. Gordon, attached to HQ Co. and while there he volunteered for overseas duty with 29th Civil Affairs Co. where, as PFC Jim J. Levora, U.S. 66401293 he is one of few Draftees in this Regular Army unit. Sunday Jim told me if he had had any idea the Viet Nam civil situation would be as it is he'd not have volunteered. Looking at all the officers and men in the group I didn't see many smiles.

"I'm proud of Jim—all the way—for his conduct thru this entire course of events but personally unhappy under the circumstances and present conditions. There are so many inequities in our Draft System of which you are aware—deferments of many kinds—CLASS deferments—to dumb—to smart—to rich—to poor and there's the pro athlete. Pro football players can get hit by plenty of muscle—August thru January but are unfit for military service—this is hogwash.

"I figure I'm Mr. Joe Average American and as such am entitled to be heard, even tho this never reaches you. I'm not a well educated man and can't bandy the words around like you Mr. President or Mr. Rusk, but I am a registered Democrat of 34 years and articulate enough to have actively helped the Party until recent years when I have leaned more to the independent. I'm in contact with people every day—I should say PEOPLE—and even the hard core pro Viet Nam are turning, saying they're sick of this whole stinking mess. I intend to write everyone I've supported or support to let them know my views.

"In your position I can appreciate it's hell if you do and hell if you don't but with the deterioration of an already bad situation, it might be better to do what someone said—fight and run away to live to fight another day.

"Sincerely,

Harold R. Levora."

Altoona, Ala.,
May 31, 1966.

Senator Wayne Morse,
Washington, D.C.

Senator Morse: I appreciate your stand on Vietnam during the recent debate. I wish Alabama's senators had stood with you. I feel you spoke for me and the majority, if not all, of this state's citizens. We can still hope "Even in the midst of the Great Society" as long as we have men of your caliber in Washington.

I am a widow of a WWI veteran, a mother and grandmother and I care about this Nation's tomorrows. I feel Oregon is proud of you. I am,

Gratefully,

Mrs. L. P. Willingham.

First Presbyterian Church
Sodus, N.Y., May 31, 1966.

Hon. Wayne Morse,
U.S. Senate Office Building,
Washington, D.C.

Dear Senator Morse: I have recently received your Congressional Record statement outlining your views on our involvement in Viet Nam, and I have followed yours and others' statements on T.V. upholding the same views.

May I express my heartiest agreement with this position. Keep up the good work, and it is a good work. Before it is too late let us hope that wisdom will prevail over hysteria and expediency.

Most sincerely,

J. Russell Dunlap.

State University of New York,
Little Neck, N.Y., May 31, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: The American people and the world have come to expect your continued courageous voice in opposition to the outrageous war we are waging in Vietnam.

Thank you very much.

Sincerely yours,

Michael Tobin.

Dear Senator: Today I heard the latest casualty list of this undeclared war. 146 dead and 820 wounded.

When I read or hear something on the radio or TV on what your views are on this undeclared war I am in agreement with you.

I, too, do not believe our government has any right supporting a military regime, which is not an elected government of the people. Backing Ky as we are, is the same as asking ourselves in.

I believe there would be more opposition to this undeclared war but for one reason: The average person does not read the newspapers (as he should) or listen to news broadcasts or read extensively. Some way must be found to reach this type of person. They do not really care about this undeclared war as long as it does not include or affect them.

What would happen if the hearings were re-opened and the people were to hear witnesses on the following:

1. What is the estimated cost to our government that will have to be paid out to South Viet Nam in reparations? (Reparations will have to be explained.) What will this cost be to the individual taxpayer?

2. What would the public reaction be if someone from the HEW department told the public about the malaria and other diseases the American soldiers are contracting in South Viet Nam? What possibility is there of them bringing these foreign diseases back home with them? Will our doctors be able to recognize them and treat them if they are contagious and spread to our civilian population?

This is something I have always wondered and I think the rest of the public should know this too. If you took the total population of South Viet Nam and divided it into the total cost of all the money our government has spent in that country so far, how much would this be per person?

How much is one billion dollars?

1. How many $3,000 cars would it buy?

2. How many $15,000 homes?

3. How many four year college educations at $3,000 a year?

4. If you had carpeting at ten dollars a square yard how many miles of carpet could you buy for one billion dollars?

5. How many men would it take, earning 10,000 a year to earn a billion dollars in 20 years?

One billion dollars is just a word or a name. Break this myth word down so that the public knows what one billion dollars can do.

These are things I have wondered about.

1. What happens to the weapons of the deserting South Viet Nam soldier? I heard on the radio today they are deserting at the rate of 6000 a month. Where do they go? What do they do? Is there any punishment for this? Could they reenlist again and do the same thing over again?

2. What kind of people live in South Viet Nam?

3. What is a Buddhist monk?

Many times what you say is taken out of context and your meaning is lost and distorted. I wish you could go on national television and let the people know your views in their entirety. I would feel privileged to contribute to such a cause.

Sincerely,

A Nervous Nellie Who Is Getting
More Nervous.

Santa Cruz, Calif.,
May 30, 1966.

Dear Senator Wayne Morse: Please accept my thanks for being a man with the courage to stand up for his beliefs.

I agree with you—this is a war we should not be fighting.

Let's not save face. Let's save lives. God bless you.

Sincerely,

Ruth Ashworth.

Chicago, Ill.
May 28, 1966.

Dear Senator Morse: I have never before written to a Senator from a state other than my own. But I felt it necessary to write you and express my gratitude for your courageous stand on the VIET NAM war issue. One often reads of a Senator's mail running in a certain ratio on an issue. So I felt I should add this letter to those approving your stand.

The Viet Namese war is indeed a tragedy, not only because it involves great suffering for the Viet Namese people, but because the United State is disgracing its proud tradition of the defender of freedom around the world. What freedom are we defending in Viet Nam? The National Liberation Front does not represent freedom, but neither does the cruel Ky dictatorship that our dollars and men are defending. It comes down to a question of a right wing or a left wing dictatorship, and I don't think any kind of dictatorship is worth one American life. The question of aggression is also absurd. North and South Viet Nam have almost equal populations, so if South Viet Nam had her people behind her, she could easily defend against aggression. The truth is we have become involved in a three sided civil war. The Buddhists who are truly the freedom fighters are opposed by the Saigon dictatorship. The NLF who helped rid the country of the French is also opposed by the Saigon government and the U.S. The ones who back the Saigon government are the rich land owners who have made the poverty of the country and thus the NLF, and the U.S. This is the shame of America in Viet Nam.

Please keep up your criticism of our policy. You will have those who really love their country behind you. But when someone quotes the famous saying "my country, may she always be right, but my country, right or wrong," remember that this is probably what some Nazi said when he shoved a Jew in a gas chamber. Keep this in mind instead, "my country, may she always be right, but when she's wrong, may God give me the strength to help make her right."

Sincerely,

Louis Kovach.

Oswego United Presbyterian Church,
Oswego, Ill., May 31, 1966.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I want to thank you for sending me the copy from the Congressional Record of your speech in the Senate last February 25, inserting in the Record the report of the Lawyers Committee On American Policy Toward Viet Nam.

I have read this with great interest.

I want you to know that I support the stand which you are taking on Viet Nam. I preached on this subject along with a large number of the ministers in this area last Sunday and I found your speech very helpful. I will be glad to receive copies of further speeches which you may make on this question. Thank you.

Sincerely yours,

Woodrow Wooley.

Peoria, Ill.,
May 30, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Senator: I believe that after hearing some of Sec. U Thants recent speech it might be a good time to press for some sort of peace talks through the UN. I think that world opinion must be very strong against us at this time. Given the Buddhist civil war and their clear call to all the world to get the U.S. off their backs the time is ripe to make a real effort in the UN to stop this war. I think that U Thant was clearly asking the American people to take a stand and demand that this war be stopped.

Senator Morse, what this country is doing in Viet Nam is a disgrace. I am so ashamed of my country it just sickens me.

Is there no way to stop this administration?

It's clear to most anyone that this country is looking for a pretext to start a war with China. Then this country will have had it.

Signed

Very Worried Citizen Who Doesn't
Know Where To Turn.

St. Alban's Episcopal Church,
Jacksonville, Fla., May 30, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Sir: I have always supported the President and for a long time I thought that you were dead wrong. I now find that I cannot allow the proposed (Post election????) build up and escalation of the Viet Nam war to go without registering protest.

Keep up the good fight. God bless you.

Respectfully,

Robert C. Johnson, Jr.,
Vicar.

May 31, 1966.

Dear Senator Morse: I have written to you before in behalf of the mothers of Portland and this time I have read an article that I think is excellent and shows exactly how most of the people feel whether their sons are over in Viet Nam or not. "I object vigorously to the sacrifice of these young men in support of a policy that cannot win."

Why should we police the world? The function of the military is to defend our shores and why should we try to fight for some insane war which is just what the Viet Nam war is and particularly when these people don't want us there but want a chance to work out "their way of life" for themselves. Right now we have the Russians fishing on the west coast, the Cubans stirring up trouble again and the Viet Nam war also the Santo Domingo crisis.

I can't see where my son who has been gone two weeks now and we haven't heard a word and all the other boys who left when he did besides the thousands of others who are over there and have been for sometime do any good when they are told "to go home." Why should these Vietmese make "torches" of themselves and blame us—we were trying to help but they don't want us.

Sincerely,

A Mom.

Idealistic and Practical

Beaverton, Oreg.

To the Editor:

I am a conscientious objector, age 53. I object to the present foreign policy of my country and to the war we are waging in Viet Nam.

I am the father of two girls and four boys and anticipate my first son-in-law within six weeks. I believe in and enjoy the teenagers and young people of our community, state, and country. I object vigorously to the sacrifice of these young men in support of a policy that cannot win.

My objections are based on principles that are both idealistic and practical in philosophy.

In my opinion we are faced with three alternatives in Viet Nam. All discussion and all policy must relate to three choices. Unfortunately we are letting our governmental officials avoid facing up to these alternatives which are as follows:

(1) Smash all those who would resist us in Viet Nam. Bomb them, kill them, destroy them until they yield to our command, our will, our purpose, and our plans for them. Ultimately in pursuit of this alternative we may have to cross the border into China to impose our will on the Chinese. Smash them. Our will must prevail. Our flag over all is the ultimate in this direction. I believe that it is agreed that we cannot accomplish these goals.

(2) Fight until we can negotiate a treaty and draw a line which we can defend from now until doomsday. We are defending a line in Germany, in Korea, and a perimeter in the Caribbean. We have taken upon ourselves the function of policing the world and

responding in force to every conflagration in the world. We can't win this way either. There is no end to this way.

(3) The third alternative to which a growing number of people are subscribing is to get out of Viet Nam. We recognize a host of objections and difficulties but we are sure that we must accomplish a complete and strategic retreat.

The violent screams of shock of those who want to fight communism rend the air at this alternative. Our question to them is, why, when there is apparently as much communism in Cuba and South America as in Viet Nam, do we fight a war 10,000 miles away? Why did we not fight in Cuba?

We are not going to win even though we bomb and bomb and finally smash and wreck this little country of Viet Nam.

It is not our purpose as a country to rule the world. If we are enlightened as some of our politicians claim, it is not practical or idealistic to share our enlightenment via the military who threaten devastation with every penetration.

The function of our military is to defend our shores. We are wasting our purpose, our goals, and our power in this insane war some 10,000 miles from our shores.

(We must continue to believe in freedom, in enlightenment, in peaceful methods and we must then allow other peoples of this world to proceed with their own freedom and beliefs.)

There are many methods by which we can share our beliefs, our hopes, and our help extended to the people of the earth without imposing our force and arrogance. Our military power and strength must be conserved and used wisely whenever anyone threatens us at our shores or in the air above.

The world is not ours to rule, it is ours to live in with others.

Our present course will continue towards a complete dissipation of military strength and spiritual and moral power.

It's time to turn away. It's time to back out. It's no time to force ourselves blindly forward in order to save face. The price is too great. (My children and my neighbor's children are very special to me. Bring them home.) Shorten our lines of communication and turn the other cheek.

Our final choice is to choose between conquering the world or living in it freely and letting others live as they would choose to live. We can never live freely as conquerors. It's never been done. It's never to be done.

Only the third alternative will lead us to peace. Let us rapidly de-escalate our war effort, negotiate at every opportunity, and pursue every avenue of peace even at the expense of our world image, at the expense of our world status and with a willingness to lose face, all the time remaining strong and ready to defend our own shores.

VERNON D. HANSEN, M.D.

FORT LAUDERDALE, FLA.,
May 27, 1966.

DEAR SENATOR MORSE: Last night (May 26, 1966) on a Miami Radio Station WINZ on an Open Phone discussion program conducted by Alan Courtney, I was so mad when he called both you and Sen. FULBRIGHT "Commies"—"termites" in your outspoken criticism of the war in Vietnam. Usually a smart conductor of these programs refrains from comment and lets the public phone in their views (unless they become too obnoxious). Dissent is the right of a true Democracy unless one advocates the overthrow of our government; but not false vilification.

Our government has constantly called So. Vietnam a Republic—when in truth it has been ruled by coup after coup. We now have there a civil war—Catholics against Buddhists that puts the burden on U.S.A.

In the last Foreign Relations Committee hearing on Vietnam on T.V. it seemed to me most members were doubtful of our wisdom in being in this insignificant little Asian Country.

In the mean time our fine young men are dead or wounded; our big planes and military equipment are lost, by a so-called commitment in which we seem to be the heaviest participator.

Hope the Fall elections will more clearly show the will of the taxpayers.

Sincerely,

HELEN E. BRICE.

TAYLOR, TEX.,
June 1, 1966.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR MR. MORSE: I have followed with great interest your position on various legislative and governmental affairs and want to congratulate you on your independence of thought and action, knowing that it would be much easier for you to conform to the thinking of the majority.

I would like to add that I often disagree with your viewpoint but feel convinced that honest and constructive opposition and expression of one's thoughts are the true mark of a statesman.

Feeling that you may be getting letters of the "other kind", I simply want to give you a bit of encouragement in this letter.

Yours very truly,

L. D. HAMMACK.

SEVASTOPOL, CALIF.,
May 25, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SIR: I hope you don't feel too discouraged over Mr. Morgan's defeat in Oregon. I think you are doing a wonderful job of opposing a monstrous evil and I know millions of people are thankful for your continuous efforts to bring some sanity into our insane foreign policy.

Sincerely,

LLOYD M. ALLEN.

PHILADELPHIA, PA.,
May 26, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I am thankful there are more and more voices of sanity speaking out against this useless, wicked, costly war in Vietnam. Your leadership toward ending the war and working to rebuild normal relations with Communist China is heartening.

Sincerely,

JOSEPHINE M. BENTON.

BETHLEHEM LUTHERAN CHURCH,
Brodhead, Wis., May 26, 1966.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Thank you for sending me recently the speech you gave in the Senate of the United States, on Friday, February 26th of this year regarding the legal issues of this country's position in Viet Nam.

I am impressed with your excellent analysis of this situation and I find myself compelled in most every angle to agree with you. I have followed your reasoning and admire your courage.

Recently Congressman KASTENMEIER wrote me regarding the position of Senator FULBRIGHT and I am pleased that the concern of this country is being guided by men of wisdom such as yours.

Sincerely,

REV. LOWELL H. MAYS, *Pastor.*

[From the New York (N.Y.) Post, May 18, 1966]

A GI WIDOW'S QUESTION: WHY VIET NAM?

(By Barry Cunningham)

The young widow's eyes were reddened from anger as well as tears. Under her glasses, the skin puffed out in raw circles. Her eyelids were damp and sore.

"I've been crying since last Saturday," she said, stamping out a cigaret, "What good does it do?"

She buried the butt in a paper napkin. And rolled the napkin into a tight wad to dry her eyes.

"This war is useless," she snapped. "My husband said so in his letters before he died. He hated the whole slimy war."

Juanita Butcher's marriage to a Viet Nam combat hero ended in tragedy last weekend when Sgt. Reubin Butcher, of 146–12 115th Ave., Jamaica, Queens, strayed into a barrage of his own unit's artillery fire.

BODY COMING HOME

Sometime today, the 23-year-old 1st Cavalry Division soldier's body will be flown to New York in a metal casket.

Meanwhile, his 22-year-old widow struggles within herself to find some word that will help to explain the bewilderment and anguish.

Her father, Robert L. James, a Transit Authority employe, criss-crossed the living room of the family home yesterday, banging his fists against the walls.

"Gangsters," he growled, jabbing his finger at the Defense Department telegram. The words, "died of wounds from friendly artillery fire" were underlined in pencil.

"To me, that sounds like a bunch of gangsters shooting at one another in the same room," he said. "We don't know who we're fighting over there, do we? We're just shooting and killing every which way."

The husky subway worker said his son-in-law was first wounded during a Viet Cong sneak attack last February.

Grenade shrapnel ripped into the soldier's right arm and leg, taking him out of combat, the father-in-law said, making his death on Saturday even more bewildering.

James said Sgt. Butcher "worried about not being able to write to Juanita" because of his wounds.

Three unopened letters postmarked "Viet Nam" were spread out on the dining room table as James spoke. All were addressed to Juanita from her husband. James said he wouldn't show them to his daughter until sedatives given by their family doctor had worn off.

SHE'S UNABLE TO EAT

He went back to the living room.

"You ought to eat something," he urged Juanita, who had refused food since Saturday.

She had heard him mention the letters. Instantly, she went into hysterics. The sedatives started to take effect and a few moments later she quieted. She fidgeted with the straps on a pair of white fur slippers and talked of her job as a Wall Street secretary.

Then her eyes shifted to the mantel. She gazed at a glossy photograph of her husband in uniform, remembering how he had written "everything is so desolate in Korea" during his 13-month tour of duty there in 1963.

EVEN WORSE IN VIETNAM

"It's twice as bad in Vietnam," he wrote to her last December. A graduate of Eli Whitney HS in Queens, Sgt. Butcher married Juanita—his high school sweetheart—while on leave in the winter of 1963.

"He had big plans to come home and start raising a family," his widow recalled in a halting voice choked with grief. "We had only nine more weeks to wait for each other."

Then the expression on her face went dead.

"He wrote to me that he had killed a man. He saw some of his friends killed. I couldn't take it any more.

"I told him to keep writing me, but please don't say anything about the blood."

As she spoke, her father continued to pace back and forth across the carpet.

OPPOSES THE WAR

"I've been listening to this man from Arkansas—Mr. [Sen.] FULBRIGHT," he said, "and [Sen.] MORSE, too.

"They say we're getting nowhere in Vietnam. I agree with them.

"These pickets and the boys who burn their draft cards aren't crazy."

He said his son-in-law had written home that "most of us don't know who we're fighting or why we're here."

James tugged at his moustache.

"You don't have freedom of speech when you're in uniform," he said. "You are afraid to say anything.

"I know. I'm a city worker. I'm afraid to say anything. In fact, maybe I shouldn't say this, but my son-in-law's death was a waste."

[From the New York (N.Y.) Post, May 21, 1966]

Pack It In

(By Pete Hamill)

The guy was wearing the green beret of the Special Forces, and he was standing in a bar on Tu Do St. in Saigon, drinking in a kind of desperate silence.

He would not talk, even to the slim young bar hostess opposite him, who was happily taking his money. After three whiskeys, he stood up, cursed Saigon, and lurched out the door. The girls all giggled.

I saw him again a few days later, being helped by an MP into a jeep. His face was mashed and bloody, and some of his teeth were gone. I guess he had been mugged. Three young Vietnamese in white shirts stood on the corner, laughing.

So when I think about Saigon now, or look at the photographs coming in on the photo printers, I always remember the way the girls laughed at that man, and the incredibly cruel faces of those boys, standing in safety, enjoying his torment. I am sure that when the moral giants of the United Buddhist Church call out the civilian troops, they are with them.

Those young men are free in Saigon, while the sons of Americans are being killed in the countryside. For the third time in recent weeks, more American soldiers were killed in that war than Vietnamese, which means that the Vietnamese have simply stopped fighting. They are more interested in killing each other in places like Da Nang or Hue than they are in fighting the Viet Cong, and that means we will do the fighting for them.

That means that all this year, the American dead will be piling up while the sweet propaganda comes smoothly out of Washington telling us that they will not be dying in vain. It says here that Washington is lying. Those men are now dying in vain.

There is a case to be made, I suppose, for fighting for the ideals which this country once represented, and at its best, still does. Anyone who has ever visited a Communist country knows that freedom is not a cheap word, even when it becomes debased. I need not apologize for saying that after seeing a lot of other countries, I love this more than all.

But it is becoming increasingly difficult to accept certain things. We civilians run this country; Lyndon Johnson, Dean Rusk and Robert McNamara work for us: we do not work for them. And in our name, they are saying that our children and our brothers must die because Satanism in the form of the Red Chinese and the Viet Cong has suddenly sprung up in a half-country in Southeast Asia. The representatives of Satanism are striking evil blows at a pure and shining legitimate government, and we, the American people, will risk even death to defend that government.

But that government has never governed anything. It does not govern in the countryside. It must kill its citizens in places like Da Nang and Hue to even come close to governing there. It governs Saigon the way a rather cynical madam handles a brothel. They will fight to the death to control Saigon, all right, because that is where the Americans sign the tabs.

But they will not be fighting much out in the countryside anymore. They don't have to do that. My kid brothers and your children will do that for them. They will not even defend themselves politically. They have Dean Rusk to do that for them.

They have the most powerful nation in the world to do everything for them now. We'll fight for them, apologize for them, feed them, feed their bank accounts, populate their brothels, sleep with their women for them; if they ask, we shall certainly oblige.

Forget about Harlem. Forget about Bedford-Stuyvesant, and Hazard, Kentucky, and the backwoods of Alabama. The people who live there will fend for themselves. We have more important things to consider. We have to take care of My Tho and Da Nang and Qui Nohn and Cam Ne. It will only cost 18 billion dollars this year. Who cares if there are rats in the Red Hook schoolrooms? First things first. We have to keep those three kids on the Saigon street corner out of the insidious clutches of Ho Chi Minh.

I have two brothers in the Army now and my mother has three more waiting in the wings. The supply of kids like that is now deemed inexhaustible, so we can keep the war going for as long as we want.

Enough: I am no pacifist, but this war has lasted too long. Those men who are dying there tonight are dying like men, with courage and tenacity. But with Buddhists rioting in the streets, General Ky shooting down civilians, Henry Cabot Lodge nodding in approval, while we apologize again and add that more men are on the way, then someone had better think of something to tell their parents.

If one more dies under the present conditions, someone is guilty of a murderous sin. Now, finally, we should pack it in.

[From the St. Louis (Mo.) Post-Dispatch, May 27, 1966]

U Thant's Counsel

Truth, as U Thant once observed, is one of the first victims of war. His words were confirmed once again this week as Secretary of State Rusk and Vice President HUMPHREY once again proclaimed the Administration's dedication to the search for peace in Viet Nam. Mr. Rusk repeated his offer to go to Geneva whenever anybody was there to negotiate with. Mr. HUMPHREY detailed anew the various peace offensive of the past and devoutly adopted U Thant's "prayer and wish" for peace as our own.

What is the simple truth? It is that the Administration spurned peace talk feelers repeatedly in 1964 and 1965. It is that U Thant's own efforts to arrange talks have been repeatedly and roughly rejected. It is that while publicly taking no sides in South Viet Nam's political turmoil the Administration has thrown every resource into the undercover support of a Saigon military junta whose first article of faith is an utter rejection of peace negotiations. It is that while paying lip-service to U Thant's "prayer and wish" the Administration obstinately refuses to heed U Thant's realistic counsel on the steps necessary to make peace.

The Secretary General of the UN renewed that counsel in his moving address to the Amalgamated Clothing Workers this week. Military methods, he said, will not restore peace; President Johnson once agreed with that. "This war must be stopped," said U Thant, "on the initiative of the participants, lest it get out of hand." And he repeated what he has often said, that the necessary conditions for peace include a return to the Geneva agreements, which were based on the principle of military neutralization of all Viet Nam; a prior scaling down of military operations (which would include an end to the bombing of North Viet Nam); and an agreement to negotiate with the actual combatants—in other words, the National Liberation Front as well as North Viet Nam.

These steps are reasonable if peace is genuinely the objective. So long as the United States rejects U Thant's counsel, which expresses the conscience of the world organization to which we so often pay verbal tribute, our verbal reiteration of peaceful intentions will fall on unbelieving ears throughout the world.

Some Americans, in bitter frustration, feel that the strands of history have become so hopelessly entangled that nothing can now be done to unravel an unwanted war. This seems plausible only in the context of the Administration's present policy, which is to back the Ky government's violent suppression of popular yearnings for peace and to continue escalation of the war.

If the basic decision were made to accept a negotiated settlement instead of chasing the illusion of military victory; if we supported the Viet Namese forces that favor reconciliation, rather than an armed dictatorship which opposes it; if we adopted as our policy the establishment of a compromise, neutral government permitting our ultimate withdrawal, instead of trying to establish an anti-Communist government that could only exist under our permanent military protection—in *this* context, many doors to peace and mediation would open.

No vital national interest of ours keeps the doors closed. It is pride and arrogance and illusion—the illusion that we are engaged in a holy ideological war. U Thant is right in saying that the somber course of events has probably left to the Viet Namese people no ideology at all except a passion for national identity or even survival. He is right in saying that no government or people is "likely to lose in stature or dignity or worldly advantage" from coming to terms with the world in which we actually live. He is right in calling upon those who have the power and the responsibility "to search objectively and without rancor for ways to end this historic tragedy."

[From the Washington (D.C.) Star, June 1, 1966]

U.N. Has Vital Role in Viet Nam

(By David Lawrence)

The United States has only one way out of the Viet Nam dilemma—only one way that is honorable and consistent with the unselfish effort to save a small nation from the loss of its independence. That way is through the United Nations. The same principles which prompted the U.N. to send under its own auspices an allied army to repel aggression in Korea can be reaffirmed now.

What is blocking such a course? The answer is: A confident belief by the Communists—derived from reports of internal dissension in the United States—that if the war is prolonged this country will abjectly surrender. Secretary of State Dean Rusk in a speech last Saturday at Williamsburg, Va., deplored the misconceptions that are being spread abroad about American policy. He said:

"Professional diplomacy requires a certain amount of temporary secrecy: Secret information, secret discussions and negotiations.

Public discussion of certain situations at certain times may be distorted by lack of knowledge of facts that are available to the President and secretary of state—yet which they cannot at the moment fully divulge.

"There must also be considered the practical fact that a show of division among our people can complicate the conduct of our foreign affairs. For example, there is the danger that a foreign government may miscalulate our intentions. There are strong reasons to believe that the militant Communists of Asia have been sustained by the conviction that world opinion or internal dissension within the United States will cause us to withdraw from South Viet Nam. That will not happen. But it is not easy to convince Hanoi and Peking."

As a matter of fact, just three days after the secretary's speech, a news dispatch from Hong Kong quoted the Red China News Agency as describing, in a 1,500-word article, a decline in the support of America's position in the Viet Nam war.

"The United States is being forsaken everywhere by its partners and followers," the Communist Chinese agency said. "A new and still greater anti-U.S. storm of revolutionary struggle is gathering."

The news agency quoted both Republicans and Democrats in the United States as saying American prestige in the world has fallen because of the Viet Nam war.

Rusk, further on in his speech, laid stress on the opportunity of the United Nations to maintain peace in the world. He said:

"The paramount issue of our time is whether or not the world is to be organized on the principles of freedom, peace and genuine co-existence sketched out in the preamble and Articles 1 and 2 of the United Nations charter. To that end, the American people have exerted large and unremitting efforts during the last 20 years."

Many people will wonder why the U.N. has not stepped in already to stop the war in Viet Nam. All sorts of excuses have been made by the secretary-general. There was no hesitation, however, by the U.N. in helping out in Africa a few years ago or in intervening recently in the Rhodesion controversy.

"Peace-keeping" has been heralded as one of the primary functions of the U.N. But today, while the principles are the same as they were when "peace-keeping" was carried on in the Congo, the situation in international politics is different. The Communists now have lined up enough countries to block U.N. intervention. The free world is inexplicably silent. Only by discussion and open criticism of the United Nations for its failure to solve the Viet Nam problem can any progress really be made.

The objective of such a crusade would be to secure acceptance of a plan whereby the U.N. would demand assurances from both Red China and the Soviet Union that they would cease their aid to the aggressors in North Viet Nam. If this were done, the U.N. could pledge itself to arrange for the withdrawal of American troops. The whole settlement could then be supervised under international auspices for an indefinite period. This procedure has been followed many times in recent history, and it can be tried again if world opinion insists upon it. The United States has an opportunity to mobilize the free world in order to utilize the U.N.'s "peace-keeping" powers in Viet Nam.

Mr. MORSE. Mr. President, I yield the floor.

THIRD POWERPLANT AT GRAND COULEE DAM, COLUMBIA BASIN PROJECT, WASHINGTON

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1761) to authorize the Secretary of the Interior to construct, operate, and maintain a third powerplant at the Grand Coulee Dam, Columbia Basin project, Washington, and for other purposes, which was, to strike out all after the enacting clause and insert:

That (a) the Secretary of the Interior is hereby authorized to construct, operate, and maintain a third powerplant with a rated capacity of approximately three million six hundred thousand kilowatts, and necessary appurtenant works, including a visitor center, at Grand Coulee Dam as an addition to and an integral part of the Columbia Basin Federal reclamation project. The construction cost of the third powerplant allocated to power and associated with each stage of development shall be repaid with interest within fifty years from the time that stage becomes revenue producing. The interest rate used for computing interest during construction and interest on the unpaid balance of the cost allocated to power shall be determined by the Secretary of the Treasury as of the beginning of the fiscal year in which the initial request for appropriations for the construction of the third powerplant is made, by computing the average interest rate payable by the Treasury on all interest-bearing marketable public debt obligations of the United States then outstanding which, upon original issue, had terms to maturity of fifteen years or more, and by adjusting such average rate to the next lowest multiple of one-eighth of one per centum.

(b) Construction of the third powerplant may be undertaken in such stages as in the determination of the Secretary will effectuate the fullest, most beneficial, and most economic utilization of the waters of the Columbia River.

Sec. 2. The Secretary of the Interior shall prepare, maintain, and present annually to the President and the Congress a consolidated financial statement for all projects heretofore or hereafter authorized, including the third powerplant at Grand Coulee Dam, from or by means of which commercial power and energy is marketed through the facilities of the Federal Columbia River power system and for all other projects associated therewith to the extent that the costs of these projects are required by law to be charged to and returned from net revenues derived from the power and energy, or any power and energy, so marketed, and he shall, if said consolidated statement indicates that the reimbursable construction costs of the projects, or any of the projects, covered thereby which are chargeable to and returnable from the commercial power and energy so marketed are likely not to be returned within the period prescribed by law, take prompt action to adjust the rates charged for such power and energy to the extent necessary to assure such return. Section 9, subsection (c) of the Act of August 20, 1937 (50 Stat. 736), as amended (16 U.S.C. 832h) is hereby repealed.

That portion of the construction cost of any project hereafter authorized to be constructed, operated, and maintained by the Secretary of the Interior under the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto) within the Pacific Northwest which, though allocated to irrigation, is beyond the ability of the irrigation water users to repay within the repayment period prescribed by law for that project and cannot be returned within the same period from other project sources of revenue shall be charged to and returned within that period from net revenues derived from the marketing of commercial power and energy through the Federal Columbia River power system, unless otherwise provided by law. As used in this Act, the term "Pacific Northwest" has the meaning ascribed to it in section 1 of the Act of August 31, 1964 (78 Stat. 756).

Sec. 3. There is hereby authorized to be appropriated, for construction of the third powerplant and necessary appurtenant works including a visitor center at Grand Coulee Dam, the sum of $390,000,000, based on estimated costs as of April 1966, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved herein.

Mr. MANSFIELD. Mr. President, will the Senator from Washington yield without losing his right to the floor?

Mr. JACKSON. I am happy to yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JACKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JACKSON. Mr. President, the third powerplant, when constructed, will make Grand Coulee Dam once again the world's largest hydroelectric project. To demonstrate his strong support, President Johnson took the unusual procedure in a bill of this nature of personally submitting the legislation to Congress in April of last year, and my senior colleague and I introduced it in the Senate. He advised the Congress in his January 1966 budget message that he is prepared to request funds to start construction immediately upon authorization.

Almost a year ago, the Senate passed S. 1761 without amendment other than a dollar limitation on the total amount of appropriations authorized. However, in acting on H.R. 7406, a companion bill to S. 1761, the House of Representatives amended it in several respects. I intend to ask that the Senate accept S. 1761 as amended by the House of Representatives.

The need for immediate authorization of the third powerplant, and its close relationship to the Columbia River Treaty between the United States and Canada, were thoroughly presented in hearings on S. 1761 last year before the Senate Interior Committee, and on the floor of the Senate when S. 1761 was unanimously passed. I am advised by Secretary of the Interior Stewart L. Udall that the need for the third powerplant, and its economic justification, are even greater today than appeared to be the case at the time of the Senate hearings. I will therefore direct my remarks today principally toward the amendments to S. 1761 adopted by the House of Representatives. Because certain of these amendments vitally concern both the power users of the Pacific Northwest, and the reclamationists of that region, I want the legislative history as to the intent of Congress in approving these amendments to be crystal clear.

Two of the House amendments concern the interest rate to be paid on the Federal investment in the third powerplant, and the dollar limitation on the appropriations authorized by the bill.

Section 1 of H.R. 7406, as it passed the House, establishes as the formula for computing the interest rate on that part of the investment allocated to power the same formula as provided in Senate Document No. 97, 87th Congress, 2d session, and is substantially the same formula used elsewhere by the Department of the Interior in water resource development. It is also the same formula that the Bonneville Power Administration now follows, and the bill merely makes mandatory what Bonneville is already doing administratively. Section 3 of H.R. 7406 differs from S. 1761 by changing the dollar limitation on the total amount of apropriations authorized by the bill from $364,310,000, based on April 1964 costs, to $390 million, based on April 1966 costs.

The principal amendments to S. 1761 adopted by the House of Representatives are found in a new section 2 of the House bill, as reported by the House Committee on Interior and Insular Affairs. This section, in essence, will establish by statute the same type of Columbia Basin Account that the Secretary of the Interior has in fact established administratively. It will require the Secretary to maintain and present annually to the President and the Congress a consolidated financial statement for all projects heretofore or hereafter authorized from which commercial power is marketed through the facilities of the Federal Columbia River power system. Included in that statement will be the costs of other projects to the extent that such costs, with the approval of Congress, have been assigned for repayment out of the power revenues of the Federal Columbia River power system. If that statement indicates that the reimbursable construction costs of any project which are to be repaid out of power revenues cannot be returned within the period prescribed by law, the Secretary is directed to take prompt action to adjust the rates so as to assure such return within that period.

I have discussed this provision of the bill with Representative ASPINALL, the chairman of the House Committee on Interior and Insular Affairs. He confirms my understanding that the foregoing provisions of the bill are not intended to make any change in the Bonneville Project Act other than the substitution of a consolidated system repayment study, of the type that the Secretary of the Interior presented to the House Interior Committee at the hearings on H.R. 7406, for the more limited statement with respect to only the Bonneville project which is called for by section 9(c) of the Bonneville Project Act. For example, the "prompt action to adjust the rates charged" for BPA power which the Secretary is to take, does not change the provisions of section 5 of the Bonneville Project Act directing that power sales contracts "shall contain such provisions as the Administrator and the purchaser agree upon for the equitable adjustment of rates at appropriate intervals, not less frequently than once in every 5 years." Bonneville contracts provide for rate adjustments on December 20, 1969, and December 20 of every fifth year thereafter. Rate changes for existing contracts can be made only on those dates. Normally all rate changes are made only on rate adjustment dates, so that the same rates will be applicable to both contracts existing at the time a rate is changed and new contracts executed thereafter. As the report of the House Committee on Interior and Insular Affairs—H.R. Report No. 1409—makes clear, the "prompt action" required by H.R. 7406 will be taken only within the rate adjustment framework provided by the Bonneville Project Act. Nor does H.R. 7406 make any change in the rate criteria of the Bonneville Project Act, section 5 of the Flood Control Act of 1944, or section 9 of the Reclamation Project Act of 1939.

The consolidated financial statement which the bill requires is to be prepared on a payout basis and not a cost accounting basis. Power rates are established on a repayment basis, and therefore a statement prepared on that basis is the most meaningful. The Senate concurs in the position of the House that the purpose of the statement is to ascertain the repayment status of the Federal Columbia River power system and to permit prompt adjustments in the then existing rate schedules if the statement shows that any changes should be needed.

There is a clear understanding that only power and irrigation projects in the Pacific Northwest are included, or are eligible for inclusion, in the consolidated financial statement to be prepared pursuant to section 2 of the bill. The term "Pacific Northwest" is specifically defined by law (78 Stat. 756) and this definition is applicable in section 2 of H.R. 7406. Therefore, a project outside the Pacific Northwest cannot be a project associated with those in the Pacific Northwest and is not eligible for assistance from power revenues of the Federal Columbia River power system. Nor is it intended that any proposal for the transportation of water outside of the Pacific Northwest would be eligible for assistance from the power users of the Federal Columbia River power system.

The new section 2 of H.R. 7406 further provides that as reclamation projects in the Pacific Northwest are hereafter authorized, that portion of the construction costs which is allocable to irrigation but is beyond the ability of the water users to repay within the repayment period prescribed by law for that project—and cannot be returned within that period from other project sources of revenues—shall be charged to and returned from the power revenues of the Columbia River power system unless otherwise provided by law. This provision relates only to Pacific Northwest reclamation projects hereafter authorized and does not extend to any existing or presently authorized project for which there is now no provision for assistance to irrigation from power revenues. This portion of section 2 will apply to future projects in the Pacific Northwest the same practice which is currently being followed by the Congress and the Secretary of the Interior, almost without exception, on a project-by-project basis. This amendment does not add any obligation on power to assist in the repayment of any irrigation development that has not already been authorized by other law. It does provide an orderly accounting system specifically authorized by Congress whereby any additional assistance from power to irrigation which may hereafter be approved by Congress in connection with future projects in the Pacific Northwest will be an obligation of the entire Federal Columbia River power system and not of just a single project of that system.

It may be asked, why has there been so much concern in the Pacific Northwest about the Congress approving a "basin account" for that region if the Secretary of the Interior already has established one administratively? There are, I believe, several good reasons. First of all, it involves a more far-reaching and long-lasting declaration of National and regional policy when the legislative branch, as well as the executive branch, of government approves a so-called basin account. In the absence of specific congressional direction, the Secretary of the Interior could disestablish a Pacific Northwest basin account under the same broad statutes he relied upon to establish a basin account. We must not forget that these statutes—the Bonneville Project Act, the Reclamation Act of 1939, and the Flood Control Act of 1944—have been the law for more than 20 years. Yet the Secretary did not exercise his discretion under them to establish a Columbia River Basin account until 3 years ago. I am not suggesting that the Secretary abused or exceeded his statutory discretion in directing that Bonneville Power Administration present its financial results by a consolidated system payout study or basin account—quite the contrary. I am only pointing out that, until a statute specifically directs that Bonneville Power Administration present its accounts in this manner, the hand that giveth could also taketh away. Everyone, regardless of his position on the question, has realized that this is true.

But I believe there is even a more basic reason why the people of the Pacific Northwest have been concerned about legislation to create a regional basin account. The purpose of such an account, in simple terms, is to provide a mechanism whereby power consumers can subsidize worthy irrigation projects. In the Pacific Northwest, the public is very concerned about the Bonneville power system rates. With the region facing a transition from all-hydroelectric generation to hydro-plus-steam in the next decade or sooner, this concern is becoming more acute. One needs only to recall the strenuous objections last year to a proposal for a 3-percent increase in those rates. These objections streamed forth from all segments of the regional economy, and both sides of the political aisle. This increase was unanimously approved as reasonable by the Federal Power Commission after lengthy oral arguments. The lesson, however, was clear. We do not want it to happen again.

On the other hand, the people of our region, including those in the great population centers on the coast which have ample rainfall, also support reclamation projects to put water on dry lands. The economic benefits from such projects are recognized to be regional and national in scope. Labor unions, railroads, trucks, barge lines, banks, wholesalers, distributors, insurance companies—indeed, all segments of the economy share in the benefits of new irrigation projects.

And so we have the fundamental problem of the basin account: How can we reconcile the partly conflicting, but partly complementary, interests of the power consumers and the irrigators in the Pacific Northwest? The problem can be solved, and as I will suggest shortly, I think the basis for a solution already has been found. But we must recognize that the problem is much more complex and difficult in the Columbia River Basin than in the other great river basins of the West, where basin accounts long have been accepted and are in operation.

In the Missouri, Central Valley in California, and Colorado River Basins, the Federal dams traditionally have been justified by their ability to assist reclamation. The electric energy produced at these plants constitutes only a small proportion of the total electric generating resources of the region. In the Missouri Basin, the Federal hydroelectric projects produce only 21 percent of the electric energy consumed in the basin. In the Central Valley, they produce about 12 percent, and in the combined Upper and Lower Colorado, 8 percent. As a result, the Bureau of Reclamation, which is the Federal power marketing agency in these three basins, has committed substantially all of its production to supply irrigation pumping loads and preference agencies. In the entire Missouri, Central Valley, and Colorado areas, the Bureau of Reclamation does not serve directly a single industrial customer. Its rates to preference customers vary from 4¾ to 7½ mills per kilowatt-hour, including wheeling and line losses—in some cases not much lower than wholesale rates charged by the private utilities of the area which generate electricity with steam.

The Federal power program in the Pacific Northwest plays a much different role as the supplier of power in the Northwest regional economy. Traditionally, Columbia River Federal water projects have been economically justified by their power potential. The Columbia River is the greatest power river in North America, having more electric energy capability than the combined Missouri, Colorado, and Central Valley Rivers. The Bonneville Power Administration, which is the Federal power marketing agency for Columbia River projects, supplies about one-half of the electric energy requirements of the entire region. In my own State of Washington the Bonneville Power Administration now supplies 60 percent of the State's electric requirements. Bonneville's customers are not limited to preference agencies. Fifty percent or more of its sales are to nonpreference customers, principally electroprocess industries. The great Hanford works, which supplied plutonium for atomic weapons, depends upon Bonneville power for its large requirements of electricity. Industries that rely upon Bonneville Power Administration in the Pacific Northwest employ 36,000 people directly and indirectly, and provide local taxable property with a reproduction value of nearly $1 billion, and Federal income taxes estimated at $17 million.

Each year they contribute to the regional and National economy $92 million in wages and salaries, $44 million in freight, $75 million in regional and $110 million in national materials purchased.

The problem then is to develop ground rules to protect the legitimate interests of both the power users and the water users, keeping in mind the overall public interest of the Pacific Northwest and the Nation. It is my view that reasonable limitations on the amount or timing of assistance to irrigation are required. Such a limitation is necessary to assure that financial assistance to irrigation will not cause an increase in power rates.

Representatives of the Bonneville power users, and of reclamation groups and of water officials of Pacific Northwest States have been seeking a resolution of this dilemma. It now appears that they are close to agreement upon a formula that will protect the electric consumer but, at the same time, make available large surplus revenues for the expansion of the Federal reclamation programs in the Pacific Northwest.

The Bureau of Reclamation, also, has indicated its concurrence in the formula. The key to the formula is an agreement upon the scheduling of newly authorized reclamation projects. In short, they will be scheduled so that their requirements for financial assistance from surplus power revenues will fall due in years when there will be a sufficient surplus so that payment will not require an increase in BPA rates and charges. Yet the formula is ample enough that foreseeable irrigation projects, authorized and unauthorized, can be constructed on an orderly and accelerated schedule.

I am confident that the negotiations by representatives of the affected States and of the power users and reclamationists will culminate in agreement on a proper formula. I wish to congratulate them in advance for working out an equitable solution of a thorny problem. I trust that the results of their labor will be incorporated into legislation at this session of the Congress. Such limitations can be established either by general legislation or in the course of approving individual project authorization bills. In my view, the adoption of a reasonable limitation is absolutely essential before the Congress favorably considers legislation to authorize new irrigation projects in the Pacific Northwest which require assistance from power revenues.

I have been reluctant to recommend the approval of S. 1761, as amended, while this problem was unresolved. However, now that the various parties in interest are substantially in agreement on a fair and equitable solution, one which will unite the Pacific Northwest, protect the power users, and accelerate the orderly development of worthy reclamation projects, I am happy to recommend the measure to the Senate.

I yield now to the distinguished Senator from Idaho [Mr. JORDAN], who, with his skill and knowledge, has been an effective member of the Committee on Rules and Administration.

Mr. JORDAN of Idaho. Mr. President, I thank the distinguished Senator from Washington. I wish to thank the distinguished chairman of the Committee on Interior and Insular Affairs for the constructive statement he has made.

All of us who are familiar with the Columbia River and its tributaries, and the various and sundry uses to which they have been put, are appreciative of the constructive work that has been done in this measure. We all feel that there is a need for a third powerplant at Grand Coulee. We cannot delay construction of it too long. We cannot, particularly if we are to have storage in Canada, relay construction of a third powerplant at Grand Coulee in order to utilize the power that will be available to it.

We know we must face up to the problems that arise—it is not a conflict, really—as between the power users and water users. I am pleased about the constructive efforts by our distinguished chairman and many others, who have worked both in the Senate and in the field with respect to the Columbia Basin. I think we are near an agreement on a formula with which we can live, on which the water users and power users can agree.

Again I wish to identify myself with the constructive statement made by the chairman of the committee, and thank him for the attention he has paid to this matter.

Mr. JACKSON. Mr. President, I wish to thank the distinguished Senator from Idaho for his kind remarks. I too share his optimism that we will be able to get together with all of the interests in the Northwest that are concerned with the problem, so we can have an effective agreement which will protect the power users and one that will provide for the water users a sensible irrigation and reclamation program in the Columbia Basin.

Mr. President, I now move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Washington.

The motion was agreed to.

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the House amendment was concurred in.

Mr. JORDAN of Idaho. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JACKSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HRUSKA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

FAIR PACKAGING AND LABELING ACT

The Senate resumed the consideration of the bill (S. 985) to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes.

Mr. HRUSKA. Mr. President, the pending business is the consideration of S. 985, the so-called truth-in-packaging bill. In due time, as has already been announced, a motion will be made to commit the bill to the Judiciary Committee for consideration of its antitrust aspects and implications.

I shall now outline some of the principal points that in my judgment argue well for the wisdom of pursuing the course of action outlined in the motion, in order that we may take the proper course to avoid substantial and burdensome difficulty in the future.

The packaging bill has been reported to the Senate by the Commerce Committee. Earlier versions of the bill, which were drafted in prior sessions of Congress as an amendment to the Clayton Act, were referred to the Judiciary Committee.

The present bill, S. 985, as originally introduced, was essentially the same as the earlier proposals. In this Congress, however, the bill was referred to the Commerce Committee.

My discussion at this time is particularly concerned with those provisions of S. 985, as reported, which appear to create potentially serious antitrust risks for industry members seeking to comply with the proposed legislation.

For example, in section 5, paragraph (d), we find this provision: If the promulgating authority determines "that the weights or quantities in which any consumer commodity is being distributed for retail sale are likely to impair the ability of consumers to make price per unit comparisons such authority shall * * *(2) promulgate * * * regulations effective to establish reasonable weights or quantities, and fractions or multiples thereof, in which any such consumer commodity shall be distributed for retail sale."

Section 5, subsection (e) and (f), provide that:

> Any producer or distributor affected by the above provision may request the Secretary of Commerce to participate in the development of a voluntary product standard for such commodity under the procedures for the development of voluntary product standards established by the Secretary pursuant to section 2 of the Act of March 3, 1901. No regulation as to weights or quantities may vary from any voluntary product standard. § 5(e), (f).

Then, in section 11 of the bill this language is found:

> Nothing contained in this Act shall be construed to repeal, invalidate, or supersede—the Federal Trade Commission Act or any statute defined therein as an antitrust Act. § 11.

These provisions, when considered together, may raise serious questions of potential antitrust liability for those who participate in the development of voluntary product standards, as shall be shown below.

As a matter of sound legislative procedure, therefore, S. 985 should be considered by the Senate Judiciary Committee and in turn by the Antitrust and Monopoly Subcommittee.

As recognized by numerous antitrust decisions, a voluntary standard would bring about an industrywide standardization of products which could facilitate price uniformity and price matching supporting an inference of price collusion or price conspiracy in violation of the antitrust laws.

Accordingly, if the voluntary standardization aspects of S. 985 are desirable, the bill should contain a specific antitrust exemption covering industry members' participation in the development of voluntary product standards.

I suggest that the word "voluntary" should be in quotation marks because, certainly in my own mind, there is some question whether that is the true nature of it, considering the manner in which they must be developed under the terms of the pending bill.

At the very least, the committee with experience and jurisdiction in these matters, the Judiciary Committee, should evaluate the need for such an antitrust exemption, and formulate the text of an appropriate exemption.

Significantly, the Justice Department, in its comments on S. 985, has correctly recognized that "standardization could, in some instances, be an anticompetitive factor." The letter of Deputy Attorney General Ramsey Clark, from which I just quoted, is to be found on page 12 of the transcript of hearings of the Committee on Commerce. It reads in part as follows:

> We note that section 3(c)(1) authorizes the promulgation of regulations to establish reasonable weights or quantities in which commodities shall be distributed for retail sale. Since standardization could, in some instances, be an anticompetitive factor, the provision appropriately confers a discretionary authority which, in its exercise, may take into account the impact of any such regulations on competition.

Thus, a red flag is raised by the Deputy Attorney General that the type of standardization called for by the bill could in some instances be an anticompetitive factor.

This express recognition by the Justice Department matched with the clear language of section 11 that the bill does not "repeal, invalidate, or supersede * * * any * * * antitrust Act," clearly demonstrates that this bill should now have its antitrust implications reviewed and evaluated by the Judiciary Committee.

There are several reported antitrust cases which hold that product standardization programs by industry groups become vulnerable under the antitrust laws as an element of a conspiracy to restrain trade.

In *Milk and Ice Cream Can Institute* v. *FTC*, 152 F. 2d 478, 482 (7th Cir. 1946), one of the leading cases, it was held that a product standardization program was part of an antitrust conspiracy to restrain trade, held to be in violation of the Federal Trade Commission Act. As the Court noted in its opinion, in part:

> Much is said by petitioners concerning their claim that milk and ice cream cans are a standardized product. From this it is argued that uniformity of price was a natural rather than an artificial result. An argument of this kind has some merit as to certain products, such as sugar, salt, oil, etc., where the product from its nature is standard. We doubt, however, if there is any merit in the contention that a can is in such a category. We think it is true that they were standardized in the instant situation, but this was the result of the activities of the Institute and its members. In fact, there was a continuing effort and urging on their part that the cans be manufactured in uniform classifications. *It may be, as argued, that much of this effort was to comply with various governmental regulations and for health purposes, but the fact still remains that it was easier to reach the goal of uniform prices on a standard product than on one which was not.* The meticulous effort disclosed by the record by which petitioners standardized their products is also a strong circumstance in support of the Commission's finding that their activities were the result of an agreement. 152 F. 2d at 482.

Similarly in *C-O-Two Fire Equipment Co.* v. *United States,* 197 F. 2d 489 (9th Cir.), cert. denied, 344 U.S. 892 (1952), the court found a price fixing conspiracy for fire extinguishers, violating section 1 of the Sherman Act, involving the element of product standardization.

The court of appeals declared:

> The standardization of products among the four defendant corporations named in the indictment is pointed to by [the Department of Justice] as another plus factor in the chain of circumstances that points to the conspiracy alleged.
>
> * * * * *
>
> It is the contention of [defendants] that this standardization and substantial identity of product serves to explain the admitted price uniformity in the industry during the pertinent period. We think, however, that such standardization of a product that is not naturally standardized facilitates the maintenance of price uniformity.
>
> * * * * *
>
> The [defendants] seek to rebut such conclusion and any inference of combined action that may arise therefrom with the testimony of their witness, Allen, that "we are required to meet standards set up by the Underwriters Laboratories in this respect, that we are required to put out certain sizes in order to obtain certain ratings. . . ." This evidence may well explain the artificial standardization in regard to size. But we can well understand why the trial judge was unable to accept Mr. Allen's testimony as a satisfactory explanation for the similarity in color and other physical characteristics among the extinguishers manufactured by the different corporate defendants. [Defendants] make no effort to explain why these products, although manufactured by different companies, and formed of components manufactured by different companies, were indistinguishable save for their respective labels. 197 F. 2d at 493.

Mr. President, I call attention to the fact that here was an effort to comply with the standards set forth by the underwriter laboratories in order to achieve certain ratings. To all appearances, that was a perfectly legitimate objective. The court turned them down, and a case was found for violation of section 1 of the Sherman Antitrust Act.

Again, in *Bond Crown and Cork Co.* v. *FTC*, 176 F. 2d 974, 977 (4th Cir. 1949), an FTC finding of a conspiracy in restraint of trade by manufacturers of bottle caps was affirmed, including supporting evidence of a product standardization program.

Thus, the court declared:

> In the opinion of the Commission, there is a direct connection between this understanding and the admitted efforts of the respondents to standardize their products to such an extent that a prospective purchaser would have no choice in the realm of coloring, lettering, and decorations as between the products of any two manufacturers. 176 F. 2d at 977.

Product standardization programs were also found to constitute elements of illegal price-fixing conspiracies in restraint of trade in *Association of Coupon Book Manufacturers*, 45 F.T.C. 219 (1948) involving a trade association setting of uniform prices and standardized products for tickets, checks, and coupons, and in another case, *Electrical Alloy Section of National Electrical Manufacturers Association*, 36 F.T.C. 336 (1946)—involving a trade association fixing uniform prices and standardized products for electrical alloy resistance wire.

In light of these cases—and there are others—any procedure which involves industrywide efforts by firms aimed at product standardization inevitably faces potentially serious antitrust risks unless it is specially exempted from the antitrust laws.

This is not to say that every product standardization effort will be condemned as an antitrust violation. Rather, the point is that such industrywide standardization efforts create a degree of antitrust risk to which business firms seeking to comply with one aspect of S. 985 should not be gratuitously exposed.

In this field of antitrust, there is sufficient exposure to prosecutions—and in some cases, as some litigants believe, persecutions—and we should not add unnecessarily to that risk and that hazard.

(Mr. HART assumed the chair as presiding officer at this point.)

Mr. HRUSKA. In sum, if the pending bill, S. 895 is considered by the Antitrust Subcommittee that body's long experience with the problems of antitrust would enable it to evaluate the nature of the antitrust problems inhering in the bill, and to draft whatever provisions are necessary to deal with the situation fairly.

Certainly, under the able chairmanship of the senior Senator from Michigan, they will have good guidance and good leadership in whatever action they undertake.

I might say, Mr. President, that consideration of these antitrust aspects must be carefully done. It cannot be achieved by amendment on the floor, by simply saying, for example, we will eliminate section 11, which now preserves the application of all antitrust laws, whatever they may be, and provide that these situations are exempted from the antitrust law. Anyone who has more than a casual exposure to the field of antitrust law is well aware that it is an extremely technical area, with implications sometimes far beyond those which can be immediately envisioned upon first examination.

So we would be ill advised to try to amend the bill on the floor in an attempt to exempt these activities from the antitrust law. It has already been suggested, and I subscribe to the idea, that not only must this bill be referred to the Judiciary Committee for its attention, but that that committee would do well to call for testimony from the Attorney General, if need be; certainly from the head of the Antitrust Division of the Department of Justice; and also from the Federal Trade Commission, which is charged with the enforcement of a goodly portion of the statutory antitrust laws which this Nation has as part of its policy.

Such a proper consideration of the antitrust dangers inhering in the packaging bill is no less essential for the affected industry members in this industry than for the members of the banking industry who received a special antitrust exemption for assisting in the President's international balance-of-payments program, with which we had contact last year.

When President Johnson, on February 10, 1965, proposed a program calling for members of the banking community voluntarily to limit their lending abroad, he commented:

> Cooperation among competing banking interests could raise problems under the antitrust laws and, if extended beyond measures essential to our balance-of-payments objectives, would damage our competitive system.
>
> Therefore, I request the Congress to grant a statutory exemption from the antitrust laws to make possible the cooperation of American banks in support of our balance-of-payments objectives. I request also that the legislation require that the exemption be administered in ways which will not violate the principles of free competition. 1965 U.S. Code Cong. & Ad News, 3062.

It was in 1965 that the Subcommittee on Antitrust and Monopoly Legislation and also the Committee on the Judiciary processed this bill at the request of President Johnson. On September 9 of last year it became Public Law 89-175. In part, it provides expressly as follows:

> When the President finds it necessary and appropriate to safeguard the United States balance of payments position, he may request persons described in section 1 to discuss the formulation of voluntary agreements or programs to achieve such objective. When such a request is made, a notice shall be promptly published by the President in the Federal Register, listing the persons invited to attend and the time and place at which the discussion is to be held. If the President makes such a request, no such discussion nor the formulation of any voluntary agreement or program in the course of such discussion shall be construed to be within the prohibitions of the antitrust laws or the Federal Trade Commission Act of the United States. §2(b).

This statute goes even further and provides procedural safeguards whereby meetings are presided over a Government official and a verbatim transcript kept.

One purpose this served was that of allaying the fears of those who are opposed to the addition or to the enlargement of the list of exemptions from the antitrust law. They were afraid that advantage would be taken from this exemption, and that actions which would be contrary to the antitrust policy of the country might transpire.

An added safeguard was provided; namely, a calendar limit beyond which this exemption will not apply. That is, at the end of a specified period, this specific exemption that was created would expire by its own provision.

Thus, in the case of the banking industry, where the Government asked for industry participation in connection with the balance-of-payments problem, it was thought necessary by the President, by American bankers and international bankers and international lending agencies, by the Department of Justice, and by Congress to have an antitrust exemption for that activity.

Similarly, S. 985, in an important part of its regulatory scheme, contemplates industry participation in the development of voluntary product standards.

There are instances when certain Federal agencies may participate in the proceedings, just as the Treasury Department would have participated in the proceedings with reference to international bankers and international lending agencies.

But the bill before us, S. 985, establishes no antitrust safeguards, and specifically and expressly provides that nothing in the act is to supersede or avoid the application of the existing antitrust laws.

I have already read the text of section 11. I shall read it again, Mr. President, because I think it is important to remember this text.

> SEC. 11. Nothing contained in this Act shall be construed to repeal, invalidate, or supersede—
>
> (a) the Federal Trade Commision Act or any statute defined therein as an antitrust Act;
>
> (b) the Federal Food, Drug, and Cosmetic Act; or
>
> (c) the Hazardous Substances Labeling Act.

It is clear that this situation raises substantial issues under the antitrust laws. For that reason the Senate should not act on the bill until the Committee on the Judiciary has had an opportunity to consider its antitrust implications. The opportunity for the Senate to take action in that regard will come when the motion of the minority leader is made to refer the bill to the Committee on the Judiciary.

The motion will be made in due time. The remarks I have made will be in the RECORD for the consideration of Senators and interested people to show the very solid and inescapable foundation that has been laid, which necessitates favorable action on the motion. This we must do if we are to refrain from thrusting an important and substantial portion of our economy into great and constant danger, because it will never know when someone in the Antitrust Division will not wake up for one reason or another, or for no reason, subject it to burdensome and hazardous litigation.

That grave problem can be avoided by referring this to the Committee on the Judiciary. In due time, it would be referred to the Subcommittee on Antitrust and Monopoly. We shall process it in the best way we can and bring it back to the floor for proper consideration.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. Pell in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARTKE. Mr. President, the Shelbyville, Ind., News on May 26 published an editorial dealing with the bill over which we have struggled so long in the Commerce Committee and which is now before us for consideration.

I voted for the bill in committee, and I intend to vote for it in the Senate. I would have preferred to see certain amendments I offered incorporated in the bill, but the Shelbyville paper correctly quotes my view that this is "a fair position for both the public and the manufacturers," even though it may not be all that either desired.

Mr. President, I ask unanimous consent that this editorial may appear in the Congressional Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Truth in Packaging

According to Indiana's U.S. Senator Vance Hartke, the proposed Fair Packaging and Labeling Act, commonly referred to as the "Truth in Packaging" bill, will protect the consumer without placing an undue burden upon the reputable processor of foods, cosmetics, detergents and similar commodities.

The Senate Commerce Committee, of which Hartke is a member, voted favorably on the bill the other day. The much-debated legislation would place policing powers for food products with the Food and Drug Administration, and non-food items with the Federal Trade Commission.

"I think we have reached a fair position for both the public and the manufacturers in backing President Johnson's insistence on fair weights, measures and labeling," Hartke commented. "The object of this bill is in the public interest, to make it possible for the shopper to make valid comparisons of price and content, quality and quantity."

Paraphrasing current advertising, Hartke said:

"The American consumer has developed an All-New, Low—Low Poly-Unsaturated disgust with misleading packaging claims.

"The 'Truth in Packaging' bill now coming before the full Senate for approval is a Giant Family-Size effort to allow Mrs. Homemaker to cut through this never-never land and make the best possible choices for the money she spends."

We hope the bill is just what Sen. Hartke says it is.

Personally, we do not like to see more Federal Government intervention in private business. But we're sure that the vast majority of housewives and others who purchase commodities covered in the bill sincerely object to the confusing and sometimes misleading labeling to be found on too many packaged items. If the new legislation places something of a burden upon the manufacturer, that burden could hardly be as great as that placed upon the consumer as well as the retailer by labeling which leaves much to be desired.

U.S. DISTRICT COURT OF EASTERN MICHIGAN

Mr. HART. Mr. President, in the current issue of Time magazine dated June 3, 1966, an article commends in deservedly high language the Federal District Court for the Eastern District of Michigan.

All of us like to believe that the quality of justice which is available in the regions from which we come is high. I have felt this with respect to the Eastern District of Michigan for many years, but I am delighted that Time magazine should bring the quality of this court to the attention of the Nation.

I am delighted that deserved recognition is paid to Judge Wade H. McCree, Jr., in a comment at the conclusion of the article.

Because of the pride that I take in the court and its members, I ask unanimous consent that the article be printed in full at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

The U.S. court in downtown Detroit has the familiar grey Government air. Lawyers match wits in somber courtrooms, jurors try to understand, defendants try to look innocent. But there is one big difference. Detroit's federal district (trial) court handles 90% of its criminal business without the help of a single U.S. commissioner—the federal magistrates who man the front line of federal criminal justice. Despite this fact, the Detroit court is among the best run in the U.S.

Elsewhere, 700 U.S. commissioners issue warrants, set bail; and determine whether there is probable cause to hold an accused person pending grand-jury action. Most of them can try petty cases and mete out sentences up to six months. Yet 30% of the commissioners are not lawyers; all are paid only by fees (annual maximum: $10,500) that impoverish the able, particularly among fulltime commissioners, and tempt the greedy to issue shaky warrants. The system is now under fire in Congress.

25¢ to Freedom. Perhaps the best argument against the commissioners is that the eight pioneering judges of the U.S. District Court of Eastern Michigan have done so well without them. Twenty years ago, the Michigan court's Detroit branch banished commissioners because they had become too chummy with bail bondsmen; worse, they often went easier on the clients of crony lawyers, while hiking bail astronomically in response to public pressure whenever grisly crimes hit the headlines.

As a result, despite an increasing flood of federal cases, the Detroit judges themselves took over the commissioners' jobs, a move that has notably improved and speeded up justice. In setting bail, the judges now seek to release as many defendants as possible before trial—regardless of their ability to satisfy the tough requirements of security-minded bondsmen. The practice is not only in line with the law's presumption of innocence until a guilty verdict, it also enables defendants to hire better lawyers and help prepare their own cases, to say nothing of saving taxpayers the cost of keeping them in jail.

In the Detroit court, if relatives or friends agree to pay the amount set as bail should the defendant take it on the lam, the defendant may be released in the custody of those relative or friends—or even of himself. No cash is lodged with the court.

Idealistic as it may seem, the system is eminently practical. In 1964, the last year for which records are available, 84% of all the court's criminal defendants were released on personal recognizance. Although they were charged with everything from bank robbery to narcotics offenses, only 1% of that group failed to show up in court. What makes those figures all the more spectacular is that the Detroit court is a mere ten-minute, 25¢ bus ride away from the tempting possibility of sanctuary across the Canadian border.

Co-Op Sentencing. The Detroit court has also proved its enlightenment in one of the law's darkest areas: the wildly disparate sentences that different judges hand out for the same offense (Time, Dec. 31, 1965). Chief Judge Theodore Levin organized "a sentencing council" five years ago. Made up of three judges and three probation officers, the council meets weekly to review every trial judge's forthcoming sentences. Each judge proposes his sentence, and the others suggest increases or decreases or shifts in emphasis. No judge is required to accept any of the advice. But all act together, and they have achieved what they call "uniform philosophy" if not uniform sentences. One result is that Detroit now leads all federal district courts in the use of indeterminate sentences that give well-behaved prisoners an earlier crack at parole. Impressed, district courts in Illinois and New York are trying similar systems.

Key to Eastern Michigan's progress is the cooperation among the eight judges. Led by Chief Judge Levin, who is Jewish, the court is a diverse group that includes four Roman Catholics, two Protestants and a Unitarian Universalist—Judge Wade McCree Jr., a Negro whom many consider to be the most likely of his race, after Thurgood Marshall, to reach the Supreme Court. If he does, he will take with him some exceptional experience in the art of keeping cases moving. So efficient is the Eastern Michigan court that the backlog on its docket is just about the smallest of any major federal district court.

INSPECTION OF ANIMAL FACILITIES

Mr. CLARK. Mr. President, within the last 10 days, newspapers throughout the country have published editorials in support of the Monroney amendment to S. 2322, the animal welfare bill which the Senator from Washington [Mr. Magnuson] and I introduced in the 1st session of the 89th Congress.

The Monroney amendment would restore to the bill the provision for inspection of care and housing for research animals in the laboratory prior to the time of experimentation.

I am in complete agreement with these editorials, Mr. President and ask unanimous consent that they be printed in the Record. They were published in the New York Times, the Washington Evening Star, the Boston Globe, the Sacramento Bee, the Waco News-Tribune, the Christian Science Monitor, the Philadelphia Bulletin, and the Washington Post.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Washington Post]

OBLIGATION OF HUMANITY

Anyone with a modicum of imagination and a modest reservoir of the milk of human kindness in his makeup must feel distress if not indignation at current disclosures of the treatment sometimes accorded animals used in scientific research. Sometimes family pets are stolen for sale to laboratories; sometimes animals are kept in cramped cages too small for them to stand in; sometimes they are denied adequate food or water while awaiting experimentation. Scientific research is not advanced in the slightest degree by such callous cruelty. Human decency and dignity are affronted by it.

The Senate Commerce Committee is now considering legislation to forbid this kind of savagery. It should be stronger legislation than that passed by the House, which limits its protection to animal dealers—and to dogs and cats. Cruelty ought to be prevented in laboratories as well—and it ought to be prevented in connection with all living creatures. The welfare of humanity is debased, not advanced, by purposeless brutality springing from callousness or neglect or niggardly pennypinching. Humane treatment of dumb animals is a hallmark of humanity.

[From the Philadelphia Inquirer, May 20, 1966]

LAST CHANCE FOR TOUGH "DOGNAP" BILL

The waining hopes of animal lovers for Federal legislation that really goes after the brutal and disgusting trade of "petnaping" now are pinned on a public hearing before the Senate Commerce Committee next Wednesday.

The Committee was ready to approve a measure with $1,000 fines and a year's imprisonment for violators when it yielded to what has been described as a "cry of anguish" from State universities and medical researchers because the bill included humane treatment of experimental animals in laboratories as well as supply kennels.

The principal witness next week is expected to be Dr. James A. Shannon, director of the National Institutes of Health. It is to be hoped that one of the points he will cover, in this connection, is how any laboratory that is not operated humanely and decently, can hope to produce any worthwhile results from its work.

The Senate is the last hope of those who vigorously protest having dearly loved family pets stolen and subjected to miserable, painful ends. The House-passed measure imposes only civil sanctions which amount to little more than a license to torture, according to humane society authorities, and includes no reference at all to laboratories.

As the Pennsylvania SPCA recently informed its members, the unspeakable horrors of some "dog farms" in this State are far from conquered yet, in spite of recent, stiffer legislation passed in Harrisburg.

We believe the Senate has a duty to show some conscience and some enlightened humaneness in the matter, since the House has failed. Many eyes and ears will be focused on that hearing next Wednesday.

[From the Sacramento (Calif.) Bee]

CONDEMNED DESERVE CONSIDERATION

After stalling for years, the United States Congress was beginning to make smoke, so the expression goes, on legislation to demand more humane conditions for animals destined for laboratory experimentation.

Then along came the National Institute of Health with a so-called "compromise" plan which talks a good regulation line but which leaves wide loopholes, lack of policing and opportunity for continued abuse of animals.

Congress should ignore the NIH with its belated attempt at emasculation and proceed to consider, and pass, measures which set up strict demands for the care and recruitment of such animals.

Exposes of barbaric treatment of animals in laboratory experimentation and of the bootlegging of animals for that experimentation have left many sickened, repulsed.

There have been pictures of starving dogs feeding on the entrails of starved dogs, their only shelter packing crates too small to protect them from winter blasts.

There have been pictures of the filth in temporary and permanent custodial centers for dogs intended for laboratory use.

There have been pictures of outrageous experimentation without the slightest consideration given to the pain and to the discomfort of the dumb creatures sacrificed up in the name of research.

No one suggests that experimentation cease. This research is essential to fighting human and animal affliction. It is a lamentable, but a justifiable, sacrifice.

The plea, rather, is that society owes to these condemned animals the consideration of adequate and sanitary shelter and diet and the most humane conditions possible in the actual research.

Surely anything less than this cannot be considered by Congress and could not be accepted by a society which has become more than disturbed over the inconsideration of the few.

[From the Washington (D.C.) Evening Star, May 26, 1966]

THE ANIMAL CRUELTY BILLS

Congress at last is headed toward enactment of a law to require humane treatment of animals used in laboratory research and to halt thefts of pets by dealers supplying this market.

At the eleventh hour, however, a snag has been encountered in the Senate Commerce Committee. Medical researchers, hostile to government supervision (but not government grants, it should be added), are attempting a switch play. A bill introduced by Senator Hill of Alabama would head off federal inspection of how laboratories treat animals awaiting experiments. Instead this authority would be given to a private group.

The medical men, in fact, have such a group all ready and waiting. Set up last year, it is called the American Association for Accreditation of Laboratory Animal Care. Its members are of the establishment; all are staff members of medical schools and research institutions. And, as the association's brochure suggests, the "inspections" would be rather friendly affairs.

There would be no surprise audits, such as those routinely carried out now in the banking industry, for example. Instead a visit would be scheduled by "mutual convenience." It would not come distressingly often—no more than once every five years. The inspectors, according to the brochure, would charge fees ranging up to $1,000 for their trouble.

If the laboratories are in fact treating their animals humanely, they should have nothing to fear from a proposal by Senator Magnuson of Washington that such inspections be made by the Department of Agriculture after standards have been published. His bill has nothing to do with the antivivisectionists; the government would not interfere with any laboratory tests or operations.

Certainly the public should not be deluded into thinking the Hill proposal represents any kind of adequate substitute for impartial inspection of such institutions.

[From the New York Times, May 23, 1966]

PROTECTING RESEARCH ANIMALS

The Senate Commerce Committee has scheduled additional hearings this week on the difficult problem of drafting legislation to protect the hundreds of thousands of animals used each year for medical research.

The House of Representatives has already passed a bill—limited to dogs and cats—requiring that the Department of Agriculture license and inspect dealers who sell these animals to laboratories. Representative Joseph Y. Resnick of New York and others interested in this problem have presented distressing evidence that some dealers have failed to provide adequate food and water or sufficiently large pens for these animals. As a result, many animals have died or suffered needlessly without serving any medical purpose whatever.

The controversial question before the Senate committee is whether the Federal standards should also apply to laboratories in the period before and after the actual experiments. In our view, this is a reasonable requirement. It would be desirable to extend the coverage of the bill to include monkeys, rabbits, and other vertebrates.

The pending bill in no way regulates animal experiments, but many respected doctors vehemently oppose Federal supervision of animal facilities in laboratories because they view it as the first step toward Government controls over the conduct of experiments. As we have stated in the past, we believe it would be possible to devise criteria affecting the duration and painfulness of experiments without stifling research. However, that question does not arise under the pending bill, and Congress at present shows little disposition to consider it. On its own merits, a bill to regulate the facilities for animals before and after the experiments deserves enactment.

[From the Boston Globe, May 15, 1966]

A NATIONAL SCANDAL

Animal experimentation is here to stay. It is essential to the advancement of medical science and education. The nation's laboratories, many of them literally subsidized by the Federal government, contain some 30 million mice, 12 million rats, 1 million guinea pigs, 500,000 hamsters, 500,000 rabbits, 425,000 dogs and 150,000 cats—one animal for every four Americans.

Some of the experiments done are undeniably painful. This is a grim necessity, the anti-vivisectionists notwithstanding.

But it is scandalous that many of the animals used by the experimenters, especially dogs and cats, are household pets stolen by unscrupulous animal dealers or their suppliers. According to the Humane Society of the United States, theft accounts for one of every two missing cats and dogs.

It is equally scandalous that many experimental animals are cruelly and needlessly mistreated by dealers and by laboratory operatives prior to, and following, actual experimentation.

Some dealers permit their animals to exist under concentration-camp conditions, deprived of food and water for long periods of time, brutally mishandled, the sick and the well mixed together in filthy, crowded shacks and pens.

In some laboratories, the handling of animals before and after experimentation is scarcely less callous.

"In my 20-odd years as a laboratory worker," Dr. Morris Goldman of Washington has said, "I've never heard a director caution his people on humane treatment of animals, although I have seen examples of outright cruelty practiced by senior investigators or their assistants."

Legislation to wipe out pet thievery and unnecessary cruelty to experimental animals is pending in Congress. The Senate Commerce Committee has before it an excellent bill, Senate Bill 3059, which would (1) license animal dealers, (2) set humane standards for care of all species of animals on dealers' premises and in laboratories, (3) withdraw Federal funds from laboratories if they fail to comply, and (4) provide for revocation of dealers' licenses if they are found guilty of cruelty or theft.

An identical bill was heard last Fall by the House Agriculture Committee, which severely narrowed its scope by limiting its coverage to cats and dogs and by exempting laboratories from the necessity of complying with humane treatment standards to be established by the Department of Agriculture. This watered-down measure was passed by the House on Apr. 28 by a wide margin.

It is earnestly to be hoped that the Senate Commerce Committee will report, and the Senate adopt, a stronger bill than the one passed by the House. There is no reason why laboratories liberally subsidized with Federal funds should not comply with Federal standards for the humane treatment of animals before and after actual experimentation.

[From the Christian Science Monitor, May 24, 1966]

PROTECT ANIMALS, NOT LABORATORIES

The idea of self-policing, dubious at best, and never to be trusted in a group where offenders are in the majority, has raised its menacing head in the area of the much-needed laboratory-animal legislation.

Sen. LISTER HILL (in whose Labor Committee the excellent Clark bill, S. 1071, has been pending for six years with no action) introduced on May 10, S. 3332. This bill would put the decent treatment of laboratory animals at the mercy of an "accreditation" system.

Let us see how this would work. The National Institutes of Health prepared this bill and is backing it. Dr. James Shannon, director of the NIH, has stated that the group which would accredit laboratories would be the American Association for the Accreditation of Laboratory Animal Care, or a similar group. The AAALAC is a nongovernmental group organized in 1965 by the American Medical Association, the National Society for Medical Research, the Animal Care Panel, and several other such groups, which also support it financially.

According to the AAALAC's own brochure, the council members would make "site visits" only once in five years. The fee for such visits would range from $100 to $1,000, and laboratories would have a week or more advance notice. On the basis of such visits laboratories would be "accredited" or not.

Thus would a nongovernmental group be placed in the easy position of being able to certify its own members as eligible to receive federal money by grant or contract, and the animals would get no real protection.

The Magnuson bill, S. 2322, which provides for the setting and enforcement, by the Department of Agriculture, of humane standards for housing and care of animals in laboratories as well as on dealers' premises, is now before the Senate Commerce Committee. Hearings are scheduled to open on May 25. It is obvious that the NIH hopes that, as a result of the hearings, the absolutely indispensable clause referring to laboratories will be stricken from the Magnuson bill, paving the way for the hastily introduced Hill bill, S. 3332, as a substitute to appease the public.

No such development should take place. The public, quantities of whose tax dollars are yearly poured into government grants and contracts involving animal experimentation, should not allow themselves to be misled. An accreditation system is not for the protection of the animals. It is for the convenience of the laboratories.

[From the Waco (Tex.) News-Tribune, May 16, 1966]

IT ISN'T EASY TO INSURE KINDNESS TO ANIMALS

The Society for Animal Protective Legislation, headed by Mrs. Christine Stevens of Washington, continues to hope that Congress will enact effective legislation to end the inhumane treatment of laboratory animals.

Conditions under which many of these dogs, cats, rabbits, mice and other helpless creatures are kept would do credit to the cruelest jailers in human history. The society is not against experimentation on animals. It recognizes this is necessary for the advancement of science. But it does most strenuously object to mistreatments, the callous mistreatment, of the animals in regard to pens, cages, feeding and watering. The society's investigations have uncovered such heartless examples that one writer referred to the laboratory animal situation as "Dachau, 1966 Style," comparing it to the infamous Nazi death camp at Dachau.

Center of the society's current efforts is the Senate Commerce Committee, which is considering—or pretending to consider—several bills of varying merit on the subject of laboratory animal care. Some research organizations, believe it or not, are fighting any regulation on the theory that it is nobody's business whether lab animals suffer unnecessarily or not. Latest backfire attempt against humane legislation on the subject is a trick engineered by the National Institutes of Health, of all people, to try obtaining sanction for private regulation of the laboratory animals. A bill to accomplish this was introduced in the Senate May 10. "Passage of such a bill would be a cruel hoax to delude the public into thinking action was being taken as a result of their protests, said to be the largest volume of mail on any issue in Congress this year," says the Society for Animal Protective Legislation.

It is pointed out that the private group seeking regulatory power over lab animals includes several institutions "which have animal facilities which are themselves in grave need of improvement."

Senate Bills 2322 and 3059, says the society, already have wide popular support. "They are simple, straightforward measures which would require humane standards of care and housing of animals in dealers' premises, in transit and in laboratories, exempting the actual experimentation from any control . . . The Senate commerce committee can act now to provide basic minimum requirements for laboratory animals . . ." says the Society for Animal Protective Legislation. It ought to do so.

Mr. CLARK. Mr. President, I would hope very much that the Commerce Committee, which is considering the bill, would leave in as animals which need to be protected not only dogs and cats but also animals which are not necessarily private pets of individual families but who suffer just as much if they are tortured and abused or mistreated prior to the period when they are experimented on for scientific purposes. These animals are monkeys, rabbits, hamsters, and guinea pigs.

EXTENDING AND PROTECTING THE INDEPENDENCE NATIONAL HISTORICAL PARK

Mr. CLARK. Mr. President, on behalf of myself and my colleague [Mr. SCOTT], I introduce for appropriate reference a bill to protect this Nation's birthplace—Independence National Historical Park—from the intended ravages of the urban expressway. These ravages are about to be perpetrated by the Pennsylvania Secretary of Highways and the Director of the Federal Bureau of Public Roads, with the active support of the Secretary of Commerce.

On April 1, 1966, I spoke in this Chamber on the growing revolt against poorly planned urban expressways which are built with insufficient regard for the damage they do to neighborhoods, scenic areas, and historic sites. At that time, I made particular reference to the problem in the historic Independence Mall-Penn's Landing section of Philadelphia. The bill which I am introducing would correct a serious lack of vision in highway planning and, at the same time, enhance the Independence National Historical Park and its value to the public.

A depressed expressway is now planned to run through what is, without a doubt, the most historic square mile in the United States. The present plan is for the Pennsylvania Secretary of Highways and the Director of the Federal Bureau of Public Roads, most reluctantly accepted after great pressure was put upon the Pennsylvania civic groups throughout Pennsylvania, is far better than the previously planned "Chinese Wall," which would have run an elevated expressway right through the middle of the Independence Mall-Penn's Landing Park area.

Nevertheless, the present design for a depressed highway would still be a tragic mistake cutting this area in two with limited access, and running enormous amounts of traffic—with its attendant noise and dirt—right through the middle of the Independence Mall-Penn's park area. It would be a tragic mistake, and one that could not be rectified for, perhaps, a century.

At the time when the Pennsylvania Department of Highways agreed to depress this Delaware Expressway, a number of local citizens groups in Philadelphia continued to urge that the expressway be covered where it passes through the Independence Mall-Penn's Landing section of the city—approximately a mile in area.

The State and Federal highway engineers said that it was not feasible. That is what they always say, Mr. President, "not feasible," you know, are the words used by technicians to describe something they do not wish to do, or are too lazy to think through.

The Committee to Preserve Philadelphia's Historic Gateway, a civic group, hired a firm of engineers. It had the services and active support of the Philadelphia Architects Committee. It also had the support of the mayor of Philadelphia and of both Senators from Pennsylvania.

The committee found that the covered expressway is not only feasible, but that it is also patently the sensible thing to do. It is necessary to tie in the new Penn's Landing historical complex with the rest of the city.

Let me point out for those who are not familiar with the area, that Penn's Landing means the place where William Penn landed when he founded the city of Philadelphia. It is also the place where Benjamin Franklin landed when he was a welcome immigrant from Boston.

It is necessary to protect the great public and private investment in the renewal of this area, and also to protect the Independence National Historical Park.

In 1942, after a century and a half of neglect and abuse, an effort was launched to restore Philadelphia's historic core.

In 1816, the Commonwealth of Pennsylvania was willing to sell Independence Square and all its buildings—including Independence Hall—to the highest bidder. If the city of Philadelphia had not acquired the site, it is doubtful whether any of these buildings would exist today.

At that, the city established a dog pound in the basement of Independence Hall. Much of the area developed into an unattractive commercial complex. Other parts were slums. When the renaissance began in 1942, President Madison's house was used by a ragpicker as his place of business.

The rebuilding of this area is now moving forward rapidly. I am happy to have played a part in that rebuilding during the 4 years I served as mayor of Philadelphia, from 1952 through 1955.

Half a billion dollars in public and private money will be and is being spent on renewal and rebuilding. The Independence Hall complex is now a part of the Independence National Historical Park, in which the Federal Government will invest almost $25 million.

Let me add parenthetically that if the present plans for the Delaware Expressway go through, the Federal Government will also invest approximately $25 million to ruin, with a highway, what it has created to protect with a park—a lack of coordination among Federal agencies which I find deplorable.

The Commonwealth of Pennsylvania has created a mall to the north of the park. To the south, individual homeowners and private developers have renewed many of the old houses of the Colonial and Revolutionary period. New housing and apartment buildings are also being built. To the east, along the banks of the Delaware River, the city is working on the Penn's Landing development. This will provide a 1-mile strip of river front—contiguous to the Independence National Park and Mall—for people to enjoy, with a promenade, an embarcadero, shops, and a plaza, as well as historic ships serving as floating museums.

The Delaware Expressway, if built as presently planned, will do substantial damage to this area. It will cut the Penn's Landing development off from the remainder of the city and the historic area to which it is related. It would create a ruinous intrusion into the historical development running from Independence Mall to the site of the expressway. Covering the expressway would eliminate these dangers and greatly augment all of the redevelopment efforts that are now underway.

In 1976 we will celebrate the 200th anniversary of the signing of the Declaration of Independence in Independence Hall, and thus the founding of this country.

Many of the efforts now underway in the Independence Mall area are directed toward this event. Certainly this historic complex, running from the place where William Penn landed to the place where this Nation's independence was proclaimed, both by the signing of the Declaration of Independence and the drafting and signing of the Constitution of the United States, will play an important part in the celebration. This gives an additional incentive for covering the expressway.

The covering proposal also makes sense economically. The land acquisition costs for this 1-mile segment of the expressway cost an estimated $30 million. If two-thirds of this mile were covered it would reclaim 17 acres of valuable land at a cost of less than $25 million.

The bill I introduce today would authorize the Secretary of the Interior to enter into an agreement with the Pennsylvania Department of Highways to cover the expressway for six city blocks. The Independence National Historical Park would then be extended to include the land created by the cover.

I ask unanimous consent that a copy of the bill may be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, will be printed in the Record as requested.

(See exhibit 1.)

Mr. CLARK. Mr. President, I should like to point out that Philadelphia is not alone in the enormous civic resistance which is being built up all over the country to the ruining of historic sites and areas of great beauty by a highway program which seems to believe that the only truth invented since the discovery of the wheel is that a straight line is the shortest distance between two points.

Incalculable damage has already been done in San Francisco, Seattle, and Indianapolis, and is contemplated in New Orleans and some of our other cities, by destruction or planned destruction of historical or areas of beauty in our countryside, rural as well as urban, by the officials who are running the highway program.

In my opinion, it is time that Congress took a look at the highway program, because it is presently being operated by barbarians, and we ought to have some civilized understanding of just what we do to spots of historic interest and great beauty by the building of eight-lane highways through the middle of our cities throughout the country.

The bill (S. 3450) to provide for the preservation and extension of Independence National Historical Park, Philadelphia, Pa., introduced by Mr. Clark (for himself and Mr. Scott), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

S. 3450

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of preserving and extending Independence National Historical Park in the city of Philadelphia, Pennsylvania, the Secretary of the Interior shall, subject to the condition provided in section 2, purchase such rights, title, and interests (other than those held by the State of Pennsylvania for highway purposes) in and to the land in such city in the area bounded by Arch Street, Pine Street, Front Street, and the current bulkhead line of the Delaware River, as is necessary for the highway cover construction and the park extension pursuant to this Act.

Sec. 2. Such purchase of land shall be conditional upon the Pennsylvania Department of Highways entering into necessary agreements with the Secretary of the Interior providing that such Department will (1) construct the highway planned to run through the land described in the first section below ground level, and will construct a cover over such highway at ground level in such fashion as is satisfactory to the Secretary for the purpose of section 3 in return for the payment by the Secretary of such part of the cost of such cover construction as does not exceed $25,000,000, (2) will pay any cost of such cover construction which is in excess of $25,000,000, and (3) will pay the cost of moving any utilities and any street reconstruction necessitated by such construction.

Sec. 3. Upon completion of the construction by the Pennsylvania Department of Highways in accordance with section 2, the Secretary of the Interior shall establish a park thereon which shall be an addition to the Independence National Historical Park and administered as such.

Sec. 4. There is authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, not to exceed $1,000,000 for the purpose of the land purchase authorized in the first section, and not to exceed $25,000,000 for the purpose of the payment authorized in section 2, which the Secretary of the Interior is hereby authorized to make.

THE TEACHER CORPS

Mr. CLARK. Mr. President, the Thursday, May 19, 1966, edition of the Christian Science Monitor contained an editorial, entitled, "Teacher Corps Mobilizes," hailing the inception of this program and urging that it be fully funded by the Congress.

I completely concur. Although there is no single way to break the cycle of poverty, it is generally agreed that a massive upgrading of educational opportunities in our urban and rural slums is essential. The Teacher Corps idea is an ingenious and highly promising approach.

I ask unanimous consent that this editorial be printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Christian Science Monitor,
May 19, 1966]

Teacher Corps Mobilizes

The National Teacher Corps will soon be a going concern. Applications are now being accepted. This summer successful applicants will be in training in 42 colleges and universities throughout the United States. In the fall teams of teacher interns led by experienced career teachers will be on the job bringing new hope to children in "poverty schools" around the country.

The program is regarded as one practical way to help the children of the poor overcome cultural and educational handicaps and break the cycle of poverty. In the face of a national teacher shortage, the schools in city slums and poor rural areas have been unable to compete for teaching talent with schools in the more affluent communities.

Like the Peace Corps which inspired it, the Teaching Corps hopes to provide incentives for dedicated, idealistic young men and women to move into impoverished or deprived areas, filling in wherever there is a pressing need and a desire for their services. These supplemental teachers will experiment with new programs and techniques, hold special sessions for pupils with special needs, and work directly with parents and local agencies.

While the federal government will provide the funds, eligible local education agencies will take the initiative by applying for and setting up programs. Local authorities will accept and supervise personnel and have effective control over local programs. Much tact and diplomacy will be needed since Teacher Corps personnel, to be effective, will have to work in harmony with the regular teachers.

The Teacher Corps has had to scale down its plans considerably in view of an appropriation of less than $10 million as compared with the President's request for more than $30 million. It has had to cut back its trainees from 4,000 to 1,600.

But Congress can, and we feel should, still move to appropriate enough to train the number originally envisaged. Awakening the culturally deprived child through education should go a long way toward eliminating the dropout, the delinquent, the unemployable. It means giving children the chance to lead productive, creative lives. It is money well spent.

BICENTENNIAL OF THE AMERICAN REVOLUTION

Mr. CLARK. Mr. President, in 1976 we will observe the 200th anniversary of the American Revolution. President Johnson has asked the Congress to create a commission to plan an appropriate celebration, and the senior Senator from Mississippi [Mr. EASTLAND] introduced Senate Joint Resolution 162, which will accomplish this end. All Americans, I am sure, want to make this a meaningful and dignified occasion. A number of very good ideas have come forth already.

I ask unanimous consent to insert in the RECORD a very thoughtful resolution by the Communication Workers of America on the celebration.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION 27A–65–18: BICENTENNIAL ANNIVERSARY OF DECLARATION OF INDEPENDENCE

The signing of the Declaration of Independence on July 4, 1776, not only marked a turning point in the history of the nation which has since become the United States of America, but it also marked a decisive and dramatic moment in the history of the entire world.

The ringing words of this famed document signaled the call to arms which led to the founding of a new and great nation. It also sounded the death knell for the long era of colonial expansion in the Western Hemisphere by the nations of Europe. Even today, the historical process begun on July 4, 1776, is continuing in other parts of the world where old colonial structures are crumbling and new dynamic countries are being born.

In a few years we will have reached the 200th anniversary of the signing of the Declaration of Independence. It would be fitting that the year 1976 be devoted to a year-long observation of the bi-centennial anniversary of this important date in world history.

Like the Magna Carta, the Declaration of Independence is a document revered throughout the world. We would do well to show the world that its words are deeply honored today in the nation in which it was signed nearly two centuries ago.

This nation recently gave impressive observation to the centennial anniversary of the Civil War. Countless new histories and studies of this period were published. Battles were re-enacted. Fitting ceremonies were held at such places as Gettysburg and Appomattox.

These observations, which were well-planned and coordinated, made an important contribution to our awareness and understanding of that chapter in our nation's history.

A carefully planned bi-centennial observation of the signing of the Declaration of Independence, could serve a similar and equally important function, reminding the entire world of the nation's revolutionary heritage through which our freedom was won and our nationhood was established.

The full-scale observation of this 200th anniversary will require much study and preparation. Although the anniversary is still eleven years off, it is by no means too early to begin laying the groundwork for its observation. Therefore, be it

Resolved: That this 1965 Convention of the Communications Workers of America urges that plans and study begin as soon as possible to prepare for the 200th anniversary of the signing of the Declaration of Independence.

CWA firmly believe a nation-wide campaign to win Congressional approval for the establishment of a Commission to undertake this important project is in order.

As loyal, patriotic and proud Americans, the members of this Union pledge themselves to play their part in such a program so that this important historical anniversary will receive the honor it so richly deserves.

Mr. CLARK. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT TO MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business this afternoon, it stand in adjournment until 12 o'clock noon Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

FAIR PACKAGING AND LABELING ACT

The Senate resumed the consideration of the bill (S. 985) to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes.

Mr. HART. Mr. President, when the American consumer steps into the supermarket and swings his cart into the aisle, he is undertaking a job that at first blush seems simple enough: He wants to buy the maximum amount of what he wants and needs at the lowest possible price.

The shopper, in short, is seeking value. And if he is frugal enough to look for it, he deserves to find it.

But the job is not an easy one. As any experienced shopper can testify, that supermarket aisle can be a gantlet of deliberate confusions, psychological traps, and—sometimes—outright deceptions.

This bill is aimed at eliminating some of those confusions, at simplifying the consumer's job by helping him find value without eyestrain and with a minimum of brain-twisting computations.

In this sense, it is a modern day weights-and-measures bill.

No longer do we walk into a store and ask a salesman to make us up an order of so much sugar, so many crackers, and this many scouring pads.

Goods are prepackaged and we either accept the weights and measures in which they are offered or we do not buy. And the package is the only salesman we encounter. Certainly, the package should be required to supply precise information as to the weight and nature of its contents.

This bill, in short, is designed to correct the commonplace packaging practices that tend to make rational shopping decisions difficult most of the time and impossible some of the time.

This view of packaging practices is my opinion based on 3,036 pages of hearing record. But it is not my opinion alone.

It is corroborated by the 10,000 letters I have received on the subject—about 90 percent of them favoring corrective legislation. These letters, in fact, further document the practices the bill seeks to correct.

It has been further corroborated by two impartial packaging experiments, one in California and one at Eastern Michigan University.

These studies developed one especially interesting point: the "hidden inflation" that can—and does—result from packaging confusions.

We have seen example after example of how package design and size is used to disguise a diminished content. Product weights often can be dropped a few ounces without a change in the box size or price.

The original bill carried a provision to allow regulation of package sizes and shapes that exaggerate the true content amount. This provision was eliminated in committee discussions—and give and take—unfortunately, I think, because it could have provided a useful tool in insuring the honesty of that "package salesman."

It is true, however, that the big-box, small-content device was often accompanied by a very obscure net weight designation. Clearly, the shopper would have greater difficulty in detecting diminished content if the net weight were printed in tiny type on the bottom of the box or printed, say, in silver type on aluminum foil.

The practice of obscuring net weight will be corrected in the bill now before the Senate—and effectively. The bill would require the weight designation to be printed clearly, prominently, and in simplified form. Yet, it is regrettable that all possible tools are not being brought to bear on the problem.

Certainly, the labeling features of this bill will still be a great help to the consumer. The cost of living index indicates a rise of about 6 percent in food costs each year. If a frugal housewife, enabled to spot value more easily, can save even the same percentage on her food bill, then we will have created an effective anti-inflationary weapon.

However, the core of this bill is composed of sections 5 (d), (e), (f), and (g), relating to the establishment of weights and measures. The amendment offered by the able senior Senator from New Hampshire [Mr. COTTON] would remove this core.

These sections give no authority to regulate package shape or dimension, but would allow the establishment of weights and measures in which a product line could be sold.

It must be emphasized that this provision could only be activated on a product-line basis. Clearly, it would make no sense to set the same weights and measures for potato chips as for tinned tomatoes. And in each case, the need for regulation must be established at a hearing.

But let me explain the necessity of these provisions.

First of all, I have already said that today's weights and measures are established by the package. And where weights and measures get out of hand, the smartest shopper in the world would have difficulty in making price comparisons among competing products, no matter how clear the labeling.

Making price comparisons of competing products would be relatively simple if they came in pound, half-pound, and quarter-pound sizes even if the price was two for 17 cents or three for 25 cents.

But the computations are certainly compounded if each product is in a different weight and some of those weights involve fractional ounces.

Because the shopper's task is to find a comparable unit of measurement, some common denominator of weight must be computed. This means that today the cost must be broken down into price per ounce.

For instance, let us say we want to buy instant coffee. There are 12 different weights on the shelf, all within a few ounces of each other. There are also 12 different prices.

The shopper must compute the price per ounce through 12 separate calculations before making a price comparison. But let us say that all those jars, like regular coffee, were packaged in variations of half-pounds. Then the lowest priced coffee would be readily apparent.

You might not buy it because you preferred the taste of another brand but you would know exactly how much more you were paying for that taste.

I cited instant coffee but soaps and detergents would be just as difficult because of the scores of weights on the shelf.

On the other hand, the shopper buying liquor need only compare prices of the fifths. He need not divide ounces into price to get an idea of relative values.

But the housewife at the instant coffee section, if truly conscientious, might spend half her day figuring the best buy.

Of course, she does not. How could she? She has a roast in the oven at home. Other shoppers are jostling her with their carts. Her two youngest children have just disappeared behind the meat counter.

The inevitable result is that she throws up her hands and just guesses at the best buy. And this, obviously, adds to her food costs.

Now, would this section work special hardship on the food industry? I think not.

The bill's extensive safeguards would guard industry against even the most zealous and arbitrary administrator, in the unlikely event that such an administrator would appear.

Before a standard can be established in any product line, a hearing must be held to determine whether the consumer ability to make price-per-unit comparisons among competing products is impaired. If such a determination is made the affected industry then may go to the Department of Commerce and apply for a standard established under its procedures for development of voluntary standards.

Only if a standard could not be agreed upon, or, if agreed upon and the standard is not adhered to, could the promulgating authority proceed to the second stage of developing a standard which would be mandatory. Industry would then have an additional opportunity to present their views; further hearings would have to be held if an industry member requested it and appeal to the U.S. Court of Appeals is provided for.

Here you have layer on layer of procedural safeguards built in and, in my mind, the more legitimate concern and question is one asked by consumer groups: Is the administrator being so handcuffed that standards might take years to develop, if at all? If I thought so, I would not be supporting so strongly this legislation. But certainly the consumer has more reason for concern than the manufacturer.

However, these procedures are not the only protection the manufacturer has. No weights or measures can vary from a voluntary standard established under the provisions of this act. Indeed all other voluntary standards are grandfathered in—including present can sizes. No weight or measure can be established under two ounces. This would, for instance, exempt candy bars sold through vending machines and small items where weight is relatively unimportant.

No weight or measure can preclude the use of packages already standardized by industry for packing related commodities of differing densities such as cookies, spices, or baby foods. In addition, returnable or reusable beverage containers now in use are grandfathered in.

Furthermore the Administrator, under explicit provisions of the bill must give due regard to the cost of the packaging of the commodities affected; the availability of any commodity in a reasonable range of package sizes to serve consumer convenience; the materials used for the packaging of the affected commodities; the weights and measures customarily used in the packaging of the affected commodities; competition between containers made of different types of packaging material.

The "excessive power" argument of the minority report hardly fits the procedures and safeguards I have outlined.

Nor is present law adequate to do the required job. A walk through a supermarket should convince anyone of this point.

Certainly, the manufacturers packaging the vast majority of products are not going to violate any laws. Yet price comparisons are still almost an impossible task.

The reason is that present law is aimed primarily at preventing fraud and deception in the common law sense. However, it makes little difference to the economy and consumer whether price comparisons are made difficult or impossible because of fraud, deception, or only confusing practices.

The seller's intent is not the important point—the practice and its effect are. This explains, of course, why present law is so inadequate to do the required job. The concern of existing law is with the occasional intentionally deceptive practice which has the capacity to deceive the consumer. And this bill is concerned with facilitating price comparisons, which is outside the purposes of the law now on the books.

The bill has been drafted to allow the promulgating authorities to reach these practices and at the same time gives them specific congressional directions as to how they must proceed and limits the areas in which they can act.

Some references have been made as to what the bill might cost the manufacturer. Changes in labeling cost only minimal amounts and no industry spokesman has suggested this would be prohibitive. All claims of excessive costs have been on the basis of what an Administrator might do under the reasonable weights and measures provision, under the most outlandish conditions.

As pointed out, the built-in extensive safeguards, the exceptions, the factors which must be considered in establishing regulations, all are guarantees that none of these strawmen will come to life.

The only actual cost studies of which I am aware related to manufacturers who use a standard container for related products of differing densities. And as the bill is now written, no weight or measure could be inconsistent with the amount of fill in such packages.

The bill has the strong and determined support of the President and of every major consumer group in the country. It also has received strong opposition from the food industry and its suppliers such as the canners. I believe strongly that much of this opposition was generated by provisions not now in the bill before us.

The present bill, with amendments made in the Commerce Committee, we believe, meets all the legitimate objections.

The original Truth-in-Packaging bill was introduced in September 1962 after long discussions with industry representatives and attorneys. In subsequent bills we have made at least 12 major changes. These changes were made not in the hope of getting votes but only to cut out those objections that seemed substantially valid.

The Commerce Committee has made additional changes.

I emphasize this point to make clear that as amended we have a bare-bones bill. To make further substantial changes, such as the pending cotton amendment, it seems to me, would sacrifice the purpose and intent of this legislation and give to the consumer and the administration more shadow, less substance. And the seven volumes of testimony make this field and this legislation as well explored—and the need as well documented—as any legislation I have seen in recent years.

For these reasons I urge favorable consideration of the bill and the defeat of the pending amendment.

I ask unanimous consent that a document relating to this matter be made a part of my remarks.

There being no objection, the document was ordered to be printed in the Record, as follows:

Fourteen organizations representing 43 million persons have announced for the support Truth in Packaging bill.

These are:

AFL–CIO—13 million.

Cooperative League of the United States, an association of consumer-owned stores throughout the United States, representing 15 million family-owners.

Rural Electric Cooperative Association, representing 4,715,462 member owners of electric systems.

National Council of Senior Citizens, 2 million.

American Association of Retired Persons and National Retired Teachers Association—1 million persons.

National Council of Negro Women, 3,850,000.

Michigan Credit Union League, 1 million.

National Farmers Union, 750 thousand.

National Grange, 700 thousand.

National Federation of Business and Professional Women's Clubs, 175 thousand.

National Council of Jewish Women, 123 thousand.

American Veterans Committee, 25 thousand.

National Consumers League, 15 thousand.

A list of significant supporters also would include:

President's Advisory Council on Consumer Interests.

Special Assistant to the President for Consumer Affairs.

Secretary of Commerce.

Food and Drug Administration.

Federal Trade Commission.

Consumers Union, which reports the bill has brought more mail from readers of Consumers Reports magazine than any other in its 30-some year history.

National Federation of Independent Businesses, who polled their 150,000 members—all operators of small stores—and found them largely in favor of the bill.

State directors of weights and measures departments, 81 percent who were in favor of the bill in a poll conducted by the Weights and Measures Research Center.

Executive Committee of the National Association of State Departments of Agriculture.

Kansas Home Economists Association, an organization of 700 home economists who at a convention unanimously adopted a resolution in support of the bill.

Federation of Homemakers, a national organization with membership in all states.

Other groups which have gone on record in support of Truth in Packaging include:

Consumers Cooperative of Berkeley, Maryland Consumers Council, Association of California Consumers and the Harlem Consumers Education Council.

Colorado House of Representatives, which adopted a House Memorial in favor of the bill.

New York State Joint Legislative Committee on Consumer Protection which after intensive study is recommending adoption of a similar bill.

UNANIMOUS-CONSENT AGREEMENT—LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the previous unanimous consent agreement relative to the Cotton amendment being voted on at 4 o'clock Monday be withdrawn.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote on the Cotton amendment take place at 4 o'clock on Wednesday afternoon next; that the Senate come in at 12 o'clock; that there be no morning hour; and that the time be equally divided between the Senator from New Hampshire [Mr. Cotton] and the chairman of the committee [Mr. Magnuson], or whomever they may designate.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The unanimous consent agreement, as subsequently reduced to writing, is as follows:

Ordered, That on Wednesday, June 8, 1966, the Senate proceed to vote at 4 o'clock p.m. on the amendment offered by the Senator from New Hampshire [Mr. Cotton], No. 572 to S. 985, a bill to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes.

Ordered further, That on that date, during further debate on the amendment (No. 572) the time between noon and 4 o'clock p.m. be equally divided and controlled by the Senator from New Hampshire [Mr. Cotton] and the Senator from Washington [Mr. Magnuson], or their designees.

BANK HOLDING COMPANY ACT AMENDMENTS OF 1966

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be laid aside temporarily, and that the Senate consider Calendar No. 1148, H.R. 7371.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The Legislative Clerk. A bill (H.R. 7371) to amend the Bank Holding Company Act of 1956.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency with an amendment to strike out all after the enacting clause and insert:

That subsection (a) of section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(a)) is amended to read as follows:

"(a) 'Bank holding company' means any company (1) that directly or indirectly owns, controls, or holds with power to vote 25 per centum or more of the voting shares of each of two or more banks or of a company that is or becomes a bank holding company by virtue of this Act, or (2) that controls in any manner the election of a majority of the directors of each of two or more banks; and, for the purposes of this Act, any successor to any such company shall be deemed to be a bank holding company from the date as of which such predecessor company became a bank holding company. Notwithstanding the foregoing, (A) no bank and no company owning or controlling voting shares of a bank shall be a bank holding company by virtue of such bank's ownership or control of shares in a fiduciary capacity, except as provided in paragraphs (2) and (3) of subsection (g) of this section, (B) no company shall be a bank holding company by virtue of its ownership or control of shares acquired by it in connection with its underwriting of securities if such shares are held only for such period of time as will permit the sale thereof on a reasonable basis, and (C) no company formed for the sole purpose of participating in a proxy solicitation shall be a bank holding company by virtue of its control of voting rights of shares acquired in the course of such solicitation."

Sec. 2. Subsection (b) of section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(b)) is amended to read as follows:

"(b) 'Company' means any corporation, business trust, association, or similar organization, or any other trust unless by its terms it must terminate within twenty-five years or not later than twenty-one years and ten months after the death of individuals living on the effective date of the trust, but shall not include (1) any corporation the majority of the shares of which are owned by the United States or by any State, or (2) any partnership."

Sec. 3. Subsection (c) of section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(c)) is amended to read as follows:

"(c) 'Bank' means any institution that accepts deposits that the depositor has a legal right to withdraw on demand, but shall not include any organization operating under section 25 or section 25(a) of the Federal Reserve Act, or any organization that does not do business within the United States. 'District bank' means any bank organized or operating under the Code of Law for the District of Columbia."

Sec. 4. Subsection (d) of section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(d)) is amended to read as follows:

"(d) 'Subsidiary', with respect to a specified bank holding company, means (1) any company 25 per centum or more of whose voting shares (excluding shares owned by the United States or by any company wholly owned by the United States) is directly or indirectly owned or controlled by such bank holding company, or is held by it with power to vote; or (2) any company the election of a majority of whose directors is controlled in any manner by such bank holding company."

Sec. 5. Subsection (g) of section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(g)) is repealed.

Sec. 6. Section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841), as amended by this Act, is further amended by adding at the end thereof the following new subsections:

"(g) For the purposes of this Act—

"(1) shares owned or controlled by any subsidiary of a bank holding company shall be deemed to be indirectly owned or controlled by such bank holding company;

"(2) shares held or controlled directly or indirectly by trustees for the benefit of (A) a company, (B) the shareholders or members of a company, or (C) the employees (whether exclusively or not) of a company, shall be deemed to be controlled by such company; and

"(3) shares transferred after January 1, 1966, by any bank holding company (or by any company which, but for such transfer, would be a bank holding company) directly or indirectly to any transferee that is indebted to the transferor, or has one or more officers, directors, trustees, or beneficiaries in common with or subject to control by the transferor, shall be deemed to be indirectly owned or controlled by the transferor unless the Board, after opportunity for hearing, determines that the transferor is not in fact capable of controlling the transferee.

"(h) The application of this Act and of section 23A of the Federal Reserve Act (12 U.S.C. 371), as amended, shall not be affected by the fact that a transaction takes place wholly or partly outside the United States or that a company is organized or operates outside the United States: *Provided, however,* That the prohibitions of section 4 of this Act shall not apply to shares of any company organized under the laws of a foreign country that does not do any business within the United States, if such shares are held or acquired by a bank holding company that is principally engaged in the banking business outside the United States."

Sec. 7. (a) The first sentence of subsection (a) of section 3 of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)) is amended to read as follows: "It shall be unlawful, except with the prior approval of the Board, (1) for any action to be taken that causes any company to become a bank holding company; (2) for any action to be taken that causes a bank to become a subsidiary of a bank holding company; (3) for any bank holding company to acquire direct or indirect ownership or control of any voting shares of any bank if, after such acquisition, such company will directly or indirectly own or control more than 5 per centum of the voting shares of such bank; (4) for any bank holding company or subsidiary thereof, other than a bank, to acquire all or substantially all of the assets of a bank; or (5) for any bank holding company to merge or consolidate with any other bank holding company."

(b) The second sentence of subsection (a) of section 3 of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)) is amended by striking the words "except where such shares are held for the benefit of the shareholders of such bank" at the end of clause (1) and inserting in lieu thereof the words "except where such shares are held under a trust that constitutes a company as defined in section 2(b) and except as provided in paragraphs (2) and (3) of section 2(g)".

(c) Subsection (c) of section 3 of the Bank Holding Company Act of 1956 is amended to read as follows:

"(c) The Board shall not approve—

"(1) any acquisition or merger or consolidation under this section which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

"(2) any other proposed acquisition or merger or consolidation under this section whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

In every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served."

(d) Subsection (d) of section 3 of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(d)) is amended by striking the words "in which such bank holding company maintains its principal office and place of business or in which it conducts its principal operations" and inserting in lieu thereof the words "in which the operations of such bank holding company's banking subsidiaries were principally conducted on the effective date of this amendment or the date on which such company became a bank holding company, whichever is later,". Such subsection is further amended by adding at the end thereof the following new sentence: "For the purposes of this section, the State in which the operations of a bank holding company's subsidiaries are principally conducted is that State in which total deposits of all such banking subsidiaries are largest."

Sec. 8. (a) Subsection (a) of section 4 of the Bank Holding Company Act of 1956 (12 U.S.C. 1843(a)) is amended to read as follows:

"(a) Except as otherwise provided in this Act, no bank holding company shall—

"(1) after the date of enactment of this Act acquire direct or indirect ownership or control of any voting shares of any company which is not a bank, or

"(2) after two years from the date as of which it becomes a bank holding company, or, in the case of any company that has been continuously affiliated since May 15, 1955, with a company which was registered under the Investment Company Act of 1940, prior to May 15, 1955, in such a manner as to constitute an affiliated company within the meaning of that Act, after December 31, 1978, retain direct or indirect ownership or control of any voting shares of any company which is not a bank or a bank holding company or engage in any business other than that of banking or of managing or controlling banks or of furnishing services to or performing services for any bank of which it owns or controls 25 per centum or more of the voting shares.

The Board is authorized, upon application by a bank holding company, to extend the period referred to in paragraph (2) above from time to time as to such bank holding company for not more than one year at a time, if, in its judgment, such an extension would not be detrimental to the public interest, but no such extensions shall in the aggregate exceed three years."

(b) Subsection (c) of section 4 of the Bank Holding Company Act of 1956 (12 U.S.C. 1843(c)) is amended to read as follows:

"(c) The prohibitions in this section shall not apply to any bank holding company which is a labor, agricultural, or horticultural organization and which is exempt from taxation under section 501 of the Internal Revenue Code of 1954, and such prohibitions shall not, with respect to any other bank holding company, apply to—

"(1) shares of any company engaged or to be engaged solely in one or more of the following activities: (A) holding or operating properties used wholly or substantially by any banking subsidiary of such bank holding company in the operations of such banking subsidiary or acquired for such future use; or (B) conducting a safe deposit business; or (C) furnishing services to or performing services for such bank holding company or its banking subsidiaries; or (D) liquidating assets acquired from such bank holding company or its banking subsidiaries or acquired from any other source prior to May 9, 1956, or the date on which such company became a bank holding company, whichever is later;

"(2) shares acquired by a bank in satisfaction of a debt previously contracted in good faith, but such bank shall dispose of such shares within a period of two years from the date on which they were acquired, except that the Board is authorized upon application by such bank holding company to extend such period of two years from time to time as to such holding company for not more than one year at a time if, in its judgment, such an extension would not be detrimental to the public interest, but no such extensions shall extend beyond a date five years after the date on which such shares were acquired;

"(3) shares acquired by such bank holding company from any of its subsidiaries which subsidiary has been requested to dispose of such shares by any Federal or State authority having statutory power to examine such subsidiary, but such bank holding company shall dispose of such shares within a period of two years from the date on which they were acquired;

"(4) shares held or acquired by a bank in good faith in a fiduciary capacity, except where such shares are held under a trust that constitutes a company as defined in section 2(b) and except as provided in paragraphs (2) and (3) of section 2(g);

"(5) shares which are of the kinds and amounts eligible for investment by national banking associations under the provisions of section 5136 of the Revised Statutes;

"(6) shares of any company which do not include more than 5 per centum of the outstanding voting shares of such company;

"(7) shares of an investment company which is not a bank holding company and which is not engaged in any business other than investing in securities, which securities do not include more than 5 per centum of the outstanding voting shares of any company;

"(8) shares of any company all the activities of which are or are to be of a financial, fiduciary, or insurance nature and which the Board after due notice and hearing, and on the basis of the record made at such hearing, by order has determined to be so closely related to the business of banking or of managing or controlling banks as to be a proper incident thereto and as to make it unnecessary for the prohibitions of this section to apply in order to carry out the purposes of this Act;

"(9) shares of any company which is or is to be organized under the laws of a foreign country and which is or is to be engaged principally in the banking business outside the United States; or

"(10) shares lawfully acquired and owned prior to May 9, 1956, by a bank which is a bank holding company, or by any of its wholly owned subsidiaries."

(c) Section 4 of the Bank Holding Company Act of 1956 (12 U.S.C. 1843) is amended by adding at the end thereof the following new subsection:

"(d) With respect to shares which were not subject to the prohibitions of this section as originally enacted by reason of any exemption with respect thereto but which were made subject to such prohibitions by the subsequent repeal of such exemption, no bank holding company shall retain direct or indirect ownership or control of such shares after five years from the date of the repeal of such exemption, except as provided in paragraph (2) of subsection (a). Any bank holding company subject to such five-year limitation on the retention of nonbanking assets shall endeavor to divest itself of such shares promptly and such bank holding company shall report its progress in such divestiture to the Board two years after repeal of the exemption applicable to it and annually thereafter."

SEC. 9. Section 6 of the Bank Holding Company Act of 1956 (12 U.S.C. 1845) is hereby repealed.

SEC. 10. The first sentence of section 9 of the Bank Holding Company Act of 1956 (12 U.S.C. 1848) is amended by striking out "sixty" and inserting "thirty".

SEC. 11. Section 11 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841 (note)) is amended by inserting "(a)" after "SEC. 11."; by inserting a comma and "except as specifically provided in this section" before the period at the end thereof; and by adding at the end thereof the following new subsections:

"(b) The Board shall immediately notify the Attorney General of any approval by it pursuant to this Act of a proposed acquisition, merger, or consolidation transaction, and such transaction may not be consummated before the thirtieth calendar day after the date of approval by the Board. Any action brought under the antitrust laws arising out of an acquisition, merger, or consolidation transaction shall be commenced within such thirty-day period. The commencement of such an action shall stay the effectiveness of the Board's approval unless the court shall otherwise specifically order. In any such action, the court shall review de novo the issues presented. In any judicial proceeding attacking any acquisition, merger, or consolidation transaction approved pursuant to this Act on the ground that such transaction alone and of itself constituted a violation of any antitrust laws other than section 2 of the Act of July 2, 1890 (section 2 of the Sherman Antitrust Act, 15 U.S.C. 2), the standards applied by the court shall be identical with those that the Board is directed to apply under section 3 of this Act. Upon the consummation of an acquisition, merger, or consolidation transaction in compliance with this Act and after the termination of any antitrust litigation commenced within the period prescribed in this section. or upon the termination of such period if no such litigation is commenced therein, the transaction may not thereafter be attacked in any judicial proceeding on the ground that it alone and of itself constituted a violation of any antitrust laws other than section 2 of the Act of July 2, 1890 (section 2 of the Sherman Antitrust Act, 15 U.S.C. 2), but nothing in this Act shall exempt any bank holding company involved in such a transaction from complying with the antitrust laws after the consummation of such transaction.

"(c) In any action brought under the antitrust laws arising out of any acquisition, merger, or consolidation transaction approved by the Board pursuant to this Act, the Board and any State banking supervisory agency having jurisdiction within the State involved, may appear as a party of its own motion and as of right, and be represented by its counsel.

"(d) Any acquisition, merger, or consolidation of the kind described in section 3(a) of this Act which was consummated at any time prior or subsequent to May 9, 1956, and as to which no litigation was initiated by the Attorney General prior to the date of enactment of this amendment, shall be conclusively presumed not to have been in violation of any antitrust laws other than section 2 of the Act of July 2, 1890 (section 2 of the Sherman Antitrust Act, 15 U.S.C. 2).

"(e) Any court having pending before it on or after the date of enactment of this amendment any litigation initiated under the antitrust laws by the Attorney General with respect to any acquisition, merger, or consolidation of the kind described in section 3(a) of this Act shall apply the substantive rule of law set forth in section 3 of this Act.

"(f) For the purposes of this section, the term 'antitrust laws' means the Act of July 2, 1890 (the Sherman Antitrust Act, 15 U.S.C. 1–7), the Act of October 15, 1914 (the Clayton Act, 15 U.S.C. 12–27), and any other Acts in pari materia."

SEC. 12. (a) Section 23A of the Federal Reserve Act, as amended (12 U.S.C. 371c), is amended by adding at the end thereof the following new paragraphs:

"For the purposes of this section, (1) the term 'extension of credit' and 'extensions of credit' shall be deemed to include (A) any purchase of securities, other assets or obligations under repurchase agreement, and (B) the discount of promissory notes, bills of exchange, conditional sales contracts, or similar paper, whether with or without recourse, except that the acquisition of such paper by a member bank from another bank, without recourse, shall not be deemed to be a 'discount' by such member bank for such other bank; and (2) non-interest-bearing deposits to the credit of a bank shall not be deemed to be a loan or advance or extension of credit to the bank of deposit, nor shall the giving of immediate credit to a bank upon uncollected items received in the ordinary course of business be deemed to be a loan or advance or extension of credit to the depositing bank.

"For the purposes of this section, the term 'affiliate' shall include, with respect to any member bank, any bank holding company of which such member bank is a subsidiary within the meaning of the Bank Holding Company Act of 1956, as amended, and any other subsidiary of such company.

"The provisions of this section shall not apply to (1) stocks, bonds, debentures, or other obligations of any company of the kinds described in section 4(c)(1) of the Bank Holding Company Act of 1956, as amended; (2) stock, bonds, debentures, or other obligations accepted as security for debts previously contracted, provided that such collateral shall not be held for a period of over two years; (3) shares which are of the kinds and amounts eligible for investment by national banks under the provisions of section 5136 of the Revised Statutes; (4) any extension of credit by a member bank to a bank holding company of which such bank is a subsidiary or to another subsidiary of such bank holding company, if made within one year after the effective date of this amendment to section 23A and pursuant to a contract lawfully entered into prior to January 1, 1966; or (5) any transactions by a member bank with another bank the deposits of which are insured by the Federal Deposit Insurance Corporation, if more than 50 per centum of the voting stock of such other bank is owned by the member bank or held by trustees for the benefit of the shareholders of the member bank."

(b) Section 25 of the Federal Reserve Act, as amended (12 U.S.C. 601), is amended by striking out "either or both of" immediately preceding "the following powers" in the introductory paragraph and by inserting after the paragraph designated "Second." the following new paragraph:

"Third. To acquire and hold, directly or indirectly, stock or other evidences of ownership in one or more banks organized under the law of a foreign country or a dependency or insular possession of the United States and not engaged, directly or indirectly, in any activity in the United States except as, in the judgment of the Board of Governors of the Federal Reserve System, shall be incidental to the international or foreign business of such foreign bank; and, notwithstanding the provisions of section 23A of this Act, to make loans or extensions of credit to or for the account of such bank in the manner and within the limits prescribed by the Board by general or specific regulation or ruling."

(c) Section 18 of the Federal Deposit Insurance Act, as amended (12 U.S.C. 1828), is further amended by adding at the end thereof the following new subsection:

"(1) The provisions of section 23A of the Federal Reserve Act, as amended, relating to loans and other dealings between member banks and their affiliates, shall be applicable to every nonmember insured bank in the same manner and to the same extent as if such nonmember insured bank were a member bank; and for this purpose any company which would be an affiliate of a nonmember insured bank, within the meaning of section 2 of the Banking Act of 1933, as amended, and for the purposes of section 23A of the Federal Reserve Act, if such bank were a member bank shall be deemed to be an affiliate of such nonmember insured bank."

SEC. 13. (a) Subsection (b) of section 2 of the Banking Act of 1933, as amended (12 U.S.C. 221a), is further amended by inserting before the period at the end thereof the following: "; or

"(4) Which owns or controls, directly or indirectly, either a majority of the shares of capital stock of a member bank or more than 50 per centum of the number of shares voted for the election of directors of a member bank at the preceding election, or controls in any manner the election of a majority of the directors of a member bank, or for the benefit of whose shareholders or members all or substantially all the capital stock of a member bank is held by trustees".

(b) Subsection (c) of section 2 of the Banking Act of 1933, as amended (12 U.S.C. 221a), is repealed.

(c) Section 5144 of the Revised Statutes, as amended (12 U.S.C. 61), is amended to read as follows:

"SEC. 5144. In all elections of directors, each shareholder shall have the right to vote the number of shares owned by him for as many persons as there are directors to be elected, or to cumulate such shares and give one candidate as many votes as the number of directors multiplied by the number of his shares shall equal, or to distribute them on the same principle among as many candidates as he shall think fit; and in deciding all other questions at meetings of shareholders, each shareholder shall be entitled to one vote on each share of stock held by him; except that (1) this shall not be construed as limiting the voting rights of holders of preferred stock under the terms and provisions of articles of association, or amendments thereto, adopted pursuant to the provisions of section 302(a) of the Emergency Banking and Bank Conservation Act, approved March 9, 1933, as amended; (2) in the election of directors, shares of its own stock held by a national bank as sole trustee, whether registered in its own name as such trustee or in the name of its nominee, shall not be voted by the registered owner unless under the terms of the trust the manner in which such shares shall be voted may be determined by a donor or beneficiary of the trust and unless such donor or beneficiary actually directs how such shares shall be voted; and (3) shares of its own stock held by a national bank and one or more persons as trustees may be voted by such other person or persons, as trustees, in the same manner as if he or they were the sole trustee. Shareholders may vote by proxies duly authorized in writing; but no officer, clerk, teller, or bookkeeper of such bank shall act as proxy; and no shareholder whose liability is past due and unpaid shall be allowed to vote. Whenever shares of stock cannot be voted by reason of being held by the bank as sole trustee such shares shall be excluded in determining whether matters voted upon by the shareholders were adopted by the requisite percentage of shares."

(d) Paragraph (c) of section 5211 of the Revised Statutes (12 U.S.C. 161) is amended by striking out the second sentence thereof.

(e) The last sentence of the sixteenth paragraph of section 4 of the Federal Reserve Act, as amendment (12 U.S.C. 304), is amended by striking out all of the language therein which follows the colon and by inserting in lieu thereof the following: "Provided, That whenever any member banks within the same Federal Reserve district are subsidiaries of the same bank holding company within the meaning of the Bank Holding Company Act of 1956, participation in any such nomination or election by such member banks, including such bank holding company if it is also a member bank, shall be confined to one of such banks, which may be designated for the purpose by such holding company."

(f) The nineteenth paragraph of section 9 of the Federal Reserve Act (12 U.S.C. 334) is amended by striking out the last sentence of such paragraph.

(g) The twenty-second paragraph of section 9 of the Federal Reserve Act (12 U.S.C. 337) is repealed.

(h) The third paragraph of section 23A of the Federal Reserve Act (12 U.S.C. 371c) is amended by striking out that part of the first sentence that reads "For the purpose of this section, the term 'affiliate' shall include holding company affiliates as well as other affiliates, and" ; and by changing the word "the" following such language to read "The".

(i) Paragraph (4) of section 3(c) of the Investment Company Act of 1940 (15 U.S.C. 80a-3) is repealed.

(j) Paragraph (11) of section 202(a) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-2) is amended by striking out the words "or any holding company affiliate, as defined in the Banking Act of 1933" and substituting therefor the words "or any bank holding company as defined in the Bank Holding Company Act of 1956".

(k) Section 601 of the Internal Revenue Code of 1954 (26 U.S.C. 601) is hereby repealed.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, for the information of Senators, it is anticipated that Monday and Tuesday, if need be, will be devoted to consideration of the bank holding bill. If the bank holding bill is not disposed of before the Senate convenes on Wednesday, at 12 o'clock, the leadership intends to call up Calendar No. 1151, S. 985, the truth-in-packaging bill, to assure that it will be the unfinished business on Wednesday at the time the Senate convenes.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. DOMINICK. I wish to clarify my understanding. If we conclude consideration of the Bank Holding Act early on Monday or Tuesday, is it the intention of the Senator from Montana to then take up the truth-in-packaging bill, without a limitation on time?

Mr. MANSFIELD. Oh, yes. The limitation of time would be applied on Wednesday, and it would be applicable only to the Cotton amendment, which will be voted on at 4 o'clock. This arrangement meets with the approval of the Senator from New Hampshire.

Mr. HRUSKA. Commencing at noon on Wednesday, the limitation of time and the assignment of time to the two Senators will take place.

Mr. MANSFIELD. That is right.

Mr. DOMINICK. I thank the Senator from Montana.

Mr. MANSFIELD. Mr. President, as I understand the rules of the Senate, with the packaging bill being laid aside temporarily under unanimous consent it will automatically become the pending business on the convening of the Senate at noon on Wednesday.

The **PRESIDING OFFICER.** The Senator is correct.

Mr. MANSFIELD. I thank the Chair.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the following concurrent resolutions:

S. Con. Res. 76. Concurrent resolution authorizing the printing of additional copies of Senate hearings on District of Columbia home rule;

S. Con. Res. 79. Concurrent resolution authorizing the printing for the use of the Joint Economic Committee of additional copies of parts 1 and 2 of its hearings entitled "Recent Federal Reserve Actions and Economic Policy Coordination";

S. Con. Res. 84. Concurrent resolution authorizing the printing of additional copies of the committee print entitled "Catalog of Federal Aids to State and Local Governments—Second Supplement, January 10, 1966";

S. Con. Res. 86. Concurrent resolution authorizing the printing for the use of the Joint Economic Committee of additional copies of its hearings entitled "Twentieth Anniversary of the Employment Act of 1946, an Economic Symposium"; and

S. Con. Res. 91. Concurrent resolution authorizing the printing of additional copies of hearings on "U.S. Policy With Respect to Mainland China."

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 11487) to provide revenue for the District of Columbia, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Whitener, Mr. McMillan, Mr. Dowdy, Mr. Fuqua, Mr. Nelsen, Mr. Harsha, and Mr. Broyhill of Virginia were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 15151) to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Cooley, Mr. Poage, Mr. Gathings, Mr. Jones of Missouri, Mr. Dague, Mr. Belcher, and Mr. Teague of California were appointed managers on the part of the House at the conference.

ADJOURNMENT

Mr. HART. Mr. President, in accordance with the order previously entered, I move that the Senate stand in adjournment until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 3 o'clock and 47 minutes p.m.) the Senate adjourned until Monday, June 6, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 2, 1966:

In the Army

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 3962:

To be general

Gen. John Knight Waters, O18481, Army of the United States (major general, U.S. Army).

The following-named officers under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be general

Lt. Gen. Charles Hartwell Bonesteel, III, O18655, Army of the United States (major general, U.S. Army).

To be lieutenant general

Maj. Gen. Harry Jacob Lemley, Jr., O19756, U.S. Army.

Lt. Gen. John Lathrop Throckmorton, O19732, Army of the United States (major general, U.S. Army) for appointment as senior U.S. Army Member of the Military Staff Committee of the United Nations, under the provisions of title 10, United States Code, section 711.

In the Navy

The following-named officers of the line of the Navy for temporary promotion to the grade of rear admiral, subject to qualifications therefor as provided by law:

Percival W. Jackson
James J. Stilwell
Raymond A. Moore
Victor A. Dybdal
George R. Muse
John W. Dolan, Jr.
Roger W. Paine, Jr.
William C. Hushing
James A. Dare
Harry L. Harty, Jr.
James H. Smith, Jr.
James L. Abbot, Jr.
Kenan C. Childers, Jr.
Francis J. Fitzpatrick
Emmett P. Bonner
John P. Weinel
Sheldon H. Kinney
Herman J. Trum III
William R. McKinney
Julian T. Burke, Jr.
George S. Morrison
Roderick O. Middleton
Herbert H. Anderson
Damon W. Cooper
Frank B. Stone
Harold E. Shear
William D. Houser
Raymond E. Peet
Mark W. Woods
Paul L. Lacy, Jr.
James L. Holloway III

HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 2, 1966

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

For this cause I bow my knees unto the Father of our Lord Jesus Christ, of whom the whole family in heaven and earth is named, that He would grant you, according to the riches of His glory, to be *strengthened with might by His spirit in the inner man.* Ephesians 3: 14–16.

Eternal God, our Father, whose mercy surrounds us all our days and whose spirit is ever seeking entrance into our hearts, grant that in this moment of prayer we may be conscious of Thy presence, may receive the ministry of Thy grace, and may be strengthened to obey Thy commandments and to do Thy will.

We confess that time and again we have yielded to the temptation to become discouraged and to worry about many things. Grant us even now a deeper experience of Thy holy spirit that we may know we do not stand alone, that Thou art ever with us giving us wisdom, courage, and steadfast faith for every need and for every experience.

Bless Thou our Nation—these leaders and our people—together may we be strengthened with might by Thy spirit in the inner man, through Jesus Christ, our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 10451. An act to authorize the Secretary of the Interior to transfer certain lands in the State of Colorado to the Department of Agriculture for recreation development, and for other purposes;

H.R. 10476. An act to retrocede to the State of Kansas concurrent jurisdiction over Haskell Institute; and

H.R. 12264. An act to declare that 99.84 acres of Government-owned land acquired for Indian administrative purposes is held by the United States in trust for the Apache Tribe of the Mescalero Reservation.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 10431. An act to declare that certain federally owned land is held by the United States in trust for the Minnesota Chippewa Tribe; and

H.R. 15151. An act to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 15151) entitled "An act to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ELLENDER, Mr. HOLLAND, Mr. EASTLAND, Mr. TALMADGE, Mr. AIKEN, Mr. YOUNG of North Dakota, and Mr. COOPER to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 254) entitled "An act to authorize the Secretary of the Interior to construct, operate, and maintain the Tualatin Federal reclamation project, Oregon, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. ANDERSON, Mr. CHURCH, Mr. KUCHEL, and Mr. JORDAN of Idaho to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 2595. An act to place in trust status certain lands on the Wind River Indian Reservation in Wyoming; and

S. 2948. An act to set aside certain lands in Montana for the Indians of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana.

COMMITTEE ON AGRICULTURE

Mr. ABBITT. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight tonight to file its report on H.R. 15124.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

A WELFARE STATE IN NEW YORK

Mr. RESNICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RESNICK. Mr. Speaker, starting in the days of President Roosevelt's New Deal and continuing through President Truman's Fair Deal, President Kennedy's New Frontier and, now today, in the midst of President Johnson's Great Society, each and every time we, as Democrats, passed legislation to help those Americans who could not help themselves because of lack of education or poor health or bad housing or old age, our Republican critics cried out that we were promoting the welfare state. To me the hallmark of each piece of progressive social legislation is the fact that the Federal Government is doing something for the American citizen that the American citizen could not do for himself. To my mind, this is not promoting the welfare state. However, under the leadership of its Republican Governor, New York State has enacted into law the first piece of true welfare state legislation by taking advantage of a supposed loophole in title 19 of the Social Security Amendments of 1965. The Republican administration proposes to provide free medical attention for employed Americans earning $7,500 to $8,000 a year. Surely, Mr. Speaker, a man earning that much is either receiving hospital and medical insurance from his employer or can afford to buy it himself. New York State is telling its citizens, even though we know you can take care of yourself, don't worry, big brother will do it for you. That type of thinking is the welfare state and to that I am unalterably opposed.

COMMITTEE ON APPROPRIATIONS

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tomorrow, June 3, to file a privileged report on the legislative branch appropriation bill for fiscal year 1967.

Mr. LANGEN reserved all points of order.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMITTEE ON AGRICULTURE

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

SOFT LANDING OF SURVEYOR ON THE MOON

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, I am sure the entire United States and the whole free world—indeed, the entire world—rejoices at the spectacular success that we scored last night in our soft landing by the U.S. Surveyor on the moon.

Certainly this shows the monumental effort that is being made by this country to keep up with the whole space program.

I am sure it is a feat that deserves the highest commendation of all the American people for the wonderful scientists of ours, and all the people who are involved in this project.

This certainly brings closer the day when the United States is going to land men on the moon.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, I would like to commend the gentleman for the statement he is making about the accomplishment of our fine space team in effecting a soft landing on the moon.

This is a great tribute to the genius of the people working in that program, and to the determination of our Government to see that we are first in space.

I believe the gentleman has made a very fine statement.

This is a historic day for our country.

Mr. PUCINSKI. I thank the gentleman.

Mr. Speaker, we can all agree that we Americans can weigh our successes and our failures wisely. We have had some setbacks, but when all the chips are down and the score is written, nobody can quarrel with the tremendous contribution of the United States in this whole space program.

I am sure I speak for all Members of the Congress when I salute every individual who played a role in this magnificent achievement early this morning.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 122]

Abernethy
Andrews, George W.
Ayres
Berry
Blatnik
Bolton
Brown, Calif.
Broyhill, Va.
Burton, Calif.
Cameron
Carey
Celler
Chamberlain
Clark
Clawson, Del
Cohelan
Colmer
Conable
Craley
Daddario
Dawson
Dickinson
Dyal
Edwards, Ala.
Edwards, La.
Ellsworth
Evins, Tenn.
Farnum
Fisher
Flood
Flynt
Foley
Fraser
Fulton, Tenn.
Garmatz
Gonzalez
Hagan, Ga.
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Hawkins
Henderson
Holifield
Holland
Irwin
Jonas
Jones, N.C.
Karth
Keith
Landrum
Leggett
McEwen
Martin, Ala.
Martin, Mass
Martin, Nebr.
Matsunaga
Miller
Mills
Mink
Minshall
Morrison
Morton, Md.
Moss
Murray
O'Brien
Passman
Pelly
Pool
Powell
Randall
Rees
Rivers, S.C.
Roberts
Roncalio
Rooney, N.Y.
Scott
Senner
Shriver
Sickles
Sikes
Slack
Stafford
Stephens
Stratton
Thompson, N.J.
Toll
Trimble
Tupper
Vivian
Watson
Whitten
Williams
Willis
Wilson, Charles H.

The SPEAKER. On this rollcall 336 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PLANTING OF ALTERNATE CROPS ON ACREAGE UNPLANTED BECAUSE OF A NATURAL DISASTER

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 15151) to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? The Chair hears none, and appoints the following conferees: Messrs. COOLEY, POAGE, GATHINGS, JONES of Missouri, DAGUE, BELCHER, and TEAGUE of California.

SECOND INAUGURAL OF ABRAHAM LINCOLN—ANNIVERSARY

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 373, with an amendment, and ask for its immediate consideration.

The Clerk read the concurrent resolution as follows:

H. CON. RES. 373

Resolved by the House of Representatives (the Senate concurring), That there shall be printed as a House document the report of the Joint Committee on Arrangements To Commemorate the One Hundredth Anniversary of the Second Inaugural of Abraham Lincoln and that said report may include such illustrations as the joint committee may include. The preparation of material for printing and the selection of an appropriate binding shall be under the supervision of the subcommittee of the joint committee on arrangements for the commemorative ceremony, and said chairman shall cause to be printed seven thousand five hundred copies so as to furnish ten copies to the Vice President, each Senator, each Representative, and the Resident Commissioner from Puerto Rico, and the remainder be equally distributed by the joint committee through its chairman to the various organized groups, associations, and such people who assisted the joint committee in the preparation and development of the program.

With the following committee amendment:

Line 10, strike out all language following the word "commemorative" and insert "ceremony".

The amendment was agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF HOUSE REPORT NO. 565 AND HOUSE REPORT NO. 952 (89TH CONG., 1ST SESS.)

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 532, with an amendment, and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 532

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on the Judiciary of the House of Representatives one thousand additional copies each of the House Report Numbered 565, dated June 30, 1965, containing Part III—Sales and Use Taxes, Part IV—Capital Stock Taxes, and Part V—Gross Receipts Taxes, and House Report Numbered 952, dated September 2, 1965, containing Part VI—Recommendations.

With the following committee amendment:

Lines 3 and 4, strike out "one thousand" and insert "five hundred".

The committee amendment was agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF COPIES OF PARTS 1 AND 2 OF HEARINGS ENTITLED "RECENT FEDERAL RESERVE ACTIONS AND ECONOMIC POLICY COORDINATION"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 598, with an amendment, and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 598

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Joint Economic Committee five thousand additional copies of parts 1 and 2 of its hearings of the Eighty-ninth Congress, first session, entitled "Recent Federal Reserve Actions and Economic Policy Coordination".

With the following committee amendment:

Line 3, strike out "five thousand" and insert "two thousand five hundred".

The committee amendment was agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

TO AUTHORIZE THE PRINTING AS A HOUSE DOCUMENT OF THE PAMPHLET ENTITLED "OUR FLAG"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 600, with amendments, and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 600

Resolved by the House of Representatives (the Senate concurring), That the publication entitled "Our Flag", published by the Office of the Armed Services Information and Education, Department of Defense, be printed with illustrations as a House document; and that three hundred and twenty-two thousand five hundred additional copies be printed, of which two hundred and nineteen thousand five hundred shall be for the use of the House of Representatives, and one hundred and three thousand shall be for the use of the Senate.

With the following committee amendments:

Line 5, strike out "three hundred and twenty-two thousand five hundred" and insert "one hundred sixty-one thousand two hundred and fifty".

Lines 7 and 8, strike out "two hundred and nineteen thousand five hundred" and insert "one hundred nine thousand seven hundred and fifty".

Line 9, strike out "one hundred and three thousand" and insert "fifty-one thousand five hundred".

The committee amendments were agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

TO AUTHORIZE THE PRINTING OF ADDITIONAL COPIES OF HOUSE DOCUMENT NO. 190 OF THE 89TH CONGRESS

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 630, with amendments, and ask for its immediate consideration.

The Clerk read the concurrent resolution as follows:

H. CON. RES. 630

Resolved by the House of Representatives (the Senate concurring), That there shall be printed an additional five hundred and thirty-six thousand copies of House Document Numbered 190 of the Eighty-ninth Congress in the style and format directed by the Joint Committee on Printing. Not more than one thousand of such copies shall be delivered to each Member of Congress and to the Resident Commissioner of Puerto Rico.

With the following committee amendments:

Lines 2 and 3, strike out "five hundred and thirty-six thousand" and insert "fifty-four thousand two hundred".

Line 6, strike out "thousand" and insert "hundred".

The committee amendments were agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING CERTAIN PRINTING FOR THE COMMITTEE ON VETERANS' AFFAIRS

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 634, with amendments, and ask for its immediate consideration.

The Clerk read the concurrent resolution as follows:

H. CON. RES. 634

Resolved by the House of Representatives (the Senate concurring), That there shall be printed for the use of the Committee on Veterans' Affairs of the House of Representatives one hundred and thirty thousand copies of a publication entitled "Summary of Veterans Legislation Reported, Eighty-ninth Congress".

With the following committee amendments:

Line 4, strike out "one hundred and thirty thousand" and insert "eighty-six thousand one hundred".

Line 6, strike out the "period" and insert ", with an additional forty-three thousand nine hundred copies for the use of Members of the House of Representatives."

The committee amendments were agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRINTING OF PRAYERS OFFERED BY THE LATE CHAPLAIN, THE REVEREND BERNARD BRASKAMP, DURING THE 89TH CONGRESS

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 778, with an amendment, and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 778

Resolved, That the prayers offered by the late Chaplain, the Reverend Bernard Braskamp, doctor of divinity, at the opening of the daily sessions of the House of Representatives of the United States during the Eighty-ninth Congress to the time of his demise be printed as a House document with four thousand eight hundred and ninety additional copies, of which four thousand three hundred and ninety shall be for the use of Members of the House of Representatives, and five hundred for the office of the House Chaplain.

SEC. 2. Copies of such document shall be prorated to Members of the House of Representatives for a period of sixty days, after which the unused balance shall revert to the House document room.

With the following committee amendment:

Line 5, strike out the word "printed" and insert "printed, with appropriate illustration,".

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR THE PRINTING OF CERTAIN PROCEEDINGS IN THE HOUSE COMMITTEE ON BANKING AND CURRENCY

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 838, with an amendment, and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 838

Resolved, That the transcript of the proceedings in the Committee on Banking and Currency of May 18, 1966, incident to the presentation of a portrait of Honorable WRIGHT PATMAN to the Committee on Banking and Currency be printed as a House document with illustration and suitable binding.

With the following committee amendment:

Insert:

"SEC. 2. In addition to the usual number, there shall be printed two thousand copies of such document for the use of the Committee on Banking and Currency."

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF HEARINGS ON SUPPLEMENTAL FOREIGN ASSISTANCE FOR VIETNAM

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up Senate Concurrent Resolution 77 and ask for its immediate consideration.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 77

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Committee on Foreign Relations fourteen thousand additional copies of its hearings on supplemental foreign assistance, fiscal year 1966—Vietnam, of the Eighty-ninth Congress, second session.

With the following committee amendment:

Line 3, strike out the word "fourteen" and insert "four".

The committee amendment was agreed to.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF ADDITIONAL COPIES OF HEARINGS

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up Senate Concurrent Resolution 90 and ask for its immediate consideration.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 90

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Interior and Insular Affairs Committee two thousand five hundred additional copies of the Senate hearings of the Study Team Report on the Recreational Opportunities in the State of Washington, held in the Eighty-ninth Congress, second session.

With the following committee amendment:

Lines 3 and 4, strike out "two thousand five hundred" and insert "one thousand".

The committee amendment was agreed to.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF COPIES OF VETERANS BENEFITS CALCULATOR

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 52 and ask for its immediate consideration.

The Clerk read the House concurrent resolution, as follows:

H. CON. RES. 52

Resolved by the House of Representatives (the Senate concurring), That after the conclusion of the second session of the Eighty-ninth Congress there shall be printed fifty thousand two hundred and forty copies of a Veterans' Benefits Calculator prepared by the Veterans' Affairs Committee of which two thousand copies shall be for the use of the Veterans' Affairs Committee, two thousand copies for the use of the Committee on Finance, thirty-seven thousand four hundred and eighty-five copies for the use of the House of Representatives, and eight thousand seven hundred and fifty-five copies for the use of the Senate.

The House concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF HOUSE REPORT NO. 973

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 579 and ask for its immediate consideration.

The Clerk read the House concurrent resolution, as follows:

H. Con. Res. 579

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Public Works, House of Representatives, one thousand additional copies of House Report Numbered 973 by that committee on S. 2300, River and Harbor, Beach Erosion, Flood Control Projects, and Water Supply.

The House concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF HEARINGS ON H.R. 6991

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 580 and ask for its immediate consideration.

The Clerk read the House concurrent resolution, as follows:

H. Con. Res. 580

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Public Works, House of Representatives, one thousand additional copies of the hearings of that committee on H.R. 6991, the Public Works and Economic Development Act of 1965.

The House concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF THE CONSTITUTION AS A HOUSE DOCUMENT

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 599 and ask for its immediate consideration.

The Clerk read the House concurrent resolution, as follows:

H. Con. Res. 599

Resolved by the House of Representatives (the Senate concurring), That there is authorized to be printed as a House document the Constitution of the United States, with an analytical index and ancillaries regarding proposed amendments, prepared by Representative Emanuel Celler, of New York and that one hundred thousand additional copies be printed, of which fifteen thousand shall be for the use of the House Committee on the Judiciary and the balance prorated to the Members of the House of Representatives.

The House concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF PART 2 OF "CONFLICTS BETWEEN THE FEDERAL RESEARCH PROGRAM AND THE NATION'S GOALS FOR HIGHER EDUCATION"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 619 and ask for its immediate consideration.

The Clerk read the House concurrent resolution, as follows:

H. Con. Res. 619

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Government Operations one thousand additional copies of part 2 of the committee print entitled "Conflicts Between the Federal Research Programs and the Nation's Goals for Higher Education", of the Eighty-ninth Congress, first session.

The House concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF ADDITIONAL COPIES OF COMMITTEE PRINT NO. 1 OF THE COMMITTEE ON PUBLIC WORKS, ANALYSIS OF H.R. 4, AND DIFFERENCE BETWEEN H.R. 4 AND H.R. 11946

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 722, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 722

Resolved, That there be printed for the use of the Committee on Public Works, House of Representatives, two thousand additional copies of Committee Print Numbered 1 by that committee on the section-by-section analysis of H.R. 4, the Appalachian Regional Development Act of 1965, and difference between H.R. 4 (Eighty-ninth Congress) and H.R. 11946 (Eighty-eighth Congress) as reported to the House of Representatives and S. 2782 (Eighty-eighth Congress) as passed by the Senate.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF ADDITIONAL COPIES OF HOUSE REPORT NO. 539, COMMITTEE ON PUBLIC WORKS, ON PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 723, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 723

Resolved, That there be printed for the use of the Committee on Public Works, House of Representatives, one thousand additional copies of House Report Numbered 539 by that committee on the Public Works and Economic Development Act of 1965, S. 1648.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF ADDITIONAL COPIES OF HEARINGS BY COMMITTEE ON PUBLIC WORKS ON APPALACHIAN REGIONAL DEVELOPMENT ACT OF 1965

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 724, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 724

Resolved, That there be printed for the use of the Committee on Public Works, House of Representatives, one thousand additional copies of hearings by that committee on the Appalachian Regional Development Act of 1965, H.R. 4 and S. 3.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING REPRINTING OF HOUSE REPORT NO. 1219

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 782, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 782

Resolved, That House Report Numbered 1219, entitled "The National Science Foundation: A General Review of Its First Fifteen Years", be reprinted as a House document, with nine hundred copies for the use of the Committee on Science and Astronautics.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING REPRINTING OF HOUSE REPORT NO. 1236

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 783, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 783

Resolved, That House Report Numbered 1236, entitled "The National Science Foundation—Its Present and Future", be reprinted as a House document, with two thousand five hundred copies for the use of the Committee on Science and Astronautics.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF ADDITIONAL COPIES OF PART 1 OF COMMITTEE PRINT ENTITLED, "CONFLICTS BETWEEN THE FEDERAL RESEARCH PROGRAMS AND THE NATION'S GOALS FOR HIGHER EDUCATION"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 794, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 794

Resolved, That there be printed for the use of the Committee on Government Operations one thousand additional copies of part 1 of the committee print entitled, "Conflicts Between the Federal Research Programs and the Nation's Goals for Higher Education", of the Eighty-ninth Congress, first session.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF ADDITIONAL COPIES OF HEARINGS ENTITLED, "CONFLICTS BETWEEN THE FEDERAL RESEARCH PROGRAMS AND THE NATION'S GOALS FOR HIGHER EDUCATION"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 795, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 795

Resolved, That there be printed for the use of the Committee on Government Operations one thousand additional copies of the hearings entitled "Conflicts Between the Federal Research Programs and the Nation's Goals for Higher Education", of the Eighty-ninth Congress, first session.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRINTING OF THE "U.S. DEFENSE POLICIES IN 1965" AS A HOUSE DOCUMENT

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 842, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 842

Resolved, That the document entitled "United States Defense Policies in 1965" by Charles H. Donnelly, Library of Congress, be printed as a House document.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF THE REPORT ENTITLED "INTERSTATE COMMERCE COMMISSION OPERATIONS (RAILROAD SAFETY)"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 860, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 860

Resolved, That there be printed for the use of the Committee on Government Operations five thousand additional copies of House Report Numbered 1452, entitled "Interstate Commerce Commission Operations (Railroad Safety)", of the Eighty-ninth Congress, second session.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF ADDITIONAL COPIES OF SENATE HEARINGS ON DISTRICT OF COLUMBIA HOME RULE

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up the Senate concurrent resolution (S. Con. Res. 76) authorizing the printing of additional copies of Senate hearings on District of Columbia home rule, and ask for its immediate consideration.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 76

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the District of Columbia two thousand five hundred additional copies of its hearings of the Eighty-ninth Congress, first session, entitled "District of Columbia Home Rule, Delegate to House of Representatives" (S. 268, S. 1118).

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF ADDITIONAL COPIES OF "RECENT FEDERAL RESERVE ACTIONS AND ECONOMIC POLICY COORDINATION"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up the Senate concurrent resolution (S. Con. Res. 79) authorizing the printing for the use of the Joint Economic Committee of additional copies of parts 1 and 2 of its hearings, entitled "Recent Federal Actions and Economic Policy Coordination," and ask for its immediate consideration.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 79

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Joint Economic Committee five thousand additional copies of parts 1 and 2 of its hearings of the Eighty-ninth Congress, first session, entitled "Recent Federal Reserve Actions and Economic Policy Coordination."

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF ADDITIONAL COPIES OF "CATALOG OF FEDERAL AIDS TO STATE AND LOCAL GOVERNMENTS—SECOND SUPPLEMENT, JANUARY 10, 1966"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up the Senate concurrent resolution (S. Con. Res. 84) authorizing the printing of additional copies of the committee print, entitled "Catalog of Federal Aids to State and Local Governments—Second Supplement, January 10, 1966," and ask for its immediate consideration.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 84

Resolved by the Senate (the House of Representatives concurring), That there be printed one hundred thousand additional copies of the committee print entitled "Catalog of Federal Aids to State and Local Governments—Second Supplement, January 10, 1966," Eighty-ninth Congress, second session, prepared by the Legislative Reference Service, Library of Congress, for the Senate Committee on Government Operations, of which forty-four thousand copies shall be for the use of the House of Representatives and fifty-six thousand copies shall be for the use of the Senate Committee on Government Operations.

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF ADDITIONAL COPIES OF "TWENTIETH ANNIVERSARY OF THE EMPLOYMENT ACT OF 1946, AN ECONOMIC SYMPOSIUM"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up the Senate concurrent resolution (S. Con. Res. 86) authorizing the printing for the use of the Joint Economic Committee of additional copies of its hearings, entitled "Twentieth Anniversary of the Employment Act of 1946, an Economic Symposium," and ask for its immediate consideration.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 86

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Joint Economic Committee five thousand additional copies of its hearings of the Eighty-ninth Congress, second session, entitled "Twentieth Anniversary of the Employment Act of 1946, an Economic Symposium."

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF ADDITIONAL COPIES OF HEARINGS ON "U.S. POLICY WITH RESPECT TO MAINLAND CHINA"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up the Senate concurrent resolution (S. Con. Res. 91) authorizing the printing of additional copies of hearings on "U.S. Policy With Respect to Mainland China," and ask for its immediate consideration.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 91

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Committee on Foreign Relations five thousand additional copies of its hearings on "United States Policy With Respect to Mainland China," of the Eighty-ninth Congress, second session.

The SPEAKER. The gentleman from Ohio [Mr. Hays] is recognized.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Iowa.

Mr. GROSS. Can the gentleman tell me what is meant by the words "mainland China"? Does that mean Red China?

Mr. HAYS. That is the Senate language for Red China.

Mr. GROSS. I note the resolution provides for the printing of 5,000 copies of their hearings on U.S. policy with respect to mainland China. From what I have been reading in the newspapers and periodicals lately, this printing might already be obsolete with respect to the so-called policy that we have with respect to Red China.

Mr. HAYS. In my own opinion, it is already obsolete, may I say to the gentleman. But we have some sort of rule of comity around here and when the other body wants material printed, we usually do not object to it. As the gentleman from Iowa may have noticed, the committee in its wisdom cut one of their requests for, I believe, 15,000 copies to 4,000 copies on Vietnam.

Mr. GROSS. I can agree with the gentleman that our Red China policy is already obsolete if we ever had a policy, and I can also agree with him that in the interest of comity perhaps the printing ought to go through.

Mr. HAYS. I appreciate what the gentleman has brought out, but it may be that there may be the testimony of some psychiatrists that we may want to print some day, and I do not want to set any precedent here of denying a request to print something.

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING GS-16, GS-17, AND GS-18 POSITIONS

Mr. DANIELS. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service may have until midnight tonight to file a report on the bill (S. 2393) to authorize additional GS-16, GS-17, and GS-18 positions for use in agencies or functions created or substantially expanded after June 30, 1965.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LIBRARY SERVICES AND CONSTRUCTION ACT AMENDMENTS OF 1966

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 868) providing for the consideration of H.R. 14050, a bill to extend and amend the Library Services and Construction Act.

The Clerk read the resolution, as follows:

H. Res. 868

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14050) to extend and amend the Library Services and Construction Act. After general debate, which shall be confined to the bill, and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except on motion to recommit.

The SPEAKER. The gentleman from Missouri is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. Smith], and, pending that, I yield myself such time as I may require.

Mr. Speaker, I know of no controversy whatsoever over this resolution, which would make in order consideration of the Library Services and Construction Act Amendments of 1966.

I reserve the balance of my time.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

House Resolution 868 would provide an open rule for 2 hours of general debate and consideration of H.R. 14050, a bill to extend and amend the Library Services and Construction Act.

The purpose of the bill is to extend the Library Services and Construction Act, which expires on June 30, 1966, for an additional 5 years. The bill provides authorizations for the 5 years and adds two new titles to the bill providing for interlibrary cooperation and specialized State library services and modifying the matching requirements of the act.

The history of the act has been one of success. Between 1956 and 1965, all 50 States operated library programs approved by the States under this program. State funds for library improvements have expanded, greatly urged on by Federal stimulation; 40 million rural citizens received expanded or library services for the first time; and 375 bookmobiles were added to the fleet; about 14 million volumes were added to library collections.

The 1964 amendments included urban areas under the bill's coverage, and construction funds were made available for the first time—363 library construction projects were approved in 1965; when completed they will serve an estimated 24 million people.

The amendments continue the requirement that in all programs the State library agency is responsible for drawing up and submitting the required plans for library development needed within the State. The matching formula has been modified to provide that the Federal share ceiling is 60 percent, the floor is 40 percent, rather than the limits of 66 percent and 33 percent in the present law.

The authorizations for the 5 years for library services are: fiscal 1967, $35 million; fiscal 1968, $45 million; fiscal 1969, $55 million; fiscal 1970, $65 million; fiscal 1971, $75 million.

Matching grants may be used for books and other library materials, equipment, salaries and other operating costs. The minimum State allotment which must be matched remains $100,000.

The authorizations for the 5 years for construction grants are: fiscal 1967, $40 million; fiscal 1968, $50 million; fiscal 1969, $60 million; fiscal 1970, $70 million; fiscal 1971, $80 million.

The authorizations for interlibrary cooperation are: fiscal 1967, $5 million; fiscal 1968, $7.5 million; fiscal 1969, $10 million; fiscal 1970, $12.5 million; fiscal 1971, $15 million.

Interlibrary cooperation is defined as the establishment of systems of libraries working together to provide maximum use of services. Federal programs in addition to this act touch libraries. Coordination is needed to insure a development of library services to most fully meet community needs.

Another new title is to provide for grants to promote specialized services for the physically handicapped, and at State institutions.

Authorizations for grants to State institutions are: fiscal 1967, $5 million; fiscal 1968, $7.5 million; fiscal 1969, $10 million; fiscal 1970, $12.5 million; fiscal 1971, $15 million.

Grants are to be used to strengthen library services in State institutions. Each State would receive a basic allotment of $40,000; no matching funds are required in 1967, but thereafter, will be required on a per capita basis.

Authorizations for grants to increase library services to the physically handicapped are: fiscal 1967, $3 million; fiscal 1968, $4 million; fiscal 1969, $5 million; fiscal 1970, $6 million; fiscal 1971, $7 million.

Grants are to encourage States to improve library services to the handicapped. The basic allotment is $25,000 per State with no matching funds required for the first year; thereafter on a per capita basis. No part of such grants may be used for construction.

The total authorizations under H.R. 14050 are: fiscal 1967, $88 million; fiscal 1968, $114 million; fiscal 1969, $140 million; fiscal 1970, $166 million; fiscal 1971, $192 million.

Total, $700 million.

There are additional views signed by Congressmen Gurney and Dave Martin. They support the bill. Their only objection is that the 1967 authorizations are $30.5 million over the President's budget request. They support an increase because of rising costs, but not one of over 50 percent. They strongly endorse and support the act except for this one authorization.

I know of no objection to the rule, Mr. Speaker. I reserve the balance of my time.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. PUCINSKI. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 14050) to extend and amend the Library Services and Construction Act.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 14050, with Mr. ZABLOCKI in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Illinois [Mr. PUCINSKI] will be recognized for 1 hour, and the gentleman from Florida [Mr. GURNEY] will be recognized for 1 hour.

The Chair recognizes the gentleman from Illinois.

Mr. PUCINSKI. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, I rise in support of H.R. 14050, the Library Services and Construction Act Amendments of 1966.

This legislation provides $88 million in fiscal 1967 to carry on the excellent work and momentum of this program. This amendment includes two new titles, one of which, for the first time in the history of this country, will provide funds to set up regional communications networks for a highly efficient exchange of information between libraries. This means that scholars and researchers, when the system is completed within a region, will have at their fingertips all the knowledge available in libraries within that region to complete their studies or research.

The new title provides funds for State institutional library services to persons in State correctional, health, aged, blind, and orphanage institutions, and for services to the handicapped outside of institutions.

Since 1956, when this act was first enacted, the Federal Government has produced an inspiring stimulus to States and local communities to develop their library services.

Mr. Chairman, the amazing response of local communities to this legislation by providing their own matching funds clearly indicates the extent to which the American people continue to believe that a good book is still the best window to the world.

Local communities have far exceeded the matching requirements of the act for the modest Federal funds provided as an incentive, and it is in recognition of this local effort that this legislation before us moderately exceeds the original budget request.

It is my committee's belief that so long as local communities and the States are willing to provide the matching funds, Congress should not impede this desire for good libraries.

Mr. Chairman, one of the most amazing facts of our times is that the States and local communities, largely as a result of Federal stimulus, have increased their library service appropriations under State plans from approximately $38 million in 1956 to more than $84 million last year.

But despite this phenomenal progress, the need for library services continues to plague our Nation, with many communities still without any library service for their children and adults.

More than 12 million people in the United States still have no public library service and more than 100 million persons have service woefully inadequate to their needs.

In the 5 years between 1960 and 1965, the number of different book titles published annually in the United States increased from 15,000 to 28,000, a rise of 90 percent. Libraries must extend their book acquisition policies to cope with this increase simultaneously with increasing costs. Average book prices rose 45 percent between 1960 and 1965.

Current estimates place the number of scholarly journals at approximately 75,000 titles, excluding those general interest periodicals which all libraries require. Moreover, the number of scientific and technical reports is increasing at an incredible rate.

Another pressure on our libraries is our expanding population, which increased from 180 million in 1960 to 194 million in 1965. It is significant to note that the number of educated people is increasing at a greater rate than the population generally.

This will place greater burdens upon the Nation's libraries in years to come.

To meet accepted standards, public libraries in 1966 need 102 million more books, 6,500 trained librarians and 40.5 million square feet of additional building space.

Mr. Chairman, this is a 5-year authorization in which we provide $88 million in 1967 and a standard $26 million increase for each of the succeeding 4 years.

This legislation does not even begin to meet the needs in America for library services but, as President Kennedy quite properly reminded us, even a journey of a thousand miles requires the first step.

In supporting this legislation, we here in Congress can provide this very significant step forward.

During our hearings on the 1966 amendments, the Select Subcommittee on Education considered four major proposals, with authorizations of appropriations for fiscal 1967 ranging from $57.5 to $153 million. After 4 days of hearings, in which every one of 30 witnesses advocated extension and expansion of the act, followed by close study of the various bills and the testimony presented, it was the judgment of my subcommittee that the $88 million in funds authorized in H.R. 14050 was a realistic figure in the view of the increasing need for library services as well as the overall budget situation. Our judgment was concurred in by an overwhelming majority of the full Education and Labor Committee, which reported the bill to the House in its present form.

Mr. Chairman, the authorization for appropriations for the Library Services and Construction Act—Public Law 88-269—expires June 30, 1966, and the other body still must act on this legislation. It is in the public interest that this vital legislation be extended and expanded. Federal assistance has been a needed stimulus to State and local efforts in developing and improving library services and facilities. This fact was overwhelmingly demonstrated and documented in the course of our recent hearings.

Further, at numerous appropriations hearings in past years, testimony has been abundant and clear to show that the people in the 50 States and the 5 territories have benefited enormously by the original Library Services Act of 1956, and by each extension of the act.

Public libraries, however, are still lacking the necessary financial resources, both from State and local funds, to enable them to perform their essential functions for this great Nation.

Rapid advances in science, technology, education, business, culture, and everyday life have increased the indispensability of the public library as a basic source of knowledge, understanding, and increased competency for people of all ages and of all educational and economic levels. Moreover, the rapidly growing population with its diversity and new patterns of living has added to the complications.

Despite the noted progress in library services and facilities under the present library legislation, more than 12 million people in the United States still have no public library service and more than 100 million persons have service woefully inadequate to their needs. In addition, the needs for cooperation among libraries and for specialized State library services must be fully recognized and met.

H.R. 14050, as reported, contains four titles, as follows:

Title I: Public Library Services.

Title II: Public Library Construction.

Title III: Interlibrary Cooperation.

Title IV: Specialized States Library Services, including Part A: State Institutional Library Services and Part B: Services to the Physically Handicapped.

PUBLIC LIBRARY SERVICES

As shown by a 1965 survey, conducted by the American Association of State Libraries, on the Library Services and Construction Act of 1964, the State library agencies—in order to fulfill their responsibilities to the Nation—need urgently a permanent program of Federal assistance for the development of public library service in rural, urban, and suburban areas. This bill provides for a 5-year authorization as a minimum to permit sound planning and proper perspective. It authorizes a gradual specified increase of $10 million annually of Federal funds for the fiscal years of 1967 through 1971:

[In millions]

Fiscal year:	*Authorization*
1967	$35
1968	45
1969	55
1970	65
1971	75

After $25,000 is allotted each to Guam, American Samoa, and the Virgin Islands, and a basic allotment of $100,000 is made to each State, the remainder is apportioned on the basis of the ratio of a

State's total population to the total population of the United States. The Federal share of payments are made on the basis of relative per capita incomes of the States.

PUBLIC LIBRARY CONSTRUCTION

The bill provides a 5-year extension for library construction with authorizations as follows:

[In millions]

Fiscal year:	Authorization
1967	$40
1968	50
1969	60
1970	70
1971	80

After $20,000 each is allotted to Guam, American Samoa, and the Virgin Islands, and a basic allotment of $80,000 is made to each State, the remainder is apportioned to the States on the same basis as in title I, and so is the Federal share of payments to the States.

Many of the existing public library buildings are overcrowded, inefficient, and largely inadequate to serve the educational, business, technical, cultural, and other daily needs of an expanding population.

Information received recently from the States shows that $940 million is required just to meet the backlog of needed public library construction.

Expenditures by State library agencies for administration in connection with the construction programs may be taken from the State's allotment for title II.

LIBRARY COOPERATION

This title authorizes grants to State library agencies for 5 years to develop cooperative library services and joint use of facilities involving public libraries, school libraries, higher education libraries, and/or research libraries.

It calls for authorizations to increase as follows, with matching after the first year on the same basis as titles I and II:

[In millions]

Fiscal year:	
1967	$5
1968	7½
1969	10
1970	12½
1971	15

This new title is essential to insure the maximum effective use of the funds available for the development and improvement of library service. It should insure that the tax dollar go further in the purchase of services and buildings.

SPECIALIZED STATE LIBRARY SERVICES

A new title IV assists the States in providing greatly needed specialized State library services. The State agency authorized to submit plans in the same State agency as under titles I, II, and III.

Title IV is in two parts.

PART A: STATE INSTITUTIONAL LIBRARY SERVICES

This part includes a 5-year authorization to strengthen library services to persons in State institutions—correctional, health, welfare, aged, blind, orphanages, and so forth—but excluding State-operated day schools and institutions of higher education. Funds are authorized for services and equipment but not for construction.

The amounts authorized are:

[In millions]

Fiscal year:	
1967	$5
1968	7½
1969	10
1970	12½
1971	15

Federal aid is needed to strengthen library services to populations in State institutions. Although the authority is implicit in the present Library Services and Construction Act, the States have not generally developed these programs because of the limited funds available; and the priorities have been given to extending public library service to communities. These specialized State institutional library services, which are also public in nature, would be aimed at improving library programs in institutions of correction, health, welfare, and so forth, for the benefit of the handicapped, the aged, the blind, the mentally retarded, and children in orphanages, but excluding State-operated day schools or institutions of higher education.

Funds may be used for services and equipment but not for construction.

PART B: LIBRARY SERVICES TO THE PHYSICALLY HANDICAPPED

This part includes a 5-year authorization which would enable the State library agency and other public and nonprofit organizations in the State to provide improved library service to the blind and to other physically handicapped persons. Because of the cost of such service, which is considerably higher than that of conventional library service, and because the program heretofore has been limited exclusively to the blind, the States have not been able to provide sufficient funds to give adequate library service even to the blind and have allocated practically nothing for library service to other physically handicapped readers. The amounts authorized are:

[In millions]

Fiscal year:	
1967	$3
1968	4
1969	5
1970	6
1971	7

This provision would complement the present Library of Congress national books-for-the-blind program and assist in meeting an urgent need of our physically handicapped citizens.

Mr. Chairman, I would like to point out here that specific authorizations of funds for each year of the program is highly desirable.

Testimony before the subcommittee emphasized the desirability—even necessity—of specific authorization of funds so that State governments and local communities can make long-range plans for orderly library development—and through such long-range planning achieve not only orderly development but economy in operation. This advance indication of the Federal role is particularly important in relation to title II, for construction funds where obligational authority must be approved by State legislatures which often meet biennially.

Also, as you know, Federal funds are allocated to the States on the basis of population. Each title provides for a specific basic allotment, and such part of the remainder of such sums as the population of the State bears to the population of the United States. The matching formula is based on the per capita income of the State—the higher income States are required to put up more in matching funds and the poorer States to put up less. H.R. 4050 changes the "outer limits" of the formula in the present act from 66–33-percent ratio—2 to 1—to 60–40 percent—3 to 2. Since most States are already overmatching the amount they are required to put up against the Federal portion, this will effect relatively few States. Further, the American Library Association has been polling all of its State members, and we are advised that the majority are in favor of the formula change—even most of those States who would be required to put up more in matching funds—because they feel that it will result in providing more of a stimulus to States to improve their own programs and participation.

The act also has specifically been amended to allow for the acquisition of existing buildings for library purposes. Very often there is a good, existing building, which the State or local community could use for library purposes with equal efficiency, but which could be acquired at less expense than constructing a new building. In adopting this amendment, it was clearly the intent of the committee that the type of building acquired must be suitable for library purposes. This amendment would also permit libraries to move into a business area in a densely populated urban area which needs a library but which does not have space for a new building.

Mr. Chairman, it is very important to point out present, existing gaps in library services and facilities, as this is what justifies our authorizations. It is indeed shocking to realize that more than 12 million persons in the United States today have no public library services and facilities, and that 169 million of our citizens are serviced by libraries falling below professional library standards. Just to meet accepted library standards this year, public libraries need 102 million more books; 6,500 more trained librarians and 40.5 million square feet of additional building space. Even with the strides that have been made since the enactment of the 1964 act, and its stimulus to State and local support of public library construction, there are still 38 percent of our public libraries which are over 40 years old, and the construction gap in needed library facilities is currently $940 million.

Unfortunately, even those amounts provided for in H.R. 14050 will not meet this need, but it will maintain the present momentum in the improvement of our Nation's library services and will add some additional impetus with its new programs. At some time in the near future, when budgetary pressures are diminished, I hope we can provide all that is needed.

It is significant to note that only 2 of 31 members of the full Committee on Education and Labor departed from the majority view in favor of this legislation, and then only on the basis of the 5-year authorization. However, you will note in the report that these members agreed that "an increase beyond that requested by the administration is justifiable in view of rising costs of library services and to provide a beginning on desirable new provisions added by the bill"—and took exception only as to the amount of the increase. You will also note, in the report, that they further stated:

> We can think of no Federal program more deserving of continuation and support. This evaluation of the act makes it all the more difficult to criticize the (sic) increases in the authorizations.

It is the feeling of the subcommittee that in authorizing the amounts called for in H.R. 14050, it is not going too far as long as the State and local communities are willing and able to support this program to the extent that they are. We believe that our action in approving these amounts is our endorsement of the fine record of the States and local communities in improving their efforts to establish and maintain adequate library services.

For example, in 1966, the existing legislation required State and local communities to put up $26.1 million to match the $25 million in Federal funds appropriated for title I—services—of the act. But, for fiscal year 1966, State funds totaled $39.3 million and local funds totaled $70.8 million—or a total of $110.1 million.

I think we can point with real pride to the fact that this program has so stimulated State and local efforts to improve and increase their own participation in providing library services. We do not believe that the Federal Government should be responsible for slowing down a program so essential to the welfare of the people of our Nation.

One witness who appeared before us, Mr. Robert H. Richie, of Kentucky, stated:

> As a businessman—not a librarian—I know of no other Federal program that, dollar for dollar, has contributed so much to the educational, cultural and recreational needs of America.

As noted in the report, Secretary Gardner said:

> The Nation can take pride in these [library] achievements. But much important work remains to be done. *The demands on the public library arising from social and economic change have increased at a greater pace than the increases in support during recent years.*

He further said:

> Largely as a result of Federal stimulation, State funds for library development in small towns and rural areas increased from $6,701,334 to $15,765,131—or 135 percent. Similarly, local expenditures rose from $31,689,591 to $68,458,714—or 116 percent.

Other witnesses who testified before our subcommittee included our colleague from Rhode Island, Congressman John Fogarty, who said—regarding increases in State and local expenditures:

> We must not allow this momentum to falter . . . I believe the States are ready for greatly increased Federal amounts for this program. The evidence of need is overwhelming.

James E. Bryan, director of the Newark Public Library, said:

> I welcome this opportunity to urge extension, and to ask you seriously to consider not only its extension but a substantial increase in funds.

Miss Nettie B. Taylor, director, Division of Library Extension, Maryland State Department of Education, stated:

> The changes proposed [in H.R. 14050] with increased financial support for titles I and II promise to help overcome some of the glaring deficiencies that still exist in public libraries that must be overcome if they are to perform their function as an educational and cultural force in the nation.

Mr. Chairman, I am sure that all of my colleagues are familiar with the benefits of and the continuing need for title I, library services, and title II, library construction. I know that all of you have seen firsthand the benefits of these two titles in your own districts and States. I should like to comment a little more fully on the two new titles—interlibrary cooperation and specialized State library services.

I am particularly pleased to comment on title III, because of my long and continuing interest in data processing and information retrieval. Interlibrary cooperation provides funds for tying together, on a cooperative and voluntary basis, all the library facilities by areas or regions. This will make possible the establishment of regional retrieval centers and make available to the individual vastly expanded library services in his particular community. Although some interlibrary cooperation has been possible under title I of the present act, witnesses strongly favored a separate title to place stronger emphasis on this phase of library service; to provide separate funds for this function; and to permit long range planning which will make possible the maximum effective use of funds in providing services to all library users. Such a separate title, even with its small authorization, would stimulate the States to greater activity in this area, and would result in greater efficiency and effectiveness of service through the elimination of overlapping or duplication.

I strongly believe that no part of this legislation is more likely to stimulate new ideas and imaginative or innovative programs than is this provision to encourage interlibrary cooperation.

In testifying before our subcommittee, Mr. William T. Knox, Chairman of the President's Committee on Scientific and Technical Information of the Federal Council for Science and Technology, who works closely with the President's Science Advisor, Dr. Hornig, said:

> Yet this is the time to encourage librarians and the people they serve, to plan on a systems basis, to plan ahead for the next 10 to 20 years, and especially to incorporate in these plans the likely developments in library technology. They should be encouraged to plan for sharing of resources which nearly-instantaneous communications and cheap reproduction of information in machine language now makes possible. * * * I endorse strongly the concept behind title II of the proposed bill. This is an opportune moment to encourage the development of additional library networks, especially designed to take full advantage of the wondrous new devices modern science and technology have placed, or will shortly place, at our service.

Title IV, specialized State library services, which includes State institutional library services and library services to the physically handicapped, would stimulate library service in an area which has long been neglected in our country. It would extend library services to portions of our population who are in especially great need of such services, but who generally are cut off from most or all of the public printed sources of enlightenment. Correctional institutions, and those for the physically and mentally handicapped, the aged, orphans and the like would all qualify for Federal library aid under State-approved plans.

The need for a special boost to libraries for people who are confined to public institutions is undeniably great. The American Correctional Association and the Association of Hospital & Institutional Libraries report that in only 28 States have State library agencies undertaken the responsibility of servicing institutional libraries. Library services should be an integral part of the rehabilitation process of all inmates in correctional institutions. These necessary services have been inadequately supplied up to now largely because the extension of library services to institutions is necessarily more expensive than it is to the general public. Yet the people confined to these institutions have as great a right to library services as everyone else, and probably they have an even greater need for them. This special appropriation for these services would allow State-supported institutions to stop competing for funds under title I of the present act and will make possible the kinds of improvements which are needed but cannot presently be funded.

Of equal importance is part B of this title, which would authorize grants to States to establish and improve library services to the physically handicapped, including the blind and the visually handicapped. This would not replace or duplicate, but would supplement the Books-for-the-Blind program now being carried on by the Library of Congress. It would extend needed specialized library services not only to the blind, but to those with serious visual or other physical impairment which makes it impossible for them to handle and to read conventionally printed material. The amounts authorized for this title are small, but there is an enormous need for special funds which will enable States to extend public library services to all of the blind and to all of the other handicapped people who cannot read or use regular materials. Like those confined to institutions, these severely handicapped people often find themselves isolated from the kind of social intercourse which most people enjoy. We must help to make available the special services and materials which these severely handicapped people need, and which they, as American citizens, have the right to enjoy.

Mr. Chairman, the 4 days of hearings on this legislation has been a source of great satisfaction and inspiration to me, and I am sure to the other members of the subcommittee. We all sit through many days of hearings, on many subjects, during which we hear testimony from Government witnesses and other experts in a given field. But seldom are we privileged to hear extensive testimony from the "grassroots" from the people who live with and struggle with the problems that we in Congress attempt to resolve. With the exception of the first day of hearings, all of our witnesses were such people—dedicated, sincere people, many of whom were private citizens, who strive daily to bring the joy of books and other library services to people in all walks of life.

I would like to conclude my remarks with a quote from one of our most impressive witnesses, Mrs. Lura G. Currier, director, Mississippi Library Commission, who said:

> There are many different kinds of hunger. We need to consider them all. To satisfy belly hunger without trying to satisfy mind hunger is to cut the ground out from under our own feet.
>
> It is for its potential to satisfy the mind hunger that we plead for the renewal, expansion and increase of the Library Services and Construction Act, to which we hope this committee will give prompt and favorable consideration.

Gentlemen, I echo Mrs. Currier's plea—that my colleagues in this Chamber give prompt and favorable consideration to H.R. 14050.

Mr. Chairman, I shall be very happy to answer any questions that may have occurred to anyone during this discussion.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentlewoman.

Mrs. GREEN of Oregon. Mr. Chairman, I rise in support of H.R. 14050, a bill to amend and extend the Library Services and Construction Act. As the sponsor of the original Library Services Act which has benefited the Nation so greatly over the past decade, my interest in this legislation is of long standing.

What better way of educating our citizens on a continuing basis than through good libraries?

Federal legislation to improve and extend library service has been met with enthusiasm and imagination in every State of the Union. Support from the original Library Services Act gave our country the heartening sight of more and more bookmobiles traveling through rural areas, bringing library services to individuals who, because of geographic location and lack of funds, had no public library.

Because of the success of the Library Services Act, the Congress in 1964 saw fit not only to extend this program to include urban areas, which were badly in need of funds to meet the library needs of their ever-growing populations, but also to add a title providing for the construction of new public library buildings.

Despite the tremendous gains made in improving public library service, a great deal remains to be done.

When we consider that the number of new books published annually nearly doubled between 1958 and 1963—that of all scientists who have ever lived since the dawn of history, more than 80 percent are alive and working today; that of all the scientific research development in all of history, more than half has been produced since 1950; and that this "knowledge explosion" is being further manifested by information printed in journals, monographs, studies, and periodicals—we cannot help but be struck by the inadequacy of funds—of library facilities—and of library personnel to channel this vast amount of information to the students, the scientists, the researchers, and the community.

Because of this "knowledge explosion"—the very nature of libraries are changing—and must change.

Ideally, the change should be in the form of an addition to—rather than a substitution for—the traditional role of the library as a place for study—for research—for browsing—for reflection and contemplation.

The library of tomorrow will become a dynamic technical information center. The technological advances made in the field of data processing should and must be brought to the aid of the harried librarian trying to keep up with mountains of publications. The concept of a system which would acquire, describe, organize, store, retrieve and disseminate information—all this by means of machines—must be explored and exploited if we are to take full advantage of the phenomenal "knowledge explosion." Just as a person who will not read is as poor as the person who can not read—so a wealth of information is meaningless unless it is used.

It is envisioned that in a few years' time there will be an interdependence between library collections and an effective and efficient national network of information systems in science and technology. Title III of this bill will aid in this endeavor.

In connection with this title, interlibrary cooperation, the State of Oregon proposes to make effective use of any funds granted. Some of the projects under consideration are pilot projects to demonstrate the interlibrary cooperation and relationships between schools and public libraries; installation of teletype, TWX, or other method of rapid communication to expedite interlibrary loan requests; and the improvement of library services to business, science, and industry through interlibrary cooperation among special, college, public libraries, and the State library.

I am particularly happy that the bill before us, H.R. 14050, includes an authorization for funds for specialized State library services.

Good State institutional library service is one positive step toward the rehabilitation of those individuals who up to now have not been able to live worthwhile, productive lives. Part A of title IV should give the States added incentive to discard many of the useless books which are now all too prevalent in most collections and which are of little or no value to residents of State institutions; to establish instead specialized collections of books and pamphlets which are suited to the needs of the inmates of these institutions; and to provide trained staffs to service those materials.

Part B of title IV relates to library service for the physically handicapped, a deserving and, when it comes to library service, an all but neglected segment of our population. I introduced a bill to amend the Library of Congress Books-for-the-Blind Act in order that other handicapped persons may be eligible to receive through the Library of Congress and cooperating libraries throughout the country talking books and books in braille.

As a nation, in this complex and competitive age, we require productive and worthwhile contributions from all our citizens. Rehabilitation of the handicapped is essential, and certainly one way to reach this goal is to provide them with reading materials. Surely, today, when we are doing so much for the bodies of our citizens through federally sponsored medical research, through medicare, and so forth, we should give equal thought to food for their minds.

Using the funds authorized in part B of title IV, the States should be able to shore up existing library programs for the handicapped, including the blind, and to establish badly needed new ones. If the bill to amend the Library of Congress Books-for-the-Blind Act is also enacted, as I am hopeful it will be, the States will be hard put to find adequate funds to serve this part of the population.

With the Federal funds authorized, I believe that the States will gladly accept this responsibility and that a program of library service to the handicapped will be developed by the librarians of this country with their usual enthusiasm and imagination. I cannot help but think that these handicapped individuals will find in the reading material thus made available to them, as Helen Keller did, hope and inspiration. She said:

> Literature is my utopia. Here I am not disfranchised. No barrier of the senses shuts me out of my book friends. They talk to me, without embarrassment or awkwardness.

I urge that the House pass this bill without delay. It is an investment in our Nation's future which will reap large rewards for the individual and the community alike.

Not too long ago I read an article by Hal Borland—part of which I believe should be repeated here today. He said:

> Machines rust away, computers falter and fail, cities strangle themselves, voices fade and are forgotten, but books remain. Wipe out all else—the cities, the factories, the schools themselves; but if one good library remained it would be possible for surviving men to create a new civilization.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Chairman, I want to compliment the gentleman on his statement and the action of the committee in reporting this bill out.

I want to commend the gentleman from Illinois [Mr. PUCINSKI] for his fine statement and to congratulate the committee for bringing this bill to the floor.

Mr. Chairman, all 50 States plus American Samoa, Guam, Puerto Rico, and the Virgin Islands have participated in the program. It has been said that no other Federal program, dollar for dollar, has contributed so much to the educational, cultural, and recreational needs of America. It is a popular program because it is a good program—a program that has worked wonders in stimulating the desire of people to improve themselves through the use of library services. The expanding growth of America's population has strained and burdened the Nation's libraries. The great need for assistance to local communities must be extended and broadened. The proposal before us today helps to meet the crying need of library services and library construction throughout the Nation and its territories.

Mr. Chairman, this program is an investment in America—in its people of all classes. The strength of this great country comes through education and books are the keystone of the educational process. We must, as President Johnson has said, "redouble our efforts to bring the excellency of books and the benefit of knowledge to more and more Americans." The bill before us this afternoon will go a long way to accomplish these desirable ends. I have consistently supported this program, Mr. Chairman and I trust that the House will overwhelmingly pass H.R. 14050.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, I wish to compliment the distinguished gentleman from Illinois [Mr. PUCINSKI], for his excellent work on such an important piece of legislation. It represents a positive step forward in this program. To understand your bill correctly in terms of increased funds for the program, how much does it run above the budget figures?

Mr. PUCINSKI. This bill provides in the first year for $88 million and an overall increase of $26 million for each of the succeeding 4 years. It goes $31 million over the request of the administration, which was $57 million, for 1967. I hasten to assure my colleagues that it goes substantially below all of the other bills that have been presented to the committee and which the committee carefully considered. The committee felt, with all due respect to the President, that the plea of the States for this additional help was warranted. We hope we can save the money someplace else without impeding this important program.

Mr. PERKINS. I think it is well to point out that this is not a giveaway, as you so ably pointed out, because all of the States except two have overmatched the Federal expenditures with local and State funds. Is that correct?

Mr. PUCINSKI. The gentleman is absolutely correct. All of the States overmatched their Federal requirement by substantial amounts. As I said earlier, the amizing thing in this library bill is that since its enactment in 1954 there has been a fantastic renaissance in the whole library structure of America. Libraries are now becoming community institutions and an integral part and the cultural heart of these communities.

Mr. PERKINS. In my judgment, it is that point you have just made that demands we further expand this program, because, since we enacted the program in 1954, the program has served as an incentive and has caused the States to accelerate their own programs. For the first time not only rural but city people are realizing the importance of it and are taking advantage of this program. It would be shameful to undertake to cut this program back, in my judgment, anything below the present funding as proposed in your bill. I certainly hope that the Committee will reject any move to cut it back below your figure. If anything, we should expand this program and let the 10 or 12 million people that you pointed out do not now have access to libraries have access to them at an early date. This bill, in my judgment, deserves the support of all the members of the Committee and certainly should not be cut back.

Mr. PUCINSKI. Mr. Chairman, I should like to point out that millions of Americans who use library facilities, particularly people in Kentucky, have never had a greater friend than the gentleman from Kentucky [Mr. PERKINS], who has pioneered this legislation as a member of this committee and watched its development. He is a strong supporter of this legislation, and we counseled very carefully with him in drafting the bill before the Congress now. As chairman of this subcommittee, I should like to congratulate him on being a real, true, and respected friend of the library services of America.

Mr. MEEDS. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Washington.

Mr. MEEDS. Mr. Chairman, I take this time to rise in support of this legislation and as a member of the committee that worked on it to extend my compliments and congratulations to the gentleman in the well who did such a fine job not only in authoring this legislation but in conducting the hearings and bringing forth the information upon which it is now based.

Mr. Chairman, I compliment the gentleman from Illinois and certainly all the very fine witnesses who came before our committee in testifying in support of this bill.

Mr. Chairman, a careful study of the hundreds of pages of testimony which have been amassed by various committees of the Congress in assessing the value of the Library Services and Construction Act to this country reveals that just about everything that can be said for public library service has already been said.

The tragedy of the situation is that everything that can be done for public library service has not yet been done.

It remains, then, for us to see what has been done and to see what has not been done. And once having ascertained that, we must then proceed to make available to the librarians and trustees of this country the financial means to help them do what is yet left undone. The bill, H.R. 14050, which is before us today to extend and amend the Library Services and Construction Act of 1964, will do much to alleviate the existing gaps.

The accomplishments under the existing legislation have been tremendous, and the States and local communities have increased their support steadily.

PUBLIC LIBRARY SERVICES

An estimated 55 million persons are registered borrowers at public libraries in 1966, as compared to 30.4 million in 1956—an increase of 81 percent.

Circulation of books increased to 1 billion in 1966, as compared to 490 million in 1956—a gain of 104 percent.

These figures indicate that more people in the United States than ever before in its history are using public libraries: 65 million people had new or improved library service available to them in areas of the Library Services and Construction Act projects in fiscal year 1965; 27 million books were purchased with Federal, State, and local funds, fiscal years 1957–66.

Over 500 bookmobiles were purchased, fiscal years 1957–66.

PUBLIC LIBRARY CONSTRUCTION

There are 362 projects expected to be approved in fiscal year 1966, with estimated expenditures of $140 million.

The States have certified to the U.S. Office of Education that they will use the entire $30 million appropriated for fiscal year 1966, and could use much more to meet local requests.

MATCHING FUNDS

Reports from 40 States and Guam indicate that $254 million in local and State funds are available for matching purposes for title I of the Library Services and Construction Act in fiscal year 1967. The requested Federal authorization is $35 million for fiscal year 1967 in H.R. 14050.

Reports for 40 States and Guam indicate that $86.4 million in local and State funds will be available for matching purposes for title II, "Construction" of the Library Services and Construction Act in fiscal year 1967. The requested Federal authorization is $40 million for fiscal year 1967 in H.R. 14050.

Nevertheless, as of 1965, some 12 million persons in the United States still had no legal public library service. In addition, more than a hundred million persons have only inadequate libraries, below minimum adequate support level. The book shortage is 100 million volumes. Many of the existing public library buildings are overcrowded, inefficient, and largely inadequate to serve the educational, business, technical, and cultural and other daily needs of an expanding population.

The needs of libraries are national in scope and so great that to assure adequacy for all, the solution must be a partnership among all levels of government. The great mobility of the American family places on the Nation a real responsibility to make sure everyone has equality in educational opportunities. Libraries are, of course, a vital part of our total educational structure.

The colleges are full to overflowing. The community college opens its doors in the morning to literally hundreds of thousands of daytime students who commute many miles from their homes to the college classroom. The day is over, and they must return home. The buses must be loaded immediately after the last class is dismissed. But what of preparation for tomorrow's classes? What of the extra reading assignments? The college library has been left miles behind and it is to the public library that the commuter students turn. All of a sudden, the public library finds itself with an entirely new set of responsibilities requiring more personnel and more and more and more books. Insatiable appetites are never satisfied once the hunger for learning is aroused. Of the preparing of extra reading there is no end. The public of the public library becomes the same as the student of the college library. But he is here and the college is there. The responsibility shifts from one kind of library to another. Cooperation between them is essential. And cooperation costs money that neither the college nor the public libraries have in excess, with urgent demands being made on both for normal, everyday operations.

The bill before us today contains a new title III, "Interlibrary Cooperation," which can help to meet this problem by providing funds to the States for the establishment and maintenance of local, regional, State, or interstate cooperative networks of libraries. By means of interlibrary projects, State, school, college, public, and special libraries would be given the opportunity to work together to provide maximum effective use of funds in providing service to all library users.

Another new title, equally commendable, would assist the States in providing greatly needed specialized State library services—title IV. Grants to the States would enable the same State library agency which now administers titles I and II programs to strengthen library service to inmates, patients, or residents of penal institutions, reformatories, residential training schools, orphanages, or general or special institutions or hospitals operated or substantially supported by the State; and also part B students in residential schools for the handicapped—including mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health-impaired persons who by reason thereof require special education—operated or substantially supported by the State.

Part B of title IV would authorize payments to the States to encourage the establishment or improvement of library services to the physically handicapped, including the blind and visually handicapped.

H.R. 14050, the Library Services and Construction Act of 1966, is essential to maintain and improve the public library development so well begun. In addition, it will extend benefits to those who cannot come to the public library readily. For these reasons, I urge that you join me in voting for this valuable measure.

Mr. PUCINSKI. I thank the gentleman from Washington.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the distinguished gentleman from Pennsylvania, the ranking member of our committee on the majority side.

Mr. DENT. Mr. Chairman, I wish to compliment the gentleman from Illinois for bringing to the floor of the House this particular bill. I believe it is one of the most important bills to come before us at any time.

Mr. Chairman, I rise to support it and I was happy to have been the chairman of this particular subcommittee that first extended library services to all of the communities.

Mr. Chairman, I am very happy to note that the chairman of this subcommittee now, the gentleman from Illinois [Mr. PUCINSKI], is being realistic in the amount of importance that he has attached to the bill.

Mr. Chairman, in my opinion it will take more now to do even more good than it has in the past.

Mr. Chairman, I wish to recommend to all the members of the committee that they vote for this bill at this time.

Mr. Chairman, I rise in support of H.R. 14050, the bill before us today to extend and amend the Library Services and Construction Act.

I believe that the sums authorized in this legislation are realistic and that the additional money authorized over and above the administration's proposals are essential if our public libraries are going to provide our people with the basic library resources they need in the complex world in which we live.

Despite the fact that the 1956 Library Services Act and the 1964 Library Services and Construction Act provided for funds to bring library service to millions of citizens and great strides have been made, according to U.S. Office of Education statistics there are still 12 million citizens with no public library service and 169 million with inadequate service. The measure we are considering today will alleviate some of these deficiencies.

Title I—"Public Library Services"—authorizes an appropriation of $35 million for fiscal year 1967; $45 million for fiscal year 1968; $55 million for fiscal year 1969; $65 million for fiscal year 1970; and $75 million for fiscal year 1971. The price of books has risen over the last 5 years because the cost of labor and materials have risen and each of us knows that more and more books are being published. In addition, the average citizen, through better education and mass communication, has become increasingly aware of his need to know.

As a result, public libraries in this Nation are faced with the serious responsibility of meeting the needs of a larger public and providing them with a larger range of materials which are rising in cost. This is coupled with the fact that highly trained librarians are needed if the books and other information resources are to be used effectively. The cost of living is steadily increasing and public libraries must raise the meager salaries of their professional staff in order to compete not only with the special and research libraries of the Nation but also with other professions.

A staff of professional librarians is absolutely essential in order to select and classify books and other library materials and make them readily accessible to readers of all ages and economic levels. It is a shameful fact that a 1962 study of positions in local government, which was conducted by the Bureau of the Census, showed that library employees were next to the lowest paid category. Title I will help our public libraries meet these many demands upon them.

Title II of the bill authorizes $40 million for fiscal 1967; $50 million for fiscal year 1968; $60 million for fiscal year 1969; $70 million for fiscal year 1970; and $80 million for fiscal year 1971, for the purpose of public library construction. It has seemed to me that too often in the past the grayest, most dingy building in many communities of this Nation turned out to be the local public library. Amidst a complex of bright, cheery city halls and new courthouses stands Andrew Carnegie's gift, once a proud possession but now hopelessly outdated.

These depressing, nonfunctional buildings certainly do not invite anyone but the most determined reader to come and find reading enjoyment within. I am pleased to see that the picture is changing and that the public libraries in many communities are becoming the local showplace and, as a result, are lively, vital community centers. This new look is a result of funds provided under the Library Services and Construction Act. Over 363 building projects have been approved for fiscal year 1966 under the act. The States have not, however, been able to meet anywhere near the number of requests received for funds for library construction, and I am hopeful that, with the enactment of H.R. 14050, the construction situation will improve considerably.

Title III of the bill provides a 5-year authorization for the establishment and maintenance of local, regional, State, or interstate cooperative networks of libraries—$5 million for fiscal year 1967; $7.5 million for fiscal year 1968; $10 million for fiscal year 1969; $12.5 million for fiscal year 1970; and $15 million for fiscal year 1971. Because of the high cost of books and library materials, particularly specialized materials such as expensive scientific and technical publications and the cost of processing these books and other materials, some libraries have already entered into cooperative programs and have pointed up the possibilities of such arrangements. Title III would give further incentive to such programs, would promote economy and efficiency, and would bring a wider range of books and other publications to a broader segment of the population.

Title IV directs itself to specialized State library services. Part A, entitled "State Institutional Library Services," authorizes funds over a 5-year period to strengthen library services to inmates, patients, or residents of penal institutions, reformatories, residential training schools, orphanages, or general institutions or hospitals operated or substantially supported by the State, and students in residential schools for the handicapped operated or substantially supported by the State. The authorization for fiscal 1967 is $5 million; for fiscal 1968, $7.5 million; for fiscal 1969, $10 million; for fiscal 1970, $12.5 million; and for fiscal 1971, $15 million.

In a recent survey, 37 State library agencies rated their present level of State institutional library service as "poor," six States as "fair," and only one as "good." Certainly individuals in these institutions need, more than most, the motivation and the opportunity to help themselves if they are to become well-adjusted, well-informed, self-supporting citizens. A well-equipped and adequately staffed library in these institutions can be a central core or resource to which these people can turn for materials to help them enlarge their reading, enrich their backgrounds, and substitute new interests for undesirable ones. Yet, so many of the libraries in these institutions—if they have any libraries at all—have dull, unimaginative collections of books totally unsuited to the needs of the residents.

Funds authorized in part A of title IV are urgently needed to meet the educational and correctional goals of institutional educational programs.

Part B of title IV provides a 5-year authorization for State plans for library service to the physically handicapped—$3 million for fiscal 1967; $4 million for fiscal 1968; $5 million for fiscal 1969; $6 million for fiscal 1970; and $7 million for fiscal 1971. Of the estimated 2 million physically handicapped residents of this country who cannot read or manipulate conventionally printed material, only the 400,000 blind are now eligible for special library service. The unit cost of library service for these readers is understandably much higher than that for those who can read and use conventional printed material. As a result, the States, because of pressing demands for library service, have been able to do little to meet these specialized needs.

Many of these citizens are physically impaired because of their service in the U.S. Armed Forces. Many others have been stricken with severely crippling diseases. I submit that they should not be treated as the forgotten ones when it comes to library service, and I am confident that the States will correct this situation when provision is made in this bill to help them meet the financial problems in providing library service to the physically handicapped.

I urge the passage of H.R. 14050 as reported by the Committee on Education and Labor. The enactment of this important measure will provide our citizens the opportunity to continue to grow in knowledge and understanding.

Mr. PUCINSKI. I thank the gentleman from Pennsylvania [Mr. DENT], for his contribution.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Indiana.

Mr. MADDEN. Mr. Chairman, I want to commend the Committee on Education and Labor and especially the gentleman from Illinois [Mr. PUCINSKI], for bringing this bill to the floor of the House for consideration and passage.

Mr. Chairman, I believe it was about 10 or 12 years ago that I sponsored an identical bill, in the pioneer days of legislation starting the library services for urban and rural areas over the Nation.

Mr. Chairman, I remember in those days that we had considerable opposition to the bill on the floor of this House. As I recall, the first time the legislation was up for consideration, it was defeated by 2 votes.

Mr. Chairman, I do not know of any legislation since I have been in Congress that has done more good for more people, not only in the cities, but in the rural areas, than the Library Services Act that was enacted in this House of Representatives back several sessions ago.

Mr. Chairman, millions of our people have benefited as a result of the passage of this act, whereby the public was provided with library books and library services.

Mr. Chairman, I do hope that the bill passes without any major opposition.

Mr. PUCINSKI. I thank the gentleman from Indiana.

Mr. Chairman, I should merely like to call the gentleman's attention to the statement given in the minority views, the additional views of our committee report, which our distinguished colleagues on the minority side say: "We can think of no Federal program more deserving of continuation and support."

Mr. Chairman, we certainly are grateful to them for the very fine cooperation received from them in putting this bill together.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Louisiana.

Mr WAGGONNER. Mr. Chairman, I want to thank the gentleman from Illinois [Mr. PUCINSKI], for bringing this Library Services and Construction Act Amendments of 1966 to the floor of the House today.

Mr. Chairman, there is no question in my mind but what library development has been greatly accelerated as a result of the experience we have had with this legislation. All of the experience has been good and I believe everyone believes that we can look forward to more such favorable experience in the future.

Mr. Chairman, I support the legislation and hope the Congress will do the same.

Mr. PUCINSKI. I thank the gentleman from Louisiana.

Mr. PHILBIN. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Massachusetts.

Mr. PHILBIN. Mr. Chairman, I thank and commend the very distinguished gentleman from Illinois [Mr. PUCINSKI], and the Committee on Education and Labor upon bringing this fine bill to the floor of the House. I feel that it is an excellent piece of work and that it will do a great deal of good. It is certainly needed in many places.

Mr. Chairman, I take great pleasure, and I deem it a great privilege to express my thanks and my gratitude as well as my deep appreciation to the able, distinguished gentleman and his outstanding committee. This bill will bring immeasurable benefits to the Nation and the people.

Mr. PUCINSKI. I thank the gentleman from Massachusetts.

Mr. PICKLE. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Texas.

Mr. PICKLE. Mr. Chairman, I rise in support of this legislation.

Mr. Chairman, the Library Services Construction Act of 1964 has been a good measure and has created a great deal of interest in my State, the State of Texas.

Mr. Chairman, in March of this year my Governor held a Governors' conference at which there was in attendance somewhere between 1,500 and 2,000 people directly interested in providing library services throughout the State of Texas.

Mr. Chairman, there was a great deal of enthusiasm and spirit. They went on record again as favoring the type of legislation which is pending before the House today.

Mr. Chairman, I want to recommend to the members of the committee. This is a very important piece of legislation.

Mr. PUCINSKI. I thank the gentleman from Texas.

Mr. Chairman, I reserve the balance of my time.

Mr. PERKINS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PERKINS. Mr. Chairman, I rise to support extension and expansion of the Library Service and Construction Act as a mainspring of the far-reaching educational works we have enacted in this Congress. As I stated on January 21 when I introduced my own bill—H.R. 12133—which would have authorized more realistic amounts to do the job called for, this program has awakened in communities an interest and a recognition of the great educational value of good public library services.

In regard to the authorization of funds in H.R. 14050, which are below the amount really necessary to fill the current and growing needs for services and construction programs, I believe that it is a sound compromise. The distinguished gentleman from Illinois [Mr. PUCINSKI] is to be commended for the great work he has done in bringing this fine bill to the floor. If we are going to make any headway in bringing quality library service to our people, we must approve at least the sums called for over the 5-year period, as authorized in H.R. 14050.

Great strides have been made in bringing public library service to the men, women, children, and young people of this Nation since the original Library Services Act was passed in 1956. I take pride in the fact that I was one of the sponsors in that pioneering period. Nevertheless, there are still 12 million citizens with no public library service and well over a hundred million with inadequate service to meet today's pressing needs. The bill before this body today will help relieve some of these deficiencies which still exist in all of our States and territories.

In my own State of Kentucky, tremendous progress has been made. Eighty-one libraries in 71 counties are participating or preparing to participate in 16 multicounty regional libraries. The development of these regional libraries is being encouraged by the State agency to bring better overall library services to an area. Under the Kentucky State plan for public library construction 11 projects were approved in 1965 and 5 in 1966 as of April 15. New buildings are provided for Henry County Library in Eminence, headquarters for the Eden Shale Regional Library; J. F. Kennedy Memorial Library in West Liberty, Morgan County; Nicholas County Memorial Library in Carlisle, Buffalo Trace Regional Library headquarters; Whitley County Library in Williamsburg; Russel County Public Library in Jamestown; Bath County Library in Owingsville; Washington County Public Library District in Springfield; Union County Public Library District in Morganfield; Fleming County Public Library in Flemingsburg; Monroe County Public Library in Tompkinsville; Lawrence County Library in Louisa, Big Sandy Regional Library headquarters; Logan County Public Library in Russellville.

Two new buildings have been completed in fiscal 1966. The Green County Library in Greensburg serves over 11,000 people; and the Ohio County Library in Hartford, headquarters of the Green River Region serving over 50,000 people, was dedicated September 3, 1965. The remodeling of the Pine Mountain Regional Library headquarters at Whitesburg in Letcher County, and the Lexington Public Library in Fayette County were also completed in fiscal 1966.

What still needs to be done?

To give minimum library and bookmobile service, Kentucky needs a total of $12,140,000 annually. Although local support has doubled and State support has more than quadrupled in the past 10 years, total support from local, State, and Federal sources has reached only a little more than one-fourth of the amount needed in 1964–65. $429,000, or about 12 percent of this total came from the Federal Government. Because of the limitations of the tax base in Kentucky, and because of the increasing competition for the tax dollar, it is my honest opinion that local support alone can never do the job.

Even though the rural limitation has been removed from the Library Services and Construction Act, funds have been so very limited that it has been impossible to expand the program to any but a very few urban areas.

The new title III, Interlibrary Cooperation, can be a valuable incentive to establish projects of far-reaching assistance to libraries of all types. Information received from Miss Margaret Willis, Kentucky State Librarian—who, incidentally, is doing an outstanding job in this field, indicates that the following are some of the projects which might be undertaken:

First. Contractual agreements between the Department of Libraries and strong medical, college and special libraries, to enable hospitals, doctors, businessmen, and so forth, to use these libraries to a much greater extent than at present—free of charge. Manuscript, book and periodical material would be Xeroxed and made available on a regional basis. Payments would be made by the Department of Libraries to designated library centers, and the service would be publicized widely. Also stronger public libraries would be designated as regional service centers, through contracts with the Department of Libraries.

Second. Planned circuits of specialized material to help professional welfare workers, public health workers, workers with retarded children, and so forth.

Third. Book purchasing, cataloging, processing and delivery to school and small college libraries—many are asking for this service. Also involved would be automated services from the Department of Libraries.

Fourth. Implementation of plans for production of book catalogs for strong library collections.

Fifth. A planned circuit of teletype communication between libraries of all types.

Sixth. Bookmobile service—through contracts by the Department of Libraries with local library boards—to Youth Corps camps, State homes for delinquent children, State homes for the aged, State prisons, and other State institutions.

Seventh. Purchase of microfilm reader-printers, as funds permit, for regional library headquarters and later for participating libraries, with complementary collections of microfilmed, back numbers of periodicals. These would be available to all libraries in the area—school, public, special and small college libraries. A more specialized microfilmed collection would be available at the Department of Libraries. Gradually all libraries will be able to call each other and the Department of Libraries free of charge on a State Watts line. At present most localities in the State have this service available to them.

The Department of Libraries will not only make its material available, but will also plan to become a referral center to those libraries both in and out of the State with stronger, more specialized collections. Thus expensive duplication of special materials will be unnecessary.

The current interest in becoming a better educated people in order to meet the demands of a scientific age is causing a veritable explosion in the use of public libraries. People from one end of the country to another are beginning to ask themselves, as they survey for the first really penetrating look, the poverty stricken conditions under which they live and work: "Why? What makes the difference?" Soon they come to the conclusion that one of the basic elements of difference is in education. But they are adults. They must work for a living. Further formal study is out of the question. They must get this on their own. And to what community service can they turn? The public library. A natural for them. Geared to individual study, to the calm, studied pursuit of knowledge on a private basis, alone and at one's own pace, the miracle of learning and discovery of the world of ideas opens up to an enterprising person who seeks to learn more, to earn more, to do more, to understand more.

Mr. GURNEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in general support of this legislation, the Library Services and Construction Act Amendments of 1966.

First of all, I want to point out that the very able chairman of our subcommittee, the gentleman from Illinois [Mr. PUCINSKI] conducted full and very meaningful hearings on this particular legislation, which shed a good deal of light on what is being accomplished under this legislation and the great potential that there is for further improvements in library services.

The gentleman has also ably set out before the House the principal arguments in favor of the act and a full explanation of it, and he has given the reasons why the House should support this legislation.

Mr. Chairman, I would simply make a few other remarks perhaps in amplification of the statements that have already been made.

First of all, I think it would be well for us to remember that this program started in 1956 as a rural library services act with a modest authorization of $7,500,000. This went along for 5 years and worked extremely well, generating a good deal of interest in library services in the rural areas of America and stimulating the demand for expanded library services. The program accomplished a great deal of very commendable work in furnishing books and other library services to our people in rural areas.

As a result of this beginning in 1956, Congress in 1960 extended the act for another 5 years because it was working so well. Then in 1964 the present law was enacted which expires at the end of this month. At that time in 1964, we extended it for a 2-year period and expanded it to apply to urban areas as well as rural areas, and to include construction grants. Again the testimony brought out in the hearings we held this year showed conclusively the tremendous stimulation that this Federal grant program gave to the localities throughout the country.

For example, in fiscal year 1965 the Federal moneys amounting to $55 million in this program stimulated the State and local governments to come up with an additional $150 million in matching funds—truly a notable achievement. The hearings brought out, from many interested witnesses who work very closely with the library facilities in their respective States, how much this has meant to their States and particularly to their localities in stimulating among the local people a desire to improve their library services. It has enabled the friends of libraries to go to their own people to raise money to greatly improve their local library services.

I do not think there is any question but that the statements made here on the floor by several of our colleagues, to the effect that this is one of the finest Federal aid programs the Congress has ever devised, is eminently true.

One thing I think is very interesting about it is that the hearings developed that no Federal control is exercised in this particular program and that the localities run their library services very well in accord with their own ideas and under their own guidance. Of course, we in the Congress are always interested in this aspect.

However, I believe it is well to point out that in this particular year of stringent budget requirements, all programs, including the very finest of Federal programs, should fit into the national scheme of how much we can allot to this program or to that program. I think it is well to point out that if we pass the proposed legislation in its present form, we shall make a very great increase in expenditures over the program which we now have on the books.

Incidentally, along these lines, the administration witnesses, chiefly the Secretary of Health, Education, and Welfare, pointed out to our committee that he did think that the moneys contained in the administration were sufficient to carry the program on.

I agree with my colleagues on the committee that we need to give this program more money than the President and the administration wishes. However, I do think that we would escalate the program too fast under the bill that is now before us. I should like to point out that the authorization in this legislation, if we pass the bill in its present form, would call for an increase in the first year of 60 percent more moneys than are now being spent in the program, and over 100 percent more moneys in the second year. In fact, in title I of the program in the present bill, over the 5-year authorization period the measure calls for trebling the amount of money which is now being spent—three times the amount of money that the legislation now on the books authorizes.

Title II would do almost the same thing. It would authorize an increase of not quite three times the present authorization. I think it figures out to about two and one-half times.

Then, too, I should like to point out that there are two new titles in the bill. I think these are fine ones. I certainly agree that we should support them and that they should be in the legislation, but they do mean that we are venturing into new fields and new authorizations. So it occurs to me that if we are going to follow the budget advice that we get from the administration, we ought to try to be reasonable in the amount of money that we should authorize for the Library Services Act.

I intend to offer a series of amendments, after the formal debate is concluded, to all of the titles of the act. The amendments would chiefly trim down authorizations in title I and title II. Those authorizations deal with library services and library construction, amounting to $5 million over the present authorizations in the bill.

I should also point out that those amounts which I shall propose in my amendment would be substantial increases over the present authorizations now on the books.

I am heartily in support of this program, and I am also heartily in support of an increase in moneys. But I think if we are going to run government in a decent, responsible way, we must fit this program in its proper place along with many others.

As far as the other titles in the bill are concerned and their various parts, these are new programs. I think in relation to them it would be well if we adhered to the first-year authorization in the bill, which I agree with, in order to see how these new programs work.

The other point that I want to make in connection with the bill and in connection with the amendments that I shall offer is that I think a 2-year authorization would be a far more sensible one in view of the present fiscal situation in government, rather than the 5-year authorization. Certainly we can argue that it would be far better to look at this question 2 years from now and see where we are, what our obligations throughout the world are—for example, in Vietnam—as well as any other new problems which we may have facing us as a nation, which require a good deal of money to carry out. I would think that 2 years from now we might better come back to look at the authorizations at that time. It may well be that then we might wish to increase them even above the present proposals. But I certainly think we can tell a good deal more in 2 years about where this program is going and where it ought to go than to attempt to project now what we ought to be doing 5 years from now.

So, in closing, Mr. Chairman, may I say that I support the bill and the purposes of the bill wholeheartedly. I think it is one of the finest Federal programs we have ever put on the Federal statute books.

I do think, as far as the moneys authorized are concerned, that we should be fiscally responsible, and I will offer amendments to carry that through at the proper time.

Mr. Chairman, I yield such time as he may consume to the gentleman from Kansas [Mr. SKUBITZ].

Mr. SKUBITZ. Mr. Chairman, I rise in support of H.R. 14050.

Mr. Chairman, the Library Services Act has been a model of Federal grant legislation. For one thing, it preserves in every sense the local and State responsibilities for the provision of libraries and library services. For another—and probably because it does build on local responsibility—it has been extremely successful in stimulating increased financial support for libraries. In Kansas, for example, Federal funds under this program in fiscal 1965 were matched by over $634,000 in State and local funds.

The general scheme of this act, in fact, should serve for all Federal-State programs, and where we have in the past 2 years abandoned this scheme—as in the so-called war on poverty—the programs have floundered around in Federal bureaucratic snarls.

A sound library system is the very keystone of a State educational system for all the people, of all ages, and with all the variety of needs for knowledge. A good library is a priceless resource for any community, and very often serves commercial and industrial demands as well as educational needs.

The bill before us builds soundly upon the existing act and moves in the direction of improving the scope and effectiveness of that act. I am pleased to see that it has solid bi-partisan support, and I am very happy to join in supporting this measure.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. GURNEY. I yield to the gentleman.

Mr. HALL. Mr. Chairman, quite contrary to my position in 1964, I rise in strong support of H.R. 14050. Because of the way it is implemented, and despite the fact that the amount is increased over what was budgeted, and there is a faint odor of "back door" raids on the Treasury; the bill is a model of Federal-State cooperation. I favor this and more books, et cetera, plus remedial reading programs, and the new title for the handicapped.

All of us have lived to see the readership increase in the mobile libraries and the rural libraries since the first Rural Library Services Act of 1956 was passed.

As it has been extended and amended, so that if it were not for committing future Congresses and the perhaps extreme amounts that are being added onto this bill over and above the budget and even the administration's request, this would be a perfect bill for continuation.

After careful consideration, study of the report and reassessing my own observations and position I think in spite of these areas it is deserving of support. It is much better to spend our money domestically, for example, than to rathole it down overseas areas where no responsibility has been demonstrated. If we at the Federal level must match State funds, it has been pointed out how well the States have matched the funds, over and above the call of duty, both in title I and in title II; to say nothing of new titles which the gentleman from Florida, in the well of the House, has so exemplarily portrayed.

The gentleman has helped write this bill in the subcommittee and in the committee. I compliment the gentleman on the remarks he has made, and the additional views printed in the report.

Mr. DOLE. Mr. Chairman, will the gentleman yield?

Mr. GURNEY. I yield to the gentleman.

Mr. DOLE. Mr. Chairman, I rise in support of H.R. 14050, the Library Services and Construction Act Amendments of 1966.

Let me say at the outset that when this program was changed and expanded in 1964, many of us from rural areas—perhaps somewhat selfishly—opposed extending the program to urban areas. It was our feeling that the program was initiated to assist rural areas; in fact, the original act passed in the 84th Congress was designated the "Rural Library Services Act of 1956." It was a good program, and many Members did not feel the expansion and extension provided by the 1964 amendments were in keeping with the original intent and purpose of the act of 1956.

Nonetheless, as the report accompanying H.R. 14050 indicates, the program continues to be a successful one, and during fiscal year 1965, the first year of operation under the amended act, 54 States and territories were operating under approved State plans for library services, and 53 had approved plans for construction. The program has been widely accepted by the States; in fact, in the first year of operation, fiscal year 1965, the matching funds available were $54 million in excess of the minimum required.

I am convinced that the proposed amendments to extend the act for 5 years will continue to help meet the urgent and essential library needs of the people of all ages in both rural and urban areas. The program has been soundly and wisely administered by State library agencies and is structured to preserve proper relationships between Federal, State, and local agencies.

It should be pointed out that the 1967 authorizations contained in this bill are $30.5 million over the President's budget requests. This increase may be justifiable in view of rising costs of library services and funding of new provisions added by the bill. Nonetheless, Congress should make every effort to keep the 1967 authorization close to the budget figure, and assume a portion of the responsibility if the budget request is exceeded.

Mr. PUCINSKI. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. DANIELS], a member of the committee.

Mr. DANIELS. Mr. Chairman, I would like to join with the chairman of our subcommittee [Mr. PUCINSKI] in urging my colleagues to give favorable consideration to this bill, H.R. 14050.

As I am sure you gentlemen know, the Library Services and Construction Act expires on June 30 this year, so prompt action by this body is of the greatest importance.

Of the many domestic measures pending before this Congress, it is my strong belief that this legislation is one of the most important before this Congress today, and that it is imperative that the existing legislation must not only be renewed and extended, but expanded to meet the ever increasing demand for good library services. As our population expands, with the increasing demands on all of our facilities, it is more and more forcefully demonstrated that one of the biggest needs to be filled is to improve and expand our library services, as well as our educational facilities, to bring library materials and books to children and adults who most need them to equip themselves to live a productive life in the world today.

Despite the impressive accomplishments to date under the Library Services and Construction Act, much remains to be done. In New Jersey, title I of this act has permitted the development of a framework of library services which offers educational opportunity to individuals in our State which has not been available to them heretofore.

Our statewide plan is a program of service geared to the needs of individuals for library materials. Because of this informal framework of libraries made possible by library service funds, the public is not only getting better service, but libraries are more alive and there is better communication between them. There are still, however, many urban and suburban areas in my State which have totally inadequate library services. There is an increasing need for library services in suburban areas, because as the population shifts to the suburbs in many area, libraries are left behind in the older areas.

Under the present act, 35 library buildings have been activated in New Jersey because of, and with the assistance of, Federal funds under title II—about $16 million worth of projects have been made possible by about $2 million worth of Federal money. As fine a record as this is, we are just now beginning to make a dent in the backlog of needed public library construction in our State. Many new communities need new buildings, others need additions to old buildings and substantial modernization. Substantially increased funds are needed to improve our public library buildings at a rate needed to keep up with the increasing demands made upon them.

During 1 day of our hearings on this legislation, we heard eloquent testimony from a group of witnesses from Kentucky concerning the impact that the establishment of library services, including bookmobiles, had on the people of areas that had never had a library. It is difficult for those of us who live in cities and in urban and suburban areas to imagine an area without any library facilities. Fortunately, this lack is being overcome at least to some extent in most of our rural areas. But, the growing gap in library services in urban and suburban areas is becoming a matter of increasing concern and a problem that must be met.

Titles III and IV of H.R. 14050 will not only establish new services in our States that have long been needed, but will aid the States in making maximum use of existing and future library facilities and services.

Despite our State's record of accomplishments there is still a deplorable list of deficiencies to be rectified. Of our 305 libraries, 215 lack a sufficient number of volumes to meet national standards. We need 15 million additional books to properly serve our people. This represents a dollar gap of $26 million to purchase and process these volumes for library use. To meet the $4.47 per capita standard for operation expenditures in areas with populations of 50,000 and above, 278 of our library systems need additional revenue.

H.R. 14050, the Library Services and Construction Act Amendments of 1966, will create a wider, more valuable, parameter for library service. I give it my full support and ask all of my colleagues to join me in its prompt enactment.

Mr. MEEDS. Mr. Chairman, will the gentleman yield?

Mr. DANIELS. I am glad to yield to the gentleman from Washington.

TITLE I. PUBLIC LIBRARY SERVICES

Mr. MEEDS. Mr. Chairman, I have watched with pride the impressive progress made by all of the States and localities in improving and extending public library services under the Library Services and Construction Act. The fact remains that there is still much to do before all our people have access to good public library services. The libraries across the Nation are struggling to respond adequately to increasing demands for educational and informational resources and services. At the end of fiscal year 1965, it was estimated that approximately 11 million Americans had no local library service of any kind. In addition to these, more than 100 million citizens had access to library services which were ill-housed, understaffed, or completely lacking the capacity to provide rapid and accurate information.

The proposed amendments to the Library Services and Construction Act are designed to extend and improve this grant program by continuing assistance to the States and increasing the amount of Federal participation.

Authorization: $35 million for fiscal year 1967; $45 million, fiscal year 1968; $55 million, fiscal year 1969; $65 million, fiscal year 1970; and $75 million, fiscal year 1971.

As in the present act, matching-grant funds may be used for books and other library materials, library equipment, salaries and other operating expenses. The minimum State allotment which must be matched would remain at $100,000 for each of the States, Puerto Rico, and the District of Columbia, and $25,000 each for American Samoa, Guam, and the Virgin Islands. The floor year is updated from 1963 to the second preceding fiscal year.

The readiness of the States to carry out an expanded program is illustrated by the fact that between fiscal year 1963 and fiscal year 1966 State funds for the development of public library services rose from $29.4 to $42 million under the Library Services and Construction Act. During the same period, local funds available for expenditure under State plans increase from $289.5 to $367.9 million.

In the current fiscal year, State and local public libraries will spend approximately $106.2 million in matching funds under title I State plans. This amount is $80.1 million in excess of the minimum required for full participation. Thus the States clearly need, and are able to fully utilize, the additional $10 million in Federal funds authorized in H.R. 14050.

TITLE II. PUBLIC LIBRARY CONSTRUCTION

I favor each of the four titles, but I want to place particular emphasis on title II. This part will continue Federal assistance in the construction of public libraries, a program that was first funded in fiscal year 1965.

Appropriations under this title were $30 million for each fiscal year, 1965 and 1966. In 1965, the States began 363 local library construction projects, adding or improving more than 5.4 million square feet of library floor area. An estimated 23 million people will be served by these new libraries. The projects approved in 1965 include the construction of 233 new buildings, 58 additions to existing public libraries and 72 remodeling or alteration projects.

The total value of the 1965 approved projects was $99.6 million, of which the Federal share was $29.8 million. By providing matching funds that were $38.7 million over and above the minimum amount required, the States could have fully utilized a Federal appropriation of approximately $60 million. The authorization contained in H.R. 14050 of $40 million is, therefore, completely realistic and is urgently needed by our local libraries.

Authorization: $40 million for fiscal year 1967; $50 million, fiscal year 1968; $60 million, fiscal year 1969; $70 million, fiscal year 1970; and $80 million, fiscal year 1971.

The basic allotment remains at $80,000 for each of the States, Puerto Rico, and the District of Columbia, and $20,000 each for American Samoa, Guam, and the Virgin Islands. A new feature proposed by this bill is that the Federal share of the expenses of administering title II programs would be paid out of title II allotments rather than deducted from title I funds as the existing Library Services and Construction Act authorizes.

Current approval actions by the States are slightly above the 1965 level. It is estimated that 400 projects will be approved having a total value of more than $125 million. The Federal appropriation of $30 million will be fully used.

The present act and the pending legislation both provide that public library facilities will be constructed only to serve areas which are without facilities necessary to develop library services. This requirement has led the States to integrate their criteria for the approval of construction applications with the aims and objectives of their State plans for services. Most States have established such criteria in the form of priorities aimed at encouraging the organization and development of larger units of library service.

In addition to a range of priorities, some States have determined the percentage of the Federal grant on a sliding scale reflecting the relative ability to pay of a specific locality. Because of the relatively small size of the Federal allotment in terms of current construction costs, most States have set a dollar maximum on the amount of the Federal grant regardless of the total size of any approved project.

Title II of H.R. 14050 contains a few minor amendments that will aid the States in making even more productive use of the funds available. The first such amendment will permit the States to approve construction projects over a 2-year period, thus providing a 1-year carryover of construction allotments. The experience of the States over the first 2 years with this program indicates that the lead-time required for getting large projects underway make this added flexibility desirable. Other amendments would provide for administrative costs, permit the acquisition of works of art, and the acquisition of buildings to be used as public libraries. These amendments will add to the number of choices which States and localities now have in planning efficient, attractive, and economical buildings. With regard to the acquisition of existing buildings, I have been assured that States will continue to maintain high standards of quality in their criteria for approval of local applications. A suitable location and a sound, functional structure are more important in the operation of a good public library service than is short-term cost cutting.

Title II is a good, workable feature of an entire program to improve, update, and extend good public library services to all our citizens. The funding is realistic and our decade of experience with the more limited grant program assures productive continuity in carrying out this amended act.

While we can applaud the States for their past accomplishments, we must recognize with them that much unfinished work remains to be done. In 1966 it is estimated that our public libraries need an additional 40 million square feet of space so that people have a place to sit down, so that books and staff can be located in proper functional relationship, and so that materials and equipment can be used efficiently.

Two earlier generations knew the public library only as a remote and peaceful building with the name "Carnegie" half-hidden in the ivy. But 1966 is not 1926. Today's library is not a placid haven in the park. Since sputnik, the library has become a busy supermarket of ideas and of information. It is now a full-time partner in the revolution of American education. It exists to advance the formal and informal self-education of all people. Americans now know they must keep pace. The housewife, the student, the wage earner, the research scholar, the businessman, the preschooler and his grandfather all use public libraries—each in his own way, at his own pace, for his own ends.

The Library Services and Construction Act is both a cause and a result of this library renaissance. I ask you to join me in voting the continuance of this worthy program.

TITLE III. INTERLIBRARY COOPERATION

The bill we are considering today provides a new component under title III to stimulate interlibrary cooperation. Title III recognizes the complementary aspect of all types of library service as a whole.

It would provide funds for the establishment and maintenance of local, regional, State or interstate cooperative systems or networks of libraries. This would encourage States, schools, colleges and university, public and special libraries to work together to provide maximum effective use of funds in providing services to all library users. Such systems could be designed to serve a community, metropolitan area, region within a State, or might serve a statewide or multistate area.

In order to participate in this program certain requirements are specified:

Provisions for coordination of supplementary services;

Appropriate allocation of costs;

Assurance that every appropriate local or other public agency in the State is given an opportunity to participate;

Criteria for evaluation and assignment of priorities by the State agency;

Establishment of a statewide council, broadly representative of a professional library interests and of library users, to act in an advisory capacity to the State agency.

The amounts authorized for matching grants for interlibrary cooperation under title III are $5 million for fiscal year 1967; $7.5 million, fiscal year 1968; $10 million, fiscal year 1969; $12.5 million, fiscal year 1970; and $15 million, fiscal year 1971. Except for fiscal 1967, when the Federal share would be 100 percent, the matching formula would be determined on a per capita basis as under section 104 of title I. The basic allotment is $10,000 each to Guam, American Samoa, and the Virgin Islands, and $40,000 to each of the other States.

Reports from 50 States and territories in reply to a questionnaire sent to State library extension agencies state that 37 States were engaged in interlibrary cooperative projects in a limited degree in fiscal 1966. Eighteen States indicated that the cost of interlibrary cooperative projects to be developed under title III would be $12.5 million. A fair estimate of the total amount which could be expended justifiably for interlibrary cooperative programs by the 50 States in fiscal year 1967 would appear to be $30 million.

Some of the projects which could be undertaken—with cost estimates not included in all cases—include the following:

California: A statewide processing center involving public, school, college, and other types of libraries interested in a processing center. Ordering, cataloging, and processing services would be provided. The estimated cost would be up to $1 million, depending on the number that joined.

Second. A union book catalog of research materials in specific fields including the holdings of the State Library, large public libraries, special libraries, college, university libraries. The probable cost could range up to $200 million depending on the extent of participation.

Ohio: Proposes to use funds to assist a large, strong library to extend its technical and professional services to libraries in a 7 to 10 county area—as audiovisual services, book selection, ordering, cataloging and processing, reference services, and so forth. Such a program would call for $100,000 to $150,000 support the first year for each central library, with diminishing support for 2 years and then a financial permanent support program established.

Nebraska: The existing regional system used in Nebraska includes all communities and all public libraries, no matter how small. In some communities where there are college libraries, the public library has already extended the use of the TWX to these college libraries. Under title II, the TWX project could be extended to all college and university libraries which are anxious to be included.

If requests when checked in the Union Catalog are not located, the Commission sends the request on by TWX to the Bibliographic Center in Denver if the requesting library so desires.

It is anticipated, based on costs of the current operation which is now serving 10 libraries, that to extend it to the 10 other regional libraries and to some 20 college and special libraries the cost would be approximately $40,000 a year. This figure will include additional staff and extra bibliographic and reference sources as well as cost of installation of machines, rental and operation costs.

New York: Funds would be used in the Westchester Library System where they have recently completed a year's study of school/public library relations and are ready to further implement the study. The Nioga Library System is ready to provide supplementary book service to school libraries as a back stopping resource, if funds were forthcoming. In the Pioneer Library System there is an ongoing project to recruit librarians. This project could be expanded to include school, special, college, and university libraries.

New York State's plan for regional reference and research library systems could be given a booster from Federal funds to assist a demonstration system in providing advanced reference services in a region through a network of libraries with major subject strengths whether they be public, college, or special. A basic blueprint for this program is found in the Commissioner's Committee Report on Reference and Research Library Service of 1961, plus subsequent studies made for various regions of the State. Such studies are available for the Rochester area, New York City, Long Island, Mid-Hudson, and Ramapo-Catskill area. They are in draft form for the Niagara frontier and the north country.

Libraries are currently undergoing a tremendous upheaval in their patterns of service, precipitated by an upsurge in reader demands, a rapidly multiplying population and a flood of information. In only 5 years, between 1960 and 1965 our population went from 180 million to 194 million and the number of different book titles published annually in the United States rose from 15,000 to 28,000, an increase of 90 percent.

Librarians have recognized that effective, areawide cooperation is vital to dynamic quality service. Dynamic service has become essential in this technological age which depends upon rapid and accurate dissemination of knowledge for its survival.

Title III is an important and basic approach toward developing library services which meet the needs of all Americans. In addition to the increasing number of books and publications recent years have brought new developments in communications, making it necessary for libraries to provide films, microfilms, tape recordings, and records. Only by cooperative arrangements whereby each library can draw upon the resources of other area libraries will it be possible to insure that library users will be able to obtain the variety of books and materials they need.

An investment of Federal funds in large-scale, cooperative arrangements would produce the obvious dividends of efficiency, economy, and coordination.

The concept of coordinated library development is based on the premise that every person in the United States should have available to him, no matter where he lives, library collections and services of high quality. It recognizes the fact that no two people will need or want exactly the same kind of service; that a person will need different kinds of services at various times in his life; and that at any given time he may want more than one kind of service and material.

In the development of coordinated service, the special purposes and functions of the various existing types of libraries—academic, public, school, special, and State—are recognized as essential, although the institutions as they are now known may change radically. Until such changes come about—if they do—various means of coordination of service must be explored. At the present time, planning for such coordination of total services is centered at the State level. Development of a network of information services, particularly in the field of science research, is under consideration at the national level.

The efforts toward coordinated library services have thus far fallen into three areas: centralized planning, joint activities, and rapid communications.

Centralized planning involves such matters as the development of cooperative purchase policies, interlibrary loan policies and regulations, and reciprocal borrowing arrangements. Joint activities include such matters as central processing, materials selection, film co-ops, and in-service training. Rapid communications range from extended telephone and TWX service to information retrieval.

Thus far, the crossing of the boundaries that separate types of libraries has been limited. For instance, a number of public libraries will initiate and support a TWX system, but only in a relatively few instances thus far, have such plans included other types of libraries as well.

A willingness to meet the needs of the many publics, to cooperate, and to yield autonomy are frequently given as the requisites for coordinated library development. These attitudes on the part of library personnel must produce, on a national level, agreements on such matters as compatible standards and statistics, standardized procedures, revised and compatible job descriptions, interstate legislative compacts, and financial resource and distribution patterns to support coordinated efforts. Coordinated development can go only so far when it is based on local cooperation. Eventually, it must be recognized as inevitable and be supported by innovation at the national level.

TITLE IV. SPECIALIZED STATE LIBRARY SERVICES

This is also a new title, and is designed to assist the States in providing greatly needed specialized State library services. It is in two parts: First, State institutional library services; second, State library services to the physically handicapped.

PART A. STATE INSTITUTIONAL LIBRARY SERVICES

Authorization: $5 million for fiscal year 1967; $7.5 million, fiscal year 1968; $10 million, fiscal year 1969; $12.5 million, fiscal year 1970; and $15 million, fiscal year 1971.

This provision would authorize grants to the State library agencies for 5 years to strengthen library services to: first, inmates, patients, or residents of penal institutions, reformatories, residential training schools, orphanages, or general or special institutions or hospitals operated or substantially supported by the State, and second, students in residential schools for the handicapped—including mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired persons who by reason thereof require special education—operated or substantially supported by the State.

Under this section the basic allotment would be $10,000 each to Guam, American Samoa, and the Virgin Islands, and $40,000 to each of the other States. No matching funds would be required in fiscal 1967; thereafter, the Federal share would be determined on a per capita income basis, as under section 104. Funds are authorized for services and equipment but not for construction.

The basic purpose of this part is to extend the benefits of public library service to those persons who are unable, because of their institutional confinement, to use regular community library facilities. The responsibility for such service has long been clearly recognized as resting with State library agencies, but lack of funds has prevented the satisfactory meeting of this need.

A clear and continuing official relationship should be maintained between State library agencies and libraries within the institutions which the State maintains for the health, education, and correctional programs. The purpose of this relationship is to provide for the initial development of institutional libraries and their continual guidance as set forth in official statements of operational policy accepted by institution officials as well as by State library officers. The standards to be maintained can be derived from official library standards for hospitals, schools, and correctional institutions, adjusted to the specific purposes of each agency.

The library service programs maintained in State institutions need strengthening in order to fulfill their role as an integral part of treatment and rehabilitation programs. The institutional library is more than a marginal adjunct to the institution. First of all, it must serve as a scientific and technical collection for the professional staff that operate such facilities. It must contribute to educational, vocational, recreational, and cultural programs through effective bibliotherapy for the direct benefit of the institutionalized. There is immediate need for well trained and experienced staff members in institutional libraries of all types.

The existing condition of library service to State institutions has been described as clearly and completely inadequate. Services to the staff and population of State institutions such as hospitals, correctional facilities, and homes for the retarded are woefully inadequate or altogether lacking. Most of the statutes organizing State library agencies mention services to the State institutions as one of the responsibilities of the agency. Nevertheless, library agencies in only 30 States can undertake this function to any extent. Few State library agencies have staff specially assigned to such work. There are few organized institutional libraries in the United States, whether hospitals or prisons and in only a few States do welfare and correctional departments have professional staff responsible for library services. Even in these States professional library staff with continuous responsibility for the acquisition, organization, and control of materials are not available.

In some locations library needs are met partially through local community public libraries. For isolated institutions without such local library service, the need is intensified. In these situations, it is also true that the library as part of the institutional program of therapy or rehabilitation is even less well developed than the library's general educational, recreational, and cultural resources. These conditions are confirmed by studies conducted nationally and by States such as a 1960 survey conducted by the Division of Research, American Hospital Association, which concluded "that the current status of hospital library service is on the whole discouraging."

Information received from a questionnaire sent to State library agencies by the American Library Association in February 1966, indicates that of 50 replying, 30 States and territories have agencies with responsibility to provide library services to persons such as inmates, patients, the aged, and orphans in State-operated institutions. Thirty-seven State library agencies rate present levels of State institutional library service as "poor," six States as "fair," and one State as "good." Personnel and books are the greatest areas of need.

In the case of correctional institutions we have some specific facts. An indication of the present deficiency in services is provided by reports from 150 State-supported correctional institutions for persons 16 years of age and over. The total inmate population of the reporting institutions was 206,822 in fiscal year 1964. Only about 1 million books, the majority of them worn, obsolete, or poorly chosen, are available for this inmate population. By applying minimum measures for adequacy, this figure should be about 2.1 million volumes of currently useful, professionally selected material. In other words there is a gap of over a million volumes. At an average per volume cost to libraries of $7.65 this would require $7,650,000 to fill the gap for books alone in this one type of institution.

In terms of the demonstrated needs the amounts of fund money authorized are small. Under a Federal appropriation of $5 million as authorized for the first fiscal year, allotments to the States would range from approximately $43,000—Alaska and Nevada—to $300,000—New York—depending on size of population. These amounts would be matched after the first year on the basis of relative per capita income. With this incentive the State library agencies, which are already administering public library programs under title I, could undertake to develop these additional and greatly needed specialized State institutional library services which are also public in nature. The ultimate beneficiaries of these services would be the sick, the mentally disturbed, the delinquent, children in orphanages, and the aged.

TITLE IV, PART B—LIBRARY SERVICES TO THE PHYSICALLY HANDICAPPED

Under this section, the authorization for a period of 5 years is: $3 million for fiscal year 1967; $4 million, fiscal year 1968; $5 million, fiscal year 1969; $6 million, fiscal year 1970; and $7 million for fiscal year 1971. This part authorizes payments to the States for the purpose of improving library services to the physically handicapped, including the blind and visually handicapped. This is a modest amount for such a worthwhile program for the entire United States, but it would be a great help to the States. From the sums authorized, each State which submits a State plan for library service to the physically handicapped would be eligible to receive $25,000 and the remainder of such sums would be allotted to the States in the same proportion as the population of the State bears to the population of the United States. The Federal share for the first year would be 100 percent, but thereafter the States would match the Federal share as determined under section 104 of the bill.

One of the fine programs Congress has authorized is the national books-for-the-blind program. This service is provided by the Library of Congress through 32 cooperating regional libraries. The support of these libraries—with the exception of the books in Braille and talking books that are provided by the Library of Congress serving as one of the regional libraries—is the responsibility of the States. These regional centers are already overcrowded and understaffed.

Legislation has been introduced in both Houses of Congress to amend the Library of Congress national Books-for-the-Blind Act to extend the service the blind now have to those other individuals who, because of physical handicaps, cannot read or manipulate ordinary printed materials. The House bill, H.R. 13783, introduced by Mr. BURLESON, the distinguished chairman of the House Committee on Administration, has been reported favorably to this body by that committee.

It is an appalling fact that up to now practically no library service has been available to the 600,000 individuals whose eyesight is so poor that they cannot read newsprint, even with glasses, nor to the 4,700 persons who have lost both arms. In addition, there are 756,000 victims of multiple sclerosis, muscular dystrophy, cerebral palsy, Parkinson's disease, and other crippling ailments who are so disabled that handling and using books, magazines, and newspapers is impossible or extremely difficult. There are also 8,000 persons who have no fingers and 1,600 persons who are in iron lungs.

The States, no matter what heroic efforts they make, will find themselves hard pressed to service the books in Braille and talking books to the physically handicapped without additional funds. Currently, the States are spending a total of about $1,500,000 in providing library services to the blind and very little is being expended for library service to other physically handicapped residents of this country.

The money provided for in part B of title IV will give the States welcome impetus to step up or to provide for the first time specialized reading materials to the physically handicapped. It will make it possible for State library commissions to earmark certain sums for this segment of the population. Heretofore, these severely handicapped individuals have had to compete for library service with their fellow citizens who are fortunate enough to be able to read the conventionally printed material provided by their public libraries. Because of the cost of library service to the physically handicapped, these individuals' library needs have not been met adequately.

Most Members of this body are familiar with the success that the books-for-the-blind program has had in bringing hours of reading enjoyment and enlightenment to our blind residents, and I am confident that you will not deny other physically handicapped citizens the opportunity to share in the same program. The Select Subcommittee on Education received testimony from the Librarian of Congress, L. Quincy Mumford, and he assured the chairman and members of the committee that such a program as outlined in part B of title IV would do nothing to impair the fine, close relationship of the Library of Congress with those blind residents of our States who are currently eligible for library service, but rather should improve the service they are already receiving.

The investment of the sums called for in H.R. 14050 will help to bring the opportunity of reading to those of our citizens who are so physically impaired that they cannot now use conventional books, magazines, and newspapers. For many, it will open up new horizons and give them a chance to lead meaningful and even productive lives. For others, it will give them the small measure of hope they need to overcome any discouragements they may have because of their impairments. It will be concrete evidence that they are not forgotten citizens, but individuals who can share in a library service somewhat comparable to that which others now enjoy.

An increase in the Federal funds available under titles I and II will make it possible for the States to apply an amount closer to the Federal share as determined under the act to library development projects funded under State plans. Approximately 65 million people are currently being served by public libraries participating in State plan projects being carried out under the existing program. Projects for fiscal year 1966 under title I feature cooperative efforts among public libraries in order to make the most effective use of funds. Twenty-four States are working toward statewide systems of libraries and 32 State plans include projects to enlarge the areas served by libraries. Efforts to coordinate reference and information facilities and services are currently underway in 35 States. Title III will give focus to this improved development and encourage a wider range of cooperative projects.

In 1964, the Congress extended the program to include urban as well as rural areas. This action resulted in three major types of projects: First, improved services to disadvantaged neighborhoods; second, extension of high-quality services to suburban areas; and third, strengthening urban library collections to be used over larger regions of a State.

In fiscal years 1965 and 1966, New York State used LSCA funds to help seven local projects in six library systems improve their services to urban disadvantaged neighborhoods. These projects aid library users in New York, Brooklyn, Queens, Buffalo, and in Monroe and Nassau Counties. Specific activities include story hour and film programs for preschool children; the employment of special service librarians to act as liaison persons between neighborhood residents and strategically located branch libraries; pilot projects experimenting with new materials and services for disadvantaged individuals and groups; and, larger collections of basic public library materials. The primary goal of all these projects is "to promote the outreach of the public library to the disadvantaged."

Library extension projects based on urban public libraries, but reaching out to rural areas are included in the plans of Indiana, Michigan, New Jersey, Nebraska, and Pennsylvania. These projects typically designate certain city libraries as "district" or "regional" centers to provide better services over areas including one or more counties. These library centers conduct such activities as: centralized book ordering, cataloging, and classification; advisory services to participating libraries and inservice training programs for their personnel; rotating special subject collections; coordination of interlibrary loan requests; and loans of films, recordings, and other specialized material.

Regional or statewide resources are being supplemented by including large urban libraries in such States as Connecticut, Massachusetts, Michigan, and Rhode Island. The Providence Public Library receives a grant of $100,000 to discharge its responsibilities as the "principal public library" in the State. In Connecticut, the public libraries in Bridgeport, Hartford, New Haven, Stamford, and Waterbury cooperate to provide coordinated reference and research services to most residents of the State. Each participating library provides: telephone information by reference specialists; photoreproduction and microprint reading facilities; special files and indexes of State and local data; and the maintenance of special collections and services for research laboratories, business and industrial firms, Government agencies, and other community groups. The Boston Public Library receives a per capita grant for its services as the clearinghouse and "last recourse" library of the statewide interlibrary loan system. Tennessee makes special grants to each of its four metropolitan area library systems to serve as "technical information centers." These centers will provide specialized reference and interlibrary loan services to other public libraries in the State.

The other States have equally impressive and effective programs. Many have used title I funds for comprehensive statewide surveys of library development including recommendations for further improvement. Others have strengthened the services and resources of the State library administrative agencies, sponsored Governors' conferences for librarians and library board members, and established library cooperatives for the joint use by several libraries of educational motion pictures and other expensive library materials. Twenty-two States are compiling and publishing location lists of periodical and/or book holdings of the largest libraries in the State to facilitate referral and interlibrary loan services. Regional or statewide centralization of library technical processing to prepare books for use are parts of the Library Services and Construction Act program in 27 States. All the States plan projects that will reach all public library users regardless of age. In addition, special projects designed to reach children and young adults are now being carried out in 14 States and adult services programs are underway in 12 States.

A persistent problem facing States and localities in their efforts to improve library services has been the shortage of qualified and experienced personnel. In an attempt to remedy this shortage at the professional level, an estimated 350 graduate library school scholarships were offered in some 22 States under the rural Library Services Act. In fiscal year 1965 under the expanded program, 31 States planned to offer at least 90 graduate scholarships. These scholarship programs have been most effective in those States which have made specific provision for the systematic recruitment and selection of applicants. Illinois, Missouri, and Pennsylvania have used library recruiters for this purpose. California and South Carolina have approached the problem by established library cadet or trainee programs to develop well qualified and highly activated scholarship applicants. All recipients agree to serve in a public library eligible for participation in the Library Services and Construction Act program. Inservice training at both the professional and nonprofessional levels has also been undertaken in each State. The Ferris Institute program in Michigan is a unique 2-year terminal sequence for the training of library personnel at the technician level. The net result of these various efforts is difficult to measure statistically but there has unquestionably been a cumulative increase in library know-how and in the quality of library organization and service.

Eligible projects now under consideration in several States give some indication of desirable future trends. One of these is a greater and more substantive interstate cooperation. A locally based library cooperative system is now providing service under interstate compact authority and involves communities in Iowa and Illinois with headquarters located in Keokuk, Iowa. This system includes four Iowa counties and four Illinois counties. In addition to an establishment grant, Illinois is supplying a bookmobile and field consultant to the system. Iowa provides an administrator, a field consultant, and funds for general operating expenses. Libraries in Delaware are contracting for centralized technical services from a center in Maryland. The six New England States are planning to use interstate compact authority in order to establish a regional recruiting system operated by the Simmons College School of Library Science. The Library Research Center, Graduate School of Library Science, University of Illinois, is undertaking various studies having broad application to library development which are being financed by several Midwestern States on a coordinated basis.

The Congress and the Nation can take real pride in these fine library achievements. But there is much important work remaining to be done. The CONGRESSIONAL RECORD of January 18, 1966 contained tables showing a book gap in public libraries of 102 million volumes, a shortage of nearly 7,000 professional librarians, and a current backlog of 40.5 million square feet of additional building space. To meet these needs would require approximately $1 billion additional funds for books and other service costs and over $900 million additional for new construction or building expansion.

The causes of our lagging libraries are rooted in the revolutionary changes in our whole social structure. The rapidly increasing costs of library materials, the growth and mobility of our population, the rise in the production of books and other communication media, all meet at the door of the public library. These unprecedented demands have increased at an even greater pace than have the recent increases in financial support.

H.R. 14050, the Library Services and Construction Act amendments of 1966 will preserve and increase the forward motion of our public libraries. In addition, it will extend benefits to those who are prevented by physical disability or by their institutionalized status from the full utilization of public library services. For these high purposes I ask you to join me in voting for this bill.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. DANIELS. I am pleased to yield to the able chairman of the subcommittee.

Mr. PUCINSKI. Mr. Chairman, I should like to take this opportunity to congratulate and to commend the gentleman in the well, a former distinguished jurist, from New Jersey, who is a member of our subcommittee and who has done an exceedingly marvelous job in helping us in the committee.

We have tried to come before the House with a bill which reflects the needs of America and at the same time is responsive to the fiscal problems of our Nation. The gentleman in the well has been most helpful in arriving at this formula.

I would like to take this opportunity to congratulate him for his contribution.

Mr. DANIELS. I thank the chairman of the subcommittee for his fine remarks.

Mr. BYRNE of Pennsylvania. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BYRNE of Pennsylvania. Mr. Chairman, I rise in support of H.R. 14050. The productive use of public library books and services can help a reader to enlarge the horizons of his work-a-day world, to gain new perspectives on personal problems and commitments, to realize more fully his potential excellence, and to find new meaning in all of his experience.

Every current major social, educational, and economic development in this country today is tending to increase rapidly the Nation's need for better informed citizens and better libraries of all kinds. Many traditional jobs and skills are becoming obsolete at an increasing rate. The need for inservice training, job retraining, and the creation of new skills is more crucial today than ever before. Far-reaching revisions in educational methods and content at all levels are now placing new emphasis on individualized learning and independent study. The fast-moving pace of our civilization is producing a geometrically expanding body of knowledge at the same time that it creates a new urgency for rapid, accurate retrieval of recorded information. Good public libraries have a central role in helping both the individual and society as a whole adjust adequately to these and similar trends.

Books and other library materials make possible a continuity of human knowledge and experience which is essential if man is to progress, generation by generation, toward the dream of mastering his environment and understanding himself. A world of chaos would result if we were to cut off our civilization from the wisdom, principles, insights, and traditions upon which our life today is built. The world we live in is not merely new, it is undergoing transformations at a speed unprecedented in the history of man. To assure a meaningful survival in this new age, every individual must make an unqualified commitment to achieving greater understanding of himself, his neighbor, his work, and his world. This calls for a deep and abiding belief in the fact that when man learns, what he thinks, and what he contributes, has meaning not only for himself, but for his community of all mankind.

These conditions and the certainty of continued such trends in the future argue eloquently for the extension and expansion of the Library Services and Construction Act. Titles I and II of this excellent bill will assure the full continuance of this popular and highly successful program. Titles III and IV will provide the additional depth needed to meet today's challenges to libraries of all kinds. The interlibrary cooperation envisioned in title III will help yield the highest rate of return on dollars invested in all libraries at all levels of Government. The special State library services and the additional attention to needs of the physically handicapped contained in title IV will help correct a deplorable history of inattention and neglect in these important areas. Those who are handicapped or who are institutionalized for whatever reason have greater, not lesser, needs for good library services. Libraries for these people are not added luxuries. Books, information, and education are integral parts of the rehabilitational or correctional processes.

H.R. 14050, the Library Services and Construction Act Amendments of 1966, will create a wider, more valuable, parameter for library service. I give it my full support and I ask you to join me in its prompt enactment.

Mr. GURNEY. Mr. Chairman, I yield such time as he desires to the gentleman from Minnesota [Mr. QUIE].

Mr. QUIE. Mr. Chairman, I rise in support of H.R. 14050. I believe this is a good piece of legislation and one that will more fully expand the job that has been done so well by the library services act to date. I believe we will see in the future a great need for self-improvement by the reeducation of people, that is, people who presently need to increase their skills knowledge in employment as well as housewives and students trying to better themselves so that they may be able to secure good jobs and better jobs when they graduate from school. The demands for libraries are increasing at a tremendous rate. Here we have a program for self-betterment of people without all of the complicated efforts that we have to go through in many other pieces of legislation. No expenditures are necessary here to pay people to be educated. It makes it easily available to communities. We divide the money available here for services and for construction so that they can both be wisely used.

Mr. Chairman, I think this program is more effective than most any other in reaching larger numbers of people. It will also reach people who are not easily identified by economic class, age, or race, rather, are just in need of bettering themselves, of securing books and materials that are available in the libraries so that they can help themselves.

The extension to the physically handicapped, including the visually handicapped and the State library services and for the State institutions, I think is a further expansion needed because such type of material needs to be made available to these people. It will stimulate even further State efforts.

All in all, Mr. Chairman, I look at this legislation as an excellent piece of legislation. You can tell from these comments why it came out of our committee with bipartisan support. I want to indicate here that I support the bill the way it is, with the amount of money in it, and the extension of time to 5 years. My tendency in the past has been to support bills for a shorter extension of time which come out of our committee. The reason for that with regard to many of them is that they tend to be extremely controversial. The elementary and secondary education bill, I think, is one where it is important that we take a good, solid look at the bill often. In controversial bills, we should not leave periodic consideration only to the Committee on Appropriations. The same thing is true with the Economic Opportunity Act.

Mr. Chairman, this law has proven itself, and I think a 5-year extension is needed and will enable the States to plan into the future. I think this law is well drafted, because it provides for a State plan and provides for States to devise means whereby they can most fairly and effectively treat each community within the State. The communities can provide for their needs within the State plans. We have little controversy on this bill, and we should bear that in mind when we think of the controversial bills that come out of our committee with regard to State plans.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I will be glad to yield to the gentleman from Illinois.

Mr. PUCINSKI. I would like to commend the gentleman from Minnesota [Mr. QUIE] for giving this bill the bipartisan support that he indicated. Mr. QUIE is an invaluable member of the committee, and I am heartened to know that he approached this legislation in this manner, giving his support to the library services. I would like to thank him for that.

Mr. QUIE. I thank the gentleman from Illinois.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York.

Mr. GOODELL. Mr. Chairman, I want to commend the gentleman from Minnesota for the fine work which he has put into this legislation and to agree with the gentleman in his statement as to the importance of this program, and how important it has been that it be handled in a bipartisan and constructive manner.

Mr. Chairman, I am in favor of this legislation.

Also, Mr. Chairman, I would like for the gentleman to express his agreement—and I know that he does agree—to the effect that this is an ideal bill in terms of the coordination of State and local functions with the Federal Government insofar as implementation of the act is concerned.

Mr. QUIE. It surely is true, and this is easily discernible when one reads the hearings and sees the extent of State participation or local participation in this program, where matching is beyond that which is required. Any time you have this evidence of acceptance and enthusiastic acceptance on the State and local levels, one knows that the Federal Government has indeed devised a program in a form which is acceptable to all.

Mr. Chairman, I further believe that we should provide all programs of assistance in this manner in order that we can have this kind of extension and support of the program.

Mr. GOODELL. Mr. Chairman, will the gentleman yield further?

Mr. QUIE. I yield further to the gentleman from Minnesota.

Mr. GOODELL. Mr. Chairman, I would agree with the gentleman from New York, and if we could use this program as an example on which to pattern other programs which might work equally well, if we gave more emphasis to the State and local levels rather than the Federal. I thank the gentleman for yielding.

Mr. QUIE. I thank the gentleman from New York.

Mr. PUCINSKI. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. ANNUNZIO].

Mr. ANNUNZIO. Mr. Chairman, the following is by John Gardner, "Excellence: Can We Be Equal and Excellent Too?" Harper, 1961:

> The demand for high-talent manpower is firmly rooted in the level of technological complexity which characterizes modern life, and in the complexity of modern social organization. A society such as ours requires large numbers of individuals with depth of judgment, perspective and a broad comprehension of the problems facing our world. The importance of education in modern society is not limited to the higher orders of talent. A complex society is dependent every hour of every day upon the capacity of its people to read and write, to make complex judgments and to act in the light of fairly extensive information. When there is not this kind of base on which to build, modern social and economic developments are simply impossible. And if that base were to disappear suddenly in any complex society, the whole intricate mechanism would grind to a halt.

The American public library, as a unique educational institution, is both a product and a preserver of our democratic heritage. A good library offers free access to the tools for intelligent decisionmaking. Without such libraries, we cannot hope to achieve the social, educational, and economic goals of the individual and of society.

Children use the public library to stretch their imaginations and to build good reading habits which will benefit them all their lives. Students can pursue independent study on subjects of their own choice and at a pace they set for themselves. Housewives and mothers can get the practical information they need as consumers to guide the development of a happy healthy family. Businessmen can rely on a good library as an unbiased source of up-to-date and reliable factual information. Those who have retired can continue to make their personal lives rich and productive through the pleasures of reading. Those adults who have just learned to read and write can find materials of interest at a suitable level of reading difficulty. All these and others look toward good free public library services to meet their many needs.

More and more, education is being widely recognized as a lifelong process which cannot stop with a certificate or a degree. This fact has dramatized the importance of having good public library service readily available to every citizen.

Our national investment in good public library service is a direct and highly productive contribution to the intellectual, social, and economic life of our Nation. Today's library is no longer merely a quiet haven for an occasional scholar nor is its use limited to study and research. It is also a busy supermarket of ideas, a reservoir of practical information, and a source of continuing cultural and social enlightenment.

It is probably true that we, as individuals, could eat and live and continue to exist even without public libraries, just as we could also do without schools, or newspapers, or automobiles. Life, however, is much more than basic subsistence. Life, to be worth having, requires the continual growth and development of the inner man as well as of the physical man. In the life of this inner man, the public library plays as important a part as do, say, public schools. It is the contribution made by these and related institutions which make the difference between communities—and civilized communities.

The whole man is a creature of many moods and interests, some of them trivial, some practical, some cultural, all of them capable of development. The good library serves these interests through its rich array of materials, assembled and organized by professional librarians qualified to provide guidance in their use. The great majority of people will find that the quickest and most complete approach to the best of recorded human knowledge is through the doors of the public library.

The public library which meets the needs of its users can accurately be described as "the university of the people." Many users can attest to the value of the library as an agency for continuing education. They have learned that libraries can provide a range of books, magazines, newspapers, films, recordings, and other materials which far exceeds the resources of any individual to acquire.

Libraries have recognized the fact that their facilities are becoming of ever-increasing importance. Using funds under the Library Services and Construction Act, many have extended their hours of service so that more people may use them more conveniently. Film programs, concerts of recorded music, and lectures on significant topics of current interest are planned to appeal to a wide variety of people. Libraries acquire materials which will enrich and further develop those subjects on which individuals are undertaking formal education. Groups and organizations which sponsor educational, civic, and cultural activities find an indispensable ally in the collections and services of public libraries.

The outstanding success of the rural Library Services Act of 1956 and of the expanded Library Services and Construction Act of 1964 have helped the American public library reach its full potential. We must not permit this rate of growth to falter or to halt. H.R. 14050, the Library Services and Construction Act Amendments of 1966, has my full and unqualified support. I urge its prompt adoption.

The CHAIRMAN. The gentleman from Illinois [Mr. ANNUNZIO] has consumed 6 minutes.

The Chair recognizes the gentleman from Florida [Mr. GURNEY].

Mr. GURNEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama [Mr. GLENN ANDREWS].

Mr. GLENN ANDREWS. Mr. Chairman, I want to take this time to identify myself with a thorough approval of this bill, H.R. 14050, and particularly the two sections which are in addition to the previous library bills that have been so popular.

So far as the subject matter of the amount of money that is being spent, I want to explain to my colleagues how I have arrived at an approval of this amount of money. This involves the very complex and confusing area of priorities where a good and proper perspective on Government spending requires a considerable knowledge of the needs in order to put into effect the different kinds of legislation that come before the Congress of the United States. Here we have a piece of legislation that to some might appear to be in an area without a very positive and a substantial need.

While I contemplated this problem of the assigning of priorities in the spending of money, and in these difficult times I think all of us should observe careful restraint. I noticed in a Washington paper a complaint by the Secretary of Defense that 50 schools in Washington had no libraries. I was astonished at this.

On checking further into the situation, I learned that this is a condition that exists all over America in thousands and thousands of communities. It occurred to me then that it was in fact an economy to build a library in a community where several schools had no libraries. To learn that thousands of schools had no libraries established in my mind a very positive and serious need. Gathering together these storehouses of knowledge that are so important for the education of our people to take the place of the school libraries then becomes a money saving measure, not an unwarranted expense. I look forward to the day when our war-torn economy will permit attention to school libraries.

I remember very well when I was in prep school one of my old mentors saying again and again in his advice to us:

> Malnutrition of the reading faculty is a serious thing.

I am glad to identify myself with a bill that will overcome to some extent this malnutrition in a very economical and excellent method by establishing, first, a storehouse of learning in the middle of communities where the various schools around them have not yet been able to afford libraries.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. GLENN ANDREWS. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I would like to take this opportunity to congratulate the gentleman in the well, the gentleman from Alabama [Mr. Glenn Andrews] for the great cooperation we have received in the subcommittee in the handling of this bill. Not only did he personally help us with his wisdom and counsel, but also he brought us one of the finest witnesses we had before our committee, Mrs. Beamguard, the State librarian from Alabama.

I welcome his bipartisan support on this important measure and the effort to bring to the people of this country a better library system. I thank him for his support.

Mr. GLENN ANDREWS. I, in turn, thank the chairman for his cooperation.

Mr. PUCINSKI. Mr. Chairman, I yield to the gentleman from Maryland [Mr. Sickles].

Mr. SICKLES. Mr. Chairman, I support H.R. 14050.

The Library Services and Construction Act which we are considering today is an excellent example of responsible Federal participation with the States and local communities in a program to improve the quality of American life.

From the humble beginnings of the Rural Library Services Act in 1956, when $2 million was appropriated for rural library services, this program has grown in public acceptance and in scope to the program we have before us today.

I think perhaps this bill enjoys the distinction of having no opponents—a unique situation for major legislation. No witnesses appeared against the proposal during the public hearings and, as far as I have been able to learn, no group opposes the bill today. Certainly the citizens of Maryland have been enthusiastic in their support. This happy state of affairs is due in large part to the thousands of citizens who serve on State and community library boards throughout this Nation, and to the professional librarians whom they employ. The staff of the American Library Association here in Washington deserves special commendation for the hard work, wise counsel, and professional skill with which they have assisted members of Congress in their deliberations on this bill.

I would be remiss not to publicly thank Dr. James Sensenbaugh, Maryland's State Superintendent of Public Instruction, Miss Nettie B. Taylor, director of the library extension division in the Maryland State Education Department, and Dr. Edwin Castagna of the Enoch Pratt Free Library in Baltimore for their special attention and advice on this bill.

Of particular interest to many of my constituents is the provision of special library services to the handicapped which is a new feature in the library services program. It is heartwarming to contemplate the pleasure this program will bring to thousands who unfortunately have the time but not the physical ability to enjoy the library services presently available. Special commendation is justly due to Mr. Fogarty, of Rhode Island, who originally introduced this proposal and to Mr. Pucinski who so ably chaired the subcommittee which perfected the legislation.

In a letter to James Madison in 1821, Thomas Jefferson wrote:

> Books constitute capital. A library book lasts as long as a house, for a hundred years. It is not, then, an article of mere consumption but fairly of capital, and often in the case of professional men, setting out in life, it is their only capital.

Thus today we are increasing the capital of millions of Americans by bringing to them greater opportunity, regardless of their station in life, to acquire the knowledge, inspiration, and pleasure that can come only from books.

Mr. GURNEY. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio [Mr. Ayres] may revise and extend his remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. AYRES. Mr. Chairman, as ranking Republican on the Education and Labor Committee I am very pleased to support this extension and expansion of the Library Services Act. I think we owe our commendation to the members of the Select Subcommittee on Education who worked on the bill, and I wish to commend the Members on our side—Dave Martin, Glenn Andrews, Edward J. Gurney, and Alphonso Bell—for their work on it.

I note that the bill adds two new titles to the act that are of particular importance, although they authorize very modest appropriations. Title IV extends services to persons in State institutions and to the handicapped, and these are valuable additions in promoting truly comprehensive library coverage. Title III is aimed at furthering interlibrary cooperation on a local, State, interstate, or regional basis. The importance of this should not be overlooked.

A library system is an increasingly complex and absolutely essential instrument of progress in every field of learning. Our technological revolution has brought a fantastic explosion of research, information, and new knowledge in the past few decades which is expanding in volume day by day. In very large measure, the effective use of this new knowledge—which relates as much to the social sciences as to the physical sciences—depends upon our ability to collect it, store it, and retrieve it quickly at the point of need. This is the key task of the modern library, and it can only be accomplished through a network of library facilities.

Information storage and retrieval may well become one of our basic industries within this decade—as it certainly is a fundamental requirement of progress right now. In this library bill we are taking a small but potentially very significant step toward tooling up our library system to meet these new demands. It may well be the most significant part of the bill, and I think it will merit our increased attention in the future.

This is a very worthwhile piece of legislation, and I am pleased that we can act upon it without controversy concerning its merits.

Mr. GURNEY. Mr. Chairman, I yield to the gentleman from Florida as much time as he might consume.

Mr. CRAMER. Mr. Chairman, I thank my distinguished colleague. I support the basic concepts of the legislation before us.

SAFETY CONFERENCE

Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida? The Chair hears none, and it is so ordered.

There was no objection.

Mr. CRAMER. Mr. Chairman, a few minutes ago I read on the ticker a matter that I think is of interest to this body, certainly of interest to this Member. I read that the Director of the Office of Emergency Planning, our distinguished former Governor of the State of Florida, the Honorable Farris Bryant, was asked to hold a conference today in Washington and on Capitol Hill relating to safety in Washington, our distinguished former Governor being the Director of the Office of Emergency Planning. I do not know the relationship between the two. I do not suppose the suggestion is his office should in the future administer the safety program. However, be that as it may, I was very interested in the list of those with whom he was supposed to confer on orders of the President. Well, they have invited some Democratic Governors and some Republican Governors, which is fine, and, of course, our distinguished former Governor having been a Governor, it makes it logical for him to meet with his former Governor friends and discuss this matter, I suppose.

However, when it comes to the Congress of the United States, who is the distinguished former Governor, now Director of the OEP, asked to consult with?

I admit that in Florida our distinguished former Governor got used to making statements about how Florida should be a one-party State, how we do not really need two parties in the State of Florida. He has publicly so stated many times. But I would like to remind our distinguished former Governor that he presently is in Washington where there is in existence a two-party system and where committees and the Congress operate on the basis of recognizing that it usually takes both parties in concert to write successful and good programs.

Interestingly enough, the safety program in the Public Works Committee has been under consideration for some time on a bipartisan basis, with full cooperation. We expect to write a good safety program. The majority and the minority are working together as a team.

What has been the proposal as to the persons with whom our distinguished former Governor is supposed to meet? Well, in the other body the distinguished chairman of the Commerce Committee, Senator MAGNUSON, which is fine.

But I wonder what is wrong with Senator COTTON, who is the ranking minority member of the Senate committee? I also see Senator JENNINGS RANDOLPH, my good friend from West Virginia, chairman of the Committee on Public Works of the other body. But I wonder what is wrong with that great statesman from the State of Kentucky, Senator COOPER, who is ranking minority member? Then we get to the House side and see our distinguished colleague, HARLEY STAGGERS from West Virginia, chairman of the Interstate and Foreign Commerce Committee, is invited. But I wonder what is wrong with BILL SPRINGER, ranking minority member, who has evinced just as much interest in this legislation relating to this problem as any other Member of this body? Then we get to another Member of the House, my good friend GEORGE FALLON, chairman of the Public Works Committee, who is obviously interested in highway safety and who sponsored the safety bill. But I wonder why the representation of the minority on this committee is omitted. I am the ranking minority member.

I would hope in approaching this critical national problem, which we all recognize as such, that the distinguished former Governor of the State of Florida, as well as the President of the United States, will acknowledge that if a good program is to be drawn up and to be successful—and I think we are all hopeful of drawing up a good program and as far as highway safety, costing some $700 million over a 5-year period I can speak for this—that this is of sufficient significance to include Republicans as well as Democrats.

It is unfortunate that partisan politics on the congressional level is being practiced by eliminating minority committee members particularly relating to a program of such national importance as automobile and highway safety. I would hope that the President and Director Bryant will reconsider this ill-advised partisan approach and let us—Republicans as well as Democrats—"reason together."

Mr. PUCINSKI. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. HALEY].

Mr. HALEY. Mr. Chairman, of course, my colleague is disturbed about not consulting with the Governors, and so forth, by our former Governor. In the first place, we do not have, fortunately, any former Republican Governors from Florida. I think our former Governor knows where to go to get the job done.

Mr. PUCINSKI. Mr. Chairman, I ask unanimous consent that the gentleman from California [Mr. Hawkins] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HAWKINS. Mr. Chairman, the American public library is a basic educational resource. Education in this rapidly changing world must be a lifelong process. It is essential, therefore, that good library service be readily available to every citizen.

As a step toward helping to provide this necessary public library service, for the Nation, Congress passed in 1956 the Library Services Act—Public Law 597, 84th Congress, 2d session—authorizing a maximum of $7,500,000 a year for 5 years to assist the States and territories in extending and developing public library services to areas of less than 10,000 population. In 1960, Congress extended the act—Public Law 86–679—for an additional 5 years.

The rural program had real success in extending and improving our public libraries. Of special significance is the fact that State appropriations for rural public library services increased 113 percent and funds from local government for the same purpose rose 92 percent between 1956 and 1964.

Approximately 40 million rural residents had access to new or improved public library services made available to them under the act. All 50 States, plus American Samoa, Guam, Puerto Rico, and the Virgin Islands developed plans and contributed matching funds. More than 370 bookmobiles were placed in operation under this program and over 12 million books and other information materials were purchased for use by rural readers.

In 1964, the Congress enlarged the program to include urban as well as rural areas which had no public library or which had inadequate services. A new title was added to provide assistance in the construction of public libraries in areas lacking such facilities.

Achievements under the expanded act have been more impressive. More than 65 million people currently have new or improved public library service available to them. More than 430 public library construction projects will provide expanded facilities serving more than 25 million people. Since December 1963, 11.8 million books and related materials have been made available to readers. In response to the Federal "seed" money, matching funds from State and local sources for public library services increased 187 percent over 1956. Population without any local public library service dropped from 25 million in 1956 to 10 million in 1966.

Despite these gains, public libraries are still lagging behind the unprecedented demands being placed upon them. The rapidly increasing costs of library materials, the explosion of knowledge and communication and the population growth are creating greater needs than can be satisfied with current support. Past increases in local and State support in recent years are still insufficent. Projections of current data disclose that 10 years from now, the financial gap between public library service needs and income will be even greater than at present unless prompt and effective action is taken now.

Such action is provided for in H.R. 14050, the Library Services and Construction Act Amendments of 1966. The continuation of the present program at more realistic levels of funding is absolutely necessary to the future development of our public libraries. The two new titles will broaden the base of the legislation in order to build better libraries for all our citizens.

I am particularly enthusiastic about title III which will encourage greater and more productive interlibrary cooperation. Our libraries have been neglected to the point that most of them have been unable to respond to the needs of their primary clientele. Now they are beginning to improve. The time is ripe for this modest Federal encouragement for all libraries to cooperate in meeting the needs of all users everywhere. State plans for interlibrary cooperation will require a careful evaluation of existing library resources and will encourage a joint solution to problems of giving good library service. This cooperative approach will assure the most efficient use of all funds, whether from State, local, or Federal sources.

Title IV is also of great interest to me. The relatively small Federal amounts involved here, $5 million for part A and $3 million for part B for the first fiscal year, will prove to be a wise and profitable investment in better libraries for those who are institutionalized or handicapped. I note with approval that the library services for the physically handicapped provided for in part B has been carefully designed to complement the excellent materials developed for such persons by the Library of Congress. These two programs, taken together, combine to make possible the full range of public library services to the physically handicapped. I am fully satisfied that there is no duplication or overlapping in these programs and that both are needed to do the job.

Of interest and significance are the achievements of the State of California in the 10 years since the passage of the Library Services Act. These accomplishments are delineated in the testimony of Mrs. Carma Leigh, State librarian of California, before the Senate Committee on Labor and Public Welfare on May 20, 1966, which I insert following my remarks.

Despite our State's record of accomplishments there is still a deplorable list of deficiencies to be rectified. Of our 178 libraries, 86 lack a sufficient number of volumes to meet national standards. We need 5.5 million additional books to properly serve our people. This represents a dollar gap of $44 million to purchase and process these volumes for library use. To meet the $4.47 per capita standard for operations expenditures in areas with populations of 50,000 and above, 145 of our library systems need additional revenue.

I ask you to join me in passing H.R. 14050, the Library Services and Construction Act of 1966.

STATEMENT OF MRS. CARMA LEIGH, STATE LIBRARIAN OF CALIFORNIA, ON S. 3076 AND RELATED BILLS, BEFORE THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE, MAY 20, 1966

My name is Carma Leigh. I have been State Librarian of California since 1951, and, as head of the California State Library, I am responsible for the administration of the Library Services and Construction Act in California. I am supporting S. 3076 to amend and extend the present Act which expires June 30, 1966. I have worked for and with this Act and its predecessor, the Library Services Act, both during the ten years preceding it original passage in 1956, and throughout the ten years since this legislation has been in effect.

Its achievements have been significant in every State, and dramatic in total impact on library improvements throughout the country, wherever its limited funds could be made to reach. New library systems have been created, a considerable number of new public library buildings have been and are being constructed, and States and localities have increased their own support of library service. Much has been accomplished, but time does not permit an adequate description.

For the record, I should like to ask that these examples of some of the achievements be made a part of the hearings. This information is taken from replies to a questionnaire sent to the State Library Extension Agencies by the American Library Association in February 1966.

During the first eight years, the Act's benefits were restricted by law to rural areas, where its results were outstanding—a fact recognized by Congress when it extended, amended, and made the legislation the Library Services and Construction Act in 1964. This action made its benefits, to the extent funds would allow, available to *all* the people of the States, rural, urban, and metropolitan, and provided for the construction of library buildings. The new Act made it possible and practicable to have limited interlibrary cooperation at the working level *between* rural, urban, and metropolitan areas. This opened to clear view a veritable "Pandora's box" of unfilled, unmet library needs, at the same time providing the means of meeting those needs on a scale more nearly equal to the rise in our educational level, population growth, the so-called information explosion, and the growth in the use of rapid communication over wide areas. We stand now on the threshold of being able to develop library service in practicable, effective, diversified ways that can in time and with rising financial support reach our total population. The 1964 expansion came fortunately at a time when we could use some of the increased resources in the war on poverty.

California has long been regarded as one of the so-called "better" library States, from a comparative point of view. Yet, the report of a 1965 Statewide survey of California public libraries, itself financed by LSCA funds, revealed, both in voluminous data collected and from generalization from that data, that, in California:

"... distinct shortcomings show up in all measures of modern library resources. Several sections of the State—sizable pockets within the two large metropolitan areas, whole counties within the Central Valley, vast stretches in the mountain and desert areas—participate in these weaknesses ... One-half of California adults lack access to the range of popular and informative contemporary literature they want to consult regularly, and three-quarters lack access to the more special subject and journal resources which they need from time to time.

"Sixty percent of California children are short-changed, being without adequate reading materials and/or skilled children's librarians."

What is true in California is, I am sure, true also in other parts of the country.

At this point, I would like to sketch quickly some highlights of what we have done with LSCA help, and then to outline, also briefly, what needs yet to be done in California in the years immediately ahead in order to build upon the foundation laid by the partnership of local, State, and Federal responsibility and support for the library function.

1. We have established a pilot cooperative library system comprising separate city, county, and district libraries in six counties. This has served as a working demonstration, now permanent, of what can be done with continuing State financial assistance to local library systems.

2. We have established the San Joaquin Valley Information Service, as a demonstration of rapid, "in depth", information, reference, and research service to all the people of four large Central Valley counties, involving all ten public libraries in these counties.

3. An intensive study is now under way of computer and mechanization applications to State Library operations and services, not only to the State government, but to other libraries in California as well.

4. We have established one new countywide library service, in Mendocino County, and now only five of California's 58 counties are without any such service.

5. A central processing center has been established at the State Library for purchasing (not selecting—that is done by the local libraries themselves), ordering, receiving, classifying, cataloging, and processing ready to go onto local library shelves, the books of 22 small- and medium-sized local libraries scattered from the Oregon border nearly to Mexico. As local cooperative library systems are formed, the libraries that join such systems leave our processing service and go into their own system processing services.

6. LSCA funds have made possible the extension of stronger central valley city-county library service, that of the Stockton-San Joaquin County Public Library, into the smaller, less populous and less wealthy mountain counties of Amador, Calaveras, and Tuolumne.

7. This year we have initiated the Monterey Bay Area Information Service to lay the basis for a permanent, strong, cooperative library system around Monterey Bay.

8. We have, with LSCA funds, initiated the San Mateo County Library Service to Young Adults, which includes special services to reach young adults who are so frequently lost to reading between childhood and adulthood.

9. Using LSCA funds, we have initiated three new programs in areas of very acute need, two in Los Angeles, and one in Oakland.

A. In Los Angeles, a new service already nearly overwhelmed by the response to it, is *library service to shut-ins*. The Los Angeles Public Library now has this program "off the ground" and because they are not able with the resources now available to serve all of the people who request this service, they must confine it to the central city. A variety of people are asking for this service, but the greatest number are older people, many of them having been heavy users of the library before they became physically unable to come to the library. The library staff for this project go to the home or room with books, and while there they receive requests and ascertain the individual's interests. The shut-ins may also telephone the library and put in their requests. There is one boy with a defective heart and no one to get books for him, who is receiving service. This project is teaching us how to develop new, practical, and effective techniques for providing shut-in service to people, in this case in a city of 3,000,000 people in which large numbers live alone, confined to home or rooms. While there is another federally and State supported library service for actually blind people, there are innumerable people whose eyesight is such that they can read and use only very large print books. We are now beginning to serve these people, and this brief experience has already shown the need for greater expansion of support for library service to the physically and visually handicapped, both those who live at home or alone and those in institutions. Title IV of the bill would make it possible to expand these needed services.

B. The second, and larger, LSCA program now well under way in Los Angeles is the establishment of library service planned and administered so as to be of the greatest usefulness to culturally disadvantaged and economically deprived residents of all ages throughout the city, but with special emphasis on low-income areas. The Los Angeles Public Library staff, aided by LSCA funds, is opening up the vast world of reading and the opportunities it can bring to thousands of former non-reading, non-library-using people, and we expect to learn a great deal from their experience, for libraries everywhere to use in reaching people to whom reading and book use is unfamiliar in their daily experiences.

C. In Oakland, the impact of the LSCA program of service to the Spanish-speaking population of the city is just beginning to be felt. Books, films, and records are being selected for the use of Spanish-speaking people; discussion groups are being considered, a building remodelled, and a staff selected. The staff has the benefit of help from a Spanish-speaking consultant as well as other Spanish-speaking staff members.

10. Much could be said of the library buildings made possible by the Construction Title of LSCA, but there is not time enough for this. In California in the first year, eight buildings were funded with matching money, and in the current year, twelve more have been aided with construction grants, with pending applications for the last deadline numbering several more. Because of its phenomenal population growth, California is behind in constructing public library buildings; even most of those constructed in recent years have not been large enough for space to "last" more than two to five years although they were planned to be adequate for twenty years. We are emphasizing buildings large enough to be good for more years into the future, as almost every community is exceeding all population

growth projections. Approximately 80 existing public library buildings continue to need replacement, and many more must be built to serve our fast-growing population.

Our needs for the future are almost overwhelming in their variety and scope. California's population is now approximately 19,000,000; by 1975 it is projected to be 25,000,000; and by 1985, 31,500,000. California spent on its public library system in fiscal 1965 from local and State funds over $56¼ million; 1965 Federal funds provided in the same year a little over $4½ million; the report of the 1965 Statewide study I referred to earlier estimates that $90 million annually is needed right now for *1965–66* needs, and that $110 to $115 million annually will be needed by 1970–71.

California has approximately 10 percent of the school-age population of the nation; Title III funds in S. 3076 would enable us to begin programs of equitably-supported interlibrary cooperation between *types* of libraries—public, school, college and university. We are planning to develop centers in a few metropolitan and other areas, very probably in low-income areas, where the total library needs of young people can be met by the responsible library agencies working together. Students often become drop-outs in such areas because they have no place to study. Our plan is to staff these centers both with teachers and with librarians. The students need the quiet for study, the teachers to assist them with their study, and the librarians to assist them with their reading selections. These centers would be neither public libraries nor school libraries, but would have in them that part of each that is needed by the student, especially the potential drop-outs.

We are also planning in other areas to develop some demonstration library centers in community college areas, endeavoring to coordinate public, college, and special library resources and facilities for the service of all who need them.

We hope to develop another program to reach Spanish-speaking populations, in another area, utilizing the resources of all types of libraries in the area. For this, there must be special funding to bring about adequate compensation for the institutions involved to add to and to extend their services on a coordinated basis beyond their own "clientele" to whom they are primarily responsible.

Under Title IV, Part A, *State Institutional Library Services*, we would work with the Hospitals and Institutions Roundtable of the California Library Association, and the numerous State institutions that would be involved, to coordinate and improve library service to those people who are inmates and patients in such institutions. Consultant service to State hospital and institution libraries is badly needed and would for the first time be provided; library service in these places needs to be integrated into the total structure of Statewide library service toward which we are working in California. "Bibliotherapy", to the extent it has been possible to provide it, has proved beyond any doubt that it is an effective and important therapy when intelligently and adequately provided, but we have not even touched the fringes of possibilities in this field. This is another crying need for Title IV, Part A.

Part B of Title IV, *Library Services to the Physically Handicapped*, provides for a need that is not being met. California State Library includes in its organizational structure a regional library for the blind of California and Nevada which has provided deeply appreciated talking book and embossed-type book service, first only as a State service beginning in 1904 and greatly assisted since 1931 by the Federal government through the Library of Congress. We need to extend this kind of service, through existing and additional reading materials, to other physically handicapped persons of whom there are estimated to be 1,600,000 in addition to the 400,000 blind, a large proportion of whom are in California, as the nation's most populous State.

It is only simple justice to extend the benefits of reading to the special needs of the victims of cerebral palsy, multiple sclerosis, muscular dystrophy, Parkinson's disease, and other crippling ailments. To provide special service to those who cannot utilize ordinary books, magazines and newspapers would not cause our service to the blind to suffer; on the contrary, a broader range of reading materials would be available for all the handicapped. This legislation has helped public library development not only in California, but in every State in the country as their reports and statements show so vividly.

In closing, I should like to express my gratitude to the Congress for what you have enabled us to do in deepening and extending the benefits of reading as the basis of nearly all activities of modern life, through the Library Services and Library Services and Construction Acts. I should like to reiterate also my belief that you have opened the way for these benefits to play indispensable parts in the lives of our total population. We cannot reach this goal immediately, but for the first time it is possible for us to see the multiple ways and take the actual steps toward making this a reality.

I hope you will approve S. 3076 with the authorizations called for in each of the titles for the five-year period ahead, so that we can continue to move ahead even more rapidly and effectively than we have in the past ten years, to meet ever-increasing needs. I wish to thank you, too, for allowing me the privilege of testifying before you.

Mr. PUCINSKI. Mr. Chairman, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mrs. MINK. Mr. Chairman, we are all aware of the extent of information proliferation in the middle of the 20th century. It seems that this is a trend which will be continued, if not accelerated, in the future because of the demands of an increasingly well-educated citizenry. This body can take great pride in its support of all the varied education programs for which it has been responsible. We have given great thought in the House Committee on Education and Labor to the many special and varied education bills.

Today our attention is focused on a public facility which anyone in any community throughout this Nation can use fully and freely regardless of his age, his race, his educational background, or his job or lack of one. It is the public library—an institution open to all, and privileged to serve the diverse needs of all our people.

Federal participation in public library service over the last 10 years has been a tremendous boost to the development of more local support. Local support for libraries has increased 150 percent from 1956 to 1966, from $166 million to about $415 million. Just as importantly we have also become aware of the great need for more adequate library service for all citizens.

A national inventory of library needs was done last year by the U.S. Office of Education in cooperation with the American Library Association which showed that our public libraries are still not adequate to do the job. In 1964 the gap in the number of volumes needed by public libraries in the United States to meet minimum standards was over 100 million books. The cost of these books is over $472 million. Keep in mind that this is only backlog, and does not include current needs. An additional $439 million was needed in 1964 for current service operations. I will not elaborate on all the needs of our public library system which include a shortage of about 6,500 professionally trained librarians, and a need for about 40 million square feet more floor area costing about $940 million.

Great progress has been made in library service in Hawaii because of the Library Services and Construction Act.

In 1965, more residents obtained more frequent library services; more residents gained access to more books and services, locally and from the State library; and further steps were taken to achieve nationally recommended standards for public library service.

In 1965, $170,571 in Federal funds for Hawaii speeded up the firm establishment of the new State library office and aided the operation of the statewide library system. An additional $200,696 went into construction and expansion of library facilities in my State.

Since Hawaii became the 50th State in 1959, many of its State agencies have been reorganized. Just this spring a State library was established in the reorganization of the Hawaii Department of Education. For the first time there will be a solid base for the development of statewide library service.

The Library of Hawaii in Honolulu has become the core of the new Hawaii State Library. The public libraries in Hawaii are all part of a statewide system. The four county libraries in the State are part of the Hawaii State Library: Hawaii, serving the island of Hawaii; Honolulu, serving the island of Oahu; Kauai serving the islands of Kauai and Niihau; and Maui serving the islands of Maui, Molokai, and Lanai.

Existing services are being maintained through central and branch libraries, and bookmobiles. Improvements in service are being made under the LSCA by purchasing additional books to expand collections at the local level. In 1965, approximately 20,000 volumes both for children and adults were bought for collections throughout the State. The greatest number of these books were added to the central library in Honolulu which is now the Hawaii State Library.

During 1965 residents in rural areas began to receive more frequent service with the addition of two bookmobiles—one on the island of Hawaii and the other on the island of Maui. In each rural branch additional books were added to collections providing a wider scope to the already existing branches.

A centralized processing center for books and recordings is operated for the Library of Hawaii, Hawaii County, Kauai

County, and Maui County libraries. This center enables local library staff to give better service by devoting more time and attention to helping library users.

In 1965 the office of the State librarian was able to begin a program of total reorganization of the public library system within the State and to permit closer coordination of the office with the staff and with the library advisory commissioners on each of the islands. Federal funds were used for upgrading and increasing the frequency of staff meetings and meetings of the library advisory commissions. Equipment was added to the office of the State librarian so that the office might better fulfill its obligations. Funds were also used to increase travel of the State librarian to mainland conferences so that Hawaii may also benefit from contact with the latest developments in the library profession.

On March 25 this year, Hawaii's first Governor's Conference on Libraries was held in Honolulu to focus on the importance of library development in the newest State. Mrs. May Chun, president of the Hawaii Library Association, presided at the plenary session, which was opened by the Honorable John A. Burns, Governor of Hawaii. Important professional librarians from all over the United States attended the conference: John G. Lorenz, Deputy Librarian of Congress; Robert Vosper, president of the American Library Association; Charles F. Gosnell, director of libraries at New York University; Burton W. Adkinson, head of the Office of Science Information at the National Science Foundation; as well as the Hawaii State librarian, James Hunt, and Edwin Honda, chairman of the Hawaii State Board of Education.

Under Hawaii's approved State plan for construction under the provisions of the Library Services and Construction Act, there were five projects in 1965. This means five new buildings for the Manoa Branch Library, Waianae Branch Library, Kukui-Kauluwela Branch Library, Aiea Branch Library, and Kahuku Branch Library.

Trying to develop and expand State services in Hawaii, whether for public libraries, public schools or any of the many government services, has special problems. No other State faces the problem of having its population separated by water. Seven principal islands which are populated have to be relatively self-sufficient.

Air travel has certainly helped bring the people of the Hawaiian Islands together, but the basic physical restrictions remain. It is harder to share equipment, bookmobiles, books, and personnel in the counties of Hawaii, than in counties in any other State. It is also more expensive to provide adequate library service. But libraries are needed and enjoyed in Hawaii as much as they are anywhere on the mainland by children beginning to read, teenagers doing their first research project, by businessmen, by housewives, and by all those whose horizons have been broadened by contact with books.

Despite our State's record of accomplishments there is still a deplorable list of deficiencies to be rectified. Of our four libraries, three lack a sufficient number of volumes to meet national standards. We need 433,335 additional books to properly serve our people. This represents a dollar gap of $3,466,680 to purchase and process these volumes for library use. To meet the $4.47 per capita standard for operation expenditures in areas with populations of 50,000 and above, 3 of the 4 library systems need additional revenue.

I am certain that what has happened in Hawaii has occurred in equal or greater measure in other States. This expanded program for the development of library services under the Pucinski bill has given ample proof over the last 10 years of its achievements and worthiness. Hawaii looks forward to a continued partnership with the Federal Government under the new act to further the ideal of free public library service to all people of this Nation.

Let us help to continue to make our libraries a free marketplace of ideas. I therefore urge your full support for H.R. 14050, the Library Services and Construction Act Amendments of 1966.

Mr. ICHORD. Mr. Chairman, I take this opportunity to express my full support for H.R. 14050, the Library Services and Construction Act Amendments of 1966. This bill is a logical and necessary step in a continuing concern which Congress has shown in recent years for improved library facilities and services for all citizens.

Congressional interest in improved library services first was demonstrated by the 84th Congress with passage of the Rural Library Services Act of 1956. This legislation, for improving and developing library services in areas of less than 10,000 population, was extended for an additional 5 years by Public Law 86–679 in 1960. The scope of this program was expanded by the Library Services and Construction Act of 1964—Public Law 88–269. Participation was extended to urban areas as well, and Federal funds for the construction of public library facilities was made available for the first time.

H.R. 14050 would grant a 5-year extension to Public Law 88–269, and again would expand the scope and coverage. In addition to increased funds for library services and construction, two new titles would provide for improved interlibrary cooperation and for specialized library services in State institutions and for the physically handicapped.

Mr. Chairman, when the tremendous good that has resulted from all of this legislation is considered, I say that every Member of Congress is fully justified in voting for H.R. 14050. Dollar for dollar, I can think of few Federal programs which have reaped such rich rewards in terms of the educational, cultural, and recreational betterment for so many citizens. The Rural Library Services Act brought new or improved services to more than 40 million rural residents. The Library Services and Construction Act, in fiscal year 1965, stimulated local agencies to add $150 million to Federal grants of $55 million for new, additional, or improved library services. In this same period, local agencies spent $69.8 million for new library construction while the Federal Government contributed $29.8 million under the construction provisions of the law. In a very real sense, Federal funds served as a pump primer to local initiative; a stimulus to improved services and new construction at the local level.

In spite of these encouraging results, much more needs to be done. As conditions now stand, close to 40 percent of public library buildings open today are more than 40 years old. Few local library facilities and budgets can keep pace with the skyrocketing volume and costs of new publications. Few can meet the requirements for improved facilities and services demanded by more and better educated citizens with greater leisure.

H.R. 14050 certainly cannot be expected to solve all of these problems. It will, however, be a mighty big step in the right direction. It will encourage initiative for new construction and services all over the Nation. It will go a long way toward meeting such problems as functional illiteracy, unemployment, delinquency, and cultural deprivation. It will, in short, be a significant contribution toward the achievement of a quality civilization—a goal which all of us desire.

Mr. RIVERS of Alaska. Mr. Chairman, I rise in support of the legislation to extend and amend the Library Services Act.

We in Alaska have long dedicated our energy and resources to developing library services. Many of our Alaskan communities are small and miles away from their nearest neighbors. For these communities the public library is the major source of recreation as well as instruction. In spite of our great efforts, however, even with the assistance of the Library Services Act it was estimated in 1963 that about 13,000 Alaskans were still without local library service. But with the increased assistance of the 1964 amendments we are making great strides.

Federal funds are enabling the city-public libraries of Anchorage, Fairbanks, Juneau, and Ketchikan to extend library service to their rural boroughs. In 1964 such funds enabled the city of Anchorage to offer bookmobile and book deposit service to all the unserved rural areas of the borough.

Present plans to strengthen the public library extension include increasing book loans and reference resources, compiling statistical information, providing increased consultant service, and helping in the establishment of new libraries. All of these plans depend upon the assistance we can obtain to supplement our own efforts. Until 1964 Alaska was able to match only the minimum basic allotment under the Library Services Act. In 1965, however, after the act had been amended to include urban areas we were able to earn $109,480.

Mr. Chairman, other States have made similar progress and like Alaska will continue to do so if they continue to receive Federal support. Therefore, we must not allow the Library Services Act to expire this June 30. Furthermore, if we are to bridge the widening gap between our population growth, our library needs, and our present library resources, we must develop new means of utilizing these resources to their fullest.

That is why, Mr. Chairman, I strongly support this legislation. I have emphasized that support by introducing a bill on the subject, H.R. 13153. Not only would this legislation continue the programs of library services and construction, but it would also expand them to better meet our urgent needs.

Mr. DONOHUE. Mr. Chairman, there are indeed very few legislative proposals that could be judged more worthy of further continuation and expansion than the bill presently before us, H.R. 14050, designed to extend and amend the current "Library Services and Construction Act."

There is no greater truth in any expression than the adage, "knowledge is power," and today, it is frighteningly clear that such "power" is imperative for survival. The libraries of this country are specific instruments to provide our citizens not only with this survival power but also with the progressive strengths of disciplined minds and spirits essential to a civilized society.

By any comparison it is obvious that this bill is highly commendable in its purposes and remarkably efficient in its operation.

The evidence in its history and the testimony of authority revealed here this afternoon demonstrates that the functions of the existing law are being soundly and wisely administered by the State library agencies throughout the country and they further show that the provisions of the existing law are being carried out in the complete manner that Congress intended in order to preserve proper relationships between Federal, State, and local agencies and in order to emphasize the separate areas of State, local and private responsibility for the operation of an enlightening library system. There is probably no other Federally inspired program that States and localities have more enthusiastically responded to with required matching funds.

By all recognized standards and measures the further extension of current law, provided in this bill, H.R. 14050, is good for all Americans and very clearly in the best interests of our present and future citizenry. I hope, therefore, that this House will overwhelmingly approve this measure without any prolonged delay.

Mr. PHILBIN. Mr. Chairman, I am extremely interested in this bill for library services and construction and want to commend my friend, the able and distinguished gentleman from Illinois [Mr. PUCINSKI] and his outstanding committee for their fine work on this very worthwhile bill.

I have long been interested in the expansion of our national library system because there are few things in our way of life so vital to the development of an informed, alert intelligent people as adequate library services. In fact, these services are indispensable not only to our great educational system but also in the daily lives of the American people who should have ready access to books and reading materials available at well-stocked libraries.

Certainly one of the outstanding pioneers in the building of our National, State and local library programs is Mrs. Alice Wallace, the gracious wife of the highly esteemed industrial and civic leader, Mr. George Wallace of Fitchburg, Mass, who are to be highly commended for their philanthropies. In addition to their activities of the first order they have contributed very large funds for charitable, educational, civic, and other very worthy projects.

By her untiring persevering labors and driving energy, Mrs. Wallace was truly a leading voice and mind in activating the widespread library programs which we have today.

I am very thankful for the interest she has displayed, the vigorous efforts she has made and the inspiration she has furnished for all of us who are concerned in advancing this work of primary importance to the Nation.

I have felt that this bill moves in the right direction and am pleased that matching grant funds are being made available for books, library materials and equipment, salaries and other operating expenses. While we must at all times give careful consideration to budgetary problems and economy, I hope and urge that the House and the Congress will make this year a generous provision for the continuation and expansion of library services and facilities throughout the country. Rising costs and inflationary pressures require increased funds for the proper implementation of the library program.

This program should be in no different status than many other desirable programs to promote the national interest. It should be recognized that it is faced with continuously rising costs. Congress must take this fact into account in considering this bill.

There is need also for broadening the library program to make it local, regional, State or interstate in its coverage and functions. This will help bring about needed coordination and cooperation in the national network of libraries that are capable of providing valuable services to millions and millions of our people, including our students and our schoolchildren.

In recent times, thanks to people like Mrs. Wallace, the public and the Congress have become more and more aware of the range and variety of library services and their importance to a well-informed citizenship.

Like everything else, library services are growing and at the same time being modernized and streamlined to adapt them to modern conditions and new needs developing in the country. For example, the specialized State library services with Federal support provide library services for the physically handicapped. This Federal aid is of great import in strengthening library services for many unfortunates in specialized institutions, hospitals and schools for mentally retarded, the handicapped of hearing, sight, speech or movement, the emotionally upset or disturbed and other people impaired in health who require special education and special assistance. These library services help to open the door of opportunity for many and help to bring promise of an easier happier life or even total rehabilitation in some cases.

On the whole, I think that the committee has worked out a very effective bill which is entitled to the support of the Members of the House. I hope that the work of coordinating all library units which is so vital to effective cooperation will go on and that the Congress will continue to step up Federal assistance when necessary. Our library program deserves and needs congressional support because it is doing so much good. It holds promise of even greater service to the Nation in the future.

Very significant advances I am pleased to report, have already taken place in the libraries in my district with Federal grants under the library program and I have been able to observe some of the results of this program which has made possible new and refurbished libraries accommodating more books and broader services in several central Massachusetts communities.

Excellently conceived and skillfully executed construction projects have been devised in several communities in my district to make the best possible use of Federal funds. I think a brief examination of some of them is helpful in gaining an insight into the helpful benefits made possible by this legislation.

The city of Fitchburg will soon have completed a brandnew, one-story building to function along with its present youth library, providing space for 130,000 books and 112 reader seats.

In Leominster, the public library is receiving a two-story addition consisting of reading and reference rooms, a new elevator, and additional parking space and landscaping.

A two-story addition is also being built onto the existing Acton Memorial Library, and features a new control center connecting the new addition to the children's room.

Millis is to receive an entirely new library and the Uxbridge Public Library is undergoing remodeling to convert lower-level storage space into a usable children's library.

There is no question that the Federal aid made possible by the Public Library Services and Construction Act has encouraged and helped public library construction in my State of Massachusetts since this program was first approved by the Congress.

In fact, there are some 16 construction projects in Massachusetts calling for new buildings, additions, and renovations now underway with Federal aid. In the 2-year period of the act's operation, a total of 24 Massachusetts public library construction programs have benefited from Federal grants amounting to $1,695,244.

Naturally, I take great pleasure and pride in the new look in libraries in my State and district. Much progress has been made, but much more remains to be done in the years ahead to meet the library needs of this Nation.

I am happy to support this most worthy bill and I urge the overwhelming approval of the House of this meritorious program, which has already accomplished so much and which holds such great promise for the future.

Mr. SCHEUER. Mr. Chairman, I am happy to make note of the fact, that, in passing the Library Services and Construction Act Amendments of 1966 my colleagues are honoring the President's leadership in bringing excellence of architecture and design, and the provision of a modest allowance for works of art and esthetics to all new federally assisted construction projects. In recent weeks this body made a similar value judgment in favor of beauty and visual delight in school construction by adopting similar amendatory language in passing the Higher Education Facilities Act Amendments of 1966.

Similar language has also been included in the Elementary and Secondary Education Amendments of 1966 which will shortly come before this body.

The new language included in these three measures follows the precedent set by Secretary Robert C. Weaver in bringing the highest standards of architecture and design, and a modest budget for art and esthetics to all of the Federal housing and community development programs, and by Karel H. Yasko, Assistant Commissioner for Design, General Services Administration in carrying out identically creative and enlightened policies in new Government construction of all kinds carried out by the General Services Administration.

Hopefully, the Secretary of HEW, and the Commissioner of Education, will work cooperatively with State and local educational agencies and give them the encouragement and technical counsel and advice to make each new educational facility in every town and hamlet in America a very special place for kids—a place which will be invested with such color, attractiveness, and gaiety, that each kid will know that the adult world cared about his daytime home, and made an extra effort to make it a happy place in which to study and play.

Mr. RYAN. Mr. Chairman, Shakespeare once said, "My library was dukedom large enough." In an age of mass miracles—mass transit, computers, space shots to the moon—we too often forget that miracle of which Shakespeare wrote, the world of the written word. Chasing after the Great Society, we should never lose sight of Shakespeare's dukedom.

What better digest have we of the world's thought than our public libraries. They are rich in American history and political thought. They are filled with the world's great literature. Yet they are as modern as the newest economics text or scientific periodical.

It is a privilege for me once again to be part of a Congress which will appropriate funds for our public libraries.

In 1964 Congress at last decided to make Federal funds for public libraries available to urban areas. This year we can increase the amount of those funds substantially.

New York State has a history of making constructive use of these Federal funds. The people of Nassau County have benefited from a bookmobile; the Southern Tier System has operated a book trailer; central libraries in rural areas have received grants to hire additional personnel.

In New York City some assistance has been provided for the disadvantaged. A project run by the Brooklyn Public Library brings services and materials into centers of neighborhood activity. And in northern Manhattan, there is a new project to give intensive library service to all age groups.

Under title I of this bill an additional $1 million, above the 1966 budget, would be allotted to New York State for library services in 1967. It is estimated that New York State will get almost $3 million under this program. Under title II it will get about $3,383,000 for library construction costs.

As pleased as I am to support this legislation, however, I frankly feel that the Federal Government should do more to support the public library system of this Nation. Public libraries are in desperate need of funds. In New York City lack of funds has forced the city to close its branch public libraries on Saturdays.

Mr. Chairman, I would hope that in the not distant future, this House would take the lead in recognizing the full dimensions of the great and creative role the Federal Government could play in providing library facilities for all Americans.

Mr. EDMONDSON. Mr. Chairman, I support H.R. 14050 and urge its approval. The dollars invested in library services by our Government are among our wisest expenditures, and will benefit all our people.

The provisions which provide the means for the States to extend library services to the physically handicapped in areas without library facilities are particularly needed, and will help to improve the quality of educational opportunity for all Americans.

This is a program which I am proud to have supported throughout my service in Congress, and I am sure it will be overwhelmingly approved by the House today.

Mr. FOGARTY. Mr. Chairman, I think this library program has given us about the greatest return on our investment in the history of Federal grants. We passed the original Rural Library Act in 1956 over the opposition of the Republican administration. The success of the Library Services Act has proven we were right.

Today we have another chance to show the same kind of vision and leadership. The administration bill for fiscal year 1967 is too little, too weak, and too timid. H.R. 14050, as reported by the committee, will launch another great era of library progress.

Everybody talks about education these days. But when the talk stops and the study begins, a good library has got to be there. Public libraries will continue to be the "university of the people" because the need for learning and the need for information, now continues throughout the life of the individual.

The bill before us has four important titles. Titles I and II extend the present Library Services and Construction Act for an additional 5 years. The authorizations for fiscal year 1967 are $35 million for title I and $40 million for title II. I believe these parts of the program have been shortchanged. Good libraries cost money and libraries have been undernourished for too long. The States can already match the $20 million increase being proposed and this assistance is absolutely essential if our libraries are not to fall still further behind.

The States and local libraries have made tremendous gains under the Library Services and Construction Act. We must not allow this momentum to falter. I have watched with interest and pride the past decade of library progress across the Nation and especially in my own State of Rhode Island. The libraries there have been transformed from small, weak, isolated book collections into full partners of a statewide educational network.

In 1957, the first year of this program, there was a total of $38.4 million in State and local funds available for expenditure under this program. The Federal authorization that year was $7.5 million. In the current fiscal year, State and local libraries are spending $107.9 million for library services under State plans and the Federal appropriation for the same purposes is $25 million.

Rhode Island began participation in the library program in 1958. Their Federal allotment that year was $40,000 and they were able to get $48,045 in matching funds. This year Rhode Island has a Federal allotment of $195,449 and this amount is being matched with $364,003 in State funds.

By using these funds wisely, Rhode Island libraries have made great gains. The State passed a completely new library law 2 years ago which provided State grant funds to match the Federal funds. This has made possible the establishment of a statewide network of libraries and information services in addition to the purchase of thousands of additional books and other library materials. Funds are also being used to help pay librarians for their conscientious and devoted services to their communities.

The Rhode Island library network begins with the local community or neighborhood library. If the required services cannot be provided there, the resources of one of three regional centers are used. These centers are in Providence, Westerly, and Barrington. The Providence Public Library also serves as the principal public library of the State and makes its large collections available to libraries and library users throughout the State. Another part of the network is the excellent library at Brown University. It participates in the program by receiving State funds to meet the costs of making available its special collections in particular fields of knowledge.

Every resident in Rhode Island and a total of 65 million people across the country are getting improved library services today because of the stimulation and assistance of the Library Services and Construction Act.

Last year was the first opportunity which libraries had to construct library buildings under this program. As a result, 363 library construction projects were approved in fiscal year 1965. These projects, costing a total of $100 million, will serve 23.3 million people by providing approximately 5.4 million square feet of new library facilities. Rhode Island now has seven libraries under construction and will use their maximum Federal allotment of $427,711 for both 1965 and 1966. The State and local matching funds for this construction is more than $100,000 over and above the amount needed to qualify for the Federal grant.

Miss Elizabeth G. Myer, the director of the Department of State Library Services in Rhode Island, recently reported to me:

> These construction funds have proved to be extremely valuable to Rhode Island even before the first spadeful of earth for a new foundation has been turned. Funds for floors and walls have already proved to be funds for library development that will affect the lives of thousands of our citizens. Construction funds have opened new horizons for many towns and they have sparked citizen awareness of the library's role in today's life. The construction title is an integral part of our effort to advance library service on a Statewide basis.

In describing the Rhode Island renaissance, Miss Myer added:

> The LSCA program has brought exciting changes. Aroused at last to their responsibilities, library trustees are working to secure more public support and much greater use of public libraries. The view of the public library as an educational, lively, useful, vital source of information for the entire citizenry is now supplanting the traditional conception as a storehouse of books.

Title III of the bill introduces a new concept to the public library program. Under this title, States would be eligible for grants to establish and operate networks of interlibrary cooperation. The essential value of this title becomes clear when you consider the variety of existing Federal legislation affecting libraries of different types. Funds are now available to assist school libraries—title II of the Elementary and Secondary Education Act, Public Law 89-10—and academic libraries—title II, part A of the Higher Education Act, Public Law 89-239. This proposed interlibrary cooperation will promote the systematic use of funds by libraries of all types to assure their maximum effective use.

The State librarian of New Hampshire recently called attention to the need for "eliminating or minimizing the artificial boundaries separating the various types of libraries—school, public, college and university, special, and so forth. Certainly the Federal Government is doing much to encourage the expansion and improvement of library services of all kinds. However, it appears that the approach is a fragmented one. What is needed is legislative authority to combine library efforts into one efficient library scheme."

Title III will authorize a modest State grant program—$5 million for fiscal year 1967—to develop the kind of coordinated library effort required. All libraries will then be able to work together to provide more efficient library services of a higher quality to any library user. These systems may serve within a community or metropolitan area, or, perhaps in the case of Rhode Island, a statewide or even a multi-State area. The effectiveness of this cooperative approach is even more fully assured by the fact that the State library administrative agencies authorized to submit State plans under titles I and II are the same agencies that will be designing and administering the State plans under title III and title IV. No part of this bill is more likely to stimulate new ideas and imaginative or innovative programs than is this provision for interlibrary cooperation. It is this title also which will give us the greatest assurance that all funds, State, local, and Federal, will be invested in the most productive manner possible.

Title IV is aimed at further strengthening of specialized library services at the State level. Part A is designed to assist the States in providing library services to inmates, patients, or residents of State institutions including penal institutions, reformatories, residential training schools, and general or special hospitals. Libraries in these institutions, like our community public libraries, have lagged behind the new and more comprehensive demands being placed on them. An indication of the existing level of inadequacy can be found in the fact that only about 1 million volumes are available for more than 206,000 inmates of penal or correctional institutions. Most of these books are worn, obsolete, or poorly chosen and guidance in their use is almost totally lacking. This inmate population should have approximately 2.1 million volumes of currently useful, professionally selected material. We must remember that these libraries and services are essential parts of treatment and rehabilitation programs. These libraries are not frills or luxuries. If they are well organized and well supported, they make a direct contribution to the educational and correctional goals of the parent institution.

Part B of title IV provides assistance to the States in establishing and improving library services to the physically handicapped who, because of their handicaps, are unable to use those library services normally available. The blind, the partially sighted, and other handicapped persons require special assistance in the use of printed and other library material. Not only are they impeded from the normal use of such material, but their need for libraries is often greater than that of the nonhandicapped. This is because many individuals in this unfortunate group are also suffering from economic or psychological impairments. Even the simple and ordinary act of reading or listening can assume an enormous value to such people. The administration of this part would be closely coordinated with the Division of Library Services to the Blind at the Library of Congress and it will fill an urgent need of long standing. Present estimates place at 2 million the number of persons in this country who would benefit under this part. This figure includes those who cannot, even using corrective lenses, see ordinary print well enough to read. Also included are those who cannot hold or manipulate a book or magazine. I believe that our physically handicapped should be able to enjoy the benefits of good library services to the maximum extent possible.

We have come a long way since 1956 in our efforts to build better libraries. The States have made impressive strides and our local communities are working hard to meet the library needs of all. Yet it is abundantly clear that greater efforts must still be made. There are currently some 12 million people in this country without any local library service. Well over 100 million additional people have access only to libraries that are obsolete, understaffed, and of little use. Despite continuous improvement and increased efforts, our Nation's public libraries have not kept pace with the increased demand placed upon them. The intense subject specialization that is now characteristic of our population reflects an average reading level that is higher than ever before in our history. There is no indication that these trends will radically change nor that the pace will be slowed. Libraries must have all the assistance possible and the extension and enlargement of the Library Services and Construction Act will do much to meet these needs.

I have told you a little about Rhode Island and its outstanding success with this program. Much the same story is true of the other States and territories. This small program is currently the prime factor in the present trend toward basic overhaul of our public libraries. California, Illinois, Florida, New York, and Massachusetts are among the States which have enacted significant increases in their State appropriations since this program began. Nebraska, Pennsylvania, Wisconsin, New Jersey, and other States have conducted comprehensive statewide surveys and have developed solid, effective State plans for library services adequate to meet the need of all.

I would like to call your attention to two amendments to title II, construction. The first would permit the acquisition as well as the construction of buildings to be used as public libraries. I support this amendment because it will increase the flexibility of State plans by providing, where appropriate, an extra option for States and localities to exercise in assuring the maximum effective use of funds. I would hope, however, that State plans regarding the acquisition of buildings contain safeguards against the purchase of unsuitable or poorly located structures and that the same high quality priorities would be applied to such purchases as are currently applied to new construction. The second amendment would permit the acquisition of works of art for libraries constructed under State plans. I also support this amendment as a rightful acknowledgment of the importance of esthetic values in our public libraries. Public libraries should be inviting, comfortable, and attractive. This amendment will give assistance toward these ends.

I know my colleagues here share my commitment to the importance of good libraries. I am convinced that the time has arrived when we must not only extend the library program, but also fund it at a realistic level. We have seen our whole world change radically during the decade past. Evidence on all sides indicates that the rate of this change will not diminish. Books, self-education, and lifelong learning as well as individual adaptability are central to a successful existence in today's and tomorrow's world. Our libraries are indispensable links in our chain of modern communication and, as such, are a trust of the highest magnitude for librarians, library board members and governmental officials everywhere. For these reasons, I earnestly ask for prompt passage of this bill which will do the right job for the users of all our public libraries.

Mrs. MAY. Mr. Chairman, I rise in support of H.R. 14050, the Library Services and Construction Act Amendments of 1966.

I have always been proud of the privilege I have had to be a friend of the libraries of our country. Furthermore, I am equally proud of the fine record which my State of Washington has made in matching their local efforts in response to aid from the Federal Government. In this regard, many people in the State of Washington, including the executive administration and the Washington State Legislature, as well as the individual persons directly engaged in library activities, all well deserve special recognition. However, in my remarks today, I wish to refer specifically to the Washington State Librarian, Maryan E. Reynolds, who testified before the Select Subcommittee on Education which handled this bill.

In her statement she outlined the record of progress made in Washington State in ever-improved service to the people through our various library activities. I would like my comments based on her report to become part of the record because I realize that the basic objective of this type of legislation is to stimulate greater effort on the part of State and local communities. Oftentimes, however, I have heard expression of doubt as to whether we are really achieving this objective.

It is with great confidence that I state that the State of Washington has a fine record of progress. I would like to point out just what we achieved in providing library service with the increase in available funds, and the following table demonstrates surprising improvements:

State of Washington library statistics, 1940–64

[1940=100%]

Total population:	
1940	1,736,191
1964 (74% increase)	3,012,300
Population served:	
1940	967,716
1964 (192% increase)	2,823,930
Population served by libraries with budgets $100,000 or more:	
1940	368,302
1964 (554% increase)	2,389,982
Use of materials:	
1940	7,175,346
1964 (186% increase)	20,523,585
Volumes available:	
1940	1,495,677
1964 (255% increase)	5,310,436

Since this picture looks so impressive, why is continued support needed, and why support in greater amounts? What about this "gap" we speak about? Following the "National Inventory of Library Needs" prepared by the American Library Association on data collected by the Library Services Branch, USOE, many of the States embarked on more specific detailed analyses of exactly how their library services actually measure up. Our efforts in Washington State produced such dismal figures we are now engaged on an inventory in depth in order that we may go to our legislators and local officials and say this is where we are—this is where we should be, and seek their help in solving the problem. The figures we are using are approximate figures and are on the conservative side as our islands of better service upgrade the statewide averages, creating a better picture than when an exact analysis of individual situations is made. As of today our existing libraries need, in added yearly income, between $3 and $5 million in order to provide minimum public library service. In addition, we need between $10 and $20 million to establish new units and make up for the past deficits of service.

Up to this point I have discussed the service aspect only, as buildings are of no value if the service rendered from them is not worthwhile.

Construction funds are very important, however, in arousing the interest of many people in an immediate effort to see their library properly housed. Washington State had many fine libraries, built prior to Federal participation, but communities hitherto apathetic or fearful of failure have been spurred into making an effort by the stimulus of LSCA funds. We have made a rough estimate of our statewide needs. As of today we need approximately $20 million for public library buildings and could use three times that over a 5-year period.

This is why I endorse the technical improvements included in the construction title of H.R. 14050. These are: permitting the administrative costs of the program to be charged from construction allotments; authorizing the use of a limited portion of construction funds for workers of art; and provision for greater flexibility in the use of allotments. I also endorse the change in the base year for required State and local matching from 1963 to the second preceding fiscal year.

These proposed changes will provide greatly needed flexibility in the use of funds. It is not realistic, as at present, to expect the States and the local communities to be able to respond in a uniform manner as the timing and kind of legal methods for raising State and local support vary so greatly. Provision for allotments to be obligated over a 2-year period, as provided in the proposed legislation, would facilitate a more sensible State program. For example, we reverted funds this year but next year we will be short if all of the projects now underway achieve their share of the financing.

I would also like to mention the kinds of cooperation Washington has already included in their statewide planning but have not implemented for lack of funds:

First. Installation of an instantaneous facsimile network between major library centers—college, university, regional and large public library headquarters, the State library and significant special libraries willing to participate;

Second. Produce and keep up-to-date special indices now available only in the Seattle Public Library and other key libraries' special indices;

Third. Develop contracts to improve and support the generous program of interlibrary loan from the University of Washington and Seattle Public Library by adding staff and funding costs of necessary duplication;

Fourth. Complete the planning and begin work on producing a statewide book catalog representing the holdings of all libraries of significance, with resources coded to facilitate speed of interlibrary loan;

Fifth. Publish and keep up to date the Washington State Library index of Government publications.

These are but a few of the major programs Washington librarians are eager to institute as soon as funds are available. The State library commission has under consideration now a request for an inventory of total library resources in a two county area with a view to the possibility of, and I quote "devising a new approach to methods of providing total library service to the entire community. The planning study might well consider the feasibility of wiping out institutional lines for the user." This would indeed be a truly "cooperative" project between different kinds of libraries. The interest, desire and very capable librarians are there. Available funds under this bill will turn interest into action.

Reference is made in the legislation to regional library service. The meaning of "regional" is not exact but generally describes a library system over a wide geographic area serving a variety of governmental units and communities of varying size. Regions may be within a State or cross State lines. Our State program of library development is based on the concept of regional systems strong enough to provide basic services combined with cooperation among systems to assure maximum utilization of all library resources within the State.

The Pacific Northwest has spearheaded multistate cooperation among libraries and currently Washington and Oregon are preparing to embark on a detailed analysis of how to best coordinate and develop library service along our mutual borders. The area referred to as the Inland Empire includes parts of the neighboring State of Idaho, and some discussion of mutual programs is already under way. The only real obstacles to actually embarking on such programs are financial. While the regional approach assures more service for the dollars spent, it does not mean less total dollars. When expenditures are far below the minimum needed, as is the case now, there will have to be an increase in the total dollars spent. What has been demonstrated is the fact that regional systems will return a higher level of service for these increased dollars than would be true if expended in splendid isolation. While the value of regional library service has been substantiated by facts and figures, our systems are under heavy pressure of burgeoning demands while support levels rise very slowly. The systems have the added handicap of having been established in such a very short period of time that their resources have not had time to grow in proportion to the population to be served.

Library service to the blind in our State was financed for years by the city of Seattle. This was true for the entire area which covered other States. In other words, a single municipality was financing a multistate service. Similar situations existed elsewhere and in some instances still do. It was not until 1955 that the State of Washington recognized fiscal responsibility for this service. The other States followed several years later, but we still finance only the actual cost to serve the blind outside the city of Seattle. There are no funds for improved or expanded services. Before the first of July we will have from the Seattle Public Library a proposal prepared with their usual care and consideration of high quality. This proposed program of improvement is based on the possible availability of Federal funds under title IV of the Library Services and Construction Act.

The Washington Library Association Committee for Statewide Planning will consider and make specific recommendations to the State Library Commission concerning the best methods for stimulating and administering special programs of library service to the handicapped.

I am pleased to report that the Washington State legislature in 1965 appropriated funds for the State Library to begin developing a program of good library service for the institutions. We have projected what the proposed federal program under title IV–A will enable us to achieve if this section is enacted. Assuming the 1967 Washington State legislature appropriates the amount originally projected for the 1967–69 biennium, and Federal funds under the Library Services and Construction Act are actually available in the amounts projected beginning July 1, 1966, we should be able to reach by June 1969 the goal originally projected for several years later. It should be stressed that flexibility of approach is vital in this program as every State's institutional services are organized and administered differently.

In conclusion, I again reiterate my complete support for this legislation and commend the committee for its fine work in bringing a carefully prepared plan for the extension of the Library Services and Construction Act before us.

Mr. SCHISLER. Mr. Chairman, throughout history, the well-educated man has been essentially the well-read man. The knowledgeable man has been the man who, whether or not he had the opportunity for formal education, would read and absorb whatever literature he could find.

Abraham Lincoln had little formal education, but he was an intelligent man. We remember that Abe Lincoln walked many miles to borrow and return a book and read that book by firelight. All who share his hunger for enlightenment and the pleasure of discovering new worlds through books value the public library in contemporary America.

The residents of Ellisville, Ill., a small community in my district, are people such as this. They have initiated a public library. The old telephone building has been donated for use by its owners Clarence and Marion Knott. Mrs. Helen Myers, junior director of Modern Woodmen, assisted by the Junior Club members, will organize the cleaning and necessary remodeling. Some books and fixtures will be donated. I am highly pleased with the initiative displayed by the people of Ellisville.

I am equally as pleased with the initiative the Federal Government has taken in providing grants for library services and construction. I gave my enthusiastic support to the Library Services and Construction Act Amendments of 1966 when the bill was passed by the House on Thursday, June 2.

Illinois will receive a $1,193,838 Federal allotment for public library services and $1,509,614 for public library construction. These are to be matched by $1,805,755 and $2,283,386 respectively in State and local funds. The ratio of Federal to State-local funds is $39.80 Federal, to $60.20 State-local. The combination of local initiative and Federal support under the Library Services and Construction Act will assure continued growth in the quality and number of public libraries throughout America.

Mr. PUCINSKI. Mr. Chairman, I have no further requests for time.

Mr. GURNEY. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Library Services and Construction Act Amendments of 1966".

SEC. 2. Section 2(a) of the Library Services and Construction Act is amended by inserting before the period at the end thereof the following: ", to promote interlibrary cooperation, and to assist the States in providing certain specialized State library services".

SEC. 3. Section 101(a) of the Library Services and Construction Act is amended by striking out "June 30, 1957, and for each of the next six fiscal years the sum of $7,500,000, for the fiscal year ending June 30, 1964, the sum of $25,000,000, and for each of the next two fiscal years such sums as the Congress may determine," and inserting in lieu thereof the following: "June 30, 1967, $35,000,000; for the fiscal year ending June 30, 1968, $45,000,000; for the fiscal year ending June 30, 1969, $55,000,000; for the fiscal year ending June 30, 1970, $65,000,000; and for the fiscal year ending June 30, 1971, $75,000,000,".

SEC. 4. Section 102 of the Library Services and Construction Act is amended by striking out the last sentence thereof.

SEC. 5. (a) Section 104(a) of the Library Services and Construction Act is amended by striking out "fiscal year ending June 30, 1963" each time that it occurs and inserting in lieu thereof "second preceding fiscal year", and by striking out "section 203" and inserting in lieu thereof "section 103".

(b) Sections 104(b) and 204(b) of such Act are each amended to read as follows:

"(b) The Commissioner shall from time to time estimate the amount to which a State is entitled under subsection (a), and such amount shall be paid to the State, in advance or by way of reimbursement, at such time or times and in such installments as the Commissioner may determine, after necessary adjustment on account of any previously made overpayment or underpayment."

(c) Section 104(d) of such Act is amended by striking out "(1)", by striking out "to be effective until July 1, 1957" and by striking out paragraph (2) of such subsection.

SEC. 6. Section 201 of the Library Services and Construction Act is amended by striking out "June 30, 1964, the sum of $20,000,000, and for each of the next two fiscal years such sums as the Congress may determine," and inserting in lieu thereof "June 30, 1967, $40,000,000; for the fiscal year ending June 30, 1968, $50,000,000; for the fiscal year ending June 30, 1969, $60,000,000; for the fiscal year ending June 30, 1970, $70,000,000; and for the fiscal year ending June 30, 1971, $80,000,000,".

SEC. 7. The last sentence of section 202 of such Act is amended to read as follows: "A State's allotment under this subsection for any fiscal year shall be available for payments with respect to the administration, during such year and the next fiscal year, of its State plan approved under section 203, and for payments with respect to construction projects approved under such State plan during such year or the next fiscal year."

SEC. 8. Section 204(a) of the Library Services and Construction Act is amended to read as follows:

"SEC. 204. (a) From its allotment available therefor under section 202 each State shall be entitled to receive (1) an amount equal to the Federal share (as determined under section 104) of projects approved under its State plan (as approved by the Commissioner pursuant to section 203) during the period for which such allotment is available, and (2) an amount equal to the Federal share of the total of the sums expended by the State and its political subdivisions for the administration of such State plan during the period for which such allotment is available."

SEC. 9. The Library Services and Construction Act is amended by inserting after title II the following new titles:

"TITLE III—INTERNATIONAL COOPERATION

"Authorization of appropriations

"SEC. 301. There are authorized to be appropriated for the fiscal year ending June 30, 1967, the sum of $5,000,000; for the fiscal year ending June 30, 1968. $7,500,000; for the fiscal year ending June 30, 1969, $10,000,000; for the fiscal year ending June 30, 1970, $12,500,000; and for the fiscal year ending June 30, 1971, $15,000,000; which shall be used for making payments to States which have submitted and had approved by the Commissioner State plans for establishing and maintaining local, regional, State, or interstate cooperative networks of libraries.

"Allotments

"SEC. 302. From the sums appropriated pursuant to section 301 for each fiscal year the Comissioner shall allot $10,000 each to Guam, American Samoa, and the Virgin Islands, and $40,000 to each of the other States, and shall allot to each State such part of the remainder of such sums as the population of the State bears to the population of the United States according to the most recent decennial census.

"Payments to States

"SEC. 303. From the allotments available therefore under section 302, the Secretary of the Treasury shall from time to time pay to each State which has a plan approved under section 304 an amount equal to the Federal share (as determined under section 104, except that the Federal share for the fiscal year ending June 30, 1967, shall be 100 per centum) of the total sums expended under such plan (including costs of administering such plan).

"State plans for interlibrary cooperation

"Sec. 304. (a) To be approved for purposes of this title a State plan must—

"(1) meet the requirements of paragraphs (1), (2), (4), and (5) of section 103(a);

"(2) provide policies and objectives for the systematic and effective coordination of the resources of school, public, academic, and special libraries and special information centers for improved services of a supplementary nature to the special clientele served by each type of library or center;

"(3) provide appropriate allocation by participating agencies of the total costs of the system;

"(4) provide assurance that every local or other public agency in the State is accorded an opportunity to participate in the system;

"(5) provide criteria which the State agency shall use in evaluating applications for funds under this title and in assigning priority to project proposals; and

"(6) establish a statewide council which is broadly representative of professional library interests and of library users which shall act in an advisory capacity to the State agency.

"(b) The Commissioner shall approve any State plan which meets the conditions specified in subsection (a) of this section.

"TITLE IV—SPECIALIZED STATE LIBRARY SERVICES

"Part A—State Institutional Library Services

"Authorization of Appropriations

"Sec. 401. There are authorized to be appropriated for the fiscal year ending June 30, 1967, the sum of $5,000,000; for the fiscal year ending June 30, 1968, $7,500,000; for the fiscal year ending June 30, 1969, $10,000,000; for the fiscal year ending June 30, 1970, $12,500,000; and for the fiscal year ending June 30 1971; $15,000,000; which shall be used for making payments to States which have submitted and had approved by the Commissioner State plans for establishing and improving State institutional library services. For the purposes of this part the term 'State institutional library services' means the providing of books, and other library material, and of library services to (A) inmates, patients, or residents of penal institutions, reformatories, residential training schools, orphanages, or general or special institutions or hospitals operated or substantially supported by the State, and (B) students in residential schools for the handicapped (including mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired persons who by reason thereof require special education) operated or substantially supported by the State.

"Allotments

"Sec. 402. From the sums appropriated pursuant to section 401 for each fiscal year the Commissioner shall allot $10,000 each to Guam, American Samoa, and the Virgin Islands, and $40,000 to each of the other States, and shall allot to each State such part of the remainder of such sums as the population of the State bears to the population of the United States according to the most recent decennial census.

"Payments to States

"Sec. 403. From the allotments available therefor under section 402, the Secretary of the Treasury shall from time to time pay to each State which has a plan approved under section 404 an amount equal to the Federal share (as determined under section 104, except that the Federal share for the fiscal year ending June 30, 1967, shall be 100 per centum) of the total sums expended by the State under such plan (including costs of administering such plan).

"State Plans for State Institutional Library Services

"Sec. 404. (a) To be approved for purposes of this part a State plan must—

"(1) meet the requirements of paragraphs (1), (2), (4), and (5) of section 103(a);

"(2) provide policies and objectives for the establishment or improvement of State institutional library services;

"(3) provide assurance that all eligible State institutions will be accorded an opportunity to participate in the program pursuant to this part;

"(4) provide criteria which the State agency shall use in evaluating applications for funds under this part and in assigning priority to project proposals;

"(5) provide assurances satisfactory to the Commissioner that expenditures made by such State in any fiscal year for State institutional library services will not be less than such expenditures in the preceeding fiscal year; and

"(6) establish a council which is broadly representative of State institutions eligible for assistance under this part which shall act in an advisory capacity to the State agency.

"(b) The Commissioner shall approve any State plan which meets the conditions specified in subsection (a) of this section.

"(c) No portion of any money paid to a State under this part shall be applied, directly or indirectly, to the purchase or erection of any building or buildings, or the purchase of any land.

"Part B.—State Plans for Library Services to the Physically Handicapped

"Authorization of Appropriations

"Sec. 411. There are authorized to be appropriated for the fiscal year ending June 30, 1967, the sum of $3,000,000; for the fiscal year ending June 30, 1968, $4,000,000; for the fiscal year ending June 30, 1969, $5,000,000; for the fiscal year ending June 30, 1970, $6,000,000; and for the fiscal year ending June 30, 1971, $7,000,000; which shall be used for making payments to States which have submitted and had approved by the Commissioner State plans for establishing and improving library services to the physically handicapped, including the blind and the visually handicapped. For the purposes of this part the term 'library services to the physically handicapped' means the providing of library service, through public or other nonprofit libraries, agencies, or organizations, to physically handicapped readers certified by competent medical authority as unable to read or to use conventional printed materials as a result of physical limitations.

"Allotments

"Sec. 412. From the sums appropriated pursuant to section 411 for each fiscal year, the Commissioner shall allot $5,000 each to Guam, American Samoa, and the Virgin Islands, and $25,000 to each of the other States, and shall allot to each State such part of the remainder of such sums as the population of the State bears to the population of the United States according to the most recent decennial census.

"Payments to States

"Sec. 413. From the allotments available therefor under section 412, the Secretary of the Treasury shall from time to time pay to each State which has a plan approved under section 414 an amount equal to the Federal share (as determined under section 104, except that the Federal share for the fiscal year ending June 30, 1967, shall be 100 per centum) of the total sums expended under such plan (including costs of administering such plan).

"State Plans for Services to the Physically Handicapped

"Sec. 414. (a) To be approved for the purposes of this part a State plan must—

"(1) meet the requirements of paragraphs (1), (2), (4), and (5) of section 103(a);

"(2) provide policies and objectives for the establishment or improvement of State plans for library services to the physically handicapped:

"(3) provide assurance that all appropriate public or nonprofit libraries, agencies, or organizations for the physically handicapped will be accorded an opportunity to participate in the program pursuant to this part;

"(4) provide criteria which the State agency shall use in evaluating applications for funds under this part and in assigning priority to project proposals;

"(5) provide assurances satisfactory to the Commissioner that funds available from sources other than Federal sources in any fiscal year for expenditures under State plans for library services to the physically handicapped will not be less than actual expenditures from such source in the second preceding fiscal year; and

"(6) establish a council which is representative of eligible agencies which shall act in an advisory capacity to the State agency.

"(b) The Commissioner shall approve, after consultation with the Librarian of Congress where appropriate, any State plan which meets the conditions specified in subsection (a) of this section.

"(c) No part of any money paid to a State under this part shall be applied, directly or indirectly, to the purchase or erection of any building or buildings, or the purchase of any land."

Sec. 10. (a) Title III of the Library Services and Construction Act is hereby designated as title V.

(b) Sections 301 through 304 of the Library Services and Construction Act are hereby designated as sections 501 through 504.

(c) Section 502(d)(2) of such Act (as so designated by subsection (b)) is amended by striking out "or title II" and inserting in lieu thereof "title II, title III, or part A or B of title IV".

(d) Section 503 of such Act (as so designated by subsection (b)) is amended by striking out "or 202" and inserting in lieu thereof ", 202, 302, 402, or 412"; by striking out "and section 203" and inserting in lieu thereof ", 203, 303, 403, and 413"; by striking out "or 202" and inserting in lieu thereof ", 202, 302, 402, or 412"; by striking out "or 203", and inserting in lieu thereof ", 203, 303, 403, or 412"; by striking out "or 201" and inserting in lieu thereof ", 201, 301, 401, or 411"; and by striking out "and 202" and inserting in lieu thereof ", 202, 302, 402, and 412".

(e) Section 504(d) of such Act (as so designated by subsection (b)) is amended to read as follows:

"(d) The term 'construction' includes construction of new buildings, and expansion, remodeling, and alteration of existing buildings, including architects' fees, the cost of the acquisition of land, the cost of the acquisition of initial equipment for any such buildings, and the cost of the acquisition of works of art for any such buildings."

Mr. PUCINSKI (interrupting the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the Record, and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 1, line 10, strike out "(a)".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 2, beginning on line 16, strike out ", and by striking out 'section 203' and inserting in lieu thereof 'section 103' ".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 4, line 1, strike out "Section 204(a)" and insert in lieu thereof:

"The second sentence of section 104(a)".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 4, line 2, insert after "Act" the following: "is repealed, and section 204(a) of such Act".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 10, line 1, strike out "STATE PLANS FOR".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 10, beginning on line 13, strike out ", including the blind and the visually handicapped".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 10, line 18, strike out "readers" and insert in lieu thereof: persons (including the blind and visually handicapped)

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 10, line 18, strike out "medical".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 13, line 9, strike out "303, 403, and 413" and insert in lieu thereof "304, 404, and 414".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 13, line 12, strike out "303, 403, or 412" and insert in lieu thereof "304, 404, or 414".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 13, line 19, insert "acquisition," before "expansion".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 13, line 23, strike out "buildings.'" and insert in lieu thereof "buildings;'.".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 13, add after line 23, the following:

"(f) Section 502(d)(2) of such Act (as so redesignated by subsection (b)) is amended by striking out '301' and inserting in lieu thereof '501'.

"SEC. 11. Section 104(c) of the Library Services and Construction Act is amended by striking out '66' wherever it appears and inserting in lieu thereof '60', and by striking out '33' and inserting in lieu thereof '40'.

"SEC. 12. (a) The amendments made by sections 5(a), 7, and 8 shall be effective with respect to fiscal years beginning after June 30, 1966.

"(b) The amendments made by section 11 shall apply with respect to the Federal share for fiscal years beginning after June 30, 1966. The Commissioner shall promulgate, as soon as practicable after the date of enactment of this Act, any change, resulting from such amendments, in the Federal share of any State for the fiscal year beginning July 1, 1966."

The committee amendment was agreed to.

COMMITTEE AMENDMENT OFFERED BY MR. PUCINSKI

Mr. PUCINSKI. Mr. Chairman, I offer an amendment, on behalf of the committee.

The Clerk read as follows:

Committee amendment offered by Mr. PUCINSKI: Page 15, after line 4, add the following new section:

"SEC. 13. (a) The Library Services and Construction Act, as amended by this Act, is further amended by inserting 'the Trust Territory of the Pacific Islands,' immediately after 'American Samoa,' in section 102, section 104(a)(1)(A), the parenthetical phrase in section 104(c), section 104(d), section 202, section 302, section 402, section 412, and section 504(a).

"(b) Such Act is further amended by inserting '(other than the Trust Territory of the Pacific Islands)' after 'except that no payments shall be made to any State' in section 104(a), and by inserting ', and the Federal share for the Trust Territory of the Pacific Islands shall be 100 per centum' immediately before the period at the end of section 104(c).

"(c) The amendments made by this section shall be effective with respect to fiscal years beginning after June 30, 1966."

M.. PUCINSKI. Mr. Chairman, this amendment had been suggested and recommended by the gentlewoman from Hawaii [Mrs. MINK]. All it would do is provide approximately $75,000 of assistance to the trust territories, which include the Marianas Islands but not Guam, the Caroline Islands, and the Marshall Islands, having a total population of some 90,000 people and no library facilities.

I urge the adoption of the amendment.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. GURNEY

Mr. GURNEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GURNEY: Page 2, strike out lines 1 through 11 and insert in lieu thereof the following:

"Section 101 of the Library Services and Construction Act is amended to read as follows:

" 'DURATION OF PROGRAM; AUTHORIZATION OF APPROPRIATIONS

" 'SEC. 101. (a) The Commissioner of Education (hereinafter referred to as the "Commissioner") shall carry out during the fiscal year ending June 30, 1967 and each of the 4 succeeding fiscal years, a program for making payments to States which have submitted and had approved by him, State plans for the further extension of public library services to areas without such services, or with inadequate services.

" '(b) There are hereby authorized to be appropriated to carry out this title for the fiscal year ending June 30, 1967, $30,000,000, and for the fiscal year ending June 30, 1968, $35,000,000; but for the fiscal year ending June 30, 1969, and each of the two succeeding fiscal years, only such sums may be appropriated as the Congress may hereafter authorize by law.' "

Mr. GURNEY. Mr. Chairman, first of all may I reiterate and reemphasize that the minority position on this piece of legislation before us is wholeheartedly in support of the bill. However, I do think it should be pointed out there is a tremendous increase in authorizations over the present program as proposed by the legislation before us. My amendment would simply do this, as far as title I is concerned. The present rate of spending is $25 million. The proposed rate of spending in the first year under the legislation before us here is $35 million. My amendment strikes a balance in between of $30 million.

Mr. Chairman, let me point out that if we are going to perform our job as responsible Members of Congress here, even for programs such as this which are completely uncontroversial—and I think that the House is almost in unanimous support of this—nonetheless, as responsible legislators, we have to fit the requirements of this program into the total money budget requirements. That is particularly true at a time like this in the Nation's history when we have demands on the Federal purse strings and Treasury in excess of almost any period in our history. I would like to point out under the bill we have before us the actual proposed increase in spending in title I over the present level is up 60 percent. For the second year as proposed it is up 100 percent. This is no minor increase even if this program is good. It is a very substantial increase. I would like to point out further to the Members of the House that if we enact the proposed legislation before us in its present form, we will authorize for this program over a period of 5 years the sum of $710 million. This is what we are talking about. Even if it is a good program, it is certainly the responsibility of this House of Representatives to fit this good program, even though it is not controversial, into the money requirements along with a lot of others. My own proposal in this title of the bill—and if it passes, there will be similar proposals in the next title—is simply to give a good, healthy increase. As a matter of fact, it is 20 percent. But my proposal is to give an increase which is reasonable and one which we can live within and fit in with the rest of the money requirements we have in so many of the programs which come before us each year.

Mr. Chairman, I hope that the Members of the House will favor this kind of approach. Of course, the other thing that the amendment does is authorize expenditures specifically for 2 years rather than for the 5 years proposed under the present legislation. For the life of me, I cannot follow this argument that you have to authorize for 5 years in order to permit people in the library program to make their plans. Everybody in the House knows this program will not be cut back even if we do authorize it only for 2 years. When we come back we will certainly continue it and probably at an increased level of spending.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. GURNEY. I am glad to yield to the gentleman.

Mr. PERKINS. I could understand the gentleman's argument in the event the States were not taking advantage of matching the funds. However, all of the States, with the exception of two States, are now overmatching these funds. Also, this need is such that the States would match the funds even if the amount were $50 or $60 million. So all you are doing here is depriving the States of services that they urgently need, that they can wisely plan for if orderly provisions is made for expanded authorization over a period of at least 5 years. Since the program is too small, anyway, in my judgment, you are simply throwing a monkey wrench into the operation of the program by your amendment. I certainly oppose the amendment for the reason that the amount offered as a substitute is totally inadequate.

Mr. GURNEY. May I say in answer to the gentleman—and I imagine my 5 minutes are running out very rapidly—the information I get is that almost all of the States, I think with the exception of two States, which I will not name here, are exceeding the matching requirements already. So I am not sure that the gentleman's point which he makes is a good one.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. GLENN ANDREWS. Mr. Chairman, I move to strike the requisite number of words.

Mr. GURNEY. Mr. Chairman, will the gentleman yield?

Mr. GLENN ANDREWS. I yield to the gentleman from Florida.

Mr. GURNEY. Mr. Chairman, simply completing my statement. I am not exactly sure that the gentleman's argument that we are going to cut back upon the incentives that we give the States is really well made, because the statistics, as I understand them, is that there is in every State, but two, a situation where we are actually exceeding on a local level—and by a very considerable amount—the amount of Federal input that we are making in this program.

Mr. Chairman, I feel that this is an important point that the gentleman made. Certainly, the entire thrust of this particular kind of legislation is to get the States and the localities to do a good deal more on their own.

Mr. Chairman, I remember during the hearings that we asked questions of witnesses as to whether or not there was a lot being done now in this direction by the States and local communities but I might say there is a whole lot that is not being done. However, it is very important and we need to stimulate and nurture at the local level the local effort.

Mr. Chairman, I would say that the gentleman's argument would not stand up on either question. If we put in more money at the Federal level, I am not exactly sure we will stimulate them on the local level.

Really, Mr. Chairman, my entire argument is that I believe the House of Representatives ought to look at this thing in a responsible fashion and give it a good healthy increase, which I am proposing in this amendment.

Mr. GLENN ANDREWS. Mr. Chairman, I yield back the balance of my time.

Mr. PUCINSKI. Mr. Chairman, I rise in opposition to the amendment and hope that it will be rejected.

Mr. Chairman, I hope that my colleague on the committee, the gentleman from Florida [Mr. GURNEY], will not press this amendment too hard.

Of course, Mr. Chairman, all of us are concerned about staying within the budget limitation, and I am sure that as we go along in this Congress, there will be many ample opportunities to demonstrate that concern, as we have already demonstrated it.

Mr. Chairman, I believe the gentleman from Florida is well aware of the fact that this committee has tried very hard to come within the ball park on these authorizations when we had pending before us legislation asking for vastly more money than is authorized in this bill.

Mr. Chairman, in this title alone, the author of this legislation, one who is very closely related to library services in this country, the gentleman from Kentucky [Mr. PERKINS], and who knows so well the needs of the libraries of this country, had proposed $60 million in this title. With a heavy heart, we had to tell him we could not go to that amount.

Mr. Chairman, the chairman of the Committee on Appropriations which handles this appropriation, a man who has a distinguished record in this Congress was deeply concerned for the needs of the American people and also recommended $60 million. However, with a heavy heart, we had to tell him that we felt we could not come up to that figure, simply because of the other needs of this country.

Mr. GURNEY. Mr. Chairman, will the gentleman yield for a question?

Mr. PUCINSKI. Let me finish my statement and then I shall yield to the gentleman from Florida.

Mr. Chairman, the gentleman knows that to dilute title I would only compound the problems of our libraries.

Mr. Chairman, 30 witnesses came before this committee and pleaded that we not go below the level set in this legislation.

Mr. Chairman, we need 102 million more books that are going to be purchased by the libraries of this country this year. All over America there are books lying in warehouses and storehouses and in lockers which cannot find their way to the shelves because they do not have facilities and finances for cataloging these books and processing them in order to put them on the shelves.

Mr. Chairman, I say to the gentleman from Florida that we would be doing a great disservice if we tried to cut this title and the other titles.

We say we need 6,500 more trained librarians, the training of which will come out of title I.

Finally, Mr. Chairman, as the gentleman from Kentucky [Mr. PERKINS] so eloquently stated, the States now are doing all they can to meet these needs. I would think that all of us should rejoice in the fantastic renaissance that is sweeping America in reference to library services.

Mr. Chairman, I know of no greater thrill to a parent; being a parent myself, than to see my own children voluntarily walking into a library and show an interest in the books deposited there.

So while I congratulate and commend the gentleman for his efforts at economy, I do hope that he will not persist on this amendment because, as the gentleman knows, we have pared this bill down to the barebone limit and to continue cutting any further on this bill would indeed be setting the clock back.

On the 5-year proposal, the gentleman was present when some of the most highly respected librarians in this country appeared and said, "Look you have stimulated our State legislatures and our State legislatures now want to help us. Make this a 5-year program so that we can look down range and see what we can expect."

The Congress can always work its will. If at any point along the line we feel that less money is necesary, Congress can make those changes. So I hope the gentleman will not press for his amendment.

Mr. GURNEY. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to my colleague, the gentleman from Florida.

Mr. GURNEY. I appreciate the efforts of the gentleman from Illinois in trimming down some of the other proposals that were above his. I would like to ask the gentleman from Illinois what the money proposals were in this particular title, that is, the proposals of the administration—what was the President's program that he sent down?

Mr. PUCINSKI. It was $7,500,000 less than we are recommending. The President recommended $27,500,000 which is $2,500,000 over what we are spending now. We recommended on the basis of compelling testimony before our committee by some of the most highly respected librarians in America $35 million or $7,500,000 more.

Mr. GURNEY. That was only for the first year; was it not?

Mr. PUCINSKI. That was for the first year for the whole title.

As I said in my opening remarks, we recommended $31 million over the administration's request. But keep in mind that $13 million of that is for two totally new titles which are extremely important if the library services are to do their job.

In the final analysis, I can assure you the States and the communities that have services offered in these two new titles are going to save money in the end.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. Gurney].

The amendment was rejected.

The CHAIRMAN. If there are no further amendments, under the rule the Committee will rise.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Zablocki, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 14050) to extend and amend the Library Services and Construction Act, pursuant to House Resolution 868, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

If not, the Chair will put them en gros.

The question is on the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. GURNEY. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 337, nays 2, answered "present" 2, not voting 91, as follows:

[Roll No. 123]

YEAS—337

Abbitt
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Glenn
Andrews, N. Dak.
Annunzio
Ashbrook
Ashley
Ashmore
Aspinall
Bandstra
Baring
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Betts
Bingham
Boggs
Boland
Bolling
Bow
Brademas
Bray
Brock
Brooks
Broomfield
Brown, Clarence J., Jr.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cahill
Callan
Carter
Casey
Cederberg
Chelf
Clancy
Clark
Clausen, Don H.
Cleveland
Clevenger
Collier
Conte
Cooley
Corbett
Corman
Craley
Cramer
Culver
Cunningham
Curtin
Dague
Daniels
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dent
Denton
Derwinski
Devine
Diggs
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan, Oreg.
Duncan, Tenn.
Dwyer
Edmondson
Edwards, Calif.
Edwards, La.
Erlenborn
Evans, Colo.
Everett
Fallon
Farbstein
Fascell
Feighan
Findley
Fino
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fuqua
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Goodell
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffiths
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Halpern
Hamilton
Hanley
Hansen, Iowa
Hansen, Wash.
Harvey, Ind.
Harvey, Mich.
Hathaway
Hays
Hébert
Hechler
Helstoski
Hicks
Holland
Horton
Hosmer
Howard
Hull
Hungate
Hutchinson
Ichord
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jones, Ala.
Jones, Mo.
Karsten
Kastenmeier
Kee
Keith
Kelly
Keogh
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kluczynski
Kornegay
Krebs
Kunkel
Kupferman
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
Long, Md.
Love
McCarthy
McClory
McCulloch
McDade
McDowell
McEwen
McFall
McGrath
McMillan
McVicker
Macdonald
MacGregor
Machen
Mackay
Mackie
Madden
Mahon
Mailliard
Marsh
Mathias
Matthews
May
Meeds
Michel
Minish
Minshall
Mize
Moeller
Monagan
Moore
Moorhead
Morgan
Morris
Morse
Mosher
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pool
Price
Pucinski
Purcell
Quie
Quillen
Race
Randall
Redlin
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Rooney, Pa.
Rosenthal
Roudebush
Roush
Roybal
Rumsfeld
Ryan
Satterfield
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Secrest
Selden
Senner
Shipley
Sickles
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, Va.
Springer
Staggers
Stalbaum
Stanton
Steed
Stratton
Stubblefield
Sullivan
Sweeney
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thomas
Thompson, Tex.
Thomson, Wis.
Todd
Tuck
Tunney
Tuten
Udall
Ullman
Utt
Van Deerlin
Vanik
Vigorito
Waggonner
Walker, Miss.
Walker, N. Mex.
Watkins
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Widnall
Wilson, Bob
Wolff
Wright
Wyatt
Wydler
Yates
Young
Younger
Zablocki

NAYS—2

Curtis
Harsha

ANSWERED "PRESENT"—2

Cabell
Farnsley

NOT VOTING—91

Abernethy
Andrews, George W.
Arends
Ayres
Barrett
Berry
Blatnik
Bolton
Brown, Calif.
Burton, Calif.
Callaway
Cameron
Carey
Celler
Chamberlain
Clawson, Del
Cohelan
Colmer
Conable
Conyers
Daddario
Dawson
Dickinson
Dyal
Edwards, Ala.
Ellsworth
Evins, Tenn.
Farnum
Fisher
Flood
Flynt
Fogarty
Foley
Fulton, Tenn.
Gonzalez
Hanna
Hansen, Idaho
Hardy
Hawkins
Henderson
Herlong
Holifield
Huot
Irwin
Jacobs
Jonas
Jones, N.C.
Karth
Landrum
Leggett
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Matsunaga
Miller
Mills
Mink
Morrison
Morton
Moss
Multer
Murray
Nix
O'Brien
Passman
Pelly
Powell
Rees
Resnick
Rivers, S.C.
Roberts
Roncalio
Rooney, N.Y.
Rostenkowski
Scott
Shriver
Sikes
Smith, N.Y.
Stafford
Stephens
Thompson, N.J.
Toll
Trimble
Tupper
Vivian
Watson
Whitten
Williams
Willis
Wilson, Charles H.

So the bill was passed.

The Clerk announced the following pairs:

Mr. Rooney of New York with Mr. Arends.
Mr. Miller with Mr. Del Clawson.
Mr. Dyal with Mr. Chamberlain.
Mr. Hanna with Mr. Conable.
Mr. Cohelan with Mr. Ayres.
Mr. Multer with Mr. Morton.
Mr. Passman with Mr. Berry.
Mr. Colmer with Mr. Callaway.
Mr. Whitten with Mr. Edwards of Alabama.
Mr. Williams with Mr. Dickinson.
Mr. Fogarty with Mrs. Bolton.
Mr. Mills with Mr. Martin of Massachusetts.
Mr. Celler with Mr. Leggett.
Mr. Matsunaga with Mr. Ellsworth.
Mr. Moss with Mr. Pelly.
Mr. Stephens with Mr. Martin of Alabama.
Mr. Holifield with Mr. Jonas.
Mr. Abernethy with Mr. Tupper.
Mr. George W. Andrews with Mr. Watson.
Mr. Barrett with Mr. Shriver.
Mr. Brown of California with Mr. Smith of New York.
Mr. Evins of Tennessee with Mr. Martin of Nebraska.
Mr. Henderson with Mr. Hansen of Idaho.
Mr. Trimble with Mr. Stafford.
Mr. Sikes with Mr. Rostenkowski.
Mr. Blatnik with Mr. Irwin.
Mr. Burton of California with Mr. Carey.
Mr. Daddario with Mr. Farnum.
Mr. Gonzalez with Mr. Hawkins.
Mr. Herlong with Mr. Vivian.
Mr. Charles H. Wilson with Mr. Willis.
Mr. Thompson of New Jersey with Mr. Toll.
Mr. Morrison with Mr. Fulton of Tennessee.
Mr. Hardy with Mr. Scott.
Mr. Roncalio with Mr. Nix.
Mr. Resnick with Mr. Conyers.
Mr. Rees with Mr. Powell.
Mr. Rivers of South Carolina with Mr. Roberts.
Mr. Cameron with Mr. Dawson.
Mr. Karth with Mr. Jones of North Carolina.
Mr. Flood with Mr. Fisher.
Mr. Flynt with Mr. Jacobs.
Mr. Foley with Mrs. Mink.
Mr. Landrum with Mr. Huot.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

COMMITTEE ON RULES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. FOLEY. Mr. Speaker, I was present in the Chamber immediately prior to rollcall 123. I was called from the Chamber on urgent business related to a region within which my district is located. When I returned, the rollcall had been concluded.

I fully support the Library Services and Construction Act Amendments of 1966. I congratulate the gentleman from Illinois [Mr. PUCINSKI] on the bill. I regret that I was not here to cast my vote along with the overwhelming number of other Members of the House. Had I been present I would have voted "yea."

LEGISLATIVE PROGRAM FOR WEEK OF JUNE 6

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader as to the program for the rest of the week, and the program for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinquished minority leader, we have concluded the legislative program for this week and will ask to go over, upon the announcement of the legislative program for next week.

The program for next week is as follows:

Monday is Consent Calendar day.

There are 10 bills under suspension of the rules:

H.R. 14643, International Education Act of 1966,

H.R. 13650, to amend the Federal Tort Claims Act,

H.R. 13651, providing for collection of claims of United States,

H.R. 13652, statute of limitations for certain actions brought by the Government,

H.R. 14182, to provide for judgment for costs against the United States,

H.R. 10, self-employed individuals tax retirement amendments,

H.R. 14909, designating certain Veterans' Administration facilities,

H.R. 14312, increasing authorizzation for Missouri River Basin,

H.R. 698, to establish Guadalupe Mountains National Park, and

S. 2393, to provide for additional career positions in certain departments and agencies.

Tuesday is Private Calendar day. Also on Tuesday the Legislative Appropriations Act for fiscal year 1967, and S. 1357, the Bail Reform Act of 1966, an open rule with 2 hours of debate.

For Wedensday and the balance of the week:

H.R. 15202, to increase the debt ceiling limitation,

S. 2950, the defense procurement authorization for fiscal year 1967, with an open rule and 4 hours of debate, waiving points of order, and

H.R. 14929, the Food for Freedom Act of 1966, with an open rule and 4 hours of debate, waiving points of order.

This announcement is made subject to the usual reservation that conference reports may be brought up at any time, and any further program may be announced later.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ADJOURNMENT OVER TO MONDAY, JUNE 6

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GERALD R. FORD. Would the distinguished majority leader answer this question, if he is in a position to do so—there have been some rumors to the effect that there may be a 10-day recess over the Fourth of July. Could the distinguished majority leader give us any information that he might be in a position to give us at this time concerning this information.

Mr. ALBERT. Mr. Speaker, will the distinguished gentleman from Michigan yield?

Mr. GERALD R. FORD. I yield to the distinguished majority leader.

Mr. ALBERT. I am happy the distinguished minority leader has brought up this matter because I would like to advise the Members of the House what the thinking of the leadership on both sides of the aisle is with reference to this.

I am happy to say that the Speaker of the House and I have had this matter under consideration, and we have discussed it with the leadership on the other side. We are very much in favor of a vacation over the Fourth of July. I would say to the gentleman, I think it is 99 percent certain at this time that when we adjourn on Thursday evening before the Fourth of July, that is on Thursday, June 30, we will have a vacation to Monday, July 11.

Mr. GERALD R. FORD. I am sure that all Members on both sides of the aisle are pleased with the announcement of the distinguished majority leader.

Mr. CURTIS. Mr. Speaker, the gentleman is not speaking for all the Members. When are we going to adjourn?

Mr. Speaker, will the gentleman from Michigan yield?

Mr. GERALD R. FORD. I yield to the gentleman from Missouri.

Mr. CURTIS. Could the distinguished majority leader suggest when this Congress is going to adjourn, if it does not take care of its business in the regular order?

Mr. ALBERT. I would say to the distinguished gentleman that we hope to adjourn at a reasonably early date and we do not believe that a 1-week vacation, it really amounts to only about 4 legislative days, is going to impair the opportunity for the House to adjourn.

Mr. CURTIS. We are supposed by law to adjourn not later than July 30. Are we going to meet that date?

Mr. ALBERT. That supposition is, of course, subject to certain other provisions of the same act to which the gentleman refers.

Mr. CURTIS. Only if the Congress by action does so. But this is a statutory date and I think it is about time that we exercised a little self-discipline.

Mr. ALBERT. I hope that we will be able to do that. I would like to adjourn at an early date. I can say to the gentleman, we will program bills just as fast as we can and we ask the cooperation and patience of the distinguished gentleman in expediting bills out of his committee and the other committees of the House. Of course, the gentleman's committee has many major, important bills.

Mr. CURTIS. I think they have been reported out of committee, I might say to the distinguished majority leader. I think the Committee on Ways and Means has reported out its legislation.

Mr. ALBERT. It has and we are asking all committees to act expeditiously.

Mr. CURTIS. If the gentleman from Michigan will yield further, I simply do not want this to go by on the assumption that everybody was in agreement on this because there are many of us who are not in agreement with this kind of schedule and I am not speaking just for myself.

Mr. GERALD R. FORD. I thank the gentleman from Oklahoma for this information

TRAINING OF HANDPICKED YOUNG PEOPLE FROM LATIN AMERICA IN COMMUNIST COUNTRIES

Mr. POLANCO-ABREU. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

Mr. SPEAKER. Is there objection to the request of the gentleman from Puerto Rico?

There was no objection.

Mr. POLANCO-ABREU. Mr. Speaker, in these days when we read from time to time of thousands of handpicked young people from Latin America being transported to Communist countries for intensive training in communism and subversion, I am sure you share with me concern for the type of world that these young indoctrinees may create when they are turned loose with fanaticism, discipline, and studied efficiency to infiltrate respectable organizations, democratic institutions, and governments friendly to us. We may expect that a primary purpose in this training is to equip them to inspire and create the climate for wars of national liberation, to tumble governments, and to spread confusion, chaos, and terror, all of which is meant to isolate the strongholds of democracy and to weaken them.

For example, the University of Political Studies in Prague enrolls 5,000 from Latin America. The Patrice Lumumba University in Moscow has an enrollment of 30,000 from worldwide sources, including a large body from Latin America. Communist China paid out $2 million in 2 years to transport Peruvian youths to Red China for training. Additional hundreds are taken to Cuba and other special groups to Moscow and Peking.

In this sense, I feel it important to include in the extension and revision of my remarks an article in two parts by Manuel Rivera Matos, which appeared in El Imparcial, of San Juan, P.R., on March 17 and March 23, which told encouragingly of the Inter-American School for Political Education in San Jose, Costa Rica.

This is a small school, with limited funds and facilities, but which has the purpose of training leaders in the democratic ideology of political organization and action, as well as leadership and effective communication. The school was founded by ex-President Jose Figueres, of Costa Rica, a real patriot and a true champion of democracy. The directors of the school are working with dedication and energy.

The Inter-American School for Political Education, founded in late 1959, is the only institution of this kind on an international level. Its enrollment is not large, but it is a beginning. I should like to see all possible encouragement and help given to the Inter-American School for Political Education, and I should like to see other schools of this nature established in other Latin American countries and in the United States.

In this connection, I am pleased that there is pending on the House Calendar, H.R. 9713, which would create the Freedom Commission and the Freedom Academy. It would be well for the Congress to approve this bill.

The articles on the Inter-American School for Political Education follow:

[From the San Juan (P.R.) El Imparcial, Mar. 19, 1966]

A School To Serve Democracy

(By Manuel Rivera Matos)

For the past six years an Inter-American School for Political Education has been in operation in Costa Rica. Many Puerto Ricans, some as professors and some as students, have been associated with this institution of political instruction. Last November it was my turn to give three lectures on methods of mass communication, based on the political experience of Puerto Rico. Few of our countrymen know the origin, functions and purpose of this institution, and its valuable service to democracy.

The School was founded late in 1959, at a meeting held in the country home of ex-President Jose Figueres of Costa Rica, an estate which bears the poetic name of "The Endless Struggle." The meeting was attended by representatives of democratic parties and groups from throughout Latin America and the United States, who there laid the organizational and doctrinal foundations for the new institutions. Up to that time, the democratic forces of the Americas had no institution of this kind at an international level. The communists, on the other hand, had accumulated 40 years of experience with a vast system of schools for large-scale training of leadership cadres and youth leaders throughout the world.

The establishment of the School rests on the principle that "ideas cannot survive by themselves. Noble, generous and evident though they may be, they need to be defended by honest and able men." And the objectives of the institution were determined by:

1. In general, the democratic groups of this area lack the experience and technical know-how which are necessary to political organization and action, and they have had little opportunity to train a corps of leaders.

2. These groups must be helped to spell out their ideologies in the light of the principles, teachings, experience and positive realizations of practical democracy.

3. It is desirable to maintain a clearing house of information and a center of coordination for all democratic groups.

4. It is imperative to prepare all of our leaders for the effort to achieve continental unity within the framework of democratic inter-Americanism without imperialism.

In keeping with these objectives five fields of study have been established:

1. Strategy and tactics for achieving and maintaining power for the defense and application of democracy.

2. Studies of social and economic realities and of principles, measures and methods for the development and welfare of the Latin American peoples.

3. Geopolitics of the hemisphere.

4. Interpretation of Latin American history and of political and social events that may arise.

5. Responsibilities of political parties in international politics.

The courses are taught over a ten-week period and they cover, among others: public speaking and principles and techniques of communication; public relations; the exercise of power; theory and practice of political parties; analysis of the history of Latin America; history of the development of political institutions in the United States; sociology and political economy; economic geography of Latin America; international relations; trade unionism; and cooperative movements.

An element in the operation of the School is the Academic Council, in which the director of the institution is represented. The responsibility of ideological orientation rests with the sponsoring political parties.

The institution is at present under the directorship of a Paraguayan professor, Dr. Elpidio Yegros, a learned and kind man. He is inured to struggle and to the discipline of hardship. He has been rendered morally and intellectually capable for this work by his solid knowledge of the realities and problems of Latin America, generated by twenty-five years of revolutionary action against the dictatorship and oligarchies of his country, where he has been subject to persecution, imprisonment and exile.

The educational function of the School is directed principally to the instruction of youth leaders in political action, as well as to counteracting tactics of communist infiltration. Many of the graduates hold positions of leadership in their respective parties, as well as government posts in countries where their political ideoolgy has been successful, such as Puerto Rico and Venezuela. To date, 39 democratic parties and civic organizations in the continent have sent young students, with transportation and living expenses paid by the School. Expenses of foreign professors are also covered by the School. Enrollment for the courses fluctuates between 30 and 40 students; the class in which I participated was attended by 27 students from ten countries, including three from Puerto Rico.

The School is located at a country estate called "La Catalina," some 24 kilometers from San Jose, the capital. The living quarters consist of cottages set up in a forest of tall, murmuring pines, and there is a central building with a conference room, dining room, library, recreation rooms, offices and kitchen, as well as a swimming-pool. The weather is ideal, and the atmosphere peaceful and subdued. There are no residents for several miles around, and no noises, except the pleasurable ones of Nature. Before your eyes lies the beauty of the central plateau of San Jose, with its exuberant splash of green. In short, it is a place of placid solitude and of invigorating stimulation for mind and spirit; it could have been a paradise for mystics and artists.

[From the San Juan (P.R.) El Imparcial, Mar. 23, 1966]

(Part II)

In my first article about the Inter-American School for Political Education in Costa Rica, I explained its origin, operations, and the valuable services which it is rendering to prepare youth leaders for the inspired and intelligent defense of democratic institutions in our hemisphere. In its ideology, the School is clearly in favor of the social reforms so badly needed in our lands.

In our American countries liberty, alone, is not enough. What is the meaning, to those forsaken by fortune, of a regime of freedom which fails to eradicate extreme poverty, ignorance, illness, exploitation and injustice? Crushed by those circumstances people end up by losing faith in democracy, and they embrace with irrational fervor any doctrine that will promise a fairer deal, even when the price is the total loss of the basic liberties of Man. Young people from the universities, who finish their studies to find themselves jobless; the working classes who live in dire poverty, denied the most elementary needs, these are the ferment of the subversive rebellions of our times. We have often observed this phenomenon in the contemporary world, and it has always been the germinating medium for totalitarian systems. For this reason, the School advocates reorganization of the feudal structure, where it exists in American societies, so that wealth may not be a monopoly of a privileged minority in detriment to the common welfare.

I wish to make special reference to the mass programs of readiness which international communism is conducting for youth leaders, to propagate its ideas and promote infiltration tactics. At the University for Political Studies in Prague, 5,000 young people from Latin America are currently receiving training. The Patrice Lumumba University in Moscow has an enrollment of 30,000 students from all over the world, among which there are large groups of Latin Americans. Not long ago 600 rural leaders from Ecuador were taken to Moscow, where they were given training in their native language. And, in the last two years, Peking spent $2 million in air transportation to take Peruvian youths to Red China for training. To these mass training programs must be added the training centers operating in Leningrad and Havana. These young people, rendered fanatic and communist indoctrinated into rigorous discipline, spill themselves upon the Latin American countries and other continents, to carry out subversive work along well-defined lines.

What does the training consist of? In addition to ideological indoctrination, students are trained for manipulated revolutionary action along predetermined patterns. They are taught techniques of sabotage and terrorism, guerrilla warfare, mass agitation, effective propaganda methods, etc. And we already know that in the leadership cadres of communism everything proceeds with inflexible discipline and blind obedience to orders from above. These agitators are present in all protest activities which may generate disorder and social discontent. They frequently hide behind causes that seem attractive and enticing to idealists, such as pacifist movements, fronts of national liberation, and so forth. It is no easy task, then, to combat well-organized groups of people with blind faith, who believe that they hold in their hands the key to absolute truth and human salvation.

Confronted with this reality full of perils, what do our nations do? The Inter-American School for Political Education in Costa Rica, in its few years of operation, has been able to train only 351 students, who form the vanguard for countering, in the measure of their strength and opportunities, the communist infiltration in their countries. Their efforts are noble, but the effect minimal, compared to the gigantic proportions of the infiltration activities of international communism. We have faith in the impregnability of our democratic institutions and the basic goodness of our principles, but the underlying principle of the School is that "ideas cannot survive by themselves. Noble, generous and evident though they may be, they must be defended by honest and able men."

The institution has lived a precarious economic existence. It thrives on the contributions of democratic movements in the Americas. It is currently campaigning to raise $50,000 for the purchase of facilities. I appeal to the genuine upholders of democratic principles, to the generous hearts, and to the civic and economic institutions of our country to make possible this modest help, in order to preserve this center, which is a workshop of study and training for the defense of democratic ideals.

FATHER'S DAY

Mr. RESNICK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RESNICK. Mr. Speaker, the family is society's basic unit. And there cannot be any disagreement with the fact that a family needs two parents. Unfortunately, many families have only one parent and in most cases it is the mother.

It has come as a shock to most Americans to learn that an estimated 2 million children now live in homes which do not have fathers and I am sure it is hardly an accident that an estimated 80 percent of our juvenile delinquents come from fatherless homes.

The American home should be the center of strength and stability, and it generally is. But it is most likely to fulfill this role properly when the leadership, strength, and guidance of a father is present.

The American father is a constant source of moral strength to his growing children. Together with a mother of his family, he enables his children to develop to their fullest physical, emotional, intellectual, and moral capacities.

Consequently, I must admit that it came as quite a surprise to me recently to learn that Father's Day has never achieved the official recognition it so keenly deserves.

I do not mean to detract from the importance of American women and Mother's Day.

The Congress of the United States acted wisely in 1914 when it resolved to direct the President to proclaim Mother's Day annually, with all due pomp and ceremony. I think the American family would benefit greatly if Father's Day, which up until now has been an occasion sponsored by a private trade organization, were elevated to the same status as Mother's Day. Toward that end I have submitted a resolution asking Congress to direct and request the President to annually proclaim Father's Day.

We must face up to the fact that we have two kinds of fatherless homes in this country. First, is the home that is literally without a father. Generally speaking these are in our low-income homes. In addition, however, there are countless homes—in our middle and upper classes—which are figuratively without fathers. That is, the family has a father who is always away on business, who works late every night of the week, who spends his weekends at the golf course, and is away from home so often so as to deprive his children of his necessary influence.

I think all Americans should take a fresh look at the role of the father as a stabilizing family influence in a turbulent world. The creation of a Father's Day that achieves greater status through official recognition by Congress and the President will, I am hopeful, reaffirm the importances of fathers, and in some measure, help strengthen American families.

WOMEN WALK THEIR NEIGHBORHOOD STREETS UNAFRAID IN JOHNSTOWN, PA.

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter and tables.

The **SPEAKER.** Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, recently the National Observer published an article pointing to the low crime rate in the city of Johnstown, Pa., which leads the Nation with a record of 328 crimes per 100,000 residents as opposed to the national average of 1,361.2 per 100,000. Of the 12 lowest crime cities, 6 are in Pennsylvania and 4 of those are in coal-mining regions.

The article could be a source of valuable information for sociologists and criminologists seeking to establish environmental reasons for the unprecedented number of offenses against law and order that has brought terror into many communities. I ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks.

My own observation is that coal miners, steelworkers, and laborers and their neighbors have developed an unusual devotion to country and to their fellow men because they have put so much effort into making the United States the great nation they want it to be. Their own parents worked hard and long with a fierce pride in their accomplishments, and they have reared their families in the same philosophy. Parental respect and love of God and country have come with each succeeding generation. With such dedication evolving throughout a community, regard for a neighbor's person and property becomes an innate characteristic.

We have a few individuals who do not conform and sometimes stray, but these exceptions only serve to arouse in others a determination to make their children exemplary citizens. We are proud of these communities and we invite any study that may lead to national improvement.

The article follows:

WHY POLICE RADIOS ARE SILENT IN JOHNSTOWN: "WOMEN WALK THEIR NEIGHBORHOOD STREETS UNAFRAID"

JOHNSTOWN, PA.—Capt. Sammy Coco, chief of detectives on the Johnstown police force, is one of the toughest cops in western Pennsylvania. They say around here that Sammy and his crew always get their man, which is perhaps one of the many reasons why this hazy community of coal and steel workers has the lowest crime rate of the 184 metropolitan areas of the United States.

The crime rate here is really low, with so few serious crimes that Sammy Coco has plenty of time to concentrate on getting his man. According to the FBI's uniform crime reports, the Johnstown area has only 328 serious crimes a year for every 100,000 people, a rate that is one-fourth the national average and one-tenth the rate in the leading crime cities of Los Angeles and Las Vegas.

There's so little crime that the police radios are sometimes silent for days on end, police-court sessions are canceled for lack of business, women walk their neighborhood streets unafraid, and—according to Police Lieut. Melvin Causer, who conducted a survey of his own—there are always a couple of dozen autos parked downtown with the keys in the ignition.

CRIMES THAT ARE UNCOMMON

"You'll even find cars parked at the curb with the engines running," says Lieutenant Causer, proud that in a two-county area of 276,000 persons, auto theft is not common, armed robbery is highly unusual, and murder and rape are rare.

How does an industrial town keep its citizens from molesting each other, from swiping cars, from trafficking in narcotics? Can something be learned from Johnstown?

Ask these questions here, and everyone has a different theory. Police officials believe police efficiency has something to do with it. School officials say it's education and discipline of the young. Politicians say it's the healthy political climate. Clergymen say religious training is a major factor. And the man in the street—likely to be a first-generation or second-generation Czech, Pole, Italian, Austrian, or German—says it could be the vestige of old-country family traditions.

Perhaps they are all correct, for other areas of Pennsylvania that closely resemble Johnstown—Scranton, Wilkes-Barre, Hazleton, Lancaster—also have low crime rates. The ingredients that have shaped the character of these communities are everywhere in evidence in Johnstown.

IT BEGINS WITH DISCIPLINE

"Discipline is very important," says Albert Rubis, the mild but obviously firm principal of Johnstown High School. "You have to go all the way with it or you're in trouble. On the first day of every fall semester, for instance, I address the students and instruct them to get rid of all the bad habits they picked up during the summer—have their hair cut and wear proper clothes. Those that don't are sent home, and the parents are almost always in our corner."

Mr. Rubis says the student body has freedom, but everyone understands the ground rules and knows the consequences of infractions. Two seniors a year ago, for example, were expelled for a semester after Mr. Rubis found them fist fighting in the cafeteria. There are few fist fights at Johnstown High.

Johnstown has no narcotics problem. In his 18 years on the police force, Lieutenant Causer, who is the juvenile officer, says he has seen only one stick of marijuana—and it belonged to a transient. Certainly Johnstown has most of the juvenile problems here that are found in other cities of equal size, but troublesome incidents generally are not as frequent or as severe as elsewhere. "We'll have pretty serious fights," says Lieutenant Causer, "but always with fists. If there's a switchblade [knife] in town, I don't know about it. The kids here aren't vicious."

The amount of juvenile trouble is small enough so the police and social agencies have enough time to deal with the smallest of incidents. If a half-dozen boys are noticed idling on a street corner, the authorities go to work to find something for them to do. The downtown Teen Center has more than 5,000 youngsters in active membership.

"SOMETHING IS UP"

If a girl plays truant from her junior high school, a notation to this effect appears on a file card on her in the police station. When a group of boys two years ago showed up for school wearing distinctive black sport shirts, the principal immediately informed the police that "Something is up," and the juvenile officers were in to break up the beginnings of a gang.

Although the Johnstown area is largely urban, built around the Bethlehem Steel and U.S. Steel mills, a small-town atmosphere pervades. "People in this town have nose trouble," says Police Capt. Steven Harris. "Everyone in town is minding everyone else's business, and this helps us out. They're always calling in here to check things out."

Dr. George Walter, professor of sociology at the local University of Pittsburgh branch and a former mayor, theorizes that the crazy-quilt pattern of political subdivisions around Johnstown—19 in all—promotes a spirit of community in each subdivision that helps keep crime down.

"These are primary relationships," he says. "If a kid smokes on one end of the block, the other end of the block is concerned."

FILLING ITS PAPER WITH TIDBITS

The local newspaper, the Johnstown Tribune-Democrat, helps keep up this community pressure. Although it has a sizable circulation (59,000) and a staff of 80, it maintains the chummy flavor of a village weekly. Perhaps because there is so little crime or political corruption for it to fasten upon, it fills its pages with neighborhood tidbits.

Says Dr. Walter: "As the saying around here goes, you could come home from work for 40 years and kiss your wife, but on one night you might give her the back of your hand and you'll read about it the next day on the back page of the Tribune-Democrat."

The most enduring problem the police have is with drinking and gambling, standard ingredients in towns that live on muscle, mines, and open-hearth furnaces. But even drinking and gambling problems, by comparison with those in other communities, seem minimal.

"Don't get me wrong," says Police Chief Robert Burkhart, a quiet, affable policeman with 29 years on the force. "We have a lot of drinking here, but not like it used to be. Since TV came along, the bars aren't doing the business any more. The men come out of the mills, grab a six-pack, and go home with it."

"JURIES HERE ARE FUNNY"

Captain Coco regularly raids the three gambling enterprises in town—numbers books that are believed to be independent rather than syndicate-related. But it's difficult to prosecute here. "The juries here are funny," smiles Bob Gleason, a young criminal law attorney who also heads the Young Republicans here. "They're tough on any kind of violence, but they don't like to convict on drinking or gambling."

Mr. Gleason and Captain Coco are regular adversaries in the courtroom, scrapping over gambling pinches and burglary raps. Yet each holds a high regard for the talents of the other. "I'll get my man off on 12 burglaries," Mr. Gleason says admiringly, "but Sammy'll get him on the 13th. Once you're down with Sammy, he's going to bring you up on any little thing until he gets you."

The 50-year-old Captain Coco, the most controversial figure in Johnstown, candidly admits he uses every possible trick, device, and loophole available to him when it comes to punishing a man he knows is guilty of a crime.

"I never bring a man up on charges unless I'm positive he's guilty," he says. But then he gets the works. No violence, no rough stuff; nobody has ever accused him of that. But he uses techniques used by policemen the world over to discourage further crime.

"Gleason claims he's beaten me on a dozen cases, but I didn't lose any of them completely," says Captain Coco. "I'll get the mayor to set bail so high that the man can't meet it, so even when Gleason gets him off on a technicality he's stewed for four months in jail."

HIS SPECTACULAR CATCHES

Getting out of town after staging a holdup is not likely to do a criminal much good either. Captain Coco believes the potential criminal must be aware that the police will track him down anywhere in order to bring him to justice. His spectacular catches in Miami, Chicago, Detroit, and other distant cities quite naturally receive big play in the press.

Some of Captain Coco's techniques are condemned by a number of prominent Johnstown residents; Dr. Walter, the sociologist, for example, busted Captain Coco to patrolman while he was mayor. But Captain Coco appears to have the solid backing of the current mayor, Kenneth Tompkins. A Republican so independent in politics that even his own party still opposes him, Mayor Tompkins brought Captain Coco back from his beat to head the detective division. "He delivers the goods, that's all I ask," the mayor barks.

In neighboring Somerset County, part of the Johnstown metropolitan area, a teenager caught drinking can expect a $25 fine, and a mugging is worth a year and a half in prison. But sentences over five years are rare. "If our institutions and modern methods can't rehabilitate a defendant in 2½ to 5 years, then a longer term won't help," says Judge Thomas F. Lansbury. "Our juries here are very careful, but very firm. They tend to be a little sympathetic toward a defendant, and his guilt has to be clearly shown, but if it is, they want him properly sentenced."

It's generally agreed here that the near absence of racial tension in Johnstown contributes to the low crime rate. There are 3,700 Negroes in the area, but the incidence of crime among them is not disproportionate.

A MEASURE OF INITIATIVE

The economic position of the Negro here is not much better than it is elsewhere. Closed job categories are gradually opening up, however, and there seems to be enough hope among Negroes that tensions and crime are kept down. "It's not unusual to see them run the bad guys out of town themselves," says Captain Coco.

Housing for Negroes is not good, but then housing throughout the community is aging and modest. Most of the town was built between 1889 and 1925, after the famous flood of 1889 destroyed the old Johnstown and killed more than 2,000 residents. When the steel industry is suffering, as it was four years ago, unemployment goes up to as much as 16 percent, the young people leave, and the older ones tighten their belts. When prosperity returns, the atmosphere of adversity lingers.

Most police chiefs around the Nation complain that when unemployment goes up, so does the crime rate. Not so in Johnstown. The people here are accustomed to adversity. Probe them for weaknesses, and you strike granite.

"Some of our children may seem to lack common courtesy," say the Rev. J. Clark George, principal of Bishop McCort High School. "But their parents have grounded them solidly in morals, ethics, and religion."

It may be the low crime rate here has something to do with the fact that Sammy Coco is one of the toughest cops in western Pennsylvania. It may also be that the people of Johnstown themselves are tougher than most modern Americans.

Twelve lowest crime cities

(Crimes per 100,000 residents)

Johnstown, Pa	328.0
Lancaster, Pa	399.7
Wilkes-Barre-Hazleton, Pa	463.6
Manchester, N.H	507.8
Utica-Rome, N.Y	509.8
Altoona, Pa	518.3
Reading, Pa	538.5
Wheeling, W. Va	539.4
Binghamton, N.Y	546.9
Scranton, Pa	563.3
Provo-Orem, Utah	570.0
Pittsfield, Mass	588.6
(National average	1,361.2)

—JUDE WANNISKI.

NEW WATER POLLUTION CONTROL PLANT AT COOSA RIVER NEWSPRINT MILL

Mr. GLENN ANDREWS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GLENN ANDREWS. Mr. Speaker, I am proud to have in my congressional district the Coosa River Newsprint Division of the Kimberly-Clark Corp., at Coosa Pines, Ala., where newsprint is turned out in large volume for the newspapers of the South.

Recently two accomplishments were announced by this distinguished company which demonstrates its leadership in the production of paper and the enlightened sense of public responsibility possessed by its management.

Now under construction at the Coosa River mill is a new paper machine which, upon completion, will make the facility the Nation's largest newsprint mill. When the new machine goes into operation in the summer of 1967, it will produce as much as 150,000 tons of newsprint per year. This will increase the mill's capacity by 62 percent—to 440,000 tons annually.

Mr. Speaker, I particularly want to commend to the attention of my colleagues Kimberly-Clark's second accomplishment, which concerns a great national problem, water pollution.

Recently, Mr. Robert G. Shirriff, Coosa River mill manager, set into preliminary operation a new water pollution control plant built by the company at a cost of $2.5 million. Designed to treat up to 50 million gallons a day of paper mill waste, the installation is expected to reach full operating capacity by midsummer. It is one of the largest pollution control units ever built by a paper company.

Its treatment facilities include a mechanical clarifier that removes nearly 60 tons of suspended solids and other oxygen-consuming materials per day from the water, and also a 370-acre aeration pond. This man-made basin, 2½ miles long, holds up to 1.4 billion gallons of water, where wastes are further settled and broken down by natural chemical reactions.

The plant takes advantage of the latest techniques in improving water quality and meets or exceeds all the standards established by the Alabama Pollution Control Commission for treatment of water discharges by industrial plants in the State.

Mr. Speaker, Kimberly-Clark's new water pollution plant at Coosa Pines is an excellent example of private industry accepting its responsibility to meet a public problem. It solidifies our faith in the free enterprise system.

REVENUE FOR THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11487) to provide revenue for the District of Columbia, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference with the Senate.

The SPEAKER pro tempore (Mr. Albert). Is there objection to the request of the gentleman from South Carolina? The Chair hears none, and without objection appoints the following conferees: Messrs. Whitener, McMillan, Dowdy, Fuqua, Nelsen, Harsha, and Broyhill of Virginia.

MINUTES OF FIRST ORGANIZATIONAL MEETING OF THE AMERICAN LEGION

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, not only America but the whole world is aware of the great patriotic organization, the American Legion and all that it has meant, means, and will mean in the protection and perpetuation of freedom in our country and in the world.

Not only all legionnaires but all Americans and all who love and cherish freedom will find immensely interesting the first minutes of the organizational meeting of the American Legion, on American soil, at the Statler Hotel in St. Louis, Mo., May 6, 1919, when 41 veterans, many of them possessors of great American names, initiated this distinguished organization.

One of Mrs. Pepper's and my devoted friends and neighbors in Miami, Fla., Capt. George H. Maines, kept the minutes of this significant meeting. I have a letter from Captain Maines sending me the copy of the minutes of this first organizational meeting of the Legion in the United States telling me about the event together with the call for veterans to attend this organizational meeting which appeared in the Miami Beach Times of May 20, 1966.

As a tribute to these veterans, who held this first organizational meeting of the American Legion on American soil, and to the great patriotic organization, the American Legion which this meeting launched, I ask that the letter of Captain Maines and the page from the Miami Beach Times, Miami, Fla., of May 20, 1966, to which I referred, appear following my remarks in the body of the Record. I am sure this meaningful record will be a source not only of information but of inspiration to all who are privileged to see it:

Miami Beach Times,
Miami Beach, Fla., May 21, 1966.

Hon. Claude Pepper.

Here is the copy of the first record ever kept in the United States when 41 of us met on the mezzanine floor of the Hotel Statler in St. Louis May 6, 1919. It was called The Preliminary Caucus to discuss and make plans for the caucus of The American Legion May 8, 9, 10 which was held at the Shubert Theatre, St. Louis, Mo (across street from the Jefferson hotel (now Sheraton-Jefferson.) A plaque on the site, now a utility company building, marks the place where 1,200 delegates and alternates met to establish and Found the Legion. This writer was a delegate from Michigan. Lt. Col. Theodore Roosevelt, and Col. Bennett Champ Clark, were co-chairmen for this Preliminary Caucus. The minutes, or record, were kept by this writer and it is my hand-writing. We typed it from the written copy done on Statler hotel stationery. The original is in the files of The American Legion at national headquarters in Washington, D.C.

You take it from here, and might credit as published in The Miami Beach Times if you like.

Thanks, and a hand-grasp,
Your friend,
George H. Maines.

[From the Miami Beach Times, May 20, 1966]

This is a copy of the first record (minutes) kept in the United States when The American Legion was founded in St. Louis. It was during the St. Louis (Mo.) Caucus, held there on May 8, 9, 10th, 1919. At the Preliminary Caucus, May 6, held at the Hotel Statler, 41 veterans whose names appear below met with Lt. Col. Theodore Roosevelt and Col. Bennett Champ Clark, as co-chairmen, to make the plans for the convention. The minutes were kept by Capt. George H. Maines, then a 2nd Lt., who was a delegate from Michigan. Capt. Maines is national historian for the Society of American Legion Founders and is associated with the Miami Beach Times.

Hotel Statler.

This letter written at St. Louis.

(1) Each State or Ter. to have votes equal to twice its congr, rep., D. of C. 8 votes, Alaska, P.I. & Hawaii two each & vote by state be cast by delegates present.

(2) Each state to decide manner of casting its votes.

(3) All delegates who attend convention to have seat on the floor.

(4) Com. of 5 with T. Ch. & T. Secy draw up preliminary dec. of prin.

(5) Com. of 5 to draft proposed order of business for caucus.

(6) Com. of 5 on organ./plan for const. & by-laws.

May 6, 1919.

John MacVicar, Iowa.
F. W. Fischer, Okla.
R. A. Sachs, Jr., Ky.
B. L. Goldberg, Ill.
R. J. Douglas, Utah.
D. E. Pluvers, Utah.
N. P. Weed, N.J.
H. R. Lindsley, Tex.
J. J. Sullivan, Wash.
Lt. Col. A. H. Johnson, R.I.
D. J. Hard, Ohio.
E. L. Malsbury, Nev.
C. R. Nelson, Ohio.
L. A. Miller, Wyo.
R. C. Haines, Maine.
L. R. Collier, Idaho.
H. C. Meserve, Conn.
T. A. Jackson, Ark.
L. R. Jacobs, Ala.
C. V. Birkhead, Tex.
Col. R. H. Flamm, N. Mex.
Chas. W. Berry, N.Y.
Lt. Col. E. F. Wood, Pa.
B. C. Clark, Mo
Lt. Col. Theo. Roosevelt, Jr., N.Y.
C. M. Booth, Idaho.
R. D. Grant, Oregon.
F. D'Olier, Pa.
E. B. McDonald, Wash.
Capt. L. H. Bell, Ga.
F. W. Fein, Mich.
Lieut. George H. Maines, Mich.
J. G. Maher, Neb.
J. P. Gaines, Tex.
C. E. Pew, Mont.
J. L. Meehan, Utah.
J. L. Kincaid, N.Y.
E. L. Jones, D. of C
A B. Wilson, Ind.
M. M. David, Col.
B. E. Leonard, Oregon.

Statler Hotel,
St. Louis, Mo., May 6, 1919.

At a preliminary meeting called at 2 P.M. in the Statler Hotel, St. Louis, attended by the following delegates, from the states opposite their name, plans were discussed for the caucus of the American Legion, to be held, here May 8th, 9th and 10th. Temporary Secretary Lieut. Col. Erie Fischer Wood, was chosen temporary chairman. After telling briefly of the previous meetings of the proposed American Legion at Paris, Lieut. Col., Roosevelt and Col. Bennett Clark, arrived the former being chosen acting temporary chairman and Lieut. Col., Wood acting Secretary for this meeting.

It was proposed that each state and territory have votes in the convention, equal to twice its congressional representatives, the District of Columbia 8 votes, Alaska, Philippine Islands and Hawaii, 2 votes each. All votes will be cast by delegates who are present. Each state will decide the manner of casting its votes all delegates who attend the convention, will have a seat on the floor. After due deliberation it was unanimously decided to have the chair appoint the following committees:

1—Committee of five together with the temporary chairman and temporary secretary to draw up a preliminary declaration of principles.

2—A committee of five to draft a proposed order of business.

3—A committee of five on organization.

These committees to report back to this preliminary caucus at eight P.M. this evening. The following delegates were present:

John Mae Vicar, Iowa.
F. W. Fischer, Okla.
O. A. Sacks, Jr., Ky.
B. L. Goldberg, Ill.
R. J. Douglas, Utah.
D. K. Rivers, Utah.
N. P. Wood, N.J.
H. D. Lindsley, Texas.
I. J. Sullivan, Wash.
Lt. Col. A. M. Johnson, R.I.
D. J. Kard, Ohio.
K. L. Malsbary, Nebr.
C. R. Nilson, Ohio.
L. A. Miller, Wyo.
F. D'Oller, Pa.
E. B. McDonald, Wash.
Capt. L. N. Bell, Ga.
F. W. Fein, Wash.
Lt. G. H. Maines, Mich.
J. G. Mahor, Nebr.
J. P. Gaines, Texas.
C. E. Pow, Mont.
J. L. Machen, Utah.
J. L. Kincaid, N.Y.
R. L. Jones, Dist. of Columbia.
A. B. Wilson, Ind.
M. M. David, Col.
B. E. Leonard, Oregon.
R. C. Haines, Maine.
L. R. Collier, Idaho.
H. C. Meserve, Conn.
T. A. Jackson, Ark.
L. R. Jacobs, Ala.
C. V. Kirkhead, Tex.
Col. R. H. Flamm, N. Mex.
Chas. W. Berry, N.Y.
Lt. Col. E. F. Wood, Pa.
B. C. Clark, Mo.
Lt. Col. Theo. Roosevelt, Jr., N.Y.
C. M. Booth, Idaho.
R. S. Grant, Oreg.
May 7, 1919.

Is Seeking Delegates to Loyal Legion

Lieut. George H. Maines, representing the men of Camp Custer, is in Davenport today, trying to induce returned soldiers from this vicinity to attend the meeting for the organization of the American Legion to be held at St. Louis beginning tomorrow.

Enlisted men in particular are sought. Every soldier, who served in the army, navy or marines, whether in foreign service or in this country is entitled to attend the convention and have a seat.

The American Legion is expected to be the organization of veterans of the world war which will take the same position in national affairs occupied by the G. A. R. and Spanish War Veterans. Veterans of the Civil War, whether Confederate or Unionist and veterans of the Spanish American War will be entitled to membership in the new organization.

"The American Legion will be non-political," declared Lieut. Maines today in an interview at the Blackhawk hotel. "Its aim will be to combat Bolshevism and anarchy and teach pure Americanism.

"The enlisted men will have the control of the organization. They will have 60 percent of the membership and it is hoped that many enlisted men from this district will attend the meeting."

At a preliminary meeting held at St. Louis yesterday, which Lieut. Maines attended, plans were made for the convention. Lieut. Col. Roosevelt, son of Theodore Roosevelt, was one of the speakers and was temporary chairman. The preliminary plans for the organization were made at a meeting in Paris, but the temporary officers all resigned and turned all matters over to the convention.

A GREAT CHIEF OF THE SEMINOLES PASSES AWAY

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, a great citizen, a leader in the community, as well as leader of the Indian nations, passed away in Miami this past week. William McKinley Osceola carried on the great and proud tradition of his forefathers and yet introduced many of the progressive new steps of the white man through better education, sanitary, and medical facilities for his people. This great man's passing was noted in the Miami Herald this past week and I would like to offer at this point in the Record this article for my colleagues' noting. The Seminole has suffered many hardships at the hands of the white man and yet Chief Osceola was a forthright and faithful leader of his people and his community:

White Man's Burial Today: Last Great Chief of the Seminoles Lying in State

(By Miller Davis, Herald staff writer)

The last of the great Seminole Indian chiefs lay in his gray wooden coffin Monday while the sad, the sympathetic and the just plain curious marched by in solemn tribute.

In death, William McKinley Osceola looked small, but the jaw was firm, the hands in repose still brown and sinewy.

He was born 85 years ago, the grandson of the first great warrior of the Muskegee Creek, who called himself Osceola because it meant "Black Drink"—an Indian potion of wisdom.

He was a baby in the Everglades when Miami was incorporated in 1896. He died in the Everglades watching a ceremonial dance less than two miles from his birthplace.

He will be—though he never knew it—the first Seminole chief to lie at rest in a white man's funeral home, surrounded by the floral decorations of the white man's making, and to go to final rest—in a white man's cemetery.

His family, though with regret, took these steps to insure against vandals robbing the old chief's grave.

Monday, as they passed Osceola's bier, schoolchildren gazed with widened eyes at the scarlet finery of his medicine coat. They gazed, too, at the handstitched leggings.

Osceola's steel-gray hair was trimmed short. He lay in white satin, and a few feet away stood his oldest son, six foot, black-eyed Mike Osceola, 45.

Nearby was the youngest of the patriarch's daughters, Alice Osceola, 24. She wore tribal garb in deference to tradition.

"Many more members of the family will arrive later," said Mike Osceola. "At the moment, they are in council, determining the succession of authority."

By Seminole law Corey Osceola, 64, the dead chief's oldest brother, will assume leadership. But each office, each duty, each responsibility in the remaining family is carefully assigned under the delicate canons of this Indian patriarchy.

A weatherbeaten old man walked by Osceola's casket, paused, looked down, and shuffled out of the room.

"My name is Henry," he said outside in the sunlight. "Clyde Henry. I knew the old man. I fished with him more than once, that was years ago." He paused, peering across the busy highway. "They'll all be gone before long."

Chief Osceola will have a motorcycle escort when he is carried to Woodlawn Park Cemetery at 9 a.m. today.

Corey Osceola will lead the pallbearers, and behind him, on either side of the casket, will be Osceola's remaining brothers, Howard, William, Jr., and Mike. The Indian's longtime lawyer, Morton Silver, and a man still to be selected, will complete the list of those at the grave.

There will be a eulogy, in English, and another in Seminole.

FEDERAL RESERVE BOARD DISCOUNT RATE AND REGULATION Q

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, many Members of the House will agree, I am confident, that the action of the Federal Reserve Board last December, in connection with the discount rate and regulation Q ceilings, has given rise to many problems in various sectors of our economy.

According to the advice I receive, this action has presented very grave problems to the savings and loan industry and has sharply diminished the amount of capital available in the country for home ownership and home improvement.

It has also, many believe, had a very significant effect in raising interest rates all over the country. While we all recognize the danger of inflation and that the Federal Reserve Board intended this action as a curb upon inflation, the pros and cons of this matter should be a subject of grave consideration by the Congress, the executive branches of the Government, the Federal Reserve Board, and the financial institutions of the Nation.

I think, therefore, that it would be helpful to the Members who are concerned about this whole matter to have the advantage of seeing a letter written to the Honorable William McChesney Martin, Jr., Chairman of the Board of Governors of the Federal Reserve System, on April 11, 1966, by Mr. Norman Strunk, executive vice president of the U.S. Savings and Loan League, and the reply of Mr. Martin dated April 14, 1966, to Mr. Strunk's letter.

I therefore insert this exchange of correspondence immediately following these remarks in the body of the RECORD:

U.S. SAVINGS AND LOAN LEAGUE,
Chicago, Ill., April 11, 1966.
Hon. WILLIAM MCCHESNEY MARTIN, Jr.,
Chairman, Board of Governors,
Federal Reserve Board, Washington, D.C.

DEAR CHAIRMAN MARTIN: My last letter to you, dated December 13, 1965, followed receipt of the news of the change in the discount rate and the change in Regulation Q. We were primarily concerned at that time, as we are now, with the change in Regulation Q.

In view of developments since last December, we are convinced our concern at that time was more than justified. The decision of the Board of Governors to raise the permissible rate on commercial bank time deposits to 5½% opened a Pandora's box in the savings marketplace and has provoked a "rate war" for savings in which the financial institutions in the country are now engaged. In our view, this price war in the savings market is most regrettable and can only result in a weakening effect upon financial institutions generally.

We recognize full well that decisions and policies of the Board of Governors were made in the belief that increased rates and tighter money were necessary to inhibit the development of inflationary pressures in the United States. Thus, the program of monetary restraint in high interest rates inaugurated by the Federal Reserve Board evidently has been inadequate to prevent a serious inflation threat. The threat of inflation is, in our judgment, considerably more serious today than it was early last December.

On behalf of the savings and loan business, the United States Savings and Loan League is urging President Johnson and members of Congress to take measures in the fiscal area designed to curb the inflation threat. We believe that you should be aware of these efforts and we would hope that in the interest of promoting stability in the economy the Board of Governors of the Federal Reserve Board would express itself to the White House and to the Congress on the same subject. Perhaps it is time for the Federal Reserve Board itself to acknowledge, as many now acknowledge, that heavy dependence on monetary policy in fighting inflation cannot be regarded as a complete success.

As you recall, our original concern over the change of Regulation Q was that it foreshadowed a serious diversion of funds away from housing and home ownership. Our forecast has been validated in recent weeks; housing starts in February were 17% below the same month a year ago and we would be surprised if this decline does not continue over at least the next few months. Recent monetary policy decisions have meant, in other words, that the housing industry has been affected more adversely than any other major industry. Certainly the Board recognizes that the housing industry has been in a depressed state for several years and has not contributed to the inflationary pressures of recent years.

We urge, therefore, that the Board undertake a reconsideration of recent decisions with a view of determining whether these decisions have not imposed an unduly and unfairly heavy burden and hardship upon the home building industry and the real estate business.

The second part of our objection to the change in Regulation Q was that the change would mean a substantial shift in funds from smaller banks and specialized financial institutions into large money market banks which would be able to pay the highest rates on certificates of deposit. We realize that you personally called for "prudence" in the use of the new ceilings. Day by day, however, the evidence mounts that your warning has been disregarded by many banks.

In all frankness we are not reassured by the March 21st publication of your survey of use of new time deposit ceilings as of December 22, 1965. A survey of that date must be regarded as very much out of date since many hundreds of banks have been moved to high rates since December 22. Furthermore and of even greater importance, your survey was based on the number of Federal Reserve member banks offering high rate statistics. A more accurate analysis of the extent to which the banking business of the country has taken advantage of the new ceilings would be gained by a survey of the extent to which the major banks of the country have undertaken promotion of these small denomination certificates of deposit.

We have undertaken such a survey of the hundred largest banks in the country which hold nearly 50% of all deposits of the commercial banking business. Our survey reported that more than three-fourths of the hundred largest banks offer "consumer CDs." These 78 banks hold over 40% of all commercial bank resources in the country. Very clearly, the offering of these consumer CDs at rates approaching and exceeding 5% by the banking business is considerably greater than the survey reported by the Federal Reserve Board on March 21, 1966.

We urge, therefore, the Board of Governors to make a new survey to find out exactly what the banks—and particularly the large money market banks—are doing in promoting savings certificates. We suggest that a survey today would reveal a substantially different picture than was reported in your survey on December 22.

The change in Regulation Q last December was restricted to time deposits, which indicated a hope or belief on the part of the Federal Reserve Board that the new time deposit ceilings would not be used primarily in competition for personal savings. Of course, the tremendous volume of newspaper advertising announcing the availability of small denomination certificates of deposit and savings certificates makes it clear that the new ceilings are being used to an ever increasing extent in the solicitation of personal savings. Unless some new restrictions are imposed on time deposits, therefore, there promises to be increasing disruption of the savings market.

Two possible and constructive restrictions on time deposits immediately available to the Federal Reserve Board are (1) to prohibit the issuance of certificates with more than one maturity date, and (2) to eliminate the automatic renewability feature on certificates issued in the future.

Perhaps the most ironic and bitter twist of the hectic events in the savings market since early December is that the "rate war" in the savings market has done so little to promote savings in financial institutions. The growth of time deposits and savings in commercial banks during the first quarter of 1966 was much lower than in the corresponding quarter in 1965. The growth in savings accounts in mutual savings banks was lower in the first quarter of 1966 than it was last year. The growth in savings balances at savings and loan associations was considerably lower in the first quarter of this year than in the first three months of last year. Thus, banks and financial institutions over the country are paying more for savings and time deposits and are attracting less. By any measure, this must be reckoned as a hollow and expensive victory even for the few big banks that have grown in recent months.

Changing the rules under which certificates of deposit are issued, as outlined above, with respect to dual maturities and automatic renewability would be consistent, we believe, with the Board's objectives as to savings deposits outlined in your speech in December to the Life Insurance Association of America. At that time you indicated that the Board desired "to minimize the impact on competitive relationships between commercial banks and savings banks and savings and loan associations, which depend for their resources mainly on funds deposited by individual savers rather than by corporations."

In closing, we cannot urge you too strongly to pursue with the greatest vigor at your command your efforts to police the volume and nature of commercial bank lending because this is the heart of the matter. Commercial bank loan-to-deposit ratios are higher than they have been in virtually any other period in our economic history. A good part of the inflationary pressures could be checked by greater selectivity in commercial bank lending.

In connection with some restraint in commercial bank lending, the Board of Governors might appropriately, we believe, ask for some voluntary restraint or reduction in the total amount of credit extended by the commercial banking system in the consumer credit area. This would urge some reduction both in the total amount of consumer credit extended by the commercial banks directly and also the extent of commercial bank financing of sales finance and other consumer credit companies.

We congratulate you most heartily on the fact that you have urged restraint and caution in commercial bank lending, and we urge further and renewed efforts along these lines.

Sincerely,

NORMAN STRUNK,
Executive Vice President.

BOARD OF GOVERNORS,
FEDERAL RESERVE SYSTEM,
Washington, April 14, 1966.
Mr. NORMAN STRUNK,
Executive Vice President, U.S. Savings and Loan League, Chicago, Ill.

DEAR MR. STRUNK: This will acknowledge receipt of your letter of April 11, 1966, with further reference to developments in the savings market and to the possible effects of the Board's policy actions taken last December in connection with the discount rate and Regulation Q ceilings.

Your letter is not one to which a substantive answer can be given quickly or lightly. On one point, however, we are in agreement—that monetary policy alone cannot do the whole job of fighting inflation.

As I am sure you realize, the Board has been endeavoring to keep closely in touch with developments throughout the financial system and the effects that the change in the discount rate and Regulation Q ceilings may have had on the size and distribution of savings flows to both large and small institutions. Copies of your letter are being distributed among the members of the Board, and you may be sure that its content will be given appropriate consideration in our continuing study of the entire problem.

Sincerely yours,

WM. MCC. MARTIN, Jr.

PERSONAL ANNOUNCEMENT

Mr. RHODES of Pennsylvania. Mr. Speaker, due to illness I was absent from the House session yesterday. Had I been present, I would have voted "nay" on rollcall No. 120. On rollcall No. 121, I would have voted "aye."

NEED FOR REVISION OF SELECTIVE SERVICE SYSTEM IS OBVIOUS

Mr. CALLAWAY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BELL] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BELL. Mr. Speaker, during the past week 26 of our colleagues and I have issued a series of statements critical of the present draft system under the Military Training and Service Act. The act will come before the Congress for renewal in June 1967. I take this opportunity to bring the Members' attention to the problems that are thoroughly set forth in these statements. The need for a complete revision and reevaluation of the Selective Service System is obvious.

I would also like to take this opportunity to commend our distinguished colleague, the gentleman from Kansas, [Bob Ellsworth], for his tireless leadership in his documentation. It was primarily his concerned attention to the problem that brought the focus of the Members who joined in the effort.

Below I have included the texts of the six statements released, which will provide all Members with a solid understanding of the ramifications and scope of the critical situation:

A Congressional Investigation of the Draft

(From the offices of Congressmen Robert F. Ellsworth, Kansas; James F. Battin, Montana; Alphonozo Bell, California; William S. Broomfield, Michigan; William T. Cahill, New Jersey; Barber B. Conable, Jr., New York; Thomas B. Curtis, Missouri; Florence P. Dwyer, New Jersey; Paul Findley, Illinois; Peter H. B. Frelinghuysen, New Jersey; Seymour Halpern, New York; Frank Horton, New York; Theodore R. Kupferman, New York; William S. Mailliard, California; Charles McC. Mathias, Jr., Maryland, Joseph M. McDade, Pennsylvania; F. Bradford Morse, Massachusetts; Albert H. Quie, Minnesota; Howard W. Robison, New York; Donald Rumsfeld, Illinois; Herman Schneebeli, Pennsylvania; Richard S. Schweiker, Pennsylvania; Garner E. Shriver, Kansas; J. William Stanton, Ohio; May 27, 1966.)

This is the first of a series of six statements urging a thorough Congressional review of the draft. General Hershey is expected to appear soon before the House Armed Services Committee. After his appearance the Committee is expected to make a determination as to whether a full-scale Congressional inquiry will be undertaken.

The Universal Military Training and Service Act—the draft law—will come up for renewal in June, 1967. The law has not been significantly changed in 25 years. More importantly, the Congress has not undertaken a full-scale study of the subject in 15 years. It is time for an in-depth Congressional review of the draft law.

In the 15 years since the last detailed Congressional study of the draft the structure of the American population has changed in many relevant ways. In 1951 the nation's population was 155,000,000; today it is 196,000,000, an increase of 26 percent. In the same 15 years the male population of draft age (between 18 and 35) has increased from 20,000,000 to 39,000,000—an increase of 95 percent. In 1951 college and university male enrollment totalled 1,388,000; today it totals 3,440,500—an increase of 148 percent.

During the same period our nation has become a nation of specialists—where individual employment is increasingly dependent upon individual skills. We have become a nation where education, in one form or another, has become a prerequisite to obtaining and holding a job.

In the same 15 years our nation seems to have become suddenly aware of a variety of domestic social ills and has developed vast public and private programs requiring the commitment of vast numbers of individuals. The opportunities for individual service in support of the national welfare have expanded rapidly.

And over the same 15-year period the manpower needs and the functions of the Armed Services have changed dramatically as well. The service requirements for technical skills have kept pace with similar domestic employment requirements. The Armed Forces are now called upon to fight a new, different and complex kind of counterinsurgency warfare that was unknown to them 15 short years ago.

Thus, the manpower needs of the services and the manpower available to the services are both dramatically different than they were when the current draft law was enacted by the Congress. The Congress has a responsibility to study in depth the applicability of that draft law and to recommend whatever changes are dictated by its findings. In 1963 the U.S. Senate approved a four-year extension of the current law after only ten minutes of debate. We owe each young man in this country an obligation to be more thorough than that.

Six separate areas deserve the detailed attention of a Congressional investigating committee:

1. Is the draft necessary at all? Would it be necessary in peacetime? If it is necessary are the current basic precepts of the draft law appropriate?
2. Is the current system of student deferments fair? Is the current practice of considering which students to defer fair?
3. Should the military service be used for rehabilitation purposes?
4. Is the present system of autonomy for local draft boards fair and efficient?
5. What standards should be applied to assure that the draft obligation falls equally on all the States and on all local boards?
6. Is the Selective Service System operated with maximum efficiency? What role can computer and data-processing equipment play in increasing the capacity of the Selective Service System to perform its function with maximum efficiency and fairness?

The last five subjects will be treated in subsequent statements. This statement treats the first:

Is the draft necessary at all? Would it be necessary in peacetime? If it is necessary, are the current basic precepts of the draft law appropriate?

In 1956 the Presidential nominee of the Democratic Party recommended abolition of the draft. In 1964 the Presidential nominee of the Republican Party recommended abolition of the draft. In April 1964 President Johnson ordered his Secretary of Defense to undertake an in-depth study of the need for the draft and to make recommendations to the President for changes in the current system. Secretary McNamara's report was apparently completed long ago but has never been made public.

A decision to abolish the draft, even if only in peacetime, can come, of course, only after the most exhaustive investigation of its potential impact on the military preparedness of the nation. No one likes the draft, but a decision on its continuation should not be based on its degree of popularity. Such a decision must be based solely on its degree of necessity as a means for providing the required manpower for defense and deterrence.

The fact that men are being drafted today, and were even being drafted during the relatively peaceful decade between 1953 and 1963, indicates that under no circumstances would an abolition of conscription, unaccompanied by other changes, leave the U.S. Armed Forces with sufficient manpower to do their job.

Reliance on a professional Army—i.e. a volunteer Army—would require pay scales, employment benefits, and career opportunities sufficient to attract and hold enough qualified men to a career in the Armed Forces. This is of course conceivable in peacetime, although it might always seem wise to have an emergency conscription program that could be employed upon short notice.

It is theoretically possible, as well, that increased reliance upon long-range weapons, increased mobility of combat forces, and reduction in the numbers of U.S. troops stationed in Europe could mean a smaller U.S. standing force—perhaps one manned by only volunteers. But what is theoretically possible may be remote in practical terms: reliance on advanced strategic forces does not remove the requirement of maintaining forces to fight conventional warfare; increased capacity for troop mobility may permit the stationing of more troops in the U.S. rather than abroad but it would not necessarily justify a reduction in the overall size of our forces to meet worldwide emergencies; a reduction of our NATO forces in Europe may well be counter-balanced by the need of a competent counter-insurgency Army available for Viet Nam-type conflicts in the Southern half of the globe.

One further word of caution—it is not safe to assume that the enlistment rate in today's Army would be maintained under a professional Army. Many enlistments today result merely from a desire not to wait for the expected call of the draft. Through enlistment a young man may be better able to choose his branch of service, the location of his assignment, and the nature of his duty, than by waiting for the draft. If the threat of likely or possible induction were removed, many young men who now enlist in the service might not do so. Obviously if this were so, to maintain a professional Army without a draft would require significant increases in the benefits which would accrue to enlistees.

If after detailed examination it was determined that a system of conscription must be maintained, the Congressional investigation should nonetheless ask the question: Are the basic precepts of the current draft system appropriate?

The four basic precepts of the current system are: that every young man has an obligation to the military service of his country; that the country will require him to meet that obligation only if it is absolutely necessary; that there are a variety of civilian pursuits which justify a waiver of the obligation; and that the sole purpose of the draft is to provide adequate and qualified manpower for the Armed Forces.

It has been argued, in effect, that the uniform obligation of every man to the military service might be changed to a uniform obligation of every man to national service—military and civilian. Under such a system the obligation might be fulfilled for example by service in the Peace Corps, in VISTA, in teaching, or in a variety of other government programs, federal and State, designed to improve the general welfare of the nation and the world. (It has even been suggested that performance in the private Civil Rights movement might fulfill a man's obligation to his country, freeing him from the requirement of military service.)

These proposals seem bolstered by the population statistics which suggest that, increasingly, the draft age population is expanding far more rapidly than the service requirements for manpower—and that, accordingly, providing for alternative means of fulfilling one's statutory obligation to his country would not impair the capacity of the military services to secure adequate numbers of adequately qualified men.

The Universal Military Training and Service Act, despite its name, does not require universal training—it imposes a universal obligation for military service, which one must fulfill only if called upon. A true system of universal military training would require every physically qualified man to undergo a minimum period of service in the military, coupled perhaps with a minimum period of service in a reserve unit after his training. It is generally agreed that this kind of universal military training is not required to provide the U.S. Armed Forces with sufficient manpower for adequate defense and deterrence. Some have argued, nonetheless, that it would provide the best assurance available that the nation would never be caught off-guard with inadequate numbers of trained personnel to meet a sudden emergency. Still others have argued that universal military training would remove the discrimination inherent in the present system in which some men are called for service and others are not. It is worth pointing out, however, that universal military training would not, and no system could, remove the inevitable discrimination in the determination of which young men will fight in a war and which will not.

Some commentators on the draft have argued that a 6-month military service training program for every 18-year old, after he leaves high school, would not only provide adequately trained reserve manpower for any circumstance but would as well remove from the minds of every young man the inevitable uncertainty which the current draft system interjects into his decisions over whether and when to go to college and what type of employment to seek. It is obvious that a serious Congressional review of all of these questions should be undertaken at the earliest possible moment.

The third basic precept of the draft is that there are a variety of civilian pursuits which justify a waiver of the obligation to the military service which is imposed upon every young man. These civilian pursuits include education, the ministry, essential employment, fatherhood, etc. The major point of debate here, the practice of college deferments, will be discussed at length in the second statement in this series. Let it suffice here merely to ask the difficult questions: Is a deferment system fair if it protects the rich who can afford to go to college and penalizes the poor who cannot? Is a deferment system fair if it protects those who have benefited from an expensive education and penalizes those who cannot afford it? Would it be more fair to draft men completely at random from those determined to be qualified physically and by age?

The final basic precept of the current draft system is that the sole purpose of the draft is to provide adequate and qualified manpower for the Armed Forces. Surely there is no question that the basic purpose of any system of conscription and its highest order to priority must be to provide qualified manpower to assure the most effective defense and deterrence forces available. The third statement in this series will discuss at length the question whether the military service and the draft cannot also serve purposes of social rehabilitation—military service for young men who could become better citizens through acquiring technical skills which the Armed Forces could teach and a sense of personal discipline inherent in service life. Frequently, those who argue for a mandatory service training period for every young man after he leaves high school suggest that a by-product of universal military training would be a more highly skilled population with a lower rate of juvenile deliquency and crime.

All of these questions are directly relevant to every American family. They deserve the attention of the Congress—now.

College Deferments and the Draft

(From the offices of Congressmen Charles McC. Mathias, Jr., Maryland; John B. Anderson, Illinois; James F. Battin, Montana; Alphonzo Bell, California; William S. Broomfield, Michigan; William T. Cahill, New Jersey; Barber B. Conable, Jr., New York; Florence P. Dwyer, New Jersey; Robert F. Ellsworth, Kansas; Paul Findley, Illinois; Peter H. B. Frelinghuysen, New Jersey; Seymour Halpern, New York; Frank Horton, New York; Hastings Keith, Massachusetts; Theodore R. Kupferman, New York; William S. Mailliard, California; Joseph M. McDade, Pennsylvania; F. Bradford Morse, Massachusetts; Charles A. Mosher, Ohio; Albert H. Quie, Minnesota; Howard W. Robison, New York; Donald Rumsfeld, Illinois; Herman Schneebeli, Pennsylvania; Garner E. Shriver, Kansas; J. William Stanton, Ohio; May 29, 1966.)

This is the second of a series of six statements on the need for a Congressional investigation of the draft. It treats the questions: Is the current system of student deferments fair? Is the current practice of considering which students to defer fair?

The present law provides a statutory deferment for all students in high school under the age of 20 (classified I–S). A similar statutory deferment is provided for optometry, pre-medical, pre-osteopathic, pre-veterinarian, pre-optometry, and pre-dental students.

The major public debate over student deferments relates to the non-statutory deferments granted under Selective Service regulations to college and university students. Since the end of the Korean War until recently, Selective Service regulations provided that any college or university student "satisfactorily pursuing a full-time course of instruction" would be eligible for a temporary deferment from induction until such time as he was no longer in that category. The award of deferments was in the hands of local boards and with relatively few exceptions full-time college and university students were not drafted.

Quite aside from questions raised about the recent regulations for reconsidering college deferments, the basic theory of the law providing for college or university deferments has been subject to criticism. While public and private scholarship programs and the expansion of State universities with minimal tuition has greatly increased the opportunity for every young man to go to college, nonetheless any college education is expensive. The system of college deferments, therefore, results in a bias in the draft in favor of those who can afford to go to college and against those who cannot.

The system seems particularly harsh on those young men who are pursuing their college education, but because of limited financial means can do so only on less than a full-time basis. Those who must work full-time in order to provide the means to take a half-time college course simultaneously are not full-time students and therefore are not eligible for student deferments. Similarly some students drop out of college temporarily in order to work for awhile so that they can secure the funds to continue. While they are not enrolled as full-time students, these young men are not eligible for student deferments.

The college deferment program may also be unjust if it provides a sanctuary for those who continue their education merely to avoid the draft. Technically, when a young man receives a student deferment the upper age limit of his eligibility for the draft is increased from 26 years to 35 years. As a practical matter few men above the age of 26 are ever drafted—and there are some students whose graduate studies provide them with student deferments past the age of 26.

The other side of the argument is, of course, that our technical society tends increasingly to place a premium on education. Not only is a man with a college education more valuable to the Armed Services, but he is more valuable to society as a whole. If the draft law provided for no deferment for education past high school, and obligatory military service could disrupt a young man's education plans before he got to college, the chances of his ever pursuing a college education would be lessened—and society would suffer. And there are those who believe that to the degree that the college deferment program provides an incentive for high school students to pursue a college education the society as a whole benefits.

A Congressional investigation of the draft must thoroughly examine the question whether any higher education deferment program with its inevitable discrimination between the rich and the poor can be justified.

On top of these questions about the basic thesis of education deferments have come a flood of questions about recently prescribed Selective Service System regulations for the review of current college deferments. In the future local draft boards have been instructed to consider not only whether the college student is "satisfactorily pursuing a full-time course of instruction" but also his class rank and his score on an optional qualification test administered under Selective Service auspices.

The first question is whether it is necessary to reconsider present college deferments in order to provide sufficient manpower for the I–A pool to meet manpower requests from the Department of Defense. The depth of American commitment in Viet Nam has resulted in substantial increases in monthly draft calls. Selective Service is apparently concerned that under existing regulations it will not have sufficient manpower in the I-A pool to meet Defense Department needs.

The most detailed analysis of the situation was provided in a statistical report by the Director of Selective Service to the Subcommittee on Education of the House Committee on Education and Labor in February 1966. It was a written report submitted at the request of Congressman Ogden Reid of New York and purported to forecast the size of the I–A pool available for induction as of June 30, 1966.

The Selective Service report estimated that after pre-induction and induction examinations of those in the I–A pool as of January 31 and of those new 19-year olds coming into the I–A pool between January 31 and June 30, and after monthly draft calls of 40,000 per month and monthly enlistments of 50,000 per month there would be minus 5,207 "available and qualified as of June 30, 1966." If these figures are accurate, few would question the wisdom of re-examining current college deferments.

The Selective Service report, however, contains significant inaccuracies:

a. The Selective Service report estimated monthly draft calls of 40,000 for February through June. The actual draft calls have been as follows: February 29,400; March 22,400; April 21,700; May 34,600; June, 18,500. In fact, at the time Selective Service prepared its report it had already issued draft calls for the months of February and March well below the 40,000 figure. In short, the actual draft calls for the 5-month period have been only 64 percent as high as the report estimated.

b. The Selective Service report estimated monthly enlistments of 50,000 for February through June. This figure assumed that all enlistments were to come from the I–A pool of men 19 to 26. In fact, according to the Department of Defense, the largest block of new service enlistments are under 19 years old and should not have been considered in the Selective Service report. For example, approximately 45 percent of all new enlistees in fiscal 1965 were under 19. Similarly a number of enlistments come from other Selective Service categories of presently deferred men—such as fathers, students, reserves and veterans. In short, even if the total enlistment estimate of Selective Service is accurate, and from the figures for January and February it appears to be, probably less than 50 percent of that figure represents a drain on the I-A pool.

c. The Selective Service report subtracted from the I-A pool available on June 30 all those enlistments from the group of new 19-year olds who become available for draft from the I-A pool upon their 19th birthday. Then it proceeded to subtract the total monthly enlistment estimate of 50,000 again. In all likelihood the largest single block of enlistments out of the I-A pool between 19 and 26 comes from that group of new 19-year olds who become eligible for the draft on their 19th birthday. By subtracting these enlistments twice, the Selective Service report gives a distorted picture.

d. The Selective Service report did not include any manpower made available through Defense Department and Selective Service regulations calling for the reconsideration of some I-Y deferments (failure to meet physical and mental standards). Prior to November 1, 1965, all men who scored below the 10th percentile on the Armed Forces Qualification Test were classified IV-F and permanently deferred; and all who scored between the 10th and 31st percentiles were classified I-Y and temporarily deferred. On November 1, the Defense Department ruled that all men with a high school diploma who scored above the 16th percentile on the AFQT would be acceptable for Army service. Subsequent Selective Service regulations in January informed local boards that they could reconsider those I-Y deferments given to high school graduates who scored between the 16th and 31st percentiles on the AFQT. The Selective Service report fails to include any potential expansion of the I-A pool from this source and thereby may have given a distorted picture of the available manpower in the I-A pool as of June 30.

It is clear that the Selective Service report has not provided sufficient information on which to base a judgment that it is necessary to expand the I-A pool through the reconsideration of presently-deferred college students. An early Congressional investigation should undertake, as one of its first priorities of business, to determine whether the drafting of students is necessary to meet manpower needs.

Not only has the need to draft students been questioned but the methods now being employed to reconsider student deferments have also been subjected to considerable criticism.

Local boards have been instructed to consider male class rank as a criterion for deferments but the class rank of equally talented students may differ immensely between hard and easy schools. As Life magazine put it: "This incredible formula equates a Caltech physics major with a waterski specialist from Nowhere State."

Many educators have questioned not just the class rank approach but the optional qualification test for students as well. Even General Hershey himself has admitted that this kind of multiple choice exam may not be equally fair to all. In an interview with U.S. News and World Report published on January 10, 1966, General Hershey was asked the question: "Will you go back to some kind of (student) examination?" He replied:

"No, I'm not planning to at this time. In the first place, an examination only has an appearance of being fair. It tends to get cocked over toward the mathematical, because it's easier to grade, for one thing.

"This means the mathematician, or scientist, has a better chance of making it than the liberal arts, or 'Ags'—agricultural students—or educators. I don't like to say this, because that's what I once was enrolled as, but the people that showed up worst in our examination were majoring in education."

Should Selective Service base decisions for the drafting of students on tests which favor those with a mechanical aptitude and work against liberal arts students? Is it appropriate for Selective Service to give a test which tends to increase the likelihood that those in the middle of their training to teach in tomorrow's schools will be drafted? The Congressional investigation must examine these questions in depth.

Finally, it would be appropriate for the Congress to examine the efficiency under which the college qualification tests are given. In March, Selective Service distributed across the country a bulletin of information on the college qualification test describing who is eligible to take it, how to apply to take it, and what the test will be like. Included were sample questions with answers. One of the answers was wrong. The sample test quoted a poem by A. E. Housman without identifying the author and then asked: "How old was the poet when he wrote this poem?" The multiple choice answers from which the correct answer was to be chosen were: "20," "40," "50," "70," and "One cannot tell." The Selective Service answer key showed that the correct answer was "20." In fact, A. E. Housman was 37 years old when he wrote the poem, and the correct answer to the test question is "One cannot tell."

What assurances are there that the Selective Service System, or Science Research Associates who have been designated to prepare, administer and score the exam, are more careful in drafting the actual exam than they have been in drafting the sample questions? This test, after all, is not merely an exam like any other in a college student's program. It may be the basis for a decision affecting his entire future—or in fact his life or death.

All of these questions are directly relevant to every American family. They deserve the attention of the Congress—now.

MILITARY SERVICE AND REHABILITATION

(From the offices of Congressmen F. Bradford Morse, Massachusetts; John B. Anderson, Illinois; James F. Battin, Montana; Alphonzo Bell, California; William S. Broomfield, Michigan; William T. Cahill, New Jersey; Barber B. Conable, Jr., New York; Florence P. Dwyer, New Jersey; Robert F. Ellsworth, Kansas; Paul Findley, Illinois; Peter H. B. Frelinghuysen, New Jersey; Seymour Halpern, New York; Frank Horton, New York; Hastings Keith, Massachusetts; Theodore R. Kupferman, New York; William S. Mailliard, California; Charles McC. Mathias, Jr., Maryland; Joseph M. McDade, Pennsylvania; Albert H. Quie, Minnesota; Donald Rumsfeld, Illinois; Herman Schneebeli, Pennsylvania; Richard S. Schweiker, Pennsylvania; J. William Stanton, Ohio; May 30, 1966.)

This is the third of a series of six statements on the need for a Congressional investigation of the draft. It treats the question: Should the military service be used for rehabilitation purposes?

Operations under the current law provide for two kinds of deferments for those young men who fail to meet Armed Forces physical or mental standards. At the pre-induction examination given to potential inductees and enlistees, an Armed Forces Qualification Test (AFQT) is administered at Army Induction Centers. The Universal Military Training and Service Act provides a statutory requirement that the passing percentile score on the AFQT will be no less than 10. It provides further that "except in time of war or national emergency declared by the Congress" the President may authorize a higher passing percentile score.

Until last November 1, the Department of Defense had set the passing percentile score at 31. All men scoring between the 1st and 9th percentiles were permanently deferred in the IV-F category. All men scoring between the 9th and 31st percentiles were temporarily deferred in the I-Y category.

On November 1, 1965, the Defense Department modified its regulations so that a passing percentile score for high school graduates would be 16 and for all others would remain 31.

Current practice raises three questions of concern: First, in view of the war in Viet Nam is it appropriate for the Defense Department to maintain peace-time standards of acceptability in the Armed Services? Second, is the distinction between the acceptable scores of high school graduates and non-high school graduates a reasonable one? Third, do the Armed Forces have a responsibility and the capacity to undertake programs to bring young men up to the standards where their service could be of benefit to the military and society in general?

The law says that "except in time of war or national emergency declared by the Congress" the Defense Department has the authority to set the AFQT passing percentile score at higher than 10. The Congress has not yet declared war, nor has it declared an emergency over Viet Nam. Nonetheless, the intent of the law appears to be to distinguish between peace-time standards of acceptability for service and the standards of acceptability when manpower requirements are great, as they are now.

There has been great concern in the U.S. that so many young men fail to pass the Armed Forces Qualification Test. What many people may fail to realize is that the passing score of 31 is a percentile score. If the system worked perfectly, that means that 30 percent of all those who take the AFQT would fail it. It is possible, therefore, that the overall scores on the AFQT, including those who "fail," are significantly higher today than they were 10 or 15 years ago. The point is that the Defense Department has said that for every 10 men who take the test the three lowest will be flunked no matter how well they do.

The Defense Department undoubtedly desires as intelligent personnel as it can get. But it sets the passing level on the AFQT not so much on the basis of minimum intelligence required as on the basis of the number of personnel desired. A passing percentile score of 31 undoubtedly reflects a Defense Department judgment, based on previous experience, that at that level it could secure the number of men needed and maintain high standards too. But that level was set before the Viet Nam War became intense. There is real question whether now, when Selective Service feels required to consider drafting college students in order to meet manpower needs, the AFQT passing percentile score for all who take the test should not be significantly lower. This would permit the enlistment of young men who are now deferred but wish to join the service, and would result in lowered draft calls of young men who do not wish to join the service.

The modification of Defense Department standards in lowering the passing percentile score only for high school graduates seems illogical. It is now possible for a high school graduate scoring in the 16th percentile to be drafted—and impossible for a high school drop-out scoring in the 30th percentile (or nearly twice as well) to enlist.

Such a distinction may deny military service to those who want it and need it the most. It may in fact also provide an incentive to drop out of high school in order to avoid military service. After all, a young man's chances of evading the draft are 3 out of 10 as a high school drop-out and 1½ out of 10 as a high school graduate. Those who do not plan to go on to college and who wish to avoid military service may well drop out of high school in order to do so.

The only justification for the Defense Department distinction between the passing scores of high school graduates and high school dropouts would be that a high school diploma is better evidence of the man's qualifications for the Armed Services than his score on the AFQT. In short, the current system seems to argue that a high school diploma can make a man twice as smart as his score says that he is. It is a dubious theory at best when one considers the extraordinarily broad range of standards employed by different secondary education systems across the country. If the Armed Forces Qualification Test does not provide adequate information upon which to make a reliable judgment, then it should be improved.

One of the basic precepts of the current draft law is that its sole purpose is to provide qualified manpower for the Armed Forces. But military service can be an extraordinary help to society through individual training and skills and through the teaching of discipline which can lead a man to a more productive life for his family and his community. Some have suggested that the purpose of the draft law might be expanded to include active programs of rehabilitation for society without in any way undermining the capacity of the military to provide defense and deterrence.

In 1965, the Secretary of Defense and the Department of the Army suggested to the Congress that it might be appropriate for the Army to operate a special training program to try to bring those volunteers deferred for remediable physical or mental deficiencies up to acceptable standards. The program proposed was called STEP (Special Training Enlistment Program). Under it the Army would accept volunteers for service who had a medical deficiency which could be cured in six weeks; after that period they would be required to meet regular Army physical standards to stay in the service. (Volunteers with remediable weight problems would be granted longer time.) Even more significant, under STEP the Army would accept volunteers who failed to score in the 31st percentile on the AFQT mental exam but who scored high enough to indicate that their deficiencies were remediable. These volunteers would be placed in a 14-week program of basic combat training *and* schooling in English, science, arithmetic, etc. Those who fail to meet the 31st percentile standard after this initial program would be given two additional chances to do so after 3 and 5 week intensive training courses which combine teaching in basic education courses and simple skills. If the volunteer still has not reached an acceptable level, he is discharged. The House of Representatives approved inauguration of STEP, but the Senate rejected it.

Another area of interest is in more active coordination between the Job Corps and the Selective Service, so that those who have had the benefit of a rehabilitation program may be actively reconsidered for Army service despite an earlier deferment for failure to meet Army standards.

Still others have gone so far as to suggest that in communities where unemployment and social discontent are widespread among youth, as in the Watts area of Los Angeles, lowered standards for enlistment or induction might at the same time improve community conditions by temporarily removing the source of friction, provide employment to unemployed youth, and give them an opportunity to learn the skills and discipline which can make them productive members of the community when and if they return to civilian life.

At the very least, the Congress should consider the benefits to society of lowering the Army standards for high school drop-outs to the standards used for high school graduates. The Congress should consider whether the benefits to society might not compensate for any conceivable lowered standards of the overall efficiency of the military forces.

All of these questions are directly relevant to every American family. They deserve the attention of the Congress—now.

THE ABSENCE OF NATIONAL STANDARDS IN THE DRAFT

(From the offices of Congressmen WILLIAM T. CAHILL, New Jersey; JOHN B. ANDERSON, Illinois; JAMES F. BATTIN, Montana; ALPHONZO BELL, California; WILLIAM S. BROOMFIELD, Michigan; BARBER B. CONABLE, JR., New York; FLORENCE P. DWYER, New Jersey; ROBERT F. ELLSWORTH, Kansas; PAUL FINDLEY, Illinois; PETER H. B. FRELINGHUYSEN, New Jersey; SEYMOUR HALPERN, New York; FRANK HORTON, New York; THEODORE R. KUPFERMAN, New York; WILLIAM S. MAILLIARD, California; CHARLES McC. MATHIAS, JR., Maryland; JOSEPH M. McDADE, Pennsylvania; F. BRADFORD MORSE, Massachusetts; CHARLES A. MOSHER, Ohio; ALBERT H. QUIE, Minnesota; HOWARD W. ROBISON, New York; DONALD RUMSFELD, Illinois; HERMAN SCHNEEBELI, Pennsylvania; RICHARD S. SCHWEIKER, Pennsylvania; J. WILLIAM STANTON, Ohio; May 31, 1966.)

This is the fourth in a series of six statements on the need for a Congressional investigation of the draft. It treats the question: *Is the present system of autonomy for local draft boards fair and efficient?*

Under the existing law, the local draft boards have the power "to hear and determine, subject to the right of appeal * * * all questions or claims with respect to inclusion for, or exemption or deferment from, training and service * * * of all individuals within the jurisdiction of such local boards". The local board members, generally working without pay, are charged with the awesome responsibility of determining who will and who will not be drafted.

The local boards, of course. are guided (1) by the specific provisions of the law, (2) by regulations issued by the Director of the Selective Service System, and (3) by the monthly draft calls imposed on the local boards by the State and national Selective Service System.

According to Selective Service, a local board should choose the required number of men in the following order:

"1. Men declared delinquent for failure to comply with the Selective Service law who have attained the age of 19 years in the order of their dates of birth with the oldest being selected first.

"2. Volunteers for induction who have not attained the age of 26 years in the sequence in which they have volunteered for induction.

"3. Non-volunteers who have attained the age of 19 years and have not attained the age of 26 years who (a) do not have a wife with whom they maintain a bona fide family relationship in their homes, in the order of their dates of birth with the oldest being selected first, or (b) have a wife whom they married after August 26, 1965, and with whom they maintain a bona fide family relationship in their home, in the order of their dates of birth with the oldest being selected first.

"4. Non-volunteers who have attained the age of 19 years and have not attained the age of 26 years and who have a wife whom they married on or before August 26, 1965, and with whom they maintain a bona fide family relationship in their homes, in the order of their dates of birth with the oldest being selected first.

"5. Non-volunteers who have attained the age of 26 years in the order of their dates of birth with the youngest being selected first.

"6. Non-volunteers who have attained the age of 18 years and 6 months and who have not attained the age of 19 years in the order of their dates of birth with the oldest being selected first."

Specific as these regulations seem it is vitally important to understand that local boards receive very little guidance in their operations from the Selectice Service headquarters in Washington. National Selective Service standards are so imprecise that neighboring local boards will apply different criteria to identical cases—and that the drafting practices of a local board in one State may be almost entirely different from those of a local board in another.

What are the areas in which the absence of clear national direction permits different local boards to follow different practices?

First, the number of men a local board examines determines the number of men to be drafted. When a State board allocates its monthly draft call among the local boards, it does so primarily on the basis of the number of men whom a local board reports are examined and available for induction. The more men a local board examines and reports available, the more men will be drafted. The fewer it examines, the fewer will be drafted. The local boards receive no instructions or guidance from the Selective Service System on how many men to examine.

Second, local boards are often given no order of priority in which they are to reconsider deferments in order to expand the I–A pool. A man cannot be drafted unless he is classified I–A. At the present time, local boards may reconsider the I–Y deferments granted to high school graduates who scored between the 16th and 30th percentile on the AFQT. They may also consider II–S college deferments on the basis of class rank and the results of an optional qualification test. If one board reclassifies the I–Y's first and a second board reconsiders its student deferments first, the drafting policy of the two boards will be significantly different. Selective Service has not said which group of deferments to reconsider first.

Third, a local board is frequently confronted by vague Selective Service regulations which require considerable interpretation. For example, the law says that when "any person while satisfactorily pursuing a full-time course of instruction at a college, university, or similar institution is ordered to report for induction . . . (he) shall, upon the facts being presented to the local board, be deferred . . . ". Selective Service has now decided "to return to a program used during and after Korea of furnishing local boards additional information for their consideration in student deferment cases." (Class rank and results on an optional qualification test.) None of the information at the disposal of local boards is binding. Obviously two local boards might apply quite distinct criteria in determining the significance of the information before them.

Most Selective Service regulations leave broad areas for differing interpretations. There is no other apparent explanation for the vastly different IV–F deferment rates of States with basically similar education systems, industrial concentration, and ethnic makeup. (In Michigan the rate is 1.7 percent; in Illinois 2.8 percent; in New Jersey 3.9 percent; in Ohio 5.2 percent; in Pennsylvania 5.8 percent; in Massachusetts 8.9 percent.)

The principle of local autonomy and discretion is, of course, based on the desire that every young man have the right to have his case reviewed by people who understand local conditions and problems and will give a sympathetic ear to individual concerns. No thoughtful person would wish to replace a system of great local autonomy with a totally depersonalized and centralized approach which would deny to each registrant the opportunity to have his case reviewed by men familiar with personal, family and community circumstances. No thoughtful person would wish to replace local draft boards with a single office in Washington.

Nonetheless, it is apparent that the absence of national standards in the present system raises a flood of justified questions as to why one local board follows one practice and a neighboring board follows another. If military service should not be a function of how rich or poor a man is, neither should it be a function of where he has registered.

A Congressional investigation might wish to take an in-depth look into how the current system might be more standardized without removing the concept of local board discretion in the case of individual registrants. Would it be possible for local boards to be given more specific priorities in the reconsideration of deferments necessary to expand the I–A pool? Would it be possible to establish national criteria for the granting of college deferments? Would it be possible to standardize the interpretation of Selective Service regulations? Would it be possible to impose on State and local boards a proportionately equal draft call based not on the number of men in the I–A pool examined and available but on population, male population under 35, total registrants, or some other appropriate figure?

All of these questions are directly relevant to every American family. They deserve the attention of the Congress—now.

An Equal Draft Obligation on Each State

(From the offices of Congressmen John B. Anderson, Illinois; James F. Battin, Montana; Alphonzo Bell, California; William S. Broomfield, Michigan; William T. Cahill, New Jersey; Barber B. Conable, Jr., New York; Florence B. Dwyer, New Jersey; Robert F. Ellsworth, Kansas; Paul Findley, Illinois; Peter H. B. Frelinghuysen, New Jersey; Seymour Halpern, New York; Frank Horton, New York; Hastings Keith, Massachusetts; Theodore R. Kupferman, New York; William S. Mailliard, California; Charles McC. Mathias, Jr., Maryland; Joseph M. McDade, Pennsylvania; Albert H. Quie, Minnesota; Howard W. Robison, New York; Donald Rumsfeld, Illinois; Herman Schneebeli, Pennsylvania; Richard S. Schweiker, Pennsylvania; J. William Stanton, Ohio; June 1, 1966.)

This is the fifth in a series of six statements on the need for a Congressional investigation of the draft. It treats the question: *What standards should be applied to assure that the draft obligation falls equally on all the States and on all local boards?*

According to the 1965 Annual Report of the Director of Selective Service the allocation of draft calls is determined on the following basis:

"Upon receipt of each monthly requisition from the Secretary of Defense, the Director of Selective Service apportions it equitably among all the States. He then places a call for the required number of inductees upon each State through the State Director of Selective Service. Allocation of these calls is made generally in proportion to the registrants of the age group currently being selected who are classified as available for military service in each State, some other factors are also considered. Among these are credits, consisting of the number of a State's residents currently reported as being on active duty with the Armed Forces."

In other words, State draft calls are today determined essentially by two factors: the number of men in the I–A pool examined and available for induction; and the number of men from the State currently on active duty in the Armed Forces. The more men that a State has examined and available, the more men that will be drafted. And presumably, the more men a State has serving in the Armed Forces, the fewer men will be drafted from the State.

This system seems illogical and unfair. The main determinant is the efficiency of the local board. States with efficient draft boards will have examined and made available more men than States with inefficient boards. And the result is that more men will be drafted from States with efficient boards than from States with inefficient boards.

There are a number of other possible formulae for draft call allocations. First, the States could be obligated to draft in accordance with population, in accordance with male population under 35, in accordance with male population of draft age, or in accordance with the total number of Selective Service registrants in each State. Such a system would impose a proportional obligation for the draft on every State. Second, the draft calls could be apportioned among the States in accordance with a formula which takes into account population and enlistment. Under this system, the draft plus enlistment quotas (not just the draft alone) would be divided proportionately among the States in accordance with a relevant population statistic.

These basic formulae could be adjusted to account for other significant factors such as: the total number of State residents in the Armed Services, which would account not merely for new enlistments, but for reenlistments as well; the total number of State residents in the reserves; the total number of State registrants in specific categories of deferment such as dependency, or failure to meet rigid Armed Forces standards (a criterion which might avoid an unfair imposition on States with proportionately high numbers of deferments in these specific categories).

Only after exhaustive study could a Congressional inquiry recommend a fully fair formula. The appropriateness of the current system should be carefully examined.

The apparent inadequacy of the current system has resulted in constant over-drafting from some States and constant under-drafting from others. Take for example, the following case study of the States of Michigan and Texas.

Texas ranks 5th among the States in population with 10,500,000 people or 5.4 percent of the total national population. Michigan ranks 7th among the States in population with 8,250,000 people or 4.2 percent of the total national population. And yet the Michigan monthly draft calls are consistently higher than the Texas monthly draft calls.

No population, registration, deferment, or military service index helps explain why Texas under-drafts and Michigan over-drafts:

According to the 1960 census, Michigan's percentage of the male U.S. population 35 and under is 4.5 percent and Texas' is 5.7 percent—an increase of $\frac{3}{10}$ of 1 percent over the percentage of total population in each case.

According to the 1965 Annual Report of the Director of the Selective Service, Michigan's percentage of all the men registered for the draft is 4.3 percent, and Texas' is 5.5 percent—an increase of $\frac{1}{10}$ of 1 percent over the percentage of total population in each case.

According to the 1965 Annual Report of the Director of Selective Service, as of June 30, 1965, 94.0 percent of all registrants in each state were deferred or otherwise unavailable for the draft—and 6.0 percent of the registrants in each state were classified I–A.

According to the 1965 Annual Report of the Director of Selective Service, Michigan's percentage of the total number of men and women on active duty with the Armed Forces as of June 30, 1965, was 4.1 percent and Texas' was 5.3 percent—a decrease of $\frac{1}{10}$ of 1 percent from the percentage of total population in each case. (According to the Department of Defense, the figures in the 1965 Annual Report of the Director of Selective Service are the last such figures to have been compiled, which means that these are the figures used by Selective Service in the granting of credits for in-service State residents in the allocation of monthly State draft calls through June 1966.)

Since the indices for male population under 35, registration, deferment, and military service for each of the two States do not vary from the basic population percentages, the draft calls for the two States should not vary from the basic population percentages either. The Texas calls should be 5.4 percent of the national calls; the Michigan calls should be 4.2 percent of the national calls.

In fact, not only have the Texas calls been far under what they should have been and the Michigan calls far over what they should have been, but the Michigan calls have consistently exceeded the Texas calls. In fiscal 1965 the total Texas calls numbered 3,881 and for Michigan 4,093. In fiscal 1966 the Texas calls have numbered 15,156 and the Michigan calls have totaled 17,218. For the two-year period July 1964 through June 1966 Texas has been called upon to draft 19,144 and Michigan has been called upon to draft 22,127. For eight consecutive months from November 1965 through June 1966, the Michigan draft calls have been higher than the Texas draft calls.

Why is Michigan over-drafting? One reasonable explanation is that Michigan boards may operate a system far more efficient than most States, and therefore report to the national Director of Selective Service a disproportionately large number of men examined and available for induction. The national Selective Service office, in apportioning the monthly draft calls, in effect, may penalize Michigan for its efficiency by imposing on her a disproportionately large share of the monthly draft quota.

Why is Texas under-drafting? There is no statistically easy explanation. It is apparent, however, that for one reason or another, probably related to the efficiency of local boards, Texas reports to the Director of Selective Service smaller numbers of men examined and available for induction than it should. Therefore, its proportion of the monthly draft call is smaller than it should be.

The comparison of Michigan over-drafting and Texas under-drafting is merely one example among many that could be cited. But it is sufficient to demonstrate conclusively that the current system of allocation of the draft calls among the various States is in large measure at the mercy of the local boards themselves. In theory and in practice there is no assurance that the obligation for the draft or for military service will fall evenly upon the States. The system is badly in need of change.

All of these questions are directly relevant to every American family. They deserve the attention of the Congress—now.

Efficiency in the Draft

(From the offices of Congressmen Alphonzo Bell, California; John B. Anderson, Illinois; James F. Battin, Montana; William S. Broomfield, Michigan; William T. Cahill, New Jersey; Barber B. Conable, Jr., New

York; Florence P. Dwyer, New Jersey; Robert F. Ellsworth, Kansas; Paul Findley, Illinois; Peter H. B. Frelinghuysen, New Jersey; Seymour Halpern, New York; Frank Horton, New York; Hastings Keith, Massachusetts; Theodore R. Kupferman, New York; William S. Mailliard, California; Charles McC. Mathias, Jr., Maryland; Joseph M. McDade, Pennsylvania; F. Bradford Morse, Massachusetts; Albert H. Quie, Minnesota; Howard W. Robison, New York; Donald Rumsfeld, Illinois; Herman Schneebeli, Pennsylvania; Richard S. Schweiker, Pennsylvania; J. William Stanton, Ohio; June 2, 1966.)

This is the last of a series of six statements on the need for a Congressional investigation of the draft. It treats the questions: Is the Selective Service System operated with maximum efficiency? What role can computer and data-processing equipment play in increasing the capacity of the Selective Service System to perform its function with maximum efficiency and fairness?

The previous statements in this series have concentrated primarily on the equitability and practicality of the current Selective Service System. Unfortunately, there is also sufficient reason to be concerned that, regardless of the equitability of the existing system, it is not operating with maximum efficiency.

Many isolated examples of inefficient administration can be cited:

The Selective Service System's report of February 1966 to the House Committee on Education and Labor, designed to justify the reconsideration of college deferments, contained seriously inaccurate estimates, omitted vitally relevant material, and failed to provide adequate justification for the new program.

The monthly State draft calls have not been shared on a logical and proportional basis, and when inequities have occurred and have been obvious, the Selective Service System has taken no effective action to remedy the situation. For example, for six consecutive months California has been overdrafting and Texas under-drafting, with no apparent effort by the national Selective Service headquarters to rectify this injustice.

The credits for State residents serving in the military service considered in the allocation of monthly State draft quotas for January through June, 1966, are based on the figures of June 30, 1965. No more recent figures are available. The credits being applied are badly out of date.

The sample questions distributed to those considering taking the optional qualification test for college students contained at least one incorrect answer.

All of these examples of less than maximum efficiency seem pale compared to the possibility that men are being drafted today, for possible combat and possible death in Viet Nam, because their papers are in hand and available while the papers of men even more eligible for the draft than they are "lost" in a bureaucratic maze.

The figures presented by Selective Service in its February report to the Committee on Education and Labor demonstrated an appalling situation. They purported to describe the I–A (and I–AO) manpower pool of ages 19 to 26. The report showed that:

73 percent of the potential draftees in the I–A category had not been fully examined for availability.

118,000 men had not even been ordered for examination.

280,000 men in the I–A pool were not available for the draft because their papers were stalled in the bureaucratic pipeline between local draft boards and Army induction centers.

(What the report did not show was that an additional 56,000 men were unavailable for induction because although they were still in the I–A pool they were pending reclassification to some other category.)

This means that there were approximately 450,000 men in the I–A pool for which the paperwork had not been completed (either examination or reclassification). How is it possible to determine whether the I–A pool needs to be expanded if it is not possible to know how many men in the I–A pool are really available for induction?

If some boards are more lax than others in completing their paperwork on each registrant, it will mean one of two things or both: First, the efficient boards will carry a larger burden of the draft calls than is their fair proportional share; and second, the inefficient boards, by failing to process as many I–A registrants as possible, may be ordering men for induction who would not be called upon if the entire I–A pool were processed.

Furthermore, as the local boards now expand their I–A pool by the reconsideration of I–Y and college deferments, these young men may be drafted before the current I–A pool is depleted simply because it may administratively be easier to complete the processing of their papers than it is to find the papers and process them of those "lost" in the bureaucratic pipeline.

The bureaucratic pipeline stall exists at a number of points. In the first place, when a young man registers for the draft, with relatively few exceptions his papers remain with that draft board despite the fact that he may temporarily or permanently move to another address. Even if the registrant informs the local board of his new address, distance presents an administrative hurdle. Frequently, of course, the registrants fail to provide their draft boards with up-to-date information as to their whereabouts which complicates the administrative process even more.

A second, and perhaps the largest, paper-shuffling headache for Selective Service is the transfer of papers to and from the Army induction centers where the pre-induction and induction examinations take place. Selective Service does not administer the exams; it merely orders registrants for examination and classifies them on the basis of results. The exams are administered by the Army. Inevitably, papers are lost and delays occur in the exchange and treatment of files by the two agencies.

And third, local boards are confronted with an immense administrative problem in the reclassification paperwork if a registrant has failed to pass the pre-induction or induction exams or can give cause for his deferment on other grounds.

It is not surprising that the sudden increase in draft calls which occurred in July 1965 resulted in a substantial backlog of paper processing. Essentially the same number of employees had to provide anywhere from 5 to 10 times the number of men examined and available for the draft. Nonetheless, no excuse for bureaucratic paperjams is sufficient reason to ignore the inequitability which administrative inefficiency may introduce into the draft system.

General Hershey has said many times that computer and data-processing equipment is incompatible with the autonomy and flexibility of local boards—that "we frankly have never been able to find where we could run a computerized system with the decentralized system that we have."

The value of a decentralized system with local board autonomy and flexibility is that each registrant has the opportunity to describe his individual circumstances and problems to a group of men and women who are receptive and sympathetic because they are personally involved in the community. It would be inappropriate to establish a highly mechanized Selective Service System that would meet draft calls with the highly impersonal push of a button in some inaccessible office in Washington.

This is not to say, however, that computer and data-processing techniques could not solve most of the administrative problems of the Selective Service System. It could minimize the paper-shuffling which now occupies the time of local boards, so that the boards can concentrate on their most important function of giving personal attention to the particular circumstances of those whom they have ordered for induction or are about to order for induction. With a firm set of priorities for induction and a firm set of priorities in the reconsideration of deferments when and if the I–A pool needs to be expanded, a computer and data-processing system could provide the local boards with the names and files of registrants from whom they are to fill their draft quotas. Such a system could relieve the paperjam and reclassification procedures, the backlog of paperwork in the pipeline between local boards and Army induction centers, and the growing storage problem for files.

There are today over 31 million registrants in the draft. In 1951 there were 12 million. That is an increase of 158 percent in fifteen years. And the figure will continue to burgeon upward. The administrative problems of the draft are much greater today than they were fifteen years ago for the selection of inductees can come only after the review of far more registrants than ever before. The need for computer and data-processing equipment in the maintenance of files is obvious now. And the passage of time will only make it more so.

As is so often the case, some of the inefficiency in the draft stems from the requirement for two federal agencies to collaborate in the administration of the program. The paper-shuffling between local draft boards and Army induction centers—from the jurisdiction of one to the jurisdiction of the other—inevitably involves delays which reduce the capacity of each to do its job. But it also provides each with an opportunity to use the other to excuse the overall inefficiency of the system.

Both Selective Service and the Defense Department have tended to imply that all is not well in the operations for which the other has responsibility. For example, General Hershey said, on January 10, 1966, while discussing Army induction centers:

"I'm worrying a great deal because when a doctor goes down a line of 60 . . . men saying what is wrong with each . . . and a clerk is coming along behind him copying down what the doctor says and when he gets through maybe the clerk doesn't know what he has written . . . the poor doctor sits down and says 'I wonder what I could have written about that man.' "

Rather than the Defense Department and the Selective Service blaming each other, the two agencies should get together and solve their common problem.

All of these questions are directly relevant to every American family. They deserve the attention of the Congress—now.

THE GREAT JOYS OF CAMPING

Mr. CALLAWAY. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. Tupper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. TUPPER. Mr. Speaker, an article appearing in the May 29, 1966, issue of Parade magazine by the distinguished gentleman from Michigan [Mr. DINGELL] should be read by all who are interested in preserving and expanding our National and State parks and wilderness areas. JOHN DINGELL writes movingly of the delights of camping with members of his family. His interesting article follows:

THE GREAT JOYS OF CAMPING

(By Representative JOHN DINGELL, Democrat, of Michigan)

(NOTE.—Americans in record numbers are piling into their cars and heading for the woods to camp outdoors. Parade asked one of the nation's most influential outdoorsmen to describe the pleasures and benefits that camping affords. Representative DINGELL is chairman of the House Subcommittee on Fisheries and Wildlife Conservation and has been the recipient of many conservation awards.)

It's the song of a bird not the jangle of an alarm clock that you hear first. You stretch your legs in the snug, luxurious comfort of your sleeping bag and contemplate the world. What a day! Nowhere to rush to. No orders to follow. Outside the stream ripples along, or overhead the breeze lazily ruffles the leaves. You twist, pull back the tent flap and behold pure blue sky and a dazzling sunrise.

That's what waking in the woods is like for me, and I find it one of the great joys of camping.

In these days of huge and crowded cities, when 70 percent of us Americans live in 1 percent of our land area, there's more joy in camping for more people than ever before. Not only joy but bedrock values for man, woman and child. And at least one person of six is now taking advantage of these benefits.

This Memorial Day weekend opens the busiest portion of what surely will be our biggest camping season.

I've been going camping since I was a boy. When I was 17 and 18 back in the mid-1940's, for example, I hiked the Appalachian Trail and camped in the Shenandoah Valley of Virginia with a bunch of fellows from school.

We carried backpacks and slept under shelter halves or in GI pup tents. And we satisfied our hunger for exertion, the out-of-doors and adventure.

When I got out of the service after World War II I worked summers as a National Park ranger in the Rockies and at Mt. Rainier. The assignments included being a trail patrolman, bear trapper, ditchdigger, and fire lookout.

RANGER MEETS GIRL

In the Rockies I met Helen Henebry, a schoolteacher who had a summer job at a lodge where we rangers went for meals and showers.

I married Helen in 1952, and since then we've been going camping with our own family.

I think camping offers its greatest joys and deepest values to families. Any individual can draw a harvest of pleasure from the experience. The family member can drawn even more from the harmony and camaraderie of living, working and playing with the others of his circle more closely than he ever can in a house and a city.

When the Dingells go camping, as we're shown doing in Virginia's Shenandoah National Park in the photos on these pages, we share the work. Each of our three kids, Helen and I carry equipment from the car to the campsite. While the two boys and I rig up the tent, Helen organizes the cooking gear and keeps an eye on Jeanne, who's only 2. The boys fetch pails of water and help me split firewood. Then we set off along a trail to explore.

Later, we can enjoy the aroma of steak broiling in the open air. After dark, we can feel the warm, binding impulses that interflow among campers seated shoulder-to-shoulder before the fire.

I'd say the joys of camping start with the beauty of the outdoors. A blue mountain lake. A hillside spread with yellow wildflowers. But the gorgeous views of the camper's world aren't all panoramic. A cluster of raspberries or an oriole on a branch rouses the spirit, too. Next comes the realization that nature is not merely something to travel from the city to look at, but a wondrous interconnected realm of which we're all a part. In the woods a man is no more important than a rabbit (and is almost as carefree!).

I have to lead a pretty formal life in Washington. When I'm camping I don't have to dress up to be "correct." Helen gets away from all the household responsibilities. A campsite is far from any school, and our kids love that!

Some camping experiences are both joyous *and* valuable. To prove yourself capable of providing for all your needs in the wild with just what equipment you can carry with you is an elevating delight. It is also a personal asset.

Human relationships mellow and deepen in camp. At home, I see Chip, 11, and Chris, 9, only for an hour or two a day—like so many city fathers. When we're in the woods I see them constantly. A long hike gives each of us a chance to do things. The boys and I may get in a little trout fishing. Helen likes to study birds and plants. Sometimes there's an opportunity for a boatride.

Faithfully renewing their bond with the soil over which their ancestors blazed trails, Americans camp out in many styles. They sleep the good sleep in tents large and small, in campers, trailers or just in sleeping bags under the stars. We're thinking of getting a camper ourselves. Today's trim models can take you almost anywhere and offer greater family convenience.

DELUXE TO RUSTIC

Campgrounds now come in all types. Some are near towns and the tentsites are close together, with toilets, shower rooms and stores conveniently located. "Mid-camping," our preference, is at the edge of wilderness. Other tents are maybe 100 feet from ours. We can spend as much time as we want in the rough back country. The ruggedest camping is deep *within* the roadless wilderness. You carry on your back or by horse a bare minimum of gear and food.

I know there are a lot of Americans who think they'd like to try one of the forms of camping but don't know the first thing about how to start. Government pamphlets, camping magazines and campgrounds guides like Rand McNally's are helpful. Two good basic books, recommended by the National Wildlife Federation, are *All About Camping* (Stackpole) and *Let's Go Camping* (Alfred A. Knopf). The YMCA and other organizations hold camping clinics. You can examine camping equipment in sporting goods stores or departments.

A camping trip often provides the best means to see a great national park or other wonders of nature. I know the Dingells have all learned a lot about everything from salamanders to birch trees, just by looking around us.

Camping builds health in mind and body. If I could give my kids a hike every day like they had in Shenandoah they'd be hard as nails. And camping is a matchless vacation "buy." The cost of gas and oil, food and about $10 a week for campsite rental covers the whole expense.

Hardly anything is pure joy. Camping is no exception. You can forget to bring something vital, like the tent stakes. Then there's the poison ivy problem. And, we must admit, it can rain.

But camping, for us anyway, is mostly joy. I feel that if all Americans would get out in the open, breathing pure air and using their muscles, our country would be stronger and better able to meet its immense commitments.

THE "FREEDOM OF INFORMATION" BILL

Mr. CALLAWAY. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CURTIS. Mr. Speaker, I am most pleased today to join with some of my colleagues on both sides of the aisle in introducing the freedom of information bill which would create a public records law providing greater access to Government information by the public and the press. The favorable report given this legislation by the House Committee on Government Operations and approval by our colleagues in the Senate are welcome indications of the growing conviction of the Congress that a government of the people is dangerously ineffective, even with an educated people, if it is without an informed people. It is heartening to observe the spreading realization that managed news and withheld facts are not examples of smart politics, but instead are activities which undermine the very foundation upon which our system of government rests. Now if we in Congress can develop a little more self-discipline in respect to the operations of our committees by observing the rules which require public hearings and public sessions, unless by majority vote and for specific reasons properly spelled out it is decided to keep the doors closed, we will have made some meaningful advances back to real representative government.

ARMY VETERINARY CORPS OBSERVES GOLDEN ANNIVERSARY

Mr. CALLAWAY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ARENDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. ARENDS. Mr. Speaker, June 3 marks the 50th anniversary of the U.S. Army Veterinary Corps. I would like to take this opportunity to offer my congratulations to that important military service.

Veterinary officers in the U.S. Army work closely with the medical corps and other health services wherever prevention of disease and the promotion of well-being and efficiency of this country's fighting men is at stake. In addition to food inspection, veterinary officers help in maintaining surveillance over post or base sanitation and are called upon to assist in controlling epidemic disease outbreaks where knowledge of the source, prevention of the cause, and procedures for disease eradication are essential.

Army veterinarians assigned to the military research establishments are directly concerned with the identification, control, and eradication of the major animal diseases transmissible to man.

In support of these basic objectives, Army veterinarians are currently engaged in pathologic examinations, research in nutritional diseases, basic studies in immunopathology, development of new vaccines and improvement of existing ones, studies in the pathogenesis of "standard" and "new" diseases of laboratory animals and development of better biological systems for viral isolation studies.

These highly trained veterinary officers provide the military forces with a research capability and reservoir of knowledge and skills in widely diversified areas.

Brig. Gen. George A. Kuhn, Chief of the corps, has briefly summarized the expanded activities of the Army veterinarian of today in a recent news release. Under unanimous consent, I include General Kuhn's article in the Record:

Army Veterinary Corps Observes Golden Anniversary

On June 3, 1966, the U.S. Army will commemorate the 50th Anniversary of the founding of its Veterinary Corps.

Brigadier General George A. Kuhn, Chief of the Corps, notes that, in improving health conditions in military and civilian communities around the globe, the practice of veterinary medicine in the Army has kept pace with the times as well as the progress of its civilian counterpart.

"The horses are gone and the modern age of spacecraft and irradiated foods has arrived," he adds. "With the changing times, shrinking world, and mechanization of the Army, the Army veterinarian today has vital, technical tasks never considered five decades ago. Today, the Veterinary Corps is a key member of the Army's medical team and comprises a world-wide service devoted to the well-being and conservation of our country's fighting strength."

When the Corps was created in 1916, the veterinary officer confined his activities to the care of military animals and limited food inspection. Today's officers, and the able enlisted specialists who assist them, have little in common with their predecessors who followed the horse troops. No longer are they primarily concerned with ailing transport animals or improperly fitted horseshoes. Instead, the radioisotope takes its place alongside the microscope in the laboratory of the military veterinarian.

Such terms as "Strontium-90," "airborne rabies" and "freeze-dehydrated foods" are as familiar to him as "liniment," "sling" and "picket line" formerly were. He works in a new world, with a new mission, a new language and new challenges. Behind it all rests one prime purpose—support of the combat soldier.

The Corps is composed of commissioned officers, each holding a doctor's degree from an accredited college of veterinary medicine. These officers can now be found in more than 24 countries of the world, carrying out services essential to the Army Medical Service as well as other agencies. Some are assigned to military missions where they serve as advisors to armies of friendly governments, and others wear the distinctive "Green Beret" as members of Special Forces.

The veterinarian in the modern-day Army is engaged in programs which combine his military knowledge and experience with his special education in the recognition and control of animal and food-borne diseases. Food inspection now comprises a world-wide service to protect military consumers from unsafe foods (before and after they are procured by the Armed Forces) and to insure that these products are derived from sanitary establishments. The veterinarian works on the Army's preventive medicine team in important phases of environmental health such as food-handling hygiene and control of diseases communicable from animals to man.

Today, an increasing number of the Corps work in research centers and laboratories on projects involving food and animals. Some are engaged in studies of new and improved food products and testing techniques. More are working in medical research on problems associated with nuclear energy, burn and wound surgery, pathology and microbiology.

Army veterinarians have focused considerably more attention on military dogs and laboratory animals as demands for them have recently increased at unprecedented rates. The use of scout and sentry dogs in Southeast Asia, as well as those guarding important defense of our country, has escalated their role in modern warfare. In addition, a vital responsibility has been placed on many members of the Corps for the professional and humane care of the several millions of laboratory animals used annually in military research and diagnostic procedures.

"If there is one truth that appears self-evident," the General says, "it is that the activities of the Army Veterinary Corps have become greatly diversified over the years. Proud as the Corps is of its accomplishments, we know we cannot afford the luxury of dwelling too long on the past as current veterinary responsibilities and demands expand in scope and complexity."

At its golden anniversary, the Corps knows its personnel are trained and prepared to safeguard the health of "ready-to-go" troops who yesterday may have been at a camp in our Mid-West, today may be in the jungles of the Far East, or tomorrow may be in the Arctic wastelands. As long as foods spoil and food-borne and animal diseases exist, the Army Veterinary Corps will have a job to do.

TENTH ANNIVERSARY OF TUNISIA'S INDEPENDENCE

Mr. CALLAWAY. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Adair] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. ADAIR. Mr. Speaker, yesterday, June 1, was the National Day of the Republic of Tunisia. On that occasion this small country in northern Africa celebrated the 10th anniversary of its independence. It is altogether fitting and proper that we pause to pay tribute to the friendly people of Tunisia, and to its dynamic and courageous leader, President Habib Bourguiba, whose deep patriotism and courage were instrumental in Tunisia's winning its long struggle for independence.

The United States is proud to be associated with Tunisia in its efforts to achieve a better life for its people and we commend the self-discipline and sacrifices that have been made to this end. Tunisia is serving as an outstanding example of what a small developing nation can achieve by utilizing its own resources in concert with aid from friendly governments. The United States is pleased to have contributed to this achievement. It is our deep hope and fervent wish that the historic and friendly ties that already exist between Tunisia and the United States will continue to flourish and be strengthened even more. On this memorial anniversary I would like to express to President Bourguiba and to the people of Tunisia every good wish for their continued development and prosperity.

MARINE TRANSPORTATION

Mr. CALLAWAY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Younger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. YOUNGER. Mr. Speaker, marine transportation is one of the forms of transportation which is in a period of transition, especially in connection with containerization. One of the companies which has been in the forefront of developing this means of loading and unloading marine cargo is the Matson Navigation Co., which is a nonsubsidized marine company serving the west coast of the United States and the Hawaiian Islands. On May 26 of this year, Mr. Norman Scott, executive vice president of the Matson Lines, presented an address at the Maritime Administration transportation industry symposium on "Containerization—1986," which I am sure will be of interest to all the readers of the Record who are interested in maritime transportation. His address follows:

Containerization—1986

(Remarks of Norman Scott, executive vice president, Matson Lines, San Francisco, presented at the Maritime Administration transportation industry symposium, May 26, 1966)

That title sounds a bit Orwellian—but this brief look into one aspect of the transportation industry 20 years hence is not designed along such lines.

I will sketch a picture of our industry in the 1980's, pointing out a major problem area that must be met head-on now if we are to progress at the rate we should.

We all know the transportation industry—on the sea, on the land and in the air—has made tremendous strides in the past 20 years. And within the industry it has been a period of progress for ocean shipping after years of doldrums as far as new developments were concerned.

Those big "boxes" are still revolutionizing transportation. More and more steamship, airline and rail and truck carriers all over the world are going into containerized operations. It has reached a point where a shipping company carrying general cargo almost has to provide a container service to stay even with its competitors. For ocean transportation, containerization represents as dramatic a change as did the advent of steam 150 years ago.

So it is safe to predict that progress in the next 20 years will be even more impressive and exciting than the past 20 years with containerization developments going full ahead on many fronts at the same time—in trucking, the railroads and airlines, as well as the ocean carriers.

It takes no crystal-gazer to see what lies ahead. Many of the tools and most of the know-how exist today waiting to be assembled and put to work for a new era of transportation.

Containerization, 1986, will go hand in glove with "6th or 7th generation computers". It will be an era of faster ships, possibly nuclear-powered, much more automated than at present and probably larger. Terminals, too, will be modernized, with cranes and other cargo handling machinery moving containers swiftly and easily from shore to ship to shore controlled by computers. Shipyards will have to be highly automated.

Also in prospect are such exotic items as large hydro-foil vessels, submarine tankers, "winged-hull" or hover craft and ground-effect machines, which skim over the water on a cushion of air at 200 knots with hundreds of tons of cargo or hundreds of passengers. Perhaps there will be cargo-laden missiles. Nobody views any of these things as pipe dreams any longer, not after what has happened in space and on sea and land since World War II.

Put all this glamorous hardware into operation and it looks as though we have it made. But to complete the picture and make it all work for maximum benefit to the ultimate consumer will require the creation and application of comprehensive systems concepts to develop maximum effectiveness of total distribution.

Consider the world demand for consumer goods by 1986 in light of population growth and standard of living increases in progress today. More people need more things and will be demanding more all the time. That means more and, hopefully, better transportation geared to the jet and atomic age, rather than the era of the "Model T" and the 5-cent streetcar fare.

What will be needed is a fully coordinated physical systems concept designed to provide total distribution of the lowest over-all cost consistent with service requirements to the ultimate consumer.

Containerization has great potential, but to yield its greatest benefits, it requires an integrated system. Such a system from a shipper's point of view would comprehend production scheduling, inventory control, insurance, storage, damage prevention and customer service and marketing. The tie-in, of course, must be complete between ocean carriers and rail, truck and air carriers to provide a system with this capability.

Unless containerization 20 years from now is part of a fully-integrated system, bottlenecks, red tape and inefficiency will inhibit much of the economic progress of the nation's and, for that matter, the world's transportation systems.

Achievement will be difficult but not impossible—provided that we start now to exercise "management technology" in a statesman-like way to solve such problems as competition between modes, standardization, the sociological questions of the impact of new techniques on the labor force, regulatory rigidity, the complications of tariffs, more realistic rate making, the political implications inherent in each phase, and each regional requirement.

By pointing out some of the more critical problems we can start to solve some of them to pave the way for the shiny, new concept of "Containerization—1986"—and realize its potential.

I have identified "management technology" as the key to these problems. And by management, I mean the management of government and labor as well as industry—it is everyone's concern. The challenge will be to achieve an environment by 1986 which will permit full realization of the remarkable "hardware technology" that is already on the drawing boards and in the memory banks of the computers. The hardware development potential, or the physical systems capability, already exceeds our management ability to utilize it fully.

My thesis and, if you will, my "message", is that to an even greater extent, we face a need to match "management technology" with the "hardware technology" capability we will possess by 1986.

Among the specific areas demanding attention today to be where we should be 20 years hence are the legal, regulatory, sociological and political ramifications, each a vital part of the complete transportation picture.

Most of our present laws affecting transportation were written when physical systems capabilities were either not thought of or in the early stages of development. They were not designed to encourage or even cope with the creation of systems that can now be physically established and operated. I refer, of course, to a much broader spectrum of transportation than ocean cargo container systems. And this points up the critical nature of the legal aspects confronting the industry in the years ahead. We must have laws that are based on today's, and tomorrow's, physical systems potentials.

For example, the container system as we know it today basically uses a single mode of transportation. Inter-modal use is still in its infancy. To accelerate the growth of maximum efficiency systems, legislation is required to encourage efficient inter-modal operations by permitting single ownership of inter-modal facilities by development of acquisition. As a minimum, the law should encourage streamlining physical operations by simplifying the development and administration of single factor rates. The legislation should provide for a single, independent regulatory agency having jurisdiction over all modes of integrated transportation. And finally, some deregulation is essential if multi-modal transportation is to keep pace with the international demands of our industrial society where rapid change is the order of the day.

Our regulatory processes, some of which date back to the 19th century need a thorough overhaul. We simply can't continue to be hamstrung by them in the 1980's. As mentioned, reaction time must be reduced. Present regulatory practices are too slow and cumbersome and more critically, they are increasingly usurping management functions.

Besides carrier regulation and tariff administration, there are customs regulations, documentation procedures and operational safety administration to be considered.

These activities should be brought into step with the times to foster the development and to meet the future requirements of the most efficient physical systems that can be assembled.

It is equally vital that rates and tariffs be simplified. The volume and complexities of today's rail and truck, and even ocean, tariffs are unnecessary road-blocks to the development of inter-modal and multi-modal cargo movements. The trend toward per-container rates should be encouraged. It is an economically logical process, which will materially simplify development of inter-modal systems. In the same regard, rate-making procedures should be based on costs rather than the value of service or other bases.

Here again, the evolution of a management technology in the field of regulatory affairs is needed. It seems obvious that if changes are not made, the growth of containerization will be retarded by red tape before the 1980's. "Management technology" must be a moving force in developing new ideas and shaping the future form of regulations that will foster maximum efficiency systems.

Now let's consider the sociological implications of our transportation preview of 1986. There are, I submit, three major categories that urgently require application of new management technology.

First is the all-important field of labor-management relations. Labor and management share a mutual responsibility to develop an equitable method or program to handle personnel adjustments resulting from automation and other applications of new technologies and equipment. In transportation, management and labor should be able to evolve satisfactory solutions through collective bargaining, even though they have had their troubles down through the years. Both have been criticized for tie-ups and public inconvenience. The maritime industry, in particular, has been through some rugged times in the mid-30's and postwar period. But there are definite signs of better understanding by both labor and management of the myriad problems that lie ahead, and of the need to work together to solve them. Ideally, new systems, new hardware and new ideas will create new jobs but there are bound to be dislocations and changes as they evolve. Part of the "management technology" we need is the ability for employee and employer groups to anticipate these problems before they become critical.

Next, for our second sociological consideration, we come to "people problems" within the management process of corporations. In the context of our 20-year look ahead, one of the primary internal management challenges will be the development of people able to use computer hardware more effectively and with more imaginative applications than is commonly demonstrated today. As I mentioned previously by 1986 we will be into more sophisticated computers, which will offer infinitely greater capacity, speed and flexibility for analysis and distribution of management information. However, regardless of the equipment capability achieved by then, its usefulness will be no greater than the accuracy of the input information and the selectivity of functions which the computers are called upon to perform. People must perform these functions. And people must create the intellectual awareness of system capabilities which transcend the short view perspectives of individual persons, departments, companies or even modes of transportation. We must have people who can visualize, plan and implement operations which do not yet exist but which are capable of development.

Third in my list of sociological considerations is the relationship with the customer community. Industrial management in our country, indeed, throughout the world, is becoming increasingly aware of the economic importance, in its broadest sense, of distribution. Gone are the days when top management relegated traffic and distribution management to a secondary role, with accountability well down the organizational line. This of course, is no guarantee that broader systems development will find ready acceptance in the business society of 1986, but it does indicate that industry will become increasingly demanding in appraising and buying its distribution services. The management technology called for here is that of developing sufficiently broad managerial perspectives to establish true systems concepts of distribution in terms of customer requirements.

Now that we have had a look at the legal, regulatory and sociological questions, we come to the political element—probably the most difficut to classify or predict, but certainly one that will always be with us. In this category falls the development of broad public policy determinations covering basic legislation and regulation. Such matters as governmental financing of advanced research and financial aid or subsidy to new application all fall initially within the political sphere. Equally important is the antitrust treatment of multi-modal systems, how they are created and regulated. The importance of this transcends politics as usual but we obviously must recognize the reality of things as they are, not as we might dream. So an educational and selling effort is required to restate national transport policy in the political arena in terms of multimodal objectives.

I have tried to be realistic by pointing out a problem area that is easy to overlook, and have served up one version of a general approach to solving it. But speech is no problem-solver. As always, it boils down to a need for coordinated action, not just talk, under enlightened and hardworking leadership.

With what our researchers, scientists and engineers will come up with in the next 20 year we know we will have to do our best to be ready to manage what they make possible.

It is fitting when thinking about 20 years into the future to sum up the management challenge by recalling the words of the late "Boss" Kettering, the inventive genius of General Motors, speaking to a group at the dedication of the G. M. Technical Center in Detroit. ". . . the future will be greater than the most fantastic story you can write. You will always underrate it."

Thank you.

NARCOTICS BILL—WASHINGTON POST CHASTIZED FOR SLANTED REPORT

Mr. CALLAWAY. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, this morning's Washington Post on page A5, carried an article on the House passage of the Narcotic Rehabilitation Act yesterday. Written by Richard L. Lyons, it began:

> The House passed a weakened but still significant bill yesterday.

"Weakened" is a very editorial word that does not belong in a news report. One of the key provisions put into the bill on the motion to recommit, which the reporter feels weakened this bill, was an amendment providing that civil commitments of addicts should not apply to addicts who push dope as a means of raising money to pay for their own habits.

Astonishingly, the original bill as proposed by the administration would have pampered these pushers of dope by allowing them to be committed for 3 years in the hope of their being cured, in which event the pushing charges would have been dropped.

This is a bad approach and the House was correct, in my judgment to reject it. It must be remembered that the dope addict can help himself. If he wants to be cured he can take himself to a hospital. There are techniques and chemicals today by which the addict can be put through withdrawal symptoms without pain. But if the addict chooses instead to continue his habit and voluntarily elects the pushing of drugs to feed his habit off the lives of new victims, the law should not coddle him. He should be punished.

Thanks to the Republican amendment, adopted yesterday in the motion to recommit, the administration's desire to coddle these peddlers of torture was turned down.

As one who voted for the amendment, I feel it greatly strengthened the bill, far from weakening it.

Perhaps Mr. Lyons believes the amendment weakened the bill; perhaps he feels that addicted merchants of misery should be coddled. But that is beside the point: a reporter's opinions have no place in a news story. There is altogether too much opinionizing in news stories these days and it is a very bad thing. It is not only unprofessional, it interferes with the public's right to know. Opinions belong in opinion columns and on editorial pages. Topflight reporters never let you know what their opinions are. They simply write what happened and avoid characterizing events with their personal opinions. That is the only way they can keep the confidence of all their sources of news and of their readers as well.

Yesterday's action by the House regrettably did not receive this treatment from the Washington Post.

TELECASTING AND BROADCASTING OF SESSIONS OF HOUSE OF REPRESENTATIVES AND ITS COMMITTEES

Mr. CALLAWAY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. RUMSFELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, I have been advised that the Illinois Broadcasters Association and the Illinois News Broadcasters Association have each formally adopted resolutions calling upon Members of the House to lend their support to H. Res. 641, which would permit telecasting and broadcasting of the sessions of the House of Representatives and and its committees.

In January of this year, I joined with a number of my colleagues in cosponsoring H. Res. 641. This resolution requires neither the signature of the President nor the consent of the Senate. Its effect would be to further the people's right to know, firsthand and for themselves, about the House of Representatives.

I believe that the Congress has a responsibility to reach its constituency by the fastest possible means of communication. The electronic news media, radio and television, would satisfy this mandate were they permitted to cover actions on the floor of the House.

I introduce into the RECORD the resolution adopted by the Illinois Broadcasters Association:

RESOLUTION SUPPORTING H. RES. 641

Whereas, the Illinois Broadcasters Association has consistently championed the case of Freedom of Information and access to the news, and the belief that a well informed people is the keystone of American Democracy; and

Whereas, the dissemination of news of legislative and judicial proceedings is one of the vital functions of the American system of broadcasting; and

Whereas, technological advances in the science of broadcasting have now made possible the orderly and unobtrusive coverage of such news;

Therefore be it resolved that the Illinois Broadcasters Association herewith strongly endorses the passage of House Resolution 641 permitting the telecasting and radio broadcast coverage of sessions of the United States House of Representatives; and

Be it further resolved, that the Illinois Broadcasters Association commends the Illinois Representatives who are among the sponsors of H. Res. 641 to wit, The Honorable ROBERT MCCLORY, 12th District; The Honorable DONALD RUMSFELD, 13th District; The Honorable JOHN B. ANDERSON, 16th District, and The Honorable PAUL FINDLEY, 20th District, and respectfully urges that the entire Illinois membership of the House of Representatives give their active support to H. Res. 641; and

Be it further resolved, that the Secretary of the Illinois Broadcasters Association is hereby instructed to transmit copies of this resolution to the President, the presiding officers of the Senate, the Speaker of the House, and to all members of the Congress of Illinois.

DAIRY IMPORT ACT OF 1966

Mr. CALLAWAY. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANGEN. Mr. Speaker, the American dairy farmer continues to view with alarm the influx of imported dairy products which act to further depress dairy prices. He despairs at the announcement recently issued by the President in response to the Secretary of Agriculture's recommendation that cheese import quotas will be raised by over a million pounds. As one of the lowest paid of all producers, he is further frustrated by the knowledge that the administration has repeatedly failed to use the import control features of section 22 of the Agriculture Adjustment Act to restrict such imports. Indeed, he cannot understand why the administration has actually used section 22 as a device to increase the flow of agricultural products—dairy products in particular—into the United States, completely contrary to the intent of Congress.

Before it is too late, we must take the legislative action necessary to prevent the administration from obliterating what is left of our family farm system. And with specific regard to the dairy farmer, whose survival depends in great measure on our ability to provide adequate protection from the price-depressing tide of dairy imports, more explicit legislative directives to the administration must be enacted, to insure dairy import control decisions that are so truly needed and deserved by him. Accordingly, I am today introducing a bill to regulate imports of milk and dairy products, which may be cited as the Dairy Import Act of 1966.

This bill would limit imports of milk and dairy products to the average annual amount which was admitted for consumption between 1961 and 1965. No additional imports would be allowed unless there was an increase in the annual domestic consumption of dairy products, or at a time when prices received by dairy farmers for milk are at a level less than parity. Also, the definition of "dairy products" would be broadened to provide for more comprehensive import control.

By strengthening and supplementing section 22 of the Agriculture Adjustment Act this bill would be instrumental in heading off any repeat performances of the President and the Secretary of Agriculture in opening the floodgates to price-depressing dairy imports. Since the latest administration maneuver to increase cheese imports will have the effect of lowering American dairy prices, it is all the more imperative that favorable legislative action be taken on this bill at the earliest possible time.

Let us start reversing the current anti-dairy farmer orientation of the administration with enactment of the Dairy Import Act of 1966. There is no more appropriate time than June, National Dairy Month, to do so.

COMMENCEMENT ADDRESS, BAGLEY HIGH SCHOOL, BAGLEY, MINN.

Mr. CALLAWAY. Mr. Speaker, I ask unanimous consent that the gentleman from South Dakota [Mr. REIFEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. REIFEL. Mr. Speaker, on Friday, May 27, 1966, my colleague, the Honorable ODIN LANGEN, representing the Seventh Congressional District of Minnesota, addressed the graduating class of the Bagley, Minn., High School.

Mr. LANGEN's thoughtful remarks offer a great challenge and a great opportunity for America's youth. I recommend his address as solid reading and sound thinking for all of us.

The address follows:

COMMENCEMENT ADDRESS, BAGLEY HIGH SCHOOL, BAGLEY, MINN., MAY 27, 1966, BY HON. ODIN LANGEN, MEMBER OF CONGRESS

It seems that all of my lifetime I have struggled with a feeling of inadequacy . . . I do not recollect any time when it was more pronounced than it is at this very moment, for I sincerely feel the responsibility that goes with a commencement address. I am also very keenly aware of the educational eloquence that is achieved these days by high school students. It might well be that I could be out-done by any number of these students. . . . All of us as parents have had the experience of being surprised at the extent to which today's students are advanced beyond the standards of our days in high school. Somebody took a poll, which revealed that one week after commencement most of those in attendance would have forgotten completely what was said . . . and some would have forgotten even who the speaker was! In this case, there might be some real justification for doing so.

In attempting to fulfill my assignment this evening, I would like to direct my remarks principally to the graduating class. Of course, I will be greatly disappointed if the rest of the people here don't listen, too. But generally, I am concerned about the graduates. . . . First, may I congratulate each of you, together with your parents, on the goal that you have achieved this evening. I know that it has taken a great amount of effort on the part of each of you to have brought about this accomplishment. No doubt, four or twelve years ago, it seemed like a long, tough course that was ahead of you, but tonight you know that it wasn't either as long or as tough as it may have seemed to start out with. . . . You have every reason to feel proud and satisfied with your achievement, but I should be frank to admit that I am a little perplexed by this thought, because I don't know who might be the proudest or the most satisfied—the graduating class, their parents, or myself. . . . For I have been truly honored by your generous invitation which has provided me this great opportunity of making some contribution to a very significant element of our educational system, as thousands and thousands of graduates are receiving their diplomas throughout the Nation during this graduating season.

I have already been greatly impressed by this graduating class. The selection of a most appropriate class motto, "If you can not do great things, do small things in a great way," exemplifies the reality of the assignments that follow, having reached this first milestone in your approach to assuming the full role of American citizenship.

The motto is not only filled with wisdom, but is practically adapted to the age in which we live. For there is an opportunity surrounding all of us to do things both great and small, which is fortunate indeed for graduates, parents and a commencement speaker at this very opportune time in our history.

When we think back over the history of this Nation, there have been times when it was far more difficult to be a high school graduate or to be a commencement speaker. Let us suppose, for a moment, that you young people were graduating from high school in the early sixties of the last century in Kansas or some other border State. Your first decision might well have been whether you were going into war on the side of the North or the South, fighting brother against brother or father against son, in one of the bloodiest wars of all times. Or, we might suppose for a moment that you had been a graduate from some school in a small eastern town in the sixties, seventies or eighties of the last century, and your parents might well have decided to make the great trek westward. Wagon Train and Bonanza on television these days give us the impression that this was a glamorous era, but if you read the books of that period, you realized that it was a dirty, miserable and dangerous existence.

If we come closer to modern times, suppose you had been a graduate in 1929. Very few of our young people today have ever had to experience actual want, but many young people did in 1929. The song, "Brother, Can you Spare a Dime?" isn't on anyone's hit parade today, but it was a very prominent and realistic song in its time . . . Today, however, the picture is much brighter and, in my judgment, the opportunities much greater.

I recall vividly the memorable impression experienced while visiting the New York World's Fair about two years ago, to witness the great panorama of the past, present and future, so elaborately displayed by the various exhibitors and participants in this World's Fair of our day. . . . I recall saying to Mrs. Langen, during a coffee break in our tour, that "What an exciting life lies ahead for today's younger generation!" The challenges, the thrills, the almost incomprehensible vision of the future that lies ahead, with the exploration of an entire new world of space and the conversion that will inevitably take place in adapting to the space age. . . . The imaginative displays and plans set forth by the great scientific students of this day provide real evidence of a future that will accommodate and demand every ingenuity, talent and ambition that one can envision.

What a desirable combination this makes!—a new generation of knowledgeable, well-educated youth and a new age filled with unconquered frontiers and tempting horizons. Maybe it doesn't seem that way to the young folks of today. The future looked rather dark to me, when it was my good fortune and privilege to be a high school graduate in the early thirties. Little did I know or imagine the progress that would take place in what now seems to be a very short time. . . . You know, at that time, we didn't even comprehend the possibilities of television, much less in color, the phenomenon of jet planes or rocket travel, or the mystery of a computer and an electronic brain, plus innumerable other scientific and mechanical developments that today are almost common-place—and I have been told by those that should know that the pace of progress in the future will be much faster than even that which we have experienced in recent years.

These are the characteristics of today, that hold great demand for every talent, for every ability, and possibly in greater quantity, for a willingness to work. I am sure I can't over-emphasize the willingness to work as a first step to success. For this demand is prevalent in every occupational endeavor that I can think of, and so leaves sufficient room for individual choice.

This is a far too brief identity of the appealing opportunities that are yours to use in achieving success. . . . While having completed high school graduating requirements constitutes a very significant step in the preparation for your participation in your eventually chosen role in life, the first essential, at this stage, is to seek additional education, whether vocational or academic, for there is urgent need in all sectors of our society for trained, skilled, and educated ability of every description.

The educational field, whether student, teacher or professor, in itself offers just as exciting, just as rewarding possibilities for achievement, and more important, a realistic acquaintance and understanding of what it will take to accumulate your full share of life's rewards and satisfactons in a scientific world.

Now, of course it is easy enough to stand here and talk about your general responsibility to the Nation and the World, your opportunities as a group, and your chances of success as a contributor and a participant, but the one thought that is undoubtedly going through the mind of every student in every graduating class is a concern for your personal future. We can talk all night about generalities of your generation, but the questions I am sure you want answered are "Where am *I* going? What lies ahead for *me*? and What do I need to get there?" Naturally, you are concerned for the future, because, as someone once said, "That's where you are going to spend the rest of your life!"

Now, then, what does it take to succeed in this complicated society, and complex scientific environment? Actually, the basic rules of success haven't changed from the beginning of time, even though circumstances have, and so, perhaps a good point at which to start is to repeat the basic rules . . . Like the repetition of the Lord's Prayer, the Sermon on the Mount, the Bill of Rights, the

Pledge of Allegiance, and our envied Constitution, repetition adds to their meaning and significance, both to those who repeat them and those who hear them again. Then there are the rather basic mannerisms that are a part of most every success story.

Successful people have a great passion for loyalty. They are loyal to God, to their church, to their country and their families, and the many causes that they may espouse. Loyalty is a priceless ingredient for true success.

Learning to recognize, accept and discharge responsibility is an equally important necessity. This will require the making of decisions, oftentimes very hard and very difficult, but make them you must, if you are to succeed. In fact, this is probably the main reason why you spent the last twelve years in school, in order to be better prepared for making these decisions.

Be sure of your facts. Test them against truth and morals. Then make your decision sharply and clearly. You won't be right all of the time, but you will be most of the time. Remember, the indecisive person, even when he is right, is most often too late.

In this connection, do not be afraid of the future, no matter what it seems. Such fear is the greatest enemy to sound decision-making.

Be curious, inquisitive, and a good listener. As the old adage goes, "You never learn anything with your mouth open." I haven't learned anything from the folks who have agreed with me, but I have surely learned a lot of things from those who *didn't* agree with me.

Improve your ability to communicate your thoughts and actions to others. Most misunderstandings resulted because the people involved didn't understand each other's purposes and positions . . . and in most cases didn't even attempt to understand. So make sure you understand the other fellow, and that he understands you—then, if he still wants to argue, let him have it.

Don't be depressed about your imperfections. We all have them. Be thankful for them. It isn't your accomplishments that are important, but your mistakes. I can recall sitting next to the National Amateur Golf Champion in Committee for four years and in our many friendly discussions asking what it took to win a golf tournament. His response was both noteworthy and memorable when he said, it isn't how many good strokes you make, but how many bad ones you didn't make. . . . It is through your mistakes and elimination of them that you will learn to become more perfect and more tolerant of your fellow man. Be tolerant and kind to the less fortunate and find time to give help and comfort to these people. This is the silent phase of a successful life, but oftentimes the most effective way of serving one's fellow man.

Above all, be a good citizen. Take an active interest in your local, State and National governments. Become informed on the various phases of our laws and of our history. Vote, run for office, and take a position on local and national issues. Join a political party, be an active Republican or a Democrat. Remember, politics is the science of government, and not something to be avoided. I firmly believe the strongest bulwark against any kind of "ism" in this country is the militant maintenance of a truly strong two-party system of government.

This reminds me of a humorous bit of writing that carries some pretty sound advice. It reads:

"If you want your father to take care of you, that's paternalism.

"If you want your mother to take care of you, that's maternalism.

"If you want Uncle Sam to take care of you, that's socialism.

"If you want your comrades to take care of you, that's communism.

"But if you want to take care of yourself, that's Americanism."

Having now identified that there is a great and thrilling opportunity in store for all of you, and offered some brief outline of what it takes to respond successfully, I may well have left an impression that this is all going to be very easy, and with your wealth of acquired knowledge, with more to come, life will be a very pleasant breeze.

Let me hasten to correct any such impression. For, in reality, it will rather be very difficult and most demanding, in spite of what seems to be a very colorful, leisurely and smooth road ahead. I am sure I should be more correct were I to say that the trials and demands of success will test to the very breaking point all of your tenacity and endurance. It will drain every last ounce of talent, ability and know-how that you now seem to have in abundance.

It will require every last measure of perseverance, competitive spirit, and confidence, and there will be times when the problems are such that they will seem to defy solution entirely with obstacles so great that it seems impossible to conquer them.

I say this with no sense of pride, but must humbly admit that years of experience has alerted me to the truth of these realities, for as you look ahead, it is well to remember that every inadequacy of this Nation and the World becomes a part of your problem as an individual and as a citizen of our great Nation.

And while your forefathers have designed, built and preserved a Nation that has more opportunity, more luxuries, more conveniences, more leisure time and the highest standard of living that Man has ever known anywhere, we must not forget that the problems of survival and the odds of individual success are not all as favorable or as easy as it may seem. . . . As one who has had some part in pondering solutions to problems of our day, I find it difficult and almost a little embarrassing to reiterate or contemplate briefly a few of the many glaring failures that history tells us will become your problems. . . . While we are citizens of the greatest Nation on earth, constituting six per cent of the world's population that earns more than one-half of the world income, yet we haven't been able to even find a way in which that Nation can pay its own bills as we go along.

Even with this great monetary wealth, one of the almost unbelievable and shameful characteristics is the fact that there are far too many who have not, and seemingly can not, provide even an acceptable standard of livelihood, and while we have developed the greatest degree of technological excellence in the history of Man, we still haven't learned to live with our neighbor and fellow man. Nor have we as a Nation, or in alliance and cooperation with other nations, been able to find a way where nations can exist in peace.

We have within our grasp the ability to send a rocket to the moon, but we haven't learned how to stop killing more than 40,000 people on our highways every year. The American farmer has developed the greatest food production unit in the world, but we haven't been able to figure out how to make that endeavor a paying proposition, except in time of war. We talk of great surpluses of food, and yet find that two-thirds of the world is under-fed. We have designed and built the most beautiful and well-equipped kitchens known to Man. Yet, we have not been able to make most of the streets in this Nation safe for women to walk. Our Nation has developed freedom of religion to a far greater degree than anywhere else in the world, with beautiful houses of worship for every known faith, but even with these ever beckoning and open doors, it is disheartening to note the great number of people who have never known the tranquility of a faith in God or the assurances of the good life. While we as a Nation have become a world leader, with recognized greatness of military and monetary strength, each used generously for purposes of creating peace in the world, yet your first call to duty today might well be from the Draft Board . . . because we haven't been able to develop harmony and peace among nations.

These are disheartening examples that go on in far too great length for me to enumerate here this evening. They are not new. They have defied the understanding and continued best endeavor over the years to overcome and provide solution.

I should recall that it was these same problems of social strife, moral decay, economic stability, war, and preservation of freedom, that more than a hundred years ago caused Abraham Lincoln to say "I have been driven to my knees so often in prayer, because I had nowhere else to go." So it has been. So it is today—and will be tomorrow. This has been the experience of every President, and every recognized leader of this Nation as well as throughout this world, ever since that time and for a good long time before those early days of our history. Those same problems will all confront you as individuals as well as citizens. You will become a participant in them as either a contributor or a deterent, whatever your choice. Lincoln's noteworthy statement directs our attention to the resources of prayer, for it can bring you comfort, strength and understanding when everything else has failed. Individual and collective prayer offers a strength of character, a possibility of accomplishment that goes far beyond any other endeavor or approach, and stands out as the shining light and only hope to achieve the answer that otherwise is beyond our reach.

These problems, and many more, may constitute an admission of failure on the part of the generations who have preceded you, but just as surely will they also be there to defy your endeavors. It may seem strange that I should say this, for those in my profession are predominantly recognized because of their continuous answers and solutions to these problems. We have shouted them from every podium and platform that anyone would provide us. But we have identified only the answers, while the formulas for achieving them have completely escaped us. This is a difficult admission for any public servant, but history has established the fact, in spite of Man's and Government's attempts to correct them.

Now, it may be said that this recognition constitutes a very dark and difficult picture for the future and your success. However, it is the combination of the bright and opportune horizon that I presented at the beginning, together with these more difficult shadows, that provides the real challenge and opportunity for satisfaction, a full life, and a true feeling of accomplishment.

It is these challenges that will make your acquired education worthwhile and that are the fertile fields in which that knowledge can grow, flourish and blossom into wisdom.

There can be no success without personal satisfaction and pride in accomplishment. They, in turn, can be achieved only by approaching and attacking the problems and obstacles that confront us. To overcome, remove, or even limit them, become the true rewards and emblems of success.

And so your graduation tonight signifies but a start in preparing yourself for the challenges ahead, and to those of us who are now aged and matured with experience, we find hope in knowing that as a new generation you will be better equipped, more knowledgeable and better able to cope with all these problems, and therefore should have a far better chance to harvest the satisfaction of accomplishment.

As you approach your assignments in the future, perhaps one brief sentence can sum up what I have tried to say tonight: Give the best that you have to the highest that you know . . . , and be decisive about it. All of us who are so proud of you, so devoted to you, cannot ask for more. But do we dare ask for less?

"If you can not do great things, do small things in a great way." So ends my dissertation this evening, and my feeling of inadequacy is just as evident now as it was in the beginning, but remember one thing—I tried as best I could. Won't you do the same? Your Nation, and the World, needs and welcomes your knowledgeable assistance. Good luck and God-speed!

COMMITTEE ON AGRICULTURE

Mr. CALLAWAY. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight tonight to file a report on H.R. 15089.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. CALLAWAY. Mr. Speaker, on the vote today on the Library Service and Construction Act Amendments of 1966, I arrived in the House immediately after my name had been called. I was unable to qualify for that vote, but had I been able to qualify, I would have voted in favor of the bill.

NOISE POLLUTION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. Kupferman] is recognized for 30 minutes.

Mr. KUPFERMAN. Mr. Speaker, we are at long last giving some hard thought in this country to the conservation of two of our natural resources, namely, water and air, while we continue to ignore another environmental problem which should be of equal concern to us, that is, excessive noise or noise pollution.

Mr. Speaker, as an effort to begin work on the complex problems created by noise, I introduced legislation on April 21, 1966, to launch the first comprehensive Federal, State, and local assault on excessive noise.

My bill—H.R. 14602—which appears in the Congressional Record of April 21, 1966, together with my introductory statement and related materials on pages 8745–8768, would provide Federal grants-in-aid to State and local governments for research into the control, prevention, and abatement of excessive noise.

One of the first tasks of the Office of Noise Control, which my bill would set-up under the Surgeon General's Office, would be to act as a central clearinghouse for the compilation and coordination of present studies in the field of noise abatement.

While several studies are presently being conducted by various individuals and groups, including the FAA and NASA—with respect to jet aircraft noise—there is a basic need for a centralized body to gather noise information and data from all sources. For an extended discussion of this point, see the debate of the House of Representatives regarding the budget request of NASA, Congressional Record of May 3, 1966, and my specific suggestions at page 9679 thereof.

In addition, the Office of Noise Control would conduct an extensive educational campaign to alert people to the many dangers of excessive noise, including noises other than those which come from jet aircraft. For example, in the Congressional Record of May 2, 1966, at pages 9471–9477, I set forth detailed studies relating to excessive noise caused by trucks and automobiles on our Nation's highways. See Congressional Record of April 21, 1966, pages 8745–8768 for general studies.

Mr. Speaker, Robert Alex Baron, one of America's noted noise-abatement exponents, recently addressed the Fourth International Congress for Noise Abatement in Baden-Baden, Germany. The text of Mr. Baron's address, given in Germany on May 13, 1966, appears in the daily Congressional Record of May 16, 1966, at page A2629. In his address, Mr. Baron highlights some of the many problems facing all of us as a result of excessive noise in our environment and provides useful information for those interested in the problem.

I am happy to report that there has been, to date, considerable and widespread response to the legislation which I have proposed to deal with the general problem of noise abatement. I would like at this point in the Congressional Record to include some of the editorial comments and many letters which I have received regarding various phases of the complex problem of excessive noise.

It is my hope that a careful perusal of this material will help to enlighten the reader as to some of the particular problems so many of our fellow citizens and especially city dwellers are experiencing as a result of excessive noise, as well as demonstrating the serious interest shown by many of those involved in industry.

[From the Jersey Journal and Jersey Observer, May 23, 1966]

THE VISITING EDITORIAL—IT'S TIME FOR US TO CONTROL NOISE POLLUTION

(Note.—In keeping with its policy of presenting all sides of questions, The Jersey Journal, from time to time prints visiting editorials written by qualified persons on specified topics. Today's is by Representative Theodore R. Kupferman (Republican, 17th Congressional District, N.Y.).

(Congressman Theodore R. Kupferman, R–17th N.Y., 46, former president of the Federal Bar Association of New Jersey, New York and Connecticut . . . Second office-holder in Manhattan's enlarged "silk stocking" congressional district . . . Kent Scholar at Columbia Law School . . . Admitted to practice before U.S. Supreme Court in 1948 . . . On American Arbitration Association's panel of arbitrators . . . Former president of City Club . . . New York councilman for four years . . . Married to former Dorothee Hering and father of Theodore Jr. and Stephanie . . . family resides at 140 E. 72d St., Manhattan.)

After many years of study and concern, this country is just now beginning to take concrete steps towards cleaning our water and air. Another serious problem which demands our immediate attention is that of excessive noise, which I call "noise pollution."

To primitive man noise was a warning signal indicating danger. Loud noises caused a fear reaction in man, and history tells us of the early employment of noise as a psychological weapon in battle. Perhaps the first record of the effect of noise dates back to the Biblical story familiar to all, when the walls of Jericho were caused to fall by the blasts of many hundreds of trumpets and shouts from many people.

Concern over the increase of noise and moves to retard its increase date back to the period of the comfort-sensitive Greeks of Sybaris. Indications are that the noise problem, in general, has been recognized from the beginning of the Industrial Revolution, as one that would ultimately require solution.

In line with this, I have introduced legislation to provide for the first comprehensive study of noise in the United States to determine the effect it has on inhabitants of our cities and towns, and to find ways to eliminate unnecessary noise.

Unlike water and air pollution, the effect of excess and uncontrolled noise is largely unrecognized.

Through my research into the problem, I have learned that studies of excessive noise show that in addition to interrupting sleep, it severely strains the nervous system, can cause deafness and coronary thrombosis, and destroys efficiency at work. A national magazine has, in fact, estimated that noise costs industry and businesses $2 million a day in terms of decreased efficiency at work and loss of man-power hours.

Excessive noise is not merely something we must adjust to or learn to tolerate. We cannot afford to take the attitude that excessive and uncontrolled noise from aircraft construction and demolition sites, motor vehicles, industry surface transit and other sources is the price we must pay for growth. I do not agree with those who profess that compensation for the injuries caused by excessive noise is found in the overall benefits progress.

What we have failed to realize is that "quiet" is as important a natural resource as are clean air and water, and that noise is as serious a potential health hazard as polluted air and water.

As a first step in closing this "noise gap," the legislation I am sponsoring provides federal grants-in-aid to state and local governments for research into the control, prevention, and abatement of excessive noise.

Among the first tasks of the Office of Noise Control, which this bill would establish under the Surgeon General's Office, would be to develop a workable measuring system for correlating the intensity and quality of aircraft noise; to study the significant biological, physiological, sociological, and psychological factors in the understanding of noise, its causes and effects; and to serve as a "noise information clearing house" to collect and disseminate existing data from agencies already engaged in noise research, including the Federal Aviation Agency, National Aeronautics and Space Agency and the Committee on Hearing and Bio-Acoustics.

[From the Columbia, S.C. State, May 3, 1966]

THE ANNOYANCE OF NOISE

At long last, Americans are beginning to face up to the hazards which come from polluted air and water, but we may be overlooking still another form of pollution—noise.

Perhaps "pollution" is not the exact word to describe the adverse effects of excessive noise, but it conveys the meaning satisfactorily. Noise certainly adds an unpleasant, unwanted, unnerving, and sometimes unhealthy element to the atmosphere.

Thus far, modern man has been inclined to accept noise as a necessary evil which accompanies progress. City-dwellers, who live amidst the contemporary din, have become somewhat accustomed to the roar of traffic, the clangor of industry, the clatter of railroads, the shrieks of aircraft, and even the bedlam of high-volume radio and television.

But getting used to such sounds does not reduce their ill effects. On the contrary, adaptation to noise may prove even more harmful, since it dulls the incentive to correct the cause.

Fortunately, there are scientists, legislators, and laymen who concern themselves with the problem. The World Health Organization last month issued a series of articles warning of the "mental pollution" which stems from excessive noise. Here is a sample statement:

"A major cause (of mental pollution) is motor traffic which so substantially contributed to nervous disease, insomnia, nervous tension, ill temper, and accidents."

At least one member of Congress, Representative THEODORE R. KUPFERMAN of New York, is seeking to stimulate national interest in the problem by sponsoring federal legislation on the subject. He is proposing federal grants for local and state research into "the control, prevention, and abatement of excessive noise." He would establish an Office of Noise Control within the Surgeon General's Office of the Public Health Service.

We are always apprehensive over the creation of additional federal bureaus and controls, but we commend Congressman KUPFERMAN for his efforts to focus public attention on what is becoming an increasingly serious and disturbing aspect of modern life. We agree with his double-edged comment.

"We can ill afford to continue to turn a deaf ear to this problem."

[From the Richmond News Leader, May 19, 1966]

DECLARING WAR ON NOISE

Customarily, freshmen congressmen observe a long-standing rule that new congressmen, like children, should be seen and not heard on Capitol Hill. For most of them, the first session in the House passes in a dreary monotony of listening to the wisdom of more experienced legislators; few of them speak up except when a voice vote is taken.

Not so for Congressman THEODORE R. KUPFERMAN, who replaced John Lindsay in the House when Mr. Lindsay became mayor of New York. In the few months in the House, he has made a number of speeches on such subjects as Viet Nam, Krebiozen, Social Security, and the oil depletion allowance. He is a regular visitor, bearing handouts, to the House press gallery. Before the doorkeepers got to know him from the tourists, he had the effrontery to introduce a bill of his own designed to assure equal rights for men.

Before his colleagues had recovered from the shock of Mr. KUPFERMAN's presumptuousness, he introduced yet a second measure, aimed at noise pollution. Mr. KUPFERMAN is convinced that excessive noise creates a definite hazard for Americans, from noisy exhaust systems to the cacaphony of pneumatic hammers. His measure would establish an Office of Noise Control to enforce strict regulations on noise-makers. Construction companies would be limited to operating between the hours of 10 a.m. and 3 p.m.; all pneumatic hammers would have to be stifled by $200 mufflers. The playing of transistor radios in public places so loudly as to offend other persons would be prohibited. The operation of such noise-producing machines as power mowers also would be restricted.

Mr. KUPFERMAN's contention that noise pollution can damage the health of urban residents has been borne out by several studies, which indicate that excessive noise can contribute to heart troubles, mental illness, and the loss or impairment of hearing. A noise level of 90 decibels, researchers have found, can cause definite physical and psychological reactions, such as flushed skin, short tempers, and stimulated adrenal glands. Traffic noises alone often reach 105 decibels on major highways or busy city streets.

Nonetheless, Mr. KUPFERMAN's concern for Americans who are bombarded by an excess of decibels is not likely to arouse sympathy among his colleagues. Oh, in time they may get around to declaring war on noise, all right. Probably Mr. KUPFERMAN's.

[From the Wall Street Journal, Apr. 26, 1966]

THE NEXT NOISE YOU HEAR

There are governmental agencies engaged, more or less, in combating air pollution. Others are concerned with water pollution. Why not an agency to fight noise pollution?

Why not, indeed? So Representative THEODORE KUPFERMAN is sponsoring a bill to set up an Office of Noise Control. Noise pollution, the New York Republican says, is all the roar and clatter caused by jet airliners, motorcycles, jackhammers in the streets, air conditioners and the like. What's needed, he reasons, is a Federal agency to ladle out (quietly, no doubt) grants to states and local governments to help muffle all those rackets of modern civilization.

If the Office of Noise Control becomes official, its first job surely will be to abate the pounding made by the many feet belonging to those eager to get on a new Federal payroll. And if the Government ever decides to provide less cause for that sort of commotion, the next noise you hear will be a loud clapping of public hands.

[From the Wall Street Journal, May 3, 1966]

"NOISE GAP" DETECTED

Editor, the Wall Street Journal:

Your very humorous editorial on my "Noise Pollution" bill (Apr. 26) struck a responsive chord, for I too have always worried about centralization of power and excessive expenditures by the Government.

However, when we see a growing problem which, except possibly for New York state, is otherwise being ignored or poorly handled on a local level, we cannot shut our eyes (or in this case our ears), to the need for action.

Federal aid to close the "noise gap" can, if properly administered, perform a national service at a lower cost.

THEODORE R. KUPFERMAN,
U.S. Congress.

WASHINGTON.

[From the Washington Daily News, Wed., May 4, 1966]

(By Don Maclean)

Too long has the American public turned a deaf ear to the problems of noise. At least that's the opinion of Representative THEODORE R. KUPFERMAN (Republican of New York), who is making a lot of noise about noise. He's introduced a bill to create an Office of Noise Control, no less. Congressman KUPFERMAN is an interesting chap. He was elected only last February, in a special election, and has displayed none of the traditional shyness of a freshman legislator. In fact, it seems as tho he hit Washington talking a mile-a-minute.

With almost the steady beat of an air-compressor drill (which he's against, because of the noise), he has rained his thoughts upon his colleagues on Capitol Hill. His maiden speech was on Viet Nam. Since then, he has enlightened us on drug addiction, alcoholism, the oil depletion allowance, Krebiozen and Social Security. Also, he has introduced a confusing measure calling for "equal rights for men." But it's noise that's closest to his heart, Representative KUPFERMAN thinks we could eliminate many nerve-shattering sounds if (1) we knew more about noise and (2) if we either fined unnecessary noisemakers or put them in jail. He says that much of what we know of noise we owe to the New York Noise Abatement Commission, which held hearings on it in 1929.

It discovered that loud noises (particularly those connected with building construction and street repair) can drive folks quietly insane. A noise problem may account for some citizens' hostile attitudes and, even, explain waves of anti-social behavior, such as robbery. (Maybe if we can get some strict anti-noise laws on the books, armed bandits will be asked to use silencers and victims discouraged from screaming.) Representative KUPFERMAN's law would require construction outfits to equip their air compressors with $200 muffling devices. It would be illegal for anyone to play a transistor radio loudly on a bus and thereby inflict his tastes on his fellow commuters. Other stipulations would limit the use of power saws, gasoline-driven lawn mowers, etc. Building construction would be limited to "reasonable hours," say between 10 a.m. and 3 p.m., on weekdays.

The Congressman cites a 1961 study of the happy Mabaan tribe in Sudan, psychologists found that the Mabaan's state of bliss may be explained by the fact that Sudan is so quiet. And doctors said the Mabaans are sensitive to noise because their hearing is more acute than ours. (I would argue with that. I don't think their hearing is any better; it's just that any sound at all stands out in a silent place like Sudan.)

[From the Charleston Gazette]

OFFICE OF NOISE CONTROL PROPOSED—CONGRESSMAN WAGES WAR ON INJURIOUS SOUNDS

(By Harry Ernst)

WASHINGTON.—The Biblical story about blowing down the walls of Jericho with trumpets and shouts contains a subtle warning for modern man.

His health may come tumbling down as life becomes noisier with jets, telephones, motor vehicles, construction equipment, TVs and radios threatening to abolish silence.

There is increasing evidence that so much noise endangers man's health, according to Representative THEODORE R. KUPFERMAN, Republican, of New York.

In France, a group of soldiers became color blind for more than an hour after being subjected to a loud noise for 15 minutes. In Germany, researchers found that excessive, continuous noise could upset the stomach.

Members of the primitive Mabaan tribe in Sudan, who lead a very quiet life, have far better hearing when they grow older than do New Yorkers of the same age.

"We have come in the United States to accept loss of hearing as a byproduct of growing older," Representative KUPFERMAN observed.

"The facts indicate, however, that exposure for a long period of time to excessive noise is a leading cause of loss of hearing in older people. By way of prevention we must act now to curb this dreadful and unnecessary trend."

KUPFERMAN has introduced a bill that would establish a U.S. office of noise control, which would provide grants to state and local governments to find ways of preventing and reducing noise.

"While my bill doesn't now suggest national regulatory codes, it would provide federal funds to assist state and local governments to begin their own programs for noise control," he told the House of Representatives.

His bill also would centralize federal research projects aimed at reducing aircraft noise and finance an education campaign to alert the public "to the evils of noise and the advantages of a more quiet environment."

Representative KUPFERMAN suggested several ways that communities can stop turning "a deaf ear to the problems of excessive noise."

New York State last year enacted legislation which defines and prohibits excessive noise on public highways (in New York City 40 per cent of the excessive noise is caused by trucks with defective exhaust systems).

Construction noise, which is entirely uncontrolled in the U.S. by any regulation, could be reduced by attaching a residential quality silencer to an air compressor unit at a cost of about $200, for example.

Kupferman thinks citizens living near airports also should be compensated for part of the cost of soundproofing their homes.

"Other countries, including England and West Germany, have long recognized the need for legislative control of machine and construction noise and have taken significant strides in this area," he said.

"We should legislate effective and comprehensive codes on a local level which specify quantitatively the noise levels which will result in violation of law.

"Above all, we must recognize noise as a substantial and immediate threat to our health and well-being," the Republican congressman commented.

". . . excessive noise destroys efficiency, interrupts minimum requirements of sleep, can cause deafness, severely strains the nervous system, is extremely costly, inhibits the normal development of infants, is the cause of accidents, and interferes with school programs."

Representative Kupferman cited a recent radio interview with Dr. John Anthony Parr, who said a sudden loud noise spells danger and our bodies react.

"One cannot ignore a noise, only put oneself in a condition in which we do not make any obvious reaction," Dr. Parr observed.

Dr. Parr was asked if there is a special noise that drives him mad.

"By golly there is the sound of the telephone at 3 in the morning. It literally hurls me out of bed, throws me against the wall and sets me jumping up and down. By the time it's finished I am too exhausted to speak above a whisper.

"I want the phone equipped with a dulcet tone which eases me into consciousness and does not cause me a violent physical assault."

[From the Realtor, May 21, 1966]

Representative Kupferman's Bill Would Launch Assault on Noise

Washington, D.C.—Representative Theodore R. Kupferman, Republican, of New York, has introduced in the House of Representatives legislation to launch what he termed "the first comprehensive Federal, state, and local assault on noise."

The bill would establish an Office of Noise Control to administer Federal grants-in-aid to state and local governments "for research into the control, and abatement of excessive noise in our environment."

The New York City Congressman said the bill "would provide funds for financing a comprehensive and energetic educational campaign to arouse public consciousness to the evils of noise which I call 'noise pollution,' and the advantages of a more quiet environment."

While the bill is aimed largely at jet aircraft noise, Representative Kupferman declared that sounds from other sources, including air conditioners, should be analyzed. He emphasized that "we must study how 'noisy' various sounds are, rather than how 'loud' they are."

St. Louis Post-Dispatch,
May 5, 1966.

Representative Theodore R. Kupferman,
House Office Building,
Washington, D.C.

Dear Congressman Kupferman: I am interested in developing a feature article for the Post-Dispatch regarding the growth of noise in our society, what effects it has and what can be done about it.

Your letter today on our editorial page seemed to indicate that you might have information of a national nature that would help me greatly in writing such an article. I plan to interview local academic people in the field, of course, but they might not have information that is as recent as that which you have.

If you could send me information of any recent studies or surveys about the noise problem I would appreciate it very much.

Thank you,

Robert K. Sanford,
City Desk.

[From the St. Louis Post-Dispatch, May 5, 1966]

(Letters from the People)

Noise Pollution

We are at long last giving some hard thought in this country to the conservation of two of our natural resources, water and air, while we continue to ignore another environmental problem which should be of equal concern, excessive noise or "noise pollution."

The effects of "noise pollution" are largely unknown to the layman. My own long-term interest in this field has led me to discover that in addition to interrupting sleep, noise destroys efficiency at work and is extremely costly (it is estimated that businesses lose $2,000,000 a day because of it), strains the nervous system, and can cause deafness and coronary thrombosis.

In an effort to begin work on this question, I am sponsoring legislation to provide federal grants-in-aid to state and local governments for research into the control, prevention and abatement of excessive noise. One of the first tasks of the Office of Noise Control, which this bill would set up under the Surgeon General's Office, would be to conduct a campaign to alert people to the dangers of excessive noise.

I do not agree with those who profess that compensation for the injuries caused by excessive noise is to be found in the over-all benefits of progress. We can ill afford to continue to turn a deaf ear to this problem.

Theodore R. Kupferman,
U.S. Representative,
Seventeenth New York District.

Washington.

[From the New York Times, May 29, 1966]

Construction Crews Muffling Sounds of Work on Broadway—A Quiet Tower Downtown Nears Topping-Out Stage

(By Byron Porterfield)

A neighbor of the 52-story office tower being built at 140 Broadway says that the loudest noise from the project so far has been the warning beeps that preceded blasting for the foundation.

The neighbor is Raymond K. Price, a stockbroker who has an 11th-floor office at 120 Broadway, facing the new building across Liberty Street. Mr. Price said that a power mower on his suburban lawn made more noise than the construction of the steel framework and the aluminum-and-glass curtain wall outside his office window.

A spokesman for the builder, the Diesel Construction Company, Inc., said that the program for putting up the slender 724-foot building had been designed to make it one of the quietest and most efficient assembly jobs in the city.

BLASTING MUFFLED

The actual foundation blasting was muffled by special steel wire mesh blankets. Weighing several hundred pounds each, the tightly woven mats were spread over a blasting site with a crane primarily as a safety measure.

When the explosives were touched off, the impact would lift the mats a few inches into the air but flying stone chips and other debris would be contained in the immediate area. The mats would also absorb most of the noise of the blast.

Much of the demolition of the six-building complex of the Morgan Guaranty Trust Company on the site was carried out during late hours and on weekends when neighboring offices were closed.

As for the joining of the 14,000 tons of steel in the framework, all the joints were welded to eliminate the noise of conventional riveting or bolting.

While the structure will not be the first all-welded skyscraper, its builders contend that it has the city's first butt-welded structural frame. The technique involves the welding of beams directly to columns without the use of plates or angles.

Another neighbor, a tenant of the 64-year-old Chamber of Commerce building at 65 Liberty Street, said that a few tremors had been felt at first and a few wall pictures had been knocked awry.

"But we haven't heard a thing from across the street and naturally we are delighted," he said.

The rapidly rising building is to be "topped out" on June 1 when crews of the American Bridge division of the United States Steel Corporation, the steel erector, are scheduled to put the highest beams in place.

In the construction field, it is said that a meaningful speed schedule is developed when the builder establishes what is known as the "rhythm of the job." This tempo or activity, requiring coordination of all crafts and trades down to the smallest details of scheduling and work, is reflected in the over-all performance.

THREE FLOORS TO FRAME

The rhythm of the job at 140 Broadway calls for the smooth operation of 600 men in 26 different trades.

They are to build the tower, containing a million square feet of office space, in time for occupancy in December.

Only the three top floors remained to be framed out. The tree platform derricks that have been boosted two floors at a time during the growth of the skeleton have raised beams to form the frame at the rate of one floor every two days.

Forty of the 109 ironworkers on the structure are welders, some of them working from gondolas hanging out over the street to fuse the huge beams with torches. Engineers assume precarious perches with surveyor instruments as they line the beams for the ironworkers.

Right behind the steel erectors are workmen assembling the pipe-framed cages that serve as outside hoists. There are two material hoists and one personnel lift; an interior bucket hoist carries concrete from a mixing plant in the basement to the upper floors.

Following concrete workers and masons, other crews of iron workers form the curtain-wall shelf of the building, which is made of hard-coated black aluminum window frames interspersed with four-foot-high spandrel sections of the same material.

They will install 1.5 million pounds of anodized extrusions and sheet aluminum in sheathing the structure.

Glaziers are filling the expansive window areas with glare-reducing solar bronze glass. Each frame extends a full bay in width and contains six window sections that provide a viewing space 8 feet 7 inches in height.

Lathers are installing wiremesh on walls and ceilings in the lower reaches of the building, followed by plasterers who apply the finishing surfaces.

"Tin knockers"—sheet metal workers—assemble duct work that will handle the tremendous work load of heating and cooling air for the building. The ducts are large enough for the men to work standing up inside them.

WORK FORCE

The over-all force of workers whose schedules are meshed into the complete and orderly growth of the building includes crews of steamfitters and plumbers, carpenters, tile layers and installers of elevators and escalators.

The new building is being erected by investment interests headed by Harry B. Helmsley. The block-square site is bounded by Broadway and Liberty, Nassau and Cedar Streets.

Skidmore, Owings & Merrill, the architects, designed the structure to occupy 20,000 square feet of the 60,000-square-foot plot, leaving almost an acre of plaza surrounding the building.

It will be called the Marine Midland Building for its principal tenant, the Marine Midland Grace Trust Company of New York. Under the terms of a 25-year lease, the company has agreed to occupy about 300,000 square feet—all of 10 tower floors and 2 of the three subsurface floors.

Helmsley-Spear, Inc., renting agent for the building, maintains a renting office in the adjacent building at 120 Broadway.

[From the New York Times, Mar. 6, 1966]

"Le Bang" of Jets Denounced as a Threat to France's Monuments

(By David Halberstam)

St.-Julien-de-Lampon, France, March 3.—The castle of Fenelon was built to last. That was some 900 years ago, and lasted it has, with walls seven feet thick and magnificent imperial towers. It has repelled invading armies but now it has met its match: the sonic boom.

The west tower has crumbled before jets flying overhead and breaking the sound barrier.

The noise resulting when a plane exceeds the speed of sound is known in France as "le bang," and it has become the center of a national debate.

France's castles and ancient churches with their aged mortar and lack of elasticity have suffered the most during the supersonic testing. As a result, France's love of her past is in conflict with her desire to get on with the business of the 20th century.

COMPLAINTS ARE ENDLESS

On one side of the debate are admirers of France's chateaus and churches. On the other side is the air force, which has compared some of its adversaries to people who opposed the steam engine.

In general there are more people who like castles than sonic booms. Their complaints are endless; a list of damaged churches and castles is printed regularly. Newspapers attribute six deaths to the sonic booms, mostly due to heart attacks. The authorities have even paid some reparations to a mink breeder in southern France who maintained that the mother minks, frightened by the explosions, killed their offspring.

The air force received about 3,000 formal complaints last year, opened 2,000 dossiers, and paid about $250,000 in reparations. It believes that a good deal of this is for public relations benefit, but it does not believe that all the damage was caused by planes.

S. M. Agelasto does. Mr. Agelasto has made a fortune in the cork business. He has been owner and resident of the Fenelon Castle for a decade and has invested much money in renovations, in upkeep, and in installing a central heating system.

He is particularly irate because, as he says, "when you put a packet into a place like this you become involved with it."

His case is considered the clearest example of air force villainy by the three organizations dedicated to preserving historic monuments. For Mr. Agelasto has been a model castle owner.

He has kept up the castle as an original builder might have, he has gone out of his way to ease the way for thousands of tourists who inspect the castle each year, and there is no doubt in their minds that the crumbling of the west tower was directly related to the sonic booms, two of them a month ago.

For Fenelon is in the southwest of France, the area of the country's aviation industry, and almost every day the castle is subjected to explosions of varying intensity. A month ago two immense explosions shook the entire castle. The noise was so great and so close that Mr. Agelasto thought at first that the castle's boiler had exploded. Then the west wall collapsed.

Since then he and his wife have lived in fear of other booms.

Mr. Agelasto has been visited by an air force officer who checked the damage "and then remained very guarded." Mr. Agelasto was not asked, as one colleague recently was, to identify the plane in question.

But for Mr. Agelasto the perfect balance of his castle has been ruined, the landscape has been marred by the debris, and ahead is the possible expense of repairing the castle. And even if repaired, the west tower, unlike the rest of the chateau, would be an imitation.

[From the New York Times, Mar. 13, 1966]

Jet Noises Linked to Psychotic Ills—Interrupt Dreams, Vital to Health, Experts Say

(By Edward Hudson)

The possibility that residents of communities afflicted by jet noise may develop psychotic symptoms because their dreams are interrupted at night was raised here last week by a psychiatrist and psychologist.

Both referred to recent studies on dream interruption which, the psychologist said, showed "dreams are very necessary to mental health." If people are awakened and prevented from dreaming, they said, severe psychotic symptoms can occur.

The two were among nine witnesses who spoke at a hearing held here by the State assembly's mental hygiene committee at the Bar Building, 42 West 44th Street.

Many of those who testified lived near Kennedy International Airport and told of loss of sleep by themselves and their children, as well as other effects of jet noise on their lives.

Daniel Rhodes, a representative of the Flatbush Park Civic Association in Brooklyn, told of two instances of threats of armed violence by noise-protesting residents and added: "It's a peculiar thing why my neighborhood should have a distressing amount of nuts."

YOSWEIN HEADS COMMITTEE

The inquiry was conducted by State Assemblyman Leonard E. Yoswein, whose Brooklyn district abuts Kennedy Airport. Mr. Yoswein, chairman of the committee, recently introduced a bill that would require the State Commissioner of Mental Hygiene to study effects of jet noise on the well-being and mental health of people living near airports.

No one spoke against the bill and many expressly approved it.

The psychiatrist, Dr. Julius Buchwald, a faculty member of the Downstate Division, New York State Medical Center, said "everybody dreams at least five times a night."

If a person is awakened and prevented from having his dream, he said, psychotic symptoms from mild to "more severe" can occur. He listed these as paranoidal delusions, psychoses, hallucinations and suicidal and homicidal impulses.

Dr. Buchwald said in jet noise-affected communities laboratory experiments on dreams were repeated "on a grand scale."

OTHER HARMFUL EFFECTS

Dr. Buchwald said jet noise could create other harmful effects. It can arouse "nightmarish" memories if linked to past experiences in sleep, he said.

The conscious perception of noise, he said, can lower a person's productivity and "greatly" reduce his sense of humor and ability to handle "ordinary frustrations." Even perceived unconsciously, he said, jet noise can build up frustrations that later explode.

The psychologist, Dr. Howard M. Bogard, chief psychologist of Queens Hospital Center, said persons prevented from dreaming "will tend toward true psychoses."

He urged a study of whether residents near airports "lose out on dream time," whether such communities become "disoriented" by people moving away, and whether family life is disrupted because of interruptions in ordinary communication.

"I have heard of several instances of children running into houses absolutely terrified," he said. "People should not be subjected to intimidation by outside forces over which they have no control."

[From Modern Medicine/Newsfront, April 25, 1966]

Psychotic Ills, Jet Noise Linked

Residents of communities afflicted by noise from jet aircraft may develop psychotic symptoms because their dreams are interrupted.

That possibility was recently raised by a psychiatrist and a psychologist at a hearing held by the New York State Assembly's mental hygiene committee, according to the *New York Times*. The chairman of the committee, State Assemblyman Leonard E. Yoswein, recently introduced a bill that would require the State Commissioner of Mental Hygiene to study the effects of jet noise on people living near airports.

Dr. Julius Buchwald, psychiatrist from the Downstate Division of the New York State Medical Center, said that if a person is prevented from dreaming, symptoms such as paranoid delusions, psychoses, hallucinations, and suicidal and homicidal impulses can occur.

The conscious perception of noise, Dr. Buchwald said, can lower a person's productivity and greatly reduce his sense of humor and ability to handle ordinary frustrations. Even when perceived unconsciously, he said, jet noise can build up frustrations that later explode.

Dr. Howard M. Bogard, chief psychologist of Queens Hospital Center, also said persons prevented from dreaming will tend toward true psychoses, and he urged a study of the effect of jet noise.

[From the Chicago American, May 26, 1958]

By Chemical Changes in Nerves—Ultrasonics Causing Deafness

(By Thomas R. Henry)

Washington, May 26.—Civilized man is losing his hearing.

A progressive deafness is resulting from the increasing use of ultrasonics—inaudible sound waves—largely through chemical changes they cause in the hearing nerves.

This has been reported to the Acoustical Society of America by Dr. Z. D. Angeluscheff of Elmhurst Hospital, New York.

The amplitude of the ultrasonic waves may have little to do with the phenomenon. Dr. Angeluscheff pointed out that all it takes is very slight sonic energy, at the right place and the right time, to produce damaging effects to the hearing faculty.

The sources of the damaging vibrations, he explained, are high-speed cutting tools, combustion engines, power transmission and electronic equipment. Since the vibrations are inaudible and, for the most part, without sensory effect of any kind, people are injured without knowing it, even to the point of complete deafness.

"The ear of man is conditioned by evolution," the doctor said, "to receive and interpret as sound vibrations up to 32,000 vibrations a second. The dog perceives up to 35,000, the cat up to 50,000, the mouse up to 95,000 and the bat up to 120,000 cycles a second. Frequencies above these ranges are not perceived subjectively as sound.

"But some ultrasonic waves vibrating at a frequency of 400,000 cycles a second, much too high to be heard by the human ear, are able to tear away the thin, tough wall which encases one-celled organisms. The effect is similar to the breaking of crystal glass by a very high human voice.

"Eight million inhabitants of New York, speaking at once, would produce a vocal energy hardly enough to light a 60-watt lamp. One voice of these 8,000,000 would represent a very small amount of energy indeed. But such an infinitesimable energy can shatter a goblet . . . silent sound pounds upon our hearing apparatus, but we are not aware of it, very much like X-rays and ultraviolet light waves."

It is well known that sound waves can produce chemical reactions, he pointed out. Little appreciated, however, is the fact these reactions can occur in the chemistry of the nerves. They require time, but "infinitesimable energy in due length of time is capable of causing irreversible changes in the organ or hearing," Dr. Angeluscheff said.

What happens in the acoustic nerve is explained in the report:

"The energy causes migration of ions (chemical particles). The energy necessary to initiate this phenomenon is infinitesimal. Ultrasonics of a 10th of a watt per square centimeter break down cells, kill bacteria and stimulate proliferative changes in bone. In the organ of corti, part of the hearing apparatus, the cell structures are disrupted and nerve fibers damaged.

"Vibratory energy stimulation depletes cellular potassium and inhibits nerve response to stimuli. A prolonged exposure inhibits recovery and enhances to paralysis of function. Deprivation of the sensory nerve of potassium inhibits its microphonic response. The nerve is getting 'hard of hearing'."

Relatively low energy in the ultrasonic range, he said, has been found to inhibit building up of proteins in the hearing nerves. The potassium, which is necessary for nerve transmission, is bound up with these proteins. The nerve ceases to respond and becomes inert. The end is complete deafness.

[From City Hospital Center at Elmhurst, City Lights, December 1964]

Dr. Zhivko D. Angeluscheff, Associate Attending on E.N.T., has recently returned from Oklahoma City where he acted as delegate of the International Association Against Noise at the Supersonic Jet Test. He returned with appalling accounts of the damaging effects on the farm animals in the vicinity of the test.

OFFICE OF THE CITY ATTORNEY,
May 25, 1966.

Hon. THEODORE KUPFERMAN,
Member of Congress, Rayburn Office Building, Washington, D. C.

DEAR CONGRESSMAN KUPFERMAN: The United States Conference of Mayors Newsletter states that you have proposed a bill which would set up a Federal Office of Noise Control and authorizes grants to local governments to find ways to abate "noise pollution" from jet aircraft and other sources.

The City of South San Francisco, which lies adjacent to San Francisco International Airport, has been concerned for many years with the noise abatement problem. The forthcoming advance into supersonic jets will in all probability aggravate the condition.

I would, therefore, be interested in obtaining a copy of the bill proposed by you and after reviewing it communicate with you further regarding support for the measure.

Sincerely yours,
JOHN NOONAN,
City Attorney.

UNITED NATIONS,
New York, May 23, 1966.

Mr. THEODORE R. KUPFERMAN,
Member of Congress, Congress of the United States, House of Representatives, Washington, D.C.

DEAR MR. KUPFERMAN: I am writing to thank you for your letter of 10 May to the Secretary-General in which you were kind enough to inform him about the legislation you have introduced into Congress about the effects of noise upon human beings.

I share your preoccupation with this growing problem, and it is indeed one with which the United Nations family of organizations, notably the World Health Organization, is already concerned. As you no doubt know WHO published in 1965 a report of an expert Committee on the Environmental Health Aspects of Metropolitan Planning and Development, which contained a section on Noise and Vibration. WHO also proposes to publish a report later this year on "Occupational Noise" and is engaged on a separate study of the health aspects of Vibration. These activities are, I believe, a sign that the world community is becoming more aware of these problems.

With kind regards,
Yours sincerely,
PHILIPPE DE SEYNES,
Under-Secretary for Economic and Social Affairs.

VILLE DE MONTRÉAL,
CITY OF MONTRÉAL,
Canada, April 26, 1966.

Miss BARBARA GALGANO,
Secretary for Community Relations, Office of the Honorable Theodore R. Kupferman, House of Representatives, Washington, D.C.

DEAR MISS GALGANO: Thank you very much for your letter of April 11 and the copy of the news release on "noise pollution."

The City of Montreal is presently studying this problem and has appointed a member of its Health Department, Mr. Raymond Le Bourdais, to make a thorough study of it with the object of preparing a municipal bylaw to deal as effectively as possible with a situation which plagues all large cities. I am forwarding to Mr. Le Bourdais your letter, a copy of this one and the news release as he is naturally anxious to gather all material available. Could you add his name to your mailing list (Health Department, 1125 Ontario Street East, Montreal) so that he can be informed directly of the work Mr. KUPFERMAN is doing; in return, I know that he will be pleased to share with you any information and ideas which may be helpful.

I hope that this mutual cooperation will eventually lead to legislation beneficial to all our citizens.

Yours sincerely,
JOHN LYNCH-STAUNTON,
City Councillor.

CENTRAL INSTITUTE FOR THE DEAF,
St. Louis, Mo., May 6, 1966.

Hon. THEODORE R. KUPFERMAN,
U.S. Representative,
Seventeenth New York District,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN KUPFERMAN: I was pleased and comforted to read of your interest in noise pollution in the Letters column of the St. Louis Post-Dispatch of May 5, 1966. Several of my colleagues at this institution and myself have been concerned with the effects of noise on people for a number of years and have exercised this concern not only in our own studies but also in service to the Government through various administrative and executive committees.

One of the principal gathering places of technical people for consultation to Government has been in the National Research Council-Armed Forces Committee on Hearing and Bioacoustics (CHABA), whose Executive Secretary, Dr. Milton Whitcomb, is located in the National Academy of Sciences building on Constitution Avenue. I had the honor to be chairman of this committee last year and am still a member of its Executive Council, and know that it has been concerned with the problems related to noise for a number of years. In the event that your staff is preparing documents related to the noise generated by aircraft, motor vehicles, or other sources, and the effects of such noise on the hearing of persons, on their ability to carry on speech conversations, and on their general level of annoyance and efficiency, contact with this committee might be of some use. The Government members of the Executive Council of the CHABA Committee represent the Armed Forces of the Defense Department, the Federal Aviation Agency, the National Aeronautics and Space Administration, and the Veterans Administration.

Outside of Government circles, your staff should also know that methods of measuring and evaluating noise have been a major concern of the American Standards Organization through its committees on acoustics (S-1 and S-3) and also the International Standards Organization where the United States is represented, unofficially, through the American Standards Organization.

If it would be of some use to discuss any of the details related to these problems with me, I shall be in Bethesda at the National Institutes of Health, care of Dr. Peter Arnott, during the days of May 26 and 27 and can receive messages at the Governor's House in Bethesda during that time. You have my best wishes for success in this campaign against the noise-producing fruits of our technological society.

Cordially yours,
IRA J. HIRSH,
Director of Research.

NEW YORK, N.Y.,
May 1, 1966.

Hon. THEODORE KUPFERMAN,
House of Representatives,
Washington, D.C.

MY DEAR CONGRESSMAN: Thank you very much for your great and powerful intervention on behalf of your constituents in regard of "noise pollution."

Please do send me two more copies of the bill introducing to curb "noise" not only the excessive noise from the Daily News loudspeaker but also the other penetrating and disturbing noises coming from other sources.

Indeed you are a great Congressman.

Thanking you again.

Sincerely,
EDITH MORTON.

STANLEY GOLDSTEIN & CO.,
New York, N.Y., April 29, 1966.

Hon. THEODORE R. KUPFERMAN,
The House of Representatives,
Washington, D.C.

DEAR TED: The Wall Street Journal may laugh at your idea of noise abatement and even though I ordinarily agree with them, this is one time I am on your side.

Something should be done. Best regards.

Sincerely,
STANLEY GOLDSTEIN.

The Murray Hill Committee,
New York, March 26, 1966.
Hon. Theodore Kupferman,
Member of Congress,
Washington, D.C.

Dear Congressman Kupferman: Prior to your election, you were kind enough to attend a meeting of the Murray Hill Committee and to discuss with us the subject of the Pan Am Heliport and helicopter over-flights in general. I was the chairman of the meeting being in charge of the Committee's Helicopter Study Group. In no way, have we forgotten your record of active interest in the matter of helicopters and New York City—a matter which, far from improving, grows steadily worse.

The F.A.A. has given over for maneuvering purposes the entire central belt of Manhattan Island, 34th to 60th Street, river to river. At a 1500-foot altitude, as the winds dictate, the huge Boeing-Vertol twin-bladed machines, with their high-decibel, nerve-shattering "blade-clap" (not at all diminished in intensity despite the alleged efforts of manufacturer and operator), fly over this densely populated area. At any given time during the 34 daily flights (from 8:30 AM to 10:30 PM) someone, somewhere in the heart of the city is being bothered, annoyed, or actively sickened by the rude, unseemly, sky-borne racket.

We've heard a mother report on her baby's facial tic, as the 'copter flies over. We've heard of bed-ridden men and women unable to relax and rest for fear of the blatting noise. Many of us grow tense and lose tempers usually controlled as the machines approach, thunder overhead, and rumble off to their pad on the Pan Am Building. Even the insouciant and un-flappable, we find, tend to lose their power of concentration due to the off-beat beating of the blades.

All this strongly indicates that we are, perhaps, confronted with a health hazard no less immediate than that of air pollution in the more usual sense.

Therefore, we are suggesting to you strongly that, as our Representative in Congress you approach the Department of Health, Education, and Welfare with the request that, as soon as possible, the Surgeon General, or other appropriate official, arrange for a full study of the medical and psychological aspects of helicopter noise. With the proliferation of helicopters in built-up areas all over the country, such a study will have national as well as New York City pertinence.

We of this Committee—and the members of the new city-wide helicopter action committee now being formed—offer our services and experience to the survey team, in case you care to set it up and have success in doing so.

With thanks for your consideration—and with good luck to you now that you're in Washington, I am,

Sincerely yours,
Thomas Orchard,
Heliport Study Group.

Philadelphia, Pa.,
May 15, 1966.
Rep. Theodore R. Kupferman,
House of Representatives,
Washington, D.C.

Dear Sir: My family and I read of your interest in problems of noise in a column by Don McLean in the Philadelphia Daily News recently, and we wish to commend you on your efforts to create an Office of Noise Control.

We are the victims of a noise problem which greatly affected all of our family to the degree that we had to leave our old neighborhood and plan a new business in order to get away from noise.

In our efforts to defend ourselves we found that a multitude of confusing local ordinances exist so as to cloud the main issue—noise. We also found that local governments do not wish to discourage industry and thus are willing to overlook industrial noises where residential areas are affected.

We would be glad to testify about our experiences at any time in order to help solve the problems which are created in a neighborhood that changes gradually from a residential to a semi-industrial area. Conflicting local ordinances which have accumulated over the last fifty years make it impossible for "Noise Abatement Committees" to be effective.

We urge you to do your best in bringing up to date information to the public and to introduce uniform legislation which will help to prevent the insanity that can be the result of subjecting people to noise. We know that the main culprits are not barking dogs or cats on a fence. We should be deeply concerned about the lower income families who are forced to live with the noises of industrial origin. It may be true that they "accept" this as they accept poverty, slums and other misfortunes, but not without disastrous effects on them and future generations.

My own life and the life of my family was sorely affected. Fortunately, we were able to make the necessary changes after several years of suffering and agony (while the noise-makers went scot-free!), but we have made a pledge to help others fight noise for the rest of our lives. Please keep up your good work, and if there is anything we can do to help you in your efforts, please let us know!

Respectfully yours,
Oreste V. Unti.

International Brotherhood of
Boilermakers, Iron Ship Builders, Blacksmiths, Forgers &
Helpers,
Kansas City, Kans., April 28, 1966.
Mr. Theodore Kupferman,
Member of Congress,
House Office Building,
Washington, D.C.

Dear Congressman Kupferman: It was with great interest that I read in the April 25, 1966 edition of the *Evening Star* the column, the Rambler, wherein he mentioned your interest in noise control.

Our International Brotherhood has been for some time very much concerned about the noise problem and we are doing everything possible to see to it that some method of controls are not only adopted by the Federal Government but also by the States as well.

Knowing of your sincere interest in this problem, I am enclosing a copy of our latest publication, *Industrial Noise Control and Hearing Conservation Program*, on the subject. You will note that we offered a noise control program that met with approval by both the Department of Labor and the U.S. Department of Health.

Should there be anything our organization can do in the way of supplying additional information on the noise problem, please feel free to call on me for such information.

Legislation is needed now, before the loss of hearing becomes an accepted condition of living.

With best wishes, I am
Respectfully yours,
Harold J. Buoy,
Assistant to the International President.

General Dynamics,
Fort Worth, Tex., May 26, 1966.
Representative Kupferman,
1709 Longworth House Office Building,
Washington, D.C.

Dear Representative Kupferman: I am most interested in your research on Noise Abatement. Would you please send me what literature you have regarding noise control and prevention.

Thank you.

Sincerely,
Paul T. Smith,
Manager, Cost Accounting & Analysis.

American Trucking
Associations, Inc.,
Washington, D.C., May 5, 1966.
Hon. Theodore R. Kupferman,
House of Representatives,
House Office Building,
Washington, D.C.

My Dear Mr. Kupferman: On April 22, Mrs. Christine K. Helwig, Councilwoman of the Town of Mamaroneck, Westchester County, New York, wrote me a letter enclosing a carbon copy of one she wrote you on April 19, 1966, on the subject of truck noise legislation.

The Congressional Record of the House of Representatives for May 2, 1966, carried additional remarks on the subject of noise generally and vehicle noise in particular, wherein reference is made to this association and the part we played in efforts to establish noise regulations for vehicles in the state of New York. In the Congressional Record I note that you have introduced a bill (H.R. 14602) on the subject of truck noise, and I have had our legislative representatives here request a copy of this bill for our files. The purpose of this letter is to offer you any technical help we may be able to provide in keeping with the suggestions of Mrs. Helwig and our continued interest in the subject of vehicle noise legislation.

Please be assured that we would be glad to make available to you any information in our files, or any other technical assistance you may feel is desirable.

Very truly yours,
Lewis C. Kibbee,
Director, Engineering Department.
cc: Mrs. Christine K. Helwig.

Buensod-Stacey Corp.,
New York, N.Y., May 31, 1966.
The Honorable Mr. Kupferman,
1709 Longworth House Office Building,
Washington, D.C.

Dear Mr. Kupferman: In the recent issue of "What's Happening in Washington," published by Prentice-Hall May 23rd, there was information in regard to a pending bill which if passed will begin a study of noise and how to eliminate it.

If at all possible, I would appreciate receiving a copy of the bill and any other information that you may have in regard to the role of the Federal Government in noise control.

We are involved in the manufacture of equipment that affects the noise level in rooms. We are predominately associated with the air conditioning industry and naturally have an interest in the general field of noise control.

Very truly yours,
Richard J. Valenti.

Baldwin-Wallace College,
Berea, Ohio, May 25, 1966.
Hon. T. R. Kupferman,
House Office Building,
1709 Longworth, Washington, D.C.

Sir: As one of my areas of special attention, I am researching hearing loss and the resulting cost to business. Your *pending bill* regarding a study on the *effects of noise and how to eliminate it* is of particular interest and I would appreciate learning more about the approach you have planned.

My special concern is the apparent lack of training in the field of acoustic (sound and/or noise, vibration) measurement and analysis, as expressed in the attached note copied from the Journal of the Acoustical Society of America, March 1966 issue.

Does your bill encompass the area of specialized training for this type of measurements and analyses?

Inasmuch as I will not be on campus during the summer months, please address your reply to my home address: Professor J. F. McKenna, 439 Cranston Drive, Berea, Ohio 44017.

Sincerely,

J. F. McKenna.

[From the Journal of the Acoustical Society of America, March 1966]

Report of the Committee on Education in Acoustics

On 11 December 1963, a grant made by the National Science Foundation to the American Institute of Physics enabled the Acoustical Society of America to hold a conference "to evaluate the role and significance of the subject matter of acoustics in higher education and to chart the future of education in acoustics."

This conference was held on 12 and 13 March 1964 in New York. The proceedings are printed in the February 1965 issue of *The Journal of the Acoustical Society*, pages 357–381. As can be seen from the proceedings, it became clearly evident that there is at present a severe shortage of acoustically trained people in industry, in government, and in academic institutions. Moreover, unless some action is taken, the shortage will continue and in all probability worsen, to the detriment of all things needing the services of such people.

The conference passed no formal resolutions, but out of the deliberations the following recommendations definitely emerged:

1. It is recommended that the Acoustical Society of America appoint a committee on education in acoustics to undertake a continuous exploration of methods of improving and expanding the teaching of acoustics at all levels from the elementary school through the graduate school.

2. It is recommended that the committee on education in acoustics of the Acoustical Society of America shall examine ways of publicizing the nature of the science of acoustics and the professional opportunities inherent in it. Among the various methods of doing this should be the preparation of a booklet on careers in acoustics for distribution particularly in schools and colleges.

3. It is recommended that the committee further explore thoroughly the possibilities provided by interdisciplinary programs in acoustics in universities, involving cooperative action by departments of physics, engineering, biology, psychology, oceanography, etc., as well as establishing acoustics as a major field of graduate study.

4. It is recommended that the committee give careful consideration to a project for the setting up, with assistance by an appropriate governmental agency, of one or more institutes of acoustics in present major universities having strength in acoustical research. Such institutes might combine both educational and research programs in certain fields of outstanding need and significance such as underwater acoustics, low-temperature acoustics, aerodynamic acoustics, etc.

The first step towards implementing these recommendations was taken on 8 October 1964 when President C. M. Harris appointed the Committee on Education in Acoustics. The present membership of the Committee is as follows: F. A. Andrews, C. P. Boner, E. E. David, J. C. Johnson, R. B. Lindsay, D. F. Muster, W. D. Neff, T. D. Northwood, and Alan Powell, Chairman.

To date, the committee has met three times, and the following projects have been initiated.

Firstly, a career booklet is presently in the third draft. It is hoped that this booklet, hopefully appealing primarily to high school students though not exclusively so, is nearing its final form. Dr. Lindsay is in charge of this effort.

Secondly, Working Group Number 1 has been formed, consisting of F. A. Andrews (Chairman), D. F. Muster, and Professor R. F. Lambert. This group is working on a collection of experiments in acoustics suitable for senior undergraduates and graduates. It is to be a collective work, with contributions solicited from the Society membership and elsewhere. This will become available to all teachers in acoustics to assist them in designing and setting up programs in experimental acoustics.

Thirdly, Working Group Number 2, consisting of Alan Powell (Chairman), Professor Mark Harrison, and D. W. Saltus is endeavoring to establish the present status of education in acoustics. Initial emphasis has been on the Ph.D. level, but it is intended to widen the scope to embrace the M.S. level, short courses, and nondegree courses.

Fourthly, Working Group Number 3, with J. C. Johnson as Chairman, is charged with determining the realistic needs in acoustical education, again concentrating first at the Ph.D. level.

The committee has discussed the preceding and other various aspects of the problems posed at some length, feeling that the first two items (careers booklet and collection of acoustical experiments) could be started forthwith, but that no action could be taken on the broader and far-reaching issues until the disparity between the status and needs become better known to the committee.

Alan Powell,
Chairman.

[From the Journal of the Acoustical Society of America, March 1966]

Suggested Laboratory Experiments Wanted

The recently appointed Education Committee of the Acoustical Society of America is now actively engaged in several efforts designed to improve and expand education in Acoustics.

One specific effort is aimed at formulating ideas that anyone who wishes may use to establish an instructional laboratory in Acoustics and Vibrations at the advanced undergraduate or graduate level. The working committee appointed to carry out this mission is Dr. Frank Andrews (The Catholic University of America), Dr. Douglas Muster (University of Houston), and Dr. Robert F. Lambert (University of Minnesota). Their first goal is to compile a manual of suggested laboratory experiments.

Ideas for use in the manual will be sought widely. Credit will be given to those who submit ideas that are used in preparing the text. If you would care to contribute, please send any proposed experiments to Dr. Frank Andrews, Mechanical Division, The Catholic University of America, Washington, D.C. 20017.

In order that there be a certain amount of uniformity in submission, it is requested that you use the following format as far as is convenient.

TITLE OF THE EXPERIMENT

1. *Purpose or object of the experiment.*

2. *Reference reading.* Include precise references (please cite book and page numbers) that a student should read to understand the measurement technique to be used in the experiment.

3. *List of equipment to be used.* Include equipment description and manufacturer's name whenever possible. Detailed drawings for use in the construction of special equipment also be appreciated.

4. *Method of conducting the experiment.* Give a brief outline of the measurement technique and its theoretical basis. Include a schematic diagram of the equipment setup.

5. *Procedure.* Include a suggested detailed list of steps.

6. *Report.* Set forth what data are necessary to be reported and how the data are to be correlated with theory.

7. *Questions.* Include pertinent questions that you suggest that a student answer.

Please remember that the laboratory guide is meant to be a source book for teachers who wish to establish a laboratory program.

Oakland, Calif.,
May 6, 1966.

Hon. Theodore R. Kupferman,
Member of Congress,
Washington, D.C.

Dear Mr. Congressman: I have just finished reading your letter to the San Francisco Chronicle concerning your proposed Bill relating to the noise problem and its developing intensity.

I live in Lafayette, California, which is a residence community some 15 miles from Oakland, or at least it was until a helicopter company, through various forms of deception and backstage action succeeded in getting a landing pad located right on the rim of the area. The sounds have been desolating, since the flights begin at 6:19 A.M. each day, including Sunday.

We have been fighting this now for more than a year before the Board of Supervisors and have another hearing coming up on the 26th of May. In your research have you uncovered any material that could be useful to us. If you have, we would be most grateful if you would forward us some.

I am enclosing self-addressed, stamped envelope for reply.

Thank you.

Sincerely,

Clarence E. Rust.

New York, N.Y.,
April 25, 1966.

Hon. Theodore R. Kupferman,
New York State Representative.

Dear Mr. Kupferman: In the April 21 issue of the World Telegram appeared your report: "Kupferman Heeds Peril of Noise."

I have for a long time been complaining of the many unnecessary noises in our fine great city of New York.

This with a pronounced tendency of the Police Force to disregard the law and its enforcement.

In world famous cities such as London, Paris and Madrid there is no ill-tempered and cantankerous blowing of automobile horns. If benighted foreigners can achieve this most desirable state of affairs—why not our city—known as the Greatest.

Increasing spate of Canned Music in all public areas make shopping a nerve wracking affair.

Sirens of Police cars, fire engines—30% of which are false alarms make night hideous and break up our night's repose and rest.

I am most grateful to you for taking intelligent and worthwhile steps to combat and eliminate this curse of so-called modern civilization, which, if allowed to continue, makes it necessary for all substantial citizens to leave for other areas of more quiet and calm, even though these may be abroad and away from these shores.

You are promoting a most worthy cause and you have my most sincere thanks and appreciation.

Sincerely yours,

William J. Shore, E.E.

U.S. Department of Commerce,
National Bureau of Standards,
Washington, D.C.

Hon. Theodore R. Kupferman,
House of Representatives,
Washington, D.C.

Dear Mr. Kupferman: Thank you for your thoughtfulness in sending me a copy of the Congressional Record containing your remarks on noise pollution. I appreciate very much having them.

You might be interested in an article on the subject of noise which was prepared by the Chairman of our advisory committees and which was published in the January 10, 1964 issue of Science.

Sincerely yours,

A. V. Astin,
Director.

"NOISE

"Where are the acoustical engineers of the country? We know that this large and able group of highly trained scientists is deep in research and practical technology. Perhaps they are busy designing auditoriums or suppressing the sonic boom as the jets break the sound barrier or controlling the noise of a submarine. They must be hard at work on some important project, but unfortunately they are not very effective in helping the tired businessman relax in a quiet office, hotel, or home.

"The fault may not lie entirely with the acoustical engineer. It may be that he has the know-how but that he is over-ruled by the building and equipment industry. It would seem, at least from the layman's point of view, that most research and technology in these industries are directed toward cheaper construction to offset raising labor costs, provided showy exteriors and interior decoration remain to dazzle the casual observer.

"The tired businessman, or victim, purchases what looks to be a beautiful ranch-type rambler home in which to relax after a tough day in a noisy office. The noise continues throughout the night. The heating system roars intermittently with ventilating fans or noisy circulating pumps. He becomes thirsty and draws a drink of water from the bathroom tap, awakening everyone in the house as the water rushes through paper-thin copper tubing. If a toilet is flushed, there is no more sleep for anyone. Such noises did not occur with the old-fashioned red brass or heavy copper plumbing now considered antiquated. Flexible, thin-wall noisy piping is used because it costs less and repairs can be made by snaking new lines through the walls. Even for drain lines, thinner-walled pipe, of smaller diameter, is being used, giving rise to noisy surges and other hydrodynamical phenomena if several toilets are flushed simultaneously. The British are far ahead of us in the design of noiseless plumbing, accessories, valves and so on.

"To reduce cost, interior and exterior walls are made thinner each year, with inadequate insulation against heat and cold and, of course, no attention to noise. One finds that a central air conditioner installed to offset heat input through the thin walls is so noisy that it must be shut off at night, regardless of the location of the compressor. Anyone who uses, instead, one of the so-called "quiet" window air conditioners finds the noise just as disturbing, and there are complaints from nearby homes. If the compressor and cooling tower of a central system are located outside the house, sooner or later there are visits from unfriendly neighbors or the police.

"Some manufacturers and builders of equipment are installing cooking stoves, ovens, and broilers with no ventilating fan whatever. Perhaps they are noise-conscious, but do not be misled by the claims that when the door of the broiler is opened a crack there are no fumes. It is going to be interesting to see what grease deposits accumulate on the interior walls of the large apartment houses now being constructed with no provision for ventilation, to say nothing of the odors as one enters the building. Here, certainly, ventilating fans are needed, regardless of noise. Fortunately they need not be operated at night. Of course, some of the odor and fume problems can be solved by use of the so-called electronic devices that add toxic ozone to air circulated by the fan. The home-owner may choose between smell and headache-plus-noise.

"The noise problem is even worse in the modern hotel or motor inn. If one enjoys music he will hear plenty from radios and television sets several doors down the hall, all simultaneous and in chorus. Conversation in the adjoining room is quite audible through the thin partitions. To the layman it seems astonishing that all the motels or hotels in a chain of motels or hotels are based on the same design, regardless of location. For example, in a resort area at a high elevation, all the windows may be sealed, as they would be in a humid, hot climate, making it impossible to enjoy the cool evening breeze.

"Moreover, if the hotels should make a survey they would be surprised at the number of people who avoid some of the modern buildings because the heating system in winter and the cooling system in summer are so noisy that sleep is impossible. Often there is no way to cut off this circulation.

"A proposal to run a railroad track or even a speed highway through a restricted residential section will arouse the populace to fury. Yet we tolerate without complaint major air routes a few hundred yards over our homes.

"If one desires quiet in his home he must avoid the sales pitch of the modern building contractor. He had better purchase a house at least 60 years old. This will of course require remodeling of bathroom and kitchen, but with the help of a good acoustical engineer the buyer stands a fair chance of minimizing noise, and the purchase price plus the cost of improvements will be no more than the inflated costs of flimsy modern construction.

"Mental diseases are said to be the greatest infliction of all illnesses. These certainly are not improved by living in a minature boiler factory. It may cost a little more to design homes and public buildings properly, making use of the information developed by the acoustical engineering profession.

"Eventually the problem will be solved. The Federal Housing Authority is promoting noise insulation, based on the work of the National Bureau of Standards. However, by the time the building industry and the architects are educated to the requirements, most of us will be immune to noise buried under six feet of sod.

"Paul D. Foote."

Goodfriend-Ostergaard Associates,
May 20, 1966.

Hon. Theodore R. Kupferman,
House of Representatives,
Washington, D.C.

Dear Mr. Kupferman: I have read with interest your proposal to establish an office of Noise Control under the Surgeon General's Office. Although I heartily endorse the purpose of your proposal, I feel that the three, real causes of excessive noise are apathy, false economy, and a lack of adequately trained personnel. The solution to the noise problem thus lies in providing both incentive and regulation.

There is already enough technical knowledge to provide adequate noise reduction for almost every noise source except some of those that occur in nature, such as thunder. The gap is closing rapidly in the few areas not yet covered.

The basic causes of manmade noise in today's world can be grouped into four categories:

Transportation Noise,
Industrial Noise,
Heating and air-conditioning noise, and
Individually operated sources of noise (power mowers, sound trucks, motor boats, etc.).

For each category, there are adequate noise control systems. For example:

1. A new uniform vehicle regulation would require correctly sized truck mufflers and enclosed drive systems.

2. Industrial performance zoning regulations could be made mandatory for noise as well as air water pollution control. Such codes are currently in use in many areas including Montgomery County, Maryland.

3. Heating and ventilating engineers who too often refuse to take our advice because of extra cost for buying the correct mufflers or adequate vibration isolators, could be required to meet a new uniform national building code.

4. Quiet power mowers and outboard boat motors can be built and mufflers added to existing ones.

When noise interrupts entertainment in the same manner that electrical interference interrupts television programs, you will get instant, massive public reaction—support for controlling legislation. In the meantime, support of those government and private activities now engaged in diffusing the knowledge of noise control and in advising municipalities on the development of noise control codes can provide a forceful impetus in the right direction.

To implement the application of existing noise control knowledge, more people trained in the engineering aspects of acoustics are needed. There is adequate thecretical research under way now—in fact more than can be handled by the existing supply of acoustical scientists. We now need to provide more courses in acoustics at engineering schools throughout the country. Here again, government support would be welcomed.

I am enclosing some reprints which you might find of interest.

Very truly yours,

Lewis S. Goodfriend, P.E.

New York, N.Y., *May 6, 1966.*

Congressman Theodore R. Kupferman,
Congress of the United States,
House of Representatives,
Washington, D.C.

Dear Congressman Kupferman: Thank you for sending me the Congressional Record containing your bill on the problem of noise pollution.

Your fight is a very worthy one and if I can contribute to it I would like to.

Sincerely,

Samuel Rosen, M.D.

[Reprinted from Family Weekly, Jan. 18, 1959]

WHAT CAN WE DO ABOUT NOISE?

(By Lewis S. Goodfriend, a fellow of the Audio Engineering Society and of the Acoustical Society of America, Lewis S. Goodfriend is partner in a Montclair, N.J., nose-control firm. He has been editor of the magazine "Noise Control," and is author of "Acoustics for the Architect.")

One of the most serious problems in American communities today is something that you can't see, smell, taste, or touch. But you sure can hear it! The trouble is noise—a problem that within another decade may menace your well-being as well as that of your community.

Noise is the often-unrecognized villain behind a variety of bodily ailments. It can make you grouchy, anxious, jumpy, and rob you of sleep. On the municipal level, its results can include reduced property values, tax revenue, and industrial growth, and injury to a community's reputation. In these days of high-speed living, the individual needs protection against noise more than ever before.

Why does noise affect people? There are many reasons, some based on the fact that man unconsciously adapts to it. But this takes effort. In adapting to noise, your muscles tense and your nervous system goes into high gear. This unconscious adaptation consumes energy and makes you more tired than usual. Noise can also rob you of vitality by keeping you awake waiting for the sound to stop or—in the case of trucks that go by at the same time every morning—anticipating their arrival.

I've seen towns where trains with loud whistles or trucks with noisy exhausts woke up the residents, who then heard some of the lesser noises of local industry. In one town, such a situation resulted in a lawsuit against a relatively quiet industrial plant.

In an Eastern city, a large chemical plant had neighbors on two sides. However, some of the neighbors lived closer to a major road on which tractor-trucks operated day and night, and the section of road was a steep grade on which the vehicles continuously shifted gears. Result: a lawsuit against the factory.

Noise measurements showed, though, that only a few families actually could hear any sound from the chemical plant. What others around the plant were hearing was really highway noise.

Some towns, aware of the noise problems of some of America's biggest cities, have passed excessively restrictive laws to prevent noisy industries from moving in. In some cases, these laws are made part of the zoning code; in other cases, they are added to local statutes. Certainly, these measures protect citizens against noise annoyance, but they also keep out industries which can pay sizable community taxes.

In other places, along main highways, where the noise of trailer trucks fills the air, communities are adopting strict regulations against these vehicles. Truckers have had several years now to add modern, highly efficient mufflers to their vehicles' exhaust systems, but few have done so. The result is restriction and harassment.

Local police stop trucks and check everything from required safety equipment to maximum load in order to make truckers realize that a good muffler costs considerably less than time spent on inspections. It's a tough battle, but it looks as if the communities are going to win it.

What are communities across the country doing about this complex problem of noise? What can be done to speed noise control? Pass more laws?

Some major cities have effective anti-noise legislation. Among these are Chicago, New York, St. Louis, and Milwaukee. Chicago and Warwick, R.I., have performance-type zoning codes which specify the maximum noise level permitted at the property line of the residential area that is nearest to an industrial zone.

Scores of cities with populations exceeding 100,000 have laws regarding automotive mufflers. All but nine states have laws specifying that mufflers must prevent "excessive, unusual, and/or unnecessary noise." The major problem is proving that given trucks *do* make too much noise in and around cities.

Starting with Milwaukee, several cities have adopted use of a noise meter and set maximum meter levels, measured at a given distance from the vehicle. But enforcement is difficult.

The best solution of all lies in education. Your town can start a noise-education campaign with local police issuing warning tickets to drivers of noisy vehicles. A statewide or national educational campaign could show some actual results of using a cheap and a premium muffler or demonstration trucks equipped to show power output versus fuel consumption fully loaded.

Truckers have enough trouble trying to keep taxes and license fees for their heavy vehicles down to reasonable levels. They might find communities more responsive if they themselves cooperated by reducing the exhaust noises of their trucks voluntarily.

As to industrial noise, the handful of professional engineers working in this field have helped many firms solve their problems. In one typical case, all that was required was to move some fans and blowers. In another case, equipping the steam exhaust of a hospital power station with a muffler provided relief for patients and staff alike.

In California, some owners of automobile laundries worked together to get realistic control statutes adopted and hired an acoustical engineer to help them, first in preparing basic legislation and then in redesigning equipment that did not comply.

Owners of industrial plants and shopping centers have introduced background music to reduce fatigue, boredom, and tension. It helps promote work in the plants and creates good will among shoppers.

What can an average citizen do about noise? First, make sure that *you* aren't creating noise nuisance. Does your car need a new muffler? Remember, a bad one costs you gas mileage. How about that power mower? Did you know you can put a muffler on it, too?

If you want to help your community get the best and most effective anti-noise laws, tell your local officials that Milwaukee has a good truck-noise law; that New York has an enforceable regulation on automobile horns; that Warwick, R.I., has a good zoning regulation providing protection against noise; and that, for a large city, Chicago has set a good example.

You also can advise owners of local industrial plants that they can quiet their more annoying noises, often at small expense.

Finally, you can make your own home quieter. An air conditioner will not only make your home more comfortable in Summer, it can keep unwanted sounds out, too. Usually, acoustical materials aren't needed in every room. But in the kitchen, and in the hall or dining room between the kitchen and the rest of the house, acoustical tile on the ceiling will do a lot to quiet the noise of dish-washer, kitchen fan, and mixer—besides helping to make the kitchen a nicer place to work.

Noisy oil-burners, hot-air systems, and Summer exhaust systems can be quieted by applying acoustical engineering principles. It's easier, of course, to pick equipment when the house is being built, but even old equipment can be quieted effectively. One thought applies equally to trucks, industrial plants, and homes: well-maintained equipment usually operates more quietly than neglected equipment.

To sum up, noise may not drive you crazy, but it certainly can ruin your sleep, create nervous tension, upset digestion, and cause considerable annoyance. Yet noise isn't necessary!

Modern acoustical engineering provides ways to quiet almost anything—including jet planes, trailer trucks, and factory machinery. By cooperating with and trying to educate those responsible for excessive noise, you can help quiet things down without creating ill feeling or "making a Federal case" out of your noise problems.

[From the Journal of the Acoustical Society of America, March 1964]

BACKGROUND-NOISE LEVELS IN SUBURBAN COMMUNITIES

(Paul B. Ostergaard and Ray Donley, Lewis S. Goodfriend & Associates, Cedar Knolls, New Jersey)

(Received 18 November 1963)

(Noise surveys have been made in a number of recently developed suburban communities, as well as in well-established communities that are not penetrated by major expressways or railroads. Measurements of background-noise levels are presented and compared with earlier published data. The findings indicate a change in midfrequency-band levels that should be considered in developing zoning and nuisance-control statutes.)

INTRODUCTION

A number of excellent background-noise surveys have been performed in recent years to develop a statistical statement of the noise to which people are exposed.[1-3] Typically, these surveys have included long-term measurements of background noise in a large number of areas with a wide variety of noise sources. The surveys included residential areas, residential areas near airports, residential areas near busy streets and highways and industrial areas. These measurements are generally divided into time periods: 9:30 a.m. to 4:30 p.m. and 1:00 a.m. to 5:00 a.m. Many of our current zoning ordinances are based on these measurements, as well as one well-known empirical method for evaluating community response to noise.

However, the extreme generality of these surveys occasionally has posed difficulties for those developing zoning regulations and interpreting data for community response to noise. In some recent surveys, a peculiar deviation from the general curves has been noticed with great regularity—not particularly in the measured range of levels, but rather in the slope of the curves. This peculiarity has led to an examination of the data from our files and to a special survey that is limited to appropriate conditions for developing a statistical statement of the background-noise levels in suburban communities not penetrated by major expressways or industrial noise.

I. PROCEDURE

The conditions for the special survey were based on several considerations. The greatest interest lies in the background-noise levels that occur in the period in which people are resting or preparing for sleep. Most data on complaints from aircraft-noise intrusion, for instance, have indicated that the late-evening hours in which sleep or rest is disturbed is the time period when the largest number of complaints will arise.[4]

A second consideration was location. Ideally, areas were required near major urban areas but with no major highways or expressways, no through truck traffic, no industry, no major electrical-distribution substations, and with a minimum of aircraft flyovers.

A third dual consideration was the season and the weather. Most of the previous surveys were performed in the late spring, summertime, and early fall. Some of the seasonal problems that have occurred are noise from crickets and "peepers" that raises the higher-frequency-band levels somewhat above the minimum, noise from normally private conversations that travels through open windows and interferes with stable measurements, noise from residential air-conditioning systems that pervades the area, and noise from automobile traffic that raises the general background levels for extended periods, yet not frequently enough to be properly considered as stable background noise. Wintertime measurements are usually difficult to obtain from both the viewpoint of the observer's comfort and the validity of the data. Ideally, the measurements should be made at a time of the year when the temperature and humidity are about the median temperature and humidity for the area, with little or

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[1] G. L. Bonvallet, "Levels and Spectra of Traffic, Industrial, and Residential Area Noise," J. Acoust. Soc. Am. 23, 435–439 (1951).

[3] W. F. Bateman and E. Ackerman, "Some Observations on Small-Town Noise," Noise Control 1, No. 6, 40–43 (1955).

[4] L. L. Beranek, K. D. Kryter, and L. N. Miller, "Reaction of People in Exterior Aircraft Noise," Noise Control 5, No. 5, 23–31 28 (1959).

no wind to influence either the measurements or the background noise, and early enough in the year to avoid unusual traffic, tree frogs or "peepers," open windows, and air-conditioner noise.

Obviously, it is difficult to obtain a large sample satisfying these conditions. However, this special survey was performed under the above conditions with a relatively good-sized sample.

The data for the special survey were obtained in three communities in northern New Jersey that lie in an approximate radius of 16 miles from the center of the Borough of Manhattan. The surveyed areas within the communities are commonly termed as "middle class" through "upper class" with respect to income and have housing separation, single occupancy, and construction typical of these income groups. Thirteen of the eighteen areas sampled were located in or directly adjacent to a private residential park. This park area is a privately supported community with controlled access and unusually strict zoning regulations. Household separations are typically in excess of several hundred feet. This heavily wooded area has no trucking and only limited passenger-automobile traffic.

The remaining areas that were surveyed were in typical residential areas in which traffic is infrequent in the sampling period.

The measuring periods were limited to a time period between 9:00 P.M., and 11:30 P.M. with the majority of measurements obtained between 10:00 P.M. and 11:00 P.M. Measurements were made in late March and during the month of April on nights when the temperature at the beginning of the data collection exceeded 50°F and the relative humidity exceed 45%. The median temperature during the measuring periods was 54°, ranging from 45° to 73° F. The median relative humidity was 62%, with extreme values of 46% and 80%. These values closely approximate the ten-year medians of 52°F and 57% RH for the northern New Jersey area.[5] No measurements were made in winds exceeding 5 mph as estimated by visual interpretation of the Beauford scale of wind velocities (Beaufort numbers from 0 to 2, which are described physically by smoke rising vertically and a light rustle of leaves.)

All measurements were made using equipment that meets or exceeds the current applicable American Standards Association requirements. All values were read directly from an octave-band analyzer. The entire measuring system was calibrated at approximately 15-min intervals with a known sound source at a fixed frequency.

A rigorous check of the electrical and acoustical characteristics of the complete measuring system was made to eliminate any possibility of equipment error. The results of the equipment check indicated that the complete system including field calibration was capable of measuring sound-pressure levels within ±1 dB for each octave band in which measurements were taken.

The data were obtained in octave bands from 75 through 9600 cps in all areas and from 37.5 to 9600 cps in one-half of the measuring stations. The modal values of the ambient octave-band levels were recorded following at least one-minute observations in each octave band. Frequent checks were made at each location at various times in the 600- to 1200-cps octave band to eliminate spurious readings. Notations of the extreme values in each octave band were also made, although they are not reported in this paper.

II. RESULTS

The data were reduced by converting the readings for each octave band into a statistical frequency distribution and then converting to percentiles. Interpolated levels were obtained by fitting a curve to the data on probability paper. As an interesting sidelight, the data indicated that the distributions of the modal values were very nearly statistically normal curves as found by Bonvallet.[6]

The "averaging" method used for this study differs from that of Stevens[7] in that the observed values of octave-band pressure level are judged to be modal values—the value that occurs most frequently. Stevens used the arithmetic mean value obtained by conversion to intensity levels for averaging and reconverting to the decibel scale, which, as he points out, gives somewhat greater weight to measurements of higher sound-pressure levels than to lower sound-pressure levels. The virtue in using modal values, if any, is that the mode is the most typical value—the same as the "average" shoe size, for instance, which is a modal value rather than an arithmetic mean value. By treating the data as a statistical frequency distribution of a group of numbers, one also retains a direct identity with measurements made by others using similar equipment.

The observed values were corrected when necessary for the effects of the internal noise of the measuring equipment. The corrected values were used in developing the frequency distributions from which the percentile values were interpolated. Therefore, certain values, such as the levels below which 5% of the noise occurred in the higher frequencies, do not represent directly measured data, but rather values inferred from the frequency distribution.

The results of the special survey are shown in Fig. 1 [not printed in Record]. The percentile values in each octave band represent the levels below which the given percentage of observed noise occurs. The data are restricted to suburban-community background noise with no major noise intrusions.

The data in Fig. 1 were compared to background-noise data taken in suburban communities obtained in the past five years by Lewis S. Goodfriend & Associates. Only data from 75 cps and above were considered to eliminate unknown variability due to wind noise and equipment response in the low frequencies. All octaves above 75 cps were compared, with the exception of octave bands in which a definite noise problem existed. A total of 22 samples were compared with the percentile data shown in Fig. 1. All 22 samples fell within the 5%–95% range, with no exceptions. All 22 samples exhibited the same general shape shown in the curves of Fig. 1. The data for the 22 samples were obtained with three completely different sets of measuring equipment, thus making a bias from the equipment somewhat unlikely. These data were also gathered by different engineers.

A similar comparison was made with a somewhat limited sample of three examples of background data obtained in Europe. The European measurements were made in rural areas of France at night. These measurements are of somewhat more than passing interest in that the areas in which they were made do not have electrical noise from oil furnaces or similar equipment, a situation which is nearly impossible to duplicate in the United States of America. These measurements are believed to be nearly the upper limit of ambient noise in nature. These data, when compared to the data in Fig. 1, lie almost on the 5% line, as may be noted in Fig. 2 [not printed in Record]. The general shape is also the same as in Fig. 1.

III. DISCUSSION

The curves shown in Fig. 1 represent the results of a very limited survey. However, certain factors tend to add a degree of validity to the data that exceeds the validity associated with a random sample of similar size. The selected locations for the special survey, the favorable-environment characteristics, and the completeness of the data allow a greater degree of confidence to be placed in the information than perhaps would normally be expected. The agreement with the data from past surveys using different equipment, different areas, and different people is also in favor of the small sample. The data, in spite of these factors, still represent a small sample that cannot compare in statistical reliability with large samples, such as those used by Stevens and Bonvallet, particularly when considering the absolute values of the background levels. The interesting part of the data lies in the general appearance of the data when plotted for each of the octave bands.

In Fig. 3 [not printed in Record], the data from the survey are compared with the data obtained by Bonvallet in the Chicago survey, reported in 1951. The data obtained by Bonvallet were restricted to the 400- to 800-cps band and extended to a generalized form, based on experience and a small number of measurements when compared to the main body of measurements. As may be noted from Fig. 3, Bonvallet's data indicated somewhat higher levels throughout. The minimum levels for night conditions in residential areas follow the 5% data curve quite well. The general shape of the two sets of data also agree quite well in the areas in which the data may be compared.

The other major survey of background noise, published in 1954 by Stevens, was based on a very large sample of backgrounds measured in the 75- to 150-, 300- to 600-, and 1200- to 2400-cps octave bands.[9] These data are shown in Fig. 4 [not printed in Record], with the results of the present survey. The disagreement between the two surveys is particularly noticeable in the lower percentile values and in the general shape of the curves. The source of the disagreement is difficult to identify because the sampling methods and averaging techniques were quite different. The range of values is also strikingly different and perhaps is attributable to the larger sample used by Stevens. The differences might also be due to a distinct change in background noise in the eight or more years elapsed since the data were obtained by Stevens.

Several additional measurements were performed to verify or reject the possibility that a change may have occurred in background-noise character. Repeated visits were made to the measuring sites to verify that the noise measured in the 600- to 1200-cps octave band—in which the major difference between Stevens' data and these data occurs—pervaded the general area and was not associated with any directional pattern. Limited data in the octave bands from 300 to 2400 cps taken in rural Connecticut at a distance of about 0.25 miles from a lightly traveled road indicate that the differences between Stevens' data and these data may be attributed to aerodynamic and tire noise of passenger automobiles at distances where the specific noise source is unidentifiable.

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[5] U. S. Weather Bureau, "Decennial Census of the United States Climate-Summary of Hourly Observations (75 Meridian Time Zone): Newark, N.J. 1951-61," in *Climatography of the United States* (U.S. Department of Commerce Weather Bureau, Washington, D.C., 1962), No. 82-28, Table A—Annual Summary. Data converted by Lewis S. Goodfriend & Associates.

[6] See Ref. 1, p. 436.

[7] See Ref. 2, p. 4.

[9] See Ref. 2, p. 3.

Practically, the value of knowing background data lies in formulating zoning codes for noise and for prediction purposes in noise control. As previously noted, many zoning codes are based on the data by Stevens and reflect the general shape of his curves. An example of a typical zoning code[10] is shown superimposed on the results of the present survey in Fig. 5 [not printed in RECORD]. The effect of the different curve shape is noticeable in the 150- to 300-, 300- to 600-, and 600- to 1200 cps bands where the background levels are greater than the maximum allowable wide-band levels 25% or more of the time. This is not greatly different from the amount by which the noise is exceeded using Stevens' data, except when considering the differences in the sampling areas. Stevens' data included samples from urban areas near busy highways with large numbers of trucks and the present survey specifically excluded these areas.

A more striking, more important difference may be found in the 1200- to 2400-, 2400- to 4800-, and 4800- to 9600-cps bands where the zoning code lies on the extrapolated 95th percentile line of Stevens' data. These values are about 8 dB above the results of the present survey. The frequency components, which are of greatest importance in annoyance and, therefore, perhaps the largest factor in preventing sleep, are allowed to exceed 95% of the normal background noise as determined by this study.

It would appear, based on the data from this survey, that those portions of zoning codes dealing with maximum permissible noise should be examined to see if the code is providing the best possible protection for the citizens. This conclusion has been reinforced in recent years when, in developing zoning codes for noise, tape recordings of wide-band noise, using the shape of the Stevens' data, have been prepared for use by governing bodies and for our own use. The general consensus from the various governing bodies is that the usual permissible noise levels are indeed annoying when considered from the viewpoint of the present-day emphasis on freedom from intrusion from beyond the property line.

[Reprinted from Noise Control, March 1958]

NOISE IN THE COMMUNITY—WHERE IT COMES FROM, WHAT IT SOUNDS LIKE, AND WHY IT SOUNDS THAT WAY*

(By Lewis S. Goodfriend, Lewis S. Goodfriend & Associates, Montclair, N.J.)

Increasing concern over noise in the community is being evidenced by many groups. In response to a growing number of complaints, manufacturers, transportation companies, public utilities, and civic officials are becoming more and more interested in the technical aspects of community noise, in particular the maximum levels which various activities can be permitted to create before they become nuisances or violate local statutes.

To date, most of the studies of noise in the community have been on either a statistical basis[1, 2] or a class basis.[3, 4, 5, 6] Methods for evaluating community noise *have* been formulated, however, which may permit the prediction of a community's reaction to certain given noise characteristics under certain specified conditions.[7, 8, 9]

Applying these techniques to a number of situations, R. L. Cardinell and the author have found that, in addition to the acoustical considerations, factors involving human relations also enter this prediction. These factors are all subjective in nature. They depend on individual and group responses of people under various conditions and seldom, unfortunately, on either the spectrum or the level of the noise.

A realization of this fact is essential to the effective handling of particular community noise problems.

There are five categories into which community noise sources may be divided. These are (a) transportation, (b) industry, (c) commerce, (d) community services, and (e) individual activity.

In each category there are a number of typical sources. In the transportation category, for example, there are (1) trucks, (2) motorcycles, (3) automobiles, (4) railroad trains, (5) aircraft, (6) buses, and (7) boats.

Some typical industrial noise sources are (1) blowers, (2) compressors, (3) process machines, (4) presses, (5) test stands, (6) outside exhaust lines, (7) power transformers, (8) ventilation equipment, and (9) loading and unloading of supplies and finished products.

In the commercial category might be cited (1) restaurants, drugstores, and bars, (2) cooling towers and air conditioners, and (3) loading and unloading of business supplies and merchandise.

Community service noise sources include (1) gas stations, (2) car washes, (3) transportation terminals, (4) law enforcement and public safety and communication equipment (sirens, whistles, and loudspeakers, for example), and (5) highway maintenance machinery, such as pavement breakers, and public construction tools, (riveters, for example, and air compressors).

Under individual activity are such sources as (1) housekeeping and home maintenance, (2) active recreation, including social gatherings, sports (sports cars come under this heading), and games, (3) entertainment media, such as radio, television, home movies, and high fidelity, and (4) pets. Into this category of individual activity fall such miscellaneous noise sources as model airplanes, ringing but unanswered telephones, and the delightful but noisy processions following newlyweds from the church.

Of these categories, the first two, transportation and industry, have become the major serious offenders in the ears of the public.

The examples of particular noise problems that follow will serve to illustrate some of the typical sources in these categories and will also indicate some of the subjective factors involved in a community's reaction to them.

EXAMPLE 1

The main source of complaint in the first example is a home, at NR in Fig. 1 [not printed in RECORD], in a residential zone situated between two industrial areas. Note that the residential areas is triangular in shape.

The industries to the north are light in nature and low in sound output. Athough they do make use of some heavy trucking during the day, they produce almost no measurable noise at night. However, the metal-plating plant located to the south of Avenue A, which was the community target for noise complaints, has two 10-hp 5000-CFM blowers, located at O, exhausting air from over the plating baths. These blowers, plus a number of smaller units, operate continuously. The noise level contours for this array of fans and blowers are shown on Fig. 1 for the 75–150-cps band. Figure 2 [not printed in the RECORD] shows the contours for the 300–600-cps band.

It is unfortunate that the location of the plant buildings relative to one another, the disposition of a mound of earth just west of the fans, and the unbalance and hunting of the fans add up to a lobe centered almost directly on the nearest residence. By the time the plating company asked for acoustical measurements to determine whether it really had a problem, this neighbor was not too happy about the situation. It was, therefore, impossible to make measurements at the residence.

However, measurements were made on both the north and south sides of the residence, and these checked quite closely with calculated octave-band levels for these points. The measured values at the measuring station approximately 400 ft from the noise source fell within 2 to 3 decibels of the levels predicted for this distance and azimuth from the source.

In comparing the plant with other noise sources in the area, it was found that Avenue A is a well-traveled throughfare and is used all day and several times an hour throughout the night by trucks and automobiles. In addition, both military and civilian aircraft fly over the area from early morning to late at night. But the most persistent sound heard in this area was the whistling of the Long Island Railroad trains as they approached grade crossings, of which there are many.

Tape recordings were made on a modified Ampex 600 tape recorder. This recorder and the control box, Fig. 3 [not printed in RECORD], operated 25 seconds out of every 3 minutes, thus sampling 24 hours on 3½ hours of tape. The bypass switch on the control box permits activating the recorder motor even when it is not cycled to the running. Thus, sounds of particular interest can be recorded for a longer period than the 25-sec "on" interval.

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[10] K. N. Stevens and J. J. Baruch, "Community Noise and City Planning," in *Handbook of Noise Control*, edited by C. M. Harris (McGraw-Hill Book Co., Inc., New York, 1957), Chap. 35, pp. 35–12.

* An address before the eighth annual National Noise Abatement Symposium in Chicago, October 10, 1957.

[1] K. N. Stevens, *A Survey of Background and Aircraft Noise*, NACA Technical Note 3379 (National Advisory Committee for Aeronautics, Washington, D.C., December 1954).

[2] W. F. Bateman and E. Ackerman, "Some observations on small-town noise," NOISE CONTROL 1, No. 6, p. 40 (November 1955).

[3] G. L. Bonvallet, "Levels and spectra of transportation vehicle noise," J. Acoust. Soc. Am. 22, 201–205 (March 1950).

[4] G. L. Bonvallet, "Levels and spectra of traffic, industrial and residential area noise," J. Acoust. Soc. Am. 23, 435–439 (July 1951).

[5] D. B. Callaway, "Spectra and loudnesses of modern automobile horns," J. Acoust. Soc. Am. 23, 55–58 (January 1951).

[6] F. S. Elwell, *Experiments to Determine Neighborhood Reactions to Light Airplanes With and Without External Noise Reduction*, NACA Report 1156 (National Advisory Committee for Aeronautics, Washington, D.C., 1953).

[7] W. Rosenblith and K. N. Stevens, *Handbook of Acoustic Noise Control. Volume II. Noise and Man*, WADC Technical Report 52–204 (Wright Air Development Center, Wright-Patterson Air Force Base, Ohio, June 1953).

[8] Stevens, Rosenblith, and Bolt, "A community's reaction to noise: can it be forecast?" NOISE CONTROL 1, No. 1, p. 63 (January 1955).

[9] R. O. Fehr and R. J. Wells, "Noise reduction of machinery and vehicles," NOISE CONTROL 1, No. 1, p. 30 (January 1955).

We used the mixing facilities on the recorder to provide announcements on the tape. This is not as sophisticated as using stacked or staggered heads in a two-channel arrangement, but it does permit a higher signal-to-noise ratio with the full track recording. The only disadvantage is the somewhat higher distortion when the voice signals are added at levels high enough to override noisy backgrounds. (We have often used the sound-level meter with its built-in microphone connected to the line input on the Ampex for this purpose.)

Figure 4 [not printed in Record] shows the range of levels of the background noise from the plant predicted for the nearest residence together with various noises measured 400 ft from the plant and the same distance from Avenue A as the residence. This should provide approximately the same levels for passing traffic at the microphone as would be measured at the house. The microphone and residences were both at such great distances from the railroad and the aircraft that the levels measured at the microphone may be considered to be the same as those that would be measured at the house.

The background noise levels measured in the general area to the north of the plant at 1:00 a.m. are also shown, as are the curves for NC25 and NC35. It may be seen that although the ambient is exceeded at the nearest residence, the interior levels will fall below those considered suitable for sleep and rest spaces in the published literature. In fact, the levels inside the residence would be considerably lower than those predicted here, which are exterior levels.

The circles on Fig. 4 show the levels of various sounds as they occurred throughout the day and were analyzed from the tape. In the morning, at 4:15 on one occasion and at 5:00 on another, trucks arrived at the plant, and during the day many sounds incident to community life were heard as indicated. Long Island is, of course, noted for its aircraft plants and many private, military, and commercial airports, so the sound of passing aircraft during the day and early evening is not unusual. However, note the levels of the typical passing aircraft that were recorded at these times.

Just before and after the hour for shift change at the plant, as employees arrive and depart, the sound of their cars (some old, some new, and some sports) may be heard. It should be noted that this same shift-change noise occurs against a lower background at midnight and again at 8:00 in the morning. Some of the cars leaving the plant (these are marked with an L on Fig. 4) seem to produce levels somewhat higher than those produced by passing traffic. This and the changing of gears by east-bound cars just in front of the nearest residence could easily be unwelcome sounds for light sleepers. At 8:30 p.m. and periodically throughout the evening, even after midnight, the train whistle was heard along with traffic.

The owner of the residence nearest the plant was not only complaining, but was taking the matter up with the Town Board. From the data taken and applied to the various rating methods,[7, 8, 9] this action would not have been predicted. It would have been estimated that passing aircraft and the railroad would constitute more cause than the plant for such action.[10] Moreover, if an adjustment is made for the reduction of levels inside the house, it would appear that there is no reason for complaint or action whatever.

Why, then, was there a problem? The answer was learned in conversations with the townspeople. Although the plating plant *did* make a noise that could be heard inside the house, it was certainly not a noise that would awaken even the lightest sleeper. However, it *does* have a characteristic that is attention-holding. Once awakened by the real offender—a passing car or a whistle early in the morning—the residents of the house could hear this particular sound, which was readily identifiable and which they could associate with encroaching industrial establishments.

There is no doubt that several measures can be used to reduce noise from the plant at this particular residence. Included in recommendations were fan attenuation units, changes in fan filter units, relocation of the plant gate to eliminate gear shifting in front of the residence, and reminders to employees to be good neighbors.

The effectiveness of these measures has not yet been evaluated. It is doubtful, however, that noise reduction at the plant will solve the problem of complaints. The continuing growth of industry in the neighborhood will put more traffic on Avenue A during the night and early morning hours, consequently raising the background level to a point about the current annoyance level.

EXAMPLE 2

The second example concerns a large industrial plant at the edge of a residential neighborhood where a series of noise complaints had arisen. The plant had been in operation for over twenty years in the same location, but in that time a residential neighborhood to the north and east had been built up. A map of the area is shown in Fig. 5 [not printed in the Record].

The noise levels at the plant fence line are shown in Fig. 6 [not printed in Record]. All of these levels are above NC65. The levels at point A of Fig. 5 are shown in Fig. 7 [not printed in Record]. This is in the residential area. Here, some of the levels exceed NC55. Figure 8 [not printed in Record] shows the levels at Point A with the plant completely shut down. The curve labelled "A_0" is with no passing traffic. "A—Truck" shows the level at Point A with a truck passing Point 1. The levels in several other areas near the plant are shown in Figs. 9, 10, and 11 [not printed in Record]. The capital letters indicate the points at which the levels were measured.

The levels at Point B, northeast of the plant, are shown in Fig. 9. The background noises at this location are particularly interesting. The over-all noise from the plant at about midnight was measured at 60 to 62 db, as indicated by curve B. With the plant shut down, the level dropped as indicated by curve B_0. The sound of a truck passing on S Street is shown by B_t.

One of the major contributors to the noise at Point D was the high-frequency noise, Fig. 12 [not printed in Record] from the steam ejector on top of the plant. The effect of the steam ejector noise may also be noticed in the curves for Points E and F.

Back at Point A early in the morning, the noise level with the plant operating was 68 to 70 db. The tape recording caught the sound of a car door slamming as someone started off to work. This is what wakes up the neighbors. Once awake they can hear the plant noise. And with some help from those passing trucks to keep them awake, they can build up the plant as the cause of all their troubles.

Actually, except at Point A, the residents have a much more valid noise complaint against the passing truck traffic. The recording team had quite a time getting clean recordings of background and plant noise because of all the night traffic. (It should be noted that the steam ejector noise at D could not be heard inside the houses.)

Nevertheless, some of the residents *had* complained about the factory and regarded it as the major noise nuisance. Why?

Questioning the people in the neighborhood, the survey team found some residents who were apathetic with regard to the noise problem and some who even laughed at their complaining neighbors. The survey disclosed that there was prestige to be gained from complaining aloud, and an analysis of the residents' comments about noise and traffic enabled the team to deduce that the *actual* cause of the annoyance was the increasing traffic on the highway, which, in addition to producing noise, held some serious implications for the residents.

The residents closest to the plant, in the apartments at Point A, had good reason to complain about the *plant* noise. The residents who owned homes farther from the plant (but closer to the highway) and shielded from the plant noise sources by buildings in the vicinity simply joined the apartment dwellers in their protests without stopping first to consider that each group was actually being affected by a different noise source.

It was recommended to the plant management, nevertheless, that certain steps be taken to reduce plant noise heard in the neighborhood, if only to clarify the noise source situation by removing this one particular focal point.

HIGHWAY NOISE

It may be of interest to note here the results (Fig. 13) [not printed in Record] of some preliminary work on the subject of automobile noise and its attenuation with distance.

Figure 14 [not printed in Record] shows the roadside measuring station. It is just after 5:00 in the evening, and the view is northbound on the Hutchinson River Parkway about 20 miles north of New York. Figure 15 [not printed in Record] is a photograph of the area bordering the highway, taken at a point 175 ft from the curb. It is interesting to note how dense the trees seem in Fig. 14 and how sparse they actually are, as shown by this view.

Although it was noted that one of the most distinctive noises at night in this location, which is an otherwise quiet neighborhood, was the sound of a single car moving at high speed on a distant highway, we were unable to record it during a number of field trips because of ambient noise and wind. An even more noticeable sound was that made by cars traveling on a wet concrete road surface at speeds of 40 to 60 mph at distances of ½ mile or more.

One conclusion that may be reached from the two industrial noise examples cited (and this conclusion has been borne out in many other noise situations analyzed by the author) is that the audible component of a visible or sterotype noise source can readily become the focus of possibly unjustified complaints from individuals and groups within a community. It appears obvious to those who register complaints that if the source they have decided upon were quieted or, better yet, completely removed, all would be well in their world.

Unfortunately, in many of these cases, the major trouble source is not the one against which complaints are filed, but is to be found in the changing nature of the community, changing patterns of transportation, and in sociological and psychological factors such as race friction and income distribution within the community.

In dealing with community noise problems, it is always necessary to accumulate information about the community, its growth and development, its background

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[7, 8, 9] See footnotes [7, 8, 9] on page 12201.

[10] H. O. Parrack, "Community reaction to noise," Chap. 36, *Handbook of Noise Control*, Cyril M. Harris, ed. (McGraw-Hill Book Company, Inc., New York, 1957).

and economy. The first step in remedying the situation is the establishment of better relations between the particular noise source in question and the complainers.

In the examples given, certain physical alterations were suggested which would convey to the residents the desire of the plant to be a good neighbor. In the first example, this involved moving the plant gate and shutting down part of the night operation pending the installation of silencing devices. Moves such as these can regain lost ground and permit the neighbors to turn their attention to other foci. In efforts toward better relations between the owners of noise sources and complaining groups, it is almost always imperative that the noise levels be reduced, if only temporarily.

Although the data available on a wide variety of noise sources and the reactions of statistical groups to them must be noted in handling such problems, in any practical evaluation of the relationship of a particular source to a particular community it is always necessary to:

1. Study the pattern of the noise in the area in question, determining the sources, their levels, and their spectra.
2. Survey the attitude of the community toward the owners of the noise source.
3. Determine what other community problems co-exist with the noise problem and what bearing they might have on it.

Maps of the community with data of this nature plotted on them are useful in guiding the selection of design objective noise levels. The data should include income distribution; racial distribution; population distribution, including children by age groups; school and church locations and attendance; zoning; tax distribution; property values; attendance at meetings such as adult school sessions and church and civic meetings; and plots of the levels of traffic and ambient noise.

The effect of noise on the community and the solution of community noise problems cannot be determined by a study of the noise alone. The community itself must be studied, together with the responses and the reasons for the responses of the individuals who form it.

April 30, 1966.

Theodore R. Kupferman,
Congressman from New York,
House Office Building,
Washington, D.C.

Dear Fellow American, Trustee of the People of New York: Your initiative to start a crusade against "Noise—the enemy No. 1" in our daily life gives me great satisfaction and hope that my own "crying in the wilderness" will not be lost.

I listened to T.V. and heard your decision "To do something about noise."

In the enclosed publication you will find some information on my trials until I found understanding and support at the United Nations. Secretary General, U Thant, was the first to recognize the importance of noise research and control. Due to his interest and initiative the World Health Organization now meeting in its Annual Assembly this May will take steps to lead the campaign against noise, both audible and ultrasonic.

The Supreme Court of the United States was the first high authority to deal with the problem. (See "Decibel & Hearingcell" pg. 4.)

It is a difficult problem, demanding wisdom and courage.

I will be glad to assist you and be at your disposal in your endeavor to take this problem of paramount social importance.

Wishing you success, I am,

Very sincerely,

Z. D. Angeluscheff, M.D.

New York, N.Y.,
May 24, 1966.

Theodore R. Kupferman,
Congressman from New York,
House Office Building,
Washington, D.C.

Dear Mr. Kupferman: I thank you very much for your letter and especially the Congressional Record. I see that you have considerable data on this crucial problem of our time. I'm in contact with the American Section of W.H.O. and we are going to discuss your project. We have, in the middle of June, Board Conference and thereafter, I am certain, you will have the full support of the American Section, one which was the first to raise the question before W.H.O. in Geneva many years ago.

But as you see after the energetic intervention of Secretary General U Thant, the problem was accepted for discussing "THE NOISE" at the session this year in Geneva.

I'll be absent for a few weeks, going to Europe to Congress on the same battlefield. I'll try to stop in Geneva on my way coming home.

The enclosed talk is one of more popular character. I am sending you a few copies so you may distribute among your colleagues interested in the problem.

Wishing you the best

I am sincerely yours,

Zhivko D. Angeluscheff, M.D.

Why Should We Become Deaf?

(By Zhivko D. Angeluscheff, M.D.)

Ladies & Gentlemen: "The fruitful and natural exercise of our mind, in my opinion, is conversation and that is the reason why if I were, in this moment, forced to choose, I would rather consent, I believe, to lose my sight than my hearing or speech."

Montaigne.

Man today lives under the spoken word. His voice is the instrument of communication, a powerful factor in human progress. Man has harnessed electrons, invented transistors, created, and sent his own planets around the sun. Despite these accomplishments in conquering nature, he has impoverished himself and "four mechanized society of today demands less than a millionth of man's brain capacity." (Norbert Wiener) Contrast this with our ancestor Sinjanthropus, homo sapiens, who, one million years ago, used his whole brain power to chip stones and edge them to use as weapons. In mastering tools, machines, and complicated devices, the purpose of endeavor of the man to benefit himself has been lost. By law of nature you are entitled to hear my whispering voice. Were we not in Queens, where every minute a plane is roaring overhead; where to reach our place of work we have to use cars, bus, subways; where at home we listen to radio, TV by hours, you could hear my whisper at a much further distance.

If this place I am addressing you were not here in Queens*, but in the Cathedral of Girgenti in Sicily, my whisper would be heard distinctly at a distance of 250 feet. At such a focus worshipers of Girgenti used to take their seats in the church. Secrets of the penitents whispered in confession and never intended for public ears might become known to the community. At Gibraltar in a particular spot, my speech of 10 microwatts intensity would be carried ten miles away, across the straits of the African shore and would be well understood. In our contemporary society, in the premicrophone era, men who used the classical pattern of speaking had achieved astonishing results. Gladstone, at the age of 62, spoke in the open to a multitude of 25,000. Burke in the United States, with his natural vocal power, was heard by 50,000 listeners. All this proves that the human ear is perceiving the human voice in such incredible circumstances. *No "mikes" and no loudspeakers* are needed. Why then are we asking them on every occasion? Even in the department stores at counters, "mikes" and loudspeakers are used to address customers who are standing two or three yards away. There are two explanations: First, that in this great *noisy* city we have become somewhat hard of hearing. Second, today's market advertises and sells radios, TV, amplifiers and speakers, and the people buy them. One should not get behind their neighbors. Are we not civilized too? Exposed to all these gadgets of noise, man is getting hard of hearing. He starts to tune his radio louder and louder and gets in trouble with members of his family and with his neighbors. Modern life with its wailing sirens, screeching cars, blaring radios and TV, roaring planes is potentially dangerous. The impact of this life of noise upon the human organ of hearing results in his progressive deafness. Now you know how Hearing Centers and Hearing Aids are born!

WHAT IS HEARING?

Vibratory energy perceived by the ear is subjectively interpreted as hearing. When the human ear fails to interpret incoming vibratory stimuli, we have a status of deafness.

The ear of man is conditioned by evolution to receive and interpret as sound vibrations up to 32,000 vibrations per second (Helmholtz). The dog perceives up to 35,000, the cat up to 50,000, the mouse up to 95,000, and the bat up to 120,000 cycles per second. Frequencies above these ranges are not perceived subjectively as sound. They are ultrasonics.

These silent frequencies, are nevertheless, a vibratory energy which pound upon our hearing organ even though we are not aware of it subjectively. The energy being emitted, its effect exists.

NORMAL HEARING

Last August, in a conference at the Institut Nationale de Securite, in Paris, a governmental institution for preventing occupational diseases, I was told the following episode:

Shortly before the Congo was given their independence, Belgium firms were sending machines to equip factories in the jungle. The Institut Nationale de Securite received an inquiry for an acoustical engineer to take care of the "desonorisation of the machines destined for the Congo". The engineer who accepted the offer, upon meeting the representative from Brussels, addressed him in the following manner: "I am ready to do the job, but before we start to talk business, I would like to know what is all the fuss about eliminating noise from the machines for the jungle, when you are not doing such things in Belgium or France?" The executive replied: "You are right! When we install machines in Belgium, the workers accept them and do not protest. When we do it in the Congo, the workers run away—Ils vous futent le camps', and there is no power to bring them back." The ear of the Congolese cannot support the *noise*, and the worker therefore leaves his job.

This natural capacity of perception should be called normal hearing.

A colleague of mine, Dr. S. Rosen, visited, last December, with a group of Scientists, in the Jungle of Sudan. The scientists examined an indigene tribe, not contaminated from mechanized civilization, seven-hundred miles from Khartoum, capital of Sudan. The audiometric examination revealed that those primitives, children, middle aged, and old aged, have very alert hearing, and there is hardly a difference between young and old; the blood pressure shows almost an even curve for all age groups, in discrepancy with the blood pressure of civilized populations exposed to noise.

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* Presented to the Queens School Health Council on October 30, 1961 in the Flushing—Corona Health Center.

NOISE CHANGES THE FUNCTIONS OF THE BODY

Noise affects the vegetative nervous system. The blood capillaries in workers in noisy surroundings (of 90 phones, 110 db) show an increase of peripheral resistance (from 1200 $\frac{\text{Dyn/sec}}{\text{cm3}}$ to 2800 $\frac{\text{Dyn/sec}}{\text{cm3}}$[1]). This fact delivers a key for understanding the raise of the blood pressure in our mechanized society.

The effects of noise on human organism are manifold. Due to peripheral resistance the capillary pressure rises slowing the circulation; the perspiration increases; saliva, gastric juice and adrenal hormones are reduced. The decrease of adrenal hormones provokes sudden drop of systemic blood pressure. The consequence is dizziness and blurred vision. People exposed to vibratory energy tend to suffer headache, nausea, their high nervous activity is erratic, the muscular coordination adroit.

THE PROGRESSIVE DEAFNESS—A SONIC DISEASE

All vibratory devises when they are emitting waves of high frequency, whether or not they are sensed as sound, are sources of *ultrasonics*. The siren in the factory or ambulance, the motor of the bus, car or train, we are riding on, the revolving silent centrifuge in the laboratory, which we hardly perceive, are generating ultrasonic energy.

Any amplifying device which employs *piezoelectric* material puts ultrasonic energy to work. Today, there are over 250 million amplifying devices in the United States! Weekly 90 million people attend performances in which amplified sound is reproduced. Five billion records were sold in one year (1954) alone.

These figures illustrate the magnitude of the vibratory impact under which the nation lives today. The frequencies of this impact reach the MEGA cycles, the spectrum of light! And you should recall that 500 Mc/s is the physicists name of visible red light!

Vibrations in the industry plants and the mechanized every day life can develop high-noise levels. (Subways 100db., main avenues of New York City 140db., Jets 160db., Rocket engines 180db.)

The vibratory energy can be perceived as noise or be silent. The pathologic effects upon the biological structure in both cases are basically identical, the difference being only in degree.

A dental drill of 40 kc/s arrests the growing process of the teeth in 95% of the experimental animals. The late effect of the vibratory energy is necrosis of mandibula and maxilla, and degeneration of the nerve.

The exposure is not always acute, but mostly slow, chronic, painless. The people are not aware of the slow degeneration of their nerves. They come to seek help when it is too late, the process being *irreversible* and *progressive.*

Such tragedy may occasionally find a human reaction of resentment. But the cult of veneration to the machines—shortsighted and void—continues to nourish this latent danger for a happy human life. The slowly going damage upon the organ of hearing, new bone formation and depletion of the nerve on essential electrolytes affects the proper functions of the hearing. *A sonic sickness—the progressive deafness of man* is in the making. This cryptic condition of impaired human health, alas, enjoys recognition and a strange immunity. The progressive deafness affects millions of persons in U.S.A. This fact alone indicates that *the progressive deafness presents a problem of great medical and social importance.*

BIOLOGICAL EFFECTS OF SOUNDWAVES

Struggling for more than a century to arrive at an understanding of deafness, the efforts of the medical profession have been in vain. The reality of deafness, the reason why a man hears and why he ceases to hear, is still beyond our complete comprehension. Many approaches have been explored. *Politzer* has regarded the condition of otosclerosis as a "special sickness of the labyrinth involving the vascular system;" *Siebeman* as a neo-spongiosis; *Mayer* as a faulty embrional development; *Manasse* as "an inflammatory sequela;" *Wittmaak* as a venous stagnation with decalcification; *Lange* as a "specific tumor;" *Alexander* as an "inherited condition;" *Sercer* as anatomically conditioned through different "angles" of the involved structures.

The primary etiological factor in otosclerosis is the *sound* in its complexity as vibratory energy. *The solution to the problem of progressive deafness due to otosclerosis, its cause, prevention and cure is to be found through the study of biological effects of soundwaves on the human ear,"* according to *Angeluscheff.* The validity of this concept became evident when sclerotic foci were experimentally produced by exposure of bone to ultrasonics. High frequency waves of harmonics are capable to provoke proliferation of new bones. Under impact of vibratory energy the H-ion concentration in tissue increases, the permeability of cell membrane increases, the gel-sol status of bone and collagen alters. The intensity of ultrasonics is not of primary importance in influencing the Ph. changes, nor does the intensity bear any relationship to the absorption values of the tissues. (Angeluscheff: Acta OL. 1952/B.P.O.)

High frequencies sonics and low frequencies ultrasonics (40–80 Kc/s) cause liquefaction of thixotropic gels and thus increase the permeability of cell membrance for body fluids. Gamma globulin and fibrinogen in serum increase and a fibrotic diathese becomes manifest.

Relatively small dosage of ultrasonic stimulates the formation of new bony tissue, which causes fixation of stapes, invades the cochlea. Such vibratory energy deprives the nerve cells of the organ of Corti of their essential electrolytes, enzymes, amino acids, RNA, DNA, which initiates the degeneration of the nerve cell. (Naumann, H. H., University Wurzburg, Germany).

The vibratory energy of low ultrasonic range 40 Kc/s has been recently confirmed as aetiological agent in otosclerosis. "Otosclerosis is rarely produced by audible sound, and readily produced by ultrasound." (Prof. E. Andreeva-Galinina Institut of Hygiene, a. Professional Diseases, Leningrad.)

The possibility that vibrations reaching the perceptive organ over the body is a potential danger for the hearing. *"Frequencies which are not perceptible by the ear, the ultrasonics can do the damage also. The effect of sonic and ultrasonic frequencies are especially dangerous for the ganglionic cells and those of the central nervous system of the spinal cord and brain* . . . If the exposure is a long one, or of particular intensity the ganglionic cells are doomed. An irreversible paralysis or under circumstances death can result." (Prof. G. Lehmann, Max-Planck Institut fuer Arbeitsphysiologie)

"The physico-chemical theory (Angeluscheff) assumed the chemical reactions on the biological structures of the inner ear, e.g., denaturalization of protein, can be initiated by infinitesimal amounts of vibratory energy . . . Actually the ear of an animal, as affected by the exposure to shock waves, is the effect of virbration alone" (Yasushi Koide, University School of Medicine, Niigota, Japan, Biochemistry of Acoustic Trauma. The Annals O.R.L. 1960).

MAN IS MACHINE-BOUND

The life of man in the rapidly changing world of today is changing too. Homosapiens is forced to conduct a life far remote from the habits he followed for thousands of years. In the struggle for survival his *biological system* of communication—*hearing* and *speech*—relayed the signals of his surrounding to his brain. His experience enriched his intellectual capacity and promoted his progress. But this very progress, handicapped his biological alertness. In the mechanized society of today man is no longer earthbound, but machine-bound. He depends more and more on *vibrating* commodities. Mornings, he is awakened by the vibrations produced by an alarm clock, he shaves with a vibrating gadget. During his breakfast he listens to news and is exposed to the vibratory energy of the radio. He utilizes an elevator to get down to the ground. But he doesn't stay there. He jumps in his car and starts its motor. Over 120 kc/s of vibratory energy beams upon his ear and body. And as every modern man, he invites "Megacycles" of his car radio to join the impact of the already vibrating energy. He reaches his office in the skyscraper by elevator and again gets busy on the telephone. The ringing phone produces 50,000 c/s, of which he hardly hears 10,000, the rest are silent ultrasonics. The United States has 52 million telephones, 57% of the world capacity. These telephones are used 188,000,000 time daily, 365 days per year. This short review of a few facts could explain why so many "executives" are adorned by Hearing Aids.

THE DROP GROOVES THE STONE NOT BY FORCE, BUT BY FREQUENT FALLING

Eight million inhabitants of New York, speaking at once, would produce a vocal energy of an intensity hardly enough to light a lamp of 60 watts. One voice, of these eight million, would represent indeed a very small amount of energy. But such an *infinitesimal energy* of one singing voice, by its harmonics (ultrasonics), is capable to shatter *a goblet to pieces.*

Every sound, the human voice also consists of both *fundamental* and *harmonics,* the matter of which may extend into the *ultrasonic* realm. Our auditory apparatus is incompetent to take up and translate the ultrasonic into perception. This sound, *though silent, nevertheless pounds upon our hearing apparatus,* but we are not aware of it . . . very much like the x-rays and ultraviolet waves.

By keeping in mind that every chemical reaction requires time, we may realize that infinitesimal energy in due length of time is capable of accomplishing irreversible changes in the organ of hearing. The antiquity has recognized this fact of experience and had coined it in its wisdom: "Gutta cavat lapidem no vis sed saepe cadendam." . . . "The drop grooves the stone not by force (intensity), but by frequent falling (frequencies)".

The ultrasonic with wave lengths shorter than audible sound, have a greater number of vibrations, and are of greater penetrating power. Low frequency vibratory energy sets larger particles in motion. High frequencies set very small ones in motion. These small particles vibrate and produce kinetic (living) energy of tremendous penetrating impact.

NATURAL FREQUENCY AND RESONANCE

When forced vibrations of such impact coincide with the *natural* frequency of a body upon which they act, the resulting effect is *resonance.* Resonance is a natural property of matter. When resonance occurs

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[1] Dyne force accelerating 1gm. mass—1cm/sec.

a maximum displacement of vibrating particles and disruption of molecules results.

In the year of 1896, the metropolitan area of New York experienced the following phenomenon of resonance:

"In a dozen city blocks, occupied by hundreds of buildings, housing tens of thousands of persons, there was a sudden roaring and shaking, shattering of panes of glass, breaking of steam, gas and water pipes. Pandemonium reigned as small objects danced around rooms, plaster descended from walls, and ceilings, and pieces of machinery weighing tons were moved from their bolted anchorages and shifted to awkward spots in factory lofts."

People poured into the streets excited and confused. A police squad was ordered to check up on what was going on in the Laboratory of the wizard Nikola Tesla on Houston Street. Tesla had been responsible for many weird happenings. The policemen entered his small building. Its walls and floors were actually roaring and screaming. When they entered the Laboratory, pandemonium suddenly gave way to a deep and heavy silence. The tall figure of the inventor holding a sledge hammer, confronted them. "Gentlemen", Tesla addressed the policemen, "I am sorry, but you are just a trifle too late to witness my experiment. I found it necessary to stop it suddenly and in an unusual way, just as you entered. If you wish to come around this evening, I'll have another vibrator attached to this platform."

The small vibrator of Tesla, a type of tuning fork was firmly fixed to a supporting column going down to the building's foundation. The vibrations were transmitted through that column to the ground. *Even weak vibrations that are sustained* can build up surprisingly large effects when they are absorbed by an object with which they are in *resonance.*

A similar phenomenon happens in the *Cochlea of the Acoustic Nerve.* The vibratory energy generates potentials and migration of ions. The energy necessary to initiate this phenomenon is infinitesimal! (in millionth of watt.) The process of chemical reaction, reaching the physiological threshold, elicits subjective perception and man *hears.*

The minute ultrasonic waves can shake structures of the ear and by attendance of resonance disrupt them and bring them to an irreversible condition.

WHAT IS GOING ON IN THE NERVE OF HEARING EXPOSED TO VIBRATORY ENERGY?

A dog receives systemically radioactive phosphorus (Na2 HP^{32}04). One hour after, the isotope, 25% less in the labyrinthin fluid compared to the blood serum. This indicates that the hearing organ possesses a barrier of protection. This barrier of protection is destroyed on exposure to *vibratory energy* (noise) of an electric bell for 15 minutes only! The animal exposed to ultrasonics for 12-18 hours, 90db. (noise) dies spontaneously. Within this range we find all gradation of pathology.

The enzyme activity is disrupted, protein being decomposed, aminoacids disappear and potassium is depleted. Being the most important electrolyte for carrying impulses the nerve function is impaired. If the impairment is carried to the limit by *sustained exposure to vibratory energy* (noise) it results in paralysis and anesthesia. The sensory nerve ceases to *respond to incoming vibrations* and is practically a 'deaf'.

Biological structures of 200^{MU} are set in resonance by 5 megacycles and are practically paralyzed. Resonance causes chemical changes in the nerve cell and deprives it of Deoxy and Ribo nucleic acids (DNA, RNA).

These acids are responsible for the synthesis of protein, on which Potassium is bound. Depletion of nerve cells on potassium electrolytes makes them unable to receive and conduct stimuli. *The Nerve ceases to respond to incoming vibratory stimuli and becomes inert.* This results in deafness.

"THE NOISE—PUBLIC ENEMY NO. 1"

By law of nature the human *ear* hears the human *voice* from the Rock of Gibraltar to a distance of 10 miles, and from the stage of the last row of the amphitheater of Dionysus at Phillipi, which has a capacity of 15,000 listeners. In both cases no amplifiers are needed.

During the rule of Elizabeth the First of England, there was a strict law, beating of wives during the night was prohibited. This judicial milestone was not the starting point of the emancipation to come. The beating of wives during the day was permitted. Medieval society was concerned with the *noise.* Noise is our concern too, but we are in less fortunate position. *There is not such a law today to silence noise and acoustic outbursts.* The immensity of the taxation of the human nervous system by the noise we are compelled to live in, you may judge by the following facts. The ear, a gate to the mind and emotion of men, conveys vibrations to the brain. Signals as weak as the ticking of a watch, or the humming of a mosquito provoke nerve activity, even during sleep, and can be recorded on Encephalgram. Infinitesimal vibratory energy of low frequencies (0,5–10 c/s) of one-ten-millionth of a volt are perceptible by nervous tissue! Confront these figures with the roaring of jets and amplified movies or TV performances!

SIGNORI, YOU DID NOT HONOR YOUR PROMISE

In 1957, I participated in the International Congress of Neurological Sciences in Brussels. I sent to Professor La Pira the Mayor of Florence my manuscript on Pathology of Hearing, and told him of my pending visit. A few weeks ago I delivered a talk in Palazzo di Veccio, the monumental building from the time of the Medici. Politicians were to hear what I had in mind.

. . . Signori, I am indeed very glad to be in the town of the great Dante and in the very heart of Renaissance! But I have to confess, that I am very much disappointed. I thought Florence a quiet city.

Nights only serenading guitars, with their murmurs disturbing the tranquillity. I found Florence the most noisy city of all I have visited. The roar of Vespa's motorcycles is unbearable. The population suffers. There is no comfort either with ear plugs or with sleeping pills. Is Palazzo di Veccio indeed so powerless? Its head is raised in the clouds, it seems to be hard of hearing to the suffering of the population. Signori, are you aware what is happening down across the Arno river?

Signori, you have solicited the people for a vote of confidence. You have promised the people to take care of their comfort, well-being and quiet life. "This is correct", retorted el capo del Comune. "It seems to me, signori, that you did not honor your promise. You have given too much freedom to Vespas and thus deprived the population of *quietness, rest and comfort,* the most important prerequisites for the people's health.

Yesterday I made a trip to the beautiful Fiosole, and I had witnessed thousands of motorists, riding their Vespas—the signorinas embracing their sweethearts, in holiday dress—butterflies like—speeding and infesting the fresh air, terrorizing the population seeking rest! "You are right, doctor. But, would you kindly tell us what you would do in our situation?" "I would tax the Vespas so high, that none would dare approach the limits of the city." This my receipt of "statesmanship" provoked indulgent smiles.

"The worst of all, signoris, is that the evil caused by Vespas is not to be remedied by money. All this Vespa-generation after a few years is going to be apathetic to the most precious possession of the Italian people: song and music! This motor riding youth is going to damage its organ of hearing beyond the stage of repair. Songs and music for them will not be a source of emotional joy and contentment. With a levity they are giving away the great and lofty heritage of their ancestry. The youth is not to be blamed for doing so! Somebody else is to be reproached."

"This aspect of the problem never occurred to us," amended el capo. "Never was our attention directed to it. We are thankful to you doctor, for having done so."

I was told a conference of civic organizations and specialists was going to deal with the problem of noise. I wished them success and flew home. In November 1958, I received a letter from the Mayor of Florence. I was informed that after my talk the city had many meetings with debates pro and con. Finally a decision and law was promoted. A copy of the "Ordina" was enclosed. It forbids traffic of motor vehicles from 11 P.M. till 6 A.M. in many districts. Police are to watch for strict compliance which assures the quietness of the city.

I. P. Pavlov, the prominent Russian scientist at the beginning of this century stated: *"The silence cures"*! These words should be the battlecry of the popular movement driving toward the remedy for health! *Switzerland is privileged to be the first in this effort,* having suppressed the honking. The French Public Health Authorities have proclaimed noise as "public enemy No. 1".

Under the guidance of the Writer's Union a popular movement against noise is in the making in U.S.S.R., Austria and Germany. These nations are unifying the efforts of physician and technicians in the effort to combat noise, which is found to be responsible for the lowering of work capacity, damaging the heart, the senses and nerves.

Germany, Britain, Japan, all industrial countries are faced with this nefarious problem. The efforts for the most part are directed to camouflage the noise, not eliminate it! The United States, the most technically advanced and consequently the most plagued country possesses an unfortunate experience—the unavoidable destiny of all pioneers. This knowledge could be of great help to the 'under-developed' countries and to humanity. When the knowledge to build advanced machines would be accompanied with the protection of man—this will be achieved! Unfortunately the *wisdom* from the experience is lingering behind.

"IT IS WISE TO BE WISE IN TIME"

The ear, a most precious organ of man, is in danger! The hearing has always been of concern to man. Montaigne, the French philosopher, centuries ago, invokes a dramatic picture of his conviction. *"The fruitful and natural exercise of our mind, in my opinion, is conversation and that is the reason why if I were, in this moment, forced to choose, I would rather consent, I believe, to lose my sight than my hearing or speech."*

The spoken word, the melody of joy and sorrow, the lofty emotions which mold man to human are perceived and conveyed by the ear. Nature has endowed man with an organ that conveys a tremendous source of emotional and spiritual richness. Obsessed by a frenzy, man destroys his natural gifts by driving somewhere, without knowing where, and what for.

In this his 'progress', he is *promoting the progressive deafness of man,* a payment for being "civilized".

Supersonics are here, and more so than ever before, even though they are not sensed. High speed cutting tools, combustion engines, power transmissions, and electronic equipment of many sorts give frequency components that can undoubtedly damage humans. It is valuable, and timely, to have these dangers brought to our attention, for it is wise to be wise in time. (D. McFarlan, M.D.)

With this warning let's approach this human problem of our time! Wisdom evolves from experience. It is time to evaluate our experience and put it to the proper benefit of man!

HOW RED CHINA SPIES ON UNITED STATES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. ASHBROOK] is recognized for 15 minutes.

Mr. ASHBROOK. Mr. Speaker, if honest, hard-working, loyal American citizens in certain professions and industrial establishments were to receive friendly invitations by mail from the Red Chinese Government to assist the Reds in perfecting their newly acquired atomic weapons and to aid in expanding their present war machine, their reaction would no doubt be one of surprise and revulsion. And a quick flashback to the Red Chinese record since 1949—the unbelievable slaughter of the Chinese people on the mainland, aiding and abetting the North Koreans in killing thousands of American soldiers during the Korean war, and the inhuman treatment of the Tibetan people in the late 1950's, along with the furnishing of armaments to the Vietcong to kill American boys in Vietnam today—these considerations would make such a reaction perfectly normal and justifiable.

Yet it is undeniable that the Red Chinese Government is tremendously interested in certain citizens and organizations of this Nation to help them build implements of war for use in their quest for world domination.

In the following article, "How Red China Spies on United States," by J. Edgar Hoover, Director of the Federal Bureau of Investigation, the Red program is outlined. As pointed out by Mr. Hoover, the assistance sought by the Chinese pertains not to highly classified secret technical information but to public information obtainable by any American citizen:

> This activity—the systematic collection of vital information, much of it available free or at moderate cost to any interested person in the United States—is one of the most intensive phases of the espionage offensive which Red China has launched against the United States.

One interesting aspect of this espionage offensive concerns the invaluable aid rendered by diplomatic missions in the gathering of such information.

The Soviet Union, which has diplomatic relations with the United States assembles desired public information through its embassy, its U.N. delegation, by reconnaissance trips, attendance at conventions and exhibits, subscriptions and libraries, and through correspondence with U.S. industrial organizations. Red China which has no U.N. delegation nor diplomatic recognition with the United States must rely entirely on the methods described by Mr. Hoover. This is one of many arguments why Red China should neither be admitted to the United Nations nor receive diplomatic recognition from the United States.

Because of the importance of this material, I place the article, "How Red China Spies on United States," which appeared in Nation's Business for June 1966, in the RECORD at this point:

HOW RED CHINA SPIES ON UNITED STATES

(By J. Edgar Hoover, Director, Federal Bureau of Investigation)

A publications firm in Washington, D.C., receives a letter bearing the return address of an individual in W-8, Berlin, Germany. Nothing in the letter indicates that it had been sent from communist-controlled East Berlin. In fact, the writer vaguely implies that he resides in the free sector of that city.

"As I live in Berlin and wish to get the newest technical papers of the American Rocket Society," the letter stated, "I sincerely hope that you would help and send them to me regularly. . . . I shall pay for this, and I believe you will offer me a suitable price."

The author of this letter was a Chinese communist intelligence agent. Under a fictitious name, he had been writing to business and industrial establishments, colleges and universities, publishing houses and technical societies in various parts of the United States, requesting maps, blueprints, scientific journals and other printed material of strategic interest and importance to the Red Chinese. Over a period of months, thousands of dollars worth of data vitally important to Red China was sent him—innocently and in good faith—by Americans in care of a post office box in the communist sector of Berlin.

In another European city, the suspicions of alert authorities were aroused by the heavy volume of printed matter—most of it from the United States—which kept arriving at the General Delivery window of a local post office. Substantially all of it was addressed to a man with an Anglo-sounding name.

A discrete surveillance was established at the General Delivery window involved. It disclosed that the Anglo-sounding name was an alias being used by an Oriental—a consular employee of the Red Chinese who was engaged in clandestinely gathering valuable information regarding current political, industrial, economic and military developments in Western Europe and the Americas.

An American engineering magazine which publishes research papers and technical studies received a subscription request and a check from an address in Canada. It was accompanied by a note asking that future issues of the magazine be sent to a bookstore—one well known among intelligence agencies of the Western world as a nerve center of communist propaganda and intrigue—in Peking, China.

DESTINATION—RED INTELLIGENCE

A steady flow of other orders for American publications—all destined for Chinese communist intelligence sources—has been received from legitimate-sounding companies in Hong Kong and other business and industrial centers of the world.

Since 1949, when communist forces overran the Chinese mainland, Red China has poured tens of thousands of dollars into the American economy through purchases of nonclassified publications of myriad types and descriptions. During a recent 12-month period, one United States publishing house alone shipped $4,556 worth of technical books to a firm in Peking. To procure an American engineering index, the Chinese communists eagerly paid more than $2,600; and a group of government research documents cost them $464.

Many other purchases of American publications, ranging from a few dollars into the thousands, have been traced to the Red Chinese.

This activity—the systematic collection of vital information, much of it available free or at moderate cost to any interested person in the United States—is one of the most intensive phases of the espionage offensive which Red China has launched against the United States. It is an offensive which has aroused increasing concern among federal intelligence agencies and others who recognize the danger of attempting to do business with so vehement an anti-American power as the government of Mao Tse-tung.

SPY INFLUX FROM CUBA

Particularly foreboding from an intelligence standpoint is the growing influx of Chinese communists into the Western Hemisphere. In 1960, the year after he seized power, Fidel Castro gave Red China its first—and at this point its only—embassy in Latin America.

From the sanctuary afforded them by this Cuban diplomatic post, the Chinese have launched an intensive campaign of treachery and subversion throughout other parts of the Americas.

This campaign has been greatly aided by trained agents and provocateurs who have ranged across Latin America as members of Red Chinese trade, technological and cultural missions.

It is served also by employees of the New China News Agency, an official organ of the Peking government which has Latin American offices in close proximity to the United States.

Nor is the FBI unmindful of the potential danger of Chinese communist penetration of our own country through illegal border crossings, as well as by recruitment among persons who have strong ties to the Orient.

Foremost among the targets of the latter program have been students and scientists with living relatives behind the Bamboo Curtain.

As the largest and most militant power in the world today, Red China poses enormous problems—problems which inevitably will grow with each technological advancement that falls into her leaders' hands. The Maoists have repeatedly announced their goal of world communism, which must be won by militarily crushing the United States. They are determined that the American people shall contribute to their own downfall by helping to provide the knowledge and the tools for free world conquest.

SOME COMPANIES DON'T FALL FOR IT

But not all American companies are being taken in.

In explaining his refusal to honor a subscription for his magazine from an address in Peking, an official of one American technical journal stated:

"I am reluctant to send our magazine to Red China because it contains information which might be militarily useful in the future.

"It is obvious that Red China is also sending requests to all colleges to obtain their technical magazines. If this is the case, we are allowing the results of thousands of hours of research to reach our enemies. To me, this is an alarming state of affairs. . . . It is a practice which should be terminated, and I would like your assurance that something definite will be done about it."

No such assurances can be given, because America is a democracy—firm in its conviction that state censorship and arbitrary secrecy pose a far greater threat to freedom than does the danger that information regarding our continuous technical and scientific progress will aid the nation's enemies.

Quite properly, countless pages of precise information concerning nuclear and space developments, military plans and expenditures, research projects and scientific undertakings, as well as other subjects which rarely see the light of day in a communist society, are published each month in American periodicals. Where communism requires ignorance and darkness, freedom prospers on truth and light.

No one is more fully aware of the opportunities for exploitation provided by our free and open society than communist-bloc intelligence agents—particularly those assigned to diplomatic establishments in Washington and New York. These communist officials subscribe to a wide variety of American newspapers and magazines. They avidly read military, scientific and industrial publications. They travel widely, taking pictures and gathering maps, charts and other printed matter; and they are among the most interested observers at special meetings and exhibitions of American technological societies.

WHAT COMMUNISTS GET FOR FREE

A former communist spy has stated that the Soviet military attaché's office in this country is able to acquire openly and without subterfuge 95 percent of the material it needs to meet its intelligence objectives. This defector commented, in fact, that in most other countries Soviet-bloc agents would spend 90 percent of their time in clandestine efforts to obtain special types of information readily found in American publications.

The Red Chinese, however, do not have the advantage of diplomatic representation in the United States. They have neither an embassy in Washington nor a United Nations mission in New York to provide "cover" and immunity for intelligence agents. Thus, their espionage offensive against this country has been mounted from command posts beyond our borders.

Two of these command posts—both specializing in the collection of nonclassified data from the United States—are Guozi Shudian (International Bookstore) and Waiwen Shudian (Foreign Language Bookstore). Both are headquartered in Peking, where they generally do "business" (distributing Marxist propaganda and gathering intelligence material) through Post Office Box 88. They also have subsidiaries in several other Chinese cities, including Shanghai, Canton, Tientsin and Sian, as well as in Hong Kong and East Berlin.

The technical understanding and knowhow they have gleaned from American publications have saved Red China and other Marxist nations incalculable time and resources in their race to overcome the camp of freedom. These savings have enabled them to narrow the gap between our two worlds—with minimum expenditure of often-scarce communist talent, communist material and communist funds. While humanitarian considerations may prompt us to share with the world certain products of American research and ingenuity, there is other data—nonclassified in the United States, but nonetheless of strategically important value to the enemies of freedom—which can be flaunted before the communists only at great risk. This fact has been recognized by many alert American businesses and institutions, such as the motion picture studio which several months ago turned down an order from a company in Hong Kong for films relating to American rockets, missiles, air power and other key weapons of our national defense.

A WARNING BELL

Requests from sources abroad involving matters of potential military significance should ring a clear warning bell in the recipient's mind. As exemplified by the motion picture company mentioned above, three important considerations should be weighed by the person in authority where the questionable order is received:

What do I know about the source of this order?

Would I be harming my country if I placed this information in communist hands?

Should this order be brought to the attention of official agencies, particularly the special unit of the Department of Commerce which has been designated to handle such matters.

To halt the flow of vital data from this country to the communist enemy requires that many hands be placed in the dike—the hands of business and industrial executives, scientists and technicians, publishers and educators, as well as government officials. Alertness, caution and good judgment are essential if we are to thwart the intense espionage offensive of the communists—particularly the quest for nonclassified data by Red China—against the United States.

Mao Tse-tung has hurled the epithet "paper tiger" at the Western world. Let us Americans show our determination to protect the most vital pages if in communist eyes a "paper tiger" we be.

JOBS FOR THE POOR

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Minnesota [Mr. QUIE] is recognized for 30 minutes.

Mr. QUIE. Mr. Speaker, last evening I was reading an article in the Washington Evening Star by Betty James entitled "District Eyes Plan That Provided 1,500 Jobs for the Poor." Above that it says, "A Philadelphia Success."

I spend a lot of time criticizing poverty programs, and when I run across one that is working well, I like to bring it to the attention of my colleagues as well.

I hope you all noticed the newspaper account of operation of this program and some of the significant things that were stated in the article. On the chance that it might be lost by the newspaper being laid aside, I want to talk on it today so we can keep a record of it in the CONGRESSIONAL RECORD.

The article talks of a Rev. Leon H. Sullivan, whom I have noted before. He is working in Philadelphia on a pioneer job program which has transformed the lives of poor Negro men and women in Philadelphia, as it says in the article.

It says in the article, about Mr. Sullivan:

> In two short years, he has created a training program operating from eight branches that has placed more than 1500 persons in jobs in sheet metal work, electronics assembly, teletype, brick masonry, electricity, plumbing and heating, refrigeration and air conditioning and power sewing, among others. There are 1700 in training and 6000 on the waiting list.
>
> Students are either unemployed or have been scratching out a living as unskilled workers. A third are on public assistance.

These are the kinds of people he is helping. The article further reads—

> Contrary to the traditional pattern in training programs, the center doesn't pay students while they learn, although some attend for as long as a year.

I think this is extremely significant, that their program is so important and so well recognized by the poor in this minority group that they attend sometimes as long as a year without being paid to learn.

The question is, how has he done it? It says in this article:

> He has thoroughly involved leaders of business and industry. Some of the top businessmen in Philadelphia are on his advisory committee.

It says later on in the article that they were not very happy with him at first, but this shows the way he has worked with the leaders and business leaders in the community.

The article continues:

> Businessmen also act as advisers in each training area, so students are prepared for jobs that exist, and their training is realistic, based on advice from companies where they will be employed.

The second point is:

> He has thoroughly involved the Negro community in the creation and support of the effort. The program is theirs.

Let me repeat that: "The program is theirs." This to me is one of the most significant statements in this entire article, that "the program is theirs."

> The classes and boards are integrated, but the ideas and the early financial backing came from Negroes. Negro ministers gave the program its impetus. By passing the hat among middle class and poor Negroes, $100,000 was raised. Although the OEO gave the center a grant of $1.7 million last year, a fund campaign for $250,000 is in progress now.
>
> Mr. Sullivan says he won't take money from the government "unless we can raise money from our own."

Here I quote from Thatcher Longstreth, Executive Vice President, Greater Philadelphia Chamber of Commerce. He says that the most important thing about the program is that "it came out of the Negro community."

There it is. As we go on in the article, he talks of the concepts, and let me cite a few:

> OIC—

Which is the Opportunities Industrialization Center, as they call themselves—

> is an exciting, historic thing because it was generated within the people themselves. If this can be produced in other places, we're starting to lick our Negro problem.

I might myself say that we can then lick the problem of poverty, whether it involves Negroes, Mexican Americans, Puerto Ricans, or whites.

Later on the article says that there is no paternalism.

> This might be the program that will bring us together without paternalism, because no one can run the program but the people themselves.

This is what the Reverend Leon Sullivan says:

> Just as important as a job is the attitude that the center fosters. The motto of the center is "We Help Ourselves." The symbol is a skeleton key "that opens any door."

The program, it says, is based on need.

Why is the program a success? Because it is based on the need of the people who want help and of the business community that needs workers, and they have a formula that says, "You should succeed."

Mr. Sullivan knows all manpower programs do not succeed. He believes they fail because they are handed down from the top—"The people never identify with the mechanism of the program. OIC came from the people."

Let me repeat: Mr. Sullivan says that all manpower programs do not succeed, and he believes they have failed because they are, as he stated, "handed from the top down. The people never identify with the mechanism of the program. OIC came from the people."

This to me is a tremendously significant article, because before long we shall have the so-called war on poverty bill before us, in which the Federal Government has expended more than $2½ billion already and will be asking for an authorization for another $1,750 million for the so-called war on poverty.

In too many instances this has failed to reach the poor people themselves. It has failed because the people have not identified with the mechanism of the program.

Out in the Watts area, where I was privileged to talk with many people, they have not identified themselves sufficiently. They need a Reverend Sullivan. One of the big reasons why there is frustration in city after city in this country is that the people have not identified themselves, because they have not been involved.

The gentleman from New York [Mr. Goodell] and I have been working for an amendment to this program. In fact, there are many amendments which we have put in our bill, the Opportunity Crusade Act, to correct a great deal which we have criticized, but on this one part we have offered an amendment. It failed in the committee, and again this year. It would make certain that the poor are involved in the community action programs.

The community action agencies work right in the community with the people themselves, supposedly, but when the poor have been denied a voice or an effective voice then they do not feel that it is their program.

As we can see, in the OIC, the Opportunities Industrialization Center in Philadelphia, the program is theirs. But we cannot say that of the programs in city after city of this country. We cannot say that the programs belong to the poor people.

The Federal Government in making fantastic expenditures of money in the so-called war on poverty, which has done much less good than most people expected it should do. The only way we can use the money effectively is to have the poor people themselves directly involved.

There was a requirement in the original act that there would be maximum feasible participation on the part of the poor on community action boards. This has not been the case in too many communities.

What I have tried to do in the amendments I have offered is to require at *least one-third of the people in the Community Action Agency, on the board, to be representatives of the poor, selected by the poor*—not just from ADC, or some Negro which the power structure appoints in order to fulfill this requirement, but that they be truly representatives of the poor, to be selected by them, by neighborhood meetings or election in areas of concentrations of poverty, like census tracts in the city.

It is interesting that in Philadelphia, a city where they attempted an areawide election—even though a small percentage of the people participated, we see a program where the people themselves feel that the program is theirs. The poor people themselves run it. This proves to me that the poor people can run programs and can devise programs and can develop policy for programs.

When the bill comes before us, I hope that my colleagues will listen again to what I and some other Members will be offering as the reasons why the poor must be invloved if we are going to have any success in the antipoverty program. The program must be "theirs" in any community of the country if it is going to work.

Mr. Speaker, I ask unanimous consent that the entire article may be placed at this point in the Record in order that we may be able to read it all in context.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The article is as follows:

A Philadelphia Success: District Eyes Plan That Provided 1,500 Jobs for Poor

(By Betty James)

"Nobody believes it, ma'am."

The Rev. Leon H. Sullivan was talking about the way his pioneer job program has transformed the lives of poor Negro men and women in Philadelphia.

What Mr. Sullivan really means is that nobody believes it—at first.

But word has gotten around. Poverty fighters who have flocked to Philadelphia to see the Opportunities Industrialization Center for themselves have gone back home to launch efforts in their own communities.

More than 40 are in various stages of development, including the Washington Institute for Employment Training, ready to go if the $1.1 million grant it seeks from the Office of Economic Opportunity comes through. The organization will be renamed OIC in Washington.

And a grant of $336,930 to be funded jointly by the OEO and the Labor Department has cleared OEO and is being reviewed by Labor. OEO is the federal antipoverty agency.

The grant would provide a staff for Mr. Sullivan's group to help others throughout the country launch similar programs.

What has Mr. Sullivan done?

In two short years, he has created a training program operating from eight branches that has placed more than 1,500 persons in jobs in sheet metal work, electronics assembly, teletype, brick masonry, electricity, plumbing and heating, refrigeration and air conditioning and power sewing, among others. There are 1,700 in training and 6,000 on the waiting list.

Students are either unemployed or have been scratching out a living as unskilled workers. A third are on public assistance. The age range is 18 to 60.

Classes are free and conducted day and night. Contrary to the traditional pattern in training programs, the center doesn't pay students while they learn, although some attend for as long as a year.

Mr. Sullivan believes this eliminates anyone who's simply looking for a handout. However, he feels stipends are justified in cities like Washington that don't give public assistance to the able-bodied who are out of work.

Nobody is turned away. "We screen everybody in—whosoever will, let him come," Mr. Sullivan says.

Prison records and even arrest records that generally are high hurdles for poor people looking for jobs are no problem in placing OIC trainees, Mr. Sullivan said, although no bonding is offered to cover backsliders.

"Employers assume OIC makes new people," he declared.

How has he done it?

1. He has thoroughly involved leaders of business and industry. Some of the top businessmen in Philadelphia are on his advisory committee. A few weeks ago, Univac gave the center a computer valued at $339,400. It will store records of all the programs patterned after OIC and also will be used to train students in computer maintenance and programming.

Businessmen also act as advisers in each training area, so students are prepared for jobs that exist, and their training is realistic, based on advice from companies where they will be employed.

More than 250 firms are hiring OIC trainees. Business and industry also are helping with financial support.

The Greater Philadelphia Chamber of Commerce acted as a fund raiser and by the end of June more than $200,000 will have been contributed by firms which have already donated $200,000 worth of equipment.

2. He has thoroughly involved the Negro community in the creation and support of the effort. The program is theirs. The classes and board are integrated, but the ideas and the early financial backing came from Negroes. Negro ministers gave the program its impetus. By passing the hat among middle class and poor Negroes, $100,000 was raised. Although the OEO gave the center a grant of $1.7 million last year, a fund campaign for $250,000 is in progress now. Mr. Sullivan says he won't take money from the government "unless we can raise money from our own."

SOME HAVE RESISTED

Thacher Longstreth, executive vice president of the Greater Philadelphia Chamber of Commerce, considers this the most important thing about the program. "It came out of the Negro community. It's theirs," Longstreth said. Negro youth have been known to resist training programs developed by white men, he observed. "Their attitude was 'try and train me. To Hell with Whitey,'" Longstreth said.

3. Sullivan has pioneered in what he calls a "feeder program" where everybody in training starts out. Designed as a prevocational operation, it offers remedial reading and arithmetic, courses in grooming and sessions in job attitudes. Aptitudes are uncovered and counseling given.

One of the most important classes at the feeder unit is a course in minority history.

MEN GIVEN ROOTS

"Here we unwash brains," Mr. Sullivan said. "Negroes are taught self-respect. We try to give a man roots. This program is like a man being thirsty who's given a cup of water."

The feeder was developed with a $330,000 grant from the Department of Labor.

4. Mr. Sullivan has provided superb leadership. He has a reputation for absolute integrity in the business community.

When the 6-foot, 5½-inch, 240-pound Mr. Sullivan enters a classroom, exuding warmth and respect for himself and every student there, and tells them, "Every one who stays with the program will get a job," it's impossible not to believe him.

One problem in exporting the OIC concept is that Leon Sullivan can't go along.

"How many Leon Sullivans are there?" Longstreth of the Chamber of Commerce asks. "He is as great as he appears to be.

The facade is simply an accurate reflection of what's inside."

HIT ON TWO CONCEPTS

But the other ingredients are exportable. Many feel Mr. Sullivan has shown genius in hitting on two concepts that very well may dominate the next stage of the drive for equal rights and against poverty—integration can help industry prosper, and Negroes can create and support dynamic programs to help themselves.

Longstreth recalls the way it was when the first training branch opened in a former jail in North Philadelphia, rented from the city for $1 a year and converted into an attractive building by the people with their money and their labor. Five thousand Negroes showed up for the dedication. "It was an emotional moment," he recalled.

"OIC is an exciting, historic thing because it was generated within the people themselves. If this can be produced in other places, we're starting to lick our Negro problem."

A DYNAMIC FORCE

Longstreth agrees with Mr. Sullivan that the business community is the most dynamic force for integration in the country today. Business needs the Negro market, and it's feeling the pinch of the labor supply in service industries and factories, he said.

The 43-year-old Mr. Sullivan and business weren't always on good terms. The minister, who isn't afraid of a militant civil rights fight, first rallied 400 other ministers to conduct a successful selective patronage campaign—he never called it a boycott against 29 leading firms because of job discrimination.

But he was too resourceful to see a gain like the fair-hiring pledge won from business wither on the vine because it couldn't be exploited.

He had to agree with employers that there was a dearth of trained Negroes. So he created OIC to train them. "Integration without preparation is frustration," Mr. Sullivan believes.

UNLIKED AT FIRST

The business community didn't like Mr. Sullivan very much at first, Longstreth said.

"But when businessmen got to take a good look at it, they knew what he was doing was justified, and they couldn't stay mad," he said. A significant percentage of their sales were to Negroes, but Negroes weren't doing the producing or selling.

Mr. Sullivan is the pastor of Zion Baptist Church in North Philadelphia, a church with almost 4,500 members. He regards the center as an outgrowth of his ministry. He is the unpaid chairman of the board. The Rev. Thomas J. Ritter, executive director, is the paid executive.

Flipping through a thick sheaf of papers, listing placements in his basement office of the big, old church, Mr. Sullivan glanced at name after name, and declared: "These are people that people said couldn't be employed." They are working now for Dupont, General Electric, Philco, Alcoa, RCA, Boeing-Vertol, Budd.

PROGRAM BASED ON NEED

"Why is the program a success? Because it's based on need—the need of people who want help, and of the business community that needs workers. You have a formula that says you should succeed."

But Mr. Sullivan knows that all manpower programs don't succeed. He believes they fail because they are "handed from the top down. The people never identify with the mechanism of the program. OIC came from the people."

He sees the OIC concept as a "great partnership of industry, philanthropy and government with the people."

Among counterparts OIC has simulated is one begun in Watts, the riot-torn area of Los Angeles.

"Even in the South, white businessmen and militant Negroes are clamoring for it," Mr. Sullivan said. "It's the one place where they can get together." Here is common ground for a common cause—a thriving economy.

NO PATERNALISM

"This might be the program that will bring us together without paternalism, because no one can run the program but the people themselves," the minister said.

Queries about the center have come even from the deepest sections of Georgia and Mississippi, including Philadelphia, Miss. Gov. Orval Faubus of Arkansas is one of the concept's staunchest supporters. Little Rock in his state, Birmingham, Ala., and Richmond, Va., are among cities where programs are being developed.

Mr. Sullivan feels as the effort grows nationally it will check migration to big cities, where the influx of untrained workers has aggravated problems. Some will stay at home and some even will be drawn back home, he believes. "That can be one of the most important contributions to the country," he declared.

Mr. Sullivan grew up as a poor boy in Charleston, W.Va., where many youths he knew left, but would have preferred to stay if they could have seen a future there. He left Charleston with encouragement of Rep. Adam Clayton Powell. Sullivan, then a young minister, asked Powell to preach in his church when Powell visited Charleston more than 20 years ago. Powell told Sullivan he'd help him find a job if he came to New York and kept his promise. Sullivan later was assistant pastor of Powell's Abyssinian Church in Harlem, and helped with the controversial New York Democrat's first campaign for Congress.

A JOB WITH DIGNITY

"I admire Dr. Powell," Sullivan said. "No matter what anybody else says about him, he helped me. He gave me a job, and while I worked with him I learned the importance of a colored man having a job that would give him dignity. As far as OIC goes, I haven't even talked to him about it. I like to do things on my own. But I know that we agree on the importance of jobs."

But just as important as a job is the attitude the center fosters. The motto of the center is "We Help Ourselves." The symbol is a skeleton key "that opens any door."

Actual working conditions are set up as much as possible in the training branches. A department store and a supermarket where salesmanship is taught have been simulated in a branch in West Philadelphia, two of many programs in a six-story building provided rent-free by a businessman.

In the branch in Germantown devoted to the construction trades, brick masonry is taught in a basement classroom where the first floor of a house actually is built by trainees. The teacher, Lee Friend, was formerly with the public schools. The counselor, Gordon Fooks drops down every day "to mosey around" and develop an easy, informal relationship he never could build across a desk.

INEXACT GAUGES

One student was a youth judged retarded by the Philadelphia schools. But Richard A. Eastburn, branch manager at Germantown, points out how inexact gauges for measuring retardation still are. So the youth is being given an opportunity to learn the job he wants, and Eastburn, Friend and Fooks think there's a good chance he'll make it.

Next door, in a class in plumbing, an experienced workman who's aiming for shop foreman when his boss retires was equipping himself for that job by learning pipe fitting.

Behind the competent staff of 376 who are teaching, counseling and finding jobs for students is the spirit that is the key to the program's success.

Mr. Sullivan concedes that it is almost a religious spirit, and the uniformly attractive, alert staff communicates the dedication of a movement.

It is typified by a gesture of Mr. Sullivan. He didn't remove the bars on one of the cells when he transformed the old jail.

"I left the bars there to prove what could be done with a jail house," he said.

"Just as you can do it with a jail, you can do it with a man."

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York [Mr. Goodell].

Mr. GOODELL. Mr. Speaker, no one in this House is more qualified to make the statement that the gentleman from Minnesota has just made with reference to the involvement of the poor. For the record, I would like to state here that when the original poverty legislation was presented to us in 1964 the words "maximum feasible participation of the poor" were questioned in our committee. The gentleman in the well [Mr. Quie] specifically urged that we be more definitive as to the meaning of this so that there would be true representation of the poor by people whom the poor themselves selected. This was turned down. Then last summer in the debate on the poverty legislation the gentleman from Minnesota [Mr. Quie] offered an amendment which would have required at least one-third of the members of the Community Action Board be selected by the poor and be representative of the poor. This year again the gentleman from Minnesota [Mr. Quie] in committee offered the same amendment. In each instance it was turned down by the majority.

Mr. Speaker, I have not had the opportunity of visiting Philadelphia, so I do not know the details nor can I corroborate the article that has been described here. However, from the description of what is going on in this particular phase of the poverty program in Philadelphia, it would appear they have understood the exciting principle of true involvement of those who are to be served. I hope that this understanding will spread throughout the land and throughout the poverty program. Unfortunately, it would appear that perhaps the administration is moving away from this principle today rather than trying to expand it further.

Mr. QUIE. Mr. Speaker, I want to commend the gentleman from New York [Mr. Goodell] for the work he has done on the Committee on Education and Labor on our poverty legislation and the work he did in helping to develop the Opportunity Crusade Act.

Both of us would say that we have been distressed that a good concept, a concept of reaching the poor who are in poverty, has not met with success. We would have liked to have seen the words of alarm we raised in this body when the bill was first enacted proven to be untrue, but that has not been the case.

Not only have the words of alarm been proven to be true, but it is worse than we expected. So what we have done is to take the Economic Opportunity Act and proposed changes in it to correct all the inadequacies that we see, with the exception, of course, that we cannot do much about the personnel who operate the program.

Our feelings are the feelings expressed to us by individuals. But, we propose to make changes which are embodied in our Opportunity Crusade Act so the Federal antipoverty activities will be more effective.

Mr. Speaker, in the minority views which will be available soon from the printers will be what was about 100 legal-sized pages of our criticism of the present program and our recommendations for change. Those criticisms are well documented. We have studied them before bringing them to your attention on the floor before. We have given an opportunity to the Office of Economic Opportunity to object and point out wherein we were wrong.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. QUIE. Not yet; I shall yield to the gentleman a little later.

Mr. Speaker, in an instance in Charleston, W. Va., I laid out in the record, giving an opportunity for OEO to come back the next day in our committee, the facts, and they challenged some of the things I said. I went back and checked over their figures and found them to be wrong, rather than myself.

Now, Mr. Speaker, today at a minority leadership press conference charges were made by our minority leader, the gentleman from Michigan [Mr. Gerald R. Ford], and the minority leader of the other body, Senator Dirksen at which the gentleman from New York [Mr. Goodell] and I were both present. Since that time we have checked to see what the reaction has been of other people and we were surprised and disappointed at the strident and unworthy political attack made by Sargent Shriver upon a great and distinguished American, Senator Dirksen, in connection with the Senator's poverty comments this morning.

Mr. Shriver answers all specific allegations with general accusations. He refers to the "big lie technique" with reference to the revelation of poverty scandals and abuses throughout the country.

Mr. Speaker, in no case has Mr. Shriver or any other administration official controverted a single major allegation or fact presented by the Republican poverty investigators. Our charges are specific, factual, detailed and confirmed.

Mr. Speaker, we challenge him to contradict them. We challenge him to support a true opportunity crusade that would revamp the scandal-ridden program, while involving the poor and the States and private enterprise to accomplish the urgent objective of eliminating poverty.

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York.

Mr. GOODELL. Mr. Speaker, I join wholeheartedly in the gentleman's statement with reference to the strident Mr. Shriver. I was surprised and deeply disappointed at his reaction.

Mr. Speaker, I would join in the gentleman's challenge that he come forward and controvert factually, not with general statements and accusations. He has chosen to say that the minority report is "nothing other than a patchwork of old newspaper clippings, well worn rumors and alleged scandals, the vast majority of which have been proven wrong over and over again, and where there is substance the situation has long since been corrected."

Mr. Speaker, unfortunately, he gives no specific answer when a specific revelation has been made and when we have sent them to Mr. Shriver, asking, before we made any comments at all, for him to refute or to complete the picture as far as the facts are concerned. Time after time we have been given either a routine acknowledgment or no acknowledgment at all. In many, many instances that has occurred.

Mr. Speaker, in no instance—I repeat—in no instance has Mr. Shriver controverted a major fact or allegation that was made in our poverty memos or in any of our other revelations.

Mr. Speaker, I hope that Mr. Shriver will in the future, not deal in generalities, as he has here in talking about the "big lie techniques" and attacking the motivations of a great American and a great leader.

Mr. Speaker, I feel this is unworthy of Mr. Shriver. He should deal with these things that are so critical to the people of America and the poor themselves in a factual way.

Mr. Speaker, I commend the gentleman from Minnesota for the statement he has made.

Mr. QUIE. I thank the gentleman from New York for his contribution.

Mr. Speaker, I hope we can expect Sargent Shriver to come back with some of the answers to the facts which we have presented, and I welcome this from him and hope he will do so.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, we on this side are always ready to receive any constructive criticism of any of our programs. There is no question that the war on poverty is as difficult a fight here in America as is the war against the Communists in Vietnam, because we are dealing with problems that go back generations, the solution to which becomes most difficult to achieve.

Mr. Speaker, I despair when I see my fine colleague, the gentleman from Minnesota [Mr. Quie], and my colleague, the gentleman from New York [Mr. Goodell], both of whom know that I have the highest regard and the highest respect for their ability, become engrossed in what I often suspect are politically motivated charges. If indeed your task force has found shortcomings in the program, I believe that you have a right and an obligation and a responsibility to show us where the shortcomings are and then work together with us to correct these shortcomings.

The thing that disturbs me is that during the past year ever since we conceived this program, we have had sharpshooting from both you fine gentlemen on this program in areas that often were not justified. If you will permit me, I strongly dissent against your criticism of the Chicago program. You have been to Chicago and the gentleman from New York [Mr. Goodell] has been to Chicago. You have had your investigators in Chicago. The OEO has had their investigators in Chicago. Chicago has been investigated backward and forward and upside down and from top to bottom. The final conclusion from all of these investigations is that today Chicago has the best program in the whole country.

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. GOODELL. I do not think we ought to permit the discussion to get down to a single city exclusively, but I will answer the gentleman.

Mr. PUCINSKI. Why not?

Mr. GOODELL. Let me answer the gentleman as I answered him before.

In the first place, we have made many requests for meaningful and significant hearings and probes in depth. We have been unable to get them. We have recommended that investigators go to the various areas to check out the charges that have been made, where we have had some confirmation of those charges, to see if we can correct them.

Mr. PUCINSKI. You were in Chicago.

Mr. GOODELL. Every one of our amendments in the committee was turned down. We suggested that 67 witnesses be heard at these hearings and not a single one was called. The answer that was given to the press when they asked why were not any of the witnesses suggested by the Republicans called was, by the gentleman from New York [Mr. Powell], your chairman—"Because I am chairman."

We have not been able to get a probe or a real investigation or any kind of an approach to this from the Democratic side to bring these facts out.

Mr. PUCINSKI. The record will not bear out that statement. Your people were in Chicago for 10 days. Your people had access to all the files and all the records. And you know it.

Mr. GOODELL. If the gentleman will yield further, I would like to answer that one allegation about Chicago. Investigators were there for 10 days. We found absolutely no involvement of the poor at the policymaking level. That is a flat statement and it is absolutely true.

Mr. PUCINSKI. When you get through, let me answer.

Mr. GOODELL. There was no involvement in permitting selection of representatives by the poor themselves.

Secondly, we found that 28 percent of the youngsters who participated in Headstart were not poor youngsters. We found that in the case of 20 percent, further, administrators did not even know the family income.

On the Headstart program we found that about one-fifth, 1,700 out of 7,200 youngsters in the Neighborhood Youth Corps designed for poor kids who maybe are going to drop out of school or have dropped out of school—1,700 out of 7,200 were not poor. We documented that. We documented cases where NYC families went as high as $11,000 in income for a family of four. We documented that and I put it in the record and gave the names to the investigators and to the committee—the names of specific individuals with these high incomes in the Neighborhood Youth Corps as samples of what was going on in Chicago. This has never been controverted. It has never in any way been contradicted by Mr. Shriver or any of your investigators or the committee. These are the facts. The facts that I have recited come out of the report of the poverty administrators in Chicago themselves. I do not accept the statement by the gentleman from Illinois that all these investigations have revealed that Chicago has the best program in the country—far from it.

Mr. PUCINSKI. I have listened to the gentleman's statement. Would the gentleman from Minnesota yield to me?

Mr. QUIE. I yield to the gentleman.

Mr. PUCINSKI. The gentleman knows in the case of the Neighborhood Youth Corps these 1,700 so-called youngsters who come outside the guidelines were youngsters who needed help. Yes; I will give you an example. There was one young lady in the neighborhood Youth Corps whose mother unfortunately and tragically was a chronic alcoholic. This young lady was living with a stepfather who tragically had been molesting this girl. We are trying to get her out of that environment. Yes; the father is making $6,500 a year. But how is that $6,500 a year going to help that little girl when the whole family fortune is being wasted on whiskey and alcohol. That girl is poorer than a lot of kids who are on relief.

Of course, this is typical of the whole attitude you express toward this program. You people have shut your eyes to the realities of the situation. You have tried to play with statistics but your statistics are not correct. You are talking about Headstart. Now do you want to have every poor kid in this country walk with a big tattoo on his forehead—"This child is a victim of poverty"?

You know darn well that the rules provide that in a community where there is a predominance of poverty and you have a Headstart program, children who are attending that school but are not in poverty may attend the Headstart program merely so that there is some diffusion. Yet you would like to stigmatize every one of those children. Those children are the victims of poverty; ergo, they are the ones who will be served under this program. Your whole attitude has been unjustified.

Mr. QUIE. Mr. Speaker, it is one thing, as the OEO rules provide, to allow 15 percent nonpoverty children in a program; but 27 percent is substantially above that and hardly justified.

Mr. PUCINSKI. How did you get those figures?

Mr. QUIE. It is a report out of Chicago that came from their own office that we presented in the committee and it was not refuted.

Mr. PUCINSKI. If you take it school-by-school you will find that it is not 27 percent. You will find that it is within the 15-percent limit.

Mr. QUIE. These were figures that were before the committee. This is what we discovered. OEO rules were set up to provide for poverty children, and all the reasons why the other children should be brought in were considered. If this program is for poverty children, let us have it for poverty children.

Mr. PUCINSKI. You helped to write the bill. You voted for the 15-percent figure.

Mr. QUIE. I did not write the bill, did not vote for it and my amendments were not adopted.

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York.

Mr. GOODELL. The gentleman from Illinois has made a completely unfounded and inaccurate statement. He said that every school that participated in the Headstart program in Chicago was under the 15-percent limitation.

Mr. PUCINSKI. That is correct.

Mr. GOODELL. I have presented and put in the RECORD the report of the Chicago poverty people—your Chicago Community Action Board—on the Headstart program and their figures show that 27½ percent of the youngsters were not poor. They were outside the guidelines. In addition, Chicago's own figures show that one out of five participants in Headstart came from families whose income was not even known.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Do you want the truth or not?

Mr. QUIE. I will yield to the gentleman from Illinois, but let the gentleman from New York first make his point.

Mr. GOODELL. The gentleman said that as far as the poverty program is concerned and Headstart, we have regulations providing for 15 percent. I remind the gentleman that I raised this point last year in the debate. I pointed out that children who were not poor were participating in the Headstart program. Your chairman and mine said that that is wrong; that Headstart is for the poor kids. We had a legislative history written here clearly that Headstart only was for the poor youngsters. The reason for this is not that we think Headstart is not a good concept. The gentleman from Minnesota [Mr. QUIE] and I believe deeply in the concept. It is not that we do not believe Headstart could be helpful to all youngsters. We believe that if you set up a poverty program, it ought to be for the poor. Otherwise you will not concentrate public funds on the poor and those who need them.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I regret to see my colleague from New York leave the Chamber. I hope he will not.

Mr. QUIE. He is still present.

Mr. PUCINSKI. I would like him to answer my question. He and I have gone this route for a year and a half now. I want him to tell me how he is going to handle this situation where you have a school which is in a predominantly poor neighborhood.

The SPEAKER pro tempore. The time of the gentleman from Minnesota has expired.

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota may proceed for 2 additional minutes to answer my question.

The SPEAKER pro tempore. There is another special order.

Without objection, it is so ordered.

There was no objection.

The gentleman is recognized for 2 additional minutes.

Mr. PUCINSKI. Will the gentleman be good enough to tell me now, if you have a school in a predominantly poor neighborhood, a poverty area, and you have a majority of the children in the school in poverty circumstances, and they are eligible for Headstart programs, are you saying here that we should arbitrarily eliminate from that program youngsters in that school who may not quite come within the poverty spectrum, but you know by their very presence in that neighborhood that they come from poor families?

Are you suggesting that we should say these children may go, these children may not go, and we are going to put a great big brand on the kids who are in poverty and say "You go in the Headstart poverty program, but you children do not go"?

How does the gentleman want to handle that?

Mr. QUIE. I yield to the gentleman from New York.

Mr. GOODELL. Mr. Speaker, let me give two answers to that, very specific and very definite.

In a great many areas of this country they have conformed completely to the concept that this is for the poor youngsters, and they have had Headstart classes for the poor alone. In the results we have seen thus far they are equally good with or without a mix of poor and nonpoor.

Both the gentleman from Minnesota [Mr. QUIE] and I are for the Headstart concept, and a more expansive concept. We want a preschool and early school program.

Mr. PUCINSKI. Then join me in my amendment.

Mr. QUIE. I will say to the gentleman that I did join him the other morning.

Mr. GOODELL. If we can get the States and localities to join in this, then they may want to have some programs for the nonpoor. But, as Mr. Shriver testified in our committee, while we have 1,100,000 youngsters from families that are poor reaching 4 years of age every year, I see no justification for spending the taxpayers' money on youngsters who are not poor. The poor youngsters are the high priority ones.

CRITICAL NEED FOR ADDITIONAL FREQUENCY SPECTRUM FOR TWO-WAY RADIO USE HEARD BY SMALL BUSINESS COMMITTEE

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Massachusetts [Mr. CONTE] is recognized for 15 minutes.

Mr. CONTE. Mr. Speaker, it has been my great pleasure to serve on the Select Committee on Small Business of this body during this Congress. For the past several months, the Subcommittee on Regulatory and Enforcement Agencies of this committee has been engaged in a series of hearings exploring the problems confronting our small businessmen with regard to their relationships with the regulatory agencies of the Federal Government.

Chaired by my good friend, the gentleman from Michigan [Mr. DINGELL], the committee has been able to provide a forum here in Washington for both the businessmen and the agencies concerned to discuss their differences and, at the same time, to bring them much closer in their working relationships. I want to commend the gentleman from Michigan for his able organization and chairing of this series of hearings and the long hours of work he has devoted to the interests of the small businessmen of this country.

The committee held hearings on May 24 on a most acute problem facing many enterprising small businessmen. It is this problem and the efforts of the committee to work with the businessmen and the agency since those hearings that I want to discuss with you today.

Many small businessmen have learned that providing quick, personalized and efficient service to their customers is of great value to their ability to compete in the modern business world. In order to provide this service for their customers, these businessmen invested in two-way radio to help them—through means of rapid communications—reduce their own costs of operation and increase their quality of service to the public.

These small businessmen found, not only that two-way radio was an indispensable tool to provide better and more economic service to their customers, but also that it enabled them to increase their business and to better their own position in today's highly competitive economy.

However, there is a problem confronting these industrious citizens in their use of two-way radio. Not since about 1947 has the Federal Communications Commission allocated any frequencies to the users of two-way radio. The result of this inaction has been to greatly increase the number of users on today's available frequencies. This crowded condition often prevents the user from making the best use of his two-way radio.

It is also my understanding that users of two-way radio, other than small businessmen, are having trouble with the crowded conditions caused by lack of sufficient frequency channels. These users include police, ambulances and other public safety and emergency services, as well as industrial users, and the press.

It seems hardly necessary to point out the tragic results that could occur if it were impossible for the police or rescue squads to dispatch assistance immediately to some unfortunate citizen in need of help because of crowded channels and garbled messages which result.

This problem of congested channels for two-way radio users is, then, a problem affecting not only businessmen—large and small—but the entire public. The FCC has been commissioned by Congress to regulate the airwaves, a national resource, in the public interest. Yet little has been done by the FCC to eliminate or even alleviate the land mobile radio problem.

Just a little over a year ago, during a speech before this body commemorating Small Business Week, I noted that the Select Committee on Small Business was working to find out the needs of small businessmen and to meet those needs.

I personally pledged that I would "work for a program for the small businesses of this country which—would—insure they will not be lost to us, but will continue to grow and prosper."

I renew that pledge in bringing to the attention of this Congress and the people the difficulty small businessmen are facing in their efforts to increase their service to their customers—the public—and to strengthen their position in the competitive world—in this instance, by not being able to fully utilize two-way radio in their operations because of crowded frequency conditions.

It is with great pleasure that I note that the President is also vitally interested in the small businessman. Just this month, the President, in a statement made during ceremonies for the swearing in of the new Administrator of the Small Business Administration, had this to say about small businesses in this country:

> Small business is part of the American way of life. A man's desire to become his own boss has always been part of our national dream. If we lose that, we will lose something that is very precious to all of us.

I know that Congress and the officials of all agencies want to join with the President in a united effort to aid the small businessmen. One concrete manifestation of the concern of all of us and our efforts in their behalf will be immediate action dealing with the need for adequate additional frequency spectrum for the users of two-way radios.

In assisting these small businessmen—who have brought this matter to the attention of the committee—and other users of two-way radio, we will not only be aiding a vital segment of our society and economy, but will, in fact, be benefiting the entire public.

Therefore, I have written to the Acting Chairman of the Federal Communications Commission to urge his immediate attention to the development of a program to provide adequate additional frequency spectrum for these users.

I join with my colleagues on this subcommittee of the House Small Business Committee in requesting that such a program be submitted to the committee within the next few weeks.

I plan to scrutinize that program closely and to extend every effort to see that this critical problem is alleviated to enable these enterprising small businessmen to continue as a moving force in a viable domestic economy and to better serve the public.

I urge my colleagues in this distinguished body to support the efforts of your committee and to make your individual interest in this matter made known to the FCC and to the radio users in your home districts and across the country.

ITALIAN REPUBLIC DAY

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. MINISH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MINISH. Mr. Speaker, anyone who observed the chaos and destruction which shrouded Europe following the Second World War will not soon forget that traumatic experience. Across the continent cities, towns, villages, and all the other structures which identify a civilized people lay in ruins or were severely damaged. Among those European states which suffered from the onslaught of the allies and the Nazis was Italy. Such names as Anzio, Casino, and Salerno will long be remembered by the Italian people and the soldiers who fought there.

But, happily the bleakness and doubt which engulfed many people was put aside when the Italian people, on June 2, 1946, elected their first republican form of government. On that occasion the people reaffirmed their confidence in themselves and parliamentary government. As any observer would readily agree, that election was no immediate panacea for the many social, political, and economic ills which beset the new republic. For not only were major rebuilding tasks to be undertaken, but there was the specter of the large Communist Party organization, ready at a moment's notice to subvert the liberties of the country. However, the Italian people shunned the program and politics of the Communists, and through herculean efforts of their own and with economic and financial assistance from American and other governments, the Italian republic began to assume a healthy and more stable posture.

While it is true that Italy faces a long road in its efforts to spread the good life to all its people, it cannot be denied that monumental tasks have been undertaken and accomplished. Both in agriculture and industry Italy has assumed a much brighter outlook. Even in the south, with its chronic labor surplus, gigantic strides have been underway to bring relief to the people. Italy has every right to be proud of its accomplishments in such fields as the arts, science, fashion, and engineering technology.

Italy and America have long enjoyed each other's friendship, and that atmosphere of warmth and mutual respect shows positive signs of increasing. Italian efforts to starting peace talks over the issue of Vietnam and Italy's support for NATO have made our friendship with Italy ever firmer.

America is very proud of the many thousands of citizens Italy has sent to her shores. Therefore on their behalf as well as the entire American people, I proudly extend best wishes and hearty congratulations to the people of Italy on this, their republic's 20th anniversary. May the Italian republic continue and may Italy ever prosper.

MANAGING EDITOR FRANK H. KELLY OF SPRINGFIELD, MASS., DAILY NEWS, FRIEND OF LATE PRESIDENT KENNEDY, RETIRES

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BOLAND. Mr. Speaker, one of the great managing editors of a metropolitan newspaper in this country, Frank H. Kelly, retired yesterday after 48 years of association with the Springfield, Mass., Daily News, published in my home city of Springfield.

A personal friend of our late beloved President John Fitzgerald Kennedy, Frank Kelly was first introduced to the late Adlai Stevenson in 1952 by the then Congressman Kennedy, who was running for the U.S. Senate in Massachusetts. Both Congressman Kennedy and the late Governor Paul A. Dever, of Massachusetts, brought Governor Stevenson of Illinois, then the Democratic nominee for the Presidency, to the managing editor's office of the Daily News to meet Frank Kelly.

Governor Stevenson said of the visit with Frank Kelly:

> Democratic presidential candidates are put on public display every 4 years, but a Democratic editor is so rare that I had to come here to see one.

Mr. Speaker, Frank Kelly joined the Daily News in 1918 when the circulation was 29,778, and he saw it grow in the next 48 years to the 100,000 mark, the largest daily newspaper in Massachusetts outside of Boston. His brilliant newspaper career has been a singularly dedicated one. Frank Kelly was the Daily News' perceptive, responsible and objective managing editor for the past 20 years. His dedication and leadership both to his newspaper and his community will be sorely missed. Members of the Daily News staff presented Mr. Kelly with a plaque Tuesday night at a farewell reception. The plaque citing Mr. Kelly's contribution to his profession read as follows:

> In grateful appreciation to Frank H. Kelly, managing editor, The Springfield Daily News for his 48 years of outstanding service in the newspaper profession.
>
> He will always be remembered by his fellow journalists as a man high in ideals, courageous in his expression of them, and as a friend to his community.
>
> Presented by his staff on the occasion of his retirement, June 1, 1966.

Mr. Speaker, I ask permission to have printed with my remarks at this point in the RECORD a newsstory from the Springfield Daily News of May 24, and an editorial in the Springfield Sunday Republican on May 29, concerning Frank Kelly's retirement:

[From the Springfield (Mass.) Daily News, May 24, 1966]

FRANK H. KELLY RETIRING AS DAILY NEWS EDITOR

Frank H. Kelly, a member of The Daily News editorial staff since 1918 and managing editor since 1946, will retire on June 1. He is 65.

Mr. Kelly joined The Daily News after his graduation from Cathedral High School and touched every rung of the reportorial and editorial ladders until he became managing editor 20 years ago.

His career spanned the terms of 11 mayors and 11 governors, and he knew all of them. Two of his friends in public life, John F. Kennedy and Paul A. Dever, brought Adlai Stevenson to The Daily News to see Mr. Kelly in 1952. Gov. Stevenson, making his first run for the presidency, explained the unusual visit: "Democratic presidential candidates are put on public display every four years, but a Democratic editor is so rare that I had to come here to see one."

Mr. Kelly joined The Daily News only eight years after the death of the newspaper's founder and first editor, Charles J. Bellamy, and five years after The Daily News had been sold to The Republican and moved to its building at Main St. and Harrison Ave.

When Mr. Kelly joined the staff, The Daily News had a circulation of 29,778. While Mr. Kelly was editor, its circulation gains caused it to become one of 11 New England daily newspapers to exceed the 100,000 mark. During Mr. Kelly's editorship, The Daily News became the largest Massachusetts daily newspaper published outside of Boston.

Mr. Kelly was on the staff during The Daily News' more dramatic campaigns, such as the fight against race-track licensing in Hampden County, but, as editor, he was a quieter campaigner. To build public support for more parking facilities downtown, he sent reporters to other cities to write about their successes with that problem. Seeking support for a city charter change, Mr. Kelly sent reporters to study the operation of model-charter cities all over the country and write about them. To engender support for downtown development here, he commissioned feature writers from five American newspapers published in new-downtown cities to report to Daily News readers.

Mr. Kelly also played a vital role in galvanizing Greater Springfield support for the development of a major commercial airport at Bradley Field to serve both Springfield and Hartford.

Mr. Kelly served on several beats—suburban, city general assignment, political, federal and finally police and District Court—before being named assistant news editor in 1939. Later, he was promoted to news editor, city editor, executive editor, and managing editor. He was assigned to the federal commissioner's office and later the police and District Court beats during the entire Prohibition period, and therefore covered some of the most colorful and dramatic crime stories in the city's history.

DECLINES APPOINTMENTS

Although he declined many proferred appointments which he feared would affect the newspaper's editorial independence, he did serve on public committees in time of flood and other disasters, and to assist community enterprises such as the United Fund, USO, Community Council, Junior Achievement, Red Cross, Safety Council of Western Massachusetts, and the Springfield Symphony.

He calls himself a "non-joiner," but he was a charter member of Bishop Beaven Court, Massachusetts Catholic Order of Foresters, which later joined the John J. Leonard Court, and became its chief ranger. He served as deputy high chief ranger in this region, and was founder and long-time editor of the MCOF Bulletin. He is also a past president of the Past Chief Rangers Association of Western Massachusetts.

Mr. Kelly has served as a member, director or officer of many professional organizations including the American Society of Newspaper Editors, the Associated Press Managing Editors Association, the New England Associated Press News Executives Association, and the UPI Editors Association.

He served for 25 years as a trustee of The Springfield Newspapers Pension Fund. He also served as a director and voting trustee of the Republican Co. and as a director of the Republican Publishing Co.

OTHER ACTIVITIES

He is a director of Toy for Joy Fund, Inc., Republican Television, Inc., Bowles Building, Inc., and the Twenty-Five Year Club of The Springfield Newspapers.

Mr. Kelly has been listed for many years in "Who's Who in America," "Who's Who in Commerce and Industry," and "Who's Who in New England."

Mr. Kelly was born in Williamsburg, the son of James J. and the late Mary E. (Diemand) Kelly, and the family moved first to Northampton and later to Springfield. In 1924, he married Esther K. Donoghue and they live at 26 Colfax St.

[From the Springfield (Mass.) Republican, May 29, 1966]

FRANK KELLY'S CAREER

Frank H. Kelly, managing editor of The Daily News since 1946, who will retire on Wednesday after a total of 48 years of service with that paper, is one of the most efficient and highly regarded of all the newspapermen who have served this region in modern times.

Mr. Kelly's career has been a singularly dedicated one. He has exemplified to the fullest degree the basic responsibilities and principles of the newspaper business, which may be summed up as follows: Get the facts about every news item of legitimate interest; print them fully, fairly and without favor; collect and print all factual material in other areas that can be applied usefully to local situations; interpret news matters on the editorial page as wisely, objectively and carefully as possible.

Even in this high-communication era of television and radio, and almost countless magazines and books, many people still depend mainly on their newspapers for prompt, accurate, detailed information on local, regional, state, national and international affairs. Their faith in their newspaper is based on the assumption that it will print everything that is newsworthy, and not withhold anything for reasons of pressure, favoritism or expediency.

Under Mr. Kelly's firm, positive leadership The Daily News has done just that. It has printed all the news. It has thus played fair with its readers. It has fulfilled, well and faithfully, the basic purpose of a newspaper.

That is one reason why The Daily News has risen steadily in circulation during Mr. Kelly's editorship, until now it is the largest of any Massachusetts daily newspaper outside of Boston. The people of this area thereby have given the highest possible public accolade to Mr. Kelly as an editor, demonstrating their confidence in his paper and, therefore, in him.

All Mr. Kelly's associates on The Springfield Newspapers, and all his many friends everywhere, respect him as an exceptionally competent editor and as a man of high personal integrity. He has many sterling qualities. Frank Kelly is loyal and steadfast, helpful and generous, gladly sharing the fruits of his ability and experience, often helping other people as a newspaperman, a private citizen and as an active participant in numerous fields of worthwhile community endeavor.

Frank Kelly will be genuinely missed in the offices of The Springfield Newspapers. The place will not seem quite the same without his quiet, unassuming, but calmly affirmative and always effective presence. All of his colleagues and friends will wish for him many years of good health and complete happiness in his well-earned retirement.

PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MULTER. Mr. Speaker, one of the most far reaching and progressive pieces of legislation to be enacted into law by this 89th Congress is the Public Works and Economic Development Act of 1965.

The purpose of this law is to help on a regional county and community basis those areas which suffer from substantial and persistent unemployment and under-employment in planning and financing their public works and economic development. Eligibility for grants under title I and for loans under title II is determined by the Secretary of Commerce who then designates the region, county, or community as a redevelopment area.

Unfortunately, there are sections of New York City which meet the low income and unemployment criteria of the act but which do not meet the geographic criteria. I am, therefore, strongly urging that the Public Works Committee favorably report to the floor of the House an amendment to paragraph 4, subsection (b) of section 401 of the Public Works and Economic Development Act of 1965 and I am today introducing a bill to amend that act for this purpose. This amendment would insert immediately after the words "250,000" new language as follows: "or a compact contiguous area containing a population of over 200,000."

Mr. Speaker, this simple change in this law will help provide the people who live in poverty stricken areas of our great cities the opportunity to better themselves and their communities through the loans and grants that will become available as a result of this amendment. I am thinking particularly, Mr. Speaker, of the Coney Island section of my own District which has recently been declared a major poverty area.

Approximately 3 million people in New York City need the benefits which could be provided to them under this law if it is amended as I am suggesting here today. In Brooklyn there are almost 3 million people, nearly 1 million of whom have family incomes less than 40 percent of the national median. For at least the last 2 years the unemployment rate of these million people has been at the astonishing level of more than 100 percent above the national average. There is no question then that they more than qualify for the benefits of title I and title II of the Public Works and the Economic Development Act of 1965. Since, however, they live in a geographic area that does not meet the criteria of that act they are precluded from the assistance that they need.

We need this amendment in New York City but we want it not only for New York but for the other urban centers faced with the same problems. This is legislation which will benefit the Nation and I cannot urge the Public Works Committee too strongly to report it favorably so that it can be enacted into law at the earliest possible date.

THE 20TH ANNIVERSARY OF THE ITALIAN REPUBLIC

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. RODINO. Mr. Speaker, there is no nation quite like ours, where people of widely varying origins have learned to live together and to work and build together, where diversity has been a source of strength, and where differences in culture and outlook have been a source of vitality. Each year, as the anniversary of the founding of the postwar Italian Republic approaches, this thought strikes me with special force. For there is nothing strange or out of place in the fact that I, as an American of Italian origin, take pride in the achievements of the people of my forebears, and feel a surge of sentiment on the national holidays of the country of my forebears.

Where else in the world but in the United States, do the citizens of one country share the national aspirations of the citizens of so many other countries without feeling any conflict of loyalties? Where else in the world can the citizens of a country be at the same time deeply committed to sharing in the destiny of their adopted country and deeply concerned by the fate of their country of origin? When we speak of "hyphenated Americans"—of Polish-Americans, of Irish-Americans and of Italian-Americans—we speak of them with pride, not shame, and realize that we are evoking the very essence of America. We also realize that this Nation of immigrants, nourished by so many cultures and strengthened by the particular genius of many different peoples, can never completely turn inward on itself, and can never remain indifferent to developments in those many countries throughout the world—whether Japan, Hungary, Poland, Ireland, or Italy—to which its citizens have ties of sentiment.

Today, therefore, there is no doubt in my mind, that my fellow Americans will understand why I and other Americans of Italian descent will be sharing from afar in the celebrations of the Italian people as they observe the anniversary of a landmark in their national history. Twenty years ago, on June 2, 1946, the people of Italy voted to become a republic, and turned their efforts toward rebuilding a war torn country and establishing a stable democracy. There is no need for me to review the remarkable achievements of Italy in the past 20 years. For we in this country have watched with admiration and amazement as Italy moved from reconstruction to economic expansion, as the Italian north became one of the leading industrial centers of Europe, as the Italian south began to respond to the intensive development programs of the Government, and as the Italian people made the machinery of democratic government work despite the disruptive efforts of a strong Communist Party.

I would like to comment briefly, however, on one facet of Italian postwar history that is of special significance. And this is the fact that the virtuosity and the vitality of the Italian people have not been limited to the working of economic miracles but have been displayed in all realms. As the building of a modern society has proceeded apace, Italians have been led to reflect upon what was going on about them. The result has been a flowering of culture probably unknown since the days of the Risorgimento. In the theater, in literature, and in films, gifted Italians have commented on their society and its past and present, sometimes with humor, sometimes with deep seriousness, always with eloquence and insight. While thus adding what for them is an essential dimension to their national life, they have also enriched the entire world.

In the cultural realm as well as others, then, Americans have been able to share in the life of postwar Italy and to be inspired by the achievements of the Italian people. I am sure that my fellow Americans of Italian origin share my pride in the record of postwar Italy; I am sure that all my fellow citizens share my affection for an admiration of this gifted and vital people.

SECRETARY FOWLER CALLS FOR PROGRESS IN INTERNATIONAL ECONOMIC COOPERATION

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. REUSS. Mr. Speaker, in an important speech at the 13th Annual Monetary Conference of the American Bankers Association in Granada, Spain, Secretary of the Treasury Henry H. Fowler pointed out:

> The year 1966 is a year of decision in many important aspects of international financial and economic cooperation. We must go forward. To stand still is to lose momentum and cast our lot for inevitable retreat. The ties that bind us, and upon occasion prevent us from doing precisely as we would like, are ties no more onerous than our common desire to preserve the benefits that flow from working together, and not at cross-purposes.

On the U.S. balance-of-payments problem, Secretary Fowler said:

> The question is not whether but how it will be solved. We should not solve it at the risk of unraveling the carefully woven fabric of international cooperation but rather through a combination of measures which will be consistent with the responsible role of the United States as a good partner in international financial cooperation.

The text of this excellent speech follows:

The Year 1966: Year of Decision and of Opportunity for International Economic Cooperation

(Remarks by the Honorable Henry H. Fowler, Secretary of the Treasury of the United States, at the 13th annual monetary conference of the American Bankers Association, at Granada, Spain, Friday, May 27, 1966)

To conclude this four-day Thirteenth Annual Monetary Conference is a formidable challenge. By now every important fact or significant observation will have been voiced by one of the public officials or private citizens in attendance who collectively share, in large measure, the responsibility for the financial policies of the Free World.

The conference itself symbolizes recognition that our common objective of a viable international financial system nourishing economic growth, expanding trade, and promoting development cannot be achieved by nations working in isolation.

This objective can only be achieved by like-minded leaders of both governmental and private institutions foregoing narrow nationalism and seeking diligently an improved framework of international economic and financial cooperation.

In the thirteen years these conferences have been held, in the post-war period as a whole, the present system of Free World cooperation—political, military, economic, and financial—has served well. Productive resources and capabilities have been released for the benefit of all. Barriers to trade and communication have been lowered. Develpment of new nations, and of older, war-torn economies, has been nourished. The extremes of inflation, depression, or financial panic, characteristic of other post-war periods, have been averted.

The challenge for the future is to build on this system of Free World cooperation. It is vital to recognize its shortcomings and weaknesses and seek to correct them. In so doing, we must seek to preserve the system's elements of strength and flexibility.

Above all, we must be decisive and diligent in discharging our commitment to the principle that in seeking the good of all, we serve our own interests best. If we have learned any one great lesson from the immense tragedies that have marred the 20th Century, it is the lesson that we stand to gain the most individually, and to hold our individual gains most securely, when we follow policies that permit us to gain the most all together.

YEAR OF DECISION, 1966

Nineteen hundred and sixty-six is a year of decision in many important aspects of international financial and economic cooperation. We must go forward. To stand still is to lose momentum and cast our lot for inevitable retreat. Consequently, it is one of my chief purposes here today to remind my own countrymen and their colleagues in all the countries represented here that the ties that bind us, and upon occasion prevent us from doing precisely as we would like, are ties no more onerous than our common desire to preserve the benefits that flow from working together, and not at cross-purposes.

The security, the rapid economic growth, the social improvements that we have now enjoyed for so long, in so much of the world, are not given conditions that can be taken for granted. They are products of policies deliberately adopted, and carefully nurtured, with intent to produce security, growth, and progress on a world scale. Frustration of those policies can, and almost surely will, bring an end to the progress we have had, and shatter the security that has made that progress possible.

Let us look back for a moment at the effects of fragmenting the world by policies of excessive nationalism. I could choose from the sad history of the 20th Century many examples, each worse than the last until we arrive at the unprecedented tragedy of World War II. But the London Economic Conference stands out as a costly failure of many nations to establish, a generation ago, the kind of economic cooperation that we now realize serves us best.

The London Economic Conference was a part of its times, one of a long series of attempts to establish a form of international economic cooperation that we now take almost for granted. That attempt failed because of nationalistic efforts to insulate nations from the world economy.

The lesson of the London Economic Conference does not lie in determining who was guilty, or to what extent, of causing the Conference to fail. The lesson lies, rather, in the extent of the damage of such a failure, and, therefore, in how careful and forthcoming we should be to prevent a return to a pattern of failure.

Eleven years after the collapse of the London Economic Conference the representatives of 44 nations met at Bretton Woods in the United States to find ways to avoid such debacles in the future. Those who gathered at Bretton Woods wanted to find alternatives to the injurious exchange tactics and the trade restraints of the 1930's by which governments—often at the expense of one another—had sought vainly to maintain employment and uphold living standards within their own borders.

The alternative they conceived to this kind of cut-and-run, beggar-thy-neighbor world was a comprehensive structure that would institutionalize cooperation among nations in exchange policies, and make cooperation a way of life and an insurance of the peace.

One result was the International Monetary Fund. The Fund's objectives were—and are—the promotion of international monetary cooperation, the building of exchange rate stability, and the elimination of exchange rate restrictions; all as means of facilitating the expansion of international trade and of helping member countries to achieve and maintain high levels of production, employment, and income.

To pool resources for development assistance, the Bretton Woods conference also established the International Bank for Reconstruction and Development—the World Bank. Its members were the same nations as made up the membership of the International Monetary Fund.

Out of these has grown what might be regarded as a world-wide system of economic stabilization and development. From the highly successful pattern of the World Bank's lending there have developed the Inter-American Development Bank, the International Finance Corporation, and the International Development Association. The year 1966 will mark the emergence of yet another important bank in this chain—the Asian Development Bank.

The concept of creative international cooperation in monetary matters exemplified by the International Monetary Fund has been one of the most fruitful ideas of our times. The Fund's resources have been increased, the last time in 1965, as it has proved its value, and as the world economy has expanded.

In 1962, a special arrangement took shape among the principal capital-generating nations, as it became evident that the resources of the IMF might prove insufficient in the event of a threat to the stability of the world monetary system. To avoid a repetition of the situation of the 1930's, when a weakness here and a strain there were permitted to develop into a general rotting of the international monetary fabric, ten major industrial countries that are members of the IMF, subsequently associated with Switzerland through special arrangements, agreed among themselves to lend to the Fund, in case of need, amounts of their own currencies totalling $6.2 billion.

This "General Arrangements to Borrow" of the "Group of Ten" was originally made good for four years. It has now been agreed to extend it for a further four years. These arrangements, and others stemming from the same spirit of cooperation, have served fully, beneficially, and in good season in helping the currencies of several major financial powers over periods of strain. The result is a world monetary system that is stronger than ever, several national currencies that have been helped to renewed strength and stability, and a world that has been quickly and smoothly defended from dangers of convulsive economic restrictionism.

The return to external convertibility of many major Free World currencies in the late years of the 1950's brought with it the problem of dealing with highly volatile movements of capital among financial centers, stemming chiefly from speculative pressures. With the objective of providing means to meet such pressures firmly and promptly the United States, in cooperation with eleven other major industrial countries and the Bank for International Settlements established, beginning in 1962, a swap network of short-term facilities, now totalling $2.8 billion. We are pleased and proud that in recent months we have been able to make similar cooperative arrangements with two Latin American neighbors with whom we have close economic ties—Mexico and Venezuela.

Many other such highly practical means for replacing cut-throat nationalistic policies with creative international cooperation that benefits all have been worked out and are in practice. One that I would mention particularly is the sale to foreign governments and central banks of U.S. government bonds. We must now look forward to further refinement, extension, and strengthening of our international monetary system.

As another outgrowth of the idea of international monetary cooperation, much more importance has been attached to consultation and collective problem solving, in the place of protective attempts to find the means of national insulation against problems of international scope. An example is Working Party Three, a specialized task force of the Organization for Economic Cooperation and Development. Working Party Three was established to try to find broader-than-national approaches to the solution of balance of payments problems.

All will agree that the system described is a vast improvement over the narrow economic and financial nationalism of the 1930's. It is a good system, and it has been getting better. If we maintain our recent progress in seeking out new elements of strength in it, and in moving to ever more adequate levels of international economic cooperation through it, I am confident that our gold exchange system—with appropriate improvements to be discussed later—can be depended upon to handle effectively the untold tasks of economic development, and improvement of living standards, that face us all internally, and face the world at large, as one of its topmost tasks.

There is an especial aspect of this story of progress in the decades just past that I hope I will be forgiven for recalling.

Large and as well-conceived as was the world monetary system that was brought into being after World War II, it was not adequate to the job of overcoming the effects of destruction that faced the world in the late 1940's and the 1950's. It could not even begin to function effectively until the vital European economic fabric was reconstructed.

The United States threw into the balance most of the extra resources that permitted fast European reconstruction. To this end, the United States reached into its own resources, and gave—I emphasize this, gave without any expectation of recompense—to Western Europe no less than $15 billion in post-war relief and Marshall Plan years between 1946 and 1952.

Meanwhile, the United States provided for the common defense, almost alone, while nearly all other defenses were down.

These programs were initial steps along a road by which the United States has to date contributed some $80 billion of economic assistance to other nations.

But economic assistance was not all that was essential. As I have indicated, it was also necessary to raise a shield behind which free men could put their freedom to work.

Through military expenditures that between 1946 and 1966 have totaled no less than $790 billion, and that are currently costing new billions, the U.S. raised and has maintained such a shield. To this must be added the cost we have incurred for which there is no adequate price—the cost of over 165,000 American casualties suffered in helping to defend the Free World, outside our borders, since World War II ended.

Our participation in the defense of freedom has girdled the globe, from the fields and towns of Western Europe so closely kin to us, to the divided Middle East and Western Asia, and has now drawn us to the bitter jungles of Southeast Asia.

Where it was enough only to be present, we have taken a stand, Where is has been necessary to fight, we have fought. You can search all history without finding a more carefully measured and restrained use of power than the United States has made and still makes today. Yet, at the same time, you will find no world power more ready than we have been, and are, to move from the battlefield to the conference table.

By this world defense, we have defended our own integrity and freedom. Further, we have never been completely alone on the ramparts. Some have fought by our side, and many others have kept vigil with us.

The United States has used its economic strength in yet another way of creative benefit to the entire world in the past two decades. The United States has alone continued the free convertibility of officially held balances of its currency for gold, at a fixed price: $35 an ounce. Thus, we have permitted the dollar to undertake the responsibility of becoming the world's principal reserve and transactions currency, a store of value in terms of gold, and at the same time a measuring rod for the value of gold. The dollar is thus the bedrock of the world monetary system, whether reserves are held in gold or currency. It is a primary element of stability in the savings of business, of pension and retirement funds, and so on, down to the smallest savings of individuals.

This is a very heavy responsibility, one that prevents us from always doing just as we might like to do, for we are determined to continue to be as faithful to our pledge as we have been. In President Johnson's words, "The dollar must be as good as gold."

These contributions of the United States are not cited as a matter of pride, although, indeed, I am vastly proud to be able to say, as an American, that my country contributed in the greatest measure, in treasure and human effort, to the establishment of a workable framework for international cooperation.

I am, rather, citing a few highlights of our individual effort because their spirit, motivation, and scale serve to give a measure of what must exemplify the role, not just of the United States, but of other nations individually as they regain or achieve strength and stature, and of our family of free nations altogether, if international economic and financial cooperation is to assume ever greater dimensions in the last half of this century.

I am *not* suggesting that a rule of unanimity must prevail and that every developed nation must embrace the tenets and practice of full collaboration or else we throw up our hands and retreat toward a world of narrow nationalism.

As in a free democratic society, so in a free democratic world, dissent plays an important role. But, of course, the preponderant majority should not be immobilized. Even that famous American exponent of state sovereignty, John C. Calhoun, recognized the right of a "concurrent majority" to move forward together without giving offense to a dissenting minority.

The United States holds fast to its early dreams of an alliance of equals, in strength and in responsibility, and to its zeal for the goal of the common good. We have welcomed the emergence of each nation to a position of power and wealth. We wish to share responsibility, not to hoard it.

We regard the year 1966 as a hinge upon which there can be a great turn for a better future, if the strong nations, old and emerging, seize their joint opportunities, and deal with problems, without being haunted by the past, confounded by the present, or overawed by the future.

A YEAR OF OPPORTUNITY, 1966

World trade

Nineteen sixty-six is a year in which the 68 countries who are members of the General Agreement on Tariffs and Trade—the GATT—have an opportunity to negotiate reductions of tariff and non-tariff barriers to world trade to a point where they are no longer a stultifying factor in the international economy. This would be accomplished if the present GATT negotiations should take relatively full advantage of the authority granted to the President in the United States Trade Expansion Act to agree to reciprocal reductions of trade restraints.

The reciprocal reduction of most tariffs by significant amounts up to half, and removal of non-tariff barriers, as permitted by the Trade Expansion Act, would mean that we had placed at the base of our international system general acceptance of the idea that ours should be an open and a competitive world, exposing its prices and its wage rates and its returns to capital to international competition.

This is of particular importance now, when a failure to move toward a more competitive world is liable to lead to a series of blocs behind trade barriers, rather than states behind trade barriers. And it is of special importance to those countries whose national economic programs subject market forces increasingly to the influence of the economic planner. Under these conditions national economic units become more and more dependent upon international competition for assurance that prevailing national prices, wage scales, profit returns and investment programs are realistic.

However, despite three years of effort we are still far from taking this long and significant step, and time grows short, because our Trade Expansion Act expires in 1967.

If the elements of a substantial agreement have not been achieved by the end of this year, so that authority granted under this Act can be utilized before it expires, this failure can trigger a substantial setback for the movement toward liberal trade in which my country has played a leading role for over thirty years. Failure to move forward can lead to a dangerous retreat.

There are difficult problems, of genuine concern, on all sides. We are conscious of the fact that major reductions in trade barriers will call upon all of us for important adjustments in our economies. However, if we look at the adjustments that will probably be required, it is evident that they in fact are no greater in most instances than adjustments that are regularly made to take account of changes in technology, tastes, trade patterns and the like.

World liquidity

The year 1966 is a year in which the Finance Ministers and Central Bank governors of the ten leading industrial nations can reach agreement on essential points of a contingency plan for the orderly creation of liquidity. This, in turn, will lay the foundation for wider negotiations within the framework of the International Monetary Fund of extraordinary importance to the future growth and prosperity of the entire Free World family of nations.

In recent years, United States dollar and gold outflows resulting from balance of payments deficits have supplied three quarters of new reserves of other countries. Clearly, the Free World cannot rely solely on newly mined gold for increases in reserves adequate to a vigorous, growing Free World economy. Just as clearly, the remarkable economic growth of the Free World since 1945 would not have been possible had it not been for the acceptance of large amounts of U.S. dollars as reserve assets. Therefore, when we set ourselves the task last year of reaching equilibrium in our international payments at an early time, it appeared evident to us that we and other nations should take timely steps to avoid harm to the international economic system stemming from the cessation of United States balance of payments deficits, in turn desirable to avoid the attenuation of our reserves.

Consequently, President Johnson authorized me last July to announce that the United States stood prepared to participate in international negotiations to consider what steps we might jointly take with other nations to secure substantial improvements in international monetary arrangements. In the subsequent weeks I conferred with my colleagues in other governments on this matter, in Washington and in Europe, with the objectives of determining whether others shared our view that there was a clear and immediate need to proceed to contingency planning for improvement of the international monetary system, including provision for an adequate future supply of monetary reserves.

We found that there was in fact, general agreement that there should be a re-examination of the Free World's monetary arrangements, and that we should plan ahead for the time when new ways of providing for the growth of monetary reserves would become necessary.

In September, the Group of Ten Ministers charged their Deputies with undertaking discussions leading to policy decisions as to what changes are needed to ensure that the future reserve needs of the world may be adequately met, and to report this Spring on the progress they had made and the areas of agreement they had discovered.

We are now awaiting that Report, and we hope that it will be possible to make it public this summer, as the basis upon which we can move to a Second Stage of negotiations in which members of the International Monetary Fund other than the Group of Ten can make their contributions.

Thus, it is apparent that in this area 1966 is a year of decision with very large and important consequences for the future of world economic growth, and that decisions are now pending that can add a new and hopeful dimension to the system we now have for international economic collaboration for a better world.

I look forward with confidence to the outcome. We should recall that the General Arrangements to Borrow negotiated in 1961 were put in place to meet future eventualities, and the need for their use did not develop for several years. But in 1964, and again last year, they proved invaluable. In the same spirit we feel that the time has now come to put into place the means that would be required to supply adequate amounts of international liquidity.

Strengthening the adjustment process

The year 1966 is one in which our international financial institutions should work together to strengthen and improve the processes by which balance of payments adjustments are made. We are hopeful that Working Party Three, of OECD, will be forthcoming with a report that will point the way through improved adjustment processes toward less—and less chronic—imbalance in the system.

Just as it would be improvident of us to negotiate the means to look toward a major expansion of world commerce and then fail to make provision for the future expansion of international reserves, it would be improvident of us not to follow through by recognizing that as trade and capital movements increase, the need for smoother adjustment of payments imbalances—without resort to restrictive practices—will become ever greater.

In an increasingly interdependent world, it becomes increasingly evident that adjustment to payments imbalances must be made on both sides of the scales. Just as deficit nations must be permitted to feel pressures that urge them to eliminate their deficits, surplus nations must not be permitted to hoard their surpluses indefinitely. Where surpluses are used only to purchase gold, the world's reserves are diminished. Instead, surpluses should be recycled to do the world's work, through more liberal trade policies, and through both public and private investment designed to assist economic development.

It should be recognized by all that failure by some to use persistent surpluses they accumulate to encourage trade and assist in development is a cause of persistent deficits in the payments of other countries. Balance of payments equilibruim should attain this broader, international, significance, as well as its present, one-sided national meaning.

Strengthening capital markets

Another of the challenges of 1966 lies in the opportunity to improve the depth and resiliency of capital markets throughout the Free World.

Many of you will recall that my predecessor, former Secretary Douglas Dillon, spoke to you on this very subject, as early as 1962, at your Ninth International Monetary Conference, in Rome. This was well before we were impelled by the inadequacies of the European capital market to enact the Interest Equalization Tax and develop the voluntary programs to moderate increases in outflows of foreign direct investment and bank credit as measures of protection for our payments position.

He described in 1962 what is still very much the case:

"Potential investment funds are still too often dammed up behind national boundaries by legal restrictions or institutional barriers. * * *

"Capital does not—as it should—flow freely from those with ample resources to the points of greatest need. Benefits and burdens often bear little relationship to current patterns of trade or to the underlying payments position of a country.

"This is reflected in the fact that most governments or businesses, when raising funds outside their own country, still look to the United States as to the only readily available source.

"These conditions are an anomaly in a world of convertible currencies—a world in which barriers to trade have been steadily reduced—a world characterized by American deficits and European surpluses."

In the months and years following Secretary Dillon's comment it became increasingly clear that the disparities between the capital market of the United States and those of Europe are a major source of payments imbalance in the world. As one of ten elements in his July 1963 program to meet this situation, the late President Kennedy appointed a Task Force in the Fall of 1963 that I was privileged to head.

The Summary Recommendations of the Task Force included the following:

"The Department of State and the Treasury Department should, through appropriate international bodies, particularly the OECD, advocate the step-by-step relaxation of monetary, legal, institutional, and administrative restrictions on capital movements, together with other actions designed to increase the breadth and efficiency of Free World capital markets."

Despite U.S. efforts in bilateral and multilateral councils to encourage it, the fact is that relatively little has been done on this score in the years intervening between Secretary Dillon's admonition in Rome in 1962 and the present. This has made doubly necessary our programs for moderating the flow of U.S. dollars to other developed countries through the voluntary programs on direct investment, and lending by financial institutions, initiated in February 1965.

Our balance of payments program itself is tending to cause improvement in the market for capital abroad. With the dollar outflow moderated, and with American corporations actively seeking funds abroad, this market is finding more depth and resilience than anyone thought it had. We look forward to a permanent improvement in foreign capital markets that in turn will reduce the need for measures on our part to guard against over-dependence upon our capital market.

We are hopeful that from the OECD there will be forthcoming this year a report on this subject of long term significance.

Nevertheless, differentials in performance and resources of capital markets persist that are so great that the very efficiency and depth of United States capital markets make for an outflow of dollars that is punishing to us in balance of payments terms.

It is time that this aspect of the international economic system as it now stands should be corrected, without delay, even if it requires some rather far reaching adjustments in the internal policies of nations.

Development assistance

During the year 1966, the provision of adequate levels of development assistance, on the right terms, bilaterally and through multilateral institutions, should be a first order of business in the Free World.

By the same token, 1966 is a year in which we should all work diligently to strengthen such Free World institutions as the World Bank and its affiliated International Development Association and the Inter-American Development Bank. We should also work together in abetting the admirable efforts of the nations of Asia in launching their own Asian Development Bank.

And, 1966 is a year in which the associated countries should take a new look at the Organization for Economic Cooperation and Development. After the passage of nearly five years of beginnings, it may well be that institutional changes and new working mandates are desirable to keep that organization in step with the conditions and opportunities for concerting efforts and policies of the developed nations in the fruitful field of economic and financial cooperation.

Strengthening both types of organizations is basic to international progress in the field of development assistance.

To provide adequate levels and terms of development assistance for the developing countries in ways that take into account the problems of the assisting countries, it will be necessary for the multilateral development banks, the OECD and the IMF to work together more effectively than they have in the past.

The obstacles to be overcome require coordinated action by these international institutions with each other and with the participating countries. And, better coordination of bilateral assistance is also needed.

New techniques such as the consortia and consultative groups sponsored by the World Bank are to be commended.

But they are not enough if the real problems of unlocking an adequate transfer of resources, without the creation of an intolerable burden of foreign debt in the recipient countries, and balance of payments difficulties among the developed countries, are to be overcome.

The needs for economic development assistance are immense.

Even if the monetary system of the developed world were functioning perfectly, it would be a challenging assignment to meet these needs.

With the system functioning imperfectly—with key donor countries in deficit or in surplus—we must be extraordinarily ingenious if we are to come close to meeting these needs without further straining our system.

Some of us must provide aid at least in part in the form of real resources. Proper distribution of these responsibilities would help our adjustment processes, not hinder them.

Capital must flow out in reasonable magnitude and on reasonable terms from countries which are accumulating savings in the form of reserves. Otherwise the calls of our multilateral development finance institutions will go seriously unfulfilled, and deserving requirements of developing countries will not be met.

Some nations feel compelled to provide aid on harder terms than others. But does it make sense for surplus nations to provide it on harder terms than deficit nations? And does it make sense to pile short-term debt at high interest on developing countries with only limited capacity to repay?

We must find the ways and means of meeting the legitimate needs of developing countries which are doing what they can to help themselves. But we must distribute the burden in a manner which not only makes others strong but keeps all of us strong, too. For if the burden is unevenly or unfairly or unsoundly distributed, certain of us will become more powerful but as a group our strength will be sapped: our great multilateral endeavor will falter. This is the lesson both of the pre-war and post-war experience I have described here today.

I would suggest that the question of determining not only a practical and increasing level but the appropriate sharing of international economic assistance programs be placed high on the agenda for consideration at the forthcoming meetings this autumn of the World Bank and International Monetary Fund and the Organization for Economic Cooperation and Development.

The chief executives of the multilateral development banks, the IMF, the OECD and the Governors or Alternate Governors of the capital exporting countries should now organize themselves to prepare a plan for the next decade of development assistance. I emphasize that this plan should not be limited to a determination of how much is needed and where. It is equally necessary to search out methods and procedures for improving the terms and allocation of development assistance in the light of the realities of international finance.

Access to capital markets on an orderly and equitable quota basis, fair allocation of lending responsibilities on easy repayment terms, the right of pledging countries to fulfill obligations by a resort to tied loans or transfers of goods and services to satisfy these obligations when in balance of payments difficulties—these are example of topics on which the advice, consolidated or cumulative, of the chief executives of the institutions for international financial cooperation and the responsible representatives of the assisting countries will be useful.

In his February 1 Message to Congress on Foreign Aid, President Johnson clearly stated the position of the United States saying:

"I propose that the United States—in ways consistent with its balance of payments policy—increase its contributions to multilateral lending institutions, particularly the International Development Association. These increases will be conditional upon appropriate rises in contributions from other members. We are prepared immediately to support negotiations leading to agreements of this nature for submission to the Congress. We urge other advanced nations to join us in supporting this work."

The progress of development aid should not depend solely upon the United States for stimulation and leadership. It needs organization and participation with full and equal responsibility of all developed countries interested in furthering international economic cooperation. These international bodies were created to provide that opportunity and serve that function.

The Multi-National Corp.—A private institution for international cooperation

But let us never forget that public funds and initiatives cannot alone successfully accomplish sound and constructive economic development. Nor can governmental or quasi-governmental institutions alone do the job of international economic cooperation.

Consequently, we should not fail to encourage and strengthen our institutions that project the private sector into development work. Among these, a pillar of our international economy in the multi-national corporation.

We are able to see more clearly today than has always been possible in the past that the interdependence that is so much a part of our life is critically dependent for its good functioning upon non-governmental activities. In a large degree, our multi-national corporations are responsible for our international economic development.

These corporations have contributed substantially to the economic growth of the Free World since World War II, and it is difficult to overstate their importance to continued growth in the Free World economy—particularly among the less developed nations.

In the future—much more even than in the past—their contribution, their role in a growing world economy, will depend critically upon how successfully we can reconcile national interests in both base and host countries with their own private interests.

This reconciliation will require give and take by the governing authorities of base and host countries. It will involve willingness in each country to oppose the substitution of narrow nationalism for freedom of investment, security of property and contract rights, and fair play to enterprises affiliated with foreign concerns. It will also require observance by private companies with foreign affiliations of the standards of good corporate citizenship that accomodate the national sensibilities.

My government has welcomed and ratified the multilateral Convention for the Settlement of Investment Disputes, sponsored by the World Bank as a limited but significant step in creating an institutional and environmental barrier between excessive nationalism and the multinational corporation.

The United States balance of payments

The year 1966 is one of challenge to the United States in making progress toward the achievement of an American goal that is of interest to other countries because it is a matter of considerable importance to the functioning of a continuingly successful system of international economic and financial cooperation.

I refer to our goal of achieving and maintaining a steady equilibrium in our international payments.

We recognize that the basic responsibility for doing this is ours.

We have no intention of shirking from it.

Our balance of payments deficit this year stems in large part from the fact that the United States is continuing to meet its international responsibilities for military and economic assistance.

To the United States a commitment in the Pacific to defend self-determination in South Vietnam is similar to a commitment to help maintain a Free Berlin.

The international payments deficit of the United States in 1965 on an overall, or liquidity, basis was $1.3 billion, a reduction of more than one-half from $2.8 billion in 1964. This was the smallest deficit since 1957—less than half the $3 billion average deficit for the seven preceding years.

The voluntary cooperation of our banks and corporations in moderating outlays for lending and direct investment in developed nations, added to strenuous efforts to minimize the balance of payments costs of military and aid expenditures outside the United States contributed to this result. However, last August, reporting on the second quarter surplus (the first surplus quarter in many years) I warned:

"We do not take it as a sign we have turned the corner from balance of payments deficits to balance of payments surpluses."

Since that time, with the beginning of the large build-up of the direct and indirect costs of our military and aid operation in Southeast Asia, we have been no more than holding our own.

Adjusting the quarterly figures to take into account two specific arrangements with Canada and West Germany which function, in fact, on an annual basis, the deficits would be: 3rd quarter 1965, $377 million; 4th quarter 1965, $361 million; 1st quarter 1966, $382 million.

These suggest that for the last three quarters we have been on a plateau of about $1.5 billion annual rate deficit, slightly above the $1.3 billion deficit for 1965 as a whole, but still very substantially below the level of preceding years.

Careful analysis will support the proposition that, absent the Vietnam build-up, the United States might have moved substantially closer to equilibrium in the last three quarters.

Indeed, should the combination of measures, old and new, that are being brought to bear on our trade balance cause it to resume an upward curve, the march toward equilibrium could resume despite Vietnam.

Exports are well up this year, and in a broad range of nonagricultural products. On the import side, I am hopeful that as the rate of increase in gross national product slows—and I think you will agree that it will not continue to increase at the same rate as in the first quarter—and as new productive capacity comes on stream, the bulge in imports will subside.

Our goal is still the achievement of equilibrium—sustained equilibrium. The multiple costs of Vietnam have made the tasks more difficult, to be sure, and it may be that we will have to settle for an interim objective of equilibrium exclusive of the cost of Vietnam.

CONCLUSION

It seems to me that the more important question today is not whether the United States will solve its payments problem but how it will do so.

The costs of Vietnam are not permanent or ordinary costs.

Our voluntary program, coupled with a degree of monetary restraint unparalleled in recent years, is working well. Our program to delimit the impact of government expenditures abroad on the balance of payments is being tightened in meaningful ways. Our recent trade performance, it is true, has been less buoyant than we had hoped but this is, in part, another manifestation of the Vietnam problem. Moreover, additional measures to encourage exports are underway. We are not ready to conclude that even in the face of Vietnam the halt of our march toward equilibrium is in any sense a fundamental or lasting one.

Against this background, how should the United States react beyond intensifying its existing program? Should we take the narrow, nationalistic view that in the interest of the United States, the United States balance of payments must be brought into equilibrium no matter what the cost to the Free World?

Should we attempt to solve this problem through a reduction in our overseas military commitments?

Should we attempt to solve it by slashing our foreign economic assistance programs?

Should we attempt to solve it by reversing the entire trend of our trade policy and the world's trade policy?

Should we restrict travel?

Should we impose mandatory controls on capital flows?

Should we solve it, in short, at the expense of the other important, constructive decisions that remain to be made—that must be made—in international economic affairs in 1966? Should we solve it at the risk of unravelling the carefully woven fabric of international cooperation that has served us so well during the last 20 years?

We all know that the United States could, if it decided that it must do so, solve this problem alone, but it could do so only at great cost to the economies, the aspirations and, indeed, the safety of all the nations of the Free World.

Is this the direction in which we should move at the crossroads in 1966?

Other nations—many of them represented here today—have a vital interest not only in whether the United States solves its payments problem but in how we solve it.

We believe that we should and that we shall find the solution to this problem where we have found the solutions to so many other problems during the last 20 years. That is, we shall find it in a combination of measures which will be consistent with the responsible role of the United States as a good partner in international financial cooperation.

It is in that spirit that we invite all of our allies and all of our other friends to join us with renewed vigor in meeting the challenges of 1966.

NURSING HOMES FOR VETERANS

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Joelson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. JOELSON. Mr. Speaker, some time ago, I offered an amendment to the Independent Offices Appropriation Act to restore $1½ million for nursing homes for veterans.

I am pleased that the amendment was passed, and that it was supported by my colleague, the gentleman from New Jersey [Congressman Edward Patten]. In his district is located the Menlo Park home which is so vitally affected.

I insert a letter received by Mr. Patten on the matter:

Dear Congressman Patten: Your support of the amendment to the Independent Offices Appropriation Act which restored $1,500,000 to the appropriation for matching-fund grants to States for construction of nursing homes is greatly appreciated by members of the Veterans of Foreign Wars.

By providing the full $4,000,000 requested by the Veterans Administration, you have in a very real sense helped rescue this program. Considering that the States are bearing the major share of this burden for this program and that a number of them are waiting to proceed, any delay in implementing it would be false economy.

Our New Jersey Department is particularly pleased that their State is among the very first participants in the program. I am sending Commander John Cramer a copy of this letter as a means of advising him of the instrumental part you played in keeping this program alive.

Francis W. Stover,
Director, National Legislative Service, Veterans of Foreign Wars of the United States.

BANKING AND CURRENCY COMMITTEE CONDUCTS VITAL STUDY OF BANK OWNERSHIP

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. McGrath] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. McGRATH. Mr. Speaker, the Domestic Finance Subcommittee of the House Banking and Currency Committee currently is conducting a most vital study into the ownership of the Nation's commercial banks. This study, I am convinced, will be a valuable tool for the Congress when it considers banking legislation in the future.

Today's Wall Street Journal carries an excellent article by Norman C. Miller outlining the progress of this study to date. I insert this article in the Record at this point and commend it to my colleagues:

Patman Spurs House Panel Banking Study—Trust Departments Among Main Targets

(By Norman C. Miller)

Washington.—The banking industry is facing a wide-ranging Congressional investigation spearheaded by its old foe, Chairman Patman (D., Texas) of the House Banking Committee.

The investigation has the primary aim of unearthing abuses in the operations of bank trust departments. But Mr. Patman also promises to delve deeply into the "major problems" of whether bank ownership is overly "concentrated" and "if, and to what extent, unsavory elements have infiltrated commercial banks" by gaining stock control.

The investigation is just getting under way and Mr. Patman doesn't expect to disclose results at public hearings until after the November elections. But, in a document circulated within the committee, Mr. Patman says an initial inquiry already has turned up ". . . data which shows that a major Eastern bank has control, through the device of controlling the voting power of bank stock held in its trust department, of large percentages of the outstanding stock in several other competitor banks in its area. We also have information to indicate that it is a widespread practice for trust departments of commercial banks to hold in their trust accounts a large percentage of the outstanding stock in their own banks."

COMMITTEE REVOLT AVERTED

The internal committee document, signed by Mr. Patman, didn't name the "major Eastern bank" or any other bank.

The information produced by Mr. Patman's initial survey has proved sufficiently interesting, however, to help subdue a threatened revolt within the Banking Committee over the methods used by the chairman when he quietly launched the investigation several weeks ago.

At that time, Mr. Patman asked brokerage firms, bank trust departments, insurance companies and others for the names of persons for whom they held bank stocks in trust. The intent of this move was to compile a full list of bank owners as a base for the investigation.

Several of those receiving the request objected, however, and Mr. Patman then subpoenaed the information. The subpoenas, issued on Mr. Patman's sole order, led to a protest by 12 of the Banking Committee's 25 members that the chairman was proceeding in a high-handed fashion. The objecting members threatened an attempt to repudiate the subpoenas.

But late last week, members of the panel's domestic finance subcommittee, which is handling the investigation under Mr. Patman's direction, voted 7 to 4 in favor of the chairman's subpoena action. This vote of confidence has ended committee infighting over the investigation, at least for the time being; barring other unforeseen roadblocks, the vote assures that Mr. Patman will be able to get a full list of bank stockholders.

TRUST DEPARTMENTS ARE TARGET

At this stage, Mr. Patman seems most concerned about possible abuses by bank trust departments, which he says have custody of more than $150 billion in assets. He maintains that "banks frequently administer their use (of trust holdings) with broad discretionary powers. The very magnitude of these holdings can lead to situations and practices which are inconsistent with the public interest."

Several aspects of bank trust operations "urgently require intensive study and hearings," Mr. Patman asserts, to determine "what, if any, remedial legislation is required." Among them:

Whether there should be limits on "the size, extent, concentration, and use of assets which may be held in a fiduciary capacity by any bank."

Whether banks should be required to disclose "all facts in connection with trust practices."

Whether a law is needed "to prevent stifling of competition by banks which are in a position to extend preferential treatment—for example, through discriminatory loans to businesses in which their trust departments have substantial investments."

Whether banks should be barred from "showing favoritism in the purchase and sale of securities. Such action could limit competition and has serious antitrust and other implications."

Whether new safeguards are needed to protect beneficiaries of trust estates "against abuse or neglect of the highest standard of fiduciary duties by bank trustees."

Whether stricter laws should be imposed to guard against conflict of interest that may arise when bank directors or officers are directors, officers or shareholders of other businesses, particularly businesses in which a bank's trust department has a "substantial investment."

PATMAN'S 1963 REPORT

Early in 1963, just before he took over as chairman of the House Banking Committee, Mr. Patman issued a lengthy report charging widespread control of commercial banks by other commercial banks, as well as by other financial institutions such as insurance companies. The information was gathered while he was chairman of the House Small Business Committee, from which he transferred to the banking post. In the report, Rep. Patman argued there was "a network of links" among banks and other institutions through common stockholdings and loans secured by bank stocks.

That earlier report, according to Rep. Patman, was based on information gathered at his request by the Federal Reserve System on its 200 largest member banks. He termed it a report on "chain banking," maintaining that "links are found particularly in such financial centers as Hartford, Boston, New York, Philadelphia, Chicago, Detroit and Cleveland. "Certain of these links," he added, "center in insurance companies, others in savings banks and still others in nominee holdings of large commercial banks." A nominee arrangement is a legal device used mainly by brokers and bank trust departments to simplify the transfer of securities.

On issuing the report, Mr. Patman said the House Banking Committee would consider legislation "to correct any abuses" that may arise from practices described in it. No such specific legislation has as yet resulted from the report.

POLISH MILLENNIUM STAMP

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Dulski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. DULSKI. Mr. Speaker, during this anniversary year, marking 1,000 years of Christianity in Poland, the issuance of a Polish millennium stamp on July 30 is most appropriate to the significance of the observance. The entire Polish community is grateful to our Postmaster General, Lawrence F. O'Brien, for making this stamp possible.

This morning I was privileged to be among those invited to attend the unveiling of the design of the millennium commemorative postage stamp. Postmaster General O'Brien made some inspiring comments at this unveiling, with respect to the importance of this stamp. Under leave to extend my remarks, these comments are included below:

REMARKS BY POSTMASTER GENERAL LAWRENCE F. O'BRIEN, AT THE UNVEILING CEREMONY OF THE POLISH MILLENIUM STAMP, POSTMASTER GENERAL'S RECEPTION ROOM, WEDNESDAY, JUNE 1, 1966

Today I am happy to join with members of the Congress and leaders of our Polish-American community in unveiling a postage stamp that is both important in itself, and important in what it represents.

This stamp is important in itself because of its excellent design, by prominent Milwaukee artist Edmund Lewandowski, and because it will serve as a silent messenger reminding many millions of people both here and abroad that Poland's history is a long history, a proud history, and a history that clearly reflects Poland's important role as a bridge between the cultures of East and West.

The stamp is also important because it is one more proof that we live in a society and under a form of government that responds, and actively seeks to respond, to the wishes of the people. American postage stamps provide a panorama of our people, their aspirations, their activities, their achievements. Our stamps affirm what Americans admire; and they are an admirable expression of what we affirm.

This stamp owes its being not to some arbitrary decision by government, taken in isolation from public sentiment, but because of a great groundswell of opinion that commemoration of the birth of the Polish nation and of Poland's adoption of Christianity 1000 years ago was a worthy and highly appropriate historical event for commemoration on a United States postage stamp.

In asking all Americans to join in celebrating the Polish Millennium, President Johnson said that ". . . love for national independence and for the basic rights of man still lies deep in the hearts of the Polish people." It is fitting and proper that this stamp serves to remind the world that this love has behind it a tradition of ten centuries, and that through invasion, foreign domination, struggle, partition, this tradition has been tempered and made strong in the furnace of adversity.

During the past two years we have received an unusually large number of requests and appeals to honor, through the issuance of a commemorative stamp, the Millennium of Poland's bonds with the Western world. These appeals came in many ways, from many voices. They came from private citizens. They came from leading members of Congress from both political parties, not alone from Congressmen of Polish descent, but from men who represent a cross section of America. The requests came also from philatelic cricles and from Polish-American communities and organizations throughout the Nation.

Certainly, we should stress that this stamp will also serve to remind the people of Poland that we treasure that part of our heritage that has come to us through our millions of American sons and daughters of Poland.

I am proud and happy that this greatest anniversary of the Polish people occurs during my term as Postmaster General, and that I have the opportunity through unveiling this stamp to join with so many admirers of Poland here and throughout the world in saluting this great people.

VEHICLE SAFETY

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. DENT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. DENT. Mr. Speaker, the whole Nation must be appalled by the highway death record of the recent Memorial Day weekend.

Congress has been airing the problems through its committee work on auto safety features or the lack thereof.

In the interest of these very important discussions, I wish to submit for the record the attached address by Edwin W. Parkinson before the 46th Pennsylvania Automotive Association annual convention on May 24, 1966:

VEHICLE SAFETY

(By Edwin W. Parkinson, general manager, Pennsylvania Automotive Association, before 46th Pennsylvania Automotive Association annual convention, Bedford Springs Hotel, Bedford, Pa., May 24, 1966)

Ladies and Gentlemen. All of us are deeply concerned about highway safety, about the 1,000 people being killed on our nation's highways every week, about the need for more and better highways, expanded driver education, more state and local police, the continued effort on the part of automobile manufacturers to incorporate every conceivable safety feature they can in every car or truck that is built, and certainly we feel the need for a great deal more active interest on the part of the general public in all of these areas of highway safety.

This concern is not one born out of recent public hearings in Washington or caused by irresponsible statements made by persons not qualified to even speak on the subject. Our concern can be transmitted into proven accomplishments attained over a period of many years and never would we down-grade the high integrity of PAA by perpetrating a cruel hoax on the public through dramatic but unsound and untrue statements.

Our purpose here today in this convention of automobile dealers, representing the largest association of its kind in the world, is to let the people of Pennsylvania know we do not condone the implications made by some U.S. Senators and others and we want our 13,000,000 people to know what has been done for them in Pennsylvania, what is being done now and what we hope to see done in the future.

It is a tragic situation, in my opinion, when a few people can banty a subject like highway safety around and blow it up all out of proportion and mislead the public into thinking the cars we have for sale now and those they are driving are not safe.

It is interesting to note that one of the Senators leading the recent hearings does not even have a motor vehicle inspection program in his home state, but it is pretty easy to cast disparaging remarks against a machine that cannot go to the polls and cast a vote.

We have no intention of becoming engaged in a verbal battle on the pros and cons of what has been said but now that the public has been aroused and they are showing an interest in the subject, we want them to know the true facts. We hope they will not only be reassured but will support the many programs that are available and prepare themselves to shoulder the true responsibility for eliminating most of the highway accidents.

Let's take a look first at the automobile since it seems to be the focal point of interest.

This is a machine that has been engineered, designed and tested over and over again with safety not only in mind, but with new and improved safety features built into every new model.

To impress this upon our own Legislature, I have taken members of our House and Senate to Detroit, where they have visited the multimillion dollar research and development centers and the extensive proving grounds. They have seen first hand the huge amount of time, effort and expense involved in research, design and testing even the smallest items of an automobile.

There will be safety improvements in the 1967 models just as there have been improvements in every model manufactured since the first one was built, and there will be more on the '68s and '69s and so on through the years.

We are not standing still and you can bet that Detroit never has and never will stand still and we don't need anyone in Washington to tell us what to do. I would far rather put my faith in engineers in Detroit than the politicians in Washington.

The recent announcement that 8.7 million cars, manufactured since 1960 were defective was released in such fashion by our critics that the public has been misled into believing these cars were unsafe. It was not adequately disclosed these voluntary adjustments and corrections were made to improve the efficiency of the vehicles and assure their satisfactory performance, and were not primarily related to safety.

One would assume our legislators, before issuing such sweeping statements about the reliability of the products of our nation's leading contributor of taxes and employment, would seriously consider the likelihood of a disastrous effect on our economy. The automobile's contribution to our national well-being is far from a myth.

One business in six is automotive.

The more than 33,000 franchised dealers in the U.S. employ approximately 700,000 people.

As an industry, over 12,000,000 U.S. workers are employed in the manufacture, distribution, maintenance or commercial use of vehicles.

Last year the dealers' payroll alone amounted to nearly 4 billion dollars. Additionally, they spent another $376 million for advertising in their local communities.

Now, what have we done in Pennsylvania and why can your customers buy new or used cars from you with confidence?

Back in 1947 your PAA Safety Committee was established on a statewide basis and its 75 members have met in Harrisburg twice a year, every year since and we have conducted about 150 meetings for our inspecting mechanics twice a year during the past 19 years.

The obligation of our Safety Committee is to study and propose automotive safety improvements—in every aspect, from building the cars to constructing the highways. Its members and their predecessors have been prime movers—in behalf of PAA—in virtually every safety development in the automotive field in Pennsylvania for nearly half a century.

Let me make it clear that we are not the authorities, just the spokesmen. The authorities are back home, under the hoods of thousands of our customers' cars, at the administrative desks in the State Capitol, and sitting in the halls of the Legislature.

We are merely the spokesmen for a system of automobile inspections that was initiated in Pennsylvania 37 years ago—in 1929. It is a system unsurpassed by any state in the nation, and equalled by few.

We also speak for the Pennsylvania system of driver education, which now gives schools $35 for each trainee; and a vital part of this program is the 973 cars loaned to Pennsylvania schools by our dealers and their manufacturers. Today, out of the 141,000 who are old enough to qualify, 100,500 high school students are getting credits for some form of driver education—including 68,861 undergoing actual driver instruction.

This committee also speaks for legislation signed just a few weeks ago by Governor Scranton which upgrades specifications for brake lining in Pennsylvania cars.

We speak for legislation passed in the last session of the General Assembly which tightens the inspection and use of reconditioned tires.

We speak for an ever-improving system of drivers' license suspensions; and for a system which requires incompetent drivers, convicted of road offenses—at any age—to attend driving classes.

We speak for a system under which privately-operated driver training schools are licensed and supervised by the State Department of Public Instruction.

In Pennsylvania, we have a "fix-proof" system for traffic summonses issued by our State Police; our automobile salesmen and sales executives are now being licensed and the entire industry thereby achieves a new level of integrity.

In every new car sold in this state, the prototypes of headlamps, tail lights, reflex reflectors, brake hose and dozens of other items involving safeness have been laboratory-tested—under the Commonwealth's supervision and by an independent firm—before the manufacturer may deliver in Pennsylvania.

Pennsylvania is a state committed to forge ahead with a $10 billion, 10-year program of highways improvement; each year hundreds of miles of obsolete, treacherous roads are being eliminated as main, heavily-trafficked-death-dealing-highways.

The core of these programs—I think we all can agree—is the Pennsylvania system of Motor Vehicles Inspection. Down through the years motor vehicle inspection has been refined and improved. Today, used car buyers from other states compete vigorously for automobiles that carry the current Pennsylvania inspection sticker—which, they boast, adds 25 to 50 dollars in value to the car.

Consequently, it is the hope and our wish at PAA that the Representatives and the Senators on the respective commerce committees of Congress will give extensive consideration to Pennsylvania's highway safety program.

In their study of the President's proposals and other legislation in this field, the Congress can derive major benefits—and a workable knowledge of successful achievements in this field—through a visit to this state.

Any realistic appraisal of Pennsylvania's motor vehicle inspection system will clearly demonstrate its value in reducing accidents, across the nation.

Without in any way posing as experts in automobile design for safety, we take this realistic view: that mechanical failure—in Pennsylvania, at least—is a minimal factor in the cause of accidents. Although accident records are not privileged, Congressional interviews with both our State Police and our mechanics will bear out this point, conclusively.

The major responsibility for lethal accidents must lie in three areas:

With driver carelessness;

With mechanical obsolescence in states where there is no continuing check for potential equipment failure;

And, with treacherous stretches of highway.

Mandating a minimum system of motor vehicle inspections will require a full measure of political fortitude by the members of Congress. Understandably, it is far more expedient to shake a finger at Detroit than it is to impress the Congressional will on the state legislatures back home.

But motor vehicle inspection is a tried and tested system. It works in Pennsylvania. It has made Pennsylvania cars the safest in the world. It will work elsewhere in the nation. It can, and should be a state function. It is a system which can be installed, implemented and administered—as has been done in Pennsylvania—at a charge by the state of 10 cents per sticker, twice a year.

We do not oppose federal legislation designed to establish safety standards for vehicle, highways and all the related aspects of our industry and the utilization of its products, provided it is prepared and administered with the advice and counsel of state officials and representatives of our industry who have had long and practical experience in these matters. We don't favor the appointment of a "czar" to set the standards for our industry, its products, their manufacture or distribution, and we will strongly oppose any such proposal.

The ultimate solution of the traffic accident problem requires action in many directions. The logical approach is to take politics out of the current agitation and recognize that only the sincere cooperation of numerous interested agencies will improve the situation.

Twenty-nine states still do not have laws requiring periodic motor vehicle inspection. Without compulsory inspection, no one knows how many unsafe vehicles, because of owner neglect, are operating on our highways. A crusade for periodic motor vehicle inspection in every state should be the basis for an objective approach to the problem.

Broader driver education programs, not only for high school students but for adults as well, are needed everywhere. Stronger driver licensing requirements with periodic reexaminations, more uniform traffic laws, more trained enforcement personnel and stiffer penalties for traffic violations could contribute immeasurably to improvement in our traffic accident picture.

We call upon all concerned to take positive action toward bringing into the current traffic safety campaign a sensible, aggressive, balanced attack on the real fundamental reasons for the traffic accident and fatality record which all Americans deplore.

HON. FULLER WARREN, FLORIDA'S GREAT LEADER IN THE PRINCIPLES OF CHRISTIANITY, BROTHERHOOD, AND DEMOCRACY

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, one of the men who has nobly held aloft the light of democracy in Florida and in the Nation from his youth when he was a college leader, as a member of the House of Representatives in the Florida Legislature, as Governor of Florida from 1948 to 1953, until the present time when he has acted as a distinguished member of the Florida and American Bar, and civic leader in Miami, is the Honorable Fuller Warren.

Fuller Warren has never forgotten the struggles of his youth to gain an education and an honorable place in the life of his State. Hence he has been sympathetic to the struggles of other people to make their way along the highway of life which many of them find a rugged route.

Fuller Warren made Florida an able, forward-looking and dynamic Governor. He left an imperishable imprint of his great vision for Florida and his forceful administration on the economic, educational, and political and spiritual life of Florida. Now he is loved and honored throughout the State for the warmth of his heart, the charm of his personality, and his inimitable wit.

I recently chanced upon a column former Governor Warren wrote for the Miami News in the 1964 campaign for the presidency. This letter from our former Governor is so strong a statement for the principles of Christianity, brotherhood, and democracy, that I thought it particularly appropriate at this time when the White House Conference on Civil Rights is in progress, that these moving words of former Governor Warren be made available to the Members of the Congress and those who shall read this RECORD. Hence, Mr. Speaker, I ask that Governor Warren's letter to the Miami News in the fall of 1964 appear following my remarks in the body of the RECORD.

The universal brotherhood of all mankind first was proclaimed nearly 2,000 years ago by an unemployed Carpenter. This doctrine made very slow progress during 1,700 years thereafter. A few men, "booted and spurred, rode the backs" of their fellow men. Governments were run by kings and their accomplices, chiefly for their own benefit.

The masses were serfs or slaves, and government was administered so as to keep them in serfdom or slavery (poverty and ignorance).

The masses were so brutalized by their masters that the life expectancy of the average person was less than 30 years. (In the U.S., life expectancy is about 70 years.) Poverty, sickness, ignorance, and cruelty was the fate of all but a very few people. Nearly 200 years ago the first government to be founded on the principle of the brotherhood of man came into being by the Declaration of Independence and by the U.S. Constitution.

This government is well on the way toward affording all its citizens equal opportunity.

Next November, the people of this government will decide whether to let it continue to expand opportunity for all its citizens,

or to turn its control over to a few medieval-minded men who yearn for a sort of 20th century serfdom for the rest of us.

Let's not let them do the latter.

FULLER WARREN,
Miami.

MEETING THE GROWING NEEDS OF OUR CITIZENS—REMARKS ON THE PROPOSED SENIOR ACTIVITY CENTER AND COMMUNITY SERVICE ACT AND THE COMMUNITY RECREATION SERVICE ACT

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, last session I introduced two bills—H.R. 4409 and H.R. 4410—which deal with the establishment of service centers and recreation facilities in communities across this Nation. The activities provided for under these two bills could go far in meeting the growing needs of our communities in providing services and recreation for all of its citizens, particularly those with special problems.

The first of these bills—H.R. 4409—is aimed specifically at the older American and is entitled the "Senior Activity Center and Community Service Act." Briefly, it provides grants to States and communities to assist in the construction and operation of senior citizens centers and programs of activities in keeping with growing needs of older citizens.

The bill would provide a small amount to train personnel needed to administer and carry out these programs—not more than 5 percent of the total appropriation—and would concentrate its efforts on construction and operation of centers and programs of education, recruiting, and training of the elderly for community service.

Its activities would cover a broad range, providing recreational, educational, cultural, and community service activities during the day; emphasizing continued individual development of its participants to help them meet the challenges and problems of later years; opening new vistas and interests in retirement years to counteract the rigidity of old age; creating a supportive environment of friends with common interests and problems; providing a medium through which the elderly can continue to participate and serve in his community; and, generally, serving as a rallying point around which the capabilities and resources of the elderly can gather and be dispersed.

There is a great and growing need for such legislation, especially in light of our increasing elderly population, its high level of ability and vitality, its improved health, the trend toward earlier and enforced retirement, and its heavy burden of empty hours and years of leisure. Such centers and their programs will provide an outlet for the energies and talents that vigorous active older citizens command.

We have recently paid a great deal of attention to the older American and his problems, as our legislative record over the past several sessions clearly indicates. And this legislation fills some of the remaining gaps in services that we can offer to this age group.

The Older Americans Act was the first to deal with the problem that my bill confronts. It provides grants for community planning and coordination of programs, for demonstrations in the field of aging, for training personnel, and for operating centers for the aged. It is a landmark for the aged; yet, it doesn't have the scope which my bill would have.

Funds are very scarce, for example, for implementing such centers, for taking them beyond the planning stage. This bill would provide those funds necessary for construction. It is less interested in research than in action—as is indicated by the provision which limits funds for training personnel to 5 percent of the total appropriation. These funds will act in the communities and go directly and principally to benefit older citizens.

I feel strongly that the Federal Government has a responsibility in this area—in providing the means through which its older citizens can continue to lead active, productive, and full lives beyond retirement. As things stand now, the Nation is losing the energies and talents of millions of older Americans merely because there are no facilities for their use and no programs which can, on a large scale, channel their capacities.

I believe that the passage of the Senior Activity Center and Community Service Act could go a long way toward meeting these needs.

My other bill—H.R. 4410—provides for the establishment of a Community Recreation Service in the Department of Health, Education, and Welfare. The Service would provide a clearinghouse for information to assist communities in determining and meeting the rapidly expanding needs for wholesome recreation services; it would offer technical and advisory assistance; it would coordinate public and private efforts in planning for such services; it would conduct research, studies, and surveys to appraise existing public services; it would assist in training recreation personnel; and it would arrange for demonstrations and research in recreation through grants to interested public or nonprofit agencies.

The legislation could be particularly useful in developing and encouraging the availability of recreational facilities for such problem groups as the retarded, the handicapped, and the elderly. All too often, in the prevailing scarcity of recreational facilities in communities, these special groups are completely ignored. Their needs would require special consideration and careful planning—and this need has generally been left unfilled in places where even facilities for the young and the active have been inadequate.

As our population is increasing and as it spreads over the land, and as our leisure time grows with the advances of technology, our need for recreational facilities is burgeoning. Estimates indicate that, by the end of the century, our needs for outdoor recreational facilities will at least treble and could conceivably increase tenfold.

Now is the time for us to devote careful study to meeting these needs. The creation of a Community Recreation Service will also serve the invaluable function of focusing public attention on this problem.

Both of these bills, I feel, serve the purpose of serving the people in most effective ways. The problems that leisure time create—for those who are retired, for those who are handicapped, for the retarded, and for the average citizen—will grow and not diminish in the years ahead. It is essential that we begin making more adequate provisions for the use of that time and that we encourage our communities to think and plan for the best ways in which they can serve their citizens. Both these bills provide frameworks for this kind of action. I would hope that they will be considered positively by the Congress.

MEXICAN-AMERICANS THREATEN DEMONSTRATIONS FOR RIGHTS

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. FARBSTEIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, in our preoccupation with the discrimination suffered by our Negro minority in this country—a preoccupation that is quite justified, I need not add—we have tended to overlook the discrimination suffered by Americans of Latin extraction. I have, on many occasions, pointed out to Congress the plight of Puerto Ricans residing in the United States. Many of them are my constituents and I know their problems intimately. These problems occupy much of my attention. I believe that we in New York, where the majority of Puerto Ricans living in the continental United States are concentrated, are making some progress in wiping out bias against these excellent citizens. I would like to report more dramatic progress, but we are going forward.

I must concede that we in the East tend to overlook the problems of another segment of Spanish-Americans, those whose origins lie across our southern border in Mexico. Mexican-Americans call themselves the "invisible minority" because they have suffered unnoticed. Perhaps this is a testimony to their stoicism. Perhaps it is testimony to our indifference—and we in the East are to blame for our insensitivity to this situation.

There was recently brought to my attention a dispatch which indicates that Mexican-Americans may no longer be content to remain "invisible." I can scarcely blame them. They have a right to cry out for justice. They have earned, by their American citizenship as well as by their manifold contributions to this Nation, the rights that every other citizen possesses. I ask my colleagues, from every section of the Nation, to take note of this dispatch and to take account of the warning it contains. Our country will not have fulfilled its destiny until every American, whatever his color or origin, is treated as an equal.

MEXICAN-AMERICANS THREATEN DEMONSTRATIONS FOR RIGHTS

LOS ANGELES, April 29.—The five million Mexican-Americans in the United States will begin marching and demonstrating on a national scale unless the federal government provides them with equal educational and employment opportunities, Mexican-American leaders warned yesterday.

"In spite of our number, we are America's invisible minority because we have not demonstrated. Because we have not cried out when we have been abused and exploited, we have been ignored," Houston Municipal Judge Alfred J. Hernandez said.

Judge Hernandez spoke at a press conference prior to an evening gathering of some 400 Mexican-American leaders to honor the 50 Mexican-American delegates who walked out on a federal equal employment conference in Albuquerque, N.M., last month. The commission's own hiring practices were discriminatory, the delegates charged.

He was joined by Miguel Montes of San Fernando, Calif., president of the Latin American civic association.

DUAL CULTURE

Mr. Montes said: "The Mexican-American with his dual culture and dual language should be making a major contribution to this great nation. But instead, he is asked to work the crops and keep his mouth shut; to do the jobs that are a little too dirty for anyone else to do."

Mr. Montes is the first Mexican-American appointed to the California State Board of Education, having been given the job two months ago by Gov. Edmund G. Brown.

Another speaker was county commissioner Albert Pena of San Antonio, Texas., the national president of the Political Association of Spanish-speaking Organizations. He said that in his home city of 800,000, more than half of which are Mexican-Americans, there are 107,000 illiterates, 90 percent of Mexican descent.

POLITICAL UNITY

The national president of the American GI Forum, a Mexican-American veterans' organization, Augustine Flores of Riverside, Calif., said in response to a question regarding political unity: "The answer is right here. We're all here together and we're all working for the same goal: full participation of five million Mexican-Americans in our society."

They sought a meeting with President Johnson and were planning to send a telegram to the president signed by all 400 delegates to the evening unity banquet.

Most major Mexican-American organizations have sent delegates to the unity rally, which was organized in support of the March walkout.

AMENDING THE FEDERAL AVIATION ACT

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. MACKAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MACKAY. Mr. Speaker, today I have introduced a bill to amend section 609 of the Federal Aviation Act of 1958 to modify the procedures with respect to amendment, suspension, and revocation of certain certificates by the Administrator of the Federal Aviation Agency.

The intent of the bill is to remove what many commercial airline pilots consider to be an inequity in that as the law now stands it permits the FAA to be in the position of prosecutor, judge, and jury. This bill would in no way lessen the power of the Administrator to take action where there is incompetency, or habitual or willful violation of Federal Air Regulations, but it would prevent arbitrary and unjust use of the Agency's power.

I believe this bill deserves favorable consideration and that if it is passed it will contribute to the morale of the men who are charged with the safety of more and more of our citizens.

The text of the bill follows:

A bill to amend section 609 of the Federal Aviation Act of 1958 to modify the procedures with respect to amendment, suspension, and revocation of certain certificates by the Administrator of the Federal Aviation Agency

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 609 of the Federal Aviation Act of 1958 (49 U.S.C. 1429) is amended by striking out the second sentence and inserting in lieu thereof the following: "If, as a result of any such reinspection or reexamination of a civil airman, he determines that, because of incompetency, or habitual or willful violation of the Federal Air Regulations, or criminal conduct of a nature which might affect the certificate holder's exercise of the privileges of his certificate, safety in air commerce or air transportation and the public interest requires, the Administrator may issue an order amending, modifying, suspending, or revoking, in whole or in part, any type airman's certificate, production certificate, airworthiness certificate, air carrier operating certificate, or air navigation facility certificate, or air agency certificate. If, as a result of any such reinspection or reexamination of other than a civil airman, he determines that safety in air commerce or air transportation and the public interest requires, the Administrator may issue an order amending, modifying, suspending, or revoking, in whole or in part, any type certificate, production certificate, airworthiness certificate, air carrier operating certificate, air navigation facility certificate, or air agency certificate."

WINCHESTER REPEATING ARMS CO.

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. GIAIMO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GIAIMO. Mr. Speaker, I have the honor to represent, as the Third District Representative from the State of Connecticut, a company whose name is known throughout the Nation and which celebrates this year its centennial anniversary. The name "Winchester" is as much a part of Americana as the westward movement is of American history.

Winchester-Western, which today is a division of Olin Mathieson Chemical Corp., was founded at New Haven, Conn., by Oliver Fisher Winchester, in 1866 as the Winchester Repeating Arms Co. The success of the Winchester Repeating Arms Co., was based upon its introduction and mass production of the first practical repeating rifle which gained an important place in the opening and settling of the western frontiers of this continent soon after the Civil War.

The early Winchesters became so popular and prevalent that the name literally became synonymous with rifle.

Famous users of Winchesters often referred to their favorites with affection: Col. W. F. "Buffalo Bill" Cody called his Winchester model 73, "The Boss." Teddy Roosevelt referred to his model 1895, which he carried with him on his famous African safari, "My Medicine Gun."

From the very early days of its existence, Winchester has been a leading supplier of arms to our Government and its allies. As early as 1878, Winchester was delivering firearms to the Navy, and in 1895, 15,000 muskets were produced, many of which were used during the Spanish-American War. When World War I came, $13 million was spent by Winchester to provide the facilities to supply the Allied Powers, and it was just 17 days after America's entry into that war that the company began production of the Enfield rifle.

By the war's end, the company had produced more than 545,000 Enfields and 458,000 bayonets for our own forces, plus 47,000 Browning rifles and 19,000 riotguns and over half a billion cartridges. In addition, more than 500,000 rifles were produced for the rest of the allies. During World War II, once again the Winchester-Western plants were converted into giant arsenals of defense. From 1940 to 1945, a total of 513,582 U.S. rifles M–1—the Garand—were produced; the company also developed and then produced during the same period, 818,059 caliber .30 M–1 carbines. Also manufactured were 116,587 miscellaneous rifles and shotguns and over 15 billion rounds of various ammunition.

Since World War II, Winchester-Western has continued its military defense effort through the Korean conflict, the cold war emergencies, and the present Vietnam situation by being one of the chief sources of supply of the M–14 rifle and continuing to produce cartridges for the United States and its NATO partners. It has also undertaken millions of dollars of research to further advance our Nation's small-arms technology.

Winchester-Western's contribution to America has not only been in contributing to the wherewithal which enabled our early settlers to survive the rigors of the early frontier and our Armed Forces to fend off aggressive nations, but in addition, it has been a leader in providing to sportsmen everywhere the products and equipment required to pursue their desire for outdoor adventure, recreation and competition. Winchester sporting rifles, shotguns and ammunition have become world renowned as of the end of 1965, 17½ million sporting firearams had been shipped from the Winchester plant. Winchester, too, has taken an active place in wildlife conservation—it has a department devoted to just that with the 700-acre Nilo Farms being the Nation's most famous shooting preserve. More recently, it has organized to encourage public shooting centers where shooting enthusiasts can enjoy their sport in the same way that golfers and bowlers can enjoy theirs.

Today Winchester-Western has four major business operations: arms and ammunition; public shooting centers; Ramset—fastening and allied tools for the maintenance and construction industries—and Associated Products, including solid propellants for military and commercial use and other specialized products. The company employs approximately 10,000 persons throughout the world. The headquarters and the firearms plant are in New Haven, Conn., with additional major plants in East Alton, Ill.; Cobourg, Ontario; Anagni, Italy, and a soon-to-be-completed ammunition plant in Geelong, Australia.

I take this opportunity on its centennial anniversary to extend my congratulations to Winchester-Western, which has played so significant a part in our country's geographical and economic development, its leisure time recreational activities, and in providing the weapons for its defense, and to wish the company continued success as it moves into its second century of dedicated service.

PUBLIC OPINION POLL: FIRST CONGRESSIONAL DISTRICT OF ARKANSAS

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that the gentleman from Arkansas [Mr. GATHINGS] may extend his remarks at this point in the RECORD and include tables.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GATHINGS. Mr. Speaker, for a number of years I have sent out a questionnaire covering major national issues to the people of the First Congressional District of Arkansas. I find that these observations, views, and opinions are most beneficial to me, even though the responsibility of favoring or opposing legislative proposals belongs to me.

Especially is it gratifying to use this system of poll taking because I am also the beneficiary of obtaining the participant's views expressed in the form of comments written upon the ballot or on the back of it. Many times a question-by-question analysis was written, which offers a clear insight into the thinking of the person I am privileged to serve.

The tabulation of the latest poll has been completed and I am pleased to share with other Members the information contained in it. The response to the 76,000 questionnaires sent out is highly gratifying. This poll reflects an excellent cross section of opinion in the 15-county eastern Arkansas district. Farmers, bankers, wage earners, housewives, and people in all walks of life favored me with their replies to these questions. Arkansas newspapers printed copies of the questionnaires, which were clipped out by many people and mailed to me. Area radio stations publicized the questions and cooperated in the effort. The interest in their Government and the problems that face the Nation has resulted in a definitive and significant expression of opinion.

Under leave to extend my remarks in the RECORD, I include the results of the poll, as follows:

	Percent		
	Yes	No	No opinion
Do you favor—			
1. The 1964 law which pledged the United States, when requested, to assist our friends in southeast Asia in defense of their freedom and repel aggression?	68.8	19.6	11.6
2. The administration's handling of the Vietnam war?	36.4	58.5	5.1
3. Withdrawal of U.S. forces from Vietnam?	15.5	74.6	9.9
4. Limited bombing of North Vietnam?	17.0	66.7	16.3
5. Greatly stepped up bombing of North Vietnam?	71.5	14.7	13.8
6. Blockading the port of Haiphong and stopping the flow of goods to North Vietnam from nations not involved in the war?	77.7	11.5	10.8
7. The President's recommendation to carry on the antipoverty projects at home at the same time we are fighting a war in Vietnam?	29.6	65.0	5.4
8. The President's plan for a worldwide war on poverty in the fields of health and education?	33.9	58.3	7.8
9. Selling agricultural commodities to Russia and its satellites?	33.6	56.4	10.0
10. What is known as the Great Society programs?	13.3	63.9	22.8
11. General Federal aid to elementary and secondary school education?	59.9	35.9	4.2
12. The passage of legislation curbing strikes in such industries as shipping, communications, and transportation?	69.0	22.4	8.6
13. An increase in the present $1.25 per hour Federal minimum wage?	40.7	53.2	6.1
14. The minimum wage being extended to apply to agricultural workers?	41.1	52.7	6.2
15. Authority being placed in the Federal Government to enforce nondiscrimination in the selection of juries?	25.9	60.9	13.2
16. A constitutional amendment permitting prayer in public schools?	83.4	10.8	5.8
17. Stopping mail-order sales of guns?	48.0	44.5	7.5

NOTE.—The counting of the ballots of many thousands of constituents who participated in this poll was a difficult task requiring several weeks of work. The 76,000 questionnaires were mailed to postal patrons including boxholders and people who are served by city and rural carriers.

FIFTIETH ANNIVERSARY OF U.S. ARMY VETERINARY CORPS

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. PRICE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PRICE. Mr. Speaker I would like to take this opportunity to congratulate the Veterinary Corps of the Army on its 50th anniversary.

The corps was first established June 3, 1916. The first veterinary officers of the corps were concerned mainly with the care of military animals and limited food inspection. Today the Army veterinarian provides vital support to such modern-day programs as food inspection, preventive medicine, research and development and animal medical care.

In numerous research centers throughout the world, Army veterinarians participate in research of military biomedical problems and improvement of the soldier's ration.

Some are engaged in studies concerned with radiation preservation of foods, development of new dehydro-frozen products, and new techniques for laboratory analysis and field inspection of foods.

More are assigned as veterinary team members, along with other medical scientists, in the study of vital medical problems associated with nuclear energy, burn and wound surgery, defense against chemical and biological warfare, pathology and microbiology. Their efforts in the latter fields are primarily directed to control of communicable and exotic diseases—to assist allied governments, protect military personnel overseas and help prevent the introduction of such diseases into the United States.

Increased demands are being made for Army Veterinary research personnel, particularly in projects requiring the use of animals as models, whose reactions can be studied, interpreted and extrapolated, for their possible and predictable effects on man.

The soldier of today and tomorrow benefits immeasurably from these research efforts.

An article entitled "A Half Century of Veterinary Service in the Army," in the June 1 issue of the Journal of the American Veterinary Medical Association, briefly describes the growth and extended activities of the U.S. Army Veterinary Corps during the last five decades.

I place this article in the RECORD at this point:

[From the Journal of the American Veterinary Medical Association, June 1, 1966]

A Half Century of Veterinary Service in the Army

This June, Army veterinarians all over the world celebrate the 50th anniversary of the Army Veterinary Corps.

"In keeping pace with the progress of the last five decades, the Corps can claim its share of 'firsts' in improving the well-being of American and allied armed forces, as well as pioneering contributions to the world's food supply and human health", observed Brigadier General George A. Kuhn, Assistant to the Army Surgeon General for Veterinary Services.

Conceived in the Cavalry and born in war, the Corps has seen its mission considerably expanded to meet the changing times, shrinking world and complete mechanization of the Army.

"The days of horse-drawn transportation and 'bully' beef are gone", General Kuhn added. "Today the Army Veterinarian provides vital support to such modern-day programs as space feeding, laboratory animal medicine and irradiated foods. With its added dimensions, our profession uses the full scope of the veterinary sciences to prevent disease, protect life and promote the efficiency of the Army's most important possession—its troops."

When the Corps was established in 1916, the veterinary officer confined his activities to the care of military animals and to limited food inspection. Because his training in the medical sciences closely approximates that of the physician, it was soon recognized that he could assume more functions on the medical team—in addition to those then considered strictly veterinary in nature. His stature has grown, paralleling that of his civilian counterpart. Today he can be found in more than 24 countries of the world, carrying out services essential to the Army Medical Service and other agencies, such as the U.S. Navy, Marine Corps, Civil Defense organizations, Peace Corps, Job Corps and American Embassies.

The Corps is composed of commissioned officers, each of whom holds a degree of veterinary medicine from an accredited college in the United States or Canada. The functions of these officers, ably assisted by their trained enlisted specialists, are directed toward four responsible areas of activity.

VETERINARY FOOD HYGIENE

The first of these tasks is that of safeguarding the health of troops from food-borne illnesses. Military food inspection is now a world-wide service which encompasses the hygienic and quality inspection of food products and sanitary inspection of the establishments which produce these items.

Food establishments in the fifty United States serve the Army veterinarian as his training ground. Each process, plant or problem he observes becomes a meaningful experience that serves to overcome a sanitation or production problem overseas.

In the United States, the armed forces accept the wholesomeness findings of Federal (and some State) food inspection agencies to the maximum extent for procurement inspection. In most overseas areas, similar agencies and acceptable standards do not exist and foods of all kinds are procured in many foreign lands, subject only to sanitary supervision of the Army Veterinary Corps.

In conducting ante-mortem and post-mortem inspections in these nations, many of the 40 or so diseases and conditions, for which animal carcasses are condemned, are found to be quite prevalent. Practically all of the many milkborne diseases have been observed and many, which are seldom reported in this country, are commonplace in some areas where our troops are stationed. The establishment of tuberculosis-free dairy herds in Europe is but one of numerous achievements made by Army veterinarians in their efforts to set up sanitary sources of fresh milk, meat and other food supplies in Korea, Eritrea, Okinawa and other remote corners of the world.

History records, with embarrassing accuracy, that contaminated foods, principally beef "embalmed" in formaldehyde, caused more U.S. casualties in the Spanish-American War than did Spanish bullets. Significantly, there have been no serious or widespread outbreaks of disease, traceable to unwholesome foods of animal origin, reported in the Army since the formation of its Veterinary Corps.

Contributing only a very small part of American expenditures abroad—both in terms of dollars and personnel—the Army veterinarian reaps a rich harvest in international good-will. The value of this good-will is best realized by the vast increase in locally-procured supplies and the improved health and living conditions in those countries where our armed forces are on duty.

The close person-to-person contact that Army veterinarians have at the grass-roots level in these lands served as the basis for a 1961 entry in the CONGRESSIONAL RECORD, which describes "a small Point-Four program conducted quietly and unostentatiously by the Veterinary Corps."

VETERINARY PREVENTIVE MEDICINE

The veterinary officer is included in the modern team concept which welds together all of the medical sciences with the single objective of protecting and preserving human health. Medical officers are relieved of many environmental health problems as a result of reliance on veterinary skills in the recognition, cause, effect and control of zoonotic and food-borne diseases.

Animal disease prevention through immunization, treatment and quarantine, is an important part of military veterinary activity. In communicable disease control, the Army veterinarian provides diagnostic, food-testing and epidemiological services. Disease situations in foreign countries present greatly magnified problems because they may affect not only military effectiveness, but adjacent civilian communities and herds and flocks, producing military food supplies.

The veterinarian has proved invaluable as a member of Military Advisory Assistance Groups and Missions in allied countries, through his knowledge of food animals, agriculture and public health. He assists his professional counterparts in programs designed to improve the health and production of animal commodities in these underdeveloped countries. Other veterinarians wear the "Green Beret" as members of Special Forces units. They instill in their fellow-soldiers the importance of animals and food production to the indigenous people with whom they would be intimately associated.

RESEARCH AND DEVELOPMENT

The objective of veterinary medicine in military research is to provide assistance for all projects involving food or animals.

In numerous research centers throughout the world, Army veterinarians participate in research of military biomedical problems and improvement of the soldier's ration. Some are engaged in studies concerned with radiation preservations of foods, development of new freeze-dehydrated products, and new techniques for laboratory analysis or field inspection of foods.

More are assigned as veterinary team members, along with other medical scientists, in the study of vital medical problems associated with nuclear energy, burn and wound surgery, defense against chemical and biological warfare, pathology and microbiology. Their efforts in the later fields are primarily directed to control of communicable and exotic diseases—to assist allied governments, protect military personnel overseas, and prevent spread of such diseases in the United States.

The soldier of today and tomorrow will benefit immeasurably from these research efforts. Veterinary investigators in the Army developed the prototype vaccine against rinderpest, as well as improved antigens for serological diagnosis of leptospirosis. They discovered how the virus of equine encephalomyelitis was transmitted to man by insects and demonstrated the safety and value of tetanus toxoid in animals prior to its use in man. The list of 'firsts' could go on.

Throughout the world the demands for Army veterinary researchers are increasing, particularly in projects requiring the use of animals whose reactions can be studied, interpreted and extrapolated for their possible or predictable effects on man.

ANIMAL MEDICAL CARE

With the mechanization of the U.S. Army, the horse is no longer the important military animal.

Army veterinarians have focused considerably more attention on military dogs and laboratory animals as more and more demands are made for these animals. The demonstrated value of scout dogs and sentry dogs in Southeast Asia, as well as those used for guarding important defenses of our country, has expanded the role of these animals in modern warfare.

The sophistication attained by military medical research has placed a vital responsibility on the Army veterinarian who must provide healthy animals if data, meaningful to man, is to be derived from experiments performed on these animals. Several millions of laboratory animals of various species are used, annually, in military research diagnostic procedures. The Army veterinarians working in this area are concerned with the procurement, management and maintenance of these animals.

Other animals still come under the care of Army veterinary officers. When animals enter or leave a military command, they are under surveillance of the Corps to protect the health of the military community. In addition, the possibility cannot be overlooked that, under certain operational conditions, mounted or pack animals may again be pressed into action to meet critical terrain situations that are inaccessible to mechanized forces. This was the case during World War II when certain operations in Italy and in the China-Burma-India theatre hinged heavily on the ability of these animals to perform their mission. Even if our Army does not use these animals in the future, it may again be necessary to assist an ally in keeping its animal transport in operation or in assisting war-devastated countries in restoring livestock populations.

THE SECOND 50 YEARS

If there is one truth that appears to be self-evident, it is that the activities of the Army Veterinary Corps have become greatly diversified over the years. Proud as it is of its accomplishments, the Corps knows it cannot afford the luxury of dwelling too long in the past, as current veterinary responsibilities are expanding in both scope and size at an unprecedented rate.

At its Golden Anniversary, the Corps realizes its horizons have widened and its personnel are trained and ready to accomplish vital technical tasks in any corner of the earth where our Army may be required to operate.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. Edmondson, for Monday, June 6, on account of official business in district.

Mr. Don H. Clausen (at the request of Mr. Gerald R. Ford), beginning today and through June 20, 1966, on account of representative of House of Representatives at the World Foresty Congress in Madrid, Spain.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Ashbrook (at the request of Mr. Callaway), for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. Quie (at the request of Mr. Callaway), for 30 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. Conte (at the request of Mr. Callaway), for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. O'Neill of Massachusetts and to include extraneous matter.

Mr. Hawkins (at the request of Mr. Fuqua) to include extraneous matter in his remarks made in the Committee of the Whole today.

Mr. Wolff.

(The following Members (at the request of Mr. Callaway) and to include extraneous matter:)

Mr. Horton.

Mr. Duncan of Tennessee.

Mrs. May to include tables in her remarks on H.R. 14050 today.

(The following Members (at the request of Mr. Fuqua) and to include extraneous matter:)

Mr. Love.

Mr. Annunzio.

Mr. Rivers of South Carolina.

Mr. Howard.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2595. An act to place in trust status certain lands on the Wind River Indian Reservation in Wyoming; to the Committee on Interior and Insular Affairs.

S. 2948. An act to set aside certain lands in Montana for the Indians of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont.; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 10451. An act to authorize the Secretary of the Interior to transfer certain lands in the State of Colorado to the Department of Agriculture for recreation development, and for other purposes;

H.R. 10476. An act to retrocede to the State of Kansas concurrent jurisdiction over Haskell Institute; and

H.R. 12264. An act to declare that 99.84 acres of Government-owned land acquired for Indian administrative purposes is held by the United States in trust for the Apache Tribe of the Mescalero Reservation.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a joint resolution of the House of the following title:

H.J. Res. 763. An act authorizing the President to proclaim the week in which June 14 occurs as National Flag Week.

ADJOURNMENT

Mr. FUQUA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 39 minutes p.m.), under its previous order, the House adjourned until Monday, June 6, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2459. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of persons involved, pursuant to the provisions of section 244(a)(1) of the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

2460. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of the order suspending deportation in a certain case, pursuant to the provisions of section 244(a)(2) of the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

2461. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in the cases of aliens found admissible to the United States, pursuant to the provisions of section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

2462. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases authorizing admission of certain aliens, pursuant to the provisions of section 212(d)(6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

2463. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to provide for the collection, publication, and sale of standard reference data; to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HAYS: Committee on House Administration. H. Con. Res. 373. Concurrent resolution, Second Inaugural of Abraham Lincoln—Anniversary; with an amendment (Rept. No. 1569). Ordered to be printed.

Mr. HAYS: Committee on House Administration. H. Con. Res. 532. Concurrent resolution authorizing the printing of additional copies of House Report No. 565 and House Report No. 952 (89th Cong., 1st sess.); with an amendment (Rept. No. 1570). Ordered to be printed.

Mr. HAYS: Committee on House Administration. H. Con. Res. 598. Concurrent resolution authorizing the printing for the use of the Joint Economic Committee of additional copies of parts 1 and 2 of its hearings entitled "Recent Federal Reserve Actions and Economic Policy Coordination"; with an amendment (Rept. No. 1571). Ordered to be printed.

Mr. HAYS: Committee on House Administration. H. Con. Res. 600. Concurrent resolution to authorize the printing as a House document the pamphlet entitled "Our Flag"; with amendments (Rept. No. 1572). Ordered to be printed.

Mr. HAYS: Committee on House Administration. H. Con. Res. 630. Concurrent resolution to authorize the printing of additional copies of House Document No. 190 of the 89th Congress; with amendments (Rept. No. 1573). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 634. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs; with amendments (Rept. No. 1574). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Resolution 778. Resolution authorizing the printing of the prayers offered by the late Chaplain, the Reverend Bernard Braskamp, doctor of divinity, at the opening of the daily sessions of the House of Representatives during the 89th Congress to the time of his demise; with an amendment (Rept. No. 1575). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Resolution 838. Resolution providing for the printing of certain proceedings in the House Committee on Banking and Currency; with an amendment (Rept. No. 1576). Ordered to be printed.

Mr. HAYS: Committee on House Administration. Senate Concurrent Resolution 77. Concurrent resolution authorizing the printing of additional copies of hearings on supplemental foreign assistance for Vietnam for fiscal 1966; with an amendment (Rept. No. 1577). Ordered to be printed.

Mr. HAYS: Committee on House Administration. Senate Concurrent Resolution 90. Concurrent resolution to authorize printing of additional copies of hearings; with an amendment (Rept. No. 1578). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 52.

Concurrent resolution authorizing the printing of additional copies of a veterans' benefits calculator; without amendment (Rept. No. 1579). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 579. Concurrent resolution authorizing the printing of additional copies of House Report No. 973 on "River and Harbor, Beach Erosion, Flood Control Projects, and Water Supply," of the Committee on Public Works; without amendment (Rept. No. 1580). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 580. Concurrent resolution authorizing the printing of additional copies of hearings on H.R. 6991, the Public Works and Economic Development Act of 1965; without amendment (Rept. No. 1581). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 599. Concurrent resolution to authorize the printing of the Constitution as a House document; without amendment (Rept. No. 1582). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 619. Concurrent resolution authorizing the printing of additional copies of part 2 of the committee print entitled, "Conflicts Between the Federal Research Programs and the Nation's Goals for Higher Education"; without amendment (Rept. No. 1583). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Resolution 722. Resolution authorizing the printing of additional copies of Committee Print No. 1 of the Committee on Public Works on section-by-section analysis of H.R. 4, the Appalachian Regional Development Act of 1965 and difference between H.R. 4 (89th Cong.) and H.R. 11946 (88th Cong.) as reported to the House of Representatives and S. 2782 (88th Cong.) as passed by the Senate; without amendment (Rept. No. 1584). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Resolution 723. Resolution authorizing the printing of additional copies of House Report No. 539 by the Committee on Public Works on the Public Works and Economic Development Act of 1965; without amendment (Rept. No. 1585). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Resolution 724. Resolution authorizing the printing of additional copies of hearings by the Committee on Public Works on the Appalachian Regional Development Act of 1965; without amendment (Rept. No. 1586). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Resolution 782. Resolution authorizing reprinting of House Report No. 1219; without amendment (Rept. No. 1587). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Resolution 783. Resolution authorizing reprinting of House Report No. 1236; without amendment (Rept. No. 1588). Ordered to be printed.

Mr. HAYS: Committee on House Administration. H. Res. 794. Resolution authorizing the printing of additional copies of part 1 of the committee print entitled, "Conflicts Between the Federal Research Programs and the Nation's Goals for Higher Education"; without amendment (Rept. No. 1589). Ordered to be printed.

Mr. HAYS: Committee on House Administration. H. Res. 795. Resolution authorizing the printing of additional copies of hearings entitled, "Conflicts Between the Federal Research Programs and the Nation's Goals for Higher Education"; without amendment (Rept. No. 1590). Ordered to be printed.

Mr. HAYS: Committee on House Administration. H. Res. 842. Resolution authorizing the printing of "U.S. Defense Policies in 1965" as a House document; without amendment (Rept. No. 1591). Ordered to be printed.

Mr. HAYS: Committee on House Administration. H. Res. 860. Authorizing the printing of additional copies of the report entitled "Interstate Commerce Commission Operations (Railroad Safety)"; without amendment (Rept. No. 1592). Ordered to be printed.

Mr. HAYS: Committee on House Administration. S. Con. Res. 76. Concurrent resolution authorizing the printing of additional copies of Senate hearings on District of Columbia home rule; without amendment (Rept. No. 1593). Ordered to be printed.

Mr. HAYS: Committee on House Administration. Senate Concurrent Resolution 79. Concurrent resolution authorizing the printing for the use of the Joint Economic Committee of additional copies of parts 1 and 2 of its hearings entitled "Recent Federal Reserve Actions and Economic Policy Coordination"; without amendment (Rept. No. 1594). Ordered to be printed.

Mr. HAYS: Committee on House Administration. Senate Concurrent Resolution 84. Concurrent resolution authorizing the printing of additional copies of the committee print entitled "Catalog of Federal Aids to State and Local Government—Second Supplement, January 10, 1966"; without amendment (Rept. No. 1595). Ordered to be printed.

Mr. HAYS: Committee on House Administration. Senate Concurrent Resolution 86. Concurrent resolution authorizing the printing for the use of the Joint Economic Committee of additional copies of its hearings entitled "20th Anniversary of the Employment Act of 1946, an Economic Symposium"; without amendment (Rept. No. 1596). Ordered to be printed.

Mr. HAYS: Committee on House Administration. Senate Concurrent Resolution 91. Concurrent resolution authorizing the printing of additional copies of hearings on "U.S. Policy With Respect to Mainland China"; without amendment (Rept. No. 1597). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. Senate Concurrent Resolution 70. Concurrent resolution authorizing the placing of a bust of Constantino Brumidi in the Capitol; without amendment (Rept. No. 1598). Referred to the House Calendar.

Mr. JONES of Missouri: Committee on House Administration. H.R. 7315. A bill relating to the National Museum of the Smithsonian Institution; without amendment (Rept. No. 1599). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of Missouri: Committee on House Administration. H.R. 13783. A bill to amend the acts of March 3, 1931, and October 19, 1962, relating to the furnishing of books and other materials to the blind so as to authorize the furnishing of such books and other materials to other handicapped persons; with an amendment (Rept. No. 1600). Referred to the Committee of the Whole House on the State of the Union.

Mr. PEPPER: Committee on Rules. House Resolution 876. Resolution providing for the consideration of H.R. 14019, a bill to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations, and for the other purposes; without amendment (Rept. No. 1601). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 877. Resolution providing for the consideration of H.R. 14025, a bill to extend the Defense Production Act of 1950, and for other purposes; without amendment (Rept. No. 1602). Referred to the House Calendar.

Mr. SISK: Committee on Rules. House Resolution 878. Resolution providing for the consideration of H.R. 14929, a bill to promote international trade in agricultural commodities, to combat hunger and malnutrition, to further economic development, and for the other purposes; without amendment (Rept. No. 1603). Referred to the House Calendar.

Mr. HENDERSON: Committee on Post Office and Civil Service. S. 2393. An act to authorize additional GS–16, GS–17, and GS–18 positions for use in agencies or functions created or substantially expanded after June 30, 1965; with amendments (Rept. No. 1604). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H.R. 15089. A bill to authorize the Secretary of Agriculture to estimate parity price for 1966; without amendment (Rept. No. 1605). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H.R. 15124. A bill to amend section 316 of the Agricultural Adjustment Act of 1938, as amended; with amendments (Rept. No. 1606). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 15202. A bill to provide, for the period beginning on July 1, 1966, and ending on June 30, 1967, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act; without amendment (Rept. No. 1607). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COLLIER:

H.R. 15416. A bill to amend the Internal Revenue Code of 1954 to provide that all transportation furnished to members of the Armed Forces traveling in uniform on official leave, furlough, or pass shall be exempt from the tax on transportation of persons by air; to the Committee on Ways and Means.

By Mr. CURTIS:

H.R. 15417. A bill to amend section 161 of the Revised Statutes with respect to the authority of Federal officers and agencies to withhold information and limit the availability of records; to the Committee on Government Operations.

By Mr. EVERETT:

H.R. 15418. A bill to amend section 123(c) of title 28, United States Code, so as to transfer Haywood County from the western to the eastern division of the western district of Tennessee; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.R. 15419. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 15420. A bill relating to the reduction of the public debt; to the Committee on Armed Services.

H.R. 15421. A bill to assist cities and States by amending section 5136 of the Revised Statutes, as amended, with respect to the authority of national banks to underwrite and deal in securities issued by State and local governments, and for other purposes; to the Committee on Banking and Currency.

H.R. 15422. A bill to provide compensation to survivors of local law enforcement officers killed while apprehending persons for committing Federal crimes; to the Committee on the Judiciary.

H.R. 15423. A bill to amend title 39, United States Code, to prohibit the mailing of unsolicited sample drug products and other potentially harmful items, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KIRWAN:

H.R. 15424. A bill to amend the act of September 30, 1961, with respect to the application of the antitrust laws to the televising by UHF stations of the games of certain professional sports teams and to enhance thereby the public's opportunity to witness these games and, further, to foster the continued growth of UHF television as needed for a truly nationwide and competitive broadcasting system; to the Committee on the Judiciary.

By Mr. KREBS:

H.R. 15425. A bill to amend the Communications Act of 1934 to abolish the renewal requirement for licenses in the safety and special radio services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 15426. A bill to provide compensation to survivors of local law enforcement officers killed while apprehending persons for committing Federal crimes; to the Committee on the Judiciary.

H.R. 15427. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a credit against tax for expenses incurred in making repairs or improvements to his residence; to the Committee on Ways and Means.

By Mr. MACKAY:

H.R. 15428. A bill to amend section 609 of the Federal Aviation Act of 1958 to modify the procedures with respect to amendment, suspension, and revocation of certain certificates by the Administrator of the Federal Aviation Agency; to the Committee on Interstate and Foreign Commerce.

By Mr. MICHEL:

H.R. 15429. A bill to amend section 218 of the Social Security Act to provide that a policeman or fireman who has social security coverage pursuant to State agreement as an individual employee and not as a member of a State or local retirement system may elect to terminate such coverage if he is subsequently required to become a member of such a retirement system; to the Committee on Ways and Means.

By Mr. WALKER of New Mexico:

H.R. 15430. A bill to authorize the establishment of a National Nuclear Museum; to the Joint Committee on Atomic Energy.

By Mr. COLLIER:

H.R. 15431. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. DONOHUE:

H.R. 15432. A bill to amend section 329 of the Immigration and Nationality Act to provide for the naturalization of persons through active-duty service in the Armed Forces of the United States in Vietnam during combatant activities in Vietnam; to the Committee on the Judiciary.

By Mr. DOW:

H.R. 15433. A bill to provide financial and other aid, under the Housing Act of 1949 and related Federal programs, to encourage and assist in the preservation and maintenance of historic structures; to the Committee on Banking and Currency.

By Mr. DUNCAN of Tennessee:

H.R. 15434. A bill to enlarge the home mortgage purchase authority which the Federal National Mortgage Association may exercise in its secondary market operations by increasing the amount of preferred stock which such Association may issue for delivery to the Secretary of the Treasury; to the Committee on Banking and Currency.

By Mr. JARMAN:

H.R. 15435. A bill to provide that expenditures made in connection with certain structures and facilities in the city of Oklahoma City, Okla., may be counted as local grants-in-aid toward an urban renewal project in that city; to the Committee on Banking and Currency.

By Mr. JOHNSON of Pennsylvania:

H.R.15436. A bill to amend the act entitled "An act to amend the Clean Air Act to require standards for controlling the emission of pollutants from certain motor vehicles, to authorize a research and development program with respect to solid-waste disposal, and for other purposes," approved October 20, 1965 (79 Stat. 992), in order to provide for the disposal of junked automobiles; to the Committee on Interstate and Foreign Commerce.

By Mr. LANGEN:

H.R. 15437. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. MULTER:

H.R. 15438. A bill to amend the Public Works and Economic Development Act of 1965 as it relates to those areas to be designated as redevelopment areas; to the Committee on Public Works.

By Mr. ROSTENKOWSKI:

H.R. 15439. A bill providing a poverty area amendment; to the Committee on Public Works.

By Mr. STAGGERS:

H.R. 15440. A bill to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SWEENEY:

H.R. 15441. A bill authorizing the Secretary of the Army to establish a national cemetery in Ohio; to the Committee on Interior and Insular Affairs.

H.R. 15442. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas:

H.R. 15443. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. MEEDS:

H.R. 15444. A bill to amend the Vocational Education Act of 1963; to the Committee on Education and Labor.

By Mr. PERKINS:

H.R. 15445. A bill to amend the Vocational Education Act of 1963; to the Committee on Education and Labor.

By Mr. BOLAND:

H.J. Res. 1155. Joint resolution to create a delegation to a convention of North Atlantic nations; to the Committee on Foreign Affairs.

By Mr. CUNNINGHAM:

H.J. Res. 1156. Joint resolution to create a delegation to a convention of North Atlantic nations; to the Committee on Foreign Affairs.

By Mr. TUTEN:

H.J. Res. 1157. Joint resolution to amend section 316 of the Agricultural Adjustment Act of 1938 to extend the time by which a lease transferring a tobacco acreage allotment may be filed; to the Committee on Agriculture.

By Mr. BLATNIK:

H. Con. Res. 671. Concurrent resolution establishing a Joint Committee on National Service and the Draft; to the Committee on Rules.

By Mrs. GREEN of Oregon:

H. Con. Res. 672. Concurrent resolution establishing a Joint Committee on National Service and the Draft; to the Committee on Rules.

By Mr. O'HARA of Illinois:

H. Res. 879. Resolution for printing 2,000 additional copies of part I of "United States-South African Relations" for use of the Committee on Foreign Affairs; to the Committee on House Administration.

MEMORIALS

Under clause 4 of of rule XXII,

485. The SPEAKER presented a memorial of the Legislature of the State of Louisiana, relative to the restoration of the word of God to our public schools and institutions, which was referred to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BELL:

H.R. 15446. A bill for the relief of Edward de Butts; to the Committee on the Judiciary.

H.R. 15447. A bill for the relief of Mrs. Hatsue Taniguchi; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 15448. A bill for the relief of Michel Kessissoglou; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 15449. A bill for the relief of Carlos Humberto Ritter; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 15450. A bill for the relief of Dr. Mirjam Mathe; to the Committee on the Judiciary.

By Mr. HOWARD:

H.R. 15451. A bill for the relief of Mrs. Veritta Rebecca Barker; to the Committee on the Judiciary.

By Mr. SCHISLER:

H.R. 15452. A bill for the relief of Ricardo Magsalin Eduvas; to the Committee on the Judiciary.

By Mr. SICKLES:

H.R. 15453. A bill for the relief of Georgios Kaldis; to the Committee on the Judiciary.

By Mr. WELTNER:

H.R. 15454. A bill for the relief of Julio Domingo Hernandez, M.D.; to the Committee on the Judiciary.

By Mr. WOLFF:

H.R. 15455. A bill for the relief of Mrs. Huat Nio Tjio; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

394. The SPEAKER presented a petition of Mrs. Bernice Small and others, Lakewood, Calif., relative to proclaiming as subversive any party, organization, or association which is directly or indirectly influenced or financed by a foreign government, unfriendly to the United States of America, and to pass legislation defining as an act of treason membership in any organization which is formally designated as subversive, which was referred to the Committee on Un-American Activities.

EXTENSIONS OF REMARKS

The 1966 State Champs

EXTENSION OF REMARKS

OF

HON. RODNEY M. LOVE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 2, 1966

Mr. LOVE. Mr. Speaker, this is the first time in the history of Ohio basketball championships that class AA and class A winners came from the same county, Montgomery.

Dayton's Chaminade is the first parochial school to win the Ohio State AA championship in the 44-year history of Ohio tournament play. They defeated the Cowboys of Toledo Libbey recently at St. John's Arena in Columbus, Ohio, 55 to 52.

Through the combined efforts of Jim and Jerry Gottschall along with Jim Dichito, Mike Bockrath, Gary Arthur, Al Bertke, and Steve Cooke, Chaminade's long-cherished dream of championship came true. Their coach, Jim Turvene has been named Ohio's coach of the year.

Mayor Dave Hall said:

> What a team! What a coach! When these boys came from 15 points behind in that last quarter, in my book they became men. Dayton is a great city but you men made it better.

Msgr. Edward Connaughton, the superintendent of catholic schools in Dayton, called the victory "unbelievable still." Chaminade principal, Brother Stanley Mathews, rated a big cheer when he called off school for a day of celebration.

New Lebanon's Dixie Greyhounds reclaimed the class A State championship which they won in 1962 when they defeated the previously unbeaten Rossford Bulldogs, 75 to 63. Stan Olwine was high-point man and along with the efforts of Mike Wampler, Jim Eck, Larry Wilson, Dennis Brunk, Marc Smith, and Kenny Hess, gave Coach Columbus Hines his 395th career coaching win against 76 losses.

Dixie's class A victory set up the first one-two sweep by a pair of schools from the same county in the 44-year history of the modern State tournament.

My congressional district, the Third, of Ohio, consisting of Montgomery and Butler Counties has a total of 22 wins to its credit since the inception of the Ohio high school tournament in 1923. And, of that 22, Montgomery County schools have claimed the championship 11 times.

The latest two victories of Chaminade and Dixie have provided another first, giving Montgomery County undisputed claim as basketball capital of Ohio.

On behalf of all my constituents I want to express the deep pride and appreciation these teams deserve for a job well done and very best wishes for success in the future. Perseverance and teamwork was the key to success and they have indeed earned the right to say: "We're No. 1."

The World Is Richer for Italy's Great Contributions to Art, Literature, and Science

EXTENSION OF REMARKS

OF

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 2, 1966

Mr. WOLFF. Mr. Speaker, today we celebrate the 20th anniversary of the birth of the Italian Republic. The election of June 2, 1946, once again brought the promise of democracy to Italy and marked a significant turning point in that great nation's long history.

For centuries, the masterpieces of Italian genius have enriched the world. Italian artists and writers have set standards of artistic and esthetic perfection. Both in the arts and in the sciences, Italians are second to none in inventive inspiration, in scientific discovery, and also in the art of making the fruits of their genius available to the world.

And let us not forget that it was a courageous and farsighted Italian, Christopher Columbus, who first discovered the New World which eventually came to bear the name of another Italian explorer, Amerigo Vespucci.

Mr. Speaker, Italy gave to mankind the sublime Michelangelo and Da Vinci, and the immortal Dante.

In music, the names of Vivaldi, Rossini, Toscanini will live forever. And who could forget the incomparable Caruso, who so brightened the world with his golden voice?

Mr. Speaker, I am happy that Italy and the United States, one an old nation, the other relatively new, have been such good friends over the years. For, in exchange for the rich infusion of talent and energy brought by the Italian immigrants to our shores in the last century, we Americans played a large part in rescuing Italy from Fascist tyranny in this century. I am proud that our Government has shown sympathy, friendship, and generosity in our encouragement and nourishment of the Republic born 20 years ago today in Italy.

Since those anxious and hopeful days of 1946 the youthful Republic of Italy has gone through periods of test and trial and has come out the stronger for them. Through this time of storm and stress Italy's leaders, by their wise course in foreign affairs, and through careful and cautious internal moves, have successfully discouraged the forces opposing the democratic regime of the country, and in this way they have had the solid support of the people. We on this side of the Atlantic, as direct and indirect beneficiaries of Italy's genius, naturally are happy to see the Republic of Italy attain a new maturity.

Mr. Speaker, many Members of this distinguished body, past and present, and many members of other councils, courts, and legislative bodies throughout our land, are of Italian origin. Italy's contributions to our Nation are incalculable, both in quality and quantity. And I am proud to have cosponsored the Immigration and Nationality Act of 1965, which will stimulate the flow to our shores of those whose talents will again enrich our national life.

I rise today, therefore, to salute the great nation of Italy and the Italian people. May the bonds of friendship that join our peoples ever endure.

And may the people of Italy continue on their journey toward the prosperity and national well-being to which they are entitled by reason of their great contributions to the happiness and advancement of mankind.

Congressman Horton Pays Tribute to Italian Republic Day—20th Anniversary

EXTENSION OF REMARKS

OF

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 2, 1966

Mr. HORTON. Mr. Speaker, June 2 marks the 20th anniversary of the founding of the Italian Republic. It was in 1946 that the Italian people undertook their first postwar election and rejected the former monarchical system for a democratic republic. With much of their country ravaged by the war, Italians were well aware of the challenges to be overcome; hunger, disease, lack of housing, and many other problems afflicted them. In addition, there was the haunting shadow of the Italian Communist Party, waiting to take advantage of the weakened country.

However, to the credit of the Italian people and their leadership, they manifested a character and spirit which did not succumb to the Communist overtures. Despite their problems and difficulties, they refused to accept the so-called easy solution as presented by the Communists. Instead, they undertook to rebuild their country from the ground up; not only did they rebuild industry and revive agricultural production, but in both cases they exceeded previous production figures. In a further example of their rejection of communism, they joined NATO and gave it their complete support. The Italian support for the NATO principles has continued to this day.

Italy surely stands as an example of how a country's dedication to free enterprise and wise leadership can overcome immense problems in a relatively short period of time. Today Italy can be very proud of its industrial region, the north, which is continually setting international standards of excellence through its many products. That industrial growth has been a vital factor in reducing unemployment, long a handicap in Italy. The country has also been setting a rapid pace in developing domestic sources of power. Fashions and the arts are continually influenced by the genius of the Italian touch.

The South had traditionally been a problem to Italy, but there also rapid and progressive change has taken place. The Government has played a large part in assisting the region, and plants and development schemes have been increasing their absorption of unemployed manpower. Certainly much more still needs to be done, but this is a remarkable record for a region which only a few years ago was in serious economic difficulties.

There are many ties which bind the American and Italian people. That is one reason, Mr. Speaker, why I feel certain that I speak with America's support in wishing the people of Italy warm congratulations as they mark this important anniversary.

U.S. Army Veterinary Corps Celebrates 50th Anniversary

EXTENSION OF REMARKS

OF

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 2, 1966

Mr. RIVERS of South Carolina. Mr. Speaker, on Friday, June 3, the U.S. Army will commemorate the 50th anniversary of the founding of its Veterinary Corps. I take this opportunity to offer my congratulations to the corps on this their 50th anniversary.

Since the inception of the Veterinary Corps of the Army in 1916, veterinary officers have been utilized in the conduct of animal care, food inspection, and support of varied military research programs. The number of veterinary officers assigned to research activities during the first 25 years of the corps' existence were relatively few compared to the number of officers assigned to animal treatment facilities or food inspection activities. These early investigators made many notable contributions to military medicine, not only in the area of animal diseases but also in the prevention of diseases transmitted from animals to human beings.

During World War II the Army utilized over 56,000 horses and mules and several thousand war dogs. With such a large animal population the Army faced many problems related to the health of these animals, which required research programs for their solution.

Much of the research activities of the military veterinarians of World War II was directed to the solution of problems related to the health of human beings rather than animals per se. They collaborated in the development and production of vaccines for the protection of human beings against typhus and Japanese B encephalitis. Antigens were developed for the diagnosis of leptospiral infections of military animals and the use of such antigens were subsequently extended to the diagnosis of this infection in human beings.

Within the modern army the officers of the Veterinary Corps are playing a vital role in military research and development activities. Today, over 22 percent of all army veterinarians on active duty are assigned to research and development activities. In addition, a small but increasing number of Army veterinary officers are assigned to certain Navy installations to perform research functions. The demand for veterinary officers to be assigned to military research programs exceeds the current availability of such officers. It is to this vital role of today's Veterinary Corps that most of the people may be unaware.

Because his training in medical sciences parallels that of the physician, the Army veterinary officer is qualified to assume certain research functions in addition to those which are strictly veterinary in nature. By virtue of postdoctoral study, and training a sizable number of officers of the Veterinary Corps are now recognized specialists in a variety of disciplines such as pathology, microbiology, radiobiology, toxicology, experimental surgery, and laboratory animal science. The professional talents of such officers are required in military research to provide assistance for all projects involving the development of subsistence items or in which laboratory animals are employed.

Although large numbers of laboratory animals were used for military research in World War II, increasingly larger numbers of such animals have been utilized on an annual basis since that time.

Lt. Gen. Leonard D. Heaton, the Surgeon General, the Department of the Army, has, on the occasion of its 50th anniversary, congratulated the corps on its many past accomplishments.

I would like to insert General Heaton's congratulations into the RECORD:

DEPARTMENT OF THE ARMY,
OFFICE OF THE SURGEON GENERAL,
Washington, D.C., May 30, 1966.

To each member of the U.S. Army Veterinary Corps:

I wish to extend my congratulations and sincere appreciation to each member of the Army Veterinary Corps on the occasion of your Fiftieth Anniversary.

The officers of the Corps, a key member of the Army's medical team, reflect on its role in improving health conditions in military and civilian communities around the globe.

In keeping pace with the progress of the last five decades, your Corps can claim its share of "firsts" in improving the well being of American and Allied Armed Forces, as well as pioneering contributions to the world's food supply and human health.

I am certain that the challenge of the future will be met with equal enthusiasm as it has in the past.

Lt. Gen. LEONARD D. HEATON,
The Surgeon General.

Italian Republic Anniversary

EXTENSION OF REMARKS

OF

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 2, 1966

Mr. HOWARD. Mr. Speaker, today marks the 20th anniversary of the founding of the Italian Republic. The year 1946 began a new era for the Italian people when they freely elected a democratic republic to replace a fascist system that had led them to war and had provided them with a leadership that was contrary to their historical tradition. Now, two decades later, Italy stands a strong nation, participating in the Atlantic Community, and once again reflecting the true genius and cohesion of her people.

Postwar Italy, wracked with poverty, disease, and a virtually destroyed economy, shook herself loose from the despair that can characterize a defeated nation, and directed her energy toward economic and political reconstruction. With the reappearance of national pride and determination, the desire to regain her former eminence drove Italy to begin anew rebuilding a country that could hold its head high in the family of nations. Today, we witness an ever-increasing industrial and agricultural output coupled with social and cultural advancement—a direct result of that decision to follow the road of political freedom and free enterprise.

The road to stability has not been an easy one. Dynamic political forces, often at great odds with one another, have provided much challenge to her leaders. Sporadic unemployment and a recessionary-inflationary pattern have put much burden on her people. The lack of raw materials has demanded advanced technology from an infant industry. But, in the face of all this adversity, Italian ingenuity and vitality have, by and large, overcome the obstacles set in its path of progress.

Under the leadership of a government that has successfully blended its diverse political elements, Italy has made great strides in her economic development. The economic growth in recent years has been higher than any of her Common Market partners. During the 1950's the annual increase in GNP averaged 5.8 percent. The last industrial production figures for 1965 indicate a 4.3-percent increase above that of the preceding year. And despite the strong contrast between the development of the north and south, the trend of the economy has been continuously moving upward.

If we look to the north we see an industrial area that parallels many European centers. The products of Fiat, Olivetti, and other Italian manufacturers can be found throughout the world. Looking to the less developed south we see the greatest challenge to present-day Italy. But, with extensive public works and a reevaluation of southern Italian farming practices, a slow, but steady, improvement can be noted. Undoubtedly, the great achievements of the north have served as a testimonial to the possibilities open to the south.

Just as the successful industrialization of Italy deserves recognition, so, too, does her resumption as leader in the arts and humanities. The pages of history serve as a constant reminder of the always active creativity and brilliance of the Italian people.

Scarcely any other nation can boast such an unbroken stream of artists and innovators in all fields of human endeavor. Almost no enlightened country can deny the influence Italian religion, law, art, and music have had on its own development. A people who have so contributed to mankind could have chosen to rest on the accomplishments of their forbears. That Italy has not done so is evident in the new generation of fashion designers, screenwriters, architects, and dramatists.

On this 20th anniversary I can find no better tribute than giving recognition of their remarkable progress and achievement. I am sure that all Americans will wish to offer congratulations to the Italian people.

The 20th Anniversary of the Italian Republic

EXTENSION OF REMARKS

OF

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 2, 1966

Mr. ANNUNZIO. Mr. Speaker, 20 years ago on June 2, 1946, the Italian people went to the polls for the first time following World War II. On that day they took the decisive step of rejecting the monarchy and set their sights on building a modern democratic republic. The way ahead was difficult. Fascism and war had brought untold destruction to many parts of Italy; large portions of the population were afflicted by hunger and misery; the Communist Party was powerful and militant and posed an ominous threat to new democratic institutions. The Italian people were neither discouraged nor disheartened, however, by the enormous tasks that confronted them. They rolled up their sleeves and set to work.

Today, 20 years later, their achievements are there for all to see. Democracy has been made to work despite the disruptive maneuvers of the Communist Party. Modernization has accompanied the reconstruction of industry. Northern Italy has become one of the great industrial centers of Europe. The products of Italian industry are to be found throughout the world. New sources of energy have been developed in order to reduce Italian dependence on imported raw materials. Unemployment—a traditional problem in Italy—has sunk to the lowest levels ever. Italian cities have been graced with striking innovations in modern architecture and design. Rome and Florence are displacing Paris in the world of fashion.

In short, as a result of the imagination and sustained efforts of the Italian people, democratic institutions in Italy are solidly founded, and the expanding Italian economy bustles with activity. Only in the underdeveloped south of Italy has progress been less spectacular. But here, also, changes are appearing as a result of intensive long-term Government programs. Agricultural reform has been encouraged, roads have been built, technical schools have opened their doors, and new industries have been established in the region. Much remains to be done in the Mezzogiorno, but there is every sign that in the not too distant future, the south will catch up with the north.

While the internal accomplishments of postwar Italy are remarkable, it would be inappropriate on this significant anniversary to overlook the positive role Italy has played in international affairs since the end of the war. During the early years of the republic, and under the inspired leadership of those illustrious Italians, Alcide de Gasperi and Luigi Einaudi, Italy made a firm commitment to building a united Europe and a strong Atlantic community. Today, President Saragat and Prime Minister Aldo Moro are following in the footsteps of these leaders.

Last year I had the pleasure of meeting 49-year-old Prime Minister Moro when he visited the United States. I was one of the Congressmen whom President Johnson invited to attend the formal White House dinner on April 20, 1965, in honor of the Prime Minister and his wife, who were accompanied by the Foreign Minister of Italy, Amintore Fanfani. At this dinner, Mr. Moro pledged his support to President Johnson, to America, and to our commitments in the United Nations. He assured our President and the people of America that Italy would remain steadfast to the cause of freedom and to democratic principles.

Now, in a time of crisis in the Atlantic community, Prime Minister Moro, true to his pledge, is working quietly and constructively to preserve the alliance. Within the European communities Prime Minister Moro and President Saragat have firmly adhered to the goal of political as well as economic unity for Western Europe.

We do not read in our headlines of Italy's nationalistic claims and problems of status in the community of nations. We do not hear of spectacular Italian initiatives in foreign affairs. In times of difficulty, however, we do hear the reassuring voices of Italian leaders, expressing their continuing fidelity to the noble goals shared by Italians and Americans during the past 20 years.

Thus, it is with gratitude as well as appreciation that I salute the Italian people on the 20th anniversary of their Republic, and express my conviction that their achievements in the next 20 years will exceed even the remarkable record of the past 20 years.

Cardinal Backs National Prayer Effort

EXTENSION OF REMARKS

OF

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 2, 1966

Mr. O'NEILL of Massachusetts. Mr. Speaker, I have the great honor of bringing to the notice of my colleagues and the Nation a fine statement by the beloved cardinal of Boston in support of a peoples' amendment for public prayer. Writing in the May 21 issue of the Pilot, the official paper of the Archdiocese of Boston, Cardinal Cushing said:

> The official banning of a simple four-verse poem which asks a blessing on the children's school lunch is another affront to those who honor God. His Name is not mentioned in the poem. This is a deplorable situation and a "confusing one" as Senator EVERETT DIRKSEN declares. Meanwhile he continues his vigorous campaign to upset this latest order of the Federal Courts. He believes that his latest efforts for a school prayer amendment to the Constitution will triumph. His efforts to this end reflect the mind of a good public servant and a good Christian. . . . As events continue to move forward, the hue and cry against the decision of the Supreme Court which banned officially-worded prayers and Bible reading in the schools continue to rise on all sides. Throughout the country people respect and honor the strenuous efforts of Senator DIRKSEN to bring back what has been cast aside in godless legislation. They are confident that his efforts in behalf of his godly campaign will go on, even intensified, now that he has more time to devote to it.
>
> "THE SWEETNESS OF PRAYER
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> "There is nothing in the world sweeter than prayer." So declared Senator DIRKSEN in a recent interview. He continued by stressing the injustice and loss to the nation by the act which removed prayer from the public schools. . . . "There is nothing in the world sweeter than prayer." When a high government official so declares, we know that Jesus and Mary listen with joy.

Already the demand for action on a prayer amendment is loud in Massachusetts. The general court is on record, as of February 1966. Bishop Bernard J. Flanagan of Worcester has spoken out in favor, so have the Worcester City Council, the Worcester School Committee, the Diocesan Council of Catholic Women—Worcester—and a host of other organizations and individuals from across the Commonwealth.

Two things, clearly, are at stake here. First is the right of the people of these United States to decide such critical issues for themselves. Unless and until a responsible prayer amendment is proposed to the people for decision, as they may think best, through their several State legislatures, the democratic process is mocked. Again and again, for more than 4 years now, all evidence points to a massive will to return nondenominational, voluntary prayer to the public classroom. So long as a floor vote on this matter is blocked here on the Hill, democracy is travestied and we must fear for the adequacy of our congressional institutions.

Second, is the clear importance of prayer and those other instances of public reverence which many Americans feel stand threatened by the two Supreme Court prayer decisions. At Swampscott, Mass., on May 18 last, Mrs. William H. Hasebroock, president of the General Federation of Womens Clubs, called such public reverence "a symbol of citizenship" and, announcing her strong support of the peoples' amendment for public prayer, added:

It's the building of an idea in young minds.

I am convinced that given the chance at their State capitals, in the process of debate over a prayer amendment, the American people will reaffirm in overwhelming measure their conviction that reverence under public auspices and in public places is a vital part of their inheritance and must be restored to a safe and sure situation.

I can understand that some may dissent from the substance of the case for a prayer amendment. I fail to understand how anyone can deny that this matter is too important to too many of our fellow citizens not to be acted on at once in the Congress. I call upon my colleagues to join with the strong grassroots voice of the Nation and move immediately toward action on the prayer amendment now before the Senate and cosponsored by more than half its membership, of both parties and diverse faiths. Nothing less than this will satisfy the urgent imperatives of the democratic process in which we all believe and to which we owe our presence here.

Remarks of the Honorable Jimmy Quillen at a Memorial Day Service

EXTENSION OF REMARKS

OF

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 2, 1966

Mr. DUNCAN of Tennessee. Mr. Speaker, I wish to draw the attention of the House today to what I consider an excellent and most appropriate address delivered by one our colleagues, Hon. JIMMY QUILLEN, at a Memorial Day service at Mountain Home, Tenn.

The message follows:

Distinguished platform guests and my fellow Americans.

As I approached this stand a moment ago, my thoughts turned not only to those beneath the crosses row on row, but also to the living.

Memorial Day at Mountain Home is always a stirring reminder of our Country's efforts to preserve freedom. As we pause in memory of those who have made the supreme sacrifice for their Country, it is appropriate for us to honor the living who are also giving so much of themselves for our Nation.

It is particularly fitting that we, who are gathered here on these beautiful grounds, pay special tribute to Col. Lee B. Harr, who has put in more than 30 years of faithful, loyal, and dedicated service as Center Director.

A veteran of two world wars, Col. Harr has spent himself in the service of other veterans and has earned their respect and gratitude and that of all his fellow citizens. There have been wars in between, and the crosses have increased by row on row on row since he started here, but his spirit and his devotion to duty have never faltered.

We are privileged to have Col. Harr here among us, and we need but look around to see the fruits of his labors. Truly blessed is he and are we because of his efforts.

As impossible as it is for us to adequately thank those who lie beneath the crosses; so, too, we cannot render Col. Harr the appreciation that we feel for his unselfish and useful efforts. Yet as long as we pause to celebrate Memorial Day, we will remember you, and honor you, Col. Harr. You, your staff, and employees have done and are doing an outstanding job, and we are most grateful.

As I stand here overlooking the rows of white crosses marking the resting places of so many of our veterans, the words that have been uttered in praise of these dedicated men cannot help but come to mind. I quote from "Flanders Fields:"

We are the Dead. Short days ago
We lived, felt dawn, saw sunset glow,
Loved and were loved, and now we lie
In Flanders Fields.
Take up our quarrel with the foe;
To you from failing hands we throw
The torch; be yours to hold it high.
If ye break faith with us who die
We shall not sleep, though poppies grow
In Flanders fields.

We must not break faith with our honored dead, those who have passed the torch of freedom on to us with the challenge to hold it high.

Memorial Day, 1966, has a special significance because we honor the dead, the living, and the dying. War—bitter, cruel, devastating—once again spreads across continents—this time some 8,000 miles away. Today our men are fighting and dying in Viet Nam—American blood runs red on the murky soil over there—yes, even at this very hour.

Blood spilled on the murky soil over there is just as red as if it were spilled right here on these beautiful grounds this afternoon. I have never said that we should be in Viet Nam, but we are there, and our men are dying. We must back our fighting forces to the fullest extent in order to bring this war to an honorable conclusion as soon as possible, but never to sacrifice freedom. We need to bring our boys back home.

Let us not tolerate those who would desecrate the flag, burn their draft cards, and demonstrate against this Country, against our flag, and against our men in Viet Nam.

Rather let us pay tribute to the brave, young men over there, who are fighting for the same cause for which those we honor today died—for their Country, their flag, and their freedom.

The battlefields today are thousands of miles away, but we know what price we are paying to keep our freedom. Our young men—our boys from our beloved East Tennessee—write and tell us what they are doing so that we may continue to live in liberty.

Young men from East Tennessee have allowed us their thoughts as they met the enemy in Viet Nam. Through letters, we share their suffering, their sorrow, and their plight. Thus we know what war today, in 1966, is really like. Let us listen to one of our boys—born and raised among us—and heed his words:

I guess some day this war will end, but the memory of it will last forever. The marchers can march protesting what we are doing, but as they march our artillery shells are falling.

Why can't they see that we have a job to do. A country less fortunate than ours asked us for help, and we are doing the job.

If I'm lucky, I will come out of here alive, but should God choose to take me while I'm here, I'm ready to go. I can think of no better reason to die than for my Country.

God did choose to call this courageous soldier, just as He has chosen so many others.

Our pride in this outstanding young man and the others like him and our gratitude to them is immeasurable. It knows no bounds. The crosses that mark the graves and the scars that are imprinted on their bodies will ever remind us of their greatness and of the debt we owe them, but cannot adequately repay.

The flag-draped caskets are coming home in greater numbers each day. My heart goes out to you wives, to you mothers and fathers, and to you brothers and sisters. May this war end—quickly and honorably.

Let us rededicate ourselves to the principles of freedom. Let us not forget the sacrifices made by others in all wars, so that this flag we all love so dearly can forever wave over our land.

For the inspiration and dedication, courage and determination, to carry on from this very hour, let us turn back the pages of history—to Valley Forge, the bombardment of Fort McHenry, the Civil War, World War I, World War II, Korea, and now Viet Nam—and learn from those who sacrificed so much to give us America—the land of the free and the home of the brave.

Thousands and thousands and hundreds of thousands of brave young men have given their lives to preserve our freedom.

To you from failing hands we throw
The torch; be yours to hold it high.

At Valley Forge, the Continental Army, under the command of General George Washington, set up camp after a long, treacherous march through the snow and freezing cold. Washington, in his own words, described it this way:

To see men without clothes to cover their nakedness, without blankets to lie upon, without shoes (for the want of which their marches might be traced by the blood from their feet), and also as often without provisions as with them, marching through the frost and snow . . .

By the time the camp was evacuated, five months later, 3,000 had died as a result of privation, starvation, and suffering. 2,300 more were sick and ill-equipped and had to be left behind.

If ye break faith with us who die
We shall not sleep . . .

The bombardment of Fort McHenry during the War of 1812 lit up the night. In the morning, as the dawn slowly awakened, an American prisoner on one of the British ships waited and watched for the sight of the flag over the Fort. As the stars and stripes became visible through the mist, his emotions burst forth—"O say can you see by the dawn's early light . . ." and was born our National Anthem.

During the Civil War, brother against brother, in a bitter fight to keep this Country under one flag. Blood ran red on many battlefields—Fort Sumter, Gettysburg, Chickamauga, Antietam, Bull Run, and hundreds of others. In the end, Old Glory again furled over a united Country, and thousands and thousands of brave men lay buried beneath the sod.

To you from failing hands we throw
The torch; be yours to hold it high.

It was following the Great War Between the States that the tradition of Memorial Day was inaugurated. In the 100 years since that time, the honor rolls of our war dead have multiplied and multiplied.

World War I—

Into misty spray and blazing fire,
We slowly crept with endless tire.
Against our lines, with bayonets raised
The troops of Kaiser gravely gazed.

Barbed wire, hand grenades, trenches, foot soldiers, snipers, flashing bayonets—one of the most horrible wars in the history of our Country.

Hungry, fighting to the death, gallantly holding Old Glory, our brave young men never faltered. Theirs was to do and to die. On foreign soil, the crosses row on row are there as they are here.

If ye break faith with us who die
We shall not sleep, though poppies grow
In Flanders fields.

World War II—Iwo Jima—30,000 Marines hurled themselves at 21,000 Japanese. A murderous, interlocking sleet of shot and shrapnel rained upon the American troops as they assaulted the island. Within an hour, the beach was littered with American bodies, with guns, burning jeeps, and useless landing boats. But still the landing waves came on, and still Marines climbed terraces, moving inland, always seeking the high ground.

When the Marines reached the top of Mount Suribachi, they raised a piece of pipe upright and from the end of the pipe fluttered the American flag. By then that flag had cost 16,000 American lives, and another 7,800 wounded.

To you from failing hands we throw
The torch; be yours to hold it high.

In Korea, that mountainous, hostile terrain, Americans fought at Inchon, on Pork Chop Hill, and on Bloody Ridge. Unflinchingly, our men took up their guns. The American soldiers daringly and persistently did their job to do and to die.

Let these scenes from the pages of history forever be a reminder of what it cost to be free.

If ye break faith with us who die
We shall not sleep . . .

Today, Sunday, May 29, 1966, I am reminded of another young soldier in Viet Nam, who, foreseeing his death in battle, left us an undying memorial to the cause of freedom.

It was on a bloody battlefield that this young man had volunteered to take his buddy's place in a patrol. Walking across the rice paddies toward a mountain range, he cried out: "How quiet and deserted it is—not even the birds are singing."

Then suddenly the fire from automatic rifles seemed to come out of every bush. This young man tried to save the life of his buddy by grabbing hold of him and pulling him to the bushes to safety. He never saw the rifle the enemy pointed at him from a few paces away. As he straightened up, he was shot in the back of the head and fell over dead.

One month after his death, one of his buddies found a letter under the dead soldier's bunk, a letter which was written while he was yet alive and that had fallen from his personal belongings. His commanding officer mailed it to his home, and I read it to you in his own words, as his father and mother read it for the first time—some 30 days after he was buried:

Dear Folks,

I'm writing this letter as my last one. You've probably already received word that I'm dead and that the government wishes to express its deepest regret.

Believe me, I didn't want to die, but I know it was part of my job. I want my Country to live for billions and billions of years to come.

I want it to stand as a light to all people oppressed and guide them to the same freedom we know. If we can stand and fight for freedom, then I think we have done the job God set down for us. It's up to every American to fight for the freedom we hold so dear. If we don't, the smells of free air could become dark and damp as in a prison cell.

We won't be able to look at ourselves in a mirror, much less at our sons and daughters, because we know we have failed our God, our Country, and our future generations.

I can hold my head high because I fought, whether it be in heaven or hell. Besides, the saying goes, "One more GI from Viet Nam, St. Peter. I've served my time in hell."

I fought for Sandy, Nell, Gale, Mom and Dad. But when the twins and Sandy's kids get old enough, they'll probably have to fight, too. Tell them to go proudly and without fear of death because it is worth keeping the land free.

I remember a story from Mr. Williams' English classes, when I was a freshman that said, "The cowards die a thousand times, the brave die but once."

Don't mourn me, mother, for I'm happy I died fighting my Country's enemies, and I will live forever in people's minds. I've done what I've always dreamed of. Don't mourn me, for I died a soldier of the United States of America.

God bless you all and take care. I'll be seeing you in heaven.

Your loving son and brother,
Butch

These are the things we live for; these are the things we fight for; these are the things we die for.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 6, 1966

The House met at 12 o'clock noon.

Rev. William D. Bowles, Memorial Drive Methodist Church, Tulsa, Okla., offered the following prayer:

O Thou who didst call the universe into being and now dost call it to a sense of responsibility, hear our prayers on behalf of our world, our Nation, and this assembly of Thy servants. Grant us understanding of the blessed position in which Thou dost allow us to stand in this generation. Give us an awareness of our calling to be faithful stewards of our resources and of our opportunities for service.

We pray Thy blessing upon all our men serving this Nation through our armed services. Guide them in their living and bless them in their dying. We take upon ourselves the responsibility for their actions. Give comfort to all who love them and long for their return.

Accept our prayers, for we make them in the name of Jesus Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, June 2, 1966, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 7402. An act to provide for the establishment of the Chamizal Treaty National Memorial in the city of El Paso, Tex., and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 1761. An act to authorize the Secretary of the Interior to construct, operate, and maintain a third powerplant at the Grand Coulee Dam, Columbia Basin project, Washington, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 944) entitled "An act to provide for expanded research and development in the marine environment of the United States, to establish a National Council on Marine Resources and Engineering Development, and a Commission on Marine Science, Engineering, and Resources, and for other purposes."

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 822. An act to authorize the Secretary of the Interior to convey certain public land in Wyoming to Clara Dozier Wire;

S. 1015. An act to amend the Communications Act of 1934, as amended, to give the Federal Communications Commission authority to prescribe regulations for the manufacture, import, sale, shipment, or use of devices which cause harmful interference to radio reception;

S. 2267. An act to extend the provisions of title XIII of the Federal Aviation Act of 1958, relating to war risk insurance; and

S. 2338. An act to authorize the erection of a memorial in the District of Columbia to Gen. John J. Pershing.

TRIBUTES TO THE HONORABLE EDWIN E. WILLIS

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HÉBERT. Mr. Speaker and Members of the House, it is a particularly happy moment that I have asked permission to address the House. Returning to assume his duties today is one of the most highly respected and beloved Members of this body, our colleague, the gentleman from Louisiana, ED WILLIS.

As Members know, Ed has been absent for several months, with a very serious illness. We thank the Almighty that in His wisdom He has seen fit to return Ed Willis to this body, because not only this body but also this Nation needs him.

With very deep affection and love for you, Ed, on behalf of your colleagues and particularly your colleagues on the Louisiana delegation, may I welcome you back and express the hope that you will be with us for a very, very long time.

I repeat to you, Ed, we not only want you but also we need you.

Mr. ALBERT. Mr. Speaker, will the gentleman yield to me?

Mr. HÉBERT. I yield to the distinguished majority leader, the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, I want to join the distinguished dean of the Louisiana delegation and his colleagues who are here today, because Ed Willis does not just belong to Louisiana; he belongs to all of us and he belongs to the Nation. There is no finer legislator, no finer man in this body or elsewhere than Ed Willis. I know I speak for all of our colleagues as well as for myself when I say welcome back, Ed; we are awfully happy to see you; we have missed you and, as your dean has said, we need you.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. HÉBERT. I yield to the distinguished majority whip, my colleague, the gentleman from Louisiana [Mr. Boggs].

Mr. BOGGS. May I join in the sentiments of joy and pleasure that our distinguished dean has expressed, as well as our distinguished majority leader, upon the return of our beloved colleague from the Third Louisiana District, Ed Willis, is truly one of the great Members of this body, and all Members are happy indeed that he is back.

May I say that all of his Louisiana colleagues are here on the floor, with the exception of Congressman Morrison, who would be here were it not for the fact that he is absent from the city attending the graduation of his son. However, he has asked that he be represented here in expressions of welcome similar to the ones that have been made.

Welcome back, Ed; may God bless and keep you.

Mr. HÉBERT. Mr. Speaker, I yield to the gentleman from Louisiana [Mr. Passman].

Mr. PASSMAN. Mr. Speaker, I would like to join my colleagues in welcoming back our distinguished colleague, the gentleman from Louisiana, Edwin Willis. May I say directly to Ed, we missed you, Ed. The delegation is glad to see you back. The House is glad to see you back. The country needs your services, and my prayers are that you are back for a long, long time. Thank you.

Mr. HÉBERT. Mr. Speaker, I yield to the gentleman from Louisiana [Mr. Waggonner].

Mr. WAGGONNER. Mr. Speaker, I want to join the dean of our Louisiana delegation and my other colleagues from Louisiana in expressing my personal pleasure that Ed Willis has returned to work in the U.S. Congress. Ed, we have missed you. We need you. We are happy you are back and we look forward to many years of further service with you, because if ever there was a people's Congressman, you, Ed Willis, are.

Ed, I value your friendship. Welcome back.

Mr. HÉBERT. Mr. Speaker, I yield to the gentleman from Louisiana [Mr. Long].

Mr. LONG of Louisiana. Mr. Speaker, I would like to join in the remarks expressed by my colleague, the gentleman from Louisiana [Mr. Hébert], our distinguished majority leader, and our distinguished whip and my colleagues from Louisiana in expressing my sincere best wishes and welcome to our distinguished colleague, Congressman Willis, upon his return to the floor of Congress.

Mr. HÉBERT. Mr. Speaker, I yield to the gentleman from Louisiana [Mr. Edwards].

Mr. EDWARDS of Louisiana. Mr. Speaker, as the junior member of the Louisiana delegation, I join my dean and the majority leader and other Members of Congress in welcoming back to the Congress, the Honorable Ed Willis. As Congressman from the Seventh District whose people have such a great community interest with the people of the Third District of Louisiana, I speak for them in welcoming Ed back to the Congress—his rightful place in the sun. Thank you.

Mr. HÉBERT. Thank you very much. Again, Mr. Speaker and Members of this body, on behalf of the Louisiana delegation, may I thank you for the kind remarks you have made about our colleague. He deserves each and every one, and any additional remarks I believe would be superfluous to them.

Ed, I know that today you realize more than any other time in your life the deep affection and love that we have for you. Godspeed in the future, and welcome back.

Mr. WILLIS. Mr. Speaker, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman from Louisiana [Mr. Willis].

Mr. WILLIS. Dean and all of you who have used such wonderful words of welcome and to all of the rest who might wish to associate themselves with these sentiments, may I say a million thanks from the bottom of a grateful heart. Thank you so much.

THE LATE HONORABLE EDWARD B. CARNEY

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, I know the House joins me in an expression of sorrow and regret over the death last night of a beloved longtime employee of the House of Representatives, Edward B. Carney. Ed Carney was born in Pawtucket, R.I. He moved to Detroit where he became a fast and true friend of the late great and beloved Congressman from Detroit, Louis Rabaut.

Louis Rabaut brought him to Washington and he served as Assistant Postmaster of the House of Representatives from 1949 to 1953. He served as Journal Clerk from 1955 to 1957. In 1957 he became the Property Custodian of the House of Representatives.

Mr. Speaker, Ed Carney, as Property Custodian of the House of Representatives, held one of its most important and responsible positions.

Mr. Speaker, it is a big job, looking after all the furnishings of the Members, the committees and the various staffs. Ed Carney handled those responsibilities magnificently. He was ever mindful of the needs and wants of the Members. He was constantly courteous and considerate in his dealing with the Members, committees, and their staffs. He was always pleasant and understanding. He went out of his way to convenience them.

Mr. Speaker, one of the rewards of service in this great body is an appreciation of the loyalty and integrity of the legislative employees. Mr. Speaker, Ed Carney earned our respect and admiration through his wonderful personality and his constant desire to serve us in the very best possible way.

Mr. Speaker, we shall miss him. I express my sympathy to his sister.

Mr. Speaker, I know the Members of the House join me in the sentiments which I have expressed today.

EDWARD B. CARNEY

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, the announcement by the gentleman from Massachusetts [Mr. Boland] of the death of Edward B. Carney has deeply saddened my return to the House from a few days in my district. When I last saw Ed Carney less than a week ago he was in the flush of good health. I counted Ed Carney among my dearest and closest friends. I never knew a man who took greater pleasure and went further in untiring effort to be helpful in every way. His sudden passing brings back the memory of other days of grief, when Lou Rabaut died and all our hearts were broken and later death claimed the beautiful and accomplished wife of Ed Carney and quietly we grieved with him. Ed Carney served the House with fidelity, integrity and great ability in posts of responsibility. As property custodian, he was one of the strong and dependable arms of the great Clerk of the House, the Honorable Ralph Roberts, and it will be hard indeed for the Clerk to find a capable replacement in a position that requires such a large amount of special skills, experience, patience, understanding, and industrious perseverance. The House will miss Ed Carney and long will he be remembered with warm affection and appreciation. To his sister, I extend the deep sympathy of myself and of all the members of my staff, for each of whom at some time Ed Carney had done some favor, sometimes small and again great, in his endless tour of helpful services.

OPPOSE SECTION 3 OF H.R. 14909

Mr. HALPERN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HALPERN. Mr. Speaker, on today's Consent Calendar, there appears a bill, H.R. 14909, which commendable as sections 1, 2, and 4 may be, should be vigorously opposed because of section 3 which authorizes the naming of the veterans hospital in Jackson, Miss., after the late Representative John E. Rankin, of Mississippi.

Ordinarily, I would not object to this type of legislation. In fact, I usually welcome memorials and tributes to deceased Members of Congress. In the bill before us now, I support section 1, naming the Veterans' Administration center at Bonham, Tex., after our great and beloved late Speaker Sam Rayburn; section 2, naming the veterans hospital at Bedford, Mass., after the highly respected late Congresswoman Edith Nourse Rogers; and section 4, naming the Veterans' Administration cemetery at Houston, Tex., after our recently deceased colleague Albert Thomas, of Texas. However, I cannot remain true to my conscience and lend my support to the section naming a veterans hospital after John E. Rankin. This would deprecate the significance of perpetuating the memories of the three great deserving statesmen.

Congressman Rankin who served in the House from 1921 to 1953 was chairman of the Veterans' Affairs Committee. Tragically, his record of public service is tainted by bitter anti-Semitism and outspoken bigotry. His constant outbursts of venomous bigotry right here on the floor of this House are known throughout this land and are some of the black chapters of congressional history. I believe that we would be doing a grave injustice to name a veterans hospital treating veterans of all races and religions after a man who often vilified American Jews and Negroes, including those serving in the Armed Forces.

With Americans of all races, creeds, and religions, serving valiantly in our Armed Forces, it would be an insult, not only to veterans of minority groups being treated in this hospital but to all Americans, to have a Federal facility named after a notorious racist and anti-Semite.

Also, it seems tragically ironic for President Johnson to hold the White House Conference on Civil Rights in the same week in which this Congress would honor the late Congressman Rankin, who in 1951, proposed a bill for a segregated veterans hospital for Negroes.

In conclusion, I wish to point out that I will be forced to object to this bill although I am opposed to only one of its sections. Unfortunately the bill is before us in package form and no amendments are permitted. I am hoping that the move succeeds in blocking this bill today and that there will be a later opportunity to amend the bill to delete section 3 or that the Veterans' Affairs Committee will reconsider and report a new bill excluding this section.

NAMING OF VETERANS FACILITIES

Mr. KUPFERMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, I concur in the very valid statements made by my colleague, the gentleman from the State of New York [Mr. HALPERN].

I might add that if the State of Mississippi desires something to be named for the late Mr. Rankin, then, as a matter of States rights, it ought not to be on a Federal related facility.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

NAMING OF VETERANS' ADMINISTRATION FACILITIES

The Clerk called the bill (H.R. 14909) to provide for the designation of certain Veterans' Administration facilities.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RYAN. Mr. Speaker, reserving the right to object, this bill was on the Consent Calendar on May 16, at which time I objected to it. It is similar to a bill which I opposed in the 88th Congress.

When I objected on May 16, I pointed out that H.R. 14909 consisted of four sections and that there was no controversy with regard to sections 1, 2 or 4. In fact, I am sure the House will overwhelmingly support the proposal to name a veterans' hospital in honor of our beloved former Speaker of the House of Representatives, Sam Rayburn; in honor of Edith Nourse Rogers from Massachusetts; and the Veterans' Administration cemetery at Houston for our beloved former colleague, Albert Thomas, of Texas.

So I suggested on May 16 that section 3, which would name a veterans' hospital in Jackson for former Congressman Rankin, be deleted. Then we could pass the rest of the bill.

The chairman declined to amend the bill, and I objected. It is now before us on the Consent Calendar, and three objections are required. Unless the bill is amended to strike section 3, I am constrained to object again. If the bill is amended, we can expeditiously pass the other sections.

I might also point out that this bill (H.R. 14909) was also scheduled to be brought up today by suspending the rules. However, I have been advised by the distinguished majority leader that it will not be called up on suspension. I hope this means that the chairman of the Committee on Veterans' Affairs, if he intends to pursue this matter further, will ask for a rule, so that an amendment to strike section 3 will be in order.

Mr. PUCINSKI. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. RYAN. Mr. Speaker, I object to that request.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RYAN, Mr. HALPERN and Mr. KUPFERMAN objected.

The SPEAKER. There being three objections, the bill is stricken from the calendar.

TECHNICAL AMENDMENTS TO THE ACT CREATING THE ATLANTIC-PACIFIC INTEROCEANIC CANAL STUDY COMMISSION

The Clerk called the bill (S. 2469) amending sections 2 and 4 of the act approved September 22, 1964 (78 Stat. 999), providing for an investigation and study to determine a site for the construction of a new sea level canal connecting the Atlantic and Pacific Oceans.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to query those who are supporting this bill as to why this should contain or obtain an opinion from the Atomic Energy Commission if indeed we are not to use atomic devices in construction and blasting of this proposed new canal.

Mrs. SULLIVAN. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to my colleague, the gentlewoman from Missouri.

Mrs. SULLIVAN. I would inform the gentleman that has not been determined as yet, as to whether or not nuclear devices or means will be used or the general conventional type of explosives used in building the canal.

Mr. HALL. Mr. Speaker, I would like to query further if this is why the Atomic Energy Commission opinion is in the report and why they are considered as part of departmental agencies reported in the committee report toward this end?

Mrs. SULLIVAN. The gentleman is correct.

Mr. HALL. And I have the assurance of the gentlewoman from Missouri that this is for study purposes only, and that there are no expenditures in excess of the original authorization?

Mrs. SULLIVAN. That is correct.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. I wonder if the gentlewoman from Missouri could tell us how much has been spent by the Corps of Engineers and other agencies, in addition to the $17,500,000 that is available for spending now—or whatever residue there is of the $17,500,000? Can the gentlewoman tell us what the total bill has been to survey sites for a new interocean canal?

Mrs. SULLIVAN. I cannot tell the gentleman from Iowa how much of the $17 million that was authorized has been spent to date, but I can say that no additional funds beyond what was authorized in the $17 million authorization have been spent.

Mr. HALL. Mr. Speaker, pursuing the question further, is it the opinion of the gentlewoman from Missouri that we will maintain the study closely, without too much unadvised coordination with the other countries that might be involved, and maintain inviolable some such arrangement as we have with the Republic of Panama and consistent with our outright sovereignty there, if such a study were to be effected? Or is that within the scope of the study also?

Mrs. SULLIVAN. I will try to answer the gentleman to the best of my ability. In order to go into any other country—even into Panama for another study—there would have to be an agreement between that country and the United States for the State Department to allow this Commission to go into a country and to set up the necessary equipment, and so forth, to make the explorations. So nothing will be done without the consent of both countries.

Mr. HALL. Is the next meeting of the Commission that is set for the fourth to be effectuated?

Mrs. SULLIVAN. There is no set meeting that I know of, of the Commission. A meeting is called whenever the Chairman of the Commission feels that there is something to be discussed.

Mr. HALL. Mr. Speaker, I am fully aware of the gentlewoman's interest in the Republic of Panama, and this Commission in particular. I think she made one of the best speeches about our sovereignty in the Panama Canal Zone that has been made on the floor of this House.

I will withdraw my reservation of objection on the basis that the subject is in good hands. I appreciate her response to my questions.

Mrs. SULLIVAN. I thank the gentleman for his show of confidence.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

S. 2469

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, the Act approved September 22, 1964 (78 Stat. 990), is hereby amended as follows:

(1) delete section 2 in its entirety and substitute the following therefor:

"SEC. 2. (a) In order to carry out the purposes of this Act, the Commission may—

"(1) utilize the facilities of any department, agency, or instrumentality of the executive branch of the United States Government;

"(2) employ services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), at rates for individuals not in excess of $100 per diem;

"(b) The members of the Commission, including the Chairman, shall receive compensation at the rate of $100 per diem. The members of the Commission, including the Chairman, shall receive travel expenses as authorized by law (5 U.S.C. 73b-2) for persons employed intermittently."

(2) The following is added after the word "appropriated" in section 4: ", without fiscal year limitation,".

The bill was ordered to be read a third time, was read the third time, and passed and a motion to reconsider was laid on the table.

ADDITIONAL ASSISTANT POSTMASTER GENERAL

The Clerk called the bill (H.R. 13822) to provide for an additional Assistant Postmaster General to further the research and development and construction engineering programs of the Post Office Department, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to query the sponsors of the bill as to why some of these research and development projects do not bear more fruit in the Postmaster General's department. We have had a commission overseas studying those who deliver the mail even later than we do. For a long time we have had promises of door-to-door delivery of mail, but it was being held up "for lack of funds." I am not sure but that such is close to misappropriation of funds in this "department of patronage," in our Federal Government. But I want to know why an OEO consultant or some of our GS-18 people could not furnish the necessary research in order to better expedite the process of our mail delivery system rather than by eliminating such services as the railway post offices.

Is this a result of research and development to date, or why should not we study this subject a little bit further, in view of the available per diem consultants that we have, who are available to the Postmaster General at the present time; rather than setting up another department, and especially why should we do it under unanimous consent rather than having the usual rule and debate on the bill?

Mr. OLSEN of Montana. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Montana.

Mr. OLSEN of Montana. I thank the gentleman. I want to say that our Research and Development Department in the post office has only $12 million a year. This is one-third of 1 percent of its total operating budget, as compared and contrasted with the Defense Department, where there is 11.5 percent of their budget in research and development.

In the Agriculture Department it is 3.2 percent. In the Commerce Department it is 6.4 percent. Getting back again to the Post Office Department, one-third of 1 percent of the operating budget goes into research and development.

The gentleman brought up some other questions concerning, for instance, railway post offices. The abandonment of the railway post offices is not the fault of the Post Office Department. Just a few years before I came to the Congress there were 10,000 passenger trains running in America every day. Today there are only a few more than 900 passenger trains running in this country every day. That is, of course, a different question from what we are researching here.

We want to research how we can better use mechanization and automation in the Post Office Department. We need a new department at a sub-Cabinet level with some authority at sub-Cabinet level to investigate how we can automate the Post Office Department.

The purpose of H.R. 13822, as stated in section 1, is "to encourage, advance, and accelerate the research and development and construction engineering programs of the Post Office Department and to provide for improvements in the administration of such programs."

The bill will accomplish this purpose by providing for an additional Assistant Postmaster General and other personnel to establish within the Department the organizational structure needed to give proper recognition and new impetus and importance to these programs.

Our postal communications system is one of the world's largest businesses. By its very nature it is the type of business that must necessarily keep pace with every advance in modern technology.

Spiralling volumes of mail of all classes have become so marked that the phenomenon has been characterized as a "mail explosion." This "mail explosion" has made it absolutely essential that the Department be capable of undertaking vigorous and dynamic planning efforts in all phases of its activities, particularly those related to the acceptance, handling and delivery of mail. The Department must be made capable of providing postal employees with better and more efficient tools. It must develop new systems and it must reevaluate old concepts.

Unfortunately this is not now happening to the degree necessary to maintain our postal system as the finest in the world and to enable it to keep pace with our Nation's growth and our Nation's demands upon it.

In fact, there was no organized research and development activity at all in the postal service until 1950, following enactment in the 81st Congress of Public Law 231, based upon a recommendation of the Hoover Commission.

Even so, funds allocated to research and development since 1950 have been pitifully modest. For example, for the next fiscal year the House has voted only $12 million, which represents less than one-third of 1 percent of its total operating budget. In contrast, under current budget estimates, the Defense Department will be spending 11½ percent of its total operating budget on research and development; the Department of Agriculture, 3.2 percent; Commerce, 6.4 percent and the Office of Economic Opportunity, 3.2 percent. We will be spending more than four times more money next year for research and development in the poverty program than we will be spending in developing new methods of handling and delivering the mail.

This lack of emphasis on research and development in the postal service is a matter of concern both within the Department and in the Congress. Postmaster General O'Brien acknowledged to the committee that the Department has been "woefully slow to generate its own change, to find ways to consciously direct internal change." It had, he said, "been feeding off the research efforts of others, but the time is now past when that kind of diet could support a vigorously growing postal service."

The House Appropriations Committee, in its report this year on the Post Office Department budget, made the following observation:

> The Committee would highly favor a strong, viable and positively oriented program of research and development in the Post Office Department and encourages the Postmaster General to give his personal attention to such a program. When such a program is developed, the Committee would be happy to consider supporting it with adequate funds and personnel.

H.R. 13822 is designed to be the basis for assisting the Department in developing such a program. It will place authority for research and development activities on the Assistant Secretary level, as is the case with most other departments. This is accomplished by section 2 of the bill which creates an additional—sixth—Assistant Postmaster General who will head up a new Bureau of Research, Development and Engineering.

Section 4 provides for two directorships in the Bureau, one for research and development and the other for construction engineering.

Section 5 of the bill will increase from three to six the number of scientific and professional positions in the Department's research and development and construction engineering functions.

The only direct costs involved in the bill are the salaries of the new positions created, which in an aggregate will not exceed $130,000 per year at present salary rates.

At the hearings on the legislation it was endorsed by the Postmaster General and representatives of the mailing industry. The committee knows of no opposition to the bill.

Mr. HALL. Mr. Speaker, will the gentleman from Montana, who is a member of the Post Office and Civil Service Committee, answer another question?

I am not very impressed by the fact that there is less research and development percent of funds-use in the Office of the Postmaster General than there is in the Department of Agriculture. After all, by action of this body a few years ago that latter department was required by an amendment to see that there will never be more employees in the Department of Agriculture than there are farmers in the United States. We are getting dangerously close to it. But comparing apples with oranges does not impress one.

Will the gentleman say that the positions involved could be established under the general authority of the Federal Salary Reform Act of 1962 instead of by this unanimous consent method?

Mr. OLSEN of Montana. We need this method in order to create a position of Assistant Postmaster General. There are five now. This would be the sixth one. It will bring this Department, which we are talking about, up to a sub-Cabinet level.

Mr. HALL. Mr. Speaker, does the gentleman infer that this sub-Cabinet level position would be different from what can be done under the Federal Salary Act, in the opinion of the gentleman from Montana? It seems to me we could have legislation authorizing an additional Assistant Postmaster General. After all, the Director of Research and Development and Test and Evaluation in the Defense Department is an Assistant Secretary of Defense for R. & D., T. & E. as in the three military services. Will the gentleman go a little further into why this cannot be done under the Federal Salary Reform Act and still accomplish the same purpose? I am interested primarily as a member of the Joint Committee on the Organization of the Congress.

Mr. OLSEN of Montana. I must confess I do not know why it cannot be done. But we are advised that this is the method we should take legislatively in order to bring this to a sub-Cabinet level. That is advice from the people involved.

Mr. HALL. Does the gentleman concur in the statement in the report that it will amount to $130,000 at present salary rates for the new positions, including the Assistant Postmaster for R. & E.?

Mr. OLSEN of Montana. Yes. This is the top level, $130,000 a year.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, some of us would like to be assured, if it is possible to give us assurance, that the creation of the office of another Postmaster General will result in either greater efficiency in the distribution and collection of mail, or in economy to the taxpayers.

We are finding in all too many instances that millions of dollars have been spent for automation, allegedly to increase efficiency and thus reduce employment. But, on the other hand, the payroll of the Federal Government is going up by leaps and bounds. Apparently it does not mean very much in many instances to create these new jobs, or go to automation.

We are not reducing the cost of Government. We are not increasing efficiency in all too many instances.

I believe some of us would like to have an assurance in this regard.

Mr. OLSEN of Montana. Mr. Speaker, I thank the gentleman. Will the gentleman from Missouri yield further?

Mr. HALL. I am glad to yield to the gentleman from Montana.

Mr. OLSEN of Montana. I wish to say that we are really rather positive on both sides of the Committee on Post Office and Civil Service that this legislation will result in a reduced unit cost of moving the mail. The mail is coming on us in such a great avalanche that indeed we have to mechanize even to move it. If this legislation is passed, we believe we will be able to do not only the necessary mechanization but also a better job in reducing the unit cost of moving the mail.

Mr. HALL. Mr. Speaker, I am well aware of the population explosion. I am well aware of the increased needs in regard to communication. I am well aware of the failure of the Post Office Department to deliver the mail as efficiently as it did even a few years ago.

I am a little tired and grow weary of hearing those who constantly say in the executive branch that certain areas have met the requirement for door-to-door delivery, yet that must be put off because the "stingy Congress" will not provide the necessary funds, when their funds and personnel—including the pay thereof—mount annually in at least an arithmetical progression.

I am even more leery of establishing new positions and additional personnel for more research, when research is built on vertical blocks, from basic to applied to developmental type research rather than horizontally and simultaneously in all areas.

If the committee is unanimous in this opinion on both sides of the aisle, and if there is a promise from the gentleman that it will not be more expensive than stated, in view of the obvious need to expedite the delivery of mail in these days when we see days off and compensatory time and no delivery of bulk mail 2 days a week, greater costs to parcel post, and so forth, which are constantly cutting down the service to the people at the same time we are increasing personnel; being scientific and research minded, I withdraw my reservation.

Mr. OLSEN of Montana. I thank the gentleman.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 13822

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the purpose of this Act to encourage, advance, and accelerate the research and development and construction engineering programs of the Post Office Department and to provide for improvements in the administration of such programs.

SEC. 2. Section 305 of title 39, United States Code, is amended to read as follows:

"§ 305. Assistant Postmasters General

"Six Assistant Postmasters General appointed by the President, by and with the advice and consent of the Senate, shall perform such duties as the Postmaster General designates."

SEC. 3. Section 303(d)(21) of the Federal Executive Salary Act of 1964 (78 Stat. 418; 5 U.S.C. 2211(d)(21)) is amended by striking out "Assistant Postmaster General (5)." and inserting in lieu thereof "Assistant Postmasters General (6).".

SEC. 4. Section 303(e) of the Federal Executive Salary Act of 1964 (78 Stat. 419; 5 U.S.C. 2211(e)) is amended—

(1) by striking out

"(60) Director, Office of Research and Engineering, Post Office Department."

and inserting in lieu thereof

"(60) Director, Research and Development, Post Office Department."; and

(2) by adding at the end thereof the following:

"(101) Director, Construction Engineering, Post Office Department.".

SEC. 5. Subsection (e) of the first section of the Act of August 1, 1947 (Public Law 313, Eightieth Congress), as amended (5 U.S.C. 1161 (e)), is amended to read as follows:

"(e) The Postmaster General is authorized to establish and fix the compensation for not more than six scientific or professional positions in the Post Office Department, each such position being established to effectuate those research and development and construction engineering functions of such Department which require the services of specially qualified personnel.".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SCREW-WORM ERADICATION IN MEXICO

The Clerk called the bill (H.R. 14888) to amend the act of February 28, 1947, as amended, to authorize the Secretary of Agriculture to cooperate in screw-worm eradication in Mexico.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, I should like to know if passage of this bill will institute the open-end provision, so far as funds are concerned, for the eradication of the screw-worm under the agreement between this country and Mexico.

Mr. Speaker, evidently no one is present on the floor to answer the question. If this applies only to the elimination of the screw-worm, that is a feature which must be taken care of. There is no report from the Department of Agriculture, although I understand some of the report of the committee is based on a letter from the Department of Agriculture.

Mr. Speaker, I therefore ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

AMENDING THE SOUTHERN NEVADA PROJECT ACT

The Clerk called the bill (S. 2999) to repeal section 6 of the Southern Nevada Project Act (act of October 22, 1965 (79 Stat. 1068)).

There being no objection, the Clerk read the bill, as follows:

S. 2999

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Southern Nevada Project Act (Act of October 22, 1965 (79 Stat. 1068)) is hereby repealed.

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That section 6 of the Southern Nevada Project Act (Act of October 22, 1965; 79 Stat. 1068) is hereby amended to read as follows:

" 'SEC. 6. The contract for delivery of water and repayment of reimbursable construction costs of the Southern Nevada Water Project required by section 3 of this Act shall provide that if, within five years from the date of this Act, Basic Management, Inc., and/or the Las Vegas Valley Water District apply for contracts for the storage and delivery of water in accordance with the provisions of section 5 of the Boulder Canyon Project (45 Stat. 1060, as amended; 43 U.S.C. 617d) and the regulations of the Secretary of the Interior heretofore issued pursuant to said Act, the rights of the party contracting pursuant to section 3 of this Act shall be subordinate to those of Basic Management, Inc., and/or the Las Vegas Valley Water District to the extent of 41,266 acre-feet per annum and 15,407 acre-feet per annum, respectively, or so much thereof as is required for beneficial consumptive use by them, their rights to the storage and delivery of the same having been properly maintained in accordance with the terms of their contracts. Nothing contained in this Act shall be construed as affecting the satisfaction of present perfected rights as defined by the decree of the United States Supreme Court in Arizona versus California, 376 U.S. 340.' "

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend section 6 of the Southern Nevada Project Act (Act of October 22, 1965; 79 Stat. 1068)."

A motion to reconsider was laid on the table.

AUTHORIZING THE SECRETARY OF THE INTERIOR TO ACCEPT A DONATION BY THE STATE OF INDIANA OF THE GEORGE ROGERS CLARK MEMORIAL FOR ESTABLISHMENT AS THE GEORGE ROGERS CLARK NATIONAL HISTORICAL PARK

The Clerk called the bill (H.R. 9599) to authorize the Secretary of the Interior to accept the donation of the State of Indiana of the George Rogers Clark Memorial for maintenance by the United States as a national historic site.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, in 1939 President Franklin D. Roosevelt vetoed this proposal on the basis that the original act called upon the great State of Indiana to keep this monument in perpetuity and to maintain it.

I wonder what is the purpose of this bill and why a change should be made at this time.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the chairman of the Committee on Interior and Insular Affairs.

Mr. ASPINALL. The gentleman is right. As written the legislation would override the principle that was in the veto of the then President of the United States.

The reason that this legislation is now before us is that we have had an entirely different atmosphere created because of the condition of this particular memorial. It is being visited more and more by citizens all over the United States. We have tied it in with three other facilities which will be operated in unison, although the other facilities will be under the control of the local groups. This unit of historic facilities is truly a national historic memorial. Those appearing before the committee made a very good presentation that this memorial had just as much right to be so classified, and in some particulars more so than many of the other facilities we have in this category.

Mr. HALL. Mr. Speaker, does the gentleman from Colorado, the chairman of the Committee on Interior and Insular Affairs, approve of this grouping by the National Park Service of several monuments under one administration? Is this in the interest of efficiency and economy?

Mr. ASPINALL. If the gentleman will yield again, I do and the committee does. We think that this maintains a national complex but still permits those who have control of these particular facilities to operate them. By their telling of the story of early Indiana and the early Middle West, these can go together very nicely in this particular.

Mr. HALL. Mr. Speaker, the gentleman feels that even the projected amount involved in this bill would not exceed our criteria of over $1 million?

Mr. ASPINALL. The gentleman is correct. Not only that, but we have made the record that fees will be charged, as fees are now being charged, which will help to take care of the expenses of operation and maintenance of the George Rogers Clark Memorial itself.

Mr. HALL. It would be the same as charging fees and admissions to children entering the Neosho National Fish Hatchery?

Mr. ASPINALL. No. There would not be any fees charged to children.

Mr. HALL. I will tell the gentleman that they are being charged starting the first of this month in the district I represent.

Mr. ASPINALL. Mr. Speaker, the bill—H.R. 9599—which we have before us at this time would authorize the Secretary of the Interior to accept the donation of the George Rogers Clark Memorial from the State of Indiana for maintenance as a national historic site.

The memorial was constructed in Vincennes, Ind., between 1929 and 1936 with funds provided by the State of Indiana, Knox County, and the city of Vincennes, as well as with some Federal funds. It is dedicated as a memorial to George Rogers Clark who, it is generally agreed among historians, played a critical role in the American Revolution on the northwestern frontier. His leadership of American forces in the area ultimately resulted in the cession of the Northwest Territory by Great Britain.

There are several other important historical structures in the vicinity of the proposed national historical site which may ultimately be included in the historical park under the legislation as amended by the committee. We have received communications indicating that it is likely that the owners of the capitol of the Territory of Indiana and of St. Francis Xavier Cathedral will enter into appropriate cooperative agreements so that the Secretary can assist in their interpretation, preservation and renewal. In addition, it is hoped that a similar arrangement can be agreed upon with the owners of Grouseland—the home of William Henry Harrison while he was Governor of the Territory of Indiana. Inclusion of these structures is, however, contingent upon the voluntary agreements between the owners and the Secretary of the Interior.

Because the State of Indiana is donating its interest in this site, Mr. Speaker, the cost involved in this proposal is nominal. No land acquisition costs are contemplated and it is estimated that the development costs will amount to about $300,000.

It pleases me, personally and as chairman of the authorizing committee, to have this opportunity to recommend legislation sponsored by our colleague from Indiana [Mr. Denton]. His efforts, as chairman of the Subcommittee on Interior Department Appropriations, have helped to make possible the sound, progressive national park program which we have underway. It is a pleasure to work with my friend from Indiana in authorizing these projects and to work with him to make them a reality.

Mr. Speaker, I urge the approval of H.R. 9599.

Mr. HALL. Mr. Speaker, I am glad to withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the bill, as follows:

H.R. 9599

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to accept on behalf of the United States the donation by the State of Indiana of title to the real property comprising the George Rogers Clark Memorial located in Vincennes, Indiana, and such other real and personal property in connection therewith as the Secretary of the Interior may determine to be necessary to maintain such memorial as a national historic site.

Sec. 2. The Secretary of the Interior, acting through the National Park Service, shall administer, protect, develop, and maintain such memorial and such other real or personal property in accordance with the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535).

With the following committee amendment:

Strike out all after the enacting clause and insert the following language:

"That the Secretary of the Interior is authorized to accept the donation by the State of Indiana of approximately seventeen acres of land comprising the George Rogers Clark Memorial in Vincennes, Indiana, for establishment and administration as the George Rogers Clark National Historical Park.

"Sec. 2. The Secretary of the Interior may enter into cooperative agreements with the owners of property in Vincennes, Indiana, historically associated with George Rogers Clark and the Northwest Territory for the inclusion of such property in the George Rogers Clark National Historical Park. Under such agreements the Secretary may assist in the preservation, renewal, and interpretation of the property.

"Sec. 3. The Secretary of the Interior shall administer, project, develop, and maintain the George Rogers Clark National Historical Park in accordance with the provisions of the Act of August, 25 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed.

The title was amended so as to read: "A bill to authorize the Secretary of the Interior to accept a donation by the State of Indiana of the George Rogers Clark Memorial for establishment as the George Rogers Clark National Historical Park, and for other purposes."

A motion to reconsider was laid on the table.

JURISDICTION OVER LANDS—MOUTH PROJECT

The Clerk called the bill (S. 2421) to authorize the adjustment of the legislative jurisdiction exercised by the United States over lands within the Columbia River at the mouth project in the States of Washington and Oregon.

There being no objection, the Clerk read the bill, as follows:

S. 2421

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the head or other authorized officer of any department or agency of the Government may, at such times as he may deem desirable, relinquish to the States in which the land is situated all, or such portion as he may deem desirable for relinquishment, of the jurisdiction heretofore acquired by the United States over any lands within the Columbia River at the mouth project in the States of Washington and Oregon which are under his immediate jurisdiction and control, reserving to the United States such concurrent or partial jurisdiction as he may deem necessary. Relinquishment of jurisdiction under the authority of this Act may be made by filing with the Governor of the State where the land is situated a notice of such relinquishment, which shall take effect upon acceptance thereof by the State in such manner as its laws may prescribe.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the eligible bills on the Consent Calendar.

EXTENSION OF TIME TO FILE TOBACCO ALLOTMENT LEASES

Mr. ABBITT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 15124) to amend section 316 of the Agricultural Adjustment Act of 1938, as amended, which is No. 290 on the Consent Calendar.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the bill, as follows:

H.R. 15124

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 316(c) of the Agricultural Adjustment Act of 1938, as amended, is amended by changing the period at the end of the second sentence to a colon and adding the following proviso: "*Provided,* That any lease and transfer of an allotment shall be effective, notwithstanding the failure to file a copy of the lease with the county committee prior to such closing date, if (1) the Secretary finds that a lease in compliance with the provisions of this section was agreed upon prior to such closing date, and (2) the terms of the lease are reduced to writing and filed in the county office in which the farms involved are located not later than the 30th day of June of the crop year to which the lease relates."

With the following committee amendments:

Page 2, line 2, strike out "30th" and insert "31st".

Page 2, line 3, strike out "June" and insert "July".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXPEDITE ISSUANCE OF 1966 WHEAT CERTIFICATES

Mr. DOLE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 15089) to authorize the Secretary of Agriculture to estimate parity price for 1966, Consent Calendar 289.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 15089

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 107(2) of the Agricultural Act of 1949, as amended, is amended by inserting immediately after the word "therefor" in the first sentence the following: "(as estimated by the Secretary as soon as practicable after enactment of this amendment)".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. DOLE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DOLE. Mr. Speaker, I appreciate the prompt action just taken by the House with reference to H.R. 15089.

As indicated in the report accompanying this bill, the purpose of it is to permit the Secretary of Agriculture to estimate the July 1966 parity price for wheat in order to expedite the issuance of wheat marketing certificates to complying wheat farmers.

Under present law, the Secretary may not issue certificates to complying wheat farmers for the 1966 crop until the exact July parity price for wheat is determined. Present law, therefore, delays the time at which the wheat certificates can be issued until some time after the beginning of July. Present law creates no similar problem for the 1967, 1968, or 1969 crops as the Secretary is permitted to make an estimate, as near to the parity price as he determines practicable, of July parity prices on wheat for those years and thus issue certificates to cooperators before the first of July.

As is also indicated in the report, there has been serious damage to the wheat crop in western Kansas, parts of Oklahoma, Texas, New Mexico, Colorado, and Nebraska. Wheat producers in all these areas are, of course, adversely affected by these crop losses, but under the wheat program are entitled to receive their certificates as cooperators. This bill simply speeds up the administrative machinery through which the certificates are issued.

The committee, therefore, intends that the provisions applicable to the 1967–69 crops in regard to establishing the parity price, or price as near thereto as the Secretary determines practicable, should also apply to the 1966 crop. Once the estimate of the 1966 parity price for wheat is made and certificates have been issued, any subsequent decreases or increases in the actual July parity price would not necessitate either the issuance of supplemental certificates or the collection of refunds from cooperators.

I might conclude by pointing out that this bill will not result in any additional cost.

Again, I appreciate the prompt action taken by the House.

AUTHORIZING THE PLACING OF A BUST OF CONSTANTINO BRUMIDI IN THE CAPITOL

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Concurrent Resolution 70, which appears on Consent Calendar No. 288.

The Clerk read the title of the Senate concurrent resolution.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. HALL. Mr. Speaker, reserving the right to object, is there a copy of the committee report on the concurrent resolution available?

Mr. Speaker, the gentleman from Missouri [Mr. JONES] spoke to me about this. It seems to be a very worthwhile and I understand a very timely and important concurrent resolution. We would like to see a copy of the resolution as well as the report.

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Missouri.

Mr. JONES of Missouri. Mr. Speaker, I do not have a copy of the report, but I might inform the gentleman from Missouri that this is a Senate concurrent resolution. Similar resolutions or identical resolutions have been introduced by some 40-odd Members of the House, designed to complete the bust of Constantino Brumidi to be placed in the Capitol.

Mr. HALL. Mr. Speaker, I now have a copy of the resolution as well as the report which has been brought to me by the page.

Mr. Speaker, as one of the first sustaining members of the Capitol Historical Society, and as a great admirer of Mr. Brumidi, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 70

Resolved by the Senate (the House of Representatives concurring), That the Joint Committee on the Library is authorized and directed to procure a marble bust of Constantino Brumidi, and to cause such bust to be placed in the corridor, known as the Brumidi corridor, on the first floor of the Senate wing of the Capitol.

SEC. 2. Expenses incurred by the Joint Committee on the Library in carrying out this concurrent resolution, which shall not exceed $2,500, shall be paid out of the contingent fund of the Senate on vouchers approved by the chairman of the Joint Committee.

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, through the cooperative and untiring efforts of several of my distinguished colleagues in both the House of Representatives and the U.S. Senate, we are privileged to have before us today Senate Concurrent Resolution 70, which would authorize the placing of a bust of the foremost artist of the U.S. Capitol, Constantino Brumidi, in a Senate wing of the Capitol.

There is no doubt that a bust of Brumidi in the Capitol Building, which he did more to beautify than any other artist in history, would be a fitting tribute to the contributions of an illustrious man who belongs to every age and to people of all ages. His creative achievement and his renowned accomplishments have enduring meaning and significance to every American and to freedom-loving peoples all over the world.

At this gratifying moment, I want particularly to express my appreciation to Senator PAUL DOUGLAS, Democrat, of Illinois, for his farsightedness in first introducing this legislation, to Senator B. EVERETT JORDAN, Democrat, of North Carolina, the chairman of the Senate Committee on Rules and Administration, for his expeditious disposition of Senate Concurrent Resolution 70 which insured early and unanimous Senate approval on March 25, and to the Honorable PAUL C. JONES, Democrat, of Missouri, chairman of the House Subcommittee on Library and Memorials and the Honorable OMAR BURLESON, Democrat, of Texas, chairman of the House Administration Committee, for their cooperation in scheduling prompt consideration of Senate Concurrent Resolution 70 which resulted in unanimous committee approval of the measure.

I want also to thank the 42 Members of the House who responded so generously to my request and introduced legislation identical to my own bill, House Concurrent Resolution 531, providing for a Brumidi bust. Their support of my action was instrumental in focusing attention on the imperative need to bestow long-overdue recognition on the "Michelangelo of the Capitol," Constantino Brumidi.

Evidence of Brumidi's genius is evident everywhere in the Capitol. He began his work in 1855, and for 25 years thereafter, he labored devotedly, with all the strength and talent he possessed, to beautify the Capitol of his adopted country. Brumidi's work spanned the terms of six Presidents: Franklin Pierce, James Buchanan, Abraham Lincoln, Andrew Jackson, Ulysses S. Grant, and Rutherford B. Hayes. Neither the calamity of Civil War nor the strain of Reconstruction deterred Brumidi in his efforts to beautify the Capitol. He continued unfalteringly in his work, and even in his last days, deep in despair, poverty, and ill health, he continued his mighty efforts to complete the frieze in the rotunda of the Capitol.

Brumidi once said:

> I have no longer any desire for fame or fortune. My one ambition and my daily prayer is that I may live long enough to make beautiful the Capitol of the one country on earth in which there is liberty.

It is significant that this quotation, the only direct quotation ever attributed to Brumidi, expresses his deep pride and profound love for America.

Brumidi was a political refugee from Italy who brought his career to an abrupt halt when he vowed he would not paint another stroke until he had found liberty. In 1852, at the age of 47, he sailed for the United States, and here he found the freedom he had sought for so long. In 1857 he became a citizen of the country he had adopted and which he loved so well.

Brumidi was not just a great artist—he was a great American. He was proud to be an American citizen and he was proud of his adopted land. He had a mission in life to accomplish on behalf of his beloved America, and he worked relentlessly to accomplish his goal, because he believed in the principles upon which this great country of ours was founded.

Only a man with such strong convictions—only a person who believed deeply in the inherent dignity of man, in the freedom of man, and in the expression of this freedom by the right to choose our representatives in free elections—could create the noble and inspired works of art that Brumidi has left to us.

The frieze in the rotunda, the painting in the dome of the Capitol, the expertly executed frescoes, the stirring murals, the sensitive portraits of outstanding American statesmen, the colorful paintings depicting supreme moments in American history, the intricate designs of the bronze railings on the staircases in the Capitol, are all part of the rich and imperishable inheritance that Brumidi has left to us and to succeeding generations. These works of art speak eloquently of his genius and will perpetuate his memory in the hearts and minds of all those—hundreds and thousands of schoolchildren, their parents, their teachers, and visitors from all over the globe—who view with awe and admiration the works of Brumidi when they visit the Nation's Capitol.

All of us in the Congress know the story of Brumidi's tragic death, the result of a fall at the age of 75 while he was painting the frieze in the rotunda of the Capitol.

Seventy long years passed before the Congress of the United States in 1950 took action to supply a bronze marker for Brumidi's unmarked grave in Glenwood Cemetery. Aside from this bronze marker, there is no other tangible recognition in the Nation's Capitol of this great artist's contributions to America.

The passage of Senate Concurrent Resolution 70 will insure that this long withheld recognition, so justly deserved by Constantino Brumidi, is finally bestowed on him. By passing this resolution, we will honor the memory of a gentle, generous man who gave his art, his talents, his whole life to his adopted country. And by honoring Brumidi, we reflect that same honor upon ourselves.

Let us, therefore, join in wholehearted and unanimous approval of Senate Concurrent Resolution 70 and thereby demonstrate to the entire world our Nation's gratitude to Constantino Brumidi—a great artist and a great American.

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent that all Members have permission to extend their remarks on this concurrent resolution.

The **SPEAKER.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

INTERNATIONAL EDUCATION ACT OF 1966

Mr. BRADEMAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 14643) to provide for the strengthening of American educational resources for international studies and research, with one committee amendment.

The Clerk read as follows:

H.R. 14643

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "International Education Act of 1966".

FINDINGS AND DECLARATIONS

SEC. 2. The Congress hereby finds and declares that a knowledge of other countries is of the utmost importance in promoting mutual understanding and cooperation between nations; that strong American educational resources are a necessary base for strengthening our relations with other countries; that this and future generations of Americans should be assured ample opportunity to develop to the fullest extent possible their intellectual capacities in all areas of knowledge pertaining to other countries, peoples, and cultures; and that it is therefore both necessary and appropriate for the Federal Government to assist in the development of resources for international study and research, to assist in the development of resources and trained personnel in academic and professional fields, and to coordinate the existing and future programs of the Federal Government in international education, to meet the requirements of world leadership.

CENTERS FOR ADVANCED INTERNATIONAL STUDIES

SEC. 3. (a) The Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary") is authorized to arrange through grants to institutions of higher education, or combinations of such institutions, for the establishment, strengthening, and operation by them of graduate centers which will be national and international resources for research and training in international studies and the international aspects of professional and other fields of study. Activities carried on in such centers may be concentrated either on specific geographical areas of the world or on particular fields or issues in world affairs which concern one or more countries, or on both. The Secretary may also make grants to public and private nonprofit agencies and organizations, including professional and scholarly associations, when such grants will make an especially significant contribution to attaining the objectives of this section.

(b) Grants under this section may be used to cover part or all of the cost of establishing, strengthening, equipping, and operating research and training centers, including the cost of teaching and research materials and resources, the cost of programs for bringing visiting scholars and faculty to the center, and the cost of training, improvement, and travel of the staff for the purpose of carrying out the objectives of this section. Such grants may also include funds for stipends (in such amounts as may be determined in accordance with regulations of the Secretary) to individuals undergoing training in such centers, including allowances for dependents and for travel for research and study here and abroad. Grants under this section shall be made on such conditions as the Secretary finds necessary to carry out its purposes.

GRANTS TO STRENGTHEN UNDERGRADUATE PROGRAMS IN INTERNATIONAL STUDIES

SEC. 4. (a) The Secretary is authorized to make grants to institutions of higher education, or combinations of such institutions, to assist them in planning, developing, and carrying out a comprehensive program to strengthen and improve undergraduate instruction in international studies. Grants made under this section may be for projects and activities which are an integral part of such a comprehensive program such as—

(1) planning for the development and expansion of undergraduate programs in international studies;

(2) teaching, research, curriculum development, and other related activities;

(3) training of faculty members in foreign countries;

(4) expansion of foreign language courses;

(5) planned and supervised student work-study-travel programs; and

(6) programs under which foreign teachers and scholars may visit institutions as visiting faculty.

The Secretary may also make grants to public and private nonprofit agencies and organizations, including professional and scholarly associations, when such grants will make an especially significant contribution to attaining the objectives of this section.

(b) A grant may be made under this section only upon application to the Secretary at such time or times and containing such information as he deems necessary. The Secretary shall not approve an application unless it—

(1) sets forth a program for carrying out one or more projects or activities for which a grant is authorized under subsection (a);

(2) sets forth policies and procedures which assure that Federal funds made available under this section for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available for purposes which meet the requirements of subsection (a), and in no case supplant such funds;

(3) Provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this section; and

(4) provides for making such report, in such form and containing such information, as the Secretary may require to carry out his functions under this section, and for keeping such records and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports.

(c) The Secretary shall allocate grants to institutions of higher education under this section in such manner and according to such plan as will most nearly provide an equitable distribution of the grants throughout the States while at the same time giving a preference to those institutions which are most in need of funds for programs in international studies and which show real promise of being able to use funds effectively.

METHOD OF PAYMENT; FEDERAL ADMINISTRATION

SEC. 5. (a) Payments under this Act may be made in installments, and in advance or by way of reimbursement with necessary adjustments on account of overpayments or underpayments.

(b) In administering the provisions of this Act, the Secretary is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution, in accordance with agreements between the Secretary and the head thereof.

FEDERAL CONTROL OF EDUCATION PROHIBITED

SEC. 6. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution.

APPROPRIATIONS AUTHORIZED

SEC. 7. (a) The Secretary shall carry out during the fiscal year ending June 30, 1967, and each of the four succeeding fiscal years, the grant programs provided for in this Act.

(b) For the purpose of making grants under this Act, there is hereby authorized to be appropriated the sum of $10,000,000 for the fiscal year ending June 30, 1967, $40,000,000 for the fiscal year ending June 30, 1968, and $90,000,000 for the fiscal year ending, June 30, 1969; but for the fiscal year ending June 30, 1970, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law.

ANNUAL REPORT

SEC. 8. Prior to January 31 of each year, the Secretary shall make a report to the Congress which reviews and evaluates activities carried on under the authority of this Act and which reviews other activities of the Federal Government drawing upon or strengthening American resources for international study and research and any existing activities and plans to coordinate and improve the efforts of the Federal Government in international education.

AMENDMENTS TO STRENGTHEN TITLE VI OF THE NATIONAL DEFENSE EDUCATION ACT OF 1958

Removing Requirement for Area Centers That Adequate Language Instruction Not Be Readily Available

SEC. 9. (a) (1) The first sentence of section 601(a) of the National Defense Education Act of 1958 is amended by striking out "(1)" and by striking out ", and (2) that adequate instruction in such language is not readily available in the United States".

(2) The first sentence of section 601(b) is amended by striking out "(with respect to which he makes the determination under clause (1) of subsection (a))" and inserting in lieu thereof "(with respect to which he makes the determination under subsection (a))".

Removing 50 Per Centum Ceiling on Federal Participation

(b) The third sentence of section 601(a) is amended by striking out "not more than 50 per centum" and inserting "all or part" in lieu thereof.

Authorizing grants as well as contracts for language and area centers

(c) Section 601(a) is amended by inserting "grants to or" after "arrange through" in the first sentence, and by inserting "grant or" before "contract" each time that it appears in the second and third sentences.

The SPEAKER. Is a second demanded?

Mr. AYRES. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. BRADEMAS. Mr. Speaker, I yield myself 10 minutes.

Mr. YATES. Mr. Speaker, will the gentleman from Indiana yield for an interrogation of the distinguished majority leader?

Mr. BRADEMAS. I yield to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Speaker, I should like to make an inquiry of the distinguished majority leader to this effect: Among the suspensions which are listed for consideration today, is H.R. 14909, a bill entitled "Designating Certain Veterans' Administration Facilities" scheduled for consideration?

Mr. Speaker, I am very much opposed to section 3 of that bill.

Is it intended that that bill will be considered today?

Mr. ALBERT. Mr. Speaker, will the gentleman from Indiana yield?

Mr. BRADEMAS. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the gentleman from Illinois, the gentleman from Texas [Mr. TEAGUE], chairman of the Committee on Veterans Affairs, has advised the Speaker that he will not call up that bill for consideration under a suspension of the rules today.

Mr. YATES. Mr. Speaker, I thank the gentleman from Oklahoma and I thank the gentleman from Indiana for yielding.

Mr. BRADEMAS. Mr. Speaker, I should like to draw to the attention of the House at the outset of my remarks the fact that the bill which the House is now considering, H.R. 14643, was favorably reported by the full Committee on Education and Labor without dissent.

I should like, therefore, to commend my colleagues both on the majority and minority sides who as members of the Task Force on International Education helped to shape this legislation.

On the majority side, I would like to commend the gentleman from California [Mr. HAWKINS], the gentleman from Maryland [Mr. SICKLES], the gentleman from Michigan [Mr. WILLIAM D. FORD], the gentleman from Maine [Mr. HATHAWAY], and the gentlewoman from Hawaii [Mrs. MINK].

On the minority side, I wish to commend the gentleman from Ohio [Mr. AYRES], the gentleman from California [Mr. BELL], and the gentleman from Minnesota [Mr. QUIE].

Their efforts are in large measure, Mr. Speaker, responsible for the fact that this legislation has had such widespread bipartisan support in our committee.

Let me now, Mr. Speaker, discuss briefly the background of this bill and explain what it does and indicate why it is important that the Congress pass this legislation.

On the 16th of September last year, President Johnson, in a speech commemorating the bicentennial celebration of the Smithsonian Institution, promised to place before Congress in the following year a comprehensive program in the field of international education, designed to improve the competence of U.S. educational institutions in the field of international studies, as well as to aid the educational efforts of the developing nations. To carry out his proposal, the President named a special task force of which the distinguished Secretary of State, the Honorable Dean Rusk, was named chairman and the Honorable John W. Gardner, the distinguished Secretary of Health, Education, and Welfare, a key member.

The results of the efforts of this task force were embodied 4 months later in a special message to Congress on February 2, 1966, from the President. In this message President Johnson made over two dozen proposals containing details of the programs whose broad outlines he had set forth in his Smithsonian address, and in the same address the President urged the passage of the International Education Act of 1966.

The new proposals constitute a unified integrated approach to the U.S. effort in international education. Their purpose is to "strengthen our capacity for international educational cooperation, to stimulate exchange with students and teachers of other lands, to assist the program of education in developing nations, and to build new channels of understanding."

Let me make clear, Mr. Speaker, that the President proposes to achieve most of the objective of which he spoke in his messages either through Executive order or by amending existing legislation, particularly the Peace Corps Act and the Foreign Assistance Act. But the achievement of two of the major goals of this message, directed toward strengthening colleges and universities here in the United States, would be carried out by the passage of the legislation that we are considering here this afternoon.

Seven days of hearings on the bill were conducted by the Task Force on International Education, of which I have the honor to serve as chairman, in late March or early April. A clean bill was reported out unanimously by the task force as H.R. 14643 and it was approved by the full Committee on Education and Labor on the 27th of April—not only without dissent but, as I have said, with strong expression of bipartisan support.

Mr. Speaker, here is what the committee bill provides:

It authorizes a domestic program, administered by the Department of Health, Education, and Welfare, of Federal grants designed to strengthen the resources and capabilities of colleges and universities here in the United States in international studies and research.

I think it very important that the House be made aware that this legislation is not an educational foreign aid bill. It is aimed rather at strengthening our colleges and universities here in the United States.

One section of the bill, section 3, provides grants to universities, or combinations of universities, for graduate centers of research and training in international study. These graduate centers might focus on a geographical part of the world such as Latin America, China, or Africa, or on particular issues in world affairs, such as population problems or tropical agriculture or urbanization in developing nations or some combination of both geographical studies and functional studies.

The other principal section of the bill, section 4, authorizes grants to colleges and universities for comprehensive programs in international study at the undergraduate level.

It is the intention of the committee, Mr. Speaker, in both sections 3 and 4 to encourage programs not only in departments traditionally concerned with international and area studies, such as political science and history and languages, but also other parts of our colleges and universities, especially the professional schools such as engineering and agriculture or business administration or law, in which over 60 percent of American undergraduates, for instance, are enrolled.

I should point out that both these sections also permit grants to public and private nonprofit agencies and organizations, including professional and scholarly associations, when such grants will make an especially significant contribution to attaining the objectives of the representative section.

The bill, H.R. 14643, Mr. Speaker, authorizes a 5-year program totaling $140 million for the first 3 years—$10 million in fiscal year 1967, $40 million in fiscal year 1968, and $90 million in fiscal year 1969—and such amounts as Congress may authorize for the following 2 years.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. BRADEMAS. I yield to the gentleman from Ohio.

Mr. BOW. Could the gentleman say whether or not the $10 million that is provided in this bill for the fiscal year 1967 is in the budget?

Mr. BRADEMAS. The amount requested in the budget for fiscal year 1967 is $10 million, the same amount our bill authorized for the first year. But I may say to the distinguished gentleman from Ohio, a member of the Committee on Appropriations, that at the request of our committee the Secretary of Health, Education, and Welfare, Mr. Gardner, was asked a question about the authorizations. I refer the gentleman from Ohio to page 24 of the hearings. To quote from the question, we asked Mr. Gardner to give us some idea of the figures which he felt the Department of Health, Education, and Welfare could administer effectively and which would be more in line with the magnitude of the problem. The figures which the Secretary of Health, Education, and Welfare sent up to us, which figures are set forth on page 25 of the hearings, are precisely the figures which the final bill authorizes.

Mr. BOW. In other words, if the gentleman will yield further, the Secretary has actually requested more than the budget requests?

Mr. BRADEMAS. I did not hear the gentleman.

Mr. BOW. The Secretary has requested more actually than the budget requests?

Mr. BRADEMAS. I did not say that. Again I refer my friend from Ohio to the question I put to the Secretary. To be very specific, the figures which we requested of the Secretary were those that he felt his Department could administer effectively and which would be more in line with the magnitude of this problem. I do not think it is fair to say, therefore, that the Secretary went outside the recommendations in the budget.

Mr. Speaker, to continue my explanation of the major provisions of the bill, in addition to the figures that are set forth in the first 3 years as specifically authorized, the committee recommended for the last 2 years of this 5-year program such sums as Congress may authorize.

Mr. POLANCO-ABREU. Mr. Speaker, will the gentleman yield?

Mr. BRADEMAS. I yield to the gentleman from Puerto Rico.

Mr. POLANCO-ABREU. I thank the gentleman for yielding. Am I correct in my interpretation that the bill would apply to institutions of higher education in the District of Columbia, in the Commonwealth of Puerto Rico, and the territories and possessions of the United States?

Mr. BRADEMAS. The answer to the gentleman's question is "Yes."

Mr. POLANCO-ABREU. I thank the gentleman very much.

Mr. BRADEMAS. Mr. Speaker, in addition to the two principal sections authorizing graduate and undergraduate grants, the bill liberalizes title VI of the present National Defense Education Act, the program of support of language and area study centers, in order to promote instruction not only in languages not widely taught in the United States, such as Czech and Tagalog, but in such languages as French and Spanish; to eliminate the 50-percent matching requirement which has seriously limited the capability of our smaller institutions to take part in this program; and to enable support to be given both by grant and by contract. These changes are made in section 9 of the bill.

The programs established under the International Education Act will be administered in the Department of Health, Education, and Welfare by a Center for Educational Cooperation which President Johnson has indicated he will establish. This Center will be a focal point for leadership in international education both within and outside the Federal Government. It will act as a channel for communication between our missions abroad and the U.S. educational community; it will direct programs assigned to the Department of Health, Education, and Welfare; and it will aid public and private agencies conducting international education programs.

I should also point out that section 8 of this bill provides for an annual report to Congress by the Secretary of Health, Education, and Welfare on the activities carried out under this act and on other activities of the Federal Government in international education, particularly activities and plans to improve and coordinate the efforts of all Federal agencies in this field.

This same intent can be seen in the one amendment adopted by the committee, which was inserted in the preamble to the act and which declared that it is both necessary and appropriate for the Federal Government "to coordinate existing and future programs of the Federal Government in international education."

Mr. Speaker, let me briefly suggest why I share the view expressed by Secretary Gardner when he urged the Committee to pass this legislation. He said, "I believe very deeply that we are talking here about one the gravest challenges the American people face."

Over the past two decades the Federal Government has come to rely very heavily on our colleges and universities for personnel, knowledge, and expertise in world affairs. Yet this reliance has not brought with it adequate Federal support to strengthen these institutions for the future. I call the attention of the Members of the House to the excellent testimony at this point of Norman Auburn, the president of the University of Akron, Ohio, in the home district of my friend, the gentleman from Ohio [Mr. AYRES]:

> Mr. Chairman, your bill gets to the heart of this matter. For all too long Congress has looked upon American colleges and universities as educational reservoirs which can be tapped at will, by the lure of Federal money in the form of contracts for academic and research services.
>
> Every good teacher knows that he cannot continually tap his barrel of knowledge; he must refill it regularly through his own efforts in scholarly research and investigation. The American public generally fails to appreciate the need for replenishment. They usually think of the university function as a one-way street—sending forth knowledge to students through the teaching process.

As President Auburn points out, the problem has been that the Federal agencies most closely involved have been chiefly concerned with the various problems and challenges in foreign affairs and only secondarily concerned with the well-being of the institutions themselves. It seems to me the significance of this legislation is in large measure that for the first time our Government will make a long-term commitment to supporting our colleges and universities as educational institutions.

Here I am pleased to quote what I consider an excellent statement. This statement is from the supplemental views in the committee report signed by eight members of the minority, in which they state that H.R. 14643 "recognizes that every field of scholarship and every applied science has an international dimension, and that necessarily this dimension is of prime concern to the National Government. The Federal funds are seed money in the true sense of that expression, for which we can expect returns far exceeding in worth the amount of money invested."

I suspect that many of you were struck, as was I, by that sentence in a newspaper story several weeks ago about new Ford Foundation grants to universities to support programs in Chinese studies. The report mentioned that the total national output of all U.S. universities put together, in terms of Ph. D.'s specializing in the Chinese language—certainly no "ivory tower" subject in today's world—has averaged one every 4 years. As my colleagues have checked with responsible scholars in the academic world, we find nearly similar shortages in one academic field after another.

My point is, Mr. Speaker, that the demands of our Government upon our universities have been steadily increasing, at the same time that the broad needs of our society and of our universities themselves for organized knowledge and trained personnel, are not being met. Rather than responding to any specific need, this act proposes to strengthen research and teaching in world affairs across the board, at both the graduate and undergraduate levels, throughout the Nation.

This legislation, therefore, is not a manpower production bill—it is not in the Department of Labor—nor is this a bill to make our colleges and universities instruments of our foreign policy—it is not in the Department of State. Instead, it is an education bill, and that is why it will be administered in the Department of Health, Education, and Welfare, that Department of our Federal Government with primary jurisdiction and responsibility for Federal programs that affect our educational institutions and resources.

Mr. WILLIAM D. FORD. Mr. Speaker, will the gentleman yield?

Mr. BRADEMAS. I yield to the distinguished gentleman from Michigan.

Mr. WILLIAM D. FORD. Mr. Speaker, I rise to support this legislation.

I would like at this point also, Mr. Speaker, on behalf of the members of the task force, to commend the gentleman in the well, who singlehandedly has spearheaded the efforts to build a fine record as a foundation for this legislation. Anyone who examines the hearings will see that the gentleman from Indiana, Congressman BRADEMAS, has done an outstanding job in assembling points of view from throughout our country, from private enterprise and Government and education sources. I believe careful consideration of the testimony that came from the leadership throughout our country will support this legislation.

Mr. BRADEMAS. Mr. Speaker, I thank the gentleman.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. BRADEMAS. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Mr. Speaker, I thank the gentleman for yielding. He is always most considerate.

I would like to ask two or three questions. First of all, am I correct in assuming that this particular legislation, H.R. 14643, is in no way related to international education as referred to in the President's state of the Union message?

Mr. BRADEMAS. Mr. Speaker, I do not have before me the text of the President's state of the Union message, but, as I said in my remarks, the legislation before us is a part—and only a part, a modest part—of the program set forth both in the Smithsonian Institution speech of last fall and in the February 2 message of the President. As I recall, the President only briefly alluded to the International Education Act in his state of the Union message.

Mr. WAGGONNER. Mr. Speaker, am I correct in assuming that authority is granted to the Secretary of Health, Education, and Welfare to make grants to both graduate and undergraduate institutions in developing programs of international study?

Mr. BRADEMAS. That is correct.

Mr. WAGGONNER. Am I correct in assuming that the money allocated for the first 3 years is to be continued for the last 2 years of the program at the same rate of increase? Is this the old foot-in-the-door approach?

Mr. BRADEMAS. No, the gentleman's assumption is not correct. I may say to the gentleman from Louisiana that the money in the last 2 years of the 5-year program is to be set at levels to be fixed subsequently by Congress. We did not specify funds for those 2 years.

Mr. WAGGONNER. Am I correct in assuming that this legislation removes the restrictions for grants to develop area centers for the teaching of foreign languages?

Mr. BRADEMAS. It amends title VI of the National Defense Education Act to remove that limitation; yes.

Mr. WAGGONNER. Does the gentleman share my concern and fears that we have too many international experts on the campuses of our colleges and universities today who create quite a problem for us in foreign affairs? Are we going to finance more demonstrations which are not in the national interest? Is it not wrong to say there will be no control by the Federal Government? Should this not be deferred?

Mr. BRADEMAS. I do not want to make any blanket comments on international experts when, I may say to the gentleman, we have about 2,000 degree-granting institutions of higher learning in this country.

I certainly would not want to issue either a blanket condemnation or commendation of the capacities of all these people.

I do believe we need more people who know more about international affairs, as we need more people who know more about every activity of thought in our world today.

And I may add that the gentleman is certainly not correct in alleging that we—by which I take it he means the Federal Government—are financing demonstrations.

With respect to the question of Federal control, I draw the gentleman's attention to section 6 of the bill.

The **SPEAKER** pro tempore. The time of the gentleman from Indiana has again expired.

Mr. BRADEMAS. Mr. Speaker, I yield myself 1 additional minute.

I fear I do not have sufficient time to yield further to Members, because I promised the gentleman from Wisconsin [Mr. REUSS], who is unable to be present, who serves so ably as chairman of the Subcommittee on Research and Technical Programs of the Committee on Government Operations, that I would make a comment concerning the balance-of-payments impact of the research and overseas study which in some instances would be permitted under this bill.

I share the concern of the gentleman from Wisconsin about the balance-of-payments problems, and I would therefore make the following three observations:

First, this entire program is relatively small in terms of amounts authorized, and the dollar component spent abroad would be a modest one.

Second, I would anticipate that the Department of Health, Education, and Welfare, in approving grant applications under the bill, would give very careful attention to the balance-of-payments effect of any overseas research and study component of a grant.

Third, I would expect the Department of Health, Education, and Welfare to encourage, wherever possible, the use of U.S.-owned foreign currencies to support essential research and study abroad.

Mr. Speaker, how much time do I have remaining?

The **SPEAKER** pro tempore. The gentleman has 4 minutes remaining.

Mr. BRADEMAS. Mr. Speaker, I yield myself 1 additional minute at this time, and I reserve the remainder of my time to conclude the debate.

Mr. Speaker, I yield to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Speaker, I thank the gentleman for yielding. I commend the gentleman now in the well for his leadership on this bill.

The International Education Act of 1966 is an important and creative piece of legislation. It will help to bring the Nation's educational system into line with the responsibilities of the United States in the world community, and with the new realities of an increasingly interdependent world.

The chief purpose of the bill is to create new and better programs in international education on both the undergraduate level.

It incorporates several conceptual advances over earlier legislation. Its authors recognize that our commitment to international education and international aid must be long term. The committee report stresses the interrelation of various disciplines in the training of those who are interested in international relations. Furthermore, the report takes note of the need to remedy the often uneasy relationship between American foreign aid and American universities.

But fine as this new bill is, it makes no effort to suggest in what areas people should be trained in international affairs. Neither the bill nor the report attempt to suggest how the graduates of these programs can best use their talents.

I think that it is important for this House to ask what government or private groups have the greatest need for people who would be trained in the programs developed under the International Education Act. And I think that it is important for us to begin to suggest ways in which those government and private groups can best coordinate their activities with the people and programs developed by the universities.

When the President presented his important message on International Health and Education on February 2, he mentioned at least one way in which Government needs and university programs would be coordinated.

In that speech after proposing a "program of incentive grants administered by HEW for universities and groups of universities," he said:

> I propose that AID be given authority to provide support to American research and educational institutions for increasing their capacity to deal with programs of economic and social development abroad.

In other words, AID would specifically be given authority to encourage university programs to train people for work in the developing nations.

I understand that this proposal will be incorporated in the technical cooperation grants section of the new foreign aid bill. But we should not lose sight of it when we consider the International Education Act, for their purposes and programs will be closely interrelated.

One area in which I think that these programs would be particularly appropriate is in the training of young scientists and technicians for a career in international development.

Mr. Speaker, there is in the world today, and particularly in the developing nations, an enormous need for trained scientists and technicians. Perhaps the greatest contribution which the United States and the other developed nations can make to the developing nations is to share the benefits of science and technology.

At the moment, however, we are unable to share the full fruits of our scientific knowledge with the developing nations. One reason for this is that few scientists have been trained for careers in international development or even encouraged to plan for such careers.

To help remedy this situation, I have proposed that the United States train a career corps of men and women to disseminate scientific and technological information throughout the developing world. I have proposed that it be called the International Development Corps.

The corps might draw, in part, on men and women who, after returning from the Peace Corps, want to continue to work in developing nations.

Upon returning to the United States, I have pointed out, the Peace Corpsmen and others might participate in a graduate program to gain proficiency in a subject which is relevant to the needs of a developing nation. There they might be joined by men and women from the nations for which the proposed project would be conducted.

It seems to me that, by enacting into law the proposals which the President made in his message on international health and education, we can go a long way toward encouraging universities to develop the facilities and programs which an International Development Corps would require. It is, therefore, with special enthusiasm that I support the proposal for the International Education Act of 1966.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BRADEMAS. I am glad to yield to my friend from Iowa.

Mr. GROSS. Are there hearings on this bill available? If so, where may we obtain them?

Mr. BRADEMAS. I am glad to say to my good friend from Iowa that the hearings are available to him. They have been available from the Committee on Education and Labor for some time.

Mr. GROSS. They are not at the desk, and they are not available at the Document Room.

Mr. BRADEMAS. I should be glad to let the gentleman have my own copy of the hearings.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. BRADEMAS. Yes, so long as I have 30 seconds remaining of the 1 minute.

Mr. GROSS. There is nothing in this bill, is there, to abolish any of the present costly language institutes which are being operated in the Federal Government?

Mr. BRADEMAS. I am delighted to say there is nothing in this bill that would do other than encourage the present highly effective NDEA title VI institutes, which the minority members of this committee quite properly pointed out, on that gentleman's side of the aisle, were first advocated by a distinguished Republican President of the United States, Mr. Eisenhower, and enacted into law under a Democratic Congress.

Mr. AYRES. Mr. Speaker, I yield 10 minutes to the gentleman from Minnesota [Mr. QUIE].

Mr. BOW. Mr. Speaker, will the gentleman yield for a question?

Mr. QUIE. I yield to the gentleman from Ohio.

Mr. BOW. I wonder whether there is anything about this act which will affect the East-West Cultural Center located in Hawaii, now under the jurisdiction of the Department of State.

Mr. QUIE. I say to the gentleman from Ohio there is no direct reference to the East-West Cultural Center in Hawaii.

I ask the gentleman from Indiana to listen to this comment. It was my understanding that money from this bill would be available to be used in the East-West Cultural Center.

I yield to the gentleman from Indiana, if he would care to contribute.

Mr. BRADEMAS. The gentleman is correct. Indeed, one of the most articulate witnesses in support of this legislation was our former Ambassador to Indonesia, who is now the head of the East-West Cultural Center, Howard Jones. The answer to the gentleman's question is that it would qualify.

Mr. BOW. It would qualify.

My question is and I am particularly concerned about whether there is now any attempt to transfer the East-West Cultural Center from the State Department or HEW.

Mr. QUIE. Nothing in this bill would transfer the East-West Cultural Center.

Mr. BOW. Does the gentleman have any such project in consideration at this time?

Mr. QUIE. No. This proposal has never come before our committee that I recall.

Mr. BOW. Will the gentleman yield 1 minute further?

Mr. QUIE. Yes.

Mr. BOW. I am concerned about section 8 of the annual report, which says:

> SECTION 8. ANNUAL REPORT
>
> This section requires the Secretary of Health, Education, and Welfare, prior to January 31 of each year, to make a report to Congress reviewing and evaluating activities carried on under the authority of the act, and also, reviewing other activities of the Federal Government drawing upon or strengthening American resources for international study and research, and any existing activities and plans to coordinate and improve the efforts of the Federal Government in international education.

The East-West Cultural Center is not involved in this. It would seem to me under this language you would have the Secretary of HEW reviewing the activities of the programs of the East-West Cultural Center and thereby giving them some authority over that institution. Is there any question on that? I would like to get some legislative history here on this particular provision. Is it intended that the Secretary of HEW will make an evaluation and report on the activities of the East-West Cultural Center?

Mr. BRADEMAS. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Indiana.

Mr. BRADEMAS. I may say further I think it is fair to indicate to the gentleman from Ohio that it was the intention of our committee not to set up a control mechanism of the kind to which I think the gentleman is referring, but we felt it was important that the left hand knew what the right hand was doing. Where one agency of our Government is involved in activities that affect international education, those activities should be known to other agencies of the Federal Government that affect international education. There is now, I believe I am correct in saying, an interagency committee on international education composed of people in the Department of State, AID, the Peace Corps, USIA, and I believe the Department of Defense, who do meet from time to time to discuss these matters. We in Congress, especially on our committee, have been very critical of some of the failure of coordination in the executive branch of the Government on some of these education programs. This part of the bill, section 8, is a response to that kind of criticism, by providing for a review from the specific viewpoint.

Mr. BOW. Mr. Speaker, if the gentleman will yield 1 minute further, I would like to get this definitely clear. Does this mean the Secretary of HEW will review the activities of the East-West Cultural Center and make a report to them from time to time on it?

Mr. BRADEMAS. I think, if I may say so to my friend from Ohio, that perhaps he is putting too much stress on the East-West Cultural Center, which is, after all, only one institution of higher learning in the United States. To review the East-West Cultural Center is not the purpose of section 8; it is rather the intention there that the Secretary of HEW report to Congress reviewing and evaluating activities carried on under the authority of this act.

Mr. BOW. And further——

Mr. BRADEMAS. Yes, and further I will state to the gentleman, if the grant goes to the East-West Cultural Center under section 3 of this act, that would properly come within the purview of the review activities of the Secretary of HEW as required in section 8 in his reporting activities. However, as the gentleman from Ohio quite rightly notes the Secretary of HEW in addition is asked to review other activities of the Federal Government which draw upon or strengthen American resources for international study and research. It is not the purpose of this bill to single out any particular institution for evaluation and review but, rather, the entire span of activities of the Federal Government in international education.

Mr. BOW. If the gentleman will yield for just one further clarification, if I could have a direct answer to it—and I still do not have an answer—is it anticipated that the Secretary of HEW will review the activities of the East-West Cultural Center? That is an easy question. Yes or no.

Mr. BRADEMAS. If the East-West Center were to receive grants under this bill, I can see nothing wrong with it, but the only reason——

Mr. BOW. I want to know if this act provides for that.

Mr. BRADEMAS. The only reason I am somewhat puzzled—and I hope it is permitted for one Member of this body to be puzzled by a question of another, even when the other is as eloquent as the gentleman from Ohio—is I want to make very clear that this section was not written with the purpose of encouraging the Secretary of HEW to review the activities of any particular existing institution.

Mr. BOW. I suppose I cannot get an answer to my question and we will just have to wait and see.

Mr. BRADEMAS. I have tried to give the gentleman an answer.

Mr. QUIE. Let me try to give an answer and see if the gentleman from Indiana agrees with what I say on this.

The language that the gentleman has read means that the Secretary of the Department of Health, Education, and Welfare, when he makes his report to Congress, would not only make in his report what will be accomplished under this act, but under similar activities in other places in the Government.

Mr. Speaker, the East-West Cultural Center if it receives some money from this act, then that program will be directly reviewed and have the full influence of the Secretary of the Department of Health, Education, and Welfare upon it.

Mr. BOW. Mr. Speaker, if the gentleman will yield further, this section 8, I might say to the gentleman, says nothing at all about grants. Are people receiving money from this program?

Mr. QUIE. No. I am going on after that point to discuss that matter further.

Mr. BOW. If the gentleman will yield further. I am inclined to agree that based upon the way in which it is written, it will—the Department of Health, Education, and Welfare—give a report upon the act.

Mr. QUIE. It will give the Secretary of the Department of Health, Education, and Welfare the responsibility, when he does report to us, that he not only report upon the activities contained under this bill, but on other similar activities. But by so doing it does not give the Secretary of the Department of Health, Education, and Welfare any authority over the East-West Cultural Center at all—not at all.

Mr. Speaker, when he makes his report, he mainly will turn to the Director of the East-West Cultural Center and ask him to submit the information to him so that he might transmit it to the Congress.

Mr. BRADEMAS. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Indiana.

Mr. BRADEMAS. I agree with the interpretation just suggested by the gentleman from Minnesota [Mr. QUIE], namely that if the East-West Center receives grants under this bill, the Secretary of HEW would review it.

Mr. Speaker, I would also say to the gentleman from Ohio [Mr. BOW] that the gentleman might look at section 6 of the bill, wherein there is Senator Taft's language prohibiting Federal control of education. I believe this section may touch upon the concern of the gentleman from Ohio.

Also, I may say that I agree with the gentleman if he is expressing the view that he does not want the Secretary of the Department of Health, Education, and Welfare to tell the East-West Cultural Center what they ought to teach. I agree with the gentleman.

Mr. QUIE. Or the evaluation or indirectly telling them how to run their program.

Mr. O'HARA of Illinois. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I shall yield to the gentleman from Illinois later if I am able to get additional time, but I have got to say whether I am for or against the bill.

Mr. O'HARA of Illinois. Mr. Speaker, I have a deep interest in the question which has been raised by the gentleman from Ohio [Mr. BOW]. Only yesterday I was engaged in a long conversation with Dr. Walter Johnson of the University of Chicago during which he told me that he and others of his committee had strongly recommended that the East-West Cultural Center be taken from the Department of State and put into the other Department.

Mr. Speaker, does this proposed legislation have any relationship to that proposed change?

Mr. QUIE. None whatsoever; not one bit. If there is going to be any change, I would say to the gentleman from Illinois [Mr. O'HARA], the gentleman's committee will be the committee which will be responsible for that and not the Committee on Education and Labor.

Mr. O'HARA of Illinois. Mr. Speaker, I want to thank the gentleman from Minnesota [Mr. QUIE] for fighting for the side of Dr. Walter Johnson.

Mr. QUIE. I am not taking any side on this one. I am just fighting for this bill.

Mr. CURTIS. Mr. Speaker, will the gentleman yield just for the purpose of clarifying a phrase that has been used?

Mr. QUIE. I yield to the gentleman from Missouri.

Mr. CURTIS. "East-West"—is that actually a term used in the statute to describe this Center, or is it used as a euphemism for reference to Communist nations? Is it an actual term here?

Mr. QUIE. No, it is not in this bill at all. This is the program operated by the Department of State in Hawaii which they call the East-West Cultural Center.

Mr. CURTIS. Mr. Speaker, if the gentleman will yield further, it has nothing to do with what they have been talking about—East-West trade—which question has been pending before our Committee on Ways and Means and which is a euphemism for Communist nations trading with the West? We do trade with Australia, the Philippines and Japan which are Eastern countries.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from Minnesota has expired.

Mr. AYRES. Mr. Speaker, I yield the gentleman 3 additional minutes to allow his presentation.

Mr. QUIE. Mr. Speaker, I rise in support of H.R. 14643, and I wish to stress right now that this is not in any sense a foreign aid bill. Those of you who are disturbed about the President's message on international education feel that this is a way whereby we are going to educate the world. Allay your fears, because this has nothing to do with that.

This bill builds upon the solid foundation of title VI of the National Defense Education Act, which initiated the establishment of university centers for the study of the languages and cultures of areas of the world with which there had been too little familiarity in the United States.

This bill expands the area and language study concept and provides grants to colleges and universities to add an international dimension to studies in many fields, such as law, public administration, business, public health and engineering. The Government of the United States has a profound interest in encouraging this development.

In fact, this is one area in education in which the Federal Government has a predominant interest far outweighing any State or private concern, or even the demands of scholarship. Both the short-range operating programs of the Federal Government abroad and the long-range foreign policy goals of the Nation are inextricably related to the capacity of American higher education to provide high quality programs in international studies. Increasingly since the end of World War II, our Government has relied heavily upon the universities in carrying out international commitments. Too often, there has been no corresponding benefit to the university. Until President Eisenhower launched the National Defense Education Act in 1958 there was virtually no Federal assistance for the long-term development of university programs in this field.

In the long view, our Nation's success in international affairs will depend the breadth and depth and sophistication of international studies in our colleges and universities. We are almost wholly dependent upon them for individuals who can speak the languages, understand the cultural influences, and deal with the problems and aspirations of most of the people fo the world. I can think of no aspect of education that is of such direct concern to the Federal Government as international studies and foreign languages.

This bill authorizes the Secretary of Health, Education, and Welfare to make grants to colleges and universities, and in certain instances to professional and scholarly associations and other nonprofit agencies, for the establishment and operation of centers for advanced international studies. This is an extension of title VI of the National Defense Education Act, except that such centers need not be concerned with a particular geographical area and need not place such heavy emphasis on language instruction. The East-West Center in Hawaii is a remarkable example of the value of this type of institution.

The bill also authorizes the Secretary to make grants to colleges and universities, and to certain other nonprofit agencies, for programs that will broaden, strengthen and improve undergraduate instruction in international studies. We are making significant contributions, through a variety of programs, to the more highly specialized fields of graduate education. But in the long run, graduate studies will be far stronger and more productive if candidates for advanced degrees have a strong undergraduate background. This is too often woefully deficient today in languages and international studies. Almost every part of the undergraduate curriculum could be enriched by a world dimension. This bill provides a small but important encouragement to institutions to provide this vital dimension.

In addition, to further complement these programs, title VI of the National Defense Education Act is amended to provide more flexibility in its administration.

Mr. Speaker, it is a cliche to speak of a shrinking world. Again today two Americans have landed a spacecraft at a precise point in an ocean which was once a vast barrier between us and the rest of the world—a world these two pioneers regularly circled at a speed of 17,500 miles per hour. We have such immediate contact with the whole world and its most remote areas and peoples that events everywhere have a measurable effect upon us. These once remote influences pervade every aspect of our national life, so much so that this new intimacy is taken for granted. But we cannot take it for granted, and we ignore its probable effect only at great peril. No other Nation ever assumed such universal and awesome responsibilities as America, willing or not, has assumed. I am convinced that we must fear ignorance rather than arrogance as we carry out these responsibilities. But I am confident that we can attain the knowledge and understanding required by our world role, and I support this bill as a sensible step in the right direction.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Iowa.

Mr. GROSS. This bill would authorize the spending of $140 million and this would be in addition to the millions of dollars presently being expended each year in Washington and around the country on international language institutes. Why do you not absorb these language and other international training institutes into this program instead of adding another layer of fat? There is nothing in this bill that would eliminate or absorb any of the existing expenditures for practically the same purposes.

I repeat that this bill adds another layer of fat and apparently would teach some people how to write and say "Yankee go home" better than they do now.

The **SPEAKER** pro tempore (Mr. ALBERT). The time of the gentleman has expired.

Mr. AYRES. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I had the pleasure of serving on the Task Force on International Education, which considered this bill in our committee, and I wholeheartedly endorse the legislation.

I can think of no better statement of the need for this bill than that made by the very distinguished president of the University of Akron, Dr. Norman P. Auburn, in his testimony to the task force. He said:

> The bill is most timely. At the very time the Federal Government calls upon America's colleges and universities to accept overseas assignments, they are overwhelmed with handling their campus teaching and research obligations. Meanwhile, qualified teaching and research talent is in short supply. Aware as they are, desirous as they are of augmenting their programs in international studies, most public and private colleges and universities will not be able to respond effectively unless they are given incentive grants.

President Auburn speaks from a background of long and important service both to our Government and to education. He knows the extent of the dependence of the Federal Government on the resources of American universities, and the strain placed upon these institutions in attempting to perform every possible service to the Nation.

This legislation is designed to help alleviate this immediate strain and, beyond that, to expand the capacity of higher education to provide a solid grounding in international studies. Not only our Government, but business industry, and even American labor unions have vital interests in foreign developments. All draw upon the reservoir of knowledge in our universities, and in education as in all else, we must be prepared to replenish resources from which we draw.

This bill enlarges upon a very successful and necessary program of foreign language and area studies initiated at the recommendation of President Eisenhower. It fully merits the thoughtful bipartisan support it has received in the Committee on Education and Labor, and I urge its approval by the House.

Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. MCCLORY].

Mr. McCLORY. Mr. Speaker, this bill should not be before this House at this time under a suspension of the rules.

It is too important a piece of legislation. Certainly, the least the committee could have done is to go before the Committee on Rules and bring this bill before the House under a rule for full and adequate debate. This is an extremely important piece of legislation. It was the subject of the President's speech at the Smithsonian Institution. What he said at the Smithsonian Institution was that there was a great body of illiterates around the world—700 million illiterates and that this was the great problem of international education.

He said he was going to bring a program to the Congress for "a broad and long-range plan of worldwide educational endeavor." Believe me, this bill does nothing whatever toward reducing the number of illiterates in the world or helping educational efforts in the underdeveloped countries.

Instead, this bill deals with a relatively low priority aspect of international study. It establishes new opportunities for graduate study in a number of universities. The bill appears to assume that we do not have any existing centers of graduate studies in foreign relations. Actually, we do. We have at least 75 universities which already have established centers for graduate study in foreign countries and regions, but we do not have any comprehensive or adequate program to educate people in underdeveloped countries. Certainly we do a great deal of work through the Peace Corps. I understand 70 percent of the Peace Corps volunteers who go to these foreign countries undertake to try to educate the people and to teach them how to read and to write. Believe me, these Peace Corps volunteers do understand something about the countries where they serve. Many with whom I have spoken agree that graduate students in their late twenties or thirties or forties will not absorb very much about the foreign countries or regions in which we are so deeply concerned today. And, if we bring foreign students and teachers to this country for study, they are not going to want to go back to teach their own people. Our experience has been with the exchange student program that when we bring exchange students to the United States with the hope that we are going to train some people so that they may go back to their own countries to serve their people there, instead of going back, a great majority of them either stay here or move to some other country that is comparable to our country and they do not return to their own countries where they should be serving.

If this bill were to accomplish something constructive about educating teachers and about gaining a knowledge of other countries and regions it should provide for the establishment of regional centers in other countries.

We could teach the teachers there. We could do it a lot more cheaply and much move effectively than we can do it here.

I have had some experience with regard to this subject, having served on the Interparliamentary Union as a delegate to the 75-nation organization, and have discuss this precise subject with a great many parliamentary leaders of other nations including representatives of the developing nations. I visited the UNESCO headquarters just a few months ago as a delegate of our Interparliamentary Union Group to meet and to discuss this subject with representatives of many other nations as well as with UNESCO officials.

What did I find? I found that we have a most competent group of men and women serving in our permanent mission at UNESCO headquarters, but completely inadequate representation in UNESCO itself, which is undertaking to provide a program of international education. We have 86 people out of 1,500 who are serving at the UNESCO headquarters in Paris, and a mere 26 out of 900 who are serving in the field.

If we want to undertake a program for the young people of America to help promote international education, we could train some people to serve at UNESCO, to serve in the office and to serve in the field. In fact, UNESCO has a program, a multination program which they are endeavoring to carry out in Iran, in Mali, and other countries. They would be perfectly happy to have us undertake one of these programs in an underdeveloped nation, where most of the people are illiterate. They would be glad to delegate it to us.

This Congress could provide the legislation so that it could be done. We could do a constructive job in accordance with the President's message.

But this bill does not do anything like that at all. In fact, it provides that $140 million may be used for travel, and not only for travel for the teachers themselves, but for their dependents, for their families.

Well, these are wonderful things. Of course, we had a great deal of testimony before this ad hoc committee. But the testimony was mostly by those in the universities that will benefit from this legislation. Why should they come in and testify against the bill which would provide $140 million? Well, we could hardly expect them to do so. But we are not here in the Congress merely to submit to such advice. We have a deadly serious lawmaking responsibility. We are the ones who are taking this action, and I think it is extremely unfortunate that in 20 minutes of debate on either side, with only one speaker against this piece of legislation, at least only one speaker questioning the wisdom of this legislation, that we should be hamstrung in this way.

Is this the kind of cursory attention that this administration intends to give to aiding the 700 million illiterates to whom President Johnson referred in his famed Smithsonian Institution address delivered in September? A very low priority item is before us today. The top priority subject of world literacy has been ignored so far.

Mr. AYRES. Mr. Speaker, may I inquire how much time we have remaining?

The SPEAKER pro tempore. Each side has 2 minutes remaining.

Mr. AYRES. Mr. Speaker, I yield 2 minutes to the gentleman from New Hampshire.

Mr. CLEVELAND. Mr. Speaker, I take this time on behalf of myself and my esteemed colleague, the gentleman from Vermont, Congressman STAFFORD, to inquire of the gentleman from Indiana [Mr. BRADEMAS] if the legislation we have before us properly takes into account the important significant and vital contribution made in this general area by private, noncharitable organizations, and specifically I refer to an organization such as the Experiment in International Living, located in Putney, Vt., which has a long and distinguished record in this area. In fact, it has been a pioneer. I want to be very certain that they will be fully entitled under appropriate provisions of this act.

On Thursday, February 13, 1964, I discussed, at some length, the Experiment in International Living here on the floor. I pointed out the long association that the experiment has had with our beloved colleague, FRANCES P. BOLTON, of Ohio. In addition, I pointed out that the families of our colleagues, the gentleman from Wisconsin [Mr. REUSS], the gentleman from Illinois [Mr. SPRINGER], and the gentleman from California [Mr. TEAGUE] had all participated in the experiment. I further pointed out the respect and friendship which the experiment enjoyed with Senator AIKEN, of Vermont, and, of course, our distinguished colleague, the gentleman from Vermont [Mr. STAFFORD].

I commend these remarks to my colleagues. I remind them again that R. Sargent Shriver, Jr., is an alumnus of this organization, has praised it highly, and frequently called upon it for assistance when he was Director of the Peace Corps.

Mr. BRADEMAS. Mr. Speaker, I am very much aware of the magnificent work of the Experiment in International Living.

I direct the attention of the gentleman to page 20 of the report, in which there is a quotation from section 4 of the bill. It states as follows:

> The Secretary is also authorized to make grants to public and private nonprofit agencies and organizations, including professional and scholarly associations, when such grants will make an especially significant contribution to attaining the objectives of the section.

That same language is to be found with respect to sections 3 and 4.

Mr. CLEVELAND. Will the gentleman agree with me that the experiment has made a significant contribution?

Mr. BRADEMAS. That is a matter for the administrator of the program to determine with respect to a particular proposal and a particular application. In some instances such an organization may well have made, with respect to a particular proposal, an especially significant contribution, and others not. It all depends on the particular project.

Mr. CLEVELAND. Mr. Speaker, I thank the gentleman for his reply. It seems quite clear that the experiment would indeed fully qualify for entitlement under appropriate provisions of this legislation. It is now my pleasure to yield to my friend and distinguished colleague from Vermont [Mr. STAFFORD].

Mr. STAFFORD. Mr. Speaker, I appreciate the gentleman's yielding. I simply wish to thank him for bringing up this particular subject. I join with him and express the opinion that a program such as that conducted by the Experiment in International Living makes a most significant contribution and without question qualifies to participate in the program under this legislation.

Mr. SICKLES. Mr. Speaker, will the gentleman yield?

Mr. BRADEMAS. I yield to the gentleman from Maryland.

Mr. SICKLES. Mr. Speaker, the International Education Act of 1966 is a major component of the international education program President Johnson first called for during his address in September 1965, on the occasion of the bicentennial celebration of the Smithsonian Institution. While comparatively modest in scope, calling as it does for only $10 million for 1967, it is nevertheless the heart of the program.

This bill is domestic in focus and is designed to strengthen the resources of personnel and organized knowledge of our Nation's colleges and universities at the same time that it draws on these institutions for leadership in international studies. The resultant increase in the supply of experts in international affairs, international development, and the languages, and peoples of other nations will, in the long run, be of great benefit to business and government as well as to the academic community both at home and abroad.

Of prime importance, however, is the potential for peace which this measure contains. Only by really knowing the peoples of other lands, their hopes, their problems—not as we see them but as they see them—can we really develop the mutual understanding upon which permanent and lasting peaceful relationships can be based. There is no greater cause than this.

I am pleased that the statement of Dr. Elmer Plischke, the distinguished scholar who heads the Department of Government and Politics at the University of Maryland, is included in the hearing record. Dr. Plischke's comments concisely define the objectives which this bill can achieve. The University of Maryland is uniquely qualified, both because of the present fine program of international studies and the proximity to the Nation's Capital, to participate in this program. I shall urge the consideration of the University of Maryland as one of the institutions to participate in this program.

During the Easter recess, I had the opportunity to confer with academicians at the University of California at Los Angeles and at the East-West Center in Hawaii. The results of these conferences strengthened my commitment to this legislation and to the purposes which the many witnesses who appeared before our subcommittee so ably defined. I was also deeply impressed by the testimony of Dr. William G. Carr, executive secretary of the National Education Association and Secretary General of the World Confederation of Organizations of the Teaching Profession which represents some 4 million teachers in over 90 countries. Dr. Carr's plea for special attention, under the provisions of this bill, for teacher education programs is wise counsel indeed.

I also want to commend the able chairman of our subcommittee, the gentleman from Indiana [Mr. BRADEMAS], himself a distinguished scholar, for the great skill with which he has helped launch this extremely important and far-reaching legislation.

Mr. REID of New York. Mr. Speaker, will the gentleman yield?

Mr. BRADEMAS. I yield to the gentleman from New York.

Mr. REID of New York. Mr. Speaker, I rise in strong support of H.R. 14643.

I would like simply to add that this bill is in the national interest. It provides the first legislative authority devoted solely to strengthening our international studies and research in colleges and universities.

Section 3 of the bill would authorize grants to universities, or groups thereof, for graduate centers of research and training in international studies. These centers might focus on a geographic area or on particular fields or issues in world affairs, or both.

In addition, H.R. 14643 authorizes grants to universities and colleges to assist them in planning and carrying out comprehensive programs to strengthen and improve undergraduate instruction in international studies. Possible projects and activities which may be financed with these grants include: First, planning for the development and expansion of undergraduate programs in international studies; second, teaching, research curriculum development, and other related activities; third, training of faculty members in foreign countries; fourth, expansion of foreign language courses; fifth, planned and supervised student work-study-travel programs; and, sixth, programs under which foreign teachers and scholars may visit institutions as visiting faculty.

I hope it will encourage language training on a broad basis in the United States.

As a former Ambassador, I consider it vital that more Americans learn languages seriously—and not just high school French—so that they can communicate with the peoples of the world with whom we are privileged to have relations. Language is fundamental and we need to train many more Americans to be truly fluent in several languages if our foreign service is to be fully effective.

I hope this bill will make the study of foreign languages more accessible to all Americans through its amendments to title VI of the National Defense Education Act. Section 9 of this bill removes the National Defense Education Act requirement that college language instruction be limited to those languages "not readily available" in the United States. It also eliminates the 50-percent matching requirements and provides authority for grants as well as contracts.

H.R. 14643 as a whole is a logical extension of the "Language and Area Centers" program established by President Eisenhower in title VI of the National Defense Education Act. In my judgment, it will serve the dual causes of higher education in America and international relations abroad.

Mr. HATHAWAY. Mr. Speaker, will the gentleman yield?

Mr. BRADEMAS. I yield to the gentleman from Maine.

Mr. HATHAWAY. Mr. Speaker, I rise in support of this legislation.

Mr. Speaker, H.R. 14643 marks our continuing recognition that nothing is more important to the future success of our Nation and world peace than international education.

Last year Congress by its legislative actions declared that the Nation's No. 1 task is to improve the education of our people. For last year Congress, with the grateful support of the American people, passed the Higher Education Act and the Elementary and Secondary Education Act.

Today, Congress is adding a world dimension to this task, for we cannot be shortsighted in confining our vision to this Nation's shorelines.

The importance of this bill is its advancement of education in international affairs as a basic building block to lasting peace. In effect, this measure represents a long-term commitment and investment in the national interest by expanding our capabilities and understanding of international life.

Essentially, this bill will authorize the Department of Health, Education, and Welfare to make grants, first, to establish graduate centers for advanced international training and research; second, to strengthen undergraduate instruction in international studies; and third, to expand language and area studies.

This bill is a vital step to support the participation of our Nation in the modern world. Every segment of our national life—business, agriculture, education, communications—is becoming increasingly international in character.

The United States, as the most powerful and influential Western power today, has an obligation to act intelligently and constructively in its international relations, from the smallest transactions of business to the gravest matters of world peace. We cannot hope to exercise our power wisely and with the proper restraint if we do not better understand the people of the world and the ways to solve our common problems.

This bill is not the panacea for remedying our occasional misconceptions and mistakes in dealing with other nations. But it is a significant recognition that we can, and must, educate ourselves to better deal with other peoples and nations.

For these reasons, I wholeheartedly urge the House to act favorably on H.R. 14643.

Mr. BRADEMAS. Mr. Speaker, I appreciate the remarks made by my friend from Illinois [Mr. McCLORY]. But I must say that this is not a foreign aid bill, this is not a UNESCO bill, and this is not an illiteracy bill, although those matters are touched on in other passages of the President's message.

Let me conclude by stating what this bill is, rather than what it is not. I would point out that those of us who have been working on this legislation hope that its enactment will help to bring about several results:

First. The exposure of nearly all undergraduates to some substantial international studies, particularly in relation to non-Western areas;

Second. The integration of international studies into the curriculums of our universities as central, not peripheral concerns;

Third. The provision of an effective international dimension in as many departments and professional schools of our universities as appropriate and possible;

Fourth. The encouragement of interinstitutional arrangements among groups of colleges and universities to support effective programs in international study.

This is a bill designed to strengthen colleges and universities here in our own country. It ought to be clear that the capacity of the American people to deal intelligently and effectively with the problems of the 20th century and, indeed, the problems of the 21st century will depend directly upon the capacity of our universities and colleges and other educational institutions to produce men and women who understand the world in which we live. It is the purpose of the International Education Act to help the colleges and universities of our country to educate such men and women.

Mr. Speaker, I hope very much that this bill will have strong support from both sides of the aisle.

Mr. Speaker, I include at this point in the RECORD the texts of President Johnson's Smithsonian Institution address of September 16, 1965, and his message to Congress of February 2, 1966; the text of an address delivered by the Honorable Charles Frankel, Assistant Secretary of State for Educational and Cultural Affairs, at Tufts University on April 25, 1966; and the text of an editorial, "International Studies," in the June 6, 1966, issue of the Washington Post:

SMITHSONIAN ADDRESS BY PRESIDENT JOHNSON

Distinguished scholars from 80 nations:

Amid this pomp and pageantry we have gathered to celebrate a man about whom we know very little but to whom we owe very much. James Smithson was a scientist who achieved no great distinction. He was an Englishman who never visited the United States. He never even expressed the desire to do so.

But this man became our nation's first benefactor. He gave his entire fortune to establish this Institution which would serve "for the increase and diffusion of knowledge among men."

He had a vision which lifted him ahead of his time—or at least of some politicians of his time. One illustrious United States Senator argued it was beneath the dignity of the country to accept such a gift from foreigners. Congress debated eight long years before deciding to receive Smithson's bequest.

Yet James Smithson's life and legacy brought meaning to three ideas more powerful than anyone at that time ever dreamed.

The first idea was that learning respects no geographic boundaries. The Institution bearing his name became the first agency in the United States to promote scientific and scholarly exchange with all the nations in the world.

The second idea was that partnership between Government and private enterprise can serve the greater good of both. The Smithsonian Institution started a new kind of venture in this country, chartered by act of Congress, maintained by both public funds and private contributions. It inspired a relationship which has grown and flowered in a thousand different ways.

Finally, the Institution financed by Smithson breathed life in the idea that the growth and the spread of learning must be the first work of a nation that seeks to be free.

These ideas have not always gained easy acceptance among those employed in my line of work. The government official must cope with the daily disorder that he finds in the world around him.

But today, the official, the scholar and the scientist cannot settle for limited objectives. We must pursue knowledge no matter what the consequences. We must value the tried less than the true.

To split the atom, to launch the rocket, to explore the innermost mysteries and the outermost reaches of the universe—these are your God-given chores. And even when you risk bringing fresh disorder to the politics of men and nations, these explorations still must go on.

The men who founded our country were passionate believers in the revolutionary power of ideas.

They knew that once a nation commits itself to the increase and diffusion of knowledge, the real revolution begins. It can never be stopped.

In my own life, I have had cause again and again to bless the chance events which started me as a teacher. In our country and in our time we have recognized, with new passion, that learning is basic to our hopes for America. It is the taproot which gives sustaining life to all of our purposes. And whatever we seek to do to wage the war on poverty, to set new goals for health and happiness, to curb crime, or try to bring beauty to our cities and our countryside—all of these, and more, depend on education.

But the legacy we inherit from James Smithson cannot be limited to these shores. He called for the increase and diffusion of knowledge among men, not just Americans, not just Anglo-Saxons, and not just the citizens of the western world—but all men everywhere.

The world we face on his bicentennial anniversary makes that mandate much more urgent than it ever was. For we know today that certain truths are self-evident in every nation on this earth: that ideas, not armaments, will shape our lasting prospects for peace; that the conduct of our foreign policy will advance no faster than the curriculum of our classrooms; and that the knowledge of our citizens is the treasure which grows only when it is shared.

It would profit us little to limit the world exchange to those who can afford it. We must extend the treasure to those lands where learning is still a luxury for the few.

Today, more than 700 million adults—four out of ten of the world's population—dwell in darkness where they cannot read or write. Almost half the nations of this globe suffer from illiteracy among half or more of their people. And unless the world can find a way to extend the light, the forces of that darkness may ultimately engulf us all.

For our part, this Government and this Nation is prepared to join in finding the way. During recent years we have made much hopeful beginnings. But we can and we must do more. That is why I have directed a special task force within my Administration to recommend a broad and long-range plan of world-wide educational endeavor.

Secretary of State Rusk has accepted my request to chair this task force. Secretary John Gardner of the Department of Health, Education and Welfare has agreed to serve on it. Both these men have proved, in their past careers, how great is their devotion to international education.

I intend to call on leaders in both public and private enterprise to join with us in mapping this effort.

We must move ahead on every front and every level of learning. We can support [the] dream of creating a center here at the Smithsonian where great scholars from every nation will come and collaborate. At a more junior level, we can promote the growth of the school-to-school program started under Peace Corps auspices so that our children may learn about—and care about—each other.

We mean to show this nation's dream of a Great Society does not stop at the water's edge. And that it is not just an American dream. All are welcome to share in it. All are invited to contribute to it.

Together we must embark on a new and a noble adventure:

First, to assist the education effort of the developing nations and the developing regions.

Second, to help our schools and universities increase their knowledge of the world and the people who inhabit it.

Third, to advance the exchange of students and teachers who travel and work outside their native lands.

Fourth, to increase the free flow of books and ideas and art, of works of science and imagination.

And, fifth, to assemble meetings of men and women from every discipline and every culture to ponder the common problems of mankind.

In all these endeavors, I pledge that the United States will play its full role.

By January, I intend to present such a program to the Congress.

Despite the noise of daily events, history is made by men and the ideas of men. We—and only we—can generate growing light in our universe, or we can allow the darkness to gather.

DeToqueville challenged us more than a century ago: "Men cannot remain strangers to each other, or be ignorant of what is taking place in any corner of the globe." We must banish strangeness and the ignorance.

In all we do toward one another, we must try—and try again—to live the words of the prophet: "I shall light a candle of understanding in thine heart which shall not be put out."

PRESIDENT'S MESSAGE ON INTERNATIONAL EDUCATION

(*In a special message to Congress on February 2, 1966 the President proposed a broad program for action in the fields of international education and health.*)

(*The following is the text of the special message dealing with international education:*)

NOTICE.—*There should be no premature release of this Message to the Congress, nor should its contents be paraphrased, alluded to or hinted at in earlier stories. There is a total embargo on this message until 12:00 noon February 2, 1966, which includes any and all references to any material in this message.*—BILL MOYERS.

THE WHITE HOUSE.

To the Congress of the United States:

Last year the Congress by its action declared: the nation's number one task is to improve the education and health of our people.

Today I call upon Congress to add a world dimension to this task.

I urge the passage of the International Education and Health Acts of 1966.

We would be shortsighted to confine our vision to this nation's shorelines. The same rewards we count at home will flow from sharing in a worldwide effort to rid mankind of the slavery of ignorance and the scourge of disease.

We bear a special role in this liberating mission. Our resources will be wasted in defending freedom's frontiers if we neglect the spirit that makes men want to be free.

Half a century ago, the philosopher William James declared that mankind must seek "a moral equivalent of war."

The search continues—more urgent today than ever before in man's history.

Ours is the great opportunity to challenge all nations, friend and foe alike, to join this battle.

We have made hopeful beginnings. Many of the programs described in this message have been tested in practice. I have directed our agencies of government to improve and enlarge the programs already authorized by Congress.

Now I am requesting Congress to give new purpose and new power to our efforts by declaring that:

—programs to advance education and health are basic building blocks to lasting peace.

—they represent a long-term commitment in the national interest.

—the Department of Health, Education, and Welfare is charged with a broad authority to help strengthen our country's capacity to carry on this noble adventure.

EDUCATION

Education lies at the heart of every nation's hopes and purposes. It must be at the heart of our international relations.

We have long supported UNESCO and other multilateral and international agencies. We propose to continue these efforts with renewed vigor.

Schooled in the grief of war, we know certain truths are self-evident in every nation on this earth:

—Ideas, not armaments, will shape our lasting prospects for peace.

—The conduct of our foreign policy will advance no faster than the curriculum of our classrooms.

—The knowledge of our citizens is one treasure which grows only when it is shared.

International education cannot be the work of one country. It is the responsibility and promise of all nations. It calls for free exchange and full collaboration. We expect to receive as much as we give, to learn as well as to teach.

Let this nation play its part. To this end, I propose:

—to strengthen our capacity for international educational cooperation.

—to stimulate exchange with students and teachers of other lands.

—to assist the progress of education in developing nations.

—to build new bridges of international understanding.

I. To strengthen our capacity for international educational cooperation

Our education base in this country is strong. Our desire to work with other nations is great. But we must review and renew the purpose of our programs for international education. I propose to:

1. Direct the Secretary of Health, Education, and Welfare To Establish Within His Department a Center for Educational Cooperation.

This Center will be a focal point for leadership in international education. While it will not supplant other governmental agencies already conducting programs in this field, it will:

—Act as a channel for communication between our missions abroad and the U.S. educational community;

—Direct programs assigned to the Department of Health, Education, and Welfare;

—Assist public and private agencies conducting international education programs.

2. Appoint a Council on International Education.

Our commitment to international education must draw on the wisdom, experience, and energy of many people. This Council, to be composed of outstanding leaders of American education, business, labor, the professions, and philanthrophy, will advise the Center for Educational Cooperation.

3. Create a Corps of Education Officers to Serve in the United States Foreign Service.

As education's representatives abroad, they will give sharper direction to our programs. Recruited from the ranks of outstanding educators, they will report directly to the Ambassador when serving in foreign missions.

4. Stimulate New Programs in International Studies for Elementary and Secondary Schools.

No child should grow to manhood in America without realizing the promise and the peril of the world beyond our borders. Progress in teaching about world affairs must not lag behind progress made in other areas of American education.

I am directing the Secretary of Health, Education, and Welfare to earmark funds from Title IV of the Elementary and Secondary Education Act of 1965, so that our regional education laboratories can enrich the international curricula of our elementary and secondary schools.

5. Support Programs of International Scope in Smaller and Developing Colleges.

Many of our nation's institutions have been unable to share fully in international projects. By a new prgoram of incentive grants administered through HEW these institutions will be encouraged to play a more active role.

6. Strengthen Centers of Special Competence in International Research and Training.

Over the past two decades, our universities have been a major resource in carrying on development programs around the world. We have made heavy demands upon them. But we have not supported them adequately.

I recommend to the Congress a program of incentive grants administered by HEW for universities and groups of universities—

(a) to promote centers of excellence in dealing with particular problems and particular regions of the world.

(b) to develop administrative staff and faculties adequate to maintain long-term commitments to overseas educational enterprises.

In addition, I propose that AID be given authority to provide support to American research and educational institutions, for increasing their capacity to deal with programs of economic and social development abroad.

II. To stimulate exchange with the students and Teachers of other lands

Only when people know about—and care about—each other will nations learn to live together in harmony. I therefore propose that we:

1. Encourage the Growth of School-to-School Partnerships.

Through such partnerships, already pioneered on a small scale, a U.S. school may assist the brick-and-mortar construction of a sister school in less developed nations. The exchange can grow to include books and equipment, teacher and student visits.

To children, it can bring deep understanding and lasting friendships.

I recommend a goal of 1,000 school-to-school partnerships.

This program will be administered by the Peace Corps, in cooperation with AID, particularly its Partners of the Alliance Program. The chief cost will be borne by the voluntary contributions of the participating schools.

2. Establish an Exchange Peace Corps.

Our nation has no better ambassadors than the young volunteers who serve in 46 countries in the Peace Corps. I propose that we welcome similar ambassadors to our shores. We need their special skills and understanding, just as they need ours.

These "Volunteers to America" will teach their own language and culture in our schools and colleges. They will serve in community programs alongside VISTA Volunteers. As our Peace Corps Volunteers learn while they serve, those coming to the United States will be helped to gain training to prepare them for further service when they return home.

I propose an initial goal of 5,000 volunteers.

3. Establish an American Education Placement Service.

We have in the United States a reservoir of talent and good will not yet fully tapped:

—school and college teachers eager to serve abroad;

—professors and administrators who are retired or on sabbatical leave;

—Peace Corps volunteers who desire further foreign service.

To encourage these men and women to assist in the developing nations and elsewhere, I recommend that we establish an American Education Placement Service in HEW.

It will act as an international recruitment bureau for American teachers, and will provide supplemental assistance for those going to areas of special hardship.

In time, I hope this Service will lead to the development of a World Teacher Exchange—in which all nations may join to bring their classrooms into closer relationships with one another.

III. To assist the progress of education in developing nations

To provide direct support for those countries struggling to improve their education standards, I propose that we:

1. Enlarge AID Programs of Education Assistance.

In my message on Foreign Assistance, I directed AID to make a major effort in programs of direct educational benefit. These will emphasize teacher training—vocational and scientific education—construction of education facilities—specialized training in the U.S. for foreign students—and help in publishing badly needed textbooks.

2. Develop New Techniques for Teaching Basic Education and Fighting Illiteracy.

Our own research and development in the learning process can be adapted to fit the needs of other countries. Modern technology and new communications techniques have the power to multiply the resources available to a school system.

I am calling on HEW to support basic education research of value to the developing nations.

I am requesting AID to conduct studies and assist pilot projects for applying technology to meet critical education shortages.

3. Expand U.S. Summer Teaching Corps.

The Agency for International Development now administers programs for American teachers and professors who participate in summer workshops in less developed countries. They serve effectively to support teacher-training in these countries. They also enrich their own teaching experience.

I propose this year that AID double the number of U.S. participants in the Summer Teaching Corps.

4. Assist the Teaching of English Abroad.

Many of the newer nations have a vital need to maintain English as the language of international communication and national development. We must help meet this demand even as we extend the teaching of foreign languages in our own schools.

I have directed AID, supported by other agencies, to intensify its efforts for those countries which seek our help.

5. Establish Bi-National Educational Foundations.

We have at our disposal excess foreign currencies in a number of developing nations. Where conditions are favorable, I propose that significant amounts of these currencies be used to support Bi-National Educational Foundations. Governed by leading citizens from the two nations, they would have opportunities much like those afforded major foundations in the United States to invest in basic educational development.

To the extent further currencies are created by our sales of agricultural commodities abroad, I propose that a portion be earmarked for educational uses, particularly to assist technical training in food production.

IV. To build new bridges of international understanding

The job of international education must extend beyond the classroom. Conferences of experts from many nations, the free flow of books and ideas, the exchange of works of science and imagination can enrich every citizen. I propose steps to:

1. Stimulate Conference of Leaders and Experts.

I have directed every department and agency to support a series of seminars for representatives from every discipline and every culture to seek answers to the common problems of mankind.

We are ready to serve as host to international gatherings. I have therefore called on the Secretry of State and Attorney General to explore ways to remove unnecessary hindrances in granting visas to guests invited from abroad.

2. Increase the Flow of Books and Other Educational Material.

I recommend prompt passage of legislation to implement the Florence Agreement and thus stimulate the movement of books and other educational material between nations. This Agreement was signed by representatives of the U.S. Government in 1959 and ratified by the Senate in 1960. This necessary Congressional action is long overdue to eliminate duties and remove barriers for the importation of educational materials.

I also recommend that Congress implement the Beirut Agreement to permit duty-free entry of visual and auditory materials of an educational, scientific or cultural nature.

Finally, we must encourage American private enterprise to participate actively in educational exchange. I urge the Congress to amend the United States Information and Educational Exchange Act of 1948 to permit improvements in the Informational Media Guarantee Program.

3. Improve the Quality of U.S. Schools and Colleges Abroad.

We have a potentially rich resource in the American elementary and secondary schools and colleges overseas assisted by the Department of State and AID.

They should be showcases for excellence in education.

They should help make overseas service attractive to our own citizens.

They should provide close contact with students and teachers of the host country.

I request additional support to assist those institutions which meet these standards.

4. Create Special Programs for Future Leaders Studying in the United States.

There are some 90,000 foreign students now enrolled in U.S. institutions. Many of them will someday play leading roles in their own countries. We must identify and assist these potential leaders.

I recommend that HEW and AID provide grants to enrich their educational experience through special courses and summer institutes.

THE CHOICE WE MUST MAKE

We call on rich nations and poor nations to join with us—to help each other and to help themselves. This must be the first work of the world for generations to come.

For our part, the programs in International Education and Health I am recommending this year will total $524 million:

—$354 million in the foreign assistance program.

—$103 million in the Health, Education, and Welfare Department program.

—$11 million in the Peace Corps program.

—$56 million in the State Department cultural and education program.

As I indicated in my message on Foreign Assistance yesterday, these programs will be conducted in a manner consistent with our balance of payments policy.

We must meet these problems in ways that will strengthen free societies—and protect the individual right to freedom of choice.

Last Fall, speaking to a gathering of the world's scholars at the Smithsonian Institution, I said: ". . . We can generate growing light in our universe—or we can allow the darkness to gather."

In the few months since then, forty-four million more children have come into the world. With them come more hunger—and more hope.

Since that time the gross national product of our nation has passed the $700 billion mark.

The choice between light and darkness, between health and sickness, between knowledge and ignorance is not one that we can ignore.

The light we generate can be the brightest hope of history. It can illuminate the way toward a better life for all. But the darkness—if we let it gather—can become the final, terrible midnight of mankind.

The International Education and Health Acts of 1966 present an opportunity to begin a great shared adventure with other nations.

I urge the Congress to act swiftly for passage of both measures.

Our national interest warrants it.

The work of peace demands it.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *February 2, 1966.*

THE ERA OF EDUCATIONAL AND CULTURAL RELATIONS

(Address by the Honorable Charles Frankel, Assistant Secretary of State for Educational and Cultural Affairs, in the Edward L. Bernays Foundation lecture series, at the Edward R. Murrow Center of Public Diplomacy, Fletcher School of Law and Diplomacy, Tufts University, Medford, Mass., April 25, 1966)

Few places could be more appropriate as a forum for a discussion of educational and cultural affairs and their role in international relations than a Center that honors the name of Ed Murrow. During his notable and busy life, he was a public teacher and conscience, a cultivated man, and, before his appointment by the President, an unofficial representative of the United States to the world abroad. Simply by virtue of what he was, he was a practitioner of what you have come to call here at the Fletcher School "the public diplomacy"—a private individual whose private beliefs were of public significance.

His entire career, indeed, was almost an epitome of the work of the public diplomat. He was President of the National Student Association, an Assistant Director of the Institute of International Education, a foreign correspondent, a commentator in the United States on our doings at home and the world's doings away from home, and finally, the distinguished Director of the United States Information Agency. And at all times he was Ed Murrow, which means that he always represented something peculiarly stubborn and independent and larger than any post he might hold.

I approach my task today, therefore, with a special sense of eagerness, for I speak from a forum graced by a unique name. I am aware, too, that your Dean, Edmund Gullion, is also a symbol of the movement between government and private life which has become a characteristic of our time, and which reveals the increasingly close relation of the public diplomacy to diplomacy in its more traditional forms. Not so many months ago, I had a chance to speak with Dean Gullion when he was Ambassador Gullion. I met him, indeed, at just about the time when I was moving in and he was moving out—I into government, and he out to the academic world. I am not at all sure, however, that I ought to make too much of this fact. It may invite some of you to the reflection that the Government took a beating twice over in this transaction.

CONCLUDING LECTURE

It is my pleasant though somewhat imposing duty to give the concluding lecture in a distinguished series devoted to the human aspects of international relations. In inviting me to take part, Dean Gullion suggested that I might deliver not only the last lecture but a summary lecture which might perhaps draw the various themes on which you have touched into focus. I do not know whether I shall succeed, but it seems to me that a lecture on the subject of educational and cultural relations may well meet this purpose. For it seems to me that educational and cultural affairs draw together what is most distinctive and new about the current international scene, and offer instruments for diplomacy and foreign policy whose potential ability is enormous and has as yet only begun to be felt.

Educational and cultural affairs, indeed, are not simply instruments of foreign policy. If the considerations I wish to put before you have any validity, they are an essential part of what foreign policy today is all about. They enter into the definition of its ends and purposes, and are not simply instruments for the achievement of ends that have been defined without regard to them. For we are in an era which has been fundamentally affected by certain new phenomena on the human scene, and which have propelled educational and cultural relations to the forefront of international relations. If I am right, we are entering an era that can properly be called "the era of educational and cultural relations." And I believe that President Johnson's recent initiatives in this area—his address at the Smithsonian Institution in September, his Message to Congress at the beginning of February, and his submission for consideration by the Congress of the International Education Act of 1966—are expressions and responses to this era, and efforts to stimulate a movement in our country which will help it to accommodate to what this era requires of it.

HISTORICAL PERSPECTIVE

Educational and cultural relations between different peoples are, of course, not peculiar to our time. The first great epics in western literature are devoted to the theme. The Trojan War appears to have been provoked by an excessively eager exercise in cultural exchange—the abduction of Helen. And the Bible contains one episode after another of cultural exchange, and a variety of comments about it. By failing to resist the temptation of the Serpent, Adam and Eve, after all, found themselves transported from the Garden of Eden to a quite different way of life. This is only the first in a long series of instances in which people have identified cultural exchange as the work of the devil. On a somewhat less cosmic level, we now have reason to believe that even before the Roman Empire laid out its roads, there was an extradordinary commerce between east and west. The traces of pre-Roman Celtic civilization can be found from Britain to the Balkans.

Christianity, as we know, is a standing monument to cultural exchange. St. Paul was a Greek-speaking Roman Jew; St. Augustine moved in the course of his life from North Africa to Britain, and sampled, among other points of view, Eastern Manicheism, Greek skepticism, and Platonism. And at its high point medieval Christianity was enriched by the scholars, teachers and students from many countries who gathered together at the great centers of Christian learning such as Paris.

Nor has cultural exchange been a purely intellectual or abstract phenomenon. As a result of Marco Polo's voyages, what we now know as spaghetti came to Italy, and the diet and economy of that country was substantially changed. Legend has it that coffee and *croissants*, that delectable combination, was one of the lasting contributions of the Turkish invasions of Europe. The *croissant* is the Turkish crescent; and when the Turks were beaten back from the gates of Vienna in 1683, it is reported, they left strange green beans scattered around in their abandoned camps. Vienna was never the same. Whether this particular event is legendary or not, it does point to an important and unduly neglected truth—namely, that war has been one of the principal instrumentalities of cultural diffusion, and that after a war, victors and vanquished have a way of exchanging their vices.

CULTURAL EXCHANGE IN THE MODERN WORLD

In the modern world, as we know, cultural exchange has become deliberate, planned, and widespread. The European nations, for some centuries, deliberately transported their cultures, or bits of their cultures, to the colonial areas. And well-established nations, like the Japanese and the Turks, in an effort to avoid being Europeanized at the direction of the Europeans, systematically sent their leaders and young people to various parts of Europe and North America, combing the West for ideas and techniques, and adapting them to their own uses.

To speak of educational and cultural relations, then, is certainly not to speak of anything peculiarly new or contemporary. It is to speak of an aspect of human history that has been present from the time that different groups of human beings first came into contact with one another. And as I have already suggested, these relations have been a consequence of war between human groups as well as of peaceful relations between them. A strong argument can even be made that most wars have been important in the long run only for the cultural exchanges they have initiated. In any case, whether in war or in peace, cultural exchange has been a major executive agent in the changes that constitute human history. A powerful school of anthropologists has maintained, indeed, that contact with external cultures is the most important single cause—some have even insisted, the only cause—of the movement out of social inertia into social change.

THREE PERIODS OF CULTURAL EXCHANGE

Nevertheless, there is a difference, and a difference of the greatest significance, I believe, in cultural relations as we know them today. Broadly speaking, I venture to suggest, we may distinguish three great stages in the history of cultural exchange. In the first stage, which covered the longest period in human history, cultural exchange was simply an accidential by-product of the contact between different groups. It was not usually sought, and it was frequently resisted. In the second stage, cultural exchange—or, at any rate, the triumph of one's own culture over the culture of others—was not accidential, but was deliberately sought and promoted. It was a motive as well as a consequence of war, of commerce, of imperial organization and imperial rivalry, and the preponderant influence over it was exercised by government or government-sponsored activities or by churches. This is the period of the great explorations and of colonization, which came to its climax in the nineteenth century.

THE THIRD STAGE

The third stage is the one in which we have now entered. It is marked by an extraordinary flow of cultural traffic—of people, news, ideas, ideologies, fashions, machines and passions—between almost all the human groups in the world. This cultural exchange, a good part of which is not deliberately planned or intended, goes farther and penetrates more deeply than any kind of cultural exchange known in the past. And while efforts can and have been made to resist the flow of this traffic, it is probably not fundamentally resistible, but is an almost automatic consequence of changes in the character of human thought and work, and in the conditions of human travel and communication. Most of us in most parts of the world simply live in a physical, psychological and moral neighborhood that has an international color and dimension, and we live in such a neighborhood whether we know it or not, or like it or not.

Moreover, this is not all that characterizes this third, relatively new stage in the history of cultural relations. What also characterizes it is that organized social institutions—churches, universities, foundations, voluntary associations, and governments—also play as heavy or a heavier role than ever as initiators and regulators of the cultural traffic. In brief, in this third stage, cultural exchange is the accidental but at the same time the inexorable consequence of the accelerating contact of different human groups, and it is also deeply affected by deliberately adopted social policies, official and unofficial. Finally, this cultural exchange has a new quality. Not only do the powerful nations impose themselves on the attention of the less powerful, but the less powerful impose themselves on the attention or the more powerful. A century ago, an untutored inhabitant of an Asiatic city was likely to be made sharply aware every day that there really was a Europe, but a worker in a European factory might well not have the fact that Asia existed clearly in focus in his mind. That is not likely to be the case today. The flow of information, attention and trouble is in both directions, and the flow is between cultures and peoples which have in the past regarded themselves as remote in history, experience and destiny.

SOURCES AND PROTOTYPES

As in the case of any other so-called "stage" or "era" in history, we can, of course, trace the sources or prototypes of this new era to places and times fairly far back in the past. In the Middle Ages, the Catholic Church promoted the idea of a European culture, crossing over the mountains, and transcending even the intense feudal loyalties of the period. To some extent, and particularly through its support of learning, the Church promoted not only this idea, indeed, but also its realization in practice. In the post-medieval era, science and the organization of learned societies also fostered cultural exchanges, as did the gradual growth of the conception that humanists and scholars had a common vocation and a common audience. In the period of great imperial rivalries, artists, writers, philosophers, scientists and students came and went as individuals to and from the great capitals of Europe. And in the nineteenth century, at the height of the period of cultural imperialism, in which the richer nations move out towards the poorer ones, a very powerful counter-tendency emerged in the great flow of the poor and persecuted and unlettered from the Old World to the New.

THE REVOLUTION IN KNOWLEDGE

Nevertheless, the most decisive characteristics of the new era of cultural relations have emerged only recently. In the present century, and particularly in the last twenty years, we have entered a period in which the internal history of every nation, and the intimate daily experience of growing numbers of individuals, have been vitally affected by certain radical changes. Among them are the revolution in knowledge and in the place that the man of knowledge occupies in society; the extraordinary revolution in the technology of travel and communication; the advent of the school as a major instrument of social development and social control; and the rapid and now almost universal acceptance of the egalitarian language and moral outlook of democracy. Whatever the practice of a people of a government may be, and however various or even bizarre their interpretations of democracy may seem, there is hardly a people or a government in the world today which would not try to explain and justify its behavior in what it presents as democratic terms.

In these factors we have the major sources of the new era of cultural relations. They are of such magnitude that they imply a new era in international relations as well. They have changed the nature and conditions of national power, the character and function of diplomacy, and the very terms, I believe, in which the conception of "national interest" must be defined.

SCIENCE AS A SOCIAL INSTITUTION

The revolution in knowledge, which is the first of the factors that affects the present scene, has had a number of significant consequences that are relevant to our present scene. In the first place, the massive development of science as a social institution—as a set of arrangements for acquiring, communicating and assessing information—has advanced and solidified the growth of an international community of co-workers whose standards and temper of mind, and, not infrequently, whose loyalties transcend purely parochial barriers. Given the existence of science, even if of nothing else, international affairs are not simply an arena for rivalry, disagreement and misunderstanding. They are also an arena in which some men speak the same language, seek the same goals, and have worked out a procedure for the rational resolution of differences of opinion.

Moreover, these men of science have new prestige and influence. For in the last few decades, the traditional relationship between science and technology has been altered. In the past, major technological innovations, like the wheel, the compass, or the steam engine, were often developed without the immediate support of any large body of basic theoretical research. Often, these technological innovations themselves provided instruments and analogies which were used by scientists. Today, however, basic theoretical research is the indispensable prerequisite for the overwhelming proportion of technological inventions. Research and development is a major component of a modern industrial establishment. The power of the American industrial establishment, for example, probably turns more than anything else on our capacity to devote large numbers of people and large amounts of capital to basic research and development. Science, more than ever before, therefore, is an engine which drives human history along its imperfectly chartered road. And with this change there has also come quite naturally, a new role and influence for scientists, and for their typical institutions like the laboratory and the university.

It is no longer possible, therefore, for any country that desires to prosper, and understands the conditions for such prosperity that must now be met, to ignore the peculiar demands and the peculiar mores of the learned community. And under the pressure of scientific standards of workmanship, these demands and these mores are becoming increasingly alike in all countries, increasingly trans-national and international. Indeed, not the least of these demands is that the scientific communities of the different nations, if only in their own self-interest, must remain in touch with each other.

CHANGES IN SOCIETY

Moreover, we must not imagine that the changes which science has brought are only in the field of physical innovation. It is more than evident that the application of new technologies involves great changes in human behavior and the organization of society, and that they demand a degree of flexibility and a capacity for quick adaptation on the part of the human animal beyond anything that has been demanded of this animal in the past. Indeed, many technical innovations are actually innovations in the field of human organization. The assembly line and traffic controls are only more obvious examples. And these changes in the ways in which human beings organize their joint ventures have come to be influenced increasingly by fundamental research in the social sciences.

It is true that we continue to depend much more on hunch, on ingenuity, and on folk wisdom in arranging our social affairs than we do in the physical sciences. Nevertheless, it is reasonably plain, I think, that just as the complexities and pressures of modern life have been generated very largely by organized research, the answers to these complexities and pressures, if we find them at all, are also likely to come in large part from organized research. And because organized research is increasingly international in its methods and practical consequences, this means, in effect, that we have systematized and galvanized the process of cultural exchange.

I do not take this, however, to be an optimistic utterance. It defines a problem; it does not offer a solution. For we have a natural interest in maintaining diversity in the world; a great many people in a great many nations resist such changes; a large number of them, given the preeminence of the United States in science and technology, blame these changes on us, even though they are rather the products of a secular change in human knowledge and in the relation of man to his environment; and, not least, technology makes trouble because it makes trouble so visibly and noisily, and communicates its impact so quickly and so far.

THE REVOLUTION IN TECHNOLOGY

The revolution in the technology of travel and communication, indeed, is in itself a second major factor in the emergence of the new era in international affairs that I am attempting to describe. It has made the reporting of news itself a major influence on what actually happens. It has made foreign places realities at the breakfast-table every morning. It has put the decision-makers under extraordinary pressure to make decisions fast and to make half a dozen at once. It has placed a premium on planning and on the capacity to deliberate carefully about hypothetical problems because the chance to deliberate about real ones is generally likely to be short and not very sweet. And not least, it fosters the impression that we know what is going on and why in other places because we see so much and hear so much about them.

WESTERN EUROPE

A particularly troublesome example of this may well be our present relations with Western Europe. The natural flow of people, information and ideas between the United States and Western Europe may well encourage the belief in many people's minds on each side of the Atlantic that they have an accurate understanding of the other side. Certainly, a reasonably large part of the news in European newspapers, for example, is devoted to the American domestic scene. But understanding does not consist in grasping isolated bits of information, numerous as they may be. It consists in knowing how to connect these bits and pieces of information, in being able to place them in the context that explains and illuminates them, and guides us in drawing proper inferences from them. And this understanding in depth cannot be brought into being by a series of reports flashed out into the night. It requires a slower process of education, personal communication, and systematic discourse among those who have the greatest influence in shaping the fundamental categories and habits of thought of a population. Precisely because the peoples of the Atlantic area hear so much and see so much of each other, there is a strong necessity for systematic programs of educational and cultural exchange across the Atlantic. There is a job for schools and universities to do, and for teachers and students, and it is probably a larger job than before.

THE DEVELOPING NATIONS

The job of teachers, students and educational institutions is perhaps even more evident when we turn to the developing nations. For it is plain, to begin with the most elementary fact, that if we are to have fruitful and mutually beneficial relations with the people of these nations, we must know more about them. Not enough of us know very much, and too many of us know nothing at all. It is in response to this simple fact that a basic element of the President's new program in international education is the International Education Act of 1966—a proposal whose intention is to strengthen the intellectual capacity and cultural imagination which we Americans can bring to any of our activities overseas.

SOCIAL CHANGE

But an even more powerful imperative stands behind the steps that the United States Government is now taking to sharpen and increase its efforts in international education. It is the imperative presented by a secular change in social structures of the greatest significance. The family, traditional religious organizations, and the neighborhood community have in the past been the most powerful social agencies with regard to the formation of human attitudes and the control of human behavior. In both modern and modernizing societies, however, the power of these agencies must now be supplemented. They cannot by themselves cope with the pace of change, or the disturbances of industrialization and urbanization. Neither are they capable of training people in the skills a modern economy requires, or in the attitudes and national perspective which spell the difference today between a viable and unviable society. The school, primary, secondary or advanced, has in consequence been projected to the forefront of contemporary history. It has become an indispensable agency of social development and control.

ROLE OF THE SCHOOL

The school is fundamental in our foreign relations because investment in human beings is an indispensable investment for development. It is fundamental because education is not only a capital investment but provides a consumer's good which a mounting number of people everywhere are demanding with greater and greater urgency for themselves or their children. It is fundamental because only the school can provide individuals with the means to understand and control their experience with all the elements it contains that signal the existence and importance of distant places in the world.

Last but not at all least, the school is fundamental because close association between the schools of different countries is a primary means for creating, for the long run, patterns of mutual respect and forbearance on the international scene. The close relation of education to development has been emphasized by the President in his recent message to the Congress, and is reflected in the greater emphasis which the Agency for International Development is going to give to education, along with health and food production, in its programs. But beyond the recognition of education as an instrument of development, there is an additional feature of the President's program that is equally important. Educational cooperation with other nations is conceived as part of the enduring national interest of the United States, a necessity for us and for others in building a firmer structure for peace. The President's program is addressed not only to the emergency situation of the developing nations, but to an aspect or characteristic of the human scene today that is going to be present even if and after the problems of the developing nations begin to recede. It adds a new dimension to the Federal Government's interest in education. That is why an important responsibility for the program has been lodged in the Cabinet Department with the general and abiding responsibility for education—the Department of Health, Education, and Welfare.

DEMOCRACY

These considerations take me to the final characteristic of the present international scene which has pushed educational and cultural relations to the foreground. It is the advent of democracy, and of the language of liberty, equality and fraternity, as the fundamental legitimation, real or professed, for contemporary government and for the struggles and aspirations of the inhabitants of this planet.

International affairs can no longer be conducted, and are no longer conducted, as affairs between the high and mighty, the crowned heads and elected presidents, alone. The heads of government speak over the heads of their fellows to the citizens who are the presumed source of authority. Every important move in foreign policy involves an effort not only to move another government but to move public opinion. And distant though public opinion may seem from the councils where the decisions are made, it has its effect if not immediately then in the long run.

In the long run, international educational and cultural relations play a decisive role in the flow of public opinion. They work perhaps less dramatically than the more rapid techniques for effecting changes in opinion, and these latter, of course, cannot be neglected. But opinion is generally a reflection of character and outlook, of long training and education, and not simply of the most recent information that one receives. If public opinion in our nation and in the world is to be consistent with the interests of peace and of mutual tolerance between diverse systems and cultures, a substantial effort must be made in the field of mutual education and cultural exchange.

It is, of course, possible to adopt alternative approaches to this state of affairs. At least once before, the nations of Europe were faced by a secular shift in the conditions of national security and power. This occurred when improvements in navigation made it possible for them to move out into the open seas. They met this test by establishing a system of commercial rivalry and warfare with whose effects we are still struggling. In the emerging era of educational and cultural relations, the solidification of a system of educational and cultural warfare and ideological recrimination is of course a possibility. The school systems of the world, past and present, have made their contributions to chauvinism and insularity.

But there is an alternative. In an area in which men demand equality, in which the citizens of nations long subject insist on looking you in the eye, it is possible—and it is necessary—to seek cultural exchange on a basis of equality and in the spirit that each nation has as much to learn as to teach. It is possible—and it is necessary—to act on the principle that, where education is concerned, where a people's deepest values are at issue, the ear as well as the mouth should be brought into play. Educational and cultural relations today, if they are to serve the common causes of humanity, and if they are to serve our most enduring national interest, require a delicate touch and a cooperative international approach. They cannot rest on the presumption that our nation or any nation has a mission to educate the world.

Chaucer wrote of the clerk of Oxford: "And gladly wolde he lerne and gladly teche." This is the spirit of the initiatives in international education that have recently been launched by President Johnson. They represent an effort on our part to make ourselves ready for a cooperative enterprise in which we will join with other nations, if they desire.

BASIC GUIDELINES

What are the basic guidelines for educational and cultural policy in this emerging era of educational and cultural relations? They are implicit, I think, in what I have said.

— Educational and cultural programs should be bilateral or multilateral wherever possible, not unilateral.

— They should rest on the established principle in all free educational systems that there is a difference between education and propaganda, and they must exemplify this principle in practice.

— Their success should be measured against long-term goals, not short-term ones.

— They should be geared, for practical reasons as well as for reasons of policy, to the needs, interests and modes of behavior of the people most immediately concerned—scholars, teachers, artists, students.

— They should be conceived and implemented as continuing programs, as responses to imperatives that are now permanent on the human scene. They should not be viewed primarily as a means for the achievement of passing objectives.

— Finally, the educational and cultural programs of the Federal Government, though they are indispensable, should properly be viewed only as elements in a larger national enterprise. They should not be and cannot be substitutes for non-governmental efforts. Their main purpose, properly, is further to release and stimulate the energies of the non-Federal and private sectors of our country, which are already leading the efforts in international education and cultural exchange.

This lecture, as you know, is the last in a series of lectures devoted "to the human aspects of international relations." I confess that, as a man who has spent most of his life as a professional teacher of philosophy, I had the temptation to ask the kind of troublesome question about this theme that has made philosophy notorious. For international relations, after all, are relations between nations, and nations are composed of human beings. Even diplomats probably qualify as members of the species. What can possibly be meant, then, by speaking of the human aspects of international relations as though there were some aspects of international relations that were not human?

THE STATE AND THE HUMAN BEING

But there is, of course, a meaning that can be given this question. There are those, past and present, who have held that relations between nations must be measured by principles that transcend human interests. They have insisted that states or nations are superior things unto themselves, whose significance and destiny are not meant to be measured by the fate of the individual human beings who compose them. And in this century as much as ever, and perhaps more than ever, the language in which foreign policy is justified has become increasingly abstract. Moreover, much of what we have known and still know as "foreign relations" is official and formal. It is not the kind of relation that individuals have to their immediate neighbors, and often the same rules do not seem to apply.

To speak of "the human aspects of international relations" is to call attention to what is unstructured and unformalized, to what is a matter of personal psychology or social outlook, and to the intercourse between individuals and groups in different nations that takes place because the people concerned want it to, and not because officials have said that it must. Educational and cultural relations are therefore a very large part of what we mean by "the human aspects of international relations." Today, an alert and responsive government cannot help but have a larger interest in them.

CAVEAT

The dangers are plain. Government officials, even professors of philosophy on leave of absence, should be carefully watched at any time, and certainly when they suggest that they have an interest in matters that belong above all to private taste, judgment and conscience, or to the free community of scholars and teachers. Yet a government policy in the field of international education and cultural exchange is an inescapable imperative today—as inescapable as a policy on defense or commerce or outer space. It is inescapable because there has been a change in the human environment. The response that a government gives to this imperative will test its alertness to new necessities and to something more besides. It will test its fidelity to a liberal view of human civilization. For, in the end, the free exchange of ideas, the free movement of people, the meeting of individuals as individuals without regard to the borders—none of these are simply instruments of national policy. The national policy of a free and civilized government is one instrument for achieving such ideals.

In brief, we are well into an era in international relations that deserves to be recognized as qualitatively new. It will test government, but it will test a great many people who are not in government as well, and it will test the capacity of people in and out of government to work together. But it is more than a test; it is an opportunity to go farther with ideals that have lit the history of our civilization, and to appreciate them more deeply.

There is, however, a sombre—or, at any rate, not entirely encouraging—aspect to the thesis I have put before you. If it is true that the era of educational and cultural relations implies that the human aspects of international relations will become even more pronounced than in the past, I am not sure that I have left you with an entirely reassuring thought. The only consolation I have to offer is that it would be even less cheerful to say to you that our future was not at all in our hands.

[From the Washington (D.C.) Post,
June 6, 1966]

INTERNATIONAL STUDIES

Given the intimacy of the world's integration in these days of interplanetary transit, people who live on one part of this planet had better know something about the people who live on other parts of it. Perhaps there was a time when Americans could afford to be ignorant of the customs, institutions and languages of most of their fellow-Earthlings; but that time certainly passed, at least when the United States assumed the responsibilities of a world power.

Up to a decade ago the facilities for the study of modern languages in American schools and colleges were pitifully meager. Fewer than 15 per cent of secondary school students studied a modern language—and most of these confined themselves to French and Spanish. Three-fourths of the earth's population spoke languages for which almost no instruction was available in the United States. Knowledge of foreign cultures was similarly restricted.

A good deal was done to remedy this situation in the provisions of the "Language and Area Centers" program authorized by Title VI of the National Defense Education Act. That Act has serious limitations, however. To overcome them, Representative John Brademas has introduced, and the House Committee on Education and Labor has approved, a bill authorizing a domestic program designed to strengthen international studies and research in American colleges and universities. This is called, perhaps somewhat misleadingly, the International Education Act of 1966. It has nothing whatever to do with improving the educational facilities of foreign countries. It is designed solely to promote American understanding of foreign lands. We think it will afford an invaluable enrichment of American education as well as an important support for American leadership in international affairs.

This measure is soon to come before the House for action and it ought to be passed by a vote that will show by its size the that the members, by an overwhelming majority, understand the challenge of our times.

Mr. MEEDS. Mr. Speaker, the accomplishments of the 89th Congress in the field of education will have an important and far-reaching impact on the educational development of this country for years to come. When Congress passed the Elementary and Secondary Education Act of 1965, the Higher Education Act of 1965 and other legislative enactments we supported the fact that any country—to remain strong and free—must first be an educated country.

I supported the list of enactments to benefit education because our country's schools, colleges, libraries, laboratories, and classrooms must grow to keep pace with expanding enrollments on all levels. We all know of the strong national demand for better education in all fields and, as a member of the House Committee on Education and Labor, I believe these legislative landmarks will go a long way toward meeting these demands.

Now we have before us a bill that will add a new and important "international dimension" to education in this country. I rise in support of H.R. 14643, the International Education Act of 1966. This bill has strong bipartisan support. It is not, in any way, to be construed as a back door foreign aid bill or as a duplication of existing efforts by the other agencies already involved in international education activities.

When the President sent to Congress his message on international health and education, there was some concern that the programs envisioned in the field of education would constitute another approach to foreign assistance.

On the contrary, the financial assistance called for in the International Education Act outlines a 3-year program of Federal grants to strengthen graduate and undergraduate international studies at American colleges and universities.

Further, the legislation would amend title VI of the National Defense Education Act to broaden the scope of language instruction in this country.

Mr. Speaker, last September 16, President Johnson called for a comprehensive program of international education when he addressed the bicentennial celebration of the Smithsonian Institution. In doing so, he called for new programs designed to improve the competence of U.S. educational institutions in the field of international studies. The grants proposed by the legislation will be given to domestic institutions here in this country. It will allow then to undertake a broad scope of programs to meet their particular needs.

The significance of this legislation lies in its long-ranging impact. It is not a "crash" program designed in specific response to an immediate national need. It is based on the assumption that our relations with other countries and the interests of this country's foreign policy merit the attention of our colleges and universities and individual teachers and students.

Many schools in my own State of Washington already have started worthwhile programs in the field of international studies and research but these programs cannot be fully supported without the stimulus of Federal support. Now we have a program that can carry out the strengthening of American educational resources for international studies and research.

The programs outlined by the legislation on the graduate and undergraduate level should be similar in scope to those already conducted by the University of Washington in many areas. This great institution has a wide diversity in the composition of its student body and is nationally recognized as a leader in international studies in the field of Sino-Soviet studies.

I particularly support the amendments to title VI of the National Defense Education Act of 1958, that portion of the legislation which has allowed the establishment of language and area centers on our college campuses to teach and study the critical areas of the modern world. As the House report on H.R. 14643 notes, on page 13, the legislative changes will cover the addition of language and area centers here in the United States to provide funds for the study of West European languages and peoples of the British Commonwealth and Canada. I support these changes. Our near neighbors such as Canada and Mexico and the problems in these areas are as important a subject for study as the underdeveloped areas of Asia, Africa, and Latin America. The future interests of our democratic society merit the continuing cooperation between ourselves and such countries as Canada.

Mr. Speaker, this legislation will correct a strong national imbalance in foreign studies to keep pace with the rapid growth of foreign-area programs, training and research on other countries and their problems.

The expansion of these programs has placed a substantial burden on the universities and colleges involved. This legislation will strengthen our national resources in the field of education. It will increase substantially the supply of experts in international affairs, international development, and the languages and cultures of other nations to serve in business, government, academic and other fields at home and abroad.

It has my support. It merits the support of all of us and I urge the immediate enactment and full implementation of H.R. 14643.

Mr. BINGHAM. Mr. Speaker, I enthusiastically support the International Education Act now before this House. The events of the past two decades underscore the need for expanded knowledge of international affairs. The International Education Act provides funds to help strengthen U.S. college and university research and instruction in this field.

We all know of the limited opportunities now existing in the United States for advanced study in international affairs. International problems increase in complexity. New nations are emerging and seeking a role in global affairs. As the burdens, responsibilities and opportunities of the United States increase, we have an ever greater need for more and better trained U.S. citizens. Not only do we need such people for public service and private business but also to help make certain that our fellow citizens are well informed.

Mr. Speaker, I commend those who have had the foresight to prepare this legislation. A need has been recognized and a solution devised to help meet that need. I am glad to lend my support to this bill.

Mrs. MINK. Mr. Speaker, I rise in support of H.R. 14643, the International Education Act of 1966. This legislation authorizes a 3-year program of grants for graduate and undergraduate programs and authorizes several changes in title VI of the National Defense Education Act of 1958 for the development of international studies in the United States.

Today, a matter of the utmost importance is the education of our citizens. The 89th Congress has illustrated its interest in giving every American the chance to develop and utilize his or her talents to the fullest extent of individual ability. We recently enacted the Higher Education Act of 1965 to expand the number of student assistance programs and to strengthen the traditional curriculum offerings of American colleges and universities.

However, there is one ever important aspect of higher education which, in my opinion, has not received the attention it warrants. That is the area of international education.

In my own State of Hawaii, the East-West Center on the University of Hawaii campus receives funds from the Department of State and has supported area studies of Asian countries for several years. There, students from many Asiatic countries such as Indonesia, Thailand, and India, gather with American students to study the pressing problems of the modern world. However, the East-West Center is only one such institution. Realistically speaking, its emphasis on international studies is not shared by the majority of American colleges and universities.

The International Education Act of 1966 is specifically designed to broaden the opportunities for international affairs study in colleges and universities throughout the United States. Section 4 of the bill would fund plans for comprehensive undergraduate programs in international studies including the training of teachers, the conducting of important research projects, and the development of significant international studies curriculums. In this manner not only our colleges and universities would benefit from further knowledge on the international studies level, but also the higher education community at large. Universities, which in the past have had to rely on inadequate private resources for almost all curriculum dedevelopment in international relations, economics, and area studies, will be able to expand and strengthen their programs through Federal assistance.

An equally important part of the International Education Act is section 3, which provides for the establishment, strengthening, and operation of graduate Centers for Advanced International Study. Activities of these centers will concentrate on particular fields or issues in world affairs which concern one or more countries of the world. Visiting foreign scholars and faculty will be brought to the centers to conduct research and to train students in the knowledge of specific geographical areas of the world. This program is similar to the one being pioneered and conducted by the East-West Center.

Through the two major programs contained in the International Education Act of 1966, the academic community in this country will become even more involved in educating citizens for a better understanding of contemporary world problems. Our colleges and universities are an important reservoir for knowledge and understanding of world problems. With this legislation, we can make them true gathering places for students and scholars, which hopefully will result in a broader, more diversified contribution to America's international relations by scholars in the academic community and specialists trained in that community.

The passage of the International Education Act of 1966 is a bold step forward in intensifying the light of international learning on our country's campuses. I urge my colleagues to support this legislation of such vital significance in a world of shrinking dimensions.

Mr. VIVIAN. Mr. Speaker, I support H.R. 14643, the International Education Act of 1966.

Early this year, with others, I introduced a companion bill to the one before us today. I strongly support this bill, for I believe it will help alleviate a serious defect in college and university curriculums throughout the Nation.

Mr. Speaker, for over two decades, the United States has been the most powerful Nation on earth. In the course of our international activities during this period, Americans by the millions have served in the armed services, and thousands have served in our diplomatic service, and in our Agency for International Development missions and Peace Corps contingents in virtually every nation on earth. Today, hundreds of thousands of our fighting men are engaged in a war in Vietnam.

Yet, Mr. Speaker, we Americans, all of us, know appallingly little about the nations of the world with which we are so involved. How many of the Members of this body have ever studied Asian history or culture? How many of us have studied the history of the nations of Latin America during our university days? I would venture that the number of us who have studied these lands is very small indeed.

The goal of this legislation is very simple, Mr. Speaker. H.R. 14643 will authorize significantly increased funds for support of training and teaching of undergraduate and graduate students in the principal disciplines of international affairs.

Mr. Speaker, our involvement in international affairs is not going to decrease during the coming years and decades; the opposite is almost certainly true. Our involvement with the almost 120 independent states on this planet certainly will increase.

In the course of past duties as a corporate officer, and as a professionally trained engineer, I have had occasion to travel abroad a number of times. On each trip, I have been impressed that the citizens of the nations I visited possessed intimate knowledge of my homeland, yet my companions and I had acquired but little knowledge of theirs.

The aid that this bill will authorize for the increase in international and foreign studies in American universities and colleges will, in time, make a great number of our young constituents, and hopefully also their parents, more aware of the culture and needs of the many nations of this world, and better equip these young people to meet the challenges that our position of world leadership will certainly bring forth. I enthusiastically support this bill.

The SPEAKER pro tempore. All time has expired.

The question is on the motion of the gentleman from Indiana [Mr. BRADEMAS] that the House suspend the rules and pass the bill, H.R. 14643.

The question was taken, and the Speaker pro tempore announced that it appeared that two-thirds had voted in the affirmative.

Mr. McCLORY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 195, nays 90, not voting 146, as follows:

[Roll No. 124]

YEAS—195

Adams
Addabbo
Albert
Anderson,
Tenn.
Andrews,
Glenn
Andrews,
N. Dak.
Aspinall
Ayres
Bandstra
Barrett
Bates
Beckworth

Bennett
Boggs
Boland
Brademas
Brock
Brooks
Broomfield
Burke
Byrne, Pa.
Callan
Carey
Casey
Chamberlain
Chelf
Clark
Cleveland
Conable
Conte
Cooley
Corman
Craley
Cramer
Culver
Cunningham
Daddario
Davis, Ga.
Dawson
Delaney
Dent
Denton
Derwinski
Donohue
Dulski
Edwards, Calif.
Erlenborn
Evans, Colo.
Farnsley
Fascell
Feighan
Findley
Fino
Flood
Ford, William D.
Friedel
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gibbons
Gonzalez
Goodell
Gray
Green, Oreg.
Green, Pa.
Griffiths
Grover
Hagen, Calif.
Halpern
Hamilton
Hanley
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Harvey, Mich.
Hathaway
Hays
Hechler
Herlong
Hicks
Holland
Horton
Hungate
Huot
Ichord
Jacobs
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
Keith
Kelly
Keogh
King, Calif.
King, Utah
Kirwan
Kluczynski
Kunkel
Kupferman
Long, Md.
McCarthy
McDade
McEwen
McFall
McGrath
MacGregor
Machen
Mackie
Madden
Matthews
Meeds
Mize
Moeller
Moore
Moorhead
Morgan
Mosher
Murphy, Ill.
Natcher
Nedzi
Nelsen
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pike
Pirnie
Poage
Price
Pucinski
Quie
Race
Redlin
Reid, N.Y.
Reuss
Rhodes, Pa.
Rivers, Alaska
Robison
Rogers, Colo.
Rogers, Fla.
Ronan
Roncalio
Rooney, Pa.
Rosenthal
Roush
Rumsfeld
Ryan
Schisler
Schmidhauser
Schneebeli
Schweiker
Selden
Shipley
Sickles
Sisk
Smith, Iowa
Smith, N.Y.
Stafford
Staggers
Stephens
Stratton
Stubblefield
Sullivan
Tenzer
Thomas
Thompson, Tex.
Todd
Udall
Ullman
Vanik
Vigorito
Watts
Weltner
White, Idaho
White, Tex.
Widnall
Wolff
Wright
Wydler
Yates
Young

NAYS—90

Abbitt
Adair
Anderson, Ill.
Andrews, George W.
Arends
Ashbrook
Ashmore
Battin
Belcher
Betts
Bow
Bray
Brown, Clarence J., Jr.
Broyhill, Va.
Buchanan
Byrnes, Wis.
Cabell
Carter
Cederberg
Clancy
Collier
Curtin
Curtis
Dague
Davis, Wis.
Devine
Dole
Dowdy
Downing
Duncan, Tenn.
Edwards, La.
Fountain
Fulton, Pa.
Gathings
Gettys
Gross
Gubser
Haley
Hall
Halleck
Harsha
Harvey, Ind.
Hébert
Henderson
Jonas
Jones, Mo.
King, N.Y.
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McClory
McCulloch
Mahon
Marsh
May
Michel
Mills
Minshall
Monagan
Morris
Passman
Poff
Pool
Reid, Ill.
Rhodes, Ariz.
Rogers, Tex.
Roudebush
Satterfield
Secrest
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, Va.
Stanton
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Tunney
Tuten
Utt
Waggonner
Walker, N. Mex.
Whitener

NOT VOTING—146

Abernethy
Annunzio
Ashley
Baring
Bell
Berry
Bingham
Blatnik
Bolling
Bolton
Brown, Calif.
Broyhill, N.C.
Burleson
Burton, Calif.
Burton, Utah
Cahill
Callaway
Cameron
Celler
Clausen, Don H.
Clawson, Del
Clevenger
Cohelan
Colmer
Conyers
Corbett
Daniels
de la Garza
Dickinson
Diggs
Dingell
Dorn
Dow
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Ala.
Ellsworth
Everett
Evins, Tenn.
Fallon
Farbstein
Farnum
Fisher
Flynt
Fogarty
Foley
Ford, Gerald R.
Fraser
Frelinghuysen
Giaimo
Gilbert
Gilligan
Grabowski
Greigg
Grider
Gurney
Hagan, Ga.
Hanna
Hardy
Hawkins
Helstoski
Holifield
Hosmer
Howard
Hull
Hutchinson
Irwin
Jarman
Jennings
Jones, N.C.
Kornegay
Krebs
Landrum
Leggett
Love
McDowell
McMillan
McVicker
Macdonald
Mackay
Mailliard
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Mathias
Matsunaga
Miller
Minish
Mink
Morrison
Morse
Morton
Moss
Multer
Murphy, N.Y.
Murray
Nix
O'Neal, Ga.
O'Neill, Mass.
Pelly
Pickle
Powell
Purcell
Quillen
Randall
Rees
Reifel
Reinecke
Resnick
Rivers, S.C.
Roberts
Rodino
Rooney, N.Y.
Rostenkowski
Roybal
St Germain
St. Onge
Saylor
Scheuer
Scott
Senner
Springer
Stalbaum
Steed
Sweeney
Talcott
Thompson, N.J.
Toll
Trimble
Tupper
Van Deerlin
Vivian
Walker, Miss.
Watkins
Watson
Whalley
Whitten
Williams
Willis
Wilson, Bob
Wilson, Charles H.
Wyatt
Younger
Zablocki

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Gurney and Mr. Rooney of New York for, with Mr. Pelly against.

Mr. Multer and Mr. Fogarty for, with Mr. Kornegay against.

Mr. Miller and Mr. Cohelan for, with Mr. Scott against.

Mr. Annunzio and Mr. Giaimo for, with Mr. Jones of North Carolina against.

Mr. Greigg and Mr. Love for, with Mr. McMillan against.

Mr. Gilbert and Mr. O'Neill of Massachusetts for, with Mr. Roberts against.

Mr. Cahill and Mr. Morse for, with Mr. Watson against.

Mr. Frelinghuysen and Mr. Broyhill of North Carolina for, with Mr. Younger against.

Mrs. Dwyer and Mr. Mathias for, with Mr. Hutchinson against.

Mr. Rodino and Mr. Morton for, with Mr. Bob Wilson against.

Mr. Celler and Mr. Daniel for, with Mr. Berry against.

Mr. Zablocki and Mr. Minish for, with Mr. Murray against.

Until further notice:

Mr. Matsunaga with Mr. Tupper.
Mr. Dyal with Mr. Ellsworth.
Mr. Morrison with Mr. Gerald R. Ford.
Mr. Holifield with Mr. Hosmer.
Mr. Thompson of New Jersey with Mr. Edwards of Alabama.
Mr. Leggett with Mr. Talcott.
Mr. Cameron with Mr. Del Clawson.
Mr. Burton of California with Mr. Corbett.
Mr. Brown of California with Mr. Mailliard.
Mr. Rees with Mr. Saylor.
Mr. Roybal with Mr. Reinecke.
Mr. Macdonald with Mrs. Bolton.
Mr. St. Onge with Mr. Walker of Mississippi.
Mr. Charles H. Wilson with Mr. Watkins.
Mr. O'Neal of Georgia with Mr. Callaway.
Mr. Fraser with Mr. Don H. Clausen.
Mr. Gilligan with Mr. Dickinson.
Mr. Grabowski with Mr. Martin of Alabama.
Mrs. Mink with Mr. Reifel.
Mr. Whitten with Mr. Springer.
Mr. Williams with Mr. Whalley.
Mr. Colmer with Mr. Wyatt.
Mr. Abernethy with Mr. Bell.
Mr. Burleson with Mr. Quillen.
Mr. Dingell with Mr. Martin of Massachusetts.
Mr. Trimble with Mr. Burton of Utah.
Mr. Howard with Mr. Jennings.
Mr. Edmondson with Mr. Pickle.
Mr. Hanna with Mr. Hagan of Georgia.
Mr. Purcell with Mr. Randall.
Mr. Stalbaum with Mr. Rivers of South Carolina.
Mr. Sweeney with Mr. Steed.
Mr. Senner with Mr. Scheuer.
Mr. Grider with Mr. Resnick.
Mr. Irwin with Mr. Diggs.
Mr. Jarman with Mr. Helstoski.
Mr. Krebs with Mr. Nix.
Mr. Foley with Mr. Fisher.
Mr. Powell with Mr. Dow.
Mr. McDowell with Mr. Fallon.
Mr. Farbstein with Mr. Willis.
Mr. Van Deerlin with Mr. Vigorito.
Mr. Toll with Mr. St Germain.
Mr. Farnum with Mr. Mackay.
Mr. Hardy with Mr. Flynt.
Mr. Moss with Mr. Hull.
Mr. Bingham with Mr. Hawkins.
Mr. Clevenger with Mr. Baring.
Mr. Blatnik with Mr. Duncan of Oregon.
Mr. Evins of Tennessee with Mr. Everett.
Mr. Murphy of New York with Mr. McVicker.
Mr. de la Garza with Mr. Conyers.

Mr. ASHBROOK and Mr. COLLIER changed their vote from "yea" to "nay."

Mr. HANSEN of Idaho and Mr. MATTHEWS changed their vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

SCREW-WORM ERADICATION IN MEXICO

Mr. POAGE. Mr. Speaker, earlier today there was an objection when the request was made to consider H.R. 14888.

I have discussed the matter with some of those who were interested, and I now renew the request.

I ask unanimous consent for the immediate consideration of the bill (H.R. 14888) to amend the act of February 28, 1947, as amended, to authorize the Secretary of Agriculture to cooperate in screw-worm eradication in Mexico.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. HALL. Mr. Speaker, reserving the right to object, I appreciate the gentleman's coordination and work on this bill in the interim since first called on the Consent Calendar. I renew the questions I asked when the unanimous consent was granted during the reading of the Consent Calendar to put the bill over without prejudice.

Is this an open-ended authorization for eradication of the screw-worm?

Mr. POAGE. Yes, in exactly the same way as hoof and mouth and rinderpest are now. That means the Appropriations Committee could appropriate certain sums from year to year as they deem necessary, but it does not provide any funds whatsoever until such time as the funds are appropriated.

Mr. HALL. Mr. Speaker, it would require an annual appropriation for these funds for foot and mouth disease and rinderpest and screw-worm—if this is added—by the simple process of amendment of the original act?

Mr. POAGE. It would require an annual appropriation, yes.

Mr. HALL. Mr. Speaker, is there any estimate or evidence of good faith that Mexico would match funds with us in an attempt to eliminate this, or at least meet in part the expense of the irradiation of these male screw-worms in order to try to transmute their effectiveness in the future and eliminate the disease, as indeed we have done so well in the southeastern States of the United States?

Mr. POAGE. About 1 month ago there was a meeting in the city of Mexico between a number of American cattlemen and Mexican cattlemen. The Mexican cattlemen said their Government was now ready, and they too were ready, to bear a share of this cost. Frankly, there has been no specific plan worked out for payment. That will take some time, but it cannot be done unless we pass the bill.

Mr. HALL. Does the gentleman have any estimate of what the annual cost or appropriation might be for the first, second, and third year of the program?

Mr. POAGE. It is costing today approximately half a million dollars a year to maintain the quarantine. We think the whole program in Mexico would probably cost approximately a million and a half dollars for the first 2 years.

After that time we could expect to maintain the quarantine for a great deal less than the cost of maintaining it today. We are now maintaining it on about 1,850 miles of line. We could cut down about 150 miles of line and drive if we drove the screw-worm back to the Isthmus of Tehuantepec.

That is the most attractive feature of the whole program, the endeavor to establish a much shorter line than we have had over the years. The Mexican border is long and crooked at the present time. There is a point at which one can maintain a much cheaper line, down on the isthmus.

Mr. HALL. I have one additional question.

As the gentleman knows, and as the members of the committee know, there is no statement by the Department of Agriculture in the committee report. Under the rules of the objectors on both sides of the aisle, this is one of the requirements. Could the gentleman explain whether the Department of Agriculture favors this bill?

Mr. POAGE. The reason there is no report is that this matter came to our attention after the meeting of the cattlemen of which I spoke in Mexico City. We are acting in the hope that we could get this done before the beginning of the fiscal year. If we do not, there will not be funds to carry on the program.

In that hope, the bill was introduced immediately. In fact, several bills have been introduced, but this bill was reported by the committee. The bill was introduced immediately, and we asked the Department for a report. Instead, they sent Dr. Meyers up to the committee. I have before me the testimony of Dr. Meyers in which he says that the Department has felt it could work out a reasonable arrangement, but did not have time to work up a formal report.

Mr. HALL. Is it important that this be done before the end of fiscal year 1966?

Mr. POAGE. We believe it is quite important. There is only one more Consent Calendar day between now and the end of the fiscal year.

Mr. HALL. Mr. Speaker, under the circumstance of the emergency, and in view of the excellent work which has been done in our Southeastern States to eradicate the screw-worm, considering the explanation of the gentleman, plus having an opportunity to read the report of Dr. Meyers of the Department of Agriculture, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There being no objection, the Clerk read the bill, as follows:

H.R. 14888

Be it enacted by the Senate and House of Representatives of the United of America in Congress assembled, That the first sentence of section 1 of the Act of February 28, 1947 (61 Stat. 7) is amended by inserting "or screw-worm" after the word "rinderpest."

Section 2 of the Act of February 28, 1947 is further amended by adding a new section as follows:

"SEC. 5. In carrying out this Act the Secretary of Agriculture is further authorized to cooperate with other public and private organizations and individuals."

With the following committee amendments:

Page 1, line 6, strike the words "of the" and insert the words ", The".

Page 1, line 7, strike the words "adding a new" and insert "amending".

Page 1, line 7, after the word "section" insert "3 to read".

Page 1, line 8, strike "5" and insert "3".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE FEDERAL TORT CLAIMS ACT TO AUTHORIZE INCREASED AGENCY CONSIDERATION OF TORT CLAIMS AGAINST THE GOVERNMENT, AND FOR OTHER PURPOSES

Mr. ASHMORE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 13650) to amend the Federal Tort Claims Act to authorize increased agency consideration of tort claims against the Government, and for other purposes, with the committee amendments printed in the bill.

The Clerk read as follows:

H.R. 13650

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, (a) That the first paragraph of section 2672 of title 28, United States Code, is amended to read as follows:

"The head of each Federal agency or his designee, in accordance with regulations prescribed by the Attorney General, may consider, ascertain, adjust, determine, compromise, and settle any claim for money damages against the United States for injury or loss of property or personal injury or death caused by the negligent or wrongful act or omission of any employee of the agency while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred: *Provided,* That any award, compromise, or settlement in excess of $25,000 shall be effected only with the prior written approval of the Attorney General or his designee."

(b) The second paragraph of section 2672 of title 28, United States Code, is amended to read as follows:

"Subject to the provisions of this title relating to civil actions on tort claims against the United States, any such award, compromise, settlement, or determination shall be final and conclusive on all officers of the Government, except when procured by means of fraud."

(c) The third paragraph of section 2672 of title 28, United States Code, is amended to read as follows:

"Any award, compromise, or settlement in an amount of $2,500 or less made pursuant to this section shall be paid by the head of the Federal agency concerned out of appropriations available to that agency. Payment of any award, compromise, or settlement in an amount in excess of $2,500 made pursuant to this section or made by the Attorney General in any amount pursuant to section 2677 of this title shall be paid in a manner similar to judgments and compromises in like causes and appropriations or funds available for the payment of such judgments and compromises are hereby made available for the payment of awards, compromises, or settlements under this chapter."

SEC. 2. (a) Subsection (a) of section 2675 of title 28, United States Code, is amended to read as follows:

"(a) An action shall not be instituted upon a claim against the United States for money damages for injury or loss of property or personal injury or death caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, unless the claimant shall have first presented the claim to the appropriate Federal agency and his claim shall have been finally denied by the agency in writing and sent by certified or registered mail. The failure of an agency to make final disposition of a claim within six months after it is filed shall, at the option of the claimant any time thereafter, be deemed a final denial of the claim for purposes of this section. The provisions of this subsection shall not apply to such claims as may be asserted under the Federal Rules of Civil Procedure by third party complaint, cross-claim, or counterclaim."

(b) Subsection (b) of section 2675 of title 28, United States Code, is amended by deleting the first sentence thereof.

SEC. 3. Section 2677 of title 28, United States Code, is amended to read as follows:

"The Attorney General or his designee may arbitrate, compromise, or settle any claim cognizable under section 1346(b) of this title, after the commencement of an action thereon."

SEC. 4. The first paragraph of section 2678 of title 28, United States Code, is amended to read as follows:

"No attorney shall charge, demand, receive, or collect for services rendered, fees in excess of 25 per centum of any judgment rendered pursuant to section 1346(b) of this title or any settlement made pursuant to section 2677 of this title, or in excess of 20 per centum of any award, compromise, or settlement made pursuant to section 2672 of this title."

SEC. 5. (a) Subsection (b) of section 2679 of title 28, United States Code, is amended to read as follows:

"(b) The remedy against the United States provided by sections 1346(b) and 2672 of this title for injury or loss of property or personal injury or death, resulting from the operation by any employee of the Government of any motor vehicle while acting within the scope of his office or employment, shall hereafter be exclusive of any other civil action or proceeding by reason of the same subject matter against the employee or his estate whose act or omission gave rise to the claim."

(b) Subsection (a) of section 4116 of title 38, United States Code, is amended to read as follows:

"(a) The remedy against the United States provided by sections 1346(b) and 2672 of title 28 for damages for personal injury, including death allegedly arising from malpractice or negligence of a physician, dentist, nurse, pharmacist, or paramedical (for example, medical and dental technicians, nursing assistants, and therapists) or other supporting personnel in furnishing medical care or treatment while in the exercise of his duties in or for the Department of Medicine and Surgery shall hereafter be exclusive of any other civil action or proceeding by reason of the same subject matter against such physician, dentist, nurse, pharmacist, or paramedical or other supporting personnel (or his estate) whose act or omission gave rise to such claim."

SEC. 6. Section 1302 of the Act of July 27, 1956, as amended (70 Stat. 694, 75 Stat. 416; 31 U.S.C. 724a), is further amended (1) by inserting a comma and the word "awards," after the word "judgments" and before the word "and"; (2) by deleting the word "or" after the number "2414" and inserting in lieu thereof a comma; and (3) by inserting after the number "2517" the phrase ", 2672, or 2677".

SEC. 7. Subsection (b) of section 2401 of tile 28, United States Code, is amended to read as follows:

"(b) a tort claim against the United States shall be forever barred unless it is presented in writing to the appropriate Federal agency within two years after such claim accrues or unless action is begun within six months after the date of mailing, by certified or registered mail, of notice of final denial of claim by the agency to which it was presented."

SEC. 8. The first sentence of section 2671 of title 28, United States Code, is amended to read as follows: "as used in this chapter and sections 1346(b) and 2401(b) of this title, the term 'Federal agency' includes the executive departments, the military departments, independent establishments of the United States, and corporations primarily acting as instrumentalities or agencies of the United States, but does not include any contractor with the United States."

SEC. 9. (a) The section heading of section 2672 of title 28, United States Code, is amended to read as follows:

"§ 2672. Administrative adjustment of claims"

(b) The analysis of chapter 171 of title 28, United States Code, immediately preceding section 2671 of such title, is amended by deleting the item

"2672. Administrative adjustment of claims of $2,500 or less."

and inserting in lieu thereof:

"2672. Administrative adjustment of claims."

SEC. 10. This Act shall apply to claims accruing six months or more after the date of its enactment.

The SPEAKER. Is a second demanded?

Mr. McCLORY. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. ASHMORE. Mr. Speaker, this bill is one of a series of four forwarded to our committee by executive communication. The bills were introduced in accordance with the recommendations of the Department of Justice.

These four bills have a common purpose, and that purpose is to provide a more fair and equitable treatment for private individuals and claimants when they deal with the Government or are involved in litigation with their Government.

This bill, H.R. 13650, provides for settlement of tort claims under certain considerations.

The Attorney General now, under the present law, may settle any and all claims against the U.S. Government after suit is filed. This bill will give authority to various governmental agencies to settle claims up to $25,000 before a suit is filed.

These settlements would be made under regulations promulgated by the Attorney General. Above $25,000 the Attorney General would have to give his actual written authority for a settlement to be made. The object, really, is to settle claims against the U.S. Government fairly expeditiously and prevent unnecessary lawsuits. At the same time, it would expedite not only the claim by the claimant and individual citizen, but it would save him costs and save the Government costs and expense. The overall cost of litigation would probably be eliminated in many, many instances. Therefore, it would serve to benefit both the citizen-claimant and the Government.

Mr. Speaker, I might say briefly that this gives these agencies who make the investigations under the present law and who would continue to make the investigation of these claims, the agency that is familiar with the facts and circumstances, would be granted this authority to settle before suit is filed. It does not mean they would settle every claim, but they could use their judgment based on the facts and circumstances as brought out in the investigation and save the cost of suit and litigation. After the litigation is started, that is, when a suit is filed, the expense of course, increases for all parties. The claimant might be seriously injured or suffering from a loss of his property and in need of money.

Yet existing procedures unduly delay settlement of the claim. His lawyer would naturally expect and receive a larger fee if he had to file suit and then wait for 6 months or a year and sometimes 2 or 3 years before his suit could come up for trial and then at that late date might still be settled. The Attorney General and the Government agency would also experience increased work and cost and delay if this occurs. This bill will eliminate a great many of these delays and expenses. We believe it is a good bill both for the interest and the welfare of the citizen who might have a claim against his Government and on behalf of the Government as well.

Mr. McCLORY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the gentleman from South Carolina has explained this bill in a very adequate and eloquent way. I just want to add my support of his position. The subcommittee which heard and considered this legislation is the Subcommittee on Claims of the Committee on the Judiciary which considers all of the various private claims filed against the U.S. Government. This measure, it seems to us, will enable claimants who have meritorious claims against the Federal Government to have them disposed of more expeditiously and at the same time to have them reviewed just as thoroughly as they are at the present time. About 80 percent of all of the claims that are brought against the U.S. Government are settled without the case going to trial. This measure, while it, of course, continues to give the right to a person to file suit against the Federal Government, nevertheless provides for a better method of settlement without the necessity of court action.

In order to effect any settlement above $25,000, the Attorney General would have to give his approval. There are a great many claims these days and the effect of this legislation would be to facilitate their settlement through the use of administrative law procedures. It appeared to us unanimously on the committee to be a very desirable piece of legislation, and I am happy to give my support to the bill.

Mr. McCLORY. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. KUPFERMAN].

Mr. KUPFERMAN. Mr. Speaker, I rise in opposition to only one provision of H.R. 13650. And that is the provision therein which permits each Federal agency involved to adjust or compromise in an amount up to $25,000, any claim against the United States.

I do not object to the provision that allows an increase in the amount for which there can be a settlement before the commencement of a legal action.

What I am concerned about is the fact that each Federal agency, without any showing of expertise in the field of tort or negligence or similar law, will be allowed to settle in the substantial figure of $25,000 whatever claims are made.

I submit that $25,000 is not "petty cash," and that with many claims this can add up to a sizable sum.

If the suggestion is made that each Federal agency can employ competent people to handle the job, it just means a greater Federal payroll. However, it is contended that the agencies now have the necessary people.

Up until this bill, the Department of Justice has had the obligation of bringing uniformity to the question of settlements. A person hit by a truck operated by the Post Office, or Defense, or Interior Departments, has the same type of claim. We cannot expect each individual department to apply a uniform rule.

To suggest that the Department of Justice exercise the necessary control by setting rules and regulations, is to avoid reality.

If the Department of Justice were not trying to abdicate its responsibility to police these claims against the Government, they would not have suggested this amendment to the Federal Tort Claims Act.

If we are interested in protecting the United States properly against claims and also against a continuing increase in Government personnel, we will vote against H.R. 13650 until the provision which I have discussed is deleted therefrom.

Mr. McCLORY. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I take this additional time because I want to point out to the gentleman that the testimony before the committee was to the effect that the existing personnel would process these claims that are settled, and because at the present time this settlement process is already carried on by the various agencies. This measure, if adopted, should provide for greater uniformity, since the settlements will have to be made in accordance with regulations of the Attorney General.

Mr. Speaker, I urge the unanimous support of this legislation.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. McCLORY. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I am referring to the bill and also to the second sentence on page 3 under the paragraph entitled "Purpose," wherein it states:

> Settlements for more than $25,000 must have the prior written approval of the Attorney General or his designee.

Now, Mr. Speaker, the question presents itself, if the Attorney General should happen to be a liberal, or a relatively weak Attorney General, one who is not thinking of the taxpayers' funds, and if he should certify an amount greater than $25,000, is there any upward limit to which he could or would not go toward this end?

In other words, could the Attorney General not certify $250,000 or more, to be the settlement by any given agency in any particular torts claim? If so, is this not a defect in the bill?

Mr. ASHMORE. Mr. Speaker, will the gentleman yield?

Mr. McCLORY. I yield to the gentleman from South Carolina.

Mr. ASHMORE. The Attorney General can do that now. He can settle in excess of a $25,000 claim. He has that authority now.

Mr. HALL. And it does not matter even if it is greater than $25,000?

Mr. ASHMORE. Yes.

Mr. HALL. With no upper limit?

Mr. ASHMORE. That is correct.

Mr. McCLORY. As I understand it, the Attorney General defends and represents the interests of the United States at the present time, and he would continue to be the one to represent these interests in court. If he wants to settle before trial, but after suit is filed, there is no upper limit at the present time or under this bill. This bill merely requires him to give his approval in the case of any settlement above $25,000 made before suit is filed.

Mr. HALL. I simply want to make the statement that I think there should be an upper limit on the amount that any one appointed officer of the Federal Government can settle for in a torts claim regardless of how much it is. Because if there is no such limit, then indeed this Congress has again relegated to the executive branch its responsibility.

Mr. ASHMORE. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, this is really not a marked change I will say to the gentleman from Missouri, of what this Congress has authorized concerning the handling of litigation. The Attorney General is the chief lawyer of the United States. He handles all of these claims when they are litigated. It is his sole responsibility. He is the man who makes the determination as to whether the claim should be settled or not and the larger they are the more he is concerned with it and he must make the decision.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill with amendments.

The question was taken; and (two-thirds having voted in favor thereof), the bill, as amended was passed.

A motion to reconsider was laid on the table.

COLLECTION OF CLAIMS OF THE UNITED STATES

Mr. ASHMORE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 13651) to avoid unnecessary litigation by providing for the collection of claims of the United States, and for other purposes, with the committee amendments.

The Clerk read as follows:

H.R. 13651

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Claims Collection Act of 1966".

SEC. 2. In this Act—

(a) "agency" means any department, office, commission, board, service, Government corporation, instrumentality, or other establishment or body in either the executive or legislative branch of the Federal Government;

(b) "head of an agency" includes, where applicable, commission, board, or other group of individuals having the decisionmaking responsibility for the agency.

SEC. 3 (a) The head of an agency or his designee, pursuant to regulations prescribed by him and in conformity with such standards as may be promulgated jointly by the Attorney General and the Comptroller General, shall attempt collection of all claims of the United States for money or property arising out of the activities of, or referred to, his agency.

(b) with respect to such claims of the United States that have not been referred to another agency, including the General Accounting Office, for further collection action and that the compromise of which does not exceed $5,000, exclusive of interest, the head of an agency or his designee, pursuant to regulations prescribed by him and in conformity with such standards as may be promulgated jointly by the Attorney General and the Comptroller General, may (1) compromise any such claim, or (2) cause collection action on any such claim to be terminated or suspended where it appears that no person liable on the claim has the present or prospective financial ability to pay any significant sum thereon or that the cost of collecting the claim is likely to exceed the amount of recovery. The Comptroller General or his designee shall have the foregoing authority with respect to claims referred to the General Accounting Office by another agency for further collection action. The head of an agency or his designee shall not exercise the foregoing authority with respect to a claim as to which there is an indication of fraud, the presentation of a false claim, or misrepresentation on the part of the debtor or any other party having an interest in the claim, or a claim based in whole or in part on conduct in violation of the antitrust laws; nor shall the head of an agency, other than the Comptroller General of the United States, have authority to compromise a claim that arises from an exception made by the General Accounting Office in the account of an accountable officer.

(c) A compromise effected pursuant to authority conferred by subsection (b) of this section shall be final and conclusive on the debtor and on all officials, agencies, and courts of the United States, except if procured by fraud, misrepresentation, the presentation of a false claim, or mutual mistake of fact. No accountable officer shall be liable for any amount paid or for the value of property lost, damaged, or destroyed, where the recovery of such amount or value may not be had because of a compromise with a person primarily responsible under subsection (b).

SEC. 4. Nothing in this Act shall increase or diminish the existing authority of the head of an agency to litigate claims, or diminish his existing authority to settle, compromise, or close claims.

SEC. 5. This Act shall become effective on the one hundred and eightieth day following the date of its enactment.

The SPEAKER. Is a second demanded?

Mr. McCLORY. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. SPEAKER. The Chair recognizes the gentleman from South Carolina [Mr. ASHMORE].

Mr. ASHMORE. Mr. Speaker, I have a short statement which includes a brief analysis of the bill.

Mr. Speaker, this is another one of the bills which was sent to the Committee on the Judiciary in an effort to provide more expeditiously for claims to be settled and to protect the interests and rights of individual citizens of this country and at the same time provide necessary safeguards for the protection of the interests of the Government.

Sections 1 and 2 of the bill, Mr. Speaker, set forth the definitions applicable to the bill.

Section 3(a) of the bill provides that the head of an agency or his designee is to attempt collection of all claims of the United States for money or property arising out of the activities of the agency or matters that are referred to it.

We should bear in mind that this refers to a claim by the Government against one of its citizens. The efforts of collection are to be in accordance with such standards as may be promulgated by the Attorney General of the United States and the Comptroller General of the United States.

Subsection (b) is the key provision of the bill and provides for the compromise of claims not exceeding $20,000. That figure is amended by one of the committee amendments so as to limit the amount to be accepted as a compromise to $5,000. This provision for a compromise by the head of the agency or his designee places the authority in such official pursuant to his regulations which are to conform to such standards as may be promulgated by the Attorney General or the Comptroller General as I have said.

In this case too, it is the same people who have investigated the case and who have made a determination as to what the facts and circumstances are with reference thereto who will administer the claims authority provided in this bill.

Presently, if the agency cannot collect the amount which it believes to be due to the Government under the present law it can do little more than refer it to the General Accounting Office which, in turn, makes an attempt to collect on the same basis. Only when the case is referred to the Department of Justice for suit can the matter now be compromised. Very few of the agencies can compromise such claims. It would give the agencies representing the Government authority to make compromises.

For example, if a claim is made against a citizen by the Government for $1,000 and an investigation determines that the amount the man could pay would be $500, $800, or whatever it might be, then, under the bill, the agency would have authority to compromise with the man in an amount that he could pay. Heretofore no such compromise has been permissible.

We believe that this measure will save litigation. It will certainly save court costs, both to the Government and the citizen, and it will be of great benefit to the defendant citizen against whom the claim is being made. It will save embarrassment and sometimes a judgment that would hound him for years to come. In many instances it would well be a judgment he could not ever pay.

We think it is good legislation. After a second communication from the General Accounting Office, as I have indicated, we have an amendment at the desk which would change the amount from $20,000 to $5,000. This is being done because evidently there was some confusion in the General Accounting Office. At one time they had agreed to the figure of $20,000 with the people who drafted the legislation forwarded with the communication to this committee. Over the weekend we received a letter indicating that they did not want authority to go up that far. We have no desire in this Congress to give the agencies, the General Accounting Office, or any other branch of the Government, more authority than they desire. Therefore, we are perfectly willing to limit the total sum of the amount of a possible compromise from $20,000 to $5,000.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. ASHMORE. I am glad to yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman yielding. Are you confident that this bill would not eliminate independent review of the cases under the amendment as proposed and, second, would leave joint determination between the Attorney General and the Comptroller General?

Mr. ASHMORE. Yes, I would say to the gentleman from Missouri that we in the subcommittee made a special study and gave particular thought to that point. We agreed that someone should set up the rules and regulations on these questions. We wanted someone who was first in law and knew something about claims and knew how to settle a claim or lawsuit in the proper manner. The bill contains language providing that these rules may be promulgated jointly by the Attorney General, the chief lawyer of the country, and the Comptroller General, the chief accountant of the country. We think these two people would know.

Mr. HALL. Mr. Speaker, I thank the gentleman. If he would yield further, I have seen the revised language of the bill. This came about because of my interest in these general claims, cases primarily with the military, inasmuch as I served on the Armed Services Committee. I think the way this is being worked out is very advantageous. I certainly hope, because of the query that I made to the two different Comptroller Generals, the Acting Comptroller General and the newly appointed, established and confirmed Comptroller General, that this has caused no unusual difficulty. I am very happy to have a copy and I shall ask unanimous consent that it be inserted in the Record.

Mr. HALL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a letter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The letter is as follows:

Comptroller General
of the United States,
Washington, D.C., June 3, 1966.

The Honorable Durward G. Hall,
House of Representatives, Washington, D.C.

Dear Dr. Hall: Reference is made to your letter of May 25, 1966, requesting my views on H.R. 13651 and H.R. 13652, which have been favorably reported by the Committee on the Judiciary and are now pending on the Union Calendar.

With respect to H.R. 13651 the bill would authorize and require the head of an agency in the executive or legislative branch of the Government to attempt collection of all claims of the United States for money or property arising out of the activities of, or referred to, his agency. It also would authorize such agency head to compromise or terminate or suspend collection action on any such claim not in excess of the principal amount of $20,000 which has not been referred to another agency for further collection action. Collection action may be terminated or suspended only when it appears that no person liable on the claim has the financial ability, present or prospective, to pay any significant sum thereon or the cost of collection is likely to exceed the amount of recovery. Collection action, compromise, and the termination or suspension of action must be in accordance with standards as may be promulgated jointly by the Attorney General and the Comptroller General.

The bill specifically grants to the Comptroller General authority to compromise and to terminate or suspend collection action on claims referred to the General Accounting Office by other agencies for further collection action and provides that only the Comptroller General may compromise a claim arising from an exception made by the General Accounting Office in the accounts of an accountable officer. This would include the claim against the recipient of the illegal, improper, or incorrect payment forming the basis for the exception.

Further, the bill prohibits the head of an agency from compromising or terminating or suspending collection action on any claim as to which there is an indication of fraud, misrepresentation, the presentation of a false claim, or a claim involving violation of the antitrust laws; makes a compromise effected under its authority final and conclusive unless procured by fraud, misrepresentation, presentation of a false claim, or mutual mistake of fact; relieves an accountable officer where a compromise is effected with the person primarily responsible; and preserves any authority presently existing in any agency to litigate, settle, compromise, or close claims.

If this bill is enacted, it will constitute the first statutory requirement for Federal agencies generally to collect or compromise debts owed to the Government. While a number of agencies now have specific statutory authority to collect or compromise debts to the Government arising from their activities, such as the Government corporations, and similar types of activities, the majority of Federal agencies now collect such debts on the basis of and in accordance with rules and regulations promulgated by the General Accounting Office. These rules and regulations contemplate that agency collection efforts will be suspended at any point where evaluation of credit data indicates that further agency collection efforts would not be economically justified, and require referral of all debts where agency collection action is ineffective, with certain minor exceptions, to our Office for further collection action, or direct to the Department of Justice where such direct referral is provided by law or through arrangements or agreements with our Office. In actual practice, however, the great majority of claims we receive for further collection action are from the Veterans Administration and the military departments in the ratio of 45 percent from the Veterans Administration, 45 percent from the military departments, and 10 percent from all other departments. Our Office and the Department of Justice presently collect substantial amounts on such cases.

Since H.R. 13651 would permit the head of an agency to terminate or suspend collection action on a debt only when it appears that no person liable thereon is financially able to pay a significant amount or collection cost would exceed the amount of recovery, all other cases wherein the agency is unable to collect, with the exception of those cases wherein a compromise under section 3(b) is effected, will continue to be referred to our Office to the Department of Justice for further action. We contemplate the continuation of our present collection action in such cases. At present, aside from the agencies having specific authority to compromise, only the Department of Justice may accept a compromise offer in settlement of a debt owed to the United States and cases where a compromise offer is made are referred to that Department for consideration.

I believe that H.R. 13651 together with the standards to be promulgated thereunder jointly by the Attorney General and the Comptroller General will offer the possibility of a more timely and effective means of collecting or otherwise disposing of debts owed to the United States and will reduce the number of debt cases requiring litigation.

While I concur with the necessity for a monetary limitation on the authority proposed to be granted by section 3(b) of the bill, I am not in a position to independently support the $20,000 limitation. It is understood that the Department of Justice considers the $20,000 figure as a reasonable dividing line and that within this amount would be included the great bulk of those claims which should be disposed of without court action. It may be that Congress would believe that the monetary limitation should be a lower amount, such as $5,000, until such time as experience is gained under the legislation. This could be accomplished by changing the amount of "$20,000" on page 2, line 15, to "$5,000", and inserting after the word interest" on page 2, line 15 the words or such higher amount, not to exceed $20,000, as may be determined jointly by the Attorney General and the Comptroller General as being in the interest of the United States,".

With reference to H.R. 13652 which establishes a statute of limitations for certain actions brought by the Government, I concur in the views expressed by the Acting Comptroller General of the United States in letter of April 13, 1966, to the Chairman of the House Judiciary Committee which is printed on pages 14 and 15 of the Committee Report (House Report No. 1534) which accompanied the bill.

I am taking the liberty of sending a copy of this letter to the Chairman of the House Judiciary Committee.

Sincerely yours,

ELMER B. STAATS,
Comptroller General of the United States.

Mr. McCLORY. Mr. Speaker, I rise in support of the legislation and urge its adoption.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. McCLORY. I yield to the gentleman from Iowa.

Mr. GROSS. I see nothing in the report representing the position of the General Accounting Office in this matter. Did the General Accounting Office appear before your committee?

Mr. McCLORY. As I understand, the General Accounting Office supports the legislation with an amendment which would reduce the settlement authority from $20,000 to $5,000. That is in accordance with the letter from the Comptroller General, which I believe the gentleman from Missouri [Mr. HALL] has, and which I believe he has included and attached as part of this remarks.

Mr. GROSS. How do we correct the situation where employees in the Federal Government make so many mistakes in the computation of pay, pensions, and so forth, which brings about so many of these claims that arise out of overpayments?

Mr. McCLORY. I will respond to the gentleman this way: A great many of these errors, of course, are caused by the inadvertent failure of employees to reveal information that they had, which if revealed would have eliminated the mistakes. I am sure in most of these cases it is inadvertent. Sometimes, it is a misunderstanding of the civil service laws. Some of the experiences of the civil service employees are quite complicated, and they do result in errors. But a great many of the cases considered by our claims subcommittee, and on which we spend a great deal of time in public hearings and in executive session, would be settled under this authority.

Mr. GROSS. The gentleman understands that I introduced legislation that would attempt to do something about the situation that constantly confronts us, especially on the Private Calendar. I think this is a step in the right direction, and I therefore support the bill.

Mr. McCLORY. I thank the gentleman.

The SPEAKER. The question is on the motion of the gentleman from South Carolina that the House suspend the rules and pass the bill H.R. 13651, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ESTABLISHING A STATUTE OF LIMITATIONS FOR CERTAIN ACTIONS BROUGHT BY THE GOVERNMENT

Mr. ASHMORE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 13652) to establish a statute of limitations for certain actions brought by the Government, as amended.

The Clerk read as follows:

H.R. 13652

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 28 of the United States Code is amended by adding thereto the following two new sections:

"§ 2415. Time for commencing actions brought by the United States

"(a) Subject to the provisions of section 2416 of this title, and except as otherwise provided by Congress, every action for money damages brought by the United States or an officer or agency thereof which is founded upon a tort shall be barred unless the comor fact, shall be barred unless the complaint is filed within six years after the right of action accrues or within one year after final decisions have been rendered in applicable administrative proceedings required by contract or by law, whichever is later: *Provided,* That in the event of later partial payment or written acknowledgment of debt, the right of action shall be deemed to accrue again at the time of each such payment or acknowledgment.

"(b) Subject to the provisions of section 2416 of this title, and except as otherwise provided by Congress, every action for money damages brought by the United States or an officer or agency thereof which is founded upon a tort shall be barred unless the complaint is filed within three years after the right of action first accrues: *Provided,* That an action to recover damages resulting from a trespass on lands of the United States, including trust or restricted Indian lands; an action to recover damages resulting from fire to such lands; an action to recover for diversion of money paid under a grant program; and an action for conversion of property of the United States may be brought within six years after the right of action accrues.

"(c) Nothing herein shall be deemed to limit the time for bringing an action to establish the title to, or right of possession of, real or personal property.

"(d) Subject to the provisions of section 2416 of this title and except as otherwise provided by Congress, every action for the recovery of money erroneously paid to or on behalf of any civilian employee of any agency of the United States or to or on behalf of any member or dependent of any member of the uniformed services of the United States, incident to the employment or services of such employee or member, shall be barred unless the complaint is filed within six years after the right of action accrues: *Provided,* That in the event of later partial payment or written acknowledgment of debt, the right of action shall be deemed to accrue again at the time of each such payment or acknowledgment.

"(e) In the event that any action to which this section applies is timely brought and is thereafter dismissed without prejudice, the action may be recommenced within one year after such dismissal, regardless of whether the action would otherwise then be barred by this section. In any action so recommenced the defendant shall not be barred from interposing any claim which would not have been barred in the original action.

"(f) The provisions of this section shall not prevent the assertion, in an action against the United States or an officer or agency thereof, of any claim of the United States or an officer or agency thereof against an opposing party, a co-party, or a third party that arises out of the transaction or occurrence that is the subject matter of the opposing party's claim. A claim of the United States or an officer or agency thereof that does not arise out of the transaction or occurrence that is the subject matter of the opposing party's claim may, if time-barred, be asserted only by way of offset and may be allowed in an amount not to exceed the amount of the opposing party's recovery.

"(g) Any right of action subject to the provisions of this section which accrued prior to the date of enactment of this Act shall, for purposes of this section, be deemed to have accrued on the date of enactment of this Act.

"(h) Nothing in this Act shall apply to actions brought under the Internal Revenue Code or incidental to the collection of taxes imposed by the United States.

"§ 2416. Time for commencing actions brought by the United States—Exclusions

"For the purpose of computing the limitations periods established in section 2415, there shall be excluded all periods during which—

"(a) the defendant or the res is outside the United States, its territories and possessions, the District of Columbia, or the Commonwealth of Puerto Rico; or

"(b) the defendant is exempt from legal process because of infancy, mental incompetence, diplomatic immunity, or for any other reason; or

"(c) facts material to the right of action are not known and reasonably could not be known by an official of the United States charged with the responsibility to act in the circumstances; or

"(b) the United States is in a state of war declared pursuant to article I, section 8, of the Constitution of the United States."

Sec. 2. The table of sections at the head of chapter 161 of title 28 of the United States Code is amended by adding at the end thereof the following items:

"2415. Time for commencing actions brought by the United States.

"2416. Time for commencing actions brought by the United States—Exclusions."

The **SPEAKER.** Is a second demanded?

Mr. **McCLORY.** Mr. Speaker, I demand a second.

The **SPEAKER.** Without objection, a second will be considered as ordered.

There was no objection.

The **SPEAKER.** The question is on the motion of the gentleman from South Carolina [Mr. Ashmore] that the House suspend the rules and pass the bill H.R. 13652, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

JUDGMENTS FOR COSTS AGAINST THE UNITED STATES

Mr. **ASHMORE.** Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 14182) to provide for judgments for costs against the United States, as amended.

The Clerk read as follows:

H.R. 14182

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2412 of title 28 of the United States Code is amended to read as follows:

"Except as otherwise specifically provided by statute, a judgment for costs, as enumerated in section 1920 of this title but not including the fees and expenses of attorneys may be awarded to the prevailing party in any civil action brought by or against the United States or any agency or official of the United States acting in his official capacity, in any court having jurisdiction of such action. A judgment for costs when taxed against the Government shall, in an amount established by statute or court rule or order, be limited to reimbursing in whole or in part the prevailing party for the costs incurred by him in the litigation. Payment of a judgment for costs shall be as provided in section 2414 and section 2517 of this title for the payment of judgments against the United States."

Sec. 2. Section 2520(d) of title 28 of the United States Code is hereby repealed.

Sec. 3. These amendments shall apply only to judgments entered in actions filed subsequent to the date of enactment of this Act. These amendments shall not authorize the reopening or modification of judgments entered prior to the enactment of this Act.

The **SPEAKER.** Is a second demanded?

Mr. **McCLORY.** Mr. Speaker, I demand a second.

The **SPEAKER.** Without objection, a second will be considered as ordered.

There was no objection.

Mr. **ASHMORE.** Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, and gentlemen and ladies of the House, I think any prolonged statement or explanation will be unnecessary in this case.

This is a bill to provide that when the Government loses a lawsuit a judgment for cost may be awarded the prevailing party; in other words, the court can direct that it pay the costs of that lawsuit. Heretofore it has not been that way in many instances. In substance, that is what this bill does.

This inequity should have been removed many years ago. I think the Attorney General and other officials of the administration should be commended for recommending such legislation. I move the question.

The **SPEAKER.** The question is on the motion of the gentleman from South Carolina [Mr. Ashmore] that the House suspend the rules and pass the bill H.R. 14182 as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CONTRIBUTIONS BY SELF-EMPLOYED INDIVIDUALS TO PENSION PLANS, ETC.

Mr. **KEOGH.** Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10) to amend the Internal Revenue Code of 1954 to permit pension and profit-sharing plans to provide contributions or benefits on a nondiscriminatory basis for certain self-employed individuals without special limitations on the amount of contributions, with the committee amendment printed in the bill.

The Clerk read as follows:

H.R. 10

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) paragraph (10) of section 404(a) of the Internal Revenue Code of 1954 (relating to special limitation on amount allowed as deduction for self-employed individuals for contributions to certain pension, etc., plans) is repealed.

(b)(1) Each of the following provisions of section 401 of such Code is amended by striking out "(determined without regard to section 404(a)(10))" each place it appears:

(A) Subsection (a)(10)(A)(ii).

(B) Subparagraphs (A) and (B) of subsection (d)(5).

(C) Subparagraph (A) of subsection (d)(6).

(D) Subparagraphs (A) and (B)(i) of subsection (e)(1).

(E) Subparagraphs (B) and (C) and the last sentence of subsection (e)(3).

(2) Subparagraph (A) of section 404(e)(2) of such Code as amended by striking out "(determined without regard to subsection (a)(10))".

(3) Paragraph (1) and subparagraph (B) of paragraph (2) of section 404(e) of such Code are each amended by striking out "(determined without regard to paragraph (10) thereof)".

Sec. 2. Section 401(c)(2) of the Internal Revenue Code of 1954 (relating to definition of earned income for certain pension and profit-sharing plans) is amended to read as follows:

"(2) (Earned income.—The term 'earned income' means the net earnings from self-employment (as defined in section 1402(a)), but such net earnings shall be determined—

"(A) only with respect to a trade or business in which personal services of the taxpayer are a material income-producing factor,

"(B) without regard to paragraphs (4) and (5) of section 1402(c),

"(C) in the case of any individual who is treated as an employee under sections 3121(d)(3) (A), (C), or (D), without regard to paragraph (2) of section 1402(c), and

"(D) without regard to items which are not included in gross income for purposes of this chapter, and the deductions properly allocable to or chargeable against such items. For purposes of this paragraph, section 1402, as in effect for a taxable year ending on December 31, 1962, shall be treated as having been in effect for all taxable years ending before such date."

Sec. 3. The amendments made by this Act shall apply with respect to taxable years beginning after December 31, 1965.

The **SPEAKER** pro tempore (Mr. Boggs). Is a second demanded?

Mr. **BYRNES** of Wisconsin. Mr. Speaker, I demand a second.

The **SPEAKER** pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. **KEOGH.** Mr. Speaker, I yield myself such time as I may consume.

GENERAL LEAVE TO EXTEND

Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks on this bill.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York.

There was no objection.

Mr. **KEOGH.** Mr. Speaker, the 6th day of the 6th month in the 66th year is a rather appropriate day that, by your grace, the House considers the amendments to H.R. 10, for it will have been exactly 15 years ago tomorrow, from June 7 of 1951, when those who sought to achieve a degree of equity and justice for the self-employed professional and businessmen of the country caused to be introduced the first form of the bill which eventually became the Self-employed Individual's Tax Retirement Act of 1962.

By your grace, Mr. Speaker, yes, it is today.

I acknowledge dutifully my appreciation to you for having scheduled this important bill today. Included in my expressions of appreciation are the majority leader; the majority whip, who is a cosponsor of the bill; and, last but not least, the great and able chairman of the Committee on Ways and Means, without whose cooperation we would not here be marching forward taking another step in the direction of making the practice of one's private profession or the engaging in one's own business something that is truly American, something that is more constructive, and something that provides a greater incentive for the maintenance of those 10 million people who with their approximately 10 million employees constitute as they do the bulk of the great middle class of this country, the very existence of which distinguishes this great country from so many others in the Western World and all of those in the Eastern World.

The pending bill is H.R. 10 amended, Mr. Speaker, but it might very well be any one of the following bills introduced by distinguished Members of this body on both sides of the aisle. Those bills are:

Bills introduced in the House of Representatives similar to the Keogh-Watts-Byrnes bill, H.R. 10

Keogh (D., New York)	H.R. 10.
Byrnes (R., Wisconsin)	H.R. 7588.
Watts (D., Kentucky)	H.R. 8023.
Love (D., Ohio)	H.R. 8247.
Carey (D., New York)	H.R. 9162.
Fogarty (D., Rhode Island)	H.R. 9453.
Broyhill (R., Virginia)	H.R. 10033.
Lipscomb (R., California)	H.R. 10070.
Horton (R., New York)	H.R. 10643.
Cramer (R., Florida)	H.R. 10777.
Poff (R., Virginia)	H.R. 11173.
Abbitt (D., Virginia)	H.R. 11242.
Betts (R., Ohio)	H.R. 11299.
Jennings (D., Virginia)	H.R. 11326.
Rostenkowski (D., Illinois)	H.R. 11337.
Steed (D., Oklahoma)	H.R. 11694.
Wyatt (R., Oregon)	H.R. 11786.
Rogers (D., Colorado)	H.R. 12795.
Derwinski (R., Illinois)	H.R. 12926.
Schneebeli (R., Pennsylvania)	H.R. 12944.
May (R., Washington)	H.R. 14084.
Boggs (D., Louisiana)	H.R. 14452.
Vanik (D., Ohio)	H.R. 14475.
Burke (D., Massachusetts)	H.R. 14670.
Karsten (D., Missouri)	H.R. 14686.
Fulton (D., Tennessee)	H.R. 14729.
Hall (R., Missouri)	H.R. 15168.
Kupferman (R., New York)	H.R. 15246.

This bill comes to you with the active support of a long, distinguished list of national small business, professional and farm associations. I do not intend to list them for fear of omitting and offending the many who might unintentionally not be included.

During the past 15 years I have been privileged to have as cosponsors from the other side of the aisle, several of the finest gentlemen to ever grace the House of Representatives. I regret the absence today from our body of the late distinguished members, Mr. Reed of New York, Mr. Jenkins of Ohio, and Mr. Simpson of Pennsylvania, all of whom contributed immeasurably as pioneers in the sponsorship of this legislation. In the 87th Congress, I was joined by the very able Congressman from California [Mr. Utt].

The ranking minority member of our Committee on Ways and Means, the gentleman from Wisconsin [Mr. Byrnes], and the energetic committee member, the gentleman from Kentucky [Mr. Watts], have added great prestige to this legislation by their sponsorship. I would be remiss in my duty if I did not at this time also pay tribute to the invaluable assistance given me by the highly competent staff of the Committee on Ways and Means—Chief Counsel, Leo Irwin, Assistant Chief Counsel, John M. Martin, Jr.

Mr. Speaker, H.R. 10 is a familiar designation to many in this chamber today who commenced with me over 15 years ago in an endeavor to do a modicum of justice to the self-employed people of this country with respect to their establishment of voluntary retirement plans. It will be recalled that in the course of that protracted and arduous effort, the House on three occasions passed legislation to make available tax deferral benefits to self-employed individuals on a basis comparable to that afforded employees.

Our perserverance, persistence, and patience were finally rewarded, Mr. Speaker, when the other body approved—with extensive amendments, however—H.R. 10 of the 87th Congress, the Self-Employed Individuals Tax Retirement Act of 1962."

Members of the House will recall that the Senate version of that measure was far more restrictive than the bill as passed by the House. In the conference that followed the Senate passage, the House conferees, of which I was privileged to be a member, were only partially successful in removing some of the more controversial and confining Senate amendments. The measure that was finally approved admittedly fell short of measuring up to the relief that would have been provided in the House bill.

It was the price that had to be paid, Mr. Speaker, to initially insert in the tax statutes recognition and adoption of a policy that would seek to afford self-employed citizens access to retirement plans on a basis similar to that given employees whose employers had established for their benefit pension, profit-sharing, or stock bonus plans.

Many of us in this Chamber were convinced at the time of the final enactment of H.R. 10 of the 87th Congress—and so stated on the floor of the House—that the amendments of the other body were unnecessarily restrictive and might effectively thwart the objectives of that legislation. Experience over the past 4 years has reinforced, substantiated and vindicated our convictions in this regard.

Today we bring to the floor of the House a bill, overwhelmingly approved by the Committee on Ways and Means, to remove two of these limitations from the law.

Mr. Speaker, the bill, H.R. 10, the bill before the House, as amended and reported by the Committee on Ways and Means, would repeal two limitations on the deduction from gross income that a self-employed individual may take with respect to contributions on his own behalf to a retirement plan. The first of these limitations to which I refer is the provision of present law that limits the actual tax deduction to 50 percent of the self-employed persons' contributions to his retirement plan. It will be recalled that a self-employed individual may contribute up to 10 percent of his earned income or $2,500, whichever is the lesser, to his retirement plan. His deduction is limited to one-half of his contribution, however, and thus the maximum deduction allowed to a self-employed person with respect to his own contribution is $1,250 under present law. H.R. 10 would remove this 50-percent limitation, and the deduction in such a case would under the bill simply be 10 percent of earned income or $2,500, whichever is the lesser.

The second limitation that would be removed by the pending bill is that which restricts the amount of income that is considered as earned income in situations where both personal services and capital are material income producing factors in a business. Presently, only 30 percent of net profits in such cases may be considered earned income in determining the allowable size of the annual contribution, except that in the case of substantially full-time employment, the amount so treated is not to be less than $2,500. H.R. 10 would remove this 30-percent limitation and would allow a self-employed individual to include in his earned income all of his net profits so long as his personal services are a material income producing factor in his business.

Mr. Speaker, the Self-Employed Individuals Tax Retirement Act of 1962 was enacted in order to give self-employed individuals an opportunity to defer tax on a portion of their income set aside for retirement purposes in much the same manner as they and others could already do for their employees under the provisions of the then existing law. It was intended to encourage the self-employed to make adequate provision for their old age.

That these objectives have been foiled and frustrated by certain limitations in that act, including the two restrictive provisions that would be removed by the pending bill, is beyond peradventure or question. A report of the Department of the Treasury with respect to the use of the self-employed retirement deduction in the taxable year 1964 shows that only about one-half of 1 percent of self-employed individuals took advantage of this deduction in that year. Moreover, when the 1962 legislation was originally enacted the Department estimated that the cost of the act in the first full year of operation would be $115 million, whereas the actual cost as late as 1964 turned out to be only $9 million.

The Committee on Ways and Means, after careful study of the operation of this law and the statistical information furnished by the Department of the Treasury relative to its use, has concluded that there is no justification for the two limitations which I have discussed and which would be removed by the pending bill. Furthermore the committee is convinced that these restrictive provisions have been major contributors to the discouragement of self-employed individuals, particularly small proprietors and farmers, in claiming the tax benefits that were intended in the enactment of the 1962 legislation.

I firmly believe that we have traveled too far down the road of the obviously sound, basic philosophical concept that the workers of this country should be able adequately to provide for their superannuation to turn back. No one can take exception to the oft-repeated statement that pension plans promote the general welfare not only by helping to meet the individual's material needs in old age, but also by making the Nation's elderly a positive force in the economy, rather than a negative force or burden upon it.

Millions of words have been said and written about this legislation both in and outside the Congress. One of the most articulate, yet briefest paragraphs on this subject appeared in the 1965 hearings of the Subcommittee on Employment and Retirement incomes to the special Senate Committee on Aging:

> A private pension plan is attractive to an employee because it assures him of greater independence in his retirement years. He is assured of greater freedom of choice as to how he lives and spends his money. Pension plans help employers to maintain an efficient work force with good morale and help to assure an effective market for goods and services among the retired population. Private pension plans advance the government's objective of a growing, yet stable private enterprise type of economy for the benefit of all citizens.

In 1942, the 77th Congress enacted an amendment that gave use to the tremendous growth of qualified private pension plans approved by the Treasury Department. Prior to this step, there were approximately 4 million covered; today the figure is 25 million and according to a recent Federal report the total by 1980 should be in the neighborhood of 42 million covered employees. We provided the impetus in 1942 and the American business community responded by approximately 1 million new faces annually.

I was privileged to cast an affirmative vote on that momentous day in 1942. June 6, 1966, is an eventful day for the self-employed and their employees, because today this distinguished body will extend to them a privilege which is presently enjoyed by over 25 million corporate employees.

Recent Treasury statistics indicated that approximately 39,000 self-employed, or less than one-half of 1 percent, were covered in 1964. Today we have an opportunity similar to the one we experienced in 1942; only this time we are going to provide the impetus for the self-employed. Granted it is 24 years later and the beneficiaries of the future will be the sons and daughters of those who were unintentionally excluded in 1942.

So, Mr. Speaker, joined as I am today by a distinguished roster of men and women in this body on both side of the aisle, I say that these amendments are amendments that we contemplated would normally and naturally be necessary by reason of the restrictive vote that the basic act took in 1962. It is doing no violence to the fiscal policies of the United States. It is not doing any more than just achieving a slight degree of equity for those who work proudly for themselves.

The pending measure is just, meritorious, anti-inflationary, and a savings incentive. It removes an obvious inequity and should receive the overwhelming support of this House.

Mr. HORTON. Mr. Speaker, will the gentleman yield?

Mr. KEOGH. I will be delighted to yield to the distinguished gentleman from New York.

Mr. HORTON. Mr. Speaker, I want to commend the gentleman for his efforts in this Congress to get these amendments to the present act. I also want to commend him and the other members of the committee for instituting this program. I can tell him from the personal knowledge I have of my district and the many people I have talked to who have benefited from this present bill that they are indeed grateful for his personal efforts and the efforts of the others on this committee in order to make this program possible. Throughout my journeys in the 36th District of New York I have found there has been a real need for amendments to this act. I think the amendments proposed here today are good ones and that the gentleman from New York [Mr. Keogh] should be commended in the twilight of his career in the House for providing these benefits for the self-employed.

Mr. KEOGH. Mr. Speaker, if I may delay my taking my seat for just a moment, I appreciate my friend's obviously able and astute evaluation of the commendation that I deserve, but I hasten to tell him that the form of the pending bill is one that combines the bills of the very able and distinguished minority member of the Committee on Ways and Means, the gentleman from Wisconsin [Mr. Byrnes], and another bill by Representative Watts of the Commonwealth of Kentucky. It is to them that the major portion of the commendation should go today. Without their able, active, and intelligent assistance in the committee, we would not have reached this point in the parliamentary process.

Mr. HORTON. Mr. Speaker, will the gentleman yield further?

Mr. KEOGH. I have no choice but to submit to yielding to the gentleman from New York.

Mr. HORTON. Mr. Speaker, I certainly would want to include in my remarks the tribute that is needed to be paid to the gentleman from Wisconsin [Mr. Byrnes] and all of those others who have worked on this bill. However, I want to emphasize again that I think the gentleman's diligence and willingness to spearhead these efforts has meant a great deal, first of all, to getting the program started and also toward making these very vital amendments to the program.

Again I want to say also, as one who sponsored legislation in this field for amendments to this act, I am grateful to the gentleman and the others on the committee who have made it possible for us today to vote on this legislation.

Mr. KEOGH. Mr. Speaker, I refuse further to resist the gentleman's insistence and I appreciate his kind remarks.

Mr. HORTON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, it is with a great sense of accomplishment that I participate today in approving H.R. 10, to eliminate the discriminatory effect of Internal Revenue laws on the retirement pension funds of self-employed persons.

In 1962, Congress acted to allow pension-fund deductions to self-employed individuals. But the limitations imposed in the 1962 act were so stringent, that it is estimated that less than one-half of 1 percent of self-employed individuals in the Nation have utilized the new law. Today, we are acting, in line with our original intent, to encourage participation in such plans by self-employed persons by removing some of these unattractive limitations and restrictions. As the sponsor of H.R. 10643, a bill similar to that before us today, I am particularly pleased to remove the 50 percent deduction limitation so that 100 percent of funds contributed will be deductible from taxable gross income.

Throughout my years in the House of Representatives, few proposals have won the widespread constituent support that has been given H.R. 10. With this support behind me, coming from nearly every vocation from farming to law and medicine, I join with my colleagues in giving my unqualified approval to this measure.

With the permission of my colleagues, I would like to insert the following sampling of correspondence on this measure into the Congressional Record:

Hon. Frank Horton,
House of Representatives,
Rayburn Building,
Washington, D.C.

Dear Congressman: Our association initially sponsored and has continued to support the principle of H.R. 10.

Understand this coming up for vote Monday, June 6. Sincerely urge your presence and support of bill on Monday.

John E. Berry,
Executive Director,
New York State Bar Association.

American Bar Association,
Washington, D.C., October 29, 1965.

Re H.R. 10643.
Congressman Frank Horton,
House Office Building,
Washington, D.C.

Dear Mr. Horton: You may be interested in the enclosed copy of the ABA Washington Letter which is sent to several thousand bar leaders throughout the country. I call your attention particularly to page two regarding your legislation to improve the opportunity for self-employed individuals to participate in retirement plans.

The improvements which are being sought are of utmost concern to lawyers and other professional individuals as well as to small businessmen and farmers. Your active leadership on behalf of this legislation is greatly appreciated.

Sincerely,
Donald E. Channell.

Enclosure.

cc: New York State Bar Association, Association of the Bar of the City of New York.

New York Farm Bureau,
Ithaca, N.Y., June 2, 1966.

Hon. Frank J. Horton,
House Office Building,
Washington, D.C.

Dear Mr. Horton: Knowing that you have introduced a bill relative to retirement programs for self-employed persons which is similar to H.R. 10, you will be interested in the enclosed copy of letter which is going to the entire New York State delegation.

Yours sincerely,
New York Farm Bureau,
C. K. Bullock,
Director, Commodity Department.

"New York Farm Bureau,
"Ithaca, N.Y., June 2, 1966.

"Re: H.R. 10.
"To: New York Congressmen.

"Gentlemen: It is our understanding that the above bill is scheduled for consideration on the floor of the House early next week.

"The Self-Employed Individuals Tax Retirement Act of 1962 was aimed at correcting discrimination that had previously existed with regard to types of self-employed. However, it has failed to correct inequities existing with farmer 'owner-employees.' The earnings of such farmers are a joint product of personal services and invested capital, and under the 1962 Act earned income is considered to be not more than the larger of $2,500 or 30% of the taxpayers' earnings from self-employment.

"The 1962 Act also limits tax deferral to 50% of the contributions. This results in a serious inequity with respect to self-employed retirement programs with a consequence that very few retirement programs have been established.

"We urge your support of H.R. 10 when it comes up for consideration on the House Floor. We believe it would correct major inequities in existing law and would result in self-employed farmers being able to establish their own retirement system, which I am sure you will agree is highly desirable.

"Yours sincerely,
"NEW YORK FARM BUREAU,
"C. K. BULLOCK,
"Director, Commodity Department."

MEDICAL SOCIETY
OF THE COUNTY OF MONROE, INC.,
Rochester, N.Y., January 17, 1966.

HON. FRANK J. HORTON,
New House Office Building,
Washington, D.C.

DEAR FRANK: Just a brief note on behalf of the Legislative Committee of the Medical Society of the County of Monroe thanking you for your interest and your proposal to amend the Keogh Bill.

We are, of course, heartily in support of any endeavor which will place the self-employed in a favorable tax position comparable to that enjoyed by corporate and institutional employees. If you have any suggestions by which we may be of assistance in obtaining this improved legislation, we would be most happy to cooperate.

Sincerely yours,
MEDICAL SOCIETY OF THE COUNTY
OF MONROE, INC.,
DONALD M. IRISH,
Executive Director.

ROCHESTER, N.Y.,
June 1, 1966.

HON. FRANK J. HORTON,
House of Representatives,
Capitol Building,
Washington, D.C.

DEAR SIR: This is written to urge your active support for H.R. 10 as recently reported by the House Ways and Means Committee. This bill would permit self-employed individuals a full deduction for amounts contributed to retirement plans established by them. Present law permits deduction for only one-half of contributions and is thus inequitable to self-employed individuals. Proposed H.R. 10 would remove this inequity and would encourage self-employed individuals to provide for their own retirement.

Respectfully,
D. ROBERT NICHOLSON.

NEW YORK, N.Y.,
May 27, 1966.

FRANK J. HORTON,
Senate Office Building,
Washington, D.C.:

On behalf of our State society membership of 15,000 certified public accountants in New York State respectfully urge your support of H.R. 10 as reported by House Ways and Means Committee. This amended version of H.R. 10 calls for full deduction of allowable money contributed by self-employed individuals. This bill is a further step toward establishing tax equity for hundreds of thousands of professional men and women and self-employed individuals. It is squarely in the public interest and we urge your full support.

WILLIAM P. STOWE,
President, New York State Society of Certified Public Accountants.

ROCHESTER, N.Y.,
May 31, 1966.

HON. Congressman FRANK HORTON,
House of Representatives,
Capitol Building,
Washington, D.C.

DEAR FRANK: This is written to urge your active support for H.R. 10 as recently reported by the House Ways and Means Committee. This bill would permit self-employed individuals a full deduction for amounts contributed to retirement plans established by them. Present law permits deduction for only one-half of contributions and is thus inequitable to self-employed individuals. Proposed H.R. 10 would remove this inequity and would encourage self-employed individuals to provide for their own retirement.

Sincerely,
WILLIAM D. GASSER.

Mr. Speaker, at this point, I want to publicly express my gratitude to one of the leading attorneys in Rochester, N.Y., who worked tirelessly to bring the facts on H.R. 10 to the attention of his colleagues, and to seek removal of the restrictions I have spoken of. Scott Stewart, Esq., of Nixon Hargrave, Devons & Doyle, deserves the thanks of all self-employed persons who will benefit from H.R. 10.

Mr. KEOGH. Mr. Speaker, I now yield to the Representative of the Commonwealth of Kentucky [Mr. WATTS].

Mr. WATTS. Mr. Speaker, I certainly rise in support of H.R. 10. I, too, would like to add my commendations to the gentleman from New York. This is a matter that has been very close to his heart for a number of years. He is to be congratulated not only by the House but by the whole country for taking the attitude he has in trying to provide some type of retirement for folks who have been left out heretofore. I had a small portion of this bill which dealt with the inequity imposed on small business people and farmers.

Mr. Speaker, I believe its passage is a matter of urgent necessity if we are to remove basic injustices in our tax laws.

An inequity existed as to the tax treatment accorded self-employed persons who desired to establish private retirement plans. Employer contributions to retirement plans have been tax deductible for some time and nontaxable to the employees until retirement benefits are actually received. The law discriminated against self-employed persons by requiring them to pay taxes on income they set aside for retirement. Farmers, ranchers, and other small businessmen make up a large portion of this group.

Congress recognized that discrimination did exist and enacted the Self-Employed Individuals Tax Retirement Act of 1962. This measure has tended to reduce the discrimination, but it has fallen demonstrably short of achieving its objective, especially with respect to farmers and other small businessmen.

Under the Self-Employed Individuals Tax Retirement Act of 1962, most farmers are classified as "owner-employees." Owner employees are authorized to contribute up to 10 percent of their earned income but not more than $2,500 per year, to a retirement plan and to claim a Federal tax deferral for 50 percent of such contributions.

However, in the case of farmers, the benefits of this act are drastically limited by a restrictive definition of "earned income." If the earnings of an "owner-employee" are a joint product of personal services and invested capital, as is the case with most farmers, not more than the larger $2,500 or 30 percent of the taxpayer's earnings from self-employment may be treated as "earned income."

Limiting the deferral to 50 percent of the contributions has retained a serious inequity with respect to self-employed retirement programs. Consequently, very few retirement programs have been established. The restriction that earned income must be arbitrarily computed at 30 percent of net earnings has made the program meaningless to farmers and other self-employed who must invest capital as well as labor in their enterprises.

I do not believe that farmers should be penalized because they must invest capital as well as labor into their farming operations. That is why I introduced H.R. 8023 during the first session of this Congress.

The Ways and Means Committee has given careful consideration to this matter, and I am pleased that the decision was made to include the provisions which I introduced in H.R. 10, as reported by the committee. The effect of these provisions quite simply is to permit—not force—farmers and others who must invest capital in their enterprises to participate in self-help retirement programs on the same basis as other self-employed. This law does not provide a subsidy; it does not provide tax abatement; it simply permits all self-employed to contribute 10 percent of their net earnings to a qualified retirement program and defer tax payments until the benefits of such a program are received. At last, we will be giving the self-employed the same opportunity as the employee of a corporation.

Mr. Speaker, some misinformed people have commented that the Self-Employed Individuals Tax Retirement Act has operated for the benefit of only those with very large incomes. The fact of the matter is that, because of the restrictive provisions in the act, the program has been virtually inaccessible to the average self-employed. It is by removing these arbitrary and unrealistic restrictions that we open the door of opportunity to the individual with an average income so that he, too, can prepare for his retirement years.

H.R. 10, as reported by this committee, is a bill designed to help farmers and other small businessmen; or more accurately—it is a bill to permit them to help themselves. I believe its passage will be a matter of pride for every Member of this Congress.

Of special interest to the House is the recommendation of the Subcommittee on

Employment and Retirement Income to the Special Subcommitte on Aging of the U.S. Senate made just last June:

> Recommendation No. 3. The subcommittee recommends that the Internal Revenue Code be amended to eliminate or liberalize the provision specifying that where both capital and personal services are material income-producing factors in a trade or business, not more than 30 percent of the self-employed taxpayer's net income from the trade or business may qualify as "earned income" (Internal Revenue Code, sec. 401(c)(2)(B)).
>
> Where this provision is applicable, the self-employed individual's net earnings must be at least $83,333.33 for the year if he is to make the maximum pension contribution of $2,500 (30 percent of $83,333.33) is $25,000; 10 percent of $25,000 is $2,500). One of the largest occupational groups which are severely handicapped by this provision in taking advantage of the Smathers-Keogh Act are farmers. Testimony of the American Farm Bureau Federation showed how unreasonable and inflexible the arbitrary 30-percent provision is with reference to American farms, on many if not most of which the percent of net income attributable to operator labor is considerably over 30 percent. The subcommittee feels that this arbitrary concept should be eliminated or that, at the very least, the inflexible percentage should be raised to a more reasonable figure than 30 percent.
>
> Incidentally, making it possible for more farmers to obtain self-employment pension coverage would assist in solving the Nation's farm problems and in providing better opportunities for younger farmers. In a letter reproduced in the hearings record, Dr. John A. Schnittker, who was then Director of Agricultural Economics of the Department of Agriculture (now Under Secretary of Agriculture), said: "the fact that many continue to farm past the age of 65 indicates that more attractive plans are needed. Pension plans based on voluntary contributions of farmers have promise. However, they probably could not be made sufficiently attractive to have much impact unless present tax laws were changed. Only small numbers take advantage of the present tax exemptions permitted for pension plans of the self-employed. If attractive to farmers, this type of plan could make a contribution to releasing resources to other farmers because there would likely be greatest participation among those farmers who have relatively high sales and who control much land * * * a program designed to be attractive to older farmers on larger farms would allow an impressive fraction of farm resources to become available to younger operators, including a small number of 'new' farm operators.
>
> "Your committee might be interested in reviewing the experience of the Netherlands, which relies on programs to induce early retirement of farmers as a major instrument of achieving needed structural adjustments in the agriculture of the country."
>
> Further along this line, the American Farm Bureau Federation said in its testimony: "The technological revolution has combined with the initiative and accomplishments of American farmers to bring about the most efficient agriculture in the world. In order to cope with what many consider an overexpanding plant, numerous proposals have been and are being made for land retirement programs. While such programs can be helpful, they require considerable Federal expenditures and deal with only one factor of agricultural production. As fewer and fewer farmers are capable of producing a greater and greater amount of food and fiber, it seems obvious that we must make allowance for human retirement as well as land retirement."
>
> Needless to say, this improvement would also extend pension coverage in other occupational groups in which both capital and personal services are material income-producing factors.
>
> The purposes of this recommendation would be accomplished by enacting either S. 1939 (Talmadge) or H.R. 8023 (Watts).

Mr. KEOGH. Mr. Speaker, the gentleman from Kentucky had much more than a small portion of the pending bill. He has furnished a great deal of leadership in bringing us to the point on the road at which we have arrived.

Now, Mr. Speaker, I hope I can reserve the balance of my time.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this bill merely carries out the basic intention of the House of Representatives when back in 1961 we passed H.R. 10 to set up this system so that the self-employed would have an opportunity to provide for their own retirement and that of their employees on a basis somewhat analogous to the pension plans that corporations could set up for their officers and employees. As originally enacted by the House, I think that purpose could more nearly have been accomplished than is the situation today under the law as it was amended by the Senate. As a result of action in the other body there was adopted—and the conferees accepted it as a part of a compromise—an amendment which not only adopted the $2,500 maximum amount that could be contributed by the employer on his own behalf, but limited the deduction to one-half of the amount contributed.

That is the principal limitation which we seek to eliminate now by the passage of this legislation, because that amendment, adopted in the other body and accepted by the conference, really left very little incentive in the bill.

Mr. Speaker, I pointed this fact out at the time the conference report came to the House, and subsequent events have confirmed this conclusion. Since that time there have been a number of plans developed. Some 40,000 self-employed employers have established plans but, in the words of the committee report, this has been a great disappointment. You will find that it is only those with a high income—and one or two employees—that have adopted these plans. The individual with a small business finds this limitation particularly onerous.

Mr. Speaker, the bill which we are considering today seeks to narrow the gap between what is available to corporations in making provisions for their officers and employees and what is available to the self-employed in providing for the retirement of himself and his employees.

Mr. Speaker, the bill would still retain the maximum limitation of $2,500 on the amount which the self-employed can contribute on his own behalf, a limitation which does not apply to corporate contributions on behalf of its officers. However, the bill would permit the self-employed to deduct the full amount of that contribution, just as he deducts the full amount of the contribution on behalf of his other employees.

Mr. Speaker, in addition to removing the 50-percent limitation upon the amount the self-employed can deduct, the bill also amends the definition of "self-employed income," in order to conform to the definition used in the social security law. Under existing law, where capital, as well as personal services, is a material income-producing factor, earned income is limited to 30 percent of the net profits of the business. This means that in addition to all other limitations, only 30 percent of the profits of such an unincorporated business can be treated as self-employment income. The remaining 70 percent must be treated as investment income, not subject to the provisions of H.R. 10. For all practical purposes, unincorporated farmers were thus precluded from setting up pension plans for themselves and their employees. Adoption of the social security rule removes another impediment to the more widespread use of self-employment retirement plans.

Mr. Speaker, also, let us not forget that whenever an employer adopts such a plan to protect himself against his old age and retirement, he is also extending that same protection to his employees. So by this method a large group of employees in this country who today are without this added protection can be brought in and given this protection. We are not talking just about the self-employed individual himself.

Now, Mr. Speaker, it should be quite clear to all the Members of the House that the Department of the Treasury opposes this bill.

The SPEAKER pro tempore (Mr. Boggs). The time of the gentleman from Wisconsin has expired.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield myself 3 additional minutes.

The SPEAKER pro tempore. The gentleman from Wisconsin is recognized for 3 additional minutes.

Mr. BYRNES of Wisconsin. But, Mr. Speaker, let it be remembered that the Department of the Treasury has opposed legislation in this field from the very beginning. It opposed the original legislation when it was pending before the House of Representatives. It was the Department of the Treasury that succeeded, in a sense, in almost gutting the bill when it was pending 4 years ago before the other body. And, Mr. Speaker, I have no doubt that they will probably attempt to load the bill down with crippling amendments when it gets into the other body again. But this time, however, I would hope that when the House of Representatives reiterates its position, as I fully expect it will today, that our conferees will stand firm and I think the other body should be on notice that the House of Representatives does not intend to have these kind of limitations put upon this program.

Of course, when one says the Treasury opposes the bill and did oppose it before, I do not think that should necessarily have an influence on this House in this instance. I would cite just a little example of a situation earlier this year when the Treasury and the administration fought almost to the dying end to prevent the inclusion in the Tax Adjustment Act of 1966 of a provision for social security payments to those people over 72 years of age under the Social Security Act. But, when the bill got down to the White House to be signed, the President was all for it—and the administration claimed great credit for having that enacted into law. Yet it was enacted into law only over the vigorous objection of the Treasury Department and of the executive agencies concerned.

So, I would hope that on this bill, we might have a similar experience—that although the Treasury opposes it today, when it goes to the President that then the administration will be all for it.

Mr. Speaker, it is indeed anomalous that this administration which purports to have such great interest in the aged, and we heard considerable about that over the weekend, should oppose this legislation when its purpose is to provide a system whereby individuals can take care of themselves and take care of their employees in their older age and in their retirement.

There has been and there must continue to be expansion in the service trades. More and more of our workers will be in the service industries. It it in this area that the small businessman with a few employees—the self-employed—can make the greatest contribution to our economy. We should encourage them and not penalize them. We should encourage the skilled workers who prefer to run their own business rather than to work for the larger corporate establishments.

This is not exclusively, as the Treasury would have us believe, a doctor's and lawyer's bill. In a sense, Mr. Speaker, this can be considered a plumber's bill, an electrician's and a carpenter's bill, and a painter's bill—a bill to help the small shopkeeper and the small independent farmer—to help these people who are self-employed set aside something for their old age and retirement. This is good bill and it deserves the unanimous support of the House of Representatives.

The SPEAKER. The time of the gentleman has expired.

Mr. KEOGH. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. DON H. CLAUSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Speaker, we have before the House today H.R. 10, a bill to amend the Internal Revenue Code of 1954 to permit pension and profit-sharing plans to provide contributions or benefits on a nondiscriminatory basis for certain self-employed individuals. While this bill is on the consent calendar, indicating no substantial opposition to passage, I want to raise my voice, nevertheless, to extol the virtues of this proposal.

H.R. 10 is an attempt to do what the Congress tried to do in 1962, and I hope this time we will fully succeed. As the Members will recall, Mr. Speaker, the Congress passed the Self-Employed Individuals Tax Retirement Act of 1962 for the purpose of encouraging employers to set up retirement programs for themselves in much the same way as they and others could already do for their employees under provisions of the law. However, although these employees could defer profit taxes on the entire amount they set aside in retirement plans for their employees, they were restricted to deferring the tax on only half of the amount they set aside for their own retirement. The results, as indicated in Government reports, showed that less than 1 percent of self-employed individuals availed themselves of this new provision and, as a result, we can only conclude that the intent of the Congress was not successful.

The amendments before us today would permit these self-employed individuals to defer the tax on all of the funds they set aside for their own retirement up to $2,500 per year, or 10 percent of their earned income, whichever is smaller. In addition, it permits self-employers whose income is derived from both services and capital to have the same deferment privilege providing they are contributing significant personal services in earning their income.

It is my hope, Mr. Speaker, that these amendments will encourage self-employed persons to take advantage of the congressional intent to motivate self-employers in providing for their own retirement. The philosophy behind the 1962 act was very good, in my opinion, but it did not succeed in motivating self-employers to provide for their own futures. This philosophy is most gratifying, Mr. Speaker, in that it does not take the hard line in requiring small businessmen and other self-employers to shoulder an extra load imposed by the Government, via taxes, in order to provide for their own retirement. Instead, it permits them to defer the tax on the amount they pay in for their own retirement just as the tax is deferred on the amount they pay in for their employees. It has long been my own philosophy that the tax system of the United States can be used as a most effective and constructive tool to encourage taxpayers to meet their own responsibilities, rather than a destructive tool to weigh them down and discourage responsibility. The latter course can only hasten the day when the Government may have to be responsible for those things which a little encouragement now may solve.

Mr. Speaker, this is a fine example of putting the tax structure to work for us and encouraging individuals to meet their own responsibilities, and I wholeheartedly congratulate the Committee on Ways and Means and the gentleman from New York [Mr. KEOGH] for their fine work on this bill.

Mr. KEOGH. Mr. Speaker, we have no further request for time.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS. Mr. Speaker, this bill comes before the House under very unusual circumstances.

First, I want to apologize to the House for the fact that the hearings in executive session which were taken down are not available to the House. I think it is wrong not to have this material available to the House. Incidentally, I feel these hearings should never have been in executive session. This has to do with some basic procedures.

I am very concerned over the kind of procedures that we have been following and increasingly so here in the House of Representatives. I happen to favor this legislation and I am very strongly in favor of it. But I think it is about time that those of us who favor something recognize that if there is going to be honest deliberation and debate that those who disagree with us should be given an opportunity to have their disagreement considered.

If the hearings were available, the membership would read some very strange remarks. For after the committee unanimously voted out the bill, and for the reasons that the gentleman from New York has given and for the reasons given by the gentleman from Wisconsin with which I agree—after this was done the Assistant Secretary of the Treasury, Mr. Stanley S. Surrey, said, "I want it to be known that the administration is strongly opposed to this bill."

Of course, the administration spokesmen made their opposition quite clear as we developed these issues during the executive session. I think the gentleman from Wisconsin [Mr. BYRNES] and I engaged in colloquy somewhat along the lines—well, after all, the committee report accompanying the bill will contain the administration's point of view and the reasons for it opposing the bill. Then it was developed that this was not necessarily so, and apparently it is not the procedure in our committee necessarily to print the administration's views in opposition.

I think it should be. It is not, but I said in a half-joking fashion, "Mr. Secretary, of the 17 Democrats on the committee, all you have to do is to get one of them to have supplemental views, and even though he disagrees with you, he will put the administration remarks in the committee report."

The statement was, Well, he was not quite sure whether he could get one of the 17 Democrat members to do this. Then he turned to me and asked me, Would I put the Treasury views in the committee report if he could not get one of the 17 Democrats to do so. This shocked me a little bit, but when I thought it over I said, "Yes." To my amazement, I was taken up on this. I got a call from the Secretary of the Treasury asking me if I would do that.

If Members will turn to page 12 of the committee report, they will find my supplemental views. I want to read them:

> Although I strongly support the bill and disagree with the conclusions contained in

the Treasury report on H.R. 10, I feel that it should be made a part of the official committee report. Therefore, I am setting it forth in my supplemental views.

So that any of you who would be interested in knowing why the administration is opposed can have the benefit of their logic. I do not agree with their logic.

Mr. KEOGH. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from New York.

Mr. KEOGH. I simply wanted to say that this is another example of the great service which the gentleman from Missouri performs. What you have done has been done in the regular, orderly way. If anyone should inquire of you as to why you took that action, I suppose the best answer would be that when one has no one on his side, he will take help from wherever he can get it.

Mr. CURTIS. I think the gentleman has stated it correctly.

The issue I wanted to point out stated by the administration in its views is that the revenue loss from H.R. 10—talking about $30 million and $35 million in fiscal year 1966 to $60 million in fiscal 1968—the revenue loss, especially from 1967, is "completely inconsistent with the recent actions which have been taken in light of Vietnam and the economic situation." There is no question that this revenue loss has not been budgeted.

I have been trying to fight for the President's budget. In fact, I think it is too much and we need to cut it. This means a great deal to me. Therefore, I have to determine in my own thinking, in terms of priorities. What is the significance of this $30 million in relation to other expenditure programs that we have? Does this assume a great priority in my judgment? Indeed it does. I think we have continued too long with this very serious imbalance that exists between the corporate form of doing business and the professional form of doing business and in respect to the self-employed. It has been damaging to the professions; and to small business, farmers and entrepreneurs. Every year this imbalance has been in the law, corporations have been able to deduct from taxes that which they put in their approved pension plans for their employees, but private practitioners—lawyers, doctors, dentists and the self-employed—could not do this for themselves or their employees, and this has been an underlying economic evil.

This is a matter of tax equality. So my disagreement with the President is not the disagreement that we badly need every penny of revenue that we can get, and that we need to hold expenses down. My argument is that this does take priority over a great deal that is in the budget. The President should have budgeted this program, in my opinion. If this becomes law it will become necessary for the President to cut other expenditures out to make way for this particular program because it should be given the highest priority.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from California.

Mr. TEAGUE of California. Mr. Speaker, I congratulate the gentleman from Missouri [Mr. Curtis] for having been the recipient today in the Washington Post of a highly complimentary and well deserved editorial, complimenting him on his attitude and his findings concerning our trade problems. It is not very often the Washington Post has a kind word to say about a Republican, particularly one who generally is in the conservative camp. I congratulate the gentleman.

Mr. CURTIS. I thank the gentleman. I hope I still am in the conservative camp.

Mrs. MAY. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentlewoman from Washington.

Mrs. MAY. Mr. Speaker, I also add my congratulations to those of my colleague from California, to my good friend from Missouri.

Also at this time I rise in support of H.R. 10 and offer my commendation to the gentleman from New York [Mr. Keogh] and to the gentleman from Wisconsin [Mr. Byrnes] and the gentleman from Missouri [Mr. Curtis] and to all those who have had a part in bringing this legislation before us.

As a long-time cosponsor of H.R. 10, I supported the original version of H.R. 10 when it passed the House in 1962. As you know, the Senate managed to weaken the legislation before it was sent to the President for signature, and the legislation before us today, which I am also pleased to cosponsor, will correct this inequity.

Today's version of H.R. 10 will extend to an estimated 10 million of our citizens—many of them middle income small businessmen—the chance to set aside retirement funds for themselves, the same as they are now required to do for their employees. This will be accomplished by repeal of the two amendments added to the original 1962 version of H.R. 10 after it left the House. The amendments, as time has now proven, were of such nature that a very small number of self-employed individuals have chosen to make use of the provisions enacted in 1962. The report before us today, I believe, estimates that only about one-half of one percent of self-employed individuals made use of the deduction in 1964. On the other hand, it is estimated that the bill before us today will greatly improve this disappointing situation by encouraging participation as much as sixfold by 1967.

This is a good bill, worthy of the support of the Congress, and one in which I am proud to be a cosponsor on behalf of the many, many small businessmen and farmers of my district.

When the gentleman from Wisconsin was speaking, he pointed out that this was not just a bill for professional people, that it certainly is a bill for electricians and plumbers and small business employers, but he left out one very important group, and that is our farmers.

Mr. CURTIS. The gentlewoman is correct.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield 1 minute to the gentleman from Missouri [Mr. Hall].

Mr. HALL. Mr. Speaker, I want to join in the accolade to my colleague from Missouri, extended by the gentleman from California [Mr. Teague], and the gentlewoman from Washington [Mrs. May], concerning the gentleman from Missouri [Mr. Curtis] and his statement on our economy and our trade and his findings, as reported in the editorial in this morning's Washington Post.

Mr. Speaker, I rise in support of H.R. 10, to permit pension and profit-sharing plans to provide contributions or benefits on a nondiscriminatory basis, for certain self-employed individuals, without special limitations on the amount of contributions. I speak as one who would be participating if still in professional practice, but, being here, I am not eligible.

Earlier this year, I introduced similar legislation, H.R. 15168, in recognition of the unequal tax treatment that exists today between self-employed persons and those who work for corporations.

The legislation has two basic purposes: to eliminate the provision allowing deduction of only 50 percent of the self-employed's contribution, and to remove the crippling 50-percent limitation on the maximum percentage of earned income which might be set aside annually.

This bill is of particular significance to lawyers, accountants, engineers, architects, doctors, dentists, and other self-employed people.

This law is needed to correct the inequities that were added in the Senate to the original Keogh bill, and which limited annual contributions on behalf of the self-employed to one-half of 10 percent of earned income, or $2,500, whichever was less.

Recently, the American Bar Association reported that less than 1 percent of its members have elected to participate in that association's retirement plan.

Other professions have had similar experiences, and it surely is time to correct these inequitable and unfounded limitations that are frustrating the worthwhile goal of the Self-Employed Individuals Retirement Act. This bill provides that an owner-employee may deduct the full amount of such contributions, up to a maximum of 10 percent of his earned income, but not to exceed $2,500 in any one year. Thus, within that limitation, the tax incentive for him to establish retirement plans for himself and his employees would be increased twofold, as compared with existing law.

The self-employed and the owner-employed will be called upon to a greater and greater degree to provide additional jobs for our growing work force. At a time when there is a growing trend on the part of young people to go to work for others, I think it is important that we do everything we can to encourage the independent entrepreneur to strike out on his own. Their independence is a valuable asset to our society.

The self-employed individual, as an employer of his own services, occupies the same position as the manager of a small business owned by a corporation. There is no reason, as a matter of equity, why that portion of his compensation, which is committed for the provision of retirement income, should not be treated exactly alike in both cases. Removal of the present inequitable treatment would do much to encourage the extension of pension coverage to both the self-employed and their employees.

The list of associations endorsing this legislation includes: The American Bar Association, the National Society of Professional Engineers, the National Milk Producers Association, National Society of Public Accountants, American Optometric Association, American Medical Association, American Dental Association, the American Hotel & Motel Associations, the National Livestock Tax Committee, and the Authors League of America, Inc.

I commend the members of the Ways and Means Committee, on both sides of the aisle, for their hard work on this measure, and I urge its adoption.

Mr. POFF. Mr. Speaker, I would like to underscore the need for this legislation on the grounds of equity.

Under legislation passed by the Congress in 1942, corporation employers and other employers who have purchased supplemental retirement programs for their workers are permitted to deduct the full amount of the premiums paid as business operating costs. Until 1962, self-employed people, such as farmers, lawyers, accountants, doctors, dentists, engineers and small businessmen, had no equivalent opportunity. In that year, Congress graciously granted them half a loaf. Although the House had passed legislation granting a whole loaf, the other body adopted an amendment which said in effect that a self-employed worker could deduct only 50 percent of the amount he invested in a retirement program up to 10 percent of his earned income, or $2,500, whichever is less.

Now, Mr. Speaker, if the Congress acknowledged the existence of an inequity, how can Congress remain content to ignore half the inequity? It is time now to do a complete justice. The 50-percent limitation must be lifted.

It think it is important also to emphasize that this legislation can function as an important weapon in the war against inflation. Essentially, payments into the type of retirement program eligible under this statute are the same as deposits in savings accounts. They have the effect of reducing total currency in circulation and this tends to bring the supply of goods and services into better balance with the supply of money. This in turn helps to promote the integrity of the dollar and stabilize the purchasing power of the paycheck.

Accordingly, I earnestly trust that this legislation will be promptly approved here and in the other body.

Mr. ABERNETHY. Mr. Speaker, there are a great many farmers and small businessmen in my congressional district and State who come under the category of self-employed persons. They will benefit from this bill.

Under the Self-Employed Individuals Tax Retirement Act of 1962 most farmers are classified as "owner-employees." As such they are authorized to contribute up to 10 percent of their earned income, but not more than $2,500 per year, to a retirement plan and claim a Federal tax deferral for 50 percent of such contributions. However, in the case of farmers, the benefits of this act are drastically limited by a restrictive definition of "earned income." If the earnings of an "owner-employee" are a joint product of personal services and invested capital, as is the case with most farmers, not more than the larger of $2,500 or 30 percent of the taxpayer's earnings from self-employment may be treated as "earned income."

Limiting the deferral to 50 percent of the contributions has retained a serious inequity with respect to self-employed retirement programs. The restriction that earned income must be arbitrarily computed at 30 percent of net earnings has made the program meaningless to farmers and other self-employed who must invest capital as well as labor in their enterprises.

This bill removes both the 50-percent and 30-percent limitations. I have long felt that this inequity should be eliminated and want to commend the Committee on Ways and Means for reporting H.R. 10, which will be a major step in assisting the self-employed, particularly our farmers and small businessmen, to set up retirement programs.

Mr. KUPFERMAN. Mr. Speaker, I am pleased to support this bill, H.R. 10, based upon legislation originally introduced by the gentleman from New York [Mr. KEOGH] as a beneficial and necessary change in our present tax law and designed to encourage the self-employed individual.

Mr. Speaker, in 1942 our tax laws were changed to offer substantial tax benefits to corporations and their employees in the field of pension and profit-sharing plans. Corporate employers were allowed 100-percent tax deductions for contributions when made to retirement plans. As a result of the 1942 legislation, self-employed persons and their employees were discriminated against.

In 1962, the original H.R. 10 was passed by Congress—Public Law 87-792, 76 Stat. 809—and, for the first time, recognition was given to the problem of tax discrimination and unfair treatment offered the self-employed individual.

The Self-employed Individual's Tax Retirement Act of 1962 was a substantial step in the right direction, but it did not fully accomplish the needed tax encouragement of the many professional persons, small businessmen and even farmers which come within the scope and meaning of self-employed persons. For example, under existing law—subsection 404(a)(10) Internal Revenue Code of 1954—the deduction which may be taken for amounts contributed to a qualified retirement plan by any self-employed individual for his own benefit is limited to 50 percent of such contribution.

Mr. Speaker, I have introduced H.R. 15246, which would amend the Internal Revenue Code of 1954 to remove the 50-percent limitation and would permit the self-employed person to deduct the entire amount of the contribution made in his behalf to a retirement plan.

In addition, my bill would change the definition of "earned income" applicable with respect to the retirement plan so as to eliminate the ceiling on deductible contributions that could be placed in the retirement plan.

Mr. Speaker, among those individuals who would benefit most from the legislation which I have introduced, H.R. 15246, and from the substantially similar bill—H.R. 10—before us today, are the members of the medical and dental profession. As self-employed individuals, they are presently permitted by our tax laws to deduct only 50 percent of the contributions made in their behalf to a retirement plan.

In addition to repealing the limitations upon the contribution made by the self-employed, the legislation being considered today would permit a self-employed individual to include in earned income all of his net profits when his income is earned from a business in which both the performance of personal services and capital are material income-producing factors. In this way, medical and other professional and self-employed persons would be given the same or equal treatment as our tax laws presently afford corporations and their employees.

Mr. Speaker, I fully support H.R. 10, and hope that my colleagues will give every consideration to its passage.

Mr. Speaker, I would like at this point in the CONGRESSIONAL RECORD to include a statement regarding H.R. 10, written by the Honorable Edward W. Kuhn, president of the American Bar Association, which appeared in the February 1966 issue of the American Bar Journal, and which in a thorough and scholarly manner sets forth the history behind H.R. 10 and illustrates the need for its passage:

THE PRESIDENT'S PAGE

(By Edward W. Kuhn)

A recent Senate report emphasizes the need for changes in our tax laws to encourage professional persons to participate in private pension plans. Twenty-five million Americans are now covered under private plans; they constitute an estimated half of the persons in private nonfarm employment. The largest segment of our population not participating is composed of persons in the professions, small business and agriculture. In only fifteen years, it is estimated, three out of five employees, a total of 42,000,000 persons, will be covered under private plans, but unless there is a change in our tax laws, the participation is likely to include very few professional individuals in private practice.

The practicing lawyer has a peak earning period of about twenty years, generally between 45 and 65 years of age. The average income in 1962 for those in individual practice was about $8,200 and for those in partnerships $18,000. Some 200,000 lawyers are engaged in private practice but are denied a deferral of federal income taxes on the full amount of retirement savings because they have a self-employed status.

The number of lawyers employed in private concerns, primarily industry, has increased 127 per cent since 1951. Studies indicate that a major factor has been the attractive retirement benefits offered to corporate employees.

In 1942, our tax laws were changed to offer substantial tax benefit to corporations and their employees in the establishment of pension plans, supplementing social security. The tax effects of these plans are:

First, the contributions by the employer for the employee, although in the nature of additional compensation, are not taxable to the employee until the retirement benefits are received in later years.

Second, the employer gets a tax deduction for the contributions when made.

Third, the earnings from the retirement fund are tax exempt until distributed.

Fourth, the retirement benefits are distributed at a time when the employee would normally be in a lower tax bracket.

The result of the legislation enacted in 1942 was to discriminate in favor of employed persons and against all self-employed persons and their employees. To correct this obvious inequity, the American Bar Association led an effort in Congress to secure a measure of equality with corporate officers and employees in respect to the tax treatment of earnings set aside for retirement purposes. Finally, in 1962, the Smathers-Keogh Bill (H.R. 10) was passed by Congress and, for the first time, recognition was given to the problem of the self-employed in this field.

Although the Self-Employed Individuals Tax Retirement Act of 1962 was a step forward, it by no means provides an adequate method for the average self-employed individual to save for retirement. During the long struggle for passage, the legislation was weakened considerably. In the final days of the 87th Congress, an amendment to H.R. 10 was added on the Senate floor; it substantially diminished the intended value of the legislation by limiting the self-employed individual to a deduction of only one half the amount that he contributes in his behalf to a noncontributory plan. This limitation is even more severe in a contributory plan and results in possibly a deduction of only 25 per cent.

Since the enactment of the 1962 act, the Association's Committee on Retirement Benefits Legislation has given careful scrutiny to the new law to ascertain its shortcomings with an eye towards supporting remedial legislation.

Although there are several defects in the 1962 act, this Association is concentrating its support on the two most needed amendments. H.R. 10, introduced by Representative EUGENE KEOGH (Democrat of New York), would permit the self-employed person to deduct the entire amount of the contribution made in his behalf to a retirement plan. It also would eliminate the ceiling on deductible contributions that could be placed in such plans, provided, of course, that employees are covered. Seventeen bills to improve the 1962 act are pending before the Ways and Means Committee, including sponsorship by the ranking minority member, JOHN BYRNES (Republican of Wisconsin).

The following hypothetical case points out the reason that the 50 percent limitation is serving as a major deterrent to participation in retirement plans under the 1962 act:

"Assume a lawyer at age 40 with a wife and two children filing a joint return has an income of $15,000 and has $2,000 in deductible expenses. Under the Keogh Act, he could contribute to a retirement plan 10 per cent of his income, which would be $1,500. Because of the 50 per cent limitation, he would have a reduction of only $750 which would in this case leave him a taxable income of $9,850 and his tax would be $1,787. If the full deduction were permitted, he would have a taxable income of $9,100, paying a tax of $1,622. The savings of $165 per year in taxes invested at 6 per cent over a 25-year period would amount to $9,052. If the lawyer did not participate in the plan at all, he would pay a tax of $1,952, which is $330 more in taxes than if he had a plan permitting a full deduction. This $330 invested for a period of 25 years at 6 per cent would total $18,105."

It is apparent by this illustration that although the 1962 act provide some inducement to the private practitioner, it falls far short of providing him comparable tax treatment with a lawyer under a corporate plan.

Because of the inadequacy of the 1962 act, there has been increasing agitation by many professional persons to seek another approach to the problem by forming professional corporations or associations. Although some thirty states have enacted laws authorizing members of the various professions to form corporations, the Treasury Department has indicated that it did not recognize such professional associations as corporations for income tax purposes under the Internal Revenue Code. Therefore, this avenue has been virtually closed to the professional individual. H.R. 8347 and several bills are pending in the Ways and Means Committee that would require that such professional corporations be treated as corporations for income tax purposes.

In addition to individual or firm plans under H.R. 10 type legislation and the use of professional corporations, a third possible avenue for the self-employed person and his employees would be to participate in association or other group plans. The American Bar Association after careful study established a plan in 1963 for its members, but because of the severe restrictions in the 1962 act, the participation in this plan is extremely limited. In fact, of the 120,000 members of the American Bar Association, fewer than 1,000 persons, including lawyers and their employees, are now participating in the Association's plan. Undoubtedly, participation in such group plans would be greatly enhanced by passage of legislation like the new H.R. 10.

A report of the Senate Special Committee on Aging, issued in June, 1965, recommends enactment of provisions included in H.R. 10. It also recommends legislation "clarifying and reaffirming Congressional intent that professional corporations and associations are corporations within the meaning of that term as used in the Internal Revenue Code."

This Association, with the support of the state and local bar groups, and other organizations, is giving priority attention to bringing about much needed improvements in our tax laws to correct further an inequity which has existed for more than two decades. This should be of direct concern to every practicing lawyer.

Mr. KEITH. Mr. Speaker, in considering this bill it seems reasonable that an individual who is self-employed—who has had the courage to go out in the business world and make his own way—should be given the same tax break on his retirement plan as are the employees who work for him—and as are those holding similar positions of responsibility in corporate enterprise.

By refusing to allow the sole proprietor, the partner, or the self-employed lawyer, accountant, or doctor to provide for his own future in the same way that he provides for his employees is, in my view, an inequity that should be corrected.

The legislation authorizing pensions for the self-employed which we approved in 1962 was intended to give him a fair break. According to the estimates made by the Treasury Department, though, this—for the most part—did not occur. Apparently, a majority of self-employed business and professional men and women have been forced to choose, therefore, not to provide adequately for their own retirement.

The amendments which we are considering here today will overcome this inequity. Hopefully, they will encourage the small businessman to establish pension plans in which they themselves can participate.

I hope that the Senate will concur in our action and that the President will in turn approve the legislation. If these amendments become law, the small businessman will have an opportunity for security—which is long overdue.

Mr. ROGERS of Florida. Mr. Speaker, today we have a chance to encourage self-employed citizens to help themselves through passage of the amendment to the Internal Revenue Code of 1954.

The self-employed individual has been given only a small chance to make proper plans for his financial security after retirement in the 1954 code and the amendment of 1962. The amendment now standing before the House offers self-employed individuals incentive to save for their future through a more reasonable tax allowance.

The fact that only one-half of 1 percent of all self-employed individuals took advantage of the 1962 amendment is witness to the inequities of the bill. They have shown that under this bill they have been burdened with unfair financial contributions.

I urge that we encourage these citizens to help themselves by allowing a fair tax deduction which will be more attractive to them and more beneficial to the entire social security structure.

Mr. SCHMIDHAUSER. Mr. Speaker, I support H.R. 10 because it is my belief that this tax reform measure will help establish parity of tax treatment on retirement programs for self-employed persons in small businesses and on the farms, and in the professions. For many years in the past, self-employed people in those categories were not allowed deductions for contributions to their own retirement funds.

This bill, H.R. 10, will end discrimination against the self-employed farmer and small businessman. At the present time, self-employed persons whose income comes from capital and labor are at a great disadvantage; they can only use 30 percent of their total income under the retirement law, and, therefore, are at a great disadvantage.

The old law was particularly hard on farmers; for example, our farm producers earn their income from both their hard work and the money they have invested in land, equipment, and so forth. If a farm producer earns $9,000, only $3,000 of his income is considered for the purpose of computing the deduction of $150, in spite of the fact he probably is contributing much more toward his retirement. Under the provision of H.R. 10, the farmer or small businessman will be eligible for a full 10-percent deduction of his earned income of $9,000 or $900.

I believe this legislation will contribute much to the strengthening and development of our free enterprise system. I also believe the Federal Government should encourage small employers and professional people to set aside retirement funds for themselves as well as for their employees. Passage of this bill will end the discrimination of the old law, strengthen our free enterprise system, and help our family farm producers and our small businessmen, and I strongly support its approval.

Mr. VIVIAN. Mr. Speaker, the Self-Employed Individuals Tax Retirement Act was passed by the Congress in 1962, in an attempt to give self-employed persons near parity of tax treatment on retirement programs. For many years, each employer had been allowed a full income tax deduction on contributions made to employees' retirement funds; but the self-employed individual was not allowed a tax deduction for contributions to his own retirement fund.

In 1962, Congress passed the Self-Employed Individuals Tax Retirement Act, intending that the act would stimulate the creation of retirement funds by the self-employed. Such has not been the case. In 1964, for example, only about one-half of 1 percent of the self-employed took advantage of the provisions of the act.

Under the act of 1962, each employer can create a retirement plan for his employees and himself. However, while the contributions he makes to his employees' retirement benefits are 100 percent deductible, only 50 percent of his contributions toward his own retirement are deductible. The bill before us will remove this limitation, and make the contribution of the self-employed—the accountant, the lawyer, the doctor, the small businessman—fully deductible, up to 10 percent of the income he earns or $2,500 whichever is smaller. In plain terms, this means that, for example, a self-employed individual who earns $9,000 this year will be able to put $900 aside for his eventual retirement; and will be allowed to claim a $900 deduction from his gross income, rather than a $450 deduction as in years past. I believe that this change in the law will be of great benefit to the self-employed business and professional people in the Second Congressional District, and I am heartily in favor of it.

This bill will also eliminate a glaring discrimination against the self-employed farmer and small businessman. Under the present law, self-employed persons whose income comes from capital and labor are at a great disadvantage: They may count only 30 percent of their total income under the retirement law.

For example, farmers earn their income both from their hard work and as a return on the money they have invested in land, equipment, seed, and fertilizer.

Presently, if a farmer earns $9,000, only $2,700 of his income is considered for the purpose of figuring the deduction he is allowed for retirement contributions. This means that on a cash income of $9,000, the farmer is allowed a maximum deduction of $150, although he may be putting aside much more toward his retirement. Under the provisions of this bill, when passed, the same farmer, or small businessman, will be eligible for a full 10 percent deduction of his earned income: A $900 deduction in this case.

As a businessman who worked to build a company and, at the same time, to save for the education of my four children and to put aside some money for my retirement, I know how difficult it can be to achieve these goals.

I firmly believe that it should be the policy of the Federal Government to encourage small employers and professional people to set aside retirement funds for themselves as well as their employees. Certainly the 1962 act has not succeeded. I believe this bill will remove the limitations that prevented its success. I shall enthusiastically vote for it.

Mr. LOVE. Mr. Speaker, I joined with the gentleman from New York [Mr. KEOGH] last year in introducing an identical bill to H.R. 10 which passed the House earlier this week as amended and reported by the House Committee on Ways and Means.

Should this bill become law, it would repeal two limitations on the deduction from gross income that a self-employed individual may take with respect to contributions on his own behalf to a retirement plan.

The first of these limitations to which I refer is the provision of present law that limits the actual tax deduction to 50 percent of the self-employed person's contributions to his retirement plan. It will be recalled that a self-employed individual may contribute up to 10 percent of his earned income or $2,500, whichever is the lesser, to his retirement plan. His deduction is limited to one-half of his contribution, however, and thus the maximum deduction allowed to a self-employed person with respect to his own contribution is $1,250 under present law. H.R. 10 would remove this 50-percent limitation, and the deduction in such a case would under the bill simply be 10 percent of earned income or $2,500, whichever is the lesser.

The second limitation that would be removed by the bill is that which restricts the amount of income that is considered as earned income in situations where both personal services and capital are material income producing factors in a business. Presently, only 30 percent of net profits in such cases may be considered earned income in determining the allowable size of the annual contribution, except that in the case of substantially full-time employment, the amount so treated is not to be less than $2,500. H.R. 10 would remove this 30-percent limitation and would allow a self-employed individual to include in his earned income all of his net profits so long as his personal services are a material income producing factor in his business.

Mr. Speaker, the Self-Employed Individuals Tax Retirement Act of 1962 was enacted in order to give self-employed individuals an opportunity to defer tax for retirement purposes in much the same manner as they and others could already do for their employees under the provisions of the then existing law. It was intended to encourage the self-employed to make adequate provision for their old age.

That these objectives have been foiled and frustrated by certain limitations in that act, including the two restrictive provisions that would be removed by the pending bill, is beyond peradventure or question. A report of the Department of the Treasury with respect to the use of the self-employed retirement deduction in the taxable year 1964 shows that only about one-half of 1 percent of self-employed individuals took advantage of this deduction in that year. Moreover, when the 1962 legislation was originally enacted the Department estimated that the cost of the act in the first full year of operation would be $115 million, whereas the actual cost as late as 1964 turned out to be only $9 million.

The Committee on Ways and Means, after careful study of the operation of this law and the statistical information furnished by the Department of the Treasury relative to its use, has concluded that there is no justification for the two limitations which I have discussed and which would be removed by H.R. 10. Furthermore, the committee is convinced that these restrictive provisions have been major contributors to the discouragement of self-employed individuals, particularly small proprietors and farmers, in claiming the tax benefits that were intended in the enactment of the 1962 legislation.

It is my firm belief that we have traveled too far down the road of the obviously sound, basic philosophical concept that the workers of this country should be able adequately to provide for their superannuation to turn back. No one can take exception to the oft-repeated statement that pension plans promote the general welfare not only by helping to meet the individual's material needs in old age, but also by making the Nation's elderly a positive force in the economy, rather than a negative force or burden upon it.

Millions of words have been said and written about this legislation both in and outside the Congress. One of the most articulate, yet briefest paragraphs on this subject appeared in the 1965 hearings of the Subcommittee on Employment and Retirement Incomes to the special Senate Committee on Aging:

> A private pension plan is attractive to an employee because it assures him of greater independence in his retirement years. He is assured of greater freedom of choice as to how he lives and spends his money. Pension plans help employers to maintain an efficient work force with good morale and help to assure an effective market for goods and services among the retired population. Private pension plans advance the government's objective of a growing, yet stable private enterprise type of economy for the benefit of all citizens.

In 1942, the 77th Congress enacted an amendment that gave use to the tremendous growth of qualified private pension plans approved by the Treasury Department. Prior to this step, there were approximately 4 million covered; today the figure is 25 million and according to a recent Federal report the total by 1980 should be in the neighborhood of 42 million covered employees. We provided the impetus in 1942 and the American business community responded by approximately 1 million new faces annually.

Recent Treasury statistics indicated that approximately 39,000 self-employed, or less than one-half of 1 percent, were covered in 1964. Today we have an opportunity similar to the one we experienced in 1942; only this time we are going to provide the impetus for the self-employed. Granted, it is 24 years later and the beneficiaries of the future will be the sons and daughters of those who were unintentionally excluded in 1942.

These amendments are amendments that we contemplated would normally and naturally be necessary by reason of the restrictive vote that the basic act took in 1962. It is doing no violence to the fiscal policies of the United States. It is not doing any more than just achieving a slight degree of equity for those who work proudly for themselves.

Mr. Speaker, this measure is just, meritorious, anti-inflationary, and a savings incentive. It removes an obvious inequity and I hope the Senate will overwhelmingly support it as we did in the House of Representatives.

The SPEAKER. The question is on the motion of the gentleman from New York [Mr. KEOGH] that the House suspend the rules and pass the bill H.R. 10, as amended.

The question was taken; and the Speaker announced that it appeared that two-thirds of the Members present had voted in favor thereof.

Mr. YOUNGER. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 291, nays 0, not voting 141, as follows:

[Roll No. 125]

YEAS—291

Abbitt
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Aspinall
Ayres
Bandstra
Baring
Barrett
Bates
Battin
Beckworth
Belcher
Bennett
Betts
Boggs
Boland
Bow
Brademas
Bray
Brock
Broomfield
Brown, Clarence J., Jr.
Broyhill, Va.
Buchanan
Burke
Byrne, Pa.
Byrnes, Wis.
Cahill
Callan
Carey
Carter
Casey
Cederberg
Chamberlain
Chelf
Clancy
Clark
Cleveland
Collier
Conable
Conte
Cooley
Corbett
Corman
Craley
Cramer
Culver
Cunningham
Curtin
Curtis
Daddario
Dague
Davis, Ga.
Davis, Wis.
Dawson
Delaney
Denton
Derwinski
Devine
Diggs
Dole
Donohue
Dowdy
Downing
Dulski
Duncan, Tenn.
Edwards, Calif.
Edwards, La.
Erlenborn
Evans, Colo.
Farnsley
Fascell
Feighan
Findley
Fisher
Flood
Ford, William D.
Fountain
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gathings
Gettys
Gibbons
Gilligan
Gonzalez
Goodell
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gross
Grover
Gubser
Hagen, Calif.
Haley
Hall
Halleck
Halpern
Hamilton
Hanley
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Harsha
Harvey, Ind.
Harvey, Mich.
Hathaway
Hays
Hechler
Henderson
Herlong
Hicks
Horton
Hull
Hungate
Huot
Ichord
Jacobs
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kee
Keith
Kelly
Keogh
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kluczynski
Kunkel
Kupferman
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
Long, Md.
McCarthy
McClory
McCulloch
McDade
McEwen
McFall
McGrath
MacGregor
Machen
Mackie
Madden
Mahon
Mailliard
Marsh
Matthews
May
Meeds
Michel
Mills
Minshall
Mize
Moeller
Monagan
Moore
Moorhead
Morgan
Morris
Mosher
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
Ottinger
Passman
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Price
Pucinski
Race
Randall
Redlin
Rees
Reid, Ill.
Reid, N.Y.
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Roncalio
Rooney, Pa.
Rosenthal
Roudebush
Roush
Rumsfeld
Ryan
Satterfield
Schisler
Schmidhauser
Schneebeli
Schweiker
Secrest
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Va.
Stafford
Staggers
Stanton
Stephens
Stratton
Stubblefield
Sullivan
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Tex.
Thomson, Wis.
Todd
Tuck
Tunney
Tuten
Udall
Ullman
Utt
Vanik
Vigorito
Vivian
Waggonner
Walker, N. Mex.
Watts
Weltner
White, Idaho
White, Tex.
Whitener
Widnall
Wolff
Wright
Wydler
Yates
Young
Younger

NAYS—0

NOT VOTING—141

Abernethy
Annunzio
Ashley
Bell
Berry
Bingham
Blatnik
Bolling
Bolton
Brooks
Brown, Calif.
Broyhill, N.C.
Burleson
Burton, Calif.
Cabell
Burton, Utah
Callaway
Cameron
Celler
Clausen, Don H.
Clawson, Del
Clevenger
Cohelan
Colmer
Conyers
Daniels
de la Garza
Dent
Dickinson
Dingell
Dorn
Dow
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Ala.
Ellsworth
Everett
Evins, Tenn.
Fallon
Farbstein
Farnum
Fino
Flynt
Fogarty
Foley
Ford, Gerald R.
Fraser
Frelinghuysen
Giaimo
Gilbert
Grabowski
Greigg
Grider
Gurney
Hagan, Ga.
Hanna
Hardy
Hawkins
Hébert
Helstoski
Holifield
Holland
Hosmer
Howard
Hutchinson
Irwin
Jarman
Jennings
Kornegay
Krebs
Landrum
Leggett
Love
McDowell
McMillan
McVicker
Macdonald
Mackay
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Mathias
Matsunaga
Miller
Minish
Mink
Morrison
Morse
Morton
Moss
Multer
Murray
Nix
O'Neal, Ga.
O'Neill, Mass.
Pelly
Pool
Powell
Purcell
Quie
Quillen
Reifel
Reinecke
Resnick
Rivers, S.C.
Roberts
Rooney, N.Y.
Rostenkowski
Roybal
St Germain
St. Onge
Saylor
Scheuer
Scott
Senner
Sickles
Springer
Stalbaum
Steed
Sweeney
Talcott
Thomas
Thompson, N.J.
Toll
Trimble
Tupper
Van Deerlin
Walker, Miss.
Watkins
Watson
Whalley
Whitten
Williams
Willis
Wilson, Bob
Wilson, Charles H.
Wyatt
Zablocki

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Rooney of New York with Mrs. Bolton.
Mr. Multer with Mr. Fino.
Mr. Fogarty with Mr. Gerald R. Ford.
Mr. Miller with Mr. Don H. Clausen.
Mr. Cohelan with Mr. Talcott.
Mr. Annunzio with Mr. Pelly.
Mr. Griegg with Mr. Broyhill of North Carolina.
Mr. Love with Mr. Callaway.
Mr. Gilbert with Mr. Tupper.
Mr. O'Neill of Massachusetts with Mr. Morse.
Mr. Matsunaga with Mr. Gurney.
Mr. Dyal with Mr. Bob Wilson.
Mr. Morrison with Mr. Martin of Massachusetts.
Mr. Holifield with Mr. Hosmer.
Mr. Thompson of New Jersey with Mrs. Dwyer.
Mr. Leggett with Mr. Reinecke.
Mr. Cameron with Mr. Del Clawson.
Mr. Burton of California with Mr. Bell.
Mr. Brown of California with Mr. Saylor.
Mr. Giaimo with Mr. Walker of Mississippi.
Mr. Roybal with Mr. Reifel.
Mr. Charles H. Wilson with Mr. Wyatt.
Mr. Hanna with Mr. Nix.
Mr. Moss with Mr. Mathias.
Mr. Macdonald with Mr. Conyers.
Mr. St. Onge with Mr. Frelinghuysen.
Mr. O'Neal of Georgia with Mr. Watson.
Mr. Fraser with Mr. Quie.
Mr. Grabowski with Mr. Morton.
Mrs. Mink with Mr. Rivers of South Carolina.
Mr. Whitten with Mr. Steed.
Mr. Williams with Mr. Scheuer.
Mr. Colmer with Mr. Resnick.
Mr. Abernethy with Mr. Dorn.
Mr. Burleson with Mr. Berry.
Mr. Stalbaum with Mr. Hawkins.
Mr. Jennings with Mr. Flynt.
Mr. Brooks with Mr. Holland.
Mr. Howard with Mr. Springer.
Mr. Hébert with Mr. Quillen.
Mr. Kornegay with Mr. Hutchinson.
Mr. Grider with Mr. Whalley.
Mr. Van Deerlin with Mr. Burton of Utah.
Mr. Trimble with Mr. Watkins.
Mr. Zablocki with Mr. Martin of Nebraska.
Mrs. Thomas with Mr. Edwards of Alabama.
Mr. Senner with Mr. Ellsworth.
Mr. Roberts with Mr. Martin of Alabama.
Mr. Ashley with Mr. Bingham.
Mr. Jarman with Mr. Helstoski.
Mr. Rostenkowski with Mr. Scott.
Mr. Sickles with Mr. Sweeney.
Mr. McDowell with Mr. Toll.
Mr. Pool with Mr. Farnum.
Mr. Evins of Tennessee with Mr. Farbstein.
Mr. Edmondson with Mr. Dow.
Mr. Dent with Mr. Dingell.
Mr. Celler with Mr. Clevenger.
Mr. Daniels with Mr. Powell.
Mr. Purcell with Mr. Minish.
Mr. Everett with Mr. Fallon.
Mr. Foley with Mr. de la Garza.
Mr. Cabell with Mr. Irwin.
Mr. Blatnik with Mr. St Germain.
Mr. Mackay with Mr. McMillan.
Mr. Landrum with Mr. Krebs.
Mr. McVicker with Mr. Willis.
Mr. Duncan of Oregon with Mr. Hardy.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

INCREASING THE AUTHORIZATION FOR APPROPRIATION FOR CONTINUING WORK IN THE MISSOURI RIVER BASIN BY THE SECRETARY OF THE INTERIOR

Mr. ROGERS of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 14312) to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior, as amended.

The Clerk read as follows:

H.R. 14312

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated for fiscal years 1967 and 1968 the sum of $60,000,000 for continuing the works in the Missouri River Basin to be undertaken by the Secretary of the Interior pursuant to the comprehensive plan adopted by section 9(a) of the Act approved December 22, 1944 (Public Law Numbered 534, Seventy-eighth Congress), as amended and supplemented by subsequent Acts of Congress. No part of the funds hereby authorized to be appropriated shall be available to initiate construction of any unit of the Missouri River Basin project, whether included in said comprehensive plan or not.

The SPEAKER. Is a second demanded?

Mr. SKUBITZ. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Texas [Mr. ROGERS] is recognized for 20 minutes.

Mr. ROGERS of Texas. Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Speaker and Members of the House, this bill comes before the House at this time under this procedure not because of any policy involved, but purely because of the amount of money which is involved, which makes it ineligible to be considered under the Consent Calendar.

Mr. Speaker, first, let me make it clear that this bill relates only to the Interior Department's program in the Missouri River Basin and does not involve the work of the Corps of Engineers. This legislation does not authorize any new work and, as a matter of fact, has the effect of prohibiting the start of any new units of the Missouri River Basin project by the Bureau of Reclamation until they have been authorized or reauthorized by the Congress. The purpose of H.R. 14312 is to increase the authorization for appropriations for continuing the work on the Missouri River Basin project which the Bureau of Reclamation already has underway.

The amount of the increase is $60 million and is confined to appropriations for fiscal years 1967 and 1968. This amount will be sufficient to take care of the program which the Department has in mind for these 2 fiscal years and which it has already submitted to the Congress for review.

This legislation is necessary because, without it, the Department would be without authority, after June 30 of this year, to complete the construction of those projects and units which are already underway in the Missouri River Basin.

Mr. Speaker, this is limiting legislation which is designed to retain in the Congress better control of the Department's program in the Missouri Basin. It places restrictions upon the construction authority previously given the Department of the Interior. Our committee, several years ago, initiated a review of the work which the Department and the Bureau of Reclamation were doing in the Missouri River Basin. As a result of this study and review, we reached the conclusion that no additional units of the Missouri River Basin project should be started until they had been further studied and authorized or reauthorized by the Congress, regardless of whether or not they are included in the comprehensive Missouri River Basin plan approved in the 1944 Flood Control Act. Two years ago, the committee brought to the House and the House approved legislation, similar to this, authorizing appropriations for the Bureau's program in fiscal years 1965 and 1966. That legislation included the same limitations that are in the legislation we are considering today, and it has proved to be effective in accomplishing what we had in mind. It permits our committee to meet its oversight responsibility. I believe that we now have the Interior Department portion of the Missouri River Basin project under control and, from now on, the program should be conducted in a more orderly manner.

When the units presently under construction are completed, there will be no further need for legislation such as this, because the authority for appropriations for additional units that are authorized or reauthorized will be included in the authorizing acts for those units.

Mr. Speaker, this is necessary and meritorious legislation and I know of no objection to it. I urge its approval by the House.

Mr. SKUBITZ. Mr. Speaker, I rise in support of H.R. 14312, to increase the authorization for appropriation for the Missouri River Basin project.

This bill would increase by $60 million the authorization for appropriations to continue the work by the Bureau of Reclamation of the Department of the Interior on the Missouri River Basin project. Public Law 534 of the 78th Congress, authorized the appropriation of $200 million for partial accomplishment of the works to be undertaken by the Secretary of the Interior in connection with the initial stages of the Missouri River Basin project. Since the passage of the Flood Control Act of 1944, Congress has, by subsequent acts, increased the funds authorized to be appropriated for carrying out the comprehensive plan of development of the Missouri River Basin project.

This legislation is a similar step and increases the funds authorized to be appropriated to a total of $1,006 million through fiscal 1968. The legislation also provides that if H.R. 14312 is enacted, no part of the funds authorized to be appropriated shall be available to initiate construction of any unit of the Missouri River Basin project, whether included in the comprehensive plan or not, which has not been authorized since August 14, 1964, or is not hereafter authorized by an act of Congress. This is in keeping with the committee's approach which requires separate authorization before initiation of construction of additional units.

Mr. Speaker, the act of August 14, 1964, the last act of Congress authorizing Missouri River Basin project authorizations, confines the appropriations to fiscal years 1965 and 1966. The present authorization will expire on June 30, 1966. If the Department of the Interior is to continue its studies and construction for the development of the Missouri River Basin comprehensive plan, after June 30, 1966, it is necessary that this body suspend the rules and pass H.R. 14312.

The SPEAKER. The question is on the motion of the gentleman from Texas that the House suspend the rules and pass the bill H.R. 14312, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ADDITIONAL POSITIONS FOR CERTAIN DEPARTMENTS AND AGENCIES

Mr. HENDERSON. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2393) to authorize additional GS-16, GS-17, and GS-18 positions for use in agencies or functions created or substantially expanded after June 30, 1965, with the committee amendment printed in the bill.

The Clerk read as follows:

S. 2393

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 505(b) of the Classification Act of 1949, as amended (5 U.S.C. 1105(b)), is amended to read as follows:

"(b) Subject to subsections (c), (d), (e), (f), (g), (j), (k), and (l) of this section, a majority of the Civil Service Commissioners are authorized to establish and, from time to time, revise the maximum number of positions, not to exceed an aggregate of twenty-seven hundred positions which may be placed in grades 16, 17, and 18 of the General Schedule at any one time. Such number of positions shall be in addition to—

"(1) any professional engineering positions primarily concerned with research and development and professional positions in the physical and natural sciences and medicine which may be placed in such grades, and

"(2) two hundred and forty examiner positions under section 11 of the Administrative Procedure Act (5 U.S.C. 1010) which may be placed in grade 16 of the General Schedule and nine such positions which may be placed in grade 17 of the General Schedule.".

(b) Section 505(c) of such Act, as amended (5 U.S.C. 1105(c)), is amended—

(1) by inserting "(1)" immediately following "(c)"; and

(2) by adding at the end thereof the following paragraph:

"(2) The Librarian of Congress is authorized, subject to the procedures prescribed by this section, to place a total of thirty-five positions in the Library of Congress in grades 16, 17, and 18 of the General Schedule. Such positions shall be in addition to the number of positions otherwise authorized by law to be placed in such grades.".

(c) Section 505(d) of such Act, as amended (5 U.S.C. 1105(d)), relating to additional positions for the General Accounting Office in grades 16, 17, and 18 of the General Schedule, is amended by striking out "thirty-nine positions" and inserting in lieu thereof "seventy positions".

(d) Section 505(e) of such Act, as amended (5 U.S.C. 1105(d)), relating to additional positions for the Federal Bureau of Investigation, United States Department of Justice, in grades 16, 17, and 18 of the General Schedule, is amended by striking out "seventy-five positions" and inserting in lieu thereof "one hundred and twenty-five positions".

(e) The Act entitled "An Act to provide certain administrative authorities for the National Security Agency, and for other purposes", approved May 29, 1959 (50 U.S.C. 402, note), as amended, is amended—

(1) by striking out, in section 2 thereof, "sixty-five such officers and employees" and inserting in lieu thereof "seventy-five such officers and employees"; and

(2) by striking out, in section 4 thereof, "sixty civilian positions" and inserting in lieu thereof "ninety civilian positions".

(f) Section 3301 of title 39, United States Code, relating to personnel requirements of the postal field service, is amended by striking out "salary levels 18, 19, and 20" and inserting in lieu thereof "salary levels 19 and 20".

The **SPEAKER**. Is a second demanded?

Mr. **GROSS**. Mr. Speaker, I demand a second.

The **SPEAKER**. Without objection, a second will be considered as ordered.

There was no objection.

Mr. **HENDERSON**. Mr. Speaker, I yield myself such time as I may consume.

GENERAL LEAVE TO EXTEND

Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on this bill.

The **SPEAKER**. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. **HENDERSON**. Mr. Speaker, the Post Office and Civil Service Committee, on June 2, unanimously reported out S. 2393, as amended, to provide top level jobs for the departments and agencies of the Federal Government. This bill, which was approved by the Senate on September 1, 1965, was referred to the Committee on Post Office and Civil Service last September. The bill, as passed by the Senate, provided for 100 additional supergrades to be allotted by the President for new programs. The bill, in my opinion, was at that time a temporary measure of a stopgap nature. Due to a lack of time, since the first session of the Congress was nearing adjournment, it was decided to hold hearings during this session with the purpose of reviewing the total needs of all the Federal Government for top level jobs, that is, positions in the salary grades GS–16, GS–17, and GS–18, under the Classification Act. May I also indicate that this procedure was acceptable to the administration.

Earlier this year the Subcommittee on Manpower, of which I have the honor to be chairman, held public hearings relative to the needs of the departments and agencies for supergrades. The Chairman of the Civil Service Commission appeared in behalf of the executive branch. The Comptroller General and the Librarian of the Congress appeared in their own behalf for the General Accounting Office and the Library of Congress.

Since 1961, the Committee on Post Office and Civil Service has had a procedure for controlling supergrades. The Congress, by approving H.R. 7377 in 1961, placed the control of supergrades in the hands of the Commissioners of the U.S. Civil Service Commission. By a majority vote, the Commissioners approve the pay grade level of proposed supergrade positions. They also assign priorities for the filling of these positions and approve the qualifications of the nominees for the supergrade positions.

Prior to 1961 almost weekly legislation was coming up to the floor of the House from various committees with provisions for additional supergrades—especially created and with little or no control by the Civil Service Commission, or the Post Office and Civil Service Committee, charged by the House with this responsibility. We have not found any method for controlling top level positions superior to the present procedure.

The bill we have before us today, S. 2393, as amended, continues this control. The U.S. Civil Service Commissioners will be provided 300 additional supergrades for use in the departments and agencies of the executive branch. The Comptroller General of the General Accounting Office and the Librarian of the Congress are to receive an additional number of supergrades but the Civil Service Commissioners will continue to evaluate the proposed top level positions and the qualifications of the nominees in both GAO and the Library of Congress.

S. 2393, as amended, represents the administration's requirements and is sponsored by the administration.

We have today in the Federal Government 4,449 positions in pay grades GS–16, 17, and 18. In addition, there are 1,306 engineering and scientific positions as provided by Public Law 313. This makes a total of 5,755 positions in the supergrade category.

This is the first legislation since 1961, providing for additional supergrades. Our review of operations throughout the Federal Government indicates in general the following reasons for additional top level positions at this time. They are as follows:

First. New and expanded functions in the Federal Government such as medicare and drug control in the Department of HEW and water resources in the Department of Interior;

Second. Effects from an increasing population and changes in our economy, as reflected in the overall operations in the Post Office Department and the Department of Commerce;

Third. Reorganizations, as for example the Department of Housing and Urban Development, and the Bureau of Customs in the Treasury Department, and;

Fourth. Manpower changes in the Department of Defense.

S. 2393, as amended, does the following things:

First. Authorizes an additional 300 supergrades for the executive departments and agencies, to be administered by the majority of the Civil Service Commissioners;

Second. Allocates 35 supergrades to the Librarian of Congress, which represents an increase of 13 supergrades for the Library;

Third. Increases by 31 the number of supergrades for the General Accounting Office;

Fourth. Increases by 50 the number of supergrades for the Federal Bureau of Investigation, Department of Justice;

Fifth. Increases by 40 the number of supergrade level positions for the National Security Agency, this includes 10 supergrades and 30 positions for scientific and engineering research.

This makes a total of 456 additional positions in the supergrade level and we expect this number to be sufficient, barring some unforeseen problems, for at least 2 to 3 years. However, the Chairman of the Civil Service Commission, Hon. John Macy, was advised by the committee that if and when problem areas do arise to report back to the committee.

Mr. Speaker, the bill before us today also does two other things. S. 2393 eliminates the sublimitation of jobs in grades GS–17 and GS–18. For several years the Defense Department has operated without the so-called sublimitation. In fact, the Post Office and Civil Service Committee voted out a supergrade bill in 1961, H.R. 7377, which removed this limitation and it passed the House. The Senate restored the sublimitation. The committee believes the degree of flexibility always intended by the House is needed. Therefore, S. 2393 provides for this flexibility.

S. 2393 amends section 3301 of title 39, United States Code, by removing level 18 of the Postal Field Service salary schedule from a numerical limitation. At present, there is a limit of 70 on the number of Postal Field Service positions in grades PFS–18, 19, and 20. Postal Field Service grade 18, I feel, is properly comparable to grade GS–15 of the classified service, which is not a supergrade and, therefore, is not restricted as to numbers. It is my opinion that by removing this limitation top management in the Post Office Department will have additional personnel flexibility to provide for better long-range planning, modernization, and operational improvements. Postal Field Service jobs in grades 19 and 20 will continue to be under the ceiling limitation.

Mr. Speaker, as chairman of the subcommittee which developed S. 2393, as amended, I strongly support and urge its approval by the House.

Mr. GROSS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 2393, as amended.

The bill before us today creates some 456 additional supergrade positions for the Federal Government. Undoubtedly many of these positions are needed now in such areas as accelerated workload in General Accounting Office, Federal Bureau of Investigation, and the military services. However, I feel that the number in this bill is quite adequate and trust that the administration will not be back to the committee in the near future for an additional number.

In 1961, and now again today, I supported legislation creating additional supergrades because I feel that our present procedure for controlling these top level positions is far better than the haphazard approach prior to 1961. At least under the present procedure, which this bill continues, the departments and agencies of the Government are required to go to the Civil Service Commission for these positions. Not only is a majority vote of the Civil Service Commissioners required to approve the grade level of proposed supergrade positions, but also the Commissioners have a priority system for allocating these jobs among the departments and agencies. The Commissioners must also approve the qualifications of the nominees for these top positions. I am also happy to note that the staff of our committee works very closely with officials in the U.S. Civil Service Commission regarding this important manpower problem.

Mr. Speaker, I feel that the House in approving these supergrades today must emphasize to the departments and agencies that this is not a license for continued inflation in the grade structure of the Classification Act. The creation of additional GS–16 spaces must not be assumed to be the green light for promoting existing GS–15 employees. I am confident Chairman Macy and his staff share this feeling. I, for one, will expect the departments and agencies to exercise caution in the creation of new jobs and hope that our able chairman of the Manpower Subcommittee, the gentleman from North Carolina, Hon. David N. Henderson, will continue to review the utilization of these supergrades in the departments and agencies.

Mr. Speaker, I believe that the House should today approve S. 2393.

Mr. DERWINSKI. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from Illinois.

Mr. DERWINSKI. Mr. Speaker, I wish to join the chairman of the subcommittee [Mr. Henderson], and the minority leader of the subcommittee [Mr. Gross], in support of this legislation. I think this is a practical method for handling the needs of the agencies and departments for increased effective personnel. Especially I would like to underscore the point made by the gentleman from Iowa [Mr. Gross], that the subcommittee will keep a close eye on the method of allocation, including the question as to whether these new supergrades will attract competent people from the private sector of the economy or whether it will just be used for the promotion of people now working in the Federal Government hierarchy.

This is an area where the committee will sustain its interest. I would also like to point out that we have provided increased supergrades in the General Accounting Office and the Library of Congress, two areas where we in Congress have a special interest. I feel their request is well merited. Mr. Speaker, I join the gentleman from Iowa also in commending the gentleman from North Carolina, our chairman, for his very judicial production of this bill.

Mr. GROSS. Mr. Speaker, I thank the gentleman for his comments, and I now yield 1 minute to the gentleman from Alabama [Mr. Buchanan].

Mr. BUCHANAN. Mr. Speaker, I join my distinguished colleagues in support of this legislation. I would like to join the gentleman from Illinois [Mr. Derwinski] in praising our distinguished subcommittee chairman for his work as well as the work of the ranking minority member, the gentleman from Iowa [Mr. Gross]. It is a privilege to serve with these two gentlemen.

Mr. Speaker, as our able chairman, the gentleman from North Carolina [Mr. Henderson], has pointed out, S. 2393 continues a procedure which I feel is sound; namely, to allocate en bloc supergrades to the U.S. Civil Service Commission, which in turn has the responsibility for evaluating the positions themselves and the qualifications of the people for these supergrade jobs.

Mr. Speaker, I concur with the gentleman from Iowa, in the hope that our Manpower Subcommittee will continue to review the controls administered by the U.S. Civil Service Commissioners in this very important manpower area. Thus far, in my judgment, the Commissioners have fulfilled this function well. The Manpower Subcommittee has, in my 2 years' observation, done an effective job of monitoring the operations of the Commission. I am inclined to believe that our chairman, the staff, and the committee will continue to fulfill this responsibility, and urge the passage of this legislation.

Mr. GROSS. Mr. Speaker, I have one other request for time. I now yield 1 minute to the gentleman from Missouri [Mr. Hall].

Mr. HALL. Mr. Speaker, I would like to ask the gentleman from North Carolina, the chairman of the subcommittee of the Committee on Post Office and Civil Service, one question. I listened attentively to what he said, and I have listened to everyone who seems to be unusually alined in favor of these new 456 supergrades in the Federal Government which from time to time some of us have already thought was gargantuan.

But I have not heard anything about what the total cost might be, estimated or actual. I understand that some of this may come from promotions of GS–12's and 15's and so forth to these "supergrades." But what could the total additional amount and cost to the taxpayer be for these vacancies?

Mr. HENDERSON. Mr. Speaker, will the gentleman yield?

Mr. HALL. I shall be glad to yield to the distinguished gentleman from North Carolina.

Mr. HENDERSON. The question of cost was raised by the members of the subcommittee, and as the report sets forth, on page 6, the best cost estimate that could be obtained was taken from the testimony of Chairman John Macy, Chairman of the Civil Service Commission, who testified that, based upon experience and the average cost of additional persons authorized by the bill, S. 2393, it would be approximately $2,000 per year per person.

Mr. Speaker, since there are some 456 additional positions, the estimated annual cost of the enactment of the legislation would be $912,000.

Mr. Speaker, I believe this is a fair estimate; at least, this is the best that we have. Of course, the subcommittee recognizes that, to meet that, your increase to the number of top-level positions, the direct cost of those positions may not be the the entire cost to the Federal Government. And, if there is inflation, promotions from within, and those positions are then filled, there can be a spiraling cost.

Mr. Speaker, I would like to assure the gentleman from Missouri and the other Members of the House that the subcommittee will continue its surveillance over the method that is used for filling these positions so that we can have realistic control over the cost involved.

Mr. HALL. Mr. Speaker, I thank the gentleman from North Carolina for his unusually erudite answer and his ready answers as always, showing good homework and backgrounding.

However, Mr. Speaker, I have generated one additional question:

Do I understand that in addition to the unanimous-consent request which we passed for the Post Office Department today providing for a new Assistant Postmaster General for Research and Development, and in view of the fact, as is stated in the report on page 2, under "Purpose," many of the supergrades will be for research and development; that the Postmaster General would have to get his additional help for this new sub-Cabinet position out of the 300 in the civil service pool?

Mr. HENDERSON. Mr. Speaker, will the gentleman yield further?

Mr. HALL. I yield further to the gentleman from North Carolina.

Mr. HENDERSON. Mr. Speaker, as it stands at the present, this is correct.

Mr. HALL. It is my further information that 35 of these supergrades are allocated in addition to the pool to the Library of Congress, 31 to the General Accounting Office, 50 to the FBI, and 40 to the National Security Agency. All of those positions, Mr. Speaker, I personally deem very worthwhile positions based upon my personal information and investigation of these areas as a member of the Joint Committee on the Organization of the Congress, and the Committee on Armed Services of this body.

Mr. HENDERSON. Mr. Speaker, if the gentleman will yield further, this is correct.

However, in referring to the Post Office Department specifically, for their supergrades they would have to get their supergrades from the pool that is granted to the Civil Service Commission. But in order to be completely responsive to the gentleman and to inform the gentleman as to what this bill does with respect to the Post Office Department, I would like to point out that the bill, as amended, does amend section 3301 of title 31 of the United States Code, by removing level 18 of the postal field service salary schedule from a numerical limitation. At the present time there is a limit of 70 on the number of postal field service positions in grades PFC–18, PFC–19, and PFC–20. The postal field service grade 18, we felt on the subcommittee, is probably comparable to GS–15 of the Classified Service Act which is not a supergrade and is not restricted to numbers. If this legislation is adopted we will bring the Post Office Department in line with the other agencies.

Of course, it could be contended—and I wanted the gentleman from Missouri to be fully informed—that in this instance we are, in addition to the supergrades, assisting the Post Office Department in providing better management and flexibility at the top level.

Mr. HALL. Mr. Speaker, I thank the gentleman from North Carolina, and I thank the gentleman from Iowa for yielding.

Mr. Speaker, I think this comes within the bailiwick of a good personnel program, and I commend the committee for its action.

Mr. LONG of Maryland. Mr. Speaker, I am delighted to rise in support of S. 2393 to provide for 456 additional career positions in certain departments and agencies of the Federal Government.

I was pleased to introduce legislation to create additional supergrade positions last summer. The need for increased leadership positions was evident then, and it is even more evident now. Vital new responsibilities have been thrust upon the Federal Government in the past few years; and the only way to meet these responsibilities is to give authority to the U.S. Civil Service Commission—for the first time since 1962—to allocate a number of new positions for Government-wide use at the GS–16, GS–17, and GS–18 grade levels.

Since the headquarters of the Social Security Administration is in my district, I have, of course, been particularly mindful of the situation of that agency. I have kept abreast of the tremendous growth in the social security program, and I am familiar with the problems social security has faced in its efforts to maintain its high standards of efficiency and service. Let me point out what I consider to be a matter of vital concern.

Even before the enactment of medicare last year, the Social Security Administration was operating the largest insurance program of its kind in the world. It now pays almost $18 billion a year in cash benefits to 1 out of every 10 Americans. It serves tens of thousands daily through a nationwide network of more than 700 district and branch offices and requires a current staff of 43,000 people to conduct its operation.

In establishing medicare, the Social Security Amendments of 1965 created two completely new national programs of hospital and supplemental medical insurance which will affect more than 19 million of the Nation's senior citizens. At the same time, the old-age, survivors, and disability insurance program was broadened and improved. These additions to the social security program have presented demanding administrative challenges to the Social Security Administration. Broad-scale, extensive consultations are, and will be, required with professional organizations and with organizations representing the Nation's hospitals and others who furnish reimbursable health services. New operating policies and recordkeeping procedures, including those governing the huge task of establishing the entitlement of 19 million persons 65 years of age and over for the hospital insurance program, are of a scope never before undertaken in the health field.

Believe it or not, with all these responsibilities, the Social Security Administration presently has only 16 supergrades.

The top-level executives of the Social Security Administration who have met the challenges of the large program over the years have exercised ingenuity and foresight. Successive major amendments to the Social Security Act have been effectively and economically implemented. Yet, considering the scope of their roles in program administration and its effect on the welfare of the people, these key officials have not been adequately compensated for their ability or for their efforts and accomplishments.

Of course, the Social Security Administration is not the only agency that plays such a vital role in building the Great Society. Several other agencies share this task. Leadership in this effort requires the talents of many men and women at the top, both today and in the years ahead. It is now the responsibility of Congress to help attract and keep leaders in government. S. 2393 will help to meet this responsibility, and I therefore urge that it be passed.

Mr. HANLEY. Mr. Speaker, I rise in support of S. 2393, as amended. The able chairman of our Manpower Subcommittee, Hon. DAVID N. HENDERSON of North Carolina, has done a fine job, a complete job, of analyzing the current needs of the departments and agencies of the Federal Government relative to top level positions, that is, positions in salary grades GS–16, GS–17, and GS–18 under the Classification Act.

The Manpower Subcommittee held public hearings and our staff worked closely with the Civil Service Commission relative to the needs of the departments and agencies. I believe that the bill before us today, S. 2393, is reasonable and is well justified.

I certainly appreciate the timely effort on the part of our chairman and the other members of our committee in voting the bill out of the committee for I feel that many of these key jobs are needed now.

Mr. Speaker, I am happy to join my colleagues in support of S. 2393.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill with an amendment?

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed.

The title was amended so as to read: "An Act to provide for additional positions in certain departments and agencies, and for other purposes."

A motion to reconsider was laid on the table.

BEHAVIORAL SCIENCES AND THE NATIONAL SECURITY

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, more than 3 years ago, in the course of a stimulating session with the late Edward R. Murrow, the House Foreign Affairs Subcommittee on International Organizations and Movements launched an inquiry into the operations which comprise the fourth dimension of our foreign policy—the dimension which is concerned with the U.S. image abroad, and with influencing the attitudes of the peoples, and of the governments, of foreign countries.

In the months, then years, which followed, we held numerous hearings, probing into the organization, the management, and the direction of a multitude of governmental programs designed to lend support to the diplomatic, economic, and military components of our foreign policy.

We also consulted extensively with individuals and organizations in the private sector—with communications media specialists, with behavioral and other social scientists, and with the representatives of American voluntary organizations and of U.S. firms conducting business abroad.

Our findings and conclusions, as well as our recommendations for actions which we deemed to be in our national interest, were outlined in a series of reports and studies published by the subcommittee. I shall refer to some of those publications in the course of my remarks.

One area which was of particular interest to our subcommittee in this investigation deals with the role of the behavioral sciences—with what they tell us about human attitudes and motivations, and how this knowledge is being—or can be—applied to governmental undertakings designed to carry out our foreign policy objectives.

SERIOUS SHORTCOMINGS

Much to our surprise and regret, we found that the situation prevailing in this area—insofar as governmental operations and our Government's relations with the academic community are concerned—is it a state of considerable disrepair.

We found, for example, that a disproportionately small part of our Government's annual $16 billion outlay on research and development is being devoted to research in the fields of the social and behavioral sciences—and that funds spent on foreign policy-related research account for only a fraction of the latter amount.

We also found that the bulk of research relevant to the achievement of our national objectives on the international scene is being conducted by agencies which do not have direct responsibility for the formulation and execution of our foreign policy.

We found, further, that coordination between governmental research programs in these fields was inadequate—that duplication and research gaps mar the results of our national effort in this area—and that the allocation of scarce resources, both manpower and financial, is not related to any orderly, long-term projection of our national needs and resulting priorities.

We found, in brief, that our effort in the field of the social and behavioral sciences is fragmented and uncoordinated—and that this is creating increasing problems for the Government as well as for the academic and professional communities which have endeavored to assist in meeting our national requirements.

Most of our findings on this subject were detailed in two reports—in House Report No. 1352, of the 88th Congress, entitled "Ideological Operations and Foreign Policy," and in House Report No. 1224, of the 89th Congress, entitled "Behavioral Sciences and the National Security."

REMEDIES PROPOSED

In submitting our findings to the Congress, our subcommittee made a number of specific recommendations for correcting the disorder which exists in this area.

Some of those recommendations appear to have produced encouraging—although very modest—results.

In 1964, for example, an interagency Foreign Area Research Coordination Group—FAR—was established under the chairmanship of a Department of State representative, to serve as a forum for the interchange of information between Government agencies sponsoring research relating to foreign affairs.

Again—last year—following the widespread publicity arising out of Project Camelot and the initiation of hearings on this subject by our subcommittee, two steps were taken—one within the Department of Defense and the other on an interagency basis—to reduce the risk of Government sponsorship of foreign affairs research which could adversely affect our foreign relations.

The Department of Defense moved to designate a central point for the coordination and clearance of all research relating to foreign affairs, performed by or for the Military Establishment.

And the Foreign Research Council, created within the Department of State, was given the task of reviewing all Government-sponsored research relating to foreign affairs.

These and other steps, while helpful in some respects, fall considerably short of curing the basic problems to which I alluded a few minutes ago.

BILLS BEING INTRODUCED

For this reason, I am today introducing three separate bills in the House of Representatives, with the hope of stimulating discussion—and constructive action—to further remedy the flaws which continue to plague our Government's approach to the social and behavioral sciences.

These bills result from our subcommittee's continuing investigation of the formulation and implementation of our foreign policy. Two of them are based directly on the recommendations embodied in our subcommittee's last report on "Behavioral Sciences and the National Security." Nevertheless, all three of them have implications which transcend the field of foreign policy. They should be of interest to social and behavioral scientists and to governmental agencies—specializing in other fields.

I shall describe the three bills briefly and then include their full texts in the RECORD at the conclusion of my remarks.

WHITE HOUSE CONFERENCE ON THE SOCIAL AND BEHAVIORAL SCIENCES

My first bill, H.R. 15457, proposes the establishment of a Presidential Commission to prepare the groundwork for a White House Conference on the Social and Behavioral Sciences.

Pursuant to the bill, the Commission would be appointed by the President and confirmed by the Senate.

It would be composed of 12 members, selected from private life among recognized leaders in the social and behavioral sciences.

The purpose of the Commission would be to conduct such studies and investigations as it may deem necessary to make recommendations to the President with respect to the time for convening a White House Conference on the Social and Behavioral Sciences, the subject matters to be included in the agenda of such a conference, the individuals and organizations to be invited to participate, and related issues.

The Commission is directed to submit its report within 1 year after the enactment of the authorizing legislation.

To aid it in its work, the Office of Science and Technology in the Executive Office of the President is authorized to provide the Commission with the necessary staff assistance.

This is the first step. It is directed to the examination of our national effort in the social and behavioral sciences. It is also intended to bring to bear upon Government policy, the knowledge, the experience, and the insights of the leading social and behavioral scientists in our country.

OFFICE OF SOCIAL SCIENCES

My second proposal, embodied in H.R. 15458, calls for the establishment, in the Executive Office of the President, of the Office of Social Sciences.

This proposed Office is modeled on the already existing Office of Science and Technology which advises the President with respect to scientific policy and matters having a bearing on the national security and welfare.

The Director of the new office, created under my bill, would have a triple assignment:

First, it would be his responsibility to develop and encourage the pursuit of a national policy for the promotion of basic research and education in the social and behavioral sciences;

Second, he would be charged with the task of evaluating research programs in the social and behavioral sciences undertaken by agencies of the Federal Government;

And, third, he would assist the President as he may request with respect to the coordination of Federal activities in the social and behavioral sciences.

NATIONAL SOCIAL SCIENCES FOUNDATION

My third bill, H.R. 15459, deals with a proposal which has been discussed for a number of years but which has never been implemented: a proposal to establish a National Social Sciences Foundation.

The bill would create such a Foundation as an independent Federal agency.

The Foundation's affairs would be managed by a Board composed of 12 members appointed by the President for 6-year terms, an Executive Committee elected by the Board, and a Director. All of these Presidential appointments would be subject to Senate confirmation.

The functions of the Foundation can be summarized as follows:

First. To initiate and support basic research and programs to strengthen research potential in the social and behavioral sciences.

Second. To award scholarships and graduate fellowships in these fields.

Third. To foster the interchange of information among social and behavioral scientists in the United States and foreign countries.

Fourth. To evaluate the status and the needs of the various social and behavioral sciences, and to correlate its own programs with those undertaken by agencies of the Federal Government, by individuals, and by public and private research groups.

Fifth. To maintain a current register of social and behavioral scientists and technical personnel, and in other ways to provide a central clearinghouse for the collection, interpretation and analysis of data on the availability of, and the current and projected need for, information in the social and behavioral sciences.

And, sixth, to ascertain, and report to the President and the Congress, the flow of Federal funds for research in the social and behavioral sciences.

There are many other provisions in this legislation which deal with the general authority of the Foundation, international activities, security matters, personnel, coordination with foreign policy, and other subjects.

TO BEGIN A DIALOG

I wish to make clear that the three bills which I have authored are not intended to abolish any existing institutions or programs—to disrupt any projects which are underway—or to supplant any other efforts which may be undertaken to correct the shortcomings which have been of concern to our subcommittee.

I want to repeat that my sole purpose in introducing this legislation is to begin a dialog between the U.S. Government and the academic and professional communities on how best to resolve the problems which confront us in the area of the social and behavioral sciences.

I am not wedded to the specific provisions outlined in my bills. Some of them may prove to be unnecessary, and should then be discarded. Others may need to be modified. Still other proposals, not mentioned in my bills, may warrant inclusion in this legislation before it is enacted.

We must, however, begin some place. And the bills which I am introducing are intended as such a beginning.

I hope that this effort will be accepted in the spirit in which it was conceived and carried out.

I hope that interested individuals—in the Congress, in the executive branch of our Government, and in the private sector—will take up these bills, study them, and offer us their views and comments.

Together, we should be able to resolve this very complex situation to the mutual advantage of our Government and of the academic and professional communities, thereby strengthening our Nation's ability to cope with the multitude of problems which confront us at this troubled juncture of history.

H.R. 15457

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the policy of the Congress in the enactment of this Act to provide a means of furnishing the President information and recommendation with respect to the convening of a White House Conference on the Social and Behavioral Sciences for the purpose of examining our national efforts in these fields and to bring to bear upon Government policy the knowledge, the experience, and the insights of the leading social and behavioral scientists of our country.

ESTABLISHMENT

SEC. 2. There is established a commission to be known as the Commission on a White House Conference on the Social and Behavioral Sciences (hereafter in this Act referred to as "Commission").

PURPOSE OF COMMISSION

SEC. 3. The Commission shall conduct such studies and investigations as it may deem necessary to enable it to make recommendations to the President with respect to a White House Conference on the Social and Behavioral Sciences, including but not limited to recommendations with respect to the time for convening such a conference, recommendations with respect to the subject matters to be included in the agenda of such a conference, and recommendations with respect to individuals and organizations to be invited to participate in such a conference.

MEMBERSHIP

SEC. 4. NUMBER AND APPOINTMENT.—The Commission shall be composed of twelve members appointed by the President, by and with the advice and consent of the Senate. The members of the Commission shall be selected from private life from among recognized leaders in the social and behavioral sciences. A vacancy in the Commission shall be filled in the same manner as in the case of the original appointment.

COMPENSATION AND TRAVEL EXPENSES

SEC. 5. (a) Members of the Commission shall each be entitled to receive $100 for each day during which they are engaged in the actual performance of duties vested in the Commission.

(b) While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as the expenses authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

QUORUM

SEC. 6. Seven members of the Commission shall constitute a quorum.

CHAIRMAN

SEC. 7. The Chairman and Vice Chairman of the Commission shall be elected by the members of the Commission.

STAFF OF COMMISSION

SEC. 8. (a) The Commission shall utilize the services and personnel of the Office of Science and Technology and the Director of the Office of Science and Technology is authorized and directed to furnish such services and personnel at the request of the Chairman or Vice Chairman of the Commission.

(b) The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics for the purpose of this Act; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

REPORT

SEC. 9. Not later than one year after the date of enactment of this Act the Commission shall submit a final report to the President, together with such recommendations as it may deem appropriate.

TERMINATION

SEC. 10. The Commission shall cease to exist on the thirtieth day after submitting its final report pursuant to section 9.

AUTHORIZATION

SEC. 11. There is authorized to be appropriated such sums as may be necessary to carry out this Act.

H.R. 15458

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

OFFICE OF SOCIAL SCIENCES

SECTION 1. There is hereby established in the Executive Office of the President the Office of Social Sciences (hereafter in this Act referred to as the "Office").

DIRECTOR AND DEPUTY

SEC. 2. (a) There shall be at the head of the Office the Director of the Office of Social Sciences (hereafter in this Act referred to as the "Director"). The Director shall be appointed by the President by and with the advice and consent of the Senate and shall receive compensation at the rate prescribed for level II of the Federal Executive Salary Act of 1964.

(b) There shall be in the Office a Deputy Director of the Office of Social Sciences, who shall be appointed by the President by and with the advice and consent of the Senate and shall receive compensation at the rate prescribed for level III of the Federal Executive Salary Act of 1964. The Deputy Director shall perform such functions as the Director may from time to time prescribe and shall act as Director during the absence or disability of the Director or in the event of a vacancy in the office of Director.

(c) No person shall while holding office as Director or Deputy Director engage in any other business, vocation, or employment.

FUNCTIONS OF DIRECTOR

SEC. 3. (a) The Director shall develop and encourage the pursuit of a national policy for the promotion of basic research and education in the social and behavioral sciences; evaluate research programs in the social and behavioral sciences undertaken by agencies of the Federal Government; and assist the President as he may request with respect to the coordination of Federal activities in the social and behavioral sciences.

(b) The Director may from time to time make such provisions as he deems appropriate authorizing the performance of any of his functions by any other officer, or by any employee or agency, of the Office.

PERSONNEL

SEC. 4. The Director may appoint employees necessary for the work of the Office under the classified civil service and fix their compensation in accordance with the classification laws.

AMENDING THE FEDERAL EXECUTIVE SALARY SCHEDULE

SEC. 5. (a) Section 303(b) of the Federal Executive Salary Act of 1964 is amended by adding at the end thereof the following new paragraph:

"(20) Director of the Office of Social Sciences."

(b) Section 303(c) of such Act is amended by adding at the end thereof the following new paragraph:

"(47) Deputy Director, Office of Social Sciences."

(c) The amendments made by this section shall take effect on the first day of the first calendar month which begins on or after the date of enactment of this Act.

H.R. 15459

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "National Social Sciences Foundation Act".

ESTABLISHMENT OF NATIONAL SOCIAL SCIENCES FOUNDATION

SEC. 2. There is established in the executive branch of the Government an independent agency to be known as the "National Social Sciences Foundation" (hereafter in this Act referred to as the "Foundation"). The Foundation shall consist of a National Social Sciences Board (hereafter in this Act referred to as the "Board") and a Director.

FUNCTIONS OF THE FOUNDATION

SEC. 3. (a) The Foundation is authorized and directed—

(1) to initiate and support basic research and programs to strengthen research potential in the social and behavioral sciences by making contracts or other arrangements (including grants, loans, and other forms of assistance) to support such activities and to appraise the impact of research upon the general welfare;

(2) to award, as provided in section 10, scholarships and graduate fellowships in the social and behavioral sciences;

(3) to foster the interchange of information among social and behavioral scientists in the United States and foreign countries;

(4) to evaluate the status and needs of the various social and behavioral sciences as evidenced by programs, projects, and studies undertaken by agencies of the Federal Government, by individuals, and by public and private research groups, employing by grant or contract such consulting services as it may deem necessary for the purpose of such evaluations; and to take into consideration the results of such evaluations in correlating the research and educational programs undertaken or supported by the Foundation with programs, projects, and studies undertaken by agencies of the Federal Government, by individuals, and by public and private research groups;

(5) to maintain a current register of social and behavioral scientists and technical personnel, and in other ways to provide a central clearinghouse for the collection, interpretation, and analysis of data on the availability of, and the current and projected need for information in the social and behavioral sciences in the United States, including its territories and possessions, and to provide a source of information for policy formulation by other agencies of the Federal Government; and

(6) to initiate and maintain a program for the determination of the total amount of money for research in the social and behavioral sciences, including money allocated for the construction of the facilities wherein such research is conducted, received by each educational institution, nonprofit organization and private contractor in the United States, including its territories and possessions, by grant, contract, or other arrangement from agencies of the Federal Government, and to report annually thereon to the President and the Congress.

(b) In exercising the authority and discharging the functions referred to in subsection (a), it shall be one of the objectives of the Foundation to strengthen research and education in the social and behavioral sciences, including independent research by individuals, throughout the United States, including its territories and possessions, and to avoid undue concentration of such research and education.

(c) The Foundation shall render an annual report to the President for submission on or before the 15th day of January of each year to the Congress, summarizing the activities of the Foundation and making such recommendations as it may deem appropriate.

NATIONAL SOCIAL SCIENCES BOARD

Sec. 4. (a) The Board shall consist of twelve members to be appointed by the President, by and with the advice and consent of the Senate, and the Director ex officio. In addition to any powers and functions otherwise granted to it by this Act, the Board shall establish and be responsible for the policies of the Foundation.

(b) The Board shall have an Executive Committee as provided in section 7, and may delegate to it or to the Director or both such of the powers and functions granted to the Board by this Act as it deems appropriate.

(c) The persons nominated for appointment as members of of the Board (1) shall be eminent in the fields of the basic social sciences, behavioral sciences, education, or public affairs; (2) shall be selected solely on the basis of established records of distinguished service; and (3) be so selected as to provide representation of the views of social and behavioral sciences leaders in all areas of the Nation. The President is requested, in the making of nominations of persons for appointment as members, to give due consideration to any recommendations for nomination which may be submitted to him by the professional, scientific, and educational societies or associations in the fields of social and behavioral sciences and in education, or by other organizations in the fields of social and behavioral sciences and in education.

(d) The term of office of each member of the Board shall be six years; except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. Any person, other than the Director, who has been a member of the Board for twelve consecutive years shall thereafter be ineligible for appointment during the two-year period following the expiration of such twelfth year.

(e) The Board shall meet annually on the third Monday in May unless, prior to May 10 in any year, the Chairman has set the annual meeting for a day in May other than the third Monday, and at such other times as the Chairman may determine, but he shall also call a meeting whenever one-third of the members so request in writing. A majority of the members of the Board shall constitute a quorum. Each member shall be given notice by registered mail or certified mail mailed to his last known address of record not less then fifteen days prior to any meeting, of the call of such meeting.

(f) The election of the Chairman and Vice Chairman of the Board shall take place every second annual meeting. The Vice Chairman shall perform the duties of the Chairman in his absence. In case a vacancy occurs in the chairmanship or vice chairmanship, the Board shall elect a member to fill such a vacancy.

(g) The Board shall render an annual report to the President, for submission on or before the 31st day of January of each year to the Congress, on the status and health of the social and behavioral sciences and their various disciplines. Such report shall include an assessment of such matters as national resources and trained manpower, progress in selected areas of basic research, and an indication of those aspects of such progress which might be applied to the needs of American society. The report may include such recommendations as the Board may deem timely and appropriate.

(h) The Board may, with the concurrence of a majority of its members, permit the appointment of a staff consisting of not more than five professional staff members and such clerical staff members as may be necessary. Such staff shall be appointed by the Director and assigned at the direction of the Board. The professional members of such staff may be appointed without regard to the civil service laws or the Classification Act of 1949 and compensated at a rate not exceeding the appropriate rate provided for individuals in grade 15 of the General Schedule of the Classification Act of 1949, as may be necessary to provide for the performance of such duties as may be prescribed by the Board in connection with the exercise of its powers and functions under this Act. Each appointment under this subsection shall be subject to the same security requirements as those required for personnel of the Foundation appointed under section 13.

(i) The Board is authorized to establish such special commissions as it may from time to time deem necessary for the purposes of this Act.

(j) The Board is also authorized to appoint from among its members such committees as it deems necessary, and to assign to committees so appointed such survey and advisory functions as the Board deems appropriate to assist it in exercising its powers and functions under this Act.

DIRECTOR OF THE FOUNDATION

Sec. 5. (a) The Director of the Foundation (referred to in this Act as the "Director") shall be appointed by the President, by and with the advice and consent of the Senate. Before any person is appointed as Director, the President shall afford the Board an opportunity to make recommendations to him with respect to such appointment. The Director shall receive compensation at the rate provided for level II of the Federal Executive Salary Schedule and shall serve for a term of six years unless sooner removed by the President.

(b) Except as otherwise specifically provided in this Act (1) the Director shall exercise all of the authority granted to the Foundation by this Act (including any powers and functions which may be delegated to him by the Board), and (2) all actions taken by the Director pursuant to the provisions of this Act (or pursuant to the terms of a delegation from the Board) shall be final and binding upon the Foundation.

(c) The Director may from time to time make such provisions as he deems appropriate authorizing the performance by any other officer, agency or employee of the Foundation of any of his functions under this Act, including functions delegated to him by the Board; except that the Director may not redelegate policymaking functions delegated to him by the Board.

(d) The Director shall not make any contract, grant, or other arrangement pursuant to section 11(c) without prior approval of the Board if such contract, grant, or other arrangement involves a new type of program, or involves a total commitment of over $1,000,000 or over $250,000 in any one year, or a commitment of such other amount or amounts and subject to such other conditions as the Board in its discretion may determine and publish in the Federal Register.

(e) The Director, in his capacity as ex officio member of the Board, shall, except with respect to compensation and tenure, be coordinate with the other members of the Board. He shall be a voting member of the Board and shall be eligible for election by the Board as Chairman or Vice Chairman of the Board.

DEPUTY DIRECTOR AND ASSISTANT DIRECTORS

Sec. 6. (a) There shall be a Deputy Director of the Foundation (referred to in this Act as the "Deputy Director"), who shall be appointed by the President, by and with the advice and consent of the Senate. Before any person is appointed as Deputy Director, the President shall afford the Board and the Director an opportunity to make recommendations to him with respect to such appointment. The Deputy Director shall receive compensation at the rate provided for level III of the Federal Executive Salary Schedule and shall perform such duties and exercise such powers as the Director may prescribe. The Deputy Director shall act for, and exercise the powers of, the Director during the absence or disability of the Director or in the event of a vacancy in the office of Director.

(b) There shall be two Assistant Directors of the Foundation (each referred to in this Act as an "Assistant Director"), who shall be appointed by the President, by and with the advice and consent of the Senate. Before any person is appointed as an Assistant Director, the President shall afford the Board and the Director an opportunity to make recommendations to him with respect to such appointment. Each Assistant Director shall receive compensation at the rate provided for level V of the Federal Executive Salary Schedule and shall perform such duties and exercise such powers as the Director may prescribe.

EXECUTIVE COMMITTEE

Sec. 7. (a) There shall be an Executive Committee of the Board (referred to in this Act as the "Executive Committee"), which shall be composed of five members and shall exercise such powers and functions as may be delegated to it by the Board. Four of the members shall be elected as provided in subsection (b), and the Director ex officio shall be the fifth member and the chairman of the Executive Committee.

(b) At each of its annual meetings the Board shall elect two of its members as members of the Executive Committee, and the Executive Committee members so elected shall hold office for two years from the date of their election. Any person, other than the Director, who has been a member of the Executive Committee for six consecutive years shall thereafter be ineligible for service as a member thereof during the two-year period following the expiration of such sixth year. For the purposes of this subsection, the period between any two consecutive annual meetings of the Board shall be deemed to be one year.

(c) Any person elected as a member of the Executive Committee to fill a vacancy occurring prior to the expiration of the term for which his predecessor was elected shall be elected for the remainder of such term.

(d) The Executive Committee shall render an annual report to the Board, and such other reports as it may deem necessary, summarizing its activities and making such recommendations as it may deem appropriate. Minority views and recommendations, if any, of members of the Executive Committee shall be included in such reports.

DIVISIONS WITHIN THE FOUNDATION

SEC. 8. There shall be within the Foundation such Divisions as the Director, in consultation with the Board, may from to time determine.

SPECIAL COMMISSIONS

SEC. 9. (a) Each special commission established pursuant to section 4(i) shall consist of nine members appointed by the Board, five of whom shall be eminent social or behavioral scientists and four of whom shall be persons other than social or behavioral scientists. Each special commission shall choose its own chairman and vice chairman.

(b) It shall be the duty of each such special commission to make a comprehensive survey of research, both public and private, being carried on in its field, and to formulate and recommend to the Foundation at the earliest practicable date an overall research program in its field.

SCHOLARSHIPS AND GRADUATE FELLOWSHIPS

SEC. 10. The Foundation is authorized to award, within the limits of funds made available specifically for such purpose pursuant to section 15, scholarships and graduate fellowships for study, research, or other work in the social or behavioral sciences at appropriate nonprofit American or nonprofit foreign institutions selected by the recipient of such aid, for stated periods of time. Persons shall be selected for such scholarships and fellowships from among citizens or nationals of the United States, and such selections shall be made solely on the basis of ability; but in any case in which two or more applicants for scholarships or fellowships, as the case may be, are deemed by the Foundation to be possessed of substantially equal ability, and there are not sufficient scholarships or fellowships, as the case may be, available to grant one to each of such applicants, the available scholarship or scholarships or fellowship or fellowships shall be awarded to the applicants in such manner as will tend to result in a wide distribution of scholarships and fellowships among the several States, territories, possessions, and the District of Columbia. Nothing contained in this Act shall prohibit the Foundation from refusing or revoking a scholarship or fellowship award, in whole or in part, in the case of any applicant or recipient, if the Board is of the opinion that such award is not in the best interests of the United States.

GENERAL AUTHORITY OF FOUNDATION

SEC. 11. The Foundation shall have the authority, within the limits of available appropriations, to do all things necessary to carry out the provisions of this Act, including but without being limited thereto, the authority—

(a) to prescribe such rules and regulations as it deems necessary governing the manner of its operations and its organization and personnel;

(b) to make such expenditures as may be necessary for administering the provisions of this Act;

(c) to enter into contracts or other arrangement, or modifications thereof, for the carrying on, by organizations or individuals in the United States and foreign countries, including other government agencies of the United States and of foreign countries, of such research activities as the Foundation deems necessary to carry out the purposes of this Act, and, when deemed appropriate by the Foundation, such contracts or other arrangements or modifications thereof, may be entered into without legal consideration, without performance or other bonds and without regard to section 3709 of the Revised Statutes;

(d) to make advance, progress, and other payments which relate to activities under this Act without regard to the provisions of section 3648 of the Revised Statutes (31 U.S.C., sec. 529);

(e) to acquire by purchase, lease, loan, gift, or condemnation, and to hold and dispose of by grant, sale, lease, or loan, real and personal property of all kinds necessary for, or resulting from the exercise of authority granted by this Act;

(f) to receive and use funds donated by others, if such funds are donated without restriction other than that they be used in furtherance of one or more of the general purposes of the Foundation;

(g) to publish or arrange for the publication of information in the fields of social and behavioral sciences so as to further the full dissemination of such information consistent with the national interest, without regard to the provisions of section 87 of the Act of January 12, 1895 (28 Stat. 622), and section 11 of the Act of March 1, 1919 (40 Stat. 1270; 44 U.S.C., sec. 111);

(h) to accept and utilize the services of voluntary and uncompensated personnel and to provide transportation and subsistence as authorized by section 5 of the Act of August 2, 1946 (5 U.S.C. 73b-2) for persons serving without compensation; and

(i) to prescribe, with the approval of the Comptroller General of the United States, the extent to which vouchers for funds expended under contracts for research shall be subject to itemization or substantiation prior to payment, without regard to the limitations of other laws relating to the expenditure of public funds and accounting therefor.

INTERNATIONAL COOPERATION AND COORDINATION WITH FOREIGN POLICY

SEC. 12. (a) The Foundation is hereby authorized to cooperate in any international activities in the fields of the social and behavioral sciences consistent with the purposes of this Act and to expend for such international activities such sums within the limit of appropriated funds as the Foundation may deem desirable. The Director may defray the expenses of representatives of Government agencies and other organizations and of individuals to accredited international congresses and meetings whenever he deems it necessary in the promotion of the objectives of this Act. In this connection, with the approval of the Secretary of State, the Foundation may undertake programs, granting fellowships to, or making other similar arrangements with, foreign nationals for scientific study or scientific work in the United States without regard to section 10 or the affidavit of allegiance to the United States required by section 14(d)(1) of this Act.

(b)(1) The authority to enter into contracts or other arrangements with organizations or individuals in foreign countries and with agencies of foreign countries, as provided in section 11(c), and the authority to cooperate in international activities as provided in subsection (a) of this section, shall be exercised only with the approval of the Secretary of State, to the end that such authority shall be exercised in such manner as is consistent with the foreign policy objectives of the United States.

(2) If, in the exercise of the authority referred to in paragraph (1) of this subsection, negotiation with foreign countries or agencies thereof becomes necessary, such negotiation shall be carried on by the Secretary of State in consultation with the Director.

MISCELLANEOUS PROVISIONS

SEC. 13. (a) The Director shall, in accordance with such policies as the Board shall from time to time prescribe, appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this Act. Except as provided in section 4(h), such appointments shall be made and such compensation shall be fixed in accordance with the provisions of the civil service laws and regulations and the Classification Act of 1949: *Provided*, That the Director may, in accordance with such policies as the Board shall from time to time prescribe, employ such technical and professional personnel and fix their compensation, without regard to such laws, as he may deem necessary for the discharge of the responsibilities of the Foundation under this Act. The members of the special commissions shall be appointed without regard to the civil service laws or regulations.

(b) Neither the Director, the Deputy Director, nor any Assistant Director shall engage in any other business, vocation, or employment while serving in such position; nor shall the Director, the Deputy Director, or any Assistant Director, except with the approval of the Board, hold any office in, or act in any capacity for, any organization, agency, or institution with which the Foundation makes any grant, contract, or other arrangement under this Act.

(c) The members of the Board and the members of each special commission shall receive compensation at the rate of $100 for each day engaged in the business of the Foundation pursuant to authorization of the Foundation and shall be allowed travel expenses as authorized by section 5 of the Act of August 2, 1946 (5 U.S.C. 73b-2).

(d) Persons holding other offices in the executive branch of the Federal Government may serve as members of the special commissions, but they shall not receive remuneration for their services as such members during any period for which they receive compensation for their services in such other offices.

(e) In making contracts or other arrangements for research, the Foundation shall utilize appropriations available therefor in such manner as will in its discretion best realize the objectives of (1) having the work performed by organizations, agencies, and institutions, or individuals in the United States or foreign countries, including Government agencies of the United States and of foreign countries, qualified by training and experience to achieve the results desired, (2) strengthening the research staff of organizations, particularly nonprofit organizations, in the several States, territories, possessions, and the District of Columbia, (3) aiding institutions, agencies, or organizations which, if aided, will advance research in the social and behavioral sciences, and (4) encouraging independent research by individuals.

(f) Funds available to any department or agency of the Government for research in the social and behavioral sciences, or the provision of facilities therefor, shall be available for transfer, with the approval of the head of the department or agency involved, in whole or in part, to the Foundation for such use as is consistent with the purposes for which such funds were provided, and funds so transferred shall be expendable by the Foundation for the purposes for which the transfer was made.

SECURITY PROVISIONS

SEC. 14. (a) The Foundation shall not support any research or other activity relating to international cooperation, foreign policy, or foreign area research, nor shall it exercise any authority pursuant to section 11(e) in respect to any such activity, without first having obtained the concurrence of the Secretary of State that such activity will not adversely affect the foreign policy objectives of the United States.

(b)(1) In the case of research activities under this Act in connection with matters relating to the national defense, with respect to which funds have been transferred to the Foundation from the Department of Defense in accordance with the provisions of section 13(f) of this title, the Secretary of Defense shall establish such security requirements and safeguards, including restrictions with respect to access to information and property as he deems necessary.

(2) In the case of research activities under this title in connection with matters relating to the national defense other than research activities referred to in paragraph (1) of this subsection, the Foundation shall establish such security requirements and safeguards, including restrictions with respect to access to information and property, as it deems necessary.

(3) Any agency of the Government exercising investigatory functions is hereby authorized to make such investigations and reports as may be requested by the Foundation in connection with the enforcement of security requirements and safeguards, including restrictions with respect to access to information and property, established under paragraph (1) or (2) of this subsection.

(c) No employee of the Foundation shall be permitted to have access to information or property with respect to which access restrictions have been established under subsection (b)(1) or (2) until the Civil Service Commission shall have made an investigation into the character, associations, and loyalty of such individual and shall have reported the findings of said investigation to the Foundation, and the Foundation shall have determined that permitting such individual to have access to such information or property will not endanger the common defense and security.

(d) (1) No part of any funds appropriated or otherwise made available for expenditure by the Foundation under authority of this Act shall be used to make payments under any scholarship or fellowship awarded to any individual under section 10, unless such individual—

(A) has taken and subscribed to an oath or affirmation in the following form: "I do solemnly swear (or affirm) that I bear true faith and allegiance to the United States of America and will support and defend the Constitution and laws of the United States against all its enemies, foreign and domestic"; and

(B) has provided the Foundation with a full statement regarding any crimes of which he has ever been convicted (other than crimes committed before attaining sixteen years of age and minor traffic violations for which a fine of $25 or less was imposed) and regarding any criminal charges punishable by confinement of thirty days or more which may be pending against him at the time of his application for such scholarship or fellowship.

The provisions of section 1001 of title 18, United States Code, shall be applicable with respect to the oath or affirmation and statement herein required.

(2) (A) When any Communist organization, as defined in paragraph (5) of section 3 of the Subversive Activities Control Act of 1950, is registered or there is in effect a final order of the Subversive Activities Control Board requiring such organization to register, it shall be unlawful for any member of such organization with knowledge or notice that such organization is so registered or that such order has become final (i) to make application for any scholarship or fellowship which is to be awarded from funds part or all of which are appropriated or otherwise made available for expenditure under the authority of section 10 of this Act, or (ii) to use or attempt to use any such award.

(B) Whoever violates subparagraph (A) of this paragraph shall be fined not more than $10,000, or imprisoned not more than five years, or both.

APPROPRIATIONS

SEC. 15. (a) To enable the Foundation to carry out its powers and duties, there is hereby authorized to be appropriated to the Foundation, out of any money in the Treasury not othewise appropriated, such sums as may be necessary to carry out the provisions of this Act.

(b) Appropriations made pursuant to the authority provided in subsection (a) of this section small remain available for obligation, for expenditure, or for obligation and expenditure, for such period or periods as may be specified in the Acts making such appropriations.

AMENDING THE FEDERAL EXECUTIVE SALARY SCHEDULE

SEC. 16. (a) Section 303(b) of the Federal Executive Salary Act of 1964 is amended by adding at the end thereof the following new paragraph:

"(20) Director of the National Social Sciences Foundation."

(b) Section 303(c) of such Act is amended by adding at the end thereof the following new paragraph:

"(47) Deputy Director, National Social Sciences Foundation."

(c) Section 303(e) of such Act is amended by adding at the end thereof the following new paragraph:

"(101) Assistant Director, National Social Sciences Foundation (2)."

(d) The amendments made by this section shall take effect on the first day of the first calendar month which begins on or after the date of the enactment of this Act.

PEOPLE ANXIOUS TO IMPLEMENT WAR ON POVERTY IN EVERY WAY POSSIBLE

Mr. CABELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CABELL. Mr. Speaker, the people in my district, as well as those in many other districts, are anxious to implement the war on poverty in every way possible.

But they are tremendously concerned at efforts to emasculate the highly successful community action programs in favor of more centralization of authority in the OEO.

No plans for action on this front can be more efficient, nor more productive, than those formulated and administered at the local level by local interested and dedicated citizens.

This has been the subject of several excellent editorials and feature stories in our Dallas newspapers recently, and I hope my colleagues will take the time to read them.

I am requesting that they be inserted in the RECORD at this point, in order that they may be read by all concerned:

[From the Dallas (Tex.) Morning News, May 7, 1966]

THE LOCAL HANDS?

The House Education and Labor Committee, headed by Rep. ADAM CLAYTON POWELL, has on its agenda a bill "that will alter the face and character of the Great Society's campaign against poverty," reports a New York Times News Service dispatch.

One of the alterations, the dispatch says, is "a sharp cutback in research into the causes and cures of poverty." Another would be curtailment of the Community Action Program, termed "by far the most explosive program because it is the only one that requires maximum feasible participation by representatives of poverty areas in the selection and design of local projects."

The dispatch indicates the alterations are part of a consensus among the 21 Democrats on the committee. There are only 10 Republicans. If the consensus prevails, the committee will acknowledge openly that it wishes to treat symptoms rather than diseases, to prescribe medicine by long-distance from Washington without examining the patient.

Local officials are leery of the prospect. In Dallas, the poverty-stricken and the successful have joined in a 140-member board of directors to fashion an enviable record in only seven months. The success, in large part, has come from involvement of the poor in coordinating aid programs.

To curtail local involvement in the poverty war would be bad legislation. There are many who hope the reported consensus isn't.

[From the Dallas (Tex.) Times Herald, May 17, 1966]

FLEXIBILITY IN POVERTY WAR

One of the most important features of the antipoverty program in its original form was the plan to allow local communities the freedom to develop their own projects, tailored to meet specific needs and varying from city to city.

The action of the House Education and Labor Committee last week in severely limiting appropriations for Community Action Committee programs needs and deserves careful review by Congress. The sins of the few should not penalize other cities such as Dallas where nonpolitical, cross-section committees are sincerely trying to design local programs to cure local problems.

The House committee authorized a $1.75 billion program for the year beginning July 1, a quarter billion more than the Office of Economic Opportunity had in this fiscal year, but wrote in directions on how the funds were to be spent. For instance, the OEO request for $944 million in community action funds was cut to $827.5 million and only $323 million lies outside of programs specifically identified in the bill. And 20 per cent of that sum must be used in areas and agencies outside the city "umbrella" agencies, as community action organizations are called.

Project Head Start, the Job Corps and Neighborhood Youth Corps programs get the bulk of the money. These programs are sound and have proved popular nearly everywhere. In high-employment areas such as Dallas, however, the need for Head Start classes, day-care centers and homemakers is greater than for make-work jobs.

The House committee also cut the category known as research, demonstration and training to $25 million, compared with the current $90 million and the requested total of $134 million. This action, too, puts a damper on local efforts to find creative, innovative ways to fight poverty.

Rep. EARLE CABELL pointed out recently that "if every Community Action agency operated with the thoroughness, competence and honesty of the Dallas County Community Action Committee, there would not exist the unfortunate criticism than now jeopardizes the entire CAP program."

We urge Congress to remove some of the inflexibility from the antipoverty program and unlock some of the shackles the present bill would place on the "good guys," such as the Dallas Community Action Committee.

[From the Dallas (Tex.) Morning News, May 26, 1966]

THAT OTHER WAR AGAIN

Congress may have bitten off more than it can chew, so far as a war on poverty is concerned. It is a generous and humanitarian goal—the elimination of poverty. But after all these months, nobody has yet decided what poverty is.

About the best tool for defining poverty and locating it is a Community Action Program. Dallas has one—the Community Action Committee—which pokes around the county, locates poverty on the map and then coordinates all the myriad of "war on poverty" programs so that the impoverished will benefit.

Possibly because some Community Action Programs in other parts of the country haven't done their homework, a House committee is trying to cut by 400 million dollars their allocation for 1966–67.

If this is done the Dallas CAP will suffer along with the rest, despite what Rep. EARLE CABELL says: "If every CAP agency operated with the thoroughness, competence and honesty of the Dallas County Community Action Committee, there would not exist the unfortunate criticism that now jeopardizes the entire CAP program."

The criticism apparently has taken its toll. The House Education and Labor Committee, headed by Rep. ADAM CLAYTON POWELL of Harlem, has voted to cut back on the CAP.

Yet the committee added this definition to the antipoverty bill: "Any neighborhood or other area sufficiently homogeneous in character to be an appropriate area for an attack on poverty . . ."

Thus the committee calls for a definition while handcuffing those making the definitions. It hardly makes sense.

[From the Dallas (Tex.) Morning News, Apr. 30, 1966]

WILL POVERTY WAR BYPASS THE POOR?

(By Larry Howell)

The building at 1307 Pacific is anything but gaudy. Standing shoulder-to-shoulder against a flashy new department store, it appears almost austere. The floors are ceramic tile, and the white enameled walls give the place a subdued, almost clinical air.

In fact, the 13 people who work there are running a clinic—A center dedicated to finding out what make the poor man tick and what it will take to give him hope that there is room for him in the middle-class world.

This is the home of the Dallas community action program, the lone branch of the war on poverty that doesn't have a dime to give away. Rising from nothing to a driving force in nine short months, CAP may just as quickly be reduced to impotency in a congressional fit of election-year folly.

Most Federal anti-programs tell the poor man, "Here, take this. It's good for you." CAP, on the other hand, tells him, "Let's find out what's wrong with you, then you tell us how we can help."

But most important, CAP is about the only phase of the war on poverty that has any semblance of local control.

Trial balloons on the Potomac signal that influential Democrats in the House want to cut drastically the funds for CAP and divert them to programs like Operation Headstart, the Job Corps and the Neighborhood Corps where results can be judged in both numbers and dollars and where the Federal Government enjoys absolute control.

What CAP does is study the Dallas situation, have the poor help determine what they need and then coordinate the types of poverty war aid that would be useful here.

The program is governed by 140 Dallas people, 35 of whom are representatives of the poor. The rest are businessmen, housewives, professional people, labor leaders, office workers and elected officials. Either a proposed program meets their approval or no application is sent to Washington.

On some occasions the local board has received an advisory memo from Washington and where other poverty war battalions would have trembled and jumped, the Dallas CAP has sent the memo back with "No" marked across it.

An example of how CAP works may be found in a neighborhood meeting deep in the slums of Dallas. Called together at a church or residence, the targets of the poverty war hear a man from CAP say, to open the meeting, "There are ways we can help you help yourselves, but first you have to tell us what you need."

At one recent meeting the crowd decided that clean, decent housing would prove to be a cure all. At that point, however, one of their neighbors stood and declared, "You can take the cleanest place in town, put a pig in it, and in two weeks it is a pigpen."

Nobody was offended. The man who said it lives just like the rest of the people at the meeting, and soon the discussion shifted to ways they could live better on what they have.

Here is a key point CAP people have discovered: Many of the women who attend the neighborhood meetings are maids for well-to-do families. They see, five days a week, how the other half lives, but somehow when they get home at night, it doesn't apply to their situation. They don't have the education, their standards aren't the same, and they certainly don't have the money to hire a maid five days a week.

Most frequent suggestions at the meeting deal with babysitters and employment offices. Not make-work jobs or welfare handouts, but a little boost to help them get on their feet.

These suggestions are the kind that jeopardize CAP in Congress. Frequently the poor decide they need something Congress hasn't considered or that they don't need something Congress says they do. In either event, Washington is shown not to be all knowing.

By contrast, Head Start is a safe program. Everybody goes for sending little kids to school. The Job Corps and Neighborhood Youth Corps are safe, too. They deal in finite, noncontroversial dollars that can be supplied or taken away on a moment's notice.

Much of the opposition to CAP is being generated by overgrown ward heelers from the East. For years they've been taking care of their own poor, making jobs for them, greasing their palms out of slush funds. Now the CAP comes along with the audacity to ask the poor man, "is this really what you need most?"

The Daddy Warbucks Congressman does not want that question asked when it may cost him the votes he has bought.

Although its results cannot be determined easily, the Dallas CAP has raised a lot of dust. Twenty-five hundred adults who didn't make it through elementary school are en route to their first diplomas via adult basic education. Project Enable sends family counselors into the home to help determine what can get the poor on the right track and off the welfare rolls.

College, school districts, welfare agencies, church groups—all these and more have become involved in the Dallas CAP. They are Dallas people dealing with the problems of other Dallas people.

All this may change, however, if the Potomac storm signals are valid. CAP isn't putting money in anybody's pocket, it has the freedom to think and act for itself, and it is doing some things that some Congressmen don't think it should.

There is going to be a war on poverty so long as the present administration is in power. The CAP is the last vestige of local control over the way in which the war is conducted locally.

Those Congressmen who would substitute the handout for the hand-up should look at the poor people's participation in CAP and then ask themselves—is this a war on poverty or a war against the poor?

THE WHITE HOUSE CONFERENCE ON CIVIL RIGHTS

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, at the White House Conference on Civil Rights last week, a very sensible approach toward relieving the social and economic problems of the Negro community was recommended by Mr. Ambrose I. Lane, executive director of the Community Action Organization in Buffalo, N.Y. Mr. Lane is highly respected in our city, and Buffalo is indeed fortunate to have a man of such caliber as the head of this organization.

The program presented by Mr. Lane, which offers a real challenge, received national recognition and I hope it can be given the consideration it deserves.

So that all of my colleagues may have the opportunity to read Mr. Lane's presentation, I include it at this point in the RECORD:

"WE, OURSELVES"—A PROGRAM TO REMEDY THE SOCIAL AND ECONOMIC PROBLEMS ENDEMIC TO NEGRO COMMUNITIES PRESENTED TO THE WHITE HOUSE CONFERENCE CONVENED "TO FULFILL THESE RIGHTS," WASHINGTON, D.C.

(By Ambrose I. Lane, executive director, Community Action Organization, Buffalo, N.Y., June 1, 1966)

INTRODUCTION

This convocation presents an awesome challenge to those called together to chart this nation's destiny. For, in truth, as a result of our deliberations Americans in time to come may be blessed with the fruits of internal unity and social harmony, or may reap an abundant harvest of anarchy, chaos and discord.

This much should be clear: past differences between the races have been explored, identified and catalogued; the causes of prejudice and discrimination have been broadcast; the effects of inhuman, unchristian, undemocratic precepts and practices have been tallied and deplored; and the majesty of the law has been invoked in order to "form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity".

In one sense, then, the pathfinders have gone before us. Out of the heartbreaking trials endured heroically by some of our ancestors, and sanctioned savagely by others of our ancestors, we have finally distilled some semblance of a common will to live together as brothers. But the ghostly legacy of the shameful master-servant, subject-object relationship between White and Negro haunts even the councils of God-fearing men schooled in the ideals of reason and mercy. For when one examines the fabric of their pronouncements and programs with attention, one is saddened to discover a familiar thread of contradiction.

On the one hand, they argue that recent actions by courts, legislatures, agencies and bureaus betoken the advent of "The Great Society" where "the ideal of true equality is becoming a real and vigorous idea". They point with satisfaction at a host of indices which suggest to them that the American Negro is no longer a second-class citizen. I wish to God that I could find some comfort in their optimism. But witnessing a Negro become Solicitor General of the United States, or discovering that thirty-five Negroes are bona fide millionaires is little cause for cheer. All the prestige within the power of the government to confer and all the dollars in the vaults of Fort Knox will not command for a Negro the respect that is due to a human person.

On the other hand, the enlightened and compassionate politicians and preachers advise us that all is not well within the ranks of the brethren. Accordingly, they recommend either (1) a direct action approach, or (2) a social work approach to the problem.

The direct action approach is best exemplified by those direct action programs that begin and end with direct action and have no substantial relationship to any long-term goals.

The social work approach can be discerned among "professionals" in old line agencies who view inhabitants of the ghetto paternalistically; what they see is a "black blur" composed of psychotics, junkies, whores, cripples, idiots, clowns, beggars and servants, whose needs can be met by psychoanalysis or contraception, a night stick or a handout, a lecture or a pat on the head.

Both approaches have failed. Behind each approach lies a basic lack of faith in the strength, ability and resiliency of Negroes. The direct action approach conceives of the Negro as a pawn to be manipulated for short-term inconsequential gains that advance the few at the expense of the many. The social working approach conceives of the Negro as something less than a person. It views him as a problem, a threat, or a pet. The schoolman studies him; the churchman pities him; the bureaucrat plans for him; the conservative fears him; the liberal admires him—but who challenges him? Who challenges him to nurture his own God-given strength, and to direct his own human resources towards the consummation of a marriage between ability and achievement?

Well, when one asks this question one does not encounter a void. In his excellent article on "Mutual Aid and the Negro" in the April issue of Commentary, John Slawson succinctly traces the history of this challenge. And he cites current manifestations of the challenge such as the Opportunities Industrialization Center conducted by Rev. Leon Howard Sullivan in Philadelphia. We should all be grateful to Rev. Sullivan for his pioneer work in this area, and we should do all in our power to encourage his project and others such as Dr. Matthews Interfaith Health Association in New York City. These men have correctly diagnosed the disease and are taking measures designed to restore health to the patient. But unfortunately, the vision of Rev. Sullivan is not shared by the multitude.

The direct action approach and the social working approach are generally viewed as the correct antidotes for the social and economic ills that plague the denizens of our ghettoes. Among white leaders and black leaders alike one finds a common disposition to eschew radical alternatives to the system that has thus far prevailed in this land. Instead they advocate moderate adjustments within the system. They approach results in a doing-for; not a doing-with. A using; not a sharing. The terrible premise that underlies such a philosophy is that American Negroes are to be regarded as objects. Recognition of the Negro as a subject, as a human person is essential to any program having as its goal the establishment of a genuine community.

We all deplore the general conditions and temper of most Negro communities in the United States. But when it comes to developing a constructive program that would produce lasting, positive changes in these conditions, we are either found lobbying for more effort on the part of the white man, and for more federal funds, or we are mute. I reject the tired half-way measures that imply that my people are selfish, lazy, childish wards of the State. And I reject even more vehemently the apocalyptic counsels of despair, hate, racism, and rebellion. In their stead I offer, with all the earnestness of conviction that a man can muster, a challenge to my people to undertake a program of sacrifice and self-help.

I have entitled this presentation "We, Ourselves" for two reasons: (1) because in translation it recalls the inspiring lesson of those valiant freedom fighters, the Irish Sinn Fein, whose revolutionary struggle was ultimately crowned with success; (2) because it sums up the truth of Father Thomas Merton's radical but valid message to white America. Father Merton says in his "Letters to a White Liberal" that this is the "Kairos", the providential hour of American history. He bluntly declares that our social system requires complete reformation. And further, he stipulates that this work of reorganization must be carried out under the inspiration of the Negro whose providential time has now arrived and who has received from God enough light, ardor and spiritual strength to free the white man in freeing himself from the white man.

The purpose then, gentlemen, of the program I am submitting to you is nothing less than redemptive.

THE PROGRAM

The general program that I advocate has ten constituent parts. It is recommended for urban areas of high population density. It relies on local Negro leadership for its constitution, direction and execution. It does not supplant worthy efforts already being undertaken by governmental and voluntary groups to combat identifiable social problems, but neither does it depend on them. Its reason for being lies in its faith in the American experience, and its authority rests not only in the conclusions arrived at by the behavioral sciences, but also in the teachings of history and in the insights gained from encountering the reality of the American Negro.

The self esteem, self control and stability that has characterized other ethnic groups as they pursued their place in the sun, stemmed largely from their internal control of the conditions that motivate man to recognize, value, and act in accordance with certain standards. This group strength was a necessary antecedent for the political, social and economic evolution that has attended the emancipation and assimilation of every minority group in our culture. Although the hour is late, we may still develop the same type of internal group control of the conditions of daily life among Negroes, if we establish the following program.

1. Long-range planning in the fields of health, employment, politics, education, housing, the arts, commerce and technology.
2. Permanent, financially-stable organization.
3. Broadening and deepening the economic base of the Negro community.
4. Upgrading of educational and marketable skills.
5. Fostering of the values of excellence, achievement, and self-discipline.
6. Pooling of private resources for common goals and the establishment of cooperatives.
7. Public information facilities to disseminate throughout the community the methods necessary to realistically cope with daily conditions of living.
8. Systematic and intensive efforts on all levels to combat the defeatism inherent in the negative self-image of too many Negro persons, groups and communities.
9. A "truth" campaign to combat the historic evils of racism.
10. A national committee to coordinate the local efforts of each urban program.

This is admittedly a radical program. If implemented however, on anything more than a token scale, I have confidence that it will prove to be a lantern that will light the way for all of us towards the gates of the true community envisioned by the framers of the Constitution, but unhappily still hidden in the shadows of tomorrow.

I have outlined at large what I feel we should be doing. On May 5, the Wall Street Journal advised me that those who were planning this conference would entertain "proposals to get foundations and fraternal groups to supply funds for Negro self-help projects".

In his book "Why We Can't Wait", Martin Luther King made the following observation concerning the August 28, 1963 "March on Washington:

"They came from almost every State in the Union; they came in every form of transportation; they gave up from one to three days' pay plus the cost of transportation, which for many was a heavy financial sacrifice. . . . Many a Negro speaker that day had his respect for his own people deepened as he felt the strength of their dedication.

"For whatever demands the Negro justly makes on his fellow citizens are not an effort to lift responsibility from himself. His tasks are still fundamental, involving risks and sacrifices which he has already proved himself prepared to make."

The program I outline today centers on the "risks and sacrifices which (the Negro) has already proved himself prepared to make".

The history of the Negro in America is a history of sacrifice. The millions of Negro men who elected to walk stoop-shouldered through life in order that their children might stand straight and tall, bore in their bodies and their souls mute testimony to this powerful truth. The fortitude of generations of Negro mothers for whom life often meant enduring a series of unspeakable indignities, has been indelibly branded into the consciousness of Negroes by the black woman's ability to love, and serve, and suffer. Thus, we must remark that only a fool could fail to appreciate the Negro people's potential for sacrifice and for what Pope Paul has called "holy risk." The spirit is there; let us identify the needs.

The need is for Negro initiative in the vital areas of pooling of money and thoughtful, intelligent, informed self-direction. Negroes must assume responsibility for keeping our people properly informed, for establishing working planning groups, for pooling our money and talent, and for developing sufficient political muscle to assure acceptance and execution of plans developed by us. Thus, a heavy unavoidable responsibility lies with us. And one does not meet that responsibility by pointing to the legitimate responsibilities of others. It is simply able leadership to direct this kind of sacrifice. It is a failure of leadership not to do it.

Where shall we begin. Well, I come from Buffalo, New York. Everything that I have stated as applying to the American Negro, generally, applies specifically to the Negroes of Buffalo. And the course of action which I have outlined as appropriate to large urban areas, nationally, applies equally to the residents of Buffalo's ghetto. Perhaps Tucumcari, New Mexico or Bogalusa, Louisiana would be ideal targets for testing this program, but I am unfamiliar with these euphonious municipalities. I am a resident of Buffalo and by acquaintance with its social order has been officially recognized in more than one quarter. Consequently, I hope I will be forgiven if I propose that which I know best as the testing area for this program.

I suggest that a non-profit, membership corporation be formed in Buffalo pursuant to the laws of the State of New York for the purposes of:

1. Providing interest-free loans to existing businesses within the Negro Community for renovation, expansion or improvement thereof.
2. Providing interest-free loans or scholarships to students.
3. Providing educational, vocational, cultural and businesses training programs to the participants.
4. Providing remedial and pre-school educational training.
5. Conducting psychological, psychiatric and social counseling services.
6. Promoting knowledge of and participation in the free enterprise system among the participants.
7. Sponsoring moderate and middle-income housing developments.
8. Providing for the care of destitute, delinquent, abandoned or neglected children.
9. Establishing or maintaining a hospital, infirmary, dispensary, clinic or home for invalid, convalescent, aged or infirm persons.
10. Fulfilling any purpose incidental to any of the foregoing.

This is a rather large order, and I think you will agree that it will take bold and imaginative measures to get it under way. Accordingly, I propose that a foundation be solicited to fund a two-year demonstration project. The project would employ six hundred (600) unemployed or underemployed local Negroes as agents of the corporation.

Each agent would divide his compensated time equally between promotion of and service to the corporation, and an on-going training program designed to provide him or her with the necessary skills to compete successfully in the labor market. The agents would be compensated at the rate of $6,000 per year gross wages. Ten percent of a person's wages would be mandatorily deducted and placed in a personal savings account which could not be drawn upon for at least two years. An additional five percent of a person's earnings would be contributed directly to the corporation. Therefore, the gross remuneration that the agent would receive would be $5,100 annually.

The agent's duties for the corporation would be to seek financing for the corporation throughout the Negro Community. Each employed Negro would be requested to contribute $3.00 per month to the corporation through the salary deduction method. Each unemployed adult, including welfare recipients, would be allowed to participate through a monthly contribution of $.50. Negro businessmen would be requested to tithe; i.e. contribute ten percent of their quarterly net to the corporation. Professional people and others throughout the Negro community could participate on a flexible scale in accordance with their means.

The agency, foundation or group which funds this demonstration grant would evaluate and report on the corporation's progress at the end of two years. If significant concrete progress results, the "Buffalo Plan" could serve as a pilot for all or most of our metropolitan communities.

EPILOGUE

If, after all of the killings and head beatings and cattle proddings and kickings we have suffered before the world, we do not succeed in providing our children with sufficient security to permit them the healthy exercise of their individual initiative in freedom, we lose. And if, to avoid this loss, we adults must sacrifice part or all of a generation, let it be so. For our sacrifice makes possible both the extension and preservation of what we hold most dear in civilization. Only through sacrifice can we create an "image base" on which our children can build to insure the good life for themselves and their fellow men.

I should like to close with a parable of Thomas Merton:

"It is related that when Mohammed was seeking the light, he thought of becoming a Christian. He went to some Nestorian Christians in a corner of Arabia, and sought a sign of the truth of Christianity from them. In order to see whether they had faith, he asked them to show him the credibility of the Christian message by walking barefoot on red hot coals. The Nestorians told him that he was mad. Mohammed, saying nothing, departed from them. And soon the conviction that he sought came to him in the burning heat of the Arabian desert. It was a truth of stark and dreadful simplicity—to be proved by the sword."

WHITE HOUSE CONFERENCE ON CIVIL RIGHTS

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, last week Washington was the scene of an important and historic event—the White House Conference to Fulfill These Rights.

In one sense the Conference was reminiscent of the March on Washington in 1963. That march, like the White House Conference, represented the belief of millions of Americans from all walks of life in the prospect of a just and equal society. That march helped to realize the historic Civil Rights Act of 1964. I hope that the White House Conference will one day be remembered as an important spur to the Civil Rights Act of 1966—and to legislation to rebuild our cities and our schools, and to legislation to provide full employment for very American.

The theme of the Conference, Mr. Speaker, is one that we all should consider carefully. The problem of inequality, it made clear, is not simply a regional problem or a Negro problem—it is a problem which plagues all Americans, and all of America. It is a problem for which all Americans are responsible. Nor can we eliminate the effects of inequality simply by eliminating discrimination—we must eliminate unemployment, slums, and inferior schools as well.

As President Johnson said in his speech to the Conference Wednesday night:

> We shall either find the means to open employment to all our workers—to find decent housing for all our families—to provide a good education for all our children—or we shall see the American promise spoiled for each of them.

The 2,400 people who attended the Conference came from every regional, religious, racial, and economic group in the country. They came, as the Vice President said in a speech to the Conference on Wednesday morning, "not to recount the progress of the past but to fulfill the promise of the future." That should be the mission of this House as well in considering legislation in the months to come.

The speeches by the President and Vice President follow:

REMARKS OF THE PRESIDENT AT THE WHITE HOUSE CONFERENCE ON CIVIL RIGHTS AT THE SHERATON PARK HOTEL, WASHINGTON, D.C.

Mr. Randolph, Mr. Heineman, delegates to the conference:

One year ago at Howard University I called for a conference whose theme and title would be, "To Fulfill These Rights."

I said that its object would be to help the Negro American move beyond opportunity—to achievement.

And now you have come from every region of America, from every walk of life, to take part in that momentous effort.

You are here because you represent the humane and progressive spirit of our people. Through two centuries of trial and triumph, that spirit has moved the American democracy from an ideal to a powerful reality.

You are here because the country needs your collective judgment and insight. The dilemma you deal with is too deeply rooted in pride and prejudice, too profound and complex—and too critical to our future—for any one man or administration to resolve. No matter how committed to its resolution they are, this issue is beyond the mastery of one man or one group of men.

You are here, finally, because in your variety of background and circumstance you symbolize those who have a stake in including the Negro American in our society. And that is everybody—Negro and white, rich and poor, manager and worker, city dweller and suburbanite.

I do not mean to say that every American feels that he has such a stake. If he did, there would be no need for this conference.

Some believe that they can put enough miles or enough dollars between them and the Negro's problems to escape them and sequences of those problems altogether.

Yet we know that the country is not large enough, nor any man wealthy enough, to offer or gain a sanctuary from the effects of widespread poverty and discrimination.

Some believe that the Federal government can assume their personal responsibilities for justice to the Negro American. They contend, even when they refuse to admit it, that the mere existence of Federal funds and programs and civil rights laws makes private action unnecessary.

Yet we know that no national government, however enlightened, can by itself change the conditions of Negro life in America.

There are some who think that the Negro should be denied inclusion in our society.

There are some, too, who counsel the Negro to refuse a share in the society even where it is offered—to "go it alone," to seek and acquire power independently, so that he may owe nothing to others.

Yet our whole experience as a people is otherwise.

Those who have tried to divide us have always ultimately failed.

Those who have built castles of prejudice have seen them crumble.

Those who have whispered the counsel of despair—the counsel of separatism—have been ignored.

For America is not a planetary system, with many atmospheres; many calendars and temperatures. It is one large island of earth, inhabited by mortal men of many races, many faiths, many colors of skin. If they are to build just and fruitful lives for themselves and their children, they must do it here—and they must do it together.

This does not require that righteous anger be silenced. It does not require that harmony be purchased at the price of individual freedom.

What it does require is a recognition that beneath the tumult of events that separate men from one another runs the thread of a common destiny. For we shall either move this Nation toward civil peace and social justice for all of its citizens, or for none.

We shall either find the means to open employment to all our workers—to find decent housing for all our families—to provide a good education for all our children—or we shall see the American promise spoiled for each of them.

So let us pursue that promise—not in dreary conformity—not in mutual suspicion and fear—but in the knowledge that freedom and justice cannot be the province of one race or Nation alone.

In our quest of that promise, let each man give what he has to give.

If it be the courage to endure the scorn of bigots, let him give that.

If it be the wisdom and the patience to teach children born into blight and suffering, let him give that.

If it be the chance of a job and the training it requires, let him give that.

If it be the willingness to change old ways and to hear the cry of those in need, let him give that.

If it be the power to pass new laws, or to enforce old laws with conviction and fairness, let him give that.

Men of reason who are honest with each other know there is so much to be done that should have been done long ago. If only then we had acted—if only then we had sought justice—we might have been spared the ordeal of conscience that has brought us to this room, at this hour.

But we did not act. For reasons of ignorance or prejudice, or hate or greed or fear, of indifference or blindness or whatever, we waited—too long we waited.

Now the awakening has come. In the last twelve years it has increased in strength and will. Reason insisted that it come. Courage—of the Negro first, and then of the white who joined the cause of justice—has swelled its ranks.

And we are acting. More has been done than men thought possible in so short a time: In stripping away legal barriers—in opening political opportunity—in attacking the lack of skills, jobs, education and housing that are the tap roots of poverty.

In these efforts we have made mistakes. We will make others, for we know our weaknesses. We will arouse hopes as we have already done, that cannot be quickly fulfilled.

But we are moving. We shall not turn back.

There is evidence of hope even beyond the legislation enacted and the programs started.

Not long ago, a businessman from the Middle West wrote a letter to the White House. He had attended the planning conference last November, and he had returned home filled with a new awareness of the Negro's condition in America. He was fired with a determination to improve those conditions in his own community.

He listed seventeen steps his city had taken since last November, to open up new channels of communication between the races. This man had inspired many of those steps, and he had taken a part in bringing all of them about.

He did not claim that he had single-handedly changed the terms of Negro life in his city for the better. He knows that real change—visible, lasting change—will take time and money and the work of many hands.

But he had made a start. He had planted a seed—indeed, a whole row of seeds. Years from now there will be a harvest in his city—a harvest of hope, where there might have been a howling desert of despair and bitterness.

Not everyone of us can plant as many seeds as he did. But each of us holds one of them in his hands. Together, they can make a harvest for the generations to come.

Do not expect from me, or any man, a miracle. Do not expect us, even together, to put right in one year or four all that took centuries to make wrong.

But I do pledge this: to give my days, and such talents as I have been given, to the pursuit of justice and opportunity for those so long denied them.

Now it is my pleasure and pride to introduce a great soldier in the struggle for civil rights.

I may say that the President of the United States does not often have the opportunity to introduce another speaker.

I'm glad I have that opportunity tonight, for I shall introduce to you now one who twelve years ago established, in the field of civil rights, a beachhead from which we shall never retreat.

Since that day he has occupied two great offices—as a distinguished Justice of the Court of Appeals, and now as Solicitor General of the United States. I am proud that he serves this Administration. I am proud that his is the voice of the people of the United States before the highest court of the land. Nothing could be more appropriate than that this man should speak to the first great national conference ever called to consider the rights and the opportunities of Negro Americans.

It is an honor to introduce to you the Honorable Thurgood Marshall.

REMARKS OF VICE PRESIDENT HUBERT H. HUMPHREY AT THE WHITE HOUSE CONFERENCE "TO FULFILL THESE RIGHTS" WEDNESDAY, JUNE 1, 1966

We know why we are here.

We have heard the call to action sounded by President Johnson at Howard University—a call challenging America to move from "opportunity to achievement"—to realize "not just equality as a right and a theory, but equality as a fact and equality as a result."

We know the intensive work which hundreds of persons have expended in preparing for this conference—the spirited deliberations of the Planning Session in November, the reports of task forces and panels, and the challenging report and recommendations prepared by the Council to this conference.

We are now ready to go to work and there is much work to be done.

In a few short years, we have traveled down a road studded with landmarks: historic Supreme Court decisions, legislative victories, executive actions. And as we traveled that road, we have seen a thousand acts of heroism, large and small, by the brave and determined Americans who made that journey with us—men and women of both races struggling to secure the reality of freedom, equality and human dignity.

And we rejoice in these victories—as we rejoice in the knowledge that the troupe of travelers, but a handful of courageous marchers a few years ago, has swelled to a mighty tide of humanity.

But our task at this conference—as it will be America's most urgent domestic task for many years to come—is not to recount the progress of the past but to fulfill the promise of the future.

This will be a hard, sometimes unglamorous, frequently frustrating, responsibility.

We can rejoice that the time has arrived when millions of Negro Americans can step out of the shadows, and walk forthrightly into the bright sunshine of human rights. But a man too long walled off from his fellows cannot easily adjust his senses and his capacities to the light—and the heat—of equality.

This Conference—and this generation of Americans—has the task, and the priceless opportunity, of walking side by side with the Negro American as he strides into that bright sunshine and stands erect.

As we survey the job before us, we cannot avoid the realization that many times our deeds have not matched our words—that there still exists a tragic gap separating promise from performance in many crucial areas of civil rights policy.

The blame for that gap cannot be laid at the feet of any single person, or institution. Every major segment of society has contributed to maintaining this gap between promise and performance.

How are we to close it?

The first requirement is to concede that it exists. Unflinching, unblinking candor is an absolute necessity if we are to prevail—as prevail we must—in this new stage of the civil rights battle.

Here are major areas where we must do better:

First, the federal government itself has the job of meeting its growing responsibilities.

I have no doubt this topic will receive more than its share of attention in the next two days. But permit me this observation: despite the federal government's absolute commitment to achieving equality for all Americans—and its accomplishments of the past and those which will be evident in the future—we welcome constructive evaluation and criticism of our efforts to implement all civil rights statutes and to carry forward our struggle against deprivation and discrimination.

And on behalf of President Johnson, I give you this pledge: the federal government will improve its performance wherever that is necessary.

Secondly, states and local governments have often failed to exercise meaningful initiative in a wide spectrum of civil rights issues.

This deficiency is especially acute because it is in state houses, city halls and local town meetings—not the halls of Congress or the federal courtrooms—where the major battles of the next phase of the civil rights struggle will be waged.

It is in our states and local communities where we must wage the war against slumism.

Slumism is poverty . . . illiteracy . . . disease. Slumism is discrimination and frustration and bitterness.

Slumism is ungathered garbage and delapidated buildings. Slumism is a family of eight in an unheated room. Slumism is danger on the stair and violence in the street.

Slumism is rent so high a desperate man is moved to tears . . . . or crime.

Slumism is segregated, inferior schooling for those who so urgently need the best.

Slumism is inflicting upon our less fortunate citizens the burden of dependency and despair rather than stimulating their capacity for self-support and self-respect.

Slumism is the pent-up anger of people living on the outside of affluence.

Slumism is decay of structure and deterioration of the human spirit.

And we can defeat slumism only if state and local leadership, working in conjunction with the federal government, reasserts itself in bold and creative fashion.

Thirdly, businesses and labor unions must move more effectively toward the goal of equal employment opportunity and achievement.

I know—and I applaud—the progress which has been made in the past few years. There are countless stories of individual success which would have been impossible a decade ago.

And I have seen the statistics which demonstrate how the rate of progress for Negro Americans in certain job categories is improving.

But to the unemployed—and often unemployable—man in Harlem, Woodlawn, or Watts, these individual stories of success and the encouraging statistics are largely meaningless—and sometimes insulting.

When the statistical base is sufficiently low, any increase tends to look better than it actually is.

The news that a Negro has just been appointed general counsel of a major corporation brings little hope into the life of a man who failed to complete fifth grade in a second-rate school.

No, this is no time for complacency.

We must face honestly the mammoth employment problem which still exists for most Negroes.

Outmoded training programs, tests, recruitment procedures, apprenticeship requirements and promotion patterns often deny equal employment achievement as effectively as the old-fashioned "Negroes need not apply" sign.

The Council has recommended a number of steps dealing with economic security and welfare. These proposals merit careful attention and discussion in the next two days.

Finally, among the most potentially effective agents in our struggle to fulfill the rights of all Americans are the churches and synagogues, service and professional organizations, and other community groups.

The heroism of a James Reeb or a Jonathan Daniels has stirred the conscience and soul of America. Many religious denominations and local congregations have given heartening evidence of their determination to infuse the concepts of brotherhood, love and justice with real meaning and substance.

But let us say honestly what we also know to be true: some local churches still erect racial barriers at their doors—and many more do not speak out affirmatively on urgent questions of racial justice which arise in our communities. Many service, professional and community organizations likewise remain silent in times of crisis.

Imagine the cumulative impact of these organizations uniting in behalf of racial justice and equality. The report of the Council describes Project Equality—a national program in which religious organizations use their hiring and purchasing power to promote equal employment opportunity. Consider the effect if every major religious denomination and local congregation actively participated in this program.

We have at our disposal vast reservoirs of untapped economic and social power to unleash against the accumulated discriminations and disabilities which afflict so many Negro Americans. This conference could make no finer contribution to the general welfare of America than mobilizing these resources without further delay.

We must, however, appreciate the difficulty of the remaining problems—and the dangers inherent in a period necessarily marked by frustration and disappointment.

Events and trends of this period will often strain the patience and forbearance of many well-meaning people—black and white.

Indeed, we will require a depth of maturity and understanding seldom achieved on such controversial social and economic issues.

Today there are some Americans who see separation and exclusion as the remedy for racial injustice and evils of the past.

Segregation was a major factor in producing the hate and injustices we are seeking to overcome.

Do we really believe that more segregation will still this hate and overcome this injustice?

No, our entire American experience cries out against this approach—and our history books are filled with the failures of prior separatist movements.

One fact seems patently clear: the goal of "freedom now" will be attained precisely to the degree we are successful in enlisting additional sources of strength in our march toward equality and justice.

Today, there are other Americans who wonder whether the struggle for civil rights will ever be over. They ask the question: "What else can we possibly do—after all the laws we've passed?"

We should have learned by now that laws and court decisions can only point the way. They can establish criteria of right and wrong. And they can provide a basis for rooting out the evils of bigotry and racism.

But they cannot wipe away centuries of oppression and injustice—however much we might desire it.

And we should have learned that social revolutions do not necessarily proceed on the basis of some predetermined timetable.

I am quite sure that George III thought our founding fathers quite unreasonable—even blatantly irresponsible—as they pressed their demands to their necessary conclusion—far beyond what the English must surely have felt were the bounds of good taste and the dictates of knowing one's place in life.

Today there are Americans, many of them law enforcement officials, who quite properly see the danger to law and order in the flaring of anger and the release of tightly coiled tensions by the Americans who live in our squalid ghettoes.

But they would compound the danger by responding, not with even-handed justice to the few, but with heavy-handed, indiscriminate retaliation against the many.

And today there are other Americans who see in the struggle for freedom and equality a license for irresponsibility and violence.

They are both wrong—tragically, explosively wrong. And they must realize they are wrong—and realize it now—while there is still time to seek racial harmony and justice in America.

There is, in short, an urgent need to build a new climate of mutual respect among all elements of society. For it is this absence of respect—and the sense of responsibility which is engendered by respect—which lies at the roots of the hostility and suspicion which today threaten the tranquillity and progress of some cities.

Today there are Americans, some of them on human relations commissions, who appear more concerned about preserving the status quo than rooting out longstanding injustices facing residents of their community.

I do not wish to be misunderstood on this point: some human relations groups serve their communities with justice, wisdom, and courage—facing issues honestly and seeking equitable solutions to complex and difficult matters. But in too many cities this is not the case.

And today there are Negro Americans who appear more concerned about their own positions than about the plight of those less fortunate, less articulate members of their race.

Consciously or unconsciously, their interest is not in securing the fruits of equality for their brothers, but in preserving their own personal good fortune and accomplishments.

To both groups, the lesson of the revolution of rising expectations must be writ large: twenty million Americans will no longer be pacified by slogans or tokens. They will not be satisfied—they shall not be moved—nor should they be.

For "Freedom Now" is not a catchword for a minority of Americans. It is a moral imperative for all Americans.

We can strive toward it—to the credit of each of us.

We can defer it—or distort it—or deceive those who seek it. But we do at our peril.

We can achieve it only through specific deeds—hard, visible evidence that performance is linked with promise, and fulfillment is an element of faith.

This Conference is America's opportunity to begin.

To some persons certain recommendations found in the Council's report will appear to be radical and outside traditional American procedures and practices. But in evaluating these proposals, it is essential to pose this question: "What are the alternatives?"

What are the alternatives if nothing is done to reduce unemployment among Negroes—still about twice the rate for whites? And what can we expect if the 20 percent rate for Negro youth is not reduced?

What are the alternatives if we fail to eliminate segregated schools in both North and South and bring into balance the disparities in the quality of education?

What are the alternatives if we are unable to banish housing discrimination and do not expand substantially the amount of decent, low-priced housing available to all?

These are the questions which this conference—and the entire nation—must raise as these crucial problems are discussed—and then attacked. These are the alternatives which must be weighed.

I know I speak for President Johnson when I urge upon you absolute frankness and honesty in these deliberations. And I can assure you that your words will command the attention and action of your government.

But I trust each of you will also be searching for those areas of action which can be implemented by states and localities—by businesses and labor unions—by private organizations and people. For only as we mobilize *all* resources—and seek the commitment of *all* Americans—can we achieve the momentum necessary to banish discrimination and denial from this land.

So, finally, I urge you, as I urge all Americans, to view the civil rights movement not in the harsh glare, the distorted reflection of today's headlines, but rather in the more balanced perspective of history.

Do not allow your convictions to be uprooted, your steadfast course altered by the occasional excesses. the temporary aberrations which, history tells us, must be experienced in any great movement toward social justice.

History has a way of shrinking to proper size the episodes which capture the public's attention for a fleeting moment. And it has a way of raising to proper size acts of wisdom, of vision, and of courage.

Today, as few generations in history, ours has such an opportunity—an opportunity to transform a great nation into a Great Society.

We ask no monuments. We ask only the judgment of history.

Let the history books show that a great nation did not set its face against the tide of history—did not say, "Thus far you shall come, but no further."

Instead, let the history books show that a great nation said, "There is no more room in America for a 'them' and an 'us.' "

And we shall crown our good with brotherhood from sea to shining sea.

WHAT IS FAIR ABOUT IT?

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an editorial.

The **SPEAKER.** Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, the right of dissent is certainly one of our most precious possessions in this Nation in which freedom is a cornerstone. Throughout my lifetime, from the time I reached the age of reason, through all the years of my formal education and close to 50 years of public office holding, I have learned almost daily some very simple truths that were so evident to those who labored so brilliantly to build this Nation. Those truths are simple and plainly evident, or ought to be, to everyone: With every freedom there is an obligation, with every right there is a responsibility. Without these obligations and responsibilities, our freedoms would be absolutely meaningless. This is what disturbs me gravely about the wave of dissent that is reported from our college campuses today. I was particularly impressed by the editorial on this matter as it appeared in the Grand Junction, Colo., Daily Sentinel. I recommend it to my colleagues.

WHAT'S FAIR ABOUT IT?

It makes a dramatic picture—if you aren't particular about the honesty of the drama. A long-haired, sloppily dressed young man stands before a television camera, shouting to a crowd of "demonstrators" that the present draft system "isn't fair" and that it will "send him out to die."

It wasn't fair when the English came over and tried to tell his forefathers how to run this country in 1776, either. It wasn't fair that Washington had to give up home, family and fortune to hold the country together.

It wasn't fair when young men died at Gettysburg because other men wanted the right to enslave the Negro. It wasn't fair for thousands of young men to go 3,000 miles to fight a belligerent Germany in 1918 and a fanatical Hitler in 1941. It wasn't fair when bombs fell on Pearl Harbor; it wasn't fair that Americans had to stop the Communists in Korea.

It isn't fair that some stay at home safely while others carry the guns, but it's the way the men who saw what had to be done and did it built this nation and kept it free. It isn't fair that one man dies and another lives—but if no one dies for freedom no one is ever free.

What really isn't fair is that hundreds of millions of dollars are poured out every year to provide the educational institutions and the faculties for the colleges where these young men can stand and protest "It isn't fair!" without any sense of obligation to the society that produced them.

It certainly isn't fair that they have enough free time to demonstrate, march and protest and still can keep their college standing while other students must study and work.

What's fair about society providing them a sounding board to destroy the very institutions which make it possible for them to have a sounding board?

STUDENT PROTEST GROUPS TURNING NATION'S COLLEGE CAMPUS INTO HOTBED OF CIVIL DISOBEDIENCE

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, as week after week and month after month roll by and the Congress stands idly by, I become increasingly disturbed over the unbridled behavior of the so-called student protest groups which are turning the Nation's college campus into a hotbed of civil disobedience and driving away earnest students seeking an education.

Recently released figures show that freshman registration at the Berkeley campus of the University of California is down 21 percent from last year. This, coming at the same time that the university is being proclaimed as one of the Nation's best.

You are familiar, I am sure, Mr. Speaker, with the mid-May seizure of the administration building of the University of Chicago by striking students and the Easter riots at Berkeley. These are just two examples out of many. This condition must not and cannot be allowed to continue. This Nation has long since climbed out of anarchy to a government of rules, regulations and laws. These undisciplined mobs, assaulting duly constituted authority in the guise of free speech and the exercise of individual rights, pose a very real challenge to social order that I do not feel we can overlook or view with a patronizing condescension.

If a bath and a haircut were all these mobs needed, they would not be worthy of congressional interest. But that is not the case. There can be little question in anyone's mind, no matter how liberally or even radically his philosophy may be oriented, but that these organizations are either Communist directed or under concentrated Red influence.

I am aware that the FBI is studying one of these groups at least, the Students for a Democratic Society, and any beginning is better than none, but an *investigation of far greater proportions is* called for.

I introduced a bill last year calling for just such a congressional inquiry into such groups as Students for a Democratic Society, the W. E. B. DuBois Clubs, the American Youth Peace Crusade, American Youth for Democracy, Student Nonviolent Coordinating Committee, Labor Youth League and the Black Muslims. My bill is now pending in the House Committee on Un-American Activities.

The so-called Free Speech Movement has long since revealed itself to be a free filth movement. Cartoonist Al Capp chose the right name for these radicals when he portrayed them in his comic strip, "L'il Abner." Capp called them S.W.I.N.E., which stands for Students Wildly Indignant About Nearly Everything. They are swine and more and unless Congress asserts itself with an investigation and appropriate legislation it will not be the meek who inherit the earth, it will be the dirt who inherit it.

Mr. Speaker, I am losing count of the number of times I have addressed the House and urged action on our behalf, but, if necessary, I have no reservation about speaking on the subject every day if that is what it takes to stir us to action.

I urge every Member to join me in pressing for this investigation and at once.

"THOSE WHO FIGHT THE PRESIDENT WITH THE NATION AT WAR"

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, the Shreveport Times published an editorial in their May 31 issue that so perfectly echoes my sentiments on the subject of those who snipe at the President over the situation in Vietnam, that it would be redundant for me to add anything else. It is brilliantly clear and brilliantly written. I would like, by inserting it here in the RECORD, to associate myself with the sentiments expressed in it and, at the same time, urge every Member, regardless of party, to read it.

THOSE WHO FIGHT THE PRESIDENT WITH THE NATION AT WAR

"Here rests in honored glory an American soldier known but to God."—Inscription on the Tomb of the Unknowns in Arlington Cemetery.

The Tomb of the Unknowns in Arlington Cemetery originally was the Tomb of the Unknown Soldier, so called because a single unidentified American killed in action in France in World War I lay buried there—symbolic of the heroism and sacrifice of tens of thousands of young Americans in that conflict.

After that war ended, the remains of three unidentified Americans killed in three different battles were placed in flag draped coffins inside a tent at Chalons-sur-Marn, France. A Sergeant, carrying a rose, walked in. To him had been assigned the duty of selecting one of the three to rest forever in Arlington, his identity known only to God. He placed the rose on one coffin. It was transported to Washington and buried at Arlington on November 11, 1921 in the presence of President Warren G. Harding.

Since then, unknown dead from World War II and the Korean War have been placed alongside the victim of World War I. They are symbolic of Americanism itself; of freedom and American willingness to fight for it anywhere on earth; of the spirit, the sacrifice, the willingness to die that marked their forebears in building a nation.

As President Johnson spoke briefly at the Tomb of the Unknowns yesterday one's thoughts easily may have drifted back to individual incidents of heroism, bravery, gallantry of Americans in time of war.

There was Nathan Hale in the American Revolution who, captured as a spy, told the British: *"I only regret that I have but one life to lose for my country."* Nearly three quarters of a century earlier a poet (Joseph Addison), dead long before the American Revolution began, wrote similar words:

"What pity is it that we can die but once to save our country!"

And Stephen Decatur, that amazing Naval hero of the War of 1812:

"Our country! In her intercourse with foreign nations may she always be in the right; but our country, right or wrong."

Decatur spoke those words as a toast at Norfolk, Virginia, in 1816.

* * * * *

In his brief address at the Arlington Tomb of the Unknowns yesterday, President Johnson read a list of names—names most Americans never heard, or at least do not remember. Then he identified them—

The first American killed in Greece when President Truman sent military teams to that country in 1947 to teach the Greeks how to defeat the oncoming hordes of Communist guerrillas.

The first American to die in the "peacetime" airlift of 1949 when Stalin cut off all Allied access to West Berlin.

The first American to die in combat in Korea.

The first American to die in President Eisenhower's defense of the Formosa Strait.

The first American to die in the Cuban troubles under President Kennedy—a major shot down while flying an unarmed photographic plane, one of those which finally proved to President Kennedy that Russia had installed ballistic missiles capable of reaching as far as the Hudson Bay in northern Canada.

The first American to die in Viet Nam which now is President Johnson's problem.

Obviously the President was listing these cases to emphasize that the United States has gone thousands of miles overseas with its military strength to protect freedom and halt Communism on at least half a dozen occasions, and under four Presidents, all of this merely in the quarter of a century since World War II ended.

Sympathy for this President of the United States as he stood at the Tomb of the Unknowns yesterday certainly must have welled from the hearts of many as he read his list of names, as if he were informing the remains of those three heroes of three bloody wars that they *are* symbolic of the sacrifices of hundreds of thousands of Americans back through the years; and that there still are masses of Americans seeking to carry on.

Yet, here was the first President of the United States ever to be denied the support of major leadership of his own political party when his country—our country—was at war, its youth dying in ever increasing numbers day by day.

Here was the first President of the United States ever to face organized nationwide drives against his constitutional conduct of a war; drives in many cases clearly of disloyalty—not merely to the Commander-in-Chief but of disloyalty to the *nation itself.*

Here was the only President of the United States who had ever had to fight a cold war, chiefly against leaders of his own political party, while trying to carry out his duties in conducting a bloody, dirty, cruel but absolutely essential war thousands of miles away.

Here was the first President of the United States who had ever faced opposition—criticism sometimes so reckless as to be contemptible, and all of it well planned—from federal government leaders of his own political faith who should have been standing firmly at his side, or stepping aside until the war could be won.

* * *

There is Senator J. WILLIAM FULBRIGHT, Arkansas Democrat, Chairman of the Senate Foreign Affairs Committee. Never before in American history has the Chairman of a Foreign Affairs Committee in Congress carried on endlessly against the policies of his nation as set by his President in time of bloody war.

Never before has a Congressional Foreign Affairs Committee conducted open and public hearings with carefully selected witnesses and special provisions made for television broadcasting to every home in the nation with a TV set and with people willing to listen, attacking the President's policies in time of war.

Never before has such a Committee background and setup been used by prominent Senators to attack their own party's leader, their own nation's leader, the Commander-in-Chief of all of the Armed Forces of the country—the Chief Executive of it.

Never before has a President of the United States had to conduct a war thousands of miles away with the Majority Leader of his own party in the Senate—Senator MANSFIELD—constantly opposing him.

Never before has a President of the United States had to submit to periodical attack on his conduct of a war from the brothers of the President whose assassination put him into office.

* * *

President Johnson also has criticism now from some Republicans. But it is not the type of criticism that comes from the Fulbrights, the Wayne Morses, the Kennedys, the Mansfields and such. The criticism from within the Democratic Party is certain, if what the critics demand is done, to cause this nation to lose this war completely. They deny that they want a "pull out" of American forces. Instead, they proclaim they want a stalemate, although, they will not use that word. But what they would get would be full defeat and dishonorable appeasement, whether they wanted it or not.

Originally, with few exceptions—Senator RUSSELL LONG of Louisiana and Senator RICHARD RUSSELL of Georgia are two—the major support for the President in his conduct of the Viet Nam war came from Republican leaders. The fact that some of them no longer support him is due to their belief that he is yielding too much to the demands for stalemate and appeasement and is not willing to fight the war *to win*. It is criticism based on patriotism and loyalty to their country. No one can criticize them for wanting the war won. But those who want it lost—those who oppose the President so vigorously in and out of the halls of Congress almost every day—deserve far more than criticism; they deserve, and have in many instances, contempt.

* * *

Perhaps some of these men should turn to a bit of simple mathematics. They talk of present disorders, street demonstrations, executions in South Viet Nam. Have they forgotten that 12,000 South Vietnamese, committing no crime save to wish for freedom, for the right to live, for the right to support themselves, were murdered by the Communists *before* the United States began moving in with real military strength?

Have they forgotten that already almost as many Americans have been killed in Viet Nam as were killed in the American Revolution?

Have they forgotten that as many American soldiers have been killed in Viet Nam as were killed in the War of 1812 and the Mexican War combined?

The total American deaths in the Revolution were 4,435; 2,260 in the War of 1812; 1,733 in the Mexican war; 385 in the Spanish American War. In Viet Nam, the total now is close to 3,700 deaths and 19,000 wounded. Fortunately medical science and the helicopter transportation have resulted in deaths of less than 1 per cent of the wounded.

All of these were wars for freedom for somebody or to protect somebody's freedom; to halt aggression by the strong against the weak.

Let the Fulbrights whine, let the Kennedys rant, let the self-styled intellectuals such as Prof. Kenneth Galbraith—the "big brain" of the Kennedy campaign in 1960 and the man whose books were translated into nine foreign languages by Khrushchev because he liked them so well—squeal. Let the Wayne Morses roar. Their utterances and actions may hamper our war efforts. They may prolong the combat in Viet Nam and thus increase the number of dead and wounded. But they are not America, and may they never be.

A MEMORIAL DAY SPEECH DESERVING EVERYDAY ATTENTION

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROGERS of Texas. Mr. Speaker, I wish to call your attention, that of our colleagues in the House, and that of Americans everywhere to a most inspirational message delivered Memorial Day at the annual observance in Shamrock, Tex., in the district I have the honor to represent.

The speaker was the Reverend Lyman Paul Wood, pastor of the First Methodist Church of Shamrock.

Our Nation and our way of life have come to us out of the crucible of suffering and sacrifice—

The Reverend Mr. Wood told the group assembled at Shamrock Cemetery to pay tribute to the dead of five wars. The program was sponsored by the DeShazo-George Post, American Legion.

I am grateful to Mr. M. H. Clay, Jr., of Shamrock, for calling to my attention these words of the Reverend Mr. Wood, for, indeed, his thoughts deserve recalling on Memorial Days and the days in between.

The text of the Reverend Mr. Wood's speech is as follows:

During the darkest days of World War I, the late Sir William Robertson Nicoll, editor of the British Weekly, was asked to address a congregation of Christian ministers. His text was Hebrews 9:22—"Without the shedding of blood there is no remission (forgiveness of sins)."

He began by quoting: "Without the shedding of blood there is" . . . (then he paused) and then began again . . . "without the shedding of blood . . . there is . . . nothing, no country, no civilization, no Christianity."

In other words without the spirit of sacrifice there is . . . nothing. I do not know why this is true but I do know that this truth is deeply imbedded in the nature of reality. The greatest things in life only come out of sacrifice and suffering.

This Memorial Day, 1966, is a call to remember those who have died, those who are dying, and those who will die in order that we might have the opportunities and blessings that are ours today.

A little boy named Tommy stood in front of a store window and looked at a Memorial Day display. He gazed eagerly at a field of small crosses, and exclaimed, "Look, Daddy, look at all the T's! Do they all stand for Tommy?"

"Yes," the father answered, "in a way they do. Those T's are really crosses and each one represents the loving devotion of a soldier for Tommy and his family, and his nation."

Memorial Day now marks the tribute made in the United States to the dead of all its wars!

Carl Sandburg, when presented the Gold Medal for history and biography by the Academy of Arts and Letters said, "We find it momentous that Lincoln used the word responsibility nearly as often as he used the word freedom. The free men of the world of arts and letters can well ask themselves every day and almost as a ritual; who paid for my freedom and what the price, and am I somehow beholden? The question is not rhetorical. It is a burning and terrible historical question."

And certainly it is a question to ask ourselves not only on Memorial Day but every day!

Our nation and our way of life have come to us out of the crucible of suffering and sacrifice. Think of that winter of 1777 and 1778. General Washington and his men were at Valley Forge. They had been defeated twice and they were without food, without clothing, without shelter. Thousands of them were barefooted as the snows of winter fell; barefoot and in rags, their footprints left splotches of blood red on the white snow.

Lesser men would have given up. They would have said, "It is not worth it." But George Washington prayed. Again and again he declared that it was God who sustained him and steadied him in those trying hours. Somehow he must have known: "Without the spirit of sacrifice no new nation founded upon the principles of Christianity could be established."

Think of the tremendous sacrifice involved in keeping our nation free. On April 12, 1861, the national flag was fired on by the bombardment of Fort Sumter and the Civil War was on. It was too late in God's program to have a nation founded upon the principle of human slavery. It took four black purgatorial years of suffering and death, but somehow, Abraham Lincoln must have known, "Without the spirit of sacrifice slavery could not be abolished." And we don't know yet what it will cost to wash racial prejudice out of our minds!

Look at the fearful cost in suffering and sacrifice occasioned by World Wars I and II and the awful spectacle of Korea.

We forget so quickly. It seems that we really do need Memorial Day to help us to remember and to be grateful. It is so easy to take our freedom and liberty for granted. We revert so quickly to lives of selfishness and ease and forget the fearful sacrifices made by millions of our fellow men. And yet there are fathers and mothers and husbands and wives and sons and daughters who can never forget.

One mother said some time ago, "I hold no cause worthy of my son's life."

But the truth is if there had not been mothers who gave their sons and sons who gave themselves, life would not be worth living for any us. The Duke of Ormande understood this. When someone commiserated him on the sore loss of his son, he said, "I would not give my dead son for the best living son in Christendom."

An English mother, when friends sought to sympathize with her over the son she lost in the battle of Britain, said, "He lived for 20 clean years, and then he died for England. What better could he have done than that?"

Without the spirit of sacrifice, freedom could not have been perpetuated, and it cannot be perpetuated. So, we need this Memorial Day because there are too many (don't think their number is large, but I fear their number is growing and even one is too many) who are willing to accept the benefits of a free society but not the obligations that accompany those benefits.

It is reported that the first man to gain national attention for burning his draft card was a young man who all his life had lived as a beneficiary of government aid. His whole conditioning was that of receiving without offering anything in return.

May God deliver us from this kind of spirit. Let us be thankful for hundreds of thousands of young men in Vietnam and many other parts of the world who are making sacrifices for their country. Some of them hate war as much as the dissenters hate war. They want to return to their education and their civilian careers. They suffer from the separation from their families.

I do not mean to imply that dissenters should be denied the right of dissent—that's one of the freedoms worth dying to protect, too. But I do mean to say that the very least any of us can do is to express our appreciation to brave young men who risk their lives because they believe our nation is involved in a struggle vital to the cause of freedom and because they believe one of the responsibilities of those who benefit from freedom is to serve their nation when they are called.

It was October 3, 1918. The place was in Argonne in World War I. Lt. Hamilton had been separated from his men, and he was slowly making his way across no man's land to join them. He was under gun fire from German snipers. He would calculate how far he could lunge and then fall behind an embankment before the bullets could reach him.

He would lunge a few feet, There would be a burst of gun fire, and bullets would spatter the dust about him.

Suddenly, he came upon Major Garcia sitting in a trench. Major Garcia was in the medical corps of the 35th Division from Kansas. Only a few feet away was the body of a soldier who had been killed only a moment before. His body was badly torn from bullets and his face was bloody and covered with dirt.

The major said, "Lieutenant are you religious?" "Yes sir" "I'm not. You a church member?" "Yes." "I'm not, the church is full of hypocrites." "Yes sir. That's right, sir. I've been in it all my life. I ought to know."

The major paused. "No, I'm not religious, but I saw something on that boy's face a moment ago that I shall never forget as long as I live. I saw him when he was hit. It was awful. He rolled over groaning and writhing in agony. Suddenly, he saw that crucifix yonder when the chaplain had been having services. He saw the figure of Jesus on the cross.

"He looked at it a minute. Then, summoning all the strength he had, he saluted, and as he sank down on the ground, he smiled as though he were very happy, and he muttered 'Me too, Jesus, Me too,' and he was dead.

He identified himself with Jesus who said, 'He that saveth his life shall lose it but he that loseth his life for my sake shall save it.' "

Without the spirit of sacrifice, there is nothing.

LOBBYING ACTIVITY OF POST OFFICE DEPARTMENT EMPLOYEES

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, on May 11, I called the attention of the Members of the House to the lobbying activity of the Post Office Department employees which I assumed was being done without the knowledge of the Postmaster General. It is still my presumption that the Postmaster General is personally innocent of the deliberate defiance of the law that is being carried on by some postal officials.

May I remind the House that the law expressly forbids that money appropriated by Congress "be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress."

I insert in the Record as a continuation of my remarks excerpts from the National Association of Postmasters June 1 bulletin:

Legislative Report—Parcel Post Bill

Urgent! Flash Urgent!

To Each Postmaster Who Reads This:

Your active support is needed now . . . Not tomorrow; not next week . . . but today!

Please wire, phone or write your Congressman *immediately* and urge him to vote for H.R. 14904, the Parcel Post Bill. Even if you have contacted him before (and most of you have), do it again. It is vitally important that we remind each and every member of the House of Representatives of our continued interest in this bill.

We must not delay!

H.R. 14904 (formerly identified as H.R. 12367) will come up for vote in the House almost any day now. It has been rewritten, renumbered, and favorably reported by the House Committee on Post Office and Civil Service by a 17 to 3 vote. This is great! It indicates the effective work of YOU and other postmasters. But we can't afford to rest on these laurels.

During the next 24-hours let's combine our efforts and literally bombard Capitol Hill with messages. After you have contacted your Congressman by phone, telegram or letter, phone neighboring postmasters and ask them to do likewise. Suggest that they also call other nearby postmasters. Emphasize to all the absolute necessity for immediate activity.

Clearly, the National Association of Postmasters is urging members to defy the law and lobby for this bill. Therefore, I am again writing to the Postmaster General, submitting the evidence stated here and asking him to give this matter his immediate, personal attention.

INITIATION OF HEARINGS ON VOCATIONAL EDUCATION

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PERKINS. Mr. Speaker, the Secretary of Health, Education, and

Welfare, upon direction of the President, on February 20, 1961, convened an advisory body drawn from the educational profession, labor, industry and agriculture, and the lay public, together with representatives from the Department of Agriculture and the Department of Labor to review and evaluate Federal acts dealing with vocational education and to make recommendations for improving or redirecting the programs. The panel concluded its work on November 22, 1962, and its report "Education for a Changing World of Work" set the stage for congressional hearings which were initiated by the General Subcommittee on Education on March 25, 1963. On the basis of the advisory committee's report and the hearings, H.R. 4955, the Vocational Education Act of 1963, was fashioned and enacted by the Congress—Public Law 88–210. Even though the act authorized funding of the redirected vocational education programs in fiscal year 1964, because the act was not finally approved until December 18, 1963, no appropriations were provided for fiscal year 1964. Consequently, the new programs authorized by the legislation have only been operative for 2 full academic years, and congressional review of program operation has not been feasible until this time.

On June 9 the General Subcommittee on Education will initiate hearings on vocational education with the following objectives:

First. To consider legislation pending before the subcommittee to increase authorizations for the Vocational Education Act of 1963 and to extend the provisions of sections 13 and 14 dealing with residential vocational schools and the vocational education work-study program;

Second. To determine the effectiveness of the legislation broadening occupational categories for which vocational education training is afforded in State and local programs;

Third. To ascertain the extent to which the States are utilizing job market analysis data in restructuring vocational education offerings in area technical schools and postsecondary vocational education programs;

Fourth. To examine the unmet needs of the 1963 legislation, and

Fifth. To examine the administration of the Vocational Education Act of 1963, the Smith-Hughes Act and the George Barden Act.

These hearings will coincide with requirements in the legislation as to the appointment of a National Advisory Council this year for the purpose of reviewing the administration of the vocational education programs aided with Federal funds and also coincides with the time that authorizations under the Vocational Education Act reach the ceiling of $225 million.

It will be recalled that the panel of consultants reporting in 1962 recommended a Federal expenditure in 1963–64 of $400 million to meet the immediate needs of vocational education. The actual authorizations provided by the Vocational Education Act of 1963 were $60 million for fiscal year 1964—not appropriated—$118,500,000 for fiscal year 1965, $177,500,000 for fiscal year 1966, and $225 million for fiscal year 1967. The House Education and Labor Committee felt that the panel of consultants' recommended Federal appropriations constituted a reasonably accurate measure of the need for activity in the vocational education field and so stated in its report—House Report 393, 88th Congress. However the committee stated:

> Taking into consideration the administrative impossibility of immediately expanding the present program in terms of such magnitude, the graduated increases in appropriations authorized by this bill represent the judgment of the Committee as to feasible levels of expenditures for the next four years.

Of concern to the subcommittee in its current hearings will be the question of whether or not the present authorizations are adequate to meet vocational education needs throughout the Nation.

It is appropriate to observe at this point that the primary inspiration of the Vocational Education Act of 1963 was the recognition that changes in vocations and the job market occasioned by tremendous technological advances made in the last two decades rendered obsolete Smith-Hughes and George-Barden concepts of the direction of vocational education. Adding to the complexities confronting vocational education in preparing people for occupations are the increased mobility of the labor force and the rapid changes which are occurring in job skill requirements. These changes caused many of our expert witnesses to testify that vocational education programs should be structured to the reality that the average person will likely undertake several job changes during a lifetime, which require comprehensive skilled training.

For the first time in Federal legislation dealing with vocational education, the 1963 act required periodic analysis of current manpower needs and job opportunities in evaluating vocational education programs. The subcommittee is anxious to ascertain to what extent new Federal funds are being used to strengthen the new occupational fields for which Federal funds may be expended under the Vocational Education Act of 1963.

The 1963 act authorized new research funds to assist vocational educators in the development of new curriculums, materials, new techniques of instruction, as well as in other aspects of vocational education in an effort to assure increased effectiveness and improved quality of program offerings. The committee will be concerned with the dissemination and implementation of such research findings.

The 1963 act sought to strengthen secondary and postsecondary vocational education institutions which devote full time to preparation of students for skilled occupations and in this connection for the first time authorized the use of Federal funds for the construction of facilities. The extent to which such facilities are capable of accommodating the demand of students for enrollment is a matter of great concern to the subcommittee and will be fully explored during the course of the hearings.

The subcommittee will be concerned with the administration of the Act of 1963, the George-Barden Act, and the Smith-Hughes Act by the Office of Education and the State agencies administering the programs authorized by these laws.

Based upon preliminary information as to the need for strengthening our vocational education efforts, my distinguished colleague from the State of Washington, LLOYD MEEDS, and I have introduced H.R. 15444 and H.R. 15445 to increase authorizations for the Vocational Education Act of 1963 so that they will more closely approximate the actual funding levels which the panel of consultants, reporting in 1962, and our subcommittee findings of 1963 indicated would be necessary to meet our national goals and needs in this important field.

Finally, the subcommittee will be concerned with the training and recruitment of vocational education instructors. While the 1963 act authorizes expenditure of vocational education funds for the training of vocational education teachers, there is considerable evidence to the fact that these provisions of the law may require strengthening.

I am hopeful that Members of the Congress will put in their appearance before the subcommittee on this important legislation.

RED TRADE IN THE ELECTION YEAR

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, a matter which has had my special attention has been the propaganda drive of the administration to soften up the public to permitting it to bolster the Communist dictatorships of Eastern Europe and the Soviet Union itself through trade agreements.

I insert in the RECORD as part of my remarks an address by Mr. Steven Gereben, president of the Washington chapter of the Hungarian Freedom Fighters' Federation, made at the executive board meeting in Cleveland, Ohio, on May 28, 1966:

RED TRADE IN THE ELECTION YEAR

(Address by Mr. Steven Gereben, president, Washington chapter, Hungarian Freedom Fighters' Federation, HFFF executive board meeting, Cleveland, Ohio, May 28, 1966)

It is a great privilege to be here today and I can think of no better place than Cleveland, the second largest Hungarian town of the world, to launch a drive that will tell the President of the United States that the people of Eastern Europe are still captive and that they deserve at least some respect and recognition.

I hope you'll forgive me today for dispensing with the usual flattering remarks,—flattering ourselves and each other, that is—talking about our accomplishments and plans, which usually affect only our lives here in America: our brothers in Hungary are not helped and the rest of America does not take notice of them.

What I am about to say here is timely and important: once again it is election time in America, and politicians are doing their best to show some results in some part of the world, to convince the electorate that all is not bad. This year the President must make up for the adverse effects of the war in Vietnam, and this year again the counterbalance was found in the captive nations of Eastern Europe. According to the President and the State Department Establishment, things are getting better, and the blessings of liberty are rapidly descending over the people of the satellites.

We have observed this strategy for a decade now. In 1956 we witnessed the bi-partisan betrayal of the Hungarian Revolution. Preoccupation with the election coupled with dissention among the Western powers, concerning economic control of the Suez Canal was more important, than standing up for principle and for an event that had the potential of destroying Communism altogether. In 1958, when Khrushchev was invited to the White House, young Hungarian freedom fighters were executed in Hungary. They just turned 18 years old, and thus became eligible for the gallows. Timing is essential for the communists. In 1960 and '62 appeasing campaign promises resulted in the removal of the Hungarian Question from the agenda of the United Nations, and in 1964 President Johnson announced the policy of building bridges between the East and West. President Johnson's "bridge-building" is being implemented now: on May 11 he requested Congress to consider legislation authorizing him to ease trade restrictions between the United States and the Satellites.

What a poor record. Being unable to justify slow progress, 'or perhaps lack of progress in Vietnam, the Great Society must steal the show from enslaved millions. For whatever liberalization occurred in Eastern Europe was not due to the determination and steadfast demands of the U.S. Government, but to internal pressures and the communists' fear of another revolution. What in effect happens now is that the United States intentionally destroys all headway the captive nations made against their communist masters. By trading, the United States will once again enable the communists to cover up their inherent failures and shortcomings. And, as Khrushchev once said, trading with the Communist bloc will promote the psychological and military defeat of the United States.

Why are we opposed to trade with the Communists? Because we believe that the Communists should first give evidence that their so called "liberalizations" are meant seriously and to be permanent, and that further alleviations are to follow. We could reasonably expect that prior to granting trade concessions to Hungary, the Hungarian government could abolish at least the extremely high tariff on gift parcels going to Hungary. We could reasonably expect that political persecution be ceased and that the issuance of travel permits to Hungarian citizens not be contingent on advanced age or the holding of hostages behind the Iron Curtain. We could reasonably expect that just three months before the President's request to Congress, the Hungarian authorities would not arrest over 5,000 Hungarians who dared to protest in defense of their very basic human rights.

None of these possibilities were even considered by the President. Our relatives still pay unreasonably high tariffs on gifts coming from the United States, hostages are still being held behind the Iron Curtain when another member of the family travels abroad, and the 5,000 arrested on February 19, 1966 are still in jail. The arrests still continue. All these Hungarians will indeed appreciate the President's action.

The United States has long been under the impression that aid and trade can convert the communists. We know, of course, that nothing could be farther from the truth. On the contrary, as Lenin said, by trading with the communists the West will finance its own destruction. Yet, the United States tries to be flexible and at the same time fails to realize that the communists never relinquished their aspirations to communize the entire world. Similarly, the captive peoples of Eastern Europe never relinquished their struggle for individual liberty and national self-determination.

It is regretful that we must remind the American Government that the principles of individual liberty and national self-determination have a universal meaning. And it is regretful that now, during the 10th anniversary year of the Hungarian Revolution, we must stand up and reject the President's attempts to use the Hungarian people and the captive nations as pawns in American election politics. It is also sad that the message of 1956 has not reached the policy makers of the United States in the span of 10 years. The once most despised man in the world, Janos Kadar, is now looking forward to boost his career on the basis of American trade policies.

This time, we must unite and stand united. We must tell our Senators and Representatives that in the name of the Hungarian people we object to be used as pawns and that we oppose any conciliatory move with those who enslaved our nation.

Only by voicing our protest will our men in Congress understand that we expect them to vote according to principles they seem to champion in July 4 speeches. Adherence to these principles must result in the overwhelming rejection of the Eastern European trade bill.

Mr. Speaker, the Hungarian Freedom Fighters, leaders of Baltic States groups, leaders in exile from Poland, Czechoslovakia, Bulgaria, Rumania, and Yugoslavia are all aware of the tragedy befalling the people of their homelands from Communist misrule. They very eloquently are alerting the American public to the pitfalls of this phase of administration foreign policy.

A CABINET LEVEL DEPARTMENT OF TRANSPORTATION —STREAMLINING THE GOVERNMENT PROCESS

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. YOUNGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. YOUNGER. Mr. Speaker, Mr. Morris Forgash, president of the United States Freight Co., on April 26 delivered an address before the Rochester Railroad Association in Rochester, N.Y., on the subject "A Cabinet-Level Department of Transportation—Streamlining the Government Process." Since this bill is now before a congressional committee, the expert testimony of Mr. Forgash is particularly timely and appropriate. His address follows:

A CABINET-LEVEL DEPARTMENT OF TRANSPORTATION—STREAMLINING THE GOVERNMENT PROCESS

(Address by Morris Forgash, president, United States Freight Co., before the Rochester Railroad Association, Rochester, N.Y., April 26, 1966)

It is a pleasure to be here. Occasions such as this always afford me a welcome opportunity to visit with many friends of long standing. I consider it a privilege to talk to you today about a subject that has been of great concern and interest to me for quite a long time. I appreciate that my subject has recently become the focal point of the "Great Debate of 1966" in transportation.

Something about the situation in which I find myself reminds me of a line from one of the delightful Gilbert and Sullivan parodies of yesterday. I would paraphrase the line to read:

> "Ah, take one consideration with another—
> A Speaker's lot is not a happy one!"

Making a speech is not what it used to be. There was a time when a man could select a topic and be reasonably certain that it would stand still until he had made his speech. To continue in a theatrical vein for a moment, it seems to me that nowadays the stage setting is likely to change while the players are still reciting lines from an earlier script. If all the world's a stage, as Shakespeare said, then it can also be said, without making a pun, that some of the seats in the balcony are out of this world. These days a man can sit in his living room and on a little screen watch the human race acting out its own destiny, in full color.

The man who engages to make a speech today will do well not to permit himself to be beguiled by the notion that he is a modern Rowan, carrying a message to Garcia through the mountain fastnesses of human obtuseness. He may just find that Garcia received the message the day before yesterday by Telstar.

The question I intend to discuss is: "Shall we have a Department of Transportation of Cabinet Rank?" The question is clear enough on its face, but I find lately the issue has tended to become somewhat elusive. That, I suppose, is because the Great Debate is not so much about the question itself as about side issues. Even up to the time when I accepted your gracious invitation, some weeks ago, I sometimes felt a little lonely in my advocacy of a Department of Transportation. People would listen to me politely, but I detected a lack of enthusiasm. Now I find myself in the midst of a vast company. I hope we are all headed in the same direction.

At one time I was confident that all of us who were concerned with the subject I am here to discuss were talking about the same thing, but more recently I have not been entirely sure of that. One thing is certain. The issue has become a practical issue and is no longer in the realm of theory. The President's message of March Second, and the implementing bills, call upon everyone to stand up and be counted. Whatever we may think of the message and the bills, we cannot avoid the responsibility that has been thrust upon us to help shape the law so as to attain the desired goals. After all, we are the voice of transportation and if we do not speak for ourselves, others will resolve the issues.

As I said in a talk before a group assembled by the Transportation Association of America on March 16th, it is my firm conviction that the tide of history has already swept us past the point of decision *whether* there should be a Department of Transportation, and left us only the questions of when we should have such a department and what it should look like. Since then a great many people have declared themselves to be of the same mind. But, of course, we must make up our minds quickly about the subsidiary questions. It would be unfortunate if the establishment of a Department of Transportation should be delayed to a point where history would record that the idea was killed by a committee of its friends.

In my discussions with people around the country I have encountered only a limited number who are militantly and unyieldingly opposed, in principle, to a Department of Transportation. I respect the opinions of those "status quo" people, but I find that their arguments have become slightly encrusted with the barnacles of bygone years. The words and phrases which encase their philosophy—"bureaucracy," big government," "patronage," "political influence"—do not rouse me up in the morning, like a bugle call, to do battle with the encroachment of Government on private enterprise. We are face to face with facts, not theories. Government already has a significant role in transportation, and we may as well synchronize our watches. Nothing will be gained at this late date in history by tilting at windmills or declaring war on ghosts.

THE ISSUE—TO "ESTABLISH," NOT TO "CREATE" A DEPARTMENT

I am afraid that the opponents of a Department of Transportation and possibly even some of those who support the idea with reservations, have misjudged the issue. The issue is not whether a Department should be *created*. A Department *has been created*, in bits and pieces. The issue is stated on the first line of the implementing bills. It is whether we shall *"establish* a Department of Transportation." This is not a matter of nomenclature nor an exercise in semantics. To create an Executive Department would be one thing. To *establish* one by simply bringing together in one place and under one head the widely dispersed, haphazardly organized, functional groups through which, for many years, executive action in the field of transportation has been effectuated, is quite another thing. To oppose that kind of consolidation, in principle, is to argue against unity, cohesion, direction, and, I say this hopefully, economy in Government.

Therefore I say there is no point in wasting time trying to rebut the arguments of those who do not accept the idea of a Department of Transportation as a valid concept in today's world. Those arguments have been eroded by the inexorable buffeting of time, like epitaphs written in sand. That is not to say that the proposal, as it comes to us, is devoid of real issues. There are some very real, some vitally important issues which challenge us to proceed with deliberation and wisdom and to act with due regard for the fundamentals of our Government structure.

WHY A DEPARTMENT OF TRANSPORTATION?

With full appreciation of the real issues, I enthusiastically support the establishment of a Department of Transportation. I favor the idea of a Department because it makes for good Government and it makes good sense. The idea has my backing because transportation, which accounts for one-fifth of our Gross National Product warrants the dignity, the recognition, the prestige of a Department of Cabinet rank.

Over the course of 175 years we have found it expedient and necessary to create eleven Departments through which the responsibilities of the Executive Branch of Government are discharged. Vigorous debate has attended the establishment of many of these Departments, but no voice is heard today to say that it was unwise or unnecessary to establish a single one of them. No one will argue that the affairs and the economy embraced by any one of the eleven existing Departments are more vital to the welfare of the United States than Transportation. Those considerations of logic and necessity which impelled us to establish the eleven Departments that we have today argue with even greater force for the establishment of a Department of Transportation.

I believe we should have a Department of Transportation because I think it is unwise, uneconomic, and unbusinesslike to relegate to a crazyquilt patch-work of Bureaus, Agencies, and Boards the implementation of executive functions concerning an enterprise on which the economy, the safety, and the very survival of our Nation depends.

The Federal Government is, and for a long time has been, engaged on a large scale in the actual provision of transportation facilities. Furthermore, the promotional activity of Government in transportation has a vital impact on the transportation system and on the nation's economy. The list of projects and activities is too long for me to recite. The people are paying for all of this. Logic and common sense dictate that it is time for the Government to let its right hand know what the left hand is doing in the promotion and operation of transportation. With the activities and functions of Government in transportation scattered through the entire structure of the Execuive Branch, as they now are, it requires a major feat of research even to learn how much is being spent for promotion and operation. We ought to know what we are paying for and what we are getting for our money.

According to my figures, based on my own study, we are currently spending more than $7 billion on Government activities and functions which, under any realistic appraisal, are properly characterized as promotional or operations. I do not contend that each and every one of the activities embraced by my figures should necessarily be included in a Department of Transportation, but I say we should take a hard look at them. The President's message of March second indicates that the activities now proposed to be brought within the Department of Transportation account for nearly $6 billion of Federal funds. At all events, there ought to be some centralized direction and control, some overall planning, and some realistic accounting, in an area where Government spends $6 billion or $7 billion annually in connection with a single activity like transportation. I think all of you gentlemen would agree that the way we are proceeding today is a poor way to run a railroad. It is also a poor way to conduct the activities of Government.

My convictions in this regard were not developed on the spur of the moment. I did not climb on the bandwagon after the wheels were in motion; I announced my position a long time ago, on the basis of careful study and exhaustive research. Back in the 1950's I had the honor to head a Panel of the Transportation Council, U.S. Department of Commerce, which gave extensive and exhaustive consideration to the question of establishing a Department of Transportation. The Panel was composed of representatives of all forms of transport, as well as shippers. I submitted the near unanimous report of the Panel on June 10, 1958. It contained the following recommendation:

"* * * (1) there should be a single department or agency within the framework of the Executive Branch of the Federal Government charged with direct responsibility over all phases of promotional and operational functions and duties for all forms of transportation, and (2) that such a department or agency should have Cabinet status and be headed by a Secretary of Transportation appointed by and directly responsible to the President of the United States after Senate Confirmation. . . ."

The foregoing expresses my views today as precisely as it did in 1958. I feel very strongly that there should be a single department in the Executive Branch, where now there are many, charged with direct responsibility over all phases of "promotional and operational" functions and duties for all forms of transportation.

I stress the words "promotional and operational." They are vital. I am going to talk about their importance for a few minutes. Nothing I am about to say should be taken by anyone to indicate that I am less than wholehearted in my support for a Department of Transportation. The suggestions that I am leading up to, and for which I wish to lay the background, are constructive suggestions. They do not detract from the objectives of a Department of Transportation. What I have to suggest will, I believe, clarify the intent and make fully effective the purposes which I am confident the President had in mind when he submitted his message to Congress.

SEPARATION OF EXECUTIVE AND REGULATORY FUNCTIONS

The threshold problem is what I would call structural. Our founding fathers, with the wisdom born of strife and conflict and bitter experience, devised our form of Government on the tri-partite system of checks and balances. Thus Article I of the Constitution vests all legislative power in the Congress; Article II vests the executive power in the President of the United States; and Article III vests the judicial power in the Supreme Court and the inferior Courts. Neither of the three branches, Legislative, Executive, or Judicial, may encroach upon the Constitutional powers and duties of the other. Each acts as a check upon each of the others.

Congress may not delegate any of its legislative powers to the President. I recall very vividly, as I imagine some of you do, the case of Schecter against the United States, popularly known as the "sick chicken case" which came out of the depth of the depression of the 1930's. There the Supreme Court, with full realization of the terrible emergency which had given birth to the National Recovery Act, nevertheless struck down the important segments of that Act, because it represented an unpermitted delegation of legislative power. Thus the Court said:

"The Congress is not permitted to abdicate or to transfer to others the essential legislative functions with which it is * * * vested."

The problem then, which gives rise to the real issue—the only fundamental issue involved in the establishment of a Department as I see it—is to make obsolutely certain that the powers and duties of such a Department are limited to those matters which the Constitution reserves to the Executive Branch and do not include any legislative powers. If we fail to do that we will create an establishment of Government which is not soundly based, which would not work out in practice, and which ultimately would go the way of the NRA.

I appreciate that there are other issues involved in the proposal for a Transportation Department as it has been framed. Those issues revolve around questions of the coverage of the Act. Some contend that the proposed Act does not delegate enough; others, perhaps in greater number, contend that in many respects it delegates too much. While the question of coverage may be fundamental in the eyes of many people, if we can insure a proper separation of powers I am confident that reasonable men will agree on the delegation of functions even if it means trimming down the bill and letting the course for the future be determined in the light of experience.

The *regulation* of transportation is a legislative function. Of that there can be no shadow of doubt. Article I, Section 8, Clause 3 of the Constitution provides that Congress shall have the power: "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

Congress alone can exercise this power to regulate. It has chosen to exercise its power to regulate largely by creating expert bodies, such as the Interstate Commerce Commission, to carry out codes of law which it has laid down. This does not offend the Constitutional scheme of separation of powers. In the "sick chicken case" the Supreme Court pointed out the difference between delegating regulatory powers to an independent agency and transferring them to the Executive, saying:

"By the Interstate Commerce Act, the Congress has *itself* provided a *code of laws* regulating the activities of the common carriers subject to the Act, in order to assure the performance of their services upon just and reasonable terms, with adequate facilities and without unjust discrimination. * * * To facilitate the application of the standards prescribed by the Act, Congress has provided *an expert body*. That administrative agency, in dealing with particular cases, *is required to act upon notice and hearing*, and its orders must be supported by findings of fact, which in turn are sustained by evidence."

It is fundamental Constitutional law, not only that regulatory powers may not be delegated to the Executive Branch, but that the Executive may not interfere with or exercise any control over the functioning of the regulatory agencies. In the case of Humphrey's Executor against the United States, the Supreme Court held, in 1934, that the President had no power to remove a member of the Federal Trade Commission except for the causes specified in the Act by Congress.

The Court said:

"The fundamental necessity of maintaining each of the three general departments of government entirely free from the control or coercive influence, direct or indirect, of either of the others, has often been stressed and is hardly open to serious question."

And the Court continued:

"The commission is to be non-partisan; and it must, from the very nature of its duties, act with entire impartiality. It is charged with enforcement of *no policy except the policy of the law. Its duties are neither political nor executive*, but predominantly quasi-judicial and quasi-legislative. Like the Interstate Commerce Commission, its members are called upon to exercise the trained judgment of a body of experts 'appointed by law and informed by experience.' "

In the Humphrey case the Supreme Court pointed out that James Wilson, one of the framers of the Constitution and later a Supreme Court Justice, said that the independence of each of the three branches of Government required that its proceedings "Should be free from the remotest influence, direct or indirect, of either of the other two powers."

That fundamental concept of the complete separation of powers permeates the very fibre of our form of Government. It must, of necessity, be scrupulously observed in the basic law establishing a Department of Transportation. The problem becomes more sensitive by reason of the fact that substantially all of the functions with which we are here concerned, whether legislative or Executive, already have been delegated, and the establishment of a Department of Transportation will represent largely a reallocation of existing powers and responsibilities. In making the allocation we must see not only that the law is clear, but that the legislative history is such that the law cannot be altered by construction.

With these things in mind, let us take a close look at the proposal for a Department of Transportation as it has been presented. Certainly, the President's message makes clear that there is no intent to usurp or interfere with any of the regulatory functions. The following quotations from the message are significant:

"We must coordinate the *executive functions* of our transportation agencies in a single coherent instrument of government." (Pg. 4)

"As this list indicates, I am recommending the consolidation into the Department of those Federal agencies whose primary functions are transportation *promotion and safety*." (Pg. 5)

"The Cabinet-level Department I recommend *will not alter the economic regulatory functions of the Interstate Commerce Commission*, the Civil Aeronautics Board, or the Federal Maritime Commission." (Pg. 7)

These statements from the message are clear, forthright, and indicative of precisely what the President had in mind. I am sure that all of those who support the proposal do so on the assumption that the legislation carries out the President's directives in this regard to the letter. There is no doubt in my mind that the persons who were charged with the responsibility of translating the President's message into legislative language strove faithfully to carry out his wishes. But I am disturbed, nevertheless, with the mechanics of the draftmanship.

Legislative draftmanship is an art in which I do not profess any special competence. My concern is with principles, and I will state in simple language what troubles me about the wording of the bills, using S. 3010 for illustration. When I read the bill I looked for a statement of "Powers and Duties" of the Secretary, because I wanted to find out just what he will be empowered to do and where his responsibility will end. I did not find such a section in the bill. Instead, I found some rather sweeping statements, which are not entirely clear to me, under the headings: "Declaration of Purpose," and "General Provisions."

The language of the bill under the section which is headed "Declaration of Purpose" sounds to me very much like a declaration of transportation policy. I have no quarrel with that, but I point out that we have a Congressional declaration of national transportation policy in the Interstate Commerce Act, and transportation policy is enunciated in other Acts which the various regulatory agencies administer. Surely there is no intent to set up a conflict of jurisdiction, but I suggest that we should not leave such an important matter to chance or the vicissitude of future interpretation.

Accordingly, and in order to carry out what I consider to be the intent of the legislation, I suggest that the "Declaration of Purpose" section of the bill be amended to make two things clear: First, that the declarations of policy in the Interstate Commerce Act and other regulatory Acts are not diminished, altered, or affected by the establishment of a Department of Transportation, and second, that the duties of the regulatory agencies, the I.C.C., the C.A.B., and the F.M.C., to administer, implement, and enforce the declarations of policy and the provisions of law contained in their respective Acts, are not changed or diminished in any way If that is what we mean, and I am convinced it is, then I ask: Why not say it?

I am troubled also by certain of the language of the bill under the "General Provisions" heading. The first paragraph under that heading, numbered 4(a), says that the Secretary, "among his responsibilities" shall do certain things. That, it seems to me, is a troublesome approach—sort of loose-ended approach. On more than one occasion in the past I have encountered the argument that that which is not specifically prohibited by a law is authorized by the law. To me, the argument is not valid, but I see no point in inviting trouble when we have a clean slate on which to write in the first instance. Why not set out the powers and duties of the Secretary, and label them as such?

You may say that this would be a difficult and ambitious task? I do not think so. The body of the bill enumerates the statutory provisions which are the basis of the Secretary's powers. As an initial step, I would simply have the bill say that the Secretary is given the power and the duty to administer the Act. Let the Act, then, speak for itself. Even the obvious needs to be stated in the law. Beyond that, I think the Secretary should be authorized to "promote" transportation, and to "exercise leadership," in all ways consistent with the Act, but with the specific warning that he is not to encroach on the powers, duties, and functions of the regulatory agencies. Finally, and as one of his most important duties and functions, the Secretary should be authorized and directed to conduct research and disseminate technological, statistical, economic and other information.

I have stated my suggestions in general terms. At the appropriate time I expect to reduce them to specific legislative language. The idea which I am trying to get across is that we have now, for the first time, an opportunity to carve out, like the engraving on a cameo, the areas of responsibility in transportation, so that in the future we will have teamwork in Government in the achievement of our desired goals. If we set up irreconcilable conflicts and permit the future to be clouded by questions concerning areas of responsibility, we will defeat the basic purpose of a Department of Transportation. That contingency can be avoided by a few simple, incisive amendments to the pending bills.

THE DELEGATION OF ACTIVITIES AND FUNCTIONS

The question of coverage—of precisely which of the purely promotional and operational functions of Government should be transferred to the proposed Department—I shall discuss only briefly. It is my sincere hope that we will not permit questions in this category to prevent the early establishment of a Department of Transportation. I am confident that substantial agreement can be reached on the delegation of sufficient powers and responsibilities to launch the undertaking and keep the Secretary fully occupied until the worth of the endeavor can be evaluated.

No one who is not directly and importantly affected should pass judgment on such questions, among others, as whether all railroad car service functions should be transferred to the Secretary, and whether the safety functions of the C.A.B., which has done a splendid job, should be left with that agency, until all sides have been heard from. It seems to me that safety in transportation is definitely one of the major areas in which a Department of Transportation should exercise leadership and direction. If there are compelling reasons for not changing jurisdiction over safety in certain areas I am sure those reasons will be carefully weighed by the Congress.

There is apprehension about the meaning and the means of implementation of Section 7, which directs the Secretary to develop investment standards for the formulation and evaluation of all proposals for the investment of Federal funds in transportation facilities and equipment. This section may need to be clarified, but I submit that there is indeed a crying need for centralized and critical examination of the projects and proposals into which Federal funds are pumped.

One of the most important functions of the Secretary of Transportation, and one on which I am sure everyone can agree, will be to coordinate and concentrate on scientific, economic, and other forms of research. We have tremendous problems in these areas and we are doing nothing about them in any unified and effective manner. Landing a man on the moon will be a world-shaking achievement, but the people are concerned with how to get to the airport at 5 o'clock in the afternoon.

Research is the basic ingredient of planning, and we must plan not to maintain the status quo but to meet fantastically increased demands on transportation. The gross national product of the United States reached an annual rate of more than $700 billion in the first quarter of 1966—more than double what it was in 1954, just twelve years ago. The population of the United States has passed the 195 million mark. At the present rate of growth we will pass the 200 million mark in 1967. The Population Reference Bureau, Inc., a recognized authority on the subject, predicts that the population will double by the year 2010. What kind of a transportation plant will we require to meet the demands of the economy and the population in the year 2000? The sun is on the western horizon of our opportunity to find the answer to that question, but if we start now it may not be too late.

Even if reasons of expediency dictated that we establish a Department of Transportation for no other purpose, the immediate demands for basic research would justify that step without delay.

STRENGTHENING THE REGULATORY PROCESSES

One of the reasons why some people *oppose* a Department of Transportation is that they believe it will weaken and perhaps ultimately destroy the regulatory agencies. One of the important reasons why I *support* a Department is that I believe it will result in strengthening and increasing the stature and standing of the independent Commissions. When these Commissions, whose workload is increasing at an alarmingly accelerated pace, are relieved of the responsibilities which properly belong in an Executive Department, they will be able to concentrate on their quasi-legislative, quasi-judicial functions which are their real mission. With the clear-cut division of executive and legislative responsibilities which I have outlined, there should be a better relationship, a more effective partnership in Government, a clearing of brushwood from the paths that lead to progress toward the common goal of strengthening and making more effective our total transportation system.

As we concentrate on the centralization and improvement of the Executive promotional and operational functions we must bear in mind that the regulatory agencies, through the exercise of their ratemaking powers, their control over entry, their judgment in merger cases, their enforcement mechanisms, and a host of other activities, have a role which is as vital to the promotion of transportation as the direct expenditure of Federal funds or any other Executive function. In an address delivered in 1930, the then Chief Justice Charles Evans Hughes put the matter this way:

"I suppose that no agency of Government has more complicated problems than those which confront the Interstate Commerce Commission, and no intelligent student can fail to realize that the success of this endeavor in a sphere of the highest importance is to a very great extent the measure of our capacity for self-government."

Since that day, 35 years ago, the problems which confront the I.C.C. have become immeasurably greater and more complicated, and whole new areas of regulation have opened up to assert their challenge to our capacity for self-government.

As in the case of all functions of Government, the greatest assets of the regulatory agencies are the integrity, the ability, and the dedication to duty of the men who run them. Joseph B. Eastman who, in the eyes of many people was the greatest and most dedicated public servant ever to serve on the Interstate Commerce Commission, said that regulatory statutes should be well, simply, and carefully drafted, but he added that "the personnel which does the administering is more important than the wording of the statute." In his last public address, shortly before he died, Mr. Eastman enunciated his famous "Primer on Administrative Tribunals," an important thesis of which was that: "Good men can produce better results with a poor law than poor men can produce with a good law."

The success, the public standing, the complete freedom from any breath of scandal, that have characterized the I.C.C. for well over three quarters of a century have been due, in very important measure, to the high caliber and outstanding ability of the men who have served as Commissioners. Some of the men who have graced the Commission literally became legends in their own time, and history has added to their stature. Thomas M. Cooley, first Chairman, was a noted Jurist, College Dean, and author of one of the greatest books on Constitutional law ever published. William R. Morrison. second Chairman, was an eight-term U.S. Congressman. Commissioners Franklin Knight Lane, Clyde B. Aitchison, Charles D. Mahaffie, Dr. Walter Splawn, Joseph B. Eastman—these and other giants are enshrined in Government's hall of fame.

The President's message of March Second recognizes that the I.C.C. "bears the demanding and challenging responsibility to keep Federal regulation attuned to the needs and opportunities of a dynamic industry." The message indicates that the President will shortly submit a reorganization plan to provide that the Chairman of the I.C.C. shall be appointed by the President, as the Chairman of the other agencies now are, in lieu of the annual rotation method now employed.

In this connection, I point out that there is nothing in the law today to prevent the Commission itself from selecting a Chairman for more than one year. Cooley served as Chairman for five years, and his successor, Morrison, served for six years. Aitchison was Chairman on four separate occasions. Eastman was twice Chairman, once for a period of four years. In the last several years the Commission has taken important steps to improve its internal structure and organization. The role of Chairman has been strengthened and a Vice Chairmanship has been created. Things have been going satisfactorily. I think that at this time we should concentrate on the important objective of esablishing a Department of Transportation. After this is accomplished then there will be time to consider other necessary steps to strengthen our regulatory agencies, if such steps then appear to be necessary.

We must, however, constantly seek ways to attract and hold competent Commissioners. If we are to continue to attract men of the stature required to discharge the increasingly important duties of Commissioners of the regulatory agencies we must prepare to reward them, not simply with public acclaim and an assured place in history, but in more material ways. The most immediate need, in my opinion, is to increase the tenure of office so that men who are asked to leave the fields in which they have acquired competence, and usually, security, will be assured at least of a measure of stability in their service to the Government.

At the present time members of the Federal Maritime Commission are appointed for a term of 5 years, the law having been changed last year to increase the term from 4 to 5 years. Civil Aeronautics Board members serve for 6 years, and members of the Interstate Commerce Commission have a term of 7 years. I do not know what process of rationalization or logic impelled the selection of these varying terms of service, but I submit that reason and logic impel the conclusion that the terms should be uniform and that they should be longer.

It should not be our objective to attract men who are interested simply in furthering their careers by serving a term on a regulatory Commission. Those agencies have too great an impact on the economy and safety of the Nation to permit them to be run by men who are looking for stepping stones. The decisions rendered by the Commissioners of the regulatory agencies are as important in their economic impact as those rendered by Federal Judges, and we appoint Federal Judges for life.

I do not suggest that I.C.C. and other Commissioners should be appointed for life, but I have long advocated that they should be appointed for terms of at least 10 years in duration. That is the minimum of stability which I think we should offer men who are asked to interrupt their careers, usually at the height of their productiveness and when they have the heaviest family responsibilities.

There was a time when men who proved their worth on the Interstate Commerce Commission were practically assured of reappointment up to the time of their retirement. Commissioner Aitchison served on the I.C.C. for 35 years. Commissioners Eastman and Mahaffie each served a quarter of a century. Commissioner Splawn served 20 years. Whatever the reasons may be, that situation has not prevailed in recent times. The average length of time which the present eleven members of the I.C.C. have served is just about 7 years.

In 1961 a Subcommittee of the Senate Judiciary Committee recommended that the terms of all Commissioners of regulatory agencies be increased to 10 years. The Subcommittee said that: "Partly what ails the administrative process is the quality of, and the turnover in, agency membership." It went on to point out that under present laws "we have a crazy quilt of tenure," and added:

"Security, at least of a sort, is important to an officeholder, and we firmly believe that the President should be armed with an offer of 10 years when he sets out to find the very best possible appointee for a specific regulatory agency. In the past many Presidents have had to settle for less than the very best."

On May 11, 1961, Senator Carroll, for himself and Senator HART, introduced S. 1842, to implement the foregoing recommendation. Unfortunately, the bill was not progressed.

I do not suggest that my proposal to increase the tenure of office of the regulatory Commissioners be incorporated in the legislation to create a Department of Transportation, but I do earnestly urge that while we are considering ways to improve Government action in the field of transportation we actively support a change in the law so as to provide 10-year terms for all Commissioners.

CONCLUSION

The establishment of a Department of Transportation not only is clearly required by the demands of our times—it is long overdue. Waste and inefficiency breed on disorganization and lack of direction. The time for study has run out. We "created" a Department of Transportation in compartments, as the years went by, adding room after room to whatever structure of Government seemed most convenient at the moment. Now it is time to take what we have created and "establish" a unified structure, putting everything in the Executive Branch under one roof.

If we cannot quickly make up our minds as to all of the activities that should be housed in this new edifice—if there is overpowering sentiment to leave some of the activities where they are—then let us by all means get on with the main structure and move into it the activities that can be agreed upon.

A Department of Transportation is demanded now. In the name of efficiency, in the interest of economy, for the promotion of unity and cohesion and effective Government action in transportation, I ask your vigorous support for this essential and historic endeavor.

IMPLEMENTING THE "BEIRUT AGREEMENT" TO FACILITATE THE INTERNATIONAL CIRCULATION OF VISUAL AND AUDITORY MATERIALS OF AN EDUCATIONAL, SCIENTIFIC, AND CULTURAL CHARACTER

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CURTIS. Mr. Speaker, I am today introducing a House joint resolution identical to House Joint Resolution 688 introduced by the distinguished chairman of the Ways and Means Committee [Mr. Mills] authorizing the President to designate a Federal agency, or agencies, to be responsible for carrying out the provisions of the agreement for facilitating the international circulation of visual and auditory materials of an educational, scientific, and cultural character, the so-called Beirut agreement.

The Beirut agreement was conceived as a means of contributing to the cause of peace through the freer exchange of ideas and knowledge across national boundaries. Essentially, it provides a device for insuring duty-free treatment by all implementing countries of audiovisual materials of a "public service"—educational, scientific, or cultural—nature. The Beirut agreement is different from the "Florence" agreement on the importation of educational, scientific, and cultural materials in a major respect. It provides a certification procedure whereby each qualifying imported audiovisual item is guaranteed to be of an educational, scientific, or cultural character, and therefore is free of duty no matter in how many implementing countries it is shown or otherwise used.

HISTORY OF BEIRUT AGREEMENT

The agreement for facilitating the international circulation of visual and auditory materials of an educational, scientific, and cultural character was introduced by the United States at the third General Conference of the United Nations Educational, Scientific and Cultural Organization—UNESCO—in Beirut, Lebanon, in November 1948. It was then adopted by 10 nations and opened for signature at Lake Success, N.Y., on July 15, 1949. To date 21 nations have signed and implement the agreement.

The U.S. Senate gave its advice and consent to the agreement on May 24, 1960. Implementing legislation has been introduced since 1960 by Ways and Means Committee Chairman Mills. The present implementing bill is House Joint Resolution 688, on which the Ways and Means Committee is holding hearings today and tomorrow, June 6 and 7.

Since 1953 the United States has partially and informally participated in the Beirut agreement by establishing a certification procedure whereby U.S. producers and distributors of educational audiovisual material, may take advantage of other nations' implementation of the agreement. Thus, since 1953, the U.S. Information Agency—USIA—has certified U.S. educational audiovisual materials so that they might be imported duty free by, at present, at least 21 nations. U.S. implementation of the Beirut agreement would, therefore, merely extend to other nations the privileges they have extended to us since 1952.

The USIA in undertaking this certification activity has acted on policy dating as far back as 1938, when the United States determined that it would assist the circulation abroad of American visual and auditory materials. Thus, in 1942, the State Department began to certify eligible materials, which had previously suffered a disadvantage abroad for lack of a certification program, and in 1946 the Department established an interdepartmental committee on attestation to review and certify eligible materials.

WHAT THE AGREEMENT PROVIDES

The Beirut agreement—article III—provides in part that "Each of the contracting States shall accord exemption from all customs duties and quantitative restrictions and from the necessity of applying for an import license" for international shipments of materials defined as "audiovisual," which shipments bear certification by the government of the country of origin as to the educational character of the materials.

Article II of the agreement provides that duty-free treatment will be given to the following specific audiovisual materials: "films, filmstrips and microfilm in either negative form, exposed and developed, or positive form, printed and developed; sound recordings of all types and forms; glass slides; models, static and moving; wall charts, maps and posters," when they are deemed to be of an educational, scientific, or cultural character.

Article I defines educational, scientific and cultural character of the above materials, as follows:

> (a) When their primary purpose or effect is to instruct or inform through the development of a subject or aspect of a subject, or when their content is such as to maintain, increase or diffuse knowledge and augment international understanding and good will;
>
> (b) When the materials are representative, authentic, and accurate; and
>
> (c) When the technical quality is such that it does not interfere with the use made of the material.

HOW HOUSE JOINT RESOLUTION 688 IMPLEMENTS THE BEIRUT AGREEMENT

House Joint Resolution 688 implements the Beirut agreement by amending the Tariff Schedules of the United States—TSUS—to provide a new headnote to part 6 of the TSUS, and a new tariff item 870.30. The new headnote provides that:

> No article shall be exempted from duty under item 870.30 unless a Federal agency or agencies designated by the President determines that such article is visual or auditory material of an educational, scientific, or cultural character within the meaning of the Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific, and Cultural Character.

New TSUS item 870.30 provides free entry for "developed photographic film, including motion-picture film on which pictures or sound and pictures have been recorded; photographic slides; transparencies; sound recordings; recorded video-tape; models; charts, maps; globes; and posters; all of the foregoing which are determined to be visual or auditory materials in accordance with headnote 1 of this part, free."

Authority for the President to establish an agency to make the determinations required by the new TSUS headnote is provided in sections 1 and 2 of the joint resolution. These sections provide that the President may designate an agency to administer the program, that the agency so designed should have the duty of carrying out the provisions of the agreement, and that other agencies may furnish facilities and personnel for assisting the designated agency to carry out the provisions of the agreement.

A weakness of Joint Resolution 688 that could well be explored in the hearings is its failure to designate specifically an agency to carry out the authentification of certified imports for duty-free treatment. The USIA has since 1953 certified U.S. exports. But because the agency has no representatives at ports of entry where authentification for customs purposes of certified imports must be made, it would seem that the Customs Bureau is the appropriate administering agency. If the Ways and Means Committee so determines, then the Customs Bureau should be assigned this responsibility by the implementing legislation, and perhaps provision should be made for providing USIA consultation to the Customs Bureau in carrying out the authentification of certified imports.

Each contracting nation is given authority under paragraph 6 of article IV so to screen certified imports of audiovisual materials to insure that they meet the criteria of the agreement. If the country of entry decides to deny duty-free entry, then procedures are provided in article IX of the agreement for submitting disputes either to the World Court or to an international arbitration tribunal established in conformity with the 1907 Convention for Pacific Settlement of International Disputes.

Each contracting country is also given authority to censor material in accordance with its own laws, and to limit entry for public security reasons—article V.

TRADE EFFECT OF AGREEMENT

The United States is the major world exporter of materials covered by the agreement. Thus the United States has been enjoying duty-free foreign treatment of its certified audiovisual exports without providing reciprocal treatment for the exports of other nations. It is estimated by the USIA that in 1964 the United States exported about $3.5 million worth of certified audiovisual products.

Imports of such certified materials are estimated to be very small. In 1964, total U.S. imports of films except 35 milimeter feature films were valued at $2,079,845. It is considered doubtful whether more than 10 percent of that amount represented the value of the motion picture imports that could have been certified for duty-free entry under the Beirut agreement.

It is difficult to estimate the trade effect of implementing the agreement because in most classes of commodities no statistical distinction is made between educational and amusement materials. Phonograph records worth $3,831,022 were imported in 1964 under item 724.25. But it is estimated that imported educational recordings eligible for certification is infrequent—perhaps worth only $15,000 to $20,000.

IMPLEMENTATION MAY INCREASE U.S. EXPORTS

Several countries do not allow duty-free entry of U.S. certified materials because we do not extend this privilege to them. The United Kingdom, for example, a major market for U.S. audiovisual materials of an educational, scientific, and cultural character does not allow free importation even though certified by the USIA under its customary procedure. Thus it is considered that congressional passage and Presidential signature of House Joint Resolution 688 will increase duty-free exports of U.S. audiovisual products to foreign countries.

"POLICING" THE AGREEMENT

The Beirut agreement provides in article VI that each contracting state will send to UNESCO a copy of each certificate which it issues to its products, and shall inform the UNESCO of any refusals of duty-free entry of a product certified by any other contracting state. The UNESCO then publishes in English and French catalogs showing all certifications and all decisions made in respect to qualifying audiovisual exports and imports.

Thus, in contradistinction of the Florence agreement, the Beirut agreement provides an internal accounting or "policing" system whereby the operation of the agreement can be reviewed, and if complaints about its implementation by any contracting states exist, action can be taken on such complaints under the procedures for disputes provided.

SUMMARY

Since 1953 the U.S. Information Agency has operated a certification program whereby U.S. exports of audiovisual educational, scientific, and cultural materials receive duty-free treatment by at least 21 countries. At the same time the United States has failed to provide equal treatment for imports from the same States. As a result at least one important potential market has refused to recognize U.S. certified exports.

The implementation of the Beirut agreement by Chairman MILLS' Joint Resolution 688 and by the similar joint resolution I am introducing today would simply extend long overdue U.S. reciprocal treatment to certified imports and at the same time increase certified U.S. exports, all for the beneficial purpose of freeing intellectual commerce among the nations of the world.

Following is the joint resolution I introduce and a copy of the Beirut agreement.

H.J. Res. 1158

Joint resolution to give effect to the Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific, and Cultural Character, approved at Beirut in 1948

Whereas the Congress and the President have repeatedly declared it to be a national policy to promote a better understanding of the United States in other countries, and to increase mutual understanding between the people of the United States and the people of other countries; and

Whereas the General Conference of the United Nations Educational, Scientific, and Cultural Organization of its third session at Beirut, Lebanon, in 1948, approved and recommended to member states for signature an Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific, and Cultural Character, which Agreement has been signed by twenty-one nations, including the United States; and

Whereas the Senate has given its advice and consent to the ratification of the Agreement; and

Where as the Congress does hereby determine that mutual understanding between peoples will be augmented by the measures provided for in said Agreement: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized to designate a Federal agency or agencies which shall be responsible for carrying out the provisions of the Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific, and Cultural Character and a related protocol of signature, opened for signature at Lake Success on July 15, 1949 (hereinafter in this Act referred to as the "Agreement"). It shall be the duty of the Federal agency or agencies so designated to take appropriate measures for the carrying out of the provisions of the Agreement including the issuance of regulations.

SEC. 2. Agencies of the Federal Government are authorized to furnish facilities and personnel for the purpose of assisting the agency or agencies designated by the President in carrying out the provisions of the Agreement.

SEC. 3. (a) (1) Part 6 of schedule 8 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting after the heading to such part 6 the following:

"Part 6 headnote:

"1. No article shall be exempted from duty under item 870.30 unless a Federal agency or agencies designated by the President determines that such article is visual or auditory material of an educational, scientific, or cultural character within the meaning of the Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific, and Cultural Character."

(2) Such part 6 is amended by adding at the end thereof the following new item:

" 870.30	Developed photographic film, including motion-picture film on which pictures or sound and pictures have been recorded; photographic slides; transparencies; sound recordings; recorded videotape; models; charts; maps; globes; and posters; all of the foregoing which are determined to be visual or auditory materials in accordance with headnote 1 of this part.......	Free	Free "

(b) The amendments made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, on or after the date proclaimed by the President pursuant to this subsection, which date shall be within the period of six months which begins with the day after the day on which the United States instrument of acceptance of the Agreement is deposited with the Secretary General of the United Nations.

TEXT OF AGREEMENT FOR FACILITATING THE INTERNATIONAL CIRCULATION OF VISUAL AND AUDITORY MATERIALS OF AN EDUCATIONAL, SCIENTIFIC, AND CULTURAL CHARACTER

The Governments of the States signatory to the present Agreement, Being convinced that in facilitating the international circulation of visual and auditory materials of an educational, scientific and cultural character, the free flow of ideas by word and image will be promoted and the mutual understanding of peoples thereby encouraged, in conformity with the aims of the United Nations Educational, Scientific and Cultural Organization, Have agreed as follows:

ARTICLE I

The present Agreement shall apply to visual and auditory materials of the types specified in Article II which are of an educational, scientific or cultural character.

Visual and auditory materials shall be deemed to be of an educational, scientific or cultural character:

(a) When their primary purpose or effect is to instruct or inform through the development of a subject or aspect of a subject, or when their content is such as to maintain, increase or diffuse knowledge, and augment international understanding and good will; and

(b) When the materials are representative, authentic, and accurate; and

(c) When the technical quality is such that it does not interfere with the use made of the material.

ARTICLE II

The provisions of the preceding Article shall apply to visual and auditory materials of the following types and forms:

(a) Films, filmstrips and microfilm in either negative form; exposed and developed, or positive form, printed and developed.

(b) Sound recordings of all types and forms.

(c) Glass slides; models, static and moving; wall charts, maps and posters.

These materials are hereinafter referred to as material.

ARTICLE III

1. Each of the contracting States shall accord, within six months from the coming into force of the present Agreement with respect to that State exemption from all customs duties and quantitative restrictions and from the necessity of applying for an import license in respect of the importation, either

permanent or temporary, of material originating in the territory of any of the other contracting States.

2. Nothing in this Agreement shall exempt material from those taxes, fees, charges or exactions which are imposed on the import of all articles without exception and without regard to their nature and origin, even though such articles are exempt from Customs duties; such taxes, fees and exactions shall include, but are not limited to nominal statistical fees and stamp duties.

3. Material entitled to the privileges provided by paragraph 1 of this Article shall be exempt, in the territory of the country of entry, from all internal taxes, fees, charges or exactions other or higher than those imposed on like products of that country, and shall be accorded treatment no less favourable than that accorded like products of that country in respect of all internal laws, regulations or requirements affecting its sale, transportation or distribution or affecting its processing, exhibition or other use.

4. Nothing in this Agreement shall require any contracting State to deny the treatment provided for in this Article to like material of an educational, scientific or cultural character originating in any State not a party to this Agreement in any case in which the denial of such treatment would be contrary to an international obligation or to the commercial policy of such contracting State.

ARTICLE IV

1. To obtain the exemption, provided under the present Agreement for material for which admission into the territory of a contracting State is sought, a certificate that such material is of an educational, scientific or cultural character within the meaning of Article I, shall be filed in connection with the entry.

2. The certificate shall be issued by the appropriate governmental agency of the State wherein the material to which the certificate relates originated, or by the United Nations Educational, Scientific and Cultural Organization as provided for in paragraph 3 of this Article, and in the forms annexed hereto. The prescribed forms of certificate may be amended or revised upon mutual agreement of the contracting States, provided such amendment or revision is in conformity with the provisions of this Agreement.

3. Certificates shall be issued by the United Nations Educational, Scientific and Cultural Organization for material of educational, scientific or cultural character produced by international organizations recognized by the United Nations or by any of the Specialized Agencies.

4. On the filing of any such certificate, there will be a decision by the appropriate governmental agency of the contracting State into which entry is sought as to whether the material is entitled to the privilege provided by Article III, paragraph 1 of the present Agreement. This decision shall be made after consideration of the material and through the application of the standards provided in Article I. If, as a result of that consideration, such agency of the contracting State into which entry is sought intends not to grant the privileges provided by Article III, paragraph 1 to that material because it does not concede its educational, scientific and cultural character, the Government of the State which certified the material, or UNESCO, as the case may be, shall be notified prior to any final decision in order that it may make friendly representations in support of the exemption of that material to the Government of the other State into which entry is sought.

5. The Governmental agency of the contracting State into which entry is sought shall be entitled to impose regulations upon the importer of the material to ensure that it shall only be exhibited or used for non-profit-making purposes.

6. The decision of the appropriate governmental agency of the contracting State into which entry is sought, provided for in paragraph 4 of the Article, shall be final, but in making its decision the said agency shall give due consideration to any representations made to it by the Government certifying the material or by UNESCO as the case may be.

ARTICLE V

Nothing in the present Agreement shall affect the right of the contracting States to censor material in accordance with their own laws or to adopt measures to prohibit or limit the importation of material for reasons of public security or order.

ARTICLE VI

Each of the contracting States shall send to the United Nations Educational, Scientific and Cultural Organization a copy of each certificate which it issues to material originating within its own territory and shall inform the United Nations Educational, Scientific and Cultural Organization of the decisions taken and the reasons for any refusals in respect of certified materials from other contracting States for which entry is sought into its own territory. The United Nations Educational, Scientific and Cultural Organization shall communicate this information to all contracting States and shall maintain and publish in English and French catalogues of material showing all the certifications and decisions made in respect of them.

ARTICLE VII

The contracting States undertake jointly to consider means of reducing to a minimum the restrictions that are not removed by the present Agreement which might interfere with the international circulation of the material referred to in Article I.

ARTICLE VIII

Each contracting State shall communicate to the United Nations Educational, Scientific and Cultural Organization, within the period of six months following the coming into force of the present Agreement the measures taken in their respective territories to ensure the execution of the provisions of the present Agreement. The United Nations Educational, Scientific and Cultural Organization shall communicate this information as it receives it to all contracting States.

ARTICLE IX

1. All disputes arising out of the interpretation or application of the present Agreement between States which are both parties to the Statute of the International Court of Justice, except as to Articles IV and V, shall be referred to the International Court of Justice unless in any specific case it is agreed by the parties to have recourse to another mode of settlement.

2. If the contracting States between which a dispute has arisen are not parties or any one of them is not party to the Statute of the International Court of Justice, the dispute shall, if the States concerned so desire, be submitted, in accordance with the constitutional rules of each of them, to an arbitral tribunal established in conformity with the Convention for the Pacific Settlement of International Disputes signed at The Hague on 18 October 1907, or to any other arbitral tribunal.

ARTICLE X

The present Agreement is open to acceptance by the signatory States. The instrument of acceptance shall be deposited with the Secretary-General of the United Nations who shall notify all the Members of the United Nations of each deposit and the date thereof.

ARTICLE XI

1. On or after 1 January 1950 any Member of the United Nations not a signatory to the present Agreement, and any non-Member State to which a certified copy of the present Agreement has been communicated by the Secretary-General of the United Nations, may accede to it.

2. The instrument of accession shall be deposited with the Secretary-General of the United Nations, who shall notify all the Members of the United Nations and the non-Member States, referred to in the preceding paragraph, of each deposit and the date thereof.

ARTICLE XII

1. The present Agreement shall come into force ninety days after the Secretary-General of the United Nations has received at least ten instruments of acceptance or accession in accordance with Article X or Article XI. As soon as possible thereafter the Secretary-General shall draw up a *proces-verbal* specifying the date on which, in accordance with this paragraph, the present Agreement shall have come into force.

2. In respect of each State on behalf of which an instrument of acceptance or accession is subsequently deposited, the present Agreement shall come into force ninety days after the date of the deposit of such instrument.

3. The present Agreement shall be registered with the Secretary-General of the United Nations on the day of its entry into force in accordance with article 102 of the Charter and the Regulations made thereunder by the General Assembly.

ARTICLE XIII

1. The present Agreement may be denounced by any contracting State after the expiration of a period of three years from the date on which it comes into force in respect of that particular State.

2. The denunciation of the Agreement by any contracting States shall be effected by a written notification addressed by that State to the Secretary-General of the United Nations who shall notify all the Members of the United Nations and all non-Member States referred to in Article XI of each notification and the date of the receipt thereof.

3. The denunciation shall take effect one year after the receipt of the notification by the Secretary-General of the United Nations.

ARTICLE XIV

1. Any contracting State may declare, at the time of signature, acceptance, or accession, that in accepting the present Agreement it is not assuming any obligation in respect of all or any territories, for which such contracting State has international obligations. The present Agreement shall, in that case, not be applicable to the territories named in the declaration.

2. The contracting States in accepting the present Agreement do not assume responsibiltiy in respect of any or all non-self-governing territories for which they are responsible but may notify the acceptance of the Agreement by any or all of such territories at the time of acceptance by such contracting States or at any time thereafter. The present Agreement shall, in such cases, apply to all the territories named in the notification ninety days after the receipt thereof by the Secretary-General of the United Nations.

3. Any contracting State may at any time after the expiration of the period of three years provided for in Article XIII declare that it desires the present Agreement to cease to apply to all or any territories for which such contracting State has international obligations or to any or all non-self-governing territories for which it is responsible. The present Agreement shall, in that case, cease to apply to the territories named in the declaration six months after the receipt thereof by the Secretary-General of the United Nations.

4. The Secretary-General of the United Nations shall communicate to all the Members of the United Nations and to all non-Mem-

oer States referred to in Article XI the declarations and notifications received in virtue of the present Article, together with the dates of the receipt thereof.

ARTICLE XV

Nothing in this Agreement shall be deemed to prohibit the contracting States from entering into agreements or arrangements with the United Nations or any of its Specialized Agencies which would provide for facilities, exemptions, privileges or immunities with respect to material emanating from or sponsored by the United Nations or by any of its Specialized Agencies.

ARTICLE XVI

The original of the present Agreement shall be deposited in the archives of the United Nations and shall be opened for signature at Lake Success on 15 July 1949 where it shall remain open for signature until 31 December 1949. Certified copies of the present Agreement shall be furnished by the Secretary General of the United Nations to each of the Members of the United Nations and to such other Governments as may be designated by agreement between the Economic and Social Council of the United Nations and the Executive Board of the United Nations Educational, Scientific and Cultural Organization.

In witness whereof, the undersigned plenipotentiaries, having deposited their full powers found to be in due and proper form, sign the present Agreement in the English and French languages, each being equally authentic, on behalf of their respective Governments, on the dates appearing opposite their respective signatures.

SIGNATORIES TO THE BEIRUT AGREEMENT

Afghanistan, Brazil, Canada, Denmark, Dominican Republic, Ecuador, El Salvador, Greece.

Haiti, Iran, Norway, The Philippines, United States of America, Uruguay, The Netherlands, Lebanon.

SIGNATORIES WHO RATIFIED

Brazil, Canada, Denmark, El Salvador, Greece, Haiti, Iran, Norway, The Philippines.

BY ACCESSION

Cambodia, Ghana, Malagasy, Pakistan, Syria, Trinidad and Tobago, Yugoslavia, Iraq.

HORTON BILLS DOUBLE HILL-BURTON AUTHORIZATION FOR LONG-TERM-CARE FACILITIES; OFFER COMPREHENSIVE PROGRAM FOR HOSPITAL MODERNIZATION

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HORTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, this July nearly 19 million elderly Americans will begin to reap the benefits of the medicare program we enacted during the first session. At the same time we applaud the inception of this farsighted program, we in Congress must look ahead to the increased demands on health care and treatment facilities that medicare will bring.

In nearly every corner or our Nation, including my home community of Rochester, N.Y., medical and hospital planners and administrators have voiced concern that existing facilities, already operating at near full capacity, will be dangerously overcrowded soon after the influx of patients covered by medicare and State health care programs begins. Congress has not failed to respond to the need for medical facilities in the past. In fact, the availability of adequate, high quality facilities today is in large part attributable to Federal aid under the Public Health Service Act and other legislation. Now that we have provided a comprehensive health care program for our older citizens, we must do even more to insure that medicare patients, and all citizens, have high caliber hospitals and long-term-care facilities available to them.

To accomplish this, I have today introduced a bill that would double the amount authorized under the Hill-Burton Act for assisting the construction of nursing homes and other long-term-care facilities. It is known that these facilities, especially, will experience large increases in patient load due to medicare. The original authorization calls for $70 million, which provides about 15,000 additional long-term beds annually. In New York State alone, which now has 31,000 long-term-care beds, an additional 39,000 are urgently needed if demands are to be met even for the next 2 or 3 years. New York provides 45 percent of its needed long-term-care facilities. At least 15 other States, with equally pressing needs, have been able to provide less than 20 percent themselves. My bill, which would make available another $70 million, and which would allow redistribution of unused funds allotted to individual States, would at least be a start toward meeting the increased demands for these facilities.

Long-term care is not the only area which will meet with increased patient demands in the near future. In many areas, modernization of hospitals to bring them up to the best level of care that medical research can provide is urgently needed. In the Rochester, N.Y., area alone, nearly 300 new beds will be needed by 1970 and over 900 existing beds will need modernization or replacement before 1980. Other cities have even more pressing needs.

At this point, if I may, I would like to read to the House an article that appeared in the Rochester Democrat & Chronicle on April 27:

AREA HOSPITALS FACING HUGE BED SHORTAGE FOR NEXT 15 YEARS

(By John Van Buren)

A vast construction and renovation program appears to be facing the Rochester area if it is to expand and modernize its general hospitals to meet anticipated population demands over the next 15 years, a Rochester Regional Hospital Council report indicates.

The report, a massive statistical document representing four years of study, estimates that the 11-county region will need 280 new general hospital beds by 1970, and another 798 by 1980.

In addition, the report estimates that 914 existing hospital beds will have to be replaced because they are in facilities considered unsafe or otherwise unsuitable under new standards adopted earlier this year by the U.S. Public Health Service.

NO INTERPRETATION

The report was presented in rough draft form, and without interpretation, yesterday at a meeting of the hospital council's Review and Planning Conference chaired by Marion B. Folsom, former U.S. secretary of health, education and welfare. The conference accepted the report and directed that it be worked into final form and distributed among planning agencies.

It will probably take months to determine the significance of the report, which is intended as a guideline for future hospital planning in the region. The report does not specify how the indicated new beds are to be achieved or how the unsuitable beds are to be replaced. And it does not go into costs.

If all the bed needs were met, and this is doubtful because of ameliorating factors, total costs might run anywhere from $30 million to $50 million, depending upon whether the beds would be achieved through renovation or new construction. The figures, unofficial, are based on current hospital building costs.

General hospitals are designed primarily for the acutely ill requiring up to two weeks of hospitalization.

The council staff, which made the study, emphasized that the new bed needs were "inflated" 20 per cent because they include projections for long-term patients who are now cared for in general hospitals but who ought to be cared for in lower cost facilities.

UNIQUE REPORT

Folsom and Fred A. Smyth, hospital council president, hailed the study as unique because it is the first of its kind ever to define hospital service areas and take into account such factors as patient migration in and out of such service areas.

Folsom stressed that the indicated bed needs don't have to be met overnight, and said the study findings for Monroe County appear favorable. He also noted that the area is generally low on priority lists for federal aid to hospitals, largely because considerable aid has been received over the last 10 years and because other areas of the state, notably the New York City metropolitan area, are hard-pressed.

The study was carried out under a U.S. Public Health Service grant for area-wide hospital planning. It was made by Richard Rix, the council's acting director for review and planning, and staff assistants, David Roach and Theodore Horwitz.

Hospital and patient data were funneled into a computer, along with reams of data on population trends.

For Monroe County, the results show a total of 2,036 existing beds in the community's seven general hospitals. Of this number, 356 are deemed unsuitable and must be replaced, either because they are in nonfire resistant structures or they lack adequate supporting services.

The study found the county requires 297 new beds by 1970, and 533 by 1980. These estimates were adjusted on the basis of findings which showed that Monroe County hospitals draw patients from throughout the area, ranging from 1 percent of Schulyer County's patients up to 67 per cent of Livingston County patients.

The new bed needs to 1970 took into consideration all hosptial construction now underway or approved; Folsom noted, however, that about 200 beds are in the planning stages by Strong Memorial, Genesee and Highland, thus putting the county in a relatively favorable position for the next few years.

In the 10 counties in the area, the study findings varied widely on bed needs. Some counties were found to have more hospital beds than needed in the immediate future, while others were found to be in particular need because of antiquated facilities.

As a major step toward meeting this need, I am introducing a second bill today. This measure would empower the

Surgeon General to utilize a "medical facilities modernization fund" to:

First. Make grants to public or private nonprofit health institutions to enable them to amortize indebtedness incurred for the modernization of hospitals or other medical facilities;

Second. Make direct loans for such modernization, repayable over a 25-year period at the going rate of outstanding U.S. marketable obligations;

Third. Guarantee loans made to such institutions for such purpose; and

Fourth. Make grants for planning modernization projects, and for development of new systems and concepts in the provision of health services.

Mr. Speaker, the enactment of such a program, even at this late date, could avoid a very real crisis in medical care caused by a shortage of facilities within the next few years. Planners and administrators on the local and State levels are aware of the problem, and with our assistance, they will be able to translate plans and need into the kind and quantity of medical treatment facilities that our Nation deserves. We have come a long way by injecting into the concept of creative Federalism, programs which assist and promote the education and training of medical professionals, and programs under the Hill-Burton Act. Through these and other Federal actions, we have almost kept pace with the need for these facilities. Before the expected overcrowding of present facilities reaches crisis proportions, we must act to keep our level of assistance parallel with that of demand. I am confident that my colleagues will recognize this necessity and act to meet it.

THE USE OF TAX DOLLARS

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the goal of relieving conditions of true poverty is certainly one that is endorsed by all solicitous citizens, and I am sure that few would object to the use of a portion of their tax dollars to help the less fortunate.

However, indications are that the achievements of the Office of Economic Opportunity, the chief dispenser of Federal funds in the war on poverty, leave much to be desired as the results of the various poverty programs are posted. Because of local confusion, lack of standards and inspection, and general administrative inepitude, both the intended beneficiaries and the taxpayers have been the losers in many cases.

The example of Haryou-Act in New York City is but one illustration of how tax dollars can disappear. Granted $2 million last summer by the Federal Government to be spent on the poor in Harlem, this agency has been investigated by several agencies, with criminal indictments possibly forthcoming. This is the agency which supplied funds to LeRoi Jones' Black Arts Theater which used these funds to stage antiwhite dramas.

To show how U.S. taxpayers were taken for a ride, I include the two items from the Washington Post of June 2, 1966, "Agency Attacked," and "Black Arts Theater Got $115,000," in the RECORD at this point:

[From the Washington (D.C.) Post, June 2, 1966]

AGENCY ATTACKED—HARLEM ANTIPOVERTY GROUP BESET BY OPPORTUNISTS

NEW YORK.—The Harlem antipoverty agency—given $2 million in Federal funds last summer to help the poor—also opened the till to opportunists, spawned investigations that could lead to criminal indictments and left staggering bills in unpaid taxes and other debts.

Haryou-ACT, the agency, received the money primarily to head off any repetition of the 1964 Harlem riots. As preventive medicine, the program worked.

However, an Associated Press team that spent a week interviewing and studying records found that benefits of the program possibly could be offset by its failures. Some of the records studied have not been made public yet.

The findings show that Haryou-ACT was thrown into fiscal disarray as it prepared to spend an additional $11.1 million in Federal and city funds in a year-long program.

Moreover, nearly $500,000 was left unpaid in payroll and Society Security taxes and bills. Some opportunists were found to have diverted manpower and supplies for personal gain.

Haryou-ACT also financed black nationalist writer LeRoi Jones's Black Arts Theater, which staged antiwhite dramas.

The controversy surrounding the antipoverty agency has set off a half-dozen investigations—congressional, Federal, city and by the agency itself.

Manhattan District Attorney Frank S. Hogan conducted his own investigation, but has declined to comment on what it shows.

However, a high source in Haryou-ACT said the agency had turned over to Hogan considerable information that could lead to indictments.

Meanwhile, the agency is asking for more Federal funds for this year's summer programs.

The conflict between the Federal Government and Haryou-ACT grew warmer last week when 89 antipoverty groups in Harlem, led by the agency, vowed not to accept "one dime" of a projected $1.96 million Federal allotment for 1966 summer programs unless they get at least triple that amount.

Pickets have marched on the Federal antipoverty office here in support of the demands.

As the drama unfolds over whether there will be antipoverty money in Harlem this summer, the key investigation of last year's spending is coming to an end.

The auditing firm of Palmer & Walsh, working for the city and Sargent Shriver's Office of Economic Opportunity (OEO), has been checking Haryou-act's financial records for eight months. A report is expected in early June.

The report may reveal information on what happened to $800,000 that a spot audit last fall could not account for in the agency's records. The result was a temporary shut off of nearly $1 million in Federal grants. But the money was later released when new controls were set up.

[From the Washington (D.C.) Post, June 2, 1966]

BLACK ARTS THEATER GOT $115,000

NEW YORK, June 1.—The Black Arts theater, whose productions included violently antiwhite plays on Harlem street corners, got $115,000 from a Federal crash program to keep Harlem cool last summer, a special investigating team has reported.

The team said the theater, once headed by Negro poet-playwright Leroi Jones, got the money in a "circuitous manner" under the guise of "day camps."

The Black Arts financing was probed by an internal investigation committee of the board of directors of Haryou-act the Harlem agency through which antipoverty funds were funneled.

An Associated Press reporter team obtained a copy of principal sections.

The money obtained by the theater came from a $2 million fund poured into the Negro ghetto to prevent a repetition of the 1964 riots.

The investigating committee's report said in part:

"Records show that the Black Arts theater was turned down for funding as part of the (summer) crash program and that OEO (Office of Economic Opportunity) had also refused to grant it funds.

"The Black Arts theater was made to appear to be operating as 'day camps,'" the report continued, "with a condition which states that only $2800 worth of "consumable goods was to be provided."

BILL TO PROVIDE EXEMPTIONS FROM ANTITRUST LAWS TO PERMIT AND ENCOURAGE AUTOMOBILE MANUFACTURERS IN DEVELOPMENT OF SAFETY DEVICES, FACILITIES AND PROCEDURES

Mr. CHELF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CHELF. Mr. Speaker, last week I introduced in the House H.R. 15404, a bill that "provides for exemptions from the antitrust laws to permit and encourage automobile manufacturers in the joint development of safety devices, facilities, and procedures." Notwithstanding the opposition that may stem from the Justice Department this job is an absolute must, and it needs to be done. The motivation for the drafting of this legislation is an attempt to lend a helping hand to an industry that has indicated that it wants to cooperate with the States and the Federal Government in devising and developing safety devices and to evolve other safety instruments which would result in the better protection of the motorists and all of the public. It is for the better protection of all in that it will help all and harm none. The Federal, State, and all other governmental units owe an incalculable amount of consideration to the public and most especially to the motorist of this country who pays tremendous taxes from the day he purchases an automobile to the day he junks it, sells or trades it. The poor "tax weary" motorist is saddled with Federal, State, and local taxes on the purchase price of the automobile. From that day until he ceases to use the vehicle, there is a tax on every gallon of gas, quart of oil, in addition to the various taxes levied on tires and all other automobile equipment. The car-driving public, after having made all these payments, then proceeds to frost and refrost the tax cake by paying for his driver's license and the required license tags for his car.

In recent Senate hearings, the automobile industry indicated that one of their most serious dilemmas is the uncertainties with which they are confronted insofar as antitrust implications are concerned as it applies to safety design and safety standards,

In an effort to aid the industry's attempt to cooperate with Government so as to be able to develop new and permanent safety devices for the protection of the motorist and the public, it was deemed necessary by many Members of the Congress, that the industry be given encouragement. It is contended also by Members of Congress that a legitimate industry, employing hundreds of thousands of people, spending billions of dollars per year for the purchase of steel, rubber, leather, glass, and other materials, plus huge transportation costs, is entitled to consideration by the Congress. They should work together as partners for the common good of all the people.

For the above reasons as the author of this bill I believe that manufacturers of automobiles should be given the help that is necessary in order to reduce to an absolute minimum the useless and pathetic carnage that is so prevalent on our highways and streets today.

Whether the business establishment at hand is large or small all agencies of Government ought to extend a helping hand—especially where the car driving public and all of the people are envolved. Death upon the highway must be reduced and this is the time to do it.

PERSONAL ANNOUNCEMENT

Mr. VIVIAN. Mr. Speaker, earlier this afternoon I was absent from the floor during the rollcall vote on final passage of the bill, H.R. 14643, the International Education Act of 1966. If I had been present, I would have voted for the bill as I am wholeheartedly in favor of the bill.

REPORT OF THE U.S. DELEGATION TO THE SPRING MEETINGS OF THE INTERPARLIAMENTARY UNION HELD IN CANBERRA, AUSTRALIA, APRIL 11–16, 1966

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. Pirnie] is recognized for 60 minutes.

Mr. PIRNIE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter and tables.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PIRNIE. Mr. Speaker, I rise to make a brief report on the recent spring meetings of the study committees and Council of the Interparliamentary Union which were held in Canberra, Australia, on April 11–16. I had the privilege of serving as chairman of the U.S. delegation in the absence of Senator Herman E. Talmadge who unfortunately was unable to attend because of illness. As a vice president of the U.S. group during the 89th Congress, it became my duty to serve as head of the delegation.

The meetings were held at Parliament House, home of the Australian Federal Parliament, and were attended by 172 delegates from 49 member countries of the union. It was the first time that the union had ever met in the Antipodes. The principal task of the meetings was to plan the agenda for the 55th conference of the union which will be held in Teheran, Iran, September 27 to October 4, 1966.

The members of the U.S. delegation and their committee assignments were as follows: Representatives Alexander Pirnie, chairman; W. R. Poage, Edward J. Derwinski, Paul C. Jones, Emilio Q. Daddario, E. Ross Adair, and Robert McClory; and Senators Ralph W. Yarborough, Mike Monroney, Albert Gore, Edward V. Long, Wallace F. Bennett, and Milward L. Simpson.

The delegation was accompanied by Dr. George B. Galloway, executive secretary; Darrell St. Claire, fiscal officer, William B. Buffum, staff adviser from the State Department; and Dr. Charles J. Zinn, vice president of the Association of Secretaries General which is an autonomous section of the union. The delegation was also accompanied by the Honorable Katharine St. George, former Member of Congress from New York, recent past president and now an honorary member of the U.S. group and of the union.

The committee assignments of the U.S. delegation were as follows:

Political Questions, International Security, and Disarmament: Representative Pirnie, chairman; Senator Yarborough, Representative Daddario, Representative Adair, rapporteur.

Parliamentary and Juridical Committee: Senator Gore, chairman; Senator Long; Representative McClory, rapporteur; Mrs. St. George.

Economic and Social Committee: Representative Poage, chairman and rapporteur; Senator Monroney, Representative Jones, Senator Simpson.

Interparliamentary Council: Representative Pirnie, Representative Derwinski.

Let me express my sincere appreciation at this point to all the members of our delegation who took part in the deliberations at Canberra. I can inform this House that they handled their assignments with great skill and dedication. They created an image of responsible leadership which was bound to reflect favorably on our country.

Of the five standing study committees of the Union, the Committee on Self-Governing Territories and the Cultural Committee met only to elect their officers for the coming year, while the three other committees debated the topics shown on the timetable below.

TIME TABLE

MONDAY, APRIL 11

10 a.m. & 3 p.m.: 138th Session of the Executive Committee.

TUESDAY, APRIL 12

10:30 a.m.: Opening meeting.

3 p.m.: *Parliamentary and Juridical Committee.*—The Role of Parliament in the Preparation of Economic Development Plans and its Control of their Implementation.

Economic and Social Committee.—Relations and Co-operation between existing Regional Economic Groups and Systems.

WEDNESDAY, APRIL 13

10 a.m.: *Parliamentary and Juridical Committee.*—Consideration of the Proposals submitted by the Indonesian Group to amend Articles 17 and 15 of the Statutes concerning the Composition of the Executive Committee.

Economic and Social Committee.—Relationship between Demography and Employment in Present Economic Conditions.

3 p.m.: *Parliamentary and Juridical Committee.*—Parliament's Influence on the Conduct of Foreign Policy.

Political and Disarmament Committee.—Methods of strengthening Regional Security in Conformity with the United Nations Charter.

THURSDAY, APRIL 14

Economic and Social Committee.—Establishment and Approval of the Committee's Report. Elections.

Political and Disarmament Committee.—Nationalism and Internationalism.

3 p.m.: *Parliamentary and Juridical Committee.*—Establishment and Approval of the Committee's Report. Elections.

Cultural Committee.—Elections.

3:30 p.m.: *Committee on Non-Self-Governing Territories.*—Elections.

4:30 p.m.: *Political and Disarmament Committee.*

Establishment and Approval of the Committee's Report. Elections.

FRIDAY, APRIL 15

10 a.m.: 98th Session of the Inter-Parliamentary Council.

3 p.m.: 98th Session of the Inter-Parliamentary Council (Continuation).

SATURDAY, APRIL 16

10 a.m.: 98th Session of the Inter-Parliamentary Council (Conclusion).

At the opening ceremony of the Canberra meeting, which was held in the House Chamber, addresses of welcome were made by Sir John McLeay, Speaker of the House; and Prime Minister Harold Holt. The Prime Minister's talk dealt in large part with the Australian economy: its growth and problems. Australia saw itself as playing a role as a bridge between the countries of the West and Asia, the Prime Minister said. There was also a job for Australia as a great supplier of foodstuffs, or raw materials and of minerals to the growing industrialization of Asia, he told the opening session of the conference. He said:

> With development, defense, rising standards for our people and a rising program of international aid, we are trying to behave responsibly and as a good neighbor in this area of the world.

Let me now include a brief report on the work of the three standing committees of the Union that met at Canberra.

REPORT ON WORK OF THE POLITICAL AND DISARMAMENT COMMITTEE

Nearly all of the time of the Political and Disarmament Committee, of which I was selected vice chairman, was devoted to the Vietnam crisis. When the meeting convened, it had before it a memorandum from the U.S.S.R. accusing the United States of aggression in Vietnam and a memorandum from the Laotian delegation accusing North Vietnam of violating its territory by sending troops over the Ho Chi Minh trail into South

Vietnam. In light of these submissions the Secretariat determined that the discussion would take place under an agenda heading called "The Present Situation in Indochina."

A large number of speeches were given in the Political and Disarmament Committee. The Soviet Union led the attack on U.S. policy, alleging that U.S. military actions in Vietnam were contrary to the Geneva Agreement of 1954. The Soviet spokesman demanded an end to U.S. bombings in North Vietnam and the withdrawal of U.S. and allied forces from Vietnam.

The first speaker in the political committee for the United States was Representative ADAIR of Indiana. He told the committee the United States was in Vietnam for three reasons: First, because of our obligation under the SEATO treaty; second, because South Vietnam had requested American help; and third, because of the clear need to protect South Vietnam from invasion from the north. He also assured the committee that the United States would like to see the Geneva agreements respected and would welcome negotiations to this end.

Senator YARBOROUGH, of Texas, later responded to the Communist criticism of U.S. policy in Vietnam. He emphasized that the violation of the Geneva agreements originated with the Communists who had sought to undermine them from the outset through a campaign of subversion, intimidation, and terror designed to install a Communist regime in Saigon. Senator YARBOROUGH also cited the clear evidence of aggression from North Vietnam which infiltrated large numbers of men and military equipment into the south. He recalled that in the past the United States had paid too dearly for letting small countries become the victims of aggression. He stated that the United States in Vietnam as part of a treaty obligation and that we will not be driven out. In conclusion, Senator YARBOROUGH urged the Soviet delegation to use its influence to get the Vietnam problem brought to the conference table rather than indulging in futile and propagandistic calls on the United States to abandon Vietnam.

Debate on this item continued in the Council. Communist spokesmen repeated their familiar charges. Mr. George Zhukov, a member of the Supreme Soviet, alleged that the Vietnam war is the result of American intervention and alleged that he had been an eye witness to the destructive effects of U.S. bombs falling on "peaceful towns" in North Vietnam.

As the chairman of the U.S. delegation I then delivered the main American address on this subject—page 12305). I stressed that the United States is in Vietnam to help the Government of that country repel aggression. However, I said, this is not a happy task for us and we seek the earliest possible end to the conflict. I pointed out that the United States stands ready to start negotiations immediately and without any preconditions whatsoever to restore peace. I recalled the numerous efforts made by the U.S. Government over the past year to move the conflict from the battlefield to the conference table. As we made abundantly clear that we would negotiate without preconditions or on the basis of the Geneva accords of 1954 and 1962 and that we would withdraw our forces from Vietnam as soon as South Vietnam can determine its own future without external interference.

I went on to point out, however, that the Communists had denounced our offers to negotiate and had made very clear that Hanoi would discuss the problem only on the basis of preconditions involving acceptance of its position. Throughout this period, I said, North Vietnam has continued its aggressive actions against the South, which was the root cause of this tragic conflict. While we want peace, I said, appeasing the appetite of aggressors will not bring lasting peace, and the peace that comes must be a peace with honor; we will honor our commitment to the people of Vietnam as we have honored our commitments elsewhere. I concluded by asking the IPU to help make clear that the way to achieve peace is through unconditional negotiations and to urge Hanoi to come to the conference table.

One additional statement was delivered by the American delegation. Congressman DERWINSKI, of Illinois, referred to the crocodile tears being shed by the Soviet Union over Vietnam, calling attention to the record of aggression of the Soviets themselves in the Baltic States, Hungary, and elsewhere.

Three resolutions were introduced under this item: First, a resolution by the U.S. delegation which condemned North Vietnamese aggression against the south and called for negotiations to end the fighting—text attached; second, a resolution by the Czech delegation condemning the United States for aggression in Vietnam; and, third, a resolution by the United Arab Republic concentrating on the need for a negotiated settlement. In an effort to reconcile the various approaches, a drafting committee was formed under the chairmanship of Mr. Codacci-Pisanelli, of Italy, with Congressman PIRNIE, of the United States, Mr. Mohieddine, of the United Arab Republic, and Mr. Kriegel, of Czechoslovakia, as members.

By mutual agreement, the drafting group used the United Arab Republic draft as a basis for discussion. I made clear that the major objection to the United Arab Republic draft was the request for negotiations with the so-called National Liberation Front. I explained the U.S. position that the NLF is a creature of Hanoi and that if there were negotiations, this group would have no difficulty in making its views heard through the North Vietnamese delegation.

I also stressed the need for continuity in the Council's decision and recommended that the resolution be based on the appeal for unconditional negotiations issued by the Council in Dublin the year previously. The Czech representative objected to this approach, recalling that his delegation had opposed the Dublin appeal and alleging that support for unconditional negotiations meant support for the American position.

Subsequently, the drafting committee recommended to the Council a resolution which, after recalling the Dublin appeal and expressing anxiety about the threat of peace arising from the Vietnam situation, stressed that conflicts must be resolved through negotiation, requested a halt to all acts liable to hinder the creation of an atmosphere conducive to their successful outcome, and urgently renewed its appeal to all parties to the conflict to undertake immediate discussions under the aegis of the Geneva conference powers or through any other appropriate body on the behalf and in the spirit of the Geneva agreements.

This text was adopted on April 15 by the Council by a vote of 60 to 0 with 11 abstentions—text attached. The national count was 35 countries for the resolution, with the 7 Communist bloc countries abstaining—U.S.S.R., Bulgaria, Mongolia, Poland, Rumania, Hungary, Czechoslovakia.

The political committee also adopted, without opposition, one resolution dealing with disarmament and security questions. The basis of discussion on this item was a Czech resolution which inter alia called for the abolition of all foreign and military bases and withdrawal of foreign troops from the territory of other countries; called for the establishment, without qualification, of nuclear free and missile free zones; and called for an agreement on the nonproliferation of nuclear weapons which would guarantee "neither direct nor indirect access to these weapons."

As with the Vietnam item, a drafting committee was established to try and develop a resolution which would find maximum support in the Council. Senator BENNETT, of Utah, represented the United States in this drafting committee. As a result of U.S. intervention, the foregoing provisions which we found objectionable were modified by first, deletion of the paragraph on foreign bases, second, limiting support for nuclear free zones to those areas where the countries concerned so desire, and, third, revising the language on a nonproliferation agreement to conform to the language of the U.S. treaty proposed at the 18-nation disarmament conference in Geneva; that is, to assure that there is no increase in the total number of states and associations of states having control of nuclear weapons.

The Committee also discussed briefly the item before it on nationalism and internationalism. However, debate soon revealed that members did not consider that the current session would afford an adequate opportunity for proper consideration of a subject with such broad scope. Accordingly, it was agreed to defer further debate until the next spring session of the Council.

A resolution introduced by Yugoslavia was also adopted unanimously which called for the early improvement of good neighborly relations between European countries with different social and political systems. This motion was based on a resolution passed by the 20th U.N. General Assembly in 1965 and urged that Parliaments of European countries do their best toward improving relations as soon as possible.

In a final action, the IPU Council upheld a recommendation by the Executive Committee that Portugal not be admitted to membership in the IPU. The main reason given for rejection of Portugal was its noncompliance with numerous U.N. resolutions relating to independence for Portuguese territories in Africa. A number of Council members challenged the competence of the Executive Committee to make a finding of this character, but the challenge was rejected. At its final session the Council voted 43 to 26 to hold up a decision on Portugal's application for admission to the Union until Lisbon has "normalized its relations with the United Nations."

WORK OF THE PARLIAMENTARY AND JURIDICAL COMMITTEE

The Parliamentary and Juridical Committee of the Interparliamentary Union held four meetings during the recent spring conference at Canberra, Australia. At these meetings the committee discussed three specific subjects:

First. The role of Parliament in the preparation of economic development plans and its control of their implementation.

Second. Parliament's influence on the conduct of foreign policy.

Third. Consideration of the proposal of Indonesia to amend articles 15 and 17 of the statutes of the Interparliamentary Union to increase membership on the Executive Committee from 11 to 17 members, with membership to be determined on a geographic rather than an at-large basis.

The United States was represented on this Committee by Senators ALBERT GORE and EDWARD LONG, former Representative Katherine St. George, and Representative ROBERT MCCLORY.

At the opening meeting on Tuesday afternoon, April 12—after approval of the minutes of the Committee session held at Ottawa, Canada, in September 1965—the Committee proceeded to the discussion of the role of a Parliament in the preparation of economic development plans.

The delegates from Rumania, the Soviet Union, Bulgaria, and Yugoslavia presented a discussion of the respective roles of their parliamentary bodies in developing national economic plans under a socialist system. Mr. Gregory Zhukov, of the Soviet Union, pointed to the success of the Soviet Parliament in reviewing and approving plans for his nation's national development. He called attention to the fact that his nation produced 3 million meters of textiles in 1938, which was increased in 1965 to 1 billion meters. He pointed also to the fact that steel production in 1938 was only 4 million tons, whereas in 1965 it had increased to 90 million tons. He stated that his nation was trying to improve its system.

Senator EDWARD LONG inquired of Mr. Zhukov whether the lack of individual initiative under the Socialist or Communist systems did not retard economic development. Mr. Zhukov's reply was that he considered the question irrelevant to the subject under consideration. He added, however, that there were many changes occurring in the Soviet system aimed at improving the economy. He said that the United States might have some good suggestions for the Soviet Union and he expected to listen with interest to the American presentation. He added that the Soviet Union had adopted a program of decentralization, with a view toward developing greater local initiative in economic activity.

Mrs. St. George emphasized that private enterprise and not Federal or State planning or spending is the main element in our Nation's economic growth. She pointed out that over a period of the last 80 years the Congress has granted to regulatory agencies broad authority over such economic elements as railroads, aviation, the radio and television industries, and other groups whose activities are clothed with public interest.

She called attention the Council of Economic Advisors which makes recommendations to the President concerning the national economy. She also referred to the Joint Economic Committee, composed of Members of the House and Senate, which reports to the Congress each year, with its recommendations.

The control exercised by the Congress over revenues and expenditures was noted as a key to the Congress authority over budgetary matters. She noted, however, that the 1946 Reorganization Act was intended to establish a Joint Congresssional Budget Committee, but that it appears that action has been inadequate. Later attempts to implement that legislation have met with failure.

While the President requested Congress in 1965 to delegate authority to him to cut taxes and take other steps intended to influence the national economy, the Congress declined to surrender this power.

In conclusion, Mrs. St. George suggested that under our system the President was comparable to the executive of a corporation and the Congress represented the board of directors.

At the conclusion of the general discussion, the chairman, Mr. Chandernagor, attempted to summarize the morning's discussion, and pointed out the sharp distinction between the parliamentary roles in socialistic-type nations as contrasted to private enterprise or capitalistic-type nations. He pointed out the impossibility of combining these two philosophies into a simple resolution for presentation to the Interparliamentary Union meeting to be held in Teheran. He, accordingly, suggested that two reports might be prepared for presentation to the full Interparliamentary Union Conference—one report to outline the role of parliaments in national economic planning in socialistic-type nations, and a second report to describe the role of parliaments in economic planning in the capitalistic-type nations.

The U.S. representatives on the committee indicated support for this suggestion; however, the Soviet Union delegate suggested the possibility of a third report, to refer primarily to the underdeveloped nations.

At the final session of the committee, it was voted to have the chairman prepare a single report to embody the parliamentary role in economic planning under both capitalistic and socialist political systems, and presumably to make reference to the parliamentary role in developing economic plans in the underdeveloped nations as well.

At the second session of the committee consideration was given to the proposal of Indonesia to amend articles 15 and 17 of the Charter of the Interparliamentary Union, to increase the size of the Executive Committee from 11 to 17 members. The amendment would have required the Executive Committee to be made up of a majority of members from Asia, Africa, and South America.

Several delegates, including those from the United Kingdom, Australia, the Federal Republic of Germany, Italy, and Israel, pointed out that the Executive Committee was not intended to be a representative body determined on a geographical basis, but was in fact the executive branch of the Interparliamentary Union. It was pointed out that the Interparliamentary Union Council, composed of two members from each member nation, provided representation based upon geography and population.

The delegate from the United Arab Republic stated that he favored an increase in the size of the Executive Committee, and supported the principle of geographic distribution, although he did not favor the precise form as proposed by the Indonesian delegate. This appeared to be the general position of the delegates from Tunisia, the Philippines, and the Soviet Union. The delegate from the Philippines, Mr. Montano, emphasized the importance of giving greater recognition to the developing nations and urged that the Interparliamentary Union should not be a strictly European-oriented organization.

Speaking on behalf of the United States, Mr. MCCLORY declared that he favored the granting of increased recognition and influence to emerging nations—that the Interparliamentary Union had in fact provided them with representation on the Executive Committee and as officers on various of the standing committees. He stated that he hoped this trend would continue. Mr. MCCLORY stressed, however, that the emerging nations should earn their right to recognition and should not have such authority handed to them automatically as a result of a geographic distribution. It was Mr. MCCLORY's thought that the Indonesian proposal did not offer a sound basis for any change in the structure of the Interparliamentary Union, but that a study should be made of the organizational plan, with a view toward providing increased representation in the future to developing nations.

Inasmuch as there was general disagreement with the form of the Indonesian proposal, the chairman, Mr. De Blonay, proposed that the Committee should vote on the proposition of whether there should be any change at the present time in the composition of the Executive Committee. On this vote, there were 10 aye votes, 21 nays, and 8 abstentions, with the result that the proposal for a change in the composition of the Executive Committee was rejected.

The third subject to come before the Committee was a discussion of the role of Parliaments in connection with development of foreign policy. Each of the delegates that participated in this discussion outlined the particular manner in which his nation's Parliament controlled or influenced foreign policy decisions.

A resolution prepared by the Bulgarian delegation was filed with the Committee in connection with this discussion. This resolution condemned the United States "armed intervention" in South Vietnam, and called upon it to withdraw its forces from that area. The Bulgarian, Mongolian, Rumanian, Polish, and Soviet Union delegates expressed support for the resolution.

In presenting the position of the United States delegation, Mr. McClory outlined the role of Congress in the area of foreign affairs, detailing the particular interests of various committees of Congress on subjects affecting our Nation's interest in such international subjects. He described the vast foreign aid program which has been authorized by the House Foreign Affairs Committee, and for which the Appropriations Committees of the House and Senate have allocated the recommended funds. He described the work of the Banking and Currency Committee on behalf of such important institutions as the World Bank, the International Development Agency, and the Asian Development Bank; the role of the Judiciary Committee with regard to immigration; as well as the functions of the Agriculture Committee in providing surplus agricultural commodities for the people of needy countries under Public Law 480 and other provisions of our laws.

Mr. McClory characterized the Bulgarian resolution as propaganda, which was extraneous to the subject the committee had under discussion. He outlined the role of the United States in providing military and economic assistance to South Vietnam in its struggle to remain free and independent from Communist aggression. Mr. McClory called upon the representatives of all of the Parliaments to assist in a peaceful negotiation of the Vietnam conflict, to the end that the people of South Vietnam might determine their own destiny independent of outside influence.

Mr. McClory concluded by calling attention to the fact that the Association of Secretaries General was currently working on the role of Parliaments in foreign affairs, and that a comprehensive study of this subject should be made available to the committee and to the Interparliamentary Union before a draft resolution or other formal action is taken or recommended by the committee.

At the conclusion of the discussion, paticipated in by the delegates of Hungary, Sweden, Mongolia, New Zealand, Germany, Indonesia, United Arab Republic, Soviet Union, Yugoslavia, Poland, Bulgaria, and Canada, the chairman summarized the discussions and proposed several alternative courses of action. He proposed that the committee first vote upon the subject of adjourning the discussions without further action pending receipt of the report of the Association of Secretaries General. This proposal carried by a vote of 27 to 5. Accordingly, the Bulgarian resolution did not come before the committee for consideration.

The fourth meeting of the committee was devoted to the election of officers and the development of a final decision regarding the role of Parliaments in national economic planning—referred to above.

The election resulted in the reelection of Mr. Chandernagor of France as chairman, Mr. Scholefield-Allen of Great Britain as vice chairman, and the election of Mr. Draganu of Rumania as vice chairman to replace Mr. Mbu of Nigeria.

WORK OF THE ECONOMIC AND SOCIAL COMMITTEE

The Economic and Social Committee of the Union held three meetings during the conference. At the first meeting the Committee discussed methods of developing relations and cooperation between existing regional economic groups and systems. This discussion focused largely on the various European regional economic groups such as the EEC, EFTA, GATT, OECD, CE, COMECON, and the ECE. It did not reveal any serious lacunae which suggest that the further development of relationships and means of cooperation among European regional groups poses a major problem.

At its second meeting the Economic and Social Committee discussed the relationship between demography and employment in present economic conditions. The problems of how to provide economic growth and employment in developing countries with high rates of population increase were considered at this session.

The upshot of these discussions in the Economic and Social Committee was the adoption of a draft resolution that called upon all Parliaments to lend their support to the work of the United Nations Conference on Trade and Development and to take all appropriate measures to implement the policies and activities which it pursues; the resolution also invited all Parliaments to give full support to the preparation for the convening of the Second Conference of the U.N. on Trade and Development in 1967 and to contribute toward its success.

At its third meeting the Committee approved its draft resolution—text attached—and elected its officers for the coming year.

Mr. Speaker, I insert at the conclusion of my report the text of the draft resolutions that were adopted at Canberra together with a copy of my address at the meeting of the Council on April 15. The draft resolution adopted by the Political and Disarmament Committee on "Methods of Strengthening Regional Security in Conformity With the United Nations Charter," and the draft resolution adopted by the Economic and Social Committee, on "Relations and Cooperation Between Existing Regional Economic Groups and Systems," will be on the agenda of the Teheran Conference next fall.

U.S. DRAFT RESOLUTION ON VIETNAM

Noting the complaint of the Laotian delegation concerning violation of its territory by North Viet-Nam.

Recalling the appeal adopted by the IPU at its 96th session calling for immediate negotiations without any preconditions so that the Vietnamese people can as soon as possible freely and peacefully determine their own future without outside interference from any quarter.

Notes with approval the expressed willingness of the Governments of South Viet-Nam and the U.S. to enter such unconditional discussions.

Deplores the refusal of North Viet-Nam to participate in unconditional negotiations to end the war in Viet-Nam.

Condemns the violation of the territory of Laos by North Viet-Nam.

Condemns further the continued aggression waged by North Viet-Nam against South Viet-Nam including the infiltration of arms and men and a systematic campaign of assassination and terrorism for the purpose of overthrowing the Government of South Viet-Nam.

Calls on the Government of North Viet-Nam to cease its aggression forthwith and to respond affirmatively to the appeal of this body to engage in unconditional negotiations to restore peace in Indo-China.

Requests the United Nations to exert its best efforts to help bring about a peace settlement in Viet-Nam.

Notes that the United Kingdom, as co-chairman of the Geneva Conference, is prepared to convene a peace conference on Viet-Nam.

Urges the Soviet Union as the other co-chairman of the Geneva Conference, to join in the immediate convening of a peace conference in Viet-Nam and to exert its best efforts to persuade the Government of North Viet-Nam to participate constructively in such a conference.

THE PRESENT CRISIS ON THE INDOCHINESE PENINSULA

(Draft resolution submitted by the Drafting Committee*)

The Inter-Parliamentary Council,

Recalling the appeal adopted on the Vietnam situation at its 96th session held in Dublin in April 1965,

Noting with considerable anxiety that the steady deterioration of the situation in Vietnam constitutes a threat to world peace and security,

Stressing that international conflicts must be resolved through negotiation in accordance with the terms and spirit of the United Nations Charter,

Requests an immediate halt to all acts liable to hinder the creation of an atmosphere conducive to their successful outcome;

Urgently renews its appeal to all parties to the conflict to undertake immediate discussions under the aegis of the Geneva Conference Powers, or through any other appropriate body, on the basis and in the spirit of the Geneva Agreements.

METHODS OF STRENGTHENING REGIONAL SECURITY IN CONFORMITY WITH THE UNITED NATIONS CHARTER

(Draft resolution adopted by the Committee on Political Questions, International Security and Disarmament)

The 55th Inter-Parliamentary Conference,

Aware of the stipulation of the United Nations Charter by which all members confirmed their decision to live together as good neighbours in peace and to develop among themselves friendly relations,

Convinced that a strengthening of regional security and improved relations among the nations of various regions would favourably influence international relations and contribute to establishing an atmosphere safeguarding international peace and security,

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*Adopted by a vote of 60 to 0, with 11 abstentions.

Expressing its support of strengthening regional security by encouraging the States of the individual regions to conclude agreements,

Stating that a strengthening of regional security is supported by the observance of the principles of peaceful coexistence among the nations and by the development of cooperation in economy, science, culture and diverse other branches of social life,

1. *Urges* the Governments to observe strictly in all countries the most important principles of international relationship—respect for the sovereignty of States and nations, non-interference in their internal affairs and the securing of the full right for nations to decide their own affairs;

2. *Recommends* that all Governments and Parliaments give every support, especially to

(a) the conclusion of multilateral and bilateral agreements on non-aggression;

(b) the establishment of zones free of nuclear and missile weapons in different parts of the world, where the countries of an area so desire;

3. *Appeals* most urgently to all Governments to conclude agreements on the non-dissemination of nuclear weapons which would guarantee that there would be no increase in the number of States or associations of States having control of nuclear weapons;

4. *Recommends* that all countries everywhere develop mutual relations of good neighbourliness by supporting economic, trade, cultural and other exchanges, thus contributing to establishing trust among the nations;

5. *Requests* all countries to take such measures as would lead to collective security;

6. *Appeals* to all countries to solve their conflicts only by peaceful means and in accordance with the United Nations Charter.

RELATIONS AND COOPERATION BETWEEN EXISTING REGIONAL ECONOMIC GROUPS AND SYSTEMS

(Draft Resolution adopted by the Economic and Social Committee)

The 55th Inter-Parliamentary Conference,

Considering that the strengthening of international economic relations, including trade relations, contributes not only to economic and social progress in the world, but also to the consolidation of world peace,

Recognizing the need of undertaking urgent and effective measures and actions with a view to accelerating the development of developing countries and thus to promoting the progress of world economy as a whole,

Recognizing the historical significance of the United Nations Conference on Trade and Development for the elaboration and implementation of a new, dynamic international trade and development policy,

Convinced that the implementation of the recommendations of the United Nations Conference on Trade and Development is of exceptional importance for the solution of international economic problems and world trade in particular, as well as for the intensification of economic relations and the expansion of trade among countries with differing socio-economic systems,

1. *Calls upon* all Parliaments to lend their support to the work of the United Nations Conference on Trade and Development and to take all appropriate measures to implement the policies and activities which it pursues;

2. *Invites* all Parliaments to give full support to the preparations for the convening of the Second Conference of the United Nations on Trade and Development in 1967 and to contribute towards its success.

AN ADDRESS BY THE HONORABLE ALEXANDER PIRNIE, MEMBER OF CONGRESS, CHAIRMAN OF THE U.S. DELEGATION, TO THE INTER-PARLIAMENTARY UNION, CANBERRA, AUSTRALIA—APRIL 15, 1966

Mr. Chairman, before turning to the subject on our Agenda, permit me to express the deep appreciation of my Delegation to the Government of Australia for giving us an opportunity to meet in such a beautiful country and among such a hospitable people. We will all take away treasured memories and a determination to re-visit this magnificent Continent, even as the distinguished Prime Minister hoped we would. May I also say how fine it is to see so many familiar friendly faces and to be reassured that despite some setbacks, work is going forward all over the globe on behalf of stronger Parliamentary institutions.

I think we can help make these institutions stronger if we use meetings such as this to debate the major issues of our times soberly and, through the voice of the I.P.U., let the people of the world know our views about them. For this reason, I particularly welcome the opportunity to discuss the problem of peace in Indo-China. Hostilities continue unabated in Viet-Nam and probably no single issue is more deserving of our attention than this one.

The position of the U.S. on this subject is clear, simple, and unchanging. We are in South Viet-Nam because of our commitment to that Government and in response to its request for aid to resist vicious and sustained aggression from the North. Over a period of years, thousands of men and military equipment have been infiltrated into the South under the direction of Hanoi in an effort to impose communist control. This invasion has been coupled with a systematic campaign of assassination and terrorism designed to subdue the South Vietnamese Government and people. These facts are indisputable and have been verified by the International Control Commission, which is charged with overseeing the implementation of the Geneva Accords of 1954 and 1962.

Helping that gallant people to resist aggression is not a welcome task for us. We are not happy to spend our resources on war and to see our fine young men dying in battle every day in a far-off land. I am sure this is also true of our gallant allies, Australia, Korea, New Zealand and the Philippines. We seek the earliest possible end to this conflict and seek a negotiated settlement that will permit the Vietnamese people to determine their own future without outside interference from any quarter. We stand ready to start negotiations immediately and without any preconditions whatsoever to restore peace to Indo-China.

If this language sounds familiar to you, it is because the position of the U.S. conforms directly and affirmatively to the appeal adopted at the 96th Session of the I.P.U. on April 25, 1965. Not only did we support that appeal verbally in Dublin, Mr. Chairman, we have supported it fully and faithfully since then by our deeds.

In July 1965, President Johnson addressed an appeal to the Secretary General of the United Nations for whatever help that organization could give in moving the problem from the battlefield to the conference table. And in December last year the U.S. contacted 115 governments including 30 heads of State, and His Holiness the Pope through the dispatch of personal representatives to explain our earnest desire to end the conflict promptly and to request assistance in bringing about unconditional discussions.

In January this year we requested a formal meeting of the U.N. Security Council to consider the situation in Viet-Nam and introduced a resolution calling for immediate and unconditional discussions to establish a durable peace in Southeast Asia.

In all of these efforts we made our position abundantly clear, and I wish to reiterate our views to you today. We are prepared for negotiations without any prior conditions whatsoever, or on the basis of the Geneva Accords of 1954 and 1962. We would agree to a reciprocal reduction of hostilities and would make a cease-fire the first order of business in a conference if the other side wishes. We remain prepared to withdraw our forces from Viet-Nam as soon as South Viet-Nam is in a position to determine its own future without external interference. We want the people of South Viet-Nam to determine their own future through democratic processes and believe the question of Vietnamese reunification should be settled by the free decision of the two peoples. Viet-Nam and the other countries of Southeast Asia can be neutral or non-aligned if that is their choice. We want no continuing bases or military presence in Viet-Nam.

All these views have been conveyed directly to the Government in Hanoi.

This, Mr. Chairman, is how we responded to the appeal of the I.P.U. at its 1965 Session. Now, Sir, how did the other side respond? I regret to say that their answer was a harsh, and unyielding "No." Hanoi and Peiping denounced our offer to negotiate as a "swindle" and a "farce." Hanoi made clear that it was prepared to negotiate only on the basis of preconditions that would mean complete acceptance of their position even before a conference was held. In short, they insisted that South Viet-Nam Government capitulate to communist domination.

And throughout this period of intensive diplomatic efforts to halt the fighting, North Viet-Nam continued to send more troops across the frontier to fight and kill. We have had a vivid and authoritative account from the distinguished delegation from Laos showing how that small and neutral country has also had its territory violated as North Viet-Nam conducts its aggression against the South. Mr. Chairman, it is the long-standing and flagrant breach of the Geneva Agreements by Hanoi, the consistent efforts by aggressive communist regimes to subvert their neighbors that have produced this tragic conflict.

And what of the Soviet Union. What did the Government in Moscow do to give effect to last year's appeal of the I.P.U.? Regrettably they have not responded. To be sure, the Chinese Communists charge that the Soviet Union conspired with the U.S. to betray the "Glorious war of Revolution" in Viet-Nam. But this charge contains no more truth than most of those we hear from Peking. On the contrary, the Soviet Union even refused to call for a new Geneva Conference. Likewise, the Soviet Union opposed debate on Viet-Nam in the U.N. Security Council, which after all, has primary responsibility for world peace and security.

Mr. Chairman, I am confident that most delegates in this room are familiar with the real record of the U.S. and know that we stand for freedom, for peace, and for the dignity of the individual. At the risk of appearing immodest, I think it safe to say Americans have big hearts. We have tried to respond to the needs of others in fighting not only military battles but in fighting the eternal war against the ravages of nature; the war on hunger, disease and poverty. We have, for many years, devoted a large part of our resources for the benefit of less fortunate nations in an effort to help provide a happier, safer, and more satisfying life for the individuals concerned.

But we have long since learned that a policy of peace at any price means the sacrifice of freedom. Appeasing the appetite of aggressors is not the road to durable peace. History is our best teacher on that score. We want peace in Viet-Nam, and we will not relent in the search for an end to the conflict. But the peace that comes must be a peace with honor. We honor our commitment to the people of Viet-Nam as we have honored our commitments elsewhere. We take pride in keeping our word, and we will continue to do so.

We count the cause and not the cost.

It is in that context, my colleagues, let our search for peace go forward. You here can help in that search by making unmistakably clear as you did a year ago, that the way to restore peace to Indo-China lies in unconditional negotiations. Let us call on Hanoi to come to the conference table and let us call on the Soviet Union to help get them there. Then we will have rendered the cause of the I.P.U. and the cause of peace, the service for which we are here assembled.

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. PIRNIE. I am happy to yield to the gentleman from Indiana, a very able member of our delegation.

Mr. ADAIR. Mr. Speaker, the gentleman in the well has very properly and adequately outlined what was done at the recent meeting in Canberra of the Interparliamentary Union. He spoke approvingly of the efforts that members of the U.S. delegation had made to carry on the burden of the activities of the conference, and to discharge our responsibilities in a proper manner.

I am sure every member of our delegation, Mr. Speaker, would want me to say how much we appreciate the leadership that the gentleman from New York [Mr. PIRNIE] gave us.

It will be recalled that the chairman of our delegation was the Senator from Georgia [Mr. TALMADGE]. At almost the last minute it became apparent that he could not attend, so the gentleman from New York stepped in and assumed the responsibilities on very short notice, and discharged them in a way which not only made all of us on the U.S. delegation proud of him but also elicited a great number of favorable comments from members of other delegations.

It is not an easy thing to assume the task of leadership under those conditions, but the gentleman certainly did it, and he met his obligations not only with efficiency but also with fairness and in a manner which gave pride to all of us.

As the gentleman has indicated, a great portion of the activity of this conference centered upon the war in Vietnam. In many instances, no matter what the assigned subject or what the proper field of subject matter of the committee having a debate might be, in some way or another the conversation and the discussion would turn to the propriety of the U.S. forces being in Vietnam. The gentleman has covered this problem and I shall not go into detail, other than to say a good many of us who have had the privilege of attending these meetings in the past felt that the basic speeches and the basic positions taken by representatives of the Iron Curtain countries were the same as those taken in years past. They tried to bring them to date by tying them and relating them to the warfare in Vietnam, but it was basically the same anti-American position to which they have adhered through the years.

The fact that, when the chips were down, as the gentleman from New York has indicated, and when it was time to vote upon this resolution and this question we did secure so favorable a vote permits us to say without being guilty of lack of modesty, that in great degree this result was due to the fact that the entire delegation worked diligently and effectively to try to present our point of view.

This, it seems to me, is one of the great values of such a meeting as this, where we can meet with parliamentarians from other countries of the world—50, I believe, in this case—and exchange on formal and informal bases our ideas about problems of current importance.

So, on balance, I feel that this was one of the most productive of the Interparliamentary Union sessions we have had.

I would repeat, this was in large part due to the effective leadership of the gentleman from New York and the dedication of other members of the delegation, several of whom are on the floor here today.

I believe we can all take justifiable pride in the results achieved.

Mr. PIRNIE. I thank the gentleman.

I wish to add, the gentleman has a long background of service in the field of foreign affairs, and serves on that committee in this House. This has enabled him to develop a knowledge and a viewpoint which he brought very effectively to bear in these deliberations.

I am very pleased that with his conclusion that our delegation was effective in representing this body and our country.

I should like to second his observation that we were blessed with dedicated effort on the part of every member of the delegation. I will long recall their faithful attendance at all sessions, their remaining for long hours, and their readiness to help as the situation required.

Mr. DERWINSKI. Mr. Speaker, will the gentleman yield?

Mr. PIRNIE. I will be very happy to yield to my colleague from Illinois who served so very helpfully on the Council.

Mr. DERWINSKI. Mr. Speaker, I would wish to second the statement made by the gentleman from Indiana [Mr. ADAIR], and to point out to the Members that there are some very key aspects about our participation in the interparliamentary conferences that we should call to the attention of all the Members. The IPU has been properly styled the little U.N. in that it represents a broad spectrum of the countries of the world and most of the so-called newly emerging countries. They feel their membership in the IPU is part of the status symbol they seek for nationhood. As such, in their deliberations, even though they do not receive major attention here in the communications media of the United States, they do receive tremendous coverage in the press, radio, and television of foreign countries. The deliberate anti-U.S. attitude that the members from the Soviet bloc countries bring to this debate represents a challenge to us to repudiate their propoganda and to demonstrate the type of stability which we wish to bring about in other countries of the world.

Now, if the gentleman from New York will permit me to make another comment, our delegation has worked hard in attempting to adapt itself to the special challenges of the conference. For example, the gentleman from Illinois [Mr. MCCLORY] speaks French. Mrs. St. George, our former colleague, who served as secretary of our group, is very fluent in French. Our colleague, the gentleman from Connecticut [Mr. DADDARIO] is fluent in Italian. As such we have contacts over and above the official discussions with the members. I might add that I speak some Polish, but the only people at this conference who speak Polish are members of the Communist bloc and speaking to them is like speaking to a brick wall. Therefore, my particular language fluency is not too helpful, but the others I mentioned do make effective use of the language they speak.

Mr. Speaker, I would like to point out, also, some of the specialties upon which we draw upon from our own committee are very helpful in the IPU conferences. Again our colleague, the gentleman from Connecticut [Mr. DADDARIO], who is a skilled member of our Space Committee, is always the center of attention as he expounds to the interested delegates from less advanced countries on the progress of our space agency. The gentleman from Missouri [Mr. JONES] and the gentleman from Texas [Mr. POAGE], who are experts in agricultural legislation, are in great demand to advise their fellow parliamentarians of the progress we make in agriculture. I could enumerate the same type of contact that our colleagues of the other body bring, and we all hope to bring to this operation. We all know, I believe, Mr. Speaker, the contribution we do make at the annual IPU conference and the spring meeting is a very necessary and practical part of our relations with foreign countries.

It is appreciated and backstopped, I would say, by the State Department which recognizes the interests many other countries have. I do believe we have made a very effective contribution. Of course, I point out, as does the gentleman from Indiana, the leadership of the gentleman from New York [Mr. PIRNIE] was especially effective at this recent conference and in Canada.

Mr. PIRNIE. I thank the gentleman. I think he makes a very excellent point when he stresses the personal relationships that develop through these opportunities to visit with individual members of the delegations of other nations. I think the attention that was paid individually by the members of our delegation to that opportunity deserves commendation.

Mr. DADDARIO. Mr. Speaker, will the gentleman yield?

Mr. PIRNIE. I will be very happy to yield.

Mr. DADDARIO. Mr. Speaker, as I have sat here listening to the gentleman from New York [Mr. PIRNIE] and two of my colleagues, the gentleman from Illinois [Mr. DERWINSKI] and the gentleman from Indiana [Mr. ADAIR] and I am sure the gentleman from Illinois [Mr. MCCLORY] will participate in this discussion, a point has been made that cannot be too often said that the gentleman from New York in the well [Mr. PIRNIE] has now on two occasions stepped into the breach which has come about because the chairman of the delegation, in this instance, the Senator from Georgia [Mr. TALMADGE] was unable to participate. This is a great test of leadership to have such an important responsibility thrust upon one without prior notification.

Mr. Speaker, I would like to say that it was very heartening to see the gentleman from New York handle this emergency, to quickly take up the reins, and to effectively participate in conferences with those who establish the agenda and those who are attempting in some way to cut through complications which so quickly develop, especially during times of crisis such as is represented by the problem of Vietnam which as the gentleman from Indiana [Mr. ADAIR] said, pushes itself into every discussion even when the agenda did not warrant the inclusion and discussion of this particular issue. So, Mr. Speaker, we all must realize that the gentleman from New York [Mr. PIRNIE] did an outstanding job and that he should be commended for it most highly.

Mr. Speaker, one of the developments of this meeting which I believe to be of outstanding importance was that when we arrived there was a heated feeling, I believe, against the U.S. delegation because of the situation in Vietnam.

But as the conference moved on and as we had the opportunity to talk to other members of the delegations from the other 50 or so countries which were participating, and as we struggled with a resolution in a committee upon which I had the good fortune to serve with the gentleman from New York [Mr. PIRNIE], we saw this effort push to the point where the resolution was finally hammered out and where it was brought before the conference, then one delegation after another spoke in favor, excepting for the Soviet bloc which in most instances spoke against it saying that they would vote in the negative. Finally when the Russian delegate spoke for his delegation he revealed that he would not vote in the negative but would abstain. Then, when the vote finally took place, all of the Soviet bloc did in fact abstain, following the leadership of the Soviet delegate.

Therefore, Mr. Speaker, this resolution was in fact passed without any negative vote against the position of that resolution, turning completely about the attitude of heat which had originally been evident as the conference opened.

Mr. Speaker, I do believe that this was a tremendous accomplishment and it came about through the members of the delegation working closely together and because the gentleman from New York [Mr. PIRNIE] showed a high degree of leadership under most difficult circumstances.

Mr. PIRNIE. Mr. Speaker, I thank my colleague and wish to call the attention of the Members of the House to the fact that the gentleman from Connecticut [Mr. DADDARIO] worked very effectively as a member of the delegation, and as an outstanding member of this particular committee. It was his tact, his resourcefulness and his very evident sincerity that helped to supply the persuasion necessary to resolve the differences which he has described.

Further, Mr. Speaker, we can be very, very proud that the gentleman from Connecticut [Mr. DADDARIO] has been selected as the member of this delegation whom we hope to advance to the Executive Committee of the Interparliamentary Union at the next session.

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield?

Mr. PIRNIE. Mr. Speaker, I am happy to yield to a distinguished member of our delegation, the gentleman from Missouri [Mr. JONES].

Mr. JONES of Missouri. Mr. Speaker, I do not believe I can add anything to the expressions which have been made by my colleague, the gentleman from Connecticut [Mr. DADDARIO], in complimenting the gentleman from New York [Mr. PIRNIE] for the diplomatic way in which he presided and for the influence which he was able to wield over the Conference that was held.

I think all of us, as has been indicated by the gentleman from Connecticut [Mr. DADDARIO], were pleasantly surprised by the satisfactory manner in which all of the questions were resolved. I think it speaks very highly for the chairman who did such a magnificent job at the last moment when he was called upon without any previous notice that he would have to assume the leadership of the delegation, just as he had done on one other previous occasion. We were extremely proud of the way in which he handled it.

I just want to add my remarks to those that have been made here by the other delegates who were in attendance at the Conference and to concur in their statement and say that I am proud of the position that we were able to maintain there and proud of the dignity with which we conducted our tasks and of the final accomplishments of the Conference.

Mr. PIRNIE. I thank the distinguished gentleman from Missouri. I would just like to point out that the gentleman from Missouri speaks from a background of experience, and demonstrated dedication to the purposes of the Interparliamentary Union.

Mr. Speaker, I am sure we are all appreciative of the efforts which the gentleman from Missouri [Mr. JONES] and the gentleman from Texas [Mr. POAGE] put forth to portray the potential and the attitude of our country in fields related to the economic life of the world and our international responsibilities. They are very vigorous efforts which commanded the respect of those in attendance.

Again, Mr. Speaker, I want to thank the gentleman from Missouri again for his very kind remarks.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. PIRNIE. I am happy to yield to the gentleman.

Mr. McCLORY. Mr. Speaker, I want to add my commendation for the very expert job that the gentleman from New York performed as chairman of our U.S. delegation to the Interparliamentary Union Conference in Canberra.

As we know, the spring Conference of the IPU is intended primarily as a preparatory meeting for the fall or plenary session of this organization. Yet, we did find that there were a number of issues that had to be decided at this spring meeting.

The delegation, it seemed to me, to a man, performed its work most capably. I think it should be brought out to the Members of the House that there is a great deal of preparatory work prior to this Conference and we are fortunate to have the assistance of the distinguished executive secretary of our organization, Dr. George Galloway and of the staff of the Library of Congress and other aids that we are able to receive from the Department of State and elsewhere so as to better equip ourselves to contend with the problems that we encounter at these international meetings.

It seems to me quite definitely as other Members have said that we dealt effectively with the various issues and the various problems that we encountered and saw to it that they were resolved favorably to our Nation.

Again I wish to stress to all the Members of the House that I cannot help but feel that there should be a greater understanding of the benefits that are derived from our participation in these Interparliamentary Union meetings as emissaries of our Nation and as representatives of our U.S. Congress. These meetings with parliamentarians from the other countries, provide an excellent opportunity for promoting good international relations and sound public relations for our country. I believe this opportunity is used in a most effective way.

I have sensed in the course of my brief experience as a delegate to the Interparliamentary Union Conference the development of warm and friendly attitudes on the part of a number of other delegates as a result of contacts that we have individually made and as a result of working together with the parliamentarians from other countries. This strikes me as being of extreme significance.

Comparisons have been made between the Interparliamentary Union and the United Nations. I know that at each of these meetings that we attend the fact is brought to the attention of the membership that we are elected representatives of the people who are speaking one to the other, handling and resolving issues considered by the Interparliamentary Union to be vital to our common good.

This is a point of great significance, it seems to me. Of course, there is a certain amount of liaison between the Interparliamentary Union meeting in Cantions and agencies of the United Nations, and I think this is as it should be.

Again I would like to mention that one of my own impressions, at least, and I am sure of other members of the delegation as well, was the very cordial, the very close relationship which exists between Australia, the people of Australia, and the people of the United States, which was brought out particularly at this meeting. I think a great many of us understood and appreciated this warmth of feeling and these close ties that exist between the people of our Nation and the people of Australia—a most significant fact to have in mind. I might say that the general public attitude in Australia, particularly toward our involvement in southeast Asia, was one which evidenced strong support and strong cooperation. This in itself was heartening.

I am proud indeed to have been a part of the U.S. delegation to the Interparliamentary Union meeting in Canberra, and I wish to pay tribute to all of the members who participated in this meeting, not only for the active and knowledgeable way in which they performed, but also to compliment the group on the very splendid results which were achieved.

Mr. PIRNIE. I wish to thank the gentleman, and point out that the observations he has made with respect to personal contacts are thoughts that he has consistently put into practice. I do not think there was any member of the delegation who was more faithful in taking advantage of the opportunites for friendly exchange with the members of the other delegations. I have been proud to include in the report his very able remarks as he participated so actively in the work of the Parliamentary and Judicial Committee. I know our colleagues will be pleased also to know that pated very effectively in the Conference with her usual charm and skill, participated very effectively in the conference.

It was a great pleasure to see with what warmth she was welcomed by the members of the other delegations, because we recall that, during the last Congress, she served as the head of the delegation and did a magnificent job; we are happy that it is possible for her to continue this participation.

I would like to close by paying tribute to the Government of Australia and all of its representatives who welcomed us with such obvious generous friendliness and hospitality. Members of our Embassy, under our very able Ambassador, Edward Clark, who made us so welcome and did everything to make our visit pleasant and successful. His staff set a very high standard of Government service, and we are indebted to them for many helpful acts and courtesies. Likewise Ambassador Powell and his staff made our brief stop in New Zealand a most rewarding experience. May I also pay tribute to our own staff which ably supported all phases of the undertaking.

Mr. MATHIAS. Mr. Speaker, will the gentleman yield?

Mr. PIRNIE. I am happy to yield to the gentleman from Maryland.

Mr. MATHIAS. Mr. Speaker, I just want to express my personal appreciation to the gentleman for his leadership in the work of the Interparliamentary Union, and to stress, what I believe is the very general concensus, the importance of this work in the whole underpinnings of international understanding. I certainly share with the gentleman the sentiments he has expressed today for the gentlewoman from New York who has taken such an important part in this work.

Mr. PIRNIE. Mr. Speaker, I thank my colleague. I know how interested he has been in the work of the Interparliamentary Union. He has followed its problems and its accomplishments. His participation is welcomed, and I hope the opportunity will be presented where he can serve actively in this important work.

Mr. MATHIAS. I thank the gentleman.

I would close my remarks by thanking once again every member of the delegation for faithful and loyal service in this important mission.

CHINA AND VIETNAM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wyoming [Mr. RONCALIO], is recognized for 15 minutes.

Mr. RONCALIO. Mr. Speaker, the American commitment in Vietnam is ultimately based upon the probabilities of certain action by China if we should withdraw. It is of utmost importance to assess how China might act in the event of American disengagement and how this Chinese reaction would affect our vital interests.

South Vietnam is seen as the key to the security of all of southeast Asia. The United States has long had vital interests in southeast Asia for reasons of trade and communications, since its sea lanes control an important part of world shipping, and because of the area's natural resources. Southeast Asia exports about 91 percent of the hemp, 89 percent of the natural rubber, 76 percent of the copra and coconut oil, 68 percent of the tin, and 68 percent of the rice that enter into the world trade. These materials and others from the area are of strategic importance to the United States and her allies. Although many uses of natural rubber have been taken over by synthetics, the natural product still makes up about 30 percent of rubber consumption and there are some rubber products for which no synthetic has been found. There has never been any tin discovered in the United States. Japan, with her scarcity of raw materials, is heavily dependent upon the products of southeast Asia.

LESSONS OF WORLD WAR II

World War II pointed out the economic importance of southeast Asia to the United States and Japan and the strategic importance of Vietnam. Economically, a major Japanese motive during World War II was to gain control of the area's natural resources. This was the idea behind Japan's greater East Asia coprosperity sphere. Strategically, after first gaining a foothold in Vietnam, Japan was able to overrun all the rest of southeast Asia—Cambodia, Laos, Thailand, Burma, Malaya, Indonesia, and the Philippines—in 6 months with only 400,000 men. After the Japanese became entrenched in these positions, it was extremely difficult to remove them, due to the difficult jungle terrain and poorly developed communications. Despite these difficulties, the Western Allies committed themselves to a long and costly struggle to prevent a Japanese hegemony in southeast Asia.

Possessing much greater manpower than Japan, as well as nuclear weapons, China might be tempted to try the same thing Japan did, if the weak states of southeast Asia were deprived of outside support. China could send thousands of troops into the Indochinese Peninsula almost overnight. From this position, enjoying the same strategic advantage Japan had, she could overrun the rest of the area in a few months. Once in military control, the Chinese could control the trade and natural resources of the area by arrangements similar to those instituted by the U.S.S.R. in Eastern Europe after World War II. The measures could include joint-stock companies, Chinese managers for ports and industries, and perhaps even dismantling some industries for transportation behind the Chinese border. The nation in control of the archipelago region could also determine whose ships would pass through the area's narrow straits. An added motivation for China to restrict southeast Asia's economic relations with the outside world is that China cannot compete with the more efficient Japanese on a free market.

DOMINO THEORY

What are the probabilities that the Communist powers would come to dominate the region in this manner if the United States withdrew? After American disengagement, there would be little to stop the North Vietnamese from conquering South Vietnam, Laos, and Cambodia. North Vietnamese expansionism to the south and west continued for about 800 years until it was halted by the imposition of French colonialism about 100 years ago. After the Japanese invaded the area during World War II, French authority was never reestablished in the north and the northern drive to the south and west began once more. The French attempted to arrest this drive until their defeat at Dienbienphu in 1954. North Vietnam is the most densely populated sector of Indochina while Laos is the largest, least populated country in the area and has the least capacity to defend itself. Laos is deeply divided, ethnically and politically. Communist forces now control about one-half of Laos.

Cambodia is also sparsely populated and is in a vulnerable strategic position. To use her main waterway to the sea, it is necessary to pass through South Vietnam on the Mekong River. The Mekong Delta is open to attack from routes which can be commanded from North Vietnam and Laos. Thus, it is essential to the security of Cambodia that South Vietnam and Laos are in friendly hands.

If Indochina fell to the Communists, it is quite possible that Thailand would divorce herself from Western defense arrangements and try to reach an accommodation with China. Historically, Thailand has adopted this flexible position of being willing to cooperate with the region's dominant power, whether that should be Great Britain, France, Japan, the United States, or China. This stance would be forced upon Thailand because of her strategic vulnerability. The bulk of the Lao people live in Thailand, which has much reason to fear a Vietnamese-Lao combination. The instability of northeast Thailand is further increased by the presence of 50,000 to 80,000 pro-Communist refugees from Vietnam who have settled there since World War II. It is clear that China has designs on Thailand, for the Chinese have designated Thailand as the next area ripe for a war of national liberation, and have even established a free Thai movement from the Thai ethnic groups living in southern China.

Burma, already beset by rebellious factions, would be another prime target. Rebel groups continue to operate in northern Malaya. Singapore has often been described as a hotbed of Communist activity. Indonesia is beset by internal difficulties and has great problems in maintaining the allegiance of her outer islands. There is a strong insurrectionist movement on one of the Philippines' main islands of Mindanao.

Thus, the removal of U.S. power could bring on a wider war as China and North Vietnam attempted to dominate the region. A threat to Burma would involve the vital interests of India, for World War II demonstrated that the country in control of Burma can easily launch attacks on India. World War II also showed that the security of Australia and New Zealand depends upon a stable situation in southeast Asia. Britain is pledged to defend Malaysia and could become drawn into a wider struggle.

In addition, American disengagement would cause friends and enemies alike to question seriously the credibility of any U.S. military deterrent.

CHINA'S INTENTIONS

These, then, are the stakes involved in defending South Vietnam—trade routes, economic resources, the dangers of a Vietnam united under the Communists, the weakensses of the surrounding states, the need for a credible deterrent against China, and the dangers of a wider war. But there are still those who argue that China has only peaceful intentions in the region and would not try to impose economic or political control. But this does not explain why China supplies the so-called wars of national liberation, or why she has formed the free Thai insurrectionary movement.

It is very difficult to assess the intentions of a rising power because each gain brings new objectives within reach. Thus, although China may have peaceful intentions now, an American withdrawal could change those intentions. Certainly, the experiences of Germany should bring second thoughts to the minds of those who disclaim the aggressive intentions of a rising power, with the belief that she is entitled to be the regional leader, in the midst of a number of weaker states.

Of course, the only certain way to determine China's intentions would be to withdraw, but this course is fraught with too many dangers. It would be too easy for China to invade the area and present the world with a fait accompli in a short period of time. And World War II demonstrated that it is extremely difficult to dislodge an invading force from the area once it has become entrenched, even with superiority in firepower and control of air and water.

Through economic development and peaceful change, the United States hopes to see eventually a number of progressive, independent, and viable states in southeast Asia, able to stand on their own feet. Is this possible? It is, according to the examples in Greece, Malaya, the Philippines, and South Korea, where Communist revolutionary movements, supported from outside, were finally defeated. Today, the United States and her allies are thankful that decisions were made to stand firm in these former areas, even though the outlook was often bleak. These examples lend added support to the view that the defense of South Vietnam is worth the effort. The United States should not reconcile herself to being condemned by history as the country which allowed the 200 million people and vast natural resources of southeast Asia to be controlled by powers which have pledged themselves to our destruction.

International politics usually confront a state with opportunities not to do the greatest good, but to do the least evil. It is better to limit the war to Vietnam now than to court the incalculable dangers that would stem from a wider war.

ADDRESS BY HON. K. A. RANDALL

Mr. CALLAN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. ASHLEY. Mr. Speaker, all of us are aware of the restrictions of credit which have generated recent intensification of competition among financial institutions for savings. Because this is a topic of very real importance and priority consideration, I am pleased to insert in the Record the following remarks of Mr. K. A. Randall, Chairman, Federal Deposit Insurance Corporation, at the annual convention of the American Institute of Banking at San Diego, Calif., on June 3, 1966:

Remarks by K. A. Randall, Chairman, Federal Deposit Insurance Corporation, Before the Annual Convention of the American Institute of Banking at San Diego, Calif., on June 3, 1966

Last month, the House Banking and Currency Committee opened hearings on two bills designed to impose restrictions on commercial bank time deposits—one prohibits the issuance of certificates of deposit and other bank obligations and the other bars banks from accepting time deposits in amounts less than $15,000. In the course of the hearings, additional proposals were advanced to place a uniform interest rate on all types of time and savings deposits and borrowings of banks and to permit higher rate ceilings on large deposits.

These proposals have been generated by the recent intensification of competition among financial institutions for savings, coupled with continued high levels of economic activity. It is not my intention today, however, to comment directly on these specific proposals. I want to concentrate instead on some of the major issues and problems that have been illuminated by the proposed legislation and the current situation in the financial markets. These are the issues and problems that will be with us in the years to come—in one form or another. An understanding of their nature and their implications is therefore essential.

I am particularly pleased to be able to speak to an audience such as this today because you are the ones who, in the future, will have to face and solve problems similar to those posed by the current vigorous competition for savings. Most of the managerial talent for the banking industry will be drawn from your ranks. Your ability and resourcefulness in coping with the problems of the future will be a crucial factor in preserving the strength and viability of our financial institutions.

The current economic situation is characterized by high and still rising levels of economic activity, close to full employment of our plant and manpower resources, and strong upward pressures on interest rates and on the demand for credit. Our international commitments at the same time inject an element of uncertainty into the economic outlook. The financial markets reflect the interaction of all these forces, which may be intensified this month by record corporate tax payments due at mid-month and by expectations of the savings and loan industry that withdrawals from share accounts after the dividend payment period at the end of the month may exceed the inflow of new savings.

Although pressures in the financial markets may be severe this month, generally speaking the major segments of the financial community—the commercial banks, the savings banks, and the savings and loan associations—are strong and well able to withstand these short-run pressures. Furthermore, you may be confident that the various supervisory authorities are also prepared to provide whatever assistance that may be necessary with every means at their disposal.

The present conjuncture of circumstances, nevertheless, provides several good illustrations of problems we may expect in the future. One of the major factors in the current situation is the strong competition among financial institutions for funds to meet the demand for business financing, for consumer credit, and for mortgage financing. This competition is taking place against a relative shrinkage in the volume of new savings. In the first quarter of this year, for example, saving as a percent of disposable personal income totaled only 5.0 percent compared to 5.6 percent in the last quarter of 1965. At the same time, a larger proportion of the savings is being channeled directly from the saver to the borrower through the capital markets rather than through financial intermediaries.

Since the mid-1950's, commercial banks have been filling an increasing proportion of the nation's credit requirements, after having lagged behind other savings institutions in the immediate postwar period. However, so far this year, commercial banks have met only about one-fourth of the nation's financing needs compared to 40 percent in 1965. Indeed, the major savings institutions have had to compete for a less rapidly growing savings pie. Adapting to a slower rate of savings inflow is not an easy task, particularly if operations have been geared to a large continuing inflow.

The adjustment process, however, has been eased by a concomitant slowdown in demand in certain sectors of the economy and by the restraining effects of a tighter monetary policy. This is an opportunity to strengthen portfolios, to reassess short- and long-run factors, and to match activity more closely to supply and demand factors currently operative in the market. For financial institutions such as savings banks and savings and loan associations the adjustment process is slow because of the long-term nature of their investments. Liquidity needs and commitment policies may have to be reevaluated in light of the future prospects for housing and construction and for savings.

This reevaluation process is equally beneficial for our commercial lending institutions. The role of the large negotiable time certificate of deposit—and, more recently, the related small-denomination savings instruments—might be usefully reexamined by every bank to determine whether undue dependence is being placed on these instruments for deposit growth and whether liquidity requirements might need to be strengthened for these deposits. The competition for these interest-sensitive funds, moreover, has become so intense that it might be questioned whether there is any net gain to the bank in deposit volume or only higher interest costs. The banking system as a whole may be only stimulating more frequent shifting of funds or an upward ratcheting of the rate structure rather than attracting additional savings.

Higher interest costs in turn have placed pressure on bank profit margins. Over the longer run, profitability is a major determinant of the types of activities in which a bank engages. Attention may be focused on growth in the very short-run but only at a bank's peril can it ignore profit considerations over the long run.

Similar considerations are relevant in a bank's lending operations. The present strong upward pressures on the nation's resources call for restraint on the part of both lenders and borrowers.

The financial sector now has reached an especially significant milepost—from this point forward a high degree of statesmanship, responsibility, imagination and restraint is required. We have reached the point where adjustments must be made to circumstances that have evolved gradually—over the whole postwar period in some cases and during the present economic expansion in others. Operations cannot be blindly predicated on continuation of the previous high rates of growth in savings inflow or in the demands for credit.

All of our major financial institutions have responded well to the challenge of directing the nation's savings into productive use and of meeting the nation's credit needs. But as savings flows decline or as particular credit needs are satisfied, it is equally the responsibility of our banks and savings institutions to adjust to the changed situation. Adjustment to a slower growth rate or to shifting demands in the economy is a much more difficult assignment than adjustment to rapid expansion, but it is an assignment whose successful completion is essential to the fundamental health of our financial system.

The past six months have emphasized another facet of our financial mechanism—the essential interrelationship of all our financial markets. The increase in the Federal Reserve discount rate and in the interest rate ceilings last December was designed to impose a measure of monetary restraint on the burgeoning economy and at the same time give banks somewhat greater flexibility in attracting deposits to accommodate strong loan demands. By raising the ceiling to 5½ percent, however, a 1½ percent differential was opened up between the rate paid on passbook savings accounts and the rate on other time deposits. Although rates were not expected to move to the ceiling, they in fact rose rapidly as banks competed for funds. The size of the differential provided a very strong inducement for banks to develop new instruments to attract funds.

Banks have responded since December to the higher permissible rate structure with innovations in the types of deposit facilities offered to the saver, such as savings or investment certificates and savings bonds. Both the Federal Reserve and the FDIC are currently conducting surveys of banks under their supervision to find out more about these new savings instruments and how savers have reacted to them. From these surveys we hope to obtain a better insight into bank responses to changes in interest rate ceilings.

A second result of the December increase was an acceleration in the movement of funds between different types of deposits, between banks, and also between different types of financial institutions. The success of banks in attracting a larger proportion of new savings has had a dampening effect on other savings institutions. To a yet undetermined extent, moreover, banks may have drawn interest-sensitive funds out of these financial intermediaries—although other competitive investment outlets doubtless contributed to the slower growth in savings at these nonbank financial institutions. Within the banking system, in addition, larger banks found themselves competing against smaller banks.

These interactions resulting from action in one sector illustrate the close interrelationship of financial institutions in today's markets and demonstrate the difficulties of foretelling with accuracy financial responses in a financial market as complex as ours. The practically impossible task of separating and isolating one sector of the financial markets from another suggests strongly that, to the extent that regulation and supervision are needed, they should be applicable to all sectors of the market.

The ability of banks to compete successfully today against specialized thrift institutions is attributable largely to the fact that banks are multi-purpose institutions. Through their broader investment opportunities and their ability to provide a wise variety of financial services, banks are in a relatively strong position to attract customers. The advantage that banks hold over other financial intermediaries thus cannot be eliminated simply by rate equality. This conclusion leads in turn to the very interesting question of the future of special-purpose institutions.

The development of the future could very well be the evolution of single-purpose institutions toward a multi-purpose operation as financial markets become increasingly integrated. The constantly growing and diversified credit needs of our economy may push us steadily toward this concept of "one-stop" banking. From a financial system with savings institutions at one end of the spectrum and commercial banks at the other, we may see a "merging toward the center" as our financial institutions adjust to changing circumstances. In the process we may also achieve a more efficient allocation of our financial resources without the sacrifice of private initiative and enterprise.

As recent experience amply demonstrates, our financial structure is constantly changing and adapting. New patterns in the flow of savings have emerged and new techniques are in use. Problems have arisen as a consequence of these recent developments. It is the responsibility, however, of the supervisory authorities to facilitate the necessary adjustments during transition periods with as little friction and disturbance to the market as possible. Whatever actions are taken—whether affecting rates, instruments, or even institutions—should be taken with caution because of possible unforeseen and unfortunate repercussions. The geographical diversity of our nation heightens this possibility. Serious imbalances or prolongation of the adjustment period also could result from an incorrect course of action. The impact of any particular action, moreover, could vary with the circumstances in which it is undertaken. Consequently, the supervisory authorities must be accorded maximum flexibility in this area to tailor their actions to the particular situation. Packaged prescriptions might well be unsuitable—and also highly inflexible.

The lack of a neatly packaged solution should not be equated with inability to find a solution. In many cases, an approach more easily adapted to particular circumstances or selective in its impact may be preferable.

Although our financial institutions are generally strong, there are always a few trouble spots. It is for this reason that the Corporation is currently strongly supporting the proposed legislation for cease-and-desist authority against unsafe and unsound practices of banks and savings and loan associations and for authority to remove directors or officers of institutions whose actions may weaken the postion of the institution, its depositors, or shareholders. The bill now pending in Congress would reinforce and widen the range of existing remedies for correcting unlawful, unsound, or irregular practices that are unfortunately still found from time to time. It permits the supervisory authorities to take action quickly and effectively short of more drastic action such as a takeover or termination of deposit insurance, which are the alternatives now available to us. The bill also provides protection of the rights of any institution, its officers, directors, and others involved.

In closing, I would like to summarize briefly what we are learning from the dialogue in the financial community today. First, adaptability and flexibility of all our financial institutions to changing circumstances—whether on the supply side or on the demand side—are essential for the continued strength of our financial system. Secondly, any action affecting one sector of our financial markets has an impact on all other sectors; our financial markets cannot be compartmentalized. Thirdly, the complex ties between all sectors of the financial markets argue for across-the-board regulation, if regulation is needed. Fourthly, the advantage that a multi-purpose financial institution has over a single-purpose institution tends to lead us to the conclusion that a greater diversification of powers within an institution may be the development of the future. Finally, the supervisory authorities must remain alert to these developments and be prepared to aid the adjustment process. It is an important responsibility that we do not take lightly.

THE 16TH MISSION TO VIETNAM OF DELAWARE AIR NATIONAL GUARD

Mr. CALLAN. Mr. Speaker, I ask unanimous consent that the gentleman from Delaware [Mr. McDOWELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. McDOWELL. Mr. Speaker, the Delaware Air National Guard has completed its 16th mission to Vietnam since December 1965.

Round trips from the Greater Wilmington Airport to Vietnam are scheduled for 100 hours of flying time in 10 days, according to a letter I have just received from Maj. Frank E. Giovannozzi, aircraft commander of the Delaware Air National Guard—DelANG.

The men who make these long and hazardous flights are to be commended for their dedicated service, particularly so since they donate their time and talent, and take time off from their civilian jobs in order to carry out this important mission. I include as part of my remarks the following letter:

142D MILITARY AIRLIFT SQUADRON,
DELAWARE AIR NATIONAL GUARD,
New Castle, Del., June 2, 1966.

Hon. HARRIS B. MCDOWELL, JR.,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN MCDOWELL: The Delaware Air National Guard has completed another mission to Vietnam, the sixteenth such flight by the men of Delaware since December, 1965.

Round-trips from the Greater Wilmington Airport to Vietnam and back are scheduled for 100 hours of flying time in ten days. The men listed below have volunteered this time away from their families and civilian jobs in and around Delaware so that these missions could be flown.

We are proud to be able to make this effort in support of the Military Airlift Command and will continue to keep you informed each time Delaware is represented on the fighting fronts of the world.

Best regards,

Maj. Frank E. Giovannozzi, Aircraft Commander, DelANG; Capt. John L. Wilmot, Jr., Moorestown, N.J., Co-Pilot; Maj. Hugh P. Goettel, Wilmington, Del., Navigator Flight Examiner; 2d Lt. James R. Sisson, Media, Pa., Navigator; CmSgt. George B. Reynolds, New Castle, Del., Instructor Flight Engineer; MSgt. Gerard L. Blake, Newark, Del., Flight Engineer; TSgt. Charles H. Simpson, Jr., New Castle, Del., Flight Engineer; MSgt. John A. Kunkle, Newark, Del., Loadmaster; MSgt. Paul W. Lane, Newark, Del., Crew Chief.

PANAMA CANAL: DAR 1966 RESOLUTION

Mr. CALLAN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. FLOOD. Mr. Speaker, among the patriotic organizations of the United States keenly aware of the destructive forces now converging on our country, the Daughters of the American Revolution is one of the ablest.

For a number of years, at their annual congresses, they have expressed their views concerning the Panama Canal in the form of resolutions.

The latest such resolution follows:

RESOLUTION: 75TH CONTINENTAL CONGRESS, NATIONAL SOCIETY, DAUGHTERS OF THE AMERICAN REVOLUTION, APRIL 18 TO 22, 1966

PANAMA CANAL

Whereas the United States Senate has the power to block proposed new treaties revoking America's perpetual treaty rights over the Panama Canal by surrender of Canal Zone sovereignty and shared administrative responsibility to the Panama Republic, under terms which could deny to the United States access and defense rights; and

Whereas the Canal Zone is a territorial possession of the United States of America, constitutionally acquired by treaty with Panama and purchased from individual property owners, and the Panama Canal was built at the sole cost of the United States of America and has been efficiently maintained and operated to the great benefit of Panama and the world; and

Whereas loss of this vital artery for peaceful or military transport, essential to national and hemispheric economy and defense, would gravely weaken America; would give away billions of American tax-paid Canal Zone investments; would cause a major loss of our world prestige and power; and would hand a triumph to our enemies, who are now entrenched in the Caribbean;

Resolved, That the National Society, Daughters of the American Revolution, favor no United States surrender or further abrogation to Panama of the United States of America's absolute treaty rights over this strategic Canal Zone.

EARLY PHILIPPINE PACIFICATION HAS LESSONS FOR TODAY IN VIETNAM—SEQUEL

Mr. CALLAN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. FLOOD. Mr. Speaker, in a statement to the House on April 19, 1966, I quoted a fascinating article by Harry W. Frantz, distinguished correspondent and traveler, about the heroic and significant career of Maj. Owen M. Tomlinson of the Philippine constabulary during the period of U.S. occupation of the Philippine Islands.

During his 400-mile hike in 1916 over the trails of the Mountain Province of Luzon, Mr. Frantz spent some time in the region of the Kalinga tribesmen—a land of mixed anthropological origins. Some of the constabulary officers that he met stated that Spaniards, during the Spanish colonial period, had "shanghaied" large numbers of Moros in Mindanao or Sulu and put them ashore in northern Luzon. Others speculated that the Kalingans might have descended in part from tribesmen who had migrated from Indochina.

The lesson to be learned from the experiences of our early administrators in the Philippines, as related by Mr. Frantz, is that, in the slow pacification of areas inhabited by relatively primitive peoples, the guiding principle on local levels must be law and order and that its administration must be motivated by men, respected for their personal justice and judgment.

As a sequel to his story about Major Tomlinson, Mr. Frantz, also in 1941, wrote another article concerning the work of Walter F. Hale, another forgotten constabulary officer, who for a time was governor of one of the subdivisions of the mountain Province in which the Kalingans were predominant.

Because the lessons of the sequel article by Mr. Frantz may help our forces now struggling in Vietnam, I quote it as part of my remarks:

[From the Mulberry (Ind.) Reporter, July 18, 1941]

THE TAMING OF THE KALINGAS

(By Harry Warner Frantz)

(EDITOR'S NOTE.—Mr. Frantz wrote recently for The Mulberry Reporter a first-hand account of the part played by Major O. A. Tomlinson in the subjugation and civilization of the wild Ifugao tribe in the Mountain Province of Luzon, Philippine Islands. Farther north and west in the same Province lived the savage Kalingas. From a notebook kept during a long journey afoot in 1916 through that region, Mr. Frantz recounts the previously untold story of another celebrated American administrator.)

From Lubuagan I tramped north to Balbalan, the home of former Governor Walter F. Hale, who is generally credited with having brought the Kalingas under control. Lubuagan was a hard place to leave. Its altitude is at the point where one enjoys the beauties but not the discomforts of the tropics. The landscape is lurid with hibiscus blooms in pinks and red, the papaia with its luscious fruit, and the pomelo, or lupvon.

Eight kilometers from Lubuagan we reached the little village of Ableg. A deputy sheriff, clad in a blue flannel shirt, a brass badge and a clout bade us welcome. Civil law extends into this wild man's territory. I declined an invitation to lunch, hoping to reach my destination for dinner. Women were making clay pots at one of the houses. Coffee trees were growing, and the hibiscus flourished at many doors.

Mr. Hale has a fine two-story home at Balbalan. On the first floor is a small tienda or store. Upstairs is the dwelling. A large porch commands a view far down the valley. The altitude is not more than three thousand feet, but the dense dark timber of the vicinity tends to reduce the temperature. Trails lead from Balbalan in several directions. It is on the route to Balbalasan, an important town of eastern Kalinga; to Abra, a neighboring province on the sea coast; to Cagayan an Apayao.

Mr. Hale was not at the house upon my arrival. A native boy was sent to call him from the garden. While I waited I recalled many of the facts that I had heard concerning him. He had been described to me as a "man born to handle savages," "a man of chilled steel nerve," "the man who tamed the Kalingas," "a fellow hard to get acquainted with," and otherwise.

Soon a short but heavily-built man approached me. His face, reddened by the sun, was that of a man who did not smile habitually. Firmness expressed itself in every feature, from the steady mouth to the cool, penetrating eyes. Those eyes, level, set widely apart, steady, unyielding, yet lighted at times by a certain amiability, had been the vital factor in bringing the native chiefs to an understanding and acceptance of their owner's desires.

Mr. Hale read the letter of introduction which I presented. We shook hands. He inquired after the writer of the letter, and we went indoors. My eyes first encountered a well-stocked bookcase, in which I immediately recognized late works of importance. On the table were American magazines—the National Geographic, the Annalist, others of variety classified as "highbrow." In the mountains one expects to encounter stacks of ancient magazines and shelves of mildewed novels.

"I had a missionary visitor recently," said my host, noticing the direction of my interest, "who claimed to be greatly surprised to find that anyone out here would keep interested in the world and its affairs. . . . I try to keep up with things, though it's a little difficult."

He turned to me hopefully, asking, "Do you play chess?"

I reluctantly admitted that I did not.

"I had been hoping," he said, "that someone would drop in who could play chess. Time hangs kind of heavy sometimes—"

We therefore settled on the veranda for a long chat.

Before our conversation had terminated I was ready to admit that few men that I met in the East were better informed on current topics than this quiet individual of studious mind living several hundred miles from a railway in the mountains of Luzon. His range of conversation extended from the condition of the wheat crop in America and Canada to the theories of Bernhardi and other modern German philosophers. On every topic introduced he seemed well-informed.

Mr. Hale was educated at the University of Nebraska. Later he disavowed an earlier intention to study for the ministry, and prepared for the practice of medicine. He did not complete his course. Before going to the Philippines as a volunteer he had lived in Mexico, Central America, Bolivia and many parts of the western states. He acquired the "adventure habit," which remained with him during 18 years in the Philippines.

After the Insurrection he taught school for a time. Later he entered the special government service. After holding minor positions he became lieutenant-governor of Amburuyan (the chief official of a sub-province is termed lieut.-governor). He was transferred to a like position at Kalinga, and before his retirement in 1915 had the honor of being the official who had served longest in the Special Service.

Mr. Hale undertook a job at which others had failed—that of subduing and bringing under control the very wild and war-like natives of Kalinga. "Kalinga" was a word applied to the tribe by the Spaniards, and means "enemy." His predecessor was a man who had known but one method of dealing with the natives—to inspire them with terror.

Mr. Hale's efforts, in a sense, were single-handed. Though a company of Constabulary soldiers was available for service, he sought as far as possible to accomplish the government's purpose without the assistance of the military force. In this he succeeded to a remarkable degree.

At the end of our conversation, Hale requested that at some convenient later date I write to tell him what feature of my visit to the Orient impressed me most. I wish to state in all sincerity that nothing in the East interested me more than his own story of how he managed to put an end to head-hunting in Kalinga.

The story took an hour in the telling. As the teller spoke he frequently paused to verify his observations on human nature or ethics by an affirmative nod from his auditor. It struck me that his deliberate and intimate manner of speech and his method of continually being in touch with his listener's opinion must have been valuable assets in his dealings with the wild chieftains of the hills.

Primarily, Hale went to Kalinga well-versed in human nature, powerful in physique, with a well-established record for nerve, and with a sympathy for and understanding of wild people. He was already known as "sapao," or "wise man."

He spent a year in mastering the native language. A second year he devoted to acquiring knowledge of Kalinga customs, the beliefs on which they were based, and the reasons underlying such beliefs. His method was scientific rather than military, and there was comparatively little of the spectacular in his later achievements. The murders and massacres that would have attended less efficient work in the Mountain Province did not occur, newspaper correspondents never were attracted to the field, and the outside world heard little of a work which should have commanded the highest praise from the American public.

Mr. Hale learned that the horrible custom of head-hunting was based on definite beliefs that the taking of heads insured desirable conditions in life.

"The dead would not rest in their grave, widows could not remarry, crops would be small, unless heads were taken," he said.

"I quickly recognized that the interest of the savage was not in ideas or in ideals, that they had no notion of abstract laws," he said. "The chiefs of neighboring communities had no confidence in each other, and a raid might occur at any time. I foresaw that the establishment of peaceful conditions depended upon the existence of common confidence in an outside party. I made it my duty to merit the confidence of the various head men. Through their faith in me, they soon found it possible to meet on common terms. These meetings of rivals were made special occasions of feasting and drinking and no effort was spared to promote good feeling.

"I learned, too, that the head men in each rancheria or community, who in fact generally were bacnang, or rich men, were practically supreme; that the actions of the people were determined by their wishes, and that they assumed responsibility for any misconduct on the part of individuals subject to their rule. This fact simplified the problem. I had to do business with but a few hundred men instead of thousands. These men, too were among the most intelligent of the natives and could reason.

"I learned the vital fact that feuds existing because of unequal scores on the head-taking accounts might be settled by payments of carabao. (water buffalo). A caraboa is a standard of wealth and a medium of exchange among the hill people. The party with the highest score made the payments to the other party thus allaying the natural desire for revenge.

"I now found it possible to bring the leading men of many villages together. I became a speechmaker. I set about to convince the Kalingas that their savage custom of taking heads was based on wrong notions. I told them of the American people who did not practise head-hunting, but whose crops were always abundant, and who enjoyed all blessings. Then I called to their attention that the lives of friends and relatives could be paid for with carabao. Pressing these points I established the idea that a human head had a value in exchange. I offered to buy the safety of heads of cousins, aunts or sons of men present. The men appreciated these arguments. In many cases settlements of old scores were arranged and future head-hunting was foresworn on the spot. In other cases truces were arranged.

"With the winning of each convert the problem of head-hunting was simplified. The people soon learned that crops ripened, and the dead rested well when heads were not taken. Finally it became possible to announce that head-hunting was forbidden and that those who violated this command would be punished. In the enforcement of this law I was aided by the very men who formerly hunted heads.

"In most cases men who killed their neighbors were brought in by their fellow townsmen. For a time punishment was moderate, it being borne in mind that a custom of ancient standing could not be outlived entirely in months or a few years, but later the full force of the law was put into effect; prison terms, and ultimately the death sentence, were administered. Certain communities that refused to abide by the law were first warned, then punished severely."

The policy of the government in Kalinga was to induce the natives to settle in rancherias or village communities of a permanent character. Laws might thus be more easily enforced and peace maintained. One effect of this was to reduce the number of tree dwellers. In regions where the protection of life and property made it necessary, the Kalingas had dwelt in trees. Shacks were often forty of fifty feet above the ground, reached by ladders which were pulled up at night. Tree dwellings are now found with difficulty. Kalingas villages for the most part are built along river bottoms or on level plains. In the southern part of the sub-province are well-constructed rice terraces; these disappear in the more level region to the north. Rice paddies are prepared for planting by driving carabao four or five abreast through the mud.

Five hundred miles of trail were constructed by the natives in Kalinga during the regime of Governor Hale. The advantages of improved facilities were first carefully explained to the natives, then they were invited to accept the responsibility of the public inprovement tax, which provides for the payment of two pesos per year or the performance of 10 days' work on trails. In rare instances was the cash payment made. Those communities which agreed to do trail work soon had completed highways which served as object lessons, and aroused the envy of other villages, which hastened to undertake similar work.

Today the native, or a white traveler like myself may reach any part of the sub-province over trails which rarely exceed six per cent grade. Trails now are being broadened into cart roads. Improved facilities of communication mean much to the native.

One of the notable achievements of Mr. Hale was the gathering-in of the firearms possessed by the Kalinga people. Various men of the region were known to possess guns, and others were under suspicion. Announcement was sent abroad that on certain days all arms must be turned in to the governor. Through his agents and intimate friends the hiding places of many shooting pieces were learned.

On the appointed day surrenders were made slowly. The governor started out to gather rifles and revolvers from their hiding places. His success astounded the natives, who were unaware of his sources of information. They decided that the best policy would be to comply with the law voluntarily. In a short time more than three hundred firearms of all descriptions were surrendered. Some were of ancient Spanish manufacture; there were old-fashioned revolvers, a few modern American rifles, shotguns and collections of munition.

As he reviewed in matter of fact, persuasive terms, his administration in Kalinga, Hale obviously with difficulty suppressed his bitterness over the political circumstances which brought about his retirement.

"I came out here and found only head-hunting savages," he said. "Now a lad like you can travel along in safety.—" He checked himself, apparently fearful lest his remarks sound boastful. But I recognized the truth of what he said.

Despite impending storm, I was ready to hasten northward next morning. I had tied up my pack, when it occurred to me that I had forgotten something.

"If it isn't asking too much," I said, "I'd like to have your picture."

There was a moment's hesitancy, then Mr. Hale went upstairs and returned with an autographed photograph which is one of my most prized possessions.

As I started down the trail I was given some advice. My failure to heed later almost cost my life by drowning.

"When you reach Naneng," he said, "be sure to take a few natives to help you ford the Pasil River. If it is too high you will have a hard time. The current is very swift

> and treacherous, and the rocks on the bottom offer poor footing."
>
> A Filipino horseman came along as I swept downstream. I grabbed the back of the saddle and was pulled to safety. I transcribed these notes from the remains of water-soaked papers.

INTEROCEANIC CANAL PROBLEMS—GROSS FALLACIES AND ERRORS EXPOSED

Mr. CALLAN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Flood] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. FLOOD. Mr. Speaker, in a statement to the House on August 25, 1965, under the title, "Sea Level Canal Commission—First Annual Report a Monstrosity," I commented at some length on the first formal report of this study group which was transmitted to the Congress by the President on July 31, 1965, and published as House Document No. 253, 89th Congress. I have recently received from the same agency an unsigned and undated paper in pamphlet form under the title of "Atlantic-Pacific Interoceanic Canal Study Commission," which is being given wide circulation for propaganda purposes. This document is so filled with half-truths, so misleading, and so inadequate in dealing with the interoceanic canal problem that I again feel impelled to speak out against the use of such self-serving publicity by officers of our Government.

At the outset, Mr. Speaker, I would emphasize that the courrent controversy over the so-called sea-level canal is not new but old. The arguments for it have always been military. In 1904–06, it was alleged vulnerability to naval gunfire; in 1939, it was the danger of enemy bombing attack; in 1945–47, it was the alleged need for security from nuclear attack; and today, it is alleged vulnerability of the existing high-level lock-lake canal. These arguments have now run full cycle, have served to divert attention from the prime purpose of an interoceanic canal to transit vessels safely, expeditiously, and economically, at times causing grave errors of judgment in canal planning.

To emphasize the recurrent nature of the issue over type, I shall quote part of a May 31, 1924, letter of Gov. Jay J. Morrow, one of the ablest Governors of the Panama Canal, to former Chief Engineer John F. Stevens:

> The sea-level project is a hardy perennial, and apparently there will always be someone to argue for it, no matter how often the impossibility of realizing any such scheme within practicable limits of time and cost may be demonstrated.

As will be seen from what follows, Governor Morrow's statement was truly prophetic, for the "hardy perennial" has been resurrected again.

To supply the basis for my criticism of the official pamphlet previously mentioned, I shall comment on some of its features and points as follows:

ATLANTIC-PACIFIC INTEROCEANIC CANAL STUDY COMMISSION

Page 2. This page gives the photographs and lists the names and present affiliations or employments of the members of this study group.

Comment: This body was created under the authority of Public Law 88–609, 88th Congress, S. 2701, approved September 22, 1964. It is not an independent and broadly based commission whose members are subject to Senate approval and for whom salaries are provided but actually a part-time consulting board, only one of whom appears to be an engineer to serve during the pleasure of the President. Nor does this listing give the record of experience of the members or what specific qualifications that they possess for so important an assignment. Certainly, the people of the United States and the Congress have a right to know what their experiences and qualifications are for this particular task.

INTRODUCTION

Page 3:

> President Theodore Roosevelt's Board of Consulting Engineers voted eight to five for a sea-level canal. The United States Senate Committee on Interoceanic Canals favored a sea-level canal by six to five, but the Senate decided upon a lock canal by a vote of thirty-six to thirty-one.

Comment: This statement, as far as it goes, is accurate but also grossly misleading if not deceptive. The board mentioned was a 13-member international Board of Consulting Engineers consisting of 5 Europeans and 8 Americans, appointed by the President in 1905 to consider the matter of type of canal that should be constructed at Panama. The five Europeans voted for sea-level and the eight Americans split, three voting for sea-level and five for the lake-lock plan.

President Theodore Roosevelt's message to the Congress of February 19, 1906, transmitted the report and recommended adoption of the views of the dissenting members of the international Board for the high-level lock type, which views were identical with the recommendations of Chief Engineer John F. Stevens, Secretary of War Taft, and all members of the Isthmian Canal Commission except Admiral Endicott—the Navy's Chief of the Bureau of Yards and Docks.

A reading of President Roosevelt's message will show that the justification of the high-level lake-lock plan was so strong that, even if the Senate had voted adversely, such vote could not have affected the eventual outcome but only cause a delay in decision for the high-level lake-lock type. I shall quote President Theodore Roosevelt's message at the end of my address and commend it for study by all interested in historical accuracy and President Roosevelt's reasons for recommending the adoption by the Congress of the high-level lake-lock plan. With minor changes, his message is just as applicable today as it was when written.

PREVIOUS ISTHMIAN CANAL STUDIES

Page 3:

> The study upon which this decision (1939 Third Locks Project) was based, however, recommended the construction of these locks as an interim measure and conversion to sea-level as the ultimate goal.

Comment: The study mentioned was published in House Document No. 210, 76th Congress—1939. The purposes of the third locks project were to provide a set of additional larger locks—140 feet by 1,200 feet by 50 feet—for commercial traffic, and to meet the requirements of national defense by supplying greater lock capacity for large naval vessels and protection against enemy attack by separating the new locks a short distance away from the existing locks. As to the ultimate goal an undisclosed objective of its proponents was conversion to sea level vaguely referred to in the project description. The sea-level project, as then developed, contemplated a necessarily restricted channel with a serpentine alinement following that of the existing unrestricted lake channels. Such alinement, which had not been adequately studied, would have presented grave navigational hazards throughout the length of the Panama Canal. While conversion to sea level was undoubtedly in the minds of some of the proponents of the third locks project and excavation interests later engaged in its construction, it certainly was not in the mind or the Congress which enacted Public Law 391, 76th Congress, approved August 11, 1939, which did not authorize such conversion.

Thus, it is clear that the statements of the pamphlet on this point are utterly without foundaion and are designed as propaganda and not as factual representation.

Page 3:

> The advent of the atomic bomb made any lock canal highly vulnerable, and work was never resumed on the third locks.

Comment: The advent of the atomic bomb in 1945 occurred about 2 years after the development in the Panama Canal organization, as the result of World War II experience, of a major operational improvement plan for the existing lock canal by means of the elimination of the Pedro Miguel locks and the consolidation of all Pacific locks south of Miraflores to form a summit level anchorage in the Pacific end of the canal to match the existing arrangement at Gatun. This proposal, which had been tested by many years of operation of the logical layout at Gatun, received wide support from experienced engineers and navigation interests, including naval and merchant marine authorities, and won prompt approval in 1943 by President Franklin D. Roosevelt as a postwar project.

Stung by such prompt acceptance and Presidential approval of the lake-lock plan, advocates of the old and rejected sea-level dream idea seized upon the public hysteria following the advent of the atomic bomb, which was after the death of President Roosevelt, as affording an opportune time to revive the corpse of the 1906 sea-level plan, primarily in the name of alleged security and national defense.

In order to control their own inquiry, some of these advocates, after the death of the President and in disregard of his action, sought and secured the enactment of Public Law 280, 79th Congress, authorizing the Governor of the Panama Canal to conduct his own comprehensive investigation of the means of increasing the capacity and security of the canal to meet the future needs of interoceanic commerce and national defense. It is important to note that the terms, "security" and "national defense" were injected into the bill by sea-level advocates who drafted it and that those advocates later interpreted these terms as a mandate from the Congress for their longtime objective—a sea-level project in the Canal Zone.

As to the vulnerability of a high-level lock canal no one contends that such type is invulnerable to atomic attack or even to sabotage by two sticks of dynamite. They do contend, however, that the great advances in nuclear warfare since World War II have made all arguments for passive defense measures as may be embodied in features of design wholly irrelevant except as regards protection against sabotage, and that the latter is mainly an administrative problem involving minimum construction.

With respect to the reasons for failure to resume construction on the suspended third locks project, there are a number of factors. The first in importance is that the dog leg channel plan of the original project in the Pacific sector of the canal became an object of intense criticism by important maritime interests that use the canal. They opposed its completion as initially planned and supported its major modification by the reconstruction of the Pacific end of the canal.

It is important to know that some $75 million was expended on the third locks project before work was stopped. This was largely on lock site excavations at Miraflores and Gatun which were substantially completed and can be utilized in the future. CONGRESSIONAL RECORD, August 29, 1957, statement by Senator Thomas E. Martin on "Panama Canal: Terminal Lake modernization program derived from World War II experience," which quotes a special report of the general board of the Navy.

In view of the facts just presented, the statement of the pamphlet with respect to the advent of the atomic bomb and security of the canal as well as the reason for the failure to resume work are altogether fallacious and calculated, to deceive.

Page 3:

> The canted deck aircraft carriers built since World War I could not pass through these locks, had they been completed.

Comment: This may be true, but the Navy long ago eliminated transit of the Panama Canal from the military characteristics of its largest vessels. In view of the position of the United States as the dominant sea power with a two-ocean fleet, the present trend of limitation of naval armaments, and the long cruising radius of nuclear powered ships, the naval problem is far different from what it was in 1898 when the *Oregon* steamed around South America with frequent stops for fuel. The naval problem must be evaluated in the light of realities and not the wishful thinking of idealist theorists or self-serving propagandists who profit from their own publicity. The lock dimensions of the third locks project, 140 by 1,200 by 50 feet, were large enough for all vessels of commerce and war then contemplated. In spite of increases in the sizes of vessels since World War II, it appears, as stated in the pamphlet, that some 50 large merchant vessels and 24 large U.S. aircraft carriers cannot pass through the existing locks. These facts invite query as to how many, if any, of the 50 large merchant vessels could not transit such locks if constructed.

ISTHMIAN CANAL STUDIES—1947

Page 3:

> It (Isthmian Canal Studies—1947) was a comprehensive investigation of the means of increasing the capacity and security of the Panama Canal and included examination of thirty different routes from the Isthmus of Tehuantepec in Mexico south to Northwest Colombia, as well as methods of increasing the capacity and security of the present canal.

Comment: This inquiry included carefully staged straw men to be knocked over with adoption of the predetermined seal-level project in the Canal Zone as the real but undisclosed official objective. Advancement of this goal in the public mind was facilitated by means of extensive publicity interpreting the security factor in the law as inherent resistance to atomic attack and as dictating construction of a canal at sea level as a mandate from the Congress.

As to the examination for "increasing the capacity and security of the present canal," which was required by the authoring statute, the 1947 report did contain inadequate studies for a bombproof Terminal Lake—third lock plan, which they did not recommend. They did, however, load it down with passive defense items to such a degree that the first estimated cost for a fully modernized and maximally protected lock canal was $2,307,686,000, which was almost as much as the estimate of $2,483 million for the sea-level project. See A.S.C.E. Transactions, volume 114, 1949; pages 619 and 608.

After the public exposure of this technique of estimate manipulation in later professional discussions, the estimates for the lock-lake plan were reduced by nearly a billion dollars. See A.S.C.E. Transactions, volume 114, 1949; pages 866–86. Greater reductions could probably have been forced had they been pursued.

Again, the charge of deceptive statements carried in the indicated pamphlet are shown to be what is now alleged against it. The examinations of the proposed alternate routes are deceptions of the gravest character. The executive and administrative officials who are conducting such examinations at the cost of the American taxpayers have known from the beginning, and now know, that they intend to recommend the site of the present canal for any new canal. Their motive, therefore, must be intended only to deceive and is unworthy in the highest degree. How can other countries of these alternative routes have any respect for American diplomacy and statecraft? Will not our relations with these other countries be substantially impaired by such duplicity?

In this connection, it is well to note that the President of Nicaragua has, in effect, stated that there is no intent on the part of our administration to construct any new canal except on the present Panama Canal site.

> The studies . . . concluded that "a sea-level canal constitutes the only means of meeting adequately the future needs of interoceanic commerce and national defense, and such a canal can be obtained most effectively and economically by converting the present canal to sea level."

Comment: Though this is an accurate quotation of the 1947 report's main recommendation, it omits important facts. The principal premises of security and national defense were challenged by many experienced engineers and leading atomic warfare experts, such as Maj. Gen. Thomas F. Ferrell and others. CONGRESSIONAL RECORD, June 4, 1956, statement by Senator Thomas E. Martin on "Panama Canal improvements: Views of experienced engineers."

Moreover, when President Truman transmitted the report to the Congress in December 1947, he did so without comment or recommendation. The Congress took no action thereon not even authorizing its printing as is customary in such cases. Subjected to severe professional attack and congressional criticism, the report was thoroughly discredited by the President and the Congress mainly because of the fallacious assumptions of security and national defense on which its recommendations were based.

Further development of nuclear warfare since 1947 has not changed the force of the dissenting views on the sea-level recommendation made as the result of the 1946–47 studies and report. It must be clear to informed and objective students of the subject that any type of canal, however fashioned, could be destroyed by nuclear attack unless effectively prevented by active measures of the Armed Forces and other agencies of the U.S. Government.

> The studies estimated the cost of conversion at approximately $2.3 billion, exclusive of any tidal regulating structures.

Comment: Maritime interests, largely because of the length of the restricted channel in the so-called sea-level canal with maximum currents of 4.5 knots, demanded tidal regulating structures. The initial cost of the sea-level project with such structures in the 1947 report was $2,483 million, which included a tidal lock 200 feet by 1,500 feet, and a navigation pass for use when currents were not excessive.

Of even more consequence, however, the 1947 report ignored the diplomatic costs for a new treaty with Panama required for a sea-level tidal lock canal;

the Canal Zone in the way of a tremendous indemnity and greatly increased annuity for the necessary treaty agreement to establish the specific conditions for its construction.

In view of later demands by Panama and previous warnings on this matter by competent students and navigators, the ignoring of the diplomatic angle is, indeed, incomprehensible and could only be understood as a gross deception put forward by sea-level advocates. Certainly, the failure of the pamphlets to explain the diplomatic aspect more fully and to mention the fact that no treaty is required for the major improvement of the existing lock canal through completion of the modified Third Locks project further discredits the pamphlet's reliability as a source of public information. In order to deceive the public and the Congress as to the actual total cost of the proposed sea-level venture, these inevitable added costs have been excluded from consideration altogether. What could be more reprehensible?

ISTHMIAN CANAL PLANS—1960

Page 4:

> . . . reviewed and updated the construction methods suggested in the 1947 studies for conversion of the present lock canal to sea-level and adjusted cost estimates to 1960 price levels.

Comment: These plans deceptively ignored the indemnity and annuity features in the estimates of costs and what has just been stated is equally applicable.

It is clear that the present sea-level canal study panel not only intends to recommend a so-called sea-level canal at the present site but will also recommend that it be constructed by conventional rather than by nuclear means for the reason that Panama so prefers.

REPORT ON A LONG RANGE PROGRAM FOR ISTHMIAN CANAL TRANSITS—1960

Page 4:

> The Board concluded "that the ultimate solution of the basic problem of increasing capacity is probably a sea-level canal, but its construction should await a traffic volume that can support the large cost."

Comment: This was language employed in paragraph 15 of House Report No. 1960, 86th Congress—1960—but the "ultimate solution" mentioned does not refer to a sea-level canal in the Canal Zone location but to a sea-level canal, obviously at some other site. As to the Canal Zone location, the 1960 board stated in paragraph 16:

> We are doubtful if any reasonable plan to construct a sea-level canal in the Canal Zone could be carried through without serious danger of a long interruption to traffic . . .

Such vital omission as this in the pamphlet is suggestive of the extent of zeal of the existing ex parte authority in behalf of the acceptance of the so-called sea-level design.

Page 4:

> . . . the (1960) Board expressed doubt of the stability of the slopes proposed therein during the short period of unwatering the present lakes.

Comment: This is accurate so far as quoted. The 1960 Board also stated:

> In our opinion slides of the first magnitude could easily result . . .

Of course, such slides would inevitably result in any attempt to deepen the cut—108 feet—lower than the bottom of the present cut for a sea level project in the Canal Zone; and this hazard might result in failure of the project, in which case, we would have a vastly greater engineering fiasco than was the Third Locks project as well as a closed canal for an indefinite period.

There is an important omission in this portion of the pamphlet. The 1960 report of the Board of Consultants, Isthmian Canal Studies—House Report No. 1960, 86th Congress, paragraph 8—states that the present canal with short range improvements "will have fully adequate capacity to meet the demands of traffic beyond the year 2000, except in the period when one-lane operation is necessary." In the next paragraph, the 1960 report of the board states:

> We believe the present canal should be regarded and operated as a two-lane canal; and that steps should be taken to safeguard its operations as such.

Such omission in the 1966 official pamphlet of the study group under Public Law 88–609 indicates that there is no place in the work of this so-called commission for the continued study of a fully modernized and adequate high level lock canal in the Canal Zone. The reasons for such omission seem entirely inadequate.

SEA-LEVEL VERSUS LOCK CANAL

Page 5:

> A sea-level canal in the Central American Isthmus would provide many advantages over the present Panama Canal. The existing canal requires an extensive system of locks, with dams and associated water supply facilities. It is vulnerable to military attack.

Comment: As to the sea level project in the Canal Zone, no mention is made in the pamphlet of the many miles of vulnerable laterals dams, spillways, lakes, and diversion channels on both sides of the main channel and tidal locks, or to the greater channel length through unstable geological formations in the high central mass subject to nuclear bombing or slides of massive character. Nuclear experts of eminence have stated that in some ways a sea-level canal at the present site would be more vulnerable than the existing canal. Moreover, experienced engineers of great competence have stated that the issue at Panama is not a lake-lock canal versus a canal at sea level but the high-level lake lock type versus no canal. The warnings in the 1960 report already quoted in regard to the construction of a sea-level project in the Canal Zone certainly support this view.

Another point ignored is the drying up of large parts of Gatun Lake with resulting malarial swamps and interference with present small-craft channels, both of which would undoubtedly serve as the bases for additional Panamanian claims.

Page 5:

> It (the existing canal) has capacity limitations which are becoming increasingly important.

Comment: Unfortunately, this is correct, just as former Gov. Glen E. Edgerton foresaw. In his report to the Secretary of War on January 17, 1944, recommending the proposal for the elimination of the Pedro Miguel Locks for "thorough investigation," he warned that advocates of a sea-level canal would "oppose unjustifiably" any major improvement of the present canal on the grounds that it would defer the time when the conversion of the existing waterway to sea level might otherwise be authorized. CONGRESSIONAL RECORD, June 21, 1956, statement by Senator Thomas E. Martin on "Panama Canal Improvements: Terminal Lake Third Locks Plan Approved in Principle by Gov. Glen E. Edgerton, January 17, 1944."

Subsequent events have justified Governor Edgerton's forebodings and the responsibility for the failure to modernize the existing canal rests on advocates of the sea-level design who have unjustifiably opposed commonsense solution.

At this point, it should be noted that the "complexity of the sea-level plan" and "opportunities for experimentation" are of a nature to intrigue members of the engineering profession. The "massiveness of the physical work contemplated" will undoubtedly attract manufacturers of heavy earthmoving machinery and construction interests. E. S. Randolph, "An Engineer's Evaluation of Isthmian Canal Policy." U.S. Naval Institute Proceedings, April 1956, page 398.

Such facts make imperative the type of commission that would be competent to guard against unjustified enthusiasm of promoters and to judge plans on the basis of complete objectivity and inherent merit.

Because the above cited article by Mr. Randolph summarizes his reasoned conclusions derived from a lifetime of study, experience, and observation, I shall quote it at the end of my remarks and urge that it be carefully studied.

Page 5:

> The existing lock canal and its supporting services employ about 14,000 personnel of whom about 3,800 are United States citizens. * * * Past estimates have placed the number to operate a sea-level canal as low as 700.

Comment: While the figures given may be accurately quoted, the problem is not completely stated. The 1960 report emphasizes that a "sea level canal cannot be justified economically," and this is because of its enormous basic cost and regardless of any reductions in personnel. In contrast, the existing canal can pay for its modernization while the additions and improvements are made. Special attention is invited to an able engineering analysis of the financial aspects of the canal problem also by E. S. Randolph quoted in my address to the House on July 29, 1965, under the title of "Interoceanic Canal Problem—Inquiry or Coverup?—Sequel."

In the event of marked reduction of personnel on the Panama Canal and massive unemployment in Panama, would not that be the basis for untold demands for costly reimbursements from Panama? There is no doubt about it.

As to the possibility of operating a canal at sea level with only 700 employees, is this a fact or an assumption? Any such statement requires close examination. Experienced engineers have stated that "heavy maintenance problems—perhaps insuperable—would develop because of the higher banks through a longer distance" of "heretofore undisturbed geological formation known to be unstable." U.S. Naval Institute proceedings, April 1956, pages 397–398.

The claim for large reduction in employees invites other questions that must be answered. Can any canal through the Central American Isthmus be operated without locks? These have always been contemplated even as far back as De Lesseps. Can an estimate of the personnel required be made before a complete general plan of the canal, auxiliary structures, services, and operations is at hand and the magnitude of maintenance in unstable earth is known. Certainly not. At the Panama Canal, there are many services for vessels because they are required for the satisfactory accommodation of world shipping interests. Such need would no doubt continue, and our country is bound by the Hay-Pauncefote Treaty to provide them on terms of equality. In addition, Colombia has treaty interests in the Panama Canal as well as Panama, yet our negotiations seem to have utterly ignored Colombian rights. Are we not exposing our country to a large claim by Colombia?

DECISION TO INITIATE A NEW STUDY

Page 7:

> The anti-U.S. riots in Panama in January 1964 heightened interest in these (Isthmian Canal) studies and President Johnson urged the Congress to act on the proposed authorizing legislation. Hearings were held soon afterward, and the following law was passed by the Congress and signed by the President on September 22, 1964: Public Law 88–609, 88th Congress, S. 2701. . .

Comment: It is regrettable but nevertheless true that, as stated in the pamphlet, Red-led mob assaults on the Canal Zone did serve to bring about the indicated legislation.

In the Senate, committee hearings were perfunctory and S. 2701 passed by voice vote without debate. In the House, hearings were held before the Committee on Merchant Marine and Fisheries on June 4, 1964. After superficial testimony by official witnesses, I was invited to testify and, in addition to submitting a written statement, I did so orally to the obvious discomfiture of many at the hearings. In fact, sea-level advocates present showed the greatest interest and confusion, with reactions that were manifest, indicating amazement that I should present another view; and the House hearings on S. 2701 were never printed despite my repeated requests; and they are still not printed. Finally, the House, under a suspension of rules and with only 40 minutes for debate, passed this bill without the benefit of printed hearings or adequate discussion.

An extensive presentation by me of the legislative history of Public Law 88–609 is included in my addresses on April 1, 1965, "Interoceanic Canal Problem: Inquiry or Coverup?" and a sequel under the same title on July 29, 1965. These two statements together supply a record that is really shocking, and should be studied by all who wish to know the truth.

As to the law itself, it does not authorize a comprehensive inquiry of the interoceanic canal problem nor create an independent and broadly based commission. The study required of the present investigating agency is limited to only one solution, thereby excluding what many experienced engineers, economists, navigators, and other experts consider to be the best solution when the problem is evaluated from all key angles. The study group is simply an executive appointed part-time consulting board for the members of which no qualifications are prescribed and no salaries are provided but per diem compensation is allowed.

Certainly, any student of the current canal situation or objective publicist who wishes to grasp the significance of Public Law 88–609 should know its legislative history, especially about the June 4, 1964, hearings before the House Committee on Merchant Marine and Fisheries.

THE CURRENT CANAL STUDY

Page 10: Map.

Comment: This map shows so-called sea-level canal routes at 4 locations but not the site for the San Blas route. The inference to be drawn from it is that all such canals would be at sea level.

In the case of Nicaragua, however, every competent engineer who has studied that project has recommended a high-level lock design using Lake Nicaragua. As to the Canal Zone route, the best informed authorities oppose the sea-level idea as grossly extravagant and probably futile.

Page 11: Diagram.

Comment: This organizational chart shows that the sea-level canal study is rooted in Government agencies. It is not an independent and objective inquiry that the situation sorely requires at the hands of experienced and qualified experts on the questions involved.

In contrast, the Isthmian Canal Commissions from 1899 to 1914 that were employed for the determination of the site and type of existing canal and its construction, were deemed necessary by the President and the Congress and were composed of experienced and qualified members. In the present board, such qualifications and experience are ignored—in utter disregard of the gravity of the situation under consideration.

In sum, Mr. Speaker, the inevitable conclusion of those, in and out of the Congress, who are well informed and fairminded, is that the entire sea-level drive is based upon grave errors in facts and the willful concealment of the truth. I would stress again, as I have done on previous occasions, that the President does not actually know the facts involved. He has been grossly deceived and led into error, for he has had to depend solely on advisers who are themselves without adequate experience or qualifications to give sound advice, or others who would benefit by their own recommendations.

For those not impressed by managed news or loose official statements, so well illustrated in the pamphlet just discussed, I would invite attention to the comprehensive bibliography on the "Isthmian Canal Policy of the United States—Documentation, 1955–64," in the RECORD of September 2, 1964, that was prepared by Representative CLARK W. THOMPSON, former chairman of a Panama Canal Subcommittee of the House and the principal author of the Panama Canal Reorganization Act of 1950; also to my two addresses in the House on April 1 and July 29, 1965, on the subject of the "Interoceanic Canal Problem—Inquiry or Coverup?"

The information pamphlet under consideration, like the first annual report of the current canal study group, when appraised in the perspective of the well-digested knowledge now available, is superficial, mendacious, brazen, reckless, evasive, irresponsible, and at utter variance with the best interests of the United States, the Western Hemisphere, and the world at large. Under these circumstances, the Congress itself will be held responsible in history.

Mr. Speaker, in these general connections and to keep what should be our true objectives clearly in focus, I would again stress the key Isthmian Canal issues:

First, the transcendant responsibility of our Government to safeguard our indispensable sovereign rights, power, and authority over the Canal Zone territory for the efficient and adequate maintenance, operation, sanitation, and protection of the Panama Canal.

Second, the vital subject of the major increase of capacity and operational improvement of the existing high-level lock-lake canal to provide a summit-level anchorage in the Pacific sector to correspond with the layout at the Atlantic end. As previously stated, some $75 million of the taxpayers' money was expended on lock site excavations at Gatun and Miraflores. Many millions more have been expended on the enlargement at Gaillard Cut. These would be major contributions toward the construction of the Terminal Lake-Third Lock plan, which have already been paid for.

Third, the question of a new canal of so-called sea-level design near the present site to replace the existing canal.

Fourth, the matter of an alternate canal at a site other than the Canal Zone, including Nicaragua.

Mr. Speaker, the present canal study board is an unqualified, ex parte, Executive appointed body. Under the authorizing statute, it is committed to consideration of a single solution of the Isthmian transit problem and, consequently, it ignores all other solutions, however meritorious they may be. What is needed is an objective and comprehensive investigation and consideration of all solutions and not a cover-up designed to advance only the predetermined objectives of a small professional group that will benefit from its own recommendations. Such inquiry can only be accomplished by an independent and broadly based Interoceanic Canal Commission composed of the ablest and best qualified men, independent and objective in character, that our country can muster. Such body is contemplated by H.R. 6963, H.R. 6126 and H.R. 4871, introduced by Representatives ANDERSON of Tennessee, Bow, and myself, respectively.

For purposes of comparison and in justification of my remarks on the need for fair and objective treatment of the Interoceanic Canal problem, I quote the texts of Law 88-609, 88th Congress and the three identical bills previously mentioned:

PUBLIC LAW 88-609, 88TH CONGRESS, S. 2701, SEPTEMBER 22, 1964—STAT. 990

An Act to provide for an investigation and study to determine a site for the construction of a sea level canal connecting the Atlantic and Pacific Oceans.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to appoint a Commission to be composed of five men from private life, to make a full and complete investigation and study, including necessary on-site surveys, and considering national defense, foreign relations, intercoastal shipping, interoceanic shipping, and such other matters as they may determine to be important, for the purpose of determining the feasibility of, and the most suitable site for, the construction of a sea level canal connecting the Atlantic and Pacific Oceans; the best means of constructing such a canal, whether by conventional or nuclear excavation, and the estimated cost thereof. The President shall designate as Chairman one of the members of the Commission.

SEC. 2. The Commission is authorized to utilize the facilities of any department, agency, or instrumentality of the executive branch of the United States Government, and to obtain such services as it deems necessary in accordance with the provisions of section 15 of the Act of August 2, 1946 (5 U.S.C. 55a).

SEC. 3. The Commission shall report to the President for transmittal to Congress on July 31, 1965, with respect to its progress, and each year thereafter until the completion of its duties. The President shall submit such recommendations to the Congress as he deems advisable. The Commission shall continue until the President determines that its duties are completed, but not later than June 30, 1968.

SEC. 4. There are hereby authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act, not to exceed $17,500,000.

Approved September 22, 1964.

LEGISLATIVE HISTORY

House Report No. 1706 (Comm. on Merchant Marine & Fisheries).

Senate Report No. 968 (Comm. on Commerce).

CONGRESSIONAL RECORD, Vol. 110 (1964):

Mar. 30: Considered and passed Senate.

Aug. 12: Considered in House.

Sept. 1: Considered and passed House, amended.

Sept. 8: Senate concurred in House amendments.

H.R. 487

[H.R. 6963 and H.R. 6126 are identical bills]

A bill to create the Interoceanic Canals Commission, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Interoceanic Canals Commission Act of 1965".

SEC. 2. (a) A commission is hereby created to be known as the "Interoceanic Canals Commission" (hereinafter referred to as the "Commission"), and to be composed of eleven members to be appointed by the President, by and with the advice and consent of the Senate, as follow: One member shall be a commissioned officer of the line (active or retired) of the United States Army; one member shall be a commissioned officer of the line (active or retired) of the United States Navy; one member shall be a commissioned officer of the line (active or retired) of the United States Air Force; one member shall be a commissioned officer of the Corps of Engineers (retired) of the United States Army; and seven members from civil life, four of whom shall be persons learned and skilled in the science of engineering. The President shall designate one of the members from civil life as Chairman, and shall fill all vacancies on the Commission in the same manner as original appointments are made. The Commission shall cease to exist upon the completion of its work hereunder.

(b) The Chairman of the Commission shall receive compensation at the rate of $30,000 per annum, and the other members shall receive compensation at the rate of $28,500 per annum, each; but the members appointed from the Army, Navy, and Air Force shall receive only such compensation, in addition to their pay and allowances, as will make their total compensation from the United States $28,500 each.

SEC. 3. The Commission is authorized and directed to make and conduct a comprehensive investigation and study of all problems involved or arising in connection with plans or proposals for—

(1) an increase in the capacity and operational efficiency of the present Panama Canal through the adaptation of the third locks project (53 Stat. 1409) to provide a summit-level terminal lake anchorage in the Pacific end of the canal to correspond with that in the Atlantic end, or by other modification or design of the existing facilities;

(2) the construction of a new Panama Canal of sea-level design, or any modification thereof;

(3) the construction and ownership, by the United States, of another canal or canals connecting the Atlantic and Pacific Oceans;

(4) the operation, maintenance, and protection of the Panama Canal, and of any other canal or canals which may be recommended by the Commission;

(5) treaty and territorial rights which may be deemed essential hereunder; and

(6) estimates of the respective costs of the undertakings herein enumerated.

SEC. 4. For the purpose of conducting all inquiries and investigations deemed necessary by the Commission in carrying out the provisions of this Act, the Commission is authorized to utilize any official reports, documents, data, and papers in the possession of the United States Government and its officials; and the Commission is given power to designate and authorize any member, or other officer, of the Commission, to administer oaths and affirmations, subpena witnesses, take evidence, procure information and data, and require the production of any books, papers, or other documents and records which the Commission may deem relevant or material for the purposes herein named. Such attendance of witnesses, and the production of documentary evidence, may be required from any place in the United States, or any territory, or any other area under the control or jurisdiction of the United States, including the Canal Zone.

SEC. 5. The Commission shall submit to the President and the Congress, not later than two years after the date of the enactment hereof, a final report containing the results and conclusions of its investigations and studies hereunder, with recommendations; and may, in its discretion, submit interim reports to the President and the Congress concerning the progress of its work. Such final report shall contain—

(1) the recommendations of the Commission with respect to the Panama Canal, and to any new interoceanic canal or canals which the Commission may consider feasible or desirable for the United States to construct, own, maintain, and operate;

(2) the estimates of the Commission as regards the approximate cost of carrying out its recommendations; and like estimates of cost as to the respective proposals and plans considered by the Commission and embraced in its final report; and

(3) such information as the Commission may have been able to obtain with respect to the necessity for the acquisition, by the United States, of new, or additional, rights, privileges, and concessions, by means of treaties or agreements with foreign nations, before there may be made the execution of any plans or projects recommended by the Commission.

SEC. 6. The Commission shall, without regard to the civil service laws, appoint a secretary and such other personnel as may be necessary to carry out its functions, who shall serve at the pleasure of the Commission and shall receive compensation fixed in accordance with the Classification Act of 1949, as amended.

SEC. 7. The Commission is hereby authorized to appoint and fix the compensation of such engineers, surveyors, experts, or advisers deemed by the Commission necessary hereunder, as limited by the provisions in title 5, United States Code, section 55a; and may make expenditures, in accordance with the Travel Expense Act of 1949, as amended, and the Standardized Government Travel Regulations, for travel and subsistence expenses of members of the Commission and its employees while away from their homes or regular places of business; for rent of quarters at the seat of government, or elsewhere; for personal services at the seat of government, or elsewhere; and for printing and binding necessary for the efficient and adequate functions of the Commission hereunder. All expenses of the Commission shall be allowed and paid upon the presentation of itemized vouchers therefor approved by the Chairman of the Commission, or such other official of the Commission as the Commission may designate.

SEC. 8. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions and purposes of this Act.

SEC. 9. The Act entitled "An Act to provide for an investigation and study to determine a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans" (Public Law 88-609, 78 Stat. 990), is hereby repealed.

To further substantiate what I have stated in my comments, I quote President Theodore Roosevelt's 1906 message to the Congress and Mr. Randolph's 1956 article and commend both for careful study.

[Copy from: Report of the Board of Consulting Engineers for the Panama Canal]

To the Senate and House of Representatives:

I submit herewith the letter of the Secretary of War transmitting the report of the Board of Consulting Engineers on the Panama Canal and the report of the Isthmian Canal Commission thereon, together with a letter written to the chairman of the Isthmian Canal Commission by Chief Engineer Stevens. Both the Board of Consulting Engineers and the Canal Commission divide in their report. The majority of the Board of Consulting Engineers, eight in number, including the five foreign engineers, favor a sea-level canal, and one member of the Canal Commission, Admiral Endicott, takes the same view. Five of the eight American members of the Board of Consulting Engineers and five members of the Isthmian Canal Commission favor the lock canal, and so does Chief Engineer Stevens. The Secretary of War recommends a lock canal pursuant to the recommendation of the minority of the Board of Consulting Engineers and of the majority of the Canal Commission. After careful study of the papers submitted and full and exhaustive consideration of the whole subject I concur in this recommendation.

It will be noticed that the American engineers on the Consulting Board and on the Commission by a more than two to one majority favor the lock canal, whereas the foreign engineers are a unit against it. I think this is partly to be explained by the fact that the great traffic canal of the Old World is the Suez Canal, a sea-level canal, whereas the great traffic canal of the New World is the Sault Ste. Marie Canal, a lock canal. Although the latter, the Soo, is closed to navigation during the winter months, it carries annually three times the traffic of the Suez Canal. In my judgment the very able argument of the majority of the Board of Consulting Engineers is vitiated by their failure to pay proper heed to the lessons taught by the construction and operation of the Soo Canal. It must be borne in mind, as the Commission points out, that there is no question of building what has been picturesquely termed "the Straits of Panama;" that is, a waterway through which the largest vessels could go with safety at uninterrupted high speed. Both the sea-level canal and the proposed lock canal would be too narrow and shallow to be called with any truthfulness a strait, or to have any of the properties of a wide, deep water strip. Both of them would be canals, pure and simple. Each type has certain disadvantages and certain advantages. But, in my judgment, the disadvantages are fewer and the advantages very much greater in the case of a lock canal substantially as proposed in the papers forwarded herewith; and I call especial attention to the fact that the chief engineer, who will be mainly responsible for the success of this mighty engineering feat, and who has therefore a peculiar personal interest in judging aright, is emphatically and earnestly in favor of the lock-canal project and against the sea-level project.

A careful study of the reports seems to establish a strong probability that the following are the facts: The sea-level canal would be slightly less exposed to damage in the event of war, the running expenses, apart from the heavy cost of interest on the amount employed to build it, would be less, and for small ships the time of transit would probably be less. On the other hand, the lock canal at a level of 80 feet or thereabouts would not cost much more than half as much to build and could be built in about half the time, while there would be very much less risk connected with building it, and for large ships the transit would be quicker; while, taking into account the interest on the amount saved in building, the actual cost of maintenance would be less. After being built it would be easier to enlarge the lock canal than the sea-level canal. Moreover, what has been actually demonstrated in making and operating the great lock canal, the Soo, a more important artery of traffic than the great sea-level canal, the Suez, goes to support the opinion of the minority of the Consulting Board of Engineers and of the majority of the Isthmian Canal Commission as to the superior safety, feasibility, and desirability of building a lock canal at Panama.

The law now on our statute books seems to contemplate a lock canal. In my judgment a lock canal, as herein recommended, is advisable. If the Congress directs that a sea-level canal be constructed its direction will, of course, be carried out. Otherwise the canal will be built on substantially the plan for a lock canal outlined by the accompanying papers, such changes being made, of course, as may be found actually necessary, including possibly the change recommended by the Seretary of War as to the site of the dam on the Pacific side.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *February 19, 1906*.

[From the U.S. Naval Institute Proceedings, April 1956]

AN ENGINEER'S EVALUATION OF ISTHMIAN CANAL POLICY

(By E. S. Randolph)

(NOTE.—A registered professional engineer in Baton Rouge, Louisiana, Mr. Randolph was employed for some 35 years in the Canal Zone. He was in direct charge for the Government of the construction of Madden Dam and later headed the organization making the investigations for the Third Locks Project.)

Within less than fifty years after completion of the Panama Canal, the United States is faced with the fact that as magnificent a construction job as it is, the canal cannot much longer fill the needs it was built for. It is being outdated both as regards the size and number of ships that need to transit. Recognition of this fact is evidenced not only in the constant study by Congressional committees but in numerous articles appearing in magazines and newspapers.

The high-level-lake and lock canal with modifications as proposed by numerous authorities can be readily constructed by altering the present canal without interrupting traffic.[1] All needed improvements can be built into the structures and waterways as the work progresses. The plan is entirely practical as an engineering project and is the first comprehensive plan for the marine operational improvement of the shipway. It is a plan for which precedents exist concerning the engineering and construction, estimates of cost and of time required to build, and cost of maintenance and operation year after year.

The canal enterprise includes all services of management and government for the population as well as for transit and other accommodations for the vessels in passage. These administrative problems can be very engrossing, as can the problems of correlating the interests of the diplomatic service and armed forces with the canal interests. Engineering considerations of long-range planning are therefore likely to receive secondary priority.

The policy during the construction of the canal was to retain a chief engineer, a member of the Commission, for the duration of the project. After completion, the policy has been to replace the controlling engineer about each fourth year. For the control of landslides there was no substitute for the experience gained before and after admission of water to the cut. For the control of floods pouring into Gatun Lake there was long range experience to be gained. Now, as the canal approaches the limit of its commercial capacity, there is a wealth of knowledge gained by long observation of the behavior of geologic formations and engineering materials, and the efficiency of different shapes and types of navigation structures, which knowledge is possessed by those who have devoted years of time to observation and study of the many special problems. Looking back, it would seem that the better policy would have been to establish a career position of Chief Engineer in the operating organization and to have filled it with a person having long and continuous responsible engineering experience in the canal service on the Isthmus of Panama and whose vision-projections, and accomplishments all stemming from intimate knowledge of, and association with, the Panama Canal. As long as such a policy is not adopted, errors made in the past must inevitably be repeated.

This writer, after 35 years employment on engineering works on the canal, during and after its construction, and additional years in the United States, concludes that it is neither necessary nor desirable that the head of the civil government of the Panama Canal be a professional engineer, but it is necessary that he be a capable executive. The engineering considerations relating to the maintenance and improvement of the utility are so broad, numerous, and highly specialized that the responsible engineer can do them justice only if he functions expertly and freely in his assigned duties, unhampered by responsibility for administration of the canal and by detailed directions, however well intended.

It is apparent that unceasing consideration should be given to future programs for maintaining the canal in adequate condition. Major modifications should be planned years ahead of need, and plans should be periodically modified to meet changing conditions. The first consideration is: When will expanded facilities be required? Because this question cannot be exactly settled it should be reviewed at yearly intervals. If not done, it is probable that the too late start made in 1940 will be repeated.

The start of the Third Locks Project, in 1940, followed an investigation made without adequate funds to perform the immense investigation essential before successfully undertaking such a construction program. After war threatened there was insufficient time to complete the investigation.

The 1947 report of Isthmian Canal Studies contains much valuable technical information, but the recommendations no longer meet the tremendous changes in the art of warfare, nor do they now present a true picture of present-day costs. There is no government agency which can properly undertake a comprehensive plan of major action for the modernization of the ship canal across the American Isthmus.

The "high-level" canal plan is characterized by its maximum utilization of the present waterway, with retention of the best features proven by over forty years of operation during both peace and war and with a correction of those features which have been found to be defective. The work of construction would involve problems that were solved during the construction and maintenance of the original canal. The convenience and certainty of operation would be a foregone conclusion. The maintenance problems would be known with certainty. The most economical use of existing structures and waterways would be made. The present firmly consolidated earthen dams and dikes would be retained as they are or strengthened if found necessary. The Gatun Lake receives the waters from the tributary rivers and diverts them to useful purposes. This "high-level" canal can be planned with every assurance of success and can be constructed for less cost and in less time than can any other design so far considered. The simplicity and relatively moderate proportions involved in the "high-level" plan may render it less glamorous and so operate against its adoption. The judges of the merits of the "high-level" plan may find it has less popular support than its excellent and serviceable qualities warrant.

The "sea-level" plan contains engineering and constructional features which are grossly without precedent in the Isthmian area. There would be masses of excavation and embankment work involving a wide variety of soils and rocks, earthen structures of great size and weight, and deeper cuts than previously made. The oversize dredging equipment required for deepening the cut before lowering the water level would necessitate a program of development involving unforeseeable risks, delays, and costs. Without experience, there is no solid basis for the evaluation of the action of the materials under the new order of pressures which would be developed.

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[1] See "Isthmian Canal Policy—An Evaluation," by Captain Miles P. DuVal, USN (Ret.), in the March, 1955 Proceedings.

Because tidal currents would prevail if locks at the Pacific entrance of the "sea-level" canal were not used, the waterway would necessarily be deeper, wider, and straighter than required for the "high-level" waterway. Heavy maintenance problems (perhaps insuperable) would develop because of the higher banks through a longer distance. The bottom of the proposed new channel would be about 108 feet lower than the bottom of the present cut, at Contractor's Hill, thereby cutting into an heretofore undisturbed geologic formation known to be unstable.

The success or failure of such a waterway would be a matter for demonstration after completion rather than before it is commenced as in case of "high-level" plan. The time and the cost to build the "sea-level" construction, not to mention the cost of maintenance after completion, are unknown quantities, but all would be vastly greater than required for the "high-level" plan.

The complexity of the "sea-level" plan and opportunities for experimentation are of a nature to intrigue members of the engineering profession. The massiveness of the physical work contemplated might well attract manufacturers and construction contractors to the project. The judges of the merits of this plan must ever be on guard against an enthusiasm which is not justified by its overall qualities inherent in the plan itself, or by any result to be attained therefrom.

Contrasting the "high-level" and "sea-level" plans, the former would not require any initial lowering of the undisturbed bottom of the eight-mile cut to obtain increased depth for navigation. The latter contemplates tremendous excavation of a new channel through the central mass that would be more than 100 feet deeper than the present cut and many miles longer. The problem of landslides would be greatly accentuated. The experience gained from maintaining the present slopes would probably not apply to the proposed new slopes at much greater depth because the qualities and arrangement of geological formations encountered would be different, as would be the internal stresses. The present cut is bordered by great valleys where once landslides were in motion.

Having walked in the bottom of the deep cut and having explored and studied the moving earth slides, this writer, who perhaps has a more respectful attitude toward them than have those who merely read of their histories, advises against stirring up numerous new and greater landslides unless justification is so overwhelming that the experience of the years can be deliberately rejected.

In the "sea-level" plan, the great diversion dams are proposed to be constructed by dumping excavated spoil from barges through the waters of Gatun Lake. Later the lake would be drained during an interval when it must be closed to traffic. There is no previous experience to guide the engineer to a safe conclusion of this work. The problems of subsidence, heaving, and lateral flow of the swamp muck under the lake will be present, but its action may be delayed until the lake water is lowered and the dikes become operative.

The builders of the Panama Railroad, about 100 years ago, projected a line and built a fill through the Chagres River Valley and upon the swamp muck. Any engineer who has to deal with that muck should make a thorough study of the difficulties encountered then, also again when the present railroad causeway was built on the drained swamp bottom to a height of 92 feet above sea-level.

During the construction of the causeway the weight of the new fills caused, at places, a subsidence under the fill accompanied by an upheaval at the sides of the fill. This action was overcome by laying counterweight fills where heaving was observed or anticipated. The work was in plain sight above water, which would not be the case when depositing fill through water. Engineers who have encountered this swamp muck have invariably experienced difficulty.[3]

Having been employed by the Panama Railroad Company when the causeway carrying the relocated railroad line was being constructed, this writer doubts the advisability of carrying out the "sea-level" diversion plans without much additional assurance of their reliability.

The optimum water level in Gatun Lake is that maximum desirable level for required increase in navigable depth through the eight-mile length of the central mass and for other purposes. Increase in depth can be better attained by raising the water level than by cutting below the undisturbed bottom, thereby causing additional stresses in the high banks of the cut and precipitating new slides. Associated is the appreciable increase in minimum depth which would result from the dampening of surge waves if the Pedro Miguel Locks were removed. The optimum level can be determined only after a major engineering investigation. As long as such increase is possible, no new structures should be erected along the high-level waterfront without ample freeboard.

Widening and straightening of navigation channels could proceed before, during, and after the building of new "high-level" locks, by dredging at an economical rate, only when required for the accommodation of larger vessels, and by use of an augmented maintenance fleet of standard dredging equipment. The minimum dimensions, as determined by navigational considerations, need be anticipated only a few years in advance. Within the eight-mile length of deep cut, considerations of slide-control dictate that proportions be determined by more rigorous analysis than in all other reaches.

It is doubtful if any security would be gained by rejecting a high-level-lock canal in favor of a low-level-lock canal. I submit that the insecurely poised banks of any economically feasible "sea-level" cut through the Isthmus of Panama would be susceptible to atomic bombing so as to close the canal to traffic for an indefinite period, possibly years. There appears to be a relation between the depth of cut and security against refilling from the sliding of banks.

The interoceanic canal problem, includes, besides engineering and geology, grave questions of diplomatic relationships, economics, and marine operations. However great may be the pride of authorship of any proposal, the issues must be decided on their merits at the highest plane of wise and experienced judgment and statemanship. This I firmly believe can be best accomplished by an independent and broadly-constituted Interoceanic Canals Commission as provided in the Martin-Thompson bills now pending.

THE LAW ON AID TO NASSER

Mr. CALLAN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. PEPPER. Mr. Speaker, on May 12, in a speech delivered on the floor of this Chamber and entitled "Nasser's Recklessness Threatens World Peace," I summarized the actions which I felt this country should take to help prevent the eruption of a war in the Middle East which could engulf all humanity. One of these actions was to prevent Gamal Abdel Nasser from using food which we supply for the relief of hunger in Egypt as a method of devoting more resources to the production of products which he can then barter with Communist countries in exchange for armaments.

I was encouraged to read Secretary of State Dean Rusk's statement 5 days later about the rash of anti-American statements and threats from Cairo. Secretary Rusk said these were giving President Johnson's administration pause in continuing surplus food assistance to the United Arab Republic. However, these food shipments, which should be cut off completely, are still continuing, and I have written to the Secretary of State for an explanation. More than anti-American statements should motivate the administration in cutting aid to Nasser. I include the text of my letter to the Secretary of State at this point in the RECORD:

JUNE 3, 1966.

The Honorable DEAN RUSK,
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: Your statement on May 17 that anti-American threats from Cairo were causing the Administration to review its policy on giving surplus food assistance to the United Arab Republic was encouraging to me. However, I have heard nothing further about this.

I want to call to your attention the intent of the Congress in amending Section 620 of the Foreign Assistance Act three years ago, entitled "Prohibitions against Furnishing Assistance." At that time, as you know, paragraph (1) was added, barring assistance, including surplus food, to any country which the President determines is engaging in or preparing for aggressive military efforts directed against any country receiving assistance from the United States. The ban would continue in effect until the President determined that such military efforts or preparations had ceased and had reported to the Congress that he had received assurances satisfactory to him that they would not be renewed.

This amendment was referred to in the Congress at the time as the "anti-Nasser" amendment, because it was aimed at cutting off foreign aid to any country threatening peace in the manner of Gamal Abdel Nasser of the United Arab Republic. Heeding the request of the Executive Branch to permit the exercise of Presidential discretion in the matter, the Congress made the ban on aid contingent upon a Presidential determination that the country was engaging in or preparing for aggressive military efforts. A good many of us had some misgivings about this discretionary feature, inasmuch as the President is normally dependent upon the advice he receives from a Department of State which has long been regarded as unduly sympathetic to the Arab side of Arab-Israeli relations. That such aggressive preparations were being made at the time seemed obvious to any careful observer of the Middle Eastern scene.

Mr. Secretary, such aggressive preparations are now obvious not only to the careful observer, but they are obvious to all mankind, in Nasser's recent deeds as well as words. For some time your Department has been turning the other cheek to Nasser, but what is the result? He not only continues to build and to acquire arms disproportionate to any legitimate defense needs of his economically hard-pressed people, but he is endeavoring to acquire both nuclear and conventional armaments from the Communist bloc. He threatens preventive war against Israel and the seizure of towns in Saudi Arabia, both of which countries receive assistance from the United States.

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[3] R. C. Sheldon, *Trans.-Amer. Soc. Civil Engineers,* Vol. 114, 1949, pp. 847–9.

May I respectfully ask, Mr. Secretary, whether you have any doubt that the intent of the Congress under present circumstances is that aid to Nasser be cut off completely? And if you agree with me that there is no doubt whatever about this, would you be good enough to advise me what steps you are taking or recommending to terminate existing contracts with Nasser and prevent any renewal of them?

Warmest regards, and
Believe me,
Always sincerely,
Claude Pepper.

EQUALIZING RETIREMENT PAY OF THE ARMED FORCES

Mr. CALLAN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Tunney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. TUNNEY. Mr. Speaker, I am introducing legislation today which is designed to correct a current inequity in the military pay system. My bill would amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service.

Military personnel have suffered a damaging loss by the failure of the Government to honor its obligation, existing by reason of the tradition of 100 years of usage and by virtue of permanent law on the statute books until 1963, to compute the retirement or retainer pay of the retired military personnel of the armed services on the basis of the current basic pay of the active duty personnel.

Military personnel who fought in World War II were enticed to remain in the service after the war. They were promised many advantages if they agreed to remain in the service. These men became the heart of our postwar Armed Forces. They were promised adequate medical care upon retirement. This promise was not fulfilled. Recently, the House passed legislation to guarantee adequate medical care for retired military personnel and their dependents.

These personnel were also promised adequate pay upon retirement. Between 1946 and 1962, the pay scale for military servicemen was extremely inequitable.

Since 1962, the Congress has approved three pay raises. However, with the elimination of the recomputation provision for retired pay, the individual who was forced to suffer through the lean years between 1946 and 1962, does not receive the pay advantage which was promised to him if he would remain in the military after World War II.

I hope that the Congress will move to correct this inequity and that prompt action is taken on this legislation.

ADA POLITICAL POLICY RESOLUTION

Mr. CALLAN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'Hara] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, the Americans for Democratic Action in convention here recently adopted a number of resolutions, one of which related to the 1966 elections. In its resolution, the ADA has assumed what I believe is a very responsible position with regard to how the organization will evaluate candidates for Congress.

There has been a tendency in some quarters to base political judgments only on how a candidate may stand on the issue of our involvement in the conflict in Vietnam. In my opinion, this is a mistake because our Vietnam policy is a complex issue which lends itself to varying interpretations and opinions.

It is not a partisan issue. All Democrats do not agree, but neither do all Republicans. It cuts across liberal and conservative lines. We are not all "hawks" or "doves."

How a candidate stands on Vietnam is a major consideration to be sure, but there are other issues which will still be with us after the settlement we all want in Vietnam has been achieved.

To elect or defeat candidates on this issue alone would, in my opinion, be shortsighted and I was pleased with the position taken by the ADA on this question.

For the information of Members of Congress who may be interested in the ADA resolution on the 1966 elections, I include the text as part of my remarks at this point in the Record.

POLITICAL POLICY

1966 ELECTIONS

The 1966 Senatorial and Congressional elections are complex and difficult. Present-day issues raise problems not readily resolved. This increases the liberal responsibility, for the major problem will be the survival of the liberal majority in Congress and the reelection of the forty-eight new House liberals who provided the crucial margin of votes for domestic legislation.

In this context, the 1966 elections present a significant challenge to liberals, demanding clarity of political perspective and strategy. The crises in Vietnam and the Dominican Republic make even more urgent the need for an enlightened foreign policy which is a democratic, political alternative to rightist military solution and authoritarian communism. At the same time, the momentum generated by the passage of legislation in the 89th Congress, providing for a start toward the full use of our human and material resources to deal with pressing social needs in civil rights, education, employment, health and housing, must be vastly extended.

Conservative reactionary Republicans and Democrats are utilizing the current political climate to call, in jingoist tradition, for massive escalation of the war. While they may stress military and defense needs, they warn of inflation, urge that recently enacted domestic programs be reduced or halted, and seek defeat of new programs to deal with social and economic inequities.

On the other hand, a few who oppose the Administration's position on Vietnam would use this issue as the sole criterion for determining political policy.

The central question is therefore what kind of politics is effective for strengthening liberalism.

A coalition of organized liberals, Negroes and other minority groups, the labor movement, and liberal thinking forces were responsible for the defeat of Goldwater reaction. Together with the Congressmen they elected these liberal forces achieved the passage of the Voting Rights Act of 1965, Medicare and Federal Aid to Elementary and Secondary Education. These and other accomplishments of the 89th Congress represent important forward steps. Much remains to be done to ensure quality education and health care for all Americans, to make our cities beautiful and livable, to provide ever-enlarging economic security for millions of Americans, and to promote an enlightened, genuinely democratic foreign policy providing political alternatives to totalitarianism and military solutions.

To enact programs dealing with these problems the same coalition needs to work for the support of a substantial body of public opinion. As in 1946, a broad-based following is likely to be gained by emphasizing both domestic and foreign policy. The conservatives are attacking on both fronts by advocating massive escalation of the war in Vietnam and attempting to scuttle meaningful domestic programs.

What is needed is a responsible program of political action that will lend the minds, talents and services of liberals to bring about the most nearly favorable result in both domestic and foreign policies for the goals of liberalism. What this means in specific is that liberals should be concerned that candidates deal responsibly with the Vietnam issue, but the issue must not be used to elect conservatives or reactionaries on both domestic and foreign policies. Incumbent liberals, especially those in the freshman class of 1965, are worthy of support. Conservatives of both parties in foreign and domestic policy need to be housed.

Both foreign policy and domestic issues should be injected into the 1966 elections in the pursuit of a greater society at home and abroad. The task for liberals in 1966 is to become even more active in practical politics. Our cause can be strengthened by electing an even more liberal Congress.

SURVEYOR AND A VOTE FOR THE LIBRARY SERVICES AND CONSTRUCTION ACT

Mr. CALLAN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Vivian] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. VIVIAN. Mr. Speaker, on Wednesday afternoon, June 1, along with three other members of the Science and Astronautics Committee, I journeyed to the Jet Propulsion Laboratory in Pasadena, Calif., to be present at the spacecraft control center directing the Surveyor spacecraft during those last few crucial minutes as the Surveyor approached the moon. This space effort had been beset in previous years by interminable difficulties and delays, and had been the subject of many inquiries by our committee. As you know, the landing of the Surveyor on the moon was a signal success. Within minutes, the first transmissions of lunar photos from a U.S. vehicle resting on the moon's surface were initiated and accomplished. Early in the morning the following day, we returned to Washington, to participate in the debate on H.R. 14050, the Library Services and Construction Act. Unfortunately, we arrived an hour too late. Had we arrived in time, I would have voted for the bill—rollcall No. 123. The bill passed 336 to 2.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Roberts (at the request of Mr. Albert), for today through Thursday, on account of official business.

Mrs. Mink (at the request of Mr. Albert), for June 7 through 10, on account of official business.

Mr. McMillan (at the request of Mr. Albert), for the remainder of the week, on account of official business.

Mr. Grider (at the request of Mr. Albert), for June 6, on account of official business.

Mr. Flynt (at the request of Mr. Davis of Georgia), for Monday, June 6, on account of official business.

Mr. Krebs (at the request of Mr. Albert), for today through June 8, on account of official business.

Mr. Annunzio (at the request of Mr. Price), for today through Wednesday, June 8, on account of death in the family.

Mr. Stalbaum (at the request of Mr. Albert), for today, on account of official business.

Mr. Hosmer (at the request of Mr. Gerald R. Ford), for the balance of the week, on account of official business.

Mr. Hagan of Georgia (at the request of Mr. O'Hara of Illinois), for Monday June 6, 1966, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Roncalio, for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. Weltner, for 30 minutes, tomorrow; and to revise and extend his remarks and include extraneous matter.

Mr. Gonzalez, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Resnick (at the request of Mr. Albert) and to include extraneous matter.

Mr. Holifield (at the request of Mr. Price) to include an address by Mr. Morris, of New Mexico.

Mr. Feighan.

Mr. Kupferman during debate on H.R. 10 today and to include extraneous matter.

(The following Members (at the request of Mr. Grover) and to include extraneous matter:)

Mr. Clarence J. Brown, Jr.

Mr. Collier.

Mr. Reinecke.

Mr. Kupferman.

(The following Members (at the request of Mr. Callan) and to include extraneous matter:)

Mr. Morrison.

Mr. Powell.

Mr. de la Garza.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 822. An act to authorize the Secretary of the Interior to convey certain public land in Wyoming to Clara Dozier Wire; to the Committee on the Interior and Insular Affairs.

S. 1015. An act to amend the Communications Act of 1934, as amended, to give the Federal Communications Commission authority to prescribe regulations for the manufacture, import, sale, shipment, or use of devices which cause harmful interference to radio reception; to the Committee on Interstate and Foreign Commerce.

S. 2267. An act to extend the provisions of title XIII of the Federal Aviation Act of 1958, relating to war risk insurance; to the Committee on Interstate and Foreign Commerce.

S. 2338. An act to authorize the erection of a memorial in the District of Columbia to Gen. John J. Pershing; to the Committee on House Administration.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 944. An act to provide for a comprehensive, long-range, and coordinated national program in marine science, to establish a National Council on Marine Resources and Engineering Development, and a Commission on Marine Science, Engineering and Resources, and for other purposes; and

S. 1761. An act to authorize the Secretary of the Interior to construct, operate, and maintain a third powerplant at the Grand Coulee Dam, Columbia Basin project, Washington, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 10451. An act to authorize the Secretary of the Interior to transfer certain lands in the State of Colorado to the Department of Agriculture for recreation development, and for other purposes;

H.R. 10476. An act to retrocede to the State of Kansas concurrent jurisdiction over Haskell Institute; and

H.R. 12264. An act to declare that 99.84 acres of Government-owned land acquired for Indian administrative purposes is held by the United States in trust for the Apache Tribe of the Mescalero Reservation.

ADJOURNMENT

Mr. CALLAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 28 minutes p.m.) the House adjourned until tomorrow, Tuesday, June 7, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2464. A letter from the Comptroller General of the United States, transmitting a report of review of air defense equipment furnished to and procured for the Republic of China under the military assistance program, Department of Defense; to the Committee on Government Operations.

2465. A letter from the Comptroller General of the United States, transmitting a report of review of the military assistance program for India, Department of Defense; to the Committee on Government Operations.

2466. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, with respect to the grade in which certain members of the Armed Forces are discharged or retired; to the Committee on Armed Services.

2467. A letter from the Secretary of Commerce, transmitting the 75th quarterly report covering the first quarter 1966, pursuant to the provisions of the Export Control Act of 1949; to the Committee on Banking and Currency.

2468. A letter from the Director, Congressional Liaison, Agency for International Development, Department of State, transmitting a copy of the Agency's reply to the report on audit of loan program financial statements for fiscal years 1962, 1963, and 1964 by the Acting Comptroller General, report (B-133220); to the Committee on Government Operations.

2469. A letter from the Comptroller General of the United States, transmitting a report of potential savings by consolidation of field organizations and facilities for recruiting military personnel, Department of Defense; to the Committee on Government Operations.

2470. A letter from the Comptroller General of the United States, transmitting a report of management of the procurement of major equipment and related spare parts by the U.S. Marine Corps, Department of the Navy; to the Committee on Government Operations.

2471. A letter from the Acting Chairman, Federal Communications Commission, transmitting a copy of the report on backlog of pending applications and hearing cases, as of April 30, 1966, pursuant to the provisions of Public Law 87-554; to the Committee on Interstate and Foreign Commerce.

2472. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting a copy of an order entered in a certain case, pursuant to the provisions of section 13(c) of the act of September 11, 1957; to the Committee on the Judiciary.

2473. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated April 18, 1966, submitting a report, together with accompanying papers and an illustration, on a letter report on Atherton Creek, San Mateo County, Calif., authorized by the Flood Control Act approved July 14, 1960; to the Committee on Public Works.

2474. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated April 11, 1966, submitting a report, together with accompanying papers and an illustration, on a letter report on Little Fork River, Minn., requested by a resolution of the Committee on Public Works, House of Representatives, adopted December 14, 1950; to the Committee on Public Works.

2475. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated April 18, 1966, submitting a report, together with accompanying papers and illustrations, on a review of the reports on Ouachita River at Columbia, La., requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 31, 1957; to the Committee on Public Works.

2476. A letter from the Acting Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend title XIX of the Social Security Act so as to provide 75-percent Federal financial participation for any public agency's professional medical personnel engaged in the administration of an approved State plan for medical assistance; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of June 2, 1966, the following bill was reported on June 3, 1966:

Mr. GEORGE W. ANDREWS: Committee on Appropriations. H.R. 15456. A bill making appropriations for the legislative branch for the fiscal year ending June 30, 1967, and for other purposes; without amendment (Rept. No. 1608). Referred to the Committee of the Whole House on the State of the Union.

[Submitted June 6, 1966]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MACDONALD: Committee on Interstate and Foreign Commerce. H.R. 6775. A bill to prohibit the introduction into interstate commerce of any shipping container manufactured in the United States from imported steel unless the container is marked so as to indicate the country of origin of the steel; with amendments (Rept. No. 1609). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 13431. A bill to extend the Renegotiation Act of 1951; without amendment (Rept. No. 1610). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, pursuant to the order of the House of June 2, 1966, the following bill was introduced on June 3, 1966:

By Mr. GEORGE W. ANDREWS:

H.R. 15456. A bill making appropriations for the legislative branch for the fiscal year ending June 30, 1967, and for other purposes.

[Submitted June 6, 1966]

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FASCELL:

H.R. 15457. A bill to establish a Commission on a White House Conference on the Social and Behavioral Sciences; to the Committee on Education and Labor.

H.R. 15458. A bill to establish an Office of Social Sciences in the Executive Office of the President, and for other purposes; to the Committee on Education and Labor.

H.R. 15459. A bill to establish a National Social Sciences Foundation, and for other purposes; to the Committee on Education and Labor.

By Mr. BOW:

H.R. 15460. A bill to amend the act of September 30, 1961, with respect to the application of the antitrust laws to the televising by UHF stations of games of certain professional sports teams and to enhance thereby the public's opportunity to witness these games and, further, to foster the continued growth of UHF television as needed for a truly nationwide and competitive broadcasting system; to the Committee on the Judiciary.

By Mr. CALLAN:

H.R. 15461. A bill to amend the Packers and Stockyards Act of 1921, as amended, to prohibit unduly influencing prices; to the Committee on Agriculture.

By Mr. COHELAN:

H.R. 15462. A bill to enlarge the boundaries of Grand Canyon National Park in the State of Arizona, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CONTE:

H.R. 15463. A bill to amend the Internal Revenue Code of 1954, to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. DONOHUE:

H.R. 15464. A bill to offer means for coordinating State health and welfare services at the community level by providing common facilities and encouraging their administration of elements of a comprehensive whole; to the Committee on Interstate and Foreign Commerce.

By Mr. FARBSTEIN:

H.R. 15465. A bill to amend the Internal Revenue Code of 1954 to provide that a working mother who is head of her household (and a widower or husband in certain cases) may deduct child-care expenses in full; to the Committee on Ways and Means.

By Mr. HARSHA:

H.R. 15466. A bill to amend title 39, United States Code, to provide opportunity for substitute rural carriers in the postal field service to work at least 2 days each month; to the Committee on Post Office and Civil Service.

By Mr. HATHAWAY:

H.R. 15467. A bill to amend the Manpower Development and Training Act of 1962, as amended, and for other purposes; to the Committee on Education and Labor.

By Mr. HICKS:

H.R. 15468. A bill to amend the Internal Revenue Code of 1954 to increase the investment credit allowable with respect to facilities to control water and air pollution, and to permit the amortization of the cost of constructing such facilities within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 15469. A bill to amend title VI of the Public Health Service Act (the Hill-Burton Act) so as to double the amount authorized for assisting the construction of nursing homes and other long-term-care facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 15470. A bill to amend the Public Health Service Act to further promote and assist in modernization of hospitals and other medical facilities through grants for amortization of indebtedness incurred for that purpose, direct loans, and guarantees of loans, and through grants for the planning of such modernization, and to authorize grants for development of new technology systems and concepts in the provision of health service; to the Committee on Interstate and Foreign Commerce.

By Mr. LENNON:

H.R. 15471. A bill to amend title II of the Merchant Marine Act, 1936, to authorize the establishment and operation of sea-grant colleges and certain education, training, and research programs; to the Committee on Merchant Marine and Fisheries.

By Mr. PICKLE:

H.R. 15472. A bill to amend the Immigration and Nationality Act to provide that the labor clearance requirements of section 212(a)(14) of that act shall not apply to certain additional aliens; to the Committee on the Judiciary.

By Mr. SECREST:

H.R. 15473. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 15474. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. UTT:

H.R. 15475. A bill to provide for the temporary suspension of duty on stoppers of cork suitable for wine bottles; to the Committee on Way and Means.

By Mr. YOUNGER:

H.R. 15476. A bill to provide for certain reorganizations in the Department of State and the Department of Health, Education, and Welfare, and for other purposes; to the Committee on Government Operations.

By Mr. THOMPSON of Texas:

H.R. 15477. A bill to authorize the Secretary of the Interior to construct, operate, and maintain stage 1 of the Palmetto Bend reclamation project, Texas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. YOUNG:

H.R. 15478. A bill to authorize the Secretary of the Interior to construct, operate, and maintain stage 1 of the Palmetto Bend reclamation project, Texas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FRASER:

H.R. 15479. A bill to amend the District of Columbia Teachers' Salary Act of 1955, as amended; to the Committee on the District of Columbia.

By Mr. PEPPER:

H.R. 15480. A bill to amend the act entitled "An act to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in or about the construction of the Panama Canal," approved May 29, 1944, as amended, so as to provide benefits for certain persons not now covered by such act; to the Committee on Merchant Marine and Fisheries.

By Mr. STAGGERS:

H.R. 15481. A bill to amend section 107 of the Clean Air Act to require certain standards be published in the Federal Register, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CURTIS:

H.J. Res. 1158. Joint resolution to give effect to the Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific, and Cultural Character, approved at Beirut in 1948; to the Committee on Ways and Means.

By Mr. POOL:

H.J. Res. 1159. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. COHELAN:

H. Con. Res. 673. Concurrent resolution establishing a Joint Committee on National Service and the Draft; to the Committee on Rules.

By Mr. EDWARDS of California:

H. Con. Res. 674. Concurrent resolution establishing a Joint Committee on National Service and the Draft; to the Committee on Rules.

By Mr. FINO:

H. Con. Res. 675. Concurrent resolution expressing the sense of the Congress with respect to the sending of draftees to serve on the Indochina Peninsula; to the Committee on Armed Services.

MEMORIALS

Under clause 4 of rule XXII,

486. The SPEAKER presented a memorial of the Legislative of the State of California, relative to completion of the Los Angeles-Long Beach Harbors Review of Reports, which was referred to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 15482. A bill for the relief of Lee Wai Kan; to the Committee on the Judiciary.

H.R. 15483. A bill for the relief of Carlo Schiliro; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 15484. A bill for the relief of Dimitrios Dimitropoulos; to the Committee on the Judiciary.

By Mr. EVANS of Colorado:

H.R. 15485. A bill to authorize the exchange of certain fluorspar and ferromanganese held in the national supplemental stockpiles; to the Committee on Armed Services.

By Mr. FULTON of Tennessee:

H.R. 15486. A bill for the relief of Dr. Thomas V. Thomas; to the Committee on the Judiciary.

By Mr. HAWKINS:

H.R. 15487. A bill for the relief of Nam Sook Park and Mee Soo Kim Park; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 15488. A bill for the relief of Dr. Ali Haji-Morad; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 15489. A bill for the relief of Asim Musovi; to the Committee on the Judiciary.

By Mr. PERKINS:

H.R. 15490. A bill for the relief of James D. Stephens; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 15491. A bill for the relief of Gerard Verly; to the Committee on the Judiciary.

H.R. 15492. A bill for the relief of Monique Turnier Verly; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 15493. A bill for the relief of Adolphus Charles; to the Committee on the Judiciary.

By Mr. SCHISLER:

H.R. 15494. A bill for the relief of Mrs. E. Juanita Collinson; to the Committee on the Judiciary.

By Mr. STEPHENS:

H.R. 15495. A bill for the relief of Dr. Hermes Q. Cuervo; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

395. The SPEAKER presented a petition of Henry Stoner, Portland, Oreg., relative to the conduct of extended research on English profanity, which was referred to the Committee on Education and Labor.

SENATE

MONDAY, JUNE 6, 1966

The Senate met at 12 o'clock meridian, and was called to order by Hon. STEPHEN M. YOUNG, a Senator from the State of Ohio.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Almighty God, turning to this altar of Thy grace from the divisive forces about us which tear, and separate, and push apart, help us to go to our different and often difficult work hoping all things and enduring all things.

Save us from giving to the task that awaits us anything less than our truest and best.

In the vision splendor of divine fatherhood, and of human brotherhood, may we dream our dreams, fashion our lives, enact our laws, build our Nation, and plan our world until this shadowed earth rolls out of the darkness into the light and it is daybreak everywhere.

We ask it in the dear Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U. S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., June 6, 1966.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. STEPHEN M. YOUNG, a Senator from the State of Ohio, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. YOUNG of Ohio thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, June 2, 1966, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Jones, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the following concurrent resolutions of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. Con. Res. 77. Concurrent resolution authorizing the printing of additional copies of hearings on supplemental foreign assistance for Vietnam for fiscal 1966; and

S. Con. Res. 90. Concurrent resolution to authorize printing of additional copies of hearings.

The message also announced that the House had passed a bill (H.R. 14050) to extend and amend the Library Services and Construction Act, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 52. Concurrent resolution authorizing the printing of additional copies of a Veterans' Benefits Calculator;

H. Con. Res. 373. Concurrent resolution relating to the second inaugural of Abraham Lincoln—anniversary;

H. Con. Res. 532. Concurrent resolution authorizing the printing of additional copies of House Report No. 565 and House Report No. 952 (89th Cong., 1st sess.);

H. Con. Res. 579. Concurrent resolution authorizing the printing of additional copies of House Report No. 973 on River and Harbor, Beach Erosion, Flood Control Projects, and Water Supply, of the Committee on Public Works;

H. Con. Res. 580. Concurrent resolution authorizing the printing of additional copies of hearings on H.R. 6991, the Public Works and Economic Development Act of 1965;

H. Con. Res. 598. Concurrent resolution authorizing the printing for the use of the Joint Economic Committee of additional copies of parts 1 and 2 of its hearings entitled "Recent Federal Reserve Actions and Economic Policy Coordination";

H. Con. Res. 599. Concurrent resolution to authorize the printing of the Constitution as a House document;

H. Con. Res. 600. Concurrent resolution to authorize the printing as a House document the pamphlet entitled "Our Flag";

H. Con. Res. 619. Concurrent resolution authorizing the printing of additional copies of part 2 of the committee print entitled "Conflicts Between the Federal Research Programs and the Nation's Goals for Higher Education";

H. Con. Res. 630. Concurrent resolution to authorize the printing of additional copies of House Document No. 190 of the 89th Congress; and

H. Con. Res. 634. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 944. An act to provide for a comprehensive, long-range, and coordinated national program in marine science, to establish a National Council on Marine Resources and Engineering Development, and a Commission on Marine Science, Engineering and Resources, and for other purposes; and

S. 1761. An act to authorize the Secretary of the Interior to construct, operate, and maintain a third powerplant at the Grand Coulee Dam, Columbia Basin project, Washington, and for other purposes.

HOUSE BILL REFERRED

The bill (H.R. 14050) to extend and amend the Library Services and Construction Act was read twice by its title and referred to the Committee on Labor and Public Welfare.

HOUSE CONCURRENT RESOLUTIONS REFERRED

The following concurrent resolutions were referred to the Committee on Rules and Administration:

H. Con. Res. 52. Concurrent resolution authorizing the printing of additional copies of a Veterans' Benefits Calculator;

H. Con. Res. 373. Concurrent resolution relating to the second inaugural of Abraham Lincoln—anniversary;

H. Con. Res. 532. Concurrent resolution authorizing the printing of additional copies of House Report No. 565 and House Report No. 952 (89th Cong., 1st sess.);

H. Con. Res. 579. Concurrent resolution authorizing the printing of additional copies of House Report No. 973 on River and Harbor, Beach Erosion, Flood Control Projects, and Water Supply, of the Committee on Public Works;

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H. Con. Res. 630. Concurrent resolution to authorize the printing of additional copies of House Document No. 190 of the 89th *Congress; and*

H. Con. Res. 634. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs.

COMMITTEE MEETINGS DURING SENATE SESSIONS ON JUNE 17 AND JUNE 20, OUTSIDE THE CITY OF WASHINGTON

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Sub*committee on Improvements in Judicial* Machinery of the Committee on the Judiciary be permitted to meet on June 17, 1966, at San Francisco, Calif., and on June 20, 1966, at Los Angeles, Calif., during the Senate sessions on those dates.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION TODAY

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Constitutional Rights and the Subcommittee on Antitrust and Monopoly Legislation of the Committee on the Judiciary were authorized to meet during the session of the Senate today.

ORDER DISPENSING WITH THE CALL OF THE LEGISLATIVE CALENDAR UNDER RULE VIII

On request of Mr. MANSFIELD, and by unanimous consent, the call of the Legislative Calendar under rule VIII was dispensed with.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF TITLE 10, UNITED STATES CODE, RELATING TO GRADE IN WHICH CERTAIN MEMBERS OF THE ARMED FORCES ARE DISCHARGED OR RETIRED

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, with respect to the grade in which certain members of the Armed Forces are discharged or retired (with an accompanying paper); to the Committee on Armed Services.

REPORT ON EXPORT CONTROL

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on Export Control, for the first quarter of 1966 (with an accompanying report); to the Committee on Banking and Currency.

REPORT OF FEDERAL DEPOSIT INSURANCE CORPORATION

A letter from the Chairman, Federal Deposit Insurance Corporation, Washington, D.C., transmitting, pursuant to law, a report of that Corporation, for the calendar year 1965 (with an accompanying report); to the Committee on Banking and Currency.

COLLECTION AND SALE OF STANDARD REFERENCE DATA

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data (with accompanying papers); to the Committee on Commerce.

AMENDMENT OF TITLE XIX OF SOCIAL SECURITY ACT

A letter from the Acting Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend title XIX of the Social Security Act so as to provide 75 percent Federal financial participation for any public agency's professional medical personnel engaged in the administration of an approved State plan for medical assistance (with an accompanying paper); to the Committee on Finance.

REPLY TO REPORT OF COMPTROLLER GENERAL

A letter from the Director, Congressional Liaison, Agency for International Development, Department of State, Washington, D.C., transmitting a copy of that Department's reply to the report of the Comptroller General of the United States, transmitted to the Senate on March 11, 1966, on audit of loan program financial statements for fiscal years 1962, 1963, and 1964 (with an accompanying paper); to the Committee on Government Operations.

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a confidential report on review of air defense equipment furnished to and procured for the Republic of China under the military assistance program (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on management of the procurement of major equipment and related spare parts by the U.S. Marine Corps, Department of the Navy, dated June, 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on potential savings by consolidation of field organizations and facilities for recruiting military personnel, Department of Defense, dated June 1966 (with an accompanying report); to the Committee on Government Operations.

REPORT OF NATIONAL RIVERS AND HARBORS CONGRESS

A letter from the President, National Rivers and Harbors Congress, Washington, D.C., reporting, pursuant to law, for the year ended May 30, 1966; to the Committee on Interior and Insular Affairs.

REPORT ON ADJUSTMENT OF STATUS OF A CERTAIN ALIEN

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, a report on the adjustment of status of Abdul Huda Taji Farouki (with an accompanying paper); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

ADMISSION INTO THE UNITED STATES OF CERTAIN DEFECTOR ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the *Senate, and referred as indicated:*

By the ACTING PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of California; to the Committee on Commerce:

"ASSEMBLY JOINT RESOLUTION NO. 19—RELATING TO RUSSIAN FISHING OFF CALIFORNIA

"Whereas, The economic value of California's rich and varied marine sport and commercial fishery resources exceeds $300 million annually, thereby providing food, jobs, and recreation for California's citizens; and

"Whereas, There is an ever increasing possibility that Russian vessels may soon be fishing the stocks of fish that historically support our fisheries, thereby depleting them beyond their capacity for replenishment as witness current Russian activities off the coasts of Alaska, Washington, and Oregon; and

"Whereas, The existence of the Russian fleet, or any foreign fleet, in the waters adjacent to our coast constitutes a real and serious threat to the interests of all Americans and the fishery resource; and

"Whereas, The unrestricted harvest of these resources could create severe and prolonged hardships to an important segment of California's economy; and

"Whereas, The latent marine resources off our coast are a valuable asset for the future which our citizens are fully capable of developing and utilizing; now, therefore, be it

"Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress of the United States, the United States State Department, and the United States Department of the Interior to take cognizance of these recent developments, and to take the necessary action to ensure adequate protection to the marine resources which are of such great significance to California, and to step up the program to monitor the activities of Soviet vessels off the Pacific Coast, and to keep this state fully informed of such activities; and be it further

"Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the Secretary of State of the United States, and to the Secretary of the Interior of the United States."

A concurrent resolution of the Legislature of the State of Louisiana; to the Committee on the Judiciary:

"HOUSE CONCURRENT RESOLUTION No. 1

"A concurrent resolution to urge the Congress of the United States to restore the Word of God to our public schools and institutions

"Whereas, the recent discontent and acts of violence that have occurred throughout the world as well as within the United States have caused the people of our country to turn to God for comfort and understanding; and

"Whereas, many of us believe that our country was founded on and is dependent upon the belief in God and the inalienable rights that come only from His hands; and

"Whereas, this belief has been in the mainstream of our entire history, as manifested by the fact that we proudly refer to ourselves as "One Nation Under God" and declare on our coins that "In God We Trust"; and

"Whereas, the Supreme Court of the United States has ignored our history and our beliefs in removing the Holy Word of God from the classrooms of our nation's schools; and

"Whereas, court actions have been instituted by godless forces to remove reference to God from the Pledge of Allegiance to the United States, to remove the Holy Bible from the courts, and to erase "In God We Trust" from our coins: Therefore, be it

"Resolved by the House of Representatives of the Louisiana Legislature, the Senate thereof concurring herein, That the Congress of the United States is hereby urged to restore the Word of God to the public institutions of this nation by passing the proposed Constitutional amendment now before it, by which the right to voluntarily participate in the reading and listening to prayers or biblical scriptures in our public schools and the right to make reference to a belief in or an invocation of the aid of God or a Supreme Being in any governmental or public document, proceeding, activity, ceremony or place or upon any coinage, currency or obligation of the United States shall be guaranteed; be it further

"Resolved, That the Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Speaker of the House of Representatives of the Congress of the United States, the President of the Senate and all members of the Louisiana Delegation in the Congress.

"VAIL M. DELONY,
"Speaker of the House of Representatives.

"C. C. AYCOCK,
"Lieutenant Governor and President of the Senate."

A joint resolution of the Legislature of the State of Maryland; to the Committee on Appropriations:

"HOUSE JOINT RESOLUTION No. 22—
BY DELEGATE MCDONOUGH

"House Joint Resolution requesting the Congress of the United States of America to appropriate funds necessary for the construction of a water impounding dam on the North Fork of the Potomac River on the Maryland-West Virginia Border at Bloomington, and indicating the willingness and ability of the State of Maryland to provide by appropriate legislation for this States' share of the non-Federally financed portion of the construction cost in the event the Federal appropriation requires such participation

"Whereas, a substantial portion of the area and population of the State of Maryland is encompassed within the Potomac River Basin and looks to, and depends upon, the Potomac River and its tributaries for water supply, low flow augmentation, recreation, and similar benefits, while at the same time, needing flood control protection in various locations, and

"Whereas, The State of Maryland as a whole is vitally interested in the maintenance of, and improvements to, the Potomac River Basin in order to assure benefits to present and future residents of the State; and

"Whereas, by Public Law 87–874, 87th Congress, H.R. 13272, October 23, 1962, the Congress of the United States authorized the United States Army Corps of Engineers to undertake the design of an impoundment project in the Potomac River Basin in the Bloomington area, generally known as the Bloomington Dam Project, for multi-use purposes, such as flood control, low flow augmentation, water supply and recreation; and

"Whereas, The Congress of the United States is to consider the appropriation of funds for the construction of the project at an early date; and

"Whereas, the State of Maryland understands that the Federal legislation for the Bloomington Dam Project may require that a portion of the construction costs be allocated to the beneficiaries of the increased water supply which is expected to be made available thereby, such beneficiaries, including the State of Maryland, the State of West Virginia, the Commonwealth of Virginia, and the District of Columbia; and

"Whereas, The General Assembly of Maryland believes that the Bloomington Dam's expected and contemplated benefits are of sufficient importance that assurances should be made of the State's interest in the project and of its willingness to appropriate funds if necessary to advance on behalf of its political subdivisions and agency beneficiaries their respective shares of non-Federally financed portion of the construction costs; and

"Whereas, The General Assembly of Maryland understands that the Governors of the State of West Virginia and the Commonwealth of Virginia and the Commissioners of the District of Columbia are similarly considering measures to indicate their respective States' and jurisdictions' interest in the Bloomington Dam Project and an ability on the part of their respective political subdivisions and agencies to pay their respective shares of the non-Federally financed portion of the construction costs; now therefore, be it

"Resolved by the General Assembly of Maryland, That the Congress of the United States be requested and urged to appropriate as expeditiously as possible funds necessary to proceed with the early construction of the Bloomington Dam Project; and be it further,

"Resolved, That in the event the Federal Legislation appropriating money for the construction and operation of the Bloomington Dam Project requires financial participation in a portion of such costs by the states and jurisdictions abutting the River, the State of Maryland will by appropriate legislation provide for this State's fair share of such non-Federally financed portion; and be it further

"Resolved, That the State of Maryland recommends and suggests that the State of West Virginia, the Commonwealth of Virginia and the District of Columbia similarly indicate their willingness to pay their respective fair shares of the non-Federally financed portion of the Bloomington Dam Project, if the Federal legislation does not provide for the total construction cost; and be it further

"Resolved, That copies of this joint resolution be sent to the President of the United States Senate, The Speaker of the House of Representatives, each member of the Maryland Delegation to the United States Congress, to the Chief of the Corps of Engineers, to the Secretary of the Interior, and to the Potomac River Basin Advisory Committee, all under the Great Seal of the State of Maryland."

A joint resolution of the Legislature of the State of Maryland; to the Committee on the Judiciary:

"SENATE JOINT RESOLUTION No. 5—BY THE PRESIDENT (LEGISLATIVE COUNCIL)

"Joint Resolution ratifying a proposed amendment to the Constitution of the United States relating to succession to the Presidency and Vice Presidency and to cases where the President is unable to discharge the powers and duties of his office

"Whereas, The 89th Congress of the United States has passed a Joint resolution proposing an amendment to the Constitution of the United States relating to the succession to the Presidency and Vice Presidency and to the case of the inability of the President to discharge his powers and duties of office; and

"Whereas, This Joint Resolution passed the Senate of the United States on June 30, 1965, passed the House of Representatives of the United States on July 6, 1965, and now has been submitted to a vote of the States; and

"Whereas, The State of Maryland wishes to ratify this proposed amendment to the Constitution of the United States which, when ratified by the legislatures of three-fourths of the several states, shall be valid to all intents and purposes as part of the Constitution of the United States, viz:

" 'ARTICLE ——

" 'Section 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

" 'SEC. 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

" 'Sec. 3. Whenever the President transmits to the President pro-tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

" 'Sec. 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

" 'Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of this office.' Now, therefore be it.

"*Resolved by the General Assembly of Maryland,* That the foregoing proposed amendment to the Constitution of the United States is ratified by the State of Maryland to all intents and purposes as a part of the Constitution of the United States; and be it further

"*Resolved,* That the Governor of the State of Maryland is requested to forward authentic copies of this Resolution, under the Great Seal of the State of Maryland, to the Secretary of State of the United States, to the presiding officer of the Senate of the United States, to the Speaker of the House of Representatives of the United States, and to the Administrator of General Services of the United States."

Two resolutions of the Senate of the State of Maryland; to the Committee on the Judiciary:

"SENATE RESOLUTION No. 3

"Senate Resolution memorializing the Congress of the United States to propose an amendment to the First Amendment to the Constitution of the United States in order to reverse recent decisions of the Supreme Court concerning freedom of religion and to restore the First Amendment to the Constitution to the intent and purpose of its draftsmen

"Whereas,

"The First Amendment to the Constitution of the United States adopted in the late eighteenth century as part of the Bill of Rights provided in its terms that the Congress 'shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof . . .'

"Abundant and detailed documentary evidence may be cited from the several State Constitutions in the late eighteenth century, the writings of contemporary political theorists, and the historical background of the period to demonstrate beyond reasonable doubt that in the proposal of this amendment by the Congress and in the adoption of this amendment by the people, all that was intended was that the Congress should in no manner attempt to establish a state church in the sense in which the Church of England then was the established religion in the Brtish Isles.

"All these sources from the eighteenth century, as well as generations of writers on the meaning and intent of the Constitution, made it abundantly clear that the First Amendment was not intended ever to apply to the states of this Union and that it was never intended as a bar to the free exercise of religion by the people.

"During recent years, there has been a series of opinions by the Supreme Court of the United States which have completely distorted and misapplied the original intent and meaning of the First Amendment. These opinions are well known. One of them provided that a simple non-sectarian prayer could not be drafted and applied by school officials in the State of New York for use in the schools there. A later opinion negated the requirements that the Bible be read and the Lord's Prayer be recited in classrooms.

"Still another and very recent Supreme Court opinion had the effect of outlawing the simple and universally known:

" 'God is great, God is good
And we thank Him for our food.'

"There have been other rulings in the field of religion which vastly disturb our people. One of them, for example, declared invalid the conviction in a homicide case on the ground that the prospective jurors had been required to attest to their belief in a Supreme Being.

"These and other comparable decisions of the Supreme Court are well known. The intent and purpose of our people in adopting the First Amendment are well known. What is less easily understood is the intent and design of the Supreme Court of the United States in turning its back upon the clear purpose of our people and in effect re-writing the provisions of the First Amendment of the Constitution of the United States.

"The point need not be labored. The Supreme Court in our system of government was never intended thus to re-write the Constitution.

"Nevertheless, we are a law-abiding people and we wisely have counseled our children and our children's children to obey the Constitution as interpreted by the Supreme Court.

"Accordingly, and no matter how much we may disagree with the interpretation by the Supreme Court in this instance, there is no point in answering usurpation with further usurpation. The General Assembly of Maryland therefor is requesting that the Congress of the United States propose to the several states an amendment to the First Amendment to the Constitution which will have the effect of recalling the recent series of unfortunate decisions by the Supreme Court and of restoring the meanings of the First Amendment to that of the draftsmen who framed it and of the sovereign people who adopted it; now therefore, be it

"*Resolved by the Senate of Maryland,* That this body respectfully memorializes the Congress of the United States to formulate and adopt a proposal for the amendment of the First Amendment to the Constitution of the United States to restore the meaning and effect of the First Amendment to the purpose intended by our people when it was framed and adopted in the late eighteenth century; and be it further

"*Resolved,* That the Secretary of the Senate is directed to send copies of this Resolution to the Vice President of the United States as presiding officer in the Senate of the United States, the Speaker of the House of Representatives in the Congress of the United States, each member of the Maryland Delegation in the two Houses of the Congress of the United States, and to the Secretary of State in each of the several states of this Union.

"By the Senate, April 4, 1966.

"Read and adopted.

"By order, J. Waters Parrish, Secretary.

"WM. S. JAMES,
"President of the Senate.
"J. WATERS PARRISH,
"Secretary of the Senate."

"SENATE RESOLUTION No. 4

"Senate Resolution of the General Assembly of Maryland memorializing the Supreme Court of the United States to interpret and apply the First Amendment to the Constitution of the United States in the manner intended by those who framed that amendment and by the sovereign people who adopted it

"Whereas, The General Assembly of the State of Maryland, representing one of the thirteen original colonies, speaking as the voice of a legislative tradition which extends without a break back to the year 1635, and voicing the concern of millions upon millions of citizens of the United States, respectfully memorializes the Supreme Court of the United States, to construe and apply the religious precept contained in the First Amendment to the Constitution of the United States in the manner intended by those who framed the language of that amendment and understood at the time by the people who adopted it.

"A series of basic decisions within recent years has completely changed the meaning and the application of this portion of the First Amendment to the Federal Constitution. Whether or not one agrees with the precepts now adopted and applied by the Supreme Court of the United States in the interpretation of the First Amendment, the people of this country should make no mistake in recognizing that in adopting these current interpretations of the First Amendments, the Supreme Court in actual effect has amended the Constitution of the United States.

"The people of this great nation also should make no mistake in recognizing that in our system of self-government, the Supreme Court of the United States was not meant to exercise a power of amending the Constitution and that any such exercise of power is a serious derogation of our principles of government.

"The series of cases concerning the exercise of religion and purporting to construe the First Amendment to the Constitution of the United States began a number of years ago when the Supreme Court held that public school children in the State of New York could not be allowed to recite a simple and non-sectarian prayer which did nothing more than recognize the existence of a Supreme States.

"That first decision was handed down in the year 1962. A year later, the Supreme Court overthrew rules requiring Bible reading and the recitation of the Lord's Prayer in classrooms.

"Very recently, on December 13, 1965, the Supreme Court extended its ban on prayers in schools to include a voluntary recitation of a prayer by kindergarten children. This decision came in an indirect ruling involving a refusal to review such a ruling made by a lower court.

"In this latter case, there was involved a prayer recited by kindergarten children before they were served milk and cookies during school hours. This prayer was the simple and universally known:

" 'God is great, God is good
And we thank Him for our food.'

"School officials had refused to permit the continued recitation of this simple affirmation to the existence of Deity, and a group of parents in New York City brought suit in an effort to require that their children might continue to recite this prayer. The parents who sought to have these simple religious exercises continued included Protestants, Roman Catholics, Jews, Greek Orthodox, and Armenian Apostolics. They said that the principal of the kindergarten school had barred the free exercise of religion, but the court ruling, subsequently affirmed by a refusal to review, held that the school authorities acted legally in banning classroom prayers as a violation of the First Amendment.

"This series of rulings by the Supreme Court has gone hand-in-hand with other rulings involving a reference to Deity in our public affairs. A case which went to the Supreme Court from the State of Maryland held that a belief in God could not be required of a notary public.

"Very recently, and following decisions of the Supreme Court, the Court of Appeals of Maryland invalidated a conviction in the Criminal Court of Cecil County because all prospective jurors were required to attest to a belief in God. The person convicted, a Buddhist, complained on appeal that his conviction thereby was unlawful, and the Court of Appeals upheld the contention.

"In early January 1966, the Circuit Court for Baltimore County granted a motion for a new trial for a man who three times previously had been sentenced to life imprisonment for the slaying of a woman in the month of June 1962. The victim of this convicted murderer was slain in a Pulaski Highway motel. Three days later, the man convicted surrendered to Baltimore City police and told police where the body of the victim could be found.

"This convicted murderer now has noted a further appeal on the ground that jurors who participated in his conviction had been required to express a belief in God as a condition for their becoming jurors.

"The reasoning in these and other similar cases stems back to a complete misintepretation and misapplication of the provisions of the First Amendment to the Constitution of the United States.

"The First Amendment was included in the group of the first ten amendments, ever since known and referred to as the Bill of Rights. The Bill of Rights was not in the original Constitution as adopted by the Philadelphia Convention and as ratified by the states before the United States of America could begin its formal operations under that Constitution. The Bill of Rights was meant to allay the fears of those persons who desired safeguards for private rights against the possible oppression and tyranny of the new national government.

"It was in accordance with the historical origin of the principles contained in the Bill of Rights, with the obvious language of the Bill of Rights, and with the completely clear intention of the people of this country that all Articles in the Bill of Rights were meant to limit the Federal Government and not in any way to apply to the states. They were meant to limit the legislative power of the Congress but not of the state legislatures. It is true, of course, that there are many examples of similar provisions in the several states' constitutions, but the principle is very clear that the Bill of Rights appended to the Federal Constitution was not meant to apply to the states.

"The First Amendment was specifically drafted and adopted in reference to the historical fact that Eighteenth Century England had officially adopted the Church of England as a national church. It was for this reason that the First Amendment provided that the Congress 'shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof. . . .'

"A significant number of state constitutions in the late Eighteenth Century already had essentially similar provisions.

"For example, the Constitution of the State of New York adopted in 1777 abrogated all laws which 'may be construed to establish or maintain any particular denomination of Christians or their ministers.'

"The New Jersey Constitution of 1776 declared that 'there shall be no establishment of any one religious sect . . . in preference to another.'

"The Delaware Constitution of 1776 forbade the 'establishment of one religious sect in this state in preference to another.'

"The Pennsylvania Constitution of 1776 prohibited compulsory attendance at or support of churches.

"The Maryland Constitution of 1776 forbade compulsory church attendance or support.

"Other examples could be cited. It is crystal-clear, and so far as this General Assembly knows never contested, that the First Amendment to the Constitution of the United States, insofar as it applies to the establishment of religion and the free exercise of religion, was drafted and adopted against this well-known Eighteenth Century background.

"It is interesting to note that at the Constitutional Convention in 1787, James Madison proposed that the Bill of Rights should be drafted so as to apply to the states as well as to the federal government. This proposition was specifically discussed and specifically rejected.

"Following the obvious intention of the sovereign people in adopting the First Amendment and other portions of the Bill of Rights, the Supreme Court for many years held that no part of the Bill of Rights imposed any restraint upon the states. In the case of Barron vs. Baltimore in 1833, Chief Justice Marshall pointed out that the amendments in the Bill of Rights 'contained no expression indicating an intention to apply them to the state governments. This court cannot so apply them . . .'

"This decision was followed in 1845 in the case of Permoli vs. First Municipality of New Orleans in which the Supreme Court held that 'the Constitution makes no provision for protecting the citizens of the respective states in their religious liberties; this is left to the state constitutions and laws; nor is there any inhibition imposed by the Constitution of the United States in this respect on the states.'

"In the late 1860's, the Fourteenth Amendment was added to the Constitution of the United States. It provided in part that 'no state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.'

"Beginning during the 1920's, the Supreme Court began a series of judicial holdings to the general effect that by a combination of the Fourteenth Amendment and of the first ten amendments, provisions in the Bill of Rights are applicable to the states as well as to the federal government. This doctrine has been successively extended during a series of cases involving one or another of the provisions in the Bill of Rights.

"Obviously, when the Bill of Rights was adopted in the early 1790's, the people of this country had no remote idea that there would ever be a Fourteenth Amendment as adopted in the late 1860's.

"Just as obviously, as one may determine from the debate on the Fourteenth Amendment prior to its adoption in the late 1860's, the people at that latter time had no intention of thus construing together the newly-adopted Fourteenth Amendment and the earlier Bill of Rights.

"It remained for the Supreme Court in its wisdom beginning in the 1920's thus to amend the Constitution of the United States.

"This General Assembly repeats with respect to the series of cases which in effect deny any official cognizance in our public proceedings of the existence of Deity, that the issue is *not* whether there is a Supreme Being. The issue is *not* whether reference to a Supreme Being will improve our sense of religion. The issue is *not* whether prayers in a public school will benefit children. The issue is *not* whether a juror who attests to his belief in God is a better juror than one who does not make this attestation.

"The simple issue is that in adopting the First Amendment to the Constitution of the United States the people meant only that the Congress of the United States should not adopt any law respecting an establishment of religion or prohibiting the free exercise of religion.

"As a corollary to this issue, there is the further issue that the sovereign people in adopting their Constitution provided a means whereby it may be amended. They did not provide that amendments be made by the Supreme Court of the United States, and it is a debasement and defilement of the rights of a democratic people under a republic form of government that we should thus be ruled by judicial fiat through an oligarchic group not responsible to the electorate.

"The infringement upon the rights and processes of democracy made in this series of cases involving the First Amendment has been accompanied by cases in other areas of the law, and in totality, these decisions of the Supreme Court have troubled millions of our people.

"The concern of the American people for these recent trends in the Supreme Court has nowhere been expressed better than by the Committee on Federal-State Relationships of the Conference of Chief Justices. The membership of this Committee included the Chief Justice in the highest court in the States of Georgia, Maryland, Massachusetts, Michigan, Minnesota, New York, Oregon, South Carolina, Texas, Wisconsin.

"Surely, no group of person could approach these decisions of the Supreme Court with more learning and erudition. Residents of the State of Maryland have taken particular pride in the fact that the Honorable Frederick W. Brune, now retired as Chief Judge of the Court of Appeals of Maryland, served as Chairman of this group.

"Portions of the report of this Committee are worth the sober consideration of the people of the entire country:

" 'It is a part of our obligation to seek to uphold respect for law. We do not believe that this goes so far as to impose upon us an obligation of silence when we find ourselves unable to agree with pronouncements of the Supreme Court (even though we are bound by them), or when we see trends in decisions of that Court which we think will lead to unfortunate results. We hope that the expression of our views may have some value. They pertain to matters which directly affect the work of our state courts. In this report we urge the desirability of self-restraint on the part of the Supreme Court in the exercise of the vast powers committed to it. We endeavor not to be guilty ourselves of a lack of due restraint in expressing our concern and, at times, our criticisms in making the comments and observations which follow.

" "The outstanding development in federal-state relations since the adoption of the national Constitution has been the expansion of the power of the national government and the consequent contraction of the powers of the state governments. To a large extent this is wholly unavoidable and indeed is a necessity, primarily because of improved transportation and communication of all kinds and because of mass production. On the other hand, our Constitution does envision federalism. The very name of our nation indicates that it is to be composed of states. The Supreme Court of a bygone day said in Texas v. White, 7 Wall. 700, 721 (1868): "The Constitution, in all its provisions, looks to an indestructible Union of indestructible States."

" 'Second only to the increasing dominance of the national government has been the development of the immense power of the Supreme Court in both state and national affairs. It is not merely the final arbiter of the law; it is the maker of policy in many major social and economic fields. It is not subject to the restraints to which a legislative body is subject. There are points at which it is difficult to delineate precisely the line which should circumscribe the judicial function and separate it from that of policy-making. Thus, usually within narrow limits, a court may be called upon in the ordinary course of its duties to make what is actually a policy decision by choosing between two rules, either of which might be deemed applicable to the situation presented in a pending case.

" 'But if and when a court in construing and applying a constitutional provision or a statute becomes a policy maker, it may leave construction behind and exercise functions which are essentially legislative in character, whether they serve in practical effect as a constitutional amendment or as an amendment of a statute. It is here that we feel the greatest concern, and it is here that we think the greatest restraint is called for. There is nothing new in urging judicial self-restraint, though there may be, and we think there is, new need to urge it . . .'

"Following a long review of specific areas in which the Committee of Chief Justices felt the Supreme Court of the United States had infringed upon traditional Federal-state relationships, the Committee concluded as follows:

" 'We are now concerned specifically with the effect of judicial decisions upon the relations between the federal government and the state governments. Here we think that the overall tendency of decisions of the Supreme Court over the last 25 years or more has been to press the extension of federal power and to press it rapidly. There have been, of course, and still are, very considerable differences within the Court on these matters, and there has been quite recently a growing recognition of the fact that our government is still a federal government and that the historic line which experience seems to justify between matters primarily of national concern and matters primarily of local concern should not be hastily or lightly obliterated. A number of justices have repeatedly demonstrated their awareness of problems of federalism and their recognition that federalism is still a living part of our system of government.

" "The extent to which the Supreme Court assumes the function of policy-maker is also of concern to us in the conduct of our judicial business. We realize that in the course of American history the Supreme Court has frequently—one might, indeed, say customarily—exercised policy-making powers going far beyond those involved, say, in making a selection between competing rules of law.

" 'We believe that in the fields with which we are concerned, and as to which we feel entitled to speak, the Supreme Court too often has tended to adopt the role of policy-maker without proper judicial restraint. We feel this is particularly the case in both of the great fields we have discussed—namely, the extent and extension of the federal power, and the supervision of state action by the Supreme Court by virtue of the Fourteenth Amendment. In the light of the immense power of the Supreme Court and its practical non-reviewability in most instances no more important obligation rests upon it, in our view, than that of careful moderation in the exercise of its policy-making role.

" 'We are not alone in our view that the Court, in many cases arising under the Fourteenth Amendment, has assumed what seem to us primarily legislative powers. (See Judge Learned Hand on the Bill of Rights.) We do not believe that either the framers of the original Constitution or the possibly somewhat less gifted draftsmen of the Fourteenth Amendment ever contemplated that the Supreme Court would, or should, have the almost unlimited policy-making powers which it now exercises. It is strange, indeed, to reflect that under a constitution which provides for a system of checks and balances and of distribution of power between national and state governments one branch of one government—the Supreme Court—should attain the immense, and in many respects, dominant, power which it now wields.

" 'We believe that the great principle of distribution of powers among the various branches of government and between levels of government has vitality today and is the crucial base of our democracy. We further believe that in construing and applying the Constitution and laws made in pursuance thereof, this principle of the division of power based upon whether a matter is primarily of national or of local concern should not be lost sight of or ignored, especially in fields which bears upon the meaning of a constitutional or statutory provision, or the validity of state action presented for review. For, with due allowance for the changed conditions under which it may or must operate, the principle is as worthy of our consideration today as it was of the consideration of the great men who met in 1787 to establish our nation as a nation.

" 'It has long been an American boast that we have a government of laws and not of men. We believe that any study of recent decisions of the Supreme Court will raise at least considerable doubt as to the validity of that boast. We find first that in constitutional cases unanimous decisions are comparative rarities and that multiple opinions, concurring or dissenting, are common occurrences. We find next that divisions in result on a 5 to 4 basis are quite frequent. We find further that on some occasions a majority of the Court cannot be mustered in support of any one opinion and that the result of a given case may come from the divergent views of individual Justices who happen to unite on one outcome or the other of the case before the Court.

" 'We further find that the Court does not accord finality to its own determinations of constitutional questions, or for that matter of others. We concede that a slavish adherence to *stare decisis* could at times have unfortunate consequences: but it seems strange that under a constitutional doctrine which requires all others to recognize the Supreme Court's rulings on constitutional questions as binding adjudications of the meaning and application of the Constitution, the Court itself has so frequently overturned its own decisions thereon, after the lapse of periods varying from one year to seventy-five, or even ninety-five years. (See the tables appended to Mr. Justice Douglas' address on *Stare Decisis*, 49 Columbia Law Review 735, 756–758.) The Constitution expressly sets up its own procedures for amendment, slow or cumbersome though they may be.

" 'These frequent differences and occasional overrulings of prior decisions in constitutional cases cause us grave concern as to whether individual views of the members of the court as from time to time constituted, or of a majority thereof, as to what is wise or desirable do not unconsciously override a more dispassionate consideration of what is or is not constitutionally warranted. We believe that the latter is the correct approach, and we have no doubt that every member of the Supreme Court intends to adhere to that approach, and believes that he does so. It is our earnest hope which we respectfully express, that that great Court exercise to the full its power of judicial self-restraint by adhering firmly to its tremendous, strictly judicial powers and by eschewing, so far as possible, the exercise of essentially legislative powers when it is called upon to decide questions involving the validity of state action, whether it deems such action wise or unwise. The value of our system of federalism, and of local self-government in local matters which it embodies, should be kept firmly in mind, as we believe it was by those who framed our Constitution.

" 'At times the Supreme Court manifests, or seems to manifest, an impatience with the slow workings of our federal system. That impatience may extend to an unwillingness to wait for Congress to make clear its intention to exercise the powers conferred upon it under the Constitution, or the extent to which it undertakes to exercise them. and it may extend to the slow processes of amending the Constitution which that instrument provides. The words of Elihu Root on the opposite side of the problem, asserted at a time when demands were current for recall of judges and judicial decisions, bear repeating: "If the people of our country yield to impatience which would destroy the system that alone makes effective these great impersonal rules and preserves our constitutional government, rather than endure the temporary inconvenience of pursuing regulated methods of changing the law, we shall not be reforming. We shall not be making progress, but shall be exhibiting that lack of self-control which enables great bodies of men to abide the slow process of orderly government rather than to break down the barriers of order when they are struck by the impulse of the moment." (Quoted in 31 *Boston University Law Review* 43.)

" 'We believe that what Mr. Root said is sound doctrine to be followed towards the Constitution, the Supreme Court and its interpretation of the Constitution. Surely, it is no less incumbent upon the Supreme Court, on its part, to be equally restrained and to be as sure as is humanly possible that it is adhering to the fundamentals of the Constitution with regard to the distribution of powers and the separation of powers, and with regard to the limitations of judicial power which are implicit in such separation and distribution, and that it is not merely giving effect to what it may deem desirable. . . .'

"Members of the General Assembly of Maryland report these facts and these recent trends to the people of the country and to the Supreme Court of the United States. They urge upon the Supreme Court as so well phrased by the Conference of Chief Justices that the Court exercise self-restraint in its interpretation and application of the basic principles contained in the Constitution of the United States; now therefore, be it

"*Resolved by the Senate of Maryland*, That this body memorializes the Supreme Court of the United States to modify its decisions so as to be in conformity with the original intent of the framers of the Constitution and to cease its incursions into the domain of amending statutory and constitutional law to the end that the Court may remain as it was intended, namely, a judicial body; to urge that the Supreme Court in the field of decisions involving the First Amendment and perhaps also in other fields of law, cease its usurpation of legislative power and end once and for all its attempts to deny the powers even of the sovereign people; and be it further

"*Resolved,* That the Secretary of Senate of Maryland is directed to send copies of this Resolution to each of the nine justices on the Supreme Court of the United States, the Council of State Governments, the President of the United States, the Vice President of the United States as Presiding Officer in the Senate of the United States, the Speaker of the House of Representatives in the Congress of the United States and to each member of the Maryland Delegation in the Senate and House of Representatives in the Congress of the United States.

"By the Senate, April 4, 1966.

"Read and adopted.

"By order, J. Waters Parrish, Secretary.

WILLIAM S. JAMES,
President of the Senate.
J. WATERS PARRISH,
Secretary of the Senate."

A concurrent resolution of the Legislature of the State of Michigan; to the Committee on Public Works:

"HOUSE CONCURRENT RESOLUTION No. 262

"A concurrent resolution stating the policy position of the State of Michigan relative to tolls on the St. Lawrence Seaway and memorializing the Congress of the United States relative to action to be taken thereon

"Whereas, Under the joint sponsorship of the United States of America and the Dominion of Canada, the St. Lawrence Seaway, a dream of these two great countries for many years, has become a reality and, as a product of this reality, a great international area has been opened to the commerce and industry of the world and as a consequence thereof, the international commerce of both the Dominion of Canada and the United States of America, especially the Midwestern Provinces and States, has greatly expanded; and

"Whereas, Certain tolls were placed upon the waterway traffic of the world using the St. Lawrence Seaway although this was in opposition to the freedom of world traffic; and

"Whereas, Increasing tolls or fees on the St. Lawrence Seaway would be of great detriment to the shipping of the world and to the expanding economy of the Dominion of Canada and the United States of America; and

"Whereas, In the face of persistent statements that have emerged from various knowledgeable sources in the shipping and commerce industry of the world that tolls might be increased on the St. Lawrence Seaway, the State of Michigan wishes to state its position most emphatically regarding any increases in tolls on the St. Lawrence Seaway; now therefore be it *"Resolved by the House of Representatives (the Senate concurring)*, That the members of the Michigan Legislature wish to state the position of the State of Michigan regarding the tolls and charges on the St. Lawrence Seaway: (1) That the State of Michigan most emphatically opposes any increase to such tolls and fees; (2) That the State of Michigan is very much in favor of a reduction in present tolls and fees and to provide eventual elimination of all tolls and fees on the St. Lawrence Seaway; and be it further

"*Resolved,* That the State of Michigan urgently requests that the Congress of the United States reexamine its present reciprocal legislation regarding tolls and charges on the St. Lawrence Seaway with the eventual goal of supporting the position of the State of Michigan relative to reducing and eventually eliminating such tolls and charges; and be it further

"*Resolved,* That the Michigan Legislature urgently requests the Michigan delegation to the United States Congress to deem this a high priority necessity and that the members do everything within their powers to prevent any attempt to increase tolls or charges upon the St. Lawrence Seaway; and be it further

"*Resolved,* That the members of the Michigan delegation to the Congress of the United States work closely with the United States Department of Commerce in order to make known the position of the State of Michigan and other Midwestern States relative to their position regarding tolls and fees on the St. Lawrence Seaway; and be it further

"*Resolved,* That a copy of this resolution be transmitted to the President of the United States, Prime Minister of Canada, to the presiding officer of the United States Senate, to the presiding officer of the United States House of Representatives, to the presiding officer of the Canadian Parliament, to each member of the Michigan delegation to the United States Congress, to the St. Lawrence Seaway Development Corporation, to the St. Lawrence Seaway Authority, to the United States Department of Commerce, and to the Governors of the following States of the United States: Kentucky, Illinois, Indiana, Iowa, Minnesota, New York, Ohio, Pennsylvania, West Virginia, Wisconsin.

"Adopted by the House April 7, 1966.

"Adopted by the Senate April 12, 1966.

"T. THOS. THATCHER,
"Clerk of the House of Representatives.
"EUGENE B. FARNUM,
"Secretary of the Senate."

A letter in the nature of a petition from H, Inc., of Gainesville, Fla., signed by Norwood W. Hope, president, relating to the national economy, and especially in the Gainesville area; to the Committee on Banking and Currency.

A resolution adopted by the City Council of the City of Baltimore, Md., relating to the feasibility of constructing a rapid transit facility in the Baltimore-Washington area; to the Committee on Commerce.

A resolution adopted by the American Association for Automotive Medicine, in Rochester, Minn., favoring the enactment of Senate bill 1251, to prescribe certain safety features for all motor vehicles manufactured for, sold, or shipped in interstate commerce; to the Committee on Commerce.

A resolution adopted by the Council for Christian Social Action of the United Church of Christ, New York, N.Y., favoring the administration's request for 5-year authorization of foreign assistance funds; to the Committee on Foreign Relations.

Resolutions adopted by the New Jersey State Federation of Women's Clubs, Newton, N.J., relating to the display of the American flag, and so forth; to the Committee on Labor and Public Welfare.

A resolution adopted by the Greater Lewiston Chamber of Commerce, of Lewiston, Idaho, protesting against the enactment of House bill 13037, the Manpower Services Act of 1966; to the Committee on Labor and Public Welfare.

A petition signed by Sharon Epperson, and sundry other citizens of the State of Kentucky, favoring the enactment of the Clark-Cleveland and Clark-Magnuson-Resnick bills, for protection against cruelty of animals in research and to stop thievery of pets; to the Committee on Labor and Public Welfare.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, without amendment:

S. Con. Res. 39. Concurrent resolution requesting the President to create the Roanoke Island Memorial (Rept. No. 1207).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with an amendment:

S. J. Res. 116. Joint resolution to provide for the administration and development of Pennsylvania Avenue as a national historic site (Rept. No. 1205).

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 6646. An act to amend the Recreation and Public Purposes Act pertaining to the leasing of public lands to States and their political subdivisions (Rept. No. 1206).

By Mr. BURDICK, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 3957. An act to authorize establishment of the Fort Union Trading Post National Historic Site, North Dakota and Montana, and for other purposes (Rept. No. 1208).

By Mr. BURDICK, from the Committee on Interior and Insular Affairs, with an amendment:

H.R. 6515. An act to supplement the Act of October 6, 1964, establishing the Lewis and Clark Trail Commission, and for other purposes (Rept. No. 1209).

By Mr. GRUENING, from the Committee on Interior and Insular Affairs, with amendments:

S. 2366. A bill to reform the method by which the University of Alaska may acquire land for its support (Rept. No. 1204).

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare, with amendments:

S. 562. A bill to amend section 601 of title 38, United States Code, with respect to the definition of the term "Veterans' Administration facilities" (Rept. No. 1210).

ADDITIONAL FUNDS FOR COMMITTEE ON INTERIOR AND INSULAR AFFAIRS—REPORT OF A COMMITTEE

Mr. JACKSON, from the Committee on Interior and Insular Affairs, reported the following original resolution (S. Res. 271); which was referred to the Committee on Rules and Administration:

Resolved, That the Committee on Interior and Insular Affairs is hereby authorized to expend from the contingent fund of the Senate, during the Eighty-ninth Congress, $10,000 in addition to the amount, and for the same purpose, specified in section 134 (a) of the Legislative Reorganization Act approved August 2, 1946.

BILLS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KUCHEL:

S. 3451. A bill to assist in the provision of adequate housing in areas in which there is a shortage of housing credit as a result of the occurrence of riots and other civil disorders; to the Committee on Banking and Currency.

(See the remarks of Mr. KUCHEL when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 3452. A bill to amend the National Labor Relations Act so as to revise, improve, and expedite its operation, and for other purposes;

S. 3453. A bill to amend the National Labor Relations Act so as to authorize the National Labor Relations Board to delegate unfair labor practice jurisdiction to trial examiners, and for other purposes;

S. 3454. A bill to amend the National Labor Relations Act to provide for the holding of expedited prehearing elections in representation cases involving no substantial issues of fact or law, and for other purposes;

S. 3455. A bill to amend the National Labor Relations Act to provide for the issuance of temporary injunctions whenever there is reasonable cause to believe that an unfair labor practice has been committed while a representation election is pending, and for other purposes; and

S. 3456. A bill to amend the National Labor Relations Act so as to provide for the holding of expedited representation elections upon petition of employers where labor organizations seek recognition on the basis of employees' authorizations or similar evidence, and for other purposes; to the Committee on Labor and Public Welfare.

S. 3457. A bill to authorize the presentation of a Navy Cross to Anthony Casamento; to the Committee on Armed Services.

(See the remarks of Mr. JAVITS when he introduced the first five above-mentioned bills, which appear under a separate heading.)

By Mr. ROBERTSON:

S. 3458. A bill to provide that expenditures made in connection with the proposed city hall and certain public facilities in the city of Hampton, Va., may be counted as local grants-in-aid for purposes of title I of the Housing Act of 1949; to the Committee on Banking and Currency.

By Mr. ANDERSON:

S. 3459. A bill to amend the act of June 13, 1962 (76 Stat. 96), with respect to the Navajo Indian irrigation project; to the Commitee on Interior and Insular Affairs.

By Mr. JACKSON (by request):

S. 3460. A bill to authorize the Secretary of the Interior to enter into contracts for scientific and technological research, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MONRONEY (for himself and Mr. HARRIS):

S. 3461. A bill to provide that expenditures made in connection with certain proposed public facilities in Oklahoma City, Okla., may be counted as local grants-in-aid for purposes of title I of the Housing Act of 1949; to the Committee on Banking and Currency.

By Mr. TALMADGE:

S. 3462. A bill for the relief of Dr. Juan Humberto Rodriguez; to the Commitee on the Judiciary.

By Mr. BURDICK:

S. 3463. A bill to amend the Bankruptcy Act to authorize courts of bankruptcy to determine the dischargeability or nondischargeability of provable debts; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota:

S. 3464. A bill for the relief of Dr. Rammurti S. Mishra; to the Committee on the Judiciary.

By Mr. HILL:

S. 3465. A bill to amend the National Science Foundation Act of 1950 to make changes and improvements in the organization and operation of the Foundation, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. YOUNG of North Dakota:

S. 3466. A bill to change the name of the Rolla Jewel Bearing Plant at Rolla, N. Dak., to the William Langer Jewel Bearing Plant; to the Committee on Government Operations.

By Mr. ELLENDER (by request):

S. 3467. A bill to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. ELLENDER when he introduced the above bill, which appear under a separate heading.)

By Mr. ERVIN:

S. 3468. A bill to amend title II of the Social Security Act to establish a procedure whereby attorneys representing successful claimants for benefits thereunder may be paid reasonable fees for their services out of the past-due benefits to which such claimants are entitled; to the Committee on Finance.

By Mr. MORSE (by request):

S. 3469. A bill to enable the District of Columbia to participate in the health and medical assistance benefits made available by the Social Security Amendments of 1965, and for other purposes; to the Committee on the District of Columbia.

By Mr. NELSON:

S. 3470. A bill to amend title 10, United States Code, to authorize the Secretary of Defense to provide a special educational training and physical rehabilitation program for persons who are not qualified for enlistment or induction in the Armed Forces because of educational or physical deficiencies; to the Committee on Armed Services.

(See the remarks of Mr. NELSON when he introduced the above bill, which appear under a separate heading.)

By Mr. McINTYRE:

S. 3471. A bill to make certain expenditures by the city of Portsmouth, N.H., eligible as local grants-in-aid for purposes of title I of the Housing Act of 1949; to the Committee on Banking and Currency.

CONCURRENT RESOLUTION

TO PRINT AS A SENATE DOCUMENT A PUBLICATION RELATING TO THE RULES OF PROCEDURE OF THE SENATE

Mr. TOWER submitted a concurrent resolution (S. Con. Res. 96) to provide for the printing as a Senate document of a publication with respect to the history, activities, and rules of procedure of the U.S. Senate, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above concurrent resolution printed in full when submitted by Mr. TOWER, which appears under a separate heading.)

RESOLUTION

ADDITIONAL FUNDS FOR COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. JACKSON, from the Committee on Interior and Insular Affairs, reported an original resolution (S. Res. 271) to provide additional funds for the Committee on Interior and Insular Affairs, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. JACKSON, which appears under the heading "Reports of Committees.")

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

JAPAN EXTENDS CONGRATULATIONS ON SOFT LANDING OF SURVEYOR I

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a message from Yuzo Shigemune, President of the House of Councillors of Japan, addressed to Hon. HUBERT H. HUMPHREY, President of the Senate. It reads as follows:

> Please accept my sincere congratulations on the successful lunar soft landing by your spacecraft Surveyor I.
>
> YUZO SHIGEMUNE,
> *President of House of Councillors.*

A BILL TO INSURE ADEQUATE HOUSING IN AREAS THREATENED BY CIVIL DISORDERS

Mr. KUCHEL. Mr. President, this country, within the last few years, has taken significant steps toward the fulfillment of our historic American concept of equality for all men. These steps are intended to help America set her own house in order and achieve domestic tranquility among our people. But the true significance of our efforts can be diminished, if not destroyed, by a few acts of useless violence or death in the streets of our cities.

I was greatly distressed, therefore, at recent reports of violence in the suburbs of Los Angeles and in the once quiet streets of Bakersfield. Nonviolence tends to serve its objectives, but violence only emphasizes brutality. In Watts, between the 17th and 20th of May, windows over a two-block area were smashed; a small store was sacked and looted and bottles thrown at the helpless clerk; two reporters were clubbed with timbers; snipers were reported in the streets; and fires were set throughout the area. A tragic eruption occurred in Bakersfield on May 23, when a school bus, carrying high school students, was attacked by a group hurling rocks and bottles at the windows of the vehicle injuring the driver and many of the youngsters. In both of these areas, hundreds of innocent victims suffered the inevitable damages which result from such lawless episodes.

These are events which no man, regardless of his sympathies, can cite with pride. They taint the achievements we have made in the past and they hinder our efforts for the future. They strike at the very goal to which, along with many of my distinguished colleagues, I have so long been devoted: equal justice and equal opportunity under the law.

There can be little question but that the law, only a few short years ago, was recognized as unequal. It sanctioned segregation despite the mandates of our Constitution.

Within this context, the advocates of equal civil rights for all our citizens could justly question the injustice of that law. The legal activities of civil rights groups across our land helped to make it clear that America had been dignifying discrimination and encouraging intolerance. The decisions of the Supreme Court and the efforts of Congress are bringing equality back into the law. The Civil Rights Act of 1964 and the Voting Rights Act of 1965 have initiated forceful strides toward a fulfillment of the words of our Declaration of Independence and our Constitution. Lincoln is being vindicated. America is approaching a period when the law and its enforcement will not be influenced by the color of a man's skin or by his creed, and equal justice will be a reality rather than a sham.

But to be effective in an orderly society, this equality must be accompanied by responsibility and a respect for the law. Leading exponents of the struggle for civil rights have claimed three major goals in Negro life: communal self-improvement, the struggle for legal equality, and race pride. These goals are by no means inconsistent with an orderly society. Their very fulfillment is dependent on achieving better laws; laws that require the reliance and respect of all Americans. To cast order aside for the sake of violence can only mock the system within which orderly and valid dissent may make itself effectively heard.

Useless acts of mob violence and crime do not emphasize injustices in our society. They encourage injustice despite the law. The riots and strife of Los Angeles and Bakersfield can only deter the progress of civil rights by fanning the flames of prejudice, creating fears and anxieties, breaking down communications, and distrupting the flow of needed investment into those areas of most critical need. And the innocent majority of those who dwell in such areas must bear the consequences of the irresponsible few.

With the heat of another summer approaching and with it, the threat of greater racial violence in the streets of our cities, action must be taken to prevent such upheavals or to contain them, to resolve the problems which create racial tension, to further Federal programs of economic rehabilitation, to do, in a word, all that may be done to eliminate the causes of such disorders, strictly enforce the law, and assist law abiding citizens in the affected areas.

First, I call upon civil rights groups to exert every influence to stem these outbreaks of violence. They must seek to restore necessary communication between the peoples of differing views and between all people and their government. They must seek objective determinations of causes and conflicts and make clear that the only just settlements are peaceful ones.

Second, civil leaders must take action against the true causes of racial agitation: discrimination, poverty, inadequate housing, unemployment, and the general economic and emotional depression that persists in these areas. No local leader should confuse these fundamental evils with left or right wing extremism. Nor should anyone allow himself to believe that these actions stem from any base instinct of the groups affected. Rather, we must recognize clearly that these actions result from an unpardonable reluctance to come to grips with the true causes of unrest. Municipal action must seek positive solutions. Society's need is to seek to calm agitation, not incite greater fear and anxiety into an already tense atmosphere.

Third, I ask the administration to give financial priority to areas threatened with potential violence. It must cast aside restrictive financial practices that hinder the flow of necessary funds. As a consequence of the passage of proposition 14 in California, the Federal Government delayed important funds required for urban renewal development under California law. These funds could even now be contributing to the peaceful development of municipal living and suburban life.

The administration's restrictive credit policies, aimed at the laudable goal of curbing inflation, have had inequitable effects on the West in general and the culturally disadvantaged in particular. In California, shortages of credit for home purchases and small investment are acute. Such shortages, as always in the past, are felt first by those with the least resources at their command.

Lastly, I introduce for appropriate reference a bill to amend the National Housing Act which will give innocent victims in areas threatened by riots a greater opportunity to obtain loans and to purchase their own homes. Today, it is practically impossible in areas of racial strife to obtain loans at any rate of interest for the purchase of homes. Present financial restrictions are part of the cause, but the threat of future riots is the primary reason for the lack of funds. The bill I offer does not require new appropriations. It would allow FHA to insure mortgages in areas threatened by disorders if the properties concerned are an acceptable risk giving due consideration to the need for providing adequate housing for families of low and moderate income in such area.

It is by such action as I have outlined that America can continue to move forward in the area of civil rights for all our citizens, and fullfill its quest for equality and responsibility under the law.

Mr. President, I ask unanimous consent that the bill may lie on the desk until Friday, June 10. During this period, I invite my distinguished colleagues to join with me as cosponsors in this effort to assist disadvantaged Americans.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be held at the desk, as requested by the Senator from California.

The bill (S. 3451) to assist in the provision of adequate housing in areas in which there is a shortage of housing credit as a result of the occurrence of riots and other civil disorders, introduced by Mr. Kuchel, was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the bill may be printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 3451

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 203 of the National Housing Act is amended by adding at the end thereof the following new subsection:

"(1) The Secretary of Housing and Urban Development is authorized to insure under this section any mortgage meeting the requirements of this section, other than the requirement in subsection (c) relating to economic soundness, if he determines that (1) the dwelling covered by the mortgage is situated in an area in which rioting or other civil disorders have occurred or are threatened, (2) as a result of such actual or threatened rioting or other disorders the property with respect to which the mortgage is executed cannot meet the normal requirements with respect to economic soundness, and (3) such property is an acceptable risk giving due consideration to the need for providing adequate housing for families of low and moderate income in such area."

Sec. 2. Section 305 of the National Housing Act is amended by adding at the end thereof a new subsection as follows:

"(i) Notwithstanding any other provision of this Act, the Association is authorized to enter into advance commitment contracts and purchase transactions which do not exceed $200,000,000 outstanding at any one time, if such commitments or transactions relate to mortgages with respect to which the Secretary of Housing and Urban Development has made the determinations provided for in section 203(1) of this Act."

PROPOSED LEGISLATION TO SPEED DECISION IN NLRB CASES

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill to amend the National Labor Relations Act so as to revise, improve, and expedite its operation, to insure that the rights guaranteed by the act will be a reality in fact, as well as in theory, and to prevent inordinate delay in enforcement, which has often in the past tended to nullify the act's effectiveness.

The bill would amend the National Labor Relations Act:

First, to permit the Board to delegate its unfair labor practice jurisdiction to trial examiners, subject to discretionary review by the NLRB;

Second, to provide for expedited elections without a prior formal hearing in those cases which raise no substantial issue of law or fact;

Third, to provide for the issuance of temporary injunctions to restrain unlawful conduct by an employer or a union while an election is pending. This would permit the election to be held immediately without having to wait, as is often now the case, for months or years while the Board and then the courts finally dispose of an unfair labor practice case on the merits; and

Fourth, to avoid protracted cases involving so-called "card checks" as a basis for union recognition and permit the employer, when faced with prima facie proof of a union's majority status, to obtain an expedited election.

What is at stake in an NLRB case is not at all the same thing as what is at stake in an ordinary lawsuit. NLRB cases involve rights which have meaning only if they are vindicated quickly. In an election case, if the union is forced to wait months and months before an election can be held, the real wishes of the employees may never be expressed. Using the political analogy, every candidate for political office knows that a campaign should not begin too soon but should try to bring the issues sharply into focus at a time reasonably soon before the election date, so that the voters will be able to exercise their franchise in an intelligent and informed manner.

Likewise, in unfair labor practice cases, if employees can be intimidated, discharged and so forth, or if a union can engage in unlawful conduct, and if no relief can be granted for 2 or 3 years, there is a premium placed upon delay, and the wrongdoer may reap the advantages of misconduct without having any penalty imposed until long after it will make any real difference.

This bill seeks to insure that in both election cases and unfair labor practice cases—and particularly in situations involving both at once—the NLRB will be able to run a fair election, expeditiously, and will be able to restrain any unlawful interference with a pending election so that the whole case will be disposed of without protracted proceedings and yet with maximum protection for the rights of the parties.

THE TIMETABLE FOR A CONTESTED NLRB CASE UNDER EXISTING LAW

During 1965, the median time for processing contested unfair labor practice cases which required a decision by the NLRB itself with approximately as follows:

	Days
From filing of charge to issuance of complaint	59
From issuance of complaint to close of hearing before a trial examiner	73
From close of trial examiner's hearing to issuance of trial examiner's decision	114
From trial examiner's decision to NLRB decision	105
From time from filing of charge to issuance of final decision by NLRB	351

In 1,761 representation cases—excluding those that were handled by various types of consent elections—the median 1965 timetable was as follows:

	Days
From filing of election petition to issuance of notice of hearing	9
From issuance of notice of hearing to close of hearing	13
From close of hearing to Regional Director's decision	20
From issuance of Regional Director's decision to date of election	30
From date of election to issuance of certification	7
Total time from filing of petition to issuance of certification	79

And this timetable for election cases assumes that the Regional Director decided the case pursuant to delegation from the NLRB authorized in 1959 and that the case was not referred to the Board for decision; and it assumes that no objections were filed after the date of the election; and if either of those circumstances occurred, the case would be even more protracted than it already is. For example, the 88 cases referred to the Board for decision last year took a median time of 168 days from start to finish.

So what we have here, excluding consent elections, is an average election case which takes 79 days from start to finish, and an average contested unfair labor practice case which takes 351 days, and which may take a year or two more if reviewed in the courts.

This bill would reduce the average timetable for contested election cases by at least 33 days—that is, by almost half—and probably more. And in contested unfair labor practice cases, the bill would reduce the timetable by about 100 days.

The timetable for processing NLRB cases under existing law is long indeed. It is too long, in my view, and we ought to take steps to shorten the time, by speeding up those processes of the Board which can be speeded up without sacrificing the substantive rights of the parties.

DELEGATION OF UNFAIR LABOR PRACTICE JURISDICTION

Section 2 of the bill rewrites section 3(b) of the NLRA to allow the Board to delegate its unfair labor practice jurisdiction to trial examiners. This proposal is substantially the same as President Kennedy's proposed reorganization plan No. 5 of 1961, which, in my view, deserves our consideration now.

The effect of this aspect of the bill would be to eliminate the long delay at the Board level—about 100 days—from the timetable for a large proportion of contested unfair labor practice cases, while at the same time retaining discretionary review by the NLRB to insure that, where a trial examiner's decision clearly goes astray, the Board can bring it back in line with established precedent. And judicial review would be retained in any event.

EXPEDITED PREHEARING ELECTIONS

Section 3(b) of this bill amends section 9(c) of the National Labor Relations Act to dispense with the requirement of a formal hearing in election cases raising no substantial issue of law or fact, and also provides for expedited elections in certain "card check" cases discussed at greater length below.

As to prehearing elections, this section of the bill adds a new paragraph (7) to section 9(c) of the act, providing that if, after an informal conference with the parties, the Board's agent does not find any substantial question of law or fact, an immediate election can be ordered, subject, however, to the right of either party to file a motion with the Board seeking a hearing in the case. This procedure, in my estimation, would reduce the average timetable for election cases by at least 33 days.

The substance of this proposal has had support, over the years, from leaders of both parties. In January 1959, President Eisenhower's message to the Congress on proposed labor-management legislation—Senate Document No. 10, 86th Congress, 1st session—proposed "to permit the Board, under proper safeguards, to conduct representation elections without holding a prior hearing where no substantial objection to an election is made." In April 1959, the Senate Labor Committee reported a bill, S. 1555, of which I was a cosponsor, which contained, in section 605, the substance of this provision, and which had the unanimous support of the members of the committee—Senate Report No. 187, 86th Congress, 1st session, 29, 1959. I believe that this provision, which was needed then, is even more necessary now.

EXPEDITED ELECTIONS IN LIEU OF "CARD CHECKS"

Last year I introduced a bill, S. 2395, to restrain the use of card checks and to provide for expedited elections instead. The substance of that measure is incorporated in section 3 (a) and (b) of this bill. Basically, these provisions would give the employer the right to insist upon an election even if he is presented with signed cards purporting to show that a majority of his employees wish to be represented by a union—provided the employer files a petition for an expedited prehearing election. If the employer files such a petition, no unfair labor practice proceeding based solely on refusal to recognize the card check will be processed unless the employer dissipates the union's majority by other unfair labor practices. Of course, if the employer engages in a course of conduct unlawful under the act and having the effect of destroying the union's majority, the Board would still have the power to compel recognition, and the bill specifies this.

Under existing law, if a union presents an employer with cards signed by 51 percent or more of the employees, the employer is obligated to recognize and bargain with the union, unless the employer has a "good faith doubt" as to the authenticity of the union's showing of a majority. Under this rule, an employer can be effectively deprived of his right to present his arguments about unionization and then have the employees decide. The employees can be deprived of the right to a secret ballot. And a racket posing as a union has a much better chance to get in.

The use of the card check technique, moreover, has a delaying effect if the employer chooses to litigate the issue, for the timetable for unfair labor practice cases—which are used in card check situations—runs in excess of a year. Once again, this provision is designed to protect the rights of the parties, while at the same time speeding up the vindication of those rights.

PREELECTION INJUNCTIONS

Finally, section 4 of the bill amends section 10 of the act to provide for mandatory preelection injunctions against unfair labor practices. Under section 10 as now written, the Board has the option to seek temporary injunctions against any unfair labor practice, pending final determination by the Board, but the only time the Board is ever required to seek such injunctions is when a union violates section 8(b)(4) or 8(b)(7)—basically, when there is a secondary boycott or unlawful recognition or organizational picketing.

But there is one other category of unfair labor practices in which temporary injunctive relief is of truly paramount importance, and that is when an election is pending.

Under existing law, if an election is pending and an unfair labor practice charge is filed, the representation case is often suspended until the unfair labor practice case is finally disposed of—which may be years later. The charge is considered a "blocking charge"—it blocks the election unless the charging party files a "request to proceed" which has the effect of removing the alleged unlawful conduct as a bar to the election.

Under my proposal, however, the Board would be required to petition a district court immediately for a preliminary injunction. If the court granted the injunction, the election could proceed forthwith, with the unlawful conduct restrained. If the court denied the injunction, the election likewise could proceed immediately, and the conduct complained of would be considered irrelevant to the outcome of the election. If the illegal conduct took place within the context of a majority card-check situation, however, the Board will still have the right to process a refusal-to-bargain charge if the conduct dissipated the union's majority before the injunction could be issued.

A COORDINATED APPROACH TO EXPEDITION

The provisions of this bill are designed to provide a coordinated approach to expedited Board procedure. Elections are speeded up; delays caused by unnecessary hearings where there is no substantial legal or factual question, or caused by "blocking charges" or protracted card check hearings are eliminated, while at the same time insuring that those who would attempt to delay by committing unfair labor practices and bogging down the case in protracted litigation will be temporarily enjoined so that pending questions of representation can be quickly disposed of.

Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD, and that the bill be held at the desk for one week for cosponsors.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and lie on the desk, as requested by the Senator from New York.

The bill (S. 3452) to amend the National Labor Relations Act so as to revise, improve, and expedite its operation, and for other purposes, introduced by Mr. JAVITS, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 3452

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the National Labor Relations Act Amendments of 1966.

SEC. 2. Section 3(b) of the National Labor Relations Act, as amended (29 U.S.C. 153(b)), is amended to read as follows:

"(b) (1) The Board is authorized to delegate to any group of three or more members any or all of the powers which it may itself exercise.

"(2) The Board is also authorized to delegate any of its powers under section 10(c) to a hearing examiner. With respect to the delegation of any of its functions as provided herein, the Board, upon its own initiative or upon petition of a party to or an intervenor in such action, may in its discretion, and shall upon request of two or more members of the Board, review the action of any such hearing examiner within such time and in such manner as the Board shall by rule prescribe. Should the Board decline to review the action of any such hearing examiner, or should no such review be sought within the time stated in the rules promulgated by the Board, then such action shall for all purposes, including appeal or review thereof, be deemed to be the action of the Board. Nothing herein contained shall be deemed to supersede the provisions of section 7(a) of the Administrative Procedure Act, as amended (5 U.S.C. 1009(a)). The Board shall promulgate such rules and regulations as it may deem appropriate to insure that any powers delegated to a hearing examiner under this paragraph will be exercised in a fair, impartial, and efficient manner.

"(3) The Board is also authorized to delegate to its regional directors its powers under section 9 to determine the unit appropriate for the purposes of collective bargaining, to investigate and provide for hearings, and determine whether a question of representation exists, and to direct an election or take a secret ballot under subsection (c) or (e) of section 9 and certify the results thereof, except that upon the filing of a request therefor with the Board by any interested person, the Board may review any action of a regional director delegated to him under this paragraph, but such review shall not operate as a stay of any action taken by the regional director unless specifically ordered by the Board.

"(4) A vacancy in the Board shall not impair the right of the remaining members to exercise all of the powers of the Board, and three members shall, at all times, constitute a quorum of the Board, except that two members shall constitute a quorum of any group designated pursuant to paragraph (1) of this subsection. The Board shall have a seal which shall be judicially noticed."

SEC. 3. (a) Section 8 of such Act is amended by adding the following new subsection:

"(g) It shall be an unfair labor practice under subsection (a)(5) of this section for any employer to refuse to recognize a labor organization as the representative of his employees if such employer—

"(1) has been presented with valid cards or other unimpeached evidence purporting to show that a majority of employees in an appropriate bargaining unit desires to be represented by such labor organization; and

"(2) has failed within a reasonable time to file a petition pursuant to paragraph (1)(B) of section 9(c), containing the allegations referred to in paragraph (6) of such section."

(b) Section 9(c) of such Act is amended by adding the following new paragraphs:

"(6) In any case in which it is alleged in a petition filed by an employer pursuant to paragraph (1)(B) that a labor organization seeking recognition as the representative of the employees of such employer has presented valid cards or other unimpeached evidence purporting to show that a majority of employees in an appropriate bargaining unit desires to be represented by such labor organization, it shall be the duty of the Board, if it determines that in all other respects a question of representation affecting commerce exists, to forthwith, without regard to the provisions of paragraph (1) direct the holding of such an election in such unit as the Board finds to be appropriate and to certify the results thereof. The consideration of the petition and the holding of the election, in any such case shall not be delayed by reason of the pendency of an unfair labor practice charge based upon the refusal of the employer to bargain collectively with the labor organization, and no such unfair labor practice charge based upon a refusal to bargain prior to the election shall thereafter be considered unless the Board determines that the labor organization had once been authorized to represent a majority of the employees in the bargaining unit, but that as a result of a course of conduct by the employer in violation of section 8(a) (other than unfair labor practices under section 8(a)(5)), such labor organization is no longer authorized to represent such majority.

"(7) Notwithstanding the provisions of paragraph (1) of this subsection, the Board through its designated representative, if there is reasonable cause to believe that a question of representation affecting commerce exists, may call an informal conference of the parties upon due notice. If at such conference no agreement is reached for a consent election, and there are no substantial issues of fact or law which should be resolved by a preelection hearing, the Board, through its designated representative, may conduct an election in an appropriate unit. Any party aggrieved by such proceeding may file a motion for hearing with the Board, but such motion shall not, unless specifically ordered by the Board, operate as a stay of the election."

SEC. 4. Section 10 of such Act is amended by adding the following new subsection:

"(n) Whenever it is charged that any person has engaged in any unfair labor practice of any kind in relation to any collective bargaining unit as to which there is pending a petition for an election under section 9(a) or section 8(b)(7), and the officer or regional attorney to whom the matter may be referred has reasonable cause to believe that such charge is true and that a complaint should issue, such officer or regional attorney shall, on behalf of the Board, petition any district court of the United States (including the District Court of the United States for the District of Columbia) within any district where the unfair labor practice in question is alleged to have occurred, or wherein such person resides or transacts business, for appropriate injunctive relief pending the final adjudication of the Board with respect to such matter. Upon the filing of such petition for injunctive relief, the Board shall suspend further proceedings with respect to the petition for an election until the district court shall have entered an order granting or denying the relief sought and (i) any appeal therefrom shall have been decided or (ii) the time for taking an appeal (including any further appeal) shall have expired and such appeal shall not have been taken. In any case in which a petition for injunctive relief under this subsection shall have been disposed of on the merits, the conduct forming the basis for the unfair labor practice charge or enjoined or sought to be enjoined (except conduct occurring subsequent to and in violation of an order granting injunctive relief pursuant to a petition therefor filed under this subsection) shall not be grounds for setting aside an election thereafter held in such case. The provisions of subsection (1) relating to the jurisdiction and procedure of the court with respect to petitions for injunctive relief shall be applicable in the case of such petitions filed under this subsection."

BILL TO PERMIT THE NLRB TO DELEGATE UNFAIR LABOR PRACTICE JURISDICTION TO TRIAL EXAMINERS

Mr. JAVITS. Mr. President, because some of my colleagues may wish to cosponsor portions of the measure I have just introduced, I am also sending to the desk individual bills, each embodying single provisions of that measure.

I, therefore, send to the desk, for appropriate reference, a bill to permit the NLRB to delegate unfair labor practice jurisdiction to trial examiners, and I ask that the text of this bill be printed in the RECORD, and that the bill be held at the desk for 1 week for cosponsors.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and will lie on the desk, as requested by the Senator from New York.

The bill (S. 3453) to amend the National Labor Relations Act so as to authorize the National Labor Relations Board to delegate unfair labor practice jurisdiction to trial examiners, and for other purposes, introduced by Mr. JAVITS, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 3453

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(b) of the National Labor Relations Act, as amended (29 U.S.C. 153(b)), is amended to read as follows:

"(b)(1) The Board is authorized to delegate to any group of three or more members any or all of the power which it may itself exercise.

"(2) The Board is also authorized to delegate any of its powers under section 10(c) to a hearing examiner. With respect to the delegation of any of its functions as provided herein, the Board, upon its own initiative or upon petition of a party to or an intervenor in such action, may in its discretion, and shall upon request of two or more members of the Board, review the action of any such hearing examiner within such time and in such manner as the Board shall by rule prescribe. Should the Board decline to review the action of any such hearing examiner, or should no such review be sought within the time stated in the rules promulgated by the Board, then such action shall for all purposes, including appeal or review thereof, be deemed to be the action of the Board. Nothing herein contained shall be deemed to supersede the provisions of section 7(a) of the Administrative Procedure Act, as amended (5 U.S.C. 1009(a)). The Board shall promulgate such rules and regulations as it may deem appropriate to insure that any powers delegated to a hearing examiner under this paragraph will be exercised in a fair, impartial, and efficient manner.

"(3) The Board is also authorized to delegate to its regional directors its powers under section 9 to determine the unit appropriate for the purposes of collective bargaining, to investigate and provide for hearings, and determine whether a question of representation exists, and to direct an election or take a secret ballot under subsection (c) or (e) of section 9 and certify the results thereof, except that upon the filing of a request therefor with the Board by any interested person, the Board may review any action of a regional director delegated to him under this paragraph, but such review shall not operate as a stay of any action taken by the regional director unless specifically ordered by the Board.

"(4) A vacancy in the Board shall not impair the right of the remaining members to exercise all of the powers of the Board, and three members shall, at all times, constitute a quorum of the Board, except that two members shall constitute a quorum of any group designated pursuant to paragraph (1) of this subsection. The Board shall have a seal which shall be judicially noticed."

BILL TO PROVIDE FOR THE HOLDING OF EXPEDITED PREHEARING ELECTIONS IN NLRB REPRESENTATION CASES INVOLVING NO SUBSTANTIAL ISSUES OF FACT OR LAW

Mr. JAVITS. Mr. President, I also send to the desk a bill to provide for the holding of expedited prehearing elections where the NLRB finds that the case involves no substantial issue of law or fact. I ask that this measure also be held at the desk for 1 week, and that its text be printed in the RECORD at this point.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and will lie on the desk, as requested by the Senator from New York.

The bill (S. 3454) to amend the National Labor Relations Act to provide for the holding of expedited prehearing elections in representation cases involving no substantial issues of fact or law, and for other purposes, introduced by Mr. JAVITS, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 9(c) of the National Labor Relations Act, as amended, is amended by adding the following new paragraph:

"(6) Notwithstanding the provisions of paragraph (1) of this subsection, the Board through its designated representative, if there is reasonable cause to believe that a question of representation affecting commerce exists, may call an informal conference of the parties upon due notice. If at such conference no agreement is reached for a consent election, and there are no substantial issues of fact or law which should be resolved by a preelection hearing, the Board, through its designated representative, may conduct an election in an appropriate unit. Any party aggrieved by such proceeding may file a motion for hearing with the Board, but such motion shall not, unless specifically ordered by the Board, operate as a stay of the election."

BILL TO PROVIDE FOR ISSUANCE OF TEMPORARY INJUNCTIONS WHENEVER THE NLRB FINDS REASONABLE CAUSE TO BELIEVE THAT AN UNFAIR LABOR PRACTICE HAS BEEN COMMITTED WHILE A REPRESENTATION ELECTION IS PENDING

Mr. JAVITS. Next, Mr. President, I send to the desk a bill to provide for the issuance of temporary injunctions whenever there is reasonable cause to believe that unfair labor practices have been committed while an NLRB representation election is pending, and I ask that this bill, also, be held at the desk for 1 week for cosponsors, and that its text be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and will lie on the desk, as requested by the Senator from New York.

The bill (S. 3455) to amend the National Labor Relations Act to provide for the issuance of temporary injunctions whenever there is reasonable cause to believe that an unfair labor practice has been committed while a representation election is pending, and for other purposes, introduced by Mr. JAVITS, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 10 of the National Labor Relations Act, as amended, is amended by adding the following new subsection:

"(n) Whenever it is charged that any person has engaged in any unfair labor practice of any kind in relation to any collective bargaining unit as to which there is pending a petition for an election under section 9(a) or section 8(b)(7), and the officer or regional attorney to whom the matter may be referred has reasonable cause to believe that such charge is true and that a complaint should issue, such officer or regional attorney shall, on behalf of the Board, petition any district court of the United States (including the District Court of the United States for the District of Columbia) within any district where the unfair labor practice in question is alleged to have occurred, or wherein such person resides or transacts business, for appropriate injunctive relief pending the final adjudication of the Board with respect to such matter. Upon the filing of such petition for injunctive relief, the Board shall suspend further proceedings with respect to the petition for an election until the district court shall have entered an order granting or denying the relief sought and (i) any appeal therefrom shall have been decided or (ii) the time for taking an appeal (including any further appeal) shall have expired and such appeal shall not have been taken. In any case in which a petition for injunctive relief under this subsection shall have been disposed of on the merits, the conduct forming the basis for the unfair labor practice charge or enjoined or sought to be enjoined (except conduct occurring subsequent to and in violation of an order granting injunctive relief pursuant to a petition therefor filed under this subsection) shall not be grounds for setting aside an election thereafter held in such case. The provisions of subsection (1) relating to the jurisdiction and procedure of the court with respect to petitions for injunctive relief shall be applicable in the case of such petitions filed under this subsection."

BILL TO PROVIDE FOR THE HOLDING OF EXPEDITED NLRB ELECTIONS IN LIEU OF RECOGNITION ON THE BASIS OF "CARD CHECKS"

Mr. JAVITS. Finally, Mr. President, I submit, for appropriate reference, a bill to provide for the holding of expedited representation elections by the NLRB where labor organizations seek recognition on the basis of employees' authorizations or similar evidence. I ask unanimous consent that this bill also be held at the desk for 1 week for cosponsors, and that its text be printed in the RECORD at this point.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record, and will lie on the desk, as requested by the Senator from New York.

The bill (S. 3456) to amend the National Labor Relations Act so as to provide for the holding of expedited representation elections upon petition of employers where labor organizations seek recognition on the basis of employees' authorizations or similar evidence, and for other purposes, introduced by Mr. Javits, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that section 8 of the National Labor Relations Act, as amended, is amended by adding the following new subsection:

"(g) It shall be an unfair labor practice under subsection (a)(5) of this section for any employer to refuse to recognize a labor organization as the representative of his employee if such employer—

"(1) has been presented with valid cards or other unimpeached evidence purporting to show that a majority of employees in an appropriate bargaining unit desires to be represented by such labor organization; and

"(2) has failed within a reasonable time to file a petition pursuant to paragraph (1)(B) of section 9(c), containing the allegations referred to in paragraph (6) of such section."

Sec. 2. Section 9(c) of such Act as amended by adding the following new paragraph:

"(6) In any case in which it is alleged in a petition filed by an employer pursuant to paragraph (1)(B) that a labor organization seeking recognition as the representative of the employees of such employer has presented valid cards or other unimpeached evidence purporting to show that a majority of employees in an appropriate bargaining unit desires to be represented by such labor organization, it shall be the duty of the Board, if it determines that in all other respects a question of representation affecting commerce exists, to forthwith, without regard to the provisions of paragraph (1), direct the holding of such an election in such unit as the Board finds to be appropriate and to certify the results thereof. The consideration of the petition and the holding of the election, in any such case, shall not be delayed by reason of the pendency of an unfair labor practice charge based upon the refusal of the employer to bargain collectively with the labor organization, and no such unfair labor practice charge based upon a refusal to bargain prior to the election shall thereafter be considered unless the Board determines that the labor organization had once been authorized to represent a majority of the employees in the bargaining unit, but that as a result of a course of conduct by the employer in violation of section 8(a) (other than unfair labor practices under section 8(a)(5)), such labor organization is no longer authorized to represent such majority."

AMENDMENT OF NATIONAL SCHOOL LUNCH ACT, AS AMENDED, TO STRENGTHEN AND EXPAND FOOD SERVICE PROGRAMS FOR CHILDREN

Mr. ELLENDER. Mr. President, I introduce, by request, a bill to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children. While the material contained in this bill was requested by the administration, I have made some changes in it and have omitted some parts of the legislation requested.

I ask unanimous consent that there may be printed at this point in the Record a short explanation of the bill, as introduced, together with a section-by-section explanation of it.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the explanation and section-by-section analysis will be printed in the Record.

The bill (S. 3467) to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children, introduced by Mr. Ellender, by request, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The explanation and section-by-section analysis presented by Mr. Ellender are as follows:

Explanation of Bill

The bill would amend the National School Lunch Act by adding provisions for—

(1) A special milk program for fiscal years 1967, 1968, 1969, and 1970;

(2) A pilot breakfast program for needy children in schools drawing attendance from poor economic areas and in schools to which the children must travel long distances for fiscal years 1967, 1968, and 1969;

(3) A permanent program for nonfood assistance to schools drawing attendance from areas in which poor economic conditions exist; and

(4) General administration (sections 16 through 24), including provision for—

(A) use of up to 1½ percent of the funds appropriated for the various programs for program administrative expenses of State educational agencies;

(B) coordination with, and preference to, programs carried on under the Elementary and Secondary Education Act of 1965 and the Economic Opportunity Act of 1964;

(C) requiring the food and milk service programs to be conducted in a nonprofit basis;

(D) in the case of the milk program, prohibiting imposition of requirements dealing with teaching;

(E) providing that assistance under the Act not be deemed income and that State expenditures for child food programs not be reduced;

(F) authorizing the Secretary to extend school feeding programs under the Act to include pre-school programs operated as part of the school system.

Section-by-Section Explanation

Section 1 (A) keeps the appropriation authorization for the national school lunch program separate from those for the new programs.

Section 1 (B) excludes funds appropriated for the new programs from section 6 of the National School Lunch Act, which provides that part of the funds may be used for Department administrative expenses and part may be used for direct food purchases.

Section 1 (C) defines "nonprofit institution" as an institution, other than a school, which provides for the care and training of children and no part of the net earnings of which inures to the benefit of any private shareholder or individual.

Section 1 (D) adds new sections 13 through 24 to the National School Lunch Act which provide as follows:

Section 13—Special Milk
Section 14—School Breakfast
Section 15—Nonfood Assistance
Sections 16 through 24—General Provisions

New section 13, which provides for the special milk program is identical to section 2 of the Act of July 1, 1958, the current authority for the special milk program, except that the current authority runs only through June 30, 1967, while the new authority runs through fiscal 1969, and appropriations would be limited to not more than $100 million per year. However, since the new authority would be part of the National School Lunch Act, the general provisions of that Act would be applicable.

Section 14 provides for a pilot school breakfast program for fiscal years 1967, 1968, and 1969.

Subsection (a) authorizes appropriations for such program in schools serving children from low-income areas and in schools drawing attendance from children who have to travel long distances.

Subsections (b) and (c) provide for apportionment to states. Three percent would be apportioned to Guam, the Virgin Islands, Puerto Rico, and America Samoa, on the basis of the number of children aged 5 through 17. From the balance the other States would each receive first, a basic grant of $50,000 and, second, additional funds on the basis of need as indicated by the number of children in the State, ages 5 through 17, in families with income of less than $2,000 plus children, ages 5 through 17, in families receiving assistance under the program for Aid to Families with Dependent Children.

Subsection (d) requires States to disburse funds to schools found eligible by the State educational agency at rates per meal that will be established by the Secretary. These funds are to be spent only for food for needy children. To the extent practicable, first consideration will be given to schools in areas of economic need.

Subsection (e) provides that in instances of severe need, the Secretary may authorize assistance up to 90 percent of the operating cost of a breakfast program, including the cost of obtaining, preparing and serving food.

Subsection (f) requires meals served under this section to meet nutritional requirements prescribed by the Secretary on the basis of tested nutritional research and to be served free or at reduced cost to those children found, by local school authorities, to be unable to pay the full cost. This is similar to the requirement contained in the existing National School Lunch Act.

Subsection (g) provides that the Department of Agriculture will administer the program in nonprofit private schools in those States whose educational agency is forbidden, by law, to disburse funds to other than public schools. This is similar to the method followed under the National School Lunch Act.

Section 5 provides for a permanent nonfood assistance program in schools drawing attendance from poor economic areas.

Subsection (a) authorizes appropriations to assist States in helping such schools acquire facilities, other than land and buildings, for the storage, preparation, transportation and serving of food.

Subsection (b) provides that funds shall be apportioned among the States on the same basis as school lunch funds under section 4. Payments to States are made on condition that one-fourth of the cost of any facilities financed shall be borne by State or local funds.

Subsection (c) permits the State educational agency to disburse funds to eligible schools by advance or by reimbursement only on request from the school, accompanied by a detailed description of the facilities to be acquired and plans for their use to improve the nutritional needs of the children in the school.

Subsection (d) requires the Department of Agriculture to administer the program in nonprofit private schools in those States where the State educational agency is not permitted, by law, to disburse funds to other than public schools.

Section 16 provides that the Secretary shall certify to the Secretary of Treasury payments to be made to any State under the new provisions and the Secretary of Treasury shall make the payment. This is the same procedure currently used under the national school lunch program.

Section 17 authorizes the Secretary to use up to 1½ percent of the total funds appropriated under the National School Lunch Act for advances to State educational agencies for administrative purposes. However, no such agency would receive more than 1 percent of the funds apportioned to it under the Act or $7,500, whichever is greater.

Section 18 provides that in the selection of schools and nonprofit institutions to receive Federal assistance under the special milk and other programs being added to the National School Lunch Act, the State agency shall adopt methods and procedures necessary to assure coordination with programs carried on under the Elementary and Secondary Education Act of 1965 and the Economic Opportunity Act of 1964 in such schools or institutions and, in cases of comparable need, give preference to these schools or institutions. The Elementary and Secondary Education Act of 1965 provides among other things for financial assistance to local educational agencies for the education of children of low-income areas. The purpose of the Economic Opportunity Act of 1964 is to eliminate poverty. Sections 611 and 612 of the latter Act now require other agencies, in the administration of related programs, to cooperate and assist in carrying out the purpose of the latter Act and to give preference to applications made in connection with community action programs under the latter Act.

Section 19 requires schools and nonprofit institutions participating in the breakfast program to use to the extent practicable foods designated by the Secretary as being in abundance, and to receive foods donated by the Department of Agriculture.

Section 20 requires all food and milk service programs receiving assistance under the Act to be operated on a nonprofit basis. This is similar to the requirement under the National School Lunch Act.

Section 21 provides that information on numbers of children, ages 5 through 17, and on per capita income shall be made available by the Secretary of Commerce and, unless otherwise specified, shall be the latest available.

Section 22 authorizes regulations.

Section 23 prohibits—

(a) the Secretary and the States from imposing any requirements with respect to teaching personnel, curriculum, or materials of instruction in carrying out the special milk or other programs added to the National School Lunch Act. A similar provision now applies to the national school lunch program.

(b) the value of assistance to children under the National School Lunch Act from being considered as income or resources for purposes of other programs.

(c) State and local expenditures for food programs for children from being reduced as a result of funds received under the National School Lunch Act.

Section 24 authorizes the Secretary to extend the benefits of school feeding programs under the Act to pre-school programs operated as part of the school system.

SPECIAL TRAINING ENLISTMENT PROGRAM

Mr. NELSON. Mr. President, I send to the desk for proper referral a bill to activate the special training enlistment program—STEP—to help volunteers with minor educational and physical problems qualify for Army service and thus reduce reliance on the draft.

I ask unanimous consent that the text of the bill be printed at the close of my remarks.

The strength of our Armed Forces has risen from its 1965 level of 2.66 million men to 2.97 on March 31, 1966. The number of men serving in the Army has grown in that time from 969,000 to 1,140,000. To fill the requirements set by the Defense Department, induction rates have increased from between 500,000 to 600,000 in fiscal 1965 to over 900,000 in fiscal 1966. Draft calls have tripled from between 100,000 and 120,000 to 330,000.

At a time when military requirements have forced a tripling in draft calls, when married men are being taken, when unfair and destructive means are being used to reclassify those with student deferments, it is only sensible to enable those who wish to volunteer every opportunity to serve.

The STEP program was designed to fulfill that need, to provide a short period of concentrated training to upgrade volunteers who fall just short of Army standards in health and education.

The STEP program was proposed by the Defense Department last year, but the $15 million requested to begin the program was denied by the Congress.

Until last November the Army required a volunteer to score 10 points higher on the Armed Forces Qualification Test—AFQT—than a draftee. Some 42,000 men who wished to enlist in 1964, and who scored high enough to have qualified for the draft were rejected under these standards.

AFQT test scores have now been lowered for both draftees and volunteers and made nearly identical. But the Defense Department estimates that between 11,000 and 15,000 young rejected volunteers a year could be aided by the short term, concentrated training that a STEP program could provide.

I introduced an amendment on the Senate floor last August to restore the $15 million requested for the STEP program but was defeated.

The bill I am introducing today answers the most important criticism of the program as it was proposed last year. Instead of tying up Army training cadre and using space at already overcrowded military training installations, the STEP program could be carried out by other Government agencies under contract to the Defense Department.

In fact, a kind of pilot for this sort of program has been carried out under Labor Department sponsorship over the last year with some 1,000 rejected volunteers from the Baltimore-Washington area.

Let us examine the recent changes in military standards and methods of evaluating who are qualified for service. Before November 1965, potential enlistees in the Army had to score in the 31st percentile on the Armed Forces Qualifying Test. Draftees had to score only in the 21st percentile. The present standards have been lowered to the 16th percentile for both enlistees and draftees who are to serve in the Army. Boys scoring between the 16th and 21st percentiles on the AFQT must either possess a high school diploma or pass a careful 2-hour battery of aptitude and qualification exams. Under this revision of standards the Defense Department estimates that they have gained 30,000 enlistees per year who would have been rejected under the old qualification standards.

The STEP program would be geared toward those men with the basic capacity to serve, who score between the 10th and 16th percentiles and are therefore being rejected at this time. These boys want to join the Army. They would as volunteers serve 3 years and many would remain in the service after their first hitch. It makes sense for the Army to enlist such personnel who will not leave the service after 2 years and waste the training invested in them.

In the pilot STEP project sponsored by the Labor Department during the last year nearly 70 percent of these men had been out of school and unemployed prior to the program. Of 728 men, 82.3 percent are now either gainfully occupied, on jobs, in schools, or in the Armed Forces.

It is estimated that the costs for training and coverage of administrative needs for the STEP program will be between $300 and $500 per man.

We have available a pool of men willing and basically with the capacity to serve who are rejected for minor educational defects. It is commonsense to attempt to qualify these boys rather than draft men who will leave the service as soon as their time is up. Even those trainees who decide to leave the service will have become more useful citizens, better able to cope with life and secure a decent job as civilians.

Public concern over inequities in the draft system has risen in recent weeks. Various alternatives have been suggested to correct the injustices caused by the draft. Here is a program that can be enacted within the framework of the present system. We need not wait for a revamping of the Selective Service System to undertake this effort to qualify additional thousands of men each year for military service.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3470) to amend title 10, United States Code, to authorize the Secretary of Defense to provide a special educational training and physical rehabilitation program for persons who are not qualified for enlistment or induction in the Armed Forces because of educational or physical deficiencies introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

S. 3470

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 101 of title 10, United States Code, is amended as follows:

(1) By adding the following new section:

"2003. PERSONS NOT QUALIFIED FOR ENLISTMENT OR INDUCTION: SPECIAL EDUCATIONAL TRAINING OR PHYSICAL REHABILITATION

"(a) The Secretary of Defense may provide a special educational training and physical rehabilitation program for persons who are not qualified for enlistment or induction in the Armed Forces because of educational or physical deficiencies but who, with educational training and physical rehabilitation, can serve usefully in the Armed Forces.

"(b) Notwithstanding any other provision of law, upon agreement by the Secretary of Defense and the head of any other department or agency of the United States, facilities, supplies, and services of that department or agency may be used with or without reimbursement to carry out the purposes of this section."

(2) By adding the following item in the analysis:

"2003. PERSONS NOT QUALIFIED FOR ENLISTMENT OR INDUCTION: SPECIAL EDUCATIONAL TRAINING OR PHYSICAL REHABILITATION"

Mr. NELSON. Mr. President, I ask unanimous consent that the remarks made by the Senator from New Jersey [Mr. CASE] on Memorial Day ceremonies in Garfield, N.J., respecting the draft be inserted in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The remarks of the Senator from New Jersey [Mr. CASE], presented by Mr. NELSON, are as follows:

Within the next 13 months, Congress must decide whether to extend the current Selective Service law or to replace it with some new program.

We have heard many suggestions recently for changing the present law. These represent many different approaches but one of the most interesting aspects of these suggestions is that they all recognize the many inequities in the current law. Many of us have been aware of the inequities—and trying to do something about them—for many years.

Two weeks ago we read about the recognition of these inequities by a top administration official, Secretary of Defense Robert S. McNamara.

This recognition by the administration, however, is late in arriving.

A little over two years ago the administration frustrated the creation of a Presidential Commission to investigate the draft by refusing to support legislation to establish the commission.

The legislation—which I joined in sponsoring—called for establishment of a commission which would have included educators and other specially qualified civilians as well as military and Defense Department personnel. The commission would have been charged with studying the whole matter of the way we utilize our manpower, including the relationship of the reserves to the draft.

Instead of supporting this legislation, President Johnson ordered the Defense Department to conduct a study and to report back within a year. That was in April, 1964, over two years ago. During the past year, I have been in frequent contact with the Defense Department in an effort to determine what has happened to the study. A few weeks ago, I was informed that a report would be made public in June.

As recently as February of this year Secretary McNamara told a Senate Appropriations subcommittee that the existing system of deferments is basically sound from the viewpoint of the national interest. He made no suggestion then of any inequities.

In listing the tentative findings of the Department's study at that time, the Secretary said it was found that there should be ways to decrease reliance on the draft by increasing the number of volunteers that increases in military pay alone would not accomplish this objective.

And, in summing up all the findings, he said we could not look forward to ending the draft in the coming decade unless changing world conditions permitted a reduction of our regular forces substantially below the levels necessary since the Korean War.

The whole subject of the draft is extremely complex, extremely controversial and extremely important. It will need thorough Congressional study. And Congress will need the fullest possible information and the most competent advice it can get in tackling this difficult task.

It is urgent, I believe, that the fullest attention be given to a program that has accumulated inequities through the more than 18 years since it was last examined closely by Congress.

Let us get on with the job.

TO PRINT AS A SENATE DOCUMENT A PUBLICATION RELATING TO THE RULES OF PROCEDURE OF THE SENATE

Mr. TOWER. Mr. President, I submit a concurrent resolution to provide for the compilation of the history of the Senate and the personages who have made it one of the greatest deliberative bodies in the history of the world.

I believe that such an undertaking would be of great value to those students of government who like to know just what the Senate is all about. The traditions that have been built up over the years play a great role in the workings of the Senate from day to day. No one can truly understand the workings of this body without knowing the story behind it and no one is more capable of supervising such a study than the Senate itself.

Mr. President, a working knowledge of how the Senate works and why it is of great importance in this modern world. Daily we here must make decisions that will affect the lives of millions of people, not only in this country but throughout the world. Students of our system of government must have all the facts available when judging for themselves whether or not this is the type of government which they want to choose. It is therefore our duty to provide them with an official history of the Senate of the United States.

It is of paramount concern that a comprehensive discussion and explanation of the rules which govern the Senate be included in such a study. Without a thorough knowledge and understanding of these rules, it would be very difficult to grasp the methods in which the Senate works.

Mr. President, I urge the Senate to swiftly consider and give this resolution its overwhelming approval. It would certainly be another step forward in our process of the conservation of history. It is certainly my hope that this work will become a standard in the field of analyzing deliberative bodies.

The ACTING PRESIDENT pro tempore. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 96) was referred to the Committee on Rules and Administration, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Librarian of Congress is authorized and directed to prepare, under the supervision of the Senate Committee on Rules and Administration, an appropriate publication depicting the history of the United States Senate and setting forth a discussion and explanation of the course of business in and rules of procedure of the United States Senate, which publication shall be printed with illustrations as a Senate document.

SEC. 2. There shall be printed thirteen thousand additional copies of such document, of which ten thousand three hundred shall be for the use of the Senate and two thousand seven hundred shall be for the use of the Senate Committee on Rules and Administration.

CIVIL RIGHTS ACT OF 1966—AMENDMENTS

AMENDMENTS NOS. 578 THROUGH 582

Mr. JAVITS. Mr. President, I send to the desk five amendments to S. 3296, the pending civil rights bill which is before the Subcommittee on Constitutional Rights, of which I am a member. I ask unanimous consent that the extent of the amendments may be printed in the RECORD.

I also ask unanimous consent that the amendments may lie on the desk until the end of the week; namely, Friday, June 10, for additional cosponsors.

The ACTING PRESIDENT pro tempore. The amendments will be received, printed, and appropriately referred; and, without objection, will be printed in the RECORD and lie at the desk as requested by the Senator from New York.

The amendments were referred to the Committee on the Judiciary, as follows:

AMENDMENT No. 578

On page 28, begining with line 8, strike out all through line 2 on page 30, and insert in lieu thereof the following new sections:

"EQUAL HOUSING OPPORTUNITY COMMISSION

"SEC. 406. (a) There is hereby created a Commission to be known as the Equal Housing Opportunity Commission, which shall be composed of five members, not more than three of whom shall be members of the same political party, who shall be appointed by the President by and with the advice and consent of the Senate. One of the original members shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, and one for a term of five years, beginning from the date of enactment of this title, but their successors shall be appointed for terms of five years each, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate one member to serve as Chairman of the Commission, and one member to serve as Vice Chairman. The Chairman shall be responsible on behalf of the Commission for the administrative operations of the Commission, and shall appoint, in accordance with the civil service laws, such officers, agents, attorneys, and employees as it deems necessary to assist it in the performance of its functions and to fix their compensation in accordance with the Classification Act of 1949, as amended. The Vice Chairman shall act as Chairman in the absence or disability of the Chairman or in the event of a vacancy in that office.

"(b) A vacancy in the Commission shall not impair the right of the remaining members to exercise all the powers of the Commission and three members thereof shall constitute a quorum.

"(c) The Commission shall have an official seal which shall be judicially noticed.

"(d) The Commission shall at the close of each fiscal year report to the Congress and to the President concerning the action it has taken; the names, salaries, and duties of all individuals in its employ and the moneys it has disbursed; and shall make such further reports on the cause of and means of eliminating discrimination and such recommendations for further legislation as may appear desirable.

"(e) Section 303 of the Federal Executive Salary Act of 1964 (5 U.S.C. 2211) is amended by—

"(1) adding to subsection (d) thereof the following clause:

" '(70) Chairman, Equal Housing Opportunity Commission.'; and

"(2) adding to subsection (e) thereof the following clause:

" '(101) Members, Equal Housing Opportunity Commission (4).'.

"(f) The principal office of the Commission shall be in or near the District of Columbia, but it may meet or exercise any or all its powers at any other place. The Commission may establish such regional or State offices as it deems necessary to accomplish the purpose of this title.

"(g) The Commission shall have power—

"(1) to cooperate with and, with their consent, utilize regional, State, local, and other agencies, both public and private, and individuals;

"(2) to pay to witnesses whose depositions are taken or who are summoned before the Commission or any of its agents the same witness and mileage fees as are paid to witnesses in the courts of the United States;

"(3) to furnish to persons subject to this title such technical assistance as they may request to further their compliance with this title or an order issued thereunder;

"(4) to make such technical studies as are appropriate to effectuate the purposes and policies of this title and to make the results of such studies available to the public;

"(5) to refer matters to the Attorney General with recommendations for the institution of a civil action by the Attorney General under section 407, and to advise, consult, and assist the Attorney General on such matters;

"(6) to receive money and other property donated, bequeathed, or devised, without condition other than that it be used in furtherance of the purposes of this title; and to use, sell, or otherwise dispose of such property for the purpose of carrying out the provisions of this title; and

"(7) to accept and utilize the services of voluntary and uncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by law (5 U.S.C. 736–2) for persons in the Government service employed without compensation.

"(h) Attorneys appointed under this section may, at the direction of the Commission, appear for and represent the Commission in any case in court.

"(i) The Commission shall, in any of its educational or promotional activities, cooperate with other departments and agencies in the performance of such educational and promotional activities.

"(j) All officers, agents, attorneys, and employees of the Commission shall be subject to the provisions of section 9 of the Act of August 2, 1939, as amended (the Hatch Act), notwithstanding any exemption contained in such section.

"ENFORCEMENT BY THE ATTORNEY GENERAL

"Sec. 407. Whenever the Attorney General has reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights granted by this title he may bring a civil action in any appropriate United States court by filing with it a complaint setting forth the facts pertaining to such pattern or practice and requesting such preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order against the person or persons responsible for such pattern or practice, as he deems necessary to insure the full enjoyment of the rights granted by this title.

"PREVENTION OF DISCRIMINATORY HOUSING PRACTICES

"Sec. 408. (a) The Commission is empowered, as hereinafter provided, to prevent any person from engaging in any discriminatory housing practice or violation of section 405.

"(b) Whenever a written charge has been filed by or on behalf of any person claiming to be aggrieved, or a written charge has been filed by a member of the Commission, that any person subject to this title has engaged in any discriminatory housing practice or violation of section 405, the Commission shall notify the person charged with the commission of such discriminatory housing practice or violation of section 405 (hereinafter referred to as the "respondent"), of such charge and shall investigate such charge. If the Commission shall determine that there is not probable cause for crediting such charge it shall state its determination and notify any person claiming to have been aggrieved and the respondent of such determination. Each such determination shall be deemed to be a final order of the Commission. If the Commission shall determine after such preliminary investigation that probable cause exists for crediting such written charge, it shall endeavor to eliminate any unlawful employment practice by informal methods of conference, conciliation, and persuasion. Nothing said or done during and as a part of such endeavors may be used as evidence in any subsequent proceeding.

"(c) (1) If within a period of thirty days after a charge is filed with the Commission, the Commission fails to secure an agreement between the parties for the elimination of such discriminatory housing practice or violation of section 405 on mutually satisfactory terms, approved by the Commission, the Commission shall issue and cause to be served upon the respondent a complaint stating the charges in that respect, together with a notice of hearing before the Commission, or a member thereof, or before a designated agent, at a place therein fixed, not less than ten days after the service of such complaint. Whenever the Commission is required to endeavor to secure voluntary compliance with this title and it determines that circumstances warrant an early hearing, the Commission may issue a complaint, in the same manner as provided in the preceding sentence, prior to the expiration of such thirty-day period. No complaint shall issue based upon any discriminatory housing practice or violation of section 405 occurring more than one year prior to the filing of the charge with the Commission unless the person aggrieved thereby was prevented from filing such charge by reason of service in the Armed Forces, in which event the period of military service shall not be included in computing the one-year period.

"(2) The respondent shall have the right to file a verified answer to such complaint and to appear at such hearing in person or otherwise, with or without counsel, to present evidence and to examine and cross-examine witnesses.

"(d) (1) The Commission or a member or designated agent conducting such hearing shall have the power reasonably and fairly to amend any complaint, and the respondent shall have like power to amend its answer.

"(2) All testimony shall be taken under oath.

"(3) The member of the Commission who filed a charge shall not participate in a hearing thereon, except as a witness.

"(e) (1) At the conclusion of a hearing before a member or designated agent of the Commission, such member or agent shall transfer the entire record thereof to the Commission, together with his recommended decision and copies thereof shall be served upon the parties. The Commission, or a panel of three qualified members designated by it to sit and act as the Commission in such case, shall afford the parties an opportunity to be heard on such record at a time and place to be specified upon reasonable notice. In its discretion, the Commission upon notice may take further testimony.

"(2) With the approval of the member or designated agent conducting the hearing, a case may be ended at any time prior to the transfer of the record thereof to the Commission by agreement between the parties for the elimination of the alleged discriminatory housing practice or violation of section 405 on mutually satisfactory terms.

"(f) If, upon the preponderance of the evidence, including all the testimony taken, the Commission shall find that the respondent engaged in any discriminatory housing practice or violation of section 405, the Commission shall state its findings of fact and shall issue and cause to be served on such respondent and other parties an order requiring such respondent to cease and desist from such discriminatory housing practice or violation of section 405 and to take such affirmative action as will effectuate the policies of this title, including, but not limited to, making reports from time to time showing the extent to which it has complied with such order. If the Commission shall find that the respondent has not engaged in any discriminatory housing practice or violation of section 405 the Commission shall state its findings of fact and shall issue and cause to be served on such respondent and other parties an order dismissing the complaint.

"(g) From the time a hearing is held before the Commission, or in the case of a hearing before a member or designated agent of the Commission, from the time of the transfer of the record thereof to the Commission, until a transcript of the record in a case shall have been filed in a court, as hereinafter provided, the case may at any time be ended by agreement between the parties approved by the Commission, for the elimination of the alleged discriminatory housing practice or violation of section 405 on mutually satisfactory terms, and the Commission may at any time, upon reasonable notice and in such manner as it shall deem proper, modify or set aside, in whole or in part, any finding or order made or issued by it.

"(h) The proceedings held pursuant to the preceding subsections of this section shall be conducted in public sessions and in conformity with the standards and limitations of sections 5, 6, 7, 8, and 11 of the Administrative Procedure Act.

"(i) For the purposes of this section the Commission is authorized to utilize the available services of the Department of Housing and Urban Development and the employees thereof, with the consent of the Secretary of Housing and Urban Development, in (1) conducting a preliminary investigation with respect to any charge filed with the Commission, (2) endeavoring to secure voluntary compliance with this title, and (3) conducting a hearing resulting from the issuance of a complaint by the Commission. Within the limitation of funds appropriated to the Commission, it may make agreements, with the Secretary of Housing and Urban Development, establish such procedures, and make such payments, either in advance or by way of reimbursement, to the Department of Housing and Urban Development or the employees thereof, as the Commission deems necessary to carry out the provisions of this paragraph. For the purposes of this paragraph, the Secretary of Housing and Urban Development is authorized to cooperate with the Commission and to provide such services as the Commission may request. Nothing contained herein shall be construed to authorize the Commission to delegate any of its authority to make determinations with respect to charges filed with it, to issue complaints, or to make final orders and findings of fact.

"(j) (1) Whenever the Commission makes a finding that any respondent has engaged in any discriminatory housing practice or violation of section 405 and issues an order requiring such respondent to cease and desist from such practice or violation or whenever the Commission has probable cause for belief that any respondent is not in compliance with the terms of any voluntary agreement for the elimination of a discriminatory housing practice or violation of section 405 entered into pursuant to subsection (b), (e), or (g) of this section, the Commission shall have power to petition any United States court of appeals or, if the court of appeals to which application might be made is in vacation, any district court within any circuit or district, respectively, wherein the discriminatory housing practice or violation of section 405 in question occurred, or wherein the respondent resides or transacts business, for the enforcement of such order or voluntary agreement and for appropriate temporary relief or an appropriate restraining order and for the entry of an order directing the respondent to forfeit and pay to the United States a civil penalty of not more than $5,000 for any violation of such order of the Commission, and shall certify and file in the court to which petition is made a transcript of the entire record in the proceeding, including the pleadings and testimony upon which such order was entered and the findings and the order of the Commission or a true copy of such voluntary agreement.

"(2) Upon such filing the court shall cause notice thereof to be served upon such respondent and thereupon shall have jurisdiction of the proceeding and of the question determined therein and shall have power (A) to grant such relief as it deems appropriate, including a permanent or temporary injunction, restraining order, or other order, and to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part, the order of the Commission or the voluntary agreement between the parties as certified and filed in the court, and (B) to direct the respondent to forfeit and pay to the United States a civil penalty of not more than $5,000 for any violation of such order of the Commission, which penalty shall accrue to the United States For the purposes of this subsection, each separate violation of a final order of the Commission shall be a separate offense, except that in the case of a violation through continuing failure or neglect to obey a final order of the Commission each day of continuance of such failure or neglect shall be deemed a separate offense.

"(3) No objection that has not been urged before the Commission, its member, or agent, shall be considered by the court, unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances.

"(4) The findings of the Commission with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive.

"(5) If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the Commission, its member, or agent, the court may order such additional evidence to be taken before the Commission, its member, or agent, and to be made a part of the transcript.

"(6) The Commission may modify its findings as to the facts, or make new findings, by reason of additional evidence so taken and filed, and it shall file such modified or new findings, which findings with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive, and its recommendations, if any, for the modification or setting aside of its original order.

"(7) The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to review by the appropriate United States court of appeals, if application was made to the district court or other United States court as hereinabove provided, and by the Supreme Court of the United States as provided in title 28, United States Code, section 1254.

"(k) Whenever a written charge has been filed pursuant to subsection (b) alleging that any respondent has engaged in any discriminatory housing practice or violation of section 405 and, after preliminary investigation, the Commission has determined that probable cause exists for crediting such written charge, the Commission may petition any United States court of appeals or, if the court of appeals to which application might be made is in vacation, any district court within any circuit or district, respectively, wherein the discriminatory housing practice or violation of section 405 in question is alleged to have occurred, or wherein the respondent resides or transacts business, for appropriate injunctive relief pending the final adjudication of the Commission, or the securing of voluntary agreement between the parties under subsection (b), (e), or (g) of this section, with respect to the matter in question. Upon the filing of any such petition the court shall cause notice thereof to be served upon the respondent and thereupon shall have jurisdiction to grant such injunctive relief or temporary restraining order as it deems just and proper. Such respondent shall be given an opportunity to appear by counsel and present any relevant testimony. Notwithstanding any other provision of this subsection, a temporary restraining order may be issued without notice if a petition alleges that substantial and irreparable injury to the alleged aggrieved party will be unavoidable and any such temporary restraining order shall be effective for no longer than five days and will become void at the expiration of such period.

"(l) Any person or party aggrieved by a final order of the Commission may obtain a review of such order in any United States court of appeals of the judicial circuit wherein the discriminatory housing practice or violation of section 405 in question was alleged to have been engaged in or wherein such person or party resides or transacts business or the Court of Appeals for the District of Columbia, by filing in such court a written petition praying that the order of the Commission be modified or set aside. A copy of such petition shall be forthwith served upon the Commission and thereupon the aggrieved party shall file in the court a transcript of the entire record in the proceeding certified by the Commission, including the pleadings and testimony upon which the order complained of was entered and the findings and order of the Commission. Upon such filing, the court shall proceed in the same manner as in the case of an application by the Commission under subsection (j), and shall have the same exclusive jurisdiction to grant to the petitioners or to the Commission such temporary relief or restraining order as it deems just and proper, and in like manner to make and enter a decree enforcing, modifying, and enforcing as so modified or setting aside in whole or in part the order of the Commission.

"(m) The commencement of proceedings under this section shall not, unless specifically ordered by the court, operate as a stay of the Commission's order.

"(n) When granting appropriate temporary relief or a restraining order, or making and entering a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part an order of the Commission, as provided in this section, the jurisdiction of courts sitting in equity shall not be limited by the Act entitled 'An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes', approved March 23, 1932 (29 U.S.C. 101-115).

"(o) Petitions filed under this title shall be heard expeditiously.

"INVESTIGATIONS, INSPECTIONS, RECORDS, STATE AGENCIES

"SEC. 409. (a) In connection with any investigation of a charge filed under section 406, the Commission or its designated representative shall at all reasonable times have access to (for the purposes of examination), and the right to copy, any evidence of any person being investigated or proceeded against that relates to discriminatory housing practices or violations of rights covered by this title and is relevant to the charge under investigation. The provisions of the preceding sentence shall not be applicable to any individual with respect to any private dwelling owned by such individual and actually occupied by such individual as his residence.

"(b) The Commission may cooperate with State and local agencies charged with the administration of State nondiscriminatory housing practices laws and, with the consent of such agencies, may for the purpose of carrying out its functions and duties under this title and within the limitation of funds appropriated specifically for such purpose, utilize the services of such agencies and their employees and, notwithstanding any other provision of law, may reimburse such agencies and their employees for services rendered to assist the Commission in carrying out this title. In furtherance of such cooperative efforts, the Commission may enter into written agreements with such State or local agencies and such agreements may include provisions under which the Commission shall refrain from processing a charge in any cases or class of cases specified in such agreements or under which the Commission shall relieve any person or class of persons in such State or locality from requirements imposed under this section. The Commission shall rescind any such agreement whenever it determines that the agreement no longer serves the interest of effective enforcement of this title.

"(c) Except as provided in subsection (d), every person subject to this title shall (1) make and keep such records relevant to the determinations of whether discriminating housing practices or violations of section 405 have been or are being committed, (2) preserve such records for such periods, and (3) make such reports therefrom, as the Commission shall prescribe by regulation or order, after public hearing, as reasonable, necessary, or appropriate for the enforcement of this title or the regulations or orders thereunder. Any person who believes that the application to it of any regulation or order issued under this section would result in undue hardship may apply to the Commission for an exemption from the application of such regulation or order, or bring a civil action in the United States district court for the district where such records are kept. If the Commission or the court, as the case may be, finds that the application of the regulation or order to the person in question would impose an undue hardship, the Commission or the court, as the case may be, may grant appropriate relief.

"(d) The provisions of subsection (c) shall not apply to (1) any individual with respect to any private dwelling owned by such individual and actually occupied by such individual as his residence, or (2) any person with respect to matters occurring in any State or political subdivision thereof which has a nondiscriminatory housing practice law during any period in which such person is subject to such law, except that the Commission may require such notations on records which such person keeps or is required to keep as are necessary because of differences in coverage or methods of enforcement between the State or local law and the provisions of this title.

"(e) It shall be unlawful for any officer or employee of the Commission to make public in any manner whatever any information obtained by the Commission pursuant to its authority under this section prior to the institution of any proceeding under this title involving such information. Any officer or employee of the Commission who shall make public in any manner whatever any information in violation of this subjection shall be guilty of a misdemeanor and upon conviction thereof, shall be fined not more than $1,000, or imprisoned not more than one year.

"INVESTIGATORY POWERS

"SEC. 410. (a) For the purposes of any investigation provided for in this title, the provisions of sections 9 and 10 of the Federal Trade Commission Act of September 16, 1914, as amended (15 U.S.C. 49, 50), are hereby made applicable to the jurisdiction, powers, and duties of the Commission, except that the attendance of a witness may not be required outside of the State where he is found, resides, or transacts business, and the production of evidence may not be required outside the State where such evidence is kept.

"(b) The several departments and agencies of the Government, when directed by the President, shall furnish the Commission, upon its request, all records, papers, and information in their possession relating to any matter before the Commission.

"NOTICES TO BE POSTED

"SEC. 411. (a) Every person subject to this title shall post and keep posted, in conspicuous places upon its premises where notices to persons applying to purchase, rent, or lease any dwelling or applying for any mortgage or loan covered by this title are customarily posted, a notice to be prepared or approved by the Commission setting forth excerpts from or summaries of the pertinent provisions of this title and information pertinent to the filing of a charge. The provisions of the preceding sentence shall not be applicable to any individual with respect to any private dwelling owned by such individual and actually occupied by such individual as his residence.

"(b) A willful violation of this section shall be punishable by a fine of not more than $100 for each separate offense.

"RULES AND REGULATIONS

"SEC. 412. (a) The Commission shall have authority from time to time to issue, amend, or rescind suitable procedural regulations to carry out the provisions of this title. Regulations issued under this section shall be in conformity with the standards and limitations of the Administrative Procedure Act.

"(b) In any action or proceeding based on any alleged discriminatory housing practice or violation of section 405, no person shall be subject to any liability or punishment for or on account of (1) the commission by such person of a discriminatory housing practice or violation of section 405 if he pleads and proves that the act or omission complained of was in good faith, in conformity with, and in reliance on any written interpretation or opinion of the Commission, or (2) the failure of such person to publish and file any information required by any provision of this title if he pleads and proves that he failed to publish and file such information in good faith, in conformity with the instructions of the Commission issued under this title regarding the filing of such information. Such a defense, if established, shall be a bar to the action or proceeding, notwithstanding that (A) after such act or omission, such interpretation or opinion is modified or rescinded or is determined by judicial authority to be invalid or of no legal effect, or (B) after publishing or filing the description and annual reports, such publication or filing is determined by judicial authority not to be in conformity with the requirements of this title.

"FORCIBLY RESISTING THE COMMISSION OR ITS REPRESENTATIVES

"SEC. 413. The provisions of section 111, title 18, United States Code, shall apply to officers, agents, and employees of the Commission in the performance of their official duties."

On page 30, line 5, strike out "SEC. 408." and insert "SEC. 414.".

On page 31, line 2, strike out "SEC. 409." and insert "SEC. 415.".

On page 31, line 11, strike out "SEC. 410." and insert "SEC. 416.".

On page 31, line 15, strike out "SEC. 411." and insert "SEC. 417.".

Amend the title to read as follows: "A bill to assure nondiscrimination in Federal and State jury selection and service, to facilitate the desegregation of public education and other public facilities, to establish the Equal Housing Opportunity Commission, to prescribe penalties for certain acts of violence or intimidation, and for other purposes."

AMENDMENT NO. 579

On page 15, beginning with line 3, strike out all through line 25 on page 22 and insert in lieu thereof the following:

"TITLE II—RECORDS OF STATE COURTS

"SEC. 201 (a) Each State or local court shall keep records of the names of all persons on the jury list for such court, names of those persons placed in the jury box, wheel or similar device, or on any questionnaires, applications, or documents of any sort used in the selection of jurors, the names and race of the persons drawn from the jury box, wheel or similar device or otherwise called for availability for jury service, the names of those performing jury service and the dates thereof, and such additional appropriate records as the judge or judges of such court may direct. Such records shall be retained for a period of not less than four years. For purposes of this subsection, such records shall be kept by any officer of such records who, under State or local law, selects the names of persons to be considered in the selection of persons who are called for service as grand or petit jurors in such court, or such other officer who is directed, under State or local law, to keep such records in accordance with this subsection.

"(b) The provisions of sections 302, 303, 304, and 305 of the Civil Rights Act of 1960 (42 U.S.C. 1974a–1974d) shall insofar as consistent with this title, be applicable with respect to jury records required to be maintained under this title.

"(c) Any person who willfully fails to comply with the recordkeeping requirements of this title shall be fined not more than $1,000 or imprisoned not more than one year, or both.

"Jury discrimination

"SEC. 202. (a) Any citizen residing within the area of any State or local court, or any litigant in any civil action or criminal proceeding in any State or local court, or the Attorney General of the United States may institute a civil action against the State or political subdivision of a State in which such State or local court is located alleging that persons have been systematically excluded from grand or petit juries on grounds of race or color in such State or local court at any time during the two years preceding the filing of the action authorized herein, or alleging that the recordkeeping requirements of section 201 are not being fully implemented, and praying that the Director of the Administrative Office of the United States Courts should assume responsibility for the selection and administration of juries in such State or local court as provided in subsection (b). Any such action shall be instituted in the United States District Court for any Federal judicial district in which such State or local court is located.

"(b) In any action instituted pursuant to subsection (a) in which the court is satisfied by a clear preponderance of the evidence that the allegations of the complainant are true, the court shall enter an order directing the Director of the Administrative Office of the United States Courts, personally or through subordinate officials, to assume responsibility for the selection and administration of juries in such State or local court. Such order of the district court shall include the granting of an injunction, restraining order, or such other order against a State or political subdivision thereof, or any official of such State or political subdivision as is necessary to effectuate the court's judgment, and shall direct that all judges and court officials of such State or local court shall apply the procedures, standards, and qualifications prescribed by the Director under this subsection. In any such case, the Director shall act without regard to any State and local laws and regulations applicable to jury selection and service in such State or local court which he finds has the purpose or effect of excluding any person from grand or petit juries on grounds of race or color and insofar as appropriate, shall prescribe procedures, standards, and qualifications which shall be applicable with respect to the selection and administration of juries in such State or local court and would, if applied in selecting persons for service as jurors in United States district courts, meet the requirements of chapter 121 of title 28, United States Code. In carrying out his functions under this section, the Director may (1) if practical, use any Federal list or part thereof of jurors for the area in which such State or local court is located, (2) in accordance with the civil service laws, appoint and fix the compensation of such officers, attorneys and employees, and make such expenditures as may be necessary, and (3) call upon the Director of the Bureau of the Census for advice and assistance.

"(c) In any action instituted pursuant to subsection (a) in which the district court finds that any final judgment of any Federal or State court has been entered within two years prior to the filing of the application in the district court (whether prior to or after the effective date of this title) determining that there has been systematic exclusion from jury service on grounds of race or color in any State or local court the district court shall make a finding that such exclusion is established unless the State or political subdivision, or the State or local court through its clerk or other appropriate official, satisfies the district court by clear and convincing evidence on the record as a whole that such exclusion no longer exists.

"(d) In any action instituted pursuant to subsection (a), whenever it is shown by a clear preponderance of the evidence that over a period of two years prior to the filing of such action the ratio which the number of persons of any race or color residing within the area of any State or local court bears to the total population of that area exceeds by one-half or more the ratio which the number of persons of that race or color placed on grand and petit jury panels by such State or local court bears to the total number of persons placed on such jury panels, this shall be deemed to establish systematic exclusion on grounds of race or color in such State or local court; except that in case all or part of such two-year period antedates the effective date of this title, the State or political subdivision or State or local court through its clerk or other appropriate official, shall be given the opportunity to demonstrate by clear and convincing evidence on the record as a whole that such exclusion no longer exists. This subsection shall not be applicable in any area of a State or local court unless a racial or color minority constitutes at least 10 per centum of the total population of such area.

"Reinstatement

"SEC. 203. Any State or political subdivision may make application for the reinstatement of State procedures for the selection and administration of juries to the United States District Court for the District of Columbia which may approve the reinstatement of such procedures if it finds that there is no longer reasonable cause to believe that persons will be excluded from jury service in the State or local court concerned by reason of race or color, or that there will be continued failure to keep records in accordance with section 201.

"Action by Attorney General

"SEC. 204. Whenever the Attorney General has reasonable cause to believe that any change in the qualifications, standards, or limitations on the right to a jury trial, operation of the jury system, or the selection of, or challenges to, individual jury members or panel, for any case or class of cases in any State or local court different from those in force and effect on January 1, 1966, will have the purpose or effect of circumventing this title, he may bring an action in the United States District Court for any Federal judicial district in which such State or local court is located to enjoin such change in qualifications, standards, limitations, operation, selection, or challenge and the district court may grant such temporary or final relief as may be necessary to prevent such circumvention of this title.

"Effective date

"SEC. 205. This title shall become effective ninety days after the date of its enactment."

AMENDMENT No. 580

On page 35, between lines 16 and 17, insert the following new title:

"TITLE VI—INDEMNIFICATION BOARD

"SEC. 601. (a) There is hereby established within the United States Commission on Civil Rights an Indemnification Board, hereafter referred to as the Board. The Board shall be composed of three members, appointed by the President with the advice and consent of the Senate. The President shall designate one member as Chairman. No more than two members of the Board may be of the same political party.

"(b) The term of office of each member of the Board shall be five years, beginning with the effective date of this Act, except of those members first appointed, one shall serve for five years, one for three years, and one for one year. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

"(c) The members shall be compensated at the rate of $100 a day.

"(d) Two members shall constitute a quorum for the transaction of business.

"Employees

"SEC. 602. The Board may, in accordance with civil service laws, appoint and fix the compensation of such officers, attorneys and employees, and make such expenditures, as may be necessary to carry out its functions.

"Rules

"SEC. 603. The Board shall make such rules and regulations as shall be necessary and proper to carry out its functions.

"Complaints

"SEC. 604. The Commission on Civil Rights shall have the authority and duty to receive and investigate or have investigated written complaints from or on behalf of any person injured in his person or property or deprived of his life (1) because of race or color, while lawfully exercising, attempting to exercise, or advocating, or assisting another in the exercise of, any right, privilege or immunity granted, secured, or protected by the Constitution or laws of the United States, or for having so exercised, attempted, advocated or assisted or (2) by any act, the purpose or design of which is to intimidate him or any other person from seeking or advocating equality of persons or opportunity free from discrimination based on race or color.

"Investigative reports

"SEC. 605. (a) The Commission on Civil Rights may request and the Department of Justice shall make available any investigative reports that the Department of Justice has that are relevant to the complaint and investigation.

"(b) The Commission may request and the Attorney General is authorized to direct that additional investigation of matters relevant to the complaint be conducted by the Federal Bureau of Investigation.

"(c) The Commission shall supply copies of all of its investigative reports to the Attorney General.

"Finding of Commission

"SEC. 606. If, after such investigation, the Commission shall determine that probable cause exists for crediting the complaint, it shall direct the Board to conduct a hearing thereon as provided in section 607. If, after such investigation the Commission shall determine that probable cause does not exist or that no substantial damage has occurred, it shall dismiss the complaint.

"Hearing by Board

"SEC. 607. (a) Any hearing may be conducted by the Board or any member of the Board designated by the Chairman.

"(b) In the event the Board determines that because of the number of complaints or for other valid reasons it is not in the interest of justice for it or a member to conduct a hearing, it may designate an agent or employee of the Board or a person not associated with the Board to conduct the hearing provided any such agent, employee or other person so designated shall be a member of the bar of the highest court of one of the States of the United States.

"(c) Any person not an agent or employee of the Board shall be reimbursed for services rendered in connection with such hearing as determined by the Board, subject to approval of the Civil Service Commission.

"(d) The Board or any member or hearing officer may administer oaths or affirmations.

"(e) Insofar as consistent with the purposes of this title, the Board shall have powers of investigation and subpoena similar to those granted the National Labor Relations Board under paragraphs (1) and (2) of section 11 of the National Labor Relations Act (29 U.S.C. 161 (1) and (2)).

"(f) A full record shall be made and kept of all hearings conducted.

"Award of indemnification

"SEC. 608. (a) After hearing, the Board member or hearing officer conducting the hearing shall make findings of fact based upon the record.

"(b) After a hearing conducted by the Board, it shall, if it finds that any complainant has suffered injury as referred to in section 604, make a monetary award of indemnification to compensate such complainant for such injury.

"(c) After a hearing conducted by a member of the Board or hearing officer, he shall, if he finds that any complainant has suffered injury referred to in section 604, make a recommendation of an award of indemnification. All such recommendations shall be reviewed by the Board. Upon review, the Board shall review the findings of fact and shall affirm, reject, or modify findings and such recommendations and enter or deny an award.

"(d) All awards made hereunder shall include reasonable attorney's fees.

"Intervention in hearing

"SEC. 609. (a) In the event that the investigation of the complaint or the hearing thereon indicates the person or persons responsible for the injury for which an award is sought, such person or persons shall be notified and shall have a reasonable opportunity to intervene in the hearing and to be fully heard.

"(b) In the event that such investigation or hearing indicates that the injury resulted in whole or in part from action taken under color of law, the political subdivision or the State, or both, under whose authority such action was taken shall be notified and shall have a reasonable opportunity to intervene in the hearing and to be fully heard.

"(c) Notice under this section may be by personal service or by registered mail.

"(d) Notice to a State or political subdivision may be given to the chief executive or principal legal officer of such State or political subdivision.

"(e) The Board shall, if necessary to secure a full hearing for any intervenor, continue the hearing from time to time.

"United States

"SEC. 610. The United States may, on the motion of the Attorney General, intervene at any state of the hearing or appeal.

"Judicial review

"SEC. 611. (a) The complainant or any intervenor may obtain a review of the final decision of the Board in the United States Court of Appeals for the District of Columbia or the court of appeals for the judicial circuit in which the injury occurred or the person seeking review resides, by filing in such court a written petition praying that the final decision be modified or set aside. A copy of such petition shall be forthwith served upon the Board and thereupon the petitioner shall file in the court a transcript of the entire record in the proceeding certified by the Board.

"(b) Upon such filing, the court shall have jurisdiction of the proceeding and shall have power to make and enter upon the pleadings and proceedings a decree in support of the decision of the Board, modifying such decision, or setting aside such decision. The proceeding shall be conducted on the basis of the record before the Board, and the findings of the Board with respect to questions of fact, if supported by substantial evidence on the record considered as a whole, shall be conclusive.

"Recovery by United States

"Sec. 612. (a) In any instance in which the injury or death for which an award is made results in whole or in part from action taken under color of law, or from action whether or not taken under color of law which in any way impedes or infringes upon the exercise or advocacy of any right, privilege, or immunity granted, secured, or protected by the Constitution or laws of the United States, the United States shall have a cause of action for recovery of the amount of such award against the person or persons responsible for the injury for which the award is made.

"(b) If the injury for which an award is made resulted in whole or in part from action taken under color of law, the political subdivision or the State, or both, under whose authority such action was taken shall be jointly and severally liable with the person or persons responsible for such injury.

"(c) In any case brought under this section against anyone notified under section 609, the findings of fact are made, modified, or approved, by the Board pursuant to sections 608 and 611 shall be admissible and shall constitute prima facie evidence of the facts determined by the findings, and the and shall constitute prima facie evidence of award of indemnification shall be admissible the damages suffered by the complainant.

"(d) The district courts of the United States shall have jurisdiction to hear cases brought under this section.

"Successor in interest

"Sec. 613. (a) In the event the person injured dies, a complaint may be filed by any representative of his estate, or by his or her spouse, child, or dependent and the Board shall determine to whom any award shall be made.

"(b) In the event of the inability or incapacity of the person injured to file a complaint, it may be filed by his or her spouse, child, dependent, or counsel.

"Period for filing complaints

"Sec. 614. All complaints must be filed within six months of the injury for which an award is sought, except that where the injury results in death, the complaint may be filed within twelve months of death.

"Other actions and remedies

"Sec. 615. Nothing herein shall deny to any person the right to pursue any action or remedy granted him under any other law of the United States or any State, provided that in the event that any person receives in any other action an award of damages for which an award of indemnification has been made under this title, the United States shall have a lien against such award in the amount of the award of indemnification. In the event such other award is made prior to the award of indemnification, the amount of such other award shall be considered by the Board in determining whether to make an award and, if so, the amount of the award.

"Sec. 616. (a) There is hereby established in the Treasury of the United States a fund to be known as the 'Civil Rights Indemnification Fund' to be used by the Board to make awards pursuant to the authority contained in this title.

"(b) There is hereby authorized to be appropriated to the Civil Rights Indemnification Fund, out of any money in the Treasury not otherwise appropriated, $10,000,000 for use by the Board in making indemnification awards under this title. Amounts appropriated under the authority of this subsection shall remain available until expended.

"(c)(1) The Secretary of the Treasury shall, from time to time, but not less often than quarterly, transfer from the general fund of the Treasury to the Civil Rights Indemnification Fund an amount equal to the aggregate amount of any awards of indemnification recovered by the United States pursuant to sections 612(a) and 615 of this title.

"(2) All amounts transferred to the Civil Rights Indemnification Fund in accordance with paragraph (1) shall be available for use by the Board in making indemnification awards under this title. Such amounts shall remain available until expended.

"Civil Rights Commission

"Sec. 617. (a) Section 104(b) of the Civil Rights Act of 1957 (42 U.S.C. 1975c) is amended to read as follows:

" '(b) The Commission shall submit reports to the President and to the Congress with respect to its activities, findings, and recommendations at such times as the Commission, the Congress, or the President shall deem desirable.'

"(b) Section 104(c) of such Act is repealed."

On page 35, line 17, strike out:

"TITLE VI—MISCELLANEOUS"

and insert:

"TITLE VII—MISCELLANEOUS"

On page 35, line 19, strike out "Sec. 601." and insert "Sec. 701.".

On page 35, line 21, before the period insert a semicolon and "except that in the case of title VI only such sums may be appropriated as are authorized under section 616".

On page 36, line 2, strike out "Sec. 602." and insert "Sec. 702.".

Amendment No. 581

On page 8, line 22, after "defendant" insert "or the United States attorney".

On page 8, line 23, strike out "against him" and insert "in such cases".

On page 8, line 25, after "defendant" insert "or the United States attorney, as the case may be,".

On page 9, line 10, after "title" insert a comma and "whichever may be appropriate".

The amendments, submitted by Mr. Javits, were received, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

Amendment No. 582

On page 35, between lines 16 and 17, insert the following:

"TITLE VI—REMOVAL OF CAUSES IN CIVIL RIGHTS CASES

"Sec. 601. (a) Section 1443 of title 28 of the United States Code is amended by substituting a semicolon for the period at the end of clause (2) and by adding at the end thereof the following new clauses:

"(3) Against any person for any exercise, or attempted exercise, of any right granted, secured, or protected by the Civil Rights Act of 1964, or of any other right granted, secured, or protected by the Constitution or laws of the United States against the denial or deprivation of equal protection of the laws on account of race, color, religion, or national origin; or

" '(4) Against any person for any exercise, or attempted exercise, of the right to freedom of speech or of the press or of the people to peaceably assemble as secured or protected by the Constitution or laws of the United States, when committed in furtherance of any right referred to in clause (3) of this section.'

"(b) Subsection (d) of section 1447 of title 28 of the United States Code is amended to read as follows:

" '(d) An order remanding a case to the State court from which it was removed is not reviewable on appeal or otherwise, except that an order remanding a case to the State court from which it was removed pursuant to section 1443 of this title shall be appealable as a final decision under section 1291 and an order denying remand of a case removed pursuant to section 1443 shall be appealable as an injunction of proceedings in the State court under paragraph (1) of subsection (a) of section 1292.'

"Injunction of State proceedings

"Sec. 602. Section 1979 of the Revised Statutes (42 U.S.C. 1983) is amended by inserting '(a)' immediately after 'Sec. 1979.' and by adding at the end thereof the following new subsections:

" '(b) In any case instituted by any person under the provisions of subsection (a), the court shall grant an order for a permanent or temporary injunction, or a restraining order, to stay a proceeding in any court of a State or political subdivision thereof—

" '(1)(A) if such proceeding was instituted for any exercise, or attempted exercise, of any right granted, secured, or protected by the Civil Rights Act of 1964, or of any other right granted, secured, or protected by the Constitution or laws of the United States against the denial or deprivation of equal protection of the laws on account of race, color, religion, or national origin; or

" '(B) if such proceeding was instituted for any exercise, or attempted exercise, of the right to freedom of speech or of the press or of the people to peaceably assemble as secured or protected by the Constitution or laws of the United States, when committed in furtherance of any right referred to in clause (A) of this paragraph; and

" '(2)(A) if any issue of fact or law applicable to and determinative of the proceeding in favor of the party seeking the injunction has been decided in favor of his allegations in a final decision in any other proceeding in any court of the United States or of a State or political subdivision thereof arising out of a like factual situation; or

" '(B) if the statute, ordinance, administrative regulation, or other authority for the proceeding has been determined pursuant to a final judgment of any court of the United States or a State or political subdivision thereof to violate the Constitution of the United States; or

" '(C) if the statute, ordinance, administrative regulation, or other authority for the proceeding is invalid, on its face, for having the purpose or effect of abridging the right to freedom of speech or of the press or of the people to peaceably assemble, as secured or protected by the Constitution of the United States; or

" '(D) if the proceeding was instituted for the purpose of discouraging or preventing such person or another from exercising the right of freedom of speech or of the press or of the people to peaceably assemble, as secured or protected by the Constitution of the United States.

" '(c) In any action seeking an injunction under subsection (b), the court shall not deny or defer relief on the ground that a defense or remedy in the State courts is available.' "

On page 35, line 17, strike out:

"TITLE VI—MISCELLANEOUS

and insert:

"TITLE VII—MISCELLANEOUS"

On page 35, line 19, strike out "Sec. 601." and insert "Sec. 701.".

On page 36, line 2, strike out "Sec. 602." and insert "Sec. 702.".

Mr. JAVITS. Mr. President, one of the amendments establishes an equal opportunity housing commission to implement the housing sections of the bill by administrative action rather than individual court suits. My amendment is patterned after New York's fair housing law.

Another amendment provides for the transfer of certain civil rights cases from States to Federal courts.

The third amendment creates a civil rights indemnification board with a trust fund of $10 million to pay claims of those injured because of civil rights activities.

The fourth amendment provides an automatic trigger which will enable Federal courts to act promptly in State jury discrimination situations.

The fifth amendment gives the prosecutor in a Federal criminal case the right to challenge the method of selection of juries when such method violates the provisions of this act.

AMENDMENT OF BANK HOLDING COMPANY ACT OF 1956—AMENDMENTS

AMENDMENT NO. 583

Mr. LONG of Louisiana submitted an amendment, intended to be proposed by him, to the bill (H.R. 7371) to amend the Bank Holding Company Act of 1956, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 584

Mr. HART submitted an amendment, intended to be proposed by him, to House bill 7371, supra, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 585

Mr. LAUSCHE proposed an amendment, to House bill 7371, supra, which was ordered to be printed.

(See reference to the above amendment, when proposed by Mr. Lausche, which appears under a separate heading.)

ADDITIONAL COSPONSORS OF BILLS AND RESOLUTION

Mr. MONRONEY. Mr. President, I ask unanimous consent that, at the next printing of the bill (S. 3434) to amend the Federal Aviation Act of 1958 in order to limit the liability of trip insurance sold within the confines of an airport, the name of the Senator from Maryland [Mr. Brewster] be added as a cosponsor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. NELSON. Mr. President, I ask unanimous consent that the name of the senior Senator from Indiana [Mr. Hartke] be added as a cosponsor of the bill (S. 3169) to amend chapter 55 of title 10, United States Code, to authorize a special program for the mentally retarded, mentally ill, and physically handicapped spouses and children of members of the uniformed services, and for other purposes, at its next printing.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. NELSON. Mr. President, I ask unanimous consent that, at the next printing of the resolution (S. Res. 268) relative to appointment of a commission to study the Selective Service System and make recommendations thereon, the names of the Senator from New Jersey [Mr. Case], and the Senator from Maryland [Mr. Tydings] be added.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that at its next printing the name of the Senator from New York [Mr. Javits] be added as a cosponsor of S. 3381, to amend the War Claims Act of 1948, as amended, to provide compensation for certain additional losses. The Senator from New York [Mr. Javits] and I have sponsored this bill for years. I regret that the bill was printed without bearing his name.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS, JOINT RESOLUTION, AND CONCURRENT RESOLUTION

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills, joint resolution, and concurrent resolution:

Authority of May 19, 1966:

S.J. Res. 163. Joint resolution to amend the Constitution to provide for the direct election of the President and the Vice President of the United States: Mr. Bible, Mr. Byrd of West Virginia, Mr. Clark, Mr. Douglas, Mr. Magnuson, Mr. Muskie, and Mr. Nelson.

Authority of May 25, 1966:

S. 3398. A bill to provide for the installation of an eternal flame at the site of the Tomb of the Unknowns in Arlington National Cemetery: Mr. Bartlett, Mr. Bennett, Mr. Bible, Mr. Byrd of West Virginia, Mr. Curtis, Mr. Dodd, Mr. Dominick, Mr. Douglas, Mr. Fannin, Mr. Gruening, Mr. Hruska, Mr. Jordan, of North Carolina, Mr. Jordan of Idaho, Mr. Kuchel, Mr. Lausche, Mr. Long of Missouri, Mr. Magnuson, Mr. Mansfield, Mr. Miller, Mr. Morton, Mr. Mundt, Mr. Pearson, Mr. Robertson, Mr. Scott, Mr. Simpson, Mr. Symington, Mr. Thurmond, and Mr. Young of North Dakota.

S. Con. Res. 95. Concurrent resolution establishing a Joint Committee on National Service and the Draft: Mr. Bartlett, Mr. Muskie, and Mr. Yarborough.

Authority of May 26, 1966:

S. 3419. A bill to amend the Tennessee Valley Authority Act of 1933, as amended, to increase the limitation on the authority to issue bonds to finance its power program: Mr. Cooper, Mr. Eastland, Mr. Metcalf, Mr. Morton, and Mr. Stennis.

HEARINGS ON NATO WITH SECRETARY RUSK AND SECRETARY McNAMARA

Mr. JACKSON. Mr. President, I wish to announce hearings with Secretary of State Dean Rusk and Secretary of Defense Robert McNamara in the current inquiry on the Atlantic Alliance by our Subcommittee on National Security and International Operations.

Secretary of State Dean Rusk will testify before the subcommittee on Thursday, June 16, following his return from the NATO Ministers meeting in Brussels.

Secretary of Defense Robert McNamara will testify before the subcommittee on Tuesday, June 21.

Both hearings will be at 10 a.m. in the Appropriations Committee hearing room—room 1202, New Senate Office Building.

Authorized by resolution of the Senate, our subcommittee has been reviewing the conduct of national security policy, with special reference to NATO. Our approach is nonpartisan and professional. In February this year, the subcommittee issued a study, entitled "The Atlantic Alliance: Basic Issues," which examines the central questions before the subcommittee. Previous witnesses in the current series of hearings have been Dean Acheson, Christian A. Herter, Gen. Lauris Norstad, Prof. Thomas C. Schelling, Dr. Malcolm W. Hoag, and John J. McCloy.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, June 6, 1966, he presented to the President of the United States the following enrolled bills:

S. 944. An act to provide for a comprehensive, long-range, and coordinated national program in marine science, to establish a National Council on Marine Resources and Engineering Development, and a Commission on Marine Sciences, Engineering and Resources, and for other purposes; and

S. 1761. An act to authorize the Secretary of the Interior to construct, operate, and maintain a third powerplant at the Grand Coulee Dam, Columbia Basin project, Washington, and for other purposes.

NOTICE OF HEARINGS

Mr. MUSKIE. Mr. President, I would like to announce for the information of the Senate and other interested persons that the Senate Subcommittee on Intergovernmental Relations has scheduled hearings on S. 3000, a bill to permit States or other duly constituted tax authorities to subject persons to liability for payment of property taxes on their property located in Federal areas within such States under specified conditions. The hearings will be held on July 12 and 13 in room 3302 New Senate Office Building, starting at 10 a.m.

Any Senator or other person wishing to testify should notify the subcommittee, room 357 Senate Office Building, extension 4718, in order that he might be scheduled as a witness.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 2421. An act to authorize the adjustment of the legislative jurisdiction exercised by the United States over lands within the Columbia River at the mouth project in the States of Washington and Oregon; and

S. 2469. An act amending sections 2 and 4 of the act approved September 22, 1964 (78 Stat. 990), providing for an investigation and study to determine a site for the construction of a new sea-level canal connecting the Atlantic and Pacific Oceans.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 70) authorizing the placing of a bust of Constantino Brumidi in the Capitol.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. DOUGLAS:

Statement by him regarding the Jagiellonian University at Krakow.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business, for action on nominations.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The ACTING PRESIDENT pro tempore. If there be no reports of committees, the clerk will state the nominations on the executive calendar.

DEPARTMENT OF LABOR

The legislative clerk read the nomination of Stanley H. Ruttenberg, of Maryland, to be an Assistant Secretary of Labor.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

OFFICE OF ECONOMIC OPPORTUNITY

The legislative clerk read the nomination of Bertrand M. Harding, of Virginia, to be Deputy Director of the Office of Economic Opportunity.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—PUBLIC HEALTH SERVICE

The legislative clerk proceeded to state sundry nominations in the Public Health Service, which had been placed on the Secretary's desk.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection it is so ordered.

THE QUEST FOR PEACE

Mr. MANSFIELD. Mr. President, on yesterday, the distinguished Ambassador of the United States at the United Nations, Arthur J. Goldberg, delivered the commencement address at Catholic University. In his statement to the graduates, Mr. Goldberg stated that the sum and substance of present U.S. policy with respect to Vietnam can be expressed in two basic points: First, "A mutual cessation of all types of hostilities"; and second, a new Geneva conference to reaffirm the Geneva Agreements of 1954 and 1962.

Ambassador Goldberg has expressed the bedrock of the matter. He could not have described current policy in a more succinct fashion. He could not have stated the American objective more effectively.

It would be my hope that his words will be carefully studied, Mr. President, by all the members of the United Nations. Specifically, I would hope that Mr. Goldberg's remarks will be heard where it is most important that they be heard—at the command post of the National Liberation Front in South Vietnam, and in Hanoi and Peking.

Mr. President, I ask unanimous consent that the text of Ambassador Goldberg's remarks be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE QUEST FOR PEACE

(Commencement Address by Ambassador Arthur J. Goldberg, U.S. Representative to the United Nations, in accepting an honorary degree of doctor of laws from the Catholic University of America, Washington, D.C., Sunday, June 5, 1966)

I am deeply honored to be recognized by this great and influential Catholic center of learning, and to have the opportunity to address you.

A commencement speaker sometimes finds considerable difficulty in choosing a subject. If he is a public official, he may be tempted to discuss some question which to him is of national importance but is of no particular interest to the graduating class. If he considers what subjects interest them, he may find these are subjects on which he is no longer qualified to speak.

But I have no such difficulty today. The one subject of overriding concern to all Americans—students and faculty, clergy and laity, the man in the shop and the man in the executive suite—is also the foremost issue in the minds of those in public office, and in my own mind as the representative of this country at the United Nations. That subject is the peace of the world.

Peace today is not an abstract question for Americans. The war in Vietnam with its daily tragedy and its threatening dangers makes peace a deep, practical, immediate, burning question to us all. So it has not been necessary to choose a subject for this address; it is virtually dictated by the circumstances of the time. It is: The quest for peace.

A great and respected soldier once said: "In war, there is no substitute for victory." Whatever relevancy that statement may have had in a non-nuclear age, it clearly has little relevancy to an age of nuclear war. Nor, in my view, does it have much relevancy to any war, however limited in frightful weaponry. For me, a more apt statement is that of an ancient Greek who said that the purpose of war is not to annihilate the enemy but to get him to mend his ways.

The fact is that the military victory that ended the First World War in 1918 did not achieve even this limited object. It did not get Germany to mend her ways. It did not assure peace, but instead led to the insanity of Nazism.

This failure, in turn, led to the even greater holocaust of World War II, ending once again in decisive military victory. But surely the heroic sacrifices and sufferings of that great conflict were justified not by the glory of victory on the battlefield, but by the fact that it so mended the ways of mankind that, we hope and pray, the great madness of Nazism and Fascism can never recur. This goal, in turn, as Franklin D. Roosevelt recognized in proposing the formation of the United Nations, required the building of a peace in which victor and vanquished would be reconciled and in whose benefits they would share together.

Truly, if we have learned anything from the wars of this century, it is that the only real victories for mankind are the victories of peace. The saying about victory in war is not good enough for our century—if it ever was for any century. We must live by a new saying: *There is no substitute for peace.*

This overriding fact was in the mind of His Holiness, Pope Paul VI, when he made his historic visit to the United Nations last fall and delivered his impassioned plea to the delegates of 117 nations—reminding them "that the blood of millions of men, that countless and unheard-of sufferings, that useless massacres and fearful ruins have sealed the pact uniting you, with a vow which must change the future history of the world: *Never again war, war never again!*"

Yet, even though in the face of these facts and all these warnings the world recoils from total war, peace still eludes us. War is once again a fact—in Vietnam and in the life of the American people. Therefore, our quest for peace takes on new urgency—manifested not only in debates and demonstrations on our college campuses, and editorials in our newspapers, but also in the assignment to it of the highest priority by the leaders of the Government.

The quest for peace is, in Lincoln's phrase, "piled high with difficulty". Common sense, I think, should make us see that if the road to peace were simple and easy the world would have made the journey long ago.

Two of the most frequently held views on this subject, although they are at opposite poles, and are put forward with the highest motives, do not provide the answer.

The first I have already mentioned: the view that military victory solves all problems and is therefore a sufficient goal in itself. It is a satisfying view to many people because they associate it with the virtue of national pride and patriotism. But, for the reasons I have already stated, it cannot be relied upon as a sufficient guide.

Then there is a second view which, though widely held, does not bring us any closer to the answer. That is the view of the pacifist, who holds that all resistance to violence and aggression is wrong. This view is being applied to what is going on in Vietnam today. But suppose we had applied it to the far greater conflict, in both Europe and Asia, just a generation ago. It would have left unchecked the aggression of Hitler and his accomplices and buried human rights in every continent—including our own—perhaps for centuries to come. Applied to the situation in Asia in our time, its results could be no less tragic.

Our quest for peace, then, must begin with this sober knowledge: neither militarism nor pacifism alone can show us the way. We cannot attain peace by annihilating the aggressor—nor can we attain it by abandoning the field to the aggressor. For neither of these solutions touches the heart of the problem—which is the achievement of justice and the rule of law both within and among nations.

Some people say that the search for universal justice, and for world peace through law, is itself an illusion. They hold that nations and cultures differ so greatly that universal standards are impossible to attain. I have never shared this view. It is my conviction, based on many years of dealing with all sorts and conditions of men, in and out of government, at home and abroad, that the basic needs and aspirations of humanity transcend cultural differences and are everywhere the same—and that they can be met not by conquest, nor yet by surrender, but by the application of just law to conflicts and disputes.

But there are still others who say that law cannot be expected to rule in the affairs of nations, especially in this revolutionary age where revolution itself breeds a spirit of defiance of law. In this situation, these critics say, it is not law but sheer power that rules in the international realm.

This, too, is fallacious, for power and law are not opposites or mutually exclusive. Law is the higher principle, but power must be available to serve law and give it effect. Law not served by power is an llustion; but power not ruled by law is a menace which our nuclear age cannot afford.

These two truths—that mankind is a single family, subject to universal principles of justice, and that in this family not power alone but law must rule—have been learned the hard way in the tragedy of war. And they are embodied in the institution which most nearly fulfills man's universal yearning for peace: the United Nations.

The basic law of the United Nations is that each nation abjures the use of armed force as an instrument of national policy—and agrees to submit its international disputes to peaceful settlement under the rule of law. This is the central doctrine of the United Nations Charter. But its framers were severely realistic people. They knew that there would still be lawbreakers in international as in domestic society, and they provided machinery whereby the United Nations could act as international policeman to bring the lawbreaker under control before he could engulf the world in war. For this purpose, the power of member states was to be put at the service of the international community.

The United Nations has had many successes in the cause of peace and in the protection of weak nations against aggression by their stronger neighbors. But it has had its failures too. There are situations which the United Nations cannot reach—not because the United Nations is imperfect but because its members are imperfect. Vietnam, up to now, has been one such situation. In this circumstance, there must come into play the last resort against aggression: the "inherent right of individual or collective self-defense against armed attack" which is explicitly safeguarded by the Charter. That is the law which we have rightly invoked in coming to the aid of South Vietnam. If you ask me whether ideally America is the most suitable, the most acceptable policeman, I can only say "probably not", and we do not wish to be. Nothing would be more heartening than to have the international community, acting through the United Nations, accept this responsibility. But to say that the members of the United Nations are not now prepared to do this is not to say that the responsibility can be shirked or ignored by those committed to the rule of law.

America today is in somewhat the same position as the individual in a frontier settlement who, in the absence of any legal order, took upon himself the duty of opposing lawless violence. But America today bears this duty in no mood of arrogance or of reckless vigilantism—but rather in a mood of resolute search for justice and for peaceful alternatives.

We know well enough what the alternatives are. They are used to deal with conflict situations in every law-abiding community, whether it be the labor-management field in the United States or the community of sovereign nations. The United Nations Charter lists them all and enjoins all disputant nations to use them: "negotiations, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or other peaceful means of their own choice." In our own domestic life, these techniques are the normal way, and their use is enforced, where necessary, by the lawful police power of the state.

We have left behind us the ancient and unlamented institutions of trial by combat, duel, feud, vendetta, and all the other names that men have invented for the private redressing of real or imaginary wrongs. We cannot rest until the international community has likewise left them behind forever.

Now, in the light of these principles, let us consider again the struggle in Vietnam: what steps we have already taken in our quest for peace, and what further steps may be open to us.

The first step is to define and limit our aims; and this we have clearly done. This is not a war to establish an American empire or a "sphere of influence" in Asia. We seek no military bases, no permanent establishment of troops, no permanent American "presence" of any kind in South Vietnam. We do not seek the overthrow of the Communist Government of North Vietnam—however much we differ with its ideology.

Nor is it a war to threaten any legitimate interest of the people of China. There was a time when all of Southeast Asia consisted of vassal states paying tribute to the Chinese emperors. If the rulers in Peking have forsworn this kind of hegemony, then our aims in Vietnam need not conflict with theirs.

Nor is this a holy war to destroy communism as an ideology. Indeed, we stand ready to live in peace with any and all countries regardless of ideology. All we ask is that they join in seeking common understandings, common undertakings and the peaceful resolution of all defferences. That is the overall policy that guides our relations with Communist and non-Communist nations alike.

Nor do we seek in Vietnam to impose unconditional surrender; nor do we exclude any segment of the South Vietnamese people from participation by peaceful means in their country's future government.

Our aim is much more limited than any of these things. It is, in the interest of a minimum rule of law—indispensable to international stability and to world peace—simply this: to prevent the Viet Cong, strongly controlled and reinforced by the North, from imposing by force its claim, never tested by free elections, to be the "sole genuine representative" of the South Vietnamese people. And it is a noteworthy fact that these people, even in the midst of serious political disturbances, have manifested no visible desire to accept the rule of the Viet Cong.

Let me restate our aim affirmatively. It is to assure for the people of South Vietnam the same opportunity to work out their own destiny—the same right of self-determination—that the United Nations Charter affirms for every nation. Any aim short of that—any aim that simply yields to outside force—cannot lead to permanent peace. This is the teaching of the entire age in which we live.

One important step in the process of self-determination is the forthcoming election for a constituent assembly. In this phase there can be a most important role for the United Nations—namely, to provide impartial international observers to check on the validity of this election. The South Vietnamese Government has made a request to Secretary General U Thant for such observers, and the United States strongly supports that request. For our own part, I repeat what I have said before, that the United States is prepared to accept and abide by the results of these elections—as well as the reunification elections contemplated by the Geneva agreements—whatever these results may be.

Even in the midst of the preparations for elections, the fighting continues—and with it a heavy burden for the American people. But we must not allow the weight of this burden to distract us from the obligation to pursue unremittingly the goal of a peaceful solution.

The United States has stated and restated the principles upon which, and the steps by which, we seek to negotiate an end to the war in Vietnam. For practical purposes, however, I believe all our proposals can be summarized in two simple points. And I further believe that, despite the wide range of views expressed on Vietnam in our country, the vast majority of our citizens would support these steps. They are:

1. There should be a mutual cessation of all types of hostilities on all sides of the conflict: an end both to bombing and to infiltration, to the killing, terrorism, and every form of violence by all of the forces involved—regular and irregular, North and South, Vietnamese and American and all others. We know already from two aerial bombing pauses, the most recent thirty-seven days long, that it is not enough to stop the bombing over North Vietnam while the war in all its other manifestations continues. It is the war, not just the bombing, that should come to an end.

2. The parties to the Geneva accords of 1954 and 1962, which were designed to settle the conflicts in Vietnam and Laos, should reconvene and should reaffirm those agreements and revitalize them as the basis for peace in Southeast Asia.

The United States, for its part, pledges anew its readiness to pursue the quest for peace based on these two simple and straightforward principles. We remain willing to meet in Geneva at a moment's notice to discuss this or any other proposal for peace. The moment our willingness is matched on the other side, the way will be cleared for a peaceful end to this tragic war.

Much is said about the patience and persistence which Communists show in their cause—but we must be still more patient and persistent in our cause, which is the cause of peace.

Indeed, in pursuing this cause, we must show the same fortitude that our sons and brothers are showing in Vietnam. We must be certain that our cause is worthy of their sacrifice. We must take to heart the counsel of Pope Paul before the United Nations, when he said:

"Let no one be superior to the others: *not one above the other* . . . It is impossible to be a brother if one is not humble. For it is pride, however inevitable it may seem, which provokes tensions, struggles for prestige, predominance, colonialism, selfishness; it is pride that shatters brotherhood."

Whatever trials may lie ahead, you may be certain that no consideration of false pride, personal or national, will deter us in our quest for peace—for a way to turn from the rule of violence to the rule of law. We will not cease to strive—in Vietnam and throughout the world—for that peace which is upheld not along by the laws and restraints that men devise, but in a still deeper sense by the divine law of equality and reconciliation which, in the words of the prophet Jeremiah, is "written upon men's hearts."

OPPOSITION TO PROPOSING AGRICULTURE BUDGET CUTS

Mr. JAVITS. Mr. President, upon learning of the various budget cuts proposed by the administration in agriculture several months ago, I rose on the Senate floor to state my objection to cuts in the following programs: school milk, school lunch, land-grant college, agriculture research, golden nematode, and gypsy moth. I believe that the House of Representatives has restored all of these cuts that I opposed. I hope very much that the Senate will concur in the restorations made by the House.

At this time, I would like to bring to the attention of my colleagues my own opposition to the proposed diminitions in the budget for the Soil Conservation Service, Rural Community Development Service, and the Agriculture Stabilization and Conservation Service.

The Soil Conservation Service has for many years provided valuable service across the country and in particular to the State of New York. There are 52 soil conservation districts in the State of New York comprising over 28.5 million acres of land and 95 percent of the farms and ranches in the State. The administration's budget proposed to cut various operations of the Soil Conservation Service. Of particular interest to me is the cut of $1.6 million as passed by the House in funds for soil survey operations. Just last week, the Senate passed and sent to the House S. 902, a bill sponsored by Senator ELLENDER and myself to authorize the Secretary of Agriculture to cooperate with State and other public agencies in planning for changes in the use of agriculture land in rapidly expanding areas and other agricultural use areas. We cannot afford to make mistakes in land development as the cities expand into our rural and agricultural land. Community planners are becoming increasingly aware of the enormous aid given them by the soil maps resulting from the Soil Conservation Service soil surveys. Once the soil information is obtained for an area, it serves a wide variety of purposes for both public and private groups—for community leaders, zoning boards, planning commissions, engineers, highway departments, real estate developers, tax assessors, and many others. I would hope that the House will act promptly on this bill. However, the administration's fiscal 1967 budget proposed a reduction of $3.6 million for soil surveys. The House restored $2 million of this proposed reduction. I urge the Senate to restore the entire amount to this most important service.

In the field of watershed planning, I hope that the Senate will concur with the House and restore the amount of new starts for this program to 100. At the same time, the actual watershed protection program budget request was for only 35 new starts. I urge the Senate to restore the watershed protection program to its 1965 level of $71,239,690 which would include 80 new starts.

Also I favor a restoration of cuts in the Soil Conservation Service program for the Appalachian region. Certainly, we must intensify—rather than reduce—our aid to this seriously underdeveloped area.

I recommend that the Senate give serious consideration to restoring a great portion, if not all, of the administration's budget request for the Rural Community Development Service. Last year the appropriation for the RCDS was only $637,000. The House has agreed to maintain only the fiscal 1966 level. I have for a long time been aware of the problem faced by the people at the local level who often search in vain through the myriad of Federal aid programs which are available for one which really suits their needs. For most persons the job is simply impossible. If our Federal system is really to work, it is imperative that the people in the rural areas become aware of the benefits which they may receive from Federal aid. The administration in establishing the RCDS has taken what I consider an important step toward coordinating Federal aid programs. The Service emphasizes all Federal programs—particularly those outside the Department of Agriculture—as well as State programs.

Through its information program, the Service can save people in the rural areas a great deal of time and expense. I note that the House Appropriations Committee report was critical of the Service in that it has no operating program of its own. In fact, this is the very essence of the Service's work—that it makes available information of all other programs. It seems clear to me that the Rural Community Development Service enhances the value of every other Federal program.

The many hundreds of Federal programs are of little value, in my opinion, if we cannot make them reach the small rural areas whose citizens have little access to information on Federal programs which are available. The gaps in opportunity have not been and cannot be handled effectively through existing programs and old-line agencies. What is needed is a small but adequate force of specialists in rural development thoroughly trained in the procedures of other Federal agencies and assigned a clear and full-time responsibility of helping rural communities in each State make full use of available forms of assistance. We must make every effort to see that the rural people share equitably in our federal system.

It is estimated that a minimum of $1,750,000 would be required to maintain the present level of operations to include a small staff in Washington and in 23 States. Certainly our objective should be to see that the Rural Community Development Service is extended eventually to all 50 States, which I am informed could be done if the entire $3,468,000 as requested by the administration is appropriated.

One other recommendation is for a restoration of the cuts in administrative expenses allocated to the Agriculture Stabilization and Conservation Service. This Service has for many years offered a variety of conservation services to the American farmer, and I see no reason why we should diminish its effectiveness in order to effectively carry out the size program recommended by the Department of Agriculture. I propose a restoration of at least $6.8 million—$3 million for administrative funds for the cropland adjustment program—and $3.6 million for increased expenses pursuant to the Pay Act of 1965.

I also urge an increase from $90 million to $125 million for the actual implementation of the cropland adjustment program which was authorized in the Food and Agriculture Act of 1965. Its purpose is to assist farmers, through long-term agreements, to divert land from the production of unneeded crops to uses that will promote the development and conservation of our soil, water, forest, wildlife, and recreational resources. The program will also establish, protect, and conserve open spaces and natural beauty and prevent air and water pollution. Thus, in the long run, moneys expended for this program will result in great savings to the Government through decreases in Federal subsidies for outmoded production. I urge the Congress to encourage this program by increasing its appropriations.

In summary, these are appropriations to deal with rural problems most helpful to reduce reliance on direct or indirect farm price supports.

JAMES RORIMER MEMORIAL

Mr. JAVITS. Mr. President, many tributes have been made to James Rorimer since he suffered a fatal heart attack May 11. This is most fitting since Mr. Rorimer was truly a great director of the New York Metropolitan Museum of Art.

But Mr. Rorimer was much more, too. He was a thoroughly charming as well as a learned and dedicated expert. He seemed to most New Yorkers to be the very symbol of the graciousness and artistic quality of the largest art museum in the country. The charm as well as the total commitment that so characterized James Rorimer became evident, I believe, in an article by Katharine Kuh in the current edition of the Saturday Review.

Mr. President, I ask unanimous consent to have printed in the RECORD Miss

Kuh's article in the June 4 edition of the Saturday Review of Literature.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JAMES RORIMER: *Erudite, Acquisitive, a True Collector*

In January 1965 James Rorimer, Director of the Metropolitan Mueum of Art, was honored with the Bronze Medallion of the City of New York. Inscribed on it were the following words: "Renowned Scholar, Guardian of Art Treasures, Innovator Among Museum Directors." All three designations were eminently correct, yet three more might have been added: "Imaginative Showman, Accomplished Administrator, Dedicated Representative of the Metropolitan Museum."

On May 11, New Yorkers were shocked to learn of Mr. Rorimer's sudden death due to a heart attack. Though he was director of the museum for scarcely more than a decade, his dynamic leadership makes it difficult to think of the institution without him. Indeed, his entire professional life, except for three years of military service, was devoted to the Metropolitan. He came there immediately after graduating from Harvard, as an assistant in the decorative arts department. Before he reached thirty he was already curator of medieval art. It was he, with substantial backing from John D. Rockefeller, Jr., who planned, supervised, and finally directed The Cloisters, that superb branch of the Metropolitan Museum located high above the Hudson in Fort Tyron Park.

Housing the finest collection of medieval art in the New World, The Cloisters is a testament to James Rorimer's scholarship and to his indefatigable persistence. He traveled widely, tracking down treasures with the eye of a connoisseur and the spirit of a bloodhound. Americans have him to thank for the acquisition of certain unique masterpieces, notably the famous Unicorn Tapestries, the Strasbourg Virgin, and the Chalice of Antioch, to mention some of the best known. Even a brief visit to The Cloisters underlines how avidly Mr. Rorimer pursued his quarry and how successfully he cornered it. Like all great curators (and there are very few) he was at once erudite and acquisitive, a rare combination that defines the true collector. If we are to judge a museum man by the treasures he leaves behind, then James Rorimer's name will not soon be forgotten.

When he moved from The Cloisters to become director of the museum in 1955, he continued to champion outstanding purchases and to attract important gifts. In his new post he had the Metropolitan's vast resources, his own passion, and, not least, a top staff behind him. During his term as director, the museum experienced its period of greatest growth. Mr. Rorimer rebuilt the interior, added more than 40 per cent to its floor space, air-conditioned the European painting galleries, and encouraged an already impressive attendance to double. Today, more than 6,000,000 people visit the museum annually. I would imagine that this is the largest attendance of any art museum in the world. If Mr. Rorimer's sense of showmanship sometimes verged on the flamboyant, still no one can deny his genuine interest in the public and in its response to works of art.

During World War II, as Chief of Monuments, Fine Arts and Archive Section of the Seventh Army, he rescued priceless European treasures that had been looted by the Nazis, and even assisted in restoring some of them, among others the medieval stained glass windows of Strasbourg Cathedral. He was the first Allied officer to enter the Louvre after the Liberation of Paris. From these varied experiences came his book, *Survival: The Salvage and Protection of Art in War*. Another volume by him, *Ultra-Violet Rays and Their Use in the Examination of Works of Art*, resulted from his pioneering interest in preservation and restoration. It was he who introduced the use of ultra-violet rays into museum laboratories, a method that has proved invaluable for examining works of art.

To be director of the most important, largest, and surely richest art museum in the country demands unflagging concentration and strong personal involvement. Those close to Mr. Rorimer have often described his total identification with every detail related to his institution. Like a watchdog, he prowled through the cavernous building, protecting an already peerless collection and at the same time planning its expansion. A man of such undeviating commitment cannot easily be replaced.

KATHARINE KUH.

CREATIVITY IN TELEVISION

Mr. JAVITS. Mr. President, speaking before the National Press Club May 18, Hubbell Robinson, executive in charge of production for a new television series, "ABC Stage 67," predicted a new day was dawning for creativity in television programing.

Mr. Robinson was one of the most forward-looking executives during the so-called golden age of television in the mid-fifties when he spoke about a series of 26 television specials which would include drama, comedy, public affairs, and musical entertainment. His comments, which I heard on May 18, on the present status of television programing and his predictions for the future were so interesting and informative that I would like to call them to the attention of the Senate. I ask unanimous consent to insert in the RECORD the text of his speech at the National Press Club.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

One of the problems I faced in talking to you today was trying to decide where to begin. Finally, I decided I was in much the same position as the French actor who expressed the delight he had on the stage because it permitted him to kiss ladies' hands. He said, "You know, you have to begin somewhere."

So, I'm going to start with the beginnings of my association with Stage 67, which were considerably less lofty than Dick Adler's.

That beginning for me started last January. My phone rang, and an ABC Program Executive said: "How are you?"

I said: "Fine."

He said: "Are you going to be in town next week?"

I said: "Yes."

He said: "We have something we might want to talk to you about."

I said: "Okay."

We said goodbye.

In the days that followed that memorable dialogue, I heard nothing. The following week the ABC Vice President in Charge of Programming phoned me.

He said: "How are you?"

I said: "Fine."

He said: "Are you going to be in town this week?"

I said I was.

He said: "We have something we might want to talk to you about."

I said: "Good." We hung up.

Again the days went by. Then one day I was having lunch in the Pierre Grill and I ran into Tom Moore, who, as you know, is President of the ABC Television Network.

Tom was very cordial. He said: "How are you?"

I said: "Fine."

He said: "Are you going to be in town this week?"

I said: "Yes."

He said: "Good, we have something we might want to talk to you about."

I figured I was making progress. At least now the President of the network had something he might want to talk to me about. Fortunately, he did, and we talked, and my life hasn't been the same since—which, in this case, is a good thing. What Tom outlined to me at that meeting was a pretty staggering project.

A series of twenty-six programs, an hour or more in length, for the 1966–67 season.

In prime time.

Aimed at reaching new levels in television entertainment.

Involving the finest creative talents from all fields of the arts to be given complete leeway in doing what they wanted to do.

Management backing all the way.

A series that would orbit the entire spectrum of programming—drama, comedy, fantasy, the dance, documentary and anything else we could think up.

No format or content restrictions.

No dictates on choice of producer, directors, writers, performers.

No interference from clients, advertising agencies or corporate management.

And ABC was providing big league backing to the tune of some ten million dollars, sponsored or sustaining.

In sum, a series which—if it could be brought off—would make it possible for television to stand level with its peers in every form of entertainment. For one who has long felt as I have that the way to water the wasteland was to pursue excellence with vigor and determination, this was heady stuff indeed.

Naturally, since Leonard Goldenson's NAB speech here in Washington in 1965, I had been aware that such a project was being considered—he had stated that he was asking the network to set aside one prime time hour a week for such an undertaking. What I did not realize was how far forward the project had already gone, how large a commitment had already been made.

About a dozen projects were already well under way, involving such talents as Truman Capote, Richard Adler, Frank Perry, Murray Schisgal, A. B. Guthrie, Mike Nichols, Bob Dylan. And it was of equal interest to find out that a half dozen projects, against which substantial sums had been spent, had been dropped because they failed to fulfill their original promise.

To me all this meant the series had already acquired character, that quality was to be the final measure of what was ultimately produced and what wasn't. Needless to say, the opportunity to serve as the ABC Executive in Charge of Production for such a project was overwhelming. It was also rather terrifying.

I pointed out to Tom Moore that what he was proposing was the equivalent of preparing twenty-six one-hour or ninety-minute pilots—an assignment as large as an entire network programming department enters upon each year. He looked me straight in the eye, grinned and said: "Yeah, I know." Forty-eight hours later I had signed to go to work. Some day soon I hope to read what I signed. I haven't had time to do so yet. Once in a while, when I stop for a breather, I feel like the refugee toiling the arid Israeli soil under a broiling sun who paused to lean on his hoe, looked up and said: "Lord, for two thousand years we have dreamed of a homeland—and it had to happen to me!"

For there is in this situation a rather fascinating irony at work. The classic posture is for the programmers to exhort management to break out of standard molds and venture into the unknown. In this case it is management who is doing the exhorting. Certainly a new day is dawning when a network president says to a program man, as Tom Moore has said to me: "I would prefer a few adventurous failures to some conventional successes."

I haven't heard talk like that since the fifties, when television was younger and people were not yet so terribly afraid to fail.

In view of the recent past, it was a statement as timely as it was exciting. We have all seen the computer mind grow in power and influence, and statistics mark out the bounds beyond which imagination may not soar. We have witnessed an erosion of the spirit of adventure by the compulsive tendency to hedge the bet by making new shows resemble existing winners. Each season's enlarging tendency to live off its own fat has grown more pronounced. The security of the familiar becomes the unchallenged bulwark of that particular kind of Madison Avenue mind which is uncomfortable in the presence of creative thrust and individuality.

Even in the special, where there is freedom from the weekly format, the overpowering tendency to seek safety in the familiar continues to evidence itself, and so we see the reliance on the guest star in the well known formula revue and the revival of the classic drama and hits of the recent past. But fortunately, because somebody deeply cares and desperately tries to add an extra dimension of skill and imagination, the home screen sometimes lights up. This season's Julie Andrews and Barbara Streisand show, for example, did exactly that. And the CBS production of "Death of a Salesman," showed how artistic dedication can provide audiences with theatrical experiences of depth and distinction.

And sometimes, the weekly series show a high degree of accomplishment as well. The question is, is "sometimes" enough? Of course it isn't, although I don't think I'd go as far as those who claim that a week's viewing of television's regular nighttime fare represents the latest example of man's inhumanity to man.

I suppose, actually, that it is not so much with what television does that I am so concerned, as with what it does not do. Our lives are growing more complex in a technological society reshaping itself at an almost incomprehensible pace. Yet our most pervasive medium merely reflects its most simple outlines. The world of C. P. Snow is very much with us.

Curiously, while the weekly entertainment fare has been marking time, there is general agreement that the medium made dramatic progress in news and public affairs. I certainly need not dwell in detail before this audience on the expansion of the network's news operation, the remarkable feats of reporting in this era of space exploration, wars in the Orient, presidential and national tragedy and the increasing amount of air time devoted to news and informational programs. Almost every week we read announcements of new projects which show this thrust continuing and enlarging.

I touch on this increasingly imaginative activity in the news and information field, because it seems to me that the same attitude which management brings to bear on it must be brought to bear on entertainment, if the medium is to stay vital and viable on that front. This means recognition at the decision-making level of the limits of cost-per-thousands and head counting as measures of program worth.

I said limits, by the way, not because I argue with these measurements—I don't. I've lived with them throughout my own years in television. I understand them and accept them for what they are. But if they are the only measurement for every program at every hour and every night of everyone's schedule, we may look to dark days ahead.

The attitude I am talking of recognizes that the medium must be opened up regularly for experimentation, that opportunities for achievement that satisfies the inner man, as well as the pocketbook, must be created in order to attract and hold major talents.

ABC Stage 67 is, it seems to me, a bold expression of that kind of management attitude, and therein, I think, lies its long-range value and significance. I can make that statement with no suspicion of self-service, since I had nothing whatever to do with its conception or initiation.

To begin with, Stage 67 represents a totally conscious and thought-out effort to organize a creative environment that will permit entertainment's major talents to work for genuine excellence in television. To be specific—with one exception, no creative group is doing more than one program—and that one only two programs. That means we have twenty-five separate teams of producers, directors, writers, performers and other artists and craftsmen at work on single projects, They have the budget and the time to do their best work. I know of no other way it can be done.

We are proceeding in this fashion because Stage 67 is basically reaching for three priceless ingredients.

First—excellence. Now, admittedly, that is a large and, perhaps, imprecise word—but I think we all know it, recognize it, appreciate it when we encounter it, in writing, performing or production. It is what we expect, what we have the right to demand, when we work with superior talent which brings to the task thoroughness, devotion and integrity—the qualities that distinguish the work of the true professional.

Second—we are looking for uniqueness. This may come from unusual program content, unusual casting, an unusual way of staging, and when we get lucky, a combination of all three.

Third—we are hoping that occasionally we will break through the fog of kitsch that envelops "the box" today to engage the viewers' emotions, so that he will be stirred, touched, moved by what we put into his living room. We have gone too long, it seems to me, underprivileged and emotionally under-nourished as an audience, consuming a totally forgettable diet of trivia.

I simply refuse to believe there is not room in this medium for programs that deal in effective dramatic form with the human condition today. I cannot believe we lack completely the capacity to dramatize in understandable and compelling terms some of the problems that haunt and terrify us in this racing century. I do not, of necessity, mean that this has to be done by solemn drama. It may be as effectively accomplished by satire or fantasy. For example, in one of our programs called "The People Trap" science-fiction author Bob Sheckley, who wrote "The Tenth Victim," looks at the dehumanizing effects of megalopolis in the year 2000.

A drama called "The Confession," produced by Irving Gitlin and written by David Karp, concerns a drug-addicted boy who confesses to a crime he did not commit. As the truth is revealed, we begin to see many layers of guilt, not the boy's alone but that of his parents, the community, society as a whole.

The traditional American values of individuality and courage are restated and reaffirmed in Hamlin Garland's "Sun Prairie," adapted for us by Pulitzer Prize winner A. B. Guthrie. "Sun Prairie" reaffirms Jefferson's statement that "We are always equal to what we undertake with resolution. It is part of the American character to consider nothing as desperate."

Truman Capote's artistic vision reveals every man's deep loneliness and his need for love and affection in "A Christmas Memory."

These are some of the things we are doing in which we strive to make entertainment say something. Obviously, we will be employing many other forms in this attempt to prove that prestige and popularity can conclude a fruitful marriage.

We will have an original musical fantasy-comedy adapted by Jerry Chodorov from George Bradshaw's short story "How Like A God," and produced by Dick Adler, who also contributed the original score and lyrics. This will star Donald O'Connor as the God Hermes, Jimmy Durante as the president of the Notre Dame alumni association, the New York Jets as the hapless football representatives of New England University, and Joe Namath as a quarterback of considerably less renown than he actually has. If you want to see how Dick has put all of these strange elements together, look in on September 28.

Then there's a comedy-drama by Murray Schisgal, who wrote the current long-running Broadway smash hit "Luv." This will couple the talents of Alan Arkin and Sir John Gielgud. I don't know how you can get any more unique than that!

And my friend Jack Paar will bring his wonderful comic gifts to a presentation of "The Kennedy Wit," in which he will also serve as producer.

These random examples indicate, I think, that there is no pattern, no formula, other than to attempt twenty-six consecutive entertainments which have in common only their striving for excellence and distinction.

Note that in almost every case we have started with the writer, for it is our belief that in the first place comes "The Word." Fortunately, and I think inevitably, the concept of the series and the opportunity to have time to do the job the right way, are the reasons we have been able to attract such writers as Capote, Guthrie and LeCarre, and two others, for example, I have not mentioned—Arthur Laurents, who wrote "West Side Story" and "Gypsy," and T. E. B. Clarke who wrote "The Lavender Hill Mob."

These are all writers who have never worked in television before. All of the producers and writers I've mentioned—the "conceptual" people—have either never worked in the medium before or have been away from it far too long. It is scarcely necessary for me to say our medium will be made richer by their presence—and we hope to make the experience rewarding enough for them to want to stay. They will, I am confident, if the opportunities such as we are providing here are continued and enlarged in seasons to come. And I think that other creators, composers, directors, major talents of all kinds, can be a part of the television spectrum if they can find, as they seem to be finding here, a situation which respects and encourages their gifts and urges them without restraint to use them as they think best. I know from talking with all of them that television as a medium intrigues them. It is the quickest way to reach the most people. It is an unparalleled opportunity to demonstrate that mass and class are not unreconcilable words.

You and I remember well when we enjoyed the work of a formidable contingent of writers who found in television a happy outlet for their talents. It was that springtime of the medium which its admirers refer to as the Golden Age.

Whether the label is accurate or not, that time is worthy of attention, for there are some guide lines there, I think, as we look forward to what could turn out to be a period of creative renewal for television.

There are those who dimiss the Golden Age as nothing more than nostalgic nonsense, arguing that any clear-eyed examination of television's programming of the early and middle fifties would reveal it as primitive in terms of both economics and entertainment. And it is obviously true that much of our work in those days, at least in its execution, would fare poorly when compared with today's television's techniques.

Why then has it become a rallying point for the disenchanted? What was it about the programming of that era which left such an indelible imprint that those of us who care about television's future treasure that part of its past? For there certainly was a happening in those years—and only the simplistic rhetoric of the button-down mind would totally deny it or denigrate it.

In my view, it was not the individual programs of the Golden Age which made it shine, so much as its spirit; for it was, it seems to me, a time of creative ferment in the medium. Neither its imaginative people—both before and behind the camera—nor its management were as yet cynical. Certainly they wanted success, but they also placed value on success with distinction. They were not blandly following the precept that appealing to the lowest common denominator was the only way to achieve that success.

There was a spirit of adventure in the air. And most important of all, there was room for failure.

If the dramatic anthology series emerged as the period symbol, it is probably because it offered audience and critic the anticipation of a weekly theatrical event with all the attendant risks of any opening night, with all the excitement of an impending achievement or disaster.

Playhouse 90 was probably the most reviewed series in television's history. But over the three years it was a regular weekly feature, it received more unfavorable than favorable reviews. Although it did well, it certainly was not a rating champion. Was all the effort, time, money and love which so many lavished on it justified then? I suggest the answer may lie in the fact that within each season the series was able to produce a number of dramas that won universal acclaim for raising television's standards to memorable heights. Perhaps you recall some of them—"Judgment at Nuremberg," "Requiem for a Heavyweight," "A Sound of Different Drummers," "Days of Wine and Roses," "The Old Man," "A Town Has Turned to Dust," "The Ninth Day," "The Plot To Kill Stalin," "The Miracle Worker."

It seems to me that such achievements are one of the things the Golden Age was all about.

So for our present purpose, I feel, should not be to mourn the Golden Age, but to seek some means by which its thrust and flair can be reactivated and nurtured throughout the conceptual and imaginative functioning of the medium.

We must find ways to bring in—or back—to the medium many more of the world's major creative talents—far too few of them see in it today an opportunity for significant expression.

ABC Stage 67 is a step. Hopefully, only one.

At this point, I can't help thinking of the story General Sherman used to love to tell about a little girl who, on coming out of church, was asked if the minister had told her how to be good. She said: "No, he just preached."

Well, it's time to stop preaching and start trying to be good. How good—and how often—we'll all find out only by going the 26 Wednesday opening nights—and mornings after—that lie ahead. There's a story which nails down the situation pretty accurately. The scene is the Southern California-Notre Dame football game. There is one minute to play. Southern California has the ball on the Notre Dame five-yard line. The Southern Cal quarterback has to decide: shall he kick, shall he pass, or shall he run?

He turns with his hands on his hips and stares at the hundred thousand faces staring back at him. Finally, he raises his arm, shakes a clenched fist at them and yells: "All right, you monsters—tell me now, not Monday morning!"

Thank you.

NATO: THE PROBLEM OF RELOCATION AND ARMED SALES TO WEST GERMANY

Mr. JAVITS. Mr. President, a meeting of vital importance is now taking place in Brussels among the Foreign Ministers of 14 NATO nations. They are in Brussels in order to reassert the unity of the Atlantic alliance and to plan for the impending withdrawal of France from the integrated NATO defense system.

The assertion of the unity of the 14 could not come at a more important time. In the wake of French withdrawal plans, some NATO partners seem overly sanguine about prospects for an immediate detente with the Soviet Union. There is always a danger that in their anxiety to settle complex problems at a single stroke they will attempt to push the alliance into a premature bargaining position. Before NATO can hope to settle the outstanding European problems with the Soviet Union, it must first mend its own fences.

An important element in this mending process is the relocation of the NATO headquarters and the NATO Council. Since the French Government has requested that all military installations be removed from French soil by April 1, 1967, the most pressing business on the Brussels agenda is to find a new home both for the military and political elements of NATO. It is disappointing, in this regard, to see the hesitancy of the Belgium Government with respect to locating the headquarters and the Council on Belgium soil. It is unwise for psychological reasons to remove either of these bodies from the European continent; Belgium is the logical choice. I would hope that for the sake of the alliance the Government in Brussels will quickly move to assume this new privilege and responsibility.

Another vital element in this mending process is the future role of West Germany in NATO. Most, including the Germans themselves, appear to recognize that it would be inappropriate for Bonn to have disproportionate influence in the alliance. It is natural to expect that the withdrawal of France will mean more influence for West Germany, but this tendency should be kept within clearly defined bounds. I would strongly urge that during this transitional period in the life of NATO that the United States would do nothing to aggravate the German situation. Most importantly, this is not the time to withdraw more U.S. troops from the Continent. Nor is it a time to give in to pressures for increased armed sales to West Germany in order to allay German fears.

Finally, Mr. President, it is extremely important that we encourage the Germans, if possible, within the context of NATO, to keep the troops of France in Germany, thus at least preserving whatever can be preserved of France's relationship to European security.

I ask unanimous consent to have printed in the RECORD two pertinent articles published in today's New York Times on this subject.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, June 6, 1966]

RUSK AND ALLIES WILL MEET TODAY ON NATO TRANSFER—14 MEMBERS HOPE TO AGREE ON SHIFT TO BELGIUM BEFORE FRENCH AIDE ARRIVES

(By Henry Tanner, special to the New York Times)

BRUSSELS, June 5.—The foreign ministers of 14 of the 15 members of the North Atlantic alliance have arrived here to discuss the consequences of President de Gaulle's decision to withdraw France from the integrated defense system of the alliance.

Secretary of State Dean Rusk spent the day conferring with American and allied officials about issues involved in the conference opening tomorrow.

The foreign ministers hope to reach tentative agreement to move the military headquarters of the alliance to Belgium.

The move has been made necessary by the French Government's request that all military installations of the alliance be removed from French soil by April 1, 1967.

FRENCH AIDE JOINS LATER

The 14 will meet all day tomorrow in the absence of Maurice Couve de Murville, French Foreign Minister.

He is due to arrive tomorrow evening and to participate Tuesday and Wednesday in sessions of the 15-member council of the alliance.

The Belgian Government has been reluctant to express its willingness to accept the role of a host for the military headquarters. It has requested information on the number of men involved, the space required as well as an estimate of the probable cost.

This information was submitted Friday by Manlio Brosio, secretary general of the alliance, and by experts of its military headquarters.

ACTION UP TO PARLIAMENT

Pierre Harmel, Belgian Foreign Minister, is expected to inform the conference in cautious and qualified terms of the willingness of his Government to give favorable recognition to a request for relocation of military headquarters in Belgium. The final decision is up to the Belgian Parliament.

There has been great pressure on the Belgians to make at least a tentative gesture of acceptance.

For one thing, there are practical considerations. Relocation of a vast complex of headquarters and communications centers on short notice without interruption in operations is a Herculean task.

Some experts have said that it will not be possible to meet the French deadline unless plans for construction of a new site are started early this summer.

The second point is political. It is felt that it would be a sign of weakness and disunity and a bad omen for the future of the alliance if the 14 Foreign Ministers did not reach at least a tentative agreement on a new site in their first meeting three months after the French initiative.

Mr. Brosio said at a news conference tonight that the foreign ministers would also deal with the question of East-West relations, including the German problem and European security.

Denmark has served notice that she will ask the alliance to take the initiative of convening an East-West conference on Europe. The Danish suggestion has been discussed twice by the permanent 15-member council of the alliance in Paris.

The United States and some other delegations are skeptical. The American view has been that such a conference should be called only after a thorough preparation that would insure a positive outcome.

However, there is considerable feeling among the European members that the Western alliance, for psychological reasons, among others, must end its reputation of being a "cold-war" tool and cast itself more publicly in the role of a peace seeker.

The German issue is expected to dominate a dinner tomorrow night of the foreign ministers of the United States, Britain, France and West Germany.

Mr. Couve de Murville is expected to be asked by his three colleagues for the French reaction to the procedure suggested last week for negotiating the future role of French forces in West Bermany. These forces are to be withdrawn from the integrated command July 1.

The 14 members of the alliance other than France have proposed that the legal status of the French forces be discussed bilaterally by West Germany and France and that the future mission of these forces be determined in talks between France and a five-nation group consisting of the United States, Britain, West Germany, Italy and the Netherlands.

The French position is that the mission of the troops must be discussed on a purely technical level by the military commander of the alliance, Gen. Lyman L. Lemnitzer, and Gen. Charles Ailleret, the Chief of Staff of the French armed forces.

The French contend that political talks at government level would result in an attempt by their allies to impose a new form of military integration on them.

The question of the French forces in West Germany is crucial. If no agreement is reached and the forces withdraw from West Germany, the break between France and the rest of the alliance would become all but final, in the opinion of most observers.

[From the New York Times, June 6, 1966]

TOO MUCH PRESSURE FOR ARMS SALE TO GERMANY

(By Robert Kleiman)

The United States now has a second NATO conflict on its hands—with West Germany as well as France. Fears of massive American troop transfers from West Germany to Vietnam have been aroused in Bonn by an unprecedented warning handed to Defense Minister von Hassel by Secretary McNamara at the Pentagon May 13. Washington, Mr. McNamara said, henceforth reserves the right to reduce its forces in Germany "proportionally" should Bonn's lagging purchases of American arms fail to offset U.S. troop costs.

This secret squeeze play, following Mr. McNamara's transfer to Vietnam of 15,000 American troops without consulting the Germans, has produced renewed consternation in Bonn and a formal protest to Secretary Rusk. Widespread German press criticism of an American "ultimatum" has erupted, although the facts were leaked only in veiled fashion and later officially denied.

BONN SEES DANGER

Bonn's view, partly shared in the State Department, is that it is dangerous to treat defense of the free world's most vital frontier as a German rather than a common Western interest. To equate it with the American interest in selling military hardware is grotesque. Bonn, in any case, feels it can offset the dollar drain of American troop expenditures in better ways than by buying weapons it does not want—especially after the 56 crashes and 30 pilot deaths in its 700-plane fleet of modified American F104G Starfighter jets.

Secretary Rusk is in Brussels this week to unite the NATO foreign ministers for difficult negotiations with France and, later, with the Soviet Union. American and British threats to reduce forces when West Germany is menaced by a total French troop withdrawal—unless it bows to General de Gaulle—will hardly stiffen Bonn for its confrontation with Paris. Nor would unilateral American troop withdrawals strengthen the West's hand with Russia in seeking a European settlement, German reunification and arms control in Central Europe, even if a thinning out of Soviet troops by "mutual example" should follow.

Bonn doubts that the United States would sacrifice these vital interests over payment deficits. The suspicion, as *Die Welt* phrased it, is that the financial issue has been "cranked up by Secretary McNamara" as a "pretext" to transfer two or three divisions to Vietnam next winter.

Such a plan is highly unlikely. Even though a troop shift to Vietnam cannot be ruled out, the arms purchase crisis with Germany undoubtedly is a separate matter. Bonn is more than $600 million from meeting its two-year pledge to order $1.35 billion of arms by December 31. It wants to shift part of that sum to purchase of American industrial equipment for its aid program in the developing countries, including Vietnam, and also to recast the whole offset program next year.

This practice has long been part of Bonn's offset arrangements with London; but it has led to shortfalls and delays in German purchases in Britain, and Mr. McNamara opposes it. He wants to upgrade the German forces with more support units and bigger war reserves, although Bonn insists its generals disagree. Defense Secretary McNamara wants Germany to buy military hardware, a proved dollar earner, despite philosopher McNamara's Montreal speech on development aid as a better route than excess hardware to world security.

In the Kennedy era, when the corrosive drive to sell American-made arms to reluctant European allies originated, it was considered a temporary expedient. The arm-twisting that accompanied it was regarded with regret. The Pentagon's chief arms salesman then, Assistant Secretary of Defense William Bundy, was jokingly dubbed "Basil Zaharoff" Bundy—in recollection of a less savory weapons merchant of earlier vintage—by White House colleagues of his brother, McGeorge Bundy, who had to field complaints from foreign governments.

EUROPEAN LAG IGNORED

The atmosphere has changed. Secretary McNamara now handles the big arms deals himself. The program has taken on an air of permanence—along with the gold outflow—and self-righteousness about "burden-sharing" permeates the Pentagon. Complaints that West Europe is falling behind in modern technology—and is not building the pooled arms industries to defend itself one day—get brushed aside.

There are alternatives, and Bonn insists they can be made to work. One is a Defense Payments Union in NATO, which the Johnson Administration is about to propose, mainly to ease Britain's coming sterling crisis. American and British troops in Germany, Italy and Belgium then would pay in scrip, and it would be the host country's responsibility to spend it for arms purchases or to accumulate useless paper. The scheme could easily be expanded to include German purchases of American civilian equipment for its development aid program—as will have to be permitted for German purchases in Britain.

NEW FUNCTION FOR NATO

Combined with an offer of a Marshall Plan for Eastern Europe, as proposed by Prof. Zbigniew Brzezinski—now a State Department policy planner—such an arrangement could advance German reunification and a European settlement. The Germans alone would be willing to put up billions of dollars for it. In a trade surge of this dimension, NATO would not only acquire a new function—that of making peace along with deterring war—but the financial and military need for high-pressure American arms sales might quickly disappear.

(NOTE.—*Robert Kleiman is a member of the editorial board of The Times.*)

HIGHER EDUCATION IN CALIFORNIA

Mr. KUCHEL. Mr. President, for the past 2 years, news events from Berkeley, Calif., have tended to present a dark image of the University of California. Reporting of the activities of a minority of the student body has left the impression that little else is accomplished at the University of California other than rioting, sit-ins, and protest. Those close to the scene have known that this was a distorted image.

I am delighted to bring to the attention of my fellow Senators the results of a recent nationwide study undertaken on behalf of the American Council on Education by Dr. Allan M. Cartter. Dr. Cartter has made "an assessment of quality in graduate education" which the American Council on Education has recently published. The results of this study are quite clear: across the board the University of California at Berkeley provides the most outstanding graduate education in the country. It is the only university to receive a distinguished rating in the five general categories studied by Dr. Cartter—the humanities, the social sciences, the biological sciences, the physical sciences and engineering. In the words of the author of the study, Berkeley "is the best balanced and distinguished university in the country." As a Californian, I am delighted that the oldest campus in the State's system of public higher education has been so honored. The objective findings of Dr. Cartter's study will do much to present a more balanced view of the total activities of the university.

I also wish to call the attention of the Senate to two other institutions in California which also received a high rating, notably, Stanford University and the California Institute of Technology. Stanford was rated among the leading universities in the country in four categories out of five, and Cal Tech in three. Californians can be justly proud of their fine record.

Mr. President, I ask unanimous consent to have printed in the RECORD an article giving further details on this subject entitled "Experts Rate U.C. Best U.S. University," written by Carl Irving, and published in the Oakland Tribune, Oakland, Calif., on May 20, 1966.

There being no objection, the article was ordered to be printed in the Record, as follows:

Experts Rate U.C. Best U.S. University

(By Carl Irving, Tribune staff writer)

The Berkeley campus of the University of California is rated "the best balanced distinguished university in the country" in a major survey by the American Council on Education, which stressed faculty competence in its judging.

The two-year study was based on checks with 4,000 teachers and administrators at 106 major universities in the United States. The findings were to be revealed today by University of California President Clark Kerr at a meeting of the University Board of Regents at the Irvine campus in Orange County.

The report is the first comprehensive one of its kind on the state of higher education in the United States. The council, which is headquartered in Washington, D.C., represents most educational organizations in the country. It often advises the White House and Congress on legislation.

Berkeley is followed by Harvard and Stanford Universities, according to the findings, prepared by Dr. Allan Cartter, vice president of the council.

Berkeley, he concluded, led the list because it appeared in the leading group in all five major divisions of higher education, humanities, social sciences, biological sciences, physical sciences and engineering. If engineering had been omitted from the survey, Harvard would have emerged first in the over-all rankings, the report said.

Cartter surveyed nearly 900 department chairmen, 1,700 distinguished senior scholars and 1,400 "carefully selected" junior scholars at the 106 universities. Only 13 per cent of them had received their Ph.D. degrees from the Far West.

The heart of the questionnaire involved rating of faculty, the basic measure of a university. The survey also assessed the quality of graduate schools.

Cartter, in a telephone interview from Washington, said Berkeley's rating was "an amazing performance for a university already at the top." In a less complete survey in 1957, he noted, Berkeley had been second to Harvard. Now, it surpassed Harvard in what he termed the overall picture.

Cartter said Berkeley, since 1957, had nine departments improving, 18 maintaining the same ranking, and two dropping slightly.

The questionnaires were filled out in the spring of 1964, several months before the Free Speech Movement hit Berkeley. Cartter was asked what effect this would have.

"My guess is if we were to do the survey again today there wouldn't be much change. Looking at it from the other end of the country, it is too bad Berkeley had those riots, but they seem to have done a lot of good.

"Such factors as the Muscatine Report on reforming education at Berkeley and the appointment of Roger W. Heyns as chancellor last summer seem to have kept Berkeley in its eminent position."

Cartter also noted that Stanford had made "dramatic improvements" in the science and engineering areas. He also lauded UCLA and Davis. The latter, he said, had made "a surprisingly good showing in the biological sciences."

"U.C. has done so well at Berkeley the university will probably bring off successes at the other campuses," Cartter said. He cited Davis and San Diego in particular.

Cartter's report said "pains have been taken to ensure that the study reported be as objective as an opinion study can be, and that it represent fairly the large and the small, the public and the private, the nationally recognized and the regionally oriented graduate schools."

He said in the interview that the rating of the faculty and the graduate studies reflected directly on the quality of undergraduate education. A top faculty and graduate school, he said, attracts top undergraduates.

Those responding to the survey rated the faculties—and, by extension, the schools—on the basis of personal contact (either as students or at professional gatherings), published work and research, the professional competence of their former students and their general reputation in the scholarly community.

Cartter found that top departments were concentrated in 13 states, 80 percent of them in only five states. Institutions in the Southeast and Rocky Mountain states could not claim a single department in the highest category in any of the 29 fields studied, he noted, while the Southwest and the Plains could point to only one each.

"The Northeast, because of its historic leadership in higher education and the strength of its private institutions, is most over-represented," Carter said. "This is particularly evident in the humanities, a reflection of the long literary tradition of the region."

He added: "Universities can live on their reputations much more successfully and for longer periods than can most business firms." Among the important factors, he said, were library resources. Here he rated Harvard first and Berkeley second.

THE BROAD BASE OF PRESENT AMERICAN FOREIGN POLICY

Mr. BREWSTER. Mr. President, a few weeks ago, I received the unanimous consent of the Senate to insert in the Congressional Record President Johnson's speech recently delivered at Princeton University. In my remarks, I stressed the President's concern and commitment to education as he expressed it on that occasion.

An editorial in the Baltimore Sun cited the same speech for its clarity in presenting the broad base on which rests current American foreign policy.

I commend the editorial to my colleagues, and ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Baltimore Sun, May 12, 1966]

Problems of Strength

The broad bases of present American foreign policy have seldom been so well stated as President Johnson stated them yesterday at Princeton in an address designed for the attention of the scholarly, intellectual community. The nation's aims, the President said, are the aims which men of intellect ordinarily support and serve, and the lessons we have learned in recent years are lessons those men cannot but approve of: "That a great power influences the world just as surely when it withdraws its strength as when it exercises it; that aggression must be deterred where possible and met early when undertaken; that the application of military force, when it becomes necessary, must be for limited purposes and tightly controlled." Our great power, the President emphasized, is tempered by our great restraint.

This is true. But within its broad accuracy as an outline of present policy there are still the complicated, painful problems of applying that policy day by day, even hour by hour, in situations of many degrees of difficulty and urgency. Where to draw the limits of objectives, just when to withhold the use of strength, or to withdraw strength, how to define purposes precisely and how to exercise tight controls—these are merely some of the questions.

Above all is the problem of the very possession of great strength. Where great strength exists, there will always be those, engaged in its creation or its deployment, whose impulse is to see it used; and there will always be members of the public who tend to believe that great strength must make for large simple solutions.

If the world was ever like that, it is not like that today. The President knows it, as do others who have learned the hard, new, historically unorthodox lessons of our time.

A PENNSYLVANIA FIRST: ORDERLY PROVISION OF WATER AND SEWAGE FACILITIES IN DEVELOPING URBAN AREAS

Mr. SCOTT. Mr. President, one of the most critical governmental problems on the growing edges of our suburban communities is the assurance of a safe and reliable water supply. The problem arises because rapid growth in many suburban areas is accompanied by reliance on individual wells and septic tanks rather than community systems, under conditions which too often make such reliance dangerous, such as small lot size, topography, and soil which cannot absorb sewage flow. I am very proud, therefore, that the General Assembly of the Commonwealth of Pennsylvania recently enacted legislation which has great potential for preventing hazardous health conditions caused by inadequate planning and construction of sewage facilities, and the indiscriminate use of individual wells and septic tanks.

This legislation, known as the Pennsylvania Sewage Facilities Act—Act No. 537, Pennsylvania regular session 1966—requires municipalities to submit officially adopted plans for sewage systems, and authorizes the department of health to adopt standards for construction and installation of sewage disposal systems. This is the first State legislation of its kind, and is based on a model State bill prepared by the U.S. Public Health Service with the assistance of a special advisory committee that included representatives from the Public Health Service, the Advisory Commission on Intergovernmental Relations, the Department of Housing and Urban Development, the National Association of Counties, the National League of Cities, the American Society of Planning Officials, the National Association of Home Builders, Water Systems Council, Conference of State Sanitary Engineers, and the Septic Tanks Industry. In an earlier report on "Intergovernmental Responsibilities for Water Supply and Sewage Disposal in Metropolitan Areas," the Advisory Commission on Intergovernmental Relations—ACIR—recommended that "legislation be enacted endowing the appropriate State and local agencies with regulatory authority over individual wells and septic tank installations, with a view to minimizing and limiting their use to exceptional situations consistent with comprehensive land use goals." The model State bill grew out of this recommendation. Copies of the model State act and the full report are available from the ACIR on request.

The Federal Government has, of course, taken action in recent years to assist local communities to provide themselves with adequate community waste disposal facilities. But, essentially, the issue of water purity and supply in our urban areas is a matter of community and State initiative and responsibility, for here is where the effects of inadequate sanitary facilities are first and most sharply felt. Sound planning and development of water supply and sewage facilities at the local and State level are essential not only to assure availability of an adequate supply of safe water, prevent pollution, eliminate health nuisances and hazards, and conserve ground water. They are also important for encouraging economical and orderly development of land for residential, industrial, and other purposes, since the type and location of water and sewage facilities is a critical determinant of land use. It is, therefore, it seems to me, a matter of nationwide importance that the Commonwealth of Pennsylvania has now taken the leadership in enacting a law providing for orderly development of community sewage systems.

Under the Pennsylvania act, pursuant to rules, regulations, standards, and procedures prescribed by the State department of health, municipalities are required to submit to the department a plan for sewerage systems serving their jurisdictions. The plan must delineate three areas: First, where community sewerage systems are now in existence; second, where community sewage disposal systems are planned to be available within a 10-year period; and, third, where community sewage disposal systems are not planned to be available within a 10-year period. The plans must provide for orderly extension of community interceptor sewers in a manner consistent with the needs and plans of the whole area, and provide for adequate treatment facilities to prevent discharge of untreated or inadequately treated sewage or other waste into any waters. It must also establish procedures for delineating and acquiring on a time schedule necessary rights-of-way or easements for community systems, and for financing construction and operation of the planned community system. So that the system is not in conflict with local and areawide comprehensive planning, the sewerage system plans must be reviewed by the municipal planning agency and any areawide planning agency, and the results of the review transmitted to the State health department.

It is encouraging to note that Pennsylvania will not only set standards and prescribe regulations, but will also provide positive assistance to localities. First, the State health department is authorized to furnish technical assistance to localities in coordinating their official plans; second, it offers matching grants to localities to help finance the cost of preparing official plans and enforcing the plans and health department regulations.

The teeth in the Pennsylvania law are found in the provision for permits and inspections. Before a person may install an individual or community sewage disposal system, or even construct a building in which such a system is to be installed, he must obtain a permit indicating that the site and the plans and specifications of the system comply with the standards set forth by the State department of health.

Mr. President, with the adoption of effective standards and procedures by the State department of health, and the subsequent preparation and adoption of local sewerage facilities plans, this new Pennsylvania act can provide new safeguards to assure that our communities are looking well ahead to make certain that their citizens will get an adequate supply of safe water, and at the same time will not be creating conditions in the handling of their wastes that will constitute a threat to the health, economy, and well-being of their neighboring communities. I commend this new program to study and adaptation by all the other States.

THE SITUATION IN VIETNAM

Mr. McGEE. Mr. President, there have been in recent days several telling articles published which do much to clear up the public understanding of the situation in Vietnam—past, present, and future, insofar as we can view the probabilities of future events. Among these articles are two of particular note, written by Senior Editor Arnaud de Borchgrave, of Newsweek, and by Joseph Alsop in the Saturday Evening Post.

Both Mr. de Borchgrave's "A Dissent From the Dissenters" and Mr. Alsop's "Why We Can Win in Vietnam" stand as persuasive statements on why we are involved in Indochina and what we have accomplished, as well as what we hopefully can yet achieve. I ask unanimous consent that these articles be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From Newsweek, June 6, 1966]

A Dissent From the Dissenters

(By Arnaud de Borchgrave, senior editor)

(Note.—*Once again "gut" questions are being asked about the American commitment in Vietnam. Last week, Newsweek colomunist Emmet John Hughes gave his views after a visit to Vietnam. This week, Senior Editor Arnaud de Borchgrave, also recently in Vietnam, dissents from the dissenters.*)

"Vietnam is not important to us," Professor John Kenneth Galbraith said recently. "It is not a bastion of freedom, nor is it a testing place of democracy."

The slogans about why the U.S. is in Vietnam—e.g., making South Vietnam safe for democracy—and arguments about the slogans have contributed mightily to mass confusion at home and abroad. The rhetoric tends to obscure both the fundamental interest and the fundamental issue.

The fundamental interest, quite simply, is to contain the expansion of Chinese Communist imperialism. As Professor Zbigniew Brzezinski of Columbia articulated one of the U.S.'s basic foreign policy goals, it is "to establish international conditions which channel the revolutionary changes taking place in many societies toward constructive ventures, and prevent the process of modernization and development from being forcibly taken over by Communist elites supported by militant Communist states employing the strategy of 'national liberation wars'."

The fundamental issue is whether we can find an effective answer to this new method of warfare—the device whereby China and North Vietnam can expand, almost by proxy, by promoting a so-called "people's war" of so-called "national liberation."

And what we are trying to do in Vietnam is to demonstrate that changes in Asia—and elsewhere in the world—are not to be precipitated by "outside" force. Some of us have forgotten rather quickly that it was not South Vietnam that set out to absorb North Vietnam, but rather the other way round. What's at stake for the U.S. in Vietnam is not freedom and democracy for South Vietnam, though this might become a happy by-product. The key point at issue is whether the U.S. can successfully resist and subdue a war of "liberation." Similarly, what's at stake for China is whether it can prove that the balance of power in the world can be changed by tunneling under the nuclear stalemate of the major powers. Peking's chosen instruments are North Vietnam and the Viet Cong.

Countering a foreign-sponsored "people's war" is a terribly complex business. Such a conflict usually carries a minimum of risks for the sponsor. It always is made to look like a revolution of rising expectations against the forces of retrogression backed by the U.S. American intervention is hard to justify because the lineup is so confusing, deliberately so, and the people's grievances irrefutable.

When Senator Russell says, "we should go in there, win and get out," one cannot help but feel that he and millions of others have not yet understood what Vietnam is all about. It is not that type of war. Classical wars with classical victories will probably never be seen again. The Communists are in for the long haul. And we should be, too. The other side will not abandon new methods of conquest until we have proved them unworkable.

In power politics—and that is still the name of the game—lines must be drawn somewhere, and if the U.S. doesn't draw them, who else in the Western world today would—or could? The alternative, it seems to me, is an isolationist Fortress America. What the U.S. is doing in Asia is no different, in basic principles, from what the U.S. helped the Europeans achieve during the past two decades: a line was drawn and Russia was contained and has now—in the words of Konrad Adenauer—"joined the ranks of those nations seeking peace in the world."

How long will it take to contain China, coax her out of her largely self-imposed isolation, and nudge her into more constructive endeavors? It could be another ten years or more. But evidence is accumulating that it might be shorter. I doubt whether Mao would be so obsessed with the need to prevent the next generation from becoming "Khrushchevite revisionists" if it were not already happening. In an attack on "anti-party elements," China's army newspaper has warned that unless they are defeated, it might be "perhaps only several years or a decade . . . before a counter-revolutionary restoration on a national scale inevitably occurred."

No other government in the world is run by such an old group of men. The average age of the Politburo is 68; of the much larger Central Committee, 61. And the next generation is already asking question, if only in the innermost recesses of their subconscious, questions about a seemingly interminable series of foreign policy reverses that stretch from the Congo to Indonesia.

Two years after Premier Chou En-lai toured Black Africa as a liberating hero, one black African country after another is expelling

Chinese operatives and/or severing relations with Peking.

Captured documents have now produced the evidence that it was on instructions from Peking that the Communist party tried to seize power in Indonesia last fall. And the ensuing bloodbath of revenge against Communism has made the Vietnam war seem mild by comparison. Indonesia was a deadly blow to Peking's strategy in Southeast Asia; the largest Communist party in the non-Communist world lies destroyed. We now see Indonesia negotiating an end to its military confrontation with Malaysia.

Other Asian countries have drawn a lesson from China's failures in Africa and the Far East, and the American commitment in Vietnam has helped to convince them that China's brand of Communism is not necessarily the wave of the future. Indeed, there is a world of difference between what some Asian leaders say publicly and what they concede privately. One of India's highest government officials told me that "if you give up in Vietnam we will most probably have to double our military presence in the Himalayas." No sooner said than he added, "but for the record I will go on saying you must get out of Vietnam."

Burma is another case in point. In Rangoon recently, Liu Shao-chi, the Chinese chief of state, could not get Burmese leaders, not noted for their pro-American sentiments, to sign a joint declaration condemning the U.S. for its actions in Vietnam.

For China—and its veteran leaders of the Long March—Vietnam is the crucial test of Mao's theories. It is also China's big chance to wreck America's entire position in Asia. If we hold our ground and Communist expansion is blocked—as it was in Malaya—the Chinese will have suffered another major foreign-policy setback. The dogmas will be shattered once and for all and we may at last look forward to change in Peking.

If we give in, what incentive will there be for China to change? We would probably have to start all over again two or three years hence, perhaps in Thailand, which is neither a better time nor a better place.

Policymakers in China and North Vietnam are convinced that the U.S. domestic front will eventually crack. They have seen thousands parade in front of the White House, some of them waiving the Viet Cong colors. They know that the Republicans are already mobilizing to make an issue of the war. They can see mounting criticism against a growing commitment in a war that Americans are told can only end in stalemate. They have read in The New York Times that "there is broad agreement about Vietnam in the U.S. . . . namely that the country wants out, and its representatives in Washington know it and agree, but it must be an honorable out." They also see the slippage in President Johnson's Vietnam "ratings." And they have just heard Representative Mendel Rivers, the influential chairman of the House Armed Services Committee, say: "We may have to make a decision damn soon" about whether to pull out altogether. Peking, which goes on depicting the United States as being on the verge of despair, undoubtedly believes that in another year or two U.S. public-opinion pressure to get out will have grown to the point where it won't care whether the "out" is "honorable" or not.

Vietnam has been publicly debated for months. I have just toured college campuses around the U.S. Besides the notion shared by only a minuscule fraction of students and faculty, that we should simply get back into our boats and planes and pull out, no alternatives were even suggested. Most seem to realize there is little chance of peace talks until there is a change of heart on the other side.

Time is not necessarily on China's side. The more China advances scientifically and economically, the greater the schism between die-hard dogmatists and those who have to get on with the job of running a huge country efficiently and coming to terms with the modern world. The passing of the revolutionary mystique will mean the new generation will have to open the window, just as Russia did.

"Therapy for Peking's present almost paranoid state of mind," writes Harvard's John K. Fairbank "must follow the usual lines of therapy: it must lead the rulers of China gradually into different channels of experience until by degrees they reshape their picture of the world and their place in it."

The claim is often made that there is no practical alternative to the eventual takeover of South Vietnam by the Vietnamese Communists; that the NLF is truly a national movement in tune with the aspirations of the people; that we are still losing ground militarily; and that the South Vietnamese don't want us. Such misrepresentations get bandied around as "fact" by prominent members of the intellectual community.

If Communism is so popular, why has the Viet Cong felt it necessary to assassinate more than 20,000 local officials? Three leaders of the National Students Association of America have returned from Vietnam reporting they found no sympathy for the NLF among Vietnamese students. If the NLF is the embodiment of national aspirations and its victory inevitable, how does one explain, as Buddhist leaders never tire of pointing out, that no one of prominence has joined the cause? If the NLF is indigenous to the South, how does one explain that it was created and is now controlled by Le Duan, after Ho Chi Minh the most powerful Communist leader in Hanoi?

If we are not doing immeasurably better militarily, how does one explain that Communist defectors for the first are now disclosing their unit locations and enabling U.S. forces to go in and hit them when they least expect it? Or that defectors, until the recent political crisis slowed up military operations, were running at the rate of 35,000 a year (up from 5,000 in 1964 and 11,000 in 1965)? Or that both prisoners and defectors, taken in widely scattered parts of the country, say they are physically exhausted, always on the move, with no campfires allowed at night, little food and haphazard supplies? Or that a recent survey taken among 500 prisoners showed that only 30 percent believed in a VC victory against 70 percent a year ago?

Little noted in the U.S. press earlier this year was growing evidence of indecision in Hanoi. An article by Defense Minister General Giap revealed considerable bewilderment over what he called the new factor of limitless American power which he concedes, in retrospect, thwarted the Viet Cong of imminent victory last year. American acceleration of the conflict, he warned, has "confronted the Vietnamese people with a very serious situation and the urgent task of mobilizing and consolidating all the people to fight on." Giap also admitted that victory over the United States was a long way off when the North Vietnam general wrote that "Americans have great military potential, are extremely stubborn, cruel and cunning and know how to draw lessons quickly from experience to contrive even fiercer * * * fighting methods."

Politically, however, the pessimists claim we are back to square one. They argue that the coming elections are disaster incarnate, as inherently absurd as an Ionesco play, and that they will be followed by a neutralist government that will go through the motions of proclaiming its anti-Communism and at the same time thank the U.S. for its services while making clear they are no longer required.

I personally see the rapid political evolution as a drive to reassert Vietnamese sovereignty. Premier Ky and his fellow generals (and some U.S. advisers), quite unwittingly, have helped the various religious groups to surface as the true spokesmen for the people. This is basically a healthy development. The Buddhists (about 80 percent of the population) are indeed an indigenous movement. They have no love for the West in general and the U.S. in particular—but they have no use for Peking or Hanoi either. Their leaders have said over and over again that no Communist party in Asia can live in harmony with other political parties. The last thing they want is for the U.S. to leave or stop fighting the Viet Cong until they are sure of a secure, independent, internationally guaranteed future.

The Buddhists would like to become the nucleus for a popular majority that might serve as the basis for an honorable settlement. And when and if negotiations do get underway with the Viet Cong, their only high card is America's presence. Anti-Americanism, therefore, is worrisome, not alarming.

The big question in my mind is whether the American people will have the patience, the staying power and the far-sightedness not to hand China's present leaders something they could misconstrue as a victory after an unbroken line of setbacks at home and abroad. During this holding and waiting period, we could do a lot worse than heed the President's appeal to "come together as a people and as nation" to support the government's policy.

[From the Saturday Evening Post]

WHY WE CAN WIN IN VIETNAM

(By Joseph Alsop)

In Vietnam, great numbers of Americans are now committed to a war which very few Americans even begin to understand. Most of us, of course, have a fair understanding of the issues our troops are fighting for, but only a tiny minority understand the war itself.

This has struck me with increasing force after every one of my more recent visits to Vietnam—and I have been there 16 times since 1953. People talk about other matters such as the chops and changes of politics in Saigon, where the Communists might manage an eventual victory—although I do not think they will. No one ever mentions the fairly desperate combat problems that now face the Viet Cong. No one analyzes the present strategy of our brilliant field commander in Vietnam, Gen. William C. Westmoreland. No one refers in any way to what is currently happening on the battlefield. Yet the battlefield is where our own best hope of victory lies.

The whole pattern of the fighting, as it happens, is still determined by an almost successful gamble that the Communists made to win the war last year. Hence we must backtrack a bit at the outset in order to see the timing, the nature and the risks of this enormous Viet Cong gamble, to make what happened reasonably comprehensible.

Many normally well-informed persons still believe that a Communist guerrilla movement like the Viet Cong is something spontaneous—halfway, let us say, between a misguided patriotic society and a nationwide game of cops-and-robbers. From their first obscure guerrilla origins, however, the Viet Cong have been a second government of South Vietnam, and they still are. Furthermore—and here is the important point—this clandestine Communist second government has all the fiscal, economic, manpower and other problems that plague any normal government. Since this is also a government at war, the V.C. second government's biggest problem is naturally to recruit, equip and maintain its armed forces. This has always been the biggest problem, and its difficulties caused the Viet Cong gamble already mentioned, which was decided on in late 1963 after the coup d'etat against South Vietnamese President Ngo Dinh Diem.

South Vietnam in the summer of 1963 was a country in which every province had its own civil war, with the Saigon government controlling the provincial capitals and a good many villages, with the V.C. second government controlling a good many other villages, and with troops of both sides in the field everywhere. By that time, there was a Viet Cong provincial battalion of about 500 men operating in each of Vietnam's 43 provinces. There was a Viet Cong district company of about 150 men operating in each of at least 250 of the administrative districts into which the provinces are subdivided. And in each of several thousand V.C.-controlled villages and hamlets, there was a Viet Cong guerrilla band of 20 or 30 men to maintain local discipline and to harass friends of the established government in neighboring villages and hamlets. All these V.C. soldiers—about 50,000 in the local forces and 110,000 in the guerrilla bands, or approximately 160,000 men in all—had to be paid and armed and kept supplied with ammunition and much other matériel, and all but the minority of strictly part-time guerrillas had to be provided with rations as well. Salaries and rations also had to be found for tens of thousands of Viet Cong in essentially civilian occupations, ranging upward from humble couriers and tax collectors, through secret policemen and the personnel of the medical services, to the awe-inspiring members of the Communist Party's central committee for South Vietnam in their remote jungle lair near the Cambodian border.

In addition, this second government was deeply engaged in a big and costly program of military public works. The rule books for guerrilla war, written by Mao Tse-tung and his remarkable Vietnam Communist pupil, Gen. Vo Nguyen Giap, lay down an absolute requirements for guerrilla main bases in areas immune to penetration by hostile troops. The mountainous jungle-covered and swampy tracts of South Vietnam provide splendid terrain for many such main-base areas. But barracks, hospitals and numerous other facilities had to be secretly built within these fastnesses. Wherever the ground was suitable, the main bases also had to be fortified by an almost inconceivably antlike program of digging and tunneling; and although *corvée* labor from V.C.-controlled villages was used for this purpose, the hundreds, even thousands of men in the *corvées* at least had to be given rations while away from home. Finally, all the main bases had to be prestocked with medical supplies, ammunition and food. This was an enormous undertaking in itself. A single underground cache found last year, for instance, contained no less than 2,000 tons of rice. Since the cache was in a huge hole approachable only by a narrow tunnel, all this rice had evidently been carried in on men's backs, bagful by bagful.

Early in 1963, moreover, the first main forces—their nature will be explained in a moment—had begun to be mobilized in the main-base areas. Therefore, long before Diem was assassinated in November, 1963, the Viet Cong leaders had to meet a pretty imposing total budget. Their clandestine second government then controlled no more than about four million of the total South Vietnamese population of 17 million. Few legally established governments of countries having only four million people manage to keep more than 160,000 men under arms at all times, even if their soldiers are paid the merest pittance, as are the soldiers of the Viet Cong.

Such was the position when the Diem regime was brought down by an army coup, and almost the entire structure of government control abruptly came to pieces, for a while, in almost every province. The Viet Cong were thus enabled to surge forward everywhere, and this led to the decision to begin organizing main forces on a really big scale.

Like everything else the Viet Cong had done up to that time, the move to organize the main forces was strictly in accordance with the rule books of Chairman Mao and Gen. Giap. Main forces (the classification is Mao Tse-tung's) bear little resemblance to the simple guerrilla bands that almost everyone envisions when the Viet Cong are mentioned. They also differ sharply from the local forces—the provincial battalions and district companies, which are already well above the guerrilla level—for the main forces have no permanent regional attachments, and their units are much larger and more heavily armed. In fact, they almost exactly resemble regular troops in a regular army. According to the Mao-Giap rules, these main forces have two functions: to help the local forces and guerrillas increase the pressure everywhere, until the established government is visibly hanging on the ropes; and then to strike the knockout blows in big set-piece battles like that which finished off the French at Dienbienphu.

Witn more than 160,000 men already under arms, and with the additional organization of something like a brand-new regular army now decided upon, the V.C. second government obviously had its work cut out. At the outset, all went easily enough. In the secret main-base areas, with their palm-thatched barracks, their deep-dug, jungle-hidden fortifications and their painfully accumulated supply caches, large numbers of Viet Cong cadres and recruits were now assembled for regimental training. The new main-force regiments had a strength of around 1,500 men each. In design they were roughly comparable to regular light-infantry regiments of 30 or 40 years ago, and they had the capability of being joined together in light-infantry divisions for the knockout blows that were expected later. Each regiment was given an attached porter battalion of about 500 men to handle its local supply and transport. To get all these men, recruiting was stepped up in all the V.C. areas of South Vietnam. A major expansion of the supply movement from North Vietnam, down the Ho Chi Minh trail and along the sea-smugglers' routes, was also undertaken to provide the new regiments with their 57 mm. recoilless rifles, heavy mortars, antiaircraft guns and other crew-served weapons. And many more specially trained cadres were brought down from the Communist North to become officers and noncoms.

By New Year's Day of 1964, at least five of the new main-force regiments already had been recruited, armed and trained. By this time, too, because of their post-Diem surge, the Viet Cong controlled perhaps five million to six million people. Even so, however, the second government's base in the countryside—the Viet Cong infrastructure, as our intelligence officers call it—was still too small to support the ambitious military superstructure that was planned. To complete the plan, the masks had to be dropped. This was the Viet Cong gamble. If Gen. Westmoreland's strategy attains the hoped-for results, this dropping of the masks will be remembered as the moment when the Viet Cong began to lose the war. But it did not look that way at the time.

Until 1964 the Viet Cong had always worn two masks—one to deceive people abroad, the other for the South Vietnamese themselves. For foreign eyes, they had worn the mask of an indigenous movement of social discontent. However, as early as 1956, Le Duan, now first secretary of the Communist party of North Vietnam, had gone south to make preparations for the beginning of guerrilla war, with the aid of many thousands of cadres whom the Communist government in the North had ordered to go underground in the South when the French war ended in 1954. From Le Duan's arrival onward all the higher direction of the V.C. had come from Hanoi. The northern Communist government had also provided large quantities of military equipment and had secretly sent further tens of thousands of cadres to the South to aid and guide the struggle there. But all this was hidden well enough that those who wished could go on claiming that this was "just a civil war."

The other mask, worn to deceive the simple people of South Vietnam, was vastly more important and valuable to the V.C. This was the mask of amiable agrarian reformers—the same mask that the Chinese Communists had worn with such success until they got control of China. Until the critical period we are now examining, the Viet Cong also wore this mask with great success, thereby gaining rather solid popular support in their "liberated areas" and seriously softening up every contested area. The success ultimately depended, however, on something much more important than Communist propaganda or V.C. land reform. It depended on a convincing pretense of government by consent, which was impossible without a considerable degree of real consent. To gain this degree of consent, the Viet Cong promised the peasants, again and again and with utmost emphasis, that there would be *no* V.C. taxation and *no* V.C. conscription.

These promises were approximately kept until the year 1964. Devious, even cruel, tricks were often resorted to, of course. A potential recruit's government identity card would be stolen, for example, and he would then be frightened into volunteering by warnings that the government police would shoot him as a Communist if they ever picked him up. Or an obstinate noncontributor to the Viet Cong war chest would be "struggled with" by V.C. cadres before all the people of his village, and if this public brainwashing did not get results, he might then be shot in the back of the neck as a "spy for the reactionaries and imperialists." But in the main, the V.C. military outfits really were manned by volunteers, which made the average outfit both tough and highly motivated. And in the main, besides road tolls, market tolls and the like, the V.C. tax collectors only asked the people of the villages for "voluntary contributions," which meant that the burden on the peasantry was light and easily bearable.

The trouble was that this semivoluntary system reached its limit with the creation of the first five or six main-force regiments, as did the system of largely concealed aid and direction from the North. If the masks were retained, enough men and resources to complete the war plan simply could not be secured, and both masks were therefore boldly and simultaneously dropped. Beginning in 1964, all the main forces and many of the provincial battalions were completely reequipped with the new 7.64 mm. family of Chinese-made weapons, which required a supply movement from North Vietnam too big to be hidden any longer. At the same time, preparations also began for the eventual invasion of the South by complete units of the North Vietnamese regular army. Thus the pretense was abandoned that this was "just a civil war." At the same time, and incomparably more important, the pretense of governing by consent was also quite ruthlessly abandoned.

The repeated Viet Cong promises that there would be no V.C. taxation and no V.C. conscription became dead letters. Taxes were sternly imposed on the people of the villages. Quarter by quarter the Viet Cong increased these levies until they became cruelly burdensome. Universal military service was proclaimed for all males from 18 to 36. As the manhunt progressed, the Viet Cong press gangs began rounding up boys of 14 or 15.

All this was a gigantic gamble, for the V.C. had now broken the first and most sacred rule of Mao Tse-tung: Popular support of the guerrilla movement must never be endangered until the final victory. But the Hanoi leaders and the V.C. high command clearly believed that the gamble could never go sour, simply because they were so certain of an early victory—after which, of course, any grumbling in the villages could be dealt with by secret police.

To insure the expected victory, they brought off a feat probably without parallel. Although they were still no more than the second government of South Vietnam, the Viet Cong between January, 1964, and the early spring of 1965 wrung from the unhappy villages enough men and resources to increase the V.C. main forces to 24 regiments. complete with porter battalions, or the equivalent of eight army divisions. Even so, this was not enough to meet the war plan's requirements. Hence the second government undertook the considerable further responsibility of maintaining and providing porter battalions for two complete divisions of the North Vietnamese regular army, the 325th and the 304th, which covertly invaded South Vietnam in late 1964 and early 1965. By the spring of 1965, therefore, besides 160,000 troops in the V.C. local forces and guerrilla bands, the second government could boast a main-force army of the strength of 10 light-infantry divisions. And this new army, with its porter battalions and longer range supply detachments, numbered close to 80,000 men. The achievement was astonishing, but the price was heavy. One can imagine the Viet Cong finance minister—they have one, even if his name is not publicly known—groaning when he learned the true scope of the main-force program. And one can all but hear his colleagues airily telling him not to worry, because victory was just around the corner.

It is almost unknown in America, but the truth is that a Viet Cong victory really was just around the corner in the late spring of last year, months after the situation had been supposedly saved by President Johnson's decision to bomb North Vietnam. Throughout the spring of 1965 almost the whole South Vietnamese army was firmly pinned down in the provinces by the urgent requirements of local defense. In those spring months almost the whole of the army's slender mobile reserve, 13 South Vietnamese ranger and Marine battalions, was also being chewed up by new main-force regiments. By mid-June, after the bloody fight at Dong Xoai, about 60 miles from Saigon, only three of the government's reserve battalions remained in good combat trim. Meanwhile, the Viet Cong had an uncommitted central reserve equivalent to at least five divisions in their main-base areas. No reserves on one side, strong reserves on the other, meant, of course, that the V.C. could win province after province by concentrating in heavily superior force wherever they chose to do so. In this manner they could count on rolling up South Vietnam like a carpet before the summer ended. Then President Johnson upset their calculations by ordering the commitment of U.S. troops on a big scale.

This order had all the elements of a brilliantly successful, if wholly unintentional, ambush, and like every good ambush, in the first place, it was a complete surprise. There had been an earlier surprise in February, when the President gave the order to bomb the North after the Viet Cong attack on the Pleiku barracks. But this second surprise was quite as complete as the first, and it was far more terrible.

Nor was this all. Effective ambushers must never attack the head of a column, nor hold their fire until the column has passed—either way, some of the enemy column may escape. But to open fire on the middle of the column insures that the ambushees can neither advance nor retreat, but must stand and fight and be annihilated. It was this effect that President Johnson's order unwittingly achieved.

In order to see why this was so, it is only necessary to consider what would have happened if the President had committed American combat troops in Vietnam rather more than a year earlier, when the Pentagon first urged him to do so. In that spring of 1964, the harshest and most burdensome period of the second government's main-force program still lay in the future, and the Viet Cong had barely begun to drop their masks. It would still not have been too late for a convincing reassumption of the Viet Cong mask of agrarian reformers, with no need for heavy taxes or press-ganged conscripts. The V.C. could therefore have pulled back and dug in for many more years of less intensive war, on the classical, slowly erosive, elusive guerrilla pattern that they understand so well. There can be no doubt that this is precisely what the Viet Cong would have done if the President had in fact committed U.S. troops a year earlier. The rule books are very strict about this: Mao Tse-tung strongly emphasizes the need for any guerrilla movement to be ready to retreat at once if the conditions of the struggle unexpectedly develop in an unfavorable manner.

But the Viet Cong could not follow this pull-back rule when Johnson at last committed U.S. troops, because the V.C. had already breached Mao Tse-tung's cardinal rule against alienating popular support before the final victory. It is not easy, after all, for any government, legal or clandestine, to pull back and to ask its people to fight onward indefinitely, if the most sacred promises have been broken, and if this has been justified by assertions that the war will end in triumph in a few weeks or months. It is very dangerous, too, for any guerrilla movement to dilute its fighting units with unwilling conscripts, as the Viet Cong had done. In the early summer of 1965, this danger was demonstrated by a first trickle of Viet Cong desertions, previously all but unheard of—a trickle that has now become a near hemorrhage in some units and some areas of Vietnam. Above all, there was the danger in the countryside, where heavy taxes and press-gang conscription had caused the people's former propagandized consent to be widely replaced by sullen acquiescence. This danger was also being demonstrated by the tens of thousands who were refusing to acquiesce. And these people, fleeing from "liberated areas" to government areas, have now become a pitiful refugee army of nearly a million men, women and children. Their flight has even begun to leave the V.C. areas seriously short of hands to till the crops. For these reasons, it was much too risky to pull back, and the second government made its defiant choice to continue the war in the main-force phase.

The same basic considerations that led the Hanoi and V.C. leaders to make this choice also led Gen. Westmoreland to adopt his strategy of "seeking out and destroying" the Viet Cong main forces. When the President's troop commitment abruptly gave Westmoreland the responsibility for turning the tide and winning the war, this careful yet inspired soldier had been studying the Viet Cong for many anxious months. Obviously the V.C. and North Vietnamese main-force regiments, being heavier outfits that could be located and engaged with greater ease, were the most suitable military targets for the incoming American troops. Gen. Westmoreland's chief reasons, nevertheless, for concentrating on the main forces were—and are paramilitary. Westmoreland reasoned that the Viet Cong had made themselves politically vulnerable by breaking the first rule of Mao Tse-tung, and that this vulnerability would increase as war pressures force the V.C. to take more rice and more conscripts from the long-suffering villagers. He believed, therefore, that the already severe strains on the V.C. second government could be increased until its entire structure would crumble. And he planned to precipitate this general breakup of the second government's structure by breaking the main-force backbone of the V.C. Time alone can tell whether Westmoreland is right, but he most certainly still believes he will be proved right—if the accidents of Saigon politics do not tragically forestall the proof.

We have now examined two of the three main parts of the war's military pattern—the gamble taken by the V.C. second government to create its main forces and the ambush effect of President Johnson's troop commitment. If the Viet Cong had not gambled by breaking Mao's first rule on popular support and if they now had a less burdensome and more flexible military organization, I should be making a very different military prognosis.

But these conditions do not now exist in Vietnam, because the rules have in fact been broken. And more rule breaking is the essence of the third part of the war's military pattern, which is the acuteness of the combat problems now besetting the V.C. For the Viet Cong leaders, beyond doubt, this is the pattern's most painful part, since their entire experience has taught them to put an almost religious reliance on the simple fighting rules laid down by Giap and Mao. These tactical rules worked brilliantly well for Mao in China, and for Giap against the French and for the Viet Cong themselves until last year. They built the record, in fact, that still leads people to repeat solemnly that "regular troops cannot defeat guerrillas." Yet these closely studied, carefully defined tactical rules for guerrilla war have all but begun to work in reverse in Vietnam nowadays. This is the most far-reaching single result of the U.S. troop commitment.

Consider, for example, "old never-fail." In the years before 1965, "old never-fail" was the sardonic name used by American officers advising the South Vietnamese army for the guerrillas' surprise-attack-plus-ambush combination. This combination was the principal offensive tactic of the Viet Cong, accounting for over 80 percent of their more showy and damaging victories during all the years when the war was going well for them. First would come the predawn news that mortar shells were falling on an isolated government post, which was surrounded by a strong V.C. force that had crept up under cover of darkness. The government's province chief (the military governor) would hastily organize a relieving force, and the column of troops would move out, as dawn began to break, along the wretched, narrow road leading to the post under attack. Then would come the report that the relief column had been ambushed by another strong V.C. force which had slipped into positions commanding the road's most dangerous sector. Next the radio would fall ominously silent, meaning, of course, that the post under attack had also fallen. And so the government's forces would be further eroded and demoralized, government control would be reduced, and V.C. power and authority would once again grow proportionally.

But "old never-fail" began to work very differently with the end of the rather primitive situation envisioned by Mao and Giap—a situation in which the government had few heavy guns, only the barest minimum of air power, and no air-mobile infantry. This situation ceased to exist in South Vietnam last year. First, a network of heavy-artillery positions was thrown over most of the country, and these were linked by good communications to every government post in the populated areas, and to most of the more remote posts as well. Second, after Pleiku the President not only ordered bombing of the North, he also authorized direct use of American air power in the South, thereby multiplying the air strength the Viet Cong had to face. And finally, the American troop commitment vastly multiplied the helicopters available for troop lifts.

Today when the Viet Cong attempt "old never-fail," as they still frequently do, the ambushers generally discover that they are really ambushees. The post chosen for surprise attack at once calls in the heavy artillery, and the big guns inevitably slow down the assault. When dawn breaks, U.S. fighters and fighter bombers make their appearance, guided by spotter planes, and unless the Viet Cong break off the attack, they become exposed targets for decimation from the air. If the situation warrants, there may also be a heli-lift of infantry, either to cut off the V.C. surrounding the post, or to take the V.C. ambushing force in the rear.

"Old never-fail" has certainly not become "old always-fail." Nor have their novel tactical handicaps taken all the fight out of the Viet Cong, any more than their widespread loss of popular support has deprived them of the active help of the 10 to 15 percent of genuine Communist converts in their "liberated areas." Only recently they were able to bring up two artillery batteries for an attack on the very outskirts of Saigon—which did not succeed, but did cause much disquiet in the city. And terroristic acts continue in most provinces at a very high rate.

Yet it is deeply meaningful that in the months from last September—when the U.S. troop commitment began to have a serious impact—until late April, when these words were written, the record shows only two victorious V.C. operations much above the petty-terror level. These were the annihilation of a South Vietnamese regiment in a Michelin rubbber plantation early last winter and the more recent capture of the isolated Special Forces post at Ashau on the Laotian border. By contract, the Viet Cong failures have been too numerous to be recalled. These failures have vastly greater meaning, moreover, than might be surmised from newspaper stories of body counts of 50 enemy dead here, 100 in another place, and in another place above 200, after a Viet Cong or North Vietnamese assault has been beaten back. These stories mean that the V.C. are now regularly breaking the next-most-important guerrilla rule after the rule about always retaining popular support.

As Mao and Giap both emphasize, any guerrilla movement lives and grows and has its being by success. Great failures may perhaps be precariously survived, as happended in China at the time of the famous Long March. The rule books nonetheless enjoin guerrilla commanders always to prefer the mere assassination of a village elder to the dramatic capture of a district town, if it is thought that the attempt on the town may risk defeat. Yet the Viet Cong have been floundering forward with great obstinacy and considerable courage, from failure to bloody failure for many months, with few military successes.

These changes in the tactical situation have quite directly affected every type of Viet Cong unit, whether main-force, local-force or guerrilla—for the guerrilla bands are almost always ordered to support the larger operations in their neighborhoods. The main forces—Gen. Westmoreland's prime targets—are the units chiefly affected by another change of great significance. Life in a main-force regiment once offered a good deal to tempt an ambitious young Vietnamese. He belonged to a crack unit, which was a matter of pride. He had been taught to believe in an early victory, and as a main-force soldier he could expect personal advancement when victory was won. Above all, he did not have to endure prolonged hardship. Two or three night marches out from the base, one or two days of fighting at the scene of his regiment's operation, and two or three night marches back to his regimental main-base area—that was about the maximum effort that was normally required each month. The balance of every month was spent resting, training, absorbing replacements and doing meticulous sand-table exercises to prepare the next sally against a government post. And all these weeks between operations were passed in the absolute security of a main base, with its simple but comfortable barracks, its reassuring fortifications, and its food caches.

Today, however, this quite bearable existence has suffered a savage transformation. It began when Gen. Westmoreland called in the B–52's of the Strategic Air Command, with their immense loads of heavy bombs that can penetrate even fortification tunnels 30 feet below ground. Daily since late last summer, the B–52's have been hammering the main-base areas, with such effect, as captured documents have revealed, that the main-force regiments are now under strict orders to spend no more than one night, or at most two nights, in the same place. Long gone, therefore, are each month's restorative stretches of orderly barracks life.

Night after night, the main-force soldiers must bivouac in the jungle or on the mountain slopes. Every day or every two days there is a toilsome march to the next bivouac. These movements cause supply problems, and the men sometimes go hungry. There is little time for rest or training, or any of the other things that keep an outfit happy and in combat trim. In addition, as the American forces in Vietnam have grown stronger, there have been more infantry sweeps through the main-base areas—many of which had not been visited by hostile troops since the beginning of the French war. Supply caches that took months, even years, to accumulate are found and destroyed by our men. Fortifications representing hundreds of thousands, even millions, of man-hours of hard work are discovered and greatly damaged, if not always totally destroyed. V.C. outfits that have sought the base areas' security must either flee or stand and fight against hard odds. In these ways still another cardinal Mao-Giap rule has been broken—the rule that a successful guerrilla movement needs completely secure bases. Without this minimal security, Mao says, any such movement must automatically "deteriorate" into a mere "peasant revolt" which "it would be fanciful to suppose" could "avoid defeat."

From the foregoing follows the final profound change in the V.C. situation. In Vietnam the intelligence gathered has always been substantial, but the South Vietnamese formerly had no way to process intelligence as it came in, much less to respond to it promptly. Nowadays, in contrast, the intelligence gathered has multiplied many times over, partly by freer reporting by the people of the countryside, partly by mechanical means such as airborne infrared devices that spot main-force campfires and the like, and partly by the enormously increased numbers of deserters and prisoners of war. Furthermore Gen. Westmoreland's headquarters has now set up something like a Vietnamese-American intelligence-processing factory, capable of handling several tons of captured documents and several hundreds of interrogations in a single week. Thus it is no longer a case of blind men fighting men who see all too well, as it was for so many years.

The new eyes of the intelligence can even penetrate main-base areas well enough so that each B–52 strike has proved to have an even chance of finding its pinpoint target of barracks and fortifications within the huge surrounding tract of swamp or jungle or mountain forest. Movements of Viet Cong units are also being swiftly tracked if luck is good and the movements are fairly big. Sometimes we have no luck, as with the recent attack near Saigon. Yet good intelligence enabled Gen. Westmoreland to mount no fewer than eight uniformly successful spoiling operations against long planned V.C. attacks in a recent period of only a few weeks. Thus another crucial rule is being broken pretty frequently, for both Mao and Giap lay great emphasis on all guerrillas' need to move absolutely unseen, while watching the smallest enemy movement. Inasmuch as such texts as Mao Tse-tung's *On the Protracted War* and Vo Nguyen Giap's *People's War, People's Army* have always had the standing of scripture for both the Viet Cong and the North Vietnamese, the Mao-Giap prescriptions' rather monotonous failure to work nowadays must be a very shaking thing in itself. The Viet Cong soldiers must be greatly shaken too by the failure of their leaders to find substitute prescriptions that work a bit better. Nowadays a Viet Cong battalion commander getting his orders for another surprise attack-plus-ambush must have the same sinking feeling that the government's province chiefs always used to have when word came in of another predawn assault on an isolated post. For the long pull, an unending diet of many big and little defeats, with only the rarest success to raise the spirits, can in itself prove fatal to the Viet Cong. The strain of declining morale is already grave, as prisoner interrogations reveal, and this strain is bound to increase if Gen. Westmoreland is allowed to pursue his strategy.

These are the principal factors that control the present pattern of the fighting in Vietnam. I would be less confident of their great significance if I had not closely watched the trend of the fighting. When I visited Vietnam in the spring of 1965, one could easily discern American air power's effects on the Viet Cong. But it was equally easy to see that air power alone was not enough, and that the V.C. would win during the summer if the President did not commit U.S. ground troops.

When I visited Vietnam again last September, the full impact of the initial U.S. troop commitment was really beginning to be felt. The fine Marine victory at Chulai had taught the Viet Cong that Americans were not "paper tigers" after all—at any rate, not on the field of battle. The first B–52 raids on the main bases were beginning to show impressive results. It was already clear that the tide had turned, but it was by no means clear as yet how the Viet Cong and their masters in Hanoi would deal with this alarming change.

On this key point there was some divergence between Gen. Westmoreland and the majority of his staff. Westmoreland already suspected that the President had achieved an unintended ambush, and he therefore doubted whether the Viet Cong were free to follow Mao's rules of "advance and retreat." His staff members were almost unanimous in expecting the Viet Cong to follow the rules. This was a disturbing prospect, for a return to classical guerrilla fighting was bound to mean American troops endlessly marching through jungle and over mountains in frequently vain pursuit of mere companies of the enemy. Westmoreland's staff asked "whether the people at home would stand for an endless penny-packet war." If there was any way at all to exhaust American patience and fortitude, endless penny-packet war was surely the most likely way.

These worries were shown to be ill-founded in October, in the obstinate battle for the Pleime Special Forces post, and in the subsequent fighting in the Ia Drang valley, which continued into early November. For days on end, with superb courage and endurance, a small band of men of the Special Forces, both American and Vietnamese, took on and hurled back a greatly superior number of troops of the V.C. main forces. When the

Pleime outpost had been relieved at last, the scene shifted to the Ia Drang valley. Here the men of the 1st Air Cavalry engaged an entire North Vietnamese division, composed of the 32nd regiment, the 33rd regiment, and the 66th regiment, with two V.C. main-force regiments in occasional support. Even by mid-October the number of American combat troops on the ground was not large, and Maj. Gen. Harry Kinnard, commander of the 1st Air Cavalry, could not afford to overcommit his vital division. Hence he never put into the line more than two battalions-plus, the battalions in combat being rotated by helicopter as the fighting went on. On our side, therefore, we did not have as much as a full regiment engaged at any one time, whereas the enemy had three regiments always engaged, with two more to aid them.

As must happen, alas, in battle, 275 men of the Air Cavalry were killed in the weeks the action lasted. But we have since captured the enemy's complete battle plans, and we also have a post-battle critique by the North Vietnamese commander on the scene, who has the pseudonym of Gen. Bai Quan. This evidence reveals that in this single battle the enemy lost the staggering total of 5,000 killed and severely wounded, as well as almost all his heavy weapons. By any test this victory against such odds was a shining feat of U.S. arms, all the more noteworthy because these were near-green American troops.

After the Ia Drang valley no one could any longer believe in an intended Viet Cong pull-back to low-level guerrilla activity. If the V.C. could not or would not pull back, it was clear that they would have to try to go forward. Furthermore, there was increasing evidence of a massive, continuing invasion of South Vietnam by North Vietnamese regulars coming down the Ho Chi Minh trail. Reconnaissance also revealed that the North Vietnamese were urgently improving the trail to make it a truckable highway.

In November, therefore, Hanoi's apparent intention to reinforce the Viet Cong to the utmost led Gen. Westmoreland's staff to make carefully revised estimates of the enemy's maximum capabilities—the maximum military buildup the North Vietnamese government and the V.C. second government could achieve and support. These estimates projected a continuous growth of the enemy main forces in South Vietnam at the rate of two regiments per month until the end of 1966. In other words, the main forces, which had a strength equivalent to 10 divisions when the President committed U. S. troops, were projected to grow to a strength equivalent to about 18 divisions before next New Year's Day.

This projection by Gen. Westmoreland's staff was presented to Secretary of Defense McNamara when he visited Saigon at the end of November. It of course implied a need for a good many more American troops to match the enemy's expected increase of strength. For this reason the new estimates caused a panic in Washington when Secretary McNamara brought them home. Out of the panic grew the President's peace offensive, the pause in the bombing of the North, and other manifestations that presumably helped to renew the Hanoi leaders' slumping faith in their basic theory of American weakness of will. The question remains whether the panic was justified. I think it was wholly unjustified.

My chief reason is based on the situation I discovered when I returned to Vietnam for my most recent visit in February. On the one hand, all was far from perfection on our side. The stability of the South Vietnamese government could certainly not be taken for granted. And the President's hesitant and intricate methods of war-making, combined with the manifestoes of the war's senatorial and other critics, had deprived our men of the absolute confidence in their support at home that American troops in combat always ought ideally to have. On the other hand, however, these imperfections, though serious enough, were powerfully counterbalanced by the situation of the Viet Cong.

The refugee flow from the V.C. areas was increasing; by the end of February the total was nearing 800,000 men, women and children, or close to one sixth of the population that the V.C. had controlled at their high point. Viet Cong propaganda was already publicly denouncing the refugee movement as an imperialist plot to diminish the rice supplies available to the second government's tax collectors. There were symptoms that the V.C. second government's available pool of conscripts had already begun to dry up in more than one province. In Gen. Westmoreland's highly successful Masher-White Wing operation, the two prime-target regiments, the 18th of the North Vietnamese 325th division and the 2nd V.C. main-force regiment, had come south into Bindinh province with the primary intention of taking the offensive—instead they were so badly knocked about that they were put out of action for several months. But P.O.W. interrogations revealed that these regiments' southward move from Quangngai province had the secondary purpose of securing badly needed replacements, since the press gangs had been coming back almost empty-handed.

When I went down to the delta town of My Tho, I discovered the sad plight of the most famous V.C. provincial battalion in Vietnam, called by Hanoi radio the "Ever Victorious Ap Bac Battalion" in memory of a smashing success in the past. The "Ever Victorious" had just suffered two drubbings within two months by the local South Vietnamese troops. Furthermore—and much more revealing—the battalion was now afflicted, according to a large number of defectors, with a desertion rate well above 60 percent per year. Each province in Vietnam is markedly different from the next province, and symptoms in Quangngai and in Dinhtuong, the stamping ground of the "Ever Victorious" must never be exaggerated into nationwide symptoms, yet all this evidence was pretty impressive nonetheless.

The provincial evidence and the immense refugee movement were impressive, above all, because they had no precedents. Even more impressive, and equally unprecedented, was the evidence of the many battlefields. Until hardly more than a year ago, just one Viet Cong prisoner of war or battlefield deserter was so rare a phenomenon that Saigon would be agog about him for days on end, and it was also a real cause for celebration if as many as four or five enemy dead were found on the field of battle. Even today the V.C. and North Vietnamese have not altered the battlefield discipline that requires all killed and wounded to be carried away by their comrades, any more than they have changed their rules against desertion. After the Chulai fight, a couple of hundred Viet Cong corpses were found hidden in a trench where they had been dragged with butchers' meat hooks. More recently, V.C. P.O.W.'s have turned up with loops attached to their clothing to make dragging easier in case of need—a prebattle precaution which must surely raise fighting spirit in a wonderful manner. Thus while others might be unimpressed, I, remembering the quite recent past, was left all but incredulous by the almost daily body counts of enemy dead abandoned on the battlefield, and by the constant news of prisoners of war and battlefield deserters.

It is also worth noting that in the two months of January and February, the body counts reached a grisly cumulative total of 7,352 enemy dead. This means that the true total of enemy killed in action was certainly above 10,000, for although counts made in combat must be discounted for accidental duplication, a big addition must also be made for enemy dead dragged away in continuing compliance with the old discipline. It is also conservative to assume that the total of the enemy's disablingly wounded was double the total of those killed. Hence the overall figure for enemy dead and disabled in January and February alone was probably above 30,000. To this must be added 1,100 P.O.W.'s and battlefield deserters—the latter being troops who seize the opportunity of battle to squat down in a ditch until they are overrun by our men.

To be sure, not more than half these heavy V.C. losses were soldiers of the main forces, for many were porters, guerrillas, local-force troops and even civilians impressed as temporary porters. But even so, it was abundantly clear that the main forces were being very badly knocked about. This was all the more striking because the Ia Drang experience had taught the Viet Cong and North Vietnamese commanders not to court any more set-piece battles. Engaging main forces had therefore become more difficult, since they in most cases had first to be sought out. Altogether the "seek out and destroy" strategy struck me as succeeding beyond all expectations. What is more important, this opinion was—and is—shared by Gen. Westmoreland.

If you look at this war's military aspect without regard to such political factors as instability in Saigon, or hesitancy in Washington to give full backing to Gen. Westmoreland, you have to conclude that the situation is full of promise. To be sure, the enemy is still reinforcing at about the rate projected in the November estimates. To be sure, the very fact that the enemy is still reinforcing means that clearly he intends to use his reinforcements in battle. So there is hard fighting still ahead. But if you make a practical analysis of the V.C. second government's problems, you are driven to conclude that the present enemy reinforcement is like one of those last high raises that losing players sometimes make to frighten their opponents out of a poker game.

The limit on the number of troops the North Vietnamese Communists can send southward is not yet in sight, but the limit is quite clearly in sight on the number of troop units the V.C. second government can sustain in the South. This is why it is wrong to talk about an "unlimited war," and this is also the main reason for believing that we are confronted with something like a desperate last high raise in poker. If you examine the projection of enemy-troop buildup made by Gen. Westmoreland's staff, you find, first of all, that most of the buildup is accounted for by a very large additional invasion of the South by North Vietnamese. This is risky in itself, since many of the southern rank and file of the Viet Cong much resent the overt northern takeover in the South. Second, you find a very puzzling anomaly, in the form of a great increase in the burden of the already overburdened V.C. second government.

In the spring of 1965 the strain of supporting main forces of a strength of 10 divisions was already severe. If the enemy buildup continues until the end of this year as projected by the Westmoreland staff, the strain will be nearly twice as great, for the V.C. second government will be supporting main forces of the strength of 18 divisions. All the strictly military personnel of the main forces are now coming from North Vietnam—but this was already the case in 1965. But now, on the one hand, the V.C. second government has a reduced productive and manpower base, primarily because of the refugee movement. And on the other hand, if the buildup continues as projected, the second government is eventually going to have to provide the main forces with nearly twice as much rice and each month, with at least double the number of men to fill gaps in the regimental ranks, and with close to double the number of men or women (for women are now being drafted for this purpose) to serve in the ported battalions and the longer range transport detachments. If the strain was already severe in the spring of 1965, what then will be the strain on the V.C. second government by December, 1966?

The answer, I think, is that the present enemy reinforcement has behind it a truly desperate decision—a decision, in fact, to throw in all remaining reserves, and to consume all the remaining stocks of food and other supplies still cached in the main bases, to make one final try for victory. If this be true, we are indeed confronted, with a last high raise. And the maker of a last high raise always loses the game if another player has the resources and the courage to call and raise again.

I believe that we in America have the needed courage, as I know we have the needed resources. To this hopeful observation, however, I must add two brief footnotes. First, a warning is needed concerning that phrase "losing the game." When and if Gen. Westmoreland succeeds in breaking the enemy's main forces, the big war in Vietnam will be over, and the game will really be won. Breaking the main forces will break most of the V.C. power in the countryside. It will not break *all* the V.C. power, however. A little war of mopping-up operations, costing few casualties and needing fewer troops, but troublesome and ugly all the same, may therefore continue for a considerable period. By method and determination, that little war can be won in the end in South Vietnam. But the war planners in Hanoi will still be the masters of the V.C. remnants of the South. They will still have the power to end all fighting by calling home their men. And the prime reason for maintaining a stern, persistent, though not irrational, bombing pressure on North Vietnam is to teach the lesson that the call-home order had better be given as soon as the big war in the South is decisively lost.

Second, despite the hopefulness of the military situation, the war can perhaps be lost somewhere in the dark labyrinths of Saigon politics. Despite all the positive factors, this warning must be reiterated, and the need for American patience with the vagaries of Vietnamese politics must be emphasized.

For close on a century before 1954, the Vietnamese had no experience of self-government. Under Ngo Dinh Diem, they then made considerable progress. As authoritarian governments go, the Diem regime was worthy of considerable respect—for more respect, certainly, than the dogmatic, harsh and gloomy Communist regime in the North—but under Diem, the Vietnamese got their bellyful of authoritarian government in Saigon. A long period of sometimes wild cut-and-try is therefore unavoidable, before the Vietnamese find the mode of government that suits their traditions, habits and outlook. There is nothing to worry about in that—so long as they do not stab themselves in the back during one of the wilder cut-and-tries. For the long pull, moreover, South Vietnam is one of the very richest countries in Asia, with an industrious and talented people who have been forcefully dragged into the 20th century by all the technological lessons of their bitter war experience. So I have no patience with those who ask, "What shall we have in South Vietnam, even if we win?" Every sort of basic factor promises a good future, if the suffering people of South Vietnam can only be granted peace at last. If that time comes, moreover, the United States can not only take the satisfaction of a stronger nation that has rendered loyal service to a weaker ally, we in our country can also sleep more easily in our own beds. For if the northern Communist aggression against South Vietnam is not successfully defeated, there will be another such aggression, and another, and another, until men begin to say, "The line must be drawn somewhere." And thus the Third World War may begin, and that is what we are now fighting to avert.

THE JOSEPH H. HIRSHHORN MUSEUM AND SCULPTURE GARDEN

Mr. ANDERSON. Mr. President, a bill to establish the Joseph H. Hirshhorn Museum and Sculpture Garden has been referred to the Committee on Public Works. The proposed site is an area bounded by Seventh Street, Independence Avenue, Ninth Street and Madison Drive. As a member of the Board of Regents of the Smithsonian Institution, which would administer the center, I want to thank Senator RANDOLPH for introducing this legislation.

To Mr. Hirshhorn the American people are indebted. His gift of some 4,000 paintings and 1,600 pieces of sculpture are thought to be among the most valuable contemporary collections in private hands. Most of us will try to understand Mr. Hirshhorn's desire to share with others the pleasure these works have brought to him. As a boy his horizons rose beyond the Brooklyn slum in which he determinedly nurtured an early appreciation of the arts. Now Mr. Hirshhorn passes on to the American people the fruits of his aspirations. It is only fitting that these works have their permanent home in Washington—a city whose emergence as a cultural center mirrors the vitality and growth of our 20th century. Certainly, Mr. Hirshhorn follows nobly in the steps of other great humanitarians who have so generously given of themselves.

AWARD FOR HIGHWAY SAFETY TO INDIANA MAN

Mr. HARTKE. Mr. President, on May 24 Jim Hetherington of WFBM–TV in Indianapolis received the Creative Award for television writers at the annual Alfred P. Sloan Radio-TV Awards for Highway Safety in New York City.

It is my pleasure to read his citation:

> Jim Hetherington of WFBM–TV, Indianapolis, Indiana, displayed outstanding creative talent in preparation of the script for an analytical documentary entitled A Cross By The Road. The film explained with dramatic effect the complexity and enormity of the traffic accident problem, yet outlined with clarity the interrelated solutions which can be implemented. Widespread public response to this exceptional film created a better understanding of traffic safety values.

I am proud that Mr. Hetherington and WFBM–TV have received this recognition for their outstanding public service to the people of Indianapolis and Indiana.

The principal address at the Sloan Awards dinner was given by Under Secretary of Commerce Alan S. Boyd. His remarks effectively answer those who would dodge responsibility for mounting a really meaningful attack on traffic accidents by continuing to blame this national disgrace almost entirely on drivers.

Under Secretary Boyd has given the best explanation I have seen of the need to take account of all elements in highway transportation and of directing our efforts to helping motorists avoid accidents, injury, and death.

As he so clearly shows, those who sit back and contend that accidents are caused in almost all cases by bad driving are in effect making excuses for doing nothing constructive about it.

Mr. Boyd shows that there is a way to do something about it, and I believe all my colleagues will be interested in his reasoning. I believe he offers assurance that the various legislative proposals now before Congress can produce a program that will get results for the American people.

I have offered amendments which I believe will improve and strengthen the program proposed by the administration, and I am confident that the Congress will enact a strong, fair and effective bill. We shall continue executive consideration of S. 3005 and the proposed amendments in the Commerce Committee tomorrow.

Mr. President, I ask unanimous consent that Mr. Boyd's speech be included in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS BY ALAN S. BOYD, UNDER SECRETARY OF COMMERCE FOR TRANSPORTATION

(Prepared for delivery at the annual presentation of the Alfred P. Sloan Radio-TV Awards for Highway Safety, at the Waldorf-Astoria Hotel, New York City, May 24, 1966)

There is a normal human tendency to be self-satisfied: to feel that what we are doing now and the way in which we conduct our affairs is good and sufficient. It is often uncomfortable to consider that we can and should improve our activities. But we can step out of our humdrum routine to promote, to inspire, and to educate. Those whom we honor tonight have done this by utilizing the communications media with sensitivity and imagination to promote Highway Safety.

In winning the Alfred P. Sloan Awards you have demonstrated your ability to live up to Mr. Sloan's own high ideals of public responsibility. This sense of responsibility was reflected in his life-long commitment to the cause of highway safety, and the personal leadership he gave to this cause.

Thirty years ago he joined with three other industry leaders in organizing the Automotive Safety Foundation, which he continued to support even after his retirement as an active executive of General Motors Corporation. In 1948, as founder and chairman of the Alfred P. Sloan Foundation, he established these awards to the broadcasting industry, and he continued to participate personally in this program so long as his health permitted.

It is good to take occasion periodically to recognize the efforts spent on traffic safety because those who are devoting their energies to this cause may be tempted to feel that they have been rowing upstream and against a strong current, at that. Tonight's ceremony affords a brief pause to look around and see where we have been and where we are going. I can't leave this simile, however, without urging you not to rest too long on your oars.

We have made considerable progress in this long upstream struggle. Travel on the Nation's roads and streets is almost three times as safe as when the Automotive Safety Foundation was founded—as measured in deaths per vehicle miles.

But it still is far from safe enough. The closer we get to shore, if you will, the stronger the current—because of the enormous growth in population, in drivers, vehicles, and highway usage. The absolute toll in lives lost, injuries, accidents and damages now reaches new records each year.

The figures are familiar and frightening: Fifty thousand Americans killed in a year; 100,000 permanently disabled; nearly 4 million injured; over $10 billion in economic losses.

You know, and I believe more and more American citizens know, that this national tragedy need not continue. They agree with President Johnson that "we can no longer tolerate such anarchy on wheels."

Earlier this year President Johnson presented a program designed to carry forward a comprehensive, accelerated attack on traffic accidents. Congress now is preparing to make decisions about this program which I am confident will launch a new era in safer highway travel for the American people—provided the program receives the strong and continuing support it must have to be most effective.

First, let me make it as clear as I can that the Administration's approach is positive, not negative.

The Administration has not sought to create scapegoats. It has no script for "good guys" and "bad guys." It has not thought in terms of accusing or punishing anyone.

It has, instead, thought in terms of how accidents, injuries, and deaths can be reduced. We in the Administration are not interested in legislation for the sake of legislation. We are not concerned with organizing elaborate programs for their own sake—or for their propaganda value.

In three words: We want results.

Last April 22 in making an appeal for enactment of the Administration's highway safety bill, President Johnson said:

"The American people are aroused. They want action. We want action, too, but we want it to be fair and intelligent—for the American driver and the great industry that provides his car."

That sums up our goal: to obtain tangible improvements in highway safety, with fairness and intelligence.

This objective has been the guideline in formulating the Administration's proposals. I believe an examination of those proposals will bear me out.

These proposals do not anticipate any easy cure, just as they do not single out any particular villain. They do not prejudice any fact of the safety issue. Rather, they offer a program designed to take full advantage of the progress made to date, and to force the pace in discovering and implementing new knowledge and new techniques that will yield substantial, provable benefits.

The public discussion and debate of the past few months, while they have stimulated a desirable public interest in traffic safety, have tended to center attention on one or two elements of the problem. The Administration's program, on the other hand, considers all aspects.

The scope and direction of the Administration's program has been emphasized repeatedly by Secretary Connor in his appearances before Congressional Committees. I would like to quote from his testimony:

"The program that would be provided by this legislation would devote the needed emphasis and resources to all aspects of the highway safety problem. It is based on the recognition that accidents often are caused by multiple factors—they are frequently the result of some failure of the system which includes the driver, his vehicle, and his environment, including the highway, or the interaction of all three. It does not assume that any one of these elements is more important than the others, and it is not directed toward a panacea-type solution to the highway safety problem.

"The approach of this legislation, besides being directed toward all elements of the traffic safety problem, would include the participation of all levels of the Government—Federal, State, and local—as well as industry and private organizations."

I might add that the legislation was drafted intentionally to be flexible with regard to program, organization and administration, so as to facilitate the full use of existing knowledge and the results of research and development as they become available and as their usefulness is proven.

Specifically, the Administration proposes a broad Federal research and development program in highway safety. The Administration also seeks directive authority to set safety performance standards for automotive vehicles and their components. And the Administration is seeking $420 million over a six year period to assist the States in developing and improving their own comprehensive traffic safety programs under uniform national standards.

The latter provision recognizes the traditional responsibilities of State and local governments with regard to control of the traffic system.

The Federal Government's responsibility to provide leadership and coordination for these State programs was clearly established by Congress last year, in an amendment to Federal-aid highway legislation. Now, the Administration is seeking Federal funds to assist the States in carrying out the objectives of this amendment.

This approach is in keeping with the spirit of Federal-State cooperation which has worked so successfully in the Federal-aid highway program. Through this program the Federal Government has made and is making an enormous contribution to highway safety. It is enabling the States to construct the Interstate Highway System, whose controlled-access freeways are the safest roads yet built. It is assisting the States in their long-range improvement programs for major highways. And now it is aiding them in a priority program for eliminating the danger traps that still remain on Federal-aid highways.

The Federal-aid program, is providing substantial benefits in safety, as well as in faster, more economical, and more comfortable travel.

Still, highways are only one element of the traffic safety problem. The legislation now on the books, as a result of last year's amendment, plus the financial aid requested by the Administration, would permit the development of a comprehensive program, with no aspect excluded.

It would permit a program directed toward the total highway transportation system, and its three basic elements: the driver, his vehicle, and the highway. The States would continue to assume primary responsibility for control of the driver and the highway, but the Federal government would take a portion of the States' responsibility for the vehicle, to the extent that it would assure that new vehicles met minimum safety performance standards. This new role for the Federal Government recognizes the desirability for uniform national standards for manufacturers, rather than separate State standards.

In addition, under its authority to set uniform standards for other areas of State traffic safety programs, the Federal Government could identify the major gaps and weaknesses that exist throughout the country today, and proceed in cooperation with the States to upgrade current programs and formulate new ones as needed.

The goal of the program I just outlined is to get tangible improvements in highway safety with fairness and intelligence. The key to how this program must proceed to get results lies in the concept that accidents and their consequences result from failures of the system which includes the driver, the vehicle, the highway, and their interaction.

While this concept is simple enough to state, its implications are not widely understood. It requires the rather belated application to highway transportation of what is known in engineering as the "systems approach."

The main obstacle to the most effective use of systems engineering in the past, has been the practice of assigning a "primary" cause in accidents—and particularly of blaming most accidents on "driver error." In this way of thinking any accident that a driver may conceivably have averted is *ipso facto* his fault. The way to prevent accidents, then, is to make all drivers perform at all times without error.

Systems engineering, on the other hand, recognizes that accidents can result from multiple causes, in the sense that a cause is any condition existing prior to the accident which it might have been possible or practicable to eliminate, and but for which the accident would have been avoided. In this view, all accident causes are equal if, by the elimination of any one of them, the accident might have been prevented.

Rather than accepting driver error as the "primary" cause of most accidents, systems engineering seeks ways to change the elements of the highway transportation system so that accidents will not occur, or so that their severity will be reduced.

For a simple parallel we can take an illustration from industry. A worker could be trained to operate a dangerous power machine and signs could be posted warning him to work safely. Then if he gets careless just once and maims himself, it is presumably his own fault. On the other hand, the machine could be designed with a protective guard which would make it impossible for him to get hurt.

In highway transportation, the effectiveness of the systems approach has been demonstrated quite clearly by the Interstate Highway System. These controlled-access freeways are consciously designed to prevent many types of traffic conflict and to make driving easier and safer.

They provide separate roadways for opposing traffic with wide medians, or median barriers, to prevent headon collisions. They have no intersections, or cross traffic at grade, thus preventing angle collisions. They have gentle curves and grades and long sight distance. They have wide, paved shoulders and clear roadsides.

On the best of our highways, if a driver loses control of his car for whatever reason—whether he was swatting a bee, lifting his pet dog off the floor, falling asleep, or if he had a "couple of beers"—if he goes off the road, he has a chance of regaining control without slamming into a tree, or rolling into a ditch. What could have been a needless fatality becomes simply an incident.

Or take a case where the vehicle is at fault. If the brakes fail, the driver has a better chance to ride out safely on the Interstate, because there are no intersections, or driveways, or cross traffic, or sharp curves, and there are wide shoulders where he can get out of the traffic stream.

Because safety has been engineered into the Interstate System, the same drivers have only a half or a third as many accidents on the Interstate as they do on conventional highways. This year alone, the Interstate Highways now open to traffic will save the lives of at least 4,000 persons who would be killed if they were forced to use conventional roads.

It is apparent, then, that if we try to understand drivers as they are—with their capabilities and their limitations—we can design highways and vehicles that make their driving more reliable and more effective.

We need to recognize that driving today is a complicated task, that it occasionally requires drivers to make decisions and to act with speed or precision that is beyond their abilities. We can help them by reducing the difficulty of the driving task or by giving them better tools to cope with it.

System engineering is the way to this objective. It can be effective both in preventing accidents and in reducing the severity of those that do occur. At the present time, for example, highway engineers are experimenting with breakaway sign supports for those obstacles that must remain near the pavement. Research also is underway in the Bureau of Public Roads to develop electronic or mechanical aids for the driver, which could, for instance, inform him when it is safe to pass on a two-lane rural highway, or when he is closing too fast on the car ahead.

The systems approach also looks to changes in the vehicle that will make driving more reliable, or that will prevent or reduce injury and death when accidents happen. And it looks to the interaction of the vehicle and the highway, and to reducing the adverse effects of the environment, particularly of hazardous weather conditions.

By approaching highway safety as primarily a technological problem—and only secondarily as a social or legal one—and by attempting to reduce the demands on the driver, we encounter some raised eyebrows from those accustomed to thinking of accidents in terms of driver error. It has been suggested, for instance, that this approach is somehow immoral, that it relieves drivers of responsibility for misconduct, that it excuses them instead of punishing them.

I do not agree. It is no more immoral than shaving with a safety razor instead of a straight edge.

It does say that the man who makes a mistake, where it is an honest one or pure negligence, need not suffer instantaneous corporal, if not capital, punishment. And that innocent passengers and drivers of other cars need not suffer with him. The drunken, reckless, or irresponsibile driver can be brought to justice through due process of law.

Furthermore, the people we are trying to protect are not, by and large, habitually dangerous drivers. They are not the "suicidal boobs" that self-styled experts like to preach against. Nor are they imaginary. They are, in fact, you and I.

The truth is that the great bulk of accidents involve average, normally responsible drivers. This was borne out quite clearly in an analysis by the Bureau of Public Roads last summer of 150,000 California drivers' records. The study showed that almost an entirely different group of drivers is involved in accidents each year. Removing the repeaters—those who have two or more accidents in one year—would have little or no effect on the following year's accidents.

So, our annual traffic toll is, to an overwhelming degree, an accumulation of rare accidents, occurring to all too many generally good drivers. It is plain, then, that if accidents are to be radically reduced, all drivers—not just the "dangerous" few—must be helped.

This is precisely what President Johnson's traffic safety program is meant to do.

Relating this view of driver error or driver responsibility more specifically to the safety efforts we are honoring tonight, I would guess—and this is an undocumented guess—that most of the traffic safety efforts of radio and TV stations in past years would come under the heading of "driver motivation" or "driver improvement." No one, of course, would deny that there is room for improvement in the general level of driver competence. For that matter, I suppose each of us here could stand to improve his own skill behind the wheel. But while driver improvement is a worthy cause, it must be supplemented by engineering more safety into the highway transportation system.

For this reason, I would urge broadcasters to support safety programs at all levels of government. And I would urge you to review your public service safety efforts, remembering that our objective in mass communications as well as in our operational programs should be to help rather than harass the driver.

I believe President Johnson's proposals provide the means to make such programs a reality. I think they are the basis for an effective safety program that will get results for the American people.

POSITION OF AMERICAN TELEPHONE & TELEGRAPH ON MILITARY SERVICEMEN'S DEPOSITS

Mr. YARBOROUGH. Mr. President, on May 12, 1966, I called to the attention of the Senate a situation in which telephone company practices with regard to deposits for telephone service were resulting in discrimination against members of the military and their families. At that time, I sent a letter to Mr. F. R. Kappel, chairman of the board, American Telephone & Telegraph Co., urging him to reexamine telephone company policy concerning deposits required of the *military*.

I recently received a reply from Mr. Kappel. In his letter, he states:

> As a result of your calling this to our attention, we have contacted all of the telephone companies in the Bell System again to insure that the transitory nature of the military assignment and the possible high toll usage of servicemen and their families are not made factors in determining the need of a deposit.

In addition, a policy permitting a customer to bring his credit standing with him within the Bell System is being reemphasized.

I have replied to Mr. Kappel today, indicating my pleasure with these actions of American Telephone & Telegraph with regard to deposit policy. I have in addition asked his continuing attention to this subject, to assure that the policies announced are made general throughout the Bell System, wherever servicemen may call upon it for telephone service.

I ask unanimous consent that Mr. Kappel's letter to me be printed at this point in the Record:

There being no objection, the letter was ordered to be printed in the Record, as follows:

American Telephone & Telegraph Co.,
New York, N.Y., May 27, 1966.

Senator Ralph W. Yarborough,
U.S. Senate,
Washington, D.C.

Dear Senator Yarborough: Thank you for your letter of May 20 relative to servicemen doing business with the telephone company. You are certainly right that it is not our intention to discriminate in any way against servicemen. In fact, it is our hope that we could do quite the contrary. I share your concern in this matter and have been personally interested in our treatment of them for several years. During this period we have taken a number of steps to make certain that we did not discriminate in any way against servicemen.

As a result of your calling this to our attention, we have contacted all of the telephone companies in the Bell System again to insure that the transitory nature of the military assignment and the possible high toll usage of servicemen and their families are not made factors in determining the need of a deposit.

You also may be interested to know that a while back we introduced a plan that would in effect permit a customer to transfer his credit standing with him when he moves from one place to another within the Bell System. Since all Bell System companies accepted the plan a serviceman who has established credit with one company should have no difficulty in obtaining telephone service without a deposit at the new location when he moved. We have again taken steps to see that this policy is being reemphasized throughout the Bell System.

Let me assure you that I and my associates share your continuing interest in this subject. I am quite hopeful that renewed emphasis on this matter will resolve the problem.

Sincerely,

F. R. Kappel,
Chairman of the Board.

AMERICAN FORK-DRY CREEK WATERSHED WINS U.S. AWARD

Mr. BENNETT. Mr. President, it is with a great deal of pride that I announce to the Senate the selection of the American Fork-Dry Creek watershed of North Utah County, Utah, as the Nation's outstanding watershed of the year by the National Watershed Congress.

This is indeed a signal honor since it is the first time a watershed in the West has received this award. The American Fork-Dry Creek project topped a field of 15 candidates from every region in the United States.

Although this 10-year program is only 75 percent completed, it has already proved a boon to the economy of Utah County and the State.

Congratulations are certainly in order to the six Federal and five State agencies who are cooperating in the project and especially to the eight community, conservancy district, and irrigation organization who sponsored it.

Mr. President, I ask unanimous consent to have printed in the Record at this point two editorials from Utah newspapers concerning this award.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Salt Lake Tribune, May 18, 1966]

UTAH WATERSHED HONOR SPURS CONSERVATION

National recognition given the largest and in many ways the most important watershed rehabilitation project in Utah should be a boon to conservation throughout the region.

The American Fork-Dry Creek project, involving 118,700 acres of watershed in the Wasatch Plateau and serving the communities of Lehi, Pleasant Grove, Alpine and American Fork, farms and industrial installations, is the first watershed in the West to receive the highest award of the National Watershed Congress. It is appropriate that as the four-million-dollar undertaking nears completion it should be adjudged watershed of the year for 1966 at the 13th annual Watershed Congress in Oklahoma City.

Restoration of this long-time unstable mountainous area has already proved a boon to the economy of Utah County and the state. Repeated floods from the steep slopes, some of them denuded by early day mining activity, others overgrazed and some naturally barren, have wreaked devastation in the canyons and the valley below. After months of careful negotiation, the rehabilitation project was designed in 1958, mainly by Soil Conservation Service engineers. Work has been under way since on construction of four debris basins to hold back surging waters and reseeding 44,000 acres of denuded lands. The latter was a project of the U.S. Forest Service. Of the total cost, the federal government paid $1,700,000 for engineering and $500,000 for soil conservation. About 80,000 feet of canals and ditches are being lined with concrete to best utilize water. Included in the project is the Silver Lake Flat irrigation reservoir, providing water for late season use. Improvements also benefit wildlife and fish.

Six federal and five state agencies are cooperating in the project which is sponsored by eight community, conservancy district and irrigation organizations.

James B. Craig, editor of American Forest Magazine, presented the Watershed-of-the-Year plaque to Leo P. Harvey of Pleasant Grove, who represented the sponsoring organizations.

This is one of 42 projects in Utah proposed under the National Watershed Protection Act. Only six of these have progressed to the point of authorization for construction. Three applications have been cancelled or terminated, but 14 have been authorized for planning work.

The National Watershed Congress ceremony should stimulate sponsors of other projects in Utah where summer floods are a serious threat.

[From the Provo (Utah) Daily Herald, May 18, 1966]

American Fork-Dry Creek Watershed Control Job Wins National Prize

The American Fork-Dry Creek Watershed of North Utah County has been selected by the National Watershed Congress as the nation's outstanding Watershed of the Year, according to Joseph H. Francis, State Commissioner of Agriculture and chairman of the State Soil Conservation Committee.

The 10-year program (launched in 1959) is about 75 per cent completed. Four flood-control reservoirs have been completed and one more—principally for storage—is to be built. Contouring, re-seeding, grazing control and other factors have entered into a comprehensive program for the $4½ million project (local participation is about 50 per cent). The entire area is above the Lehi, American Fork, Pleasant Grove area where serious floods used to plague the areas and where, officials state, flooding has been effectively controlled since the program began to take effect.

FIFTEEN CANDIDATES

The American Fork-Dry Creek Project was selected as the winner from a field of 15 candidates from every region of the United States, including Hawaii. Leo P. Harvey, Pleasant Grove, president of the Utah State Association of Soil Conservation Districts, Tuesday accepted the award at the 13th annual meeting of the National Watershed Congress now in session in Oklahoma City, Okla.

Mr. Harvey, chairman of the watershed committee, has been one of the more active boosters of this comprehensive watershed project from time the application was submitted to its present stage of completion. Mr. Harvey donates many hours of his time and money to keep the project moving toward completion. Marion Green, American Fork, has also given freely of his time to serve as the local contracting officer on the large construction jobs.

APPROVED IN 1959

The American Fork-Dry Creek $4½ million project was approved by Congress and authorized for construction by the Soil Conservation Service in 1959. Approximately 50 per cent of the overall $4½ million cost, is local participation. The North Utah County Conservancy District was organized by the people to help finance the local cost as well as to handle operation and maintenance in future years. Loren Spencer, project engineer, and Gerald Hansen, work unit Conservationist, both with the Soil Conservation Service, have worked closely with the watershed committee to help them with installation.

The 118,710 acre watershed is about 84,000 acres mountainous area and 44,000 valley land. About 59,000 acres of the mountainous area is with the Uinta National Forest. About one-half of the valley acres are good irrigated land. The watershed work plan provides for stabilization of critical areas through the use of special purpose terraces, contour furrows, gully control, range seeding and deferred grazing.

FOUR STRUCTURES

Four large floodwater retarding structures were included to help prevent damage to farm land, irrigation canals, cities and roads. It included plans for accelerating the farm conservation program. Irrigation water management is an important feature. The Forest Service has constructed most of the special purpose terraces, gully control measures, and grass seeding. Cattle use on one part has been changed to sheep use. Grazing use is being regulated so as to permit improvement in the vegetative cover.

The Alpine, American Fork, Lehi and Pleasant Grove Irrigation Companies along with the farmers have installed 75 miles of concrete canal lining and pipeline to convey the water to the fields. This, along with associated structures, has made the control of irrigation water much easier and provides the user with a more reliable water supply. The Soil Conservation Service has provided engineering assistance for this work and Utah Water and Power Board and the Utah County Agricultural Conservation Program have provided financing assistance to the irrigation companies and farmers.

WORK COMPLETED

Combination floodwater retarding and debris reservoirs have been constructed on the Battle Creek, Dry Creek, and Grove Creek drainages. The Tibble Fork structure in the American Fork River drainage will be completed this month. This structure is designed to include a fishery and fish have already been planted. Utah State Fish and Game will manage this man made lake. The multi-purpose reservoir planned for Silver Lake Flat has been designed and remains to be constructed. The Dry Creek structure has already paid for itself during the snow melt periods of 1964 and 1965, officials declared.

The 12 local sponsors, representing the people, are very proud of their project, what has been accomplished and the benefits already derived. This is an excellent example of community benefit.

BASIC STANDARDS

Three basic standards are used by the Awards Selection Committee in arriving at their choice for Watershed of the Year honors:

1. The extent and interest and participation by all agencies and groups within the watershed;

2. The adequacy of the project in meeting all of the natural resources conservation and improvement needs of the watershed;

3. The present status of completion of the project.

THE AMERICAN SELLING PRICE IN THE KENNEDY ROUND

Mr. DOUGLAS. Mr. President, one of the crucial issues in connection with Kennedy round of the trade negotiations in Geneva is the entire question of what is known as the American selling price, or ASP.

A number of people from my State on both sides of the issue have written to me about it. I therefore took the opportunity to ask Mr. Christian Herter, Special Representative of the President for Trade Negotiations, the former distinguished American Secretary of State, for the views of his Office on this issue. He has now replied and I believe the answer to these questions are of sufficient significance that they should have widespread circulation.

I therefore ask unanimous consent that Mr. Herter's letter and the position paper his Office has sent to me be printed at this point in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Office of the Special Representative for Trade Negotiations, Executive Office of the President,

Washington, June 1, 1966.

Hon. Paul H. Douglas,
U.S. Senate,
Washington, D.C.

Dear Senator Douglas: You have requested the views of this Office on the issue of the American selling price (ASP) system as it relates to the Kennedy Round of trade negotiations in Geneva. As you know, this issue has become an important one in the Kennedy Round and has also been the subject of considerable comment both in the Congress and elsewhere.

In order to permit members of the Congress and all other interested persons to consider our point of view, I am enclosing a paper which sets out the position of this Office on a number of the important aspects of the issue of the ASP system.

In particular, the enclosed paper contains the views of this Office on the following questions:

1. What is ASP?

2. Why is ASP an important issue in the Kennedy Round?

3. Has a decision been made to offer the modification of ASP in the Kennedy Round?

4. What authority does the President have to negotiate on ASP?

5. Why shouldn't the authority to modify ASP be sought from the Congress before any negotiation?

6. Will the Congress be presented with a *fait accompli* if an agreement on ASP is negotiated?

7. Will all aspects of any possible concession on ASP be publicly aired prior to any negotiation?

8. Why shouldn't there be a merger of the two Tariff Commission studies which involve ASP?

9. What is the nature of the current discussions in Geneva on ASP?

10. What concessions will the United States seek in return for any concession on ASP?

11. What is the basic question involved in the issue of ASP?

I hope that our answers to these question will lead to a greater understanding both of the issue of the ASP system and the work of this Office as it relates to this issue.

Most sincerely yours,
CHRISTIAN A. HERTER,
Special Representative.

POSITION OF THE OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS REGARDING THE ISSUE OF THE AMERICAN SELLING PRICE SYSTEM

1. ASP IS A SPECIAL BASIS OF CUSTOMS VALUATION

Section 402 of the Tariff Act of 1930 provides three alternative methods of customs valuation for purposes of computing ad valorem rates of duty on most imported products. The preferred method of valuation is known as "export value", i.e., the wholesale price of the imported product offered in arm's-length transactions in the country of origin. If "export value" cannot be determined, the next method of valuation is "U.S. value", i.e., the wholesale price of the imported product in the United States, less such elements as profit, duty, and transportation costs, in order to approximate "export value". If "U.S. value" cannot be determined, the final method of valuation is "constructed value", i.e., an estimate of what "export value" would be based upon the cost of the product in the country of origin.

These three normal methods of valuation do not apply to four groups of imported products: benzenoid chemicals, rubber-soled footwear (such as sneakers), canned clams, and certain wool-knit gloves.

With respect to benzenoid chemicals, since the early 1920's the tariff law has provided that any imported benzenoid chemical which is competitive with a similar domestic product shall be valued on the basis of the American selling price (ASP), i.e., the wholesale price, of the domestic product. If the imported benzenoid chemical is not competitive, it is to be valued, first, on the basis of U.S. value and, if this cannot be determined, then export value or constructed value.

With respect to rubber-soled footwear, canned clams, and wool-knit gloves, Presidential proclamations issued in the 1930's on the basis of Tariff Commission reports provide that any such imported product which is similar to a domestic product shall be valued on the basis of the ASP of the domestic product. If the imported product is not similar to any domestic product, it is to be valued on the basis of the normal methods of valuation.

Of the four categories of products subject to the ASP system, only the first two are significant in trade terms, with imports of competitive benzenoid chemicals valued at approximately $25 million per year and imports of competitive rubber-soled footwear valued at somewhat less per year.

2. ASP IS AN IMPORTANT ISSUE INTERNATIONALLY AND ESPECIALLY IN THE KENNEDY ROUND

The use of the ASP system has long been criticized by other countries, primarily on the following grounds. First, the ASP system is inconsistent with the customs practice of all our trading partners with respect to non-agricultural goods. Second, the ASP system would be in violation of the standards of customs valuation laid down by the General Agreement on Tariffs and Trade (GATT) but for the fact that the use of the ASP system antedated U.S. adherence to the GATT and was made permissible under a "grandfather" clause in the GATT. Third, the ASP system permits the domestic manufacturer to adjust the protection afforded by the rate of duty by adjusting the price of his product. Fourth, an exporter of a product potentially subject to the ASP system cannot, at the time of exportation, know whether that product will be subject to ASP nor what the ASP will be until it has passed through customs.

In the Kennedy Round, the other participants regard the ASP system as one of the most serious import restrictions maintained by the United States and they are pressing the United States to modify the ASP system. Both the EEC and the U.K. have made modification of the ASP system as it affects benzenoid chemicals a precondition for concessions in their own tariffs on chemical products. Moreover, Japan has laid special stress upon the need to modify the ASP system as it relates to rubber-soled footwear.

3. NO DECISION HAS BEEN MADE TO OFFER THE MODIFICATION OF ASP IN THE KENNEDY ROUND

On March 12, 1966, in Italy and again on March 16, 1966, in West Germany Ambassador Blumenthal stated that "the United States is prepared to negotiate on ASP in the Kennedy Round". Ambassador Blumenthal's statement has unfortunately been misinterpreted as an indication that the United States has decided to offer the modification of the ASP system in the Kennedy Round. This is not the case. Ambassador Blumenthal's statement said no more than the United States has been saying since the Kennedy Round began. This is that the United States is prepared to consider and talk about any trade issue which our negotiating partners wish to raise with respect to either industrial or agricultural products, and we expect them to do the same. In this context, the word "negotiate" is in fact synonymous with the word "discuss".

Only the President can decide whether or not the United States should offer a concession on the ASP system in the Kennedy Round. The President will not make such a decision until exploratory discussions in Geneva afford some basis for determining what kinds of reciprocal concessions the United States might obtain from the other countries, and until the domestic industries concerned, as well as all other interested persons, have had a full opportunity to express their views on both the accuracy and the economic impact of a conversion of the present rates of duty based on ASP.

4. THE PRESIDENT HAS EXISTING AUTHORITY TO NEGOTIATE BUT NOT TO MODIFY ASP

Two separate issues are involved in any consideration of the President's negotiating authority regarding the ASP system.

The first issue is whether the President now has the authority to modify the ASP system pursuant to a trade agreement. The President could not do so without a statutory delegation of Congressional authority, and no such authority is presently available to the President, either under the Trade Expansion Act of 1962 or any other existing legislation. Thus, a comprehensive conversion of ASP rates, whether or not pursuant to a trade agreement, could be accomplished only by Congressional action.

The second issue is whether the President can enter into a trade agreement providing for the modification of the ASP system, subject to a subsequent grant of Congressional authority to permit the agreement to be implemented. Under the Constitution, the President's authority regarding the conduct of foreign relations clearly permits him to negotiate and conclude such an agreement.

In this regard, Senate Concurrent Resolution 83 is to be regretted, because it seeks to cast doubt on the President's clear Constitutional authority to negotiate and conclude an agreement subject to subsequent action by the Congress. Senate Concurrent Resolution 83 therefore raises a false issue and by doing so in no way assists the United States in the Kennedy Round but only serves to obscure an already complex problem.

5. CONGRESS WILL BEST BE ABLE TO ASSESS THE MERITS OF ANY AGREEMENT MODIFYING ASP AFTER, RATHER THAN BEFORE, IT IS NEGOTIATED

It has been suggested that, if there is any likelihood of an agreement providing for the modification of the ASP system in the Kennedy Round, the President should seek authority to implement such an agreement before it is negotiated. In our view, Congress will best be able to assess the merits of any agreement modifying the ASP system, after, rather than before, it is negotiated.

If any agreement is finally concluded, the Congress will be able to assess with considerable certainty the impact of the agreement on the domestic industries concerned, since the proposed modification of the ASP system, including any tariff reductions, will be set out in such agreement. But if the President were to request authority from the Congress to modify the ASP system before any agreement were concluded, he would need flexible authority to carry out effective bargaining. The Congress, in considering such a Presidential request, could not gauge the impact on the domestic industries as clearly or as concretely as if an agreement had been concluded.

Moreover, prior to the conclusion of any agreement, there would be no firm indication of what counterconcessions other countries would be prepared to offer in return for a concession on the ASP system. As a result, if the Congress were to consider legislation providing for the conversion of the ASP system in this session, it could do so only in terms of abstract issues, with no meaningful information concerning particular offers of counterconcessions.

In short, if any agreement providing for the modification of the ASP system is concluded in the Kennedy Round, the Congress would be in a position to explore in detail all aspects of the agreement and to assess its merits comprehensively. In the first place, it would have before it a final set of converted rates and therefore be able to judge their adequacy in terms of specific products and their impact on the domestic industries concerned. In the second place, the agreement would contain a precise statement of the counterconcessions on particular products which other countries were prepared to grant. The Congress could then inquire into and appraise the agreement not as an abstract issue but in terms of the trade interests of the United States.

6. IF AN AGREEMENT SHOULD BE NEGOTIATED ON ASP, CONGRESS WILL NOT BE PRESENTED WITH A FAIT ACCOMPLI

In contemplating the possibility that an agreement involving a concession on the ASP system is concluded in the Kennedy Round, the important question is whether the Congress would be presented with a *fait accompli* and would have no choice but to enact the necessary implementing legislation. This should not be the case for the following reasons.

First, the Congress would be kept fully informed at every step. Before a decision is made whether or not to offer a modification of the ASP system, two public hearings will be held. This will permit the Congress as well as interested private parties to consider the issues regarding any possible modification of the ASP system. Moreover, before a decision is made, the Congressional Delegates to the Kennedy Round will be able to observe the progress of the exploratory discussions in Geneva, as one of the Congressional Delegates did at the first meeting early in May. In addition, the Congressional Delegates will also have an opportunity to follow the conduct of any negotiation concerning ASP.

Second, the Congress would be free to accept or to reject any agreement concerning the ASP system on the basis of its individual merits. The United States has already made it abundantly clear and will continue to emphasize that the Congress would, in effect, have to approve any agreement involving the ASP system, and that it would do so only if such an agreement provided mutual and equivalent benefits. Moreover, it is clearly understood that any such agreement will be separate and distinct from the overall Kennedy Round agreement. Therefore, in considering whether to enact the necessary implementing legislation, the Congress would be able to appraise any agreement on its individual merits, without getting enmeshed in the rest of the Kennedy Round.

For these reasons, if an agreement involving the ASP system were negotiated and concluded in the Kennedy Round, at every step of the way the Congress would be fully informed and would be able to consider implementing legislation without being faced with a choice of either approving or disapproving the overall trade agreement emerging from the Kennedy Round.

7. TWO PUBLIC HEARINGS WILL BE HELD SO THAT ALL ASPECTS OF ANY CONCESSION ON ASP MAY BE PUBLICLY AIRED

On June 8, 1966, the Tariff Commission will hold a public hearing on the basis of the preliminary converted rates which it published on May 2, 1966. This will permit the domestic industries concerned, as well as importers and others, to comment on the accuracy of these preliminary conversions and to probe all the technical problems which such conversions entail.

Some time in September a second public hearing will be held on the basis of the final converted rates proposed by the Tariff Commission. The purpose of this second public hearing will be to permit all interested persons to speak to the economic impact of substituting the new converted rates for the present ASP rates and of a possible 50% reduction in such new rates. In the winter of 1963–1964, the Tariff Commission and the Trade Information Committee held hearings at which the domestic industries concerned with ASP spoke to the economic impact of reducing the present ASP rates by 50%. Prior to any offer concerning the ASP system, the domestic industries, in particular, should obviously be given an opportunity to speak to the economic impact of eliminating the ASP system as a system and reducing the new rates by 50%.

By virtue of these two hearings, the domestic industries and all other interested persons will have a full and fair opportunity to present their views on the important aspects of any possible concession on the ASP system. The President will make no decision to negotiate on this matter until such hearings have been completed and the results have been fully analyzed.

8. A MERGER OF THE TWO TARIFF COMMISSION STUDIES INVOLVING ASP IS NEITHER DESIRABLE NOR POSSIBLE

The Tariff Commission is presently conducting two investigations which involve the ASP system. First, purusant to the President's request which was transmitted by this Office on December 23, 1965, the Tariff Commission is preparing a conversion of existing rates based upon the ASP system to new rates based on normal methods of valuation which will yield approximately the same amount of duty. On May 2, 1966, it published a list of preliminary converted rates and, after a public hearing, is expected to submit the final list of converted rates to the President in the latter part of July. Second, pursuant to a request of the Senate Finance Committee made on February 9, 1966, the Tariff Commission is studying all methods of valuation, including the ASP system, used by the United States and by the principal trading partners of the United States. It is to submit a preliminary report on June 30, 1966, and a final report on February 28, 1967.

It has been suggested that no action should be taken on ASP in the Kennedy Round until the Tariff Commission has not only completed the study requested by the President but has also finished the investigation requested by the Senate Finance Committee. This suggestion is unsound for two reasons.

First, it does not appear that anything would be gained by a merger of the two studies. The ASP system is quite separate and distinct within the overall U.S. system of customs valuation. It is restricted by law to only four categories of products—benzenoid chemicals, rubber-soled footwear, canned clams, and certain wool-knit gloves. Together, these products account for a well-defined and relatively small proportion of total imports into the United States. In addition, the general characteristics of the ASP system are well known and have been the subject of proposals by the Executive Branch and groups outside the U.S. Government for a number of years. Moreover, it is certainly feasible for the Tariff Commission to convert rates of duty based on ASP without in any way being required to make a general investigation of U.S. methods of customs valuation or those of other countries. Finally, it is not clear that the overall study requested by the Senate Finance Committee would be at all improved by including within it the narrow and special task of converting ASP rates.

Second, and perhaps more importantly, if there is to be any negotiation on the ASP system, it will certainly have to take place well before February of 1967, when the Tariff Commission must submit its final report to the Senate Finance Committee. Given the present time schedule of the Kennedy Round, which is becoming increasingly tight, the President must be in a position to decide whether or not to negotiate on the ASP system no later than early fall. Indeed, if the Kennedy Round is to be concluded within the time presently allowed by the Trade Expansion Act of 1962, the multilateral trade agreement must be substantially worked out by February of 1967, in order to allow the necessary time in which to record the numerous and complex concessions and to permit all the countries concerned to obtain final approval from their governments. Thus, simply as a matter of timing, it would be out of the question to postpone any possible negotiation until after the completion of the study requested by the Senate Finance Committee.

9. THE DISCUSSIONS IN GENEVA ON ASP ARE PURELY EXPLORATORY AND IN NO WAY CONSTITUTE NEGOTIATIONS

In Geneva on May 3, 1966, in a special group dealing with chemicals, the United States began to discuss the ASP system as it relates to benzenoid chemicals, and to explore the possibility of offering a concession on the ASP system which would take the form of a conversion of rates based on ASP to equivalent rates based on normal methods of valuation.

These discussions were begun because it was concluded that, by beginning an exploratory discussion of the possibility of converting ASP rates, the United States can achieve two significant objectives. First, the United States can demonstrate that it is indeed prepared to discuss in considerable detail what some regard as a significant trade barrier, thereby strengthening its ability to ask the same of other countries. Second, and more importantly, the United States can succeed in shifting the debate on ASP and ask other countries what they would be prepared to offer as counterconcessions for any such concession on the ASP system. This should reveal how significant the ASP system really is to the Europeans, insofar as it relates to benzenoid chemicals.

At the same time, these discussions will not prejudice in any way a final decision on the ASP system with respect to benzenoid chemicals or any other product. At the meeting in Geneva which began on May 3, 1966, Ambassador Blumenthal made a number of points in this regard. He stated to our negotiating partners that any discussions at this stage are purely an exploration of what might be feasible. He made it clear that they are in no way to be taken as constituting a formal offer on the part of the United States, or even a commitment to make such an offer at some future date. He also emphasized that the conversions under discussion are wholly tentative and subject to change, and that any comments on the accuracy of such conversions should be addressed solely to the Tariff Commission. Moreover, he stressed the fact that the technique of converting ASP rates is the exclusive task of the Tariff Commission and is not to be the subject of negotiation in Geneva. Finally, Ambassador Blumenthal stated that any comprehensive conversion of the ASP system would have to be submitted to the Congress for its approval, and that our trading partners must be willing to specify significant offers before the United States will decide whether or not to offer a concession on ASP.

10. IN ANY NEGOTIATION ON ASP THE UNITED STATES WOULD SEEK CONCESSIONS OF BENEFIT TO THE DOMESTIC INDUSTRIES DIRECTLY CONCERNED

If the United States should offer a concession on the ASP system in the Kennedy Round, it will seek reciprocal concessions of benefit to the domestic industries directly concerned with ASP. This has already been made clear to all countries with respect to benzenoid chemicals. Ambassador Blumenthal has emphasized that, if the United States were to negotiate on the ASP system, the Europeans in particular would have to make significant offers of concessions with respect to chemicals.

With respect to rubber-soled footwear, on the other hand, the domestic industry apparently does not believe that any concessions granted to the United States on such products would be of any value to it. This does not mean, however, that for this reason alone the United States should refrain from negotiating on the ASP system as it affects rubber-soled footwear. It is not and has never been U.S. policy in any trade negotiation to exchange tariff concessions only on identical items. The purpose of the Kennedy Round, like all the trade negotiations which preceded it, is to achieve a significant liberalization of world trade, on the ground that this serves the national interest. Any negotiation which was based on a principle of article-for-article reciprocity would yield very meager results. Thus, it is possible that the United States might negotiate a concession on the ASP system as it relates to rubber-soled footwear in exchange for concessions which would benefit other industries with markets in the foreign country or countries concerned.

It should be emphasized, however, that a decision whether or not to offer a concession on the ASP system as it relates to rubber-soled footwear, or any other product, would be made only after the most careful analysis of the economic impact of such a concession. In particular, it is clear that the recent decision of the Department of the Treasury concerning the determination of ASP as it relates to rubber-soled footwear constitutes a unilateral tariff reduction. Special consideration would be given to this factor before any final decision was made with respect to rubber-soled footwear in the Kennedy Round.

11. THE BASIC QUESTION WITH RESPECT TO ASP IS NOT ASP ITSELF BUT THE PROTECTION IT AFFORDS

In our view, the ASP system should be considered in terms of its protective effect and the needs of the domestic industries concerned, and not in terms of the alleged sanctity of the system as such.

Accordingly, the Tariff Commission has been asked to devise new rates of duty based on normal methods of valuation which will yield an amount of duty approximately equivalent to that provided by the present rates of duty based on ASP. Following publication of the final rates proposed by the Commission, a public hearing will be held with respect to the economic impact on the domestic industries of such a modification of the ASP system and the possible reduction of the new rates by 50%.

This procedure is designed to achieve the widest possible exploration of the basic issue regarding the ASP system—its protective impact and the needs of the domestic industries. Such exploration will, we believe, dispel much of the rhetoric regarding the ASP system and permit reasoned consideration of the trade interests of the United States.

NATIONAL SECURITY FOOD AND FIBER ACT—S. 3306

Mr. TOWER. Mr. President, the great and excessive surpluses of agricultural commodities which used to glut this Nation's warehouses several years ago are apparently now a thing of the past. In a speech on this floor on the 27th of April, my very able and distinguished colleague on this side of the aisle, Senator PEARSON, presented dramatic statistical proof that the total stocks available of wheat in the Nation are now lower than at any time since the height of the Korean war.

At the same time, the decline in corn reserves has been even more drastic. The total stock of Commodity Credit Corporation corn was at April 1, the lowest inventory recorded since 1949.

The gentleman from Kansas also pointed out the reserves of other food products have been sharply depleted, and in many cases are presently at their lowest for the past decade or longer.

This situation is a source of some consternation to me and should be of concern to all Americans, in view of our present conflict in Vietnam and our commitment to the freedom of the people there. It is imperative that sufficient stores of foodstuffs be maintained in our granaries so as not to jeopardize our military position.

We must always have on hand sufficient stores of food to meet wartime conditions, and as we are presently involved in operations in South Vietnam we cannot foresee where we may next be requested to help maintain freedom. There is a year's lag between the time when the need for additional commodities is realized and the time when stocks of agricultural commodities can be expanded. A major crop failure could leave the Nation and our fighting men stranded without adequate supplies, unless steps are taken—such as those embodied in the Pearson bill—to assure adequate reserves.

Accordingly, on May 3, Senator PEARSON's concern in this matter prompted him to introduce S. 3306, the National Security Food and Fiber Act.

This legislation, Mr. President, provides for the establishment and maintenance of reserve supplies of agricultural commodities for national security reasons. I wish to second Senator PEARSON's comments, and voice my support of his meritorious bill which I am privileged to cosponsor.

S. 3306 would specify quantities of agricultural products which the Secretary of Agriculture would be directed to maintain each year as a carryover from the preceding year. Thus, declaring the specific commodities and naming the reserve levels which are to be observed, S. 3306 serves clear notice of congressional intent and removes from the executive branch the power to manipulate surplus stocks in the marketplace so as to achieve de facto price controls by dumping commodities on the market.

The commodities and reserve levels spelled out in S. 3306, were suggested by the National Agricultural Advisory Commission and were endorsed in hearings this year by Secretary Freeman. I would be considerably more at ease if I knew, Mr. President, that the Department of Agriculture will not be able to set price ceilings on agricultural commodities because the Congress had the foresight to enact legislation to achieve the purpose of maintaining reserves for national security purposes without granting additional authority which could be used to further the war on farm prices.

Inflation, I have pointed out many times, is the result of the Government's general money policies and is not the result of rising prices.

If the public is going to have to bear the brunt of inflation brought on by the Federal Government, then it will have to bear it; but it should no more be shifted to the shoulders of the farmers than it should to the shoulders of other innocent businessmen.

ARTHUR HOLLY COMPTON MEMORIAL

Mr. SYMINGTON. Mr. President, recently in St. Louis, Washington University established a living memorial to its former chancellor, the distinguished scientist, Arthur Holly Compton.

Most appropriately the university created a new laboratory of physics, dedicated to the memory of the preeminent experimental physicist, and director of the work resulting in the first atomic chain reaction.

It was at Washington University that Dr. Compton carried out experimental work on scattering of X-rays in the early 1920's. This laid the basis for the now famous Compton-effect, the discovery of which earned him the Nobel Prize for physics in 1927.

On the occasion of the dedication of the Arthur Holly Compton Laboratory of Physics, Dr. Glenn T. Seaborg, chairman of the U.S. Atomic Energy Commission, made a moving tribute to Dr. Compton.

Because I believe his remarks and reminiscences about the great scientist will be of interest to my colleagues, I ask unanimous consent that they be inserted at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

OF ARTHUR HOLLY COMPTON—SOME REMARKS AND REMINISCENCES

(Remarks by Dr. Glenn T. Seaborg, Chairman, U.S. Atomic Energy Commission, at the dedication of the Arthur Holly Compton Laboratory of Physics, Washington University, St. Louis, Mo., May 4, 1966)

It is a great honor and a real pleasure for me to speak to the distinguished group of administrators, educators and scientists who have gathered here today to honor the memory of Arthur Holly Compton. No more fitting memorial to my friend and yours could be created than to have his name linked to a building like the one we are dedicating today. In this building men of science—those already of great accomplishment and those aspiring to such—will share with Dr. Compton, in accordance with the basic purpose of Washington University, the building of an enduring civilization where men and women rise to the best that is in them.

As was well recognized by those who wished to honor the memory of Arthur Compton, it is particularly appropriate that this memorial should take the form of a laboratory of physics. Arthur was pre-eminently an experimental physicist. He had a burning desire to learn the facts of nature and to find their meaning. He was equally at home in the laboratory and in the development of bold theoretical concepts to interpret the experimental results which he obtained there. His unbounded confidence in both his experiments and his interpretation of the results brought him into sharp controversy with some of his contemporary fellow physicists on two occasions in two widely separated fields, x-rays and cosmic rays.

Arthur Compton's experimental work on scattering of x-rays carried out here at Washington University in the early 1920's laid the basis for the now famous Compton-effect, the discovery of which earned him the Nobel Prize for Physics in 1927. But it required much experimental and theoretical checking before his concept of "billiard-ball" collisions between protons and electrons was accepted by some of his more skeptical colleagues.

At the height of his triumphs in the field of x-rays, he decided that most of the fundamental work in this field had been accomplished, and abruptly switched his attention to the new and more exciting field of cosmic rays. As might be expected, his first interest focused on trying to find out something about the nature of these rays. The principal question in this regard in the early 1930's was whether the cosmic rays consisted of uncharged photons (the "birth-cry" of matter in far space) or of charged particles. It seemed to Arthur Compton that the best way to tackle the question would be to find out if the earth's magnetic field had any effect on the intensity of the cosmic rays. That was a big undertaking because the entire globe had to be the laboratory. But Arthur was equal to the occasion, and organized systematic measurements of cosmic rays by widely-spread expeditions on several continents. When his analyses of the global results convinced him that there was indeed a latitude effect of cosmic rays, showing that they consisted of charged particles rather than photons, he again found himself in controversy with those whose experimental results had revealed no latitude effect. And again his experimental results and conclusions were vindicated by subsequent experiments of others.

No doubt most of you are quite familiar with the story of Arthur Compton's life and the details of his major accomplishments, but perhaps on his fitting occasion you will let me add a few footnotes to the Arthur Compton biography—footnotes derived from some personal reminiscences of my associations with Compton the scientist and Compton the man.

I count it among the most fortunate circumstances of my life that I had such a fine association with Arthur Holly Compton over so many years. I was familiar with Arthur's work since my college days, many years before I had the pleasure of meeting him and working with him.

My first meetings with Arthur Compton were just casual ones, but the one that I would count as really my first important meeting with him occurred in February of 1942. And this one I recall vividly. It was at a time when the Metallurgical Laboratory was just being set up at the University of Chicago. Plans were being made for the production of plutonium in quantity. A conference had been arranged to discuss the problems of the chemical extraction of plutonium after its possible production by the nuclear chain reaction operating with uranium. Arthur said he would like me to come from Berkeley to attend the conference and I, of course, was pleased to have the opportunity.

I have vivid memories of this particular conference for it was here that I was faced for the first time with the enormity of the problems connected with the extraction of plutonium from the large quantities of fission products that would be present in the uranium as a result of its undergoing the chain reaction. I remember that we discussed a number of possible methods of chemical extraction. In answer to a typically direct question from Arthur as to whether I thought the development of such an extraction procedure would be possible within the severely restricted time limitations involved, I replied that I thought it would. I also remember that I had some private doubts about such a fantastic proposition, but I did not think it appropriate to express any lack of confidence in my part of the job in the face of Arthur's tremendous enthusiasm about the whole project.

I believe that Arthur Compton may have had far more faith in me at that time than perhaps I had in myself, for in reading his autobiography, "Atomic Quest" some years later, I came across the following passage relating to the plutonium extraction question.

". . . I went with Bush and Conant to lunch at the old Cosmos Club. In the table conversation I remarked that we should give further thought to the production of plutonium as an alternative to the separation of uranium 235. In spite of the unknown difficulties in establishing a controlled nuclear chain reaction, did not the advantage of chemical extraction in the case of plutonium instead of isotopic separation in the case of U-235 make this process a worthy competitor? Bush called attention to the obvious uncertainties that lay in putting into production a kind of process that was completely unknown to industry and which had yet to be shown possible in the laboratory. Conant added that, even if we could produce the plutonium, we knew almost nothing of its chemistry. Even when we had this knowledge the task of extracting the plutonium from the uranium would be greatly complicated by the intense radioactivity. It would take years to get the chemical extraction process in operation. This was Conant, the expert chemist, speaking from experience.

" 'Seaborg tells me that within six months from the time the plutonium is formed he can have it available for use in the bomb,' was my comment.

" 'Glenn Seaborg is a very competent young chemist, but he isn't that good,' said Conant.

"Actually the time from pulling the last activated slugs from the Hanford piles until the metallic plutonium that they contained was ready for use at Los Alamos for the first bomb turned out to be hardly two months."

That is the end of the quote from Arthur's book, and I am still grateful to him for his confidence.

It was only about two months after my conference with him that Arthur asked me to move from Berkeley to join him at the Metallurgical Laboratory to take charge of the work that would be required to develop such a chemical extraction process for plutonium. I remember that I arrived in Chicago on April 19, 1942, which happened to be my 30th birthday. This also happened to be an unusually dark and dreary day, and I recall having some misgivings as to my judgment concerning the change in climate that I had elected.

My relationships with Arthur during the next three years, while the many difficult problems in the production and extraction of plutonium were being worked out, were very close. He was the type of person whose door was always open in order to discuss the many problems involved.

I could tell you many, many stories about the Metallurgical Laboratory days but I do not feel that I should spend my time here today in such an occupation. One incident, however, is worth relating at this point because it brings to mind Arthur's tremendous power of concentration. On a cold, stormy wintry night, I believe that it was in January or February, he walked over from his office in Eckart Hall on the University of Chicago campus to my office in the New Chemistry building on Ingleside Avenue adjoining the campus. After our talk in my office on a subject which I cannot now recall, we continued our conference as we walked down Fifty-seventh Street on our way to our homes. The going was treacherous and I recall that at one point he slipped on the ice and fell head over heels to the sidewalk. He got up with amazing speed, and, totally unconcerned, continued without noticeable interruption to the end of the very same sentence he had had in progress before the incident.

I remember that during that period at the "Met Lab" my wife, Helen, had an especially close relationship with Betty Compton in connection with Betty's many activities. Betty was Treasurer of the Chicago Metropolitan Y.W.C.A.—an organization with a sizeable budget, and she interested a large number of "the Project" wives in her project.

The relationship of Helen and myself with Arthur and Betty Compton did not cease with the successful completion of the tasks of the Plutonium Project. We had many contacts since that time.

After Arthur took up his duties as Chancellor here at Washington University I visited the campus on numerous occasions. Immediately after the war he brought Joseph Kennedy, my close associate at Berkeley who had participated with me in the discovery of plutonium, to the University as the chairman of the Chemistry Department. Arthur Wahl came to the University as a member of Kennedy's department at about the same time and is still here, his fine reputation as a nuclear chemist having been enhanced recently by receipt of the American Chemical Society's Award for Nuclear Applications in Chemistry. As you know, Wahl worked as a graduate student with Kennedy and me in the discovery of plutonium—and surely Art Wahl's is one of the historic Ph.D. theses of all time. So, because of my various associations here, I have had a number of reasons to visit Washington University in the past and have taken advantage of my opportunities to do so.

I might add that there is also another important connection between Washington University and plutonium. During the early days of the war and of the Plutonium Project, the Washington University cyclotron was used for the preparation of important amounts of plutonium. These were weighable amounts, hundreds of micrograms, huge by the standards of those days and very important to the success of the Project.

In thinking back on my associations with Arthur Compton I remember particularly that he and I served as members of the Historical Advisory Committee of the Atomic Energy Commission, and that Arthur was an especially great aid to Hewlett and Anderson in the advice he gave them with respect to Volume I of the history of the Atomic Energy Commission, "The New World." I can recall vividly a meeting of the Historical Advisory Committee held in Richland, Washington, in the summer of 1960. At a huge public gathering held in the Village Theater during the evening, also attended by Betty, Arthur and I shared the platform to reminisce about the wartime Plutonium Project and to share our thoughts on its present and future consequences. The discussion went on to explore the rich area of the philosophy of science and it showed Arthur at his best.

In addition to these high moments, there were many other times of pleasant personal association and times when we were in contact on a variety of matters. In connection with my duties as Chancellor of the University of California at Berkeley, I arranged, with the help of Dr. Edward W. Strong, an outstanding professor of philosophy on the Berkeley campus, a visiting professorship for Arthur to discuss the relationship between science and philosophy. These two eminent scholars were most interested in developing this field. Arthur and Ed struck up an immediate and firm friendship, and Arthur was actively engaged in this field of endeavor to the last day of his life.

Arthur was always interested in athletics. He played football in college—most, if not every game attended by Betty—and he always maintained his enthusiasm for the game. He and Betty attended a football game at Berkeley with us when I was chancellor and, although I fancied myself as somewhat of an expert, his greater understanding of the fine points of the game was readily apparent.

Arthur loved children and they shared his feeling. I remember the trouble to which he went, when our youngest child was a baby, in taking some color photographs of her. His prints are among the finest pictures we have.

I have recalled something of Arthur Compton, the man, as I was privileged to know him. But in dedicating this laboratory to his memory, I think it appropriate to say something about a few of the great general values which, we all know, motivated Arthur Holly Compton throughout his long, useful and inspiring life.

A wise aim of mankind is to realize to the greatest possible degree a reverential acceptance of man's modest place in the universe; Arthur Compton was keenly aware of this important goal. In his attempt to obtain a mastery of the processes of physical nature, he never lost sight of the great needs of mankind for artistic creation and appreciation. His moral aspirations were of the highest, leading to a progressive embodiment of social statesmanship.

Science, whose aim is to understand Nature, starts with the supposition that Nature can be understood by reason. Our understanding of Nature has advanced most rapidly when inquiring scientists conducted careful experiments to observe and record the behavior of physical entities under controlled conditions. Arthur Compton saw scientific research as a search for truth and this search played a central role in his life. In his reminiscences "A Life in Science" he states:

"The part of my scientific study that I have most enjoyed has been this effort to discover new truth. Nothing has given me greater satisfaction than such research.

From childhood until I was forty-eight years old the uncovering of truth about the world of nature was my life commitment. And I am sure that few people have found greater enjoyment in the quest for truth."

Although sponsored by society, the scientist working in highly objective fields, like mathematics and physics, is often constrained, even compelled, to carry out his technical tasks without consideration of the social, political, religious and economic consequences. Compton, however, recognized that, as a scientist, he was a member of a society that encouraged and supported scientific activities. He also recognized that society in general is responsible for what it does, or fails to do, with the scientific discoveries placed at its disposal. As a scientist, Compton knew that he had a special responsibility as a member of society. He believed that most scientists, because of their special knowledge of the facts, could be expected to recognize and foresee the consequences of their discoveries to a greater degree than could the non-scientific oriented individual, and thus they would have to assume more and more responsibility as science played a growing role in the affairs of our society. Discussing the role of the scientist in his reminiscences he said:

"The scientist is commonly thought to be a man apart from the main body of citizens. This is an error made by the critics of scientists and not infrequently by certain of their defenders. The fact is that science as the growth of knowledge is an aspect of life shared in differing degree by all moderns, and respected by nearly all. Scientists are merely those citizens whose lot it has been to make especially close study of certain aspects of knowledge and, in most cases, to use the knowledge of science as a basis of living."

Compton knew that we live in an interdependent world where it is necessary for all of us to adapt ourselves to the rapid change brought about by science and technology. He recognized also that the scientific laboratory had outgrown the stage when good work could be done with simple collections of glassware, microscopes, agar plates and the like. It was clear to him that accomplishments for the betterment of mankind were possible only by full cooperation among specialists in many fields, each working to enable the group to achieve a common goal. His leadership in the Plutonium Project has become a classic example of the team approach to difficult and complex problems. At the same time, however, he realized the importance of the personal contribution of the individual, either working alone or as a team member, in achieving a common goal. He saw in the success of the team approach to the solution of scientific problems, a valuable pattern for society as a whole to follow and recognized the search for truth as a cooperative process in which every step on the road to the solution of a problem presupposes the validity of all previously taken steps and prepares for all new steps to be taken in the future. Perhaps his philosophy about the role of the individual and the interdependence of individuals in today's society is best summed up in a statement he wrote about their relationship in terms of his own career:

"As I think back on these early experiments, one matter strikes me forcibly. It is the contrast between my first airplane experiments, which were done entirely with my own hands and with a minimum of contact with others working in the same field, and my last major engineering or scientific job, which was the atomic reactor, where thousands of people were engaged using the best available tools, and my part consisted largely in organizing the activities and the thoughts of the scientists who were concerned with getting the job done. In the thirty-three years that intervened my own scientific work, like that of the nation, went through all the stages from primitive pioneering, where one's own individual skill and resourcefulness, not only in ideas but also in handcraft, was the basis of success, to what has now become a vast enterprise in which each individual contributes a small but expert part, but in which, nevertheless, the originator of the idea has still to take the responsibility for it."

The example which Arthur Compton set for us on the high value of the search for truth inspires us all. The need to satisfy the ever-increasing number of people wanting an education and Compton's personal dedication to the development of the inherent value of every person, led him to take on the important position of Chancellor of Washington University. He recognized that the ideal of a great American university rests entirely on the theory of the dignity of the human spirit. This ideal is the very embodiment of democracy; it emphasizes the individual.

His prophetic religious background, which formed the roots of his ethics, led him to grasp fully the necessity for developing an awareness of the unity of nature in young and eager individuals.

He knew that the development of the fruits of nuclear energy would bring with it new breadth and new depth to the engineering and scientific professions. He felt strongly that we must achieve an increased level of scientific literacy among our people.

Today, we see embodied in the Arthur Holly Compton Laboratory of Physics an edifice which is not only the culmination of the efforts of its material constructors, but also a monument reminding us of the theory of the dignity of the human spirit, of the concept of truth, and of the high value of the search for truth. Those who work in its halls will realize, from the great example of Arthur Holly Compton, that their obligation is to accomplish those scientific tasks that are new and hard and deep, because such deeds are essential to the physical, mental and moral advancement of men and women everywhere.

The Arthur Holly Compton Laboratory of Physics will serve this fine university, and ultimately the world of science, in several ways. These well-planned new facilities will naturally be a tremendous asset to the current staff and students of the physics department. And, as I have been advised, the new facilities will also provide for the admission of more students to both the undergraduate and graduate physics programs. Arthur Compton would have appreciated both these assets, as he knew, like most of his colleagues—perhaps more so—the need a scientist has for adequate working space and equipment, and was keenly aware of our nation's need for an increased flow of well-trained scientific talent.

In addition to these important assets, the facilities of the Compton Laboratory will aid in the coordinated growth of the university's science programs by helping the physics department in its cooperative work with the Department of Chemistry and the School of Engineering and Applied Science. Certainly this is significant in view of today's need for a greater interdisciplinary approach to our scientific and technological development. As an administrator of what was one of our country's largest scientific endeavors, Arthur Compton could also appreciate this aspect of the role to be played by a building bearing his name.

In conclusion let me add just a few thoughts on the general role of physics in our lives today and, therefore, perhaps the overall significance of the laboratory we are dedicating today.

Arthur Compton was among those geniuses of science whose work, building on that of their predecessors, was directly responsible for a dramatic surge of activity in physical science and its accompanying impact on society. In the birth of the Nuclear Age the world witnessed, and has yet to be fully reconciled with, a new relationship between theoretical science and technology. I believe nuclear physics offers an outstanding example of this relationship. It has only been within the last few decades, relatively speaking the last few moments of our history, that science has taken its place among the forefront of those activities which are dramatically affecting man's daily life.

Modern physics, which probes the very basis of reality, is not only giving us an understanding of nature, its beauty, order and logic, but is providing us with a new mastery of nature and the great responsibilities which go with such mastery. Among the lessons to be learned from our adventures in today's physics is the one that knowledge—all knowledge—is worth pursuing to the utmost. The search for new knowledge must continue, for its own sake—because the desire to know is among the things which make us human—and because we have learned that all knowledge, sooner or later, can have an important effect on our lives.

Most of us are not pioneers. We take the legacy and materials others provide and build our world from them. But those of us privileged to be in science are the ones working closest to mankind's newest frontiers, and in doing so we bear a great responsibility in this age of science to our fellow man. In this respect, a new hall of physics, such as we are dedicating here today, becomes far more than a monument to science or to the man whose name it will bear. It becomes a testimony to our belief in the future and to our faith in the young men and women who will guide that future. Filled with teachers, students and researchers it becomes a living, creative entity and a vital part of the great university in which it resides. Above all, this is what we dedicate today at Washington University and in the name of its former chancellor and friend, Arthur Holly Compton.

In closing let me congratulate those who were instrumental in planning and building this fine new laboratory. And to those who will be working and learning within its walls, my best wishes for your success and a hope that through the work you undertake here you will someday advance the realm of science and consequently the future of man.

STRAIGHT TALK ON THE NATO CRISIS—THERE HAS BEEN AN EROSION OF U.S. PRESTIGE

Mr. HRUSKA. Mr. President, on May 25, Mr. Robert D. Murphy, president of Corning Glass International, testified before the European Affairs Subcommittee of the House Committee on Foreign Affairs on the critical situation now facing the United States as a result of the disarray of the North Atlantic Treaty Alliance.

Mr. Murphy has had a long and distinguished career in the U.S. Foreign Service and as a high-ranking official in the State Department in both Republican and Democratic administrations.

He served as director of the Office of German and Austrian Affairs, Department of State and U.S. political adviser for Germany in the critical postwar period, Ambassador to Belgium, Japan and as Under Secretary of State from 1953 to 1959.

Of particular significance was his wartime contact and experience with General de Gaulle which gave him a close view of the man whose personality is now so influential in contemporary European affairs.

His testimony focuses on what he considers to be the "proximate cause" of the present crisis—De Gaulle's NATO policy.

CONCOMITANT CAUSE—EROSION OF U.S. PRESTIGE

But Mr. Murphy declared it would be wrong to place all the blame on De Gaulle. After all, he stated:

> It is so long since the United States has had a resounding success or victory that there has been an erosion of prestige.

Then he went on to say:

> Many Europeans share the De Gaulle notion that our performance with the resources at our command has not been impressive. They are conscious of the fact that some Americans really don't want "to win"; they are opposed to the use of power. Disregarding the comparative morality they note the Soviet brutal but effective handling of Hungary and make insidious comparisons with American handling of the Berlin blockade, (at a time when the United States possessed nuclear power and the USSR did not), United States acceptance of a stalemate in Korea, the Bay of Pigs fiasco and a hesitant, reluctant use of power in Vietnam, the outcome of which is still uncertain.

If, as Mr. Murphy asserts, many Europeans share the De Gaulle notion that performance of the United States with the resources at our command has not been impressive and that there has been "an erosion of prestige"—one is prompted to inquire what must be the view of Asians of our role and effectiveness in contemporary world affairs? After all, there is a common link of heritage and blood line with Europe and strong cultural, political, and economic ties. If the Europeans disdain—not our power but our will, what can we expect from those who do not share this common heritage. Mr. Murphy has raised a fundamental question—one deserving of widespread discussion and concern.

Impressive, too, was Mr. Murphy's observation:

> In past dealings with other questions De Gaulle has concealed his ultimate intention or real goal until he is in a tactical position to achieve it.

He points out that De Gaulle has evidenced a "low opinion coupled with a certain distrust of the quality both of American and British political and military leadership," and suggests that because of his methods, ability, dedication, and ruthlessness, his forthcoming June visit to Moscow should be regarded "not without anxiety."

Ambassador Murphy underscores a fact of life perhaps overlooked recently: the deterioration of NATO is a prime Soviet objective and that they find in De Gaulle, with his apparent desire for comparative independence from the United States and Britain and a certain similarity of views on Germany, an unusual opportunity to achieve that objective.

He indicates that the French personality seems to be the crux of the current problem; he hopes that it will be a passing phase and that we will not ignore our permanent interests in a strong Western Europe.

His conclusions are well worth noting. He says:

> I cannot believe that basic Soviet aspirations have changed.
>
> At the time I thought it an error to establish NATO HQ in Paris, and believed it should be set up in a Benelux country. It would seem normal to remove the headquarters now. I do not understand how France can withdraw from NATO but continue as a member of the Alliance. As inconvenient as the removal from France of NATO installations and personnel may be, it seems to me that we should operate in a way best to serve our own interests reducing the expense to a minimum. It would be unwise to plead with de Gaulle for concessions.

Mr. President, I commend this straight talk on NATO to my colleagues and ask unanimous consent that the full text of the statement be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY ROBERT MURPHY BEFORE SUBCOMMITTEE (MRS. EDNA KELLY, CHAIRMAN) COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, MAY 25, 1966

Madam Chairman, it is my understanding that the objective of these hearings regarding recent developments in NATO, is to explore the future of that organization as well as to examine relationships within the North Atlantic Community with especial reference to current French policy. That policy has created a critical situation in the Alliance.

I shall not take the Committee's time reviewing the history and importance of NATO with which the distinguished members of this Committee are well acquainted due to their long and close association with European affairs. In any event, Dean Acheson and others who have appeared before you have comprehensively outlined the facts and developments leading to the present unhappy state of affairs. I share their sense of NATO's importance to our national security. I believe one or two witnesses have pointed to the anomaly that the very success of the alliance since its establishment in 1949, at a time when Europe was just emerging from the shambles left by World War II, is the cause of at least some of the current difficulty. The collective security provided by the alliance afforded a shield behind which the European nations could and did apply their great talents and resources. Without the security and protection of the alliance those talents could not have achieved the high degree of prosperity and well-being the European members enjoy today. Whatever criticisms may be leveled at American foreign policy, no one can deny that the North Atlantic feature of our policy succeeded beyond our most extravagant expectations.

It may be just a coincidence of course that the lengthy planning of President De Gaulle has matured just at a high point of France's prosperity. He has arrived at a stage in his career where his authority is consolidated and he now wishes to try an experiment which evidently has been maturing for years. The prosperity and relaxation in Europe, and particularly in France, provide the necessary environment for President De Gaulle to launch a new policy. Implicit in the current French assumption that Soviet intentions to dominate Europe have modified and the danger has receded, is the thought that the United States presence is no longer necessary. A European solution employing elements from the days of the triple entente could be sought, and perhaps it could achieve within it a limited solution of the key problem of Germany. European pride, ambition and a certain human susceptibility are involved. We Americans at times have resented European intervention in our domestic affairs. For many years there has been an American overpresence in Europe—the type of situation mentioned by John Rockefeller the other day in discussing Asian problems. Among the hundreds of thousands of Americans visiting Europe annually, together with our troops and regular American residents, there are many who make speeches, offer gratuitous advice and irritate. No doubt many Europeans want the American visitors' money and many have profited by both our military and financial assistance. But international politics does not emphasize gratitude which here above all other places is certainly the expectation of favors to come.

We should remember, too, that many Europeans and especially many Frenchmen have convinced themselves that our aid has always been designed for the selfish purpose of enhancing American security by building a European buffer which would protect the United States should an attack come from the East.

I would like to address myself to the proximate cause of the present crisis—De Gaulle's policy. Having been in contact with him during the war days in North Africa, I have followed with interest the trend of his policy vis-a-vis NATO since he came to power for the second time in 1958. Then I worked in the State Department and presided the tripartite conversations we had with French and British representatives regarding De Gaulle's proposal to establish a form of triumvirate consisting of himself, Prime Minister Macmillian and President Eisenhower for the determination of global policy. When that proposal was found unacceptable both to the British and to ourselves, there began a series of French decisions affecting France's participation in NATO, the elimination of the French Mediterranean naval units from NATO command; later the elimination of similar units from the Channel command; the refusal of bomber bases in France; the refusal to stockpile nuclear weapons, and other matters. These actions were taken in De Gaulle's typical leisurely chopping away which seems to characterize the phase when his plan or policy is in the making. In past dealings with other questions De Gaulle has concealed his ultimate intention or real goal until he is in a tactical position to achieve it. Algeria is a good example. When possible he operates according to plan. There may be a lengthy period of quiet preparation allowing time for events to occur. With a good sense of timing he eventually comes to a phase of realization, after appropriate orchestration, where the action may be swift or even violent. Thus his planning for NATO with a beginning in 1958 hesitated through the Kennedy Administration with gentle efforts to take under his fatherly wing our young President, but becoming more pointed after Mr. Johnson came to power. Since then we have been treated to De Gaulle's recognition of Red China and his disparagement of American efforts in South East Asia. He staged a rather Barnum and Bailey tour of Latin America and has not been unfriendly to Castro Cuba. In Paris, the Soviet Union for years had an Ambassador (Vinogradov) who was ideally cast for his role and who left no stone unturned which could promote Franco-Soviet rapprochement. This happened to coincide with what I believe is a dogged determination on De Gaulle's part to achieve, as a self-designated leader of western Europe, a parity of negotiating level with the Soviet Union. France's possession of a nuclear striking element, however, small, is an integral part of his planning and determination.

Throughout his maneuvers is evident a low opinion coupled with a certain distrust of the quality both of American and British political and military leadership. I am confident that American possession of vast resources and wealth stimulates that low opinion because he believes that had France equal resources and wealth the role he, as France's leader, would play in the world would be far more effective than our own.

Confident that by now we know something of De Gaulle's methods, of his ability and dedication as well as his ruthlessness, his June visit to Moscow should be regarded not without anxiety. True to form, he has concealed his goal; we are not informed of his plan. We can only make deductions based on a series of moves over a period of years. No doubt some of his close collaborators within the French Government are as badly informed as we are. I certainly do not exclude a major move in the direction of some form of agreement of close cooperation between France and the Soviet Union. This will undoubtedly involve the subject of Germany, and will deal with German reunification, armament, and German participation in NATO. In the early post-war years, the French Government sought separate agreement with the Soviet Union on a number of issues regarding Germany but were met by Stalin's contemptuous disregard of a weak France. Today Soviet leadership cautiously seeks an avenue of approach to its prime objective, the deterioration of NATO, and perhaps finds De Gaulle France more propitious. De Gaulle's desire for comparative independence from the United States and Britain, and the enjoyment of a certain similarity of views regarding Germany by France and the Soviet Union provide an unusual opportunity.

I devote this much attention to the De Gaulle factor because it is the immediate cause of present NATO crisis. It would be wrong to place all the blame on De Gaulle. It is so long since the United States has had a resounding success or victory that there has been an erosion of prestige. Many Europeans share the De Gaulle notion that our performance with the resources at our command has not been impressive. They are conscious of the fact that some Americans really don't want "to win"; they are opposed to the use of power. Disregarding the comparative morality, they note the Soviet brutal but effective handling of Hungary and make insidious comparisons with American handling of the Berlin blockade (at a time when the United States possessed nuclear power and the USSR did not), United States acceptance of a stalemate in Korea, the Bay of Pigs fiasco and a hesitant, reluctant use of power in Vietnam, the outcome of which is still uncertain.

Of all critical Europeans, De Gaulle undoubtedly wonders not whether the United States has the power and resources, but whether it has the will and ability to use them successfully for itself and to the profit of its Allies.

I note evidence of a trend in European psychology regarding the United States not only in political circles but commercial. Witness the stockholders meeting in Switzerland the other day with a heckler saying—"I am no Gaullist but with the way American business is taking over in Europe the United States is losing friends all the time." His remarks were applauded.

The Soviet pleasure over President De Gaulle's damage to NATO was illustrated by Marshal Malinovsky, Minister of Defense, who, at the recent Party Congress declared, "Washington leaders are trying with all their might to strengthen the aggressive military-political blocs, first and foremost NATO." But serious contradictions within the North Atlantic bloc are more and more acute. Many participants refuse to reconcile themselves to the dictates of American imperialism, etc., etc. This obvious reference to the trend in Paris indicates that the Russians can barely conceal their satisfaction over De Gaulle's maneuvering.

Perhaps, Madame Chairman, I have devoted a disproportionate share of time to the French personality but that seems to be the crux of the current problem. I hope that the French aberration is a passing phase and that we will not ignore our permanent interests in a strong Western Europe. I hope we will continue to concert with our remaining allies, and adapt NATO to the changed environment. Perhaps a solution can be found to the problem of sharing our nuclear power with our allies, but I have no suggestions as to how this may be accomplished. The essential thing is that the United States has that power, and will know how to use it. I cannot believe that basic Soviet aspirations have changed.

At the time I thought it an error to establish NATO HQ in Paris, and believed it should be set up in a Benelux country. It would seem normal to remove the headquarters now. I do not understand how France can withdraw from NATO but continue as a member of the Alliance. As inconvenient as the removal from France of NATO installations and personnel may be, it seems to me that we should operate in a way best to serve our own interests reducing the expense to a minimum. It would be unwise to plead with De Gaulle for concessions.

DANISH AMBASSADOR DELIVERS COMMENCEMENT ADDRESS AT DOANE COLLEGE

Mr. HRUSKA. Mr. President, on Sunday, May 29, one of Nebraska's favorite and most distinguished recent visitors delivered the commencement address at Doane College, in Crete, Nebr., on whose board of trustees I have the honor to serve. It was not possible for me to hear the address of the Ambassador of Denmark, Torben Ronne, since on the same day it was my privilege to address the graduating class at the Midland Lutheran College, in Fremont, Nebr.

I have read his speech and am deeply impressed with its simplicity and the directness of its philosophy.

When this distinguished speaker himself received a degree in political and economic science from the University of Copenhagen his father said to him:

> I have now given you an education, which perhaps is the best and the only inheritance I can give you. The rest is up to you.

Today's young people will be limited only by the extent of their own ambitions, ideals, or capabilities. They have received the education, and they have only to do the rest.

Mr. President, I ask unanimous consent to have printed in the Record the commencement address of the Honorable Torben Ronne given at Doane College on May 29, 1966.

There being no objection, the address was ordered to be printed in the Record, as follows:

A Balanced Education as a Must

(The commencement speech by the Ambassador of Denmark, Mr. Torben Ronne, at Doane College, Crete, Nebr., May 30, 1966)

Mr. President, Graduates, Ladies and Gentlemen, the privilege of being invited to speak on this occasion gives me triple pleasure.

First, it has taken me back to the state of Nebraska, which my wife and I recently visited with the Prime Minister of Denmark and his wife.

At that time we were the guests of the University of Nebraska and of Dana College in Blair, and we were reminded of the fact that, during the last hundred years thousands of our countrymen came to this state and found a new and permanent home here. Many of the immigrants contributed to and shared in shaping this great and powerful nation. Many sons and daughters from the homes of Danish immigrants have received their education from institutions of higher learning in Nebraska. From these universities and colleges they have found their place in the American society imparting to it some of the highest ideals of liberty and values of the land of their forefathers. The ideals of liberty and equality and the dignity of man are the basic principles on which the great American society is built; and we in Denmark are proud of those of our countrymen who came to this great state and contributed to its growth.

The second pleasure is that of having received the honorary Doctor of Law degree that you have conferred upon me today. In that I have received much more than what little I have to offer. To the Board of Regents, to the faculty, and to you, Mr. President, I can only say that I am more grateful than I can express here. I shall always treasure this recognition and remember that I must share it with those who in one way or another have made you feel that you wanted to honor Denmark.

I know of your close connection with the University of Copenhagen, my own Alma Mater. It is old of years—founded in 1472—but young in spirit—as an educational institution must be if it is to give its students not only the required pensa, but also a sense of right, duty, and honor.

My third pleasure is that you have asked me to give the Commencement Address today. It is an honor for any man to be asked to speak to the graduating class. It is also an obligation.

What can I tell you, the graduating class of 1966, on this your greatest day? The four years are over. The books are closed. The doors that you know so well, to your classrooms, to the library, and to the laboratories, are closed. There is a silence today in those rooms that you have not experienced before because you are leaving the rooms, the campus, the teachers, and so much, much more.

And yet, you will never really leave this place. Wherever you are going—to a teaching profession or another institution of higher learning for graduate work, to the business world, to industry, or to government service, part of you will remain here where you have received so much, and where an important chapter of your life will be sealed with the diploma that you are about to receive.

And Doane College will never leave you; it has become part of your life, perhaps more so than you realize today.

My thoughts go back some twenty years, when I received my degree in political and economic science from the University of Copenhagen. In his speech for me at the dinner on that occasion my father said: "I have now given you an education, which perhaps is the best and the only inheritance I can give you. The rest is up to you".

You have reached that point today. Your parents, other members of your family, perhaps, and your friends will help you celebrate this important event in your life. Your parents, undoubtedly, will feel like my father did, that the inheritance they have given you or helped you to get, is perhaps the very best they possibly could give you.

No, you will never really leave this place because you are not finished with education—and—this may perhaps frighten you—you never will.

Doane College has given you the tools to work with, it has given you an academic education that will be useful only if you know how to utilize it, and that brings me to my subject: "A balanced education as a must".

When Cornell University opened its doors to its first students, about a century ago, the founder of that university, Ezra Cornell, a very successful businessman, who had founded the Western Union Telegraph Company, commented in his speech "—that there is not a single thing finished." This statement applies to education more than to anything else.

I believe that we in Denmark have in common with America that we are not entirely satisfied with our educational system. I do not think that we should be alarmed about that because, the moment we are fully satisfied, we have reached a stage of standstill, and that should never happen in education.

I will not go into details about the Danish educational system, but let me say just a few words about some of its special features.

It is characteristic of the Danish school system that a large number of institutions follow up the basic training given in the elementary and secondary schools. The technical schools and trade schools, which a few years ago were evening schools, are now day schools. Those schools are frequented by students who have gone into apprenticeship—at the present time one third of a particular age group. In the years to come, we estimate that the number will rise to one half of this group.

Why aren't these youngsters attending a college or a university for further education? Simply because there is a need in our kind of society to educate as many of our young people as possible to turn out the commodities that have made the name of Denmark known all over the world, like silver, porcelain, glass and furniture, to mention just a few. This is important because it enables us to trade with the world to such an extent that we have managed to be among the nations with the highest living standard although Denmark has practically no natural resources.

Because of our special educational structure we have in Denmark a much smaller percentage of students seeking a higher academic education than you have. Yet, our highly technical age makes it necessary that more and more of our young people receive an education suitable to the need of the country. In Denmark we have a shortage of skilled labor as well as of academically trained people. This in spite of the fact that trade, commerce, shipping, and industry have absorbed thousands and thousands of young people from the farms, where mechanization has reduced the number of people to such an extent that only 18 per cent of the population now live in the rural districts. Yet, these 18 per cent are producing much more ham, bacon, butter, and eggs than did 50 per cent of our population some fifty years ago.

The conditions and the requirements of the time, in which we live, lead us into a balanced education. But a balanced education is not only what our present society demands, it is much more than that. It is first of all the need of the individual, if he is to fill his place.

It is a must for developing a man's capability of learning and thinking, as well as his ability to create and work—and in this way make him contribute to the culture and carry it on. An education which aims only at satisfying the already existing needs will not at all be sufficient.

You, the members of the graduating class, are facing many problems. Demands will be made on you as individuals, as "members of the family," as members of a working team, of a nation, and of a world community.

From an economic-materialistic point of view we must bear in mind that it is not sufficient today to have a solid basic knowledge of one's own language and the other subjects that belong to a liberal arts education. Against the background of the many-sided and complicated economic development in industry, agriculture, and commerce an understanding is needed of those aspects of our society; and where the education, you have received, has left holes in these fields, you are expected to fill them yourself. Even if you are not going into industry, agriculture, commerce, or government service, it is a must for you to know what is going on, just as it is essential for those of you who are going to work in these fields to acquire an understanding of the dynamic character of world history, especially of the changes that have taken place and will continue within the production activities.

Perhaps those of you who are going to teach face the problem of a balanced education more than anybody else. You are not only going to teach the subjects prescribed by the school authorities, but also to prepare the next generation for living among other people, in the family, at the workingplace, in organizations, in political life, and in international cooperation.

Democracy is a much abused word. We hear about several kinds of democracy. But even so, I venture to suggest that the teacher has a duty to educate children for democracy.

For we must understand that, democracy is not only a system of government, a set of rules; it is a way of life—and a way of life which puts us under an obligation, wherever people meet and cooperate.

To my mind the place to introduce democracy is in the home, in the school, and in a college such as Doane. But only the spadework—so to speak—can be made in those places. It is the individual adult, who is charged with the great responsibility of becoming a leader in society who will find that a balanced education is a must in our time, in the kind of world, in which we live.

It is natural for each country to have strong national feelings. In history, literature, folk songs, etc., the people to whom we belong come alive, and a feeling of solidarity, of respect for those who created the nation, grows up as a living reality.

The documents, so generously left you by the founders of your nation, the Charters of Freedom, as they are enacted in "The Declaration of Independence," "The Constitution," and "The Bill of Rights" are not only exhibition material that you look at when you visit the National Archives in Washington. They are, first of all, political documents that set forth the way of life for the American people. They are also inspiring documents for all freedom-loving people in the world.

And we do have to realize that we are *citizens also* in a greater community. Technical development leads to cooperation among nations, whether it is wanted or not. Such cooperation must imply that the peoples of the various nations cultivate an interest in the problems of other peoples—and not least, of course, in the problems of the developing countries.

We are past the time when we could allow ourselves to look at the happenings in these countries as a sort of stage play, something which did not really concern us. The problem of these countries are realities, and we are compelled to take part in them. And I think that it is good policy to do that, and perhaps especially in the educational and cultural field, which so often is a neglected aspect of the foreign policy of the old countries in the world.

Dr. Charles Frankel, the Assistant Secretary of Educational and Cultural Affairs in the Department of State, writes in his recent book: "The Neglected Aspect of Foreign Affairs," published by the Brooking Institution: "A major society in the twentieth century that fails to develop a systematic body of thought about this new dimension of international relations is like a seventeenth-century society that failed to give careful attention to the role of commerce overseas."

Your country has given much to those countries, so much that it is part of the heritage of your nation, a heritage which you as the generation upon whom the future of the world depends must continue and be responsible for if those countries are going to be able to develop their own resources and become self-sustaining members of a world-community.

I know, that in this speech I have taken you far away from Nebraska, and far away from your home and your country. I have perhaps even taken you away from the theme of my talk. I have done that intentionally, reminded of a philosopher, who once said: "Man will become sterile if he looks only at his own life, or his own country, or even his own era. Each of us", he said, "is a link in a long chain, and we do not utilize our potentialities for living as human beings if we do not know how to preserve and further develop the culture of which we are part".

But I do not believe that in this speech I have taken you away from Doane College, from your Alma Mater, which has understood the importance of being affiliated with a foreign university. We are, of course, both happy and proud that the affiliation is with the University of Copenhagen.

I spoke earlier about the many closed doors at Doane today.

But you, the graduates, are leaving Doane on this day, where the doors to your future are wide open.

Out there—somewhere—is your place, from where you will have the opportunity to cooperate with vision, constructively, realistically, courageously toward a better world for the coming generations. It is a task, which many of us, from time to time, feel is overwhelmingly difficult. Let it then be an encouragement that this is one of the finest tasks that exist.

To all of you: Congratulations, and the best of luck.

THE HIGH COST OF ELECTRICITY IN NEW ENGLAND

Mr. MUSKIE. Mr. President, the Boston Globe has recently published a nine-part series on the high cost of electricity in New England. *Globe Staff* Reporter Richard J. Connolly objectively documents the need for a Federal power cost "yardstick" for New England where we pay the highest electricity bills in the Nation.

Mr. Connolly demonstrates that a yardstick would lower power costs, would increase power use, would create *competition in power generation* and, *in turn*, would break the power monopoly which is now enjoyed by New England's private utilities and which penalizes every consumer.

The Dickey-Lincoln School hydroelectric power project on Maine's St. John River would provide the yardstick and its benefits to New England. Mr. Connolly's series supports our arguments for Dickey, which Congress authorized last year over the strenuous opposition of the private power lobbyists.

Mr. Connolly wrote:

The New England utilities deal in two kinds of power—electrical and political.

They have successfully used one—political—to enhance the value of the other at the expense of the consumer.

Mr. Connolly reports that in the absence of competition, the State public utility commissions generally have not guarded the interests of the public effectively or positively.

He writes that too often the private utilities have not had the incentive to reduce costs, that reduced costs have not meant rate reductions, and that assured markets have not produced efficiency and aggressive innovations.

Mr. Connolly finds that regulation by competition may best serve the power needs of New England.

He substantiates his findings impressively.

He writes that the private power companies administrative and general expenses per killowatt-hour of sales is 87 percent above the national average.

He writes that on a cost-per-consumer basis, New England's systems are 26 percent above the national average.

Mr. Connolly refutes many of the excuses made by the private utilities for the high power rates. For instance, he finds that if fuel costs to the utilities were reduced to the national average, the consumer's bill would be reduced by only 5 percent.

Mr. Connolly refutes the claim by the utilities that recent cost reductions have resulted from increased efficiency. He finds that many of the reductions resulted from decreased taxes, and that in some cases even these decreases were not passed on to the consumer.

Mr. Connolly reports that the much ballyhooed plans of the utilities for a $1.5 billion investment in new generators hold no guarantee for reduced bills to the consumer. He notes also that nuclear power, the backbone of the private utilities' plans, has not proven itself and is not competitive anywhere in the Nation.

He writes that their arguments against Dickey-Lincoln School are the same as they have used against every public power project in the Nation.

He writes also that residents of communities with public power enjoy the lowest electricity bills in the Nation. These same communities have the highest power use in the Nation.

Regrettably, New England pays dearly to support the private companies. New England householders pay $4.56 for a 100-kilowatt-hour bill. Householders in the Tennessee Valley pay $2.85. Commercially, Tennessee Valley businesses pay 87 percent less than New England businesses. If our region's power rates were reduced just to the Nation's average, our manufacturers would save $71 million a year, or about 31 percent.

Mr. President, Congress is now considering the appropriation of $1.2 million for engineering work for the Dickey-Lincoln School project. I urge my collegues to read Mr. Connolly's series. It is a factual analysis of New England's power needs and of how Dickey-Lincoln School will help meet those needs. I ask unanimous consent that the nine installments in Mr. Connolly's series be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Boston (Mass.) Globe, May 11, 1966]

OUR HIGH COST OF ELECTRICITY

(By Richard J. Connolly)

New Englanders paid an average of $4.56 for a 100-kilowatt-hour electric bill last year—$1.71 more than the bill of householders in the Tennessee Valley.

The national average was $4.02.

But in the East South Central region—where the Tennessee Valley Authority provides low-cost hydroelectric power—the bill was 29 percent below the national average.

If you are confused by electric terms—and most of us are—remember that a kilowatt-hour (kwh) is used in measuring energy just as the gallon is used in measurement of gasoline or water.

A kilowatt (kw) is a unit of power equal to 1000 watts.

If a 100-watt bulb were to burn continuously for 100 hours it would use 10 kilowatt-hours.

While water is sold at so many cents per 1000 gallons, the electric company sells you electricity at so many cents per kilowatt-hour.

Generally, a 100 kwh bill reflects charges for lights, small appliances and refrigeration.

If you also cook electrically, your bill rises into the 250 kilowatt category.

New England paid an average of $8.57 for its 250 kwh bill last year while the U.S. average was $7.38.

New England's average commercial bills were even higher than this region's residential rates. Comparable bills in the region served by TVA were 87 percent lower than New England's.

INDUSTRY PAYS TOO

Industry also finds electricity costly in the Northeast. The average bills were as much as 12.7 percent above the national average.

But in the East South Central region—and again the Federal power project proves its worth—industry bills were as much as 28.5 percent below the U.S. average.

The Federal Power Commission notes that comparatively low bills were also reported in the Pacific region which benefits from operation of another Federal project, the Bonneville Power Administration.

New England lacks a Federal "yardstick" project. It may come, however, through construction of the Dickey-Lincoln School dams on the St. John River in northern Maine.

The above-average prices which Boston consumers pay are apparent in a Federal Power Commission study of residential bills in the 25 largest cities.

The bills ranged up to 45.3 percent above the U.S. average.

But in Seattle, which is served by a publicly-owned utility, the bills were as much as 55.2 percent below the national figure.

NO "YARDSTICK"

The government's report on typical electric bills prompts the Consumers Information Committee a non-profit organization, sponsored by farm, labor, rural electric and power groups, to state:

"Quite obviously, consumers in the Northeast have been paying for the success their power companies have had—so far—in keeping the Federal power 'yardstick' out of their region."

Vermont, which enjoys the lowest electric rates in New England, provides an example of the benefits that can be derived from public power.

Vermont purchases 150,000 kilowatts of St. Lawrence and Niagara power a year from the Power Authority of the State of New York (known as PASNY) and sells it to Vermont's utilities.

Even with some public power, however, Vermont ranks 33d in the nation-wide comparison of typical residential bills in the 250 kwh category and 42nd in the 1000 kwh bracket.

In the opinion of Walter N. Cook, manager of the Vermont Electric Cooperative, his state also offers an example of how the cost of public power can increase as it flows through private transmission lines.

The PASNY power is transmitted throughout Vermont by the Vermont Electric Power Co. (V.E.L.C.O.) which is owned mostly by the Central Vermont Public Service Corp. (C.V.P.S.).

St. Lawrence and Niagara power is delivered to the Vermont state line by PASNY at approximately 5.6 mills per kilowatt-hour. There are 10 mills to a cent.

Cook points out that after V.E.L.C.O. levies tolls, delivers it to the subtransmission lines of the other utilities and by the time it reaches the substations of the cooperatives, the cost has increased 50 percent.

WRONG WAY COSTS

Since 1959, the first full year of St. Lawrence power, 50 percent more electricity has been distributed in Vermont.

But Cook maintains that the unit cost has increased over 10 percent when it should have dropped 33 percent.

Consumer-owned corporations, unable to build large plants or tie-in with transmission lines are at the mercy of the "electric power giants which the local commissions and the Federal Power Commission seem unable to control effectively," according to Cook.

The National Rural Electric Cooperative Assn., a national service organization of REA-financed, non-profit electric systems, estimates that rural electric systems in Vermont pay wholesale rates 42 percent above the national average.

SAME IN MAINE

It places the wholesale cost of the Maine cooperatives at 83 percent higher than the average cost of all wholesale energy purchased nationally by rural electric from private companies.

Robert V. Clark, president of the Maine Electric Cooperative Assn., has reported a 40 percent increase in the coops' cost over the past 20 years while the national pattern has shown a 20-percent drop.

"We have the pleasure—if you want to call it that—of paying the highest wholesale rate in the country, just under two cents per kwh, to the Maine Public Service Company," Clark reports.

Like Vermont's Cook, Clark is a strong critic of private utilities.

"Maine's power companies have had things pretty much their own way for decades," Clark told a congressional committee considering the merits of the Dickey project.

"They have wielded their power mercilessly at times to block or transform legislation to suit their own idea patterns of their own corporate needs," Clark charged.

IN REBUTTAL

But in the opinion of William H. Dunham, president of the Central Maine Power Company, the electric utilities of that state have provided excellent service at fair and reasonable rates.

The same congressional group heard Dunham say he believed most sincerely that the theory that Maine power rates are high is an exaggeration.

In three years, according to Dunham, Maine utilities have made rate cuts of over $2.2 million.

The major utilities in New England, forming the "Big Eleven Powerloop," claim that their efficiencies have resulted in steady price reductions totaling $22 million in the last three years.

The power industry, which has become more public relations conscious since the Northeast blackout, has used full-page newspaper ads to inform consumers they have "lower and lower rates to pay."

One industry spokesman concedes that at least 40 percent of the rate reductions can be attributed to the 1964 Federal income tax cut.

Nathan S. Paven of Quincy, legislative vice president of the Massachusetts Consumers Assn., takes issue with the claim of efficiency of the power companies.

Paven, former assistant attorney general, argues that as much as 52 percent of the rate reductions resulted from tax decreases.

He says at least one Massachusetts power company has yet to agree to a rate reduction and still collects taxes that is no longer obligated to pay.

Paven labels as "fallacy—no, outright misrepresentation" claims that the reductions were due to increased efficiency of the private companies.

Public utility commissioners of New England have failed, Paven maintains, to represent the position of the consumer and have, with few exceptions, "parrotted" the position of the utilities.

The Consumers Information Committee also contends that not all power companies have lowered rates to consumers to reflect the tax cut.

Too many power companies still earn rates of return in excess of those allowed by state regulatory commissions, ECIC states.

Historically, the utilities are said to be allowed a rate of six per cent but in practice most power companies reportedly are allowed a return of more than seven per cent.

"We've said it before," the ECIC says. "We'll say it again: Despite the highly-touted rate reductions by power companies in recent years, most have been token. Rates of return of too many power companies are still too high."

The consumers' group says its claim is supported by Federal Power Commission figures showing that the country's private power companies had a net profit of 16 cents out of each dollar received from consumers in 1964.

When 1965 revenues are totaled, the ECIC predicts, they will reflect a 5.6 percent increase over the preceding year.

The committee estimates, on the basis of preliminary reports, that the power industry's net profits will rise 8.8 percent and dividend payments will increase 7.4 percent for 1965.

The private power companies generally earn money two ways—owning the transmission lines or continually increasing their investments and justifying an increase in their rate base by new construction.

By increasing investments, utilities can take advantage of certain incentives and depreciation tax credits allowed by the Internal Revenue Service.

One of the most outspoken critics of the power industry, Sen. Lee Metcalf (D-Mont.) has underscored the high rates of return of the private utilities.

Of the 188 investor-owned firms with operating revenue of at least $2.5 million in 1963, 111 had return rates of at least seven percent.

Fifty-five had rates above eight percent. Twenty were returned at least nine percent, according to the senator.

Metcalf has charterized the investor-owned utilities as the "I.O.U.'s."

WHAT THEY MEAN

Kilowatt—1000 watts.

Kilowatt-hour—A unit of energy equal to the work done by one kilowatt acting for one hour.

Hydroelectric plant—An electric power plant in which the generators are driven by falling water.

Yardstick—A Federal power project which provides competition to the industry and thus stimulates lower rates.

Average residential electric bills, Jan. 1, 1965, by regions

	100 kwh	Percent above or below U.S. average	250 kwh	Percent above or below U.S. average	500 kwh	Percent above or below U.S. average
U.S. average	$4.02	----------	$7.38	----------	$10.41	----------
New England	4.56	+13.4	8.57	+16.1	11.69	+12.3
Middle Atlantic	4.44	+10.4	7.98	+8.1	11.75	+12.9
East North Central	3.91	−2.7	7.38	----------	9.94	−4.5
West North Central	3.83	−4.7	7.36	−0.3	10.57	+1.5
South Atlantic	3.88	−3.5	7.15	−3.1	10.40	−0.1
East South Central	2.85	−29.1	5.57	−24.5	8.00	−23.2
West South Central	4.08	+1.5	7.53	+2.0	10.39	−0.2
Mountain	3.83	−4.7	7.37	−0.1	10.28	−1.2
Pacific	3.80	−5.5	6.37	−13.7	8.89	−14.6
Noncontiguous [1]	4.98	+23.9	9.02	+22.2	13.58	+30.5

[1] Alaska and Hawaii.

[From the Boston (Mass.) Globe, May 12, 1966]

Our High Cost of Electricity, II: Why So Much?

(By Richard J. Connolly)

Fuel. Taxes. Power plant inefficiency. New England's geographical location.

They all add up to dough. And you pay it on your electric bill.

There are other explanations for the high cost of electricity in New England.

We have a large number of power systems—both public and private. New England is parochial and has a negative attitude toward the need for a Federal power project.

Our rates range as high as 29.8 percent above the national average and soar up to 87 percent above the region served by the Tennessee Valley Authority.

Unless you have lived in another region, you may not have realized the price we pay for electricity.

High rates mean less consumption. Less consumption means less electric comfort—fewer electric blankets, stoves, heating systems, air conditioners and other appliances.

New England's fuel costs and taxes have been cited most frequently as contributors to our above-average power rates.

With Federal income taxes excluded, New England utilities pay $40.12 in taxes for each $1,000 of net plant worth. The U.S. average is $31.53.

The Massachusetts figure is even higher than New England's. At $50.35, it is 37.4 percent above the national average.

Most New England systems, being privately owned, pay corporate income taxes and their stockholders and bondholders are taxed on dividends and interest.

This factor must be considered when New England's power costs are compared with those in other areas.

Systems in many parts of the country are either exempt from taxes or purchase untaxed power from public sources.

New England's fuel cost per million British Thermal Units is 33.9 cents compared with the U.S. figure of 25.3 cents.

Utilities in Massachusetts pay 34.5 cents 26.7 percent more than the U.S. average.

New England lacks abundant water resources so it must rely heavily on fossil fuels which are costly because of our geographic location.

Coal accounts for approximately two-thirds of the total fossil fuel used by the utilities of this region.

Before a load of coal goes to work in a New England power plant it makes a 225-mile rail trip from the Virginia coal fields to Hampton Roads and then a 400-mile coastal water trip.

And although New England utilities have under contract a 26,000-ton collier to minimize transportation costs, freight charges still amount to more than half the cost of coal burned in conventional steam generating stations.

There is no doubt about the cost of fuel being high.

But there is some evidence that private utilities have relied too heavily on the fuel cost factor in defense of their high rates.

Former Federal Power Commission Chairman Joseph C. Swidler realized that fuel costs were high and should be given full weight in comparisons among regions. Swidler noted, however, that they accounted for only 15 percent of each dollar of revenue for the New England utilities in 1961.

Even if fuel costs had been cut to the national average and the whole benefit passed on to consumers, the bills to the ultimate consumer would have been reduced by less than five percent, Swidler said.

New England's rates would still be well above the national average.

Observing that the utilities had made great strides, Swidler challenged industry leaders to concentrate their efforts on efficient fuel use.

Progress has been made. Revolutionary changes are underway in this region's power industry.

The New England Electric System's Brayton Point steam-electric generating coal fired plant at Somerset was the most efficient of its type in the country in 1964. It attained an average annual heat rate of 8776 BTU's per kilowatt-hour.

It was the first time that a New England generating plant appeared among the top most efficient plants in the country.

The Federal Power Commission recently singled out the New England Electric System and the United Illuminating Co. of New Haven, Ct., for outstanding improvements in heat efficiency.

New England Electric's gain was 4.6 percent and United Illuminating progressed 5.7 percent.

Despite the distinction it attained at Brayton Point, New England has continuously lagged in both efficiency and installed generating capacity.

Boston Edison increased its capabilities by opening its 380,000-kilowatt turbine generator last August.

Known as New-Boston Unit No. 1, the station is the largest in New England. A similar unit is being built at the same site, L st., South Boston.

The company predicts that its system will become one of the most efficient in the country when its second unit goes on the line next year.

New England still is conspicuously absent from the list of largest steam-electric and hydroelectric plants in the U.S.

In 1964, the region had an installed generating capacity of 8,174,334 kilowatts, an increase of 3.1 percent over the preceding year.

But the U.S. average increased 5.2 percent.

In the five-year period preceding 1964, New England's growth in generating capacity amounted to 19.5 percent. Still it failed to keep up with the national average, which increased 36.5 percent.

About 45 percent of the heating capacity in the 15 major systems of the region is less than 10 years old. But New England still has too many old, small generating plants.

While some are nearly fully depreciated and offer cheap power for short-term peak-hour supplies, they are not as efficient as the big units.

The large number of small plants in the 50-megawatt (a million watts or thousand kilowatts) size has attracted serious criticism of New England.

The utility men often justify use of old, small units on the grounds that their cost has been written off. This may be so, but they are subject to high taxes and fixed charges which add to operating costs.

The industry, although in its most progressive stage in history, is old and thus burdened by inherent inefficiencies associated with antique plants and multiple systems.

John M. Wilkinson of the Federal Reserve Bank's research department, who recently completed a comprehensive study of the power industry, found administration and general expenses per kilowatt-hour of sales 87 percent above the national average.

"On a cost-per-customer basis—the most relevant comparison since it costs about as much to administer a 1000-kilowatt hour as a 10,000-kilowatt-hour load—New England systems were 26 percent above the national average," Wilkinson reported.

The emphasis has been on coordination and merger, joint-use generation and transmission planning.

Yet there still are too many small utilities, reluctant to surrender the sovereignty which marked new England's pioneering development of power.

Thirty-nine privately-owned generating companies have 73 thermal and 93 hydroelectric plants.

Twenty-six municipal and three rural cooperatives generate all or part of their own power in 38 small plants, and 88 municipal and rural systems purchase power.

It's a Yankee trait to shift for oneself; to operate on a local basis; to cherish independence.

But it is costly. It burdens the rate payer and thus restricts full use of electricity.

The power industry has been reminded by former FPC Chairman Swidler that it is a conspicuous example of an industry in which lower rates encourage greater use of electricity and low-level use not only reflects higher costs but helps keep them high.

You need only look at your electric bill for proof.

WHAT THEY MEAN

British thermal unit: A measure of heat energy. The quantity of heat energy required to raise the temperature of one pound of water one degree Fahrenheit at sea level.

Fossil fuels: Coal, oil, natural gas.

Thermal plant: A generating plant using heat to produce electricity.

Capacity: The maximum power output or load for which a machine, apparatus, station or system is rated.

Kilowatt: 1000 watts.

Kilowatt-hour: A unit of energy equal to the work done by one kilowatt acting for one hour.

[From the Boston (Mass.) Globe, May 12, 1966]

In Anticipation: Dickey Stimulating Private Power

A top Interior Dept. official said Wednesday the Dickey-Lincoln School power project in northern Maine already has stimulated New England's private utilities.

Asst. Interior Sec. Kenneth Holum made the statement in an address to delegates to the American Public Power Assn. conference meeting in Boston.

Although Congress authorized the Dickey Dam project less than a year ago, Holum said, it has begun to have a "yardstick" effect on the overall industry in this region.

"The utilities are now busily planning big nuclear plants, pumped storage projects, interties and interconnections," said Holum, who is in charge of Interior's water and power development.

"This is all good," Holum said. "Moreover, Dickey will fit into the New England power system very well. It will augment the power supply of the region . . ."

The lack of a Federal "yardstick" like Dickey dam is one of the major reasons why New England has the highest electric rates in the country.

In areas where government power projects have been built, private power interests have been stimulated and the projects have had a "yardstick" effect on rates, resulting in reductions.

Holum also said the Dickey project opens the way for development of an extra-high voltage transmission system in New England, linking this region and New York with the substantial hydroelectric power capacity of Canada's Maritime Provinces.

Both Holum and Sen. EDWARD M. KENNEDY, who sent the association a letter, hailed two other projects under consideration in New England

One is the proposal of Vermont Gov. Philip H. Hoff to import power from Canada. The other is to construct generating stations at the mouths of coal mines in the Appalachian region, and distribute power to New England and 16 other states.

Holum said the latter project, known as the Yankee-Dixie plan and designed to eliminate fuel transport costs, is "especially significant" and makes "good sense." He predicted more efficient electric systems would emerge along the eastern seaboard.

Holum called Hoff's plan "exciting" and predicted it would "unquestionably" bring lower costs to New England.

Referring to the Dickey, Me., project, Holum said: Many attempts have been made by forces opposed to its construction to prove that it is an infeasible project. But I am here to tell that the Dickey hydroelectric power project continues to meet all established requirements of economic and engineering feasibility.

"The City of Calais (Me.) could get rid of its 25-watt light bulbs and install better lighting," Holum continued. "It also will provide low-cost peaking power for the remainder of New England."

In his endorsement of the Dickey, Yankee-Dixie and Hoff proposals, KENNEDY wrote: "All of these proposals promise to relieve New England's high electric rates—rates which impose a burden on New England consumers and, even more important, put our region at a disadvantage in developing new and expanded industry which is so badly needed to keep our economy on the upswing."

"When the massive power failure failure of November blacked out most of New England and New York, the need for modernization of this region's-utility system became apparent to the entire nation," Sen. KENNEDY said.

RICHARD J. CONNOLLY.

OUR HIGH COST OF ELECTRICITY, III: THERE IS HOPE

(By Richard Connolly)

The New England power industry is investing more than $450 for every family it serves, hoping to cut rates 22 percent within six years and up to 40 percent by 1980.

But don't jump to any conclusion by figuring what the $450 investment will mean to your household budget.

Even the electric company apparently isn't sure what the overall $1.5 billion construction program will mean to rates.

The New England electric industry plans to spend $1.5 billion for 11 large plants and improvements to present facilities.

Two recent statements by the power industry indicate the uncertainty of our future bills, now the highest in the country.

In one statement, the Electric Coordinating Council of New England, representing the industry, predicted a 22 percent reduction in "overall production costs" in six years.

But the industry was fuzzy about what the reduction would mean to the consumer.

"No utility man (nor anybody else) can predict the exact extent of price reductions in the next six years . . ." the council said.

"But, this we are prepared to predict. The general quality of our service will keep improving, and our prices relative to other prices will improve steadily."

The industry apparently has a clearer idea of what its "Big Eleven Powerloop" building program will mean to us by 1980.

"This program," the council said in a subsequent statement, "is expected to achieve and surpass the National Power Survey objective of a 30 percent reduction in electrical rates by 1980 by effecting a 40 percent reduction by that year."

Whatever happens, it is unlikely that New England's power rates will ever descend to the national level.

The chief spokesman for the coordinating council, Howard J. Cadwell, chairman of the Western Massachusetts Electric Co., says aiming at the national average rate is "shooting at a moving target."

Cadwell knows his kilowatts.

He has been in the industry for more than 35 years and has been one of the dominant forces in the endeavor to achieve full coordination. He figured in one of the best examples of industry coordination.

It was the formation of the Connecticut Valley Electric Exchange (C.O.N.V.E.X.) by the Connecticut Light and Power Co., United Illuminating Co., Hartford Electric Light Co., and Western Massachusetts Electric.

Cadwell's firm has been joined by Connecticut Light and Power and Hartford Electric information of Northeast Utilities which would become the largest electric system in New England.

Cadwell is reluctant to flatly predict that the consumer's price will be cut 22 percent by the massive expansion program by 1972.

"I think we will make the reduction," he says. "But I don't control such factors as inflation, taxes and the demand for more personalized service."

"In terms of 1966 taxes, in terms of technology as we know it now and in terms of 1966 purchasing power, with all things being equal, yes, we can reduce rates that much."

The Federal Reserve Bank of Boston has studied current developments in the private power industry and has predicted a 25 percent reduction in prices in six years.

Taxes and fuel costs, in the opinion of Cadwell, form the major barrier to the industry's attempt to trim rates to the national average.

Delivered fuel costs would have to be cut 26.7 percent and state and local taxes would have to be reduced 37.4 percent if rates in Massachusetts were to drop to the national average.

"The job is further complicated by this fact," Cadwell says.

"While Massachusetts electric companies and their people have been taking aggressive action to improve fuel efficiency and labor efficiency, other companies throughout the country have been doing the same thing."

This is what he means by a "moving target."

There is "real hope," Cadwell believes, in construction of bigger generating plants and extra high voltage lines that make big plants possible.

He suggests two other methods:

"By cooperating with the other northeastern states in the balanced and rapid development of a nuclear and pumped storage complex. By a greatly accelerated marketing program."

Five nuclear-fueled, five fossil-fueled and one pumped-storage hydroelectric plant are planned by the utilities represented by the coordinating council.

The industry expects to reduce over-all production costs from 9.7 mills to 7.6 mills in 1973. There are 10 mills to a cent.

This will be accomplished, the industry believes, by an infusion of low cost power in large quantities and retirement of about one million kilowatts of old steam plants.

Prompted by the success of the Yankee Atomic Plant at Rowe, the industry has put the emphasis on nuclear power in its "Big Eleven Powerloop" program.

The Connecticut Yankee Power Co., a cooperative undertaking by the New England utilities, is building a nuclear power plant at Haddam, Ct., and it is scheduled for completion next year.

Boston Edison has announced plans for an atomic plant but has not disclosed its proposed location. The target date for completion is 1971.

Connecticut Light and Power, Hartford Electric and Western Massachusetts Electric are constructing a nuclear plant at Millstone Point in Waterford, Ct., with completion scheduled for 1969.

Nuclear plants are also planned by the Central Vermont Public Service Corp., and Green Mountain Power Corp. for operation near Brattleboro in 1970 and near Wiscasset, Me., by the Central Maine Power Co., and other Maine utilities operating jointly.

A pumped storage plant on Northfield Mountain in Massachusetts is slated for completion in 1971. The reservoir will span 300 acres.

In such a project, water is pumped up to the reservoir during off-peak periods and released to generate power when the demand for electricity is heaviest.

New England's power industry views nuclear power as the means of cutting prices—a theory which has drawn a challenge from the industry's critics.

There is no nuclear power plant in the country in a competitive position. The Atomic Energy Commission recently concluded that nuclear electric plants have not been sufficiently developed to be of "practical value."

The power industry states it is possible to contract for large nuclear plants at an overall production cost per kilowatt hour of about 4.7 mills for the first year of operation and 4 mills or less by the seventh year.

New hydro-type plants will generate power for 4.5 to 4.9 mills per kilowatt hour compared to the current average cost of 9.7 mills, according to the industry.

The National Rural Electric Cooperative Assn., has charged—and the Electric Coordinating Council has denied—that the "Big Eleven Power Loop" is designed for only one reason.

That, in the opinion of N.R.E.C.A., is to scuttle the government's plan to construct the Dickey-Lincoln School project.

The rural electric group said the utilities' plan "peculiarly enough" was announced only a week before last year's congressional hearing on Dickey.

The utilities maintained their projects would lower electric rates at less expense than the government's plan.

"The purported economics of the E.C.C.N.E. (coordinating council) proposal is not supported by present experience in the electric industry and, therefore, may not properly be compared to Dickey-Lincoln Street," the rural group stated.

"There is no assurance whatever that any savings derived by the companies from their proposal would result in lower bills for the consumers of New England," the association said.

Cadwell refutes the claim that the powerloop is a weapon against Dickey.

It should be "perfectly obvious" that the private plants are not a "defense."

"They've been germinating over several years," Cadwell says.

WHAT THEY MEAN

National power survey: A report by the Federal Power Commission in 1964 setting standards and guides for future planning by the power industry.

Hydroelectric plant: An electric power plant in which the generators are driven by falling water.

Pumped storage: An arrangement whereby electric power is generated during peak-load periods by using water previously pumped into a storage reservoir.

Mill: One-tenth of a cent.

[From the Boston (Mass.) Globe, May 14, 1966]

OUR HIGH COST OF ELECTRICITY—IV: THEY'RE FIGHTING, BUT IT'S ODDS ON DICKEY

(By Richard J. Connolly)

Even with comfortable odds you wouldn't be wise to bet anything on their success.

Yet the private power interests in New England are determined to fight the Dickey-Lincoln School project until the first gallon of water splashes over the dam—perhaps six years hence.

Their battle cry last year, when they failed to block congressional authorization, and again this year as they oppose another appropriation for the project, is:

It will cost too much, produce too little and either result in higher electric rates or a substantial loss of money to taxpayers.

If output from Dickey Dam was given to New England customers for nothing, the industry has told a congressional subcommittee, it would have no significant effect on the cost of electricity.

The industry is reiterating its contention that its investor-owned companies through their $1.5 billion expansion program, can do the job cheaper than the Federal government.

The Dickey proposal is based on obsolete technology and justified by obsolete political and economic theories in the opinion of the power industry.

That charge and the rest of the industry's arguments against the Dickey project have been challenged by the Interior Dept., Corps of Engineers, congressional supporters and public power and consumer groups.

Dickey is of special interest to President Johnson who submitted the proposal to Congress. The high cost of power in New England—highest in the country—is, in itself, a strong and powerful argument for the project, Mr. Johnson said.

The project did not exactly slide through Congress last year. All but four of New England's 24 congressmen voted against it. But it was authorized, to the surprise of the power industry, and $800,000 was appropriated for studies and planning.

Now Congress is considering a $1.2 million appropriation for the project which will ultimately cost $277 million for construction of two dams and an additional $73 million for transmission lines to send power throughout New England.

The primary dam, 9,400 feet long and 340 feet high, will be built on the St. John River at Dickey, Me., about 10 miles from the Canadian border. It will generate about 760,000 kilowatts of electricity.

Seventeen miles downstream, at the site of the former Lincoln School, a reregulating dam will be built. The dam, 1,290 feet long and 87 feet high, will generate about 34,000 kilowatts. The whole job could be finished by 1972.

According to Senator EDMUND S. MUSKIE (D-Me.), the major congressional figure behind the project, Dickey would provide Maine with a one-third cut in power costs and would produce power for the rest of the region at rates up to 25 percent below the current average.

The Federal Reserve Bank of Boston has said the Dickey project would furnish peaking power at a delivered cost estimated at 15 to 20 percent higher than the cost of comparable power from alternative privately developed sources.

An estimated 100,000 kilowatts would be firm power for Maine and the rest would be available to the rest of the region as peaking power.

Peaking power is used to meet the needs of consumers during the few hours each day when electric use is at its peak—usually around supper time. Remember the blackout?

The Dickey project, 11th largest in the United States, is considered by the Interior Dept., which will serve as the marketing agent for the power, as a classic model of water resource development.

The Electric Coordinating Council of New England, to support its claim that private power can do it cheaper, says the "Big Eleven Powerloop's" planned construction program will cost about $144 per kilowatt of capacity.

But the Dickey project, representing less than 15 percent of the region's generating capacity, will cost $387 per kilowatt. Unlike Dickey, private industries program will provide a tax base, the industry contends.

Arguing that Dickey is technically and economically out of step with the times, the industry says modern fossil fuel plants, pumped storage facilities and nuclear plants are the key to cheaper electricity.

To all of the charges, Morgan D. Dubrow, a top Federal power man, says: "Poppycock!"

On the industry's "we-can-do-it-cheaper theme, Dubrow says:

"The fact of the matter is the Federal Power Commission made an estimate showing the charges for pumped storage and nuclear plants would be more expensive than Dickey. They can't do it cheaper."

Dubrow is no "Morgan-come-lately" to the power field. At 58, he has been in it for 30 years.

Dubrow is assistant and chief engineering research adviser to Kenneth Holum, assistant secretary for water and power development, Interior Department.

He formerly was manager of the Washington office of the Bonneville Power Administration and served with the Corps of Engineers and Federal Power Commission.

"I think there's going to be a big fight," Dubrow says of the current and future efforts to obtain appropriations for Dickey, "but when the bill comes out I'll be the most surprised man in Washington if it doesn't contain Dickey money."

Dubrow reminds the power industry that it is "taking on the President of the United States," when it opposes Dickey.

"I can't see how these people who have a public responsibility, a utility's responsibility, can oppose something that the government plans to use to help New England."

"They (the New England industry) talk about using pumped storage with nuclear power," Dubrow says. "They may kid the public but they're not kidding me. They've told the Federal Power Commission they'll use existing fossil units for their pumped storage."

"They tell one fellow they can provide power at 1.5 mills. The truth is, they've told the power commission they'll rely on an energy system costing at least 6 mills and up to almost 8 mills," Dubrow says of the industry's cost claims.

The advantages of the private industry's proposal, according to Sen. Muskie, are not consistent with latest estimates provided by the Federal Power Commission or the Atomic Energy Commission.

Muskie labels the industry's claim as a "theoretical promise" which he says "ignores the basic facts of New England's fragmented and inefficient power system."

Two other Maine lawmakers, Reps. William D. Hathaway and Stanley R. Tupper, have also disputed the private power interests.

They view the industry's announcements of anticipated lower rates as a "frenzied" last-minute effort to "convince us that they have great plans for the future."

[From the Boston (Mass.) Globe, May 15, 1966]

Our High Cost of Electricity, V: How Federal Yardstick Reduces Power Costs

(By Richard J. Connolly)

You hear it most frequently from the Federal government, leaders in the public power field and consumer organizations.

The most effective way to trim New England's above-average power rates, they say, is to introduce the "yardstick" to this region.

You don't hear it from the private power industry because it is convinced the government cannot produce power cheaper than itself.

The private power interests submit their arguments in the current controversy over construction of the Dickey-Lincoln School project in northern Maine.

Private power is fighting the proposal doggedly. It says it can produce power more economically. The government disagrees.

The Federal Reserve Bank of Boston has studied current public proposals for New England and has concluded the price would be the same whether power is supplied by public or private groups.

The bank is of the opinion that locational and operational disadvantages of the current public proposals may more than offset their lower-cost financing and tax-exemption advantages.

Entwined in the "yardstick" debate is a pattern that has been familiar wherever the government has planned a power project. Private power has bucked it.

But if the pattern holds true in New England, the industry will do an about-face, its critics say, and buy a chunk of the low-cost power expected to be derived from the project.

In areas where government power projects have been built, the resulting low rates have had a "yardstick" effect on the private industry rates.

"Few utilities," former Federal Power Commission member Howard Morgan of Oregon once observed, "can stand the glaring contrast between their own rates and those of the Federal and rural electrification programs.

"Wherever such a glaring contrast has existed, the utilities have found means of reducing costs and rates. They have had no choice."

President Johnson, himself, noting New England has the highest rates in the country, has cited the need for a "yardstick" government project in this region.

As demonstrated in the areas served by the Tennessee Valley Authority and the Bonneville Dam Administration, rates have dropped, sales have increased and the profits of the power industry have increased.

The attitude of the public power groups toward the need for a "yardstick" is reflected in the recent testimony of Francis H. King of Holyoke, retiring president of the American Public Power Assn., who appeared before a congressional committee.

King, manager of the Holyoke Gas and Electric Dept., said the Dickey project was the "yardstick" which New England has needed.

Noting that some New England consumers pay 29 percent more than the national average for electricity, King said:

"The Tennessee Valley Authority and other public power projects have proven to all of us that when the cost of power is low, the usage increases, unit costs go down and the cost becomes lower still."

He observed that in the Dickey controversy, the New England utilities have employed the "same tactics" used against virtually every other Federal hydroelectric project.

Alex Radin, general manager of the American Public Power Assn., appearing before a congressional committee last year, observed that if Congress had heeded the advice of the private power interests there would be no TVA, Columbia River, Missouri River or Central Valley power projects.

The Consumers Information Committee in Washington reports on a study which showed that private power companies nearest the Tennessee Valley have enjoyed earning rates substantially greater than the average of all utilities in the country.

The committee says that in 1963 the annual common stock earnings of the nine companies bordering TVA were 12 times what they had been 24 years earlier, while their total outstanding common stock investment had not quite tripled.

The common stock earnings of all privately owned utilities in the country in 1963 were barely five times what they had been and outstanding common stock had a little more than doubled, the CIC reported.

It should be remembered that New England's taxes and fuel costs are high. However, rates in New England are used in comparison with those in "yardstick" areas to show the benefits of Federal projects.

A consumer in Boston, lacking the influence of a "yardstick" project pays an average bill of $9.68 for 250 kilowatt-hours. A consumer in Portland, Ore., where the influence of the Bonneville Power Administration is felt, pays only $5.35 for the same bill.

It is difficult to assess the effect high-cost power has had on New England industries or to determine how much a factor power costs were in the decision of industrialists to leave our region.

But some idea of the power cost factor can be obtained from a study conducted by the Consumers Information Committee, using the 1963 census of manufacturers of the Census Bureau.

CIC says it showed that in 1962 the manufacturers of New England purchased a total of 12 billion kilowatt-hours at a cost of $180 million.

The cost per kilowatt-hour came to 1.49 cents, the ECIC found—66 percent higher than the national average and highest in the nation.

"If the cost had been on the level of the national average," the consumers' group figured, "industries would have saved $71.4 million in 1962."

New England's high rates are more important than the average consumer may realize. Not only does he pay a higher average electric bill, the cost is a factor in the price of his clothing, food and entertainment.

[From the Boston (Mass.) Globe, May 16, 1966]

Our High Cost of Electricity, VI: Imported Canadian Power May Be the Answer for Northeast

(By Richard J. Connolly)

It is a beautiful but awesome cascade of white water thundering constantly through an ages-old gorge in the Labrador wilderness.

One hundred and five feet higher than Niagara, Churchill Falls emits a mist that can be seen 30 miles away.

A shallow basin of more than 27,000 square miles, scoured by glaciers of several thousand years ago, drains into the vast, tumbling Churchill River, 750 miles northeast of Montreal.

For the first 15 miles, the river drops 1,000 feet. Its most spectacular descent is at Churchill Falls where it roars into nine million horsepower.

The potential of it all holds the fascination of a group of New Englanders, led by Vermont Gov. Philip H. Hoff, who view it as the answer to our need for low-cost power.

The falls is the proposed site of a billion-dollar hydroelectric plant which could be in operation by 1971. The license for development is held by the British Newfoundland Corporation of Montreal (BRINCO) through its subsidiary, Churchill Falls Corp.

First the project would meet the power demands of Newfoundland and its mainland territory, Labrador. The surplus would be sold to the government-owned Quebec Hydroelectric Power Commission for use throughout Quebec.

Hydro-Quebec would distribute its surplus to the Consolidated Edison of New York and/or a private non-profit corporation in New England. It may be a case, however, of who signs the agreement first—Con Ed or New England.

Con Ed is negotiating with Hydro-Quebec for the purchase of about 1,200,000 kilowatts of power annually under a 25-year contract.

The New England utilities, whose cooperation is necessary for success of the Hoff plan, have reacted less than enthusiastically to the idea but at least they have it under study.

Hoff's proposal was born in Boston during a chance hotel conversation between the governor and Premier Joseph R. Smallwood of Newfoundland. The two shared a speaking program a year ago.

Smallwood's enthusiasm over the incredible potential of the Churchill Falls dam fired Hoff's imagination. He carried the idea to the New England governors who had appointed Hoff a one-man committee to see what could be done about this region's power cost problems.

Hoff plunged into the matter with determination and subsequently tangled with the private utilities who have not been accustomed to challenge by public officials.

The first Democratic governor in Vermont in 109 years conferred with Canadian authorities and advised the governors conference last November that Canada was prepared to do business.

As Hoff saw it, the opportunity to import Canadian power would mean a reduction of at least 25 percent in our power rates a figure disputed by private power interests.

Originally, Canada said it could provide New England with 2,000,000 kilowatts of power a year. But it informed Hoff last week that the commitment would have to be cut to 1,200,000, still enough power to meet New England's needs, according to Hoff.

The power would be carried to a distribution station near Montreal and transmitted over new lines to the Vermont border. For the benefit of the rest of New England, a distribution station would be built near Brattleboro.

A critical question in view of the Northeast blackout is the reliability of the Canadian supply and transmission system.

Canada has answered it by stating the block of power sold in the U.S. would be less than one-third of its reserve.

To facilitate the deal, Hoff proposed legislation for creation of a non-profit Vermont corporation. It would float a $400 million bond issue as a pre-payment to help Hydro-Quebec build the generating facility in Labrador and build transmission lines.

Under pressure from private utilities, the Vermont Legislature sidetracked the plan, referring it to the Legislative Council a research agency, which was advised to study it and report by July 1.

Time was essential to Hoff. Con Edison was negotiating with Hydro-Quebec. There was a danger that Con Ed would sign an agreement and that New England would be left out of the picture. A method was necessary to enable New England to remain in the running.

So a group of officials of Vermont electric cooperatives and municipal light departments all strongly in favor of the Hoff plan, formed the Vermont-New England Power Exchange Corp., known as VNEPE.

Over opposition from Vermont's private power leaders, the Vermont Public Service Board, the state's utility regulating agency, gave the corporation status, enabling it to proceed with the negotiations with Hydro-Quebec.

The private utilities argued against state approval of the power exchange corporation on grounds that Legislature intended that the whole idea should be studied further.

By creating the corporation to continue talks with Hydro-Quebec the supporters of the Hoff plan circumvented the Legislature, the private group maintained.

The Vermont utilities, public and private, could absorb 20 to 25 percent of the Canadian power, the rest would be sold to utilities throughout New England with cooperatives and municipal systems receiving preference.

Hoff has estimated that the power could be purchased at the border for a little less than four mills per kilowatt hour. It could be delivered to a point near Brattleboro for less than 4.5 mills. There are 10 mills to a cent.

The cost of generating and transmitting electricity in New England was 11.4 mills a kilowatt hour last year. Production cost 9.7 mills of the total and transmission cost 1.7 mills.

Michael F. Collins of Wakefield, spokesman for 83 municipal light departments and electric cooperatives in this region, has said his group would purchase whatever power Vermont could not use.

Collins is manager of the Wakefield Municipal Light Dept. He has estimated that the municipals and coops could save as much as $15 million annually in power costs by buying surplus Vermont power.

Hoff, in the meantime, has embarked on a vigorous selling program. His chief task is to convince the New England governors that the Canadian power is necessary. No governor has voiced opposition to Hoff.

The most enthusiastic of the governors is New Hampshire's John W. King who has said he favors any plan which will save money for electric consumers.

Hoff is in the strange position of battling the private utilities with one hand and trying to woo them to his proposal with the other.

The private power interests, who have not generally rejected the Hoff plan, say too little information has been available. If it proves economical, most of them have said, they will consider it.

Presently the utilities are endeavoring to determine how the cost of Canadian power would compare with their own expansion plans in this region. They have announced their own report will be ready by June 14.

The study is being handled by the planning committee of the Electric Coordinating Council of New England, according to Howard J. Cadwell, president of Western Massachusetts Electric Co.

Charles F. Avila, president of Boston Edison Co., finds no benefit in Canadian power for Edison's customers.

Avila says that Canadian power would have to replace nuclear power in the Edison system because of a high capacity factor required for low-cost hydroelectric power.

Edison, by using nuclear power and other new facilities, could produce electricity cheaper than the indicated Canadian price, Avila maintains.

Gov. Hoff, on the other hand, concedes that the utilities are working diligently to meet the region's power needs through nuclear generation and other facilities.

But he believes that New Englanders will have to pay "premium prices" for nuclear generation. Canadian power, he claims, will be the most economical.

[From the Boston (Mass.) Globe, May 17, 1966]

OUR HIGH COST OF ELECTRICITY, VII: ELECTRIC POWER? IT'S POLITICAL, TOO

(By Richard J. Connolly)

The New England utilities deal in two kinds of power—electrical and political.

They have successfully used one—political—to enhance the value of the other at the expense of the consumer.

In New England, where average electric rates are the highest in the country, private power has virtually had its own way for years.

It has maintained its strength through powerful lobbyists, campaign contributions and patronage jobs within the industry.

Politics has paid off handsomely to private power, and there have been suggestions that the reverse is also true.

Sen. GEORGE D. AIKEN of Vermont, senior Republican in the Senate, more than alluded to it when he told his constituents that their congressional delegation has never been "in the pocket of the Boston utilities."

That pocket AIKEN says, is "lined with gold and ermine."

If AIKEN'S statement indicates that only the Boston utilities wield political influence, it does not go far enough.

The region's industry as a whole, as evidenced by developments in the Dickey dispute and the Canadian import proposal of Gov. Philip H. Hoff, is adept in politics.

It has extended its power in Washington and in the capitals of the six New England states. Consumers organizations have maintained that the pro-utility rulings of the regulating agencies demonstrate the strength of private power.

The industry readily admits it fights vigorously in the political area for its goals. But to suggest that it has "bought" a legislator or a regulator?

"That's the last thing a utility company can involve itself in," says Howard J. Cadwell, president of the Western Massachusetts Electric Co., and spokesman for the New England industry.

"My best answer is ask anyone if they've ever heard of Western Mass. greasing anyone's palm," Cadwell says.

The industry displayed its political might, but surprisingly suffered a setback, during last year's congressional consideration of Dickey.

Private power had the support of all but four of New England's 24 congressmen but was unable to block authorization of the project which will have a "yardstick" effect on the industry.

Rep. STANLEY R. TUPPER, Maine Republican, said there were more power lobbyists on Capitol Hill against Dickey than there were congressmen. One industry spokesman said TUPPER'S statement was an exaggeration since there were only three utility men there at the time.

The debate over Dickey also underscores the ability of private power to muster support from strange bedfellows.

The United Mine Workers, foes of private power in the residual oil battle, joined the utilities in opposition against Dickey dam.

The alliance is puzzling because private power said it could provide a lower-cost alternative to Dickey—nuclear-powered generating plants—which would not burn coal.

Lobbying tactics of the industry prompted the Electric Consumers Information Committee at Washington, D.C., to observe:

"The massive display of illogical arguments simply demonstrated the political effectiveness of the private power industry in New England in keeping the influence of Federal power out of what they regard as their private domain."

The effectiveness of the power lobby was demonstrated in Vermont before the Legislature sidetracked Gov. Hoff's plan to import low-cost Canadian power.

Hoff said he had never seen anything like it in his political career. He said the utilities "attacked people's regulation . . . used innuendo and implications to try to defeat the bill."

The legislative members, the Brattleboro Reformer wrote, were under "devastating and at times questionable pressure from the special interest lobby of the private power field."

The Senate had given Hoff an overwhelming endorsement of 22–2. He and his power counsel, Sen. Frederick J. Fayette (D-Chittenden-Grand Isle), anticipated no trouble in the House.

They underestimated the private power lobby headed by Albert A. Cree, chief executive officer of the Central Vermont Public Service Corps (CVPS).

The lobby's big gun was Atty. John D. Carbine of Rutland, one of the most popular lobbyists in the state. Carbine's mark is on most of the utility laws in Vermont.

Hoff's group was equally busy, buttonholing lawmakers in the hallways of the State House. Some complained their arms were "about twisted off."

In a letter and telegram campaign, CVPS advised lawmakers that Hoff's proposition was a "dangerous and vicious bill" and that it called for a state power authority despite its "deceiving dress" as a non-profit corporation.

Several weeks earlier, Cree had proposed a Vermont-Quebec power purchase authority as a financing vehicle.

Hoff, who had refrained from attacking Cree head-on, exploded, accusing Cree of "rule or ruin" tactics in trying to kill his bill.

Hoff's legislative scouts had assured him he had at least 100 of the 150 House votes. In the first test, the bill carried 73–69 but it eventually was sidetracked by a 10-vote margin.

A letter from Cree appeared on the desk of each House member during the final House vote.

Some members said they received as many as 50 telegrams. Each bore this message: "I urge you to defeat S–2, the power bill."

Rep. Hubert Brooks, Montpelier Republican, said he received a telegram with his own name on it.

"If the cost of this telegram shows up on my telephone bill," Brooks told the utilities executives sitting in the gallery, "I'm going to deduct it from my utility bill."

Hoff disclosed he had received a letter from at least one person whose name was signed to a telegram but who said he knew nothing about it.

Vermont's only television station, WACX-TV, in Burlington reported that Consolidated Edison Co. of New York, which is also interested in Canadian power, had halted negotiations.

The implication was that Vermont had plenty of time to act because the New York firm offered no competition. Con Edison later said it was still negotiating.

But the harm had been done. The news report provided lobbying fodder for the power company which distributed the transcript to the state's newspapers within an hour of the telecast.

Hoff's case was also weakened when a legislator who had supported him switched at the last minute, carried several pro-Hoff votes with him, and urged the House to submit the proposal to the study group.

[From the Boston (Mass.) Globe, May 18, 1966]

Our High Cost of Electricity, VIII: Coal by Wire Proposed as Price Cutter

(By Richard J. Connolly)

Coal by wire.

It's as simple as that.

The idea is known as the Yankee-Dixie plan and it's being pushed by public and rural power systems in 22 states.

New England, heavily burdened by high fuel costs, would be included in the billion-dollar plan.

As explained by Francis H. King, former president of the American Public Power Assn., the proposal is to form a huge power grid by:

1—Constructing three big generating plants at the mouths of coal mines in the Appalachian region.

2—Erecting 3,125 miles of high-voltage transmission lines in a web spanning the 22 states.

King, manager of the municipal Gas and Electric Department of Holyoke and co-chairman of the Yankee-Dixie steering committee, believes the project could be completed in four years.

Currently Yankee-Dixie is trying to design a vehicle for the issuance of revenue bonds which would be sold in the private market and underwritten by power sales contracts.

To assure the protection of consumer interests, according to King, the development would be on a non-profit cost of service basis.

Each generating plant would have a capacity of at least two million kilowatts and the transmission lines would carry 500,000 and 345,000 volts along the eastern seaboard.

Yankee-Dixie would serve Maine, Massachusetts, Vermont, New Hampshire, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Maryland, Delaware, West Virginia, Virginia, North Carolina, South Caroline, Alabama, Georgia, Kentucky, Florida, Indiana, Ohio and Illinois.

In its promotional literature, Yankee-Dixie envisions power cost reductions ranging from 25 percent in Florida to 50 percent in New England.

But King is quick to point out that New England could not expect such a tremendous savings immediately because Yankee-Dixie's power would amount to only five to 10 percent of this region's needs.

Supporters of the plan anticipate that prices would be about those paid by the Tennessee Valley Authority—3.5 mills to four mills per kilowatt-hour.

The predominant rate in the Northeast is seven to eight mills per kilowatt-hour. There are 10 mills to a cent.

The plan would not only result in lower power costs. It would boost the economy of the Appalachian region where an estimated 5,000 new jobs would be created.

It is the hope of its supporters that private power companies, operating within the 22 states, will join in the project.

In its quest for methods to reduce its above-average power costs, New England has another project under consideration.

It is proposed creation of a Maine Power Authority which would operate a $280 million system with two nuclear reactors at Otter Point on Owl's Head in the Rockland, Me., area.

The project would include a 1,400,000-kilowatt installation and about 800 miles of transmission lines throughout the state. Operations could begin in the early 1970's.

Maine's Legislature considered the plan earlier this year and referred it to a special study committee which was given $75,000 to hire an independent engineering firm to assess the idea.

The Legislature noted that three Maine electric utilities and eight others from elsewhere in New England, the "Big Eleven Powerloop," also plan an atomic plant in that state.

The Maine Power Authority and the private group, known as Maine Yankee Atomic Power Company, would serve the same market.

Maine Yankee Atomic and the Maine Power Authority would generate an almost identical supply of 700,000 kilowatts, more than the state needs pending an unexpected industrial expansion.

The plant at Otter Point would provide what is known as base-load or constant power and the proposed hydroelectric project at Dickey-Lincoln School would furnish peaking power.

Proponents of the Maine Power Authority believe the two projects—theirs and Dickey—could augment each other, increasing annual residential use in Maine while cutting power costs.

John N. Harris, technical consultant to advocates of the authority, believes the project could operate nearly 40 percent more cheaply than private utilities.

A power authority could produce at a cost range of from 3.1 to 3.2 mills at the start compared to a 4.8 mills cost factor for the private companies, according to Harris.

The Legislature has asked for an interim report next month and a complete report by Aug. 1.

[From the Boston (Mass.) Globe, May 19, 1966]

Our High Cost of Electricity, IX: The Great Blackout Put the Spotlight on Power

(By Richard Connolly)

When the lights went out during the Northeast blackout, the spotlight of public scrutiny shone brighter than ever on the private utilities of New England.

It still shines, much to the awareness of the utilities themselves.

More people are asking more questions about how our private utilities operate. They want to know why New England's average electric rates are the highest in the country.

They want to know what is being done about it.

"Kilowatts . . ." "Megawatts . . ." "Firm power . . . ." "Peaking power. . . ."

The glossary of power terms goes on and on, to the confusion of the average consumer.

He is interested in power principally in terms of his electric bill and whether it's going up or down.

The consumer is served by a monopoly. He has no choice of product.

As one congressional critic of the private power interests has pointed out, the consumer cannot go bargain hunting for "Super Krunchy Kilowatts."

Under these conditions he must rely upon his elected representatives and the regulatory agencies which they appoint. Government must stand guardian for the interests of the consumer.

Since the blackout, government in this region has taken a closer look at private power.

In Massachusetts, for example, the Legislature created a special commission to investigate the massive blackout of last Nov. 9 and the generation, distribution and cost of power.

The commission was given a broad mandate which also covers the electric rate structure and the financing of the electric companies both private and municipally-operated.

Headed by Sen. James P. Rurak (D-Haverhill), the commission has held several organizational meetings to map its job and to determine how much money it will need. The 17-member commission includes representatives of labor, industry, private power, public power and the Legislature.

The legislation which created the commission was proposed originally by the Massachusetts Consumers' Council which said the power question has been a chronic problem.

The only way it could be solved, the Consumers' Council maintained, was through a "tough, hard-nose commission operating in the public eye."

Whether the legislative commission finds the answer for Massachusetts remains to be seen.

In its overall approach to the problem, New England has under consideration several huge projects—the "Big Eleven Power Loop," Dickey-Lincoln School and Gov. Hoff's plan to import Canadian power.

The advocates of each vouch for the relative cost benefits of the projects.

The Federal Reserve Bank of Boston studied the projects and the current condition of the power industry extensively and concluded that New England consumers would pay less for electricity before long.

The analysis, conducted by John Wilkinson of its research department, showed that the price would be about the same whether the new facilities are erected by public or private groups.

"Long ago," Wilkinson wrote in his review, "state legislatures and the Congress recognized that electric utilities were natural monopolies 'clothed with a public interest' and they have been regulated—more or less—ever since.

"There is justification for the belief that, in general, commission regulation of rates and service has been neither very effective nor very positive in the past," Wilkinson continued.

"There are many exceptions, of course, but too often the incentive to reduce costs has not been present, cost reductions have not meant rate reductions, and assured markets have not fostered efficiency and aggressive innovations.

"For the bold expansion that the future demands, many feel that another tool—regulation by competition—may better serve the region.

"Competition or even the prospect of it is healthy. The absence of competition, less than ideal regulation, and a limited view of the public interest may mean a sacrifice of efficiency.

"But in a natural monopoly situation, competition too may come at some sacrifice in efficiency . . .

"The elected representatives of the people of the region will decide what mix of plans and tools seem to offer the optimal solution."

NUCLEAR POWER PLANT SITE CHOSEN

Augusta, Me.—Baily Point, a peninsula on Wiscasset's Back River, has been named the "preferred site" for a $100 million nuclear power plant, the Maine Yankee Atomic Power Co. president said Wednesday.

William H. Dunham said that if the U.S. Atomic Energy Commission and other governmental agencies approve, the plan is to start building next year for completion in 1970. The plant would serve much of New England.

DICKEY PROJECT DATA QUESTIONED

WASHINGTON.—Rep. EDWARD P. BOLAND (D-Mass.) questioned in House Appropriation Committee hearings made public Wednesday the basis of cost and benefit estimates used to justify Federal Development of the Dickey-Lincoln Dam project in Maine.

During closed hearings on public works appropriations for the next fiscal year, BOLAND, an opponent of the project, questioned the reliability of data on which the estimates were based.

TRIBUTE TO WALTER B. PHELAN, DECEASED

Mr. McGEE. Mr. President, on Thursday, June 2, it was my sad task to attend the funeral of a dear friend and State political leader, Mr. Walter B. Phelan, of Cheyenne, Wyo.

A young man with a brilliant career already well established and an even brighter future to look forward to, Walter Phelan was stricken suddenly by a heart attack. His untimely death came as a shock—not only to his wonderful family and those of us who have had the honor to know him well, but to the entire citizenry of the State of Wyoming.

For Walter Phelan was no ordinary man. He distinguished himself in every endeavor he undertook. As an attorney at law, he was considered one of Wyoming's outstanding barristers. He was the county attorney at Cheyenne for 8 years. He was the chairman of his State political party for 4 years. He served five terms in the Wyoming State House of Representatives; and during the last session of that body, he was selected to the position of speaker of the house. In this position of leadership he was able to achieve the passage of much beneficial legislation and was almost singlehandedly responsible for adoption of a revision of Wyoming's Municipal Code. Walter had planned, this year, to seek office in the Wyoming State Senate where he most certainly would have been elected. I know he would have made even greater contributions to Wyoming's destiny in that role.

Mr. President, our State—and indeed, our country—has lost a friend and an outstanding citizen in the death of Walter Phelan. My sentiments are echoed in the editorials which have appeared in the Wyoming press these past few days, and I ask unanimous consent that they be printed at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Cheyenne (Wyo.) Eagle, May 31, 1966]

WALTER B. PHELAN

A brilliant legal and political career suddently came to an end yesterday morning when Walter B. Phelan died.

At 46, Phelan already had established himself as one of the fine attorneys of Wyoming and as a solid leader in the Wyoming Democratic party.

He served as Wyoming Democratic chairman from June, 1961, to Dec. 6, 1964, when he resigned to accept the post as Speaker of the Wyoming House of Representatives—an honor bestowed upon him by fellow Democratic legislators.

He was serving his fifth term as a member of the state House of Representatives at the time of his death.

As Speaker of the House, during the regular session of the 38th legislature, he guided several important pieces of legislation through that body.

Long an outspoken critic of Wyoming's Right-to-Work law, he saw to it that a repeal passed the House in the 38th legislature. The repeal was defeated in the Republican-controlled Senate.

Largely because of his influence, the 38th legislature repealed a provision that had prevented Wyoming from accepting its share of federal aid for education, and he helped to push through the longest bill of the 1965 state legislature—a revision of Wyoming's Municipal code.

He was a co-sponsor of a legislative reapportionment bill which passed the House, but died in the Senate. The reapportionment formula in the measure was very similar to that later decreed by a three-judge federal court.

One of the finest speakers on the political scene, he was much in demand for appearances at political rallies and meetings throughout the state.

He was extremely popular, and for at least eight or ten years he had been urged to seek high office. Perhaps he would have this year, or four years from now, had he lived.

Besides serving as state Democratic chairman and as a member and speaker of the House of Representatives, he served as Laramie county Democratic chairman, and eight years as Laramie county attorney—and a good one he was.

In the political arena, Walt Phelan asked no quarter and gave no quarter. But he was admired and respected by both Democrats and Republicans throughout Wyoming. His friends were many and devoted.

His death is a loss for all Wyoming, and particularly for the City of Cheyenne.

We join with his many friends in extending sympathy to his wife and two children.

[From the Cheyenne (Wyo.) State Tribune, May 31, 1966]

And whither I go ye know, and the way ye know.—St. John 14:4.

TRIBUTE TO WALTER

The last time we talked with Walter Phelan, it was in company with Father Bernard Brown, a Catholic priest who serves as an Oblate order missionary with the Hare Skin Indians above the Arctic Circle. It really was Father Brown's interview but Walter brought him by because the priest was a house guest of the Phelans and furthermore a longtime family friend.

For once we did not engage in any political needling with Walter, which quite often took the form of our conversation. He was intensely interested in Father Brown and the latter's dedicated efforts with the remote Indian tribe. For those who thought of Mr. Phelan as strictly either a legal expert, and he was an outstanding attorney in any arena, or a doughty opponent on the political field, and he certainly was that, too, this was something of a switch.

But there were many sides to Walter, and this is but one of those that were not revealed to the general public who most often conceived of him as a political battler, in the thick of controversy. There were even some very interesting side angles to this facet of his personality, and one that made us like him very much despite some of the jawbone conflicts we engaged in.

For example, Walter once observed to us: "There's no point in being in politics unless you can have some fun out of it." This was in connection with some statement calculated to outrage the Republicans, whom Mr. Phelan quite frequently sought to annoy, and took great delight in doing so.

As a master of wielding the political shiv, Walter often drove home the point; and when it came his turn to receive the counterblows, he did so without complaint, or resorting to the excuse that he had been ill-used, or had suffered a low form of attack.

This was because he not only was a highly intelligent man but he also possessed an intelligence graced by a well-developed sense of humor; plus a sense of the spirit of combat that did not carry with it rancor, spite or hate.

Somehow we got the impression that through the swirling smoke of broadsides fired through press releases, editorials, speeches and other forms of political weaponry, Walter was having a tremendously good time with all of the give and take that he engendered, particularly as state chairman of the Democratic party.

The contest of living was fun as parlayed into politics, and he enjoyed it to the hilt.

This side of his personality overreached the others: That of the lawyer, of good citizen, leading layman in his church, of good father and family man. This may or may not be unfortunate, judging how one views life.

It is sad that so much talent and energy has been lost to this community, state and nation through a physical accident such as the massive coronary occlusion that Mr. Phelan suffered early Monday. He had a great future ahead of him both in the law and in politics, and this had not been diminished one whit by the fact that he did not gain the nomination for the federal circuit judgeship for which he was recommended.

His career in state government was going forward; he had every intention of running for the State Senate and most likely would have been elected, over our opposition, of course; but elected nevertheless.

We were sort of looking forward to this, and somehow secretly glad he did not stray off onto the neutral pathways of the judiciary which would have put him out of the arena.

So as we take our leave of Walter Phelan, with a great deal of sadness, we do so thinking of him loading the political cannon and firing like mad, often in our direction. We shall sincerely miss him in many respects, not the least of which was that he was both a gentleman and a staunch, but honorable, combatant.

RESOLUTION OF THE ARKANSAS BANKERS ASSOCIATION

Mr. HARRIS. Mr. President, on May 18, 1966, the Arkansas Bankers Association met in Hot Springs, Ark., and, among other things, commended the foresight and perception of the distinguished senior Senator from Arkansas [Mr. MCCLELLAN] for his handling of the banking inquiry by the Senate Permanent Subcommittee on Investigations, which he heads as chairman.

As a member of the Senate Permanent Subcommittee on Investigations, I would like to ask unanimous consent that the attached resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION

Whereas, the banking industry occupies a position of great trust and responsibility with respect not only to its stockholders and depositors but, also, to the public; and

Whereas, isolated instances have arisen where such trust has been violated, with harmful publicity to banking as a whole; and

Whereas, the Arkansas Bankers Association feels that all reasonable precautions should be taken within the concept of the dual banking system for adequate protection against any breach of such trust; and

Whereas, certain laws have been promulgated, principally on the national level, which duplicate existing laws; overregulate banks; restrict free flow of money; and inhibit the ability of banks to attract funds; and

Whereas, even though all financial institutions were created by law for specific functions, with separate and distinct powers and services, there is a willful blurring of the distinctions, and the attempted blending of the services, to the confusion of the general public; and

Whereas, the Congress of the United States is becoming more fully aware of the existing conditions and problems, because Arkansas' own native son, Senator John L. McClellan, has directed the attention of Congress to the report of the Senate Permanent Sub-Committee on Investigations on recent practices in banking: Now, therefore, be it

Resolved, That the Arkansas Bankers Association, in this Seventy Sixth Convention here assembled, urges and requests that the historic concept of the dual banking system with its inherent public trust, separate and distinct powers, be preserved without duplication and overregulation, and that Senator John L. McClellan be commended for his foresight and perception in the necessity to combat the existing trends.

Respectfully Submitted,

J. C. Barnett,
Chairman.

Sam Bowman,
P. L. Copeland,
William H. Kelley,
Ellis E. Shelton,
J. B. Waddington,

The Resolutions Committee of the Arkansas Bankers Association.

Hot Springs, Ark., *May 18, 1966*

U.N. OPPORTUNITY IN VIETNAM

Mr. RIBICOFF. Mr. President on June 2, South Vietnam made a formal request for United Nations observers to oversee the elections for a constituent assembly in September.

This request is a welcome one. It should be hailed by all who long for a solution to the tragic situation in Vietnam. For this request, if granted, will give the United Nations an opportunity to become actively involved where an objective international presence is sorely needed.

It will not be easy to gain United Nations sanction for this proposal. The President has given his strong support to the South Vietnamese request. Ambassador Goldberg shares his enthusiasm. We hope that Secretary General U Thant will lend his great personal influence and the prestige of his office to this undertaking. Most of all we hope that France and the Soviet Union will give their support to the proposal when it comes before the Security Council. Their votes are important.

Mr. President, I ask unanimous consent that an editorial which appeared in the New York Times on June 3 be inserted in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

U.N. Opportunity in Vietnam

The formal request by the Saigon Government for United Nations observers at the election of a constituent assembly in September provides the opportunity for effective U.N. involvement in the Vietnamese crisis. We hope that Secretary General Thant, who has been so alert to the menacing implications for the world of military escalation and internal chaos in South Vietnam, will swiftly join President Johnson in endorsing Saigon's bid for impartial supervision of the balloting this fall.

The assembly election is an essential initial step toward establishing democratic rule in South Vietnam, and the U.N. is the ideal agency to supply observers to help guarantee fair voting in a war-shattered country with no tradition of representative government. The United States, as we have often noted, is much too deeply committed in Vietnam to be considered detached in any election role it might be asked to exercise.

The United Nations operates with no such handicap. Moreover, the precedent set in September would be helpful in assuring similar international supervision of the wider elections that later will be necessary when negotiation of a Vietnam peace settlement and construction of an interim regime become possible.

If the Soviet Union and France want to help clear the way for an eventual termination of the fighting on the basis of democratic determination by the Vietnamese people, their support for the assignment of U.N. election observers would represent a practical road toward such a solution. The cost of adequate supervision will be substantial for a world organization already crippled by fund shortages; but it is infinitesimal when measured against the potential contribution toward establishing the rule of law in the disaster zone that is Vietnam.

CONDITION OF ANIMALS IN EXPERIMENTAL LABORATORIES

Mr. BREWSTER. Mr. President, on Friday, May 27, 1966, a very instructive news report entitled "Few Animal Laboratories Pass Informal Inspection" appeared in the Christian Science Monitor.

The article gives some idea of the conditions that exist in many research facilities where perpetual caging, inadequate cages, lack of postoperative care, and careless handling by caretakers are among the main abuses to animals.

The Monroney amendment to S. 2322, the animal protective bill now pending before the Senate Commerce Committee, would restore to that bill the provisions for inspection of care and housing of research animals during the time when they are not undergoing actual experiments.

The article I have cited gives good reasons for the passage of S. 2322 with the Monroney amendment. I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Few Animal Laboratories Pass Informal Inspection—Legislative Hearings Held

Boston.—"If people really knew the condition of animals in most of the experimental laboratories in the United States, they would demand corrective legislation," said Mrs. Dorothy Dyce, of the Animal Welfare Institute, in an interview here. Hearings on bills to regulate these conditions open this week before the Senate Commerce Committee.

As laboratory animal consultant for the Animal Welfare Institute, whose headquarters are in New York City, Mrs. Dyce travels throughout the United States, observing conditions in laboratories of hospitals, schools, institutions for scientific research, and pharmaceutical houses.

Out of 104 such laboratories visited since 1963, Mrs. Dyce said that in only two did she find every animal comfortably housed and apparently given proper care both before and after surgery. These were at the Jewish Hospital in Brooklyn, N.Y., and at Dartmouth College, Hanover, N.H., where in her judgment particularly conscientious veterinaries are in charge.

She pointed out, however, that without legally authorized inspection and regulation, no laboratories could be given a blanket approval, since conditions might be good in one direction and bad in another.

EXAMPLES OFFERED

Asked to specify some bad conditions found in laboratories, Mrs. Dyce cited:

Perpetual caging: In many laboratories, the animals are literally never released from the cages. Some dogs have been continuously confined for as long as seven years. In such laboratories the animals, some of them in serious condition, cannot escape the water when the cages are hosed out.

Inadequate cages: Most cages are far too small. In one laboratory all the cages are 30''x30''x26''. Collies, boxers, and other large dogs cannot lie, much less stand, in a normal position. Cages for cats and other small animals are small and overcrowded.

Lack of postoperative care: It is the rare laboratory, Mrs. Dyce charges, that offers adequate treatment after surgery. Often they are left completely unattended.

Careless handling by caretakers. In some laboratories inexperienced caretakers are assigned to animal care resulting often in crude treatment.

INFORMATION AVAILABLE

The Animal Welfare Institute has been combatting these conditions by educational means. It offers free of charge, to any interested laboratory, two complete reference manuals, "Basic Care of Experimental Animals" and "Comfortable Quarters for Laboratory Animals." A film, "Handling Laboratory Animals," is distributed at cost.

But, Mrs. Dyce pointed out, education alone is not enough. Legislation is the only workable solution. The Animal Welfare Institute strongly recommends bills S. 2322 and S. 3059, now before the Senate Commerce Committee. Both would establish humane standards for conditions in laboratories as well as on dealers' premises.

For legislation regulating experimentation itself, the Institue recommends the Clark-Cleveland bills, S. 1071 and H.R. 5647, now pending in congressional committee.

COMMUNICATING WITH LATIN AMERICA: PROGRESS AND PROBLEMS

Mr. MONTOYA. Mr. President, last week, I reported to the Senate on the effectiveness of our information program in Latin America in regard to books and other printed materials.

Today, I would like to turn to an equally important aspect—perhaps more important—of our effort to communicate with our Latin friends.

I am referring to the broadcast media, radio, and television, through which we attempt to reach millions of people who cannot or will not read the books which are produced by the U.S. Information Agency.

Convulsive social and political changes are occurring in Latin America. Many ingredients have figured in this reaction; one is radio.

This change is affecting more and more facets of Latin American culture and society. Ever growing numbers of people are not only being touched by it, but are participating in it—wittingly or otherwise. A tiny device helps power this ongoing social revolution. As expressed in the U.S. Information Agency's 25th semiannual report to Congress, a "device of comparatively recent invention has led to what has been called the transistor revolution in communications. Cheap, battery-powered transistor radios have enabled previously isolated, politically naive peoples to make contact with a world over the next hill or beyond the horizon or thousands of miles away. As they learn of this other world, where the living is better and men have a say about their destinies, their aspirations soar, and their ideas and attitudes undergo a change."

Meanwhile, as the industrialized nations of the world jet further into the electronic era, Latin America has not lagged far behind. If confirmation is needed, one need only refer to the statistics on the growth of television in Latin America:

Year:	*Transmitters*	*Receivers*
1961	123	4, 131, 000
1962	138	4, 782, 700
1963	162	5, 697, 490
1964	190	6, 217, 200
1965	211	8, 821, 200
1966 (projected)	233	9, 405, 600

The major target of Communist propagandists today is the developing world, and, within the developing world, Latin America receives special attention.

Communist shortwave broadcasts to Latin America total over 450 hours per week.

In addition to Spanish and Portuguese, these broadcasts are delivered in English, 8 hours a week; French, 3 hours; Creole, 12 hours; and two major Indian dialects—Guarani, 3½ hours; and Quecha, 7½ hours. Communist satellite languages account for 38½ weekly broadcast hours.

Total worldwide broadcasting by Communist countries increased by 10 percent in 1965 over 1964, but two countries accounted for fully half that increase—and one of the two was Cuba. The other was North Korea. Interestingly, North Korea discontinued its 7 weekly hours of broadcasting in English to Latin America and initiated, in its stead, 14 hours of Spanish.

The U.S. counterattack against this Communist barrage is the responsibility of the Voice of America, the broadcasting arm of the U.S. Information Agency.

VOA broadcasts to Latin America in Spanish, Portuguese, and English.

In Spanish, there are daily airshows from 6 to 9 a.m. and 6 to 11:30 p.m., plus a Monday-through-Friday schedule of daily half hours for 5:30 to 6 p.m. of news, for a total of 62 hours per week.

Portuguese-language broadcasts total 23½ hours weekly, consisting of a daily airshow from 5 to 8 p.m. and, Mondays through Fridays, a half hour—4:30 to 5 p.m.—of news.

Twenty-four and a half hours of VOA's weekly total of worldwide English broadcasts may be heard in Latin America. Additionally, 7 hours weekly are directed specifically to Latin America. This is the program "Report to Latin America," comprised of news backgrounders, commentaries, interviews, and topical features. The program is aired every evening from 6 to 6:30 p.m. and repeated from 9 to 9:30 p.m.

News accounts for 26 percent of the Spanish and 27 percent of the Portuguese programing of the Voice of America. Thirty percent of the Spanish and 25 percent of the Portuguese is devoted to news analysis. Commentaries and features, plus other features centering on self-help and the Alliance for Progress, make up the remainder.

Of the approximately 38 million radio receivers in Latin America, 18 to 20 million are capable of receiving shortwave broadcasts. Including an estimated 530,000 in Cuba, VOA's daily listeners number about 4,200,000.

For special events, however, such as the coverage of Gemini flights, the VOA can count on great numbers of local Latin American radio stations picking up the VOA broadcasts and relaying them to listeners via medium-wave. In the specific case of the Gemini VI and VII launchings, 633 Latin American stations relayed the VOA coverage. A careful estimate of the audience for the Gemini IV coverage—which was relayed by 522 stations—indicated over 57 million listeners in Latin America.

Aside from special events, VOA and USIS programs are being relayed by or placed on 1,485 Latin American radio stations for a total of 11,192 transmitter hours per week. Taped package programs of VOA, placed on local stations, account for 9,315 of these hours; placement of USIS locally produced shows, 1,043; and relays of OVA programs, 834. VOA's newscasts are used, in Spanish, by 162 radio stations in 19 countries, and, in Portuguese, by over 50 in Brazil.

As the number of countries—and the number of transmitters in those countries—engaged in international shortwave radio broadcasting keep increasing, signals come closer together on the bands of receivers. What it boils down to is simply that the stronger signals are those which get through. Other things being equal, the listener will prefer the stronger, clearer signal, received more audibly and with less interference.

VOA is doing well in this constant jockeying for position. Nearly half of the total potential television audience of 39 million in Latin America listens to VOA broadcasts.

That is not to say, however, that we should relax. If an audience of 16.5 million is good, then 20 or 30 million is that much better.

Radio has effected in Latin America, as elsewhere in the developing world, what Leonard Marks, Director of the USIA, has referred to as a sort of "instant literacy." For a long time, motion pictures have filled a similar void in the area, combining sight and sound, while dispensing with the necessity for the audience to be able to read and write. Television, however, does all of this and more. It bypasses literacy, on the one hand, while, on the other, it has been used in Mexico and other countries as an instrument for teaching literacy. In closed-circuit arrangements, it helps overcome such inadequacies as lack of trained instructors in universities. From the political viewpoint, it brings the nation and the world into the homes of people. To radio, it adds the element of the visible. To the motion picture, as traditionally known in moviehouses, it adds the element of immediacy.

Much as television has already revolutionized communication in Latin America—and between ourselves and Latin America—we are merely on the threshold of its full potential. What the future holds, as orbiting communication satellites are sent aloft in greater numbers, with stepped-up capabilities, and for longer periods of time, we can only guess.

During 1965, 23 countries with television in Latin America devoted 7,000 hours of their telecasting time to USIA materials.

None of the USIA's posts in these countries paid anything for this massive block of air time, which, if purchased, would have cost—by conservative estimates—$2,350,000.

Programing for Latin America by the USIA draws on some of the material produced for worldwide use, such as "Report From America," "Science Reports," President Johnson's speech at Johns Hopkins University, "In Search of Peace"—on Pope Paul's visit to the United States, and "Walk in Space."

There is, additionally, areawide TV programing specifically directed at Latin America:

News: Feature clips which are distributed to posts not receiving U.S. commercial news service.

Documentaries: Such as Alliance for Progress specials and OAS specials.

News in depth: Special events coverage and special conferences, and a pilot series, called "Hemisphere Perspective."

Series: "Panorama Panamericano," a 15-minute weekly videotape program is a major regular vehicle for continued coverage of Alliance for Progress events throughout the hemisphere. It is carried on 121 television stations in 101 cities of 20 Latin American countries.

Nuestro Barrio—"Our Neighborhood"—is a 26-episode, continuing series of 30-minute dramatic programs devoted entirely to the Alliance for Progress, designed for showing in evening peak-listening periods and using top Latin American talent. It is being telecast at prime time in 24 Latin American cities on top-rated TV stations. Some cities plan daily reruns.

Country programing: Eight USIS posts produce 21 continuing television programs, while 18 produce specials and adapt and use material provided by USIA's Motion Picture and Television Service.

Special output: Among special output items have been television treatment of the Tricontinental Conference in Cuba, the Vietnam peace offensive, and the Cuban exodus.

In summary, Mr. President, this is a good record of performance that deserves the wholehearted support of the Senate. That is not to say that more cannot be done, but the Voice of America and the USIS are doing a good job now, and I am pleased to commend their performance to my colleagues.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is concluded.

BANK HOLDING COMPANY AMENDMENTS OF 1966

Mr. MANSFIELD. I ask unanimous consent that the Senate proceed to the consideration of H.R. 7371.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The LEGISLATIVE CLERK. A bill (H.R. 7371) to amend the Bank Holding Company Act of 1956.

The ACTING PRESIDENT pro tempore. Without objection, the Senate will proceed to its consideration.

Mr. ROBERTSON. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERTSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Without objection, it is so ordered.

Mr. ROBERTSON. Mr. President, H.R. 7371, the Bank Holding Company Act Amendments of 1966, as amended by the Banking and Currency Committee, constitutes a major step forward in the regulation of banks and banking. It demonstrates clearly that the Congress is fully aware of the special needs and problems in the field of banking, including both the competitive problems and the problems relating to public convenience and necessity, and can and will pass appropriate special legislation to handle these special problems.

The Bank Holding Company Act of 1956 was the outcome of 18 years of effort on the part of my predecessor, Carter Glass, and many years of effort on the part of the Banking and Currency Committee after I became a member of that Committee. It was intended to apply in the field of banking and bank holding companies the general purposes of the antitrust laws—to promote competition and to prevent monopoly—and the general purposes of the Glass-Steagall Act of 1933—to prevent unduly close connections between banking and other businesses. For the first time, the Bank Holding Company Act of 1956 imposed effective and meaningful restrictions on the forming of new bank holding companies, the acquisition of banks by bank holding companies and the conduct of business within bank holding company systems. These controls have proved generally effective and satisfactory.

However, like all major statutes, the Bank Holding Company Act of 1956 was the product of compromise, and, like all such statutes, experience under it demonstrated the need for amendments of one kind or another. We knew at the time we passed the 1956 act that it would be necessary to revise the act as the result of experience under it, and we, therefore, required the Federal Reserve Board to report to us at the end of 2 years and annually thereafter with recommendations for amendments. The Federal Reserve Board has done so, and H.R. 7371, as reported, embodies many of those amendments.

H.R. 7371 contains two major elements. In the first place, it would terminate two major open-end exemptions which, unless closed, could make the act virtually meaningless. These are the exemptions for long-term trusts and religious, charitable, and educational institutions, and the exemption for registered investment companies and their affiliates. In the second place, H.R. 7371 would make a substantial number of amendments to the regulatory and administrative provisions applicable to registered bank holding companies subject to the act.

All of the provisions in the bill—both the elimination of loopholes and the changes in regulatory and administrative provisions—are supported by the Federal Reserve Board, which originally recommended most of them, although the bill does not include all of the recommendations made by the Board over the past 10 years.

HISTORY OF THE BILL

The House Banking and Currency Committee held extensive hearings in 1964 and 1965 on bills directed particularly at closing the two major loopholes in the act—H.R. 7371 which would have repealed the exemption for long-term trusts and religious, charitable and educational institutions, of which the Alfred I. du Pont Trust Fund, which owns 30 banks, a paper company, and a railroad in Florida, is the principal example at the present time—and H.R. 7372, which would have repealed the exemption for registered investment companies and their affiliates, of which the Financial General Corp., which controls 26 banks and a number of insurance companies and other financial and industrial interests, is the principal example at the present time. These bills were reported in 1965.

The House took up H.R. 7371 and added the provisions of H.R. 7372, and also a provision eliminating the present exemption for one-bank holding companies—corporations controlling only a single bank. However, the House did not consider the Federal Reserve Board amendments to the regulatory and administrative provisions applicable to registered bank holding companies subject to the act.

When H.R. 7371 came to the Senate Banking and Currency Committee, the committee considered that bill, along with two other bills pending before the committee—S. 2353 containing the current recommendations of the Federal Reserve Board, which I had introduced at their request on August 3, 1965, and S. 2418, introduced by Senator MORSE and other Senators on August 16, 1965. The Federal Reserve Board was asked to find out what banks and what bank holding companies would be affected by the bill, particularly the provision terminating the exemption for one-bank holding companies. This information was issued in a committee print which is included as a part of the hearings on the bill—part 1, page 312. Extensive hearings were held by the committee on 8 days in March of 1966 and again on 3 days during May. After consideration of the testimony at the hearings, a committee print bill was prepared and distributed on May 10, 1966, to the members of the committee for their consideration at an executive session. This committee print bill, with two amendments, was reported by the committee to the Senate on May 19, 1966.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. HOLLAND. The provision which the Senator has just mentioned affects at this time and applies at this time to only one testamentary trust, and that is the estate of Alfred I. du Pont. Is that correct?

Mr. ROBERTSON. That is correct.

Mr. HOLLAND. I thank the Senator.

Mr. ROBERTSON. As pointed out, we have not covered those trusts that would end within 25 years, or not later than 21 years and 10 months after the death of individuals living on the effective date of the trust. It never has affected those. It relates only to the indefinite long-term trusts. In the future more of them could be organized. The bill applies also to corporations that we thought would be controlled effectively by the Investment Company Act of 1940, so that it would not be necessary to apply the Bank Holding Company Act to Financial General Corp. But it is true that the only testamentary trust which will be affected at this time is the Du Pont trust fund, but there are many that could be so affected in the future. And the bill applies to other charitable institutions like the Mott Foundation in Illinois and Michigan.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. HOLLAND. If I understand the Senator correctly, this bill, insofar as its application to testamentary trusts is concerned, refers to only one testamentary trust, and that is that of Alfred I. du Pont, and insofar as its application to investment trusts is concerned, refers only to Financial General Corp. Is that correct?

Mr. ROBERTSON. That is correct; but the Federal Reserve Board and all the banking agencies say that before we get many more included we ought to close these loopholes. They also say we need changes in the regulatory provisions of the act, and they are included in the bill before us.

Let me point out that the bill as we are taking it up in the Senate has been changed substantially from the bills that were considered by the committee. We gave Financial General Corp. more time. We gave Du Pont more time.

We eliminated one provision which would have affected hundreds of corporations owning only one bank and a number of labor unions owning only one bank. The Comptroller testified he did not see any necessity for going that far. We do not see any need for going that far.

Banks which were held singly, and not in combination were not found to be restraining trade. They operated just as other small banks did.

The bill does not include everything that the House had before it.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. HOLLAND. The provisions eliminated from the original bill were, however, provisions recommended by the Federal Reserve Board. Is that correct?

Mr. ROBERTSON. That is correct. The Board wanted me to tack those provisions onto the bill in 1955, when I introduced the bill. There were two reasons why I dropped those provisions with respect to the 1955 bill. The first reason was I did not think it was necessary. The second reason was that we could not have gotten the bill through if those provisions were included. I think these were good and sufficient reasons for taking that action from a practical standpoint.

In 1956, the Federal Reserve Board did not want any bank to be connected with any commercial enterprise. That was a good theory, but we could not find any supporting ground for that theory. We said that was good in theory, but not necessarily in practice.

Nobody can discount the contributions of my predecessor, Carter Glass. He served in Congress longer than any man in the history of Virginia, first in the House and then in the Senate. He was chairman of the Appropriations Committee. He was President pro tempore. He was the ranking member of the Banking and Currency Committee. He was the author of the Federal Reserve Act, and he tried for 18 years, and did all he could, to get a bank holding company bill through, and he never got it through.

The Federal Reserve Board asked me to undertake that task. At that time I was relatively new in the Senate. I did not fully realize what I was going up against. I agreed to undertake the task. I soon learned what I was up against.

I learned that if I were to get anything through, I would have to approach it from a realistic standpoint and abandon the theory that a corporation which had 25 percent or more control of any one bank was to be bound by the provisions of the bill, and that we should make some concessions to existing conditions.

Then the Federal Reserve Board came along with a new proposal, and the House passed it. The House had two bills before it. One related solely to Du Pont. One related solely to Financial General Corp.

A Member of the House offered an amendment on the floor. I do not know whether he expected the amendment to be adopted or whether he expected the adoption of the amendment to kill the whole proposal. But whatever he expected, it was adopted without any testimony and without any hearings. We got an extreme bill that we never had been able to get before from the House.

It then became my responsibility to recognize that we should close loopholes, but if we wanted to close loopholes, we had better be fair to those who already had exemptions and we had better be practical enough to follow the advice of the Comptroller of the Currency and various authorities, such as the American Bankers Association, for example, which recommended that we continue the exemption for corporations which had not more than 25 percent of the stock of just one bank. They all said there was no need to remove this exemption, and that it would in fact be harmful to competition to remove it.

I quote from the testimony of a good friend, the very able Chairman of the Federal Reserve Board who had recommended elimination of the one-bank exemption. This is what he said before our committee:

> If you ask whether the Board can cite specific examples of such abuses among the hundreds of one-bank holding companies in existence today, the answer is clearly "No."

The Federal Reserve Board had sent questionnaires to 500 or 600 such companies. Not one abuse was cited in any of them. They said that in theory it is a bad situation.

I said, "That is all right in theory, but in practice you cannot prove that it has been bad for the banking industry."

From my experience with the legislation, following the efforts of my able and distinguished predecessor, who had proposed such legislation for 18 years, I knew that I had to abandon my attempt to get such legislation through the Senate in 1955. I knew full well what I was up against when I tried to write something that I thought the Senate might accept.

I am not sure that I was liberal enough. I tried to be fair. I certainly was more liberal than was the House. In any event, I knew that if I went along with the Federal Reserve Board as to the one-bank proposition, we would never get anywhere.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. HOLLAND. Am I correct in my understanding that neither the present law nor the proposed law affect the right of an individual, as distinguished from a company, to collect the control, by an ownership of 25 percent or more, of as many banks as he is able to control, with his own initiative, with his own ability, and with his own resources, without penalizing him in any way or bringing him under the Holding Company Act?

Mr. ROBERTSON. That is correct. The bill does not affect an individual.

Mr. HOLLAND. My understanding is that the individual can combine as many ownerships of as many banks as he sees fit.

Mr. ROBERTSON. I am advised by my aid that that provision has not been changed. An individual could do so. That is correct.

Mr. HOLLAND. I appreciate the frankness of the distinguished Senator. That is my understanding, also.

Mr. ROBERTSON. That is correct.

Mr. HOLLAND. However, my understanding is also that under the pending bill a distinct handicap is placed upon a testamentary trust, in the event the owner of several banks or one who controls several banks and other businesses, as well, should be so unfortunate as to pass away and should leave a will containing a testamentary trust that is more than temporary, and does give to some charitable organization an interest that will be perpetual.

Mr. ROBERTSON. That is true. If the period of time is not more than 25 years or not more than the period permitted by the rule against perpetuities, the law does not apply. But if it is a permanent testamentary trust, the bill applies.

Mr. HOLLAND. Do I correctly understand that as to a perpetual trust, the limitation is 25 years, and as to a nonperpetual trust, the limitation is the life or lives of persons in being, plus 21 years and 10 months?

Mr. ROBERTSON. We have the rule against perpetuity. If it is not permanent, if it does not go beyond 25 years or beyond the period permitted by the rule against perpetuities, the law does not apply. If the trust will last longer than that—if it is permanent, the law applies. The Senator is correct in saying that at the present time we are dealing with only one permanent trust that would be affected.

However, the Federal Reserve Board is of the opinion that this situation invites other permanent trusts to go into the banking business and to combine it with other businesses. The Federal Reserve Board believes that this situation presents a loophole, an exception that should be changed, and that an investment company that is regulated should not be permitted to go into the banking business and buy banks all over the country, anywhere it wishes. Dozens of investment companies could do it, but they have not.

However, because Financial General had issued a mortgage which I understood used as collateral the stock of all the corporations it owned, it could not spin this stock off, because it was subject to that mortgage, and the mortgage ran for 12 years. So we allowed them 12 years in which to spin off the stock of these nonbanking corporations. But then they had to get rid of it.

I thought the provision in the House bill of allowing Du Pont only 2 years was entirely too harsh. On my own initiative, I decided it was too harsh. I recommended 5 years in the clear, if they want to take that long, as absolute legislative right.

Mr. HOLLAND. Mr. President, I think the Senator was more generous in his provision of 5 years overall than would have been the case under the present law of 2 years plus 3 years, 1 at a time, in the judgment and in the grace of the Federal Reserve Board.

Mr. ROBERTSON. That is true. That provision was in the House bill when it came to the Senate.

Mr. HOLLAND. That is my understanding.

I think the Senator from Virginia was more generous, though not by any great degree, in providing the 5 years as time certain, rather than providing 5 years as time uncertain and 3 years in the judgment and through the grace of the Federal Reserve Board, 1 year at a time, as was provided by the House bill.

However, my question is: Why did the Senator from Virginia see fit to give to the Du Pont Estate less time than is given to other testamentary trusts which are not trusts in perpetuity, in that those trusts are allowed to run through the life or lives of persons in being, plus 21 years, plus 10 months, whereas in the case of the Du Pont Estate the time is fixed at 25 years and no more?

Mr. ROBERTSON. Again, it was a question of fact. One is permanent and one is not. One will end automatically, and with the knowledge that it will end automatically, they are not likely to go into this program in a big way. We do not have any evidence of a temporary trust going into millions of dollars of banks and millions of dollars of other property and commingling the management.

Therefore, we were faced with a recommendation of the Federal Reserve Board that the Du Pont Estate be given 2 years. We were faced with a bill passed by the House which gave the Du Pont Estate 2 years.

I was very friendly with Du Pont. Mrs. Alfred I. du Pont is one of the most wonderful women I have known, and one of the most charitable. She has sponsored many charities in Virginia, and we are appreciative of all that she has done.

I said that I could not help what the theory of others was. I said that on my own initiative I would say it was too difficult, and that I would recommend that we allow up to 5 years. That is why we did not provide 25 years.

One trust is permanent and the other trust is not. We are trying to establish the rule that permanent trusts and corporations that started out as investment companies and are regulated by the SEC should not be exempt. There are many of them. We are going to say in the future, so far as we can, that the bank holding company business should be fully regulated and should be separated from other commercial enterprises.

Mr. HOLLAND. I thank the Senator.

Mr. LAUSCHE. Mr. President, will the Senator from Virginia yield, to allow me to ask a question of the Senator from Florida?

Mr. ROBERTSON. I yield.

Mr. LAUSCHE. Will the Senator from Florida explain why he thinks there is an inequity in the treatment of the two different classes about which he has been questioning the Senator from Virginia?

Mr. HOLLAND. Does the Senator mean that there are two different testamentary trusts?

Mr. LAUSCHE. That is correct. I mean that there is one time rule applicable to the Du Ponts and another rule applicable to others.

Mr. HOLLAND. I should be very happy to answer that question. In the case of the estate of Alfred I. du Pont, deceased, because there is a perpetual trust to a hospital or a home for crippled children in Delaware, the limitation applied there is 25 years, and from this date only 5 years in which to wind up the trust. On the other hand, in the case of numerous other testamentary trusts in which there is not any perpetual trust, but simply a trust that comes under the rule against perpetuities; namely that they are given time to run during the life or lives of persons in being plus 21 years and plus 10 months, it seems to me that it is very obvious that there is very real discrimination used in this regard against the estate of Alfred I. du Pont.

With regard to the length of time allowed to all other testamentary trusts except perpetual trusts—and our distinguished friend, the Senator from Virginia, has stated that there is only one trust which comes under that definition at this time that would be affected by the bill—it seems very clear to me that there is flagrant discrimination between the trust involving the estate of Alfred I. du Pont and a vast number of testamentary trusts which follow the rule against perpetuities amongst and between them.

Mr. LAUSCHE. The distinction is that the discrimination is against the Du Pont Estate?

Mr. HOLLAND. There is no question about that. I am sure that the Senator from Virginia would have to admit that my statement of fact is completely correct.

Mr. ROBERTSON. I do not challenge the statement at all.

Mr. HOLLAND. The witness for the American Bankers Association made that point very strongly in stating that he saw no justification at all for making this discrimination between other testamentary trusts in general—which would cover many testamentary trusts—and, at this time, this one testamentary trust which does run in perpetuity because it sets up a children's hospital and endows it with all the estate that would be left after the death of the named beneficiaries.

Mr. ROBERTSON. Mr. President, I think that is a fair statement. The American Bankers Association did endorse the bill, but they recommended an exemption during life estates. However, I think they would have no objection at all if the Du Pont trust had been granted 12 years like Financial General, as I believe one witness indicated. I should like to read from this letter of May 17:

> THE AMERICAN BANKERS ASSOCIATION,
> *Washington, D.C., May 17, 1966.*
>
> Hon. A. WILLIS ROBERTSON,
> *U.S. Senate,*
> *Washington, D.C.*
>
> DEAR SENATOR ROBERTSON: The American Bankers Association has examined the May 10, 1966, committee print of proposed amendments to the Bank Holding Company Act of 1956 and is in accord with its more important provisions. The Association is particularly pleased that the two-bank definition of bank holding company is retained.
>
> However, the Association reaffirms the position taken in its initial statement that an exemption from the Bank Holding Company Act should be allowed for trusts for the life interest of individual beneficiaries living when the trust becomes effective whether the trust is perpetual in form or whether the trust expires after a given term of years or at a time related to the death of the beneficiaries. The Association also continues to recommend that Edge Act and agreement corporations be excluded from the definition of "company" in Section 2(b) of the Bank Holding Company Act.
>
> The American Bankers Association takes this opportunity to congratulate your committee on the fine manner in which it has handled this difficult and complicated legislative problem.
>
> Sincerely yours,
> LEWELLYN A. JENNINGS,
> *Chairman, Federal Legislative Committee.*

LONG-TERM TRUSTS AND CHARITABLE INSTITUTIONS

H.R. 7371, as reported, would amend the present provisions concerning nonbusiness trusts. It would retain the present exemption for nonbusiness trusts which must terminate within 25 years or not later than 21 years and 10 months after the death of individuals living on the effective date of the trust, but it would eliminate the exemption for other nonbusiness trusts of a more permanent nature. The purpose of the amendment is to distinguish between trusts set up by deeds of trust or wills which serve as vehicles for the accomplishment of the usual family and estate planning objectives on the one hand, and long-term trusts of unlimited or indefinite long duration on the other.

This distinction is accomplished by exempting only those nonbusiness inter vivos and testamentary trusts which must either terminate within 25 years by their terms or which by their terms—as affected by applicable law—must terminate not later than 21 years and 10 months after the death of individuals living on the effective date of the trust. In other words, short-term trusts and the usual personal trusts which do not violate the rule against perpetuities would continue to be exempt from the act.

Long-term trusts, however, and religious, charitable and educational institutions, whether created by trusts or otherwise, would no longer be exempt. If such a trust or institution should control two or more banks, it would not be permitted to retain control of a nonbanking business. However, while it would have to divest itself of its controlling interests in nonbanking businesses, it presumably would reinvest the proceeds in stocks, bonds and other securities yielding approximately as much income, so the charitable or other objectives of the institution would not be adversely affected.

A long-term trust or religious, charitable or educational institution, however, would not be required to cease its exclusively religious, charitable or educational activities. Such activities—for example, the operation of a tax exempt charitable hospital or a tax exempt educational institution—would not constitute engaging in business for the purposes of the Bank Holding Company Act, and no divestiture of such an activity would be required.

The committee reached the conclusion that it was not consistent with the basic policy of the Bank Holding Company Act to permit an exemption from the broad public purposes of that act for long-term trusts and religious, charitable and educational institutions. This conclusion does not, of course, indicate any reflection whatever on the desirability or value of such institutions or of their purposes and objectives. It simply means that the basis for special treatment of such institutions, for example in the field of tax exemption, does not warrant exemption from statutes carrying out broad public policy purposes, such as the Bank Holding Company Act, any more than it would support an exemption from the antitrust laws or the Interstate Commerce Act.

Throughout the entire course of English and American legal history, religious and charitable institutions have been subject to special restrictions on the acquisition of property where this would conflict with important public policies. The Mortmain Acts, going back as far as 1279, were passed to prevent the alienation of land which might frustrate feudal rights and privileges. Those who are familiar with "Mr. Tutt's Case Book" will recall the story, "Mr. Tutt, Father-in-Law," where the provisions of a will leaving property to a charitable corporation were upset because the corporation had already received the total amount of property permitted under section 15 of the New York General Corporation Law of 1929.

While the Alfred I. du Pont trust is the principal organization which will be affected by this provision at the present time, the exemption itself has no limits whatever. Any charitable foundation, such as the Ford Foundation or the Rockefeller Foundation, or any educational foundation like Harvard or the University of Chicago, or any church or any other religious institution is completely free at the present time to establish a chain of banks extending across State lines, without any control or restriction whatsoever from the point of view of the public policies enunciated in the Bank Holding Company Act.

Because long-term trusts and charitable institutions which must divest themselves of nonbanking interests—or of banks if they do not want to continue as bank holding companies—cannot spin off stock to their stockholders but must sell the stock, the committee revised the divestment procedures applicable to these cases. The present law requires divestiture within 2 years, and gives the Federal Reserve Board power to grant three 1-year extensions—making a total of 5 years. This provision makes good sense where the divestiture can be accomplished by spin off. However, when the divestiture must be accomplished by sale, it imposes an unreasonable and unnecessary burden on the trust or institution to come up against a deadline at the end of the second and third and fourth years, not knowing whether or not the Board will grant the extension and thus putting the trust or the institution at the mercy of prospective buyers.

Instead of this year-by-year extension for a total of 5 years, the committee changed the provision to give a flat 5-year period for this divestiture. This is no longer than the total under the present act, but the elimination of the annual deadlines could prove of substantial assistance. The committee added a provision requiring that any bank holding company subject to this 5-year limitation must endeavor to divest itself promptly, and it must report its progress in such divestiture to the Board 2 years after the repeal of the exemption and annually thereafter. The committee expects the Federal Reserve Board to keep it advised of the status of any such divestitures. The committee also called attention in the report to the fact that the act does not contemplate any further extensions after the end of the 5-year period.

REGISTERED INVESTMENT COMPANIES AND AFFILIATES

H.R. 7371, as reported, would also repeal the exemption of investment companies registered under the Investment Company Act of 1940 and their affiliates. When this exemption was inserted in the 1956 Act, it was expected that regulation under the Investment Company Act of 1940 would provide adequate protection against possible abuses or other problems which might result from this exemption. Experience has shown clearly that regulation of registered investment companies and their affiliates under the Investment Company Act of 1940 does not carry out the aims of the Bank Holding Company Act of 1956.

On the contrary, any of the 300 registered investment companies to which this exemption now applies, or any of their numerous affiliates, might take advantage of this loophole to frustrate the purposes of the Bank Holding Company Act. Up to the present time only Financial General Corp. falls within this exemption. However, unless the loophole is closed, we may expect many other concerns to take advantage of it, and 5 or 10 years from now it might be far more difficult, perhaps impossible, to close the loophole.

A special provision was made with respect to divestiture of nonbanking assets by Financial General Corp., which has issued substantial quantities of bonds and debentures, secured by bank and insurance stocks, which come due in 1976 and 1978. Under these circumstances, spinning off the nonbanking assets to the Financial General Corp. stockholders before 1978 would be extremely difficult, if not impossible. Accordingly, the committee inserted a provision postponing until December 31, 1978, the requirement that Financial General Corp. divest itself of its nonbanking assets. However, Financial General Corp. would be required to register promptly, and would be subject at once to the act's restrictions on acquisition of new banks or new nonbanking concerns and to the act's restrictions on intrasystem transactions.

ONE-BANK HOLDING COMPANIES

The committee heard many witnesses and received many letters and statements in connection with the proposal to repeal the exemption for one-bank holding companies, which was contained in the House bill, H.R. 7371, and in the Federal Reserve Board proposal, S. 2353.

After considering all of this testimony, the committee came to the conclusion that there was no substantial evidence of abuses occurring in one-bank holding companies. Furthermore, the committee received much testimony to the effect that repeal of the exemption would make it more difficult for individuals to continue to hold or to form small independent banks. The repeal of the exemption would, therefore, be likely to cause the forced sale of large numbers of banks and in a diminution of competition rather than in an increase of competition. Consequently, the committee decided not to adopt this proposal.

However, in order to minimize the danger that conflicts of interest might occur in this field, the committee amended the Federal Deposit Insurance Act so as to make the provisions of section 23A of the Federal Reserve Act relating to transactions between a bank and its affiliates applicable to all insured banks.

ANTITRUST LAWS

The committee adopted two amendments to the act relating to the antitrust laws. In the first place, the committee amended section 11 of the act by establishing the same procedures with respect to the antitrust laws in the case of bank holding company formations and acquisitions as the Bank Merger Act Amendments of 1966 established for bank mergers. Under this procedure the Attorney General would be notified of any approval under the Bank Holding Company Act, and the transaction approved could not be consummated for 30 days so as to give the Justice Department an opportunity to start an action under the antitrust laws. If the Justice Department did not start an action within this 30-day period, then the bank holding company formation or acquisition would be exempt from section 7 of the Clayton Act and section 1 of the Sherman Act. A similar exemption would be given to all bank holding company formations or acquisitions before the enactment of the provision if no litigation had been initiated at that time. The provision makes it clear, however, that no exemption is granted from the antimonopoly provisions of section 2 of the Sherman Antitrust Act either with respect to past or to future transactions.

In the second place, the committee amendment also provided that in any litigation initiated under the antitrust laws in connection with bank holding company formations or acquisitions the court should apply the substantive rule of law—the standards—prescribed in the Bank Holding Company Act for bank holding company formations and acquisitions, and the committee amended these standards by replacing the former more general standards with the new standards written into the Bank Merger Act in 1966 which relate particularly to competitive questions.

These new standards make it clear that the possibility of anticompetitive effects of any proposed transaction must be considered carefully. On the other hand, they make it equally clear that, as long as these anticompetitive effects would not result in a monopoly or are not in furtherance of a conspiracy to monopolize, the transaction may nevertheless be approved if these anticompetitive effects are clearly outweighed in the public interest through their favorable effect on the convenience and needs of the community to be served.

It is not necessary at this point to comment in great detail on these new standards adopted from the Bank Merger Act of 1966. I explain these standards fully in connection with the Bank Merger Act on February 9, 1966, when the Senate accepted them as a part of S. 1698 and sent the bill on to the President for his signature. As I indicated in my remarks on this subject on February 10 and May 3, 1966, this matter had been carefully considered by the members of the Senate and particularly by the members of the Banking and Currency Committee, and, therefore, further discussion at this time is unnecessary.

At this point it seems appropriate to call to the attention of the Senate the comments of the Department of Justice on various aspects of this bill. The Department of Justice was asked to comment on H.R. 7371, S. 2353, and S. 2418 by letters of September 27 and December 9, 1965. A reply was received on May 9, 1966—too late to be included in the record of the hearings. In this letter the Department of Justice recommended: First, elimination of the one-bank holding company exemption; second, elimination of the exemption for registered investment companies and their affiliates, and third, elimination of the exemption for long-term trust and religious, charitable, and educational institutions.

It should be noted that the committee accepted the second and third recommendations, but did not agree with the Department of Justice's recommendation to eliminate the one-bank holding company exemption because the committee reached the conclusion that this exemption encouraged and promoted competition in the field of banking and because no evidence had been presented by the Federal Reserve Board or anyone else that the undesirable results which such one-bank holding companies were supposed to cause in fact had ever occurred. I ask unanimous consent that a copy of the Department of Justice letter of May 9, 1966, be printed in the Record at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Office of the Deputy Attorney General,
Washington, D.C., May 9, 1966.

Hon. A. Willis Robertson,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

Dear Senator: This is in response to your requests for the views of the Department of Justice on S. 2353, S. 2418 and H.R. 7371, to amend the Bank Holding Company Act of 1956.

We believe that S. 2353 (which combines features of H.R. 7371) and S. 2418 would effect desirable changes in the Bank Holding Company Act of 1956 and favor the enactment of a bill which would combine the provisions of the two bills.

The existing law of concern to this Department which would be affected by the bills is section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841). Among its other provisions, section 2 defines a "bank holding company" as any company which holds a 25 percent or more ownership or control in each of two or more banks, or controls the election of a majority of the directors of two or more banks. The section exempts from the definition any company registered under the Investment Company Act of 1940, and which was so registered prior to May 15, 1955 (or which is affiliated with any such company in such manner as to constitute an affiliated company within the meaning of such Act), unless such company (or such affiliated company) as the case may be, directly owns 25 per centum or more of the voting shares of each of two or more banks.

Also section 2 of the Act defines "company" to mean any corporation, business trust, association or similar organization. Among its other exclusions, the definition does not apply to "(2) any corporation or community chest, fund, or foundation, organized and operated exclusively for religious, charitable, or educational purposes, no part of the net earnings of which inures to the benefit of any private shareholder or individuals, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation".

S. 2353 would amend section 2 of the Act to provide that ownership or control of 25 percent or more of the voting stock, or control over the election of a majority of the directors, of any bank shall constitute the holder of such ownership or control as a bank holding company. Also, the bill deletes the present exemption in the section with respect to any company registered under the Investment Act of 1940. Further, S. 2353 would amend the definition of "company" by deleting therefrom the present exemption quoted above.

S. 2418 would amend section 2 of the Bank Holding Company Act in a manner similar to that provided for in S. 2353. In addition, however, S. 2418 would add to section 2 a new subsection (h) which would provide that two or more trusts having one or more trustees or beneficiaries in common shall be presumed to control each other unless the Federal Reserve Board determines otherwise.

One of the principal purposes of the Bank Holding Company Act is to place limitations upon the combination under single control of both banking and nonbanking enterprises. The primary reason for enacting this legislation is a banking one—namely, to extend the limitations upon ownership of nonbanking businesses, which now apply only to companies owning the requisite interest in two or more banks, to companies holding the requisite interest in a single bank.

In addition to its banking objectives, the legislation would enhance competition. Under the present Bank Holding Company Act, a company that controls one bank and at the same time controls business, industrial or finance companies, is exempt from the Act. It is, therefore, possible for situations to arise where a bank can be influenced to favor the other subsidiaries of its parent with loans and banking services. In turn, these other subsidiaries may be influenced to favor the bank with their custom. Such reciprocal dealings distort normal patterns of trade and may be harmful to competitor banks and competitors of the other subsidiaries.

The deletion of the present provision of section 2 exempting from the definition of "bank holding company" any company registered under the Investment Company Act of 1940 would also be beneficial to competition. The Bank Holding Company Act prohibits the formation of a bank holding company without the approval of the Board of Governors of the Federal Reserve System. It also prohibits any such company from acquiring any additional bank, or as much as five per centum of the voting stock of any bank, without the Board's approval. It further prohibits banks that are subsidiaries of a holding company from lending to or investing in the parent company or other subsidiaries of such holding company. In addition, a bank holding company is restricted, with certain exceptions, to ownership of banks in the state in which the holding company has its principal office. The present exemption provides companies which may qualify thereunder an opportunity for exploitation of competitive advantages over registered bank holding companies which cannot engage in similar activities. We favor the removal of the exemption as a means of correcting a deficiency in the present Act.

The amendment of the definition of "company" in S. 2353 would remove the exemption now enjoyed by religious, charitable, and educational trusts. S. 2418 would replace the present definition of "company" with one limiting the exemption to the "family type" trust frequently created for the care of the spouse or minor children of a decedent.

There appears no sound reason why corporations, community chests, funds, or foundations, organized and operated for religious, charitable, or educational purposes, should be accorded an exemption where in fact they may be operating as bank holding companies. The change in definition of "company" would cure this defect in the Act.

The Bureau of the Budget has advised that there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

Ramsey Clark,
Deputy Attorney General.

Mr. ROBERTSON. Mr. President, a second letter dated May 18, 1966, was transmitted from the Department of Justice referring to the antitrust amendments which were proposed in the committee print of May 10 and which, with one amendment, are incorporated in the bill now pending before the Senate. In this letter the Department of Justice opposed the application of the 1966 Bank Merger Act procedures to the Bank Holding Company Act, and it took this position even though the standards of the Bank Merger Act might be substituted for the standards of the Bank Holding Company Act—a change which was made by the committee and is incorporated in the bill pending before the Senate.

Without commenting at length on the inconsistencies between the position now taken by the Department of Justice in this letter and the position the Department has taken in litigation involving bank mergers and the position the Department took with respect to the 1966 Bank Merger Act Amendments, it seems sufficient to state that the committee was convinced that bank holding company formations and acquisitions should not be treated in the same way as other holding company formations and acquisitions and felt that this was consistent with the congressional action in the 1966 Bank Merger Act Amendments, which was characterized in the Justice Department letter as asserting "a congressional intent that bank mergers should not be treated in exactly the same way as other mergers." In the committee's view, the similarities between banking expansion through mergers and banking expansion through formation and expansion of holding companies, from the point of view of anticompetitive effects and the conveniences and needs of the community to be served, far outweigh the legal technicalities urged by the Department of Justice, and consequently the committee felt it was appropriate to apply the same standards and the same procedures to bank holding company transactions as the Congress has so recently applied to bank mergers.

I ask unanimous consent that a copy of the Department of Justice letter of May 18 be inserted in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, D.C., May 18, 1966.

Hon. A. WILLIS ROBERTSON,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR SENATOR ROBERTSON: Earlier this month the Department of Justice submitted its views on S. 2353, S. 2418 and H.R. 7371, three bills amending the Bank Holding Company Act of 1956. We should like to supplement our submission with a brief statement of our position concerning a proposed further amendment to § 11 of the 1956 Bank Holding Company Act.

The amendment concerns acquisitions [1] that, under the Bank Holding Company Act of 1956, must be approved by the Federal Reserve Board. The amendment provides that the Government may not bring a new antitrust action [2] against any such transaction consummated prior to enactment of the proposed bill. It further provides that in any antitrust action concerning such a transaction, the courts must apply the same standards for approval that the Federal Reserve Board must apply under § 3 of the Bank Holding Company Act.

The language of the proposed amendment is quite similar to language contained in the recently enacted amendment to the Bank Merger Act of 1960.[3] It would be a mistake to believe, however, that passage of the Bank Merger Act of 1966 provides a reason for enacting the proposed amendment. In fact, the two amendments differ considerably, for each arises within a very different historical context and each has radically different effects. In part because of these differences, the Department of Justice believes that to amend § 11 of the Bank Holding Company Act as proposed would be most unwise.

The major historical difference between the 1966 amendment to the Bank Merger Act and the amendment now proposed arises from the fact that many bank mergers take the form of an acquisition of assets, while acquisitions by bank holding companies normally take the form of an acquisition of stock. Prior to the decision of the *Philadelphia National Bank* case [4] in 1963, it was very doubtful whether the Clayton Act applied to asset acquisitions by banks. Congress, when it passed the Bank Merger Act in 1960, may have believed that the Clayton Act did not apply, and it may have framed standards for judging the validity of bank mergers in accordance with this belief. In 1963 the Supreme Court held in *Philadelphia National Bank* that bank mergers were subject to the Clayton Act. Congress then passed the 1966 Bank Merger Act amendment in order to provide relief for merged banks that were surprised by the Philadelphia National Bank decision and to assert a Congressional intent that bank mergers should not be treated in exactly the same way as other mergers.

The history of the application of the antitrust laws to acquisitions by bank holding companies is quite different. Since acquisitions by bank holding companies normally take the form of stock acquisitions, it has always been clear that they normally are subject to both the Clayton Act and the Sherman Act, for the Clayton Act has always applied to all stock acquisitions. Moreover, when it enacted the Bank Holding Company Act of 1956, Congress made clear its intent that the antitrust laws were to apply with full force to anticompetitive acquisitions governed by the Act and that the Federal Reserve Board was not to have the power to approve acquisitions that violate the antitrust laws. Congress specifically stated that nothing contained in the Act shall "constitute a defense to any action, suit or proceeding pending or hereafter instituted on account of any prohibiting antitrust or monopolistic act, action or conduct."[5] While the standards which the Federal Reserve Board applies in determining whether or not to approve any acquisition may not emphasize the overriding importance of preserving competition,[6] there is little need for them to do so, for under the Act, the antitrust laws automatically prohibit transactions with significantly anticompetitive effects. Also, unlike the Bank Merger Act of 1960, the Bank Holding Company Act of 1956 makes no explicit provision for the Justice Department formally to express to the Board its views concerning the anticompetitive effects of a proposed acquisition. Again this omission is explainable, for the Act allows the Justice Department to proceed against an anticompetitive acquisition in court.

Since no one has ever doubted that the antitrust laws apply to stock acquisitions by bank holding companies, there is no reason to immunize existing acquisitions from attack. The position of bank holding companies that have made acquisitions is not at all similar to the position of banks that have merged, for prior to 1963 merging banks may reasonably have believed that bank mergers were not subject to the Clayton Act, but bank holding companies could not have believed that they were free from antitrust scrutiny. Moreover, since stock acquisitions are involved, an antitrust suit cannot produce difficult "unscrambling of assets" problems, as allegedly occurred when bank mergers were attacked. There thus is no more reason to declare an antitrust amnesty for bank holding companies than to declare an amnesty for steel companies, automobile manufacturers or for any other industry. We see no reason to declare an amnesty of any kind.

More importantly, adoption of the proposed amendment would immunize current and future acquisitions from antitrust attack to a far greater extent than similar language enacted in the Bank Merger Act of 1966 immunizes bank mergers. In enacting the Bank Merger Act of 1966, Congress rendered uniform the standards to be applied by both courts and banking agencies and in doing so it emphasized that the most important factor by far—to be considered by agencies as well as courts—is the effect of the proposed transaction on competition. The proposed amendment to the Bank Holding Company Act, on the other hand, picks up, not a revised standard emphasizing competition, but, rather, the standards set out in § 3 of the Bank Holding Company Act—standards that do not emphasize the effect of a proposed transaction upon competition since Congress has always intended that the antitrust laws separately apply to such transactions. If the courts are required to apply only § 3 standards and cannot apply those of the antitrust laws, significantly anticompetitive mergers may well be immunized from attack contrary to the intent of Congress in passing the Bank Holding Company Act. Hence the proposed amendment, although in form similar to the Bank Merger Act of 1966, may lead to a radically different result by relegating competitive considerations to a less important role. (Even were the amendment revised to incorporate the test of the Bank Merger Act, we would oppose that change. It would be unwise to substitute the vague, uncertain standard of the Bank Merger Act of 1966 for the more clear criteria that have been articulated in the development of the antitrust laws.)

In sum, because we believe that the proposed amendment may unwarrantedly weaken the antitrust laws, the Department of Justice strongly opposes its adoption.

Sincerely,

RAMSEY CLARK,
Deputy Attorney General.

COMMERCIAL BANKS

Mr. ROBERTSON. Mr. President, one amendment the committee made, which will be of interest to many Senators, related to the definition of the kinds of banks covered by the bill. Generally speaking, the bill was intended to apply to commercial banks of a sort which might have relationships with businesses and business firms which should be avoided. In the course of the hearings questions were raised with respect to so-called industrial banks, to mutual savings banks, and to certain trust companies which do not accept demand deposits subject to check. In addition, the committee received evidence with respect to trust companies which do not make ordinary commercial loans.

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[1] While the amendment also deals with mergers and consolidations of bank holding companies, as a practical matter, there have been few, if any, such transactions.

[2] Except under Sherman Act § 2.

[3] Bank Merger Act of 1966, 80 Stat. 8.

[4] *United States* v. *Philadelphia National Bank*, 374 U.S. 321.

[5] Bank Holding Company Act of 1956, § 11.

[6] The standards that the Board is to take into consideration are: (1) the financial history and condition of the company or companies and the banks concerned; (2) their prospects; (3) the character of their management; (4) the convenience, needs, and welfare of the communities and the area concerned; and (5) whether or not the effect of such acquisition or merger or consolidation would be to expand the size or extent of the bank holding company system involved beyond limits consistent with adequate and sound banking, the public interest, and the preservation of compensation in the field of banking.

The committee amended the definition of the term "bank" so that it now covers "any institution that accepts deposits that the depositor has a legal right to withdraw on demand." This definition clearly excludes industrial banks, mutual savings banks, and trust companies such as the Hershey Trust Co. which accepts no deposits whatever. Since these institutions do not receive deposits in the form ordinarily received by commercial banks, it was considered appropriate to change the definition of banks so they would not be covered by the act, and the committee report makes it clear that this exclusion is based on the fact that, if an institution does not accept demand deposits, it cannot be considered a commercial bank subject to the provisions of the act.

In this same connection the Federal Reserve Board was asked for its comments with respect to banks which may accept demand deposits but which do not engage in making commercial loans and should, therefore, also not be included within the definition of commercial banks for this reason, even though they would not be disqualified on the ground that they do not accept demand deposits. A letter was received from the Federal Reserve Board dated May 11, 1966, in which the Chairman stated:

> I am impressed by the argument that a bank which does not make commercial loans is not apt to be involved in the kind of abuses the act is designed to prevent.

The Chairman went on to state that:

> If in the future the Congress should be disposed to adopt the "one-bank" amendment, I would be happy to cooperate with you in working out provisions to insure against coverage of such a bank.

In order to clarify this point, I ask unanimous consent to have this letter inserted in the Record at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Board of Governors of the
Federal Reserve System,
Washington, D.C., May 11, 1966.

Hon. A. Willis Robertson,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: This is in reply to your letter of May 6, 1966, asking for comment on an amendment to the Bank Holding Company Act proposed by the President of the Boston Company. The amendment is designed to make it clear that "bank," as defined in the Act, means a commercial bank. As you will recall, the Board has agreed upon an amendment to accomplish this result, which I sent to you with my letter of April 20, 1966.

The Board's amendment adopts a simple and widely accepted test to identify a commercial bank: whether it accepts demand deposits. The Boston Company's proposal would substitute a different test (whether the institution is "primarily engaged" in commercial banking) which would, I am afraid, pose difficulties of administration and interpretation. The Company would continue to be exempt from the Act unless the Congress adopts the Board's "one-bank" amendment. Since this amendment has been eliminated from the current version of this legislation before your Committee (Committee Print, May 10) I see no need to change the definition of "bank" to take care of this one company that would continue to be exempt in any event.

I am impressed by the argument that a bank that does not make commercial loans is not apt to be involved in the kind of abuses the Act is designed to prevent. I also continue to believe that the Board's "one-bank" amendment is sound in principle and should be adopted, although your Com mittee obviously disagrees. If in the future the Congress should be disposed to adopt the "one-bank" amendment, I would be happy to cooperate with you in working out provisions to ensure against coverage of such a bank.

Sincerely yours,
Wm. McC. Martin, Jr.

TAXES

Mr. ROBERTSON. Mr. President, I feel that in presenting the bill one other phase of this matter should be referred to, and that relates to taxes.

The Bank Holding Company Act of 1956 contained an amendment to the Internal Revenue Code of 1956 which in general terms provided that property which a bank holding company subject to the act was required to distribute to its shareholders in order to comply with the act, could be distributed without the recognition of gain by the shareholders, in order to prevent the imposition of an unnecessary and inappropriate tax penalty upon corporations acting in good faith to carry out the policies of the Bank Holding Company Act. H.R. 7371, as it passed the House, did not contain any provision granting comparable relief for divestitures which might be required under its terms. The Senate Banking and Currency Committee recognized fully the appropriateness of such tax relief but did not add a provision granting it and does not now recommend to the Senate a provision granting it because of the constitutional and other inhibitions against the initiation of tax legislation in the Senate.

However, a bill, H.R. 11257, was introduced on September 24, 1965, by Representative Multer, which was referred to the Committee on Ways and Means. I have advised the chairman of that committee, and also the chairman of the Committee on Finance of the Senate, of the fact that the Senate Banking and Currency Committee has reported a bill calling for mandatory divestitures for which tax relief comparable to that provided in the 1956 act would be appropriate. I have now received letters from the chairman of the Committee on Ways and Means and the chairman of the Committee on Finance which indicate that H.R. 11257 will be handled expeditiously. I ask unanimous consent that a copy of my letter to the chairman of the Ways and Means Committee and the letters from Chairman Mills and Chairman Long be inserted in the Record at this point.

There being no objection, the letters were ordered to be printed in the Record, as follows:

May 19, 1966.

Hon. Wilbur D. Mills,
Chairman, Committee on Ways and Means, House of Representatives, Washington, D.C.

Dear Mr. Chairman: On yesterday the Bankling and Currency Committee voted to report H.R. 7371, as amended, and I am today filing the Committee report. This bill would amend the Bank Holding Company Act of 1956 by terminating two exemptions now in the law—the exemption for long term trusts and religious, charitable and educational foundations and the exemption for registered investment companies and their affiliates.

Section 10 of the Bank Holding Company Act of 1956 added a new Part VIII, relating to distributions pursuant to Bank Holding Company Act of 1956, to subchapter O of Chapter 1 of the Internal Revenue Code of 1954 in order to obviate tax consequences for distributions required by the Act. In the Senate this provision was considered by the Committee on Finance, and a letter from that Committee approving the proposal was printed with the Committee's report on the bill. I understand that similar consideration was given by the Ways and Means Committee to the same proposal while the bill was under consideration in the House of Representatives.

No similar provision relating to the tax consequences of divestiture required under H.R. 7371 is contained in that bill. However, I am advised that a bill, H.R. 11257, was introduced by Representative Multer, on September 24, 1965 and referred to the Committee on Ways and Means, and that this bill would provide appropriate relief for companies required to divest by H.R. 7371.

In my judgment, H.R. 7371 should not become law, imposing a requirement of divestiture on corporations and possibly imposing serious tax consequences, unless, either simultaneously or as part of H.R. 7371, appropriate tax relief for the required divestitures were given, in accordance with the practice followed in 1955 and 1956.

I should like, therefore, to bring this matter to your attention and to suggest, if I may, that, in the light of the constitutional rules relating to tax legislation, you consider with your Committee the possibility of proceeding with action on H.R. 11257.

In view of the interest of the Committee on Finance in the same matter, I am taking the liberty of sending a copy of this letter to the Chairman of that Committee and to Senators Douglas and Bennett, members of both the Committee on Finance and the Committee on Banking and Currency.

With kind personal regards, I am

Sincerely yours,
A. Willis Robertson,
Chairman.

Copies to Honorable Russell B. Long, Chairman, Committee on Finance, United States Senate; Honorable Paul H. Douglas, United States Senate; Honorable Wallace F. Bennett, United States Senate.

Committee on Ways and Means,
House of Representatives,
Washington, D.C., June 6, 1966.

Hon. A. Willis Robertson,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: In reply to your letter of May 19 suggesting that the Committee on Ways and Means might consider action on Mr. Multer's bill, H.R. 11257, I have been advised that the Committee staff has received a favorable report on this bill from the Treasury Department. The Treasury Department did suggest that an appropriate cutoff date would be April 12, 1965, instead of the date contained in the Multer bill.

In light of this favorable report with this suggested change from the Treasury Department, I will ask the Committee to consider this bill just as soon as our Committee schedule will permit. I would now expect this to be in the next 4 to 6 weeks.

Sincerely yours,
Wilbur D. Mills,
Chairman.

Treasury Department,
Washington, D.C., June 2, 1966.
Hon. Wilbur D. Mills,
Chairman, Committee on Ways and Means, House of Representatives.

Dear Mr. Chairman: This is in reply to the Committee's request for the views of this Department on H.R. 11257, "A BILL Relating to the income tax treatment of certain distributions pursuant to the Bank Holding Company Act of 1956, as amended."

This bill would provide, for corporations first becoming a bank holding company by enactment of H.R. 7371, relief of a type generally comparable to that provided in 1956 by the enactment of sections 1101–1103 of the Internal Revenue Code. As noted in our report to the Committee on H.R. 7372, dated September 10, 1965, this Department is not opposed to legislation that provides relief of that general type to corporations first becoming a bank holding company by current amendments of the Bank Holding Company Act. Accordingly, this Department would not oppose the enactment of this bill.

As stated in our report on H.R. 7372, advancing the May 15, 1955, cutoff date in sections 1101–1103 of the Code is appropriate for corporations first becoming a bank holding company by current amendments to the Act. H.R. 11257 would advance that date to September 23, 1965 (the date the House first proposed to eliminate the "one bank exemption" in the Bank Holding Company Act, when it amended H.R. 7371 on the floor). However, should H.R. 7371 be enacted in a form comparable to that recommended by the Senate Committee on Banking and Currency, so that the one bank exemption is retained and only the Investment Company exemption (together with certain other exemptions not material for this purpose) is eliminated, April 12, 1965 would appear to be an appropriate cutoff date. Since that date, when H.R. 7372 was introduced, there has been strong evidence that the Investment Company exemption might be eliminated from the Act, and a later cutoff date might be said to encourage the acquisition of properties with a view to their tax-free distribution to shareholders.

The Bureau of the Budget has advised the Treasury Department that there is no objection from the standpoint of the Administration's program to the presentation of this report.

Sincerely yours,
Stanley S. Surrey,
Assistant Secretary.

U.S. Senate,
Committee on Finance,
June 6, 1966.
Hon. A. Willis O. Robertson,
Chairman, Senate Banking and Currency Committee, Washington, D.C.

Dear Mr. Chairman: On May 19 you wrote the Chairman of the Committee on Ways and Means of the House of Representatives regarding a change in the tax law necessitated by reason of amendments to the Bank Holding Company Act of 1956 which your Committee has approved. You favored me with a copy of that letter.

I understand the substance of the necessary tax amendments is reflected in H.R. 11257 now pending before the Committee on Ways and Means. The Treasury has indicated that in general it favors easing the tax consequences of the divestitures which your bill would require. The tax relief contemplated by H.R. 11257 (tax-free distributions coupled with a carry-over basis) largely conforms to the relief this Committee approved in 1956 when the Bank Holding Company Act was approved.

That being the case, I see no reason why the Committee on Finance cannot act with dispatch to take up the appropriate amendments soon after they are passed by the House. You recognize in your letter that the Constitution requires that the House act first on tax measures.

With every good wish, I am.
Sincerely,
Russell Long,
Chairman.

Mr. ROBERTSON. Mr. President, I offer two amendments to the committee amendment and ask that they be read.

The PRESIDING OFFICER. The amendments will be stated.

The Legislative Clerk. On page 21, line 7, strike out "(i)" and insert "(j)."

On page 25, strike out lines 7 and 8.

Mr. ROBERTSON. Mr. President, I should like to explain these amendments briefly.

The first amendment would merely correct the identification of a new subsection to be added to section 18 of the Federal Deposit Insurance Act. Instead of calling the new subsection "(i)," it would be called "(j)."

The second technical amendment would delete subsection 14(k) of the bill, page 25, lines 7 and 8, which would have repealed section 601 of the Internal Revenue Code. That section gave special tax treatment to certain reserves required to be established under section 5144(c) of the Revised Statutes. The bill repeals this reserve requirement, and section 601, therefore, would become obsolete. However, inclusion of an amendment to the tax laws—even one that would appear to have no substantive effects, might raise questions about the constitutional right of the House of Representatives to originate tax legislation. Accordingly, since repeal of section 601 is not necessary to the accomplishment of the purposes of H.R. 7371, it should be deleted from the bill.

Mr. President, I ask unanimous consent that these amendments be considered and agreed to en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments to the committee amendment were agreed to.

Mr. ROBERTSON. Mr. President, I move that the committee amendment as amended, be adopted, with the understanding that it will be open, as original text, to further amendment.

The PRESIDING OFFICER. The amendment submitted by the committee is in the nature of a substitute.

Mr. ROBERTSON. That is correct.

The PRESIDING OFFICER. Is it the request of the distinguished Senator that the committee amendment in the nature of a substitute as amended be agreed to and treated as original text for the purpose of further amendment?

Mr. ROBERTSON. That is correct.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. ROBERTSON. Mr. President, I ask unanimous consent that all members of the staff of the Banking and Currency Committee whose presence may be needed during discussion of the bill be permitted to be present on the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTSON. Mr. President, there will be some rather important amendments offered to this bill, and in view of that fact, and the wish of the proponents of those amendments to have Senators hear them explained, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOUGLAS. Mr. President, I support the Bank Holding Company Act Amendments reported by the Committee on Banking and Currency. The bill is not wholly satisfactory to me, but I voted to report it because it is extremely difficult to get constructive legislation in this field if you will settle only for "all or nothing."

DU PONT EXEMPTION GRANTED IN 1956 BECAUSE IT WAS FALSELY DESCRIBED AS CHARITABLE

I strongly support the amendments which repeal the exemption given under the 1956 act to the Du Pont Estate in Florida. The purpose of the Bank Holding Company Act of 1956, which was achieved only after long years of effort, was twofold: First, it was intended to apply in the field of banking and bank holding companies the general purpose of the antitrust laws; namely, to promote competition and to prevent monopoly. Second, it was intended to prevent extensive control of combinations of both banking and nonbanking activities.

I was a member of the Committee on Banking and Currency when this act was passed. While it is true that legally the exemption given to the Du Pont Estate in Florida is based on the fact that it is a testamentary trust, nevertheless, it was my understanding, and I think it was the understanding of other Senators, at the time, that we assented to this exemption because the income from the estate was supposed to be wholly devoted to charity. This was what I was assured in an executive session, and this is the reason that I did not oppose the Du Pont exemption on the floor.

But the fact is that the income from the estate is not and was not fully assigned or even primarily assigned to charity. Only 12 percent of the income of the estate at the time of the enactment of the Bank Holding Company Act, and the same is true today, is irrevocably assigned to charities. I ask unanimous consent that a table which appears in the hearings at page 80 showing the income payments from the Alfred I. du Pont Estate be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DOUGLAS. This table shows——

The PRESIDING OFFICER. Will the Senator suspend for a moment?

The Senate will be in order. Personnel will refrain from audible conversation while the Senator from Illinois makes his speech.

The Senator may proceed.

Mr. DOUGLAS. This table shows that since 1935 the income of the estate has been distributed as follows: $119,293,010.91 to Mrs. du Pont; $14,839,830.30 to the Nemours Foundation; and $2,424,471.80 to other annuitants.

Therefore, there was no justification for this exemption at the time it was granted and there is no justification for it now. It is true that on the death of Mrs. du Pont most of the income of the estate will be assigned to charitable purposes.

DU PONT ESTATE HAS WIDELY ABUSED PRINCIPLES OF THE BANK HOLDING COMPANY ACT

Nevertheless, even this is not the real issue with respect to the Du Pont Estate. The clear fact is, the question of charitable use of the income aside, that the Du Pont Estate has operated in such a way as to offend the very basic purposes of the Bank Holding Company Act. The Du Point Estate has used its exemption to develop and to expand a great combination of banking-industrial-railroad-landholding empire in Florida. It now controls 30 banks throughout the State. It is Florida's largest landowner with well over a million acres under its control. It is also Florida's largest taxpayer.

In direct contradiction of the principles of the Bank Holding Company Act, it combines banking with a railroad business, the Florida East Coast Railway, a very large paper and box manufacturing industry, the St. Joe Paper Co., and a large tree farm and landholding operation. In addition, of course, it has a vast investment in bonds and stocks and in real estate outside of Florida.

No other group in the country has been permitted this license for expansion in the banking field plus directly associated expansion in nonbanking fields. When Mayor Robert King High, of Miami, now the Democratic nominee for Governor of Florida, testified before the Committee on Banking and Currency, he brought to the attention of the committee an article from the Miami Herald of February 23, 1964, by Mr. James Russell, its business editor. It begins with this sentence:

> You can hardly travel 50 miles in Florida—in any direction—without encountering some facet of the Du Pont Estate.

I ask unanimous consent that this article be printed in the Record at the conclusion of my remarks.

The **PRESIDING OFFICER** (Mr. Yarborough in the chair). Without objection, it is so ordered.

(See exhibit 2.)

Mr. DOUGLAS. It very clearly demonstrates the very extensive developments made by the Du Pont Estate under cover of their exemption from the act. Now, Mr. President, it may be said that perhaps this was a mistake to exempt the estate in 1956, but sometime in the near future, it is likely that the principal beneficiary will die and then the income from the estate will go in large part to charity, so why should we repeal the exemption? It is extremely important to note that the trustees who control the operations of the estate are self-perpetuating; that is, the present trustees name the successor to any trustee who dies or resigns. It is becoming very firmly established, and I think most people understand, that, even if the income from a trust is largely assigned to charity, the trust or estate may be managed in such a way—the stocks it owns voted in such a way and its other assets so manipulated—as to further financial interests which have nothing to do with charity. Regardless of the assignment of the income, this type of vast concentration of economic power, particularly when it combines banking and nonbanking interests, is not in the public interest. We are concerned not only with the distributing of income, but with the control of power.

So my chief reason for supporting the repeal of the Du Pont exemption is the fact that it has provided a shelter under which vast economic and political power has been assembled, contrary to the principles of the act. The exemption has been distinctly unjust to all the other banking and nonbanking groups which have complied with the act. Even if the Du Pont Estate were not guilty of any misuse or selfish application of its power, there would be every reason to remove this exemption.

DU PONT ESTATE ABUSES VAST POWER

Mr. President, the fact is, however, that the Du Pont Estate is guilty of abuse of power. The record is a fine illustration of exactly why the Congress worked so long to enact the Bank Holding Company Act. The testimony presented by Mayor High is a catalogue of offenses against the people of Florida by the Du Pont Estate. I think we can give some added weight to Mayor High's testimony on the basis of the recent Democratic primary in the State of Florida. I encourage Senators to read Mayor High's statement. He discusses the decline in service and in safety efforts by the Florida East Coast Railway after that company was acquired by the estate. He discusses the difficulties with the Du Pont Estate in the development of highways. He points out the difficulties the State authorities have had in collecting taxes owned by segments of the Du Pont Estate.

He concludes his statement with a resolution adopted by the commissioners of the city of Miami urging the repeal of the Du Pont exemption. I ask unanimous consent that the resolution, which appears at page 113 of the hearings, be printed at this point in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution No. 36443

A resolution of the Commission of the City of Miami supporting and endorsing the amendment to the Bank Holding Company Act of 1956, placing the Alfred I. Du Pont Estate under the provisions of said act; providing further that the city clerk is hereby directed to send copies of this resolution to the Honorable Dante Fascell and the Honorable Claude Pepper, U.S. Representatives

Whereas the Bank Holding Company Act of 1956 was aimed at preventing abuses of power by bank holding companies by providing that bank holding companies must divest themselves of control over nonbanking enterprises, be registered with the Federal Reserve Board, and were prohibited from acquiring more banks without said Board's approval; and

Whereas the major aim of the Bank Holding Company Act was to foster and protect the system of independent unit banks; and

Whereas the Alfred I. Du Pont Estate was exempted from the Bank Holding Company Act of 1956; and

Whereas by placing the Alfred I. Du Pont Estate under the Bank Holding Company Act it will divide up the vast concentration of power now enjoyed by the Alfred I. Du Pont Estate; and

Whereas Representative Patman of Texas has introduced on the floor of the House a bill to bring the Alfred I. Du Pont Estate under the Bank Holding Company Act; and

Whereas the Commission of the City of Miami fully supports said amendment as presented by Representative Patman: Now, therefore, be it

Resolved by the Commission of the City of Miami, Fla.:

Section 1. That the Commission of the City of Miami fully endorses and supports the amendment to the Bank Holding Company Act of 1956, as introduced by Representative Patman of Texas, placing the Alfred I. Du Pont Estate under the provisions of this act.

Section 2. That the city clerk is hereby directed to send a copy of this resolution to the Honorable Dante Fascell and the Honorable Claude Pepper, U.S. Representatives.

Passed and adopted this 3d day of March 1965.

State of Florida
County of Dade
City of Miami

I, F. L. Correll, clerk of the city of Miami, Fla., do hereby certify that the attached and foregoing pages Nos. 1 and 2, inclusive, contain a true and correct copy of a resolution passed and adopted by the commission of said city at a meeting held on the 3d day of March 1965 designated Resolution No. 36443.

Witness my hand and the official seal of the city of Miami, Fla., this 9th day of April 1965.

[seal] F. L. Correll,
City Clerk.
By Raymond I. Moore,
Deputy City Clerk.

Mr. DOUGLAS. Mr. President, I would also call the attention of Senators to the testimony of Mr. J. A. Maloney, editor and publisher of the Apalachicola Times. Mr. Maloney is a very courageous man, and he undertook to describe for us the influence of the Du Pont Estate in western Florida, where the estate's lands run 170 miles from east to west and 40 miles from north to south.

Let me inventory some of the evidence presented to the committee concerning the inevitable abuses of power by a concentration of this size.

I do not think that the relationship of the estate to the Florida East Coast Railway is the sole issue which justifies the repeal of this exemption, but it is an issue which has received a great deal of attention. Testimony before the committee establishes these facts, at least in my opinion:

The Florida East Coast Railway, of which Mr. Edward Ball, the principal trustee of the estate, is chairman, has continuously defied its duty under the

Railway Labor Act to try to settle the Florida East Coast Railway dispute.

The Florida East Coast Railway has rejected the recommendations of two Presidential Emergency Boards in the wage dispute that led to the January 23, 1963, strike of the nonoperating employees. The unions involved accepted the recommendations of the Presidential Boards.

The Florida East Coast Railway has defied or ignored pleas from the Florida delegation in the Congress, the Secretary of Labor, and President Kennedy to either negotiate a settlement or arbitrate this dispute. The unions involved have agreed to arbitrate.

The Florida East Coast Railway has been the target of six injunctions and four contempt orders because of its violations of the Railway Labor Act and other Federal laws during the strike.

Only recently, the Florida East Coast Railway has imposed drastic new terms—and these are properly described as "yellow dog" terms—on many of its operating employees. These terms are so harsh that they have caused many of the railway's strikebreakers to strike. For example, the railway has tried to abolish all craft lines, to nullify seniority rights, abolish the paid meal period, and substitute 6- or 7-day workweeks at the sole discretion of management in place of the existing 5-day workweek.

It is a very reasonable conclusion that this extremely hard line of the railway is supported by being part of the vast empire of the Du Pont Estate. A railroad which lacked this substantial underpinning would not violate with impunity the Railway Labor Act, the principles of collective bargaining, and the legitimate expectations of railroad workers in the 1960's.

The second area of abuses is the failure of the Florida East Coast Railway to pay its assessed property taxes. Mayor High testified that the FEC refused to pay its assessed property taxes to the cities and counties where it operated for the years 1962, 1963, and 1964. Instead, the railroad offered checks for about one-third of the amount owed and filed suit in the State court challenging the assessment.

On March 27, 1964, a State judge overruled the railroad's contentions completely and the railroad appealed. But after a struggle of 3 years, State officials finally were able to collect the amounts owed with penalties. In the meantime, however, east coast cities and counties had to struggle along without the needed taxes due them.

Mayor High also testified that the St. Joe Paper Co., a large segment of the Du Pont Estate, greatly underpaid its State intangible tax. This tax is levied by the State primarily on stocks and bonds at the rate of $1 per $1,000 of value, according to Mayor High. It was only after an investigation of the company's books by the State that the company agreed it had undervalued its stocks and bonds for tax purposes by $90 million from 1962 through 1964 and paid up $153,317.32 to cover the taxes owed, interest, and penalties. I ask unanimous consent that an article from the St. Petersburg Times for June 22, 1965, which appears at page 111 of the hearings, be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. DOUGLAS. A fourth type of abuse which springs from the monopoly control was described to the committee by Mr. Maloney. Several newspaper articles by Mr. Robert Sherrill in the Miami Herald illustrate these complaints. I ask unanimous consent that two such articles, one entitled "Ball Mobilizes Muscle To Fight Tiny Tax Bill," and the second entitled "Du Pont Estate Rules Panhandle" be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 4.)

Mr. DOUGLAS. Mr. President, the latter article points out, for example, that the St. Joe Paper Co. pays only a fraction of the taxes it properly owes in Gulf and Jackson Counties. It points out that when Calhoun attempted to levy a $550 tax on a bulldozer, the company took the issue into court and held it there for 2 years.

> No ploy is too rough for St. Joe to pull when fighting taxes—

The article states.

> Company officials told Calhoun County businessmen that if they did not get the tax assessor to let up, they would take their trade away from them. And they did.

Mr. Maloney testified, at page 291 of the record, that the papermill employees of the St. Joe Co. may borrow money from the Florida National Bank, the only bank in Port St. Joe and a bank owned by the Du Pont Estate, but if they do their pay check is then sent to the bank. The bank then withholds the payment due on its note and pays only the remaining balance to the employee. Mr. Maloney pointed out that Florida law does not compel an employer to recognize a garnishee pay, but this arrangement by the commonly owned papermill and bank appears to be substitute for garnisheeing.

Mr. President, none of these allegations were denied by Mr. Ball and his coterie of witnesses.

I repeat, even if these abuses had not occurred, or even if a Senator wishes to close his mind to them, the mere development of this huge empire which combines banking and nonbanking interests fully justifies the repeal of this unwarranted exemption from the act. There exists under the shelter of this exemption, and there is no doubt that the Du Pont Estate has actively taken advantage of the exemption, potential for further abuses, particularly where a railroad and a chain of banks along the railroad line are held by the same company. Nowhere in the country have we permitted this type of development. There is no justification for this privileged treatment under the act.

REPEAL OF THIS UNWARRANTED EXEMPTION IS IN THE PUBLIC INTEREST—NOT PUNITIVE

In conclusion, I should like to comment on the allegation made by some that the repeal of the Du Pont exemption is in some way special and punitive legislation.

Such an allegation ignores completely the fact that the special privilege exemption granted the Du Pont Estate in 1956 was agreed to on a mistaken assumption—or to put it less charitably, a false assertion—that the Du Pont Estate was a wholly charitable foundation, when in fact only 12 percent of its income is assigned for charitable purposes.

Second, such a claim of punitive legislation completely disregards the intent of the Congress in the Bank Holding Company Act and the clear violation of that intent by both the Du Pont Estate and the Financial General Corp.

Third, the claim of punitive legislation ignores the fact that this bill, while its main purposes are to close these unwarranted exemptions enjoyed by the Du Pont Estate and Financial General, also deals with a number of other very significant aspects of bank holding company regulation. As the Senator from Michigan [Mr. Hart] will point out, I am sure, the so-called antitrust amendment of section 11 has very broad implications, as do other sections dealing with financial dealings among members of a bank holding company.

Fourth, these complaints ignore the fact that this bill, including the repeal of the Du Pont exemption, is endorsed by the American Bankers Association, the Association of Registered Bank Holding Companies, and other groups in the banking and finance field.

And fifth, Senators should keep in mind that the recommendation to repeal the Du Pont exemption comes from the Board of Governors of the Federal Reserve System. The chairman of the Board, Mr. William McC. Martin, urged repeal of this exemption in his testimony before the committee:

> The next question arises when an individual extends his control over banks beyond his death, as is commonly done through testamentary trusts established for the benefit of a widow or children. The Board sees good reason to exempt the ordinary family trust, which may be regarded as only a temporary extension of the control originally exercised by the individual who established the trust. But when a will creates a trust that is perpetual, with trustees who are not only replaceable but are authorized and indeed obliged to manage the trust's affairs so that it may grow and prosper, the Board believes that the line between control by individuals and control by corporations has been crossed, and that such a trust should be subject to the act just as a corporation should.

Surely no one would claim that the Board of Governors of the Federal Reserve System has a special ax to grind or would recommend punitive legislation against a single group of banks.

The Committee on Banking and Currency has endorsed the repeal of this exemption because of the facts and on the merits of the argument.

I hope that the Senate and the Congress as a whole will enact this bill before many more weeks have passed so that the vast Du Pont Estate will be treated the same as other bank holding companies in this country.

Mr. President, I yield the floor.

EXHIBIT 1

Income payments from Alfred I. du Pont

	Mrs. du Pont	Nemours Foundation	Other annuitants
1935			$29,719.99
1936	$2,316,787.77	$15,000.00	48,646.67
1937	2,337,979.22	137,369.56	48,780.00
1938	714,797.04	26,509.09	47,780.00
1939	1,824,955.54	141,300.48	49,743.91
1940	1,587,214.94	118,624.73	59,861.27
1941	1,633,284.00	194,084.18	61,340.16
1942	1,150,954.53	129,675.62	65,506.86
1943	1,029,210.93	113,074.22	68,532.88
1944	1,188,999.79	148,499.97	75,140.28
1945	1,441,688.07	169,321.10	82,513.58
1946	2,914,726.18	359,962.66	85,839.15
1947	4,140,760.93	543,512.85	88,450.28
1948	2,257,917.80	280,625.26	88,100.28
1949	3,210,858.42	411,423.88	88,100.28
1950	5,222,417.09	701,920.51	89,711.37
1951	3,217,542.40	411,483.06	92,754.84
1952	2,849,294.82	361,267.47	91,900.00
1953	2,737,606.20	346,037.21	91,900.00
1954	4,027,646.02	504,906.28	91,900.00
1955	6,427,033.31	849,140.91	91,900.00
1956	5,887,986.88	775,634.57	91,900.00
1957	5,802,264.62	763,945.18	91,450.00
1958	4,310,235.94	564,577.63	91,300.00
1959	6,199,023.64	818,048.68	91,300.00
1960	5,677,594.26	746,944.67	91,300.00
1961	5,196,237.53	681,305.12	88,200.00
1962	6,633,482.22	877,293.03	86,900.00
1963	7,584,862.57	1,007,026.71	86,200.00
1964	9,208,128.90	1,228,381.21	84,900.00
1965	10,561,519.35	1,412,934.46	82,900.00
Total	119,293,010.91	14,839,830.30	2,424,471.80

Source: 1935–63, information from Du Pont Estate trustees to House Banking Committee, hearings, "Bank Holding Company Legislation," 1964, p. 830; 1964 and 1965, annual reports of Du Pont Estate trustees to Circuit Court for Duval County, Fla., chancery case No. 42436–E.

EXHIBIT 2

[From the Miami (Fla.) Herald, Feb. 23, 1964]

ESTATE VALUE WELL OVER BILLION DOLLARS: DRIVE ANYWHERE IN FLORIDA—YOU'LL SPOT DU PONT HOLDING

(By James Russell)

You can hardly drive 50 miles in Florida—in any direction—without encountering some facet of the duPont estate.

It may be a bank. It may be timberland. It may be a railroad train. Or it may be a citrus grower or small manufacturer or retail store owner who has kept his business going with money borrowed from the estate.

If you were asked to point to one single entity as the largest economic force in Florida, it would almost invariably be the duPont estate.

Created in the late 1920s and early 1930s by the late Alfred I. duPont, the maverick of the famous duPonts of Delaware, the estate embraces a complex of banks, real estate, railroads, timber, and paper production facilities with a value of well over a billion dollars.

The duPont estate's significance in Florida cannot be accurately measured in dollars.

It is Florida's largest land owner, with well over a million acres under its control.

It is Florida's largest banker, with 31 banks and 700 million dollars in assets under its wing.

It is Florida's largest taxpayer.

And, as any state official can tell you, it is Florida's most powerful economic-political force, strong enough to elect governors and senators and influential enough to achieve or block all sorts of state public works projects.

The most astonishing thing about the duPont colossus is that one man rules it, directs it and determines how and where its power will be wielded.

It is doubtful that even the late Alfred duPont, who saw the potential of Florida 40 years ago, could have anticipated the growth and influence that his brother-in-law, Ed Ball, would accomplish with the duPont millions.

DuPont was a rich, rich man when he moved to Florida early in 1927 with his wife, Jessie Ball duPont, who is still living and who got an income of more than seven million dollars from the estate last year.

"We have all the money necessary for any reasonable effort to help Florida grow and prosper," du Pont said on his arrival in Florida in 1927. "Our business undertakings should be sound, but our primary object should not be the making of money. Through helpful works, let us build up good in this state and make it a better place in which to live.

"In my last years I would much rather have the people of Florida say that I helped them and their state than to double the money I now have."

Actually, the du Pont fortune did both those things. It helped finance Florida's growth and easily doubled his money.

When du Pont died in 1935, there were seven banks in his Florida National group. Today, there are 31 and they spread from the Panhandle to the Keys.

There were 300,000 acres of timberland in Northwest Florida under his ownership. Today, there are more than a million acres comprising virtually all the timberlands in 10 counties and a substantial amount in four others plus some in Georgia and Alabama.

The estate's St. Joe Paper Co., founded a year after du Pont's death, has more than tripled in size since it went into production in the late 1930s and now has additional plants in a dozen states plus an affiliate in Ireland.

St. Joe Paper, which largely created and fostered the city of Port St. Joe in Northwest Florida, also has a railroad and a telephone company as part of its holdings. Apalachicola Northern Railroad Co., a 99-mile road largely serving the paper company, and the St. Joe Telephone and Telegraph Co., which grew from a firm with a dozen phones to one with 7,000 customers, are subsidiaries.

Ed Ball brought the du Pont estate's most controversial property, the Florida East Coast Railway Co., into the fold in the 1940s, when it was in receivership as a result of the great Florida bust. Defaulted FEC bonds were selling for as little as six cents on the dollar. Ball bought and bought until he had a pile of bonds with a face value of 23 million dollars—easily enough for control.

But it took 20 more years of court fighting to give Ball and the du Pont estate the right to get it out of receivership and run the railroad.

Two years after Ball got his hands on the FEC's operations, he was involved in another fight—this time with the rail unions. More recently, the U.S. government has become a Ball adversary while trying to force a settlement of the current 13-month-old strike.

Small though it is, with its 570 miles of track, the FEC is a 90-million-dollar company. It controls large amounts of real estate on and around its routes and its present and potential freight business is enormous, particularly in the booming Cape Kennedy moonport area.

The du Pont estate has other valuable properties, including the 17-story du Pont Building in downtown Miami, a 10-story building in downtown Jacksonville and one of the most valuable pieces of real estate in South Florida—the Dupont Plaza property on Biscayne Bay.

Even without its network of banks, railroads, real estate and industry the estate would be rich by any standards.

Its owns 764,000 shares of stock in E. I. du Pont de Nemours & Co. and 445,000 shares of General Motors. At present market values, they are worth 230 million dollars. Last year the shares paid dividends of more than 7.5 million dollars.

Since Alfred du Pont died, the Florida holdings he acquired at bargain prices during the depression era have grown and grown in dollar value and in economic power.

Most of the fruits of this effort now go to du Pont's widow, although du Pont's will specified that ultimately—presumably after his wife's death—all the profits of the estate shall go to two charities. One, in existence since 1940, is a clinic for crippled children in Wilmington, Del. The second, not yet established, would provide aid to needy old people.

The charitable aspects of the estate helped keep it from falling under the federal Bank Holding Company Act of 1956, a law that prevents bank groups from owning nonbanking enterprises.

It is this act that Sen. WAYNE MORSE of Oregon is now seeking to have amended to wrest control of the Florida East Coast Railroad from Ed Ball.

"Nearly all of the estate's large income has gone every year to Mr. du Pont's widow, Mrs. Jessie Ball du Pont," MORSE told the Senate earlier this month. "In 1963, the estate paid annuities to Mrs. du Pont of $7,510,775, of which she assigned about 12 per cent to a charitable foundation for crippled children . . .

"Twelve per cent falls far short of meeting the rationalization that . . . the du Pont estate ought to be excluded from the Bank Holding Company Act because the estate's income went primarily for charitable purposes. The evidence shows that it did not."

If MORSE succeeds in getting through a measure removing the du Pont estate's exemption, the vast industrial and financial empire that Alfred du Pont created and Ed Ball nourished may be split down the middle.

EXHIBIT 3

[From the St. Petersburg (Fla.) Times, June 22, 1965]

ST. JOE PAYS BACK TAXES; ERROR BLAMED

TALLAHASSEE.—Ed Ball's St. Joe Paper Co. undervalued its stocks and bonds for tax purposes by $90 million from 1962 through 1964, the State comptroller's office said yesterday.

The company—after an investigation of its books by the State—has delivered a check for $153,317.32 to cover the back taxes, interest, and penalties.

George Roller, head of the State's intangible tax division, earlier had absolved the St. Joe Paper Co. from suggestions that it was not paying all the taxes it owed the State.

In May of last year, Roller wrote a letter to a congressional committee claiming that "an exhaustive search" of tax rolls showed the company had "complied with the intangible tax laws of the State of Florida."

Yesterday, Roller was calling St. Joe's underpayment of taxes "an honest mistake."

But Comptroller Ray E. Green said Roller "goofed" when he wrote Tennessee U.S. Represenative BILL BROCK that everything was up to date. Green is a business associate of Ball, a multimillionaire political figure.

The discrepancies in what St. Joe paid in intangible taxes and what it owed was pointed out by a story on the St. Petersburg Times-Miami Herald Service several months ago.

Tax rolls in Gulf County—where St. Joe Paper Co. is located—showed that the company was claiming intangibles of $29.6 million as of April 1, 1964. Its report to its stockholders showed $88 million.

Intangibles are stocks, bonds, cash, and accounts receivable. They are taxed at a rate of one-tenth of 1 percent.

Roller said his investigation of St. Joe Paper Co.'s financial records was "aided greatly" by cooperation from the company.

"They were very helpful," Roller said.

He said he also examined records of the 35 banks affiliated in the Florida National Bank chain and of the $1 billion Du Pont Estate which Ball runs.

Roller said he found no discrepancies in any records of these companies.

The discrepancies in the St. Joe declarations and the actual values "were created by a fusion of accounting procedure," Roller said in a prepared statement.

The company, he said, reported its stocks on a cost basis instead of "just valuation."

Roller's prepared statement—in which he both reaffirmed and denied previous statements—was somewhat confusing.

State law requires stocks and bonds to be taxed at their market value. Stocks not regularly traded on the stock market are to be valued according to a precise formula listed in the law.

Roller, in his statement, said there had been no clear way to arrive at the value of securities.

In April 1965, St. Joe reported to Gulf County Tax Assessor Sam Patrick that it owned $89.591 million worth of intangibles, an increase of more than $50 million in 1 year.

Roller attempted to explain this:

"The greater value reported by this company was due clearly to an oversight in not including one block of stock which was created out of their holdings for it was return of capital for noncorporate stockholders."

To explain precisely what he meant by that would require him to break the law, Roller said. What stock a company owns and pays taxes on are to be kept confidential by State and county officials under Florida law.

Some weeks ago, though, Roller said:

"The increase was because of the General Motors stock they hold. There was a split in GM stock and its value went up considerably."

Stockbrokers said there has not been a split in GM stock in 10 years.

Assessment of taxes and penalties against St. Joe went back only 3 years—the limit for such action under Florida laws.

Roller said he could not estimate how much tax St. Joe had failed to pay previous years because of its "fusion" bookkeeping.

"It probably wasn't too much," he said.

A chart prepared by Roller showed that in 1962, St. Joe reported intangibles of $17.1 million when it should have reported $46.1 million.

Tax paid was $25,700.

The company has been assessed an additional tax of $43,519.74 plus $4,351.97 in penalties, and $12,925.36 in interest.

In 1963, it reported $19.9 million, should have reported $50.2 million.

Tax paid was $19,907.

Additional tax of $45,548.46 was assessed along with $4,558.45 in penalties and $7,521.44 in interest.

In 1964, the company reported $24.9 million and should have reported $55.6 million.

Tax paid was $19,907.

Additional tax of $30,746.25 was assessed, plus $3,076.43 in penalties and $1,015.22 in interest.

EXHIBIT 4

[From the Miami Herald, Mar. 17, 1965]

BALL MOBILIZES MUSCLE TO FIGHT TINY TAX BILL

(By Robert Sherrill)

BLOUNTSTOWN.—Ed Ball's St. Joe Paper Co., worth at least $150 million, is in a fight to the finish with Calhoun County over a tax bill of $550 on a bulldozer.

The dispute started when St. Joe slipped up on its system of transporting all equipment over the line into Gulf County, its home base, one day a year to avoid taxation.

St. Joe is the most powerful corporation and largest landholder in West Florida. Calhoun is one of the poorest counties in the state.

St. Joe's tactics include boycotting the leading businessmen of Calhoun in an effort to make them put pressure on the county assessor.

They have. But Emory Bridges, the assessor, hasn't given in. Calhoun commissioners are backing him.

D. C. Simpson, who runs an auto supply company here, said that shortly after the tax dispute broke out, two of St. Joe's forest managers told him "to get the tax assessor to do something about their taxes, or they'd take their business away from me. And they did. And it hurt.

"C. L. Clark told me that if I helped them out, they would throw a lot of business my way. But I couldn't do anything for them."

Clark, administrative assistant to former Gov. Fuller Warren, is now a public relations official for Ball, czar of the vast duPont holdings in Florida.

A. J. Gaskin, Standard Oil dealer with the franchise for Calhoun, Gulf, and part of Liberty Counties, said, "They came to me and said, 'Get 'em to take all the personal property tax off the rolls—and we mean all—or we'll quit you.'

"I offered to pay part of the tax for them and get some other business men to pay the rest, and Bob Brent said, 'Well, we'll see.' But later he called back and said nothing doing, they didn't owe it and they weren't going to be charged the tax even if we paid it."

R. C. Brent Jr., is a vice president of St. Joe Paper Co.

Several other businessmen said they were similarly approached.

The only tax at issue is the personal property tax which had been levied primarily on the large earth-moving equipment used by the paper company on its timberlands in Calhoun County.

Although the machinery used there by the company is worth at least $100,000, said assessor Bridges, they were down on the tax rolls for only $10,000 when he came into office in 1961.

"St. Joe officials approached me and said they wanted the assessment cut to $4,000." Bridges said "I refused."

Later they wanted it wiped out altogether, he said.

International Paper Co., which owns slightly less land in Calhoun County than St. Joe, pays personal property taxes on equipment assessed at $42,000.

In Calhoun and four adjoining counties, St. Joe owns 636,000 acres of timberland. Its assessment on personal property is $16,000 including the $10,000 in Cahoun. In Gulf County, where the company plants and tends about 170,000 acres of pine trees, no woodland equipment is listed on the tax rolls.

The dispute has been going on for more than two years.

A deposition taken by Attorney Virgil Q. Mayo from Paul W. Groom, 46, forester at Wetapo unit of St. Joe Paper, includes the following:

Question.—Do you know whether you told him (Gaskin) that if something wasn't done, that if he couldn't help you to get something done, that you would take all of St. Joe's business away from him?

Answer.—I don't think I ever told him that specifically. We did do it as far as Wetapo unit was concerned. We discontinued the use of the gasoline.

Question.—That was because, was it not, that Gaskin did not get this particular tax removed, or didn't influence the county commissioners to take it off?

Answer.—No, I don't believe I would put it like that exactly.

Question.—How would you put it? Why did you quit trading with him?

Answer.—The understanding was that if it was not removed, we weren't going to trade with anyone in this county, which we haven't done. Gaskin just happened to be one of them.

St. Joe Paper Co. officials argue that they do not owe personal property taxes in Calhoun County because Groom takes such equipment from Calhoun County to Gulf County for the duration of Jan. 1 each year.

Tax assessments are made on the property in the county as of that date. St. Joe interprets the law to mean that if they take the equipment out of the county on Dec. 31 and bring it back on Jan. 2, they don't owe any taxes.

Groom said Vice President Brent gave him the order to remove the equipment from the county for the first day of each year but "it was used in the normal manner on all days except that day."

He said equipment is also taken out of Bay, Washington, and Jackson Counties and returned to Gulf for that one day.

But Tax Assessor Bridges says he saw a St. Joe bulldozer and tractor in the county on Jan. 1, 1962, and several other witnesses back him up. They remember the date because it was the day of a funeral at a graveyard near the place the equipment was sitting.

"Funerals on January first are unusual," said Bridges. "I wouldn't be mistaken about the day."

That's when he hit St. Joe with the $550 tax. The company defied him. Bridges took it to a jury trial, and won. The case is now sitting in the Third District Court of Appeals.

If Groom takes the equipment back to Gulf County for a brief new year's visit each year, the Gulf County tax rolls do not reflect it, Bridges said.

Groom said St. Joe does not move the equipment to Gulf County to keep from getting it assessed. It was just that "we preferred to have it assessed in Gulf County."

[From the Miami Herald, May 30, 1965]

CONTROVERSY IN PINELANDS: DU PONT ESTATE RULES PANHANDLE

(By Robert Sherrill)

TALLAHASSEE.—Somewhere down the line, Ed Ball's Du Pont estate decided it could do without good public relations.

Nowhere in Florida—not even along the east coast, where the passenger trains don't run—has Du Pont strategy conquered so much, with so little public approval, as in the Florida Panhandle.

Beginning roughly where the Florida peninsula breaks westward along the mainland thumb, and for the next 140 miles, there is not a county in which the Du Pont estate does not own from 5,000 to 195,000 acres.

The capital of this empire is Port St. Joe in Gulf County—home the of Du Pont-owned St. Joe Paper Co., Du Pont-owned St. Joe Telephone and Telegraph Co., Du Pont-owned St. Joe Dock and Terminal, Du Pont-owned St. Joe Land and Development Co., and southern terminus of the Du Pont-owned Apalachicola Northern Railroad.

Ed Ball's brother-in-law, Alfred I. du Pont, picked up the nucleus of this empire for a reported $600,000 at the bottom of the Great Depression, and Ball's genius has brought it to its present strength.

Genius is the only word for it. After all, here is a man who has made a career of opposing federal edicts, yet he is developing his telephone company with money borrowed from the federal government at 2.5 per cent interest. The Florida Public Utilities Commission has guaranteed him more than six per cent interest return on his investment, so Ball is getting at least four per cent interest off money which the federal government is risking for him.

B. Roy Gibson Jr., vice president of the St. Joe Telephone Co., sees nothing strange about it.

"It has been implied by a few, who persist in looking for intruders in the woodpile, that there is something not quite ethical in a subsidiary of the Alfred I. du Pont Estate borrowing money at favorable interest rates from the federal government. Such critics appear to be under the impression that the Du Pont interests have money to burn."

With similar maneuverings, the St. Joe Paper Co. has developed into Northwest Florida's most powerful corporation and largest landowner. It is also the most feared and disliked.

In Calhoun County, neighboring St. Joe's headquarters, even county officials will talk proudly of how "seven out of ten fires set around here are set in Ed Ball's timber, 'cause our folks just won't be pushed around." (The State Forest Services denies that fires on Ball land reach this proportion of the total.)

Actually, the company has done a great deal of good for the region. It owns roughly a million acres of pine land, predominantly in Florida, but some in Alabama and Georgia. Most of this, Ed Ball and the Du Pont interests bought for little more than the taxes due on it.

The land had been cut-over, de-forested and left barren as an old scar by previous owners. Ball moved in and reseeded, and today the midlands of the Panhandle are lush with a highly profitable crop of pine trees.

Around this Ball has developed an industry that has given jobs to several thousands. David Gaskin, a banker, said that "during the Depression we only had about $200,000 to $300,000 total in Gulf County. All the money in the county was in our bank, so we know. So St. Joe has meant a lot to us."

Surprising as it may be to the 1,200 strikers who have been frozen out for more than two years by the Florida East Coast Railroad—a subsidiary of St. Joe Paper Co.—the paper company itself pays its union workers well and gives them good vacation terms.

Even the clean-up men at the mill earn $2.10 an hour, which is high pay for a common laborer in this part of the country, and a machine tender earns $4.12 an hour, nothing short of wealth in Gulf County.

Nevertheless, there is a great deal of unhappiness among the people who live in this land, for it is run much as if it were a medieval fief.

One businessman of Gulf County gave this summation to the county's embivalent feelings:

"The people are grateful, but they are offended by Mr. Ball's overbearing attitude. Every one knows Ed Ball would destroy any one of them who got in his way."

In Gulf County, unlike Calhoun County, it is hard to find people who will make such remarks on the record. Too often, either their own income or the income of someone in their family depends on keeping the St. Joe hierarchy pacified.

One outspoken exception is Representative Ben Williams of Port St. Joe, who claims to be Florida's only "full-time legislator," which means he has no other job.

"I've seen babies go without milk on account of that outfit, and you can quote me on that," he said.

Williams was angry over what he considers a gimmick used by the company to cut down output to coincide with market demands, but at the same time avoid paying unemployment insurance.

Florida law provides that unemployment compensation does not have to be paid until a man's income drops below $33 for the calendar week.

"For a long time last year the mill would run seven days, then shut down for a week, then start up again for 10 days, then shut down for nine days, and so on," he said, "but always run enough to pay out the minimum for the calendar week. They did the same thing year before last."

One union official said the mill was closed for more than 17 weeks, off and on, last year.

Critics also contend that Ball has bought up all the good industrial sites and will not sell any of them to other industrialists interested in moving into Gulf.

But usually the complaints have less to do with economic subtleties and more to do with pressure and pettiness. Among the more common ones:

The Gulf County Commission was going to put up a courthouse in Port St. Joe City Park, which was land leased to the city by the Du Ponts, but before it could condemn the land an election came up. Three of the five elected commissioners work for the paper company. Result: The city park will be used as the site for relocating one of the Du Pont banks, not for the courthouse.

Recently there was an election in the county to see if the county seat should be moved from Wewahitchka to Port St. Joe. Du Pont officials talked up the move as a splendid economy measure.

Troy Jones, one of the more outspoken workers at the paper mill, said, "It was put around in the community that the land for re-establishing the courthouse would be contributed by the company to the county." Now that Port St. Joe has won the election, the Du Pont estate is asking more than $80,000 for the site.

St. Joe owns practically all the choice beach land near Port St. Joe. The Legislature passed a bill allowing the county to condemn three public park areas, including a small one on the Du Pont beach. This was quickly tied up in court and it looks like that's where it will stay.

But the most often heard complaint is that Du Pont enterprises do not pay their fair share of the taxes. True, in Gulf County, St. Joe pays half the property taxes the county operates on. But critics point out the company owns three-fourths of the property.

"If they just doubled St. Joe Paper Co's assessed value," said a Gulf County leader, "it would put the county schools in good shape."

To double the assessment would still leave full evaluation as a distant goal. The $80-million paper mill is on the rolls for less than nine million dollars. As for the land, that is on the tax rolls as "wild land"—taxable at between $5 and $7.50 evaluation an acre (averaging 17 cents a year)—whereas it really is farm land (those pines are quite a crop) with the proper evaluation of no less than $25 an acre.

From the beach property, which is actually worth about $75 to $100 a front foot, the county collects an average of 27 cents tax an acre.

St. Joe is also supposed to pay personal property tax on the equipment it uses to farm the pinelands, such as the bulldozers, planters, tractors, and trucks. But in Gulf and Jackson Counties, no woodland equipment is listed on the rolls. In Bay County it pays on only $3,500 evaluation: in Liberty, in $2,500—neither amount representing even a healthy fraction of the cost of a piece of big equipment.

St. Joe guards its tax immunity with a vengeance. When Calhoun County attempted to levy a $550 tax on a bulldozer, the company took the issue into court and held it there for two years.

No ploy is too rough for St. Joe to pull when fighting taxes. Company officials told Calhoun County businessmen that if they did not get the tax assessor to let up, they would take their trade away from them. And they did.

To Calhoun, one of the poorest counties in the state, it was quite a blow. But they stood by their tax assessor.

Not many in the Panhandle will go that far in rebellion.

SAIGON SHOULD ACCEPT INTERIM ASSEMBLY UNIVERSAL SUFFRAGE

Mr. JAVITS. Mr. President, I ask unanimous consent that I may proceed out of order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I wish to make a comment on the news this morning regarding free elections in Saigon.

Free elections are the single most important element in the future stability and well-being of South Vietnam. Only by genuinely free elections, and only after these elections produce a genuinely representative and workable government, can a Saigon government gain the legitimacy and acceptance it needs and that the people of South Vietnam want. If every step of this electoral process—from campaigning to the installation of a new government—is not conducted with openness and fairness to all, hope for bringing peace to Vietnam will seriously diminish.

I have, therefore, joined the Senator from Connecticut [Mr. Ribicoff] the other day in proposing United Nations supervision, and I have also proposed a cease-fire during the 3 weeks of campaigning and elections. The electoral commission of South Vietnam has properly recommended that the constituent assembly should also have legislative power and should be able to transform itself into a full-fledged parliamentary body if the proposed constitution so provides. I am particularly gratified by this proposal, because I have been advocating it myself for some time. On May 19, before the Political Committee of the Liberal Party of New York, I urged the transformation of the constituent assembly into an interim parliamentary assembly, once the work of the constituent assembly in producing a constitution is completed. The interim parliamentary assembly would be authorized to establish a caretaker civilian government until new elections are held under the Constitution.

I would strongly urge the President of the United States to use his good offices to persuade the ruling junta in Saigon to accept this proposal. It would be very unwise for the junta to prolong unduly their own military form of government.

While I am pleased about the proposal which would enable a constituent assembly to become a parliamentary assembly and designate the government, I am concerned about another proposal of which we have just had news. The electoral commission of South Vietnam has apparently advised the military junta that all those who "directly or indirectly work for Communists or neutralists should be excluded from the elections." Exclusion provisions so drawn could be used by local election officials to bar anyone they felt undesirable from either voting or running for office. It is dangerous practice to allow individual regional officials to determine who is included in a definition of "Communists and neutralists." The election must be open to all—universal suffrage by secret ballot should be the basis of participation in the September election; otherwise the results of the election might not be truly representative of the feelings of all the South Vietnamese people. As a practical matter, however, we must realize that there are certain areas in South Vietnam in which it may be impossible to have free elections. All of those observing the elections—the United States, the U.N. and other international bodies, and the whole world—will be able to judge whether areas so excluded by the Saigon government will invalidate the essential fairness of the election. The Saigon government must therefore be careful not to exclude such areas in an arbitrary manner, and I hope our Government will make this clear, too.

In short, I believe that the idea of dealing with areas where it is possible to administer fair elections is different from excluding individuals and groups. The latter process is bound to be more capricious and bound to cast doubt on the validity of the whole election.

Second, I urge the President of the United States to persuade the ruling military junta in Saigon that the sooner they end the aribitrary military government, the better for all concerned. The first opportunity for this will be if the constituent assembly can become a parliamentary assembly and designate a government. Then, really, for the first time, we will be off to some kind of representative government in South Vietnam, a project to be devoutly wished for and which will be of tremendous importance to the future of the validity of the struggle there.

Mr. President, I ask unanimous consent to have printed in the Record an article published in today's New York Times, written by Charles Mohr, and entitled "Vietnamese Seek Lawmaking Right in New Assembly."

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New York Times, June 6, 1966]

Vietnamese Seek Lawmaking Right in New Assembly—Civilians' Election Law Plan Allows Chamber To Act as a National Legislature—Cloud Cast on Ky Hope—Premier's Intenion To Stay on a Year May Be Periled if Junta Adopts Proposal

(By Charles Mohr)

Saigon, South Vietnam, June 5.—The civilians drawing up a South Vietnamese election law have recommended that a constitution-drafting assembly elected in September be given legislative functions and be allowed to transform itself into a national assembly.

If adopted, this law could end Premier Nguyen Cao Ky's hope to cling to power well into 1967.

The electoral-law drafting commission met until late tonight in Saigon to wind up deliberations which began May 5.

The commission's recommendations are expected to be presented to the military junta Tuesday and at a news conference Wednesday.

The junta, led by Premier Ky and the chief of state, Lieut. Gen. Nguyen Van Thieu, have reserved the right to amend the commission's suggestions, but this would certainly cause political problems.

The South Vietnamese political scene was relatively tranquil today, but the political crisis, nearly three months old, has not been settled.

DEADLINE IS IN DOUBT

The military junta, or directorate, is publicly pledged to increase its number by adding 10 civilians to its 10 generals by tomorrow. But tonight it was difficult to tell whether the junta could meet this deadline or was even trying to do so.

The generals had been conferring with civilian political leaders, asking them to recommend civilians to join the directorate. However, those civilians approached by generals said that no direct invitation to join the directorate had been made.

More important, informed sources said the junta might decide it had no power unilaterally to take in new members and might thus refer the question to a later meeting of the Armed Forces Congress, a body of about 30 officers, including all the senior troop commanders.

The commission drafting an election law has gone ahead with its work even though three Buddhist representatives walked out late last month in protest over Air Vice Marshal Ky's military occupation of the city of Danang.

RECOMMENDATIONS LISTED

The recommendations of the 29 remaining members became known tonight. Among their recommendations were:

The election to the constituent assembly would take place Sept. 11 after a formal campaign of no more than three weeks.

The assembly would have the duty to draft a constitution but would "also have legislative power" and could transform itself into a full-fledged national assembly if the draft constitution so provides.

The assembly would consist of 159 members, 12 of them reserved for such minorities as hill-dwelling Montagnards and people of Cambodian descent.

Each constituency would be made up of 100,000 voters, except that provinces with less population than that would get at least one assemblyman.

Those who "directly or indirectly work for the Communists or neutralists" would be barred from election by provincial and central election councils.

An assemblyman could be deprived of parliamentary immunity from prosecution for remarks made on the floor if the assembly votes by a two-thirds margin that his words are "aimed at making propaganda for Communist or neutralist policies or activities."

Perhaps the key provision in the recommended election laws was that the constitution-drafting body could make laws while it sat and could draft a constitution making itself a full national assembly.

This tended to confirm the opinions expressed by Vietnamese politicians that, once elected, the constituent assembly would insist on taking a hand in South Vietnam's chaotic political problems.

Some observers think it possible the assembly would ask Premier Ky and the junta to serve as an interim government while the assembly sat and until new elections for a national legislature are held.

Many other observers, however, are convinced that the assembly will try to vote either a new interim or permanent government into power to replace Premier Ky. Many Vietnamese politicians, in fact, do not even call the prospective body a constituent assembly but refer to it in conversation as "the national assembly."

Whether Premier Ky will override the electoral-law commission's recommendations next week or whether he would try to resist a move against him by the constituent assembly next fall was not clear.

Privately, Premier Ky has said he plans to try to stay in power at least a year. Publicly, he has said that the constituent assembly can only draft a constitution and not try to govern.

In a move to heal the split in the Unified Buddhist Church, a delegation of senior monks went to the seaside town of Vungtau to try to persuade Thich Tam Chau to rescind his resignation as chairman of the church's Institute of Secular Affairs.

Informed sources indicated that Thich Tam Chau had agreed to withdraw the resignation and would return to Saigon tomorrow.

RIOTS MAY BE RENEWED

Although Thich Tam Chau is a so-called moderate who has tried to reduce Buddhist street agitation for the overthrow of Premier Ky and General Thieu and has tried to find some kind of compromise with the Government, there was a good chance of renewed demonstrations by militant Buddhist elements starting tomorrow.

Thich Tam Chau had ordered an end of street riots until tomorrow to give the Government a chance to show good faith on its promise to expand the directorate.

The problem is made worse by the fact that the Buddhist monks who negotiated with the junta told the Buddhist faithful last week that Premier Ky and General Thieu had promised to submit their continuation in office to an election by the directorate after it is expanded with 10 civilians. The junta denies having made any such pledge. So the compromise value of the offer to expand the directorate has shrunk considerably.

Whether the Buddhists would boycott the prospective elections to a constituent assembly was not clear. The Buddhists are believed to have a chance of winning the largest single bloc of seats in the assembly. But most politicians estimate this bloc at only 30 per cent of the seats.

Many informed sources, however, doubt that the election will take place as scheduled or ever. They feel that either continued civil disorder or second thoughts by the generals will force a cancellation.

INTER-AMERICAN COUNCIL OF COMMERCE AND PRODUCTION

Mr. JAVITS. Mr. President, I call the Senate's attention to the fine work of the Inter-American Council of Commerce and Production, the most important private enterprise organization of both Americas, North and South.

Since last Wednesday, the Inter-American Council of Commerce and Production—CICYP—has been meeting in Mexico City under the chairmanship of its President, George S. Moore, president of the First National City Bank of New York, to consider some of the basic problems facing the private enterprise system in Latin America.

Last Friday, the plenary session of the council approved the resolution which placed the council in close support of increased Latin American economic integration. The council resolved to work closely with their governments to bring the Latin American free trade area close to reality—this I believe to call for a Latin American common market—to support the modification of the present slow system of tariff changes by introducing an automatic system of tariff reduction and by quickening the process of complete tariff elimination, and to harmonize among the countries of Latin America tariffs, monetary exchange and fiscal policies, and legislation affecting investment and social welfare.

I know of no quicker way to turn frustration into success, even keeping pace with the population increase, than the development of the Latin American free trade area into a common market, to which the Inter-American Council of Commerce and Production is now committed. Incidentally, for the first time, the council headed by an American, George S. Moore, president of the First National City Bank.

It is also of great importance that Assistant Secretary Lincoln Gordon, who was the principal speaker before the conference, told a press conference last Wednesday that the U.S. Government would carefully consider suggesting preferential treatment for Latin America if the U.S. efforts to persuade Western Europe to drop discriminatory practices in favor of African countries failed.

I ask unanimous consent to have an article that appeared in this morning's edition of the New York Times on the CICYP conference be printed in the RECORD at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 6, 1966]

BUSINESSMEN ASK LATIN FREE TRADE—MEMBERS OF INTER-AMERICAN COUNCIL VOW TO WORK FOR ACTION BY GOVERNMENTS—GROWTH SPURS SOUGHT—MEXICO CITY MEETING CALLS FOR HARMONY IN FISCAL AND TARIFF POLICIES

(By Henry Giniger)

MEXICO CITY, June 4—The biggest private-enterprise group in the Western Hemisphere is now under commitment to accelerate lagging efforts to integrate Latin America's economy.

Some 400 business leaders from Latin America and the United States resolved yesterday to work closely with their governments to bring the Latin America Free Trade Area closer to reality. This was the most important resolution taken during five days of meetings sponsored by the Inter-American Council for Commerce and Production.

The meeting, according to George S. Moore, president both of the First National City Bank of New York and of the council, represented the largest gathering of private business leaders ever held in the Western Hemisphere. It was called to consider practical ways of quickening the pace of economic development.

POLICY HARMONY SOUGHT

The final declaration calls for a harmonizing among the countries concerned of tariffs, policies and legislation affecting investment and social welfare. It calls for modification in the present slow system of tariff changes by introducing an automatic system of reduction and by quickening the process of complete tariff elimination.

The business leaders in effect called for greater competition among themselves in the interest of raising living standards, but cautiously, and in a spirit of compromise, the declaration called for taking account of current differences in economic development among Latin countries so as not to hurt the smaller, less-developed ones.

The same caution was evident in passages treating reform of large land holdings. Such reforms should be carried out, the declaration said, "with just compensation" and "in an orderly, nonviolent and progressive way." It said the reform should be "selective," taking account of the productive levels of the farms and avoiding the other extreme of very small holdings.

COMPLAINTS ON TRADE

The business leaders complained of trade policies of developed countries that were prejudicial to Latin America.

The declaration called for "the elimination or at least the moderation of the high degree of agricultural protectionism prevailing in Europe and the United States in the form of high import duties, quotas, internal taxes, direct or indirect subsidies to producers, etc."

The United States is now trying to persuade Europe to drop discriminatory practices in favor of Africans. Lincoln Gordon, Assistant Secretary of State for Latin-American Affairs, told the press here Wednesday that his Government would carefully consider suggesting preferential treatment for Latin America if the persuasion effort now being carried out in the Kennedy-round talks in Geneva failed.

The business leaders were careful not to appear in a role hostile to Government action. Instead they called for "permanent and harmonious collaboration." At the same time they sought to assert their role as the prime creators of jobs and to confine official action to furnishing the necessary infrastructure and to creating a favorable atmosphere for private enterprise.

In private, there were many businessmen who lamented that the trend in Latin America was decidedly toward "socialization" and that private initiative was on the defensive at the moment.

The conference also made evident its concern for private enterprise's public image. Mr. Gordon reminded the participants on Wednesday that private enterprise was not looked upon favorably by some important segments of the population.

INTER-AMERICAN PEACE FORCE

Mr. JAVITS. Mr. President, if there is anything that has been made clear by the crisis that took place in the Dominican Republic last year, it is that the machinery for the maintenance of peace and security in this hemisphere is not effective and that it requires major improvement. In my opinion, while the U.S. intervention in the Dominican Republic was badly handled it was inevitable—in the eyes of the President—due to the OAS' inability to act in time.

The task before us, now that Dominican elections are over and the new legally elected president will take office within the next few weeks, is to consider how we can prevent the reoccurrence of a similar situation elsewhere in Latin America. President-elect Balaguer has already asked the OAS force there, including U.S. contingents, to stay.

Collective responsibility and collective action for the security of the hemisphere is the real alternative to unilateral action. Specifically, I believe that a number of steps could be taken to improve the OAS' peacekeeping machinery:

First. The representatives to the Council of the Organization of American States in Washington should be vested with authority equal to that held by ambassadors to the United Nations. This would allow the representatives to the Council to act with greater authority and dispatch without being forced into inaction while they seek instructions from their respective capitals;

Second. Improved procedures for prompt OAS handling of emergencies should be established;

Third. A representative of the OAS should be posted as an observer in each of the capitals of the American States;

Fourth. Serious efforts should be made to bring Canada into the inter-American system, to give completeness to hemispheric action and to provide an added measure of confidence in the system. In trade, national power, and world responsibility, Canada belongs in the inter-American system, which is not complete without it;

Fifth. The forthcoming OAS Foreign Ministers' Conference and the proposed Summit Conference of Hemisphere Presidents should give careful consideration to how an inter-American peace force could be established on a permanent basis and within the context of the OAS Charter and mutually acceptable to all nations of the hemisphere;

Sixth. The United States, which has so far been but an interested observer at recent Latin American negotiations to establish a nuclear-free zone south of the 30th parallel in this hemisphere, should support such an idea once a common Latin American position has been arrived at;

Seventh. Every attempt should be made at the current discussions of the Inter-American Economic and Social Council here in Washington to find an acceptable compromise over United States-Latin American differences regarding proposed economic and social reforms in the OAS Charter.

We may not be able to resolve in the near future our differences as far as the creation of an inter-American peace force is concerned, but the fact remains that we cannot afford to display tiredness or indifference toward the mammoth problems of the Western Hemisphere. We must continue to press forward in our attempt to find effective solutions to these, our common problems. It seems to me that the problems I referred to should be on the top of the agenda of the next OAS Foreign Ministers Conference this fall and should be considered by a Summit Conference of Hemisphere Presidents before the end of this year.

I ask unanimous consent that an editorial and an article which appeared in this morning's New York Times concerning an inter-American Peace Force be printed in the RECORD at the conclusion of my remarks.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the New York Times, June 6, 1966]

INTER-AMERICAN PEACE FORCE

Now that the Dominican elections are over and President Balaguer is to take office July 1, the Inter-American Peace Force can be expected to melt away as soon as he decides he can maintain internal peace without foreign help.

The Dominicans want to see the force go and so will most of Latin America. In reality, it was an American force leavened with a contingent of about 1,000 men from the military government in Brazil, and a sprinkling of token detachments from several other countries. Nevertheless, legally it was the representative of the Organization of American States. It carried within its form the same germ of an ideal that lies behind the United Nations; the hope of humanity is to have a worldwide peace-keeping force. The same hope is valid for the Western Hemisphere and each great region of the world.

However, the original intervention by American marines at the end of April 1965 was made without advising the O.A.S. It was a violation of the treasured non-intervention policy—a throwback to Teddy Roosevelt. The O.A.S. came in by a bare two-thirds majority mainly to end the unilateral character of the United States intervention.

The question now is whether the Latin-American states prefer to risk other such interventions, or whether they can set up a collective, hemispheric peace-keeping machinery. At the Foreign Ministers' meeting last December in Rio de Janeiro the answer was "No." However, Secretary Rusk did put the matter on record for future consideration. There is to be another Foreign Ministers' meeting this summer and President Johnson has proposed a conference of all the hemispheric heads of state.

An Inter-American peace-keeping force will still be in the air—out of reach if present sentiments persist—but it is an idea that is going to be hard to kill. The other states are afraid that the United States will dominate such a force even if it be called "Inter-American." Nationalism is so strong in Latin American that even collective intervention would be feared and resented.

Thus any analysis ends pessimistically for the immediate future but optimistically for some later date when the Latin-American countries are strong enough not to be afraid of the "Colossus of the North."

[From the New York Times, June 6, 1966]

Peace-Force Stay Seen by Balaguer—Dominican Says Foreigners May Be Required After July 1 Inauguration

Santo Domingo, Dominican Republic, June 5.—President-elect Joaquin Balaguer said today that he believed foreign troops might have to remain in the country after the installation of his Government July 1.

He said their stay depended on the resolution of such problems as disarmament of the civilian populace and integration of former rebel troops into the regular armed forces.

When the national electoral commission confirms his election, he went on, he will invite the defeated presidential candidate, Juan Bosch of the Dominican Revolutionary party, to collaborate with him in the new government.

The President-elect made his remarks at his home in an interview. He has not yet been confirmed as President.

For this reason, he has not met with the Provisional President, Héctor Garcia Godoy, to discuss the question of the withdrawal of the Inter-American Peace Force and other matters related to the transfer of power.

"I believe the Inter-American Peace Force would have to remain in the country until the problems of civilian disarmament and reintegration of the constitutionalist troops are resolved," Dr. Balaguer said. "It also depends on the situation in general."

The rebel forces in the Dominican civil war of 1965 called themselves constitutionalists on the ground that they were the defenders of the Constitution under which Mr. Bosch was elected in 1962. He was the last elected Dominican President to serve.

Santo Domingo was quiet after a day of sporadic and minor disturbances in which policemen had to fire into the air to disperse teen-age agitators. There were no casualties, the police said.

Speculation continued over what caused a shooting incident Friday night in front of the home of Hector Aristy, a former constitutionalist leader. Two men were killed in a clash with national policemen.

Reliable reports said the army recovered a large cache of arms in the house. Mr. Aristy disappeared after the shooting. American reporters who interviewed him today said he was in Mr. Bosch's suburban home.

Asked if he favored restoration of the constitutionalist soldiers to the armed forces, Dr. Balaguer said: "I don't know the basis of the problem. I have not had access to official studies on the matter. Therefore I don't know what I would do to make an exact judgment."

There are no precise official figures on how many armed forces regulars joined the constitutionalist side. It is believed that at the outset of the revolt at least three battalions, of about 3,500 men, joined the rebel forces. However, many of these quickly returned to their barracks.

FIGURES DISPUTED

Constitutionalist leaders contended that at least 1,500 of their men are eligible for integration. Armed forces leaders have said that their figure is inflated by men who have been discharged or retired or have resigned and that only about 200 are qualified for reintegration.

It is considered possible that reintegration of all former rebels deemed eligible can be accomplished before July 1, but civilian disarmament is a more difficult problem.

Armed forces leaders contend that about 5,000 weapons were taken by the rebels from arsenals at the start of the fighting. The rebels were to have returned them when the zone they held in Santo Domingo was dismantled last fall, but only a few were turned in.

The frequent clashes between troops and civilians late last year and even recently gave evidence that much of the civilian population, particularly leftwing extremists, were adequately armed.

BANK HOLDING COMPANY ACT AMENDMENTS OF 1966

The Senate resumed the consideration of the bill (H.R. 7371) to amend the Bank Holding Company Act of 1956.

Mr. HOLLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 85 Leg.]

Aiken
Allott
Anderson
Bayh
Bennett
Boggs
Burdick
Cannon
Church
Clark
Cooper
Dominick
Douglas
Ervin
Fulbright
Harris
Hart
Hartke
Hickenlooper
Holland
Hruska
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kuchel
Lausche
Long, Mo.
Mansfield
McClellan
McGee
McGovern
McIntyre
Miller
Monroney
Montoya
Morse
Moss
Nelson
Proxmire
Ribicoff
Russell, Ga.
Simpson
Stennis
Talmadge
Tydings
Yarborough
Young, N. Dak.
Young, Ohio

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. Bass], the Senator from Nevada [Mr. Bible], the Senator from Connecticut [Mr. Dodd], the Senator from Tennessee [Mr. Gore], the Senator from Alaska [Mr. Gruening], the Senator from Arizona [Mr. Hayden], the Senator from Hawaii [Mr. Inouye], the Senator from Washington [Mr. Magnuson], the Senator from Rhode Island [Mr. Pastore], and the Senator from Rhode Island [Mr. Pell] are absent on official business.

I also announce that the Senator from West Virginia [Mr. Byrd], the Senator from Mississippi [Mr. Eastland], the Senator from New York [Mr. Kennedy], the Senator from Minnesota [Mr. Mondale], the Senator from Oregon [Mrs. Neuberger], the Senator from West Virginia [Mr. Randolph], the Senator from South Carolina [Mr. Russell], and the Senator from Florida [Mr. Smathers] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. Curtis], the Senator from Hawaii [Mr. Fong], the Senator from Michigan [Mr. Griffin], the Senator from California [Mr. Murphy], the Senator from Kansas [Mr. Pearson], and the Senator from Delaware [Mr. Williams] are necessarily absent.

The PRESIDING OFFICER. A quorum is not present.

Mr. LONG of Louisiana. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Bartlett
Brewster
Byrd, Va.
Carlson
Case
Cotton
Dirksen
Ellender
Fannin
Hill
Jackson
Long, La.
McCarthy
Metcalf
Morton
Mundt
Muskie
Prouty
Robertson
Saltonstall
Scott
Smith
Sparkman
Symington
Thurmond
Tower
Williams, N.J.

The PRESIDING OFFICER. A quorum is present.

FAIR PACKAGING AND LABELING ACT

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which the clerk will state.

The Legislative Clerk. A bill (S. 985) to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes.

BANK HOLDING COMPANY ACT AMENDMENTS OF 1966

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the unfinished business, S. 985, be temporarily laid aside, and that the Senate continue with the consideration of H.R. 7371.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The **PRESIDING OFFICER**. The amendment will be stated.

The legislative clerk read as follows:

On page 11, line 10, after "company" insert the following:

"(A) that is a trust which was established by the will of any person and existed on the effective date of this amendment, or (B)."

Mr. **BENNETT**. Mr. President, I shall explain the purpose of my amendment in detail, but in effect its purpose is to give to the trustees of the Alfred I. du Pont Trust a period of 12 years, or until December 31, 1978, to make their choice and dispose of either their banking or their nonbanking assets. This is the same period given under the bill for the Financial General Corp. to dispose of its assets, as required by the bill.

These two entities are the only two that would be required to dispose of presently held assets; and while their situations are different, and while, as I shall attempt to explain later, I think in fact the Du Pont Trust should have even a longer time, in the bill as before the Senate, Financial General has until December 31, 1978, and the Du Pont Trust has 5 years after the passage of the bill.

Mr. President, the main purpose of the bill before us is to deny to two groups of banks exclusion from the bank holding company requirements that they now enjoy under the present law. One of these groups, owned by Financial General Corp., would be given 12 years in which to dispose of their banks. The other, the trust created by the estate of Alfred I. du Pont of Florida, would be given 5 years. The purpose of my amendment is to treat both situations the same and extend to the Du Pont Trust the same 12-year period as the bill grants to Financial General.

Of course, the bill contains many other provisions in addition to these two and with many of them I agree, so before talking in detail about what I think is wrong with the bill and, therefore, why I think my amendment is justified, I should like to begin by talking about what I think is right with the bill.

First. The most important thing the Senate bill does, in my opinion, is to correct a major and potentially damaging provision of the House bank holding company bill which would have denied to any holding company the privilege of holding even one bank. In 1956 when the present bank holding company law was passed, this particular problem was studied very carefully and the Congress agreed that to allow a company to hold one bank in addition to other nonbanking assets created no problem. The House struck this down. This bill restores it. In other words, the Senate version of the bill will preserve existing law in this respect and I think this is very important.

Second. Recently we passed a bank merger bill changing the rules governing the merger of independent banks. This bill very properly would apply the same new rules to mergers in which a bank belonging to a bank holding company is involved in the proposed merger. In the interest of uniformity and equity, this feature should be adopted.

Third. This bill also contains a number of necessary technical changes in the present bank holding company law. The need for these changes has become apparent as the regulatory agencies have gained experience through the administration of the present law. As far as I know, everybody involved welcomes them, and so do I.

Fourth. I suppose it could be said that the closing of the loophole which made it possible for Financial General to acquire a chain of banks after the 1956 law was passed could be claimed as a benefit of this bill. At least any possible damage to the stockholders of Financial General has been minimized by the fact that the company has been granted 12 years in which to dispose of its assets, which should make it possible for them to do so without the pressure of a forced sale. Apparently the officers of the company are satisfied with the committee's decision and, therefore, so am I.

If the bill stopped here, I could support it wholeheartedly, but having presented what I think is right with the bill, I must reluctantly turn to discuss what I think is wrong with it and why I am offering this amendment.

When the present bank holding company law was passed in 1956, all personal trusts were excluded. The Du Pont Trust is a personal trust, and it was excluded without question along with the others. Now this bill has been carefully written for the purpose of singling out this one trust and removing that exclusion.

First, let us look briefly at the Du Pont Trust. In 1926 Alfred I. du Pont withdrew from the management of E. I. du Pont de Nemours & Co. and went to Florida where he concentrated his personal investments and continued to do so until his death.

At that time, his principal investment, like those of others in the Du Pont family, was in Du Pont stock, with its then internal holdings of General Motors, which have since been separated. These assets—Du Pont stock and General Motors' stock—represent about three-quarters of the value of the Alfred I. du Pont Trust.

He also acquired many local investments, of which two are important and provided the real motivation for this bill. The trust's investments in each of these two is approximately equal. They are:

First. The St. Joe Paper Co., a manufacturing operation with very large land holdings in northwest Florida, and a number of other subsidiaries, including the Florida East Coast Railway Co.

Second. Holdings of stock in 30 banks in Florida—of these, 8 are State banks, chartered and supervised under Florida law, and 22 are national banks chartered by the Comptroller of the Currency and under his supervision. Dividing them another way, 7 of these bank investments were made before Mr. du Pont died in April 1935 and 23 have been made by the trustees of the estate since.

(At this point Mr. JORDAN of North Carolina took the chair as Presiding Officer.)

Mr. **BENNETT**. Mr. President, let us talk about the nature of the trust. This is a testamentary trust, and if it were merely that there would be no problem. This trust has lifetime beneficiaries and then becomes a perpetual charitable trust after they are dead, when the income of the trust will go solely to charity and public service.

In anticipation of this, Mrs. du Pont, who is still living at somewhere near 83 or 84 years of age, has for years given large sums of her income from the trust to schools and hospitals.

The present personal trustees include Mrs. du Pont, her brother Edward Ball, Elbert Dent, William Mills, Tom Coldewey, and a corporate trustee, the Florida National Bank of Jacksonville, one of the banks in which the estate holds a major trust.

Mr. Ball is the active manager of the trust. He is a brother of Mrs. du Pont, as I have said. Mr. Ball, to say the least, is a positive and vigorous individualist, for all of his nearly 80 years. This was all known in 1956 when the present bank holding company law was passed and no one was concerned, but the situation that brings about this bill has happened since.

In June 1962, after a threatened strike, the nonoperating railroad brotherhoods obtained a 10-cent-per-hour wage increase from all the Nation's class I railroads except the Florida East Coast Railway which is owned by the St. Joseph Paper Co., which is owned by the Albert I. du Pont Trust.

In January 1963 they began a strike at the Florida East Coast Railway. The Florida East Coast Railway continued to refuse to sign the agreement and pay the 10-cent-per-hour wage increase and since that time has operated with nonunion people through a long period of sabotage, property destruction, customer intimidation, and a lot of other things.

The unions vowed to bring the company to its knees and have used violence, bombing, and other sabotage as well as every available legal proceedings, political pressure, and all the public relations pressure it could bring on Mr. Ball. By the latter means, they have attempted to create an image of him as a personal ogre—with unlimited power—who broods like a diabolically evil cloud over the destinies of Florida. To date, all this has failed. The strike has not been settled on the union's terms.

Somewhere along the line someone, probably a union lawyer, discovered the bank holding company bill and conceived the idea that if the Du Pont Trust could be separated from all others, it could be made to sell out either its banks or its other holdings within 2 years as required by the present law. Obviously, they hoped the trust would keep the banks and sell everything else, particularly the Florida East Coast Railway. Then they would win in the end.

Parenthetically, it is interesting to note that multiple banks owned by unions enjoy exclusion from the bank holding company resolutions and this bill carefully preserves those exclusions so the unions are in a position of denying to the Du Pont Estate a privilege they are anxious to preserve for themselves.

So there you have the first thing that is wrong with the proposed bill. In my opinion the motives of its sponsors are unworthy and inappropriate and the Senate should not stoop to that by approval. Essentially those motives are based on a desire for revenge growing out of frustration because the unions failed to win in a strike. And what is even worse, this whole thing is aimed, not at the Du Pont Trust, but at one man—Mr. Edward Ball. Even the union spokesman at our hearings praised the Du Pont banks and was proud to claim he was a depositor of one of them.

Since when has the Senate allowed itself to be used as a means of personal revenge?

Of course, revenge is not the admitted reason given by those who sponsored the bill. They say the present law gives the trust "too much power" in Florida. They would diminish that power by forcing it to sell half of its local investments—either the banks or the nonbank assets. But, under questioning, their spokesmen clearly said that after such sale, they wanted the money reinvested in Florida. There is so much of it that they do not want to see it go out of the State.

If the power rests on the size of the investment, this policy would change its base, but not its size.

Because ours is the Banking Committee and this is a banking and currency bill, most of the testimony against the Du Ponts was focused on their bank assets. We were not told too much about their other holdings, except about the Florida East Coast Railway and its strike troubles. This produced a curious effect on the committee. If this bill passes, Du Pont must get rid either of its banks or its other assets.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. LAUSCHE. If it divests itself of its other assets and retains the holdings in multiple banks will the present bill permit them to have holdings in multiple banks without limitation?

Mr. BENNETT. Without limitation, except that they must be within the State of Florida and receive approval by the appropriate regulatory agency involved.

Mr. LAUSCHE. I thank the Senator.

Mr. BENNETT. The obvious hope of its sponsors must be that the trust will keep the banks and sell the railway. My study of the situation persuades me that it must sell the banks and keep the rest of its assets.

One of the reasons has just been developed in colloquy with the Senator from Ohio [Mr. LAUSCHE]. If this happens, the unions will have lost their main objective and will be left only with the satisfaction of having caused trouble for Mr. Ball, their antagonist, at the risk of having strengthened his determination not to yield to them, and caused more trouble for themselves. Unworthy motives often produce unexpected results.

Why do I believe this will happen? Because a decision to keep the banks would be so limiting as to be self-defeating. It would limit all future investment, in any enterprise in which the trust hopes to have any substantial management power, including the investment of funds realized from the sale of other assets to investment in individual banks in Florida because bank holding companies cannot acquire new banks across State lines. Now, it is true that the trust could invest its money in Treasury bonds or in stocks of other corporations, so long as it did not increase that investment in any given corporation above 5 percent, but this would represent a major change in the policy of the trust which has been to have enough holdings in companies so as to participate in their management.

The decision to sell the banks would permit future investments anywhere, in anything except banks. To me, the logic of the decision is inescapable.

If the union's hope of forcing the trust out of the ownership of the railroad is almost certain to fail, its frustration will not be relieved by this bill, it will be increased—so what should the Senate do?

First. The Senate can strike the Du Pont provisions from the bill in its entirety—and pass it. I realize that this is impossible because the labor organizations have laid their prestige on the line—I think they have demanded support from their friends in the Senate, and I am sure they do not intend to retreat.

Second. We could say that the Du Pont Trust being essentially a testamentary trust, should be treated the same as all other testamentary trusts, and should be made subject to the rule against perpetuity for the purposes of the Bank Holding Company Act. This would permit them—as it permits all other private and testamentary trusts—to hold on to their bank investments until 21 years and 10 months after the death of the last beneficiary who was living—or had a "life in being" on the day of Mr. du Pont's death. But I know that this would not satisfy the Du Pont detractors. The charitable perpetuity feature of this trust is the gimmick on which they have built their whole case and no matter how unfair it is, their pride will not let them give it up. And besides, as I have listened to the testimony in the committee, I am persuaded that their desire is for personal revenge against Mr. Ball who has balked them in their position to settle the union strike for nearly 3 years now. They want him and no one else to have the problems of breaking up the estate and selling off part of its assets.

And it will be a problem to sell off these assets—a bigger problem than that faced by any corporate bank holding company in 1956—when the original act passed, and I include the biggest of them all, Trans America. The reason is simple. These were corporations and they could comply with the law simply by "spinning off" half of their assets, leaving two companies instead of one, but with the same identical stockholders in each.

The only time they needed to solve the problem was time to go through the required legal steps to accomplish the "spinning off."

But a trust cannot "spin off" because it has no stockholders. It must find outside buyers—and if the pending bill is passed, under the pressure of a time limit. With stiff legal penalties for failures to comply, this can mean a forced sale at a potentially great disadvantage to the seller. Moreover, the seller, in this case, would not even be free to make the best deal he could. Eight of these banks are State chartered banks, and the buyers would have to be approved by the State bank commissioner of Florida.

Mr. HOLLAND. Mr. President, will the Senator from Utah yield at that point?

Mr. BENNETT. I am happy to yield to the Senator from Florida.

Mr. HOLLAND. Aside from the manifest difficulties that would be sustained by Mr. Ball and by the Du Pont Estate in disposing of their holdings in the 30 banks in Florida, I wonder whether the Senator believes that it would be helpful or hurtful to Florida, and to Florida's economy in particular, to have what would amount to buyers' sales of the controlling interests in the stocks of the 30 banking institutions in our State in that limited period of time?

Mr. BENNETT. The Senator from Florida has a much better understanding of the situation in his own State, but I believe that this kind of thing would be unfortunate in any State. It would undermine confidence, which is the best asset any bank has. The depositors would wonder who the new owners would be, whether they could be trusted, and whether their management of depositors' money would be prudent. I believe that it would create all kinds of confidence problems.

Mr. HOLLAND. Mr. President, will the Senator from Utah yield further?

Mr. BENNETT. I am happy to yield to the Senator from Florida.

Mr. HOLLAND. Is it not true that anything that strikes at the confidence which people hold in banking institutions strikes at all the people who are doing business or have bank deposits in the communities where these 30 little banks are located?

Mr. BENNETT. I believe that it would create problems in every one of those communities. To me, this is obvious. It requires no long explanation.

Mr. President, let me go back and repeat that eight of these banks are State chartered banks, and the buyers would have to be approved by the State bank commissioner of Florida.

If the State administration in office at the time were as antagonistic to Mr. Ball and the Du Pont Trust as those who sponsored the bill originally, they could delay approval directly or indirectly—and directly or indirectly affect the choice of buyers until the sellers' disadvantage would become so great as to create windfalls for the favored buyers.

Would this hurt Mr. Ball personally? To some limited extent, perhaps, because he is a beneficiary of the trust, but it could materially affect the amounts the trust could distribute to charity 50 years from now and sooner.

It seems to me that the pending bill would put the Du Pont Trust into a straitjacket and would force them to sell before a definite date and make it possible for their enemies to sharpen up their knives and take advantage of the situation.

Mr. President, to summarize, the problem could be solved to my satisfaction by striking the Du Pont section from the bill. It could be solved by giving to the Du Ponts the same treatment being given to other trusts. But, from the attitude within the committee, it becomes obvious that the hope that these logical solutions can be accepted is a forlorn one.

The next choice is that of amending it to give the Du Pont Trust the same treatment as other trusts. That leaves us with the question: Can we provide the trust with more time in which to carry out this very difficult operation? This brings us to the question of numbers. The bill says 5 years. For Financial General, it says approximately 12 years. Those who want to join in having the Senate punish Mr. Ball say 5 years is a great concession, that it should be 2 years, as existed in the law in 1956. The actual difference is slight. If the Du Pont Trust were required to divest under existing law, it would have 2 years and the possibility of 3 single year exemptions, to a total of 5 years at the discretion of the Federal Reserve Board.

History shows that after the 1956 act was passed, where these extensions were asked for, they were always granted, but when we reach the point of talking about numbers, we have deserted our search for a logical basis and are making an arbitrary decision.

I suppose one could say there is some slight color of equality in the suggestion that if we can logically give Financial General until 1978 to dispose of its banks—we can extend the same privilege to the only other institution caught by this bill, the one it was aimed at originally—the Du Pont Trust.

That is why I have offered the amendment that is before us.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. BENNETT. I am happy to yield.

Mr. LAUSCHE. At the beginning, I want to examine the exemptions which are in the existing law and to ascertain their logic and justification.

It is my understanding that, under the 1956 act, application is not made to individuals or partnerships holding bank interests while at the same time holding interests in other institutions. Is that correct?

Mr. BENNETT. That is true. The 1956 law defined bank holding companies subject to the law as corporations, business trusts, associations, or similar organizations. Certain corporations operated for religious, charitable, or educational purposes were exempted, as were all individuals and partnerships.

Mr. LAUSCHE. That is, it provides that corporations shall be subject to the law, but individuals and partnerships shall not?

Mr. BENNETT. That is right.

Mr. LAUSCHE. Even though the ultimate result is the same, whether the holding is by an individual or partnership on the one hand, or a corporate entity on the other?

Mr. BENNETT. Yes.

Parenthetically, I think it is fairly accurate to say that the 1956 law was aimed at one particular corporation, just as this proposed law is aimed at the Du Pont Trust.

Mr. LAUSCHE. The 1956 law did not apply to nonbusiness trusts controlling two or more banks. Is that correct?

Mr. BENNETT. Yes. I have called them testamentary trusts in my comments today, but these are nonbusiness trusts. It did not apply to trusts created by individuals, because the individuals who had the right to own a bank would thereafter have the right to create a trust and continue to hold the bank.

Mr. LAUSCHE. Does the bill that has been submitted change the situation with respect to the right of nonbusiness trusts holding stock in two or more banks and also holding stock in a business enterprise?

Mr. BENNETT. No, it does not, so long as those trusts are subject to the rule against perpetuity, or in other words must terminate within 25 years or not later than 21 years and 10 months after the death of a named beneficiary.

Mr. LAUSCHE. Now my third question. The law also exempted affiliates and companies which had holdings of at least 80 percent in agriculture?

Mr. BENNETT. Section 4(c)(7) of the 1956 act exempted labor, agricultural, or horticultural organizations.

Mr. LAUSCHE. Under the language relating to nonbusiness, the labor unions were exempted? Is that correct?

Mr. BENNETT. No; there was a specific exemption.

Mr. LAUSCHE. Was the language specific that labor unions shall be exempted?

Mr. BENNETT. That is right; and that provision has not been tampered with by either House in the bill.

Mr. LAUSCHE. It means that labor unions are allowed to hold stocks in banks without limitation in number, and are also allowed to hold stock in other businesses without limitation in number?

Mr. BENNETT. That is right.

Mr. LAUSCHE. Does the Senator know why the 1956 act gave the labor unions this authority, while others did not get it?

Mr. BENNETT. Because there were just a few—one or two, so far as I remember—labor unions that were affected. The Amalgamated Clothing Workers of America had two banks, one in New York and one in Chicago. Nobody felt the union should be required to get rid of one of them, so a specific exemption was provided.

Mr. LAUSCHE. The Du Pont Trust was exempted from the 1956 act. Is that correct?

Mr. BENNETT. Yes. It was exempted, I assume, on the assumption that it was a nonbusiness trust.

Mr. LAUSCHE. That is, Mr. Du Pont made a will, gave the life estate to his widow, but created a trust that upon her death it would be used in perpetuity for charitable purposes. Is that correct?

Mr. BENNETT. That is approximately correct. There were other beneficiaries than the wife, but she had by far the greatest share of the trust.

Mr. LAUSCHE. The specific exemption allowing labor unions, agricultural, and horticultural organizations to own stocks in multiple banks or private corporations has not been changed by the bill that is pending before the Senate. Is that correct?

Mr. BENNETT. It has not been changed.

Mr. LAUSCHE. Has there been a denial of exemption included in the bill for any of the exempted entities except Du Pont?

Mr. BENNETT. Just Du Pont and Financial General Corp. The bill that came over from the House would not permit any such corporation to own one bank. The present law, passed in 1956, gave such corporations the right to own one bank. That provision was taken out by the House bill. The bill as reported by the Senate committee restores the original privilege and returns the situation to the present law. But as to Financial General or Du Pont, the exemption has been denied.

Actually the wording in bill does not specify these two entities: The language is general covering religious, charitable, and educational organizations and trust unless by its terms it terminates within 25 years or not later than 21 years and 10 months after the death of individuals living on the effective date of the trust.

Mr. LAUSCHE. Would not that repeal cover the Du Pont situation, because the Du Pont Trust in the end is a charitable trust?

Mr. BENNETT. Yes, it would.

Mr. LAUSCHE. I am not quite sure.

Mr. BENNETT. My adviser informs me it is considered that they would be covered; that the bill would repeal their exemption.

Mr. LAUSCHE. That is, the Du Pont Trust would be valid because it is an eleemosynary trust, and the language which the Senator from Utah read does now exclude it?

Mr. BENNETT. Yes. It repeals other possible future exemptions also.

Mr. LAUSCHE. So, in the final analysis, the law remains identical as it was in granting exemptions, except it provides that hereafter eleemosynary or charitable trusts, educational, or others of a similar nature, shall not be granted the exemptions?

Mr. BENNETT. The Senator is correct unless the trusts comply with the rule against perpetuity. I had not gone that long way around to arrive at the same result; but the Senator is correct.

Mr. LAUSCHE. What is the argument that is made that these two shall be specifically brought under the law without making it a general operation? Why has the committee picked on these two?

Mr. BENNETT. The language in the bill is general. These two are the only ones actually affected because others do not exist in these general categories. I have tried to explain in some detail the force behind removing the Du Pont exemption.

Financial General set up its banking-holding arrangement after the law was passed by cleverly using what one might call a loophole in the law. It had a main holding company. Then it set up a whole series of holding companies, and each of the whole series of subsidiary companies held one bank. It was considered desirable to close such a loophole in the act.

Mr. LAUSCHE. To Financial General there has been granted a period of time, up to 1978, to divest?

Mr. BENNETT. That is correct.

Mr. LAUSCHE. And Financial General found this loophole and set up these holdings which controlled banks and private enterprise?

Mr. BENNETT. That is correct.

Mr. LAUSCHE. Financial General has been granted until 1978 to divest. What length of time has been granted to Du Pont?

Mr. BENNETT. Five years after the passage of the bill.

Mr. LAUSCHE. What length of time is provided in the House bill? Is it 2 years?

Mr. BENNETT. Two years, subject to three 1-year extensions.

Mr. LAUSCHE. I thank the Senator.

Mr. BENNETT. Mr. President, I hold no brief for Mr. Ball as a person or as the manager of the Du Pont Trust. I do not remember having met him until the Banking and Currency Committee began its hearings on the bill. However, I value and respect the ideals and traditions of the Senate, which I believe should forbid their use by outsiders as implements of personal revenge.

The bill contains many good technical corrections. I have no objection to closing the Financial General loophole. I believe it is necessary that a bill be passed which will maintain the present one-bank provision of the present Banking Holding Act. In my opinion, the best way to accomplish this would be to remove the Du Pont provision from the bill and pass the remainder.

I know that this will not happen. Therefore, I hope that my amendment, which is of much less value to the Du Ponts and to the future of the banking services that they have been performing for the people of Florida, can be adopted. Unless my amendment is adopted, for all the reasons I have recited, I shall vote against the bill, as I did in committee, as my only remaining way to protest what to me is a grave misuse of the legislative process and the traditions of this body.

Mr. President, I intended to ask for the yeas and nays on my amendment. I shall either request a quorum call now, in order to have a sufficient number of Senators present to justify that, or I shall be glad to delay the quorum call.

I understand that the Senator from Florida [Mr. HOLLAND] and the Senator from South Carolina [Mr. THURMOND] desire to speak. I shall yield the floor and await another opportunity to seek a quorum.

Mr. HOLLAND. Mr. President, I suggest the absence of a quorum. I believe we should consider the question of whether a rollcall shall take place early in the afternoon, so that Senators will have that information. I suggest the absence of a quorum for that purpose alone.

The PRESIDING OFFICER (Mr. BURDICK in the chair). The Secretary will call the roll.

The Secretary (Mr. Emery L. Frazier) proceeded to call the roll.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLAND. I now ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HOLLAND. Mr. President, first, I express my appreciation to the distinguished Senator from Utah [Mr. BENNETT] for the fine explanation he has made of the bill and of his amendment, of which I am happy to be a cosponsor, because I believe he has shown clearly that the bill is a punitive one, founded in the desire for vengence against Mr. Edward Ball, and without justification as to the reason that lies behind the bill.

The distinguished Senator from Virginia [Mr. ROBERTSON] has admitted, in his original statement, in colloquy with the Senator from Florida, that only two entities are covered by the bill, insofar as being brought out at this time from exemptions which they now enjoy under the Bank Holding Company Act of 1956. The two entities are the Financial General Corp., and the Du Pont Estate.

The Financial General Corp. consists of a general group of properties, including insurance companies, investment companies of one kind or another, and 21 banks, 10 of which are located in the State of Virginia and the others in the District of Columbia and in 4 other States.

The other organization which would be brought out from under the exemption that it now enjoys is the estate of Mr. du Pont, the estate now handled by Mr. Edward Ball, as the principal trustee, but in conjunction with a group of trustees whose names appear in the record.

As the distinguished Senator from Utah has stated, the Du Pont Estate owns some 30 banks in the State of Florida, which means a controlling interest in those banks—25 percent or more. In addition, the Du Pont Estate owns the St. Joe Paper Co., and through the latter company it owns the Florida East Coast Railway Co. The Du Pont Estate also owns other bits of real estate and other important properties within the State of Florida.

To say that the Du Pont Estate is a dominant force in either the economic or political aspects of the State of Florida is a travesty, because that is not so. We have just nominated a governor for the State of Florida, in our recent primary, who was very strong in his opposition to the Du Pont Estate.

Some years ago, when the present speaker was nominated for and elected to the governorship, he was elected over the opposition of the Du Pont Estate. So it is not proper to say, as has been stated in this debate and as has been stated in the RECORD, that the Du Pont Estate dominates either the financial or the political picture in the State of Florida.

The fact is that the Du Pont Estate—or, rather, Mr. Ball, as the principal trustee—is not a uniformly popular figure within the State of Florida. That fact was never more clearly shown than by the results of the recent gubernatorial primary in the State of Florida.

Mr. President, a matter of right or wrong is involved in the bill before us. The Senators from Florida—I speak not only for myself, but also for my colleague, the distinguished junior Senator from Florida [Mr. SMATHERS]—believe that the bill is so clearly founded on punitive motives that we cannot sit idly by and see it passed without explaining very vigorously why we are opposed to its present provisions as they affect the Du Pont Estate.

The Senator from Utah, in his opening remarks on this amendment, has made as good a statement as I could make with respect to the punitive nature of the bill.

I call attention to quotations appearing on page 93 of the printed record of hearings which show the same thing most clearly.

When the witness, Mr. Leighty, who was appearing for all of the railroad unions, had concluded his testimony, the Senator from Utah [Mr. BENNETT] expressed his feelings as to the attitude shown by the railroad labor unions in a couple of comments which I shall read in the RECORD at this time.

In the first statement, speaking to Mr. Leighty, the Senator from Utah said:

> Senator BENNETT. As I read and listened to your statement, it sounds to me as though you are here today to express your frustration at your inability to settle this particular strike, and I don't think that is a worthy motive on which to recommend general legislation, Mr. Leighty.

In a later statement, the Senator from Utah, again expressing his very just resentment, said:

> Senator BENNETT. You state clearly on page 2 of your testimony that you want the exemption now used by Financial General eliminated, because it could be used by the Du Pont estate or other bank holding companies even though the exemption now used by Du Pont were eliminated.
>
> Do you want the Du Pont Co. driven out of Florida?

The witness answered that he did not want the Du Ponts driven out of Florida. He simply wanted to weaken them in the way that would be accomplished by the passage of the pending bill.

I cite this from the printed record to show the feeling of justifiable and understandable resentment that boiled over in the hearings, as expressed so clearly by the distinguished senior Senator from Utah [Mr. BENNETT].

Insofar as the Senators from Florida are concerned, we feel very strongly that we do not want to see the bill passed for a great many reasons that have to do with the essential justice and injustice of the bill.

We also feel that it would be a very great disaster in our State if the controlling interests of 30 banks were thrown on the market, on the buyer's market basis, in this limited period of 5 years as provided for in the bill.

Some statement has been made to the effect that the Du Ponts are being treated very generously by being given a period of 5 years. It is true that they are being treated a little more generously than they would have been under the terms of the existing law or under the terms of the House bill, both of which measures allowed 2 years plus 3 additional years, a year at a time, provided that time was granted by the officers of the Federal Reserve Bank. Therefore, instead of a conditional 5-year period, the bill would provide a certain 5-year period, but without any hope of extension beyond that time. That is the sole extent of the generosity which has been mentioned on the floor of the Senate as being practiced under the bill toward the Du Pont estate.

My distinguished colleague, the junior Senator from Florida, had to be absent because of business elsewhere. He regrets that he cannot be present. However, he does want to be heard in the Record and has left with me a speech on this subject. It is an able and very clear speech.

I ask unanimous consent at this time that the statement of my distinguished colleague on the Bank Holding Company Act amendment be printed at this point in the Record.

The PRESIDING OFFICER (Mr. BURDICK in the chair). Without objection, it is so ordered.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Senator Smathers on Bank Holding Company Act Amendment

I cannot urge too strongly that the Senate adopt the pending Amendment to H.R. 7371, introduced by very able and distinguished colleague, Mr. Holland, and cosponsored by me and others.

Under the provisions of the bill as reported out by the Senate Banking and Currency Committee, the Alfred I. duPont Estate would be given only five years to divest, whereas the Financial General Corporation would be given a period of twelve years to divest.

Simply stated, the pending amendment would give to the Alfred I. duPont Estate the same twelve-year period to divest itself as the bill would give to the Financial General Corporation for the same purpose. I feel that we should do this in the interest of fairness and equity. In my opinion, there is no rational reason to discriminate against the duPont Estate by granting it less time to divest than that given to the Financial General Corporation. In this respect the pending bill reported by the Senate Banking and Currency Committee is discriminatory and capricious.

Let me point out clearly that the duPont Estate is under handicaps by the pending bill that the Financial General Corporation is not.

The duPont Estate must decide whether to give up its banks or give up its non-banking interests. It can only give up its banking or non-banking interests by selling off the banks or by selling off the St. Joe Paper Company and the Florida East Coast Railroad.

The estate has no stockholders to whom shares of stock in the banks or shares of stock in the Paper Company or shares of stock in the Railroad Company can be spun off.

Let me remind my colleagues in the Senate that it will not be easy for the duPont Estate to sell its banks or its other interests. To require the Estate to do it in such a short period of time would create a grave injustice not only to the Estate itself, but to the best interests of the State of Florida.

Some of the Estate's banks are State Banks. Under Florida law permission must be obtained from the Florida State Banking Commission for such a transaction. In addition, if the duPont Estate tries to sell the banks as a group to a Holding Company, permission must be obtained from the Federal Reserve Board, and this may involve not only long proceedings before the Board, but also the possibility of protracted anti-trust suits.

If the Estate should choose to sell its non-banking interests it could be confronted with equal difficulties. One of the most likely customers for a railroad would be another railroad. Here again a sale of the Florida East Coast Railroad to another railroad would undoubtedly involve long proceedings before the Interstate Commerce Commission and possibly an anti-trust suit.

With respect to the Paper Company, from all the information I can obtain it is not an easy thing to sell. Here again the most likely customer for a paper company would be another paper company. Such a sale would not be easy to arrange in any event and again a sale of this sort could very easily involve long drawn out anti-trust proceedings.

I do not see how anyone can possibly say that the duPont Estate does not need a substantial period of time, at least equal to that given the Financial General Corporation to comply with the divesture requirements of the pending measure. We should eliminate this discriminatory action by adopting the pending Amendment.

I urge strongly that this Amendment be adopted in order to provide equal treatment under the law for all men.

Mr. HOLLAND. Mr. President, it was so clear to me that this matter was based upon injustice, inequities, and the desire for vengeance that I did something that I have never done heretofore on any bill I have ever sponsored in the Senate.

I am very happy to have joined with my distinguished friend, the senior Senator from Utah, as a cosponsor of the amendment. I felt that I should call clearly to the attention of every other Senator the reasons that I felt the time allowed to the Du Pont interests for the liquidation of their interests, either in the banks or other properties, be coequal with the time given to Financial General. Therefore, I addressed a letter to all of my colleagues under date of June 3, 1966, so that it was delivered personally that day by messenger to the office of each Senator.

The letter reads:

JUNE 3, 1966.

DEAR SENATOR: Relative to H.R. 7371, the proposed amendments to the Bank Holding Company Act which will be debated by the Senate on Monday, June 6, I call to your attention the following facts:

(1) The principal purpose of this bill is to amend the present exemption for non-business trusts (and charitable institutions) and the exemption of registered investment companies as contained in the Bank Holding Company Act of 1956. The report makes it clear that the bill relates, for all practical purposes, entirely to two presently exempt entities—the du Pont Estate and the Financial General Corporation.

(2) Relative to the du Pont Estate the report says:

"The principal entity which now receives the benefit of the exemption for long-term trusts and which in the course of time would become a charitable institution is the Alfred I. du Pont trust fund, created under the will of the late Alfred I. du Pont. * * * The du Pont trust controls 30 banks in Florida, together with sizable nonbank businesses."

(3) Relative to Financial General Corporation and the existing exemption of registered companies, the report says:

"The exemption now applies only to the Financial General Corp., an affiliate of the Equity Corp. which is a registered investment company. * * * The Financial General Corp., through subsidiary corporations, owns 25 percent or more of the stock of 21 banks in 5 States and the District of Columbia."

I digress from the letter to state that, of those 21 banks, 10 are in the Commonwealth of Virginia, and the others are divided between the District of Columbia, the State of New York, the State of Maryland, the State of Tennessee, and the State of Georgia.

I continue to read the letter:

"In addition, it controls a number of non-banking businesses, including insurance, financing, and manufacturing companies."

So, it is quite clear that the main purpose of the bill is to terminate the exemption of these two presently exempt entities from the Bank Holding Company Act.

Since the Senate may decide that the termination of these exemptions is wise, I call your attention to a substantial discrimination in treatment between the requirement of divestiture applied to the du Pont Estate and that applied to the Financial General Corporation. In the case of the du Pont Estate a flat five-year period for divestiture is given on the ground that "since a perpetual trust cannot, like ordinary business corporations, spin off its assets to its stockholders but must divest itself by sale, the committee considers it appropriate to permit a flat five-year period for this divestiture in the case of du Pont Estate." This flat five-year period would take the place of the two-year period, plus three additional years, one at a time, in the judgment of the Federal Reserve Bank, as allowed under existing law. Thus it is slightly more generous than the present law. In contrast, Financial General Corporation is given until December 31, 1978, or twelve years, to accomplish divestiture simply because said corporation has "substantial bond issues outstanding secured by the stock issues of its subsidiaries which fall due in 1978."

It seems clear to me that if these two concerns which are presently legally exempted from the Bank Holding Company Act and which are of comparable size should be brought under the Act they should be given equal time to divest themselves of their outside interests or dispose of their banks and that the different treatment given by the bill constitutes substantial discrimination. With other Senators I shall offer an amendment to the proposed bill extending the time of divestiture given the du Pont Estate until December 31, 1978, so as to allow equal treatment to these two entities.

I shall greatly appreciate your careful consideration of the facts above-stated and your careful examination of the bill and the committee report with the hope that you will see fit to support our amendment to allow

> equal time for divestiture to the du Pont Estate and to Financial General Corporation.
>
> With kindest regards, I remain

Mr. President, the letter went out last Friday by messenger to every Member of the Senate, in the hope that Senators would see what was involved here, would take some interest in the matter, and would be on the floor, prepared to participate in the just decision of this matter, which affects not merely a great estate—and a very worthy estate, in many respects—but affects also the economic situation in my State, which might be and I think clearly would be adversely affected by a sentence of death as to these 30 banks, by requiring that within 5 years the control of the Du Pont Trust in each of those 30 banks be sold to somebody else.

I do not see how more clearly there could be created a buyer's market, or how more clearly there could be destroyed the confidence which the public should have in banking institutions, and must have if they are to serve to best advantage, than to apply such a drastic rule as this.

Of course, I know it may be said they have the choice, as well, of selling their other assets; but I call attention to the fact, Mr. President, that such a sale would probably be even more distressful to a part of our State which needs consideration in a matter of this kind, and needs it very greatly, because it would require putting on the market of over 1 million acres of West Florida forest land, as well as the St. Joe Paper Co. and other assets that are held in connection with that great operation—which extends over most of west Florida, covering parts of many counties in that area.

Mr. President, I cannot conceive of anything more hurtful to real estate values or to the general economy of those areas than for such a practice to be permitted and in fact forced upon the Du Pont Estate by the passage of this bill; and I am very sure, without having any means at all of knowing what would be the situation of Mr. Ball and his associates, that they would make the choice of divestiture of their bank stocks as the lesser of two evils; and they would be forced to do so precipitately, if this bill is passed and becomes operative as binding Federal law.

Mr. President, not only is this matter discriminatory from the standpoint of the time that would be given, but it is also exceedingly discriminatory from the standpoint of giving unequal treatment to one estate which happens to have a perpetual grant to a charitable trust which follows the grant of benefits to the widow and to some seven or eight other persons who had a right to look to the testator. It seems to me that the treatment applied to other estates by this bill—under which much more time would be given to every other sort of family estate set up by a will of a testator—should also be applied to the Du Pont Estate, and that the refusal to apply it is discrimination of the rankest sort.

I call attention to the fact that under this bill as drawn, other family estates which would be subject to the rule against perpetuities would run for the life or lives of people living at the time of the death of the testator—and that would cover several people still living at this time, as far as the Du Pont Estate is concerned—plus an additional period of 21 years after the death of the last of those persons, plus an additional period of 10 months.

I say it is not giving equal treatment to other large estates, to give this sort of treatment to the Du Ponts, cutting them off, as they are sought to be cut off by the 5-year limitation, whereas, as to other estates, they are not cut off at all except under the rule against perpetuities, which permits them to run during the life or lives of existing people, plus 21 years plus 10 months. There is no equity, there is no equality, there is no justice in making that differentiation between this estate and other estates.

If this action is applied to the Du Pont Estate, in all probability, some of the existing beneficiaries will still be alive at the end of 5 years from now. Of the existing beneficiaries, some are aged and some are not aged at all. Some are in their forties at this time, and it is quite likely that they will be alive at the time that the 5-year limit is reached; and if the same treatment were given to the Du Pont Estate as to other testamentary estates, there would be a similar time allowed: the rest of their lives plus an added 21 years plus an added 10 months. There is no equality in treatment under the pending bill, which cuts off the Du Pont Estate in the way that is described in the measure.

Mr. President, I am happy to note the fact that the American Bankers Association, through their official witness, properly authorized and directed to testify before the committee, called attention to the specific point which I have just mentioned—that this kind of treatment was unequal as between the estates; and furthermore, that it discouraged the setting up of grants by wills to important charities on a perpetual basis, because the only way to defeat the rule against perpetuities is to have the remainder of the estate go over to charities which can carry on substantially forever.

The statement that was made on this matter was made by Mr. Lewellyn A. Jennings, speaking for the American Bankers Association during the course of the hearings on this bill. Mr. Jennings is Chairman of the Board of the Riggs National Bank of Washington, D.C.—which is the largest bank within the District of Columbia—and he is Chairman of the Federal Legislative Committee of the American Bankers Association. He was accompanied by Mr. Charles R. McNeill, the director of the Washington office of the American Bankers Association. Mr. McNeill added some testimony in the course of the remarks of Mr. Jennings.

Under the heading of "Long Term Trusts," Mr. Jennings testified as follows:

> The 1956 act now defines "company" to exclude trusts except business trusts. S. 2353 repeals this exclusion except for trusts established for individual beneficiaries and which must terminate within 25 years or not later than the death of a named beneficiary. Elimination of this exemption would bring the Du Pont holdings in Florida under the Bank Holding Company Act and would require divestment within 2 to 5 years after enactment. The Federal Reserve supports this amendment and in its testimony recommends that the bill be amended to exclude from coverage trusts that must terminate within 21 years after the death of individual beneficiaries living when the trusts become effective. The American Bankers Association believes the exemption should be allowed for the life interest of the individual beneficiaries living when the trust become effective even though the trusts are perpetual. This would mean that in the instance of the Du Pont estate the trust exemption under the provisions of the Bank Holding Company Act would terminate upon the passing of living individual beneficiaries. We see no special significance in the fact that such a trust is in perpetuity in its relation to the Bank Holding Company Act.

Senator MUSKIE asked the question:

> Now, as I understand it, there were last June 16 surviving annuitants under Mr. Du Pont's will. Their ages range, I think, from 40 to 84. Is it your recommendation that the exemption not terminate until all of these annuitants die?

Mr. Jennings replied:

> That is our recommendation. Of course, I have never had the benefit of reading the will, but the Federal Reserve itself has recommended that trusts that are not in perpetuity shall not be subject to the Bank Holding Company Act under the amended provisions until such time as the individual beneficiaries living at the time the trust was created have passed on and 21 years thereafter.
>
> Our position is that we do not see any reason for a distinction as between, let's say, the trust that is not in perpetuity and the trust that is in perpetuity. Where there are individual beneficiaries living at the time the trusts are created, whether the trusts are in perpetuity after the death of the living beneficiaries or whether they would terminate upon the death of the beneficiaries, we believe that both types of trusts should be treated on a similar basis.
>
> We say that if the trust is in perpetuity, let it come under the provisions of the Bank Holding Company Act when the beneficiaries have passed on.
>
> Senator MUSKIE. It doesn't seem to me—and I am certainly not an expert on this Du Pont problem—that it really touches the issue that is involved. It seems to me that the issue that is involved is not the income to beneficiaries but rather the power which the exemption permits the trust to acquire and the trustees to wield. If that is indeed the issue and if it should be decided that it is not wise for the trust to have this power and the trust to wield it, what logic is there to postpone it until the beneficiaries die?
>
> Mr. JENNINGS. Well, the best logic, at least in my mind, is when a man passes on he should have the right to leave his estate to his widow and other designated beneficiaries and that the trust shouldn't be placed in the position, in the event two or more banks are involved, with having to divest itself of its banking and/or nonbanking assets. It would appear that the Federal Reserve Board also uses that same logic: A man should be able to leave his estate in trust for the life of his widow and other beneficiaries plus 21 years, and thereafter it would become affected by any provisions of the Bank Holding Company Act.
>
> We merely say that using that same logic, until the death of the beneficiaries—and we don't say 21 years after that—why then if it comes within the provisions of the Bank Holding Company Act, so be it.

Senator MUSKIE. Would you agree with me in my understanding that what is involved here is whether or not that right which you have described should yield in the face of a public interest consideration. Is this your understanding of the issue that is involved in this legislation? Or at least what some people describe as a public interest.

Mr. JENNINGS. I really don't see where the public interest is really affected by a man leaving his estate to his widow and his other relatives or beneficiaries and knowing that the estate is not going to come under the Bank Holding Company Act at least until these living beneficiaries have passed on. We think that the beneficiaries during their lifetime should be able to receive the benefits that grow out of that estate without being faced with divesture and things of that type.

Senator MUSKIE. Even though that should run counter to what may be considered the public interest consideration to the Bank Holding Company Act?

Mr. JENNINGS. I don't know of any public interest considerations that would cause me to believe that the American Bankers Association position should be different.

Senator MUSKIE. But this is the point that is being urged, it is not?

Mr. JENNINGS. I know of no public interest considerations that are harmed by either our position or the position of the Federal Reserve as to the trusts that are not in perpetuity. We simply don't agree with the Federal Reserve that they should exclude the life interests of beneficiaries of trusts that are in perpetuity. We don't see that there is any reason for distinguishing between the life interest in those two types of trusts.

* * *

Senator DOUGLAS. Are you authorized to speak for the American Bankers Association?

Mr. JENNINGS. Yes, I am. This matter has been covered by the appropriate committees of the American Bankers Assoc. and, in fact, I was directed to take this position.

Mr. President, I also read a letter to Mr. Charles R. McNeill, director, Washington Office of the American Bankers Association, stating to him the names of the trustees at that time, that appears in the hearings on this bill.

Mr. CHARLES R. MCNEILL,
Director, Washington Office of the ABA,
Washington, D.C.

DEAR MR. MCNEILL: It is our understanding that you have been requested by Senator DOUGLAS to secure the names of the current trustees of the Alfred I. Du Pont testamentary trust.

We are pleased to inform you that they are as follows: Edward Ball, Jessie Ball du Pont, William B. Mills, Tom S. Coldewey, Alfred du Pont Dent, the Florida National Bank of Jacksonville.

Sincerely,

KENNETH E. HAEFELE,
Vice President and Senior Trust Officer.

Later in his testimony Mr. Jennings said:

Might I just make one last statement, that the American Bankers Association committees, in considering this whole matter, thought of the literally hundreds of trusts that come into being every year. Of course, a few of them do no doubt give rise to a trusteeship where two or more banks are involved, in the smaller communities. We feel that it is necessary to consider this entire field and what might grow out of it, and not just the Du Pont trust by itself.

I wish to digress to say that there is very much meat in that comment by Mr. Jennings that the American Bankers Association was concerned by the fact that this legislation is general in its effect although it is aimed in this instance at the Du Pont Estate, and that it will affect what they say are "hundreds of trusts that come into being every year." They thought it unwise to go into it at this time in the form indicated.

Mr. Jennings continues:

It is our feeling that the Du Pont trust has been handled very well, the banks have been well run and we don't think the public interest has been harmed in the banking field by the trustees in connection with the management of those financial institutions.

We think actually that it has been something that has been very much in the best interests of Florida.

After all, this trust came into being back in the middle 1930's when the economy was not as good as it is now or as good as it has been for many, many years. And I would say the Florida National group of banks have been an outstanding factor in the sound economic growth of Florida. And I don't see where the public interest has been harmed in that particular situation.

Mr. President, it is noted, of course, that the last point Mr. Jennings made was that not only did he not think it was not a harmful situation to Florida, but he also thought the banks had been well-managed, and the Du Pont Estate well-managed, and that it was a blessing—I do not believe he used that word, but that is what he means—that the Du Pont Estate was there functioning at that time in 1935. Mr. du Pont had been there before that during some of the most stormy years in my State.

I know something of this of my own knowledge. My home town of Bartow, Fla., lost two banks following the collapse of the boom, and every bank in our county, 18 or 20, except one in Lake Wales 18 miles from my home town collapsed, which was our only reliance for any banking facilities there for some 6 or 8 months.

We tried repeatedly in various places to get strong financial groups to come in and organize the banking institutions. We tried in Tampa, we tried in Orlando, and we tried in Jacksonville. Finally, the Du Pont group, headed at that time by Mr. Albert I. du Pont, came in and opened up a bank which has been a beneficent bank and a strong bank in our community since that time.

Not only was this true in our community but it was also true in dozens of other Florida communities. For instance, there was our neighboring community of Lakeland, Fla. It was in exactly the same situation as we were. Mr. du Pont came down and opened the Florida National Bank of Lakeland only a few months before the one that he opened in our town, the Florida National Bank, at Bartow. I want to say that that was the first real light of encouragement, the first real light of a reawakened economy for that part of our State. What I have said about our part of the State, which is an important part, is also true of many other sections of Florida.

I have enough essential gratitude left in my being that I am willing to stand on the floor of the Senate, or anywhere else, to say that Alfred I. du Pont did bring blessings to our part of the State, and to the State generally, by coming in with his great resources and building up institutions of great strength and great resourcefulness at that time, when Florida needed them so badly. These institutions have been serving us ever since.

I believe it would be mighty poor pay for any Senator from Florida, or any Representative from Florida, to stand idly by and watch legislation of this kind pass which in effect would declare that within 5 years they must liquidate the holdings no matter how much sacrifice they must make in the communities in which these 30 banks are located, and that they must do this within 5 years or else be held in contravention and in violation of Federal law.

Mr. President, I will never take such a position. Here I speak my gratitude toward what has been done by the Du Pont Estate and by Mr. du Pont in person.

There is a more salutary solution to this whole matter than any that has come before or will come before the Senate during debate, and that would be to treat the 7 banks which were set up by Du Pont in his lifetime in a different way than the 23 which were set up after his death. We endeavored to have that kind of treatment given in the committee, but, I am sorry to say, my understanding is that we were only able to get a handful of votes in committee, which made a difference.

It seems to me that there is a difference between assets left by a testator when he dies, which he has built up by himself, or which have been built up in response to requests for leadership in communities into which he has gone, such as the great State of Florida, and to say that we will have no feelings of obligation at all toward him for setting up those seven banks in Florida and will not permit him, by his will, to do anything which was more than temporary with reference to those seven banks, is completely wrong.

I invite the attention of the President and Senators to the fact that after the passing of the pending bill, there would be only 5 years, at most, for liquidation of all the banks' assets which were set up during the lifetime of the testator. Either that, or the sacrifice that would be entailed by the selling of other assets of the estate of various kinds which are greatly in excess of the banks' holdings, as I am told, of the Du Pont Estate.

I noted with great interest that the Florida State Chamber of Commerce took a direct stand upon this matter. The secretary of the chamber sent me a copy of a letter which he had sent out to the secretaries of all the State chambers of commerce. In this particular instance, the copy is one addressed to the secretary of the Chamber of Commerce of the State of Vermont, and I ask unanimous consent to have it printed in the RECORD, to show that one of the important business groups within the State, represented by what I believe to be one of the finest State chambers of commerce to be found in all the United States, feels keenly on this matter and feels that the Du Pont estate is not being fairly treated by the proposed legislation. This letter is dated June 1, 1966, and is addressed to Mr. Edwin Benjamin, Jr., executive vice president, Greater Vermont Association, Montpelier, Vt., by Harold Colee, executive vice president of the Florida State Chamber of Commerce, Jacksonville, Fla.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[Written to executive officer of every State chamber of commerce]

FLORIDA STATE CHAMBER OF COMMERCE,
Jacksonville 11, Fla., June 1, 1966.

Mr. EDWIN BENJAMIN, Jr.,
Executive Vice President,
Greater Vermont Association,
Montpelier, Vt.

DEAR ED: I respectfully commend to your attention the careful examination of H.R. 7371, an act to amend the Bank Holding Company Act of 1956 as reported out by the Senate Committee on Banking and Currency, being Report No. 1179 (passed by the House) and if you agree with me with respect to the discriminatory, and indeed punitive, provisions of that bill, suggest communication with your Senators, urging further careful study of the bill by appropriate committees.

I refer also and particularly to the impact which this legislation will have on tax exempt foundations which might anticipate becoming beneficiaries of charitable trusts now or in the future.

Under the terms of this act a trust which is created by a testator, providing for certain life annuities, with the remainder going to charities or educational institutions or the like, is discriminated against in comparison with the treatment given trusts that have no charitable remainders.

For example, if such a trust is established, and it happens to own banks which originally were owned by the grantor or testator, this act would require that, within five years of the time the trust is established, it must divest itself either of the banks or of all other non-banking business interests which it owns or controls. But on the other hand, if such a trust is established with the remainder going to an individual or any other non-charitable remainder, no such drastic provision exists. Other trusts without charitable remainders are allowed a period measured by the traditional rule against perpetuities. That is, that may hold both the banking and non-banking businesses for a period of time measured by a life in being plus twenty-one years and ten months.

It would seem probable that such legislation would not encourage the establishment of trusts with charitable remainders.

I mentioned the punitive aspects of this legislation and I refer to them again, summoning to your attention the comment of Senator BENNETT of Utah after hearing the testimony of the Chairman of the Railway Labor Executives Association who supported the bill. Senator BENNETT commented: "It is my personal opinion, based on your statement which naturally mentions railroad problems or deals with the strike against the Florida East Coast Railway; and your answer to my question that you generally limit yourselves to railroad matters, that you would not be here today (a), if the strike had not occurred and (b), if the duPont testamentary trust did not have control of the railroad. . . . it sounds to me as though you are here today to express your frustration at your inability to settle this particular strike, and I don't think that is a worthy motive on which to recommend general legislation, Mr. Leighty."

Also footnoting the punitive character of this legislation is the statement of the Railway Labor Executives Association's chairman to the effect that the only reason the unions wished to see the exemption currently used by Financial General Corporation eliminated was the possibility that it could be used by the duPont Estate even though the exemption now used by that estate were eliminated.

I am urging our Senators HOLLAND and SMATHERS to consider the following recommendations from the Florida State Chamber of Commerce:

(1) That if the Bank Holding Company Act of 1956 is to be amended so as to allow a personal testamentary trust to have a period of time measured by a life or lives in being plus twenty-one years and ten months in which to divest itself of either banks or non-banking interests, then a testamentary trust with a charitable remainder should not be discriminated against because of that fact, but should be allowed the same period of time.

(2) That because of the provisions of this bill which admittedly have to do with monopoly situations, circumstances and possibilities which have not been scrutinized in the hearings before the Banking and Currency Committee, that they urge its referral to the Senate Judiciary Committee for such study.

I hope your highly respected organization, noted for its good judgment in matters of this sort, will agree with ours on the significance and dangerous potentialities inherent both in this legislation and the way it has been contrived and promoted by the railway labor unions.

In the interest of any further enlightenment of this legislation, might I suggest your Senators discuss the matter with Senators HOLLAND and SMATHERS, who are in a position to supply the information.

Should appreciate your sending me copy of any letters or suggestions which you make to your Senators.

With warm personal regards, I am
Sincerely yours

HAROLD COLEE,
Executive Vice President.

BC: Senator SPESSARD L. HOLLAND.

Mr. HOLLAND. Mr. President, I believe that this concludes the matters which I intended to state for the RECORD. It seems to me that, in essence, the pending bill is not founded on real, strong, constructive consideration of what the real meaning of the bill should be, down through the years, if it becomes law. The American Banking Association has warned us that hundreds of trusts come into being under facilities of decedents everywhere in this Nation. Some of them will possibly come under one of the other of the aspects and the meanings of this particular bill. It warns against the passage of general legislation of this kind which, in the first place, the ABA feels would be unfair to the decedent, unfair to his desire to take care, in his own way, of those who are succeeding him and who are within their rights and looking to him for some assistance after he passes away.

In the second place, such proposed legislation, the American Bankers Association asserts, would very greatly diminish the opportunity for charitable trusts to be set up—charitable trusts which would mean so much.

Mr. President, before I sit down, I hold in my hand a list of the beneficences accomplished by the Du Pont Estate through the money it has used within Florida in the past 5 years. I ask unanimous consent to have printed in the RECORD the complete list consisting of something over $11 million.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Charitable and educational entities in Florida which have directly or indirectly received funds from the estate of Alfred I. du Pont over the past 5 years

The Nemours Foundation	$6,410,508.57
Florida Crippled Children's Commission	130,933.03
University of Florida, School of Medicine	35,000.00
African Methodist Episcopal Church	50.00
Alfred I. DuPont Awards Foundation	760,425.00
Alfred I. DuPont Foundation	1,735,722.80
All Saints Episcopal Church	10,000.00
American Cancer Society	1,150.00
Arthritis & Rheumatism Foundation	9,000.00
Assembly of God, White City	200.00
Atlantic Boulevard Baptist Church	20.00
Bach Festival Society of Winter Park	15.00
Baptist Memorial Hospital	21,000.00
Bartram Council	600.00
Beaches Aquatic Pool, Inc	100.00
Rev. Gordon Bennett, Church of the Good Shepherd	8,000.00
Bethune-Cookman College	600.00
Bolles School	5,000.00
Boy Scouts of America—North Florida Council Number 87	15,000.00
Boys Club of America	25.00
Boys Service Council	5,400.00
Brewster Methodist Hospital	$32,000.00
Catholic Charities	80,000.00
Chapel of the Resurrection	1,000.00
Children's Home Society of Florida	12,400.00
Christ Church, Ponte Vedra	12,000.00
Church of Christ, Port St. Joe	900.00
Church of God, Highland View	600.00
Church of God and Christ	800.00
Church of God in Christ	175.00
Church of the Good Shepherd	32,100.00
Civic Music Association	150.00
Clara White Mission	2,550.00
Community Chest United Fund	100,000.00
The Community Church	165.00
Daniel Memorial Home for Needy Children	42,000.00
Rev. Frank Dearing, Discretionary Fund	4,000.00
Diocese of Florida	33,600.00
Diocese of Miami, Coleman F. Carroll, bishop	121,583.40
duPont Band Boosters	100.00
Duval County Auxiliary Patrol	100.00
Duval County Day Nursery Association	27,000.00
Early Settlers Garden Circle	240.00
Eccleston-Callahan Hospital	3,100.00
Edwards Waters College	200.00
Faith Bible Church, Port St. Joe	100.00
Family Consultation Service of Jacksonville	60,000.00
Father Maher Council No. 648, Knights of Columbus	250.00
First Baptist Church, Port St. Joe	2,500.00
First Baptist Church, White City	600.00
First Born Holiness Church, Port St. Joe	1,000.00
First Church of the Nazarene, Port St. Joe	900.00
First Free Will Baptist Church, Jacksonville	50.00
First Methodist Church, Port St. Joe	2,500.00
First Presbyterian Church, Port St. Joe	1,500.00

Charitable and educational entities in Florida which have directly or indirectly received funds from the estate of Alfred I. du Pont over the past 5 years—Continued

Florida Blind Workers, Inc.	$200.00
Florida Juvenile Court Foundation	13,519.50
Florida Sheriffs Boys Ranch	10,000.00
Florida Southern College	3,750.00
Florida State University	2,675.00
Florida Tuberculosis & Respiratory Disease Association	2,000.00
Foster Drive Baptist Church Jacksonville	300.00
Fraternal Order of Police, Jacksonville	400.00
Garden Club of Jacksonville	5,000.00
Garden Club of Port St. Joe	2,000.00
Gator Bowl Association	104.00
Glen Myra Methodist Church	50.00
Grace Chapel, Jacksonville	4,000.00
Grace Chapel Church School	20,000.00
Highland View Assembly of God	100.00
Highland View Baptist Church	1,000.00
Highland View Methodist Church	1,000.00
Hope Haven Foundation	93,000.00
Humane Society	35.00
Immaculate Conception Catholic Church	1,000.00
Jacksonville Art Museum	54,125.00
Jacksonville Community Foundation	20,000.00
Jacksonville-Duval County Safety Council	$200.00
Jacksonville Opera and Choral Society	600.00
Jacksonville Ribault Quadricentennial Celebration Assn	1,000.00
Jacksonville Symphony Association	8,502.00
Jacksonville Symphony and Junior League	250.00
Jacksonville University	306,264.06
Junior Achievement	6,000.00
Kings Tabernacle Baptist Church	50.00
Lakewood Methodist Church	400.00
Lakewood-San Jose Volunteer Fire Department	14,000.00
Rev. L. Valentine Lee, Discretionary Fund	4,000.00
Lions Club Show Fund	55.00
Little Theatre of Jackson-	258.50
Long Ave. Baptist Church, Port St. Joe	2,500.00
Marcus C. "Daddy" Fagg Foundation	300.00
Mental Health Association of Duval County	20,000.00
Methodist Church—Jacksonville District	40,000.00
Mt. Zion A.M.E. Church, Hastings	25.00
Municipal Hospital, Port St. Joe	12,000.00
Myrtle B. Wilson Convalescent Home	100.00
National Juvenile Court Foundation	4,250.00
National Recreation Association	500.00
National Society of Colonial Dames of America	5,000.00
New Bethea Methodist Church, Port St. Joe	600.00
New Bethel A.M.E. Church, Port St. Joe	400.00
New Bethel Baptist Church, Port St. Joe	400.00
Northeast Florida Heart Association	500.00
Oak Grove Assembly of God	600.00
Oceanway Volunteer Fire Department	$50.00
Ortega Methodist Church	8,000.00
Pentecostal Holiness Church, Port St. Joe	200.00
Peoria Cemetery	100.00
Rev. J. C. Petri, Discretionary Fund	400.00
Presbyterian Church, Port St. Joe	1,000.00
Primitive Baptist Church, Port St. Joe	1,000.00
Riverside Hospital	20,000.00
Rollins College	281,523.75
Rotary Charity Foundation	30.00
St. Andrew's Episcopal Church	500.00
St. Andrew's Episcopal Day School	10,000.00
St. Anthony's Hospital, St. Petersburg	600.00
St. Augustine Historical Restoration and Preservation Commission	65,000.00
St. Catherine's Episcopal Church	5,000.00
St. George's Protestant Episcopal Church	5,000.00
St. James' Episcopal Church, Port St. Joe	2,500.00
St. John's Cathedral	13,600.00
St. Leo Abbey	1,500.00
St. Luke's Hospital	17,000.00
St. Mark's Parish, Discretionary Fund	250.00
St. Mary's Convent	25.00
St. Nicholas Park Christian Church	10.00
St. Simon's Church	50.00
St. Simons on the Sound	400.00
St. Vincent's Hospital	37,000.00
Salvation Army	43,000.00
Senior Centre	130,000.00
Shiloh Metropolitan Baptist Church	200.00
South Pinellas Mental Health Chapter	25.00
Stetson University	385,842.56
Speech Correction Clinic	66,000.00
Springfield Baptist Church	25.00
Stephen Foster Memorial Corporation	1,000.00
Suncoast Heart Association	1,000.00
Symphony Guild, St. Petersburg	200.00
Treaty Oak Park, City of Jacksonville	49,020.00
University of Florida	2,300.00
University of Miami	500.00
Variety Children's Hospital, Miami	10,000.00
Visiting Nurses Association, Jacksonville	36,000.00
The Rt. Rev. Hamilton West, Discretionary Fund	24,000.00
Wewahitchka School Band	150.00
Women's Club of Jacksonville	20,000.00
Y.M.C.A., Jacksonville	110,000.00
Young Life	10,000.00
Zion Air Baptist Church, Port St. Joe	1,000.00
Allen Temple A.M.E. Church	25.00
St. Joseph's Church, Port St. Joe	2,500.00
Total	11,751,452.17

Mr. HOLLAND. Mr. President, I invite attention to the fact that the first of these items is one of $6,410,000-plus, made payable to the Nemours Foundation. This really goes, in the main, to the State of Delaware, because the State of Delaware received funds, as I understand it, for setting up the Nemours Foundation for a children's charitable hospital in Delaware, and to extend about nine-tenths of that amount there, so that the total is something over $11 million which would have to be subtracted by something like $5.5 million to make allowance for that fact.

Except for that item, I know of no other exception which should be made to gifts which represent, as stated in the title, "Charitable and educational entities in Florida which have directly or indirectly received funds from the estate of Alfred I. du Pont over the past 5 years."

It is put that way because most of these gifts came through Mrs. du Pont, who receives the largest part of the revenue and the income each year from the estate, and has sought to give most of it to charity. But some of these benefits are paid out directly by the estate itself.

I have already placed the entire list in the RECORD, but in order that Senators—and I am sorry there are not more Senators in the Chamber—may realize the nature of these gifts, I am going to read the items over $10,000 in amount into the RECORD at this time.

First, as I have already stated, the Nemours Foundation, in the amount of $6,410,000-plus. I have already stated that nine-tenths of that went to the State of Delaware instead of to Florida, because nine-tenths was paid over immediately to Delaware for the setting up of a charitable hospital for children.

Second, the Florida Crippled Children's Commission, a public agency of the State of Florida, for the care of crippled children, $130,933.

Third, University of Florida, School of Medicine, $35,000.

Fourth, the Alfred I. du Pont Awards Foundation, $760,425, which was paid out for numerous awards to worthwhile and deserving individuals throughout the State who, for some reason or other, were entitled to recognition by the estate.

Next, the Alfred I. du Pont Foundation, $1,735,722.

Next, All Saints Episcopal Church, $10,000.

Next, Baptist Memorial Hospital, $21,000—a large and very fine hospital located in the city of Jacksonville.

Next is Boy Scouts of America, North Florida Council, No. 87, $15,000.

Next is Brewster Methodist Hospital, $32,000.

Next is Catholic Charities, $80,000.

Next is Children's Home Society of Florida, $12,400.

Next is Christ Church, Ponte Vedra, $12,000.

Next is Church of the Good Shepherd, $32,100.

Next is Community Chest United Fund, $100,000.

Next is Daniel Memorial Home for Needy Children—that is for needy colored children in the city of Jacksonville—$42,000.

Next is Diocese of Florida, $33,600.

I do not know whether that means Episcopal Diocese or Catholic Diocese.

Next is Diocese of Miami, Coleman F. Carroll, bishop, $121,583.

That is a Catholic charity, because I happen to know Bishop Carroll.

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Next is the Duval County Day Nursery Association, $27,000.

Next is the Family Consultation Service of Jacksonville, in the amount of $60,000.

Next is the Florida Juvenile Court Foundation, in the amount of $13,519.

Next is the Florida Sheriffs Boys Ranch, in the amount of $10,000.

Next is Grace Chapel Church School, in the amount of $20,000.

Next is Hope Haven Foundation, which is a hospital for crippled children, in the amount of $93,000.

Next is Jacksonville Art Museum, in the amount of $54,125.

Next is Jacksonville Community Foundation, in the amount of $20,000.

Next is Jacksonville University, in the amount of $306,264.

Next is the Lakewood-San Jose Volunteer Fire Department, in the amount of $14,000.

Next of the items above $10,000 is Mental Health Association of Duval County, $20,000.

Next is Methodist Church, Jacksonville District, $40,000.

Next is Municipal Hospital, Port St. Joe, $12,000.

Next is Riverside Hospital, $20,000.

Next is Rollins College, in Winter Park, $281,523.

Next is St. Andrew's Episcopal Day School, $10,000.

Next is St. Augustine Historical Restoration and Preservation Commission, $65,000.

Next is St. John's Cathedral, $13,600.

Next is St. Luke's Hospital, $17,000.

Next is St. Vincent's Hospital, $37,000.

Next is Salvation Army, $43,000.

Next is Senior Centre, $130,000.

Next is Stetson University, $385,842.

Next is Speech Correction Clinic, $66,000.

Next is Treaty Oak Park, City of Jacksonville, $49,020.

Next is Variety Children's Hospital, Miami, $10,000.

Next is Visiting Nurses Association, Jacksonville, $36,000.

Next is the Right Reverend Hamilton West, Discretionary Fund, $24,000.

Next is Women's Club of Jacksonville, $20,000.

Next is YMCA, Jacksonville, $110,000.

Next is Young Life, $10,000.

Mr. President, that concludes the reading of the items above $10,000.

I have left unread a large number of items, more than the ones I have read, for less than $10,000 each.

So anyone who thinks that the Du Pont Estate and Mrs. du Pont herself have not been gracious and generous beneficiaries of charitable causes in my State just does not know what he is talking about.

Furthermore, I have seen lists of similar kinds of benevolences in agencies in Delaware and in agencies in the State of Virginia. There are many other agencies in other States which also have received benevolences.

In each case these large and very impressive benevolences have been given either by Mrs. du Pont in person or by her estate.

I think this estate has shown a very considerable degree of responsibility for the fact that it is a trustee for this wealth and that it has been trying to help others better their lives.

So far as I am concerned, I would feel I was an ingrate if I did not speak up for the investment made by Mr. du Pont in his lifetime in restoring the economy of our State and for the contributions that have been made for the benefit of the health and life of children, old people, and all kinds of people, in religious, educational, and charitable activities, either by the estate or by Mrs. du Pont personally.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THURMOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, the rationale underlying the Bank Holding Company Act is to prevent possible conflicts of interest and discriminatory favoritism between banks and private industries which are held under some form of common ownership. This is a worthy goal and one which is virtually unanimously approved. Having once established the policy and set the pattern, the only difficulty remaining is to apply the principle with justice, fairness, and equity.

The problem arises in simply defining holding companies for the purposes of the law. This problem arose when the initial bank holding company legislation was enacted in 1956. Certain exemptions were written into the law for obvious practical and political reasons. After having established the principle and the policy of applying this law to certain entities, equity dictated the need for treating all so covered in an equal manner.

In the pending bill, some of these exemptions which were written into the law in 1956 are proposed to be repealed. However, the equity which dictated equal treatment in the former case is not so prevalent today, judging from the treatment given to different entities whose exemption is hereby proposed to be repealed.

There are two major concerns involved in H.R. 7371 as amended by the Senate Banking and Currency Committee and reported to the Senate. These are: the exemption for registered investment companies and their affiliates, and the exemption for long-term trusts and religious, charitable, and educational institutions. Each of these exemptions relate solely to one specific case.

In one case, that relating to investment companies and their affiliates, the exemption applies at this time only to the Financial General Corp., an affiliate of the Equity Corp. which is a registered investment company. The Financial General Corp., a Virginia corporation, owns 25 percent or more of the stock of 21 banks in 5 States and the District of Columbia, through subsidiary corporations. In addition, it controls a number of nonbanking businesses, including insurance, financing, and manufacturing companies. This is truly a mammoth financial empire.

The exemption for long-term trusts at the present time applies only to the Alfred I. du Pont Trust, which was created under the will of the late Alfred I. du Pont. The Du Pont Trust exercises controlling interest in 30 banks, all within the confines of the State of Florida. In addition to its banking interests, the Du Pont Trust owns or controls considerable nonbanking assets, including a paper company and two railroads.

In many ways, the two legal entities which qualify for these two exemptions under the Bank Holding Company Act, which are here sought to be repealed, are similar. However, the similarity ends in the type of treatment both are to receive by virtue of the repeal of the exemptions and the requirements for the divestiture of certain of their assets. The Financial General Corp. is to be granted until December 31, 1978, to complete its divestiture under the Bank Holding Company Act, while the Du Pont Estate is given only a 5-year period of time to divest itself of either its banking assets or its nonbanking assets. In my judgment, this is inequitable, and both should be given the longer period of time, in order to avoid the harsh economic effects which could well result from the divestiture requirements. As between the two, the Financial General Corp. is in a much more favorable position to "spin off" its banking assets, since it is a corporate entity. The Du Pont Trust, not having the advantage of a corporate makeup, will be required to seek purchasers on the open market for either its banking assets or its nonbanking assets, and will experience a much more difficult time of disposing of its considerable interests in either of these areas.

Although Congress cannot stipulate which group of its assets must be disposed of—I, as an individual Senator, would not be presumptuous enough to attempt to do so—let us assume for the sake of argument that trustees of the Du Pont Trust conclude that it would be more desirable to dispose of its banking interests than its nonbanking interests. Since the exemption for the one-bank holding companies is still in the bill, the Du Pont Trust will be faced with the necessity of selling, virtually on the open market, 29 banks with assets somewhere in the area of $800 million. For all practical purposes, each of these 29 banks may well have to be sold to a separate company or a separate group of individuals. This is true for a variety of reasons: First, the State of Florida does not allow branch banking; second, no out-of-State bank holding company can purcahse a bank within the State of Florida because of the provisions of the Bank Holding Company Act already on the books; third, although there are seven registered bank holding companies in Florida, the delay and difficulty in obtaining the necessary approval for any of them to purchase any one or more of these banks may well render this an impossibility. It is easy to visualize that attempting to dispose of some 29 banks to interests within the State of Florida will be a monumental task, and placing a restriction of 5 years for this disposal could make it an impossible task.

A 5-year time restriction on a disposal of these considerable assets is unrealistic, and it could have a serious impact on the stability of these individual banks and upon the economy of the State of Florida. For these reasons, I consider it both equitable and necessary that Congress extend the time for divestiture required of long-term trusts. By doing so, the two major entities affected by the bill will both be treated equally and fairly. I urge that the Senate approve the pending amendment.

Mr. PROXMIRE. Mr. President, I oppose the amendment offered by the Senator from Utah, which would allow long-term trusts and charitable institutions 12 years in which to divest themselves of nonbanking assets. I oppose the amendment for a number of reasons. I believe the divestment requirement, the old Glass-Steagall provision that has been in the law for years is a sound principle. It provides that banks should not be engaged in other business. The conflict of interest is very clear.

William McChesney Martin, Chairman of the Board of Governors, a highly respected expert in this field, showed how this principle applies to the Du Pont Trust when he said this to the committee:

> The next question arises when an individual extends his control over banks beyond his death, as is commonly done through testamentary trusts established for the benefit of a widow or children. The Board sees good reason to exempt the ordinary family trust, which may be regarded as only a temporary extension of the control originally exercised by the individual who established the trust. But when a will creates a trust that is perpetual, with trustees who are not only replaceable but are authorized and indeed obliged to manage the trust's affairs so that it may grow and prosper, the Board believes that the line between control by individuals and control by corporations has been crossed, and that such a trust should be subject to the act just as a corporation should.

If there is any example in the country of a trust that has grown and prospered, it is this Du Pont Estate. The payments from the Alfred I. du Ponte Estate are listed on page 80 of the hearings. In 1936, the first year after Mr. du Pont's death, the payments were $2.4 million. By last year they had grown to $12.1 million. At the time of Mr. du Pont's death, this estate owned eight banks. Now it owns 30 banks. Obviously, this estate has grown and prospered greatly.

In my opinion, the Du Pont Estate falls within Chairman Martin's wise admonition that under these circumstances banks should be required to divest, or they should either sell the banks or the nonbanking properties.

I realize that the divestment problem of a long-term trust or a charitable institution is different from that of a business corporation. A business corporation can spin off its assets to its stockholders. A trust or a charitable institution, having no stockholders, must divest itself by sales.

It was in recognition of this fact that the committee accepted Senator ROBERTSON's amendment to give these trusts and charitable institutions a flat 5 years to dispose of their assets instead of the statutory arrangement for a 2-year period, plus three 1-year extensions at the discretion of the Federal Reserve Board. While the 5-year period probably would not be any longer than the total permitted under the present statute, a flat 5-year period is obviously superior for an institution, because it eliminates the continued pressures resulting from the annual deadlines and the uncertainty as to whether the Federal Reserve Board would or would not grant an extension. Consequently, I agreed to this amendment.

Mr. President, it should be made clear, in the first place, that the Senate bill is more lenient to Du Pont than the House bill. The bill that passed the House provided for a 2-year divestment. It is true that under the bill that passed the House, the Federal Reserve Board could, if it wished, provide for a 3-year and then a 4-year and then a 5-year period.

I discussed with Mr. Ball the impact of the House bill. Mr. Ball is a brilliant man. He presented a convincing exposition to me that if they were required to sell in 2 years, it would be very difficult. He said it would be difficult for them to sell 29 of the banks or the St. Joe Paper Co. and the Florida East Coast Railway in so short a period.

I mentioned the point that the Federal Reserve Board would probably extend the time and permit them 3, 4, or 5 years.

Mr. Ball pointed out that there was a deadline. That was the great problem as far as he was concerned. Therefore, I think that the amendment offered by the senior Senator from Virginia [Mr. ROBERTSON] is a lenient amendment and accommodates the Du Pont interests substantially better than does the other amendment.

Mr. LAUSCHE. Mr. President, will the Senator yield?

The **PRESIDING OFFICER** (Mr. DOUGLAS in the chair). Does the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield.

Mr. LAUSCHE. Mr. President, the argument has been made that there has not been the quality of treatment afforded to these two groups that are specifically involved in the objective of this legislation.

The Du Pont interests have been given 5 years within which to divest themselves. The other group, which is known as the Financial General Corp., has been afforded 12 years, or to 1978.

Will the Senator from Wisconsin justify, according to his understanding, the reason that one group is afforded 12 years and the other is afforded only 5 years within which to divest itself?

Mr. PROXMIRE. I shall be delighted to do that. However, before doing so, I should like to say that I do not agree that these difficulties warrant an extension of the period for divestiture to 12 years. A 12-year period is completely meaningless as far as the Du Pont Estate or any long-term trust or charitable institution is concerned. The Du Pont trust fund has already had an extra 10 years of exemption from the Bank Holding Company Act of 1956, which Transamerica and other holding companies have not had, and I am satisfied that over the next 5 years, it will be possible for the trustees of the Du Pont trust fund to find appropriate purchasers either for their banks or for their paper company and railroad, at prices which will enable the Du Pont trust fund to provide just as much income for the life tenant and the charitable beneficiaries as the assets which will have to be disposed of are now yielding.

To answer the question of the Senator from Ohio [Mr. LAUSCHE] the analogy to the 12 years given to Financial General Corp. is not relevant. That 12-year period was given in recognition of the fact that Financial General Corp. had outstanding large amounts of bonds and debentures—stated on the balance sheet of December 31, 1965—secured by the stock of their banks and other interests. To require the divestment of these stocks would necessarily involve a complete reorganization of the company's corporate setup.

I point out that such a provision would require them to sell some of the securities which are really collateral for the bonds they have outstanding. When they sell them at a capital gain, they will be required to pay a tax which will diminish the value of that collateral. That situation does not apply to Du Pont. Du Pont does not have bonds outstanding for 12 years. They do not have any bonds. Du Pont, being a charitable trust, would not be required to pay a capital gains tax.

There was a serious problem as far as Financial General was concerned. No evidence was provided which indicated that this was necessary or desirable. It should be noted, of course, that the Financial General Corp. would immediately become a registered bank holding company. It would become subject to the act's restrictions on the acquisition of new banks; it would become subject to the act's restrictions on the acquisition of new nonbanking interests; and it would become subject to the act's restrictions on intrasystem transactions.

Financial General Corp. would immediately therefore be subject to certain restrictions. The 12-year figure has a rational and meaningful significance in the case of Financial General Corp. It would have no purpose or meaning except further delay in the case of the Du Pont trust fund.

Since the committee has already given the Du Pont trust fund what is, in my judgment, an entirely adequate time for its divestitures—the flat 5-year period provided by my amendment—I urge the Senate to defeat the motion of the Senator from Florida.

Mr. LAUSCHE. The argument that I have listened to today has been to the effect that, because the debentures do not become due until 1978, it is a legal and practical impossibility for the second group to divest itself.

The Senator from Wisconsin, however, gives a different reason for his support of the 12-year period. He states first that they would have to pay a capital gains tax in the selling of these securities that are pledged to pay the indenture; and, second, that they would become subject to certain restrictions in the existing law.

What about the argument that has been made to the effect that there is a physical and legal impediment to the divestiture before the 12-year period has expired and the bonds become due?

Mr. PROXMIRE. I am not sure how final and definitive that impediment is. It has been maintained, I take it, that that impediment does exist. I am not making that argument. Others may make that argument, but I have no view on that.

I think the position of the committee—and certainly my opinion—is that it is possible that Financial General could have been required under a mandate to make a divestiture, but it would not accomplish any real purpose to do so because they are not permitted to expend their bank holdings, in any event, and to require them to do so would result in a very serious sacrifice on their part. I do not think we can make that case with regard to Du Pont.

I have one other reason. Ten and one-half million dollars of the $12.5 million income or 80 percent of this Du Pont Estate comes from General Motors and Du Pont stock. Under no circumstances would the Du Pont trust be required to divest itself of the sources or that $10 million income.

Du Pont can retain that income because the assets from which it derives represents less than 5 percent of the outstanding stock of Du Pont and General Motors. It would not be a serious hardship as far as the Du Pont Estate is concerned. They would retain the Du Pont and General Motors holdings and could retain either the stock of the paper company and the East Coast Railroad or the 30 banks. In 5 years, they would be able to sell either group of assets without significant loss.

Mr. LAUSCHE. Does the Senator know whether the record contains any testimony as to what conditions are in the indenture dealing with the right of the pledgor to dispose of assets in the face of the fact that they are pledged to the lender?

Mr. PROXMIRE. I think the Senator has asked a legitimate question. I should like to find out from the staff at a later time, perhaps before we vote, whether a corporate reorganization would be required. Such a corporate reorganization might constitute a serious problem. Also, it would impose a burden and a loss on the Financial General Corp.

Mr. LAUSCHE. I have a rather certain feeling that, when the indenture was written, it undoubtedly contained provisions that in the event the borrower decided to dispose of assets that were pledged to pay the bonds, certain things had to be done, approval had to be obtained from the lender, and so forth.

Mr. PROXMIRE. I think that is very possible.

Mr. LAUSCHE. I raise these questions because it seems to me that the second group which the Senator has identified is in a worse position in asking for relief than is Du Pont.

The second group searched around and found a loophole in the law, and, having discovered that loophole, they circumvented the purpose and intention of Congress.

Mr. PROXMIRE. I brought out in the hearings the fact that Financial General did develop certain shell holding companies. Each company would hold one bank, and because it held one bank, the holding company was not subject to the Bank Holding Company Act. They were holding companies. They were not banks. It was a clever device to avoid compliance with the law.

I brought out the fact in the hearings. There is no question about it. But I do not see why we should now impose a harsh and difficult penalty upon Financial General with regard to these debentures which are due in 1978.

Financial General would sustain a substantial loss if we were to require them to divest themselves of these debentures before that time. There might also be the kind of legal complication that the Senator from Ohio is pointing out. None of this is true in the Du Pont case.

Mr. LAUSCHE. I do not propose that a penalty be imposed upon this second group, but I do suggest that we ought not to give it preferential treatment in the disposition of its assets, when it obviously, through its lawyers, searched around for a loophole, found it, and circumvented the sincere and legitimate purpose of the Congress.

May I add that the Du Pont will and testament was made in conformity with the law as it existed at that time; and if there is to be preferential treatment—which I do not believe should be given to either—it ought to go to Du Pont, and not to this second group.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the Senator from Oregon.

Mr. MORSE. The sort of record the Du Pont dynasty has in Florida, where it has been milking the exemption in the Bank Holding Company Act for a long time, should be stopped. The difference is between whether or not we wish to stop this economic mayhem or improve it. We have a chance to right a great economic wrong that the Du Pont dynasty in Florida has committed against the economic welfare of this country for a long time. Five years is plenty of time in which for them to divest the great power they have built up under this so-called charitable trust—which has not been a charitable trust from the beginning. I am not going to keep my eyes off what the Du Pont dynasty has been doing in Florida. It is about time we correct it.

Mr. PROXMIRE. Mr. President, I thank the distinguished Senator from Oregon for his characteristically strong remarks.

Mr. LAUSCHE. That does not refute the argument which the Senator from Ohio has made, that Congress, under similar conditions, should grant similar remedies and similar rights and obligations to all parties.

My argument is that the proper objectives of legislation is to deal equally with all. Over the portals of the Supreme Court Building are engraved the words: "Equal justice under law." All I want to make certain is that the law which we finally pass will be equal in treatment to everyone coming within its purview. That is the only point I am making.

I subscribe fully to the proposal that the domination of these banks through holding companies is not sound, and it should be brought to an end. But I raise the question, can this dignified body, the U.S. Congress, indulge in the impropriety of according unequal treatment to citizens of our country?

Mr. MORSE. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the Senator from Oregon.

Mr. MORSE. There is nothing improper about it at all. You take a look at an evil that exists, and you decide what is a reasonable period of time to give this particular charitable trust to divest. Five years is reasonable.

Mr. LAUSCHE. That does not answer the question that 12 years is being given to the second group, and only 5 years to the first group. I think there is strength in what the Senator from Wisconsin has said, that the Du Ponts were affected by the 1956 act, and they have had 10 years.

Mr. PROXMIRE. That would make 15 years altogether.

Mr. LAUSCHE. Fifteen years. But the balance of the argument, that it is a legal impossibility for the second group to divest because their bonds do not become due in 1978, is poppycock. I know enough about law to understand that the fact that you have issued bonds does not prevent you from disposing of your property until such time as the bonds become due.

Mr. PROXMIRE. I say to the Senator from Ohio, I did not make that argument. He knows I did not.

The argument of the Senator from Wisconsin is that there would be an unnecessary hardship so far as Financial General is concerned. But I think that the whole burden of the argument of the Senator from Ohio is that an amendment should be submitted making them both 5 years. I think that is the thrust of his argument.

I say we can make a strong case for making it 2 years for Du Pont. That is what the House did. The Senate Banking Committee made it more lenient, 5 years; and now it is sought to extend it to 12 years, for which a case has simply not been made.

Mr. LAUSCHE. I concur with what the Senator has said, and I have been exploring the advisability of offering an amendment that would make the time equal to both groups, instead of giving one, on its face, 12 years, and the other on its face 5 years.

I know that if I have a piece of property, and I have borrowed on that property and incurred a mortgage payable in 10 years, that does not stop me from selling my property, nor does borrowing under a bond indenture stop the borrower from selling his property, merely because the bonds do not become due until some belated future date.

Mr. MORSE. I think the distinction brought out by the Senator from Wisconsin as to the nature of the securities held—I understood him to point out that the Du Pont Trust, or alleged trust, contains no bonds—should be considered in determining what is reasonable for Du Pont; but certainly I do not quarrel with the view of the Senator from Ohio that we ought to cut back on the time allowed the other trusts.

I happen to think 2 years would be adequate, but I think 5 years is fair and reasonable for Du Pont, on the basis of securities they hold. I think that puts them in a class by themselves. I think 12 years is too long for the other group. I would have no objection to making that 5 years.

But I shall not take the position that Du Pont should be given more time—there is more reason to give others more—by reason of the difference in the type of securities held. I think the 2 years provided in the House bill is justifiable, but I am perfectly willing for both classes to be limited to 5 years.

Mr. PROXMIRE. I thank the Senator from Oregon.

Mr. LAUSCHE. I agree with the Senator from Oregon. I am sure he will be happy to learn that I agree with at least one negligible part of his argument.

Mr. MORSE. This is a great day.

Mr. PROXMIRE. Mr. President, I yield the floor.

(At this point, Mr. Proxmire assumed the chair.)

Mr. MORTON. Mr. President, recently my colleague, the distinguished senior Senator from Kentucky [Mr. Cooper], expressed to the Senate his surprise that the Department of Justice had failed to dismiss its antitrust case against the First Security National Bank & Trust Co., of Lexington, Ky.

I want to add my expression of surprise to that of my colleague. In my view, the Department's failure constitutes blatant disregard of the clear and unambiguous expressions of intent in both the Senate and the House that the Lexington case was to be dismissed after the passage of the Bank Merger Act Amendment.

Mr. President, I cannot believe that the Attorney General would knowingly and wilfully repudiate and reject clear statements of congressional intent. Why, then, has the Lexington case not been dismissed? Senator Cooper has suggested that the reason may be the Antitrust Division's wish to "make new law" with respect to the application of the antitrust laws to bank mergers. After examining the facts I fully agree with Senator Cooper, and if we are correct the Department's action is even more shocking.

First Security has already been used by the Antitrust Division as a guinea pig, and "new law" has been made at its expense. In the Lexington case the Supreme Court for the first time applied the Sherman Act to a bank merger. "New law" was made by this decision. When the bank was on the verge of being torn apart Congress amended the Bank Merger Act and, we thought, granted "forgiveness" to the Lexington merger. Now the Division proposes to resume the case. First Security has had a thorough battering at the Division's hands, and it is incredible to me that the Antitrust Division can now suggest using the Bank as a foil merely to test out some abstract theories of law.

I have due regard for the separation of powers among the various branches of Government. And I fully appreciate that the Antitrust Division has certain discretion in bringing new cases. But there are several factors present in the Lexington case that seem to me to weigh heavily against the Division's action.

First, there is a certain comity that must be recognized between the Executive and Congress. As I propose to show in detail, in amending the Bank Merger Act, Congress was clearly concerned with the disruptive effects of divestitures in the field of bank mergers. The final version of the amendment sought to remove the threat of divestiture for those mergers that had been consummated in reliance on the state of the law prior to the Supreme Court's landmark decision in the Philadelphia case. The Lexington merger was one of these. In this context it seems to me that some respect should be paid to the congressional purpose.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MORTON. I yield.

Mr. MORSE. I do not intend to interrupt the Senator while he is making his speech, other than to make this point. I shall make comments at the conclusion of his speech if he will yield to me when he concludes.

I believe it is important that the point just made be stressed in the Record:

> First, there is a certain comity that must be recognized between the Executive and Congress.

There would not appear to be any doubt that the Department of Justice knew what the intent of Congress was in connection with the bill that passed; but it was not spelled out in the specific terms that the Department of Justice thinks it should have been spelled out. Therefore, the Department of Justice feels free to ignore what it well knows was the intention of Congress.

Mr. MORTON. I thank the Senator. The Senator is absolutely correct. The Department of Justice and the Attorney General had every opportunity during the consideration of this bill in both the House of Representatives and the Senate to see that Lexington was not included.

Mr. MORSE. I believe the Senator is correct. I shall have more to say on this matter when the Senator has completed his speech.

Mr. MORTON. Chairman Celler of the House Judiciary Committee even said it and he is not one who is negligent in his prosecution of the antitrust laws.

Mr. MORSE. I wish to commend the Senator from Kentucky for presenting the matter in the way in which he has:

> First, there is a certain comity that must be recognized between the Executive and Congress.

That comity is being ignored by the Department of Justice in this case. I hope that the executive branch will take into account what the Department of Justice is doing in this case.

I think this is a case—as I shall say later in greater detail—of pure harassment on the part of the Attorney General, and it has to be placed at his door. Mr. Katzenbach is the man who should be held responsible for the harassment involved in the Lexington case.

In my judgment, the two Senators from Kentucky are correct in calling attention to the handling of this case by the Department of Justice.

I shall expand on my views later.

Mr. MORTON. I thank the Senator from Oregon.

Second, if the Division proceeds with the case despite the intent of Congress it seems to me that the Department of Justice has been guilty of an "entrapment" of Congress. Not once in the long course of debate on the Bank Merger Act amendment did the Department reveal its intention to continue to pursue the Lexington case. Even though there were repeated references to the anticipated dismissal of this case the Department never suggested that the case would not be dismissed. Had the Department expressed its intentions specifically with respect to the Lexington case—and there was ample opportunity for the Attorney General to do so—Congress could have taken appropriate steps to insure that its intent would be carried out.

Finally, there is a moral estoppel that should work against the Antitrust Division in a case such as this. First Security has now lived with this lawsuit for 5 years. Its business is banking, not litigating, and it should be permitted to get about its business without this cloud of uncertainty and confusion hanging over its head. Certainly the business of the bank should not be disrupted merely because the Antitrust Division wants to test out the scope of its power under the Bank Merger Act amendment. There will certainly be ample opportunity in the future for the Division to select appropriate vehicles for this purpose.

I believe it would assist Senators in their assessment of the Division's action to have the history of the Lexington case set forth here.

On March 1, 1961, the First National Bank & Trust Co. of Lexington and the Security Trust Co. consummated a merger that had been approved by the Comptroller of the Currency on February 24, 1961. On the same day the merger took effect, the Antitrust Division of the Department of Justice filed a civil antitrust suit against the two banks in Lexington. The suit charged that the merger was a combination in restraint of trade, in violation of section 1 of the Sherman Act. It also charged that the merger was a combination and an attempt to monopolize banking business in Lexington.

In July 1962, after the case had been fully tried in the district court, Judge H. Church Ford handed down his opinion and judgment, holding that the merger did not violate either section 1 or section 2 of the Sherman Act. With respect to the monopolization charge, Judge Ford found as follows:

> No predatory act or conduct on the part of the defendants is shown by the testimony introduced at the trial or by plaintiff's exhibits. On the other hand, the consolidation herein referred to clearly appears to have been the result of a lawful program of expansion on the part of the merging banks rather than an invidious scheme to restrain competition or to secure monopoly in the local field of banking.

The Antitrust Division appealed Judge Ford's decision to the Supreme Court. Without holding that any specific factual findings of Judge Ford were erroneous, the Court in 1964 reversed Judge Ford's judgment. In doing so, however, it based its reversal solely on a conclusion that the merger violated section 1 of the Sherman Act. The Court expressly refrained from making any conclusion on the section 2 monopolization charge.

After the Lexington decision the Senate and the House began consideration of amendatory legislation to clarify the original intent of the Bank Merger Act of 1960. On June 11, 1965, the Senate passed such a bill, S. 1698. As it passed the Senate, S. 1698 would have granted a complete exemption from the antitrust laws for any merger that was consummated prior to the passage of the amendment and that had not been undone by reason of a court decree. During floor consideration of the bill, Senator COOPER asked the distinguished chairman of the Banking and Currency Committee, the Senator from Virginia, [Mr. ROBERTSON], what the effect of the bill would be on the Lexington case. The chairman assured Senator COOPER at that time that the relief provided in the bill would apply to the Lexington case.

It is clear from the committee report on S. 1698 that there were two primary reasons for relieving past mergers from the operations of the antitrust laws:

First. There was a need to "remove the cloud" of uncertainty hanging over past mergers.

Second. It was felt that it was basically unfair to upset mergers that had been consummated prior to the Supreme Court's groundbreaking decisions holding the antitrust laws applicable to bank mergers despite the Bank Merger Act of 1960. As the Senate committee stated—Senate Report No. 299, 89th Congress, 1st session, page 7:

> The committee recognized that the bill would affect cases pending in the courts. Ordinarily the committee would be hesitant to do this. However, in view of the general understanding of the state of the law at the time the Bank Merger Act was passed—an understanding common to the committee, the Congress as a whole and the Justice Department and the banking and legal professions—the committee felt that good faith required that all past bank mergers, whether approved by the appropriate Federal banking authority under the Bank Merger Act or approved by the appropriate Federal or State authority before the enactment of the Bank Merger Act, should be treated equally.

When the House undertook consideration of this legislation it arrived at a slightly different formula for granting relief to past mergers. Our colleagues in the other body provided that all mergers consummated prior to June 17, 1963, the date of the Supreme Court's first decision under the 1960 act, and not split up pursuant to a court decree, shall be conclusively presumed not to have violated any of the antitrust laws other than section 2 of the Sherman Act.

Although the language of the House formula would theoretically allow the Antitrust Division to challenge any past merger it believed to violate section 2 of the Sherman Act, it was the clear intent of the House bill that the three pending pre-Philadelphia cases, including Lexington, would be dismissed. The House, just as the Senate, was concerned with the problem of unscrambling merged banks and with the unfairness of applying the antitrust laws to mergers consummated after passage of the Bank Merger Act of 1960, but before the Philadelphia decision. The House committee stated in its report (H. Rept. No. 1221, 89th Cong., 2d sess, pp. 4–5):

> Under these conditions, your committee took the position that the first three mergers—the "pre-Philadelphia" mergers—should be exempted from section 7 of the Clayton Act and section 1 of the Sherman Act, like all other mergers consummated before the Philadelphia case. These three banks had reasonable grounds to rely on the authority of the banking agencies to approve mergers under the Bank Merger Act of 1960. These three banks, acting in good faith, and their depositors and other customers and their communities should not be required to suffer the confusion, and disruption, and the losses which would result from further efforts to unscramble them.

On the floor of the House, the distinguished and able chairman of the House Banking and Currency Committee, in describing the "forgiveness" section of the House bill stated as follows:

> Another important section of this bill is that dealing with the exemption of previously consummated bank mergers from Justice Department action, as well as judgments already granted under the antitrust laws. This was a difficult problem for your committee. The bank mergers involved can be separated into three groups. One group consists of three merger cases brought by the Justice Department attacking mergers under the Clayton and Sherman Acts prior to the Supreme Court's decision in the Philadelphia National Bank case on June 17, 1963. The second group involved three antitrust actions brought against bank mergers consummated subsequent to the Philadelphia National Bank case decision in June of 1963. The third group involves bank mergers, over 700 since the 1960 act was passed and a total of 2,200 since 1950, which to date have not been attacked by the Justice Department under the antitrust laws. These latter cases under present law are subject to such attack.
>
> A majority of your committee felt that the three cases which were brought prior to the Philadelphia National Bank case should be granted exemption from further action by the Justice Department. The belief was that equity demanded further exemption of these mergers from prosecution because there was doubt prior to the Philadelphia case as to whether the antitrust laws applied to banks.

Clearly, Chairman PATMAN was of the view the Lexington case was over. Others on the House Committee expressed the same belief. Representative BROCK, of Tennessee, stated:

> At the same time, those banks which merged under the law of the land should not be split up now because the Supreme Court saw fit to change the ground rules. Under the Supreme Court ruling on the Philadelphia case in 1963, the Justice Department could challenge all bank mergers consummated since 1950 when the Clayton Act was amended. These mergers number more than 2,000.
>
> Therefore, I am particularly pleased to see that the bill contains a provision immunizing mergers which took place before 1963 from further prosecution by the Justice Department. To do otherwise—to permit prosecution under new ground rules—would be completely foreign to the sense of fair play entrenched in American society.

During the course of the House debate, an amendment was offered by Representative TODD, of Michigan, which would have removed the "forgiveness" provision relating to the three "pre-Philadelphia" mergers. The sponsor of the amendment stated his view that "these three banks should not be granted exemption from the antitrust laws." He added that to grant such immunity would amount to "condoning monopoly, in the guise of antimonopoly legislation." Chairman PATMAN rose in opposition to the amendment, thus implicitly reaffirming his earlier indication that the three cases should be dismissed. Speaking in opposition to the same amendment, the chairman of the House Judiciary Committee, a vigorous proponent of strong antitrust enforcement, stated:

> I think it would be really fatal to adopt an amendment of this sort. The immunization of these three banks is amply justified by the legislative history. Morally it would be indefensible to adopt this amendment. There is no question about that in my mind.

When the House bill came back to this body as an amendment to S. 1698, the chairman of the Senate Banking and Currency Committee stated clearly and unequivocally the general understanding about the effect of the bill on the "pre-Philadelphia" cases:

> The bill would terminate the three pre-Philadelphia cases now pending in court—in New York City, Lexington, Ky., and Chicago—where mergers were consummated in reliance on the actions of the Congress and the statements of the Justice Department and of leading Senators and Congressmen in connection with the Bank Merger Act of 1960 and its predecessors over the preceding 15 years.

During our consideration of the amended bill, my colleague [Mr. COOPER] expressed his belief that S. 1698 in its amended form would preserve the Lexington bank and more important, would assure the people and the businesses served by this bank that they will have in the future the banking facilities and services in keeping with the growth of their community.

The Antitrust Division's renewed attempt to split up the Lexington bank is based on the charge of monopolization.

The Antitrust Division was well aware of the intent of Congress as to the Lexington case. Indeed, in a pleading filed on April 15, 1966, in the pending Crocker-Anglo case, in California, the Division stated its views as follows:

> The essential purpose behind Section 2(a) (of S. 1698) was to provide relief in the form of "forgiveness" to banks which had consummated mergers, with consequent consolidation and scrambling of assets, during the period of uncertainty in the law prior to the Supreme Court's Philadelphia opinion of June 17, 1963. The fundamental purpose of such forgiveness was to provide relief from the possible burden and pain of unscrambling merged assets.
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> * * *
>
> It is thus clear that the Committee's fundamental concern in writing section 2(a) was to create an appropriate legislative device to provide forgiveness not only for the three "pre-Philadelphia" mergers which had become the particular objects of lawsuits, but

> also to all others whose mergers had been consummated during the period of legal uncertainty prior to the Philadelphia decision.
>
> The sole intention and effect of Section 2(a) was to provide for "forgiveness" to certain merged banks facing probable divestiture and unscrambling—and to minimize others against the same fate.
>
> * * * * *
>
> Congress in including Section 2(a) in the new Bank Merger Act was concerned with one thing and one thing alone—forgiveness to particular parties from the burden and pain of unscrambling assets.

This is the Department of Justice speaking. I have quoted from the Attorney General who declared that the purpose is to give these three banks forgiveness.

Mr. President, it is incredible to me how the Antitrust Division could on one hand reiterate its clear and correct understanding that Congress intended to save the Lexington merger from the pain and burden of unscrambling assets, and at almost the same time move the court in Lexington to enter an order requiring divestiture. Perhaps the legal wizards in the Division can explain this inconsistency, but I simply cannot understand it.

This subject cannot be closed without some mention of the substance of the Government's case in its present posture.

First. It will be recalled that the Supreme Court did not overturn Judge Ford's finding that the merging banks had not engaged in any predatory act or conduct. On the contrary, the Government conceded that this finding was correct and that there was no anticompetitive purpose behind the merger. The Supreme Court itself expressly stated that there was no predatory purpose in the merger.

Second. Banking competition in Lexington has improved since the merger took effect. As the Comptroller of the Currency pointed out in his testimony on the amendment to the House Banking and Currency Committee, all of the other banks in Lexington have grown at very healthy rates. Competition has flourished, as the Comptroller predicted it would. Two new banks have been chartered in the area and the old banks have been granted a total of six new branches—only one of which went to First Security. While First Security has been better able to serve the needs of a growing industrial community by reason of the merger, it is noteworthy that the merged bank's share of bank deposits and assets in Lexington has decreased since the merger. In short, the woeful predictions made by the Antitrust Division in 1961 have simply not come true.

Finally, it is interesting to look at the merger that the Division chose to pursue in its effort to establish "new law." First Security has total assets of about $130 million. The two other "pre-Philadelphia" mergers that were given immunity by the recent amendment—Manufacturers Hanover and Continental Illinois—have assets of approximately $7.6 billion and $4 billion, respectively. Why has the Antitrust Division chosen to pursue First Security of Lexington—a pigmy compared to the other "pre-Philadelphia" mergers—and allowed two of the country's giants to go free?

Mr. President, I submit there is only one true answer to this question. The Antitrust Division is using the Lexington bank as a pawn in its continuing and unseemly jurisdictional battle with the banking agencies. Since there is no serious antitrust objective to be achieved in Lexington itself, the conclusion reached by my colleague [Mr. Cooper], is inescapable; namely, that the Division is merely attempting to test out the limits of its powers under section 2 of the Sherman Act. The Lexington case is being used for this purpose solely because it is there. Responsible men can certainly have no objection to a good faith attempt by the antitrust authorities to determine the limits of their powers. But they can object—and should object strenuously—to the manner in which the Antitrust Division is attempting to do it in this case.

Mr. President, Congress has clearly spoken its intent that the Lexington case should be dismissed. A proper respect for the will of Congress and sound considerations of public administration dictate that this should be done forthwith.

Mr. MORSE. Mr. President, will the Senator from Kentucky yield?

Mr. MORTON. I am happy to yield to the Senator from Oregon.

Mr. MORSE. I wish briefly to supplement the statement of the Senator from Kentucky on this case. I agree with him that his colleague [Mr. Cooper] was completely right in the position he took, as cited by the Senator from Kentucky [Mr. Morton]. The Senator from Kentucky [Mr. Morton] has also been completely right from the beginning of this controversy with the Department of Justice.

I have become involved in it because I became convinced that this was a case in which the Department of Justice is violating what I believe to be a precious procedural right which the American people should have protected; namely, that when Congress clearly expresses its intent in a bill it is not for the Department of Justice to reverse Congress.

What the Department of Justice—through Attorney General Katzenbach—is really doing in this case is setting itself up as a super-Congress. The Department of Justice clearly needs to be slapped down. I believe it is important that the legislative history which the Senator from Kentucky [Mr. Cooper] made the other day—and which the Senator from Kentucky [Mr. Morton] is now making on the floor of the Senate—needs to be made for the use of the Supreme Court, if this case gets back to the Supreme Court, as I believe it will if the Department of Justice persists in the harassing policy in which it is now engaged concerning this case.

I am hoping the Attorney General of the United States will return to good judgment in regard to this matter and advise his legal underlings in the Department of Justice that the matter ought to be dropped. As the Senator from Kentucky has said, there is no question of the legislative intent as expressed by Representative Patman, the chairman of the House committee. There is no question as to the legislative intent established by the Senator from Virginia [Mr. Robertson] in the Senate, and the documents I am about to put in the Record also will leave no doubt in regard thereto.

I want the Record to show that I agree with the two Senators from Kentucky with regard to the position they have taken. On my own I want to say to this administration that it had better look at the practice of its Attorney General in this case. It ought to be told that he too, as was so well pointed out by the Senator from Kentucky in his speech, has an obligation to see to it that a certain comity must be recognized between Congress and the executive.

If that comity breaks down, the whole theory of the separation of powers in the Federal Government breaks down.

So, with the permission of the Senator from Kentucky [Mr. Morton], I ask unanimous consent to have inserted at this point in the Record a telegram of April 18, 1966, which I sent to the Attorney General in behalf of the two Senators from Kentucky [Mr. Cooper and Mr. Morton], and the Senator from Virginia [Mr. Robertson], and myself, calling for someone assigned on the staff handling the case to attend a breakfast conference in the Senate Dining Room.

There being no objection, the telegram was ordered to be printed in the Record, as follows:

April 18, 1966.

Hon. Nicholas deB. Katzenbach,
Attorney General of the United States, Department of Justice, Washington, D.C.:

Would appreciate very much if you would have someone on your staff advise me as to status of merger of First National Bank & Trust Co. of Lexington and Security Trust Co. into and under the name of First Security National Bank & Trust Company of Lexington.

Am communicating with you in behalf of not only myself but Senators Morton, Cooper, and Robertson.

Recently while on a speaking engagement in Lexington Ky., this matter was brought to my attention by interested officials of merged bank who assumed that a request for continuation of the proceedings in the district court in Lexington by Department of Justice could mean that Department was considering further proceedings on this merger.

Would appreciate it if you would assign someone on your staff to have a breakfast conference with Senators Morton, Cooper and myself sometime this week to discuss this matter. Senator Robertson will attend if his schedule permits.

We had considered that it was the intent of Public Law 89–356 that the exemption provided under that law for the Chicago, Lexington and New York bank mergers had resolved these problems and that no further action would be taken on these mergers as a result of the passage of this law.

Wayne Morse,
U.S. Senator.

Mr. MORSE. The Attorney General advised me that Mr. Donald F. Turner would be assigned to that breakfast conference. The breakfast conference was held.

I ask unanimous consent that a letter I sent to Mr. Turner following that conference, dated April 21, 1966, written in behalf of the two Senators from Kentucky [Mr. Cooper and Mr. Morton], the Senator from Virginia [Mr. Robertson], and myself be inserted in the Record at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

April 21, 1966.

Mr. Donald F. Turner,
Assistant Attorney General, Antitrust Division, Department of Justice, Washington, D.C.

Dear Mr. Turner: In behalf of Senators Cooper, Morton, and Robertson, and in my own behalf, I want to thank you very much for meeting with us at breakfast this morning and briefing us on the status of the case in the Department of Justice involving the issue of the merger of the First National Bank and Trust Company of Lexington and Security Trust Company into and under the name of First Security National Bank and Trust Company of Lexington.

You will recall that I referred in our conversation to certain letters and memoranda that had been submitted to me in connection with the matter. I promised that I would send to you today copies of the material, and I am enclosing the information in the form of the following items:

1. A letter of April 14, 1966, addressed to me and written by Senator A. Willis Robertson, Chairman of the Senate Banking and Currency Committee.

2. A copy of a memorandum sent to me by Mr. Will Haley, a member of Senator Cooper's staff, from which I read at the breakfast meeting this morning.

3. A memorandum entitled, "Merger of First National Bank and Trust Company of Lexington and Security Trust Company into and under the name of First Security National Bank and Trust Company of Lexington," submitted to me by the Administrative Assistant to Senator Morton.

4. A letter I received from Mr. Fred Wachs, publisher of the Lexington Herald-Leader Company, and a member of the Board of Directors of the banks concerned, enclosing a newspaper clipping that Senator Morton referred to this morning.

As I am sure you concluded from your conference with us this morning, Senators Cooper, Morton, Robertson and I are of the opinion that under all of the circumstances surrounding the history of this case and the legislation passed by the Congress, the Department of Justice, in the interest of justice, should not continue litigation of this particular case. We are satisfied that it was the intent of Congress, when both the Senate and House bills were passed, that the Lexington bank merger case, along with other cases in the same category, would be considered exempt from further litigation. Granted that the Department of Justice is interested in having a juridical clarification in respect to the Section 2 charge, I think that Senator Robertson's letter of April 14 carries great weight in respect to his discussion of Congressional intent of the bill which he introduced.

Although I recognize that there are many dissimilarities, nevertheless, by way of argument by analogy, I think there is some similarity in this legal conundrum to the case in which a defendant has been acquitted on a felony charge or the judge has dismissed it, and then the prosecutor with the same set of facts, seeks to prosecute him on a misdemeanor charge.

Yours respectfully,
Wayne Morse.

Enclosures.

cc: Senator A. Willis Robertson, Senator John S. Cooper, Senator Thruston B. Morton.

Mr. MORSE. Mr. President, I ask unanimous consent to have inserted in the Record at this point a letter I received from the Senator from Virginia [Mr. Robertson], chairman of the Senate committee, under date of April 14, 1966, which leaves no room for doubt as to the legislative intent of the chairman of the Senate committee, which was the same intent expressed on the floor of the Senate during the debate.

There being no objection, the letter was ordered to be printed in the Record, as follows:

April 14, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: At the time the Bank Merger Act was passed in 1960, everyone assumed, on the best of advice including Chairman Cellar and the Department of Justice, that section 6 of the Clayton Act did not apply to bank mergers and that sections 1 and 2 of the Sherman Act, if they applied to bank mergers, were ineffective. At least in the 70 years since the enactment of the Sherman Act, no bank merger had been held to violate either section 1 or section 2 of the Sherman Act.

After the passage of the Bank Merger Act, the two banks in Lexington merged, with the approval of the Comptroller of the Currency, who found that the merger was in the public interest. The Justice Department sued, alleging violations of section 1 and section 2 of the Sherman Act. The District Court held that the merger did not violate either section. Thereafter, the Supreme Court in the Philadelphia and Lexington cases held, first, that section 6 of the Clayton Act applied to bank mergers, and, second, that the Lexington merger violated section 1 of the Sherman Act. The Supreme Court did not rule on the section 2 charge.

After the consequences of the Philadelphia and Lexington decisions and the Manufacturers Hanover District Court decision in New York became known, I introduced a bill which would have exempted all bank mergers, past or future, from section 6 of the Clayton Act and from sections 1 and 2 of the Sherman Act. Without going into the long history of S. 1698, which was only enacted early this year, it is enough to say that the bill which passed—drafted by Congressman Ashley in the House and accepted by the Senate at my recommendation—exempted the three pre-Philadelphia mergers—mergers consummated before the announcement of the Philadelphia decision—from section 6 of the Clayton Act and section 1 of the Sherman Act. The Manufacturers Hanover and the Continental Illinois suits were promptly terminated. The Lexington case, I understand, has been kept open by the Department of Justice on the theory that they may wish to revive the old section 2 charge, which the District Court ruled against and which the Supreme Court did not consider.

While it was clear that the House-passed bill did not exempt any mergers, including the Lexington merger, from section 2 of the Sherman Act, I think it would be a real surprise to virtually every member of the Senate and House to know that the Department of Justice was resurrecting the old section 2 anti-monopoly charge against the Lexington bank in spite of the District Court decision. I think all of us were convinced that the effect of the bill was to give complete acquittance to all banks which had merged in good faith under the Bank Merger Act before the announcement of the Philadelphia decision.

I am, myself, a little surprised to learn that the Department of Justice is intending to proceed against the Lexington bank on the ground that the merger was a violation of the anti-monopoly provisions of section 2 of the Sherman Act. In my opinion, all that would be accomplished would be to put the bank to a lot of trouble and expense and to make the stockholders of the bank uneasy about their investment until the litigation is finally ended. The Department of Justice knows full well that money flows across State lines as fully and as freely as gasoline or any other commodity in interstate trade. Every small bank has a connection with a larger bank which is always willing to participate in any loan too large for the smaller bank to handle, and practically every bank in the United States is in actual competition with the concentration of banking funds in New York City. The three largest banks in New York City, one of which is the second largest in the nation, are all merged banks. All of them do business in every State of the Union.

You could, therefore, with great propriety say to the Attorney General that you know the facts of the Lexington case and are interested in the welfare of a bank which, among other things, is trying to finance coal mining in Kentucky, that you can see no justification for his trying to overrule the clear intent of Congress to approve the merger in the Lexington case, which was clearly our intent in spite of the absence of an exemption from section 2 of the Sherman Act, and, I would think, as a lawyer, you can tell him that you can see no favorable prospects whatever for success in his effort to harass the Lexington bank further.

With kindest personal regards, I am

Sincerely yours,
A. Willis Robertson,
Chairman.

Mr. MORSE. Mr. President, I ask unanimous consent that a certain memorandum prepared at my request by able counsel, entitled "Re Merger of First National Bank & Trust Co. of Lexington and Security Trust Co. Into and Under the Name of First Security National Bank & Trust Co. of Lexington," be inserted in the Record at this point, along with a letter dated April 8, 1966, addressed to Mr. Victor Kramer, a lawyer involved in the case, and signed by Mr. Gayle A. Mohney.

There being no objection, the memorandum and letter were ordered to be printed in the Record, as follows:

Memorandum Re Merger of First National Bank & Trust Co. of Lexington and Security Trust Co. Into and Under the Name of First Security National Bank & Trust Co. of Lexington

The merger of the two banks was approved by the Comptroller of the Currency February 24, 1961, and the formal merger proceedings were completed on March 1, 1961. The same day, suit was filed in the District Court at Lexington by the Department of Justice alleging a violation of Sections 1 and 2 of the Sherman Act.

Historically, First National was organized in 1865 as a national banking association and as of October 3, 1960, it had a capital of $1,250,000 divided into 100,000 shares of common stock, each of $12.50 par value, surplus of $1,250,000 and undivided profits including capital reserves of $2,502,251.18. Prior to March 1, 1961, it has had no mergers, reorganizations or acquisitions since 1930 when, at the request of the Comptroller of the Currency, as an emergency matter, it took over the assets and assumed the liabilities of Fayette National Bank. It has operated in Lexington, Kentucky, continuously since 1865 as a national bank, developed a substantial commercial business, a secondary trust business, and at the time of the merger with Security Trust had an inadequate capitalization.

Security was a state banking association organized in 1886 as a trust company under the name of Security Trust & Safety Vault

Company. On October 3, 1960, it had a capital of $1,000,000 divided into 40,000 shares of common stock, each of $25.00 par value, surplus of $1,200,000 and undivided profits, including capital reserves of $772,087.58. Prior to the merger with First National it had effected no mergers, reorganizations or acquisitions in its history and for many years provided the only trust services in the Lexington area. In fact, the officers of the other banks in Lexington were instrumental in organizing the old Security Trust & Safety Vault Company as a trust company and some of them served on its Board of Directors, as the other banks did not offer trust services. Only in recent years was Security Trust authorized to engage in commercial banking, and as a result at the time of the merger it had a substantial trust business, a secondary commercial business and an abundant capitalization.

The fact that the Security Trust Company was the only bank in the Lexington area for many years which specialized in trust services accounts for the fact that the merged bank had a substantial part of the corporate trust business in the area. It was not until 1940 that First National employed a special trust officer and established a separate trust department, and the other three banks in the city at that time handled their trust business as a special service to their own customers through officers in the bank whose duties were primarily of a commercial nature.

The truth of the matter is that it has only been since the merger that the other banks have made any real, honest effort in the trust field. Proof was offered (and not denied) that competition in the trust field is not over the assets which the given bank already holds—it is for future business that has not yet been obtained by any bank. In the 20-year period from 1940 through 1960, proof was introduced from the actual records in the probate court in Fayette County, Kentucky, that a greater volume of probate business—both estates and trusts—went to individuals, who qualified as executors or trustees, than all local banks combined held as of the end of 1960.

Since the merger on March 1, 1961, the other four full service banks in the Lexington Metropolitan area have gone after the trust business through the reorganization of their own internal affairs and the establishment of separate trust departments, with specially trained trust officers in charge, and extensive advertising campaigns, most of which are directed at attempting to get some of the business that is presently going to individuals.

The significance of the trust business, however, is relatively small. Recent statistics published for the Fourth Federal Reserve District show that less than three percent of the gross income of the banks is produced by the trust business.

Since the merger the Bank of Commerce has changed its name to "Bank of Commerce & Trust Company" and the Central Bank has been granted trust powers and is now known as "Central Bank and Trust Company." The Bank of Commerce also is in the process of building a new main bank building, which it proudly states is the first new main banking office to be built in Lexington in the past fifty years.

Statistics from the call reports show that over the five year period since the merger all of the other banks have grown at a greater rate percentagewise than the merged bank, and all are getting their fair share of the business.

Of even greater significance is the fact that a new bank, to be known as "Bank of Lexington," has been chartered, its stock oversubscribed, and has in the past two weeks received approval of the Federal Deposit Insurance Corporation for insurance. This organization is in the process of building a new structure on Main Street to house its banking facilities.

STOLL, KEENON & PARK,
Lexington, Ky., April 8, 1966.

Mr. VICTOR KRAMER,
ARNOLD, FORTAS & PORTER,
Washington, D.C.

DEAR VIC: Some time ago I sent you information concerning the organization of a sixth bank in Lexington to be known as "Bank of Lexington." All legal requirements for its organization and operation have been completed, including approval for FDIC insurance, and work is proceeding rapidly in the construction of a banking house on East Main Street to house the new banking enterprise.

In the meantime, the morning paper carries a report of the organization of yet another new bank—the seventh in the city—to be known as "Kentucky Bank & Trust Company, Lexington, Kentucky," which the incorporators say (according to the story) will be in operation by January 1, 1967. In addition to commercial banking, the articles of incorporation authorize the company "to operate, conduct and carry on a general trust company business." I am enclosing the newspaper story and a copy of the articles of incorporation.

Unfortunately, we are unable to obtain information with respect to the progress of the trust departments of the other banks in the city, inasmuch as this does not appear in the published statements and of course we do not have access to the examinations of the trust departments made by the Comptroller. However, Second National Bank and Trust Company, Citizens Union National Bank and Trust Company, and Central Bank and Trust Company are continuing to advertise extensively both in the newspapers and by direct mail.

I have been interested in following the Second National Bank and Trust Company as it is expanding its activities rapidly, as you may infer from the full page advertisement appearing in the April 1 edition of the Lexington Leader, a copy of which is enclosed. At the time of the merger this bank had only its main office on Cheapside, but in the five years which has elapsed it has opened three rather elaborate branches and has advertised its trust services extensively.

It is interesting to note that the Government, in its brief in the Supreme Court, stated at page 12: "There was also testimony that this consolidation might cause additional mergers. There had been ten banks in the county in 1929, seven in 1938, six in 1960, and after the merger there would be five (DX 38, R. 1058). No new bank has been established in the county since 1938 (ibid.)."

Government counsel, at the oral argument, said at page 14 of the transcript: "Now the testimony went beyond this, however, because all of these witnesses, these three bank officials testified that the size of Security Trust now gives it such an advantage that the other banks might well have to consider a merger in order to be able to compete effectively against the economic power of Security Trust. In this market, the number of banks has dropped. In 1929, there were ten banks in the area. At the time of this merger, there were only five, as a result of this merger; and thus we have, it *seems to* us, in this small city in central Kentucky, a confirmation of the broad trend toward concentration in banking which this Court noted last term in the Philadelphia Bank Case, and indeed there's dramatic evidence in this case of the danger which they think this merger poses in terms of further accretions of concentration."

The facts are that there have been no additional mergers, nor rumors of mergers, and it appears that two additional banks—making a total of seven—will be in operation before the end of the year. In the meantime, as shown by the published call reports which I sent you, the other banks are getting their fair share of the business: in fact, more percentagewise than First Security.

With kindest personal regards, I am

Sincerely yours,

GAYLE A. MOHNEY.

Mr. MORSE. Mr. President, I ask unanimous consent that a memorandum dated April 18, 1966, sent to me, prepared by an able staff member assigned to this case, be inserted in the RECORD at this point.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

APRIL 18, 1966.

Memo to: Senator MORSE.
From: Will Haley.
Subject: Public Law 89–356 and the Lexington Bank Merger.

1. On July 27, 1962, Judge Ford of the U.S. District Court for Eastern Kentucky handed down his decision in the U.S. v. First Security National Bank & Trust Company of Lexington. In that decision, Judge Ford made the following findings and conclusions of law:

a. The Court has jurisdiction of the parties and the subject matter of this action.

b. The merger of First National Bank and Trust Company and Security Trust Company does not constitute a combination in unreasonable restraint of interstate trade or commerce in the field of commercial banking and does not violate Section 1 of the Sherman Act.

c. The merger of First National Bank and Trust Company and Security Trust Company is not an unlawful combination to monopolize, or an unlawful attempt to monopolize, interstate trade or commerce in the field of commercial banking in violation of Section 2 of the Sherman Act.

d. For the reasons indicated, judgment should be entered for the defendants dismissing the complaint.

2. The appeal of the Justice Department to the Supreme Court was on the grounds that the merger constituted a combination and restraint of trade and commerce in violation of Section 1 of the Sherman Act, and a combination and attempt to monopolize trade and commerce in violation of Section 2 of that Act.

3. On April 6, 1964, the majority opinion delivered by Justice Douglas, the Court found that the merger constituted a violation of Section 1 of the Sherman Act and went on to say that "in view of our conclusion under Section 1 of the Sherman Act, we do not reach the questions posed under Section 2." Thus it was not necessary that the Court make any findings or reach any conclusions of law under Section 2 when the majority of the Court had found a violation of Section 1.

4. The Senate bill, S. 1698, exempted from Section 7 of the Clayton Act and both Sections 1 and 2 of the Sherman Act all mergers consummated prior to its enactment. The language of the Senate bill states that any merger . . . which was consummated prior to the enactment of this amendment . . . shall be exempt from anti trust laws, including the Sherman Anti Trust Act and the Clayton Act.

5. In accepting the House bill, however, the Senate accepted the language of Section 2(a) of the bill which provided that mergers consummated prior to June 17, 1963 . . . "shall be conclusively presumed to have not been in violation of any anti trust laws other than Section 2 of the Sherman Anti-Trust Act."

6. In pursuing the Section 2 aspect of the bank merger, the Justice Department would have to appeal now in 1966 the decision of

July 27, 1962, of Judge Ford, which held that the consummated merger did not violate Section 2 of the Sherman Act.

7. Although the House passed bill did not exempt any merger, including the Lexington bank merger, from the application of Section 2 of the Sherman Act, I believe it can be argued persuasively that in the floor debates in both the House and the Senate, it was the intent of Congress to exempt the Chicago, New York, and Lexington bank mergers.

8. The Department of Justice has asked for a 30-day continuance in the U. S. District Court so as to have additional time to determine whether or not the Department will appeal Judge Ford's decision of 1962 that no violation exists under Section 2 of the Sherman Act.

Mr. MORSE. Mr. President, I ask unanimous consent that a letter, together with a newspaper clipping attached thereto, which I received from Mr. Fred B. Wachs, be inserted in the Record at this point.

There being no objection, the letter and newspaper clipping were ordered to be printed in the Record, as follows:

LEXINGTON HERALD-LEADER CO.,
Lexington, Ky., April 8, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR WAYNE: Attached is a clipping from this morning's Herald entitled, "New Lexington Bank Files Incorporation Articles." This is the second new bank that has been incorporated in Lexington since the Supreme Court decided we had to separate.

Now Lexington has more banks than they had before we consolidated, and all of the banks are much stronger than they were at the time we consolidated. This should have some bearing on our present position.

I thought maybe I'd better furnish you with this to add to the informal statement that was sent to you by Senator MORTON's office.

With good wishes,
Cordially,

FRED B. WACHS.

NEW LEXINGTON BANK FILES INCORPORATION ARTICLES

Commonwealth Trust and Title Insurance Co. field incorporation articles with the Fayette County Clerk yesterday to carry on the business of banking.

One of the 14 incorporators of the organization predicted that Lexington would have a new bank, "probably within the next year." The spokesman said the firm would have to be approved first by the state banking commission.

The company, capitalized at $200,000, was granted a charter Wednesday by the secretary of state in Frankfort.

Another incorporator was heard to remark more than a week ago that a new bank would start business before January 1, 1967.

The articles stated that the company also will operate a general trust business and act as a title insurer, to certify and guarantee title to real estate.

Incorporators are R. E. Curtin, R. M. Bartella, W. E. Kingsley, T. C. Quisenberry, Thomas Ryburn, R. W. Crabtree, Ralph G. Worster, Carl Eanks, Donald J. Horton, J. B. Watters, John A. Palumbo, Stanley E. Wilson, C. E. Hall, and Montjoy Trimble.

Mr. Worster was named process agent. The registered office was designated as 138 North Upper Street.

The authorized capital stock of the bank, according to the articles will be $200,000 consisting of 20,000 shares of common stock with a par value of $10.

The bank will commence business with the capital stock fully paid and an additional paid in surplus of $40,000, it was stated.

A managing board of directors of five to fifteen members will be elected at the first stockholders meeting and the board, at its first meeting, will elect officers, according to the articles.

Mr. MORSE. Finally, Mr. President, I ask unanimous consent that a letter sent to me by the Senator from Virginia [Mr. ROBERTSON] under date of April 29, 1966 be inserted in the Record at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. SENATE,
COMMITTEE ON BANKING AND CURRENCY,
April 29, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR WAYNE: Just a note to call to your attention, the inconsistency of the Justice Department on the subject of mergers.

In 1960, the Congress attempted to pass a bill to treat bank mergers in the same way that railroad mergers were being treated, namely, subject to the decision of the Federal regulatory agencies. The Justice Department induced the Court, to the great surprise of all constitutional lawyers, to upset that law and then it proceeded to attack four bank mergers, one of which was the very relatively small merger in Lexington, Kentucky.

Compare that with the apparent complacency of the Justice Department when two of the biggest railroads in the East, both of which furnished the principal competition in the same area, are being merged and the Justice Department voices no word of complaint about violating the antitrust laws. Unless the Department of Justice agrees to drop the Lexington suit, I think it would be most appropriate for you to ask the Department the basis on which it draws a distinction between bank mergers and competition in banking is now nationwide, and railroad mergers when competition is still largely of an area character.

In view of the repeated statement by Justice Department officials that I rushed the Bank Merger Bill through the Senate with nobody knowing what was in it, I shall put in the record next week a statement showing every Member of the Senate was written a letter fully explaining what was in the bill and inviting his careful study of those provisions before it came to a vote.

Sincerely yours,

A. WILLIS ROBERTSON.

Mr. MORSE. Mr. President, in closing, let me say I think the speech of the junior Senator from Kentucky [Mr. MORTON] and the speech of the senior Senator from Kentucky [Mr. COOPER], referred to by Senator MORTON in his speech—Senator COOPER's speech was delivered just a few days ago—along with the exhibits I have inserted in the Record, leave not the slightest room for doubt that the Justice Department is engaging in an inexcusable harassment, and if the Attorney General does not tell his legal underlings to drop the case, I hope the matter is brought to the attention of the President of the United States and that he will see to it that the Attorney General drops the case.

BENNETT-HOLLAND AMENDMENT WOULD GRANT TOTAL OF 22 YEARS OF UNWARRANTED EXEMPTION

Mr. DOUGLAS. Mr. President, the amendment offered by the Senator from Utah [Mr. BENNETT] and the Senator from Florida [Mr. HOLLAND] should be defeated. The Bennett-Holland amendment would give extra consideration to the Du Pont Estate in Florida by extending to 12 years the period allowed for it to divest its nonbanking interests.

The Du Pont Estate has not only been allowed already an unjustified exemption from the Banking Holding Company Act for 10 years, but the Bennett-Holland amendment in effect would now grant it an additional exemption from the divestment requirements of the act for another 12 years.

It is charged that this bill is punitive legislation. However, in 1956, when the original Bank Holding Act was passed, I was a member of the Banking and Currency Committee. I know what occurred in the executive meetings of the committee when we marked up the bill. Someone—I will not say who, and I am not able precisely to identify the person—assured us solemnly that the Du Pont Estate had been made into a completely charitable trust, and that all the revenues were to go to charity and were going to charity.

That was not necessarily the sole issue involved, because concentration of power was an issue, as well as the use of income. However, on the basis of this assurance, I, for example, did not oppose the exemption of the Du Pont Estate, which otherwise I would most surely have done.

ONLY 12 PERCENT TO CHARITY

The facts are that only 12 percent of the income to the estate has been devoted to charity, and 87 or 88 percent has gone to private parties—virtually all of it to Mrs. du Pont.

I placed in the Record this afternoon a statement of the income payments from the Alfred I. du Pont Estate. My good friend, the senior Senator from Florida, read a long list of relatively small contributions from the estate to various charitable and good causes. But permit me to furnish the details.

In the 31 years, inclusive, from 1935 to 1965, over $119 million went to Mrs. du Pont, just short of $15 million went to the Nemours Foundation, and other annuitants received $2.4 million. The overwhelming weight of the income did not go to charity, but instead went to Mrs. du Pont.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. HOLLAND. Does the Senator know that Mrs. du Pont has consistently given most of her part of the income to charity?

Mr. DOUGLAS. That is something else again. But on this ground, anything could be justified. I cannot agree that any person should be exempt from the laws of the land, simply on the ground that he would use his income for charitable purposes.

Mr. HOLLAND. What is shown by the lists that I inserted in the Record, indicating over $11 million of gifts and benevolences in the 5-year period covered, was carefully stated to be directly or indirectly from the estate. I was very clear in my statement that much of that amount came from Mrs. du Pont, and I wish to make that very clear again.

The same is true with reference to gifts given in Delaware and in Virginia and in many other States. She has consistently given the larger part of her income to charitable causes. As a matter of fact, the whole of the income, after the death of the beneficiaries, will go to the charitable cause which the Senator well knows is the remainderman under the will, the Nemours Foundation.

Mr. DOUGLAS. I was speaking of the payments from the Alfred I. du Pont estate.

When we were marking up the Bank Holding Company Act of 1956, the representation was made to us that all this money went to charity. On that assumption, I agreed to the Du Pont exemption. Then I discovered that the information that had been given us was erroneous, and that the exemption should not have been granted.

So, the Du Pont Estate has already had 10 years, which they should not have had at all. Now we are going to give them 5 years more. But the Senator from Florida and the Senator from Utah do not believe that is enough. The Senator from Florida and the Senator from Utah say that we should give them 12 years, that we should give them a total of 22 years. I say 15 years should be enough.

REPEAL OF DU PONT EXEMPTION MAY BENEFIT FLORIDA

The representation has been made that this is a punitive act and that there will be great financial losses involved. I hold in my hand an article from the Miami Herald of Wednesday, April 13, 1966, which contains the report of an interview with Congressman Charles E. Bennett of Florida. I quote from the second column:

> Bennett predicted that separating banking and nonbanking duPont interests would have the effect of a second great land boom for the State with economic benefits for both the du Pont interests and the general public.
>
> He said the 30 banks owned by the du Ponts would be better off financially "and the people will not be threatened by conflict of interests and monopoly."

Congressman Bennett is quoted as saying:

> "My research into the divesting of banking and nonbanking businesses as required by the Bank Holding Company Act shows clearly that when divestment comes it is almost certainly very beneficial to the stockholders concerned and to the public interest."

I do not know whether the Senator from Florida has seen the article.

Mr. HOLLAND. I have seen the article, and I wonder whether the Senator from Illinois got the same impression that I had—that my esteemed colleague, Congressman Bennett, was assuming that the Du Pont Estate would liquidate its other assets and hold onto its banks.

Is that the assumption that the Senator from Illinois drew?

Mr. DOUGLAS. He speaks of selling the land, and I thought that was the assumption of the senior Senator from Florida.

Mr. HOLLAND. No. The senior Senator from Florida has been of the assumption all along that the land would not be sold, and that it would be a greater disaster for the land to be sold rather than the bank assets.

Mr. DOUGLAS. Then, the fear about the sale of the paper company and the railway and the million acres of land, and so forth, is fictitious, because in your judgement that would not be so.

Mr. HOLLAND. Yes. I believe the Senator from Florida has a good deal of personal knowledge of these facts.

When the Senator from Florida speaks of a million acres being sold—it is over a million acres, as a matter of fact—in that part of west Florida where it lies, if it were sold in a buyer's market, in which it surely would have to be sold, it would be a disaster for everybody else who holds any assets in that area, and it would be a disaster to a part of our State that can ill afford it.

Aside from that aspect, it is my belief that the value of those assets and the value of the other assets, in addition to lands and the paper company, which are held by the estate—it is only my judgment, and my judgment may be entirely wrong—is so much greater than the control of the various banks—after all, we are not talking about total ownership of the banks; we are talking about the ownership of 25 percent or more of the controlling stock in the banks—that the estate would surely divest itself of the banks and not of its other great holdings.

However, that is simply a matter of opinion which the Senator from Florida has stated on the floor. But if it should prove not to be true, the Senator from Florida desires to make clear that he is quite sure that this would be the greatest disaster ever visited upon that part of west Florida—that great mass of land being thrown on a buyer's market at one time.

Mr. DOUGLAS. I simply brought this matter out to indicate that an able and highly conscientious Congressman from the State of Florida believes the State of Florida would benefit by these properties being split up and divested.

DIVESTITURE OF BANKING OR NONBANKING INTERESTS WILL NOT REDUCE ESTATE'S INCOME

Mr. President, the Senator from Wisconsin pointed out a very essential point, also—namely, that the vast proportion of the income from the Du Pont Estate is not drawn either from the banks or the industrial properties in Florida, but from the holdings of General Motors and Du Pont Corp. stock. I have introduced material into the Record which indicates this.

Very roughly, in 1965, about $10 million of the estate's total income—out of $12.5 million—came from General Motors and the Du Pont Corp.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield, but first, may I finish the statement? This property does not have to be divested under the pending bill.

I yield.

Mr. HOLLAND. Mr. President, I am glad that the Senator finished his statement with the last few words. That was exactly what I was going to bring out. I thought it was assumed, was stated, and was a fact all the way through that the language means that the property, the stockholdings, do not have to be sold because they constitute less than 5 percent of the total stock of the corporations in question.

Mr. DOUGLAS. The Senator is correct.

Mr. HOLLAND. It is not the Du Pont Estate that will be the principal sufferer from this provision at all. The Senator from Florida sincerely believes that the sufferers will be the communities in which the banks are located, and the people who do business therein, in the event that the banks are divested of a piece of land. The counties in which the land, the paper mill, and the other assets are located will suffer if divestiture is required.

I think the Senator has aided in making one point very clear, that the principal sufferer from the drastic provisions of the bill would be others than the Du Pont Estate. That helps to explain the reason that the two Senators from Florida feel so keenly about this matter.

Mr. DOUGLAS. The Senator from Florida certainly errs when he states that I bring out very clearly the fact that the people in Florida would be injured. Quite the contrary.

My point is that the Du Pont people would not be injured. Moreover, Representative Bennett believes that there would be no injury to any economic interest in Florida. The Representative from Florida is a young, alert, vigorous, careful, conservative, and honorable man. He would not make that statement, I am sure, unless there was a solid reason for making it.

Mr. HOLLAND. The Senator from Florida would be the first to agree with the distinguished senior Senator from Illinois that Representative Bennett is of the type that is suggested. However, I think that my point of view is worth something in this matter. I point out that, having served as Governor of my State and having served as State senator of my State for 8 years, I know a great deal about the economy of western Florida, which is the part of Florida which has not kept up in prosperity with the remainder of the State. It has lagged very greatly in growth.

I think I am in a better position to make a statement about what would happen in the event this great land empire had to be thrown on the market at one time. I think it would be a capital disaster for that group of 15 or more counties if that empire were thrown on the market at one time. Great damage would be done to all of that vast area of land, all of it being land that is being reforested and that is of little value except for reforestation.

Mr. DOUGLAS. I read what Mr. J. A. Maloney, editor and publisher of the Apalachicola Times, Apalachicola, Fla., states about the effect of divestment on the western part of Florida which is where the land holdings of the Du Pont group are located.

I read from page 291 of the transcript of hearing as follows:

> Such a split would not in itself solve our problems in the Big Bend area of Florida, but I believe it would definitely help us. The Big Bend area is rich in natural resources. It is a sleeping economic giant, anesthetized by the power of the Du Pont Estate. Abraham Lincoln said that this Nation could not survive half slave and half free. It is my feeling that the part of Florida where I live cannot free itself and prosper behind Mr. Ball's pine curtain.

Mr. HOLLAND. Mr. President, I wish that the distinguished Senator knew as well as I know the source which he has quoted and the fact that it carries no weight at all in that part of Florida to which he has referred.

Mr. DOUGLAS. I merely point out that Mr. Maloney is the publisher of the Apalachicola Times. He also served as a commander in the U.S. Navy, from which he retired in 1953 because of physical disability. His testimony impressed me as being that of a very conscientious and honorable man, a man with enough courage to stand up against the Ball group.

I do not see anything that is really punitive in this measure. The estate and the Ball group have already been given 10 years, which they should not have had. The Senate committee now proposes to give them an additional 5 years before divestiture must be accomplished. It is said that this is discriminating because we are giving 12 years to Financial General and only 5 years to the Ball group. It is argued that equal treatment calls for giving both the groups 12 years. It may be that equal treatment would call for giving them each 5 years.

But there are certain essential differences with respect to the public interest in repealing the exemptions as between Financial General and the Du Pont Estate, which I think need to be pointed out.

The original Bank Holding Company Act had two purposes. One purpose was to prohibit the concentration of banking along with industrial or agricultural interests. The act required banks or bank-owning groups to divest themselves of these other properties. We are trying to provide for the Du Pont Estate the same application of the law. The other purpose of the act was to prevent monopoly and to promote competition in banking.

Financial General did avoid—if, in my judgment, not evade—the purposes of the Banking Holding Company Act by putting up shell holding companies, one for each newly acquired bank. Because they were affiliates of a group registered under the Investment Act of 1940 they technically escaped being placed under the Bank Holding Company Act and under the supervision of the Federal Reserve Board.

We remove that exemption in this act. We label Financial General as a bank holding company and they can no longer acquire additional banks without the approval of the Federal Reserve Board, and they are immediately subject to important restrictions on transactions within a bank holding company system. We forcefully and immediately deal with Financial General on the point on which it most needs to be dealt with; namely forcing it to be controlled as a bank holding company, and that is done here.

We also deal with the Du Pont Estate on the point on which it most needs to be dealt with; namely, the requirement of the 1956 act that a bank holding company must divest its nonbanking assets if it holds more than 5 percent of the voting shares of a nonbanking corporation.

Since the principal aims of the bill in the two cases are different, and the circumstances lying behind each are different, there is no discrimination in applying a different rule on divestment to them.

Now the 5-year rule does not apply just to the Du Pont Estate. There is another foundation which we discovered has banks in my own State of Illinois. That is the Charles Stewart Mott Foundation. It controls the Lake View Trust & Savings Bank in Chicago, which is a large bank. It also controls a Champaign, Ill., bank and a bank in Royal Oak, Mich.

They are under exactly the same rule as is the Du Pont Estate. No added favor is given to them which is not given to Du Pont, and vice versa.

The point is that institutions comparable to the Du Pont Estate receive the same treatment. In a different situation, as in the case of Financial General, the company is given a greater number of years to divest.

The holding companies which existed in 1956 had to conform to the 2-year provision. But the Du Pont Estate already has been given a special privilege exemption for 10 years. The bill would give them 5 years more. I think, therefore, that since the original exemption was granted under misapprehension and, in my judgment, misrepresentation, we should not further prolong this exemption by granting it 12 more years, or a total of 22 years.

Mr. MORSE. Mr. President, on August 16, 1965, I introduced S. 2418, an amendment to the Bank Holding Company Act of 1956, designed to close the gaping loophole in the 1956 act which has permitted extensive commercial business to be exempted from the Bank Holding Company Act under the guise of a charitable trust.

This is only one of many facets of charitable trusts which should be brought under greater surveillance by Congress. In fact, I think that, in due course of time, Congress needs to go into the whole question of charitable trusts as an example of subterfuge and escape from legitimate taxation.

I believe that the people of this country are entitled to have stopped this escape from taxes which ought to be paid into the U.S. Treasury by charitable trusts. In my State—and it is true in other States as well—I can point out instances where, under the guise of charitable trusts, religious organizations operate major businesses in competition with private enterprise. I do not believe, Mr. President, that that can be justified as a matter of sound public policy. I believe that charitable trusts should be brought under much stricter control than at present, insofar as they are set up as a gimmick for escaping taxation on properties and earnings that should be taxed.

The charitable trust is also, may I say, one of the subterfuges being used by the rich of this country to make themselves richer, while the rest grow poorer. I make this comment in regard to the pending matter because I think there is involved here a charitable trust which has needed for a long time to be brought under check.

The enterprise that section of my bill would immediately have affected was the Alfred I. du Pont Estate, which controls 31 banks in Florida with over $785 million in assets at the end of 1964. The Du Pont Estate also controls, through 75-percent ownership, a large paper manufacturing company, over a million acres of timberland, valuable city real estate, a small railroad, and a small telephone company. The estate further controls a class I railroad, the Florida East Coast, and owns General Motors and Du Pont Co. stock valued at over $240 million. All told, the Du Pont Estate rules a commercial and financial empire with a value of well over a billion dollars.

Yet because the will of Alfred I. du Pont was written to provide that upon the death of his wife, the proceeds of the estate should go to Nemours Foundation for crippled children, the estate has been exempted from the Bank Holding Company Act. The act itself sought to bring bank holding companies under the same antimonopoly limits as banks themselves, and to require divestment of their nonbanking activities. An exemption was extended to long-term trusts and religious, charitable, and educational institutions. Under this provision, the Du Pont Estate has perpetuated the very kind of billion-dollar empire of banks and industries that the 1956 act was designed to break up.

A second provision in my bill went to the exemption in the 1956 act under which the Financial General Corp. has avoided regulation. This exemption was for what the act called "investment companies." The Senate Banking Committee was led to believe in 1956 that the one investment company known to be affected would still be controlled under the Investment Company Act of 1940.

This proved not to be the case, simply because Financial General took advantage of the language of the law which requires regulation where a holding company "directly" controls two or more banks. By creating a series of "shell" holding companies, Financial General avoids controlling any banks directly. For 9 years, it has been free to acquire new banks, to hold and acquire outside industries, to cross State lines, without any of the restrictions imposed on other bank holding companies. It owns 25 percent or more of the stock of 21 banks in 5 States and the District of Columbia, and it controls a number of non-banking businesses including insurance, financing and manufacturing companies.

I am highly gratified that the substitute committee bill embodies both these provisions from S. 2418. As the committee report notes, the purpose of the bank holding company legislation was to apply in the field of banking and bank holding companies the general purposes of the antitrust laws—to promote competition, prevent monopoly, and to prevent unduly extensive connections between banking and other businesses. The exemptions I have noted were made on the basis of what I feel were misleading representations. It is right that after experience has shown these exemptions to have led to undesired results, the Committee should recommend their repeal.

In the case of the charitable exemption, the committee report states:

> Short-term trusts and the usual personal trusts which do not violate the rule against perpetuities would continue to be exempt from the Act. Other trusts, however, and religious, charitable, and education institutions would no longer be exempt. If such a trust or institution should control two or more banks, it would not be permitted to retain direct or indirect ownership or control of any voting shares of any company which is not a bank or a bank holding company or engage in any business other than that of banking, subject to limited exceptions specifically provided in the Act, such as holding less than 5 percent of the voting share of a business concern. The long-term trust or religious, charitable, or educational institution, would of course, not be required to cease its exclusively religious, charitable, or educational activities. Such activities—for example, the operation of a tax-exempt charitable hospital or a tax-exempt educational institution—would not constitute engaging in a business for the purposes of the Bank Holding Company Act, and no divestiture or such activity would be required.
>
> The principal entity which now receives the benefit of the exemption of long-term trusts and which in the course of time would become a charitable institution is the Alfred I. DuPont trust fund. . . . The Committee recommends repeal of this exemption. The basis for special consideration of religious, educational, and charitable institutions—for example, the considerable measure of tax exemption granted to them—does not, in the committee's judgment, provide such a basis for exempting such institutions or the corporations they may control from such basic public policy statutes as the Bank Holding Company Act any more than it would support such an exemption from the antitrust laws, the Bank Merger Act, or the Interstate Commerce Act.

In the case of the nonbanking activities of the Du Pont Estate, the committee permits up to 5 years for divestiture of these assets to be completed. Under the committee bill, any bank holding company subject to this 5-year limitation must endeavor to divest itself promptly, and it must report its progress to the Federal Reserve Board 2 years after repeal of the exemption and annually thereafter.

In the case of Financial General, or other companies similarly situated, the committee postponed the required divestiture date to December 31, 1978. It believed that earlier divestiture would be impractical in light of the corporate structure of the company. However, as soon as the law is passed, Financial General will become a bank holding company under the law, and subject to all the restrictions on intersystem transactions. It will be forbidden to acquire nonbanking interests in excess of 5 percent of such a company's stock, or to acquire control of another bank without permission from the Federal Reserve Board.

Because of my longtime interest in this subject, and my sponsorship of S. 2418, I have followed the Banking Committee's consideration of these measures with interest and much approval. I feel the committee has done a fair and reasonable job in eliminating these unfortunate exemptions which it allowed to creep into the 1956 act, and I express my deep appreciation to the committee, and to the individual committee members who joined in sponsoring S. 2418, the essence of which is included in the pending bill.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. DOUGLAS. I wish to thank the Senator from Oregon for the way in which through the years he has kept this issue alive. I think we owe to him the spading out of the fact that the estate was not a charitable trust in fact, but that seven-eighths of the revenue went to Mrs. du Pont for such disposition as she might make of it.

The senior Senator from Oregon has been a driving force in this legislation, as he sees the essential features of his bill, in which I had the honor to join, incorporated in the measure now before us.

I would like to ask the Senator if he does not think it would be great error if the Holland-Bennett amendment were to be adopted?

Mr. MORSE. I think it would be a great mistake. I shall oppose the amendment.

Mr. DOUGLAS. I thank the Senator.

Mr. MORSE. The Senator from Illinois was very kind in his reference to me. In my judgment we would not be where we are today if the Senator from Illinois had not had the courage and objectivity to stand on the floor of the Senate and do what too few Senators, I have noticed in my years in the Senate, are willing to do: To say publicly to the Senate and to the country that they went along with the measure when the case first was presented before the committee but discovered later the facts did not bear out the case. The Senator was not aware of the nature of the so-called charitable trust. When he discovered the facts were somewhat different than he had believed them to be, he was courageous and forthright enough to change his opinion, which is typical of him in his many years of dedicated service in the Senate.

Mr. DOUGLAS. I thank the Senator. I felt in slang language, "I had been had," and I could not continue in the position of giving my approval to a measure which I had been deluded into supporting.

Mr. MORSE. The Senator made that very clear. I compliment the Senator for that courage. Whatever transpired in the objective judgment reached by the Senator from Illinois, the accumulative objective nature of it is very clear. The Senator had the courage to stand up and to go on record, so to speak, to make it clear how it happened.

Mr. HOLLAND. Mr. President, a few moments ago my distinguished friend, the Senator from Illinois [Mr. DOUGLAS] reported some statements made by a Mr. Maloney, a newcomer to Florida, who publishes a little paper called the Apalachicola Times, in Apalachicola, Fla., which is in the heart of the west Florida area.

I would like to have the RECORD show at this time that there are five other statements in the record—and perhaps a good many more because I was not privileged to attend all of the hearings—which are much more weighty on the value of the Du Pont Estate to west Florida than the statements of Mr. Maloney, no matter how well intentioned he may have been.

One of those witnesses was Ray M. Gidney, former comptroller of the State of Florida, who stated in so many words, as comptroller and one familiar with the regulation of State banks, that he thought he knew what the situation was; that there had been no misuse of power; and that to the contrary, although now a competitor of the Du Pont system of banks, he wanted the record to show this punitive legislation against Du Pont should not pass.

The second witness was, Mr. Clarence M. Gay, formerly and prior to the incumbency of Mr. Green, Comptroller of the State of Florida, and having jurisdiction of the State banks of our State. He is also a present competitor of the Du Pont banks. He stated in no uncertain words, as shown by the record, that he thought the Du Pont banks had been well conducted; that the influence of the Du Pont Estate had been good; and that he found no justification for this punitive approach. He included correspondence he had with an official of the railroad union calling attention to the fact that he thought their tack was very inappropriate and misguided.

The third witness was a Mr. David Johnson of Pensacola, a director of another bank in Pensacola. He made a very telling and pleasing appeal to the committee not to go through with this punitive legislation, and not to bring the wrath of Congress to bear against the Du Pont Estate and the Du Pont bank assemblies because of the attitude of the railway unions who did not like it because Mr. Ball had been able to make the Florida East Coast Railway operate profitably in spite of the fact that he was operating in violation of the strike by the railroad union and operating without their cooperation in any way.

The fourth of those witnesses was former Gov. Millard F. Caldwell, now a member of the Supreme Court of Florida. Before he became Governor, he came from the county of Santa Rosa, another west Florida county. He lived in Tallahassee. He is a banker and the director of a bank in Tallahassee. Perhaps he is a director of several banks. His testimony is to the same effect. He thought that the Du Pont Estate had been a blessing to Florida rather than otherwise, and that the kind of punitive approach taken by the bill was mistaken. He said so in so many words.

The fifth witness was Representative SIKES, who represents the west Florida district. Well intentioned as the distinguished Member of Congress from the Jacksonville district, Representative Bennett, may be, he does not live in west Florida. He does not live near the more than 1 million acres of land that belong to the Du Pont Estate. He does not know of the relative measure of prosperity that has followed the bankruptcy that existed at the time the Du Ponts came into that area and bought up the land there. But Representative Sikes testified strongly in support of the position taken by the Senator from Utah [Mr. Bennett], the Senators from Florida, the Senator from South Carolina [Mr. Thurmond], and all the other Senators who joined in offering the amendment now pending.

I invite attention to these facts, because it is so clear that here we have five witnesses, all of them much closer to base, all of them knowing a great deal more about what is going on in west Florida than does anyone else who testified in this case to the contrary, and all of whom charge in unmistakable words that the net effect of the activities of the Du Pont Estate has been good and that they have been a good servant of prosperity and progress in Florida.

Mr. President, I thought the Record should clearly show these facts because before such evidence as I have just cited, the testimony of Mr. Maloney and even that of Representative Bennett would have to fall very flat.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Utah. The yeas and nays have been ordered——

Mr. HOLLAND. Mr. President, I suggest the absence of a quorum.

Mr. MANSFIELD. Mr. President, I ask unanimous consent—if the Senator will bear with me—that there be a quorum call not to exceed the time of 5 o'clock and 25 minutes p.m., when voting will begin.

Mr. HOLLAND. Mr. President, I object.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Utah.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD (after having voted in the negative). On this vote I have a pair with the junior Senator from Florida [Mr. Smathers]. If present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withhold my vote.

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. Bass], the Senator from Nevada [Mr. Bible], the Senator from Maryland [Mr. Brewster], the Senator from Connecticut [Mr. Dodd], the Senator from Tennessee [Mr. Gore], the Senator from Alaska [Mr. Gruening], the Senator from Arizona [Mr. Hayden], the Senator from Hawaii [Mr. Inouye], the Senator from Washington [Mr. Magnuson], the Senator from Minnesota [Mr. McCarthy], the Senator from Wyoming [Mr. McGee], the Senator from New Mexico [Mr. Montoya], the Senator from Rhode Island [Mr. Pastore], the Senator from Rhode Island [Mr. Pell], and the Senator from Georgia [Mr. Talmadge] are absent on official business.

I also announce that the Senator from Alaska [Mr. Bartlett], the Senator from West Virginia [Mr. Byrd], the Senator from Mississippi [Mr. Eastland], the Senator from New York [Mr. Kennedy], the Senator from Minnesota [Mr. Mondale], the Senator from Oregon [Mrs. Neuberger], the Senator from West Virginia [Mr. Randolph], the Senator from South Carolina [Mr. Russell], and the Senator from Florida [Mr. Smathers] are necessarily absent.

I further announce that, if present and voting, the Senator from New York [Mr. Kennedy], the Senator from Minnesota [Mr. Mondale], and the Senator from New Mexico [Mr. Montoya] would each vote "nay."

On this vote, the Senator from Alaska [Mr. Bartlett] is paired with the Senator from Wyoming [Mr. McGee]. If present and voting, the Senator from Alaska would vote "yea," and the Senator from Wyoming would note "nay."

On this vote, the Senator from Mississippi [Mr. Eastland] is paired with the Senator from Alaska [Mr. Gruening]. If present and voting, the Senator from Mississippi would vote "yea," and the Senator from Alaska would vote "nay."

On this vote, the Senator from West Virginia [Mr. Randolph] is paired with the Senator from South Carolina [Mr. Russell]. If present and voting, the Senator from West Virginia would vote "nay," and the Senator from South Carolina would vote "yea."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. Curtis], the Senator from Hawaii [Mr. Fong], the Senator from Michigan [Mr. Griffin], the Senator from California [Mr. Murphy], the Senator from Kansas [Mr. Pearson], and the Senator from Vermont [Mr. Prouty] are necessarily absent.

The Senator from Wyoming [Mr. Simpson] is detained on official business.

If present and voting, the Senator from Nebraska [Mr. Curtis], the Senator from California [Mr. Murphy], the Senator from Kansas [Mr. Pearson], and the Senator from Wyoming [Mr. Simpson] would each vote "yea."

The result was announced—yeas 31, nays 37, as follows:

[No. 86 Leg.]

YEAS—31

Aiken
Allott
Bennett
Boggs
Carlson
Cotton
Dirksen
Dominick
Ervin
Fannin
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
McClellan
Miller
Morton
Mundt
Russell, Ga.
Saltonstall
Scott
Sparkman
Stennis
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—37

Anderson
Bayh
Burdick
Byrd, Va.
Cannon
Case
Church
Clark
Cooper
Douglas
Ellender
Fulbright
Harris
Hart
Hartke
Jackson
Javits
Kennedy, Mass.
Long, Mo.
Long, La.
McGovern
McIntyre
Metcalf
Monroney
Morse
Moss
Muskie
Nelson
Proxmire
Ribicoff
Robertson
Smith
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—32

Bartlett
Bass
Bible
Brewster
Byrd, W. Va.
Curtis
Dodd
Eastland
Fong
Gore
Griffin
Gruening
Hayden
Inouye
Kennedy, N.Y.
Magnuson
Mansfield
McCarthy
McGee
Mondale
Montoya
Murphy
Neuberger
Pastore
Pearson
Pell
Prouty
Randolph
Russell, S.C.
Simpson
Smathers
Talmadge

So Mr. Bennett's amendment was rejected.

Mr. DOUGLAS. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 585

Mr. LAUSCHE. Mr. President, I offer the amendment which I send to the desk. The substance of the amendment is that both Du Pont and the second group shall be treated equally by law. The amendment provides that each group shall be given 7 years within which to divest itself of its holdings in banks. At present, the bill allows one group 12 years, and the other group 5 years. My amendment provides that equal treatment shall be given to both groups under circumstances which demand that equal treatment be given. The facts upon which the bill is predicated assume that there is a difference in circumstances. In my opinion, this view is not supported by the facts.

Mr. DOUGLAS. Mr. President, would the Senator from Ohio have both for 5 years or both for 12 years?

Mr. LAUSCHE. No; both for 7 years.

The PRESIDING OFFICER (Mr. Proxmire in the chair). The amendment will be stated.

The legislative clerk read as follows:

On page 11, on lines 14 and 15, strike "December 31, 1978" and insert "June 30, 1973."

On page 15, on line 14, strike "five" and insert "seven"; and on line 17, strike "five-year" and insert "seven-year".

Mr. LAUSCHE. Mr. President, on this amendment I ask for the yeas and nays.

The yeas and nays were ordered.

OREGON PRELATE HONORED ON 60TH ANNIVERSARY OF PRIESTHOOD

Mr. MORSE. Mr. President, I would like to call your attention to a very interesting and moving article concerning a great and respected Catholic, the Most Reverend Archbishop Edward D. Howard, head of the archdiocese of Portland. This article appears in the May 20 issue of the Catholic Sentinel, the diocesan newspaper of Portland, Oreg.

This outstanding Oregonian was honored May 25 in ceremonies marking his 60th anniversary as a priest and his 40th year as archbishop of Portland, at which 10 Northwest bishops and abbots were joined by Protestant, Orthodox, Jewish, and civic representatives.

The 89-year-old archbishop has received many honors in his long and service-filled life. In 1959 he received the annual Brotherhood Award of the B'nai B'rith in recognition of outstanding leadership in work for Negroes and other minority groups in western Oregon. He met Pope John in Rome when he was there for the first session of the Second Vatican Council.

In the past 2 years Archbishop Howard has enlisted the archdiocese behind the national war on poverty and has promoted many other worthy causes. Portland and the State of Oregon have every reason to be proud of this eminent, hardworking churchman, who in spite of his high office and many accomplishments, embodies the spirit of kindness and humility.

I wish to personally give testimony to the influence of this great man on the senior Senator from Oregon, for he has inspired me time and time again and has intensified my dedication to a basic tenet of my philosophy. After all, the thing that counts most is to see to it that we do what we can to promote the human values. This is the kind of great spiritual leader that Archbishop Howard has been. He has inspired many people in our State because of his dedication to the promotion of human values.

I ask unanimous consent that the Catholic Sentinel article be printed in the Record at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Spiritual Father to 240,000 in Western Oregon, He Has Made a "Parish" of His Vast Archdiocese

(By Thomas Albright)

The man had chatted warmly with the elderly, but deceptively youthful priest he had greeted on a street corner as "Father."

Only as they parted had he noticed a large cross hanging from the clerical collar.

"Whaddya know," he exclaimed, recounting the incident. "He must have been a bishop."

In fact, he was an archbishop, senior archbishop of the United States and spiritual shepherd of the country's second oldest see. Eighty-eight years old last Nov. 5, Archbiship Edward Daniel Howard celebrates on Wednesday, May 25, his 60th anniversary as a priest, his 40th as head of the archdiocese of Portland.

Often he is known as simply "Father," not just by strangers but by people who have seen him daily over many years—drivers of the bus he still rides almost every morning from his residence in Northwest Portland to his office in the Chancery, waitresses in the nearby blue-plate special businessman's cafe where he sometimes lunches on working days.

By his priests and people, Archbishop Howard is called "His Grace." The term was replaced by "Excellency" seven years after his consecration, and he is the only U.S. prelate left who is entitled to still use it. It seems more than just a title, conveying in a concise way the dominant characteristic of the man, as persistence of the anonymous "Father" reflects the simple concept of the pastoral priest which Archbishop Howard has carried on throughout his life's work as an administrator and member of the hierarchy.

You are impressed first with the keenness and vitality of this man who has been celebrating daily Mass, reciting Divine Office and fulfilling the other priestly duties for more than half a century, since before the San Francisco earthquake, before all but the very first motor cars.

He speaks with the clear, ringing voice of a man much younger, the response to questions is unhesitant, his conversation decisive, yet reflective, a path traced fluidly through personal observations, recollections, quotations from a favorite author or poet.

He considers walking "the perfect exercise" and in good weather will still sometimes walk to work, a distance of more than two miles along Portland's automobile and Skid roads, across the Williamette river. He made the trip afoot more frequently before the Chancery office was moved from a westside location some three years ago.

Age is one of the most frequent topics of a ready sense of humor. Archbishop Howard likes to recall a meeting with Pope John XXIII in an audience for U.S. bishops when he was in Rome for the first session of the Second Vatican Council.

"Bravo! You are older than myself," the 81-year-old Pope told Archbishop Howard, who was then 85.

You are impressed perhaps most lastingly by the archbishop's graciousness. Callers, often overawed at being in the presence of an archbishop, are quickly put to ease by his natural manner, a witty observation followed by a hearty laugh.

During Brotherhood Week two years ago, two different banquets had been scheduled for the same evening, at one of which Archbishop Howard was to be an honored guest. Through a misunderstanding on the part of the layman who was driving him, the archbishop ended up at the wrong banquet, sat at a hastily improvised place at a table in a remote corner.

Next morning, the layman came to his office to explain what had happened and apologize.

"That's perfectly all right. I knew what had happened when we arrived, but I didn't want to say anything and upset you," the archbishop said.

Primarily, of course, Archbishop Howard is a man of God. As spiritual Father to some 240,000 Catholics in Western Oregon he has made a parish of his vast diocese. His appointment schedule is jammed with callers, and every day he sees as many other people as possible, some whose problems might have been directed elsewhere. People from certain Latin countries have remarked that Archbishop Howard is more accessible than were their parish priests back home.

"It is a part of my duty and responsibility," the archbishop says, simply. "And I learn a great deal, too."

Weekly, he attends as many meetings as possible, including those of the many civic and charitable organizations with which he is associated. For years, he has held faithfully to the policy of visiting every parish in the 21,398 square-mile archdiocese at least once a year, flying whenever possible to save time.

Virtually every child to be confirmed in the archdiocese over the last 40 years has been confirmed by Archbishop Howard, and the same is true for Sisters who have been professed, priests who have been ordained.

Through a round of social activities that might tire much younger men, the Archbishop keeps close to his people—women who flock to a seminary benefit tea at his residence each year, homeless children whom the Archbishop, wearing a panama hat and eating hotdogs, joins for an annual outing at Oaks Amusement Park.

If some bishops are builders, some are politicians, it is primarily as a pastor that Archbishop Howard has administered his see for the past 40 years.

He came, in 1926, to an archdiocese that was already rich in history, becoming its fifth ordinary following the death of Archbishop Alexander Christie.

He had been consecrated two years before as an auxiliary bishop of Davenport, Ia., after having served two years as president of the college—St. Joseph (now Loras)—he had attended as a student.

Consecration came as climax to the decision Edward Howard had made at the age of 12 to follow in the footsteps of the parish priest of the small town of Cresco, Ia., where he was born Nov. 5, 1877.

His father, John Howard, a Civil War veteran, died when his son was just a little over 13. Archbishop Howard attended both parochial and public schools at Cresco before entering St. Joseph college in Dubuque in 1896. He went there for three years, and then completed a classical course at St. Mary's, Kansas, in 1900.

The same year he entered St. Paul seminary. He was ordained there on June 12, 1906, by Archbishop John Ireland.

He returned to St. Joseph, beginning his career as an educator teaching Latin and Greek in the high school and college departments. He became disciplinarian, then dean, and in 1921 was appointed college president.

In 1923, after staging the Golden Jubilee celebration of the college and at the age of 46, the then Father Howard was appointed auxiliary bishop of Davenport. He was consecrated April 8, 1924, at St. Raphael cathedral in Dubuque.

On April 30, 1926, he was appointed to the Archdiocese of Oregon City, which had in fact 64 years before had become centered in Portland. It was officially changed to that name two years later.

Characteristically, the new archbishop sent a letter to archdiocesan officials who awaited his coming, saying "the more quiet and unostentatious the reception for me, the more pleasing it will be for me."

He arrived in Portland via a private car provided by the president of the Spokane, Portland and Seattle railway on the 7 a.m. train Aug. 26. He was accompanied by his mother.

He was installed the same day at the Portland cathedral. Bishop Daniel M. Gorman of Boise, Ida., who had preached at the Archbishop's first Mass 20 years before, delivered the sermon. He also became head of the Portland province, which until after World War II included the Vicariate Apostolic of Alaska and the dioceses of Seattle and Spokane, in addition to the diocese of Baker City, Great Falls, Helena and Boise, which it still embraces.

It was a different Church that is portrayed in editions of the Catholic Sentinel of that year. A columnist worried about "the jazz spirit * * * getting hold of many Catholics today," but headlines focused on the persecutions in revolutionary Mexico, condemnation of "all suggestive advertising, scandal and crime news," the "wet and dry hearings in congress." "Prejudice" still meant anti-Catholic, largely activities carried out both locally and nationally by a vociferous Ku Klux Klan. Three thousand Portlanders turned out for beginning of a lecture series sponsored by the Catholic Truth Society at the public auditorium on "Is One Religion As Good As Another?"

From the first years of his administration, Archbishop Howard worked quietly but with a shrewd business judgment to consolidate and streamline the heritage left by his predecessors. Finding many churches carrying burdensome building debts while other congregations were inadequately housed, he set up a revolving fund to help equalize obligations and provide for future development. He named a superintendent to give the central direction needed for growth of the archdiocesan school system and created a central organization, Catholic Charities, Inc., to coordinate overlapping efforts of the Church's charitable organizations.

Faced with a critical shortage of priests, Archbishop Howard personally fostered development of Central Catholic high school for boys in Portland, recognizing the value of a Catholic high school education in stimulating priestly vocations. He also encouraged religious orders to expand their educational work among both boys and girls.

He was confronted with some thorny obstacles. Shortly after his arrival, the Benedictine-operated seminary at Mt. Angel, training ground for archdiocesan priests, was burned to the ground; the archdiocese contributed substantially toward its rebuilding. The drive for funds to establish Central Catholic was launched on the eve of the depression; it was 1939 before the school was finally completed.

In 1930, the Portland City Council attempted to block construction of a school on property belonging to the archdiocese in All Saints parish. Archbishop Howard filed a suit charging the council with discrimination against Catholics. The archdiocese won the zoning battle in a 1932 Oregon Supreme Court decision.

For the most part, though, his work formed a steady, unspectacular effort, providing the foundation for mushrooming expansion of the Church in Oregon that followed the Second World War.

As teacher and spiritual leader, Archbishop Howard, throughout his 40 years has conveyed to Catholics the moral and social pronouncements of the official Church, with certain persistent overtones that are his own: Need for "harmony and good will among all classes of citizens;" the identity of interests of Church and State; "education of the whole man" for "the spread of true culture and Christian civilization."

It has likewise been a quiet, steady effort, making few headlines, issuing largely from annual Lenten pastoral letters, talks to various Catholic and civic organizations.

Many statements from his early speeches and pastoral letters have a distinctly contemporary flavor.

In 1928, when relations between Catholics and Protestants were still fraught with hostility and defensiveness, the Archbishop was reminding his people that "there are very many others among our non-Catholic brethren who are sincere, just, broadminded; who do not wish to do us injury by misjudging us." It was a doctrine he put into practice from his earliest years, calling upon Catholics to work with Protestants and other community leaders for welfare of the larger community through taking part in such activities as the annual Community Chest drive.

The same year, at a Catholic Action Day in Salem, Archbishop Howard called for a "reform of society based on Christian teaching." In 1929, he launched the campaign to establish Central Catholic high school "to give to society an educated Catholic laity." In 1932, he joined Jewish and Protestant leaders at the public auditorium to speak on behalf of the Geneva World Disarmament conference. Citing "elementary morals and common sense," he deplored "perverted patriotism," the "baneful spirit of lawless Nationalism" and the "blind and destructive arbitrament of war," stating that "all races, nations and states are equal in the sight of God." In 1935, Archbishop Howard established archdiocesan study clubs with the goal of creating an "active, enthusiastic * * * lay apostolate."

He also issued pastoral letters on more traditional matters: Temperance ("one of the numerous evils wrought by the fanaticism of Prohibition was the decline of temperance") preoccupation with material things ("a huge synthesis of humbug" leading to "existence without meaning * * * philosophical pessimism.") He emphasized the Church's position against divorce and birth control, and against communism—although the same year instituting a study club course on capital and labor as stated in the papal encyclicals.

Archbishop Howard issued a key pastoral letter during Lent of 1945 on "The Social Implications of Our Religion." To the charge that Christianity has failed he replied "men and nations have rebelled against Christianity . . . and in its place have fashioned a Christianity to their own liking . . . a mass of dead Christianity without the spirit of Christ."

He condemned both socialism and capitalism as "departures and exaggerations—in opposite directions—from the correct mean of the reconciliation of individual liberty with social solidarity." He then called for "an international institution capable of ensuring peace" and "organic reconstruction of the social order" to "promote the common good, avoid the dangers of naturalist individualism . . . and its by-product, collectivist totalitarianism."

With special reference to Negroes, he urged treatment of minorities in accord with what "natural science and revelation alike tells us that the human race is one, that all men belong to the same family . . . Let us make the painful admission, how many Catholics there are who, while thoroughly disapproving of persecution directed against themselves, somehow achieve somewhat less than indignation if persecution and injustice find other victims. On the other hand, it not infrequently happens that men and women with a purely naturalist concept will, through an undefined sense of natural justice, rise to determined activity in these spheres of social relations . . . though . . . it can, of itself, produce no lasting result. The time is opportune for an examination of our social conscience."

With the same consistency, Archbishop Howard has in more recent years promptly implemented so-called modern Church regulations approved by the Vatican, including decrees of the Vatican Council.

Even before the Council, the archdiocese was in the forefront of the liturgical movement; demonstration Masses with priests facing the people were being held in the Cathedral in 1944. After a National Liturgical conference here in 1947, Archbishop Howard signed its recommendation that English be permitted in certain portions of the Mass.

When the National Liturgical Week conference returned to Portland last year, Archbishop Howard could see the success of such pioneering efforts. But he chose to address the gathering on a future challenge—"the great, sad fact that confronts us . . . the lack of Christian unity."

To give direction to the various new movements in the Church, Archbishop Howard has been early to name diocesan commissions to concentrate on the specialized areas: liturgy, sacred art, sacred music, ecumenism. A consistent supporter of a Catholic Press dedicated to leadership in furthering social justice, he appointed a commission eight years ago to make use of the new potentials of religious television. In these, as in older branches of archdiocesan administration—education, church building, the archdiocesan tribunal—he has demonstrated a remarkable ability for selecting directors who are expert, dedicated, most up-to-date in their fields.

In the past two years, Archbishop Howard has enlisted the archdiocese behind the national "War on Poverty" through naming an archdiocesan coordinating committee for antipoverty efforts, with laymen taking a dominant part in its direction. He has appointed an archdiocesan director for the Confraternity of Christian Doctrine program, which long before had reached every archdiocesan parish. Similarly he has promoted, with his own funds, the growing Newman Apostolate on the campuses of Oregon secular colleges and universities.

Such actions have led many persons to associate Archbishop Howard with the "liberal" or "progressive" movement within the Church. It would be more correct to say, however, that current developments within Catholicism simply parallel the predominantly pastoral emphasis—the "elementary morals and common sense"—that Archbishop Howard has held to throughout his 40 years as the archdiocese's spiritual leader.

Similarly, growth of the archdiocese under Archbishop Howard is reflected impressively in terms of brick and mortar. At the time of his Golden Jubilee 10 years ago, a list of new structures—churches, schools, hospitals—built during his administration filled four typewritten pages; many more have been built since. There were 81 parishes when he first came in 1926. Now there are 108. In 1926, there were 174 priests, 80 diocesan and 94 belonging to religious orders. Today there are 440 priests, including 199 diocesan and 241 religious.

This, too, however, is a monument, not to a builder but a pastor—one who has recognized the physical, as well as spiritual, needs of his people, and has done his best to meet them.

Behind both innovation and physical expansion, the guiding force remains similar to what it was 39 years ago, when the new archbishop dedicated a mobile chapel unit designed by the Catholic Truth Society to reach Catholics in Oregon's sparsely populated hinterlands. A two-ton truck with altar and furnishings, movie projector and stereopticon, plus an attached tent auditorium, it was an oddity, to judge by an old picture in the Sentinel.

"At first sight, this may seem to be an extraordinary means of preaching the gospel," Archbishop Howard said in a dedicatory address. "But upon reflection, it appears to be the most obvious and natural thing for us to do. Because for the work of God, no effort on our part is too great."

Now, 40 years later, only a few weeks before the round of modest ceremonies planned to mark his 60-year jubilee, you sit across the desk from the elderly pastor, this Man of God, feeling that somehow his portrait is still incomplete. He has been interviewed by a series of newspaper and TV reporters in recent days, and he begins by saying how glad he'll be when the jubilee is over, although you can see he feels gratified. He reminisces over the other jubilees, and you think of still other honors that he doesn't mention: His appointment as assistant at the Pontifical Throne by Pope Pius XII in 1939, the annual Brotherhood Award presented him in 1959 by B'nai B'rith, in recognition of outstanding leadership in work for Negroes and other minority groups in western Oregon.

His hands clasp restlessly as he answers your question about changes in the Church, in society in general, over the past 60 years.

"Of course, there have been many changes, all very decidedly for the better. It is gratifying to see the growth, difficult sometimes to keep pace with it. There have been no changes whatever in the fundamental doctrine. Our Divine Savior established the teaching of the Church very definitely. But we are using modern facilities in helping to make the teachings of the Church better known. Naturally, there is some confusion, but I am pleased the people in general have accepted the changes and seem to appreciate them. The whole purpose is to draw people into more active participation; we appreciate anything in proportion as we know and understand it. If we could only bring to the people a realization that every member of the Church is an apostle, in a restricted sense. It is every member's duty to help make the teachings of the Church better known."

Gradually, the archbishop becomes more at ease. He laughs after a bright comment, awaits the next question.

"The only teaching worthy of the name is personal example," he says. "One could do a great deal of talking, but unless he lives as he says, his talking has no influence. Every member of the Church has a definite responsibility to live as a Christian. Our Divine Savior never taught a single thing he did not live in his daily life."

He pauses, letting you reflect upon his point before continuing.

"I have often said the great danger in the world today is the breakdown in personal responsibility," he says. "God had a special plan when He created each one of us—He does nothing in vain. He has given to each person all the means, the faculties necessary to fulfill his mission. We can't delegate this personal mission to others.

"Parents delegate too much responsibility to the schools and other places—they should cooperate with those who are teaching their children, don't you think so? It is the same in legislative matters—we ought to support our legislators a little more and not blame them for everything when we don't pay attention. In industrial problems, there should be better understanding between labor and capital; certain principles of justice and charity should appeal to both sides. In international relations, we ought to take more interest in the United Nations and their programs, and give whatever assistance we can in working out a program for peace. No organization can do that alone.

"All of our people should be more interested . . . we all have to criticize ourselves in that respect. Our own effectiveness depends on the stability of our government. A strong nation is the result of strong people."

The archbishop's manner radiates a quiet, serene assurance; you are struck by the frequency of the words "of course," "naturally" in his conversation.

You are not surprised when he answers a question about changing relations between Catholics and Protestants by referring to Pope John XXIII.

"It is amazing how Pope John grasped the situation, how universally he was admired," the archbishop said, and he quoted a column by Walter Lippmann after Pope John's death which had hailed him as "a modern miracle."

"Pope John felt that in every individual there is an element of good—sometimes you have to go pretty deep," the archbishop added, and laughed. "He seemed to understand human nature as well as it is possible, I suppose. He saw the good in everybody."

You ask Archbishop Howard, as a former teacher, about today's students, about folk music, jazz and today's youth.

"I don't think fundamentally students have changed. Naturally, there are different temperaments, in dealing with youth as well as people of all ages."

"Of course, I don't like it myself," he said of current teenage music. "Folksongs, properly understood, I think can serve a useful place in the Mass. But jazz has no place in the liturgy. It can, I think, be a harmful influence on youth, who are liable to run to extremes, if they get to a hilarious stage." He laughed again.

"The responsibility of parents and teachers has increased because of developments in recent years," he said. "Transportation has facilitated contact among people over great distances. Youths can drive miles to parties. They have direct associations with many more people—but this could be helpful or harmful.

"If young people scatter their energies too much, if they get worn out in the desire for pleasure—or for very serious work . . . Human nature needs a certain amount of rest and recreation, and then you are able to give the proper evaluation to things."

The Archbishop declined to answer one question: The writers, thinkers, poets, who have most shaped his own thinking. "There have been so many. I wouldn't want to leave anyone out. There are many men, and women too, and they continue to do so much good."

He laughs softly when you question him about recent articles in news weeklies on the thesis, "God Is Dead."

"I suppose they do disturb some people," he says. "But of course these are simply opinions of the writers."

He talks on, but gradually the meaning of his words become absorbed in a more diffuse, more intimate impression. It is a feeling both of autumn and spring, the quiet wisdom of an old man, assured even in his knowledge of the questions that don't have answers, and the cheerful optimism of youth, drawn together in a radiant balance that has no season and obliterates temporal distinctions.

Now he spoke reflectively.

"Life is a serious thing for all of us, isn't it? You always have to keep God's aim in mind. If we would keep the Ten Commandments in mind, we would discover the law of peace. By fulfilling our obligations to God and our fellow man. We each are to try to do our duty."

"We never reach a stage when we can't make further progress, I suppose," he added. "No organization ever stands still—you either go ahead or you fall back. This is true of any business organization. It is also true of our daily lives. Every day we should make a little advance."

He smiles again, as you ask him about the future.

"The late Pope John was most optimistic—he felt that Providence was leading us into a new order of human relationships, directing us toward a fulfillment of God's law," he said. "Pope John had no time at all for pessimists—he said they act as if they learn nothing at all from history. He always had the greatest optimism about the future of the Church and the future of mankind. That ought to be the attitude of all of us."

You ask the archbishop how he feels now about himself, if in some ways his life has been a lonely one—although by now, knowing how he probably will answer.

The first question he answers by a quotation from John Greenleaf Whittier's poem, "Snowbound:" "How strange it seems, with so much gone/of life and love, to still live on."

"I can say in all sincerity that I have thoroughly enjoyed my experience in life," he adds. "There have been many problems naturally. But problems are good for us, you know—if you meet them and try to solve them as best you can, honestly and fairly."

As you get up to go, he stops you.

"When you write the story, don't be laudatory," he says. "Be factual. Be calm."

Outside his office, you feel that somehow your portrait of Archbishop Howard has at last been finished, given the intangible force that draws together all the various details. It seems fitting that this could come only by personally communicating, on a level beyond meaning, with a man who believes so fully in the primacy of personal example.

You realize, finally, that in seeking to "define" the Archbishop, you have perhaps reached too far, overlooking the obvious fundamental. Pastor, administrator, builder, "progressive" churchman, humble man—he is all these things. But basically you have sensed the simple presence of a "good man," a "gentleman" in the old-fashioned sense of these words.

Today, they often have an almost contemptuous meaning, not because the standards which they represent have changed, but because so many people who supposedly were both have failed to live up to them. You think of Archbishop Howard, then of Pope John, and then finally of the full meaning of the archbishop's words: "The only teaching worthy of the name is personal example. Every member of the Church has a definite responsibility to live as a Christian."

Archbishop Howard To Celebrate Jubilee Mass of Thanksgiving

Ten northwest bishops and three abbots will join Protestant, Orthodox, Jewish and civic representatives in honoring Archbishop Edward D. Howard this Wednesday, May 25, in ceremonies marking his 60th anniversary as a priest and his 40th year as Archbishop of Portland.

Ceremonies will begin at 10 a.m., when a Mass of Thanksgiving will be concelebrated by Archbishop Howard with his diocesan consultors in the Cathedral. Bishop Joseph Daugherty of Yakima will preach the sermon.

The Mass will be followed by a banquet at the Hilton hotel, attended by priests and members of the hierarchy of the Portland and Seattle provinces, British Columbia and Alaska. Speaking will be Bishop Francis P. Leipzig of Baker and former State Supreme Court Justice Hall S. Lusk of Salem. Other state and civic leaders will join Protestant, Jewish and Orthodox representatives as special guests.

Besides Bishop Daugherty and Bishop Leipzig, members of the hierarchy planning to attend the ceremonies include Archbishop Martin Michel Johnson of Vancouver, B.C.; Bishop Remi J. DeRoo of Victoria, B.C.; Bishop Thomas E. Gill, auxiliary bishop of Seattle; Bishop Raymond G. Hunthausen of Helena, Mont.; Bishop Dermot O'Flanagan of Juneau, Alaska; Bishop Eldon Bernard Schuster, auxiliary bishop of Great Falls, Mont.; Bishop Sylvester W. Treinen of Boise, Ida.; and Bishop Bernard J. Topel, Spokane, Wash.

Abbots include Abbot M. Columban Hawkins, OCSO, of the Our Lady of Guadalupe Trappist monastery in Lafayette; Abbot Damian Jentges, OSB, of Mt. Angel abbey; and Abbot Raphael Heider, OSB, of St. Martin's abbey in Olympia, Wash.

Representing other churches will be Episcopal Bishop Hal R. Gross of Portland; Dr. William B. Cate, executive secretary of the Greater Portland Council of Churches; Rabbi Emanuel Rose of Temple Beth Israel and the Rev. George Harb, Syrian Orthodox church of Portland.

WATER POLLUTION FROM PLEASURE BOATS

Mr. MUSKIE. Mr. President, refuse and sewage from small pleasure boats contribute proportionately little to the pollution problem in our rivers, lakes, and coastal water. Still, with the Nation facing a water supply crisis in just 14 years, it is important that every user of our water resources play a responsible part in controlling pollution.

In the June issue of Boating magazine, Mr. Anthony Anable, Jr., an associate editor, discusses the problem of pollution from pleasure boats. He quotes Dr. J. B. Askew, chairman of the San Diego Regional Water Pollution Control Board No. 9, as warning:

> Sooner or later, when things get bad enough, enforcement programs with real teeth in them must begin.

Mr. Anable responds:

We believe that the time has arrived—right now. If boatmen are being charged with contributing to water pollution, let us admit it is so, however small the degree. Let us also be realistic and admit that the only way to stop our contribution to pollution of waterways is to stop pumping sewage, untreated or treated, over the side.

He recommends that States adopt laws requiring holding tank toilets which would be pumped out at marinas.

Mr. Anable's article, titled "Let's Take the Panic Out of Pollution—What Boatmen Can Do To Ease the Problem," is timely and an in-depth analysis of the problem of pollution from pleasure boats. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LET'S TAKE THE PANIC OUT OF POLLUTION—WHAT BOATMEN CAN DO TO EASE THE PROBLEM

(By Antony Anable, Jr.)

Pollution has become a dirty, dirty word.

Contamination of the nation's waterways has become a national disgrace; so much so that an aroused and irate public will no longer condone it. They are demanding state and federal legislation to outlaw further desecration of the streams, rivers, lakes and oceans that afford them endless hours of recreation. They are also demanding—perhaps somewhat naively—that these bodies of water be returned to their original pristine condition. In some cases, their accusations are unfounded and blame is laid at the wrong doorsteps. But you cannot blame them; they have read the facts of water pollution and the facts—as might be expected—are appalling:

Fishes that rely mainly on their chemical senses for finding food will feed less efficiently in waters persistently carrying around 0.5 parts per million of detergents. They may also become weakened and more susceptible to disease than normal fish.—*Study by Michigan University School of Natural Resources*

Lake Erie is polluted by a daily flow of 1.6 billion gallons of industrial and municipal wastes from the Detroit River. Some 7 million pounds of alien chemicals are contained in this flow. Similar situations in Ohio, Pennsylvania and New York threaten to rob the shallow lake of its oxygen and turn it into a vast, noxious swamp.—*Michigan Water Resources Commission*

In the summer of 1964 a group of Harlem youths fished a floating watermelon out of New York's Hudson River at the 125th St. pier. They rinsed it off, divided it up and ate it. Within a few days, eight of them came down with typhoid fever. Several were hospitalized.—*New York World-Telegram and Sun*

In 1964, the Public Health Service received 485 official reports of fish kills occurring in various fresh and marine waters of the United States. This was by far the largest number of reports ever received and the number of fish killed was also the largest, an estimated 18,387,000. Industrial pollution in 193 incidents accounted for the largest number (12,715,000) of the fish killed. Municipal wastes (4,100,000 fish) and toxic substances from agricultural operations (1,522,000) followed in second and third places. Out of the 485 separate kills, 15 were major disasters, involving more than 100,000 fish each.—*U.S. Dept. of Health, Education and Welfare*

Driftwood and floating debris in New York Harbor caused $8 million worth of damage to commercial and pleasure boats in 1962. Approximately 200,000 pleasure boats cruise the waters of the New York-New Jersey area. Over 5,000 of these comparatively thin-hulled craft incurred damage by collision with drift. Total direct and indirect cost as a result of damage to these boats amounted to $4.3 million.—*Survey by Port of New York Authority*

Almost as appalling as the facts of pollution is the scatter of effort expended by individuals, state and federal agencies, private citizens groups, and national organizations to stem the flow of pollution into the nation's waterways. While entirely commendable, these anti-pollution proponents somewhat resemble Stephen Leacock's hero who jumped on his horse and rode off in all directions.

United States Senator GAYLORD NELSON (Wis.), in introducing legislation to strike at pollution of the Great Lakes and other navigable waters by ships and marine terminals, stated: "There are already six federal agencies empowered to deal with vessel pollution under 12 different laws but none of them attacks the problem directly and enforcement is so cumbersome as to be almost meaningless."

The situation was aptly summarized in a 1965 bulletin of the Sport Fishing Institute: "A major need in strengthening water pollution control programs is strong federal authority to define adequate water quality criteria as goals for water cleanliness that must be met, at least on interstate waters."

Fortunately this need was finally recognized by the federal government last year. On October 2, President Johnson signed into law the Federal Water Quality Act of 1965. In brief, this act proposes "to enhance the quality and value of our water resources and to establish a national policy for the prevention, control, and abatement of water pollution."

In signing this new act, President Johnson declared: "This moment marks a very proud beginning for the United States of America. Today, we proclaim our refusal to be strangled by the wastes of civilization. Today, we begin to be masters of our environment. But we must act, and act swiftly. The hour is late, the damage is large."

Even as President Johnson poised his pen over federal parchment, state solons continued their long-standing practice of scrambling around in confused circles, waving bills and proclaiming the horror of their states' dirty water. Their constituents demanded action, and action they'd get, by Jupiter!

Unfortunately, most of these well-intentioned senators and representatives have searched for, and found, an ideal scapegoat for their proclamations—the pleasure boatman. With splendid bureaucratic astigmatism, these learned legislators have overlooked the major causes of water pollution—municipalities and industry—and waggled their accusing fingers at the idle, rich, and vulnerable boatman who, quite obviously, dumped his filth directly into crystal clear waters throughout their states. They have found him the perfect target for their anti-pollution efforts.

No matter that their waters were far from crystal clear; no matter that boatmen contributed but a minute fraction of wastes to total water pollution; boatmen used their heads while on board, and heads had to go.

The resulting legislation, rushed through by many states in haphazard fashion, has required the boatmen to adhere to one or more of four options. He can—indeed, *must*—(a) completely stop pumping his head, and seal off his discharge opening; or (b) macerate and chlorinate his wastes before discharge; or (c) hold his wastes in a tank until they can be pumped into a shoreside sewerage system or overboard if far enough out to sea; or (d) incinerate his wastes before discharge.

An impartial examination of the three existing systems of anti-pollution devices reveals the following advantages and disadvantages:

CHLORINATORS

Chlorinators are devices designed to hold sewage for a least a nominal period of time to permit introduction of dosages of disinfectants to kill bacteria in the sewage. To meet any reasonable health standard, such units must be equipped with a macerator or with some other type of agitator that will cause the breakup of solids to permit disinfection and to inhibit settling of solids in the chlorinator.

Chlorinators are perhaps the most prevalent devices used to date. They generally employ household chlorine, easily obtained at marinas, marine supply houses, and supermarkets. A given amount of chlorine is metered into the device to perform the desired operation of rendering the effluent nontoxic to humans, fish, or wildlife.

In a report prepared for the New York State Department of Health in 1962 by Syracuse University, it was noted that chlorination devices must retain the waste materials for a minimum period of time to assure adequate treatment by the disinfectant. Persons unfamiliar with the device could therefore keep it from doing its job if they operated the discharge mechanism in less than the required time. Also, should the boat owner allow the supply of disinfectant to run out, there is no way the unit can be designed to continue to hold the wastes until a disinfectant is introduced.

Chlorination devices also are designed to work with or without the introduction of the disinfectant. Frequently, it is without, for no way exists to force a boatowner to replace an empty container of disinfectant. A personal inspection, by this reporter, of a number of cabin cruisers on New Hampshire's Lake Winnipesaukee revealed that many installations were inoperative or that the chlorine containers were empty and obviously had been for some time. The owners of two of Winnipesaukee's largest marinas confirmed these personal observations.

INCINERATORS

These units are designed to trap the waste material, generally in a previously inserted bag, and to hold the wastes until the device is activated. Upon activation, the bag with the sewage is dropped into a burning chamber where it is consumed by a burner ignited by turning the burning control as prescribed. These units are usually provided with exhaust fans to remove odors from the area to overboard vents. Generally, appropriate controls are provided to assure that the device cannot be activated when the toilet is in use.

The principal objections to units of this kind relate to their size and to the fact that most use propane gas as fuel. In other respects, they are considered to be the most effective anti-pollution device because they destroy the wastes entirely.

HOLDING TANKS

A holding tank is simply a waste tank placed on board the vessel and attached to the marine toilet so that all materials are pumped from the toilet into the tank. Such devices can be emptied in one of two ways: the first through a pump attachment which empties the tank into a shoreside sewer system or septic tank; the second by pumping the materials directly into the waters of the lake or ocean.

If holding tanks are to be pumped ashore, relatively expensive sewer installations at marinas are required. Holding tanks also require considerable space on board boats, where space, regardless of the size of the boat, is always limited.

With three anti-pollution systems available to boatmen, and with each system being represented by a number of manufacturers supplying various models of their devices, legislators had a golden opportunity to display their individuality. That they have succeeded is evidenced by a cursory inspection of existing—or pending—anti-polluton laws. No two are alike.

The State of New Hampshire, which pioneered anti-pollution laws by enacting legislation as early as 1958, requires maceration and chlorination of wastes. But holding tanks are also approved, and officials will tell you—off the record—that they favor tanks over chlorinators. Boat owners and marina operators on the state's large system of lakes also seem to favor holding tanks.

This summer, most attention in the country will be focused on the states of Minnesota and Wisconsin, both of which have enacted boat pollution legislation. Minnesota approves two chlorinator types, although officials of the Minnesota State Water Pollution Control Board will tell you confidentially that they see little value in the chlorinators they have approved. Most officials readily agree that a holding, or retention, system is the only workable solution.

In Wisconsin, only retention systems are approved. Tremendous pressure has been applied to this state to also approve chlorinators, but they have stood their ground. The Wisconsin State Health Department feels that all treatment devices are worthless.

Since Minnesota and Wisconsin share the waters of the St. Croix River, most owners in the two-state area are installing retention systems. To accommodate these holding systems, pumpout stations are being set up at major marinas throughout the two-state area. It will be interesting to see, however, if chlorinator-equipped boats from Minnesota will be forbidden use of Wisconsin's part of the St. Croix River.

In California, local laws forbid the discharge of any matter, treated or untreated, into the water. There is no state legislation regarding any of the three available systems.

In Mississippi, on the Ross Barnett Reservoir, every boat must have its through-hull fitting sealed, thereby approving only holding tank systems.

In Illinois, on the Chain-O-Lakes, all boats with toilets must have their through-hull fittings sealed.

Colorado prohibits the discharge of any wastes, treated or untreated, into its waters.

Alabama has no legislation pertaining to pollution, but is contemplating an anti-pollution act in the near future.

Nebraska's anti-pollution law is rather vague, simply stating that toilets "shall handle and treat solid and liquid wastes in a manner that will prevent water pollution." However, the regulation continues: "No wastes or container of such wastes shall be placed, left, or discharged in or near any waters of this state." By inference, the state only approves holding tank devices.

Montana permits devices that discharge an effluent to acceptable standards. The state also accepts holding tanks, but recommends neither device.

States without specific legislation pertaining to marine toilets and treatment or holding devices, frequently rely on a general law that prohibits the discharge of litter, garbage, sewage, refuse or other contaminants. Most often the law is ignored because it lacks teeth to bite violators. The boat owner is allowed to flush his toilet directly into inland waterways without a specific law stopping him.

Other states have held off enacting anti-pollution laws for an all too common reason: lack of funds. In a letter we received from Roy M. Harris, Director of the Washington State Pollution Control Commission, he aptly states the case: "We have held a number of discussions relative to proposing legislation on this subject (marine toilets) but no final decision has yet been made. The futility of passing such legislation without sufficient budget appropriations for adequate enforcement is obvious, and to date there has not been sufficient public demand for action of this nature to assure success."

In an effort to determine the nature and extent of pollution of the nation's waters by recreational watercraft and to make recommendations relative thereto, in 1963 the National Association of State Boating Law Administrators (NASBLA) appointed an investigative committee. Its report, delivered on November 8, 1965, is probably the most thorough survey yet made of water pollution as related to pleasure boats. It represents thousands of man-hours and the review of millions of legislative words.

Included in the report is a somewhat controversial model anti-pollution act that will undoubtedly influence many states not yet carrying such acts on their law books. In fact, numerous states have postponed anti-pollution legislation until they have had a chance to thoroughly study the report. On the other hand, a survey by this magazine revealed that many state agencies are not aware of the report or even of the association that prepared it.

LEGISLATION VARIES

A brief summary of the highlights of the NASBLA committee report reveals no particularly startling information. More important, perhaps, the report points out the general inconsistency of anti-pollution legislation, and the facts, figures and administrative thinking relating thereto.

At the time data for the report were being collected, a total of 23 states had already adopted legislation controlling the discharge of sewage into the individual state's waterways. This legislation, however, was notable for its divergence, the laws of one state having little or no resemblance to those adopted by others. The picture was further complicated by the propensity of a state to select one type of antipollution device and to permit only its use in that state. Whether this was done deliberately or in ignorance of the existence of other devices is not known. However, the NASBLA committee remarked, such arbitrary selection of devices further complicated the mobility of boats cruising on the waters of more than one state.

Expecting to find that many states had made surveys on the extent of pollution of waters by recreational watercraft, the committee was able to locate only two. One report dealt with the effect of pollution from houseboats in the vicinity of Portland, Ore., and was prepared by the Oregon State Sanitary Authority. The second report, entitled "Survey of Marina and Watercraft Use in Relation to the Public Health Aspects," was jointly prepared by the Macomb County Health Department and the Michigan Department of Health.

With little information at hand, the committee prepared its own questionnaire, which it sent out to some 200 state and federal agencies, including public health departments, water pollution control boards or commissions, state boating law administrators, and virtually every federal agency having any connection with waters used for recreation. More than 90 replies were received, representing one or more agency in every state.

An analysis of the two available reports and the questionnaires returned to the committee established the fact that very few officials believed that pollution attributable to recreational watercraft was much of a problem. It was concluded that a maximum of 10% of the recreational watercraft of any one state contained marine toilets, and that the national average would be probably less than 5%. It was found that only a very few watercraft were used for any extensive periods of time as dwellings, and that most use was concentrated on weekends, holidays, and summer vacations. Further, the boating season of most states was found to be rather limited with the exception of the southern, southwestern, and western states.

Based on the assessment of the committee of the total boating population in this country with marine toilets, the patterns of use of such craft, and the total days per year they are in operation, it was the opinion of the committee that the pollution of the Detroit River (1.6 billion gallons per day flows into it and then to Lake Erie) caused by municipalities and industries is of greater national concern than such pollution as is caused to the nation's waterways by the total recreational boating fleet of the *entire country*.

WHAT TO DO?

Predicting that legislation prohibiting entirely the discharge of marine toilets on the waters of a given state will continue to be passed in the future as it has in some instances been in the past, the committee was then faced with a choice of action. Should it oppose each and every attempt to curb pollution caused by recreational boating, even though it represents a minute fraction in the total pollution picture? Should it advocate a total program to correct all pollution as an alternative to regulations covering boating alone? Or should the NASBLA continually refer to its report and its conclusions in hopes that this alone would reduce legislative activity in this field?

Opposition, naturally, to anti-pollution laws was out of the question. The committee didn't wish to be keelhauled. Regulations would continue; they would undoubtedly vary from state to state; many, if not a majority, would completely prohibit discharge of wastes in any form, treated or not, from marine toilets; and such non-uniform regulations would be injurious to the interstate mobility of recreational boating that the committee was trying to promote.

The solution suggested, and adopted, by the committee was the preparation of a model anti-pollution law designed to avoid the shortcomings of present regulations and still alleviate the problem of the discharge of untreated wastes from recreational watercraft.

Having provided a highly commendable and frequently provocative survey on pollution in the light of pleasure boating, the committee unfortunately chose the easy way out in drawing up its model act. It concluded, perhaps in a rush to finish up the job, "that suitable and adequate devices are presently available for installation aboard recreational watercraft that will treat sewage to a standard acceptable to most health officials."

Despite an impartial survey of chlorinators, incinerators, and holding tanks—which pointed out the numerous disadvantages of each system—the committee hedged again by stating: "Since any of the three units above are acceptable treatment devices, and since the selection of one of the three by a boat owner will be based on personal considerations, it is recommended that a model law permit the use of any of the three devices."

If, as the committee states in its report, "many, if not a majority, (of states) would completely prohibit discharge of wastes in any form, treated or not, from marine toilets . . .," then its conclusion and its sanction of all the available devices is not only naive but ill-advised.

WHY NOT FACE IT?

It is the considered editorial opinion of this magazine that if pleasure boat owners are to be required to cease even their miniscule contribution to the pollution of our nation's waterways, there is only one way to achieve success—*stop pumping effluents over the side.*

Anything thrown, poured or pumped over the side of a boat contributes to pollution. Most visually evident, of course, is litter: milk cartons, glass bottles, plastic bottles, and the like. Even a beer can, carefully punctured at both ends and sunk with a satisfying glug-glug, indirectly contributes its share of pollution. It may be out of sight, but its process of rusting deprives the water of a certain amount of oxygen. Fish and plant life need oxygen to live. Take away enough oxygen from the water and you'll eventually kill fish and plant life.

A report to the White House recently released by the National Academy of Sciences predicts that by 1980 the discharge of sewage and other organic wastes will be sufficient in volume to purge the oxygen from all 22 of the nation's chief rivers during their dry-season flow.

Pour enough oil, gasoline, detergent or acids into a river or lake and you'll wind up with an uninviting sludge that will eventually contaminate shallow waters and beaches to the extent that they must be closed to swimmers.

Pump enough raw sewage into the water and the effects are both obvious and unsavory. Pump even the most carefully treated sewage into the water and the *effects are basically the same*. Boatmen, manufacturers, and anti-pollution proponents should not delude themselves by thinking treated sewage does not contribute its share to pollution. *It does.*

Even the most efficient marine toilet chlorinating device, operated according to its manufacturer's instructions, and producing an effluent acceptable to present health department standards, contributes to pollution. Chlorine may render the effluent theoretically non-toxic to humans, fish, and wildlife, but its eventual disintegration robs the water of oxygen and nutrients vital to the support of such life. Even the most thoroughly macerated effluent is reduced to only the approximate size of a pea, and this effluent either sinks to the bottom or is washed ashore to beaches, riverbanks, or lakeshores where it effectively mucks up the waterside or clogs and kills plantlife.

The above observations—nay, truths—presuppose that chlorinating devices are properly operated by the boatowner. In point of fact, however, many of them are not. The device—as noted—may run out of chlorine or other disinfectant, and nothing in the device automatically stops it from pumping raw sewage over the side. The effectiveness of chlorinating devices is in direct proportion to the conscientiousness of the boatowner. And, for all practical and financial purposes, there is no way to enforce a boatowner to operate a chlorinator in the prescribed manner.

Incinerating devices are, theoretically, the best marine toilet attachments. They completely consume wastes on board and nothing need be deposited over the side. Unfortunately, they require tremendous heat (2100° F.), produce a high (200°-450°F.) flue temperature, and require the use of propane gas. The uncertainty, and possible danger of operating gas devices on board a boat cannot be recommended.

THE ONLY SOLUTION

Holding tanks, therefore—even with the drawbacks already noted—seem to be the only solution.

Retention tanks are generally available in two models: those that must be pumped out only into a shoreside facility; and those that may be pumped out either at a facility or overboard. Obviously, the former model, and only the former model, should be installed on boats plying the inland waterways.

But what about the boatowner who occasionally takes his boat ten or more miles offshore? Can he legitimately pump his tank overboard? We believe he can. He represents a fraction of the boating public, and generally speaking, very few skippers with boats under 30' take their craft beyond three or four miles offshore. Those skippers who do not normally venture out beyond ten miles should be required to equip their boats with retention tanks that may be pumped only to shoreside facilities.

We would suggest, therefore, that the criterion of whether a boat may be equipped with an offshore pumping device for the retention tank be the length of the boat. Admittedly, this criterion has some loopholes, but we believe they will be insignificant.

Holding tanks have their disadvantages, too. Until recently, most tanks required considerable space for installation. Now, one manufacturer, Monogram Industries, Inc., 8525 Stellar Drive, Culver City, Calif. 90231, has come up with a marine toilet with a self-contained tank that is only slightly larger than the standard marine head. Monogram has pioneered in the field of holding tanks, having developed and supplied most of the major airlines with their in-flight toilet facilities. At present Monogram is the only manufacturer supplying holding tanks specifically for the marine trade. There are, however, some 25 firms that make tanks for the trailer industry and these may be modified for marine use.

Some marina operators will undoubtedly raise objections to any law requiring them to install the necessary pumping-out equipment, even though such equipment currently may be installed for an average of $500. But, we ask, which would they prefer—the installation of pumping-out equipment or eventual legislation completely barring any boat with an overboard discharging head, which would ultimately reduce the number of pleasure craft upon inland waterways?

Dr. J. B. Askew, Director of the San Diego City and County Department of Public Health and Chairman of the San Diego Regional Water Pollution Control Board No. 9 has prophesied; "Sooner or later, when things get bad enough, enforcement programs with real teeth in them must begin."

We believe that the time has arrived—*right now*. If boatmen are being charged with contributing to water pollution, let us admit it is so, however small the degree. Let us also be realistic and admit that the only way to stop our contribution to pollution of waterways is to stop pumping sewage, untreated or treated, over the side.

Is there truly any other solution?

LATIN AMERICANS MOVE WISELY TO CURB DROPOUTS

Mr. TOWER. Mr. President, I wish to call to the attention of the Senate and ask that there be printed in the Record an editorial and an article from recent issues of the Abilene Reporter-News.

These items describe the local efforts being made there to retain in school students who otherwise might become dropouts. It is clear to me that despite all the Federal programs and national speeches on the subject, the final responsibility and the best opportunity for helping potential dropouts rests on the local level with their neighbors and friends.

I am proud that this Texas community has taken on this project. As a former teacher I know full well that the future of our Nation rests on the education of our children. Abilene, Tex., and the Nation will benefit from these wise moves to ameliorate the dropout problem.

There being no objection, the editorial and article were ordered to be printed in the Record, as follows:

[From the Abilene (Tex.) Reporter-News, May 29, 1966]

Latin-Americans Move Wisely To Curb Dropouts

Latin-American leaders are showing commendable initiative and a constructive approach in trying to show the way to young people of their community to prepare themselves for the future.

The 21 Club and the GI Forum are pushing an effort to prevent children of Latin-American families from becoming school dropouts.

A meeting for this purpose was held at Mann Junior High School last week. On June 3, another meeting of junior and senior high school Latin-American students of the city will be held at Sears Recreation Center.

Ben Aguirre, who with Frank Rodriques and Manuel Hernandez conducted the meeting with Mann Junior High Latin-American students, gave this very wise advice:

"You will be making the biggest decision of your life this summer when you decide whether to come back to school in the fall."

Aguirre and his associates are trying to intercept the dropouts at an appropriate time. Many quit school after junior high.

Aguirre urges them not only to finish high school, but go on to college. "In this day and time," he told the students, there are many ways all of you can go to college, and we solemnly promise you we will do everything humanly possible for those of you who want to take this step."

He urged the youngsters to think positively, to participate in school activities to "earn the admiration and respect of your teammates and teachers."

Aguirre challenged the students in conclusion:

"Three years from now, I expect graduation invitations from all of you."

Here is an admirable program, initiated by the people most concerned with the problem, which merits not only the support of Latin-Americans, but of every facet of the Abilene community.

Abilene has enough service clubs, fraternal organizations, women's clubs and veterans' groups to fill a good sized directory. Here is an opportunity for service that can be seized by many of these, with unmeasured good to result for the efforts.

[From the Abilene (Tex.) Reporter-News, May 26, 1966]

Earn Respect, Don't Drop Out, Latin Students Here Urged

"You will be making the biggest decision of your life this summer when you decide whether to come back to school in the fall," Ben Aguirre told Latin American students at Mann Junior High School Tuesday.

The talk by Aguirre is part of a drive by Latin American leaders aimed at stemming the high rate of school drop-outs. Clubs leading in the drive are the 21 Club and the GI Forum.

Joining Aguirre at the school event were Frank Rodriques and Manuel Hernandez.

"We hope to influence you into going ahead and finishing high school and going to college," Aguirre said. "In this day and time there are many ways all of you can go to college, and we solemnly promise you we will do everything humanly possible for those of you who want to take this step.

"We have got to think positive," he told them. "A good way to learn to think positive is to participate in all you can in school—be it football, basketball, baseball or ping pong.

"Earn the admiration and respect of your teammates and teachers," he admonished them.

"They are all for you, not against you.

"You have one of the finest groups of teachers and coaches in the world," he reminded them. "Try to respect them like you would expect to be respected."

Aguirre also encouraged the girls to go on to high school and perhaps college so that they can better train themselves to be good wives and mothers.

"Look around you," he said. "See your own brothers and sisters married in their prime, now tied down with two or three children. Do you want your children to be drop-outs?"

"Three years from now," he concluded, "I expect graduation invitations from all of you."

Recognized as National Honor Society members at Mann were John Padilla, George Solis and Eunice Flores. Aguirre praised them for their achievements and named other Mann students who have been outstanding students: Mary De la Garza, Richard Tolentino, Mary Alva, Sylvia Padilla, Tony Lopez, Angelina Gonzales, Frances Moncibaiz, Joel Loya, Rosa Gonzalez, Manual Jimenez, Robert Garcia and Carlos Rodriquez.

Virginia Lopez, Abilene GI Forum Junior Queen, also participated in the program.

Aguirre said the next phase of the program will be a June 3 meeting of all junior and senior high school Latin American students at the Sears Recreation Center.

TRIBUTE TO THE SOUTHERN STATES PROBATION AND PAROLE CONFERENCE—RESOLUTION OF THE OKLAHOMA LEGISLATURE

Mr. HARRIS. Mr. President, we in Oklahoma are proud that the Southern States Probation and Parole Conference is holding its annual conference in Oklahoma City, Okla., on June 5, 6, 7, and 8, 1966.

The Oklahoma Legislature last session recognized this fine group and made note of the fact that the State of Oklahoma was honored by the selection of Charles C. Chesnut, of Miami, as president of the Southern States Probation and Parole Conference.

Mr. President, I ask unanimous consent that a copy of that resolution, Enrolled House Concurrent Resolution 564, be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

ENROLLED HOUSE CONCURRENT RESOLUTION No. 564

A resolution extending a cordial welcome to the representatives of other States attending the Southern Probation and Parole Conference

(By Mountford of the House and Gee of the Senate)

Whereas, the Southern States Probation and Parole Conference in conjunction with the Southern States Prison Association, have voted to hold the annual Conference at Oklahoma City, Oklahoma on June 5, 6, 7 and 8, 1966, at the Skirvin Hotel; and

Whereas, Oklahoma is honored by the selection of a citizen of this State, the Honorable Charles C. Chesnut, of Miami, as President of the Southern States Probation and Parole Conference; and

Whereas, Governor Bellmon has heretofore extended a warm invitation to these groups to come to the nation's most cosmopolitan area, situated in the heart of America, where the North embraces the South land, and the customs of the East blend with the traditions of the West: Now, therefore, be it

Resolved by the House of Representatives of the Thirtieth Session of the Oklahoma Legislature, the Senate concurring therein:

SECTION 1. All officials, employees and agents connected with the State government, as well as all citizens of Oklahoma, are urged to cooperate in making this conference a success and demonstrate the unequaled genuine hospitality and warm friendship of the State of Oklahoma.

SECTION 2. That Oklahoma extend a cordial welcome to the official representatives of the great states of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia and West Virginia.

Adopted by the House of Representatives the 7th day of July 1965.

J. D. MCCARTY,
Speaker of the House of Representatives.

Adopted by the Senate the 12th day of July 1965.

LEON FIELD,
Acting President of the Senate.

THE JOHN BIRCH SOCIETY

Mr. McINTYRE. Mr. President, on May 24, 1966, I inserted a newspaper editorial which had been printed in the Rochester (N.H.) Courier, in the CONGRESSIONAL RECORD. The editorial was, in my opinion, a well balanced, rational, dispassionate analysis of the John Birch Society, and it concluded that the John Birch Society was a threat to our American way of life.

Last week, I received a letter from a Mr. Thomas J. Davis, whose title appears to be "Reg. Mgr., Public Relations" of the John Birch Society, Inc.

Mr. Davis described the editorial which I had inserted in the CONGRESSIONAL RECORD as a "scurrilous newspaper article." In his words:

> Apparently, due to your personal disagreement with the Society, you are willing to go to extremes in attempts to discredit us.

Now, Mr. President, I wish to completely disavow the allegations made by Mr. Davis. I am not willing to go to extremes in attempts to discredit the John Birch Society. I see no need to go to extremes to discredit the John Birch Society. The John Birch Society, in my opinion, is perfectly capable of discrediting itself without any attempts, extreme or otherwise, from me.

Mr. Davis apparently agrees with me—knowingly or not, for he enclosed with his letter to me a copy of a letter addressed to the editor of the Rochester Courier. The text of this letter amply discredits the John Birch Society, without any attempt on my part—extreme or otherwise—to contribute to the result.

I would like to make it clear that I am not violating any confidences by requesting that this letter to the editor be printed in the CONGRESSIONAL RECORD. I do not wish to be accused of publishing this letter from Mr. Davis in an extreme maneuver to discredit the John Birch Society. I would like to make it clear that, in his covering letter to me, after describing the article which I inserted in the RECORD last month as "scurrilous," and after accusing me of personal extremism, Mr. Davis requested that his reply to the Rochester Courier be inserted in the RECORD. In his words:

> It would only seem fair that we be allowed honest representation of our views.

Therefore, Mr. President, I ask unanimous consent that a copy of the letter from Thomas J. Davis, regional manager, public relations, the John Birch Society, to the editor of the Rochester Courier, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JUNE 1, 1966.

EDITOR, ROCHESTER, COURIER,
Rochester, N.H.

DEAR SIR: Your newspaper editorialized on May 12, 1966, that The John Birch Society was seeking to establish a "dictatorship" in this country. The basis for your editorial was a feature article which appeared in the Press-Herald, Portland, Maine on May 5th.

In an interview with Mr. William Langley of the Press-Herald, I said The John Birch Society believes that, "Our own American Constitutional Republic was the finest form of government yet devised by man."

My reference to a "benevolent dictatorship" was simply that if and when Almighty God came down to rule this earth, that would be the best form of government for man, but we did not anticipate that happy circumstance. A benevolent dictatorship clearly implies complete justice and complete freedom and is as far removed from the injustices and terror of the Nazi rule and Communist slavery as your editorial is from a truthful representation of what The John Birch Society had to say in Portland, Maine.

I would greatly appreciate your printing this letter so that the confusion you have created, will be dissipated.

Sincerely,

THOMAS J. DAVIS,
Regional Manager,
Public Relations.

(cc: Hon. THOMAS J. MCINTYRE; Hon. NORRIS COTTON; Hon. John H. Rousselot; Dr. Francis X. Gannon; Mr. Arnold Forster, ADL; WCBS-Radio N.Y.C., Mr. Ed Joyce.)

Mr. McINTYRE. Mr. President, this letter is a masterpiece of discredit for the John Birch Society. It masks itself in words and phrases which all Americans respect and revere. It speaks of our Nation, and of Almighty God. But hidden behind this phoney hypocritical front can be seen the real philosophy of the John Birch Society. I quote:

> A benevolent dictatorship clearly implies complete justice and complete freedom.

Mr. President, what a completely discreditable thing to say. What a shabby parody of the lessons of two centuries of American history. What a callous disregard for the notion that freedom and justice are arrived at by a government of, by and for the people, and not by some sort of "benevolent dictatorship."

Mr. Davis, however, the spokesman for the John Birch Society, sticks to his guns. His mind is clear. The implications of dictatorship are clear. I repeat what he has written:

> A benevolent dictatorship clearly implies complete justice and complete freedom.

Mr. President, I have tried to stick to the precise words which Mr. Davis used. I do not wish to be accused of extreme attempts to discredit the John Birch Society. Nevertheless, I am willing to stand accused of moderate, middle-of-the road attempts to help the John Birch Society discredit itself. And so I would like to speculate a bit that perhaps Mr.

Davis did not really mean to have his praise of dictatorship taken at face value.

I would imagine that the key factor in the decision whether the John Birch Society approves of a dictatorship lies in who is doing the dictating.

For example, I am quite certain that the John Birch Society would not place its stamp of approval on any person who presently holds elective office or cabinet office in the U.S. Government. No man who could get the vote of the American people would, I imagine, qualify for the Birch Society's endorsement. None of our recent past Presidents, Kennedy, Eisenhower, Truman, or Roosevelt would obtain the seal of approval.

It is my impression that the sort of benevolent dictatorship which the John Birch Society has in mind would be one headed by some right-minded citizen, preferably a member of the society. Then and only then would the society feel secure about proclaiming its creed, in the words of Mr. Davis, that—

> A benevolent dictatorship clearly implies complete justice and complete freedom.

Now, Mr. President, there are some people who really believe that the John Birch Society is made up of great American patriots. There are some Americans who really believe that complete justice and complete freedom will come about through a dictatorship. But before the Senate gets too alarmed about this phenomenon, I would hasten to point out that there are many people who believe in Santa Claus, Superman, and Snow White and the Seven Dwarfs.

VIETNAM LETTER BY A U.S. MARINE COMBAT CORRESPONDENT

Mr. TOWER. Mr. President, a U.S. Marine combat correspondent, Sgt. Greg Pearson, has written a most touching and inspiring letter containing his thoughts on the Vietnam situation. This letter, printed in the Denton Record-Chronicle in Texas, shows the commendable spirit and motivation of our fighting boys in this war. I ask unanimous consent that this revealing letter be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Patience Needed in War—"Fear Must Not Paralyze"

(Editor's Note.—The following is a portion of a letter from Viet Nam, written by a U.S. Marine combat correspondent, Sgt. Greg Pearson of Denver. Sgt. Pearson is assigned to the Marine combat news unit at Da Nang. The letter was written to Wick Fowler, after Fowler returned home from reporting the Vietnamese war for the Denton Record-Chronicle.)

"We have been greatly heartened by the B–52 bombing raid over North Viet Nam. We've just got to be tough. Not recklessly so, for that will only lead to greater troubles, but courageously so.

"I still don't think the North Vietnamese believe that our government really has the will to win this thing. I'm sure they study our Gallup Polls, realize the implications of the upcoming general elections in the States, they know that the American people are becoming impatient and that we don't like hardship, and they think we may pull out, or settle for something far less than we should.

"However, if we get firm, if we start knocking hell out of them, they may see the light. They may realize that we really are here to win. They know we have the resources to win. Now we have to convince them that we have the will to.

"The American people are going to have to learn to be patient, that's all there is to it. We cannot pull out of Viet Nam, for if we do, we give up all of Asia. And I'm not one of those who believes the Occidental has no right in Asia. We have as much right here as we do in Europe, no matter what De Gaulle must think.

"We must grow thicker skin. We should not worry so much about what our critics say. In a way, we must become like the Russians. If we need to do something, if we feel it is right for our way of life, then we must do it regardless of world opinion.

"Patience and fortitude and guts are what we need. If we pull out, then we have wasted the lives of hundreds of American youngsters. If we stay and win—as we can in the long years ahead—then they will not have suffered and died in vain.

"I have always felt that the only hope for this country of South Viet Nam lies with the very young. We must provide them with security from fear and oppression. We must provide them with educational opportunities, with better health facilities. We must provide them with hope for a better life, which only they can forge, but which we can initiate.

"When the youngsters, now 5 and 10 years old, come of age, I think we will see that we have been justified. For I am convinced, deeply, that most men appreciate freedom and independence and self-betterment. They want a better life for their children.

"The children are the hope of the world, and that isn't a trite belief on my part. I hold to it dearly. For every day I begin to lose patience, every time I start getting disgruntled and fed up and pesimistic, my hope is rekindled by the children.

"We can do it. But we must not shirk our responsibilities, nor must we seek the easy way out, nor must we shrink from hardship and suffering.

"The American people must learn that we are not here for the sake of the Vietnamese alone. We are here for our own sake, too. We have a great personal stake here. Others realize this. The Philippine government has authorized the sending of a 2,000-man combat engineer battalion to Viet Nam. The Koreans are sending another 20,000 troops. The Australians are contributing heavily. They realize their stake in this thing.

"Sometimes—and this is very personal—I wonder about getting seriously wounded, or even killed. It's not a pleasant thing to consider. It does frighten me. But if we become paralyzed by fear, we have given up life.

"Life is a constant struggle. When, and if, this battle is ever over there will be another. And another. This is what the American people must be cognizant of. This is why we must always be strong. This is why we must be ready to take suffering and hardship and even death.

"The alternative is to lock ourselves within our homes and stagnate, to quit living. I want my children to have courage. I want them to make sacrifices.

"But what kind of men and women would they become if they saw that their daddy lacked the guts to be the same way? I taught for two years. I learned that you can talk until you're blue, and still never make a lasting impression. But if you DO the things that you preach, then you teach.

"God knows, I have had my fill of Viet Nam. But I'm not trying to get out of it. I believe we should be here; therefore I must do my part.

"How can we expect the Vietnamese people to be unanimously united in this struggle? How can we expect them to rule properly, when they have never had the opportunity to rule before? How can we expect them to do things the right way, when they don't know what the right way is? How can we expect them to be more open in their support, when they have the constant fear of Viet Cong retaliation?

"I'm convinced that once we take away the fear, we will get on the right road.

"During the height of the demonstrations in Da Nang, we were on an operation near Chu Lai. Early one hot, miserable day we came to a village along Route One.

"There was an old man trudging down the road with one of those crossbars over his shoulder, carrying things. He was carrying two large sacks with grain. The sacks had the American shield and the clasped hands of friendship on them. They said something to this effect: 'This is a gift of the people of the United States to their friends in Viet Nam.'

"And there were children walking to school. And they were carrying boxes of crayolas and spiral notepads which they had just received from a junior high school in Santa Barbara, Calif.

"And the people smiled at us, the kids waved to us, and the old man nodded to us.

"We can win if we have patience. The Asians have an abundance of patience. The Communists have an abundance of patience And now it's time for the American people to begin to adopt patience by the bucketful.

"If we pursue this thing diligently, if the American people shed their near-sightedness and their constant need of soft living, if they get back a little of their innate hardness, we can do it."

RURAL ELECTRIFICATION—WINNING ESSAYS

Mr. MORTON. Mr. President, I ask unanimous consent to have printed in the Record a statement by the Senator from Nebraska [Mr. Curtis] and five winning essays dealing with the value of rural electrification.

There being no objection, the statement and essays were ordered to be printed in the Record, as follows:

Statement by Senator Curtis

The Nebraska Rural Electric Association has sponsored a youth tour to Washington for a number of years. The group is made up of those boys and girls who have been the winners of essay contests sponsored by their individual Nebraska rural power systems in cooperation with the Nebraska Rural Electric Association.

I am privileged to include five of these winning essays in my remarks.

Winning Essays

INFORMATION

My name: Barbara Ann Geisler.

Age: 16.

Grade: Junior.

School: Pleasanton High School.

Name of Father: Gerald Geisler, Riverdale Nebraska.

Contestant sponsored by the Dawson Public Power District, Lexington, Nebraska, in cooperation with the Nebraska Rural Electric Association.

THE VALUE OF RURAL ELECTRIFICATION TO MY COMMUNITY

Since its discovery during colonial times, electricity has profited and benefited the American family more than any other single invention. Electricity is responsible for most of the labor saving devices that have been developed to make man's life pleasant and his work more efficient. In our rural community, one can constantly see such improvements. With the help of electricity, farmers can produce more and better farm products which greatly contributes to the fact that the standard of living in the United States is among the highest in the world.

To the farmer, electricity means fresh water every day for his stock and crops. Years ago he had to depend completely on nature; counting on the wind to turn the windmills and rain to satisfy the needs of thirsty crops. If nature failed him in any way, his chances for an annual profit were ruined. If nature provided sufficient water, it had to be stored and often became stale and full of disease germs before being used. Today, clean fresh water makes livestock healthier, faster growing, and more disease free. Thus, making a greater profit for the farmers and a higher quality product available to the consumer.

Once crops have been harvested, the power of electricity provides the storage and care essential to keep the grain from spoiling. The grain in the large bins and other storage equipment can be cooled and aired by electric fans as necessary until ready for feeding or selling.

Examples of labor and time being saved for the farmer by electric power tools are numerous. What the electric saw can do in a few hours in building and repairing could not be accomplished with the same accuracy, by hand labor in several days. The electric welder and other tools enable the farmers to repair machinery; saving himself both time and money.

In the homes of today, many of the family activities are centered around electricity. As one walks into a home, he can easily adjust the lights, heat, or air conditioning for his comfort. These conveniences are available with a "mere flick of a switch."

Rural electricity has given the homemaker the privilege of using all the modern appliances to maintain a better home. These appliances assure her of providing a tasty and large variety of foods for her family. Electric freezers, stoves, and broilers make it possible to store and prepare these foods safely and easily. The hot water heater, washing machine, clothes dryer, vacuum cleaner, and bathroom facilities enable the farm family to have tidy homes and clothes. To those members of the family who are students, electric typewriters, recorders and musical instruments have made learning more enjoyable. Much of the recreation enjoyed by families today is provided by electricity as televisions, stereos, and radios, can be found in almost every home.

Thank you, rural electricity for making farm life easier, more comfortable and much safer and for your constant efforts for new improvements.

INFORMATION

My Name: Linda Taylor.
Age: 18.
Grade: Senior.
School: Broken Bow High School.
Name of Father: Burrel Taylor, Broken Bow, Nebraska.

Contestant sponsored by the Custer Public Power District, Broken Bow, Nebraska, in cooperation with the Nebraska Rural Electric Association.

DEVELOPMENT OF RURAL ELECTRIFICATION IN MY AREA

The depression years of the 1930's saw the birth of the AAA, CCA, PWA, WPA and a host of other relief projects, but probably none influenced rural development in America as greatly as did the REA.

In 1935, when the Rural Electrification Administration was created as a relief project, only 7 out of every 100 farms in Nebraska had electric service. In Central Nebraska, the area now served by Custer Public Power District, the ratio was even lower. The Rural Electrification Administration offered government loans to private power companies to build power lines in rural areas. Most power companies felt that farmers could not afford electric service, so little interest was shown. It took the Rural Electrification Act of 1936, co-sponsored by Nebraska's Senator George Norris, to provide the stimulus to get rural electrification underway. Various specified types of organizations were authorized to finance construction of generation plants and electric transmission and distribution lines to provide service in rural areas.

Realizing that if rural electrification was ever to be a reality they must provide it themselves, farmers all over the nation tackled the job in earnest.

By 1963, less than two decades later, 97.5 per cent of Nebraska's farms were electrified. Thirty-one public power districts and three rural electric cooperatives with headquarters in Nebraska provide most of Nebraska's service today. Custer Public Power District, formed in 1945, and serving in ten counties is one of these public power districts.

With an initial government loan of $283,000, work on the Custer Public Power District was begun. Little more than a year later, the "A" section, near Weissert, was energized. Twenty years later, as a result of $7,000,000 in government financing, careful study, practical planning and a sound business operations on the part of the management, approximately 281 miles of high voltage transmission lines and 3,813 miles of primary distribution lines carry service to over 98 per cent of the eligible users within the area served by the district.

In 1945, forty kilowatt hours and $3.75 represented minimum service. Today the figures have risen to eighty-three kilowatt hours and $7, but few customers pay only the minimum.

Direct employment by Custer Public Power District have grown from fifteen employees in 1945 to sixty-five employees today. There is no way of calculating the indirect employment that rural electrification has created by way of industrial development. A whole new market has been created for the grocer—products for refrigerators and home freezers. The hardware dealer has been called upon to meet an ever increasing demand for items ranging from drills, saws, welders, and various power tools, to major farm equipment such as electric pumps, elevators, grinders, milking machines and only an ingenious farmer knows what else. The appliance dealer has found a ready market among modern housewives for the endless flow of labor saving devices that make modern homes as efficient and beautiful as their modern counterparts in the city.

Games, radios, record players and television, powered by electricity, provide both education and entertainment. Leisure hours of both rural and city folks are often spent at parks, lakes, and public recreation areas serviced by rural electrification.

Great as has been the change that rural electrification has brought in the development of urban and industrial life, even greater has been the change that it has brought in the development of agricultural life. Rural electrification has brought beauty, ease, efficiency and dignity to farm living. It is the key that will unlock the potential of the nation's agricultural economy.

INFORMATION

My Name: Larry Anderson.
Age: 16.
Grade: Sophomore.
School: Elgin Public High School.
Name of Father: Leslie Anderson, Clearwater, Nebraska.

Contestant sponsored by the Elkhorn Rural Public Power District, Battle Creek, Nebraska, in cooperation with the Nebraska Rural Electric Association.

DEVELOPMENT OF RURAL ELECTRIFICATION IN MY AREA

According to Webster, development means: to make more useable; to go through a growth process. These definitions apply to the word development as it is used in the story of growth of rural electrification in my area. In describing the growth of anything, one must begin with its formation. Most assuredly, we must give credit to Benjamin Franklin for the discovery of electricity.

A prime instigator in bringing electricity to rural America was Nebraska's Senator Norris. He sponsored the bill giving Congressional approval to lend $40,000,000 annually to promote rural electrification. In 1935, President Roosevelt signed the bill creating the Rural Electrification Administration; opening the door to provide electricity to even the most remote farm.

It was hoped that private power companies would utilize the availability of government money to extend power lines to rural Nebraska. But feeling this would be a poor risk, they refused.

So the determined Nebraskans banded together and organized their own power district. It would be impossible to mention the names of all the men responsible for developing REA in the Elkhorn Valley; and unfair, lest some deserving name by omitted. These farmers and businessmen worked together to turn dollars and dreams into miles of lines generating electricity. Nebraska is the only state served by electric systems owned and operated by its citizens.

Another major obstacle was the time . . . "The Dirty Thirties," 1934 and 1936 were dry and farmers' funds were limited. But they were determined to emerge from their life in the "Dark Ages." They wanted the conveniences of electric lights and appliances. Thus it was by their undaunted efforts that they continued and were successful in this great project. Countless meetings and individual effort finally accomplished the preliminary work. Maps and plans were drawn, appointments made, contracts let . . . and the dream of rural electrification began to take shape.

April 29, 1940, was a big day; for the first line was energized, 116 miles serving 148 consumers.

Further development was hampered by World War II. After the war, progress resumed. The network of lines spread into six counties . . . all of Antelope, Madison, and Pierce and portions of Holt, Boone, and Wheeler.

Growth of the Elkhorn Rural Public Power District is evident by these figures. In 1940, three employees operated the first line of 116 miles and one substation. In 1956, the 1,813 miles of line served 3,325 customers in five counties. Now, 26 years old, the District has 1,915 miles of line with eight substations serving 33,552 consumers in six counties. The organization has seventeen people on the payroll with its main office in Battle Creek and a branch office in Neligh. The organization, directed by a board of nine elected men, plan for the provision of electricity for present and future needs.

Besides bringing electricity to remote areas at reasonable rates, this power is being used to develop new industries . . . thus expanding Nebraska both economically and socially.

INFORMATION

My Name: Tom Emerton.
Age: 17.
Grade: Junior.
School: Loup County High School.
Name of Father: Herbert Emerton, Sargent, Nebraska.

Contestant sponsored by the Custer Public Power District, Broken Bow, Nebraska, in cooperation with the Nebraska Rural Electric Association.

WHAT RURAL ELECTRIFICATION MEANS TO ME AND MY COMMUNITY

When rural electrification was born into this area by the Custer Public Power District and funds from the federally organized R.E.A., it found a region usurped by the ten-hour day: a country of industrious citizenry who were struggling to complete their daily work during the daylight hours. Farmers and ranchers were unable to understand that they could profit enough from electricity to pay the monthly charges let alone the initial cost of wiring.

Today, Willie the Wirehead and his magic current have transformed this area into a prosperous, modern part of Nebraska. Electric power has replaced muscle power. It has eased the backbreaking labor of the farmer, rancher, and businessmen. Modern conveniences, run by electricity, have lessened the load for everyone. Today rural electrification aids in harvesting crops, drying grain and running dairy farms. It irrigates pasture and crop land, feeds cattle and warns the farmer and rancher of storms in this area. Electricity is leading the farmers and ranchers to what was once believed an imaginary fairyland of push-button agriculture.

In the home, modern electric appliances have replaced the clothes line, ice box, the wood and coal stove, and the kerosene lamp.

In the towns and villages of this area rural electricity has also become a way of life. It is aiding the business man in storing his products, heating his buildings, advertising his goods and keeping his records.

Rural electrification has provided this area with more recreation. Theaters, bowling lanes, lighted parks, and athletic fields have given us something to do in our leisure time which is also a direct result of electrification.

Electricity furnished by our local district has aided in supplying us with communications which are just as modern as any in the world. It has led us to better educations by providing us with electrically powered audio and visual aids. It has also led the still young educational television into our schools.

Yes, we in this area have come to depend on electricity so much that stand-by power plants to generate electricity have become a convenience and even a necessity for many farmers, ranchers, and businessmen. It has become a necessity because of the many operations that depend on electricity for power. Electric equipment supplied by electric energy is the most satisfactory from every angle. We rely on it and depend on an abundant supply. If it fails, we find ourselves in a strange world—a world of a generation ago, a world suddenly become cumbersome again. But this change has only lasted for a short time because power failures in Nebraska and especially in this area have remained at a minimum.

Man is constantly motivated to do better, to improve conditions, to add to his material and spiritual assets and to leave a better world behind him—better than the one he entered. Thus, we have the reasons for the tremendous progress of rural electric power, for the purpose of rural electrification is to improve all rural and urban America.

INFORMATION

My Name: Richard Psota.

Age: 16.

Grade: Junior.

School: Ord High School.

Name of Father: Edward Psota, North Loup, Nebraska.

Contestant sponsored by the Loup Valleys Rural Public Power District, Ord, Nebraska, in cooperation with the Nebraska Rural Electric Association.

LIFE BEGINS WITH REA

God commanded, "Let there be light" in the beginning. Since then, it has echoed and reechoed down the halls of time, picking up new meaning and importance with each reverberation.

Ever since the beginning of man, there has been a source of light. In the beginning, man was afraid of lightning and the harm it could do. As the years passed, man began to gain more knowledge, through trial and error, and by chance.

These early days were not pleasant ones. It was racked by fear, doubt and superstition, the height of which was reached each day when the sun went down and left him alone in the dark. The next step in his progress came with his accidental discovery of fire. Perhaps it was a bolt of lightning or the lava from a volcano that revealed this secret to man, but at any rate he now controlled light for the first time. With it he could see at night and cook his food. As time passed and man experimented with fire, he used it to cure hides, form weapons, sterilize wounds and use it in many ways to improve his life on earth.

It was not until the Renaissance (16th Century) that the first form of electricity was noted, namely static electricity. Then man discovered that lightning was a form of static electricity and saw the tremendous potential energy in it. Following years of experimentation and theorizing, electricity was harnessed and the reins were in the man's hands. A mountain of applied uses appeared for the mysterious "white coal." Among them were the light bulb and electric motor. These two inventions alone rejuvenated life—in the cities that is.

While urban people were enjoying lighted streets and household appliances powered by electric energy, the inhabitants of the rural sections of America saw no change in their standard of living. Did not anyone care about the rural population whose task it was to feed the entire nation? Were they to advance no further than their ancestors before them while town dwellers lived in comparative luxury and ease?

There were men who cared. In Washington, D.C. Sam Rayburn and Senator George Norris realized that the effect of electricity on the farm would be widespread and beneficial not only to the farmers whose lot it would improve but also to the entire nation as well. The work that they put into passing the bill for rural electricity was finally rewarded on May 11, 1935, when the Rural Electrification Administration was created by a Presidential order. The long sought dream was a reality. The farms of the nation were going to receive electricity.

It is hard to estimate the benefits that Nebraska received after twenty years of public power. The work and money brought into the state during the depression years greatly benefited the economy. Now, REA lines can be seen everywhere.

The future looks brighter than ever and thanks to God and curiosity, we have seen the light.

SELF-EMPLOYMENT FOR THE HANDICAPPED THROUGH CBSA

Mr. HARTKE. Mr. President, recently a citizen of Indiana began a new business. On the surface, such an event is not one which would receive special notice. However, in this case, the gentleman was handicapped.

Mr. Claude Flint, of Kendallville, Ind., is a victim of multiple sclerosis, and has only limited mobility. He begins this month a new business which holds promise for thousands of other handicapped individuals.

The promise of self-employment to thousands of these people was announced at the recent session of the President's Committee on Employment of the Handicapped. New hope was held out through a unique business organization known as Community Business Services Associates—CBSA.

The program, originated by 3M Co., St. Paul, Minn., is based on cooperation of the U.S. Vocational Rehabilitation Administration, State agencies for vocational rehabilitation and 3M Co., in establishing handicapped individuals in their own business. They would offer copying, shortrun duplicating, mailing, and other business services, many of which are not presently available in most communities.

The program currently is operating in 10 States and will soon add CBSA centers in 15 more. It is my understanding that plans call for expansion into most other States by the end of the year.

A local CBSA is established by State vocational rehabilitation counselors and a 3M representative working together in a community. Candidates for owner-operators are recommended by the division of vocational rehabilitation counselors. The community under consideration is also studied to make sure it offers adequate business potential.

The appropriate State agency establishes the man in his business. A 3M representative gives the new owner-operator an intensive business training program, and also organizes the community behind the new business. The State, usually, provides the new business equipment and an initial inventory of supplies.

Mr. President, I commend the farsighted community action program conceived and implemented by the 3M Co. It is through such programs that handicapped men and women become productive members of their communities, making worthwhile contributions.

VICE PRESIDENT HONORED AT HURON COLLEGE

Mr. McGOVERN. Mr. President, on May 31, Huron College at Huron, S. Dak., honored Vice President and Mrs. Hubert Humphrey, bestowing on them honorary doctor's degrees. This represented a unique, but justly deserved dual recognition of two of America's greatest citizens, Hubert and Muriel Humphrey, South Dakota's most distinguished native daughter and son.

In his address on the occasion, the Vice President delivered an eloquent plea to the graduating class to seek a world at peace through aid to the impoverished peoples of the world—aid with food and fiber, health and education.

> Our goal should be nothing less than this—

The Vice President said—

> that, in the family of man, each child might be able to look ahead to a future where hunger was not an everyday companion.
>
> There are those who say it can't be done. I say—with our skill and determination; with equal commitment by the other rich nations of the world; with perseverance and courage by those who lead the poor nations—that it can be done.

I agree wholeheartedly with the Vice President that we can end want in the world, and that it is essential to peace that we be about this vital task.

Mr. President, no American has spoken with greater force and eloquence over the years in behalf of food for peace and food for freedom than our distinguished Vice President.

I ask unanimous consent that his inspiring address be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY, HURON COLLEGE, S. DAK., MAY 31, 1966

The author Thomas Wolfe wrote: "You can't go home again."

He meant that you can never find things as they were in the place of your youth—that "home," in that sense, can never be found again.

For Mrs. Humphrey and myself, this is a homecoming nevertheless.

The South Dakota in which we grew up was a land of friends and family, of warmth and friendship that can never be recreated.

But it was, too, in our young years, a land in which the winds blew * * * in which homes and farms and businesses were lost * * * in which good men worked and fought to no avail * * * in which heartbreak and despair became a part of everyday life * * * in which dreams were literally turned to dust.

To come home today is far better than to return to what we knew then. To come home today is to live the good new days.

And thank God for it.

This country needs no more days like the old days of the 1930's.

Today, in our nation of well-being and abundance, it is hard to recreate in our minds what it was really like in those times. It is almost impossible for your generation to know the heartaches, the dashed hopes of the American Depression.

In the same sense, it is difficult for both our generations to come to the realization of what life is like today in two-thirds of the world around us.

The fact is that our life in the Depression years was far better than the life today of most of the people on earth.

Over much of the world a typical human being is one who struggles to exist on an income of little more than a dollar a week.

And this is why my text today—my text to you who will be responsible for tomorrow—is the same as President Truman's when he launched the Point Four program 14 years ago. President Truman said:

"I hate war. War destroys individuals and whole generations. It throws civilization into the dark ages.

"But there is only one kind of war the American people have any stomach for. That is war against hunger and pestilence and disease.

"Much as we have contributed to industrial and economic development, we have gotten even greater know-how in the saving and prolonging of human lives."

America, President Truman said, "could do much to clear the way for self-development of nations now being held back by hunger and disease."

We have done much.

But—as the late Pope John so often said—where there is constant want, there is no peace. And that is why, lest the peace be lost, we must do much more.

The desperate need of the world today is to narrow the widening gap between the rich and poor nations of the world.

Today there are families spending their last day on earth because they haven't the strength or health to keep going.

But those who remain—and you can be sure of this—those who remain will take to the streets—they will turn to any master—they will tear the fabric of peace to shreds, unless they have some reason to believe that there is hope for life and hope for justice.

President Johnson has made, in these past months, three historic proposals designed to help provide the developing nations with the three first essentials of nation-building: I mean education, health, and food.

While my subject today is food, I must point out that all three are interrelated. Progress in any one of the three aids the others.

Shortcomings in any of the three retard the others. And this must be recognized.

We have made it a matter of national priority—and must do so on an increasing scale—to help the developing nations obtain food: Not just food for survival but food of a quantity and quality and so distributed as to release the energies needed for sustained economic growth.

Our food aid programs, over the past 10 years, have brought over 140 million tons of food to hungry people.

Hunger, malnutrition and famine have been averted.

Schools and hospitals have been built.

Seventy million children today receive American food in school lunch and family and child-feeding programs.

But, despite these efforts, the world is hungrier today than it was 10 years ago.

The world population explosion continues. *If current trends continue, world population could double in the next 35 years.*

And the explosion is greatest in the nations already the hungriest.

Over the world, people receive more than half their calories by eating grain—and, of course, indirect consumption of grain in meat, milk and eggs accounts for a good deal more. In Communist China, for instance, as much as 80 per cent of food energy comes from direct consumption of grain products.

It is estimated that by 1980 the developing nations may need as much as 750 million tons of grain each year. This is 300 million tons more than they required in 1960. *It is equal to the entire present grain production of North America and Europe combined.*

President Johnson said in his Food for Freedom message to the Congress that ". . . The time is not far off when all the combined production, on all of the acres, of all of the agriculturally productive nations, will not meet the food needs of the developing nations—unless present trends are changed."

And he said this at a time when it was not yet clear that crop reports for this year would indicate shortfalls in expected world production of cereal grains, vegetable oils, and proteins.

Lack of protein is an especially serious problem for children. A fact of life in our world is this: The minds of hundreds of millions of children are today being dulled and stunted, by lack of protein, before those children even reach school age.

Obviously, we must think more in terms of helping people to produce their own food and fiber.

I believe our goal should be nothing less than this: That, in the family of man, each child might be able to look ahead to a future where hunger was not an everyday companion.

There are those who say it can't be done. I say—with our skill and determination; with equal commitment by the other rich nations of the world; with perseverance and courage by those who lead the poor nations—that it can be done.

It is, in fact, being done today even under handicaps, as in Vietnam.

The South Vietnamese people have since 1954 doubled their production of rice, their most important crop.

In the same period of time, production of pigs has gone up by more than 75 per cent and of sugar cane more than 100 per cent.

New crops have been introduced, as well as improved strains of traditional crops.

Modern agriculture is being introduced to Vietnam, and the people benefit. The primary credit for this achievement, of course, belongs to the Vietnamese peasants and their hard work and initiative. They learn quickly. They are a vital people.

But we have helped.

We have expanded shipments of food to Vietnam, provided guidance on reorganization of Vietnamese agriculture, and we are presently recruiting county extension agents to go to Vietnam to do the same work there.

We have taken initiative, too, toward development of the whole Mekong River delta—development which would benefit many millions of people and several nations.

In India food supply this year is precarious.

More lives may be saved in India this year by American food than the total populations of North and South Vietnam together. We are currently shipping over a million tons of good grain a month to India.

In addition, we are helping the Government of India to take hard, practical steps of self-assistance: To develop a price incentive program for food grains, a long-range soil and water conservation program, and agricultural research, among other things.

Throughout the world, Americans are at work helping to build more self-sustaining agricultural economies in nations without them.

And this includes everything from building rural schools, roads and clinics . . . to helping rid Africa of the tsetse fly . . . to developing new strains of wheat . . . to introducing basic conservation and fertilization techniques to peasants who have never known them before.

Every year about 5,000 foreign technicians, scientists, teachers, and other agriculturally oriented people come *to* the United States for training—training particularly related to their own countries.

We do not, and cannot, attempt to conquer hunger alone.

Hunger is a world problem. It must be dealt with by the world.

We must encourage a truly international effort to combat hunger and modernize agriculture.

We shall work to strengthen the Food and Agriculture Organization of the United Nations. The efforts of the multilateral lending organizations, and of the United Nations Development Program should be expanded—particularly in food and agriculture.

We are prepared to increase our participation in regional as well as world-wide multilateral efforts, wherever they provide efficient technical assistance and make real contributions to increasing the food-growing capacities of the developing nations. For example, we will undertake a greatly increased effort to assist improvements in rice yields in the rice-eating less developed countries, as part of our cooperation with FAO during this International Rice Year.

People will not forever die quietly in this troubled world. Twenty centuries ago the Roman philosopher, Seneca, observed that "a hungry people listens not to reason, nor cares for justice."

No one nation or region of the world can live in plenty, callous to the needs of others that are in grave want, without moving further toward the destruction of peace.

This world cannot rest upon a base of hungry, needy, ignorant, and despairing people without sooner or later experiencing a violent explosion.

Let us, then, who share in this miracle of American abundance, work—and I mean really work—to give full impetus to a new world of hope and peace. One person with belief is worth 99 who have only interest. Let us have belief.

Dante said: "The hottest places in Hell are reserved for those who, in a period of moral crisis, maintain their neutrality."

We cannot, in a world of deprivation and hunger, remain neutral.

Let the word go forth that America is a life-giving nation, not a life-taking nation.

Peace is more than a wish or speech or treaty. Peace is food and fiber. It is health and education.

Peace can be found in fertile fields and pastures, in productive peasants and farmers, in workers, teachers, businessmen, soldiers, and servants of the people who have the vision of a better day and are not afraid to devote their lives to it.

In the years ahead, as citizens of the richest and most powerful nation on earth, yours will be the responsibility, in seeking the peace, of leadership.

In closing, may I say a word about the nature of that responsibility.

Leadership for peace requires far more than a large stock of gunboats and a hard fist at the conference table.

Leadership for peace requires more than the ability to go-it-alone—although we must not be afraid to do so when necessary.

Leadership for peace requires understanding of the problems we face . . . of the resources at hand . . . and of the objectives we seek.

It requires the ability, perhaps even more, to lead and inspire others—to lead and inspire in a sense of common enterprise.

This, then, is the test of ourselves: Not to march alone, but to march in such a way that others will wish to join us.

I will add one caveat: In none of this should we expect either friendship or gratitude.

We have already eaten breakfast to the accompaniment, in our morning newspapers, of too many "Yankee Go Home" signs . . . too many riots . . . too many denunciations of ourselves to believe that leadership, even in the cause of peace, can reward us with international laurel wreaths.

I think the most we can expect is this: That in the world there may be no doubt that we Americans have the vision, the endurance and the courage to stand and see it through for what we believe in.

So Mrs. Humphrey and I have come home today.

The blessing of our generation has been to see a nation deep in poverty and dust rise to become a nation of abundance, of hope, of increasing social justice, and of international leadership.

May the blessing of your generation be the opportunity to help build a world in which men may dwell in homes of light, in valleys green with nature's bounty, in nations ruled by laws of justice, and in the knowledge that, for their children, there lie ahead uplands of opportunity and freedom for the human spirit.

DAY OF AFFIRMATION

Mr. McGOVERN. Mr. President, today the distinguished junior Senator from New York [Mr. KENNEDY], is delivering an historic address to the students of the University of Capetown. I have had the privilege of reading an advanced text of the Senator's statement. Although he has made a number of remarkable statements during the year and a half since he first came to the Senate, the Senator from New York has, in my judgment, reached a new high in eloquence and inspiration in his South African remarks.

His address today manifests a breadth of intellectual vision and a depth of spirit that are rare in public speech. Our colleague has taken the occasion of his Capetown appearance to challenge the young people not only of Africa, but of all the world, to a higher concept of political and moral responsibility:

I think that we could agree on what kind of a world we want to build—

He said—

it would be a world of independent nations, moving toward international community, each of which protected and respected basic human freedoms. It would be a world which demanded of each government that it accept its responsibility to insure social justice. It would be a world of constantly accelerating economic progress—not material welfare as an end in itself, but as a means to liberate the capacity of each human being to pursue his talents and his hopes. It would, in short, be a world we would be proud to have built.

Recognizing the challenges of our swiftly changing world, Senator Kennedy told his Capetown audience:

Our answer is the world's hope; it is to rely on youth. The cruelties and obstacles of this swiftly changing planet will not yield to obsolete dogmas and outworn slogans. It cannot be moved by those who cling to a present which is already dying, who prefer the illusion of security to the excitement of danger. It demands the qualities of youth: not a time of life but a state of mind, a temper of the will, a quality of the imagination, a predominance of courage over timidity, of the appetite for adventure over the love of ease. As I have seen, and as I have said—in Europe, in Asia, in Latin America, and now in South Africa—it is a revolutionary world we live in; and thus, I have said in Latin America, in Asia, in Europe, and in the United States, it is young people who must take the lead. Thus you, and your young compatriots everywhere have had thrust upon you a greater burden of responsibility than any generation that has ever lived.

Mr. President, the late President Kennedy once described himself as "an idealist without illusions." It is this capacity to combine a sturdy idealism with a realistic view of the world as it is which gave force all over the world to the message and the personality of John Kennedy. I see that same capacity reflected in the eloquent address of our distinguished colleague from New York, Senator ROBERT KENNEDY. I ask unanimous consent that this superb challenge to the young people of our time be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

DAY OF AFFIRMATION

(Address of Senator ROBERT F. KENNEDY, University of Capetown, June 6, 1966)

This is a Day of Affirmation—a celebration of liberty.

We stand here in the name of freedom.

At the heart of that western freedom and democracy is the belief that the individual man, the child of God, is the touchstone of value, and all society, groups, the state, exist for his benefit. Therefore the enlargement of liberty for individual human beings must be the supreme goal and the abiding practice of any western society.

The first element of this individual liberty is the freedom of speech.

The right to express and communicate ideas, to set oneself apart from the dumb beasts of field and forest; to recall governments to their duties and obligations; above all, the right to affirm one's membership and allegiance to the body politic—to society—to the men with whom we share our land, our heritage and our children's future.

Hand in hand with freedom of speech goes the power to be heard—to share in the decisions of government which shape men's lives. Everything that makes life worthwhile—family, work, education, a place to rear one's children and a place to rest one's head—all this rests on decisions of government; all can be swept away by a government which does not heed the demands of its people. Therefore, the essential humanity of men can be protected and preserved only where government must answer—not just to the wealthy; not just to those of a particular religion, or a particular race; but to all its people.

And even government by the consent of the governed, as in our own Constitution, must be limited in its power to act against its people: so that there may be no interference with the right to worship, or with the security of the home; no arbitrary imposition of pains or penalties by officials high or low; no restriction on the freedom of men to seek education or work or opportunity of any kind, so that each man may become all he is capable of becoming.

These are the sacred rights of western society. These are the essential differences between us and Nazi Germany as they were between Athens and Persia.

They are the essence of our difference with communism today. I am inalterably opposed to communism because it exalts the State over the individual and the family, and because of the lack of freedom of speech, of protest, of religion and of the press, which is characteristic of totalitarian states. The way of opposition to communism is not to imitate its dictatorship, but to enlarge individual human freedom—in our own countries and all over the globe. There are those in every land who would label as "communist" every threat to their privilege. But as I have seen on my travels in all sections of the world, reform is not communism. And the denial of freedom, in whatever name, only strengthens the very communism it claims to oppose.

Many nations have set forth their own definitions and declarations of these principles. And there have often been wide and tragic gaps between promise and performance, ideal and reality. Yet the great ideals have constantly recalled us to our duties. And—with painful slowness—we have extended and enlarged the meaning and the practice of freedom for all our people.

For two centuries, my own country has struggled to overcome the self-imposed handicap of prejudice and discrimination based on nationality, social class or race—discrimination profoundly repugnant to the theory and command of our Constitution. Even as my father grew up in Boston, signs told him that "No Irish need apply." Two generations later President Kennedy became the first Catholic to head the nation; but how many men of ability had, before 1961, been denied the opportunity to contribute to the nation's progress because they were Catholic, or Irish extraction? How many sons of Italian or Jewish or Polish parents slumbered in slums—untaught, unlearned, their potential lost forever to the nation and the human race? Even today, what price will we pay before we have assured full opportunity to millions of Negro Americans?

In the last five years, the winds of change have blown as fiercely in the United States as anywhere in the world. But they will not—they cannot—abate.

For there are millions of Negroes untrained for the simplest of jobs, and thousands every day denied their full equal rights under the law; and the violence of the disinherited, the insulted and injured, looms over the streets of Harlem and Watts and Southside Chicago.

But a Negro American trains as an astronaut, one of mankind's first explorers into outer space; another is the chief barrister of the United States government, and dozens sit on the benches of court; and another, Dr. Martin Luther King, is the second man of African descent to win the Nobel Peace Prize for his non-violent efforts for social justice between the races.

We have passed laws prohibiting discrimination in education, in employment, in housing; but these laws alone cannot overcome the heritage of centuries—of broken families and stunted children, and poverty and degradation and pain.

So the road toward equality of freedom is not easy, and great cost and danger march alongside us. But even in the turbulence of change is greater hope for the future, as men learn to claim and achieve for themselves the rights formerly petitioned from others.

And most important of all, all the panoply of government power has been committed to the goal of equality before the law—as we are now committing ourselves to the achievement of equal opportunity in fact.

We must recognize the full human equality of all our people—before God, before the law, and in the councils of government. We must do this, not because it is economically advantageous—although it is; not because the laws of God and man command it—although they do command it; not because people in other lands wish it so. We must do it for the single and fundamental reason that it is the right thing to do.

And this must be our commitment outside our borders as it is within.

In a few hours, the plane that brought me to this country crossed over oceans and countries which have been a crucible of human history. In minutes we traced the migrations of men over thousands of years; seconds, the briefest glimpse, and we passed battlefields on which millions of men once struggled and died. We could see no national boundaries, no vast gulfs or high walls dividing people from people; only nature and the works of man—homes and factories and farms—everywhere, reflecting man's common effort to enrich his life. Everywhere new technology and communications bring men and nations closer together, the concerns of one inevitably becoming the concerns of all. And our new closeness as stripping away the false masks, the illusion of difference which is at the root of injustice and hate and war. Only earthbound man still clings to the dark and poisoning superstitution that his world is bounded by the nearest hill, his universe ended at river shore, his common humanity enclosed in the tight circle of those who share his town and views and the color of his skin.

It is your job, the task of the young people of this world to strip the last remnants of that ancient, cruel belief from the civilization of man.

Each nation has different obstacles and different goals, shaped by the vagaries of history and experience. Yet as I talk to young people around the world I am impressed not by diversity but by the closeness of their goals, their desires and concerns and hope for the future. There is discrimination in New York, apartheid in South Africa and serfdom in the mountains of Peru. People starve in the streets of India; intellectuals go to jail in Russia; thousands are slaughtered in Indonesia; wealth is lavished on armaments everywhere. These are differing evils; but they are the common works of man. They reflect the imperfection of human justice, the inadequacy of human compassion, the defectiveness of our sensibility toward the sufferings of our fellows; they mark the limit of our ability to use knowledge for the well-being of others. And therefore they call upon common qualities of conscience and of indignation, a shared determination to wipe away the unnecessary sufferings of our fellow human beings at home and particularly around the world.

It is these qualities which make of youth today the only true international community. More than this I think that we could agree on what kind of world we want to build. It would be a world of independent nations, moving toward international community, each of which protected and respected basis human freedoms. It would be a world which demanded of each government that it accept its responsibility to insure social justice. It would be a world of constantly accelerating economic progress—not material welfare as an end in itself, but as a means to liberate the capacity of each human being to pursue his talents and his hopes. It would, in short, be a world we would be proud to have built.

Just to the North here are lands of challenge and opportunity—rich in natural resources, land and minerals and people. Yet they are also lands confronted by the greatest odds—overwhelming ignorance, internal tensions and strife, and an often destructive and hostile nature. Many of these nations, as colonies, were oppressed and exploited. Yet they have not estranged themselves from the broad traditions of the West; they are hoping and gambling their progress and stability on the chance that we will meet our responsibilities to help them overcome their poverty.

In another world, cleansed of hate and fear and artificial barriers, South Africa could play an outstanding role in that effort. This is without question a preeminent repository of the wealth and knowledge and skill of the continent. Here are the greater part of Africa's research and scientists and steel production, most of its reservoirs of coal and electric power. Professor Jackson and Dr. Philips are only two of the many South Africans who have made enduring contributions to African technical development; and the names of Pitchford and Ross and Annacke are known wherever men seek to eliminate the ravages of tropical disease and pestilence. In your faculties and councils, here in this very audience, are hundreds and thousands of men who could transform the lives of millions for all time to come.

But that help cannot be accepted if we—within our own countries or in our relations with others—deny individual integrity and the common humanity of man.

Our answer is the world's hope; it is to rely on youth. The cruelties and obstacles of this swiftly changing planet will not yield to obsolete dogmas and outworn slogans. It cannot be moved by those who cling to a present which is already dying, who prefer the illusion of security to the excitement of danger. It demands the qualities of youth: not a time of life but a state of mind, a temper of the will, a quality of the imagination, a predominance of courage over timidity, of the appetite for adventure over the love of ease. As I have seen, and as I have said—in Europe, in Asia, in Latin America, and now in South Africa—it is a revolutionary world we live in; and thus, I have said in Latin America, in Asia, in Europe, and in the United States, it is young people who must take the lead. Thus you, and your young compatriots everywhere have had thrust upon you a greater burden of responsibility than any generation that has ever lived.

"There is," said an Italian philosopher, "nothing more difficult to take in hand, more perilous to conduct, or more uncertain in its success than to take the lead in the introduction of a new order of things." Yet this is the measure of the task of your generation and the road is strewn with many dangers.

First, is the dangers of futility; the belief there is nothing one man or one woman can do against the enormous array of the world's ills—against misery and ignorance, injustice and violence. Yet many of the world's great movements, of thought and action, have flowed from the work of a single man. A young monk began the Protestant reformation, a young general extended an empire from Macedonia to the borders of the earth, and a young woman reclaimed the territory of France. It was a young Italian explorer who discovered the New World, and the 32 year old Thomas Jefferson who proclaimed that all men are created equal. "Give me a place to stand," said Archimedes, "and I will move the world." These men moved the world, and so can we all. Few will have the greatness to bend history itself; but each of us can work to change a small portion of events, and in the total of all those acts will be written the history of this generation. Thousands of Peace Corps volunteers are making a difference in isolated villages and city slums in dozens of countries. Thousands of unknown men and women in Europe resisted the occupation of the Nazis and many died, but all added to the ultimate strength and freedom of their countries. It is from numberless diverse acts of courage and belief that human history is shaped. Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring those ripples build a current which can sweep down the mightiest walls of oppression and resistance.

"If Athens shall appear great to you," said Pericles, "consider then that her glories were purchased by valiant men, and by men who learned their duty." That is the source of all greatness in all societies, and it is the key to progress in our time.

The second danger is that of practicality; of those who say that hopes and beliefs must bend before immediate necessities. Of course if we would act effectively we must deal with the world as it is. We must get things done. But if there was one thing President Kennedy stood for that touched the most profound feeling of young people across the world, it was the belief that idealism, high aspirations and deep convictions are not incompatible with the most practical and efficient of programs—that there is no basic inconsistency between ideals and realistic possibilities—no separation between the deepest desires of heart and mind and the rational application of human effort to human problems. It is not realistic or hard-headed to solve problems and take action unguided by ultimate moral aims and values. It is thoughtless folly. For it ignores the realities of human faith and passion and belief; forces ultimately more powerful than all the calculations of economists or generals. Of course to adhere to standards, to idealism, to vision in the face of immediate dangers takes great courage and self-confidence. But we also know that only those who dare to fail greatly, can ever achieve greatly.

It is this new idealism which is also, I believe, the common heritage of a generation which has learned that while efficiency can lead to the camps at Auschwitz, only the ideals of humanity and love can climb the hill to the Acropolis.

A third danger is timidity. For every ten men who are willing to face the guns of an enemy there is only one willing to brave the disapproval of his fellows, the censure of his colleagues, the wrath of his society. Moral courage is a rarer commodity than bravery in battle or great intelligence. Yet it is the one essential, vital quality for those who seek to change a world which yields most painfully to change. Aristotle tells us that "At the Olympic games it is not the finest and the strongest men who are crowned, but they who enter the lists . . . So too in the life of the honorable and the good it is they who act rightly who win the prize." I believe that in this generation those with the courage to enter the moral conflict will find themselves with companions in every corner of the world.

For the fortunate among us, the fourth danger is comfort; the temptation to follow the easy and familiar paths of personal ambition and financial success so grandly spread before those who have the privilege of education. But that is not the road history has marked out for us. There is a Chinese curse which says "May he live in interesting times." Like it or not we live in interesting times. They are times of danger and uncertainty; but they are also more open to the creative energy of men than any other time in history. And everyone here will ultimately be judged—will ultimately judge himself—on the effort he has contributed to building a new world society and the extent to which his ideals and goals have shaped that effort.

So we part, I to my country and you to remain. We are—if a man of forty can claim that privilege—fellow members of the world's largest younger generation. Each of us have our own work to do. I know at times you must feel very alone with your problems and difficulties. But I want to say how impressed I am with what you stand for and the effort you are making; and I say this not just for myself, but for men and women everywhere. And I hope you will often take heart from the knowledge that you are joined with fellow young people in every land, they struggling with their problems and you with yours, but all joined in a common purpose; that, like the young people of my own country and of every country I have visited, you are in many ways more closely united to these brothers of your time than to the older generations in your nation; determined to build a better future; that you know, as President Kennedy said to the youth of my country, that "The energy, the faith, the devotion which we bring to this endeavor will light our country and all who serve it—and the glow from that fire can truly light the world."

He was speaking to American youth, but his words are uniquely suitable to this audience: "With a good conscience our own sure reward, with history the final judge of our deeds, let us go forth to lead the land we love, asking His blessing and His help, but knowing that here on earth God's work must truly be our own."

PLANTATHON INSTANT PARK PROJECT—PARAMUS, N.J.

Mr. WILLIAMS of New Jersey. Mr. President, I would like to commend the citizens of Paramus, N.J., for their civic pride and initiative in carrying out the Plantathon Instant Park Project. More than 500 residents aided by members of the Shade Tree Commission voluntarily planted 482 trees and shrubs in Petruska Park at a planting party.

Supt. Kenneth Gregory, of the Shade Tree Commission, who first dreamed up the idea last year, estimates that the borough saved $6,000 by not having the trees professionally planted.

The tree-planting is but the first of several projects that the "Keep Paramus Beautiful" Committee will undertake this year.

At a time that our recreation areas are in danger of being swallowed up by the growing urban-suburban complex, it behooves us to follow Paramus' example in preserving the beauty of their parks and recreation areas through volunteer labor.

Mr. President, I ask unanimous consent to have printed in the RECORD, the article on this tree planting project from the Bergen County Record of April 23, 1966.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Bergen County Record, Apr. 23, 1966]

HUNDREDS OF VOLUNTEERS BUILD AN INSTANT PARK—YOUNG AND OLD PITCH IN TO PLANT 482 TREES, SHRUBS IN CIVIC PROJECT

PARAMUS.—The adults began to arrive after an early dinner, but schoolchildren had begun digging right after classes ended yesterday afternoon.

By 8 P. M., more than 500 residents had gathered at Petruska Park off Farview Avenue here to begin planting 482 trees and shrubs before morning.

By 10 P. M., the Plantathon Instant Park, the name given to the project by the Keep Paramus Beautiful Committee, was in full swing. Each with his own shovel, residents continued to filter into the Park to report for work and begin digging under the glare of arc lights permanently mounted around the ball fields and portable floodlights provided and manned by Civil Defense-Disaster Control volunteers.

EQUIPMENT

Weaving through the crowds of men in their working clothes and women in their slacks, five bucket loaders and backhoes performed a graceful ballet, their exhausts almost drowning out the rock and roll music on the public address system.

With four or five grinding swipes of the backhoe, a hole large enough to plant a tree was created. Another bucket loader behind the first followed with the correct tree. Then the volunteers, guided by workers from the Shade Tree Commission, set the tree in the ground, filled around it, and drove a supporting stake alongside each tree.

Close behind, one of the Fire Department's pump trucks passed from trees to tree, supplying the water to give each tree a good start in its new home.

Arbor Day had arrived a week early in Paramus. Shade Tree Commission superintendent Kenneth Gregory, who dreamed up the all-night planting party over 1 year ago, estimates that the Borough saved over $6,000 over the cost of having the trees professionally planted. To insure that the results were as professional as possible, many of Gregory's men from the Commission volunteered to supervise last night without pay.

In addition to bucket loaders belonging to the Shade Tree Commission and the Road Department, several local contractors and driveway paving concerns loaned equipment and operators to help out. Caterers supplied coffee and refreshments, and delivered both already made to the site.

BIG TURNOUT

Under the original park plan, drawn up by Gregory, the area was to be divided up into 15 sections and planted section by section. But the tremendous turnout last night forced Gregory to direct the planting of virtually the whole park at one time. More than 100 of the trees were in the ground at 9 P.M. last night, Gregory said.

A plan to have volunteers work in 3-hour shifts was also pleasantly doomed by the enthusiasm of volunteers. They were all there early and many said they planned to work all night—or as long as their backs held out.

Even the plan to begin at 5 P.M. was overcome by enthusiasm. Police Chief Carl W. Jockish told of a group of 30 elementary school youngsters who were planting lilacs under his direction during the hours after school closed.

"I'll never forget one of those kids. She was about 8 years old. She marched in and looked at me and asked, 'Who are you?'," Jockish said.

"I told her to call me Uncle Carl. Then she said 'Okay, Uncle Carl, tell me what to do. I'm ready.' "

Also in the afternoon, a troop of Girl Scouts put on their boots and cleaned the debris from the brook which runs along the northern edge of the park.

The tree-planting project is the K.P.B.'s first major program of the year. Their entry in the national paint-up, fix-up, clean-up competition last year won a first prize in class, but this year, they are aiming for the top over-all prize nationally, the Trigg Trophy.

Summing up his reaction to the project last night, Mayor Robert J. Inglima said: "We all owe the Committee, all those connected with it, and especially Ken Gregory, a tremendous amount of recognition for giving the people of this Borough a mode of expression for their civic pride. And the people are to be congratulated also. We asked for an instant park and we got an instant response."

TRIBUTE TO THOMAS J. COONEY, NEWARK, N.J.

Mr. WILLIAMS of New Jersey. Mr. President, I would like to pay tribute to Thomas J. Cooney who resides at 84 Green Street, Newark, N.J. Only 28, Mr. Cooney was named Man of the Year in 1965 by the West Hudson Chapter of Jaycees and in September 1965, New Jersey Gov. Richard J. Hughes capped the honors with a Presidential citation. These are unusual honors for one so young. And when the recipient of these honors is a handicapped person, the honor becomes extraordinary. Due to an infection which developed following a tonsillectomy, Thomas J. Cooney has been totally deaf since the age of 7. Since then, Tom Cooney has never looked back or indulged in self-pity. At 11, he learned the entire sign language course in 2 weeks. A graduate of the New Jersey College for the Deaf he has also attended Gallaudet College in Washington, D.C.

Since graduation, Tom Cooney has divided his time between his Newark job as an IBM data processor with Blue Cross and Blue Shield and his more than 20 hours a week spent helping other deaf people.

Through his efforts to help those who share his affliction, Cooney has become amazingly adept at lipreading. Becoming interested in the problems that beset deaf people in court, Cooney offered his services to whoever needed them. He has interpreted formal court trials, bookings on all sorts of charges, preliminary hearings, license and motor vehicle violations and police interrogation. His work has taken him into courtrooms in New York, Pennsylvania, Connecticut and 8 other States besides New Jersey. In recognition of this services, Cooney was made a special deputy sheriff for Essex County, N.J., probably the only deaf person in the country to hold such an office. And he is a working sheriff, according to Essex County Sheriff LeRoy J. D'Aloia:

> The fact that Cooney's services are available to us is like money in the bank. When we need an interpreter, we need him in a hurry. He is a very dedicated person.

Cooney says of his work:

> When I am interpreting, I feel a sense of pride much like when a ballplayer puts on a Yankee uniform.

Spurred by President Kennedy's candidacy, Tom Cooney began meeting groups of deaf persons to explain Kennedy's views and ideas. This project has now grown into a full-fledged one man information service for deaf voters in all campaigns down to the local level. After a time, the deaf have dubbed him the "Young Man in a Hurry" because of his many duties and responsibilities.

One of Cooney's current projects is trying to convince a television network to show once-a-week newscasts in the language of signs for the benefit of deaf viewers. So far he has not succeeded, but he has no intention of giving up.

One of the legacies that President Kennedy left to his country was the kindling of interest in politics in people who had not been previously concerned. President Kennedy said in his inaugural speech:

> Ask not what your country can do for you—ask what you can do for your country.

It is a pleasure to know that in the case of Tom Cooney this call did not fall on barren gound.

TWENTIETH ANNIVERSARY OF THE ITALIAN REPUBLIC

Mr. WILLIAMS of New Jersey. Mr. President, June 2 marked the 20th anniversary of the Republic of Italy. At the close of the last war, the Italian nation was prostrate and in ruins after the long nightmare of Mussolini's crushing dictatorship which had brought Italy to bloody defeat. However, the strength and courage of the Italian people was undaunted by this tragedy. They turned to the reconstruction of their historic land and created a free and democratic republic. Under the inspired leadership of such great men as Alcide de Gasperi, the Italians survived the vicissitudes of the chaotic postwar years, defeated the efforts of communism to capture their country, and built a strong and prosperous economy on firm democratic foundations. Today, Italy is an honored ally in NATO and has returned to her traditional friendship with the United States.

The bonds which link Italy and America are strong and human. Italy has made many great contributions to the civilization of the world. We think of the great works of art of the Rennaissance, many of which now can be seen in our own National Gallery of Art, and we think of the poetry of Dante and the other great artists and writers who have flourished in this great and beautiful land. The story of Garibaldi and his unification of Italy is one of the great epics of Western history. The millions of Italo-Americans who have come to this country have made a profound and vital contribution to our land. I call to mind the work of the physicist, Enrico Fermi, and his contribution to the development of the atom bomb, the great music of Gian Carlo Menotti, and the courageous political leadership of Fiorello La Guardia, New York City's beloved "Little Flower."

The saga of Italy and her people, dating from the foundation of the Roman Republic, will always be one of the glowing and inspiring chapters in the history of mankind. On this proud occasion I pay tribute to the nation of Italy and the sons and daughters she has so generously contributed to our own United States. May we always remain friends and partners in the march toward a free and prosperous world for all mankind.

BANK HOLDING COMPANY ACT AMENDMENTS OF 1966

The Senate resumed the consideration of the bill (H.R. 7371) to amend the Bank Holding Company Act of 1956.

ORDER OF BUSINESS—ORDER FOR ADJOURNMENT TO 11 A.M. TOMORROW

Mr. DIRKSEN. Mr. President, I wish to inquire of the distinguished majority leader about the plans of the day, and also about tomorrow, as to whether he has an estimate of the situation.

Mr. MANSFIELD. Mr. President, a number of Senators have inquired whether there would be any more votes tonight, and the answer has been "No."

I have spoken with Senators who have amendments to offer—at least, as far as I know. I have also spoken with the chairman of the committee, the distinguished Senator from Virginia [Mr. ROBERTSON], and the ranking minority member of the committee, the distinguished Senator from Utah [Mr. BENNETT].

With their approval, and I hope with the approval of the Senate, I ask unanimous consent that when the Senate completes its business tonight, it stand in adjournment until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that on all amendments to be offered—as of now I know of only three—there be a time limitation of 1 hour, the time to be equally divided between the proponent of the amendment and the chairman of the committee, the Senator from Virginia [Mr. ROBERTSON].

Mr. KENNEDY of Massachusetts. Mr. President, I reserve the right to object. Hearings on the proposed civil rights legislation are to begin tomorrow. The Attorney General is scheduled to appear at a meeting of the Committee on the Judiciary, and I want to make certain there will be no objection to his appearance at the meeting.

COMMITTEE MEETINGS AUTHORIZED UNTIL 12 O'LOCK NOON TOMORROW

Mr. MANSFIELD. Mr. President, the Senator from Massachusetts knows that during the morning hour committees are, under the rule, allowed to meet. I ask unanimous consent that all committees may meet tomorrow morning until 12 o'clock.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. Reserving the right to object, I wish to inquire of the majority leader whether he intends to put any time limit on consideration of the bill itself.

Mr. MANSFIELD. I am glad the Senator from Utah has raised that question.

Mr. RUSSELL of Georgia. Mr. President, the other matter has not been been agreed to, has it?

I ask the Senator from Montana to bring the germaneness into the unanimous-consent request. I was prepared to object. Amendments to the bill should be germane.

Mr. MANSFIELD. I thought that was understood.

Mr. President, I will change my request to include that, and also to add, in addition, 1 hour on each amendment to be equally divided, 2 hours on the bill, with the approval of the Senator from Utah.

The PRESIDING OFFICER. Without objection, it is so ordered.

The unanimous-consent agreement reduced to writing is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Tuesday, June 7, 1966, at the conclusion of routine morning business, during the further consideration of the bill H.R. 7371, to amend the Bank Holding Company Act of 1956, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the Senator from Virginia, Mr. ROBERTSON: *Provided*, That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 2 hours, to be equally divided and controlled, respectively, by the majority and minority leaders or their designees: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HART. Mr. President, I had not anticipated the offering of an amendment by the able senior Senator from Ohio. I had anticipated that before we adjourned tonight I would ask that the pending business for tomorrow be an amendment which has the effect of striking section 11 of the bill before us. It occurs to me that while we have agreed that debate on all of the amendments shall be limited to one hour, I might be able to reduce the time consumed in the discussion of the amendment tomorrow by making a brief explanation tonight of the reach of the amendment and the reasons for offering it.

If there is no objection, I ask that the section in question, section 11, be made a part of the RECORD at this point in my remarks.

There being no objection, section 11 was ordered to be printed in the RECORD, as follows:

SEC. 11. Section 11 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841 (note)) is amended by inserting "(a)" after "SEC. 11."; by inserting a comma and "except as specifically provided in this section" before the period at the end thereof; and by adding at the end thereof the following new subsections:

"(b) The Board shall immediately notify the Attorney General of any approval by it pursuant to this Act of a proposed acquisition, merger, or consolidation transaction, and such transaction may not be consummated before the thirtieth calendar day after the date of approval by the Board. Any action brough under the antitrust laws arising out of an acquisition, merger, or consolidation transaction shall be commenced within such thirty-day period. The commencement of such an action shall stay the effectiveness of the Board's approval unless the court shall otherwise specifically order. In any such action, the court shall review de novo the isues presented. In any judicial proceeding attacking any acquisition, merger, or consolidation transaction approved pursuant to this Act on the ground that such transaction alone and of itself constituted a violation of any antitrust laws other than section 2 of the Act of July 2, 1890 (section 2 of the Sherman Antitrust Act, 15 U.S.C. 2), the standards applied by the court shall be identical with those that the Board is directed to apply under section 3 of this Act. Upon the consummation of an acquisition, merger, or consolidation transaction in compliance with this Act and after the termination of any antitrust litigation commenced within the period prescribed in this section, or upon the termination of such period if no such litigation is commenced therein, the transaction may not thereafter be attacked in any judical proceeding on the ground that it alone and of itself constituted a violation of any antitrust laws other than section 2 of the Act of July 22, 1890 (section 2 of the Sherman Antitrust Act, 15 U.S.C. 2), but nothing in this Act shall exempt any bank holding company involved in such a transaction from complying with the antitrust laws after the consummation of such transaction.

"(c) In any action brought under the antitrust laws arising out of any acquisition, merger, or consolidation transaction approved by the Board pursuant to this Act, the Board and any State banking supervisory agency having jurisdiction within the State involved, may appear as a party of its own motion and as of right, and be represented by its counsel.

"(d) Any acquisition, merger, or consolidation of the kind described in section 3(a) of this Act which was consummated at any time prior or subsequent to May 9, 1956, and as to which no litigation was initiated by the Attorney General prior to the date of enactment of this amendment, shall be conclusively presumed not to have been in violation of any antitrust laws other than section 2 of the Act of July 2, 1890 (section 2 of the Sherman Antitrust Act, 15 U.S.C. 2).

"(e) Any court having pending before it on or after the date of enactment of this amendment any litigation initiated under the antitrust laws by the Attorney General with respect to any acquisition, merger, or consolidation of the kind described in section 3(a) of this Act shall apply the substantive rule of law set forth in section 3 of this Act.

"(f) For the purposes of this section, the term 'antitrust laws' means the Act of July 2, 1890 (the Sherman Antitrust Act, 15 U.S.C. 1–7), the Act of October 15, 1914 (the Clayton Act, 15 U.S.C. 12–27), and any other Acts in pari materia."

Mr. HART. Mr. President, among the country's most powerful corporations are the bank holding companies—financial institutions which own hundreds of banks and possess billions of dollars in deposits. Given their wealth and geographic scope of operations, what these holding companies do—the acquisitions they make—can vitally affect the competitive character of the economy. It is for this reason that in passing the Bank Holding Company Act of 1956 Congress explicitly provided that they be governed by the antitrust laws just as are other corporations.

It would be well to recall that when bills were introduced last year to amend the 1956 act, they had nothing to do with antitrust. Rather they sought simply to narrow its exemptions, with the specific purpose of subjecting two large holding company systems to the law. When the House passed amending legislation, it did not modify the application of the antitrust laws to bank holding companies. But then a fundamental change took place. When the bill finally was acted upon by the Senate Banking and Currency Committee—after hearings were concluded—the original purpose was drastically altered and the bill took on a distinctly new function—namely, to curtail sharply the application of the antitrust laws to all bank holding companies.

As a result, the unqualified application of the antitrust laws to bank holding company acquisitions is now to be changed if H.R. 7371 is passed in its present form. Section 11 of this bill would immunize past bank holding company acquisitions from the antitrust laws and subject their future mergers to a special, 30-day statute of limitations. The effect of these changes would be to shield dozens of powerful bank holding companies from the antitrust laws, thereby conferring upon them special treatment that is denied to virtually every other type of corporation. In my view this proposed change in the law is most unwise. Its desirability has not been demonstrated. Indeed, to the contrary; this provision could seriously interfere with the antitrust laws and impede our efforts to preserve a competitive economy.

Before taking a closer look at the antitrust aspects of this proposed legislation, it would be well to remind ourselves of the great power possessed by the bank holding companies. Few legislators are experts in this field, but even a cursory look at the evidence demonstrates that the registered bank holding companies possess enormous economic power, easily capable of being used in a way which could impair competition. At the end of 1964 registered holding companies held $20 billion in deposits. But that is only one index of their significance. In many areas of the country holding companies dominate the banking scene. According to one report, a single holding company controls over half of the bank deposits in central Ohio; in Atlanta three holding companies control nearly half of all bank deposits; in Milwaukee three holding companies control more than half of all deposits. In the Great Plains and Midwest large holding company systems, operating in a number of States, are the dominant financial interests. In the Far West, in the South, in New York State, and in many other parts of the Nation, bank holding companies are considerably more important than banks themselves. Given this fact, the acquisitions made by the holding companies are of obvious interest to those who are concerned with the maintenance of a competitive order. Without competition in banking it is most unlikely that we can have competition in other sectors of the economy.

In view of the tremendous power held by the bank holding companies, it is not surprising that Congress, in adopting the Bank Holding Company Act of 1956, provided for the continued unqualified application of the antitrust laws to the holding companies. In the succeeding 10 years there has been no serious dispute over the wisdom of that provision. When bills were introduced in 1965 to amend the 1956 act, they contained no provision that would have changed the role which the antitrust laws have always played with respect to the bank holding companies. The bill introduced by the chairman of the House Banking and Currency Committee contained no new antitrust provision; nor was there any such provision contained in the bill offered by the able Senator from Virginia, the chairman of the Senate committee.

Now, however, we are confronted with a bill which, in section 11, contains language that radically changes the way in which the antitrust laws apply to the bank holding companies. This provision was added in committee after hearings had been concluded.

What explains this proposed change in law? The principal reason, it is argued, is that since a new antitrust standard was created this years in the Bank Merger Act, a comparable provision should be inserted for the bank holding companies. On the face of it, this argument has some appeal, but when you dig into the matter, you find that the two cases are not comparable at all. In the case of bank mergers, the 1960 act contained what, in the opinion of many Members of Congress, amounted to a different standard for bank mergers than for other types of industrial acquisitions. In 1963, in the Philadelphia National Bank decision, the Supreme Court held the 1960 act did not alter the application to bank mergers of either section 7 of the Clayton Act or of the Sherman Act. To many people this ruling came as a surprise. It was, at least in part, to correct what some legislators felt was a judicial misinterpretation of congressional intent that the 1966 Bank Merger Act was adopted. While I opposed the 1966 act, I thought that the proponents were not without some merit in their position. If, as has been argued, the courts went awry in their interpretation of the 1960 act, some correction was in order.

Contrast, though, the situation as it applies to the Bank Merger Act with that which pertains to the Bank Holding Company Act. In the latter case there has always been a clear understanding that all bank holding company acquisitions are governed by the antitrust laws. Congress itself affirmed this in 1956. Thus, we have completely different facts than those with which we were faced in dealing with bank mergers. Accordingly, I am not persuaded by the effort to justify the addition of section 11 to H.R. 7371 by drawing an analogy to bank merger legislation. The two are simply poles apart. The problems which section 11 creates are serious and have not been fully explored by committees in either House. This section would severely modify the reach of the antitrust laws and immunize some of the most powerful financial institutions in the country from the full thrust antitrust laws. Quite rightly, the Justice Department has announced its "strong opposition" to section 11 on the ground that it could "unwarrantedly weaken" the antitrust laws.

A radical legislative change of the sort incorporated in section 11 of this bill should not be adopted without the closest consideration. That kind of attention has not been accorded section 11. It would be imprudent, therefore, for us to adopt, at this time, any such legislative provision.

Accordingly, I move to amend H.R. 7371 by striking section 11 from the bill. I hope that as Senators read this RECORD overnight, they may be persuaded to support the amendment which would strike section 11.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. HART. I yield.

Mr. LONG of Louisiana. Is the Senator from Michigan fearful that section 11, while it contains language which would seem to militate against monopoly, might make possible the growth of monopoly in the banking field?

Mr. HART. That is my feeling, Mr. President. I am aware of the sensitivity of the able Senator from Louisiana on this subject, and I do not wish to overstate my reply.

The primary concern is that language has been added which leaves in great doubt the test which ultimately should be applied to a merger of a bank holding company. As the Senator from Louisiana will note, the language that is the basis for this statement is found in section 3 of the basic act. Section 3 of the basic act describes those mergers which shall not be approved. One of the tests is that the Board shall not approve a merger which may substantially lessen competition or create a monopoly. That is section 7 of the Clayton Act.

It continues:

> Or which would in any other manner be in restraint of trade unless it finds that the anti-competitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

At that point, one pays his money and takes his choice. It is not a test to which any other antitrust issue finds application, except in the bank merger bill which passed the Senate a few months ago. Over the opposition of the Senator from Louisiana and me, if the Senator recalls the discussion on the floor, the identical language was added.

The argument was that since we did it for the bank merger bill, we should treat the holding companies in the same way.

The Senator from Louisiana and I thought that it was a mistake to treat the bank merger bill in that fashion, and we do not want to compound the mistake.

Mr. LONG of Louisiana. Mr. President, it listed the banks having these holding companies, so that they were not directly to acquire another bank. That being the case, they would set up a holding company to acquire a bank which could not have been acquired directly.

Mr. HART. I think the statement is correct. In 1956, Congress sought by the Bank Holding Company Act to bring them within reach. We are now backing and filling over the same issue.

Mr. LONG of Louisiana. The point is that the Senator would seek to keep us from opening loopholes in the antitrust laws by this device. I take it the Senator thinks that this section really should have a great deal more study and detail.

Mr. HART. The Senator is correct. It ought to have more study. There has been no tender of proof made—of which I am aware—that would justify Congress at this point in treating bank holding companies so gently with respect to the antitrust laws.

Mr. LONG of Louisiana. Mr. President, did the Senator have a letter from the Department of Justice on this subject?

Mr. HART. Mr. President, I believe in the committee report there is a letter which bespeaks the deep concern of the Department of Justice, which voiced strong opposition.

In fairness, it should be added that, following receipt of that letter, and before the Committee on Banking and Currency took final action in executive session, there was some modification in the proposed antitrust standard, modified, as I indicated earlier, to conform to the treatment given the Bank Merger Act some months ago.

At that time the Department of Justice voiced opposition to that treatment, so that clearly we have from the Department of Justice not an expression of some vague concern or minimal interest, but very sharp concern.

I think, and hope, that Congress will not see fit to give this extraordinary antitrust treatment to bank holding companies.

Mr. LONG of Louisiana. Perhaps many Senators are not very much concerned about the problem. I must say that, as one who has been on the Antimonopoly Subcommittee of the Committee on Small Business for a number of years, the problem has bothered me.

The other day someone made the statement that the studies indicate that, at the rate we are going, by the year 1975 practically all production and commerce in this country will be in the hands of 200 large corporations. I should hope that that prediction will not be correct.

Mr. HART. That prediction will not be correct if the Senator from Louisiana has anything to do with it, and I hope that I shall be able to contribute something to the effort also.

Mr. LONG of Louisiana. The Senator from Michigan has certainly made an effort to preserve competition. It does seem to me that competition is the lifeblood of American industry and of the American competitive system It is not always popular with the fellow on the receiving end, but it tends to be a good thing for the public. I believe that, in the long run, it is a much better thing for business than business likes to realize.

I salute the Senator for raising the question.

Mr. HART. I thank the Senator very much and am very grateful to him.

ADJOURNMENT TO 11 A.M. TOMORROW

Mr. LONG of Louisiana. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand adjourned until 11 o'clock a.m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 55 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, June 7, 1966, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate June 6, 1966:

ADMINISTRATOR FOR ECONOMIC DEVELOPMENT

Ross D. Davis, of New York, to be Administrator for Economic Development.

OFFICE OF EMERGENCY PLANNING

Myron R. Bies, of Florida, to be Deputy Director of the Office of Emergency Planning, vice Franklin B. Dryden, resigned.

DEPARTMENT OF DEFENSE

Robert Alan Frosch, of Maryland, to be an Assistant Secretary of the Navy, vice Robert W. Morse, resigned.

U.S. ATTORNEY

Louis C. LaCour, of Louisiana, to be U.S. attorney for the eastern district of Louisiana for the term of 4 years. (Reappointment.)

CONFIRMATIONS

Executive nominations confirmed by the Senate June 6, 1966;

DEPARTMENT OF LABOR

Stanley H. Ruttenberg, of Maryland, to be an Assistant Secretary of Labor.

OFFICE OF ECONOMIC OPPORTUNITY

Bertrand M. Harding, of Virginia, to be Deputy Director of the Office of Economic Opportunity.

IN THE PUBLIC HEALTH SERVICE

The nominations beginning J. Carter Wright, to be senior surgeon, and ending Bert L. Murphy, to be senior assistant health services officer, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 23, 1966.

EXTENSIONS OF REMARKS

Remarks by Congressman Thomas G. Morris of the Joint Committee on Atomic Energy, at the Launching of U.S.S. "Haddock" (SSN621), Ingalls Shipbuilding Corp., Pascagoula, Miss., May 21, 1966

EXTENSION OF REMARKS
OF
HON. CHET HOLIFIELD
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 6, 1966

Mr. HOLIFIELD. Mr. Speaker, an esteemed colleague of mine on the Joint Committee on Atomic Energy, Representative THOMAS G. MORRIS, of New Mexico, recently spoke at the launching of the U.S.S. *Haddock* in Pascagoula, Miss. Mr. MORRIS was accompanied by his gracious and charming wife who acted as sponsor for the occasion.

The gentleman from New Mexico [Mr. MORRIS] has long been a strong proponent of nuclear propulsion for the Navy, and it is indeed fitting that he should have had the honor of speaking at the launching of our newest nuclear submarine.

At this time, I would like to insert his speech of May 21, 1966, in the RECORD, believing that others will be as interested as was I in reading about such a timely and important subject:

Mrs. Morris and I consider it a great personal pleasure to be able to take part with you today in the launching of our country's newest nuclear attack submarine—the *Haddock*.

In its more than a quarter of a century of shipbuilding, Ingalls has become the largest industry on Mississippi's Gulf shore. Here the nuclear submarines *Sculpin, Snook, Barb,* and *Dace* have slid down the ways to take their places in our growing nuclear submarine fleet. Three more in addition to the *Haddock* are under construction—the *Tautog, Aspro and Puffer*. The importance of these ships to the fighting strength of our Navy cannot be overemphasized.

The development of the nuclear submarine stands out as one of the most important technological achievements of this century. In my position as a member of the Joint Congressional Committee on Atomic Energy, I am constantly made aware of the importance of naval nuclear propulsion to our security through its application to our Polaris submarines, our attack submarines, and our surface warships. Further, the naval nuclear propulsion program has supplied the basic nuclear technology on which our growing civilian nuclear power program is based.

This important and vital program has been developed under the guiding genius of Vice Admiral H. G. Rickover, U.S. Navy, who is today leading the way to new and even more spectacular developments. His achievements have not come as a surprise to me. When I served with the then Lieutenant Rickover some thirty years ago in the battleship named after my home state, the U.S.S. *New Mexico*, he was just as imaginative, hard-driving, enthusiastic, and aggressive as he is today. He wouldn't take "No" for an answer then and he won't today. Our country is the stronger for it.

The United States has 59 nuclear submarines in operation, including 37 Polaris missile-launching types. By the end of this year, 9 more nuclear submarines should join the fleet for a total of 68 by December 31, 1966. Thirty-one more nuclear submarines have been authorized and this year Congress will add 5 more to this total. Three nuclear surface warships are in operation, the aircraft carrier *Enterprise*, the cruiser *Long Beach* and the frigate *Bainbridge*. The nuclear frigate *Truxtun* will be completed later this year.

The nuclear submarines and surface warships have accumulated an amazing record. Never once in the approximately seven million miles steamed to date has one of these ships had to abort its mission because of a failure in the reactor plant. Since that historic day in January 1955 when the *Nautilus* signaled "Underway on nuclear power" for the first time, the feats of our nuclear naval ships have become legend—the first submerged submarine voyage to England and back by the *Skate*; the first voyages under the Polar Ice Cap by the *Nautilus* and the *Skate*; the first rendezvous at the North Pole by the *Seadragon* and the *Skate*; the 84-day, 36,000 mile round-the-world voyage of the *Triton*; the armed Polaris patrols; the cruise around the world without logistic support of our first nuclear powered carrier task force, Operation Sea Orbit; and the combat records of the *Enterprise* and *Bainbridge* off Vietnam are a few examples.

I am proud of the role the Congress, and in particular the Joint Committee on Atomic Energy has played in the remarkable growth of nuclear power for naval warships.

The road has not been an easy one; and there are still major issues to be resolved. The early years of the naval nuclear propulsion program were characterized by a reluctance within the Department of Defense to use nuclear power for the propulsion of submarines. It was the Congress, exercising its constitutional responsibilities to provide and maintain a Navy that took the lead in forcing the shift from diesel-electric power to nuclear power in submarines. The Joint Committee on Atomic Energy arranged to buy the nuclear power plants for our first two nuclear submarines, the *Nautilus* and *Seawolf* with Atomic Energy Commission funds because of the lack of interest of the Defense Department. The Defense Department just didn't ask for nuclear ships. There was a lack of imagination and failure in judgment in the Department of Defense—a failure to comprehend that we were talking about a significantly different weapon that would be vital to our defense. But Congress was alert and insisted that we proceed with the nuclear submarine program.

Today the nuclear submarine is a reality. How thankful every American should be that the Joint Committee, Congress, and Admiral Rickover pushed this project through. Everyone now agrees that the Polaris nuclear submarine is the vital cornerstone of our deterrent strength. When you read news accounts of the growing number of Soviet submarine "contacts" off our shores in the Atlantic and Pacific Oceans, you must recognize the importance of nuclear attack submarines like the *Haddock* we will launch today. The nuclear attack submarine is one of our best Anti-Submarine Warfare weapons.

In a period when our competitors are trying desperately to catch up, the United States enjoys a wide lead in the successful harnessing of the atom's energy for naval nuclear propulsion.

It has taken a great deal of work to bring this country to the point where we enjoy such pre-eminence over any other nation. There is no cut-rate, bargain-counter approach available when it comes to providing for the national defense and security. I know the American people recognize this simple fact for they have always responded generously with whatever resources were available when they were needed for the defense of their country.

Unfortunately, the reluctance of the Department of Defense to accept nuclear propulsion appears to be repeating itself in the case of surface warships. The same fallacious arguments that were advanced back in the early 1950's against the nuclear submarine are now being employed with equal fervor by some within the Department of Defense against the construction of nuclear surface warships. We are told that the choice we face is between a larger number of conventional ships and a smaller number of nuclear ships for the same total cost.[1] In other words, the Defense Department is telling us that to improve a weapons system, we must reduce the number of weapons to pay for it.

Time and again "cost-effectiveness" studies have poured forth from the corridors of the Pentagon, purporting to show that the advantages of nuclear propulsion are not particularly significant for surface warships. These studies contain a fundamental weakness that makes their conclusions wrong. These "cost-effectiveness" studies were based on—

1. The assumption that tankers and oilers needed to supply fuel for oil-fired warships will operate unhampered by the enemy and suffer no losses;
2. The assumption that the fuel oil needed to run our conventional warships will be readily available wherever and whenever needed; and
3. The assumption that no cost factor need be included in the studies for losses—or protection of our propulsion fuel oil supply lines.

Would you use such dangerous assumptions in evaluating weapons of war? Of course not! It is "military effectiveness" that must be paramount in planning for wartime.

The aircraft carrier *Enterprise* and the guided missile frigate *Bainbridge* have been operating in Vietnam waters since last December. During hearings before the Joint Committee earlier this year, the Committee was furnished with a firsthand report on the advantages of nuclear power and its utilization in a combat environment prepared by the Commander of the *Enterprise* task group, Rear Admiral Henry Miller.[2] Admiral Miller's comments are especially important since he has commanded conventional carrier task groups in Vietnam as well as commanding the *Enterprise* task group during the first test of nuclear powered ships in combat. The Joint Committee published this report in its hearings last month so that, as far as security will permit, the citizens of the nation could know how vital nuclear propulsion is to the security of this nation. Some of the advantages enumerated by Admiral Miller concerning the superiority of nuclear power under actual war time conditions were:

Increased tactical flexibility as a result of unlimited endurance at high speed.

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[1] Joint Committee Report, "Nuclear Propulsion for Naval Surface Vessels," December, 1963, Page 11.

[2] Joint Committee Print, "Naval Nuclear Propulsion Program," January 26, 1966, page 37.

Reduction of replenishment frequency with a greatly reduced dependence upon all forms of mobile logistic support as a result of increased storage space formerly required for fuel oil.

Elimination of stack gases and smoke which not only make it difficult for the pilots in taking off and landing but also results in hundreds of thousands of hours of time and effort by the crews for maintenance of the ship, aircraft, radios and radar because of the corrosive effects of such gases.

The concern for loss of fuel oil facilities is eliminated.

There is the ability, under severe threat situations, to operate from distant bases completely free from mobile logistic dependency, with the capability of high speed return to such bases for replenishment of aviation fuel and ammunition.

These are all real and vital military advantages. But Admiral John Hayward who headed up the task group which included the *Enterprise* during the Cuban crisis had this to say to the Joint Committee about the treatment of military advantages in some quarters in "River City":

"In Washington these often cited advantages of nuclear propulsion seem to get lost in a shuffle of paper—off Cuba they were real." [3]

After much urging by Congress, the Department of Defense has finally accepted nuclear propulsion for its new aircraft carriers. The Secretary of Defense has requested a nuclear-powered aircraft carrier in the Fiscal Year 1967 defense budget and has declared his intention to provide the Navy a total of three new nuclear-powered aircraft carriers over the next several years in addition to the *Enterprise*.

The new aircraft carrier will use two reactors to provide about the same propulsion power as the eight in the *Enterprise*. The development of long-life cores has made so much progress that it is expected the ship will require refueling only once in its life. This is a very significant advance. We would not have gotten to where we are today without actually building and operating land prototypes and ships in addition to conducting the necessary research and development. We cannot continue to learn and to improve nuclear propulsion technology unless we build more ships.

However, despite the fact that the Department of Defense has finally accepted nuclear propulsion in aircraft carriers, they are still dragging their feet in accepting nuclear propulsion for major fleet escorts to protect the nuclear carriers. Left to their own devices, they would take as long to change from oil to nuclear power in our new warships as was taken to change our Navy from sail to coal—that change took two-thirds of a century.

The design of the first nuclear-powered aircraft carrier was started in 1950—16 years ago. In the four years subsequent to the authorization of the *Enterprise, Long Beach,* and *Bainbridge,* 12 major warships have been authorized, but only one, the guided missile frigate *Truxtun* which will be completed this year, will be nuclear-powered.[4] The *Truxton* will be nuclear-powered only because of the initiative taken five years ago by the Congress to authorize and appropriate the extra funds to change her from an oil-fired frigate to a nuclear-powered vessel.

Other attempts by the Congress to provide the Navy with additional nuclear-powered surface warships have not proven so successful. An additional nuclear-powered frigate included in the Fiscal Year 1963 shipbuilding program was subsequently cancelled by the Department of Defense because the *Typhon* missile system planned for the ship was not ready. After extensive hearings in 1963, the Joint Committee recommended that the aircraft carrier *John F. Kennedy* be nuclear-powered,[5] however, that ship is being constructed today with a conventional power plant.

In Fiscal Year 1966, frustrated and impatient at the delay in constructing a nuclear surface fleet, the Congress authorized an additional nuclear-powered frigate and appropriated $20 million for the purchase of long lead time material for the ship while strongly urging the Defense Department to include the remaining funds for its construction in the Fiscal Year 1967 shipbuilding program. The Department of Defense has failed to carry out this expression of the will of Congress, having neither released to the Navy the $20 million appropriated for long lead time procurement nor included the additional ship construction funds in the Fiscal Year 1967 shipbuilding program.

For the last three years the Defense Department has not requested construction of a single major fleet escort ship—either nuclear or conventional. Now, ending a three year hiatus, they have proposed construction in Fiscal Year 1967 of two *conventionally powered* guided missile destroyers of a new class to accompany the new *nuclear powered* aircraft carrier. This is nonsense.

The war experience in Vietnam shows that two-thirds of the fuel used for a conventional carrier task group—a carrier plus its escorts—is used just to keep the ships running. One-third is used for carrier propulsion, one-third is used for escort propulsion, and one-third is used for aircraft fuel. So if you do away with the need for the fuel for the escorts and the carrier itself, you only need one-third the amount of fuel. This simplifies the logistic problem tremendously. These are simple facts that are not considered by the people who do the "cost effectiveness" studies, because they assume there is no logistics problem before they start the studies.

I assure you that Congress does not intend to let the Defense Department continue to ignore the importance of nuclear propulsion in new fleet escort ships.

Last month the Joint Committee made public a special report which stated:

"It would be a mistake for Congress to authorize new conventionally powered guided missile destroyers when the technology exists to provide them with the increased military effectiveness afforded by nuclear propulsion. Each nuclear-powered ship substituted for a conventional ship greatly increases the capabilities of a task force. For example, the most recent Department of Defense cost-effectiveness studies forwarded to the committee show that when a nuclear carrier is substituted for a conventional carrier, the range of a carrier task group with four conventional escorts is about doubled. When two of the escorts with the nuclear carrier are nuclear, the range of the carrier task group is almost doubled again. When all of the escorts with the nuclear carrier are nuclear, the range of the carrier task group is essentially unlimited. Further, the lifetime cost to construct and operate a nuclear-powered task force is only about 6 percent greater than the cost of a conventionally powered task force." [6]

Also last month the Senate substituted a second *nuclear* powered frigate for the two *conventionally* powered destroyers in the fiscal year 1967 Defense Department authorization bill. This week the House Armed Services Committee reported to the House of Representatives that they have amended the new Defense Department authorization bill to include two nuclear powered frigates and that they have included language in the bill to make it mandatory that these two ships be built. Their report states in part:

"If this language constitutes a test as to whether Congress has the power to so mandate, let the test be made and let this important weapon system be the field of trial." [7]

Again quoting from the House Armed Services Committee Report:

"Let there be do doubt. This is the time to see that our nuclear-powered attack carriers are the centers of nuclear-powered task groups which can utilize all of the benefits of nuclear power without having to worry about the flow of fuel. As the Chief of Naval Operations said in his memorandum of April 14, 1966:

" 'The endurance, tactical flexibility, and greater freedom from logistic support of nuclear warships will give the United States an unequaled naval striking force. Our new warships, which the Navy will be operating into the 21st century, should be provided with the most modern propulsion plants available. To do less is to degrade effectiveness with grave implications for national security.' "

We are at a critical point in the history of the naval nuclear propulsion program as well as of the Navy. Significant strides are being made in the development of longer life reactor fuel to increase the length of time nuclear ships can operate without refueling. New and more powerful nuclear propulsion plants are being developed for both submarines and surface ships. We are now able to put nuclear cores into escort ships that will provide 10 years of operation. Aircraft carriers with cores that will last for 13 years and escorts with cores that last for 10 years will be adequate, as far as fuel is concerned, for the duration of any type of conflict in which we are likely to be engaged.

We must stop making studies and get on with the job at hand of prosecuting vigorously the conversion of the Navy to nuclear propulsion in the surface fleet as well as the submarine fleet.

The intent of Congress is clear! We do not intend to sit idly by, doing nothing, while new already obsolete ship platforms are laid down! We intend to ensure that our Navy remains the strongest in the world!

Now let us turn our attention to the pleasurable task of launching the latest addition to our nuclear Navy. To those of you who are responsible for completing this ship, I pray God will give you the skill to complete your complex tasks with perfection. To those of you who will man the *Haddock*, we wish you well. Never has your role in the defense of liberty been more important. Rest assured that our prayers go with you as you set out to accomplish the great tasks awaiting you. God speed!

The University of Krakow

EXTENSION OF REMARKS

OF

HON. PAUL H. DOUGLAS

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Monday, June 6, 1966

Mr. DOUGLAS. Mr. President, this year we celebrate 1,000 years of Christianity in Poland. In commemorating this achievement we praise not only a burning faith which has sustained and fortified the Polish people, but we also marvel at the rich culture which has drawn its essence from Christian tradition. Poland has always been the heart of cultural advancement in central Europe, and the names of the great Polish artists, musicians, and scholars are revered throughout the world.

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[3] Joint Committee Print, "Nuclear Propulsion for Naval Surface Vessels", December 1963, page 21.

[4] Joint Committee Hearing, "Naval Nuclear Propulsion Program" January 26, 1966, Foreword, page IV.

[5] Joint Committee Print, "Nuclear Propulsion for Naval Surface Vessels," December, 1963, page 5.

[6] Joint Committee Hearing, "Naval Nuclear Propulsion Program" January 26, 1966, Foreword, page VI.

[7] House of Representatives Report No. 1536, May 16, 1966, page 18.

In 1364 King Casimir the Great of Poland established the Jagiellonian University at Krakow. This university over the past 602 years has contributed fully to Poland's greatness. Renowned scholars have taught and learned within its halls and classic scientific theories have emerged from its laboratories and studies. Nicholas Copernicus the father of modern astronomy was a student there from 1491 to 1496, and the university library contains the first edition of his book. The Jagiellonian University was the center of intellectual activity for all of Poland in the early years and its outstanding professors represented Poland at almost all the international academic conferences.

This year's recognition of a millennium of Christianity in Poland renews a faith in God and in man and it brings to mind the value of traditions. The Jagiellonian University was almost always involved in controversies of the day, but even in the heat of debate it never lost sight of its commitment to search for truth and knowledge. Thus through the years a system of values came to be embodied in this institution, and in time of need the Polish people have always been able to rely on the old and glorious Jagiellonian University of Krakow.

Tribute to Denmark

EXTENSION OF REMARKS

OF

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 6, 1966

Mr. COLLIER. Mr. Speaker, I am happy to join with my distinguished colleague from Minnesota [Mr. NELSEN], in paying tribute to the people of Denmark on the anniversary of the promulgation of the Danish Constitution. It was on June 5, 1849, that the Danes received their charter of freedom from King Frederik VII.

The United States has been enriched through the years by the arrival in this country of thousands of Danish immigrants, many of whom settled in Illinois and neighboring States. I have found the people of Danish ancestry to be industrious, thrifty, self-reliant, and loyal.

For over half a century it has been possible for Americans who are visiting in Denmark to join the people of that nation in celebrating the anniversary of American independence. At Rebild, near the thriving city of Aalborg, is a beautiful park where Danes and Americans meet each Fourth of July to observe the day upon which liberty was proclaimed throughout our infant Republic in 1776. I can think of no finer tribute from one nation to another than that.

Mr. Speaker, it is my fervent hope that the existing friendship between our two countries will continue to the benefit of both.

America's Moral and Legal Commitment to the People of South Vietnam

EXTENSION OF REMARKS

OF

HON. JAMES H. MORRISON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 6, 1966

Mr. MORRISON. Mr. Speaker, the American people have been called upon in the past to sacrifice their lives and material comfort in order that the principles of freedom and justice be maintained. We have always based these sacrifices upon the assumption that without freedom, life on this planet would be cruel and unbearable.

We are being asked again to fight in defense of enlightenment; we are being asked again to lay down our lives and our material comfort to insure that the concept of freedom does not die in the world.

No one would say that Vietnam is a pleasant war; there is no such thing. It is certainly uncomfortable to live daily with the knowledge that our servicemen are fighting and dying in a land thousands of miles away; a strange land with which most of us were unfamiliar a few short years ago. We did not choose to fight there, for those who fight to defend the rights of others seldom are fortunate enough to pick the most advantageous place to do battle. Yet, I am convinced of one thing above all: We must fight in Vietnam—we must win an honorable peace in Vietnam or we will find America's will to defend the cause of freedom questioned throughout the world. This, I feel, would be disastrous to America's position, and, more important, it would broadcast to the world that we were unwilling to support the cause of freedom, enlightenment, and decency, and that we let ourselves become vulnerable to defeat and ultimate slavery by Communist domination.

There are a few who question both our moral and legal right to be in Vietnam. Though I will always strongly uphold the right of responsible dissent in America, I feel that these critics are grievously wrong and indeed are in many cases helping prolong the war which they so vigorously oppose. I for one firmly uphold both our moral and legal commitment to the people of Vietnam and the free world.

Legally, I feel that we are on very solid ground, a position which the American Bar Association also holds. Under the United Nations Charter, which we had a major part in drafting, the right of collective self-defense is recognized for all nations. In 1954, after the French had suffered many reverses in Vietnam, that area was divided, North and South Vietnam, by the Geneva Convention. The United States, with the cooperation of other nations in Asia and throughout the world, then entered into the Southeast Asia Collective Defense Treaty by which we agreed to protect southeast Asia—including South Vietnam—from aggression.

This treaty was adopted in accordance with the U.S. Constitution, and it is important to note that in a very real sense the misguided and foolish handful of Americans who are sending material aid to the Communists in North Vietnam are violating the spirit and letter of the U.S. Constitution as well as assisting in prolonging a war in which U.S. servicemen are fighting.

While we are not technically in a state of war against North Vietnam, the right of the President to act as he has is clear. Both Presidents Kennedy and Johnson have supported the commitment made by President Eisenhower in 1954. In addition, Congress expressly authorized the President to use the Armed Forces to assist any member state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom. We are acting in Vietnam with the expressed consent of, and at the specific request of, the Government of South Vietnam. No matter how confusing the change of governments in that strife-torn country may seem, the facts are clear: every new leader of South Vietnam has renewed this request.

Morally, the case seems to be equally convincing. One point above all should be made absolutely clear: we are dealing with a case of cynical aggression on the part of North Vietnam and Communist China against South Vietnam. Those who completely deny this are totally blind to the facts of the case and indeed even refuse to listen to these facts. Previous to the cold war, patterns of aggression, I agree, were much more clear cut. Armies of enemy nations would openly march across borders, as Germany did in World War II. However, this type of aggression has almost always met with total defeat in the 20th century.

Recognizing this basic fact, the Communists have developed a new, more subtle pattern of aggression. Instead of openly amassing huge armies into a grinding war machine, the Communists seek to infiltrate and gain control of small, dissident groups within a country. When this is accomplished, they feed large quantities of arms, material, and men to fight a war which they call an internal civil war. This is what has happened to South Vietnam, and we are fighting, successfully, I might add, to stop this flagrant violation of the freedom of the people of South Vietnam.

The American people have never hesitated to offer help to support the cause of liberty and freedom in the world. We have done this for two basic reasons: first, because we believe in freedom and have built a great nation on the principles of justice and liberty, and second, because it is in the interest of all Americans to do so. We are fighting for these principles in Vietnam; we are fighting in order to help our friends fend off the rising threat of totalitarianism and communism. But we are also fighting for our own self-interest because a free nation cannot long exist in a world which is not free. If we did not fight in Vietnam, I am sure that it would not be long before we would be fighting a much more desperate and far greater war much closer to home. We must prove that America is a strong, determined nation—determined to keep liberty and freedom alive throughout the world.

As Joseph Alsop points out in his recent Saturday Evening Post article, "Why We Can Win in Vietnam," the Vietcong is making a last ditch attempt to win the war in the face of overwhelming odds. As he points out:

> The present enemy reinforcement is like one of those last high raises that losing players somtimes make to frighten their opponents out of a poker game.

We must not be frightened—we will not be frightened. We have the finest fighting force ever assembled in all the world in Vietnam, and we are winning the war. I urge all Americans to continue their support of our country and the free world, the President, and all of our elected officials, and I look forward, with all Americans, to the day when we can lay down our arms and join with the war-weary people of South Vietnam in building a peaceful, prosperous, free nation, and at the same time proving to all peoples that we can and will fight and win to preserve freedom and destroy the Communists' ambition of world domination with slavery and misery which would so surely accompany it.

My Black Position Paper

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 6, 1966

Mr. POWELL. Mr. Speaker, this year I celebrate a quarter of a century in politics.

In those 25 years, a philosophy which has guided my thought and my every act has evolved out of my life experiences as minister, politician, Congressman, and man from Harlem.

This philosophy is summed up in what I call my "Black Position Paper."

But it is an open-end continuing document whose contents are always subject to the influence of new ideas and changing events.

The black position paper is an outline for living and call to action for America's black people.

It is, above all, that passionate reaffirmation in what black people are today and what we can be tomorrow.

The following 17 points comprise my black position paper:

1. We must give our children a sense of pride in being black. The glory of our past and the dignity of our present must lead the way to the power of our future.

2. Black organizations must be black led. Other ethnic groups lead their own organizations. We must do the same. Jews lead the American Jewish Congress, American Jewish Committee and B'nai B'rith. Irish control the St. Patrick's Day Parade Committee and the Irish-American Historical Society. Poles head the Polish-American Congress and the Polish National Alliance. Italians lead the Italian-American Democratic organizations and the Italian-American Labor Council. This kind of honest pluralism is a happy fact of American life.

3. The black masses must be primarily responsible for their own organizations. Only with black financial control can black organizations retain their honesty, their independence and their full commitment to the urgency of immediate equality.

4. The black masses must demand and refuse to accept nothing less than that proportionate share of political jobs and appointments which are equal to their proportion in the electorate. Where we are 20% of the voters, we should command 20% of the jobs, judgeships, commissionerships, and all political appointments.

5. Black people must support and push black candidates for political office first. This mandate should apply particularly where black candidates are at least equally well-qualified as other candidates.

6. Black people must seek audacious power—the kind of power which cradles your head amongst the stars and gives you the security to stand up as proud men and women, eyeball to eyeball with the rest of the world.

As Chairman of the House Committee on Education and Labor, I control all labor and education legislation. This year, my Committee will raise the minimum wage for the second time in five years—both during my chairmanship. When I first became chairman, the Federal commitment to education was $450 million. It is now $360 billion—an eightfold increase. The $1.7 billion for the war on poverty which has given the poor of America their first opportunity to be heard as a national voice derives its mandate from my Committee.

This is legislative power. This is political power. Above all, this is audacious power.

7. Black leadership in the North and the South must shift its emphasis to the two-pronged thrust of the Black Revolution: economic self-sufficiency and political power. The Civil Rights Act of 1964 (with the exception of Title VII or the "FEPC Title") has absolutely no meaning for black people in New York, Los Angeles, Chicago, Philadelphia, Detroit, or any of the northern cities.

It has been difficult for black leadership to grasp these new dimensions of necessary economic and political power for the black masses. This is because black leadership has been saturated too long with too many hustling social workers and professional "Negro leaders" whose only contribution they can make to American society is that they are white handpicked "leaders."

8. Black masses must produce and contribute to the economy of this country in the proportionate strength of their population. Rather than a race primarily of consumers and stockboys, we must become a race of producers and stock brokers.

9. Black communities of this country—whether they are New York's Harlem, Los Angeles' Watts, Chicago's South and West Sides, Philadelphia's North Side or Detroit's East Side—must neither tolerate or accept outside leadership, black or white.

Too many black communities in America today suffer from absentee black leadership.

Black communities must insist on black leaders living amongst them, knowing and sharing the harsh truths of the ghetto. These black leaders—the ministers, the politicians, the businessmen, the doctors and the lawyers—must come back to the black communities from their suburban sanctuaries or be purged as leaders.

10. The black masses should follow only those leaders who have true power—what President Kennedy called clout—and who can sit at the bargaining table with the white power structure as equals in power and negotiate for a share of the loaf of bread, instead of begging for some of its crumbs. These leaders will be chosen by the black masses themselves.

11. Demonstrations and all continuing protest activity must be non-violent. Violence even when it erupts recklessly in anger among our teenagers must be curbed and discouraged.

12. Black people must continue to defy the laws of man when such laws conflict with the law of God. The law of God ordains that "there is neither Jew nor Greek, there is neither bond nor free, there is neither male nor female: for ye are all one in Christ Jesus.

13. Black people must discover a new and creative involvement with ourselves. We must turn our energies *inwardly* toward our homes, our churches, our families, our children, our colleges, our neighborhoods, our businesses and our communities. Our fraternal and social groups must become an integral part of this creative involvement by energizing their resources toward constructive fund raising and community activities.

Too much time is spent on cotillions and champagne sips and running around sipping martinis in the homes of suburban white families. Some of those energies should be directed to helping black families who are starving in the inner city.

14. The War on Poverty must become that more productive crusade for jobs. The only thing that keeps a man impoverished is his incapacity to earn a living. Put some green in his pocket and some bread in his soul and he'll be that better citizen, that more productive father, that finer American.

15. The battle against segregation in America's public school systems must become a national effort, instead of the present regional skirmish that now exists. Title VI of the 1964 Civil Rights Act outlaws *de jure* racial segregation. It has no meaning or application to the hard core pockets of *de facto* racial segregation in Northern schools which is just as malicious, just as destructive of the human spirit.

16. We must put pressures on our predominantly black colleges to shift their emphasis from teacher education to nuclear physics and aerodynamics. Black colleges are still grinding out teachers and sociologists while other major schools are graduating space engineers and nuclear physicists.

17. Every black man who considers himself an American must become a *registered voter*. Freedom in a democracy rests on a free electorate. A free electorate only survives when people vote. But do more than vote. Learn to vote for those who are your friends, against those who are your enemies. No black person over 21 must be permitted to walk a picket line or participate in any demonstration unless he or she is a registered voter.

These 17 points are our responsibility in this age of crisis.

Difficult? Yes. Nietzsche said: "Life always gets harder toward the summit—the cold increases, responsibility increases."

Our responsibility must increase. And we must nurse its growth in the bosom of our hopes, defying power which seems omnipotent—loving and hearing and hoping "till Hope creates from its own wreck the thing it contemplates."

Let us, thus, take pride in our black skins in this white man's civilization. In so doing, we will no longer be "wandering between two worlds, one dead and the other powerless to be born."

That other world—our world—the world of the black man's tortured past and his brilliant future, can take its rightful place in history if we give it the power to be born.

It is time now to glory in the golden legacy of our shackled past.

The glory of our past and the dignity of our present must point the way to the power of our future.

Glory in the proud heritage of black heroes like Crispus Attucks, Sojourner Truth, Dorie Miller, and millions of black men whose blood, spilled all over the world in America's eight wars, has watered the lush foliage of American democracy and given it the beauty of ever-lasting life.

Glory in that mighty fortress of our strength—the Christian faith—"On Christ the solid rock I stand, all other ground is sinking sand!"

For there is a God in Heaven Who asks each of us not to be like Elijah who "came thither unto a cave, and lodged there; and behold, the Word of the Lord came to him and He said unto him, What doest thou here, Elijah?"

What doest thou black people of America?

You have looked Southward too long. "Ye have compassed this mountain long enough: turn you northward." And be free!

The Sea Around Us: Marine Resources and Engineering Development Act of 1966

EXTENSION OF REMARKS

OF

HON. ED REINECKE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 6, 1966

Mr. REINECKE. Mr. Speaker, last week the House agreed to the conference report on S. 944 establishing the Marine Resources and Engineering Development Act of 1966. The compromise version of the bill declares it to be the policy of the United States "to develop, encourage, and maintain a coordinated, comprehensive, and long-range national program in marine science for the benefit of mankind, to assist in protection of health and property, enhancement of commerce, transportation, and national security, rehabilitation of our commercial fisheries, and increased utilization of these and other resources."

As a member of the Subcommittee on Oceanography of the House Merchant Marine and Fisheries Committee I have long been concerned about the fact that the national marine science program lacked a legislative base, a legislative commitment of policy and purpose, and a statutory body to plan, evaluate, and coordinate such a program. These will be provided by the enactment of S. 994.

The great sea around us is coming to be recognized as the unexplored "inner space." We need to explore and probe and study this "inner space" to the same extent and with the same enthusiasm with which we are now exploring and studying the vast outer space. For far too long we have taken for granted the oceans. We have ignored their wealth, and failed to realize their potentials.

The Marine Resources Act will stimulate the search for needed knowledge and technology; and it will encourage private investment in endeavors looking toward economic and greater use of the treasures of the sea.

S. 944 proposes expansion of our use of the oceans, the Great Lakes and the Continental Shelf by development of a comprehensive program of marine science activities including exploration, exploitation, and conservation of the resources of the ocean. These efforts will include development of ocean engineering; studies of air-sea interaction and transmission of energy, long-range studies of the potential benefits to the U.S. economy, security, health, and welfare to be gained from marine resources, engineering and sciences; and it will also provide for a thorough study of the legal problem arising out of the management, use, development, recovery, and control of marine resources.

Responsibility for carrying out these activities would be placed with the National Council on Marine Resources and Engineering Development, assisted by the Commission on Marine Science, Engineering and Resources. This Council would operate within the Executive Office of the President.

I am especially pleased that private industry will be invited to give significant leadership by its representation on the Council.

There exists in the world's oceans an almost limitless potential for food production, for supplementing the land's minerals, for an inexhaustible supply of pure water, for new sources of fuels and energy, for a revitalized, superior merchant marine, and even for harnessing wind and weather. We only need to learn to apply our American technological genius to their use. There is an opportunity for economic growth unparalleled since the industrial revolution.

The National Council will coordinate the team efforts of the Federal agencies, the Congress, the universities, the States, and the business-industrial communities.

With its shores washed by three great oceans the United States occupies a unique position among the nations as a sea-faring country. Our total coastline of 12,255 miles is second only in length to that of Canada. We now have the means and the opportunity to lead the world in the exploration of the sea around us, as we have led in the conquest of outer space.

The 1966 Gold Pasteur Medal Awarded to Mr. Robert Closson

EXTENSION OF REMARKS

OF

HON. JOSEPH Y. RESNICK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 6, 1966

Mr. RESNICK. Mr. Speaker, I am proud to be able to announce that the Milk Industry Foundation's 1966 Gold Pasteur Medal, its highest award, was given yesterday to Mr. Robert Closson, of East Fishkill, N.Y. He received the only gold medal given by the foundation this year for outstanding bravery and humanitarian service.

Closson, a driver-salesman for Fitchett Bros. Dairy of Poughkeepsie, while on his route, saw a fire on the property of a 69-year-old customer. He ran to the fire. A gust of wind cleared the air for a moment and Mr. Closson saw his customer in the flames, screaming hysterically.

With complete disregard to his own safety, Mr. Closson carried the severely burned man out of the flames and called for help. As if nothing ever happened, he then finished his day's work of milk delivery.

This is the second consecutive year that Mr. Closson has received a Pasteur award. Last year he was awarded an honorable mention for caring for a heart-attack victim.

The gold medal was presented to Mr. Closson following the Milk Day-U.S.A. luncheon yesterday in the New Senate Office Building. Mr. Closson was accompanied at the luncheon by his wife and Mr. and Mrs. Fitchett of Fitchett Bros. Dairy. I was honored to be invited to present the gold medal to him.

I am proud to join my fellow citizens of the Hudson Valley—in fact, all Americans—in paying tribute to this brave, resourceful individual.

Development of the War in Vietnam

EXTENSION OF REMARKS

OF

HON. CLARENCE J. BROWN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 6, 1966

Mr. CLARENCE J. BROWN, JR. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following speech I made May 1, 1966, before the Rotary District 667 Conference at Miamisburg, Ohio, on the development of the war in Vietnam:

DEVELOPMENT OF THE WAR IN VIETNAM

(By Congressman CLARENCE J. BROWN, JR., Seventh Ohio District delivered at the Rotary District 667 Conference, Miamisburg, Ohio, May 1, 1966)

Today we face a perilous time in our international relationships abroad because of the critical situation in Southeast Asia. The Buddhists and others opposed to the government of Premier Ky in Saigon have forced special elections to be scheduled in South Viet-Nam sometime within the next three to five months. If the independent government which results from those elections asks the United States military forces to leave Viet-Nam, our nation faces a difficult decision.

Let me take a few minutes to review the situation in Viet-Nam for you, with the hope of putting it into perspective.

As you may recall, prior to World War II the French maintained a colonial empire in Indo-China, which makes up most of the peninsula of Southeast Asia. The British in Burma and Malaya were the other colonial power on the peninsula, and the Dutch controlled the islands of Southeast Asia down toward New Guinea and Australia. The people of these areas, which had been occupied by Japan for five years during World War II, threw out their colonial masters one by one after that war.

Before the fall of the French colonial interest, France invited the United States to assist in trying to squelch the Indo-China revolt with economic and military aid. Thus, our involvement began under the Truman Administration with a decision announced by Secretary Acheson on May 8, 1950, only a little more than a year after China fell to the Communists—then called by some only agrarian reformers. That decision was to send "economic and military equipment to the Associated States of Indochina (Viet-Nam, Laos, and Cambodia) and to France in order to assist them in restoring stability and permitting these states to pursue their peaceful and democratic development."

Approximately $375 million of military and economic assistance was channeled to Southeast Asia from the American taxpayers through fiscal year 1953. In August of 1950, the first American military assistance advisory group of 35 personnel was sent to Indo-China to advise on the use of this American equipment.

Nevertheless, by 1953, when President Truman left the White House, all of Viet-Nam above the 17th Parallel except Hanoi, a narrow corridor connecting to a coastal strip around Haiphong, and a part of the northeastern T'ai Highlands were under control of the Communist Viet Minh. In addition, Viet Minh forces were in effective control of large areas south of the 17th Parallel—including the central highlands and the tip of the Ca Mau Peninsula, the southernmost part of the country.

President Eisenhower continued the program of military and economic aid to France and the Associated States of Indo-China at levels set by the previous Administration until the Fall of 1953. In September 1953, increased aid of $385 million through 1954 was promised by the United States after two modifications of French policy had been decided on—both of them measures designed to avert impending disaster for the French.

Under the twin pressures of military reverses in Indo-China and the prodding of the United States, France had agreed on July 3, 1953, to take steps "to complete the independence and sovereignty of the Associated States . . . within the French Union." There was hope that the war, even at that late date, could be cleansed of the appearance of colonialism and would no longer seem to Asiatics to be an effort by France merely to hold on to her possessions.

The second significant decision was incorporated in the plan of French General Navarre—a plan of aggressive military action with increased French and native forces.

After the conclusion of the Korean armistice on July 27, 1953, keeping the Chinese Communists from active military participation in Indo-China had become one of the concerns of American policymakers. On the day of the Korean armistice, the 16 members of the United Nations that had helped to defend South Korea had issued a joint warning against Chinese Communist action in Southeast Asia.

On May 7, 1954, the day before the Geneva discussion on Indo-China began, the French suffered their decisive defeat at Dien Bien Phu. On June 11, 1954, Secretary Dulles, in a speech delivered at Los Angeles, detailed the conditions under which the United States would consider additional help to the French: (1) a request for assistance from the states fighting the Communists; (2) clear assurance (from France) of complete independence to Laos, Combodia, and Viet-Nam; (3) an indication of concern and support on the part of the United Nations; (4) assurance of collective action by other nations along with the United States; and (5) a guarantee that France would not withdraw from the conflict once a further commitment was extended by others.

The last two conditions laid down by Secretary Dulles were the decisive obstacles to the formulation of any plan for U.S. intervention.

On July 20, 1954, representatives of the nine governments assembled at Geneva signed the agreement which rang down the curtain on the French Empire in Asia—Great Britain, the Soviet Union, France, Communist China, the United States, the Marxist Democratic Republic of Viet-Nam (North), the State of Viet-Nam (South), Cambodia, and Laos. Three similar armistice agreements were concluded relating to Viet-Nam, Laos, and Cambodia, and a declaration was issued.

Besides stipulations on the cessation of hostilities, the armistice agreements provided for withdrawal of foreign troops and prohibited Laos, Cambodia, and the two parts of Viet-Nam from joining any military alliance or granting military bases to foreign powers.

Also, the Geneva Agreements, in effect, recognized as Communist territory Viet-Nam north of the 17th Parallel and two provinces in northeastern Laos. Viet-Nam, north of the 17th Parallel, had already been almost totally occupied by the Viet Minh forces. The treaty provisions formalized this conquest, but they also required the Viet Minh to withdraw from South Viet-Nam, vast areas of which were under their control. Some 80,000 to 90,000 Viet Minh troops were moved out of South Viet-Nam in the execution of the agreement. Perhaps 5,000 to 6,000 melted into the civilian population and remained in violation of the Geneva Agreement. The Geneva Agreements also provided that any civilians who were residing on one side of the partition line could, if they chose, go and live on the other side. By the end of the time limit set for making the move, which was extended to July 20, 1955, almost 900,000 civilians had moved from North Viet-Nam to South Viet-Nam. In contrast, less than 5,000 had moved from the South to the North.

In spite of the relocation of Viet Minh forces into North Viet-Nam, the armistice agreement read that the 17th Parallel "should not in any way be interpreted as constituting a political or territorial boundary." The conference declaration envisaged the reunification of Viet-Nam, providing for the selection of a government for the entire country by free general elections to be held in 1956.

Similar to the splitting of Viet-Nam, the assignment of two northeastern provinces of Laos as sanctuaries for troops of the Communist Pathet Lao not wishing to be demobilized was, by the terms of the agreement, temporary—"pending a political settlement."

The United States did not sign any of the three strange treaties concluded at Geneva, nor the conference declaration; nor did South Viet-Nam.

In fact, before the conference closed at Geneva, the United States issued a unilateral declaration pledging not to use force to disturb the agreements but warning that renewed aggression in violation of the agreements would be viewed as a threat to international peace and security. At the same time, President Eisenhower announced that steps would be taken to establish collective defense against Communist aggression in Southeast Asia.

The attitude of the U.S. Government toward Geneva was summarized by the President thus: "The agreement contains features which we do not like, but a great deal depends on how they work in practice."

Another chief flaw of the Geneva settlement lay in provisions relating to the International Control Commission set up to supervise the execution of the agreements. The Commission, composed of representatives of Canada, India, and Poland, could act only by unanimous vote in cases involving violations of the territory covered by the agreements. This veto in the hands of a Communist representative was an instrument for sabotaging the execution of the agreements.

As I said, the final declaration issued at Geneva in 1954 (subscribed to by neither the United States nor South Viet-Nam) called for free elections to unify all of the Vietnamese in 1956. Recently Senator FULBRIGHT and others have deplored the fact that this election was not held.

The reasons for the refusal of South Viet-Nam to acquiesce in the holding of the election were stated by Prime Minister Diem on July 16, 1955: "We do not reject the principle of elections as a peaceful and democratic means to achieve unity. But elections can be one of the foundations of true democracy only on the condition that they are absolutely free. And we shall be skeptical about the possibility of achieving the conditions of free elections in the north under the regime of oppression carried on by the Viet Minh."

The position of South Viet-Nam on this point was sustained by the United Kingdom, one of the co-chairmen of the Geneva Conference.

Among the stanchest opponents of the holding of the 1956 election was the then Senator John F. Kennedy, of Massachusetts. He issued "a plea that the United States never give its approval to the early nationwide elections called for by the Geneva Agreement of 1954. Neither the United States nor free Viet-Nam was a party to that agreement—and neither the United States nor free Viet-Nam is ever going to be a party to an election obviously stacked and subverted in advance, urged upon us by those who have already broken their own pledges under the agreement they now seek to enforce."

Now, his brother Senator ROBERT KENNEDY, wants to include the Viet Minh in any negotiated peace!

As South Viet-Nam began its existence, the prospects for its survival were minimal. Independence was thrust upon a people without political experience and without political leadership. It had no sense of nationhood. It had no industry. And, by the Geneva declaration, it seemed doomed to being swallowed up by the Communist rulers of North Viet-Nam in two years.

Yet, when the Eisenhower Administrtation left office in 1960, South Viet-Nam was beginning to be a stable and established government. Senator John F. Kennedy called the development "a near miracle." In his book, "Strategy of Peace," published in 1960, he said: "In what everyone thought was the hour of total Communist triumph, (meaning the months after the Geneva Agreement) we saw a near miracle take place. . . . Today that brave little state (South Viet-Nam) is working in free and friendly association with the United States, whose economic and military aid has, in conditions of independence, proved effective."

The State Department's white paper of December 1961, entitled "A Threat to the Peace," contains the following analysis of progress in South Viet-Nam: "The years of 1956 to 1960 produced something close to an economic miracle in South Viet-Nam. Food production rose an average of 7 percent a year and prewar levels were achieved and passed. While per capita food production in the north was 10 percent lower in 1960 than it had been in 1956, it was 20 percent higher in the south. The output of textiles in the south jumped in only one year from 68 million meters (in 1958) to 83 million meters. Sugar production in the same one-year span increased more than 100 percent, from 25,000 metric tons to 58,000 metric tons.

"Despite the vastly larger industrial plant inherited by the North when Viet-Nam was partitioned, gross national product is considerably larger in the South. In 1960 it was estimated at $110 per person in the South and $70 in the North. Foreigners who have visited both North and South testify to the higher living standards and much greater availability of consumer goods in the latter.

"The record of South Viet-Nam in these recent years is written in services and in improved welfare, as well as in cold economic indexes. A massive resettlement program effectively integrated the 900,000 refugees from the North, who voted with their feet during these years, into the economic and social fabric of the South. An agrarian reform program was designed to give 300,000 tenant farmers a chance to buy the land they work for a modest price. Under the Government's agricultural credit program, aimed at freeing the farmers from the hands of usurers, loans to peasant families increased fivefold between 1957 and 1959.

"Thousands of new schoolrooms were built, and the elementary school population in South Viet-Nam increased from 400,000 in 1956 to 1,500,000 in 1960. A rural health program installed simple dispensaries in half of South Viet-Nam's 6,000 villages and hamlets. An elaborate malaria eradication program was launched to rid Viet-Nam of its most important infectious disease. Doctors and nurses went into training in South Viet-Nam and abroad to serve their people's health needs.

"This is a part, a very small part, of the setting against which the Vietcong launched their campaign of armed action, subversion, and terror against South Viet-Nam. It is a record of progress over a few brief years equaled by few young countries."

And so, this was the situation 7½ years after Geneva—as 1962 began—just four years ago.

But a viable Viet-Nam had also required security from outside aggression and from terrorism and guerrilla activities within the country. To increase security, the Eisenhower Administration had proceeded promptly in 1954 to form a regional defense organization, the Southeast Asia Treaty Organization, and to bring South Viet-Nam, as well as Laos and Cambodia, within its protective cover.

Specifically, to meet the threat of infiltration from North Viet-Nam and the depredations of guerrillas in the South, the United States provided military equipment and training to the forces of South Viet-Nam.

The purpose of this conditional offer, Eisenhower said, was ". . . to assist the Government of Viet-Nam in developing and maintaining a strong, viable state capable of resisting attempted subversion or aggression through military means."

Recognizing this fact, the Kennedy Administration later did not use American forces to repel Communist aggression in Laos. The legal commitment of the United States to South Viet-Nam is the same as its commitment to Laos. Both of these countries of Southeast Asia were brought under the protection of SEATO.

Although the Government of South Viet-Nam never established unchallenged authority in the entire countryside, a period of relative peace and stability extended from 1955 to 1959. But late in the latter year the tempo of guerrilla attacks began to assume significant proportions.

In 1960, by which time real economic progress had come to South Viet-Nam, the armed forces of the Vietcong operating in South Viet-Nam began to increase from the level of 3,000 at the beginning of the year. During this year the Vietcong assassinated or kidnapped more than 2,000 civilians. Acts of terrorism were directed particularly against local officials in rural areas to leave the countryside leaderless—the same tactic the Communists had worked in overthrowing China some dozen years earlier.

The signal from North Viet-Nam for intensification of the conflict came on September 10, 1960, at the Third Congress of the Communist Party of North Viet-Nam with a call for liberation of the South from the "rule of the U.S. imperialists and their henchmen." In December the National Front for Liberation of South Viet-Nam was formed by Hanoi. This is the group with whom some Americans would like to negotiate a peace in Viet-Nam and include in the new government on the theory that they are only reformers.

In January of 1961 the United States was confronted not only with problems in South Viet-Nam but with far more acute difficulties in the neighboring nation of Laos. In Viet-Nam sporadic guerrilla attacks were going on. In Laos, Communist Pathet Lao forces were engaged in a full-scale offensive that threatened the government of Premier Boun Oum.

On March 23rd President Kennedy warned, ". . . if there is to be a peaceful solution, there must be a cessation of the present armed attacks by externally supported Communists . . . No one should doubt our resolution on this point . . . all members of SEATO have undertaken special treaty responsibilities toward an aggression in Laos."

But sixteen months later, in July of 1962, the Government of the United States acquiesced in a settlement which terminated any responsibility which the SEATO powers had toward Laos and imposed on that country a coalition government including Communist representation. Acceptance of this settlement by the government of Laos, which enjoyed recognition by the United States, was brought about by suspension of American aid.

Infiltrators from North Viet-Nam, together with local dissidents in Laos and South Viet-Nam, stimulated in South Viet-Nam what some prefer to call a civil war, but what can only be honestly referred to as a Communist effort to continue the anarchy which had existed since before World War II. The method was guerrilla warfare, terrorism, kidnapping, assassination, and atrocity. The political approach was to destroy the leadership at the local level by assassination or kidnapping and to persuade or intimidate the populace to revolt against, or ignore, the central government.

It was not difficult to convert antagonism to French colonialism to antagonism to the Viet-Nam government in Saigon. It was not difficult to slip through the jungle and into a village at night and to decapitate or emasculate some respected local leader, be gone before dawn, and return to take advantage of the local confusion and concern by preaching conversion to Communist doctrine.

The year 1961 saw the development of the conflict in Viet-Nam from covert guerrilla action to open, if still small-scale war. In that year, for the first time, the Vietcong committed forces of battalion size to combat. For the first time they launched an attack on a community as important as a provincial capital. The infiltration of Communist troops from the North, facilitated by unchallenged Communist control of eastern Laos, increased. By the end of 1961, the State Department estimated that between 8,000 and 12,000 regular Vietcong troops were in South Viet-Nam—at least double the number present there one year earlier. The United States doubled its forces of military advisors in South Viet-Nam from fewer than 700 stationed there when President Eisenhower left office to 1,364.

In the period 1961 to 1963, the number of American troops in South Viet-Nam grew from 1,364 to 16,575. In this same period we were also faced with the Berlin Wall crisis and the Russian missiles crisis in Cuba. The amount of aid, military and economic, to South Viet-Nam was increased substantially although the exact figures for military aid are classified after fiscal year 1962. But it was then said to be running in excess of half a billion a year.

In the late Summer and Fall of 1963, the internal crisis in South Viet-Nam arising from conflict between the Diem regime and the Buddhists produced a deterioration of the military situation and a decision by the U.S. Government to encourage a change of horses. American aid was cut back. Official U.S. statements indicating lack of confidence in the Diem government and calling for a change of personnel and policy were issued. Diem was removed in a military coup and was assassinated along with his brother, Nhu.

While our government has never admitted it, I have always felt personally that we were severely implicated in the assassination and overthrow of the Diem government. Our sympathy with that overthrow had been motivated by a belief that the best way to deal with the unrest in South Viet-Nam was to bring into power a government that would be more "socially liberal" than that of Diem and Madame Nhu, who had been critical of the United States for not facing the Communist influence for what it was in the anarchy which was gripping the nation.

With the Diem overthrow our involvement in the government of South Viet-Nam became deeper and deeper, to the extent that it would be difficult to call the Government of South Viet-Nam independent of American influence.

Strangely, the setbacks that occurred at the end of 1963 and the beginning of 1964 began only one month after Secretary McNamara and General Taylor returned from South Viet-Nam with an optimistic report. So strong was their optimism, that an immediate reduction of the American force in South Viet-Nam by 1,000 men was announced and the prediction was made that virtually all American troops would be withdrawn by the end of 1965.

In January of 1964, when President Johnson was only one month in office, we still had less than 17,000 men in Viet-Nam. The worst of the war, from the U.S. standpoint, still lay ahead and it might still have been possible to decide to withdraw. It might be pointed out that we also still had, and still do have, the same Secretary of State and the same Secretary of Defense we have had for the last five years. But it was in 1964 that the sharp escalation began, during the same election year when one Presidential candidate was in the posture of the hawk and the other in the posture of the dove.

After the attack on American shipping by Communist forces in the Gulf of Tonkin in August of 1964, President Johnson went to the Congress he had dominated so effectively since President Kennedy's assassination and asked for a resolution of support for the actions he might find it necessary to take in South Viet-Nam. He also asked for a substantial financial commitment to that situation. The Congress voted that support without much hesitation—and without any specific elaboration by President Johnson.

At this point it is well to note that the President of the United States, under the Constitution, is given two clear powers. First, to make United States foreign policy and, second, to be commander-in-chief of American armed forces. The situation in Viet-Nam is not the first time in which a President has committed American men and material to fight in foreign lands without a formal declaration of war from the Congress. It is true that the Constitution requires that Congress declare war, but in view of the powers of the President this almost becomes a technical formality. United States Presidents have, from time to time, sent the Marines into Mexico or Nicaragua or some other place to protect American interests. In the past, major wars did not ensue. The result in Viet-Nam may be different, but the beginning has plenty of parallels.

There is a classic story about Teddy Roosevelt's wanting to send the great white fleet around the world when he was President in order to show off American power which had been built up during the Spanish-American War—which had immediately preceded his Administration. The Congress refused to appropriate the money for this venture. Teddy looked in the Treasury and found enough funds to send the fleet half way around the world and then told Congress if it would like to have the fleet back home, it could appropriate the necessary funds to finance the trip.

The sham of calling American troops in Viet-Nam "advisors" was dropped in 1964 as the guerrilla attacks began to be aimed more and more at American nationals, as well as the South Vietnamese. Whether our commitment to the war began at the Gulf of Tonkin in August of 1964, or at Pleiku six months later, the sharpest escalation of the war began early in 1965, until by year-end there were approximately 181,000 servicemen in South Viet-Nam. President Johnson's posture, after the election in 1964, shifted noticeably from that of a dove to that of a hawk. He ordered limited bombing of selected targets in North Viet-Nam and general air support for the war in the South.

By the Fall of 1965 another noteworthy thing occurred. That was when Lin Piao, the Chinese equivalent of Secretary McNamara (Defense and Foreign Policy Administrator) made a speech in which he outlined the objectives of Chinese Communism in the world. The Western powers, he said, would fall to Communism just as had Free China. The Communists would first take the rural areas of the world and then the cities, as they had done in China. By the rural areas he meant Southeast Asia, Africa and Latin America. And when these areas had been secured, the industrial centers of the United States and Western Europe would fall easily. This is also the way the war was being conducted in South Viet-Nam. (It is worth noting that the approach of Chinese Communism is different from that of Russian Communism, which began in the cities and then spread to the rural areas.)

And so Piao seems to verify the domino theory that, should Communism win in South Viet-Nam, other nations in that area will become principal targets until all Southeast Asia is under Communist or Marxist domination. Thus, developments in that section of the world have an amazing parallel to the situation in Europe immediately before World War II. Piao has spelled out the Chinese objectives much as Hitler spelled out the Nazi objectives in Mein Kampf before World War II. Mein Kampf, though a best seller, was ignored. Many now suggest we also ignore Piao.

Few people in this country read Chinese, and only a few more have any interest in Asia, because our heritage and our commerce have always directed our attention to Europe. Since America has only recently arrived on the scene of world leadership, we do not have the tradition of knowledge and involvement in world affairs which keeps us closely aligned to remote nations like Viet-Nam.

Whether you consider our world leadership role as having begun with the Cold War 20 years ago, or with the beginning of World War II or World War I, we do not seem to have the tradition or the training for it to the extent that the British have. Someone once said it took 300 years of world leadership for the British to develop a Winston Churchill.

In the face of the obvious threat registered late in 1965 by Piao, President Johnson instituted during the year-end holidays, an unprecedented peace effort. He sent American diplomats out by the plane-load all over the world seeking assistance in urging peace in Southeast Asia and for better than a month halted bombing of North Viet-Nam.

The silence of the Vietcong response was deafening. There was no encouragement whatsoever from the Vietcong, North Viet-Nam, Communist China or from Moscow that the peace offensive launched at that time would get a response. Or perhaps it did get a response from the Communists, to the effect that they felt sure they were winning and nothing short of complete and unconditional withdrawal by the American forces would be acceptable.

At the beginning of this year, the United States reluctantly renewed bombing in North Viet Nam—over the objection of many Americans.

During this month-long peace offensive, the doves were hard at work in this country. With demonstrations against the war, serious arguments to government leaders in favor of peace, and the general suggestion that we should include the Communists in any possible peace discussion. The Senate Foreign Relation Commtitee undertook its hearings on Viet-Nam under the leadership of Senator FULBRIGHT and others opposing Administration policies.

In the face of this, President Johnson, early in February, personally laid it on the line for the Ky Government in Saigon by flying to Honolulu to meet with General Ky and arrange with him for the future extension of more vast amounts of aid for social improvements in his country.

Immediately following the Honolulu meeting, Mr. Johnson sent Vice President HUMPHREY to Southeast Asia to urge other nations there into active participation in the war in Viet-Nam. And we asked the United Nations to intervene.

Thus the Johnson Administration was trying again, just as Dulles had tried, to get the same kind of international cooperation in Southeast Asia as the free nations had shown in the Korean War. But there was little response; and except for the limited military support which The Philippines, Australia, New Zealand, Thailand, and South Korea are giving, the United States is continuing to bear the brunt of the burden in South Viet-Nam. The Security Council of the United Nations, at a meeting on February 2nd, agreed to consider the Viet-Nam War by a vote 9 to 2. The meeting was then adjourned for private consultations and discussions, and nothing further has developed since that time.

Some of us at the time of the Honolulu meeting had the feeling that perhaps this would put the President in a position of being able to say later this year that the so-called independent government in Saigon had so benefited from the policy declarations in Honolulu that they could now win the war against Communism by themselves and it would be possible for American troops to be withdrawn—say by election day or Christmas.

The Buddhists now seem to have precluded this possibility. Now the initiative, which shifted to the United States with the fall of Diem, seems to be shifting back to the Vietnamese.

Should the new government ask American troops to leave, President Johnson must decide whether to risk the anger of world opinion and a rear guard opposition from the Vietnamese by staying in that beleaguered country whether they want us or not; or, if we withdraw, he would in effect be writing off the lives of 2,600 American men and billions of dollars in American treasure which have been committed unsuccessfully to the principle of keeping South Viet-Nam independent of the domination of Communist North Viet-Nam.

Can we afford to withdraw in defeat in the eyes of the world? And can we afford to do it in the memory of those who have fallen on the field of battle in Asia? On the other hand, the risks of a more aggressive war are obvious—both to our economy and manpower and in the eyes of the world. Can we afford it? Would it heal any Chinese-Russian split?

In Viet-Nam, we have been committed to a policy, in the words of the President, "of making it clear that aggression does not pay off for the Communists." And thus, by a self-imposed limitation, we seem to have been committed to a defensive war in which we will not go beyond the 17th Parallel on the ground. And our air attacks north of that line have been limited to supply routes only. The restrictions on our military operations are very similar to those which were self-imposed in the post-MacArthur days in Korea.

And yet, some of the nations which are our allies elsewhere in the world continue to supply North Viet-Nam directly or through Communist China. And reports come back regularly that our troops and the South Vietnamese are being outflanked through Laos or Cambodia—or the Vietcong can escape to those sanctuaries.

As during the Korean War, we are told at home that we can have both guns and butter—that we can fight a war and have "business as usual."

Any questions about the prosecution of the war are turned aside with statistics or involved explanations. Secretary McNamara has made statements which would lead to almost any conclusion one might wish to make about the prospective length of the war. He has denied shortages of bombs and then admitted that we made "distress purchases" of bombs for $21 apiece that we had earlier sold for $1.70 each. He has denied mismanagement of the war. But only recently a constituent of mine told me of a letter he had from a senior officer in Viet-Nam advising that the Defense Department had shipped six 6 x 6's of anti-freeze to that tropical land with which to fight the war. Last December Secretary McNamara called for the phasing out of B-52 bombers on the theory that they would no longer be needed in American defense because their capability would be replaced by missiles—and four months later B-52's were being used heavily to push the war in Viet-Nam.

It is my personal observation that Secretary of Defense McNamara and Secretary of State Dean Rusk are, respectively, the least popular and the most sympathized with men in the President's cabinet. Secretary McNamara is unpopular because he won't brook questions and never admits an error. The reporters and Congressmen sympathize with Secretary Rusk because he will admit Administration errors even when they are his own.

It seems evident that a guerrilla war in Viet-Nam is not the kind of war we fight best. We are an industralized nation used to the so-called conventional war of the World War II variety. The Communists tackled us on that basis in Korea and, once we had gotten into the ball-game, were repulsed and then brought to stalemate. They did not achieve their objective and the peace which ended that war left things at the status quo. It will be remembered that we did not negotiate until we had secured South Korea and were holding the Reds effectively above the 38th Parallel.

As one who gave two years of his life (although no blood, as many others did), to the U.S. goal of keeping South Korea free, I'd feel very unkind about it if our Government had negotiated away the fruits of that war effort. I rather imagine there are a number of boys now fighting in Viet-Nam—and the families of the 2,600 boys who will never fight again—who would be similarly disheartened should we negotiate away the independence of South Viet-Nam for which they fought—not to mention the billions of dollars American taxpayers have put into this principle in South Viet-Nam in the last 15 years.

The situation in the world since the end of World War II has seen the line between the Free World and the Communist World become firmly established. It goes through Korea at the 38th Parallel; between Quemoy-Matsu and Communist China at the Straits of Formosa; to the 17th Parallel in Viet-Nam; it is blurred in Laos, but by our action or inaction, it includes India in the Free World but leaves Tibet to the Communists. It is also blurred in the Near East. As a result of our non-intervention in the uprising of 1953, it leaves Hungary to the Communists and has its sharpest European definition at the Berlin wall. The greatest crises of the world since the end of World War II have occurred when there have been Communist efforts to breach this line as when the Russian missiles were found in Cuba; when the Communists invaded South Korea; and now the Communist invasion of South Viet-Nam.

Hopefully, and perhaps we should even pray a little about it, whoever wins the elections scheduled in South Viet-Nam will be in a position to stabilize the country and assist us in clearing that land of Communist infiltrators. It might be a lot easier for them to do so—and it might help the right ones to win such an election—if we could be winning the war by the time elections are held.

And so, it looks as if we may have three to five months to try to accomplish that task after four years of "limited defensive war."

Americans must be aware of the situation in Southeast Asia and understand what may happen in the near future and what the causes were. It will be necessary to understand the past and near future to know the influences these events may have in the long run.

As I indicated earlier, only the President can really make foreign policy and command our nation's war effort. The average American citizen is unable to speak with any authority on such matters because there are too many unknown quantities in the picture today. Even the average Congressman is not much better off. Only the President has available to him the sources of data and information necessary to making military and foreign policy decisions. It is apparent from the wide disparity in views held by Members of Congress on the situation in Viet-Nam and what ought to be done about it that there is no single clear-cut "right answer" among them. The President has not kept them that thoroughly informed.

Our foreign policy under President Johnson has been bi-partisan only because the Republicans have made it so voluntarily. But it is beginning to be apparent that many Members of Congress do not feel they have been kept adequately informed. Their viewpoint is best reflected in that classic statement used during World War II by Senator Arthur Vandenberg: "I don't care to be involved in the crash landing, unless I can be in on the take-off."

Since about March 1st President Johnson seems to have been making an effort to bring the Senators and Congressmen more and more into the problems of Southeast Asia. I feel he will also be obliged to bring the people of America more into his confidence in this area. If we are facing the prospect of defeat and may have to write off 2,600 American lives and billions of dollars and the vast effort invested in Viet-Nam and Laos over the last fifteen years, then it will be necessary for us to brace for that. If we face the possibility of deeper involvement and further commitment to a difficult war, it certainly will be necessary to brace for that. Or, if we are to remain on some middle ground, perhaps slow withdrawal from Viet-Nam only to fight in Thailand or Cambodia or some place else on the Southeast Asia peninsula, we should also be forewarned of that, if possible.

It behooves all Americans to be aware of the situation in Southeast Asia in order to meet whatever challenge faces us there in the future. It also behooves us to understand the history of our involvement in that area in order to learn from it whatever lessons history can teach us. Aristotle said, "That nation which fails to learn from history is doomed to repeat it." That truism is as valid today as it was 2,500 years ago.

Polish Valor and the Battle of Monte Cassino

EXTENSION OF REMARKS

OF

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 6, 1966

Mr. FEIGHAN. Mr. Speaker, May 18 marked the 22d anniversary of the battle of Monte Cassino, one of the great turning points in World War II.

The Polish Second Corps, under the command of General Ladislaw Anders, played a heroic role in that battle, leading the assault that brought about the fall of Monte Cassino on May 18, 1944. That battle stands today as a symbol of the fighting spirit of the men in the Polish Free Army during World War II and their dedication to the cause of freedom.

Polish Veterans Post 203 and Polish Combatants Post No. 2, both of Cleveland, Ohio, observed this anniversary with suitable ceremonies on Sunday, May 22, at the Alliance of Poles Hall in Cleveland. It was my privilege to send a message of greetings to this observance which I am including by unanimous consent:

POLISH VALOR AND THE BATTLE OF MONTE CASSINO

The Battle of Monte Cassino has won its place in history as one of the great turning points in World War II.

Monte Cassino, eighty-five miles south of Rome, commanded the inland route to the Eternal City.

The Nazi high command selected this strategic location to make its most determined stand against the Allied forces moving northward in the liberation of Italy. Its natural terrain gave the enemy a strong advantage. The Alban Hills, stretching from Anzio to Monte Cassino, had been turned into a virtual arsenal by the Nazi commanders.

From the time the Allied forces landed at Anzio on January 20, 1944, through May 18th when Monte Cassino fell, one of the most severe and costly battles raged. The United States Fifth Army under the command of General Mark Clark struck at Monte Cassino week after week. Our artillery hammered that strategic location without pause.

The Nazis launched four major counter attacks against the Allied forces. Fifty thousand Allied troops were bottled up in this battle for four months. The casualties on both sides were heavy, the material destruction was almost beyond description.

The Polish Second Corps, under the command of General Ladislaw Anders, distinguished itself for outstanding courage and valor during this entire battle. The stories are legion about the dauntless courage of the men in the Polish Corps, their refusal to withdraw under withering fire, their determination to breach the Nazi lines at all costs.

On May 18th, the Polish Second Corps assaulted and took Monte Cassino. There the casualties were great, exceeded only by the fearless spirit of the Polish assault forces. On that day the Nazi forces were smashed, the inland route to Rome was opened and the tide of battle to liberate all of Europe turned.

The heroic role of the Polish Second Corps in the Anzio and Cassino campaign is well established in the history of free men. Those men who fought and died on the battlefield were determined to fight their way across occupied Europe to liberate their homeland. Their dying hopes were shattered on the rocks of Russian deceit, duplicity, and imperial ambitions.

This 22nd Anniversary of the Battle of Monte Cassino can not fail to remind us of the terrible tragedy imposed upon a once free and independent Poland as a consequence of World War II. We honor the gallant men who fought and died at Monte Cassino. Free men can do no less than reaffirm a common resolve to right the terrible wrong done the Polish nation.

Cotulla, Tex., Group Visits President

EXTENSION OF REMARKS

OF

HON. ELIGIO DE LA GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 6, 1966

Mr. DE LA GARZA. Mr. Speaker, President Johnson's first acquaintance with my area of south Texas was when he came as a young man to teach at an elementary school in Cotulla, Tex. He has never forgotten the area. We have never forgotten him. Recently, some young boys and girls from Cotulla were here, and I had the privilege of having them visit me.

The group included Robert W. Cadwell, Betty Cadwell, Orfalinda Garcia, Nina Sue Peters, Martha Ramirez, Dana Weatherford, Mark Martin, Elaine Bahn, Nancy Gebert, Patsy Gilbert, Rene G. Anguiano, Edianne Arnold, Mary Snowden and their leaders and chaperones, Rev. and Mrs. Ben Welch and Mrs. Charles Huffman.

They were an example of our young people of the area—well mannered and with the typical south Texas courtesy and charm. They also were honored and our whole area was honored by having them visit President Johnson. I would like very much to share with my colleagues in the House the words that President Johnson spoke to them at this visit:

PRESIDENT'S REMARKS TO A GROUP OF HIGH SCHOOL STUDENTS FROM COTULLA, TEX., IN THE CABINET ROOM

Reverend Welch, young men and women, ladies and gentlemen:

I am very happy that you boys and girls could come to Washington, your national capital, to see for yourselves how many people are here in your Government and how your national government really works.

Many people think of Washington as a strange and alien place, and think of the government as a remote and sometimes very dangerous power. Now I think you can see for yourselves that there is not anything very dangerous about us.

Your government is just people. We are not very different from yourselves or from your parents. Your President is a former teacher of the Wellhousen School at Cotulla.

Your Vice President is a former druggist from Minnesota.

In the Government, in the Congress, in the Supreme Court we have people from every part of 50 States and you can't tell today which one started out as the son of a tenant farmer or which one started out as the son of a rich banker.

Here the only thing that counts is what they have done with their own lives. They all seem to have one thing in common. They love their country and have a willingness to spend their lives working for their country, serving their country, fighting for it, if they need to.

I hope that some of you will some day make that same decision for yourselves. It was in your school back there in Cotulla, almost 40 years ago, that I decided what I wanted to do with my own life. I thought you might be interested in seeing what the teacher of the 5th, 6th, and 7th grades at Cotulla in 1928 looked like and what some of his pupils were like in those days.

In a moment I am going to ask one of my secretaries to give each of you a picture to take back home with you so that you can at least prove to them where you have been.

That job in Cotulla was one of the first big opportunities of my life and I met some of the nicest people I have ever known. Some of my dearest friends live in that little town.

I was a sophomore in college at San Marcos, living over a garage, working at several different jobs from a janitor sweeping floors to selling Real-Silk socks, to editing the college paper.

But even with all of that, I don't think I could have ever made it, if I hadn't been offered a good job at $125 a month to teach school in Cotulla. That year of teaching pointed me down a road which I have tried to follow diligently ever since.

I still remember the pain that I felt in realizing when I was a teacher in your town, in your school, that the doors to college were closed to practically every student I was teaching.

In those days, if you didn't have money your opportunities were very limited. So I made up my mind, then and there, at the Wellhousen School in Cotulla, that if I ever got the chance, I was going to help change that situation in this country, and I have changed it.

It was one of the proudest moments of my life when last November I went back to that college, to that town, to San Marcos, Texas, to sign a law as President that is going to provide scholarships and loans and work to millions of boys and girls so they can all go to college.

Last year we passed another law which is going to improve all of our elementary schools and all of our high schools so that all of our children will be better prepared for college when they finally get there.

I think you can see that the doors of opportunity have swung open for all young Americans. I hope you boys and girls will go through those doors of opportunity. I want you to get all the education you can take.

If you need help, then your Government will give it to you. If you need work, then the Government will help you find it. And when you have become outstanding young lawyers, or doctors, or scientists, or nurses as Luci wants to be, or teachers as Lynda wants to be, you can repay your Government and your country by devoting some of your talent to serving your country in public service.

I hope to live to see the day when some of you who are right here at this moment in the Cabinet Room will be up at the State Capital in Austin, or in the National Capital here as adults helping to carry this country into even greater achievement than I have seen in my own lifetime.

I would say that the odds are better and greater that you will have a chance to go to Austin and serve in your State Capital, or Washington and serve in your National Capital, than there were for me when I was at Cotulla ever getting here.

Someone said the other day that they had been told all their life that every young person born in America had a chance to some day grow up and be President. And they said after hearing me on television the other night in "The Hill Country of Texas", that they now believed that that was true.

Increase the Amount of Property Which May Be Held by the American Academy in Rome

EXTENSION OF REMARKS

OF

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 6, 1966

Mr. KUPFERMAN. Mr. Speaker, during this period of growing interest both in the arts and humanities and in international education, I would like to remind my distinguished colleagues of an institution which has been one of America's finest and longest contributors to both of these fields—the American Academy in Rome. Since 1894 the academy has provided promising young American artists and scholars with the opportunity to spend one or more years in Rome undertaking independent creative work or research.

The American Academy in Rome was chartered in 1905 by the U.S. Congress to promote the study and practice of the fine arts and to aid and stimulate the education and training of architects, painters, sculptors, and other artists.

The original act in 1905 provided that the American Academy in Rome may hold real estate and personal property in the United States and Italy for the necessary use and purpose of the organization to an amount not to exceed $1 million.

With the many endowments, gifts, and contributions from individuals and American colleges and universities—the original amount of real and personal property which the academy is authorized to hold was soon increased to $10 million—Public Law 251, June 6, 1912.

The present bill would permit the American Academy in Rome to receive additional bequests and legacies to enable it to continue its work in Italy and America by authorizing an increase in the total amount of property it may hold to $25 million.

Under an amendment to the charter in 1913, the academy was consolidated with the American School of Classical Studies in Rome, and its purposes were broadened to include the study of the archeology, literature, and history of the classical and later periods.

With the exception of a summer session, the Academy offers no coursework. Each year several distinguished artists, composers, and scholars are invited to be in residence, and they are always available to fellows for advice and consultation. The Academy draws its support from endowment funds, gifts from individuals, and yearly contributions of $250 to $500 each from American colleges and universities.

The atmosphere and setting of the American Academy in Rome, whose United States office is in New York City, provide an ideal setting for the growth of all who have an opportunity to live and work there. But the Academy's influence is not limited to those who are in residence. It reaches out to the citizens of Rome and each year welcomes many distinguished guests who travel to Rome from all over the world. Through concerts, lectures, and exhibits, the creative talents of those at the Academy and other special guests are shared with a wide range of individuals. Cooperative ventures with European artists, scholars, and institutions are another way in which the educational and creative endeavors of the Academy become truly international.

The significance of the Academy in nurturing some of America's greatest artists and humanist scholars and the growth of their worldwide reputation can scarcely be underestimated. The roster of former fellows shows that some of our most eminent artists and scholars studied there as young men and women. Among them, I am proud to say, are many New Yorkers. John Ciardi, an editor of the Saturday Review, Howard Hanson, director of the Institute of American Music, Randall Thompson, one of our most prominent composers, writers Ralph Ellison and Richard Wilbur, and painter Joseph Lasker are just a few of the many from our State alone who spent some of their important early years at the Academy.

Mr. Speaker, as we look forward to the growth of the study of the arts and humanities in this country, and to a greater stress on international education, I pay tribute to the American Academy in Rome. The farsightedness of its distinguished founders, the efforts of its trustees and directors, and the creative work of its many residents and visitors over the past 70 years have been of great benefit to our country here and abroad and have provided us all with an example we should try to emulate.

I am pleased to be the sponsor of legislation which will enable the American Academy in Rome to continue and expand its splendid work and many contributions to the fields of art and humanity.